

CITY OF NEWTON

IN BOARD OF ALDERMEN

ZONING & PLANNING COMMITTEE REPORT

MONDAY, FEBRUARY 9, 2009

Present: Ald. Yates (Chairman), Ald. Lappin, Baker, Swiston, Danberg, Harney, Ciccone, and Linsky

City staff: Jennifer Molinsky, Linda Finucane, and Anne Phelps

Reappointment by His Honor the Mayor

#32-09            JAMES H. MITCHELL, 83 Countryside Road, Newton Centre, re-appointed as an associate member of the ZONING BOARD OF APPEALS for a term of office to expire February 1, 2010 (60 days 4/3/09).

ACTION:        APPROVED 8-0

NOTE: Although Mr. Mitchell was not present, he is a re-appointee and his resume was attached to the agenda. He is an attorney involved in real estate investment and a member of the Licensing Board. Alderman Lappin moved approval of Mr. Mitchell's re-appointment, which carried unanimously.

#379-08            CONSERVATION COMMISSION requesting an amendment to §22-20 of the City of Newton Revised Ordinances by adding a provision for the appointment of alternate or associate members to the Conservation Commission.

ACTION:        APPROVED 8-0

NOTE: Senior Environmental Planner and staff to the Conservation Commission Anne Phelps explained that occasionally the Commission will be close to missing a quorum and that a failed quorum would be a severe hardship for landowners with petitions before the Commission because they would be held up for a month. The Committee voted unanimously to approve the item and draft language, attached.

#22-09            DIRECTOR OF PLANNING & DEVELOPMENT recommending various amendments to Chapter 22 of the Revised Ordinances of Newton, 2007, ARTICLE IV, Urban Design and Beautification Commission, including changing the name to *Urban Design Commission*, deleting the Advisory board, and expanding its powers and duties to include special permits.

ACTION:        APPROVED AS AMENDED 8-0

NOTE: Architect Richard Griffin, the Chair of the Commission, was present to explain the need for the change. The current language requiring different design fields and different ward residences has made it difficult to find members who satisfy both criteria. Committee members felt that broad geographic representation was still a worthy objective if an overwhelming obstacle as a requirement. It was therefore agreed to

amend the draft language to include representation from all wards to the extent practicable. Jennifer Molinsky presented the other proposed changes. Beautification is dropped from the title of the Commission although retained in some of the detailed language where appropriate. Advice on special permits was to be inserted in place of zoning changes. The Committee agreed that the addition of special permits made sense but that zoning changes could be kept as well. Retention of a separate section on Commission advice to the Planning and Development Board seemed unreasonable so the Board was added to the list of advisees with the Board of Aldermen, the Mayor etc. The Committee agreed with the elimination of the Advisory Board and voted unanimously on a motion by Alderman Danberg to approve the draft text (a clean copy and redlined version are attached) as amended.

All other items were held without discussion and the meeting was adjourned at approximately 8:15 PM.

Respectfully submitted,

Brian Yates, Chairman