

NEEDHAM PLANNING BOARD MINUTES

June 16, 2009

The regular meeting of the Planning Board held in the Selectmen's Meeting Room at Town Hall was called to order by Martin Jacobs, Chairman, on Tuesday, June 16, 2009 at 7:30 p.m. with Messrs. Warner, Ruth and Eisenhut and Ms. McKnight as well as Planning Director, Ms. Newman and Recording Secretary, Ms. Kalinowski.

Public Hearing

7:30 p.m. -- Amendment to Babson College Major Project Site Plan Review Special Permit 2005-01, Shelley Kaplan, Babson College, 231 Forest Street, Babson Park, MA 02457, Petitioner (Property located on Map Hill Drive, Needham, MA).

Upon a motion made by Mr. Eisenhut, and seconded by Mr. Ruth, it was by the five members present unanimously:

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

Mr. Ruth disclosed he has been a donor to the Pan Mass Challenge. Jonathan Moll noted they will have the temporary installation of a tent for the Pan Mass Challenge set up in August in the Trim parking lot. There is no on-street parking with events. One hundred fifteen parking spaces will be displaced for approximately one week. There is ample other parking. They would like to amend the Special Permit to continue in nature in case they host in the future. Ms. McKnight clarified this would not be during the academic year and was informed it was not and that would be in the Special Permit. Mr. Jacobs noted the following correspondence for the record: a memo from Tony DelGaizo of the DPW, dated 6/15/09, with no comments or objections; a memo from the Fire Department, dated 5/22/09, with no comments at this time; a memo from the Police Department, dated 6/11/09, with no concerns; and a memo from Janice Berns of the Board of Health, dated 5/21/09, with no comments or concerns.

Upon a motion made by Mr. Eisenhut, and seconded by Mr. Ruth, it was by the five members present unanimously:

VOTED: to close the hearing.

Upon a motion made by Mr. Eisenhut, and seconded by Mr. Ruth, it was by the five members present unanimously:

VOTED: to grant the relief requested.

Mr. Jacobs noted a letter from Jim Castrataro dated 5/11/09 requesting a waiver of fees for site plan review. Ms. Newman noted they were directed by the Town to go to the ZBA and a fee was paid. There was misdirection from the town.

Upon a motion made by Mr. Eisenhut, and seconded by Mr. Ruth, it was by the five members present unanimously:

VOTED: to waive the fees.

Deminimus Change: Major Project Site Plan Special Permit No. 2007-09: High Rock School, Town of Needham, Petitioner (Property located at 77 Ferndale Avenue, Needham, MA).

Steven Popper, representative, noted a 10 foot by 17 foot storage shed is to be put on the property. It is within 100 feet of the wetland setback. It was withdrawn from the original plan but they have now gone to the Conservation Commission and would like to put it back. The Design Review Board has given approval. They have a letter from Kristen Phelps. Mr. Jacobs noted the following correspondence for the record: a memo from the Fire Department, dated 5/29/09, with no comments; a memo from the Police

Department noting no safety concerns; a memo from the Board of Health, dated 5/27/09, with no objections and a memo from the DPW, dated 6/15/09, with no comments or objections.

Mr. Ruth noted the metal shed and asked if they had considered something more attractive. Mr. Popper noted it is made of a material that is an attractive off-white. It is a very neutral building. Mr. Ruth asked if they had considered a wood shed. Richard Rice, of DiNisco Design, noted it is not feasible with the school. Mr. Ruth asked about the basketball hoops. He stated it seems people are shooting at each other and asked if they could be flipped. Mr. Rice noted they could not be but they are only for practice shooting. Ms. McKnight asked if this has already been reviewed and was informed no. Mr. Rice noted it was looked at but there was nothing formal. There was no support or opposition.

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

VOTED: to grant the relief requested and determine the change is de minimus.

7:45 p.m. – Site Plan Special Permit No. 2009-02: Northbridge Communities, LLC, 15 Third Avenue, Burlington, MA 01803, Petitioner (Property located at Duncan Drive off Old Greendale Avenue, Needham, MA).

