

NEEDHAM PLANNING BOARD MINUTES

February 1, 2022

The Needham Planning Board Virtual Meeting using Zoom was remotely called to order by Paul Alpert, Chairman, on Tuesday, February 1, 2022, at 7:00 p.m. with Messrs. Jacobs and Block and Mmes. McKnight and Espada, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Mr. Alpert 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, including the agenda, are posted on the town's website.

Public hearing continued:

7:00 p.m. – Amendment to Major Project Site Plan Special Permit No. 2006-04: Sol Soul Family Foods LLC, c/o Ivan Millan-Pulecio, Chef/Owner, d/b/a Hearth Pizzeria, 59 Mount Vernon Avenue, Needham, MA 02492, Petitioner (Property located at 974 Great Plain Avenue, Needham, MA). Please note: this hearing has been continued from the January 18, 2022 meeting.

Ivan Millan-Pulecio, chef and owner, stated he wants to continue outdoor dining weather permitting. Mr. Alpert noted the Board received copies of the cross easements and all members have reviewed them. They look ok to him. There needs to be a condition in the proposed decision that the applicant needs to get the Select Board's permission to use any portion of the public parking area. Ms. McKnight stated it is helpful to have the plans. The construction plan shows some parking spaces in the easement area B. She could not read what was written in those spaces. Mr. Block noted it says "Simon." Ms. McKnight stated the application says none of the area to be used for outdoor dining was used as parking. Mr. Alpert stated pre-covid they were parking spaces. That was what the easement was - it gave the Town the ability to put parking spaces there.

Ms. McKnight stated the wording of the decision on page 1, 2nd paragraph, 5th line, #2, says "special amendment." She thinks "special" is a mistake. Mr. Alpert noted it should be "special permit." Ms. Newman agreed. Ms. Newman clarified that the approval needed from the Select Board is implementing something that is in the license agreement. There needs to be a letter between the owner and the Select Board acknowledging the fact there is a change in the easement area controlled by the Select Board granting a license for seasonal outdoor dining. She noted the owner wants it year-round. Mr. Alpert noted in the By-Law seasonal is April 1 to October 31. Mr. Millan-Pulecio stated, ideally, he is looking for year-round, weather permitting, if possible.

Ms. McKnight clarified that in Section 3.1, seasonal is April 1 to November 30. She thinks snow needs to be removed the rest of the time. Ms. Newman noted the Board has the discretion to extend beyond what the By-Law says. Ms. McKnight noted the Board could say year-round and if there is an issue the Select Board could limit it. Mr. Millan-Pulecio stated there is no Town snowplowing there. The owner does the clearing of snow there. Ms. Newman stated she will change Section 3.1 to say the Planning Board supports year-round outdoor dining.

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

VOTED: to close the hearing.

Decision: Amendment to Major Project Site Plan Special Permit No. 2006-04: Sol Soul Family Foods LLC, c/o Ivan Millan-Pulecio, Chef/Owner, d/b/a Hearth Pizzeria, 59 Mount Vernon Avenue, Needham, MA 02492, Petitioner (Property located at 974 Great Plain Avenue, Needham, MA).

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

VOTED: to grant: an amendment to a Major Site Plan Review Special Permit issued by the Needham Planning Board on December 5, 2006, amended January 16, 2007, March 6, 2007, and transferred on April 11, 2016 and amended June 4, 2019, under Section 7.4 of the Needham Zoning By-Law and Special Permit 2006-4, Section 4.2, and grant relief in accordance with the decision before us with 2 changes discussed to add “permit” in the 6th line of the Special Permit and the other change in the Conditions and Limitations Section 3.1 to delete from April 1 to November 30 each year and say approved for use year round.

