

NEEDHAM PLANNING BOARD

Tuesday March 7, 2023

7:00 p.m.

Charles River Room

Public Services Administration Building, 500 Dedham Avenue

AND

Virtual Meeting using Zoom

Meeting ID: **880 4672 5264**

(Instructions for accessing below)

To view and participate in this virtual meeting on your phone, download the “Zoom Cloud Meetings” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the following Meeting ID: **880 4672 5264**

To view and participate in this virtual meeting on your computer, at the above date and time, go to www.zoom.us click “Join a Meeting” and enter the following ID: **880 4672 5264**

Or to Listen by Telephone: Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 Then enter ID: **880 4672 5264**

Direct Link to meeting: <https://us02web.zoom.us/j/88046725264>

1. Public Hearings:

7:05 p.m. Amendment to Major Project Site Plan Special Permit No. 93-3: Wingate Development, LLC, 63 Kendrick Street, Needham, MA 02494, Petitioner. (Property located at 589 Highland Avenue, Needham, Massachusetts). Regarding request to permit adding a third floor to the building, which would add an additional 22 IL units, for a total of 72 IL units, of which 12.5%, or 9 units, will be affordable.)

7:45 p.m. Article 1: Amend Zoning By-Law – Accessory 3-Car Garage Use in Single Residence B, General Residence, Business And Industrial Districts
Article 2: Amend Zoning By-Law – Accessory Dwelling Units (ADUs)
Article 3: Amend Zoning By-Law – Corrective Zoning Amendments
Article 4: Amend Zoning By-Law – Single Residence B And General Residence Side Setback

2. Decision: Amendment to Major Project Site Plan Special Permit No. 2014-11: French Press LLC d/b/a French Press Bakery and Cafe, Petitioner. (Property located at 74 Chapel Street, Needham, Massachusetts). Regarding request to permit 22 outdoor seats by French Press Bakery and Café, as well as a pergola to cover the seating.

3. Decision: Amendment to Major Project Site Plan Special Permit No. 2002-02: Sai Restaurant Inc., dba Masala Art, Petitioner. (Property located at 990 Great Plain Avenue, Needham, Massachusetts). Regarding request to permit 44 outdoor seats by Masala Art.

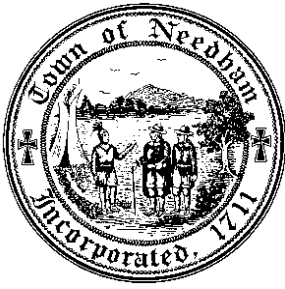
4. Board of Appeals – March 16, 2023.

5. Minutes.

6. Report from Planning Director and Board members.

7. Correspondence.

(Items for which a specific time has not been assigned may be taken out of order.)



PLANNING & COMMUNITY DEVELOPMENT
PLANNING DIVISION

Legal Notice
Planning Board
TOWN OF NEEDHAM
NOTICE OF HEARING

In accordance with the provisions of M.G.L., Chapter 40A, S. 11, and the Needham Zoning By-Laws, Sections 7.4, 3.12.4, and Major Project Site Plan Special Permit No. 93-3 Sections 4.2 and 4.5, the Needham Planning Board will hold a public hearing on Tuesday, March 7, 2022 at 7:05 PM in the Charles River Room, Needham Public Services Administration Building, 500 Dedham Avenue, Needham, MA, as well as by Zoom Web ID Number 880 4672 5264 (further instructions for accessing are below), regarding the application of Wingate Development, LLC, 63 Kendrick Street, Needham, MA 02494 for an amendment to a Special Permit issued by the Needham Planning Board on July 27, 1993 under Sections 3.2.1, 5.1.1.5 and 7.4 of the Needham Zoning By-Law. The July 27, 1993 decision was further amended on August 9, 1994, August 8, 1995, November 21, 1995, June 3, 1997, March 15, 2011, December 17, 2013 and March 15, 2022. An Insignificant Change was approved on April 18, 2013

The subject property is located at 589 Highland Avenue, Needham, Massachusetts. The property is shown on Assessor's Map No. 77 as parcel 1 and is comprised of approximately 110,490 square feet in the Elder Services Zoning District.

By Decision dated March 15, 2022, the Planning Board approved an application for an amendment to permit the conversion of the then-current Nursing Home to 50 Independent Living (IL) Units. The Nursing Home was officially closed on or about April 21, 2022. The Petitioner intends to proceed with the work and the change of use authorized by that permit. The requested Major Project Site Plan Review Special Permit Amendment would permit the expansion of that project by adding a third floor to the building. This would add an additional 22 IL units, for a total of 72 IL units, of which 12.5%, or 9 units, will be affordable, as defined in the Elder Services district By-Law. No other use is proposed to the site.

In accordance with the Zoning By-Law, Section 3.12.4, a Special Permit is required for Independent Living Units in the Elder Services Zoning District. In accordance with the Zoning By-Law, Section 7.4 and Major Project Site Plan Special Permit No. 93-3, a Major Project Site Plan Special Permit Amendment is required.

To view and participate in this virtual meeting on your phone, download the “Zoom Cloud Meetings” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the following Meeting ID: **880 4672 5264**

To view and participate in this virtual meeting on your computer, at the above date and time, go to www.zoom.us click “Join a Meeting” and enter the following ID: **880 4672 5264**

Or to Listen by Telephone: Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 Then enter ID: **880 4672 5264**

Direct Link to meeting: <https://us02web.zoom.us/j/88046725264>

The application may be viewed at this link:

<https://www.needhamma.gov/Archive.aspx?AMID=146&Type=&ADID=> . Interested persons are encouraged to attend the public hearing and make their views known to the Planning Board. This legal notice is also posted on the Massachusetts Newspaper Publishers Association's (MNPA) website at (<http://masspublicnotices.org/>).

NEEDHAM PLANNING BOARD

Needham Hometown Weekly, February 16, 2023 and February 23, 2023.

RECEIVED TOWN CLERK
NEEDHAM, MA 02432
2023 FEB -7 PM 12:53

TOWN OF NEEDHAM
MASSACHUSETTS

500 Dedham Avenue
Needham, MA 02492
617-455-7550

PLANNING BOARD

APPLICATION FOR SITE PLAN REVIEW

Project Determination: ☒ Major Project
☐ Minor Project

This application must be completed, signed, and submitted with the filing fee by the applicant or his representative in accordance with the Planning Board's Rules as adopted under its jurisdiction as a Special Permit Granting Authority. Section 7.4 of the by-laws.

Location of Property: 589 Highland Avenue, Needham, MA 02494

Name of Applicant: Wingate Development LLC

Address: 63 Kendrick Street, Needham, MA 02494 Tel.#: 781 707 9209

Applicant is Owner ☐ Tenant ☐ Purchaser ☐ Agent/Attorney ☒

Property Owner's Name: Wingate at Needham, Inc.

Address: 63 Kendrick Street, Needham, MA 02494 Tel.#: _____

Characteristics of Property: Lot Area: 110,490 sq. ft. Present Use: Nursing Home

Map #: 77 Parcel #: 1 Zoning District: Elder Services Zoning District

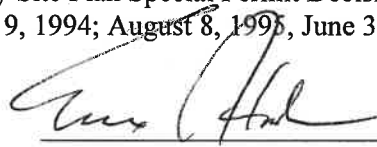
Description of Project for Site Plan Review under Section 7.4. of the Zoning By-law:

By Decision dated March 15, 2022, this Board approved an application for an amendment to the existing Special Permit, to convert the then-current Nursing Home to 50 Independent Living ("IL") Units. The Nursing Home was officially closed on or about April 21, 2022. Applicant intends to proceed with the work and change of use authorized by that amendment.

As an expansion to that project, Applicant now proposes to add a third floor to the building, which will add another 22 IL units, for a total of 72 IL units, of which 12.5%, or 9 units, will be affordable as defined in the Elder Services District bylaw. As with the previously approved amendment, no other use is proposed for the site. Major Project Site Plan Review and an amendment to the existing Special Permit is sought because Independent Living is an SP use in the Elder Services District, and because the proposed third floor will require construction in excess of 10,000 square feet.

The prior Nursing Home use was approved by Site Plan Special Permit Decision No. 93-3 dated July 27, 1993, as amended by decisions dated August 9, 1994; August 8, 1996, June 3, 1997, March 15, 2011, and December 17, 2013 (Minor Change).

Signature of Applicant (or his representative)

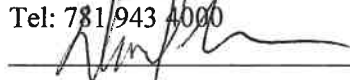


Evans Huber, Esq.

Address if not Applicant

Frieze Cramer Rosen & Huber LLP
62 Walnut Street, Suite 6, Wellesley, MA 02481
Tel: 781/943 4000

Owner's permission if other than applicant



SUMMARY OF PLANNING BOARD ACTION

Received by Planning Board [Signature] Date 2/3/23

Hearing Date _____

Decision Required by _____ (date)
(90 days after hearing for special permit)

Parties in Interest Notified
of Public Hearing _____ (date)

Granted _____ (date)

Decision and Notices of the
Decision sent _____ (date)

Denied _____ (date)

Fee Paid _____

Withdrawn _____ (date)

Fee Waived _____

NOTE: Reports on Minor Projects must be issued within 35 days of filing date.

FRIEZE CRAMER ROSEN & HUBER LLP

C O U N S E L L O R S A T L A W

62 WALNUT STREET, SUITE 6, WELLESLEY, MASSACHUSETTS 02481
781-943-4000 • FAX 781-943-4040

February 3, 2023

Via Electronic Mail and Hand Delivery

Members of the
Needham Planning Board

And

Lee Newman
Director of Planning and Community Development
Public Services Administration Building
500 Dedham Ave
Needham, MA 02492

Re: 589 Highland Ave, Needham, Application for Amendment to Special Permit

Dear Planning Board Members and Ms. Newman:

I am writing on behalf of Wingate Development LLC and Wingate at Needham, Inc., with respect to the property at 589 Highland Avenue in Needham. The original Planning Board Decision authorizing the nursing home use at this site, Site Plan Special Permit 93-3 dated July 27, 1993, was amended on August 9, 1994; August 8, 1995; June 3, 1997; March 15, 2011; and December 17, 2013 (Minor change). By Decision dated March 15, 2022, this Board approved an application for an amendment to the existing Special Permit, to convert the then-current Nursing Home to 50 Independent Living ("IL") Units. The Nursing Home was officially closed on or about April 21, 2022.

The original decision and amendments are collectively referred to herein as the "Special Permit."

Pursuant to Chapter 40A of the Massachusetts General Laws, the Needham Zoning By-Law, the Needham Planning Board Rules, and Section 4.2 of the Special Permit, the Applicant, Wingate Development LLC, and the Owner, Wingate at Needham, Inc., hereby submit an application, of which this letter is a part, requesting that the Special Permit be further amended as described below.

The property is a 2.536-acre parcel (110,489 square feet) located at the corner of Highland Avenue and Gould Street. The property is located in the Elder Services zoning district and is currently improved with a two-story brick building that housed, until April 21, 2022, a 142-bed skilled nursing facility. At the moment the building is vacant.

The Applicant and Owner intend to proceed with the work and change of use authorized by the March 15, 2022 Amendment to the Special Permit, converting the building to 50 IL units. As an expansion to that project, Applicant now proposes to add a third floor to the building, which will add another 22 IL units, for a total of 72 IL units, of which 12.5%, or 9 units, will be affordable as defined in the Elder Services District bylaw. As with the previously approved amendment, all 72 units will consist of studios, 1-bedroom and 2-bedroom apartments with full kitchens and washers and dryers. No other use is proposed for the site.

Per section 3.12.9 of the Bylaw, the parking requirement for IL units is .5 spaces per unit, resulting in a required parking supply for this proposed redevelopment of 36 spaces. Wingate also anticipates 6 full time employees which would require an additional 3 spaces (1 space per 2 employees). The additional parking requirement would bring the total required to 39 spaces.

As shown on the site layout and landscaping plans submitted herewith, there are currently 98 spaces on site. Applicant proposes to eliminate 17 parking spaces on the side of the building opposite Gould Street, to create more green space and landscaping and to eliminate head-in parking immediately adjacent to the first-floor units on that portion of the building. The proposed number of spaces on this site will therefore be 81, so that there will be more than sufficient existing parking to satisfy the bylaw requirement, and, indeed, one parking space per unit (plus staff spaces) rather than the .5 spaces per unit (plus staff spaces) required by the Bylaw. By prior special permit, permission was granted to count 10 spaces on the adjacent property (known as "Lot A") towards the required parking total. However, because the required parking supply for this proposal is so much lower than the available supply on this lot (known as "Lot B"), it is no longer necessary to count those spaces on the adjacent property as part of the available parking supply.

Please note that as indicated on the zoning table located on the site plan filed herewith, the building, including the proposed third floor, complies with all dimensional and setback requirements, and the parking areas comply with all dimensional and other requirements of section 5.1.3 of the Zoning Bylaw.

Also please note that, per the traffic analysis submitted herewith, the proposed total of 72 independent living units will generate less traffic during all time periods than the previously-existing 142-bed nursing facility. On a typical weekday, the independent living units will generate a total of 200 fewer vehicle trips (entering and exiting), including fewer trips during the morning and afternoon peak hours. On Saturdays, it is expected that the independent living units will likewise generate 27 fewer trips during the peak hour than the previously-existing facility.

Pursuant to Section 3.12.10 of the Zoning By-Law, at least 10% of the IL Apartments are required to be Affordable Housing Units. However, as noted above, in this instance the Applicant is agreeing that, consistent with the previously expressed preference of the Board, twelve and one-half percent (12.5%) of the units will be Affordable. Since the combination of the previously-approved project and the current proposal includes the creation of seventy-two (72) IL Apartments, a total of nine (9) will be designated as Affordable Housing Units.

Major Project Site Plan Review and an amendment to the existing Special Permit is sought because Independent Living is an SP use in the Elder Services District, and because the proposed third floor will require construction in excess of 10,000 square feet. The zoning relief required for this proposal is approval pursuant to the Site Plan Review process, and an Amendment to the existing Special Permit to allow an increase from the previously-approved 50 IL units, to 72 IL units, in accordance with the plans, drawings, and renderings submitted herewith. Various aspects of the existing Special Permit, as currently amended, will become moot as a result. No other zoning relief is required, because, as noted above and in the zoning and parking tables filed herewith, the proposed building will comply with all dimensional and setback requirements in the Bylaw, and the parking areas will comply with all dimensional and other requirements of section 5.1.3 of the Zoning Bylaw.

With respect to the floor plans, the Applicant reserves the right to revise said floor plans without the need for additional hearings or approvals, provided that the total square footage of the building does not increase, and the total number of IL units does not exceed seventy-two (72).

The Applicant certifies pursuant to the Zoning By-Law, Section 7.4 that the project can be constructed and/or that the proposed uses thereof can be commenced without need for the issuance of any variance from any provisions of the Zoning By-Law by the Zoning Board of Appeals.

This Application for Site Plan Review and Amendment to Special Permit includes the following documents:

1. This letter dated February 3, 2023 to the Planning Board and Planning Director.
2. Another letter from this office, also dated February 3, 2023, discussing how this project meets the Site Plan Review criteria in the Bylaw.
3. The completed application form signed by myself on behalf of the applicant, and by the owner of the property, Wingate at Needham, Inc.
4. Traffic Analysis prepared by Ron Muller & Associates, 56 Teresa Road, Hopkinton, MA 01748, dated January 25, 2023.

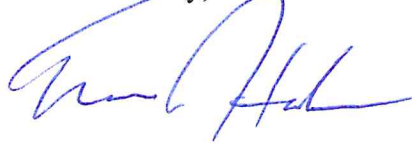
5. Engineering Plans (including zoning table) for 589 Highland Avenue, Wingate Needham, Needham Mass, dated February 3, 2023, prepared by Kelly Engineering Group, 0 Campanelli Drive, Braintree, MA 02184. Note that these plans include an existing conditions site plan, dated February 3, 2023, prepared by R.E. Cameron & Associates, Inc., 681 Washington Street, Norwood, MA 02062.
6. Stormwater management report, dated February 3, 2023 prepared by Kelly Engineering Group, 0 Campanelli Drive, Braintree, MA 02184.
7. Landscaping Plans February 3, 2023, prepared by Hawk Design Inc., P.O. Box 1309, Sandwich, MA 02563.
8. Floor plans, unit plans, elevations and renderings dated February 3, 2023, prepared by The Architectural Team, Inc., 50 Commandant's Way, Chelsea, MA 02150.
9. Application fee payable to the Town of Needham in the amount of \$ 8,129.50.

Pursuant to the Board's Covid-19 procedures, these documents are being submitted electronically; additionally two (2) hard copies of the application (1 with original signatures) and all supporting materials, including wet-stamped plans, are being hand delivered to the Planning Department along with the application fee; and, lastly, one hard copy of items 1 through 8, above (all the plans 11 x 17), is being mailed to each Board member, and to Lee Newman.

The Applicant hereby requests, pursuant to Zoning By-Law Section 7.4.4, that the Planning Board waive the submission by Applicant of any of the required information not submitted herewith.

I would appreciate your scheduling this matter for hearing at the Board's March 7, 2023 meeting, if possible. Thank you for your cooperation.

Sincerely,



Evans Huber

FRIEZE CRAMER ROSEN & HUBER LLP

C O U N S E L L O R S A T L A W

62 WALNUT STREET, SUITE 6, WELLESLEY, MASSACHUSETTS 02481
781-943-4000 • FAX 781-943-4040

February 3, 2023

Via Electronic Mail and Overnight Mail

Members of the
Needham Planning Board

And

Lee Newman
Director of Planning and Community Development
Public Services Administration Building
500 Dedham Ave
Needham, MA 02492

Re: 589 Highland Ave, Needham, Application for Amendment to Special Permit

Dear Planning Board Members and Ms. Newman:

I am writing on behalf of Wingate Development LLC and Wingate at Needham, Inc., with respect to the property at 589 Highland Avenue in Needham, in connection with the application for amendment to the existing Special Permit, of which this letter is a part. As indicated in that application, by decision dated March 15, 2022, this Board approved an application for an amendment to the existing Special Permit, to convert the then-current Nursing Home to 50 Independent Living ("IL") Units. The Nursing Home was officially closed on or about April 21, 2022. Applicant intends to proceed with the work and change of use authorized by that amendment.

As an expansion to that project, Applicant now proposes to add a third floor to the building, which will add another 22 IL units, for a total of 72 IL units, of which 12.5%, or 9 units, will be affordable as defined in the Elder Services District bylaw.

The purpose of this letter is to address how the proposed expanded project meets the Town's Site Plan Review criteria as set forth in 7.4.6 of the Bylaw.

(a) Protection of adjoining premises against seriously detrimental uses by provision for surface water drainage, sound and sight buffers and preservation of views, light, and air.

The proposed project has been designed to protect adjoining premises from detrimental impacts as follows:

The site has been designed to ensure that there will be no off-site drainage impacts. A drainage system exists on site. The drainage system will ensure that peak storm generation levels will remain unchanged. The proposed site development plans will be presented to the Town of Needham Engineering Department. The proposed project will have a net reduction in impervious area and is exempt from the Town of Needham Stormwater Bylaw.

A landscape plan has been developed for screening and enhancing the existing site. Parking spaces up against the west side of the building have been replaced with greenspace. This eliminates the issue of automobile headlights shining into the ground floor units and provides a more attractive view for residents and abutters on that side of the building. Noise and visual impacts have been minimized. Abutting properties will be protected by means of the existing solid fence and mature trees. Shade trees proposed for the newly created greenspace will add to the landscape buffering.

(b) Convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets, the location of driveway openings in relation to traffic or to adjacent streets and, when necessary, compliance with other regulations for the handicapped, minors and the elderly.

The project has been designed ensure that there will be safe vehicular and pedestrian circulation throughout the site. The access and egress to the property will be via existing driveways off Gould St. and Highland Ave. that will remain and provide access to the site. Sidewalks exist on both Gould St. and Highland Ave. that connect to the sidewalks on the site. This allows for pedestrian access to the site.

The main entrance into the building is proposed to be accessed by way of a pedestrian only seating courtyard. A two-foot high retaining/seat wall on the Highland Ave. and Gould St. side of the courtyard will allow for additional berming to help with sound attenuation. A pergola will provide shading for residents and draw attention to the main entrance for visitors. New mass plantings of shrubs, ornamental grasses and perennials will rejuvenate the slope at the intersection and help to improve the existing identity sign's visibility.

Available sight distances at the site driveways on Gould St. and Highland Ave. exceed required sight distances.

Sidewalk access has been provided adjacent to the primary parking stalls for pedestrian safety. Handicap access and parking is provided.

(c) Adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the premises.

The proposed parking area complies with the Town of Needham By Law for loading, parking, and maneuvering width in aisles. The parking is distributed throughout the site to

provide convenience for employees and visitors. Please see the Layout and Zoning Plan for additional details of the parking layout.

(d) Adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site;

The site has been designed to provide for adequate methods of disposal of refuse. A dumpster enclosure exists onsite. The dumpster enclosure is screened with a wooden fence. Refuse will be removed from the site by a licensed hauler.

(e) Relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area and compliance with other requirements of this By-Law; and

The existing building is surrounded by other senior living facilities and residential properties. The proposed building expansion is consistent with these buildings. The aforementioned fence and mature, natural landscape buffer will be maintained to the west of the site. All of the existing vegetation on the north, buffering the senior living facilities and on the east, buffering Gould St. will be preserved. To the south is a strip of existing trees and shrubs that has been impacted by the Highland Ave. bike lane construction. Shrubs are proposed to infill the disturbed areas and provide screening to the parking, and from the new courtyard to the street.

The project has been designed to maximize landscaped area and reduce impervious areas. This is accomplished by removing 17 parking spaces and the main entrance drop-off circle and replacing with landscaped areas and a small, paved seating area. Additionally, the existing sunken loading dock on the southwest corner of the building will be filled and landscaped, providing an enhanced site entry and a buffer from traffic for the ground floor residents. The open space will full comply with the requirements of the bylaw.

(f) Mitigation of adverse impacts on the Town's resources including the effect on the Town's water supply and distribution system, sewer collection and treatment, fire protection, and streets; and may require when acting as the Special Permit Granting Authority or recommend in the case of minor projects, when the Board of Appeals is acting as the Special Permit Granting Authority, such appropriate conditions, limitations, and safeguards necessary to assure the project meets the criteria of a through f.

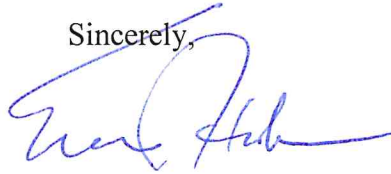
The proposed use is expected to have minimal impacts on Town resources due to the nature of the use. It is a clean, quiet, low impact use. The project has been designed to limit adverse impacts to the Town resources as follows:

Needham Planning Board Members
Lee Newman
February 3, 2023
Page 4

The project will maintain the existing water connection to the Town's water system. The project will maintain the existing sewer connections to the Town's sewer system by means of the connections to the sewer main located at the intersection of Highland Ave. and Gould St.

The proposed site layout plans will continue to maintain the existing access and circulation for emergency and fire protection vehicles.

Sincerely,

A handwritten signature in blue ink, appearing to read "Evans Huber", written over the word "Sincerely,".

Evans Huber



Ron Müller & Associates
Traffic Engineering and Consulting Services

56 Teresa Road
Hopkinton, MA 01748
Tel.: (508) 395-1576
Fax: (508) 435-2481
www.RonMullerAssociates.com

Ref.: 21044

January 25, 2023

Mr. David Feldman
SVP Real Estate Development
Wingate Healthcare
63 Kendrick Street
Needham, MA 02494



Reg.: Proposed Wingate at Needham, Inc.
Independent Living Facility
589 Highland Avenue, Needham, MA

Dear David:

Ron Müller & Associates (RMA) has prepared this letter to document that conversion of the existing 142-bed skilled nursing facility into 72 independent senior living units will result in a reduction in site traffic generation. The existing building is located on Lot B at the corner of Gould Street and Highland Avenue in Needham, Massachusetts and will be renovated and expanded into independent senior living units. No change in site access or parking is proposed. This letter also documents that the demand for on-site parking will be reduced and that the supply of parking is more than adequate to accommodate the anticipated demand.

The Institute of Transportation Engineers (ITE) *Trip Generation Manual*¹ was used to estimate the change in traffic from the proposed conversion project. The ITE manual provides trip generation rates for nursing facilities based on the number of beds (Land Use Code 620) as well as trip generation rates for independent living facilities based on the number of units (Land Use Code 252). A summary of the expected change in traffic generation is provided in Table 1 and the trip generation worksheets are attached to this letter.

¹ *Trip Generation Manual, 11th Edition*; Institute of Transportation Engineers; Washington, DC; 2021.

Table 1
Trip Generation Comparison

Time Period	Existing Skilled Nursing Facility ^a	Proposed Independent Living Facility ^b	Change in Traffic
Weekday Daily	430	230	-200
Weekday AM Peak Hour			
Enter	14	2	-12
<u>Exit</u>	<u>6</u>	<u>13</u>	<u>+7</u>
Total	20	15	-5
Weekday PM Peak Hour			
Enter	7	10	+3
<u>Exit</u>	<u>13</u>	<u>8</u>	<u>-5</u>
Total	20	18	-2
Saturday Peak Hour			
Enter	23	13	-10
<u>Exit</u>	<u>28</u>	<u>11</u>	<u>-17</u>
Total	51	24	-27

^a ITE Land Use Code 620 (Nursing Home) trip rates applied to 142 beds.

^b ITE Land Use Code 252 (Senior Adult Housing – Attached) trip rates applied to 72 units.

As shown in the table, the proposed 72 independent living units will generate less traffic during all times periods than the existing 142-bed nursing facility. On a typical weekday, the independent living units will generate 200 fewer vehicle trips (total entering and exiting traffic) of which 5 fewer trips will occur during the weekday AM peak hour (one hour between 7:00 and 9:00 AM) and 2 fewer trips will occur during the weekday PM peak hour (one hour between 4:00 and 6:00 PM). During the Saturday peak hour (typically one hour between 11:00 AM and 2:00 PM), the proposed independent living units will generate 27 fewer trips than the existing nursing facility.

The existing nursing facility building currently provides 98 parking spaces on Lot B. The proposed remodeling and reuse of the facility will eliminate 15 general-use parking spaces and two reserve spaces for a total proposed supply of 81 spaces on site. Based on parking generation rates provided in the ITE *Parking Generation* manual,² the existing nursing facility has an average peak parking demand of 62 spaces and an 85th percentile peak parking demand of 73 spaces (Land Use Code 620). Using the ITE parking generates rates for senior adult housing (Land Use Code 252), the proposed 72 independent living units will have an average peak parking demand of 44 spaces and

² *Parking Generation, 5th Edition*; Institute of Transportation Engineers; Washington, DC: 2019.

an 85th percentile peak parking demand of 49 spaces. Accordingly, the change to independent living units will reduce the parking demand on the site and more than adequate parking will still be provided to accommodate the change in use, even with the proposed reduction in on-site spaces.

Please feel free to contact me should you have any questions regarding these estimates or conclusions.

Sincerely,

Ron Müller & Associates



Kirsten Braun, P.E.
Associate

Attachments

Institute of Transportation Engineers (ITE); 11th Edition
Land Use Code (LUC) 252 - Senior Adult Housing - Attached

Average Vehicle Trips Ends vs: Dwelling Units
Independent Variable (X): 50

AVERAGE WEEKDAY DAILY

$$T = 2.89 * (X) + 24.82$$

$$T = 169.32$$

T = 170 vehicle trips
with 50% (85 vpd) entering and 50% (85 vpd) exiting.

WEEKDAY AM PEAK HOUR OF ADJACENT STREET TRAFFIC

$$T = 0.19 * (X) + 0.90$$

$$T = 10.40$$

T = 10 vehicle trips
with 14% (1 vph) entering and 66% (9 vph) exiting.

WEEKDAY PM PEAK HOUR OF ADJACENT STREET TRAFFIC

$$T = 0.25 * (X) + 0.07$$

$$T = 12.57$$

T = 13 vehicle trips
with 56% (7 vph) entering and 44% (6 vph) exiting.

SATURDAY DAILY

$$T = 2.33 * (X) + 31.21$$

$$T = 147.71$$

T = 150 vehicle trips
with 50% (75 vpd) entering and 50% (75 vpd) exiting.

SATURDAY MIDDAY PEAK HOUR OF GENERATOR

$$\ln T = 0.93 \ln (X) - 0.81$$

$$\ln T = 2.828$$

$$T = 16.91$$

T = 17 vehicle trips
with 54% (9 vph) entering and 46% (8 vph) exiting.

WINGATE AT NEEDHAM

RENOVATION / EXPANSION

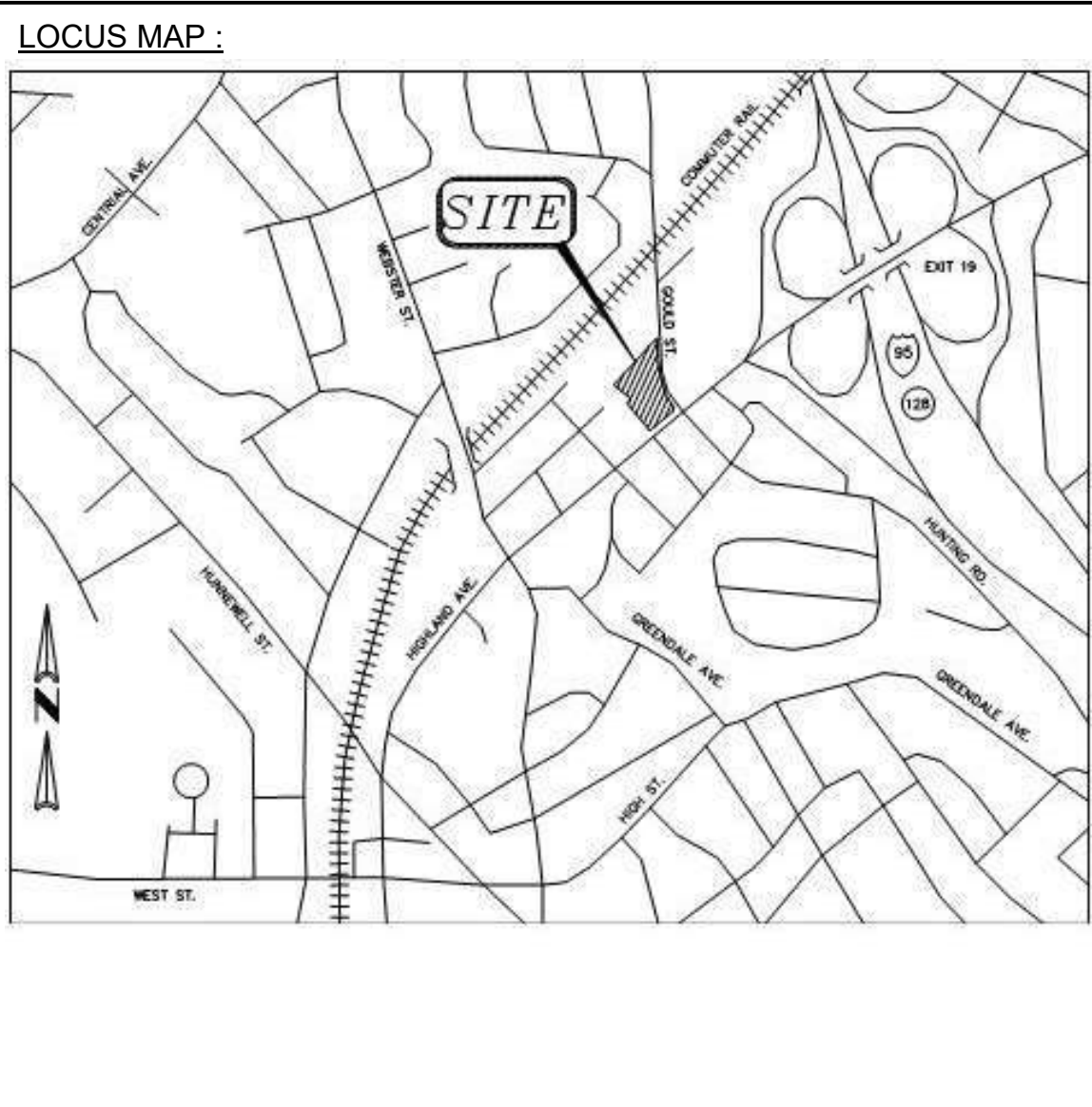
589 HIGHLAND AVENUE
NEEDHAM, MA.



SHEET LIST	
SHEET NUMBER	SHEET NAME
001 - TITLE SHEETS	
T0.01	PROJECT COVER
004 - CIVIL DRAWINGS (UNDER SEPARATE COVER)	
1	TITLE SHEET
2	SITE PLAN
3	LAYOUT PLAN
006 - LANDSCAPE DRAWINGS (UNDER SEPARATE COVER)	
L.1	PATIO PLAN
L.2	ENTRY PLAN
L.3	PARKING / PATIO PLAN
007 - DEMOLITION DRAWINGS	
D1.00	EXISTING / DEMOLITION OVERALL PLAN - BASEMENT
D1.01	EXISTING / DEMOLITION OVERALL PLANS (SCHEMATIC)
008 - ARCHITECTURAL - 1.00 OVERALL PLANS	
A1.00	PROPOSED OVERALL PLAN - BASEMENT
A1.01	PROPOSED OVERALL PLANS (SCHEMATIC)
A1.02	PROPOSED OVERALL PLAN LEVEL 3 & ROOF (SCHEMATIC)
008 - ARCHITECTURAL - 4.00 ELEVATIONS	
A4.01	EXTERIOR ELEVATIONS
A4.02	EXTERIOR ELEVATIONS
A4.03	EXTERIOR ELEVATIONS

SUBMISSIONS :	
FEBRUARY 3, 2023	PLANNING BOARD SUBMISSION FOR SITE PLAN REVIEW

PROJECT CONTACT INFORMATION :	
OWNER	WINGATE AT NEEDHAM, INC. 63 KENDRICK STREET NEEDHAM, MA 02494 PHONE #: FAX #:
ARCHITECT	THE ARCHITECTURAL TEAM 50 COMMANDANT'S WAY AT ADMIRALS HILL CHELSEA, MA 02150 PHONE #: 617.889.4402 FAX #: 617.884.4329
SURVEY CONSULTANT	R.E. CAMERON & ASSOCIATES, INC. 681 WASHINGTON ST. NORWOOD, MA 02062 PHONE #: 781.769.1777 FAX #:
TRANSPORTATION CONSULTANT	RON MULLER & ASSOCIATES 56 TERESA ROAD HOPKINTON, MA 01748 PHONE #: 508.395.1576 FAX #:
CIVIL ENGINEER	KELLY ENGINEERING GROUP, INC. 0 CAMPENELLI DRIVE BRAINTREE, MA 02184 PHONE #: FAX #:
LANDSCAPE ARCHITECT	HAWK DESIGN INC. P.O. BOX 1309 SANDWICH, MA 02563 PHONE #: FAX #:



tat

© The Architectural Team, Inc.
50 Commandant's Way at Admiral's Hill
Chelsea MA 02150
O 617.889.4402
F 617.884.4329
architecturalteam.com

Consultant:

Revision:

Architect of Record:



Drawn: JS

Checked: AS

Scale:

Key Plan:

Project Name:
WINGATE AT NEEDHAM
RENOVATION /
EXPANSION

589 HIGHLAND AVENUE
NEEDHAM, MA.

Sheet Name:

PROJECT COVER

Project Number:

21056

Issue Date:

FEBRUARY 3, 2023

Sheet Number:

T0.01

tat

© The Architectural Team, Inc.
50 Commandant's Way at Admiral's Hill
Chelsea MA 02150
O 617.889.4402
F 617.884.4329
architecturalteam.com

Consultant:

Revision:

Architect of Record:

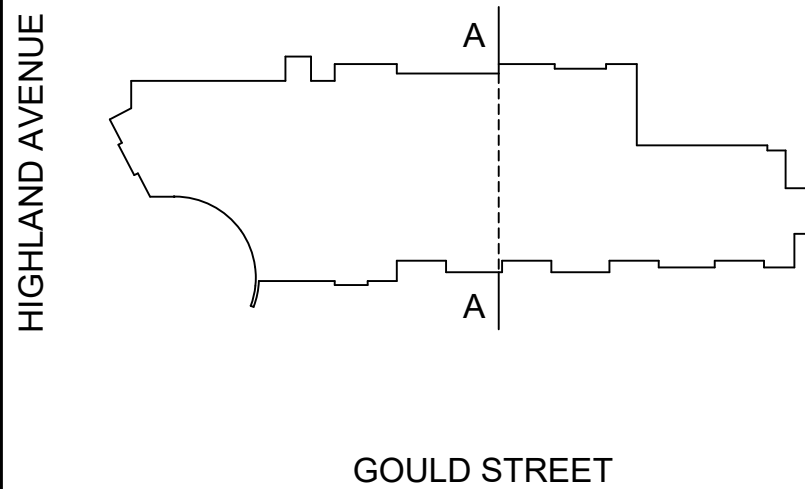


Drawn: RP

Checked: AS

Scale: 3/32" = 1'-0"

Key Plan:



Project Name:
**WINGATE AT NEEDHAM
RENOVATION /
EXPANSION**

**589 HIGHLAND AVENUE
NEEDHAM, MA.**

Sheet Name:

**EXISTING /
DEMOLITION
OVERALL PLAN -
BASEMENT**

Project Number:

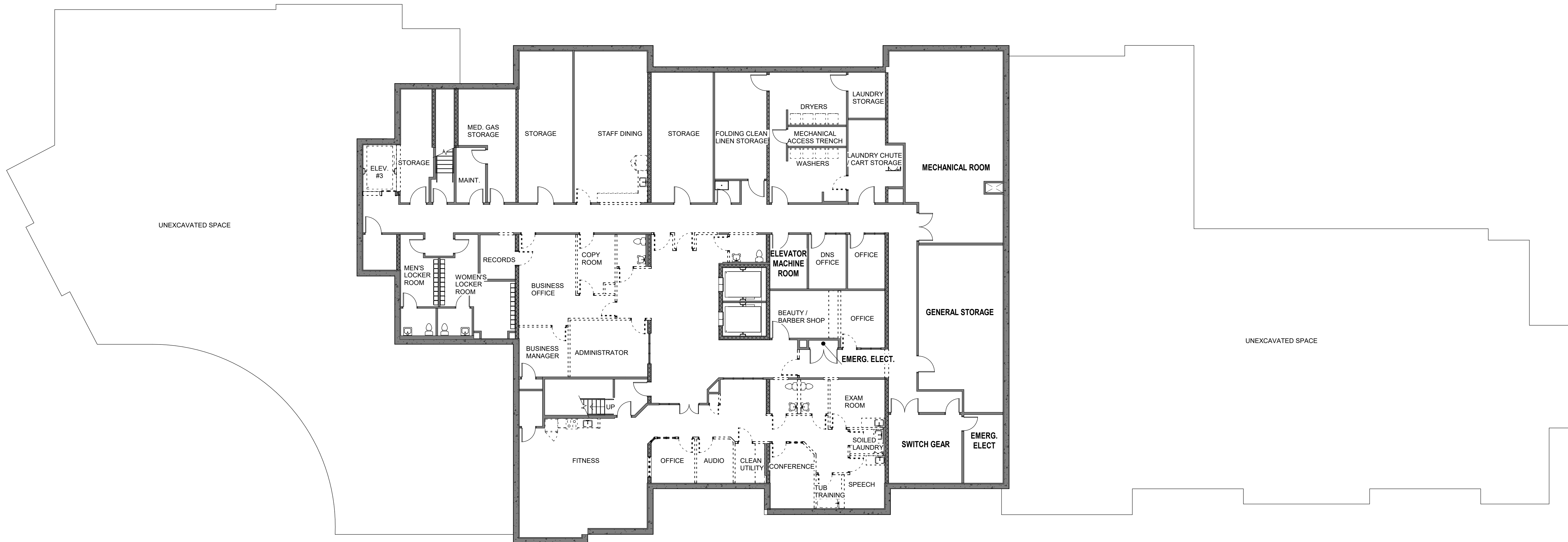
21056

Issue Date:

FEBRUARY 3, 2023

Sheet Number:

D1.00



Consultant:

Revision:

Architect of Record:

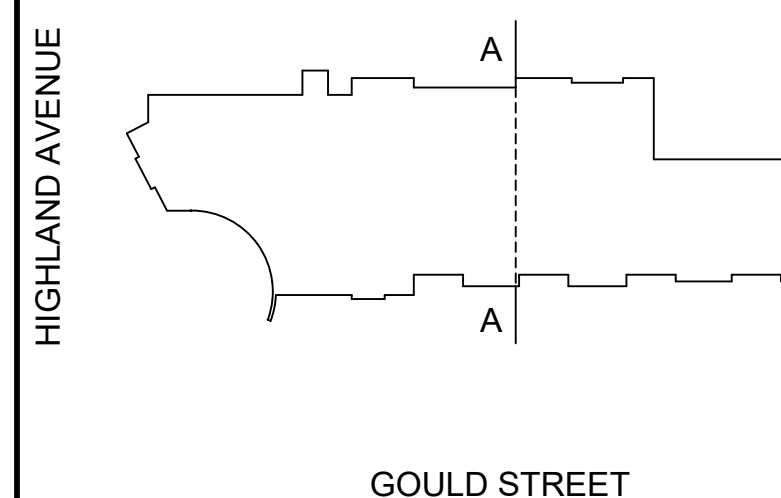


Drawn: RP

Checked: AS

Scale: 3/32" = 1'-0"

Key Plan:



Project Name:
**WINGATE AT NEEDHAM
RENOVATION /
EXPANSION**

**589 HIGHLAND AVENUE
NEEDHAM, MA.**

Sheet Name:

**EXISTING /
DEMOLITION
OVERALL PLANS
(SCHEMATIC)**

Project Number:

21056

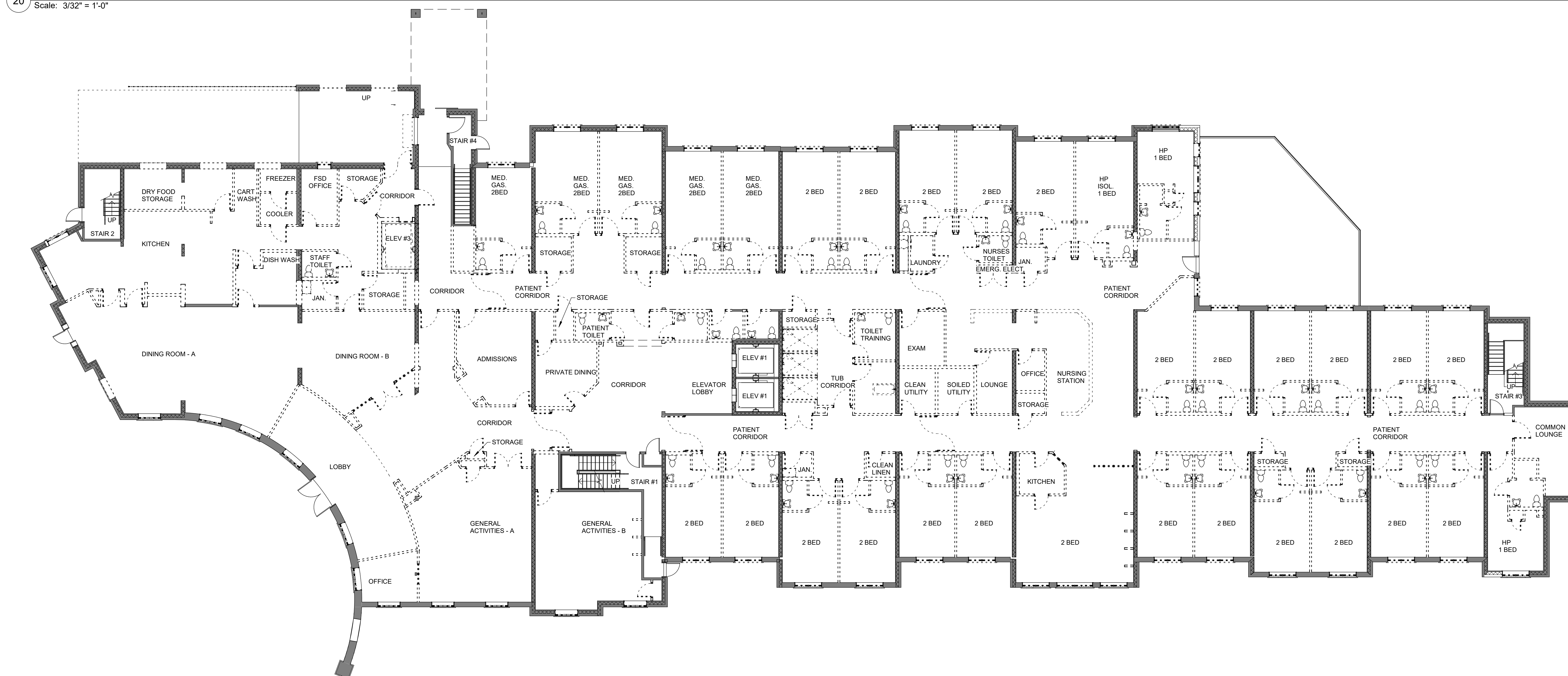
Issue Date:

FEBRUARY 3, 2023

Sheet Number:

D1.01

20 DEMOLITION PLAN - LEVEL 2
Scale: 3/32" = 1'-0"



10 DEMOLITION PLAN - LEVEL 1
Scale: 3/32" = 1'-0"

tat

© The Architectural Team, Inc.
50 Commandant's Way at Admiral's Hill
Chelsea MA 02150
O 617.889.4402
F 617.884.4329
architecturalteam.com

Consultant:

Revision:

Architect of Record:

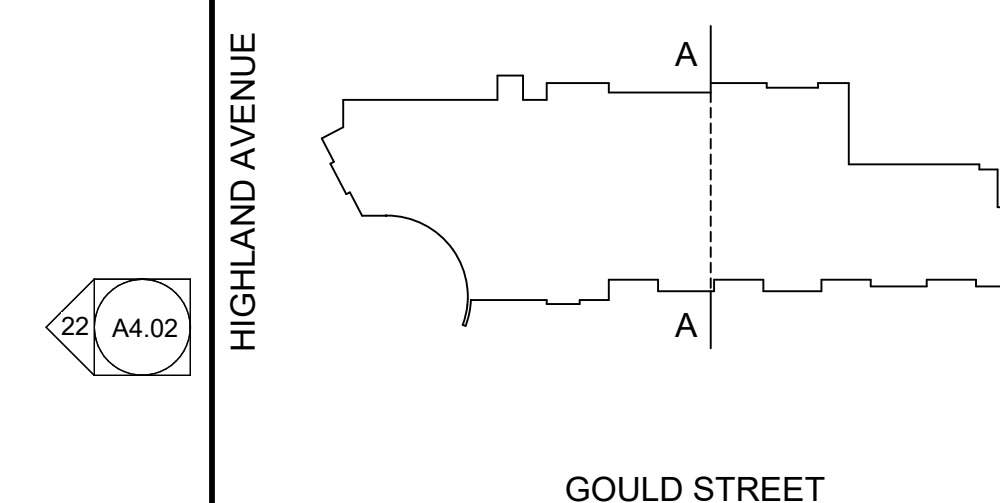


Drawn: JS

Checked: AS

Scale: 3/32" = 1'-0"

Key Plan:



Project Name:
**WINGATE AT NEEDHAM
RENOVATION /
EXPANSION**

**589 HIGHLAND AVENUE
NEEDHAM, MA.**

Sheet Name:

**PROPOSED
OVERALL PLAN -
BASEMENT**

Project Number:

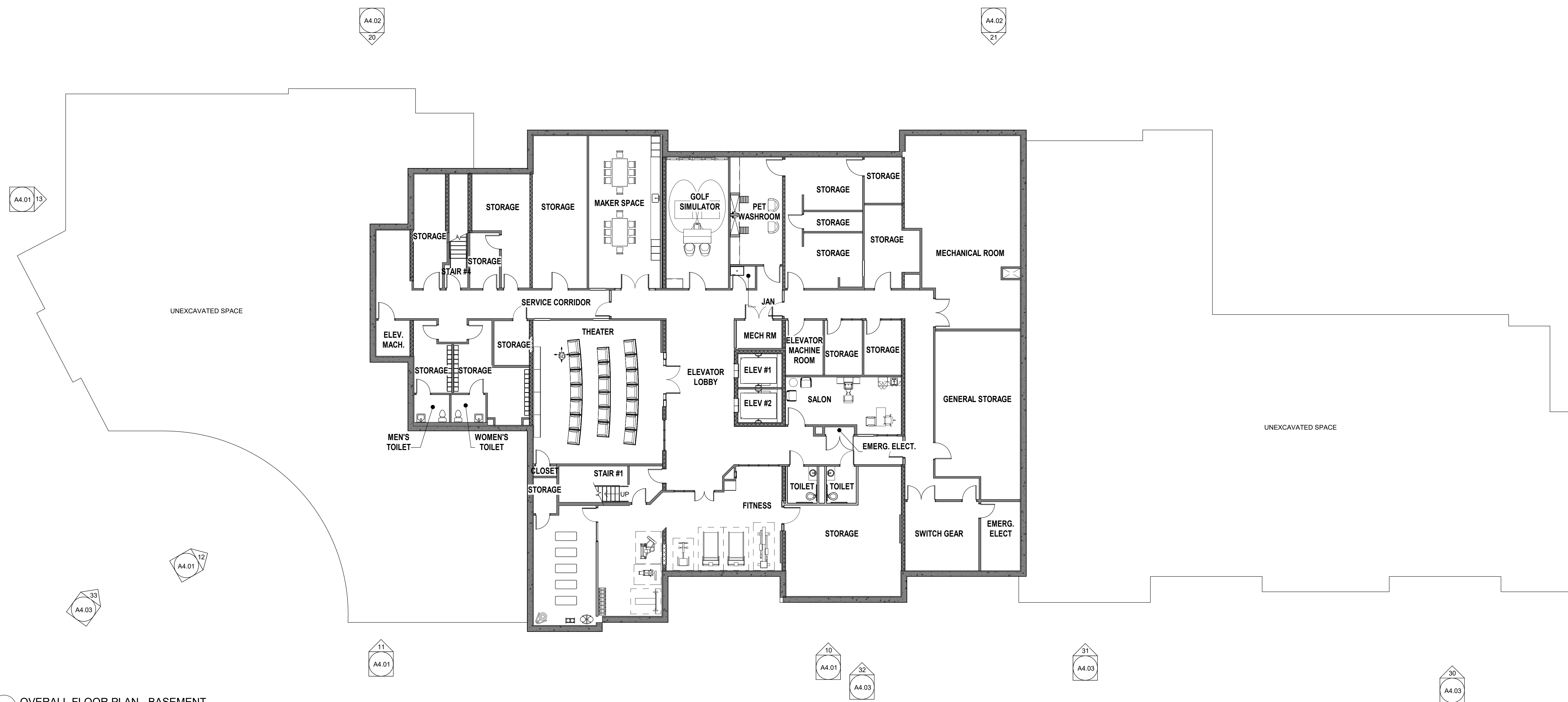
21056

Issue Date:

FEBRUARY 3, 2023

Sheet Number:

A1.00



10 OVERALL FLOOR PLAN - BASEMENT
Scale: 3/32" = 1'-0"

20 OVERALL FLOOR PLAN - LEVEL 2
Scale: 3/32" = 1'-0"

10 OVERALL FLOOR PLAN - LEVEL 1
Scale: 3/32" = 1'-0"

UNIT MATRIX		
UNIT BED #	UNIT TYPE	UNIT COUNT
LEVEL 1		
1BR	1 BED / 1 BATH	17
1BR+DEN	1 BED / 1.5 BATH	5
2BR	2 BED / 2 BATH	1
STUDIO (OBR)	STUDIO / 1 BATH	2
LEVEL 2		
1BR	1 BED / 1 BATH	16
1BR+DEN	1 BED / 1.5 BATH	6
2BR	2 BED / 2 BATH	2
STUDIO (OBR)	STUDIO / 1 BATH	1
Grand total		50

tat

© The Architectural Team, Inc.
50 Commandant's Way at Admiral's Hill
Chelsea MA 02150
O 617.889.4402
F 617.884.4329
architecturalteam.com

Consultant:

Revision:

Architect of Record:

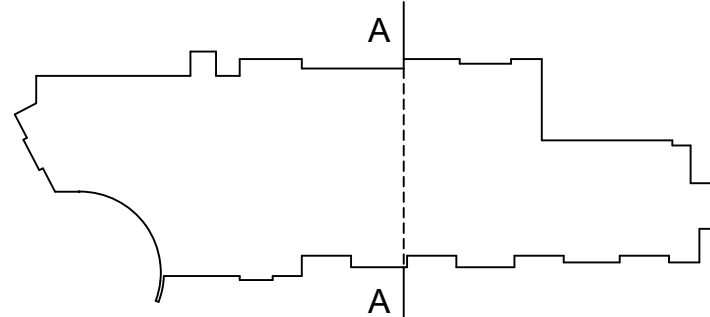


Drawn: JS

Checked: AS

Scale: 3/32" = 1'-0"

Key Plan:



Project Name:
WINGATE AT NEEDHAM
RENOVATION /
EXPANSION

589 HIGHLAND AVENUE
NEEDHAM, MA.

Sheet Name:

PROPOSED
OVERALL PLANS
(SCHEMATIC)

Project Number:

21056

Issue Date:

FEBRUARY 3, 2023

Sheet Number:

A1.01

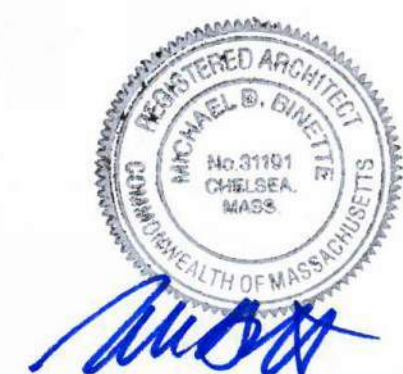
LEVEL 3 UNIT MATRIX.	
UNIT BED #	UNIT COUNT

LEVEL 3	
1BR	8
1BR + DEN	10
2BR	4
Grand total	22

Consultant:

Revision:

Architect of Record:

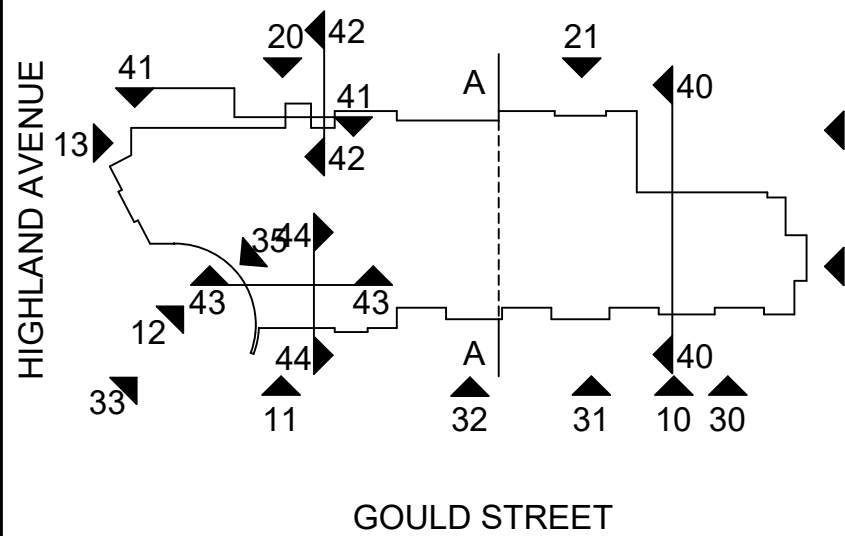


Drawn: JS

Checked: AS

Scale: 3/32" = 1'-0"

