

# PLANNING & DEVELOPMENT BOARD MEETING MINUTES

May 7, 2018



## Full Members Present:

Scott Wolf, Chair  
Peter Doeringer, Vice Chair  
Megan Meirav  
Sonia Parisca  
Chris Steele  
Barney Heath, *Ex Officio*

## Staff Present:

Rachel Powers, Community Development Programs Manager  
Danielle Bailey, Grants Manager  
Elizabeth Valenta, HOME Program Manager  
Malcolm Lucas, Housing Planner

Ruthanne Fuller  
Mayor

Barney Heath  
Director  
Planning & Development

Rachel Powers  
CD Programs Manager  
Planning & Development

## Members

Scott Wolf, Chair  
Peter Doeringer, Vice Chair  
Barney Heath, *ex officio*  
Megan Meirav  
Sonia Parisca  
Chris Steele

1. **Minutes from the Planning and Development Board Meeting held on April 2, 2018**
2. **Board of Survey/Public Hearing: Farewell Street- VTP Associates**
3. **Board of Survey/Public Hearing: Withdrawal of Definitive Application- Carlson Avenue Extension**
4. **Presentation/Vote: Draft FY19 (July 1, 2018-June 30, 2019) Annual Action Plan**
5. **Discussion: 128 Chestnut Street Landmark**
6. **Zoning Redesign Update**
7. **Washington Street Vision Plan Update**

## 1. Action Item: Approval of Minutes of April 2, 2018 meeting

Chair Wolf opened the meeting at 7:30 p.m. The motion was made by Vice Chair Doeringer and Seconded by Chair Wolf and approved 4-0-2, with Chris Steele and Dir. Heath abstaining, to approve the minutes of April 2, 2018.

## 2. Board of Survey/Public Hearing: Farewell Street- VTP Associates

**Roll Call (ALL MEMBERS):** Upon a motion by Chris Steele and Vice Chair Doeringer, and passed 6-0-0, the Board of Survey was opened (7:30 pm).

City Engineer and Clerk of the Planning Board acting as the Board of Survey, Louis Taverna, re-introduced himself and the project proponent, Joe Porter of VTP Associates, to discuss definitive plans for the creation of a subdivision off of 56 Farwell Street in Newton, bordering the Charles River. The proposal includes 6 housing lots and a private way to service those lots in order to ensure the necessary frontage.

The City of Newton Engineering Division is not ready to make a recommendation on the proposal and is still in the process of reviewing the project and finalizing their conditions by which to issue an approval. Associate City Engineer, John Daghlian, provided a summary of the review process and subdivision proposal for the 2-acre parcel. Some of the concerns center around utilities being constructed directly over

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Massachusetts Water Resources Authority (MWRA) sewer mains, which run the length of the property. The City has been notified of a crack in one of the pipes and the MWRA is currently reviewing options for those repairs. Additionally, the project applicant must obtain permission and access from the MWRA to install the new utilities on the property. Another issue of concern was the applicant's proposed "country drainage." This particular type of run-off is hard to maintain in our region. The Engineering Division prefers standard catch basins and gas traps. The project has met Conservation Commission requirements, with no net increase of run-off, and has been given an order of conditions.

Chair Wolf inquired about the fire department's requirements for access and whether temporary or permanent on-street parking would be allowed. Engineering staff indicated that any fire trucks would likely pull in and out versus attempting a three-point turn and that they would like to see parking restricted. Given the narrow nature of the rotary, it would be safer to avoid parking. Mr. Daghlian suggested that the proponent consider installing a fire compression system in each of the homes.

A homeowner's association would need to be initiated in order to maintain utilities, as well as a private sewer that would need to be approved by the City Council.

Ms. Parisca requested clarification on the sloping and drainage requirements. Mr. Daghlian explained the logistics of this and where the proposed private way will end. He also confirmed with Mr. Porter that the fire department signed off on the applicant's driveway plans.

Vice Chair Doeringer asked if issues related to granite curbing, snow removal and storm run-off would be reduced by having a wider roadway and whether it was realistic to limit parking. Mr. Daghlian assured that there would be less run-off due to the smaller roadway and the granite curbing further preserves the roadway. Mr. Taverna added that the HOA would need to enforce parking and that no street lighting had been approved.

