

NEEDHAM PLANNING BOARD MINUTES

December 5, 2023

The Needham Planning Board meeting, held in the Charles River Room of the Public Services Administration Building and virtually using Zoom, was called to order by Adam Block, Chairman, on Tuesday, December 5, 2023, at 7:00 p.m. with Messrs. Crocker and Alpert, Mmes. McKnight and Espada, Planner, Ms. Newman and Assistant Planner, Ms. Clee.

Mr. Block noted this is an open meeting that is being held in a hybrid manner per state guidelines. He reviewed the rules of conduct for all meetings. This meeting does not include any public hearings and public comment will not be allowed. 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.

ANR Plan – Judson Garrett Parker Jr. and Helen Frame Peters, Petitioners (Property located at 133 South Street, Needham, MA).

Ms. Newman stated the plan is compliant.

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

VOTED: to endorse the plan ANR (subdivision approval not required).

De Minimus Change: Major Project Site Plan Review Special Permit No. 1998-11: 117 Kendrick DE, LLC, 116 Huntington Ave., #600, Boston, MA 02116, Petitioner (Property located at 117 Kendrick Street, Needham, MA).

Mr. Block noted, for the record, he and Mike Wilcox are both members of the Council of Economic Advisors (CEA). He stated this subject has not been discussed by the CEA.

Mr. Block noted the following correspondence for the record: a memo from the Design Review Board (DRB), dated 11/12/23, approving the change; an email from Building Commissioner Joseph Prondak, dated 11/16/23, noting no concerns; an email from Fire Chief Thomas Conroy, dated 11/16/23, noting the project looks good; an email from Police Chief John Schlittler, dated 11/28/23, with a question; an email from Attorney Timothy Sullivan, dated 11/30/23; with a response to Chief Schlittler's question; an email from Police Chief John Schlittler, dated 12/4/23, noting he is ok with the project; and an email from Town Engineer Thomas Ryder, dated 12/4/23, with comments.

Timothy Sullivan, Attorney for the proponent, noted this is a limited-service loading bay for special deliveries. The deliveries will be one to 2 times per week for life science deliveries. There is no building footprint change. At the last meeting the Board's direction was this was a minor modification. DRB has approved and he has filed the application. He briefly went through the presentation to highlight what was being done. This fronts on the corner of Third Avenue and Kendrick Street. The applicant wants to make the space attractive to life sciences. This bay would avoid having to go through the entire building for deliveries. This cuts into an area that already has pavement there. Mr. Sullivan noted there would be the typical delivery vehicles, which would be vans and small trucks. Mr. Sullivan showed the existing and proposed exterior elevations and discussed traffic movement and the gap study. He noted this does not change the traffic.

Ms. Espada stated she wants to make sure the pedestrian experience adjacent to the roadway is safe. She commented the applicant talked about putting bollards in or something like that. Mr. Sullivan stated the doorway is there, but it is not the main entrance. Ms. Espada asked if there is a delineated walkway. Mr. Sullivan noted trucks would back in, but people can continue to walk along the sidewalk on Third Avenue. Mr. Wilcox stated they looked at the lack

of activity and deliveries are about once per week. He does not feel there will be a problem. Ms. Espada asked if there would be bollards, so the trucks do not hit the building. Mr. Wilcox feels that would not be a bad idea. Sean Manning, of VHB, noted there are 2 small building bumpers there and bump mats on the sidewalk. Mr. Alpert questioned how much pedestrian traffic really is at this site. Is it anticipated the cars would be parking on Third Avenue or parking on the other side of the building and pedestrians walking to this space? Is there parking on Third Avenue? Mr. Wilcox stated this is just for service only. People will enter at one of the 3 main access points. Mr. Alpert asked for clarification as to whether all parking is on the other side and people will park there. This was confirmed.

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

VOTED: to accept this as a minor modification.

The Board will vote on the decision in 2 weeks.

Board of Appeals – December 14, 2023.

Mr. Block noted 30 Wilshire Park and 1699 Central Avenue have already been dealt with.

460 Hillside Avenue – Dish Wireless, LLC, applicant

Ms. McKnight noted this is across from the Rosemary Ridge Condominiums and she is on the Board of Trustees. She recused herself but noted she did not get a notice of hearing as a unit owner. She left the room. Mr. Block asked if Ms. McKnight should have received notice as an abutter. Ms. Newman is not sure who the notice was sent to. She will check but noted it is not a Planning Board issue. There were no comments or questions from the Board members.

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

VOTED: “No comment.”

320 Grove Street – Corbin Petro and Jessica Gelman, owners

Mr. Block stated this is a request to demolish the existing single family house and rebuild due to flooding issues. Mr. Crocker said he is not clear on what they are trying to do. Mr. Alpert noted the minimum required setback was 15 feet when the house was built but the minimum setback was extended to 25 feet when the setbacks were revised in 2017. The applicant is saying it would be a hardship to build it at a 25-foot setback. It appears the applicant is trying to get the house to higher ground. Mr. Crocker wants to make sure anything the applicant does will not have water going toward the neighbor's lot. Mr. Block stated the builder has an obligation to make sure that does not happen. Mr. Alpert noted there have been issues with that.

