

CITY OF NEWTON

IN BOARD OF ALDERMEN

ZONING & PLANNING COMMITTEE AGENDA

MONDAY, JULY 20, 2015

7:00 PM
Room 205

ITEMS SCHEDULED FOR DISCUSSION:

Appointment by His Honor the Mayor

#167-15 MEGAN RISEN, 47 Grafton Street, Newton, appointed as a member of the
PLANNING & DEVELOPMENT BOARD for a term to expire February 1, 2017.
[06/19/15 @ 11:39PM]

#6-15 ALD. BAKER, HESS-MAHAN, ALBRIGHT requesting a discussion by the
Zoning and Planning Committee with the Acting Director of Planning and
Development of how Phase 2 of Zoning Reform might be undertaken, including
the contents of the proposed Village and Master Planning and Zoning Reform
Request for Proposals, including the planning process and ordinance revision
process the RFP anticipates, as well as the staffing and funding needed to enable
both in-house and contracted work under the RFP to be both well done and
appropriately supervised. [12/29/14@4:00 PM]

#222-13 ALD. HESS-MAHAN, ALBRIGHT, BAKER, CROSSLEY, DANBERG,
FISCHMAN & JOHNSON proposing to amend the definitions of "Common roof
connector", "Common wall connector", and "Dwelling, two-family" in **Chapter**
30, Section 30-1 of the City of Newton Zoning Ordinances.
[06/07/13 @ 1:31 PM]

*This item was referred back to Zoning & Planning Committee at the 7/13/15 Board of Aldermen
meeting:*

#376-14 PLANNING & DEVELOPMENT DEPARTMENT requesting that **Chapter 30**
ZONING be deleted in its entirety and replaced with the Zoning Reform Phase 1
Zoning Ordinance. [10/22/14 @ 7:48PM]

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: jfairley@newtonma.gov, or 617-796-1253. For Telecommunications Relay Service dial 711.*

ITEMS NOT SCHEDULED FOR DISCUSSION:

- #168-15 THE NEWTON-NEEDHAM CHAMBER OF COMMERCE requesting a discussion of the Metropolitan Area Planning Council's 2015 Wells Avenue Market Study. [07/06/15 @ 5:34PM]
- #169-15 ALD. SANGIOLO requesting a zoning amendment which would require any residential structures in Single Residence or Multi Residence zoning districts built after the demolition of an existing structure conform to new lot standards. [07/02/15 @ 3:20PM]
- #170-15 ALD. HESS-MAHAN, JOHNSON, CROSSLEY AND ALBRIGHT requesting a discussion relative to the HUD Settlement with Supporters of Engine 6, the Fair Housing Center of Greater Boston and the Disability Law Center in conjunction with the Law and Planning Departments, to explain the settlement and possible implications for the Zoning Board of Appeals and the Board of Aldermen in terms of the City's obligation to identify sites and facilitate the creation of, and issue permits for, affordable housing for 9-12 chronically homeless persons in Newton. [07/06/15 @4:18PM]
- #80-13 THE PLANNING DEPARTMENT requesting update discussions of the zoning reform project. [02/25/13 @ 12:31 PM]
- #338-14 ALD. HESS-MAHAN, KALIS, SANGIOLO AND DANBERG proposing a Large House Review ordinance requiring design review and approval of by-right single and multi-residence residential structures exceeding certain dimensional limits to be determined, to expire by December 31, 2015. [09/05/14 @ 9:39AM]

REFERRED TO ZONING & PLANNING, LAND USE AND FINANCE COMMITTEES

- #104-15 ALD. JOHNSON, LAREDO, AND GENTILE requesting a report from the Planning Department with the following information: How many of the affordable units developed at Commonwealth Avenue, Pearl Street, and Eddy Street qualify to be included on the State's Subsidized Housing Inventory List. If a property is not currently on the list, what can be done to make it eligible. [04/09/15 @ 12:00PM]

REFERRED TO PROG. & SERVICES AND ZONING & PLANNING COMMITTEES

- #127-15 ALD. SANGIOLO requesting discussion with Health Department, Inspectional Services Department and the Economic Development Commission regarding the policy of food truck operations in the City of Newton. [05/11/15 @ 10:22AM]
- #107-15 HIS HONOR THE MAYOR requesting discussion of approaches to create middle income housing as a means of allowing City of Newton employees the opportunity to live in the community in which they work. [04/24/15 @ 2:38PM]

- #108-15 HIS HONOR THE MAYOR requesting consideration of changes to the Zoning Ordinance that would facilitate the creation of accessory apartment units, supportive of Newton's seniors. [04/24/15 @ 2:38PM]
- #109-15 HIS HONOR THE MAYOR requesting consideration of changes to the inclusionary housing provisions of the Zoning Ordinance to increase the required percentage of affordable units to 20% with the additional 5% set aside for middle income households. [04/24/15 @ 2:38PM]
- #110-15 HIS HONOR THE MAYOR requesting discussion of The Smart Growth Zoning Overlay District Act M.G.L. Chapter 40R and its potential application in Newton. [04/24/15 @ 2:38PM]
- #95-15 ALD. CROSSLEY, JOHNSON, LEARY, HESS-MAHAN, DANBERG, ALBRIGHT AND BLAZAR requesting a discussion with the Planning Department to consider the mix of uses in the Wells Avenue Office Park, with and without a second egress to the site, pursuant to the recent MAPC study recommending a strategic introduction of retail and restaurant uses to attract and sustain healthy commercial uses, and some number of residential units sufficient to support an economically viable and vibrant mixed use environment. [04/13/15 @ 2:46PM]
- #86-15 ALD. CROSSLEY, ALBRIGHT, HESS-MAHAN, & JOHNSON requesting a review and discussion of Community Development Block Grant expenditures and past years' accounting to assess progress in meeting citywide program goals as adopted in the consolidated plan, including creating and sustaining affordable housing, as well as facilities improvements in approved neighborhood districts. [03/30/15 @ 6:02 PM]
- #448-14 ALD. SANGIOLO requesting a discussion with the Newton Historical Commission regarding their process and policy of reviewing demolition applications. [11/13/14 @ 2:03pm]
- #447-14 ALD. SANGIOLO proposing an ordinance requiring the submission of building plans with applications for full or partial demolitions. [11/13/14 @ 2:03pm]
- #265-14 ALD. BLAZAR, YATES AND DANBERG requesting:
1. to amend Section 22-50 to increase the time period for determinations of historical significance to 30 days, and to increase the time period for hearings, rulings and written notice on appeals from historical significance determinations to 60 days;
 2. to amend Section 22-50 to increase the time period to hold a public hearing as to whether or not a historically significant building or structure is preferably preserved to 60 days;

