

NEEDHAM PLANNING BOARD MINUTES

January 10, 2017

The regular meeting of the Planning Board held in Powers Hall, Needham Town Hall, was called to order by Elizabeth Grimes, Chairman, on Tuesday, January 10, 2017, at 6:51 p.m. with Messrs. Jacobs, Alpert and Owens and Ms. McKnight, as well as Planning Director, Ms. Newman, Assistant Planner, Ms. Clee and Recording Secretary, Ms. Kalinowski.

Correspondence

Ms. Grimes noted the following correspondence for the record: a map of the site for the 6:45 p.m. public hearing, a supplemental letter regarding the parking study; a draft decision for the 6:45 p.m. hearing; an email from Joy Smith regarding the proposed hospital expansion and issues from the last project; an email from Bruce Howell, member of Needham Commission on Disabilities, regarding the Large House Review Committee presentation with questions; and a Needham Times Article regarding the new RFK Kitchen.

6:45 p.m. – Amendment to Major Project Site Plan Special Permit No. 2014-04, Artisan Dance Academy, LLC, Kai Chen, Manager, 322 Reservoir Street, Needham, MA, Petitioner (Property located at 10-16 Charles Street, Needham, MA 02492). Please note: this hearing has been continued from the December 20, 2016 meeting of the Planning Board.

Ms. Grimes noted this hearing has been continued. She listened to the entire prior hearing session on tape so she will be participating tonight. Kai Chen, Manager, noted it is a week day 6:00 p.m. to 9:00 p.m. operation. Ms. Grimes stated the applicant proposes 6:00 p.m. to 9:00 p.m. Monday through Friday and 9:00 a.m. to 8:00 p.m. on Saturday and Sunday. An analysis with a chart was done. It appears to be that there are unused spaces with the front and rear lot together. Mr. Chen noted there are 12 spaces for the use. There were 10 spaces for the previous use. He feels there is adequate space during their use time.

Ms. Grimes noted the map in the packet. Mr. Chen stated it is a site plan to show where the drop off will be. The applicant wants to extend the week day hours to 8:00 a.m. to 8:00 p.m. for flexibility. Ms. Grimes stated she was ok with making that revision via a de minimus change rather than an amendment. She noted she went to the site this morning. It is a big lot that encompasses the whole building. Ms. McKnight stated she went about 5:00 p.m. and observed there are a lot of cars parking in the rear. The applicant responded that many people will drop off. She asked if the lease arrangement is such that people can park out front and go in the front door. Mr. Chen noted the entrance is in the back.

Mr. Jacobs stated the original hours were 5:00 p.m. to 9:00 pm. The applicant is currently seeking the hours 6:00 p.m. to 9:00 p.m., until such time as he requests the de minimus change Mr. Chen stated that is correct. The hours have been reduced. Mr. Jacobs commented he would have been curious to see what the lot was like at 5:00 p.m. Ms. Grimes noted the Board needs to take into account the whole lot. She has no issue with this.

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

VOTED: to close the hearing.

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

VOTED: to grant the requested Major Project Site Plan Review Special Permit Amendment under Section 7.4 of the Needham Zoning By-Law and Section 4.2 of the Major Project Site Plan Review Special Permit No. 2014-04, dated May 20, 2014 and the requested Special Permit under Section 3.2.6.2 for a private school, namely dance instruction, in the Mixed Use-128 Zoning District; subject to the plan modifications and limitation as set forth.

Mr. Jacobs noted a typo on page 3 of the decision. "There" should be "their" in the 2nd paragraph of section 1.8.

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

VOTED: to adopt the decision as presented with the correction of the one typo.

Update on Inspection Fee: Rockwood Lane Definitive Subdivision: Wayside Realty Trust, Chris Kotsiopoulos, Owner and Trustee, 36 Rockwood Lane, Needham, MA, Petitioner (Property located at 36 Rockwood Lane and 5 adjacent parcels, Needham, MA, Assessors Plan No. 17 as Parcels 22, 23 and 24 and Plan No. 20 as Parcels 57, 60 and 61.

