

NEEDHAM PLANNING BOARD MINUTES

August 11, 2015

The regular meeting of the Planning Board held in the Charles River Room, Public Services Administration Building, was called to order by Jeanne McKnight, Chairman, on Tuesday, August 11, 2015 at 7:00 p.m. with Messrs. Eisenhut, Alpert and Jacobs as well as Planning Director, Ms. Newman, Assistant Planner, Ms. Clee and Recording Secretary, Ms. Kalinowski.

Correspondence

Ms. McKnight noted an email to Town Manager Kate Fitzpatrick from Jegoo Lee, of 86 Lincoln Street, with concerns regarding noise from the hospital and including a petition. Ms. McKnight asked what the appropriate response would be. Ms. Newman stated the Town Manager is following up. The abutters had asked for a wall but the Board decided landscaping was sufficient at the time. She will find out the extent of the noise problem. Ms. McKnight noted there was also an email from Assistant Town Engineer Thomas Ryder regarding the Hutter Ridge bond extension.

Public Hearing:

7:00 p.m. – 1001 and 1015 Central Avenue Definitive Subdivision: RRNIR LLC, 20 Beaufort Avenue, Needham, MA, Petitioner (Property located at 1001 and 1015 Central Avenue, Needham, MA). Please noted: This hearing has been continued from the June 23, 2015 meeting of the Planning Board and will be further continued to the September 29, 2015 meeting of the Planning Board.

A motion was made to continue the hearing to 9/29/15 and to extend the action deadline. Mr. Alpert stated he drives by this property every morning and it is clear work is being done. There is equipment, a big rut, and for sale signs. He asked what work can be done prior to this Board's hearing. Ms. Newman stated the applicant can do work on their own property but it is at their own risk. She noted the developer has requested a continuance of the action deadline. Mr. Eisenhut stated the Planning Board can look into if the applicant has demolished without a permit.

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

VOTED: to continue the hearing to 9/29/15 and extend the action deadline.

Determination of Proposed Use – Financial Planner (Property located at 50 Dedham Avenue, Needham, MA).

Ms. McKnight noted this request for determination has been withdrawn. There is correspondence in the packet to that effect.

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

VOTED: to approve withdrawal of the application without prejudice.

DeMinimus Change: Major Project Site Plan Review No. 2012-06: Brookline Development Corp. LLC, 93 Fisher Avenue, Brookline, MA, Petitioner (Property located at 50 Dedham Avenue, Needham, MA).

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

VOTED: to approve withdrawal of the application without prejudice.

DeMinimus Change: Major Project Site Plan Special Permit No. 91-3: North Hill d/b/a Living Care Village of Massachusetts, Inc., Petitioner (Property located at 865 Central Avenue, Needham, MA).

Roy Cramer, representative for the applicant, noted last year there was some work that had to be done. North Hill finished the landscaping. Then there was a rainstorm and a lot was washed away. The applicant has looked at it again and wants to minimize the slope. They want to put a retaining wall to make it less of a slope and would like to substitute some plans to allow this. It will be 9/1/15 through later in the fall to complete the work. He noted the DPW has issued a no comment letter dated 8/10/15.

Mr. Jacobs noted a request that the amended completion date be extended to 11/15/15. He asked if that was realistic. Roger Gurney, representative for North Hill, stated North Hill has a project manager lined up. The work needs about 6 weeks for completion. Mr. Jacobs noted it was doable. Mr. Cramer stated the draft decision is fine. He asked the Board to determine the requested change is de minimus, minor in nature and approve the requested change. He would also like the Board to extend the completion deadline to 11/15/15.

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

VOTED: to treat this application as being one for a de minimus change.

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

VOTED: to approve the requested relief.

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

VOTED: to extend the action deadline to 11/15/15.

Request for Bond Reduction and Extension of Bond Agreement and Extension of Temporary Occupancy Permit: Amendment to Major Project Site Plan Special Permit No. 2012-07: Normandy Real Estate Partners, 99 Summer Street, Boston, MA, Petitioner (Property located at 66B Street, 360 First Avenue, 410 First Avenue and 37 A Street, Needham, MA 02494).

