

NEEDHAM PLANNING BOARD MINUTES

January 26, 2016

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, January 26, 2016 at 7:00 p.m. with Messrs. Eisenhut, Jacobs and Alpert, and Ms. Grimes as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Correspondence

Ms. McKnight noted a letter from Planning Director Lee Newman to Town Manager Kate Fitzpatrick, dated 1/22/16, regarding pedestrian crossing at Lincoln Street and Dedham Avenue and a copy of a Needham Times article, dated 1/21/16, regarding new construction and the fiscal impacts.

Public Hearing:

7:00 p.m. – 1242 South Street Definitive Subdivision: Richard S. Raisman & Lynn H. Raisman, 1242 South Street, Needham, MA, Petitioner (Property located at 1241 South Street, Needham, MA). This hearing will be further continued to the February 23, 2016 meeting of the Planning Board.

Ms. McKnight noted a request from George Giunta Jr., representative for the applicant, dated 1/26/16, requesting the hearing be continued to 2/23/16 and the action deadline be extended an equivalent amount of time.

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

VOTED: to continue the hearing to 2/23/16 at the request of the applicant's attorney and that the applicable action deadline be extended for an equivalent amount of time.

Review of Zoning Amendments for the May 2016 Annual Town Meeting.

Ms. Newman noted there are 4 articles in the packet and she has 2 more tonight. She noted the retaining wall article is similar to the one proposed before. She tightened the language coming from the Large House Study Committee. The ZBA is anxious for the Planning Board to proceed with this. The Board needs to vote to refer this article to the Selectmen for referral back for a hearing. Mr. Jacobs stated he is uneasy with the use of the word "significant" in Section 6.11.3(f), third line. He would suggest deleting "significant" and put the wording "any changes." Ms. McKnight suggested "any change or alteration." Mr. Alpert agreed that was better.

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

VOTED: to refer Article 1 regarding Retaining Walls to the Selectmen as modified this evening.

Ms. Newman noted, for the Mixed Use Overlay, the Board should use the red lined version from Rick Mann along with Devra Bailin's comments. Mr. Mann had one change describing the location of the district. Ms. Bailin thought it should continue to read "abutting" rather than "the northern frame" because she thought it was clearer. In the end, Mr. Mann was ok with that. Ms. Newman stated she wanted Mr. Mann to see the article and give feedback. For the Scope of Authority, they will keep "abutting."

Ms. Newman stated the term "MSP" is not defined until the paragraph after it is used. Ms. Grimes stated it is defined in the paragraph before. It should just be moved up. All agreed. Ms. Grimes stated "abutting" is a cleaner way in the Mixed Used Overlay District paragraph. Ms. Newman reviewed the changes. Ms. Grimes asked if there were any substantive changes and was informed there were not.

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

VOTED: to refer this article to the Selectmen with the changes discussed.

7:30 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 note: This hearing has been continued from the June 23, 2015, August 11, 2015, September 29, 2015, October 27, 2015, December 1, 2015 and January 12, 2016 meetings of the Planning Board.

George Giunta Jr., representative for the applicant, recapped what was presented at the prior hearing and presented the plan to the Board. This is a 6 lot subdivision on Central Avenue. The proposed new roadway slopes up to the last 2 lots at the top of the cul-de-sac. He noted there are comments from Engineering. He stated the applicant has revised the plan somewhat to satisfy Engineering. He stated Engineering is now satisfied. He noted the Fire Chief had an issue today with the circle. The Fire Chief, Engineering and the applicant all agreed to 24 feet of pavement around the circle. He has revised plans and replacement sheets 5 and 6 tonight. Paul Beaulieu, Field Resources, Inc., noted the island in the middle is 4 feet shorter in diameter.

Ms. McKnight noted the following correspondence for the record: a letter from Assistant Town Engineer Thomas Ryder, dated 12/1/15, with comments and recommendations; a memo from Tara Gurge of the Health Department, dated 12/2/15, with issues regarding the width of the road; a letter from Assistant Town Engineer Thomas Ryder, dated 1/26/16, with comments and another letter from Assistant Town Engineer Thomas Ryder, dated 1/26/16, with comments.

