

**Natick Planning Board**  
Ed Dlott Meeting Room, Town Hall  
March 4, 2020

Chair Peter Nottonson called the meeting to order at 7:30 PM. Members present were Andrew Meyer, Glen Glater, and Teresa Evans and Associate Member Susan Simone Kang. Also present was Community and Economic Development Director James Freas.

**Public Speak**

None

**ANR Plan, 104 West Central St and 5 Cemetery St**

Matter to be taken up later in the agenda.

**ANR Plan, 265A and 265B Bacon St**

Applicant Ryan Urowitz, 5 North Pleasant St, who is acquiring land in this plan and adding it to 5 North Pleasant St.

Mr. Meyer moved to endorse the plan, seconded by Ms Evans. Vote 5-0

**Signage Special Permit: Sweetwaters Coffee & Tea, 19 South Main St**

*Application for façade sign*

Applicant Greg Pope and Jeff Newman of Signarama appeared before the Board. Mr. Newman presented the proposed sign, which is just under 23 SF and internally illuminated. Mr. Freas said this was before the Board because of the applicant's wish to keep the sign illuminated after hours. Mr. Pope explained that they sought to do so for a half-hour after closing, which is allowed under the bylaw. He said the art panels now on the glass would be removed; also, floodlights on the facade were not working and the owner was likely to remove them. The sign location reflects the request of the Design Review Board and Historical Commission not to mount the sign any higher than as shown on the plan.

Ms Evans moved approval of the façade sign as proposed, seconded by Mr Meyer. Vote 6-0

**Joel and Linda Valentin, 50 Pleasant St** *Informal discussion*

Joel and Linda Valentin, attorney Eric Goldberg, and architect Kent Duckham appeared before the Board to discuss their revised project proposal before the start of the public hearing process. Mr Duckham said they had tried to reach out to neighbors, and suggested a working group meeting where the neighbors might attend. Mr Nottonson agreed to set up a working group meeting.

Mr Duckham said they proposed to emphasize the property's history as inspiration; provide units for families (3000 SF units with 3-4 bedrooms); emphasize high-quality design; and provide strong landscaping. They propose to reduce the visual impact of cars by putting all parking underground, including visitor parking. They plan to work with the existing site, which

has significant stone walls that they will work with as best as possible, and hope to maximize open green space. They know they are required to provide two units of affordable housing and propose to locate them off-site. They may propose a slight widening of St Thomas Ave.

Board member comments included:

- There are issues related Pleasant St as a scenic road;
- There are questions about the status of St Thomas Ave;
- It was important to keep the historic house prominent on the site;
- The project must meet the historic preservation requirements of the bylaw;
- The applicants should familiarize themselves with the Inclusionary Housing Bylaw
- The challenges of the project's financial viability as an essential part of the conversation;
- The project has challenges related to massing.

**Kevin Poulsen, 41/43 Summer St *Informal discussion***

Kevin Poulsen discussed the concept of a residential development near Natick Center station in the Downtown Mixed Use (DM) district. He reviewed images of the site to present the concept and context. The proposed building would be one story higher than the current structure.

Mr Munnich noted the importance of ensuring a strong business presence in the DM district. Ms Evans urged the applicant not to have front-facing garage doors. Ms Simone Kang urged dialogue with the site's residential neighbors.

**2020 Spring Annual Town Meeting Warrant Articles: Discussion**

Mr Freas explained that the goal tonight was to identify questions for staff or Town Counsel to be answered ahead of the public hearings.

*Article 27 – Downtown Mixed Use (DM) District Zoning (Planning Board)*

Mr Fields presented the article and the possibility of allowing ground floor residential use on some side streets. Mr Freas said they had discussed the article with Natick Center Associates, merchants, and property owners. Ms Evans cited the agenda item that preceded this one as relevant to this matter and suggested that use be limited to specific side streets rather than permitted throughout the district by special permit. Mr Freas and Mr Fields agree to identify the relevant side streets and draft the motion.

*Article 30 – Single Family Residential Cluster Regulations (Planning Board)*

Mr Fields reviewed the article, which allowed cluster developments in Residential Single Family (RS) districts through site plan review on parcels of two or more acres. He noted questions from the Conservation Commission about the percentage of open space that can be wetlands.

*Article 31 – Nonconforming Uses, Large Residential Additions (Planning Board)*

Mr Fields said the article, which was referred back to the Board at the 2019 Fall Town Meeting, had been revised to address the Building Commissioner's concerns. He reviewed those changes and the impact of the article, which will affect non-conforming lots. He said that Town Counsel would review the article, including the proposed definition of "substantially more detrimental."

*Article 37 – Home Occupation/Customary Home Occupation Dog Kennels (Planning Board)*

Ms Evans explained the enforcement challenge for the Building Commissioner without a square foot limit. The language she is proposing mirrors the language for the use table entry for Home Occupations. Members discussed wording changes, including changing “occasional” to “incidental” when referencing “outdoor conduct.”