Mr. Jacobs stated in reviewing the easement he noted a discrepancy. There is a reference to a lot of land on said plan but the only plan mentioned is Lot A. There is no plan being talked about. A discussion ensued. Mr. Jacobs feels someone should look into and correct the incorrect reference. Mr. Alpert noted it is a defect in the easement deed but there is nothing wrong with the decision. Ms. Newman will touch base with Town Counsel to correct the Scribner’s error.

Decision: Amendment to Major Project Site Plan Special Permit No. 98-6: Town of Needham, 1471 Highland Avenue, Needham, Massachusetts, Petitioner (Property located at Existing Municipal Parking Lot on Chestnut and Lincoln Streets, Needham, Massachusetts).

Ms. Newman noted there is a draft decision in the packet. Mr. Jacobs stated he had suggested adding language in Sections 1.6 and 2.2 to make clear the areas that are within the easements. He is withdrawing that suggestion. He is satisfied the additional language is not necessary.

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

VOTED: to approve the relief requested as written in the decision as originally presented without changes to Sections 1.2 and 1.5.

Discussion of proposed change to Major Project Site Plan Special Permit No. 2021-01, 100-110 West Street.

Evans Huber, representative for the applicant, noted Welltower is the owner of the building. Welltower and LCB (formerly the proposed operator) have parted ways. Welltower has partnered with Balfour Senior Living and HYM Investment Group as development manager. He noted the major change is there were 3 programs proposed – Independent Living, Assisted Living and Memory Care. They have changed that to 2 programs – Assisted Living and Memory Care. There are some changes to the façade but nothing major. They are seeking input from the Board. There is no change to the footprint. The 4th floor is changing slightly in the rear. Doug Mais, of HYM Investment Group, noted Welltower and Balfour are already working together. They just broke ground on a 160-unit senior housing complex. HYM is a Boston based developer that specializes in tight sites and near MBTA right of ways and works well with communities. He gave a list of projects HYM has worked on.

Michael Schonbrun, of Welltower, noted Welltower and Balfour have been together for several years. Welltower is a long-term holder and partners with most operating companies. They are not just the landlord. They are very committed to sustainability and this will be a gold LEED certified building. He noted they are committed to diversity. Balfour Senior Living is 22 years old. He started the business from scratch after a career in health care. He has very ambitious goals but modest. There have been 10 buildings developed in the 20 years. He pays a lot of attention to natural light and uses lots of bright colors and high ceilings. He stated this would be assisted living and memory care only. This is a more efficient design. There will be the same number of units but there will be more space for common areas for socialization and it allows residents to age in place. He feels it is better for couples as it allows them to stay together. Welltower would work with the local senior center and will open the space for neighbors and recitals. He stated the Brookline facility is under construction with 160 units. He reviewed the amenities offered and noted 24-hour nursing coverage in all buildings. There will be transportation, a fitness center with a salt-water pool, and a concierge service. Transportation will be available for family visits, doctor appointments and shopping without charge within a certain range. Dining and meals are served daily.

Michael Binette, of ATT Architectural Firm, noted there are minor building changes brought about by programmatic changes by Balfour. Michelle Hobbs, of the Architectural Team, noted there is minimal impact to the building. There were 149 parking spaces previously. The shifts with amenity spaces have taken some space from the interior garage but the project will maintain 145 parking spaces. Memory care has been maintained but the courtyard has been moved. The lighting

quality in the building has improved and a few patios on Highland Avenue have been removed. The second floor has some spaces moved around for better quality and light. The commercial kitchen has been moved from the second floor to the third floor. On the first floor is the memory care area and 9 assisted living units. There are 28 memory care units and 127 assisted living units, totaling the same as the 155 units previously approved.

