

Newton Highlands Neighborhood Area Council

Meeting Minutes, April 4, 2019

Area Council members attending:

Bruce Blakely, Bob Burke, Carol Clark, Barbara Darnell, Groot Gregory, Nathaniel Lichtin, Srdjan Nedeljkovic, Bill Roesner, Amy Wayne (not present)

Ex Officio:

City Councilor John Rice; Waban Area Council Vice President Rena Getz

Guests:

Rich Paisner, Dick McKnight, Sonya McKnight, Leon Schwartz, Mildred Hutchinson, Bill Humphrey, Bob LeBlanc (956 Walnut Street development), Julius Starkman, Ken Parker

Meeting called to order at 7:32 pm. Srdjan Nedeljkovic taking minutes.

Pine Crest Road Development at 956 Walnut Street

Rich Paisner introduced himself as representing the group of residents affected by the proposed development at 956 Walnut Street. The development proposal involves building 7 units of housing on a 30,000 SF parcel between the Sudbury Aqueduct and the rear yards of properties on the west side of Pine Crest Road. Rich pointed out that members of this neighborhood have been very concerned about the development proposal over the past 5 years. The proposal affects residents on Pine Crest Road, Walnut Street, and Beacon Street. Over the years, this group of neighbors has had a number of conversations with the development team. The neighbors remain concerned about sheer density of the project. The main issue is that the design of the project has 5 units of housing that are connected, all in a row. This creates a large single structure that has a “wall effect” on the Aqueduct. Rich pointed out that there are numerous people walking on the Aqueduct and that the proposed property would create a “wall effect” due to massing.

Rich pointed out that the neighborhood wants the development team to understand that 5 units in one building together will adversely affect the neighborhood. The massing of the project will have a negative impact on the Aqueduct and for everyone who walks there for decades to come. Rich is proposing that the developer consider removing one of the units in the 5-unit structure to have 2 buildings with 2 units each. This type of massing would allow for maintained sight lines and allow for people to have a less obstructed view between Walnut Street and Pine Crest Road. Having 5 connected units creates a wall effect and results in a project out of scale with the neighborhood. Removing the middle unit would improve the project and create a density and scale that would be in keeping with existing conditions in the neighborhood.

Area Councilor Carol Clark asked for more information about the proposed project. Bob LeBlanc, from the development team, noted that the project involves development on a 32,000 SF parcel at 956 Walnut Street. The proposal calls for a total of 7 units on the parcel. By right, there are two units allowed in this MR1 zone. By Special Permit, there is an allowance for 1 unit per 4000 SF of land.

Bob LeBlanc, representing the developer, commented that another option is the development by-right option. Under that option, there would be two single-family detached houses on the site. Based on zoning for an MR1 zone, the units must be attached. This would result in two large, long townhouses. Bob pointed out that there have been many different plans for this parcel over the years. Surface parking has been identified as an issue, as 7 units would require multiple driveways and lots of pavement to provide access in and out of each unit. The developer has received feedback to put the parking underground. The project has received support from members of the Urban Design Committee and the Fair Housing Committee. Bob noted that if the parcels were used for a 40-B project, the overall 70,000 SF lot could accommodate many more units of housing.

Area Councilor Srdjan Nedeljkovic asked if the single building could be divided into two buildings, with these two buildings having the same number of units (5) as the current plans. Therefore, there would be 3 units in one building and 2 units in the other building. By having smaller units, the cost of each unit would be lower while the overall number of new housing units would remain the same. Bob pointed out that the footprint of underground garage needs to be a certain size to make it work. Srdjan asked if the underground garage could be decked and landscaped in the place of the unit that would be removed. Having the same number of units while reducing the size of each unit would make the project more affordable from an overall perspective.

Julius Starkman also questioned if the underground garage could be built as individual basement garage space and not as a single garage for all the units. This could also result in less pavement on the site rather than having surface parking.

Ken Parker pointed out that this lot only allows 2 units by right. He noted that Newton's Board of Aldermen in the past typically did not allow more units on a site than what was allowed by right. The Board certainly did not allow more than triple the number of units. In some situations, the Board may have added a few units to a larger project. Mr. Parker does not feel that more cars should be added this close to the intersection of Walnut and Beacon Streets. He would suggest that if there is a special permit granted, it should be because of the unusual shape of a lot, such that a developer may need to have exception to setback or floor area ratio. Mr. Parker believes that there should not be more than 2 units on this site. However, if there was no parking allowed on the site, then maybe an additional unit could be added to the site.

Bob Leblanc noted that a developer is within his right to ask for a special permit. He pointed out that on either side of this property, there will be 2 more units. At 962 Walnut, there will be a 2-family house. And at 1058 Beacon, there will be 2 additional units.

