



Programs & Services Committee Report

City of Newton In City Council

Wednesday, June 28, 2023

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

Absent: Councilor Greenberg

Also Present: Councilors Malakie and Gentile

City Staff: Marc Welch, Deputy Commissioner of Parks, Recreation and Culture; and Jaclyn Norton, Committee Clerk

For more information regarding this meeting, a video recording can be found at the following link: [Programs & Services Committee - June 28, 2023 \(newtv.org\)](https://www.newtv.org/Programs%20and%20Services%20Committee%20-%20June%2028,%202023)

#207-23 Citizens Group Petition on Chapter 21, Art. III, Division 3

PAT IRWIN ET AL., petitioning pursuant to Article 10, Sec. 10-2 of the City of Newton Charter, that the Newton City Council amend the City's Tree Preservation Ordinance (Chapter 21, Article 3, Division 3) to apply the following protection regulations to all healthy, not dangerous trees 6 inches DBH (diameter at breast height) and larger on all properties in the City not owned by the State or Federal Government: require planting replacement or cash payment to mitigate the environmental and health damages to abutters from tree removal; waiver of the payment or replacement requirement only if the application process provides acceptable certification that the protected tree is dead, diseased, dangerous, or that removal of the tree will improve the overall health of the tree canopy; protection of trees on lots adjacent to construction sites; and owners of abutting properties shall be notified of each tree-removal application.

Action: **Programs & Services Voted No Action Necessary 5-1 (Councilor Wright Opposed)**
(Councilor Noel Not Voting)

Note: The Chair outlined the timeline of the submission of this petition and the full Council needing to issue a decision regarding this petition by August 12, 2023. A Councilor asked if the public hearing could be kept open to accommodate those attending a memorial service that was happening at the same time as this meeting. Another Councilor responded that all members of the public can submit written testimony before the full Council meeting on July 10, 2023.

The Public Hearing was opened.

Quinton Zondervan, 235 Cardinal Medeiros in Cambridge, is a City Councilor in the City of Cambridge and outlined that they have had an ordinance similar to the petition in effect since 2020. This ordinance has not received any legal challenges.

Dr. Melissa Brown, 949 Chestnut St, described the need to prevent trees from being cut down and that the petition would help trees be treated as a community resource.

Similar testimony was made by: Faith Justice, 44 Churchill St; a Lunenburg resident, Marcia Kean, 48 Churchill St; Jim Truncer, 949 Chestnut St; Yonatan Beit-Aharon, 566 Centre St; and Pat Irwin, 115 West St.

Steve Tolkin, 43 Kelveden Rd, stated that while he understands the benefit of trees he is against the proposal and advocated for limiting government interference in the lives of residents.

Bob Persons, 2396 Commonwealth Ave, expressed opposition to the petition and urged support for an exemption if solar panels are being installed.

Julia Wiasett, 33 Alexander Rd, noted two benefits to preserving trees being that they increase air quality and that they can have benefits for children. She also expressed concern about trees being cut down for development within Newton and supported the petition.

Similar testimony was made by: Cara Szeghy, 43 Highland Ave; and Samuel Caraballo, 31 Hale St.

Barbara Brousal-Glaser, 20 Auburndale Ave, described that false equivalency is present regarding the replanting of trees and protecting mature trees. She advocated for preserving trees on all lots and that preserving trees will not stop housing development.

Similar testimony was made by Aline Sammut, 317 Newtonville Ave.

Stephen Farrell, 30 Winston Rd, expressed concern with any permanent exemptions within the tree ordinance.

Laura Petrillo, 119 Oxford Rd, described that one of the goals of this petition was to ensure public comment on the tree ordinance that is before the Committee.

Alan Nogee, 48 Kingston Rd, expressed support for the petition citing how private trees bring about public good. He also proposed having a provision in the ordinance that promotes biodiversity in the planting of replacement trees.

Similar testimony was made by Lorenz Glaser, 20 Auburndale Ave.

Margaret Ward, 957 Washington St, urged the City Council to adopt a tree ordinance that protects the tree canopy.

Adam Lipson, 33 Alexander Rd, echoed support for the petition stating the need to adopt an impactful tree ordinance.

Committee members voted 7-0 on a motion to close the public hearing from Councilor Baker.

Multiple Councilors noted that many suggestions worth exploring more were presented during the public hearing. These include having a distinction for developers versus residents, and a distinction between native and non-native plants. During the meeting, multiple Councilors also stated that the Committee has spent so much time on the tree ordinance to ensure that it meets the needs of the City.

Councilors voted 5-1 (Councilor Wright Opposed) (Councilor Noel Not Voting) on a motion of No Action Necessary from Councilor Albright.

The meeting adjourned at 8:33pm.

Respectfully Submitted,

Josh Krintzman, Chair