

NEEDHAM PLANNING BOARD MINUTES

November 5, 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, November 5, 2012 at 7:30 p.m. with Messrs. Warner, Ruth and Jacobs and Ms. McKnight as well as Planning Director, Ms. Newman and Recording Secretary, Ms. Kalinowski.

Appointments

7:30 p.m. – Transfer of Permit: Major Project Site Plan Review No. 2007-04: Village Fish of Needham, Inc., 136 Maple Street, Needham, MA 02492, to Eat Farmhouse LLC, 115 Salem End Road, Framingham, MA 01702.

Ms. Newman noted they are requesting a transfer. This is an existing restaurant and is going to run under the same terms and conditions. The only internal changes are to the seating plan. There will be 100 seats at dinner and 40 seats at lunch. There was a Board of Health memo, dated 11/2/12, regarding a dumpster issue relative to Village Fish and Stone Hearth Pizza. The dumpsters are too close and not large enough. They suggest larger dumpsters be required and they be moved farther away from the playground.

Dora Tavel-Sanchez Luz, of Eat Farmhouse, LLC, stated she has 2 children ages 8 and 5. She is on board with the Board of Health. She feels it was disgusting to have odors in the past. She will speak with the landlord about relocating the dumpster. Ms. Newman noted the other issue is there are supposed to be 2 dumpsters for both businesses.

Mr. Jacobs stated this is under 3.15 and asked why they did not know there had been complaints. Ms. Newman stated she did know. The Board of Health was trying to work it out with Village Fish. Mr. Eisenhut suggested Ms. Tavel-Sanchez Luz have a conversation with the Board of Health.

Ms. McKnight stated the current conditions refer to 100 seats. They are going to take out the seats located at the rear at the raw bar. She confirmed there will be no raw bar with the new restaurant and asked where the take-out would be. Ms. Tavel-Sanchez Luz stated the take-out will be in the same location but with no raw bar. Ms. McKnight stated that should be clarified in the decision.

Mr. Ruth asked Ms. Tavel-Sanchez Luz to speak about the business. Ms. Tavel-Sanchez Luz stated she moved from New York to Boston. She and her husband ideally wanted their own produce to bring into their own restaurant. They have each been in the restaurant business for about 20 years. It will be very elegant with a lot of relationships with farmers and going out to their farms. Diners want to know where their food is coming from. There will be a lot of local influence. The servers will be able to tell guests where the products are from but she does not want to be showy. They want very much to have a community table. She feels it is a win win situation for Needham.

Ms. McKnight asked if there will be vegetarian offerings. She was informed there will be vegetarian offerings and gluten free offerings.

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

VOTED: to transfer the permit to the applicant with the clarification that the reference to the raw bar in 3.4 will be struck and reference will be made to the plans accompanying the proposal for the application.

7:40 p.m. – ANR Plan – 1725 Great Plain Avenue.

Ms. Newman noted this is an existing lot with frontage on Curtis Road. It will be subdivided into 2 parcels. They will save the house and renovate and build a new house next to it. Mr. Ruth noted there is one reference to the house being relocated and one reference on the note to the house being removed. The plan is inconsistent. It was clarified the garage will be removed.

Mr. Ruth stated the plan needs to be straightened out before he will take action. He stated they should encourage communication with the abutters first. He understands they cannot require it but they should encourage it. It was noted they are saving the house and then building a new one. Ms. Newman stated they could vote to endorse outside of the meeting. Ms. McKnight commented she is inclined to vote to endorse and sign when the change is made.

Upon a motion made by Ms. McKnight, and seconded by Mr. Warner, it was by three of the five members present (Mr. Ruth voted in the negative and Mr. Jacobs abstained):

VOTED: to endorse the plan to be signed once the word “removed” is changed to “relocated.”

Pubic Hearing

7:45 p.m. – Amendment to Major Project Site Plan Review No. 2007-10: Beth Israel Deaconess Hospital Needham, 148 Chestnut Street, Needham, MA and Beth Israel Deaconess Medical Center, Inc., 330 Brookline Avenue, Boston, MA, Petitioners (Property located at 148 Chestnut Street, 86 School Street, and 92 School Street, Needham, MA). Note: This hearing is continued from the October 16, 2012 Planning Board meeting.

Mr. Eisenhut noted the following correspondence for the record: a cover letter from Roy Cramer, dated 11/5/12; a memo from Vanasse Associates, dated 11/1/12, addressing questions; a noise assessment from Hashio Environmental Engineering dated 11/2/12; a lighting photometric study and an email from Lee Newman and the Town Engineer with 3 pages regarding cross hatching in the drive.

Roy Cramer, representative for the applicant, stated they have listened carefully and have tried to address the issues. There were 4 major issues; landscaping on Lincoln Street, traffic, lighting and noise. He noted they had a plan done and had a neighborhood meeting to look at the plan. They feel it was well received. One recommendation is to do something to lessen traffic on Lincoln Street. They have decided the south entrance will be an entrance only and they will have to exit on Chestnut Street. They did an additional noise study to show what it is at the present time and what it will be after development.