Ms. Newman noted the funds are low and the escrow account needs to go back up to \$45,000. This would be \$9,800. Mr. Jacobs asked if Mr. Kotsiopoulos knew this was being discussed tonight. Ms. Newman stated she emailed him.

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

VOTED: to increase the required amount of funds to \$45,000.

Minutes

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

VOTED: to accept the minutes of 10/18/16.

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

VOTED: to accept the minutes of 11/1/16.

Ms. Newman noted the 11/15/16 is a draft. Any changes should be given to Ms. Clee.

Report from Planning Director and Board members.

Ms. Newman noted she is cleaning up some paperwork. She needs the Board to sign the subdivision bond agreement for Oak Street. The Board members signed the agreement.

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

VOTED: to take a 10 minute recess.

Presentation:

7:30 p.m. – Large house Review Study Committee presentation.

Ms. Grimes explained the process and procedures. She noted the Committee is presenting the whole recommendation for the first time. She noted the Planning Board would probably break it down into smaller articles. She feels it is important for the public to know the Large House Review Committee was not unanimous. She noted Mark Gluesing will do the presentation.

Mr. Gluesing stated the Committee started work by trying to define the issues. The abutters are impacted; the neighborhood changes; and the drainage is changed. The new houses usually replace smaller homes. There have been comments that the houses are too big. The Committee wants to respond to resident concerns, explore zoning

impacts and make recommendations for zoning changes. The goal is to make zoning fair and easy to understand. The Committee studied the current inventory. One quarter of lots in the Single Residence A and General Residence districts are nonconforming for the lot size or frontage. Eighty properties had lot coverage over 25%.

Mr. Gluesing noted there was a median Floor Area Ratio (FAR) of about 20%, 30% had above 25% and 5.6% were above 40%. The Committee looked at the teardowns since 2010. There are signs a large amount of new homes are replacement houses. Replacement homes have a median size of 4,830 square feet and cost well over \$1 million. The median FAR of the houses torn down is 15% compared to 44% for the replacement homes.

Mr. Gluesing reviewed the proposed changes to zoning. The Committee analyzed approximately 60 to 80 homes. The feedback was - it is not the size alone. Other things were analyzed also. They want to encourage building elements and architectural diversity within the front and side setbacks, modify setbacks, increase lot area coverage in tandem with applying FAR calculations and change the building height measurements. The new regulations would allow bay windows that did not create more FAR and covered porches to the maximum of the 50 square feet allowed.

Mr. Gluesing noted the front setback increases from 20 to 25 feet and there is a limit for 2 car garages within a 35 feet setback to 1.5 stories. The rear setback remains at 20 feet. Side setbacks for conforming lots increase from 12.5 feet to 14 feet and 14 feet to 16 feet. For nonconforming lots it increases from 10 feet to 12 feet. Lot area coverage increases from 25% to 28% to allow for additional design flexibility in conjunction with FAR calculations. With a lot size less than 12,000 square feet there is an FAR of .38. With a lot size greater than or equal to 12,000 square feet the FAR is .36.

Mr. Gluesing discussed the existing regulations and proposed regulations on conforming and nonconforming lots. On corner lots the front setback is usually on 2 streets. Character and variety are allowed for better structures. The height measurement method will be changed. There are 2 options – measure from the pre-construction or post-construction grade, whichever is lower, with a height limit of 35 feet or measure from a single point in the street centerline at the average of the highest 1/3 of the property's street frontage with a height limit of 32 feet.

Mr. Gluesing stated additions to existing single and 2 family homes will be subject to the proposed regulations for new construction. The recommendations would be instituted townwide for new and old houses to be consistent. It is straight forward and the same for all. If there is demolition of less than 50% of the structure, they can use the original setbacks as of right. If more than 50% is demolished, they need a special permit from the ZBA. Most will be done as of right and the Building Department will review them.

Ms. Grimes stated she would open the meeting to the public for comments and questions. She commented the Planning Board would have another public hearing after they review it on their own. Matt Borrelli, Selectman, stated there was a conflict tonight with their meeting but the Selectmen wanted to come up and hear the presentation. The Selectmen will have their own hearing on this but they are here and listening. This is an important issue for the town.