Mr. Binette noted the fourth floor was previously 32.9% of roof coverage and is 35% now. One unit has been added in the corner and some mechanical equipment has been moved away from the units. He noted there are no changes along Highland Avenue. All changes are on the interior of the site. The maximum height of the building has been maintained and the location of where the terraces are is the same. The windows will be LEED certified and there will be a new entry by the portico. The applicant will meet with the Design Review Board (DRB) at least once before coming back to the Planning Board. He reviewed the proposed changes regarding the entry. The porte cochere was the assisted living entry. The portico will be the main point of entry and will be built out slightly. Ms. Espada asked if any mechanicals are changing or if there is any implication on the roof and sound. Ms. Hobbs noted the mechanics were previously LEED certified and there are no appreciable changes. There may be some system changes, but they do not anticipate any changes in sound impact. They are trying to minimize any impact along the public way. The memory care courtyard is being brought into the site. She is working on a design and what it would look like.

Mr. Block commended the new team for the redesign and new program. He stated there needs to be more facilities to help seniors. They did a good job aesthetically and it is a good program for what it is. He stated the Board changed the zoning to allow for mixed use in this area specifically including assisted living, independent living and memory care. The town needs more affordable housing for senior living. Assisted living and memory care are very different programs with specific needs, but the municipal interest included prudent independent living and affordable housing. This is not the vision of the original zoning change. He would rather see it as all independent living rather than remove it completely. He commented these are his challenges with the proposal and they are not easy to overcome.

Ms. McKnight agrees with Mr. Block. She and Ms. Espada are co-chairs of the Housing Plan Working Group, and it was always the intent of zoning and the special permit that it would include independent living. She asked why it was ok in Brookline, but it would not work here in Needham. She is very disappointed with the outcome of all their hard work. Ms. Espada agrees with Ms. McKnight and Mr. Block. She stated it would be great to increase the independent housing as part of the project. Mr. Jacobs echoed the previous 3 members. He stated this surprised him and disappointed him. The presentation was good. He also wants to know why Brookline has it but not here.

Mr. Alpert agreed with all. Affordable units are important, but it also increases the senior apartment stock for those looking to downsize, sell their homes and stay in Needham. He was looking forward to the new 78 independent apartments for seniors and 9 affordable units for seniors. That was a huge selling point for the plan. He does not understand why not in Needham. Mr. Schonbrun noted the unit sizes and types in the assisted living section of the building are far larger than typical and would be comparable in size to what was proposed as independent living. The assisted living units have full kitchens and similar amenities. Some would have more level of care. They would be able to stay in their units. Since Brookline, there have been a couple of projects that have only been assisted living and memory care. People like the idea they can age in place. He anticipates in the future doing this exclusively. Assisted living is regulated by the state and independent living is not. He feels the assisted living and independent living are interchangeable. The Board should look at who is coming in and not get hung up on labels.

Mr. Jacobs does not think Mr. Schonbrun answered the question of why Brookline and not Needham. He stated if the units are equivalent the only reason is this frees them from the affordable unit requirement. Mr. Schonbrun reiterated people would not have to move. Ms. McKnight stated she has a friend in North Hill who just moved from independent living to assisted living. She knows others who have moved from independent to assisted. Two levels of care in the building are a benefit and not a detriment. Wingate is converting their skilled nursing to independent living. They think it is economical to do that. She does not understand the reason for this change proposed by Welltower, or the benefit. Doug Manz stated he does not want to disappoint the Board. The existing building has physical constraints. There are some unusual depths to the building. With all 3 levels of care in the building they found deficits. He has heard affordable units are important to the Board. He will be looking at that. He noted Brookline is a different development. Here there are physical constraints with the building.

Mr. Block understands the physical constraints of the building, but the building can be modified. He does not mean to minimize the distinction between labels. They may need to reconfigure if the model does not recognize distinctions in care, but the municipal interest is to include senior living units in town and affordable housing stock. There is a lot of space in total. Mr. Binette stated what separates this Balfour proposal is that all units are independent anyway. It gets a little gray between what is assisted and what is independent. Mr. Block stated it would be helpful to understand the differences at some point. Mr. Schonbrun commented he thought 3 programs with 3 dining rooms and 3 common spaces was not an efficient use of space. He wants to provide a premium experience for residents and feels it would not be done with 3 programs. If the Board wants all 3 it would be a challenge for them. He does not see how 3 programs could fit in the building. Reducing the number of units would be problematic economically.

