

NEEDHAM PLANNING BOARD MINUTES

October 4, 2018

The regular meeting of the Planning Board held in the Charles River Room, Public Services Administration Building, was called to order by Paul Alpert, Chairman, on Thursday, October 4, 2018, at 8:30 a.m. with Messrs. Owens and Jacobs and Mmes. Grimes and McKnight, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Discussion of Highway Commercial 1 Zoning Initiative.

Devra Bailin, Director of Economic Development, and staff to the Council of Economic Advisors (CEA), noted the CEA has been working on the Industrial Zone since 2012. Only a portion of Industrial 1 is being discussed now. The area between Highland, Ellis, Gould and the highway will remain the Industrial 1 area. This is essentially the area including Muzi Ford and Channel 5. This area is operating at below satisfactory with regard to its economic viability. The economic base needs to be increased. The thoughts are to increase heights along the highway to 5 or 6 stories or 70 feet with up to 84 feet by Special Permit. There will be the same rules as the other side of the highway in the Mixed Use 128 District. This location is not flat and dips down considerably to Route 128. Board members should look at Greendale's Modera project for an idea of the look.

Mr. Alpert asked if it can be written to allow 6 stories if down the hill but only 4 stories allowed if up the hill. Ms. Bailin noted it would be 4 stories would be allowed along the edges of Gould and Highland with a 50 foot setback from the lot lines required to go up to higher heights. Anything beyond 70 feet in height will be by Special Permit. This will create a 20 foot landscape buffer. Ms. McKnight asked if the 20 feet would be along Gould Street and Highland and was informed it would be. Ms. Bailin noted the CEA tried to embed protections for residents. The 20,000 square feet minimum lot size and 100 feet of frontage stays the same. Changes from existing zoning include: the front setback changes to 5 feet but not at the corner where "Buildings and structures abutting Highland Avenue and/or Gould Street shall be set back at least 20 feet from said streets"; the side setback goes from 20 feet to 10 feet; the rear setback has no change, remains at 10; heights would change; maximum lot coverage is going to 65% and FAR will be increased to allow for density with an FAR of 1.0 by right and 2.0 by Special Permit.

Ms. Bailin stated the Board may want to think about calling out what uses are allowed. In the document called "Highway Commercial Zoning Use and Other Changes" she prepared, she laid out what needs to be done to accomplish this. Mr. Alpert noted the practical problem is the Board does not know the legal geographic limit of Route 128. Ms. Bailin noted Engineering is now saying the limit is at Gould Street. Ms. McKnight noted the Route 128 layout is on file with the state and one solution would be to simply refer to it, rather than have a metes and bounds description. If the state changes the layout any land then outside the layout should be zoned the same way as the abutting land. Ms. Bailin commented the real issue is the Highland Avenue piece. The existing 50 foot setback has been replaced with very specific requirements regarding landscaping. Ms. Newman stated the Board can just clarify what is being allowed in this district.

Ms. Bailin stated she would like the Board to focus on the question of the size of retail allowed as of right. The CEA had looked at, by Special Permit, between 15,000 square feet and 45,000 square feet. The Board should put some Special Permit retail in there. She also modified allowances in uses to allow grocery stores up to 45,000 square feet. This allows for flexibility but it is up to the Planning Board. The CEA did not take a position. She feels this will create opportunity and flexibility. Mr. Alpert suggested she find out the size of Wegman's and Star Market in Chestnut Hill for a reference. Ms. Bailin believes Wegman's is about 70,000 square feet.

Ms. McKnight asked why there is no proposal to rezone this side of the highway to be the same as the Mixed Use 128 District. Ms. Bailin noted there are differences in terms of scaling. The differences need to be reflected because the proposed HC1 zone is across from the residential zone. She noted this would be called Highway Commercial 1 District but will still be listed under the category of Industrial uses.

Ms. Bailin noted that a developer proposing a project would have to conduct their own traffic study based on the proposal. Ms. McKnight stated that the level of service at some of the studied intersections are already bad and

asked if the improvements the state is about to undertake were taken into consideration in that area. Ms. Bailin noted the improvements were supposed to have been taken into consideration. The town is already at a place on Central Avenue and Gould that warrants a signal and possibly at the intersection of West Street and Central Avenue. People really want the signal at Gould and Central. Mr. Alpert asked where the town is in terms of getting signals. Ms. Bailin stated the reality is anyone doing construction at this site will probably end up, by means of required traffic mitigation, doing the Town's work.

Mr. Jacobs noted #5 in the handout. It says "Except as discussed below, the uses will be the same as in the existing Industrial 1 District." Ms. Bailin noted that may not be. She needs to check the chart to verify that. Mr. Jacobs asked if there was some place to look at that shows what the uses will be in Industrial 1. Ms. Bailin noted he could look at Table 3.2.1 in the Zoning Book but Ms. Newman suggested the information be presented in a different format.

Mr. Jacobs stated he would like to know exactly what the proposal is. It is not clear with what is meant by the phrase "except as noted below." Ms. Bailin noted the proposal was that all uses were left alone except the uses she put in the chart. Mr. Owens stated he would rather have each table set on its own so people do not have to cross reference. He would like a separate use table that sits alone saying Highway Commercial 1. Ms. Bailin stated all allowed partnerships of physicians go in as of right in the Mixed Use 128 District but all such medical uses do not include hospitals, clinics or larger medical groups. She has called out medical related uses.

