



## Programs & Services Committee Report

### City of Newton In City Council

**Thursday, June 8, 2023**

Present: Councilors Krintzman (Chair), Humphrey, Wright, Baker, Albright, Ryan, and Greenberg

Absent: Councilor Noel

Also Present: Councilors Norton, Leary, and Malakie

City Staff: Jonah Temple, Deputy City Solicitor; Barney Heath, Director of Planning and Development; and Jaclyn Norton, Committee Clerk

For more information regarding this meeting, a video recording can be found at the following link: [Programs and Services Committee - June 8, 2023 \(newtv.org\)](https://www.newtv.org/Programs-and-Services-Committee-June-8-2023)

**#144-23**      **Citizens Group Petition to place a nonbinding advisory question on the ballot**  
PETER HARRINGTON ET AL., petitioning pursuant to Article 10, Sec. 10-2 of the City of Newton Charter, for the City Council to cause the following non-binding question to be placed on the November 7, 2023 municipal ballot: "Shall the City of Newton adopt new zoning laws to: 1. Allow new buildings of three and one-half and four and one-half stories in our village center business districts; 2. Allow the expansion of the lot size on which new developments can be built, without obtaining a special permit, from the current 10,000 square foot threshold to 30,000 sq ft; 3. Allow the reduction or elimination of parking space requirements in Village Centers; 4. Change Newton Ordinances to allow developers to build fewer affordable housing units and allow the affordable units to be occupied by tenants with more income than provided by Newton's Ordinances, unless Newton shows its requirements are economically feasible."

**Action:**      **Programs & Services Voted No Action Necessary 5-0-2 (Councilors Baker and Wright Abstaining)**

**Note:**          The Chair noted for this meeting that the Committee will first hear from the public then afterward Councilors will discuss the petition.

The Public Hearing was opened.

Peter Harrington, 157 Lowell Ave, described that the City Council is currently in the midst of discussions regarding the Village Center Overlay District. This petition was submitted to allow

all residents to have a say in a major government decision. He further noted the memorandum from the Attorney General stating that compliance with MBTA Communities Guidelines is mandatory and will result in legal action. The City will also not receive funding for renovations to the three Commuter Rail stations if non-compliant. Mr. Harrington described that he does not believe that the state has the authority to withhold this funding for noncompliance.

Peter Bruce, 11 Claflin Place, detailed that rents within Newtonville have increased and stated that there is weak evidence that additional housing will reduce rents.

Diane Prunte, 305 Winchester St, is affiliated with Right Size Newton and noted the local and state work relating to zoning. She expressed concern with the scale of the current village center zoning proposal and expressed support for the non-binding ballot question.

Sara Quigley, 105 Atwood Ave, expressed how having this non-binding ballot question appear on the ballot would ensure that everyone is aware of the zoning redesign efforts. She also described how the community outreach by the Planning Department was insufficient and how the Boston Globe in a recent article minimized these changes.

Carolyn Gabbay, 11 Doris Circle, expressed concerns about the Planning Department's community outreach efforts not being scientific and that no information mailers were sent to all residents. She further noted the significance of this topic and how this non-binding question would help people be aware of this topic.

Similar comments were made by Margaret Ward, 957 Washington St; Stephen Farrell, 30 Winston Rd; MaryLee Belleville, 136 Warren St; Rena Getz, 192 Pine Ridge Rd; Kathleen Kouril Glaser, 258 Mill St; Wendy Landon, 40 Old Field Rd; Annie Wright, 56 Boden St; Robert Kavanaugh, 69 Court St; Agnes Olshansky, 20 Sutcliffe Park; Ellen Darcy, 18 Warwick Rd; Jeffrey Kane, 157 Newtonville Ave; Gail Gordon, 32 Walnut Place; Shari Golden, 472 Waltham St; Jill Geiger, address unknown; Norma Swenson, 144 Ridge Ave; Marc Hershman, 162 Cynthia Rd; and a Newton resident.

Tom Gagen, 32 Fern St, commended the outreach work done by the Planning Department and that the public will have an opportunity to voice their opportunity on the proposal when the public hearing opens. The public hearing for the VCOD will begin on Monday, June 26th before the Zoning & Planning Committee. He also noted the work done by Councilors to understand this topic and opposed placing the non-binding question on the November 7, 2023, municipal ballot.

