

Newton Highlands Neighborhood Area Council

Meeting Minutes, March 2, 2023

Area Council members:

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

Ex Officio:

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

Residents and others:

Bob Burke, Carol Stapleton, Dan Powdermaker, Kim Thurmond, Jeffrey Freudberg, Julie, Waban Area Council President Rena Getz, Martina Jackson, John Rice, MaryLee Belleville, Kathy Pillsbury, City Councilor Tarik Lucas, Stephen Farrell, Rakashi Chand, Lisa Gordon, Dennis Rieske, Cheryl Salvucci, C Wilson, City Councilor Pam Wright, Richard, Marc Hershman, Loumona Petroff, Carol Carroll, City Councilor Julia Malakie

Meeting called to order at 7:03 pm. Srdjan Nedeljkovic taking minutes. Area Council President Jeremy Freudberg presiding. The meeting was held in person at the Brigham House as well as via Zoom videoconferencing technology. The meeting was recorded.

Substantive Topics:

Crystal Lake Update: Area Council President Jeremy Freudberg introduced Luis Demorizi, the Director of Parks and Open Space from the Newton Parks & Recreation Culture Department. Mr. Demorizi provided an update about the Levingston Cove project. He reported that the projected completion date is June 2023, depending on weather conditions in the upcoming months. The contractor is advancing swiftly with the work there. In terms of Crystal Lake Park, the project is on hold after the first community meeting last Fall. Parks & Rec has received community input and they are putting the Left Beach project on hold due to workload issues, and to focus on completing Levingston Cove. Once Parks & Rec has a firm date for a community meeting to discuss the Left Beach, an invitation will be sent out to city residents and groups. The goal is to have a workshop on site this summer to talk through the project as activities are happening there. The area gets the highest use during the summer, so it makes sense to hold the meeting at that time.

Area Councilor Amy Wayne asked about the Levingston Cove fishing deck, and the overhang from the cantilevered deck. Mr. Demorizi responded that the deck will extend 10 ft out from the wall. The usable area of the deck will be about 30 ft wide. The slats on the deck platform will be wider to allow light to penetrate beneath the deck. Area Councilor Amy Wayne expressed concern that

children may be unseen because if they go under the deck. Mr. Demorizi responded that the fishing platform will be a few feet above the old fishing wall, since everything will be raised at that site.

Regarding the Left Beach project, Area Councilor Srdjan Nedeljkovic asked about whether there would be a non-boardwalk option for the Left Beach. Mr. Demorizi responded that variations of the initial concepts will be considered, including ones that have less boardwalk, and may contemplate areas that do not include a boardwalk. Area Councilor Robert Fizek asked how the design criteria were established prior to the first community meeting regarding the Left Beach project. Mr. Fizek recommended that the community session in the summer should focus on incorporating input from the community to guide the design process, rather than presenting a finished design. Mr. Demorizi responded that the first community meeting was just to present an initial concept and gather feedback, and that nothing is set yet regarding the Left Beach. The aim was to get initial reactions and thoughts. Now the goals of the project will be revisited.

Area Councilor Robert Fizek asked if the budget for the Levingston Cove project design, which was projected to cost \$1.8 million, had changed. Mr. Demorizi responded that the figure is still the same. Mr. Demorizi noted that the initially budgeted amount was \$1.44 million, and after the project went out to bid, the cost came back at \$1.8 million as there were some added elements, such as granite curbing. ARPA funds were used to cover the additional costs. Mr. Fizek asked about the total design costs for the project, and Mr. Demorizi responded that this information will be forthcoming. Newton resident Kim Thurmond asked whether the newly designed Levingston Cove will maintain access to the water. Mr. Demorizi noted that the water access point will be retained, and that there will be stacked blocks set there as a measure against erosion. There will be access maintained which will be slightly narrower than prior conditions.

