

Natick Planning Board
Hybrid (In-Person and Remote)
March 15, 2023
Broadcast live on Natick Pegasus

Chair Andrew Meyer called the meeting to order at 7:00 PM. Members present were Andrew Meyer, Glen B. Glater, Teresa M. Evans, Peter Nottonson, and Douglas L. Landry; and Associate Member Chris Therrien. Also present was Community & Economic Development Director Amanda Loomis.

Public Speak

Resident Karen McAnern expressed concern about the sale of 20 Wheeler Lane and its potential connection to an application now before the Board.

Public Hearings – 2023 Spring Annual Town Meeting Zoning Articles

(Article 28) Amend Zoning Bylaw - Highway Mixed-use – I (HM-I): *(contd. from 03/01/23)*
To see if the Town will vote to amend the following Sections of the Natick Zoning Bylaw, § III-B Highway Mixed-use (HM-I) Districts Use Regulations; Section IV.B Intensity Regulations by Zoning District by adding a new line for HM-I and further updating the existing line for In-II and HM-I; § 324 by adding a new subsection for Intensity Regulations for HM-I; § 325 by adding a new subsection for Open Space Requirements for HM-I; § 326 by adding a new subsection for Dimensional Regulations for HM-I; and making non-substantive changes in the description of uses or otherwise act thereon.

(Article 29) Amend Zoning Bylaw - Highway Mixed-use – I (HM-I): *(contd. from 03/01/2023)*
To see if the Town will vote to amend the Natick Zoning Map by expanding the HM-I Zoning District to 0 Lakeshore Campus Drive and 24 Superior Drive, in addition from the property frontage of 1 Lakeshore Campus Drive, 13 Superior Drive, 24 Superior Drive, 30 Superior Drive to the center lines of the fronting streets or ways, as shown on the map; and making non-substantive changes in the description of uses or otherwise act thereon.

Documents presented: ART 29v2; 03.14.2023 Article 28 29 HM-I

Ms. Loomis presented a color-coded map of the proposed amendments for the Highway Mixed Use (HM-I) Zoning District.

Mr. Glater expressed concern about the accessibility of the color-coded map for people who are unable to distinguish colors and asked that the districts be labeled as well as color coded.

Ms. Loomis presented a draft with tracked changes of the proposed amendment for Board comment.

Ms. Evans moved the Board recommend favorable action for Articles 28 and 29, seconded by Mr. Landry. Roll call vote 5-0. MOTION PASSED

Ms. Evans moved to continue the public hearing to March 29, 2023 seconded by Mr. Landry.
Roll call vote 5-0-0. MOTION PASSED

(Article 24) Amend Zoning Bylaw - Center Gateway Zoning District: *(contd. from 03/01/23)*

To see if the Town will vote to amend the Natick Zoning Bylaw and Zoning Map to create a new zoning district (in the area of East Central St/Union St/Grant St), which will serve as a transition between the Downtown Mixed-use (DM) Zoning District and the surrounding zoning districts. Amend the Zoning Bylaw to create a new § III-EE Center Gateway (CG) Zoning District, and further amend the Zoning Bylaw to support the creation of the new CG Zoning District, which includes but is not limited to amending § 200 – Definitions; § II-A.1 Permitted Uses in Districts; § II-A.2 Use Regulation Schedule; § IV-B Intensity Regulations by Zoning District and associated footnotes; § V-D Off-Street Parking and Loading Requirements; § V-H.D. Signs and Advertising Devices; § V.I Outdoor Lighting; and § VI-DD Special Permit Procedures and Site Plan Review of the Natick Zoning Bylaw, or otherwise, act thereon. And to further amend the Natick Zoning Map to create a new Center Gateway Zoning District as shown on the map on file in the Town Clerk's Office; or otherwise, act thereon.

Documents presented: Article 24 Gateway Center Revised with PM edits

Ms. Loomis presented a draft of the proposed motion with tracked changes for Board comment.

The floor was opened for public comment. No public comments were made.

Ms. Evans moved the Board recommend favorable action for Article 24, seconded by Mr. Landry. Roll call vote 5-0-0. MOTION PASSED

Ms. Evans moved for a continuance to March 29, 2023, seconded by Mr. Glater.
Roll call vote 5-0-0. MOTION PASSED

(Article 30) Amend Zoning Bylaw – Expansion of Assisted Living Overlay Option Plan (ALOOP):

(contd. from 03/01/23) To see if the Town will vote to amend the Zoning Map to expand the ALOOP Overlay District to 0(R) East Central St (38-0000001B and 38-0000001C) and 0 Dorset Lane (38-0000001AA); further to amend the Zoning Bylaw § III-I to include above listed properties in the ALOOP Overlay District, and further amend applicable sections of the Zoning Bylaw to update such inclusion where necessary; or otherwise act thereon.

