NEEDHAM PLANNING BOARD MINUTES

November 17, 2020

The Needham Planning Board Virtual Meeting using Zoom was remotely called to order by Jeanne McKnight, Chairman, on Tuesday, November 17, 2020, at 7:15 p.m. with Messrs. Jacobs, Alpert, Owens and Block, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Ms. McKnight took a roll call attendance of people expected to be on the agenda. She noted this is an open meeting that is being held remotely because of Governor Baker's executive order on March 12, 2020 due to the COVID Virus. All attendees are present by video conference. She reviewed the rules of conduct for zoom meetings. She noted this meeting includes public hearings and will allow for public comment. If any votes are taken at the meeting the vote will be conducted by roll call.

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

VOTED: to automatically continue the meeting to 12/1/20 at 7:15 p.m. with the same zoom ID number if any technical difficulties arise that keep the Planning Board from continuing this meeting tonight.

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

VOTED: to allow the Vice-Chairman to continue the meeting if the Chairman has technical difficulties.

Public Hearing:

7:20 p.m. – Amendment to Major Project Site Plan Special Permit No. 99-2: BP 140 Kendrick Street LLC c/o Boston Properties Limited Partnership, 800 Boylston Street, Suite 1900, Boston, MA Petitioner (Property located at 140 Kendrick Street, Needham, MA). Regarding allowance of leasing to multiple tenants and site improvement.

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

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

David Provost, of SVP Development, gave the background of the property. It was designed for PTC and designed as a single-tenant development. This has been redesigned for multiple tenants. He met with the Design Review Board (DRB). James Heroux, Landscape Architect, stated it was formerly a one-tenanted site. There was a drop off for the buildings at the Pavillion. There were 3 buildings and a garage on Cutler Pond with a well-used hiking path that goes around the pond. All trees are being retained between Buildings A and C. There are significant changes at the main drop off. There was one entrance and now there will be 3 separate entrances. There are currently 2 front doors for Building C but one will be the main entrance. There will also be a front door for Building A and Building B. There is already a tenant for Building B. Mr. Provost stated IDG is currently in Natick and is moving here. IDG will occupy all of Building B.

Mr. Heroux noted there will be a reconfiguration of parking near Building B. The middle of the site does not change. Buildings A and C do not change but there is a bit of reconfiguring of the paths to make it clearer to the front door. There will be changes around the island and courtyard area. This is currently paved and will remain paved. The landscape island has been trimmed back on both ends to give IDG parking spaces at its front door. The handicapped-accessible spaces have been relocated to the opposite side closer to Building A. Some landscaping is moving as well as a couple of trees and the stone wall that goes through the site. The pavilion was the front door and now becomes the community room for the entire campus. There will be a kitchen and serving center, exercise room and shared conference rooms for the entire site.

Mr. Heroux noted a terrace exists with a stone wall and planting beds. The terrace will be expanded to the stone wall. It will be 100% permeable. Two doors are being added to the pavilion and a service entrance. Four trees are being removed in front and 6 trees are being added in the back of the site. A stone dust path will be added to get to the pavilion. It is ADA accessible. Light fixtures are being added to illuminate the path for a second egress. The artificial turf putting green is being removed. A couple of light poles are being relocated but some additional light poles are being installed. He showed the existing conditions. The stone walls and lighting on site are being matched. The area is completely wired so there can be outdoor meetings. There will be a fire table added on the back terrace. Nicholas Skoly, Project Manager of Vanasse Hangen Brustlin Inc. Engineering, stated the applicant has been through the notice of intent with the Conservation Commission and received an order of conditions. There are improvements to the water quality and drainage. The Town Engineer had one comment, which has been addressed.

Mr. Jacobs stated he liked the presentation and what is being done. A concern was expressed by the Police Chief who has no issues but is concerned with the impact on Kendrick Street and with the Children's Hospital project. Mr. Skoly stated there is no increase in the square footage and there should not be an increase in traffic from this site. This was office in the past and will continue to be office. There are also the same number of parking spaces. Mr. Block stated this was a very effective presentation. He noted the 4 handicap parking spaces near Building A and asked if there is a requirement to have 2 at Building B instead of 4 at Building A. Mr. Skoly noted the spaces are still within an acceptable distance from the front door to the spaces. He noted a few spaces in the garage are being restriped to add handicap spaces to meet the new ADA requirements. He noted the garage is connected to Buildings B and C.

