

Newton Highlands Neighborhood Area Council

Meeting Minutes, August 4, 2023

Area Council members:

Barbara Darnell, Robert Fizek, Groot Gregory, Jeremy Freudberg, Srdjan Nedeljkovic, Larry Rosenberg, and Amy Wayne. Rakashi Chand and Nathaniel Lichtin not present.

Ex Officio:

City Councilor Bill Humphrey was present. City Councilors Brenda Noel and Holly Ryan were not present.

Residents and others:

Lisa Gordon, Alan Lebovitz, City Councilor Julia Malakie, Martha Bixby, Newtonville Area Councilor Jennifer Bentley, Steven Farrell, Waban Area Councilor Isabelle Albeck, Terry Sauro, City Councilor Vicki Danberg, Keith Tornheim, MaryLee Belleville, Diane Prunte, and Waban Area Councilor Rena Getz

Meeting called to order at 7:05 pm. Srdjan Nedeljkovic taking minutes. Area Council President Jeremy Freudberg presiding. The meeting was held in person at the Brigham House as well as via Zoom videoconferencing technology. The meeting was recorded.

Substantive Topics:

Nomination papers available/Area Council election procedures:

Area Council President Jeremy Freudberg reported that nomination papers for Area Councils are available. They are due back to City Hall by September 15. Candidates need to have a notary signature when submitting the papers. The signatures need to be from the catchment area. A list of streets is provided to candidates by the City Clerk's office. Twenty-five signatures are needed.

Voting will take place at the regular polling locations as per prior elections. There will be voting at other ward locations in addition to the main Newton Highlands catchment area wards.

Plan for debate - Ward 6 Councilor Preliminary Election:

Area Council President Jeremy Freudberg noted that the Area Councils typically organize debates for the City Council races. A proposal was made for the Area Councils to hold the debate for both the Ward 2 and Ward 6 special election candidates to maximize efficiency. It was noted that the people who moderate the debates are not typically area council members in order to reduce any potential bias.

There are three candidates running for the Ward 2 and for Ward 6 city council seats. The in-person early voting takes place on September 5 and September 6. The municipal preliminary election will be held on Tuesday, September 12. Regarding scheduling of the debate, it was noted that many people are away on holiday in August. Past Area Council debates would happen on Sunday so that people with weekday obligations could attend. However, there are no favorable Sundays prior to the municipal election due to summer vacations and the Labor Day weekend. Therefore, a proposal was made to have the debates on Tuesday, September 5 at 7 pm.

A discussion ensued about whether to hold debates for the preliminary election and about the optimal date. There was a consensus that the Area Councils should hold debates for the preliminary elections. A conversation ensued about selecting a location for the debates. There was consensus to select the date of September 5 at 7 pm and to work on finding a venue and a moderator.

Furthermore, the Area Councils will likely hold another debate for the City Council seats in advance of the November election. It was noted that the League of Women Voters will also likely be holding debates for the City Council seats.

Safety on Lincoln Street:

Area Council President Jeremy Freudberg recommended that this item be discussed after the Zoning discussion. Area Councilor Barbara Darnell subsequently suggested to postpone discussion on this matter to a future Area Council meeting.

Levingston Cove:

Area Council President Jeremy Freudberg reported that he checked in with Luis Perez Demorizi, Director of Parks and Open Space to get an update regarding progress on the Levingston Cove project. He reported that there was no exact timeline when the project would be completed or when construction materials will be removed from the main Crystal Lake Park. A discussion ensued regarding fencing at Levingston Cove that appears to be under construction. It was reported that this is temporary fencing that will be up for 2 years to protect plantings. There will also be a permanent guardrail fence along the edge of the street. The intent appears to be to block access to the park during the time that the plantings are becoming established.

A question ensued regarding whether the boulders that are now apparent at the lakeside were in the approved plans. It was noted that there were boulders present in the approved plans from 2021. It was also noted that fencing was documented in the approved plans. A number of people at the time expressed concern that access to the lake would be limited based on the approved plans. However, the plans were approved in the way that they were presented to the Conservation Commission and to City Council.

