

## Section Overview

### The Context of Our Opposition

The articles in this section look from above, as it were, at the overall situation and context of our position against rezoning. Here are major themes.

- *Washington Place as proposed is wrong for Newtonville.* The project would be too massive and too dense. It would violate the unique village Sense of Place that Newtonville has and that Newton's comprehensive plan promoted so powerfully.<sup>1</sup> While the Village will certainly change over time, there is no need for the kind of development that Mr. Korff is proposing.<sup>2 3 4</sup>
- *The proposal is wrong for Newtonville's demographic and housing context.* This proposal is "bringing coals to Newcastle": Newtonville, more so than much of Newton, already welcomes diverse incomes and housing types. It has more rentals and they have lower rents. A large new development would make Newtonville even more dense and more renter-heavy — too much so. The disparity between Newtonville and other parts of the city would be increased.<sup>5</sup>
- *There's resentment in Newtonville about big developments.* And the resentment is justifiable. First, there is the Austin Street project, which was widely opposed in the village. Nobody knows what its real impact will be. And now we have another MU4 development (Orr Block) right on top of it? Many residents feel that Austin Street was foisted on our village, in part because of people from elsewhere assumed that since Newtonville was already dense and (relatively) poor, the residents there wouldn't fuss.
- *The political context is wrong for a zoning change.* The petition makes no sense given extensive uncertainty in the political climate of Newton. That uncertainty includes (a) no good assessment of city-wide desires about development, (b) a comprehensive rezoning effort now underway with outcome to be determined. (c) a mayor who is leaving, with uncertainty about the priorities of the outlook of our next mayor. (d) a charter

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<sup>1</sup> City of Newton: *Excerpts from Newton's Comprehensive Plan.*

<sup>2</sup> Helen Nayar: *A Resident's View.*

<sup>3</sup> Peter Harrington: *Overview and Plea.*

<sup>4</sup> Naomi Myrvaagnes: *Breathing Room.*

<sup>5</sup> Fred Arnstein: *Demographic Context.*

commission that wants to cut out effective local ward representation; this is yet to be approved or rejected by the citizens.<sup>6</sup>

## Contents of This Section

Pagination starts afresh for each article.

- *The Demographic Context*  
Fred Arnstein  
 $\frac{3}{4}$  *Newton's North Side is strikingly different from wealthier sections: denser, less affluent, more renter heavy, more multi-unit buildings. Newtonville already welcomes diverse incomes and housing types. It's not the right place to push for more density.*
  
- *A Resident's View*  
Helen Nayar  
 $\frac{3}{4}$  *The essence of Newtonville is its village character. Our village and its residents will be hurt and diminished if zoning is substantially changed.*
  
- *Excerpts from Newton's Comprehensive Plan*  
City of Newton  
 $\frac{3}{4}$  *These excerpts illustrate the clarity and force with which the plan tries to protect the character of Newton's villages.*
  
- *Newton's Uncertain Political Climate*  
Fred Arnstein  
 $\frac{3}{4}$  *The Korff petition comes at a time of great uncertainty in Newton's political climate. Even for those who love Mr. Korff's vision, the right thing is to reject rezoning, given the circumstances.*
  
- *Breathing Room, Elbow Room, Quality of Life*  
Naomi Myrvaagnes  
 $\frac{3}{4}$  *The project would diminish the quality of life that Newtonville offers. Don't look at one project at a time, grant it waivers, and then be boxed in by precedent.*

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<sup>6</sup> Fred Arnstein: *Newton's Political Context — In Flux*.

## Newton and Newtonville As They Are

### Context for The Orr Block Rezoning Decision

#### The Situation

- Mark Newtonville, LLC wants to create a development of massive proportion relative to the population and current built environment of Newtonville.
- As proposed, the development would present significant problems to the Village and the City.
- The developer requests rezoning and special permitting.
- *Is there a net benefit to the residents of our city and our village that would justify granting these changes?*
- We believe the answer is No.

