

Newton Highlands Neighborhood Area Council

Meeting Minutes, October 1, 2020

Area Council members:

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

Ex Officio:

None present (due to concurrent City Council meetings)

Guests:

Kathy Pillsbury, Mark Shooman, Loumona Petroff, Lorrie Zimbilati, John Rice, Ned Crecelius, Pat Rosenthal, Grant Tremblay, Katherine Clark, Julius Starkman, Carol Carroll, Alan Schlesinger, Sonya McKnight, Carol Carroll, Dennis Reiske, Chris Talanian, Schuyler Larrabee, and about 5-10 others for parts of the meeting

Meeting called to order at 7:35 pm. Srdjan Nedeljkovic taking minutes. Area Council President Nathaniel Lichtin presiding. The meeting was held using Zoom videoconferencing technology due to the Covid-19 health crisis.

Zoning Redesign

Area Council President Nathaniel Lichtin began the discussion by introducing the schedule of the Zoning Redesign process and to discuss the role that the Area Council may play. He noted that the Area Council held meetings in 2018 related to the prior zoning discussions, and asked if there is interest in restarting community based meetings or doing something else.

The Zoning and Planning Committee at their last meeting set out a timeline for redrafting of the initial zoning topic, which is residential zoning districts. At the initial meeting that is taking place on October 1, there will be a discussion about parking garages and driveways. On October 15, there will be a discussion about multiunit conversions. Whether to allow 2-family building by right will be discussed at the October 26 meeting. An updated zoning map is anticipated on November 9. At the November 23 meeting, the next iteration of the draft zoning ordinance is expected to be ready. A public hearing regarding residential district rezoning is planned for December 3, which will be the first opportunity for public comments. However, comments will be accepted by City Council via e-mail prior to that date. The schedule for these meetings will be posted to Area Council website. Area Council President Lichtin then asked, given our timeline of next two months, what role should the Area Council take in disseminating information about zoning redesign to the local community and getting feedback to City Council.

Area Councilor Amy Wayne suggested that the Area Council could leaflet the local community regarding the meetings. She questioned whether the new Zoning proposal should be placed on the ballot. Kathy Pillsbury noted that the earliest City Council can vote on the proposed Zoning changes will be next December 2021. Whether this is subject to being placed on the ballot may be decided as the process unfolds.

Area Councilor Barbara Darnell commented that when the Area Council had arranged meetings to discuss zoning, these meetings were very informative. A suggestion was made to ask members of Planning Department to come to Area Council to discuss zoning topics. Nathaniel noted that he had already reached out to the Planning Department and asked a representative to attend an Area Council meeting, but that this has not happened yet. A new staff member for community engagement just started working today for the Planning Department. Kathy Pillsbury also noted that a prior meeting held by the Area Council at the Waban Library with the Planning Department to understand zoning issues was helpful.

Area Councilor Srdjan Nedeljkovic suggested that it might be easier to engage the community if an executive summary of zoning redesign meetings could be disseminated to the community after each planning meeting. Area Councilor Amanda Theunissen suggested that it would be useful for community members to understand how zoning changes may affect their location specifically.

A discussion ensued regarding whether having Area Council community meetings regarding zoning redesign would be useful. What is the best way to involve and inform people in this process? Amy Wayne again proposed delivering leaflets regarding the zoning meetings. Mark Shooman asked if meetings of the Zoning and Planning Committee are open to public comment, and Nathaniel noted that these initial meetings are not likely to be open to public comment. He noted that by the time the single planned public hearing takes place, it might be difficult to make major changes in the proposal by that point. Thus far, a broad community engagement plan has not been announced by the Planning Department. After each zoning meeting in which topics are discussed, City Councilors have the opportunity to provide their guidance and opinions to the Planning Department, which might inform any potential modifications of the proposed zoning changes. Area Councilor Groot Gregory suggested that the Newton Highlands Area Council should work with other Area Councils to request more hearings and public engagement related to the zoning process. Nathaniel will discuss this with other city Area Councils. He noted that Area Councils might have different concerns about zoning redesign based on priorities in their communities.

Srdjan Nedeljkovic noted that one of the biggest complaints he has heard is that some people feel that they not properly informed about what goes on in City Hall. He suggested that a way to engage the community is for Area Councils to disseminate a brief synopsis of key information about the process to our local list serves and Google groups. Nathaniel suggested three action items by the Area Council: (1) Letter from Area Councils asking the Planning Department to engage in local community meetings. The Area Council endorsed this proposal by a vote 8:0. (2) Create synopsis documents and a set of easily digestible materials with other Area Councils and disseminate this information about zoning redesign locally. Information will be posted to the Area Council's webpage and sent to the Google group. Amanda noted that this should be a non-biased presentation, without any position taken on the issues. (3) Engage in leafleting efforts. Nathaniel suggested that the Area Council should wait before we do this until a proposal has actually been put forth. Groot

expressed concern that leafleting may be constrained by only informing a subset of the neighborhood.