3. to amend Section 22-50 to increase the demolition delay period for buildings and structures on or eligible for listing in the National Register of Historic Places to 30 months;
4. and to amend Section 22-50 to increase the demolition delay period for all other preferably preserved buildings or structures to 24 months.
[07/07/14 @ 12:35PM]

#446-14 ALD. SANGIOLO requesting a discussion with the Commission on Disability regarding the status of City compliance with ADA regulations. [11/13/14 @ 2:03pm]

#445-14 ALD. SANGIOLO requesting an update with members of the Newton Fair Housing Committee on the status of housing opportunities in the City of Newton. [11/13/14 @ 2:03pm]

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

#315-14 ALD. HESS-MAHAN, ALBRIGHT, CROSSLEY AND DANBERG proposing an amendment to Chapter 2 of the City of Newton Ordinances setting forth requirements for procurement of materials and services by non-governmental recipients of federal, state or local funds administered by the City, such as CDBG and CPA funds. In order to encourage non-profit and other private organizations to participate in affordable housing, cultural and other public-private collaborations, such procurement requirements should accommodate the needs of non-governmental recipients for flexibility given the multiple public and private sources of funds necessary for any project by not placing undue or unreasonable burdens on them. [08/04/14 @ 5:08PM]

#278-14 ALD. YATES proposing to amend Chapter 30 of the City of Newton Ordinances to restrict the two-unit structures allowed by-right in the multi-residence districts to structures with the two units side-by-side in a single structure, or one above the other as in double-deckers. [07/31/14 @ 12:03PM]

#266-14 ALD. BLAZAR, YATES AND DANBERG requesting:

1. to amend Section 22-50 to require that in the event there is a transfer of legal or beneficial ownership of a preferably preserved property during the demolition delay period, the full demolition delay period will restart from the date of the transfer of ownership;
2. and further requesting to amend Section 22-50 to require that in the event a transfer of legal or beneficial ownership of a preferably preserved property occurs after the expiration of a demolition delay period but prior to the issuance of a demolition permit, no demolition permit shall issue until the new owner complies with the procedures of Section 22-50(c)(5).
[07/07/14 @ 12:35PM]

- #238-14 ALD. SANGIOLO requesting the Executive Department and Planning Department work with the Board of Aldermen to develop a Housing Production Plan in accordance with 760 CMR 56.03(4) and guidelines adopted by the Department of Housing and Community Development as soon as possible. [06/09/14 @ 11:55AM]
- #212-14 BOARD OF ALDERMEN requesting a discussion with the Executive and Inspectional Services Departments and the Commission on Disability regarding the creation of full-time positions to address the city's need re 1) ADA requirements and 2) zoning enforcement, including State building code, Newton's zoning ordinance, and special permits. [05/23/14 @ 11:03AM]
- 140-14 ALD. CROSSLEY AND HESS-MAHAN requesting to amend **Chapter 30**, City of Newton Zoning Ordinances, to include a "lodging house" ordinance to promulgate rules requiring annual fire, safety and health inspections and licensing of buildings providing single room occupancy and/or congregate living arrangements. [04/04/14 @ 6:29 PM]
- #429-13 ALD. HESS-MAHAN requesting repeal and/or amendment of Zoning Ordinances Section 30-1, Definitions, 30-8(b)(2), Special Permits in Single Family Residential Districts, and 30-10(d)(4), Number of Parking Stalls, concerning "Congregate Living Facility", as required by federal and state anti-discrimination and fair housing laws and regulations. [12/06/13 @ 9:51 AM]
- #428-13 ALD. HESS-MAHAN requesting periodic updates on complaints of discrimination filed against the City of Newton under Section 504 of the 1973 Rehabilitation Act, the Fair Housing Act, and Title II of the Americans with Disabilities Act, based on the City's denial of housing and exclusion from participation by people with disabilities in the Newton HOME and CDBG programs filed with the U.S. Department of Housing and Urban Development. [12/06/13 @ 9:51 AM]
- #427-13 ALD. HESS-MAHAN requesting discussion and periodic updates of steps the City of Newton is taking to ensure that its implementation of the Consolidated Plan, Annual Action Plan and Citizen Participation Plan and use of CDBG, HOME and ESG funds comply with federal and state fair housing and anti-discrimination laws and regulations, and its duty to affirmatively further fair housing. [12/06/13 @ 9:51 AM]
- #266-13 ALD. YATES requesting that the Law Department provide the Zoning & Planning and Land Use Committees and other interested members of the Board with legal advice on what parties have standing to challenge zoning ordinances and the relevant court cases involving uniformity. [08/05/13 @ 12:28PM]

- #129-13 ALD. HESS-MAHAN proposing to amend and/or clarify definition and provisions for granting a special permit for “attached dwellings” in the City of Newton Zoning Ordinances, **Chapter 30-1, 30-8(b)(13) and 30-9(b)(5)**. [05/25/13 @5:14 PM]
- #308-12 ALD. HESS-MAHAN & ALBRIGHT requesting a discussion with the Mayor’s office and the Planning & Development Department of policies, procedures, and criteria relating to determinations concerning expenditures of Community Development Block Grant (CDBG) funds. [10/09/12 @3:59 PM]
- #282-12 ALD. JOHNSON, CROSSLEY, DANBERG, SANGIOLO requesting quarterly reports, starting the last month of the quarter beginning December 2012, Re-implementation of *Ramping Up: Planning for a More Accessible Newton*.