Key Plan:



Project Name:
**WINGATE AT NEEDHAM
RENOVATION /
EXPANSION**

589 HIGHLAND AVENUE
NEEDHAM, MA.

Sheet Name:

**PROPOSED
OVERALL PLAN
LEVEL 3 & ROOF
(SCHEMATIC)**

Project Number:

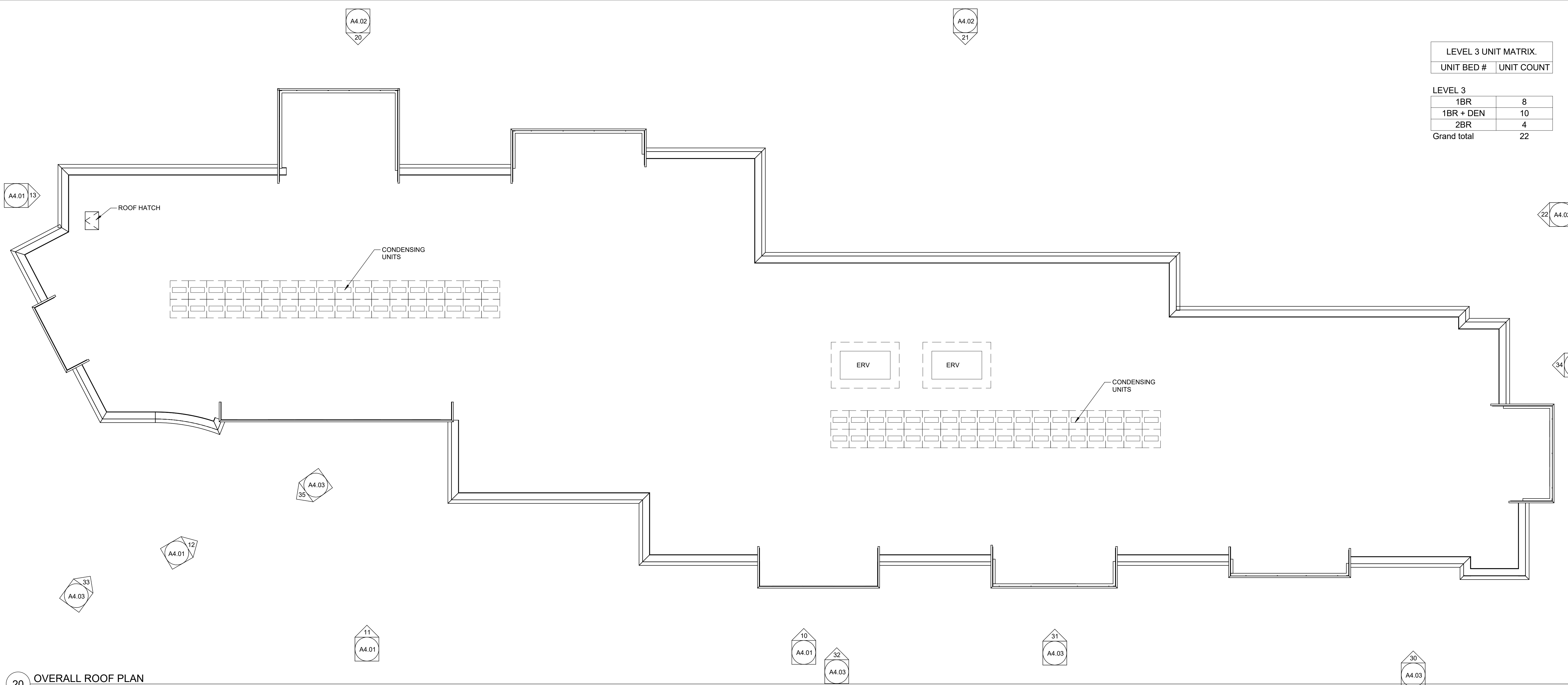
21056

Issue Date:

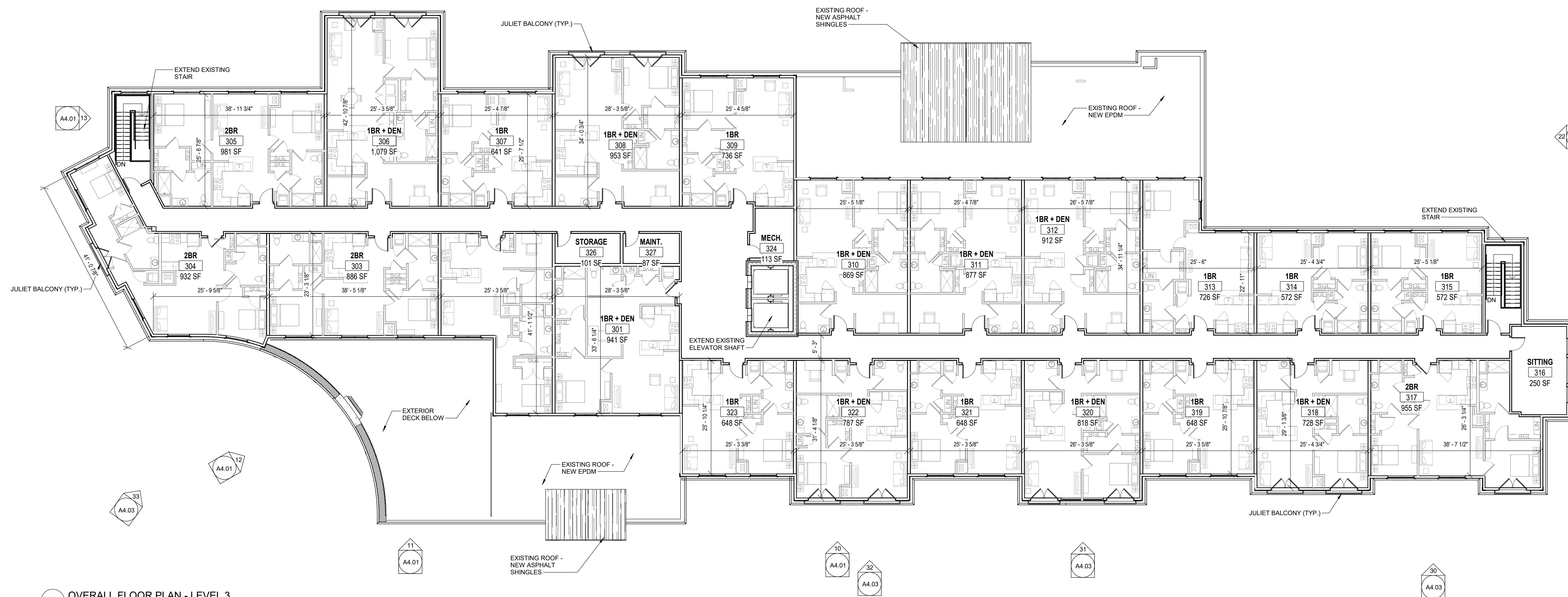
FEBRUARY 3, 2023

Sheet Number:

A1.02

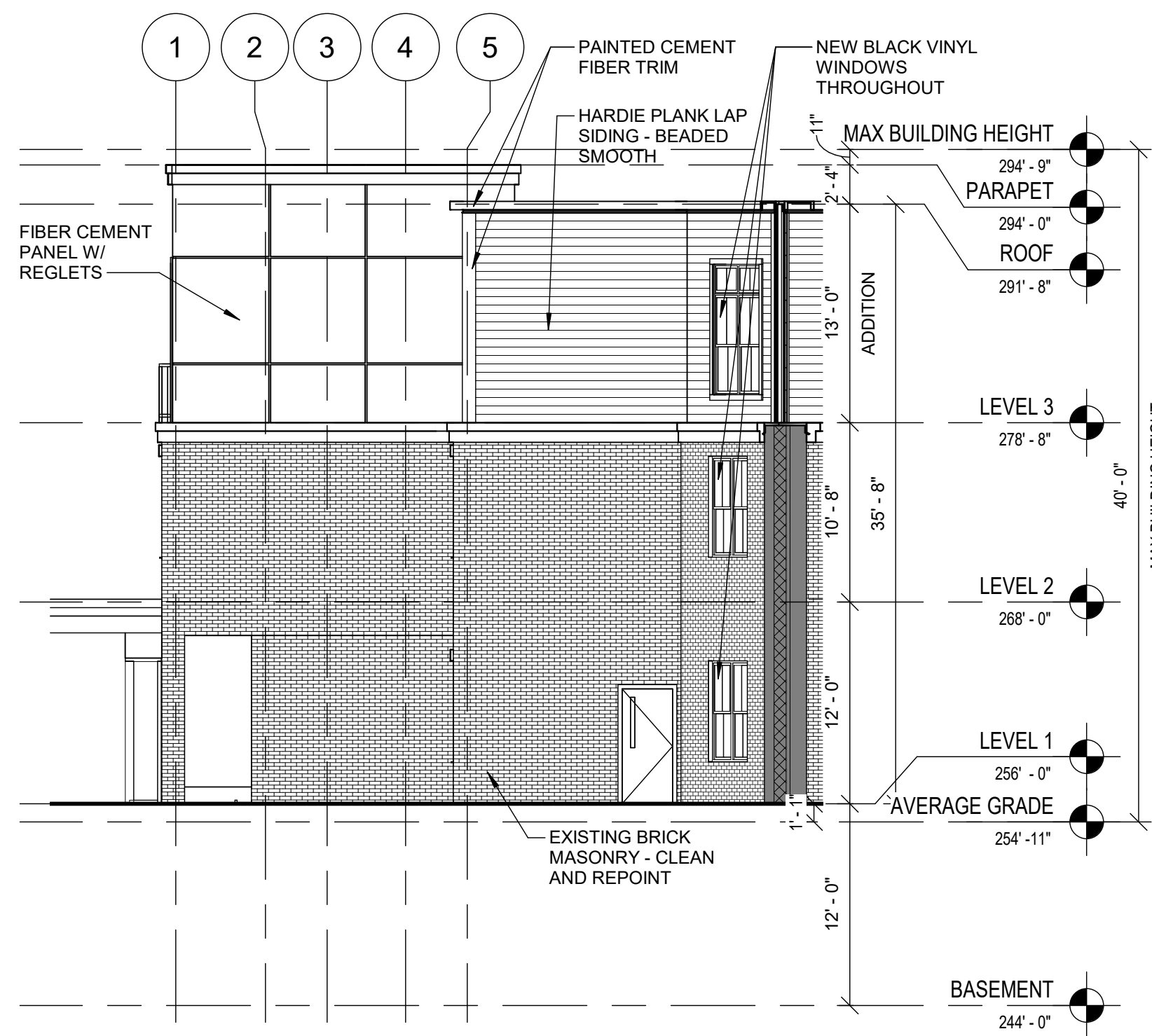


20 OVERALL ROOF PLAN
Scale: 3/32" = 1'-0"

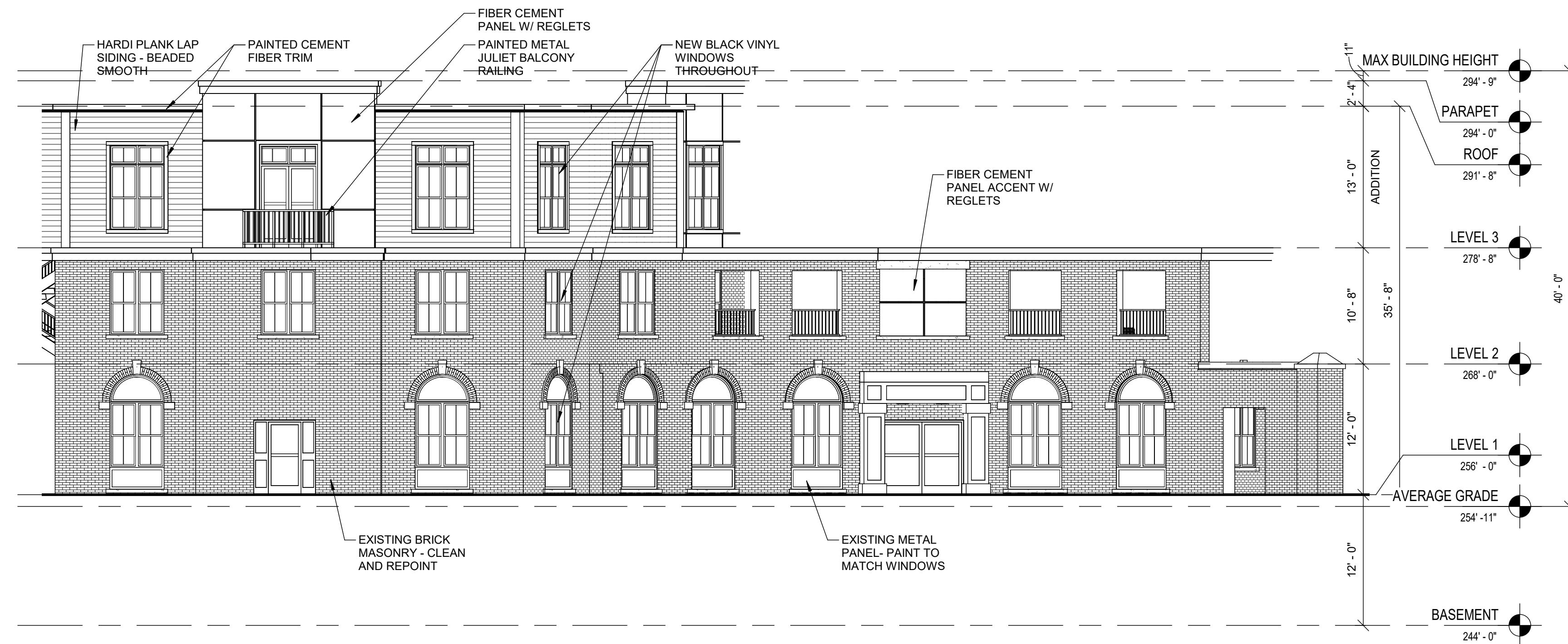


10 OVERALL FLOOR PLAN - LEVEL 3
Scale: 3/32" = 1'-0"

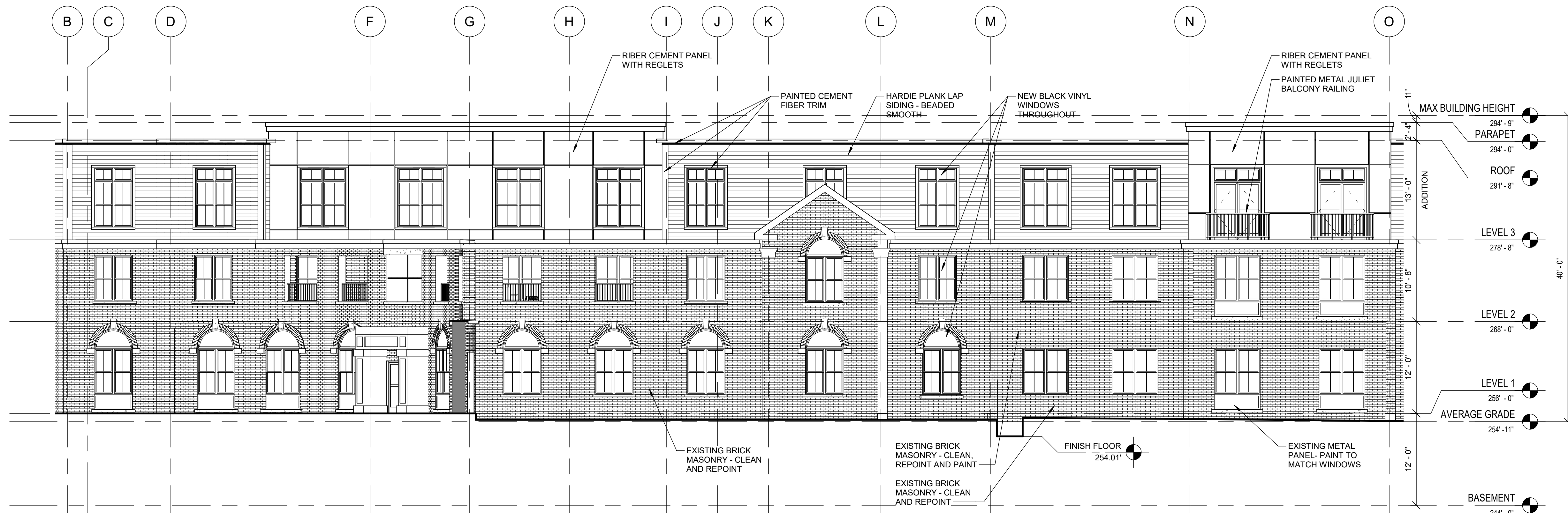
2/1/2023 8:27:21 AM
C:\Users\jsmith\Documents\21056_R21_Wingate Needham Rehabilitation_3rd floor_jsmith\ZGFGS.rvt



13 HIGHLAND AVENUE ELEVATION - B
Scale: 1/8" = 1'-0"



12 HIGHLAND AVENUE ELEVATION - A
Scale: 1/8" = 1'-0"



11 GOULD STREET ELEVATION - B
Scale: 1/8" = 1'-0"



10 GOULD STREET ELEVATION - A
Scale: 1/8" = 1'-0"

GENERAL NOTES - EXTERIOR ELEVATIONS

A.
B.
C.

tat

© The Architectural Team, Inc.
50 Commandant's Way at Admiral's Hill
Chelsea MA 02150
O 617.889.4402
F 617.884.4329
architecturalteam.com

Consultant:

Revision:

Architect of Record:

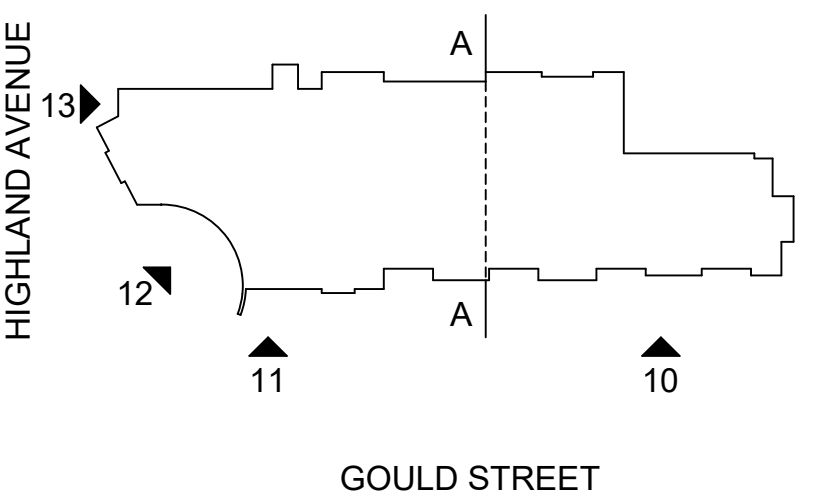


Drawn: RP

Checked: AS

Scale: 1/8" = 1'-0"

Key Plan:



Project Name:
**WINGATE AT NEEDHAM
RENOVATION /
EXPANSION**

**589 HIGHLAND AVENUE
NEEDHAM, MA.**

Sheet Name:

**EXTERIOR
ELEVATIONS**

Project Number:

21056

Issue Date:

FEBRUARY 3, 2023

Sheet Number:

A4.01

Consultant:

Revision:

Architect of Record:

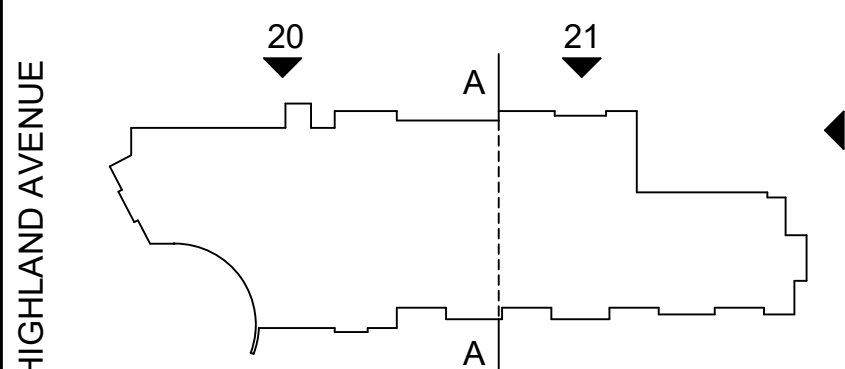


Drawn: RP

Checked: AS

Scale: 1/8" = 1'-0"

Key Plan:



GOULD STREET

Project Name:
**WINGATE AT NEEDHAM
RENOVATION /
EXPANSION**

**589 HIGHLAND AVENUE
NEEDHAM, MA.**

Sheet Name:

**EXTERIOR
ELEVATIONS**

Project Number:

21056

Issue Date:

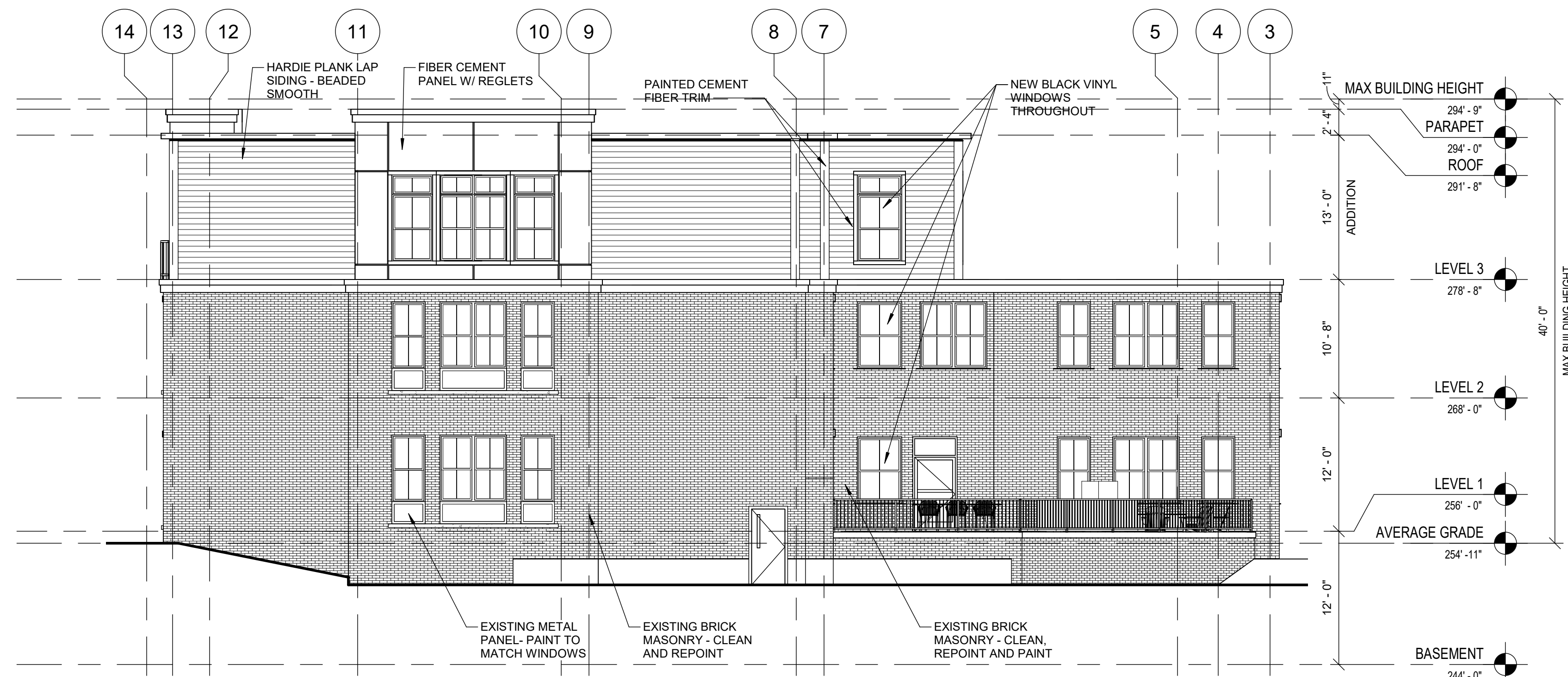
FEBRUARY 3, 2023

Sheet Number:

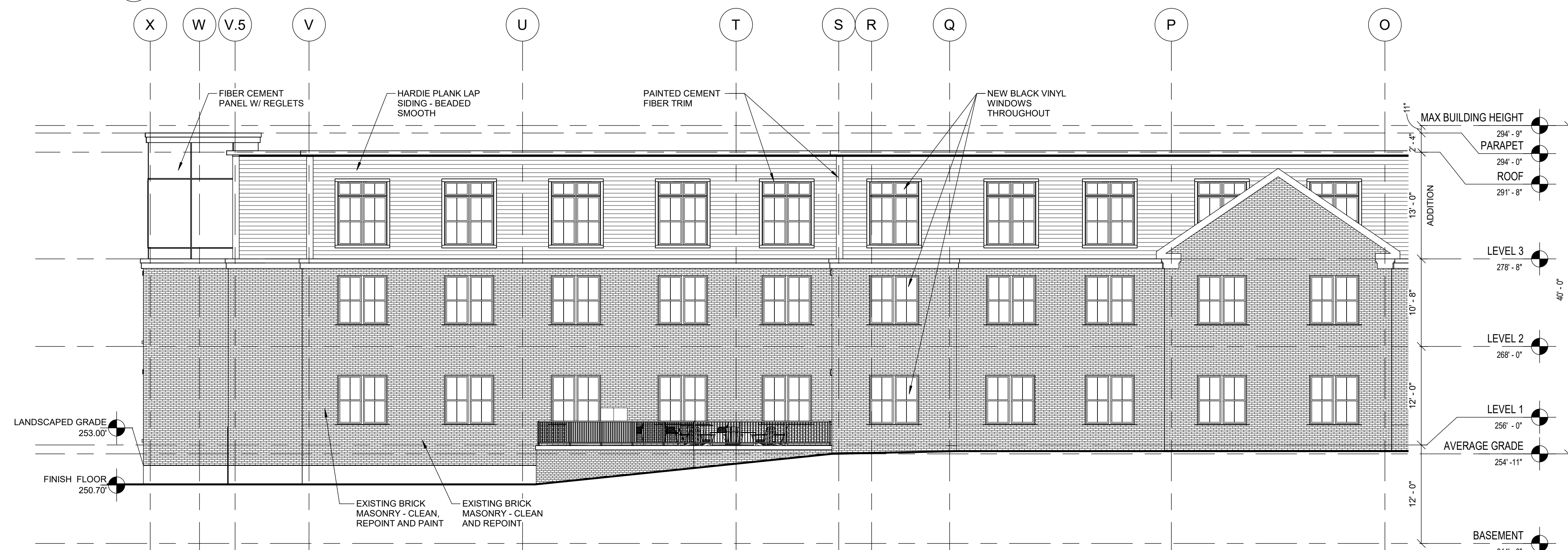
A4.02

GENERAL NOTES - EXTERIOR ELEVATIONS

A.
B.
C.



22 EAST ELEVATION - A
Scale: 1/8" = 1'-0"



21 NORTH ELEVATION - B
Scale: 1/8" = 1'-0"



20 NORTH ELEVATION - A
Scale: 1/8" = 1'-0"

Consultant:

Revision:

Architect of Record:

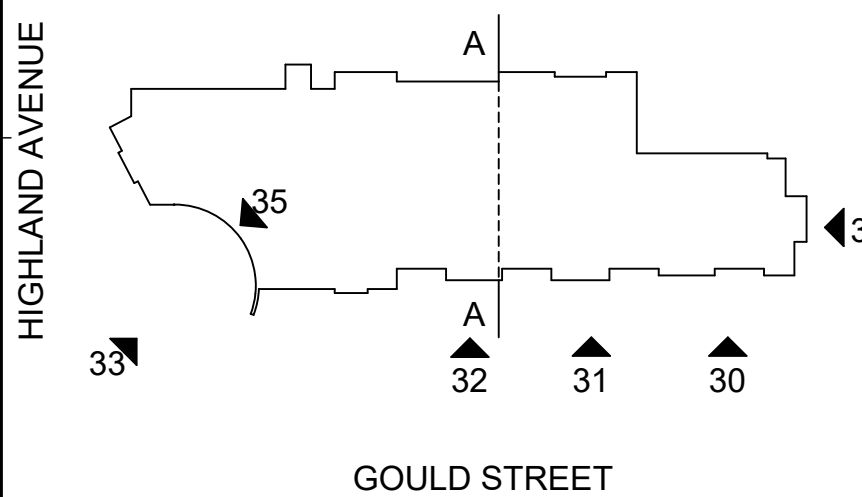


Drawn: RP

Checked: AS

Scale: 1/8" = 1'-0"

Key Plan:



Project Name:
**WINGATE AT NEEDHAM
RENOVATION /
EXPANSION**

**589 HIGHLAND AVENUE
NEEDHAM, MA.**

Sheet Name:

**EXTERIOR
ELEVATIONS**

Project Number:

21056

Issue Date:

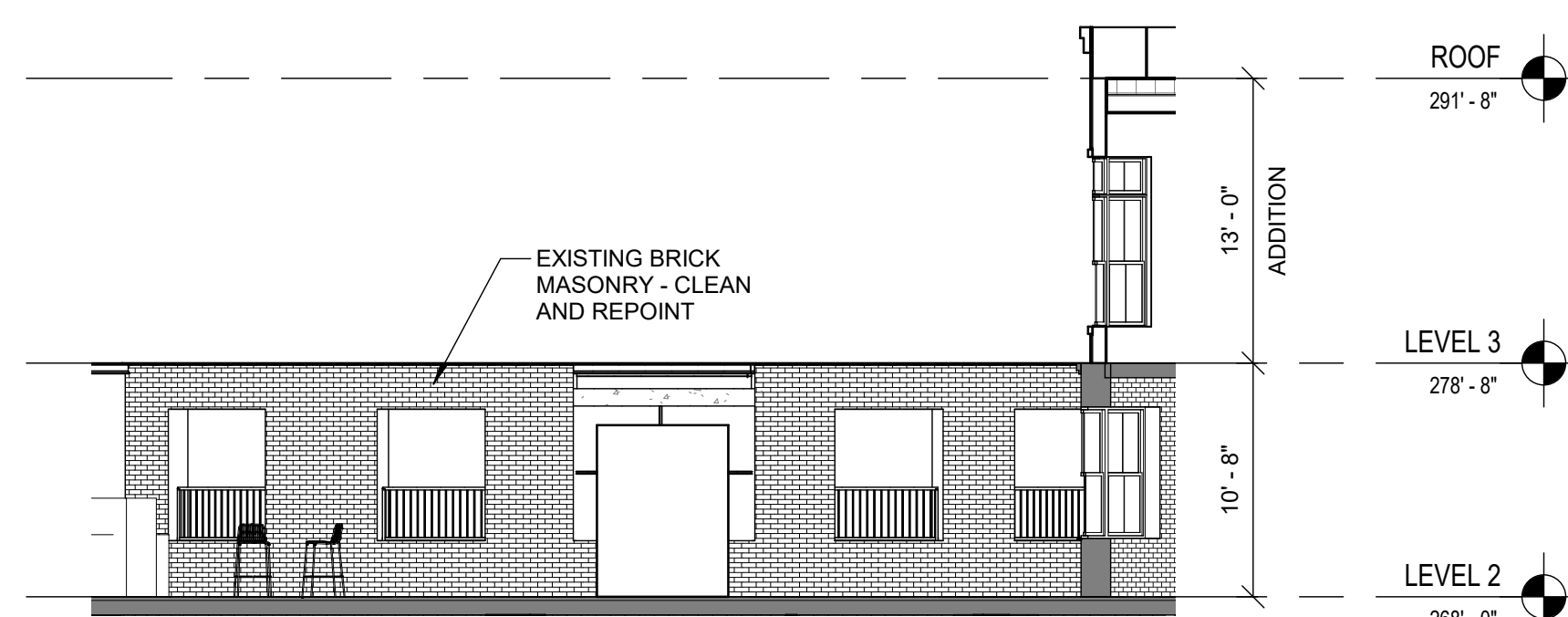
FEBRUARY 3, 2023

Sheet Number:

A4.03

GENERAL NOTES - EXTERIOR ELEVATIONS

A.
B.
C.



35 INTERIOR ELEVATION @ ROOF TERRACE
Scale: 1/8" = 1'-0"

34 EAST ELEVATION - B
Scale: 1/8" = 1'-0"

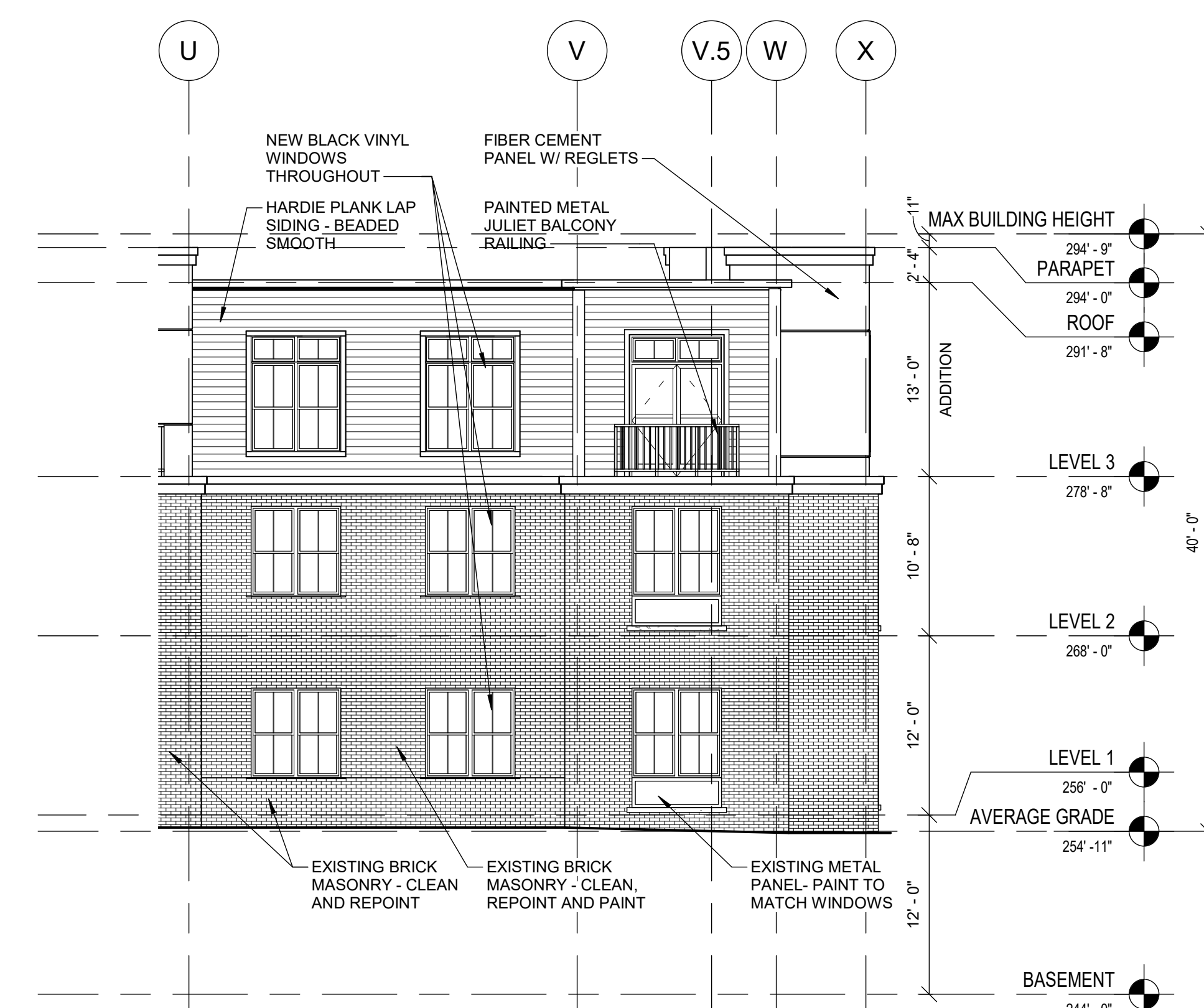


33 WEST ELEVATION - A
Scale: 1/8" = 1'-0"

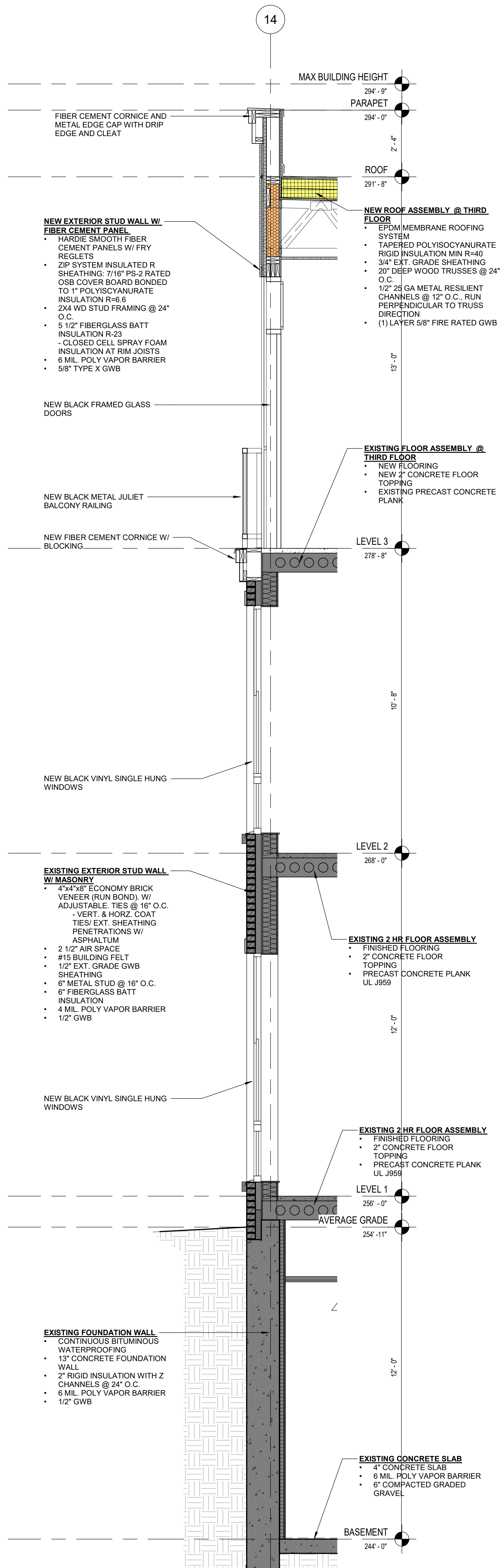


31 SOUTH ELEVATION - B
Scale: 1/8" = 1'-0"

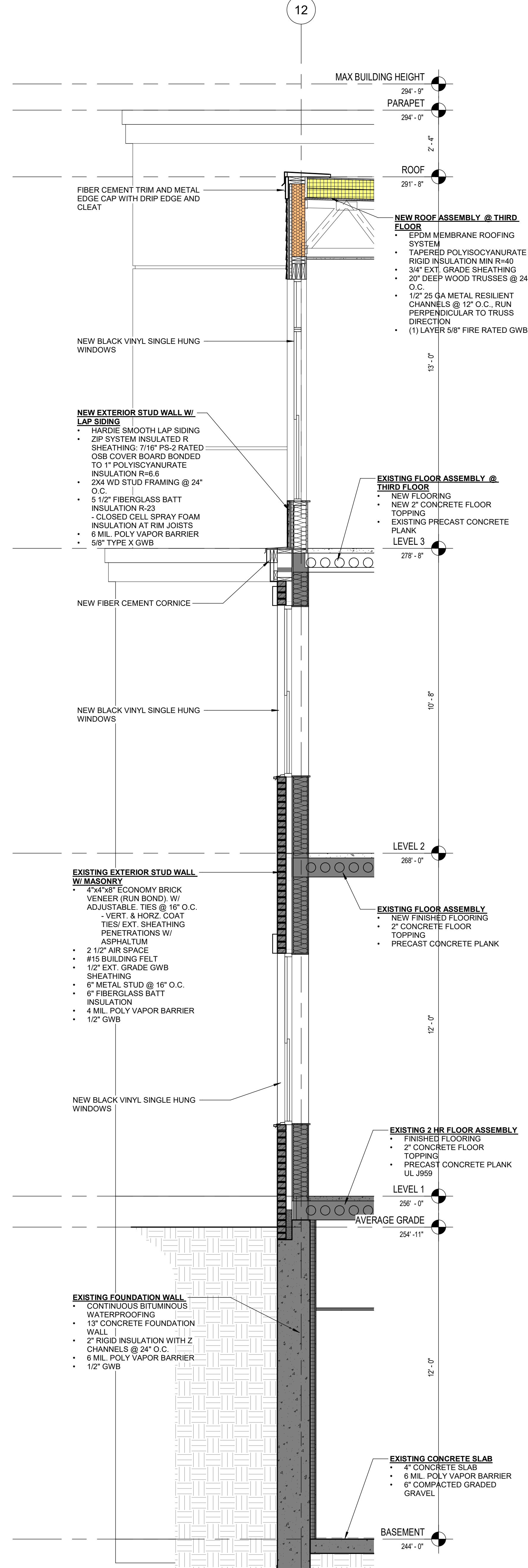
32 SOUTH ELEVATION - A
Scale: 1/8" = 1'-0"



30 SOUTH ELEVATION - C
Scale: 1/8" = 1'-0"



20 WALL SECTION - AT 3RD FLOOR W/ FC PANEL
Scale: 1/2" = 1'-0"



10 WALL SECTION - AT 3RD FLR W/ LAP SIDING
Scale: 1/2" = 1'-0"

tat

© The Architectural Team, Inc.
50 Commandant's Way at Admiral's Hill
Chelsea MA 02150
O 617.889.4402
F 617.884.4329
architecturalteam.com

Consultant:

Revision:

Architect of Record:

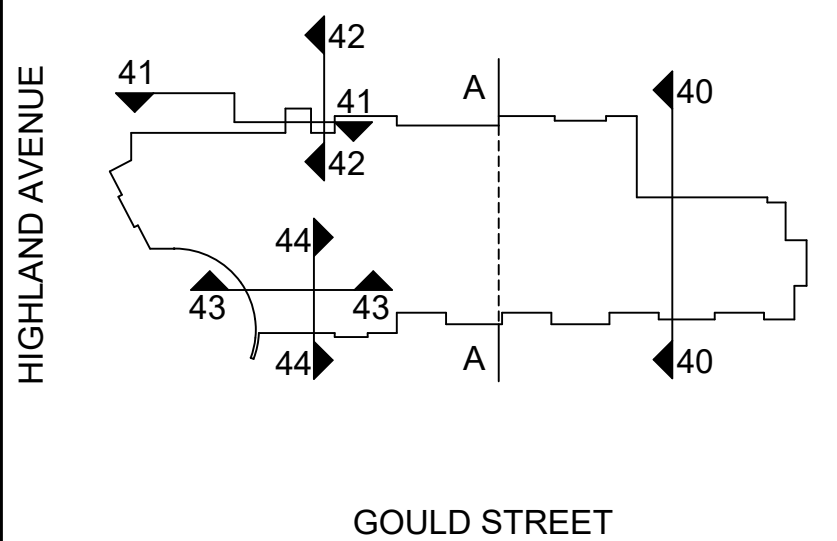


Drawn: JS

Checked: AS

Scale: 1/2" = 1'-0"

Key Plan:



Project Name:
**WINGATE AT NEEDHAM
RENOVATION /
EXPANSION**

**589 HIGHLAND AVENUE
NEEDHAM, MA.**

Sheet Name:

WALL SECTIONS

Project Number:

21056

Issue Date:

FEBRUARY 3, 2023

Sheet Number:

A5.01



Wingate at Needham Renovation / Expansion

Rendered View from Intersection of Gould Street and Highland Avenue

Needham, MA | February 1, 2023 | 21056 | © The Architectural Team, Inc.





Wingate at Needham Renovation / Expansion

Rendered View from Gould Street Looking South

Needham, MA | February 1, 2023 | 21056 | © The Architectural Team, Inc.



Wingate at Needham Renovation / Expansion

Rendered View from Rear Parking



Wingate at Needham Renovation / Expansion

Rendered View from Side Entrance

SIDING



HARDIE PLANK LAP SIDING
AT THIRD FLOOR ADDITION
- LIGHT MIST



HARDIE FIBER CEMENT SMOOTH
PANEL WITH FRY REGLETS AT
THIRD FLOOR ADDITION
- ARCTIC WHITE

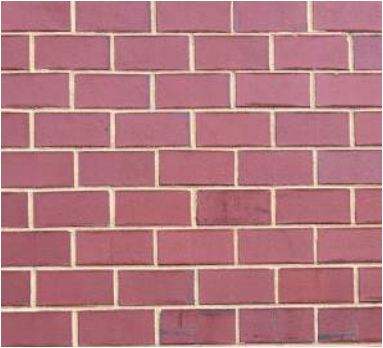


HARDIE FIBER CEMENT SMOOTH
PANEL WITH FRY REGLETS
ACCENT COLOR & ROOF CAP AT
LIGHT MIST LAP SIDING
- NIGHT GRAY



1/2" REVEAL FRY REGLET AT
FIBER CEMENT PANELS
- MILLED FINISH

MASONRY



EXISTING RED BRICK
TO REMAIN



EXISTING YELLOW
BRICK PAINTED
- SW GRIZZLE GRAY

ROOFING



ARCHITECTURAL
ASPHALT SHINGLES
WHERE ROOFING
SLOPES

WINDOWS



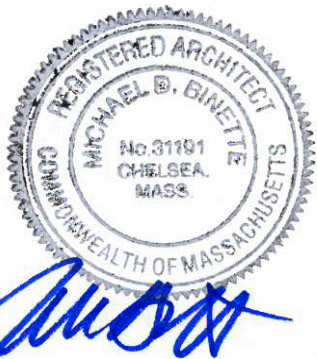
VINYL SINGLE HUNG
WINDOWS MUNTINS AS
SHOWN ON ELEVATIONS
- BLACK



RAILINGS



PRE-FINISHED ALUMINUM
JULIET BALCONY RAILINGS
- BLACK





Gould Street Looking South



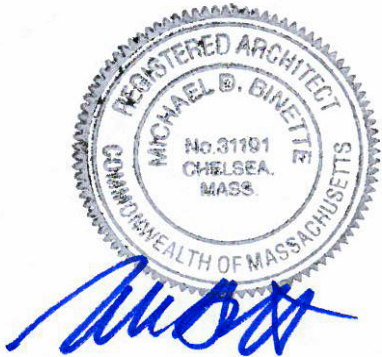
Intersection of Gould Street and Highland Ave.



Side Entrance



Rear Parking



WINGATE AT NEEDHAM RENOVATION/EXPANSION

589 HIGHLAND AVENUE
NEEDHAM, MASSACHUSETTS

PLANNING BOARD SUBMISSION FOR SITE PLAN REVIEW

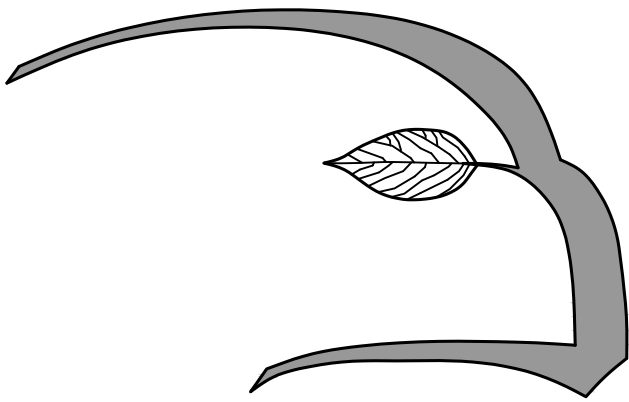
FEBRUARY 3, 2023

LIST OF DRAWINGS:

		SET DATE
L1	SITE LANDSCAPE PLAN	2/3/23
L1.1	ILLUSTRATIVE SITE PLAN RENDERING	2/3/23
L2	ENTRY LANDSCAPE PLAN	2/3/23
L3	PARKING / PATIO LANDSCAPE PLAN	2/3/23
D1	PLANTING DETAILS	2/3/23
D2	PLANTING NOTES	2/3/23



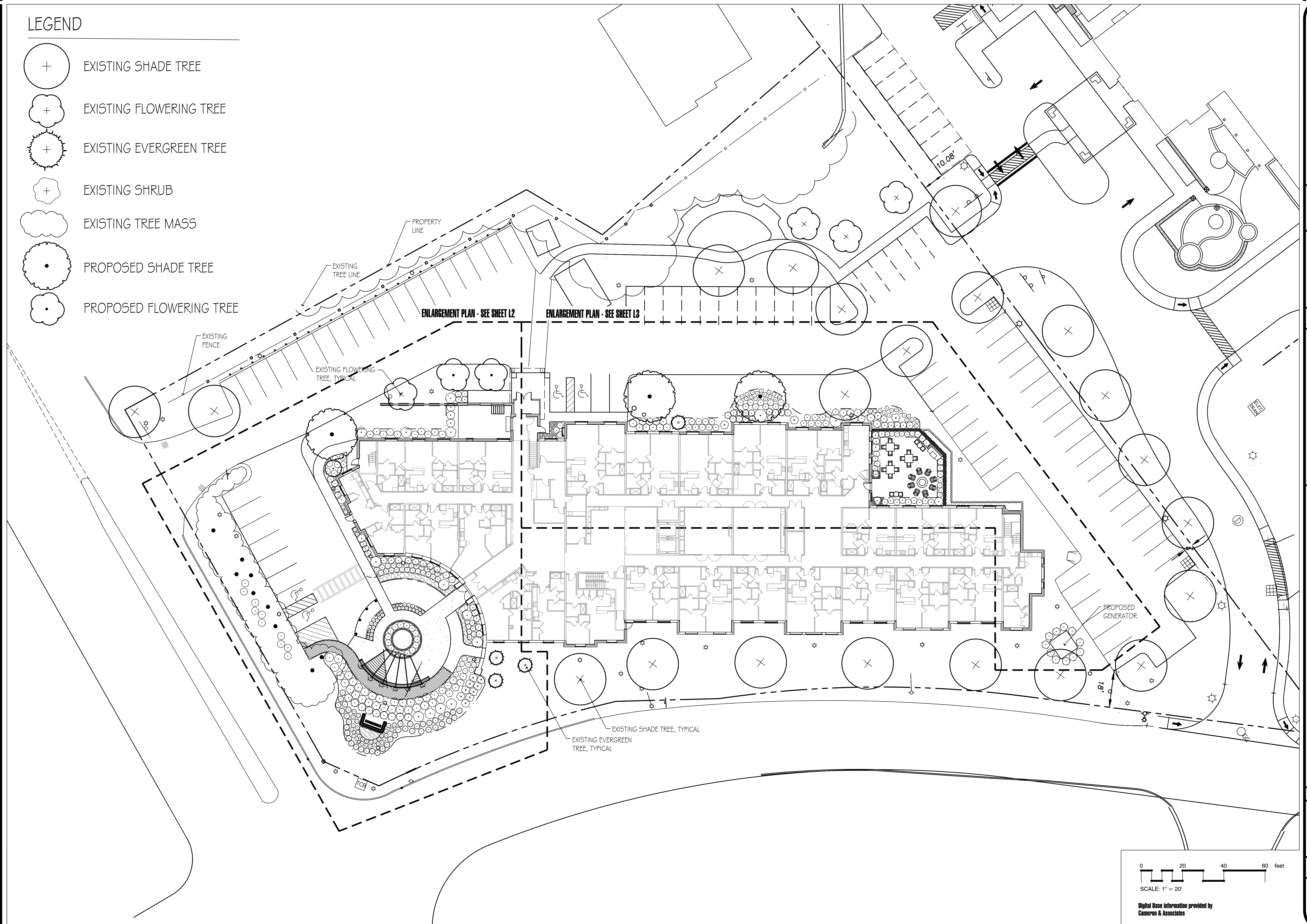
PREPARED BY:



Hawk Design, Inc.
Landscape Architecture
Land Planning
Sagamore, MA
508-833-8800
info@hawkdesigninc.com

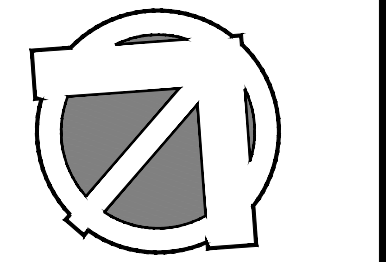
LEGEND

- EXISTING SHADE TREE
- EXISTING FLOWERING TREE
- EXISTING EVERGREEN TREE
- EXISTING SHRUB
- EXISTING TREE MASS
- PROPOSED SHADE TREE
- PROPOSED FLOWERING TREE



Hawk Design, Inc.
Landscape Architecture
Land Planning
Sagamore, MA
508-833-8800
info@hawkdesigninc.com
www.hawkdesigninc.com

HAWK DESIGN, INC. 2020
THIS DRAWING AND ALL INFORMATION CONTAINED
HEREON IS PROPRIETARY INFORMATION OF HAWK
DESIGN, INC. AND MAY NOT BE COPIED OR
REPRODUCED, EITHER IN WHOLE OR IN PART, BY
ANY METHOD, WITHOUT WRITTEN PERMISSION OF
HAWK DESIGN, INC.



Date: 2/3/23

Revisions:
Num. Date Description



Wingate At Needham
589 Highland Avenue - Needham, Massachusetts
Owner: Wingate At Needham, INC.

Drawn By: ND Checked By: TM

Site
Landscape
Plan

Scale: 1" = 20'-0"

Sheet: **L1**

LEGEND

- EXISTING SHADE TREE
- EXISTING FLOWERING TREE
- EXISTING EVERGREEN TREE
- EXISTING SHRUB
- EXISTING TREE MASS
- PROPOSED SHADE TREE
- PROPOSED FLOWERING TREE



Hawk Design, Inc.
Landscape Architecture
Land Planning
Sagamore, MA
508-833-8800
info@hawkdesigninc.com
www.hawkdesigninc.com

HAWK DESIGN, INC. 2023
THIS DRAWING AND ALL INFORMATION CONTAINED HEREON IS PROPRIETARY INFORMATION OF HAWK DESIGN, INC. AND MAY NOT BE COPIED OR REPRODUCED, EITHER IN WHOLE OR IN PART, BY ANY METHOD, WITHOUT WRITTEN PERMISSION OF HAWK DESIGN, INC.