Upon a motion made by Mr. Eisenhut, and seconded by Mr. Ruth, it was by the five members present unanimously:

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

Roy Cramer, representative for the applicant, noted they are proposing a memory loss center with 70 beds off Greendale Avenue. This is a Single Residence A District with 4.6 acres. Mr. Jacobs noted this has been before the Board informally several times. Mr. Cramer noted in 1996 the Planning Board granted a 4 lot subdivision of the property. All the surrounding property is Single Residence B. Thomas Trudeau bought the property and built a road but it was not feasible with 4 lots. He tried to get the property rezoned but was not successful. He met with Northbridge and this is the perfect site. They cater to people with memory loss due to all types of issues who cannot care for themselves. It will be a locked facility with 4 interior courtyards. It will have a feeling of home. Residents do not drive. He reviewed the relief requested. He noted they would like an average of one foot candles in the lot lighting not a minimum of. They are required to have 44 spaces or one space for 2 beds and one space for 2 employees. They will be on a layered shift. There will be a maximum of 18 employees on the 7:00 a.m. to 3:00 p.m. shift. They are providing 50 spaces. There will be periodic visitors and little staff. They have met with the neighbors. They hope they have been able to explain and have been responsive to their issues and concerns. They are asking for the right to revise the floor plan without further review. There will be no unit number change and no square foot change. The applicant is Northbridge. They will create a single entity provided it is an affiliate. Mr. Cramer noted the Design Review Board approved the project on 3/16/09. The original landscape plan was not done by a certified architect. The Design Review Board resigned all last night. The backup generator is 133 feet from the nearest property. The lowest background noise is 39 DBA. The generator is at 69 DBA at full capacity. Syntac has recommended a sound attenuation device around the generator to cut the sound. They are committed to designing a sound attenuation device and a sound study. Mr. Cramer noted the Police memo dated 6/11/09 from Lt. Kraemer noting there is no fence along the MBTA line, it is close to 128 and there is no sidewalk. He had no concerns, just comments for the Board to know the area. The plumbing inspector had 2 comments in his memo of 6/12/09. He noted employee restrooms and a janitor stop sink were needed. They intended to have these and they will be in the final plans.

Mr. Cramer noted the DPW letter of 6/15/09 with comments. He stated an 81X plan is to be done. Mr. Jacobs asked if the land was registered and was informed no. Mr. Cramer noted they will be working with NStar and will show the utility locations. A stop sign will be a plan modification, they just missed it on the plan. Regarding the comments on vegetation removal they are only weeds about 2 feet high. They are prepared to keep the area trimmed. It is in the right-of-way so the town has been doing it but they will take it on. They understand they need permits for water and sewer. Mr. Jacobs asked about Inspector Papetti's memo dated 5/20/09. He was concerned with a 15 foot drive and the middle island. He wants to

cut the island by 3 feet and make the drive a minimum of 18 feet wide. Mr. Cramer noted this was no problem. Ms. Newman noted even with an 18 foot radius they cannot make the turn around the curve. Mr. Cramer noted this is a new issue for them. Ms. Newman noted she will check with the Fire Department regarding the turning radius. Wendy Nowokunski, President of Northbridge, described the company. They have 20 years experience with senior housing. They have 3 properties they own and manage specifically for memory impairment. They have a safe and secure environment with a touch key pad system. All have GPS bracelet/necklace. There are interior courtyards. It is based on residents succeeding in a safe home environment. It is broken into 4 neighborhoods. They have eating space, living space and private apartments. They take special care to find the right people for the jobs. They manage 7 buildings for others and are very community involved. She clarified they are not developers but owner operators. They will be working side by side in Needham. Mr. Warner asked if an agency approved the patient rooms or if there is a standard. Ms. Nowokunski noted the Executive Offices of Elder Affairs checks for safety and policies and procedures. Mr. Warner asked the size of the courtyards and was informed about 70 feet by 110 feet. Mr. Eisenhut noted if the solution to a 3 foot triangle of vegetation is to put a pervious surface down that is no problem. Mr. Cramer stated he is trying to speak with the Tree Warden Lance Remsen. Mr. Eisenhut noted he appreciated safety protocols. He feels it makes sense to fence the right-of-way on the MBTA side. Mr. Cramer noted it does not about. There is town property in between. Mr. Ruth commented he understands the business is really residential but asked if they could describe the economic model. Ms. Nowokunski noted it is all private pay. It is non-insurance and not reimbursable by state or government. Some long-term insurance care is beginning to come forth. Ms. McKnight noted the use allowed by Special Permit is for a convalescent or nursing home. This is not a skilled nursing facility. Why is it a convalescent home. Mr. Cramer noted it is not comparable as there is a limitation on nursing homes. A convalescent home is defined as a rest home. The Executive Office of Elder Affairs classified this as a special care facility. Ms. McKnight clarified the property fronts on Old Greendale Avenue. Mr. Cramer noted it does but is set way back from the traveled way.