Srdjan Nedeljkovic asked about fencing, and noted that wooden fencing creates barriers and is visually obtrusive. Bob LeBlanc noted that the development team took this under consideration and agreed that there will not be wooden fencing between each of the units.

Mr. Paisner initially requested that the Area Council should write a letter to the developer expressing concerns about the overall massing and design of the project. The letter would ask the development team to work with the neighborhood group to make the project a better fit into the neighborhood. The letter would note that having a design with a “wall effect” doesn’t work.

Area Councilor Groot Gregory questioned if the Area Council has the authority to comment on zoning. Nathaniel pointed out that this is a land use issue, not specifically a zoning issue. Because City Council does not have anything before it and a Special Permit application has not yet been filed, a letter to City Council about this project would be inappropriate at this time. Bob LeBlanc stated that the developer plans to file in the next week or so, or perhaps with the next filing deadline. Ken Parker suggested that when a letter to City Council is eventually drafted, it should state why the Area Council supports or does not support the Special Permit application. The letter should reflect the criteria of the Special Permit process.

Srdjan Nedeljkovic stated that he would support sending a letter, per Rich’s recommendation, to the developer at this point. Carol Clark wondered if we support any aspect of the proposal, then will we actually be supporting the Special Permit. Rich Paisner then asked Bob LeBlanc if there is an opportunity to work out a reasonable compromise project with the neighborhood before going ahead and submitting the Special Permit.

Mr. LeBlanc stated that the developer Ward Shifman and his partners have made concessions already on this project. In the initial plans for the site, there were 18 units at one point, and now it’s down to 11. In the updated plans, the tree canopy is preserved. Bob mentioned that the decision revolves around whether to build two massive units by right or 7 units by special permit, but that the challenge is surface parking. He noted that the underground garage for the project would be 25 feet away from the Aqueduct.

Area Council President Nathaniel Lichtin then concluded that the Area Council will not be sending a letter at this time. He expressed hope that Bob LeBlanc will take this conversation back to the development team. It was noted that there has been significant movement in addressing the concerns of the neighbors thus far and it is hoped that the developer will continue to make appropriate changes to the project.

Right Size Newton

Area Councilor Bob Burke introduced Leon Schwartz, from the Right Size Newton group. Bob went to a recent well-attended presentation at the Emerson Community Center from Right Size Newton about the Northland project on Needham Street. At the meeting, Right Size Newton outlined its concerns about the Northland proposal, including issues of density, scale, size, affordability, traffic, and the impact on the school population.

Leon Schwartz gave a brief presentation regarding the Northland project. He had spoken to the Area Council once before. He noted that the proposed Northland project includes about 800 residential units, an overall 1 million square feet of development, about 180K square feet of office space, and about 115K SF of retail. There are significant concerns about the impact this development will have on traffic congestion on Needham Street. Leon pointed out a flier showing a photo of traffic congestion on Needham Street. Leon is concerned that the new development will turn Needham Street and all of the side streets into traffic-clogged roads. Currently, 70% of Needham Street traffic is cut-through traffic. When this traffic becomes more congested, people will be redirected to side streets.

Mr. Schwartz noted that Right Size Newton is not an anti-development group. Many people agree that we need a mixed-use project at the Northland site. However, what Northland is proposing is too big and too massive. The concessions offered by the developer to mitigate the project are inadequate. The developer is still going for a very large, profitable project. When people in the community see the extent of the project, the reaction is similar. Many people are not fully aware of the scope of the project and wonder how such a large project could be built.

Mr. Schwartz is inviting anybody interested in this project to come to the Land Use meeting on Tuesday, April 9th. There will be a discussion about shuttle buses that the developer is proposing to mitigate traffic. Leon pointed out how the Newton Nexus bus did not work. It is unlikely that the ridership will be high on the bus shuttles that are being proposed by Northland. The shuttle buses will cost money and may run only every 40 minutes. There is little incentive to use a fee-for-service shuttle bus over use of services like Uber. Mr. Schwartz pointed out that once the Northland project is built, there will be little opportunity to improve traffic.

Ridership on the new bus routes is difficult to predict. Srdjan Nedeljkovic noted that recently the MAPC conducted a transit for the Needham Street corridor, and the study estimated that there would be 65 riders per day on a Needham Street shuttle running every 20 minutes. Northland's estimate that up to 30% of people will take shuttle buses is unrealistic. Mr. Schwartz is requesting that anyone interested in the Northland project come to the Land Use meeting on Tuesday to take part in the discussion. He encouraged a reconsideration of the Northland plans so that Newton can build something that works for the developer and for the neighborhood.

