

JANUARY 17, 2024

The regular meeting of the Newton Planning Board was held at the Town Hall on January 17, 2024. Board Attorney, Glenn Kienz called the meeting to meeting to order at 7:03 pm. Mr. Kienz stated that proper notice had been given for this meeting in accordance with the “Open Public Meetings Act.”

Mr. Kienz led the Salute to the flag.

OATHS OF OFFICE

Mr. Kienz sworn in the following members:

Mayor Couce – Class I

Deputy Mayor Le Frois – Class III

Thomas S Russo, Jr – Class II

John Ragsdale – Class IV

ROLL CALL

Mayor Couce - present

Mr. Flaherty – present

Ms. Hall-Romer - absent

Deputy Mayor Le Frois - present

Mr. Marion - absent

Mr. Ragsdale - present

Mr. Russo, Jr. - present

Ms. Vrahnos - present

Mr. Wink – present

Mr. Schick, Alternate #1 – present

Mr. Schlaffer, Alternate #2 – absent

Also present: Glenn Kienz, Board Attorney, Thomas Knutelskyer, Board Engineer, and Kerry Brown, Board Secretary

2024 REORGANIZATION

Election of Chairman

Mr. Russo made a motion to nominate Ms. Vrahnos as the Chairwoman. Mayor Couce seconded the motion.

AYE: Mr. Russo, Mayor Couce, Mr. Flaherty, Deputy Mayor Le Frois, Mr. Ragsdale, Ms. Vrahnos, Mr. Wink, Mr. Schick

Election of Vice-Chairman

Mr. Russo made a motion to nominate Mr. Marion as the Vice-Chair. Mayor Couce seconded the motion.

AYE: Mr. Russo, Mayor Couce, Mr. Flaherty, Deputy Mayor Le Frois, Mr. Ragsdale, Chairwoman Vrahnos, Mr. Wink, Mr. Schick

Election of Board Secretary

Mr. Russo made a motion to nominate Ms. Brown as the Board Secretary. Mayor Couce seconded the motion.

AYE: Mr. Russo, Mayor Couce, Mr. Flaherty, Deputy Mayor Le Frois, Mr. Ragsdale, Chairwoman Vrahnos, Mr. Wink, Mr. Schick

2024 PROFESSIONAL APPOINTMENTS

Appointment of Board Attorney

Mr. Russo made a motion to nominate Glenn Kienz as the Board Attorney. Mayor Couce seconded the motion.

AYE: Mr. Russo, Mayor Couce, Mr. Flaherty, Deputy Mayor Le Frois, Mr. Ragsdale, Chairwoman Vrahnos, Mr. Wink, Mr. Schick

Appointment of Conflict Attorney

Mr. Russo made a motion to nominate James Byrce as the Conflict Board Attorney. Mayor Couce seconded the motion.

AYE: Mr. Russo, Mayor Couce, Mr. Flaherty, Deputy Mayor Le Frois, Mr. Ragsdale, Chairwoman Vrahnos, Mr. Wink, Mr. Schick

Appointment of Board Engineer

Mr. Russo made a motion to nominate David Simmons the Board Engineer. Mayor Couce seconded the motion.

AYE: Mr. Russo, Mayor Couce, Mr. Flaherty, Deputy Mayor Le Frois, Mr. Ragsdale, Chairwoman Vrahnos, Mr. Wink, Mr. Schick

Appointment of Conflict Engineer

Mr. Russo made a motion to nominate Paul Ferriero as the Conflict Board Engineer. Mayor Couce seconded the motion.

AYE: Mr. Russo, Mayor Couce, Mr. Flaherty, Deputy Mayor Le Frois, Mr. Ragsdale, Chairwoman Vrahnos, Mr. Wink, Mr. Schick

Appointment of Board Planner

Mr. Russo made a motion to nominate Jessica Caldwell-Dykstra as the Board Planner. Mr. Flaherty seconded the motion.

AYE: Mr. Russo, Mr. Flaherty, Mayor Couce, Deputy Mayor Le Frois, Mr. Ragsdale, Chairwoman Vrahnos, Mr. Wink, Mr. Schick

Appointment of Conflict Board Planner

Mr. Russo made a motion to nominate Keenan Hughes as the Conflict Board Planner. Mr. Flaherty seconded the motion.