## ***Newton: The Garden City***

*"Newton is renowned as a City of Thirteen Villages.*

*"The villages are home to distinctive shops, independent restaurants, neighborhood services, and professional offices, as well as civic buildings, places of worship, cultural organizations..."*

*"Many residents and businesses have great loyalty to their distinct, local village."*

—City of Newton web site

## **One of The Best Places To Live**

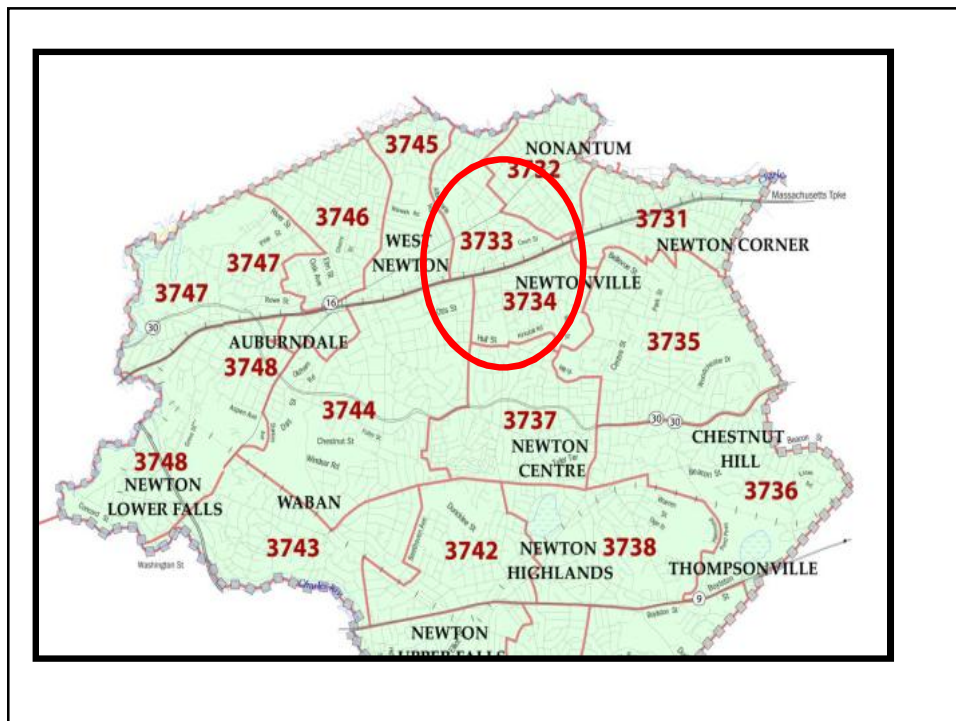
- USA Today, September 2014 — America's 50 best cities to live in:
  1. *Newton, Massachusetts*
  2. Bellevue, Washington
  3. Mountain View, California
  4. Pleasanton, California
  5. Evanston, Illinois
- Do we remain a unique Garden City of Villages?  
Or an extension of Boston's urban landscape?

## Where Is Newtonville?

We turn to a report compiled by Barry Bluestone and Tracey A. Corley: *Demographic Trends and Housing in the City of Newton, Massachusetts*, May 2014 — based mainly on data from the 2010 Census.

The report provides data by census tract.

We will look at the two Newtonville tracts (3733 and 3734) that surround the Orr Project. These tracts include Newtonville's commercial center.

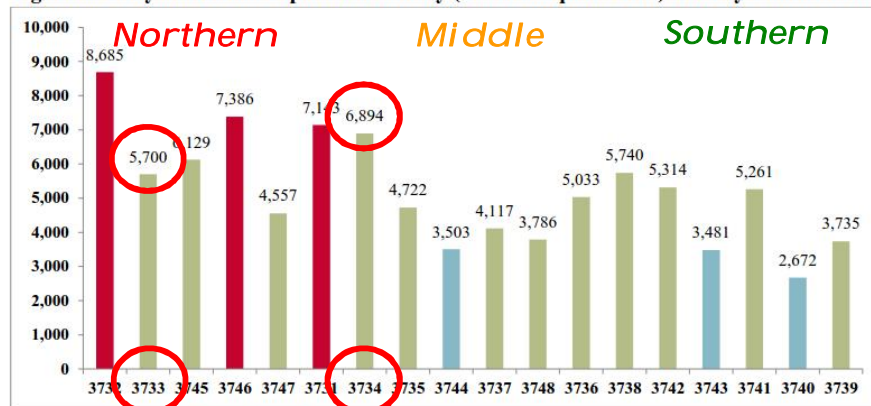


## Density

- Newton’s North side (which includes Newtonville) is overall more dense than the South side.
- The North side includes the 5 densest tracts (out of 18) in all of Newton.
- One of the Newtonville Tracts (3734) is the fourth densest in the city.

