

NEEDHAM PLANNING BOARD MINUTES

October 23, 2012

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, October 23, 2012 at 7:30 a.m. with Messrs. Warner, Ruth and Jacobs and Ms. McKnight as well as Planning Director, Ms. Newman and Recording Secretary, Ms. Kalinowski.

Deminimus Change: Major Project Site Plan Review No. 2011-01: Wingate Senior Living, 63 Kendrick Street, Needham, MA, Petitioner (Property located on the westerly side of Gould Street between the Wingate at Needham Nursing Home at 589 Highland Avenue and the MBTA Right of Way).

Roy Cramer, representative for the applicant, stated Wingate wants a temporary sales office on site. They have a structure picked out. It is on the plans. The parcel straddles Lots A and C. They would move the sales office so it is entirely on Lot C and 5 feet back from the lot line as an accessory structure. They will have samples in the sales office and some materials.

Mr. Eisenhut asked if there were any issues. Ms. Newman noted all issues have been addressed. The Town Engineer is fine with it. They have approved it provided the structure is moved and is compliant. Mr. Cramer noted there was one typo in the draft in the plan modifications, paragraph 1. It should say the plan will "comply."

Ms. McKnight stated with the building and associated parking there are more impervious surfaces. She asked if there was anything indicating the drainage system can take care of that. Mr. Cramer stated the Town Engineer looked at that.

Mr. Eisenhut noted the following correspondence for the record: an email from David Roche, dated 10/22/12, with comments; an email from Thomas Ryder, dated 10/23/12, with no comments or objections; and the draft decision.

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

VOTED: to grant the relief requested in the form of the draft decision presented.

Report from Planning Director

Ms. Newman noted in the Normandy decision they wanted to revise Section 3.19. It is ok except for paragraph b. She wants to delete the new sentence. Mr. Cramer stated they want to be cooperative with the town. Mr. Eisenhut suggested they delete after "town." This was agreed.

Ms. McKnight questioned the enforceability of a provision (b) that the petitioner not make a request. She questions the enforceability but does not see any harm in it being in there. Mr. Eisenhut agreed there was no harm and noted it was what they had negotiated. Mr. Ruth noted they should add to Section 1.25 wording such as "the petitioner shall cooperate with the Association and town." He feels they should transfer to Section 1.25 that the petitioner requests the money be used to mitigate traffic including but not limited to Forest Street and Kendrick Street. He feels this shows good faith between Normandy and the petitioner.

Ms. McKnight stated she did not find the obligation for the petitioner to make a payment. Ms. Newman clarified it was in 3.17 and on page 26. Mr. Warner reiterated a portion of Section 3.19 (b) will be taken and added to 1.25 with the exception of the first clause.

7:30 p.m. – Tom Conners: Discussion of Special Town Meeting Articles 8 and 9.

Tom Conners introduced Lynn Hughes. He noted they want the unused rail line to be converted to trail use. The MBTA wants towns to take them over. Newton, Needham, Dover and Medfield have inquired about leases. He noted the benefits of having a rail trail and stated some towns plow it. He feels it has positive economic benefits.

He noted the Iron Horse Company will come in and do the conversion for the cost of the steel. There are a lot of rail trails in Massachusetts but they have to compete with funds for the roads. There are 3 sections in Needham totaling 4.8 miles. Newton is doing from National Lumber to the Needham line and they are using Iron Horse. They need a committee to formalize the design guidelines. This allows residents to have input in the process.

Mr. Ruth asked that they talk of the green line coming down the Newton stretch. Ms. Hughes stated the MBTA has said it is not a priority of theirs to do that. Mr. Ruth noted there are gaps in the continuous run and the bridge over 128. What are their thoughts? Mr. Conners stated Newton is ready to do the work. The bridge is not set to come down for several years. It may be a working rail trail in the next year. The state suggested the town send a letter they want a rail trail. They may keep the bridge or make it wider.

Mr. Ruth clarified the stretch where the commuter rail runs would be a street trail. Mr. Conners stated yes, it was very exciting but there are many details to work through. Ms. Newman reminded the Board they are currently engaged in discussions and a study with Newton.

Mr. Jacobs questioned if there might be hidden costs. If the MBTA is trying to get rid of the responsibility for these rail corridors, what are the costs? Mr. Conners stated the liability policies are to be purchased by the town if they choose to. The maintenance is like any other park. The state will pay half the liability insurance after 5 years. Mr. Jacobs noted a lease has been offered for 99 years for \$1.00 and they can take it back with a 2 year notice.

