

NEEDHAM PLANNING BOARD MINUTES

May 22, 2008

The regular meeting of the Planning Board, held in the Community Room of the Needham Public Library, was called to order by Martin Jacobs, Chairman, on Thursday, May 22, 2008 at 7:30 p.m. with Messrs. Eisenhut, Handel and Ruth and Ms. McKnight as well as Planning Director, Ms. Newman and Recording Secretary, Ms. Kalinowski.

Public Hearing

7:30 p.m. – Major Project Site Plan Review No. 2008-03: Cabot, Cabot & Forbes of New England, Inc., 125 Summer Street, Suite 1800, Boston, MA 02210, Petitioner (Property located at 360 First Avenue, 410 First Avenue and 66 B Street, Needham, MA).

Upon a motion made by Mr. Handel, and seconded by Mr. Eisenhut, it was by the five members present unanimously:
VOTED: to waive the reading of the public hearing notice.

Mr. Jacobs explained the process and procedures. Roy Cramer, representative for the applicant, noted they are redeveloping 3 existing parcels. All are one story and they are combining them into one big parcel. It will be a phased project. First they will demolish 410 First Avenue and 66 B Street and construct Building one on the corner. They will build part of the structured parking garage. In Phase 2 they will build Building 2 and complete the garage. In Phase 3 they will build Building 3 and create additional surface parking. Each phase is self sustaining and they hope to build all 3 but it depends on the economy. They will replace the one story buildings. Buildings 1 and 2 will be 150,000 square feet each, and Building 3 will be 90,000 square feet. They meet all parking requirements and have excess parking. He reviewed the relief requested. He noted First Avenue has 71 parking spaces now. They need a waiver under Section 5.2.2 so they are not in violation during construction. They have asked for a couple of design waivers they do not think they will need. The driveway is 17 feet. They thought it would be 2-way but have decided on a one-way. There is a 5 foot space between the drive and the building. They thought they would have a sidewalk but it is all paved. He noted under the old zoning with more than one building on a lot they would have needed relief. This was rezoned in 2002 and he does not think they need this. He feels this needs to be clarified. It was designed as office/laboratory and both uses remain the same. Under the old By-Law, with respect to parking, more than one use would have needed a permit. The new zoning does not say that. He thinks they need to make a finding. They have submitted floor plans but want to reserve the right to change without coming back. They have put language for the right to condominize rather than keep it in single ownership. They have gone to the Design Review Board and they asked for more landscaping and then approved. The Fire Department and Conservation Commission have no comment. The Police Department made comments and the DPW submitted a letter this afternoon with comments. The traffic mitigation fund donation is \$1,200,000. The Reservoir pump station needs to be updated. Mr. DelGaizo requested they design a new station and they have agreed on the scope of the work and have retained Rizzo to do the design. He noted this is the first office building proposed since the change in 2002 for the traffic mitigation fund. They feel it is a first class facility and hope the Board looks favorably on the project.

Jed Raymond, project manager, stated they are trying to create the streetfront for the 128 Industrial Park. They want to set the standards and the tone for the suburban office park. If properly executed, it creates an asset for the town. Clay Smook, architect, stated they are testing the zoning changes. This is 390,000 square feet of office space. Two buildings will be 5 stories and the other will be 3 stories. There will be a 6 story garage mostly open air. They have worked within the setbacks and guidelines. They are going from an FAR of .4 to an FAR of 1.1. They have turned the buildings so the short ends of the buildings face 128. There is quite a bit of open space provided between buildings. The garage is one part 5 stories and one part 6 stories. There is a 65 foot maximum height in Buildings 1 and 2. There will be an access drive from B Street through to A Street and covered parking. It will be a fresh image for the Business Center. The buildings will be cast stone, a limestone color with darker shades for accent and an arcade or canopy on each building for protective cover. There will be a glass base, called a curtain wall, to mark the entry to the buildings. Each building will be marked by a terrace at each end. The buildings will be similar but have subtle variations. The materials are all the same – solex glass (green tint) and metal panels on top in ivory or an off-white color. The buildings are 360 degrees so there is no backside and the lobbies are through lobbies. Mr. Ruth questioned the garage materials. Mr. Smook informed him precast metal and

glass in warm tones. There will be inset panels with an aggregate type of appeal and horizontal striping. Most buildings will have stone and metal panels on top. There will also be some subtle metal detail on the windows. The intent is this will be a LEED certified project. There will be energy efficient glazing. They feel this is a tremendous opportunity to create a marquee for the New England Business District. Mr. Cramer noted the height limitation is 68 feet.

