

NEEDHAM PLANNING BOARD MINUTES

March 28, 2017

7:15 p.m. Powers Hall, Needham Town Hall

All Boards meeting regarding Open Space and Recreation Plan Update.

8:15 p.m. Great Plain Room, Needham Town Hall

The regular meeting of the Planning Board, held in the Great Plain Room, Needham Town Hall, was called to order by Elizabeth Grimes, Chairman, on Tuesday, March 28, 2017, at 8:13 p.m. with Messrs. Jacobs, Owens and Alpert and Ms. McKnight, as well as Planning Director, Ms. Newman.

Minutes

Ms. Newman noted minutes had been submitted after the packets went out. Members gave their changes to the Assistant Planner.

Ms. Grimes commented on the Sunrise Terrace information in the packet. Ms. Newman noted this was already voted. The agreements have been prepared. The town is getting \$216,000 which will be held in escrow to secure performance and off-street drainage. There is also a lot release document. Board members signed the documents.

Correspondence

Ms. Grimes noted the following correspondence for the record: a draft letter from the League of Women Voters (LWV) to Town Meeting members regarding 2 separate warrant meetings. Ms. Newman stated she would be sending out the letter tomorrow to Town Meeting members on behalf of the LWV.

Report from Planning Director and Board members

Mr. Owens asked if the summer dates had been decided yet. Assistant Planner Alex Clee stated July is final with 7/11/17 and 7/25/17. After discussion, it was decided to set a meeting for 8/8/17.

Appointment:

8:30 p.m. – De Minimus Change: Amendment to Major Project Site Plan Special Permit No. 1997-7: Trader Joe's East, Inc. d/b/a Trader Joe's, 711 Atlantic Avenue, Floor 3, Boston, MA 02111, Petitioner (Property located at 922-958 Highland Avenue, Needham, MA).

Roy Cramer, representative for the applicant, noted there will be no construction. This change is for safety reasons. Currently trailer trucks come into the lot between 5:00 p.m. and 8:15 p.m. The trucks come down Highland Avenue, turn onto Mellon and into the parking lot. The trucks park in front of the store and unload. The maneuvering aisle is taken up in part by these trucks. Once the trucks are unloaded they go out West Street to Hunnewell Street.

Mr. Cramer noted the applicant has thought of an alternative. The trucks could come in the other way. There are 9 parking spaces along the back of the site. The applicant is suggesting marking those spaces no parking and using those spaces to park the truck and unload. Before 5:00 p.m. cones could be put in those spaces to block off the area. A crew would be wearing high visibility vests and a separate crew member will be a spotter. He noted Giles Ham, of Vanasse Associates, did a parking study. The busiest time is 3:00 p.m. when there are 113 spaces in the lot with 101 filled. And there are 10 spaces on Highland Avenue. At 5:00 p.m., 88 spaces were filled. Then it decreases quickly. There is adequate parking. The applicant feels this will improve safety and efficiency.

Mr. Cramer stated the police sent a letter with questions regarding turning onto Mellon Street. Mr. Ham sent a letter back with a diagram and explaining there is enough room to turn. The DPW and Engineering are both satisfied. Lt. Kraemer, of the Police Department, is now satisfied. Mr. Ham stated this is a better alternative and will make it safer. The trucks now come in Highland to Mellon, turn into the site, park in front and go out West Street. The lot becomes one way and spaces get blocked. It is a real safety concern when people are coming out of the store. It can be made safer. It is crowded but it fades as the afternoon goes along.

Mr. Ham stated trucks will come in Hunnewell Street, turn onto West and into the lot to park in the back. It takes about 45 minutes to unload. Sometimes there are 2 trailers but the times are coordinated. The truck will then go out Mellon Street to Highland. The applicant is all about making it safer. Mr. Alpert asked if the spaces could be restricted at 4:30 p.m. Mr. Cramer stated the applicant would be happy to do that. Mr. Ham noted the trucks usually do not arrive until 5:30 p.m., which is why the request for 5:00 p.m. Mr. Alpert stated he was comfortable with 5:00 p.m. if the trucks arrive at 5:30 p.m.

Mr. Jacobs asked what the delivery hours were in the permit. Ms. Newman noted 7:45 a.m. to 8:15 p.m. Mr. Cramer stated the applicant is not asking for a change in operation or delivery hours. Mr. Owens commented it sounds like an improvement. David DiCicco, of Mellon Street, agreed it would be an improvement. He feels it is a better unloading area. His concern is the trucks coming out to Mellon. If a car is parked on Mellon there may be an issue getting out. Mr. Cramer noted the police asked about that. Even with cars parking on both sides the trailer will be able to make the turn.

