NEEDHAM PLANNING BOARD MINUTES

October 22, 2013

The regular meeting of the Planning Board held in the Selectmen's Chambers at Needham Town Hall was called to order by Bruce Eisenhut, Chairman, on Tuesday, October 8, 2013 at 7:30 p.m. with Messrs. Warner and Jacobs and Ms. McKnight as well as Planning Director, Ms. Newman. Ms. Grimes arrived at 8:10 p.m.

Public Hearing:

7:30 p.m. – Rockwood Lane Definitive Subdivision: Wayside Realty Trust, Chris Kotsiopoulos, Owner and Trustee, 36 Rockwood Lane, Needham, MA, Petitioner (Property located at 36 Rockwood Lane and 5 adjacent parcels, Needham, MA, Assessors Plan No. 17 as Parcels 22, 23 and 24 and Plan No. 20 as Parcels 57, 60 and 61). ***Note: This hearing is continued from the July 23, 2013 and September 17, 2013 Planning Board meetings and will be further continued.***

Mr. Eisenhut noted a letter from George Giunta Jr., dated 10/16/13, requesting a continuance to 1/7/14.

Upon a motion made by Mr. Jacobs, and seconded by Ms. McKnight, it was by the four members present unanimously:
VOTED: to continue the hearing to 1/7/14 at 8:00 p.m.

Request for extension of Action Deadline: Rockwood Lane Definitive Subdivision.

Ms. Newman noted they are requesting an extension of 135 days from 1/7/14.

Upon a motion made by Mr. Jacobs, and seconded by Ms. McKnight, it was by the four members present unanimously:
VOTED: to extend the action deadline to 135 days following 1/7/14.

Decision: Amendment to Major Project Site Plan Review No. 2012-05: VO2 Max Elite LLC, 23 Francine Road, Framingham, MA 01701 & MMM Property LLC, 7 Harvard Street, Brookline, MA 02445, Petitioner (Property located at 916-018 Great Plain Avenue, Needham, MA).

Ms. Newman noted she received some edits. There is one substantive issue. Ms. McKnight stated the decision requires 3 parking spaces for employees. The decision is not clear that the occupancy permit will not be issued until spaces are provided and accessible. She wants it to be clear in the decision. Ken Mackin, applicant, asked if it was possible to get a temporary occupancy permit due to construction in the other buildings. Paving after November 15 will be difficult. They would like a temporary Certificate of Occupancy. There may be crushed stone but it will not be paved until April. This is a seasonal problem.

Ms. McKnight noted it should be constructed and accessible in some manner. Mr. Mackin asked if they could provide in some manner or provide off-site parking. Mr. Eisenhut suggested as a condition of the temporary Mr. Mackin could meet one of those 2 conditions. Ms. McKnight asked if the access easement has been left open. Mr. Mackin stated it has been.

Ms. McKnight stated there is a reference to a retail establishment. She clarified it is an establishment that includes retail space. Ms. Newman will change the wording in the decision on the first page from "into a fitness clothing (apparel) retail space" to "into one establishment having clothing apparel and retail space." This will also be changed in Section 1.2. Ms. McKnight noted in Section 1.6 it should state "fewer" total people rather than "less" total people. In Section 1.9, the word "also" in the third line should be changed to "shall be." In Section 1.10, the word "to" should be added after "As relates", the number 38 should be changed to 40 and "Therefore the 12 space maximum applies" should be added at the end. In Section 1.23, delete "and to not increase the detriment to the Town's and neighborhood's inherent use" and delete the same words at the end of Section 1.25.

Tony Caruso, of MMM Property, LLC, stated they are asking for a temporary occupancy permit and asking they be allowed to continue to use the working bathroom they currently use. Mr. Mackin stated they are proposing a new sewer line in a different location. Plans call for a new sewer line but they would like a temporary with the current sewer line. Ms. Newman stated there is a question of if there will be a period of switchover. Mr. Mackin stated they should have said they want to use the existing until the new is installed.

