



Zoning & Planning Committee Budget Report

City of Newton In City Council

Monday, May 22, 2023

Present: Councilors Crossley (Chair), Danberg, Albright, Leary, Krintzman, Wright, Baker, and Ryan

Also Present: Councilors Greenberg, Gentile, Humphrey, Norton, Bowman, Lucas, Oliver, Malakie, Laredo, and Downs

City staff present: Maureen Lemieux, Chief Financial Officer; Perry Rosenfield FP&A Manager; Jonathan Yeo, Chief Operating Officer; John Lojek, Commissioner of Inspectional Services; Anthony Ciccariello, Deputy Commissioner of Inspectional Services; Lara Kritzer, CPA Program Manager; Amalia Timbers, Citizen Assistance Officer; Andrew Lee, Assistant City Solicitor; Ann Berwick, Co-Director of Sustainability; Josh Ostroff, Director of Transportation Planning; Barney Heath, Director of Planning; Jennifer Caira, Deputy Director of Planning; Deb Finamore, Inspectional Services Administrative Assistant; Jaclyn Norton, Committee Clerk

For more information regarding this meeting, a video recording can be found at the following link:
[05-22-23 Zoning & Planning Committee Meeting](#)

Please Note: Budget materials can be found on the City's website at the following link:
<https://www.newtonma.gov/government/comptroller/budget>

DEPARTMENT BUDGET & CIP DISCUSSIONS:

Inspectional Services Department

CPA Administration

Planning Department

#1-23

Submittal of the FY 2024 to FY 2028 Capital Improvement Plan

HER HONOR THE MAYOR submitting the Fiscal Years 2024 to 2028 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter.

Referred to Finance and Appropriate Committees

#1-23(3)

Submittal of the FY24 Municipal/School Operating Budget

HER HONOR THE MAYOR submitting in accordance with Section 5-1 of the City of Newton Charter the FY24 Municipal/School Operating Budget, passage of which shall be concurrent with the FY24-FY28 Capital Improvement Program (#213-22).

EFFECTIVE DATE OF SUBMISSION 05/01/23; LAST DATE TO PASS THE BUDGET 05/15/23

Referred to Finance and Appropriate Committees

#1-23(4)

Submittal of the FY24 – FY28 Supplemental Capital Improvement Plan

HER HONOR THE MAYOR submitting the FY24 – FY28 Supplemental Capital Improvement Plan.

Inspectional Services

Note: The proposed budget for ISD is \$2,071,646., representing a 2.5% increase over FY23. John Lojek, Commissioner of Inspectional Services, described that in FY23 the Inspectional Services Department saw many things return to pre-pandemic conditions, except that the way the Department conducts business has changed forever, due to the creation and implementation of NewGov. NewGov has allowed the Department to streamline permitting and inspection reporting processes and helps achieve consistency and communication across the Department. Commissioner Lojek further noted that staff is available to instruct members of the public on how to use the system and have a kiosk available for the public to use. Complaints or requests for zoning enforcement are also managed through this system and it was affirmed that the person who files the complaint will remain anonymous. The department also provides periodic inspections of all public buildings, restaurants, and places of assembly in the city, every year, which the Commissioner described as possibly the most comprehensive such system in the state, requiring a full time inspector to conduct the 825 inspections per year. A most challenging aspect of ISD work is dealing with citizens' complaints, which rose sharply during COVID, with many more people working from home. In recent years, the Department has also incorporated providing leafblower enforcement and weights and measures. Commissioner Lojek also stated that the Department is working with other Departments on how the NewGov system can be implemented.

Multiple Councilors thanked Commissioner Lojek for his 18 years of excellent work with the City in light of his planned retirement on June 30, 2023.

Q&A

Q: Why was a Development Service Assistant position eliminated?

A: Commissioner Lojek stated that this is an administrative position that was deferred in FY23 and found to be unnecessary due to NewGov streamlining processes and a decreased amount of work available for that position.

Q: Does the Department have the capacity to cover when positions are vacant, or staff are out of the office?

A: It was noted by Commissioner Lojek that in the past staff have always been willing to fill in where necessary to ensure smooth operation of the Department.

Q: How could the Department make dealing with resident complaints easier for staff?

