



**Newtonville Area Council - Meeting [Minutes](#)**  
**Thursday, June 23, 2022 7:00 PM**  
**Meeting Location: Online via Zoom**

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**Attendees:**

**NAC Members:** Jennifer Bentley (President), Martina Jackson (Vice President), Nancy Greenberg (Treasurer) Carolyn Jacoby Gabbay (Secretary), Dana D’Agostino, Timothy LeBlanc, Aline Sammut

**City Government Members:** City Council President Albright, City Councilors Lukas, Malakie, Norton and Wright, Joan Belle Isle (Council on Aging), Sallee Lipschutz (Waban Area Council)

**Members of the Public:** Approximately 9 members of the public

Jennifer called the meeting to order and confirmed the presence of a quorum.

**1. Update on NewCAL Project**

Jennifer recused and absented herself and Martina took over as meeting chair.

Martina reported that a lawsuit has been filed by Neighbors for a Better Newtonville (NBN) challenging the NewCAL project based on allegations about the historic nomination process and violation of Article 97 of MA Constitution because the land in front of the Senior Center was designated as “parkland” by a 2004 grant of community preservation funds, as well as a 1994 action by the Board of Aldermen asking the Historic Commission to preserve historic properties. NBN also contends that there is insufficient parking and, therefore, elders and the handicapped will need to walk too far to the facility, that the building is too large for the lot, and that the current building was built in 1938 with federal funds, funds approved by the Board of Aldermen and privately raised funds. The Mayor’s position is that she has confidence in the ability of the City’s Law Department to defend against the challenge and that she expects groundbreaking in summer 2023 and completion by 2024. In the ensuing discussion it was noted that other sites for NewCAL which had been considered, but rejected, had more green space and no existing building. Martina will continue to provide updates on NewCAL.

**2. Update on Cabot Park Pavilion project**

Jennifer resumed chairing. She reported that the second community meeting was being held at the same time as the NAC meeting. She also reported that MassArt and Newton Parks, Recreation and Culture have been collaborating and began to design a performance area in 2019. A new architecture/community design class at MassArt has prepared a new plan and Jennifer displayed the slides used in the June 15<sup>th</sup> and tonight’s presentations. She noted, among other things, that the Cabot School principal, the per-K program and

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community uses of the park has been interviewed. The area where the performance pavilion is to be located is on the east side of the park near Newtonville Avenue where the lot has been leveled and an old growth tree preserved. The structure is to have a performance area, a class area and a viewing area. Pathways will be provided after establishing the structures with a raise deck and accessible ramp off the pathway outdoor classroom space at ground level surrounded by a stone dust viewing area for chairs and blankets. There will be a “butterfly” roof over the structure and a covered observation bench area. The structure will be 15 feet high on one end and 14 feet on the other end of the butterfly. The platform stage will be 1.5 feet above the ground. Roof will be part metal and part polycarbonate, which can be in color. There will be 20X30 timber decking in the pavilion, with low-level lighting at night and on the paths. Acoustics will be designed to push the sound toward an area of Newtonville Avenue that does not have residences. Seating may be plastic stools or tree trunks. Rain chains with butterflies to send runoff water into a gravel pit to avoid creating mud puddles. The final design will be brought to the Parks and Recreation committee on Monday and, if approved, site preparation will take place in July, with the foundation/base being created and an approximately 7 week building period with a target completing date of mid-August and the start of the school year so the classroom space can be used when Cabot School sessions resume. Community comments should be submitted at the Parks and Recreation committee meeting on Monday.

Community discussion included noting that:

- the City will provide the materials and labor and the students in the MassArt graduate program are responsible for the drawings under the supervision of the professor who is a licensed MA architect who can stamp the drawings;
- since the project is small, an RFP is probably not required;
- project funding comes from money remaining from other Cabot School projects;
- materials costs and supply chain availability of materials may affect the project timeline;
- a pavilion at Newton Centre is also being proposed and there is a pavilion at Hyde Center, but there is no information about whether pavilions may be proposed in other areas of the City.