Date: 2/3/23

Revisions:
Num. Date Description

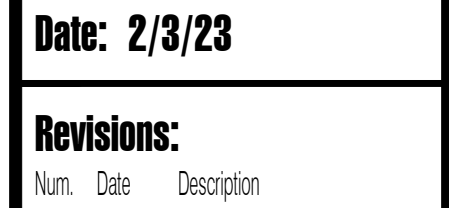
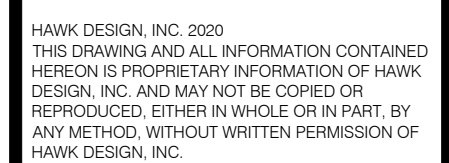
Wingate At Needham
589 Highland Avenue - Needham, Massachusetts
Owner: Wingate At Needham, INC.

Drawn By: ND Checked By: TM

Illustrative Site Plan Rendering

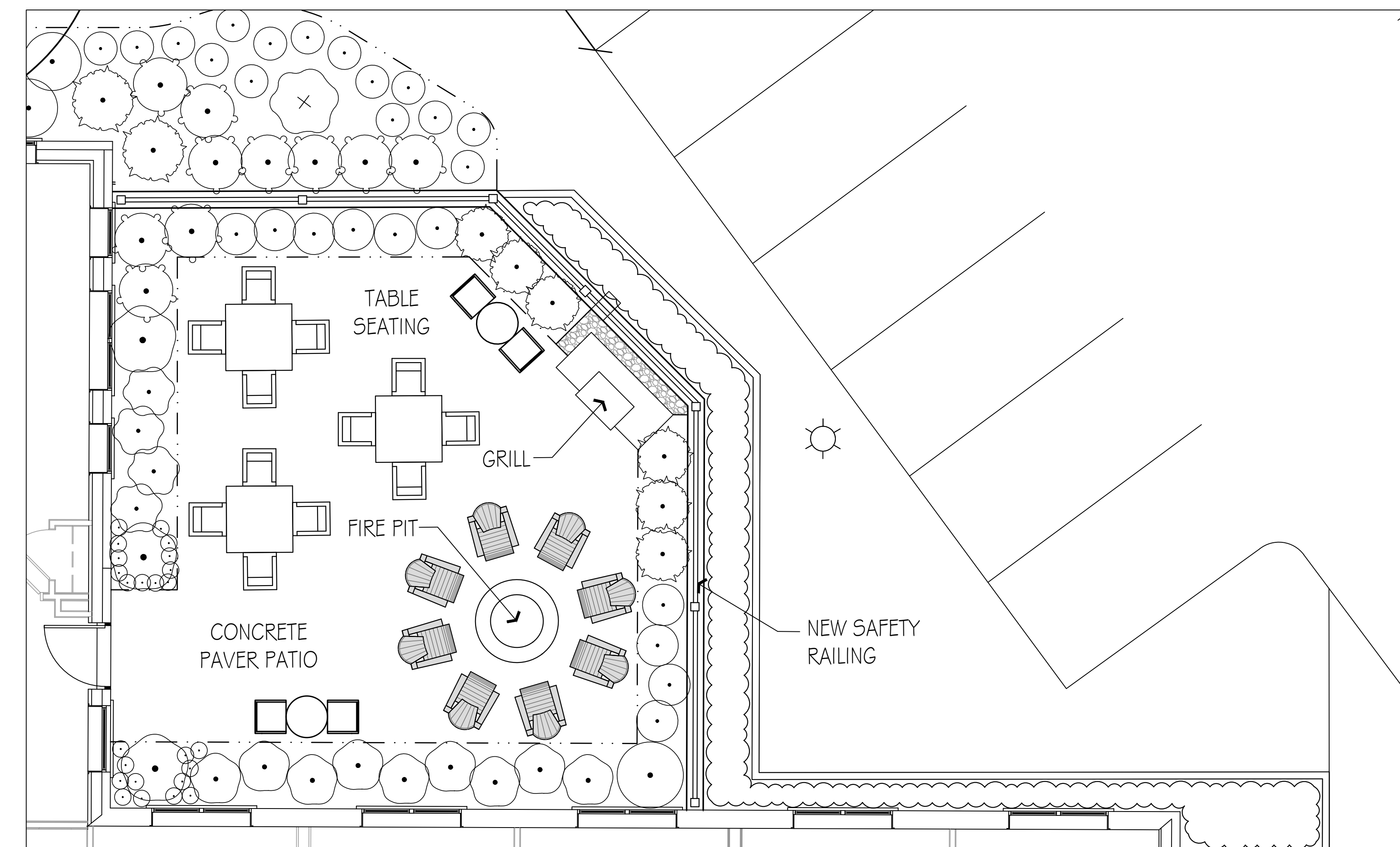
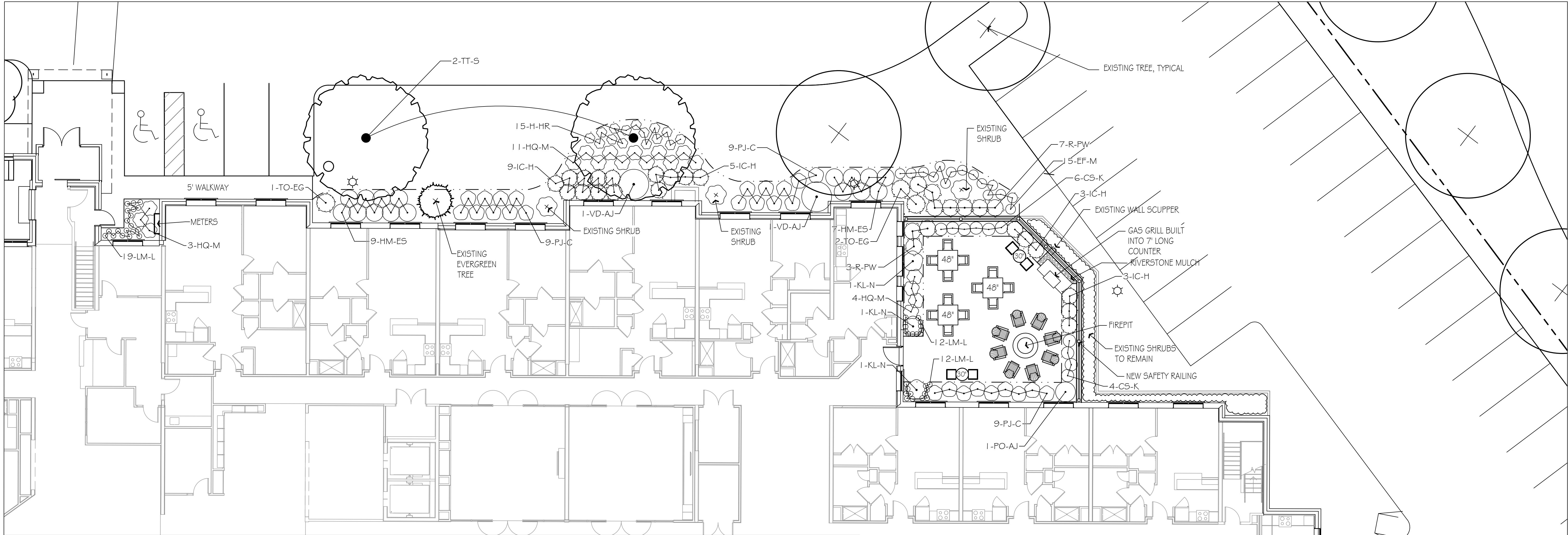
Scale: 1" = 20'-0"

Sheet: **L1.1**

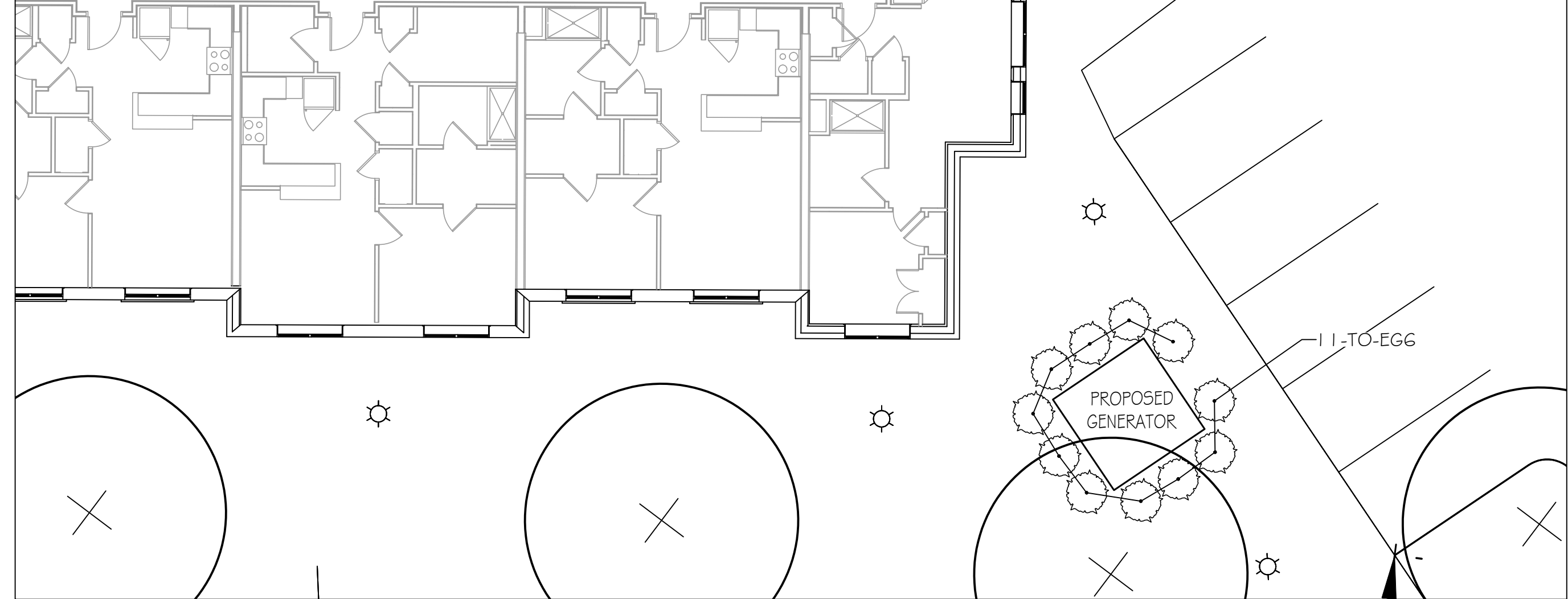


Entry Landscape Plan

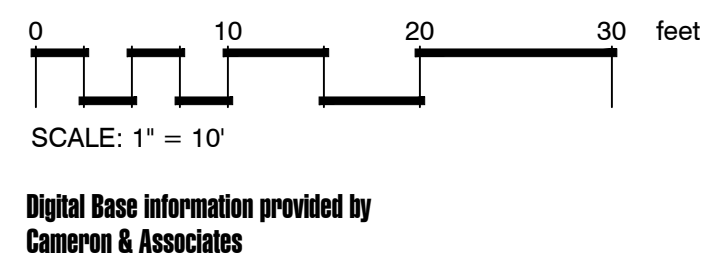
Sheet: **L2**



Patio Enlargement - Scale: 1" = 5'-0"

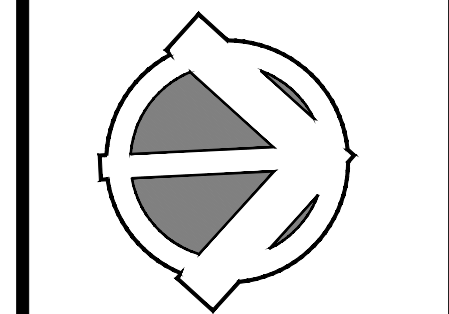


PLANT SCHEDULE PATIO & PARKING					
TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL
TT-S	2	Tilia tomentosa 'Sterling'	Sterling Linden	B & B	3-3.5" CAL.
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SIZE
CS-K	10	Cornus sericea 'Kelsey'	Kelsey's Dwarf Red Twig Dogwood	Cont.	18-24" SPD.
EF-M	15	Euonymus fortunei 'Moonshadow'	Moonshadow Euonymus	Cont.	18-24" HT.
HM-ES	16	Hydrangea macrophylla 'Endless Summer'	Endless Summer Hydrangea	B & B	2-3' HT
HQ-M	15	Hydrangea quercifolia 'Munchkin'	Oakleaf Hydrangea	Cont.	18-24" SPD.
IC-H	20	Ilex crenata 'Helleri'	Heller Japanese Holly	B & B	2-2.5' HT.
KL-N	3	Kalmia latifolia 'Nipmunk'	Nipmunk Mountain Laurel	B & B	3.5-4' HT.
PJ-C	27	Pieris japonica 'Cavatine'	Lily of the Valley Bush	Cont.	2-2.5' HT.
PO-AJ	1	Physocarpus opulifolius 'Jefam'	Amber Jubilee Ninebark	B & B	3-3.5' HT.
R-PW	10	Rhododendron 'Percy Wiseman'	Percy Wiseman Rhododendron	B & B	2-2.5' HT.
TO-EG	3	Thuja occidentalis 'Emerald Green'	Emerald Green Arborvitae	B & B	8-10' HT.
TO-EG6	11	Thuja occidentalis 'Emerald Green'	Emerald Green Arborvitae	B & B	6' HT.
VD-AJ	2	Viburnum dentatum 'Autumn Jazz'	Autumn Jazz Viburnum	B & B	4.5' HT
ANNUALS/PERENNIALS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SIZE
H-HR	15	Heemerocallis x 'Happy Returns'	Happy Returns Daylily	Cont.	2 Gal.
LM-L	24	Liriope muscari	Lilyturf	Cont.	1 Gal.



Hawk Design, Inc.
Landscape Architecture
Land Planning
Sagamore, MA
508-833-8800
info@hawkdesigninc.com
www.hawkdesigninc.com

HAWK DESIGN, INC. 2020
THIS DRAWING AND ALL INFORMATION CONTAINED
HEREON IS PROPRIETARY INFORMATION OF HAWK
DESIGN, INC. AND MAY NOT BE COPIED OR
REPRODUCED, EITHER IN WHOLE OR IN PART, BY
ANY METHOD, WITHOUT WRITTEN PERMISSION OF
HAWK DESIGN, INC.



Date: 2/3/23

Revisions:
Num. Date Description



Wingate At Needham
589 Highland Avenue - Needham, Massachusetts
Owner: Wingate At Needham, INC.

Drawn By: ND Checked By: TM

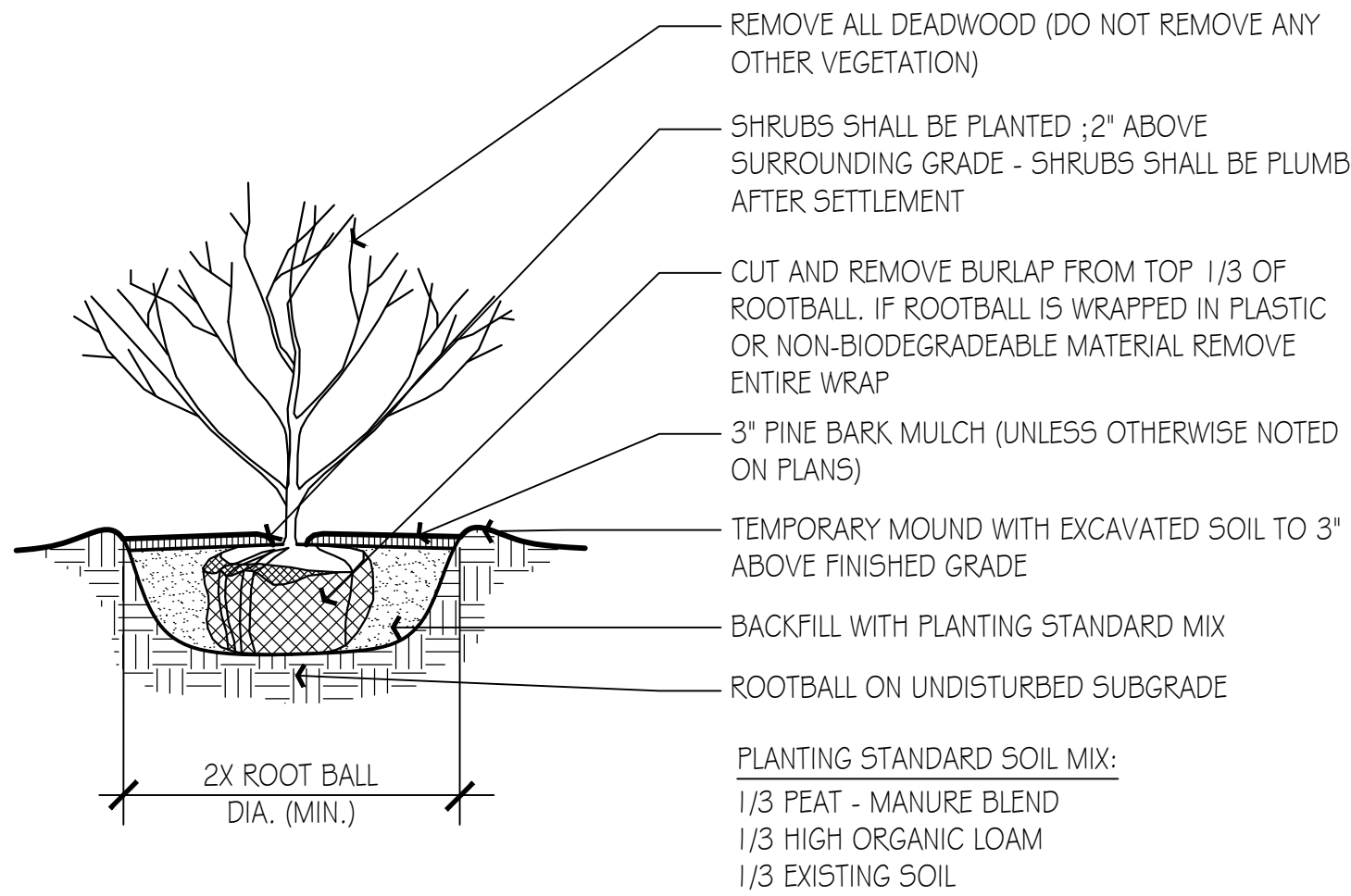
**Parking / Patio
Landscape
Plan**

Scale: 1" = 10'-0"

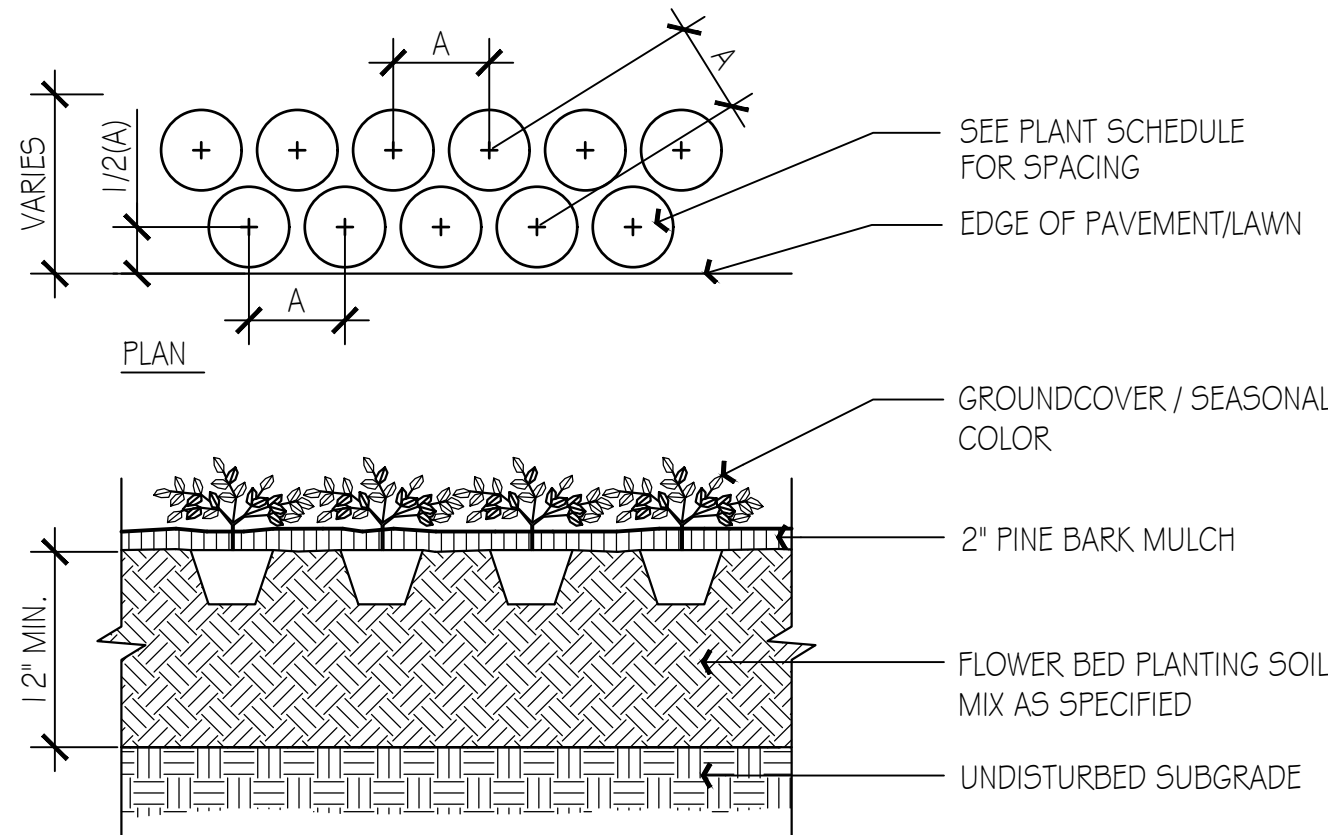
Sheet: **L3**

SCHEDULE OF TOPSOILS & ADDITIVES

LOCATION	DEPTH	DESCRIPTION
GENERAL PLANTING BEDS	6"	1/3 PEAT - MANURE BLEND 1/3 HIGH ORGANIC LOAM 1/3 EXISTING SOIL
FLOWER BEDS	6"	SCREENED LOAM 1/3 PEAT - MANURE BLEND LIME - PELATIZED OR GROUND (50 LB. PER 100 SF.) GROUND BONE MEAL (50 LB. PER 100 SF.) 10-10-10 ORGANIC FERTILIZER (50 LB. PER 5000 SF.)
LAWNS - SOD & SEED	6"	6" SCREENED LOAM
PITS/TREE WELLS "STANDARD MIX" FOR BACKFILL	12"	SOIL MIX 'A' - 1/3 PEAT - MANURE BLEND 1/3 HIGH ORGANIC LOAM 1/3 EXISTING SOIL
PITS/TREE WELLS "LITE WEIGHT MIX"	12"	SOIL MIX 'B' - 70% LIGHT WEIGHT SHALE 20% SAND 10% COMPOST
PITS/TREE WELLS "STRUCTURAL MIX"	12"	SOIL MIX 'C' - MIX COMPOSITION TO BE SUPPLIED BY LANDSCAPE ARCHITECT.

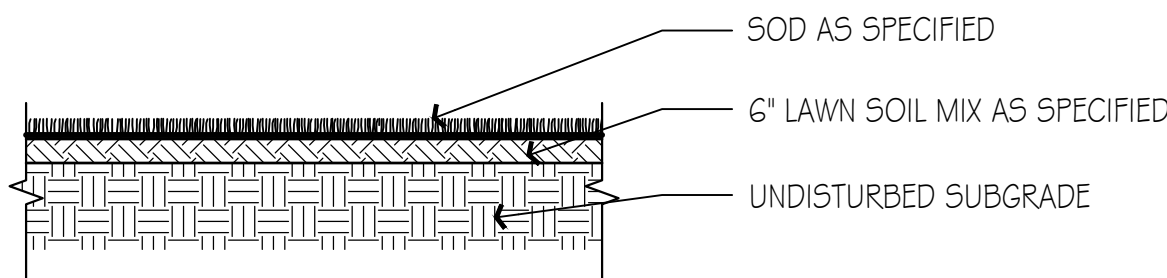


SHRUB DETAIL
NTS

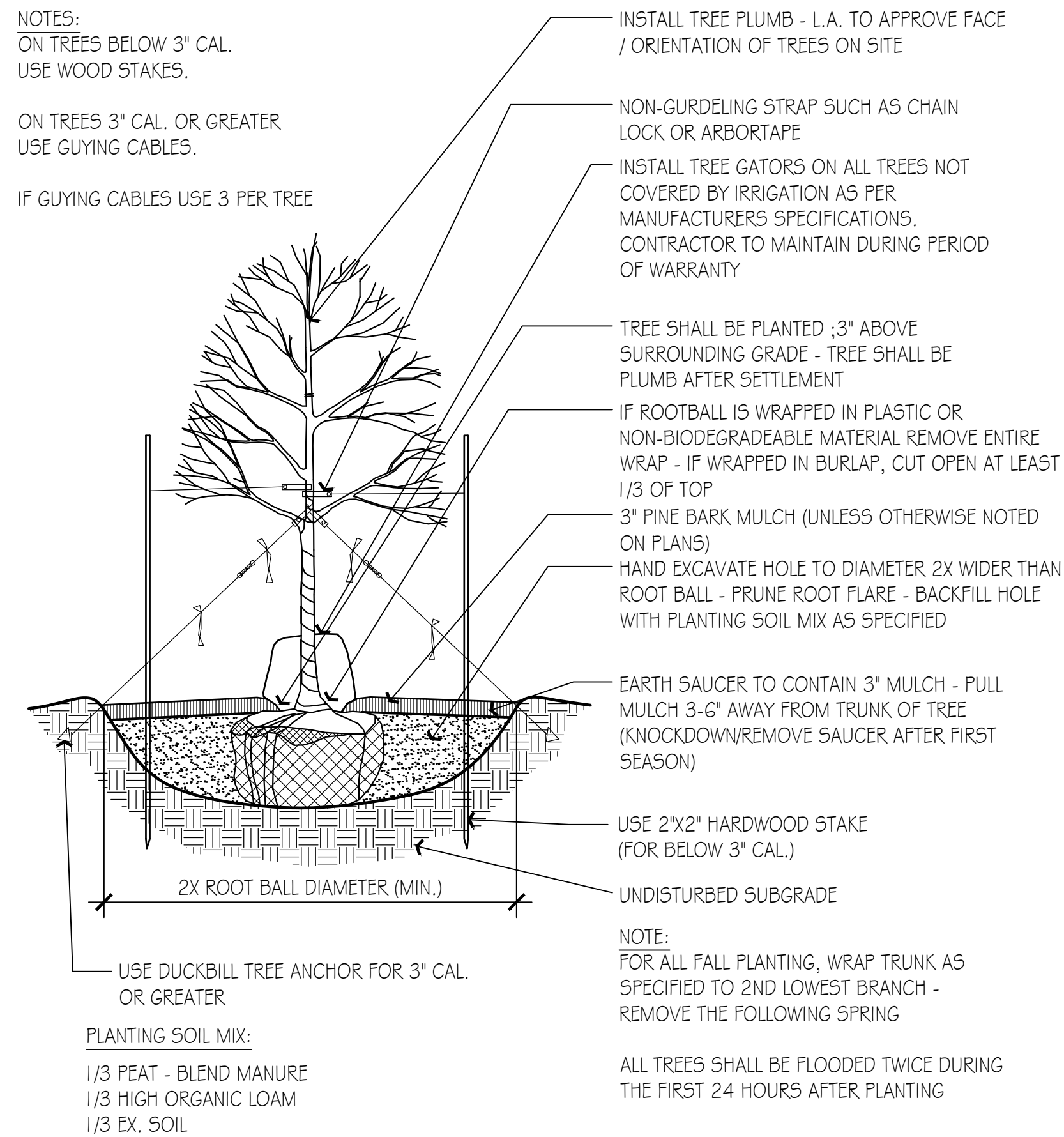


SEASONAL COLOR / PERENNIAL / GROUND COVER PLANTING
NTS

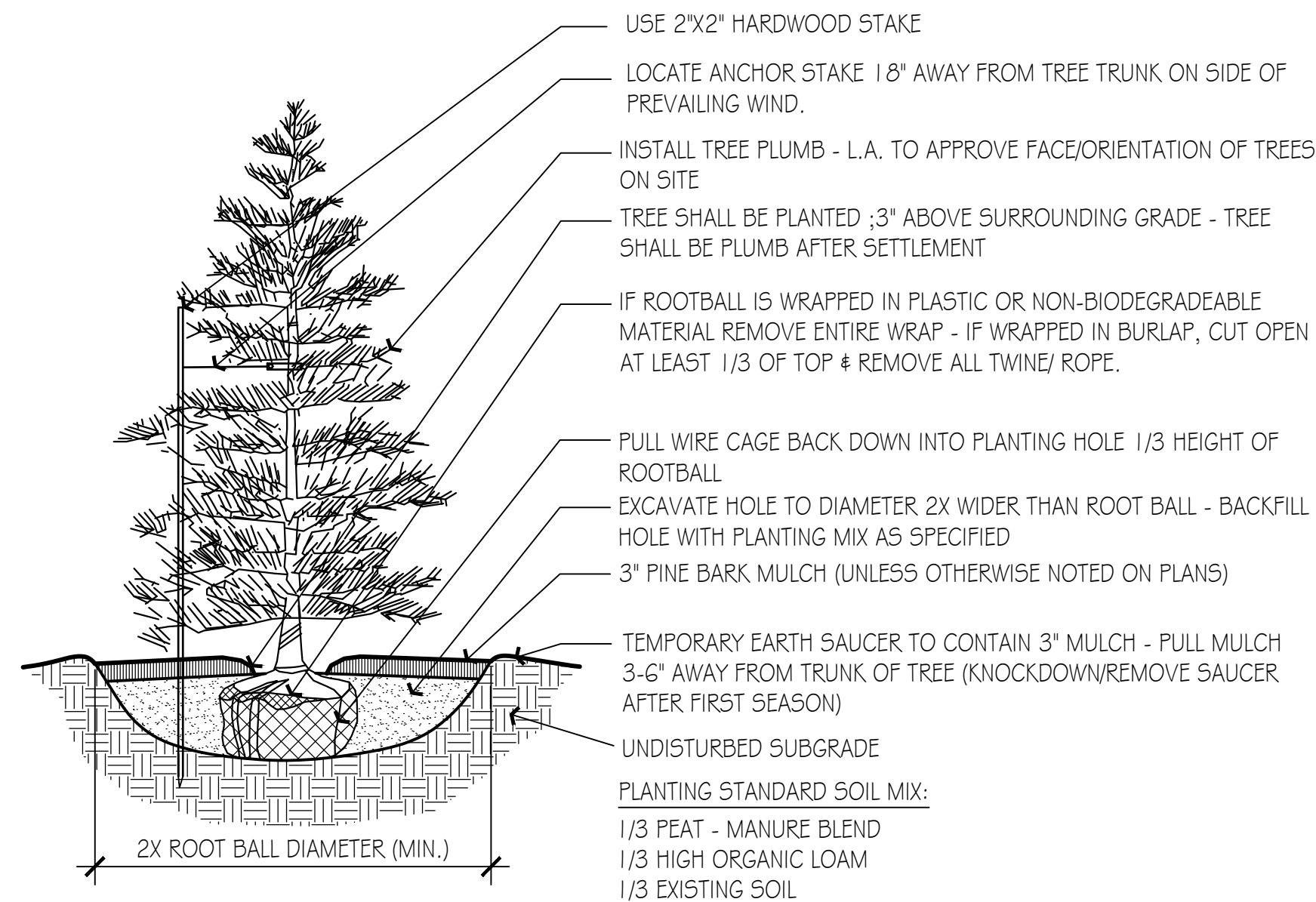
- NOTES:
- 1) LAY SOD TO FORM A SOLID MASS WITH TIGHTLY FITTED JOINTS
 - 2) BUTT ENDS AND SIDES OF SOD STRIPS
 - 3) DO NOT OVERLAY EDGES
 - 4) STAGGER STRIPS TO OFFSET JOINTS IN ADJACENT COURSES
 - 5) REMOVE EXCESS SOD TO AVOID SMOTHERING OF ADJACENT GRASS
 - 6) PROVIDE SOD PAD TOP FLUSH WITH ADJACENT STEEL EDGING AND PAVEMENT



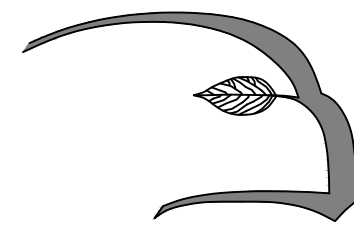
SOD LAWN DETAIL
NTS



SHADE / FLOWERING TREE DETAIL
NTS



EVERGREEN TREE DETAIL
NTS



Hawk Design, Inc.
Landscape Architecture
Land Planning
Sagamore, MA
508-833-8800
info@hawkdesigninc.com

HAWK DESIGN, INC. 2013
THIS DRAWING AND ALL INFORMATION CONTAINED HEREON IS PROPRIETARY INFORMATION OF HAWK DESIGN, INC. AND MAY NOT BE COPIED OR REPRODUCED, EITHER IN WHOLE OR IN PART, BY ANY METHOD, WITHOUT WRITTEN PERMISSION OF HAWK DESIGN, INC.

Date: 2/3/23

Revisions:

Num. Date Description



Wingate At Needham
589 Highland Avenue - Needham, Massachusetts
Owner: Wingate At Needham, INC.

Drawn By:

Checked By:

Planting
Details

Scale: As Noted

Sheet:

D1

General Landscape Notes:

1. 1) CONTRACTOR REQUIREMENTS:
A) ALL WORK SHALL COMPLY WITH APPLICABLE CODES AND REGULATIONS, FROM ALL FEDERAL, STATE AND LOCAL AUTHORITIES.
- B) THE CONTRACTOR SHALL ARRANGE FOR AND OBTAIN ALL PERMITS AND LICENSES REQUIRED FOR THE COMPLETE WORK SPECIFIED HEREIN AND SHOWN ON ALL THE DRAWINGS. THE CONTRACTOR SHALL PAY FOR ANY FEES NOT WAITED.

1. 2) UTILITIES:
A) LANDSCAPE CONTRACTOR IS REQUIRED TO CONTACT THE RELEVANT UTILITY COMPANIES PRIOR TO DOING ANY EXCAVATION ON THE SITE. IF ANY WORK IS TO BE DONE AROUND UNDERGROUND UTILITIES, THE APPROPRIATE AUTHORITY OF THAT UTILITY MUST BE NOTIFIED OF THE IMPENDING WORK.

- B) UTILITIES SHALL BE LOCATED AND MARKED PRIOR TO ANY INSTALLATION. ADJUSTMENTS MAY BE NECESSARY IN THE FIELD TO ACCOMMODATE UTILITY LOCATIONS. REPORT ANY CONFLICTS TO THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

- C) THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGES DONE TO EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COST OF SATISFACTORY REPAIR OF ALL DAMAGE IN KIND RESULTING FROM THEIR FAILURE TO COMPLY.

1. 3) PROTECTION OF EXISTING WORK: IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PERFORM ALL WORK IN A MANNER THAT PROTECTS WORK COMPLETED BY OTHERS, SUCH AS CURBS, UTILITIES, STORM DRAINAGE, FENCES, DRIVEWAY APRONS, DRIVES, VEGETATION, ETC. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COST OF SATISFACTORY REPAIR OF ALL DAMAGE IN KIND RESULTING FROM THEIR FAILURE TO COMPLY.

1. 4) QUANTITIES: A COMPLETE LIST OF PLANTS INCLUDING A SCHEDULE OF QUANTITIES, SIZES, TYPES, AND NAMES IS INCLUDED IN THIS SET OF DRAWINGS. IN THE EVENT OF DISCREPANCIES BETWEEN QUANTITIES OF PLANT IN THE PLANT LIST AND THE QUANTITIES SHOWN ON THE DRAWINGS, THE PLAN SHALL GOVERN. THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OF UNLABELED PLANTS IN PLAN FOR CLARIFICATION. THE LANDSCAPE ARCHITECT SHALL BE ALERTED BY THE CONTRACTOR OF ANY DISCREPANCIES PRIOR TO FINAL BID NEGOTIATION.

1. 5) APPLICABLE PLANT MATERIALS STANDARDS: ALL PLANT MATERIALS ARE TO COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK AS PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSEYMEN. PLANTING METHODS WILL BE IN ACCORDANCE WITH SITE-SPECIFIC REQUIREMENTS.

1. 6) PLANT HARDINESS: ALL TREES AND SHRUBS SHALL BE NURSERY GROWN WITHIN A USDA PLANT HARDINESS ZONE, WHICH IS THE SAME AS, OR COLDER THAN, THE ZONE IN WHICH THE PROJECT IS LOCATED.

1. 7) PLANTING SEASONS: PLANTING SHALL ONLY OCCUR DURING SPECIFIED SEASONS. SPRING SEASON SHALL BE FROM MARCH 1 TO JUNE 15. FALL PLANTING SEASON SHALL BE FROM SEPTEMBER 15 THROUGH NOVEMBER 15. NO PLANTING SHALL OCCUR WHEN THE GROUND IS FROZEN.

1. 8) PLANT SUBSTITUTIONS: NO SUBSTITUTIONS OF PRODUCTS, PLANT TYPES OR SIZES SHALL BE MADE WITHOUT THE WRITTEN APPROVAL OF THE LANDSCAPE ARCHITECT. REQUESTS FOR SUBSTITUTION SHALL BE IN WRITING, AND SHALL STATE THE REASON FOR THE SUBSTITUTION REQUEST, THE SUGGESTED ALTERNATIVE AND THE CHANGES IN COST. REQUESTS FOR SUBSTITUTION IN PLANT MATERIALS SHALL STATE THE NAMES OF NURSERIES THAT HAVE BEEN UNABLE TO SUPPLY THE ORIGINALLY SPECIFIED MATERIAL.

1. 9) THE LANDSCAPE ARCHITECT SHALL RESERVE THE RIGHT TO INSPECT ALL PLANT MATERIALS AT THE NURSERY, UPON SITE DELIVERY AND DURING INSTALLATION TO INSURE SPECIFICATIONS AND PROCEDURES ARE ADHERED TO.

1. 10) MINIMUM SIZES: ALL PLANTS 3' OR GREATER IN HEIGHT OR SPREAD SHALL BE BALLED AND BURLAPPED. SIZES SPECIFIED IN THE PLANT LIST ARE MINIMUMS ON WHICH THE PLANTS ARE TO BE JUDGED.

1. 11) DEAD PLANTS: DEAD PLANTS ARE TO BE REMOVED FROM THE SITE IMMEDIATELY, AND REPLACED WITH THE SAME PLANT & SIZE REGARDLESS OF SEASON, WEEKLY FROM THE JOB BY THE CONTRACTOR. THE CONTRACTOR SHALL MAINTAIN AN UPDATED COMPREHENSIVE LIST OF ALL DEAD MATERIALS REMOVED AND PRESENT A COPY OF THE LIST TO THE OWNER AND LANDSCAPE ARCHITECT AT THE END OF EVERY MONTH DURING THE CONTRACT PERIOD.

1. 12) PLANT MATERIAL REMOVAL: NO EXISTING TREES SHALL BE REMOVED WITHOUT THE WRITTEN AUTHORIZATION FROM THE LANDSCAPE ARCHITECT EXCEPT WHERE NOTED ON THE PLANS. CONTRACTORS WHO REMOVE EXISTING TREES WITHOUT WRITTEN APPROVAL WILL BE REQUIRED TO MAKE REMEDIES DETERMINED BY THE GOVERNING URBAN FORESTER OR EQUIVALENT AUTHORITY. NO GRUBBING SHALL OCCUR WITHIN EXISTING TREE AREAS UNLESS SPECIFICALLY NOTED ON THE PLANS.

1. 13) ALL DISTURBED AREAS NOT TO RECEIVE PLANT MATERIALS ARE TO BE LOAMED AND SEEDED AND BLENDED INTO EXISTING GRADE AND CONDITIONS. SEE SECTION 4.0.

1. 14) LEDGE BOULDERS: IF DURING SITE EXCAVATION, LEDGE BOULDERS ARE AVAILABLE, THESE ARE TO BE STOCKPILED FOR USE IN EARTH BERMS IF APPLICABLE, WITH HAWK DESIGN, INC. PRIOR TO INSTALLATION. THIS ITEM WILL ONLY APPLY IF SO SPECIFIED ON DRAWINGS. BOULDERS SIZES TO BE STOCKPILED WILL RANGE FROM TWO TO FIVE FEET IN DIAMETER. SEE APPROPRIATE DETAIL FOR INSTALLATION COORDINATION.

1. 15) SLEEVES: LANDSCAPE OR SITE CONTRACTOR SHALL PLACE INDIVIDUAL SLEEVES FOR LIGHTING AND IRRIGATION UNDER ANY PROPOSED WALKWAY OR VEHICULAR ROADWAY PRIOR TO INSTALLATION. COORDINATE SLEEVE LOCATIONS WITH IRRIGATION AND LIGHTING CONTRACTORS PRIOR TO INSTALLATION.

1. 16) DO NOT CLOSE OR OBSTRUCT ANY STREET, SIDEWALK, ALLEY OR PASSAGEWAY WITHOUT PRIOR NOTIFICATION AND PERMISSION. CONDUCT OPERATIONS AS TO INTERFERE AS LITTLE AS POSSIBLE WITH THE USE ORDINARILY MADE OF ROADS, DRIVEWAYS, ALLEYS, SIDEWALKS OR OTHER FACILITIES NEAR ENOUGH TO THE WORK TO BE EFFECTED THEREBY.

Planting Materials:

2. 1) PLANTING MATERIAL ITEMS IN SECTION 2.0 ARE TO BE INCORPORATED DURING PLANT INSTALLATION UNLESS OTHERWISE DEEMED UNNECESSARY IN ACCORDANCE WITH SOIL TEST RECOMMENDATIONS. SEE SECTION 3.1.

MULCH - MULCH WILL BE DOUBLE-SHREDDED PINE BARK MULCH.
- TREES AND SHRUBS SHALL RECEIVE AN EVEN 3" MULCH LAYER.
- GROUNDCOVERS, PERENNIALS AND ANNUALS SHALL RECEIVE AN EVEN 2" MULCH LAYER.

MANURE - TO BE WELL ROTTED, ODORLESS, UNLEACHED COW MANURE, CONTAINING NOT MORE THAN 15% BEDDED MATERIALS SUCH AS STRAW, WOOD CHIPS OR SHAVINGS, AGED NOT LESS THAN TWO YEARS OLD.

HERBICIDE - A PRE-EMERGENCE WEED KILLER IS TO BE USED ON ALL LAWN AND PLANTING AREAS PRIOR TO INSTALLATION AS PER MANUFACTURER'S SPECIFICATIONS. *HERBICIDES ARE NOT TO BE APPLIED IN RESTRICTED CONSERVATION AREAS.

FERTILIZER - ALL TREES AND SHRUBS TO HAVE SLOW RELEASE PACKET OR PELLET PLACED INTO THE PLANT PIT WITH A MINIMUM ANALYSIS OF 10-10-10. ALL GROUNDCOVERS, PERENNIALS AND ANNUALS ARE TO RECEIVE A BROADCAST APPLICATION OF A 14-14-14 FERTILIZER AT 3 LB PR 100 SQ. FT. APPLY AS PER MANUFACTURER'S INSTRUCTIONS. *FERTILIZERS ARE NOT TO BE APPLIED IN RESTRICTED CONSERVATION AREAS.

TOPSOIL - ACCEPTABLE TOPSOIL SHALL BE FERTILE, FRIABLE NATURAL LOAM, UNIFORM IN COMPOSITION, FREE OF STONES, LIMBS, PLANTS AND THEIR ROOTS, DEBRIS AND OTHER EXTRANEOUS MATTER OVER ONE INCH IN DIAMETER. THE SOIL SHALL BE CAPABLE OF SUSTAINED PLANT GROWTH AND HAVE A 5% MINIMUM ORGANIC CONTENT. IN SITUATIONS WHICH REQUIRE A CUSTOM TOPSOIL OR STRUCTURAL SOIL, THE SOIL MIXTURE SPECIFICATION WILL BE PROVIDED BY THE LANDSCAPE ARCHITECT.

SOIL AMENDMENTS: APPLY AS NECESSARY ACCORDING TO SOIL TEST RESULTS, AS PER MANUFACTURES SPECIFICATIONS.

ANTI-DESICCANT - "WILT PRU" NCF OR EQUAL APPLY AS PER MANUFACTURERS' SPECIFICATIONS.

Plant Installation:

3. 1) SOIL TESTING: LANDSCAPE CONTRACTOR SHALL PROVIDE A CERTIFIED SOIL ANALYSIS PRIOR TO ANY PLANT INSTALLATION TO DETERMINE ANY NECESSARY AMENDMENTS TO THE EXISTING SOIL CONDITIONS FOR SEEDING AND PLANTING. THE ANALYSIS WILL ALSO BE REQUIRED FOR ESTABLISHING THE FERTILIZER PROGRAM REQUIRED. COORDINATE RESULTS AND PROVIDE WRITTEN RECOMMENDATIONS TO HAWK DESIGN, INC. 15 DAYS PRIOR TO INSTALLATION.

3. 2) ALL PLANTS SHALL BE TRANSPORTED TO THE SITE IN COVERED TRUCKS, TARPULIN COVERS SHALL BE UTILIZED TO PREVENT WIND DAMAGE OF LOAD.

3. 3) DELIVER PLANT MATERIALS IMMEDIATELY PRIOR TO PLACEMENT. KEEP PLANT MATERIALS MOIST. DO NOT STORE PLANT MATERIAL ON PAVED AREAS. ROOTS OR BALLS SHALL BE PROTECTED FROM THE SUN OR DRYING WINDS. AS REQUIRED BY TEMPERATURE OR WIND CONDITIONS, APPLY ANTI-DESICCANT EMULSION TO PREVENT DRYING OUT OF PLANT MATERIALS.

3. 4) CONDITIONS FOR PLANT REJECTION:
A) REJECT PLANTS WHEN BALL OF EARTH SURROUNDING ROOTS HAS BEEN CRACKED OR BROKEN PREPARATORY TO OR DURING THE PROCESS OF PLANTING.

- B) WHEN BURLAP, STAVES AND ROPES REQUIRED IN CONNECTION WITH TRANSPLANTING HAVE BEEN DISPLACED PRIOR TO ACCEPTANCE.

- C) WIND DAMAGED PLANT MATERIAL FROM POOR TARPULIN COVER PROCEDURES ARE SUBJECT TO REJECTION.

3. 5) ALL PLANT MATERIAL, WHICH CANNOT BE PLANTED IMMEDIATELY ON DELIVERY, SHALL BE SET ON THE GROUND IN A SHADED LOCATION AND SHALL BE TEMPORARILY PROTECTED WITH SOIL OR OTHER ACCEPTABLE MATERIAL. TEMPORARY WATERING OR IRRIGATION SHALL BE INCORPORATED AND REGULARLY CONDUCTED ON PLANTINGS IN HOLD AREAS.

3. 6) IN CASE OF CONFLICTS DURING CONSTRUCTION WITH UTILITIES, ROCK MATERIALS, TREE ROOTS OR OTHER OBSTRUCTIONS FOR THE EXCAVATION OF SHRUB BEDS AND TREE PITS. CONTACT LANDSCAPE ARCHITECT FOR APPROVED ALTERNATE LOCATIONS.

3. 7) SOIL PERMEABILITY: TEST DRAINAGE OF PLANTING BEDS AND PITS BY FILLING WITH WATER TWICE IN SUCCESSION. CONDITIONS PERMITTING THE RETENTION OF WATER FOR MORE THAN 24 HOURS SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT.

3. 8) SOIL EXCAVATIONS:
A) EXCAVATE TREE PITS AND SHRUB BEDS TO DEPTHS REQUIRED BY PLANTING DETAILS. ALL PITS SHALL BE CIRCULAR IN OUTLINE, EXCEPT FOR WHOLE BEDS. SEE APPROPRIATE PLANTING DETAILS.

- B) SOIL EXCAVATIONS FOR BALLED & BURLAP AND CONTAINER PLANTINGS MUST BE NO LESS THAN 2X ROOT BALL DIAMETER, SEE PLANTING DETAILS. IF QUESTIONABLE SUBSURFACE SOIL CONDITIONS EXIST SUCH AS POOR DRAINAGE CONDITIONS, RUBBLE OR OBSTRUCTIONS, REPORT TO THE LANDSCAPE ARCHITECT AND CONSTRUCTION MANAGER BEFORE PLANTING.

3. 9) GRADING:
A) VERIFY GRADES PRIOR TO PLANTING, THE CONTRACTOR SHALL VERIFY THAT CONSTRUCTED GRADES ARE AS INDICATED ON PLANS. THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IF ADJUSTMENTS TO PLANT PLACEMENT MAY BE REQUIRED DUE TO FIELD CONDITIONS AND FINAL GRADING.

- B) POSITIVE DRAINAGE SHALL BE MAINTAINED AWAY FROM AND AROUND BUILDINGS (REFER TO ENGINEERS GRADING PLANS). REPORT ANY CONFLICTS TO HAWK DESIGN, INC. PRIOR TO INSTALLATION.

- C) FINISH GRADE OF PLANTINGS SHALL BE EQUIVALENT TO FORMER EXISTING GRADE OF PLANT IN THE NURSERY.

3. 10) BALLED AND BURLAPPED (B&B) MATERIALS:
A) CUT WIRE BASKETS ONCE IN THE PLANT PIT AND PEEL WIRE BACK.

- B) TAGS AND TWINE ARE TO BE REMOVED AND BURLAP IS TO BE ROLLED BACK ONE-THIRD ON ALL B&B PLANT MATERIAL. ANY SYNTHETIC BURLAP SHALL BE COMPLETELY REMOVED FROM ANY PLANT MATERIAL

Plant Installation Cont'd

3. 11) CONTAINER GROWN STOCK: SHALL BE REMOVED FROM CONTAINER BY CUTTING CONTAINER AWAY TO AVOID ROOT DAMAGE TO PLANT ROOT SYSTEM. IF PLANT ROOT IS BOUND, SLICE ROOT BALLS APPROXIMATELY 2" DEEP WITH KNIFE OR SHARP SPADE.

3. 12) DO NOT USE MUDDY OR FROZEN SOIL TO BACKFILL PLANTINGS.

3. 13) WATERING: THOROUGHLY WATER UNTIL SOIL IS SATURATED AROUND ALL TREES AND SHRUBS AFTER PLANTING AND THROUGHOUT THE TIME PERIOD UNTIL FINAL ACCEPTANCE FROM CLIENT. DURING DRY CONDITIONS, WATER AS REQUIRED TO MAINTAIN PLANTS IN A WILT-FREE CONDITION.

3. 14) PRUNING: TREES SHALL BE PRUNED TO BALANCE TOP GROWTH WITH ROOTS AND TO PRESERVE THEIR NATURAL CHARACTER AND TYPICAL GROWTH HABIT. PRUNING SHALL BE RESTRICTED IN GENERAL TO THE SECONDARY BRANCHES AND SUCKER GROWTH. ALL CUTS TO BE FLUSH WITH TRUNK, DO NOT CUT A LEADER. THE LANDSCAPE ARCHITECT WILL REJECT ALL PLANTS DISFIGURED BY POOR PRUNING PRACTICES. ALL PRUNING CUTS SHALL REMAIN UNPAINTED.

3. 15) STAKING AND GUYING: ALL TREES TO BE STAKED AND GUYED WITHIN 48 HOURS OF PLANTING. METHODS AND MATERIALS FOR STAKING AND GUYING ARE ILLUSTRATED IN INDIVIDUAL PLANTING DETAILS. NEATLY FLAG ALL GUY WIRES WITH ROT RESISTANCE YELLOW TREE MARKING RIBBON.

3. 16) STAKE OUT PLANT LOCATIONS: PRIOR TO PLANTING THE CONTRACTOR SHALL LAYOUT THE EXTENT OF THE PLANT BEDS AND PROPOSED LOCATIONS FOR B&B PLANTS FOR REVIEW BY THE OWNER AND LANDSCAPE ARCHITECT.

3. 17) PLANTING FIELD ADJUSTMENTS:
A) THE CONTRACTOR IS TO SLIGHTLY ADJUST PLANT LOCATIONS IN THE FIELD AS NECESSARY TO BE CLEAR OF DRAINAGE SWALES AND UTILITIES.

- B) LARGE GROWING PLANTS ARE NOT TO BE PLANTED IN FRONT OF WINDOWS OR UNDER BUILDING OVERHANGS. NOTIFY THE LANDSCAPE ARCHITECT OF DISCREPANCIES IN PLANTING PLAN VS. FIELD CONDITIONS.

- C) SHRUBS PLANTED NEAR HVAC UNITS ARE TO BE LOCATED SO THAT SHRUBS AT MATURITY WILL MAINTAIN ONE FOOT (1') AIRSPACE BETWEEN THE UNIT AND THE PLANT. ANY PLANTING SHOWN ADJACENT TO CONDENSER UNITS SHALL BE PLANTED TO SCREEN THE UNITS. SHOULD THE CONDENSER UNITS BE INSTALLED IN LOCATIONS DIFFERENT FROM THOSE SHOWN ON THE PLAN, IT WILL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE LANDSCAPE ARCHITECT AND INSTALL THE MATERIAL AROUND THE CONDENSERS AND ADJUST THE OTHER PLANTING ACCORDINGLY.

3. 18) PLANT BED EDGES/LINES: GROUPS OF SHRUBS, PERENNIALS AND GROUNDCOVERS SHALL BE PLACED IN A CONTINUOUS MULCH BED WITH SMOOTH CONTINUOUS LINES. ALL MULCHED BED EDGES SHALL BE CURVILINEAR IN SHAPE, FOLLOWING THE CONTOUR OF THE PLANT MASS. TREES LOCATED WITHIN 4 FEET OF PLANT BEDS SHALL SHARE THE SAME MULCH BEDS.

3. 19) A.D.A. - THE AMERICAN WITH DISABILITIES ACT STANDARDS REQUIRE THAT A 7 FOOT VERTICAL CLEARANCE BE MAINTAINED FROM TREE BRANCHES TO FINISHED GRADE WHERE PEDESTRIANS SIDEWALKS AND/OR TRAILS ARE LOCATED. THE CONTRACTOR IS TO ADJUST TREE PLANTINGS IN FIELD TO SLIGHTLY MINIMIZE BRANCH OVERHANG AND COMPLY WITH THE A.D.A. ACT.

3. 20) TREE SPACING MINIMUMS: TREES SHALL BE LOCATED A MINIMUM OF 4 FEET FROM RETAINING WALLS AND WALKS WITHIN THE PROJECT. IF A CONFLICT ARISES BETWEEN ACTUAL SIZE OF AREA AND PLANS, THE CONTRACTOR SHALL CONTACT THE LANDSCAPE ARCHITECT FOR RESOLUTION. FAILURE TO MAKE SUCH CONFLICTS KNOWN TO LANDSCAPE ARCHITECT WILL RESULT IN CONTRACTORS LIABILITY TO RELOCATE MATERIALS.

