

Newton Highlands Neighborhood Area Council

Meeting Minutes, November 2, 2022

Area Council members:

Barbara Darnell, Robert Fizek, Jeremy Freudberg, Groot Gregory, Nathaniel Lichtin, Srdjan Nedeljkovic, Larry Rosenberg, and Amy Wayne

Ex Officio:

City Councilor Bill Humphrey attending, City Councilors Brenda Noel and Holly Ryan were not present.

Residents and others:

John Rice, Bob Burke, Robert Solomon, Kathy Pillsbury, Sonya McKnight, Pam Wright, Diane, Kim Thurmond, Andreae Downs, Alicia Bowman, Deb Crossley, Susan, Julia Malakie, Rena Getz

Meeting called to order at 7:10 pm. Srdjan Nedeljkovic taking minutes. Area Councilor Nathaniel Lichtin presiding. The meeting was held in person at the Brigham House as well as via Zoom videoconferencing technology. Srdjan Nedeljkovic announced that he will be not available to take minutes for the December meeting due to a work commitment.

Substantive Topics:

Newton Highlands Curb Cut and Accessibility Improvements – presented by Robert Solomon

Newton Highlands resident Robert Solomon has demanded action regarding sidewalks and lack of accessibility in the village center. Yesterday, Mr. Solomon, John Rice, and Jenn Martin met with two representative from the city's Department of Public Works to point out problems with lack of accessible ramps. The city staff agreed how badly many of the ramps on street corners had sunk, and how they were cracked and damaged. The DPW staff reported back to DPW chief, Jim McGonagle. There is now a plan to move forward rapidly with repairs of these ramps. Mr. Solomon felt that this was an excellent step forward. The city is planning to use asphalt to fix the ramps for now, since other renovations are being planning in the village as part of the Village Enhancement program. John Rice noted that with Senior Services moving to Newton Highlands, there may be more people with accessibility issues that will benefit from these sidewalk improvements.

Area Council members thanked Mr. Solomon for his efforts and will follow up with DPW chief, Jim McGonagle, to make sure that these repairs happen. Area Councilor Amy Wayne stated that she will follow up on behalf of the Area Council on this matter.

Local and City Updates - presented by Area Council President Nathaniel Lichtin.

Area Council Nomination and Selection: Area Council President Nathaniel Lichtin asked if there were any nominees for the open Area Council position. There is one position open. There being no nominees, there was no further discussion on this item.

Tax Override: Area Councilor Jeremy Freudberg noted that the city administration has proposed a tax increase to be voted on during the spring. The proposal includes one operating tax increase to support the Horace Mann Elementary School (\$775,000), streets and sidewalks (\$1.4 million), parks and playgrounds (\$1 million), planting of trees (\$500,000), climate resiliency (\$500,000), senior services (\$500,000), and student needs (\$4.5 million). The operating override will create a permanent tax increase starting July 2023. In addition, there is a debt exclusion tax increase, represented the annual amount to service 30-year bonds: \$2.3 million per year to rebuild Countryside and \$3.5 million per year to rebuild Franklin (both \$61 million dollar projects). The City Council will meet November 10 to put the tax increase question on the ballot.

Related to this, the public hearing for FY23 tax classification will take place on November 21. Kathy Pillsbury noted that there will be virtual meetings to discuss the tax increase happening at schools and various other town halls. Part of the tax increase is for the Countryside school, which is within our area council zone. Area Councilor Srdjan Nedeljkovic noted that the city has spent large sums of money to demolish and rebuild schools and that more consideration should be given towards renovations and expansions. Area Councilor Robert Fizek also stated that demolishing these buildings is not good environmental policy. City Councilor Pam Wright noted that she sits on the building committee for the Franklin school renovation, and she stated that the committee is looking at all aspects for this project, including renovations and expansions. Ms. Wright noted that the Lincoln Eliot school project includes adding on new construction and also a renovation. It was pointed out that the Horace Mann project is not a complete teardown. The building committees for all of these projects are reviewing all options in great detail. John Rice stated that he was on the Zervas and Angier building committees, in which case both schools were demolished and rebuilt as entirely new buildings. Mr. Rice noted that the Cabot school project involved renovations with a new add on building. He noted how Angier was a building that was 100 years old that had to be replaced. Kathy Pillsbury noted that her children went to the old Zervas and she recalled that the building had issues with mold. Area Councilor Srdjan Nedeljkovic asked Mr. Rice how many students were at Zervas, and John Rice noted that the number was supposed to be over 500 students. Subsequent review found that there were 422 students at Zervas in 2021-2022. Area Councilor Jeremy Freudberg stated that it may be a good idea to have someone from the Area Council to attend the Countryside meetings to understand what is going on. It was noted that fiscal oversight will be provided by the Massachusetts School Building Authority.

