

Newton Planning Board
April 17, 2013
7:00 PM

The regular meeting of the Newton Planning Board took place on the above date. Chairman Le Frois read the Open Public Meetings Act and requested Mrs. Citterbart to call the roll. Katherine Citterbart, Board Secretary, stated there was a quorum.

FLAG SALUTE

MEMBERS PRESENT: Mrs. Mattingly, Mr. Flaherty, Mr. Russo (arrived at 7:20 PM), Ms. Logan, Mr. Hardmeyer, Mr. Steinberg, Chairman Le Frois

ABSENT: Mr. Torre

EXCUSED: Mr. Marion, Mr. Tharp, Mr. Ricciardo, Mrs. Diglio

PROFESSIONALS PRESENT: David Soloway, Esq., Board Attorney, of Vogel, Chait, Collins & Schneider, and Jessica Caldwell, PP. of J. Caldwell & Associates and Anthony Fiorello, Esq, Paul Ferriero, Ferriero Engineering, Inc.

BOARD SECRETARY: Katherine Citterbart

CONSIDERATION OF MINUTES

March 20, 2013

Mr. Flaherty made a motion to approve the minutes from the March 20, 2013 meeting with corrections and modifications which were all minor in nature. Mrs. Mattingly seconded the motion.

AYE: Mrs. Mattingly, Mr. Flaherty, Ms. Logan, Mr. Hardmeyer, Mr. Steinberg

HISTORIC RESOLUTIONS

None

RESOLUTIONS

**E.J.B. Real Estate Associates, LT. (#PB-09-2009)
Block 21.01, Lot 1 1 Brooks Plaza**

Resolution granting extension of preliminary site plan approval to May 31, 2016.

Mr. Flaherty made a motion to approve the resolution. Mrs. Mattingly seconded the motion.

AYE: Mrs. Mattingly, Mr. Flaherty, Mr. Russo, Ms. Logan, Mr. Hardmeyer, Mr. Steinberg

CONCEPT PLAN

RPM Development to discuss the Newton Town Centre and Senior Apartments
Withdrawn.

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APPOINTMENT OF CONFLICT ENGINEER

Mr. Russo made a motion to nominate Paul Ferrero of Ferrero Engineering as Conflict Engineer. Mr. Flaherty seconded the motion. The floor was open for discussion and then closed. Mr. Ferrero was approved by a unanimous "aye" vote.

A YE: Mrs. Mattingly, Mr. Flaherty, Mr. Russo, Ms. Logan, Mr. Hardmeyer, Mr. Steinberg and Chairman Le Frois

OLD BUSINESS

Mariora Enterprises, LLC (#SPV-07-2012)
Block 22.05, Lot 13
104 Sparta Avenue

Reopening and reconsideration of the Use Variance Application.

Mr. Hardmeyer recused himself from the application.

Mr. Soloway stated: For the record, Chairman Le Frois and Mr. Steinberg have listened to the tapes from previous meetings so they are eligible to vote on the use variance application this evening.

Anthony Fiorella Esq, representing the applicant.

Mr. Soloway stated: I won't repeat the statement I made at the commencement of the hearing last month. My recollection is the same as yours, the rehearing on the reconsideration was complete and it was ready for a vote and the applicant asked to have the application carried for one month. Specifically what you will be voting on, because the prior application was bifurcated, is two forms of relief with conditions. The application is to grant a use variance to allow the townhomes and low to moderate income homes which are not permitted in what was then the applicable zone. Interestingly they also are not permitted under the new ordinance even though it does not apply to this. It is also to grant a density variance to allow 7.66 units per acre in lieu of the permitted 4.84 units. When the Board approved this in 2012, as memorialized in the June 20, 2012 resolution, the approval was subject to a number of conditions. If the Board reapproves this, the Board considers those same conditions. 1. Is a standard condition that the approval would be in accordance with the testimony presented and the record made before the Board which is the record made last year plus whatever little bit was added last month and any representations made to the Board by the applicant. 2. It is a bifurcated application and the approval would be subject to and conditioned upon subsequent grant by this Board of site plan and subdivision approval for the proposed development. If the Board gets to that point, pursuant to the land use law, the Board would have to make a finding that they satisfy the so called negative criteria for the grant of variance relief. 3. The use variance and density variance approval would technically be governed by the ordinance that was in effect at the time it was heard last year. In a sense that really does not matter much but it was not a permitted use under the old ordinance or the new ordinance and in terms of all the site plan and subdivision details because it was bifurcated, that would be all assessed under the new ordinance. 4. There was a condition in the initial resolution that the site plan application when filed provide for a phasing schedule that adequately assured that the low and moderate income apartment units be constructed before issuance of the final CO's in the development.