Area Councilor Nathaniel Lichtin noted that the Crystal Lake Park is fenced due to its use as a staging area for the Levingston Cove project, and asked when this will be reopened. Mr. Demorizi responded that the city is doing its best to limit the disturbance at Crystal Lake, and that this area will be restored as soon as feasible. The goal is to be out of that area by the summer season. Mr. Lichtin also noted that there was no notice that the Crystal Lake Park would be used as a staging area for the Levingston Cove project, and he asked that the community be notified if this type of activity occurs in the future. Mr. Demorizi responded that abutter notifications were sent to immediate neighbors. Area Councilor Robert Fizek commented that the final design of the Levingston Cove project was controversial and disagreements about the design process brought distress to advocacy groups. Many people in the community felt that the project was overdesigned and expensive, more than it needed to be.

Area Councilor Barbara Darnell asked if opaque windscreen fencing will be put back up at the project site, as there is a concern about visibility for pedestrians. Mr. Demorizi responded that the windscreen fencing will not be going back up. Area Councilor Lichtin expressed concern that the process for Parks & Rec to obtain community input was not adequate at the beginning of projects. Area Council President Jeremy Freudberg commented that zoom webinars are not a preferred method of community engagement for future meetings. Lisa Gordon asked about being notified about when meetings are due to take place, and also when the new Levingston Cove will be opened. At the end of the discussion about Crystal Lake, Area Council President Jeremy Freudberg thanked

Mr. Luis Demorizi and Ms. Carol Stapleton for attending the Area Council meeting, and noted that the Area Council and entire community are looking forward to further engagement about the design of the Left Beach project.

Override Discussion:

Area Council President Jeremy Freudberg asked Area Councilor Nathaniel Lichtin to describe the key facts about the proposed city tax override. Mr. Lichtin reported that on March 14, there will be a city ballot that contains three questions. The first is about a general tax override which would result in a permanent increase of taxes by \$9.175 million per year, which is about \$290 per year for a median valuation house. These funds will be used to support student needs, street and sidewalk improvements, Parks and Rec maintenance, tree planting, improvements to the Horace Mann school, sustainability and climate goals, and senior services. After the initial year, spending in future years can be reapportioned as the city decides. The second ballot question is about a debt exclusion override for the Countryside school, which would result in a \$2.3 million per year tax increase that will last until bonds to pay for the project are paid off after about 30 years. This amount will be \$183 per year for a median value household, starting fully at year 7 after being phased in. There is an additional \$20 million in state funding in matching grants that the city will receive, but these funds will not be available from the state if the override does not pass. The third ballot question is a \$3.5 million per year temporary tax increase for the Franklin elementary school, which will be phased in over 7 years, and which will increase taxes by \$183 per year for a median valuation house until the bonds are paid off.

Mr. Lichtin reported on the key positions of the “no” and “yes” override campaigns. The “no override” group is saying that the city has \$35 million in Covid funds and \$30 million in free cash, and this money should be used first. There is \$7 million from the free cash fund that can be used to help pay for projects. The No campaign notes that the city will get funding from the state millionaire tax. The “no override” group has concerns that increasing taxes will make Newton less economically diverse and that senior citizens and lower income people cannot afford an increase in taxes. Also, parents do not have confidence in schools and the school population is declining. The No campaign states that the city is not managing its money wisely, and that the city has a spending problem and not a revenue problem. The Yes campaign states that the city needs money because we are in a high inflation environment and costs are going up more than 2.5% per year. The city has done 2 overrides in the past 20 years. And there is deferred maintenance to be done. So doing passing the override now, the city will save money by taking care of its maintenance in a timely manner. The Countryside school is built in a wetland and has flooding and sewage backup problems. It has been expanded over the years, but there is lack of modern bathrooms, and the space and is in dire need for upgrading. Regarding the Franklin school, improvements and more space are also needed. If the Franklin school does not get the additional funding, maintenance will be deferred, and costs will be higher in the future.

