NEEDHAM PLANNING BOARD MINUTES

September 21, 2021

The Needham Planning Board Virtual Meeting using Zoom was remotely called to order by Adam Block, Vice-Chairman, on Tuesday, September 21, 2021, at 7:15 p.m. with Mr. Jacobs and Mmes. McKnight and Espada, as well as Planning Director, Ms. Newman.

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 a public hearing and there will be 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 Special Permit: 2021-03: Needham Nutrition LLC, 915 Great Plain Avenue, Needham, MA, Petitioner (Property located at 915 Great Plain Avenue, Needham, MA). Regarding proposal to occupy approximately 864 square feet of existing first floor commercial space to operate a business selling Smoothies, Protein Shakes, Energy Drinks, Immune Booster Drinks, Collagen Drinks, Fitness Drinks, and similar items for consumption on and off the premises.

Upon a motion made by Mr. Jacobs, and seconded by Ms. McKnight, it was by a roll call vote of the four members present unanimously:
VOTED: to waive the reading of the public hearing notice.

Evans Huber, attorney for the applicant, noted this is a 3 unit building at the corner of Great Plain Avenue and Pickering Street. The applicant proposes to occupy the left side and they are here to seek a parking waiver. The previous occupant was retail and required 3 parking spaces. The applicant proposes to open retail that serves protein, energy drinks and such. Take-out requires 10 spaces. There will be a small retail component that would require 3 spaces. There will be 7 seats inside which would require 3 spaces for a total of 16 spaces. This is an increase of 13 spaces over the previous use. There will only be interior renovations and no façade change. Mr. Huber noted the other 2 tenants received waivers for parking. There are 2 or 3 spaces in back but there is not sufficient parking for any tenant occupants.

Mr. Huber stated the hours of operation would be Monday through Friday 10:00 a.m. to 6:00 p.m. and Saturday 10:00 a.m. to 2:00 p.m. There may be longer hours to 6:00 p.m. on Saturday as it grows. There will be 2 to 3 staff, but the business may need 4 if successful. He is requesting 10:00 a.m. to 6:00 p.m. on Saturday with 4 staff to prevent having to come back if the business is successful. The applicant will get municipal parking stickers for his staff. Mr. Huber reviewed the relief being requested – a Special Permit for further Site Plan Review, a Special Permit to allow a business in the Center Business District most closely described as retail sales of ice cream, frozen yogurt, etc., a Special Permit to allow more than one use on a lot and a Special Permit to waive strict adherence to the off-street parking requirements.

The applicant anticipates most patrons will already be in Needham Center shopping or working and the business will be mostly pedestrian oriented. There is no proposed signage yet. There is substantial on street parking on Great Plain Avenue, Pickering Street, and the municipal parking lots. Mr. Huber stated he believes the criteria for the waiver requests has been met. Mr. Block noted the following correspondence for the record: 2 letters from Attorney Huber dated 8/13/21 and 8/20/21, emails from the Fire Department and Police Department with no comments and an email from the Board of Health with comments. She asked Mr. Huber if he had seen them. He has, and he noted the Health Department comments were relating to dumpsters and grease traps if appropriate. No grease will be used but there will be a need for a recycling dumpster. The applicant will make arrangements for a recycling receptacle and to share the current dumpster. Adilson Pires, applicant, stated he will probably install a grease trap but does not deal with grease.

Ms. McKnight stated there are 3 parking spaces on the property and asked if they are allocated to the other tenants or in the permits. Ken Mackin, property owner, stated 2 spaces are allocated to the Karate Studio and one to the dentist. Ms.

McKnight asked what the prior retailer was. Mr. Huber noted Mostly Gray Boutique, a clothing store. Ms. McKnight noted parking along the street and asked where a handicapped person would park. Mr. Mackin stated there are no handicap metered spaces on Great Plain Avenue nor any on Pickering Street. He noted the nearest would be Walgreen's parking lot. He is not aware if the town has any. Ms. McKnight noted the town is considering putting forward an expansion of outdoor seating. It may be that the Select Board might allow more outdoor seating in this block. Is there any expectation for outdoor seating? Mr. Pires stated he does not really see it. People would probably take their beverage to go or go to the park. It would be nice, but the layout would make it difficult. Mr. Block asked if the current dumpster is screened and was informed it is. He asked how it was screened. Mr. Mackin stated there is an offset adjacent to the bulkhead at the rear of the property. Mr. Block asked if screening was a requirement. Ms. Newman noted they have required a wood fence in the center with a door. Mr. Mackin stated he has owned the building since 2014 and has had no complaints or issues.