Mr. Landry recused himself from the discussion and left the meeting.

Documents presented: Natick-Wellesley 3.15.23 Planning Board v03 FINAL

Mr. Meyer provided a brief review of the duties of the Board for the proposed extension of the zoning district.

Attorney George Richards and Chris Yetman, HYM Investments Group, represented the sponsors. Mr. Richards presented an update of the project's community outreach. Mr. Yetman narrated a PowerPoint presentation providing details and goals for the future of the project if the overlay was approved.

Mr. Meyer asked if a zoning map was available that showed where the existing zoning overlay was in Natick compared to what was proposed.

Board comments included

- Questions about the maximum number of units and the calculation of net usable land
- Concern that the site lacked access to the community resources stipulated in the ALOOP zoning overlay bylaw due to its isolation
- Opposition to the proposed expansion of the ALOOP zoning overlay, believing the sponsors did not accurately interpret the Natick 2030+ Master Plan
- Questions about any topographical limitations (wetlands or protected land) on the property (none, according to Mr. Yetman) and whether the neighborhood was walkable (Mr. Yetman said walking conditions were favorable)

Public comment:

- Mark Cohen, 2 Sassamon Rd, spoke in opposition to the proposed extension of the zoning overlay.
- Walter Hunnewell, 30 Pond Rd, Wellesley, spoke in opposition to the proposed extension of the zoning overlay because of the insufficient infrastructure provided by Pond Rd and Bacon St.
- David Howe, 5 Dorset Lane, raised concern about the insufficient provided social needs from the property and the significant district in density.
- Dr. Joseph Keefe, Bacon St, said there was a need for this type of housing in Natick and spoke in favor of the proposed extension of the zoning overlay.
- Daniel Wells, 12 Walnut St, representing the Phillips family of Cottage and Bacon Sts as well as the Wells family from High St, reiterated the points made by Dr. Keefe.
- Ken Phillips of Cottage and Bacon Streets reiterated Dr. Keefe's comments.
- Lisa Doherty, 22 University Drive, reiterated concerns expressed by Mr. Hunnewell. She said the ALOOP zoning overlay expansion would be better elsewhere.
- David Mangan, University Drive, spoke in opposition of the project.
- Nina Chan, 196 Pond Rd, Wellesley, raised concern about the noise disturbance that would be created by the increased density allowed by the proposed zoning overlay.
- Bryan Hill, 41A Water St, said he was in favor of the proposed zoning overlay extension because he foresees the need for memory care in his own future.
- Kevin Keith, 1 Retrop Rd, raised concern about the increased pressure on town utilities, and traffic, as well as the cost of living in the proposed facility.
- Rich Bowers, Strawberry Hill Rd, said that looking at demographics, Natick residents could not afford to live at this proposed facility; he was not in favor of this proposal.

Mr. Meyer said the next step for this article was the Finance Committee public hearing, and that it would ultimately go to Natick Town Meeting. He said he was neutral about the proposed zoning change.

Ms. Evans moved that the Board recommend the Article for referral, seconded by Mr. Meyer for discussion. Ms. Evans then withdrew the motion for referral.

Ms. Evans moved that the Board recommend favorable action for Article 30, seconded by Ms. Therrien. Roll call vote 0-4-1. MOTION FAILED

Ms. Evans moved to close the public hearing, seconded by Mr. Glater. Roll call vote 4-0-0. MOTION PASSED

The Board recessed from 8:26 PM to 8:31 PM

Mr. Landry returned to the meeting.

Public Hearings – Development Projects

3 Appleton Road / 9 Yorkshire Drive: *application of Chris D’Antonio for Definitive Subdivision Review for plans titled The Meadows Definitive Plan of Plan, Appleton Rd. The project will include the re-division of land to create four lots, to allow for construction of three new homes, construction of a new roadway, and installation of associated infrastructure and landscaping.*

Mr. Meyer explained that, due to a posting error, the matter would be opened on April 26.

0 Pleasant Street: *(contd. from 12/21/2022) - Application of Pleasant Street Realty Trust LLC for a Special Permit Single-Family Residential Cluster.*

Ms. Loomis read the Board an email from the applicant requesting a continuance to the second scheduled meeting in October.

Mr. Meyer asked for clarification on whether the fee should be waived for resubmittal. Ms. Evans felt it should not, noting the significant staff hours on the project to date.