Ms. McKnight stated she has one concern. The town has to take liability for all hazardous materials. Mr. Jacobs noted the bike and pedestrian path and asked if other vehicles will be excluded. Mr. Conners stated electric bikes are ok but not ATVs. There may be rollerblading. Mr. Jacobs asked who would police that. Mr. Conners noted there would be a community presence. The community would work with the fire and safety and see what comes out. Mr. Jacobs asked if there would be lighted trails. Mr. Eisenhut noted generally there are not lighted trails.

Mr. Eisenhut stated that he is a very avid cyclist, has been on most rail trails and commented on his background with cycling. He loves cycling but there are political realities in this town. There is an organization in Needham called the Bay Colonies Rail Trail Association. It is non-profit and they have retained legal counsel. They are advocating for the southern section of the rail trail – the 7 miles from Needham Junction through Dover and Medfield. They are working with several committees in Dover and Medfield and are contemplating using the services of Iron Horse Preservation Society, which is a non-profit. They are well along in the process. They have substantial private and corporate donations. He noted 70% of the south section is going through basically conservation areas. They worked through the Community Preservation Committee and there is a warrant article called Article 11 with \$35,000 in funding for a feasibility study. One thing they are looking at is the bridge over the Charles River, access and parking. They will look at insurance and anything else necessary. CPC voted to recommend adoption of Article 11 only if Article 8 is defeated, the reason being there would be conflicting non-profits working inconsistently with each other.

Mr. Eisenhut noted if CPC withdraws Article 11 it cannot even be discussed. He feels Article 11 is critical and feels strongly that he wants to see Article 11 pass. He stated it is a lynch pin and that the southern part is easier than the northern part. He does not want to see any delays in a feasibility study. He feels discussion of Article 8 will put Article 11 in jeopardy. If they withdraw Article 8 it would let Article 11 pass. He noted he will support anything to help with the northern side and will commit to this.

Mr. Conners stated it is hard to get everyone in a room and get a consensus. Mr. Eisenhut commented he should withdraw or refer it back for further study. Mr. Warner suggested he do a slide presentation at Town Meeting then immediately request a motion to refer it to the Selectmen. Mr. Conners stated he is asking for an open public process.

Mr. Ruth asked why there are 2 groups. Mr. Conners noted the Selectmen have said if you pressure the north side you will never get the south side. Mr. Ruth asked Mr. Conners if this Board committed to a public hearing with regard to the north section of the rail trail before the end of the year, and where that goes he does not know but they can commit, does that work for him? Mr. Conners stated it would if it came from the Selectmen. Mr. Ruth

stated they all believe it will be a shame to lose the bridge. Mr. Conners noted they should amend Article 9 to say the Board of Selectmen institute a committee to study a complete streets plan for Needham.

Request for Permanent Occupancy Permit: Major Project Site Plan Review Special Permit No. 2010-02 (Newman School): Town of Needham by its agent the Needham Permanent Public Building Committee, 470 Dedham Avenue, Needham, MA, and the Needham Historical Society, 1147 Central Avenue, Needham, MA, Petitioner (Property located at 1155 Central Avenue, Needham, MA).

Ms. Newman noted all final inspections are done and she has been given the As-Built plan for the bio swail.

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

VOTED: to authorize the Planning Director to issue a permanent Certificate of Occupancy when she has a final As-Built landscape plan.

ANR Plan – 1725 Great Plain Avenue, Needham, MA

This is off the agenda.

Report from Planning Director

Ms. Newman noted they need to do the Town Meeting Article assignments. Mr. Eisenhut will do the salt shed height article. Mr. Ruth will do the pool at the Jensen's issue. The Board signed the recommendations from the last meeting. They discussed the parking lot design for Lincoln Street. Ms. Newman stated the town is moving forward with the Community Council building and building parking there. The town had acquired a duplex house, then the 2 lots on Lincoln Street with 2 single family houses and now the Community Council building. The question is what is appropriate if there is a parking lot? They want more of a green approach with pervious pavers.

Mr. Eisenhut stated they want more aesthetic things and internal landscaping. Ms. Newman noted they need to think of these parking lots differently. Mr. Warner stated they need to put a little something into this. They are doing it for everyone. Ms. McKnight stated she is concerned with the people on Lincoln Street. Mr. Jacobs commented they should let the powers that be know they want more greenery. Mr. Warner commented the walkway from the Unitarian Church to the hospital will make a nice edge to the properties. Ms. Newman noted there is a grade change.

Minutes

Ms. McKnight noted on page 2, last paragraph, should it be curb line or property line? Mr. Jacobs stated curb line is correct. Mr. Ruth noted page 4 and asked if they ever got a response from Needham Pediatrics. Ms. Newman stated she never got a response. She will follow up.

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

VOTED: to adjourn the meeting at 9:30 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker



Sam Bass Warner, Vice-Chairman and Clerk