Mr. DiCicco noted there used to be a sign that says "right turn only" but that has been gone for years. Ms. McKnight noted the sign was a condition of the permit. Mr. Cramer stated he will look into it. He remembers seeing it there. Tim Rafferty, agent for Highland Montrose, stated he would check it out tomorrow. He stated the landlord is in support of this request.

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

VOTED: to determine the change to the Special Permit is de-minimus, for which a hearing was not required.

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

VOTED: to approve the change with the modification to the delivery unloading plan that was described to the Board tonight as part of the conditions of our approval that will be incorporated in our approval protocol for safely handling the transition from 9 parking spaces to the delivery area.

Update on Zoning Articles for Annual Town Meeting.

Ms. Newman noted the warrant articles were sent to the Board of Selectman today and will be finished tomorrow. A package to the League of Women Voters, with the letter the Planning Board prepared on behalf of the LWV, will go out tomorrow. The League meeting will be 4/13/17.

Ms. Grimes stated she had spoken with Selectman Matt Borrelli. She would like to have the support of the Board of Selectmen for all the Zoning Articles but is struggling to get that. After talking with Selectman Borrelli, Ms. Newman and Mr. Owens, she thought the Planning Board should pull the General Residence District (GR) out of it. She feels if it is pulled out the Selectmen will support it, or at least 3 or 4 of them, on all articles. She agreed with Selectman Borrelli that the Planning Board did not really spell it out to the public as much as they should have. General Residence lots are narrow in the first place so probably not a lot could be built on them. She feels the Planning Board did not really study them so she asked the Planning Director to remove it. That would require a vote of the full Planning Board.

Mr. Alpert stated he heard Selectman Borrelli's arguments this morning. He had a call with Mark Gluesing and Building Inspector David Roche. They made persuasive arguments as to why GR should stay in. He felt, at this

point, the article needed to get in to get the warrant published. He felt the Board could vote it at the next meeting, then go in with a motion to amend. This would give the Board time to discuss it.

Mr. Owens stated he agreed with Mr. Alpert. The Board was out of time but could not have a full meeting of the Board. He asked Building Inspector Roche and Mr. Gluesing if Selectman Borrelli had a substantive argument here and was assured he really did not. The other piece was if they felt the Planning Board had adequately vetted this to the public. They felt it had been vetted and discussed. He is not wild about amending The Planning Board's own motion but there is time to reconsider.

Ms. McKnight stated she is concerned if the Planning Board adequately addressed the proposed regulations to the General Residence District. She read the minutes and watched the tape of the meeting. She feels it was deficient in that it did not specifically say General Residence. However, a question was asked if proposed amendments applied to General Residence and it was clarified that they do. It was clearly stated that these proposed changes applied to the General Residence District. It would have been better if it had been part of the presentation but it was made clear.

Mr. Alpert noted that in speaking with Selectman Borrelli he did not deny this was discussed in January. Ms. Grimes noted Selectman Borrelli did bring this up in January. Mr. Alpert stated Selectman Borrelli felt it was not publically vetted until January 2017. He disagrees. There was plenty of time to discuss. Ms. Grimes stated the Large House Committee talked about houses and not different zones. She feels they should have been more clear on that. She looked at the examples Mr. Gluesing and Building Inspector Roche gave her and it should not impact much. It is difficult for her because she feels it should be in there but does not feel they did enough. She feels the Board needs to move forward and defend it.

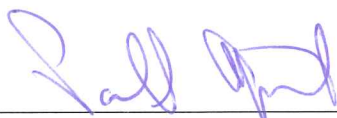
Mr. Gluesing stated that 3 months after the Large House Study Committee began in 2014 it was assumed that the changes discussed would apply in both General Residence and Single Residence B (SRB) Districts. The Committee did not talk about them separately any longer. All he looked at was the structure. It was just all one thing. It was talked about separately early on more often. He disagrees it only came up in January 2017. It was talked about for 2 years. He noted conforming lots are not the issue. There are only 40 non-conforming lots of the 11,000 lots in Needham. He is not sure why there is such an issue. He feels a special permit should be given and leave it at that.

Mr. Alpert stated other issues have come up with other people that the Board has turned away. If the Board changes this because one person, who is a Selectman, wants it, that may create issues and is not right. Ms. Grimes stated she wants to make sure there is a special permit process. Ms. Newman will clarify the special permit. She will get an opinion from Jon Schneider, an opinion from Building Inspector Roche and make sure waivers by special permit can be done.

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

VOTED: to adjourn the meeting at 9:30 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker



Paul Alpert, Vice-Chairman and Clerk