Ms. McKnight stated she drove around the site and walked the property in back. She noted the new walkway from the terrace leading to the Cutler Pond pedestrian path. The path itself has deteriorated somewhat and is muddy so people walk on the property to stay out of the mud. She asked if the applicant could work with the state, which owns the land the path is on, to upgrade the path with new stone dust. Mr. Provost noted the path gets a lot of use. He would be happy to reach out to the state and discuss improvements to the path near their property. It is not theirs and they do not control it, but he will reach out. Ms. McKnight appreciates that. She noted 3 trees are being taken down in the circle because the area is being made smaller. It would be a nice thing to have 1 or 2 trees in that circle. Mr. Provost stated the tenant wants signage on the second story of the building. They want people to be able to see the signage and the visual clues. There was talk about trees but as they grow it will not be visually accessible to all. He noted the trees are being replaced 1.5 to 1 on the southerly side.

Ms. McKnight asked if the parking lot on the easterly side is part of the property and was informed it is. She noted there is an additional parking lot further along that is used for public parking. Mr. Skoly stated that is part of this lot. There is an easement for some public parking. He noted there are some ADA spaces there. Ms. McKnight asked if the terrace was handicap accessible. It is and has 2 egresses to it. There is a sloping pathway down to the state path.

Ms. McKnight noted the following correspondence for the record: an email from Fire Chief Dennis Condon stating he is ok with the project; an email from Tara Gurge, of the Health Department, with comments regarding compliance with food service, trash and dumpsters and grease barrels; an email from Assistant Town Engineer Thomas Ryder with comments; a response from Mr. Skoly noting the applicant would create and distribute an informational flyer with information on storm water practices; and an email from Police Chief John Schlittler with no issues but expressing concern with the impact to Kendrick Street. There were no public comments.

Upon a motion made by Mr. Alpert, and seconded by Mr. Jacobs, it was by a roll call vote of the five members present unanimously:
VOTED: to close the hearing.

Ms. Newman will prepare a draft for consideration at the 12/1/20 meeting. Ms. McKnight stated there should be a reference to the Board of Health concerns in the decision. Ms. Newman should also word the promise to approach the state regarding putting the public path in good condition.

<u>7:40 p.m. – Amendment to Major Project Site Plan Special Permit No. 2012-07: The Children's Hospital Corporation c/o Boston Children's Hospital, 300 Longwood Avenue, Boston, MA, Petitioner (Property located at 66 B Street, 360 First Avenue, 410 First Avenue, and 37 A Street, Needham, MA). Regarding request of build out development for Children's Hospital (see legal notice for more info).</u>

Ms. McKnight noted a special permit in 2012 allowed for a certain number of buildings on this property. This is a new use and requires a special permit.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Alpert, it was by a roll call vote of the five members present unanimously:
VOTED: to waive the reading of the public hearing notice.

Lisa Hogarty, Sr. Vice-President for Real Estate, stated a zoning bylaw amendment was approved in June to allow for a pediatric ambulatory facility. Attorney Timothy Sullivan, of Goulston & Storrs, gave the background and noted he submitted a package of materials that included a traffic report, site plans and elevations. This is in the New England Business Center Zoning District and Center 128 West development. He met with the Town in 2019 and worked on zoning to add the use for Pediatric Medical Facilities. It went to Town Meeting in June of 2020 and was unanimously approved to amend the zoning. He noted the applicant will pay real estate taxes and payment toward services. The Design Review Board (DRB) signed off on this project in September. He noted the project originally approved was 4 office buildings, a hotel and 2 parking structures. Building 3, Trip Advisor, has been constructed and one parking garage. A portion of Parking Garage B has been constructed.

Mr. Sullivan stated the hospital will construct the remaining 3 buildings. They propose to move some square footage approved for the First Avenue building to the A Street building. This does not increase height or setbacks. The A Street building is being reduced by one floor and the footprint is being reduced. The 530 space Garage B will be finished. There will be a 224,000 square foot pediatric medical facility at 380 First Avenue. Buildings 2 and 4 will be built later under the Special Permit. There will be an interim parking lot and parking will be 1 space per 290 square feet.

Mr. Sullivan reviewed the site overlay plan and noted most of the additional footage is in the basement. There will be a slight bump out of Garage A as they need to add an elevator lobby. He showed the Interim Condition Plan and the Compliance with Dimensional Requirement spreadsheet. There is a slight increase to the uninterrupted façade in Garage A and the lot coverage is slightly higher. The height and open space stay the same. The existing parking supply is 2,223 and they are proposing 2,858 spaces. With the full build-out there will be 3,491 spaces required and they propose 3,642. Access and parking will not change with this project. There will be deminimus impact to the area. They are moving forward with 380 First Avenue now.

