

Newton Highlands Neighborhood Area Council

Meeting Minutes, November 5, 2020

Area Council members:

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

Ex Officio:

Bill Humphrey

Guests:

Ronald Warren, Nicole Caruso, Bi Chen, Dana Sung, Megan Wan, Jen Caira, Nevena Pilipovic-Wengler, Carol Carroll, Leslie Crecelius, Ned Crecelius

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.

Halloween Contest Winners

Area Councilors Amanda Theunissen and Amy Wayne complimented the very fantastic entries that were submitted in all three categories for the recent “Pumpkin War Contest” event. The three categories were: Scariest, Funniest, and Most Original Pumpkins. For first and second prize in each category, the winners received a \$10 gift certificate to Indulge. The winner of third prize received a \$5 gift certificate. Runner-ups will get a bag of candy. The winners of the Contest were announced and will be posted on the Area council website. Prizes for contest winners will be delivered shortly. Area Councilors Amy Wayne and Amanda Theunissen thanked everyone for participating in this event.

Zoning Redesign

Area Council President Nathaniel Lichtin introduced two members of the Newton Planning Department, Jen Caira (Deputy Director) and Nevena Pilipovic-Wengler. Ms. Pilipovic-Wengler is the new Community Engagement Planner with the Department of Planning and Development. Ms. Pilipovic-Wengler noted that the Planning Department will be restarting the community engagement strategy for Zoning Redesign. Members of the community will be invited back to the conversation and the Planning Department will solicit feedback on how to engage community members in the Zoning Redesign process for 2021. At the last Zoning and Planning Committee meeting, a draft agenda for a Zoning Listening Tour was posted. Two community meetings are planned on Dec 2 and Dec 3 on the topic of “Zoning Redesign, Where We Are Now.” During the two public events that will be held via Zoom, there will be a presentation related to Zoning Redesign by staff followed by

discussion. The same presentation will be posted as a video on the Planning Department website. A public survey will also be conducted about which topics related to zoning are most relevant, and ideas will be sought on how to engage people in the Zoning Redesign process in 2021.

There will be further discussions about Zoning Redesign in January, starting with Article 3, Residence Districts. The Planning Department will present a public engagement strategy for each article. The Zoning and Planning Committee will be taking up the proposal for Community Outreach for discussion on November 9, and then hold its next Zoning Redesign meeting on November 23. Discussions regarding a Garage ordinance will be taking place initially as a stand-alone piece. During the November 23 meeting at Zoning and Planning, the focus will likely be about the Garage ordinance.

Area Councilor Amy Wayne commented that she felt that conducting the Zoning Redesign process is inappropriate during the time of the ongoing Covid-19 pandemic. As a result of the pandemic, the attention of many people is elsewhere, as people are not able to meet in person and these are stressful time due to employment and financial uncertainty. The City has waited decades to conduct a zoning revision, and Area Councilor Wayne feels that to do this during the Covid pandemic is wrong and it should be postponed until the situation becomes more stable. Although perhaps discussions about small zoning changes may be appropriate, Councilor Wayne feels that to do a complete overhaul of zoning when people cannot meet in person is wrong.

Deputy Director of Planning Jen Caira responded that she appreciated Area Councilor Wayne's opinion. Ms. Caira noted that the Planning Department has already slowed down on the Zoning Redesign process. She noted that the upcoming community engagement piece will be an important step in order to move forward. Area Councilor Wayne stated she did not feel that the engagement piece was substantive, and that meeting in person to discuss zoning would be more likely to make people feel more engaged. Ms. Caira stated that the Planning Department is also looking forward to times when meeting in person will be possible. Because people are coming to the Zoning Redesign process from various levels of engagement, the initial intent is to re-engage people. The Planning Department will be trying to be creative on how this can be done virtually so that the discussions are meaningful. During these virtual meetings, there may be one-one meetings and larger sessions. Amy Wayne once again pointed out that Zoning Redesign is not an emergency, and that zoning is a very important topic that should deserve a different process.

