

"Fair housing exists when people can find safe, suitable housing within their economic means wherever they choose to live, and they do not face discrimination based on their membership in a protected class."

—WestMetro HOME Consortium Analysis of Impediments
to Fair Housing Choice, 2021-2025

Newton and Fair Housing

Some Things We Need to Know and Remember

Newton's Fair Housing Obligations

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Myrtle Baptist Church, the Village, and the Mass Pike

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Oak Hill Park, the VA, and Segregation

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Origins of the Newton Community Development Foundation

•

Waban and Massachusetts Chapter 40B

Learn these stories. Ask yourself:

- 53 years after the passage of the Fair Housing Act, how are we doing? Does fair housing exist here?
- What are the barriers to our becoming a truly inclusive community? How do we remove them?

[Read on. >>>](#)

April 2021 • Fair Housing Month

Newton's Fair Housing Obligations

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The Fair Housing Act of 1968 "establishes that all Americans, regardless of their race, color, national origin, religion, sex, familial status, or disability, deserve to live in homes and in neighborhoods of their choosing" (*Analysis of Impediments*, p.2).

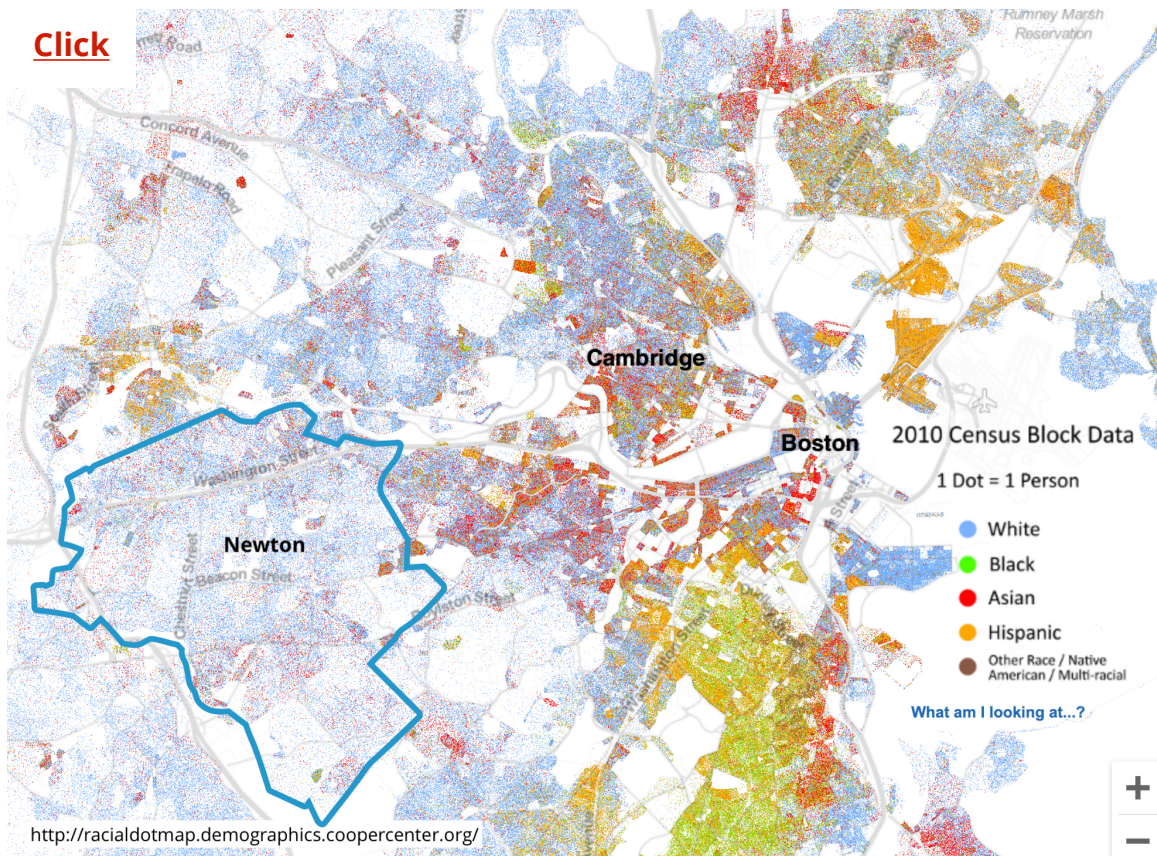
Fair housing is not just a concept,* and it's not just about overt discrimination in the real estate market—though that's an important part of it, and we know it still happens here. See the [Newton Fair Housing Action Plan](#) (2008), and [this reporting](#) on the 2020 Suffolk University study, "[Qualified Renters Need Not Apply](#)."

