NEEDHAM PLANNING BOARD MINUTES

September 7, 2010

The regular meeting of the Planning Board held in the Public Services Administration Building, was called to order by Ronald Ruth, Chairman, on Tuesday, September 7, 2010 at 7:30 p.m. with Messrs. Warner and Jacobs and Ms. McKnight as well as Planning Director, Ms. Newman and Recording Secretary, Ms. Kalinowski.

Correspondence

Mr. Ruth noted the following correspondence for the record: an e-mail from Assistant Town Engineer Thomas Ryder with comments; a memo from the Design Review Board, dated 8/9/10, regarding the proposed St. Sebastian's atrium; a memo from Janice Berns of the Board of Health, dated 8/30/10, noting no comments; a memo from Fire Chief Paul Buckley, dated 8/25/10, noting no comments with regards to St. Sebastian's; a memo from the Conservation Commission, dated 9/2/10, to the Zoning Board of Appeals regarding St. Sebastian's; a memo from Lt. Kraemer of the Police Department, dated 9/7/10, regarding St. Sebastian's traffic, an e-mail from Assistant Town Engineer Thomas Ryder regarding St. Sebastian's drainage; a letter from Robert Smart, dated 9/7/10, to abutters reiterating objections; an e-mail from Assistant Town Engineer Thomas Ryder regarding Bell Lane with a bond amount and a memo from Sam Warner, dated 8/25/10, regarding assessment issues for trails.

7:30 p.m. – Major Project Site Plan Review No. 2010-03: F & A Farms, Inc. d/b/a Volante Farms, 226 Brookside Road, Needham, MA 02492, Petitioner (Property located at 292 Forest Street, Needham, MA) *(Please Note: This hearing was continued from the July 20, 2010 and August 17, 2010 meetings of the Planning Board).*

Jonathan Solecki, of Sage Engineering, noted he has received comments from the other Boards and has submitted a traffic study. He noted the Design Review Board has approved and he reviewed their comments. The DRB requested a softer transition to the building. They added a few plantings in front of the building and small shrubs with a fence in between to give a separation between the shopping and other areas. They opened up the front by removing trees they had planned and carried the wood siding around the side as well. They changed the entries to separate looks and the archway has been replaced with a metal arch. He noted the Engineering Department letter and stated the first three comments were general. Engineering requested they move the transformer behind the front plane of the building and some elevations were missing. Engineering wanted the roof water separated from the parking lot water in the storm water management design. Engineering is now satisfied. They have regraded the site down to 4% or less. Engineering is happy with the plans. The traffic study shows normal day to day traffic with no increase with the renovations. He noted products to be sold and currently sold. On the Central Avenue elevations, they added windows, some posts, a door and have carried the wood around. In back they have defined a gable and added plantings around. Mr. Warner noted Mr. Ryder's letter wants a detail of the landscape screening for the transformer. He asked why they hide them and commented they should be able to get to them. Ms. McKnight stated she believes the amount of screening for transformers/dumpsters depends on the site. She noted these are all very positive changes that have been noted. She feels the chart is very helpful. It sounds wonderful and she wants to encourage year round operations. She did note differences such as the preparation of foods, etc. This will change the operation and hopefully will make it more of a destination place. She questions the traffic report. They only added a percent increase based on square footage but she feels the redevelopment will change the basic traffic. Mr. Solecki stated he feels the offset is they are taking away traffic from the intersection with a new entrance.

