

**League of Women Voters of Newton Statement
Public Hearing on Docket Item #400-11:
Proposed Re-zoning of the Riverside MBTA Property
Thursday, March 22, 2012**

The League of Women Voters of Newton stands firmly against Docket Item #400-11, for several reasons:

- The process that led to this docket item is highly problematic.
- The use of special zoning rules to design a specific development is antithetical to both the spirit and the language of the Comprehensive Plan and its recently approved Mixed Use Centers Element amendment.
- The proposed language of item 400-11 is too restrictive and should be revised to allow greater flexibility.

If approved as is, such flexibility will not be possible, and it will set a dangerous precedent for future large-scale projects here in Newton.

We recognize that a great deal of good work has been done so far. But in our opinion, the proposed Riverside development could—and should—be more directly aligned with the goals of the Comprehensive Plan previously approved by the Board of Aldermen.

As the Comprehensive Plan notes, Riverside presents a unique opportunity in Newton to set a new standard for large-scale, mixed-use, transit-oriented development. With access to several modes of transit, the development should effectively integrate various uses such as retail, offices, and residential units. These should be designed to draw together and enhance the adjacent neighborhoods through community and open space, as well as recreational areas along the Charles River. Given the right combination, a desirable destination in Newton could be created—a place for people to meet and be involved in their community.

The Comprehensive Plan calls for clear rules, consistency, and predictability in the use of zoning ordinances to help developers focus on creating the best design they can within reasonable and commonly understood boundaries, rather than on maneuvering through a Dickensian, and sometimes back-door process. In the case of Riverside, the proposed zoning ordinance cannot be commonly used throughout the city, and is instead an example of “spot” zoning, specific to this project and this site. This is not good policy and does not clarify or improve the situation for developers of future Newton sites.

The City should also more explicitly leverage state incentives, such as 40R and 40S “smart growth” zoning regulations. Applying the guidelines set forth in the Mixed-Use Elements amendment to the Newton Comprehensive Plan would help future large-scale, mixed use development proposals earlier in the process. Such tools would provide successful examples, and could also provide funding from the Commonwealth to help mitigate impacts.

The use of the Collaborative Impact Review provision, which brings together the City, developer, and neighborhood to assess potential impacts before a formal proposal is submitted, should also be considered. This process may help minimize the conflict that so often occurs when a large-scale development is proposed.

If Docket Item #400-11 were approved, it would “set the stage” for a similar process in different parts of the city, leading to other sub-optimal solutions, instead of what could be a model for our community.

The Planning Department has done a terrific job of including “impact zoning” for this site--work that could be part of a future zoning ordinance--to minimize the additional traffic and other negative impacts while allowing a properly designed and sized development that could add to neighborhood life. It is worth the effort to go back and use the City’s accepted zoning and process to get a better result.

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