



PLANNING & DEVELOPMENT BOARD MEETING MINUTES

October 2, 2023

Ruthanne Fuller
Mayor

Barney Heath
Director
Planning & Development

Joseph Iadonisi
Planning Associate

Members

Kelley Brown, Chair
Kevin McCormick, Vice Chair
Lee Breckenridge, Member
Amy Dain, Member
Peter Doeringer, Member
Jennifer Molinsky, Member
Barney Heath, *ex officio*
Laxmi Rao, Alternate

1000 Commonwealth Ave.
Newton, MA 02459
T 617-796-1120
F 617-796-1142
www.newtonma.gov

Members present:

Kelley Brown, Chair
Kevin McCormick, Vice-Chair
Lee Breckenridge, Member
Amy Dain, Member
Peter Doeringer, Member
Jennifer Molinsky, Member
Barney Heath, *ex officio*

Staff present:

Andrew Lee, Senior Assistant City Solicitor
Zachary LeMel, Chief of Long Range Planning
Joseph Iadonisi, Planning Associate

Meeting held virtually by Zoom Meeting at 7:00 p.m.

1. Board of Survey (This item was held and will be heard on October 16th, 2023)

Mr. Kelley clarified that the Board is waiting for the applicants to provide more documentation before holding this item.

2. Continuation of Public Hearing for docket item #38-22 Request for discussion and amendments to the Zoning Ordinance and Zoning Map regarding village center districts and discussion on docket item #39-22 Requesting discussion on state guidance for implementing the Housing Choice Bill/ Possible Vote

The Senior Assistant City Solicitor, Mr. Lee, discussed the Housing Choice Act and the Law Department's memorandum on the forthcoming City Council vote on the Village Center Overlay District (VCOD). Mr. Lee stated that the VCOD requires a simple majority vote is needed for mixed-use and multi-family. Additionally, the criteria for where the zoning is applied to may include areas close to transit and areas of concentrated commercial development. Mr. Lee stated that most village centers fit within the criteria for proximity to transit. Mr. Lee asked for the Board to consider if the remaining village centers are concentrated areas of commercial development. Mr. Brown asked if anything further is needed from the Board and Mr. Lee asked that the Board's recommendation to the City Council regarding the forthcoming vote on VCOD zoning closely mimics the language of the Housing Choice Language.

Mr. McCormick moved that Mr. Iadonisi author the Board's recommendation. By a vote of 6-0 in favor, with Director Heath abstaining, the Board voted to approve the motion.

The Board then began discussion on the VCOD itself. Mr. Brown asked that the Board focus on what they think is best for the City rather the political considerations.

Ms. Molinsky started the discussion with her impression from the most recent Public Hearing, held on Sep. 26th. She mentioned that the City of Newton has been in the process of Zoning Redesign for a significant period of time and that the MBTA Communities Law is a newer law. The VCOD, in combining the two, is attempting to balance both priorities. Ms. Molinsky mentioned her overwhelming support for the

VCOD, but her perception was that more of the VCOD was placed on the north side of Newton where transit is less accessible, and she expressed sympathy towards concerns about that perceived imbalance. Her hope was that transit keeps pace with development. Secondly, she mentioned her support for adaptive reuse and preservation of existing buildings. However, she wished there was a way to promote reuse in historic districts near transit in a way that complies with the historic district standards. Mr. LeMel stated that the districts would be eligible for inclusion in the VCOD and that the local district historic commission would review every development that might occur there, but that the City Council was not in favor and that there are some legal limitations to the adaptive reuse provisions that the Planning Department had previously authored for the VCOD.

Mr. Doeringer asked about next steps for the Planning Board regarding the VCOD, Mr. Brown stated he wished to have a memorandum drafted by the next meeting for approval and dissemination prior to the next Zoning and Planning Committee meeting. Mr. Doeringer recommended submitting the recommendation sooner.

Ms. Breckenridge discussed the issue of parking and her desire to see a municipal effort to address parking challenges through tools such as parking garages, parking enforcement, and other public parking.

Ms. Molinsky addressed Ms. Breckenridge's concern and similar concerns about traffic and accidents. She stated that the solution needed to be with interdepartmental collaboration.

Ms. Dain addressed the parking issue by voicing her concern for removing parking requirements and raising her concern that developers would continue to overbuild parking. She further discussed concerns about retail displacement and the dilemma on where to place additional multi-family housing and mixed-use units. Mr. Brown stated that the priority was to prevent new development in single family neighborhoods and that the proposed density is not likely to be as impactful as some residents were concerned.

Mr. McCormick discussed the loss of small businesses and that the speed of development will lessen the impact. He said it is much-needed change and incremental, which goes for infrastructure as well.

Mr. Doeringer recommended more aggressive community engagement to better inform the local communities, particularly on the north side of the City about the VCOD. Mr. Doeringer expressed desire for protection for small businesses and assistance in raising funds for additional municipal parking. However, Mr. Doeringer overall expressed his happiness with the VCOD. He further discussed the Site Plan Review provisions and desire for more clarity on the Board's role and the specific review criteria. Mr. Brown asked for his concerns about the review criteria and Mr. Doeringer spoke to his concern that 30 days would be too short of a time to render a decision following public hearings. Mr. Doeringer desired further clarity on the ability of the Board to impose conditions or approve or deny particular projects. Staff clarified that the Board may impose "reasonable conditions" based on existing case law.

Ms. Molinsky voiced her support for having a broader role for the Planning Board, especially given that other planning boards in neighboring communities also oversee the special permit review process or conduct site plan review on much larger projects.

Mr. Brown stated that the VCOD is tied back to the Comprehensive Plan and an attempt to move away from the suburban post-World War II model to a more modern, mixed-use, and urban approach. Mr. Brown recalled Mixed Use 4 as a previous attempt at transit-oriented development, but that only two parcels are currently MU4 in Newton. Additionally, the Special Permit process for Newton is too burdensome to achieve the goals of the City or the Comprehensive Plan. Mr. Brown expressed concern that like previous plans, VCOD

might be underwhelming and that the small scale of lots may be an obstacle to developers given the tendency towards a smaller number of larger scale multi-family projects.

Ms. Dain spoke about the difficulty in measuring success, both as a City and statewide. She further spoke about her disagreement with the idea that the Newtonville and West Newton were not truly transit-oriented development because it runs less frequently than the Green Line given the convenience of the Commuter Rail and proximity to businesses.

Mr. Brown spoke about his desire to include in the recommendation that the VCOD presents an opportunity rather than an imposition.

Mr. Doeringer included highlighting the Site Plan Review. Ms. Dain expressed her desire to highlight the Board's support for MBTA Communities zoning and previous attempts at housing reform and transit-oriented development as being insufficient.

3. Minutes

Upon a motion from Mr. Doeringer, the Board voted 7-0 to approve the August 7th minutes, September 11th minutes, and September 14th minutes.

4. Adjournment

Upon a motion from Mr. Doeringer, the Board voted 7-0 to adjourn the meeting.