City Councilor Bill Humphrey noted if even if these zoning meetings were held in person, the meetings would not be public hearings. Eventually in the process, there will be a public comment period. Mr. Humphrey felt that more people are able to attend virtual meetings than attending in person. Area Councilor Wayne noted once again that people are under more stress, and in many ways these are difficult times. People are being pulled in other directions. Mr. Humphrey noted that a vote on Zoning Redesign is not expected in almost a year. Also, Bill felt that waiting another year to start zoning reform may not satisfy peoples' needs for addressing zoning related issues that are current, such as tear downs.

Area Councilor Srdjan Nedeljkovic questioned if decisions related to Zoning Redesign have already been determined and if the public will have an opportunity to see changes made to the zoning redesign document. Jen Caira pointed out that prior community feedback has already been

incorporated into the current draft Zoning Redesign document, including feedback about zoning districts. Ms. Cairra is hoping to involve city councilors in the process as well so that they can hear comments from the public. The Planning Department is seeking feedback and input so that we have a stronger draft document. Ms. Pilipovic-Wengler noted the Planning Department is interested in ideas on how public comment can be synthesized. Surveys may help provide data on how community members feel about aspects of articles of the zoning plan. The Planning Department would appreciate community input on how community feedback can be included in the final zoning plan. City Councilor Bill Humphrey mentioned that there was quite a bit of public input as part of the initial meetings about zoning redesign that took place at schools and elsewhere before the pandemic. Bill pointed out how constituent concerns have been heard and that they have led to revisions in the plan. Bill noted that he has placed an explanation of the zoning process on his website. City Councilor Humphrey disagreed that Zoning Redesign is “baked in” and he noted that he would like to hear from constituents.

The Planning Department is looking for input to make the final zoning plan a better one. Not all of this is happening at Zoning and Planning committee meetings, but these activities are also happening within the Planning Department. Area Councilor Amanda Theunissen noted how certain City Councilors have been advocating for zoning reform, and she expressed concern that the councilors are advocating too strongly for a specific agenda. This is a turn off for some members of the public.

People may find meeting announcements at the following location: zoning redesign page accessed from the planning department homepage, where one can get links to drafts, and updated meeting schedules. Other resources include the City Council website under the Zoning and Planning committee, which will post meeting information and the agenda. Also, the Planning Department sends out a weekly update on each Friday before the next week’s meetings. People can subscribe to receive the Friday Report, with notification about all meetings planned during the coming week. Amanda Theunissen also suggested that the Mayor could add something related to the Zoning Redesign process from time to time in her memos. Nevena Pilipovic Wengler noted that she may be reached at the following address: npilipovicwengler@newtonma.gov

Two other zoning related events were announced. On November 12, B’nai Brith is holding an event to discuss Zoning Reform in Newton. There will be a panel discussion with City Councilors Albright and Deb Crossley, and Josephine McNeil. On November 17, the Newton Free Library will be hosting a Richard Rothstein (Color of Law) event speaking about Black history in Newton. There will be some reporting of zoning history incorporated in that.

Garage Ordinance

Area Council President Lichtin noted that City had previously considered a revised ordinance about the placement, size, and design of garages. However, this ordinance never came into force. Therefore, the Zoning and Planning Committee will take up the garage ordinance as a separate item from the overall zoning redesign process. Area Councilor Bob Burke revisited the question of conducting important zoning meetings during the Covid crisis and stated that he endorsed Amy’s comments regarding this issue. Bob stated that people are concerned about what will change in Newton as a result of zoning redesign. Even people who are not typically engaged in a process such

as this will want to know the effect of the zoning changes on their own homes and their neighborhoods.

Area Council President Lichtin noted that one of the issues being discussed is the prominence taken by garages to the front façade of houses, especially garages that result in a “snout house” appearance. Issues to be discussed include how to make a garage fit into the existing neighborhood streetscape and how make the area between a garage and the street more pedestrian friendly. The new garage ordinance may include rules both about the size of garages and their placement relative to a house. In terms of size of garages, one proposal suggests that a garage can be no more than 40% of width of space of the house, and that garage doors will be limited to 50% of the width of a house. Another option is to cap the size of garage doors to 9 feet wide. Instead of allowing 2 separate garage doors to have a maximum width of 18 feet, one proposal would recommend that there should be just one single door, and capping that to 16 feet wide.

