

PLANNING & DEVELOPMENT BOARD



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Date: January 20, 2017

To: President Lennon and Members of the City Council, City of Newton

Dear President Lennon:

On January 11, 2017, the Planning & Development Board (P&D Board) held the continuation of the public hearing associated with the Mark Newtonville, LLC petition #180-16(2), for a change of zone for properties currently zoned Business 1, Business 2 and Public Use to Mixed-Use 4.

Following the close of the public hearing the Planning & Development Board deliberated and voted 4-2 in favor of changing the current zoning to the requested Mixed-Use 4. Attached to this approval is a memorandum from the dissenting members.

The P&D Board's recommendation to the City Council is qualified as follows: The recommendation to grant this MU-4 rezoning request is specific to this site and should not be construed as precedent for the P&D Board. The P&D Board will evaluate any future MU-4 zoning change applications on a case-by-case basis. The P&D Board did not give any weight--as was urged by the Petitioner--to the allowance of the Austin Street rezoning in its deliberations.

Submitted on behalf of the Planning & Development Board.

Sincerely,

Scott I. Wolf
Chair

January 18, 2017

MINORITY REPORT ON THE WASHINGTON PLACE REZONING PETITION

As members of the Planning and Development Board who voted against the proposed Board Order on Washington Place [#179-16 & #180(2)-16] we favor reasonable growth in Newtonville, we support the flexibility of MU-4 zoning, we recognize the many benefits of the Washington Place project, and we would have voted to approve rezoning for a modestly scaled-down version of the current project. However, we voted against the zoning because the 4-5 stories and overall mass of the proposed development is far too large to be compatible with the historic buildings abutting the project (some of which are of equivalent height, but have only 3 stories) and with the prevailing pattern of 2-3 story building in the Newtonville village and along the Washington Street corridor from West Newton Square to Newton Corner.

Our vote was guided by two themes running through Newton's Comprehensive Plan – the importance of ensuring that development densities are compatible with “neighborhood” character and the priority given to neighborhood assessments in determining such compatibility. For example, the section of the Comprehensive Plan on PRIORITIES FOR WHERE DEVELOPMENT OCCURS states that “*We seek to assure development densities well related to both neighborhood character and infrastructure capacity.*” This theme is further echoed in the section on EXCELLENCE IN DESIGN, which points out that “*The trace of history, professional designer's insights, and the sensitivities of our citizens can be joined in different ways producing different outcomes in different neighborhoods and village centers: What is right for one is not right for all, and our approach should reflect that.*”

We further feel that the Draft Board Order does not give sufficient weight to the judgements of neighborhood abutters and nearby village residents about where and what kind of development should occur in Newtonville, as contemplated in the Comprehensive Plan. For example, the section on PROMOTING THE CITY'S RICH DIVERSITY OF PLACES states that “*Design excellence is just one of the ways in which guidance for Newton's future development should reflect neighborhood and village-level planning.*” and the section on RECONCILING INDIVIDUALITY AND PLACE points even more forcefully to the importance to be given to neighborhood input in its statement that “*Both rules and practices should assure that the special characteristics of locations are respected in development without stifling creativity and individual choice. At the very least, new development should not damage the valued qualities of that which exists in the vicinity.*”

There has been ample input from Newton community and beyond over months of public hearings, but this input was too sharply divided to provide meaningful guidance for the rezoning decision, a division that is further reflected in the absence of a rezoning recommendation from the *Newtonville Area Council*. What is clear, however, is that the abutters in the Newtonville Historic District and their nearby neighbors strongly oppose the height and massing of the proposed development. While this could be a typical “not in my back yard” scenario, we see persuasive evidence of broad and reasoned opposition in the petition circulated by *Neighbors for a Beautiful Newtonville*, a petition that is reported to have secured more than enough validated signatures from residents to require a “super-super” majority vote of 3/4ths of the City Council to change the current zoning.

The Draft Board Order lists many reasons for why the proposed project “is ‘not inconsistent’ with the purposes of the MU-4 district or the Newton Comprehensive Plan”; it mentions that the height of the structure is “in keeping with surrounding buildings” and that shadows and blocked views will not be a problem for the surrounding community; and it concludes that the project “will not adversely affect the neighborhood” because it will “enhance the long term economic stability and vitality of the village”. Yet it fails to mention the major inconsistency between the mass of a 4-5 story project and that of a 2-3 story neighborhood and it fails to acknowledge what we see as reliable indicators of neighborhood and village opposition.

We personally prefer a project with 3-4 stories on the Washington Place parcel, which would be more in keeping with the 2-3 story scale of the neighborhood and with the major concerns of the abutters and neighbors that are most affected by the proposal. However, we recognize that it is now time for all sides to compromise and we would have welcomed the opportunity to vote for the MU-4 zoning change if a somewhat smaller project had been proposed. For example, the developer’s November 1, 2016 proposal for a 4-story “Option B” proposal seemed to us to be a useful starting point for reaching a compromise that would give the developer the flexibility in the number of units per lot area that he is seeking under MU-4 zoning in exchange for a modest reduction in the scale and massing of the project and somewhat larger setbacks to protect the abutters in the historical zone. We urged the developer to consider such a possibility and would have similarly urged the abutters and other opponents to accept this option. Unfortunately Option B was, in our view, prematurely withdrawn from further consideration.