

# NEEDHAM PLANNING BOARD MINUTES

March 5, 2024

The Needham Planning Board meeting, held in person in the Charles River Room at the Public Services Administration Building and virtually using Zoom, was called to order by Adam Block, Chairman, on Tuesday, March 5, 2024, at 7:00 p.m. with Messrs. Crocker and Alpert, Mmes. McKnight and Espada, Planner, Ms. Newman and Assistant Planner, Ms. Clee.

Mr. Block noted this is an open meeting that is being held in a hybrid manner per state guidelines. He reviewed the rules of conduct for all meetings. This meeting does not include any public hearings and no public comment will be allowed. If any votes are taken at the meeting the vote will be conducted by roll call. All supporting materials, including the agenda, are posted on the town's website.

## **Review of Landscaping Plan for 920 South Street Definitive Subdivision.**

Mr. Block noted this is being postponed as they wait for an updated plan. Ms. McKnight asked if the plan would be prepared by a landscape architect. Ms. Newman has asked for a plan prepared by a landscape architect.

## **Planning Board Recommendations**

### **Article 1: Amend Zoning By-Law – Affordable Housing District**

### **Article 2: Amend Zoning By-Law – Map Change For Affordable Housing District**

Mr. Block stated he has given thought to the comments from last week and the public meetings and categorized the comments. He noted there were a number of questions and comments regarding the property's management. This is not part of the Planning Board purview so there is no need to discuss those. There were also comments regarding elements of site plan aspects. There is no application for a specific project so there is no need to get into those. He recognizes the residents in that area are concerned with storm water management. That is a legitimate concern. The municipality is looking into improving that area. Once a site plan is in front of the Board the site plan and storm water will be dealt with at that time. He stated there were questions related to zoning regarding height and density. There is also a concern regarding traffic. There are a low number of cars in the development. There will be an increase of 95 cars at full build out, but this is outside the parameters as it relates to a specific development.

Mr. Crocker stated he has looked at this closely and listened to the neighbors. The height has been changed. There is no final plan of where the parking will be. That will be discussed at that time. He appreciated the neighbor's concerns and where they are coming from. Ms. Espada agreed with Mr. Crocker. She appreciated all the comments. She noted the setback of 40 feet was appropriate and it says the front setback shall be landscaped with a buffer. The side setback has a parking setback of 5 feet and does not require a landscape buffer. She feels that should be added. Ms. McKnight noted on the right side are additional Housing Authority buildings. She asked if there were any houses on the left. Ms. Newman stated there is a single-family home on the left. Reg Foster, of the Needham Housing Authority, stated there is town owned land and then the neighbor on the left. There is a vegetative buffer there now with a marsh. The area will be green space.

Mr. Alpert appreciated what Mr. Foster was saying but he is talking about current site plans. That could be changed, moved or a parking lot could be put in that area. He stated, if a parking lot is there, they should have a 5 foot vegetative buffer between the lot line and parking. He asked if that could be in the zoning or covered with the site plan review. Ms. Newman noted it should be added into the zoning article. Mr. Alpert feels a vegetative buffer should be required. Ms. McKnight noted that is a strip of town owned land and not Housing Authority land. It is also a wet strip. She feels that provides a sufficient buffer to protect that home. She would like to see a plan that shows that strip of land. She is not sure a vegetative buffer is needed. Mr. Block stated the parking setback could be increased from 5 feet to 10 feet or, in the zoning, it could speak to a vegetative buffer. Ms. Espada suggested adding a vegetative buffer or, if town land and there is a buffer, it is not needed. Mr. Block feels this is a function of the site plan process and not a condition of zoning.

Ms. McKnight stated there were residents who spoke about the relocation of the existing people and the amount of rent they pay. That is not relevant to this. She feels these people were speaking because they were afraid of change. She asked if

the rent is higher during the relocation would the Housing Authority pay the difference? Mr. Foster stated there would be no out of pocket increase for existing tenants. Ms. McKnight agrees the storm water management would be dealt with during site plan review. She commented that the Planning Board has tightened the storm water management rules in recent years. Ms. Newman stated she will be reviewing the rules again.

Mr. Crocker stated the Board should consider a practice from a good modeling standpoint. Would the Board want this parking 5 feet from the property line assuming the town land was not there? Mr. Alpert asked what if, in the future, the Housing Authority goes to the Town to buy that strip of land to increase the parking. He has no issue increasing the setback from 5 feet to 10 feet or adding a buffer. Mr. Block would suggest a 10-foot setback for parking as opposed to a vegetative buffer so there is more flexibility for the town or for the Housing Authority to make any storm water management improvements. Ms. McKnight and Mr. Crocker both agreed.

Mr. Block asked Robert Smart, Counsel for the Housing Authority, if he had any comments. Mr. Smart stated a couple of Sections may or may not be applicable. Section 5.1.3, subsections j (parking setbacks) and k (landscaped areas). In j, it says parking spaces, etc. should be setback a minimum of 4 feet from rear and side yard lines. In k, it says the setback required under j shall be maintained as landscaped areas. He feels the Board should look at that Section. In the Apartment District, Section 4.3.3, it says the front setback will be kept as open space, landscaped and unbuilt upon. Ms. Espada asked if affordable housing is only for this site or could it be other areas at some point. Mr. Block stated extending to other areas is not being included. Ms. Espada would like something more generic and not specific to this site. Mr. Block agreed and feels this should include parking to 10 feet on the side and rear. All agreed.