City Councilor Andreae Downs stated that she sits on the Countryside school building committee and she welcomed people to attend the meetings. The discussions now are at a conceptual level and an assessment is being done on where the building may be placed on the site.

MBTA Bus Route Changes: Area Council President Nathaniel Lichtin reported that the MBTA has proposed a new set of bus route maps. There is one change for Newton Highlands, which is to have the Route 52 bus run only on weekends. For the Route 59 bus, its route is proposed to run on Washington Street and Adams Street rather than run on Walnut Street. Area Councilor Srdjan Nedeljkovic pointed out that the MBTA had removed the extension of the Route 60 bus to Newton

Centre from its proposal, and he asked why it was removed from the plans. Nobody seemed to know the answer. Extension of the Route 60 bus to Newton Centre should be supported because it would provide people with a link from Newton Centre to the businesses on Route 9.

Chestnut Street Road Work: Area Council President Nathaniel Lichtin noted that the Chestnut Street project intends to improve Chestnut Street from Beacon Street to Comm Ave. The gas mains are in the process of being replaced. The plan is to repair the sidewalks next spring, along with curbs and ramps, and then repave the street during next summer. City Councilor Andreae Downs noted that the road will be patched for the winter so it will get a new surface. The gas company work has lengthened the time for project completion. One improvement will be more sidewalks on the eastern side of Chestnut Street.

Area Councilor Barbara Darnell asked about Needham Street and if temporary paving will be done. John Rice believes that the state will place a winter coat of asphalt. This project will extend into at least 2024. The project will also include Winchester Street and the Route 9 ramps will be signalized.

Mattress Recycling Program: Effective this month, Area Council President Nathaniel Lichtin noted that mattresses will need to be recycled. There is an option to drop off an old mattress for \$35 at the Rumford Avenue recycling center, or the city will pick it up curbside for \$50, which will increase to \$60. This is an increase from the bulky fee that was \$20. Area Councilor Jeremy Freudberg noted that if a mattress is damaged so that it is not recyclable, then it might not be subject to the recycling fee. For disposal of old shoes and clothing, there are recycling bins at the schools. People also have the option to schedule pickup on-line as well.

Accessory Dwelling Unit Ordinance Changes: Area Council President Nathaniel Lichtin reported that the City Council passed changes to the Accessory Dwelling Unit ordinance. Under the new ordinance, a homeowner will be able to put in an ADU in a new build rather than wait 4 years. It is permissible to have a detached ADU under 900 SF, and setbacks can be anything greater than 7.5 ft from the property line.

Document Shredding and Drug Take Back Day: Area Council president Nathaniel Lichtin noted that the next take back day for drugs is November 12 from 8 am to noon at the Rumford Avenue waste management center. Village Bank in Auburndale is offering document shredding this Saturday in their parking lot.

Senior Center Temporary Move to Newton Highlands: John Rice noted that there have been renovations at the Brigham House, including plumbing work. The move date for Senior Services will be Monday November 14, and they will be fully operating by Monday November 28. The building has been painted, a railing has been added for the second floor, the walkway was fixed, and a door opener was replaced. Once operations, the Senior Center will start serving lunches and all programming will be happening in the Highlands. Staff asked for a drop off parking spot in front of the Brigham House and one spot in front of the Hyde Center. Area Councilor Jeremy Freudberg reported that there may be more than one parking spot lost at the Brigham House. There will be 8 staff and there will be 3 parking spots for the relocated center. People will be parking in the community otherwise. The largest programs will stay at the Hyde, and these programs have already

been running for years. John Rice stated that restaurants and local businesses are happy to see that so many seniors will be using shops and services in the village center.

