

NEEDHAM PLANNING BOARD MINUTES

September 5, 2017

A Public Hearing held in the Charles River Room, Public Services Administration Building, was called to order by Ted Owens, Chairman, on Tuesday, September 5, 2017, at 7:15 p.m. with Messrs. Jacobs and Alpert and Mmes. Grimes and McKnight, as well as Planning Director, Ms. Newman, Acting Assistant Town Planner, Ms. Collins and Recording Secretary, Ms. Kalinowski.

Public Hearing:

7:15 p.m. – Article 1:PB Amend Zoning By-Law – Floor Area Ratio and Lot Coverage Requirement for a Municipal Building or Structure in the General Residence District.
Article 2:PB Amend Zoning By-Law – Map Change to Center Business District.

Mr. Owens opened the meeting and introduced Town Counsel David Tobin who would speak on an issue with the meeting and the notice posting. Town Counsel Tobin noted there were special conditions regarding the meeting. With the Labor Day weekend the notice was not posted 48 hours ahead due to the Saturday, Sunday and holidays. The meeting was not posted in compliance with the open meeting law. There is one exception to the law. The zoning change was advertised in the newspaper and the notice was filed with the Town Clerk more than 48 hours ahead. In 2010, Town Clerk Tedi Eaton gave notice to the Attorney General meetings would be posted on the town website. He feels it is appropriate to go ahead with this hearing since the hearing was posted on the Town website.

Ms. Grimes stated the Board has rescheduled such hearings in the past. She asked if the Board would now follow this process in the future. She is concerned it could be challenged. Mr. Alpert stated this hearing was not only posted and published in time but notices were sent to all abutters. In the future, he feels these situations should be looked at on a case by case basis. Ms. McKnight asked whether the hearing was posted 14 days in advance. Ms. Newman stated that was correct. Mr. Owens noted there are no objections to proceeding.

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

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

Selectmen Marianne Cooley noted there are representatives from the Board of Selectmen here. They are bringing forth the zoning for the public safety building and Fire Station 2. She stated this project has been a challenge. The options looked at included aggressively pursuing adjacent parcels. She noted there were 2 proposed amendments: 1) Needham Center, which would expand the Needham Center Business zone to include the existing parcel the Police Station building now sits on. This is the only Single Residence B parcel between Highland Avenue and School Street. 2) Needham Heights – this would allow the Board of Appeals, by Special Permit, to permit increasing the FAR up to .6 for municipal buildings in the Single Residence B District and increasing up to 25% of lot coverage for a municipal building or structure. She noted Station 2 and the Daley Building cannot be combined. Zoning amendments to handle issues like this have been authorized in the past and she gave examples.

Ms. Grimes stated she was disappointed none of the neighbors are at this hearing. She was at the last meeting and there were approximately 10 people and it was very informative. She feels this is not far enough along. It is extremely aggressive with a .6 FAR. The huge footprint of the building almost doubles it in size. She is not in a place to vote in favor of this. Mr. Jacobs agreed it would have been nice to have the abutters at this hearing.

Selectmen Dan Matthews stated he is aware it is a significant ask. These are the 2 biggest projects Needham has done without state aid. He feels it is essential to the Town in terms of public safety. He acknowledged there is a lot more to be done. The Town needs to get through Town Meeting to get the funding for the design and needs to know what the funding is. The Selectmen have made every effort to reach out. The Town will have additional

outreach in the Heights. These are big projects and he thinks this way is necessary. The clocks are running. He noted there are safeguards for the public. The Selectmen are looking to the Planning Board for help and guidance.

Mr. Owens commented the Town is only getting one bite of the apple. They cannot come back for another change of zoning if this is in error. He feels the Chestnut Street site is not an ideal use. He would accommodate the Selectmen with zoning changes, although he shares some of Ms. Grimes' thoughts on the size of buildings.

Ms. McKnight stated she very much appreciated the Town needs to go before Town Meeting for rezoning and design funds. The two go together. She feels this is the time to go to Town Meeting for zoning changes so the design can go forward. She does not think there should be any delay. Selectmen Cooley stated there will be a meeting with the Hillside neighbors on 9/18/17. The Town will use the Hillside School parcel as swing space for the fire stations.

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

VOTED: to close the hearing.

Ms. Newman noted there will be a formal vote at the next meeting.

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

VOTED: to adjourn the meeting at 7:35 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

A handwritten signature in blue ink, appearing to read 'Paul Alpert', is written over a horizontal line.

Paul Alpert, Vice-Chairman and Clerk