

**Natick Planning Board**  
**Hybrid (In-Person and Remote)**  
**January 4, 2023**

Chair Andrew Meyer called the meeting to order at 7:03 PM. Members present were Andrew Meyer, Glen Glater, Teresa Evans, and Douglas Landry; and Associate Member Chris Therrien. Also present was Community & Economic Development Director Amanda Loomis.

**Public Speak:** *None*

**Public Hearings – Development Projects**

**5. 50 Pleasant Street:** *Application of Linda Valentin for Site Plan Review, Special Permit for Historic Preservation (Section III-J of the Natick Zoning Bylaws), Special Permit for Aquifer Protection District (APD), Scenic Roadway Modification. Project will include redevelopment of existing historic structures for the creation of five residential units, in addition to associated site improvements. (contd. from 12/21/22)*

Applicant Linda Valentin and project architect Kent Duckham appeared before the Board. Mr. Meyer said the applicant's calculation for the size of the building was 12,909.5 SF. Ms. Loomis broke this down into individual room and porch measurements. She said the Town Assessor's measurement of 10,321 SF did not include exterior areas but did include the basement, 75% of the attic, and habitable floors. It was agreed that the carriage house was 1098 SF. To the applicant's request that the exterior porches, decks, and sunrooms be included, it was noted that the Zoning Bylaw specified the measurement be of interior habitable area, which was 11,419 SF.

Mr. Landry asked whether the measurement calculated interior spaces or all spaces. Mr. Meyer explained the Board's ability to waive 10% of the limits for new construction and an additional 10% waiver. Ms. Evans said she understood the Zoning Bylaw allowed the Board to waive 10% of the new construction maximum, not of the building as a whole.

Mr. Nottonson asked if there was precedent from other projects for including the porch area in the total calculation of square footage. Ms. Loomis said that while the state building code included exterior spaces as habitable area, Natick did not. She explained that in cases where the Natick Zoning Bylaw did not specify then it fell upon state rules and regulations to clarify. Mr. Meyer noted that the relevant section of the Zoning Bylaw used the phrase "interior habitable floor area," which was more specific than the state building code.

Ms. Loomis presented a memo that provided different calculations based on different interpretations of the Natick Zoning Bylaw and state regulations, which produced four different numbers for the allowed space to be considered habitable.

Mr. Landry said he agreed with the interpretation that the Natick Zoning Bylaw language did not include porches as habitable space. He said the Board could not waive language in the Zoning Bylaw and that this would require a variance from the Zoning Board of Appeals (ZBA).

Mr. Nottonson asked if the Eliot Street “church project” had any exterior space that had been approved as habitable space by the Board. Mr. Meyer said it did not. He then asked if the sunroom was habitable. Ms. Valentin said that it was a four-season porch and was heated.

To Mr. Glater’s question, Mr. Meyer said the four-season porch was not calculated as interior space. Mr. Glater said that as it was heated, the four-season porch ought to be included in the calculation of interior space.

Mr. Glater asked if the applicant, by right, could have enclosed the porches and made them habitable space. Ms. Loomis said they could do so by right except for the parts of the front porches that were in the setback.

Ms. Valentin said the “church project” used stairs in their measurements. Mr. Meyer said he did not believe that the porches could have been included as interior space, according to an application of the Zoning Bylaw. Ms. Valentin said that Randy Johnson, the applicant for the “church project,” had said that he had included the exterior stairs in his calculations. Mr. Glater said he wanted clarification as to whether the Board had accepted exterior space as habitable space during the “church project.”

John McConville, 9 St. Thomas Ave, said that he did not agree that the carriage house was habitable space because it was in the rear setback. Board members discussed whether the carriage house was habitable space and what impact, if any, the setback had in that matter.

Mr. Meyer polled the Board if additional information was needed by the “church project.” Mr. Landry said he did not need the “church project” to make a determination, and he trusted the Town assessor’s office measurements. Mr. Nottonson said research from a previous project would require more time. Mr. Meyer said he would not be opposed to research on that question. Ms. Evans the Board should research how the Historic District Commission evaluated the historic church structure and the current project.

Brad Peterson, 7 Dover Rd, asked if there was a difference between interior habitable floor area and living area. Mr. Meyer clarified how the Town assessors came up with their measurement.

Ms. Valentin said she would prefer a decision on the question of habitable square footage this evening. Mr. Meyer asked if she would agree to the figure of 11,689 SF. Mr. Duckham said the current design of the project was based on the understanding that exterior space was approved as part of the habitable measurements.

*The Board recessed for five minutes and returned at 8:12pm.*

Ms. Valentin said she had emailed letters from Randy Johnson with the calculations from the Sacred Heart church project to Ms. Loomis. Mr. Meyer said the Board would not be running the calculations this evening. He explained that the Historic Preservation bylaw allowed a maximum

of 10% new construction, to which the Board could add a “regulatory factor” of an additional 10%, as referenced in §V-E.3 of the Zoning Bylaw. This would be taken up at the Board’s next meeting.