Gary Kaufman, resident, asked what percent of nonconforming homes are perfect square or rectangle lots. Mr. Gluesing stated he does not have a count on that. Mr. Kaufman stated it is important to get that number. Mr. Gluesing stated most lots are rectangular or nearly rectangular. Mr. Kaufman noted of the 25% of nonconforming lots, most are owned by people over 62 years old. Is there any discussion with how the elderly would get a tax discount? Would the elderly be exempt from these regulations? Mr. Gluesing stated the Committee is not doing an economic analysis. Mr. Jacobs suggested Mr. Kaufman bring up his evidence of the research to the Planning Board meeting when they have it.

Sam Bass Warner, resident, stated the proposed house size should be 3,200 feet not 4,000 feet. Two car garages should not be prominent. Cars should be in the rear and not the front. He noted 5,000 or more residents are 65 years or older seeking smaller houses with a bedroom on the first floor. He feels it is more desirable to modernize the small house stock.

George Rappolt stated he is strongly in favor of the regulations proposed tonight. He is over 65 and a resident of Needham. He does not feel the regulations go far enough but it is a major improvement over the current Bylaw. He feels the Board should enact the new regulations now.

A gentleman noted he had heard there was the problem of drainage. He asked if the Committee had looked at the issue of drainage and future changes. Mr. Gluesing stated the issue was looked at. The Committee had an extensive discussion regarding drainage. It is a difficult problem to solve on a zoning level. The town is currently doing a storm water drainage study so he will defer to them.

Rick Demeis stated he agrees with Mr. Warner regarding the look of neighborhoods with 2 car garages. He is in the elderly class and was a Town Meeting member when the current regulations were passed. This is a desirable town and houses still have value.

Joe Leghorn thanked the Planning Board and Mark Gluesing for the presentation. He stated they did a great job dealing with the issues. He noted this was proposed as a package. He asked if that would change when the Board starts to break it down. He did not look at it as applies to properties in the general residence district. He thinks it should apply some sort of setback there. He thanked the Committee for all their hard work.

Ms. McKnight asked if the proposed regulations will apply in the general residence district. Mr. Gluesing stated it applies to both general residence and single residence districts. Ms. McKnight stated she was on the Large House Study Committee. She stated she started out feeling like Mr. Warner. She did not understand why garages needed to be in the front. She learned the market is such that people want to go directly into the house from the garage, and that lot widths constrain side-entry garages. There was valuable expertise on the committee.

Kim Marie Nichols, Precinct B, commented she appreciated the presentation. She is glad to encourage diversity in houses. There has been the wholesale demolition of 4 streets near her. She asked if these regulations would make sure the builders do not build cookie cutter houses. Mr. Gluesing stated it would not. The Committee did not go that far.

Paul Dawson, of Wachusett Road, feels the work is good. He would say he would like the Planning Board to consider that one size does not fit all. He does not know why a blanket increase to 14 feet is being done. The side setback should be tied to height. Why increase the front setback from 20 to 25 feet? It should be tied to height and why the increase in lot coverage from 25 to 28%. The largest complaint is storm water run-off. If you increase impervious area there is an increase in storm water run-off to streets or abutting properties. It seems unnecessary to go to 28%.

Jeff Heller, Precinct F, stated he was on the Large House Study Committee. He noted the next steps are a public process. He would encourage a very public forum to consider all the stakeholders. He noted the Committee found some really strong middle ground that takes all into consideration. He would encourage the Selectmen to consider all in their public process.

Ms. Grimes thanked Mr. Gluesing for presenting and thanked all the members of the Committee for all their hard work.

Report from the Planning Director and Board members.

Ms. Newman stated there is a tight timeline from now to the Annual Town Meeting. She would like to know how to break each proposed dimensional change out and how to set it up as multiple articles. Ms. Grimes noted it would be on the agenda at the next meeting for discussion. Ms. Newman stated she and Ms. Grimes spoke with the Board of Selectmen who advised that the potential single article incorporating all the proposed changes would likely not get a 2/3 vote.

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

VOTED: to adjourn the meeting at 9:00 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker



Paul Alpert, Vice-Chairman and Clerk