

NEEDHAM PLANNING BOARD MINUTES

February 26, 2008

The regular meeting of the Planning Board, held in the Performance Center of the Eliot School, was called to order by Devra Bailin, Chairman, on Tuesday, February 26, 2008 at 7:30 p.m. with Messrs. Eisenhut, Handel and Jacobs and Ms. McKnight as well as Planning Director, Ms. Newman and Recording Secretary, Ms. Kalinowski.

Appointments

7:45 p.m. – Roy Cramer – Informal discussion with the Board regarding Site Plan Review Requirements for Sew Easy (Property located at 908 Great Plain Avenue).

Roy Cramer, representative for the applicant, noted this is a 600 square foot space. They will be filing the application tomorrow. There will be no outside work and he noted they have been there for many years. They would like to file an assessor's map. There was a consensus from the Board.

Major Project Site Plan Review Deminimus Change No. 2007-10: Beth Israel Deaconess Hospital Needham, 148 Chestnut Street, Needham, MA, Petitioner (Property located at 148 Chestnut Street, Needham, MA).

Margaret Wood, representative for the applicant, noted Dan Walsh suggested she talk with the Board. They want to move the CAT scan to the cafeteria. It has nothing to do with the project but Mr. Walsh did not want to issue a permit until the Board was OK with it. Mr. Walsh thought it may be an issue for the Board. She noted it was an existing function and the cafeteria will be closing for the foreseeable future. Ms. Bailin commented they were swapping space out and she did not see a problem. Mr. Cramer noted there will be no increase in function. This will be on a temporary basis, possibly through the summer of 2009. Mr. Jacobs stated if Mr. Walsh has an issue he should let the Board know.

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

VOTED: to instruct the Planning Director to let Mr. Walsh know it is fine with the Board.

7:30 p.m. – Angelo Catanzaro – Release of Lots and Establishment of Off-Street Drainage Bond for Frank Street Subdivision.

Mr. Catanzaro noted they have provided all necessary paperwork -- a \$3,500 bond and all recording documents. Ms. McKnight noted \$3,500 was a small amount of money and questioned what would be done if the developer does not do the work. Ms. Newman informed her that is the Off-Street Drainage Bond and the street was already in. Ms. McKnight questioned if it was a reasonable amount. Ms. Newman stated it was and that it was the Board of Health's recommendation.

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

VOTED: to release the lots and set the bond.

Minutes

Ms. McKnight stated she had issues with the minutes of January 22, 2008. She gave the recorder a draft of the revisions she felt should be made.

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

VOTED: to accept the minutes of January 22, 2008 with the changes requested by Ms. McKnight.

Board of Appeals Applications – February 28, 2008

Neehigh LLC, 93 Union Street, Suite 315, Newton, MA – 629, 633 and 659-661-663 Highland Avenue.

This has already been done.

Kevin Delaney, 57 Marked Tree Road – 70-72 Marshall Street.

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

VOTED: to comment on the 2 variance amendments and note they are not able to do this.

90-94 Dedham Avenue, LLC, 264 Edgewater Drive, Needham, MA – 90-92-94 Dedham Avenue.

They have already commented they cannot do this.

Michael and Lisa London, 77 Crestview Road, Needham, MA – 80 Burr Drive Extension.

Ms. Newman noted this is a cluster subdivision. It is 3,400 square feet. They could go up to, but not over, 4,400 square feet absent an amendment from the Board. That is jurisdictional.

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

VOTED: to comment this is not allowed if it exceeds the allowed amount.

Evan Freid, 10 Wildale Circle, Needham, MA – 10 Wildale Circle.

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

VOTED: to make no comment assuming it is a conventional subdivision.

Tu y Uo II, LLC, 66 Chestnut Street, Needham, MA – 66 Chestnut Street.

Ms. Newman noted this is a change in restaurant. The Board of Appeals granted the permit so the Planning Board has no jurisdiction.

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

VOTED: “No comment.”

Spiga, LLC, 18 Highland Circle, Needham, MA – 18 Highland Circle.

Ms. Newman noted they already did this. They needed them to supply the proper permits.

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

VOTED: “No comment.”

ANR Plan: Muzi Motors (Property located at 557 Highland Avenue, Needham, MA).

Ms. Newman noted she has the ANR plans. They are consolidating the lot to get rid of the internal lines.

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

VOTED: to endorse the ANR plan.

Extension of Temporary Occupancy Permit: Major Project Site Plan Special Permit No. 2000-07, Muzi Motors, Inc., Petitioner (Property located at 557-561 Highland Avenue, Needham, MA).

Ms. Newman noted they are requesting an extension until December 31, 2008.

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

VOTED: to extend the temporary Occupancy Permit until December 31, 2008.

Review of General Court Petition for the Establishment of a Parking Fund for Needham Center.