Area Councilor Srdjan Nedeljkovic expressed concerns of whether these types of rule changes will actually lead to the desired outcome of improving the appearance of garages on the streetscape. He noted that when the zoning code was changed in the past to require free standing garages in calculating overall allowances for lot coverage, this led to a reduced number of free standing garages being built. Incentives that encourage free standing garages and disincentives to forward facing garages are likely to have a greater impact on building policy than rule changes that simply implement dimensional limits on garage doors.

Area Councilor Bruce Blakely agreed that if there were more incentives to put garage in rear of houses or on side, supporting these incentives would be a good approach. Having a rear garage may require a longer driveway, whereas a forward facing garage encourages short, wide driveways. Area Council President Nathaniel Lichtin noted that one option to consider is limiting the width of driveways and amount of front lot that could be paved as part of the garage ordinance. Most council members felt that these lot requirements should be taken up as part of the garage ordinance discussion and not wait for the general zoning redesign process to unfold. Amanda Theunissen expressed an opinion that families with small children may prefer to have an indoor garage attached to a house. Area Councilor Srdjan Nedeljkovic expressed support for mandating curb cuts that are only for one car width, approximately 10 feet wide. Srdjan Nedeljkovic also commented that garage entry could be mandated from the side, rather than the front of a house.

Another question is whether a garage should be stepped back from the street further than the main body of the house. Architects have been meeting to discuss these design issues, and most people are not in favor of allowing front entry garages. In the case of a front entry garage, it should not be in the same setback as the rest of a house, and it should be offset by a porch, an entryway, or another architectural feature. Carol Carroll agreed that the requirements for driveways should be bundled with the garage ordinance discussion. Amy Wayne and Bruce Blakely both agreed. Barbara Darnell and Carol Carroll both noted how curb cuts were extended for a new recent development on Lake Avenue, changing the streetscape in a negative manner. Another proposal being discussed is that the building space above a garage should be only a half story above the garage. The new proposal will allow garages that are sunk underneath the house. In buildings that contain two-unit structures, there is a thought that there could be a prohibition against having 2 separate garages that each

accommodate 2 cars. However, it was noted that shared garages may lead to difficulties in terms of cooperating with neighbors.

Area Councilor Amy Wayne suggested that the Area Council should write a letter to the Zoning and Planning Committee to request that when the garage ordinance is discussed, that the width of driveways, paving, and curb cuts is also considered. Amy made a motion to that effect. The letter will be directed to City Councilor Crossly and members of the Zoning and Planning committee and others, including the Director of Planning and the Mayor. Srdjan Nedeljkovic seconded the motion. The measure passed with a vote 9 to 0 in favor of writing the letter. Area Councilors Bob Burke and Amy Wayne agreed to write the letter.

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 has been withdrawn from consideration. The Land use committee voted 5:2 to reject the proposal on the basis of adverse effects the proposal would have had on parking and traffic, and because the lot is not large enough to manage that sort of parking demand. The Area Council congratulated Amanda Theunissen on her advocacy to turn down this proposal and for her organizing efforts in the neighborhood. As the developer withdrew the proposal without prejudice, it can be resubmitted in the future. At this time, there are no new plans for the property and it will remain in its present form.

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. The proposal was on tonight's Land Use Committee meeting agenda but the item has been continued, meaning that no discussion took place. It is not known if the project will be discussed at the next Land Use meeting on December 1. Ned Crecilius, representing the abutting Christian Science Church, noted that he had attended the Fair Housing Committee meeting in which this project was discussed. The Fair Housing Committee expressed concerns about the proposal with regards to parking and charging for parking for residents of inclusionary units. The Committee also had concerns about several of the special permit variances that were requested, with objections focused accessibility by disabled people in some of the reduced-size units. Area Council President Lichtin noted that he has offered Alan Schlesinger, representing the developer, time during the Area Council's December meeting to present any revisions to the proposed plans for the development. Ned Crecilius noted that there have been no discussions between the Christian Science Church and the Talanian team or with Alan Schlesinger about any changes in plans. A call had been placed by Mr. Schlesinger to the attorney for the Christian Science Church, but no further updates were provided regarding any negotiations.

