

NEEDHAM PLANNING BOARD MINUTES

March 19, 2024

The Needham Planning Board meeting, held in person in the Charles River Room at the Public Services Administration Building and virtually using Zoom, was called to order by Natasha Espada, Vice-Chairman, on Tuesday, March 19, 2024, at 7:00 p.m. with Mr. Crocker, Ms. McKnight, Planner, Ms. Newman and Assistant Planner, Ms. Clee.

Ms. Espada noted this is an open meeting that is being held in a hybrid manner per state guidelines. She reviewed the rules of conduct for all meetings. This meeting does include two public hearings and public comment will be allowed. If any votes are taken at the meeting the vote will be conducted by roll call.

Decision: Amendment to Major Project Site Plan Special Permit No. 2009-06: Needham Farmer's Market, Inc., 227 Eliot Street, Ashland, MA, 01721 and Town of Needham, 1471 Highland Avenue, Needham, MA, Petitioners (Property located at 1471 Highland Avenue, Needham, Massachusetts). Regarding request to permit the operation of a farmers market on a small portion of the Town Common and Garrity's Way.

Ms. Espada noted this decision will be discussed and voted at the April 2, 2024 meeting of the Planning Board.

Public Hearing:

7:00 p.m. – Major Project Site Plan Special Permit No. 20094-01: Town of Needham, 1471 Highland Avenue, Needham, MA, Petitioner (Property located at 609 Webster Street, Needham, Massachusetts). Regarding request to renovate 4 existing tennis courts, add 4 new tennis courts, install stormwater management improvements, ADA accessible walkways and landscape improvements.

Ms. Espada noted the hearing regarding the tennis courts at the High School has been moved to the 4/2/24 meeting due to no quorum at this meeting.

Upon a motion made by Ms. McKnight, and seconded by Mr. Crocker, it was by a vote of the three members present unanimously:

VOTED: to open the public hearing for the Major Project Site Plan Special Permit for the property at 1471 Highland Avenue regarding the tennis courts.

Upon a motion made by Ms. McKnight, and seconded by Mr. Crocker, it was by a vote of the three members present unanimously:

VOTED: to continue the public hearing to Tuesday, April 2, 2024, at 7:45 p.m. for the Town of Needham regarding the High School tennis courts.

ANR Plan – Ridgeway Properties, LLC, and Peter Hammer, Petitioners (Property located at 25 Ridgeway Avenue and 10 Evans Road, Needham, MA).

Ms. Newman noted these are 2 existing house lots that are swapping parcels of land at the back of the property. The parcels are almost exactly the same size. One lot is pre-existing, nonconforming as it only has 60 feet of frontage on Evans Road. Evans Road is a private way but provides adequate access. Peter Hammer, of 30 Newbury Park, stated he and his wife own the property at 10 Evans Road. His in-laws live at 10 Evans Road and there is a triangle of land that separates their properties. He approached the homeowners of 25 Ridgeway Avenue and asked if they were interested in a land swap. The new owner felt it would open up the lot and make it more buildable. There is a 5 square foot difference as the Evans Road property needed to have a net gain. Ms. Newman stated that is how it used to be but not anymore. It can now be an even swap. No members had any concerns or comments.

Upon a motion made by Ms. McKnight, and seconded by Mr. Crocker, it was by a vote of the three members present unanimously:

VOTED: to endorse the plan at 28 Ridgeway Avenue and 10 Evans Road, dated 2/29/24, creating parcels B and A, as Subdivision Approval not Required.

Board of Appeals – March 21, 2024

20 Alder Brook Lane – Amit Schwartz and Neta Levin Schwartz, owners.

Ms. Newman noted the owners are requesting to put an addition on an existing house to accommodate a garage and a variance for the front yard setback. Ms. McKnight commented she normally hates garages in front but in this case it is a tiny cul-de-sac and the house is at the end. Ms. Newman noted the land is wet and has an odd shape. Ms. McKnight feels it is justified. Ms. Espada stated the Zoning Board of Appeals (ZBA) should review it.

Upon a motion made by Ms. McKnight, and seconded by Mr. Crocker, it was by a vote of the three members present unanimously:

VOTED: to vote “No comment” on the application for a Special Permit under Section 1.4.6 and the variance with regard to the property at 20 Alder Brook Lane.

Minutes

Ms. McKnight noted, on page 1, the Reg Foster last sentence, add “including affordability” after “all recorded documents.” She asked if Town Counsel wants specific reference made to all recorded documents. Ms. Newman stated that was a reference to the second article and not the zoning article. Ms. McKnight noted to take out “including affordability” and add “to all recorded documents in the second Warrant Article.” or “the second Article that pertains to recorded restrictions in deeds for the Town.” All agreed. Ms. McKnight noted on page 2, 1st paragraph, she added “in the current recorded restrictions” after the Select Board Warrant Article. She noted to take out “framework or recorded framework.” In the 3rd paragraph, Ms. Newman was treating this like an apartment district. It should be Apartment A1 District. On page 3, Ms. Newman noted it is saying to pay attention to the provisions of this when special permits were being granted and which Board was being assigned the role. Ms. McKnight noted it should say “Mr. Block noted when a special permit is required the areas of who and on what basis the special permit granting authority would be flagged”. This was agreed. Ms. Espada noted on page 3, 1st paragraph, this defines all systems. Ms. McKnight the sentence should have a “:” at the end then 1).

