

NEEDHAM PLANNING BOARD MINUTES

October 30, 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 Tuesday, October 30, 2018, at 7:05 p.m. with Messrs. Jacobs and Owens and Mmes. Grimes and McKnight, as well as Planning Director, Ms. Newman, Assistant Planner, Ms. Clee and Recording Secretary, Ms. Kalinowski.

Request to Reduce Surety: Aly Raisman Way (1242 South Street) Definitive Subdivision: Richard S. Raisman & Lynn H. Raisman, 1242 South Street, Needham, MA, Petitioner (current owner: 1242 South Street, LLC), (Property located at 1241 South Street, Needham, MA).

Mr. Alpert noted the following correspondence for the record: a letter from Assistant Town Engineer Thomas Ryder, dated 10/26/18, noting the town is still waiting for the As-Built plans. Ms. Newman stated there was a request from David Brickman, developer, requesting a release of funds.

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

VOTED: to not release the surety at this time.

Request for Extension of Temporary Occupancy Permit: Major Project Site Plan Special Permit No. 2016-03 Town of Needham, 500 Dedham Avenue, Needham, MA, Petitioner (Property located at Rosemary Street (adjacent to Rosemary Lake), Needham, MA).

Mr. Alpert noted this is a request for a temporary Occupancy Permit for the recreation building at Rosemary Lake. Two items are not complete. The landscape was seeded but did not take and the guard rails are not complete. The applicant is requesting the temporary Occupancy Permit be extended through May 2019. Ms. Grimes commented there are weeds everywhere. It is a mess. She requested the applicant ask someone to clean up the landscaping that is there. Ms. McKnight agreed.

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

VOTED: to grant an extension of the temporary Occupancy Permit through May 2019.

Request for Extension of Decision: Amendment to Major Project Site Plan Special Permit No. 2016-01: 57 Dedham Ave LLC, 471 Hunnewell Street, Needham, MA, Petitioner (Property located at 15 & 17 Oak Street, Needham, MA).

George Giunta Jr., representative for the applicant, noted the Board approved the demolition of 2 existing office buildings and to replace them with a single commercial building with underground parking. The permit is due to expire next month. One tenant has not been able to relocate yet. The demolition permit has been applied for. The applicant would like an extension for 2 years. Ms. McKnight asked the reason for the delay. Mr. Giunta Jr. stated one tenant could not relocate and stayed until the end of his lease. He is getting out now. The demolition will start in the vacant building next week. Mr. Alpert stated it expires tomorrow. The request needs to be within 30 days of the expiration.

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

VOTED: to grant the extension deadline to 11/8/2020.

Public Hearing:

7:10 p.m. – Amendment to Major Project Site Plan Review No. 2013-02: Town of Needham, 1471 Highland Avenue, Needham, MA, Petitioner (Property located at 1407 Central Avenue, Needham, MA). Please note: This hearing is continued from the October 16, 2018 meeting of the Planning Board.

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

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

Christopher Heep, representative for the Board of Selectmen, noted this is a storage area to be built at the Recycling Center. This will be sheltered storage for DPW vehicles. He reviewed the relief being requested. He noted the lot complies with all provisions of the By-Law, as does the proposed building. There are 75.9 total acres. The proposed building will be 17,790 square feet. The front setback is 129.4 feet and the side setback is 189.1 feet. The other buildings existing on site comply, with the exception of the 4.9 foot front setback on the existing guard shed. This is a pre-existing, non-conforming structure. He stated the guard shack could be moved if necessary.

Ms. McKnight asked if the applicant would like to keep the guard shack, and since it is a pre-existing, non-conforming structure, does their application address that relief? Mr. Heep stated it does not address that. He just wanted to flag any zoning non-conformities. For the parking setbacks, he noted there are 3 proposed spaces and reviewed the setbacks. Michael Richard, of Weston & Sampson, stated this is a result of the 2016 feasibility study. The study recommended the Town build an offsite storage facility. It will not be occupied. It will be accessed only when equipment and vehicles are swapped out. The site is surrounded by flood plains and capped landfill. This is a 12,600 square foot storage garage with an open 5,200 square foot canopy.

