

ONEEDHAM PLANNING BOARD MINUTES

September 11, 2007

The regular meeting of the Planning Board, held in the Performance Center at Broadmeadow School, was called to order by the Chairman, Devra Bailin on Tuesday, September 11, 2007 at 7:30 p.m. with Messrs. Handel, Eisenhut and Jacobs and Ms. McKnight as well as Planning Director, Ms. Newman and Recording Secretary, Ms. Kalinowski.

Public Hearings

7:30 p.m. – Major Project Site Plan Review No. 2005-09: Josephine d’Angelo, d/b/a Café Muca Blu, 1498 Highland Avenue, Needham, MA, Petitioner (Property located at 1498 Highland Avenue, Needham, MA).

Upon a motion made by Mr. Handel, and seconded by Mr. Eisenhut, it was by the five members present unanimously:
VOTED: to continue the hearing.

Endorsement of Definitive Subdivision Plan and Recommendation on Street Acceptance, 57 Frank Street: Robert and Stephanie Barton, Petitioner (Property located at 57 Frank Street, Needham, MA).

Ms. Newman noted the DPW has made a recommendation. The plans and documents are not ready yet. They are close. The engineer has reviewed them and they are 95% done. There are some minor revisions to the existing and they need to revise one document. They neglected to bring an identification document. She will clarify some issues with Town Counsel. She noted one change was the drainage. The existing is a 4-foot conduit brook that is piped and there is an open ditch into unbuildable land. Drainage is already there. George Giunta Sr. noted the town has an easement for the drainage. Ms. Newman stated she needs to talk with the DPW about that. It needs to be resolved with the DPW. Mr. Catanzano, attorney for the applicant, stated they will get everything to Ms. Newman in draft form in the next couple of days.

Upon a motion made by Mr. Handel, and seconded by Mr. Eisenhut, it was by three of the five members present (Ms. McKnight and Mr. Jacobs abstained):

VOTED: to recommend acceptance of the street to the Board of Selectmen contingent upon receipt of all documentation.

Review and approval of parking plan for certificate of occupancy issuance for Pfizer, Inc., lessee: Major Project Site Plan Special Permit No. 2000-02, Sentinel Properties, Needham, LLC, c/o Rose Associates, One Financial Center, Boston, MA, Petitioner (Property located at 128 First Avenue and 72 A Street, Needham, MA).

Ms. Newman noted this was a project and they have limited the number of parking spaces to 193. They are required to go to structured parking after that. Pfizer will occupy a portion of the second floor and third floor with 25 spaces being utilized. It is still under the 193 spaces.

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

VOTED: to authorize the Planning Director to issue an occupancy permit for this.

Request for minor modification and permanent occupancy permit: Major Project Site Plan Review Special Permit No. 1995-04, Amendment: Topliff Street Associates Limited Partnership/Citibank, 800 Boylston Street, Suite 1300, Boston, MA, Petitioner (Property located at 902-910 Highland Avenue, Needham, MA).

Roy Cramer noted the landlord did some repainting to improve the look without them knowing about it. They went to the Design Review Board August 20 to get the new color approved. It requires minor modification. Ms. Bailin noted she did not see a problem

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

VOTED: to approve the recommendation of the Design Review Board with respect to minor plan modification as deminimus.

7:45 p.m. – Major Project Site Plan Review No. 2007-08: Town of Needham, Petitioner (Property located at 77 Ferndale Avenue, Needham, MA). Note: This Public Hearing was continued from the August 14, 2007 meeting of the Planning Board.