Ms. Evans moved for denial without prejudice, seconded by Mr. Glater. Roll call vote 5-0-0. MOTION PASSED

Ms. Evans moved to close the public hearing, seconded by Mr. Landry. Roll call vote 5-0-0. MOTION PASSED

26, 32, 34 Union Street: *(contd. from 02/01/23) - Application of 26A Union Street, LLC for modifications to a previously approved Planning Board decision (7-2022) for Site Plan Review (Section VI-DD), Special Permit for Use (Section III-I.2 Independent Senior Living Overlay Option – ISLOOP). The properties are located at 26 Union St (44-00000261), 32 Union St (44-00000260), and 34 Union St (44-00000259). The project proposed to increase the footprint and number of units, along with modifications to previously approved amenities.*

Applicant Dean Behrend, Behrend Construction, and attorney George Richards were present for the public hearing. Mr. Behrend described the need for veterans’ housing and his proposal to add veteran-designated housing units that might be less expensive than market-rate units and more expensive than affordable units. Attorney Richards asked for Board comment.

Mr. Meyer asked if the project was larger than the 36-unit that had been permitted. Mr. Behrend said it would be 20 feet longer and would add seven additional parking spaces.

Mr. Meyer said his support for the project would require broader accommodations for veterans. Mr. Glater said he could not find anything on the books that would allow units to be designated exclusively for veterans. Mr. Nottonson spoke against the project.

To Mr. Landry's question about the maximum possible number of units with the bonus density provision, Mr. Richards said eight were possible and six had been permitted. Mr. Behrend said a total of 17 bonus units were possible but twelve were proposed.

Ms. Evans said 42 units would be a 40% increase over the original 30 units allowed as of right.

Mr. Behrend said the Town Meeting vote was based on two parcels of land and that he had since acquired a third parcel at #34. Mr. Richards said he would research the legality for veterans housing.

Ms. Evans moved for a continuance to March 29, 2023, seconded by Mr. Nottonson.
Roll call vote 6-0-0. MOTION PASSED

A public comment was made after the continuance of the public hearing: Edna Marston, 27 Union St, asked if the veterans' units could have been folded into the existing units and asked why this was not a part of the original project.

0 Magnolia: *(contd. from 03/01/23) application of Magnolia Lake Front, LLC (Jared Gillett) for a definitive subdivision. The project will include creating two new lots (a total of three buildable lots), construction of a new roadway, and installation of associated infrastructure and landscaping.*

Attorney George Connors (Connorstone Engineering) was representing the applicant for the hearing.

Ms. Loomis said she had spoken with the Town Engineer, who had no further concerns beyond his March 15 letter provided to the Board. Ms. Loomis further presented the draft decision.

Ms. Evans proposed adding a condition that the project comply with the points raised in the Town Engineer's letter.

Mr. Landry said he would like a sidewalk built on at least one side of the roadway. To Mr. Landry's question, Mr. Connors said the grade of the proposed road was ten percent.

Ms. Evans asked what had changed between 2008 and 2023. Mr. Connors said the sewer, drainage, and water systems had been brought into compliance.

Ms. Evans moved to approve the decision including a waiver for the roadway grade, seconded by Mr. Landry. Roll call vote 5-0-0. MOTION PASSED.

Mr. Landry moved to close the public hearing, seconded by Ms. Evans. Roll call vote 5-0-0. MOTION PASSED

5. 1400 Worcester St: *application of The Hamilton Co. for a Special Permit change of use (medical office) per § III-A.2, Line 50A of the Natick Zoning Bylaw. The property is located at 1400 Worcester St (23-0000074). The project includes the renovation of three existing retail units into a single-tenant medical office space.*

Representing the applicant for the public hearing were Dianne Dunnell, Project Manager (CBRE); Randy Miron, Bohler Engineering; and Jeff Burt.

Mr. Nottonson read the public hearing notice into the record.

Mr. Dunnell presented the request for a special permit for a change of use from retail to medical office. Mr. Miron reviewed the proposed amendments relative to the build-out. Mr. Miron further described the medical equipment planned for the project.

Ms. Loomis briefed the board on the scope and objective of the project.

Board comments included:

- Request for clarification regarding the ambulance side entrance (*Ms. Dunnell clarified the area was for ambulance pick-up, there would be no drop-offs.*)
- Question regarding waivers (*Mr. Miron said they were requesting a waiver for a drainage assessment.*)
- Question about compliance with parking requirements (*Mr. Miron said they were losing one space but would still be compliant.*)
- Question regarding any interference with medical equipment from the nearby Boston Edison power line (*Mr. Miron said he would research this question.*)
- Question about whether new signage would be in the same location (*Ms. Dunnell: yes.*)
- Question about any necessary protection for abutting businesses from x-ray and CT scanning equipment (*Mr. Miron said the walls would be appropriately lead lined.*)
- Request to remove signage for defunct businesses from façade and freestanding signs (*Ms. Dunnell said she would inquire with Hamilton and share the Board's concern.*)
- Question about handling of hazardous medical waste (*Ms. Dunnell said it would be handled by a licensed service provider.*)

Ms. Evans moved for a continuance to March 29, 2023, seconded by Mr. Landry.

