

**Natick Planning Board  
Hybrid (In-Person and Remote)  
April 26, 2023  
Broadcast live on Natick Pegasus**

Chair Glen Glater called the meeting to order at 7:07 PM. Members present were Glen B. Glater, Andrew Meyer, Teresa Evans, Peter Nottonson, and Douglas L. Landry. Also present was Community & Economic Development Director Amanda Loomis.

**Public Speak:** *None*

**Public Hearings – Development Projects**

**3 Appleton Rd/ 9 Yorkshire Drive:** *(contd. from 3/15/23) Application of Chris D' Antonio for Definitive Subdivision Review for plans titled The Meadows Definitive Plan of Plan, Appleton Rd, Natick, MA. The project will include the re-division of land to create four lots, to allow for the construction of three new homes, construction of a new roadway, and installation of associated infrastructure and landscaping.*

Ms. Loomis briefed the Board on the defective legal ad, which had not been sent to two of the abutters and said it would need to be readvertised.

Applicant Chris D'Antonio expressed frustration in the late communication regarding the defective notice.

Mr. Meyer asked if a summary of questions brought forward by abutters and the opinions of Town staff, including Town Counsel, could be prepared for the next meeting. Mr. Glater said that answers to questions are being garnered and will be presented tonight.

The Board determined that the legal ad should be read into the record and provided to the abutters who had not been included in the original mailing.

Ms. Evans read the public hearing notice into the record.

Mr. Meyer moved for continuance of the hearing to May 10, 2023, seconded by Ms. Evans.

Mr. Meyer asked about the updated procedures for notifying the abutters.

On Mr. Meyer's motion: roll call vote 5-0. MOTION PASSED

**26, 32, 34 Union St:** *(contd. from 3/29/23) Application of 26A Union Street, LLC for modifications to a previously approved Planning Board decision (7-2022) for Site Plan Review (§VI-DD), Special Permit for Use (§ 111-1.2 Independent Senior Living Overlay Option -ISLOOP). The project proposes to increase the footprint and number of units, along modifications to previously approved amenities.*

Applicant Dean Behrend and design engineer Peter Bemis appeared before the Board. Mr. Bemis reviewed the configuration of the approved project (36 units) and said the current

proposal was for 42 units: four studios, 29 one-BR units, nine two-BR units, and 49 parking spaces, with 10% of the units designated as affordable. Mr. Bemis said the applicant was asking the Board to consider a 40-unit proposal with 27 one-BR units, 13 two-BR units, and 49 parking spaces with 20% of the units designated as affordable and designated for veterans' senior housing. The building height, length, square footage, building coverage and open space would be unchanged. The goal was to identify a mechanism within state government to designate the veterans' housing units; there has been discussion on this.

Board comments included:

- What the maximum number of units that could be sought (*Mr. Bemis: 48*)
- How many units were approved. (*Mr. Bemis: 36*)
- Question whether the bonus density calculation applied to land in the setback (*Mr. Bemis: he had a letter from the Building Commissioner that said it did*)
- How the Open Space Public Benefit Amenity had been enhanced from the version presented with the 36-unit approval. (*Mr. Bemis; the open space plan was unchanged*)
- Whether the modification changed the number of affordable units from four to eight, noting that the Board would not be able to mandate language that excluded anyone other than veterans.

Dean Behrend said the objective of these units was to provide affordable units for veterans. He said he had spoken with Senator Spilka's office and that they were happy to back the program, as were others who supported the idea of Natick as a pilot program for such an initiative.

Mr. Nottonson requested a letter of comment to the Board from Paul Carew, Director of Veterans Services about the proposed modification. He spoke against the increase in the number of units.

Mr. Glater said the initial size of the project was too large and that the increased size, though nominal, remained too large. He said affordable units in Massachusetts were rarely truly affordable, and that the increase in the number of affordable units at the expense of studio units would not make the units more affordable.

Mr. Bemis said he would take Board's comments and go back to the drawing board to see what could be improved.

Public Comment: None

Mr. Meyer moved for a continuance of the hearing to May 10, 2023, seconded by Ms. Evans. Roll call vote 5-0. MOTION PASSED

**3. 1400 Worcester St:** *(contd. from 4/18/23) 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.*

Dianne Dunnell of CBRE, representing the property owner, and Jeff Burke, project architect, appeared before the Board.

Ms. Loomis summarized the request for a special permit for a change of use to medical office for three units at 1400 Worcester St for Reliant Medical. Ms. Evans read her notes from the earlier hearing noting the Board's questions and comments.