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5. That the applicant continues to maintain the property and may have been required by the prior resolutions of the Board on the Commercial development that have been previously approved and any applicable ordinances of the Town and the three standard conditions that in every resolution requiring approvable from any other governmental agencies with jurisdiction requiring compliance with all applicable rules, regulations, statues, ordinances at every level of government and finally requiring that all fees, taxes, escrows and other monies due to the Town be paid in full. Those are the conditions that are attached to the use variance and density variance granted. There were a number of other conditions that were attached to the subsequent site plan and subdivision. These are much more general.

Mr. Flaherty made a motion to reaffirm the approval that was previously memorialized. Mr. Steinberg seconded the motion.

AYE: Mrs. Mattingly, Mr. Flaherty, Mr. Russo, Ms. Logan, Mr. Steinberg, Chairman Le Frois

Mariorana Enterprises, LLC (#PBPV-04-2012)
Block 22.05, Lot 13
104 Sparta Avenue

Reopening and reconsideration of the Preliminary Site Plan & Preliminary Major Subdivision.

SWORN: Thomas Donahue, Donahue Engineering, 110 Warren Avenue, Hohokus, NJ

Mr. Soloway stated: The Board accepts his qualifications.

Mr. Fiorello stated: At this point in time we would proceed to a resubmittal of the preliminary major subdivision and preliminary site plan. Again with the same preliminary statement that I had the last time we were here. The fact that we have already heard significant amount of testimony with this matter that was before the Board in October 2012 and memorializing resolutions in December which was only four short months ago so it was determined we would not produce a full regurgitation of all the witnesses that were there. We would rather bring back Mr. Donahue who was the engineer to briefly reacquaint you with it in a summary fashion so any discussion you might want have or the public might want to have with him. There were a number of variances that were approved and memorialized in that resolution in which Mr. Donahue will review with you.

Mr. Fiorello asked Mr. Donohue: Could you review for the Board the various provisions of your site plan? If you could take it page by page and acquaint the Board with the general concept of what it is the applicant is seeking in terms of the variances and waivers.

Mr. Donahue stated: The plans consist of ten sheets last revised September 19, 2012. The subject property is located as Lot 13 Block 22.05 along Sparta Avenue. The property is located in the SD zone. The applicant is proposing a major subdivision of the single lot into 2 lots as indicated on the plan as 13.01 and 13.02. 13.01 will contain the existing retail area on the property and Lot 13.02 will contain the 54 townhouse units and the renovated building which will contain the six low and moderate income housing. The proposal would remove the parking upfront along Sparta Avenue. The townhouse area will be serviced by two existing driveways and a looped roadway which will circulate around and provide access to the 54 townhome units. There is parking behind the proposed low and moderate income housing. Also in the building upfront will be a clubhouse to be used by the residence of the facility.

Lot 13.01, the existing parking lot will be reconfigured, restriped as indicated on the plan. There will be off street parking for the townhouse units. There will a looped sidewalk area consisting of pavers that will go around the internal loop of the looped roadway and then additional sidewalk areas throughout the site plan which would provide access for dumpster areas and also to provide an access out to Sparta Avenue.

Mr. Fiorello asked: Will there be garages and is there an area for stacking and parking behind the garages?

Mr. Donohue stated: Yes. Off the roadway there will be a spot out front of each townhouse unit depending upon if you have one or two garages; there will be one or two spaces out front. There will be garages for end units.

Mr. Fiorello asked: Is there additional parking throughout the townhouse portion of the site?

Mr. Donohue stated: Yes there is; located sporadically throughout the townhouse units.

Mr. Donohue continued: The proposed parking is in conformance with RSIS standards and the Town ordinance.

Mr. Fiorello asked: Was the Sussex County Planning Board made aware of the termination of back out parking on the existing office building? And are they in favor of it?

Mr. Donohue stated: Yes.

Mr. Donohue stated: There were a number of variance requests that applicant was seeking along with waivers for the proposed development.