Seeding and Sodding:

4. 1) SEEDING OF LAWN AREAS: GRASS SEED APPLICATION SHALL BE SPREAD AT THE RATE OF 5 LBS. PER 1,000 SQUARE FEET, SEEDING SHALL BE ACCOMPLISHED BY MEANS OF A HYDRO-SEEDING PROCESS.

4. 2) WATERING OF SEEDED AREAS: 24 HOURS AFTER HYDRO SEEDING, THE CONTRACTOR SHALL WATER THE SEEDED AREA LIGHTLY AND SUFFICIENTLY TO A DEPTH OF TWO INCHES (2") 2 TIMES A DAY (BETWEEN THE HOURS OF 7 PM AND 7 AM), UNTIL THE SEEDS ARE ESTABLISHED.

4. 3) SEEDED AREA PROTECTION: THE CONTRACTOR SHALL ERECT SUITABLE SIGNS AND BARRICADES NOTIFYING THE PUBLIC TO KEEP OFF THE SEEDED AREAS UNTIL WELL ESTABLISHED. ANY TRAFFIC DAMAGE AND VANDALISM THAT MAY OCCUR PRIOR TO FINAL ACCEPTANCE OF THE WORK SHALL BE REPAIRED AND RESEEDED AT THE OWNER'S EXPENSE. ANY DISTURBED OR DAMAGED BY THE CONTRACTOR SHALL BE REPAIRED IN ACCORDANCE WITH THE SPECIFICATIONS AT THE CONTRACTOR'S EXPENSE.

4. 4) LAYING OF SOD: A KENTUCKY BLUEGRASS SOD MIX - BY LOCAL SOURCE AS SELECTED BY CONTRACTOR, SHALL BE FRESHLY CUT FROM THE SAME FIELD WITH 1/2 - 3/4 INCHES OF SOIL. SOD SHALL BE LAID IMMEDIATELY WITH ANY STORED SOD BEING UNROLLED GRASS SIDE UP AND KEPT WATERED. LAY COURSES TIGHTLY TOGETHER WITHOUT OVERLAPPING WITH THE JOINTS STAGGERED. AFTER SODDING IS COMPLETE, ROLL LIGHTLY. THE CONTRACTOR SHALL WATER THE SODDED AREAS TO A DEPTH OF AT LEAST SIX INCHES AFTER THE SODDING PROCESS. OWNER SHALL THEN BE RESPONSIBLE FOR WATERING. THE FREQUENCY SHALL BE DETERMINED BY RAIN FALL AND WINDS WITH THE UPPER TWO OR THREE INCHES OF SOIL NOT DRYING OUT MARKEDLY.

4. 5) SODDED AREA: INSPECTION AND ACCEPTANCE: FOUR WEEKS AFTER CONTRACTOR COMPLETES INSTALLATION, LANDSCAPE ARCHITECT SHALL INSPECT THE LAWN TO DETERMINE THE ACCEPTABILITY OF THE INSTALLATION. SODDED AREAS FAILING TO SHOW ADEQUATE ROOTING INTO THE SUBSOIL, OVERLAPPING, COURSE SEPARATION, UNEVENNESS OF THE SURFACE, UNEVEN COURSE COLOR AND EXCESSIVE BROADLEAF WEED CONTENT SHALL BE REPLACED. THE COST SHALL BE BORNE BY THE CONTRACTOR EXCEPT WHERE VANDALISM OR NEGLECT ON THE PART OF OTHERS NOT UNDER THE CONTRACTORS CONTROL HAS RESULTED IN DAMAGE.

4. 6) FINAL APPROVAL: SEEDED AND SODDED AREAS WILL RECEIVE FINAL APPROVAL IF COVERAGE IS FULL AND CONSISTENT, FREE OF BARE SPOTS AND WEED FREE. WHEN GRASS IS CUT AT 2" HEIGHT NO SOIL SHOULD BE VISIBLE. SOD AREAS MUST HAVE RECEIVED A MINIMUM OF TWO MOWINGS. AREAS SODDED AFTER NOVEMBER 1ST WILL BE ACCEPTED THE FOLLOWING SPRING - ONE MONTH AFTER THE START OF THE GROWING SEASON, IF THE ABOVE CRITERIA HAS BEEN MET.

Maintenance:

5. 1) MAINTENANCE DURING INSTALLATION: MAINTENANCE OPERATIONS SHALL BEGIN IMMEDIATELY AFTER EACH PLANT IS PLANTED AND SHALL CONTINUE AS REQUIRED UNTIL FINAL ACCEPTANCE AND THEN FOR THE GUARANTEE PERIOD. PLANTS SHALL BE KEPT IN A HEALTHY, GROWING CONDITION BY WATERING, PRUNING, SPRAYING, WEEDING AND ANY OTHER NECESSARY OPERATIONS OF MAINTENANCE. PLANT SAUCERS AND BEDS SHALL BE KEPT FREE OF WEEDS, GRASS AND OTHER UNDESIRABLE VEGETATION. PLANTS SHALL BE INSPECTED AT LEAST ONCE PER WEEK BY THE CONTRACTOR DURING THE INSTALLATION PERIOD AND ANY NEEDED MAINTENANCE IS TO BE PERFORMED PROMPTLY.

5. 2) GRASS AND WEED CONTROL: THE CONTRACTOR SHALL BE RESPONSIBLE FOR MOWING ALL GRASS AROUND LANDSCAPE BEDS AND INDIVIDUAL TREES AND SHRUBS UNTIL FINAL ACCEPTANCE. WEED CONTROL AREAS SHALL INCLUDE ALL LANDSCAPE BEDS AND THE AREA WITHIN 2 FEET OF THE OUTER EDGE OF THE MULCH AREA OR INDIVIDUAL TREE/SHRUBS.

5. 3) THE CONTRACTOR SHALL WATER, FERTILIZE, WEED, CULTIVATE, REMULCH, SPRAY TO CONTROL INSECT INFESTATION AND DISEASE AND PERFORM ANY OTHER GOOD HORTICULTURAL PRACTICE NECESSARY TO MAINTAIN THE PLANTS IN A LIVING HEALTHY CONDITION UPON THE TIME FOR TERMINATION OF HIS RESPONSIBILITY FOR CARE AS SET OUT HEREIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PLANTS THROUGHOUT LIFE OF THE CONTRACT.

5. 4) ALL PLANTS STOLEN, DAMAGED OR DESTROYED BY FIRE, AUTOMOBILES, VANDALISM OR ANY OTHER CAUSE, WITH THE EXCEPTION OF PLANTS DAMAGED OR DESTROYED BY THE OWNERS MAINTENANCE OPERATIONS, SHALL BE REPLACED BY THE OWNER PRIOR TO THE DATE OF FINAL ACCEPTANCE.

5. 5) LANDSCAPE CONTRACTOR SHALL PREPARE MAINTENANCE SPECIFICATIONS AND SCHEDULE ANNUAL CARE OF ALL PLANTED AND LAWN AREAS INCLUDING FERTILIZING, WEEDING, MULCHING, BED EDGING, PRUNING AND PEST PREVENTION AND TREATMENT.

Plant Material Guarantee:

*CONTRACTOR SHALL GUARANTEE IN WRITING ALL PLANT MATERIAL AND LANDSCAPE IMPROVEMENTS FOR A PERIOD OF ONE YEAR. THE GUARANTEE IS TO INCLUDE THE FOLLOWING:

6. 1) INSPECTIONS: PERFORM PERIODIC INSPECTIONS DURING GUARANTEE PERIOD WITH RESULTING WRITTEN REPORTS TO OWNER, PROJECT ADMINISTRATOR AND LANDSCAPE ARCHITECT STATING CONDITIONS AND RECOMMEND MAINTENANCE MODIFICATIONS. THE CONTRACTOR MUST CONTACT THE OWNER AND LANDSCAPE ARCHITECT AT LEAST 10 DAYS IN ADVANCE TO SCHEDULE ACCEPTANCE INSPECTION(S).

6. 2) REMOVAL AND REPLACEMENT OF PLANTS PROVIDED BY CONTRACTOR TO BE DONE WITHIN THIRTY DAYS OF NOTIFICATION BY OWNER OF THEIR UNSATISFACTORY CONDITION DURING GROWING SEASONS. REPLACEMENT MATERIALS MUST BE EQUAL IN TYPE AND SIZE PER THE PROJECT'S PLANT LIST.

6. 3) WHEN REPLACEMENT PLANT SPECIES IS EITHER NOT READILY AVAILABLE OR NO LONGER SUITABLE TO EXISTING SITE CONDITIONS WRITTEN NOTICE RECOMMENDATION OF SUBSTITUTION TO BE PROVIDED TO THE OWNER AND LANDSCAPE ARCHITECT WITHIN FIFTEEN DAYS FOR APPROVAL.

6. 4) REMOVAL OF TREES SUPPORTS AND DEAD LIMBS PRIOR TO END OF GUARANTEE INSPECTION PERIOD.

6. 5) CONTINUE WITH MAINTENANCE, SEE SECTION 5.0

6. 6) GUARANTEE SHALL BEGIN UPON DATE OF FINAL ACCEPTANCE FROM OWNER AND WILL CONTINUE FOR ONE YEAR.

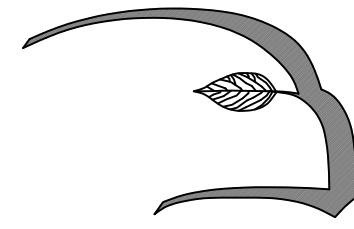
Site Cleanup:

7. 1) SITE WORK CONDITIONS: EXCESS WASTE MATERIAL SHALL BE REMOVED DAILY WHEN PLANTING IN AN AREA HAS BEEN COMPLETED, THE AREA SHALL BE CLEARED OF ALL DEBRIS, SOIL PILES AND CONTAINERS DAILY. WHERE EXISTING GRASS AREAS HAVE BEEN DAMAGED OR SCARRED DURING PLANTING OPERATIONS, THE CONTRACTOR SHALL RESTORE DISTURBED AREAS TO THEIR ORIGINAL CONDITIONS AT HIS EXPENSE.

7. 2) CLEAN PAVED AREAS UTILIZED FOR HAULING OR EQUIPMENT STORAGE AT END OF EACH WORKDAY.

7. 3) MAINTAIN VEHICLES AND EQUIPMENT IN CLEAN CONDITION TO PREVENT SOILING OF ROADS, WALKS OR OTHER PAVED OR SURFACED AREAS.

7. 4) REMOVE PROTECTIVE BARRIERS AND WARNING SIGNS AT TERMINATION OF LAWN ESTABLISHMENT.



Hawk Design, Inc.
Landscape Architecture
Land Planning

Sagamore, MA
508-833-8800
info@hawkdesigninc.com

HAWK DESIGN, INC. 2013
THIS DRAWING AND ALL INFORMATION CONTAINED HEREON IS PROPRIETARY INFORMATION OF HAWK DESIGN, INC. AND MAY NOT BE COPIED OR REPRODUCED, EITHER IN WHOLE OR IN PART, BY ANY METHOD, WITHOUT WRITTEN PERMISSION OF HAWK DESIGN, INC.

Date: 2/3/23

Revisions:

Num. Date Description



Wingate At Needham
589 Highland Avenue - Needham, Massachusetts
Owner: Wingate At Needham, Inc.

Drawn By:

Checked By:

**Planting
Notes**

Sheet:

D2

SITE DEVELOPMENT PLANS

FOR

WINGATE AT NEEDHAM, INC
589 HIGHLAND AVENUE
NEEDHAM, MA

OWNER:
WINGATE AT NEEDHAM, INC
63 KENDRICK STREET
NEEDHAM, MA 02494

APPLICANT:
WINGATE DEVELOPMENT LLC
63 KENDRICK STREET
NEEDHAM, MA 02494

CIVIL ENGINEER:
KELLY ENGINEERING GROUP, INC.
0 CAMPANELLI DRIVE
BRAINTREE, MA 02184

LAND SURVEYOR:
R.E. CAMERON & ASSOCIATES, INC.
681 WASHINGTON ST.
NORWOOD, MA 02062

ARCHITECT:
THE ARCHITECTURAL TEAM
50 COMMANDANTS WAY
CHELSEA, MA 02150

LANDSCAPE ARCHITECT:
HAWK DESIGN INC.
P.O. BOX 1309
SANDWICH, MA 02563

TRAFFIC CONSULTANT:
RON MUELLER & ASSOCIATES
56 TERESA ROAD
HOPKINTON, MA 01748

FEBRUARY 03, 2023

SHEET INDEX					
SHEET No.	DESCRIPTION	LATEST REVISED DATE	CONSTRUCTION	REVISIONS	
1	COVER SHEET				
2	EXISTING CONDITIONS PLAN				
3	LAYOUT PLAN				



LOCATION MAP

KELLY ENGINEERING GROUP SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, OR PROCEDURES UTILIZED BY THE CONTRACTOR, NOR FOR THE SAFETY OF PERSONS OR CONTRACTOR'S EMPLOYEES, OR FOR THE FAILURE OF THE CONTRACTOR TO CARRY OUT THE WORKING ACCORDANCE WITH THE CONTRACT DOCUMENTS.
THE EXTENT OF KELLY ENGINEERING GROUP'S LIABILITY FOR THIS PLAN IS LIMITED TO THE EXTENT OF ITS FEE LESS THIRD PARTY COST.
COPYRIGHT (C) by KELLY ENGINEERING GROUP, INC.
All Rights Reserved
NO PART OF THIS DOCUMENT MAY BE REPRODUCED, STORED IN A RETRIEVAL SYSTEM OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC, MECHANICAL, PHOTOCOPYING, RECORDING OR OTHERWISE, WITHOUT THE PRIOR WRITTEN PERMISSION OF KELLY ENGINEERING GROUP. ANY VIOLATIONS TO THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF KELLY ENGINEERING GROUP SHALL BE PENALTY AND UNLAWFUL.

Brandon Li
2023.02.01
16:45:17
-05'00"

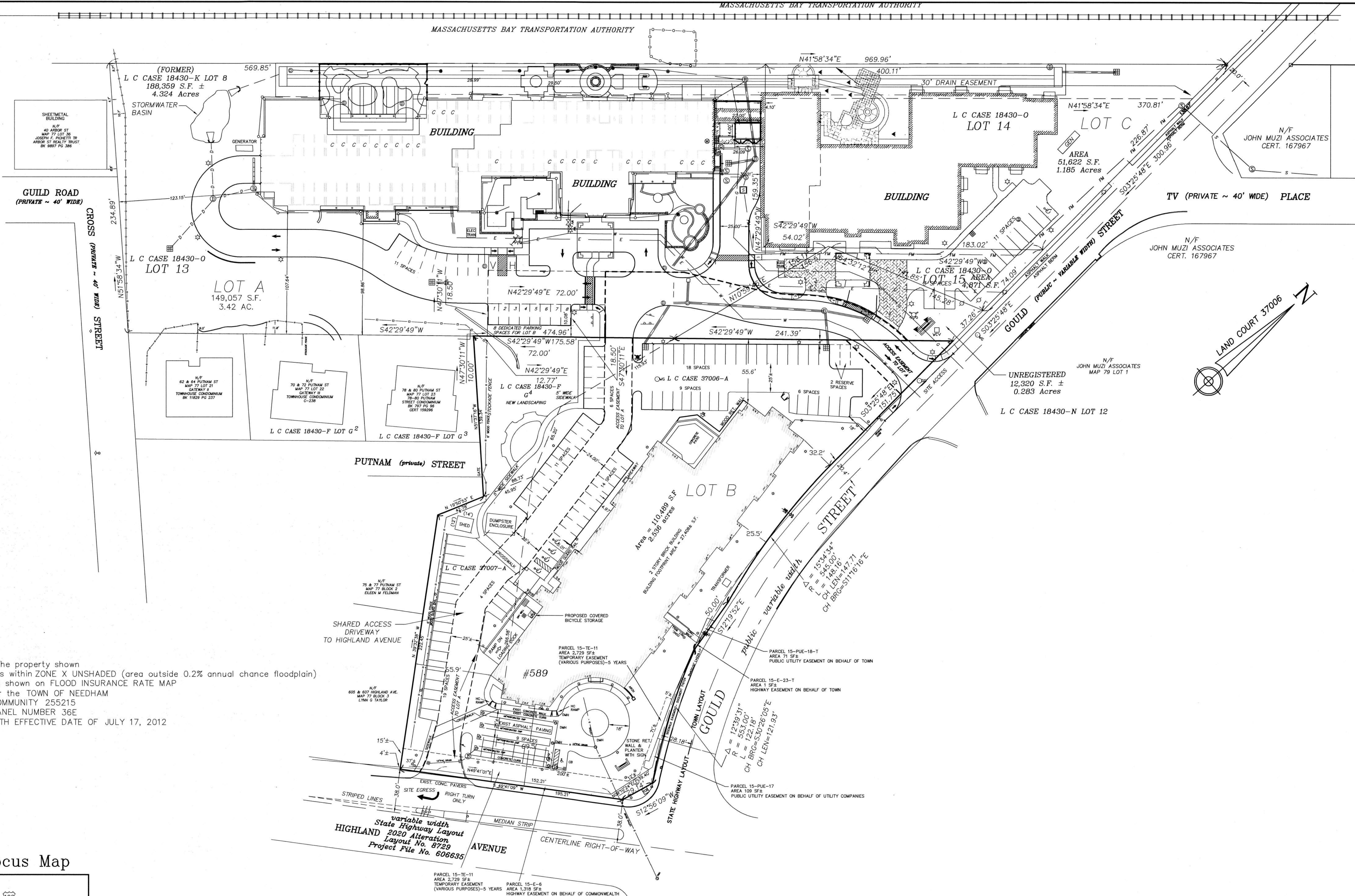
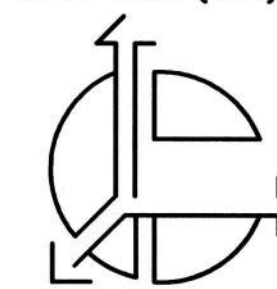
SCALE
NA
DATE
02/03/23
SHEET
1 of 3
FILE #
TS00

JOB #
2022-164
DRAWN BY
C.L.
CHKD BY
DAM
APPD BY
DNK

589 HIGHLAND AVENUE
NEEDHAM ,MA

KELLY ENGINEERING GROUP
civil engineering consultants
0 Campanelli Drive, Braintree, MA 02184
Phone: 781-843-4333 www.kellyengineeringgroup.com

SHEET NO.
1



The property shown
lies within ZONE X UNSHADED (area outside 0.2% annual chance floodplain)
as shown on FLOOD INSURANCE RATE MAP
for the TOWN OF NEEDHAM
COMMUNITY 255215
PANEL NUMBER 36E
WITH EFFECTIVE DATE OF JULY 17, 2012



1.31.2023

SCALE: 1"=40' DATE: 02/03/23

DRAWN BY: SLS MATH:

JOB NUMBER: 3774 CHECKED BY:

COUNTY: NORFOLK

TITLE

EXISTING CONDITIONS PLAN
589 HIGHLAND AVENUE
WINGATE AT NEEDHAM, INC.
NEEDHAM, MASS.

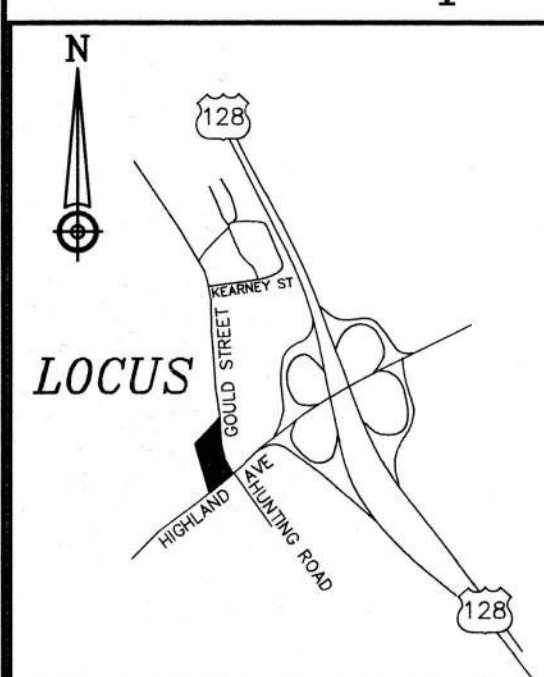
3774AR.3

[illegible]

SHEET NUMBER: 2

3774

Locus Map



1 INCH = 40 FT.

STORMWATER MANAGEMENT REPORT

02/03/2023

WINGATE AT NEEDHAM, INC
589 HIGHLAND AVENUE
NEEDHAM, MA

PREPARED FOR:

WINGATE AT NEEDHAM, INC
63 KENDRICK STREET
NEEDHAM, MA 02494



Brandon Li
Brandon Li
2023.01.31
18:00:29
-05'00'



Brandon Li

PREPARED BY:



KELLY ENGINEERING GROUP
civil engineering consultants
0 Campanelli Drive, Braintree, MA 02184
Phone: 781-843-4333 www.kellyengineeringgroup.com

TABLE OF CONTENTS

Stormwater Letter

Stormwater Maintenance System Operation and Maintenance Plan & Long Term Pollution Prevention Plan

NPDES Requirements for Public Outreach Letter



February 03, 2023

Town of Needham Planning Board
500 Dedham Ave.
Needham MA 02492
Attn: Lee Newman

Cc: David Feldman - Continental Wingate
Tom Ryder – Department of Public Works

Re: **Stormwater**
Special Permit & Site Plan Review
Wingate at Needham, Inc
589 Highland Avenue
Needham, MA

Dear Members of the Board:

The existing site is serviced by a fully developed storm drainage system as shown on the existing conditions plan provided with this application. We have consulted with site maintenance personnel and are not aware of any drainage issues on the property. The Needham Stormwater Bylaw Article 7 is not applicable to the proposed project. There is no increase to the existing building footprint. The renovations and floor areas in building are not increasing the footprint of the building. There is a reduction of 6,410 s.f. in impervious parking area. The existing impervious area of 71,353 s.f. will be reduced by removing 14 parking space and replace them with landscaping. This makes the proposed impervious area 64,943 s.f. and therefore exempt from the Needham Stormwater Bylaw. Façade treatments, interior renovations, and less than 1,500 s.f. increase in parking area are exempt under section 7.4.2 of the Stormwater Bylaw.

As part of the Town of Needham DPW NPDES requirements, the applicant will comply with the Public Out Reach & Education and Public Participation & Involvement control measures. Attached is a letter to the DPW identifying the measures selected and dates by which the measures will be completed in order to incorporate it into the Planning Board's decision.

We look forward to presenting this project to you at your next scheduled meeting. If you have any questions or desire any additional information regarding this matter, please do not hesitate to call our office.

Sincerely,

KELLY ENGINEERING GROUP, INC.

 Brandon Li
2023.01.31
18:00:45 -05'00'

Brandon G. Li, P.E.
Senior Engineer

0 Campanelli Drive – Braintree – MA 02184
Phone 781 843 4333 www.kellyengineeringgroup.com

**WINGATE AT NEEDHAM, INC
589 HIGHLAND AVENUE NEEDHAM, MA**

**STORMWATER MANAGEMENT SYSTEM
OPERATION AND MAINTENANCE PLAN
&
LONG-TERM POLLUTION PREVENTION PLAN**

02/03/2023

Prepared by:

KELLY ENGINEERING GROUP, INC.
Zero Campanelli Drive
Braintree, Massachusetts 02184

OWNER:
Wingate at Needham, Inc.
63 Kendrick Street
Needham, MA 02494

APPLICANT AND RESPONSIBLE PARTY:
Wingate Development, LLC
63 Kendrick Street
Needham, MA 02494



David Feldman

Note: If ownership of this property changes then the new owner becomes the responsible party.
The Owner may assign responsibility to a tenant on the property.

Introduction

The stormwater management system consists of a number of Best Management Practices (BMP's). These BMP's combine to ensure that storm runoff from the site will not damage the sensitive environmental resources surrounding the site. In order to ensure that these BMP's operate as designed it is very important that the procedures in this operation and maintenance plan be followed. Most of these operation procedures require observation and measurement; however, at certain times more extensive maintenance measures may be needed. The following is an itemization of each of these BMP's and their maintenance needs.

The party responsible for maintenance should contract with a maintenance organization capable of performing the more extensive measures such as pumping of catch basin sumps, etc.

BMP No. 1 – Paved Road Surface:

- Regularly pick up and remove litter from the paved road surface and landscaped areas.
- The paved area is to be swept on a quarterly average, with sweeping scheduled primarily in spring and fall with a high efficiency vacuum sweeper or a regenerative air sweeper. If a mechanical sweeper is used, the paved area is to be swept on a monthly average.

BMP No. 2 - Deep Sump Catch Basins:

- Basins are to be inspected 4 times per year.
 1. Verify that tees are secure and free-flowing.
 2. Measure depth of sediment below water line.
- Basins are to be cleaned whenever sediment and hydrocarbons are observed. Basins are to be cleaned a minimum of twice per year. One of these cleanings shall occur before April 15th of each year and one shall occur before September 15th of each year. Basins may be cleaned either using a clamshell or a vacuum pump.
- All liquid shall be pumped from the sump of each basin at least once per year.
- All sediments and hydrocarbons should be properly handled and disposed of, in accordance with local, state and federal guidelines and regulations.

Note: See catch basin detail for explanation of terms.

BMP No. 4 - Subsurface Recharge Systems:

- The inlet pipe and observation basin shall be inspected 4 times a year. Any accumulated debris shall be removed.
- Inspect recharge facilities following a rainfall event greater than 2.5 inches in a 24 hour period.
- If standing water is observed for more than 48 hours following a storm event, immediately retain a qualified professional to assess whether infiltration function has been lost and develop recommended corrective actions.

Snow Removal:

- Road salts and de-icing materials shall be stored on impervious pads and covered to protect from wind and precipitation.
- There shall be no plowing or stock piling of snow within any resource areas and any area subject to the jurisdiction of local and state regulations without the prior written permission from state or local approving authority.
- No de-icing materials shall be stored nor used within all resource areas and any area subject to the jurisdiction of local and state regulations without the prior written permission from state or local approving authority.

Storage and Use of Chemicals:

- No pesticides, herbicides, nor insecticides shall be stored nor used within all resource areas and any area subject to the jurisdiction of local and state regulations without the prior written permission from state or local approving authority.
- Chemical storage on site shall be limited. Any chemicals that must be stored shall be stored in a secure area in accordance with Local and State regulations.

Hazardous Waste:

- Containment – In the event of a discharge or spill of oil or another hazardous material, outlets to stormwater management ponds shall be plugged so that hazardous material do not enter resource areas.
- Reporting - In the event of a discharge or spill of oil or another hazardous material, responsible facility personnel, oil spill and/or hazardous material removal organizations, federal, state, and local regulatory agencies, the Town of Needham Department of Public Works, and the EPA National Response Center 1-800-424-8802 shall be rapidly notified.
- Hazardous Waste – All hazardous waste materials will be disposed of in the manner specified by local, state and/or federal regulations and by the manufacturer of such products.
- There shall be no illicit discharges to the stormwater management system.

Training for Long Term Pollution Prevention Plan:

- All staff or personnel involved and responsible for implementing the Stormwater Management System Operations and Maintenance Plan and the Long-Term Pollution Prevention Plan shall be properly trained as required under the DEP Stormwater Management Regulations. Training shall be documented with records kept with other stormwater maintenance records.

Pet Waste Management:

- Pooper-scooper laws for pets shall be followed.
- Never dump pet waste into storm drains, catch basins, or the drainage system.
- Pet waste shall be scooped up and disposed of properly in the garbage.

Lawn and Garden activities:

- No pesticides, herbicides, nor insecticides shall be stored nor used within any resource areas its buffers, and any area subject to the jurisdiction of local and state regulations without the prior written

permission from state or local approving authority.

- Fertilizers and pesticides shall be applied properly, sparingly, and outside any resource areas and its buffers.

To reduce the impact of fertilizers, consider the following tips;

- Don't fertilize before a rain storm.
- Consider using organic fertilizers. They release nutrients more slowly.
- Test soils before applying fertilizers. Some soils may not need fertilizers. A standard soil test costs \$9.00. (Call the UMass Extension Soil Testing Lab at 413-545-2311 or download a soil test order form at <http://www.umass.edu/plsoils/soiltest/>.)

February 03, 2023

Needham Planning Board
Needham Town Hall
500 Dedham Avenue
Needham, MA 02492
Attention: Lee Newman

RE: NPDES requirements
Wingate at Needham, Inc
589 Highland Avenue
Needham, MA

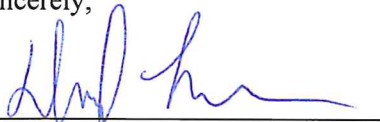
Dear Members of the Board,

As part of the NPDES requirement for Control Measure #1: Public Education and Outreach, the applicant will place an advertisement in the local newspaper to encourage environmental awareness. This advertisement will be published prior to occupancy of the building.

As part of the NPDES requirement for Control Measure #2: Public Participation and Involvement, the catch basins will include a plaque with the words "NO DUMPING - DRAINS TO RIVER" by Almetek. These plaques will be installed at prior to occupancy of the building.

If you have any questions, please contact me.

Sincerely,



David Feldman

From: [John Schlittler](#)
To: [Alexandra Clee](#)
Subject: RE: Request for comment - Wingate Amendment
Date: Thursday, March 2, 2023 12:53:28 PM

Police is ok with it

From: Alexandra Clee <aclee@needhamma.gov>
Sent: Thursday, February 9, 2023 1:18 PM
To: David Roche <droche@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>
Cc: Lee Newman <LNewman@needhamma.gov>; Elisa Litchman <elitchman@needhamma.gov>
Subject: Request for comment - Wingate Amendment

Dear all,

We have received application materials for the proposal for Wingate to add a third story at 589 Highland.

More information can be found in the application, which is attached.

The Planning Board has scheduled this matter for March 7, 2023. Please send your comments by Wednesday March 1, 2023 at the latest.

The documents attached for your review are as follows:

1. Application for an Amendment to the Major Project Special Permit No. 93-3.
2. Two Letters from Attorney Evans Huber to the Needham planning Board and Lee Newman, both dated February 3, 2023.
3. Memo from Kristen Braun, Ron Muller & Associates regarding site traffic generation, dated January 25, 2023, with attached trip generation worksheets.
4. Architectural Plans, entitled "Wingate at Needham Renovation / Expansion," prepared by The Architectural Team, Inc., 50 Commander's Way at Admiral's Hill, Chelsea, MA 02150, consisting of 10 sheets: Sheet 1, Sheet T0.01, entitled "Project Cover," dated February 3, 2023; Sheet 2, Sheet D1.00, entitled "Existing/Demolition overall Plan – Basement," dated February 3, 2023; Sheet 3, Sheet D1.01, entitled "Existing/Demolition Overall Plans (Schematic)," dated February 3, 2023; Sheet 4, Sheet A1.00, entitled "Proposed Overall Plan – Basement," dated February 3, 2023; Sheet 5, Sheet A1.01, entitled "proposed Overall Plans (Schematic)," dated February 3, 2023; Sheet 6, Sheet A1.02, entitled "Proposed Overall Plan Level 3 & Roof (Schematic)," dated February 3, 2023; Sheet 7, Sheet A4.01, "Exterior Elevations," dated February 3, 2023; Sheet 8, Sheet A4.02, entitled "Exterior Elevations,"

dated February 3, 2023; Sheet 9, Sheet A4.03, entitled “Exterior Elevations,” dated February 3, 2023; Sheet 10, Sheet A5.01, entitled “Wall Sections,” dated February 3, 2023.

5. Renderings, entitled “Wingate at Needham Renovation / Expansion,” prepared by The Architectural Team, Inc., 50 Commander’s Way at Admiral’s Hill, Chelsea, MA 02150, consisting of 4 sheets: Sheet 1 entitled “Rendered View from intersection of Gould Street and highland Avenue,” dated February 1, 2023; Sheet 2, entitled “Rendered View from Gould Street Looking South,” dated February 1, 2023; Sheet 3, entitled “Rendered View from Rear parking,” dated February 1, 2023; Sheet 4, entitled “Rendered View from Side Entrance,” dated February 1, 2023.
6. Materials Sheet, dated February 2, 2023 and Existing Photos Sheet, dated February 3, 2023.
7. Landscape Plans, entitled “Wingate at Needham Renovation / Expansion,” prepared by Hawk Design Inc., Sagamore, MA, consisting of 7 sheets: Sheet 1, Cover Sheet, dated February 3, 2023; Sheet 2, Sheet L1, entitled “Site Landscaping Plan,” dated February 3, 2023; Sheet 3, Sheet L1.1, entitled “Illustrative Site Plan Rendering,” dated February 3, 2023; Sheet 4, Sheet L2, entitled “Entry Landscape Plan,” dated February 3, 2023; Sheet 5, Sheet L3, entitled “Parking / Plan Landscape Plan,” dated February 3, 2023; Sheet 6, Sheet D1, entitled “Planting Details,” dated February 3, 2023; Sheet 7, Sheet D2, entitled “Planting Notes,” dated February 3, 2023.
8. Plans entitled “Site Development Plans for Wingate at Needham, inc., 589 Highland Avenue, Needham, MA,” prepared by Kelly Engineering Group, Inc., 0 Campanelli Drive, Braintree, MA 02062, R.E. Cameron & Associates, Inc., 681 Washington Street, Norwood MA, consisting of 3 sheets: Sheet 1, Cover 1, dated February 3, 2023; Sheet 2, entitled “Existing Conditions Plan,” dated February 3, 2023; Sheet 3, entitled “Layout Plan,” dated February 3, 2023.
9. Stormwater Management Report, prepared by Kelly Engineering Group, Inc., 0 Campanelli Drive, Braintree, MA 02062, dated February 3, 2023.

Thank you, alex.

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov

From: [Tara Gurge](#)
To: [Alexandra Clee](#)
Subject: RE: Request for comment - Wingate Amendment
Date: Thursday, March 2, 2023 3:55:12 PM
Attachments: [image002.png](#)
[image003.png](#)

Alex –

The Public Health Division conducted the review for the proposed Wingate project amendment, and we have no additional comments to share at this time.

Please let me know if you need any additional information from us on that.

Thanks,



TARA E. GURGE, R.S., C.E.H.T., M.S. (she/her/hers)
ASSISTANT PUBLIC HEALTH DIRECTOR
Needham Public Health Division
Health and Human Services Department
178 Rosemary Street
Needham, MA 02494
Ph- (781) 455-7940; Ext. 211/Fax- (781) 455-7922
Mobile- (781) 883-0127
Email - tgurge@needhamma.gov
Web- www.needhamma.gov/health



please consider the environment before printing this email

STATEMENT OF CONFIDENTIALITY

This e-mail, including any attached files, may contain confidential and privileged information for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive information for the recipient), please contact the sender by reply e-mail and delete all copies of this message. Thank you.



[Follow Needham Public Health on Twitter!](#)

From: Alexandra Clee <aclee@needhamma.gov>
Sent: Thursday, March 2, 2023 12:47 PM
To: David Roche <droche@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>
Cc: Lee Newman <LNewman@needhamma.gov>; Elisa Litchman <elitchman@needhamma.gov>
Subject: RE: Request for comment - Wingate Amendment

Dear all,

I am creating the Planning Board's packets today and will include any comments I receive from you on this for Tuesday's hearing. Please send comments when you are able. Thanks!

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov

From: Alexandra Clee

Sent: Thursday, February 9, 2023 1:18 PM

To: David Roche <droche@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>

Cc: Lee Newman <LNewman@needhamma.gov>; Elisa Litchman <elitchman@needhamma.gov>

Subject: Request for comment - Wingate Amendment

Dear all,

We have received application materials for the proposal for Wingate to add a third story at 589 Highland.

More information can be found in the application, which is attached.

The Planning Board has scheduled this matter for March 7, 2023. Please send your comments by Wednesday March 1, 2023 at the latest.

The documents attached for your review are as follows:

1. Application for an Amendment to the Major Project Special Permit No. 93-3.
2. Two Letters from Attorney Evans Huber to the Needham planning Board and Lee Newman, both dated February 3, 2023.
3. Memo from Kristen Braun, Ron Muller & Associates regarding site traffic generation, dated January 25, 2023, with attached trip generation worksheets.
4. Architectural Plans, entitled "Wingate at Needham Renovation / Expansion," prepared by The Architectural Team, Inc., 50 Commander's Way at Admiral's Hill, Chelsea, MA 02150, consisting of 10 sheets: Sheet 1, Sheet T0.01, entitled "Project Cover," dated February 3, 2023; Sheet 2, Sheet D1.00, entitled "Existing/Demolition overall Plan – Basement," dated February 3, 2023; Sheet 3, Sheet D1.01, entitled "Existing/Demolition Overall Plans

(Schematic)," dated February 3, 2023; Sheet 4, Sheet A1.00, entitled "Proposed Overall Plan – Basement," dated February 3, 2023; Sheet 5, Sheet A1.01, entitled "proposed Overall Plans (Schematic)," dated February 3, 2023; Sheet 6, Sheet A1.02, entitled "Proposed Overall Plan Level 3 & Roof (Schematic)," dated February 3, 2023; Sheet 7, Sheet A4.01, "Exterior Elevations," dated February 3, 2023; Sheet 8, Sheet A4.02, entitled "Exterior Elevations," dated February 3, 2023; Sheet 9, Sheet A4.03, entitled "Exterior Elevations," dated February 3, 2023; Sheet 10, Sheet A5.01, entitled "Wall Sections," dated February 3, 2023.

5. Renderings, entitled "Wingate at Needham Renovation / Expansion," prepared by The Architectural Team, Inc., 50 Commander's Way at Admiral's Hill, Chelsea, MA 02150, consisting of 4 sheets: Sheet 1 entitled "Rendered View from intersection of Gould Street and Highland Avenue," dated February 1, 2023; Sheet 2, entitled "Rendered View from Gould Street Looking South," dated February 1, 2023; Sheet 3, entitled "Rendered View from Rear parking," dated February 1, 2023; Sheet 4, entitled "Rendered View from Side Entrance," dated February 1, 2023.
6. Materials Sheet, dated February 2, 2023 and Existing Photos Sheet, dated February 3, 2023.
7. Landscape Plans, entitled "Wingate at Needham Renovation / Expansion," prepared by Hawk Design Inc., Sagamore, MA, consisting of 7 sheets: Sheet 1, Cover Sheet, dated February 3, 2023; Sheet 2, Sheet L1, entitled "Site Landscaping Plan," dated February 3, 2023; Sheet 3, Sheet L1.1, entitled "Illustrative Site Plan Rendering," dated February 3, 2023; Sheet 4, Sheet L2, entitled "Entry Landscape Plan," dated February 3, 2023; Sheet 5, Sheet L3, entitled "Parking / Plan Landscape Plan," dated February 3, 2023; Sheet 6, Sheet D1, entitled "Planting Details," dated February 3, 2023; Sheet 7, Sheet D2, entitled "Planting Notes," dated February 3, 2023.
8. Plans entitled "Site Development Plans for Wingate at Needham, inc., 589 Highland Avenue, Needham, MA," prepared by Kelly Engineering Group, Inc., 0 Campanelli Drive, Braintree, MA 02062, R.E. Cameron & Associates, Inc., 681 Washington Street, Norwood MA, consisting of 3 sheets: Sheet 1, Cover 1, dated February 3, 2023; Sheet 2, entitled "Existing Conditions Plan," dated February 3, 2023; Sheet 3, entitled "Layout Plan," dated February 3, 2023.
9. Stormwater Management Report, prepared by Kelly Engineering Group, Inc., 0 Campanelli Drive, Braintree, MA 02062, dated February 3, 2023.

Thank you, alex.

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov



**TOWN OF NEEDHAM, MASSACHUSETTS
PUBLIC WORKS DEPARTMENT
500 Dedham Avenue, Needham, MA 02492
Telephone (781) 455-7550 FAX (781) 449-9023**

February 27, 2023

Needham Planning Board
Needham Public Service Administration Building
Needham, MA 02492

RE: Major Project Site Plan Special Permit No. 93-3
589 Highland Avenue- Wingate Development LLC

Dear Members of the Board,

The Department of Public Works has completed its review of the above referenced request for a Major Project Site Plan Special Permit. The applicant intends to add a third floor to the building increasing the independent Living spaces by 22-units for a total of 72-units; 9-units will be affordable. No proposed changes to the footprint of the building is proposed.

The review was conducted in accordance with the Planning Board's regulations and standard engineering practice. The documents submitted for review are as follows:

1. Application for an Amendment to the Major Project Special Permit No. 93-3.
2. Two Letters from Attorney Evans Huber to the Needham planning Board and Lee Newman, both dated February 3, 2023.
3. Memo from Kristen Braun, Ron Muller & Associates regarding site traffic generation, dated January 25, 2023, with attached trip generation worksheets.
4. Architectural Plans, entitled "Wingate at Needham Renovation / Expansion," prepared by The Architectural Team, Inc., 50 Commander's Way at Admiral's Hill, Chelsea, MA 02150, consisting of 10 sheets: Sheet 1, Sheet T0.01, entitled "Project Cover," dated February 3, 2023; Sheet 2, Sheet D1.00, entitled "Existing/Demolition overall Plan – Basement," dated February 3, 2023; Sheet 3, Sheet D1.01, entitled "Existing/Demolition Overall Plans (Schematic)," dated February 3, 2023; Sheet 4, Sheet A1.00, entitled "Proposed Overall Plan – Basement," dated February 3, 2023; Sheet 5, Sheet A1.01, entitled "proposed Overall Plans (Schematic)," dated February 3, 2023; Sheet 6, Sheet A1.02, entitled "Proposed Overall Plan Level 3 & Roof (Schematic)," dated February 3, 2023; Sheet 7, Sheet A4.01, "Exterior Elevations," dated February 3, 2023; Sheet 8, Sheet A4.02, entitled "Exterior Elevations," dated February 3, 2023; Sheet 9, Sheet A4.03, entitled "Exterior Elevations," dated February 3, 2023; Sheet 10, Sheet A5.01, entitled "Wall Sections," dated February 3, 2023.
5. Renderings, entitled "Wingate at Needham Renovation / Expansion," prepared by The Architectural Team, Inc., 50 Commander's Way at Admiral's Hill, Chelsea, MA 02150,

March 3, 2023

consisting of 4 sheets: Sheet 1 entitled "Rendered View from intersection of Gould Street and Highland Avenue," dated February 1, 2023; Sheet 2, entitled "Rendered View from Gould Street Looking South," dated February 1, 2023; Sheet 3, entitled "Rendered View from Rear parking," dated February 1, 2023; Sheet 4, entitled "Rendered View from Side Entrance," dated February 1, 2023.

6. Materials Sheet, dated February 2, 2023 and Existing Photos Sheet, dated February 3, 2023.
7. Landscape Plans, entitled "Wingate at Needham Renovation / Expansion," prepared by Hawk Design Inc., Sagamore, MA, consisting of 7 sheets: Sheet 1, Cover Sheet, dated February 3, 2023; Sheet 2, Sheet L1, entitled "Site Landscaping Plan," dated February 3, 2023; Sheet 3, Sheet L1.1, entitled "Illustrative Site Plan Rendering," dated February 3, 2023; Sheet 4, Sheet L2, entitled "Entry Landscape Plan," dated February 3, 2023; Sheet 5, Sheet L3, entitled "Parking / Plan Landscape Plan," dated February 3, 2023; Sheet 6, Sheet D1, entitled "Planting Details," dated February 3, 2023; Sheet 7, Sheet D2, entitled "Planting Notes," dated February 3, 2023.
8. Plans entitled "Site Development Plans for Wingate at Needham, inc., 589 Highland Avenue, Needham, MA," prepared by Kelly Engineering Group, Inc., 0 Campanelli Drive, Braintree, MA 02062, R.E. Cameron & Associates, Inc., 681 Washington Street, Norwood MA, consisting of 3 sheets: Sheet 1, Cover 1, dated February 3, 2023; Sheet 2, entitled "Existing Conditions Plan," dated February 3, 2023; Sheet 3, entitled "Layout Plan," dated February 3, 2023.
9. Stormwater Management Report, prepared by Kelly Engineering Group, Inc., 0 Campanelli Drive, Braintree, MA 02062, dated February 3, 2023.

Our comments and recommendations are as follows:

- In accordance with the Town of Needham Stormwater Bylaw, the proposed new construction requires a minimum combined volumetric capacity of 1 inch over the entire impervious area of the property to be recharged. Per discussions with the engineer, they will provide calculations showing that there is at least 1-inch of stormwater over the impervious area for the site. The engineer will also update the Stormwater Operation and Maintenance plan as part of the submittal. The stormwater documents discussed should be provided prior to receiving a building permit.

If you have any questions regarding the above, please contact our office at 781-455-7538.

Truly yours,

Thomas Ryder
Town Engineer

From: [Tom Conroy](#)
To: [Alexandra Clee](#)
Subject: RE: Request for comment - Wingate Amendment
Date: Sunday, March 5, 2023 10:45:04 AM
Attachments: [image001.png](#)

If the Building department is on board Fire is too.
Thank you.



Thomas M. Conroy

Fire Chief - Needham Fire Department

tconroy@needhamma.gov

Ph (781) 455-7580

From: Alexandra Clee <aclee@needhamma.gov>
Sent: Thursday, March 2, 2023 12:47 PM
To: David Roche <droche@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>
Cc: Lee Newman <LNewman@needhamma.gov>; Elisa Litchman <elitchman@needhamma.gov>
Subject: RE: Request for comment - Wingate Amendment

Dear all,

I am creating the Planning Board's packets today and will include any comments I receive from you on this for Tuesday's hearing. Please send comments when you are able. Thanks!

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov

From: Alexandra Clee
Sent: Thursday, February 9, 2023 1:18 PM
To: David Roche <droche@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>
Cc: Lee Newman <LNewman@needhamma.gov>; Elisa Litchman <elitchman@needhamma.gov>
Subject: Request for comment - Wingate Amendment

Dear all,

We have received application materials for the proposal for Wingate to add a third story at 589 Highland.

More information can be found in the application, which is attached.

The Planning Board has scheduled this matter for March 7, 2023. Please send your comments by Wednesday March 1, 2023 at the latest.

The documents attached for your review are as follows:

1. Application for an Amendment to the Major Project Special Permit No. 93-3.
2. Two Letters from Attorney Evans Huber to the Needham planning Board and Lee Newman, both dated February 3, 2023.
3. Memo from Kristen Braun, Ron Muller & Associates regarding site traffic generation, dated January 25, 2023, with attached trip generation worksheets.
4. Architectural Plans, entitled "Wingate at Needham Renovation / Expansion," prepared by The Architectural Team, Inc., 50 Commander's Way at Admiral's Hill, Chelsea, MA 02150, consisting of 10 sheets: Sheet 1, Sheet T0.01, entitled "Project Cover," dated February 3, 2023; Sheet 2, Sheet D1.00, entitled "Existing/Demolition overall Plan – Basement," dated February 3, 2023; Sheet 3, Sheet D1.01, entitled "Existing/Demolition Overall Plans (Schematic)," dated February 3, 2023; Sheet 4, Sheet A1.00, entitled "Proposed Overall Plan – Basement," dated February 3, 2023; Sheet 5, Sheet A1.01, entitled "proposed Overall Plans (Schematic)," dated February 3, 2023; Sheet 6, Sheet A1.02, entitled "Proposed Overall Plan Level 3 & Roof (Schematic)," dated February 3, 2023; Sheet 7, Sheet A4.01, "Exterior Elevations," dated February 3, 2023; Sheet 8, Sheet A4.02, entitled "Exterior Elevations," dated February 3, 2023; Sheet 9, Sheet A4.03, entitled "Exterior Elevations," dated February 3, 2023; Sheet 10, Sheet A5.01, entitled "Wall Sections," dated February 3, 2023.
5. Renderings, entitled "Wingate at Needham Renovation / Expansion," prepared by The Architectural Team, Inc., 50 Commander's Way at Admiral's Hill, Chelsea, MA 02150, consisting of 4 sheets: Sheet 1 entitled "Rendered View from intersection of Gould Street and Highland Avenue," dated February 1, 2023; Sheet 2, entitled "Rendered View from Gould Street Looking South," dated February 1, 2023; Sheet 3, entitled "Rendered View from Rear parking," dated February 1, 2023; Sheet 4, entitled "Rendered View from Side Entrance," dated February 1, 2023.
6. Materials Sheet, dated February 2, 2023 and Existing Photos Sheet, dated February 3, 2023.
7. Landscape Plans, entitled "Wingate at Needham Renovation / Expansion," prepared by Hawk Design Inc., Sagamore, MA, consisting of 7 sheets: Sheet 1, Cover Sheet, dated February 3, 2023; Sheet 2, Sheet L1, entitled "Site Landscaping Plan," dated February 3, 2023; Sheet 3,

Sheet L1.1, entitled "Illustrative Site Plan Rendering," dated February 3, 2023; Sheet 4, Sheet L2, entitled "Entry Landscape Plan," dated February 3, 2023; Sheet 5, Sheet L3, entitled "Parking / Plan Landscape Plan," dated February 3, 2023; Sheet 6, Sheet D1, entitled "Planting Details," dated February 3, 2023; Sheet 7, Sheet D2, entitled "Planting Notes," dated February 3, 2023.

8. Plans entitled "Site Development Plans for Wingate at Needham, inc., 589 Highland Avenue, Needham, MA," prepared by Kelly Engineering Group, Inc., 0 Campanelli Drive, Braintree, MA 02062, R.E. Cameron & Associates, Inc., 681 Washington Street, Norwood MA, consisting of 3 sheets: Sheet 1, Cover 1, dated February 3, 2023; Sheet 2, entitled "Existing Conditions Plan," dated February 3, 2023; Sheet 3, entitled "Layout Plan," dated February 3, 2023.
9. Stormwater Management Report, prepared by Kelly Engineering Group, Inc., 0 Campanelli Drive, Braintree, MA 02062, dated February 3, 2023.

Thank you, alex.

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov



Town of Needham
Building Department
500 Dedham Ave.
Needham, MA 02492

Tel. 781-455-7550 x 308

March 6, 2023

Town of Needham Planning Board
Lee Newman / Town Planner
500 Dedham Ave.
Needham, MA. 024902

Re: 589 Highland Avenue.

Dear Planning Board Members,

I have reviewed the application submitted to the Planning Board on February 3, 2023 and have the following comments. The applicant Wingate Development LLC. which operates a facility located at 589 Highland Ave. in the Elder Services District is planning to renovate the existing structure. The plan would be to add a third floor and add 22 independent living units bringing the total units in the building to 72. The conversion of the building appears to be complying with the Elder Service Zoning District, By-law section 3.12.7 because the building or addition is not being expanded in a northerly direction. The addition which will be constructed over the existing structure is vertical construction only, therefore all pre-existing setbacks or lot coverage are not affected by the renovation.

The addition and existing renovated areas need comply with all Building, Fire, Electrical, Energy and Plumbing Codes. Existing Site plan will be slightly modified, and the applicant has submitted a traffic commentary addressing the existing parking and the new parking demand, which I agree with.

Any Questions please contact my office.

David A Roche
Building Commissioner
Town of Needham



TOWN OF NEEDHAM

**TOWN HALL
1471 Highland Avenue
Needham, MA 02492-2669**

Design Review Board

February 28, 2023

Memo: Amendment Site Plan Review, 589 Highland Avenue, Wingate at Needham

The Board reviewed the documents for site modifications and the addition of a third floor on the existing building.

The applicant described the changes being proposed to the project. The existing 2 story building is a red and yellow brick structure. It has projected sections with gable roof structures on those sections. They will be painting the yellow brick grey. Existing windows will be replaced with black vinyl windows, which will also be used in the addition. A new third floor will be added. It is finished with a mix of Hardiplank clapboards and Hardiboard paneling with aluminum channels at panel joints. The third floor area is smaller than the second floor and is inset from the lower floors along Gould Street. The addition volumes vary in height, with the paneled sections slightly taller than the clapboard areas. There are large double hung windows with transoms. Accent railings are installed on some windows creating "Juliette" balconies, those windows are slightly larger.

The DRB thinks it is a well-designed addition and develops a more contemporary aesthetic to the building. The materials chosen are used well and work well with the existing brick walls below. The varied heights on the third floor walls complement the existing buildings massing elements. Most of the existing gable roof sections are removed. There are two that remain. The Board suggested reducing the size of the gable on the parking lot side to allow more distance to the windows on the unit behind the gable.

There was an illustration showing some rooftop mechanical systems. The applicant stated that they do not know at this time the exact quantity and location of the equipment. They plan to locate any equipment closer to the parking lot side, away from Highland and Gould views. There was a discussion of screening, which would be beneficial depending on the equipment size and quantity, but the Board did not consider it needed to be a requirement given the description by the applicant.

The proposal removes paved areas of the parking lot and creates a more developed outdoor amenity in a recessed concrete plaza on the parking side of the building. Existing parking adjacent to that area is being removed and the area will be converted to a grass area. Additional shade trees will be added to this area. The existing loading dock will be filled in and additional lawn area and shade and flowering trees installed, as well as shrubs along the building. The Board believe these to be strong improvements.

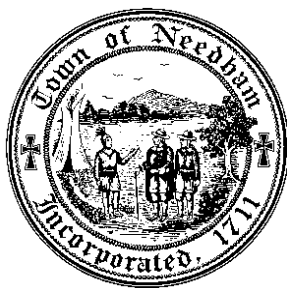
The existing circular drive on the corner of Highland and Gould will be removed and a landscape amenity installed, with plantings, paving, wall/bench, and a pergola will be installed.

Planting beds will be extended out beyond the existing sign. They are removing some grass area and replacing it with the planting beds. The Board approves of these upgrades to a very visible corner. They suggested that the applicant extend the planting beds at the corner and replace more of the grass if feasible.

In general, the Board approved the plant list proposed, but did discuss whether more native New England plants might be included. The applicant will review the issue. In addition, the Board suggested, in lawn areas not really used for activity, that ground covers and planting beds be installed in order to conserve water.

Overall, the Board strongly approves of the building addition and landscape plan improvements to Wingate Needham.

End of notes



PLANNING & COMMUNITY DEVELOPMENT
PLANNING DIVISION

LEGAL NOTICE
Planning Board,
TOWN OF NEEDHAM
NOTICE OF HEARING

In accordance with the provisions of M.G.L., Chapter 40A, S.5, the Needham Planning Board will hold a public hearing on Tuesday, March 7, 2023 at 7:45 p.m. in the Charles River Room, Needham Public Services Administration Building, 500 Dedham Avenue, Needham, MA, as well as by Zoom Web ID Number 880 4672 5264 (further instructions for accessing by zoom are below), regarding certain proposed amendments to the Needham Zoning By-Law to be considered by the 2023 Annual Town Meeting.

To view and participate in this virtual meeting on your phone, download the “Zoom Cloud Meetings” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the following Meeting ID: 880 4672 5264

To view and participate in this virtual meeting on your computer, at the above date and time, go to www.zoom.us click “Join a Meeting” and enter the following ID: 880 4672 5264

Or to Listen by Telephone: Dial (for higher quality, dial a number based on your current location): US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 Then enter ID: 880 4672 5264

Direct Link to meeting: <https://us02web.zoom.us/j/88046725264>

Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment through Zoom or through calling in, or by attending the in-person meeting.

