NEEDHAM PLANNING BOARD MINUTES

December 18, 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, December 18, 2018, at 7:00 p.m. with Messrs. Jacobs and Owens and Ms. McKnight, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Zoning Articles for May 2019 Annual Town Meeting: Review and Vote to Transmit for Hearing.

Mr. Alpert noted the Zoning Articles have been drafted based on prior discussions. Copies were sent to the Selectmen who are meeting tonight. The Selectmen will vote to send the Articles back so the Planning Board can have public hearings next month. Ms. Newman clarified that three Articles are transmitted to the Selectmen to send back for public hearings in January. She noted Articles 4, 5 and 6 are Chestnut Street and the public hearing will be in February. The Selectmen will vote to send them back in January. There is no registered land plan for the map change Article regarding the triangular lot behind 433 Chestnut Street, so there is no legal description to give to the Selectmen now. She hopes to have it resolved in the next week or two.

Mr. Alpert noted the 3 Articles for January are Accessory Dwelling Units, Highway Commercial and the map change for Highway Commercial. Ms. Newman stated she has a call in to Town Counsel David Tobin to see if the Board can proceed in the interim with a non-survey plan so the timeline can be met. Mr. Owens asked if it was possible to vote on the Articles and save the map change. He would prefer to vote on the Articles tonight. Ms. Newman stated that was fine. Mr. Alpert stated the two map changes would be for the MBTA triangular property and the Hartney Greymont property.

Article 1 is the Highway Commercial Zoning District. This creates a new Highland Commercial 1 District. Mr. Alpert described the area, the schedule of permitted uses, special permit uses and dimensional requirements for the new district. Article 2 is the map change to formally define that area. Ms. McKnight stated she remembers at Town Meeting there was a concern regarding the setback of Highland and Gould Streets. The sentence in the 6th line says "this section does not allow the Planning Board to waive maximum height or setback provisions." It appears from this wording there are some waivers of the 20 foot setback requirement. The Board should have language to that effect. She feels it is a wording issue and that this is a change for clarity.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Owens, it was by the four members present unanimously:
VOTED: to send Article 1 as drafted at this time to the Selectmen.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Owens, it was by the four members present unanimously:
VOTED: to send Article 2 as drafted to the Board of Selectmen.

Mr. Alpert noted Article 3 is the Accessory Dwelling Units. Mr. Jacobs stated he will have some suggestions when it is referred back. Mr. Alpert will have suggestions also. Ms. McKnight stated she would have gone further than this does in allowing Accessory Dwelling Units but feel it is a necessary step.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Owens, it was by the four members present unanimously:
VOTED: to send Article 3 as drafted to the Selectmen.

Ms. Newman noted Article 4 is drafted with only 10% of housing units affordable. She feels it should be brought up to 12.5%. The Board agreed. Mr. Alpert noted the creation of Section 3.9.6.1. He stated a separate sheet is an alternative section. This is for the Board to consider at hearing.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Owens, it was by the four members present unanimously:
VOTED: to send Article 4 as drafted to the Selectmen for referral back.

Mr. Jacobs noted the cover letter should include Article 4. Ms. Newman will do another letter.

Appointment:

7:05 p.m. -- Robert Smart – proposed Zoning Amendment, Self Storage Facilities in the Mixed Use 128 Zoning District.

Robert Smart, representative for Blue Hawk Investments LLC, noted the company owns 77 Charles Street and 19 Wexford Street. He described the location. There are office buildings with parking underneath and the rest of nearby uses are mainly auto related. Staples, Olympia Marble and Petco are in that area. He is requesting the use table be amended to include self-storage facilities. He is proposing a definition and provided a copy of his proposed amendment. He would like the support of the Board. If not, he would like support for a Citizen's Petition. He noted the permitted and Special Permit uses. He stated it is very useful for businesses to have flexible storage and noted there is a significant demand for it. There is also a demand for residential storage. This is good revenue for the town. It is comparable to office but the impact is lower. He feels it is a benefit to the Town and the economics justify redevelopment.

Mr. Smart noted the Town rezoned several years ago but it did not take off here because the parcels are small and the owners do not want to sell. Back in 2006 the Planning Board turned down Curves saying the use was not allowed but then added Fitness as a use. He commented the Planning Board has supported adding uses in the past and he gave multiple examples. He stated he hopes to get the Board's support for the proposed zoning article. His clients have received signatures in support. He walked the Board through the zoning article.