Mr. Richard stated there will be a paved yard area, secured driveway and 3 parking spaces. Access will be by the existing Recycling Transfer Station (RTS) driveway. The building will be a pre-engineered metal building. It will be neutral colors, 20 feet in height with 22 foot bays. The roof slopes from front to back. There will be no roof top equipment and no light poles. The closest corner is 189 feet away from the closest abutter and 129 feet from Central Avenue. He noted as much vegetation as possible will be maintained. There are 120 feet of natural vegetation on the front and 150 feet on the east side.

Mr. Richard stated there is a 2 to 1 tree replacement policy. There will be 38 trees removed and 76 new trees will be planted on the west slope. Some trees will be planted in front to shield Central Avenue. There will be an access gate. He reviewed the schedule. The permits will be in place by November, the contract awarded by the end of January and construction will start in early February. There will be 8 or 9 months of construction. Mr. Heep stated this is a passive use of the property. It will be unstaffed. There will probably only be a 2 month long window of use and there will be no public access. There will be no new curb cuts and no traffic increase. The Board of Selectmen had a public meeting on 9/17 and the Design Review Board (DRB) has approved.

Mr. Heep stated there are parking waivers being requested and a waiver for lighting. The town wants to light this building to a lesser degree. There will not be anyone there at night and the building will be as low impact as possible. A waiver was granted in a previous permit for the salt shed for bicycle parking. Ms. McKnight stated she is very pleased with the idea of no lighting. It is not necessary and the guard shack has nothing to do with this. Mr. Heep agreed. Mr. Jacobs stated this was a nice presentation. He clarified it will be only vehicles in the building. Mr. Richard noted it is mostly equipment. There may be up to 6 vehicles. Mr. Jacobs asked if there will be anything outside. Mr. Richard stated it is designed for all equipment to be inside. Mr. Jacobs stated he would like that as a condition.

Mr. Owens asked why at this location and only this location. He asked the applicant to talk about the site. Mr. Richard stated it is not recommended to build on a landfill. It is not a viable option with the flood plain and compost operations with wetlands around. Also there are the RTS operation, salt shed and materials processing area. That leaves only this one area. Mr. Owens stated it looks like the wetland comes right up to the site. He asked if trees are planted in the buffer and was informed they are. Mr. Owens asked why the building is oriented

the way it is. There is screening from the RTS. He asked why not turn it so it is closer to the RTS and not Central Avenue. Mr. Richard commented this has the least impact in terms of grading.

Mr. Owens noted the buffer between the driveway and Central Avenue. There are only a few trees there now. He asked why that happened and if there can be bushes planted there now. He noted the access is now off the driveway and asked if it could be pushed to the left. Mr. Richard stated it pushes down into the wetlands. Mr. Jacobs asked the width of the opening and was informed the drive aisle is 22 feet. Mr. Jacobs asked if it could be narrower. Mr. Richard stated the equipment will be moved in and out and they do not want to hamper that.

Mr. Alpert noted the following correspondence for the record: a letter, dated 9/5/18, from Peter Paul Coveau, Esq. regarding the title to the property; a letter, dated 9/14/18, from DPW Director Richard Merson with comments, a memo from Police Lt. John Kraemer, dated 10/1/18, noting no safety concerns; an email from Fire Chief Dennis Condon, dated 10/9/18, with recommendations for fire alarms; a letter from Assistant Town Engineer Thomas Ryder, dated 10/11/18, with comments and recommendations; a letter from Town Engineer Anthony Del Gaizo, dated 10/26/18, with no comments or objections; a Storm Water Report dated 10/22/18; a memo from Stephen Gentile, dated 10/30/18, regarding the guard shack and a memo from Weston and Sampson, dated 10/22/18, with responses to questions and a summary of changes.

Mr. Owens noted the concrete pad for antennae in back and asked if this deals with that pad at all. Mr. Heep noted not at this time. Mr. Richard stated the applicant wants to put a pad in now. The pad will have 3 piers coming up.