163-167 Winchester Street: Area Council President Nathaniel Lichtin reported that he had heard from resident Diane Prunte that development was going to take place at this location. The two properties proposed for redevelopment are 163 Winchester (already vacant lot) and 167 Winchester (currently improved with a single-family home). The builder has not made a final decision, but they may be building a two-family house. It is Trio Development, and they have done other houses in Newton. The houses in their portfolio tend to be of a boxy construction. Mr. Lichtin stated he would invite the builder to the Area Council December meeting. Area Councilor Robert Fizek noted that a moderately priced home may be lost at this site and replaced by a more expensive one.

Drive in Proposal for 940 Boylston Street (current Dunkin Donuts location): Area Councilor Jeremy Freudberg stated that the Land Use Committee voted to deny this proposal, with one member voting for the proposal (City Councilor Lucas) and two abstentions. On the positive side for the project, there were statements made about supporting small businesses and the disability community. On the negative side, there were concerns for safety on Route 9 for cars and pedestrians. The proposal was to put in a 14-car length drive-through and knock part of the building down. It remains to be seen if the petitioner will withdraw the proposal or take it further.

Irish Dance School located at 49-51 Winchester Street: Area Council president Nathaniel Lichtin noted that a dance school is looking to go into this location. City Councilor Andreae Downs noted it was approved in City Council. There will be weekend classes all day and evening classes.

Other Updates:

Area Councilor Robert Fizek reported about communications with Marc Welch regarding removal of a 30” diameter tree at the old Hyde School. The city received a letter from the owner and the process to resolve the matter is underway. Area Councilor Srdjan Nedeljkovic asked if a violation has been issued to the property owner regarding the un-permitted removal of the tree. There is uncertainty if this happened.

Area Councilor Amy Wayne reported that she called the police department about double parking and U turns in the village center, and that the police set up some enforcement. However, John Rice noted that after the police left, it went right back to what it was.

Review of Newton Highlands Village Enhancement Meeting:

During a public meeting on November 2, the Department of Public Works presented 3 proposals for a redesign of Lincoln Street. Options presented include extending the curbs (A), making the entire street a shared street (B), and a plan to have a shared space for part of the street with regular road in between (C). Nathaniel Lichtin felt that Option C would be worst. Jeremy Freudberg felt that having several contrasting sections of road seems better. The proposed changes to Walnut Street were also discussed. Area Councilor Robert Fizek noted that there will be improvements in lighting at Centre Street, changes at Walnut and Lincoln, and then more changes at the Fountain to remove part of the road connection to Forest Street next to the fountain. The fountain would no longer be an island but

would have a pedestrian zone around it. One of the options on Walnut Street would get rid of trees to replace them with bike lanes. Another option is to have bikes ride within the traffic lanes.

City Councilor Alicia Bowman stated that the plans for Walnut Street were not as well articulated as on Lincoln Street. All design options are constrained within the current roadway. The plan with the bike lanes may not actually take out all of the street trees. Area Councilor Jeremy Freudberg noted that there are multiple differing segments on Walnut Street, north and south of Lincoln Street. All plans measure curb to curb with what exists on Walnut Street. Area Councilor Robert Fizek noted that the images presented were without utility poles. A design team should not show sections that misrepresent the absence of utility poles. On a positive side, Mr. Fizek noted that he and Dennis Rieske will be doing a walk through with DPW to talk about relocations of utilities, perhaps shifting some of them behind buildings. Mr. Fizek pointed out how many projects in neighboring communities have successfully implemented undergrounding.