Chair Wolf questioned if the Planning and Development Board would be able to review the proposed HOA documents in the hope that homeowners would be able to enforce the parking restrictions; Mr. Daghlian explained that the Law Department would need to review these documents. Ms. Meirav also inquired about any ongoing issues in the city relative to parking on private ways; this was unknown at the time.

#### Public Comment (7:46 p.m.)

*Joanne Polci, 71 North Street:* Ms. Polci grew up in the area and is vehemently opposed to the proposed destruction of land. She pointed out issues related to existing homes and future development. She also raised parking, traffic, flooding and drainage concerns. She would prefer to preserve the land and feels it is a mistake to develop,

*Josephine Bryant, 65 Anthony Road:* Ms. Bryant is also concerned with the amount of development and size of the proposed road. She is distressed about limited access to emergency vehicles and suggested that the proponent is not considering the potential amount snow or traffic. Ms. Bryant referenced several accidents, the displacement of water and questioned long range impacts of the project.

*Mia Jepsen, 43 Anthony Road:* Ms. Jepsen agreed with the previous speakers and reiterated that the development and removal of trees were too much for the area. She presented pictures of flooding in and around the site, as well as the letter she submitted to the Conservation Commission.

*Sally Malloy, 1 Albemarle Road:* Ms. Malloy explained that she has seen flooding in neighboring yards, as well as her own. She is concerned about the proposed road and how emergency vehicles would get in and out. She also expressed concern about the snow removal, snow melt and area wildlife.

*Sonia Leon, 31 Anthony Road:* Ms. Leon presented concerns and her opposition to the development. Traffic was her primary concern, as well as reductions to open space and impacts to the wildlife. She also spoke to the benefits of the land to the existing residents.

*Silvia Kalorestian, 37 Anthony Road:* Ms. Kalorestian confirmed that the land does flood, as well as her basement. She is extremely pessimistic about the project and reinforced the neighborhood's concerns.

Chair Wolf requested that the public hearing remain open.

*Josephine Bryant, 65 Anthony Road:* Ms. Bryant asked an additional question and wonders how the MWRA approvals will get resolved.

Mr. Taverna indicated that the City would condition subdivision approvals on the proponent receiving the MWRA's permissions. The proponents and City are coordinating with the agency, but no timeline was known at this time.

Chair Wolf asked if the proposed homes are at their maximum sizes/FARs? The proponent described the extensive Conservation Commission process and the plans to mitigate the flooding and revitalize the property. Initially, the proponents considered developing a multi-family property applying for 40B; instead they opted for a smaller project. All the proposed lots will be larger than those on Anthony Circle and provide more open space. The proponent could build larger houses. As part of the remediation process with Conservation Commission, they are replacing trees, pitching the road and providing additional screening. The roadway was narrowed in order to minimize the impact of impervious pavement. Trees will serve as a buffer, with more being added than taken out. The existing property had numerous violations that will be corrected as a result of development. The 100-Year storm has been accounted for in the proponent's plans and projections. Drainage requirements have been satisfied for the Conservation Commission and Engineering Division. The project was approved by Conservation Commission with conditions on April 26, 2018.

Ms. Meirav asked for clarification on the minimum square footage requirements for a new lot in a SR-3 zone; the proponent indicated that 10,000 s.f. was the minimum.

Vice Chair Doeringer inquired if there were alternative ways conservation goals could have been met without requiring a narrow 20-foot road; what are the trade-offs? Mr. Taverna indicated that going with the catch basins, in lieu of the "country drainage" was the trade-off and confirmed that rulings could be amended but would need to be reflected with the Conservation Commission.

Chair Wolf spoke to a subdivision case involving a 20-foot road in another community and was incredulous that the town had even considered so narrow a roadway. He is considered about approving something so narrow. Mr. Taverna explained that this was a compromise between Engineering and Conservation Commission to manage run-off. Other subdivisions have been approved with similar conditions.

Ms. Parisca queried if Newton had a City ordinance related to the Charles River Bank; Mr. Taverna confirmed that Newton does not, but Watertown does. Chair Wolf also asked if the proposed walkway connects to any other pathway. The proponent discussed future plans to potentially connect to the main pathway.

Upon a motion by Chair Wolf, seconded by Ms. Meirav, and passed 6-0-0, the public hearing is held until the next Planning and Development Board meeting, scheduled for June 4, 2018.