*Article 38 – Home Occupation Dog Kennel Zoning (citizen petition)*

Members discussed whether the reference to requiring the consent of all abutters was permissible, and agreed to consult Town Counsel.

*Article 39 – Repeal Historical Preservation Smaller Estates Amendment (citizen petition)*

Members agreed to advise Mr Freas if they had questions that needed to be addressed before the Board’s meeting on March 11.

*Article 40 – Modify Historical Preservation Bylaw Amendment*

Mr Fields summarized the proposed bylaw changes, reducing the percentages and square footage for such projects; authorizing the convening of a study committee; and establishing a moratorium pending the study committee recommendations. Members questioned whether some of the changes preserved the bylaw’s intent and the need for a moratorium.

**Public Hearing – Site Plan Approval, Special Permit and APD Special Permit: Natick Mercantile Building, 7-19 Washington St and 12 Clarendon St (cont. from 2/19/20)**

*Application to demolish approx. 5,200 SF of the existing 6,500 SF structure and construct a new multi-story building consisting of 3,025 SF of retail space on the first floor and five floors containing 24 multi-family dwelling units. Also proposed are 66 off-street parking spaces as well as other site improvements*  
Attorney Patrick Moynihan and Sal Oweis, Manager of Natick Mercantile Bldg, LLC appeared before the Board. Mr Moynihan said they had submitted the final plans and were in agreement with the wording of the draft decision.

The Board reviewed the draft decisions. Mr Freas noted that the issue of street trees would need the approval of the DPW. Mr Glater encouraged the Town to improve public bicycle parking in a way that downtown businesses could participate.

Mr Meyer moved to approve the 3/3/20 site plan, seconded by Ms Evans. Vote 6-0

Mr Meyer moved to sign the special permit decision, seconded by Ms Evans. Vote 6-0

Mr Meyer moved to sign the APD special permit decision, seconded by Ms Evans. Vote 6-0

Ms Evans moved to close the two public hearings, seconded, by Mr Meyer. Vote 6-0

**ANR Plan, 104 West Central St and 5 Cemetery St**

Mr Freas said he had spoken with Town Counsel and previously reached the conclusion that the proposal was not appropriately considered as an ANR, but also, based on case law, required not only a variance from the ZBA but also a subdivision waiver by the Planning Board to be a buildable lot. Case law revealed that a variance alone would not allow the lot to be built upon without a subdivision waiver. The applicant had submitted a new ANR plan showing that 104

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West Central St is not a buildable lot. Town Counsel saw no reason not to endorse, given its annotation that it was not a buildable lot.

Mr Munnich questioned the need to endorse the ANR, as it could be endorsed concurrently with consideration of a subdivision waiver application. Mr Meyer asked if the annotation “garage to be razed” is binding. Ms Evans noted that the original lot had two buildings on it – the house at 102 West Central and the garage at 104 – and that the ANR to create the lot for 5 Cemetery was endorsed on the understanding he was entitled to two ‘primary’ buildings and that the garage would be razed or be an accessory use for the house at #102.

Mr. Fields said he believed the Building Commissioner had determined that the garage was an accessory use to the house.

Mr. Munnich moved a finding that this is a serial application of an item previously denied for cause and does not endorse the ANR; seconded by Mr Glater. Vote 5-0

### **Planning Board Business**

*Discussion: General Updates from Community & Economic Development Staff*

Mr. Freas asked if there were other non-zoning articles the Board wanted to hear. Ms Evans asked that the Board review Article 24 (Street Acceptance, Michael Terrace).

*Discussion: Planning Board Processes & Procedures*

Mr. Nottonson noted the need for a Board policy on reviewing correspondence issued on Planning Board letterhead before distribution. Mr Glater said the Board had a process: the Board agrees a letter should be sent and the Chair sends the letter and determines that it reflects the Board’s intent. Members agreed this was the policy.

Mr. Freas said he had set up a distribution list ([planning@natickma.org](mailto:planning@natickma.org)) when circulating materials by email to the Board.

### *Decisions*

The Board signed decisions for Alchemy, 62 Worcester St; Setting the Space, 329 Speen St; Eye Exam, 1364 Worcester St; and Riverbend School, 37 Eliot St.

### *ZBA Cases*

Mr. Munnich said that the ZBA had done a Section 6 finding for 175-177 North Main Street as a pre-existing, nonconforming lot and asked if the decision had been written and the appeal period. He said it had not been a pre-existing lot, but had been created with an ANR plan.

### *Minutes*

Ms. Evans moved to approve the minutes of August 7, 2019 and August 21, 2019, seconded by Mr. Glater. Vote 6-0

Ms. Evans moved to adjourn the meeting at 10:30 PM, seconded by Mr. Meyer. Vote 6-0