NEEDHAM PLANNING BOARD MINUTES

March 5, 2019

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, March 5, 2019, at 7:10 p.m. with Messrs. Jacobs and Owens and Mmes. McKnight and Grimes, as well as Planning Director, Ms. Newman, Assistant Planner, Ms. Clee and Recording Secretary, Ms. Kalinowski.

Informal Discussion: Proposed Subdivision at 1473 and 1479 Great Plain Avenue.

George Giunta Jr., representative for the applicant, stated an ANR plan was done a long time ago to divide this into 3 lots. It was endorsed but has not been recorded yet. He wants to discuss the project. Two properties are combined then divided into 3 lots. All will have a house as there is a chunk of land in back for a house. It would make sense to have a different configuration to shift the middle house to the back. This will also save the historic house on Great Plain Avenue. The applicant needs to do a subdivision and can only do a 20 foot wide road. The road will only serve one house. A hammerhead will be done. He has met with the Historical Commission and the Commission sent a letter endorsing this.

Mr. Alpert noted the letter received 3/1/19 from the Needham Historical Commission with unanimous approval. Ms. Newman stated the layout width is a required 40 feet. The Planning Board has allowed a reduced width. Historically these are done as a subdivision plan. The applicant has shown it can be subdivided into 3 lots. Ms. Grimes asked if the clients would be amendable to putting a deed restriction that they will be plowing snow and the town is not responsible. She wants it explicit. Mr. Giunta Jr. stated it is a private way and will be the owner's responsibility. Mr. Jacobs asked who is going to own the road. Mr. Giunta Jr. stated it could be that the lot owners own the road or it could be divided to one or more lots. Mr. Jacobs noted only Lot 2 is using it. Mr. Giunta Jr. stated Lot 2 is using it right now but the historic house could use it. Mr. Jacobs noted Lot 2 should own the land within the road.

Mr. Alpert stated there could be a circular driveway. It is really a driveway for one house but Mr. Giunta Jr. stated it could be discussed. Ms. McKnight asked if it would be acceptable to have the entire burden of the fee on the owner of Lot 2. She asked if there would be a Homeowners Association. This has not been decided yet. Ms. McKnight is concerned with the turning radius at Great Plain Avenue. Why not take land from Lot 1 to widen the driveway? Mr. Giunta Jr. stated the road may be kicked over a little. Ms. McKnight noted the historic house needs a formal recorded historical restriction. She noted the Toran Restriction on Central Avenue as an example. Mr. Giunta Jr. anticipates some discussion on that.

Mr. Owens stated his informal feedback is that he is opposed to the whole concept. He is opposed to building houses in people's back yards. Ms. Grimes commented she would never vote to have a hammerhead turn again. She loves the concept but not the hammerhead. Mr. Giunta Jr. stated this is different in that it is basically for only one house and not multiple houses. Mr. Alpert stated if the Police and Fire Departments are comfortable with a 20 foot road it seems reasonable to him. Mr. Jacobs agreed.

Jeff Heller, Precinct F and the Historical Commission, stated he is not familiar with preservation restrictions and will have to research that. The Historical Commission was hoping the Planning Board would agree to this. This is part of the McIntosh Historic District. It is an important property and he feels it deserves a consensus. Here is an effort to get access to a large lot in an effort to preserve a historical house. The developer is going to great lengths.

Decision: Amendment to Major Project Site Plan Special Permit No. 2007-10: Beth Israel Deaconess Hospital-Needham, Inc., 148 Chestnut Street, Needham, MA, Petitioner (Property located at 148 Chestnut Street, Needham, MA 02492). (Temporary sterile compounding pharmacy addition).

Ms. Grimes stated she listened to the tape and can participate. Roy Cramer, representative for the applicant noted this is a temporary compounding pharmacy. Mr. Alpert stated there are some concerns regarding noise. The applicant had an environmental sound study done by Cavanaugh Tocci. Ms. Newman stated she is ok with Attorney Cramer's changes but there are 2 concerns with the plan modification section. A Lincoln Street consolidation plan would satisfy her. She noted in Section 3.3, it is important there be a maximum timeline. Mr. Alpert noted an email from Attorney Cramer stating one year would be acceptable. Mr. Cramer stated he does not feel it is wise to put a limit. He stated if the Board insists on a limit he suggests one year unless the Board determines that the delay is for good cause. Mr. Alpert commented he is ok with that language. Mr. Jacobs stated he is ok with the start of construction but why one year. Why not 8 months with a possible extension? Mr. Cramer noted the temporary pharmacy needs to be built, then the permanent one. One full year would not be under the gun. He stated it is a very complicated construction with local and state inspections. Mr. Jacobs stated he would go with 8 months with a possible extension. He does not see grounds for one year. Mr. Alpert suggested 9 months as a comfortable time frame but would not go longer than one year. Ms. McKnight suggested issuance of the building permit as the start date plus one year and they can come back. Mr. Jacobs added "determines the delay is for good cause."

