

NEEDHAM PLANNING BOARD MINUTES

May 1, 2012

The regular meeting of the Planning Board held in the Charles River Room at the Public Services Administration Building was called to order by Bruce Eisenhut, Chairman, on Tuesday, May 1, 2012 at 7:30 p.m. with Messrs. Warner, Jacobs and Ruth and Ms. McKnight as well as Planning Director, Ms. Newman.

Correspondence

Mr. Eisenhut noted the following correspondence for the record: a letter from Town Counsel David Tobin regarding Needham Square.

Appointments:

7:30 p.m. – Discussion: Insubstantial Changes.

Ms. Newman noted Devra Bailin has drafted a policy on insubstantial changes. She distributed it, received comments back and tried to incorporate the comments in the new draft. She stated she wants to talk about the provision allowing the insubstantial change to be decided at any time. She has included examples and clarified they are only examples.

Mr. Eisenhut stated she seems to have addressed his issues. He did not want to create a box they could not get out of or a basis for argument. He also wanted the Board notified of determinations after the fact. Ms. Newman stated she did not add that but she will. Mr. Ruth noted they should add that there be a report to the Board from time to time. Mr. Eisenhut added “or upon request.” Mr. Ruth agreed. Ms. McKnight stated it says substantially in compliance or unsubstantial in 3 places. To her they mean the same thing. Mr. Eisenhut suggested “insignificant.” Ms. McKnight stated that was fine. They will change insubstantial to insignificant in those 3 places.

Upon a motion made by Mr. Ruth, and seconded by Ms. McKnight, it was by the five members present unanimously:

VOTED: to adopt the Insubstantial Modifications Not Requiring Planning Board Action policy as presented at the meeting with the changes as discussed.

Minutes

Ms. Clee noted that revisions to the draft minutes had been handed in. She will make the changes and bring them back at the next meeting.

ANR Plan – 17 & 31 Sherman Street.

Ms. Newman noted they took a 10 foot strip off and added it to the other to make 2 lots. It is a private road but paved and services other houses along that street. Ms. McKnight asked if there were setback issues to #27. Ms. Newman noted the setback is 12 ½ feet and the lots are conforming.

A motion was made to endorse plan ANR. Ms. McKnight notes she was not sure about the layout. They should look at it. She asked if it could be delayed to the next meeting.

Upon a motion made by Mr. Ruth, and seconded by Ms. McKnight, it was by the five members present unanimously:

VOTED: to postpone consideration to the next meeting.

Ms. McKnight asked if they could put a note on the plan or find out how wide the street is at that location. Ms. Newman will find out.

7:45 p.m. – DeMinimus Change to Major Project Site Plan Special Permit No. 2009-06: Town of Needham, 1471 Highland Avenue, Needham, MA, Petitioner (Property located at 1471 Highland Avenue, Needham, MA).

Steven Popper, representative for the applicant, stated the PPBC was not satisfied with the performance of the doors at Town Hall. He asked the architect to identify a replacement and inclusion of an awning on the stackwall that will capture water and divert it to the side. He would like a modification on the plans as approved and submitted. Ms. McKnight asked if the Historic Commission has had this referred to them. Mr. Popper stated they have. There will be a 1 ½ inch stainless steel edge to tighten up the doors. Mr. Eisenhut asked if it was on the east side. Mr. Popper stated the east and west elevations.

Mr. Eisenhut noted the railings do not carry through on the top platform and it seemed odd. Ms. McKnight commented she has noticed there is a lack of railings. Mr. Popper stated it is not more than 30 inches above grade so a guardrail is not required. Mr. Eisenhut suggested he may want to look and see if guardrails may be added.

Mr. Ruth asked how far the awnings will project off face. Mr. Popper noted they will be within the brickwork. A motion was made to grant the relief requested in the form of the decision presented at the meeting. Mr. Popper noted the reference to Exhibit 3. Exhibit 2 replaces Exhibit 3. Ms. Newman noted she did not know the Design Review Board had signed off on the changes. Mr. Popper stated changes were done on option 3 and option 4 and incorporated the concerns the Design Review Board had.

Ms. McKnight amended the motion to approve the decision and ask if verification is needed with the deletion of Exhibit 3 and renumbering as long as the Planning Director verified what is now Option 4 are the operative plans. Mr. Jacobs asked if there would be a set of plans that show option 4. Ms. Newman stated option 4 is Exhibit 2.

