

NEEDHAM PLANNING BOARD MINUTES

October 3, 2022

The Needham Planning Board hybrid meeting, held in person at Powers Hall, Needham Town Hall and Virtual using Zoom, was called to order by Adam Block, Chairman, on Monday, October 3, 2022, at 7:00 p.m. with Messrs. Alpert and Crocker and Mmes. McKnight and Espada, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Mr. Block took a roll call attendance of the Board members and staff. He noted this is an open meeting that is being held in public and remotely per state guidelines. He reviewed the rules of conduct for all meetings. He noted this meeting does include two public hearings and there will be public comment allowed. He noted the Board received a large number of comments on the 557 Highland project. He has read all comments. The Board has tried to capture all the comments but there may be a couple of members that have not had a chance to read everything. He stated all correspondence is included in the public record. If any votes are taken at the meeting the vote will be conducted by roll call. All supporting materials, including the agenda, are posted on the town's website.

Public Hearing:

7:00 p.m. – Major Project Site Plan Special Permit No. 2022-02: 557 Highland, LLC, an affiliate of The Bulfinch Companies, Inc., 116 Huntington Avenue, Suite 600, Boston, MA, Petitioner (Property located at 557 Highland Avenue, Needham Massachusetts). Regarding proposal to redevelop the Property with approximately 496,694 square feet of office, laboratory and research and development uses. The proposal also includes construction of one-level of below grade parking under each building and a separate stand-alone parking garage, as well as approximately 10,000 square feet of retail and restaurant uses. (See legal notice and application for more details). Please note: this hearing has been continued from the June 7, 2022, July 7, 2022 and September 7, 2022 meetings of the Planning Board.

Robert Schlager, Principle at Bulfinch Company, reviewed the updated plans. He noted this is a world class facility. He noted Tim Sullivan, of Goulston & Storrs, sent a letter updating the changes made due to input from all at the past meetings. The applicant has adjusted floor area down by 50,000 square feet. They expect there to be \$5 million in tax revenue to the Town. The applicant is updating the screening for the garage, has enhanced the walkway, increased vegetation, softened the massing on Highland Avenue, and a vegetative screen is being added along the entire façade. He feels this has resolved most of the outstanding issues. Eric Weyant, of Stantec Architecture and Engineering P.C., stated there have been changes since the 4/5/22 submission. The north building has been adjusted. A notch has been created at the corner of Highland Avenue to soften the south building and the footprint from the notch to the south building has been pulled back. There is an approximately 7,000 square foot park.

Eric Joseph, of Paul Finger Associates, stated the landscaping is based on the old advertisement for Needham “Keep Your Eye on Needham.” The park is in an eye shape with 6 park benches, sculptures, room for history signs and bike racks. The thought is to create a sitting area for people to walk through. There is also a fitness path. The applicant worked with the Fire Department and Building and Engineering Departments. There will be a 20-foot-wide path with the center 10 feet being permeable pavers and the outer rest would be grass walks. This has been reviewed and approved by Fire, Building and Engineering. Ms. McKnight asked how emergency vehicles would exit to the public road once the path ends. Mr. Joseph stated there is a demountable curb cut with removable bollards. Mr. Schlager noted there is another emergency access at 5 TV Place. He noted the bollards are 30 to 36 inches apart. The Fire Department can turn a key and the bollards collapse.

Mr. Weyant stated there are no additional state highway takings along the property line along Highland Avenue. He noted the south-building notch has been created. They have added some balconies and porch spaces and the third floor is set back. The façade is set back at the corner. There is a refinement to the mechanical screen. There will be an 18-inch setback with warm earth tone material. The curtain wall will be aligned with the 3-story bump out. He showed views from all surrounding areas. They will use panelized Glass Fiber Reinforced Concrete (GFRC) and will build it into a panelized

system, and it comes with windows. They are also looking at alternatives with warm earthtone colors. There will be Class A material, non-combustible and non-flammable used on each façade.

