

Newton Highlands Neighborhood Area Council

Meeting Minutes, July 1, 2021

Area Council members:

Bob Burke, Barbara Darnell, Groot Gregory, Nathaniel Lichtin, Srdjan Nedeljkovic, Larry Rosenberg, Amanda Theunissen, Amy Wayne

Ex Officio:

City Councilors Brenda Noel and Bill Humphrey present; Holly Ryan: not present

Guests:

Rena Getz, Mark Friedman, Robert Solomon, City Councilor Deb Crossley, City Councilor Andreae Downs, Diane LeBlanc, Loumona Petroff, Patricia Riggan, Harley's phone, Carol Carroll, City Councilor Vicki Danberg, City Councilor Alicia Bowman, City Councilor Tariq Lucas, Linda Morrison, Jennifer Bentley, Pam Wright, Gloria Gavis

Meeting called to order at 7:33 pm. Srdjan Nedeljkovic taking minutes. Area Council President Nathaniel Lichtin presiding. The meeting was held using Zoom videoconferencing technology.

Newton Highlands MBTA Station Design

Area Council President Nathaniel Lichtin noted that the Area Council has discussed the ADA accessibility project for the Newton Highlands MBTA station on a number of occasions. He introduced Dr. Mark Friedman, a local resident representing members of the community. Mark presented information regarding concerns about the proposed design of the station. The group supports the MBTA's goal to improve ADA accessibility to all access points to the station. Issues are with the scope, scale, and materials that are being proposed that may damage the character of the historic station if the MBTA proposal goes forward as outlined. The group initially heard about the MBTA's plans for the station in 2018, when the MBTA proposed adding access from Hyde Street to the inbound track in the form of a ramp. The project started as a \$2.4 million project, but it has now escalated to over \$30 million. Mark noted that there have been many add-on aspects of the proposal that are not necessary to meet ADA requirements. These unnecessary add-ons will lead to disruption that will affect the community and that will adversely affect the station and damage the historic station and its landscape. Mark expressed concern that the MBTA misrepresented a number of points related to station design when presenting the proposal to the Newton Historical Commission for review. As an outcome of this meeting, the NHC has asked for more information, and the MBTA will be returning to NHC with further renderings.

Mark pointed out that the increased scope of this project with added features such as canopies and supporting structures will increase the amount of construction, destruction of trees, and disruption to the neighborhood. The group is requesting that the Newton Historical Commission ask the

MBTA to modify their proposed design for the station to remove the proposed canopies as they are inconsistent with the historical nature of the landmark station. Mark noted that the ADA regulations (state, federal, internal MBTA requirements) do not require canopies at this location. Also, canopies are not present at other existing MBTA Green line stations, either currently or in future designs. Furthermore, the MBTA should be required to use building materials and colors that are compatible with the historic nature of this station. The station sits in an area of historic homes and green space. Images of the MBTA proposal were shown, including modifications to the station access to make the ramps ADA accessible from Walnut and Station Street, and the addition of a ramp from Hyde Street. Photographs of the historic station were presented, and it was noted that the station is under the National Register of Historic Places and that there are legally binding preservation restrictions for the station and surrounding landscape.

Mark noted that the MBTA is proposing to place canopies on all of the ramps to the station, which will be steel and concrete structures, and that this design is incompatible with the historical nature of the station. The canopies will obscure visibility of the station from the street and other perspectives. It was pointed out that the Newton Centre station does not have canopies over its ramps. There is concern that the proposed canopies will emit significant light pollution. It was also noted that the canopies will not protect people on the ramps from all snow and rain, and that snow will still need to be shoveled at the station and from the ramps. The ADA requirements for accessibility were reviewed, and it was pointed out that canopies are not required in this setting. It was again reiterated that the MBTA is not planning to place canopies at other existing Green line stations. Also, the entire area around the Newton Highlands MBTA station has a state historic designation. If the character of the station is changed by using steel and other materials for these canopies, the entire area will risk losing its historical character. Also, the Hyde Street ramp with canopies will eliminate trees and be inconsistent with the current historical landscape.

