



Ruthanne Fuller
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Barney S. Heath
Director

MEMORANDUM

DATE: August 7, 2020

TO: Councilor Deborah Crossley, Chair, Zoning & Planning Committee
Members of the Zoning & Planning Committee

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

RE: **#287-20 Rezoning of Takings to Public Use**
DIRECTOR OF PLANNING requesting change of zone to Public Use for portions of land located at 23 Parkview Avenue (currently MR1) acquired in 2016 for the expansion of Cabot School, and at 300 Hammond Pond Parkway, known as Webster Woods, (currently SR1) acquired in 2019 for open space use and conservation purposes.

MEETING: August 13, 2020

CC: City Council
Planning Board
Conservation Planning Commission
Newton Planning Department – Conservation Office

At the June 29, 2020 ZAP meeting, the Committee motioned to hold a public hearing for the rezoning to public use as the final step in the taking of the following two properties:

- 23 Parkview (Cabot School)
- 300 Hammond Pond parkway (Webster Woods)

Background information on these properties can be found in the June 29, 2020 ZAP memo (Attachment A). In addition, the Planning & Development Board voted unanimously to recommend the approval of these rezonings at their July 6, 2020 meeting, link here:

<http://www.newtonma.gov/civicax/filebank/documents/105071/07-06-20%20PD%20Board%20Vote%20Rezoning%20of%20Takings.pdf>

The next step is to hold the public hearing for these rezonings at ZAP, which is set for this upcoming meeting (August 13, 2020).

Attachments

Attachment A June 29, 2020 ZAP Memo, #287-20 Rezoning of Takings to Public Use



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Attachment A

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MEMORANDUM

DATE: June 26, 2020

TO: Councilor Deborah Crossley, Chair, Zoning & Planning Committee
Members of the Zoning & Planning Committee

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

RE: **#287-20 Rezoning of Takings to Public Use**
DIRECTOR OF PLANNING requesting change of zone to Public Use for portions of land located at 23 Parkview Avenue (currently MR1) acquired in 2016 for the expansion of Cabot School, and at 300 Hammond Pond Parkway, known as Webster Woods, (currently SR1) acquired in 2019 for open space use and conservation purposes.

MEETING: June 29, 2020

CC: City Council
Planning Board
Conservation Planning Commission
Newton Planning Department – Conservation Office

Background Information

23 Parkview (Cabot School)

On March 7, 2016, the City Council voted that the public necessity and convenience required the acquisition by eminent domain of the parcel of land, known as 23 Parkview Avenue (“23 Parkview”). 23 Parkview was acquired under General Law Chapter 79 of the Massachusetts General Laws in the amount of \$1,000,000 (Attachment A).

23 Parkview was taken as part of the expansion of Cabot School to allow for the desired site plan and circulation needed to complete the Cabot Elementary School Project. The acquisition of the property allowed the City to maintain adequate setbacks, provide land area for parking, vehicular and pedestrian site circulation, landscaping, and stormwater systems. Most importantly, the acquisition of this property allowed the City to connect Parkview Avenue to Bridges Avenue, which ultimately allowed for a viable parent drop-off area directly adjacent to one of the main entries to the school. With the taking complete, the City now needs to rezone 23 Parkview from its current zoning of Multi-Residence 1 (MR1) to Public Use (PUB) (Attachment B). The decision to rezone 23 Parkview to PUB is to be consistent with the existing Cabot School parcel zone PUB.

Attachment A

Webster Woods

On December 2, 2019, the City Council voted, upon the recommendation of the Conservation Commission, the Community Preservation Committee and the Mayor, to acquire 17.4 acres of undeveloped woodlands on a portion of a lot located at 300 Hammond Pond Parkway (“300 HPP”), Chestnut Hill, MA Newton Centre, MA 02467; north of state Dept. of Conservation & Recreation Hammond Pond Reservation, abutting City of Newton Webster & Cohen Conservation Areas accessed from Warren & Elgin Streets, Newton Centre, MA 02459 (Attachment C). The parcel was taken in fee by eminent domain, in the amount of \$15,200,000, pursuant to Chapter 79 of the General Law as authorized by Chapter 40C, sec. 8 and Chapter 44B, sec. 5 (e) of the General Law for open space and conservation purposes.

The goal of taking this property is to protect the open space character of this property and ensure public access for passive recreation. With the taking complete, the City now needs to rezone 300 HPP from its current zoning of Single Residence 1 (SR1) to Public Use (PUB) (Attachment D). The decision to rezone 300 HPP to PUB is to be consistent with all other adjacent parcels already zoned PUB. In addition, PUB is the most appropriate zoning designation for conservation parcels as all other City-owned parcels with Conservation Restrictions are also zoned PUB.

Concurrently, City Staff is working to place a Conservation Restriction on 300 HPP, which is a requirement of the CPA funds used to acquire it. To complete the Conservation Restriction the City Council will need to vote on it in the future and will go through ZAP.

Meeting Goal

To proceed with the rezoning of 23 Parkview and 300 HPP the Zoning and Planning Committee must set a public hearing, which is the purpose of taking up this docket item at the upcoming meeting.

Attachments

Attachment A City Council Order – 23 Parkview Avenue

Attachment B 23 Parkview Avenue Zoning Map – Current and Proposed

Attachment C City Council Order – 300 Hammond Pond Parkway (Webster Woods)

Attachment D 300 Hammond Pond Parkway Zoning Map – Current and Proposed