

# Newton Highlands Neighborhood Area Council

## Meeting Minutes, October 5, 2023

### **Area Council members:**

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

### **Ex Officio:**

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

### **Residents and others:**

John Rice, Alan Lobovits, Carolyn Kraft, Mark Dooling, Mary Lee Belleville, Lisa Gordon, Kathy Pillsbury, Terry Sauro, Dan Powdermaker, Janet Serman, Jeffrey Freudberg, Deborah Fraioli, Marc Hershman, Tarik Lucas, Arthur Glasgow, Lisa Monahan, Luke Mann-O'Hall, Fran Yerardi, Sallee Lipshutz, Martina Jackson, Loumona Petroff, Julia Malakie, Rena Getz, Tom Brown, Stephen Farrell

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:

#### General Election Debate planning/status:

Area Council President Jeremy Freudberg reported that the dates of Area Council debates for the upcoming Newton general election will be October 21 and October 22 (Saturday and Sunday). The location of the debates will be the Zervas School on both days, from 1pm to 4 pm, and the debates will be live streamed and recorded. Mr. Freudberg requested that another volunteer join the planning committee to help with planning the debates. All four of Newton's Area Councils will be contributing funds towards sponsoring the debates. Kathy Pillsbury inquired about how the questions would be developed, and commented that the debate moderator should focus on asking questions to the candidates without providing additional background that could be perceived as biased.

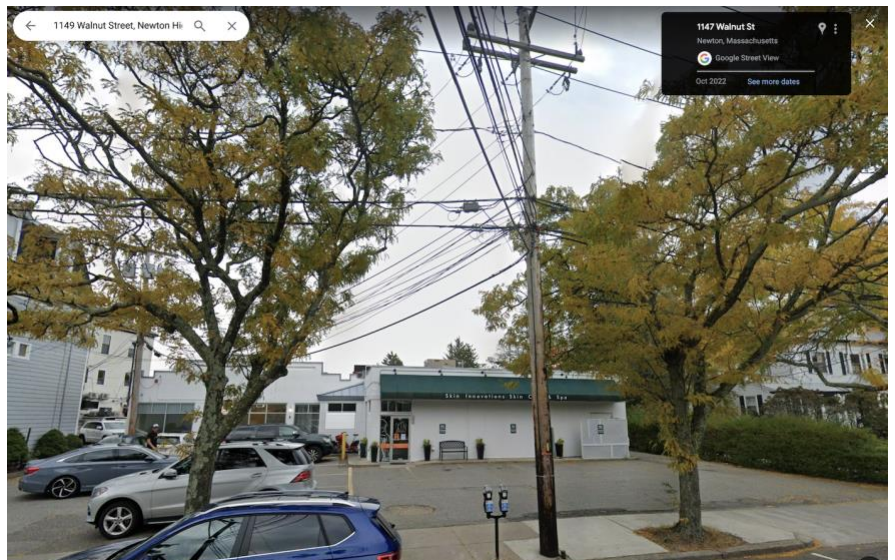
Area Council President Freudberg stated that the moderator for the debates is yet to be determined. Marjorie Arons-Barron may be one of the moderators. Suggestions for moderators are welcome.

#### 1149-1151 Walnut Street tree removal and other updates:

Area Council President Jeremy Freudberg reported that the construction management plan for the pending development of a 25-unit apartment building at 1149-1151 Walnut Street is proposing