Mr. Ruth asked if the post-development project is a nursery/garden center or something else. Mr. Solecki noted they are still under nursery/garden. It is not a full retailer. Ms. McKnight noted her concern with the impact on streets especially Brookside Road. There does not seem to be much increase there. Mr. Ruth noted he would like to close the hearing but wants to hear from Fuss & O'Neill with the ITE Standards. This is the assumption he is least comfortable with. They are changing the nature of the operation, not just more of the same. This is more with a twist. More of the same is not accurate. Mr. Warner commented on the present traffic versus the square footage. He feels the new lines of business will potentially add traffic. David Volante stated the change in the site takes a lot of pressure off the intersection. Mr. Ruth noted he understands. They are increasing but also mitigating. Mr. Solecki noted pulling the entrance out of the intersection makes a big impact. Mr. Warner commented he would like a sense of the margin of error they are talking about and Mr. Ruth agreed. Ms. McKnight stated they can figure that out with the chart on page 2. The ITE was expecting 375 but the actual was 275. The numbers they are talking about are not very big. Mr. Solecki stated he feels more comfortable with actual counts than the ITE generalizations. Mr. Volante stated he tried to be as broad as possible. They have a wide draw now and they want to add products that fit. They want to offer more that fits in with the farm stand feel. They will sell bakery goods but want to make them on site. They will have an ice cream shop. They are hoping the current customer base will just buy more when they are there. Mr. Ruth asked he talk about birthday parties. Mr. Volante stated he does not see birthday parties but maybe in the future they will have an event every Saturday such as workshops, night education, etc. They have looked at farms that are expanding to make a list. Mr. Warner noted if they are successful the pressure would be on parking and not traffic. Mr. Volante noted they added parking for that reason. Ms. McKnight asked if they were going to offer sandwiches to sit down and eat. Mr. Volante noted they would have eat in and take out. Mr. Warner commented they could suggest they have traffic police at busy times. Mr. Ruth noted that a revised traffic study would be not requested at this time, if the decision stated they had continued control.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Warner, it was by the four members present unanimously:
VOTED: to close the hearing.

Ms. Newman will prepare a draft decision for the 9/28/10 meeting.

ANR Plan – 983 Webster Street.

William Johnson, of Beals and Thomas, noted they moved the lot line over. There is no change in frontage. They have recalculated the area.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the four members present unanimously:
VOTED: to endorse ANR.

8:00 p.m. – Nehoiden Street Definitive Subdivision: Fredrick L. Sewell, 1554 Central Avenue, Needham, Massachusetts, Petitioner (Property located at 198-200 Nehoiden Street). *(Please Note: This hearing was continued from the August 17, 2010 meeting of the Planning Board).*

George Giunta Jr., representative for the applicant, noted this was continued to allow the applicant to work with the abutter. The southerly lot line is not an issue and is as shown on the plan. The applicant will install a fence along the lot line between 6 and 8 feet. Ms. McKnight noted the lot line issue was worrisome due to the width. She clarified it has been resolved as shown on the plan.

Upon a motion made by Mr. Jacobs, and seconded by Ms. McKnight, it was by the four members present unanimously:
VOTED: to close the hearing.

Ms. Newman will prepare a draft decision for the 9/28/10 meeting.

Appointments

8:30 p.m. – Informal Discussion: Scott Ravelson – discussion of possible use at 322 Reservoir Street.

Ms. Newman noted she did some research on the uses Mr. Ravelson talked about. Light manufacturing is as of right or Special Permit use. Wholesale flowers is as of right. Greenhouse use is allowed by right but only on 2 ½ acre sites and educational use for handicap people. Mr. Ravelson noted the whole first floor would be storage for the reclamation center cans. The total requirement is 16 for the first floor. The second floor is warehouse, office and light distribution. There would be 5 spaces for upstairs for a total of 19 for 35 total spaces. Students would be dropped off in 2 vans with 8 staff. There will be one box truck for occasional pickups. They would like to bring a greenhouse. They have to be out of the Fernald School by October 22. Ms. McKnight noted they are going into an analysis of the parking they do not need to do. The concept of education use is exempt under the Dover Amendment. They should have the tenant and the tenant's attorney come in. Ms. McKnight commented she knows about these types of facilities and they are wonderful. She needs to know how it fits in. Mr. Ruth noted the Planning Director and the Building Inspector need to make a determination. If it is as of right they may not need to come in. Ms. Newman stated the reclamation center is not called out. They need to set parking for it. Mr. Ravelson noted there will be 25 to 30 clients with 8 to 10 staff. Ms. McKnight asked if that wasn't the standard, the applicant should come in and make the case.

Review and Approval of final plans for building permit: Major Project Site Plan Review No. 2010-01: The Needham Golf Club, 49 Green Street, Needham MA 02492, Petitioner (Property located at 49 Green Street, Needham MA).

Ms. McKnight recused herself. Ms. Newman noted there was one change to the facia board. It is ready to be endorsed. Mr. Jacobs asked if there were any concerns. Ms. Newman noted there were none.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Warner, it was by the three members present unanimously:
VOTED: to approve the minor change, endorse the plans and authorize the building permit.

8:35 p.m. – Informal Discussion: Roy Cramer – discussion of proposed new building at St. Sebastian.