Ms. McKnight noted a letter from Roy Cramer, representative for the applicant, regarding work completed and not completed and requesting the Board release some bond money. The DPW is recommending \$243,000 be retained and \$178,200 be released. Ms. McKnight noted a letter from Assistant Town Engineer Thomas Ryder with the bond amount. Mr. Cramer is asking for an extension to 12/31/15. He has filed a new application for 128 West.

A motion was made to release \$178,200, retain \$243,000 and extend the deadline to 12/31/15. Mr. Eisenhut commented he has never seen these requests denied. He asked if this can be done administratively. Ms. Newman stated it is fine with her. Mr. Cramer agreed. Mr. Jacobs agreed with the caveat the Planning Director could always come to the Board. Ms. Newman stated it could be a policy to grant extensions and bond reductions.

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

VOTED: to release \$178,200, retain \$243,000 and extend the deadline to 12/31/15.

Ms. Newman will put together a paragraph for the Board to review at a subsequent meeting authorizing the Planning Director to grant extensions and bond reductions.

Request to release lots and establishment of performance and off-street drainage bond: Charles River Street Definitive Subdivision: Richard J. Gaffey, Trustee, 634 Charles River Street Realty Trust, 420

Lakeside Ave., Marlborough, MA, Petitioner (Property located at Map 305, Lot 23, off of Charles River Street, Needham, MA).

Ms. Newman noted Assistant Town Engineer Thomas Ryder has established a performance bond in the amount of \$325,000 and an off-street drainage bond in the amount of \$28,000 for a total bond of \$353,000. She noted the applicant is talking about a tri-party agreement. That would need to be sorted out and resolved with Town Counsel. Ms. Newman stated Town Engineer Anthony DelGaizo noted a calculation error was made so he sent a revised estimate. The bond was calculated for inflation for 3 years and not 2 years.

Ms. McKnight asked if a covenant was put on record. Ms. Newman stated a covenant was put on record that does not allow the lots to be conveyed out until there is a bond in place to secure the unfinished work. This is to establish the amount of the bond and to allow lots to be released once the Board has surety in a form approved by Town Counsel. She feels the Board should vote to establish a bond at the rate that has been proposed and authorize the Planning Director to deliver the lot release when there is surety by the developer sufficient to cover the work that is needed here. She noted there is a bond or monies that were required to secure the scenic roads entrance that have not been received from the developer. Those monies also will need to be deposited before the lot release can happen.

Ms. McKnight clarified the Board is being asked to sign the release and authorize the Planning Director to deliver the release only when the town has been provided with surety in a form approved by Town Counsel and funds have been received and when the Scenic Roads Agreement funds have been provided to the town. Ms. McKnight asked what is the form of the agreement? Ms. Newman stated it is a standard agreement that references the subdivision that was approved, requires the work be completed in the town's timeline and will be signed off by Town Counsel. Ms. McKnight noted it will be a standard vote and signing of the Belle Lane agreement.

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

VOTED: to authorize release of lots subject to the terms and conditions described, approve bond amounts of \$325,000 plus \$28,000 for a total bond of \$353,000 and execute a standard form agreement once approved by Town Counsel.

7:30 p.m. – Major Project Site Plan Review No. 2015-04: Town of Needham, 500 Dedham Avenue, Needham, MA, Petitioner (Property is known as “Mills Field” and is located at the corner of Hampton Avenue and Ellis Street, Needham, MA).

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

VOTED: to waive the reading of the public hearing notice.

Town Engineer, Anthony Del Gaizo described the current conditions, areas to be demolished and trees to be removed. He noted the project will create off street parking areas. The applicant will remove the circular drive and old concession stand and create off-street parking. There will be new landscaping and screening. They will make a plaza area around the building, move the flagpole and add additional landscaping to finish out the area. The applicants have proposed indented parking on Hampton Avenue. There is no off-street parking proposed on Mills Field.