Early voting on the override questions starts on March 3. Area Councilor Barbara Darnell noted that the Charles River Chamber of Commerce advised voting against the first question for a general override and yes on the other two questions that support the two schools. They point out that the tax increase will be difficult for businesses. Newton resident Dennis Rieske also commented that the

Charles River Chamber of Commerce was not supportive of the first question for a general override. It is important to support businesses coming out of the Covid crisis by not burdening them with additional taxes. Mr. Rieske asked about the Countryside school and noted how there have been recent upgrades to the school. He is surprised that the entire school will need to be replaced. It was pointed out that due to flooding issues, the school will need to be set on a new location at a higher elevation. City Councilor Tarik Lucas asked about the \$9.175 million general override proposal, and how the new millionaire tax may affect city finances as there will be an increase in money coming to the city due to this recently passed tax. Councilor Lucas noted that the Governor stated that an additional \$1 billion in tax revenue will come to the state, with \$510 million to be allocated for education and \$490 million to go for transportation. Of the money for education, \$360 million will go to colleges and universities. It is unclear how much of the millionaire tax revenues may come to Newton. City Councilor Humphrey noted that the City of Newton is not expecting to see much of an increase in revenues from this source of funding. He also pointed out that the federal money from Covid funding needs to be under contract by the end of 2024 and that it may not be available for the school projects. He pointed out that the free cash amount of money that is available is high now, but it will not be permanently high. C

Area Councilor Srdjan Nedeljkovic asked how the possible closure of either the Ward or Underwood schools may impact the budget and funding for other schools. Also, Mr. Nedeljkovic asked how the declining school population may affect the school budget, since Newton is expecting to have the lowest kindergarten enrollment now since the early 1980s. City Councilor Bill Humphrey noted that there have been discussion about consolidating the Ward or Underwood schools. City Councilor Pam Wright noted that there are ongoing discussions taking place about this. She believes that one of these schools may be merged to the other site. The Pierce school is also low on enrollment numbers, but new housing along Washington Street is expected to funnel new children into Pierce. The Needham Street project will funnel children into Countryside. City Councilor Pam Wright noted that Countryside received some modules some time ago, but that these were Band-aids and the school is in bad condition.

A question was asked about swing space. The old Lincoln Eliot will be the swing space in the future for any schools that need to be rebuilt. If a new Franklin is built, it may be built on the fields and the old Franklin may stay open without interruption. City Councilor Pam Wright noted that Franklin may be renovated but that an expansion may be needed, versus a new school on the other side of the lot, versus tear down the school and rebuilding a new school on its old site. Area Councilor Robert Fizek also questioned the decline in enrollment, and how that relates to the projected construction needs. City Councilor Pam Wright noted that the Franklin school is full, and that kids in its neighborhood currently have to go to farther schools. New development on Washington Street may lead to new school enrollment at this location. There is no data on whether school enrollment vs private school enrollment will change over upcoming years. And enrollment is increasing in the high schools, according to City Councilor Pam Wright. Dennis Rieske asked if there is an option to delay the bond issue for one year, since the price of bonds is high. Can the city consider this? City Councilor Humphrey noted that nobody knows about bond prices in the next year.

Area Councilor Robert Fizek commented on the operational override, and that the city is not efficiently managing its projects, leading to high costs, in addition to deferred maintenance leading

to deterioration and high costs later. Mr. Fizek noted that the city spends lots of money on consultants, and that's why it is difficult to support an operational override until better management is provided. Dan Powdermaker commented that deferred maintenance in schools should not be deferred, and that we should invest in maintenance. He noted that most groups are supportive of all three override measures, and inflation is outstripping 2.5% property tax increases. Mr. Powdermaker noted that other communities have passed overrides and that these funds have been used to complete projects like burying overhead utilities.

Brief Status Updates:

Winter Parking Ban reform/peal: Area Council President Freudberg noted that on February 22, the Public Safety committee discussed a proposal to amend the city's winter parking ban in some way. This was an introductory meeting. Representatives of the city administration attended the meeting. There was some support for lifting the ban, but it was noted that administrative burdens need to be reduced if the ban is reformed. No immediate changes are predicted. The current ban expires on March 31. There were 500 e-mails received about this, and the overwhelming majority was in favor of lifting the ban or reducing it. Area Councilor Srdjan Nedeljkovic mentioned that Newton Highlands residents were highly supportive of eliminating or revising the parking ban. Jeremy Freudberg showed data that indicated that over 80% of Ward 5 and Ward 6 respondents preferred removing the ban. Area Councilor Nathaniel Lichtin noted that the City Councilors seem to be leaning towards loosening the ban. Newton resident MaryLee Belleville said that she initially was in favor lifting the ban, except for snow emergency situations. However, in light of new proposals for development with reduced parking minimums, and possible maximum limits on off-street parking, then it will lead to more cars on neighborhood streets. Therefore, she is now in favor of keeping the ban.

