

NEEDHAM PLANNING BOARD MINUTES

February 5, 2013

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, February 5, 2013 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.

Correspondence

Mr. Eisenhut noted there were several emails with information regarding maple trees. Ms. Newman noted a disease was going around and there is a suggestion they use other species for the time being. Mr. Eisenhut also noted an article from the Boston Business Journal regarding McMansions. Ms. Newman stated there was a copy of the zoning articles. There is also a letter from Chris Kotsiopoulos of 36 Rockwood Lane. She stated a lot of trees are being cut down. She is meeting with him tomorrow. He was going to truck out the material but he needs a permit to remove over 25 cubic yards. She stated they cannot truck it out. There are also questions about the house lot he is living in. It has 50 feet of frontage.

7:30 p.m. – DeMinimus Change: Major Project Site Plan Review No. 2008-09: Town of Needham Permanent Public Buildings Committee, Petitioner (Property located at 484-500 Dedham Avenue, Needham, MA).

Ms. Newman noted she has a draft decision dated 2/5/13. She has the application and sent a letter to the neighbors. Hank Haff, Project Manager, noted there is a generator behind the adjacent building that serves 500 Dedham Avenue. It is behind 484 Dedham Avenue. They are requesting a deminimus change to decision articles 3.3 and 3.4. He stated the timing of the standard maintenance testing is going from no more than 2 hours per month to no more than one hour per week. They will keep the 300 hours. He noted in 3.4 they are not changing Section a. Section b should be consistent with Section a, with no increase more than 40 DBAs.

Mr. Ruth asked for a sense of cost of other remedies. Mr. Haff stated it was down to 31 DBAs. They are in discussions with the architect. They will have to go out for a redesign. There will be redesign costs and rebid costs which will be between \$30,000 and \$40,000. There will also be insulation costs for a jacket to go around. They could raise the glass wall from 8 feet to 13 feet but it will not give the necessary reduction. That would cost between \$15,000 and \$20,000.

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

VOTED: the proposed changes as set forth in the Major Project Site Plan amended decision dated 2/5/13 relating to the Town of Needham Public Services Administration Building are minor in nature and do not require a public hearing.

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

VOTED: to grant the requested modifications.

Public Hearing

7:45 p.m. – Update on Town Rail Project and Associated Trail Development Opportunities.

- Patty Carey, Director of Parks and Recreation
- Tom Connors

Mr. Eisenhut commented this was an opportunity for the Board to become knowledgeable about the trails in town. The Planning Board would like to know if there is anything they can do as a Board. He stated if there are any specific requests to let them know.

Director of Parks and Recreation Patty Carey noted this is a joint project of the Board of Selectmen and Park and Recreation. There is a volunteer group. She noted the focus is on the southern end near the Junction to the Charles River in Dover. She is not sure where it actually starts. She noted the MBTA has to keep some unused trail for themselves. It is pretty secluded but it goes along the NStar submission line, which is another challenge. There are several subcommittees.

Dimitri Gorenburg, of Bay Colony Rail Trail, noted he is on the Outreach Subcommittee. They are having neighborhood meetings. There are 4 neighborhoods abutting the trails: Stratford Road, Richardson Road, Emerson Place and Emerson Road, and the Charles River/South Street area. He noted they have had 10 to 15 people at most at the meetings. They want to make sure their privacy is protected. There will be green hedges or something along that line. He noted people are concerned the line of trees currently protects them from the NStar line. If the trees come down they want them replaced.

Ms. Carey stated the CPC awarded money for a study. They will have a public workshop in March. She noted both the south and north have 2 road crossings. They need to figure out how to handle the volume of traffic. The largest cost is the bridge in the north side. Needham only owns half. She noted Dover is gaining support in having some sort of trail.

Mr. Gorenburg stated the study is working on the parking issue also. The Charles River side already has Red Wing Bay and Charles River lots. It is trickier on the Needham Junction end. The study will come up with an assessment of the spots needed.

