



Memorandum

To: Mayor Ruthanne Fuller
From: Councilors R. Lisle Baker, Leonard Gentile, Marc Laredo, Tarik Lucas, Julia Malakie, Christopher Markiewicz, Emily Norton, John Oliver, and Pamela Wright
Cc: City Council; City Clerk Carol Moore; Planning Director Barney Heath
Re: MBTA Communities Act and Proposed Village Center Zoning
Date: August 11, 2023

We are writing to you regarding the MBTA Communities Act and the proposed Village Center rezoning effort. We support the Planning Department's efforts to help us comply with the Act and are confident that we will be able to submit a plan that meets the Act's requirements. However, we are quite concerned about the Planning Department's approach to the rezoning of our village centers and urge you to pause that effort until after we submit our MBTA Communities Act plan to the state and do the necessary work to inform our decision-making process on Village Center rezoning.

The MBTA Communities Act

As you know, the Planning Department and the City Council are concurrently working to (a) meet a year-end state deadline to submit a plan to comply with the state's "Housing Choice" (also known as the "MBTA Communities") law and (b) write a new zoning code for our Village Centers and the areas immediately around them.

The state-mandated MBTA Communities law requires us to rezone areas around the MBTA subway and train stations to accommodate at least 8,330 units of multi-family housing. In a city that currently has approximately 33,000 units of housing, that is a significant increase, particularly in light of other development that is already approved or in the pipeline.

We believe that the Planning Department's proposal for complying with this law sets us on the right path – creating several zones near transit stations that will meet our legal obligations by the state's year-end deadline and allow significant additional housing in the city, goals that we support. However, we believe that the Planning Department's proposal for 10,000 units, rather than the required 8,330, is too high. We do not think that this unilateral 20% increase is necessary or appropriate, at least until after we have had an opportunity to see what gets proposed and built in the next several years.

Village Center rezoning

Given that (a) we are likely to be adding large numbers of housing units through our MBTA Communities Act plan and (b) there are other pending or proposed housing projects that we know will add thousands of housing units to the city in the next few years (Riverside, Northland, Dunstan East, Craft Street, California Street, and 528 Boylston Street are some examples), it is imperative that we have an open, candid discussion with our residents about our plans for the future of our city over the next five, ten and twenty years **before** we start rezoning our village centers to allow for further additional development. Here are some of the questions that we need to answer:

- How many additional housing units and residents do we want to have in the city (in other words, what are our goals when it comes to growth)?

- How many housing units are reasonably likely to be built in the Village Center rezoned areas that are not part of the MBTA Act zones (understanding that these are only estimates)?
- How many additional housing units are reasonably likely to be built outside of the rezoned areas in the projects described above and other similar projects (again, understanding that these are only estimates)?
- What plans do we have for providing any additional schools, parking facilities, athletic fields, and other infrastructure and city services that may be needed for these population increases?

On July 28, 2023, the Planning Department provided responses to these questions in a memorandum to the City Council (pp 4-5; <https://www.newtonma.gov/home/showpublisheddocument/105198/638261512363470000>) which did not answer the questions listed above. We request your help in obtaining answers to what we believe are reasonable questions that a department focused on planning should be willing and, in fact, eager to provide.

To be clear, a pause on the rezoning effort does not mean that we can or should be stagnant in regard to making common-sense, non-controversial improvements to our zoning code that will improve our Village Centers: changing parking and other requirements that routinely get waived during the special permit process; making it easier for certain smaller projects to be done by right; and new rules to enhance the facades of buildings and the vitality of first floor commercial spaces. But the residents of Newton should know what our goals are – and what infrastructure and services are required to achieve them – before we entirely rewrite our zoning code.

We look forward to working collaboratively with you and other members of the executive branch as we continuously strive to make our city a better place in which to live and work.