Mr. Giunta Jr. stated, on reviewing the waiver list, there was one waiver on the list that was not on the plan and one waiver on the plan that was not on the list. He has consolidated all the waivers into one list and submitted that to the Board. Mr. Beaulieu reviewed the changes. He stated most of the changes were engineering driven but some were required by the Planning Board. There are now street lamps along the street and in the island and shorter light posts have been added at each driveway entrance. Engineering wanted spacing of utilities and the placement of gas lines down the left hand side. The applicant is proposing to match the grade with the proposed reconstruction of Central Avenue. That drops the drainage down a half foot. The applicant has relooked at the drainage system. Each house will have an infiltration system and roof run off will be recharged on site.

Mr. Beaulieu noted the only other substantive change is for drainage in the easements as they are more contained. It has been changed from a 15 foot to 10 foot wide easement. This is clearly demarked. Ms. McKnight asked who the drainage easements are to be held by. Mr. Giunta Jr. stated part is to go to the town. It would be a benefit to all the lots and the town. Ms. McKnight asked if there will be an association and was informed there will not be. She asked if each lot owner has to maintain the drainage on their lot as well as the easement. Mr. Beaulieu stated he believes the easement is to the town. There is a plan that shows how over the course of 6 feet in width there is a swale that has pretty substantial volume with a big perforated pipe that will catch any water and run it around the periphery of the site. The goal is that all the water then gets captured. At the end of each of the swales there is a structure that gets redirected and then runs into the 12 inch main that runs down the middle. It then goes through their infiltration system. There is not a lot of active impact on it.

Mr. Jacobs asked whose benefit and whose burden this is but commented he thinks the town will not benefit at all. All 6 lots are benefitted by the easement but he thinks the burden is on the 4 lots furthest from Central Avenue. He does not see any burden on the 2 front lots. He asked why the applicant is saying there is a burden to the town. Mr. Beaulieu stated the town will not own the land but it will become part of the town drainage system. Ms. McKnight asked if the town is going to accept this entire system as part of the town drainage system.

Mr. Giunta Jr. stated the town will not own it. His understanding is Engineering is comfortable with the design and will be comfortable if someone wants to make it a public way in the future. The expectation is the Town will maintain the drainage system. Maintenance is expected to be minimal. Ms. Newman asked if it would be public

or private. Mr. Giunta Jr. stated it is expected to be a private way and an Association can maintain the system. Ms. McKnight stated she thinks that is what needs to be done.

Mr. Jacobs commented what he is hearing is there is not an easement to the Town. Mr. Giunta Jr. noted the Town will be a grantee so the Town can get in if necessary. He stated this will be like the backup easement they did on Cypress Street. It was granted to the abutters and the Town. Mr. Jacobs stated, on Rockwood Lane which is similar, when the easement was drafted the Selectmen were concerned they were not consulted. He wants the applicant to be aware of this. Mr. Giunta Jr. stated this is more like a standard subdivision. The lots are fully on private property. Mr. Eisenhut noted this is a simple system. He does not think there is a potential for it to go awry.

Ms. McKnight stated she was not sure where the lighting fixtures are. Mr. Beaulieu pointed the fixtures out. He noted they are near the end of each driveway at the plane of the road. Mr. Alpert noted the fixtures are on each lot so are the responsibility of the individual property owners and should meet the requirements of the town. Ms. Newman will get the applicant the details on what the town uses.

Mr. Giunta Jr. noted there is no waiver requested for the paving width now. The only waiver for the roadway width is to go from 50 feet down to 40 feet and the 60 foot circle will go down to a 50 foot circle at the end and no-parking signs. Ms. Newman stated it will be the same as Hunter Ridge and Belle Lane. Mr. Alpert stated he would like to know the Fire Chief is comfortable with a 24 foot roadway with no-parking signs. Mr. Beaulieu noted the NTSB established the standards and they are national standards. Ms. Newman stated the Fire Chief would like a 60 foot radius going forward. She feels it is a matter of getting the new Fire Chief brought up to speed and educating him on the other subdivisions in town.

Ms. Grimes commented she would need to see a draft of the Association rules and regulations. Mr. Giunta Jr. noted they will be simple and straightforward. Denise DiRocco, of 1093 Central Avenue, asked where people would park with no-parking. Ms. McKnight stated the Board has decided no-parking signs were not practical. She asked what the plans were for the hedges between 1019 Central Avenue and the subdivision. She has been monitoring them.