REFERRED TO ZONING & PLANNING, LAND USE & FINANCE COMMITTEES

- #273-12 ALD. CROSSLEY & HESS-MAHAN requesting a restructuring and increase in fees for permits charged by the Inspectional Services Department and fees charged by the Planning Department and City Clerk to assure that fees are both sufficient to fund related services provided and simple to administer.

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #257-12 RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.
- #11-12 ALD. HESS-MAHAN & LINSKY requesting discussion on the implementation and enforcement of the provisions of Section 30-5(c)(1) of the Newton Ordinances which requires that “[w]henver the existing contours of the land are altered, the land shall be left in a usable condition, graded in a manner to prevent the erosion of soil and the alteration of the runoff of surface water to or from abutting properties.” [1/11/12 1:01PM]
- #61-10 ALD. CICCONE, SWISTON, LINSKY, CROSSLEY AND HESS-MAHAN requesting a discussion relative to various solutions for bringing existing accessory and other apartments that may not meet the legal provisions and requirements of Chapter 30 into compliance. [02/23/10 @ 2:48 PM]
- #391-09 ALD. DANBERG, MANSFIELD, VANCE AND HESS-MAHAN requesting an amendment to §30-19 to allow payments-in-lieu of providing required off-street parking spaces when parking spaces are waived as part of a special permit application.

ZONING REFORM – PHASE 2

- #22-15 ALD. YATES requesting that utilization of the Massachusetts Rental Voucher Program be added as an allowable means of complying with the inclusionary zoning provision in Phase II of Zoning Reform. [01/05/15 @ 9:53PM]
- #21-15 ALD. YATES requesting that priority be given to completing the Intent and Purposes of the Zoning Ordinance in Phase II of Zoning Reform. [01/05/15 @ 9:53PM]
- #323-14 ALD. YATES, NORTON, COTE AND SANGIOLO proposing to amend Chapter 30 to require that the front doors of single-family homes, two-family homes and other residential structures face the street on which their lots are located. [08/25/14 @ 11:42AM]
- #139-14 ALD. ALBRIGHT requesting to amend **Chapter 30**, City of Newton Zoning Ordinances, to clarify rules relative to retaining walls. [04/09/14 @ 8:32 AM]
- Public Hearing to be assigned:*
- #404-13 NATASHA STALLER et al. requesting a revision to the zoning District boundary Lines so as to transfer from Multi-Residence 1 District to a Single Residence 3 District the following properties:
Assessors' parcels SBL nos. 61-037-0004 through 61-037-0013; 61-042-0007 through 61-042-0023; 65-019-0001; 65-019-0007 through 65-019-0012; 65-019-0014 through 65-019-0022; 65-019-0009A; 65-019-0017B and 65-019-0022A.
Also requesting transfer from a Single Residence 2 District to a Single Residence 3 District SBL no. 65-019-0015A. [11/01/13 @ 12:57 PM]
A MOTION TO AMEND THE PREVIOUSLY APPROVED POSTPONEMENT OF DOCKET ITEM #404-13 TO APRIL 7, 2014 TO SUBSTITUTE RECOMMITTAL OF THE ITEM TO THE ZONING & PLANNING COMMITTEE WAS APPROVED BY VOICE VOTE ON MARCH 17, 2014.
- #267-13 LAND USE COMMITTEE proposing to amend Section 30-21(c) to permit de minimis relief for alterations, enlargements, reconstruction of or extensions to lawfully nonconforming structures in which the nonconformity is due to Floor Area Ratio (FAR) requirements set out in section 30-15(u) Table A, subject to administrative review by the Planning Department.
- #264-13 ALD. YATES requesting that the Zoning Reform Group or its successor consider amending City of Newton Zoning Ordinances Chapter 30 to develop additional residential districts reflecting the small lots in older sections of the City and map changes to bring the zones of more residential sections of the City into conformity with the existing land uses. [08/05/13 @ 12:28PM]

- #81-13 DIRECTOR OF PLANNING & DEVELOPMENT on behalf of the Newton Housing Partnership requesting consideration of naturally affordable compact housing opportunities in MR1 zones. [02/22/13 @ 1:13 PM]
- #65-13 ALD. YATES, FISCHMAN, KALIS requesting that Chapter 30 be amended to require a special permit for major topographic changes. [02/12/13 @ 12:30 PM]
- #64-13 NEWTON HISTORICAL COMMISSION requesting the creation of an administrative permitting process for converting historic barns and carriage houses into accessory apartments to assist in their preservation. [02/05/13 @ 11:35 AM]
- #153-11 ALD. DANBERG, ALBRIGHT, HESS-MAHAN, JOHNSON requesting that Chapter 30 be amended by adding a new Sec. 30-14 creating certain Retail Overlay Districts around selected village centers in order to encourage vibrant pedestrian-oriented streetscapes which would allow certain uses at street level, including but not limited to financial institutions, professional offices, and salons, by special permit only and require minimum transparency standards for street-level windows for all commercial uses within the proposed overlay districts. [05/10/11 @ 3:19 PM]
- #152-10 ALD. BAKER, FULLER, SCHNIPPER, SHAPIRO, FISCHMAN, YATES AND DANBERG recommending discussion of possible amendments to **Section 30-19** of the City of Newton Ordinances to clarify parking requirements applicable to colleges and universities. [06/01/10 @ 4:19 PM]
- #164-09(2) ALD. HESS-MAHAN requesting that the Planning Department study the dimensional requirements for lot and building size for accessory apartments and make recommendations for possible amendments to those dimensional requirements to the board of Aldermen that are consistent with the Newton Comprehensive Plan. [01/07/10 @ 12:00 PM]
- #142-09(7) ALD. HESS-MAHAN AND JOHNSON proposing a Resolution to request that the Director of Planning and Development and the Commissioner of Inspectional Services reconvene a Floor Area Ratio working group to review and analyze the definition of “*Floor area, gross*” for residential structures as it is used in the definition and calculation of “*Floor area ratio*” in **Section 30-1** with respect to actual usage, and, if necessary, make recommendations for amendments thereto and in the dimensional regulations contained in **Section 30-15(u)** and *Table A* of **Section 30-15(u)**, the purpose of which is to regulate the size, density and intensity of use in the construction or renovation of, or additions to a residential structure, to more accurately reflect and be compatible with neighborhood character, and to ensure that a proposed residential structure is consistent with and not in derogation of the size, scale and design of other existing structures in the neighborhood, and is not inconsistent with the City’s Comprehensive Plan. [07/03/14 @ 9:10AM]

Respectfully Submitted,

Marcia T. Johnson, Chairman



City of Newton, Massachusetts
Office of the Mayor

SETTI D. WARREN
MAYOR

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June 18, 2015

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I am pleased to appoint Megan Risen of Grafton Street, Newton as a full member of the Planning and Development Board. Her term of office shall expire on February 1, 2017 and is subject to your confirmation.