A: Commissioner Lojek commended the work of the Code Enforcement Officer who is very responsive and tries to respond to complaints within 48 hours of them being submitted on NewGov.

Q: How many demolitions are conducted annually?

A: Anthony Ciccariello, Deputy Commissioner of Inspectional Services, stated that about 100 to 120 demolitions take place per year in the City.

Q: Could previous special permit conditions be entered into NewGov and how far back do records go on the system?

A: The Department policy is to upload all previous documents when a property interacts with the office according to Commissioner Lojek and Jonathan Yeo, Chief Operating Officer. Property records in the NewGov system currently are complete back to 2005.

Q: Has the Department seen other aspects of the office get busier with the number of permits decreasing?

A: The Department has seen an increase in complaints filed since the beginning of the pandemic. When asked what could be the cause, Commissioner Lojek noted that with people being home more (working from home), they are noticing things, such as noise related to construction activity, that they previously were not present to witness.

Q: What is the status of short term rental ordinance enforcement?

A: Currently, the Department responds to complaints as they come in. Commissioner Lojek noted that these complaints abated with reduced rentals during the pandemic, but stated that the Department could look into the creation of an enforcement program.

Q: Has the Department created an updated list of energy requirements, in the form of what was previously a checklist, that reflect updates to the Stretch Code?

A: According to Mr. Ciccariello an updated list has not been developed yet and currently the information on updated requirements is being done through comments on NewGov. He noted that he will look into how the Department can add the checklist to NewGov.

The Committee took a straw vote to accept the Inspectional Services Department's proposed Budget of \$2,071,646, which passed unanimously.

CPA Administration

Note: The CPA's proposed Budget is \$5,620,342. Lara Kritzer, CPA Program Manager, detailed that Community Preservation Act (CPA) Funding primarily comes from a local revenue surcharge of 1% on property taxes and there is a State CPA Trust Fund match on the prior fiscal year. This funding can be used in the year it becomes available, or for future projects. For the FY24 Budget, the local CPA surcharge is \$4,120,278, the state matching funds are estimated at 20% or \$796,154, and the unrestricted fund balance is \$703,910., for a total FY24 budget of \$5,620,342. This proposed budget was approved by the Community Preservation Committee (CPC) on April 11, 2023.

The proposed FY24 expenditures include \$182,907 allocated to program administration, and \$132,818.80 for debt service for Webster Woods. In addition, required reserves for the fund include \$562,034 each for the Community Housing Reserve, Historic Resources Reserve, and Open Space Reserve; leaving \$3,618,514. In the general reserve. The general reserve is unrestricted and may be used for any CPA-allowed purpose. Ms. Kritzer also outlined the breakdown of the administration budget for the CPA which propose a slight decrease in the printing and signs line items. The CPA Program Reports and Presentations Page includes finance at a glance report which is updated monthly. An example of this report can be found in the attached presentation.

Multiple Councilors expressed support for the work of Ms. Kritzer and the CPA Administration and urged that a larger percentage of these funds be used for non-City projects. The Chair also urged that the Department look into a complete assessment of the repairs needed to Warren House (former school) housing project, to understand the full scope of work prior to approving another \$2 million.

Q&A

Q: What dues does the Department pay?

A: Ms. Kritzer stated that the City is a member of the Community Preservation Coalition, which is a statewide organization that bases the dues on size of the municipality and CPA program. This Coalition is a vital resource for the Department and has helped advocate for additional state funding into the program.

Q: Could the Department explain the decrease in the debt service for Webster Woods?

A: The decrease in debt service is attributed to greater CPA funds being received for FY24 which increases the open space reserve and decreases the amount needed from the general reserve.

Q: What does the Department use consultants for?

A: Consultants have only been used for larger projects, or independent studies, and this has been a rare occurrence for the Department.

Q: What is the Department working to increase awareness of the CPA?

A: The Department is working with the new Community Engagement Coordinator to strengthen outreach efforts.

Q: Have you looked into participatory budgeting for the CPA Administration?

A: Ms. Kritzer stated that she had begun discussing this with the previous Community Engagement Coordinator and will look into it for smaller projects.

The Committee took a straw vote to accept the CPA's proposed Budget of \$5,620,342, which passed unanimously.

