

NEEDHAM PLANNING BOARD MINUTES

February 4, 2025

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 Natasha Espada, Chairman, on Tuesday, February 4, 2025, at 7:00 p.m. with Messrs. Crocker, Block and McCullen, Planner, Ms. Newman and Assistant Planner, Ms. Clee. Mr. Alpert arrived at 7:09 p.m.

Ms. Espada noted this is an open meeting that is being held in a hybrid manner per state guidelines. She 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.

Ms. Espada noted she received correspondence today regarding the Needham Gateway Public Health requirement.

Decision: Amendment to Major Project Special Permit No. 1997-08: EP 63 Kendrick Realty, LLC, c/o Edgewater Properties, LLC, 14 Mica Lane, Suite 202, Wellesley, MA 02481, Petitioner (Property located at 63 Kendrick Street, f/k/a 155 Fourth Avenue, Needham, Massachusetts). Regarding request to make certain revisions to the site and building.

Ms. Newman noted she has a draft decision written for 5 members to approve. If Mr. Alpert does not arrive, she can change that. She noted she made a couple of tweaks to the decision and emailed them out to members. The changes are now incorporated as red lined. She incorporated all comments made by the applicant except for two. The applicant wanted to get rid of the Construction Management Plan. She did not agree to that. The applicant was ok with that in the end. George Giunta Jr., representative for the applicant, reviewed the decision and his comments were incorporated. Mr. Block asked what the standard is for when the Board would require a Construction Management Plan. Ms. Newman stated it would be when the Building Commissioner requires it. She has a condition that the applicant satisfies the Building Department relative to the Construction Management Plan and how the site is going to be managed during construction. That is done through the Building Commissioner's Office. Ms. Espada suggested looking to see when the Board would need it for a decision.

Mr. Block stated it would be good to know what and when the elements are required for projects. He asked if it is when any external construction is being done? Ms. Espada reiterated that is the Building Department purview. The Planning Board just makes sure it is done. Ms. Newman will reach out to the Building Commissioner and see what his thresholds are that he works under. Mr. Alpert arrived at 7:09 p.m. Mr. Giunta Jr. has no comments and is fine with the decision as revised.

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 GRANT: (1) the requested Special Permit under Section 1.4.6 of the Zoning By-Law for the change, extension and alteration of a pre-existing, non-conforming use or building under Zoning By-Law; (2) the requested Special Permit under Section 4.8.3 of the Zoning By-Law to waive the requirements of Section 4.8.1 concerning the setback of surface parking from the intersection of the exterior street lines of a corner lot up to a maximum percentage of 25%; and (3) the requested Major Project Site Plan Review Special Permit amendment under Section 7.4 of the By-Law and Section 4.2 of Major Project Site Plan Review Special Permit No. 1997-08, dated August 5, 1997, amended March 17, 1998 and December 19, 2006, subject to and with the benefit of the following Plan modifications, conditions, and limitations.

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 move adoption of the decision as drafted and further amended this evening.

May Special Town Meeting Zoning Amendment: National Flood Insurance Program (NFIP).

Ms. Newman stated the Town got a letter from the Federal Emergency Management Agency (FEMA). The Agency has reissued the flood plain maps for Needham, which were last issued in 2012. The flooding along the river has been reevaluated and maps reissued. The Town is required to do 2 things legislatively. One is to vote to amend the zoning to recognize the new maps which become the Flood Plain District in Needham. They have had some additional regulatory changes they would be required and the changes will be made to how we regulate flood plains. She just received this. It has to be done by July this year. She is working with Town Counsel and the Town Engineer to develop 2 zoning articles to go forward at Town meeting. The first article would be to amend the current section in the Flood Plain District to reflect the new requirements the federal government is putting on them. The second change is a map change to revise the boundaries of the flood plain to reflect the new line. From 2012 the Town Engineer tells there are some changes that are minor. Engineering is preparing a map that will show the boundaries for the 2012 flood plains and the boundaries for the new flood plains reflected on a 2023 map so they can see how it is changing in different sides of town. She will have those for the next meeting. She and Town Counsel Christopher Heep are working with FEMA to make the regulatory changes to the text to be compliant and FEMA has agreed to review the draft changes. This will happen in a Special Town Meeting. At the next meeting the Board would need to vote the zoning to refer to the Select Board to start the hearing process. Article 2 changes are required to the text and changes for the map change and there will be a map to inform them.

The Board discussed if FEMA is eliminated how this would proceed. Ms. Newman stated a lot of changes were made in 2012. Some things need to be added. Ms. Clee noted there is a schedule for Town Meeting in the packet. It includes the special meeting for this public hearing that will be held on Thursday, March 27. Hearings will be on Thursday for the MBTA Communities and this one. This gives the Board additional time for statutory notice requirements. Ms. Newman noted the Planning Board will meet on 2/25. This will be the first time the members will see the language and will need to finalize it. On 3/13 will be the first time she can run a legal ad unless they ask the Select Board to have a special meeting. This will be a very tight timeframe. The Board discussed the timeline.

Minutes

There were no minutes.