Mr. Jacobs commented he does not have a conflict but he did coach Mr. Burke's son in the past. Mr. Burke is the headmaster at St. Sebastian. Roy Cramer, representative for the applicant, noted they had filed an application with the Zoning Board of Appeals in August and it was continued to September. They want to create a Science/Math building on the East Campus. There are 2 applications in to the ZBA and one requires a Special Permit. The 2 request relief under the Dover Amendment. The Design Review Board liked the plans and approved and the abutters were in favor. William Burke, Headmaster, noted they do not have enough science labs and the ones they have are substandard. They have 5 and need 8. They want to build a science center on the soccer fields. St. Barts' soccer is moving to DeFazio Field. He noted they need to build there for many reasons. He added Olin College has been a huge help to them. Mr. Warner asked what the problem was. Mr. Cramer stated the particular numbers in the Zoning By-Law. Mr. Burke informed them the building is being proposed to better serve the population. Robert Olson, architect, described the current campus. They will add a building off the elementary school. There will be 8 classrooms/labs for science. It will be 3 stories and a second floor expansion of the library. They will remove one row of parking and put it at the back of the property. This will increase the parking by 3 spaces and puts a fire lane around the building. They are creating a landscaped area in front for an outdoor classroom and reinforcing the buffer along the back side of the lot. Mr. Warner asked if the owners of the nearby condos were supportive and was informed they were. Mr. Olson described the floor plans and the consistent use of materials. There will be blonde brick, stone panels under the windows, limestone at the top and granite baseboards. Mr. Jacobs stated they need to understand the process and asked if they are making a recommendation to the ZBA. Mr. Cramer noted they are not required to do anything but they would like their support and a recommendation. Ms. McKnight stated she feels it is a wonderful project. She noted if the Planning Board is not reviewing the project she does not feel she wants to make a recommendation. Mr. Warner commented he feels the same. Mr. Olson noted there will be a storm water infiltration system, storm scepter, heat recovery and HVAC system. They are not going for LEED certification for the project but are doing energy conservation things. Mr. Jacobs noted he feels a general sense of support that could be conveyed to the ZBA but not beyond that. Mr. Cramer commented they could say they have no objections. He noted they haven't delved into the detail as much as they would have if they were seeking Planning Board approval.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the four members present unanimously:
VOTED: to comment they have a sense of general support without having delved into the details as they would have if they were seeking Planning Board approval.

9:05 p.m. – Informal Discussion: Bob Lizzy – discussion of Zoning By-Law and pergolas.

Bob Lizzy noted he took the language right out of the language to exempt swimming pools. This will allow an exemption of pergolas to be within 10 feet of another building or structure and would allow them to be closer to an accessory building or house. His pergola encroaches by 9 inches. Ms. McKnight noted this is not hard to pursue at Town Meeting. He should get 10 signatures and the Planning Board would support it or not. Mr. Olson noted he would be happy to present and argue it himself.

Request for Extension of the Temporary Occupancy Permit: Major Project Site Plan Review No. 2007-10: Beth Israel Deaconess Hospital Needham, 148 Chestnut Street, Needham, MA, Petitioner (Property located at 148 Chestnut Street, Neecedham, MA).

Roy Cramer, representative for the applicant, noted they are 99.5% done with all. The temporary Certificate of Occupancy expires 9/15/10. They would like to extend the temporary until 10/15/10. He would like the Board to authorize the Planning Director to deal with them to get this done and would like a reduction of the bond. The bond was originally $600,000. They have released $60,000 and are holding $540,000. The traffic light is most of the bond. They are trying to talk to the town engineer and his assistant as to what is done and not done. Building Inspector Dan Walsh gave them a list last week that was approximately $7,000. Thomas Ryder says all is ok but they need Tony DelGaizo's final say. Mr. DelGaizo says there are issues across the street by the police station. He wants a minimum of 5 feet behind the utility pole for the sidewalk plow and a concrete ramp that narrows down to the police station. They are going to excavate at the fattest width and extend down. Mr. Cramer noted this is about a $1,000 job. Mr. DelGaizo has a concern near the bio-retention area that there is a slope at the edge of the pavement and someone could step off of and sprain their ankle. There is about 60 feet of total area that needs to be treated. They will add gravel. They will need to temporarily remove the plants, dig it out, add gravel, loam and replant. That should be about $7,500 to complete the punch list. They would like $525,000 of the bond released and they can hold $15,000. Ms. Newman noted she talked with Mr. DelGaizo. His concerns are with the traffic signal coordination, the sidewalk issue, handicap ramp, the signage is incomplete, markings on School Street and striping on the School Street lot. He recommends this be continued to be allowed to work with the applicant to set a bond amount. Mr. DelGaizo would like the Planning Director to have the authority. Mr. Warner asked why they could not release $500,000 and authorize the Planning Director to release the rest as it is done. Mr. Ruth agreed. Mr. Jacobs asked what happens in one year when something goes wrong with the signals. Ms. Newman stated the town will be responsible but Mr. DelGaizo wants it right before he takes ownership of it. Ms. McKnight asked if Ms. Newman has any issues and was informed she does not. Mr. Ruth suggested they release $400,000 and retain $140,000.

