NEEDHAM PLANNING BOARD MINUTES

March 4, 2008

The regular meeting of the Planning Board, held in the Selectmen's Meeting Room at the Needham Town Hall, was called to order by Jeanne McKnight, Vice-Chairman, on Tuesday, March 4, 2008 at 7:30 p.m. with Messrs. Eisenhut, Handel and Jacobs as well as Planning Director, Ms. Newman and Recording Secretary, Ms. Kalinowski.

Deminimus Change: Major Project Site Plan Review No. 2007-05: 868 Highland Avenue, LLC, 66 Crescent Road, Needham, MA 02494, Petitioner (Property located at 868 Highland Avenue, Needham, MA).

Roy Cramer, representative for the applicant, noted this was permitted last year. They have a few minor changes to the floor plan and a few exterior changes. The Design Review Board approved it last night. There are minor modifications but no change to footprint or parking. Tom Scott noted they want to create more marketable units on top. A master bath and bedroom have been added to the top, they reconfigured some closets and the kitchen layout. They will have an L-shaped, eat-in kitchen that is more symmetrical to the shape of the site. Some windows have been changed around or shifted slightly. Ms. Newman noted the façade change has brought this back to the Board as a deminimus change. Mr. Jacobs asked the timing. Mr. Scott stated they have started excavation, demolished the garage and are shoring it in. Ms. McKnight questioned the front setback. Mr. Scott noted it was about 5 ½ feet. Ms. McKnight asked how the trash would be dealt with. Mr. Scott noted it is internal right now. He added they will have a full basement. The Design Review Board has approved the application.

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

VOTED: to approve the requested modifications noting the proposed changes are minor in nature and do not require a public notice or a public hearing but adding the caveat there is no provision of GL Chapter 40A regarding deminimus changes.

Appointments

7:40 p.m. – Roy Cramer – Informal discussion with the Board regarding Cabot Cabot & Forbes project (Property located at 66 B Street, 410 First Avenue and 360 First Avenue).

Roy Cramer, representative for the applicant, noted they wanted to introduce the Board to the project and see what their thoughts were. Mr. Cramer introduced Clay Smook, Jed Raymond, Eric Fellinger, Jason Bobowski, and Stephen Pavlowich. He noted there are 3 parcels with 3 existing buildings with 8.15 acres total. They propose to knock all 3 down for one big campus. They will construct 3 new buildings – 2 at 150,000 square feet and one at 90,000 square feet. There will be a parking garage at 66 B Street. It has been designed so they are requesting the minimum of zoning relief and he feels it falls within the town goals. The FAR is 1.1, which is the maximum allowable. They will contribute to the traffic mitigation fund. There will be some surface parking but the phasing is a question. The goal is to build one building first then 2, then 3. They would like to get a Certificate of Occupancy for one so if the market turns they do not have to build 2 and 3. Mr. Cramer reviewed the relief. Mr. Smook noted this is the first project to test the new zoning. There is no dimensional relief. They have met setback, maximum height, etc. They have tried to maximize visibility to 128 and create a centralized parking. They have a 30,000 square foot floor plan. Buildings one and 2 are both 5 stories with a maximum height of 68 feet. The third building is 3 stories with a 40 foot height. They will have a new driveway and the garage is 5 stories with 6 levels above grade and one below grade. There will be limited parking under building 3. There will be a tower element on the ends of the buildings. They will have precast material and a metal cast system in off-white. They will have courtyards and a web of pedestrian paths. In building one they have created a series of masses for a distinctive look with solex glass which has a green/blue tint to it. Ms. McKnight asked why each building has such a large penthouse. Mr. Smook noted there are usually air flow systems. They are creating a corral around them. It is detailed in metal and precast. They feel the buildings create a diverse environment. The garage has stepped in massing. Mr. Bobowski spoke about the landscaping. He noted there will be street trees and red maples around the edge. There will be larger sycamores around the egresses and honey locus's around the entrance. They are maximizing the covered walking space for pedestrians and will have extra large sidewalks of cement concrete. There will be benches at each entrance. Mr. Handel asked where the main entrance to the garage will be. Mr. Bobowski noted off B Street to the first level and there will be interior roads that will lead to the second level. Mr. Cramer noted the Design Review Board has signed off on the project. Mr. Eisenhut noted there is much more open space required and more pervious space required. This is very dense and he does not feel they need asphalt sidewalks. They should explore more pervious materials. He commented he wished it were less dense. Mr. Bobowski stated it is 29% open space. Mr. Jacobs asked what is happening on the other side of the garage. Mr. Bobowski stated there will be 99 surface parking stall and there are 10 trees required. There will be a landscape area with shrubs, grass and trees. Mr. Cramer noted the whole back area is lawn as they did not need any more parking. The requirement is for 10% interior landscape. The issue is if they do not include the lawn it will require waivers. Mr. Eisenhut asked if they need all the surface parking. Mr. Raymond noted marketing exceeds the parking requirements. The requirements are 3.3/1,000 but the market is closer to 5/1,000. Ms. McKnight asked the percentage of interior lot directed to landscaping. She noted on the plan it seems like small areas. She asked if it meets standards. Mr. Cramer noted he read the zoning section for the requirements. Ten percent is the minimum they can count all around. Mr. Jacobs asked if this required a parking waiver. Mr. Cramer noted that was a good question. This is extra parking and they may not need a waiver. Mr. Bobowski noted 682 is the required amount for the interior. They have 720 feet of landscaping. Mr. Raymond stated they would look at the materials for more pervious ones. Mr. Eisenhut stated that is an important consideration for him. He then asked what relief they were seeking.