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

VOTED: to approve the decision as modified in front of us with the red and blue marks and at the end of Section 3.3, the sentence that begins "The temporary compounding pharmacy…" add "within one year of the issuance of a building permit the Board, at the request of the applicant, determines that the delay is for good cause."

De Minumus Change: Major Project Site Plan Special Permit No. 92-1: JMDH Real Estate of Needham, LLC d/b/a Restaurant Depot, 15-24 132nd Street, College Point, NY 11356, Petitioner (Property located at 114 First Avenue, Needham, MA 02494).

Mr. Owens stated this is very deminimus and asked if the Board needs a presentation. Mr. Jacobs asked if this was already done and was informed by Attorney Roy Cramer that it was. This is just a clean-up.

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

VOTED: to approve as a deminimus change.

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 1242 South Street, Needham, MA).

Ms. Newman stated there is no final As-built drawing. She feels it is appropriate to deny the request. Mr. Owens stated it was hard to tell if the required landscaping has been done. Ms. Newman stated the Tree Warden went out earlier and is ok with it.

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

VOTED: to deny release of the surety.

Request to Reduce Surety: Cartwright Road Definitive Subdivision: Mary Stare Wilkinson and Bradley Wilkinson, 260 & 267 Cartwright Road, Needham, MA, Petitioner (Property located at 260 and 267 Cartwright Road, Needham, Norfolk County, MA, Assessors Plan No. 218 as Parcel 1).

Ms. Newman noted this was not ready. The turnaround has not been done. Engineering needs to go out and look.

Discussion of Zoning Articles for the May 2019 Annual Town Meeting.

Ms. Newman stated as to the Gould Street/Highland Avenue site, Natasha Espada is working on 3-D models, drawings and plans. It would be appropriate to bring the height down to 42-46 feet high and step to 70 feet or 84 feet to keep it in line with Wingate. She thought it would help to have models in 3-D.

Mr. Alpert discussed, on 433 Chestnut Street, lowering the height from 6 to 4 ½ stories. He would like to see 4 stories but would go to 4 ½ but not higher. All else is ok. This is specific to this property and it works. He stated he received one more email in opposition. Mr. Owens stated the Board is not an accomplice or tools or on the payroll of any developer which the email suggested.

Mr. Jacobs stated this makes sense because 433 Chestnut Street is a transit oriented site. He feels the presentation should emphasize Transit Oriented Development. Mr. Alpert stated he has reached out to representatives of the elderly community and asked opinions. He does not really have a feel if people will move there. Ms. Grimes stated, with regards to the email, Chestnut Street needs redevelopment and she feels this would spur it. This can only help the surrounding area. She previously felt the Police and Fire facilities should go there. Mr. Jacobs suggested letting Town Meeting decide. Ms. McKnight stated she has concerns with the view from Maple Street when there are bare trees. She asked if the view from Chestnut Street was of a 4 ½ story or 5 story building. Sandy Silk, of Jefferson Group, stated it was a 5 story building that looked like 4 ½ by design. Ms. McKnight feels no more than 4 ½ stories maximum for this site. The visuals need to be very clear.

Mr. Alpert stated he took his time looking at this area and parcel and drove to Maple Street. He has decided 4 ½ stories maximum. People probably are not going to be able to see it from Chestnut Street but he has a concern with Maple Street. Ms. McKnight noted the old railroad right of way is 119 feet wide. Mr. Owens stated he is in favor of 5 stories and 60 feet. He feels this will alleviate traffic because it is transit oriented. Traffic is all coming from Dover and not Needham. Ms. Newman stated the Board needs to be clear about the proposal that could come out of the zoning.

Mr. Alpert noted Mr. Leghorn's email. He stated the Board did not say it would look like Trip Advisors building. Someone asked how high is 6 stories and Ms. Grimes stated Trip Advisors was 6 stories. Ms. McKnight noted this should be restricted to 1 and 2 bedroom units. There could be an impact on schools and there are no unit-size restrictions now. There needs to be language with a number or percentage of 1 and 2 bedrooms. She asked if this is a transit oriented development why do you need 2 parking spaces per unit. She feels a minimum of 1 space per 1 bedroom unit and 2 spaces for a 2 bedroom unit are too much. This should be pared down to 1 space per unit and maybe some spaces for visitors.