## Density — High

Figure 23: City of Newton Population Density (Persons/Square Mile) 2010 by Census Tract



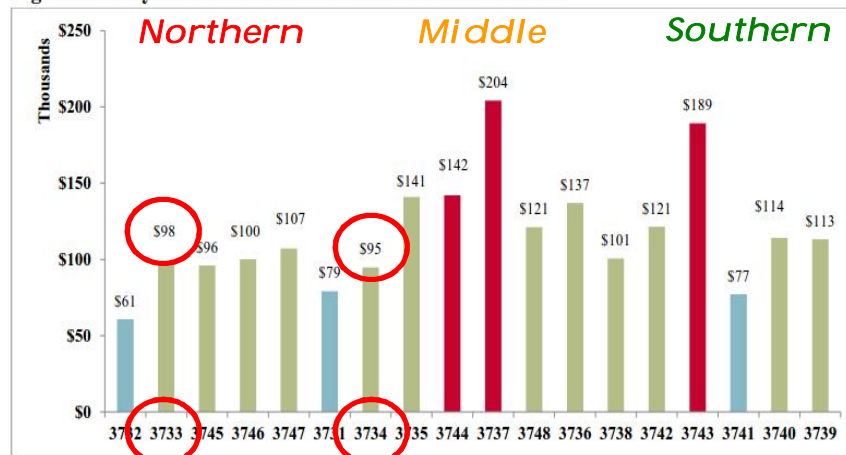
Source: USA.com Census Tract data for the City of Newton

## Income

- Newton’s North side is less affluent than the middle and south.
- Newtonville tract 3734 has fourth lowest median income in the city. Tract 3733 is sixth lowest.
- Newtonville is not overall low-income, but it is clearly more modest than many other parts of the city.

## Income — Relatively Low

Figure 25: City of Newton Median Household Income 2010



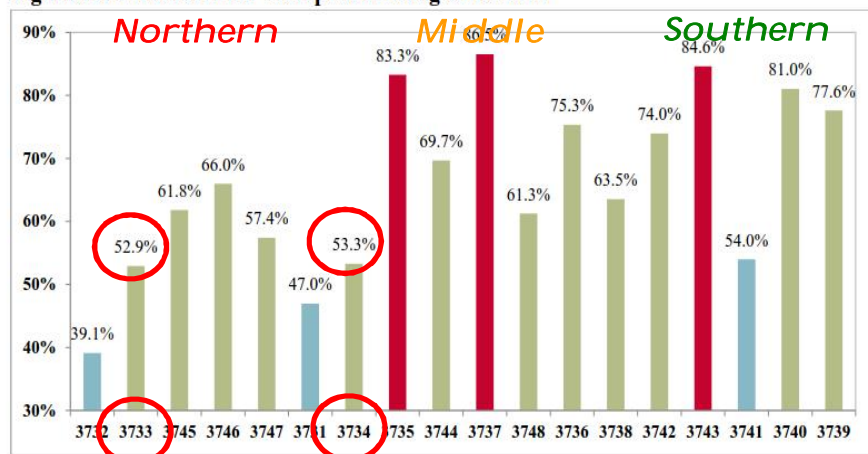
Source: USA.com Census Tract data for the City of Newton

## Renting Versus Owning

- Newton’s North side is much more renter-heavy than the Middle and Southern sides.
- The Newtonville tracts have the third- and fourth-highest portion of rental living — lowest proportion of owner-occupied units — in the city.