Mr. Eisenhut asked Ms. DiRocco what she would like to see. Ms. DiRocco stated she would love to see a hedge there. Mr. Beaulieu noted because of the swale and wall any hedging would tear up the swale. Cliff London, developer, spoke with Ms. DiRocco. He told her the applicant would be putting an 8 foot white fence around the entire perimeter of the property with hedges on the inside to get some greenery. When the project is done he shared he would put the greenery back and assured her of that. Ms. DiRocco stated he did but the hedge comes right up to her driveway. Mr. London noted he will not touch anything on her property. His goal is to make everyone happy at the end.

Ms. DiRocco stated she would like to establish where the line is. Mr. Beaulieu stated the property has been staked for over a year now. Mr. Eisenhut asked the applicant if someone could walk the perimeter with Ms. DiRocco and establish the line. Mr. Beaulieu noted that is not a problem. He believes her driveway goes right up to the lot line. The hedges may be on the subdivision property. He may have to remove some of her pavement to put in new hedges for her on her land. The applicant will restake the line for her. He is intent on staking the entire property. Someone on the team will walk along and explain the lines.

Mr. London noted if there is 12 to 18 inches of soil between the end of the drive and the end of the lot there is enough to put some plantings which is in line with what he told Ms. DiRocco before. Ms. McKnight stated she is concerned with the existing wall next to the property of Charles River Association. She asked how the developer would be dealing with whatever grading or handling of that wall that needs to be done. Mr. London stated at this time the wall is falling on their land. There is some stonework the applicant will be doing along Central Avenue and they will be repairing parts of their wall. There will be a slight grade and it will be better.

Mr. Giunta Jr. stated there is not a significant change in grade from what is there now. Mr. London stated a tree has fallen from the Charles River property onto theirs. Charles River has not been maintaining their property and the trees are causing the walls to collapse. Charles River is not doing anything so the applicant is doing some work.

Ms. McKnight noted the following correspondence for the record: a letter from Tara Gurge of the Health Department, dated 12/2/15, regarding off street drainage and some issues; 2 emails from Fire Chief Dennis Condon regarding the turnaround and island size; an email from Assistant Town Engineer Thomas Ryder regarding pavement width and a letter from Assistant Town Engineer Thomas Ryder with comments.

Ms. McKnight noted the Board discussed the need for an upgrade to the sidewalks and asked if that is shown on the plan somewhere. Mr. London noted it was shown on Sheet 5 and shows the proposed work and the movement of the existing street pole. He stated the new sidewalk will have a handicap ramp and new curbing. Ms. McKnight stated she wants to make sure, in the conditions, they have the new sidewalk covered there.

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

VOTED: to close the hearing.

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

VOTED: to extend the action deadline to February 29, 2016.

DeMinimus Change: Major Project Site Plan Special Permit No. 2013-02: Needham Solar, I, LLC, 40 Walnut Street, Suite 301, Wellesley, MA 02481, Petitioner (Property located at 1407 Central Avenue, Needham, MA).

Request for Temporary Occupancy Permit: Major Project Site Plan Special Permit No. 2013-02: Needham Solar, I, LLC, 40 Walnut Street, Suite 301, Wellesley, MA 02481, Petitioner (Property located at 1407 Central Avenue, Needham, MA).

Ms. McKnight noted the Board has in front of them the Operation and Maintenance Guide to Solar Systems and First Responders Manual on dealing with emergencies. She noted certain changes were needed in the field when it was being constructed. The changes have been highlighted on the plan.

Dylan Venell, Project Manager for Solar City, explained the changes. On Sheet C5, drainage on top, there was some pooling during storms. They have added a 12 inch culvert under the access road there. The overall layout has changed slightly with field changes and modules have been downsized slightly from 3.7 to 3.59 megawatts. Due to space issues the fence location was brought down slightly. A jersey barrier was added as asked by the town. The fence is a ballasted system and the jersey barriers protect the above ground pipes from trucks. The location of the kiosk changed at the last minute. The kiosk and as-built survey location is not provided to the town yet.

Mr. Venell stated he would like a temporary Certificate of Occupancy and will provide a bank check for the surety. Once the Planning Director has the money and the agreement he would like her to authorize a temporary Certificate of Occupancy through the end of May. It would renew monthly until the project is done.

Ms. McKnight noted the following correspondence for the record: a letter to the Planning Board from Mr. Venell, dated 1/21/16; a letter from Matthew Spadi, of Weston & Sampson, dated 1/22/16; and an email from Fire Chief Dennis Condon, dated 1/21/16, to Hank Haff, of the DPW, with approval.

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

VOTED: to determine the changes as depicted on the plan as described in the correspondence be deemed de minimus.