Ms. Newman stated new sewer line installed prior to tenancy. This is a determination of the Building Inspector. Town Engineer Anthony DelGaizo stated it is certainly doable. With construction, the temporary sewer is out of the way but is not provided for in the plan. He noted there are 2 construction projects. The Dedham Avenue construction will interrupt the sewer on Great Plain Avenue. Ms. McKnight stated the applicant would need to submit a revised plan that shows the temporary line. There could be a plan modification in the decision.

Mr. DelGaizo stated he sees no need to reopen the hearing. The revision is necessary to show how it would occur. Mr. Jacobs clarified there should be an additional plan showing the interim conditions. Mr. Mackin stated it would show 15 feet near Dedham Avenue to be moved into the new sewer line. Ms. Newman stated they would need to do this as a deminimus change.

Ms. McKnight noted Mr. Mackin has an easement and rights within the easement. Mr. Mackin stated he will get written assent from the abutter within the easement areas but on his property. Ms. Newman stated she will do a plan modification with assent.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the four members present unanimously:
VOTED: to adopt the decision with the modifications discussed.

Request to release surety and authorize the permanent certificate of occupancy: Major Project Site Plan Special Permit No. 2012-03: Normandy Real Estate Partners, 99 Summer Street, Boston, MA, Petitioner (Property located at 66 B Street, 360 First Avenue and 410 First Avenue, Needham, MA 02494).

Ms. Newman noted they have received a letter from the Town Engineer with no objections.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the four members present unanimously:
VOTED: to release the surety and authorize a permanent Certificate of Occupancy for Normandy Real Estate Partners.

Endorsement of off-street drainage bond agreement and release of Lot 2 (Land Court Lot 48): Meadow Woods Definitive Subdivision.

Ms. Newman noted the subdivision was approved a while ago. All lots have been release except for 2. This is a request to have one of the remaining 2 lots released. The owner has given a bank check for $4,000 for off-street improvements. The money has been received by the Board of Health as a condition of the subdivision. The Board signed the agreement page.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the four members present unanimously:
VOTED: to endorse the off-street drainage bond agreement and release Lot 2.

The Board signed the release of lots form.

Appointment:

Presentation on M.G.L. Chapter 40B Project: Greendale Avenue Venture, LLC, c/o Mill Creek Residential Trust LLC, 15 New England Executive Park, Burlington, MA 01803, Petitioner (Property located at 692 & 744 Greendale Avenue in the Single Residence A District).

Mr. Eisenhut stated this has been postponed with no date certain yet.

Release of Off-Street Drainage Bond: 708 South Street (Riverbend Lane) Subdivision (Lots 3 and 4A, House #'s 75 and 85 respectively).

Ms. Newman noted she has a note from the Board of Health this is not closed out yet.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the four members present unanimously:
VOTED: to not release the bond.

Ms. Grimes arrived at 8:10 p.m.

Article Assignment for presentation at the Fall Special Town Meeting.

Mr. Eisenhut noted there are 2 zoning articles. He will present the Solar Voltaic. The Board signed the article recommendations.

8:15 p.m. – Major Project Site Plan Review No. 2013-03: Town of Needham Permanent Public Buildings Committee, Petitioner (Property located at 20 Saint Mary Street, Needham, MA). *Note: This hearing is continued from the October 8, 2013 Planning Board meeting.*

Mr. Eisenhut noted this has been continued for the purpose of discussions between the town and abutters for density and style of building. DPW Director Richard Merson commented he was not sure it was continued necessarily for a dialogue with abutters but for the town to look at the building. They did have 2 meetings. This has been an active and ongoing process for the last year and there has been a vigorous, large working group process. This included a needs assessment. The building there now is 57 years old and a lot of water requirements have changed. They are heavily into the process. They have looked at the existing and it was not usable. It was 2 stories with 2 floors, one of which was below ground. They have facilitated a product that will provide the town for the next 50 years.

Mr. Eisenhut stated the neighbors spoke about issues. It was noted the proposed building is larger than the existing. They are trying to move away from block structures. Andy Dennehy, architect with Beta, described the blocks. He noted they are tan split blocks for general appearance with roof asphalt shingles in a darker brown. There is a row of clear panels on the side away from Central Avenue.