Sean Manning, of VHB, discussed the queueing conditions and future no-build conditions. He showed the existing conditions. Due to more pedestrians and bicyclists, the signals will be longer and there will be more queues. There may be a few cars queueing into the site. He feels this will fix pre-existing conditions. Mr. Block asked Ms. Brown to respond. Rebecca Brown, the GPI Peer Reviewer, reviewed what the Town asked her to do. She looked for grade and level of service. She looks for a Level E or better. At times a Level F can occur but can still be acceptable with unsignalized locations. They look at volume to capacity level and the queueing. She looked at the analysis the applicant put together and ran a comparison of 2029 build and no-build conditions. A number of intersections are operating quite well. They do not prescribe mitigating at Level D. There is one incident of Level F, but it is operating below capacity. There is not a substantial impact. They are only adding 2 cars. Hunnewell Street is operating at a Level F now. She found no crash pattern at that intersection. There are no safety issues, so they do not look for mitigation. The intersections at Central Avenue at Cedar Street and at Webster Street are a Level F now. There are fewer than 2 crashes a year so there is no real safety issue at those locations. Both meet the warrant for installation of signals now without the project being constructed. She does not feel it should be included with this project due to the limited impact so she has not recommended mitigation at those two locations. She recommends optimizing signal timings at 5 locations – Hunting; Kendrick and Greendale; Highland and West; Webster; and the First Avenue intersection. She proposed new signals at Central and Gould and the site driveway. They will restripe at Central and Gould to add a lane. The revised plan has improvements along Gould Street. The improvements proposed will have a lot of intersections drop from Level F. Highland and Gould will still have some Levels Fs. Some main line levels are improved to Level E or better. Mr. Block asked why compare with 2029. Ms. Brown noted it is based on increased population growth.

Ms. McKnight asked the applicant to summarize the changes with vegetation, trees and grass. Mr. Joseph noted they have added earth and berm up 2½ feet to 3 feet that gradually slopes down. A hedge of thick yews is being planted along the edge and there will be 25 feet of planting buffer along Highland Avenue and the fitness path. There will be shrubs, hydrangeas and flowering plants. There will be grass on one side of the fitness path and an elevated plant berm on the other side. Ms. McKnight asked whether the grass will be cut from time to time. Mr. Schlager stated the landscaping will be maintained.

Mr. Alpert noted GPIs letter dated 9/29/22 with substantial recommended conditions of approval. He asked if the applicant has reviewed it and if they have any comments. Mr. Manning collaborated with GPI, reviewed everything and appreciated their comments. Mr. Alpert suggested once the project is built additional traffic mitigation be taken. He asked if it would be completed 2025-2027 and was informed that was correct. Ms. McKnight noted the traffic demand management and stated one of the conditions was to provide a shuttle. She asked if this allows both employees and abutters to use the shuttle. Mr. Schlager noted there will be electric powered solar buses which is a benefit.

Mr. Block is concerned with cut through traffic. He would like a pre-construction traffic study of the Noanett and Sachem areas so there is a base line to compare to once the construction is done. Ms. Espada heard what the community said the last time. She approves the site amenities like materials, pavers and pavement. She asked who manages the site and was informed Bulfinch would. She asked what people would do if they wanted to use the pickle ball court. Mr. Schlager stated they would contact the Bulfinch management office. She asked where the people would park and was informed in the garage or on site if parking is available. Ms. Espada asked where the shuttle buses would be located and if there was any consideration to having the employees park elsewhere and shuttle to the site. Mr. Schlager noted the buses would be staged at the loading docks during the day and they have not considered having employees parking off site.

Ms. Espada stated the views are helpful. It makes a difference to break it up on the Highland Avenue side but it still feels relentless and flat on top. She asked if the penthouse piece could be corrugated or something else. Mr. Weyant stated there is a horizontal texture on the roof screen to provide differentiations. Ms. Espada commented the applicant needs to find a way to give depth. They could address this with materiality on the Highland Avenue side. She is concerned with the Gould Street side. The glass makes the proportions large for the building on the left. Mr. Weyant stated they are trying to break down the width of the building. It felt massive with all the GFRC. Ms. Espada feels the proportion of glass makes it look larger and the parking garage looks large. It feels to her that it is too big. She asked if it was possible to decrease the scale

by looking at alternative parking or putting one more floor underground or screening. Mr. Weyant stated the building is in excess of 200 feet away from Gould Street and noted there would be a fair amount of screening. Ms. Espada commented it feels out of place entering the residential community.

