



Ruthanne Fuller
Mayor

Barney Heath
Director
Planning & Development

Joseph Iadonisi
Planning Associate

Members

Kelley Brown, Chair
Kevin McCormick, Vice Chair
Lee Breckenridge, Member
Amy Dain, Member
Peter Doeringer, Member
Jennifer Molinsky, Member
Barney Heath, *ex officio*

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JOINT ZONING & PLANNING COMMITTEE AND PLANNING & DEVELOPMENT BOARD MEETING MINUTES

October 16, 2023

Members present:

Kelley Brown, Chair
Kevin McCormick, Vice-Chair
Lee Breckenridge, Member
Amy Dain, Member
Peter Doeringer, Member
Jennifer Molinsky, Member
Barney Heath, *ex officio*

Staff present:

Barney Heath, Director, Department of Planning and Development
Louis Taverna, City Engineer
John Daghlian, Associate City Engineer
Joseph Iadonisi, Planning Associate

1. Board of Survey for 132 Homer St.

The Associate City Engineer, Mr. Daghlian, began the meeting by summarizing Engineering's memorandum on the proposed subdivision for 132 Homer St. This included further detail on the applicant's proposed remedies for the concerns of neighbors and ways of fulfilling their legal obligations, including the phosphorus treatment system, plan for snow storage, added streetlights, and drainage calculations. Mr. Daghlian stated that the drainage additions were adequate to prevent any impacts on abutting properties, including the aqueduct.

The City Engineer, Mr. Taverna, added that the Engineering received a letter from Health and Human Services providing their approval for the subdivision, the trust agreement for homeowners' agreement, and the performance bond amount.

Mr. Doeringer asked if the Engineering Department have heard back from Fire Department. Mr. Daghlian said they have not and they agreed to ask the developer later in the meeting.

Mr. Daghlian reviewed the waiver requirements which included the following:

- Section V.B.1.d. Minimum centerline radius.
- Section V.B.3.a. Minimum right-of-way width.
- Section V.B.5.d. Cul-de-sac requirement.
- Section VI.A.1. Minimum pavement width.
- Section VI.C. Sidewalk construction.

Mr. Daghlian's recommendation was that each of the waivers be approved given the specifics of the site and general intent of the requirements. Further information about the required waivers is available in the Engineering review memorandum. Mr. Daghlian added that the remaining items prior to final approval for the subdivision include the Law Department's review of the homeowners' agreement and the traverse and closure of the perimeter of the subdivision.

Mr. Brown asked if could vote on all waiver items together, Mr. Daghlian stated that the vote would have to reflect each of the waiver requirements, and Mr. Brown stated that the record would reference the Engineering memorandum.

Mr. Doeringer asked about the section that the paragraph that begins “as required” ends “road construction” and if the Board can vote tonight. Mr. Daghlian said that they can vote on the waivers and draft of Cert. of Action, but that the final approval would not be issued yet. Mr. Doeringer stated wants to see the homeowners’ agreement and hear from the Fire Department.

Mr. McCormick asked about the snow storage area. Mr. Daghlian said that the applicant added 600 SF area on property easement for snow storage.

Mr. Brown asks if voting on waivers moves process forward and what are next steps are. Mr. Daghlian said that the waivers then go in the packet for building permit and the HOA goes to law department. Mr. Taverna says that Engineering prepares Certificate of Action as well. Mr. Brown asks if there is hardship with the sequence of having to finish up in a month from now if they wait to review the HOA and hear from the Fire Department. Mr. Lee, attorney for applicants, said that there are other unrelated matters for his clients, but if the Board at least votes on the waiver that would be helpful.

Ms. Molinsky asked JD to describe the phosphorus system and plan’s ability to deal with the stormwater. Mr. Daghlian stated that the proposed drainage system will ensure no impact of stormwater to any abutter or aqueduct, overall benefit by extending drain main and providing overflow connections and allow for sump pump connection. Additionally, the applicants will need to report on the phosphorus system yearly.

Mr. Collum, the engineer from the project, said that the Fire Department spoke to them. The drainage system was the Fire Department’s only concern and that it cannot be in front yard. Mr. Collum said systems will not be assigned a location until the houses are planned. Mr. Taverna asked if there would be problems with locating the systems outside of the front yard. Mr. Brown asked if that would require a different waiver, JD says they would need a new plan that reflects the new location. Ms. Breckenridge asked if the relocation of the storm drain location would impact the ability to meet the site’s need. She added concern that they do not leave any further concerns or issues for after voting and outside of the Board’s purview. Mr. Brown added that Mr. Taverna and Mr. Daghlian assured that the storm drain location would not be impactful overall. Mr. Daghlian stated that when the lots are developed, the Engineering Department will conduct review again and that would include the storm drain location.

Mr. Doeringer asked about conditioning versus approving the waiver. Mr. Daghlian said that one such condition would be updating the plan to reflect the final storm water drainage location. Mr. Brown clarified that this is not a final approval and that the Fire Department, HOA, and final plans would occur. Mr. Heath added that law would ensure that the HOA is correct. Mr. Brown spoke to voting on the waivers now and approving the plan later. Mr. Taverna said that would be plenty of time for the HOA.

Mr. Doeringer moved to hold a vote on the waivers. The Board voted 6-0-1, Dr. Heath abstaining, of granting all five waivers.

Mr. Heath moved to close the Board of Survey, the Board voted 7-0 in favor of closing the Board of Survey.

- 2. Docket item #38-22 Request for discussion and amendments to the Zoning Ordinance and Zoning Map regarding village center districts and discussion on docket item #39-22 Requesting discussion on state guidance for implementing the Housing Choice Bill/ Vote**

Mr. Brown began the discussion by talking about the memo, drafted to summarize the key points of discussion and agreement from the October 2nd meeting. He added that he had also seen Mr. Doeringer's comments on the Site Plan Review section of VCOD and his proposed revisions.

Mr. Brown stated that the first proposed change was the removal of the fee for requesting Site Plan Approval, which had been removed pending further review. Mr. Heath commented that a further study on fees for site plan review was forthcoming. Mr. Doeringer stated that the proposed changes would be included in the VCOD V3.1 text. Mr. Doeringer said that the initial recommendation for a shadow study was replaced by the section requiring additional analysis at the discretion of the Planning Board as a means of capturing impacts on surrounding properties in lieu of a shadow study. The next item was the length of the public hearing and Planning Board time for review. Mr. McCormick mentioned the timing of meetings and that 60 days would include only two meetings, so suggested the time period be 70 days instead, which the Board generally agreed upon. The Board discussed the procedure for voting for changes.

Following a motion from Ms. Molinsky to consider Mr. Doeringer and Mr. McCormick's changes the Board voted 6-0-1, Dir. Heath abstaining, for Mr. Doeringer's amendments to the Site Plan Review section of the VCOD text.

The Board continued to adjust the VCOD memorandum, which is attached and reflects the discussion and input of the Board.

Upon a motion from Mr. McCormick, the Board voted 6-0-1 to approve the revised memorandum with Dir. Heath abstaining.

3. **Minutes**

With a minor correction, replacing Mr. Kelley with Mr. Brown where it appears, the Board voted 7-0 to the September 26th minutes.

4. **Adjournment**

With a motion from Mr. Doeringer, the Board moved to adjourn by a 7-0 vote.