In summary, Dr. Friedman noted that the currently proposed MBTA design for the Newton Highlands MBTA station will destroy the historic character of this site, while this kind of design is not necessitated by the MBTA or ADA regulations regarding canopies, materials, lighting, and color scheme. The group will be requesting that the Newton Historical Commission protects this landmark and require the MBTA to redesign the proposed ADA upgrades to comport with the historic character of the station design. The action item for the Area Council is whether the NHNAC should send a letter to the Newton Historical Commission in support of this group's recommendations.

Newton Highlands resident Robert Solomon commented that he has been working in support of the MBTA ADA accessibility project since 2013. Mr. Solomon noted that in this meeting and others discussing this project, there has been use of the word "handicapped." Mr. Solomon noted that this is a word with derogatory connotations, and that people should not be using this word. Robert pointed out that while people may have mobility issues, they are not handicapped. Robert asked that the word "handicapped" not be used.

Mr. Solomon agreed that canopies are not a specified requirement in the ADA regulations. But he noted that a person in a wheelchair or someone walking with a cane can have difficulty walking on a ramp. Robert pointed out that this may be a safety concern for people who are mobility impaired, and that canopies can serve as protection against injury. Mr. Solomon believes that it is critical to

have canopies to improve accessibility to the station for those who are mobility impaired. Regarding the potential loss of trees at and near the station, Robert pointed out that the MBTA will be removing only unimportant trees, like Norway maples. Robert noted that there is a large tree at 95 Hyde Street that will not be removed. Whatever trees or bushes are removed, the MBTA will replace them. Robert noted that in order to be more contextually appropriate, the canopies may be painted a muted color like a soft yellow or a soft green. Mr. Solomon also noted that he was informed that the Massachusetts Historical Commission had stated that they do not want new architecture around historical buildings to match the architecture of the historic building, so as to help maintain attention to the original building. Robert believes that the canopies will not impact the visual space from existing homes.

Additional questions and comments were taken from the members of the community. Councilor Andreae Downs asked to hear more about this matter from the City's ADA coordinator, Jini Fairley. Ms. Fairley, the ADA Coordinator from the City, noted that she has been working on this project since 2015. Ms. Fairley noted that the canopies are not an ADA requirement but that they are recommended for walkways and ramps for in areas where there is outdoors transportation access. She agreed that while the canopies may not prevent all rain or snow from the ramp, they can be used to protect slip-resistant walkways. She noted that canopies are something that the MBTA has been instituting in newer stations, such as along the new Green line extension to Somerville. Ms. Fairley noted that she supports having canopies because it will reduce shoveling. Even though they are not an ADA requirement, she feels that canopies should be recommended. Councilor Downs thanked Ms. Fairley for her comments.

Area Councilor Bob Burke asked where the canopies start on approach to the station. It was noted that the canopies would start from the street and cover only the ramps. The canopies will not cover the sidewalks or MBTA platforms themselves. City Councilor Crossley asked if there weren't canopies on the outbound side, where would people wait? Area Councilor Groot Gregory noted that MBTA users should not be waiting on the ramps, but that they will be waiting for the train on the platforms. It was noted that there is a shelter under an existing canopy which is part of the historic station on the outbound side. There will be two enclosed shelters adjacent to platforms on the inbound side. Councilor Crossley expressed agreement that it may be desirable for new structures to contrast sharply from older buildings, so that the older structures stand out more. She noted several examples of modern architecture contrasting with older buildings so that the main building is more noticeable. Councilor Crossley asked to better understand the lighting design for the new station. Robert Solomon noted that the MBTA will be addressing the lighting issue as the plans are finalized. City Councilor Brenda Noel asked a process question if anybody knows when the MBTA is expected to begin work. Robert Solomon stated that he believed there will be a 100% design meeting this fall. Ms. Fairley made a comment about the lighting and noted that the lighting for this station and other stations will have similar treatments.

Area Councilor Barbara Darnell noted that the MBTA is not necessarily known for its architectural attention to design, and that this station is not getting architectural treatment from a famous design firm. Barbara asked where else in the MBTA system have these kinds of canopies been installed. Ms. Fairley noted that although there may be no other canopies proposed at other nearby Green line stations, canopies are being built on the Green line extension in Somerville. David Lewis, a resident residing at 16 Floral Place, noted that it is important to hear from the direct abutters. He

recalled that the abutters were notified that the project could affect the value of the property, with threats of eminent domain, and that heavy equipment would be placed on or near their homes during this two-year process. Mr. Lewis stated that the loss of trees would have a negative impact on property values and quality of life, and that people will be directly impacted by the project in a severe way.