Mr. Alpert stated he was concerned about having use regulations in the Zoning By-Laws to prevent competition for Beth Israel Deaconess Needham (BID Needham). Ms. Bailin noted these regulations were negotiated. The CEA did not want Needham Crossing to be flooded with medical offices and especially did not want to encourage not-for-profit medical uses. She agrees zoning should not reflect competitive issues, but BID Needham is considered an asset. She feels it could damage the downtown if the Route 128 area were opened up for other medical uses. Mr. Jacobs stated he would like to hear the CEA recommendations about whether all of the allowed-by-right uses in Industrial-1 should be continued. Ms. Bailin noted she will list uses as of right, uses by Special Permit and note old uses the Board may not want to include.

Ms. McKnight stated there is talk of changing the setback on Highland Avenue and Gould Street from 50 feet to 20 feet with landscaping. With regard to the 20 feet, how does that compare with setbacks in other business zones in town? Ms. Bailin stated that is significantly higher than what was done in Needham Crossing. The setbacks for Industrial 1 are really minimal and do not require landscaping. Ms. Newman clarified that Industrial 1 does now have a 50 foot setback and that was supposed to be landscaped.

Mr. Owens stated his concerns about uses in this area are all traffic related and he would not support a grocery store here. Mr. Alpert recommended looking at the size of Whole Foods in Wellesley. He feels this should be moving forward and, in the mean time, to see if they want to go forward to Town Meeting. Mr. Owens stated he does not want to do any more work on this unless the members want to go forward to Town Meeting. Mr. Jacobs noted people from that side of town seem to want the Board to leave it alone according to the Selectmen. He thought the Selectmen were reluctant to move this forward now. Ms. Newman stated it makes sense to have Ms. Bailin update the use tables in preparation. Mr. Alpert stated the Board needs to get a sense if other Town Boards are interested in going forward with this.

Creation of Transit Oriented Development District ("TODD") at 433 Chestnut Street

Mr. Alpert stated, in his opinion, they are talking about a large apartment building with a range of 125 to 148. Presently built, or opening soon in Needham, are 3 complexes. All have been built under G.L.C 40Bs. He would like to have a general discussion as to whether or not they want to have large apartment buildings with more than 100 units in town. He feels the Board needs to have this general discussion. He has no preference one way or another but the Board needs conceptual planning.

Ms. Grimes stated this site is very different. It is right near downtown and is a different area based on its location. She thinks this area is special and is a well placed location. Mr. Alpert agrees it is a good location but does the Board want 5 story complexes or something more like a townhouse. Mr. Owens agrees with Ms. Grimes it is a

unique site. Everything on Chestnut Street needs to be economically sustainable. He wants to focus on zoning and not the project. He thinks this is an appropriate site and appropriate density. The Board needs to decide if we are going forward. Do we want this zoning at this site?

Ms. McKnight stated the town needs housing that is organized in the form of condos rather than rental, and needs over 55 housing. The Board does need to address the general question of multi-family units. She does not think townhouses are the answer at all, but she has a concern with 5 stories. Residential and transit oriented with a walk to downtown is what Needham needs. Four story wood frame would be good. Mr. Jacobs stated he has no problem moving ahead. Condo versus rental is not something the Board can control. The Board needs to look for ways to spark change on Chestnut Street. The Board should keep in mind the potential impact on the schools. He wants the unit mix to be smaller units. Mr. Alpert stated he is looking to include other parcels in town. He feels the Board needs to make sure what they are doing coordinates with N2025. Mr. Owens agreed the whole package needs to be looked at. All issues should be kept moving forward.

Sandi Silk, of Jefferson Apartment Group, stated her understanding is Boston has never been successful in being able to dictate the form of ownership in a building. There are pros and cons in trying to manage the market. There are specific challenges with this site such as train abutments on all sides. It would make it more desirable for rentals. Also, negotiations with the MBTA may be a factor in rentals or owners. Mr. Jacobs asked about next steps. Mr. Owens noted the zoning should be advanced. Mr. Alpert commented they should decide as a Board and get in the weeds. A decision needs to be made as to how many stories should be allowed.

Mr. Owens feels the Board should move forward. A draft article should be put on an agenda; it should be gone through line by line, see what the Board would support and go forward. Ms. Silk stated the height is important and goes to density and there are also money aspects at play. The Town needs to monetize the site. There are 2 parcels. The Town would want to stay under 2.0 FAR. Six stories would be needed, if building is only to be on the 433 site, due to restrictions with parking under the building. She appreciates going above 4 stories is going above the zoning. The parcel is buffered and desirable. She sees the height of the building acting as a buffer for power lines. She also feels it is a gateway to the area. Modera on Greendale Avenue is very visible. This site will only be visible when people drive by.

Mr. Alpert stated the visuals Ms. Silk brought are very helpful. Ms. Silk stated for the deal to be financially feasible the project would need to get to 101 units and 125 units would be preferable. They would need to have 1 to 2 bedroom units around 1,000 square feet. There would need to be the right mix of demographics with 20 to 30% of tenants being young professionals and the rest downsizing households who do not want to lose the community feel. They do not want to restrict on the basis of age. Ms. McKnight stated she would like to think about the rail trail. Ms. Silk will look at that.

Report from Planning Director and Board members

Ms. Newman stated she would like to keep projects moving forward. She feels it would make sense to meet 2 weeks out and suggested 10/18. All agreed they will meet on 10/18 at 8:30 a.m.

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

VOTED: to adjourn the meeting at 10:00 a.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker


Martin Jacobs, Vice-Chairman and Clerk