## NEEDHAM PLANNING BOARD MINUTES

May 3, 2021

The Needham Planning Board Virtual Meeting using Zoom was remotely called to order by Jeanne McKnight, Chairman, on Monday, May 3, 2021, at 12:00 p.m. with Messrs. Alpert, Jacobs and Block, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Ms. McKnight took a roll call attendance of the Board members and staff. 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 not include any public hearings so there will be no opportunity for public comment. If any votes are taken at the meeting the vote will be conducted by roll call.

**<u>Discussion of Annual and Special Town Meeting warrant articles.</u>**

Ms. McKnight stated the purpose of this meeting is to deal with any issues on Article 5 and Article 7, which is a Citizen's Petition. There have been 4 proposed amendments to Article 5. The amendments have been reviewed by Town Counsel and three have been reviewed by the Planning Board. The fourth is from Stephen Frail. The Town Moderator has all 4 amendments. She spoke with the Moderator to see how the amendments would be presented. He will deal with the amendments as he received them. Mr. Block is opposing Mr. Frail's amendment as he does not feel the floor of Town Meeting gives them time to properly discuss and prepare a policy for the whole town. He really opposes the process. He lauds Mr. Frail's sustainable development goal and would like to do that for the entire town.

Mr. Alpert noted, if Town Moderator Michael Fee recognizes him, he will be speaking for himself as a Town Meeting Member and not for the Planning Board. Ms. McKnight stated Article 12 is to appropriate $60,000 for planning consultants over the next several years. A Select Board member feels the Board should be studying sustainability also, which the Board will be discussing this year. Mr. Jacobs asked why Mr. Alpert should not speak for the Planning Board. Mr. Alpert stated he would speak for all if the Moderator asks the Planning Board to speak. Mr. Block commented the Building Inspector told him if Town Meeting adopts Mr. Frail's amendment it would not make a difference. He noted the Town adopted the Stretch Code in 2019. A discussion ensued.

Mr. Alpert stated there needs to be further study and further vetting before the Board adopts the proposed amendments to Article 5. He would like the subject matter of the amendments made to be applied townwide.

Upon a motion made by Mr. Block and seconded by Mr. Alpert, it was by a roll call vote of the four members present unanimously:
VOTED: to oppose Mr. Frail's motion to amend Article 5.

Mr. Alpert prepared a written statement for Town Meeting and read it for the Board members comments. Ms. McKnight noted his statement about amendments being offered at the 11$^{th}$ hour may be considered argumentative. She would leave it out. Mr. Jacobs asked where the 350 to 400 housing units come from. Mr. Alpert explained his calculations. Mr. Jacobs commented he has no problem with Mr. Alpert's statement.

Mr. Block stated he is not sure yet if he wants to address, on behalf of the Board, a response in opposition to Mr. Pollack's comments beyond what Mr. Alpert has stated. It is possible Mr. Pollack may further amend his motion by increasing the Special Permit FAR from 1.0 to 1.2. He read a statement Mr. Pollack posted on Facebook at midnight. The Board discussed Mr. Pollack's post.

Upon a motion made by Mr. Jacobs and seconded by Mr. Block, it was by a roll call vote of the four members present unanimously:

VOTED: that Mr. Alpert and/or Mr. Block, in representing the Board's position on the 4 amendments that have now been filed, are authorized to present the Board's opposition to the approval of all 4 amendments with the reasoning as provided in Mr. Alpert's statement that has just been read to the Board whether or not the amendments are dealt with piecemeal or all at once per the Moderator.

Mr. Block commented he believes Mr. Alpert's response is good for the 3 amendments. Open space would not, in itself, be an easy thing to consider and could be enough disincentive as a result of the 13 changes made since 2019 to dissuade any development and not improve the gateway at all. He noted Mr. Pollack has grossly mischaracterized the traffic study information and says takings are required on Hunting Street. Mr. Alpert is not sure if Mr. Pollack will actually say at Town Meeting what he posted on Facebook. Mr. Block makes good rebuttals if Mr. Pollack says that on the Town Meeting floor. If Moderator Fee asks for Planning Board comment, he will speak as presumptive incoming Chairman of the Planning Board. After his comments he will ask Moderator Fee if he would recognize Mr. Block to speak to Mr. Pollack's comments. Ms. McKnight feels the fiscal impact study should be inserted in Mr. Alpert's speech regarding housing units. He will try to insert it somewhere.

Mr. Block stated Mr. Pollack's comments that a 1.35 FAR may result in many street intersections at Level F is not true. With mitigation, which would be required, most intersections would be brought to a pre-build level or an improved condition including Hunting Road/Highland Avenue. Mr. Jacobs noted Mr. Pollack's comments were certainly inaccurate. He feels the Board should give brief consideration if there is a motion to refer. Mr. Block would recommend the Board oppose vehemently, because if the rezoning is adopted, the Town could set the terms of development today rather than a developer later writing their own proposed zoning in their own interest rather than the Town's interest. Mr. Alpert stated the Board has examined this for years with considerable feedback and has incorporated many changes. The Planning Board wants to get this done tonight. Ms. McKnight commented the Board is satisfied with what is being presented tonight. Mr. Alpert suggested Mr. Block speak if there is a motion to refer.

Upon a motion made by Mr. Jacobs and seconded by Mr. Alpert, it was by a roll call vote of the four members present unanimously:
VOTED: to comment the Planning Board is in opposition to any motion to refer.

Ms. McKnight stated if a motion is made to lower the FAR the members could confer about further amendment. Ms. Newman noted Natasha Espada will be at Town Meeting. Mr. Block noted the Board's position is it is opposed to anything lower than a 1.35 FAR.

Mr. Block noted Article 7 is the change from Single Residence B (SRB) to Single Residence A (SRA) on Hunting Road along 128. A Town Meeting member raised a good point. The proponent said this change was to enable those homeowners to make changes to their homes under less restrictive regulations. The Town Meeting member, however, said it was sponsored by one homeowner who intends to develop multiple properties along this strip. This may not have been framed appropriately before us and may be a money grab by one of the residents.

Ms. McKnight stated she had a discussion with a member of the Select Board who encouraged her to watch the Select Board meeting with Attorney George Giunta Jr. She understands what Mr. Block is saying. Lots 73 and 72 are owned by the Petitioner, Bruno DeFazio. She asked Mr. Giunta Jr. the likely number of new houses that could be built and he said 2 new lots. He was referring to a redivision of Lots 72 and 73. The Select Board asked, and Mr. Giunta Jr. responded that if someone bought up the entire area and redivided it could have 8 new houses, so the Select Board voted against it. She wanted to bring it back to the Planning Board in case they wanted to change their recommendation.

Mr. Alpert stated he received a call from a Select Board member who was adamant the Planning Board was not clear. He was told the real objective was to get 3 or 4 new lots. He also got a call from a private resident. He has no issue with that and is not opposed to new development in town. He is not averse to changing his vote from support to no opinion but he is comfortable supporting it. He stated the Board has done this before. This also may create houses that would be affordable along the highway. Mr. Block noted he brought it to the Board's attention because he does not like to think they are being presented with something under false pretenses. Mr. Alpert was told by a Select Board member and a resident we were presented something under false pretenses. That is not enough for him. He feels they are unsubstantiated allegations for him.

Upon a motion made by Mr. Block and seconded by Mr. Jacobs, it was by a roll call vote of the four members present unanimously:
VOTED: to continue this hearing and to adjourn upon the adjournment of Town Meeting.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

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Paul Alpert, Vice-Chairman and Clerk