

NEEDHAM PLANNING BOARD MINUTES

December 3, 2019

The regular meeting of the Planning Board held in the Charles River Room, Public Services Administration Building, was called to order by Martin Jacobs, Chairman, on Tuesday, December 3, 2019, at 7:00 p.m. with Messrs. Owens and Alpert and Ms. McKnight, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee. Ms. Grimes arrived at 7:05 p.m.

Minutes

Ms. McKnight noted on page 3 of the 10/2/19 minutes, paragraph 2 of the Great Plain Avenue discussion, 4th line, there should be an “s” after “Historic Commission.”

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

VOTED: to accept the minutes of the 10/2/19 Planning Board meeting with the one correction.

Ms. Grimes arrived at 7:05 p.m.

Decision: Sunrise Terrace (formerly 1001 and 1015 Central Avenue) Definitive Subdivision Amendment: Hillcrest Development, Inc., 78 Pheasant Landing Road, Needham, MA, Petitioner (original owner and Petitioner RRNIR LLC, 20 Beaufort Avenue, Needham, MA), Petitioner, (Property located at 1001 and 1015 Central Avenue, Needham, MA).

Mr. Jacobs noted this was a further amendment to the subdivision plan to get rid of the sidewalks in total. The hearing was closed at the last meeting. George Giunta Jr., representative for the applicant, has reviewed the decision and has no comments or objections. Ms. McKnight noted on the 2nd page, #2, “low lying” should be before “ground cover.” All agreed.

Upon a motion made by Mr. Owens, and seconded by Ms. Grimes, it was by three of the five members present (Mr. Alpert and Mr. Jacobs voted in the negative):

VOTED: to approve the decision with the recommended modification.

Upon a motion made by Ms. Grimes, and seconded by Mr. Owens, it was by three of the five members present (Mr. Alpert and Mr. Jacobs voted in the negative):

VOTED: to approve the draft decision as written.

Discussion regarding Pediatric Medical Facility Zoning Article – Children’s Hospital.

Mr. Jacobs noted there is draft language in the packet for the proposed amendment. Robert Smart, representative for the applicant, talked with the Planning Director and noted the applicant would like to go forward with a Citizen’s Petition rather than a Planning Board article. This will give him more time to prepare everything. Nothing has been finalized yet. He has a meeting with the Finance Committee on 12/18/19 and wants to get back the parking and traffic analysis.

Mr. Alpert stated he has issues with some of the wording. Both Hospital Pediatrics and Medical Pediatrics have the phrase “children and young adults.” He does not know what a “young adult” is. He wants an age put in so there is no question. He noted 105 CMR 130.700 says a young adult is to age 21. The Board may want to say that. He commented “Residing in communities...” is a lot of words. The Board agreed to end the sentence at young adults. He noted the language under Medical Facility, Pediatric is not tight enough. He feels there could be in-patient facilities with this language. He suggests taking out the word “primarily.” All agreed. Tim Sullivan, of Children’s Hospital, stated some diseases are best treated through adulthood. Those need to be accounted for. He reiterated there is no in-patient care at all.

Mr. Alpert noted in (viii) it should be made clear it is out-patient. In the 2nd (viii) it should be “such ancillary uses” and in 3.2.4.2, he would like to see this by Special Permit rather than by right. Ms. McKnight noted she has the same comments as Mr. Alpert. On the 7th line down, she would like “provided on outpatient basis” added after “health care services.” After “retail establishments” she would prefer “like gift shop or coffee shop” added. She agrees with Mr. Alpert that this should be by Special Permit and not by right. She noted the definition of pediatric hospital says not less than 3/4 of their patients are children or young adults. Tim Sullivan noted some patients are treated to and through adulthood.

Mr. Owens noted the required parking noted on page 4 of the Parking Demand Handout should say “Per the Proposed Zoning” in the title. Mr. Sullivan stated what the applicant is proposing is slightly higher than the current parking requirement. Mr. Jacobs asked how many spaces are needed for the first building and was informed 819. He asked if that is the amount that is available, outside of the garage that will not be built by then. Mr. Sullivan stated there are 452,000 square feet left on the site. There are 857 spaces to the east of the site, 2,785 left for the west side, 140 go to the hotel and about 950 to Trip Advisor. There are 130 more than the zoning requires. The applicant is not proposing any more spaces. There should be a 925 space garage built with the first building.

Mr. Jacobs asked where the “3/4 of patients are pediatric” number came from. Mr. Sullivan stated it was set high so Children’s Hospital could satisfy that number. Mr. Jacobs noted the “ambulatory and inpatient services” and asked why this is in there as there is no inpatient. Mr. Sullivan stated this needs to be defined for purposes of a pediatric medical facility. This needs to be affiliated with the hospital. Mr. Jacobs stated he agrees this should be by Special Permit.

Mr. Smart described the timeline. He hopes to meet with the Select Board, if possible, by the end of the year. He has a meeting with the Finance Committee set and is hoping to have a traffic report this month. He feels it then might make sense to come back to the Planning Board in January to show what they have.