Persons interested are encouraged to call the Planning Board office (781-455-7550) for more information. A copy of the complete text of the proposed articles are detailed below. The article designations given have been assigned by the Planning Board for identification purposes only. An article number will subsequently be established by the Select Board for the Warrant.

ARTICLE 1: AMEND ZONING BY-LAW – ACCESSORY 3-CAR GARAGE USE IN SINGLE RESIDENCE B, GENERAL RESIDENCE, BUSINESS AND INDUSTRIAL DISTRICTS

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

- (1) In Section 6.1, Accessory Uses, Subsection 6.1.2, by deleting from the first sentence of the first paragraph the words “and in the Single Residence B, General Residence, Business and Industrial districts garage space for not more than two (2) cars” so that the sentence shall now read as follows:

“There shall be permitted as an accessory use on residential property in the Single Residence A, Rural Residence – Conservation, and Institutional districts garage space for not more than three (3) cars.”

- (2) In Section 6.1, Accessory Uses, Subsection 6.1.2, by adding a new second and third paragraph to read as follows:

“There shall be permitted as an accessory use on two-family residential property in the General Residence and Business districts garage space for not more than two (2) cars per dwelling unit.

There shall be permitted as an accessory use on single-family residential property in the Single Residence B, General Residence, Business and Industrial districts garage space for not more than three (3) cars, provided that the third garage shall be designed and located as follows:

- (a) the garage-space door shall be on the façade of a dwelling, which façade faces a side lot line, or the rear lot line, or if the dwelling is on a corner lot, does not face the street or way toward which the front entry door of the dwelling is oriented, for purposes of this Section 6.1.2 referred to as the front façade; or
 - (b) the garage-space door shall be on the front façade of a dwelling, provided (i) that the garage is set back at least five (5) feet from the portion of the front façade of the dwelling that has the longest length, and (ii) the length of all garage spaces on the front façade of the dwelling does not exceed 50% of the total length of the front façade of the dwelling, or (iii) the garage is located in the basement of the dwelling and accessed by means of a ramp; or
 - (c) The additional garage space shall be located in an accessory building where the accessory building is separate from and set back at least five (5) feet from the portion of the front façade of the principal structure that has the longest length.”
- (3) In Section 6.1, Accessory Uses, Subsection 6.1.2, by ordering the second paragraph as paragraph four and revising the first sentence of said paragraph to read as follows (new language underlined):

“Upon application the Board of Appeals may issue a Special Permit for (i) one additional garage space per lot in the Single Residence A, Rural Residence – Conservation, and Institutional districts for a total of four (4) garage spaces, or (ii) one additional garage space per lot in the Single Residence B, General Residence, Business and Industrial districts for a total of three (3) garage spaces, notwithstanding that the garage-space door is not permitted under the paragraph above, provided that the premises in question are reasonably adaptable to such use and will allow proper layout thereof (including adequate separation of buildings or structures and open areas from adjacent premises), and provided further that the proposed use;”

ARTICLE 2: AMEND ZONING BY-LAW – ACCESSORY DWELLING UNITS (ADUs)

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

- (1) In Section 3.15 Accessory Dwelling Units (ADUs), Subsection 3.15.1 Intent, by revising the Subsection to read as follows (new language underlined):

“The intent and purpose of this section is to permit accessory dwelling units (ADUs) in single-family dwellings or in buildings accessory to single-family dwellings for occupancy by (a) an Owner (as defined in this section 3.15.2) or (b) Family (as so defined) of an Owner of the property or (c) Caregiver (as so defined) to an Owner of the property or a Family member of an Owner or (d) a Lessee (as so defined) of an Owner who resides in the ADU or the principal dwelling unit, all subject to the standards and procedures hereinafter set forth. It is also the intent to assure that the single-family character of the neighborhood will be maintained and that the ADU remains subordinate to the principal use of the property as a single-family detached dwelling.”

- (2) In Section 3.15 Accessory Dwelling Units (ADUs), Subsection 3.15.2 Definitions, by revising subparagraphs (a), (b) (c) and (d) to read as follows (new language underlined):
- “(a) Accessory dwelling unit (ADU) is an apartment in a single-family detached dwelling or in a building that is accessory to a single-family detached dwelling, which apartment is a second, self-contained dwelling unit and a complete, separate housekeeping unit containing provisions for living, sleeping, cooking and eating. This unit shall be subordinate in size to the principal dwelling unit on a lot and shall be constructed to maintain the appearance and essential character of a single-family dwelling or a single-family dwelling with an accessory building.
- (b) “Caregiver” shall mean an adult who regularly looks after an elderly, chronically ill or disabled Owner who needs assistance with activities of daily living or an Owner’s Family member who needs such assistance and for whom the property is such elderly, chronically ill or disabled person’s primary residence.
- (c) “Family” as a capitalized word, for the purpose of specifying, pursuant to Section 3.15.3.1 who may occupy the dwelling unit that is not Owner occupied, shall mean persons who are related to an Owner, Caregiver or Lessee, by blood, adoption or marriage, and who are related to such Owner, Caregiver or Lessee as follows: spouse, parent, sibling, child, grandchild, grandparent, aunt, uncle or a spouse or child of any such resident person.”
- (d) “Owner” shall mean a person who holds record title to the property directly or indirectly and for whom the property is such Owner’s primary residence. Indirect ownership includes but is not limited to a beneficiary of a trust holding record title to the property and a majority owner of the voting stock of a corporation or the membership units of a limited liability company holding record title to the property.”
- (3) In Section 3.15 Accessory Dwelling Units (ADUs), Subsection 3.15.2 Definitions, by adding a new subparagraph (e) to read as follows:
- “(e) “Lessee” shall mean a person or persons who has entered into a written lease with the Owner as lessor permitting occupancy of the ADU or the principal dwelling unit for a period of time of at least one year by the Lessee and Family of the Lessee, which lease shall prohibit the Lessee from (i) subleasing, (ii) assigning the lease, or (iii) offering housing accommodations on a short-term basis using an on-line venue such as Airbnb or by any other means to persons who are not Family of the Lessee, provided further that the Owner shall have filed a copy of such lease with the Building Commissioner as a pre-condition of the issuance of an occupancy permit for the ADU, whether to be occupied by the Owner or the Lessee.”
- (4) In Section 3.15 Accessory Dwelling Units (ADUs), Subsection 3.15.3 Use Regulations, by revising the section heading to read as follows (new language underlined):
- “3.15.3.1 Use Regulations for ADU within a Single-family Dwelling”
- (5) In Section 3.15 Accessory Dwelling Units (ADUs), Subsection 3.15.3.1 Use Regulations for ADU within a Single-family Dwelling, by revising the first sentence to read as follows:
- “An ADU within a single-family detached dwelling shall be permitted under the following use regulations:”
- (6) In Section 3.15 Accessory Dwelling Units (ADUs), Subsection 3.15.3.1 Use Regulations for ADU within a Single-family Dwelling, by revising subparagraphs (c), (d) (f), (g) and (h) to read as follows (new language underlined):

- “(c) Occupancy of the unit that is not Owner-occupied shall be limited to a member or members of the Owner’s Family or a Caregiver and such Caregiver’s Family or a Lessee and such Lessee’s Family; provided that occupancy of the principal dwelling unit and the ADU combined shall be limited to five persons who are not Family of the Owner.
- (d) The size of the ADU shall be limited to 900 square feet of living space and shall have no more than one bedroom.
- (f) Adequate provisions for the proper disposal of sewage and waste generated by the ADU shall be in accordance with Board of Health requirements, and the proper disposal of stormwater shall be in accordance with the Needham Stormwater By-law as administered by the Director of Public Works, if applicable based on the size of any addition to the principal dwelling or an accessory building to accommodate the ADU.
- (g) Compliance with the ingress and egress provisions of the Massachusetts State Building Code, applicable to dwelling units, shall be required. To the extent possible, exterior entrances and access ways to an ADU shall not detract from the single-family appearance of the dwelling. Where there are two or more existing entrances on the front façade of a dwelling and modifications are made to any entrance to provide access to an ADU, or a new entrance is constructed on the front façade of a dwelling to provide such access, the result shall be that the entrance to the principal dwelling unit appears to be the principal entrance to the dwelling and the entrance to the ADU appears to be secondary, so that the ADU entrance shall not detract from the single-family appearance of the property. An interior door way shall be provided between the principle dwelling unit and the ADU as a means of access for purposes of emergency response. All stairways to additional floors shall be enclosed within the exterior walls of the structure.
- (h) The owner of record shall be responsible for submitting an ADU application to the Building Commissioner. Floor plans of the ADU and principal dwelling unit, along with a certified site plan, shall also be submitted with the application to the Building Commissioner.”
- (7) In Section 3.15 Accessory Dwelling Units (ADUs), Subsection 3.15.3.1 Use Regulations within a Single-family Dwelling, by deleting subparagraphs (j) and (k).
- (8) In Section 3.15 Accessory Dwelling Units (ADUs), by adding a new Section 3.15.3.2 Use Regulations for ADU within an Accessory Building, a new Section 3.15.3.3 Maintenance of Appearance of Single-family Property, and a new Section 3.15.3.4 Occupancy and Enforcement to read as follows:

“3.15.3.2 Use Regulations for ADU within an Accessory Building

An ADU within an accessory building on the same lot as a single-family detached dwelling may be permitted upon the issuance of a Special Permit by the Board of Appeals under the use regulations of Section 3.15.3.1 (b), (c), (d), (e), (f) and (i) and under the following additional use regulations:

- (a) There shall be no more than one ADU on a lot and no more than one additional accessory building larger than 50 sq. ft
- (b) Compliance with the ingress and egress provisions of the Massachusetts State Building Code, applicable to dwelling units, shall be required for an ADU within an accessory building.
- (c) The owner of record shall be responsible for submitting an ADU application to the Building Commissioner. Floor plans of the ADU and the accessory building that it is to be within or added to, along with a certified plot plan showing the location and dimensions of the primary

building and all accessory buildings on the premises, both existing and proposed, shall be submitted with the application to the Building Commissioner.

3.15.3.3 Maintenance of Appearance of Single-family Property

It is the intent of Section 3.15 as specified in Section 3.15.1 to assure that the single-family character of the neighborhood will be maintained and that the ADU remains subordinate to the principal use of the property as a single-family detached dwelling. Pursuant to the definition of Accessory Dwelling Unit (ADU) in Section 3.15.2, an ADU shall be constructed to maintain the appearance and essential character of a single-family dwelling or a single-family dwelling with an accessory building. Pursuant to the regulation at 3.15.3.1 (g), to the extent possible, exterior entrances and access ways to an ADU shall not detract from the single-family appearance of the principal dwelling and where there are two or more existing entrances on the front façade of the principal dwelling and modifications are made to any such entrance to provide access to an ADU, or a new entrance is constructed on the front façade of a dwelling to provide such access, the result shall be that the entrance to the principal dwelling unit appears to be the principal entrance to the dwelling and the entrance to the ADU appears to be secondary.

The Building Commissioner shall not deny a building permit or occupancy permit for an Accessory Dwelling Unit within a Single-family Building under Section 3.15.3.1 solely due to concern that the above-referenced standards are not met, unless the Building Commissioner requests and obtains an advisory report as to the issue of compliance with these standards from the Design Review Board established under Section 7.7.2 of this By-law.

3.15.3.4 Occupancy and Enforcement

- (a) Occupancy of the ADU shall not take place without proof of a recorded Special Permit, if required by Section 3.15.3.2, and an occupancy permit issued by the Building Commissioner. The initial occupancy permit shall remain in force provided that (i) there is no violation of any provision of this Zoning By-law or the Massachusetts State Building Code or the conditions of any special permit, variance or other zoning relief applicable to the premises, and (ii) that ownership of the premises is not changed unless, in anticipation of a change in ownership, the prospective owner files an acknowledgement that the unit to be occupied by said prospective owner shall be said owner's primary residence and evidence that the other unit is to be occupied by a Family member, Caretaker or Lessee of the prospective owner, and such acknowledgement and evidence is satisfactory to the Building Commissioner, and (iii) the Owner files with the Building Commissioner in the month of January of each year after the anniversary of the issuance of the occupancy permit, a certification that the unit occupied by the Owner continues to be said Owner's primary residence, together with evidence that the other unit is occupied by a Family member, Caretaker or Lessee of the Owner, and such certification and evidence is satisfactory to the Building Commissioner. Furthermore, at any time upon written request from the Building Commissioner, the Owner will provide evidence that the ADU and the principal dwelling unit are being occupied in accordance with the By-law. In the event the Owner fails to comply with the requirements in (i) above or fails to provide the acknowledgement required by (ii) above or the certification required by (iii) above or fails to provide such evidence to the Building Commissioner within thirty (30) days of a written request, the Building Commissioner may revoke the occupancy permit for the ADU, and if the ADU is within an accessory building pursuant to Section 3.15.3.2 the Building Commissioner may also revoke the Special Permit for the ADU.
- (b) In the case that the ADU is in violation of the terms of this By-law or the lawful use of such unit has expired or been terminated, the Building Commissioner may, in addition to other remedies, order the removal of any one or more of the provisions that create a separate dwelling unit, such as living, sleeping, cooking and eating."

- (9) In Section 7.7.2 Design Review Board, Subsection 7.7.2.2 Authority and Specific Powers, by adding after the first sentence of the second paragraph a new sentence to read as follows:

“The Design Review Board shall review requests from the Building Commissioner, as required under Section 3.15.3.3 of the By-law.”

- (10) In Section 7.7.2 Design Review Board, Subsection 7.7.2.2 Authority and Specific Powers, by revising the second sentence of the third paragraph to read as follows (new language underlined:

“Such advisory reports of the Design Review Board shall be transmitted to the Building Commissioner and applicant in all other instances as described in the two paragraphs above for “Minor Projects” under Site Plan Review, building permits in all non-residential districts, requests from the Building Commissioner under Section 3.15.3.3 and sign permits.”

ARTICLE 3: AMEND ZONING BY-LAW – CORRECTIVE ZONING AMENDMENTS

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

1. Amend the Needham Zoning By-Law by replacing all references to “Building Inspector” with “Building Commissioner” where it appears in the By-Law.
2. Amendment Section 3.15 Accessory Dwelling Units (ADU’s) by renumbering the section as Section 3.16 Accessory Dwelling Units (ADU’s) and by further renumbering the subsections numerically.
3. Amend Section 5.1.2 Required Parking, by deleting in the first sentence of the second paragraph the words “, 2nd Edition,” and inserting the words “the most recent edition of” after the words “recommendations based on” so that sentence now reads as follows (new language underlined):

“In the event that the Building Inspector is unable to determine if a particular use relates to any use within the table of ‘Required Parking’ (Section 5.1.2), the Planning Board shall recommend to the Building Inspector a reasonable number of spaces to be provided based on the expected parking needs of occupants, users, guests, or employees of the proposed business, with said recommendations based on the most recent edition of the ITE Parking Generation Manual or an alternative technical source determined by the Planning Board to be equally or more applicable.”

ARTICLE 4: AMEND ZONING BY-LAW – SINGLE RESIDENCE B AND GENERAL RESIDENCE SIDE SETBACK

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

4. Amend Section 4.2, Dimensional Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence, and Institutional Districts, Subsection 4.2.1 Table of Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, and General Residence Districts, for Buildings and Structures on Lots Created by Deed or Plan Endorsed or Recorded Prior to January 9, 1986 and Not Including New Construction, footnote (e) by adding at the end of the last sentence of footnote (e) the words “for the remaining length of the structure, regardless of an increased side setback” so the sentence shall now read as follows (new language underlined):

“In no case shall a side wall extension extend more than 32 linear feet without a 2- foot offset for the remaining length of the structure, regardless of an increased side setback.”

5. Amend Section 4.2, Dimensional Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence, and Institutional Districts, Subsection 4.2.2 Table of Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, and General Residence Districts, for Buildings and Structures, on Lots Created by Deed or Plan, Endorsed or

Recorded on or After January 9, 1986 and Not Including New Construction, footnote (a) by adding at the end of the last sentence of footnote (a) the words “for the remaining length of the structure, regardless of an increased side setback” so the sentence shall now read as follows (new language underlined):

“In no case shall a side wall extension extend more than 32 linear feet without a 2- foot offset for the remaining length of the structure, regardless of an increased side setback.”

6. Amend Section 4.2, Dimensional Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence, and Institutional Districts, Subsection 4.2.3 Table of Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, and General Residence Districts, for Buildings and Structures Created Through New Construction on any Lot, footnote (a) by adding at the end of the last sentence of footnote (a) the words “for the remaining length of the structure, regardless of an increased side setback” so the sentence shall now read as follows (new language underlined):

“In no case shall a side wall extension extend more than 32 linear feet without a 2-foot offset for the remaining length of the structure, regardless of an increased side setback.”

Interested persons are encouraged to attend the public hearing and make their views known to the Planning Board. This legal notice is also posted on the Massachusetts Newspaper Publishers Association’s (MNPA) website at (<http://masspublicnotices.org/>).

Needham Hometown Weekly, February 16, 2023 and February 23, 2023.

From: [Jenn Scheck-Kahn](#)
To: [Planning](#)
Subject: Questions on the ADU Articles
Date: Thursday, March 2, 2023 4:05:55 PM

Hello Needham Planning Board Members,

Thank you for advertising the ADU article hearing via Tedi Eaton's list. I can't attend the hearing, but I read the article and I have a few questions/comments.

First, I'd like to say that I appreciate the goal and intention of these articles. Residents (current and future) will benefit from less restrictive ADU parameters.

1. Will the hearing be recorded? I'd like to watch it.
2. Article 2 section 2: Caregiver. Under this definition, an au pair would not be permitted. What is the reason for excluding an aupair? This definition also excludes a caregiver assisting a child with a disability. I don't see a benefit to this narrow definition.
3. I think it would be to the benefit of the town to find out how many ADUs currently exist under these new regulations. Could we "grandfather in" existing dwellings that were created before it was within our bylaws to do so?

Thanks,
Jenn Scheck-Kahn, Town Meeting Member in Precinct A

From: [Lee Newman](#)
To: [Alexandra Clee](#)
Subject: Fwd: Article 1 - 3 car garage in SRB zone
Date: Monday, March 6, 2023 6:48:36 PM

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: lw29@comcast.net <lw29@comcast.net>
Sent: Monday, March 6, 2023 6:40:41 PM
To: Lee Newman <LNewman@needhamma.gov>; artie@nec-solar.com <artie@nec-solar.com>; 'Jeanne McKnight' <jeannemcknight@comcast.net>; adam.block@compass.com <adam.block@compass.com>; psa@westonpatrick.com <psa@westonpatrick.com>; N. Espada <nespada@studioenee.com>
Subject: FW: Article 1 - 3 car garage in SRB zone

The reason I am reaching out is regarding the proposed change of Article 1 making 3 car garages by right in SRB zones. To hear 15 cases in 3 years is not a waste of the ZBA boards time and these proposals should not be "rubber stamped".

I am asking that the board reconsider its position and remove the article from the town meeting agenda.

I have been in real estate my whole life. I am fortunate to live in Needham, own multiple commercial properties here, have two children who own homes here in town and have 2 grandchildren here. I also have built over 14 homes as a builder with 6 being here in Needham, and own properties in all the zones under consideration.

As a builder I am very conscientious of the neighbors and the neighborhood that I am building in. I do not feel that as a matter of right that I should be allowed to put a 3 car garage at my home or as a builder across the street from your home without getting my neighbors input and approval of the ZBA.

Some subdivisions like Sunrise circle (all new homogeneous homes) it is more appropriate, others it is not. I am not sure how long you have been on the Board, but you may remember two homes on Pleasant Street. Both properties about my daughter and son in-law. One developer intended to build and framed for a 3 car garage, he was denied and required to make it blend more into the area. The other was built about 2 years ago with a 3-car garage, one in the front the other 2 side loaded, which blends into the area and was supported by the neighbors.

I would like to think the one that was denied was not just because Ron Ruth, former chair of the planning board who spoke against it, but that the ZBA listened to and understood the concerns of the neighbors. (pictures attached)

I was surprised to see the home being built at 883 Greendale with 3 car garage under (picture attached). To think that this is appropriate and in keeping with the character of the neighborhood is beyond me and I'm disappointed that the ZBA approved this, and members of the planning board support this idea going forward, as proposed in article 1.

I doubt that abutters and concerned citizens would allow this type of façade, if it were proposed for a commercial apartment /office building in our downtown areas. If Article 1 is changed, this may be the norm across from you or me, in our residential neighborhoods.

Most of SRB neighborhoods have homes with 1 or 2 car garages and frontage of less than 80'. As a homeowner and builder if I seek to add a 3rd garage and have spoken with, and have the support of the neighbors, I do not mind spending the time or money to go in front of the ZBA and seek its approval, nor should anyone else.

Please continue to allow neighbors to have input on individual proposals that affect them directly and hope the board will reconsider its position and remove Article 1 from the town meeting agenda.

I would appreciate that this letter be read at the meeting verse just entered into the record and pictures provided.

Sincerely,

Louis

Louis Wolfson
Louis Wolfson & Co
29 Cimino Road
Needham, MA 02494

617-799-3326

www.louiswolfson.net

www.WolfsonAppraisal.com

www.GoldenDevelopmentCorp.com







From: [Joe](#)
To: [Planning](#)
Subject: Public hearing items
Date: Tuesday, March 7, 2023 9:21:12 AM

Hello,

I am writing to express my opposition to Article 1.

Three-car garages should not be allowed as accessory uses for single residence units in Needham. If a household or business has a need for a third garage, they can use the existing channels to request the right to construct one.

It should be a policy objective of the Planning Board to curtail the development size/value of each residential unit in town. This change would simply grant another lever for developers to push up the price of houses to the detriment of housing affordability.

It is not clear to me why a Planning Board, which has said it is focused on housing affordability, would spend time trying to increase the amount of houses with three-car garages. This is especially confusing when one can see that Article 4 implies a review of SRB zoning regulations has been conducted and no additional problems identified. At the same time, the practice of teardowns and construction of large houses continues completely unabated (in addition to other pressing issues).

Article 2 is certainly a positive change. While I read the other articles however, it is not clear to me that the Planning Board's priorities are in the right place.

Best,

Joe Matthews
Precinct I

From: [Andrea Okerholm Huttlin](#)
To: [Planning](#)
Subject: ADUs
Date: Tuesday, March 7, 2023 3:49:26 PM

I'm writing to express my support for expanding the usage of ADUs in all areas of Needham. It's an important step to both increase the availability of affordable housing in all of Needham as well as enabling homeowners to generate additional income. I don't see a need to restrict who can live in the ADUs (eg: four unrelated persons) -- this type of policy serves to discriminate against certain groups of tenants and I don't think it really solves any problems for the neighborhood.

From: [Alexandra Clee](#) on behalf of [Planning](#)
To: ["M DiMeo"; Planning](#)
Subject: RE: ADU's
Date: Tuesday, March 7, 2023 5:53:23 PM

I have received your comments and will share with the Planning Board.

Thanks, alex.

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov

From: M DiMeo <jmdimeo@comcast.net>
Sent: Tuesday, March 7, 2023 5:29 PM
To: Planning <planning@needhamma.gov>
Subject: ADU's

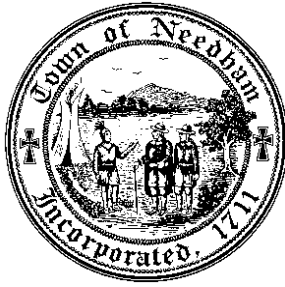
Hi,

I am writing to voice my opposition to the change in zoning for ADU's- specifically allowing them to be rented for up to a year and/or be five feet from a my property line. When I built my house my elderly father moved in with me. At the time there were no in-law apartments allowed in Needham. We would have liked the flexibility to give him his own kitchen but couldn't.

I do believe we should allow ADU's for family members but definitely not as rental property. My belief is that if you wanted a two family residence you should have purchased a property in an area zoned for two families.. A person could potentially have a tear down with a huge monstrosity replacing it AND an ADU in the backyard five feet from a neighboring property line. This is not the way we want Needham to look. I don't want it in my yard and I can't imagine anyone else would either.

Thanks.

Maureen and Jim DiMeo
442 Central Ave



PLANNING DIVISION
Planning & Community Development

**MAJOR PROJECT SITE PLAN REVIEW SPECIAL PERMIT
AMENDMENT TO DECISION
March 7, 2023**

French Press LLC

74 Chapel Street, Needham, MA 02492

Application No. 2014-11

(Original dated December 15, 2014;
amended January 20, 2015, November 28, 2017, June 26, 2018 and June 29, 2021)

DECISION of the Planning Board (hereinafter referred to as the Board) on the petition of French Press LLC, d/b/a French Press Bakery and Café, 74 Chapel Street, Needham, Massachusetts, (hereinafter referred to as the Petitioner) for property located at 74 Chapel Street, Needham, MA. Said property is shown on Needham Town Assessors Plan, No. 51 as Parcel 2 containing 14,264 square feet and is located in the Center Business District.

This decision is in response to an application submitted to the Board on February 7, 2023, by the Petitioner to amend the decision by the Board dated December 15, 2014, amended January 20, 2015, November 28, 2017, June 26, 2018 and June 29, 2021. The Petitioner seeks: (1) a Major Project Site Plan Review Special Permit Amendment under Section 7.4 of the Needham Zoning By-Law (hereinafter the By-Law), (2) a Special Permit Amendment to Major Project Site Plan Review Special Permit No. 2014-11, Section 4.2, and (3) a Special Permit Amendment under Section 5.1.1.6, to waive strict adherence with the requirements of Sections 5.1.2 and 5.1.3 of the By-Law (required parking and parking plan and design requirements, respectively).

The requested amendment would permit the addition of 22 year-round outdoor seats by French Press, LLC, with a pergola to cover the new seating area, in addition to electric heating and new lighting. The seating would be located on the private portion of the sidewalk immediately abutting the front façade of the building. The Petitioner further intends to request permission for 18 seats within a “parklet” within the right of way of Chapel Street. Although this request itself is not within the Planning Board’s jurisdiction, the Petitioner is requesting a parking waiver for those seats as part of the subject application, so that if approved by the Select Board, the waiver already will be issued.

After causing notice of the time and place of the public hearing and of the subject matter thereof to be published, posted and mailed to the Petitioner, abutters and other parties in interest as required by law, the hearing was called to order by the Chairperson, Adam Block on Tuesday, February 28, 2023 at 7:05 p.m. in the Charles River Room, Needham Public Services Administration Building, 500 Dedham Avenue, Needham, MA, as well as by Zoom Web ID Number 880 4672 5264. Board members Adam Block, Paul S. Alpert, Jeanne S. McKnight, Natasha Espada and Artie Crocker were present throughout the February 28, 2023 proceedings. The record of the proceedings and the submission upon which this Decision is based may be referred to in the office of the Town Clerk or the office of the Board.

EVIDENCE

Submitted for the Board's review were the following exhibits:

- Exhibit 1- Application for the Amendment to 2014-11 and application under Section 6.9 of the Zoning By-Law, dated February 7, 2023.
- Exhibit 2 - Plan entitled "Project Expansion, French Press," prepared by Form + Place, PO Box 610016, Newton Highlands, MA 02461, dated January 19, 2023.
- Exhibit 3 - Plot Plan prepared by Christopher C. Charlton, Land Surveyor, dated November 23, 2022.
- Exhibit 4 Renderings consisting of 22 sheets, undated.
- Exhibit 5 - Previously approved outdoor seating prepared by Mark Gluesing Architect, dated August 15, 2018.
- Exhibit 6 - Plan entitled "Project Expansion, French Press," prepared by Form + Place, PO Box 610016, Newton Highlands, MA 02461, dated January 19, 2023, received February 13, 2023.
- Exhibit 7 - Inter-Departmental Communication (IDC) to the Board from Tara Gurge, Health Division, dated February 13, 2023; IDC to the Board from Tom Ryder, Town Engineer, dated February 22, 2023; IDC to the Board from Chief Dennis Condon, Fire Department, dated February 9, 2023 and February 13, 2023; IDC to the Board from Chief John Schlittler, dated February 8, 2023; IDC to the Board from David Roche, Building Commissioner, dated February 13, 2023.

Exhibits 1, 3, 4 and 6 are referred to hereinafter as the Plan.

FINDINGS AND CONCLUSIONS

The findings and conclusions made in Major Project Site Plan Special Permit No. 2014-11, dated December 15, 2014, amended January 20, 2015, November 28, 2017, June 26, 2018 and June 29, 2021, were ratified and confirmed except as follows:

- 1.1 The Petitioner is requesting that Major Project Site Plan Review Special Permit No. 2014-11, dated December 15, 2014, amended January 20, 2015, November 28, 2017, June 26, 2018 and June 29, 2021 be amended to permit addition of 22 year-round outdoor seats by French Press, LLC, with a pergola to cover the new seating area, in addition to electric heating and new lighting. The seating would be located on the private portion of the sidewalk immediately abutting the front façade of the building.
- 1.2 By Decision dated December 15, 2014, 28 seats were permitted to be inside the café. Although due to some reconfigurations due to Covid, the Petitioner does not currently utilize all 28 seats, the Petitioner requests that the seats continue to be permitted for future flexibility.
- 1.3 The Petitioner was previously permitted to add 10 outdoor dining seats pursuant to a plan approved by the Select Board (see Exhibit 5).
- 1.4 The Petitioner intends to request permission for 18 seats within a "parklet" within the right of way of Chapel Street. Although this request itself is not within the Planning Board's jurisdiction, the

Petitioner is requesting a parking waiver for those seats as part of the subject application, so that if approved by the Select Board, the waiver already will be issued.

- 1.5 The Petitioner has requested a Special Permit pursuant to Section 5.1.1.6 of the By-Law to waive strict adherence with the requirements of Section 5.1.2 (number of parking spaces) Required Parking. Under the By-Law, the parking requirement for a 28-seat restaurant with one take-out station is 20 (1 parking space per 3 seats = $9.33 = 10$, plus 10 parking spaces for one take-out station). Section 6.9 of the Zoning By-Law permits up to 30% of the approved indoor seating to be utilized outdoors without authorization from the Special Permit Granting Authority and the provision of additional parking. 30% of 28 seats = 9.33 or 10 seats. As the Petitioner is requesting an end total of 50 outdoor seats (10 previously approved outdoor, 22 new outdoor under the pergola and by separate request 18 in a parklet) outdoor seats, the Petitioner is requesting more than 30% of the approved indoor seats and is therefore requesting approval for such, as allowed by Section 6.9, as well as an additional parking waiver under Section 5.1.1.6. Ten (10) seasonal outdoor seats are permitted through Section 6.9 without additional parking; therefore, the Petitioner is requesting a parking waiver with respect to the remaining 40 outdoor seats. Fifty (50) of the total seats are requested to be year-round (22 new outdoor under the pergola plus the original 28 indoor seats), for a total parking waiver of 27 spaces year-round (1 parking space per 3 seats = $16.67 = 17$, plus 10 parking spaces for one take-out station). Twenty-eight (28) of the seats are or will be outdoor seasonal of which ten (10) seats are permitted by Section 6.9 absent a parking requirement for a total seasonal parking waiver of 6 spaces on the 18 seats located in the parklet (1 parking space per 3 seats = 6). Accordingly two parking waivers have been requested as follows: (1) a waiver of an additional 7 parking spaces has been requested on a year-round basis to accommodate the 22 outdoor seats located under the pergola; and (2) a waiver of an additional 6 parking spaces has been requested seasonally, from April 1 through November to accommodate the 18 outdoor seats located at the parklet for a total waiver of thirteen (13) additional parking spaces. No parking is provided on-site.
- 1.6 Pursuant to Section 5.1.1.3 of the By-Law no change or conversion of a use in a mixed-use structure to a use which requires additional parking shall be permitted unless off-street parking is provided in accordance with Section 5.1.3 for the entire structure or a waiver is granted pursuant to the provisions of Section 5.1.1.6. As there is no parking associated with the property, a waiver under the provisions of Section 5.1.1.6, Section 5.1.3 is not required.
- 1.7 The Petitioner has requested to revise Section 3.2 of the Original decision, from the previous: “The French Press store shall contain no more than twenty-eight (28) seats for on-site food consumption and one take-out station. The seating may be configured at the owner’s discretion provided the overall seating capacity of 28 seats is not exceeded.” to now say “The French press Bakery and Café shall contain no more than 78 seats for on-site food consumption and one take-out station with said seating distributed as follows: 28 indoor seats, 22 year-round outdoor seats under the pergola, 10 previously approved seasonal outdoor seats, and, if approved by the necessary staff and Boards, 18 seasonal outdoor seats in a parklet. The 22 outdoor seats under the pergola are permitted year-round; the other outdoor seats are to be available for outdoor dining from April 1 through October 31.”
- 1.8 The Petitioner appeared before the Design Review Board on February 27, 2023 and obtained approval for the project.
- 1.9 No changes to the interior of the restaurant are proposed by this application.
- 1.10 Per the comments of the Town Engineer, the Petitioner has agreed to remove the seating that extends beyond the pergola structure during snow events, so as to maintain a 5-foot unobstructed sidewalk path to not impede snow removal efforts.

- 1.11 Under Section 7.4 of the By-Law, a Major Project Site Plan Special Permit may be granted within the Center Business District provided the Board finds that the proposed development will be in compliance with the goals and objectives of the Master Plan, the Town of Needham Design Guidelines for the Center Business District, and the provisions of the By-Law. On the basis of the above findings and conclusions, the Board finds the proposed Plan, as conditioned and limited herein, for the site plan review, to be in harmony with the purposes and intent of the By-Law and Town Master plans, to comply with all applicable By-Law requirements, to have minimized adverse impact, and to have promoted a development which is harmonious with the surrounding area.
- 1.12 Under Section 5.1.1.6 of the By-Law, a Special Permit to waive strict adherence with the requirements of Section 5.1.2 (Required Parking) and Section 5.1.3 of the By-Law (Off-Street Parking Requirements) may be granted provided the Board finds that owing to special circumstances, the particular use, structure or lot does not warrant the application of certain design requirements, but that a reduction in the number of spaces and certain design requirements is warranted. On the basis of the above findings and conclusions, the Board finds that there are special circumstances for a reduction in the number of required parking spaces and design requirements, as conditioned and limited herein, which will also be consistent with the intent of the By-Law and which will not increase the detriment to the Town's and neighborhood's inherent use.

DECISION

THEREFORE, the Board voted 5-0 to GRANT: (1) the requested Major Project Site Plan Review Special Permit Amendment under Section 7.4 of the By-law; (2) the requested Special Permit Amendment to Major Project Site Plan Review Special Permit No. 2014-11, Section 4.2., and (3) the requested Special Permit Amendment under Section 5.1.1.6, to waive strict adherence with the requirements of Sections 5.1.2 and 5.1.3 of the By-Law (required parking and parking plan and design requirements, respectively) , subject to and with the benefit of the following Plan modifications, conditions and limitations.

PLAN MODIFICATIONS

Prior to the issuance of a building permit or the start of any construction on the site, the Petitioner shall cause the Plan to be revised to show the following additional, corrected, or modified information. The Building Commissioner shall not issue any building permit, nor shall he permit any construction activity on the site to begin on the site until and unless he finds that the Plan is revised to include the following additional corrected or modified information. Except where otherwise provided, all such information shall be subject to the approval of the Building Commissioner. Where approvals are required from persons other than the Building Commissioner, the Petitioner shall be responsible for providing a written copy of such approvals to the Building Commissioner before the Commissioner shall issue any building permit or permit for any construction on the site. The Petitioner shall submit nine copies of the final Plans as approved for construction by the Building Commissioner to the Board prior to the issuance of a Building Permit.

- 2.0 No Plan modifications are required.

CONDITIONS AND LIMITATIONS

The conditions and limitations contained in Major Project Site Plan Special Permit No. 2014-11, dated December 15, 2014, amended January 20, 2015, November 28, 2017, June 26, 2018 and June 29, 2021 , are ratified and confirmed except as modified herein.

- 3.1 A total of 22 outdoor dining seats as shown in the plans as detailed in Exhibit 6 of the Decision are hereby approved for use year-round. A parking waiver for the total number of seats as eventually envisioned by the Petitioner as shown on said plan is hereby approved.

- 3.2 Pursuant to the comments from the Engineering Division of the Department of Public Works, a 5-foot unobstructed sidewalk path shall be maintained during snow removal events. The Petitioner shall accomplish this by relocating the furniture that otherwise extends beyond the pergola structure during snow events that require snow removal operations.
- 3.3 The outdoor dining area shall be kept clear of trash and food scraps that might attract rodents.
- 3.4 Section 3.2 of the Original decision is revised to say: “The French press Bakery and Café shall contain no more than 78 seats for on-site food consumption and one take-out station with said seating distributed as follows: 28 indoor seats, 22 year-round outdoor seats under the pergola, 10 previously approved seasonal outdoor seats, and, if approved by the necessary staff and Boards, 18 seasonal outdoor seats in a parklet. The 22 outdoor seats under the pergola are permitted year-round; the other outdoor seats are to be available for outdoor dining from April 1 through October 31.”
- 3.5 In addition to the provisions of this approval, the Petitioner must comply with all requirements of all state, federal, and local boards, commissions or other agencies, including, but not limited to, the Select Board, Building Commissioner, Fire Department, Department of Public Works, Conservation Commission, Police Department, and Board of Health.
- 3.6 The Petitioner shall secure from the Needham Department of Public Works a Street Opening Permit, if and to the extent applicable.
- 3.7 All construction staging shall be on-site. No construction parking shall be on public streets. Construction parking shall be all on site or a combination of on-site and off-site parking at locations in which the Petitioner can make suitable arrangements. Construction staging plans shall be included in the final construction documents prior to the filing of a Building Permit and shall be subject to the review and approval of the Building Inspector.
- 3.8 No portion of the outdoor dining area, subject to this Amendment, shall be occupied and utilized by the Petitioner until there shall be filed with the Board and Building Commissioner a plot plan showing the exact location and size of the pergola together with the distance of said structure to the property line and all streets and ways. Said plan shall demonstrate compliance with this Decision.
- 3.9 No portion of the outdoor dining area, subject to this Amendment, shall be occupied and utilized by the Petitioner until there shall be filed with the Board documentation of a satisfactory inspection by the Building Commissioner of the as-built condition and the Commissioner certification of the project’s compliance with the terms of this Decision.
- 3.10 No other changes were requested nor are permitted through this amendment.
- 3.11 This Site Plan Special Permit Amendment shall lapse on March 7, 2025, if substantial use thereof has not sooner commenced, except for good cause. Any requests for an extension of the time limits set forth herein must be in writing to the Board at least 30 days prior to March 7, 2025. The Board herein reserves its rights and powers to grant or deny such extension without a public hearing. The Board, however, shall not grant an extension as herein provided unless it finds that the use of the property in question or the construction of the site has not begun, except for good cause.

This approval shall be recorded in the Norfolk District Registry of Deeds. This Special Permit shall not take effect until a copy of this Decision bearing the certification of the Town Clerk that twenty (20) days have elapsed after the Decision has been filed in the Town Clerk's office or that if such appeal has been filed, that it has been dismissed or denied is recorded with Norfolk District Registry of Deeds and until the Petitioner has

delivered a certified copy of the recorded document to the Board.

The provisions of this Special Permit shall be binding upon every owner or owner of the lots and the executors, administrators, heirs, successors and assigns of such owners, and the obligations and restrictions herein set forth shall run with the land, as shown on the Plan, as modified by this Decision, in full force and effect for the benefit of and enforceable by the Town of Needham.

Any person aggrieved by this Decision may appeal pursuant to General Laws, Chapter 40A, Section 17, within twenty (20) days after filing of this Decision with the Needham Town Clerk.

Witness our hands this 7th day of March, 2023.

NEEDHAM PLANNING BOARD

Adam Block, Chairman

Jeanne S. McKnight

Natasha Espada

Paul S. Alpert

Artie Crocker

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss _____ 2023

On this _____ day of _____, 2023, before me, the undersigned notary public, personally appeared _____, one of the members of the Planning Board of the Town of Needham, Massachusetts, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the proceeding or attached document, and acknowledged the foregoing to be the free act and deed of said Board before me.

Notary Public name:

My Commission Expires: _____

TO WHOM IT MAY CONCERN: This is to certify that the 20-day appeal period on the approval of the Project proposed by of French Press LLC, 74 Chapel Street, Needham, Massachusetts, for Property located at 74 Chapel Street, has passed,

____ and there have been no appeals filed in the Office of the Town Clerk or
____ there has been an appeal filed.

Date

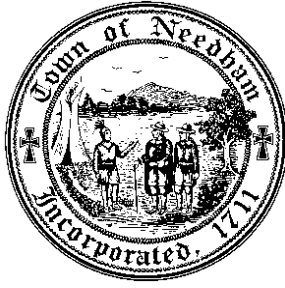
Theodora K. Eaton, Town Clerk

Copy sent to:

Petitioner-Certified Mail # _____
Town Clerk
Building Inspector
Conservation Commission
Parties in Interest

Board of Selectmen
Engineering
Fire Department
Police Department
Jay Spencer, manager, French Press LLC

Board of Health
Director, PWD
Design Review Board



PLANNING DIVISION
Planning & Community Development

**AMENDMENT TO DECISION
March 7, 2023**

MAJOR PROJECT SITE PLAN REVIEW SPECIAL PERMIT

**Sai Restaurant Inc., dba Masala Art
990 Great Plain Avenue, Needham, MA 02492
Application No. 2002-02**

(Original Decision dated June 25, 2002, amended April 1, 2003 and December 7, 2004)

DECISION of the Planning Board (hereinafter referred to as the Board) on the petition of Sai Restaurant Inc., dba Masala Art, (hereinafter referred to as the Petitioner) for property located at 990 Great Plain Avenue, Needham, Massachusetts, 02492. Said property is shown on Needham Town Assessors Plan, No. 47 as Parcel 64 containing 8,326 square feet in the Center Business Zoning District.

This decision is in response to an application submitted to the Board on February 7, 2023, by the Petitioner to amend the decision by the Board dated June 25, 2002, amended April 1, 2003 and December 7, 2004. The Petitioner seeks: (1) a Major Project Site Plan Review Special Permit Amendment under Section 7.4 of the Needham Zoning By-Law (hereinafter the By-Law); (2) a Special Permit Amendment to Major Project Site Plan Review Special Permit No. 2002-02, Section 4.2; and (3) a Special Permit Amendment under Section 5.1.1.6, to waive strict adherence with the requirements of Sections 5.1.2 and 5.1.3 of the By-Law (required parking and parking plan and design requirements, respectively).

The requested Major Project Site Plan Review Special Permit Amendment would, if granted, amend the Decision to permit 44 outdoor seats by Masala Art abutting the municipal parking lot and within the parking spaces of the private parking lot from April 1 through October 31. The original permit for the restaurant at this location permitted a one hundred (160) seat full-service restaurant serving meals for consumption on the premises and at tables with service provided by waitress or waiter where the service was provided solely indoors. The original permit further limited the restaurants operation during the weekday lunchtime period (11:00 a.m. - 2:30 p.m.) to 70 of the 160 seats allocated for table dining. At all other times, the Petitioner was able to utilize all of the 160 seats allocated for table dining.

The outdoor dining proposed is seasonal running from April 1 through October 31. The private parking lot (7 parking spaces located behind the subject restaurant at 990 Great Plain Avenue) upon which the seating is to be located is the subject of an easement granted to the Town to permit parking on the private lot for municipal purposes. The Original Major Project Site Plan Special Permit Decision No. 2002-02, dated June 25, 2002, required that the 5 parking spaces located on the private lot be available to service all uses within the commercial building located at 990-994 Great Plain Avenue, Needham.

After causing notice of the time and place of the public hearing and of the subject matter thereof to be published, posted, and mailed to the Petitioner, abutters, and other parties in interest as required by law, the hearing was called to order by the Chairperson, Adam Block on Tuesday, February 28, 2023 at 7:30 p.m. in the Charles River Room, Needham Public Services Administration Building, 500 Dedham Avenue, Needham, MA, as well as by Zoom Web ID Number 880 4672 5264. Board members Adam Block, Jeanne S. McKnight, Paul S. Alpert, Artie Crocker, and Natasha Espada were present throughout the February 28, 2023 proceedings. The record of the proceedings and the submission upon which this Decision is based may be referred to in the office of the Town Clerk or the office of the Board.

EVIDENCE

Submitted for the Board's review were the following exhibits:

- Exhibit 1- Application for the Amendment to 2002-02 and application under Section 6.9 of the Zoning By-Law, dated February 7, 2023.
- Exhibit 2 - Plan entitled "Outdoor Seating Plan, Masala Art" prepared by Form + Place, PO Box 610016, Newton Highlands, MA 02461, Sheet A-2.01, entitled "Seating Plan," dated January 13, 2023.
- Exhibit 3 - Inter-Departmental Communication (IDC) to the Board from Tara Gurge, Health Division, dated February 13, 2023; IDC to the Board from Tom Ryder dated February 22, 2023; IDC to the Board from Chief Dennis Condon, Fire Department, dated February 21, 2023; IDC from Chief John Schlittler, Police Department, dated February 8, 2023; and IDC from Dave Roche, Building Commissioner, dated February 22, 2023 .

Exhibits 1 and 2 are referred to hereinafter as the Plan.

FINDINGS AND CONCLUSIONS

The findings and conclusions made in Major Project Site Plan Special Permit No. 2002-02, dated June 25, 2002, amended April 1, 2003 and December 7, 2004, were ratified and confirmed except as follows:

- 1.1 The Petitioner is requesting that Major Project Site Plan Special Permit No. 2002-02, dated June 25, 2002, amended April 1, 2003 and December 7, 2004, be amended to permit 44 outdoor seats by Masala Art abutting the municipal parking lot and within the parking spaces of the private parking lot from April 1 through October 31.
- 1.2 The original permit for the restaurant at this location permitted a one hundred (160) seat full-service restaurant serving meals for consumption on the premises and at tables with service provided by waitress or waiter where the service was provided solely indoors. The original permit further limited the restaurants operation during the weekday lunchtime period (11:00 a.m. - 2:30 p.m.) to 70 of the 160 seats allocated for table dining. At all other times, the Petitioner was able to utilize all of the 160 seats allocated for table dining.
- 1.3 The Petitioner is now requesting at this location a two-hundred four (204) seat full-service restaurant serving meals for consumption on the premises and at tables with service provided by waitress or waiter during the outdoor dining season running from April 1 through October 31 distributed as follows: one hundred sixty (160) seats are to be available for indoor table dining and forty-four (44) seats are to be available for outdoor table dining. The Petitioner further proposes to continue to limit the restaurants indoor table operation during the weekday lunchtime period (11:00 a.m. - 2:30 p.m.) to

70 of the 160 seats allocated for table dining. At all other times, the Petitioner would utilize all of the 160 seats allocated for indoor table dining. The restaurant would return to the seating plan contained within the original permit decision from November 1 through March 31 as described in Section 1.2 above.

- 1.4 Under the By-Law, the parking requirement for a 160-seat restaurant with one take-out station is 64 parking spaces (1 parking space per 3 seats = 53.33 rounded up to 54, plus 10 parking spaces per takeout station). The Petitioner secured a waiver to reduce the number of required on-site parking spaces for the 160-seat restaurant use from 45 spaces to 0 spaces (the total of 64 required parking spaces minus the parking requirement of the previous use, which was 19 spaces) under the Original Major Project Site Plan Special Permit Decision No. 2002-02, dated June 25, 2002.
- 1.5 The Petitioner has requested a Special Permit pursuant to Section 5.1.1.6 of the By-Law to waive strict adherence with the requirements of Section 5.1.2 (number of parking spaces) Required Parking for the seating plan proposed during the outdoor dining season running from April 1 through October 31. Under the By-Law, the parking requirement for a 160-seat restaurant with one take-out station is 64, as described above in Section 1.4. The original decision limited the seating during the midday hours to 70 seats. Under the By-Law, the parking requirement for a 70-seat restaurant with one take-out station is 34 (1 parking space per 3 seats, plus 10 parking spaces for one take-out station). Section 6.9 of the Zoning By-Law permits up to 30% of the approved indoor seating to be utilized outdoors without authorization from the Special Permit Granting Authority and the provision of additional parking. 30% of 70 seats is 24 seats. As the Petitioner is requesting 44 outdoor seats, the Petitioner is requesting more than 30% of the approved indoor seats and is therefore requesting approval for such, as allowed by Section 6.9, as well as an additional parking waiver under Section 5.1.1.6. Twenty-four (24) seats are permitted through Section 6.9; therefore, the Petitioner is requesting a parking waiver with respect to the remaining 20 seats, which is a waiver of 7 additional parking spaces. Accordingly, a waiver of the original 64 spaces plus the new waiver of 7 spaces for a total of 71 parking spaces has been requested during the outdoor dining season running from April 1 through October 31. No parking is provided on-site.
- 1.6 Pursuant to Section 5.1.1.3 of the By-Law no change or conversion of a use in a mixed-use structure to a use which requires additional parking shall be permitted unless off-street parking is provided in accordance with Section 5.1.3 for the entire structure or a waiver is granted pursuant to the provisions of Section 5.1.1.6. As there is no parking associated with the property, a waiver under the provisions of Section 5.1.1.6 is required.
- 1.7 The Petitioner has requested to revise Section 3.1 of the Original Major Project Site Plan Special Permit Decision No. 2002-02, dated June 25, 2002, from the previous: “The use of the subject property shall be that of a one hundred sixty (160) seat full-service restaurant serving meals for consumption on the premises and at tables with service provided by waitress or waiter. The preparation and packaging of food for take-out as an accessory to full-service restaurant shall be permitted.” to now say “From November 1 through March 31 the use of the subject property shall be of a full-service restaurant of no more than one hundred sixty (160) seats serving meals for consumption on the premises and at tables with service provided by waitress or waiter. The preparation and packaging of food for take-out as an accessory use to a full-service restaurant shall be permitted. Notwithstanding the above, from April 1 through October 31 a total of two-hundred four seats (204) are permitted as follows one hundred sixty (160) seats are to be available for indoor dining and forty-four (44) seats are to be available for outdoor dining.”
- 1.8 The Petitioner has requested to revise Section 3.2 of the Original Major Project Site Plan Special Permit Decision No. 2002-02, dated June 25, 2002, from the previous: “The restaurant shall contain

no more than 160 seats for on-site food consumption and one take-out station.” To now say “The restaurant shall contain no more than 160 indoor seats and 44 outdoor seats for on-site food consumption and one take-out station.”

- 1.9 The Petitioner has requested to revise Section 3.3 of the Original Major Project Site Plan Special Permit Decision No. 2002-02, dated June 25, 2002, from the previous: “The Petitioner shall limit the restaurant operation during the weekday lunch time period (11:00 a.m. - 2:00 p.m.) to seventy (70) of the one hundred sixty (160) total seats. At all other times, the Petitioner may utilize all one hundred sixty (160) of the permitted seats. to now say “The Petitioner shall limit the restaurant operation during the weekday lunchtime period (11:00 a.m. - 2:00 p.m.) to 70 of the 160 total indoor seats. From April 1 through October 31, the Petitioner may additionally utilize 44 seats allocated for outdoor table dining.”
- 1.10 No changes to the interior of the restaurant are proposed by this application.
- 1.11 The Petitioner appeared before the Design Review Board on February 27, 2023 and obtained approval for the project.
- 1.12 Under Section 7.4 of the By-Law, a Major Project Site Plan Special Permit may be granted within the Center Business District provided the Board finds that the proposed development will be in compliance with the goals and objectives of the Master Plan, the Town of Needham Design Guidelines for the Business Districts, and the provisions of the By-Law. On the basis of the above findings and conclusions, the Board finds the proposed Plan, as conditioned and limited herein, for the site plan review, to be in harmony with the purposes and intent of the By-Law and Town Master plans, to comply with all applicable By-Law requirements, to have minimized adverse impact, and to have promoted a development which is harmonious with the surrounding area.
- 1.13 Under Section 5.1.1.6 of the By-Law, a Special Permit to waive strict adherence with the requirements of Section 5.1.2 (Required Parking) and Section 5.1.3 of the By-Law (Off-Street Parking Requirements) may be granted provided the Board finds that owing to special circumstances, the particular use, structure or lot does not warrant the application of certain design requirements, but that a reduction in the number of spaces and certain design requirements is warranted. On the basis of the above findings and conclusions, the Board finds that there are special circumstances for a reduction in the number of required parking spaces and design requirements, as conditioned and limited herein, which will also be consistent with the intent of the By-Law and which will not increase the detriment to the Town's and neighborhood's inherent use.

DECISION

THEREFORE, the Board voted 5-0 to GRANT: (1) an amendment to a Major Site Plan Review Special Permit No. 2002-02, issued by the Needham Planning Board on June 25, 2002, amended April 1, 2003 and December 7, 2004, under Section 7.4 of the Needham Zoning By-Law and Special Permit 2002-02, Section 4.2; and (2) a Special Permit under Section 5.1.1.6 of the By-Law to waive strict adherence with the requirements of Section 5.1.2 (Required Parking) and Section 5.1.3 (Off-Street Parking Requirements), subject to and with the benefit of the following Plan modifications, conditions and limitations.

PLAN MODIFICATIONS

Prior to the issuance of a building permit or the start of any construction on the site, the Petitioner shall cause the Plan to be revised to show the following additional, corrected, or modified information. The Building Commissioner shall not issue any building permit, nor shall he permit any construction activity on the site to

begin on the site until and unless he finds that the Plan is revised to include the following additional corrected or modified information. Except where otherwise provided, all such information shall be subject to the approval of the Building Commissioner. Where approvals are required from persons other than the Building Commissioner, the Petitioner shall be responsible for providing a written copy of such approvals to the Building Commissioner before the Commissioner shall issue any building permit or permit for any construction on the site. The Petitioner shall submit nine copies of the final Plans as approved for construction by the Building Commissioner to the Board prior to the issuance of a Building Permit.

2.0 No Plan modifications are required.

CONDITIONS AND LIMITATIONS

The conditions and limitations contained in Major Project Site Plan Special Permit No. 2002-02 dated June 25, 2002, amended April 1, 2003 and December 7, 2004, are ratified, and confirmed except as modified herein.

