

NEEDHAM PLANNING BOARD MINUTES

September 5, 2024

The Needham Planning Board meeting, held in the Performance Center at Broadmeadow School, and virtually using Zoom, was called to order by Natasha Espada, Chairman, on Thursday, September 5, 2024, at 7:00 p.m. with Messrs. Crocker, Block, Alpert and McCullen, Planner, Ms. Newman and Assistant Planner, Ms. Clee.

Ms. Espada noted this is an open meeting that is being held in a remote manner per state guidelines. She reviewed the rules of conduct for all meetings. This meeting includes one public hearing and public comment will be allowed. If any votes are taken at the meeting the vote will be conducted by roll call.

Public Hearing:

7:00 p.m. – Article 1: Amend Zoning By-law – Multi-Family Overlay District (Base Plan)
Article 2: Amend Zoning By-law – Map change for Multi-Family Overlay District (Base Plan)
Article 3: Amend Zoning By-law – Multi-Family Overlay District (Neighborhood Housing Plan)
Article 4: Amend Zoning By-law – Map change for Multi-Family Overlay District (Neighborhood Housing Plan)

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

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

Ms. Espada gave an overview of the MBTA Communities Act and the Housing Needham Advisory Group (HONE), who the members of the group were and the process. She noted there was great community input. HONE and the Town Board's want what everyone wants and what is best for the community. She explained the HONE Charge and noted the fiscal impact analysis was completed by RKG Associates. She noted the Capital Impact Assessment. The methodology and traffic were done by GPI. She reviewed the timeline. The Housing Plan Working Group had community engagement from October 2021 to January 2023 and adopted the Housing Plan. From March 2022 to August 2023 the Planning Board and Select Board weighed in on State guidelines, created and appointed HONE, the Town secured state grants and procured consultants. She reviewed the timeline going forward.

Ms. Espada reviewed the existing zoning. Multi-family is allowed by right or special permit in all districts except Industrial and Business. Parking is 1½ spaces per unit, with 18 dwelling units per acre. The height is 2½ to 3 stories with up to 4 stories by special permit. FAR is .7 and ranges from .35 to 1.1 FAR depending on the district. There are a series of overlay districts that increase density in certain districts. She reviewed the overlay district regulations and noted only one project was created under the overlay district since 2009. Under the existing zoning scenario there can be 1,019 units by right and 1,636 by special permit. Two plans have been created – the Base Plan and the Neighborhood Housing Plan.

Planning Director Lee Newman walked through the details of zoning. The Base Compliance Plan follows closely to what the zoning boundaries and dimensional standards currently are and gets a little above the minimum of what the MBTA Communities Act requires. The Neighborhood Housing Plan sits on top of the Base Plan and allows for greater density and height and puts housing in areas where it was not allowed. The current zoning can create 1,784 units, with the Base Plan creating 1,924 and the Neighborhood Housing Plan creating 3,350 units. There are 4 zoning Articles. Article 1 creates zoning for the Base Compliance Plan, Article 2 is the map change for the Base Plan, Article 3, if the first Article is successful at Town Meeting, inserts the dimensionals of the Neighborhood Housing Plan and Article 4 is the map change to implement the Neighborhood Housing Plan.

Ms. Newman showed the locations of the affected districts which are basically along the spine of Needham along Highland Avenue. Counting the existing units on the ground allowed them to capture the Charles Court units. She showed the rules for the Base Compliance Plan and described the changes. She reviewed the Neighborhood Housing Plan dimensional standards and the different districts. The Apartment District includes the Avery School and Hamilton Highlands by St. Joseph's Church at Highland and May Streets, Rosemary Ridge/Rosemary Lake Apartments and the Charles Court Condos follow the same set of rules. Density does not change, and the parking standard changes from 1½ cars per unit to 1.0 car per unit. The Districts covered under the Neighborhood Housing Plan are the Highlands, Rosemary Ridge, Charles Courts and adds in Denmark Lane and Hunnewell Street at Highland. The proposed height goes to 4 stories from 3 stories, FAR goes up and the number of dwelling units per acre goes up for greater density and build out.