Mr. Cramer reviewed the relief and noted they may have a small retail use on the lot also if they have retail on the first floor. Mr. Cramer asked if they should do a site plan that shows each separate phase rather than the whole. Ms. Newman noted they need a phasing plan and would need a time frame established. Mr. Raymond stated in the first phase they would build a 2 bay garage with 705 spaces and one building. They will deal with 410 first, then the 66 B Street building will come down and they will leave 360 First Avenue. They are building the first building and 2 bay garage. 360 First Avenue is not conforming as a stand alone lot but is fine if combined into one lot. Mr. Cramer stated the first thing is to make it into one lot. He noted the spaces do not conform with the basic design. Mr. Eisenhut asked if they were creating a non-conformity and this was confirmed. Mr. Raymond noted the use in the back building stays the same. Ms. McKnight asked how many stories are in that building and was informed it is a single story. Mr. Handel asked what if they want to combine lots. Mr. Cramer clarified they would combine 2 lots in phase one and leave one as a stand alone. The building is operating currently with 71 spaces. They would prefer one big lot and request waivers. Ms. McKnight clarified if they combine lots they would eliminate any grandfathering and would need waivers. Mr. Jacobs asked if the right tenant comes along would they leave 360 alone and was informed they would. Ms. Newman asked how the parking would be brought into conformance if left alone. Mr. Raymond stated they would restripe the lot. Ms. Newman noted everything should be conforming.