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

Ms. Newman will draft an affirmative decision for the 10/5/21 meeting. The Board will vote the relief then.

Bonnie Shuer – Request to discuss Development in Needham and Preserving Trees.

Mr. Block noted correspondence from Bonnie Shuer regarding removal of trees. Ms. Shuer, of 37 Richard Road, stated she has lived in Needham 47 years. Needham has always preserved its assets and updated buildings. A major practice is to tear down old houses and replace with new ones. Progress is necessary and keeps Needham desirable. Most sites are clear cut and leveled of trees and greenery – a practice easy for builders but bad for Needham. There needs to be respect and preservation of open spaces. The town cannot allow older growth trees to be taken down. This creates a buffer between properties and provides oxygen. When trees are removed there should be a requirement the trees be replanted. The town should have By-Laws to maintain green spaces. It is in the Town's best interest to safeguard trees. In her neighborhood 7 acres of trees were lost for 9 houses. There should be a tree beautification fee.

Ms. Shuer stated she talked with several town employees and Ed Olson is the closest thing to an arborist. She feels builders should pay a fee or replant berms in town. There should be more renovations of existing homes. With only million-dollar homes being built the town is not accessible to all. Having homes for young families and downsizing seniors is a worthy goal. The Select Board has 3 related goals for 2021-2022. This shows the town is concerned. She hopes the Board will give careful thought to their requirements and reconsider a tree by-law. There needs to be an end to the destructive removal of trees. She thanked the Board for listening.

Mr. Block noted the following correspondence for the record: an email from Bonnie Shuer; an email from Jenny Small; an email from Stacy Blasberg and an email from Beverly Schwartz. He noted a Tree By-Law is a matter of a general by-law and the Select Board is the Board of jurisdiction. He suggested Ms. Shuer reach out to the Select Board. He also suggested this be discussed at the Chair/Vice-Chair meeting with the Select Board to see what is possible. He noted steps that would need to be taken to put this forward and financially support the endeavor. Mr. Jacobs did not think there was a reason the Planning Board could not advertise and hold a hearing on this even if the goal is not zoning. Ms. Newman agreed the Board could hold a hearing. She noted a draft Tree By-Law was developed over a number of years and then other priorities came along and it was dropped.

Mr. Block stated he would discuss this with the Chair and then at the Select Board Chair/Vice-Chair meeting to see who wants to hold a hearing. Ms. McKnight stated she remembers a meeting where Tree Warden Ed Olson was in attendance and the concept was discussed. It got bogged down with concern that it would be a lot of work for the town staff, and she felt discouraged. She is encouraged by what Ms. Shuer said and that the Select Board has it on their goals. She feels the Board got discouraged a couple of years ago and let it go. Ms. Shuer commented she is pleased by the response tonight. She feels there has to be some way to hold people responsible for removing old growth trees that do not need to come out. Ms. Espada noted an environmental group being put together as a committee for the Town. This may be good for that group. Mr. Block thanked Ms. Shuer for bringing this forward to the Board.

Planning Board Recommendations on zoning articles for the October 2021 Special Town Meeting: Article 1: Amend Zoning By-Law – Outdoor Seating.

Mr. Block noted the Planning Director sent a further revision today. There are existing regulations on temporary outdoor seating. This is opening it up to all eat-in restaurants with waiter/waitress service. The changes have been added to paragraphs k-o. The use table needs to be modified where this use was previously permitted and is not allowed for all restaurants. Ms. McKnight suggested the numbering and paragraphs be modified.

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

VOTED: to recommend adoption of the Outdoor Seating Article in the form presented with minor numerical changes recommended by Ms. McKnight.

Review of applications received for two at-large appointments for the Housing Plan 2021 and vote to appoint.

