NEEDHAM PLANNING BOARD MINUTES

October 20, 2020

The Needham Planning Board Virtual Meeting using Zoom was remotely called to order by Jeanne McKnight, Chairman, on Tuesday, October 20, 2020, at 7:15 p.m. with Messrs. Jacobs, Alpert, Owens and Block, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Ms. McKnight took a roll call attendance of people expected to be on the agenda. She noted this is an open meeting that is being held remotely because of Governor Baker's executive order on March 12, 2020 due to the COVID Virus. All attendees are present by video conference. She reviewed the rules of conduct for Zoom meetings. She noted this meeting has no public hearings so there will be no public comments. If any votes are taken at the meeting the vote will be conducted by roll call.

Upon a motion made by Mr. Alpert, and seconded by Mr. Jacobs, it was by a roll call vote of the five members present unanimously:
VOTED: to automatically continue the meeting to 11/4/20 at 7:15 p.m. with the same zoom ID number if any technical difficulties arise that keep the Planning Board from continuing this meeting tonight.

Request to Extend Temporary Occupancy Permit: Amendment to Major Project Site Plan Review No. 2013-02: Town of Needham, 1471 Highland Avenue, Needham, Massachusetts, Petitioner (Property located at 1407 Central Avenue, Needham, Massachusetts).

Ms. Newman noted the subject property is the Jack Cogswell Building. She has a request from Stephen Gentile, Project Manager, noting a previous extension and requesting a second extension of the temporary Certificate of Occupancy. Covid 19 has disrupted the work schedule, and the applicants are requesting an extension for another 60 days until 1/13/2021. The lot consolidation plan with land court approvals has been delayed due to many delays in the courts.

Upon a motion made by Mr. Owens, and seconded by Mr. Block, it was by a roll call vote of the five members present unanimously:
VOTED: to approve the requested extension to 1/13/21 in light of the circumstances.

Vote to request project review fee pursuant to Chapter 44, Section 53G of the General Laws: Major Project Site Plan Special Permit No. 2012-07: The Children's Hospital Corporation c/o Boston Children's Hospital, 300 Longwood Avenue, Boston, Massachusetts, Petitioner (Property located at 66 B Street, 360 First Avenue, 410 First Avenue and 37 A Street, Needham, Massachusetts).

Ms. Newman noted she has read the scope of work in the proposal from Beta Engineering to conduct peer review. The applicant has calculated a parking requirement, and she has received the trip generation data for this use. The peer review will be done by Beta. Children's Hospital was not ready to do a traffic study at the time of rezoning; it will be done now. The Special Permit application was filed last week and will have a peer review as part of the special permit process. Mr. Block asked what the industry standards are here and if the applicant will reimburse the town for the expense. Ms. Newman noted the applicant will provide the money before the peer review begins. Mr. Block asked what is included in Beta's overhead costs. What is the industry standard? Ms. Newman will get that information for him.

Ms. McKnight noted on the 2nd page of the proposal, task 4, future conditions and traffic operations analysis, she wants to make sure there are 2 things that happen. The proposed Highland Avenue/Needham Street state highway renovation project timeframe should be taken into account and the Northland Needham development project, a 2 acre development, should also be taken into consideration. She feels any analysis should include these 2 projects. Ms. Newman stated the Planning Board consultant will be looking at what the applicant's consultant has come up with and will make sure those projects have been included. Mr. Block noted Beta will charge 36 hours for 4 meetings. Ms. Newman clarified it was up to 36 hours.

Mr. Alpert noted in the subdivision regulations and procedural rules, Section 9, this is money funded by the applicant, put in a specific fund held by the Town, and Beta will charge based on the amount of services performed. If it is not all incurred all expense balances will be refunded to the applicant. The Board has the authority to go back to the applicant if more money is needed. The Town is not paying for this. He noted he was on the Board when someone he believes was developing Rockwood Lane challenged the fees. The applicant has the right and ability to complain. Rockwood was brought before the Board and the Town Manager. If the fees get too high the applicant has the right to bring it back to the Board. Ms. McKnight stated $21,175 is the total cost being asked to request for a Peer Review Transportation and Access Study.

Upon a motion made by Mr. Alpert, and seconded by Mr. Owens, it was by a roll call vote of the five members present unanimously:

VOTED: to direct our Planning Director to enter into an agreement for the hire of Beta as the Planning Board consultant to review the traffic study that has been presented by the applicant for Children's Hospital and assess the fee of $21,175 to be held and expended pursuant to Section 9 of our subdivision and procedures rules and MGL Chapter 44, Section 53G.

Determination of Use Category Assignment under zoning: Massage therapy service in the Center Business District.