Upon a motion made by Ms. McKnight, and seconded by Mr. Warner, it was by the five members present unanimously:

VOTED: to approve the decision and ask if verification is needed with the deletion of Exhibit 3 and renumbering as long as the Planning Director verified what is now Option 4 are the operative plans.

Public Hearing:

8:00 p.m. – Article 6: Amend Zoning By-Law – Uses in the New England Business Center District.

Upon a motion made by Mr. Ruth, and seconded by Ms. McKnight, it was by the five members present unanimously:

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

Ms. Newman noted this was initiated by the Selectmen. The timeline is relatively short to go on the Town Meeting warrant. This amends athletic or exercise facilities to include pools and outdoor facilities. The zoning did not allow outdoor facilities and athletic facilities were allowed by Special Permit through the Planning Board. They were defined as indoor so outdoor was not allowed. Mr. Ruth noted they were allowed as accessory use. Ms. Newman reiterated outdoor was not allowed.

Mr. Ruth noted on the record he thinks Town Meeting need not bother with De Minimus changes to zoning that could be implemented through the building administration of the town. He feels it is not an appropriate use of Town Meeting to be tweaking building code. He feels outdoor pool is an appropriate accessory use.

Roy Cramer, representative for the applicant, noted Normandy is talking to an athletic facility that wanted to locate to their property and wanted an outdoor pool. It is a good mixed use to have at a facility like that. The definition of facilities says all facilities must be contained within the building. Ms. McKnight asked why the words "and/or outdoor pools." She noted it should just be "and." Mr. Ruth noted they would need to amend it on Town Meeting floor to make any changes in wording. Ms. McKnight noted it is fine in that case.

Upon a motion made by Ms. McKnight, and seconded by Mr. Ruth, it was by the five members present unanimously:

VOTED: to recommend to Town Meeting adoption of this article, Article 6, for inclusion on the warrant for Town Meeting.

8:05 p.m. – Article 1:PB – Amend Zoning By-Law – Description of Flood Plain Districts and Flood Plain District Regulations. Note: This hearing is continued from the April 23, 2012 Planning Board Meeting.

Mr. Eisenhut noted a citizen had a concern. The maps were pulled and there is no change as related to his property. John Whalen, of West Street, noted the swamp land does not show up on one map but shows on the other. Mr. Ruth stated he would need to go to the Conservation Commission for that. He explained the difference between the flood plain and wetlands. Mr. Eisenhut clarified they need to adopt the FEMA maps.

Upon a motion made by Ms. McKnight, and seconded by Mr. Ruth, it was by the five members present unanimously:

VOTED: to recommend to Town Meeting adoption of Article 5 of the Special Town Meeting.

8:10 p.m. – Major Project Site Plan Special Permit No. 2012-04: Needham Bank, 1063 Great Plain Avenue, Needham, MA, Petitioner (Property located at 1055 and 1063 Great Plain Avenue, 10 Eaton Square, 232 and 244 Garden Street, 0 Garden Street, 0 Eaton Square, Needham, MA).

Upon a motion made by Ms. McKnight, and seconded by Mr. Ruth, it was by the five members present unanimously:

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

The Chairman explained the process to the public. Vic Taylor, representative for the bank, noted they have been working with the town for at least a year as they had a lot of civil engineering work to do in order to close Eaton Square. In 2011 they went through the discontinuance process of Eaton Square. They have improved the parking and the traffic flow in and around the area. They are trying to maximize parking for the town and the bank.

Mr. Taylor noted there is the existing bank facility, adjacent parking and 2 adjacent buildings. He noted the town land and their land have odd dimensions and configurations. They have combined the properties and have tried to create one project. They initially looked at a couple of stand alone buildings. This project allows Needham Bank to expand in-house operations and does away with vehicular access from Eaton Square. There will be a pedestrian walkway and it will give better access to the site. They have relocated the primary access to the rear of the building and the flow will be counter clockwise in rotation. This project creates 149 parking spaces, 85 dedicated to the towns' discretion. The bank has limited hours so parking will be available to the town during off hours.