The applicant proposes to reconstruct the existing parking area along Ellis Street. The current spaces are partially on Ellis Street and partially on Mills Field. The spaces will be pushed so they are entirely on the Mills Field property. The town will be creating pervious parking surfaces to deal with the drainage and the drainage is tied into the town drainage system. There is one area that currently contains trees. The plan indicates trees to be removed. There are a dozen or so trees that will be removed. Currently people backing out of the parking spaces on Ellis Street back into the travel lane. This will be alleviated.

Park and Recreation Director Patty Carey stated the town has done a lot of work at Mills Field. A lot of donations have been used for painting and the baseball diamond and the tennis courts have been redone. Scott Ridder from BETA stated all proposed landscaping is native and drought tolerant. There will be 7 or 8 trees and large shrubs.

Ms. McKnight noted the following correspondence for the record: a memo dated 7/15/15, from Assistant Town Engineer Thomas Ryder, with comments on the parking demand; an email from Matt Varrell, dated 7/30/15, with an informal recommendation and commenting it is not within Conservation Commission jurisdiction; an email from Tara Gurge of the Board of Health, dated 8/6/15, with comments regarding proposed bathroom and food events; a response from Park and Recreation Director Patty Carey with a response to Assistant Planner Alexandra Clee; a memo from Fire Chief Dennis Condon noting no issues or concerns and an email from Assistant Town Engineer Thomas Ryder with no comments or objections.

Mr. Eisenhut stated he appreciates the pervious surfaces. He asked if the applicant can do it in the parking stalls. Town Engineer Anthony DelGaizo stated the town is not proposing that. Those spaces are more seasonal. The stalls will be more plowable. Mr. Eisenhut stated there are different levels of pervious material. He asked if there isn't some pervious material the applicant could use. Mr. DelGaizo stated there is a pervious pavement but the town does not have the equipment or ability to maintain pervious pavement.

Mr. Eisenhut asked what the capital cost is for pervious pavement. Mr. DelGaizo stated it requires vacuuming at least 4 times per year in order to function correctly. He added the town did purchase one machine. Mr. Jacobs asked if there was any thought on purchasing another in the future. Mr. DelGaizo noted there is some thought but he is not sure yet. There are too many variables right now. Mr. Eisenhut asked if there are any other surfaces that could be looked at. Mr. DelGaizo stated there are none that he knows of.

Mr. Alpert noted the applicant is removing about 16 trees. He asked if they are removing any shrubbery or only trees and how much is the applicant adding. Mr. DelGaizo stated they are adding 6 evergreens, 6 deciduous trees and a large number of shrubs and perennials. He noted there will be about 75 new shrubs. Ms. McKnight asked if there were safety improvements going along and was informed that was correct. She asked if there will be striping in the indented parking area on Hampton Avenue. Mr. DelGaizo stated that is not being proposed but it can be done.

Mr. Eisenhut stated it is hard to believe there will be a demand for 48 cars there. Ms. Carey stated there is tennis, high school baseball games and practices. The parking was calculated using the ITE parking demand. With the tennis courts, the town has a requirement per court which is 4 spaces per court. Mr. Eisenhut asked if the town would consider reducing the asphalt by 5 or 6 spaces. A waiver would not be needed to reduce to 42. Mr. DelGaizo stated having spaces available is a benefit. He noted one space could easily be eliminated. Mr. Alpert asked what would happen to the space as he would like more landscaping.

Mr. Jacobs stated he really likes this plan. He asked if there have been meetings with the abutters. Ms. Carey stated there have been meetings with abutters. Some of the abutters are here tonight. Mr. Jacobs noted there is one handicap space and asked if there are others. Mr. DelGaizo stated there are. Mr. Jacobs asked if the town could use another one. Mr. DelGaizo stated, if needed, the town could make another one. Mr. Jacobs stated he would like the applicant to check with Needham's Commission on Disabilities to see if more are welcome.