removal of two trees that are on Walnut Street in front of the property. This matter is before the Newton City Forester, Mark Welch. People may petition Mr. Welch if they would like to save the trees. It was noted that the city's Tree Ordinance applies to removal of these trees. Area Councilor Srdjan Nedeljkovic stated that he was opposed to removal of the trees. Instead, he recommended that the utility pole should be removed in front of the property and that the street trees remain intact so that a tree canopy could continue to exist on this part of the street. Mr. Mark Dooling introduced himself as the primary architect for the project. He also inquired why the utilities are not placed underground and agreed that the utilities are ugly. Mr. Dooling stated that the reason for removal of the trees is that their canopy will overlap the footprint of the proposed building. Area Councilor Barbara Darnell asked if the trees could be pruned instead of being removed. Mr. Dooling suggested that the trees may be replaced by narrower trees. Area Councilor Nedeljkovic stated that the tree canopy is actually the desired goal, as the building project was approved with a wider plaza in front of the new building and the building is to be setback an additional 10 feet from the current sidewalk, leaving adequate space to keep the trees. Area Councilor Nedeljkovic requested that the developer provide a drawing or other visual representation that shows the relationship between the building, the sidewalk, and the existing trees.

Area Council President Freudberg asked if the trees would interfere with construction and Mr. Dooling replied that the trees will not interfere with the construction. Mr. Dooling suggested that a landscape architect Dan Gordon could evaluate options for tree replacement. With regards to the project itself, construction documents are in the process of being completed. Once these are completed, the developer will be ready to file for the



building permit. The drawings will be “permit drawings” with some details missing. The project will be managed by a team that includes Zade Engineering, Siegel Structural Engineers, and Dooling Architects. The developer is Mr. Enrique Darer. Area Councilor Srdjan Nedeljkovic asked if there were any changes to the plans that were approved as part of the Special Permit process several years ago. Mr. Dooling replied that the Special Permit controls and limits any changes to the exterior elevations. There have been some changes to the interior layouts in response to market conditions. There will be 3 affordable units that will be two-bedroom units out of a total of 25 units. Most of the remaining units will be 2-bedroom units and there will be some 1-bedroom units. The property will remain rental units. Area Councilor Robert Fizek noted that there was consensus from the community about this project going forward. Mr. Dooling stated that this will be a good project! Area Councilor Nedeljkovic asked if the developer could estimate the cost of removing the utility pole on Walnut Street and pay for the cost of undergrounding utilities in the front of the property, pointing out that this would be of great value to the future residents of the project. Mr. Dooling agreed to bring this request to Mr. Darer for consideration.

### Levingston Cove Update:

Area Council President Jeremy Freudberg reported that he had met with Director of Parks and Open Space, Mr. Luis Perez Dimorizi, at the Levingston Cove site to discuss a number of issues regarding construction of the project. They discussed access to the water, consistency with approved plans, and safety of access to the lake. Mr. Dimorizi stated that the controversial placement of boulders that appear to block access to the lakeshore will not be changed or moved prior to the reopening of the park. Mr. Dimorizi noted that there will be another way to access the water's edge at the site through an adjacent path closer to the bathhouse. Mr. Freudberg pointed out how it was difficult for him to visualize this path since there is fencing around the site. The current fencing is there to prevent people to access the unfinished project and includes fencing near the water's edge. Therefore, it is difficult to appreciate the layout of the path to the shoreline. It was noted that some of the fencing will remain on site for the next two years until the new plantings are established on the site.

Mr. Demorizi was asked when the park would open. Area Council President Freudberg wondered if perhaps the park could open in stages. Mr. Dimorizi pointed out that if a portion of the park were opened, it would need to be fully ADA compliant. There is no date yet for arrival of the galvanized steel to build the railing at the fishing deck. Mr. Dimorizi stated that the following parts of the project should be completed by Oct 20: granite sign, concrete at entrance, site furnishings, remainder of planting and seeding, grass reinforcement, foam expansion under stone veneer, guardrail on cantilevered deck, nonslip treads on deck, and rehabilitation of the construction entrance at Crystal Lake Park.

There is no update regarding the timing of a further public meetings about design of the left bank of Crystal Lake Park. Mr. Freudberg reported that he continues to hear criticism from members of the community regarding the placement of boulders at Levingston Cove due to concerns about issues of access and safety.