Ms. Espada asked what the square footage is with the change that was made. Mr. Schlager stated it is a 1.21 FAR with a decrease of 10,000 square feet. Mr. Crocker asked if a key card would be required to go into the underground parking, and the applicant responded that would not be necessary during business hours. He noted the views from Sachem Road and David Road are at an obtuse angle. It is much more noticeable coming up Sachem. He is concerned with the necessity for the Fire Department to need a 20-foot path. A lot of landscaping they wanted has been lost. This pushes a lot of landscaping and trees toward Highland Avenue. He is concerned it is a little too close to Highland Avenue. He believes they are trying to make this a gateway to Needham but believes it is being forced to the corner. He would like the south building pushed back some. This is a visual gateway to Needham, and he would like it to not be forced. That was mainly the focus of residents of surrounding areas. He is concerned with the visual impact and forcing it into the corner. This is not the gateway he is looking for, but it is close. Some of this is incredibly beautiful. He thinks they can do better, and he wants to get it right. He stated he does not remember comments from the police. The town does have issues and there may not be a lot they can do. He is not sure if pushing it back changes the impact.

Mr. Weyant stated the process has been going on since October 2019, when the zoning came before Town Meeting. Concerns were expressed then back to Town Meeting. As a result the FAR was set at 1.35 and the applicant is proposing a 1.21 FAR. The setbacks were set by Town Meeting. The project complies with all setback requirements. The vegetative buffer was contemplated and has been proposed as required. The project has been pushed back toward 128 and is compliant with setbacks adopted. This has been proposed for a number of months. Mr. Crocker stated the Board does not have to approve this just because it passed Town Meeting. Mr. Block opened the meeting for public comment.

Natalie, of Utica Road, read a letter from the Chinese Friends of Needham regarding the scale of the project, the safety of biotech companies, regulations on-site, research transport of biochemical equipment and how the town will benefit. Needham is losing its residential appeal. She noted the size is too big at 1.21 FAR. She urged the Board to wait and decline to endorse the project until questions are answered. Ellen Fine, of Greendale Avenue, stated she was born and raised here. She came back 10 years ago to a destructive land greed experience. The Needham she knew and loved is being destroyed. She noted 800 people signed a petition against this project a couple of years ago. She watched tonight to see an industrial design that is not sustainable. She is appalled with what Needham is allowing at this site. Low- and middle-income families are being driven out of town. She is sorry to say this has not improved from the first proposal. She feels the Board should wait for the community to develop something together.

Seungjoo Lee, of 33 Noanett Road stated this is not just another office building. There is a bio lab coming. This is setting a precedent and he requested the Board be responsible. Tonia Chew, of 174 Standish Road, agreed with the previous speaker regarding bio labs. She noted the traffic analysis and asked if this assumes all new employees will be coming from out of town or will it be just some of them. Mr. Manning explained how the analysis was calculated. He noted most would be coming from the north and south via 128 and some from the west through Needham. Eric Egan, of 13 Utica Road, appreciated the walking trail and public park but it sounds like an F to him. The benefit to the company does not help the community at all. He has been here 2 years and is ready to move out. He lives close to this site. He asked if they can get a benefit when construction starts. He feels his tax break should be greater than others that live farther away.

A person from Wellesley Avenue stated she is concerned with the environmental impacts of this project. The comments are focused on the façade but not on the environmental impact. She is not supporting this due to the nature of the use of the building. The building is beautiful but she is not in favor of the use. Bruno DeFazio, of 190 Hunting Road, is a long-time resident. There used to be an industrial park but that is gone now. This project is putting something with pathogens you cannot see. There are better things to do with that property. Traffic increase is a part of life but he feels this is a step back for Needham if approved.

Patricia Baker, of 30 Highland Terrace, stated she goes by this site every morning between 6:45 a.m. and 7:00 a.m. and makes a right on Gould. The traffic baseline shown is unrealistic. It takes her 7 minutes to go ½ mile. She heard the

baseline was from covid with no cars. Where did the diagram come from? They are diminishing the reality of the traffic with false information. She noted the project on Oak Street in Newton also needs to be taken into consideration.