- 3.1 A total of 44 outdoor dining seats as shown in the plans as detailed in Exhibit 2 of the Decision are hereby approved for use from April 1 through October 31.
- 3.2 The 5 parking spaces located on the private lot upon which the outdoor dining seating is to be located shall be available to service the building located at 990 Great Plain Avenue, Needham, MA, during the off-season months of November 1 through March 31.
- 3.3 The outdoor dining area shall be kept clear of trash and food scraps that might attract rodents.
- 3.4 Outdoor dining is only permitted as long as the safety measures to separate vehicles and people dining can be maintained. During the Covid-19 relief measures that permitted outdoor dining, this has consisted of “Jersey barriers” as provided by the Town. If said barriers are no longer available, the Petitioner shall return to the Planning Board to request some alternate barrier, at which time the Board will seek comment from public safety and DPW departments.
- 3.5 Section 3.1 of the Original Major Project Site Plan Special Permit Decision No. 2002-02, dated June 25, 2002 is revised to say: “From November 1 through March 31 the use of the subject property shall be of a full-service restaurant of no more than one hundred sixty (160) seats serving meals for consumption on the premises and at tables with service provided by waitress or waiter. The preparation and packaging of food for take-out as an accessory use to a full-service restaurant shall be permitted. Notwithstanding the above, from April 1 through October 31 a total of two-hundred four seats (204) are permitted as follows one hundred sixty (160) seats are to be available for indoor dining and forty-four (44) seats are to be available for outdoor dining.”
- 3.6 Section 3.2 the Original Major Project Site Plan Special Permit Decision No. 2002-02, dated June 25, 2002 is revised to say: “The restaurant shall contain no more than 160 indoor seats and 44 outdoor seats for on-site food consumption and one take-out station.”
- 3.7 Section 3.3 the Original Major Project Site Plan Special Permit Decision No. 2002-02, dated June 25, 2002 is revised to say: “The Petitioner shall limit the restaurant operation during the weekday lunchtime period (11:00 a.m. - 2:00 p.m.) to 70 of the 160 total indoor seats. From April 1 through October 31, the Petitioner may additionally utilize 44 seats allocated for outdoor table dining.”
- 3.8 In addition to the provisions of this approval, the Petitioner must comply with all requirements of all state, federal, and local boards, commissions, or other agencies, including, but not limited to, the

Select Board, Building Commissioner, Fire Department, Department of Public Works, Conservation Commission, Police Department, and Board of Health.

- 3.9 No portion of the outdoor dining area, subject to this Amendment, shall be occupied and utilized by the Petitioner until there shall be filed with the Board documentation of a satisfactory inspection by the Building Commissioner of the as-built condition and the Commissioner certification of the project's compliance with the terms of this Decision.
- 3.10 No other changes were requested nor are permitted through this amendment.
- 3.11 This Site Plan Special Permit Amendment shall lapse on March 7, 2025, if substantial use thereof has not sooner commenced, except for good cause. Any requests for an extension of the time limits set forth herein must be in writing to the Board at least 30 days prior to March 7, 2025. The Board herein reserves its rights and powers to grant or deny such extension without a public hearing. The Board, however, shall not grant an extension as herein provided unless it finds that the use of the property in question or the construction of the site has not begun, except for good cause.

This approval shall be recorded in the Norfolk District Registry of Deeds. This Special Permit shall not take effect until a copy of this Decision bearing the certification of the Town Clerk that twenty (20) days have elapsed after the Decision has been filed in the Town Clerk's office or that if such appeal has been filed, that it has been dismissed or denied is recorded with Norfolk District Registry of Deeds and until the Petitioner has delivered a certified copy of the recorded document to the Board.

The provisions of this Special Permit shall be binding upon every owner or owner of the lots and the executors, administrators, heirs, successors and assigns of such owners, and the obligations and restrictions herein set forth shall run with the land, as shown on the Plan, as modified by this Decision, in full force and effect for the benefit of and enforceable by the Town of Needham.

Any person aggrieved by this Decision may appeal pursuant to General Laws, Chapter 40A, Section 17, within twenty (20) days after filing of this Decision with the Needham Town Clerk.

Witness our hands this 7th day of March, 2023.

NEEDHAM PLANNING BOARD

Adam Block, Chairman

Jeanne S. McKnight

Natasha Espada

Artie Crocker

Paul S. Alpert

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss _____ 2023

On this _____ day of _____, 2023, before me, the undersigned notary public, personally appeared _____, one of the members of the Planning Board of the Town of Needham, Massachusetts, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the proceeding or attached document, and acknowledged the foregoing to be the free act and deed of said Board before me.

Notary Public name:

My Commission Expires: _____

TO WHOM IT MAY CONCERN: This is to certify that the 20-day appeal period on the approval of the Project proposed by Sai Restaurant Inc., dba Masala Art, for Property located at 990 Great Plain Avenue, has passed,

____ and there have been no appeals filed in the Office of the Town Clerk or
____ there has been an appeal filed.

Date

Theodora K. Eaton, Town Clerk

Copy sent to:

Petitioner-Certified Mail # _____
Town Clerk
Building Commissioner
Conservation Commission
Parties in Interest

Board of Selectmen
Engineering
Fire Department
Police Department
Sai Restaurant Inc., dba Masala Art

Board of Health
Director, PWD
Design Review Board

FOR PLANNING BOARD USAGE ONLY

NEEDHAM

ZONING BOARD OF APPEALS

AGENDA

Thursday, MARCH 16, 2023 - 7:30PM

Zoom Meeting ID Number: 869-6475-7241

To view and participate in this virtual meeting on your computer, at the above date and time, go to [www.zoom.us](https://us02web.zoom.us/j/86964757241), click “Join a Meeting” and enter the Meeting ID: 869-6475-7241

Or join the meeting at link: <https://us02web.zoom.us/j/86964757241>

AGENDA

- | | |
|------------------|---|
| Minutes | Review and approve Minutes from February 16, 2023 meeting. |
| Case #1 – 7:30PM | 246 Forest Street - 246 Forest Street, LLC has applied for a Special Permit under Sections 1.4.6, 4.2 and any other applicable Sections of the By-Law to permit the demolition, extension, alteration, enlargement and reconstruction of the lawful, pre-existing, non-conforming single family. The property is located at 246 Forest Street, Needham, MA in the Single Residence A (SRA) District. |
| Case #2 – 7:30PM | 238 Highland Avenue - Allen Douglass and Christine Lachkey, applicants, have applied for a Special Permit Amendment under Sections 5.1.1.5, 5.1.2, 5.1.3 and any other applicable Sections of the Zoning By-Law to expand the Needham Montessori School to allow up to 154 children and 15 staff members. As part of this expansion, waivers of parking number and parking design are required. The subject property is located at 238 Highland Avenue, Needham MA in the Highland Commercial -128 District. |
| Case #3 – 7:30PM | 73 Highland Avenue - Nezhualcoyotl Leon has applied for a Special Permit under Sections 3.2.5, 3.2.5.2, 5.1.1.1, 5.1.1.5, 5.1.2, 5.1.3, and any other applicable Sections of the By-Law for a restaurant serving meals on the premises and take-out operation accessory to the restaurant and to waive strict adherence to the parking requirements. The request is associated with the establishment of a second location of The Hungry Coyote, a Mexican style restaurant, take out and catering services. The property is located at 73 Highland Avenue, Needham, MA in the Highland Commercial 128 District. |
| Case #4 – 8:00PM | 1584 Great Plain Avenue - Enterprise Rent-A-Car Company of Boston LLC, has applied for a Special Permit under Sections 1.4.6, 1.4.10, 5.1, 5.1.1.1, 5.1.1.5, 5.1.1.7, 5.1.2, 5.1.3, 6.4 and any other applicable Sections of the By-Law to permit the replacement/substitution of a non-conforming use (automobile repair garage) to an automobile rental agency with associated improvements to the parking lot and building; and to waive the |

Next ZBA Meeting – April 27, 2023

parking plan and design requirements. The property is located at 1584 Great Plain Avenue, Needham, MA in the Single Residence A (SRA) District.

Case #5 – 8:30PM

470 Dedham Avenue - The Town of Needham (Department of Public Works) Park and Recreation Commission has applied under Sections 4.1.6.3, 4.1.6.4 and any other applicable Sections of the By-Law to permit the installation of field lights. This request is associated with the renovation and conversion of the McLeod baseball field into a premier softball field with dugout, foul pole and batting cage and 4 field lights. The property is located at 470 Dedham Avenue, Needham, MA in the Single Residence B (SRB) District

GEORGE GIUNTA, JR.
ATTORNEY AT LAW*
281 CHESTNUT STREET
NEEDHAM, MASSACHUSETTS 02492
*Also admitted in Maryland

TELEPHONE (781) 449-4520

FAX (781) 465-6059

February 21, 2023

Town of Needham
Zoning Board of Appeals
Needham, Massachusetts 02492

Attn: Daphne M. Collins, Administrative Specialist

Re: 246 Forest Street, LLC
246 Forest Street, Needham, MA

Dear Ms. Collins,

Please be advised this office represents 246 Forest Street, LLC (hereinafter the "246 Forest") with respect to the property known and numbered 246 Forest Street, Needham, MA (hereinafter the "Premises"). In connection therewith, submitted herewith, please find the following:

1. Seven copies of a Completed Application for Hearing;
2. Seven copies of architectural plans, including floor plans and elevations;
3. Seven copies of certified plot plans depicting existing and proposed conditions, respectively;
4. Seven copies of Site Plan, titled "Height Calculation Plan of Lane", with "Stormtech Chamber Detail"; and
5. Check in the amount of \$200 for the applicable filing fee.

The Premises is situated in the Single Residence A (SRA) Zoning District and is occupied by an existing single-family residential dwelling that was built in 1950. Although the Premises is currently located in the SRA Zoning District, it does not meet SRA requirements, just like the vast majority of other properties in the surrounding area. Moreover, the existing dwelling is pre-existing non-conforming as to current side yard setbacks on both sides.

Due to the age and condition of the existing dwelling, 246 Forest is requesting permission to tear it down and replace it with a wholly new house, as shown on the plans submitted herewith. Because the proposed replacement dwelling will also not comply with current, applicable setback requirements, a special permit pursuant to Section 1.4.6 is required for the proposed reconstruction.

Kindly schedule this matter for the next hearing of the Board of Appeals. If you have any comments, questions or concerns, or if you require any further information in the meantime, please contact me so that I may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "George Giunta, Jr.", with a stylized, cursive script.

George Giunta, Jr.



ZBA Application For Hearing

Applicants must consult with the Building Inspector prior to filing this Application. Failure to do so will delay the scheduling of the hearing.

Applicant Information

Applicant Name	246 Forest Street, LLC			Date:	2/21/23
Applicant Address	36 Walsh Road, Newton, MA 02459				
Phone	617-650-2387	email	rlinkova@yahoo.com		
Applicant is ☒ Owner; ☐ Tenant; ☐ Purchaser; ☐ Other					
If not the owner, a letter from the owner certifying authorization to apply must be included					
Representative Name	George Giunta, Jr., Esq.				
Address	281 Chestnut Street, Needham, MA 02492				
Phone	617-840-3570	email	george.giuntajr@needhamlaw.net		
Representative is ☒ Attorney; ☐ Contractor; ☐ Architect; ☐ Other _____					
Contact ☒ Me and ☒ Representative in connection with this application.					

Subject Property Information

Property Address	246 Forest Street, Needham, MA 02494		
Map/Parcel Number	Map 110 / Parcel 15	Zone of Property	Single Residence A (SRA)
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☐ Yes ☒ No			
Is property ☒ Residential or ☐ Commercial			
If residential renovation, will renovation constitute "new construction"? ☒ Yes ☐ No			
If commercial, does the number of parking spaces meet the By-Law requirement? ☐ Yes ☐ No			
Do the spaces meet design requirements? ☐ Yes ☐ No			



ZBA Application For Hearing

Application Type (*select one*): ☒ Special Permit ☐ Variance ☐ Comprehensive Permit ☐ Amendment ☐ Appeal Building Inspector Decision

Existing Conditions:

Lawful, pre-existing, non-conforming single-family residential structure, which is non-conforming as to side-yard setbacks, on a lawful, pre-existing, non-conforming lot which is non-conforming as to area and frontage requirements.

Statement of Relief Sought:

Special Permit pursuant to Section 1.4.6 of the Needham Zoning By-Law, and a finding pursuant to Section 6 of M.G.L. Chapter 40A, to permit the demolition, extension, alteration, enlargement and reconstruction of the lawful, pre-existing, non-conforming single-family dwelling known and numbered 246 Forest Street, as shown on the plans submitted herewith, and all other relief as may be necessary and appropriate therefor.

Applicable Section(s) of the Zoning By-Law:

1.4.6, 4.2, 7.5.2 and any other applicable Section or By-Law

If application under Zoning Section 1.4 above, list non-conformities:

	Existing Conditions	Proposed Conditions
Use		
# Dwelling Units	1	1
Lot Area (<i>square feet</i>)	16,308	16,308
Front Setback (<i>feet</i>)	48.9'	30.5'
Rear Setback (<i>feet</i>)	94.8'	85.1
Left Setback (<i>feet</i>)	10.9	17.2
Right Setback (<i>feet</i>)	14.8	16.4
Frontage (<i>feet</i>)	107.93	107.93
Lot Coverage (%)	N/A	N/A
FAR (<i>Floor area divided by the lot area</i>)	N/A	N/A

Numbers must match those on the certified plot plan and supporting materials



ZBA Application For Hearing

Date Structure Constructed including additions: June 21, 1950	Date Lot was created: January, 1950

Submission Materials	Provided
Certified Signed Plot Plan of Existing and Proposed Conditions <i>(Required)</i>	
Application Fee, check made payable to the Town of Needham Check holders name, address, and phone number to appear on check and in the Memo line state: "ZBA Fee – Address of Subject Property" <i>(Required)</i>	
If applicant is tenant, letter of authorization from owner <i>(Required)</i>	
Electronic submission of the complete application with attachments <i>(Required)</i>	
Elevations of Proposed Conditions <i>(when necessary)</i>	
Floor Plans of Proposed Conditions <i>(when necessary)</i>	

Feel free to attach any additional information relative to the application.
Additional information may be requested by the Board at any time during the
application or hearing process.



I hereby request a hearing before the Needham Zoning Board of Appeals. I have
reviewed the Board Rules and instructions.

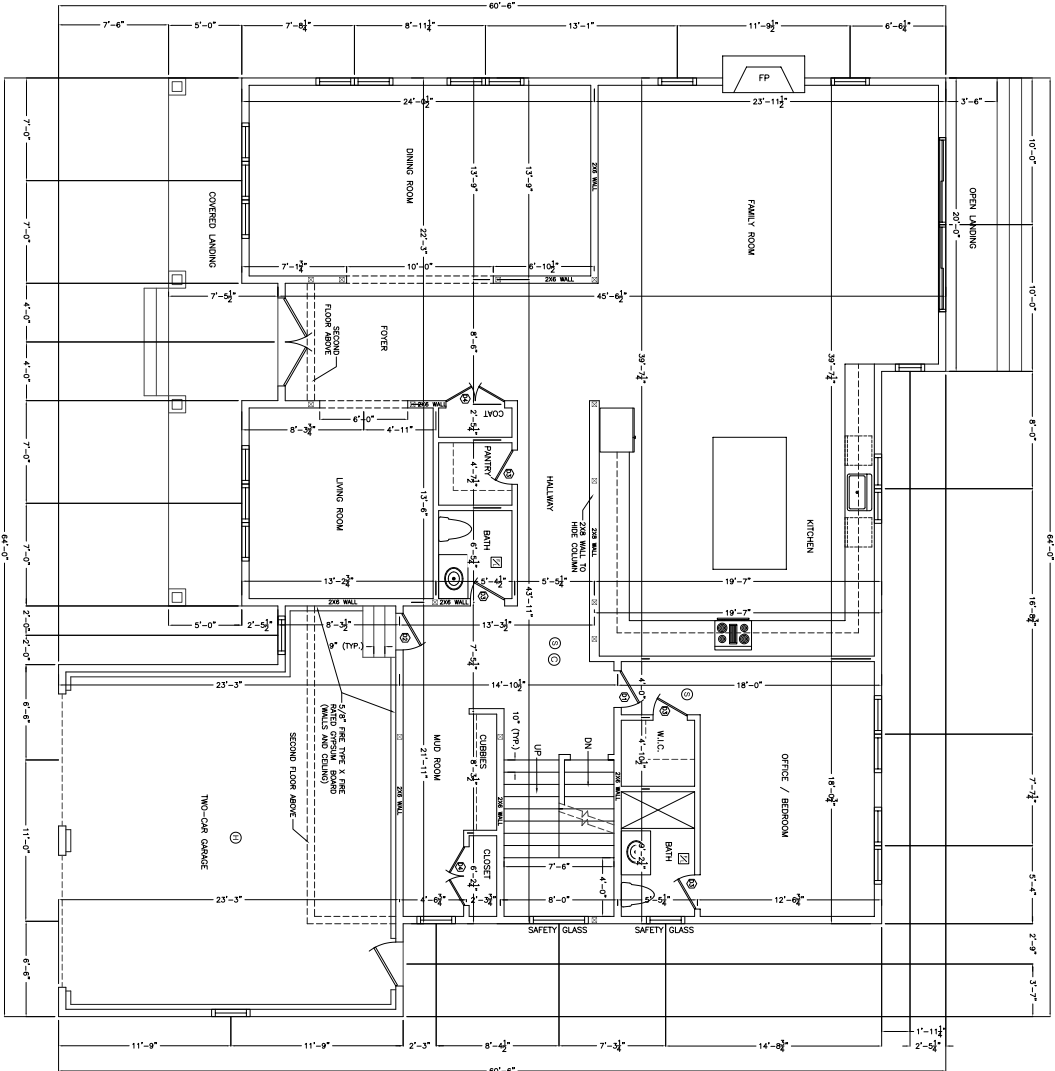
I certify that I have consulted with the Building Inspector.

Date: February 21, 2023 Applicant Signature

246 Forest Street, LLC

By its attorney, George Giunta, Jr., Esq.

*An application must be submitted to the Town Clerk's Office at
townclerk@needhamma.gov and the ZBA Office at dcollins@needhamma.gov*



FIRST FLOOR PLAN

- GENERAL NOTES
1. ALL WORK SHALL CONFORM TO MASSACHUSETTS BUILDING CODE AND ALL FEDERAL, STATE AND TOWN OF NEEDHAM LAWS, CODES AND REGULATIONS AS EACH MAY APPLY.
 2. ALL EXISTING CONDITIONS MUST BE VERIFIED IN FIELD. IF DISCREPANCIES ARE FOUND, THEY HAVE TO BE REPORTED TO THE ENGINEER PRIOR TO START OF WORK. DISCREPANCIES BETWEEN THE VARIOUS ELEVATIONS OF THE WORKING DRAWINGS AND/OR THE SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE START OF SUCH WORK.
 3. ALL DIMENSIONS SHALL BE RESPONSIBLE FOR COORDINATING THE SCHEDULING AND WORK OF THE CONTRACTOR. CHECK ALL DIMENSIONS OF THE EXISTING STRUCTURES AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE WORK.
 4. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK AND SHALL BE SOLELY RESPONSIBLE FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES, INCLUDING BUT NOT LIMITED TO BRACING AND SHORING.
 5. THE CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDS OF THE CONSTRUCTION OF THE PROJECT, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: 1. ALL DIMENSIONS OF THE EXISTING STRUCTURES AND UTILITIES, WHETHER SHOWN OR NOT IN THE DRAWINGS, SHALL BE LIMITED TO NORMAL WORKING HOURS.
 6. ALL WORK SHALL BE PERFORMED IN A FIRST CLASS AND WORKMANLIKE MANNER IN CONFORMITY WITH THE PLANS AND SPECIFICATIONS, AND SHALL BE IN GOOD USABLE CONDITION AT THE COMPLETION OF THE PROJECT.
 7. THE CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS, UTILITY LOCATIONS AND STRUCTURE PLACEMENT, PRIOR TO START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES, STRUCTURES AND UTILITIES, WHETHER SHOWN OR NOT IN THE DRAWINGS, SHALL BE LIMITED TO NORMAL WORKING HOURS.
 8. PRIOR TO BEGINNING THE WORK, THE CONTRACTOR SHALL VISIT THE SITE AND THOROUGHLY SATISFY HIMSELF AS TO THE EXISTING CONDITIONS, UTILITIES, STRUCTURES AND UTILITIES, WHETHER SHOWN OR NOT IN THE DRAWINGS, SHALL BE LIMITED TO NORMAL WORKING HOURS.
 9. CONTRACTOR IS RESPONSIBLE FOR ALL DEMOLITION AND RELOCATION WORKS, IF ANY.

PROPOSED GFA (GROSS FLOOR AREA) CALCULATION:

- ZONING DISTRICT: SP-A
LOT AREA: 10,500 SF
PROPOSED FLOOR AREA OF THE BUILDING:
1. 1ST FLOOR: 2,586 SF (NOT INCLUDING GARAGE 587 SF)
 2. 2ND FLOOR: 2,787 SF (INCLUDING ATTIC OVER GARAGE)
 3. BASEMENT: NA
- TOTAL PROPOSED FLOOR AREA OF THE BUILDING:
5,373 (5,173) + 2,787 (280 N.T.) = 5,123 SF
- PHOTO ELECTRIC HARD WIRED SMOKE DETECTOR FROM MONITORED BATTERIES
FAN/LIGHT TO BE VENTED DIRECTLY TO OUTSIDE
CARBON MONOXIDE DETECTOR
HARD WIRED HEAT DETECTOR WITH SECONDARY (STANDBY) POWER SUPPLIED FROM MONITORED BATTERIES

DATE	REVISION
02-07-2023	1. ALL EXTERIOR WALLS ARE 2'x6" @ 16" O.C. UNLESS NOTED OTHERWISE.
02-07-2023	2. ALL INTERIOR WALLS ARE 2'x4" @ 16" O.C. UNLESS NOTED OTHERWISE.
02-07-2023	3. INTERIOR (POSSIBLE) WALL BETWEEN THE GARAGE AND THE BUILDING IS 2'x6" @ 16" O.C.
02-07-2023	4. DIMENSIONS TO THE OUTSIDE (PERIMETER) WALLS ARE TO FACE OF STUDS OR EXTERIOR FACE OF THE FOUNDATION WALL.
02-07-2023	5. INTERIOR DIMENSIONS SHOWN BETWEEN CENTERS OF THE INTERIOR WALLS.

- INTERIOR DOORS SCHEDULE:
- | | |
|-----------------|--|
| ② 2'-6" x 8'-0" | NOTE: ALL FIRST FLOOR DOORS ARE 7' HEIGHT. |
| ③ 2'-6" x 8'-0" | ALL SECOND FLOOR DOORS ARE 7' HEIGHT. |
| ④ 2'-6" x 8'-0" | ALL BASEMENT DOORS ARE 7' HEIGHT. |
| ⑤ 3'-0" x 6'-8" | UTILITY ROOM |
| ⑥ 6'-0" x 7'-0" | |
- FOR EXTERIOR DOORS AND WINDOWS SEE WINDOW SCHEDULE AND BUILDING ELEVATIONS
- DOOR HEIGHT TO BE VERIFIED WITH OWNER PRIOR TO DOOR ORDERING AND FRAMING
- NOTES:
1. ALL EXTERIOR WALLS ARE 2'x6" @ 16" O.C. UNLESS NOTED OTHERWISE.
 2. ALL INTERIOR WALLS ARE 2'x4" @ 16" O.C. UNLESS NOTED OTHERWISE.
 3. INTERIOR (POSSIBLE) WALL BETWEEN THE GARAGE AND THE BUILDING IS 2'x6" @ 16" O.C.
 4. DIMENSIONS TO THE OUTSIDE (PERIMETER) WALLS ARE TO FACE OF STUDS OR EXTERIOR FACE OF THE FOUNDATION WALL.
 5. INTERIOR DIMENSIONS SHOWN BETWEEN CENTERS OF THE INTERIOR WALLS.

FIRST FLOOR PLAN

246 FOREST STREET,
NEEDHAM, MASSACHUSETTS

RAV & ASSOC., INC.

TELEPHONE: (781) 468-8300 FAX: (781) 468-8305

NEEDHAM, MASSACHUSETTS 02464

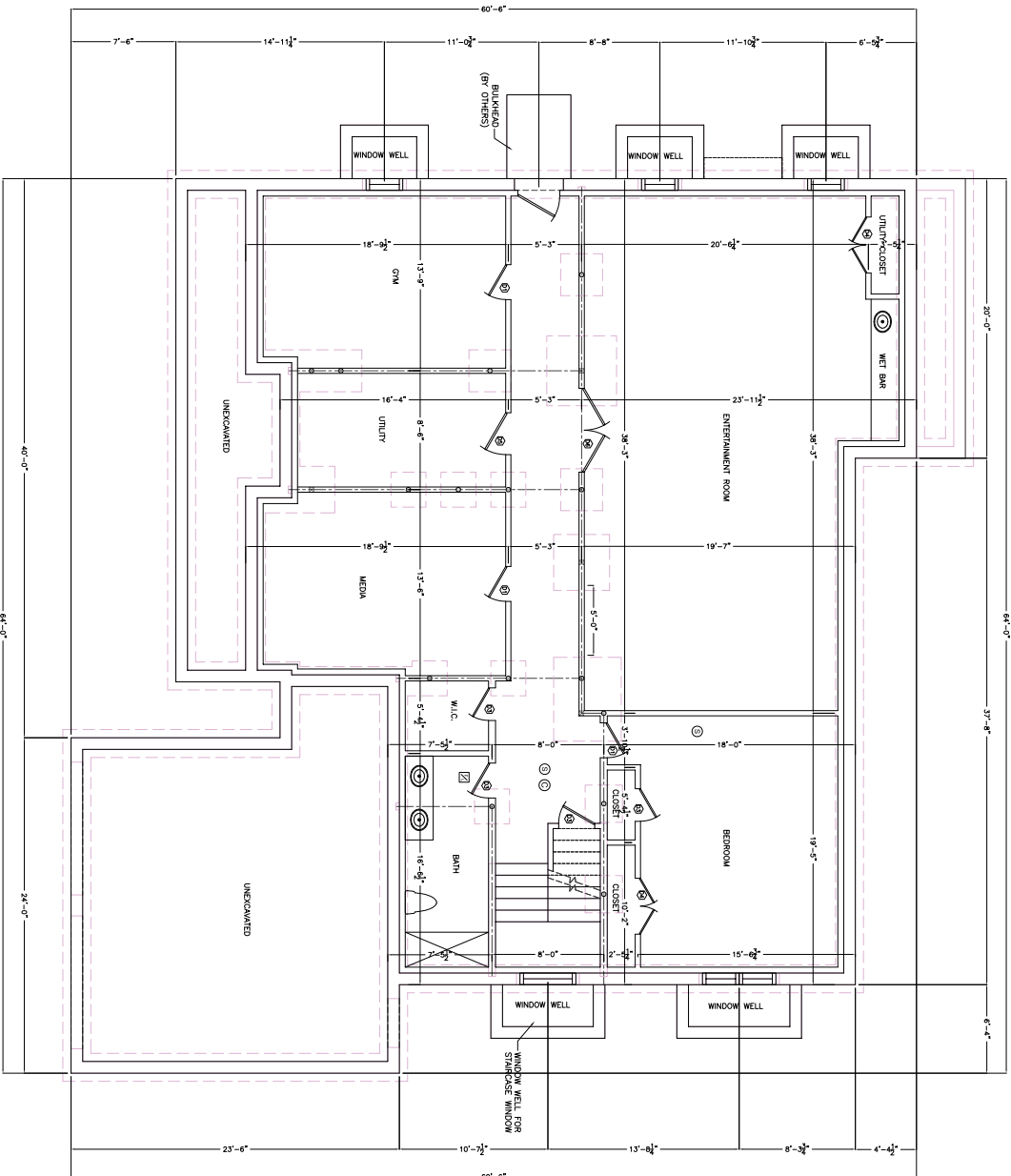
SCALE: 1/4"=1'-0"

APPROVED BY: RAY

DATE: 02/07/2023

CHECKED BY: RAY

DRAWING NO. A-1



BASMENT PLAN

INTERIOR DOORS SCHEDULE:

① 2'-6" x 8'-0" PRE RATED 20M MM
 ② 2'-4" x 8'-0" ALL SECONDARY (STANDARD) POWER SUPPLIED
 ③ 4'-0" x 8'-0" UTILITY ROOM
 ④ 8'-0" x 7'-0" FOR EXTERIOR DOORS AND WINDOWS SEE WINDOW SCHEDULE AND BUILDING ELEVATIONS
 DOOR HEIGHT TO BE VERIFIED WITH OWNER PRIOR TO DOOR ORDERING AND FRAMING

- ① PHOTO ELECTRIC HARD WIRED SMOKE DETECTOR FROM MONITORED BATTERIES
- ② FAN/LIGHT TO BE VENTED DIRECTLY TO OUTSIDE
- ③ OCEAN MONITOR DETECTOR
- ④ HARD WIRED HEAT DETECTOR POWER SUPPLIED FROM MONITORED BATTERIES

DATE	REVISION

BASMENT PLAN

246 FOREST STREET,
 NEDHAM, MASSACHUSETTS

RAV & ASSOC., INC.

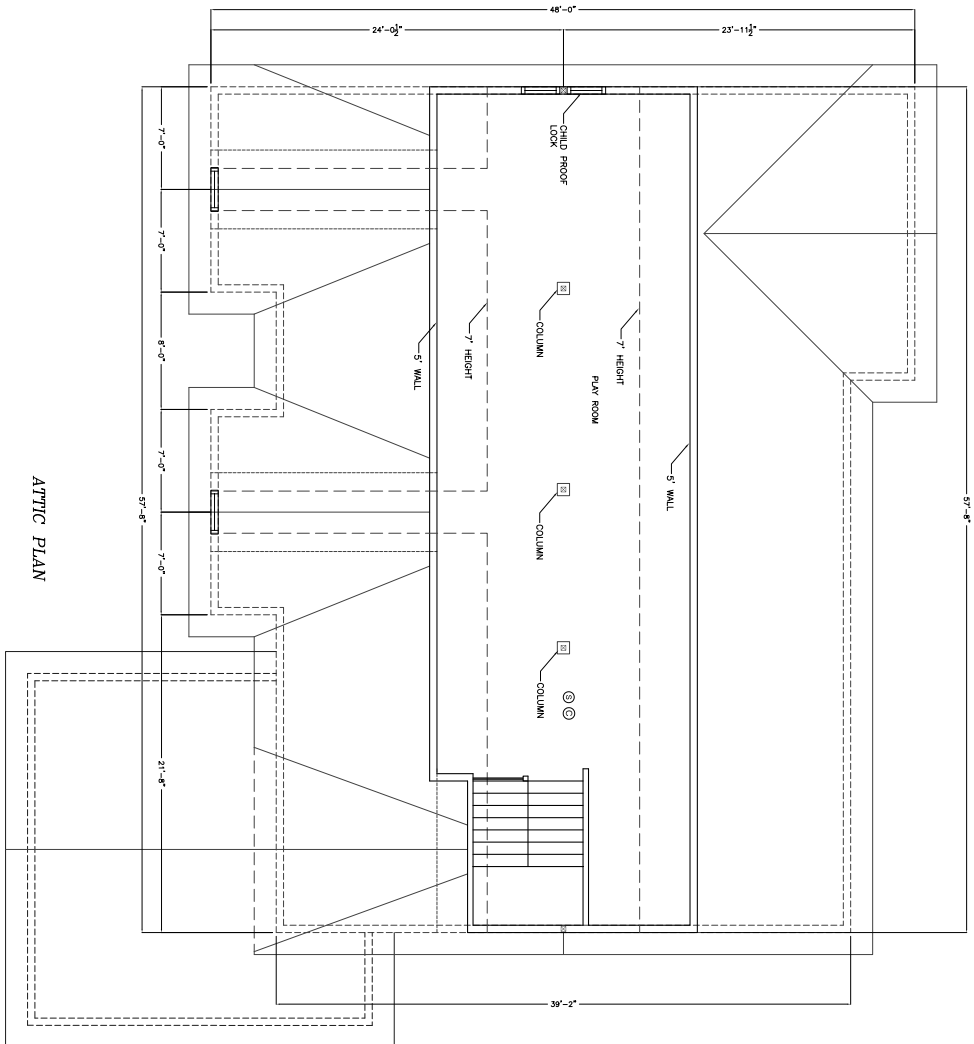
TELEPHONE: (781) 468-8200 FAX: (781) 468-8205

SCALE: 1/4"=1'-0"

APPROVED: RAY. DESIGNED BY: LK. DRAWN BY: LK. CHECKED BY: RAY.

DATE: 02/01/2023





ATTIC PLAN

INTERIOR DOORS SCHEDULE:

- ② 2'-6" x 8'-0" FIRE RATED, 20M MIN
- ③ 2'-6" x 8'-0" FIRE RATED, 20M MIN
- ④ 4'-0" x 8'-0" FIRE RATED, 20M MIN
- ⑤ 3'-0" x 6'-0" UTILITY ROOM
- ⑥ 3'-0" x 6'-0" UTILITY ROOM

FOR EXTERIOR DOORS AND WINDOWS SEE WINDOW SCHEDULE AND BUILDING ELEVATIONS
DOOR HEIGHT TO BE VERIFIED WITH OWNER PRIOR TO DOOR ORDERING AND FRAMING

NOTE:
ALL FIRST FLOOR DOORS ARE 8' HEIGHT.
ALL SECOND FLOOR DOORS ARE 7' HEIGHT.
ALL BASEMENT DOORS ARE 7' HEIGHT.

- ③ PHOTO ELECTRIC HARD WIRED SMOKE DETECTOR
- ③ WITH SECONDARY (STANDBY) POWER SUPPLIED
- ☑ FAN/LIGHT TO BE VENTED DIRECTLY TO OUTSIDE
- ③ CARBON MONOXIDE DETECTOR
- ③ HARD WIRED HEAT DETECTOR POWER SUPPLIED
- ③ FROM MONITORED BATTERIES

DATE	REVISION

ATTIC PLAN

246 FOREST STREET,
NEEDHAM, MASSACHUSETTS

RAV & ASSOC., INC.

NEEDHAM, MASSACHUSETTS 02464

TELEPHONE: (781) 449-8300 FAX: (781) 449-8305

SCALE: 1/4"=1'-0"

APPROVED: RAY.

DESIGNED BY: LK

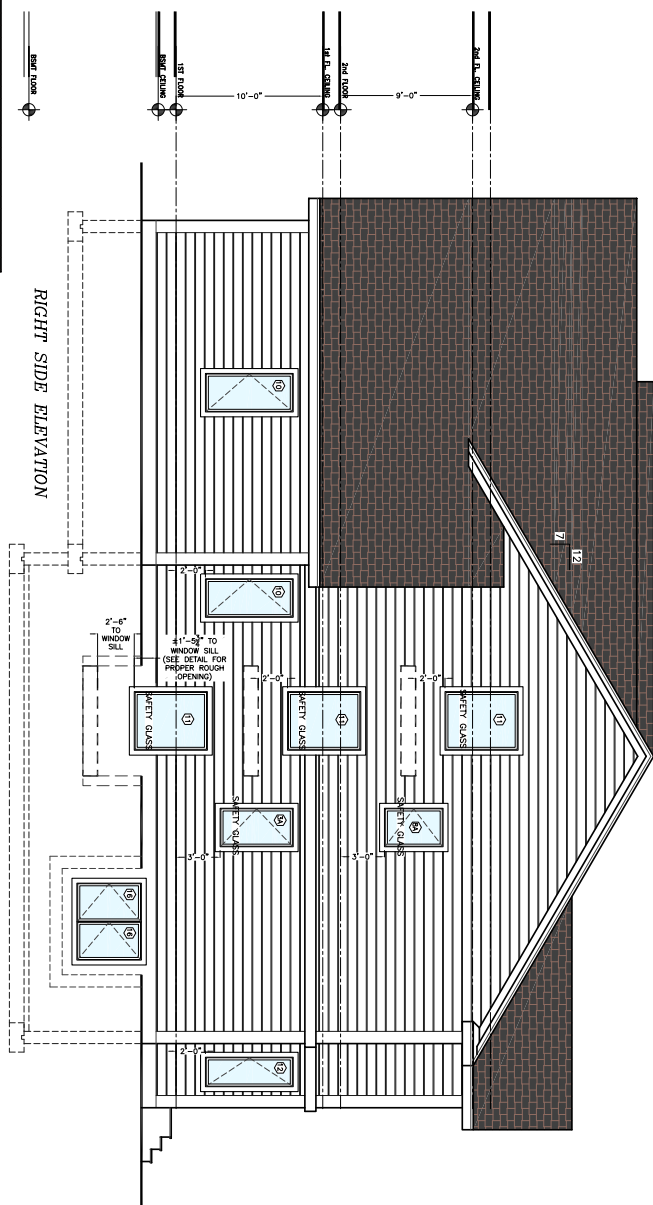
DRAWING No.

DATE: 02/01/2023

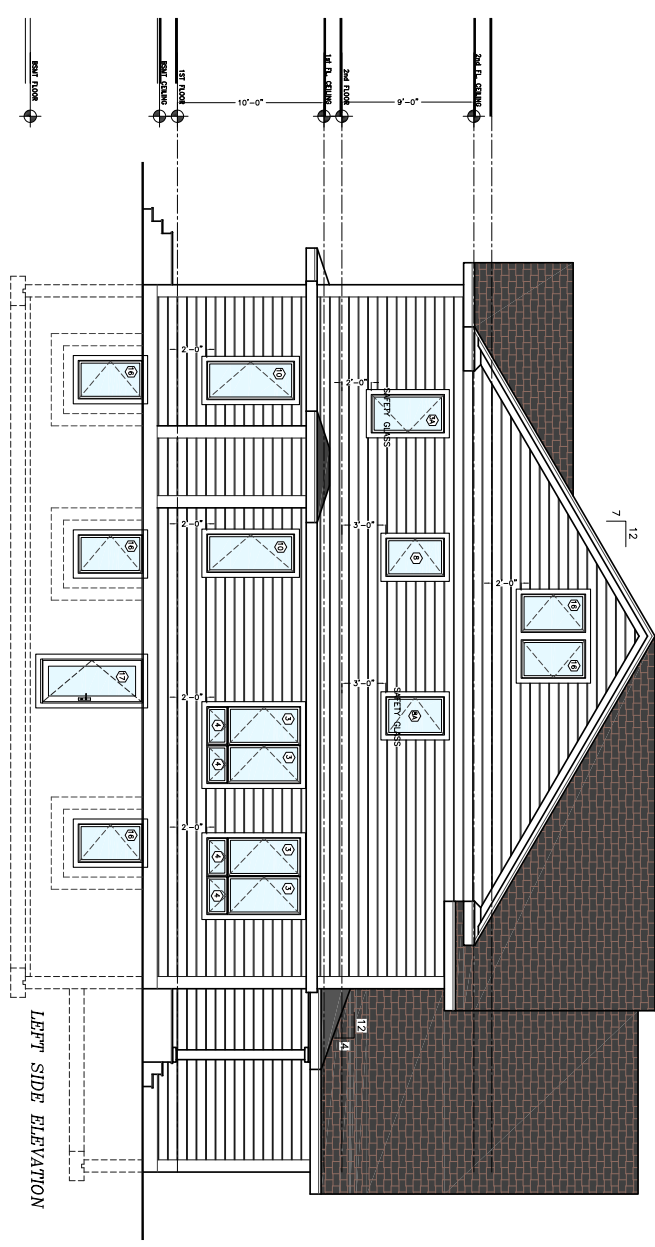
CHECKED BY: RAY.

A-4





RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

DATE	REVISION
	1. Initial right including but not limited to, copyright and design patent rights, in the drawings, specifications, and all other documents prepared by or for the Architect, shall be the property of the Architect. The drawings, specifications, and all other documents shall not be used or referred to, in whole or in part, without the written consent of the Architect. The Architect shall not be responsible for any errors or omissions in the drawings, specifications, and all other documents, or for any consequences or damages arising therefrom, or for any delay or interruption of the work caused by the Architect's negligence or omission.

SIDE ELEVATIONS

246 FOREST STREET,
NEEDHAM, MASSACHUSETTS

RAV & ASSOC., INC.

TELEPHONE: (781) 449-8300 FAX: (781) 449-8305

SCALE: 1/4"=1'-0"

APPROVED: RAY. DESIGNED BY: LM. DRAWING NO. A-6

DATE: 02/01/2023 CHECKED BY: RAY.



Approved _____ Building Inspector Date _____

TOWN OF NEEDHAM, MASSACHUSETTS

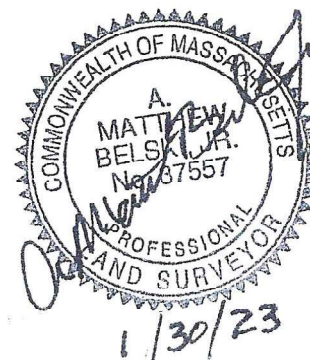
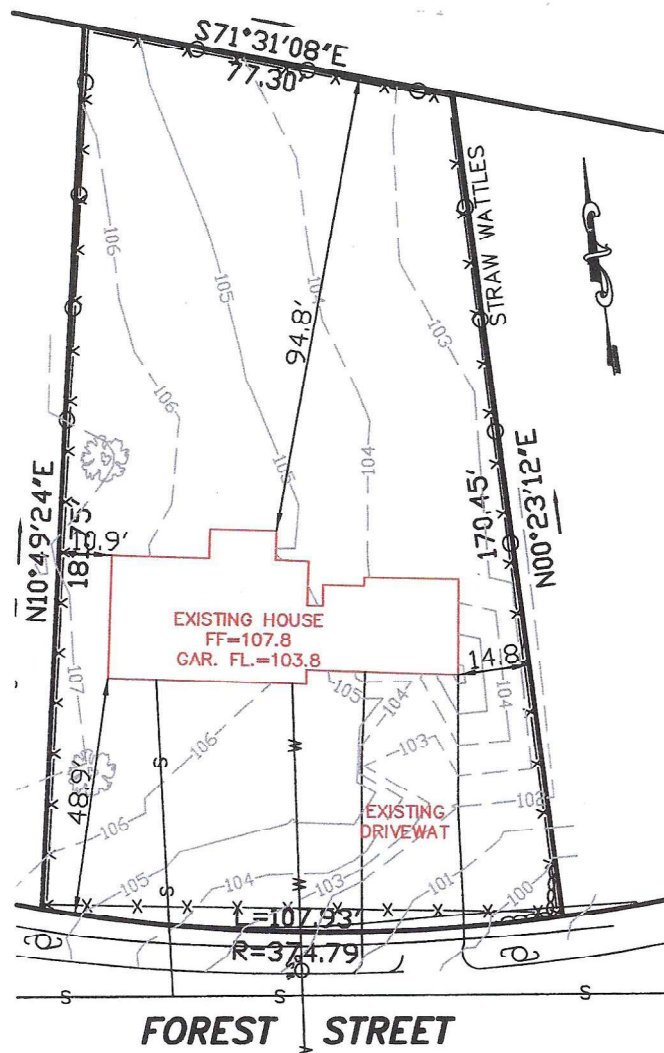
Building Inspection Department

Assessor's Map & Parcel No. 110 LOT 15

Building Permit No. _____ At No. 246 FOREST STREET
Lot Area 16,308 S.F. Zoning District SRB
Owner 246 FOREST STREET LLC Builder MIKHAIL DEYCHMAN

DEMO/PROPOSED PLOT PLAN/FOUNDATION ASBUILT/FINAL ASBUILT

40' Scale



Note: Plot Plans shall be drawn in accordance with Sections 7.2.1 and 7.2.2 of the Zoning By-Laws for the town of Needham. All plot plans shall show existing structures and public utilities, including water mains, sewers, drains, gaslines, etc.; driveways, Flood Plain and Wetland Areas, lot dimensions, dimensions of proposed structures, sideline offsets and setback distances, (allowing for overhangs) and elevation of top of foundations and garage floor. For new construction, elevation of lot corners at streetline and existing and approved street grades shall be shown for grading along lot line bordering streetline. For pool permits, plot plans shall also show fence surrounding pool with a gate, proposed pool and any accessory structures*, offsets from all structures and property lines, existing elevations at nearest house corners and pool corners, nearest storm drain catch basin (if any) and, sewage disposal system location in unsewered area.

(*Accessory structures may require a separate building permit — See Building Code)

I hereby certify that the information provided on this plan is accurately shown and correct as indicated.

The above is subscribed to and executed by me this 21 day of JANUARY 20 23.

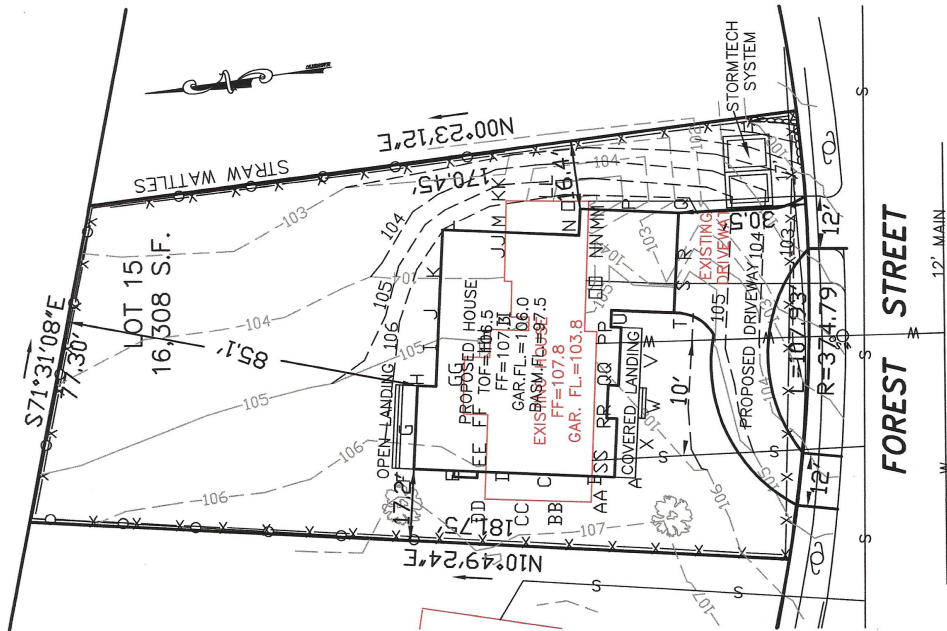
Name A. MATTHEW BELSKI, JR. Registered Land Surveyor No. 37557

Address 35 MAPLE ST. City W. NEWBURY State MA Zip _____ Tel. No. (978) 363-8130

Approved _____ Director of Public Works Date _____

Approved _____ Building Inspector Date _____

PROPOSED:
 FOOTPRINT OF PROPOSED HOUSE 3,143 S.F.
 FOOTPRINT DRIVEWAY 1,197 S.F.
 TOTAL IMPERVIOUS AREA 4,340 S.F.
 1" OF STORM EVENT (1"/12"=0.083')
 VOLUME TO BE STORED BY INFILTRATION
 SYSTEM=4,340x0.083=360.2 C.F.T.
 CAPACITY STORMTECH SYSTEM
 CAPACITY OF SINGLE STORMTECH UNIT=49 CF
 CAPACITY OF 2 UNITS=98 C.F.T.
 THE STORAGE VOLUME PROVIDED BY THE CRUSHED STONE
 SURROUNDING THE STORMTECH CHAMBERS IS CALCULATED BY
 TAKING THE TOTAL VOLUME OF THE INFILTRATION SYSTEM AND
 REMOVING THE STORMTECH STORAGE VOLUME TO GET THE TOTAL
 VOLUME OF CRUSHED STONE. MULTIPLYING THE VOLUME OF CRUSHED
 STONE BY THE CRUSHED STONE'S VOID OF 0.4 WILL PROVIDE THE
 INFILTRATION STORAGE VOLUME WITHIN THE CRUSHED STONE.
 CRUSHED STONE BELOW SYSTEM VOLUME (11'x17'x1.5')=280.5 C.F.T.
 CRUSHED STONE AROUND SYSTEM
 VOLUME(11'x17'x2.7')-98=504.9-98=406.9.FT.
 TOTAL STORAGE VOLUME IN CRUSHED STONE
 280.5+406.9=687.4 C.F.T.x0.4=275.0 C.F.T.
 TOTAL STORAGE VOLUME PROVIDED BY INFILTRATION SYSTEM
 98+275.0=373.0 C.F.T.
 RAINFALL-1"
 373 C.F.T.>360.2 C.F.T.
 IT'S OK



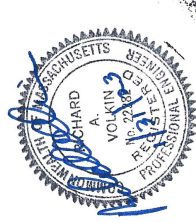
SCALE: 1"=30'

POINT #	PROPOSED ELEVATION
A	106.0
B	106.0
C	106.0
D	106.0
E	106.0
F	106.0
G	106.2
H	106.2
I	106.2
J	106.2
K	106.2
L	106.2
M	106.2
N	106.2
O	106.2
P	106.2
Q	106.2
R	105.8
S	105.8
T	105.8
U	105.8
V	105.8
W	105.8
X	105.8

POINT #	EXISTING ELEVATION
AA	106.6
BB	106.6
CC	106.6
DD	106.5
EE	106.1
FF	105.5
GG	105.3
HH	104.9
II	104.6
JJ	103.8
KK	103.2
LL	104.9
MM	105.4
NN	103.7
OO	104.7
PP	105.8
QQ	106.0
RR	106.2
SS	106.4

HEIGHT CALCULATION PLAN OF LAND 246 FOREST STREET NEEDHAM, MA.

JANUARY 21, 2023
 DESIGN BY:
 MIKHAIL DEYCHMAN
 (857) 498-0951
 EMAIL: MDEYCH@YAHOO.COM

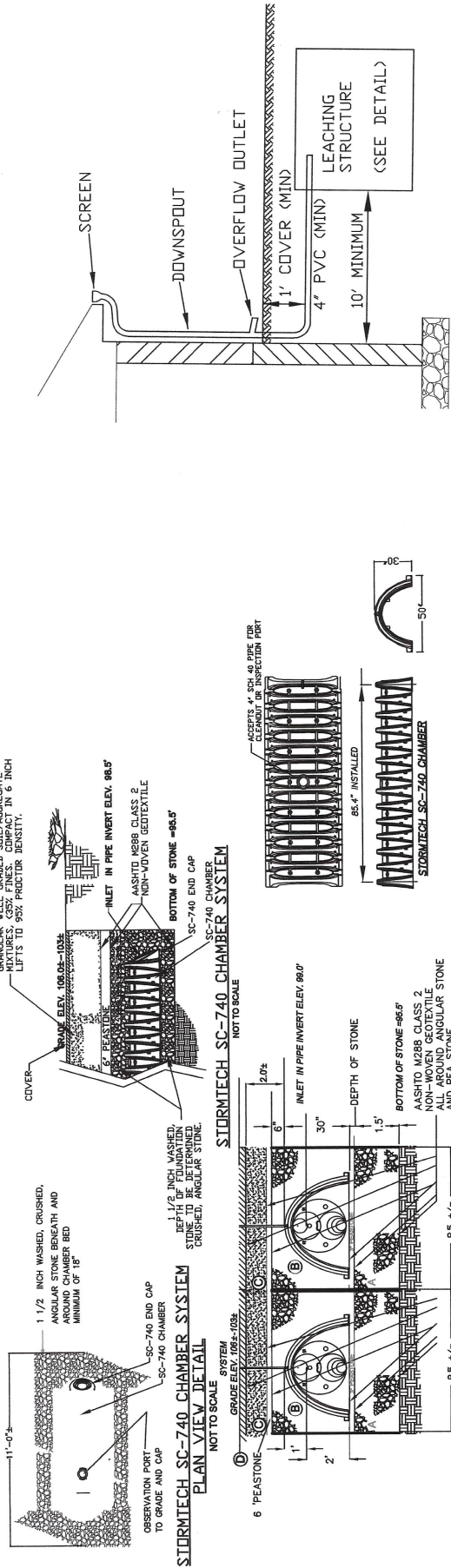


EXISTING:
 GRADE PLANE = 2,002.8/19=105.41
 TOC TO GRADE =106.4-105.41=1.0
 ALLOWABLE BUILDING = 35.0-1.0=34.00
 PROPOSED:
 GRADE PLANE = 2,544.5/24=106.0
 TOC TO GRADE = 106.5-106.0=0.5
 ALLOWABLE BUILDING = 35.0-0.5=34.5'
 BASED UPON COMPARATIVE ANALYSIS THE
 EXISTING GRADE PLANE PROVIDES MORE
 RESTRICTIVE ENVIRONMENT FOR THE
 BUILDING HEIGHT THE MAXIMUM ALLOWABLE
 STRUCTURE ABOVE THE TOP OF CONCRETE
 IS 34.0'

THE PROPOSED STRUCTURE FROM TOP OF
 CONCRETE TO RIDGE IS 34.0'
 MAKING THE PROPOSED HEIGHT 35.0' FROM
 THE EXISTING GRADE PLANE.

ZONING INFORMATION: SINGLE RESIDENCE A (SRA)

	REQUIRED:	PROPOSED:
MINIMUM LOT AREA	43,560 S.F.	16,308 S.F.
MINIMUM LOT FRONTAGE	150.0'	107.93'
MINIMUM FRONT SETBACK	30'	30.5'
MINIMUM SIDE YARD	(25' FOR GARAGE)	30.5'
MINIMUM REAR YARD	25'	16.4'/17.2'
MAXIMUM BUILDING COVERAGE	N/A	85.1'
MAXIMUM BUILDING HEIGHT	35'	N/A
MAXIMUM BUILDING HEIGHT	2 1/2 STORIES	34.5'
		2 1/2

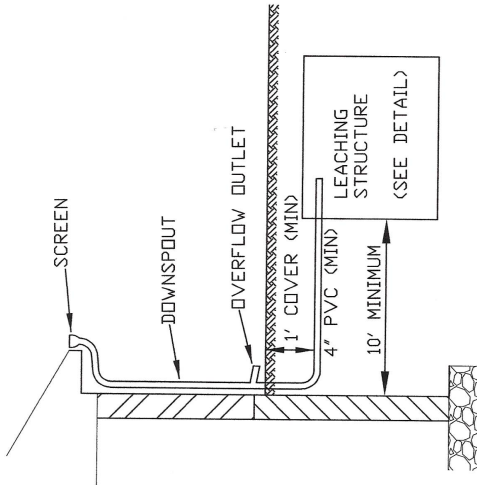


STORMTECH GENERAL NOTES

1. STORMTECH LLC (STORMTECH) REQUIRES INSTALLING CONTRACTOR TO FOLLOW THE LATEST INSTALLATION INSTRUCTIONS PRIOR TO BEGINNING SYSTEM INSTALLATION.
2. STORMTECH'S REQUIREMENTS FOR SYSTEMS WITH PAVEMENT DESIGN (ASPHALT OR CONCRETE) ARE: MINIMUM COVER IS 96" INCLUDING PAVEMENT. FOR UNPAVED INSTALLATIONS THAT DO NOT INCLUDE PAVEMENT, WHERE COVER IS 24" INCHES, MAXIMUM COVER IS 96" INCHES.
3. THE CONTRACTOR MUST REPORT ANY DISCREPANCIES WITH CHAMBER FOUNDATION MATERIALS BEARING CAPACITIES TO THE DESIGN ENGINEER.
4. AASHTO M288 CLASS 2 NON-WOVEN GEOTEXTILE (FILTER FABRIC) MUST BE USED AS INDICATED IN THE PROJECT PLANS.