Thank you for your attention to this matter.

Very truly yours,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2015 JUN 19 AM 11:39
David A. Olson, CMC
Newton, MA 02459



Megan C. Risen

Summary

Extensive experience in business and real estate development with fundraising and science background

- Built profitable Real Estate Investment firm from the ground up
- Expert interpersonal skills, management and public speaking
- Cultivates and maintains key business, investor and donor relationships
- Effectively uses social media to support social causes and business development
- Dedicated to preserving and serving the City of Newton and it's values

Professional Experience

Camperdown Properties, LLC <i>(Real Estate)</i> Founder and Managing Director	Newton, MA	2012 – present
<ul style="list-style-type: none"> • Investing in preservation of properties in Detroit and Houston • Restoring homes and preserving historic structures 		
The Westridge School for Girls <i>(Education) Pasadena, CA</i> New England Ambassador/Director	Newton, MA	2011 – present
<ul style="list-style-type: none"> • Responsible for donor outreach, development and maintenance of NE network • Chair of Annual New England Alumnae Event including management, recruitment of volunteers and budget 		
New Atlantic Ventures <i>(Private Equity)</i> Business Management, Investor Relations	Cambridge, MA	2011 – 2012
<ul style="list-style-type: none"> • Manager of Boston office with 24 Portfolio Companies and \$230M Fund • Produced quarterly reports and presentations for limited partners • Familiar with valuations, exit strategies, fundraising and board selection • Cultivated and maintain strong relationships with investors, CEOs and other executive staff 		
Jewish Family & Children's Service of Boston <i>(Non-profit human services organization)</i> Development Associate, Fundraising Programming Coordinator, Parkinson's and Alzheimer's Department	Waltham, MA	2009 – 2011
<ul style="list-style-type: none"> • Fundraising, events and program development across departments 		

Megan C. Risen

M3C Consulting **Newton, MA** **2005 – 2009**
(Business Development & Public Relations)
 Principal

- Managed client strategies for small local businesses in Science Education and Community Politics

Vinfen, Inc. **Cambridge, MA** **2004 – 2005**
(Non-profit human services organization)
 Director of Community Relations, Webster House II

- Designed and implemented programs for Alzheimer's clients and their involvement in community settings

Virginia Center on Aging **Richmond, VA** **2002 – 2003**
(State Agency)
 Research Specialist and Advocate
 Research focus: Differentiation of Alzheimer's disease from Vascular Dementia

Community Fundraising and Outreach

- | | | |
|--|----------------|----------------|
| ▪ President, Gridiron Club, Newton South High School | Newton, MA | 2014 – present |
| ▪ Member, Parent Teacher Organization, Zervas School | Newton, MA | 2010 – present |
| ▪ New England Ambassador, Alumnae Relations, Westridge School | Pasadena, CA | 2012 – present |
| ▪ Science Program Coordinator, Underwood School | Newton, MA | 2007 – 2010 |
| ▪ Member, Events and Fundraising Committee, Underwood School | Newton, MA | 2009 – 2010 |
| ▪ Chair, Creative Arts & Sciences Committee, Underwood School | Newton, MA | 2008 – 2009 |
| ▪ President, Parent Teacher Organization, The Newton School | Newton, MA | 2003 – 2004 |
| ▪ Member, Junior League | Richmond, VA | 2000 – 2003 |
| ▪ President, Sigma Phi Omega, MCV- VCU | Richmond, VA | 1999 – 2002 |
| ▪ President, Society of Collegiate Journalists, RMC | Ashland, VA | 1995 – 1996 |
| ▪ Member, Daughters of The American Revolution | Pasadena, CA | 1992 – present |
| ▪ Gold Scout, Girl Scouts of America | Pasadena, CA | 1992 – present |
| ▪ Member, San Marino Women's Debutant Guild | San Marino, CA | 1988 – 1992 |

Education

Medical College of Virginia, VCU, Richmond, VA

M.Sc. Physiology and Gerontology

Randolph-Macon College, Ashland, VA

B.A. Psychology and English Literature

DRAFT

City of Newton Zoning Reform Project

NARRATIVE DESCRIPTION

The City of Newton, Massachusetts seeks a qualified consultant(s) to provide expertise and assistance to the City of Newton Planning and Development Department and Board of Aldermen in developing a context-based zoning ordinance. The selected consultant(s) must have expertise in the theory and practice of urban/suburban design and zoning.

Project Context

A city of approximately 85,000 people adjacent to Boston, Newton benefits from a prime location with good transportation access to the region's job centers in Boston, Cambridge, and the Route 128 corridor and an excellent public school system. The City also represents a mixture of good community design with a number of historic walkable and transit-oriented village centers, attractive neighborhoods, and beautiful parks. These amenities have made Newton a highly desirable community and, coupled with the strong regional economy, there is a high demand for new residential and business development. The fact that the community is changing under these influences, and will continue to do so as the City's demographics, transportation choices, and businesses evolve over time, has led to the understanding that the City needs a detailed planning effort, beyond that of the 2007 Comprehensive Plan, that prepares the City for these changes and results in a new context-based zoning ordinance that provides fair and predictable control to protect Newton's essential character and quality of life.

