

CITY OF NEWTON

IN BOARD OF ALDERMEN

ZONING & PLANNING COMMITTEE REPORT

MONDAY, OCTOBER 29, 2007

Present: Ald. Yates (Chairman), Ald. Baker, Lappin, Sangiolo, Danberg, Burg, Weisbuch, and Johnson

Also present: Ald. Hess-Mahan, Vance, Albright, and Linsky

City staff: Michael Kruse (Director of Planning & Development), Marie Lawlor (Assistant City Solicitor), Linda Finucane (Chief Committee Clerk)

351-06 HIS HONOR THE MAYOR submitting in accordance with Section 7-2 of the City Charter an updated Draft Newton Comprehensive Plan, dated October 2006. **(Public hearing held 9/10/2007)**

ACTION: APPROVED 5-3 (Baker, Lappin, and Yates opposed)

NOTE: Alderman Yates expressed the hope of reporting out the Comprehensive Plan in a form that would express the overwhelming consensus of the Committee. Alderman Baker walked the Committee through the extensive color-coded version of the pages of the Plan that he felt needed revision, removal, or explanation. The issues that he raised included:

1. *Possible legal jeopardy to the city by including disparaging comments on the city's current ordinances and need for total revision by an outside professional.* If the comments are adopted as part of the official city plan, they could certainly be admitted as evidence in any lawsuit against the city by a developer denied a permit and might well lead to judgments against the city based on its own admission in a formally adopted document.

2. *Items that might well be good policy but needed further study before adoption as city policy.* Alderman Yates is fervently against the proposed extension of the Riverside Rail Line along the train line between the Upper Falls neighborhood and the Needham Street Corridor. The frequent requests for communal parking fees in village centers are not obviously good policy. The criticisms of the parking credits fail to acknowledge their role in reflecting the credits origin in the construction of village center buildings before the proliferation of cars. Removing the credits might produce the opposite impact of the stated intentions of revitalizing the village centers.

3. *Updating time specific references that are no longer current.* No one seemed to question the value of inserting "former" before the now defunct "Office of Commonwealth Development" but other updates were mixed in their necessity. Comprehensive Planning Chair Phil Herr produced a memo assessing the Plan's currency, updating the major time references that he thought could be adopted as an addition to the Plan text.

4. *New Urbanism references to the connectivity of city streets, etc. that seemed overstated but open to small softening, e.g., "...multiple ways to get to any location" could become "as many locations as possible."*
5. Mysterious references to the restoration of a bus line along Watertown Street and a rail line to Riverside.
6. Establishment of new bodies like a Transportation Advisory Council without a clear explanation of their duties vis-à-vis elected officials and existing institutions
7. A request for a re-writing of the Zoning Ordinance by an outside expert without acknowledgement that this had been tried before in the infamous *Village Study* or a clear statement as to how the *Village Study* problems could be avoided.
8. *Instances where the Comprehensive Plan contradicted the PMBD Amendment just adopted by the Committee.* (Several Committee members took great umbrage at these references to an amendment that they felt was dubious in its merits. Several felt strongly that the Comprehensive Plan should have been considered first and the PMBD second. The Chair explained that he had reversed that order with no outcry earlier than October 22 from members because the second public hearing of the PMBD item would expire in late December. The members who disagreed with the order were not mollified by this response.)

Alderman Baker's basic stance in his presentation was that the language of the long document should be cleaned up wherever possible and that the more esoteric future plans should be placed in a section listing topics that should be studied further. Mr. Herr had produced a document this evening that tried to do that, but Alderman Baker felt the onus was on the Aldermen at this point.

Alderman Sangiolo felt that the Comprehensive Plan needed to be approved at this meeting and taken up at the full Board before the previously voted PMBD item was acted on by the full Board. There was some discussion of the ways the order of the items could be changed. The PMBD item could be chartered or postponed to a date certain on the floor of the full board.

She moved approval of the October 2006 Draft Comprehensive Plan with the modifications or additions as stated in the following items:

- Items 1, 2 and 6 of Phil Herr's memo of October 29 2007
- The corrections contained in Herr 10-19-07 "pages revised since October 6, 2006"
- The addition of Phil Herr's assessing currency of the plan memo of October 22, 2007

She further moved that the reference to transportation oriented development on Page 4-21 be changed in G. from “oblige” to “consider.” (Alderman Baker had questioned the latter part of this item. Woodland has already been the site of a Transit Oriented Development.)

There was extensive discussion of this motion but it ultimately passed with Aldermen Sangiolo, Danberg, Berg, Weisbuch, and Johnson in favor and Yates, Lappin, and Baker opposed.

All other items were held without discussion and the meeting was adjourned.

Respectfully submitted,

Brian Yates, Chair

Attachments:

Baker letter dated 10-26-07 w/markd up pages from the Plan

Phil Herr 10-19-07 memo w/pages of Plan revised since October 6, 2006

Phil Herr memo dated 10-22-07 assessing currency of the Plan

Phil. Herr memo dated 10-29-07 w/potential amendments, nos. 1-6

League of Women Voters letter dated 10-29-07