



**Newtonville Area Council - Meeting Minutes
Thursday, August 25, 2022 7:00 PM
Meeting Location: Online via Zoom**

Attendees:

NAC: Jennifer Bentley (President), Martina Jackson (Vice President), Dana D'Agostino (Treasurer), Carolyn Jacoby Gabbay (Secretary), Nancy Greenberg, Timothy LeBlanc, Aline Sammut

City Government:

City Council: Susan Albright, President, and Tarik Lucas, Julia Malakie, Emily Norton, John Oliver, and Pam Wright

Waban Area Council: Rena Getz, President and Isabelle Albeck

Newton Highlands Area Council: Robert Fizek

Council on Aging: Joan Belle Isle

Public: Approximately 13 members of the public

Jennifer called the meeting to order and confirmed the presence of a quorum.

1. Village Day Update

Dana reported that arrangements for Village Day are on track, including:

- Efforts to add booths to accommodate the waiting list;
- Recruiting 25-30 volunteers for the event, including with a soon-to-be issued electronic sign-up sheet;
- General marketing (including notices in newsletter, on listservs, at schools and window signs at Newtonville businesses) will be augmented by similar efforts in other villages and with sandwich boards 2 weeks before Village Day.

Aline offered to help with volunteer recruitment in the high schools.

2. Village Center Zoning and Network Engagement Update

a. Approval of Joint Area Council Letter Regarding Zoning & Planning Committee Village Center

Jennifer reported that the Planning Department told the Community Engagement Network (CEN) that it will issue a community feedback tool on September 1st and asked CEN members to distribute it to their contacts. Flyers have also been promised. Martina reported that, surprised by recent reports of a "consensus" on the rezoning "framework", many CEN members have concluded that, rather than being asked to provide comments, they are being relegated to a role of simply disseminating the Zoning and Planning (ZAP) committee's upzoning plan.

Jennifer reported that CEN leaders prepared in a draft joint letter from the Area Councils (ACs)¹ expressing concerns about the ACs (a) not having been asked to come to the table to convey the thoughts of their AC area residents, and (b) not receiving detailed information. She noted that when 2 questions slated for the feedback tool were shared a month ago, they prompted concerns that the proposed timeline (i.e., feedback tool issuance on September 1st with wrap up in mid-October) is too short. Rena Getz reported that the Waban Area Council (WAC) voted to approve the draft joint letter and that she is checking on how to understand the vote at the Newton Highlands Area Council.

Rena reported that the WAC (a) felt the information provided to date has been insufficient and too ill-defined to inform its residents properly, (b) was unsure about whether it is being asked to share a zoning “framework” or the actual zoning proposal with residents, and (c) questioned what the feedback tool (which has not been finalized and will not be shared before September 1st) will convey to the community. She also reported that there was a similar discussion at another Area Council. Rena further reported on Planning Department Jennifer Ciara’s response to a question by President Albright about what ZAP would do with the feedback received from the tool, namely that it would not result in further discussion of the zoning “framework” in ZAP and would, instead, only be used by the Planning Department when drafting the language of the proposed zoning ordinance implementing the “framework”.

Jennifer said there has been no response to the CEN’s request to see the feedback tool before it is issued. She also clarified that the term “framework” refers to a May 2022 Planning Department memorandum setting out 12 principles for upzoning the village centers.

President Albright likewise characterized the “framework” as a list of 12 principles about parking, building heights, the distribution of MU3 and BU3 zones, etc., each of which were discussed at least once at ZAP, with some (but not all) points receiving majority (but not unanimous) support in straw votes. She added that the library exhibit is to include a pictorial representation of what Newton would look like under the framework and emphasized the importance of attracting residents to the exhibit so they can provide feedback. She expressed surprise at the AC’s draft joint letter because no materials beyond the framework have been shared with anybody, but she said that nothing is being hidden. She added that during the 6 weeks following September 1, the City Council will be looking for feedback and expressed her interest in seeing a pictorial representation of the framework at the library exhibit.

Jennifer said the issue is that ACs are not being given a role in providing feedback and in consultation consistent with the ACs’ role under the City Charter. President Albright contested whether the ACs’ role is defined in the City Charter because the City Council has not assigned specific responsibilities to the ACs. She added that opinions community feedback on the village center rezoning framework is being solicited. Jennifer noted that the draft joint letter also expresses concern about the compact timeline.

Martina noted problems with the partially previewed feedback tool as not reflecting those things discussed in the CEN meetings as attracting people to village centers. She added the issue is less about hiding information than about suggesting that input was desired when, in fact, it really was not. She also was concerned about bypassing the elected ACs.