For cities and towns that receive HUD funds for affordable housing—such as Newton and the 12 other communities in the WestMetro HOME Consortium—fair housing also involves a **legal obligation** to "**affirmatively further**" fair housing

(AFFH). The *Analysis of Impediments* "explor[es] conditions that provide opportunities for and contribute to barriers to fair housing." It also identifies and describes the "**meaningful and measurable actions**" that Consortium communities should take to "break down barriers to fair housing choice... for all protected classes," **including substantial zoning reform to allow for more multi-family housing**.

The ultimate goal of AFFH—indeed, of the 1968 Fair Housing Act—is for us as a country to finally "overcome historic patterns of segregation," **equalize access to opportunity**, and "foster inclusive communities free from discrimination."

*See, e.g., Engine 6's 10/29/13 [Letter of Complaint Against the City of Newton to the U.S. Department of Housing and Urban Development](#) and supporting documents.



Myrtle Baptist Church, the Village, and the Mass Pike



Myrtle Baptist Church was established in 1874, when Black members of the First Baptist Church (now Lincoln Park Baptist) decided they needed a place of their own. They had been well-treated—if relegated to the balcony—and went their separate way “not with feelings of unkindness toward our white brethren but simply for the best good of all concerned.” The Black community that sprang up around Myrtle Baptist came to be called “the Village.”

In 1962, construction of the Mass Pike extension from Weston through Newton into Boston began. About 350 homes and businesses in Newton were destroyed in the process, including 32 homes in the Village. Most of the Village’s displaced residents were under-compensated for their losses. For this reason and because of discrimination in the local

housing market, half of those displaced were unable to find new homes in Newton and had to move farther away.

Those Village families who did find homes here—including the families of Rev. Howard Haywood and Katy Evans Haywood—had held out for better compensation and relied on white allies. Despite the forced dispersal of the Myrtle Baptist congregation, [the church continues to be central in the lives of its families](#), wherever they live.

Look: [The Village, West Newton, 1855–1960](#)
(Planning Department presentation, 2006)

Read:

- [Our History](#) (Myrtle Baptist Church website)
- [The character of the neighborhood in Newtonville](#) (Rev. Howard Haywood, Newton TAB, 1/21/15)
- [The Civil Rights Movement in Newton, 1950-1970](#) (pamphlet, Katherine Jones, Lillie Jefferson, Nina King, 2002)

Watch:

- [Myrtle Baptist Church: Pillar of the Community](#) (2011 documentary)
- [Newton Talks: Katy and Howard Haywood](#) (4/12/18 interview—video + link to transcript)
- [Newton Talks: Kathy and Hubie Jones](#) (4/4/19 interview—video + link to transcript)



Oak Hill Park, the VA, and Segregation

After World War II, throughout the United States, there was an acute shortage of housing for returning veterans. In January 1948, the City of Newton established the Veterans Housing Department to oversee the development of Oak Hill Park, made possible with help from the Federal Housing Administration (FHA). In early 1949, the 412 new homes of Oak Hill Park were complete and ready for occupancy—by *white* Newton veterans and their young families. [Black veterans could not get FHA-backed mortgages](#), and so were excluded.

For this and other interlocking reasons—e.g., [Newton's increasingly restrictive zoning ordinance](#)—the Black share of Newton's population today is about the same as that of Boston's in 1940, before the second "Great Migration" of Blacks fleeing racial terror in the South (1940-70).

Watch:

- [Segregated by Design/The Color of Law](#) (Mark Lopez & Richard Rothstein, 2019, 17 min.)
- [Housing Segregation in Everything](#) (NPR/Code Switch, 2018, 6 min.)
- [The Disturbing History of the Suburbs](#) (Adam Ruins Everything, 2017, 6 min.)

