



Zoning & Planning Committee **Agenda**

City of Newton **In City Council**

Tuesday, August 9, 2022

7:00 pm

The Zoning and Planning Committee will hold this meeting as a Virtual Meeting on Tuesday, August 9, 2022 at 7:00 PM. To view this meeting via Zoom use this link: <https://us02web.zoom.us/j/89939677588> or call 1-646-558-8656 and use the following Meeting ID: 899 3967 7588

Items Scheduled for Discussion:

- #125-22** **Requesting updates on the Municipal Affordable Housing Trust**
COUNCILOR CROSSLEY, on behalf of the Zoning & Planning committee, requesting periodic progress reports on establishing the Municipal Affordable Housing Trust.
- #401-22** **Request for review and amendment to Section 5.11.5.E**
HER HONOR THE MAYOR requesting possible amendment to Section 5.11.5.E to specify that the Affordable Housing Trust will be the entity to receive and distribute one half of new Inclusionary Zoning funds, rather than having these funds go to a separate City account.
- #192-22** **Request for review and amendments to Section 6.7.1**
COUNCILORS CROSSLEY, DANBERG, LIPOF, KELLEY, ALBRIGHT, NORTON, BOWMAN, GREENBERG, HUMPHREY, LEARY, RYAN, AND KRINTZMAN requesting a review of and possible amendments to, Section 6.7.1 Accessory Apartments, to remove barriers to creating accessory apartments, such as to consider conditions under which detached ADUs may be allowed by right, and under which ADUs may be permitted as part of new construction.
Zoning & Planning Held 8-0 on 07/18/22

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.

Chair's Note: Discussion surrounding the following item will be limited to a brief update from the Planning Department surrounding upcoming community engagement efforts.

#38-22 Discussion and review relative to the draft Zoning Ordinance regarding village centers

ZONING & PLANNING COMMITTEE requesting review, discussion and possible ordinance amendments relative to Chapter 30 zoning ordinances pertaining to Mixed Use, business districts and village districts relative to the draft Zoning Ordinance. (formerly #88-20)

Zoning & Planning Held 8-0 on 07/18/22

#396-22 Reappointment of Rick Wetmore to the Chestnut Hill Historic District Commission

HER HONOR THE MAYOR reappointing Rick Wetmore, 131 Suffolk Road, Chestnut Hill as a full member of the Chestnut Hill Historic District Commission for a term of office to expire on August 1, 2025. (60 Days: 10/07/2022)

#397-22 Reappointment of Susanna Lannik to the Chestnut Hill Historic District Commission

HER HONOR THE MAYOR reappointing Susanna Lannik, 25 Essex Road, Chestnut Hill as a full member of the Chestnut Hill Historic District Commission for a term of office to expire on July 15, 2025. (60 Days: 10/07/2022)

Respectfully Submitted,

Deborah J. Crossley, Chair



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

#401-22

Telephone
(617) 796-1100

Fax
(617) 796-1113

TDD/TTY
(617) 796-1089

Email
rfuller@newtonma.gov

August 1, 2022

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

Honorable City Councilors:

I am pleased to submit this docket item to this Honorable Council requesting updates to the Inclusionary Zoning ordinance, Chapter 30, 5.11.5 (E), following the creation of the Affordable Housing Trust.

These revisions specify that the Affordable Housing Trust will be the entity to receive and distribute one half of new Inclusionary Zoning funds, rather than having these funds go to a separate City account. Inclusionary Zoning funds are cash payments made to the City in lieu of providing Mandatory Inclusionary Units in a Development. Chapter 30, 5.11.5 (A) of the City Ordinances specifies the circumstances in which the City's Inclusionary Unit requirements may be made with a cash payment. These revisions shift the decision making on the use of the Inclusionary Zoning funds from the Planning and Development Board and City Council and then the Mayor to the newly created Affordable Housing trustees, which includes the Mayor and a City Councilor.

The other half of Inclusionary Zoning funds will continue to go to the Newton Housing Authority.

Please see the attached memo from Director Health and a red-line strike-out version of the proposed ordinance change.

Thank you for your consideration of this matter.

Sincerely,

Mayor Ruthanne Fuller



Ruthanne Fuller
Mayor

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

#401-22
Telephone
(617) 796-1120
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(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney S. Heath
Director

June 21, 2022

Mayor Ruthanne Fuller
Via email

Re: Docket request for proposed amendment to Section 5.11.5 (E) of the Inclusionary Zoning Ordinance

Dear Mayor Fuller,

Following the City Council's authorization to create an Affordable Housing Trust, the Planning Department has identified the subsequent need to revise a section within the City's current Inclusionary Zoning Ordinance. Section 5.11.5 (E) of the Ordinance outlines the process by which the City and the Newton Housing Authority receive and distribute any cash payments made by a developer in lieu of providing inclusionary housing units.