¹ See **Attachment #1**.

Carolyn commented that groups seem to have been talking past one another. Whereas those asked to serve on the CEN expected to be engaged substantively, it appears that they are only being asked to be messengers using their emailing lists in a way that makes it appear that they endorse the framework.

Rena summarized the Board Orders establishing the ACs as having vested ACs with an advisory role regarding, among other things, the shopping districts of their village centers.

Isabelle Albeck expressed disappointment with the engagement process and the lack of regard for CEN members' input. She noted the absence of feedback tool questions about key issues such as building height and greenspace, resulting in the feeling that the Planning Department is just trying to "check the box" about community involvement, rather than really listening to input.

President Albright agreed that the intention is to use the ACs as messengers to "push out" the feedback tool. She said greenspace and building heights are two points covered in the framework. She also agreed that there appears to have been a misunderstanding and asserted that feedback is genuinely desired.

Jennifer commented emailing lists assistance could have been requested at the outset rather than setting up the CEN in May in a way that made it appear the participants would have a substantive role, resulting in the current disillusionment. Additionally, she reported residents feel that, because of the straw votes, public opinion does not matter. She questioned what really will be done with the feedback.

Carolyn noted the short timelines, the PATCH articles on the "consensus" on the framework and that the ACs are being put in the position of appearing to endorse the framework, adding that that the announced plan for a December final vote on upzoning the village centers is a rush.

President Albright said that there is a misunderstanding about the plans for a final vote in December, that community feedback will be very important and said the straw votes could change. She added that she does not know what the September 1st library exhibit will be like.

Carolyn asked for 3d models of what the village centers would look like when fully built out by developers as would be permitted "by right" under the proposed upzoning code as being the most meaningful way to convey the impact of the proposal to residents who are not building professionals. She added that the Polis survey conducted by the Planning Department was unscientific (i.e., not statistically valid, random sampling) and, therefore, meaningless, and that the Planning Department's currently stated objective of obtaining 1,000 responses in this similarly unscientific feedback tool is meager in a City of 90,000 residents. President Albright said that Tim Love has been developing the images for the library exhibit.

Aline commented on the system for making decisions about Newton, and Newtonville in particular, noting that insufficient information is provided about upcoming choices (such as installation of the planters and the selection of benches and sidewalks, the last two of which lack maintenance plans). She emphasized that the NAC is being "left out of the loop", does not get adequate information about decisions affecting our village before they are made, and how those decisions are made is unclear.

Rena reiterated that, when asked of how community feedback would be used and whether the framework would go back to ZAP for more discussion based on that feedback, Ms. Caira said that there is no intention to revisit the framework at ZAP and that the feedback might be considered in drafting the actual ordinance. She

expressed concern that too little consideration is being given to how distinct the village centers are and said that the framework seems to be what the ordinance will reflect.

Peter Harrington endorsed the draft ACs' joint letter and characterized the public process on the upzoning proposal as "like walking in sand". He recalled that the NAC did an extensive survey that has effectively been discarded even though its results were similar to the Hello Washington Street report. He likened pictorial representations of the upzoning proposal to reading a classics comic book, rather than actually reading the book. He concurred with Carolyn about the importance of 3d models and noted that creating them does not need to be difficult or expensive, saying the even Styrofoam blocks could be used to give a good sense of the look and feel of the build out under the proposed upzoning, and suggested the ACs might be able to include one or more 3d models in their own presentation if the City does not prepare 3d models.

Norma Swenson, a 90-year-old Newton Centre resident, said that she has been participating in various parts of the rezoning process and noted that members of the CEN suggested that 3d models would give a more accurate representation of what village centers would look like, but the City is not going to give residents even one 3d model, making it hard to get a sense of what Newton's village centers would become under the proposal. She added that her neighbor volunteered to a video of the library exhibit so that she does not need to incur the COVID risk of going there. She emphasized that the disabled and shut-in voters cannot be expected to go to the library to see the exhibit and that the process is not inclusive to the disability community and those with COVID concerns.