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

VOTED: to grant the changes as de minimus.

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

VOTED: to approve the amount of the bond as amended by the Engineering Department at \$20,250.

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

VOTED: to grant authority to the Director of Planning and Community Development to authorize the issuance of a temporary Certificate of Occupancy for this project subject to the conditions discussed.

8:00 p.m. – Major Project Site Plan Special Permit No. 2016-01: 57 Dedham Avenue LLC, 471 Hunnewell Street, Needham, MA, Petitioner (Property located at 15 & 17 Oak Street, Needham, MA) Please note: This hearing has been continued from the January 12, 2016, meeting of the Planning Board and will be further continued to the February 9, 2016 meeting of the Planning Board.

Ms. McKnight noted a letter from George Giunta Jr, attorney, requesting the hearing be continued to 2/9/16 and a copy of a letter to the abutters, dated 1/21/16, informing them of the extension.

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

VOTED: to continue the hearing to 2/9/16 as requested with the applicable action deadline extended an equivalent amount of time.

Discussion of Permit Conditions and Extension of Temporary Occupancy Permit: Major Project Site Plan Special Permit No. 2014-06: New Garden, Inc., 250 Chestnut Street, Needham, MA, Petitioner (Property located at 40 Chestnut Street, Needham, MA 02492).

Douglas Stefanov, of Stefanov Architects, representative for New Garden, stated there is a continuing discussion on the sidewalk. He is working with Town Engineer Anthony Del Gaizo. He has been informed by the Planning Director that the sidewalk within the layout of Clyde Place would not be a desirable commodity. Clyde Place is a 20 foot wide road and cars park on the side of the road. Any sidewalk would be detrimental to activities.

Ms. McKnight stated the plans call for a sidewalk on the applicant's property. Ms. Newman noted the contractor on the job shifted the whole parking lot over so everything was built closer to Clyde Street. Now the applicant would basically be redoing a big chunk of the parking lot since there is no space to put a sidewalk without redoing the whole parking lot or putting a portion of the sidewalk in the private way. Mr. Eisenhut commented that he was irritated the applicant did not do the job right the first time. The sidewalk is a very important commodity. Ms. McKnight stated it was built wrong. It is not accurately represented on the as-built plan. Ms. Newman stated Town Engineer Del Gaizo felt the whole thing was shifted and was not accurate.

Mr. Jacobs asked how this came to be. Mr. Stefanov stated it was built different from the original plan. The contractor made some decisions, the grading was tricky, the site was flat and the building was higher than the lot. It is true it was shifted over. The plan was to provide parking, landscaping and a sidewalk. The project was approved to have a 3 foot wide walkway. Now Town Engineer Del Gaizo wants a 6 foot sidewalk. The 6 foot sidewalk would cut into the parking so it needs to be shifted over.

Ms. McKnight stated the Planning Board approved a 3 foot wide walkway. Mr. Stefanov stated the Town Engineer is saying that is not an appropriate sidewalk. Mr. Eisenhut reiterated the Planning Board approved it. Ms. McKnight stated the walkway is on private property. It was never an intention for an easement to be granted for a public sidewalk. Mr. Eisenhut stated it was an intended amenity and the Board has a right to ask for that.

Ms. Grimes asked if the purpose of coming in is to waive any sidewalk or to build the 3 foot walkway. Mr. Stefanov stated he would be happy to do any 3 foot walkway. Ms. Newman noted the Town Engineer's position is a 3 foot walkway is inadequate and would need a wider width. Mr. Stefanov stated the parking lot would not need to be redone if it was 3 feet. Ms. Grimes commented a sidewalk does not make sense on this site. The site is totally flat and there is no issue with pedestrian passage there. There is plenty of space. Ms. McKnight stated she observed large vehicles parking and there is no good curb. A walkway with a decent curb would define the street and she thought it would be a good amenity for this area. Ms. Grimes stated it poses unintended consequences. If there is a sidewalk, cars are going to pull up on the sidewalk and park on it. She feels it would pose a greater safety issue for pedestrians. Mr. Eisenhut stated if the Town Engineer has an issue the Board is not aware of he should communicate it. This is a walkway on private property and not a sidewalk. Mr. Alpert stated he would rather have a walkway than landscaping.

Upon a motion made by Mr. Eisenhut, and seconded by Mr. Alpert, it was by three of the five members present (Ms. Grimes voted in the negative and Mr. Jacobs abstained):

VOTED: to communicate to Engineering the Planning Board should be made aware if there is an issue the Engineering Department has.