The Planning Department, in consultation with the Law Department, suggests minor revisions to this Section as outlined in the attached red-lined draft. These revisions specify that the Affordable Housing Trust will be the specified entity to receive and distribute any cash payments received on behalf of the City. The Newton Housing Authority will continue to receive an equal share of any cash made to the Trust via the inclusionary housing ordinance.

We respectfully request that you file a docket item with the City Council to review and approve these proposed revisions to Section 5.11.5 (E).

Please let me know of any questions regarding this request.

Sincerely,

Barney Heath
Barney Heath, Director

5.11.5. Cash Payment Option.

Section 5.11.5.E.

E. Cash Payment Recipient.

1. The cash payment ~~shall be~~ made to the City's ~~Inclusionary Zoning Fund~~ Municipal Housing Trust Fund, to be distributed equally to the Newton Housing Authority and ~~the City of Newton~~ the Affordable Housing Trust.

2. These funds are to be used for the restoration, creation, preservation, associated support services, and monitoring of deed-restricted units affordable to households with annual gross incomes at or below 80% of AMI, to the extent practical.

3. Notwithstanding Section 2 above, funds received from Inclusionary Housing Projects with 7-9 units, as described in Section 5.11.5.B.3, must be used for the creation of deed-restricted units affordable to households at or below 80% of AMI.

~~4. Appropriation of these funds for use by the City or the Newton Housing Authority must first be approved by the Planning & Development Board and then by the Mayor.~~

5. The Newton Housing Authority and the City Affordable Housing Trust must each maintain an ongoing record of payments to the fund on their behalf and the use of the proceeds for the purposes stated in this Sec.

5.11.



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

#396-22

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(617) 796-1089
Email
rfuller@newtonma.gov

August 1, 2022

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

To the Honorable City Councilors:

I am pleased to reappoint Rick Wetmore of 131 Suffolk Road, Chestnut Hill 02467 as a full member of the Chestnut Hill Historic District Commission. His term of office shall expire on August 1, 2025 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller
Mayor

CITY CLERK
NEWTON, MA. 02459

2022 AUG - 1 PM 1:20

RECEIVED

Application Form

Profile

Rick _____ Wetmore _____
First Name Middle Initial Last Name

[Redacted] _____
Email Address

131 Suffolk Road _____
Home Address Suite or Apt

Chestnut Hill _____ MA _____ 02467 _____
City State Postal Code

What Ward do you live in?

Ward 7

[Redacted] _____ [Redacted] _____
Primary Phone Alternate Phone

Fiduciary Wealth Partners _____ Partner & Deputy Chief
Employer Job Title Investment Officer _____

Which Boards would you like to apply for?

Chestnut Hill Historic District Commission: Submitted

Interests & Experiences

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

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

Up for reappointment for CHHDC as of 8/1/22.

Upload a Resume

Rick Wetmore, CFA
131 Suffolk Road
Chestnut Hill, MA 02467



EDUCATION

University of Pennsylvania, The Wharton School, Philadelphia, PA
2002
Bachelor of Science in Economics
Concentrations in Finance and Management
Activities: Varsity letter winner, Spruce College House Council (President 1999-2001)

EXPERIENCE

Beacon Pointe Wealth Advisors, Waltham, MA 2019
- Present
Director/Senior Wealth Advisor

BNP Paribas Asset Management, Boston, MA
2014 - 2017
Deputy Chief Investment Officer
Senior Portfolio Manager
Global Emerging Markets Equities

Turner Investments LP, Berwyn, PA
2002 - 2014
Portfolio Manager/Security Analyst - Principal

DESIGNATIONS

CFA Institute, Charlottesville, VA
2010
Chartered Financial Analyst (CFA) designation



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

#397-22

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August 1, 2022

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

To the Honorable City Councilors:

I am pleased to reappoint Susanna Lannik of 25 Essex Road, Chestnut Hill 02467 as a full member of the Chestnut Hill Historic District Commission. Her term of office shall expire on July 15, 2025 and her appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller
Mayor

RECEIVED
2022 AUG - 1 PM 1:20
CITY CLERK
NEWTON, MA 02459

Application Form

Profile

Susana _____ Lannik _____
 First Name Middle Initial Last Name

 Email Address

25 Essex Road _____
 Home Address Suite or Apt

Chestnut Hill _____ MA _____ 02467 _____
 City State Postal Code

What Ward do you live in?

Ward 7

 Primary Phone

 Alternate Phone

Lannik Law LLC _____ Attorney _____
 Employer Job Title

Which Boards would you like to apply for?

Chestnut Hill Historic District Commission: Submitted

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 have loved serving on the Chestnut Hill Historic District Commission and would like to continue that service. It has been a pleasure to work with my colleagues on the board.

