



Newtonville Area Council - Meeting Minutes
Thursday, September 29, 2022 7:00 PM
Meeting Location: Online via Zoom

Attendees:

NAC: Jennifer Bentley (President), Martina Jackson (Vice President), Carolyn Jacoby Gabbay (Secretary), Nancy Greenberg and Timothy LeBlanc

Absent: Dana D'Agostino (Treasurer) and Aline Sammut

City Government:

City Council: President Susan Albright, Councilors Tarik Lucas, Julia Ann Malakie, Emily Norton, John Oliver, Pam Wright

Highlands Area Council: Robert Fizek

Council on Aging: Joan Belle Isle

Public: Approximately 14 members of the public

Jennifer called the meeting to order and confirmed the presence of a quorum.

1. Village Day Recap

Maura Harrington reported on the successful Village Day highlighting that there were over 20 volunteers working on the day of the event, with almost 80 vendors (including 22 local businesses, 14 new stores and restaurants) visited by an estimated 4,000 people. There were 2 music stages (featuring the Newton North Jazz Ensemble and 2 local bands at one and 5 youth bands at the other). Leo, the Police Department's community resource dog, and his handler were very popular. Over \$20,000 was raised from vendors and local businesses to support the event, and the Newton Masons sponsored free rides all day on the roaming train (a welcome change for parents from the \$2-4/ride ticket fees in prior years). Local restaurants provided free or low-cost food, and free cake and cupcakes were given out to ~700 people. The NAC also gave out ~300 free tee shirts and ~30 people signed up for the NAC newsletter. Recognizing that the Police Department is shorthanded, especially after the abolition of the Auxiliary Police, their scheduling cooperation should be improved next year, and President Albright offered to follow up.

2. Presentation and discussion on the proposed new zoning for the Northside Village Centers

Jennifer reported on the initial session of the joint presentation by the 4 Area Councils on the village centers upzoning proposal and the Planning & Development Department's feedback tool, noting that the first session did not focus strongly enough on the impacts on Newton's north side (which is slated for most of the

proposed large-scale densification) and promised to address that at the second session. She noted that the public comment period ends on October 16th. Martina emphasized the need for the public to view the Planning & Development Department's exhibit on the village centers upzoning proposal at the library (for which there are to be 4 docent sessions) or via the on-line PDF.

Points covered by Jennifer included:

- Phase 1 of the process was to identify values for village centers and for the Planning & Development Department staff to draft a zoning framework. Phase 2 is to seek feedback on 4 of the 12 principles of the draft zoning framework. In Phase 3 ordinance language will be drafted, voted at ZAP and sent to dog, and the City Council for enactment.
- Under current zoning building stories are 12 feet high, but the proposal is to increase 1st floor ceiling heights in retail spaces to 18 feet to accommodate infrastructure needs such as HVAC systems. This is equal to adding ½ story even if the nominal story count remains unchanged. The proposal would add another ½ story to the top of buildings, accomplished either by a pitched roof or a 7-foot setback from the building edge for a flat roofed structure.
- The Planning & Development Department suggests 3 tiers for village center upzoning density, with 4 village centers (i.e., Newtonville, Newton Centre, Newton Corner and West Newton Square) – 3 of which are along Washington Street – slated for the greatest amount of densification. Other villages would be slated for smaller increases compared to their current density.
- Minimum lot size requirements would be rescinded and units could be smaller than the current 1,200 sf/unit, possibly even micro (i.e., 750 sf) units.
- Design standards would call for ground floor transparency. Green design could be part of the standard, with sustainable materials, solar and open (green vs paved) spaces.
- Parking requirements would be reduced, with no parking spaces required for ground floor retail and residential parking reduced from 2 spaces to 1 space/unit, raising concerns about increased street parking.
- Village centers boundaries have not yet been defined and maps have not been published.
- The interface of the village centers upzoning and the MBTA Communities Act is unclear, as is the potential cost of noncompliance with the MBTA Communities Act.
- The feedback tool will be open only until October 16th and the 4 Area Councils will jointly sponsor 2 presentations at the Waban library branch starting October 3rd.

President Albright noted that all zoning changes require a public hearing before the City Council votes.

Councilor Wright reported that zoning maps are to be available in late October, after the feedback tool comment period closes. She also noted that upzoning the village centers, even “by right”, would not satisfy the MBTA Communities Act which would require even greater density on Newton’s main corridors (i.e., Washington Street, Needham Street and Rt. 9) and that, while a full discussion about the funding loss for noncompliance with the MBTA Communities Act has not yet occurred, the state funding has averaged \$460K/year in the last 4 years, although the Pettee Square improvements funding would be \$3M.

Susan Reisler asked for the docent schedule, pointed out the necessity of knowing the village centers’ boundaries to evaluate the proposed heights, and said Walnut Street would be a canyon with 4- and 4.5-story buildings.

Robert Fizek expressed concern about the lack of maps, the inexperience of Planning & Development Department staff and criticized the process, which he characterized as results-oriented and lacking real public engagement. He pointed out that other communities are going back to the state seeking re-evaluation of the MBTA Communities Act.