Ms. Newman will get a plan to the Engineering Department and get their comments.

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

VOTED: to extend the Temporary Occupancy Permit for 60 days.

Review of Zoning Amendments for the May 2016 Annual Town Meeting – Continued.

Ms. Newman spoke on Maximum Build Out. This is to amend the zoning for the Center Business District to allow underground parking. Parking underground currently counts toward FAR. This would allow it not to count toward the FAR. This would allow the Tedoldi project to go forward with the underground parking. Mr. Tedoldi expressed the wish that this amendment would be allowed for the Oak Street project. The town explored the zoning change. She is not sure it would work for Mr. Tedoldi as it may be he cannot wait. She put together zoning to extend the same rights to the Chestnut Street Business District and the Center Business District.

Ms. Newman asked if it would make sense to do something in the Avery Square District and Hillside Avenue Business District in a similar way to encourage mixed use development. Ms. Grimes asked why not do it all at the same time. Ms. Newman stated the Board might want to think about it. Ms. Grimes noted she wants to encourage parking under the building and zoning is the way to go. Mr. Giunta Jr. stated cost is one factor but the prohibitive factor was the FAR. Under the By-Law, if parking is underneath it counts toward your FAR. Mr. Alpert asked what the down side was. Mr. Eisenhut stated there is no down side. It is a benefit to have it underground for visual and bulk. Ms. Grimes agreed. Ms. Newman stated she would do it just for the Chestnut Street Business District, Avery Square Business District and the Hillside Avenue Business District at this point.

Mr. Jacobs stated he was ok with the idea but asked how the Board is defining underground. Why not define it as totally underground? He likes the idea but thinks it needs to be defined. Ms. Newman stated the Board can work on the language. Mr. Eisenhut commented it would be difficult to define. Ms. Newman noted she should write it as how she described for the 3 districts, with the same kind of language as now and then the Board can fiddle with the definition of what underground means. Mr. Jacobs stated he is fine with that.

Mr. Jacobs asked underground means what? What if it is 20% above ground? Mr. Alpert stated he would need to see the plans and what it looks like. It may vary depending upon the grade. He stated that is why there is a Special Permit process. He would need to see specifics. Ms. Newman noted the intent of the Board was it was totally underground and something that you could not see. She will take the concept and apply it to the other districts.

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

VOTED: to refer the Article to the Board of Selectmen and for a public hearing as modified and discussed by adding the other districts.

Ms. Newman noted the New England Business Center (NEBC) District zoning change. She still thinks retail and restaurants belong in multi-tenanted buildings. The overall concept to have these uses in multi-story, multi-tenanted buildings makes sense to her. She does not know about singular one-story retail facilities in the NEBC District. She does not know if the Board wants a single story, stand-alone box in this district. They do want multi-tenant buildings. Mr. Eisenhut stated an Outback could go in. Ms. Grimes stated as long as it is less than 15,000 square feet. She asked what would be wrong with a Starbucks putting a building down there. She does not see a problem with stand-alone retail in area.

Ms. Newman noted she is just not sure it should be a single tenant use in that area. Mr. Alpert stated he does not see a problem with allowing it. Ms. McKnight noted it will be allowed by Special Permit limited to 15,000 square feet. Mr. Eisenhut stated he would like to see multi-tenanted. Ms. Grimes disagreed as well as Mr. Alpert. Ms. Newman noted it could be advertised with the requirement of being on the ground floor of a multi-tenanted building, as long as it could be taken out after the public hearing. Mr. Jacobs stated he would not go along with that.

Upon a motion made by Mr. Alpert, and seconded by Ms. Grimes, it was by three of the five members present (Mr. Eisenhut and Ms. McKnight voted in the negative):

VOTED: to approve the NEBC Zoning Change By-Law for recommendation to Board of Selectmen as presented tonight.

Ms. Newman noted accessory structures. If the structure exceeds 15 feet in height it needs to be set back the distance that is required on the side or rear setback in that district. Ms. Grimes stated this is from the ZBA and Ms. Bailin, who asked that this change be made. Ms. McKnight stated it could be increased to 18 feet if the Board members want to. The Board could put the article through at 15 feet and increase it to 18 feet. She clarified the article could not have 18 feet and decrease it to 15 feet as it cannot be made more strict.

