



Zoning & Planning Committee Agenda

City of Newton In City Council

Thursday, November 14, 2024

7:00 pm

City Council Chambers (Room 207)

The Zoning and Planning Committee will hold this meeting as a hybrid meeting on Thursday, November 14, 2024 at 7:00 PM that the public may access in-person or virtually via Zoom. To attend this meeting via Zoom use this link: <https://newtonma-gov.zoom.us/j/87089867941> or call 1-646-558-8656 and use the following Meeting ID: 870 8986 7941.

Item Scheduled for Discussion:

Public Hearing

Chair's Note: *The following three items will be a joint meeting with the Planning & Development Board.*

#311-24 Requesting discussion and possible amendments to dormer regulations in Chapter 30 Zoning

HER HONOR THE MAYOR requesting amendments to dormer length regulations for Residential Buildings in Chapter 30 Zoning Section 1.5.4.G.

Public Hearing

#317-24 Requesting discussion and possible amendments to retaining wall regulations in Chapter 30 Zoning

HER HONOR THE MAYOR requesting amendments to retaining wall regulations for Multi-Family/Commercial/Industrial/Civic Buildings in Chapter 30 Zoning.

Public Hearing

#385-24 Requesting amendment to Section 9.1 of Chapter 30, Zoning

HER HONOR THE MAYOR requesting a minor technical amendment to the opt-in requirements for Village Center Overlay Districts in Section 9.1 of Chapter 30, Zoning.

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

#383-24 Appointment of Charles Eisenberg as an associate member of the Zoning Board of Appeals

HER HONOR THE MAYOR appointing Charles Eisenberg, 4 Ashford Road, Newton as a member of the Zoning Board of Appeals for a term of office to expire on November 18, 2025. (60 Days: 12/20/24)

#391-24 Appointment of Deborah Crossley as an associate member of the Zoning Board of Appeals

HER HONOR THE MAYOR appointing Deborah Crossley, 26 Circuit Avenue, Newton as an associate member of the Zoning Board of Appeals for a term of office to expire on November 18, 2025. (60 Days: 12/20/24)

#85-24 Request for discussion and possible amendments to enhance the preservation of existing homes.

COUNCILORS BAKER, OLIVER, MALAKIE, KALIS, GETZ, LUCAS, LOBOVITS, AND WRIGHT requesting a discussion and possible amendments to Chapter 30 Zoning or other City Ordinances to enhance the preservation of existing homes over their replacement by larger and more expensive structures.

Zoning & Planning Held 7-0 on 02/15/24

Zoning & Planning Held 6-0 (Councilor Albright Not Voting) on 03/11/24

Zoning & Planning Held 8-0 on 04/08/24

Zoning & Planning Held 7-0 on 07/22/24

Zoning & Planning Held 7-0 on 09/09/24

Zoning & Planning Held 7-0 on 10/10/24

#41-24 Amend the setbacks in the MR zones to encourage preservation of existing buildings

COUNCILORS ALBRIGHT, DANBERG, KRINTZMAN, AND LEARY seeking a discussion with the Planning Department to consider ordinance amendments that would revise the metrics in the multi-residence (MR1, MR2 and MR3) zones, to regulate the size of new buildings better, enable a wider range of housing options close to public transit, and better incentivize preservation and renovation of existing housing stock.

Zoning & Planning Held on 02/15/24, 03/11/24

Zoning & Planning Held 8-0 on 04/08/24

Zoning & Planning Held 7-0 on 07/22/24

Zoning & Planning Held 7-0 on 09/09/24

Zoning & Planning Held 7-0 on 10/10/24

Zoning & Planning Held 8-0 on 10/28/24

Respectfully Submitted,

R. Lisle Baker, Chair



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

#385-24

Telephone
(617) 796-1100

Fax
(617) 796-1113

TDD/TTY
(617) 796-1089

Email
rfuller@newtonma.gov

October 15, 2024

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Dear Honorable Councilors:

I respectfully submit this docket item to your Honorable Council requesting a minor technical amendment to Section 9.1 of Article 9 of the Newton Zoning Ordinance. Article 9 contains the Village Center Overlay District (VCOD) which was adopted by the City Council in December of 2023. The State Executive Office of Housing and Livable Communities (EOHLC) recently determined Newton to be conditionally compliant with the MBTA Communities Act pending resolution of some technical ordinance language.

EOHLC has requested that Newton amend its VCOD to make clear that properties with existing buildings that are non-conforming be allowed to opt-in to the VCOD. The intent of the current VCOD ordinance matches EOHLC's goal; this amendment is just to make the language clearer.

Attached is a memo from the Planning Department on the issue. They will be available at the Zoning & Planning Committee meeting to answer any questions you may have.