## High Proportion of Renters (Low owner-occupied)

Figure 29: Percent Owner-Occupied Housing Units 2010



Source: USA.com Census Tract data for the City of Newton

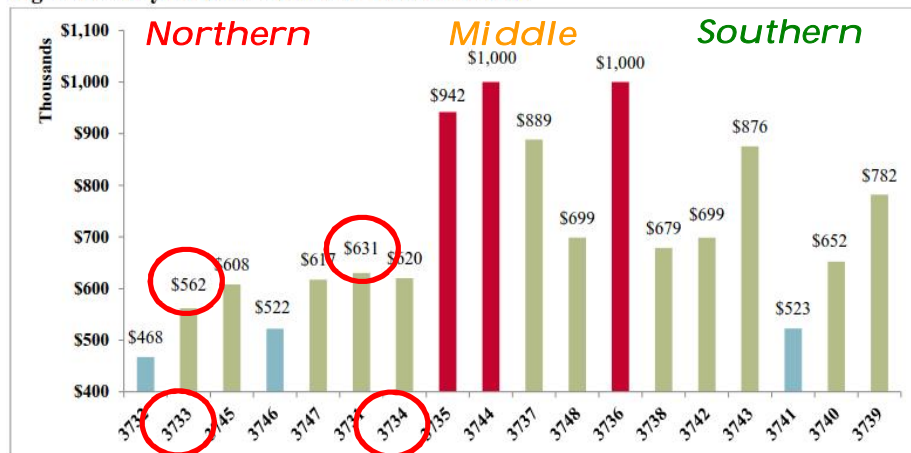


## Home Prices

- The North side as a whole has strikingly lower home prices than the Middle and South.
- The Newtonville tracts are in third and fourth place for percent of living units that are rentals.
- So Newtonville is a tempting target for developers — that’s why we need zoning protection.

## Home Prices: Lower

Figure 32: City of Newton Median Home Price 2010



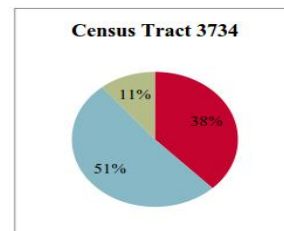
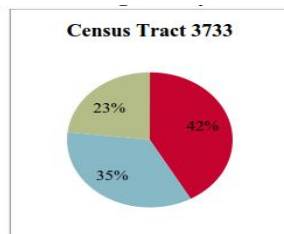
Source: USA.com Census Tract data for the City of Newton

## Prevalence of Multi-Unit Buildings

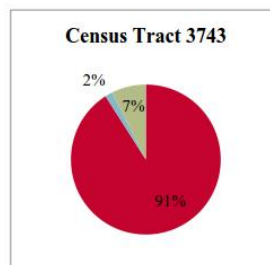
- The two Newtonville tracts have the second- and third-lowest proportion of single-family homes of all the tracts in the city.
- Tract 3734 has 38% single-family homes.
- Tract 3733 has 42% single-family homes.
- Only Newton Corner (3731) has a lower proportion of single-family buildings (36%).

## Newtonville Already Has More Multi-Unit Buildings

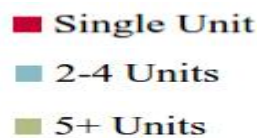
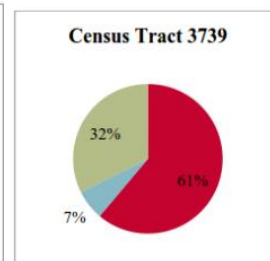
### Newtonville



### Middle (example - Waban)



### Southern (example - Oak Hill)



## Implications 1

- Newtonville (and the whole North Side) already welcomes diverse incomes and housing types.
- Large new developments would make it still more dense and more renter-heavy.
- This is a case of 'No good deed goes unpunished.'

## Implications 2

- Higher land value for the Orr Block will boost rents and property taxes for other homes in the area.
- Moderate- and lower-income people will have a harder time moving to Newtonville, in spite of a few new affordable units.
- We would welcome a plan that better suits the needs of our Village.

## A Resident's View

Helen Nayar

June 7 2016 — Land Use Committee

Good Evening.

Newton has been consistently listed as one of the best places to live in the United States, in large part because of the livable qualities of our villages and neighborhoods. These include walkable, human-scaled village centers, tree-lined residential neighborhoods, good schools, parks and open space, and stability in our built environment.

People have invested their lives and their life savings into homes and small businesses in Newton because Newton has a strong tradition of zoning to protect single and two-family neighborhoods, commercial districts in our village centers, and a mixture of housing choices to accommodate a socio-economically and ethnically diverse community.