Mr. Jacobs asked if there was any thought to the 2 programs being assisted living and independent living and not memory care. Mr. Schonbrun stated dementia and Alzheimer's is increasing and there is a long way from finding a cure for that. Fifty percent of people in their 80s have some memory issue. He feels it is irresponsible to not include memory care. Mr. Manz stated the Board was getting caught up in labels. The Balfour model has expanded services with full kitchens and hybrid services. They can look at the affordable-unit issues. If couples move in, one may still take advantage of independent living. Three uses would definitely be a struggle for them. Evans Huber, attorney, stated the Board has made their initial reaction clear. The team needs to absorb what has been said and see how to respond. The purpose of this meeting was to get feedback. Mr. Alpert thanked them for coming in. This was very informative, and he feels it was a good, respectful give and take.

Ms. Espada recused herself from the next agenda item. Mr. Block took over to Chair the next item.

Decision: 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).

Mr. Block noted there were a number of changes to review and clarify. Comments have been received from the applicant's attorney. He asked if the applicant or the attorney would be participating in the discussion. Ms. McKnight stated the attorney has very much been involved in the discussions. She does not see why he should join unless the Board has questions. Mr. Jacobs agreed. The attorney has had plenty of opportunity to answer questions. He feels it is ok to ask if there are questions the Board has. Mr. Block noted a letter from Attorney Evans Huber saying he has read the initial decision and intends to appeal based on setback and barn. Mr. Alpert stated Mr. Huber's letter states, if he would appeal, issues other than the setback and barn are issues he would be able to push back on in front of the courts and he would intend to.

Mr. Block stated there are a number of things on which he feels the Board agreed with the applicant. The options are 1) to proceed with the decision based on deliberations, correct the decision tonight and proceed or 2) revise the decision with a response to the barn and setback and then continue on to issues that are otherwise agreed upon and continue with other changes. He asked if there is a third option somewhere in the middle. He feels the Board should proceed with the decision as drafted. Ms. McKnight stated, regarding Attorney Huber's response follow up that came today, it raises new issues. The plan always showed a sewer, which would require an extension. He is now asking for the option to install a sub-surface septic system. That is new and has not been discussed. Mr. Block stated there was correspondence from Pat Day also.

Mr. Alpert noted, as to the issue of the septic system, he has read previously that many experts believe a properly maintained septic is better for the environment than hooking up to the sewer. He is not sure if this is the Planning Board purview or the Board of Health's. If the Board of Health is ok with a private septic system, then he would be in favor of that change. The issues in Ms. Day's email are reasonable requests. She has represented 18 employees and now wants 19 employees. He has no problem with that, since there is one more parking space than required. She raised the issue of having ancillary uses outside of Monday through Friday. The decision does have a condition that parking will not spill over into the streets. If they can have these programs and still conform with that condition, he has no issue.

Mr. Jacob stated Ms. Day and Needham Children's Center (NCC) are not the applicants. The Board needs to make sure these comments by Ms. Day are adopted by the Petitioner. He would like to know if Attorney Huber would adopt these

comments. Mr. Block stated they will continue and resolve the rest of the decision. Then it will be appropriate to bring Attorney Huber in to discuss the issues raised. He noted Attorney Huber was only suggesting the applicant wanted the option to do septic. Ms. McKnight stated Ms. Day also asked to change the time of rubbish removal. Ms. McKnight wants to make sure the time limits are protective of the neighborhood. She asked if the Board wants to rethink the setback issue. She thought 65 feet was sufficient. She does not agree with a required 120-foot setback. Would the Board like to discuss this further?