5. STONE PLACEMENT BETWEEN CHAMBERS EDGES AND AROUND PERIMETER MUST FOLLOW INSTRUCTIONS AS INDICATED IN THE MOST CURRENT VERSION OF STORMTECH'S INSTALLATION INSTRUCTIONS.
6. BACKFILLING OVER THE CHAMBERS MUST FOLLOW REQUIREMENTS AS INDICATED IN THE MOST CURRENT VERSION OF STORMTECH'S INSTALLATION INSTRUCTIONS.
7. THE CONTRACTOR MUST REFER TO STORMTECH'S INSTALLATION INSTRUCTIONS FOR THE MOST CURRENT ACCEPTABLE VEHICLE LOADS AT VARIOUS DEPTHS OF COVER. THIS INFORMATION IS ALSO AVAILABLE AT www.stormtech.com. THE CONTRACTOR IS RESPONSIBLE FOR PREVENTING VEHICLES THAT EXCEED STORMTECH'S REQUIREMENTS FROM ENTERING SENSITIVE CONSTRUCTION AREAS. STORMTECH'S REQUIREMENTS FOR PREVENTING VEHICLES FROM ENTERING SENSITIVE CONSTRUCTION AREAS ARE COMMONLY USED TO PREVENT OVERSIZED VEHICLES FROM ENTERING SENSITIVE CONSTRUCTION AREAS.

TYPICAL DOWNSPOUT DETAIL NOT TO SCALE



ACCEPTABLE FILL MATERIALS STORMTECH SC-740 CHAMBER SYSTEMS

MATERIAL LOCATION	DESCRIPTION	AASHTO M43 DESIGNATION	AASHTO M145 DESIGNATION	COMPACTION/DENSITY REQUIREMENT
① FILL MATERIAL FROM 18" TO GRADE ABOVE CHAMBERS	ANY SOIL/ROCK MATERIALS, NATIVE SOILS OR PER ENGINEER'S PLANS. CHECK PLANS FOR PAVEMENT SUBGRADE REQUIREMENTS.	N/A	N/A	PREPARE PER ENGINEER'S PLANS. PAVED INSTALLATIONS MAY HAVE STRINGENT MATERIAL AND PREPARATION REQUIREMENTS.
② FILL MATERIAL FOR 6" TO 18" ELEVATION ABOVE CHAMBERS (24" FOR UNPAVED INSTALLATIONS)	GRANULAR WELL-GRADED SOIL/AGGREGATE MIXTURES, (35% FINES).	3, 357, 4, 467, 5, 56, 57, 6, 67, 68, 7, 78, 8, 89, 9, 10	A-1 A-2 A-3	COMPACT IN 6" LIFTS TO A MINIMUM 95 STANDARD PROCTOR DENSITY. ROLLER GROSS VEHICLE WEIGHT NOT TO EXCEED 12,000 LBS. DYNAMIC FORCE NOT TO EXCEED 20,000 LBS.
③ EMBEDMENT STONE SURROUNDING AND TO A 6" ELEVATION ABOVE CHAMBERS	WASHED ANGULAR STONE WITH THE MAJORITY OF PARTICLES BETWEEN 3/4- 2 INCH	3, 357, 4, 467, 5, 56, 57	N/A	NO COMPACTION REQUIRED
④ FOUNDATION STONE BELOW CHAMBERS	WASHED ANGULAR STONE WITH THE MAJORITY OF PARTICLES BETWEEN 3/4- 2 INCH	3, 357, 4, 467, 5, 56, 57	N/A	PLATE COMPACT OR ROLL TO ACHIEVE A 95% STANDARD PROCTOR DENSITY



STORMTECH CHAMBER DETAIL

246 FOREST STREET
NEEDHAM, MA.
JANUARY 21, 2023
DESIGN BY:
MIKHAIL DEYCHMAN
(857) 498-0951
EMAIL: MDEYCH@YAHOO.COM



Michael R. Spillane, Esq.
mspillane@oarlawyers.com

February 21, 2023

DELIVERED IN HAND

Theodora K. Eaton, Town Clerk
Needham Town Clerk's Office
1471 Highland Avenue
Needham, MA 02492

Re: Application for Amendment to Special Permit for property locate at 238 Highland Avenue, Needham, MA

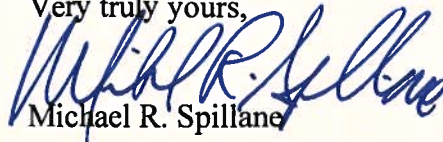
Dear Ms. Eaton:

Please find enclosed herewith seven (7) hard copies of an Application for Amendment to Special Permit requesting an increase in the permissible enrollment at the Needham Montessori School, together with a memorandum in support of the application and a check in the amount of \$200 made payable to the Town of Mansfield representing the filing fee.

I represent the Applicant we respectfully request that the enclosed Application be added to the Board's meeting agenda for March 16, 2023.

Should you have any questions or concerns, please do not hesitate to contact me. We look forward to meeting with the Board.

Very truly yours,



Michael R. Spillane



ZBA Application For Hearing

Applicants must consult with the Building Inspector prior to filing this Application. Failure to do so will delay the scheduling of the hearing.

Applicant Information

Applicant Name	Allen Douglass and Christine Lachkey Needham Montessori, Inc.			Date:	2/21/23
Applicant Address	238 Highland Avenue, Needham				
Phone	781-664-3473	email	needhammontessoriallen@gmail.com		
Applicant is ☐ Owner; ☒ Tenant; ☐ Purchaser; ☐ Other _____					
If not the owner, a letter from the owner certifying authorization to apply must be included					
Representative Name	Michael R. Spillane, Esq.				
Address	160 Gould Street, Suite 320, Needham, MA 02494				
Phone	781-239-8900	email	mspillane@oarlawyers.com		
Representative is ☒ Attorney; ☐ Contractor; ☐ Architect; ☐ Other _____					
Contact ☐ Me ☒ Representative in connection with this application.					

Subject Property Information

Property Address	238 Highland Avenue, Needham, MA		
Map/Parcel Number	199/300.0-0059	Zone of Property	HC-128
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☐ Yes ☒ No			
Is property ☐ Residential or ☒ Commercial			
If residential renovation, will renovation constitute "new construction"? ☐ Yes ☐ No			
If commercial, does the number of parking spaces meet the By-Law requirement? ☐ Yes ☒ No			
Do the spaces meet design requirements? ☐ Yes ☒ No			
Application Type (<i>select one</i>): ☐ Special Permit ☐ Variance ☐ Comprehensive Permit ☒ Amendment ☐ Appeal Building Inspector Decision			



ZBA Application For Hearing

Existing Conditions:

Petitioners have a Special Permit from the Needham Zoning Board of Appeals granted on July 21, 2016 and most recently amended on March 18, 2021 to allow the operation of a Montessori School with 114 students and 15 staff members.

Statement of Relief Sought:

To increase the number of permissible students from 114 to 154.

Applicable Section(s) of the Zoning By-Law:

5.1.3, 5.1.1.5, 5.1.2, and 7.5.2

If application under Zoning Section 1.4 above, list non-conformities:

	Existing Conditions	Proposed Conditions
Use		
# Dwelling Units		
Lot Area (square feet)		
Front Setback (feet)		
Rear Setback (feet)		
Left Setback (feet)		
Right Setback (feet)		
Frontage (feet)		
Lot Coverage (%)		
FAR (Floor area divided by the lot area)		
<i>Numbers must match those on the certified plot plan and supporting materials</i>		



ZBA Application For Hearing

Date Structure Constructed including additions:

Date Lot was created:

Submission Materials	Provided
Certified Signed Plot Plan of Existing and Proposed Conditions <i>(Required)</i>	
Application Fee, check made payable to the Town of Needham Check holders name, address, and phone number to appear on check and in the Memo line state: "ZBA Fee – Address of Subject Property" <i>(Required)</i>	
If applicant is tenant, letter of authorization from owner <i>(Required)</i>	
Electronic submission of the complete application with attachments <i>(Required)</i>	
Elevations of Proposed Conditions <i>(when necessary)</i>	
Floor Plans of Proposed Conditions <i>(when necessary)</i>	

Feel free to attach any additional information relative to the application.
Additional information may be requested by the Board at any time during the
application or hearing process.



I hereby request a hearing before the Needham Zoning Board of Appeals. I have
reviewed the Board Rules and instructions.

I certify that I have consulted with the Building Inspector _____
date of consult

Date: 2/21/2023

Applicant Signature

*An application must be submitted to the Town Clerk's Office at
townclerk@needhamma.gov and the ZBA Office at dcollins@needhamma.gov*

**Memorandum in Support of Application for Amendment to Special Permit for
Property Located at 238 Highland Avenue, Needham, MA
Needham Map and Parcel Number: 199/300.0-0059**

I. INTRODUCTION

Allen Douglas and Christine Lachkey, as owners and operators of Needham Montessori, Inc. (collectively herein the “Applicant”) hereby submit this memorandum in support of their application for an amendment to their existing special permit, as previously amended (the “Special Permit”) for the operation of a Montessori School (the “School”) located at 238 Highland Avenue, Needham, Massachusetts (the “Property”), which Property is identified in the Needham Assessor’s records as Map 199, Parcel 300.0-0059. The Applicant is requesting that Special Permit be amended by the Needham Zoning Board of Appeals (the “Board”) to allow for an increase in the number of permissible students at the School from 114 to a maximum of 154 pursuant to Needham Zoning By-Law Sections 5.1.1.5, 5.1.2, 5.1.3 and 7.5.2. For the reasons set forth herein and as shall be presented at the hearing on this Application, the Applicants respectfully request that the amendment to the Special Permit be granted.

II. FACTUAL BACKGROUND

1. The Special Permit was originally granted by the Board by decision dated July 21, 2016, was thereafter amended by decision of this Board in 2018 and was most recently amended by decision of the Board dated March 18, 2021 (the “2021 Amendment”), which 2021 Amendment allowed the Applicant to increase the number of students allowed to attend to School to its current number of 114, together with an increase in staff from 5 to 15. A copy of the 2021 Amendment is attached hereto as **Exhibit A**.
2. The Board’s decision for the 2021 Amendment provided that the increase in permissible students and staff was predicated upon a reconfigured parking area, which the Applicant completed and is shown on the updated site plan dated February 15, 2023 and prepared by VTP Associates Inc. (the “Site Plan”). A copy of the Site Plan is attached hereto as **Exhibit B**.
3. The Property located in the C-128 zoning district and contains approximately 45,800 square feet of land area and a single-story building comprised of approximately 15,400 square feet of space. The Property is owned by R.K. Highland Avenue, LLC (the “Owner”) pursuant to Quitclaim Deed dated December 17, 2019 and filed with the Land Court Department of the Norfolk County Registry of Deeds on December 19, 2019 at Document No. 1436956, a copy of which Quitclaim Deed is attached hereto as **Exhibit C**. The Owner has also provided a letter of consent in support of this Application (the “Consent Letter”), a copy of which Consent Letter is attached hereto as **Exhibit D**.

4. The Needham Montessori School has been in operation at the Property since the Special Permit was originally granted in 2016, occupying 4,155 square feet of space at the Property. Following approval of the 2021 Amendment, the School expanded and is currently occupying 11,400 square feet. The Mandarin Cuisine Restaurant (the “Restaurant”) is the only other tenant of the building, occupying approximately 4,155 square feet. As presented in the application for the 2021 Amendment and at the hearing for the same, the Restaurant indicated that its use of the parking at the Property is in compliance with the Bylaw requirements and it primarily utilizes the available parking at night, when the School is not in session. Specifically, the Restaurant utilizes no parking during the School’s drop-off hours and utilizes very few spaces during the peak pick-up time window between 2:15 p.m. and 3:00 p.m. As the Board may recall, the parking for Mighty Subs is situated in a separate lot, owned by a separate entity and, therefore, does not impact the availability of parking on the Property.
5. The School does not utilize a majority of the parking at the Property throughout the day as it is primarily used for short-term parking during pick-up and drop-off times. In order to alleviate the burden on the parking located on the Property, the School entered into a separate parking agreement with Restaurant Depot, pursuant to which the School’s staff members park off-site and walk a short distance to the School.
6. In order to address and alleviate any potential issues with parking and/or traffic buildup on Highland Avenue during pick-up and drop-off of students, the School implemented the pick-up and drop-off schedule set forth in its memorandum submitted with its application of the 2021 Amendment. The plan has worked very well and has prevented the need for any additional parking. Generally, each parking space is used for no more than 2 to 4 minutes for each drop-off and pick-up. Furthermore, there have been no issues with traffic attempting to enter upon the Property backing up onto Highland Avenue.

III. AUTHORITY AND JURISDICTION

Section 5.1.1.5 of the Needham Bylaws provides, in part:

The Board of Appeals may grant in all zoning districts, except the Center Business District, a special permit to waive strict adherence to the requirements of Section 5.1.2 and/or 5.1.3 where it can be demonstrated by an applicant with a parking plan prepared and reviewed in accordance with the provisions of Section 5.1.3 that a particular use, structure or lot, owing to special circumstances, does not warrant the number of parking spaces required by Section 5.1.2 and/or the application of certain design requirements contained in Section 5.1.3.

Such a special permit waiving strict adherence to the minimum number of required parking spaces may be granted only after it is demonstrated by an application that either:

- (i) Special circumstances in a particular use of structure does not warrant the minimum number of spaces required under Section 5.1.2; or
- (ii) The extent of existing building coverage on a particular lot is such that in laying out parking spaces in accordance with the design requirements of Section 5.1.3, the requirement for minimum number of spaces under Section 5.1.2 cannot be met.

The issue before the Board is whether to grant an amendment to the Special Permit to allow for an increase in the number of permissible students at the School, which would otherwise create the need for additional parking.

Based upon the foregoing, the Board has the authority to grant the requested amendment to the Special Permit without a corresponding increase in the number of parking spaces available at the Property.

IV. ARGUMENT

The proposed additional enrollment will have a negligible impact on the use of the existing parking and the traffic along Highland Avenue. In further support the Applicant states as follows:

1. Although the Bylaws do not specifically state the parking requirements for schools, the formula that the Town has implemented for similar uses for many years is for enrollments in excess of 45 students, the parking requirement would be eight (8) space, plus one (1) additional space for each forty (40) students. Using this formula based upon Applicant's request for an increase to 154 permissible students, the parking requirement would be for a total twenty-seven (27) spaces: 8 spaces plus 1 for every 40 students (for a total of 4 additional spaces) plus 15 employee spaces. As such, there is ample parking on the Property to accommodate this requirement.
2. Specifically regarding traffic, there have been no issues of traffic buildup on Highland Avenue, even during the peak hours for drop-off or pick-up, and there is no expectation that an increase of forty (40) additional students would create any such traffic issues. As has been previously presented to the Board, many of the students of the School are siblings and/or carpool with other students, so there are far fewer cars dropping off and picking up students than the number of students enrolled in the School.

3. The Applicant has long had an excellent relationship with the Town, the Owner and the Restaurant. If the Applicant was overburdening the parking or causing traffic issues on Highland Avenue, the Town and/or the Restaurant would have expressed concern or required the Applicant to address any concerns. The Applicant has never been made aware of any issues regarding parking or traffic. As previously stated, an additional forty (40) students will result in very little, if any, noticeable change to the current use.
4. The Applicant's increased enrollment will not negatively impact the Town's water supply or sewer.
5. There will be no adverse impact to the neighborhood or community character should the Board grant the requested amendment. The School enjoys a very positive relationship with the Town and the requested increase in the enrollment is reflective of the demand created by the School's excellent reputation.
6. The School further states if the Board grants this amendment, the School will essentially be maxed out on the enrollment allowed by the size of its premises. As such, the School does not anticipate making any further requests for enlargement of its enrollment.

V. CONCLUSION

Based upon the foregoing, the Applicant requests that the Board grant the relief requested and allow for an increase in the total enrollment at the School to a total of 154 students, with such conditions as the Board may reasonably impose.

Respectfully submitted,
Allen Douglass and Christine Lachkey,
Applicants, by their attorney,

A handwritten signature in blue ink, appearing to read "Michael R. Spillane", is written over a horizontal line.

Michael R. Spillane, Esq.

BBO# 640775

Orsi Arone Rothenberg Turner LLP
160 Gould Street, Suite 320
Needham, MA 02494

Dated: February 21, 2023

EXHIBIT A

NOT
AN
OFFICIAL
COPY

NOT
AN
OFFICIAL
COPY



2021 APR 16 AM 12:40

**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

Special Permit Amendment

Allen Douglass and Christine Lachkey, Applicants

R.K. Highland Avenue, LLC, Owner

238 Highland Avenue

Map 300, Parcel 59

(Filed during the Municipal Relief Legislation, Chapter 53 of the Acts 2020)

March 18, 2021

Allen Douglass and Christine Lachkey, Applicants, applied to the Board of Appeals for a Special Permit Amendment under Sections 5.1.1.5, 5.1.2, 5.1.3(j), 5.1.3(k), 5.1.3(l), 5.1.3(n), 7.5.2 and any other applicable Sections of the Zoning By-Law to expand the Needham Montessori School to allow up to 114 children. As part of this expansion, the parking area is proposed to be redesigned to meet design criteria and improved safety. The subject property is located at 238 Highland Avenue, Needham MA in the Highland Commercial -128 District. A public hearing was held remotely on Zoom on Thursday, March 18, 2021 at 7:30 p.m.

Documents of Record:

- Application for Hearing, Clerk stamped February 22, 2021.
- Memorandum of Support prepared by Evans Huber, Esquire, dated February 22, 2021.
 - Exhibit 1- Site Plan prepared by VTP Associates, stamped by Joseph Porter, Land Surveyor, dated January 27, 2021, revised February 17, 2021.
 - Exhibit 2 – Letter from David Katz, Manager, RK Centers, dated February 11, 2021.
 - Exhibit 3 – Design Plans A-01-04 prepared by Design Group Architects, stamped, dated November 1, 2021.
 - Exhibit 4 – Parking Plan prepared by GPI dated January 25, 2021.
 - Exhibit 5 – Email from Joan Low, Mandarin Cuisine dated February 1, 2021.
 - Exhibit 6 – Letter from Joan Low, Low & Zhang, Inc., dated February 17, 2021.
 - Exhibit 7– Email from Steven Keenan, Restaurant Depot 550, dated January 8, 2021.
- Email from Chief John Schlittler dated March 9, 2021.
- Letter from Dave Roche, Building Commissioner, dated February 16, 2021.
- Email from Dave Roche, Building Commissioner, dated March 17, 2021.
- Email from Tara Gurge, Assistant Public Health Director, dated March 9, 2021.

(201809)
1436957

- Email from Dennis O'Condon, Chief of Department, Needham Fire Department, dated March 5, 2021.
- Letter from Thomas A. Ryder, Assistant Town Engineer, dated March 10, 2021.
- Letter from Lee Newman, Director of Planning and Community Development, dated March 16, 2021.

March 18, 2021

The Board held this meeting virtually as allowed under "Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20."

The Board included Jon D. Schneider, Chair; Jonathan D. Tamkin, Vice-Chair and Howard S. Goldman, Member. Also participating were Kathy Lind Berardi and Peter Friedenberg, Associate Members. Mr. Schneider opened the hearing at 7:30 p.m. by reading the public notice.

Evans Huber, attorney representing the Applicants, stated that the Applicants have been operating the Needham Montessori School ("School") under a Special Permit allowing a maximum of 50 students and five staff in their current space. They are seeking to expand into the adjoining vacant space which will double their size. Once expanded, the only remaining tenant in the complex will be the Mandarin Cuisine restaurant.

There are two parking lots at the site – the larger east parking lot in front of the Mandarin Cuisine restaurant and a smaller west parking lot behind Mighty Subs that they currently use.

The proposal is to increase the School to 114 children and 15 staff members. To accommodate the expanded operation, the east parking lot needs to be redesigned which will decrease the number of available parking spaces from 55 to 50 spaces. The east parking lot will have two major improvements – a six-foot-long walkway along the eastern side of the building to the new front entrance for the School and a reconfiguration of some spaces. The current parking lot does not meet the dimensional size for spaces or maneuvering aisle required in the By-Law nor are the handicapped spaces appropriately located. The new parking lot will have appropriate size spaces and a proper location for handicapped spaces. Dave Roche, the Building Commissioner, was consulted and was satisfied with the redesign.

The schedule for drop-off and pick-up has been organized so that there is no conflict with the peak hours of the Mandarin Cuisine restaurant and to insure parents' arrival are staggered. Children will be divided by age groups and their parents will be assigned a parking lot and time slots when they may use the parking lot. The east lot will have a drop-off between 8:00 a.m. – 8:20 a.m. for a group with approximately 38 students; and between 8:20 a.m. to 8:50 a.m. for a group with 58 students. The west lot will have a drop-off time of 8:00 a.m. to 8:30 a.m. for 20 children.

Pick-up is more spread out than the drop-off period. It begins at 11:30 a.m. and ends at 6:00 p.m. On the east lot 20 children will be picked up between 2:00 p.m. to 2:20 p.m., 30 from 2:20 p.m. to 2:50 p.m., with the remaining children being picked up between 3:00 p.m. to 6:00 p.m. The west lot will have 12 children picked-up between 2:00 p.m. to 2:30 p.m. and 8 children between

3:00 p.m. to 6:00 p.m. N O T
A N

N O T
A N

None of these hours conflict with the Mandarin Cuisine Restaurant's peak parking usage hours which are from 11:30 a.m. to 1:30 p.m. and 5:30 p.m. to 9:30 p.m. The pick-up and drop-off plan were designed to minimize the conflict between the tenants.

The required parking under the By-Law for the School is 26 spaces. Mr. Huber noted that 15 parking spaces for the School's staff have been secured at the nearby Restaurant Depot. Staff will not be parking in the two on-site parking lots.

A number of the children attending the School are siblings which reduces the demand for parking. The design of the walkway was a significant aspect of the parking plan. Parents will be instructed to pull-in and park in the furthest space in the lot away from Highland Avenue and walk their children safely to the front door. Staff will be available to insure proper parking and circulation. No stalling or parking will be allowed by the front door near Highland Avenue.

The owner of the Mandarin Cuisine restaurant submitted a letter stating that she is aware of the proposed parking circulation plan and is in support of the Applicants' expansion.

Mr. Huber highlighted the non-compliant parking design requiring waivers which included insufficient setback from the street and edge of the property for some of the spaces as well as landscaping and bike racks.

Mr. Schneider inquired if there will be any vacant spaces in the complex after the Applicants expand. Mr. Huber said the building will be fully occupied and there are no other vacant spaces.

Mr. Schneider asked about the status of state licensing. Mr. Douglass responded that, once the project is approved, the State is notified to conduct an inspection.

Mr. Schneider questioned if there will be interior work. David Shahin, architect, said that most of the work has been completed. Moving furniture is what remains to be done.

Mr. Goldman asked that the parking circulation plan be clarified. Mr. Huber replied that the parking plan will be explained to the parents prior to the beginning of the year. Reminders will be sent as necessary. The protocol will be to pull in to the furthest available space in the lot, park, and walk the child to the door or to the meeting staff. There will be no queueing or live parking.

Mr. Goldman questioned if there will be a formal written lease from the Restaurant Depot for staff parking. Mr. Huber said there is no lease, but there is an email agreeing and confirming the usage.

Mr. Schneider inquired if the parking plan protocol is similar to the one in place currently where parents park and the students are walked into the school by the parent or staff. Mr. Douglass and Ms. Lachkey affirmed that it was the case. Mr. Huber said that what is different from the current protocol is that parents cannot select the closest available parking spot. The new protocol will

require them to take the furthest available space from Highland Avenue. Mr. Schneider warned the school that there can be no back up of cars on Highland Avenue.

O F F I C I A L

O F F I C I A L

Ms. Berardi asked if the instructors would be increased over the four instructors and one administrator allowed under the current permit. Mr. Huber responded that the state requires 15 instructors for 114 students. The proposal is for 15 staff.

Mr. Friedenberg wanted to know if the queueing referred in the parking plan report was on the street or within the parking lot. John Diaz, Traffic Engineer, said that there will be no queueing on Highland Avenue. The queueing will be one or two cars exiting the parking lot. Mr. Friedenberg was puzzled over the By-Law calculations requiring nine spaces for 45 students and only eleven spaces for 114 students. Mr. Huber thought that might be because school age children are chauffeured by their parents who only need short term parking.

Comments received:

- Planning Board had no comment.
- Building Department submitted a parking determination for the proposal of 26 spaces.
- Fire Department had no issue with the changes.
- Health Department noted that the Applicants must fill out and submit an online Public Health Division Food Permit Plan if food is served or prepared; and all Covid19 spacing for seating, HVAC/ventilation, face covering, and occupancy limits must be met.
- Engineering had no comment.
- Police Chief was concerned about the number of available parking spaces, and the use of parking spaces allocated to a restaurant. He was concerned that spaces won't be available for future businesses occupants of current vacant space.

Mr. Tamkin wanted the Applicants to address the comment made by the Chief of Police.

Mr. Huber responded that the School is occupying the only available vacant space. There is no other vacant space in the building. The School has one of the lowest parking demands when compared to commercial use. Based on the one space per 300 square feet, the parking requirement for the building fully occupied by commercial use would be 38 spaces. Mr. Huber said the real concern is not available parking spaces as chauffeuring parents do not need them. The real concern is the safe drop-off and pick-up of the children and the efficient circulation within the lot without creating a back-up on Highland Avenue. He thought the Parking Circulation plan address those concerns.

Mr. Tamkin thought that the proposed parking with the School and the restaurant worked. A future use, however, with a higher parking demand may be a conflict and not such a good fit. He wanted to be sure that the Police Chief's concerns are fully vetted.

There were no comments from the public.

Mr. Goldman wondered if a more substantial agreement from Restaurant Depot for the staff parking should be submitted. Mr. Tamkin thought that the existing condition limiting staff from parking in the lot and the email agreement from the Restaurant Depot would be sufficient.

However, he was flexible ^Nif ^Aa more formal agreement was ^Ndesired ^Tby the Board.
A N A N

Ms. Berardi's original concerns were dispelled with the successful implementation of the pick-up and drop-up plan for the 50 students under the current enrollment. She was less concerned now that there was only one other tenant. She thought the proposal was a more efficient and safer circulation plan even considering the larger enrollment. She congratulated the School on their current success and their proposed expansion.

Mr. Goldman asked about the Covid19 protocols. Mr. Douglass said they have been open since April 2020 and have had no Covid19 incidents. He attributed the prevention success to the school's community of which 80% to 95% are from the Needham and Newton community.

Mr. Tamkin moved to grant Allen Douglass and Christine Lachkey, Applicants, a Special Permit Amendment under Sections 5.1.1.5, 5.1.2, 5.1.3(j), 5.1.3(k), 5.1.3(l), 5.1.3(n), 7.5.2 and any other applicable Sections of the Zoning By-Law to expand the Needham Montessori School to allow up to 114 children and 15 staff; and to approve the parking redesign and circulation plan and to waive the parking design restrictions as shown in the plans submitted with the same staff parking restriction as conditioned in all previous decisions. Mr. Goldman seconded the motion.

The meeting adjourned at 8:08 p.m.

Findings:

On the basis of the evidence presented at the hearing, the Board makes the following findings:

1. The Property is located at the intersection of Highland Avenue and First Avenue, in the Highland Commercial-128 District. The size of the property is approximately 45,800 s.f., and it contains a single-story building of approximately 15,400 s.f.
2. The Applicants presently operate a Montessori school in a portion of the building occupying approximately 4,155 s.f. and proposes an expansion of the operation of the School by amending a Special Permit first issued by the Board on July 21, 2016, as previously amended by two Amendments to the Special Permit dated September 19, 2017 and April 26, 2018.
3. At present, slightly less than half of the building, 7,265 s.f., is vacant and the Applicants proposes to occupy all the vacant space. After the expansion, there will be only two tenants, the Mandarin Cuisine restaurant and the School.
4. There are two parking lots on the site with a total of 55 parking spaces, the larger east parking lot in front of the Mandarin Cuisine restaurant and a smaller west parking lot behind Mighty Subs that the Applicants currently use.
5. Presently the School's hours of operation are from 7:00 a.m. to 6:00 a.m. weekdays and they serve up to 50 children and have 5 staff members.

1. The Applicants ^{N O T} propose that the School expand ^{N O T} into the 7,265 s.f. vacant space to occupy a total of 41,400 s.f. of the building and to ^{A N} increase the capacity of the School to 114 children with 65 staff members. O F F I C I A L

C O P Y

C O P Y

2. The required parking under the By-Law for the School is 26 spaces and 45 for the restaurant. resulting in a total requirement of 71 spaces.
3. Under the Applicants' plan, the east parking lot will need to be redesigned which will decrease the number of available parking spaces on site from 55 to 50 spaces, 37 in the east parking lot, and 13 spaces in the west parking lot.
4. No employee or staff parking shall be permitted on site and the Applicants has arranged for parking for all 15 employees and staff off site at the nearby Restaurant Depot building. In effect, the Applicants have 65 available parking spaces against a By-law requirement of 71 spaces. The peak periods for the restaurant parking are 11:30 am to 1:30 pm when there will be no drop off or pick up for the school and 5:30 pm to 9:30 pm when there is minimal pick up at the school. With the off- site parking for employees and staggered parking demand, the 50 on-site spaces provide adequate parking.
5. The parking lot and traffic flow improvements planned for the property, as presented by the Applicants at the hearing, will aid in the continued safe drop off and pick up of children at the school.
6. The Applicants propose to redesign the main (east) parking area and restripe the smaller (west) parking area. A portion of the west parking lot will be used as a play area.
7. As proposed, the main entrance to the School will face the main (east) parking area and is close to Highland Avenue. The Applicants intend to require parents or caregivers to pull as far into the parking lots as possible, park, and walk their children to and from the School's entrance.
8. At present, there is limited space between the parking spaces adjacent to the east side of the building and the building itself, which would require that parents and children on that side of the building walk through the parking lot to get to the main entrance. The proposed redesign of this parking lot will create a six-foot wide sidewalk along the edge of the eastern side of the building. This will allow pedestrians who have parked in the east parking lot to safely walk to the front entrance on that side of the building.
9. As shown on the plan of existing conditions filed with the Application, the east parking lot presently does not meet By-Law requirements as to setback from building, length of spaces, width of maneuvering aisles, landscaping, lighting, bike racks and location of handicapped spaces. The proposed redesign of the east parking area will eliminate some of these nonconformities although the other existing non-conformities will remain.

will take measures to eliminate any backup, such as to assign employees or staff to monitor traffic flow student drop off or pick up or adjustment of the periods of drop off/pick up.

OFFICIAL

OFFICIAL

COPY

COPY

5. The Applicants will obtain all licenses required for its operation of the School.
6. No employee or staff parking shall be permitted on site and all employee and staff parking will be off site at the Restaurant Depot.
7. As provided in the Board's decision of August 17, 2011 and again in the Special Permit dated July 21, 2016, the owner of the property shall be required to appear before the Board to apply for a Special Permit relating to any new or additional tenant operating thereon, and any change in the number and design of parking spaces and before any future vacancy in the building or on the property can be filled.

This is to certify that no appeal has been filed within the 20 day statutory appeal period.

Date May 10, 2021

Theresa K. Suter
Town Clerk

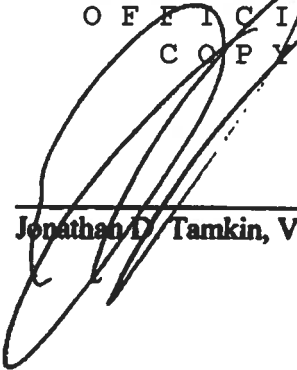
NOT
SIGNATORY PAGE - 238 HIGHLAND AVENUE
OFFICIAL
COPY

Jon D. Schneider
Jon D. Schneider, Chair

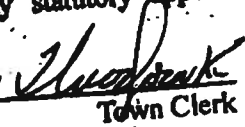
This is to certify that no appeal has been
filed within the 20 day statutory appeal
period.

Date May 10, 2021 *Michael K. Seton*

NOT
SIGNATORY PAGE - 238 HIGHLAND AVENUE
OFFICIAL OFFICIAL
COPY COPY


Jonathan D. Tamkin, Vice-Chair

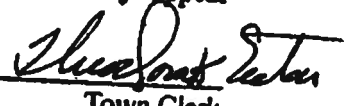
This is to certify that no appeal has been
filed within the 20 day statutory appeal
period.

Date May 10, 2021 
Town Clerk

NOT
A N
SIGNATORY PAGE - 238 HIGHLAND AVENUE
O F F I C I A L O F F I C I A L
C O P Y C O P Y


Howard S. Goldman, Member

This is to certify that no appeal has been
filed within the 20 day statutory appeal
period.

Date May 10, 2021 
Town Clerk



ZONING CHART			
SECTION 18-04-00-02175			
ZONING	MC-18B	380-390-390C	EXISTING
RECALCULATION		REQUIRED	EXISTING
LOT AREA	13,800 sq. ft.	13,800 sq. ft.	98,700 sq. ft.
LOT FRONTAGE	160 ft.	160 ft.	170 ft.
FRONT SETBACK	5 ft.	5 ft.	5 ft.
BACK SETBACK	10 ft.	10 ft.	25 ft.
REAR SETBACK	10 ft.	10 ft.	25 ft.
LOT DEPTH	80 ft.	80 ft.	541 ft.

**SITE PLAN
NEEDHAM, MASSACHUSETTS**

SCALE: 1/4" = 20' DATE: JANUARY 27, 2021
REVISD: FEBRUARY 17, 2021

PROJECT 21018
VTP
ASSOCIATES

127-333-4271
131 ADAMS STREET 2ND FLOOR SUITE 3
WACHTON, MA 02148
LAWYERS - OUR OWNERS
IN.



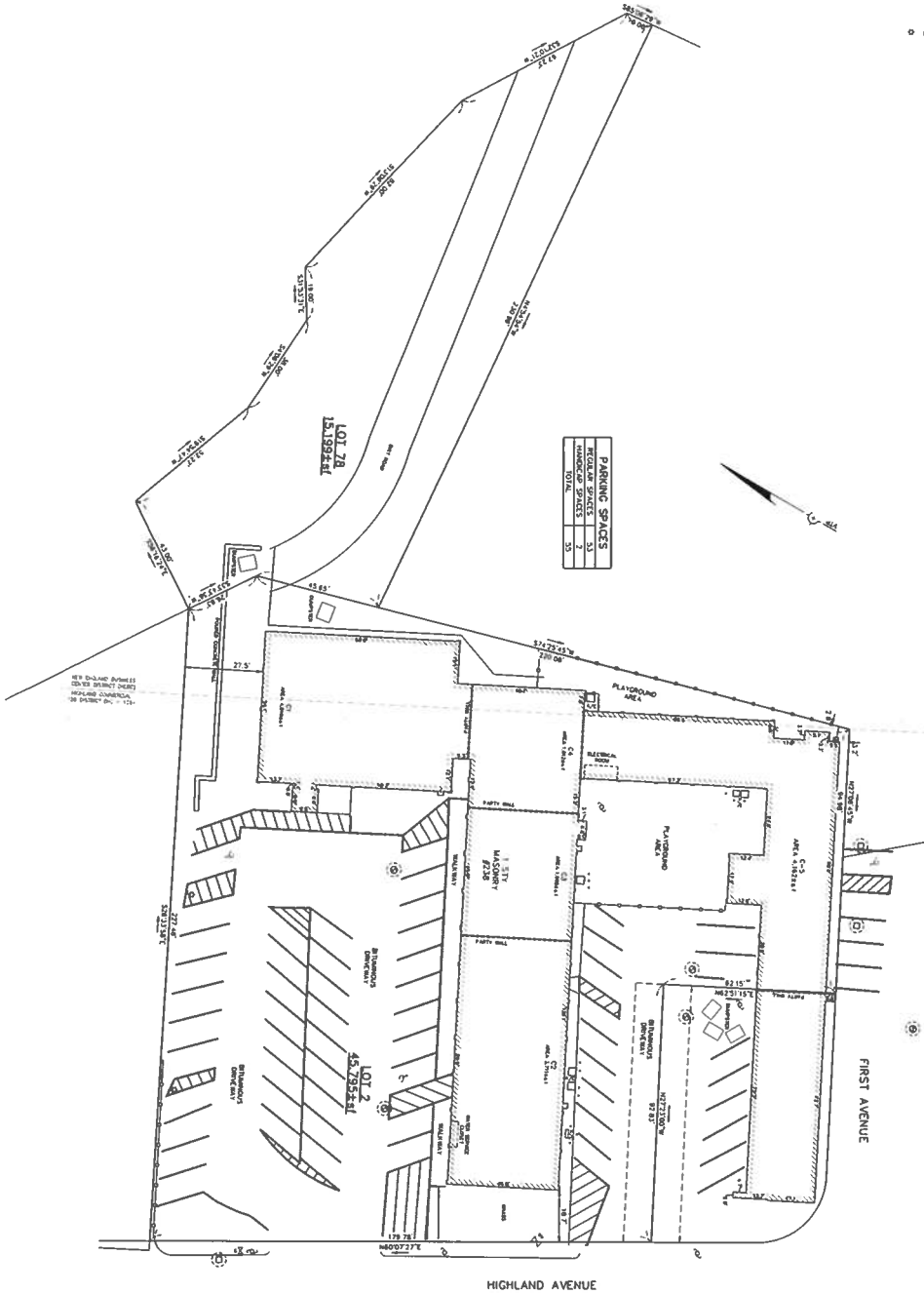
0 20 50 100
SCALE: 1" = 20'

EXHIBIT B

LEGEND

BLANK	---
PROPERTY LINE	---
ADJACENT STREET	---
CONTOUR	---
STREET FRONT	---
CONCRETE DRIVE	---
POCKET FRONT	---
GAS VALVE	○
WATER VALVE	○
SEWER MANHOLE	○
STORM MANHOLE	○
CATCH BASIN	○
UTILITY POLE	○
LIGHT POLE	○

PARKING SPACES	
EXISTING	1
PROPOSED	2
TOTAL	3



ZONING CHART	
ZONE	RC-128
LOT AREA	15,000 S.F.
LOT FRONTAGE	100.0'
REAR SETBACK	5.0'
REAR SETBACK	10.0'
LOT COVERAGE	80.0%



SITE PLAN
NEEDHAM, MASSACHUSETTS
 SHOWING EXISTING CONDITIONS AND
 PROPOSED IMPROVEMENTS
 PROJECT 20166
 SCALE 1" = 20'
 DATE: FEBRUARY 15, 2023
VTP
Associates
 LAND SURVEYORS & CIVIL ENGINEERS
 112 Adams Street and Floor Suite 3
 Needham, MA 02462
 (617) 326-8271
 SHEET 1 OF 1

EXHIBIT C

N O T
A N
O F F I C I A L
C O P Y

N O T
A N
O F F I C
C O P
MASSACHUSETTS STATE EXCISE TAX
Norfolk County Land Court
Date: 12-19-2019 @ 01:43pm
Gt1#: 767 Doc#: 1436956
Fee: \$11,799.00 Cons: \$5,175,000.00

~~Ken Smoller, Esq.~~

Ken Smoller, Esq.
RK Centers
50 Cabot Street, Suite 200
Needham, Massachusetts 02494

QUITCLAIM DEED

We, Annette Churchill, Anna Maria Terrazzino, Linda M. Belsanti and Sharon Ellis, as the Trustees of the Terrazzino Investment Trust, under Declaration of Trust dated July 27, 1970 filed with the Norfolk County Registry District of the Land Court as Document No. 340177, having an address in care of Day Pitney LLP, One International Place, Boston, MA 02110

for consideration paid, and in full consideration of Five Million One Hundred Seventy-Five Thousand and No/100 (\$5,175,000.00) Dollars

grant to R.K. Highland Avenue, LLC, a Massachusetts limited liability company with an address of c/o RK Centers, 50 Cabot Street, Suite 200, Needham, MA 02494

WITH QUITCLAIM COVENANTS

Certain land situated in said Needham and further described on Exhibit A attached hereto and made a part hereof.

For Grantors' title see: (i) Deed from Gorham W. Humphrey, Trustee of Starkweather Realty Trust (under Declaration of Trust dated October 1, 1954, filed with the Norfolk County Registry District of the Land Court as Document No. 22178) dated January 3, 1973, filed with the Norfolk County Registry District of the Land Court as Document No. 340176 creating Certificate of Title No. 97138; and (ii) Deed from Gerald Blakeley, Jr., Robert C. Linnell and Alexander C. Forbes, dated September 10, 1979, filed with the Norfolk County Registry District of the Land Court as Document No. 395884 creating Certificate of Title No. 109753.

The Grantor hereby certifies that the above described property is not homestead property, and states that no other persons are entitled to claim the benefit of an existing estate of homestead.

[Signature Page to Follow.]

Property Address: 238 Highland Avenue, Needham, Massachusetts,
and 0 Cabot Street, Needham, Massachusetts

340176
395884
103786380.3

NOT
AN
OFFICIAL
Executed as a sealed instrument this 17TH day of DECEMBER 2019
NOT
OFFICIAL
Executed as a sealed instrument this 15TH day of NOV 2019

Terrazzino Investment Trust

By Annette Churchill
Annette Churchill, Trustee Trustee

State of Georgia
~~THE COMMONWEALTH OF MASSACHUSETTS~~

HALL, ss.

On this 15 day of November 2019, before me, the undersigned notary public, personally appeared Annette Churchill, as Trustee of the Terrazzino Investment Trust, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document(s), and acknowledged to me that she signed it voluntarily for its stated purpose as Trustee of the Terrazzino Investment Trust as the voluntary act of the trust.

DEBORAH D. TITMUS
NOTARY PUBLIC
Hall County
State of Georgia
My Comm. Expires March 14, 2021

Deborah D. Titmus
Notary Public

My commission expires: March 14, 2021

[Signature Pages Continue.]

Terrazzino Investment Trust

NOT
A N
O F F I C I
C O P Y

By: Anna Maria Terrazzino
Name: Anna Maria Terrazzino, Trustee L
C O P Y

THE COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

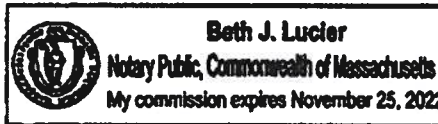
On this 30 day of November, 2019, before me, the undersigned notary public, Anna Maria Terrazzino, as Trustee of the Terrazzino Investment Trust, personally appeared, proved to me through satisfactory evidence of identification, which were MA DRIVERS LIC, to be the person who signed the preceding or attached document in my presence and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

(official seal)

Beth J. Lucier

Notary Public

My commission expires:



[Signature Pages Continue.]

NOT
AN
OFFICIAL
COPY

NOT
AN
Terrazzino Investment Trust L
COPY

By: Linda M. Belsanti, Trustee
Name: Linda M. Belsanti, Trustee

Maine
THE COMMONWEALTH OF MASSACHUSETTS

Oxford County, ss.

On this 6th day of December, 2019, before me, the undersigned notary public, Linda M. Belsanti, as Trustee of the Terrazzino Investment Trust, personally appeared, proved to me through satisfactory evidence of identification, which were Drivers License, to be the person who signed the preceding or attached document in my presence and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

Kelly D. Scott (official seal)
Notary Public
My commission expires:

KELLY D. SCOTT
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES OCTOBER 13, 2019
2026

[Signature Pages Continue.]

NOT
AN
OFFICIAL
COPY

NOT
AN
OFFICIAL
COPY

By: Sharon Ellis
Name: Sharon Ellis, Trustee

THE COMMONWEALTH OF MASSACHUSETTS

County of Middlesex, ss.

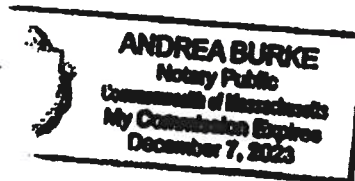
On this 23rd day of November, 2019, before me, the undersigned notary public, Sharon Ellis, as Trustee of the Terrazzino Investment Trust, personally appeared, proved to me through satisfactory evidence of identification, which were Massachusetts Driver's License ID and being personally known by notary, to be the person who signed the preceding or attached document in my presence and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

(official seal)

Andrea Burke

Notary Public

My commission expires:



That certain parcel of land situated in Needham, in the County of Norfolk and said Commonwealth of Massachusetts, bounded and described as follows:

The owners do not have any title, either expressly or by implication to the fee of any part of First Avenue, or to any private rights or easements in said First Avenue.

There are appurtenant to the above-described land rights in that part of said way extending across said lot numbered 1 and the right to use the sewer line, pipes and other facilities, all as set fort in the grant made by Linnell E. Studley, et al, Trustees to the Norfolk County Trust Company, dated May 16, 1958, duly recorded in Book 3638, Page 132.

0 CABOT AVENUE (LOT 79 ON LAND COURT PLAN NO. 24606-U)

Said parcel is shown as lot numbered 79 on Plan No. 24606-U.

The above-described land is subject to and has the benefit of the rights as set forth in said Document No. 220666.

The above-described land is subject also to and has the benefit of the rights, etc., as set forth or referred to in said Document No. 242913.

The above-described land is subject also to the restrictions, as set forth in said Document No. 242913.

The above-described land is subject also to and has the benefit of the Covenants as set forth in Document No. 395884.

EXHIBIT D



February 21, 2023

Mr. David A. Roche, CBO
Building Commissioner
Town of Needham
500 Dedham Avenue
Needham, MA 02492

RE: *Montessori School – Special Permit*
238 Highland Avenue
Needham, MA 02494

Dear Commissioner Roche:

This is notification that R.K. Highland Avenue, LLC, as the owner of the above-referenced property, is aware that our tenant, The Montessori School are applying for a special permit to increase the number of their students from 114 to 154.

Please feel free to contact me at 781-320-0001 if you have any questions.

Sincerely,
RK Centers

David R. Baker

cc: Tenant Lease File

February 21, 2023

Ms. Collins
Administrative Specialist
Town of Needham - Zoning Board of Appeals
500 Dedham Avenue
Needham, MA 02492

RE: APPLICATION FOR HEARING
73 HIGHLAND AVENUE

Dear Ms. Collins,

On behalf of Ross Realty Trust, owner of the property at 73 Highland Avenue in Needham, MA, and the applicant, Nezhualcoyotl Leon, we respectfully submit the attached Application for Hearing, requesting that a Special Permit be granted to Mr. Leon to operate a restaurant on the premises at 73 Highland Avenue. In addition to the Application for Hearing, we are also submitting a Boundary and Topographic Survey of the property, a revised Site Plan, and the required application fee. As required by the ZBA Application Process, we have consulted with the Building Inspector prior to submitting this application.

A Special Permit under Section 3.2.5.2 of the town's Zoning By-Law was granted to Michael J. Fucci on May 16, 2019 to operate a restaurant with take-out and catering as an accessory use at the 73 Highland Avenue property. Mr. Fucci vacated the property in January, 2023 and his lease of the premises has been terminated. As was documented during the process leading to the granting of the Special Permit to Mr. Fucci in 2019, the property has been continually operated as a restaurant since 1972, and we respectfully request that a Special Permit be granted to allow that use to continue on the property.

If a Special Permit is granted to Mr. Mendez, he intends to operate a second location of his Mexican style restaurant, the Hungry Coyote and currently operating at 1185 Highland Avenue in Needham, on the premises. Mr. Mendez does not plan any changes to the exterior or interior of the building with the exception of cosmetic improvements (painting, window treatments, etc.). The existing canopy sign structure will be reused but changed for the new business.

Mr. Leon plans to operate the business Monday-Sunday, from 6:00 am to 9:00 pm. There will be no more than 4 employees on the premises at any one time. Trash, recycling and a grease barrel will be located at the same locations as was approved by the Board in 2019 special permit granted to Mr. Fucci.

We note that subsequent to the granting of the Special Permit in 2019, the Commonwealth of Massachusetts has taken approximately 621 square feet of the property by eminent domain, which resulted in the loss of one parking space at the front of the property so that there are now a total of fourteen parking spaces including one accessible space. No other changes to the parking space configuration or design on the property are proposed. With fourteen parking spaces, 12 seats in the

building would be allowed per the By-Law's parking requirements under Section 5.1.2. (ten spaces for use as a take out restaurant plus one space per three seats).

Prior to the ZBA hearing on March 16th, we intend to meet with our abutters to discuss this application. In the interim, please email me at frankholmes2007@yahoo.com or call me at 781-264-3874 to discuss any questions you may have. We look forward to discussing our request at the ZBA hearing on March 16th.

Sincerely,
Frank Holmes

A handwritten signature in blue ink that reads "Frank Holmes". The signature is written in a cursive, flowing style.

cc Fran Ross
Nezahualcoyotl Leon

Attachments: ZBA Application for Hearing (seven copies)
Boundary and Topographic Survey (seven copies)
Site Plan updated 2023-02-18 (seven copies)
Application Fee



ZBA Application For Hearing

Applicants must consult with the Building Inspector prior to filing this Application. Failure to do so will delay the scheduling of the hearing.

Applicant Information

Applicant Name	Nezahualcoyotl Leon			Date:
Applicant Address	47 Marsh Street, Needham, MA 02492			
Phone	617-992-1492	email	francisco@poet-king.com	
Applicant is ☐ Owner; ☒ Tenant; ☐ Purchaser; ☐ Other _____				
If not the owner, a letter from the owner certifying authorization to apply must be included				
Representative Name	Frank Holmes			
Address	26 Clark Hill Drive, Easton, MA 02356			
Phone	781-264-3874	email	frankholmes2007@yahoo.com	
Representative is ☐ Attorney; ☐ Contractor; ☐ Architect; ☒ Other <u>Owner</u>				
Contact ☒ Me ☒ Representative in connection with this application.				

Subject Property Information

Property Address	73 Highland Avenue		
Map/Parcel Number	74/5	Zone of Property	Highway Commercial 128
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☐ Yes ☒ No			
Is property ☐ Residential or ☒ Commercial			
If residential renovation, will renovation constitute "new construction"? ☐ Yes ☐ No			
If commercial, does the number of parking spaces meet the By-Law requirement? ☒ Yes ☐ No			
Do the spaces meet design requirements? ☐ Yes ☒ No			
Application Type (<i>select one</i>): ☒ Special Permit ☐ Variance ☐ Comprehensive Permit ☐ Amendment ☐ Appeal Building Inspector Decision			



ZBA Application For Hearing

Existing Conditions:

The property is improved with a 1,899 square foot single story building and paved parking area that has been operated as a restaurant since about 1972.

Statement of Relief Sought:

Special Permit to operate a restaurant on site and to waive strict adherence to parking requirements.

Applicable Section(s) of the Zoning By-Law:

3.2.5, 3.2.5.2, 5.1.1.1, 5.1.1.5, 5.1.2, 5.1.3, 7.5.2

If application under Zoning Section 1.4 above, list non-conformities:

	Existing Conditions	Proposed Conditions
Use		
# Dwelling Units		
Lot Area (square feet)		
Front Setback (feet)		
Rear Setback (feet)		
Left Setback (feet)		
Right Setback (feet)		
Frontage (feet)		
Lot Coverage (%)		
FAR (Floor area divided by the lot area)		
Numbers must match those on the certified plot plan and supporting materials		



ZBA Application For Hearing

Date Structure Constructed including additions:

1930

Date Lot was created:

unknown

Submission Materials	Provided
Certified Signed Plot Plan of Existing and Proposed Conditions (Required)	yes
Application Fee, check made payable to the Town of Needham Check holders name, address, and phone number to appear on check and in the Memo line state: "ZBA Fee – Address of Subject Property" (Required)	yes
If applicant is tenant, letter of authorization from owner (Required)	yes
Electronic submission of the complete application with attachments (Required)	yes
Elevations of Proposed Conditions (when necessary)	N/A
Floor Plans of Proposed Conditions (when necessary)	N/A

Feel free to attach any additional information relative to the application.
Additional information may be requested by the Board at any time during the
application or hearing process.

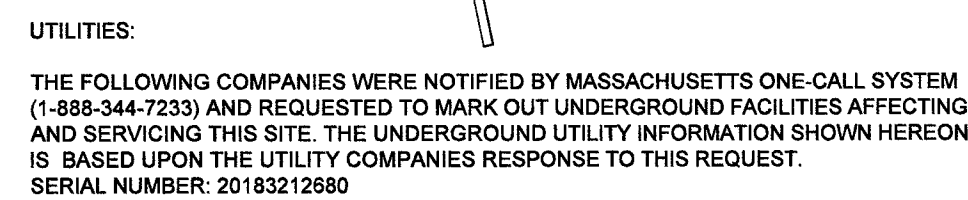


I hereby request a hearing before the Needham Zoning Board of Appeals. I have
reviewed the Board Rules and instructions.