Roll call vote 5-0-0. MOTION PASSED

Public Hearings – 2023 Spring Annual Town Meeting Zoning Articles

Article 26 - Amend Zoning Bylaw, Open Space Cluster Development: (*open public hearing, 7:00 PM*) *To see if the Town will vote to amend the Natick Zoning Bylaw by deleting the existing § III-F Cluster Development Allowed in Certain Districts and III-F.1 Single-Family Residential Cluster Option – RSA, RSB, and RSC Districts in their entirety; adding a new § III-F Open Space Cluster Development (OSRD); amending § 200 Definitions; deleting § III-A.2(a) Residential Cluster Regulations Schedule in its entirety; and making non-substantive changes relative to the addition of the ORSD Bylaw or to otherwise act thereon.*

Ms. Evans read the public hearing notice for Articles 25, 26, and 27 into the record.

Ms. Loomis introduced and provided a brief overview of Article 26.

Mr. Meyer asked if a cluster development that qualified numerically had any additional steps before it was deemed a cluster. Mr. Landry said it did not. Mr. Meyer asked if the article provided applicants with an incentive to favor a cluster development. Mr. Landry said it did.

Public comments:

- Ben Stevens, Trask Development, said he was the only developer who had built a cluster project in Natick, and felt that he should have been brought into the drafting of the revised By-Law. He raised concerns about the language for dry vs. wet acreage and said the current draft would increase density significantly. He disagreed with the reference to “non-buildable easement areas” because it would include aqueducts and power lines. He said driveway requirements should not be more restrictive in a cluster development than a conventional development and felt the Board should be more flexible on parking requirements. He believed the setback from abutters was too small.

Mr. Meyer asked if Mr. Landry, Ms. Evans, and Ms. Loomis would meet with Mr. Stevens.

- Martin Kessel, Chair of the Open Space Advisory Committee, raised concern about the requirement that 75% of conserved open space be continuous uplands because it often excluded wetlands where it ought not. Mr. Kessel added that the allowance for 15% of the open space to be “common open space” ought to be environmentally friendly.

Article 27 - Amend Zoning Bylaw - Inclusionary Affordable Housing Requirements: *(open public hearing, 7:00 PM)* To see if the Town will vote to amend the Natick Zoning Bylaw by amending § V-J Inclusionary Affordable Housing Requirements; adding a new section to § III Inclusionary Cluster Housing; amending § 200 Definitions; and further amending the Zoning Bylaw to making non-substantive changes relative to inclusionary housing requirements or to otherwise act thereon.

Planning Board members and a member of the public discussed the proposal. Ben Stevens, Trask Development, asked if a conventional subdivision would be required to have inclusionary housing. Ms. Loomis said a by-right subdivision or any by-right development would not be required to provide affordable units.

Mr. Stevens asked if the fee-in-lieu option for developments of more than six units was no longer available. Ms. Evans said that it was. Mr. Stevens raised concern about the impact of affordable housing requirements on smaller subdivisions in the RSB zoning district.

Ms. Evans moved for a continuance to March 29, 2023, seconded by Mr. Glater.
Roll call vote 5-0-0. MOTION PASSED

Article 25 - Amend Zoning Bylaw - Use Regulations Schedule *(open public hearing, 7:00 PM):* To see if the Town will vote to amend the Natick Zoning Bylaw, §III-A.1 Permitted Uses in Districts (Zones as set out in § II-A&B) and § III-A.2 Use Regulations Schedule by substituting the letters Y for P, N for O, and SP for A, and making non-substantive changes in the description of uses or otherwise act thereon.

Ms. Evans moved for a continuance of articles 25, 26, and 27 to March 29, 2023, seconded by Mr. Landry. Roll call vote 5-0-0. MOTION PASSED

Planning Board Business

Meeting minutes: None

Review of 2023 Annual Spring Town Meeting Warrant Articles

Article 20: Amend Town of Natick By-Laws: Create New Committee (Community Preservation Act)

Claire Rundelli, Natick Conservation Agent, introduced the proposed Community Preservation Act By-Law. She said the two-page document served only to structure a committee. Further rules and regulations would be established by the committee at a later date.

Mr. Meyer said he felt there was no other option for the Board but to adopt this.

Mr. Glater asked if this was a template provided by the State or was drafted by Ms. Rundelli. Ms. Rundelli said it was a combination of state guidelines, language from Newton's Community Preservation Committee, Town staff, and Town Counsel.

Mr. Landry moved to endorse the proposal, seconded by Ms. Evans. Roll call vote 5-0-0.
MOTION PASSED

Adjournment

Ms. Evans moved to adjourn at 11:00 PM, seconded by Ms. Therrien. Roll call vote 6-0.
MOTION PASSED