The Business District includes the Sudbury Farms block where multi-family is not allowed currently but is a proposed use to this area. The Base Plan follows current rules. With the Neighborhood Housing Plan there is an increased height to 4 stories, increased FAR and it offers incentives for greater density if there is first floor retail or if workforce housing is provided at 7½% of the units. Avery Square has one property at 100 West Street. The proposal is to increase FAR to 1.3 as of right and allow 4 stories by special permit with an increased FAR of 1.7. Currently the FAR can be 1.1 but the 4th story is limited. Chestnut Street Business District includes Garden Street. The existing height is 2½ stories and goes to 3 stories by special permit and the parking ratio changes. It will be an as of right process.

Ms. Newman stated, for Chestnut Street, the west side is bounded by the railroad and the east side is the hospital side that blends into residential. There needed to be a distinction. The Neighborhood Housing Plan allows 4 stories on the west side and 3 on the east side. There could be 4½ stories on the west side with mixed-use development and 3½ stories with mixed-use on the east side. The Hillside Avenue Business District is west to Hunnewell Street and includes the Senior Center and the MBTA. It follows the existing zoning, housing is allowed, density is going up to increase FAR and there are additional dwelling units per acre. The Industrial District includes Hillside and West to Rosemary, Crescent Road Industrial and Denmark Lane off Maple Street at Great Plain Avenue. Multi-family housing is not currently allowed but is being allowed and moving from lot coverage requirements to an FAR. In the Neighborhood Housing Plan Hillside Avenue and Crescent Road stay in the Industrial District and Denmark Lane moves to the Apartment District. There is a slight increase in density in those districts.

Ms. Newman gave an overview of the HONE scenarios. There are 775 units currently and the existing as of right potential build out is 1,019. There could be 1,636 with the current zoning, 1,924 with the Base Plan and 3,350 units with the Neighborhood Housing Plan. The overall increase between the Base Plan and the Neighborhood Housing Plan is coming mostly from the Chestnut Street corridor at a 70% increase, 25% comes from the Apartment District and all others marginally increase. She spoke of the Site Plan Review process. There are uses as of right and the Planning Board cannot deny if they meet all the requirements. The Board can impose reasonable conditions. The applicant needs to meet all building, fire and health codes and also DPW and wetland regulations. For housing affordability, 12½% of all new units need to be affordable. Ms. Espada showed examples of existing multi-family housing which range from 2 to 4 stories in height and what could be. Townhomes could be 3 to 4 story multi-family, or denser single-family homes and 3 story multi-family. There could be live and work townhomes, and she showed the possibilities of what could be built with this type of housing. Multi-family housing is currently 2 to 3 stories and could go to 3½ stories. She showed photos of how height would change in each district along the corridor with the Base Plan and the Neighborhood Housing Plan.

Deputy Town Manager Katie King reviewed updates on the analysis done since HONE, the Propensity for Change Model and the financial value of the property with the changes. Avery Square is the only district that has changed since April. An FAR change from 1.0 to 1.3 is likely to build a unit count of 243. This was originally 186. The likely build out unit counts have added 243 to both plans. She looked at school enrollment projections, which increased due to assumptions and the increased unit count. The School Master Plan would renovate Pollard to a 6 to 8 school, repurpose High Rock to a sixth elementary school and renovate Mitchell as a 3 or 4 section school. It could still accommodate additional students with the current capacity. She noted the Fiscal Impact Analysis. With the revenue from the new multi-family housing that would cover the costs incurred. The net fiscal impact is positive in all 4 scenarios.

Ms. Espada opened the hearing to public comment. Wells Blanchard, of 580 High Rock Street, thanks all for the hard work and noted Needham has to do this as it is the law. He had a question about student ratios and asked if the public could get the raw data and analysis that led to these assumptions. He feels it would be helpful to compare. Other towns have higher assumptions. Housing units brought up are not close to the MBTA and could potentially cause differences. He asked if they have looked at neighboring communities as it seems they have higher numbers. James Goldstein, of 40 Coolidge Avenue, is there on behalf of the Steering Committee for Progressive Needham. He is very impressed by how careful and thorough HONE has been. He appreciates the time and efforts taken and the responsiveness to the community input. He believes it is critical to develop an opportunity for a range of housing, sizes and prices and strongly supports the Neighborhood Housing Plan zoning. He understands the actual production of housing is projected to take many years.