Mr. Block stated he is open to discussing it. His issue was the closest analogous use is the synagogue, which is also protected under the Dover Amendment. The synagogue is substantially larger. He would consider changing his initial 213-foot setback to 135 feet. He commented 65 feet is not in character with the By-Law. The Board has discretion under the By-Law. He noted it is true the Board could accept the barn if they accept a 65-foot setback. The issue is a function of bulk. The applicant has not proved a storage unit of that size is customary for a day care. He feels the shorter setback proposed by the applicant was to preserve the barn.

Mr. Alpert agreed with Mr. Block. The size of the building, which is an allowed use, is something that at 65 feet is an eyesore to the neighborhood. The Design Review Board (DRB) agreed with the Planning Board. The DRB raised the issue at least twice. At 135 feet the building would be sufficiently set back to not be a detriment to the neighborhood. The Petitioner is not willing to make changes to the design as requested by the DRB. He thinks a 135-foot setback is important to preserve the character of the neighborhood. He feels they have the authority to do this. He does not feel it is unreasonable to move the building back. The barn really has nothing to do with the daycare center. The applicant could easily build a basement or have smaller outbuildings. Mr. Block commented the barn could have been incorporated in the design if it was really needed. Mr. Alpert stated the barn could be moved to the back of the lot.

Mr. Jacobs stated his preference was to see the building set farther back. It would solve a lot of issues. He is not sure 135 feet is the magic number. He would be ok to discuss moving it a little closer but 65 feet is out of place. The DRB said at least twice to move it back and asked why keep the barn. The applicant has never answered this. The DRB had 2 meetings before the Planning Board hearing. The applicant was on notice of this. The applicant could take a fresh look and could incorporate the barn into the child-care center but he has never looked at that. If appealed, the court would probably ask them to solve it. The solution is right there. No one has tried to prohibit this use. It is all about the conditions the Board is authorized to propose. He is willing to have the proponent come back and incorporate the barn into the proposal. The applicant is saying the barn has nothing to do with this. The barn has been driving all this and he sees nothing in case law that is anything like this. The Board has not denied this. The Board is trying to make this work. He is open to some adjustment to the 135-foot setback but not 65 feet. He does not care if the barn is moved or demolished but the bulk creates an issue for him. There is too much bulk and the Board is allowed to condition that. The barn does not make any sense here. The solution is to incorporate the barn into the new child-care center.

Mr. Alpert stated he wants the setback farther than 65 feet. He already said the size of the building does not look good that close to the street. He also feels setting it farther back with a longer drive would alleviate some traffic concerns. He fears the traffic situation would be an issue. Mr. Block stated the best-case scenario is the center enforces the 60 second drop off rules. The 10th car would take 9 minutes to drop off the child. There is no doubt in his mind that if the setback increased, the room to queue would be larger and would abate some issues. Ms. McKnight noted the neighbors are more concerned with traffic. She does not think the barn is harmful to the neighborhood if they leave it. There are excellent provisions in the decision for control of traffic in Section 3.12 through 3.17. There were good peer review traffic studies and there are tight provisions to prevent issues. She does not want to see this go to litigation. She asked if the Board would compromise on moving the building back? What if the setback is 90 feet? It would bring the building back. It may affect the barn but may not.

Mr. Alpert stated having the building at 64 feet with the barn where it is just accomplished what the proponent needs. Moving the building back 25 to 50 feet would lose parking spaces and the turn around. He noted 64 feet is where the building could be placed and keep the barn. Ms. McKnight thought she would throw it out but feels there is no need to discuss it further. Mr. Alpert stated he has not heard from the Petitioner any willingness to compromise. Mr. Block commented the Petitioner has not told the Board the significance of the barn. They have had plenty of opportunity to explain. They have been insistent on preserving the barn without telling the Board why. There is no evidence a mass of 50% the size of the primary use is necessary to the primary use.