Rena Getz, Vice President of the Waban Area Council, stated that she would like to remind everyone that there is a Preservation Restriction on this site. The MBTA came to the Newton Historical Commission for approval of the site design, and the NHC did not grant its approval but instead requested 3-D images of the new ramps so that the NHC could understand the scale of the project. The preservation restriction on the site creates a locked-in requirement that consideration must be given to the significant character of the site and land, including the topographic gradients, rock outcroppings, established walkways, and the historic fencing on the site. The MBTA stations and its surrounding property is a highly restricted site, and it is in the purview of the NHC to see if the alterations are in keeping with the historic nature of the site. The City made this agreement which is locked in law. Councilor Crossley wondered whether the Massachusetts Historic Commission had weighed in on the project. Robert Solomon noted that the historic property includes the land on either side of the building. Jini Fairley concurred that the land on either side of the station is under historical restriction. Ms. Fairley expressed an opinion that the MBTA has little intention to change much of the landscape that is on the side of the station from the MBTA tracks.

Newton Highlands resident Carol Carroll noted that an architect had been mentioned by Councilor Crossley, and that this architect had been hired in the past to help preserve the historical integrity of the building. It was suggested that at some point, this station was designated as a major transportation hub. Robert Solomon pointed out that this is one of the busiest Green line stations in this area, but is unclear whether “transportation hub” is an official designation. Jini Fairley noted that there is a switch in the track at Newton Highlands which makes the station an important location for repairs, problems, and other issues.

Area Councilor Srdjan Nedeljkovic spoke in favor of the neighborhood’s proposal to remove the canopies from the proposed design for the station as they are architecturally inconsistent with the context of the station. Srdjan also disagreed with the suggestion that the “modern” design of the canopies is an appropriate off-set to the historical context of the station. Dr. Nedeljkovic concurred that the canopies were not an ADA requirement and that they were not being planned or currently present on any other similar Green line stations on the B, C, D, or E lines. ADA accessibility must be established at the station, but the comments and requests of the neighbors should be respected. Hopefully a compromise can be worked out striking a balance between making the station ADA accessible while removing unnecessary and inconsistent design elements, such as the canopies.

Newton Highlands resident Patricia Riggin noted that she lives in a house near the Hyde Street ramp, which is a two-family house, abutting the MBTA. Homeowners have received certified letters that their site will be used as a staging area. She does not understand why the project has ballooned to this scale of cost. She noted that the old station is lovely and that there must be a way to keep the historical nature of the station and make it ADA accessible. She also wondered why the Hyde ramp is not being constructed on the outbound side of the tracks, rather than taking away the entire character of the station. Linda Morrison made a few points and requested that the MBTA

show where the new Hyde Street ramp will join the outbound platform. She also commented that the Route 59 bus stops running after 7 pm, and the station is infrequently used in the evenings or night. She also noted that regarding ADA accessibility, the Beaconsfield station has a level path from Clinton Road, and on the outbound platform there is a level path to Beaconsfield Road.

Robert Solomon noted that the MBTA typically requires access from two sides of a station. The new Hyde Street entrance has to be on the inbound side, and the ramp comes halfway to the platform. Rena Getz encouraged everyone to read the preservation restriction rules to understand how much preservation of the site is locked in. Site plans are needed to understand how significant the impacts are upon the site.

Nathaniel suggested 3 action items for the Area Council to consider: 1) The Area Council could decide to send letter to the NHC and to the MBTA regarding the project in support of modifying the site design, take no action, or abstain from writing a formal letter but then sharing the NHC meeting minutes from this meeting with the NHC and the MBTA. Area Councilor Groot Gregory felt that he heard information about the design that seemed conflicting, and stated he would like to see additional renderings. In keeping with communication mission, Mr. Gregory felt that sharing minutes with NHC and MBTA would be a good option. Barbara Darnell, Amanda Theunissen, and Bob Burke agreed that the meeting minutes should be shared with the NHC and MBTA.