The city councilors attending the Area Council meeting were asked if the Levingston Cove project is turning out the way that they envisioned when it was voted on. There was no definitive answer from the City Councilors attending the call (Mr. Humphrey, Ms. Danberg, and Ms. Malakie). Lisa Gordon reported that she had learned that there will be a portable bathroom facility placed in the area of Crystal Lake Park in the future. Area Councilor Groot Gregory noted that the City Council

should be concerned about oversight of the project as it is being constructed. Area Councilor Robert Fizek noted that the design team for projects like this can change when there is a protracted timeline for a project like this, so that the outcome may not be consistent with the way that the original design had intended. Mr. Fizek noted that when there are incomplete plans, and without enough detail, it may be difficult to fully understand what someone is voting for to approve such plans.

Zoning Redesign Discussion:

Area Council President Freudberg introduced City Councilor Pam Wright to present ideas regarding the Zoning Redesign proposal. At this past Monday's meeting of the Zoning and Planning Committee, City Councilor Wright and City Councilor Oliver presented a series of slides regarding an alternate Zoning Plan. In this presentation, City Councilor Wright noted that an analysis of the total buildout allowed under the new zoning would be 17920 units in all village centers by right. The analysis does not include the potential for additional units by right for lot subdivision and for multiple buildings on a lot, which is still being worked out. City Councilor Wright pointed out that even though a full buildout may not happen, there should be an analysis of what a likely 20-year build out may look like. Thus far, the city's Planning Department has not projected numbers for a realistic 20-year build out because of the complexity of doing so while considering many variables. The MBTA Communities Act requires zoning to provide 8330 units by right. Utile (the city's consultant on zoning) and the Planning Department have calculated 10000 units may be zoned in limited areas to meet the MBTA Communities Act.

City Councilor Wright noted that she had received feedback from people who did not want to implement the VC3 zone throughout village centers. City Councilor Wright presented methodology used to develop a database for village centers related to zoning. The analysis found that the number of units that would be allowed under the proposed new zoning would range between 10,708 and 17,919 units in village center overlay districts depending on whether VC3 zoning would be allowed in select locations. It was noted that the MBTA Communities Act does not count residential units that are above commercial uses, so these parcels were excluded.

City Councilor Wright also noted that there have been 2659 multifamily units approved recently by Special Permit in Newton. There are two 40B proposals soon to be approved that are projected to have 568 new units. With the recently proposed projects plus the by-right build-out of units in the proposed zoning, City Councilor Wright questioned how city services will support the increased housing. Infrastructure, city services, fiscal, and traffic impacts need to be considered. Even if the city can handle the increased housing, the impacts of the additional housing need to be reviewed to determine if there may be any issues. City Councilor Wright presented a map of Newton showing how many units could be built by right in the village centers under the new zoning. Of the potential housing units zoned to be built by right, approximately 10,000 will be eligible to be counted for the MBTA Communities Act.

City Councilor Wright presented several suggestions on how to modify the current zoning proposal, including reducing the residential areas to be rezoned in villages to meet the 8330 unit requirements, adding Auburndale and Newton Corner to the MBTA unit count, requiring site plan review for lots greater than 8000 SF in VC zones, allowing one extra floor incentive in certain areas in the village centers, requiring special permits for priority street lots greater than 8000 SF, increasing building

separation, requiring usable open space in MRT and VC1 lots, and keeping lot requirements for size and frontage in MRT and VC1 as in the present zoning. City Councilor Wright expressed concern that lots would be subdivided in order to construct multiple multifamily buildings. If one of the city's goal is adaptive reuse for existing houses and to allow adding another accessory building in the rear of a lot, there is concern that having no lot size requirements or frontage minimums may lead to an increased number of teardowns, especially on corner lots.

City Councilor Wright presented additional calculations and estimates on how reducing contiguous land could still comply with the MBTA Communities Act. Councilor Wright is proposing that VC3 is reduced to VC2 in multiple village centers, except for certain small areas within village centers. For Newton Highlands, the entire village center would be reduced to VC2.

A discussion ensued. Alan Lobovits suggested to City Councilor Wright that it may be helpful to state what is to be accomplished with the proposed changes. Councilor Wright pointed out that the initial goal for the city was to rezone village centers to allow for more housing. Ms. Lobovits noted that one of the goals may be to reduce covering lots with pavement. Councilor Wright also would like to lower heights in village centers. Councilor Wright stated she would like to reduce the effect of shadows. Councilor Wright would like the city council to have more control over what is being built in village centers. There is a concern that new buildings in village centers would all look similar.