Mr. Handel asked the traffic implications. Eric Fellinger stated each phase introduces a new net number of trips. The net increase in trips is 295 in the morning and 275 in the afternoon. He broke down the figures for the Board. The town is reconstructing Highland Avenue and they assume this as a background condition for the future building. He noted the intersection of Highland Avenue and Second Avenue is the most issue. Currently there is a level service E. They will pay into the traffic mitigation fund and are finishing up a traffic study for how the town can best move forward. Ms. McKnight asked if the intersection of Highland and Second would deteriorate due to this project. Mr. Fellinger stated only minimally. Mr. Cramer informed the Board with a full build out they will be contributing $1,200,000 to the traffic fund. Mr. Fellinger stated there is an impact on the level of service only at Highland and Second. Ms. McKnight asked if the roads in the project area were private or public and was informed they are private. She asked if they were planning any improvements to any public ways abutting them. Mr. Fellinger noted they were not. Mr. Handel asked the impact information for water, sewer and electric. Mr. Pavlowich discussed the infrastructure. He noted they are decreasing the impervious area and increasing the recharge by providing more open space. The storm water flows to First Avenue or B Street. They are decreasing the peak discharge rates so they are decreasing the impacts. There are water quality structures on site. There will be an increase in the usage of water. He noted they increased the volume and capacity in the industrial park recently. There is great flow to the area and they do not anticipate any additional improvements. The sewer system flows to First Avenue to the reservoir to the pump station to 128 to the MWRA system. Also the Kendrick Street pump station to 128 to the MWRA system. Kendrick Street recently added 200,000 gallon capacity to the station. There are no effects to Kendrick Street or the Reservoir B Station. They are operating at capacity and need upgrades. An additional impact comes when buildings 2 and 3 are built. Mr. Raymond noted gas service for the project is adequate but power may be an issue with the industrial park. N Star is contemplating improvements to their service and they are having ongoing conversations with them. They will take the comments from all and combine them into a revised packet and submit a formal packet. Mr. Jacobs commented he is a little uncomfortable with first time informal discussions. He would like to see the final form so he can study it in great detail. Ms. McKnight noted she seconds what Mr. Eisenhut said. She also would like to see a decrease in the impervious surfaces.

Review of General Court Petition for the Establishment of a Parking Fund for Needham Center.

Ms. Newman noted she has put a revised draft in the packet and there is a wrinkle. She has incorporated all the changes from Mr. Jacobs, David Tobin and Dave Davidson. They will need a favorable recommendation from either the Selectmen or the Planning Board. She reviewed the changes. In Section 1, she added "defined as the area presently zoned as…."; started each paragraph in Section 2 with "to"; added the word "purchase" in Section 2 (a) and (b); clarified Section 3 language by adding "for the purpose of carrying out off-street parking improvements"; added an appropriation of monies provision in Section C; got rid of the Chapter 30 reference as it was not necessary and made some Section 4 language changes which talks about the Treasurer investing the monies. Mr. Jacobs noted he thought Mr. Tobin wanted changes in Section 2D regarding the 20 percent. Ms. Newman commented Mr. Tobin mentioned it but did not make them. She noted when they created the traffic mitigation fund Mr. Tobin took the position they could not create a traffic mitigation fund in zoning under Chapter 40A -- that they need special legislation to incorporate this into zoning. When they wrote the description for the traffic mitigation fund, which included how the fund would function, it actually had language and the Home Rule Petition that allowed them to create a requirement for the traffic mitigation fund in the Zoning By-Law itself. Ms. McKnight asked if it was a traffic mitigation fund or a requirement for a donation to, or a payment to, a traffic mitigation fund. Ms. Newman confirmed it was a payment to the fund. Mr. Tobin is not sure if this could be incorporated into zoning absent special legislation. She noted Ms. Bailin disagrees with him. Ms. McKnight stated you certainly could add a provision to this special act even if you do not have the Zoning By-Law enacted yet. That then sets the stage for the Zoning By-Law. She will speak with Mr. Tobin regarding this. Mr. Jacobs noted in Section 1, the 2nd word "town" should be capitalized. He asked how much is in the mitigation fund. Ms. Newman clarified there was nothing in there yet. This is the first project. Ms. McKnight suggested if they took the phrase that appears 3 times in Sections 3 (a), (b) and (c) that states "for the purpose of carrying out off-street parking improvements in Needham Center" and put that phrase in the introductory paragraph and say "as a means of providing assets for the funds, all monies received by the Town of Needham for the purpose of carrying out off-street parking improvements in Needham Center through the following means" and then continue with (a), (b) and (c) it would be less wordy. She also noted the Legislature prefers lower case rather than capitalization. Ms. Newman will make the changes and follow up and let them know if they need to do anything.

Plan Endorsement: Major Project Site Plan Special Permit No. 2007-09: High Rock School, Town of Needham, Petitioner (Property located at 77 Ferndale Avenue, Needham, MA).

The Board signed the plans.

Upon a motion made by Mr. Handel, and seconded by Mr. Jacobs, it was by the four members present unanimously:
VOTED: to adjourn the meeting at 9:25 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Jeanne McKnight, Vice-Chairman and Clerk