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

VOTED: to close the hearing.

Mr. Jacobs stated he wants a condition that all vehicles will be under the bays or in the building. Ms. McKnight stated there should be no exterior lighting. Mr. Owens noted there should be plantings in the strip between the driveway and Central Avenue. Ms. Newman will do that as a condition and she will require a planting plan.

7:45 p.m. – Major Project Site Plan Review No. 2018-07: Self Storage Group II, LLC, 129 South Street, Boston, MA 02111, Petitioner (Property located at 540 Hillside Avenue, Needham, MA). Please note: This hearing is continued from the September 25, 2018, October 2, 2018 and October 16, 2018 meetings of the Planning Board.

Ms. McKnight stated she had disclosed at the first meeting she was an immediate abutter. She feels she can objectively participate. She is also a member of the Board of Trustees of her Condo Association. This permit application was discussed at their annual meeting at the Board meeting yesterday. She still feels she can participate. She stated she will have some comments about the height. If the applicant does not want her to participate they should let her know. Roy Cramer, representative for the applicant, stated the applicant is ok with her participation.

Mr. Cramer gave a brief update. He noted the applicant had a meeting with the abutters and filed revised plans. The height has been reduced by 1.5 feet, the HVAC rooftop units have been moved to the front away from the tracks and the grade has been increased by adding 3.5 feet and plantings. There is a row of arborvitae along the entire back of the building. They went back to the DRB and received approval. Engineering has reviewed and had no comments. Mr. Lipson from Hillside Avenue met with David Kelly of Kelly Engineering Group. He continues to be opposed. He filed a response letter this afternoon.

Andrew Graves, of BL Companies, noted the height has been decreased and the mechanicals have been slid forward with screening. Ms. McKnight asked the heights of the units and was informed about 9 feet above the roof. She asked about the elevator unit and was informed it was 5 or 6 feet. David Williams, of SSG, noted this was a sloped site and the project is built into the hill. The back of the building to the tracks is about 24 feet. The first floor is underground and the second floor is at the elevation of the tracks. There are 28 feet from the tracks to

the top of the building. The 2nd floor has been dropped down by 1.5 feet. There is new proposed landscaping for more screening. There will be some arborvitae and mountain laurel.

Ms. McKnight asked if there could be a few more deciduous trees to fill in the blank spaces between trees. Mr. Williams noted the site is very tight. He would not be opposed but the trees would be fighting for survival with the Petrini's trees next door. Maybe there could be a red maple. The plan is to infill to the base of the existing trees to try to get some height. Mr. Cramer noted the building is set back 125 feet from the street. This is a benign use with a maximum of 2 employees. He feels this is a good compromise. The applicant has responded to the comments from Mr. Lipson and the abutters on the other side of the tracks approve. This is a good use.

Mr. Alpert noted the following correspondence for the record: a letter, dated 7/24/18, from Building Inspector David Roche with comments regarding parking; an email from Tara Gurge, of the Health Department, with no comments; an email, dated 8/20/18, from Fire Chief Dennis Condon with no comments; a letter, dated 9/17/18, from Assistant Town Engineer Thomas Ryder with comments; a memo from Police Lt. John Kraemer noting no safety concerns; a letter from Assistant Town Engineer Thomas Ryder, dated 9/25/18, with comments; a letter from Kelly Engineering Group, Inc., dated 9/27/18, summarizing plan changes; a letter from Hawke Design Inc, dated 9/28/18, with plantings; a letter from BL Companies, dated 10/9/18, with changes discussed regarding elevations and roof top units; a letter, dated 10/17/18, from Residents Impacted by proposed 540 Hillside Project – John and Beth Tallarico, Sarah and David Miller and Abigail Klein – noting, as abutters, they have a direct view and support the project; a memo dated 10/22/18 from Lawrence Lipson with concerns; a memo, dated 10/29/18, from Lawrence Lipson with additional concerns; a letter, dated 10/30/18, with a response from the applicant and a revised letter, dated 10/11/18, from Assistant Town Engineer Thomas Ryder with no objections.