Black Share of Total Population Boston vs. Newton, 1920–2019

YEAR	BOSTON % Black	NEWTON % Black
1920	2.2%	
1930	2.6%	1.0%
1940	3.1%	1.0%
1950	5.1%	* 0.7%
1960	9.1%	n/a
1970	16.3%	1.2%
1980	22.4%	n/a
1990	25.6%	2.1%
2000	25.3%	2.0%
2010	24.4%	2.5%
2019 (est.)	25.2%	3.0%

Table courtesy of Alice Ingerson

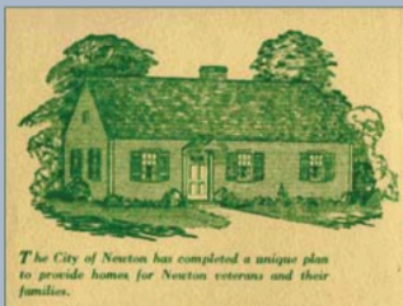
* The 1950 census grouped all "non-whites" together, for Newton.

Read:

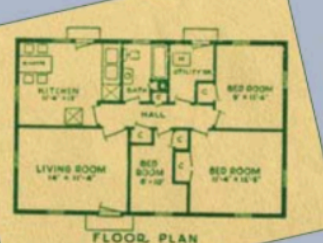
- [Debating Single-Family Zoning in Newton, 1922–1953](#) (1/14/21 Historic Newton lecture by Alice Ingerson)
- [Vets for Housing Equality: The AVC and Racial Justice](#) (Activist History Review, Aug. 2019)

1948-50, exclusionary housing in Oak Hill Park

Oak Hill Park was built on the site of the old Highland Sand & Gravel Pit. Neighbors had not only complained about the noise, dust, and traffic from this business but had also petitioned for rezoning to close it down.



A basic house in Oak Hill Park cost \$7,820 and required a downpayment of only \$100.



But only veterans who had already been living in Newton before the war could buy these homes.

The federal mortgage programs behind the low downpayments also required that all homes in Oak Hill Park be sold only to **white** veterans.

Look

- [Newton History of Zoning & Housing](#) (slide from 3/2/21 [FORJ](#) presentation)
- [Newton Zoning Maps \(1921–2018\)](#)
- [Boston Area Redlining Map \(1938\)](#)
- [Side-by-Side Comparison: 1938 Redlining Map & 2018 Draft Zoning Map](#)
- [Boston Area Race and Income Dot Maps \(with Newton\)](#)

Origins of the Newton Community Development Foundation

The Newton Community Development Foundation (NCDF)

was founded in 1968, in the wake of Martin Luther King, Jr.'s assassination and the passage of the Fair Housing Act, by members of the Newton Clergy Association and the lay group Church Women United. They saw the desperate need for affordable housing in Newton and were determined to do something about it.



NCDF initially developed a plan to create 508 units for low- and moderate-income families on 10 sites around the city. The scattered-site concept, meant to achieve a fair distribution, provoked strong citywide opposition. Newton residents everywhere resented the intrusion of multifamily housing into their neighborhoods, feared an influx of inner-city residents, worried about overcrowded schools,



increased traffic, and various “fiscal burdens” on current residents, and opposed zoning changes. The initial proposal was turned down and the struggle for City and community approval continued.

In 1974, the Board of Aldermen finally approved NCDF's proposal for a *single* 50-unit mixed-income rental development. The Hamlet, now called Houghton Village (Langley Road), welcomed its first residents in 1977. The next successful NCDF proposal was Casselman House (Sumner Street), 43 apartments for low-income seniors and persons with disabilities, dedicated in 1982. NCDF now manages seven properties of various sizes, including the Weeks House and Warren House apartments.

1200 Hear Two Housing Sites Argued

Hearing Unveils More NCDF Opposition Here

Continuing heavy opposition to the controversial proposal to build 503 units of low and moderate income housing in Newton was reflected at a public hearing on Tuesday night attended by some 1,200 people.

The hearing, held at Newton South High School, marked the fourth of five nights devoted to the public airing of the rezoning petitions of the Newton Community Development Foundation, a non-profit group which seeks to build town house developments on 10 scattered sites in Newton.