Mr. Jacobs stated he took a ride by and saw the houses on Saint Mary Street. He noted on the Central Avenue side, because of the placement and size, it will overwhelm a lot of houses in the area. He questioned if there was a way to condense the building so it is not so large in comparison to the houses in the area. He has a lingering concern about the size of the building. He noted one area is mostly storage and one area is the meter workshop. He asked if these could be combined to reduce massing.

Mr. Dennehy stated he went back and met with the working group. They are not here tonight with a building that is smaller in size or has a smaller footprint. They are not changing the use of the site. They are in conformance with all zoning side line setbacks and only require a waiver from parking. The existing building will be demolished. He does not believe they can substantially change the plan. The height is due to the monorail inside. He noted this facility and the well field is how the town gets their water. The current space is not well defined as a water station. They downsized the area by about 500 feet from the original plan. The town water is monitored from here and there is a distinction in the employees working there. There will be licensed employees only where the pumps are and the others will be meter workers. A corridor space and a vestibule separates them. He noted the DEP wants instruments added so some space will already have been taken for that. This will become an analytical room.

Ms. Grimes stated they do not need to hear the whole presentation again. Mr. Dennehy stated the 2 vehicles have valuable components in them. Mr. Eisenhut asked why the roof line cannot come down. It was noted it is flatter on one side and half gabled on the rest. They will have to go back for review. Mr. Jacobs stated they have explained but the issue is the size of the wing – 25 feet by 36 feet.

Mr. Warner stated there was a decision for a modern pumping station for MWRA and a decision was made to keep the metering and meter trucks to the pumping station. He noted there is space on Dedham Avenue with all manner of garages and sheds but a decision was made not to have the metering at the Dedham Avenue site.

Mr. Eisenhut asked why that decision was made. Mr. Merson stated they have a Capital Improvement Plan. The old DPW building is deplorable. They got the administration into the new building but they are still struggling to get that project funded. It is a very small footprint and they are environmentally constrained. They will not be able to fit it all in that building. They are woefully short on space. He noted they just went out to bid for a 6 bay garage and reiterated they are under environmental controls. He noted they are not there now because they cannot fit it there.

Ms. McKnight stated that was her comment also. The pump station and meter operation are replacing a pump station with both functions. It is a much bigger building. She had hoped there was some way of making the roof line different.

Mr. Jacobs stated he understands they think it is important to maintain the size. He asked if the town was open to increasing the landscaping along Central Avenue. Mr. Dennehy stated they were. Stephen Rafferty, of CDM Smith, noted it is set in the budget and there is room. Mr. Dennehy noted they will have a rain garden with low plants and trees behind that. There will be some lower canopy trees. Ms. Newman asked if it was possible in the budget to put larger trees in and other plantings as time goes on. Mr. Rafferty noted it needs to go out to bid and see what they can have. He stated they will put in what the abutters want.

Matthew Dodson, of 11 Saint Mary Street, stated when he looks down his driveway he will see a whole backside. All the attention is on the side but not his line of sight. He feels it will reduce the property value of his house. He stated he wants plantings. He is concerned with the industrial look of the back. Mr. Rafferty stated they could plant trees that will create a canopy. Mr. Dodson stated it is an industrial building in a residential section. It should have more of a residential feel. It is concrete blocks and 150 feet with a strip of industrial windows.

Mr. Jacobs stated he understands the aesthetics. He feels it is better if on that end of the building they put up a 12 foot fence. Mr. Dodson stated he did not agree with a fence. He would rather have natural residential.

Keith LaFace, of 137 Central Avenue, noted they asked 2 weeks ago why they cannot use the garage for a meter room. Mr. Rafferty stated the meter room has a bench piped up with water lines. There is a fixed work table with plumbing attached. The garage space is for 2 trucks with brass on them. They are trying to consolidate functions. Nick Larsen, of 120 Central Avenue, stated he is disappointed that with 114 working group meetings there is no feedback from people in the community this impacts. Their views have not been taken into account. He feels they should have reached out to the community.