Ms. Newman noted she had received comments from David Tobin and Mr. Jacobs. Under the zoning they anticipate creating a provision for the Board to grant waivers for parking. This includes structure parking and surface parking. They will use this as a vehicle to create parking in downtown and allow the money to be raised at the time of the Special Permit. The parking fund needs legislative approval and be in place prior to the zoning being enacted. She would like to get it as close to the final form as possible for the May warrant. Mr. Eisenhut questioned who the proponent would be. Ms. Newman noted she thought it would be the Planning Board and the Selectmen. Ms. Bailin noted Mr. Tobin's e-mail and reviewed his comments. She stated his confusion regarding Section 1 may be that he does not know about the zoning changes. She feels he may be getting mixed up with the Special Permit process and this. In Section 2 (a) they should add "through purchase or lease" in both (a) and (b). Ms. Bailin noted she did not know what Mr. Tobin was looking for with regarding to the 20% limitation. She did not know what first paragraph he was referring to. All agreed this was unclear. Ms. Bailin noted she feels Mr. Tobin's confusion regarding 3 (a) is that the Planning Board makes the determination under the Special Permit that is being issued whether or not there is going to be a waiver which will permit the use of an alternative to add on parking paid into the fund. She thinks he does not understand this is in conjunction with zoning. She noted there should be language that indicates this is pursuant to proposed zoning changes. Ms. Newman will speak with Mr. Tobin and incorporate Mr. Jacobs' comments and some of Mr. Tobin's. Ms. Bailin stated they should leave in 30B. She is not sure what problem Mr. Tobin has with it. Ms. McKnight commented she agrees with Mr. Tobin. Ms. Bailin noted she feels it should be left in as it acknowledges they understand what the process is. Ms. McKnight reiterated if Mr. Tobin wants it taken out it should be taken out. She noted they should say only "uses of the fund shall be authorized by Town Meeting" and take out "upon a favorable recommendation." Ms. Bailin suggested they should state "per a favorable recommendation of either the Planning Board and/or the Board of Selectmen. Mr. Eisenhut agreed. Ms. Newman stated she would prepare a new draft and redistribute it to the members. Mr. Jacobs noted it should state the purpose clearly. Ms. McKnight commented 3 (a) does not say "made to and accepted by the Town for the purpose of carrying out..." as it does in 3 (b). She noted there are lots of payments made to the town. It should state "any cash payment made by a developer to the town pursuant to the Zoning By-Law made to the Planning Board goes into this fund to be used for parking." Ms. Bailin noted it should be clarified but the intention is the funds are to be used for parking. Mr. Jacobs suggested they strike the word "developers."

Bruce Eisenhut to update Board on CPC procedures regarding Town Hall.

Mr. Eisenhut stated he is the representative for the Community Preservation Committee for the Planning Board. He noted alternative one is the only option before the CPC. There will be a public hearing on April 15 and the CPC will vote April 16 either up or down. If the CPC votes option one down there will be nothing before Town Meeting. The Selectmen will have to come back in May 2009 with a new option. He stated a no vote means it is dead for a year and the construction costs will go up. He would like some sense of the Board as to how they feel. Mr. Handel noted option one creates permanent but removable partitions. It is not a public use. He added they are talking about removing the stage in option one. He proposed the Board reaffirm their previous position the auditorium

should be renovated and restored for public use. Ms. Bailin agreed. Mr. Handel noted he believes the Board of Selectmen do not want a public use. He feels there is no downside to a delay. Ms. Bailin noted if the funds are used for Town Hall they should be used appropriately. Mr. Handel commented we are in the middle of a downtown planning study. This is the most important site in downtown. This is the only thing that can actually help stimulate the economy activity in and around the downtown core that the town can do. He feels they should be doing something that revitalizes the downtown and they should have at least brought this issue to that committee for discussion. Mr. Eisenhut noted option 3 has about \$4,000,000 of the \$20,000,000 cost that would not be eligible. Mr. Handel noted what is not in that is the basic fact they are having to build additional space at DeFazio, something they are not going to do in option 3. Those dollars are not in that \$4,000,000. He sees no merit to any of the Board of Selectmen arguments. Ms. McKnight noted another factor for this Board is their lack of meeting space in the Town Hall. They should have their files and their staff in the Town Hall and that should be in the center of town, not at DeFazio. She feels that auditorium would be a wonderful meeting space and there is a need for it. She favors an option 3 but not necessarily their option 3. She added the town boards need to take a position.

Upon a motion made by Mr. Handel, and seconded by Ms. McKnight, it was by four of the five members present (Mr. Eisenhut abstained):

VOTED: to propose the Planning Board reaffirm their previous position the auditorium should be renovated and restored for public use.

Review of Planning Board mission statement for website.

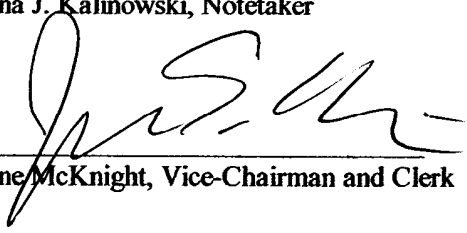
Ms. Newman stated she was not sure how to present their face to the community. She is presenting them as the Planning and Economic Development Department and will describe the role of the Planning Board, the role of the Planning Department and the role of the Economic Development Department and have information regarding each of the roles. She reviewed the roles of each for the Board. Joyce Moss will be working under Ms. Newman. Ms. Bailin noted the only other way to do it is to have a Planning Department and an Economic Development Department.

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

VOTED: to adjourn the meeting at 8:45 p.m.

Respectfully submitted,

Donna J. Kalinowski, Notetaker



Jeanne McKnight, Vice-Chairman and Clerk