Area Councilor Srdjan Nedeljkovic expressed satisfaction with the quality of the preliminary proposals and noted that the plans exceeded expectations. He supports Option B, which creates a shared street design on Lincoln Street. This will support better safety for bicyclists and pedestrians due to lower traffic speeds. Area Councilor Nedeljkovic also supports further pedestrianization on Walnut Street. City Councilor Andreae Downs also expressed support for the shared street concept on Lincoln Street and further pedestrian improvements on Walnut Street. City Councilor Deb Crossley was pleased with the quality of work presented. She supports the concept of a shared street on Lincoln. She noted that she is not sure that Walnut is where we want it to be, and there are challenges on the width of the public way. There is a lot of opportunity for improvement in the public realm for pedestrians and cyclists. Option B knits the center of the village together almost like there is a village fair every day.

In response to Mr. Fizek, City Councilor Crossley agreed that she would love to see the utilities undergrounded, but that we need more information before proceeding. There are property owners along the street who may suffer financial burden to underground utilities. We need more study to understand this process. She is aware of what it involved for the Northland project on Needham Street to accomplish their undergrounding, which is costly and complicated. Ms. Crossley stated that the Area Council would be doing a great service to talk with the property owners who would need to pay for the costs of moving electric service. Ms. Crossley stated that it's exciting to see this happen in future years.

Area Councilor Groot Gregory stated he was disappointed in the lack of understanding by the designers because they didn't consider the number of shuttle buses that use the MBTA station. This may require a change in design. Area Councilor Jeremy Freudberg stated that a shuttle bus was noted on each side of Walnut Street in the plans. With a little more design, buses could go to Station Avenue. Perhaps contraflow biking on Station Ave should be considered. Dennis Rieske stated that he has been talking with commercial property owners about undergrounding utilities and is aware of Hamilton Realty which owns multiple properties. Mr. Rieske stated that a hybrid plan could be made to replace the telephone poles. There are 3 transformers already operating in Newton Highlands. Hamilton owns properties on the east side of Lincoln Street that are already served by a pole on Hartford Street. Half the buildings are already served underground. The issue is with undergrounding utilities on the west side on Lincoln Street, where some would like to have it done.

City Councilor Alicia Bowman noted an important aspect of the Highlands Village enhancement project that should be pursued is to help make strong connections from Newton highlands to Crystal Lake and to Four Corners. The draft plans made a suggestion to use Floral Street to connect to Needham Street, but the plans are missing connections to the Lake. A goal for bicycling is to enable a low stress happy popular way to get to Newton Highlands. What is missing from the plans is what will make it safe and easy to get to Newton Highlands, so we need connections to Lake Ave and other locations. John Rice expressed support for Option B for Lincoln Street and that it would have a significant positive change, slow traffic, and open up accessibility. Lincoln Street has been turned in to a cut through to Route 9 via Hartford Street. If we can deal with Hartford Street and eliminate the U-turn and shorten the crosswalk, this would be a positive change.

Area Councilor Robert Fizek asked city councilors to advocate for design work to include utility relocation options. City Councilor Alicia Bowman agreed with City Councilor Crossley that we should gain more understanding of how this can be done. Robert suggested that the Weston model can be considered. City Councilor Andreae Downs stated we need a strong understanding of cost implications before moving forward.

Area Councilor Barbara Darnell noted that the Area Council had done an analysis of parking some years ago, and that this work hasn't been considered. The parking study should be resurrected and considered. City Councilor Andreae Downs noted that Newton Highlands has been on the leading edge of how to consider parking. Hopefully we will see better parking management first in West Newton, and then a plan will be developed for Newton Highlands. There are many kinds of tools to manage parking, but it is not clear which ones the city is willing to use. It will take some time for the city to get used to new concepts regarding parking management.

Newton resident Kathy Pillsbury asked how we can work to include a study to understand how much it would cost to underground. City Councilor Deb Crossley responded that we need to talk to the business owners on the cost to relocate service connections. They need to be aware of these cost implications. There will need to be coordination between property owners. Area Councilor Robert Fizek asked for a change in the design scope of work to do studies that will consider undergrounding as part of these plans. Area Councilor Amy Wayne offered to go to the property owners to garner their support. We need to talk to DPW to discuss the scope of work. Area Councilor Groot Gregory noted we need someone to approach the designers to include this in their planning. City Councilor Deb Crossley stated that the DPW is taking the lead on this project and that she will ask what needs to be done to understand the costs for the project.

