



April 16, 2019

Dear Alan,

I am in receipt of letters from you and your client, Lawrence Gottesdiener, CEO for Northland Investment Corporation, in which you expressed unhappiness with how the public hearing on April 9 was handled. In your letters, you also laid out your plans regarding how you will participate in future discussions with the committee and individual councilors regarding any outstanding issues for the project. I feel that your letters warrant a response.

First, it is unfortunate that some members of the audience at the hearing did not heed repeated instructions from me to withhold their expressions of support or opposition for the project while others were speaking. As you know, I stated at the start of the hearing that such expressions were not permitted and during the hearing I exhorted those who did not follow this policy to comply. I am as disappointed as you that my attempts were not wholly successful, and I am dismayed that any speakers felt intimidated, as some of your consultants reported. I will continue to make every effort to maintain decorum at our hearings in the future.

Second, I feel I must address the statements from your client that it does not plan to participate in future hearings regarding traffic. In his letter to Chief Planner Jennifer Caira, Mr. Gottesdiener stated that "Northland will not participate in another traffic hearing." In addition, he stated, "If any or all of the Councilors have questions, we will address them promptly in writing or take ex-parte meetings." While it is your client's choice not to participate in future public sessions with the Committee, I must remind you that the taking of ex-parte meetings with Councilors is expressly discouraged in our rules. It is expected that any communications with Councilors be open and visible to the public, either taking place in open session (preferred) or via written correspondence. Therefore, responding to Councilors' questions "ex parte" is not acceptable.

Third, regarding the shuttle schedule, you wrote, "Monica (Tibbets-Nutt) will make herself available for individual and/or group meetings to discuss the details of the shuttle program." As your letter was addressed to Chief Planner Caira, I understand that you may have been referring to meetings with the planning department staff or consultants. Such meetings would be appropriate, but, as set forth above, any individual or group meetings with Councilors outside public view are not appropriate.

Throughout the special permit review process, I have pursued, and will continue to aim for a fair, open, and even-handed process. Like you and your client, I believe that the best possible project for Northland, the residents of Newton, and the future residents of your project will arise from meaningful engagement between your team and the committee throughout the special permit approval process.

Sincerely,  
Greg Schwartz  
Chair, Land Use Committee