Mr. Jacobs asked how this is to be measured. Ms. Newman stated it would be measured off the finished average grade as always. The intention was to get rid of the story above. Ms. Grimes stated she has read the email from Building Inspector David Roche. The issue keeps coming up that accessory buildings 35 feet in height can be built 5 feet from the lot line. There is nothing in zoning that prevents habitable space above that. This limits to garage and storage units only.

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

VOTED: to refer this article to the Selectmen as written.

Ms. Newman noted the issue of professional service establishment uses in the Center Business District on the first floor. She wrote the proposed zoning to say that the use be allowed on the second floor only. She was concerned that the definition could include real estate office, so she specifically added that use as being allowed on the first floor. Ms. McKnight noted, in the Center, it is required to be allowed on the second floor only. She noted there could be a third or more floors and such uses should be only on a floor above the first floor. Mr. Alpert asked why not say professional services are not allowed on the ground floor. Ms. McKnight agreed. Mr. Jacobs stated

he is not in favor of this. A motion was made to refer this to the Selectmen with the changes. There was no second to the motion. Ms. Grimes stated she would like to think about this.

Ms. Newman stated the last one is to change the table so the Planning Board is the permit writing authority in the Center Business District. All agreed.

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

VOTED: to change the table so the Planning Board is the permit writing authority in the Center Business District.

Board of Appeals – February 9, 2016.

Leonid Sherman – 171 Brookside Road.

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

VOTED: “No comment.”

Lee Kentros – 720 Highland Avenue.

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

VOTED: “No comment.”

Ms. Grimes spoke about comments to the ZBA. She does not like when people on the ZBA agenda come to the Planning Board to present. She is not sure why they come before the Planning Board. It is fine to review and comment or not. She does not want a full presentation for something that is going to be in front of the ZBA. Mr. Alpert stated Attorney Roy Cramer told him he did it because he thinks the Planning Board wants to hear Dover Amendment cases. Mr. Eisenhut stated he does want to hear Dover Amendment cases.

Mr. Jacobs stated it happens rarely and he does not have a negative reaction. He is not sure they should be allowed to make a big presentation but at least the applicants are here to answer questions. If it is complicated or Dover Amendment he does not mind. Ms. Grimes stated she does mind. They are the Planning Board and not the ZBA. Mr. Alpert asked if the Board is asked for comment or do they want to comment. Ms. Newman stated the Planning Board is required to comment per the By-Laws.

Minutes

Ms. McKnight noted a typo on page 6, first paragraph of the 10/26/15 minutes. On the fourth line “is” should be “there.” In the third paragraph, third line, remove “has been that.”

Upon a motion made by Ms. Grimes, and seconded by Mr. Alpert, it was by the five members present unanimously:

VOTED: to adopt the minutes of 10/6/15 with the changes discussed.

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

VOTED: to approve the minutes of 10/27, 11/10 and 12/1.

Report from Planning Director and Board members.

Ms. McKnight mentioned the St. Mary Street Pumping Station correspondence. Ms. Newman included it so the Board would be aware of it.

Ms. Newman noted a Chairs meeting they had with the Selectmen, including chairs and vice-chairs of both Boards. They talked about the zoning articles they would be presenting. It seems to be some concern to the Selectmen about moving forward with housing right now. The Selectmen have asked the Planning Board for an update on the Large House Study Committee and talked about that. They talked about the necessity to do zoning and talked about maybe a specific meeting dedicated to zoning. They also talked about the Tree By-Law and who should spearhead it. Ms. Clee noted that the Conservation Department had a policy with regards to tree removal. It is not a By-Law but a policy. This needs to be coordinated with the Forestry Department. Ms. McKnight mentioned it would be helpful to establish a housing trust. Mr. Alpert stated he believes the Selectmen will not go forward with a Mixed Use Overlay.

Mr. Jacobs asked for an update on Rockwood and Normandy. Ms. Newman noted the Normandy appeal still goes on. It may need to be done as a diminimus change to the current special permit. Roy Cramer filed the application, the Board has discussed it and the Board will go through the process and determine whether to sign the diminimus change. That will be done at the 2/9/16 meeting.

Ms. Newman noted there were some complaints 2 weeks ago on Rockwood. The complaint was with trucks coming in 2 minutes after the end of the block out time. The police department went out and did not see a problem. The block out time will not be changed. She noted she is now the official point person for the project.

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

VOTED: to adjourn the meeting at 10:33 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker



Elizabeth Grimes, Vice-Chairman and Clerk