Mr. Taylor stated this is a 12,300 square foot building expansion and remote ATM. Three cars can be queued in the area with a full passing lane. They have tried to improve the landscaping and the visual. There is the standard Needham light located in the middle of the lot. He noted they will use different areas for staging during construction.

Mr. Warner asked if there will be new trees planted. Greg St. Louis, of Beals Associates, Inc., noted there will be bushes on the site and some cherry trees. He noted one tree will have to come out. They are proposing evergreens to screen any headlights. Ms. McKnight stated she sees several significant trees to be removed – two 12 inch poplars that are now in the parking area, a stand of cedar trees now in the parking area, 3 or 5 trees around

the bank's existing parking and a couple of large maples on the street. She commented there are more trees being removed than was touched on. Mr. St. Louis stated the zoning requires one tree per 10 spaces. There will be about 13 required trees and they are proposing 75 trees.

Mr. Warner noted there are trees around the edges but not many trees in amongst the spaces. Ms. McKnight noted there are a couple of trees along the street that will go that shade the street and sidewalk. Mr. St. Louis stated that part of the discontinuance process is to maximize parking. Larry Beals, of Beals Associates, Inc., stated the goal was to create as much parking as possible. He noted the Town Engineer had a number of spaces in mind. They could add trees back in but it would cut back spaces. Mr. Warner commented it would look like the town lot on the other side.

Ms. McKnight asked if there would be any trees in the parking area at all. Mr. Beals pointed out the landscape islands to her. Ms. McKnight stated it looked like there were shrubs on the legend. Mr. Beals showed her on the plan where the pin oaks would be, a green ash in the ATM area and 2 at the entrance aisles. There are several green ash along Garden Street and red maples. He noted they are decreasing the quantity but improving the quality. They have not proposed any landscaping in the MBTA right-of-way.

Mr. St. Louis clarified the reason the Town Engineer has created such a dense parking area is because these are permit parking spaces where people park all day.

Mr. Jacobs asked how they envision the path of vehicles that use the ATM. Mr. St. Louis noted the ATM access is one-way. It will go up Garden Street, turn in at the right and come down and to the ATM. They could then park to the left or exit to the right. The exit is currently there. He noted the Design Review Board has said there is a benefit to making it a one-way in. Mr. Jacobs stated it will force all ATM traffic into the lot. He asked if he thought it was a good idea. Mr. Jacobs noted the access in they showed was a 24 foot wide entrance, then a small berm dividing and a separate 18 foot entrance to the ATM. Mr. St. Louis confirmed there is a dedicated ATM entrance.

Mr. Warner asked if there were 3 curb cuts and was informed there are. Mr. St. Louis noted the ATM in front is being moved due to ADA access. Mr. Warner commented it was a shame to have a drive up ATM. The Town is trying to get people to walk. This is feeding the bad habits of fellow citizens.

Ms. McKnight clarified there is only to be one ATM machine. Mr. St. Louis noted there will be only one in the exterior location. Mr. Ruth noted there are no signage plans concerning how public parking is available after hours and how areas are clearly designated as public parking. Mr. Beals stated the signs are not created yet. Spaces will be labeled for bank parking during bank hours. 85 spaces will be labeled as they are now for permit parking and the balance along the wall will be labeled bank employee parking during bank hours.

Mr. Ruth clarified the Bank owns all the way up to Tedeschi's and was informed they do. Ms. McKnight asked if the lot further north on Garden Street will continue to be used as employee parking and if it has been counted in the numbers. She was informed it will continue to be employee parking and has been counted in the numbers.

Mr. Jacobs stated he thought they said themselves it was not a great idea for people to take a left from the ATM to the parking lot. He doesn't particularly like that. He would like them to try to think of alternatives to go along with what the DRB suggested. They have a split drive with a berm that cuts around the ATM then stops. What if it continues to Garden Street? They could come into the ATM area and stay in that chute all the way out to Garden Street. Peter Zahka, attorney for the applicant, noted the issue is the handicap spaces. There is not enough room to back up unless they reduce the queuing for the ATM. They are trying to keep primary access from the town parking and keep headlights out of the neighborhood. Mr. Beals noted the comment from the DRB was a thought, not a directive.