A context-based zoning ordinance is understood as one that recognizes the current built environment of the City, embodies that in Newton's code, and provides guidance and rules for development, redevelopment, and expansion that is consistent with that existing context, or with the desired context in those areas where more significant change is necessary. Newton's current ordinance is based on a 1953 model and was last significantly updated in 1987. Like many ordinances of its time, the zoning districts as defined have little relationship to the existing built environment of the City, resulting in development out of context with surrounding neighborhoods and a community that is estimated at being 80% nonconforming. Across the City, large "monster" homes dwarf neighboring homes; smaller homes are lost; large two-family homes are awkwardly squeezed onto narrow lots; hard transitions between areas of different densities or intensities of use mar the quality of neighborhoods, especially where commercial areas meet residential; commercial redevelopment projects present inconsistent design quality; and the decision-making process presents uncertainties and significant expenses for small businesses and residents.

The City has already completed Phase 1 of the Zoning Reform project which was to modernize, clarify, and reorganize the existing Newton Zoning Ordinance. Information on this project can be found at <http://www.newtonma.gov/gov/planning/lrplan/zoning/zoningref.asp>.

Project Description

To develop Newton's new Zoning Ordinance, the City seeks cutting edge professional services from a team of planners, urban designers, and related policy experts (environmental, transportation, etc.) who will work with community members, staff, and elected officials to develop a "Newton Pattern Book" describing the existing patterns of development and building types in the City that make up its urban fabric and the Zoning Ordinance itself, based on the findings of the pattern book.. The project includes four inter-related parts:

Public Outreach – Solicit community engagement through any combination of citywide forums, neighborhood meetings, an interactive website and social media outreach, and on-the-ground meet-ups, topical discussions, walks, and similar events. Propose ways to ensure extensive, diverse and meaningful participation.

Project Coordination – Review and coordinate with the City's housing and transportation strategies. Recommendations from these strategies will inform the new zoning ordinance.

DRAFT

Pattern Book – Analyze the historic and current patterns of development and draw appropriate data from that to inform the boundaries of zoning districts, develop a range of building types, identify dimensional standards for lots and buildings, and create other aspects of zoning regulation.

Recommendations – Develop an innovative and data-driven vision for transportation in Newton with associated goals and targets. Recommend early action projects, transportation network plans, and future projects for each mode with a strategic implementation plan. Include approaches that utilize pilots and demonstration projects and provide models for how the City can address transportation issues in the future. Newton recognizes that significant constraints in transportation funding limit the extent to which major transportation projects will be accomplished in the future. Therefore, Newton’s transportation strategy should work within this constraint, identifying low-cost approaches, public/private partnerships, and other innovative ways of accomplishing more with less.

Scope of Work

Task 1: Project Management Plan and Public Participation Plan

The Management Plan will refine the contract scope of work and be used to guide and monitor the project. The Project Management Plan will specify the roles and responsibilities of the Consultant and other project participants, identify specific work tasks, sub-tasks, and review/comment points, and provide a detailed schedule of work – including major milestones.

The Transportation Strategy must be prepared in a manner that allows for interactive and continuing public involvement process, and the Public Participation Plan that’s developed to guide the process must include participation from a wide cross-section of community interests and organizations. The components of the Public Participation Plan may include (but are not limited to) the following activities:

- Focus groups, to include individuals with the following interests or expertise:
 - Development and real estate professionals;
 - Individuals representing environmental organizations;
 - Neighborhood association leadership;
 - Individuals representing business interests;
 - Individuals representing historic preservation;
 - Individuals representing affordable housing;
 - Individuals representing fair housing.
- Ongoing management of an interactive project website and blog or similar;
- A series of public meetings/open houses, to be held at various points in the planning process and in different geographic parts of the City;
- Events and demonstration projects;
- News releases announcing the public meetings/events;
- A series of presentations to the Board of Aldermen and various City advisory committees; and,
- Any other public participation activities recommended by the Consultant.

The Consultant will be expected to put together materials necessary to publicize and run all events and provide summaries of feedback obtained. Overall, the public participation program should be understandable to a lay audience, engaging, and fun.

Task 2: Issues of Immediate Concern

While the City anticipates this process to move forward expeditiously, there are a number of issues that require immediate attention. The consultant will review recent ordinance amendments and current work and provide comment and advice.

Task 3: Newton Pattern Book

DRAFT

The pattern book serves as the foundation of the context-based zoning ordinance as well as a guide for property owners on appropriate design considerations for Newton's diverse neighborhoods and village centers.

Beginning at the city-wide scale, it should look at development patterns embodied in land uses (village scales, commercial corridors, neighborhoods with similar lot and building characteristics, etc). The areas identified would form the basis for zoning districts in the ordinance.

The pattern book should also inventory building types present in Newton, describing common characteristics in lot and building dimensions and other pertinent features. This information would form the basis for dimensional regulations assigned to building types in the zoning ordinance. Additional building types potentially appropriate for Newton but not currently present should also be considered.

This work should include a multi-day workshop or charrette that shares with the community these design ideas and creates an opportunity to explore variations on the City's development patterns. Identifying areas where change to the existing context might be desired should be part of this exercise.

Task 4: Draft Zoning Ordinance

The primary task in this part is to codify the results of the pattern book into a context-based zoning ordinance, incorporating ideas and approaches from Form-Based Codes. Some of the particular issues that will need to be addressed include:

- Updating and consolidating identified land uses,
- Updating the sign regulations,
- Incorporating landscape standards,
- Updating parking requirements,
- Better management of institutional uses as allowed under Massachusetts law,
- Creating better transitions between districts, especially commercial/mixed-use districts and adjacent residential areas,
- Clarification of review processes, and
- Improved site development and environmental regulations.

Task 5: Final Zoning Ordinance

The selected consultant will participate in the final adoption process after the draft zoning ordinance is submitted. This process will include a series of meetings with the Zoning and Planning Committee of the Board of Aldermen and the Planning Board, a public hearing, and a presentation of the final ordinance to the entire Board of Aldermen.