Robert Fizek said laypersons feel that this process is not making sense and that, as a professional, he feels it is incomplete, with inadequate adequate 3d and database information. He noted that 3d GIS is universally used, saying there is no reason these tools were not put in place. He added that the Planning Department does not function properly or with enough deep experience, which is why the Planning Department is playing a political role rather than a design and planning function. He characterized the process as having been very frustrating for years and not getting better, creating confusion and losing public confidence. He suggested starting over and modeling the proposals properly. Amy Sangiolo suggested residents might have 3d modelling capability since Mr. Fizek noted that the Planning Department is unable or unwilling to prepare the appropriate 3d models. MaryLee Belleville said the Planning Department "shut down" the idea of having 3d models at the CEN, saying they did not have the time or money for 3d models. She expressed concern the feedback tool will not provide meaningful actionable information. Mr. Harrington reiterated that, depending on the degree of detail desired, 3d modeling need not be as difficult or expensive as some have suggested. He suggested that the Planning Department, the City Council and the ACs could contribute to what should be included in 3d models. He added that people are concerned that Newton streets are not wide enough for tall buildings and that east/west streets will be icy as a result of tall buildings shadows.

Nancy Solari said she requested 3d models in the CEN and agreed that they do not need to be expensive. She felt the Planning Department does not want the public to see what Newton would look like under the proposal.

Carolyn asked about how to communicate to the City the vote taken at the NAC's June meeting on village center "spot" zoning. After discussing the draft memorandum that had been circulated for review prior to the meeting and edited with screen sharing during the meeting, Jennifer moved, Aline seconded and, with regard to the memorandum (in the form attached to these minutes as **Attachment #2**), it was unanimously

VOTED: to approve issuance of the memorandum informing the City Council, ZAP and Land Use committees of the vote taken at the NAC's July meeting regarding zoning changes and special permits for projects in the village centers while the rezoning process is ongoing.

President Albright responded to Nancy Solari saying that the City does want to know residents' views. Aline said she was glad to hear that and that she wants to believe all that, but questioned how that will occur.

With regard to the draft joint letter of the Area Councils [See: **Attachment #1**], Jennifer moved, Martina seconded, and it was unanimously

VOTED: To sign and send the joint letter.

b. Approval of Joint Area Council meeting and presentation on Zoning

Rena reported that the some or all of ACs plan to mount a presentation on September 10th in Waban library branch, both in person and over Zoom, using the information available from the Planning Department. She opined that Planning Department should be doing 2d and 3d representations and, if it does not, she plans to discuss options for architecture students to support residents' efforts to create visuals. She also noted that a subset of the ACs is working on the presentation in compliance with Open Meeting Laws. Responding to a question from MaryLee Belleville, Rena said that the working group needs to think about whether the presentation will be open only to AC residents or to the general public and needs to figure out how to expand participation if there are capacity constraints at the Waban library. Jennifer emphasized the need for broad outreach and availability over Zoom. Rena added that NewTV coverage might be arranged.

The technical constraints on posting NAC Zoom meeting recordings were discussed and Councilor Malakie suggested using the City's Zoom accounts because the City is paying for unlimited storage.

Jennifer moved, Carolyn seconded, and it was unanimously

VOTED: To work with the other Area Councils on a presentation about the zoning feedback tool and do an informational presentation to help people understand the village center rezoning proposals.

3. Newtonville sign follow up

Jennifer reported the Department of Public Works will approve placement of the cast iron Newtonville sign in the Walnut Street traffic island as long as it does not obstruct traffic. She will follow up on implementation.

4. Update on Building Projects around Newtonville

Martina reported on the Horace Mann project meeting, noting that the discussion about the playground and positioning of the softball field. She reported that there currently are no bids for the playground work, but the City expects bidding interest when the school year starts, and that the discussion indicated that positioning playing fields and its impact on the playground should have been addressed earlier in the process. Pam Wright added that Josh Morse says the playground equipment is on hand, although no installation bids have been submitted. She added that it is important first to determine what the playground will look like and where the baseball field and the basketball court will be located before playground installation can take place. She also reported that parents are upset the playground will not be set by the fall, but Mr. Morse has promised it will be done this fall. Placement of the building addition was not discussed. Martina added that baseball field positioning included issues of whether lights will be in pitcher's eyes, etc.

Tarik Lucas reported the Craft Street senior living project will come back to the Land Use committee on September 20th and the meeting will probably start with public comments. He added that demolition has been approved for the driveway (i.e., 19 and 20 Craft Street).

Jennifer displayed photographs Aline took of the work on the Butterfly Pavilion in the Cabot School field.

Jennifer said that the light pole bases seem to have been erected at Newton North High School.

5. Other Business

Jennifer noted that a member of the community communicated about graffiti on the Harvard Street commuter rail sign and Councilor Norton has forwarded the information to the MBTA for remediation.

6. Administrative Issues

a. Approval of June and July meeting minute

Aline having left the meeting, 6 members of the NAC remained.

The draft minutes of the June 2022 meeting having been circulated for review prior to the meeting, Martina moved, Carolyn seconded, and it was unanimously:

VOTED: To approve the minutes of the June 2022 NAC meetings.