David Mindlin, of 74 Hampton Avenue, stated he likes the idea of improvements. He asked how far the parking spaces are indented and was informed 8 feet wider. He asked if the sidewalk will be remaining. Mr. DelGaizo stated the sidewalk will be totally reconstructed with granite curb. The new sidewalk will be wider than the existing sidewalk, because cars have been parking on edge of existing sidewalk, destroying the edge of sidewalk. Sidewalk will be 5.5 feet. Mr. Mindlin commented rather than adding green space to their side of the park, it seems like they are taking away green space and adding pavement, which he is not happy about. He does not want the street widened; it would turn it into a boulevard. The problems the neighborhood faces are that their street borders on commercial. Also, Ellis Street is a continuation of the parking lot from the commercial area. All snow is plowed and piled on Mills Field. He has lived there 11 years and never had a problem with cars backing out

into traffic. He thinks there should be a four-way stop on corner of Ellis and Crawford and Hampton. It should be cleaned up without expanding the parking. He stated the parking should be put on the Gould Street side. The park is not the problem. He asked the town not to widen Hampton, but still put granite curbing and replace the berm and sidewalk. There is a seasonal issue only with the parking.

Ms. McKnight asked the applicant to respond to the visual impact. Mr. DelGaizo stated the area within the right-of-way is immediately adjacent to the field, which is why it is shown on the plan. Three trees will be removed. If the sidewalk is moved further in there would be a need to remove more trees. He stated he cannot answer the question about reconstruction with granite curb. Cars parking there now have destroyed the sidewalk. A new sidewalk needs to be reconstructed. He stated too many vehicles travel down Gould Street to have safe parking there. Mr. Mindlin asked why not construct a walkway through the park. He would rather trade off the 7 parking spaces along Hampton Avenue, make them no parking and put a parking lot off Gould Street. Mr. Eisenhut stated that would take away from the park.

Steve Doroshenko, of 19 Beech Street, commented it is a great plan but he feels there is one problem. This makes the green area smaller. There was a baseball game 2 weeks ago. He asked why they need additional parking spaces. No one parks on Ellis Street. He asked why they are getting rid of the circular drive and why widen Hampton Avenue. He does not feel they need 7 more spaces along Hampton Avenue. He does agree a new infiltration system is needed and the area does need more trees. He stated the park loses one tree a year.

David Tocci, of 11 Ellis Street, stated he owns property on all the surrounding streets. He plows all the streets. He is a major contributor to the field and the town. He feels this is the best plan to put into play. During baseball season, cars park on both sides of Hampton Avenue so only one car can get down the street. It is a hazard to people walking. The child care center walks 10 to 15 children to the park every day. Ellis Street is completely packed on weekends. He stated when it is full people park in his lots. He noted the town is not widening Hampton Avenue but pushing spaces off Hampton Avenue onto town property. He thinks it is a great idea. He noted the Ellis Street intersection is problematic.

Ms. McKnight clarified the role of the Planning Board and noted the Board makes decisions about town property and the fields. The parking spaces on Hampton Avenue are in the public way. Peter Grasso, of 66 Hampton Avenue, stated he thinks it is great the town is trying to address the parking. He is concerned, however, that with an indent it will open the street up for faster drivers. The town needs to see how to limit the speed of the traffic. There are a lot of kids and safety is a concern.

Mr. Jacobs stated he would like to hear ideas from the town about how to slow traffic. Mr. Tocci stated a 4 way intersection at Hampton Avenue and Ellis Street would be best. Mr. DelGaizo noted the town would like to make improvements to the field this fall. Speed bumps are not allowed anymore. Construction of granite curbing is a traffic calming measure. Four-way stop signs need to meet regulatory guidelines. He feels crosswalks at intersections may help. Mr. Jacobs commented he is concerned. Mr. Mindlin noted the parked cars slow the traffic. Mr. DelGaizo stated instead of an indent of 8 feet maybe the indent could be 4 feet and they could leave two-10 foot travel lanes. He feels that would be a good compromise. The sidewalk would be moved 4 feet also.

