NEEDHAM PLANNING BOARD MINUTES

January 4, 2021

The Needham Planning Board Virtual Meeting using Zoom was remotely called to order by Jeanne McKnight, Chairman, on Monday, January 4, 2021, 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 does include public hearings and will allow for public comment. If any votes are taken at the meeting the vote will be conducted by roll call.

Public Hearing:

7:15 p.m. – Amendment to Major Project Site Plan Special Permit No. 2012-07: The Children's Hospital Corporation c/o Boston Children's Hospital, 300 Longwood Avenue, Boston, MA, Petitioner (Property located at 66 B Street, 360 First Avenue, 410 First Avenue and 37 A Street, Needham, MA). Regarding request of building out development for Children's Hospital (see legal notice for more info). ***Please note: this hearing is a continuation from November 17, 2020 and December 15, 2020 meetings of the Planning Board.***

Ms. McKnight noted the following correspondence for the record: a letter from Gerald Topping, Sr. Project Manager, to Town Engineer Anthony DelGaizo, dated 12/16/20, proposing additional Inflow and Infiltration of wastewater (I&I) mitigation; a 12/21/20 response from Town Engineer DelGaizo with a response from Planning Director Lee Newman; a 12/29/20 letter from Timothy Sullivan, Attorney for Children's Hospital, stating the hospital proposes to comply with the removal of I&I with a payment of $132,000. She noted this is what the Board was waiting for. All members are satisfied.

Ms. McKnight asked if what was proposed was an addition to Garage B. Mr. Sullivan stated an addition to Garage B will be completed. When Garage A goes forward an elevator lobby will be added, which changes the façade a bit.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Alpert, it was by a roll call vote of the five members present unanimously:
VOTED: to close the hearing.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Alpert, it was by a roll call vote of the five members present unanimously:
VOTED: to automatically continue the meeting to 1/4/21 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.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Block, it was by a roll call vote of the five members present unanimously:
VOTED: to authorize the Vice-Chairman to continue the meeting if the Chairman has technical difficulties.

Ms. Newman asked if Mr. Owens had been able to listen to the tape of the last meeting and was informed he had listened to it.

Upon a motion made by Mr. Alpert, and seconded by Mr. Block, it was by a roll call vote of the five members present unanimously:
VOTED: to grant the requested amendment to a Special Permit and Major Project Site Plan Review under Section 7.4 of this By-Law; to approve the Plan as described in this Amendment; to approve the

detailed plans of Building 1, together with associated landscaping and other site improvements as shown on the Plan; and to approve the Interim Conditions Site Plan of the Project as shown on the phasing plan described as Sheet 21 of Exhibit 5 of this Amendment; the requested Special Permit under Section 3.2.4.2 (j) and Article II of the Board Rules for a Pediatric Medical Facility Use in the New England Business Center District; the requested Special Permit pursuant to Section 4.8.3 to waive the requirements of Section 4.8.1 (6) to permit the façade of Garage A to exceed 300 feet of uninterrupted façade length by increasing the length of the uninterrupted facade from 315 feet to 337 feet; the requested Amendment to replace the previously governing plan (Exhibit 6 of the January 6, 2015 Decision) with the Plan attached hereto as Exhibit 5; the requested Amendment to reallocate 34,491 square feet from Building 4 to Building 1; the requested Amendment to Section 3.9 of the Existing Special Permit to reflect the change in proposed use and subsequent changes to buildout plans and parking; the requested Amendment to Section 3.11 of the Existing Special Permit to reflect the change in use from office to Pediatric Medical Facility in Building 1: the requested Amendment to Section 3.38 of the Existing Special Permit to reflect the change in proposed use and current design of Building 1; the requested Amendment to Section 4.6 of the Existing Special Permit to extend the date for commencement of construction of the Project and subsequent construction of later phases from November 13, 2022 to December 31, 2029; the requested Amendment to the Existing Special Permit to extend relief previously generated to allow for uninterrupted façade length in excess of 300 feet to apply to the 337 feet proposed for Garage A; the requested clarification noting that the Existing Special Permit is separate and distinct from the special permit previously granted for Center 128 East, and in granting the relief requested that the Board expressly finds that the amendment of Existing Special Permit shall not be construed as an amendment or modification to the special permit granted previously for Center 128 East; and the request that in the unlikely event the Plan is approved by the Board, but the Petitioner's purchase of the remaining development rights for the Proposed Development does not occur on or before March 31, 2021; that the Existing Special Permit shall, upon the written election of the Property Owner delivered to the Board no later than July 1, 2021, remain in full force and effect without modification, with the following exceptions: 1) the termination date of the Existing Special Permit shall become December 31, 2029, unless further extensions are granted and 2) the requested special permit to grant the uninterrupted façade length of Garage A from 315 feet to 337 feet shall continue to be in force and effect.