Rob Dangel, of Hewitt Circle, clarified how it was presented to Town Meeting and how it was passed. He asked what could be done, in collaboration with Bulfinch, to make this a project in the best interests of Needham. He feels Bulfinch has listened. He noted the parking garage is large and the size is a bit out of place for the community. It looks large because it is large. Residents have asked for a 1.0 FAR. Bulfinch is listening to the residents but they need some compromise to get to a smaller FAR.

Viktoriya Zhabinskaya, of Gould Street, noted she has been at all the meetings and the information regarding a bio tech lab is a concern to all residents. This should be raised as a big concern as well as the environment, impact on children and water. Traffic is also critical. Henry Ragen, of 25 Bennington Street, noted a traffic-impact scale of A through F where F is acceptable would not be acceptable for kids in school. There is something wrong with the scale. He complained that Bulfinch says they have no tenant but knew how many employees and cars there would be. That is hard to believe Bulfinch does not know who the tenant will be. The bottom line is whether to grant the special permit. What is special about this for the Town of Needham? The mass does not make it special. It is not eye appealing and it is a massive building with massive traffic. It is not special. This is a negative to people in the neighborhood and he urges the Board to not grant the special permit.

Leslie Prescott, of 12 Park Avenue, is concerned with the intersection of Highland, Webster and Greendale. There is a lot of traffic with the drop-off at the Temple. There have been a lot of safety concerns there in the past. The applicants are putting mitigation in place for incoming traffic at the expense of residents trying to get to the highway and schools. Where is the burden going to be – for the incoming employees, or for the residents?

Charlie Puck, of 131 Woodbine Circle, stated this is an important issue. Everyone has talked about the size, scale and traffic issues but not addressed Needham's understanding of a life science building and what goes into Town and making it safe. Personally, he has no concerns as long as the community knows how to manage it. He feels the Town is unprepared to host this type of project. He feels the Town management should contact other towns to see how it is handled and how it should be done. He feels the Town is naïve to what they are dealing with, which is a major concern.

Vincent Carty, of Manning Street, asked if the Town is comfortable knowing a lab in town is dealing with Ebola Viruses. Nothing in the proposal limits this facility to anything. Mr. Alpert noted at the first meeting it was promised by Bulfinch it would be Levels 1 and 2 only. That would be a requirement to comply with the special permit. The Board of Health will help with compliance and enforcement. Mr. Carty asked if Mr. Alpert is comfortable the town has existing capabilities to ensure compliance. Mr. Block stated that would be part of the deliberations. He reviewed comments from Tara Gurge, of the Board of Health, regarding the Mass Department of Environmental Protection Waste Water Reuse Program with comments. She speaks to biotech labs and requirements and speaks to protocols in place. Mr. Schlager has agreed to all requirements. There are a number of life science spaces in Needham and they have never had issues. They have a compliance officer willing to meet one on one or in a group to discuss life science regulations.

Ben Daniels, of 5 Sachem Road, thanked the people from Bulfinch for coming. He hopes it looks similar to the pictures, but he feels it will look bigger. Everyone was told the Big Dig was going to solve traffic problems but none of that came true. Traffic will be a lot more. Some is beyond Bulfinch's control. This project will become a precedent with other landowners wanting to change their properties through zoning. He asked if there is a physician in the bio labs. He does not feel there is a deep understanding of this topic by Board members. His concerns are not unfounded. The Board cannot make an assessment until they know who the tenant is. He would like to see the FAR reduced. He understands all need to compromise but he wants all to remember the Big Dig.

Wei Lu, of 61 Wayne Road, stated traffic is a big problem but the use is a bigger problem. He asked, if a special permit is granted, will the Town put in a condition banning upgrade. Mr. Alpert stated they will only allow Level 1 and 2. Level 3 and 4 would not be allowed. There are conditions that must be met in order to get a Certificate of Occupancy. Mr. Block explained the reasons the applicants are here for a special permit and the special permit process. Mr. Lu stated many relevant issues need to be resolved. There needs to be a special knowledge to manage this.