Mr. Jacobs noted one concern is if it is left as is with 2 way traffic the handicap spots are in a precarious position. He does not know what to do about that. It is a tough spot for handicap. Mr. Zahka stated the total number of spaces is 149. They have increased the former satellite lot by 4 spaces with tandem spaces 100% designated for

employee parking. There will be 85 spaces dedicated to the town. The project requires 73 spaces so they are 9 short and will be looking for a waiver of the 9 spaces. Currently they have a waiver of 14.

Mr. Jacobs asked what the expected head count increase is due to the project. Mr. Zahka stated it is minimal. They are really doing the project to increase space for the current employees. Mr. Taylor stated this is being done to segregate the loan center and give current employees separate offices. They have had to move some people off-site in recent years and will bring some of them back. Mr. Jacobs asked how many will be brought back. Mr. Zahka stated there have been informal discussions but maybe 8 to 10.

Mr. Zahka noted they have a landscape waiver request. They have far exceeded the By-Law requirements but the waiver addresses where landscape areas are located.

Mr. Ruth asked the applicant to talk about how the permit is structured with respect to how the pedestrian plaza will go. Mr. Zahka noted the bank will undertake development of a pedestrian way with a plan agreed upon by the town. Paul Good has come up with an attractive design but it is more expensive than they would have done. Mr. Ruth noted the project is at their cost. He was informed it was but Paul's project was more than they could pay. Mr. Ruth noted he is uncomfortable with part of a project being ill-described. It was noted the bank is committed to making the pedestrian plaza.

Mr. Ruth asked how this is going to be conditioned in the decision. Mr. Zahka noted the condition will help define who the bank is going to be agreeing with. Mr. Beals noted there is another pedestrian way behind Harvey's Hardware. This is very similar. Mr. Eisenhut noted it would make sense to put together a plan. He would not call it the base plan. Ms. Newman stated she thought the concept was they would work with the town to develop a plan, have a timeline to come back and have it approved by the Board. Mr. Jacobs stated he assumed what he saw was the bank's plan. He was working under a misunderstanding. Mr. Zahka noted it will be 9 months to a year before the pedestrian walk will be built.

Mr. Eisenhut commented the handicap spaces are precarious. He asked if there is any legal way to move them to a less precarious position. Mr. Beals stated they will take a look. They could maybe be put across the drive. It is a valid point. Mr. St. Louis noted the advantage there is they do not have to cross the travel lane.

Daniel Bradford, KBA Architects, explained the design site challenges, how people enter the bank and loan center, how they are able to take advantage of left over space and how to best deal with vehicular and pedestrian access to the bank. Mr. Ruth noted the clock tower is a nice touch. He asked if the loan center windows are frosted or clear glass. Mr. Bradford stated he would recommend frosted but it will be the bank's decision.

Marcia Webber stated she was told the brown buildings would not be affected. She has a small business in one and she is being evicted, as are the other tenants. She is surprised to hear they are not being affected. She noted there are 7 businesses and 2 apartments and they are all being evicted. Mr. Eisenhut stated that is not part of this hearing and the owner does not want to discuss that.

Brian Horrigan, 193 Garden Street, stated he just found out about this. He did not get a notice. He noted the drive through ATM is an issue. He has no issue with them improving the building and space but a drive through ATM is another set of issues. Garden Street is a short cut to avoid downtown. People drive too fast, there is a sharp bend in the road and a blind curve. He has no problem with an ATM but it is complicated with a drive through. There are safety hazards. He noted they have taken great time and expense to develop the plans. He is impressed with the efforts but they should have spoken with the abutters. He feels this is a fait accompli. He asked if they are able to say they would like changes. He asked if there was a plan for the satellite lot. Mr. Beals noted 4 tandem spaces added are the only change to that lot.

Mr. Horrigan noted there are residents on one side and businesses on the other. He noted even the businesses look like houses with grass and landscaping. He feels they will lose the residential feel. This is a serious issue for them. His wife counted 70 trees over 6 feet tall. It will be decades before they see full mature trees. He would like to preserve some of the larger trees. It is a benefit to the neighborhood.

Mr. Horrigan stated he worries about the future of Needham Bank under the traditional leadership. They have been good neighbors. He would like to know what will happen with the land they have acquired. With regards to the pedestrian issue, pedestrian access is now from Great Plain Avenue. He congratulates them on a nice plan. He stated the whole zone is like a rectangle. There is no access from May Street to what they own. He would like the town to consider that. The parking lot is the pedestrian access. It is not safe. It is a fundamental safety issue as well as an aesthetic issue.