Ms. Dunnell began by addressing Board comments at the previous meeting. She said there were no issues with medical devices' proximity to the power lines, as the relevant rooms are lead lined. She explained that the vacant tenant accessory signage for former tenants would be removed before the next Board meeting. She confirmed that there would be no ambulance drop-off at the site, only infrequent pickups of patients who needed hospital-level care. She said that Reliant Medical had used Stericycle for bio-hazard waste removal, but was transitioning to a different vendor, Viola. She noted the strict regulations regarding hazardous waste management and explained Reliant Medical's protocols regarding employee training and procedures. The disposal company will pick up every two weeks or more if necessary and biohazard would not be placed in the dumpster.

Board comments included:

- Whether the façade signs for former tenants had been removed (*Ms. Dunnell: yes*)
- Request that panel signs for former tenants be removed (*Ms. Dunnell will follow up*)
- Whether the transparent windows would be opaque (*Mr. Burke: It will be a mix of clear and opaque glass, and they will be adding a few new windows*)
- Whether the imaging rooms would be on an exterior wall (*Mr. Burke: all medical equipment will be within new interior walls*)

To Mr. Glater's question, Ms. Dunnell said she did not have any questions or comments regarding the draft decision.

Mr. Meyer moved to approve the special permit for change of use to medical office, site plan approval, and approval of the decision as amended, incorporating the waiver regarding the drainage evaluation; seconded by Mr. Landry. Roll call vote 5-0. MOTION PASSED

Mr. Glater asked if a separate motion as necessary for the signage. Ms. Evans noted that the signage was compliant with the Zoning By-laws.

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

**Open public hearing, 7:00 PM - 16 Tech Circle:** *Dris Corporation seeks approval of special permits for three Marijuana Establishment Uses (Delivery Courier, Delivery Operator, and Third-Party Marijuana Transporter) per § 111-K and VI.DD, and site plan review per § VI.DD of the Natick Zoning Bylaws. The project will include reuse of an existing commercial space for the operations of the Marijuana Establishments, which include Delivery Courier, Delivery Operator, and Third-Party Marijuana Transporter.*

Ms. Evans read the public hearing notice into the record.

Christopher Fevry, CEO and co-founder of Dris Corporation, introduced himself and his attorney, Phil Silverman.

Attorney Silverman introduced the project and the scope and scale of the delivery service, which he anticipated would include 10-15 employees and four delivery vehicles. He explained that the project came to the Board under the Social Equity Program and that Dris Corporation was an Economic Empowerment Applicant. He clarified the role of the Cannabis Control Commission (CCC) in the distribution, licensing, and securing of cannabis. He said there were no proposed changes to the exterior of the building. The site currently has seven exclusive parking spaces and 29 non-exclusive spaces. He said the project met the Zoning Bylaw requirements for minimum distance from a school.

Attorney Silverman requested waivers for a site plan, elevation, locus plan, drainage assessment, traffic impact assessment, dimensional table, and line queue plan. He explained that the site was compliant with the Zoning By-laws and the Marijuana Overlay District. He provided data from a trip-generation assessment.

Mr. Meyer asked if the project required a special permit for a change of use. Ms. Loomis clarified that the adult use marijuana facilities use required a special permit.

Mr. Meyer said the waiver for the site plan would remove the opportunity for Natick to assess the current condition of the building, landscaping, and lighting. Mr. Fevry said the prior development at 16 Tech Circle had provided updated lighting and landscaping information for the site roughly a year ago. Mr. Meyer asked that those documents be provided in lieu of the requirement that the applicant provide a current site plan, in addition to photos showing current site conditions.

Mr. Meyer said he was not comfortable waiving any security review requirements. Ms. Loomis clarified that the security review by Natick Police was not waived but had been requested to remain outside of the public hearing process.

Mr. Nottonson said the floor plan did not include the entire building and raised concern about exits from the point of view of security.

Mr. Nottonson asked if these licenses would use one of Natick's limited number of Adult Use retail licenses. Attorney Silverman said the CCC specifies that the license for Cannabis delivery was not the same license as those for Cannabis retail.

Ms. Evans raised concern about the location of a Cannabis distribution facility close to the Brandon School and The Learning Center.

To Mr. Landry's question, Mr. Fevry said the project would occupy 13.8% of the building.

Mr. Meyer, moved for a continuance to May 10, 2023, seconded by Ms. Evans.

Roll call vote 5-0. MOTION PASSED

**Open public hearing, 7:00 PM - 89 Union St:** *St Benedict Classical Academy, Inc. seeks approval to modify a previously approved Planning Board decision (PB-2-22) for Site Plan Review (Dover Use Amendment) per §III-A.2, IV.B, and VI-DD of the Natick Zoning Bylaw. The project will include an expansion of the previously approved structure for the construction of two additions and associated site improvements.*

Ms. Evans read the public hearing notice into the record.

Attorney Brian Grossman and Christopher Cantin (Metrowest Engineering) were present at the hearing on behalf of the applicants.

