



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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PLANNING & DEVELOPMENT BOARD MEETING MINUTES

November 6, 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 Discussion/Vote: 132 Homer Street

The Planning and Development Board voted to assume the role of Board of Survey upon a motion from Mr. Doeringer by a unanimous roll call vote, 7-0. Mr. Taverna began the discussion of the proposed subdivision for 132 Homer Street by updating the Board on the documents that the Engineering Department and the applicants have prepared. This included the final plans, the Fire Department approval, Certificate of Action, Health Department memorandum, and Homeowners' Association (HOA) agreement. Mr. Daghlian continued to inform the Board of the three items that required their vote: the performance bond, Homeowners' Association agreement, and Certificate of Action. Following these votes there is a twenty day appeal period and the Board is required to sign the final plans following the appeal period and the subdivision is finalized.

Mr. Doeringer asked about the Certificate of Action about the HOA's provisions about the streetlights and snow storage areas. Mr. Taverna clarified that the City would not own or operate either of these items. Mr. Brown asked about the bond amount and Mr. Taverna and Mr. Daghlian reviewed the itemized performance bond cost list. Mr. Doeringer moved to approve the recommended \$600,000 performance bond amount. By a 6-0-1 vote, Director Heath abstaining, the Board voted to approve the bond amount.

Mr. Brown asked about the parties to the HOA and asked for a brief description. Mr. Taverna and the petitioners' attorney, Lawrence Lee, discussed the HOA. Mr. Lee informed the Board that the arrangement was similar to that of two-unit condo associations and that most disagreements were solved between members or using alternative dispute resolution. Mr. Doeringer asked for additional clarification as to dispute resolution procedures in the HOA agreement to which Mr. Lee agreed to add language referencing the Massachusetts' Bar Association's dispute resolution in the HOA agreement. Mr. Doeringer, after adding to reference the Planning and Development Board as the Planning and Development Board acting as the Board of Survey in the HOA agreement, moved to approve as amended, which was approved 6-0-1 with Director Heath abstaining.

Mr. Daghlian and Mr. Taverna clarified the vote on the Certificate of Action, given the request from the Board to clarify the snow removal and storage section, and that the

Board would vote to approve with that section amended. The Board reviewed the Certificate of Action. Ms. Breckenridge asked about stormwater management, given no reference in the Certificate of Action. She reiterated the engineers' responsibility to ensure proper adequate stormwater management. Mr. Taverna clarified the application of the City Stormwater Ordinance and the Engineering Department's role in reviewing the plans and their experience and expertise in ensuring the stormwater management is sufficient. The Board voted 6-0-1 to approve the Certificate of Action as amended with Director Heath abstaining.

The Board and Mr. Taverna discussed the next steps, including the signing of the final plans on the week of November 26th. The Board voted 7-0 to close the Board of Survey following a motion from Ms. Breckenridge.

2. Minutes

The Board reviewed the minutes from October 2nd and October 16th. Ms. Molinsky corrected that she was in attendance for both meetings although she was missing from the October 2nd attendees. Mr. Doeringer clarified some of his comments from the October 16th regarding Site Plan Review for the Village Center Overlay District ordinance. Following discussion with the Planning Department, Mr. Doeringer agreed to include a broader phrase allowing the Planning and Development Board to seek additional analysis rather than 3D modeling or shadow studies specifically. Mr. Iadonisi also needed to correct the file names and page numbering on October 16th. As amended, the minutes were approved unanimously.

3. Upcoming Meetings

Director Heath briefed the Board on upcoming matters, including the joint Zoning and Planning Committee and Planning and Development Board meeting on November 13th. On the agenda for this meeting would be the 126 and 132 Charles St. rezoning Public Hearing and continued discussion following outreach by the Ward councilors to the neighborhood. The November 27th meeting did not have a set agenda given the priority of the Village Center Overlay District, which Director Heath further discussed the path forward for the Village Center Overlay District. This included the upcoming Zoning and Planning and City Council meetings followed by a review by the state to ensure full compliance with the Massachusetts General Law 40A.

4. Adjournment

The Board adjourned on a motion by Ms. Molinsky with a 7-0 approval.