Michael Lin, of the Architectural Team, Inc., noted this is just under 50,000 square feet on 2 levels. There is a change in grade across the footprint. There are 62 units for 70 persons. They are little apartments with no kitchens. Most of the square footage is in the common spaces. There is a 1,300 square foot commercial kitchen, a wellness room and gym. There are 4 neighborhoods of 15-16 units each with courtyards on the lower level. The upper level has 2 fenced outdoor areas. The majority of parking and service is in the back. The entrance is in the front. He noted one reason for the island is to get more plantings to screen it from the street. There are 21 feet in front and 30 feet in back. It is comparable to area homes. The materials are a mix of shingles, clapboards, double hung windows and a variety of sized windows for a smaller scale home like property. Each section has a country kitchen for the residents. There is a 127 foot setback from the property line and another 80 feet from Old Greendale Avenue. Mr. Warner asked what the gray is under the windows. Mr. Lin noted it is a grill for the individual heating/ventilation systems. There is a partly electric heat exchange. Mr. Ruth asked about the conservation/green issues. Mr. Lin noted they want the overall package to fit but they are not at the end stage yet. Ms. McKnight asked who owns the land between Greendale Avenue and Old Greendale. Mr. Cramer noted on the left a private owner owns a small triangle, then they merge for a double wide street. It is all a public way.

Ms. McKnight noted she is concerned with the vegetation at the entrance and the upkeep. Mr. Ruth noted there is a street sign on sheet C5. Mr. Cramer stated Tony DelGaizo wanted a sign to let people know Old Greendale does not come onto their site. The gravel access road will be maintained with a grant easement to the town. Mr. Ruth asked about the storm water easement. Rob Gatnik, of Landworks LLC, noted there will be a piping system to the manhole with the existing sewer lines. They are adding storm scepters to clean the water before going to the system underground cultex system in back. The roof runoff will go to an infiltration system in the front half and the rear roof to the rear system. About 10% will go to the town system. Mr. Ruth asked, without great expense, can they go to 100% infiltration. Mr. Gatnik noted they could but they are trying to take advantage of the existing system. Ms. McKnight asked if it is feasible to have access for people to park and walk down to town land. Mr. Cramer noted it is not feasible due to liability and safety concerns with this type of facility. The town could put parking on their property with access in back. The town has a trail on their property behind theirs. Joyce Moss,

Economic Development Coordinator, noted she feels this project is well scaled and a benign use that does not attract a lot of traffic. She feels they should give it every positive consideration. Sue Bonaiuto, of 906 Greendale Avenue, noted Northbridge has been very generous keeping the neighbors updated and they want to keep it that way. With 60 acres plus 4 acres open space is extremely important to this side of town. They are asking different things. They would like the limit on the lighting on lots. She wants to know why 50 spaces. She would like just reasonable. She would like impervious material not pervious and thinks the Greendale Worship sign is too big. She does not think Mr. DelGaizo's sign is necessary for Old Greendale. They should keep it as natural as possible and as residential as possible. She is concerned with the future use of the facility and would like to restrict it to this type of use. Mr. Eisenhut informed her that is done automatically in the decision. Mr. Warner noted he is concerned about the transfer of ownership to a limited partnership. This means less accountability for the parent company. Jim Coughlin noted Northbridge will be operator owner. Lois Sockol, of Greendale Avenue, noted her main concern was the future use but this has been answered. She would like them to keep in mind the town is moving toward a green town. She asks they try to be economically friendly. Sharon Ricardi, of Northbridge, stated they were doing green before it was popular. They have moved trees to a nursery and replanted. They use fluorescent lighting, compost vegetable peelings and have a firm commitment to the environment. Ms. Sockol asked the size of the individuals' rooms. Mr. Lin noted a studio is about 350 to 380 square feet or 475 square feet for a single. Mr. Coughlin extended an invitation for people to see the Plymouth or Dartmouth locations (Stafford Hill or Autumn Glen). Mr. Ruth stated he would like to see LEED scores at the next meeting and what levels they would be at. Kathleen Kelly, of 883 Greendale Avenue, reiterated the residential area. Mr. Ruth noted the south side of the property has a lot of mowable land. He asked if they could minimize tree removal there. It was noted they kept as much as possible to prevent a retaining wall.

Upon a motion made by Mr. Eisenhut, and seconded by Mr. Ruth, it was by the five members present unanimously:

VOTED: to continue the hearing to June 30 at 8:30 p.m.

Deminimus Change: Major Project Site Plan Special Permit No. 91-3: North Hill d/b/a Living Care Village of Massachusetts, Inc. Petitioner (Property located at 865 Central Avenue, Needham, MA).

Mr. Cramer noted they met informally a while ago. The entrance to the facility is now a median and guard house. They want to extend the median 12 feet closer to Central Avenue to put a new sign in front of the guard house. They will change the roof to match the new facility. They want permission for 12 feet. They need to apply for a sign permit from Dan Walsh who will turn it down and they will have to appeal. Mr. Jacobs noted the following correspondence for the record: a memo from the Fire Department, dated 5/27/09, with no comments at this time; a memo from the Health Department, dated 5/18/09, with no comments; a memo from the Police Department with no safety concerns and a memo from the DPW, dated 6/15/09, with no comments or objections. Ms. McKnight clarified the light is coming from the roof down.