Mr. Sullivan stated Beta Group Inc. has been engaged and he is working with them to answer any questions. He has met with the DRB. He showed the façade elevations. He noted 2 changes were made after feedback from the DRB. One change was the mechanical screening. The DRB suggested making it lighter to blend in with the building and they suggested signage consistent with the Trip Advisor signage. He noted there are significant economic and commercial benefits to the Town. There will be payments in lieu of taxes (PILOT) and there will be development on the unconstructed site. This will be a world class medical facility with food, lodging and strong community support.

Mr. Sullivan reviewed the relief requested which includes a special permit for use as a pediatric medical facility, an amendment to an existing special permit with the reallocation of 34,491 square feet, in Section 3,9 a change to the build out, in Section 3.11 uses from office to pediatric medical, Section 3.38, design guidelines, Section 4.6, build out over phases and Garage A façade length. The build out extends to 2022 and they would like an extension to 2029. Mr. Jacobs stated he would like to hear from BETA Group, Inc. Jaklyn Centracchio, of BETA Group, noted she did a site visit and reviewed the Transportation Impact and Access Study (TIAS). She submitted comments on 11/10/20. She noted the previous trip generation and parking generation was reasonable. She focused on the study area, volume data, site circulation for vehicles and pedestrians, analysis methodology and analysis results and mitigation.

Ms. Centracchio stated the data was collected in October 2019. There was peak hour data taken at 7 intersections and 16 24-hour auto traffic recorder locations. Also, at Highland Avenue at First Avenue, Highland Avenue at Second Avenue, Kendrick Street at Third Avenue and Kendrick Street at Fourth Avenue. The Covid 19 impacts were not addressed in the study. It is unclear the pedestrian amenities for this versus the existing. They should consider raising the crosswalk between Garage B and 380 First Avenue. She reviewed the observations. Safety was not addressed in the report. They made suggestions to realign the overhead signals and intersection improvements at Third Street and Kendrick Street. Crash data was not collected.

Ms. McKnight stated this raises many issues that need to be addressed by the proponents. Ms. Newman noted BETA and Boston Children's Hospital are talking and will address this at the next meeting. Mr. Jacobs stated he would like to see if the hospital and BETA can narrow the issues or eliminate them.

Ms. McKnight noted the following correspondence for the record: a memo, dated 9/14/20, from the Design Review Board with comments that have already been addressed; an email from Fire Chief Dennis Condon, dated 10/22/20, noting he is ok with the project and an email from Tara Gurge of the Health Department with comments regarding food service compliance. Ms. McKnight stated she had been concerned with overly bright lights at the parking garage. The lighting was reduced to make it still safe for users. She knows lighting will be added and asks they take care of the level of lighting, so it is not excessive. She noted an email from Police Chief John Schlittler with no concerns and an email from Assistant Town Engineer Thomas Ryder with comments regarding outreach and sewer outflow.

Mr. Alpert commented he was pleased with the renderings of the facility and the signage. He feels it will be a great addition to the Town. He thanked BETA for the thorough job. Ms. McKnight noted there was reference to an interim parking lot and asked what that is. Mr. Sullivan noted they will be completing Garage B and will build surface parking at 37 B Street with 105 spaces. This will be replaced when Garage A is built.

Upon a motion made by Mr. Alpert, and seconded by Mr. Owens, it was by a roll call vote of the five members present unanimously:
VOTED: to continue the hearing to 12/15/20 at 8:00 p.m.

Review and Approval of Subdivision documents and plans:

Heather Lane Definitive Subdivision: William John Piersiak, William John Piersiak, Trustee of the 768B Chestnut Street Realty Trust, Evelyn Soule Maloomian, and Koby Kemple, Manager of the 766 Chestnut LLC, Petitioners (Property located at 764, 766, 768-768A and 768B Chestnut Street, Needham, Norfolk County, MA).

Heather Lane Extension Definitive Subdivision and Residential Compound: William John Piersiak, Petitioner (Property located at 768-768A Chestnut Street, Needham, Norfolk County, MA).

