

Newton Highlands Neighborhood Area Council

Meeting Minutes, June 4, 2020

Area Council members:

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

Ex Officio:

City Councilor Bill Humphrey

Guests:

John Rice, Rena Getz (Waban Area Council Vice President), Karen Sherman, Virginie Meissonnier, Bill Humphrey, Donnalyn Kahn, John Rice, Noah Inbar, Margaret Clermont, Sonya Mcknight, Anatoli Rastorgouev

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.

Area Council Update

Area Council President Nathaniel Lichtin welcomed, Larry Rosenberg, our newest Area Councilor. The NHNAC now has a full complement of 9 councilors.

Union Twist Marijuana Dispensary

There will be a public hearing on June 16 at 7 pm regarding the proposal for Union Twist, a marijuana retail dispensary, at 1158 Beacon Street. The NHNAC has received a letter from Union Twist in response to the Area Council's memo that had been sent to City Council regarding the proposed business. In the Union Twist response, a number of concerns were addressed, including issues about the width of the access driveway to the rear parking lot, hours of operation, and the number of points of sales. Area Council President Lichtin asked whether further action should be taken by the Area Council. Area Councilor Amanda Theunissen proposed that another letter should be drafted by the Area Council to the Land Use Committee to deny special permit. Ms. Theunissen noted that although Union Twist has made some concessions, community concerns have not been adequately addressed. The proposed widening of the access driveway by one foot will not alleviate traffic and access concerns at the site. The business has proposed no changes in plans to address traffic flow from the back of the business to Beacon Street. There is a concern that drivers will back up onto Beacon Street due to limited access to the site, and this will stop traffic. There continue to be concerns about cars leaving the facility and trying to turn westbound against traffic. Having

parking in the front setback with two curb cuts will lead to potential traffic conflicts and congestion. Karen Sherman noted that the traffic plans as proposed by Union Twist are not safe for pedestrians walking in the area. Having numerous points of sales within the store will create a situation where people will be going in and out often.

Area Councilor Srdjan Nedeljkovic expressed opposition to having parking in the front setback and having multiple curb cuts at this site, regardless of what kind of business is located here. There needs to be a focus on promoting walkable, pedestrian friendly environments that are safe for bicycles and pedestrians, and the current plans fail to improve the situation. Donnalyn Kahn, an attorney representing Union Twist, asked what the company should do to improve the proposal. Area Councilor Srdjan Nedeljkovic recommended that parking should be removed from the front setback and that the second curb cut should be removed for the benefit of public safety.

Karen Sherman asked about there being a designated policeman, similar to the setup at the Farmer's Market at Cold Spring Park. It was noted that the new proposal for Express Checkout at Union Twist may increase the number of cars turning into the business. Ms. Kahn noted that typically, a customer will place an order through an app, and then the customer will be provided a time to come to pickup the product. In most cases, the transaction will be quick. Area Councilor Amy Wayne asked how many people would be projected to utilize the business per hour, and what is the maximum number of sales at a station? What is the maximum capacity of the business? Ms. Kahn responded that she will look into getting this information. Area Councilor Groot Gregory asked is there a standard of throughput for any type of proposed business at this site, based on other business models. Area Councilor Amanda Thieunissen asked about the parking, and if there are plans to have designated spots for the on-site restaurant. Ms. Kahn responded that the plan is to keep the spaces for the restaurant in the front of the business. Ms. Kahn noted that deliveries will happen on a non-scheduled basis, and there will not be a delivery van sitting in any spot for any given period of time.

It was noted that the proposed hours of operation are a concern, and it was recommended that the store should be operating with more limited hours. Under the current proposal, the business will be open until 9 pm every night, except 6 pm on Sunday. Residents in the neighborhood are concerned about traffic persisting during these extended hours each day. Area Council President Nathaniel Lichtin noted that the business will operate sales on an appointment-only basis, at least for the initial 6 months of operation. The duration of the appointment-only status may be for the first 6 months, and then it will be under review.

Karen Sherman expressed concerns about proximity of this business to Cold Spring Park. She noted that this area is not policed, and the presence of this business will create a need for a more policing in this area. She also noted that the proximity of Union Twist to Cold Spring Park may make it more difficult to enforce rules banning consumption in a public location, making this a poor location to have a marijuana dispensary. She noted that many members of the local community have concerns about this business being close to the park, and are worried that there may be consumption of marijuana within the park. Ms. Kahn stated that she is not aware of this problem occurring with other dispensaries. Karen Sherman noted that there have been issues of consumption in public with the dispensary on Route 9 in Brookline. Area Councilor Amy Wayne noted that she has heard complaints about marijuana odor near other dispensaries. Ms. Kahn stated that she is not