Ms. Grimes stated she is opposed to this. She does not want Self Storage in Needham. She encourages the Board to plan for Needham and not approve all applications that come forward. Mr. Jacobs stated he is not opposed to this but he does have a concern. He asked how the Board could be ensured there would be no storage of flammables. The language change in the contract does not do it. He noted the applicant could add signage. He would like to propose a couple of requirements. He would like to require the applicant obtain insurance in an amount to be determined against a breach by any user. He would like to require police and fire be notified within hours of any breach. He wants to keep a tight lid on this.

Mr. Cramer stated he understands the concern. There is no problem with the police and fire being notified. The system will be tied into the police and fire. He stated he would need to speak with an insurance agent. He is not aware if such insurance is available. Mr. Jacobs commented he would feel safer if an insurance company monitored this. Mr. Cramer will look into it and verify if it is possible. Ms. McKnight noted there were a couple of things toward the front of the rooftop. Mr. Graves stated there is nothing visible on the roof from the street level.

Ms. Grimes left the meeting. Ms. McKnight asked about the front of the building rooftop units. Mr. Graves stated those units are the same as the ones in back. The ones in back have additional screening. Ms. McKnight commented she feels this is good for the neighborhood. There will be limited traffic and minimal impact. Hillside Street has limited on-street parking. Another use may be a real problem. She stated she is pleased to see an increase in landscaping. She asked if it was possible to add a few more deciduous trees on the property for upper story screening. For signage, she liked the fact the sign was not parallel to the street and more perpendicular.

Ms. McKnight stated the problem is the height. She thought the building was reduced by 1.5 feet per story and not 1.5 feet total. The reduction in height is minimal. The extra feet will block the sun until later in the day. Why is it not financially feasible as a 2 story building? Mr. Williams stated the project would lose 1/3 of the building and revenue. All the Self Storages are typically around the same size. Mr. Owens asked how tall the building is and was informed 38 feet. Mr. Owens stated a house would be 35 feet. Ms. McKnight asked why all 3 stories couldn't be reduced by 1.5 feet. Mr. Williams noted, typically, the first floor has a bigger height. There was the option to shrink the first floor to 11 feet. Ms. McKnight asked about digging deeper into the site. Mr. Graves noted the project is already digging deep and it has been stepped down to go with the hill.

Mr. Alpert stated he agrees with Mr. Owens. What could be built as of right could be something larger or an office building with parking issues. This is only 3 feet higher than a house. Mr. Jacobs asked if there were outlets in each unit. It was noted there are no outlets in the units but outlets in the hallways with covers for employees. The 10x10 units have lights in the ceiling. The lights are motion sensed.

David Miller, of 95 Dana Place, thanked David Kelly for coming out and addressing their concerns. There could be anything there. This is quiet and low traffic. Abigail Klein, of 96 Dana Place, asked if there would be 30 foot arborvitae all along the back and was informed there would be. She asked if there would be limits on construction hours. Mr. Williams stated the developer and general contractor would be available to contact. He noted 7:00 a.m. to 6:00 p.m. would be fine. Mr. Jacobs asked if there would be any blasting on site and was informed there would not be.

Mr. Lipson stated no one in this room would live near this. An office building would be professionals. This is a warehouse. He does not want it across from him. He stated he is a lone voice. He asked if the building is beautiful why is there a need to screen it? Mr. Alpert stated the Board likes to have landscaping to beautify. The Board is trying to address Mr. Lipson's concerns that he not see the building. Mr. Cramer stated the only reason for landscaping was to work with the neighbors and accommodate the abutters. Mr. Lipson stated the only person on his side was Ms. Grimes. Now he is left by himself. He stated this is Needham and not Somerville or Brighton. He does not want this. This facility will operate 16 hours a day, 7 days a week and there will be a lot of activity.