[SUSANA_LANNIK_RESUME-2.docx](#)
 Upload a Resume

SUSANA LANNIK

● 1320 CENTRE STREET, SUITE 204, NEWTON MASSACHUSETTS 02459 ● [REDACTED]

PROFESSIONAL SUMMARY

The position I am re-applying for with this resume is to serve on the Chestnut Hill Historic Commission Newton, Massachusetts. The skills and experience I bring to this position include a very broad legal knowledge in some areas that may relate to the work of the commission. This includes a knowledge of environmental law. I am familiar with the construct of regulatory schemes as a result of that knowledge and of my work with the Massachusetts Division of Medical Assistance on behalf of my clients. I also have a knowledge of architecture due to my background in art history. I have a passion for old buildings, and a belief in the need to preserve them if at all feasible. At the same time, as a homeowner, I am aware of the need to balance practical needs of a homeowner to have a home that functions well for them in this day and age with preservation. I have lived in Chestnut Hill for twenty years now, and have had the opportunity to briefly serve as an author for the short-lived Chestnut Hill Magazine.

SKILLS

- Legal Writing.
- Working knowledge of Medicaid regulatory scheme both federal and Massachusetts.
- Writing also for laypersons in my area of law and some creative writing.
- Environmental laws and litigation.
- Some language skills in French and Italian.
- Understanding of architectural blueprints and renderings.
- Knowledge of Art History.
- Familiar with regulatory compliances in the Medicaid context, financial areas, and environmental areas.
- Licenses, petitions and waivers. Obtained in the Probate and Medicaid context.

WORK HISTORY

Lannik Law, LLC, 01/2006 to Current
Self- Employed – Newton, MA

Lannik Law, LLC specializes exclusively in:

1. Estate Planning. Estate Tax Considerations and Drafting appropriate documents.
2. Interpret laws, rulings and regulations for individuals in the Medicaid, Probate and areas.
3. Asset Protection for the Second Half of Life.
4. Draft strategy letters for long term care clients and estate planning clients.
5. Special Needs Planning.
6. Probate of estates.
7. Medicaid Advocacy for long-term care clients.
8. Develop memoranda related to client situations.
9. Work to apprise clients of potential risks and costs associated with each course of action.

Mendel & Associates, 01/2004 to 01/2006
Associate – Waltham, MA

1. Interpreted laws, rulings and regulations for individuals in the Medicaid, Probate and Disability Law Areas.
2. Analyzed probable outcomes of cases using knowledge of legal precedents.
3. Drafted strategy letters for long term care clients.
4. Drafted documents including wills, trusts, durable powers of attorney, health care proxies and advance directives.
5. Represented firm in Probate court proceedings.
6. Wrote memoranda related to client situations.
7. Apprised clients of potential risks and costs associated with each course of action.

Law Offices of Susana Lannik; Re-named Arber, Lannik and Badaloto, LLP, 07/1982 to 01/2004
Attorney – Brookline, MA

1. Counsel to clients in areas of estate planning/asset preservation, Medicare/Medicaid issues and Advocacy, health care proxies, probate, guardianship, wills durable powers of attorney, long-term care and asset protection planning, elder consumer issues and domestic relations matters.
2. Served as GAL; Rogers Counsel, Monitor and Special Master in Norfolk, Middlesex and Suffolk Probate Courts.

3. Outside advisor to nursing home management company and an assisted living corporation.
4. Residential real estate transactions.(early in the practice)
5. Served as outside counsel to small businesses, managed zoning rent control problems, some commercial leasing; evaluated and conducted personal injury cases and domestic relations actions. (early in the practice)
6. Contract Negotiations and consumer protection. (early in the practice)

EDUCATION

J.D.: Law, 1982

Suffolk University Law School – Boston, MA

Master of Arts: Art History, 1971

Boston University Graduate School – Boston, MA

Bachelor of Arts: Arts History, 1969

New York University – New York, NY

ACCOMPLISHMENTS

- Member of the Chestnut Hill Historic Commission/Publications.
- Author for Chestnut Hill Magazine, during its short life! (2014 – 2015)
- Published Book: Blooper Episodes in Estate Planning and Elder Law.
- Published Book: Seven times Seven, 49 Cat Tails. (poetry book)
- Article: Estate Planning Magazine: Long-Term Care Insurance, When Crisis Calls for Creativity.
- Served as Brookline Town Meeting Member, Precinct 13.
- Brookline Zoning Board of Appeals and Conservation Commission.
- Mashpee Conservation Commission.
- Finance Committee, Congressman Joseph Kennedy and State Auditor Joe DeNucci?

AFFILIATIONS

- National Academy of Elder Law Attorneys. Member, former Board Member and former Chair Programs.
- Massachusetts Bar Association.
- Newton-Needham Chamber of Commerce.
- Mashpee Chamber of Commerce.
- National League of American Pen Women, Inc. Emeritus
- Boston Ballet Overseers.
- University of North Carolina School of the Arts. Board of Visitors Emeritus.

- Hadassah.
-