### Zoning Redesign Discussion:

Area Council President Freudberg noted that there was a public hearing held on September 26 by the Zoning and Planning Committee to discuss Version 3 of the Zoning Plan. Mr. Freudberg thought that there were more people who seemed opposed to the plan at this meeting compared to prior meetings. Mary Lee Belleville asked if future amendments to the zoning plan will require another public hearing. Area Councilor Nathaniel Lichtin stated that whether an additional public hearing is needed depends on if the proposed amendments are within the scope of the public hearing notice. Area Councilor Robert Fizek asked if a list of amendments was available that showed who had requested each amendment. Mr. Fizek stated that this is a matter of transparency and that this information should be part of the public record.

Mr. Freudberg announced that on October 12, the Waban Area Council will be hosting a meeting with City Councilors Deb Crossley and Pam Wright to discuss the zoning proposal. Waban Area Councilor Rena Getz noted that the discussion will start at 7:45 pm. There will be visuals and maps available at the Waban Library for people to review that evening prior to the start of the meeting. Ms. Getz noted that there are still opportunities for changes to be made to the zoning proposal. Alan

Lebovits asked if the visuals will be provided by the city. Ms. Getz reported that some a number of visuals will be available at the meeting, including maps from the city and representations of the zoning envelope of certain parcels that have been updated based on the new proposal.

Mr. Fran Yerardi from Nonantum asked if there is a support system that represents small businesses in the Highlands. He asked if Mr. John Sisson, Director of Economic Development for Newton, has been out to talk with the businesses in the Highlands. Mr. Yerardi noted that the entire Nonantum business community recently sent a letter to the city stating that the new zoning proposal is not beneficial to the existing businesses. Area Councilor Barbara Darnell reported that business owners in the Highlands are concerned about parking in the village center. Steve Farrell stated that many businesses in the Highlands are concerned about how they will survive once the new zoning is in effect. Mr. Yerardi expressed concern that there is nobody representing the interests of the businesses in villages like Newton Highlands. There is a lack of communication about the new zoning proposal with small businesses, whose proprietors don't have the ability to vote if they are not living in the community.

Mary Lee Belleville inquired about the building massing that will be shown in visuals presented at the Waban meeting on October 12. Waban Area Councilor Rena Getz responded that the visuals will show the potential building envelope that will be allowed by right on various parcels, with the existing property visible. This will show what the zoning proposal will allow to be potentially built by right. Kathy Pillsbury commented that business owners should not be concerned about the new zoning plan, and that the fears that businesses in Newtonville had prior to the Trio and Austin Street developments were not realized. Mr. Yerardi noted that many of the small businesses that were once located at the Trio site are now gone. Dan Powdermaker commented that the visualizations that will be presented in Waban may not accurately reflect what can really be done. They show construction that is not in the current plan. He stated that misrepresenting the zoning proposal creates confusion and fear and is not healthy for our city. Mr. Powdermaker pointed out how the Strong block in Waban is now historically landmarked and will not likely be developed under the new zoning. Waban Area Councilor Rena Getz noted that there have been several versions of visuals developed based on different zoning proposals, showing a progression of what was permitted by different versions.

Area Councilor Srdjan Nedeljkovic suggested that the Newton Highlands Area Council invite the local Newton Highlands village center business owners to an upcoming Area Council meeting to hear if they have any comments or concerns about the new zoning proposal. Mr. Yerardi suggested that Mr. Sisson at the Economic Development office may have a list of the business owners who the Area Council could approach. Area Councilor Robert Fizek stated that he will make an effort to outreach to the businesses. Area Councilor Amy Wayne noted that she had done a lot of outreach to the businesses. She stated that many of them are not aware of the proposed changes that the new zoning proposal would entail. Mr. Yerardi expressed concern about how the new zoning will affect businesses on the main commercial street in Nonantum. May Lee Belleville stated that the small business owners are sometimes reluctant to speak out because they have landlords who may profit from changes proposed by the zoning initiative. Mr. Yerardi stated that he believes that the current Chamber of Commerce does not always represent the voice of small businesses now that it is a regional chamber and not locally based. Area Councilor Robert Fizek pointed out that the zoning overlay does not account for historic resources and does not provide adequate protection for historic

buildings. Mr. Yerardi stated that in Nonantum, there is now consideration of a creating a local historic district in order to preserve their village center and presenting this to voters by virtue of a public referendum.