aware of any police reports filed about people smoking near dispensaries. Area Councilor Groot Gregory suggested that there should be an education program for residents regarding reporting and enforcement of dispensary rules and regulations. Area Councilor Amanda Theunissen brought up the issue that parking may spill over into Cold Spring Park, and that this particular location is not appropriate due to overflow of customers into the park. Ms. Kahn noted that the business does not intend any parking issues or traffic issues to happen, and that Union Twist wants to make the parking and traffic right. In terms of concerns about backup of cars on Beacon Street, Union Twist does not want to see backups on Beacon Street. Union Twist wants to hear of any problems that may ensue so that they can address the issues. Ms. Theunissen requested that the parking and traffic issues are addressed proactively. Ms. Kahn reiterated that the facility will be appointment-only for a period of 6 months. She mentioned that the demand for marijuana products has spread out as new dispensaries have opened. Ms. Kahn noted that if there is congestion at the site, Union Twist may return to an appointment only schedule as needed. It was noted that Union Twist has another facility in Framingham that will be opening. Noah Inbar asked if there are other dispensaries near a public park. Nobody could think of any. It was noted that the liquor store nearby closes at 9 pm, but that this is a smaller operation than what is being planned for Union Twist.

Area Council President Nathaniel Lichtin asked if a letter should be sent to the Land Use Committee or to City Council. It was decided not to send another letter, and that the Area Council will wait to see a traffic consultant report and the presentation at the Land Use committee meeting. Mr. Lichtin pointed out that the Area Council will share the meeting minutes from this Area Council meeting with the Land Use Committee ahead of the upcoming meeting. Ms. Kahn stated that she will bring the comments made by the Area Council back to Union Twist. Union Twist will continue to collect thoughtful comments about concerns from residents. These include questions about parking spots, hours of operation, questions about numbers for Express and Regular Points of Sale, Uber stops on the street, removal of parking in the front setback to improve pedestrian and bicyclist safety, and removal of the second curb cut to reduce risk of pedestrian and bicycle danger.

Postcard to Neighborhood:

Area Councilor Amanda Theunissen presented a draft version of a postcard to be sent to the Area Council service area. She has been working with graphic designer Ingrid Buuck to develop the postcard. The Area Council logo has been selected as the main graphic on the front of the postcard. A number of different colors are being considered. The back of the postcard includes information on how to attend Area Council meetings and participate in the community on-line forum. Area Councilor Srdjan Nedeljkovic suggested that the postcard should not use proprietary terms such as “google” and “zoom.” He also suggested that the postcard include information about the site of our physical in-person meetings at the Brigham House on Hartford Street, as these will likely be resuming at some point later this year.

City Councilor Bill Humphrey noted that the City Council has decided that virtual meetings may continue until the end of the summer. Bruce Blakely recommended that the Area Council should consider continuing virtual access to our meetings even after in-person meetings resume. Bill Humphrey noted that legislation is needed at the state level to enable virtual meetings in the future. There was great appreciation expressed to Area Councilor Theunissen for working to

develop this postcard, along with a general approval of the postcard logo and the text, with minor edits. It was suggested that the postcard is initially mailed to most of the residents who live within the Area Council and who are within postal zip code 02461. A discussion about colors ensued once again, with the consensus that Ms. Theuissen will finalize the postcard and send the final selection of colors and text for review to Area Council members before it is printed. And mailed. A suggestion was made that some of the restaurants may be approached to distribute the postcard. For printing the postcard, a suggestion was made to use Signal Graphics in Newton Corner. Ms. Theuissen will obtain three quotes before making a decision on printing. For mailing, the initial distribution will be within the 9 postal carrier routes in the 02461 zip code. Extra copies of the postcard will be made for distribution to places like the Library and others.

Landmarking Ordinance:

Area Council President Lichtin and Waban Area Council Vice President Rena Getz gave an update on the status of the new Landmarking Ordinance. It was noted that the new ordinance has been approved by the Zoning and Planning committee, and that it will be going to the full city council on Monday. A number of provisions were noted. The ordinance will allow property owners to nominate their property for Landmark status. A City Council member may nominate a property but needs to notify councilors that reside in the ward of that property. The Mayor, Planning Director, and ISD commissioner may nominate a property, and need to have a Historic Commission member to proceed with nomination. Any two members of the Newton Historic Commission may make a nomination. When a property is nominated, it is then put forward to Newton Historic Commission members to consider. This information is pending verification and the final language of the ordinance.