The draft minutes of the July 2022 meeting having been circulated for review prior to the meeting, Martina moved, Tim seconded, and it was unanimously:

VOTED: To approve the minutes of the July 2022 NAC meetings.

7. Adjournment

At approximately 9:06 PM, Martina moved, Tim seconded, and it was unanimously:

VOTED: To adjourn the meeting.

Respectfully submitted,

Carolyn Jacoby Gabbay

Secretary

Attachment #1

August 17, 2022

Deb Crossley
Chair, Zoning and Planning Committee
City of Newton

Dear Chair Crossley:

As the elected members of the four Newton Area Councils (Newtonville, Upper Falls, Waban, and Newton Highlands), we wish to voice our concerns regarding the Community Engagement process for the proposed village center zoning framework and we ask your committee to address these concerns, so that we can better fulfill our role in city governance of informing the community and providing guidance to the City Council and Mayor.

As Neighborhood Area Councils (NACs), we have an important role in local governance. We are to provide an advisory role on planning and zoning actions, as defined in the City Charter.*

We are the only community group empowered through the City Charter and we act as the intermediaries between the city, city council and residents. We accomplish this duty by giving complete and accurate information of proposed city actions or changes within city governance to residents so that they can make informed assessments and can provide relevant feedback to city governance in a timely manner. We host forums for residents to engage with their elected council members and city officials. We take these responsibilities seriously, as our collective catchment areas represent over 20,000+ residents, with three of our Councils representing the largest village centers, and one representing a newly defined village center.

Our primary concern is that the current zoning engagement process bypasses valid community engagement and does not provide residents with the requisite information needed to reach informed opinions on the proposed zoning changes. While a few of us joined the Community Engagement Network, as individual representatives of each of our area councils, it was not to disqualify the valuable input Area Councils would provide as local governmental entities regarding our respective village centers or to dismiss our position within the city government's

*Sec. 9-8 - Neighborhood Area Council Powers and Functions

A neighborhood area council may exercise any powers and perform any functions within the neighborhood service area expressly authorized by the city council, which may include but not be limited to:

(i) advisory or delegated substantive authority or both, with respect to such programs as a community action program, urban renewal, relocation, public housing, planning and zoning actions and other physical development programs, crime prevention and juvenile delinquency programs, health services, code inspection, recreation, education, and workforce training; provided, however, that nothing contained herein shall be construed to authorize the city council to delegate to any neighborhood area council any substantive authority with regard to zoning

framework. Even at this eleventh hour, we ask that area councils be solicited and our advice considered with regard to the zoning redesign specifics within each of our village centers. A secondary concern is the length of time stipulated for the community engagement process. Six weeks is insufficient time for our Area Councils to carefully digest and disseminate the information provided by the Planning Department. While the Planning Department indicates that they are working to make this information accessible to the public, our area councils believe it is critical that we are given complete information before we initiate our community outreach. We are of the opinion that it is our responsibility to report on the proposed zoning framework memo, and the changes that will come through its implementation, so that it is completely understood by residents prior to a city council vote. The lack of definition in the zoning framework ill-prepares us to complete this task and rather we are asked to blindly move forward, without knowing how and where the zoning framework will be implemented within our respective village centers.

As duly elected officials, we ask that respectful consideration be given to our role in city governance and our voiced concerns. As Area Councils, we wish to actively participate in the zoning engagement process and ask to be included rather than bypassed in the consideration of these significant shifts to our zoning policies that will have momentous effects on our villages for decades to come.

Signed on behalf of our Area Council Officers and members,

Anil Adyanthaya	Nathaniel Lichtin	Rena Getz	Jennifer Bentley
President	President	President	President
Upper Falls Area Council	Highlands Area Council	Waban Area Council	Newtonville Area Council

Attachment #2

To: Newton City Council
Zoning and Planning Committee
Land Use Committee

From: Carolyn Jacoby Gabbay, Secretary of the Newtonville Area Council (NAC)

Date: August 26, 2022

Re: NAC Vote

On behalf of the NAC, this memorandum is to inform you that at its July 28, 2022 meeting,

- in connection with the NAC's going discussions about the pending village centers zoning proposals that have been targeted for a ZAP and/or City Council vote as early as December 2022, and,
- in particular, in connection with comments during those discussions noting that developer requests for parcel rezoning and special permits for their proposed projects in the village centers could have the effect of dictating the character and context of the village centers while the process of developing new zoning for village centers is ongoing

the NAC:

VOTED: To ask the City Council not to approve zonings changes or special permits in village centers until completion of the village centers zoning process.