Mr. Warner stated he did not see Mr. Horrigan's house on the plan. Mr. Horrigan showed him where his house is located. Ms. McKnight clarified it was right across from the satellite parking lot. She noted Needham Bank has not presented a plan that shows the location of the satellite lot so it is difficult to envision that. Ms. Newman noted the satellite lot is not part of this application. Ms. McKnight noted it was part of the application in fact. Mr. Taylor stated there is no construction being proposed on the satellite lot.

Mike Rogers, of 215 Garden Street, clarified the drive through ATM. It is one way going south so people need to make a sharp turn if coming from Great Plain Avenue. He noted, with the design as-is, the natural flow is from Garden Street. You almost have to make a U turn from Great Plain Avenue. He asked if it would make sense to run the other direction.

Mr. Rogers noted his other question is if a traffic study has been done to see how much traffic will likely be diverted from Great Plain Avenue onto Garden Street as a result of the changes being proposed. Mr. Eisenhut stated he supposed they do not need a traffic study to make a determination of what the anticipated use will be. Mr. Rogers stated with the loss of Eaton Square they will be diverting traffic. Ms. McKnight stated she does not see a traffic study. Mr. Taylor noted the ATM will generate approximately 200 trips per day as a maximum. That number comes from the ITE. Mr. Ruth noted the total project is 218 according to the note block on the plan. Mr. Taylor noted there is no change in use. The only Garden Street traffic not there now is what goes in Eaton Court. Mr. Eisenhut reiterated the ATM will generate more traffic. Mr. Taylor noted from a safety stand point it is better to relocate it to Garden Street.

Mr. Rogers asked if the turning radius into the ATM was actually wide enough for all vehicles to make the turn. It seems backwards from the way he would have expected the flow to be set up. Mr. Taylor noted the radius is navigatable.

A tenant at 214 Garden Street noted he was a tenant at will of Needham Bank. He asked if there was a theoretical timeline for the project as presented today. Mr. Taylor noted they are currently in the early stages of taking down the tan buildings depending upon when they get the building permit. If they have the building permit by June 15 they will have a builder by that time and will have a very detailed phasing plan. This will be a complicated and disruptive plan for customers. They will start with the building of the parking lot, then start the building, probably September 1, and it will take a year to finish. The walkway will be done at the end of the project. The first thing done is close off Eaton Court Road; otherwise it would be very dangerous. On or about June 15 permits will be pulled to demolish the buildings. The tenant asked if Garden Street was not being used for staging. Mr. Taylor stated they have not talked about that yet. He added it is a good use for them.

Mr. Eisenhut noted there is a lot unfinished. He noted the following correspondence for the record: a letter from Beals Associates, dated 4/30/12; and email from Police Lt. John Kraemer, dated 5/1/12, with some egress issues; a 12/5/11 proposed Memorandum of Understanding; an email from the Engineering Department, dated 4/26/12, with comments; an email from Fire Chief Paul Buckley, dated 4/27/12; and an email from Janice Berns of the Health Department, dated 4/17/12, with no comments.

Tanya Rogers, of 214 Garden Street, asked if the number of spaces is being increased from what is there including Needham Bank and the town. Mr. Taylor believes the increase is around 26 spaces total. The town is increased by 10 of these. He noted all the 2 hours spaces on Eaton Court will be gone. Ms. Rogers stated with added spaces and a drive through ATM she would like to see a traffic feasibility study. She noted there are nearly a dozen kids in the area. Mr. Taylor stated he does not think the use changes. They are not counting the tan

buildings in the equation. They had the uses there already. There is no traffic to study. People are just parked there so there is nothing for a traffic engineer to study.

Ms. McKnight stated she hears what is being said about the number of spaces not increasing much but the concerns have been raised about the issue of safety with 3 driveways near each other. She would like to see a traffic study of the safety of the entrances and exits at that location, sight distances and that sort of thing. Mr. Eisenhut noted they should maybe look at the realism of the queuing of only 3 cars and if it can be controlled in some way. This seems to be a problem.