Ms. Newman noted several typos, which include on page 2, at the top, it should be 1/4/2021; there should be a ":" after the first paragraph after the findings on page 4; on page 8, in 1.16, last sentence, the word "which" should be inserted: on page 15, Section 3.9, the extra "of" should be deleted; on page 16, under Design Guidelines, Section 3.10, paragraph 3, should say "prior concept plan" for Building 1. It should note the prior concept plan that was approved for Building 1 shall serve as a general template for Buildings 2 and 4, which is about 35% opaque, 60 to 70% precast concrete with the remainder metal, wood, glass fiber and such to be used as part of wall or wall systems. Synthetic stucco EIS is prohibited. These are the principles that were agreed to.

Mr. Alpert stated he is satisfied the comments have been addressed. Mr. Jacobs noted in Section 1.19, 2nd sentence, it seems the sentence ends awkwardly. He suggested it should be "would continue to be so connected." Ms. McKnight stated the lighting in Garage B was very bright. She complained and then the lighting was changed so it was not as bright and glaring. She wants something regarding the lighting that it would not be any brighter than the current lighting in Garage B. She does not want that to be an issue again. Mr. Alpert stated a requirement was already in the Special Permit and this decision is modifying that Special Permit. Mr. Sullivan noted the applicant intends to light it the same way as now. He will work with Ms. Newman to incorporate the language.

Mr. Alpert noted on page 18, Section 4.1 (b) the original language has since been changed from "the Petitioner shall report to the Board" to "the Petitioner shall, in response to a written request from the Board." This is shifting the burden of initiating a report onto the Planning Staff. This should stay the obligation of the hospital. He asked if the hospital was ok with 2 years. He would consider lengthening that period if 2 years is too short. Mr. Sullivan commented the hospital would like the time frame to be larger. It could be 2 years following the permanent issuance of the Certificate of Occupancy. Mr. Alpert is ok with that change.

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 approve the decision with the red line changes proposed by the Petitioner and further changes discussed at this meeting.

Lisa Hogerty, Sr. Vice President for Real Estate, thanked the Board for all the guidance. The Board is a professional Board supported by professional staff. They look forward to coming to Needham.

7:30 p.m. – Major Project Site Plan Special Permit No. 2020-03: Hunnewell Street, LLC, 393 South Main Street, Cohasset, MA 02025, Petitioner (Property located at 400 Hunnewell Street, Needham, MA). Regarding request to build new residential building with 8 units (see legal notice for more info). *Please note: this hearing is a continuation from the December 15, 2020 meeting of the Planning Board.*

Ms. McKnight noted revised plans were submitted late. She has not seen them yet. The Board has not had a chance to review them. Ms. Newman is in agreement to continue the hearing to 1/19/21 at 8:15 p.m.

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 continue the hearing to 1/19/21 at 8:15 p.m.

Inga Puzikov, Trustee of an abutter, wants to understand the project better. She would like to speak with a Planning Board member to understand. Ms. McKnight suggested she contact George Giunta Jr., representative for the applicant. Ms. Puzikov stated she spoke with Mr. Giunta Jr. and he dismissed her. Ms. Newman stated she would be happy to speak with her. Mr. Alpert suggested Ms. Puzikov send Ms. Newman an email and copy Ms. Clee. If Ms. Puzikov has comments they can be forwarded to the Board members.

De Minimus Change: 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, MA). (Proposal for staff to report to building during Covid 19 state of emergency).

Town Counsel Christopher Heep noted this is a minor modification of the Jack Cogswell Seasonal Storage Facility on Central Avenue. The building has been completed and is in active use. The building was not to be staffed and is mainly storage for seasonal equipment out of use. It is a special permit condition that it is not to be staffed. Due to Covid 19, the DPW has the need to space out the employees beyond headquarters. This building has been identified as a place staff could report to work and work from on a temporary basis for the duration of the emergency only. Sixteen employees are to report and work from here when the weather is inclement. Most employees work outside during the workday. He noted the request is temporary. The applicant is requesting it expire after the lifting of the state of emergency and the condition will fall back to the original special permit.