Tuesday night's session before the aldermanic Land Use Committee and the Planning Board concerned probably the most controversial sites in the NCDF package — one at Goddard and Christian Sts. in Newton Highlands and one at Esty's Farm on Dedham St., Oak Hill.

The series of hearings was concluded last night at Newton High School with the rezoning petitions for Walnut St., Newtonville and Hamlet St., and Beecher Place, Newton Centre. After studying the entire NCDF proposal, the Land Use Committee will recommend to the full Board of Aldermen which must either approve or deny the rezoning petitions.

Proposed for the Goddard and Christina St. site are 53 units on 4.35 acres of land which is partially privately owned and partially owned by the city.

For the Dedham St. land which consists of 4.13 acres, 55 units are planned. Original plans for the site were revised after a series of meetings of NCDF officials and neighbors in an attempt to overcome some of the objections. The number of units was reduced from 56 to 55 and the number of bedrooms was cut to reduce the number of children that the project would attract.

In presenting the rezoning petitions on Tuesday night, NCDF President Robert Casselman said a need for this type of housing exists and he pointed to the fact

OPPOSITION—(See Page 14)

Read:

- [Liberalism in the Suburbs](#), (Newsweek, 7/6/70)
- [Newton Community Development Foundation: 50 Years](#) (NCDF Community News, Early Fall 2018)
- [Low-Moderate Income Housing Study](#), esp. pp.10–14, “Community Attitudes on Housing: The Dichotomy” (Newton Planning Dept., 1968)

From the front page of the Newton Graphic, June 4, 1970—go [here](#) for full print story.

Waban and Massachusetts Chapter 40B



Massachusetts Chapter 40B, titled “An Act providing for the construction of low or moderate income housing in cities and towns in which local restrictions hamper such construction,” was adopted in 1969, not long after the passage of the federal [Fair Housing Act](#) (4/11/68). In municipalities with little affordable housing (comprising less than 10% of year-round units, or occupying less than 1.5% of “buildable” land area), the law enables local Zoning Boards of Appeals (ZBAs) to approve housing developments under flexible rules, bypassing local zoning, if at least 20 to 25% of the proposed units have long-term affordability restrictions.

Since its adoption, Chapter 40B has been responsible for the vast majority of affordable housing built outside Boston and a few “gateway” cities—in total, about [70,000 homes](#), of which more than 35,000 are restricted to households making less than 80% of the area median income (AMI). Most of these homes would likely not have been built without the law, as stiff neighborhood opposition has been the norm (read the story of [Kayla’s House](#), a 2003 CAN-DO project in Newton).

Over the years, there have been efforts to blunt or repeal 40B in the name of “local control,” notably by statewide referendum, in 2010. Fortunately, [“No on 2” prevailed](#), 58 to 42 percent, with Newton voters rejecting repeal by a margin of more than 2 to 1.

But some anti-40B efforts have prevailed—particularly in Waban. You may know about the [Engine 6 proposal](#) (2013) to convert the defunct

Waban firehouse into 10 studios for 9 chronically homeless individuals and a house manager. It failed when then-Mayor Setti Warren prematurely pulled City support and federal funds in response to neighborhood opposition toward its potential inhabitants (by definition, disabled), thereby exposing Newton to a [fair-housing complaint](#).

You may be less familiar with the cases of [1521 Beacon Street](#) (2015, 48 units) and [1615 Beacon Street](#) (2016, 24 units). Each of these mixed-income proposals failed because the City, under pressure from local anti-development groups, had revised its land-area calculation and was insisting that Newton had reached the 1.5% statutory minimum. This enabled the ZBA to invoke “safe harbor” and deny the permits—despite rulings against it by the state Housing Appeals Committee in two other cases, in 2015. After Ruthanne Fuller became mayor, [the City relinquished its safe-harbor claim](#). But many potential multifamily and affordable homes within walking distance of Waban Square and the T had already been lost forever.

Read:

- [On the Ground: 40B Developments Before and After](#) (2009 CHAPA report by Tufts grad students featuring Kayla’s House story)
- [Commentary: Newton’s tarnished image](#) (Bob Engler, *Newton TAB*, 7/12/15)
- [Closed doors: Newton supports affordable housing—until it’s time to build it](#) (Jack Sullivan, *CommonWealth*, 1/12/16)