

1. E-MAIL FROM SALLEE LIPSHUTZ TO WARD 5 ALDERMEN – Sunday, Sept. 7

Hi Deb, John and Brian:

Hope you all had a good summer and a chance to catch up on rest and recreation! I am writing to you to ask if any of you have any info you might have gathered that impacts Waban, specifically, to which you would like to alert us so that we can upload it onto our website as well as present it at our next WAC meeting on Sept 11.

Some issues that you could have info on of interest to us would include:

News on St. Philip Neri's development

Planning for Waban's business center: street, traffic changes, other.

City Departments' awareness of Add-A-Lane construction stages and possible problems for our residents. (We know the Police are already working on plans; of course, our Transportation Department knows; who else should be made aware to plan for contingencies?)

Thank you for your input.

Sallee Lipshutz

President, Waban Area Council

2. RESPONSE FROM ALDERMAN CROSSLEY – Monday, SEPT 8

Hi Sally -

Welcome to September and another busy year - it has been an extraordinary summer weather-wise. I am recently informed that the developer of Philip Neri has chosen to proceed with a Comprehensive Permit application, but that he wishes it to be a 'friendly 40B' process - intending to meet extensively with community groups to try to incorporate their feedback. They do not intend to ask for any city funding, such as CPA, to help with development of the affordable units or for any other reason.

Therefore, as I have previously written, the only required public meeting would be a public hearing before the ZBA. However, WAC is at the top of the list of community entities they intend to contact. They have been meeting with the Planning Department for their feedback. Although the percent of affordable units required under 40B would mean more units on this site (in order to finance more affordable units) that would be required under our city ordinances, I am told that the mix of units proposed is to be more smaller units - studios and one bedrooms - and of a smaller size - the intent being to have more units in the same size building as they were considering for an SP.

I think this is an unusually good site for many small transit-oriented units, and will attract the demographic they are seeking - young professional and older retired folks seeking smaller quarters requiring less maintenance. Walking to transit and shops is an option and residents will require fewer vehicles. But the scale and character of the buildings matters a great deal. I urged them to carefully consider the massing from all viewpoints so as to make gracious transitions from adjacent and village buildings.

Thursday night is the continuation of the ZBA hearing on 135 Wells Avenue which I plan to attend.

Maybe I can do both but need to go there first.

Best,

Deborah J. Crossley

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When responding, please be advised that the Secretary of the Commonwealth has determined that email may be considered a public record.

3. E-MAIL FROM SALLEE LIPSHUTZ TO JAMES FREAS – MONDAY, SEPT. 8

Dear James:

I e-mailed our three Ward 5 Aldermen Sunday asking about news specifically relevant to Waban and received an e-mail response from Alderman Deb Crossley Sunday afternoon detailing the Friendly 40B process that the developer of St. Philip Neri is choosing. (Copies of my inquiry and Alderman Crossley's response are attached above.)

We will be announcing this news as an update on St. Philip Neri at our next regularly scheduled Waban Area Council meeting this Thursday, September 11 at the Waban Library Center. We understand that the determination of the timeline for informing the neighborhood in a 40B development is ambiguous. However, we feel that the earlier in the process that the public is engaged, the more likely a project is to be successfully designed to meet the community's needs. Therefore, our Waban community is requesting a timeline going forward during which the various City commissions (e.g., Historic Preservation Commission) and advisory agencies will be considering the merits of this proposal. We would like our community to be able to provide its opinions on size, density and configuration of the developer's proposal at the earliest possible stage.

You are invited to speak to our Council about this item on September 11 in a short statement limited by the fact that we have an already scheduled full agenda for the evening. If you would prefer, we can call a special meeting of the Council the following week with this agenda item as our single focus for discussion. Please let me know your preference as soon as possible.

Sallee Lipshutz

President, Waban Area Council

4. RESPONSE FROM JAMES FREAS TO SALLEE LIPSHUTZ – MONDAY, SEPT 8

Sallee,

Planning staff did have one meeting with the developer on this project, simply an introduction as we have yet to see much in the way of plans. One small correction, this project will not be a “friendly” 40B in the technical sense allowed under the law, at least from what we have heard from the developer thus far. They are doing a regular 40B but have indicated a willingness to meet with the community and seek input.

It is certainly true that earlier is better. At this point though, we have no timeline. As this is not a technical friendly 40B, community engagement is at the developer’s discretion.

The 40B process places all local land use decisions into the hands of the ZBA. So the process generally is the site eligibility request followed by the ZBA public hearing. There will likely not be a series of meetings with advisory groups as there might be if this were a friendly – unless the developer opts to meet with such groups on their own. As far as the meeting on the 11th – I won’t have anything to report. We have encouraged the developer to reach out to the community and to do so before getting too far into their plans. Once we have more info from them, I’d be happy to come out to a Waban AC meeting.

Best,

James

5. COMMENT BY ALD. CROSSLEY ON E-MAIL FROM JAMES FREAS TO SALLEE LIPSHUTZ–MON, SEPT 8

Thank you James -

You are certainly correct - and I did not mean 'friendly' as it is formally defined.

They say they wish to hear from and work with the community.

Deb

Deborah J. Crossley

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In a phone call on March 7 to Alexandra Ananth, City of Newton Planning Department Chief Planner, she verified the information sent to us by Isabelle Albeck in an e-mail about the St. Phillip Neri property Alexandra stated that Steve Buchbinder was the developer’s attorney. The developer was considering one of three ways to develop the property:

1. What could be developed “by right”, without zoning relief, which would allow 4 or 5 single family houses.
2. What could be developed by “Special Permit” with a zoning change to the property from single family residential to a different zoning classification (multifamily?). This would allow a prescribed maximum number of units/site area and would allow fairly close zoning control over size and number of units. It would require 15% of the units to be affordable housing.
3. What could be developed by seeking a permit under 40B which would mandate 25% of the units would be affordable.

Alexandra indicated that all three routes of development would require demolition of the Church. She also indicated that the Planning Department was “pushing” for the 2nd with a zoning change. I asked her why the Department wasn’t also pushing the 1st houses that could be built “by right”, her answer was that this was such a great location and would fill a need for smaller units for people in Newton. She added that the developer had indicated that he could make money on all three options. She encouraged us to call her before each Area Council meeting for current updates on the progress of the planning process.