City Councilor Wright showed ways that the database could be changed to show different outcomes regarding the new zoning. Waban Area Councilor Rena Getz noted that it is favorable that the databased can be modified to show different scenarios. MaryLee Belleville noted there was not much discussion by the Planning Department on lot subdivision, and that there should be more discussion on the impact of lot subdivisions since there will no longer be minimum lot size requirements in the new zoning.

Area Council President Jeremy Freudberg pointed out some practical suggestions. Suggestions have been made for reduced height and for lot standards for new MRT zones. Area Councilor Srdjan Nedeljkovic asked how many units could be built if the mixed-use overlay zones were confined only to non-residential zones? Also, he recommended that the new zoning should include provisions for historical review and preservation. A discussion ensued on how some of the state rules seem to be arbitrary, such as the requirement to have new zoning for a contiguous area of a certain size. Waban Area Councilor Rena Getz noted that the legislation for the MBTA Communities Act was approved without much public process. Ms. Getz pointed out how Brookline is implementing architectural standards to control the aesthetics and quality of new development in the Harvard Street corridor. Brookline is interpreting the law to allow for counting residential units that are above commercial space. They are also limiting height to 4 stories.

Area Councilor Srdjan Nedeljkovic asked if a calculation could be made in Newton to see how many housing units could be supported by rezoning only non-residential zones for the new zoning guidelines. Further discussion ensued regarding the high quality of work done in Brookline regarding architectural standards. Area Council President Jeremy Freudberg inquired about open space in MRT zones, and how the new zoning will support green space in new development. City Councilor Wright presented an example of how the new zoning may affect what could be built on a

proposed corner lot on Watertown Street. Very little green space would remain in this scenario. Area Councilor Robert Fizek provided an illustration of how the new zoning may affect Warren Street in Newton Centre, indicating closely spaced buildings with little open space between them. Also, the deeper lots could be subdivided so that the rear of the lots could be built out. Larger lots could be subdivided to multiple lots with more housing density as a result. An image was shown of a high-density development in Somerville as an example.

Waban Area Councilor Rena Getz stated that the Waban Area Council will be conducting a survey to inform the public about the new zoning proposal and to evaluate public input about the new zoning proposal. The Newtonville Area Council has already conducted a similar survey. City Councilor Julia Malakie discussed a handout that she developed regarding village center zoning. She noted that few of the citizens she talked with were knowledgeable about the new zoning proposal. Area Council President Jeremy Freudberg noted that it would be worthwhile notifying tenants who live in potentially rezoned properties, as the new zoning may affect them if their property is redeveloped. MaryLee Belleville noted that the new zoning will become an issue with business owners, who are tenants utilizing village center buildings. It was noted that the city notice regarding zoning redesign has been sent to businesses as well as abutters.

Google Groups Issues and Potential Newsletter:

Area Council President Freudberg reported that sometimes there are issues with messages being undelivered using the current Newton Highlands google group. He proposed that a newsletter may be another method for the Area Council to communicate to the neighborhood. Area Councilor Groot Gregory stated that in the past, there were issues in developing content for a newsletter. Also, there are issues with public records and disclosing e-mail addresses if a request was made. However, it is uncertain if e-mail addresses need to be disclosed based on prior case precedent. It was pointed out that other Area Councils have newsletters already.

Area Councilor Robert Fizek suggested that the Area Council could create a document that includes Area Council agenda items and action items, and that this document could be updated regularly. Lisa Gordon suggested that a newsletter could summarize items of interest to the neighborhood. Robert Fizek and Jeremy Freudberg will work on developing the newsletter to review at a future meeting.

Administrative Items:

Review and Approval of July Minutes: The draft minutes from the July NHNAC meeting will be discussed at next month's meeting.

Treasurer's Report: Area Council Treasurer Groot Gregory noted that he was not able to obtain the gift certificates from Lincoln Kitchen, but he will obtain them now that Lincoln Kitchen has reopened after a summer break. The Area Council netted about \$4000 from Village Day and the total bank balance is around \$17,000. The Area Council will support a portion of the expenses related to upcoming city council debates.

New Business:

Next Area Council meeting: It was noted that the next meeting of the Area Council will be taking place on Thursday, September 7.

Meeting Adjournment: The meeting was adjourned at 9:07 pm.