Mr. Block stated he received a thoughtful review of the applicants from Mr. Alpert. Ms. McKnight stated they have not identified who would chair this group. She and Ms. Espada would like to help each other with this committee, and she suggested Ms. Espada who is comfortable with meetings. Ms. Espada asked if they could be co-chairs as they complement each other. Mr. Block felt that was fine. After discussion it was decided Ms. Espada and Ms. McKnight would co-chair the committee. Mr. Block suggested they should be appointed as co-chairs of the committee. Mr. Jacobs commented he was uncomfortable that people may object. He feels they should first be appointed as members of the committee.

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 nominate Ms. Espada and Ms. McKnight as members of the Housing Plan 2021 Committee.

Mr. Jacobs stated at the first meeting people should be told this is a Planning Board Committee and the Planning Board would run the Committee.

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 appoint Ms. Espada and Ms. McKnight as Co-Chairs of the Housing Plan 2021 Committee.

Mr. Jacobs stated it would have been nice to put a face to a resume and ask a few questions. He does not know these people at all. Many of these people look terrific on paper. There is a lot of great background, and he was really impressed. He stated he is only on the Board for 6 more months. This is a great way for these people to get involved. He would be happy to talk to any and all of them. He felt it as really hard to rank these people, but he would give 3 names – Amanda Berman, Emily Cooper and Andrew Cohen. Mr. Block stated Mr. Alpert had the same comments and recommended Ms. Berman and Mr. Cohen as well.

Ms. McKnight agreed with Mr. Jacobs comments, and she feels any 2 would be good on the committee. She would like to work with Oscar Mertz. He is an architect and has been active in Equal Justice Needham. He is a good team member, listens to others, researches and brings back knowledge. She has never met Rhonda Spector but to understand how affordable housing is financed would be wonderful to have. Ms. Spector has a good background and knows how state agencies work and the funding. She has met Amanda Berman who is very well experienced, but she is concerned that her skills would be too similar to Karen Sunnarborg. She is looking for finance experience. She feels any of them would be good. Ms. Espada stated she is pleased with the number of applicants and the quality. Oscar Mertz and Emily Cooper stood out for her as being able to bring something different to the table. Rhonda Spector sounded interesting, and Amanda Berman has a lot of experience. She stated she would like to meet perhaps the top four.

Mr. Block stated there were so many qualified candidates. Mr. Mertz has architectural expertise; Mr. Cohen has a social services background with another perspective. It is a difficult decision. He found skills and strengths in Ms. Berman, Mr. Cohen and Ms. Cooper. He suggested Ms. Espada and Ms. McKnight set up interviews and report back after the interviews. The Board will appoint at the 10/5/21 meeting. Mr. Jacobs asked if he could attend the interviews. Ms. Newman will post the meeting. She noted the goal is to get this done next week. She will coordinate. Ms. Espada suggested a quick 15 or 20 minutes per person.

Minutes

Ms. McKnight noted on the 6/29/21 minutes, page 3, it says "Mr. Alpert stated he would remove convenience stores." She feels it should be "not" remove convenience stores. Ms. Newman will listen to the tape to verify.

Upon a motion made by Ms. McKnight, and seconded by Ms. Espada, it was by a roll call vote of the four members present unanimously:
VOTED: to accept, with edits, the minutes of the 7/14/21 Planning Board meeting.

Correspondence

Ms. McKnight noted the annual Needham Diversity Summit wanted someone to talk about housing in a breakout group. She stated she was willing to lead the group. Ms. Newman stated she thought it was discussed at the last meeting and it was decided the new committee would do that. Ms. McKnight and Ms. Espada can do it as co-chairs now.

Report from Planning Director and Board members.

Ms. Newman stated she has not heard anything from Oak Street for the temporary occupancy permit on the revised drawings. She also stated that she may need to involve the Planning Board on a project. To provide capacity for electric vehicles for the Public Services Administration Building (PSAB) has them adding transformers and overhead wires. She is working with Hank Haff to see if the wires cannot be underground. She may need input from the Board if it cannot be resolved.

Upon a motion made by Mr. Jacobs, and seconded by Ms. Espada, it was by a roll call vote of the four members present unanimously:
VOTED: to adjourn the meeting at 9:05 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

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Adam Block, Vice-Chairman and Clerk