Chia Chan, of Noanett Road, asked if there is a plan to install a new sewage line. The sewage/drainage line goes down Noanett. Will some system be installed to prevent backups? Mr. Schlager stated he is aware the sewage issue at Noanett was attributable to a restaurant with a grease trap issue. The line for this Bulfinch property flows south and east under 128. Everything is treated and is highly regulated by the Department of Health. There has never been a safety violation in this respect. They are proposing nothing more than what is at the hospital or a doctor's office.

Ms. Chan asked if the sewage line under 128 was existing or new, saying there will be more usage of the sewage line. She asked if it was big enough to handle the additional capacity. Is it normal to have industrial waste go down a residential street? Mr. Schlager clarified that no sewage effluent goes toward Noanett Road. It all goes to the south and east. He would be happy to meet with her to discuss her concerns. Ms. McKnight noted the DPW letter said nothing about capacity. Mr. Alpert stated the Town Engineer is on top of this and he will make sure the sewer connection is done properly. Joni Schokett, of 174 Evelyn Road, noted they reduced the FAR but she does not hear a reduction in the garage or the number of cars. Mr. Schlager noted there will be roughly 20 spaces less and 70 less from the first hearing. Steve Sussman, of 30 Davenport Road, stated there was a 9,000 square foot reduction since the last meeting. That does not seem much to him. Mr. Dangel noted the atrium would be one place that people would not care if it was built right up to the side. It should be somewhere less impactful to reduce footage.

Russell Smith, of 52 Greendale Avenue, shares the concerns regarding traffic and bio labs. He would like to see the FAR come down to a 1.0. Holly Charbonnier, of 94 Sachem Road, referred to a court case in Chicago regarding gas release and how anyone within 1.5 miles is more likely to get cancer. She hopes Needham would put together a bio lab group, like other towns, to monitor. It feels too big and she would like a 1.0 FAR.

A motion was made to close the hearing. A discussion ensued. Ms. McKnight asked if everyone was satisfied there is enough information from the Board of Health or should it be kept open to get more information on current regulations for bio lab space. Mr. Crocker noted if the hearing is closed Bulfinch cannot make further changes as the public wants. Mr. Block stated the Board has the authority to make conditions. Mr. Alpert commented that is the same as the Board did at 1688 Central Avenue.

Upon a motion made by Mr. Alpert, and seconded by Ms. McKnight, it was by a roll call vote of the five members present unanimously:

VOTED: to close the hearing but keep it open for the sole purpose of getting additional information from the Board of Health on current regulations for Bio Lab space.

The Board took a 5-minute recess.

8:30 p.m. – Amendment to Major Project Site Plan Special Permit No. 94-5: Coca-Cola Beverages Northeast, Inc., 1 Executive Park Drive, Bedford, NH, 03110, Petitioner (Property located at 9 B Street, Needham, Massachusetts). Regarding proposal to renovate the existing building by removing the existing 14,500 sf office wing, removal of 44, 985 sf of the existing Fleet Services wing, associated storage and former railroad bay to be replaced by 14, 610 sf attached new single-story Fleet Services wing and addition of 14 loading docks (see legal notice and application for more details).

Upon a motion made by Mr. Alpert, and seconded by Ms. McKnight it was by a roll call vote of the five members present unanimously:

VOTED: to waive the reading of the public hearing notice.

Mr. Block noted the following correspondence for the record: an email from Police Chief John Schlittler, dated 9/13/22, with no comments; an email from Fire Chief Tom Conroy, dated 9/28/22, noting he was ok with this, an email from Assistant Public Health Director Tara Gurge, dated 9/23/22, with comments, and a letter from Town Engineer Thomas Ryder with comments. Chris Nowak, of VHB, noted this was a gravel pit in the 1880s. In 1956 American Can went in and in 1975 Coca Cola began bottling. The bottling services have been closed there and they are creating a new cooler services area and improving safety. The applicant is making a major investment and is looking forward to continuing to be a long-term neighbor. The applicant will be adding loading docks to improve efficiency. They will renovate and beautify the building

and will clean up the roof. The equipment is non-functioning and will be removed. Mr. Block commented the Town appreciates the efforts to clean them up.