AYE: Mr. Russo, Mr. Flaherty, Mayor Couce, Deputy Mayor Le Frois, Mr. Ragsdale, Chairwoman Vrahnos, Mr. Wink, Mr. Schick

2024 NEWSPAPERS OF RECORD

Designation of Official Newspapers of Record

Mr. Russo made a motion to nominate the Official Newspapers of Record. Mayor Couce seconded the motion.

AYE: Mr. Russo, Mayor Couce, Mr. Flaherty, Deputy Mayor Le Frois, Mr. Ragsdale, Chairwoman Vrahnos, Mr. Wink, Mr. Schick

2024 TECHNICAL REVIEW COMMITTEE APPOINTMENT

Mr. Russo, Mr. Marion and Chairwoman Vrahnos were appointed to the Technical Review Committee.

2024 & JANUARY 2025 MEETING DATES:

Mr. Russo made a motion to adopt the 2024 and the January 2025 meeting dates. Deputy Mayor Le Frios seconded the motion.

AYE: Mr. Russo, Deputy Mayor Le Frois, Mayor Couce, Mr. Flaherty, Mr. Ragsdale, Chairwoman Vrahnos, Mr. Wink, Mr. Schick

RULES

Rules and Regulations of the Planning Board of the Town of Newton, No new testimony after 10:30 p.m. and Comments from each member of the public are limited to 3 minutes during the public portion of the meeting.

Mr. Russo made a motion to adopt the Rules and Regulations of the Planning Board. Mayor Couce seconded the motion.

AYE: Mr. Russo, Mayor Couce, Mr. Flaherty, Deputy Mayor Le Frois, Mr. Ragsdale, Chairwoman Vrahnos, Mr. Wink, Mr. Schick

MINUTES

December 20, 2023

Mr. Ragsdale made a motion to adopt the minutes of December 20, 2023. Mayor Couce seconded the motion.

AYE: Mr. Ragsdale, Mayor Couce, Chairwoman Vrahnos, Mr. Wink, Mr. Schick

HISTORIC RESOLUTIONS

113 Main Street, LLC

113 Main Street, Block 14.01, Lot 5, T-5 Zone

Exterior renovations (siding, windows, shutters, roof)

There was a brief discussion regarding window designs. Deputy Mayor Le Frois stated that the Technical Review Committee had suggested that the windows have a more uniform look moving ahead and not to repeat the existing patterns of the windows. It was determined that the windows should be consistent with one pattern.

Chairwoman Vrahnos made a motion to adopt the HPC resolution for 113 Main Street, LLC with the condition that the proposed windows be consistent. Mr. Ragsdale seconded the motion.

AYE: Chairwoman Vrahnos, Mr. Ragsdale, Mayor Couce, Mr. Flaherty, Deputy Mayor Le Frois, Mr. Ragsdale, Mr. Russo, Chairwoman Vrahnos, Mr. Wink, Mr. Schick

Siegfried Mueller dba Analytical Science and Technologies Group

PB-6-2023

20 Water Street, Block 5.01, Lot 11, Zone T-5

Install liquid nitrogen tank on loading dock.

Chairwoman Vrahnos made a motion to adopt the resolution. Mr. Ragsdale seconded the motion.

AYE: Chairwoman Vrahnos, Mr. Ragsdale, Mayor Couce, Mr. Flaherty, Deputy Mayor Le Frois, Mr. Ragsdale, Mr. Russo, Chairwoman Vrahnos, Mr. Wink, Mr. Schick

NEW BUSINESS

Marotta-Godkar, LLC

PB-8-2023

59-61 High Street, Block 5.01, Lot 24, Zone T-6

Convert existing mixed-use building into nine (9) residential apartments.

Lisa Holder, 63 Ryerson Avenue, Newton

Ms. Holder came forward and wanted to ask the Board why this application did not go before the Historic Preservation Commission.

Mr. Lynch stated that the applicant was not proposing any exterior changes to the façade and therefore, did not require review by the Historic Preservation Commission.

Matthew Lynch, Attorney for the applicant

John Cocka, owner

Mr. Lynch stated the applicant is seeking minor site plan approval with “c” variances to convert an existing mixed-use building into nine (9) residential apartments.