Susan Hermann, of 13 Carey Road, noted 100 West Street is included in the MBTA zoning. The project should not move forward until the surrounding residents are aware of what is proposed. The proposed projected units far exceed what is required in the MBTA Zoning Act. A more modest development similar to 797 Highland Avenue has density that would work, would attract a diverse group, would help with Needham Heights and create more environmental equity. It would also create a more livable community in Needham Heights. She has not seen any proposals for any street facing retail. She asked the Planning Board to reimagine this portion of the MBTA Zone to make it more walkable, create green space and environmental equity.

Kevin Albert, of 63 Melrose Avenue, attended an earlier meeting and there were 3 options. He asked what the 2 options were. He would like to see the statistics of towns that have passed the zoning and how many have gone over the requirements. The affordable housing number is 80 to 120% of the median income. He asked the median income of what – town, state? Ms. Newman stated the Boston Metro Area. Mr. Albert does not agree with over compliance of this. He wants them to take time and see how things evolve. A lot are based on assumptions and could be wrong. There is no need to rush. He feels they should pass what is needed and revisit in a number of years. Rena, of 419 Webster Street, is a senior at Needham High School and Co-President of the Social and Political Activism Club. She and her peers have been working hard for the last year to advocate for housing and zoning reform throughout Needham. They have all agreed to adopt the Neighborhood Housing Plan over the Base Plan. It is a major step in the right direction. They want to live in a town that welcomes diversity. Needham needs to diversify and broaden the town zoning. Needham has resources to expand schools if need be and renovations are being done anyway. They are not worried about schools. Students want to thank the Board for doing this. This is a great opportunity, and they need to commit more than the Base Plan. She urged support of the full Neighborhood Housing Plan.

Sara Wilson, of 21 Oak Hill Road, is also on the Social and Political Activism Club and agrees with everything Rena said. She reiterated they understand people's concerns with over compliance but this is only zoning. This is not what is going to happen. It is a long process and they urge a push for the most they can have now so they do not have to do this again. Mark Shusterman, of 28 Blacksmith Drive, is also on the Social and Political Activism Club and agrees with Sara and Rena. Needham offers opportunities for people here. The town needs to open Needham up for as many as they can and offer diversities.

Joe Matthews, of 31 Rosemary Street, and a Town Meeting member, is supportive of the efforts. He supports housing affordability but feels Needham has moved too slowly. He is not really concerned with additional students or traffic and agrees with the Assistant Town Managers analysis there will be a net gain for the town. He is concerned with the part of the zoning regarding 100 West Street. Rezoning for a special permit was done after the conclusion of HONE finished work and was written by the owner's lawyer. There was no public hearing for outreach. There is no justification for making this change of the special permit at this time. That has nothing to do with the MBTA requirements and there is no need to rush. The Town has done everything asked for this parcel and more. He feels the owner has not done anything because he had no incentive to move forward knowing there could be more permissive zoning. In 2022, the Board said the owner could move under the current zoning with assisted living and memory care. He asked what the point was of all the public hearings for this parcel if the owner was going to be writing the zoning as a compromise. They should have what was proposed back in April 2024, then if Well Tower wants more they can have it as a separate article. He cannot support the Neighborhood Plan if this is included. It needs to be separated out.

Jeff Engler, of 100 Valley Road, appreciates all the time and effort. He is an affordable housing developer and has developed over 10,000 units in Massachusetts. He would like something more aggressive than the Neighborhood Housing Plan but is very supportive of the plan. He has some concern that the number of units shown is greatly misleading. There is no chance that number will be built. As a developer, the enticements are not that great. Many of the areas are highly functioning commercial. This is about providing housing for seniors, empty nesters and young professionals. Fiscal impacts are less than he feels would be developed. He is in support of the Neighborhood Housing Plan. Needham has a responsibility to allow this housing. Carol Patey, of 32 Linden Street, is President of the League of Women Voters. Her Board has not voted but previously endorsed the 2022 Housing Plan. This allows Needham to have more affordable housing units. She thanked the Board for their work and allowing the public to share their views.