Area Councilor Srdjan Nedeljkovic made a motion to support the request from the neighborhood group regarding revising the station design to remove the proposed canopies. Area Councilor Amy Wayne seconded the motion. Area Councilor Amanda Theunissen stated that she is not certain that removal of the canopies would satisfy the neighborhood group. Area Councilor Barbara Darnell noted that the neighborhood objections and other details of tonight's discussion will be stated and reflected in the minutes.

The Area Council voted on the motion: Councilors Wayne, Burke, and Nedeljkovic voted "yes" and Councilors Darnell, Rosenberg, Theunissen, Gregory and Lichtin voted "no" so the motion did not pass. It was decided by consensus that the Area Council will send minutes of tonight's meeting about the MBTA station to the MBTA and to the Newton Historical Commission.

Newton Community Pride Events in Newton Highlands

Area Councilor Barbara Darnell asked Ms. Gloria Gavis to update the Area Council about the activities of the Newton Community Pride organization. Ms. Gavis introduced herself as the chair of Newton Community Pride. She noted that the group is not a part of city government, but is a separate non-profit organization with a 13 member board of directors. Ms. Gavis stated that Newton Highlands is well represented with two board members: John Rice and Barbara Darnell. Newton Community Pride has done a lot in the past 6 months, and is now under new leadership with new board members. The organization has been participating on the beautification front, and gave \$2000 towards the Highlands gardens and will support them in the future. Newton Community Pride financially supports various community programming in the city. In Newton Highlands the organization has given \$2500 to the Hyde Center to support summer programming. It has been involved with supporting public art initiatives, participated in the al fresco program, and placed art exhibits at various locations. Newton Highlands can expect to receive a painted

piano, which will be at the head of Lincoln Street. Newton Community Pride also offers free window art for vacant storefronts. If anybody has a relationship with storeowners, they may reach out to Newton Community Pride, which will provide art for the empty windows. Newton Community Pride also recently provided community microgrants for the Juneteenth program at the Highlands, and supported a recent live theater production at the Highlands. Newton Community Pride is happy to support the Highlands. Groot Gregory mentioned that Community Pride did some painting of the Jersey barriers that have been used to protect restaurant space for the al fresco program in the city. The group also filled planters with fresh flowers for the al fresco program.

Area Council President Nathaniel Lichtin and others thanked Ms. Gavris and Newton Community Pride for everything that they do.

Suspension of Parking Meter Requirements

Area Councilor Srdjan Nedeljkovic presented a proposal for a pilot program to continue the current suspension of collection of parking meter payments. Parking meters payments were suspended during the Covid-19 pandemic, but the Mayor recently announced that parking meter collections will be resumed later this month. Srdjan noted that the lack of parking meter collections may be a benefit to the businesses in the village center, and certainly has been a convenience to people who want to visit the village center. The pilot program would still entail restrictions on the duration of parking, which could be limited to 1 or 2 hours, after which a parking fee would be charged. Srdjan suggested that the pilot program could be continued until other Covid-related changes expired in April, and then its impact could be re-assessed before a long-term decision about the parking meters was made.

City Councilor Bowman stated that although she does not have data about Newton Highlands, in Newton Centre there have been issues of parking spaces being taken by people parking all day. Enforcement of time limits can be confusing to people. Ms. Bowman stated that most people who are coming to village centers are not concerned about paying for parking meters. The biggest concern is people parking all day in the same spot. Area Councilor Barbara Darnell agreed that time limits for parking in village centers should be enforced. She noted that communication from the City has been poor about the parking meters situation during the Covid pandemic. Barbara noted that it is nice to pull into a space and not have to pay a charge, but that the time limitations should be enforced. Area Councilor Amy Wayne agreed with Barbara and Srdjan's comments.

City Councilor Danberg spoke to say that traffic and parking are perpetual problems in many places. She agreed that we need time limitations for parking. She has heard complaints that restaurants are taking up parking spaces on Union Street in Newton Centre. She noted the case of a business owner who had parked right in front of the business all day. Without enforcement, busy streets are taken up by commuters or business owners all day. We need to have turnover for customers to park in front of stores. There are at least 25 or more hair and nail salons in Newton Centre. Paying for parking meters is an insignificant cost to most people. Councilor Danberg believes it is time to go back to enforcing the parking meters. She also noted that the City uses the money collected from parking meters for good things. Of the 1500 meters in Newton, probably 2/3 of them are in Newton Centre. The parking meter collections are used for street improvements and

traffic control, and goes to safety and pedestrian and bicycle oriented activities. As we are climbing out of Covid, Councilor Danberg believes it is time to reimplement parking fees.