1149-1151 Walnut Street: Area Council President Freudberg noted that a request for a 2-year extension of time for executing the Special Permit for this project was approved by City Council. There were questions to the petitioner about the project. The current owner is hoping to sell the property. The new owners are not obligated to execute the special permit. Based on information from ZAP, the property may benefit more from the new VC3 designation. The property is now under agreement, but the potential buyer is not publicly disclosed at this time.

Village Day preparations: Area Councilor Groot Gregory noted that there will be a meeting this Saturday to plan for Village Day. The date for Village Day is Sunday, June 11, which is the second Sunday in June. John Rice noted that on June 9 there will be a concert at the Hyde Bandstand, a Flying Dogs event will take place on June 10, and then Village Day on June 11. The Flying Dogs will be catching frisbees.

Website: Area Council President Freudberg has been working on this. All of the prior Area Council Minutes have been posted. Older content has been moved to an archive folder. There is still some work to do, and there are technical glitches that need to be fixed. The Annual Reports and letters need a space to be posted. The History of Newton Highlands went to the archives. A discussion ensued about how Letters should be posted, either as part of Minutes or separately.

Filling Area Council Vacancy:

Area Council President Freudberg noted the Area Council had interviewed two candidates at the prior meeting, Rakashi Chand and Sandra Davidow. Ms. Davidow has withdrawn her candidacy. Ms. Chand introduced herself as a resident of Newton Highlands. She is interested in becoming more involved as a mother with children in the school system, and as a way to connect with younger families who have moved in recently. She is organizing the Indian Festival of Colors on March 11 and all are invited to attend. Ms. Chand previously lived in Brookline but has lived in Newton for about 10 years. She is interested in connecting new residents to the Area Council. Area Councilor Srdjan Nedeljkovic made a motion to nominate Rakashi Chand to the Area Council. A vote was taken, and Ms. Chand's nomination was approved 8:0 with all in favor. Ms. Chand will need to go to City Hall to be sworn in and she will be able to vote at the next Area Council meeting in April.

Zoning Redesign Discussion:

Area Council President Freudberg noted that during February, the Zoning and Planning Committee met twice to discuss Zoning Redesign and received information from Utile, the city's consultant. Visuals were presented at the February 13 meeting. A set of slides from this ZAP meeting was presented at tonight's Area Council meeting. The basic premise for village center design is that for a 70 wide right-of-way like on Lincoln Street, a 50 ft high building would fit design standards. It was noted that in some cases, property owners may move their buildings some feet away from the current front setbacks, allowing for a larger sidewalk. Perspectives were shown of how new development may fit into the streetscape of Newton Highlands. The visuals showed existing conditions, albeit without overhead utilities. Potential building masses consistent with VC3 development were then shown, first of a building with a 5070 square ft footprint. Another building was shown that has outdoor dining, which pushed the front setback of the building back 3-6 feet from the current sidewalk. The building shown had a footprint of 6970 square ft. Additional visuals were shown of Newton Corner and Newtonville.

City Councilor Tarik Lucas asked about renderings of various other side streets. Mr. Freudberg responded that there are no such renderings. According to the consultant, it would be expensive to create additional renderings of other streets, and it would take a generation to build out each village center as depicted in the visuals.

A discussion ensued about the visuals that were presented. Area Councilor Srdjan Nedeljkovic remarked that the visuals indicate a wholesale replacement of existing village center buildings with new buildings. There is no indication in the presentation about historic preservation, access to transit, context sensitive design, and requirements for a true mixed of uses in the proposed developments. The buildings appear to be primarily large residential structures with a token amount of commercial space. Area Councilor Nedeljkovic stated that he is making these comments as someone who supports appropriate infill development, such as the project at 1149-1151 Walnut Street, and potential infill projects across of O'Hara's on Walnut Street and at the lot on the corner of Walnut and Centre Streets. Newton resident MaryLee Belleville asked if Newton residents were ever asked if Newton should be a more dense, urban community as depicted in these visuals.