Ms. McKnight noted the issue has been raised about pedestrian walking. She noted she lives in the neighborhood. It is difficult to walk to the train from the direction of May Street and Garden. If they have the opportunity to improve pedestrian access from that area to the train she would like to see them get it. She would like some consideration given to a dedicated pedestrian path from where the curve is to where the crossing is for the train. It would be a marvelous improvement for the neighborhood. She noted some very big trees are being taken down. She would like it looked at again and see if any could be saved. See if the plan could be tweaked to save some of the significant trees.

Ms. McKnight noted they would need 1,879 square feet of Eaton Court to be landscaped to meet the requirement. She would hope they will get that. She is not troubled by the current location of the handicap spaces. Not having to cross traffic lanes and being next to the building are much better for a handicap person.

Mr. Ruth stated they need to talk about storm water at the next meeting. Mr. Jacobs stated he agrees with Ms. McKnight. Ideally handicap spaces should be up against the building but given the traffic pattern he does not believe this is ideal and falls short.

Upon a motion made by Mr. Ruth, and seconded by Mr. Warner, it was by the five members present unanimously:

VOTED: to continue the hearing to May 22, 2012 at 8:15 p.m.

Decision: Amendment to Major Project Site Plan Special Permit No. 1986E: 300 First Avenue Realty LLC, c/o Intrum Corp., 60 Wells Avenue, Suite 100, Newton, MA 02459, Petitioner (Property located at 300 First Avenue, Needham, MA, 02494).

Roy Cramer, representative for the applicant, noted the draft decision was done but there was a spacing typo on the first page in the subtitle. Ms. Newman noted 3 changes have been made. Mr. Cramer asked she update the language in the draft to reflect what they did with Normandy as relates to violations of the permit under paragraph 3.23. Ms. McKnight asked for 2 changes. She would like eliminated in 1.11 the characterization that the waiver of parking space is minimal and in 1.16 the reference to the neighborhood inherent use should be established use.

Upon a motion made by Mr. Ruth, and seconded by Ms. McKnight, it was by the five members present unanimously:

VOTED: to grant the relief requested for further Site Plan Review under Major Project Site Plan Special Permit Section 4.2; also the requested Major Project Site Plan Review under Section 7.4; also the requested Special Permit under 1.4.6 of the By-Law for the alteration, enlargement or reconstruction of a pre-existing, non-conforming building and finally the requested Special Permit under Section 5.1.1.5 of the By-Law to waive strict adherence to the requirement of Section 5.1.2 for Required Parking and grant in the form of the decision presented tonight.

Decision: Amendment to Major Project Site Plan Special Permit No. 1996-12: Beth Israel Deaconess Hospital – Needham, Inc., 148 Chestnut Street, Needham, MA, 02492, Petitioner (Property located at 73 Chestnut Street, Needham, MA).

Ms. Newman noted she will have a decision they will be able to vote prior to Town Meeting at 6:45 p.m. Roy Cramer, representative for the applicant, noted Brian Dunn, engineer and surveyor, has developed a landscape

plan but forgot to stamp it. They have met with the hospital and they have approved. He is waiting to show it to the Board. He feels they will be happy with it. He showed the Board the plan and list of plantings. They tried to make it consistent with the abutting landscape and to have as much color through the year as possible with seasonal flowers and colors. Ms. McKnight noted sod is good.

Mr. Cramer stated most is not visible from the street but from the plaza. There are 2 notes on the plan they will take off, it will be stamped and they would like the Planning Director to have authorization to sign the plans when approved. Ms. Newman noted there are 2 changes – there should be signage in to indicate street enter/exit sign and to convert a handicap space to regular. Mr. Cramer asked if the Board is sponsoring the zoning article. The Selectmen would prefer the Board present and they would support. Ms. Newman stated it went into the warrant as the Selectmen's article.

Upon a motion made by Mr. Ruth, and seconded by Mr. Jacobs, it was by the five members present unanimously:
VOTED: to authorize the Planning Director to sign the plans when she gets approval.

Review Locations for 40B Guidelines.

Ms. Newman noted Selectman Dan Matthews asked for feedback back to the committee developing the 40B guidelines. They are looking for locations where higher density apartment housing may be appropriate. Are there certain areas the Board feels are more appropriate? They need to give the development community guidelines where they would like these projects. Mr. Eisenhut stated if you develop guidelines you get a little bit more deference from the state level and Housing Appeal Committee on your local decision making. It make is easier to justify decisions of the Board of Appeals.

