



CITY OF NEWTON, MASSACHUSETTS

Economic Development Commission

Meeting Minutes

DATE: January 14, 2020

TIME: 6:30 pm Room 211

1. Attendance

Ruthanne Fuller
Mayor

Commissioners Attending:

Phil Plottel (Vice Chair); Jean Wood (Secretary); Rob Finkel; Jeremy Freid; Debora Jackson (via phone); Jack Leader; Marcela Merino; Beth Nicklas; Sarah Rahman; Matt Segneri; and Chuck Tanowitz.

Barney S. Heath
Director
Planning & Development
Devra G. Bailin
Director
Economic Development

Commissioners Absent: Joyce Plotkin (Chair); Howard Barnstone; Steve Feller; and Peter Lew.

Staff Attending: Maura O’Keefe, Assistant City Solicitor; Barney Heath, Director of Planning, Director of Planning and Development; and Devra Bailin, Economic Development Director.

Others Attending: Damien Chaviano and Robert Korff, Mark Development; and Harry Sanders.

Commissioners
Joyce Plotkin, Chair
Phil Plottel, Vice Chair
Jean Wood, Secretary

2. Approval of Minutes of November 12, 2019

On a motion made by Rob Finkel and seconded by Beth Nicklas, the minutes of the December 10, 2019 meeting were unanimously approved.

Howard Barnstone
Stephen Feller
Robert Finkel
Jeremy Freid
Debora Jackson
Jack Leader
Peter Kai Jung Lew
Marcela Merino
Beth Nicklas
Sarah Rahman
Matt Segneri
Chuck Tanowitz

3. Nomination of EDC Officers

[It is noted that this matter was taken out of order—after the discussion in Section 4.] Mr. Plottel explained that historically the EDC makes nominations in January, which are then held open until the February vote. Jean Wood nominated Phil Plottel for Chair; the nomination was seconded by Rob Finkel. No other nominations were received for Chair. Jack Leader nominated Jean Wood for Vice Chair; Phil Plottel seconded the nomination. No other nominations were received for Vice Chair. There were no nominations for Secretary. Mr. Plottel encouraged members to step forward and reminded folks that nominations could be made at the February meeting.

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4. Discussion of Restaurant Liquor Licenses with Law Department

Maura O’Keefe, Assistant City Solicitor, in response to questions, explained the process of securing additional restaurant liquor licenses. When the City is out

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of restaurant liquor licenses, then the City Council would docket an item, with the Mayor's agreement, to seek a Home Rule Amendment to increase the number of licenses. The amendment would be sent to the Legislature, which would evaluate whether there was a need for additional licenses and, if so, the appropriate number. Ms. O'Keefe explained that for at least ten years, there have been about six licenses available. It has been fluid. The Legislature will not pass Home Rule Amendments increasing the number of licenses until all existing licenses have been issued. She noted that the Law Department stands ready, when there are no licenses left, to start the Home Rule process. Depending on the calendar, it can take between six to ten months to get the additional licenses. The City part of that process takes at most three months. The State part, depending again on the calendar, takes between three and seven months.

In terms of obtaining licenses for specific developments, Ms. O'Keefe explained that it would not change the time frame, but it would be possible to have the licenses tied to particular new locations/developments. Mr. Korff noted that in Newtonville, they will need three of the licenses and, given the needs for Riverside and Northland, there will be a need soon. Ms. O'Keefe reiterated that the City could not start the process with the State until all existing licenses are issued; the rule is absolute.

In response to questions, Ms. O'Keefe explained that a restaurant owner can apply for a license before actually opening the restaurant. They just need to demonstrate an interest in land and provide a plan. She will get back to the EDC about whether a letter of intent is sufficient to start the process. She stated there is no reason for developers to worry about it, as there is plenty of leeway in the process. An application for a license costs about \$3000.00.

State rules that were put in place upon the repeal of prohibition established the number of licenses based on population. For each increase of 5000 people, one additional license is automatically available. Ms. O'Keefe also noted that Newton has never asked for additional licenses.

In order to assist the EDC, Ms. O'Keefe was asked for and agreed to provide a short memorandum or fact sheet outlining the procedure she has described.

It was noted that it is difficult to open a restaurant business where the license is not readily available and its issuance dependent upon the approval of a Home Rule Amendment. It was also noted that an existing license could be held pending construction of a new building—the licensing commission could inquire but would allow time until the construction is complete. All fees would have to be paid in the interim.

Ms. Nicklas commented that it would have been helpful if the EDC had had a crib sheet before the meeting. It was noted that Ms. O'Keefe's preference was to come to the meeting and answer questions. Mr. Freid commented about how difficult it would be to get a restaurant to commit to a project if the license cannot be guaranteed. Mr. Plottel stated that the EDC should monitor the process.

5. City Updates

Landmarking: Ms. Bailin explained that a Councilor has docketed seven commercial properties in West Newton for landmarking and the Agenda item will appear on the Newton Historic Commission meeting on January 23rd. Unless the City Council suspends the Landmarking Ordinance, the Newton Historic Commission can move forward with public hearings to determine which, if any, of the properties to landmark. Landmarking precludes owners from demolishing landmarked structures and restricts their abilities to modify or expand the structures. Notices have gone out to affected properties. It was noted that under the Landmarking Ordinance, a City Councilor can nominate any property for landmarking.