For Lot 13.01, there was a variance request Section 320-14(B) the side yard setback that is due to the proposed subdivision line and the location of the existing retail building providing 4.67 feet from that subdivision line to the side of the existing building where 30 feet would be required. Section 320-14(B) Maximum lot coverage for 13.01 is 70 percent would be the maximum; 75.6 is what the applicant is proposing.

Additional variances are for a 3 1/2 foot landscaped feature. The applicant is seeking a variance for that along the front yard. I am now proposing that due to site distance issues to Sparta Avenue, that is Section 320-23C(2). Next is Section 320-23C(4) screening for the parking areas with the fence and again, same conditions where putting a fence to adjacent to the existing parking lot to provide for site distance issues. Section 320-23C(5), a 10 foot strip to the property line where the applicant is proposing 1.7 due to the proposed parking lot area to the subdivision line and that is due to the configuration of the loop road and the townhouse lots as compared to post subdivision and the parking lot area.

Mr. Soloway asked: The buffer area you are proposing to eliminate is the buffer between the two lots that you subdividing not somebody else's lot? In effect it would run along the rear of what is going to become the commercial lot?

Mr. Donohue stated: That is correct. It is in between the proposed development.

Mr. Fiorello asked: It has nothing to do with the area between the townhomes and existing single family homes to the rear or the west of the site?

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Mr. Donohue stated: This is correct. It does not.

Mr. Donohue stated: For Lot 13.02, Section 320-14B, there is an existing front yard setback to the building out front which is to remain. The front yard setback should be 30 feet and the applicant is proposing 26.14 which is an existing condition. Second, is Section 320-14A, change from the IM building type to a townhouse building type. That is another variance that has been requested.

Mr. Fiorello stated: There were a number of waivers. Can you review the waivers?

Mr. Donohue stated: Section 2407B(5)(h) requires a 20 foot buffer; the applicant is proposing 1.7 feet in between the development lot, townhouses and retail area along with that is Section 240-7B.5(1)(3) which requires a 25 foot buffer area and the applicant is proposing 1.7 feet and that is in between the townhouse and retail development area.

Section 240-7B(6)(e)(11) requires entrance plantings to nonresidential areas and the applicant is requesting a waiver due to site distances issues along Sparta Avenue; not to put those entrance landscaping areas in at that location.

Mr. Soloway stated: I don't see that in the prior resolution. I didn't write that up as a variance because I didn't read the ordinance language as making something mandatory or opposing a requirement. Section E says the following landscaping principals shall be considered. Section 11 says entrances to non-residential lots shall be given special landscaping treatment. I did not perceive that as something posing a concrete requirement from which an applicant is required to seek relief. I perceived it as a general goal or principle as opposed to a specific standard. When I did the resolution, I did read the reports and Mr. Donohue's submission and I went through the ordinance and that was the conclusion I had reached.

Ms. Caldwell stated: I noted it as something they should look at. So maybe it came up as needing to be a waiver but at this time I agree with Mr. Soloway.

Mr. Donohue stated: We will scratch that request for a waiver.

Next is a request for Section 240-8A(9) which requires a 30 foot wide driveway area to the commercial area. We are proposing a 25 foot wide isle way which will surround the retail area.

Section 240-8A(10), Maximum slope in parking lot. Maximum slope is 4 percent and we are at 5 percent in the rear area and we feel that is adequate.

Section 240-8C(1) Interior parking. 15% of that area to be planted. We are proposing zero within the parking lot area.

Section 240-11E(2) requesting a waiver for the disturbance.

Section 320-24G(2) 50% of the parking lot area be covered for Lot 13.01 within 15 years. We are proposing 15% based on the proposed landscaping that we are providing. Lot 13.02 the parking lot area adjacent to Building #10, we are proposing 25% as a coverage for 50% is required and we are requesting a waiver of that.

Lastly, we are requesting a waiver for Section 240-7H(2) for the RSIS and the ordinance requiring sidewalks on both sides of the roadway and we are providing sidewalks as indicated on the plan. Those are the variances and waivers we are requesting for this application.

Mr. Donahue stated the project will be built in 3 phases. Phase 1 will be the existing eastern driveway, which will be widened out which will go back to Buildings 1, 2 and 3. Those will be constructed along with the roadway which will extend up to a temporary cul de sac adjacent to Building #6. Along with that the entrance way as requested by Sussex County to be improved and the parking area to be removed so that driveway will be improved to the rear of the existing retail building so that both driveways will be constructed and improved in Phase 1.