Colleen Schaller, of 24 Avon Circle, Chair of the Council of Aging Board of Directors, supports the process and continues to do so. Upcoming seniors need to be able to stay in town and this plan will help them. Max Wolf, with Charles River Regional Chamber, emphatically supports the Neighborhood Housing Plan. This unlocks downtown Needham potential while developing housing seriously needed. One obstacle is the lack of multi-family housing. The lack of housing is an impediment to the ability to hire and retain workers. Many employees cannot afford to live in Needham. More multi-family development would make great workforce housing to staff businesses and also increase foot traffic in downtown. Both plans offer incentives to develop parcels into multi-family housing in downtown but the Base Plan does not offer the same incentives. He would urge the Board to go forward with both plans.

Jeanne McKnight, of 100 Rosemary Way, noted the needs of seniors who want to downsize. She spoke of her own experience. She sold her house in 2013 but could not find a place in Needham. She wanted to buy a condo in an elevator building and found the condo at Rosemary Ridge. She feels the statistics for children are high. The town needs condominiums. She has been working on the Housing and Redevelopment for years. The Neighborhood Housing Plan came out of all the work throughout the years. She expected so much more over the years. She hopes the Neighborhood Housing Plan would be successful in producing the kind of housing with commercial they envision for the community. Mike Fisch, of 419 Webster Street, commented for those thinking this is not an emergency situation, they should visit Trulia or Zillow and get a feel for the cost of a 3-bed home in Needham. Then start looking at other towns that were affordable 10 years ago. We are not in this alone. If all towns say they are going to do the minimum it would not address the emergency which is not allowing middle class people to live in Massachusetts. It is unwise to be in an emergency room type condition. Anne Hayek, of 116 Maple Street, talked from personal experience. Homes are so expensive that having condos is a good solution to first time buyers.

Robert Smart, of 25 Mayo Avenue, served on the Planning Board. He was involved with several efforts to rezone districts in town and efforts to promote redevelopment along lower Chestnut Street. He feels the Planning Board is careful in what they proposed but had almost no response from property owners and developers. They did not get the response they wanted. There is a significant shortage of housing in Greater Boston. Needham should help with that. The Base Plan is compliant, but he does not feel it will give enough. He is very supportive of the Neighborhood Housing Plan and feels it is a modest step beyond the Base Plan that can make a huge difference. He had some difficulty figuring out the Neighborhood Housing Plan and would suggest the plans be put together so there are clear Article Plans to look at.

Jill Kahn, of Brookline Street, and a 26-year Town Meeting member, talked about the median income. In Norfolk County, 80% for one person is \$91,400 and 120% is \$137,100. That seems pretty high to bring in young people and seniors and diversity. The numbers should be lowered if trying to encourage workforce. The number should be 60% at \$68,550 to 100% at \$114,250. She would like some input on the numbers from the Board. Ms. Espada stated the Board members are taking down all comments and will be looking into it. Gary Ajamian, of Meetinghouse Circle, had proposed an Article in May. He found the town was not doing an Engineering Infrastructure Study to see if the town had the infrastructure to support this. His dad bought the house in 1956 and said it was not affordable. He had to work several jobs to get back in Needham. He feels it is a highly desirable town and demand is high. He wanted to know how much it would cost. Many people supported his Article but Town Meeting stonewalled him. Other impacts a project could have are schools and portable classrooms. A lot of critical missing information could lead to unintended circumstances and unintended costs. It could make Needham even less affordable with an escalation in taxes no one wants to talk about. He cautioned the Board should move carefully. They need to make an informed vote. What would this cost to vote this in? Would the infrastructure

be able to handle it and would the pipes support this? Needham was built as a single-family town and every infrastructure has limits. There have been legal challenges with respect to these regulations today. There could be strong merits to these legal arguments. The Board should not rush headlong. The deadline is December 31. He asked the Board to pause, look at it and get information for the future of Needham.

