

Newton Highlands Neighborhood Area Council

Meeting Minutes, January 3, 2019

Area Council members attending:

Bruce Blakely, Bob Burke, Carol Clark, Barbara Darnell, Groot Gregory, Nathaniel Lichtin, Srdjan Nedeljkovic, Bill Roesner, Amy Wayne

Ex Officio:

John Rice, Brenda Noel, and Cheryl Lappin

Guests:

Karen Sherman, Bill Humphrey, Carol Summers, Larry Rosenberg, Julia Malakie

Meeting called to order at 7:35 pm. Srdjan Nedeljkovic taking minutes.

Election of Area Council Officers

Bob Burke chaired the nomination process for officers. The following individuals were nominated: Nathaniel Lichtin for President, Barbara Darnell for Vice President, Groot Gregory for Treasurer, and Srdjan Nedeljkovic for Secretary. Each nominee accepted his or her respective nomination. Voting took place individually for each office, and each nominee was elected by the full panel of Area Councilors 9 to 0 in favor. Therefore, the current Area Council officers were re-elected to serve for 2019.

Garden City Vape and Smoke

Nathaniel Lichtin presented information about the planned opening of the Garden City Vape and Smoke business located at 21 Lincoln Street. The proprietor was invited to attend the Area Council meeting, but he did not respond. Signs are up at the business location and tinting has been placed in the storefront window. The hours of operation have been posted from 11 am to 9:30 pm. The owner has stated that there will be no vaping taking place within the store. Entry to the establishment is allowed only for those who are 21 years of age and over. A listing of smoke and vape supplies that will be sold in the store has been posted in the store window.

Karen Sherman expressed her opposition against the opening of the store. She had spoken with the Public Health department at the city level and expressed her concern that children will be prone to use products available in this store. She noted that there are public health concerns related to vaping, especially at the middle and high school levels, and that school superintendent David Fleishman has selected the problem of vaping to discuss as a major health issue this

school year. Ms. Sherman is concerned that we need to be doing a better job about getting information to schools about the dangers of vaping.

City Councilor Brenda Noel commented that the approval process for the Garden City Vape and Smoke store was flawed as it did not adequately seek community input. Under the new laws that have gone into effect in 2019, permitting for this type of business could have been stopped. The permit for Garden City Vape and Smoke was granted under the old laws. Brenda noted that Deborah Youngblood, the Health Commissioner for Newton, felt that it may have been unethical to refuse the permit since it was pulled before the new laws went into effect. Under the prior laws, the only permit that was needed for this type of business was from the Health Department. By the new regulations, no additional vape shops are allowed in Newton. There are only 2 vaping stores allowed in Newton to sell vaping products and smoking products, and they are located in Nonantum and in Newton Highlands. The situation with the former Tedeschi's store in Newton Highlands is uncertain since Tedeschi's has a smoke license, and this license may be transferred to another owner since Tedeschi's is no longer operating.

Councilor Noel pointed if there are 3 violations of its license to operate, the vape store could be closed. The Health Department may send its representatives to check on the stores to make sure that all rules for entry by minors and children are being followed. People under the age of 21 are not allowed to enter the store or purchase items in the store. If people are seen standing around the business and smoking, members of the community may complain to the public health department. The vape shop can sell cigarettes and CBD products. In the City of Newton, there are currently 42 businesses with permits to sell tobacco products. Cigarette sales are already banned to those under age 21.

Phase 3 Solar Panel Proposal

Area Councilor Bill Roesner noted that the City Council is about to review Phase 3 of the solar panel implementation plan. The current proposal includes placing solar panel installations on 8 roof sites and 11 parking lot canopy sites. Overall, about 20% of the energy that is produced will be from roof sites and 80% will be from the parking canopy sites. Use of the parking lot sites involves removal of existing trees. Among other locations, including many school properties, the proposal would involve installation of solar panels and removal of trees from the library parking lot. The library site would lose 12 trees. Bill noted that the solar panel installation is very tall. Nathaniel pointed out that of the various sites being considered for solar panels, the Countryside school site is the only one within our service area. However, the Countryside location is being deferred from consideration for new solar panels due to possible future school construction. Also the city has decided not to pursue placing solar panels at the Albemarle Road site. Because the Newton Library is a site that is being used by everyone in Newton, Area Council members felt that it is appropriate to comment on the solar panel proposal for this site.

The proposal for installing solar panels at the library would also provide increased parking at the expense of removing all of the berms and trees on the site. The net gain in parking would be 14-16 parking spaces. Perimeter trees along the edges of the parking lot would be preserved. The proposal would cover two rows of parking with solar panels and leave several rows of parking

open and without panels. It was noted that library trustees discussed the issue of solar panels at their December meeting and approved further exploration of the concept.

Area Councilor Srdjan Nedeljkovic pointed out that the plan to increase parking at the library is contradictory to policies regarding reducing automobile use. Many of the parking spaces are being used by municipal vehicles and by parking not related to use of the library, and therefore it is not necessary to increase parking at this site. Carol Clark pointed out how the proposal is contrary to goals related to climate resiliency, as removing trees would increase the urban heat island effect. She noted how former alderman George Mansfield had pointed out that the design of the library parking lot, including its inclusion of trees, was made with reference to the Olmstead designed grounds at City Hall.