Area Councilor Amanda Theunissen asked how much the city collects from the meters. City Councilor Andreae Downs stated that the revenue is about \$1.5 million dollars per year. However, the primary reason for the meters is to encourage people to move along. Otherwise, some people would park 8-10 hours per day if there were no meters. Amanda asked if it is difficult to enforce time limits without parking meters. Officials in Newton have decided that the police will not chalk tires. To enforce time limits in Newton, an officer take down license plate numbers and then comes back several hours later and take down license plates. City Councilor Alicia Bowman noted that some police cars have automated plate reader.

Area Councilor Larry Rosenberg commented that the parking meters do not enforce themselves. A time limitation for parking can be enforced with or without a meter. It all depends on enforcement. Larry suggested not charging on the meters. Area Councilor Groot Gregory stated that we need to support the businesses and recounted how it has been easy to find a parking spot over the past several months during the pandemic. For the most part, with the economy coming back, Groot stated that we will need to have effective ways to enforce turnover and will need to have more tools to enforce the parking limitations as businesses start picking up. Mr. Gregory stated that he likes the idea of extending the restaurant seating to outdoor parking spaces, but he noted that stopping to pick something up along Union Street in Newton Center at night has been difficult, as there are few places to stop for even a few minutes. Parking scarcity will become more of a problem. City Councilor Vicki Danberg commented that there are parking problems in Newton wherever there is access to the MBTA. Also, whenever there is a baseball game in Boston, people from every single community come to park in Newton because it is \$50 to park downtown. In Brookline, the town charges \$1 per hour for the first two hours of parking, and then \$10 for subsequent hours. As a result, people have stopped parking in Brookline during Red Sox games, freeing up spaces next to stores and restaurants.

Councilor Danberg asked the Area Council to consider on how to deal with Red Sox game nights when parking is taken up by patrons. Barbara Darnell noted that the Red Sox visitors park not only at meters, but on residential streets as well. Parking regulations depend on enforcement. When a car is parked in a no parking area, 311 can be called to request enforcement. Councilor Downs noted the City has added 15-minute meters for ultra-short term parking in some locations. Councilor Danberg noted that all the meters in Newton Centre were changed to 2-hour limitations. She feels that people who park for more than two hours at a meter are not using the spaces in the way we desire. Area

Area Councilor Srdjan Nedeljkovic suggested a pilot program from now until April to suspend parking fees in Newton Highlands, while enforcing parking limitations based on time, either to 1 or 2 hours, after which point parking fees would be collected. City Councilor Alicia Bowman expressed concern that there is not enough information to make this decision. Srdjan Nedeljkovic pointed out that this type of information will be collected during the proposed pilot and it can be used to inform whether the pilot should be made permanent. Area Council president Nathaniel Lichtin proposed no action to be taken on this proposal, but suggested that further discussions

could take place with city councilors and business owners as part of the process to develop an actionable proposal.

Local and City Updates:

Union Twist Marijuana Retailer at 1158 Beacon Street:

The City Land Use held a Special Permit hearing on the Union Twist marijuana retail proposal in Four Corners. The public hearing was held open due to waiting for responses from peer reviewers. There was some public opposition to the proposed store due to concerns about traffic on Beacon Street backing up. A peer review traffic study is pending. There have been no major changes in the site plans from the prior Area Council presentation in June. There were a few comments made during the Land Use hearing that this location is not an appropriate site for this kind of business; however, most of the comments were regarding traffic concerns.

1114 Beacon Street Special Permit Hearing:

The proposed project at 1114 Beacon Street in Four Corners is a 34-unit condominium building, 3 stories high, and set back 10 feet from Beacon Street. Neighbors expressed concerns about massing of the building. Some neighbors wanted the building pushed back with a greater setback from Beacon Street. The owner of the adjacent bank building expressed concerns about groundwater. Further concerns were voiced about guest parking, as there will be 50 spaces for 34 units. There is no update on when subsequent Special Permit hearings will be next held on this proposal.

