NEEDHAM PLANNING BOARD MINUTES

August 17, 2021

The Needham Planning Board Virtual Meeting using Zoom was remotely called to order by Paul Alpert, Chairman, on Tuesday, August 17, 2021, at 7:15 p.m. with Messrs. Jacobs and Block and Ms. McKnight, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Mr. Block took a roll call attendance of the Board members and staff. He 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. He reviewed the rules of conduct for zoom meetings. He noted this meeting does include one public hearing that will be continued so there will not be any public comment allowed. If any votes are taken at the meeting the vote will be conducted by roll call. All supporting materials are posted on the town's website.

Public Hearing:

7:20 p.m. – Major Project Site Plan: Needham Enterprises, LLC, 105 Chestnut Street, Suite 28, Needham, MA, Petitioner (Property located at 1688 Central Avenue, Needham, MA). Regarding proposal to construct a new child-care facility of 9,966 square feet and 30 parking spaces, that would house an existing Needham child-care business, Needham Children's Center (NCC). *Please note: this hearing was continued from the June 14, 2021 and July 20, 2021 meetings of the Planning Board.*

Mr. Alpert noted it was discussed at the last meeting that materials had to be presented by Thursday noon before the meeting in order for the Board to consider the information. There was also a request for further information regarding the traffic plan so the Board and the traffic engineer could review prior to the hearing. The information was not received for the traffic plan until late Thursday afternoon and not in a form that was conducive for the Board's traffic engineer to easily examine and respond to. The Board is not going forward with this matter this evening.

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: to further continue the hearing until Wednesday, 9/8/21, at 7:45 p.m.

Board of Appeals – August 19, 2021

350 Cedar Street – ATC Waterhouse LLC, applicant.

Mr. Alpert noted this is the WGBH radio tower. The applicant is proposing a larger generator than what is there.

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

83 Rolling Lane – Matthew Stutz and Flavia Montanari, applicants.

Mr. Alpert noted the applicants are constructing a retaining wall. Mr. Block stated there were not enough materials for him to comment.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by a roll call vote of three of the four members present (Mr. Block abstained):
VOTED: "No comment."

Discussion of deadline for Board agenda packets and associated meeting materials.

Ms. Newman stated there had been email exchanges on deadlines and there were differing opinions. She wants it to be clear. She feels a cutoff of Thursday at noon for an agenda packet that goes out on Thursday is workable. If the Board wants a firm deadline, and they do not want to get anything after that, this may result in continuations. She wanted thoughts on this. The members thought noon on Thursday should be the deadline. Mr. Block stated, for agenda items without a public hearing, that is fine. He stated he cannot go through in an hour materials that come in at the last minute and make a knowledgeable opinion. He would like to push the deadline back a week. Ms. McKnight stated application materials are on the website but may not have been updated prior to our meeting. Generally, Planning staff gives the other departments 2 weeks to comment. A discussion ensued. Ms. McKnight stated she would like to have physical plans delivered as they used to be. Mr. Alpert agreed and stated he cannot look at plans in the packet online. The expectation would be hard copies sent to Planning Board members at the time the application is filed, which gives them 3 or 4 weeks to review. Revisions should be sent as they are done.

Ms. McKnight suggested Monday noon for written comments from the public for a Tuesday meeting. Ms. Newman noted sometimes in the legal notice it is written in when comments need to be received for a certain meeting date. She could use that as a model. Mr. Jacobs stated it should be clear that if material is received less than X hours before the meeting there may not be enough time for Board member review and the materials may not be included, or it may delay the hearing. Ms. McKnight proposed noon the day before the hearing. Ms. Newman will put it in the legal notice. Mr. Block suggested the posting should be on the website with updated communications. Ms. Newman noted revised plans usually come in 2 weeks ahead for staff review.

Mr. Jacobs stated it seems the Board is responding to a particular case where they have been bombarded. This is not usual, and the members need to remember that. Mr. Block agrees they are trying to create a one size fits all scenario. They should let it be known a best effort will be used to review material that comes in after the fact but depending on the complexity the Board members may or may not be able to review. Ms. Newman has the framework. She will implement it and see how it works.

Minutes

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by a roll call vote of the four members present unanimously:
VOTED: to accept the minutes of 6/1/21 as marked up.

Correspondence

Ms. Newman noted the 128 Business Council Shuttle. She mentioned earlier in the year that a couple of New England Business Center companies were not a part of it. Trip Advisor has since joined, and the hotel rejoined. She spoke with Mr. Schlager at Bullfinch who assured her he would reach out and rejoin. But Bullfinch has not renewed and is not compliant with the terms of their permit. She would like some direction. Mr. Jacobs suggested Ms. Newman call them in under the terms of the permit. Ms. McKnight noted their Occupancy Permit could be rescinded. Ms. Newman will contact them to come in for the 9/8 meeting. Mr. Block suggested writing a letter that the Board will talk with them on 9/8/21 and remind them of the condition in the permit. Mr. Jacobs suggested a copy of the permit and the conditions be included. Ms. Newman will prepare a draft letter for the Chair and Vice-Chair to review.

Report from Planning Director and Board members

Ms. Newman stated she is developing the Affordable Housing Plan working group. She is looking for 2 Planning Board members to sit on the group and one would need to Chair the group. She would like to have the first meeting either 9/22/21 or 9/27/21. The Select Board will appoint 2 people and she will be reaching out to other departments. Mr. Alpert felt Ms. Espada would be interested. He would like to do it but cannot do either of those dates. Ms. McKnight would like to be on the group. Ms. Newman will reach out to Ms. Espada. If she is interested, it would be Ms. Espada and Ms. McKnight on the working group.

Ms. Newman stated an issue came up with Starbucks. They want to put a window in where customers can walk up, order and purchase coffee outside. Customary accessory uses are allowed by right or by special permit. How does the Board, from a policy perspective, want to manage that land use? Starbucks is doing an internal remodel. She noted Abbotts has a walk-up window. Mr. Alpert noted Century Bank is putting in a walk-up window that the Board allowed. Ms. Newman noted Starbucks' take-out window would be considered another take-out station and would require 10 parking spaces. Ms. McKnight feels it is for the people taking the train rather than driving.

Mr. Alpert stated his initial thought is to put it in back in the parking lot. If it would require a special permit, the applicant can come to the Board to explain the pedestrian flow and such. He noted outdoor seating, if in a parking lot, is Planning Board jurisdiction. If on a sidewalk it is the Select Board's jurisdiction. He feels the Select Board should be included. Ms. McKnight noted that Select Board is involved if it is outdoor dining on a public way. This is different. Mr. Block stated logistically it cannot be in back because of the shared hallway. He feels they will see more of these so they should set out certain parameters. Ms. Newman noted this would be by right in this district, but the property has a special permit and she will treat this as an amendment to the special permit. Starbucks would need a parking waiver. Mr. Alpert stated he will think about it between now and the 9/8/21 meeting. He is inclined to point out they have a special permit and this would require an amendment and a parking waiver request. They would need to make an application to amend the special permit. They can start the process, and this will give the Planning Board members time to think about it. Mr. Jacobs commented he is concerned with ramifications. He would like to give it more thought.

Upon a motion made by Ms. McKnight, and seconded by Mr. Block, it was by a roll call vote of the four members present unanimously:
VOTED: to adjourn the meeting at 8:35 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

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Adam Block, Vice-Chairman and Clerk