

Mayor Ruthanne Fuller Endorsement

Originally published Dec 16, 2019

Two weeks ago, the Newton City Council approved by a 17 to 7 vote a special permit and zoning to allow housing, restaurants, shops and offices to be built at the end of Needham Street at Oak Street (i.e., the location for many years of Marshalls, AAA and Paulette's Ballet Studio). It will be built by the Northland Investment Corporation. A group of Newton residents are collecting signatures to require the City Council to either repeal its vote or to hold an election for Newton's voters to decide whether to repeal the approved zoning.

This referendum process is provided for in Newton's City Charter. The last time it was done was in 2007 when residents challenged the site plan approval of the new Newton North High School to stop its construction. Voters rejected that measure by 2,492 votes, 8,532 to 6,040. (The marijuana ballot questions put to the voters in 2018 were not referendums but rather voter petitions as authorized by state law.)

How does the referendum process work in Newton?

- Residents have 20 days from the City Council vote on Dec. 2 to collect the signatures of 5% of the registered voters in Newton at the time of the last municipal election. There were 60,630 registered voters, meaning signatures from 3,032 registered voters must be collected and turned into the City Clerk.
- Once the signatures are filed with the City Clerk, they will be certified by the City Clerk's office (as delegated by the Election Commission). Certification means verifying that the signatures are from voters registered in the City of Newton. City Clerk David Olson expects the certification process will be complete by Jan. 6, 2020.
- Once certified, the signatures will be publicly available for two days during which time a voter may file a written objection to the sufficiency or validity of the signatures. The Election Commission reviews any challenged signatures and decides if they are valid.
- If a sufficient number of signatures have been certified, the Northland zoning approval is placed on hold pending the outcome of a City Council revote or the results of an election.
- After the signatures have been certified, the City Council has 30 days either to repeal the Northland approval or to refer the matter to voters. To repeal its previous vote requires a two-thirds majority vote (16 votes). The City Council voted 17-7 in favor of the Northland zoning in December. Notably, a new City Council will be seated on January 1, 2020 with five different members. (Four of the departing members voted "aye" with one voting "nay.")
- If the City Council does not vote to rescind the Northland rezoning, it must set an election date. The election can either be set for the next municipal election in November 2021, or the City Council can set a date for a special election within 120 days. The cost of holding the election could range from \$20,000 to \$80,000 depending on whether it is concurrent with another. (City Clerk David Olson needs approximately 60 days to notify the public of the election, print the ballots, and line up

poll workers for a Special Election. A Special Election may be held on the same day as another election. Notably, there is a Presidential Primary on Tuesday, March 3.)

Where do I Stand?

If there is a referendum, I will vote "yes" to uphold the zoning approved by the City Council and allow the Northland project to go forward. Like many of us in Newton, I have concerns about approving new development unless it is right for the surrounding neighborhood/village and right for our city as a whole. I know traffic is a real problem in Newton too much of the time. I can see that buildings in new developments in neighboring cities and towns are often poorly designed and out of scale. I spend a lot of time analyzing the condition and enrollment capacity of our schools and I know we will continue to have to invest heavily in our school buildings. I am keenly aware that Northland has been approved even as other developments are under consideration now and in the coming months. Yet, even in light of these realities, I am now convinced that this Northland project will be good for Needham Street, for Newton Upper Falls and for Newton.

Why?

- We can and should do something better with these 22.6 acres. The site now consists of an enormous empty parking lot, old decaying industrial warehouse buildings, a single-story retail big box store, and a charming historic former piano mill that is vacant and deteriorating. Drive or walk around this aging industrial complex and see for yourself. (You can also familiarize yourself with the plans [here](#).)
- Ten of the 22.6 acres (~ 40% of the site) will be transformed from concrete to parkland, greens and a spray park/playground with 750 new trees and a restored and daylighted South Meadow Brook.
- We get desperately needed apartments (140 of them) for people on tight incomes. Those affordable apartments are guaranteed to be here in perpetuity and will allow us to welcome to Newton so many people that are often excluded because of the high cost of our housing.
- We also add 660 apartments with market based rents of a type that is in high demand here in Newton – rental units in elevator buildings with restaurants and retail outside the front door and quick access to the T. Seniors who are downsizing and people in their twenties and thirties have few choices right now to stay or come back to Newton if they want this type of housing and lifestyle.
- One of the apartment buildings will also be a first for Newton, built for "age-in-community" living using universal design and ADA accessibility standards and designed for people of all ages and abilities.
- The former Saco Pettee Mill (that previously housed Clarks Shoes and Paulette's Ballet Studio) will be historically preserved and repurposed for office space.
- The project includes not only a mix of retail, restaurants, offices and apartments but also Northland is required to set aside retail space for locally-owned, non-chain merchants.