City Councilor Bill Humphrey asked about the general intentions of the parking study that was done previously for Newton Highlands. He asked how important is the street parking is on Walnut Street. A discussion ensued about parking demand in this area. Area Councilor Groot Gregory noted that the main goal of the prior parking study was to address parking needs of the business owners. A Highlands Parking District was implemented a few years ago which helped offload some employee parking away from the center of the village. City Councilor Andreae Downs noted that there is a lot of parking on Lincoln Street that is available and free. Dennis Reiske added that he did talk with Hamilton Realty, which is in support of relocating utilities underground. Most developer clients would look at this as making their properties more valuable. City Councilor Bowman made a

comment about the Parking District, and she noted there were still open spaces available. People are assigned a space to park at, but if they are assigned more than two blocks from their destination, then they won't be likely to take it. John Rice noted that a Parking District was created around the Angier School for teachers, and then a larger district was created. There were permits issued on a per street for businesses to use. However, there are still business that could get permits for their employees in the Highlands.

Regarding the DPW meeting on November 2, Area Councilor Jeremuy Freudberg asked about the use of zoom webinars, and recommended that public engagements should be on a regular zoom meeting. In a webinar, the public could not see who was there, and participants couldn't see other people's questions, and people felt isolated. You can't have a democratic exchange. A motion was proposed to say that the Area Council is against webinars and that we need in person options and full zoom meetings. The motion passed 8:0 with all councilors voting in favor.

Robet Fizek proposed a motion to send a letter to City Council to request utility relocations as part of the scope of work of the Newton Highlands Village Enhancement project. A letter has already been sent to DPW. This letter is for city councilors, passed 8:0.

The Area Council discussed whether to express support for any of the options. A discussion ensued about further outreach to community members before any further steps are taken.

Zoning Redesign Maps and Other Updates: Area Council president Nathaniel Lichtin noted that the city presented its first draft of maps, and most of Newton Highlands is being considered to be in the proposed VC3 zone, which is a higher density zone. The middle category VC2 is 3.5 stories by right. VC3 is 4.5 stories by right with an extra story available by special permit. Lincoln Street to the Buttonwood is proposed to be all VC3, which is taller than the Stevens building, which is 4 stories. The Buttonwood to the post office is proposed to be VC2. Near the Hyde Center has been proposed to be VC1, which allows apartment buildings. The storefronts on Lincoln Street eastbound to Walnut Street, and most of Walnut Street to Centre Street is VC3, which is the highest density.

Area Council president Nathaniel Lichtin proposed eliminating all VC3 in Newton Highlands. The only retail by right is allowed only with a 3.5 to 5 story building. There should be a two-story by right zone. City Councilor Humphrey agreed that more zoning categories may be helpful. For purposes of discussion, special permits would be unusual under this plan and discouraged. Special permits are expensive and are unlikely to be pursued. Mr. Lichtin believes that the by right alternatives are unwanted in Newton Highlands. Area Councilor Jeremy Freudberg stated that the maps were released before the data from community survey were released. VC1 is shown as 2.5 stories by right, but it is quite a bit taller than a house (36'). During the community engagement process, there was a discussion about intense zones in the middle, and here we have VC3 go directly to residential. Certain blocks are divided between intense zoning and residential properties. Some of the villages show city property being rezoned, like the Hyde compared to the Brigham house, which is not rezoned.

Area Councilor Srdjan Nedeljkovic suggested that the new zoning does not represent the major form of contextual building typology in Newton Highlands. We have mostly 1-2-3 story buildings with ground floor retail, but the new zoning districts do not allow ground floor retail for smaller

buildings, except under special permit. There should be more zoning options that better reflect the current situation in the village center so that development evolves more gradually.