Tim Mulhern, of 143 Central Avenue, noted his comments are not about trees. It is just enormous. He asked how many times it has flooded in the last 57 years. They could put storage in the basement. Mr. Rafferty stated they did not consider moving the workshop to the basement space. Pipe breaks could lead to flooding and they need to keep costs in mind. There is ledge and the existing building foundation egress and access. There are cost considerations. Mr. Mulhern reiterated his question as to how many times it has flooded.

Mr. Jacobs asked about parking. Mr. Rafferty stated they would like to not put in 15 spaces. Mr. Eisenhut commented they could build a house just like that as of right. Mr. Jacobs noted the only relief requested is to reduce the parking. Ms. Grimes stated she is disappointed they did not come back with more consideration for the comments made.

Ms. McKnight stated there are some bushes and some trees. She feels it would help if they point out what would be major trees. Mr. Dennehy showed on the plan where the landscaping and trees would be. Mr. Rafferty will ask the landscape architect to do a landscape elevation for the Saint Mary side. He read a list of trees and shrubs to be planted. He noted they need to get the project out to bid and see what they can afford.

Ms. Newman noted the plan modification is going to address certain goals and conditions. Mr. Jacobs stated with regard to the Saint Mary end of the building, is there any reaction to making it appear more residential. Mr. Rafferty stated they will try to change the appearance of the blank brick face. They will also go back and look at the doors. They have chosen doors for security purposes but they will look to see if they could get something softer. Mr. Jacobs stated he would like to see that and more work on landscaping.

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

Mr. Eisenhut stated he was disappointed in the lack of design. He feels it could be improved. Mr. Jacobs noted the Planning Board was not included in discussions or planning. This is as new to the Board as it is to the abutters. Mr. Eisenhut noted they have very little authority. They are only asking for one waiver and it is beneficial. Ms. McKnight stated they could approve the waiver with the condition they revise the plan and come back.

Mr. Eisenhut stated he wants to put in a condition to the granting of the waiver. Ms. Newman noted they are requesting revisions to the landscape plan that addresses some issues discussed. Mr. Eisenhut stated they should look at the doors, window materials, ends of windows and improve the aesthetics of the building.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the five members present unanimously:
VOTED: to direct the Planning Director to prepare a draft decision along the lines of tonight's discussion for the meeting on 11/19/13.

8:30 p.m. – Steve Popper: Informal Discussion regarding Mitchell School modules and request for parking determination.

Steve Popper, representative for the applicant, stated there will be 4 modulars at Mitchell School and they would like a determination on the parking. Donald Walter, of Dore & Whittier Architects, Inc., noted Hillside School is a priority on the list and Mitchell they may get to in the near future. They are proposing 4 modulars for Mitchell with 7,140 square feet.

Michele Rogers, of Dore & Whittier Architects, Inc., stated they need 1.5 spaces for each staff and there are 55 staff. There will be no additional staff. They have 86 spaces on site and will need 83. They will relocate one handicap space to the front. Ms. Newman noted they have no formal recommendation from engineering. She feels the full standard of 1.5 is appropriate.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the five members present unanimously:
VOTED: to accept the parking standard subject to engineering's approval.

Ms. Rogers noted the waivers are lighting and setbacks. They are less than 25 feet at the front. Also 3 spaces in back at 16 feet. They are improving the paved area that is currently 10 feet from the line and the basketball court is being moved. Ms. Grimes asked if there was a consideration to put more than 4 there. Mr. Popper stated this was where the least impact was and it is only temporary until Mitchell is rebuilt.

Ms. Grimes asked if 4 modulars was adequate. Mr. Popper stated the school department feels it is adequate. School Superintendent Dan Gutekanst stated it is adequate but does not solve all the problems. He noted it will provide immediate relief. There are plans for summer construction. Hank Haff noted a waiver for landscaping. He noted they want to leave parking as is. Mr. Popper stated they will submit an application to the ZBA on 12/19/13.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the five members present unanimously:
VOTED: to adjourn the meeting at 9:45 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Sam Bass Warner

Sam Bass Warner, Vice-Chairman and Clerk