Eileen Scanlon, of 48 Dartmouth Avenue, supports the idea of going slowly. The Base Plan should be the compliance plan. This is built on a lot of assumptions and the assumptions should really be tested. She supports Mr. Ajamian. She asked if the Articles are set in stone or could components be broken down in segments so it is not an all or nothing approach. What is the procedure from here and who has the authority to vote this? Ms. Newman stated the Planning Board will consider the comments and make a decision on recommendations for the Articles and any changes they want. The Article will be revised and put on the Town Meeting Warrant. It will go to Town Meeting for a vote on 10/21/24. The Planning Board has meetings 9/17/24 and 9/24/24 where this will be discussed more and finalized. Joshua Levy, of 1606 Great Plain Avenue, was on HONE. They talked about the site plan process. The Town is under no obligation to pay for any infrastructure improvements and neither is the developer. He would suggest a site plan review process and include language in 7.4.6(f) in the site plan review process.

Henry Ragin, of 26 Bennington Street, stated it is important to know the timeline for the likely build out. How many years was that based on? The number scares people. He is concerned about the assumption made regarding schools that voters would vote for \$300 million for Pollard and money for the other schools. What would happen if that referendum does not pass? Needham is a good town to live but there is nothing wrong with change and more diversity. He thanked all for the hard work. Holly Clarke, of 1652 Central Avenue, and a Town Meeting member, thinks the devil is in the details. Housing is important. The town needs to maintain the ability to control housing in Needham. The consultant said to put criteria in the site plan review for these sections. Site plan review did not have that in 7.5.2. Criteria allows the Planning Board to set limitations on construction projects. It is incumbent on the Planning Board to have the tools to protect the town. A neighboring town is taking what the consultant suggested, taking language and putting it here. The project will be reviewed by the Design Review Board (DRB). It would be good to explicitly say the abutters or neighbors can also go to the DRB and raise concerns there. The earlier we find out the concerns the quicker they can get worked out. Some better approaches could be built in. She is concerned with the number of assumptions. For the schools is it max capacity or preferred capacity of 80%? The town needs to think carefully. This is a brand-new law. We need to be prudent. The Base Plan and the Neighborhood Housing Plan could be done under our own by-laws.

Ken Buckley, of 221 Warren Street, thanked the Board. He agrees with many previous speakers. They all love the town and want to see more housing. The problem is the MBTA Act was a simple 3 sentence law that exploded into 6 pages of guidelines by a non-electable group at the state. Now they are trying to comply and fit into that. A lot of the houses do not fit into what people truly think of as affordable. They are trying to comply with something that cannot really get done. He does not think the town will get the affordability we want and should not rush it. David Hruska, of 21 Rosemary Street, moved here in 2020. Housing opportunities are out of reach. We are pushing our future out of the state. The MBTA Communities Act realizes it is a regional problem that requires a regional solution where each community can do a small part to help all. The Neighborhood Housing Plan allows modest, thoughtful zoning changes that will create opportunities for desperately needed housing. It creates housing near transit. Supporting housing and walkable areas of town with convenient access to transport and business is exactly what we need. The Neighborhood Housing Plan supports continue vitality.

Ann Fox, of Edgewater Drive, always lived here. Transparency is a word she keeps hearing. Students were 8 per 100 households and now it is 13 according to this. The average in Needham is 50. She reads this law as you have to have at least 2 bedrooms, you cannot exclude children and you cannot make it senior housing. They said the expenses would be covered but we do not know what the expenses are. There is a lack of transparency and questions coming up that should have been coming up in the beginning. This is being rushed into when there are questions still coming up and legal cases coming up. She is concerned with transparency. Gary Petrie, of 60 Dana Place, noted 100 West Street. There were 187 units proposed. Ms. Espada noted it is now 243 units with a minimum of one car per unit. Mr. Alpert stated 243 parking spaces and there is no knowing if people who move in would have more than one car per unit. Mr. Petrie noted there is no

on-street parking. If they assume all will have 2 cars, where will the extra cars be parked. He stated 243 units is too high and should be lowered to facilitate that space. The number is too aggressive.