Area Councilor Robert Fizek noted how the zoning proposals overlook local context, and that a greater effort is needed to include the community that inhabits that space into the decision-making process for zoning. The illustrations do not include light and shadow, and other characteristics of what you see in real places. A discussion ensued about the use of wide-angle visuals, which tend to distort the visuals. Newton architect and urban design expert Marc Hershman noted that a wide-angle view makes a scene appear wider, and that an eye-view angle would be more realistic. This gives a more accurate feel of how buildings affect the actual experience of the streetscape. Mr. Hershman pointed out that the new zoning would eliminate village centers and convert them to city centers. The figures in the drawings show how people are eclipsed by buildings, which is a big-city, urban design. We need not go to this height and density as the proposed density and height do not match historic village centers in New England. The ratio of relating a human to a building is important to consider. Mr. Hershman pointed out that the Newton Highlands village center is already at the maximum height to width ratio as suggested by urbanist planning principles.

Newton resident Kathy Pillsbury noted that under our current zoning, if MU4 standards were used, the buildings that could be approved may be larger than what is proposed in VC3. She pointed out that the new zoning code will be associated with design standards, and this is how Newton will communicate with developers on what we desire to be built. Regarding concerns about the loss of older buildings in village centers, Ms. Pillsbury noted that it wouldn't be worth it for a developer to tear down a 3-story building to replace it with a 4.5 story building. More likely development will happen where there are single story buildings. City Councilor Pam Wright pointed out that we have not yet received a formal comparison about what could be built between present zoning and the new zoning. Waban Area Council President Rena Getz noted that the max FAR for currently zoned MU4 is 2.5, and the new zoning VC3 district will allow FAR of 4 to 5. On a 15K SF lot, much more building could be allowed on a lot under the proposed VC3 zoning than what the visuals show, which are showing buildings which have only 5000-6000 SF footprints.

Area Council President Freudberg then reported on the discussion that occurred at the subsequent ZAP meeting on February 27. Feedback has been considered and new ideas were presented in the Version 2.0 discussion. Topics included: Design standards, identifying street frontages where ground floor commercial is essential, incentivizing historic preservation, setting new parking requirements, changes to VC1 standards, affordable housing incentives, and MBTA communities compliance calculations. Elaboration regarding design standards was presented. On certain streets and areas where there is currently mixed-use development, there is an intent to preserve an element of mixed use so that these areas do not get replaced by fully residential buildings. It was noted, however, that the MBTA communities act requires allowing fully residential buildings.

Images of new maps with "black lines" were shown. The lines show street frontages that are intended to remain retail or commercial uses. Area Councilor Srdjan Nedeljkovic pointed out that some of the "black lines" in Four Corners don't match the reality of the new residential-only project that is being constructed. Also, the current commercial area on the western section of Beacon Street is not indicated as a commercial-frontage zone. Historic preservation incentives were discussed. New zoning in historic districts will be removed in future maps. A suggestion was made that the new zoning should be written to consider preserving historic streetscapes, not just buildings. The new zoning includes a proposal to reduce residential parking requirements to 0.5 spaces per unit, or 0

spaces per unit if the housing is within ¼ mile of transit. Newton resident MaryLee Belleville questioned the feasibility of implementing parking maximums, since people will simply park on residential streets if on-site parking is not available for a building. Area Councilor Srdjan Nedeljkovic pointed out that restricting parking can only work based on having frequent, quality transit nearby. A discussion ensued about the practicality of making these restrictions to parking. Newton resident Dan Powdermaker noted that there has not yet been a firm proposal about this, but that there is lots of information about how parking rules influence auto utilization. Architect Marc Hershman expressed surprise that there would be a proposal that there would be zero parking spaces in a development.

The remaining updates to the zoning proposal were discussed. An item was noted about eliminating rules about additional height restrictions for special permit. Another item was presented regarding applying consistent policies for city owned parcels. Data was presented on a parking analysis by town based on how much parking was built and how many cars utilized the parking. In Newton, developments average in providing about 1.5 parking spaces per unit, whereas the utilization is closer to 0.8 vehicles per unit. City Councilor Pam Wright noted how the Trio development implemented 0.78 parking spaces per unit, but that many tenants were parking on the surface lot rather than paying for parking underground, underrepresenting the number of parked cars in the development. When restrictions were placed on residents about where they could park, a 1:1 ratio was noted to exist between the number of parking spaces per unit. A discussion ensued about the trend in many communities to reduce parking ratios. Newton resident MaryLee Belleville noted that we need to see the actual numbers regarding parking rather than just a summary of percentages.