Area Councilor Bill Roesner asked what would be considered as "right size" for this site. Avalon has 294 units and a school population of 102 students. Leon responded that Right Size Newton at this point does not have a specific proposal as it would be inefficient to propose a particular project with specifics on the number of units or square footage of office and retail space, since it is the developer that has all the relevant data and knows what they can and cannot build. It would be appropriate for the developer to react to the feedback they have received and propose something that will work for them while also alleviating the concerns the neighbors have regarding traffic, impact on schools, and overall density. The next opportunity for the public to comment on the proposal will be at the Land Use meeting on Tuesday, April 9th. Rena Getz asked about data regarding the Oak Street egress. Bill Humphrey agreed that the shuttle and transportation system that is being proposed is problematic.

Village Day discussion:

Nathaniel received an e-mail from Steven Feinstein about Village Day planning and fundraising. Thus far, we have a promise of a \$2000 sponsorship from Village Bank. Steven has reached out to Whole Foods, now that the decision-making for donations is at each individual store. He has not reached out to Anna's Taqueria and O'Hara's and is not planning to reach out to them due to the passing of the owners of those two restaurants. Groot Gregory suggested that we should consider recognizing John O'Hara at Village Day.

Regarding fundraising, Brookline Bank has not been contacted yet. The Area Council decided to avoid contacting developers or their agents as there may be a perceived conflict of interest. Normally we raise about \$6K for Village Day, but now we are looking at \$3800 in donations. Barbara Darnell suggested cutting down on the music costs. A discussion ensued about the cost of renting a booth at Village Day. As of May 1st, the Area Council will consider raising the price of the booths. It was noted that booths are now priced at \$300 at Harvest Fest. Our booth prices for Village Day are much lower. So far we have 25 sign-ups for \$1580. A proposal was made to double the cost of the booths while keeping the rates for the non-profits and kids lower. A motion was made and approved to raise the price of booths. The current rate for non-profits is about \$40, for Newton residents it is \$50, for non-residents it is \$70, for food vendors it is \$80, and children-run booths are \$15. After May 1st, the rates for booths will be raised for Newton residents to \$100, for non-residents to \$140, and for food vendors to \$160.

Maureen Oates has signed a contract with Race Wire to run the Village Day road race. The price will be the same as last year. The contract will automatically renew if we don't cancel within 30 days of the event. We ended up breaking even last year. There was a T-shirt fee for \$864 that we paid. The race is a break-even event. John Rice discussed the need for traffic cones with the traffic bureau of the police department. He noted that the police want the cones for safety reasons. We will budget for the cones. The sign-up page for the road race is going up in the next few days. Maureen is planning on publicizing the event via e-mail shortly. We will also reach out to Marathon Sports and the Heartbreak Hill running store in Newton Centre.

Barbara asked about donations from the restaurants, and Nathaniel noted that he will follow up with Steven Feinstein about this.

Nathaniel pointed out that Amy Wayne has reached out to the businesses on Lincoln Street if they want booths, and is waiting to hear back from them. She also reached out to the businesses that will be serving food. Newton Pizza is very interested. We have not yet reached out to the Food Truck. We did not have to guarantee any money to the Food Truck at last year's event. The Bon Me Vietnamese food truck was present last year. We will get a food truck, but will see if it requires any payment.

Groot Gregory brought up the issue of having the bouncy houses. These are needed to attract the children and their parents. The caricature artist last year cost \$600, so we won't be renewing this. However, we will continue the face painting activity for cost of \$300. John Rice is working on licensing, DPW to shut down the street, and is in touch with the Parks and Recreation Department, and Fire, and the Police about this event.

John O'Hara – A discussion ensued of how to honor his legacy. John and Carl worked for fundraising for the road race. His family would love to have someplace named for John. We will consider having a John O'Hara plaza in the village center near the corner of Walnut and Lincoln Streets in front of the Steven's building. To have this approved we would need to submit a request to Public Facilities in order to name the walkway and plaza at this location. It was decided that due to the noise and many activities going on, there will be a separate event in addition to Village Day honoring John O'Hara's legacy.

A discussion took place regarding music acts at Village Day. The cost for music was about \$8500 last year, including musicians, sound, and staging. John Rice pointed out that the Hyde spends \$12000 all summer for the summer concert series. If we reduced the number of stages from two to one stage at Village Day, this would cut expenses significantly. We may be able to reduce our expenses by \$1500 if we eliminated one of the stages. The current budget lists a projected expense for music of \$4500. Chris Pitts is in the process of contacting various possible acts.