Stephen Pavlowich stated there are 3 parcels on 8 acres of land. There is just over one acre, or 13%, of pervious area. There are a full array of utilities on A and B Streets and the site is on a sewer divide. B Street goes to the Kendrick Street pump station and A Street goes to the Reservoir pump station. The open space goes up to 2½ acres or 30%. They have been getting comments from the DPW and have already made one change to the plan. They are currently meeting DEP regulations but have been asked if they could do better. They feel they can. Each building has a pod for water. Ms. McKnight asked if there was a similar arrangement for the parking garage. Mr. Pavlowich noted no. The dirty water will go off of the garage storm drain and get treated through a water quality system. This meets the DEP requirements for the new site drainage. As the buildings go online all infrastructure will be there. There is an existing 7 foot grade difference from 66 B Street to 410 First Avenue. They have proposed working with the grade change. The first floor elevation will be 107 feet and the building will be 114. They have created a slope on the northerly side of the garage to get the existing grade. Mr. Ruth asked if there was a berm at the rear of the lot just for balance and was informed yes. Buildings 1 and 2 flow to B Street then to the Kendrick Street pump station. This flow will change to the Reservoir pump station when it is built. Building 3 is set for that now. Building 3 has a temporary sewer system and they have the flexibility to change each building. Water and gas are currently there. Jason Bobowski noted there will be scored concrete at all entrances. Other paths within the core of the site will be change to a pervious material such as a concrete paver with a wider joint. They have added large shrub masses along the buildings and bike racks. Eric Fellingner reviewed the traffic. There is currently 153,000 square feet with 260 trips in the morning and 245 in the afternoon. The 390,000 square feet proposed will generate an additional 295 double trips for a full lease out of the building. That will be 5 trips per minute with over 3,000 trips in the peak morning hours. He reviewed the existing and proposed trip generation. He noted they have assumed the Highland Avenue reconstruction has been put in place. They are contributing a transportation improvement fee per space for a total of \$1,200,000. They feel this is a generous mitigation package. He added it will be about \$100,000 to do the improvements themselves. He noted they need to improve the Highland Avenue corridor and that is a priority. Ms. Newman asked if there would be shuttle service participation. Mr. Raymond noted they will be participating in the Ride Share service. Mr. Jacobs asked how effective a landlord could be in coaxing tenants to deal with the traffic flow. Mr. Raymond noted flexible hours are a benefit and there are really no landlord imposed requirements. They are looking to attract high technology and finance to capture the youth aspect. Mr. Handel asked if they anticipate any retail in these buildings. They are not at this point. Mr. Cramer stated retail uses are limited in this area. Ms. McKnight asked about the sewage flow to the Kendrick Street pump station and if there is not an attainable grant for the Reservoir pump station, what are the ramifications.