Kathy Pillsbury supports higher density development along Walnut Street. These are zoning overlays, and the existing zoning will continue. Developers will have the option to build under current zoning or the new overlay districts. Area Councilor Jeremy Freudberg noted that there are other villages where single family houses fall under an overlay zone, so the ability to use either zoning code may be helpful. City Councilor Deb Crossley noted that the focus is to fix current zoning because it doesn't work. We don't have a correct mix of uses and there is risk of decline of our business districts. What do we need to do to enable our villages to remain viable? Some of the newly zoned areas may not change for years. We need to think about the management of scale. There are 4.5 stories allowed by right in VC3 and 5.5 stories allowed by right with special permit in VC3. There will be a higher bar for developers to get a special permit. A discussion ensued about the need to have protections for historical districts and issues of parking.

Dennis Rieske commented that commercial owners probably won't do any new development if the district is upzoned. Even so, higher buildings may not be appropriate without special permit. Area Councilor Srdjan Nedeljkovic asked what protections there would be to demolish a 3-story historic building to convert to 4.5 stories? City Councilor Deb Crossley replied that there would be an 18-month demolition delay if this is considered a historical building. It would be unlikely that the economics would work in favor of demolishing the building.

Sonya McKnight commented on the topic of parking. Is there a consideration to add a municipal parking lot? Jeremy Freudberg noted that in the past, some private parking lots were converted to public parking by eminent domain. More recently, the city had an ordinance for a private owner to rent out parking spaces, but this ordinance expired. Nathaniel Lichtin asked for a motion to request additional lower density zones be added in Newton Highlands and that Newton Highlands is removed from VC3. The vote was 6 yes, 1 no (Freudberg) and 1 abstention (Nedeljkovic).

MBTA D-line Closure and Busing:

Area Councilor Freudberg noted that there were safety and service issues related to the recent closure that were described in a letter that was sent to the MBTA. A letter from the Area Council to the mayor went out regarding this issue. The response from all parties suggested a lack of understanding about the urgency of the situation. The MBTA responded that they would continue what they were doing, even with the safety concerns related to the large buses that were used.

Srdjan Nedeljkovic commented that the mayor's support is necessary if the MBTA is to change any aspect of their service. The MBTA is unlikely to respond to any further community input at this time.

Robert Fizek brought up the issue of accessibility improvements at the Newton Highlands MBTA station, and how the Newton Historic Commission found the proposal was inappropriate from a historical design perspective. The MBTA has not been considering the opinions of members of the community regarding the proposed canopies. The MBTA will be presenting a revised plan to the Historical Commission on November 17th. The NHC should not support the MBTA's proposal.

Winter Parking Ban:

Area Councilor Jeremy Freudberg presented information about the winter parking ban. It was first enacted in 1936, and it was initially year-round. There were concerns about plowing, sweeping, crime, visibility, and garaging. Now we seem to be focused on plowing. Enforcement has varied. People were tired about getting tickets in the summer, so it became just a winter ban. Current ordinance states that from Dec 1 to March 31, there is an overnight parking ban. Officers are compelled to enforce it. It was suspended from March 2020, then also in 2021. Feedback was obtained, but no changes were made. People want something to change because the ban causes hardship to people. Action item: no letter, talk to councilors and the mayor, obtain a 50-person petition. Suspend the ban this winter. An analysis of different hardships and negative outcomes of the ban were presented in support of repealing the ban. The process for using municipal lots and permits could be made easier.

Area Councilor Srdjan Nedeljkovic supported lifting the winter ban and replacing it with a ban only during snow storms. John Rice noted that there was opposition in Chestnut Hill due to concerns about student parking. As a pilot for Nonantum, there was dissension between the community.

Approval of Letters:

No letters were presented for approval.

Administrative Items:

Approval of Minutes: The draft minutes from the September and October meetings were approved, as well as the minutes from meetings that took place on September 10, September 24, and October 3.

The votes were as follows: September was approved 8:0. September 10 was approved 6:0:2 (Wayne and Rosenberg abstaining). September 24 approved 6:0:2 (Wayne and Rosenberg abstaining). October 3 approved 6:0:2 (Wayne and Rosenberg abstaining). October 6th meeting approved with one edit (8:0).

Treasurer's Report: Area Council Treasurer Groot Gregory reported that there was no activity in the past month.

Meeting Adjournment: The meeting was adjourned at 9:57 pm.