Area Council President Jeremy Freudberg initiated a discussion about further efforts to disseminate information about the zoning effort. He presented a draft version of a postcard has been developed that includes a QR code that would link people to zoning reform resources. A discussion ensued regarding the content and language of the postcard. A recommendation was made to direct people to the City website rather to the Waban Area Council website to obtain zoning materials. It was suggested that the City's Economic Development Office should be able to provide funding to mail these informational postcards. Waban Area Councilor Rena Getz noted that a website is still in the process of being developed to provide information regarding the zoning proposal. The website will provide an explanation of terminology related to the proposal. Area Councilor Nathaniel Lichtin stated that he is satisfied to keep the Waban Area Council website as the repository of information. Area Councilor Amy Wayne agreed that people should be directed to the Waban Area Council website and that the postcard should be sent on behalf of all four area councils.

Area Councilor Srdjan Nedeljkovic asked about the purpose of the website and the postcard. Is it to direct people to the city's proposal for zoning or is it to present some alternate viewpoint about the zoning effort? A discussion ensued between Area Councilors concluding that the purpose of the postcard should be informative. Area Councilor Nathaniel Lichtin stated that the Area Council should not assume that everyone in the service area has been informed about the zoning proposal. Kathy Pillsbury noted that there are several community groups that are presenting information regarding the zoning proposals. Area Councilor Barbara Darnell stated that most people affected by the new zoning proposal are not aware of many of the proposed changes to current zoning, and the goal should be to enlarge the number of people who are aware of zoning. Area Councilor Srdjan Nedeljkovic suggested alternate language on the postcard and a discussion ensued regarding the language.

Steve Farrell stated that many people in Newton are not fully aware of what the zoning proposal is about. The city should be more proactive about advising every household in the city where to find more information. Lisa Monahan asked about the cost of mailing the postcard and pointed out that the website has not yet been developed. Area Councilor Srdjan Nedeljkovic noted that EDDM mail and Marketing Mail are services that can be used for bulk mailings. A vote was held about whether to proceed with sending the postcard prior to seeing the contents of the website that people will be directed to: Most area councilors were not in favor (Area Councilors Nedeljkovic, Lichtin, Freudberg, and Rosenberg), with several in favor of proceeding (Darnell, Gregory, Fizek).

Area Councilor Nathaniel Lichtin made a motion to approve the concept of sending a postcard before voting to authorize money to mail the postcard and before seeing the content of the website. Further comments were considered. Dan Powdermaker commented that he is favor of providing information that is clear about the proposal. He asked what is the purpose of the postcard: is it to present a complex issue or is it to persuade people on a particular point of view? Area Councilor Groot Gregory noted that the purpose of the mailing is to reduce the number of people who are not aware of the proposed changes in zoning. He stated that the goal of this postcard is to provide an additional resource for people to be informed about the proposal. The hope is that constituents will

likely appreciate that the Area Council is helping provide this information broadly. Area Councilor Lichtin stated he is not ready to allocate funds without seeing the website content. He stated that the postcard will provide more information about the proposal and that it is not intended to take a certain position on the zoning.

The motion was once again presented to approve the concept of sending a postcard before voting to authorize money to mail the postcard and before seeing the content of the website. The motion passed unanimously 8:0 councilors in support (one councilor, Mr. Chand, was absent). The language of the card and the contents of the website that people will be directed towards to obtain information about the zoning proposal will be discussed at a future meeting.