Christine Urban, of Webster Street and Precinct D, brought slides this afternoon. This needs further study as the school assumptions are a little shaky. There needs to be a real in-depth analysis of the school numbers. The focus should be on costs and not the concept of zoning. Student enrollment is the biggest issue. She has 4 questions. Is it realistic there are no kids in a one-bedroom apartment especially at these kinds of cost? Even a 3 bed only assumes a half a kid. What is a realistic student projection? Needham has 49 students per 100. Other towns have 50+ per 100. This would not be replicated in multi-family housing and is not the future reality. A more reasonable number is 29 students per 100. The Needham Report for 2025 said 17 students per 100. The old and new RKG projections are so far out of range from other sources. She asked when we have to start paying for growth? The new number of 13 per 100 make sense. At 19 per 100 the numbers go negative. What is the realistic range for student enrollment? She noted 13 is too low so she feels the town should look at a 17 to 29 range.

Fred Sewall, of 1554 Central Avenue, thanked the Board and all the others who worked on this proposal. There needs to be more information. All the information has not been collected and digested yet. He asked why the town is rushing forward by mid-October when it is not known if the law forcing us to do this is constitutional. The Supreme Judicial Court has agreed to take it up and have an answer this Fall. Towns have until December to comply. He asked why the town is rushing this. There could be irreversible consequences. He is concerned we do not know enough yet. The town should wait to approve if they have to. Otherwise, we should do the zoning the town wants to do without state mandates. Paula Dickerman, of 20 Burnside Road, is glad he asked why not wait. There is a severe housing shortage in Massachusetts. Part of the history of zoning in Massachusetts was suburbs built wonderful houses from the 40s to the 70s. Waiting does not make sense to her. Good questions have been asked. People working on this since 2022 have also asked those questions and worked through them. The Neighborhood Housing Plan is a reasonable compromise of everything heard from the community. The state was slow to implement this law. All are in it together as it is a regional problem. It is not an affordable housing law. Affordable housing takes money. Waiting for the town to take action and do other zoning has not happened in the past. This needs to be done now. The town should and can do it.

Barbara McDonald, of Pickering Street, asked to postpone the vote from 10/21/24 until after the Supreme Judicial Court has ruled on the legality of the issue. Housing developments in Needham have been well thought out, been designed and fine tuned to fit well. Oscar Mertz, of Rybury Hillway, is encouraged by all this community input. This is the tipping point trying to understand what we should do. There is not really an opportunity to wait. It is urgent. A significant majority, 177 towns, are looking at ways to do this as it is the right thing to do. The right move now is to support the Neighborhood Housing Plan. Keeping the Base Plan would keep it as is. The Town has analyzed all impacts. He stated to have respect for the work done and make a decision on how welcoming we want to be.

Upon a motion made by Mr. Alpert, and seconded by Mr. Block, it was by a vote of the five members present unanimously:
VOTED: to close the hearing.

Report from Planning Director and Board members

There was no report.

Correspondence

Ms. Espada noted the following correspondence for the record: an email from Karen Partridge, dated 8/24/24, regarding multi-family zoning; an email from Kathryn Soderholm, dated 8/28/24, in support of the Neighborhood Housing Plan; an email from Bill King, dated 8/28/24, with suggestions; an email from Mark Grabiner, dated 8/29/24, with MBTA Communities Act feedback; an email from Paula Dickerman, dated 9/3/24, in support of the Neighborhood Housing Plan; an email from David Hruska, dated 9/4/24, with comments regarding the 9/5/24 public hearing; an email from Joe Matthews, dated 9/4/24, regarding the MBTA Communities zoning and 100 West Street, an email from Wells Blanchard, dated 9/4/24, regarding the MBTA rezoning and student projections; an email from Randi Lite, dated 9/5/24, regarding multi-family

zoning proposals; an email from Eli Soderholm, dated 9/5/24, supporting the Neighborhood Housing Plan and an email from the Needham Housing Coalition, dated 9/5/24, supporting the Neighborhood Housing Plan.

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

VOTED: to adjourn the meeting at 9:30 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Artie Crocker, Vice-Chairman and Clerk