

**Newton Planning Board  
June 19, 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:** Mr. Flaherty, Mr. Marion, Mr. Tharp, Mrs. Diglio, Ms. Logan, Mr. Steinberg, Chairman Le Frois

**EXCUSED:** Mrs. Mattingly, Mr. Ricciardo, Mr. Russo,

**ABSENT:** Mr. Hardmeyer

**PROFESSIONALS PRESENT:** David Soloway, Esq., Board Attorney, of Vogel, Chait, Collins & Schneider, Jessica Caldwell, PP, of J. Caldwell & Associates

**BOARD SECRETARY:** Katherine Citterbart

**CONSIDERATION OF MINUTES**

May 15, 2013

Mr. Flaherty made a motion to approve the minutes from the May 15, 2013. Ms. Logan seconded the motion.

**AYE:** Mr. Flaherty, Mr. Tharp, Ms. Logan, Chairman Le Frois

**HISTORIC RESOLUTIONS**

None

**RESOLUTIONS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

Ordinance 2013-21-An Ordinance to Amend the Code of the Town of Newton by the Adoption of the Revised Transect Zone Map, Attachment 1 of Chapter 320, Entitled "Zoning"

**Recused:** Mr. Steinberg (conflict with one his investment properties in the area.)

Ms. Caldwell stated: You are looking at the corrected map. It was brought to our attention from someone who owns some property in Town that their property was zoned T1 and it was never the intention of our ordinance to zone any private property as T1 because as you know T1 is a natural area and it only covers lands that are in open space. A mapping error that included lands that were primarily covered by wetlands but in this case the property owner told me they

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had an exemption from the DEP even though their property was covered entirely by wetlands and the transition areas they had an area craved out and approved by the DEP to do a residence. Having found that out, I went back to the gentleman who did the map and had them search and see if there were any others. Indeed there were some. We proposed to change them to whatever the adjacent zone was so there would not be any issue for those people to develop their property even if they were covered entirely by wetlands; it was up to them if they can go get a DEP approval so they can develop the property according to whatever zone they fall into.

There is another correction over by Thorlabs. There are four properties adjacent to the Thorlabs zone where they had been inadvertently put into the Thorlabs zone which is incorrect because it is not part of the redevelopment area. It was supposed to be a redevelopment area and it ended up encompassing a few residential properties so we took those out and put them in T3 because they are a single family residences.

The intentions behind the Master Plan consistently remain the same. They were unintentional map errors. I recommend it be adopted because it is still consistent with the intention of the Master Plan.

Mr. Soloway stated: This is a statutory referral from the Town Council where the Boards role or task is to make a determination as to whether the proposed amendment is consistent with the Master Plan. The Board also has the right to make and transmit any other recommendations it may have but this really is just a Master Plan consistently review.

Chairman Le Frois opened up the meeting to the public. With no public coming forward, Chairman Le Frois closed this portion.

Mr. Marion made a motion to make a determination that the proposed ordinance is not inconsistent with the Master Plan and authorize the Board Secretary to communicate your finding to the Town Council. Mrs. Diglio seconded the motion.

AYE: Mr. Flaherty, Mr. Marion, Mr. Tharp, Mrs. Diglio, Ms. Logan, Chairman Le Frois

**CORRESPONDENCE**

None

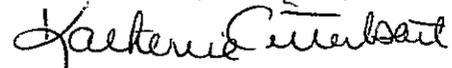
**PUBLIC PORTION**

None

**ADJOURNMENT**

Mr. Marion made a motion to adjourn the meeting. Mrs. Diglio seconded the motion. The meeting was adjourned at 7:00 PM with a unanimous "aye" vote. The next regularly scheduled meeting will be held on July 17, 2013, at 7:00 PM in the Council Chambers of the Municipal Building.

Respectfully submitted,



Katherine Citterbart  
Planning Board Secretary