Sincerely,

Ruthanne Fuller
Mayor



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

#385-24
Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney Heath
Director

MEMORANDUM

TO: Mayor Ruthanne Fuller
Jonathan Yeo, Chief Operating Officer

FROM: Barney Heath, Director, Department of Planning and Development
Jennifer Caira, Deputy Director, Department of Planning and Development
Zachery LeMel, Chief of Long Range Planning

DATE: October 15, 2024

RE: Docket request to amend sections of the Village Center Overlay District (VCOD) -
Article 9 of Newton's Zoning Ordinance

CC: Alissa O. Giuliani, City Solicitor

The Planning Department respectfully requests that you docket this item for a minor technical amendment to Section 9.1 of Article 9 of the Newton Zoning Ordinance. Article 9 contains the Village Center Overlay District (VCOD), which was adopted by the City Council in December of 2023. The State Executive Office of Housing and Livable Communities (EOHLC) recently determined Newton to be conditionally compliant with the MBTA Communities Act pending resolution of some technical ordinance language.

EOHLC has requested that Newton amend its VCOD to make clear that properties with existing buildings that are non-conforming be allowed to opt-in to the VCOD. The intent of the current VCOD ordinance matches EOHLC's goal; this amendment is just to make the language clearer.



Ruthanne Fuller
Mayor

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Office of the Mayor

#383-24

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rfuller@newtonma.gov

October 15, 2024

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to appoint Charles Eisenberg of 4 Ashford Road, Newton Centre as an associate member of the Zoning Board of Appeals. Charles Eisenberg's term of office shall expire on November 18, 2025 and the appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller
Mayor

Application Form

Profile

Charles
First Name

S
Middle Initial

Eisenberg
Last Name

[Redacted]
Email Address

4 Ashford Rd
Home Address

Suite or Apt

Newton Centre
City

MA
State

02459
Postal Code

What Ward do you live in?

Ward 7

[Redacted]
Primary Phone

[Redacted]
Alternate Phone

Eisenberg Consulting LLC
Employer

President
Job Title

Which Boards would you like to apply for?

Zoning Board of Appeals: Submitted

Ethnicity

Caucasian/Non-Hispanic

Gender

Male

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

I am a real estate development consultant specializing in affordable housing. I have previously served on the Economic Development Commission, the Comprehensive Planning Committee and the Newton Housing Partnership. With the achievement of 10% SHI, the ZBA will have substantial discretion in approving Comprehensive Permits. Nevertheless, it will continue to be the primary permitting vehicle for multi-family housing in Newton. I believe my experience, both professionally and in Newton, would be a valuable addition to the ZBA.

[2024 Resume.docx](#)
Upload a Resume

CHARLES S. EISENBERG

4 Ashford Road

Newton Centre, MA 02459

EXPERIENCE

EISENBERG CONSULTING, LLC, Newton, MA.

2004-Present

President

Enable clients to achieve growth and greater performance through new business concepts and business process engineering. Selected recent engagements include:

- Housing Partners, Inc.-Affiliate
 - PeeblesCorp-Development Consultant for 125 unit affordable development in Boston, MA.
 - Franklin Realty-Development Consultant for adaptive re-use of four historic mill buildings
 - Into a total of 304 affordable housing units.
 - Lynn Housing Authority-Development Consultant for 51 units of supportive housing for homeless residents.
 - Lynn Housing Authority-Development Consultant for historic adaptive re-use of Lynn Armory
 - for 51 affordable veterans housing units.
 - Newton Housing Authority-Development Consultant for 55 unit mixed-income senior Development in Newton, MA.
 - Lynn Housing Authority/Hub Holdings, Inc.-Development consultant for 71 unit affordable family development in Lynn., MA.
 - Central Building Development LLC-Development Consultant for 55 unit mixed-use historic rehabilitation in downtown Worcester, MA.
- Rio Grande Development LLC-Financial Consultant for 26 story mixed use development in Nubian Square, Roxbury, MA.
- Maloney Properties-Financial consultant for new developments and preservation projects.
- Cote Village LLC-Development consultant-76 units mixed-income development in Mattapan, MA.
- AFLCIO Housing Investment Trust-Project Finance consultant.

THE COMMUNITY BUILDERS, INC., Boston, MA.
2003-2004

Northeast Regional Director

Managed the development operation in New England and New York for national, non-profit affordable housing developer.

LEA GROUP, INC., Boston, MA.
1994-2002

Principal, Chief Administrative and Financial Officer

Led finance, marketing and operations for this family-owned regional engineering/architecture firm.

PRIOR EMPLOYMENT

RECOLL MANAGEMENT CORP.
FEDERAL DEPOSIT INSURANCE CORP.
THE RELATED COMPANIES
THE DRUKER COMPANY
THE BEACON COMPANIES

TEACHING EXPERIENCE

BOSTON UNIVERSITY CENTER FOR PROFESSIONAL STUDIES
1999-2016

Instructor, Program in Real Estate Studies

Teach Real Estate Market Analysis course to students in certificate programs.

- Course designed to be immediately applicable to real estate professionals.
- Course credits apply towards certificate requirements in real estate finance and management.

NORTHEASTERN UNIVERSITY-UNIVERSITY COLLEGE

2003-2010

Adjunct Professor

Taught International Business Management and Operations to Undergraduates

- Upper level one-semester course required for degrees in Business or Finance.