Similar comments were made by Lynn Weissberg, 5 Alden St; and Dan Ruben, 175 Roberts St.

Nancy Zollers, 154 Oliver Rd, stated that the Planning Department has done significant amounts of community engagement with information sessions for each village center that was well attended by the public. She also described how the Councilors have respected the input

received thus far and opposed placing the non-binding question on the November 7, 2023, municipal ballot.

Doris Ann Sweet, 281 Lexington St, expressed concern with the language of the proposed question citing that it oversimplifies the Village Center Overlay District (VCOD) proposal.

Similar comments were made by Jay Walter, 83 Pembroke St; Laurel Farnsworth, 73 Perking St; and Alice Ingerson, 1923 Beacon St.

Ravi Pappu, 38 Waban St, voiced support for the proposed ballot question stating that allowing this development by-right is a tax on residents in Newton's village centers.

Lisa Monahan, 1105 Walnut St, commended the work of the Planning Department and the Zoning & Planning Committee regarding the VCOD. She further noted that the proposed non-binding questions minimizes the work done by the Planning Department and Zoning & Planning Committee.

Howard Rosenof, 9 Herson St, supports the non-binding ballot question citing that the rezoning won't stop with the village centers and the need for residents to be aware of what is going on.

Kevin Burke, 255 Adams St, voiced support for the non-binding ballot question and stated that more housing will not reduce traffic or emissions. He also expressed caution regarding the VCOD proposal stating that it would turn Newton into an urban center.

Similar concerns were echoed by Janie Stewart, 250 Adams St; and Antoinette Stewart, 25 Lincoln Rd.

Russel Feldman, 85 Langley Rd, noted that some of the concerns raised by the public are not about the ballot question, but the VCOD proposal instead. He proposed that the City Council should continue the zoning redesign process, not support the ballot question, and factor these comments into future discussions regarding the VCOD proposal.

Laura De Veau, 12 Proctor St, described how residents need to have more trust in their local government. Similar comments were made by Annie Raines, 50 Court St.

Terry Sauro, 44 Cook St, cited concerns with the density of the VCOD proposal and voiced support for the non-binding ballot question.

Simon French, 47 Glen Ave, voiced support for the proposed question citing that it could be a bellwether if a referendum on the VCOD occurs.

Gail Regan, 24 Upland Rd, described how village centers in Newton are currently places where people drive through due to a lack of people. She described that one of the goals of the VCOD is

to incentivize more affordable housing, that the process of developing this proposal has been going on for many years, and voiced opposition to the non-binding ballot question.

Marcia Cooper, 170 Evelyn Rd, stated that the proposed non-binding ballot question is not the way to educate voters about this topic and that the community will suffer if more affordable housing isn't built.

Councilors voted 7-0 on a motion to close the public hearing from Councilor Albright.

The Chair asked the Law Department if the non-binding question can be edited to better reflect the proposal. Jonah Temple, Deputy City Solicitor, stated that the question cannot be amended but another docket item can be filed with a revised question. Attorney Temple also outlined that should the petition not receive an affirmative vote by the City Council then they can get signatures equal to 10 percent of total voters to force the question onto the ballot.

Multiple Councilors described how the proposed non-binding ballot question does not adequately reflect the proposed VCOD and how the public will have a chance to provide input once the public hearing opens on June 26th before the Zoning & Planning Committee. That public hearing will remain open through the fall.

Councilors who supported the idea of a non-binding ballot question stated that while the proposed one is inaccurate Councilors could draft a more accurate one to place on the ballot. These Councilors also indicated that having a non-binding question on the ballot would allow for the voter guide to serve as a way for all voters to receive information regarding this topic.

Regarding recent outreach, the Planning Department has sent out over 6,000 postcards to property owners, residents, and abutters to the VCOD along with publishing information sheets on the City's website. Councilors also described that the public could learn about what is going on through the Friday Packet and the Mayor's Newsletter, along with being able to participate through phone calls, emails, and challenging the ordinance after it has been passed through a referendum.

Committee members voted 5-0-2 (Councilors Baker and Wright Abstaining) on a motion of No Action Necessary from Councilor Albright.

The meeting adjourned at 10:25pm

**Respectfully Submitted,**

**Josh Krintzman, Chair**