NEEDHAM PLANNING BOARD MINUTES

December 4, 2018

The regular meeting of the Planning Board held in the Charles River Room, Public Services Administration Building, was called to order by Paul Alpert, Chairman, on Tuesday, December 4, 2018, at 7:00 p.m. with Messrs. Jacobs and Owens and Ms. McKnight, as well as Planning Director, Ms. Newman, Assistant Planner, Ms. Clee and Recording Secretary, Ms. Kalinowski.

Appointment:

7:00 p.m. – Presentation by Needham Housing Authority of Draft Facilities Master Plan, dated September 25, 2018.

Reginald Foster, of the Needham Housing Authority, gave the background of the Housing Authority. He noted there are 325 affordable units now with over 75% of the buildings being over 55 years old. The state and federal funding has not kept up with the needs. Amenities are lacking and there is limited funding available. He noted High Rock, Seabeds Way and Captain Robert Cook are state subsidized properties. There is a need for affordable housing. The town needs to establish priorities. He wants input to add to the master plan to finalize it. He stated the Housing Authority is having a robust review process October 2018 through January 2019 with Town Boards, Departments, tenants, neighbors, HUD, DHCD, MHP, State Representatives, Senators and local community development organizations.

Mr. Foster reviewed the master plan. Chapter 3 is existing developments. He noted there are 115 separate stand alone structures. The newest structures are 20 years old. There are about 42 acres of land. Chapter 4 is Repairs and Improvements needed, Chapter 5 is Major Modernization Options, Chapter 6 is New Development Possibilities, Chapter 7 is Possible Sources of Major Funding, Chapter 8 is Establishing Costs of Possible Projects and Chapter 9 is Findings and Recommendations. He stated the Captain Robert Cook Development needs repairs. There are 10 buildings – 6 on Robert Cook Drive and 4 on Seabeds Way. There were serious ice dams in 2015 and there was interior water damage and mold. The Housing Authority received HUD grants and insurance repaired for $1.8 million the Seabeds Way building. There is a need to repair Robert Cook.

Mr. Foster noted there are no elevators. He noted there are several suggestions. One suggestion is that a 61 unit, 4-story building could be put in the center where the berm is between Seabeds Way and Captain Cook Drive. This could be more elderly, affordable housing. This is conceptual but an interesting possibility. He noted Linden Chambers is a one story building across from the High Rock field. There are 72 units that were built in the 60s. This is on 3.7 acres. Then there are five 2-story buildings with 80 units on about 4.5 acres of land. There is conservation land in the middle.

Mr. Foster noted the second suggestion is that a 152 unit, 2 or 3 story building with parking could be built on the empty land. The land where the current buildings are could then be subdivided to 18 or 20 lots. He doubts the money could be found for this. He noted there were 80 lots on Linden Street with 1-story capes or bungalows built in 1948. Twenty of these houses were torn down on 20 lots and twenty 2-story duplexes were built. This appears to have been a success. The third suggestion would be to take down the other 60 lots and do 60 more 2-story duplexes. This would add up to 60 new units.

Mr. Alpert stated this is very interesting. He is not sure the role the Planning Board would take. He asked what the Housing Authority hopes to accomplish in the next 5 years and 10 years. Mr. Foster stated he was hoping to get comments, do the final plan and put this together with funding that is available. There is a fiduciary responsibility to fix some of the older issues such as roofs, windows, kitchens, baths and add elevators. There is the possibility of solar roofs. The Housing Authority would like to redevelop Linden Chambers but the money is not there.

Ms. McKnight stated Captain Robert Cook is a relatively new building. Public housing is 100% low income. She asked how renovations will be funded. Mr. Foster noted Chapters 7 and 8 explain possible sources of funding and noted funds can come from a variety of sources. Ms. McKnight commented on the new building suggested at Seabeds Way. She asked if the people would be moved from the back 4 buildings into the new building and then tear down the 4 buildings. Mr. Foster noted there would be a loss of 28 units. It may be possible to add an extension at the end of each building and put in an elevator. Ms. McKnight stated the Hartney Greymont parcel is in the report. There is talk about extending the bike path to that parcel. That would get people to the train. To be able to walk to the train is key. She feels the Housing Authority should get involved in the Hartney Greymont process and advocate for the bike path. Mr. Foster noted there are 4 buildings right on the other side of the tracks that are abutters.

Mr. Jacobs stated he had no comments on the repairs and modernizations suggested. He is not opposed to adding units. A lot of discussion now is about various projects that would add housing that would add to the school counts. He wants to make them aware of that. Penelope Kirk, Commissioner, stated that Linden Chambers is not families but senior housing only. It is over 55 and disabled, so would not add to the school counts. Mr. Jacobs stated with the existing zoning in place High Rock may be the easiest to do. Ms. McKnight stated she grew up in public housing. She is happy to be involved as the point person.