Mr. Meyer noted the applicant’s request to waive the submission of certain documents until after the issuance of a special permit, and read the language in the Zoning Bylaw to clarify the Board’s limitations for waivers.

Bill McDowell, Town Engineer, said that photometric drawings, site plan, and the drainage plan were not required at this time in the project, but would be required once the Board was in a position to vote on the site plan. He said such a deferral was something he would endorse.

Mr. Meyer asked how feasible it would be to create a stormwater management system. Mr. McDowell said there was gravel under the parcel, which ought to provide good drainage.

Ms. Loomis said the site plan and drainage plan were required for a stormwater permit and that the project would require a stormwater permit.

Mr. Glater clarified what the Board typically required for a landscape plan, including documentation of existing and proposed plantings. Mr. Meyer asked if Mr. Glater was able to review the landscape plan. Mr. Glater said the proposed spruce trees were susceptible to disease and pests and encouraged the use of native species. Mr. Glater suggested the applicant seek direction from the Natick Tree Warden. He added that a photometric lighting plan would be needed with information on intensity and color to assess light pollution.

Ms. Evans asked for clarification on the order in which documents were to be submitted compared to approvals for special permits or waivers. She said that often the review and approval of the site plan was the first step by the Board. Ms. Loomis said that could waive the submission prior to the special permit but make its completion a condition of approval.

Mr. Meyer said a vote by the Board for the approval of a conceptual site plan was dubious, since so much could be changed, and delayed the inevitable.

Mr. Landry said he needed an engineered site plan to approve the project. He said there were standards for approval and documentation of how a project gets approved, and expressed concern with issuing a decision that required so much documentation after the fact.

Mr. Glater said he was not against conceptual approval and didn’t dispute the recommendations of Town professionals, but felt that delaying the submission of materials just delayed the review process that would be required further down the road. Ms. Therrien concurred with Mr. Glater.

Mr. Nottonson noted that the project architect should know if the project was viable and when it was ready to move to the next phase of design. He did not believe all of the materials were needed right now.

Mr. Landry reiterated that the Board needed an engineered site plan along with every other document, and that he did not want to put this off to a later date. Mr. Meyer agreed that the Board would need an engineered site plan, but could see postponing drainage and the stormwater plan, among others.

Ms. Valentin said she could not spend significant sums of money if the project might be denied. She urged the Board to “do its job” equitably. Mr. Meyer urged the applicant to move forward with engineered plans, which he thought would help put the project on the road to approval.

Tim Donahue, 17 St Thomas Ave, said he welcomed the Valentins and applauded the rebuilding of the house. He did not agree that uncovered porches should be included in the measurement and said he was opposed to the proposed size of the project. He questioned the applicant’s calculations of habitable space.

David Rosenburg, 90 Pleasant St, reiterated concerns about the size of the project. He said he was concerned about the increase in traffic and density.

Sandeep Davada, 50 Pleasant St, asked if the Board could vote tonight to require the documents. Mr. Meyer said this was an iterative process.

Brad Peterson, 7 Dover Rd, asked about how garages were calculated in terms of habitable space. Ms. Loomis noted that the caretaker had lived in the carriage house.

Mr. Nottonson asked about the difference between an engineered plan and something prepared for construction documents. Mr. Landry clarified the differences between a site plan for Board approval and a detailed construction plan set for building permit approval.

Ms. Valentin asked whether, if she provided plans as requested, she could get permits, providing the other required materials later. Mr. Meyer said the project was approvable pending a discussion and tweaks of an engineered site plan.

Ms. Loomis said the applicant needed to know what the Board-approved square footage was for habitable space, and building footprint, as well as waivers, parking spaces, and units. She said the Board could approve a special permit for use for only those aspects of the project that were conditioned so that the project returned later to the Board to finalize site plan approval. Ms. Evans was cautious about approving such a special permit. Mr. Meyer asked if Ms. Loomis was able to put this proposal together before the next meeting.

Ms. Evans moved for continuance to January 18, 2023, seconded by Mr. Nottonson. Roll call vote 6-0. MOTION PASSED

## **Annual (Spring) Town Meeting**

### **1. Downtown Gateway Zoning District**

Ms. Evans moved to sponsor the article for the spring Town meeting, seconded by Mr. Landry. Roll call vote 4-1-0 (Glater). MOTION PASSED

The Board and Ms. Loomis agreed that the Board should notify abutters within 300 ft. of the proposed zoning district and those located in the district itself.

**2. Residential Cluster Development - None**

**3. Use Regulation Table**

Ms. Loomis said that this revision, changing notations for uses, would be ready for Board review on January 18.

**4. General/Technical Housekeeping - None**

Ms. Evans moved to adjourn at 9:49 pm, seconded by Mr. Nottonson. Roll call vote 6-0. MOTION PASSED