John Fogerty, of BIDMC Needham, stated they want to be a good neighbor. They had a meeting last week and agreed the overall appearance from Lincoln Street is poor. They have a landscaping architect under contract. They will present the plan tonight. He added they have done an additional noise study. The preliminary findings are the noise levels are below requirements. The hospital Board has approved replacement of the laboratory chiller which is the oldest and noisiest piece of equipment on the roof. The intent is the vents and louvers for the new structure will be oriented toward Chestnut Street and not Lincoln Street.

Mr. Fogerty noted part of their plan is the materials management department will be relocating to 73 Chestnut Street prior to construction and a lot of truck traffic will be gone. There should be a significant drop off in traffic around the back. For the landscaping, they will screen the south parking lot with arborvitae and make it an entrance only. For the lighting, they will continue to monitor and adjust lights as needed. Mr. Fogerty stated there was a good turnout of neighbors and they had a healthy discussion.

Jim Heroux noted they cannot put trees in the lot due to the tightness. There are a lot of stray plantings. On the east side of Lincoln Street there is a grass strip and a 5 foot wide sidewalk. They are proposing for the walkway, which is about 7 ½ feet wide, to take out about 2½ feet or so of pavement and put a grass strip along with sugar maple trees which are similar to across the street. They will match an existing dogwood and rearrange the

evergreens. There will be entire groupings of plants rather than one or 2 here and there. There will be ornamental shrubs added to the existing arborvitae and a dogwood tree will be added to plug the hole. There will be a solid evergreen wall. They will remove a spruce tree and utility shed and put dogwood shrubs.

Giles Ham, of Vanasse Associates, noted it will be an entrance only on the south side. They feel it is a good idea.

Andrew Roland, of Capaccio Environmental, stated an initial noise study was done in June. Then an additional noise study was done. It was retested and they added 2 more locations. The study showed they are in compliance. He stated to assess the new chiller they did noise modeling. They found there is a very small increase in sound. After the project is done and the chiller is replaced it will be less noisy than it is now.

Mr. Roland stated with their lighting fixtures they will take the bulb in the fixture, mount it horizontally and recess it into the fixture. What this allows them to do is shield the light source from the abutters. It also directs the light in a downward position. They were able to cut off a lot of the light on School Street and eliminate any light that can be seen from the abutters. They did this with very nice, aesthetically pleasing shields located within the fixtures. He clarified zero foot candles means no light. The Board will see that across the street at the abutters there is literally no light.

Mr. Ruth asked, on exiting, how will it be prohibited? Mr. Fogerty stated the gates will only let people in. Mr. Jacobs asked if noise modeling does not work what remedial options would they be able to put in? Mr. Cramer stated modeling works. There is irrefutable evidence to that. It was noted the new equipment will be much quieter. Mr. Cramer noted they can always add sound attenuation measures to the equipment.

Carl Henes stated the type of fixtures used will still have lighting spill over in the south lot. He asked if there are any changes proposed. Mr. Fogerty stated they will have to look at it and modify if necessary. Mr. McNulty noted the roof top lighting may have shifted out of whack with the winds.

Kathy Lewis, of 17 Maple Street and a Town Meeting member for 35 years, noted 73 Chestnut Street is a new noise maker. It is right behind her house and she feels the Board should be aware of the noise. She asked once the cancer center is up what will happen to the neighborhoods if someone cannot find a parking space? Will they encroach on the neighborhoods? She reiterated they need sufficient parking on site. Mr. Cramer stated the lot has 270 spaces now. The net is less than 16,000 square feet with an increase to 313 spaces. There is an excess of parking spaces required by law.

Cheryl McSherry, of Grant Street, asked who the spaces were for and if employee parking is off-site. Mr. McNulty noted there is a lot across the street. Ms. McSherry stated she has been here for 25 years. She noted the hospital is in a neighborhood. She stated they are in the second phase and asked if there will there be a third phase. She feels it is starting to encroach in everyone's neighborhood. It is becoming more like a commercial area. She stated if they continue to grow the hospital should consider moving off-site to the industrial park. Mr. Fogerty noted there is no more space to put anything else.

Carol McCarthy commented the fourth house has gone up for sale. She feels the hospital is taking over the whole neighborhood.

Ms. McKnight stated the landscape plan along Lincoln Street looks nice. She asked if the entrance to the structured parking is along Lincoln. Mr. Cramer stated the entrance is on School Street and there is no access from Lincoln Street. He noted the loading dock curb cut is getting smaller – from 60 feet to 40 feet.

Ms. Newman stated she received the plans today. Engineering has not looked at them. She feels they should continue the hearing for comments to come in. Mr. Ruth stated this is master planning. They need to look at the master plan, lighting and the south lot.

Dennis Monty, of BI Deaconness, stated they spent a significant amount of time looking at sites. It made more sense to have a facility on site. They have a master plan of how the overlay has been laid out. He added plans

have been in effect for several years. Ms. McKnight noted the landscape seems to be disjointed. She would like to see a whole planting plan for the entire campus. Mr. Cramer stated the 2007 landscape plan dealt with the south lot on Chestnut Street. Mr. Ruth stated a more expansive view would be more constructive. Mr. Fogerty noted he will have someone put it all together.