Marc Hershman requested an opportunity to present a composite of the different versions of zoning as presented on maps. It was decided to allow this presentation as part of “new business” for this meeting.

#### Administrative Items:

John Rice request of \$1000 for Brigham House landscaping: Hyde Community Center director John Rice noted that the Brigham House and Hyde Center have been the home for the Senior Center since the Newtonville site was shut down in preparation for demolition and building of a new Senior Center. As the bidding process for the new Senior Center is still ongoing, the current Senior Center will likely remain in the Highlands until 2025. Mr. Rice pointed out that the landscaping at the Brigham House is in need of attention due to overuse. Also, Senior Services would like to have a nicer landscaping at the Brigham House. A quote of \$6800 has been provided by Cliff Jewitt and Four Seasons Services landscaping company to move some plantings from Newtonville to Newton Highlands and to complete a landscaping plan for the Brigham House. In addition to replanting items from Newtonville, Mr. Jewitt will bring additional plants and bushes to the Brigham House site. Mr. Rice stated that there is no additional budget from Senior Services to pay for the plantings.

A discussion ensued about the cost of the beautification and whether it makes sense to move bushes and plantings from Newtonville rather than to just purchase new plantings. Area Council President Jeremy Freudberg expressed significant doubt about the premise that the City had nowhere else to turn besides the Area Council to find the \$1000 in question. Area Councilor Groot Gregory stated that he supports providing \$1000 to the Hyde Center to improve the landscaping at the Brigham House. He noted that the Hyde Center contributed \$900 in fees to support Village Day. Area Councilor Amy Wayne also stated that she supports the expenditure to beautify the Highlands. John Rice stated that he would help manage and maintain the plantings. A motion was made to contribute \$1000 to the Hyde Center to help support the landscaping project at the Brigham House. The motion passed 8:0 with all Area Councilors present in favor. The project will be done by Cliff Jewitt and Four Seasons Services landscaping.

Review and Approval of July, August, and September Minutes: The draft minutes from the July, August, and September NHNAC meetings were considered for approval. The minutes were approved 7:0 with one abstention (Area Councilor Lichtin abstained).

Treasurer's Report: Area Council Treasurer Groot Gregory noted that Gift Certificates for Village Day still need to be reimbursed from the Area Council account. Mr. Gregory noted that a \$500 expense was incurred for AV support for the preliminary debate.

### New Business:

Zoning Maps: Architect Marc Hershman presented images of changes in zoning maps between the three versions of the zoning proposal. In the first version, Mr. Hershman noted that the zoning maps presented the scale of the currently existing buildings. However, the scale of the structures was not presented in Versions 2 and 3. Much detail has been removed from the most recent maps. In the most recent version of the Newton Highlands map, there are many parcels that are green colored, each of which can be developed into a 4-unit building. The "green" zones represent potential new development. In the maps for Nonantum, there are similar changes in the way buildings are represented between Versions 1 and 3 indicating a loss of current building footprints in the most recent version. In a portion of the commercial zone of Nonantum, the new zoning indicates that buildings up to 6 stories tall will be possible. Mr. Hershman noted that many people are not aware of the profound effect that the new zoning will have as indicated by these maps. Mr. Yerardi noted that in Nonantum, rather than rezoning the commercial strip of stores on Watertown Street, there are old manufacturing zones in Nonantum behind some of these parcels that would be more appropriate for development.

Elections: Area Council President Freudberg noted that Area Council elections are coming up in November. He has been notified by the City Clerk that there are concerns about staffing the polls for early voting for Area Council elections, and there is no pay available. Staffing the polls is also needed for election day itself. The Area Council is expected to find the poll workers to staff the Area Council election. In the past, it was noted that the City provided poll workers.

Next Area Council meeting: The next meeting of the Area Council will be taking place on Thursday, November 2<sup>nd</sup>.

Meeting Adjournment: The meeting was adjourned at 9:43 pm.