

NEEDHAM PLANNING BOARD MINUTES

December 3, 2024

The Needham Planning Board meeting, held in the Charles River Room of the Public Services Administration Building, and virtually using Zoom, was called to order by Natasha Espada, Chairman, on Tuesday, December 3, 2024, at 7:00 p.m. with Messrs. Crocker, Block, McCullen and Alpert, Planner, Ms. Newman and Assistant Planner, Ms. Clee.

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

Public Hearing:

7:00 p.m. – Major Project Site Plan Special Permit No. 2024-03: PEX Health and Fitness, LLC d/b/a PEX Health and Fitness, 1451 Highland Avenue, Needham, MA, Petitioner (Property located at 1450 Highland Avenue, Needham, MA). Regarding proposal to operate a personal fitness service establishment.

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

VOTED: to open the hearing.

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

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

David Giangrasso, representative for the applicant, noted PEX has a lease agreement for the former Pancho's Taqueria. The applicant is requesting 3 special permits under Section 3.2.2 – use of personal fitness, an accessory use and a multi-use building. There is also a request to waive parking under Section 5.1.1.6. The applicant is a successful operator of personal training fitness. There will be one on one and small group classes. The use is less intense than Pancho's Taqueria was. Pancho's was granting a parking waiver in 2019 of 23 spaces. In 2019, the building at 1450 Highland Avenue needed 94 parking spaces and had access to 48 spaces. There was a waiver request of 46 spaces. PEX only needs 15 spaces as opposed to 23. Today 1450 Highland Avenue has access to 60 spaces. PEX is requesting a waiver of 26 spaces.

The applicant feels this is compatible with the uses in town and is using less space than Pancho's. Ms. Espada noted correspondence from the Police Department, Building Commissioner, Town Engineer and Fire Department all with no issues and a memo from the Public Health Department with comments. Ms. Newman called out the fact that Pancho's did get 8 spaces approved on the site – 5 spaces parallel to the building and 3 behind. There were only 7 spaces shown on the As built with 4 on the side and 3 in the rear. The waiver needs to be modified to reflect the existing site plan only has 7 parking spaces on the property so the waiver would be for one additional space to maintain the approved site plan they currently have.

Mr. Alpert asked if the applicant was moving across the street or opening a second location. It was noted a second location is being opened. Mr. Alpert stated it mentioned in the letter the Planning Board has a maximum requirement of 2,500 square feet but he did not find that in the By-Law. Ms. Newman noted it was in the definition section. Mr. Alpert asked if one operator with 2 locations across the street from each other can have combined more than 2,500 square feet. He is not sure if that is a problem or not. If the applicant took the space next door and took down a wall there would be more than 2,500 square feet. Ms. Clee stated there are 2 different buildings with 2 different requirements. She noted the applicant already has approval for the first one. Mr. Alpert asked the reason for the 2,500 square feet. Ms. Newman noted originally it was to allow small fitness facilities in the center and to specify what was small. Mr. Crocker has no issue with 2 separate addresses. He stated he heard a waiver of 25 spaces. Mr. Giangrasso stated 26 is what is being requested.

Mr. McCullen supports the request. Mr. Block asked how many total people would be on site. The owner noted there is mixed use. There will be some small groups during the moments there are not one on ones. Generally, there will not be more than 10 people in the building at any time but could get up to 15. Mr. Block asked what they are operating at their peak across the street and was informed 6 coaches with one to 2 clients at each peak. Mr. Block noted at the new location the applicant would like to get to 20 or 25. The owner stated 20 would be the maximum and it would not be that frequent. He has purchased parking passes through the town for his other location and the coaches park in the Chapel Street lot. There were no public comments. Mr. Alpert asked if the decision would require the applicant to have town parking. Ms. Newman stated she usually does that as a condition and is based on the number of staff. The decision will be voted at the 12/17/24 meeting.

Upon a motion made by Mr. Alpert, and seconded by Mr. McCullen, it was by a vote of the five members present unanimously:

VOTED: to close the hearing.

Request for permit extension: Major Project Site Plan Special Permit No. 2022-04: BTE Development, LLC, 13 Eaton Court, Wellesley, MA 02481, Petitioner (Property located at 40 & 50 Central Avenue, Needham, MA). Regarding proposal to demolish the two existing commercial buildings and construct a new mixed-use building with retail on the first floor and 15 total residential units on the second and third floors, with associated surface parking.

This request has been canceled. Ms. Newman noted the state passed the Permit Extension Act. This is the third time the state has done this. The Act will expire at the end of March 2025.

Minutes

There were no minutes.

Report from Planning Director and Board members

Ms. Newman stated she has prepared the application for submittal to the Executive Office of Housing and Livable Communities (EOHLC) on the zoning that was adopted. The zoning has been submitted and approved by the Attorney General. She is now preparing the packet to go into the state for review and determination if the zoning stays in place whether it is compliant or not. She has a brief meeting this afternoon with the state. Town Manager Kate Fitzpatrick, Deputy Town Manager Katie King, Town Counsel Christopher Heep and representatives from the state and the Attorney General's office joined her to speak on the status of the Town and not having zoning in place by the end of the year. It was confirmed that they will be out of compliance on 12/31/24. Mr. Alpert asked if the date for the election was set yet and was informed it will be 1/14/25.

Mr. Alpert commented that is only 2 weeks. He hopes the state entities would let one application sit for 2 weeks and see what happens with the vote. Ms. Newman asked about what their status would be, if approved, during the timeline between 1/14/25 and the time they actually have the Town Meeting. That would be non-compliant as well. Mr. Heep asked them to consider the requirements of Section 40A, which is effective back to the date of the public hearing. There was no definitive answer. Ms. Newman noted that is moving forward and she hopes to submit the documentation tomorrow. The state indicated they would try to do it quickly and will get the Board an answer on the status of whether the zoning is compliant. If not compliant, the Planning Board would need to decide what to do at that point.

Mr. Alpert asked if the members want to take time to consider options prior to 1/14/25 if the town votes out the Neighborhood Plan. Ms. Espada does not think they should take the time at this point. A discussion ensued. Mr. McCullen stated he has heard concerns with the capacity of the school system and the district and concerns with the infrastructure of the storm water system and traffic management. Mr. Crocker noted the Base Plan was overwhelmingly supported. He heard concerns with all being as of right rather than having more oversight. Ms. Newman noted, if the Base Plan passes,

over the next year the Board could look at higher density by special permit. Mr. Alpert asked what happens with the Carter building and was informed that was in the Base Plan.

Ms. Newman noted the appointments to the Large House Study Committee. She is trying to get the first meeting scheduled for the week of 12/16. Right now, the next Planning Board meeting only has one decision. She asked if the members would be amenable to having a zoom meeting. All agreed. Mr. Alpert stated he received an email today about designating representatives for Town Meeting. It went to Town Meeting members and had a Planning Board designee on it. He is interested but he feels it will go beyond April when he is off the Board. Ms. Espada stated the intent is that it would be done before April.

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

VOTED: to appoint Mr. Alpert as the Planning Board designee to the Large House Study Committee.

Correspondence

Ms. Espada noted correspondence from Louis Wolfson, of 29 Cimino Road, regarding zoning on Crescent Road. Ms. Clee reminded all members she sent the list of workshops and there are still some upcoming in December and January.

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

VOTED: to adjourn the meeting at 7:43 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Artie Crocker, Vice-Chairman and Clerk