Ms. Bailin explained the process and procedures and noted this was a continuation. Changes have been made in response to the DPW requests. For site drainage, the existing pipe under the building is abandoned. Roof drainage runoff is directed to a basin in the northwest corner of the site. There are 5 smaller that will be consolidated to a different kind of basin behind the parking. The drainage system will prevent run off from going into adjacent property and streets. They can expand the play area after consolidation of the smaller basins. The plans have been revised to deal with the engineer's comments regarding handicap curb cuts, etc. They are trying to mitigate and reduce the detention area, which will be a benefit for the abutters. They do not want to create any problem with the neighbors. They are trying to funnel the water back on site. They feel good with the detailed engineering and are trying to balance all considerations so it is good for all. There is a paper street at 135 Linden and the curb cut has not changed much. It will be one way in and out during the morning and afternoon. It will be blocked off during the day and in and out on Linden Street. The public will go to the back. Mr. Handel questioned how the collection pools function. Fred King noted the detention basin is short term functioning. The other one will hold about 2 ½ maximum feet for about 1 to 1 ½ days then it will dissipate. They do not anticipate a hazard for kids. Dean Keith of 135 Linden Street asked if they intend to cut into the ball park to facilitate the roadway to the school. Mr. King noted they do not intend that. Changes may be 1 to 2 feet but the rest will not be changing. They are adding a road to connect to the existing drive. Mr. Keith questioned where the new road starts. Mr. King noted it starts at 135 Linden Street and about 60-70 feet from the field there will be a curb cut. Mr. Keith noted they had a sign installed regarding a blind person and questioned if this will be removed. They will relocate it or make it permanent. There will be no buses in front. Mr. Keith questioned how many cars they expect in the flow. Mr. King noted they are working with Tony DelGaizo to locate crossings and signage. They should meet with Mr. Keith to discuss this. There will be about 70 cars arriving and staying and maybe 100 parents going in and out. The queuing will be on site. There will be 9 parking spaces on the drive and a fire lane on the other side. Mr. Keith informed them people park all the time on Linden Street in front of 135 and overnight. Mr. Handel stated they should petition the Selectmen and the Traffic Management Advisory Committee to limit the parking. Mr. Eisenhut commented it makes sense to have a no parking zone. Mr. DelGaizo noted there was a form on the town web site for the Traffic Management Advisory Committee. They should print it, fill it out and send it in. It will go on the next agenda.

Mr. King noted they will meet informally after the meeting with 135 Linden Street to work out some issues, identify no parking, street signs, crossings, etc. Mrs. Keith stated she is concerned with flooding and that it will get worse. Rich Rice stated it should improve. The road will act like a barrier and have an inlet hose. They will take the run off to a sub drain all around the driveway/field that should improve the situation. Mr. King stated they were also looking for plantings to assist with the water. Mr. Keith noted the brush is a bird haven and should not be removed. Mr. King stated that is where the road is planned to be going but the Conservation Commission will have a hearing after this. They have jurisdiction. Ms. Bailin noted the following correspondence for the record: a revised traffic impact study, revised drawings and a set of 3 e-mails from Tony DelGaizo regarding drainage. Mr. DelGaizo stated they are all set. There were some small changes but the Schofield Bros. were amenable. They had 3 independent reports for the traffic study area and all say the same thing. Ms. McKnight noted in the August 10 traffic report on page 21 mitigations. It is hard for the Planning Board to impose upon the School Committee mileage for buses. They should not consider mitigating parking use. Ms. Bailin noted a lot of parents pay for buses for convenience. It will not be considered. Mr. Keith questioned what will happen in traffic when kids are playing ball in the park. Ken DeNisco noted during the school day parking will be blocked off. On week nights and weekends the driveway will be a considerable improvement. It encourages people to park off the street. Currently the parking situation is dangerous. Rick Mann noted they are trying to encourage Park and Recreation to change the bleachers to the school side. Ms. McKnight noted there were some recommendations in the traffic report there is no light around the site. She questioned if things like a light at Great Plain Avenue could be included in the budget and making the whole area safe for kids walking to school. She asked how far beyond the campus can they go. Mr. DeNisco noted they cannot go beyond. Mr. DelGaizo noted this project is not enough to have them install a light at Great Plain Avenue. Mitigations are based on the existing conditions.

Upon a motion made by Mr. Eisenhut, and seconded by Mr. Handel, it was by the five members present unanimously:
VOTED: to close the hearing.

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

VOTED: to request the Planning Director prepare a positive recommendation for consideration at the next meeting.