Phase II will consist of constructing Buildings 4 and 5 and providing parking areas adjacent to those along the back road or the most northern roadway along with that removal of the existing structures on proposed Lot 13.02 and renovating the existing building of Building #10 into the low and moderate income apartments, constructing the sidewalk and then also parking areas. With each phase the proposed lighting, drainage, utility, landscaping, buffering will be installed.

Phase III will wrap up the remaining buildings 6, 7, 8 and 9. The roadways will continue to be looped and connected. Again the areas will be landscaped and completed with lighting and continuation of park areas for each phase.

Mr. Le Frois asked: I recall a discussion of the landscaping and the fencing being done in Phase I? Am I correct in that recollection?

Mr. Donahue stated: The plan is proposing a 6ft high vinyl fence to be installed along the western property line and it will be installed in Phase I, first, along with the buffering area which is indicated on sheet 6 of 10 up to the line for the temporary cul de sac. The applicant does not indicate on the plans continuing that fence along the northern property line at all.

Mr. Soloway stated: When the Board voted on the preliminary site plan and subdivision application last year, it approved the phasing plan but with 3 modifications. 1. The driveway on the western side of Lot 13.02 was to be constructed as part of Phase I; 2. The perimeter fence as shown on the plans along the adjoining residential lots is required to be installed as the first item before any road, utility or building construction; 3. There was a requirement that the majority of units in a Phase would have to be sold, under a binding contract, before any construction could begin on the buildings in the next Phase. My recollection on the first two items was based on Mr. Ferrero's input as well.

Mr. Ferrero stated: That is correct.

Mr. Fiorello stated: We agreed to do the fence first, the landscaping then start construction.

Mr. Soloway stated: I should note in the lengthy list of variances and waivers a number of them related to landscaping and buffering items. When the Board voted to approve the application last year, the vote indicated it would grant relief but it did not define the extent of the relief because the Board felt the applicant did not submit sufficient information for the Board to meaningfully assess the extent of landscaping and buffering relief that would be appropriate. It was required that the applicant, before coming in for final, prepare detailed landscaping and buffering plans, submit them to the Board's professionals and get them to concur or recommend that those plans be approved and that the specific extent of the landscaping and buffering relief would be determined at the time of the application for final approval which has not

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happened yet. To my knowledge the applicant has not fully submitted that and we are not discussing it tonight. I am assuming that when the applicant reviews these prior plans, the applicant is not indicating that it would object to the same type of finding by the board this time.

Mr. Fiorello stated: Mr. Soloway is correct. Final landscaping plans have to be submitted to the professionals and then they have to come before this Board. That will happen at the submission of final site plans but before that there will be a TRC meeting to discuss the landscaping.

Mr. Donahue described the grading and drainage plan and the lighting plan.

Mr. Donahue stated: The applicant will construct a new storm water collection system which will take runoff from the roadway areas and discharge into a new retention basin. Along with that there will be underground infiltration systems for the roof runoff areas. There will be some other inlets constructed for the upfront retail area Lot 13.02 and the parking lot area in proposed Building #10. The lighting plan will include a number of light poles which will be placed around the looped roadway for the residential parking lot area along with installation of new light poles in the retail area and behind proposed Building #10.

Mr. Donahue stated: Sheet 6/10 is the proposed landscaping plan which indicates buffering to be proposed. Sheet 7/10 is the soil erosion sediment control plan which will be certified by Sussex County which will provide protection of trees.

Sheets 8, 9 and 10 are construction details which provide information on the materials to be included in construction along with profiles for utilities and site distance for the two driveways out front. That is an overview of the plans that we are submitting.

Mr. Fiorello asked the Board if they had any questions. No questions from the Board or professionals.

Chairman Le Frois opened up this portion of the application to the public.

1st public

SWORN: Kent Hardmeyer, 70 Pine Street questioned Mr. Donahue on the proposed Lot 13.01 that could be redrawn in any configuration? It is proposed, right. It is not in concrete at this point.

Mr. Donahue stated: Yes, it is proposed. The lot lines are shown to provide access for the future residential lots in the rear and to provide a means for separating out the two lots that is why we drew the lot lines.

Mr. Hardmeyer asked: My concern is about all the waivers we are giving them to our design standards particularly in regards to buffering. Most of those 50 units will be looking out their back windows or when they are exiting the site at the back of the Quick Check complex and frankly it is something you or I would not want to look at constantly. I feel we need to do a very good a job with the buffering there. I hope the plans we get before it is finalized will take that into account. On the back parking lot, are there two entrances to that parking lot?