Mr. Pavlowich noted they will add a third pump to Kendrick Street. This adds 200,000 gallons per day to the capacity. He noted this project adds about 28,000 gallons per day of sewage. Mr. Raymond stated the Kendrick Street station is being taken off line not for a capacity issue but a maintenance and operations issue. Ms. Newman clarified it needs to be switched over in any case. Kendrick Street cannot handle the park at full capacity with this project. Ms. McKnight asked if Mr. DelGaizo was satisfied with the mitigations. Ms. Newman informed her he was and feels the town will be able to issue a bond to get the dollars. Mr. Ruth asked what the building cost for the station would be and was informed around 2.5 to 3 million dollars. Mr. Ruth noted 360 First Avenue will continue to stand and asked if it would be occupied. Mr. Raymond stated it is part of the master plan to remove it but it is a phased project. Mr. Ruth asked about the timing of the fund. Mr. Cramer noted they can pay half at the building permit and half at the Certificate of Occupancy. Ms. McKnight asked why there was an insecurity of the applicability of Section 3.2.2 when it is clearly for other zoning districts. Mr. Cramer stated she should look at 3.2.1. There is no industrial park district left. The town did not change the By-Law to remove the Industrial Park column in 3.2.1. Ms. Newman noted it is clear this use no longer applies. Mr. Cramer stated if the Board would just make a finding he would be satisfied. Mr. Jacobs noted the following correspondence for the record: a memo from the Design Review Board recommending approval and the addition of plantings; a memo from the Conservation Commission, dated 4/17/08, with comments; a memo from Arthur Hopkins of the Fire Department, dated 5/15/08, with no comments at this time; Tony DelGaizo's memo; and a memo from Lt. Kraemer of the Police Department with comments.

Upon a motion made by Mr. Handel, and seconded by Mr. Eisenhut, it was by the five members present unanimously:
VOTED: to close the hearing.

Ms. Newman will prepare a draft decision for the next meeting. Mr. Jacobs noted they will discuss it after the 8:30 hearing.

Appointments

8:30 p.m. – Belle Von der Goltz and Roy Cramer: Informal discussion regarding proposed subdivision at 634 Charles River Street, Needham, MA.

Mr. Cramer noted this is a 30 acre parcel on Charles River Street. It was originally owned by David Greenway. He offered to sell it to the town but they did not want to spend the money. There is a legal issue regarding access in a private way. Mr. Von der Goltz was an abutter and bought the property. He proposes a conventional subdivision and they want input. David Kelly noted this is very preliminary. It is about 30 acres that runs along the Charles River. It is narrow at the beginning then fans out. There is a conservation restriction on about 10 acres held by the Trustees of Reservations. They are trying to be unobtrusive but there are challenges. There is a gas line easement which is a 50 foot swath that is already cleared. It goes right up the property line. It is difficult working with Algonquin Gas. They have agreed with the subdivision in concept subject to final details. They have created a roadway that parallels but does not cross it except in one area. This is a resource area. There is a vernal pool and they want to maintain maximum separation. Also, the shape of the property and getting the roadway in a tasteful manner are problematic. They are proposing a one-way circulation road. They are not aware of any prohibitions. It will be 16 feet wide and continue down the property to connect to Whitman Road. They feel it will limit the amount of tree clearing. They are considering it and feel it is a good idea. They would like input and propose as narrow a road as possible. Mr. Eisenhut asked if they have talked to Engineering regarding paving over the gas line. Mr. Kelly noted they have talked with Algonquin Gas. They are ok with it but they do need to work the technical details out. The easement was granted in the 1950s. Mr. Handel asked if there was any obligation for public access to the area and was informed no. He asked if Lot 10 was buildable. Mr. Kelly stated that development is allowed in the Aquifer District; however, there is a lot coverage requirement that needs to be met. Ms. McKnight asked if the gas company cared about the width of the roadway and was informed no. Mr. Cramer noted the main issue of concern is crossing them in the original easement. The obligation is on their part to build the roadway. Mr. Kelly noted all the build factors work. He stated the roads are a 40 foot width right of way with 16 foot pavement. He stated they would request a waiver of the paved width to limit the impact on the gas line, tree cutting and encourage a one-way. Mr. Cramer commented a straight, wide road is out of character for this section of town. Ms. McKnight asked if it was public water and sewer and was informed it was. Mr. Eisenhut asked if there were any walking paths down to the Charles River that people use. Mr. Von der Goltz stated there were not as it was very marshy in the back. Ms. Newman stated it would be nice to get some path along the river. Mr. Cramer noted it was not practical. They would have to go back to the Trustees of Reservations to request it. It would be nice to have a path along the river but the restriction is what it is. Mr. Kelly stated the MWRA sewer easement runs along the back.