Timeline

Subject to negotiation, the City anticipates the Newton Pattern Book to be completed within six to eight months of project initiation. The draft zoning ordinance should be complete within 18 months of project initiation.

Evaluation Criteria

Proposals from contractors who meet or exceed the minimum criteria will be evaluated and rated on the basis of the following comparative criteria. The city reserves the right to ask any respondent to provide additional supporting documentation in order to verify its response.

Ratings of Highly Advantageous (HA); Advantageous (A); Not Advantageous (NA); or Unacceptable (U) will be given to each of the following criteria for each respondent. A composite rating will then be determined. A composite rating of Highly Advantageous or Advantageous may be assigned only if a proposal has received at least one such rating among the criteria listed below.

To the extent that an Evaluation Criterion requires the certification of fact, the proposer's certification as to that fact shall be an adequate response provided, however, that on request the proposer shall provide to the City such evidence as the City may request to support that fact.

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1. Quality of Work Proposal

The proposal should include a sample scope of work addressing the tasks described above. The sample should clearly articulate the approach that the consultant proposes to use to meet the requirements of the program and should define the steps in the process, the roles of different members of the consultant team and an approximate timeframe for each part.

Highly advantageous: The project proposal demonstrates strong understanding of intent of the project and the needs of the City and presents an efficient and thorough process.

Advantageous: The project proposal demonstrates good understanding of the intent of the project and the needs of the City and presents an efficient process.

Not Advantageous: The project proposal demonstrates some understanding of the intent of the project and the needs of the City and presents a generally efficient process.

Unacceptable: The project proposal does not demonstrate understanding of the intent of the project and the needs of the City.

2. Quality and Depth of Project Experience

Include with your proposal samples of at least two (2) similar projects the consultant has successfully completed, preferably for municipalities similar in size to Newton.

Highly advantageous: The samples demonstrate superior experience in providing services related to the City's requirements. They demonstrate a wide depth of experience with similar projects (5 or more), and prior experience with municipally or privately funded not-to-exceed or fixed-fee contracts. Project work samples are of outstanding quality in content and technical presentation.

Advantageous: The samples demonstrate solid experience in providing services related to the City's requirements. The project proposal demonstrates a good depth of experience with similar projects (3 to 5), and prior experience with municipally or privately funded not-to-exceed or fixed-fee contracts. Project work samples are of good quality in content and technical presentation.

Not Advantageous: The proposer has limited experience in providing services related to the City's requirements or with similar projects (less than 3), and prior experience with public or private, not-to-exceed or fixed fee contracts. Project work samples minimally meet current standards for content and technical presentation.

Unacceptable: Has not completed any projects similar in scope.

3. Experience in Community Engagement

Include with your proposal descriptions of the community engagement program of at least two (2) similar projects the consultant has successfully completed, preferably for municipalities similar in size to Newton.

Highly advantageous: The described community engagement programs demonstrate superior experience in working with diverse community participants and drawing out key concerns and interests so as to produce an actionable plan. They demonstrate a wide depth of experience with similar projects (5 or more). Prior community engagement programs are of outstanding quality.

Advantageous: The described community engagement programs demonstrate solid experience in working with diverse community participants and drawing out key concerns and interests so as to produce an actionable plan. They demonstrate a good depth of experience with similar projects (3 to 5).

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Not Advantageous: The proposer has limited experience in community engagement related to the City's requirements or with similar projects (less than 3).

Unacceptable: Has not completed any projects similar in scope.

4. Qualifications of the Proposer Based on Submitted Resume(s)

Highly advantageous: The resume(s) demonstrate that the proposer has superior training, educational background and work experience appropriate to the project described herein and all key project personnel demonstrate professional experience well beyond the minimum requirements.

Advantageous: The resume(s) demonstrate that the proposer has adequate training, educational background and work experience appropriate to the project described herein and all key project personnel demonstrate professional experience that meets or somewhat exceeds the minimum requirements.

Not Advantageous: The resume(s) do not demonstrate that proposer has adequate training, educational background and work experience appropriate to the project described herein.

Unacceptable: The proposer did not provide any resumes or background information for project personnel.

5. Completeness and Quality of Proposal Package

Highly advantageous: Response is complete, concise, informative, and highly detailed. Proposal reflects that proposer is able to perform in a superior manner acceptable to the City. Evaluation team is completely convinced about the proposer's ability to provide the level of services as required by the City. Proposal demonstrates excellent communication and documentation skills.

Advantageous: Response is complete, informative, and meets criteria for responsiveness. Evaluation team finds proposal reflects that proposer is able to perform in an adequate manner acceptable to the City. Proposal demonstrates a good level of communication and documentation skills.

Not Advantageous: Response lacks a comprehensive approach, but meets criteria for responsiveness. Evaluation team finds proposal reflects that proposer may be able to perform in a manner acceptable to the City. Communication and documentation skills appear only adequate.

Unacceptable: Proposal lacks project information regarding the proposers approach to the project.

6. Quality of the Presentation

All proposers meeting minimum criteria and rated as Highly Advantageous or Advantageous on 1-5 above will be invited to interview. Each proposer selected for an interview will be asked to make a maximum 20 minute presentation of the proposal.

Highly advantageous: Presentation is visually attractive, informative and demonstrates excellent communication skills. The presentation reflects that the proposer is able to perform in a superior manner acceptable to the City. Evaluation team is completely convinced about the proposer's ability to provide the level of services as required by the City.

Advantageous: Presentation is good, informative, and demonstrates acceptable communication skills. Evaluation team finds that the presentation reflects that proposer is able to perform in an adequate manner acceptable to the City.

Not Advantageous: Presentation lacks a comprehensive approach, but demonstrates adequate communications skills. Evaluation team finds that the presentation reflects that the proposer may be able to perform in a manner acceptable to the City.

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Unacceptable: Presentation does not demonstrate adequate communication skills.

7. References (3)

One member of the Evaluation Committee will check three (3) references of all proposers who meet the minimum criteria and have been selected for an interview, asking the same questions of each reference. The person who checks the references will prepare a report for the remaining evaluators.

