

**Natick Planning Board**  
**Hybrid (In-Person and Remote)**  
**October 26, 2022**

Chair Andrew Meyer called the meeting to order at 7:02 PM. Members present were Glen Glater, Teresa Evans, Peter Nottonson, and Douglas Landry; and Associate Member Chris Therrien. Also present were Community & Economic Development Director Amanda Loomis and Development Review Planner Lauren Michalski.

**Public Speak:** *None*

**Public Hearings – Development Projects**

**321 Speen St:** *Application of Cypress Tree Management, Inc. for a special permit for signage. The project will include installation of new signage associated with a previous site plan review approval for a Retail Marijuana Establishment. (contd. from 10/12/22)*

Eric Liebman, applicant, reviewed the revised sign with 36-inch letters, complying with comments made by the Board at its Oct. 12 meeting.

Ms. Evans moved to approve the signage, seconded by Mr. Glater. Roll call vote 4-0-1 (Landry).  
MOTION PASSED.

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

**1245 Worcester St:** *Application of Rumble (Chandra Mohan Manish) for a signage special permit. The project will include developing an existing space within the Natick Mall for Rumble Boxing Gym and associated exterior signage. (contd. from 10/12/22)*

Laxman Jain, applicant, presented two options for signage (A and B).

Mr. Glater and Mr. Nottonson felt both options satisfied the Board's comments, deferring to the Applicant's preference. Mr. Jain and Ms. Evans said they preferred Option A.

Ms. Evans moved to approve sign option A, seconded by Mr. Nottonson. Roll call vote 4-0-1 (Landry).  
MOTION PASSED

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

**1298 Worcester St:** *Application of Christmas Tree Shops (Sarah Hardwick) for Site Plan Review for modifications to the existing façade and signage (contd. from 10/12/22)*

Peter Lewandowski, representing Atlantic Development, summarized the design of the sign and façade. He said two signs on the main building - a logo of a sleigh and the name of the store - were removed and replaced, with the third sign being removed entirely.

Mr. Landry asked why the two signs submitted were so similar. Mr. Lewandowski explained the replacement of the logo of a sleigh sign with the new branding. Ms. Evans said the two signs felt cluttered and contradicted the limit of one sign per façade. Mr. Glater said removal of the third sign would need to be a condition of approval to prevent problems for future Planning Boards. Mr.

Nottonson said that, when the third sign was removed, any debris and stains would have needed to be addressed.

Mr. Glater and Ms. Evans said the 5 ft. tall letters were too high. They noted other enterprises in the area were limited to three feet per the Zoning By-Law.

Mr. Lewandowski said the current sign had 4 ft. letters and asked if the proposed sign could have the same. Mr. Meyer said the applicant should note the Board's comments and return with options that were compliant with the Zoning By-Law.

Project architect Sarah Hardwick suggested the replacement of the sleigh logo with a solid blue plate. Mr. Landry asked if this design had been deployed at other stores. Ms. Hardwick said it had, and cited store locations.

Mr. Meyer suggested the Board consider approving the façade as a separate finding.

Mr. Meyer moved to approve the façade changes according to the plans submitted, seconded by Mr. Landry. Roll call vote 5-0. MOTION PASSED

Mr. Meyer moved to approve a temporary sign, not to exceed 75 SF, through Jan. 1, 2023; seconded by Ms. Evans. Roll call vote 5-0. MOTION PASSED.

Ms. Evans moved to continue the hearing to Nov. 9, 2022, seconded by Mr. Nottonson. Roll call vote 5-0. MOTION PASSED

**42 Worcester St:** *Application of Antonio Torres for a special permit for use (Section III.A.2, Line 53: Commercial Boarding or Training Dog Kennel). The project will include reusing an existing commercial structure with no exterior changes for use as a dog grooming, training, and daycare business. (contd. from 10/12/22)*

Antonio Torres, applicant, summarized the project, preliminarily named "Mr. Nice Dog." It is a day care to serve a maximum of 25 dogs, and will include an indoor play area and a grooming and training area at the rear of the building. Ms. Loomis noted that this was a change in use.

Mr. Landry asked about the industry standard for the square footage of space per dog. Ms. Evans asked if there would be any overnight boarding. Mr. Torres said there would not.

Ms. Evans asked about disposal of animal waste. Mr. Torres said he planned to hire an animal waste disposal service.

Mr. Glater asked how dogs would be handled to avoid conflict among dogs. Mr. Torres said he would personally screen each dog for proper attitude to be allowed into the daycare.

Mr. Meyer asked about Mr. Torres' experience, how many staff would be at this location, and what he would do in the case two dogs attacked each other. Mr. Torres said he had been raising and training dogs for 30 years. He planned to have one person watching each group of ten small and ten large dogs with both groups under his general supervision. He said that if two dogs were to fight, it could cost him his business, so under his supervision no two dogs would be allowed to fight. He did not believe such dogs would have been accepted into the day-care in the first place.