8:15 p.m. – 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, Needham, MA). Note: This public hearing will not be opened on September 11, 2007 but will be continued to the Planning Board meeting of Tuesday, October 2, 2007.

Ms. Newman noted this has been postponed.

Request for permanent occupancy permit: Major Site Plan Review No. 2004-01: Permanent Public Building Committee for the Needham Public Library, 1139 Highland Avenue, Needham, MA 02492, Petitioner (Property located at 1139 Highland Avenue, Needham, MA).

Ms. Newman noted the engineer has done revisions but there is one issue. They need to get a finished document on the easement issue at the church parking lot. It has not been signed by the town and dated.

Upon a motion made by Mr. Handel, and seconded by Mr. Eisenhut, it was by the five members present unanimously:
VOTED: to recommend to the Building Inspector issuance of a permanent Certificate of Occupancy subject to receipt of a final document signed by the town and dated.

Request for permanent occupancy permit and release of bond: Major Project Site Plan Review No. 2006-04: Assillem, LLC, d/b/a StoneHearth Pizza Co., P.O. Box 725, Sherborn, MA, 01770, Petitioner (Property located at 974 Great Plain Avenue, Needham, MA).

Ms. Bailin explained the background of this to Mr. Jacobs. Ms. Newman noted she has received a letter from Tony DelGaizo stating the dumpster fence is up.

Upon a motion made by Mr. Handel, and seconded by Mr. Eisenhut, it was by the five members present unanimously:
VOTED: to release the bond.

Extension of Definitive Subdivision Plan Endorsement Date, 342 Cartwright Road: Paul V. Ferreira, Petitioner (Property located at 342 Cartwright Road, Needham, MA).

Mr. Giunta Jr. noted the utilities were supposed to be from Wellesley. The Wellesley MLP had concerns after the subdivision approval. DTE agreed Wellesley should provide the power and all agreed. They are asking for an extension for submittal of final plans through the end of October.

Upon a motion made by Mr. Handel, and seconded by Ms. McKnight, it was by the five members present unanimously:
VOTED: to grant the extension requested.

Board of Appeals Applications – September 20, 2007.

Gretchen Frauenberger and F. Robert Tafel – 29 Fisher Street, Needham, MA

Mr. Eisenhut stated they need a variance. Ms. Bailin noted they are not grandfathered and need a variance. She questioned when the window was constructed. No one knew.

Upon a motion made by Mr. Handel, and seconded by Mr. Eisenhut, it was by the five members present unanimously:
VOTED: to comment a variance is required and is not allowed.

Matthew and Jennifer Tuttleman -- 99 Brookline Avenue, Needham, MA

Mr. Eisenhut stated they want to modify a variance. Ms. Bailin stated they cannot modify a variance. They would need a new variance and that is not allowed.

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

VOTED: to comment a variance is required and is not allowed.

Lofts at Chrles River Landing, LLC, c/o Hanover/MetLife Master Limited Partnership, 5847 San Felipe, Suite 3600, Houston, TX – 300 Second Avenue, Needham, MA.

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

VOTED: “No comment.”

57 Dedham Avenue, LLC, P.O. Box 920298, Needham, MA – 57 Dedham Avenue

Mr. Eisenhut noted this was a voluntary demolition and they need a variance. Ms. Bailin noted this is not allowed. Ms. McKnight asked with a use variance do they still have the use. Ms. Bailin noted theoretically, as the use goes with the land. Mr. Handel noted the use is not changing. They may need relief. He commented they should get an opinion from Town Counsel.

Neehigh LLC, 93 Union Street, Suite 315, Newton, MA – 629, 633, 659, 661, 663 Highland Avenue, Needham, MA

Ms. Bailin noted they want a parking waiver. It is a question of jurisdiction. They are changing the site plan. On the face it is Planning Board jurisdiction.

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

VOTED: to request the Planning Director draft a letter.

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

VOTED: to adjourn the meeting at 9:05 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Jeanne McKnight, Vice-Chairman and Clerk