Dennis Reiske, a local architect, stated he has a background in development and is willing to be engaged as this process unfolds. Kathy Pillsbury also noted that Lisa Monahan might be interested in helping out.

Water Bills

Area Councilor Amy Wayne noted that Newton is one of the most expensive towns or cities in the cost of residential water/sewer service. Srdjan Nedeljkovic noted that because more people are at home these days due to the Covid crisis, there is more residential water use. Alan Schlesinger noted that new development is required to pay upfront costs to support water and sewer improvements. A price per gallon is assigned based on the net increase in water usage that is expected, and the developer is required to pay a fee 4:1 based on usage. Therefore, if 100 gallons of use is expected, then the payment due will be based on 400 gallons of use). This fee is intended to recapture the capital costs of water and sewer improvements. The City Council also has the right to use some of the money towards other community benefits. Julius Starkman agreed that higher water bills are due to more people being at home, leading to higher bathroom use.

Kathy Pillsbury remarked that the improvements in the cleanliness of water outflow from Newton are evident at a place on the Charles River where water drains from Newton. This area is much cleaner in recent years. Dennis Reiske noted that fees to improve water and sewer systems are common in other communities, in which funding from new development is often required and utilized to stop infiltration of ground water into the sewer system. Dennis suggested that funds collected for water and sewer improvements should only be used to improve the quality of the water and not for other community purposes. John Rice stated that the water/sewer charges are viewed as a kind of enterprise fund in Newton, similar to being managed as if this were a separate company. The fees are based on staff costs, MWRA costs, and maintenance costs, and these costs have been higher to support the years of deferred maintenance to replace pipes and other infrastructure. It was noted that the new Northland development is expected to pay \$1.8 million to the City for water infiltration and sewer improvements, in addition to the development's internal costs for water and sewer infrastructure.

Local and City Updates:

Union Twist Marijuana Retailer proposal

Area Council President Lichtin updated the Area Council about the status of the proposal for the Union Twist marijuana retail location on Beacon Street near Four Corners. The proposal was to be discussed at a Land Use Committee meeting in September. However, it was postponed at request of Union Twist so that City staff would have enough time to review and respond to updates and comments on the proposal. A new date has not yet been set for the hearing about the proposal.

Northland Liaison Committee

The Planning Department has appointed a number of people to be part of this committee. All of the appointees were from Upper Falls. City Councilors Holly Ryan and Deb Crossley will be members of the Liaison Committee representing City Council. Alan Schlesinger noted that the Northland developer met with the Upper Falls Area Council last week. Above grade demolition is expected to begin this autumn. The final tenant has now moved out of the Marshall's building. Excavation and major construction is expected to begin in the early summer of 2021. The Needham Street reconstruction project will also be starting, first on Highland Avenue in Needham and then moving north into Newton. This work will start in November, but will not arrive in Newton until next summer. Work is expected to continue for a couple of years. Nathaniel Lichtin noted that he will post slides of the recent construction update to the Highlands Google group.

MBTA update

Area Council President Nathaniel Lichtin provided an update regarding the Newton Highlands MBTA station ADA accessibility project. The final design for the station will be completed in the spring of 2021, but the construction timeline is yet to be developed. Srdjan Nedeljkovic expressed concern that input from the community about station design was not adequately incorporated into the plans. Adding platforms of unnecessary length, creating lengthy access to platforms, and adding covered walkways have contributed to the excessive cost of the project without much benefit for users of the MBTA. Groot Gregory stated that he felt that the MBTA did consider these issues adequately, but Amy Wayne also pointed out that much of what the community expressed at the public meetings did not lead to a change in the proposed design of the project.

1149-1151 Walnut Street Proposal

Talanian Realty is proposing to construct a 4-story, 48 feet high, 26-unit apartment building with first floor retail at 1149-1151 Walnut Street, replacing a single story building at that site. Alan Schlesinger, representing the developer, is presenting changes to the design of the project based on input provided at the September Area Council meeting. He noted that the public hearing for this proposal at City Council has been postponed until November 5. Adam Schecter, an attorney with Mr. Schlesinger, presented the new design alternations. When the initial proposal was reviewed last month at the Area Council meeting, comments were made by members of the community asking whether a more traditional brick approach could be used to make the building design more consistent with the traditional buildings in Newton Highlands. The newly revised proposal intends to keep the building structure the same, leaving the center as a contrasting element to give building depth. The building façade is changed to brick, with an awning on Walnut Street, and additional architectural details have been added around windows. A cross[hatch pattern has been implemented facing the Christian Science Church to create more visual interest in that area. A Belgian fence arbor system is proposed, which would be a green wall. Options of a mural were considered, but this was not uniformly endorsed, so a green wall is now being proposed, which will help the project meet environmental standards. These design changes are intended to reflect the traditional aspects of other nearby buildings in the village. A privacy fence has also been added to the parking lot and on the western side of the property.