Upon a motion made by Ms. McKnight, and seconded by Mr. Crocker, it was by a vote of the three members present unanimously:

VOTED: to accept the minutes of 1/2/24 as redlined and with the changes discussed tonight at this meeting.

Report from Planning Director and Board members.

Ms. Newman noted the HONE Committee meeting is planned for 3/28/24. The Committee has decided on 2 scenarios – the base scenario and an add on scenario. Both are being presented to the community and they are being linked with a fiscal impact analysis and a build-out analysis and a propensity for change analysis which will look at what the project will be and the actual number of units that could be built. The Committee is also working on a zoning framework for that. They will be receiving feedback on those 2 studies, then will finalize what the Committee wants to move forward with. There will be 2 meetings on 4/4/24 and 4/25/24 and then the Committee’s work will be done on 4/25/24. She noted there will be a joint meeting with the Select Board and the Finance Committee on 4/30/24. She hopes to have information for the community meeting up on the website this week so they see it all ahead of the presentation. She noted this is a very short window. She should have the draft tomorrow that has been put together.

Ms. McKnight stated when she was appointed to the Committee she knew she was not going to run again. It was discussed at that time to vote a change that established the committee to a person and not a member of the Planning Board. This was not done. She would like to continue serving on this committee after she is off the Board. She feels the members should have a vote on 4/2/24 appointing her conditioned upon the Select Board agreeing to a change in the composition of the Committee. Mr. Crocker noted, once submitted, HONE is virtually done. Ms. Newman stated the Planning Board will be taking on the responsibility for the Articles when they come back to them in August. Ms. McKnight feels HONE should stay in existence in case the state has any issues. She feels they are in good shape. Ms. Espada noted there were several things the Committee wants the Planning Board to take on. They need Ms. McKnight to help to make sure they know what the Planning Board should be taking on.

Correspondence

Ms. Newman stated she included in the packet the final zoning language for the Housing Authority along with explanations.

Public Hearing:

7:45 p.m. Article 1: Amend Zoning By-Law – Solar Energy Systems

Upon a motion made by Ms. McKnight, and seconded by Mr. Crocker, it was by a vote of the three members present unanimously:

VOTED: to waive the reading of the public hearing notice.

Ms. Espada noted Mr. Block put the presentation together and Mr. Crocker will be presenting tonight to make sure everyone understands what the By-Law is. Mr. Crocker noted this is going to the May Town Meeting and this is memorializing some language for solar. He explained the past history where large scale ground mounted solar had been put together and was done at the transfer station. The Board is bringing this By-Law so people know what can be done. The By-Law amendment would expand the definition of solar energy systems and their applications. He noted there are active and passive solar systems but primarily active. He is talking mainly photovoltaic systems. Ground mounted systems are defined by square footage with small and medium and other active systems such as building mounted, building integrated and surface integrated. He noted the material itself is integrated or a surface integrated example would be a sidewalk. Roof mounted is allowed by right in all districts.

Mr. Crocker noted in residential districts, small scale is by right in the side and rear yards and at the district setback. The front is allowed by special permit granted by the ZBA. Screening is required when closer to the lot line. In non-residential, small is allowed in the side and rear yards by right with site plan review by the Planning Board. Medium scale is allowed in side and rear. Parking canopies are allowed in the side and rear by site plan review by the Planning Board, building mounted is allowed by right in New England Business Center District, Mixed Use 128 District and Highland Commercial 128 District with one exception at Highland Terrace. Building mounted is allowed by special permit in other districts in town. He reviewed the dimensional regulations, lot coverage, height and setbacks for ground mounted and parking canopy systems. Ms. McKnight stated a lot of thought has gone into drafting this, there were several meetings, and she is satisfied with it. She commented that it was a good presentation.

Upon a motion made by Ms. McKnight, and seconded by Mr. Crocker, it was by a vote of the three members present unanimously:

VOTED: to close the hearing on the Zoning By-Law amendment for solar.

Planning Board Recommendation:

Article 1: Amend Zoning By-Law – Solar Energy System

Upon a motion made by Ms. McKnight, and seconded by Mr. Crocker, it was by a vote of the three members present unanimously:

VOTED: to send the Article in this final form for inclusion in the Warrant and recommend to Town Meeting it be adopted.

Upon a motion made by Ms. McKnight, and seconded by Mr. Crocker, it was by a vote of the three members present unanimously:

VOTED: to adjourn the meeting at 7:56 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Natasha Espada, Vice-Chairman and Clerk