Discussion of permitting options for property located at 1450 Highland Avenue and 13-15 Highland Place.

Roy Cramer, representative for the applicant, stated this is 3 projects. He met with Planning Director Lee Newman and Assistant Planner Alex Clee last week to go over the project. At 1450 Highland Avenue the Dessert Workshop is vacant. Pancho's Taqueria has signed a lease. He noted there is no exterior work except some renovations. He would like to use the 1997 site plan. Everything is still in existence and the building is the same. There are 5 parking spaces on site allocated for the clinic. Three spaces have been added. The landlord wants to modernize the property. GNC's lease expires 1/31/19 and they will not renew. He noted the renovations will push the indent closer to the street to add net space. The façade change will be filed by the owner. The wood enclosure around the dumpster was replaced with white vinyl a couple of years ago.

Ms. Newman stated the 1997 site plan does not represent the reality of the site. She noted both applications could come in at the same time so he would have a new site plan to work with. Mr. Cramer stated he would like to keep the Mexican Restaurant application separate. Mr. Alpert clarified that it appears the applicant would need a waiver of an additional 4 parking spaces. Ms. McKnight stated she has a basic concern with parking. She asked why the Board was wedded to leases with no spaces included just because it is already done. She asked why not include new spaces. Mr. Cramer stated he would be requesting a Special Permit. The Board could tell the applicant no. Mr. Jacobs asked if the Board could put in a condition for Pancho's that requires a new site plan with existing parking.

Mr. Alpert stated he is comfortable taking an application for the restaurant and moving along with the site plan. Mr. Cramer stated he is filing 2 floor plans – one with the current conditions and one with the renovations that increase the building area slightly. Mr. Jacobs stated he is comfortable with a condition that a corrected site plan with the reality will be filed by a specific date. Ms. McKnight stated she would like to see an application that shows the entire plan for the site with the building coming down, the restaurant in and all changes. Mr. Cramer stated there is a building on 13-15 Highland Place which is an old house. The plan is to demolish the building and make it all parking. Alejandro Miranda, of Boylston Properties, noted there were currently 5 parking spaces on site adjacent to Walgreens. He can get 7 more by removing the house. Ms. McKnight asked who would use the spaces. Mr. Cramer noted the spaces would be leased to the owner of 1450 Highland Avenue by the owners of the back building at 13-15 Highland Place with a parking lease.

Mr. Owens stated there is nothing before the Board tonight. He commented, in the ideal world, it seems the revised site plan would be coming in with the application. He is uncomfortable with this informational approach to this. It is not the Planning Board's fault the lease has been signed with Pancho's Taqueria without a site plan in place. He commented this seems out of order to him. Ms. McKnight stated she would like to see all the Special Permits pertaining to this site.

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Request to Reduce Surety: Rockwood Lane Definitive Subdivision: Wayside Realty Trust, Chris Kotsiopoulos, Owner and Trustee, 36 Rockwood Lane, Needham, MA, Petitioner (current owners: Hillcrest Development, Inc., and Elite Homebuilders, LLC), (Property located at 36 Rockwood Lane and 5 adjacent parcels, Needham, MA, Assessors Plan No. 17 as Parcels 22, 23 and 24 and Plan No. 20 as Parcels 57, 60 and 61).

George Giunta Jr., representative for the applicant, noted the Tripartite Agreement has ended. The developer proposes to extend it for one year to close out some loose ends. There are some administrative items left to complete. He noted the physical work on site is done. He noted there are a series of plans that need to be submitted. Two plans have been submitted and there are a number of other As-Built plans expected to be submitted in the next week or two. He will have the final drainage report within 2 weeks. He emailed the Homeowners Association document noting there is $10,000 in the account. Control has not been turned over to the homeowners so the required meeting with the owners has not been done. The meeting will take place in the near future. The Association is set up and the money is there.

Mr. Giunta Jr. noted more analysis has been done for the drainage. He had a conversation with the Town Engineer, Alton Stone and Janet Bernardo. There is a consensus now. There will still be a disconnect regarding the 2-year storm. He noted the only difference is the landscape areas. The grass was put down where grasses and mulch were supposed to be so the numbers do not match Samiotes' numbers and probably never would. He is requesting an extension of the Tripartite Agreement.

Mike Tobins, of 69 Rockwood Lane, stated he was the first to buy and the second to move in. He was told the Homeowner's Association did not start until all the houses were occupied. He moved in in August 2017 and the last house was occupied 10/9/18. Mr. Venincasa has been unresponsive to concerns. He cannot get the documents requested. His fears are, if turned over, issues will not get repaired. The drainage system is bad. Trees were pointed out by the Tree Warden that were bad and one fell on his car. He has seen no effort on the developer's part to complete the project. He does not want the developer off the hook and leaving them with the repair costs. The process has been a nightmare. Tree Warden Olsen has been very helpful and amazing. He feels the owners have been patient and the builders have been totally unresponsive. He added some lanterns were not connected to the houses.