Ms. Espada looked at the zoning proposal for the Highway Commercial 1 District. She showed the existing site and views. Wingate is 2 ½ stories in front. The new addition is 3 stories and roof and is about 40 feet in back. She described the site elevations. The minimum lot area and frontage remain the same. Height is limited to 54 feet with 84 feet with a special permit. The existing lots are 4.6 acres and 9.2 acres. There could be a 200,000 square foot building and a 400,000 square foot building respectively. Ms. Espada described different scenarios. She did not include roofs and penthouses. Ms. Bailin stated all brokers agree the building mass would be on 128. People are paying for a presence on 128. Ms. Espada stated she wants to create an urban environment and encourage people to walk. There could be 400,000 square feet at 42 feet and 70 feet in back. Mr. Alpert stated it looks like the buildings are right on top of you. He feels the setback should be 50 feet.

Ms. Grimes clarified they do not know what would be proposed here. Ms. Bailin stated there are all sorts of proposals for this site. Most feel the bulk of the building would be along 128. She does not want to push it way back from roadways. She wants people to know there is something there and make it inviting. Ms. Espada stated she wants to maximize the site. As a urban planner she came up with 42 feet because 54 feet seemed too much. A 20 foot setback seems reasonable there. Mark Gluesing noted he tried to create a street front with mixed uses. That FAR would leave a lot of open space since the site is so large. It makes sense to have something on the corner of Gould Street and Highland Avenue. He stated the Board should think about where they want to allow bulk if they want to allow bulk. Ms. Bailin stated they need to be mindful of what would be a mixed sort of environment.

Ms. McKnight stated with a wide road she feels it could be 3 stories plus one set back story at the intersection with a landscape 20 foot setback. The parking garages are shown in the rear which is good but there is nothing in the zoning that says garages have to be there. The Board should think about a 50 foot setback for parking garages. Ms. Newman noted the Board talked about 42 feet height limit, and 150 feet into the site can go to 70 feet. Ms. Espada ended the Highland Avenue setback at the jog. The Board should think about where to locate that. Mr. Alpert asked if they want to have a massive building set back only 5 feet off the exit ramp. Mr. Jacobs stated this discussion has been very helpful. He is not ready to present something to Town Meeting. There is a lot to think about. Mr. Alpert agreed.

Ms. Bailin stated this has been an ongoing process for 5 years. She heard from people about the height and such. The cost base will keep increasing. She feels the Board should move forward with this. There is an opportunity to potentially develop this site. Mr. Jacobs stated this proposal is not ready. Ms. McKnight noted the Board may want to bring a major project site plan review to this site. She does not want vehicles entering and exiting from this site on Highland Avenue. It is very dangerous. They need to convince the public the Board has heard them. She feels this could go to Town Meeting with a few changes. Ms. Grimes stated she wants to see it in a final format but would like to move forward with this. Ms. Newman noted the 42 foot height option would anchor the corner. Mr. Alpert agreed 42 feet would look nice there. Ms. McKnight stated the League of Women Voters is willing to have a public meeting focused on zoning. Mr. Owens noted there would need to be other meetings separate and before the warrant meeting to explain until there are no more questions. Ms. Espada feels this could be a good opportunity as it is close to transportation.

Board of Appeals – March 21, 2019

Erik and Shannon Bator – 10 Noyes Street

Upon a motion made by Ms. Grimes, and seconded by Mr. Jacobs, it was by the five members present unanimously:
VOTED: "No comment."

Correspondence

Mr. Alpert noted the By-Laws adopted at the 10/10/18 Special Town Meeting were approved by the Attorney General. Ms. Clee stated they are in effect now. Mr. Alpert noted a notice of a Westwood Public Hearing to construct a 20 foot wide road. Ms. McKnight stated this is the old Westwood Lodge Hospital. Mr. Alpert noted a notice of Westwood zoning amendments. There were also comments on Restaurant Depot from the Police, Fire, DPW and Engineering, all saying it was fine.

Report from Planning Director and Board members.

Ms. Newman stated she will prepare the Highland Commercial proposal.

Upon a motion made by Mr. Owens, and seconded by Ms. Grimes, it was by the five members present unanimously:
VOTED: to adjourn the meeting at 9:40 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Martin Jacobs, Vice-chairman and Clerk