Bill Roesner informed the Council about the process of building and ownership of the solar structures. The private entity that builds the panels plans to establish a partnership with the city to share the energy generated by the solar panels. Bill noted that the vendors of the solar panels intend to build and maintain the panels, provide repair services, and tear down the panels after the end of their life span, which is about 20 years. The vendors are receiving financial incentives to encourage the implementation of solar energy technology. Some of the electricity generated by the panels will be sold back to the city at a certain rate. Bill noted his concern that a private entity may be allowed to utilize city property for its own profit motives. Bill suggested that there are other sites in the city that may be more appropriate for solar panels, such along the Mass Turnpike.

After a discussion, Area Council members generally felt that the proposal to place solar panels at the library parking lot should be opposed. Area Council members felt that we did not have enough information to provide an opinion about placement of solar panels at other places. Area Councilor Groot Gregory pointed out that the loss of green space and trees at the library would be contrary to the goals of the Climate Resiliency plan. Heat islands are contrary to efforts to mitigate climate change. Julia Malakie pointed out that the replacement trees being offered as mitigation would not be an equivalent benefit compared to the losses incurred by destroying the trees currently at the library. Carol Summers pointed out that the library space is less than 5% of the overall program for solar panels.

Area Councilors felt that this decision about solar panels at the library should be consistent with other city policies, such as those related to climate, trees, and transportation. It was noted that the school committee unanimously approved the school sites for solar panels without reviewing the extent of trees being removed. It was also noted that the Newton Highlands parking lot is not on the list of sites and that the Newton Center parking lot is also not on the list of proposed sites. Groot Gregory pointed out that one of the most persuasive ways to express opposition to the solar panel proposal at the library is to describe that there is hypocrisy between the solar panel proposal and climate resiliency policy. Srdjan Nedeljkovic also pointed out that the proposal is aesthetically unpleasant, and that this fact needs to be brought forward. Julia Malakie reiterated that more effort is needed to replace our existing tree canopy and that we should not be cutting more trees.

The Area Council decided to draft a letter opposing removal of trees at the library site to be written to the Library Trustees, City Council, and the Conservation Commission. Groot Gregory volunteered to write a draft letter with a goal to have this ready prior to an upcoming meeting on January 16th at which time the solar panel proposal will be discussed at City Council.

Village Day Discussion:

At the December 2018 Area Council meeting, it was announced that Steve Feinstein had stepped down from being the primary organizer for Village Day. The Area Council discussed a plan for moving forward with this year's Village Day, which is taking place on Sunday, June 9th. Area Councilor Amy Wayne is in the process of discussing a follow up plan for Village Day with Steven Feinstein. The option of dropping the road race and reducing the bands was brought up. Scheduling of bands has been organized by Chris Pitts, and it was felt that the music program should continue. John Rice pointed out that his budget for music for the Hyde summer concert series is about \$10,000 and that there may be lower cost options for music at Village Day.

Regarding the road race, the Area Council will confirm with Maureen Oates to see if she can still organize and run the race. It was noted that the race had a positive cash flow last year. Barbara Darnell mentioned that we may consider charging more for a booth, as our rates are low when compared to other events. Amy Wayne volunteered to manage organizing food for Village Day with vendors and restaurants. John Rice stated that he will continue to take care of the licensing and interactions with the city for Village Day, as well as arrange for the Touch a Truck event. Barbara Darnell volunteered to manage the booth registrations. The Area Council will ask the police department if cones are needed for the road race, since this was a substantial expense. Srdjan Nedeljkovic suggested that another option may be to change the route of the race away from main streets. We will ask Chris Pitts to organize the music for Village Day. Steven Feinstein may still be able to help with the donations. Groot Gregory will follow up about arranging for the bouncing houses, and noted that we have used a company in the past at a cost of \$1200.

A decision was made that we will not hire characters. The Area Council will look into having a booth that does face painting and caricatures. Area Council members will need to volunteer to take care of advertising and signs announcing Village Day. A proposal was put forth to consider asking Boston Ballet to have a dance routine. Groot Gregory will try to coordinate the various ideas about events, crafts, and other things. The Women's Club has a list that we may be able to obtain about craft artisans. We may also be able to ask some local business owners for pop up booths.

Soup Social:

Area Councilor Amy Wayne gave an update about the Soup Social. The event is planned to take place on February 2nd in the Hyde Center gym, starting at 6 pm. The theme will be related to Groundhog Day. Amy has made groundhog centerpieces and has made sheets of information about groundhogs and the history of groundhog celebrations. The movie "Groundhog Day" will be played. At this point, there are 5 businesses donating the soups. Area Councilor Srdjan Nedeljkovic will purchase and bring the ice cream for the Soup Social.