Mr. Kelly asked what the Board's thoughts were on a one-way drive. Mr. Eisenhut feels they are not going to drive all the way around. Ms. McKnight noted she is concerned with what the Fire Department would say. Mr. Handel noted he is not against a one-way but is concerned about the safety of exiting traffic if people don't respect it. Mr. Jacobs noted he liked the idea of a one-way away from Charles River but is concerned with how it would be enforced. Mr. Ruth noted he respects their desire for less pervious surface. Ms. McKnight stated she would be interested in looking at the Trustee easements. Mr. Cramer will get this document to her. He then summarized the discussion.

Report of the Planning Director and Board Members.

Mr. Cramer gave a quick recap of the meeting on the Alzheimer Center proposed on Duncan Drive. It will be a one-story building with a fake second floor. It will be about 48,000 square feet with 4 courtyards. They have proposed 60 patients and 12 staff. The parking requirement is 36 but they will need less. There will be about 3 or 4 visitors a day of clergy, etc. and one or 2 visitors per week. They want a sense from the Board members. They will need a 4 out of 5 vote or Mr. Trudeau will be held up for one year. Mr. Eisenhut noted he thinks this is a perfect use for this land. Ms. McKnight noted it seems low impact.

Mr. Handel noted he has received a letter from Carol Boulris, temporary Chair of the Historical Society, dated May 19, 2008 regarding the Town Hall Study Committee. They would like an appointee to the committee. Ms. McKnight stated she would volunteer to be on the committee. The Board appointed Ms. McKnight to the committee.

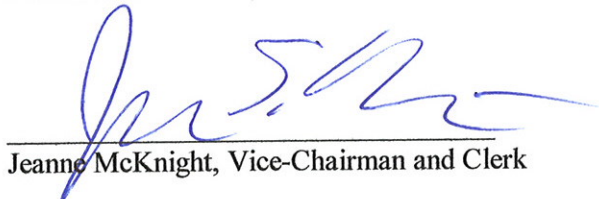
7:30 p.m. – Major Project Site Plan Review No. 2008-03: Cabot, Cabot & Forbes of New England, Inc., 125 Summer Street, Suite 1800, Boston, MA 02210, Petitioner (Property located at 360 First Avenue, 410 First Avenue and 66 B Street, Needham, MA) – Discussion.

Mr. Eisenhut stated they should add Mr. DelGaizo's conditions they have agreed to. Mr. Jacobs noted they should find the property is within the Industrial Zone. Ms. Newman stated she would do a draft and get it out before the next meeting. She will reference the drawings and condition all on the drawings being submitted. Mr. Eisenhut noted they can change without coming back as long as the use allocations in the building do not change. Mr. Cramer noted there are 3 buildings and 3 building permits. He does not think it is fair to pay the whole traffic fee for one building for a total of \$1,200,000. They should pay 1/3 of the fee. Mr. Handel stated they are setting precedent. Ms. Newman noted it says the entire fee. The By-Law says they may pay the entire fee or in 2 installments. Mr. Cramer reiterated there are 3 buildings and it should be broken up into 3 payments. Mr. Handel stated he has no problem with the principle but wants to make sure they are not setting a precedent. Ms. McKnight asked if it would be reasonable to ask Town Counsel for an interpretation. Mr. Eisenhut noted he does not feel Mr. Cramer's interpretation is unreasonable. Mr. Ruth noted he is concerned with setting a precedent and whether it is enough money to get it done. Ms. Newman noted she will have a conversation with the DPW.

Mr. Handel requested the reports the Board receive in their packets just be paper rather than coil bound, etc. It has to be ripped apart to recycle them. Mr. Cramer noted that was fine as it was better for them. Mr. Ruth noted the berm behind the building looks like an afterthought. He wants to see how it would affect the neighboring parcels. Mr. Cramer will check into this.

Upon a motion made by Mr. Eisenhut, and seconded by Mr. Handel, it was by the five members present unanimously:
VOTED: to adjourn the meeting at 10:15 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker



Jeanne McKnight, Vice-Chairman and Clerk