### **3. Update on Village Center Zoning effort**

Martina and Jennifer reported on their participation as NAC representatives to the Community Engagement Network (CEN) group which has 90 members. Their report included:

- a tool developed by Stanford University about what village centers should be has been tested;
- two office hours sessions have been held;
- feedback could be given via mobile devices and laptops;
- the timeline for an information gathering survey runs through August and September;
  - an NAC a Village Day booth has been suggested and they will see if City can staff it
  - there will also something at the library.
- a low bar has been set for community engagement, targeting participation by 150 to 1,000 residents

In response to a question about whether the Planning Department’s issuance of a memorandum of proposals while community engagement is still ongoing indicates that this matter is, essentially, a “done deal”. President Albright said this caused confusion among the Councilors as well and that, because the Zoning and Planning (ZAP) committee is concerned about completing the process this term if they wait until December, the Planning Department says it is working simultaneously on community outreach and with a consultant and that they would have another meeting next week to get ZAP’s reactions on the 10 topics covered in the memo. Jennifer said memo was not shared with the CEN, but they did get slides. ZAP has been taking straw

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votes on those 10 topics, but ZAP has not seen the CEN community survey form according to President Albright.

Robert Fizek, another member of the CEN, said he has been talking with members of the group since he was unable to attend the last CEN meeting. He criticized the Planning Department's performance and said that the timeline is very confusing and thought that issuance of a memorandum of proposals at this stage indicated the process is not working appropriately. He also questioned when the community would get to see what is being envisioned for each village and what the proposed changes mean to each in terms that the community could really understand.

President Albright said that the Planning Department's process is to include listening to ZAP and the community and writing a draft this summer and then creating map of each village in late fall, around October or November. Since the end of the City Council's term ends in about 18 months, the objective is to try to pass a revised ordinance by May 2023.

Martina reported that the CEN includes a diverse range of community groups, that there were concerns that the questions the survey listed as reasons to go to a village center did not synch with what participants thought would be the "draw" to village centers and that there was limited acknowledgement of the differences in various communities and village centers around Newton.

Carolyn suggested that the lay community would need a 3d or graphic representation of the proposed changes to understand the impact of proposed changes on their village centers. She also suggested that developers should not be granted rezoning and special permits for projects that would effectively dictate the character and context of village centers before the current process is completed. President Albright agreed with the first point. As to the second she said that a developer is on notice to proceed at his/her own risk once an official draft ordinance is on the table.

Robert Fizek commented that a developer's financial feasibility should not drive the process and the Planning Department should be looking at what the City want and that a property's zoning sets the value of the property at which a developer has purchased. He also noted the lack of adequate representation of preservationist interests.

Peter Bruce agreed with Mr. Fizek that developers have to take a risk on the profitability of their projects and the Planning Department should not be in the business of assuring a return for developers who are already making plenty of money. He also noted that, for example, transit-oriented development and affordable housing have not worked out as envisioned. Dan Kolodner commented that cities want to make sure that projects move forward and do not halt midcourse if they become infeasible economically, that building and materials costs have escalated and that the special permit process involves "give and take". While not wanting to see 5 story buildings, he did not favor 1 story buildings which have occurred for tax reasons and that buildings like the Masonic Building and the Bank of America building in Newtonville deserved recognition as iconic.

Tim commented that part of the attraction of village centers lies in their smaller, older buildings with make up the fabric of all of Newton's village centers with small businesses that grew there. He would like to see that retained rather than spawning multi-floor CVS complexes.

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Jennifer and Martina will continue to follow up and pass the comments along.

#### **4. Keep Newtonville Beautiful initiative update**

Aline reported that, thanks to Susan Reisler's efforts and some new print runs, signs finally appear in many business' windows and she will continue to work on the project, including over the summer with NNHS's Henry Turner and the Civics class teachers. In addition to NNHS students, adults are also responsible for litter in the area. She has also been working with Councilor Leary to get trash barrels at the mid-point of the Los Amigos and Bank of America. She is also working to find out how to clean the sidewalk, esp. the pavers which cannot be power washed. She noted that no maintained plan was configured when the improvements were planned and tables and chairs are dirty. She is also working with 28 Austin Street developer Scott Oran, who is willing to put up signs and is very aware that Bram Way is not clean and the City trash barrels there are not sufficiently large and are not emptied frequently enough. Many shop owners are trying to clean the street in front of their stores, but they are too busy running their businesses and it is not their role. She also discussed the possibility of banners on the lampposts, but President Albright noted that a new policy is being developed on hanging banners following a Supreme Judicial Court ruling against Newton in connection with the flag case. Aline noted that the clean-up campaign along Walnut Street might expand to cover Highland, Washington and along Austin Streets. She also commended Village Bank as being very cooperative in the effort. Meeting participants gave kudos to Aline and Susan Reisler.