Mr. Nowak stated the building façade will be refreshed. He noted there is a net reduction in impervious cover. There will be improved storm water treatment and additional landscaping. They will be adding some additional parking spaces. He showed the existing site context. There are 23.7 acres of land that is relatively flat. Forty percent of the site is occupied with the remainder being parking lot and loading docks. It is almost entirely paved. Landscaping will be added and the truck circulation will be cleaned up. Some building appendages are being removed. He noted the trucks come in through Third Avenue.

Mr. Nowak noted the size of the building is being reduced and a small addition of 430 square feet is being added in the existing footprint. They are allowed 65% lot coverage and they are at 38.6% now. That will be reduced to 34.3%. The uninterrupted existing façade length is 540 feet and will be improved. They are adding an entrance element with a reduction to 499 square feet and increasing parking. The existing special permit allows 471 spaces. They propose to increase that by 75 car and 20 truck spaces. There is a significant amount of open space being added. Evans Huber, Attorney for the applicant, noted there is a current waiver of about 560 spaces. The request for parking waiver is going down with the reduction of the building size.

Mr. Nowak stated the buffer is being improved and the parking set back from the intersection. Approximately 250 feet is being added of landscape buffer. They are adding 185 linear feet in a triangle of green space at the Kenrick Street intersection. There is 9½% of open space that will be improved to 12.7% and the non-conformity is being reduced. The existing chain link fence will be replaced with an ornamental fence. Ms. McKnight stated the view all along Kendrick Street is of the truck terminal. She does not see that changing. There are no trees, bushes or anything that will enhance the view. Mr. Huber clarified Kendrick Street is elevated above this site and it would not be able to be seen. Mr. Nowak stated the loading docks are on that side and that cannot be changed. They need pavement for trucks to maneuver around.

Ms. McKnight asked if there was any chance a fence could be put at the top of the slope. Mr. Nowak stated a fence would be behind the pavement of where the trucks are. Ms. McKnight stated she is trying to think of a way to make along Kendrick Street more attractive. She is trying to enhance the general area but she understands the constraints. Mr. Nowak showed the existing storm water management. They are adding pervious surface and a bio-retention area or rain garden to provide recharge. A large landscape area with catch basins is being added that will filter storm water before it discharges. 33,000 square feet of pervious area is being added which is about one acre.

Mr. Nowak showed the overall plan. He noted the building was built in 1956. They will be automating the pick-selection facility and auto palletizers. Mr. Block asked if it was the same size as the Connecticut facility and was informed it was roughly half the size. Mr. Block asked how many employees are in Connecticut. He was informed there are 450 in total with a couple hundred a day between 2 shifts. Ms. Espada asked why increase the parking if there are less employees. Mr. Nowak noted a large area room is being renovated for a large meeting room with a 120-person capacity. They may have meetings quarterly. This is the flagship location for the northeast.

Mr. Crocker noted bays are being added. He asked if there is a current backup of trucks. Dave Omonobolo, of Coca Cola, noted the majority come off on Kendrick Street and there is not usually a backup. The transport trucks go down the left side of the building so it is quieter on the right side by Trip Advisor. Mark Nogueiras, Civil Engineer, reviewed the elevations. The entire façade will be redone. They will get rid of the siding and use metal panel to bring up to current materials. It will be similar to other facilities. There will be glass panels and an overhang canopy with the Coca Cola logo. There will be a simple employee entrance and a feature in the middle to break it up. There will be 2 different shades of metal panels at the edge of the roof. All will match the metal panel facades. All the roof equipment will be gone and replaced with minimal equipment such as a couple of exhaust fans. There will not be roof top units per se. There will be a couple of new roof top units on the fleet building. Ms. Espada asked if they would be screened. There is no plan to screen them. They will not be able to be seen in most cases.

Mr. Crocker asked if there was any consideration to solar and Ms. Espada asked if there is any sustainability or LEED. Mr. Nogueiras stated there was no LEED contemplated but it was not out of the question for solar. There have been serious

concerns with the roof so it is not part of the current plan. Mr. Crocker asked if there is any type of water infiltration that could be done beside letting it go down to the exit to the river or anything to make it more sustainable. Mr. Nowak noted they are adding 33,000 square feet of green pervious area, a rain garden and planting 60 trees on site. Mr. Block summarized the Board would like to see, at the next meeting, additional opportunities for green space, any additional recharge, and anything more they would be willing to do such as what type of any solar capacity they may consider adding. He would like to see a revised plan with the items included that he summarized and what the applicants are prepared to invest.