N2 Innovation District: Ms. Bailin noted that the N2 Committee and International Committee are still working and focusing on future priorities. The N2 Committee has been studying how to promote the natural resources of the area, including a trail system from the Greenway, across the River at the RR bridge near Price Center, to Needham Crossing along the DRC land (a portion of which has been improved), over to Nahanton Park and Wells Office, to West Roxbury and along the River in Needham Crossing to Cutler Lake. In conjunction with trying to create an adopt the trail/river program, the group is exploring wayfinding, signage, and other placemaking amenities to take advantage of unique natural features. Mr. Tanowitz noted that Needham now has three coworking facilities—a private coworking facility on Highland Avenue near the Center, a Staples Studio which just opened on Highland Avenue in N2 and a Workbar opening soon at 117 Kendrick Street in N2. Although Newton has one at UMass Amherst at Mount Ida, it is a unique one, requiring internships for students. And despite efforts by Newton, including the Mayor, they were unsuccessful in persuading Newton landlords to consider the concept. Part of the problem is the lack of Class A space presently in Newton.

6. Discussion Items

- A. **Northland Project.** The Northland Right Size group obtained over 4000 certified signatures for a referendum to overturn the City Council vote. The City Council voted not to overturn prior City Council's vote to approve the zoning changes. The issue before the City Council next week is whether to hold the referendum vote on March 3rd (the Primary Election) or at later special city-wide election. The cost to add the municipal election in conjunction with the Primary is approximately \$33,000. The cost of holding a stand-alone Special Election would be \$146,000.

Given that the EDC has written a letter in support of the project, Mr. Plottel asked whether the EDC should reissue and/or draft a letter in support. Ms. Bailin noted that this issue was discussed with the Mayor, who requested the EDC wait until the Law Department clarifies the

extent to which the City and its boards and commissions may weigh in on referendum matters. Ms. Jackson noted that it is good protocol for the EDC to go to the Mayor's office before going public. It was noted that any EDC members are free to take positions on the referendum as individuals.

B. Riverside Project, Discussion and Task Force. The developer has filed the special permit for the project. Ms. Bailin, in response to questions, stated that, although there will be a peer review of the fiscal impacts, she is not aware that it has been finalized. When finished, she will share it with the EDC.

Mr. Plottel wants to get a sense of what all members think about commenting on the project, the process, and any other issues. A straw poll resulted in the general consensus that the EDC should weigh in.

Each member gave a short statement of what he/she thought the position should include. The statements included the following:

1. The project is economically a positive and will improve the MBTA facility dramatically.
2. The project is a done deal; the zoning passed and it severely limits the special permit.
3. The design is attractive, innovative and transit oriented, which is positive.
4. The process was problematic; the developer didn't work with the City but instead allowed a small group of people to deviate from the vision. The removal of one office building was a serious economic loss.
5. What is the role of the EDC? What are we trying to accomplish? The economic loss due to reduction in commercial square footage is a lost opportunity for this site.
6. The project is missing up to \$3 million in tax revenues due to changes negotiated and will push the need for an override to 2021.
7. A relatively small group of citizens was able to decide what is best for the entire City.
8. It is very hard to understand why the City limited itself. The negotiation with neighbors substituted for negotiation with the City for realization of its goals/vision.
9. The process and resultant zoning, which severely limits the ability to discuss the details via the special permit process, make EDC comment ineffectual.
10. The resultant zoning creates missed opportunities.
11. The project doesn't match the vision approved for this site. This project now represents missed opportunities combined with severe reduction in yearly commercial real estate tax revenues.
12. On a micro level, EDC should express concern about the process; on the macro level the EDC should focus on how to expand the commercial tax base.

Assuming the EDC issues a letter of support, it needs to express concerns about the process and resultant lost opportunities, but it's better than what exists. It is too small on the commercial side. In other words, it's advantageous that something is being build but the lost opportunities are concerning. Mr. Tanowitz will take on the drafting of the letter, along with Ms. Rahman, Mr. Leader, and Rev. Jackson.

C. EDC 2020 Priorities

The members expressed the need for the EDC to be effective and be able to impact economic decisions. The members brainstormed ways to increase their effectiveness, including the following ideas:

1. Members should meet with their Ward councilors within 90 days.
2. EDC should invite key Councilors (Council President, Chair of ZAP, Chair of Land Use) and the Mayor to meetings for discussion of particular topics.
3. The EDC should have an education agenda and an action agenda.
4. There should be greater public outreach consistent with the EDC's advisory role. More involvement on social media.
5. Frequent contact with Councilors would increase effectiveness.
6. EDC members to think about what projects they would like to focus on. Due to shortage of time, this topic will be taken up at our next meeting.

D. Role of EDC; Creation of Focus Groups

Due to shortage of time, the members will take this up at our next meeting. Ms. Bailin did have a list of some things which the members might consider: economic impact of commercial building landmarking, Shop Local campaign, streamlining initiatives, economic incentive programs, employee parking, beer gardens, village residential overlay districts, and commercial guide.

E. Annual Report: Suggestions for inclusion and for review at next meeting

Members were invited to send suggestions for inclusion in the Annual Report which Ms. Bailin will try to draft for our next meeting.

7. Other Business, including Reports from Members

Harry Sanders introduced himself and suggested that the members provide their email addresses and telephone numbers so that members of the public can reach out to them. He found the discussion interesting and thanked the members for the opportunity to speak.

8. Confirming Next Meeting

The date of the next meetings for the EDC will be February 11, 2020.

9. Adjournment

Upon motion made by Chuck Tanowitz and seconded by Jeremy Freid, the meeting was adjourned by unanimous vote at 8:25 p.m.

Respectfully Submitted,
Devra G. Bailin, Economic Development Director