Ms. Newman noted the Building Inspector wants to make sure massage therapy service is an allowed use. Building Inspector David Roche noted there will be one office, 200 square feet and one employee. He suggested 2 parking spaces, which the property owner has to dedicate to this space. The Building Inspector was going to classify this as professional services. Mr. Alpert made a general comment regarding the Zoning By-Law. There is a catchall use provision - all services not enumerated elsewhere. It bothers him this is a use as of right and not a special permit. The use catchall creates a use as of right. He would like to see this changed to a special permit use. Mr. Owens said this is now an allowed use. Ms. McKnight agreed.

Minutes

Ms. McKnight will drop off at the Planning Board office a set of minutes she has marked up.

Correspondence

There was no correspondence.

Report from Planning Director and Board members.

Mr. Block asked if there is an update on the traffic study for the proposed Highway Commercial 1 zoning study area. Ms. Newman stated she met with Greenman-Pederson, Inc. (GPI) today to revise 2 components of the study. She will have the revised copy next week and will get it out to the working group. She is scheduling with the Town Manager for the working group to meet during the next week or two. She wants to have the meetings taped so the other members of the Board can hear GPIs presentation. Her impression is the news is good. GPI is showing that a 1.35 FAR with commercial and office with an ancillary retail use is able to be done at Gould and Highland. It also shows a reduction in trips making a right onto Gould Street now that the Add-a-Lane project is completed. Mr. Block asked if someone could say the results are skewed due to Covid impact on commuting. Ms. Newman stated the data was gathered prior to Covid. She feels the results are positive.

Mr. Block asked about the timing in being able to present HC-1 rezoning at the April Town Meeting. Ms. Newman will set up a meeting and work with Studio Enee architect Natasha Espada. They need to figure out the appropriate density and land use profile then the zoning can be drafted. Ms. McKnight asked who the working group is. Ms. Newman noted 2 members of the Planning Board, 2 members of the Select Board, 2 members of the Finance Committee, the Town Manager and herself. She will share the adjustments in the traffic study.

Mr. Jacobs noted at the Pollard School near the entrance/exit on Dedham Avenue there is a gate that is supposed to be down at all times except when the buses enter or exit. It has apparently been damaged and has not been closed in possibly 2 years. He feels this is a blatant disregard of the special permit conditions. He asked if the Board members want to press to get that gate fixed. Mr. Owens asked if the Board has spoken with the School Department and they ignored it or are they not paying attention. Mr. Jacobs stated he had asked the Planning Director at some point to speak with them about getting it fixed but that was over a year ago. Ms. Newman stated she had reached out to the School Department at that point and thought it was taken care of.

Mr. Owens suggested Ms. Newman reach out to them again and ask what the plan is. If they continue to ignore the request the Board should take action. The Building Inspector could do that as the enforcement officer. Ms. Newman will reach out to the Superintendent of Schools and report back at the next meeting.

Mr. Alpert gave a report of the Chair/Vice-Chair meeting with the Select Board last week on the Tree By-Law. It was made clear Tree Warden Ed Olsen and the Select Board are not in favor of pursuing a Tree By-Law. They feel it would create a large amount of work and there is not the staff for it at this time. There was talk about being more proactive with creating a tree fund. Developers would be assessed a fee for the Town to plant trees around town. They feel it would be too onerous to enforce but they will continue to discuss it. Mr. Olsen has offered to have his counterpart from Lexington come to a meeting to discuss Lexington's Tree By-Law.

Ms. Newman stated she is preparing the budget for the Planning and Community Development Department. This includes a request for a Warrant Article for money for planning studies. In 2015 there was an allocation of $45,000 which has been depleted. There was an appropriation at Special Town Meeting in the Spring for $45,000 which is being used for the GPI Study. The regular funds have been depleted. She is putting in a request for $60,000 as part of the budget proposal and a request for $50,000 for funding a small repair grant program. Ms. McKnight noted it sounded reasonable.

Ms. Newman noted Selectman Dan Matthews has drafted an update to 40B guidelines. She requested all members take a look at that. The Planning Boards role is to make a recommendation. Mr. Block noted the Board should have a conversation regarding where they can identify high density development as a goal for redevelopment. Ms. McKnight stated the report does identify several sites in town. Ms. Newman had emailed the proposed guidelines update to all members and will forward again. She will attach the old guidelines and the new.

Upon a motion made by Mr. Block, and seconded by Mr. Alpert, it was by a roll call vote of the five members present unanimously:
VOTED: to adjourn the meeting at 8:20 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

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Paul Alpert, Vice-Chairman and Clerk