Planning Department

Note: The proposed budget for all divisions of the Planning Department is \$2,643,054., representing a 3.85% increase over FY23. Director Barney Heath began the presentation stating that he is joined by Jennifer Caira, Deputy Director of Planning; and Josh Ostroff, Director of Transportation Planning. The Planning Department will continue ongoing zoning redesign efforts relating to completing the Village Center Overlay District (VCOD) and MBTA Communities compliance. In FY24 the Department will also begin looking at updating zoning along the City's commercial corridors (Needham, Boylston, and Washington Streets outside of village centers), and will continue work on updating the former industrial /manufacturing zone in Nonantum. Other updates to Chapter 30 Zoning would include revising residential site and grading requirements, revising parking requirements and considering adding desirable new use categories. Advances to transportation initiatives are also goals for FY24, including continued advocacy for commuter rail upgrades, continued development of the Carriageway project, completing development of a Bike/Pedestrian Master Plan, and implementation of the Albemarle Traffic Calming Pilot.

The Housing Division will also be continuing its work to expand affordable housing opportunities. Relevant projects include completion of a feasibility study of the city-owned housing at the Walker Center to become deed-restricted affordable housing, a program to retrofit existing large housing projects to become more energy efficient seeking available grants, and partnering with EMPATH on the Newton Economic Mobility program. Regarding conservation lands, the Department plans to increase accessibility and improve infrastructure, signage, and maps. It was pointed out that the \$50,000 in the conservation grounds maintenance budget is augmented by \$25,000 from the Commonwealth Golf Course, and that there is about \$62,000 in unspent funds for small capital projects.

Multiple Councilors expressed appreciation for the expansive work of the Planning Department. Councilors also encouraged greater coordination with the Parks, Recreation and Culture Department and various Friends Groups for work on conservation lands, noting that this part of the budget is not sufficient for the amount of maintenance the city should provide.

Q&A

Q: Are the increased funds for Conservation enough to accomplish goals?

A: The increase in the maintenance line item was intentional according to Director Heath, and would allow the Department to perform more maintenance on an as needed basis. The same amount of money was subtracted from the capital projects line, which has gone unused, and there are unspent funds and ARPA funds allocated to such work. When asked if this is sufficient to help the City get ahead of problems, Jonathan Yeo, Chief Operating Officer, stated that this budget cannot be increased further due to the failure of the operating override.

Q: Has the Newton Affordable Housing Trust been consulted on the Walker Center project and what is the timeline of the project?

A: Director Heath explained that the Trust has not been consulted yet but will be in the future. Regarding the timeline the current phase is to be completed in early 2024.

Q: Is the City partnering with a consultant regarding the assessment of the Walker Center?

A: For the Walker Center project the Department will be partnering with Weston & Sampson, in ways similar to the City's partnership with them regarding the West Newton Armory project.

Q: What is the full cost that the Department will spend on consultants?

A: The department generally underspends this line item and routinely submits a request to carry over a portion of the unspent money each fiscal year. This carryover helps reduce additional requests and is also done for other departments. The FY24 budgeted amount with no carryover is \$200,000 which has remained steady over previous years. Director Heath noted that in FY2023 the Department is set to spend \$216,000 on consultants which is possible due to the previous underspending for this line item.

Q: Could the Department explain the role of the part time position added?

A: The addition of one part time position is to have Nicole Friedman staying on with the City as a Transportation Coordinator. Ms. Friedman was previously the Director of Transportation Planning and was very successful at acquiring alternative funding sources for projects; she will continue to write grant requests to that end.

Q: Why did the refreshment line item increase?

A: Director Heath noted that this line item increased as the Department previously provided refreshments at community events prior to the pandemic and would like to return to that practice in FY24.

Q: What projects are the energy retrofits for?

A: The intention is to retrofit older large affordable housing developments. Director Heath stated that part of the ARPA funds were set aside for affordable housing and these retrofits. The Department is in consultation with Bill Ferguson, Co-Director of Sustainability, who will guide the work.

Q: Does the Department have a 5 year goal for the number of bike lanes?

A: Mr. Ostroff stated that the Department will finalize metrics after the upcoming public meeting on the bike/pedestrian master plan is conducted.

The Committee took a straw vote to accept the Planning Department's proposed Budget of \$2,643,054, which passed 7-0 (Councilor Ryan Not Voting).

Respectfully submitted,

Deborah J. Crossley, Chair