

NEEDHAM PLANNING BOARD MINUTES

February 19, 2013

The regular meeting of the Planning Board held in the Charles River Room at the Public Services Administration Building was called to order by Sam Bass Warner, Vice-Chairman, on Tuesday, February 19, 2013 at 7:30 p.m. with Messrs. Ruth and Jacobs and Ms. McKnight as well as Planning Director, Ms. Newman and Recording Secretary, Ms. Kalinowski.

Appointments

7:30 p.m. – Devra Bailin – MAPC Newton/Needham Rail Right-of-Way Transit Concept.

Devra Bailin, Director of Economic Development, stated there was a draft plan. It is not complete in its entirety. She noted some language needs to be modified. She stated this started as an application they made with Newton in 2012 and they applied for a Technical Assistance Grant to develop a concept plan to better understand the unused rail between Newton and Needham. They wanted to know if it could include a rapid bus lane along and in conjunction with bike trail use. They estimate there will be about 2.5 to 3 million square feet of new development in the next 15 years from the Newton Highland stop to the New England Business Center. She noted Technical Assistance Grant funds are not available. The study area is the area from 128 to the Green Line in Newton with a focus on the rapid trail shuttle. They did not include service across 128. She wanted to remind the Board that the MAPC draft is just a draft. There is a possible rapid bus from Wexford Street to Newton Highlands. Both municipalities would like to reverse the route from Boston to this area.

They suggest a layout with 15 feet in the width. The topography is not flat. They will need guard rails and such to keep it at the 15 feet. The shuttle will be about 20 minutes in the a.m. and 25 minutes in the p.m. Mass DOT has committed to keeping some bridge abutments but will not put a middle abutment. There is no funding for the design or construction of a bridge. There are 2 different proposals for how the path will be shared. It would cost \$20,000 to \$30,000 for a feasibility study and there is no funding currently. There is the critical connection of a spoke for the development of Needham Crossing.

Mr. Jacobs asked if this is an information report only and was informed it was. He noted Ms. Bailin should comment on whether there may be a section regarding the shuttle service alone. Ms. Bailin noted the MAPC answer was they cannot really keep pedestrians and bikes off something that looks like a road. There is no mid-day use of it. They did not really study it. Mr. Jacobs asked if they could put up signs as to when pedestrians and bikes cannot use it. Ms. Bailin stated they did not look into that.

Ms. McKnight asked if anyone could get on and off the shuttle or only if they work at certain places. Ms. Bailin stated it does cost money. Employers usually pay for employees. There are logistical questions such as the employer rate versus the employee rate. She noted the economics are not there to run the shuttle mid-day. Ms. McKnight stated it is reverse commuting. The shuttle would be for the reverse commute.

Mr. Ruth stated, historically, he thought the primary use would be Mass Transit. The green line would be fabulous. They need to be strategic. He noted ridership projections underwhelm him. He is unpersuaded this is the key to unlocking millions of square feet of development. They should jump on board with Newton and bring the bike trail across the Charles River and use the bridge over 128. Strategically he feels it is important to jump on board and bring the bike trail from Newton to Gould Street and Mills Field. That amenity is far more valuable. He stated Newton is our connection to the Green Line. He feels the shuttle is only valuable if it goes to the Green Line. They should follow Newton. He feels it is important the bridge be in use at the time it is demolished. They will not restore a bridge we are not using.

Ms. Bailin agreed the existing numbers are low. She feels the numbers are artificially low to begin with. It gives a false sense people will not use it. The area in mixed use 128 is not a flat area. She noted significant safety precautions would need to be taken. She does not know if an analysis has been done to see if the bridge would hold a bunch of bikers. The bridge is coming down and there is no money to build a new one. She stated this is a matter under study by the Rail Trail Committee. She noted Newton is looking at the rail trail as a temporary use until they get a shuttle.

Mr. Jacobs stated he is hearing the proposal is to do our stretch over 128 to the Heights. He feels for Needham to commit now would be a lot of money and no one is ready to say that would be good.

Ms. McKnight noted the bike access. She stated Route 128 is a wall that prevents you from going to the other side of town to shop. Ms. Bailin noted there are proposed bike trails or bike paths on the Highland Avenue interchange. Ms. McKnight commented preserving the bridge and giving access for bikes would give a safe way. Beginning at Gould Street would provide a safe crossing for bikes.

Mr. Warner asked if someone took the shuttle they could get back if needed. Ms. Bailin stated they guarantee a ride home.

Tom Connors commented it is complicated. He asked if there could be a process to work through the issues. There is no mechanism for communication. Mr. Warner noted Park and Recreation Director Patty Carey's group is looking at the north leg. He asked Mr. Connors if they were not communicating with them. Mr. Connors stated there is no communication. Mr. Warner suggested he sit down with Ms. Carey to discuss the issues. He feels they should have one member of Mr. Connors' group on Ms. Carey's northern committee.

Mr. Jacobs asked if Mr. Connors had any comments on Ms. Bailin's presentation. Mr. Connors stated he feels busses are better near shopping and houses. Everyone would benefit not just those that use the bus.

Jerry Reilly stated the report did not deal with ridership today and could not quantify it. The bigger improvement is adding buses. He stated it seems like moving the bus on the right-of-way does not get you much but just adding another bus would improve things immediately.

Jim Lerner stated he agrees with Mr. Ruth regarding the danger of losing the bridge. There is no plan for Gould Street to Wexford now. He commented if they put a rail trail there now it would be easier to deal with the bridge. Ms. McKnight noted improvements to Needham Street and Highland Avenue are not slated to be done until 2021-2025. Ms. Newman stated they are working to advance that project.

Review of Draft Sign By-Law modification.