### **3. Board of Survey/Public Hearing: Withdrawal of Definitive Application- Carlson Avenue Extension**

City Engineer, Louis Taverna, indicated that the developer had withdrawn the definitive subdivision of land for the Carlson Avenue Extension. The proposal included plans for an 8-lot subdivision.

Upon a motion by Ms. Meirav, seconded by Chair Wolf, and passed 6-0-0, the withdrawal of the definitive application- Carlson Avenue Extension was accepted and approved.

Upon a motion by Chair Wolf and seconded by Ms. Meirav the motion to adjourn the Board of Survey passed, 6-0-0 (8:29 p.m.)

### **4. Presentation/Vote: Draft FY19 (July 1, 2018-June 30, 2019) Annual Action Plan**

Dir. Heath introduced the Housing and Community Development Division staff leading in to the presentation of the City of Newton's FY19 Annual Action Plan.

Division Staff, including Rachel Powers, Malcolm Lucas, Danielle Bailey and Elizabeth Valenta presented and discussed proposed activities, goals and outcomes to be undertaken by the Housing and Community Development Division during the July 1, 2018-June 30, 2019 program year. CDBG, HOME and ESG Program budgets were updated to reflect HUD's FY19 final allocations, which were distributed just several days prior. For FY19, CDBG and HOME will see a 10.5% and 37% increase respectively. ESG went down slightly.

Chair Wolf asked if the ADA accessible bathroom project would be competitively bid. Ms. Powers indicated that the Building Department's on-call contractors have already gone through the City's competitive bidding process and that the work would most likely be performed through a change order on an existing contractor. She further clarified that the project would need to comply with Section 3 and Davis-Bacon requirements.

Mr. Steele asked for background on funding patterns and when the funding was essentially reduced. Ms. Powers noted that the reduced funding occurred around the time of the recession. Staff further noted anomalies in current increases and is not an indicator of future funding patterns.

Vice Chair Doeringer questioned the proposed FY19 beneficiaries in comparison with allocations. Chair Wolf further inquired into the beneficiaries estimates and how they are counted. Staff explained how estimates are generally made. Jon Firger of Family ACCess offered his perspective on the matter and brought up the definition of "eligibility" being a factor in making an estimate on the number of beneficiaries to be assisted. Those organizations serving families must meet HUD's financial requirements, while those serving seniors by definition are presumed eligible. He believes this is inflating the number projected for elderly.

#### Public Comment (9:07 p.m.)

*Jayne Colino, Newton Senior Center:* Spoke to Mr. Firger's comments, indicating that the Senior Center only projected the number of seniors to be served in their fitness classes.

Ms. Parisca asked about future opportunities to learn more about the human service agencies and programs, other than reviewing their applications. Chair Wolf indicated there was a time when the Board wouldn't recommend funding to an agency if they didn't attend the Planning and Development

Board's meeting. Dir. Heath noted that the CAPER completed by the Division each year includes a lot of the accomplishment data the Board is looking for.

*Mary Lou Seitz, Newton Community Development Foundation:* Ms. Seitz thanked the City and Planning and Development Board for their recommendation of CDBG funds. She advocated for NCDF and their mission. She explained that NCDF strives to support residents and preserve their tenancies.

*Sandra Kelly, Newton Community Development Foundation/Cassleman House:* Ms. Kelly is a resident of Cassleman House, an NCDF-managed property. She described her experience as a tenant and NCDF programming. She spoke to the diversity and benefits of living in an NCDF development. She is overwhelmed by the sense of community and loves living there. Ms. Kelly indicated that living with NCDF is one of the best things that has ever happened to her.

*Sara Bellemore, EMPATH:* Ms. Bellemore is the program director for the Career Family Opportunities program with EMPATH. She explained how CDBG supports Newton participants in the economic mobility program. Overall, they are serving 8 Newton families. Progress has shown gains of families earning \$300 more a month; one participant is earning getting their master's degree. The agency has a wide range of community connections that further help clients.

*Sally Pellegroni, Cousens Fund:* Ms. Pellegroni described her program and the range of clients being served. She explained how she assists applicants and how CDBG supports the program. The Cousens Fund seeks to provide stability for vulnerable residents.

*Jon Firger, Family ACCESS:* Mr. Firger thanked the allocation committee for their consideration. Their CDBG award funds affordable child care and social mobility programming. He described their client profile and how the agency assists residents. He was very pleased with the proposed FY19 allocations.