EDUCATION/PROFESSIONAL DEVELOPMENT

Harvard University, M.B.A. with Honors

Cornell University, M.A. in Government/Planning

Brandeis University, B.A. Magna Cum Laude with Honors, Phi Beta Kappa

MAJOR ACTIVITIES AND AFFILIATIONS

Co-Chairman-Commonwealth Housing Task Force Public Housing Committee

Member, Newton Wellesley Hospital Patient and Family Advisory Committee

Fellow-Brandeis University

Member-Newton Housing Partnership

Member-The Highland Glee Club

Past Chairman and Member-Newton Economic Development Commission.

Past Vice Chairman and Chairman of the Facilities Committee-Greater Boston

Jewish Community

Housing for the Elderly



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

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October 15, 2024

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to appoint Deborah Crossley of 26 Circuit Avenue, Newton as an associate member of the Zoning Board of Appeals. Deborah Crossley's term of office shall expire on November 18, 2025 and the appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller
Mayor

Application Form

Profile

Deb J Crossley
First Name Middle Initial Last Name

[Redacted]
Email Address

26 Circuit Avenue
Home Address Suite or Apt

Newton MA 02461
City State Postal Code

What Ward do you live in?

[x] Ward 5

Primary Phone Alternate Phone

Self Architect
Employer Job Title

Which Boards would you like to apply for?

Zoning Board of Appeals: Submitted

Ethnicity

[x] Caucasian/Non-Hispanic

Gender

[x] Female

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

I believe in public service and have a long history of involvement in our Newton community. I am interested in contributing to the ZBA's work to help decide land use matters that best serve the needs of the community. I believe that my professional experience as an architect, familiarity with city ordinances, state codes and housing laws, as well as many years of working in the public sector, give me useful skills to apply to this work.

Deb_Crossley_resume.docx
Upload a Resume

DEBORAH CROSSLEY

26 Circuit Avenue, Newton, MA 02461

REGISTRATION Architect, Commonwealth of Massachusetts, 1986, No. 6562**EDUCATION** Boston Architectural College, BArch 1983
University of Massachusetts, B.S. Environmental Design, Magna cum Laude 1975**PROFESSIONAL EXPERIENCE****Deborah Crossley, Architect** Newton, MA 1978 - present
Complete architectural services: housing and small commercial projects; Energy STAR Homes.
Clients: private home and business owners, non profit affordable & special needs housing providers;
Instructor: Roxbury Community College: "Building Science & Weatherization Techniques" 2008-'09**Buck, Smith & McAvoy Architects, Inc.** Boston, MA 1985-1989
Project Architect, Consultant: Public housing modernization, office facilities, public and private housing developments; corporate headquarters, Dole Publishing Co.**Conover, Elton & Associates, Cambridge, MA** 1984-1985
Designer, Job Captain: Elderly, accessible and congregate public housing**Energyworks, Inc., Watertown, MA** 1978-1984
Division Manager: Coordinated professional staff of thirteen in research, publications and computer software projects in building sciences subjects. 1981-1984
Managing Editor: 1000 page subscription catalog of energy-efficient building products and systems for building professionals. John Wiley & Sons, Inc. 1983
Project Manager: Technical revisions, redesign of residential energy analysis tool & installation guide for the New York State Energy Office (1982); Designed and conducted conference workshops to present technical assistance materials to Residential Conservation Service (RCS) program managers of gas and electric utilities for the U.S.D.O.E. (1981); Designed / authored inspectors and installers guides for federal RCS program, U.S.D.O.E. (1980-81); **Guest Speaker:** Energy Conference for Educators "Integrating Energy Conservation Techniques into Existing School Curricula" (1980);
Training Program Director/ Technical Analyst: Developed and delivered job training curriculum in residential energy analysis and construction techniques for public and private clients (1979-1981);
Writer, Illustrator, MA Insulation Installer's Exam, (1978)**Women's Enterprises of Boston, New Horizons Program** 1978
Instructor: Technical drawing skills course for adolescent girls.**ECON, Inc. & Women's Enterprises of Boston, Boston, MA** 1977-1978 (C.E.T.A. funded)
Instructor: Conducted classroom and on the job training program in residential construction, mechanical systems and energy analysis techniques for adults seeking building energy related jobs.**PUBLIC SERVICE, COMMUNITY SERVICE, AWARDS**Green Newton Environmental Leadership Awards: 2010, 2015 and 2024.
Sheila Mondshein Fair Housing Award, 2024, Newton Fair Housing Committee
Citizen's Housing & Planning Association (CHAPA) Fair Housing Award: 2024
City Councilor-at-Large, City of Newton, January 2010 – December 2023
High Performance Buildings Coalition 2004 - 2010, co-chair 2009
Newton Housing Partnership 2007 - 2010
Mayor's Comprehensive Planning Advisory Committee, Newton, 1999-2006
Newton Citizen's Commission on Energy, 2001-2010, vice chair 2008-2010
Pomroy Foundation Board of Directors, 1993-2010
Newton League of Women Voters/ LWV Board of Directors, 1988- 2008, president 1998-2000
"Legislative Roundtable" monthly program at NewTV cable with the LWV, host, 1999-2005
Creative Arts & Sciences Committee, Countryside School, 1992-1998; chair, 1996-1998
Boston Architectural Center Instructor "History of Women in Architecture" 1978-1980