Upon a motion made by Mr. Crocker, and seconded by Mr. Alpert, it was by a roll call vote of the five members present unanimously:

VOTED: to continue the hearing to 11/1/22 at 7:05 p.m.

Deliberation: Special Permit Amendment No. 2017-01: Sira Naturals, Inc., d/b/a Ayr, of 300 Trade Center, Suite 7750, Woburn, MA 01801, Petitioner. (Property located at 29-37 Franklin Street, Needham, MA). Regarding proposal to make certain changes to the approved permit, including a request to eliminate the “appointment-only” operational requirement for the facility.

Mr. Block noted there is no decision to review. Ms. Newman would like more direction on the decision. The Police Chief recommended a review in 6 months. He asked if the Board would reconvene the hearing or would it be the applicant submitting documents for review. Ms. Newman stated in the past there were conditions in the decision to hold the applicant to their representation and reserve the right to uphold the decision or revoke it. This is a bit different as the Police Chief has raised concerns and abutters had a slightly different picture to paint. The Board could issue a permit for a period of 6 months and require them to come back in and extend the permit. The second option gives the Board more control and there is a hearing. Ms. McKnight likes the second option. The applicant is not making physical changes to the facility but simply changing the operation.

Mr. Block noted the use is a new use for the Town. It includes an increased number-of-sales capacity. There is some concern by residents about how the property has been maintained. Given the concerns, he agrees the Board should go with the 6-month review. At that time the applicant can ask to remove the 6-month requirement. Mr. Crocker is ok with revisiting this in 6 months. Mr. Alpert thought a review in 6 months was monitoring outside activity only. Mr. Block noted it is the impacts as a result of the changes. He would want testimony from the Police Chief if there are any calls. Mr. Alpert noted the Board would have to issue the amendment for 8 or 9 months because the Board will begin to review it at 6 months. He feels the applicant should come back in 6 months but should not have to pay another filing fee and notice fee. He wants the public to be able to speak. The permit should expire in 8 months but they need to file the application to extend the permit in 6 months.

Request to extend Belle Lane Subdivision Tripartite Agreement.

Ms. Newman recommends the extension for 2 years. The surety is adequate for 2 years through September 30, 2024.

Upon a motion made by Mr. Alpert, and seconded by Mr. Crocker, it was by a roll call vote of the five members present unanimously:

VOTED: to extend the Tripartite Agreement through September 30, 2024.

Board of Appeals – October 20, 2022

164 Broadmeadow Road – Arthur and Valentina Elzon, owners.

Upon a motion made by Ms. McKnight, and seconded by Mr. Alpert, it was by a roll call vote of the five members present unanimously:

VOTED: “No comment.”

84 Fair Oaks Park – Roger N. Squire III and Quinby Y. Squire, owners.

Upon a motion made by Mr. Block, and seconded by Mr. Alpert, it was by a roll call vote of the five members present unanimously:

VOTED: to comment the ADU application is not compliant with the ADU By-Law as it is a separate structure and not in the main structure.

150 Gould Street – Gordon’s Fine Wines of Needham, Inc., applicant.

Upon a motion made by Mr. Alpert, and seconded by Mr. Crocker, it was by a roll call vote of the five members present unanimously:

VOTED: to comment the applicant needs to consult with the Select Board to make sure it meets the requirement of the liquor license regulations.

Minutes

There are no minutes.

Report from Planning Director and Board members.

Mr. Crocker and Mr. Block are going on a road trip to explore brew pubs. Ms. Espada noted the Housing Plan Working Group is having a community meeting in November with the final plan in December. Ms. McKnight noted there will be a joint meeting with the Planning Board and Select Board on 10/11/22 and a special Planning Board meeting for long-range planning on 10/13/22.

Correspondence

There is a notice from Newton regarding the 240-unit housing development in the packet.

Upon a motion made by Mr. Alpert, and seconded by Ms. Espada, it was by a roll call vote of the five members present unanimously:

VOTED: to adjourn the meeting at 11:32 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Jeanne S. McKnight, Vice-Chair and Clerk