Discussion of possible zoning articles for Spring Annual Town Meeting.

Mr. Jacobs stated there was a working group meeting for Highway Commercial 1. They tried to find out what the Finance Committee is looking for. He heard several issues – (1) some did not like the Zoning Article on the Fall Town Meeting, (2) the Finance Committee wants studies earlier than they received it, (3) possible substantive changes such as reducing the FAR or allowing some residential with the possibility of limiting the number of as of right uses and (4) a presentation change. The Board should explain the current allowed uses and there were complaints about the visuals not being satisfactory. The Select Board would like the rezoning to come back in the Spring.

Mr. Grimes stated the biggest take away is the Finance Committee has no understanding of what the Planning Board does during the planning process. She asked the Finance Committee what more they want and did not get an answer. Mr. Owens asked if the Planning Board wants to invite the Finance Committee to a joint meeting. He feels it would be helpful. He felt it was helpful with the Select Board. Mr. Alpert likes the idea. Ms. McKnight likes the idea but it is not the Finance Committee’s concern with how buildings fit in and zoning. She wants to make its role clear if there is a joint meeting. Mr. Alpert noted the Finance Committees authority is to advise Town Meeting and not just about finances. Mr. Owens agreed.

Mr. Jacobs stated if there was a joint meeting the Board would get an idea from the Finance Committee if it should be put forward. Ms. Grimes stated if the Planning Board wants to take it on again, then they should talk with the Finance Committee. Mr. Jacobs stated he has no problem advancing the article again but not in the same form. He feels it needs substantive changes. Ms. McKnight agrees but with different visuals that would make it clear. She feels the problem was the visuals.

Mr. Alpert stated he has a major concern with the movement in town that there should be no zoning articles in the Fall. He feels if this is not done now then it would be May of 2021. He does not want this parcel sitting there. He feels a vacant lot would be terrible as the gateway to Needham. Ms. Grimes noted the lot can be developed now. There could be warehouses under current zoning. Mr. Owens feels the Board should go forward and make

some adjustments in scale to make it different enough. Ms. Grimes would not bring it back. She does not feel bringing it down in scale would make a difference. Mr. Jacobs noted 4 of the 5 members are willing to go ahead with a scaled down version. He would want to know that the Select Board and Finance Committee are in support. Ms. Newman would like to get a hearing done in February. Mr. Owens suggested inviting the Finance Committee to the 1/7/20 meeting.

Mr. Jacobs noted 3 car garages and said Jon Schneider asked for a response on this issue a year ago. Ms. McKnight stated she wrote up some circumstances where a 3 car garage would be allowed as of right in October. Her concerns were 3 car garages facing the public way. On the side of the house or on corner lots are ok. The general question is if this should go forward to the Spring Town Meeting. Ms. McKnight and Ms. Newman would like to go forward and will work together on the language. Mr. Owens stated he has no problem with 3 car garages. He would not go forward with Customary Home Occupation, Review of Section 1.4.8 of the Zoning By-Law or Short Term Rentals without preparing the ground for a year. He does not feel the Board has prepared enough.

Mr. Alpert is ambivalent about having a 3 car garages article. He does not want to have a lot of Articles in front of Town Meeting. This was brought by the Zoning Board of Appeal but then they seemed to have dropped it. There will already be Children's Hospital and maybe Highway Commercial 1. Mr. Jacobs asked about the Review of Section 1.4.8 of the By-Law. Ms. Newman suggested clarification of the By-Law. A discussion ensued.

Ms. Newman stated Town Counsel should put a formal opinion in writing for 260 Washington Street. She noted Town Counsel would not let the Planning Board use Special Counsel for a 2nd opinion and has gone on record with the landowner on Wellesley Avenue that the Planning Board is wrong. She stated Town Counsel Tobin's interpretation was not what was intended by the By-Law. Ms. Newman will ask Building Inspector David Roche how urgent 3 car garages is. After discussion it was decided if the Zoning Board of Appeals feels it is important it would go forward.

Correspondence

Mr. Jacobs noted an email from George Giunta Jr., dated 11/25/19, regarding Hunting Road. Ms. Newman stated this is on the next agenda. Mr. Jacobs noted google earth pictures in the packet. This is an ANR off Chestnut Street. Ms. Newman stated there will be a solution. The owner will come in with a subdivision road and will do a residential compound. The parcel will get developed at less density and the open space remains at the end. The property owner still wants approval for an ANR. Ms. Newman wanted to inform the Board what is happening. The owner needs another ANR and would not have frontage on Chestnut Street.

Ms. Grimes commented the Fire Department can get in off Chestnut Street if needed. Mr. Alpert feels an ANR can be done but he does not necessarily want to go against the Fire Chief. Ms. Newman told the owner he needed subdivision approval but he still wants to come in and talk to the Board. Ms. McKnight feels changes should be made through subdivision approval and not ANR. The Board could waive most requirements but she feels it should proceed this way.

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

VOTED: to adjourn the meeting at 8:50 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker



Jeanne S. McKnight, Vice-Chairman and Clerk