Elizabeth Gerlach, of BIDMC, stated they have a medical overlay district with firm requirements. She noted they are required to and provide a lot of documentation to the City of Boston. Ms. McSherry asked what is to say the hospital does not buy the abutting lots and keep expanding.

Ms. Newman stated they want to move the cafeteria space to the new location. She asked if this application captures that. Mr. Cramer noted that is all interior renovating and is not part of the project before them.

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 11/13/12 solely and exclusively to discuss the cafeteria issue and on 11/20/12 they will discuss the broader issues.

Request to authorize Planning Director to review plans and authorize Occupancy Permit: 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).

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

VOTED: to delegate authority to the Planning Director to issue a permanent or temporary Certificate of Occupancy upon conditions satisfactory in her choosing.

Mr. Cramer stated all exterior work is to be done tomorrow.

Discussion of the Rail Trail and associated Warrant Articles.

Mr. Ruth stated there were 2 articles that Mr. Connors and his supporters were proposing for Town Meeting. He feels proceeding with them may have unintended consequences for other things. He feels there is reason to believe that if this Board were to vote that in the event Article 8 was withdrawn they would hold a public hearing regarding the non-southern stretch of the proposed bike trail then there would be a reasonable chance that Article 8 would be withdrawn. His view would be that they should vote that in the event that Article 8 was withdrawn they would hold a public hearing before the end of the calendar year.

Mr. Eisenhut stated they should have a public hearing anyway. They do not know enough and would gain information. If they deem it viable they can make a recommendation. Mr. Jacobs asked if there is enough time to do this by the end of the year. Ms. Newman noted it should be done by the end of January.

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

VOTED: to vote that in the event Article 8 is withdrawn they will hold a public hearing before the end of January 2013.

8:40 p.m. – Bob Smart: proposed use at 922-958 Highland Avenue.

Mr. Smart stated they want to operate an urgent care center at the old Hollywood Video location. It will be a 3,000 square foot walk-in care. It has significant synergy with the other businesses. There will be a maximum of 6 employees on site with 27 to 40 patients per day. This is allowed by right as a medical professional. He noted similar medical type uses are allowed by right without any special permits needed.

Mr. Cramer stated this is a tight site with parking. They will need a waiver for parking and for more than one non-residential use on a lot. The Hollywood Video use had a demand of 10 spaces. This has a demand of 15 spaces for an increase of 5 spaces. There are 113 spaces on site and 10 countable spaces on Highland Avenue for a total of 123. The current parking demand is 119 spaces so currently they have a surplus of 4. He stated if you use that analysis they will need a waiver of one space. This site has been granted waivers previously for 16 spaces in 1996, 22 spaces in 1997, 18 spaces in 2000 and 20 spaces in 2006. They would like comments from the Board, what information they would like and any concerns.

Renee Lohman, of Carewell Urgent Care, stated they will open about 30 centers in the next few years. They are doctor owned and operated at all times. They are for profit health care and are retail oriented. They will have a digital x-ray and lab. She clarified they are not treating primary care needs. This is a walk in for urgent issues. They will be open 7 days a week. Generally they will refer back to the primary care physician. They will refer to the Emergency Room for any issues out of their scope and will refer to specialists. She added they work closely with Tufts.

Mr. Jacobs asked if she could add anything to the parking. Ms. Lohman stated they can figure out ways to transport employees to the site. They will see trends shortly after opening. They take all insurances and she noted costs are a lot less.

Ms. McKnight asked why Mr. Smart felt it was as of right. Mr. Smart stated it was under medical office and professional services. Ms. Lohman noted they will operate as a physician practice. They do not exceed the size limits. Ms. McKnight asked why the Planning Director feels there is an issue. Ms. Newman stated their definition links clinics to licenses.

Mr. Jacobs asked if there will always be a physician on site and was informed there would be at all times. Ms. McKnight stated there is an issue with the landscaping there. They need to work out the landscaping with the owner. Mr. Smart clarified they have limited leverage. It is only 3,000 square feet of the 38,000 square feet. Mr. Eisenhut stated the offer for alternatives for employee access is appreciated. Mr. Jacobs stated they should speak to the Citibank owner. They do not seem to use a lot of space.

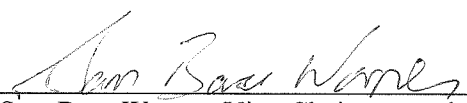
Report from Planning Director.

Ms. Newman stated Volante Farms has asked for a release of funds. They are not ADA compliant. They put a curb in front of the handicap spaces. The Civil Engineer had certified they were compliant but the Disability Commission went out and found it was not compliant. She added part of the plaza is also not compliant. She stated it is possible to move parking spaces down a little and convert the entrance door to an exit/entrance door but she is not sure about the plaza issue. The Disability Commission will be sending the Planning Board a letter. Ms. Newman will speak with Dave Volante.

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

VOTED: to adjourn the meeting at 10:00 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker


Sam Bass Warner, Vice-Chairman and Clerk