Ms. Newman noted the case is settled and the settlement agreement filed. The subdivision is set to go forward. Both decisions have been issued. A plan modification is required. The applicant has made the changes, they have been reviewed by Engineering and have been signed off. Minor changes are needed. The listing of documents is to go on record and there is a change in how the Town Clerk certifies the drawings. Town Counsel needs to review some documents and sign off. The Conservation Commission and the Select Board need to sign off on some documents. The Planning Board can agree to endorse the plan when modifications to the drawings are delivered and the documents themselves finalized and delivered in an executed form approved by Town Counsel and signed by the respective Boards that need to accept the documents.

A motion was made to approve the plan to be executed by the Planning Board once the Planning Director has advised that all conditions have been met. Ms. Newman added the drawings need to be signed by Engineering and the Town Clerk. Mr. Jacobs asked if there were any mortgages on the property. Attorney Robert Smart stated the Kemple lot has a mortgage at Village Bank. There will be a mortgage assent clause. He has been in touch with Village Bank. Mr. Alpert suggested adding a condition that required mortgagee consents and discharges be delivered or recorded prior to Planning Board signing the plans to the satisfaction of municipal Counsel. Mr. Smart noted the decision says the plans call for Board endorsement within 90 days of the decision. That is 11/25/20 so more time is needed. Ms. Newman noted there was an appeal so it is 90 days from the date of the settlement.

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

VOTED: to approve the plan to be executed by the Planning Board once the Planning Director has advised that all conditions have been met.

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

VOTED: to extend the time to finalize all conditions in the motion and that provision 42 in Heather Lane and provision 42 in Heather Lane Extension be amended to provide that the plans be endorsed by the Planning Board by 1/15/21.

<u>Board of Appeals – November 19, 2020</u>

<u>926 Greendale Avenue, Mary DeMaio, applicant.</u>

This is an Accessory Dwelling Unit for a disabled veteran. Mr. Block noted the Zoning Bylaw size limit is not to exceed 850 square feet. This application is for 872 square feet.

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

VOTED: to comment the size is not to exceed 850 square feet for Accessory Dwelling Units.

<u>27 Warren Street – Cathy L. Livingston, owner.</u>

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

VOTED: "No comment."

<u>11 Gatewood Drive – Lawrence A. Gordon 2019 Trust, applicant.</u>

Mr. Jacobs stated this seems to be a plan error.

Upon a motion made by Mr. Owens, and seconded by Mr. Jacobs, it was by a roll call vote of the five members present unanimously:

VOTED: "No comment."

<u>1 Wellesley Avenue, Donald W. Hollings, applicant.</u>

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

VOTED: "No comment."

<u>182 and 190 Edgewater Drive – David M. Nectow Revocable Trust, applicant.</u>

Ms. Newman noted they are combining the 2 lots, taking down one house and putting in a pool.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Block, it was by a roll call vote of the five members present unanimously:
VOTED: "No comment."

Minutes

Ms. McKnight noted there was a typo on the 9/22/20 minutes. On the 3rd page it should be the developer should "not" deal with it.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Block, it was by a roll call vote of the five members present unanimously:
VOTED: to accept the minutes of 9/22/20 with the one change discussed.

Ms. McKnight noted there were a couple of typos on the 10/4/20 minutes. On the 4th paragraph, Article 17 resolution, 3rd line, the "Select Boards" needs an apostrophe; in the same paragraph Mr. Owens stated they want to "defund" not "fund" and in the next paragraph, Article 17, it should be "referred back" and not "referenced."

Upon a motion made by Mr. Jacobs, and seconded by Mr. Block, it was by a roll call vote of the five members present unanimously:
VOTED: to accept the minutes of 10/4/20 with the 3 changes.

Correspondence

Ms. Newman noted there was a memo from Selectman Dan Matthews on the 40B process giving the Planning Board more time to respond. Mr. Jacobs revised the draft and Ms. Newman incorporated all comments into a single document. There are 2 things the Board should further discuss – preferred areas and preferred density. Does the Board want the same areas as noted in 2012? Ms. Newman stated there was no need to discuss it right now. There does need to be a cover letter saying these items need further discussion and there needs to be a meeting of the Boards.

Report from Planning Director and Board members.

Ms. Newman noted there is a meeting tomorrow at 8:00 a.m. with a presentation by Greenman-Pedersen Inc. She hopes all members will attend via Zoom. She received information on the Chestnut Street student project. She will forward to Mr. Owens to get comments before she responds.

Upon a motion made by Mr. Block, and seconded by Mr. Jacobs, it was by a roll call vote of the five members present unanimously:
VOTED: to adjourn the meeting at 9:57 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

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Paul Alpert, Vice-Chairman and Clerk