Mr. Block stated he supports the effort. He asked, if the building was constructed without the intent to house employees, are any modifications needed such as heating, refrigeration, and meeting rooms. Mr. Heep stated there is enough interior space to accommodate the employees. Carys Lustig, Interim Director of Public Works, stated it was largely maintenance work. The heat is sufficient and there is no need to air-condition the space. Mr. Heep stated the facility will comply with all codes. Mr. Jacobs asked if there will be 16 cars parked there throughout the day and was informed there would be. He asked how many cars were parked there now. Mr. Heep stated there are 3 spaces permitted there. There is a large area that can accommodate a number of cars. Cars can also park across the street at the athletic field.

Mr. Jacobs stated there is a condition that all vehicles would be parked inside. Mr. Heep does not recall anything regarding personal vehicles. That may refer to public vehicles. Mr. Jacobs asked if the site can accommodate 16 cars. Ms. Lustig believes it can. Ms. McKnight noted the decision says Claxton Field will be used if more than 3 cars. Mr. Jacobs is all for it but sees a potential problem. The applicant needs to let people know that if parking is abused they will be asked to come back to the Board. Mr. Alpert stated employees parking at Claxton Field need to know the speed limit is 40 there and should be careful crossing Central Avenue. He noted the expiration date of 30 days after the lifting could be extended. Mr. Heep would like to have it extended to 60 days. All agreed.

Mr. Heep noted the decision as drafted seems to be 3 spaces. He wants to clarify 3 striped spaces plus additional parking area. He would like to modify this to allow additional parking to the extent it can be safely done. Ms. Newman stated it could be done as a plan modification, have Engineering lay out how the parking will be laid out on the site and how people will park in that area. Mr. Jacobs stated he witnessed some town vehicles are out in the open and not under cover. Some spaces now used for these vehicles may be taken up by town employees. Ms. Lustig noted some are under cover and some are out. Mr. Jacobs stated that is a violation of the permit. Mr. Heep will go through the original conditions in the permit. Mr. Alpert noted Section 2.0 under Plan Modifications. Ms. Newman will draft the language but it should say "or plans shall be modified to show use of additional parking on site as approved by the Planning Director." This was agreed.

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 treat the property change as requested as minor in nature not requiring public notice.

Upon a motion made by Mr. Alpert, and seconded by Mr. Block, it was by a roll call vote of the five members present unanimously:
VOTED: to grant the requested modification to Major Project Site Plan Special Permit No. 2013-02.

Upon a motion made by Mr. Alpert, and seconded by Mr. Block, it was by a roll call vote of the five members present unanimously:
VOTED: to approve the decision as drafted with the modifications discussed this evening.

Highway Commercial 1 Rezoning and Planning Study: Review of Work Program.

Ms. Newman stated there was a working group meeting this morning which included Ms. McKnight, Mr. Alpert, Mark Gluesing, Select Board Chair Marianne Cooley and Natasha Espada and her staff. Urban design plans have been developed for the zoning proposal with existing conditions showing a warehouse and proposed showing commercial and residential. There was an opportunity to look at the drawings that Natasha has done so far and review all views from all angles. It was a productive meeting. The Team will put together drawings and there will be another meeting on Wednesday. Mr. Block will be included as he is presenting. The Planning Board will review next week.

Mr. Block asked if there were any suggested changes by people there. Ms. Newman noted Ms. Cooley suggested doing a perspective drawing of what the building would look like getting off the highway. That is not part of the contract and she is working with Natasha on that. The property was shown in a larger context this time. It is important to show in a larger context. Natasha has been able to import this into GIS. She thinks the Board will be pleased. Ms. McKnight stated Natasha suggested lowering the height further along Highland Avenue. Mr. Alpert noted she suggested eliminating higher buildings along Highland Avenue and the exit ramp and moving them further into the Muzi parking lot. Mr. Block thinks this is great and takes into account the feedback from the residents. He asked if the timing of the schedule has changed at all. Ms. Newman noted she is trying to keep this on schedule.