Mr. Jacobs feels it is a good thing control has not been turned over. It would be a lot easier if work needs to be done. He is not convinced 99.99% of the work is done. He asked why the applicant wants an extension for one year. Mr. Giunta Jr. stated he felt 6 months was a little short so he felt one year would be fine. It should not take a year but he feels 6 months is too short. Mr. Jacobs does not see a year. Mr. Alpert agrees and would go with 6 months. Mr. Owens stated he is ok with 6 months. He asked Mr. Giunta Jr. if the client calls him back when he calls him. Mr. Giunta Jr. stated Mr. Venincasa had a bad accident with a serious concussion. He has not been that responsive. Mr. Owens stated the Planning Board never hears from him. Mr. Alpert commented the proof of the pudding is the drainage is not working. Water was pouring down the street and the drain was not working.

Upon a motion made by Mr. Owens and seconded by Mr. Jacobs, it was by the five members present unanimously:
VOTED: to approve an extension for 6 months.

Discussion of Highway Commercial 1 Zoning Initiative.

Ms. Newman noted she modeled the proposed Use Table for the Highway Commercial 1on the Mixed Use 128 District. The Council of Economic Advisors (CEA) had questions about the size threshold for retail uses. There is 10,000-25,000 square feet in the Mixed Use 128 District. Grocery stores are to be allowed, but at what size. This does not allow theaters, and bowling alleys are not currently allowed in the Industrial 1 District. Mr. Jacobs asked if there were any comments on the proposed uses allowed by right. Mr. Alpert stated all uses are fine and consistent with the Industrial 1 District. The wording in (g) needs to be reworked. Mr. Jacobs suggested "but not including any of the following:" Mr. Alpert agreed. He noted the chart in Industrial 1 has a couple of things not included like schools, public libraries and churches. Ms. Newman stated she tried to capture the exempt uses.

Mr. Alpert noted the existing uses are there now. Why not continue those uses? Mr. Owens stated it is not to be an Industrial Zone. It is going to be a Commercial Zone. Pre-existing, non-conforming takes care of the concern for existing uses. Mr. Jacobs commented on 3.2.7.1(i) and asked if the Board wants to allow this as of right. Mr. Alpert noted this is a warehouse. Ms. Newman stated the zoning does not allow commercial in Highland Commercial 128 or the manufacturing use also (l). Mr. Alpert stated "by right" should be in 3.2.7.1 and grocery stores should be moved from 3.2.7.2 to 3.2.7.1. Mr. Owens does not feel grocery stores should be allowed due to the traffic generation. Mr. Jacobs agreed.

Ms. McKnight stated she likes the idea of a theater and would like to encourage that. Mr. Alpert feels the town would get a Multiplex and he does not want that. Mr. Jacobs stated he does not want a Multiplex but a live theater would be great. That could help other businesses. Ms. McKnight noted live performance centers or theaters. All agreed. Ms. Newman will take out theaters. Mr. Jacobs asked if residential would be by right or by Special Permit. Ms. Newman stated that has not been studied at all. Ms. McKnight does not feel this is an area for housing. Mr. Alpert noted it should be left in. It can always be taken out later. After discussion, it was agreed to leave residential use out. If the Selectmen want it the Board could do an amendment. Mr. Owens stated the proposed zoning amendments for ADU's, the Hartney Greymont site, this one and garages should all be sent together to the Select Board.

Minutes

Upon a motion made by Ms. McKnight and seconded by Mr. Jacobs, it was by the four members present unanimously:
VOTED: to approve the minutes of 9/25/18.

Ms. McKnight gave changes for the 10/4/18 and 10/10/18 minutes.

Correspondence

Mr. Alpert noted there were several newspaper articles.

Report from Planning Director and Board members.

Ms. McKnight stated there was an article today that the Governor is pushing to get the Legislature during the current informal session to change the state law so that zoning amendments can be adopted by towns and cities by a majority vote. She is inclined to say this is land use and should require a 2/3 vote. She disagrees with the change to a majority vote with regards to zoning amendments. She suggested the Board let their State Representative and State Senators know this is the Board's feeling on this. All agreed. It was requested the Planning Director send a letter to the state that a 2/3 vote is ok with the Planning Board.

Upon a motion made by Mr. Owens and seconded by Mr. Jacobs, it was by the four members present unanimously:
VOTED: to adjourn the meeting at 10:02 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Martin Jacobs, Vice-Chairman and Clerk