Mr. Donahue stated: Yes, there is.

Mr. Hurdmeier asked about phasing. Could you incorporate in the phasing to do the landscaping around the parking lot because it might be years before they have any buffering between them and the parking lot like on the Southside?

Mr. Donohue stated: I believe that will be included in Phase I so that whole area can be seeded and the landscaping can be installed in the triangular buffer area.

Chairman Le Frois asked Mr Soloway, with that comment, does it modify what we have previously discussed and approved regarding Phase I and Phase II.

Mr. Soloway stated: I will have to refer to the engineers.

Mr. Ferrero stated: It was my understanding that is how it was going to be. By the time the plans were submitted for signature, Phase I would show the parking done in Phase I. I don't think it changes anything.

Mr. Soloway asked: How do we define the area?

Mr. Donohue stated: The proposed triangular buffer area between Lots 13.01 and Lots 13.02. The parking lot will be renovated as part of Phase I.

Mr. Fiorello stated: We are relying on Mr. Rybek and Ms. Caldwell's previous testimony.

Chairman Le Frois asked Mr. Ferrero and Ms. Caldwell if they have anything they would like to add.

Ms. Caldwell stated: I am happy with having our testimony from the prior hearings incorporated into this.

Chairman Le Frois reopened up the meeting to the public. With no public coming forward Chairman Le Frois closed that portion of the meeting.

Mr. Soloway crafted a motion to approve Preliminary Site Plan & Preliminary Major Subdivision subject to only one new lot becomes a major subdivision with variance relief. Variance and waivers were accurately described by Mr. Donohue. I should also note when the Board approved this on October 3, 2012 as noted in the December 19, 2012 memorializing resolution, there was an additional form of relief granted. It wasn't clear it was necessary, but Section 320-29H(2) of the ordinance states that development applications that seek market residential rate use variances for other than single family detached dwellings that have the density of six or more units per gross acre require that 20 percent of the total unit be set aside for low to moderate income housing. If you apply that formula, 11 affordable units instead of the six that were authorized in the June 20, 2013 resolution would be required. It was felt that it was implicit in the original use variance granted but to the extent that it wasn't explicit to the Board when it wrote it on preliminary site plan and preliminary major subdivision approval made it explicit. That was included as a form of relief. There were a number of conditions which I suggest the Board should consider if you want to approve this. 1. The applicant comply with the plans that were submitted as they may have been modified in the course of the hearing and that they were required to be modified in accordance with the requirements of the December 19, 2012 resolution terms of the approval strictly in accordance with the testimony presented & representations made to the board by applicant. 2. The Board agreed to grant landscaping and buffering variances and waivers but did not fix their precise extent. The applicant was

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required to submit a detailed landscaping and buffering plan to the satisfaction of both Mr. Ferriero and Ms. Caldwell with the plan to fulfill the objectives of ordinance Section 240-7A(4)(A). The expectation of the Board as expressed in the resolution is that the landscaping and buffering plan will provide the maximum amount of landscaping and buffering that may efficiently be provided within the framework of the approved preliminary site plan and would be subject to confirmation at the time the applicant applies for final site plan approval. Because the extent of the allowable deviations have not yet been finalized the variance and waiver hasn't been finalized so the applicant would be required to give public notice of the hearing for final site plan approval which an applicant is not ordinarily required to do.

3. The subdivision map would be revised to reflect that it is major rather than minor. The map to comply with the requirements of the map filing law and ordinance requirements relating to major subdivisions to the satisfaction of Mr. Ferriero.

4. The applicant to prepare and submit proposed cross easement agreements for the common driveway that is intended to serve both lots to the satisfaction of the Town Attorney and/or the Board Attorney and Mr. Ferriero. Those agreements would include provisions assuring adequate maintenance and following final approval they would be recorded. 5. If it is deemed necessary or appropriate by Mr. Ferriero, the applicant will also prepare and submit for eventual recording cross easements and maintenance agreements for any drainage structures for any drainage improvement that will service both Lots. Those agreements will also be to the satisfaction of Mr. Ferriero and the Town and Board Attorney's.