Ms. Evans moved to approve the change of use, seconded by Mr. Landry. Roll call vote 4-1-0 (Glater). MOTION PASSED

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

**330 Speen St: Application of NM Redevelopment Co. LLC, for a modification of a previously approved Site Plan Review and Special Permit decision, and Special Permit for use for the redevelopment of the former Neiman Marcus store as a research and development facility (contd. from 10/12/22)**

Mr. Meyer asked Michael Boudreau, Natick's Director of Public Health, to introduce the new Board of Health (BOH) regulations to the Board. Mr. Boudreau said the regulations would limit projects no higher than biosafety levels (BSL) BSL1 and BSL2 and draw on US Centers for Disease Control (CDC) guidelines. He said facilities with these biosafety levels were regulated by by state and federal agencies. He said that animal testing will be limited to rats, mice, and lower life forms bred for animal testing and said that any enterprise would have to be accredited before animal testing was an allowed use at this location.

Ms. Evans asked if a draft of the regulations had been made available online. Mr. Boudreau said it had, and that copies were available to the public. Mr. Boudreau said BSL-2 required additional safety measures for lab workers. He noted that the permitting process for a tenant would determine how to limit their BSL level.

Mr. Meyer asked what safety measures were in place to protect residents who lived close to a biolab. Mr. Boudreau said that from a public health perspective, BSL-1 and -2 do not pose a risk to public health. They may require physical barriers, and would work with consultants to develop this further. He said that as part of the permitting process they would have a list of all possible agents that the lab may work on to determine the appropriate level of safety required for research.

Mr. Landry asked if Natick's draft regulations were typical of those developed for other communities in the state. Mr. Boudreau said that most of the regulations were similar statewide. He noted citizens' concerns with vivaria. They are costly to run, and would be limited to mice and rats as detailed earlier.

Mr. Glater said that there were many biolabs near residences, and offered an anecdote regarding the strict regulations he had experienced when working in a lab that was located near residences.

Mr. Nottonson asked if existing labs in Natick would have needed a permit retroactively. Mr. Boudreau said they would have to be retroactively permitted within 6-12 months of regulations being finalized.

Mr. Meyer asked about regulations for ventilation and their location. Mr. Boudreau said a part of the permitting process was a floor plan that detailed ventilation, lab space, and other crucial lab activity locations to best implement regulations.

Mr. Meyer asked how soon the regulations would be applicable to the tenants for the proposed project. Attorney Peter Barbieri, representing the Bulfinch Companies, said the regulations would not only have been in place a year before a tenant would have been found but also would have been effectively immediately upon approval by the BOH.

Betsy Gilman Duane, a biosafety consultant speaking on behalf of the applicant, reiterated Mr. Barbieri's and Mr. Boudreau's comments. Mr. Barbieri asked if the permit was contingent on a full disclosure of all practices and needs of a tenant in any case. Mr. Boudreau answered in the affirmative.

Stacy Kosinski, counsel for a number of Nouvelle residents, raised concerns about the continuity due to multiple sources for the regulations. She felt a biosafety consultant should be brought in by the BOH before the regulations were finalized. She asked if the Board was taking comments on the draft decision, as she had a number of comments to submit. Mr. Meyer said the Board would prefer to review the document and attachments before taking detailed comments.

Ms. Evans suggested that Ms. Kosinski's comments be provided to the BOH rather than as conditions in the Planning Board decision.

Ms. Kosinski asked what the current version of the plan was. Robert Schlager, CEO of the Bulfinch Companies, said the revisions were made at her Ms. Kosinski's recommendation in the most recent plan. Mr. Meyer asked that the Board be kept informed on discussions between Bulfinch and Ms. Kosinski.

Mr. Meyer asked if a list of the most likely uses for the lab space could be provided to the Board. Mr. Barbieri answered in the affirmative.

Dr. Raj Goyal, Nouvelle resident, asked what the risks were, if any, to people nearby a BSL-1 and -2 facility if there was a leak.

Mitchell Heller, 10 Nouvelle Way, asked if sound measurements were based on actual measurements or simulations. Mr. Schlager said they were based on actual measurements.

Madeleine Elie, 40 Nouvelle Way, asked what laws determined what would prevent harmful exhaust. Ms. Loomis said the regulations were dependent on the lab use, but could be made more specific with the BOH regulations in place. Ms. Elie asked for exact measurements between the biolab exhaust system and Nouvelle residences. Mr. Barbieri said they could provide that.

Mr. Meyer asked whether the Board should review the current draft decision or wait for the next revision. Ms. Loomis suggested the Board wait until the overview section of the draft decision was completed.

Ms. Evans moved to continue to Nov. 9, 2022, seconded by Mr. Landry. Roll call vote 5-0.  
MOTION PASSED

*The Board was in recess from 9:13 until 9:22*

**23 Willow St: Application of 23 Willow St, LLC, for Site Plan Review and Special Permit within the HOOP II District to construct 8 townhouses, and associated site improvements (contd. from 10/12/22)**

Applicant Robert Baldwin appeared before the Board.