That stability, diversity, and quality of life is endangered when one person can buy up much of a village center and unilaterally decide to evict over two dozen local businesses and renting families.

The thousands of people who live in Newtonville and the owners of small businesses in Newtonville, many who have been here for decades — all of us who are the life and breath of Newtonville — we have the most at stake. Some of us will be cast out when our homes and businesses are demolished; the rest of us will be left to endure the very negative impacts of this inappropriate development: a looming structure, traffic and parking messes, the overcrowding of our schools, the costs of providing city services to so many apartments and commercial establishments, plus higher rents and upward pressure on nearby housing and land prices. It will set a precedent that other developers will then repeat.

There is no reason to allow this project to be anything other than what is allowed by right under existing zoning. To grant rezoning and a special permit under these circumstances is to harm those constituents who have put our trust in you to protect our way of life.

Thank you.

# Excerpts from Newton's Comprehensive Plan

*[Emphasis added by NBN]*

Prepared by the Mayor's Comprehensive Plan Advisory Committee  
Recommended by the Planning and Development Board  
Adopted by the Newton Board of Aldermen November 19, 2007

Housing Costs Hardship and community stratification resulting from the loss of housing affordability in Newton is central to the Housing element. The widely publicized “bursting of the housing bubble” has in some locations significantly contributed to mitigating affordability problems, and some have suggested that the same may be true in Newton.

**Placemaking.** ... We need to have a process for connecting our shared vision to the investments that the City makes in the infrastructure which is a key part of all of our places.

**Guiding intentions and goals.** *We should provide a clear statement of intentions and goals both for the City as a whole* and, with careful relationship to those citywide statements, for each of our neighborhoods, village centers, and other places so that proposals and actions can be measured against them. The process of articulating those statements should critically involve those who live, work, or have other stakes in those places. ...

**Clear Rules.** *Intentions and goals should be reflected in zoning and other development regulations* and in guidance for public investments. That guidance should be clear, readable and unambiguous in both letter and intent. Periodically it should be thoughtfully evaluated and revised as discussed earlier. Development standards should be predictable and understandable.

**Sensitivity to place and openness to creativity.** ... *At the very least, new development should not damage the valued qualities of that which exists in the vicinity.* Guidance materials and practices must protect these special characteristics while also respecting both the rights of property owners and the diversity of the community.

## LAND USE

*“At the heart of the struggle to determine the direction any city will take is the question of how its land is to be used. It can either be treated primarily as a source of profit, to be packaged, bought and sold, or else, as the holistic perspective teaches, as a resource that in an interrelated manner serves the spiritual as well as the material needs of the people who live upon it.” - John Guinther*

“This land is your land and this land is my land, sure, but the world is run by those that never listen to music anyway.” – Bob Dylan

Newton’s land area of almost 18 square miles is all but fully built out

**Protection of Property Rights** - The protection of property rights is an often-expressed and legitimate concern. That includes the rights of home owners to protect the financial investments and quality of life commitments they have made, and also the rights of larger land owners to see the investments they have made treated predictably and fairly. The principle of private property is fundamental in our society and deserves full respect.

As a mature city, Newton provides opportunities for preservation and challenges for new limited in-fill developments and redevelopment of existing properties.

## **TRANSPORTATION AND MOBILITY**

“We are coming to the realization that making the traffic work well is one of the prime contributors to much of what we now see and don’t like in our new suburban growth; namely, loss of community, absence of walking atmosphere, boredom, bleakness...” - Walter Kulash

In the years since the Turnpike extension, however, no comparably major transportation improvements have been made in Newton. ... Relative to many other parts of the region, service for Newton has deteriorated. ... For those and other reasons, travel and transit is becoming more difficult in Newton. On many of Newton’s roads, off-peak traffic volumes of today are the same as “rush-hour” traffic volumes were about 20 years ago. ... Meanwhile, the major north-south routes through Newton, such as Chestnut, **Walnut**, and Centre Streets, have become increasingly clogged with traffic, with backups at many key intersections. *[emphasis provided]*

... the lack of a fine-grained network of public transport, many locations in Newton are not accommodating for persons without automobiles.