Area Council President Nathaniel Lichtin disseminated a letter to the Area Council from an attorney representing the abutting Christian Science Church, whose members have concerns that the new building will be located on their lot line.

Area Councilor Srdjan Nedeljkovic expressed support for the project and commended the developer in making changes to the project as noted by community members. The revised plans reflect a much higher quality design that will create a visually appealing streetscape and entrance to the village from the north. The existing site is a gap in the neighborhood fabric, and the new building will become a key component of the village center. Alan Schlesinger noted that the development is intended to be transit oriented and will provide for new housing in the Highlands village center. This proposal matches the intent of the Mixed Use 4 district. There will be 26 units, with 5 inclusionary units, about 1500 SF of retail on the ground floor, and parking that will be on the ground level in the rear of the building. This parking arrangement in the rear will be similar to what was implemented in the Austin Street development.

A discussion ensued about the proposal and the revised plans. Area Councilor Barbara Darnell asked about the height of the building. It will be the same height as the Stevens building. Schuyler Larrabee, a local resident and architect, stated that he is glad to see the changes that have been made from the original version of the plans to the new version. He noted that the new plans are a tremendous improvement to what was initially proposed. The roofline ties together in a much better manner. As far as the concerns of the church, Mr. Larrabee noted that the green wall is a good gesture to mitigate the height of the wall. He wondered if a pattern in the brick could be built in anticipation of the green wall. He commented that the height of the building and continuity of materials help integrate the proposed structure with nearby buildings. Mr. Larrabee also commented that from the Walnut Street elevation, the new building provides a definite end to the larger scale development of the village, allowing for a defined transition to residential development to the north. Dennis Rieske commented as an architect, he is somewhat disappointed in the design. However, he is not against the project, and felt that with a few design changes, it will be acceptable. He noted that he would be glad to review the drawings with the developer and suggest a few changes.

Dennis Murphy, counsel for the abutting Christian Science Church property, expressed the position of the Church on the new design. There is a concern that the Church auditorium where services take place will lose direct light. The Church is hoping for consideration for reducing the height of building and addressing issues of encroachment on the side lot line. Mr. Murphy expressed concern about this being a building one has to drive through. He feels that the development will be overly dense and occupy too much of the site. He stated that the Church wishes to be a good neighbor to the project, but that the current proposal would allow a building that is beyond the maximum allowed by current zoning. He noted that this building would be one of the densest developments in Newton, and questioned if a building of this scale makes sense on this site.

Area Councilor Bruce Blakely noted he is generally supportive of the proposal, and that the changes that the developer is proposing are positive. Bruce noted that the side setback on left side is about 4 feet whereas the proposed setback on the church side is a 0 feet setback. He asked why not allow a greater setback on the church side and less of a setback on the opposite south side. Also, Bruce questioned how the green wall would be maintained if it is directly on the lot line. Ms. Schlesinger responded that because there is an existing building on the south side, having a zero lot line there

would block the windows to the other building. Also, the proposed new building will have balconies and walkway on the south side. Statute allows for maintenance of the wall even if it is on the lot line. Mr. Schlesinger noted that the developer and the Church will continue to have a conversation to do whatever is possible to be responsive to the Church's concerns.

An attendee of the meeting asked if the space between the proposed development and the Church is to scale on the drawings that are being presented. Chris Talanian, the developer, noted that the portion of the church property next to the parcel is a driveway, which creates for a separation between buildings. Ned Crecelius, from the Christina Science Church, commented on the small distance between the proposed new building and the nearest building on the Church property. He asked for a review of the height of the building and the impact it would have to create shade on the property. He noted that the Church auditorium where services take place might not receive any direct light during service. Schuyler Larrabee noted that the street view of the project site suggests that there is more than a 12-foot driveway between the property line and the church building. Mr. Larrabee questioned whether the building would be in the shade most of the year. Dennis Reiske expressed concern about the massing of the building on the rear elevation. He suggested that the developer could move the building mass towards the center of the site. Mr. Reiske noted that this would reduce the square feet of the building. He noted once again that in his opinion, putting parking under the building does not reflect good design.

Area Councilor Srdjan Nedeljkovic asked about windows on the north façade, and whether an agreement may be considered between the developer and the Church property that would allow for windows to be placed in that location. Carol Carroll asked if a waiver will be requested to allow for the reduced size of the inclusionary apartments. Alan responded that other development projects in the city have used comparable sizes for inclusionary units, and a waiver will be asked for from the state size standards. Alan noted that this project is for a smaller space seeking demographic and that the inclusionary units will be the same size as market rate units. The development will include 5 inclusionary units in mix of 1, 2 and zero bedroom units. The size of each unit will be comparable to what other developers are doing in the city. Carol questioned if the placement of the inclusionary units would have undesirable views. Alan responded the inclusionary units will be distributed on the floors of the building and will have similar views as the market rate apartments.