Peter Bruce seconded those comments, especially with regard to overriding the heights in the Washington Street Vision Plan. He also noted that the MBTA Communities Act would require the addition of 8330 new units, in addition to the 1,000 built units and the 2500 units in the pipeline. He noted that Boston has a surplus of Class B office buildings that, as in California, might be revamped into housing.

Naomi Myrvaagnes opined that the upzoning discussion is not paying enough attention to quality-of-life issues and the impacts of the proposed upzoning, with no discussion of rental units vs housing equity/investment opportunities that have been important to family wealth building.

Martina noted Councilor Wright's community discussion of the MBTA Communities Act and how little input Newton would have into Newton's development. She opined that ceding too much to developers "by right" would not increase affordable housing and added that the CEN (on which she serves with Jennifer) did not have real input before the proposed zoning framework was presented.

Councilor Norton seconded concerns about not having maps and said that, since people should have full information with which to comment, she would support extending comments until maps are available. Councilor Wright added that the Planning & Development Department's plan to issue maps in October was earlier than she had expected. Jennifer added that there has been no response to the letters from the Area Councils asking for a longer comment period and Councilor Wright offered to follow up.

Carolyn's comments highlighted the need for 3D models, the reality that developers will build out to the maximum allowable under the upzoning proposal, that giving developers so much "by right" will deprive Newton of the mitigation payments and the project improvements that are captured in Special Permit negotiations, that smaller units are not family friendly, that there should be preferences in the new code for non-profit developers and projects consisting entirely of affordable units and that, in contrast to village centers with open spaces (like Newton Centre), Walnut Street is narrow and will be shadowed and "canyonized" by being lined by 4- and 4.5-story buildings. She added that Avalon is an example of a large rental complex that is a net tax loss where total real estate taxes paid do not cover even only the education costs of the children contributed to Newton public schools.

Councilor Malakie pointed out the MBTA Communities Act's adverse impact on affordability due to its cap on AMI at 80%, thereby hurting affordability at a lower level. She added that if there is no inclusionary zoning in effect, the MBTA Communities Act would allow projects consisting entirely of market rate units.

Peter Harrington noted the insufficient opportunity for public discussion, misinformation and incorrect assumptions, that 1- and 2-bedroom units are not family housing, that developers are all about profit, and said the Inspectional Services Department should review and comment on the draft upzoning proposal.

Councilor Lucas endorsed Carolyn's comments and added that he agreed with Councilor Norton on extending the comment period. He found the library exhibit overwhelming. He encouraged public participation.

Councilor Wright added that under the MBTA Communities Act, Newton (which now mandates inclusionary zoning at an average 65% of AMI) would only be allowed to use an 80% AMI standard, ground level retail can be allowed but not required, and to comply the revised zoning would have to be entirely “by right”.

President Albright posited that because of the state and national housing crisis (i.e., 200,000 units short of need in the Commonwealth), more housing is needed to make Massachusetts economically viable. She defended the Planning & Development Department saying that Jan Caira had zoning experience in California, and that the Utile consultants have significant zoning experience. She contended that the Washington Street Vision plan has not yet been overridden and that the maps are needed to assess that. She added that Special Permits cost time and money which only larger developers, and not non-profits, can afford. She agreed that current developers are not building family housing, but felt that the MBTA Communities Act will define what will be considered to be a family-sized unit. She also contended that Avalon’s net tax loss is an anomaly because it houses a lot of divorced fathers and said that most projects do not produce that many school children. She added that 12 other communities have issues with the MBTA Communities Act’s AMI percentage and she believed that issue will be fought politically. She agreed that the library exhibit was overwhelming and felt that on line PDF alternative is more accessible. Jennifer offered to send out copies of the PDF and other information as part of outreach. Carolyn reported that ZAP has said that only ~200 comments have been received via the feedback tool and criticized the tool for not filtering out repeating commentors. Peter Harrington offered to speak off-line with President Albright about the possibility of maintain Newton’s inclusionary zoning under an outside section of Chapter 40A.

3. Other Business

In view of the Planning & Development Department’s refusal to provide 3D models of the buildout under the village centers upzoning proposal, Carolyn suggested the NAC allocate money to create an illustration or model of the Walnut Street buildout. Jennifer suggested coming back to the suggestion after the Planning & Development Department produces the proposed zoning maps, and the suggestion was deferred to a future time when added information, including a cost estimate, is available.

4. Administrative Issues

a. Approval of August meeting minute

The draft minutes of the August 2022 meeting having been circulated for review prior to the meeting, Martina moved, Jennifer seconded, and it was unanimous:

VOTED: To approve the minutes of the August 2022 NAC meeting.

b. Adjournment

At approximately 8:53 PM, Martina moved, Carolyn seconded, and it was unanimously:

VOTED: To adjourn the meeting.

Respectfully submitted,

Carolyn Jacoby Gabbay

Secretary