Diane Douglas, of 13 Beech Street, stated there is a little parking area with marked spaces. There is no need for a parking lot in the middle of a residential neighborhood. The neighbors lose more and more of the park every year. She has been there 50 years and does not see the need for this lot. The town put up parking on one side of the street only on Hampton Avenue. She does not see the need for a municipal parking lot. Mr. Jacobs asked if the town needs those parking spaces. Mr. DelGaizo noted he has seen the area clogged with cars. Off-street spaces are safer and this gives 6 more spaces. Mr. Grasso stated the Board needs to take into account pedestrian safety.

A motion was made to close the hearing. Mr. Jacobs stated he would like to hear more thoughts on the safety issues. Mr. Eisenhut stated the Board can make recommendations to the Board of Selectmen.

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

VOTED: to close the hearing.

The Board will discuss this after the 8:00 p.m. hearing.

8:00 p.m. – Amendment to Wellesley Avenue (August Way) Definitive Subdivision: Viola E. Miller, 21 Wellesley Avenue, Needham, MA, Petitioner (Property located at 9 August Way, 13 August Way, 16 August Way and 21 Wellesley Avenue, Needham, MA).

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

VOTED: to waive the reading of the public hearing notice.

George Giunta Jr., representative for the applicant, noted Mrs. Miller, her two sons and a daughter own property on August Way. It is a private way that services one family and 4 houses. This is a change in one specific lot. A big piece of property is on Wellesley Avenue. This was commercial property belonging to a pig farmer. It was sold in 1938 to August Miller. It has been used for a variety of commercial reasons. Pieces have been carved off for family members. The applicant applied for subdivision approval in 1998 and the subdivision was approved in 1999. In 2013 a neighbor filed a formal complaint with the building department. This has been a long standing use – 88 years for commercial and 75 years by the Millers.

Mr. Giunta Jr. stated he sat with the Building Inspector, looked at the records and tried to consolidate the commercial uses. This is next to Needham Animal Hospital which is a non-conforming use. He has filed with the ZBA and had a hearing. It was decided this was a logical solution but the ZBA held the appeal open for the Planning Board to decide on a modification.

Mr. Eisenhut asked what lot are they talking about? Mr. Giunta Jr. noted the top right corner of Lot 8 is shifted to Lot 6 which is a commercial use and Lot 8 will be strictly residential use. Lot 6 is adjacent to the animal hospital. It has a garage with living space above. He noted the pre-existing rights will shift and the applicant would need a modification of the existing non-conforming use. He added the use has been there for 77 years with one disgruntled complainant.

Mr. Eisenhut noted the ZBA would limit the scope of work on Lot 8. Mr. Giunta Jr. stated there are some ancillary documents such as a recorded restrictive covenant. Ms. McKnight noted the following correspondence for the record: an email, dated 7/27/15, from Fire Chief Dennis Condon noting no issues; an email from Assistant Town Engineer Thomas Ryder, dated 8/10/15, with comments and recommendations and an email from Tara Gurge, of the Board of Health, regarding the septic system.

Mr. Eisenhut asked what happened in 1998-1999 when the subdivision was approved. Mr. Giunta Jr. noted the Miller's did not have an attorney and the issue of use never came up. He noted it has been the same use for 66 years and the idea it was an issue was not on the radar. Ms. Newman noted the intent was to build a single family home for the children of the Millers. Ms. McKnight stated it should be clear from the minutes of the subdivision hearing what was expected.

Mr. Giunta Jr. stated the father died this past fall and the family was not clear there was a recorded restrictive covenant document. They were standardized documents. Mr. Jacobs stated in the subdivision approval decision paragraph 1 talks about waivers that were granted. Paragraph 2 talks about use for single family residential use; paragraph 5 says they shall not use or permit use of the private way for any purpose other than ingress and egress by residents of the lots and their invitees, such use to be limited to pedestrian and private passenger vehicular traffic. Paragraph 13 states on street parking is not permitted due to the 18 foot pavement width. He visited the site and noted a truck, a boat and 3 cars were parked in August Way and trucks and equipment are all over the place. He stated he could never vote for these changes.