The Passing of John O'Hara

Mr. John O'Hara, owner of O'Hara's Food & Spirits on Walnut Street has passed away from pancreatic cancer and a number of members of our community attended his wake in Waltham. The Area Council discussed options in honor of Mr. O'Hara. One proposal is to ask for donations for the American Cancer Society during the Soup Social. It was noted that the road race run by the O'Hara family had raised \$600,000 for special needs athletes. City Councilor John Rice proposed creating a scholarship for a Newton North or South student, possibly with some ties to special needs programming. At the Soup Social, we will invite a speaker to discuss the contributions that John O'Hara has made to the community. The O'Hara's have been large contributors to the Newton Highlands community and to the Winter Social each year.

Other Items:

Zoning Redesign Update. Area Council President Nathaniel Lichtin is considering several dates in January for a community meeting to discuss the purpose of the Zoning Ordinance as it relates to the proposed Village District zones. A date of January 15 was brought up as a possible meeting date, but Northland will be in front of the Land Use Committee to discuss transportation on January 15. Other dates will be considered and an announcement of the final date will be forthcoming.

City Planning Update. Area Council President Nathaniel Lichtin noted that the Climate Vulnerability Assessment was approved by both Zoning and Planning and the City Council as a whole. The matrix was not approved, but the text of the document was approved. State funding will be available now that this has been approved. The Economic Development Plan was sent back to committee by City Council to review the language. The Northland hearing is on January 15th for their transportation plan.

Hyde Playground update. City Councilor John Rice announced there will be a major rehabilitation of the Hyde Playground. The play structures will be replaced with new plastic structures. Wood structures are no longer desirable due to the wood deteriorating and giving splinters. Neighbors to the playground preferred brown and green structures. The ADA rules have changed so that rubberized surfaces will replace wood chips in parts of the playground, although wood chips will still be present in other parts. The sandbox will be eliminated. There will be a cement walkway placed to access the playground. This project has been allocated about \$100,000 to make these renovations.

Ice skating rink. There will be no ice skating rink this winter due to uncertainty about the lack of consistent freezing weather. Also, the former structure of the rink had deteriorated and required replacement. John Rice is having discussions about having a long term ice skating rink and a possible spray park created near the Northland development site.

Approval of the December Minutes and November 19th Special Meeting Minutes:

With a spelling revision, a motion was made to approve the December minutes, which was accepted 9/0. Minutes from the November 19th special zoning meeting with the Waban Area Council were approved 9/0 without revisions.

Treasurer's Report:

The Treasurer's Report was submitted to Area Council members by Groot Gregory. There was a discussion about proceeds of \$1250 that went to the Hyde Center for Village Day on behalf of the Area Council. John Rice pointed out that the Area Council was not charged for some of the ice skating rink expenses from 2018, and also for the cost of dissembling and discarding the materials from the rink. Also, the Area Council typically makes a donation of \$1000 to support the Hyde Playground summer concert series. A motion was made for the Area Council to donate \$1250 for the Hyde summer concert series for 2019, while any expenses owed by the Area Council to the Hyde Center related to the ice skating rink would be forgiven.

Budget Discussion and Priorities for this Year:

Area Councilor Groot Gregory presented a number of proposals and suggestions related to the Area Council budget for 2019. Regarding the newly installed Hope Fountain, which currently lacks plumbing, funds will be needed to place new plumbing at a projected expense of about \$300. John Rice will be following up with city personnel to finish this work and the Area Council will not have any further financial obligations related to the fountain. Groot proposed allocating expenses of up to \$500 for possible candidate forums, as this is an election year. John Rice's Ward 5 seat is being contested by three candidates at this time: Bill Humphrey, Kathy Winters, and Rena Getz. Groot also mentioned that he will remove the ice skating rink from the 2019 budget and that he will reduce the expected income and expenses for the budget for Village Day.

Annual Report and Letter Regarding the MBTA Accessibility Project:

Secretary of the Area Council Srdjan Nedeljkovic prepared an Annual Report for 2018 for the Newton Highlands Neighborhood Area Council. The report was reviewed favorably by Area Councilors. After several questions about the report were answered, the Area Council voted 9/0 to approve the Annual Report, which will be presented to City Council.

A draft letter regarding the MBTA station accessibility project was reviewed. The Area Council fully supports accessibility improvements at the MBTA station but expressed concerns about certain aspects of the project in the letter. After a discussion, the Area Council voted 9/0 to submit the letter to State Representative Ruth Balser, Mayor Ruthanne Fuller, and Secretary of Transportation Stephanie Pollack.

Next Meeting:

For the next Area Council meeting in February, Nathaniel has invited the proponents of the planned recreational marijuana facility on Elliot Street to present their latest proposal. A representative of the proposed development near Whole Foods and Pine Crest Road will also

attend the February meeting and update the Area Council about their proposal. At a future meeting, the Area Council may invite Northland to give a presentation of its transportation plan for the Needham Street development, as this plan involves several new bus routes that will affect Newton Highlands.

New Business:

Area Councilor Bob Burke noted that about \$2000 remained in the Local Historic District fund from the now dormant project to establish such a district in the Highlands. Bob mentioned that he is planning on updating the Local Historic District report to include the Second Empire architectural style that is present in Newton Highlands. Also, further information will be provided about the historical characteristics of the Village Center. Bob intends to make this information accessible on the internet.

Meeting Adjournment:

The meeting was adjourned at 9:32 PM.