6. Subject to the applicant entering into a Developer's Agreement with the Town to the satisfaction of the Council and the Town Attorney. 7. Subject to the creation of a Homeowner's Association to assure adequate maintenance of the improvements and the preparation and recordings of the typical Homeowner's Association documents to the satisfaction of the Board and Town Attorney and Mr. Ferriero. If recommended by the Town Attorney they would also be approved by the Council as part of the Developer's Agreement. 8. Revised plans to be submitted to the satisfaction of Mr. Ferriero. Those plans can call out each variance and design waiver granted as part of the approval specifically including the precise extent of the landscaping and buffering relief. So those final plans wouldn't be submitted until after final is approved and the Board approved what it wants to in regards to landscaping and buffering.

9. The applicant to consolidate the amount the trash enclosures from four to two to the satisfaction of Mr. Ferriero and the Board's traffic consultant. This will include recycling facilities. 10. The applicant to comply with all recommendations set forth in the August 9, 2012 report from Dolan and Dean, Board's Traffic Consultants which was attached to the resolution. Specifically including items SP 12 – SP 16 to the satisfaction of Dolan and Dean. 11. Provided in that prior resolution, or otherwise agreed to during the course of the hearing, the applicant to comply with all recommendations and requirements of the August 8, 2012 report of Mr. Ferriero which is attached.

12. Compliance with the recommendations set forth in another August 8, 2012 report from Ms. Caldwell to her satisfaction. 13. As noted earlier, the applicant to comply with the Phasing plan subject to the three modifications I noted previously and the clarification on the completion of the buffering/landscaping area between the commercial and residential lots. 14. The applicant to provide for guest parking at the intersection of Roads 2 and 3 to the satisfaction of Mr. Ferriero and Dolan and Dean and those parking spaces to be constructed as part of Phase II.

15. Bear proof dumpster to the satisfaction of Mr. Ferrero. 16. No construction of any improvements or removal of any existing trees or improvement, no side work without the authorization of Mr. Ferrero until the Board grants final major site plan and final subdivision approval. 17. Townhouse structures to be substantially similar to the architectural plans that were shown in exhibits A6 and A7.

18. The applicant to provide a solution to the problem of drainage structures in buffer areas to the satisfaction of Mr. Ferrero. 19. Final subdivision approval and authorization to file the final subdivision plat contingent upon satisfaction of all conditions in the resolution and in the resolution granting final subdivision and final site plan approval that are a prerequisite for qualification to the issuance of building permits to the satisfaction of the Board engineer. No filling until the engineer says so and everything is pretty much as it is supposed to be. There are always a couple of items that get done afterwards like as-builts but otherwise you have to satisfy the conditions.

20. The applicant to provide performance and maintenance guarantees to the satisfaction of Mr. Ferrero, Town Attorney and/or Town Council. 21. The applicant to prepare deed or deeds containing affordable housing restrictions for the six residential apartments that will be restricted to be rental units for low and moderate income housing to the satisfaction of the Board Attorney, Town Attorney and Board Engineer following the approval the deed or deeds to be recorded.

22. Plantings to be installed along the southerly and westerly boundary area to the satisfaction of Mr. Ferrero as a prerequisite to the issuance of the initial certificate of occupancy. Before anyone moves in there needs to be plantings along those two boundaries. 23. The applicant to continue to maintain the property required by prior resolutions and ordinances, the applicant to comply with any prior resolutions to the extent not specifically inconsistent with the terms of the December 19, 2012 resolution and the final three standards approvals from other governmental agencies comply with all laws and pay all monies due.

Mr. Flaherty made a motion to approve the Preliminary Site Plan & Preliminary Major subdivision including the waivers and variances requested by the applicant and subject to the conditions that Mr. Soloway outlined. Mr. Russo seconded the motion.

AYE: Mrs. Mattingly, Mr. Flaherty, Mr. Russo, Ms. Logan, Mr. Steinberg and Chairman Le Frois

NEW BUSINESS

None

PUBLIC PORTION

None

CORRESPONDENCE

Mr. Le Frois stated: Received resignation letter dated April 12, 2013 from Tony Torre.

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ADJOURNMENT

Mr. Flaherty made a motion to adjourn the meeting. Mr. Russo seconded the motion. The meeting was adjourned at 8:35 PM with a unanimous "aye" vote. The next regularly scheduled meeting will be held on May 15, 2013, at 7:00 PM in the Council Chambers of the Municipal Building.

Respectfully submitted,

A handwritten signature in cursive script that reads "Katherine Citterbart". The signature is written in black ink and is positioned above the typed name.

Katherine Citterbart
Planning Board Secretary