Documents presented:

*Phase1B-Civil-Site-Plans\_89\_Union\_Street Natick\_SP032123\_Stamped\_Wed\_Mar\_29\_2023\_15-03-56.pdf*

Attorney Grossman introduced the project and the history of the phased plan. He clarified that they were only seeking approval of what he referred to as "Phase 1B." He noted minor changes to the site plan, including reducing some outside lighting and adding and screening a diesel generator. All changes would be outside of the 100 ft. buffer. Mr. Cantin presented a site plan that showed the approved plan and proposed addition for Board comment.

Board comments included:

- To Ms. Evans' about future development beyond the current proposal, Attorney Grossman said there were phases planned for a potential chapel and athletic facility.
- Mr. Nottonson questioned the number and location of handicap parking spaces. Attorney Grossman said the placement of handicapped spaces aligned with the full build-out of the school, noting that the parking plan was already approved.
- Mr. Glater asked whether, if the handicap spaces provided for future development were removed, there would be enough handicap spaces. Mr. Cantin said the number of handicap spaces was based on the total number of spaces.
- Ms. Evans questioned the property line walk at the rear of the property, noting that it had been agreed upon in the original decision but had not taken place.
- Mr. Landry questioned why roof runoff not being infiltrated. Attorney Grossman said the stormwater engineering plan was already approved and was created to account for future buildings. Mr. Cantin said there was no need: sending it to a settling basin and then on to the grassy area and wetland as planned was less costly than infiltration. Mr. Landry disagreed. Attorney Grossman said the stormwater plan had been approved.
- Mr. Glater asked if the previously approved plan had matched what was requested under the current phase. Mr. Cantin presented a site plan that overlaid all of the proposed phases and which showed minor differences between the original application and the current project.

Ms. Evans asked how much of the site would remain pervious after all the phases were completed. Mr. Cantin said he did not know, as the initial plan did not completely detail the existing conditions on that point.

Mr. Glater asked what surface the planned buildings in Phase 2 were planned to be built on. Attorney Grossman said the surface was currently grass.

Public Comments:

Mary Avalos, of 56 Union St, President of the Congregation of the Christ Lutheran Church, 113 Union St, mentioned the walk-through along the property line between the church and the project that was supposed to help provide a better understanding of stormwater management across the two sites. She was concerned about the speed with which the phases of the project

were expected to be completed. Mr. Glater said the phases of the planned development of the site were not fixed with any legal requirements and were estimates provided during the initial phase of the development. He said that the Chapel was still only a planned future phase for the development of the site.

Gale Weston-Roberts, 26 Western Ave, asked in-lieu of information from the Conservation Commission whether there had been any information about stormwater runoff over the stone retaining wall onto the church's property. Mr. Glater said all the stormwater runoff needed to stay on site. Mr. Cantin confirmed that the stormwater system would be managed by the parking lot's basin. Ms. Weston-Roberts also expressed concern about the site's parking lot that was near maple trees on the church's property line and the potential impact of stormwater runoff on the trees. Mr. Glater clarified that the stormwater was designed to stay on site.

Janice Parsons, 94 Union St, expressed concern about the lack of renderings to show the height and architecture of the proposed buildings. Attorney Grossman said the architecture would be consistent with the style of the building approved earlier. Mr. Glater suggested that the original rendering would have shown the architecture of the proposed addition. Attorney Grossman said he was not able to locate the original rendering at that time. Mr. Glater asked if the rendering could have been provided at the following meeting. Attorney Grossman said that it could.

Ms. Evans reiterated concerns about the property line walk. Mr. Glater asked if there was time to coordinate the walk with Town officials before the next Board meeting on May 10<sup>th</sup>. Attorney Grossman said he was not confident his team was ready within the next two weeks.

Attorney Grossman said he found the architectural drawings for all the phases of the project. Mr. Glater asked for the plan to be shared to the public.

Mr. Nottonson said that three-dimensional renderings that provide information from every angle ought to be the default for projects such as these.

Mr. Glater said that because this was an application under the Dover Amendment, he did not believe a three-dimensional rendering was something the Board could require. He suggested that, despite that, it would still be in the best interest of the project to provide renderings.

Ms. Evans moved for a continuance to May 10, 2023, seconded by Mr. Meyer. Roll call vote 4-1-0 (Landry). MOTION PASSED

## **Planning Board Business:**

### **Meeting Minutes**

Ms. Evans moved for approval of the minutes of Jan 4, 2023, Jan 18, 2023, Feb 1, 2023, Feb 15, 2023, and Mar 1, 2023, seconded by Mr. Meyer. Roll call vote 5-0. MOTION PASSED

### **Adjournment**

Mr. Landry moved to adjourn at 9:16 PM, seconded by Mr. Nottonson. Roll call vote 5-0. MOTION PASSED