Area Councilor Srdjan Nedeljkovic expressed surprise that there were no comments regarding the lack of first floor retail at this site, as Four Corners is a mixed-use business center. Our village streetscapes would be better served with mixed use projects that have ground floor retail or commercial uses. City Councilor Alicia Bowman noted that there have been many different versions of this proposal, and that she has no problem with not having retail on the first floor. City Councilor Bowman indicated that residents can e-mail her if they would like to receive further information about this project as it goes through the planning process.

Christina Street Pedestrian Bridge:

The initial study regarding plans for the restoration of the Christina Street pedestrian bridge was due yesterday. Area Council President spoke with Claire Rundelli, and was advised that a final report on this project would be available in the next day or two. Nathaniel will provide a link to this document once it becomes available.

MBTA Green line work:

The full daytime shutdown of the Green line ends tomorrow, and trains are expected to be up and running next week. However, nighttime closures will continue in July. Area Councilor Groot Gregory mentioned he has not heard much work done on the line. Nathaniel Lichtin noted that the MBTA crews have not been doing track work in Newton Highlands. Area Councilor Barbara Darnell noted that she has heard crews working during the night. Area Councilor Srdjan Nedeljkovic

expressed dismay at the recent line closure, which extended the transit travel time to the Longwood Medical Area up to a one hour trip, making the service highly undesirable. In addition, the headways on the replacement buses have been long or inconsistent, making it unattractive to use the service.

Gun Zoning:

The City Council has adopted a restrictive zoning ordinance that allows gun stores in only two places in the City, none which are likely have gun stores. The City Council also held a public hearing to ban gun stores completely, but the Zoning and Planning committee recommended that the ban not be approved and that restrictive zoning should continue. The item is going before full city council on July 12th. Comments can be provided until that meeting. Additional zoning restrictions are on the docket. City Councilor Bill Humphrey emphasized that part of the regulations involve special permit requirement with strict conditions, including the requirement for the City Council to approve any future gun stores only if it finds the proposal not detrimental to public health.

NewMo 2.0:

The City will be rolling out a new on-demand transit service, using the same provider as NewMo 1.0. The service will be available only for people who go from or to 1 of 7 locations, mostly which are Green line or commuter rail stations. The service will cost \$2 per trip and will be available 7:30 am to 6 pm Monday to Friday. The existing service for senior citizens will remain available and NewMo 2.0 is in addition to this service. The app to use the system is now available for download.

Demolition Delay Ordinance:

This item was before the Zoning and Planning committee. The committee discussed which buildings will be subject to this ordinance: those 50 or older (current ordinance), those 75 years or older, or those build before 1946, with a provision City Council reviews this date every 10 years. In a straw poll, there were 3 votes for 75 years, 4 votes keeping same at 50 years, and no votes supporting the static date. The public hearing on this item remains open. Other items that were discussed included language related to context for historical significance and buffer zones for historic districts being used for determining historic significance. Rena Getz noted that the Waban Area Council website has further information about this proposed ordinance.

Other Updates:

City Councilor Tarik Lucas noted that Village Day in Newtonville will take place on September 26. He is wondering if Newton Highlands will be holding a Village Day in the fall. Groot Gregroy noted that the Area Council had discussed having a Village Day in September with other area councils. John Rice noted no decision was made, and that Parks and Recreation did not want to have a Village Day in Cold Spring Park. Councilor Lucas noted that everyone is welcome to come to Newtonville's Village Day on September 26th. City Councilor Bill Humphrey noted that Upper Falls is having its Village Day on October 3rd. Rena Getz noted that Waban will not be having a Village Day this year, but that Waban will be hosting its Fun Run on October 10th. Area Council President Nathaniel Lichtin stated that he will talk with Steven Feinstein about the status for Village Day in Newton Highlands this year.

Administrative Items:

Approval of June Minutes: The draft minutes were submitted for review from the June 3rd Area Council meeting. No changes were proposed. The minutes were approved 6:0, with one abstention.

Treasurer's Report: Area Council Treasurer Groot Gregory had provided an update. No transactions took place in the past month.

New Business:

No additional new business was proposed for discussion.

Meeting Adjournment:

The meeting was adjourned at 9:44 pm.