- The residents, employees and visitors not just at Northland but from Upper Falls and along Needham Street for the first time will be able to hop on a free, electric shuttle that will run every 10 minutes, 16 hours a day, 7 days a week to the Newton Highlands T stop.
- The City Council imposed a maximum number of car trips on Northland. The City of Newton Planning Department will strictly monitor new car trips against this standard and will require changes and/or additional funding from Northland if it doesn't meet the required traffic level.
- MassDOT is just about to invest \$30.5 million in reconstructing Needham Street/Highland Avenue with smarter traffic signals, fewer curb cuts, better sidewalks and protected bike lanes. After this work, Needham Street will continue to sometimes have heavy and slow traffic. However, for the first time, it will be inviting for pedestrians and bicyclists and, with the Northland shuttle, be connected to public transit, the MBTA stop at Newton Highlands, with frequent and free service.
- Almost every parking space will be underground and the City Council insisted on the right number of spaces (not too many and not too few).
- The buildings themselves are required to meet stringent green standards. At least three of them are being built to "passive house" certification levels, making the project a leader in Massachusetts in sustainable development. All of them will meet LEED requirements. Plus, the project includes solar panels, rainwater harvesting, electric vehicle charging stations, electric-only appliances, and plenty of parking for bicycles.
- The design and scale of the buildings themselves were scrutinized and, with a lot of input, changed to work for people walking and biking and for the adjacent neighborhood. Good design principles were incorporated, including breaking up the mass of the buildings.
- Northland is investing heavily in Newton above and beyond the initiatives already mentioned. Another \$9.3 million will be invested in upgrades in the neighborhood for transportation (\$5 million), sewer system improvements (\$1.85 million), renovations to the nearby Countryside Elementary School (\$1.5 million), and a spray park/splash pad for little ones by the Upper Falls Greenway (\$1 million). (As an aside, Northland is headquartered in Newton and plans to relocate to this site.)
- The City Council analyzed potential impacts by the project on traffic, on parking on the site and in the adjacent neighborhood, on city and school services, and on the environment. The Councilors insisted that the developer design the project and contribute funding that addressed these impacts both now and in the coming years in a comprehensive and enforceable manner.
- The project kept getting better. Listening to the neighbors (300+ meetings and 12 public hearings) and City Councilors, Northland reduced the size from 2 million square feet to 1.1 million square feet to right size it for this location.
- Over the 18 months of active revisions, negotiations and compromises, the Northland project kept getting more and more aligned with the goals set out in the Needham Street Area Vision Plan, a proactive plan finished in August 2018 and written by a broad range of Newton community members. The plan called for just what Northland is delivering. Here is an excerpt. (The full plan can be found [here](#)):
- **Needham Street Area Vision Plan 2018**
The Needham Street area will be a prosperous mixed-use district that emulates many of the positive aspects of Newton's villages. The area will be designed for all ages and connected to transportation options. The Needham Street area will continue to reflect its industrial history and current commercial strength while adding diverse residential options and modern innovation industries. It will also be supported by a mix of cultural and recreational opportunities. Future growth will incorporate environmentally sustainable technologies.

The alternative is uncertain but, to me, unappealing. The site may stay in its rather dilapidated state for quite a while. Northland might come back with an all retail/office proposal. Northland may also choose to move forward with a 40B housing project or projects. In its first phase, it might have up to 646 units (with or without a commercial component), most likely with fewer of the positive elements of the currently approved project. 40B projects bypass all local zoning restrictions such as density and height restrictions when the community does not have a sufficient amount of affordable housing as determined by the state. (Newton does not right now.) More information on the City's 40B status will be coming later this week.

If this gets to a ballot, I hope you will join me in voting "yes" to allow this project to be built. I also hope you will join me in listening carefully to and thinking deeply about the concerns raised by those who choose to vote against it. I am continuously struck by the deep love of all of us for this good city. Let's treat our neighbors with respect during these discussions about Northland and ascribe good intentions and good motives to all.

By the end, the project earned the support of not only two-thirds plus of the City Councilors but also from a wide variety of community groups from the League of Women Voters Newton to Green Newton, Livable Newton to the Newton Urban Design Commission, the Newton Planning and Development Board to the Newton Housing Partnership, the Newton Economic Development Commission to the Newton Conservators, and the Newton-Needham Regional Chamber.