Paul Ferreira, Managing Partner of Blue Hawk Investments, LLC, stated he looked into the Goody Clancy Plan and tried to think of what type of development could be done. He met with abutters. He noted Blue Hawk is active in a bunch of different uses. Blue Hawk comes into this with a broad exposure and felt strongly, with traffic congestion in the area, self-storage was a good use. He noted the challenge will be how to aggregate the lots. He thinks this is the right use for the property as there is less traffic and density. Blue Hawk has done a great deal of market research.

Mr. Alpert asked if Blue Hawk Investments is the owner of this real estate. Mr. Ferreira noted their role is to acquire sites that are either multi-family or self storage. They felt this was good real estate and feel this asset could use a redevelopment. The company tries to identify assets they can bring new life to, and feel this fits that bill. He feels this is the only use that could support a redevelopment on this acreage. Eric Vogel, of Blue Hawk Investments LLC, stated he joined Blue Hawk a year ago. He was here for the Hillside self-storage discussions and received a good education. He asked if the Board wants to hear anything. Mr. Jacobs stated he has questions on wording of the proposed zoning amendment.

Mr. Vogel explained their process of looking at properties and how they evaluate. What drove them with this was the Goody Clancy Plan. He has been an urban developer for 30 years and he feels this is a wonderful plan that did not go forward. There are a lot of pros to self-storage but he wanted to front it with retail. It is important to activate the streetscape and have the self-storage interior. He is going through a similar project in Watertown. Mr. Smart stated he is interested in comments on the draft article. Mr. Jacobs stated the proviso that said "provided vehicular traffic and pedestrian access to the storage units shall be inside the building" is gone from the November draft. Mr. Ferreira stated that was a portion of units only along the property line between the office building and the site. Mr. Smart noted this is a better version.

Mr. Ferreira stated all the parking is off the street. The driveway has been located in the area adjacent to the office building with the spaces located within the property. All other units are within the building. Ms.

McKnight stated the sketch is inconsistent with the perspective drawings. Mr. Ferreira noted he tried to suggest a design concept with these renderings. The proposed plan brought it to street level. He will update it once he gets better guidance. He noted this is just a typical building for the Board to see. Mr. Vogel noted it is a 3 story building with a 4th story set back. They were trying to show that in the renderings but should have updated the drawings.

Mr. Alpert stated the question in front of us is a zoning amendment. He feels the Board should focus on the amendment and not on what will be part of the Special Permit process. Mr. Ferreira stated he is rethinking this area and having it be a catalyst will be a benefit for the town. Mr. Jacobs stated he understood the proviso to be that cars would go inside. Mr. Ferreira stated that is not true. Cars would not go in. There is a strict prohibition to that in their lease. Mr. Jacobs stated he would also like the prohibition of storage of flammable liquids, gases and explosives in the zoning.

Ms. McKnight noted the parking standard and commented they did not have a parking standard for this use. Mr. Ferriera stated 1 space per 10,000 square feet and 1 space per employee. Ms. McKnight stated she drove around the site today. It is a mishmash of uses with no central theme. She commented the Board has a different vision for this area. Mr. Ferreira said that self-storage is a quiet use and retail is absolutely consistent with the Goody Clancy Plan. Ms. McKnight noted retail is difficult. There is a fairly large self storage area a couple of blocks away with significant retail. Mr. Vogel commented certain retail here would be vacant. There is not a community to support mixed use. Mr. Ferriera feels with the right retailer he thinks there would be plenty of business there.

Mr. Owens asked if Blue Hawk bought the property with the intent to do self storage. Mr. Ferriera stated he bought the property because it is good real estate. He knew there would be zoning hurdles but it is good real estate. Blue Hawk usually buys an asset with the intent to redevelop. Mr. Owens stated he would not support this. The Board just sent to the Selectmen 3 Articles with map changes. The Board worked on these well over a year and examined every possible angle. The Board would need a lot more comment and thought in order to support this. Mr. Ferriera stated he does not want to rush this. He wants people to be informed and he appreciates Mr. Owens comments.