Ms. Newman gave an update. She noted Ms. Bailin is working with Mark Gluesing on the By-Law to address some issues. They are working on street banners through a permit, the long standing issue of variances through the sign by-law, allowing the town to allow projecting signs as well as the front wall signs and sandwich signs.

Mr. Jacobs noted in 5.2 (e) there is a missing word. Ms. Bailin noted they should add the word "signs" after "premises." Mr. Jacobs noted in 5.4.2.2 regarding projecting signs, it is not consistent. He noted the word "from" should be "above." He asked if it was ok to have a projecting sign and a sandwich board sign. Ms. Bailin clarified that is correct. Mr. Jacobs noted it should say that. Ms. Bailin stated they could add "shall also be permitted." Mr. Jacobs asked why they are preserving 5.6.3. Ms. Bailin noted there is a concern with rendering something pre-existing, non-conforming prior to 1986.

Mr. Ruth asked if there is anything on safety regulations. He wants to raise the issue. Ms. Bailin stated they cannot block or interfere with a public sidewalk. Ms. Newman stated the last issue not addressed yet is signage along 128. Ms. McKnight noted sandwich boards and asked if they are to be on private or public property. Ms. Bailin clarified public, as long as they do not block the public sidewalk. Ms. McKnight stated she feels a lot more is needed on this.

Ms. Bailin noted the purpose is to allow a regulation that allows flexibility to post specials and other things uniformly. Ms. McKnight stated it needs to be clear. You can only have on your property and in 5.4.2.3 (d) they need to clarify what the merchants display area is. Ms. Bailin noted this will be addressed. She will talk with Mr. Gluesing about it.

ANR Plan – 24 Crescent Road, Needham, MA

Ms. Newman stated a note on the plan needs to be revised. It relates to Parcel 1. She noted they should put a period after Lot 101 and leave off the rest.

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

VOTED: to endorse the plan subdivision ANR for 24 Crescent Road.

Request to authorize Permanent Occupancy Permit: 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.)

Ms. Newman noted there were 2 items to be corrected. Everything that relates to the expansion is resolved and they are requesting a permanent Certificate of Occupancy. The applicant moved 2 spaces and did an overlay to change the grade.

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

VOTED: to authorize the issuance of the permanent Occupancy Permit when the Planning Director gets a letter from the Commission on Disabilities and release the bond.

Board of Appeals – February 28, 2013.

David O. Williams, 617 South Street, Needham, MA 02492 – 617 South Street.

This case is continued.

Chris Kotsiopoulos, 40 Nouvele Way, #848, Natick, MA, owner – 36 Rockwood Lane, Needham, MA.

Ms. Newman noted Town Engineer Anthony DelGaizo looked at the plans and would recommend against the plan. There are issues relative to drainage that are not clear. The plans indicate a certain amount of fill would need to be brought in. She questions why they are not taking any out. She added the house he lives in does not have the required frontage.

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

VOTED: to comment “the given information provided indicates earth moving is related to a potential subdivision and does not lie under 5.2(g).”

Report from Planning Director:

- **Discussion of Permit Streamlining Opportunities**
- **MHP Technical Assistance Grant**

Ms. Newman noted she prepared a brief memo. They have committed to talking about some things coming out of the ZBA. She has put together a list for the Board. It includes required parking studies for restaurants with 100 seats or less; increasing the number of as-of-right uses; parking lot adjustments; allowing restaurants with 100 seats or less to transfer licenses automatically as long as they abide by all requirements in the permit; creating a

process that does not trigger a hearing for façade modifications in downtown; create a positive process; and reduce bureaucracy in the permitting department. There should be one plan that addresses everything.

Ms. Newman noted they should create a timeline and formalize it. They need to agree on the rules and get a realistic timeframe. They should also hold the town to the same standards. She noted this is true now. Ms. McKnight suggested they could exempt town projects from zoning requirements. Mr. Jacobs stated he would not push for that change.

Ms Newman noted they are already doing parking studies for restaurants with 100 seats or less; they are already increasing the number of as-of-right uses; and they have done a draft for guidelines for outdoor displays and furnishings. She noted they need to look at establishing internal standards for permitting traffic and/or parking study waivers. They need some guidelines.

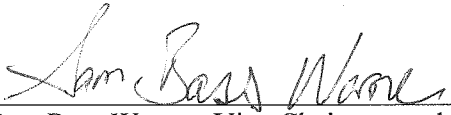
Ms. Newman also noted they are already allowing applicants to use existing site plans for properties in the Downtown. She added Building Inspector David Roach is ok with applicants being allowed to file an application for a building permit even if not all conditions of the Planning Board process are met. She noted she is not sure she feels comfortable separating landlord enforcement. This is hard to separate. She feels they should go back to a process where both the applicant and the landlord are in there. Mr. Jacobs agreed he feels they should not separate.

Ms. McKnight commented she has always been keen on having parking studies done in downtown. Suppose the town annually did their own parking studies. People could do a parking study or pay a fee toward a parking study fund. Mr. Jacobs commented it was an interesting idea. He noted he is torn between being dissatisfied with studies and thinking they do not need them at all. Mr. Warner stated annually is too frequent. He suggested maybe every few years.

Ms. Newman stated she would like the sense of the Board which ones they like and they will discuss them at the next meeting. The ZBA will be getting large 40B applications and Technical Assistance is available. She has prepared a grant application. They will get \$15,000. Ms. McKnight noted the NAHRO meeting and stated they discussed usable green space. The idea was what was in the center such as a U shaped building with a park in the center.

Upon a motion made by Mr. Ruth, and seconded by Mr. Jacobs, it was by the four members present unanimously:
VOTED: to adjourn the meeting at 10:00 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker



Sam Bass Warner, Vice-Chairman and Clerk