Upon a motion made by Mr. Eisenhut, and seconded by Mr. Ruth, it was by the five members present unanimously:

VOTED: to determine the change is deminimus, grant the relief requested and adopt the draft decision.

Request for Confirmatory Lot Release for Property Located at 72 Audrey Avenue, Needham, MA.

Amy Weil, attorney for the buyer, noted in 1955 there was a Planning Board requirement for the registered land. They need to resolve this issue. The subdivision is built, the road built and it has been accepted as a public way. This needs to be approved and taken to land court. Ms. Newman noted she could not find the file and has not been able to talk to the DPW. She noted Audrey and Woodbury are both public.

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

VOTED: to grant the confirmatory release that is requested subject to the Planning Director having a satisfactory conversation with the DPW.

ANR Plan, Petrini Corporation, 708 South Street, Needham, MA.

Ms. Newman noted this is a subdivision application. They were allowed one large lot to be re-subdivided without coming back. The bond assumes 2 lots on the parcel. Mr. Cramer noted they want to get approval to clear it up and run it by the engineer in land court. They have been given their blessing informally.

Upon a motion made by Mr. Eisenhut, and seconded by Mr. Ruth, it was by the five members present unanimously:

VOTED: to endorse plan as ANR.

Board of Appeals – June 18, 2009.

Eliot and Joyce Sterling, 77 Elder Road, Needham, MA, 02494 – 56, 58 and 60 Webster Street.

The Board already commented.

William R. Mazzone, 56-58 Ellicott Street, Needham, MA 02492 – 56-58 Ellicott Street.

This is a pre-existing 2 family.

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

VOTED: “No comment.”

Neponset Winery, LLC, 50 Kearney Street, Suite 11, Needham, MA 02494 – 54 Norwich Road.

Mr. Eisenhut recused himself.

Upon a motion made by Mr. Ruth, and seconded by Ms. McKnight, it was by the four members present unanimously:

VOTED: to comment they should see the Planning Board memo.

Sprint Spectrum, L.P. and its affiliate Clear Wireless LLC, 9 Crosby Drive, Bedford, MA 01730 – 1555 Central Avenue.

Upon a motion made by Mr. Eisenhut, and seconded by Mr. Ruth, it was by the five members present unanimously:

VOTED: “No comment.”

Finalize Summer Meeting Schedule.

After discussion, it was decided the meetings would be June 30, July 21, and August 11. The backup for July 21 will be July 14. The party for Maurice Handel will be July 23 at Ms. McKnight’s house at 6:00 p.m.

Minutes

Ms. McKnight suggested for the minutes of 3/3/09 on page 2, amend the comment regarding Kathy Lewis’ concerns and replace it with “who is concerned about this issue.”

Upon a motion made by Ms. McKnight, and seconded by Mr. Ruth, it was by four of the five members present (Mr. Warner abstained):

VOTED: to approve the minutes of 3/3/09 as corrected.

Ms. McKnight had the following suggestions for the minutes of 3/17/09: page 1, change "buy down a High Rock home" to "buy down High Rock homes."; page 2, first line, correct typo from "site" to "sight."; and page 3, should be "called out" not "culled out."

Upon a motion made by Mr. Ruth, and seconded by Mr. Eisenhut, it was by the five members present unanimously:

VOTED: to approve the minutes of 3/17/09 with corrections.

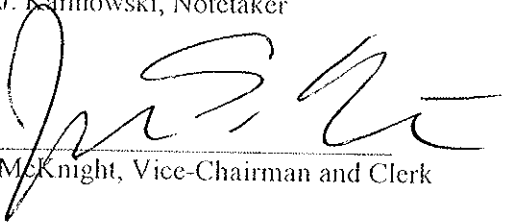
Mr. Warner had to leave so the Board had a quick discussion regarding Northbridge. They should change the parking to 44 and try for a 100% water filtration condition as discussed. Ms. Newman will e-mail a couple of decisions where they used an average light sound level. She does not mind asking people for a score card on LEED on larger projects.

Mr. Warner left the meeting. Ms. McKnight requested the tape for the 4/1/09 meeting be checked to see if Mr. Schreiber actually stated "the outlook for Needham is a new parking garage." Ms. McKnight suggested on page 1, change the word "ridiculously" to "very."

Upon a motion made by Mr. Ruth, and seconded by Mr. Eisenhut, it was by the five members present unanimously:

VOTED: to adjourn the meeting at 11:45 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

A handwritten signature in black ink, appearing to read "Jeanne McKnight", written over a horizontal line.

Jeanne McKnight, Vice-Chairman and Clerk