Other changes in the Landmarking ordinance include codifying the notice that needs to be given to abutters and nearby property owners. Once a property is nominated, an initial meeting of the Historic Commission will take place to decide whether to accept the nomination and to determine if the nominated property is worthy to be considered a Landmark. A Landmark report will then be written for the site. There will be a maximum of 180 days from the date of nomination to the date that a decision about Landmark status needs to be made. The Chair of the Urban Design Commission, Zoning Board of Appeals, and Local Historic District may be approached for appeals regarding the landmark status of a property. In making a decision, the Newton Historic Commission is required to consider historical significance of property, characteristics that are original and intact, whether the property location and setting is compatible with future preservation, and whether the Landmark status of the property is within the context of the city's policies for the area.

Northland Project Construction Liaison Committee:

The Upper Falls Area Council has submitted a letter to Mayor Fuller asking for a Construction Liaison committee to be set up for the pending Northland project. Area Council President Lichtin proposed that the NHNAC supports the letter and be a co-signer to the letter. Area Councilor Bob Burke moved the support the letter. The Area Council voted 9:0 in favor.

Local and City Updates:

Crystal Lake Bathhouse update:

The mayor has announced that the Crystal Lake bathhouse will remain closed for season due to concerns about operations during the Covid-19 pandemic. The City will place “no trespassing” signs and bar access to the facility. Several Area Councilors remarked that the lake has been packed with people over the past two weeks. Although some social distancing and wearing of mask was noted, there were many people who were not complying with these recommendations. City Councilor Bill Humphrey noted that there is little way to enforce the social distancing policies that are currently recommended at the Lake and elsewhere. Area Councilor Groot Gregory noted that in order to have enforcement and implement a system of fines for disallowed use of the lake, a new ordinance would be needed. It was noted that the City Council would be unlikely to pursue this route of action.

MBTA Green Line shut down:

The MBTA is shutting down the D branch from June 6 to June 14 and June 20 to June 28 in order to conduct accelerated track work as the Covid-19 pandemic is still causing limited use of buses and trains. While the service is shut down, there will be buses stopping at local stations and additional express buses between Copley, Riverside, and Woodland stations. Area Councilor Barbara Darnell suggested that this information should be placed on the Highlands google group.

Beacon Street Bike Lanes:

City staff will have a community meeting for implementing bike lanes on Beacon Street. June 24 from 5:30 pm to 7 pm via zoom. City Councilor Bill Humphrey noted that this meeting has been rescheduled from March. There proposal is to have dedicated bike lanes on Beacon Street from Washington Street to Newton Centre, with a few exceptions where there is a need to maintain on-street parking. The proposal may affect some of the parking that currently takes place in areas like Cold Spring Park and nearby to the Angier school.

Zoning Redesign:

Area Council President Nathaniel Lichtin noted that the zoning redesign process is moving forward. The Zoning and Planning committee is now reviewing the proposal for residential districts and the completion of this process has been pushed back to October. One aspect of this proposal is to allow for a maximum driveway width of 10 feet within the first 10 feet of a property from the curb line. The Planning Department will be coming out with a map of proposed residential zones in July. Area Councilor Srdjan Nedeljkovic stated that he strongly supported the concept that green space is preserved in the front setback of houses. Further aspects of the zoning redesign include proposals to remove the need for a Special Permit if a proposed project involves an increase in the building footprint by less than 1000 SF, including certain building components, and some other specifications. The next Zoning and Planning Committee meeting is on June 15. Staff from the Planning Department have asked the Area Council for time to provide an overview of the proposal in September.

Other Land Use updates:

Area Council President Lichtin provided an update regarding the proposed development project at 1114 Beacon Street. Apparently the developer is in the process of redesigning the project. No new plans are available at this time, and no new timeline has been set. Also, there are no new updates about Walnut Street village center project in the Highlands.

Virtual Community Event:

Area Councilor Amy Wayne has been working on an interactive activity project that involves a trivia contest with questions about local history, architecture, and events. She is hoping to be able to present further details about the proposal at the Area Council's July meeting.

Local Updates:

John Rice noted that O'Hara's Restaurant will be having outside dining at the parking lot across the street at the former Highlands service station. Further information is pending regarding the specifications of seating and other regulations from a state and city level. City Councilor Bill Humphrey noted that this is an exciting opportunity to test restaurant culture outdoors in Newton.

Administrative Items:

Approval of the May Minutes: A motion was made to approve the May minutes as there were no edits offered. The minutes were approved 9:0.

Treasurer's Report: Area Council Treasurer Groot Gregory noted that there were no transactions during the prior month.

New Business:

Area Councilor Bob Burke sent a letter to the Tab about writing an article to encourage residents to patronize and support businesses in our village. He has followed up with Julie at the Tab and she agreed that an article may be submitted along with a photo. Bob will write a draft article, up to 700 words. He noted that local businesses have been supportive of the Area Council and our activities, and that they in turn are much appreciated for their contributions to the community. In the article, there will be a call to support our local businesses.

Meeting Adjournment:

The meeting was adjourned at 9:13 PM.