Mr. Block discussed the community meeting. The Planning Board will host the meeting and the Needham Heights Neighborhood Association will help market the event. He spoke with most members and all agreed to utilize their platform to help promote the meeting. Ms. Newman asked what the goal of the meeting is. Ms. McKnight stated the message to residents is that the Board heard them. There were meetings last year and the Board has responded to the concerns raised. They want to show the changes that have been made. Mr. Block stated one worry is that it may be fine to set out the residential uses and other uses and not limit it; the Board should let the market decide that. Ms. McKnight stated the Board should go in proposing all such uses.

Mr. Block stated he heard lower the density and reconfigure the placement of the buildings. He proposes the type of uses be left to the market. Residential may not make sense as there is no public transportation there currently. Ms. Newman stated there is a bus line relatively close that could be rethought. Mr. Alpert asked if there is a cap on the number of units. He assumes a cap of 240 the same as Mixed Use 128. With that cap residential probably would not be built unless it is a mixed use project. Ms. Newman stated 240 units with retail on the first floor could be done. Mr. Alpert stated they need to encourage commercial for town revenue. Ms. Newman stated there will be a fiscal impact study done, and she expects that the town would see a revenue loss by adding residential.

Mr. Jacobs agreed with Mr. Block that they should let the market decide. He has heard lab space is in great demand. He asked if something close to 100% lab space should be modeled. Ms. Newman noted office space and lab space are interchangeable. A discussion ensued. Mr. Block proposed the zoning be as flexible as possible. Mr. Alpert noted they should allow research and development, commercial, retail, residential with a possible cap and all mixed uses for all potential uses. Ms. Newman stated the goal is to get the information out Friday or Saturday to members for their meeting on 1/14/21 at 7:15 p.m. The community meeting/workshop will be 2/3/21 at 7:00 p.m.

Board of Appeals – January 21, 2021

Needham Enterprises, LLC – 460 Central Avenue

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: "No comment."

Nader and Ronda Sidhom – 16 Edwardel Road

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: "No comment."

Minutes

Ms. McKnight has prepared a red lined version of the 10/20/20 minutes. Mr. Jacobs noted on the bottom of page 2, it speaks about the gate on Dedham Avenue. He asked if there were any updates. Ms. Newman does not have any information but will follow up.

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 accept the minutes of 10/20/20 with the changes suggested by Ms. McKnight.

Ms. McKnight noted on the 11/18/20 minutes, top of page 2, Ms. Brown looked at where people were coming from… and the trip generation came out the same as each. She does not know what "each" is. Ms. Newman suggested adding "each of these categories."

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 accept the minutes of 11/18/20 with the change suggested by Ms. McKnight.

Correspondence

Ms. Newman stated the only correspondence was on the Highway Commercial 1 and that has already been gone through. Ms. McKnight showed a spreadsheet she had created. She is meeting with a working group called Equal Justice Needham. She feels she is a resource for them. Some zones that allow multi-family housing or mixed-use development have no affordable housing requirement. The overlay districts generally require affordable housing units. She has highlighted in yellow the zones where multi-family is allowed by Special Permit but there is no affordable requirements. She feels something should be put in the Avery Square District and also the Chestnut Street Business District. She feels there should be some affordability in those mixed use districts and also Hillside Avenue. It is a simple fix and she feels it should be made consistent throughout the town. She asked if other members had any thoughts.

Mr. Alpert asked why apartment zones are not included. Ms. McKnight commented these zones are already fully developed with apartment buildings. Mr. Alpert stated if it is a townwide requirement it cannot hurt to put it in and grandfather the existing buildings. Ms. Newman stated some towns are asking that units be created or a donation be made to the town for developments within their single-family residential zones. A discussion ensued. It was decided to work up something along the lines of an amendment to the zoning districts and approach the Select Board to let them know the Planning Board is considering this. Ms. Newman noted the Town did a housing plan years ago and there should be a revision to that housing plan.

Report from Planning Director and Board members

Mr. Block stated he had a question about Grove Street. Ms. Newman stated that has been continued to 1/19/21. She had a meeting with Engineering and the Developers engineers. They went through the list of comments and they will be addressed. There will be revised drawings and responses to the questions raised by abutters.

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 adjourn the meeting at 9:35 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

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Paul Alpert, Vice-Chairman and Clerk