Overall, there has been an increased reliance on motorized transportation over walking or using transit.

## **TRANSPORTATION AND MOBILITY VISION AND GOALS**

### **To Enhance and Promote Equity in Mobility**

Our intention is to promote accessibility for all residents of Newton in all parts of the City, including the 30% of the population that does not drive.

**To Maintain City Character and Quality of Life** Our intention is to assure that transportation change promotes rather than degrades the kind of City that is being sought, enhancing Newton’s village centers, neighborhoods, and other areas.

## STRATEGIES AND ACTIONS

Over the past two decades the notions of “neo-traditional design” have attracted growing support, recently including Massachusetts’ policies as articulated by the Governor and the Office of Commonwealth Development. That set of design ideas is hardly radical, in fact they sound a lot like Newton as it has been. Newton Centre has sometimes been cited nationally as an exemplar of a neo-traditional neighborhood

Here is how some of the key principles of neotraditional design have been shaped for this plan from an Institute of Transportation Engineers publication

There is a neighborhood commercial center within [roughly ¼ mile radius] for the majority of residents in the neighborhood;

The streets are laid out in well-connected patterns, at a pedestrian-friendly scale, so that there are alternate automobile and pedestrian routes to every location; wherever possible.

The streets are relatively narrow, and the streetscapes are well-defined by the buildings and trees along them;

Bicycles are considered an integral part of the transportation mode mix, and the design of the streets and sidewalks includes appropriate facilities for them.

Newton is fortunate in that it contains village centers which are nodes of dense mixed-use development, usually oriented around transit. The focal pattern provided by Newton’s village centers provides a prime opportunity for wise and efficient transit and pedestrian improvements that are the key alternatives to drive-alone travel.

- ... possible concepts for improved transit services in Newton including the following:
- An extension of Route 60 bus line
- The extension of trackless trolley services from Watertown into Newton Corner
- The restoration of bus service along Watertown Street and Washington Street
- A new Green Line branch, connecting the Town of Needham with Newton Highlands Station, located near Needham Street, which would provide two new Green Line stations in Newton
- A new Commuter Rail station at Newton Corner, and a new Commuter Rail branch with a new station located at Riverside.

**“Flexible Moderate Growth”** for Newton means a continuing focus on residential and village centers. It means that we seek to enhance the urban amenities that make Newton such a favorable place to live. It means adapting the community to the needs of its changing population.

# Newton's Uncertain Political Climate

Fred Arnstein

To Land Use Committee — December 2016

Hello Mr. Chairman and Councilors,

I last talked to you in June, when we looked Newtonville's demographics and housing statistics. As the months have gone by, I've learned about many things — like toxic spills, the height and appearance of buildings, the impact of parking scarcity on business, the myths and realities of 'affordable housing' — and I keep on learning.

It's become clear to me that, as important as all the specific topics and controversies are (and they are indeed important), there's a bigger picture, which is the uncertainty of Newton's political context, that's really fundamental to your decision.

For many years here, there have been powerful forces pushing for real estate development. Maybe the good news is that many in Newton have tried to resist that push, sometimes successfully, so that the garden city hasn't yet moved farther toward a completely different identity.

Newton's comprehensive plan of 2007 was a balanced document. The amendment of 2011 pointed to more density but was still balanced by care about preserving the character of our Newton villages.

In 2012, the balance shifted with the creation of the MU4 zone, a plan to implement it in targeted village centers, and we've witnessed the rezoning of the Austin St parking lot to an MU4 mixed use development.

Now it's 2016. We've seen a 'vision' from the mayor that pushes further toward urbanization, and for the first time a private developer has petitioned for MU4 zoning for a big and controversial project.

Mr. Korff and his organization are taking advantage of the concept that Washington Street will become a corridor of development. In its own way, similar to Needham Street on the south side.

It may not be news to you, but I was surprised to learn last week that the Korff organization has bought another property along Washington Street, Jack's Auto Service. The Barn is located just steps away, on Kempton Place, which is a rather obscure turn off Washington St. You've



probably used Jack's Auto Service as a landmark to help you find the Barn. Well Jack's Auto Service is now in the hands of "Mark Kempton LLC" — note: "Mark Kempton," the whole street, not "Mark Auto Service."