Discussion about proposed Undergrounding Ordinance:

Srdjan Nedeljkovic submitted a proposal for an ordinance to underground utilities. This would create a mechanism to remove utility poles and wires in Newton over a long period of time, while prohibiting overhead utilities for new development. Srdjan pointed out that undergrounding is required in sections of many nearby communities, including much of Boston, Brookline, Concord, and elsewhere. Future installations, such as the proposal for 5G cellular communications, would be accommodated on light poles.

Groot Gregory suggested that one of the intentions of undergrounding is to be consistent with the Climate Action Plan. Nathaniel Lichtin suggested that provisions should be included to exempt lower income residents from costs associated with undergrounding. Rena Getz noted that these costs could be assessed as a betterment, such that they are paid off over a period of many years.

After a discussion, the Area Council supported forwarding the proposed Undergrounding Ordinance for consideration by the Public Facilities Committee chaired by City Councilor Deb Crossley. Groot Gregory noted that the EDC had submitted a proposed ordinance change related to biomedical organizations and this went through a process and was approved by City Council. Bruce Blakely made a motion to approve sending the Undergrounding Ordinance for consideration to Public Facilities, which was seconded by Groot Gregory. The Area Council voted 8:0 to submit the proposal.

City Updates:

Zoning Redesign Update. Area Council President Nathaniel Lichtin noted that the City has announced that the zoning redesign process will be taking a longer time to consider. Therefore, meetings arranged by the Area Council regarding zoning redesign will also be occurring to match this scheduling.

City Charter. John Rice gave an update on the progress of the proposed changes in the City Charter. Significant discussions have occurred regarding citizen petition voter participation rates and whether City Council should have its own attorney. Any request for proposed changes to the Charter will not include changing the number of City Councilors and will not change the way Area Councils are treated in the City Charter. Rena Getz suggested that everyone should review the proposed changes to the City Charter, as there are significant changes that everyone should be familiar with.

Oak Street and Christina Street intersection. Work will soon commence on realignment of the Oak Street and Christina Street intersection. The initiation of work has been delayed due to issues with utilities but the project is expected to start soon. Bruce Blakely pointed out that the intersection has been improved since changes were made to the traffic light cycle.

Elliot Street marijuana dispensary. The proposal to open a recreational marijuana facility at 24-26 Elliot Street will be before the Land Use Committee on April 30th. It was noted that Garden City Remedies has already been approved for recreational marijuana sales. There is now an application for a recreational marijuana facility at 1158 Beacon Street. This facility will be called Union Twist. As the Beacon Street site planning unfolds, the Area Council will conduct a public outreach campaign to inform nearby residents of the proposal.

MBTA Track and Signal Work and Station Improvements. Area Council president Nathaniel Lichtin noted that this work will be starting within the next week. It was noted that the temporary ADA accessible ramp to the Newton Highlands MBTA station is nearing completion.

Newton Highlands MBTA Station Accessibility project: The MBTA has started work on a temporary ADA-accessible ramp at the station in preparation for track work that is scheduled to take place in 2019.

Administrative Items:

Approval of the March Minutes:

A motion was made to approve the March minutes, with some minor spelling corrections and revisions, and this was accepted 7:0 with 1 abstention.

Treasurer's Report:

The Treasurer's Report was submitted to Area Council members by Groot Gregory. No new changes or updates were noted.

New Business:

Srdjan Nedeljkovic presented information about the Newton Highlands MBTA Station Accessibility project, specifically about the issue of locating the outbound platform at its current location at the historical station. The new plans propose that the outbound stop for trains should be closer to Hyde Street, which would increase the distance for passengers who are walking to

Walnut Street and other transit connections. The reason for moving the boarding area away from the historical station is due to a portion of the raised platform not meeting the 6'8" height requirement at the station. There are brackets supporting the awning of the historical station that reduce the height from the platform to the brackets to about 6'6" for about 7" of the platform area. The platform width is required to be at least 3'8" and the compliant part would be 3'1". So about 7" of the platform width closest to the station building would be under the 6'8" height requirement due to the intermittently spaced brackets.

Srdjan questioned whether a variance could be made to allow for this height issue, noting that there are no ADA issues that would be affected by the variance. This would improve access to the station for many transit users while having no adverse effect on ADA accessibility or compliance. This being New Business, the Area Council will discuss it further at a subsequent meeting.

Nathaniel noted that there will be road closures near Cold Spring park due to the filming of a television series called "Defending Jacob".

The Hyde Playground will be rebuilt on April 26-April 28 and volunteers are encouraged to sign up on the Hyde Community Center website.

Meeting Adjournment:

The meeting was adjourned at 9:35 PM.