Mr. Foster stated if 10 feet is taken away from the rear it is eliminating Option B. He noted it is a narrow lot and there are no experts there to know what the impacts would be. Mr. Smart stated a 10-foot parking setback could cause problems. Mr. Alpert suggested leaving the setback at 5 feet for the rear and 10 feet on the side. Ms. Espada agreed as they are trying to get parking in back. Mr. Foster and Mr. Smart agreed. A discussion ensued regarding adding language from Section 4.3.3 for a 10-foot side setback area between the lot line kept open with lawn or landscape, unparked on and unbuilt on. Mr. Smart requested the Board leave the setback at 5 feet rather than impose a stricter requirement for affordable housing than a for profit apartment. Mr. Alpert thinks if the Planning Board has the discretion to reduce to 5 feet it could be conditioned to be buffered with vegetation.

Ms. Newman stated the Board has created a dimensional requirement. This would be a waiver to a dimensional requirement that the Board has for an as of right use. Ms. McKnight stated the By-Law says a special permit for these projects is being required due to their size. That is what puzzles her about a waiver. Mr. Alpert stated a waiver is discretionary. Mr. Smart stated it is in Section 7.4.6. Ms. Newman noted when the Board establishes a standard, they are creating a provision to grant a special permit reducing it. Mr. Alpert asked what process the Board has to put in to grant a waiver. Ms. Newman noted the Planning Board may grant a special permit to reduce the minimum side lot setback required by this provision to no less than 5 feet. After discussion, it was agreed to change it to 5 feet with a landscaped vegetative buffer.

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

VOTED: with the change discussed, to send Zoning Article 1, in that form, to the Warrant Committee for recommendation for adoption at Town Meeting.

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

VOTED: to accept Article 2 as written and send to the Warrant Committee for recommendation of adoption at Town Meeting.

## **Minutes**

Mr. Block noted, on the minutes of 12/19/23, page 5, Mr. Crocker was asked about ground mounted solar and Ms. Espada stated there is nothing under ground mounted. Mr. Block is fine with the comment as is. It was decided to strike the sentence. Mr. Crocker stated the setback from the front, if no screening in front, is pushed back to 70 feet. Mr. Crocker noted he was referring to visuals. Ms. McKnight stated to change it to "pushed back further." This was agreed.

Upon a motion made by Mr. Crocker, and seconded by Ms. Espada, it was by a vote of the five members present unanimously:

VOTED: to approve the minutes of 12/19/23 as redlined and further amended tonight.

### **Report from Planning Director and Board members.**

Ms. Newman stated the HONE Committee had an additional meeting last week to finalize both scenarios. The base scenario gets them to compliance at a production of about 1,800 units and then the add on scenario would create a greater build out density that landed around 3,400 units. Actual apartments in the existing zoning generate around 780 units. This is only about 100 units off what the base scenario creates. This recognizes the Avery Square Building and acknowledges the Industrial District and Business Districts. Add ons looked at creating density in the Chestnut Street corridor and gets to the standards they already have in Mixed Use by special permit. Housing can now be produced in a Mixed-Use context. Consultants are now doing a fiscal impact analysis on both scenarios and are doing a propensity for change model. Everything is coming together for the meeting this Thursday.

Ms. McKnight heard the Avery condominiums are not part of the plan. Ms. Newman noted that parcel created a number of units already there they did not want to include. Mr. Block heard from other developers that less than 50 units per acre does not work. Ms. Newman stated there are 42.8 units per acre in the Business District add on and the base is 29.5 units per acre. Ms. Espada stated 90% has to be within 0.5 miles of an MBTA station. Needham has 10% at the Greendale Avenue project. The town does not have a strategy for Hershey that would meet MBTA Communities compliance. They need to make the best decisions that are viable and the correct density to present. This has been tweaked to make it the best plan possible. It is adding buildings that are much higher than what is there. The Board needs to be careful where they allow them. There is little site plan review that would be allowed similar to the Dover Amendment.

Mr. Block feels the Board will be dealing with housing issues through Town Meeting for the next 5 years. Ms. Espada wants to be thoughtful if it is as of right that the Town feels comfortable as the site plan review is minimal. Mr. Crocker stated passing the zoning gives 3,800 more units within the MBTA 0.5 mile radius. He asked if some acreage is later rezoned and it cuts into some of the 3,800 units by 300 units, as long as they are above the threshold of 1,780 anything over that can still be modified. If zoned as of right, they cannot take any back even if over the 1,780. Ms. Newman will find out between Town Counsel and the consultants what the answer would be. She stated the Chestnut Street corridor was zoned at 4 stories, but the problem is the parcel size. Mr. Crocker noted also ownership. Mr. Block stated he would prefer to send more than 2 Articles for HONE to separate some out. Ms. Espada stated that would be hard to do, would cause confusion and she is not sure there is time to do it.

### **Correspondence**

Mr. Block noted a memo from Dan Matthews, dated 2/25/24, regarding the HONE scenarios A and B with comments to think about. Mr. Block stated the Planning Board needs to take ownership of this. Ms. McKnight commented she took Mr. Matthews memo and checked off what the Planning Board has done and checked off 5 out of 6 items. She spoke with Mr. Matthews last night and he seemed pleased with how the Board was dealing with it. Mr. Block noted an email from Susan Welby, Town Meeting Member, dated 2/28/24, regarding the Affordable Housing District and her support for the draft.

Upon a motion made by Ms. Espada, and seconded by Mr. Crocker, it was by a vote of the five members present unanimously:

VOTED: to adjourn the meeting at 8:40 p.m.

Respectfully submitted,  
Donna J. Kalinowski, Notetaker

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Natasha Espada, Vice-Chairman and Clerk