Mr. Block noted in the decision, on page 1, the Chair of the hearing has changed. Ms. Newman will indicate who Chaired which meetings. Mr. Block noted in the Findings and Conclusions, page 16, he had a question in 1.4. Is there a benefit to say “although we have not been provided with a lease..?” Mr. Alpert does not feel it is necessary, but it could be made clear a lease has not been provided in 1.4. Ms. McKnight feels 3.19 addresses this. Mr. Alpert asked, as a statement of fact, if it is material to acknowledge no agreement between the owner and the day care operator has been provided to the Board. Mr. Alpert stated the question is if the Board wants it in the finding of facts. A sentence could be added to 1.4 that “a memorandum of understanding, or any other written agreement, has not been provided.” Mr. Block and Mr. Jacobs are fine with that.

Mr. Block noted in 1.8, there is a comment the morning counts are not available, but the evening peak hours are more critical. He feels the morning traffic out is important also. Ms. Newman stated a traffic report has been submitted. Mr. Alpert noted that is a finding of fact. Mr. Jacobs stated the paragraph could be started by saying “the following is a summary of the petitioners traffic analysis as submitted to the Board.” Mr. Block is ok with that. Mr. Jacobs stated all paragraphs need to state this is what the report says. Ms. Newman noted the chart by NCC and repeated in the traffic report. Mr. Jacobs wants it made clear in each paragraph where the material comes from. It would stop at 1.16. He is not sure the Board should adopt or not adopt all language in those paragraphs.

Mr. Alpert stated they are just providing facts of what the reports provide. John Diaz clarified quotes from the Gillen report. The mornings are important. He requested more data and received more data, but it does not seem to be included. A lot happened with various submissions. Mr. Jacobs thanked Mr. Diaz for clarifying and reminding them of what happened. There would need to be a sentence added at the beginning of 1.16 of the give and take over months. Mr. Block would like to see a new paragraph 1.16 that identifies the exchanges and that there were new counts with conclusions and methodology. Mr. Alpert feels it should be made clear where that information came from and the date. Mr. Jacobs stated if the material originated with John Diaz, it should say that. They need to be clear on what the Planning Board findings are.

Mr. Block noted in paragraph 1.20, last sentence, “appearance” should be changed to “character.” Mr. Jacobs feels the language in the By-Law should be used. Mr. Block noted in 1.20, does the Board want to say the abutter sizes are not comparable? Mr. Jacobs noted it could say “see Exhibit X” and reference the Exhibit. Mr. Block noted in 1.22 (g), it should be “light trespassing” not “lighting.” In 1.26, add “includes 60 second drop offs per child.” That is what was represented to the Board. Mr. Alpert feels that would be challengeable as unreasonable. Mr. Jacobs mentioned the paragraph about staggering times or arrivals. Mr. Alpert noted in 2.1 (a), the DRB referenced a wood fence or green vinyl. Ms. Newman noted she went with a wood fence because it was the preference. In 2.1 (d) she put a placeholder in. The parking lot from the south property line is 50 feet. She is not sure if it works. She had it looked at today and was told 30 to 35 feet would be more appropriate. Landscaping should be put along the edge. Mr. Jacobs stated he would go with 35 feet and landscaping. All agreed. Mr. Block noted in paragraph 3.8 in Conditions “without subsequent approval by this Board” should be added. Ms. McKnight stated that provision may not be needed. Mr. Alpert stated as long as the petitioner maintains one acre with frontage on Central Avenue the Board cannot stop him from cutting off a piece in the back and selling to an abutter.

Mr. Jacobs stated the terminology “single ownership” language is problematic. That means the entire property needs to be owned by one owner. Ms. Newman noted there is usually a condition once a site plan approval is issued that the whole has to stay the same unless the applicant comes back to the Board. Mr. Alpert commented this is a Dover Amendment use. If it was one acre, it would still have to be approved. The Board does not have a legitimate purpose to have a condition that says the building and land shall remain under single ownership and cannot be subdivided. There needs to be 150 feet of frontage on Central Avenue. Mr. Jacobs agreed. It was agreed to get rid of 3.8 altogether.

