

Newton Highlands Neighborhood Area Council

Meeting Minutes, March 7, 2024

Area Council members:

Barbara Darnell, Robert Fizek, Jeremy Freudberg, Groot Gregory, Srdjan Nedeljkovic, and Larry Rosenberg. Amy Wayne was not present.

Ex Officio:

City Councilors Martha Bixby, Stephen Farrell, and Bill Humphrey not present.

Residents and others:

Joan, MaryLee Belleville, Carol Carroll. Loumona Petroff, Steven West, Greg Schwartz, Nathaniel Lichtin, Janet Serman, Emily Manus

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:

Appointment Vacancy:

Area Council President Freudberg introduced Emily Manus as a candidate for one of the two unfilled Area Council positions. Ms. Manus introduced herself to the Area Council once again and expressed interest to be a member of the Area Council. A motion was made to appoint Ms. Manus to the Newton Highlands Neighborhood Area Council. The motion passed unanimously 6:0 of all present Area Council members.

One open position remains for the Area Council. Carol Carroll made a call for others to get involved.

1149-1151 Walnut Street consistency ruling for condominiums:

Area Council President Jeremy Freudberg reported that the owner of the project has put in a request to change the project from apartments to condominiums. The city's Inspectional Services Department needs to conduct a consistency ruling to deem that this request is consistent with the Special Permit that was granted to the project. The 24-unit project will continue to include 5 units that are considered as being affordable. There will be 3 Tier 1 units and 2 Tier 2 units, such that one of the units will be considered less affordable under the new proposal as compared to the apartment proposal. The project will continue to have 24 units.

Carol Carrol expressed concern about the location of the affordable units as being in unfavorable locations in the building.

Area Councilor Srdjan Nedeljkovic expressed concern regarding the request to convert the apartment project to condominiums. Since ownership of a condominium requires a down payment, this change will ultimately exclude certain people from being able to live in the building. Also, it is possible that investors may purchase units and then rent them for profit. Ultimately, this will be a less affordable and less accessible housing option for people intending to move to Newton Highlands. Area Council President Jeremy Freudberg suggested that in the alternative, the smaller condo units available in this building for purchase may still be less expensive than other housing options currently available for purchase in Newton.

Nathaniel Lichtin suggested that City Council should in the future mandate that under conditions of a special permit, a project must remain rental for a certain number of years. A discussion ensued regarding the loss of natural affordability of the Walnut Street project now that it is being considered as a condominium project. A question was posed if City Council has jurisdiction of whether a Special Permit project can be required to be either rental or ownership.

MaryLee Belleville pointed out that the decision whether to support a Special Permit for a project may be influenced by whether it is being presented as a rental building or ownership building. Regarding the consistency determination that is now being requested, it is unclear if any further public process is necessary. It is possible that this decision may be made administratively. Carol Carroll expressed additional concern about the shift from Tier 1 to Tier 2 for one of the units, such that people with higher incomes will be eligible to purchase this unit.

Greg Schwartz noted that the criteria for approving a Special Permits does not include any language that refers to the issue of affordability or whether a project is a rental or ownership project. It is unclear if this matter is under the legal authority that permitting committees have in the City.

Village Day:

Area Council Treasurer Groot Gregory reported that the booth registration site is up and that several organizations have already reserved booth space for Village Day. The website has been updated. A permit request has been submitted for the road race. A trainer with one of the running clubs will be managing the road race. The caricature artist has been contacted. Permission for the tent has been obtained from the church. The bounce houses will be ordered. John Rice will be taking care of the remaining permitting for Village Day. The Area Council has offered to make the Area Council table available to city organizations that wish to provide informational materials. A volunteer has expressed interest in revitalizing the Silent Auction. The budget for music will be increased a bit from last year and that Chris Pitts will be helping with the arrangements for music. The Area Council will need to purchase a new banner for Village Day since the old banner has been deteriorating. This will be the 50th anniversary of the Area Council.

Village Enhancement Project updates:

Area Council President Freudberg provided an update on the Area Council request to underground utilities and to construct the project in phases. However, there have been no new updates from DPW regarding the project.

Carol Carroll noted that the Route 9 bridge over the MBTA tracks will be raised 18 inches. It is unclear where the traffic will go when the traffic lanes are limited during construction. Area Councilor Srdjan Nedeljkovic asked if it wouldn't be more efficient to lower the train tracks rather than raising the bridge, building new abutments, and other major infrastructure requirements.

Discussion of City Council use of webinar format:

Area Council President Freudberg reported that City Council has been increasingly concerned about unwelcome zoom incidents recently. A proposal was made by some City Councilors to switch meetings to a webinar format. It was noted that other options to control unwelcome zoom interactions may be possible. Starting this week, some City Council committees have switched to webinars to limit the possibility of further zoom events.

Advocates of transparency at public meetings have concerns about the webinar format since meeting participants cannot see who is attending the meeting and may be limited in participating. It seems that the limitations of the webinar format do not explicitly violate the Open Meeting Law, although these limitations may still be detrimental to principles of encouraging public engagement, accountability of government officials, free expression, and transparency. Area Councilor Srdjan Nedeljkovic asked if a system of pre-registration for meetings may allow for full public participation in meetings while controlling unwelcome incidents that depend on the anonymity of the person making the transgression.

MaryLee Bellville stated that she supports more transparency and opportunities for the public to engage in public meetings and feels that the webinar format does not provide this level of interaction. Ms. Bellville noted at least two methods that the city can implement to address the issue of unwelcome intrusions into meeting. The meeting host can mute everyone who joins a meeting, allowing people to speak only when called upon. Another option is to not show visuals on a zoom screen other than a person's name.

Area Council President Jeremy Freudberg noted that there are certain city committees that meet only on zoom, with no in person component. If committees do not meet in person, Mr. Freudberg is concerned that a webinar format does not allow for constituents to interact with these committees. Ideally, a public body should be required to meet in person while also allowing hybrid options. Greg Schwartz pointed out that it would be useful to know what other towns and cities are doing regarding the webinar format and if they are using it. It was noted that there may be a cost and capacity limit difference between the webinar format and using a zoom format.

There was consensus from Area Council members in support of using an interactive zoom format for public meetings and not the webinar format. Strategies were discussed on how to provide comments and input to City Council regarding this matter. MaryLee Belleville also commented that to improve transparency of public meetings, transcripts from public meetings should be made available. Further discussion ensued regarding which departments within the city are using which format and whether the Area Council may be required to follow city policies about this matter.

Potential authorization of expenditures to recognize Nathaniel Lichtin:

Area Council members expressed appreciation to former Area Council President and Area Councilor Nathaniel Lichtin. A motion was made to provide a \$50 gift card and another \$50 for party expenses for an event to appreciate Mr. Lichtin at the next Area Council meeting in April. The motion was approved unanimously 6:0.

Administrative Items:

Review and Approval of February Minutes: The draft minutes from the February NHNAC meetings were considered for approval. The minutes were approved 6:0.

Review and approval of 2023 Annual Report: The Annual Report for 2023 has been submitted by Area Council Secretary Srdjan Nedeljkovic and will be reviewed ahead of the next meeting.

Treasurer's Report: Treasurer Groot Gregory reported an expense of \$300 as a deposit for the caricature artist for Village Day.

New Business:

No new business was brought forward.

Next Area Council meeting: The next meeting of the Area Council will be taking place on Thursday, April 4th.

Meeting Adjournment: The meeting was adjourned at 8:44 pm.

DRAFT