Highly advantageous: All references contacted spoke favorably of the work performed by the proposer and would use them again for a similar project without hesitation.

Advantageous: The great majority of references spoke favorably of the work performed by the proposer and would use them again for a similar project without hesitation. Not Advantageous: One reference stated that there had been significant difficulties with the proposer's ability to deliver the contracted services and deliverables.

Unacceptable: Proposal lacks references.

The selection process will include an evaluation procedure based on the criteria identified above. Finalists will be required to appear for an interview.

JUNE 16, 2015
ZONING & PLANNING COMMITTEE REPORT

#6-15 ALD. BAKER, HESS-MAHAN, ALBRIGHT requesting a discussion by the Zoning and Planning Committee with the Acting Director of Planning and Development of how Phase 2 of Zoning Reform might be undertaken, including the contents of the proposed Village and Master Planning and Zoning Reform Request for Proposals, including the planning process and ordinance revision process the RFP anticipates, as well as the staffing and funding needed to enable both in-house and contracted work under the RFP to be both well done and appropriately supervised. [12/29/14@4:00 PM]

ACTION: **HELD 8-0**

NOTE: James Freas, Acting Director, Planning Department addressed the Committee. He provided a PowerPoint presentation which is attached to this report. Steve Jobs once said “It takes a lot of hard work to make something simple, to truly understand the underlying challenges and come up with elegant solutions.” George Proakis, Director of Planning from the City of Somerville gave a presentation to the Committee last week, which also embodied this theme. The basic notion for Phase 2 is to develop a clear understanding of the existing City and to understand the challenges that presents, and come up with the tools necessary to regulate it to get the desired result in the future.

Mr. Freas said he felt it would be useful to start with a Pattern Book. Measuring the City to find out what currently makes up the City of Newton would be a first step in the process, as it was in Somerville. This would determine the lot sizes and building sizes in each of the neighborhoods, showing in fine detail exactly what the built environment is. Then elegant solutions need to be found to retain what we have in the City as well as how to build what we would like to have. Dimensional controls, use controls, development standards and special permits are all within the existing zoning toolbox.

Additional tools could be added that are not currently being utilized such as building types, build-to lines and separating the “box” from the “attachments.”

Building Types

Building types as a regulatory tool is something that could be utilized. The zoning ordinance would identify a set of building types. For each district, the ordinance would then identify the building types and land uses allowed. Further restrictions might prohibit some building types from certain land uses. Building types is a tool that gives the City finer grained control over how development or re-development happens. This helps speak directly to how the City is designed and how people experience the City through the types of buildings that actually exist.

Mr. Freas used the example of a “paired house” building type (which is actually not something that exists in Newton.) The building type would have a description: A paired-house is “A moderate floor plate, semi-detached, residential building type with up to two vertically stacked dwelling units. A paired house is attached on one side to another paired house.” There would be an illustration as well. A property owner would determine their district, then would see which

building types are allowed in that district. There would be a two-page spread that describes the range of size of lots; then there would be a maximum and minimum building size range that would be allowed. That would be determined through FAR, as Newton currently measures, or perhaps a different method as is done in Somerville in which they use minimum and maximum depths, widths, and heights. A “cottage” building type for example, would have a different set of dimensional controls on the lot and the building but may be allowed in the same district. Newton would have to determine its own building types.

Zoning Lot

The lots could also be regulated as well by overlaying a “zoning lot” over the physical lot. Denver uses this concept of “zoning lot” as distinct and separate from the physical lot. This would keep the mass and size of houses down because one could only build within that envelope and not the overall lot. So a larger lot would not necessarily allow for a larger building than a smaller lot would, depending on the district. A Committee member pointed out that narrow long lots can be challenging to deal with. Mr. Freas said Somerville, for example, imposes maximum depths on the building itself, so it wouldn’t matter how long the lot might be.

Box and Attachments

Mr. Freas explained that there would be a by-right “box” that one could build and there would be “attachments” to it that would also be by-right within certain regulations. Somerville has created a standard set of regulations that apply to each of their by-right “additions”. This is a tool they have identified that has been useful. It was mentioned by a Committee member that it would be advisable to use language that would allow for innovations in building design.

It was asked what the response would be to those who feel their freedom as property owners to design their own home would be limited. Mr. Freas said the building types are meant to get you to the “box” and outside of that there are many “attachments” either by-right, or by special permit that can be allowed and configured. This is not meant to get any more detailed than that.

Build-to Lines

Build-to lines would define minimum and maximum setbacks. It helps to define the public/private realms. The street is the public realm; the front yard is the semi-public realm (it is available for the public to see, but not access); and the private realm and back yard are the private realm. Rear lot subdivisions are problematic because a home in the back lot invades the private realm of the house in the front lot. Other things can be regulated through these setbacks as well such as the snout house problem because a minimum setback for a garage and parking space could be farther back than the front of the house.

Interim Measures

There was concern that construction, development and demolition is happening in the City and by the time the inventory is done, neighborhoods will have already changed significantly, particularly in places like Oak Hill Park. Adopt measures to deal with snout houses, impose zoning lots on long, narrow lots, and find other methods that can solve the problems that are currently on the Zoning & Planning agenda in the short-term. These could be adopted now while the rest of the process is ongoing.

Commissioner Lojek was concerned with making changes here and there as has been done in the past. This has led to difficulties, for example, average setbacks are challenging to calculate; with buildings built prior to 1922, an accessory building may be built that is exempt from lot coverage restrictions but does not specify if that applies to detached or attached structures and if living space could be added above it. Furthermore, why should old buildings have these provisions at all. Changes would impact several sections of the ordinance so that need to be done in a coordinated way. The private sector has people working 24/7 looking for oddities in the zoning ordinance to get around them to their advantage. He does not want to see more knee-jerk reactions that could create more work and more confusion. While writing something new that is supposed to be comprehensive, he would rather not see these piecemeal changes. Committee members agreed that while phase 2 should be comprehensive and fix the oddities, there could be reasonable interim changes in the meantime, and the Planning Staff had recommended a dual process as well. The demolition moratorium was voted down with the idea that some action would be taken in order to address the problems voiced by constituents.