Report from Planning Director and Board members

Mr. Alpert stated a meeting is scheduled on 2/24, regarding the Town Manager position, to discuss resumes. They will be seeing the resumes during school vacation week. They are trying to set a time when interviews can be held. The expert hired for the process wants 5 or 6 to interview and have all interviews in the same day. Mr. McCullen noted the Mobility group will have one meeting to get the current statuses of the Highland Avenue project. Not much has changed. Mr. Block noted the Council of Economic Advisors and stated there are no forthcoming changes. Heidi Frail is the new Chair. He has no substantive updates. He noted the Needham Housing Authority is looking to raise funding for a study for the High Rock Estates. There is a question of whether it could be funded. The Housing Authority may want to come to the Planning Board for a significant zoning change to be able to increase the number of units and the type of development. That is years away. They are also looking for funding for Cooks and Seabeds.

Mr. Block noted the Charles River Center is looking to redevelop the area of Militia Heights. He feels it is a great opportunity and a community asset. Ms. Newman stated they are coming in to meet with the Planning Department tomorrow on this. Mr. Crocker noted the Large House Committee. There was a meeting last night. There is a working group to look at non-conforming lots under 10,000 square feet and houses built over the last 3 years. All data was put together and then they went through the acreage of each lot. Ms. Newman stated the group chose 11 houses to look at. They looked at what was built, the number of bedrooms, FAR and lot coverage and then what happens if the definition of FAR was changed, for example to include basement or attic space and how do those houses pass when you measure FAR in a different way. Most failed under the existing definition of FAR. Mr. Crocker stated 4 were rebuilt by the owners of the property.

Mr. McCullen asked if they are looking from a fiscal impact analysis to bring in a consultant. Ms. Newman stated that might be done. Mr. Crocker stated, when they are ready, they need to look at conforming lots as well as what needs to be changed, how much change the Board wants to make and will that change blanket everything. Soon the working group will get into conforming lots as well. Ms. Newman looked at other towns and collected data of what their rules were. Concord has districts similar to Needham and have floating FAR statistics with a base and incrementally it gets larger with the lot size. Needham's is a straight percentage. Concord has an interesting approach, and she is looking to see if that makes sense.

Mr. Crocker is looking to incentivize putting on an addition rather than tear down and rebuild. Mr. Block asked if Ms. Newman has reached out to the Finance Committee. Ms. Newman noted there is a representative from the Finance Committee on the Committee. Mr. Block feels Mr. McCullen is right that they need to engage a fiscal consultant now. Ms. Newman stated she has the money to pay for this. Ms. Espada noted Ms. Newman had put in for additional money and additional people in the budget but that did not go through. Mr. Block asked if Stan Tec has been awarded to complete the parking study. Ms. Newman noted nothing has been awarded. She applied for a grant to pay for this. No decision has been made on that.

The Board discussed the scope of work. Mr. Block asked if affordability is part of the Committees goals and was informed that is not what is being talked about. The group is talking about what is happening in the neighborhoods, flooding aspects, tree aspects and character. Ms. Newman noted the scale and visible bulk. Mr. Crocker feels the heights and how constraints fit in need to be taken into consideration. They are looking at proportions. He noted there will be meetings the first Monday of the month and it will be handed off to the Planning Board before October for the October Town Meeting. Mr. Alpert asked if there was something about a Tree Committee. Mr. Crocker stated the Select Board is supposed to be putting that together. He is the representative for the Planning Board. It is not full yet and he does not know when the first meeting will be.

Mr. McCullen noted the next steps for the Envision Needham Center project. A consultant has been engaged. Along with the DPW and the committee members there will be an open house event at Town Hall. Some possibilities and concepts that could happen will be presented. Then they will have a group walk Thursday, 2/6, and 3 walks on Saturday, 2/8, with the public invited. There will be information in the Select Board Chambers. There are 14 points throughout Needham. At various stops people will talk about safety, lighting and such. All data will be taken to build some concept plans for possible piloting over the next months. There will be QR codes at all stops so people can go on their own. The street flow is being looked at on Great Plain from Pickering to Linden and then the Town Hall area. There is an open palette for possibilities.

Ms. Newman stated she received an email from Mike Moskowitz, owner of Needham Gateway Plaza. The compactor is not working and the electrical under the parking area needs to be repaired. He wants a temporary dumpster near the corral area. The Board of Health is ok with this on a temporary basis. The Building Commissioner is ok with a 30- or 60-day timeline. She wanted to make the Planning Board aware of this. Mr. Block asked if there are any current rodent problems. Ms. Newman does not think so. Mr. Block asked if Panera Bread would be using the dumpster for food products. He thinks that is a problem with the neighbors. Ms. Espada is ok with the solution as long as the Board of Health is ok with it.

Correspondence

Ms. Espada noted the following correspondence for the record: emails dated, 1/21/25, from Jean Packard and Chris Mooney; emails, dated 1/23/25, from Amanda Berman, Julie Traub, Arthur Cantor and Simon Traub; emails dated 1/24/25, from James McLaughlin, Amy Bellido, Matt Venables and Nancy Yablonski; an email, dated 1/25/25, from Bill Hobbib, emails, dated 1/27/25, from Stephen Currier and Judith McIntyre; emails, dated 1/28/25, from Luda Zeilkov and Irena Shaigorodsky; an email, dated 1/29/25, from Tania Butovsky and an email, dated 1/30/25, from Jessica Greene.

Ms. Clee stated the final ADU regulations are in the packet.

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

VOTED: to adjourn the meeting at 8:15 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Artie Crocker, Vice-Chairman and Clerk