Mr. Cocka stated he would like to convert the existing mixed-use structure into nine (9) apartments. Mr. Cocka provided a breakdown of the proposed units. Mr. Cocka stated there would be no changes to the exterior of the building. Mr. Cocka stated the current property has two (2) parking spaces on site along with a garbage disposal area. Mr. Lynch informed the Board that the applicant has reached an agreement to allow them to enter into an agreement which would make available an additional eight (8) parking spaces at the County facility on an overnight basis. Mr. Lynch indicated that it was understood if no agreement was reached with the County, they would not be permitted to occupy any of the apartments. Mr. Lynch stated it was his opinion that providing for residential uses on this lot was appropriate and in a good location given its proximity to the downtown area.

Mr. Knutelsky went over Mr. Simmons report dated January 11, 2024. Mr. Knutelsky reviewed Mr. Simmons’ report agreeing that 11 spaces were being provided although 17 parking spaces were required under the Ordinance. He also noted that the building currently did not comply with minimum front yard setback and frontage which were both existing conditions on the site. Mr. Knutelsky raised concerns over the lighting plan. Mr. Knutelsky suggested the lights remain on for security reasons. Mr. Knutelsky stated if the application is approved, there should be a

lighting test to determine the brightness. Mr. Knutelsky stated since there were no exterior changes being proposed, no stormwater improvements are necessary.

The Board went over Jessica Caldwell-Dykstra's report dated January 16, 2024. Ms. Caldwell-Dykstra's report indicated no exterior improvements were being made and, therefore, no Historic Commission review was necessary.

The meeting was opened to the public.

Ms. Holder asked the Board to confirm that there would be no exterior changes to the building. There was a brief discussion among the Board members regarding parking and the long-term agreement with the County and if the agreement would be transferred to the new owners should it sell. Mr. Kienz informed the Board that the agreement would transfer.

Deputy Mayor Le Frois made a motion to approve the application. Mr. Flaherty seconded the motion.

AYE: Deputy Mayor Le Frois, Mr. Flaherty, Mayor Couce, Mr. Ragsdale, Mr. Russo, Mr. Wink, Mr. Schick, Chairwoman Vrahnos

4 Grace Ave, LLC

PB-7-2023

85.5 Trinity Street, Block 15.01, Lot 18, Zone T-5

Convert existing group home facility into six (6) residential apartments.

Matthew Lynch, Attorney for applicant

Eddie Xhudo, Owner

Mr. Lynch detailed the existing property to the Board members. Mr. Lynch stated there would be no exterior changes to the structure.

Mr. Xhudo detailed the existing floor plans and the proposed floor plans. Mr. Xhudo provided pictures to the Board which was marked A-1.

There were questions regarding the existing floor plans and the proposed floor plans.

It was determined that the plans needed to be updated and revised with accurate descriptions and dimensions. Chairwoman Vrahnos stated the application would be carried until the February 21, 2024 meeting without further notices.

4 Grace Ave, LLC

PB-9-2023

43 Trinity Street, Block 9.06, Lot 12, Zone T-5

Convert existing mixed-use building into three (3) residential apartments.

Matthew Lynch, Attorney for applicant
Eddie Xhudo, Owner

Mr. Lynch detailed the existing property to the Board members. Mr. Lynch stated there would be no exterior changes to the structure.

Mr. Xhudo detailed the existing floor plans and the proposed floor plans.

There were questions regarding the existing floor plans and the proposed floor plans.

It was determined that the plans needed to be updated and revised with accurate descriptions and dimensions. Chairwoman Vrahnos stated the application would be carried until the February 21, 2024 meeting without further notices.

CORRESPONDENCE

2024 Zoning Summary – Kerry Brown

2024 Engineer's End-of-Year Report – David Simmons of Harold E. Pellow & Associates

2024 Historic Commission Project Report/Planning Report – Jessica Caldwell of J. Caldwell & Associates.

Appointment of Mayor as Class I Member of the Planning Board

Appointment of Town Council Representative as Class III Member of the Planning Board

Appointment of Matt Dickson as the Town Council Liaison to the Historic Preservation Commission

Chairwoman Vrahnos stated that there were no items scheduled for executive session.

Chairwoman Vrahnos opened to the public. At this time no one from the public came forward. Public portion of the meeting was closed.

Motion to adjourn the meeting was made by Mr. Russo and seconded by Mr. Flaherty. All in favor. The meeting was adjourned at 8:45 pm.

Respectfully submitted,
Kerry Brown
Planning Board Secretary