Mr. Owens stated he is not sure self storage would be the best use. Mr. Ferriera stated they are investors there to redevelop assets. Adult Day Care does not work. Plan B is to own this asset for 15 to 20 years. He is looking at this long-term. No retail on the first floor hurts the vision. Mr. Alpert shared his thoughts. He is not amenable to making this a Planning Board Article. Ms. Grimes is not here tonight. She has made it clear she does not want self storage in Needham. He will not take part in a vote without Ms. Grimes being involved. This is a single use change. Except for Curves, the others were more general town wide zoning types of changes. He appreciates the presentation and that the applicant went through the Planning Board vision. He appreciates the applicant buying the property for the long-term. If they want to go forward for May it will have to be a Citizen's Petition. He may decide to support it after hearing more or he may not. He likes the idea of a retail mix.

Mr. Ferriera stated he has mountains of information. He is in front of Planning Boards all the time. He can get the Board any information that is needed. He wants to share the data. He really thinks this works in this area but appreciates there is always a different perspective. Ms. McKnight stated she agrees with her colleagues. She would not present this as a Planning Board article. She commented this was a very good and interesting presentation.

ANR Plan – Washington-Bancroft LLC and Joseph White, Petitioners (Property located at 0 (Lot 29B) Bancroft Street and 242 Washington Avenue, Needham, MA).

Ms. Newman noted this was a 3 lot subdivision plan retaining the internal parcel. It is now back to 2 lots. Both lots conform with required frontage on a way and lot width. This has been reviewed and is ok.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Owens, it was by the four members present unanimously:
VOTED: to endorse the plan as Approval Not Required.

Board of Appeals – December 20, 2018.

Poet King Restaurant Group LLC -- 1185 Highland Avenue.

Ms. McKnight noted operating 6:00 a.m. to 10:00 p.m. seems a little strange. Also, this property includes 2 buildings, then a separate smaller building with a separate parking area between the 2 buildings and it goes to the back of Sudbury Farms. This restaurant will require more parking than the previous restaurant. People will be doing a lot of parking on the street. The Vanasse parking study is from 2012 and did not take into account Dunkin Donuts or Get in Shape for Women. This is only focused on the building this use is in and not the entire property and all its uses. She feels the Board should comment to the Zoning Board of Appeals (ZBA) the Town should put a pedestrian crosswalk here. She asked if this can be a condition of any use here that the applicants pay the cost of any pedestrian safety.

Mr. Jacobs stated the Selectmen should know about this. The high school kids will use this if they serve breakfast. The kids stream across the street here. Ms. McKnight noted the applicant did not fully explain the reason for the 6:00 a.m. start. Also, the Board should send comments along to the ZBA asking about the cost of a traffic signal.

Gordon's Fine Wines of Needham -- 79 Wexford Street.

Ms. McKnight stated everyone is backing out onto the streets in that area. On the Wexford side the street line is hard to determine. The other side has no space to maneuver. Mr. Alpert stated there is so little traffic back there.

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

Correspondence

Mr. Alpert noted there is a By-Law approval by the Attorney General for the May 7, 2018 Annual Town Meeting with an 8/21/18 letter approving Articles 23 and 24. Ms. Clee noted these are part of the By-Law now. Mr. Alpert noted letters in support of the Hartney Greymont project and rezoning from the following: Jay Roche of 201 Bridle Trail Road; Scott G. C. Levingston of 3 Tolman Street and Andrew Mingle of 9 Southwood Lane.

Mr. Alpert noted a letter was sent to Representative Garlick, Senator Ross and Senator Rush under his signature, opposing Governor's "Housing Choices" Bill (House Bill No. 4290) regarding the proposed change to the state law to allow Articles to pass Town Meeting by majority vote instead of a two thirds vote. He had a conversation with Representative Garlick so she understood the Planning Boards thoughts on this. He noted the Wellesley Selectmen had a public hearing on 40R Smart Growth Development. Ms. Newman will get a copy of the By-Law language. A memo was sent to Building Inspector David Roche on the temporary Certificate of Occupancy of the High School and there is a copy of the agenda for the 12/19/18 meeting with the School Committee, Select Board and Planning Board.

Minutes

Ms. McKnight noted some changes for the 10/4/18 minutes.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the four members present unanimously:
VOTED: to accept the minutes of 10/4/18 with the changes discussed.

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

VOTED: to accept the minutes of 10/10/18.

Report from Planning Director and Board members.

The Board members discussed what to bring to the meeting on 12/19/18 with the Select Board and School Committee.

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 9:20 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Martin Jacobs

Martin Jacobs, Vice-Chairman and Clerk