Ald. Sangiolo would like to see an ordinance that doesn't allow more than perhaps a 25% increase to the size of a new structure over a demolished structure, as an interim measure. She will talk to Mr. Freas about docketing a broad item on this issue.

Next Steps

- Mr. Freas said he would like to build a process that gets the staff out talking to people and taking the inventory action in order to define the communities.
- A copy of the RFP will be provided to the Committee to review for the next meeting in order to provide feedback.
- Ald. Johnson would like to Committee to prioritize the issues that could be dealt with in the interim. It is important to move forward with Phase 2 in a comprehensive way and time should be spent wisely on short-term fixes so as not to detract too much from the overall goal.

The Committee voted to hold this item and will take it up again at the June 22nd meeting.

JUNE 22, 2015
ZONING & PLANNING COMMITTEE REPORT

#6-15 ALD. BAKER, HESS-MAHAN, ALBRIGHT requesting a discussion by the Zoning and Planning Committee with the Acting Director of Planning and Development of how Phase 2 of Zoning Reform might be undertaken, including the contents of the proposed Village and Master Planning and Zoning Reform Request for Proposals, including the planning process and ordinance revision process the RFP anticipates, as well as the staffing and funding needed to enable both in-house and contracted work under the RFP to be both well done and appropriately supervised. [12/29/14@4:00 PM]

ACTION: **HELD 7-0**

NOTE: The Committee received the draft RFP that was prepared in April. James Freas, Acting Director of the Planning Department asked for any comments the Committee might have on this document. He explained that there is a format to RFPs and there is quite a bit of boiler plate language involved. (Draft is attached). The Committee reviewed the document.

Project Context

The document starts with explaining the Project Context. It was asked why the RFP states that the current ordinance is based on a 1953 model when there was an update done in 1987. Mr. Freas explained that there was really no significant change to the approach from 1953 to 1987. Ald. Yates noted that there was a zoning amendments committee that worked on the 1987 update with active participation from citizens. It was a significant process and should be referenced in the RFP. Ald. Sangiolo felt that it should be mentioned that the loss of smaller homes is an issue that needs to be addressed as well as the need to preserve historic homes. The Committee agreed with both of these suggestions.

Project Description

Some Committee members felt the Project Description should provide as much direction and detail as possible. Others, however, felt it better to keep the Project Description as broad and general as possible. It does say that the consultant will work with the Board to identify both short and long-terms issues and strategies to address them. If too much specificity is put in there, it could be interpreted that the inclusion of some things acts as the exclusion of all others. A new term is starting at the start of the year, and a new Committee may have different concerns and issues.

Project Initiation

Mr. Freas explained that he would like to see this section expanded to ask the consultant to submit an overall project management plan and also a community engagement plan. Both of these would come back to a steering committee or working group for approval. The idea is to ask, as a first step, the project timeline, milestones, etc. and to define with greater specificity the process of engagement with the public. The key of this proposal is to try to shorten the timeframe and have, within a relatively compressed period of time, a very intense community

engagement piece. The result of this would be the basic structure of what will be codified – the building types and the districts. It basically means the consultant team would be in-house for an entire week with the door always open. The consultant would design that time period with various public meetings, information gathering sessions, one-on-one meetings or small group meetings, open houses, etc. This is very similar to what Mr. Proakis from the City of Somerville did for their reform process.

Selection Process and Criteria

Committee members would like to see the selection criteria and understand the selection process for the successful candidate. Mr. Freas said the standard speaks to these generally, but they would add criteria that include experience with public engagement and charrettes. He would like to see some satellite locations around the City to draw people in and get a mix of input. It was felt that this should be a city-wide process instead of a ward by ward process. As a first step, Mr. Freas would like to propose that the consultant team present a community engagement plan in conjunction with staff to find the best strategies. The consultant would be asked to describe how they have managed this part of the process in other communities.

The Chairman suggested that when the Planning Department identifies the final 2 or 3 candidates, they could be brought into the Zoning & Planning Committee to make a presentation. The final decision is made by the Mayor and there is a procurement process, but the Committee could provide some feedback and be integrated into the process in that way.

Project Initiation

A Committee member said he would like to ultimately see the consultant take ownership of the work and to drive timelines, accountability and invested in the project. Mr. Freas explained that he sees this consultant, and any consultant, as a temporary extension of his staff bringing an area of expertise to the table. He expects to be in charge of this project as he is for any in-house project.

It was also mentioned that the primary Board of Aldermen involvement be through the Zoning & Planning Committee, not the entire Board, and that should be stated in the RFP. Mr. Freas expects it would be through some sort of committee.

Pattern Book

The RFP states that potentially appropriate additional building types should be considered in addition to those that are already present. One Committee member was concerned about adding anything new, but others were in favor of that concept so that this document remains useful for the future. Mr. Freas said the idea is to open up all possibilities at the beginning, then start narrowing down the options towards the end.

Final Zoning Ordinance

There is no mention in the RFP that the ordinance has to also be heard by the Planning & Development Board in a public hearing. That should be added. It was mentioned that the City of Somerville is still using the program whereby residents can add their comments to the draft ordinance. The Committee would like to see that in use when the time comes.

Timeline

Mr. Freas felt the RFP would take 3-4 months, and then some time would be needed to get the contract in place. He feels the project initiation would likely begin after the first of the year.

Next Steps

- The Chairman reminded the Committee that she'd asked members to look at docket items to determine priorities for short-term measures. Mr. Freas will be sending out a spreadsheet this coming Friday which lists all the appropriate items (via email as it is an interactive document). Each member should pick the three items they feel could be most helpful in the short-term to address the concerns they have been hearing from residents. Mr. Freas will come back to Committee with the top several items for action.
- Ald. Sangiolo is going to review her demolition moratorium proposal to be sure that all the concerns are actually docketed items and she will relay that information to Mr. Freas.
- The re-drafted RFP and the top action items will be brought back to the July 20th Zoning & Planning Committee meeting.

The Committee voted to hold this item.