It was noted that at the Design Committee meeting to discuss the project, Committee members were not in favor of the size of the project and expressed dissatisfaction with the project. At that meeting, some Committee members felt that the project was too dense, too tall, too close to lot line, and there

was dissatisfaction that the brick façade in the front elevation did not extend around the other sides of the project. Some members had expressed preference for initial design of the project in terms of its aesthetics. City Councilor Bill Humphrey mentioned that some Committee members preferred to see more brick all around and objected to certain sides being of different material. There was satisfaction with having three varying architectural components in the front of the building.

As Land Use meetings are scheduled to discuss the project, it is unclear if abutters will be notified of future meetings. Nathaniel Lichtin will check with the Land Use Clerk about this issue. Amy Wayne noted that the Area Council could also leaflet the neighbors prior to upcoming meetings. Ned Crecilius stated that he had spoken with abutters within 300 feet and beyond about the proposal and that abutters have expressed universal opposition to the project as its been proposed. Barbara Darnell recommended for Mr. Crecilius to speak with Ward 6 Councilors Brenda Noel and Councilor Alicia Bowman about the concerns of the Church and abutters. Area Councilor Groot Gregory mentioned that the abutters may also bring up their concerns about the project on the Area Council Google group. Mr. Crecilius questioned whether conflict of interest may exist between parties related to the project. Area Councilor Srdjan Nedeljkovic commented that if the size of units is increased and there are fewer units in a revised proposal, then there is a chance that the development will have fewer affordable units.

Administrative Items:

Approval of October Minutes: The draft minutes were submitted for review from both the regularly scheduled Area Council meeting on October 1 and the subsequent meeting on October 8 to discuss the 1149-1151 Walnut Street proposal. No changes or revisions were recommended. The minutes were approved 9:0.

Treasurer's Report: Area Council Treasurer Groot Gregory had submitted a monthly update. Nathaniel Lichtin asked if there were any questions. There were none.

New Business:

Area Councilor Bruce Blakely announced that he and his family will be moving away from Newton to Dedham. Therefore, he will be resigning his position on the Area Council. Bruce stated that he will update the website before he leaves. He will then be sending a formal letter of resignation.

Area Councilor Srdjan Nedeljkovic asked about the proposed demolition of the house at 125 Lincoln Street. Area Councilor Larry Rosenberg noted that the demolition was conditionally approved by the Historical Commission, pending a change in the design of windows of the new house proposed for this site. The new house will be similar in shape and appearance from Lincoln Street as the current house. The height will be higher as the current house has low ceilings.

Area Councilor Rosenberg noted that the request for demolition for the property on Lincoln Street abutting the Post Office had been denied.

Area Councilor Amanda Theunissen noted we have 110 followers on Instagram. She suggested that the Area Council should try to engage interest by posting some items from time to time. Barbara Darnell noted that 1400 tulip bulbs will be planted in Newton Highlands over the weekend.

Area Councilor Barbara Darnell suggested that the Area Council should post a sign on the Walnut Street MBTA bridge about 1 week before the Area Council's monthly meetings, notifying the public about the meeting with a link to the meeting agenda. Barbara suggested that we should engage the graphic designer who helped design the recent Area Council postcards to help design the sign for the bridge. In addition, Area Councilor Darnell suggested that the fence over the MBTA tracks could once again be used to provide publicity for local merchants. The Area Council expressed support for getting a price quote from the designer regarding the Area Council's sign to be placed on the bridge.

Prior to the conclusion of tonight's meeting, Leslie Crecilius joined the group and brought up issue of setbacks for the 1149-1151 Walnut Street proposal. Ms. Crecilius expressed concern regarding why there was a setback on one side and not another. She wanted to mention that the Victorian building between the Stevens Building and the proposed development does not have a street presence that would reflect its historical architectural heritage.

Meeting Adjournment:

The meeting was adjourned at 9:23 PM.