The lot where the Barn is located, and two other adjacent properties, is owned by estates of the recently deceased owner. The Barn itself has publicly spoken about wanting to move to Mr. Korff's development in Newtonville. So we fully believe that the plan is to assemble a new package something like the Orr Block, but closer to West Newton.

So the dominos are starting to fall, as predicted, and in fact as the forces of development want them to fall, creating a dense MU4-type corridor along Washington Street.

But even as this is happening, the political landscape has shifted, it has become uncertain, and that is what I want to emphasize.

1. The vision of a more urban Newton has not been fully mandated by community support. Hardly mandated at all, in fact.

Community sentiment and input has hardly been assessed at all by the city. For example, the city held a lego block exercise in which 80 citizens gave their stamp of approval to the vision of a built-up Washington Street corridor. That's 80 citizens out of 80,000. In reality, as we know well from our conversations with hundreds of residents, community sentiment is hardly united around the vision of large dense MU4 buildings.

2. The city is in the process of comprehensively reconsidering all our zoning districts. We know that city staff and consultants are promoting urban type development, but rezoning is still unfinished. With community input, maybe a lot of unsolicited input, the outcome is unknown.
3. We have a mayor who is leaving us. He is a powerful advocate for urbanization. In his housing plan the mayor would like to move special-permit granting to the city administration, rather than leaving the council to conduct messy debates where citizens can actually express their views. Who will the new mayor be? What will her or his priorities be? We don't know yet.
4. We have a charter commission that would like to reduce the number of City Councilors to twelve At-Large, which would also reduce citizen participation, eliminating meaningful local ward representation. But the charter commission's recommendations may be rejected by the citizens.

These are huge uncertainties. In the face of them, now is not the time to approve a one-parcel rezoning that will set a precedent for Mark Kempton and untold other properties.

I'm speaking particularly to those of you who love the Washington Place vision, the buildings, the amenities, the community benefits. To those of you who support the vision of a more urban Newton. We disagree, but I know that you have good intentions for the city.

But there's no doubt in my mind that this is not the time to move forward with them. The city and the village will do fine at this point with the Orr Block's current zoning. It is simply the right thing to do to deny the petition until the many political uncertainties are resolved after next November. Every single member of this body, and the whole council, should be voting No. There is really no other appropriate alternative.

Thank you.

## Breathing Room, Elbow Room, Quality of Life

Naomi Myrvaagnes

The City of Newton seems to be focusing on increasing population density at the expense of sustainability and quality of life. It makes sense to me to develop a significant, under-used parcel along Highland Avenue and create a new Newton village there. That would entail adding public transportation as well as somehow planning for an increased school population and other City services.

However, Newtonville and other our other existing village center are a very different story. Keeping to Newtonville at the moment, I believe that the area cannot afford more density. Two developers are going to develop large complexes there, but they should be held to the density and building size currently allowed. Austin Street is already decided (though I dearly hope the specs for the parking spaces can be improved). The Orr block should not be given permission to be higher or denser than current specifications allow.

I care about quality of life. That means enough space to open the door of your car in a parking space. Enough square feet in your apartment to have personal possessions—we are not yet equipped with implanted chips to replace our books, papers, mementos, art works. We need green space and sky, not masses of brick and concrete.

I know that much more thought is being given to the design of the Orr block than to the horrors of apartment buildings lining Pleasant Street in Watertown. Even so, Newton is heading in that direction—more slab boxes to “house” tenants. Most of these tenants will be commuters, using their apartments for little more than sleeping. This is not a people-friendly model. It does not invite residents who are interested in building community and civic life.

I fear that a larger and denser Orr block will accelerate the land grab that developers are sure to engage in along all of Washington Street. Traffic is already brutal. I hope the Land Use and Planning committees will remember that the purpose of building is to serve the public interest, not to reward developers with extra profit. Density can be an environmental plus, but only in locations that are equipped to handle it. Our existing village centers cannot take on much increase without changing their character for the worse. It is not sustainable to look at one project at a time, grant it waivers, and then be boxed in by precedent to increasing expansion.

Please slow the rush to urbanizing our balanced, suburban small city. We already have Route 9. We don't need another one on Washington Street.