Mr. Jacobs asked how wide the trail is. He was informed it depends. The standard is 12 feet wide with a 2 foot shoulder on either side for a total of 16 feet. There are some spots where it might go down to 10 feet. Mr. Jacobs asked if the MBTA right-of-way is 20 feet. Mr. Gorenburg stated it was wider at 30 to 40 feet. He noted the problem is not in the width of the corridor. Mr. Jacobs noted if they only need 16 feet they are not leasing the entire width. Ms. Carey stated they will need to lease the entire width.

Mr. Jacobs noted the handout and asked if the pedestrian path is for pedestrian's only. Ms. Carey stated there will also be bikes, strollers and wheelchairs. There will be no motorized vehicles. Mr. Jacobs asked how they will police that. Ms. Carey stated they are discussing that with the police. Mr. Jacobs asked if there will be restricted use at any time. Ms. Carey stated it will be from dawn to dusk. Mr. Jacobs commented enforcement would be mostly by complaints. Ms. Carey agreed.

Mr. Ruth stated he lives in the Junction area but did not hear from that group. Mr. Gorenburg stated they invited Chestnut Street. Mr. Eisenhut asked if they are finalizing the feasibility study company. Mr. Gorenburg stated yes, but they have no signed contract yet.

Mr. Eisenhut stated a lot of private non-profit groups support trails and clean ups. Ms. Carey stated Bay Colony will still be included and report issues. Ms. McKnight asked if the Bay Colony Rail Trail Association is non-profit and was informed it is. She asked if they thought the MBTA would require the town to provide parking before agreeing to lease the land. Ms. Carey stated it is not a requirement. Ms. McKnight stated parking areas always seem to be the biggest issue. Mr. Gorenburg stated he has heard from the abutters they want parking lots.

Ms. McKnight stated she feels the project will bring High Rock Street closer to downtown. She asked how they can accomplish that. Ms. Carey stated they feel they are just on the other side of the tracks. It would be convenient to walk on a trail to Chestnut Street. She feels it can work but they want to be careful where live rail and not live old rail come together. Ms. McKnight commented on the other state organizations on the second page of the handout, which says it cannot be included in Add-a-Lane. She heard it could be included. Ms. Carey stated the bridge is not part of Add-a-Lane and will not be. There is some money being considered for rail trails.

Ms. McKnight stated they cannot prohibit motorized devices under the American with Disabilities Act. She asked if they have considered that. Ms. Carey stated she has considered it and is drafting it now. Ms. McKnight asked if each town will have a lease with the MBTA or will there be intermunicipal agreements. Ms. Carey stated each town will have a lease.

Mr. Warner noted it is important to have 2 speed areas. They need to keep the cyclists and others separate. Mr. Eisenhut asked if there will be asphalt. Mr. Gorenburg stated originally there will not be. Ms. Carey commented Dover is considering a speed limit. Mr. Warner asked where this falls on the capital improvement list. Ms. Carey noted it is not physically on the list. They believe they can do most of the removal of rails at no cost and have fundraisers. Mr. Ruth stated there is storage of the trains between the Junction and Hersey Station. He asked if the MBTA will be keeping that. It seems rather redundant.

Valerie Lind noted she founded Friends of Needham Rail Trail Greenway this past summer. She reviewed who they were and noted they want to find common ground. There are 4.8 miles connecting Newton to Dover. A lot is abandoned and overgrown. They want to provide aesthetically pleasing trails. They want to use the wasted land for public use. They feel it will help raise property values.

Tom Connors described the rail trails in the area. He noted the middle section is 1.75 miles. The goal is to make paths so people do not need to use cars all the time. Jerry Reilly, of Newton, noted it is one mile from the river to Newton Highlands. The neighborhood latched on as a neighborhood park. He noted Iron Horse will come in if there is more than one mile, take the track and create a path. In one year they can have a one mile long park at no cost. He added funding is approved for insurance. They have a working study group. The trail will be built in the autumn of this year and will end at the river.