Ms. McKnight noted the covenant and stated her opinion is that an amendment to a covenant would require Town Meeting approval. She asked if there was any opinion from Town Counsel. Ms. Newman stated yes, and Town Counsel's opinion is that because the covenant was never presented to the Selectmen and voted upon by Town Meeting, the approval is not necessary.

Kurt Miller, of 9 August Way, stated the septic system installed went above and beyond. They overbuilt the system by going an extra 5 feet deep. It would not be a big challenge to address Board of Health issues but he would say it is acceptable.

Bart Miller, son of Robert Miller, stated he takes issue with what he perceives as an attack on his father. His father was a fireman for many years. He noted a lot was done back then through handshakes and friendship. He takes strong issue with the thought that this was deceitful and they have taken advantage. There has been equipment on the property all these years. Greymont had equipment there and Lenny Cleves was there. He stated the family worked with the Building Inspector. They are trying to work with the town and want a feasible solution. He takes issue with the attitude they are a deceiving family. It is offensive. The family has put in 10 feet of sand required by Tara Gurge of the Health Department. They are not a bunch of rebels. They try to abide by the law and have had no complaints up until now. This property abuts an animal hospital which is non-conforming. He requested the Board think of the human element. He is hoping for a reasonable negotiation.

Mr. Eisenhut asked Mr. Bart Miller if he attended the 1999 meetings and was informed he did not.

Robin Miller Williams, of Lot 6, 9 August Way, stated the building located on her lot is a one family structure. The town saw the plans for the building and approved them. Mr. Jacobs noted he would like to see the building permit. Ms. Williams stated the family went through the proper channels and did not know the subdivision approval would change the use of the land. The family is not trying to deceive anybody. The plans were approved for a 20 foot garage. She agrees with Bart it is offensive to be accused of deceitful behavior.

Ms. McKnight stated she feels it is a misunderstanding. She has not heard anyone allege deceit. Ms. Jacobs commented it was said conditions have clearly been violated and continue to be to this day. Kurt Miller stated the building was designed by Norman Homsey and approved by the Planning Board. Wayne Williams stated his equipment maintains that road. Mr. Giunta Jr. commented it is in many ways telling that the Building Department approved this after the subdivision. He feels there is a lot of ground for misunderstanding.

Ms. McKnight stated it was clear the Planning Board, at the time, expected the applicant was going to limit the property for single family homes. The covenant is very clear. The Board needs to look at the waivers. This needs to be looked at as a new subdivision. It is not up to the Planning Board to make a determination in violation of the covenant. The Board needs to determine if we want to stick to the 1999 decision. Mr. Jacobs noted the applicant is asking to change the use. Ms. Newman stated the Board needs to consider amending the previous subdivision approval and consider requiring a new roadway sufficient for the uses that exist.

Mr. Giunta Jr. noted modification of the decision and covenant is being asked. The applicant could look at if improvements need to be made to the infrastructure. He stated the Board would need to make a determination that what is there is insufficient and how to fix it. Mr. Alpert stated the lots may not always be owned by one family. Mr. Giunta Jr. stated he was told the ZBA would keep the commercial use only as long as the Miller's own the property. He asked the Board to continue the hearing, reach out to Engineering as to the sufficiency of the infrastructure and if there are deficiencies. Mr. Eisenhut stated that works for him. Ms. McKnight agreed.

Mr. Alpert stated there is a lot of work to be done. He is receptive to one family and may limit to as long as all lots are owned by the Miller's. If the Miller's sell off, the commercial use is gone. Mr. Jacobs stated he is happy to engage in efforts to fix this. Bart Miller stated he was pleased to hear a positive discussion.

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

VOTED: to continue the hearing to 10/6/15.

Major Project Site Plan Review No. 2015-04: Town of Needham, 500 Dedham Avenue, Needham, MA, Petitioner (Property is known as "Mills Field" and is located at the corner of Hampton Avenue and Ellis Street, Needham, MA).