*Sheila Farrell, The Second Step:* Ms. Farrell explained that The Second Step manages two homes; each of which can house up to 8 households. She explained their mission to assist domestic violence victims to rebuild their life. In addition, they provide advocacy and community resources.

*Jayne Colino, Newton Senior Center:* Ms. Colino explained that the City initially helped to form the Senior Center, and now the Center is outgrowing their space and finding difficulty in accommodating the demand. The Senior Center will expand fitness classes out of the Center and into satellite locations. A collaboration with the Newton Housing Authority is one such example of providing an off-site fitness option for seniors.

Upon a motion by Chair Wolf, seconded by Chris Steele, and passed 6-0-0, the public hearing was closed.

Upon a motion by Vice Chair Doeringer, seconded by Ms. Meirav, and passed 5-0-1, with Director Heath abstaining, the Board voted to adopt the FY19 Annual Action Plan as presented.

## **5. Discussion: 128 Chestnut Street Landmark**

Ms. Powers read a statement by Senior Preservation Planner, Katy Hax Holmes, relative to the landmark designation process and local landmark report prepared for 128 Chestnut Street. The Newton Historic

Commission (NHC) seeks the Planning and Development Board's review and recommendation for deliberation by the NHC.

Councilor Andrea Kelley spoke on behalf of the proposed designation, indicating that she has been joined by the other Ward 3 councilors in the effort. She noted the property's architectural significance and the contributions made by previous owner, Henry Lambert. Materials have become available on the historic home and its larger significance. Councilor Kelley is concerned about the impending demolition of the site; the demolition delay has expired. She hopes that the Newton Historic Commission issues a positive recommendation to preserve the property.

Vice Chair Doeringer inquired as to stronger protections being provided through designation as a local landmark versus being part of a historic district. Councilor Kelley indicated that the local landmarking served as a tool to save resources like this. Although, there was no method by which to stay or further delay the demolition during this landmarking process.

Ms. Meirav asked if the owner was interested in refurbishing the property, but this was not known. Councilor Kelley expected to file a permit shortly.

Ms. Parisca also questioned the availability of historic tax incentives that could preserve the property and its value.

Vice Chair Doeringer wondered about the number of landmarks already designated in Newton; Ms. Powers provided a listing made available for Senior Preservation Planner Katy Hax Holmes.

During the course of discussion, it seems the Planning and Development Board supports preserving the property as a landmark, although Chair Wolf indicated he would like a more prescribed process that would automatically trigger a historic review. An ordinance change could trigger a landmark designation review.

Ms. Meirav noted that there are few homes from this era in such great shape as this and that it is our responsibility to preserve these pieces of cultural history. Mr. Steele articulated that it was a problem that the City didn't have a tool to incentivize or compensate the owner to preserve this home. Vice Chair Doeringer was hesitant to express his comments, noting the "ad-hoc", impromptu quality of the process. Councilor Kelley further responded that it was important to flesh out these ideas as the City moved forward with zoning redesign. A development of an ordinance and/or procedures to address these issues would be helpful.

Chair Wolf expressed that it was unfair to comment; and Vice Chair Doeringer reiterated the desire to implement a formal procedure. There was a consensus across the Planning and Development Board that an ordinance and/or procedure was necessary, and that preservation must be carefully considered. Such a process requires certain tools with which to properly address preservation.

## **6. Zoning Redesign Update**

Dir. Heath provided a brief update, indicating that the Planning Department was entering their last set of conversations on the zoning redesign process. The next focus is centered around the creation of the

new zoning map and residential districts. There would be further discussion of a full zoning map with the City Council on June 19<sup>th</sup>.

#### **7. Washington Street Vision Plan Update**

Dir. Heath discussed the City's commissioned study of the Washington Street corridor. Approximately 300 people showed up to the first meeting. There's a lot of excitement around the study. Post cards are being distributed announcing an upcoming schedule of events called "Hello Washington Street." The event is a week-long charette at 1239 Washington Street and a series of meetings to be hosted at other various spaces along Washington Street.

#### **8. Next Meetings**

Staff member Ms. Powers discussed the timeline for upcoming meetings and confirmed the availability of Board members.

#### **9. Action Item: Adjournment**

Upon a motion by Chair Wolf, seconded by Vice Chair Doeringer, and unanimously passed 4-0-0, the meeting was adjourned at 10:20 p.m.