Mr. Conner noted DOT projects need a form. They sent it to Mass DOT. He feels it will be great to get the DOT involved. They have a lot of money available they could use. He noted Iron Horse is one man. If he decides to stop doing this they will only have more expensive options. They should take advantage while Iron Horse is doing Newton. They do not want to do this by themselves. They want the Planning Board, Park and Recreation and others involved.

Mr. Ruth asked how Newton was addressing the public transit. Mr. Reilly stated the terms of the MBTA lease is 99 years. They retain ownership and can take it back with a one or 2 year notice. They can peaceably coexist with the green line. They could put light rails for combined use if they want. It will be a 12 to 16 foot wide path. Mr. Eisenhut asked if they are recommending to Needham they do the same thing. Mr. Conner stated they are recommending that.

Mr. Eisenhut noted there is the issue of the bridge. Mr. Conner stated they need to start a dialogue. Mass DOT could help with this. There is a lack of communication with Park and Recreation and others. Ms. Newman noted they need to decide what the bridge purpose is going to be. She does not think they have figured that out yet. Mr. Reilly stated the value of a right-of-way is continuous. When the right-of-way is disrupted great value is lost. Mr. Ruth stated he feels this is the most critical issue in the whole thing. To lose the bridge is a long-term planning mistake for the town. He feels the town should do as much as possible to get the DOT to replace the bridge.

Jim Lerner, of Newton, stated at the Add-A-Lane meeting the DOT said they would build whatever kind of bridge Needham wants. They just have to ask. They stated they were legally obligated to replace it if they took it down.

Ms. Carey stated the Town Manager and Selectmen are in contact with the DOT. They need more information before a decision can be made. Mr. Jacobs asked if Ms. Carey knows the towns' position. Ms. Carey stated a whole study was going on. Mr. Jacobs commented he is not sure what the town is doing to not break the link. Mr. Ruth suggested they should maybe have a subcommittee from the Board to meet with the Selectmen.

Mr. Eisenhut noted the other issue is should they take advantage to take the tracks up while the opportunity is here. Ms. McKnight asked if there were road crossings in Needham. Mr. Reilly noted there was only one road crossing at Oak Street. He noted they knocked on the doors of all the abutters and engaged everyone which is why they feel it is successful. Ms. Newman noted part of the concern is not to lose the option for the Rapid Bus.

Town of Needham Chapter 40B Housing Guidelines.

Mr. Eisenhut noted he was hoping, being a member of the committee, they would adopt these by unanimous consent. Mr. Warner stated if you look at the map it appears they have created a couple of spots where 40B developments can go and left the rest of the town free of these intrusions. Ms. Newman commented she does not think they are saying that. They are saying there should be a density of about 8 or 10 units per acre. They are targeting larger scale residential projects that are rentals. Mr. Jacobs noted it clearly says they can go anywhere. It says on page 4 that no section of Needham is precluded.

A motion was made to recommend to the Selectmen adoption of these guidelines. Ms. Newman noted the Board of Selectmen has already adopted. The Planning Board should vote to endorse the guidelines. Mr. Eisenhut commented he feels they get more deference from the state if they have these guidelines.

Ms. Newman noted they were going to do a housing production plan in the 2007 plan but put it off. She feels they should do it and thought they should have done it in 2007. Mr. Jacobs stated he would like to get the message to the Board of Selectmen that he supports moving on with a housing production plan.

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

VOTED: to endorse these Town of Needham changes to the 40B guidelines and encourage the Board of Selectmen to develop a housing production plan at the earliest opportunity.

Minutes

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

VOTED: to approve the minutes of 9/24/12, 11/5/12 and 11/20/12.

Report from Planning Director

Ms. Newman noted Trip Advisor is changing the building design. They want a singular building with a second building behind the primary building. This is outside the TIF agreement and it may need to be revised. They will be amending the Special Permit.

Ms. Newman noted the Selectmen held their hearings for potential liquor stores. Town Manager Kate Fitzpatrick stated they can only regulate the hours of operations. Ms. McKnight noted the strict interpretation is they cannot put any restrictions on. Ms. Newman stated it is an as of right use in some of the proposed locations.

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