Ms. McKnight stated she does not have substantive comments, as she would leave that to the Board of Appeals, but under the circumstance of a prior non-conforming structure and rebuilding in a different part of the lot would the appropriate process be under 40A Section 6 for a finding under the Board of Appeals that it is not more detrimental? Ms. Newman noted once the house is demolished, they would be starting with a clean slate. Mr. Crocker stated the applicant is not rebuilding their house but a house that is 50% larger and they want it closer to the property line. More of it is closer to the property line and a lot more of the house is non-conforming. Mr. Alpert noted, presently it is 15 feet from the property line. The new construction will be 17 ½ feet away so it would be 2 ½ feet further way from the property line. This is just because the Board changed zoning from 15 feet to 25 feet. Mr. Crocker feels the Board should make a comment. Mr. Alpert commented it was interesting the Conservation Commission is allowing the applicant to build in the 25-foot buffer zone.

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

VOTED: "No comment."

Minutes

Mr. Block noted on page one of the 9/19/23 minutes, Mr. Crocker's comment "think about the noise with closing off an open restaurant" is unclear. Mr. Crocker stated he was suggesting closing off the kitchen and creating a narrower portion of the dining area. Mr. Block noted on page 2, under 888 Great Plain Avenue, it mentions the 4th floor pushed back. He was curious what the setback from the 4th floor was and not the 3rd floor. It should be set back from the front façade of the 4th story. All agreed. Mr. Alpert noted on page 3, 2nd to last paragraph, he wants to make sure when cars come out of the driveway there is enough line of sight. It was agreed there should be a safe sight line for exiting vehicles with cars parked on Great Plain Avenue. Mr. Block noted on page 3, trade routes, he was referring to movement on Great Plain Avenue. Ms. Espada stated pedestrian routes need to be planned more efficiently. Mr. Block noted the sentence should be deleted.

Mr. Block noted on page 5, Ms. Espada was talking about solar energy. He feels something should be added. He noted the Board was discussing charging stations. He suggested deleting the sentence in yellow. Ms. Espada agreed something should be added about electric charging stations. Ms. McKnight asked if large scale was by special permit or by right. Ms. Newman noted the Board did say large scale ground mounted would be in the overlay. Mr. Block noted small scale by right and medium scale would be by right with site plan review, not a special permit. Mr. Block stated on page 6, add "Medical" to "Highland Avenue Building."

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

VOTED: to accept the minutes of 9/19/23 as red lined with changes discussed at this meeting.

Report from Planning Director and Board members

Ms. Newman noted the Planning Department budget has been submitted to the Town Manager. She will meet with John Connelly and John Colletti for any questions they have. She will be in front of the Finance Committee 1/24/24 to answer any questions. She has asked for the replenishment of the \$60,000 study money. There will be questions of how the money has been spent. She is putting that together. She has also asked for the replenishment of the small repair grant fund and there will be questions on where that was spent. She has added a planner and is asking the administrative staff be increased from part-time to full-time. The cost is \$60,000 for a planner and \$12,000 for the administrative staff. The Board discussed replacing Karen Sunnarborg, who has resigned.

Ms. Newman noted she is hoping to have the solar zoning and Housing Authority zoning ready to go for the 2nd week in February. She hopes to have the solar draft done for the next meeting. Mr. Block stated there are a couple of areas of clarification on solar he and Mr. Crocker will discuss Thursday and it will be finalized at the next meeting. Mr. Block asked if the HONE Committee has discussed how to modify the overlay to the Center Business District. Ms. Newman noted that has not been discussed yet. HONE has decided to include a portion of the Center Business District in their initial modeling of it. They are looking at a loop that might grab the municipal parking lot behind CVS, across the street to the car dealership and grab the industrial district there. Ms. McKnight stated it would go down Garden Street, which would be the connector.

Mr. Block asked what the density would be. Ms. Newman noted initially it would be modeled under the existing zoning of 18 units per acre. The overlay does not have a density limit. Mr. Block asked how 50 Dedham Avenue got 12 units. Ms. Newman stated the overlay does not have that restriction and that is what the applicant proposed. Mr. Block feels they need to increase the number of units to make it more transit oriented. He wants to achieve getting more cars off the streets. Ms. Newman stated it could be done under the overlay. Mr. Block would like to encourage the HONE Committee to think carefully about Mixed-Use allowed not by special permit but by right in the overlay district.

Correspondence

Mr. Block noted an email from Stephen Frail, dated 11/28/23, regarding the pending Solar By-Law. He has asked that it be put in the next packet for when they are talking about solar. There is also a notice from the City of Newton regarding 307 apartments dated 10/27/23 with comments due 11/17/23 and the Town Managers Office received correspondence, dated 12/4/23, from Scott Schwartz regarding the redevelopment of the Linden Chambers apartments. This was forwarded to the Planning Board and the Housing Authority.

Executive Session pursuant to M.G.L. c30A, §21 purpose 7 (to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements): Review and approve minutes of prior executive sessions.

Mr. Block noted the Board will go into Executive Session. Mr. Alpert and Ms. Espada are recused and will leave for the Executive Session.

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

VOTED: to go to Executive Session pursuant to M.G.L. c30A, §21 purpose 7 and adjourn this meeting directly from the Executive Session without returning to the meeting at 8:13 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Natasha Espada, Vice-Chairman and Clerk