Ms. Loomis summarized the outstanding items that remained, noting receipt of a detailed letter from the Design Review Board (DRB).

Ms. Evans moved to make a finding that the information provided by the Design Review Board meets the criteria for bonus units as set forth in the By-Law, seconded by Mr. Landry. Roll call vote 5-0  
MOTION PASSED

Ms. Evans moved to approve the site plan and special permit, seconded by Mr. Landry. Roll call vote 5-0  
MOTION PASSED

Mr. Meyer asked the applicant to confirm the amount of the contribution that was offered for Rail Trail related amenities. The applicant said it would be \$14,000.

Ms. Evans moved to approve the commitment of \$14,000 for site improvements to the Rail Trail, seconded by Mr. Glater. Roll call vote 5-0. MOTION PASSED

Ms. Evans moved to continue to Nov. 9, 2022, seconded by Mr. Glater. Roll call vote 5-0.  
MOTION PASSED

**21 Summer St: Application of Stonegate 21 Summer St 2020 LLC for Site Plan Review and Special Permits for Use, Inclusionary Housing, Front Yard Dimensions, Aquifer Protection District (APD) (contd. from 10/12/22)**

Attorney Katherine Garrahan, representing the applicant, addressed previous Board comments concerning parking space size, the number of residential units (13), and the rear fence. She said two parking spaces had been removed for a total of 14 full-sized parking spaces. She said the plans showed removable 4 ft. bollards for emergency vehicles at the rear of the property rather than a fence.

Mr. Landry asked about the material strength of the fence that concerned snow removal. Courtney Jurzynski, project architect, clarified the use of the bollards and the strength of the fence.

Ms. Garrahan noted that there were requested waivers still pending.

Ms. Evans asked about on-site bicycle storage. Ms. Garrahan said the project could have had five bicycle storage spaces. Ms. Jurzynski explained where the bicycle storage spaces could be located.

Mr. Nottonson expressed concern that the ninety degree turn to enter the garage was too extreme.

Mr. Glater asked if the garage was accessible by non-residents. Dean Calivas, Stonegate, said the garage would only be accessible to authorized tenants.

Mr. Landry asked if the abutter JBG Corporation was aware that their parking spaces would become the east entrance to the project. Ms. Jurzynski said this had come up during a Zoning Board of Appeals meeting and that the abutter was aware of the change.

Ms. Evans moved to find that the project was within a half-mile of the train station, seconded by Mr. Glater. Roll call vote 5-0. MOTION PASSED

Mr. Landry moved to approve the site plan as submitted, seconded by Ms. Evans. Roll call vote 5-0. MOTION PASSED

Mr. Landry moved to approve the special permits for use and for inclusionary housing, seconded by Ms. Evans. Roll call vote 5-0. MOTION PASSED

Mr. Landry moved to approve the front yard dimensions and APD special permits, seconded by Ms. Evans. Roll call vote 5-0. MOTION PASSED

Mr. Landry moved to sign the decision as to be amended, seconded by Ms. Evans. Roll call vote 4-0-1 (Glater). MOTION PASSED

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

**43 Summer St: Application of Kevin Poulsen for Site Plan Review and Special Permits for Use and Aquifer Protection District (APD) (contd. from 10/12/22)**

Applicant Kevin Poulsen spoke to the prospective easement issue with site access at the rear of his property and the adjoining Town property, He that information in the Natick Center parking garage study clarified his right to pass. Mr. Landry said the study had not clarified the easement.

Mr. Poulsen expressed concern over the pace of the Board's review of his application.

Mr. Meyer read the June 1, 2022 letter from the Town Engineer regarding the easement. Mr. Meyer suggested that Mr. Landry, the Town Engineer, and the applicant meet to resolve the issue.

Mr. Glater said he had reviewed the landscape plan, noting that the Winged Euonymus (burning bush) is invasive and illegal to plant, and would need to be replaced on the plan. Project architect Eric Zacherison said the shrub would be replaced.

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Mr. Poulsen said he was ready to meet with Town Engineer and Mr. Landry and wanted the Board's stance on the front setback clarified. Ms. Evans said a front yard setback touching the sidewalk would have been consistent with the historic character of the neighborhood.

Mr. Meyer moved to continue to Nov. 9, 2022, seconded by Mr. Glater. Roll call vote 5-0.  
MOTION PASSED

### **Planning Board Business**

#### **Minutes: *May 11, 2022***

Mr. Meyer moved to approve the minutes of May 11, 2022, seconded by Mr. Nottonson.  
Roll call vote 5-0. MOTION PASSED

Mr. Nottonson moved to adjourn at 10:31 PM, seconded by Ms Evans. Roll call vote 5-0.  
MOTION PASSED