Aline also reported that she is starting to collecting a list of emails of the local "mom and pop" stores in the area to help support them and learn about their needs.

#### **5. Other Business**

Peter Bruce asked \$10-12M that Mark Development might pay in lieu of having affordable units in the Crafts Street project. Jennifer explained that the amount, which is to be paid when the certificate of occupancy issues, will go the City with ½ via the Planning Department and ½ to the Newton Housing Authority. Paid when certificate of occupancy. President Albright said that she is thinking about docketing a provision to have ½ go to the new housing trust. It was also clarified that the payment in lieu is the developer's option under the ordinance and the issue is that the "affordable" provisions only apply to the housing component and that residents cannot afford the services that accompany aging in place, especially at the assistive living and memory unit level of care so for this reason the Sunrise facility is having a problem filling its set aside affordable units. Councilor Lucas said that the June 28<sup>th</sup> Land Use committee meeting will take up the request for the zoning change and Special Permit for the Crafts Street project.

Councilor Wright noted that the West Newton Square Santander Bank project will be discussed on July 18<sup>th</sup>.

#### **6. Administrative Issues**

##### ***a. City Council's Response to "The Mapping Project"***

Carolyn explained background of The Mapping Project which has been posted on line an anonymous group affiliated with the anti-Israel Boycott, Divestment and Sanctions movement and geolocates organizations and individuals, including Newton Public Schools and residents, as being "responsible for the colonialization of Palestine or other harms such as policing, US imperialism and displacement" and thereby creating what the Boston Globe has dubbed a virtual anti-Semitic "hit list" putting these organizations and individuals at risk. All City Councilors, with the exception of Bill Humphrey, signed a letter condemning The Mapping Project Carolyn moved and Tim seconded and unanimously:

**VOTED:** That the NAC endorses the June 2022 letter issued by 23 City Councilors condemning The Mapping Project as an example of unacceptable hate activity.

**b. Murals and Art in Newtonville**

Jennifer noted that more murals have been installed in Newtonville, including at the Post Office and Bram Way. Newtonville did not get any of the pianos located around the City this year even though there used to be one at the Senior Center and Trio had one for a time. President Albright noted that Gloria Gavis had trouble finding volunteers to take care of the pianos. One of the art benches was also located in the Trio courtyard. PorchFest was held all over the City, but not in Newtonville. Martina will follow up on PorchFest, including the possibility of having PorchFest at the new Cabot Park pavilion next year. Dana and Aline volunteered their porches for PorchFest events.

**c. Social Media update**

There has been increased activity with the NAC newsletters (24 new signups) and Facebook postings (45-50 new fans). Jennifer talked with a high schooler who is interested in helping with Instagram and perhaps doing a photo contest. Consideration is also being given to starting a hashtag for Village Day.

Problems with posting minutes on the NAC website were discussed and Tim will try to address that.

**d. Village Day update**

Dana reported that planning for the event is going well, despite some limitations in the social media and constant contact email communications. Jennifer will continue to include Village Day items in each newsletter and will create a Facebook event or posting. Dana also reported that the Eventbrite system was lagging, requiring time-consuming business-to-business efforts for vendor signups. Dana also wants to stay in contact NNHS student Natalie Merman who is handling Instagram for the NAC to assure consistent branding

**e. Ideas for future meeting topics**

Jennifer asked that people share agenda item ideas with her as thoughts arise, especially ideas that will draw people in to meetings.

**f. Approval of May 12, 2022 meeting minutes**

No action was taken.

**7. Adjournment**

At approximately 9:25 PM, Martina moved, Carolyn seconded, and it was unanimously:

**VOTED:** To adjourn the meeting.

Respectfully submitted,

*Carolyn Jacoby Gabbay*

Secretary