

# July Newsletter

From City Councilor Marc Laredo



**Dear Friends,**

I hope that everyone is having a good start to the summer. While many of us are enjoying some well-deserved time off, there still is important work being done regarding the city's rezoning efforts.

First, however, I want to express my condolences to the family, friends, and neighbors of Jill and Bruno D'Amore and Lucia Arpino for the tragic loss that they have suffered. I am grateful to Chief John Carmichael and the Newton Police Department, Middlesex District Attorney Marian Ryan and members of her team, and the Massachusetts State Police for their work in responding to this horrific crime.



# **We Must Plan Now for Future Development**

As I have previously written, the City Council is engaged in two different but partly related endeavors – (a) meeting 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) writing a new zoning code for our “Village Centers” and the areas immediately around them. There is only a modest amount of land that is included in both the state-mandated MBTA Communities zones and the city initiative for the Village Centers and the two areas must be viewed collectively to best understand the possible impact of the proposed changes.

## ***State Required Plan***

The state-mandated MBTA Communities law requires communities that are serviced by the MBTA to create zones near train and T stations that can accommodate additional housing units by right, meaning that no special permits are required by the City Council. The number of units increases with the level of MBTA service. So, Newton, with its eight T stops and three train stops must accommodate many more units than other communities.

The state-mandated plan for Newton will require the zone around the MBTA and train stations to accommodate at least 8,330 units of housing. However, this does not mean that we will be required to add 8,330 additional units of housing. Rather, this number is based on a formula in the state law that calculates the theoretical number of total units—current and new—if each parcel of land was to have the maximum number of multifamily units that will be zoned by right. In other words, this theoretical number assumes that every partial of land, including those currently zoned for single family near the MBTA stations, will be fully developed. While we will certainly see increases in the number of units in these zones, we do not know how many parcels will actually be redeveloped and how long that redevelopment will take.

## ***Newton Zoning Changes***

We currently do not have any estimates of the number of units that (a) could be built in the parts of the Village Centers that are not included in the MBTA

zones or (b) what major projects are contemplated in other parts of the city that are outside of the MBTA zones and the Village Centers. But, we certainly are talking, at the very least, about thousands of potential additional units outside of the MBTA Communities zones.

While no one should expect that all of the rezoned areas will be built to capacity or that all available sites elsewhere in the city will be redeveloped, these are significant changes in a city that currently has approximately 33,000 housing units. Therefore, before we can properly evaluate these proposed changes, it is critical that we **plan** for the growth that is projected under the MBTA Communities Act and the proposed zoning changes to our Village Centers before deciding how we will proceed.

Examples of the needed planning include:

- *Clearly and transparently set forth the number of additional units and/or residents that we should be seeking to have in the city in the future and what the city's capacity is for future growth.* While building more housing and vibrant village centers is an admirable goal, true planning means engaging in the hard, but critical, work of examining the city's capacity for growth and the necessary measures to enable that growth.
- *Provide reasonable estimates of how much housing could be built in the rezoned areas that are not included in the proposed MBTA zones.* While estimating is difficult and never perfect, we must have some numbers in place so we can do the necessary planning work to accommodate additional housing units and residents.
- *Provide reasonable estimates as to the number of additional units of housing that might be built in addition to the rezoned areas in the next twenty years (areas such as Riverside, Northland, along Washington Street, on California Street, and similar locations).* In the past ten years, we have approved significant developments throughout the city, others are proceeding through the 40B process, and still others are in various stages of planning (since 2020 alone we have approved 2,600 more units). These additional developments will add thousands of housing units and residents to the city but we have no estimates as to what could be built. Again, while such projections are inherently imperfect, they must be done.
- *Plan for the additional city services and infrastructure we will need to accommodate new development.* To properly accommodate new

residents, we must carefully analyze the array of city services and amenities needed. For example, we will need capacity in our schools for any increased population (we can't simply wish that this possible level of development will not impact school capacity). Are our parks and athletic fields sufficient for the additional new residents? What about our fire and police services? What effect will additional residents have on existing traffic and how will we try to ameliorate it? What additional public parking lots will we be in our village centers to accommodate the influx of residents and visitors from outside of the village centers that we hope to attract to our village centers in the future?

- *Do not assume that development will take many years to implement.* While no one should expect that vast changes will be made in a couple of years, it is realistic and prudent to assume that significant development will occur in the near future. Since much of this development will be by right, developers will be able to avoid the special permit process and proceed more quickly with their projects. Even if development takes longer than anticipated, it is far better to have planned for it than to defer that planning until some unforeseen time in the future.

We need to do this planning work **now**.

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## **The MBTA Communities Act**

Generally, I think we are on the right path with our plan to comply with the MBTA Communities Act. While there are details that still need to be carefully crafted and reviewed, the proposed areas are reasonably located near transit. Four areas of note to consider:

- *First and foremost, this plan will not be successful unless and until the MBTA provides significantly better, more frequent, and more reliable service.* Unfortunately, we have heard promises for many years about improving service. The state must step up to make this a reality and it must be done **now**.
- *Even strong advocates of the law recognize that it has a significant flaw – communities are not allowed to require multi-use buildings to have first floor office or retail space in this zone.* This restriction flies in the

face of everything we are doing in our village centers to create vibrant street fronts. We should be at the forefront of leading the effort to change this aspect of the law.

- *There are no parking requirements in this new zone.* While the lack of parking requirements allows us to make the zones more compact, and nothing prevents developers from providing at least some parking, we need to carefully examine the effects of not having any parking requirements.
- *The Planning Department's proposal calls for the ability to create 10,000 units, not the required 8,330 units.* We need to have a robust discussion about this proposal.

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## Rezoning our Village Centers

I am in favor of increasing the density in our village centers and taking other measures to make the village centers more vibrant. Here are some examples of aspects of the current proposal that I think are well-thought out and will make Newton a better place in which to live and work:

- Having the greatest density in the heart of the village centers;
- Making it easier for certain smaller projects to be done by right;
- Eliminating parking and other requirements that are routinely waived in the special permit process; and
- Creating rules designed to enhance the facades of buildings and the vitality of first floor commercial spaces.

There are other issues that warrant careful further analysis, including:

- Where to draw the line between projects that can be done by right and those that require a special permit;
- What are the proper maximum heights of buildings;
- How to ensure that we have sufficient open space in these rezoned areas; and
- How to best provide for parking.

Residents and business owners should continue to pay careful attention to this ongoing work and demand that we do the necessary planning now to

ensure that whatever changes we make are successful.

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Thank you and, as always, I welcome your thoughts, questions, comments, and criticisms!

Marc

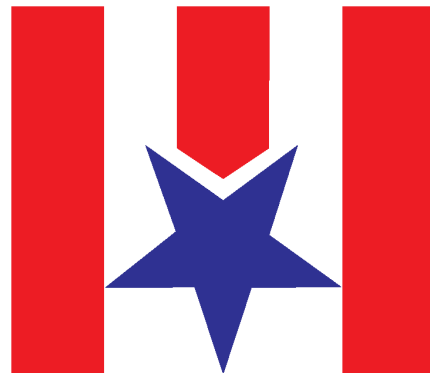
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