

NEEDHAM PLANNING BOARD MINUTES

April 25, 2016

The regular meeting of the Planning Board held in Room 213 at The Center at the Heights, was called to order by Jeanne McKnight, Chairman, on Monday, April 25, 2016 at 6:45 p.m. with Messrs. Owens, Alpert and Jacobs, and Ms. Grimes as well as Planning Director, Ms. Newman, Assistant Planner, Ms. Clee and Recording Secretary, Ms. Kalinowski.

Correspondence

Ms. McKnight noted a copy of an article with interviews regarding retaining walls and accessory structure setbacks. She commented the articles were misleading and not correct. Ms. Grimes stated she did not speak with the reporter. Ms. Newman stated the reported interviewed her today. She is doing another article.

Decision: Modifications pursuant to the Design Guidelines Section of the Decision: Amendment to Major Project Site Plan Special Permit No. 2012-07: Normandy Real Estate Partners, 99 Summer Street, Boston, MA, Petitioner (Property located at 66 B Street, 360 First Avenue, 410 First Avenue and 37 A Street, Needham, MA 02494).

Ms. Newman noted the Board is allowing a garage for Center 128 West. Roy Cramer, representative for the applicant, stated he has reviewed the draft and he is fine with it.

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

VOTED: to approve the application and adopt the form of the Major Project Site Plan Special Permit amendment dated 4/25/16 that is before us today as written.

De Minimus Change: Major Project Site Plan Special Permit No. 20015-05: Normandy Real Estate Partners, 99 Summer Street, Boston, MA, Petitioner (Property located at 66 B Street, 360 First Avenue, 410 First Avenue and 37 A Street, Needham, MA 02494).

Ms. Newman noted there was a proposed decision. The wording in the original had 2 generators. This changes it to one generator with a location not yet determined. Further plans to show the location will be coming soon. This will be a generator to serve 189 B Street. It has been reviewed by Assistant Town Engineer Thomas Ryder who had no comments or objections. Roy Cramer, representative for the applicant, stated it is straightforward. He has filed all the plans and the draft is ok.

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

VOTED: to treat this request as a minor modification request and not require a public hearing.

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

VOTED: to approve the application and adopt the form of the decision before the Board tonight, Application No. 2015-05 dated 4/25/16.

Minutes

Ms. McKnight noted in the minutes of 1/26/16, page 5, it should be "within the layout of Clyde Place" and not "within the layout." On page 9, it should say "a Chairs meeting they had with the Selectmen."

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

VOTED: to accept the minutes of 1/26 as amended.

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

VOTED: to accept the minutes of 2/9/16 as written.

ANR Plan – Tobias and Anne Seggerman, Petitioner (Property located at 864 Webster Street, Needham, MA).

Ms. Newman noted a parcel is being conveyed from Lot B to Lot A. 392 square feet are going to Lot B2. Lot A is nonconforming due to the fact the garage is 4.9 feet from the property line. Additional land is being conveyed. Ms. Grimes stated she is representing the person buying the lot so she will abstain from the discussion. Ms. Newman noted the driveway encroaches on B1.

Upon a motion made by Mr. Alpert, and seconded by Mr. Jacobs, it was by four of the five members present (Ms. Grimes abstained):

VOTED: to accept the application and adopt the plan presented as Approval Not Required.

Report from Planning Director and Board Members.

Ms. McKnight noted a letter sent to the Board by Elizabeth Kaponya regarding Panera Bread. Ms. Newman stated she wanted the Board to be aware. When she has a complaint she usually contacts Mike Moskowitz and it gets better. She will contact him. Mr. Jacobs stated that was fine but he would like it put on the agenda for the next meeting. If Mr. Moskowitz fixes it before the meeting, that is fine. Mr. Alpert stated there is a noise By-Law the Board has adopted. This would fall under that By-Law. Mr. Jacobs noted there is a condition in the permit that gives the Board control. Ms. McKnight asked the Planning Director to express appreciation to Ms. Kaponya for bringing it to the Board's attention.

Ms. McKnight noted a letter from Paul Dawson, Founding Member of Restore Needham. Ms. Newman stated he is putting pressure on the Selectmen to put the Large House on the Warrant in the Fall. Ms. Grimes stated he is in agreement with the first 2 of the changes the Large House Committee has proposed but then he goes off from there. She will take it up with the Large House Review Study Committee. Mr. Alpert stated the Restore Needham group seems generally in favor of the Large House Review Study Committee's presented options but they would like to tinker with some of it. Restore Needham does not think the Large House Committee has gone far enough.

Mr. Jacobs noted paragraph #5 of the restore Needham memorandum and commented he questions whether the Building Inspector was right or not. He thinks a mistake might have been made. A discussion ensued. Ms. Newman noted the Board should solve it directly by clarifying the intent. Mr. Jacobs stated he wanted to be clear on the retaining wall article. If it is less than 100 square feet in area, and less than 8 feet in height, it is not a structure and can go anywhere. If it is more than 100 feet and more than 8 feet in height it is an accessory structure. Ms. Newman stated whatever does not fit as of right triggers a Special Permit though the Zoning Board of Appeals.

Mr. Jacobs clarified greater than 4 feet and up to 12 feet is as of right. Twelve feet or more needs Design Review Board and Zoning Board of Appeals approval. Ms. McKnight stated provision 6.11.3 states it can remain if it is already there.

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

VOTED: to adjourn the meeting at 7:30 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

A handwritten signature in dark ink, appearing to be 'Elizabeth Grimes', written over a horizontal line.

Elizabeth Grimes, Vice-Chairman and Clerk