Ms. Newman stated Selectman Matthews is trying to find areas on the other side of 128 where it may be appropriate. Mr. Eisenhut noted they should be considering along Wexford Street. Mr. Jacobs thinks encouraging large scale residential development on the other side of 128 is contrary to what the Economic Advisors and Selectmen have been encouraging. They are trying to develop more commercial development.

Ms. Newman noted she has heard some rumors about the end of Reservoir Street being developed for a 40B. Ms. McKnight commented, in a sense, it is nice to live there with a view of the river along the Charles River. Would that be desirable? She noted that seems like a nice location. Mr. Jacobs stated he is uncomfortable with the whole discussion.

Mr. Eisenhut stated the idea is to have guidelines. The state is encouraging this so developers know what the preferences are. It gets your preferences realized. Ms. McKnight noted multi-residential apartments may be desirable on Reservoir Street. Mr. Ruth asked why not wait to say anything. He feels they really need to educate themselves.

Ms. McKnight suggests the area between Hillside and the tracks. It is close to the train, a walk to the library, walk to shopping and across from an already established multi-family area. She would like to take a drive around before suggesting anything but feel that would be a nice area to live. There is also a little industrial area off Crescent Street in the middle of residential. Mr. Warner noted he heard the CPA wanted to rework the senior housing along Linden Street so that would be good and positive.

Discussion of Warrant Articles.

Ms. McKnight will do the Dimension Article 18, Mr. Eisenhut will do flood plain, Mr. Ruth will do the pools. Mr. Jacobs noted he would prefer not to be there. Mr. Warner will do the off-street parking illumination.

Report from the Planning Director.

Ms. Newman noted John Jensen has not withdrawn his article. She does not know what his intentions are. The Planning Board could recommend Article 16 be withdrawn by the applicant and, if not, if could be defeated by a

vote of Town Meeting. Mr. Ruth asked if they could table it to the next special Town Meeting. Ms. McKnight stated they should refer it for further study. Mr. Eisenhut stated Mr. Jensen is the one going forward. They cannot control it. They should tell Town Meeting they cannot support it. Ms. Newman stated they should refer it back to the Planning Board for further study as they cannot support it in the present form. All agree.

Ms. McKnight stated she went to the Selectmen's hearing last week. She presented in general form. If they preclude liquor stores across the street from residential (in all residential districts) it became obvious they were precluding such stores in a lot of areas if you use that standard. She is focused now on single family residential or abutting single family residential. She came up with a plan. She discussed with the Board where liquor stores could be located and where they should be precluded. She noted they should say only precluding abutting privately owned residential zoned.

Mr. Eisenhut commented he thinks it is a terrible mistake to show this map. Mr. Ruth noted he thinks liquor stores are a terrible thing and he is not encouraging this. This is the Selectmen and he wants nothing to do with it. Mr. Eisenhut stated it is being sold as a mom and pop store selling beer, wine and cheese. That will not be the case.

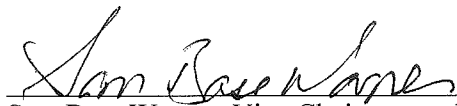
Ms. McKnight stated she will tell Selectman Handel the Planning Board does not want anything presented at this time as something the Planning Board is working on. The Planning Board is not doing anything with this now. If presented at all, it will just be Jeanne McKnight as a Town Meeting member. Mr. Ruth noted he sees very little upside and all downside.

Ms. Newman noted the reorganization is scheduled for 5/22. They should think about it. She noted she had a question about a use. Gymboree went in classified as a school. They have another use which is a supervised indoor playground space. It is for 6 months to 7 years with parent/child activities and a soft play area for babies. They will work on social skills with a focus on open play but in time would want to have classes such as Gymboree has. It is in the Mixed Use 128 on Charles Street. It would be 7 days per week 9:30 a.m. to 5:00 p.m. and 9:30 a.m. to 1:00 p.m. on Saturday and Sunday. There will be birthday parties after 1:00 p.m. on weekends. Mr. Jacobs noted it sounds like Gymboree. Mr. Ruth agreed.

Upon a motion made by Ms. McKnight, and seconded by Mr. Ruth, it was by the five members present unanimously:

VOTED: to adjourn the meeting at 11:25 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker


Sam Bass Warner, Vice-Chairman and Clerk