Mr. Alpert stated an office building is not 9:00 to 5:00. He is frequently at his office from 8:00 a.m. to 7:00 or 8:00 p.m. Storage is more sparse with traffic. He feels the traffic on Hillside Avenue will be less with this project rather than an office building. He feels Mr. Lipson will be pleasantly surprised with the lack of traffic. Mr. Williams stated he reached out to Extra Space in Dedham. They are open 6:00 a.m. to 10:00 p.m. and had between 5 and 8 people for 3 days last week during those hours. Mr. Lipson stated the front is much higher than the rear. The focus has been on pleasing people in the back. What about him in the front? The HVAC noisy units have been moved closer to him. Mr. Williams stated the units are new, are not squeaky and he will not hear them. Mr. Lipson asked what if they are squeaky? He feels the Board is biased against him. He stated he is a taxpayer.

Mr. Owens asked the Board close the hearing. He stated he does not appreciate Mr. Lipson's comments. Mr. Lipson commented the Board is trying to muzzle him. Ms. McKnight asked if there is signage on top of the building and was informed there was. She asked if the building needs it and if it is visible to the neighbors. Mr. Williams stated the applicant wants to identify as a business. The applicant uses a halo light sign sometimes. Ms. Newman stated the hearing could be held open for the limited purpose of insurance. Mr. Cramer stated he would prefer to close the hearing.

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

VOTED: to close the hearing and allow the Board to accept insurance information.

Update on Request to Reduce Surety: Rockwood Lane Definitive Subdivision: Wayside Realty Trust, Chris Kotsiopoulos, Owner and Trustee, 36 Rockwood Lane, Needham, MA, Petitioner (current owners: Hillcrest Development, Inc. and Elite Homebuilders, LLC), (Property located at 36 Rockwood Lane and 5 adjacent parcels, Needham, MA, Assessors Plan No. 17 as Parcels 22, 23 and 24 and Plan No. 20 as Parcels 57, 60 and 61).

Ms. Newman stated she is trying to get the final As-Built plan.

Board of Appeals – November 15, 2018.

Jason and Melissa Serlenga -- 21 Holland Terrace

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Ms. McKnight stated the detached garage is being torn down and this is a substantial addition. The applicants are adding a 2-story attached garage. Ms. Newman noted the side setback is 14 feet for new construction. This is only 12.7 feet. Mr. Jacobs stated both corners are less than 14 feet. Ms. Newman noted this does not conform on the side yard.

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

VOTED: to comment a new non-conformity can only be allowed by a variance.

Joseph White – 260 Washington Street

Ms. Newman stated this is an important case. The Planning Board allowed a special rule. The ANR plan has the house on Lot 1A and is preexisting, nonconforming. Mr. Alpert stated the Board changed the zoning last year. It is now nonconforming. Ms. Newman stated the applicant wants to alter Lot 1A in a way that is not allowed. They need to reduce the frontage of Lot 1A which is not allowed. If the Zoning Board of Appeals (ZBA) says yes, others can do the same. The Board created Section 1.4.8, which does not apply.

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

VOTED: to comment there is no special permit provision, Section 1.4.6 does not apply, and Section 7.5.3 applies to a variance but the applicant is not applying for a variance.

Minutes

The Board members handed in revisions.

Report from Planning Director and board members.

Ms. Newman noted the Police/Fire Logistic Plan is being revised. The applicant is taking the house down earlier and putting a construction trailer on site. She noted this could be approved as a diminimus change. She stated she spoke with Mr. Alpert on Friday. She issued a letter authorizing the High School addition to be occupied until the end of the month but this needs to be certified.

Ms. Newman stated the Housing Authority has finished the preliminary master plan. She would like to invite them to the 12/4 meeting. She will send a link to the plan to all Board members. Mr. Jacobs noted the use table for the Muzi site and stated he wants all to consider what should be allowed there. Mr. Owens agreed. He stated this is a unique parcel. Mr. Alpert added Channel 5, also.

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

VOTED: to adjourn the meeting at 10:05 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker



Martin Jacobs, Vice-Chairman and Clerk