The Area Council then discussed whether to send a letter in support of the project to City Council. Area Councilor Srdjan Nedeljkovic had prepared a draft letter at the prior Area Council meeting and the letter was reviewed. Several Area Councilors, including Amy Wayne, Amanda Theunissen, Groot Gregory, and Barbara Darnell felt that the letter should explicitly express support for the concerns of the Church. Srdjan Nedeljkovic stated that the Church was well represented by legal counsel and that it should not be the position of the Area Council to represent the Church but that the project should be considered based on the overall benefits it will provide to the community. He noted that the project has broad community support and that positive changes were made to the project based on community input. Bruce Blakely noted that some of the changes to the project that were requested in the letter had already been accepted and that the letter should be updated. Srdjan Nedeljkovic stated that the letter could be amended to reflect that those changes have been accepted. A discussion ensued and a further amendment to the letter was proposed to include a statement that the Area Council will encourage the developer and the Church to work together to resolve their outstanding differences. Srdjan Nedeljkovic expressed support for this amended text to be added.

Bob Burke expressed support for the project and for sending the letter of support to City Council, and stated that this project will be a good impetus for setting a precedent for future development in the rest of the village. Bob also stated that the Area Council appreciates the church's concerns. After further discussion, a vote was taken on whether to send a letter in support of the project as written and with amendments as noted. The vote was 3 yes (Burke, Lichtin, Nedeljkovic), 3 no, and 3 abstentions.

Alan Schlesinger, representing the developer, noted that the new changes presented at this evening's meeting to improve the design of the building have not been submitted to City Council in the form of an amended proposal, as they were based on gaining support from the Area Council. He noted that these changes may now be withdrawn and that the proposal as previously submitted to City Council (without the improvements) will stand.

Forest Street Fountain

The fountain has been shut off and covered in plastic. Nathaniel Lichtin asked if anybody knows why the fountain has been shut off, or by whom. Groot speculated that a person who is maintaining the fountain may have decided to winterize the fountain early.

Special Election for Ward 2 At-Large Seat

A special election will likely be held to fill the Ward 2 At Large City Council seat. Nathaniel asked if the Area Council would like to support a debate between the candidates. The Newtonville Area Council will be the primary host, but other Area Councils may be asked to support the event. The election to fill the presumably vacant seat will take place within 120 days of the seat opening, so it will likely take place before the end of April. Nathaniel asked for volunteers to help organize the candidates' debate. Barbara Darnell, Groot Gregory, Bob Burke, and Amy Wayne volunteered to help. Nathaniel will contact the Newtonville Area Council regarding planning the event.

Ideas for Halloween

Area Councilor Amy Wayne suggested that the Area Council support a pumpkin decorating contest. Photos of contest submissions can be posted on Instagram. Area Councilor Amanda Theunissen has created an Instagram account: @newtonhighlandsareacouncil. Amy suggested that \$80 should be allocated for prizes for the scariest, funniest, or most creative pumpkins. Gift certificates for Indulge will be provided. The event will be advertised through Village 14, the Google group, school newsletters, the TAB, and the Hyde mailing list. A motion was made to support this effort, and the vote was 9:0 in support.

Other

Nathaniel Lichtin noted that Steve Feinstein has maintained the web domain for "newtonhighlands.org" and wanted to know if the Area Council would like to renew it. Srdjan Nedeljkovic expressed support for keeping the newtonhighlands.org website name. It was noted that the cost could be about \$30 per year. A motion was made to support maintaining the web page and to allocate up to \$100 to renew the domain name. The motion passed 9:0.

Administrative Items:

Approval of September Minutes: The draft minutes were submitted for review. Groot Gregory suggested an amendment that payment for the pump at the Fountain was made in April, that that this should be noted. The minutes were approved 9:0 with that amendment.

Treasurer's Report: Area Council Treasurer Groot Gregory asked if there were any questions. There were none.

New Business:

Barbara Darnell noted that MBTA sidewalks were repaired on the Walnut Street bridge. It is likely that the work was done by the MBTA.

John Rice informed the Area Council that Newton Pride and the Hyde Community Center are planning to host a Story Slam event next Saturday, October 10, at the Hyde Bandstand. Based on new Covid-19 guidance from the Governor, there may be up to 100 people at this outdoor event. Reservations are required in order for organizers to anticipate the attendance and to fulfill social distancing guidelines. Newton Pride will be announcing the storytellers in the near future.

Meeting Adjournment:

The meeting was adjourned at 9:51 PM.