Mr. Block noted hours of operation. Ms. Newman is not clear. She would like better direction. Mr. Jacobs stated he does not want to deal with this until Attorney Huber adopts Ms. Days conditions. Evans Huber, attorney for the applicant, stated, regarding the hours of operation in Ms. Days’ comments, the administration works on weekends. Per EEC regulations most training and short-term special events are from 5:00 p.m. to 7:30 p.m. in the evenings. On weekends there is cleaning and maintenance. This all happens while the kids are not there. Ms. Day wants to say no regularly scheduled child-care can happen on Saturday or Sunday. She wants some sort of operations on Saturdays and also in the evening. Mr. Huber agreed to adopt the request from Ms. Day.

Mr. Block noted in 3.4, the maximum number of kids is 115 and employees is 18. Her comment is there is one extra parking space, and she would like flexible use for any therapist that may come in. Mr. Jacobs does not feel it is necessary. Mr. Huber feels the decision should include something for the 19th hypothetical person. Mr. Alpert agreed with Mr. Huber. Mr. Jacobs stated the Board will take it up. Mr. Block noted in 3.31 all deliveries and trash are Monday through Saturday 9:30 a.m. to 4:00 p.m. Ms. Day wants 7:00 a.m. to 4:30 p.m. one to 2 times per week. Mr. Huber requested the Board take this up and vote tonight. Mr. Block stated the Board would not vote tonight. Ms. Day's 3 change requests need to be taken up. Ms. Newman will send out a poll to set another meeting to continue this and will include Mr. Huber. This will be continued at the next meeting.

Mr. Alpert resumed as Chair of the meeting. Ms. Espada returned to the meeting.

Minutes

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 accept the minutes of 4/20/21 Planning Board meeting.

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 accept the minutes of 10/19/21 Planning Board meeting as amended.

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 accept the minutes of 10/25/21 Planning Board meeting as amended.

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 accept the minutes of 11/8/21 Planning Board meeting.

Ms. McKnight noted in the 11/2/21 minutes, bottom of page 2, it should be the "Chair" will return back not the "Attorney." On page 6, the Patricia Falco paragraph, 6th line, they are asking for over one acre in commercial use. It should be "this should not be put in." All agreed.

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

VOTED: to accept the minutes of 11/2/21 Planning Board meeting with red lines.

Report from Planning Director and Board members.

Ms. Newman noted Mr. Alpert, Mr. Block and herself are going to the Finance Committee for the overall Planning Department budget proposal. They did a housing meeting listening session with the community and it went well. There is a meeting on breweries next week and will be closing out the application for 1688 Central Avenue. Ms. McKnight stated there were 69 attendees to the housing listening session as well as 13 members of the Housing Plan Working Group. There were lots of good comments. There were compliments on her and Karen Sunnarborg's presentations. Ms. Espada stated there was good feedback from the community. The next meeting for the community will be 3/24/22.

Mr. Jacobs stated he listened. Someone said it was 12.7% SHI (Subsidized Housing Inventory) but the real number is 6.2%. The Working Group should keep this in mind. A question was raised on why the lot sizes increased in 1948. That is a good question. There was a discussion regarding the new law to encourage multi-family housing near transportation. There were some questions regarding racial disparities and Equal Justice. He feels the focus should be on more affordable housing for everybody. This is not about race. He thought it was good and there were a lot of interesting comments.

Ms. Newman stated the Board agreed to accept the letter from Latina that they provided. Their permit would need to be modified so they would need to come in. Ms. Newman noted Panera wants to legalize the extra dumpster it has for cardboard. This will have to be opened up for abutter comments. The abutters have been notified.

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

VOTED: to adjourn the meeting at 11:37 a.m.

Respectfully submitted
Donna J. Kalinowski, Notetaker

Adam Block, Vice-Chairman and Clerk