DPW Village Enhancement Project

Updates were provided. The Area Council had sent a letter to DPW regarding undergrounding utilities, and no direct response was received. The DPW has been in communication with the utility companies, and then may be reaching out to the property owners.

There will be a public meeting in April. New design and concepts will be introduced. DPW has asked for feedback via e-mail and the mapping tool. In the near future, a new tool for public input will be utilized to obtain community input.

Parking permit data and problems

Area Councilor Barbara Darnell noted that the Senior Center will be receiving 10 parking permits for employee parking in Newton Highlands. For additional parking permits for business owners, the period for requesting permits was delayed. Businesses were unable to access the parking permit program but were required to pay the full fee. Some business owners have had trouble getting permits. Employees will be pushed further out from the village center. Floral Street and Station Avenue may be added to the parking permit zone. Area Council President Freudberg expressed dissatisfaction with the process of obtaining permits, leading to a delay for some business owners for 2 months before their permits were issued. Area Councilor Barbara Darnell made a motion, seconded by Area Councilor Wayne, to convey to the police department that every effort should be made to have permits available by January 1, to ask for a rebate for businesses who were delayed in

obtaining permits, and to express that the process for obtaining permits should be moved entirely online. A vote was held 7:1 in support of this motion (Darnell, Gregory, Fizek, Nedeljkovic, Rosenberg, Freudberg, Wayne), with a negative vote from Area Councilor Nathaniel Lichtin. Further clarification will be obtained from the police department regarding the availability of parking permits in Newton Highlands (currently limited to 32 permits for businesses, and 10 permits for the Senior Center) and a way to publicize this program.

Northland 160 Charlemont 40B

Area Council President Jeremy Freudberg reported on the proposal to construct approximately 400 apartments, which will be two 8 story buildings with a 4-story connector off of Needham Street near Charlemont Street. A 3-D model of this project has been produced, but the design is still being updated. Mitigation payments from this project will help support restoring or rebuilding the Christina Street pedestrian and bicycle bridge.

Regarding the Christina Street bridge, City Councilor Bill Humphrey noted that the two options included a rehab of the existing bridge versus a totally new bridge at a higher price. The ward councilors from Ward 5 and Ward 8 wrote a letter to the ZBA asking for mitigation payments from the developer to help support the bridge. Needham may be able to contribute some funding. State Representative Ruth Balser has obtained an earmark for some portion of the funding. At this time, City Councilor Humphrey noted that the city should be able to come up with funding for the less expensive option of repairing and restoring the current bridge. Area Councilor Barbara Darnell asked about the total cost of the project: it is \$1.6 million for the rehab and \$2.5 for the new bridge. Of the needed funds, Representative Balser has secured \$1.25 million. Area Councilors Srdjan Nedeljkovic and Robert Fizek both expressed their support for restoration of the existing bridge. Perhaps additional funding could be used for other projects, like a new pedestrian bridge across the Charles River in Waban.

Area Council President Jeremy Freudberg presented data about the amount of the expected mitigation payments for the approved Northland project (\$9 million) and the new Charlemont project (\$4 million). For both projects, 25% of the infiltration/inflow mitigation fee will be used for water and sewer improvements and 75% for community benefits; however, the approved Northland project included additional mitigation payments in excess of 75% I&I fee. Mr. Freudberg felt that the Planning Department and ZBA should consider requiring such additional mitigation payments for the Charlemont project as well.

Administrative Items:

Review and Approval of 2022 Annual Report: A decision was made to postpone review until the next meeting.

Approval of Minutes: The draft minutes from the February meeting were approved 5:0 (Darnell, Gregory, Lichtin abstaining due to absence from the prior meeting). No changes were made to the February minutes.

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

New Business:

Area Council President Freudberg reported that there will be another attempt to get a drive-through approved at the Route 9 Dunkin Donuts.

Meeting Adjournment: The meeting was adjourned at 10:08 pm.

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