Mr. Eisenhut asked if the Board wanted to vote this evening or wait for the next meeting. Ms. Newman stated Ms. Carey wants to get the work done this fall. Her concern is, if not voted tonight, the town will lose the construction schedule for this year. She noted the Board could have an additional meeting on 9/1/15 to discuss the Mixed Use 128 Residential Overlay Zoning District proposal and the Board could still do the hearing for Mills Field on 9/29/15. Mr. Eisenhut stated the applicant made some offers that were good ones. Changing the 8 feet to 4 feet indentation works. He would like to see the spaces striped which the Board could recommend to the Selectmen. The applicant offered to eliminate one space on the asphalt lot. He would like to accept that and have it landscaped.

Mr. Alpert stated he would try to get more trees for a one for one replacement. Ms. McKnight stated a one for one replacement along the same street they are lost and preferably on Hampton Avenue. She suggests the Board say they want to see 42 spaces. Mr. Alpert noted on Ellis Street they are merely moving spaces and repairing what is already there. It appears the applicant wants the spaces because of safety. Mr. Eisenhut stated he would leave it at 47 spaces.

Mr. Jacobs stated he would like the equivalent of some traffic calming techniques such as a speed hump. He disapproves of moving the sidewalks and making space along Hampton unless the applicant puts in a speed hump or equivalent traffic calming technique. He stated he would approve (A) with a sidewalk rebuilt where the sidewalk is now or (B) with traffic calming measures.

Ms. McKnight stated she is ok with changing 8 feet to 4 feet, eliminating 1 space, a one to one tree replacement and leaving the Hampton Avenue redesign up to the DPW and neighbors. Mr. Alpert noted a one to one replacement plus landscape as presented. Mr. Jacobs stated he would go along with Ms. McKnight's proposal. Ms. McKnight stated she wants construction vehicles off the road.

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

VOTED: to grant a Major Project Site Plan Special Permit approval under Section 7.4 of the Zoning By-Law; a Special Permit under Section 1.4.6, to alter, enlarge, extend or reconstruct the preexisting nonconforming parking spaces along Ellis Street to make them less nonconforming and safer and add conditions discussed tonight, on the property as discussed in the notice, pursuant to plans submitted by the applicant with modifications discussed.

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

VOTED: to accept the parking recommendation of 42 spaces as the required number of spaces.

Mr. Eisenhut noted the Board should send a letter to the Selectmen recommending traffic calming techniques including, for example, speed humps, striping of 7 spaces along Hampton, installation of crosswalks with raised intersections as appropriate and signage.

Community Preservation Committee Appointee.

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

VOTED: to appoint Paul Alpert to the Community Preservation Committee.

Minutes

Ms. McKnight noted a change to page 4, 4th paragraph. It should say "Mr. Smith stated there will be a right turn only out of the driveway" and delete "like the driveway."

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

VOTED: to accept the minutes of 4/28/15 with the changes.

Report of the Planning Director and Board members.

Ms. Newman stated there are a lot of projects coming up. Normandy has 2 hearings on 9/8/15. There is a new restaurant use on the corner of Great Plain Avenue and Dedham Avenue with 100 seats. She is trying to work within the parameters of the meetings they have already scheduled.

Board of Appeals – August 27, 2015.

Bell Atlantic Mobile of Massachusetts Corporation, Ltd. d/b/a Verizon Wireless – 1555 Central Avenue, Needham, MA.

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

VOTED: "No comment."

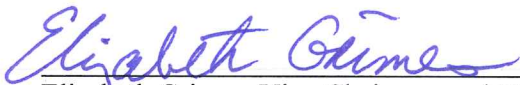
Ganesh Rao – 124 Elder Road, Needham, MA

Ms. McKnight stated she has a question if it is prior nonconforming. She feels the Board should be satisfied it is a lawful preexisting nonconforming structure. It is not clear from the materials given.

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

VOTED: to adjourn the meeting at 11:05 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker



Elizabeth Grimes, Vice-Chairman and Clerk