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

VOTED: to outline exactly as in the letter, extend the temporary occupancy permit through 10/15/10, authorize the Planning Director to act on the Board's behalf as outlined in the 8/30/10 letter and release $400,000 of the bond, retaining $140,000.

Decision: Charles River Street Definitive Subdivision: Richard J. Gaffey, Trustee, 634 Charles River Street Realty Trust, 420 Lakeside Avenue, Marlborough, MA, Petitioner (Property located at Map 305, Lot 23, off of Charles River Street, Needham, MA).

Ms. Newman noted the action deadline expires at the end of September. They should have an extension through the end of October. Mr. Ruth explained to the public this is not a public hearing. He noted Roy Cramer's letter. Mr. Jacobs noted the genesis of # 2 in the letter that came from Robert Smart's letter. Ms. Newman stated the Board did not ask her to put this in. She put it in at Mr. Smart's request. The Board did not discuss this. Mr. Ruth noted the easement area and stated Mr. Cramer should talk to David Kelly and engineering to see which plan engineering approved. Ms. Newman noted she missed #3 in the letter. Mr. Cramer stated they should change #4 from dawn to dusk. His client feels strongly this should be minimalist with non-motorized boats, no alcohol, no animals, no noise. Insurance will be under MGL Chapter 21, Section 17C. Ms. McKnight stated they should change audible music to amplified. Mr. Warner requested they add the MWRA. Mr. Jacobs noted they should use the Ridge Hill language and absorb the music part into the general clause. Mr. Cramer noted they should add "monetary" in front of liens. This will be recorded once it is accepted. In #5 they should remove "dedicate." Ms. Newman will clarify the language in #8 with the engineer. Ms. McKnight asked if #9 could be reviewed with the DPW and noted #10 is to accomplish the improvements requested under this decision. In #11, unless they get permission, they do not have to be obliged to pay. Mr. Cramer noted in #12, 2 years is too short a time. They want to modify this to 7 years. Mr. Jacobs noted he agreed and is willing to go at least 4 years. All agreed. Mr. Cramer noted he has not seen #13 before. He stated Robert Smart's letters should not be included for the record; they came after the hearing was closed. He noted they have a scenic road bond of $80,775.

Discussion of possible New Leaf expansion.

Ms. McKnight noted they could bring in specialties stores. Mr. Ruth noted this is a prototype. Mr. Jacobs suggested they remove "health and nutrition products." It was suggested they say "for the sale of products purported to be health and nutrition products." All agreed.

Endorsement of Bond Agreement: Major Project Site Plan Review No. 2009-04: Danversbank, One Conant Street, Danvers, Massachusetts, Petitioner (Property located at 827-835 Highland Avenue, Needham, MA).

Mr. Jacobs noted the numbers were reversed. Ms. Newman will correct and reprint the first page. Mr. Ruth recused himself.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Warner, it was by the three members present unanimously:
VOTED: to approve the bond agreement.

Review of Parking Studies for restaurant uses within Needham Center.

This has been put off until the next meeting.

Review of Trail Master Plan.

This has been put off until the next meeting.

Board of Appeals – September 16, 2010.

It was noted this may give rise to a variance. This will be postponed to the next meeting.

December Planning Board Dates.

After discussion, it was decided the December meetings will be December 7 at a school and December 21 at the Library.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Warner, it was by the four members present unanimously:
VOTED: to adjourn the meeting at 11:45 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Bruce Eisenhut, Vice-Chairman and Clerk