I certify that I have consulted with the Building Inspector 2/13/2023
(Consultation by owner, Frank Holmes) date of consult

Date: 2-13-2023 Applicant Signature NEHA LEON

*An application must be submitted to the Town Clerk's Office at
townclerk@needhamma.gov and the ZBA Office at dcollins@needhamma.gov*



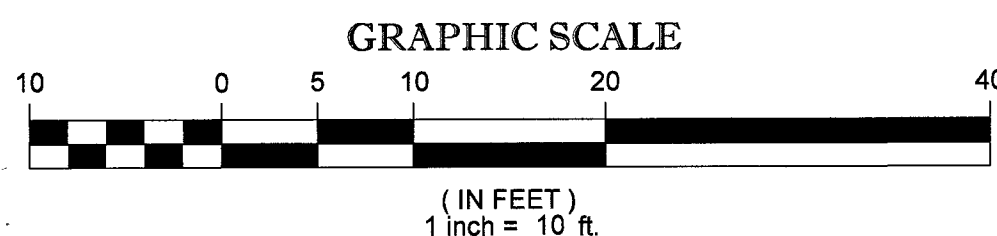
<u>UTILITY COMPANY</u>	<u>PHONE NUMBER</u>
AT&T TRANSMISSION	800-331-0500
NSTAR GAS	800-592-2000
COMCAST - PEMBROKE	800-934-6489
LIGHTOWER	855-913-4237
VERIZON	800-922-0204
EVERSOURCE - ELECTRIC	800-592-2000
NATIONAL GRID GAS - BOSTON	800-233-5325
WELLESLEY MUNICIPAL LIGHTING PLT	781-235-7600
ON QUEST LOCATING	508-429-1022

PHONE NUMBER
800-331-0500
800-592-2000
800-934-6489
855-913-4237
800-922-0204
800-592-2000
800-233-5325
781-235-7600
508-429-1022



THE COMMONWEALTH OF MASSACHUSETTS REQUIRES NOTIFICATION
BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO
DISTURB THE EARTH'S SURFACE ANYWHERE IN THE COMMONWEALTH

(PUBLIC-60' WIDE)
(PER REF #4)
⇔ TWO WAY
TRAFFIC
(ASPHALT ROADWAY)



GERRY L. HOLDRIGHT, PLS
MASSACHUSETTS PROFESSIONAL LAND SURVEYOR #49211

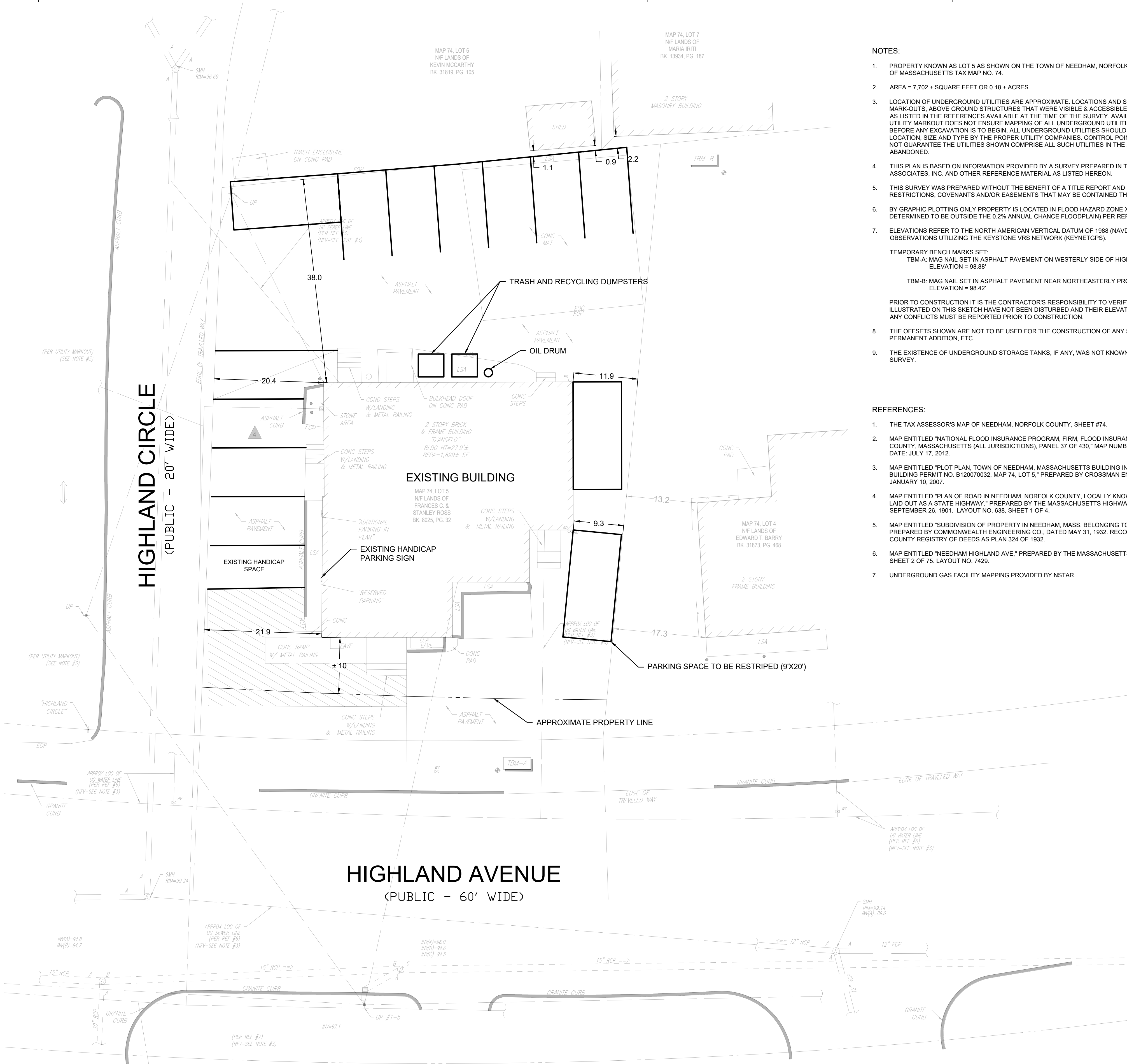


8-23-18
DATE

FIELD DATE 8-15-18	BOUNDARY & TOPOGRAPHIC SURVEY					
FIELD BOOK NO. 18-08MA	STANTEC CONSULTING SERVICES, INC.					
FIELD BOOK PG. 157-158	73 HIGHLAND AVENUE LOT 5, MAP 74 TOWN OF NEEDHAM, NORFOLK COUNTY COMMONWEALTH OF MASSACHUSETTS					
FIELD CROW B.S.B.		CONTROL POINT ASSOCIATES, INC.		ALBANY, NY 5183175010 CHALFONT, PA 2151728800		
DRAWN: R.J.K.		352 TURNPIKE ROAD SOUTHBROOKVILLE MA 01772 508.948.3000 - 508.948.3003 FAX		616.780.0041 MT LAUREL, NJ 0805872009 WARREN, NJ 9086660099		
REVIEWED: J.R.Z.		APPROVED: G.L.H.	DATE 8-23-18	SCALE 1"=10'	FILE NO. 06-180081	DWG. NO. 1 OF 1

LEGEND	
	EXISTING CONTOUR
	EXISTING SPOT ELEVATION
	EXISTING TOP OF CURB ELEVATION
	EXISTING GUTTER ELEVATION
	EXISTING TOP OF WALL ELEVATION
	EXISTING BOTTOM OF WALL ELEVATION
	EXISTING FINISHED FLOOR ELEVATION
	WATER VALVE
	GAS METER
	OVERHEAD WIRES
	APPROX. LOC. UNDERGROUND GAS LINE
	APPROX. LOC. UNDERGROUND SANITARY / SEWER LINE
	APPROX. LOC. UNDERGROUND WATER LINE
	UTILITY POLE
	AREA LIGHT
	SIGN
	BOLLARD
	METAL GUIDE RAIL
	EDGE OF CONCRETE
	EDGE OF PAVEMENT
	LANDSCAPED AREA
	RAILROAD TIE WALL
	TYPICAL
	DRAINAGE/STORM MANHOLE
	SANITARY/SEWER MANHOLE
	CATCH BASIN OR INLET
	PARKING SPACE COUNT
	SOLID YELLOW LINE
	BUILDING
	BUILDING FOOTPRINT AREA
	UNABLE TO OPEN
	REINFORCED CONCRETE PIPE
	BUILDING DIMENSIONS
	INVERT
	GRATE
	NOT FIELD VERIFIED
	METAL GUIDE RAIL
	POINT OF BEGINNING

ZONING TABLE				
	MINIMUM / REQUIRED	EXISTING	PROPOSED	NOTES
MIN. LOT AREA (SF)	15,000	7,702	7,702	PRE-EXISTING NONCONFORMING
MINIMUM LOT FRONTAGE (FT)	100	177 ±	177 ±	
FRONT SETBACK (FT)	5	10 ±	10 ±	
SIDE SETBACK (FT)	10	9.30	9.30	PRE-EXISTING NONCONFORMING
REAR SETBACK (FT)	10	38.00	38.00	
MAXIMUM HEGIHT (FT.)	54	27.90	27.90	
MAXIMUM LOT COVERAGE (%)	80	> 90	> 90	PRE-EXISTING NONCONFORMING
FLOOR AREA RATIO (F.A.R.)	0.3	0.25	0.25	
PARKING (NO. OF SPACES)		14	14	10 SPACES FOR USE AS TAKOUT RESTAURANT +1 SPACE PER THREE SEATS (12 SEATS PROPOSED)



- NOTES:
- PROPERTY KNOWN AS LOT 5 AS SHOWN ON THE TOWN OF NEEDHAM, NORFOLK COUNTY, COMMONWEALTH OF MASSACHUSETTS TAX MAP NO. 74.
 - AREA = 7,702 ± SQUARE FEET OR 0.18 ± ACRES.
 - LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE AS-BUILT PLANS AND UTILITY MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES. CONTROL POINT ASSOCIATES, INC. DOES NOT GUARANTEE THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED.
 - THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD BY CONTROL POINT ASSOCIATES, INC. AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
 - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE RESTRICTIONS, COVENANTS AND/OR EASEMENTS THAT MAY BE CONTAINED THEREIN.
 - BY GRAPHIC PLOTTING ONLY PROPERTY IS LOCATED IN FLOOD HAZARD ZONE X-UNSHADED (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER REF. #2
 - ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), BASED ON GPS OBSERVATIONS UTILIZING THE KEYSTONE VRS NETWORK (KEYNETGPS).
- TEMPORARY BENCH MARKS SET:
TBM-A: MAG NAIL SET IN ASPHALT PAVEMENT ON WESTERLY SIDE OF HIGHLAND AVENUE.
ELEVATION = 98.68
TBM-B: MAG NAIL SET IN ASPHALT PAVEMENT NEAR NORTHEASTERLY PROPERTY CORNER.
ELEVATION = 98.42
- PRIOR TO CONSTRUCTION IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT THE BENCHMARKS ILLUSTRATED ON THIS SKETCH HAVE NOT BEEN DISTURBED AND THEIR ELEVATIONS HAVE BEEN CONFIRMED. ANY CONFLICTS MUST BE REPORTED PRIOR TO CONSTRUCTION.
- THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT ADDITION, ETC.
 - THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY.

- REFERENCES:
- THE TAX ASSESSOR'S MAP OF NEEDHAM, NORFOLK COUNTY, SHEET #74.
 - MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, NORFOLK COUNTY, MASSACHUSETTS (ALL JURISDICTIONS), PANEL 37 OF 430," MAP NUMBER 25021C0037E, EFFECTIVE DATE: JULY 17, 2012.
 - MAP ENTITLED "PLOT PLAN, TOWN OF NEEDHAM, MASSACHUSETTS BUILDING INSPECTION DEPARTMENT, BUILDING PERMIT NO. B120070032, MAP 74, LOT 5," PREPARED BY CROSSMAN ENGINEERING, INC., DATED JANUARY 10, 2007.
 - MAP ENTITLED "PLAN OF ROAD IN NEEDHAM, NORFOLK COUNTY, LOCALLY KNOWN AS HIGHLAND STREET, LAID OUT AS A STATE HIGHWAY," PREPARED BY THE MASSACHUSETTS HIGHWAY COMMISSION, DATED SEPTEMBER 26, 1901. LAYOUT NO. 638, SHEET 1 OF 4.
 - MAP ENTITLED "SUBDIVISION OF PROPERTY IN NEEDHAM, MASS. BELONGING TO SACO-LOWELL SHOPS," PREPARED BY COMMONWEALTH ENGINEERING CO., DATED MAY 31, 1932. RECORDED WITH THE NORFOLK COUNTY REGISTRY OF DEEDS AS PLAN 324 OF 1932.
 - MAP ENTITLED "NEEDHAM HIGHLAND AVE.," PREPARED BY THE MASSACHUSETTS HIGHWAY COMMISSION, SHEET 2 OF 75. LAYOUT NO. 7429.
 - UNDERGROUND GAS FACILITY MAPPING PROVIDED BY NSTAR.

PLAN UPDATE	JW	FH	2023.02.18
PLAN CLARIFICATIONS	JEL	FH	2019.05.14
Revision	By	Appd	YYYY.MM.DD

Issued _____ By _____ Appd _____ YYYY.MM.DD

Permit/Seal



Consultant

Client/Project Logo

Client/Project

File Name: SITE PLAN_JHW	JEL	JEL	FH	2019.04.22
	Dwn.	Dign.	Chkd.	YYYY.MM.DD

Title

SITE PLAN
73 HIGHLAND AVENUE

Project No.

Revision Sheet
1 of 1

Scale

1" = 10'

Drawing No.

C-100



Law Offices of
PETER A. ZAHKA, II, P.C.

**12 School Street
Dedham Square
Dedham, MA 02026**

**Tel. 781/329-2601
Fax 781/326-0617
Peter@ZahkaLaw.com**

February 21, 2023

Needham Zoning Board of Appeals
c/o Needham Town Clerk
Needham Town Hall
1471 Highland Street
Needham, MA 02492

Re: Applicant: Enterprise Rent-A-Car Company of Boston, LLC
 Property Owner: Future Plan Investment, Inc.
 Property Address: 1584 Great Plain Avenue, Needham, MA

Dear Honorable Board:

This office represents Enterprise Rent-A-Car Company of Boston, LLC, (the "Applicant") relative to a special permit for the proposed replacement/substitution of a nonconforming use at the above property (from an automobile repair garage to an automobile rental agency). In connection therewith, enclosed herewith please find seven (7) copies of the following:

1. ZBA Application for Hearing (with attached Project Narrative)
2. Owner's Authorization
3. Existing Conditions Pictures
4. Plan set entitled "Proposed Facility Upgrade Plan, 1584 Great Plain Avenue, Needham, Norfolk County, Massachusetts, for Enterprise", dated February 16, 2023, prepared by J.K. Holmgren Engineering, LLC, consisting of the following sheets:
 - a. Cover-General Notes-Legend Sheet (Sheet C-1)
 - b. Existing Conditions Plan (Sheet C-2)
 - c. Layout & Materials Plan (Sheet C-3)
 - d. Utility Plan (Sheet C-4)
 - e. Landscape Development Plan (Sheet C-5)
 - f. Details (Sheet C-6)
 - g. Details (Sheet C-7)

Needham Zoning Board of Appeals
February 21, 20223
Page 2.

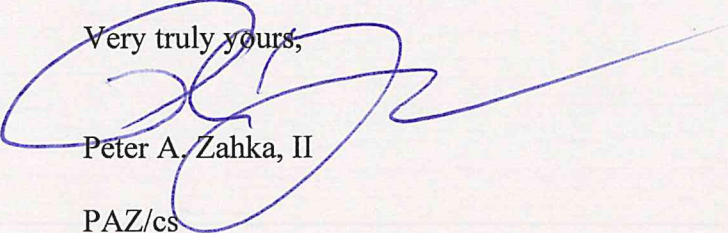
5. Drawing entitled "Proposed Floor Plan & Elevations", dated February 2, 2023, prepared by J. Ferrerra Associates, Inc.
6. Sign Renderings

Also enclosed herewith is a check for the filing fee in the amount of \$200.00.

Note that on this same date an electronic copy of this letter and all enclosed materials is being submitted to Zoning Specialist Daphne M. Collins.

Thank you for your attention to this matter.

Very truly yours,



Peter A. Zahka, II

PAZ/cs

Enc.

cc: Zoning Specialist Daphne M. Collins (via email only)
Build Commissioner David A. Roche (via email only)
Client (via email only)



ZBA Application Process

Prior to submitting an application, please contact: Daphne Collins, Zoning Specialist, dcollins@needhamma.gov 781-455-7550, x261;

To apply for a ZBA Special Permit, Comprehensive Permit, Variance, Appeal of a Building Inspector's Decision or Amendment you will need to do and submit the following:

- ☒ certify that the Building Inspector was consulted prior to submitting an application;
- ☒ complete a ZBA Application;
- ☒ plot plan of the existing conditions and proposed conditions, stamped and dated by a certified land surveyor or engineer;
- ☒ plans and elevations stamped and dated by a certified architect or engineer;
- ☒ stormwater mitigation plans stamped and dated by a certified engineer, when applicable;
- ☒ any required backup documentation pertaining to the zoning relief sought;
- ☒ if the applicant is not the owner of record, a letter from the owner certifying authorization.
- ☒ application fee, check made payable to the Town of Needham. Check holder's name, address, and phone number to appear on the check. In the check memo line write: "ZBA fee" and the address of the project.
- ☒ 7 copies of the ZBA Application with back-up documentation along with the application fee to the Town Clerk's Office, Needham Town Hall, 1471 Highland Avenue, Needham, MA 02492. (Additional copies may be required determined by the ZBA on a case by case basis)
- ☒ an electronic copy of the application and all submitted materials to dcollins@needhamma.gov.

The ZBA will:

- prepare a Legal Notice to run twice in the Hometown Weekly. The Hometown Weekly will bill you directly. Make sure you identify the individual, billing address, email and phone number to be billed;
- place a Notice on the Town Calendar and will notify by mail your abutters. On a case by case basis, the ZBA may determine and task the applicant with notifying the abutters. If tasked, instructions and notice will be provided.



ZBA Application For Hearing

Applicants must consult with the Building Inspector prior to filing this Application. Failure to do so will delay the scheduling of the hearing.

Applicant Information

Applicant Name	Enterprise Rent-A-Car Company of Boston LLC	Date:	2/17/23
Applicant Address	10 Second Avenue, Burlington, MA 01803		
Phone	508-494-5986	email	Katelyn.ONeil@ehi.com
Applicant is ☐ Owner; ☒ Tenant; ☐ Purchaser; ☐ Other_____			
If not the owner, a letter from the owner certifying authorization to apply must be included			
Representative Name	Peter A. Zahka, II, Esq Law Offices of Peter A. Zahka, II, P.C.		
Address	12 School Street, Dedham, MA 02026		
Phone	781-329-2601	email	Peter@Zahkalaw.com
Representative is ☒ Attorney; ☐ Contractor; ☐ Architect; ☐ Other_____			
Contact ☐ Me ☒ Representative in connection with this application.			

Subject Property Information

Property Address	1584 Great Plain Avenue		
Map/Parcel Number	216/17	Zone of Property	SRA
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☒ Yes ☐ No			
Is property ☐ Residential or ☒ Commercial Commercial building in residential zone			
If residential renovation, will renovation constitute "new construction"? ☐ Yes ☐ No			
If commercial, does the number of parking spaces meet the By-Law requirement? ☒ Yes ☐ No			
Do the spaces meet design requirements? ☒ Yes ☐ No			
Application Type (select one): ☒ Special Permit ☐ Variance ☐ Comprehensive Permit ☐ Amendment ☐ Appeal Building Inspector Decision			



ZBA Application For Hearing

Existing Conditions: Subject Property contains approximately 29,011 sf of land and is occupied by an approximate 45' x 29 1-story commercial building utilized as an automobile repair garage. Since this use is not allowed in a residential property, the use and building are pre-existing nonconforming.

Statement of Relief Sought: For a special permit for the replacement/substitution of a non-conforming use (automobile repair garage) of a building and land to an automobile rental agency with associated improvements to the parking lot and building with any special permit and/or waivers, if required, to maintain preexisting non-conformities to the parking plan and design requirements including landscaping and parking setbacks. See attached Project Narrative.

Applicable Section(s) of the Zoning By-Law:

1.4.6; 1.4.10; 5.1; 5.1.1.1; 5.1.1.5; 5.1.1.7; 5.1.2; 5.1.3; 6.4; 7.5; 7.5.2

If application under Zoning Section 1.4 above, list non-conformities:

	Existing Conditions	Proposed Conditions
Use	auto repair garage	auto rental agency
# Dwelling Units	0	0
Lot Area (square feet)	29,011 sf	29,011 sf
Front Setback (feet)	46.8 feet	46.8 feet
Rear Setback (feet)	89.5 feet	89.5 feet
Left Setback (feet)	27.9 feet	27.9 feet
Right Setback (feet)	86.8 feet	86.8 feet
Frontage (feet)	156.5 feet	156.5 feet
Lot Coverage (%)	44.2%	44.2%
FAR (Floor area divided by the lot area)	.05	.05

Numbers must match those on the certified plot plan and supporting materials



ZBA Application For Hearing

Date Structure Constructed including additions:

1942 (Effective year built: 1980)

Date Lot was created:

1987

Submission Materials	Provided
Certified Signed Plot Plan of Existing and Proposed Conditions (Required)	X
Application Fee, check made payable to the Town of Needham Check holders name, address, and phone number to appear on check and in the Memo line state: "ZBA Fee – Address of Subject Property" (Required)	X
If applicant is tenant, letter of authorization from owner (Required)	X
Electronic submission of the complete application with attachments (Required)	X
Elevations of Proposed Conditions (when necessary)	X
Floor Plans of Proposed Conditions (when necessary)	X

Feel free to attach any additional information relative to the application.
Additional information may be requested by the Board at any time during the
application or hearing process.



I hereby request a hearing before the Needham Zoning Board of Appeals. I have
reviewed the Board Rules and instructions.

I certify that I have consulted with the Building Inspector January 26, 2023
date of consult

Date: 2/16/2023 Applicant Signature Thomas J Walling

*An application must be submitted to the Town Clerk's Office at
townclerk@needhamma.gov and the ZBA Office at dcollins@needhamma.gov*

PROJECT NARRATIVE

APPLICANT:	Enterprise Rent-A-Car Company of Boston LLC
OWNER:	Future Plan Investment, Inc.
PROPERTY:	1584 Great Plain Avenue, Needham, MA

Enterprise Rent-A-Car Company of Boston, LLC (the “Applicant”) has entered into an agreement with Future Plan Investment, Inc. (the “Owner”) to lease the real estate known and numbered as 1584 Great Plain, Dedham, MA (the “Subject Property”). The Subject Property is further described in a deed recorded with the Norfolk Registry of Deeds Book 11600, Page 677, and shown as Lot 17-A on a plan filed with the Norfolk Registry as Plan No. 747 in Plan Book 355. (Said deed and plan are attached hereto as Exhibit 1 and Exhibit 2, respectively.) The Subject Property, shown on the Needham Board of Assessors Map 216, Lot 17, (Parcel ID 1992160001700000) contains approximately 29,011 square feet of land¹ and has approximately 156.5 feet of frontage on Great Plain Avenue². The Subject Property is occupied by an existing 1-story commercial building with approximately 1,450 square feet of floor area utilized as an automobile repair garage. According to the Zoning Map for the Town of Westwood, the Subject Property is located in the Single Residence A (SRA) Zoning District (and a portion is located in the Flood Plain District).

Applicant currently operates an automobile rental agency on Wexford Street, Needham, Massachusetts, and proposes to relocate said facility to the Subject Property. In connection therewith, Applicant intends to undertake significant improvements to the Subject Property and the existing building including the following:

¹ The recorded plan indicates that the Subject Property contains 29,004 square feet of land. However, the Needham Assessors’ records and the plan submitted with this Application indicate a land area of 29,011 square feet of land. For purposes of this Memorandum and Application, a land area of 29,011 square feet is utilized. It should be noted that the analysis provided herein is not impacted by this small discrepancy in land area.

² The Owner also holds title to the adjoining real estate known and numbered as 0 Great Plain Avenue, Needham, MA, and shown on Needham Board of Assessors Map 216, Lot 41 (Parcel ID 1992160004100000). According to the recorded plan, this parcel contains 10,622 square feet of land. It should be noted that Applicant is only leasing 1584 Great Plain Avenue and this Application applies only to that parcel.

1. The entirety of the interior of the building will be renovated and adapted to (without enlargement of the footprint) for re-use for an automobile rental agency.
2. Applicant's proposed use including office/car rental area and two (2) wash bays (to allow Applicant to wash and clean vehicle inside the building).
3. Exterior improvements will include a new roof, new siding, new windows, and new doors including the garage doors.
4. The existing limits of the paved parking lot will remain (i.e., no new paved areas will be introduced and none of the existing pavement will be removed). However, Applicant will seal coat the entirety of the existing pavement and will restripe the same with 26 parking spaces (inclusive of ADA compliant spaces) in accordance with the Needham Zoning By-Law requirements.
5. Applicant will enhance and improve the existing landscaped areas.
6. Existing signs for the automobile garage will be removed. Applicant proposes a new 2' x 10' (20 sf) illuminated pylon sign which will be 15 feet in height, a new 2' x 9' (18 sf) wall sign, and 12" high window swipe on the main entrance door. Applicant understands that the proposed signs will require relief from the Design Review Board.

Applicant anticipates that the automobile rental agency will (on average) have a maximum of five (5) employees working at any one time. The projected hours of operation will be 7:00 am – 6:00 pm, Monday – Friday, 9 am – 12:00 pm, Saturday, and closed on Sunday. There will be no maintenance or repairs of automobiles conducted at the Subject Property. Washing and cleaning of vehicles will be conducted inside the buildings wash bays.

As shown on the following table, the Subject Property and the building thereon comply with the dimensional requirements for the SRA Zoning District set forth in Sections 4.2.1 and 4.2.2 of the Needham Zoning By-Law:

	Required	Provided
Min Lot Area	43, 560 S.F.	29, 011 S.F.
Frontage	150'	156.50'
Front Setback	30.0'	46.80'
Side Setback	15.0'	27.90'
Rear Setback	15.0'	89.5'
Max. BLDG. Height	35'	25'
Floor Area Ratio	N/A	.05
Max. Lot Coverage	N/A	44.2%

Except as noted below, the parking lot proposed by Applicant satisfies the “Required Parking” set forth in Section 5.1.2 of the Needham Zoning By-Law, the “Parking Plan and Design Requirements” set forth in Section 5.1.3 of the Needham Zoning By-Law, and the requirements for “Outdoor Parking of Vehicles as set forth in Section 6.4 of the Needham Zoning By-Law. Specifically, Applicant notes the following:

1. The Needham Zoning By-Law does not have a specific parking requirement for “automobile rental agencies or facilities”. However, the Needham Zoning By-Law requires 1 parking space per 300 sf of floor area for “retail services” and 1 parking space for employees and guests per 250 sf of floor area for “automobile and truck sales and leases”. Utilizing the most conservative requirement, Applicant would require 6 parking spaces. As shown on the submitted plan, Applicant is proposing 26 parking spaces. It is anticipated that 8 parking spaces will be utilized by employees and customers and the remaining parking spaces will be used to park the rental automobiles.
2. Applicant is providing ADA compliant spaces in compliance with Section 5.1.3(c) of the Needham Zoning By-Law.
3. The driveway openings have been designed to minimize conflict with traffic on the street and to provide good visibility and sight distances in compliance with Section 5.1.3(d) of the Needham Zoning By-Law.
4. Parking spaces measure 9’ x 18.5’ in compliance with Section 5.1.3(f) of the Needham Zoning By-Law.
5. Parking areas have been designed so that each motor vehicle may proceed to and from its parking space without requiring the movement of any other vehicle and to avoid vehicles from backing or maneuvering onto the sidewalk or into a public or private way upon entering or leaving the space in compliance with Section 5.1.3(g) of the Needham Zoning By-Law.
6. Aisle widths are in excess of 24 feet in width in compliance with Sections 5.1.3(i) and 6.4.1(c) of the Needham Zoning By-Law.
7. The lot area is in excess of 15,000 square feet in compliance with Section 6.4.1(a) of the Needham Zoning By-Law.
8. The minimum distance of driveways complies with Section 6.4.1(d) of the Needham Zoning By-Law.
9. There will be no outdoor repair work of any kind in compliance with Section 6.4.1(g) of the Needham Zoning By-Law.

Applicant acknowledges that the proposed parking area does not comply with Section 5.1.3(j) (Parking Setbacks), Section 5.1.3(k) (Landscaped Area), or Section 5.1.3(l) (Trees) of the Needham Zoning By-Law. With respect to the same, Applicant submits that the existing parking area is pre-existing nonconforming and that Applicant is bringing the same into compliance to the extent feasible. Accordingly, (if required) Applicant requests that Zoning Board of Appeals waive said requirements via special permit if required.

A review of the Section 3.2 (Schedule of Use Regulations) of the Needham Zoning By-Law indicates that a garage for the repair of automobiles is a prohibited use in the SRA District. Therefore, the current use of the Subject Property as an automobile repair garage is a “non-conforming use” as the same is defined in Section 1.3 (Definitions) of the Needham Zoning By-Law. Applicant’s proposed use as an automobile rental agency is not identified on the Schedule of Use Regulations as a use in the SRA Zoning District. Relative to Applicant’s proposal to change the current use (automobile repair garage) to an automobile rental agency, Applicant respectfully requests a special permit pursuant to Sections 1.4.6 and 1.4.7 of the Needham Zoning By-Law provide as follows:

1.4.6 Alteration

Except as otherwise provided in Section 1.4.7, a lawful pre-existing non-conforming use may be changed or extended and a non-conforming building may be structurally altered, enlarged or reconstructed only pursuant to a special permit issued by the Board of Appeals pursuant to Section 7.5.2. No such permit shall be issued except in accordance with the requirements of Section 7.5.2 nor unless the Board shall determine that such change, extension, alteration, enlargement or reconstruction would not be substantially more detrimental to the neighborhood than using the existing non-conforming use or structure. The issuance of a special permit hereunder shall not authorize the violation of any dimensional, parking or intensity regulation with which the structure or use was theretofore in conformity.

1.4.10 Substitution

The Board of Appeals may grant a special permit for the replacement of a non-conforming use of a building, structure or land by another specified use not conforming to this By-Law, provided the replacement is less

objectionable and detrimental to the neighborhood or any property in the neighborhood.

In reviewing requests for special permits, the ZBA is guided by Section 7.5.2 and 7.5.2.1 of the Needham Zoning By-Law:

7.5.2 Special Permits

To hear and decide an application for a special permit for a use, building, structure, off street parking or loading, modification of dimensional standards, screening or landscaping, or other activity where it would not otherwise be permitted but only in those cases where this By-Law specifically refers to a change from the provisions of this By-Law by the granting of a special permit and only in those cases where the Board of Appeals makes the finding and determination set forth in subparagraph 7.5.2.1. An applicant is not entitled to a special permit and the Board of Appeals, in its discretion, may decline to grant a special permit if it is unable to make a positive finding and determination as required in subparagraph 7.5.2.1.

7.5.2.1 Finding and Determination

Prior to granting a special permit, the Board of Appeals shall make a finding and determination that the proposed use, building, structure, off-street parking or loading, modification of dimensional standards, screening or landscaping, or other activity, which is the subject of the application for the special permit: (a) complies with such criteria or standards as may be set forth in the section of this By-Law which refers to the granting of the requested special permit; (b) is consistent with: 1) the general purposes of this By-Law as set forth in subparagraph 1.1, and 2) the more specific objectives and purposes applicable to the requested special permit which may be set forth elsewhere in this By-Law, such as, but not limited to, those at the beginning of the various sections; (c) is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area. Where the Board of Appeals determines that one or more of the following objectives are applicable to the particular application for a special permit, the Board of Appeals shall make a finding and determination that the objective will be met: (d) the circulation patterns for motor vehicles and pedestrians which would result from the use or structure which is the subject of the special permit will not result in conditions that unnecessarily add to traffic congestion or the potential for traffic accidents on the site or in the surrounding area; and (e) the proposed use, structure or activity will not constitute a demonstrable adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now

experienced from uses permitted in the surrounding area, 2) emission or discharge of noxious or hazardous materials or substances, or 3) pollution of water ways or ground water.

Applicant respectfully submits that it satisfies the requirements for the requested special permits. Specifically, Applicant's proposed use is less objectionable and detrimental to the neighborhood or any property in the neighborhood. As described above, the current use is an automobile repair garage. Compared to such use Applicant's proposed automobile rental facility produces less noise and odors. As previously noted, Applicant has minimum employees and does not operate into the late evening hours. The automobiles involved in Applicant's operation are in good condition. No repairs will be made to the vehicles at the Subject Property and any washing or cleaning of the vehicles will be done inside of the building. Given the nature of the use, traffic should be minimal as most customers will be dropped off at the facility (since they will be renting an automobile). As described above, Applicant is bringing the parking lot into compliance to the extent feasible. In addition, the improvements that Applicant is proposing to the building and parking lot will be a significant aesthetic improvement to the Subject Property.

Respectfully Submitted,
Enterprise Rent-A-Car Company of Boston, LLC
By Its Attorney,

Peter A. Zahka, II, Esq.
Law Offices of Peter A. Zahka, II, P.C.
12 School Street
Dedham, MA 02026
781-329-2601

25

BK 11600PG677

RECORDED
NORFOLK COUNTY REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

Barry T. Hannon

BARRY T. HANNON, REGISTER

122693

N O T QUITCLAIM DEED N O T
A N A N

Donna Castagna of 1579 Great Plain Avenue, Needham, Norfolk County, Massachusetts 02192, Trustee of the 1584 Real Estate Trust under a Declaration of Trust, dated November 21, 1995, and recorded with the Norfolk County Registry of Deeds, Book 11125, Page 045, by the power conferred by said Declaration of Trust and every other power,

in consideration of THREE HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS (\$380,000.00) paid grant(s) with QUITCLAIM COVENANTS to Future Plan Investment, Inc., a Massachusetts corporation, whose address is 1960 Washington Street, Newton, MA 02162,

the following described premises situate in Needham in the County of Norfolk and the Commonwealth of Massachusetts, bounded and described as set forth in Exhibit A attached hereto and incorporated herein.

PROPERTY ADDRESS: 1584 Great Plain Avenue, Needham, Norfolk County, Massachusetts 02192

Being the same premises conveyed to the grantor by deed of Kenneth E. Nowak dated November 21, 1995, and recorded with Norfolk County Registry of Deeds in Book 11125, Page 054.

The within conveyance is subject to and with the benefit of all existing rights of way and other rights and restrictions of record, if any, and is subject to outstanding mortgages of record.

Witness my hand and seal this 22 day of November, 1996

Donna Castagna, Trustee
Donna Castagna, Trustee of the
1584 Real Estate Trust

COMMONWEALTH OF MASSACHUSETTS

Suffolk
County of ~~Norfolk~~, ss.

On this 22nd day of November, 1996, before me personally appeared the above named grantor, Donna Castagna, and acknowledged the foregoing instrument to be her free act and deed.

Paul F. Cavanaugh
Name: PAUL F. CAVANAUGH
My commission expires: 11-22-02

RECEIVED RECORDED
NORFOLK COUNTY

96 NOV 22 PM 12:01

CANCELLED

DEEDS REG 17
NORFOLK
11/22/96

TAX 1732.80
CHCK 1732.80
25724017 11:59
EXCISE TAX

BK 11600PG678

NOT EXHIBIT A NOT
AN AN
Parcel I OFFICIAL OFFICIAL

COPY COPY
All that certain parcel of land, together with the buildings and improvements thereon, situated on the southerly side of Great Plain Avenue in the Town of Needham, County of Norfolk, and Commonwealth of Massachusetts, shown as Lot 17-A, 29,004 square feet, on a plan entitled "Plan of Land in Needham, Massachusetts, May 19, 1987, Cheney Engineering Co., Inc." recorded with Norfolk Deeds as Plan No. 747 of 1987 in Plan Book No. 355 recorded July 1, 1987 to which Plan reference may be had for a more particular description.

Subject to all covenants, conditions, restrictions, easements, provisions, exceptions and reservations, if any, contained in former instruments of record, but only to the extent that same may not be in force and applicable.

Together with all the right, title, and interest, if any, in and to all land lying in the streets and highways abutting on or appurtenant to said premises.

Parcel II

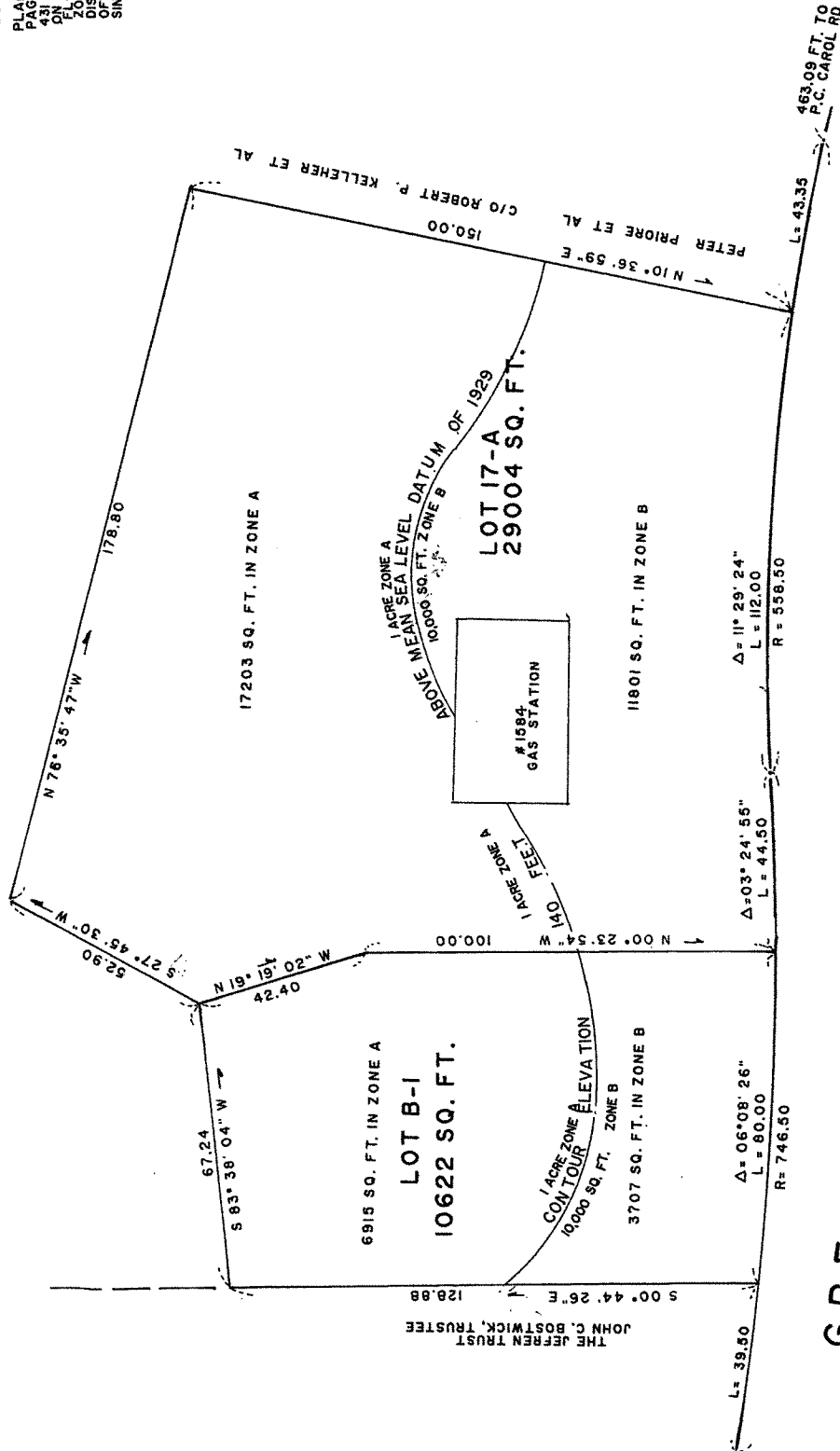
The land in Needham, Norfolk County, Massachusetts, being shown as Lot B-1 on a plan entitled "Plan of Land in Needham, Massachusetts, May 19, 1987, Cheney Engineering Co. Inc.", recorded with Norfolk Deeds as Plan No. 747 of 1987, in Plan Book 355 recorded July 1, 1987 to which Plan reference may be had for a more particular description.

Containing 10,622 square feet of land according to said plan.

UNITED STATES OF AMERICA

NOTE : FLOOD PLAIN SHOWN PER ORIGINAL SURVEY
NOTEBOOK 78 PAGE 78 JULY 22, 1964
SEE PLAN BOOK 222, 1967

PLAN RECORDED AS NO. 680 OF 1981 BOOK 5901.
PAGE 413 REFERS TO, BUT DISAGREES WITH, PLAN.
431 OF 1974 BOOK 4836 PAGE 486 BY 11-21-25.
OF THE PLAN CONSIDERED DOES NOT SHOW
OF THE PLAN CONSIDERED DOES NOT SHOW
ZONE LINE SEPARATING LOT 140 THAT DEFINES THE
DISTRICTS. THAT PLAN CONSOLIDATES 16159 SQ. FT.
OF GAS STATION LOT WITH 23469 SQ. FT. OF
SINGLE RESIDENCE LOT WITHOUT REGARD TO USE.



GREAT
PLAIN
COUNTY LAYOUT OF 1890
AVENUE

COUNTY LAYOUT OF 1888
50.00 FT. WIDE

PLAN OF LAND

NEEDHAM, MASS.

SCALE: 1 INCH = 20 FT.
MAY 19, 1987

THIS SURVEY AND PLAN WERE PREPARED IN ACCORDANCE WITH THE PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS BY

**I CERTIFY THIS PLAN
CONFORMS TO THE RULES
AND REGULATIONS OF
THE REGISTERS OF DEEDS**

BY: Sidney R. Vaughan

APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
NOT REQUIRED

Paul K. Hines
NOT REQUIRED
SUBDIVISION CONTROL LAW

Susan M. Wagner

2000

NEEDHAM PLANNING BOARD

DATE 6/1/87

Norfolk Registry of Deeds
Dedham, Mass.
Received July 1, 1987
With _____

Filed as No. 747 19 87
Pl. Bk. 355
Attest: [Signature]
Register

OWNER'S AUTHORIZATION

The undersigned, as the record title owner of the real estate known and numbered as 1584 Great Plain Avenue, Needham, Massachusetts, (the "Real Estate") hereby consent and authorize Enterprise Rent-A-Car Company of Boston LLC, and its agents and attorneys, to submit applications to municipal boards and agencies of the Town of Needham, including but not limited to Needham Zoning Board of Appeals, Conservation Commission, and Design Review Board, as proper, necessary, and required relative to a proposed automobile rental agency at said Real Estate.

Sam Hurwitz

Future Plan Investment, Inc.

By: Sam Hurwitz

Google Maps 1579 MA-135

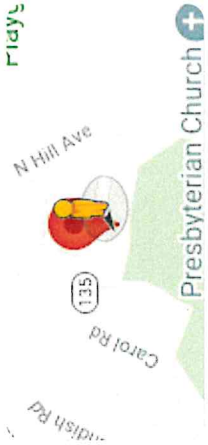
Needham, Massachusetts

 Google Street View

Jul 2022 See more dates



Image capture: Jul 2022 © 2023 Google



Google Maps 1584 MA-135

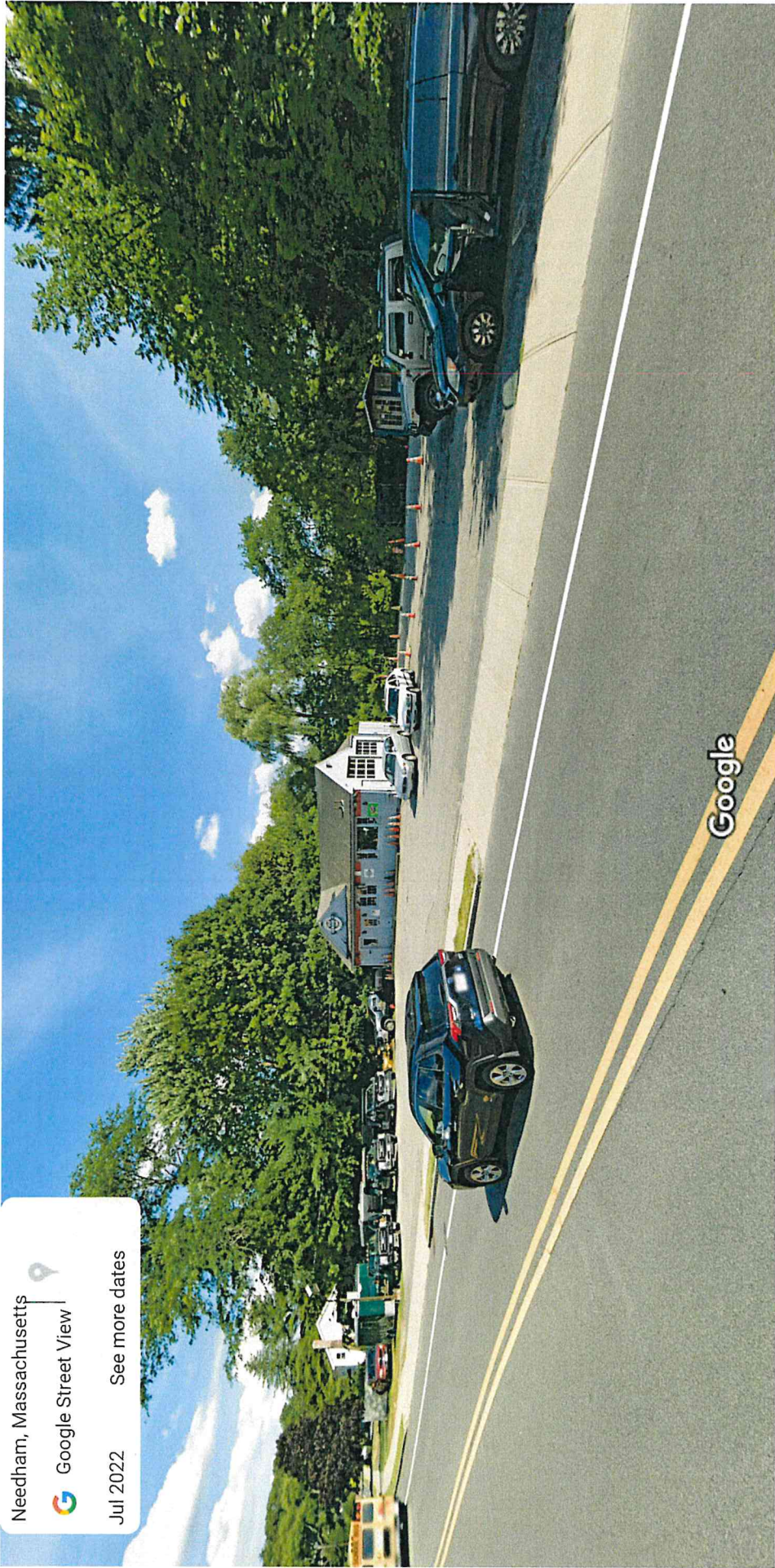
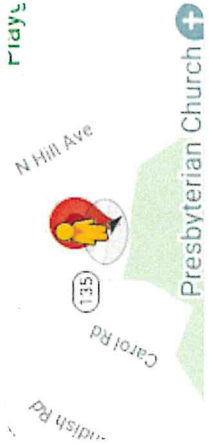


Image capture: Jul 2022 © 2023 Google



Site Development Plans

COVER - GENERAL NOTES - LEGEND SHEET

Issued for : Site Plan Review / Zoning Board of Appeals

Date Issued - February 16, 2023 Revised -

Job Number - 2023-003

Index

No.	Drawing Title	Date
C-1	Cover-General Notes-Legend Sheet	02-16-2023
C-2	Existing Conditions Plan	02-16-2023
C-3	Layout & Materials Plan	02-16-2023
C-4	Utility Plan	02-16-2023
C-5	Landscape Development Plan	02-16-2023
C-6	Details	02-16-2023
C-7	Details	02-16-2023

Architectural Plans (by others)
Sign Plan (by others)

ABBREVIATION LEGEND

EOP	EDGE OF PAVEMENT
VGC	VERTICAL GRANITE CURB
CB	CATCH BASIN
DMH	DRAIN MANHOLE
SMH	SEWER MANHOLE
UP	UTILITY POLE
CCB	CAPE COD BERM
WG	WATER GATE
GS	GAS GATE
BC	BOTTOM OF CURB
TC	TOP OF CURB
LSA	LANDSCAPED AREA
BW	BOTTOM OF WALL
TW	TOP OF WALL
CC	CONCRETE CURB
EMH	ELECTRIC MANHOLE
DS	DOWN SPOUT
CO	CLEAN OUT



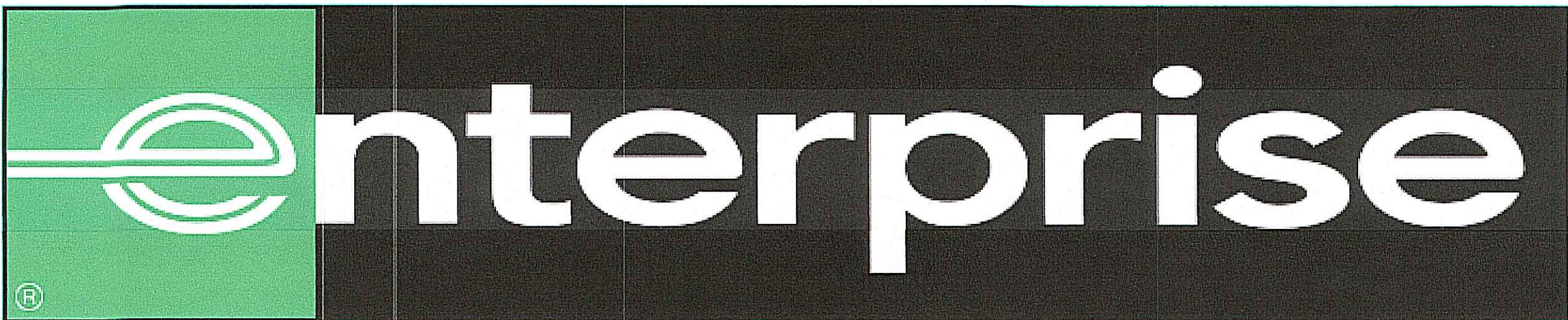
GENERAL NOTES

- ALL PROPOSED WALKWAYS WILL BE HANDICAPPED ACCESSIBLE. ALL PROPOSED SLOPES ON WALKWAYS TO BE LESS THAN 5%.
- WHEREAN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR, AND THE INFORMATION FURNISHED TO J K HOLMGREN ENGINEERING. CONTRACTOR WILL REFER TO J K HOLMGREN ENGINEERING FOR ALL TECHNICAL COMMENTS FOR RESOLUTION OF THE CONFLICT.
- AREAS OUTSIDE THE LIMITS OF PROPOSED WORK DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE.
- THE TERM "PROPOSED" (PROP) MEANS WORK TO BE CONSTRUCTED USING NEW MATERIALS OR, WHERE APPLICABLE, RE-USING EXISTING MATERIALS IDENTIFIED AS "REMOVE AND RESET". (R&R)
- JOINTS BETWEEN NEW BITUMINOUS CONCRETE ROADWAY PAVEMENT AND SAWCUT EXISTING PAVEMENT SHALL BE SEALED WITH BITUMEN AND BACKSANDS.
- THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE THE START OF ANY WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO LOCATE THE UTILITIES EXACTLY. THE CONTRACTOR SHALL PRESERVE ALL UNDERGROUND UTILITIES. THE CONTRACTOR MUST CALL "DIG SAFE" (AT 1-888-DIG-SAFE) AND THE CITY OF FRAMINGHAM UTILITY DIVISION AT LEAST 72 HOURS TO MARK APPROPRIATE UTILITIES BEFORE THE START OF CONSTRUCTION.
- WHEREAN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR, AND THE INFORMATION FURNISHED TO J K HOLMGREN ENGINEERING. CONTRACTOR WILL REFER TO J K HOLMGREN ENGINEERING FOR ALL TECHNICAL COMMENTS FOR RESOLUTION OF THE CONFLICT.
- ALL AREAS DISTURBED DURING CONSTRUCTION SHALL BE REPLACED IN KIND. LAWN AREAS SHALL HAVE A MODIFIED LOAM BORROW PLACED AND SEEDED. THE MODIFIED LOAM BORROW SHALL HAVE A MINIMUM DEPTH OF 4" AND SHALL BE PLACED FLUSH WITH THE TOP OF ADJACENT CURB, EDGING, BERM, OR OTHER SURFACE.
- THE CONTRACTOR SHALL WATER, MOW, AND FERTILIZE LAWN AREAS UNTIL SATISFACTORY GRASS STANDS, AND/OR THE OWNER OR ITS REPRESENTATIVE IS SATISFIED.
- THE CONTRACTOR SHALL PROTECT ALL UNDERGROUND DRAINAGE, SEWER, AND UTILITY FACILITIES FROM EXCESSIVE VEHICULAR LOADS DURING CONSTRUCTION. ANY FACILITIES DAMAGED BY CONSTRUCTION LOADS SHALL BE REPAIRED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE.
- UPON AWARD OF CONTRACT, CONTRACTOR SHALL MAKE ALL NECESSARY CONSTRUCTION NOTIFICATIONS AND APPLY FOR AND OBTAIN ALL NECESSARY PERMITS, PAY ALL FEES AND POST ALL BONDS ASSOCIATED WITH SAME, AND COORDINATE WITH THE ENGINEER AS REQUIRED.
- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR JOB SITE SAFETY AND ALL CONSTRUCTION MEANS AND METHODS.
- PRIOR TO THE START OF CONSTRUCTION THE CONTRACTOR SHALL SUBMIT A SCHEDULE OF OPERATIONS TO THE OWNER AND ITS REPRESENTATIVE. THE CONTRACTOR SHALL NOTIFY AND COORDINATE WITH THE OWNER, ITS ENGINEER OR REPRESENTATIVE.
- FINAL LAYOUT AND STAKING OF ALL PROPOSED FEATURES AND GRADING SHALL BE AS DESIGNED, REVIEWED AND APPROVED BY THE ZONING BOARD OF APPEALS.
- THE CONTRACTOR SHALL REMOVE ALL STUMPS, RUBBISH, AND DEBRIS FROM THE PROJECT SITE. STORAGE OF THESE ITEMS WILL NOT BE PERMITTED ON THE PROJECT SITE. THE CONTRACTOR SHALL LEAVE THE SITE IN A SAFE, CLEAN, AND LEVEL CONDITION AT THE COMPLETION OF THE SITE CLEARANCE WORK.
- ALL ELECTRICAL, TELEPHONE, AND LOCAL FIRE DEPARTMENT CONDUITS ARE TO BE INSTALLED BY THE ELECTRICAL CONTRACTOR. TRENCHING, BACKFILLING AND CONCRETE AND STREET REPAIR SHALL BE PERFORMED BY THE GENERAL CONTRACTOR. MUST COMPLY WITH NFPA 72 & 527 CMR 1.00.
- PROPOSED MANHOLE RIMS & GRATES ARE TO BE SET FLUSH AND CONSISTENT WITH GRADING PLANS. ADJUST ALL OTHER RIM ELEVATIONS OF MANHOLES, GAS GATES, WATER GATES AND OTHER UTILITIES TO FINISHED GRADE WITHIN THE LIMITS OF THE SITE WORK. IF ANY CONFLICTS ARE DISCOVERED NOTIFY OWNERS REPRESENTATIVE.
- THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS WITH THE APPROPRIATE UTILITY COMPANIES FOR POLE RELOCATION, AND FOR THE ALTERATION AND ADJUSTMENT OF GAS, ELECTRIC, TELEPHONE, FIRE ALARM, AND ANY OTHER PRIVATE UTILITIES, AS REQUIRED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A TOWN OF NEEDHAM PUBLIC WORKS CONSTRUCTION LICENSE.
- A STABILIZED CONSTRUCTION EXIT TO BE PUT IN PLACE PRIOR TO THE START OF CONSTRUCTION.
- REMOVE SNOW FROM SITE AS NECESSARY AND DO NOT PLACE ON TOWN PROPERTY.
- THE MAINTENANCE OF THE DRAINAGE SYSTEM IS THE OWNERS RESPONSIBILITY (POST-CONSTRUCTION). THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE DRAINAGE SYSTEM DURING CONSTRUCTION.
- ANY HYDRANT, FIRE PROTECTION WATER SUPPLY LINE AND ASSOCIATED DEVICES ON SUBJECT PROPERTY SHALL BE MAINTAINED TO THE REQUIREMENTS OF NFPA25. MUST COMPLY WITH 527 CMR 1.00, CH. 13, 16 & 18 AND NFPA 25.
- THE SITE IS NOT LOCATED IN A DEP WELL HEAD PROTECTION DISTRICT.
- THE SITE IS NOT LOCATED IN A NHESP ESTIMATED OR PRIORITY HABITAT OF RARE SPECIES.

Proposed Facility Upgrade Plan

1584 Great Plain Avenue, Needham,
Norfolk County, Massachusetts

For :



Applicant :

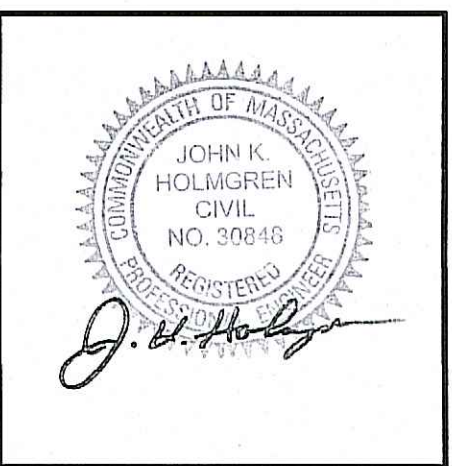
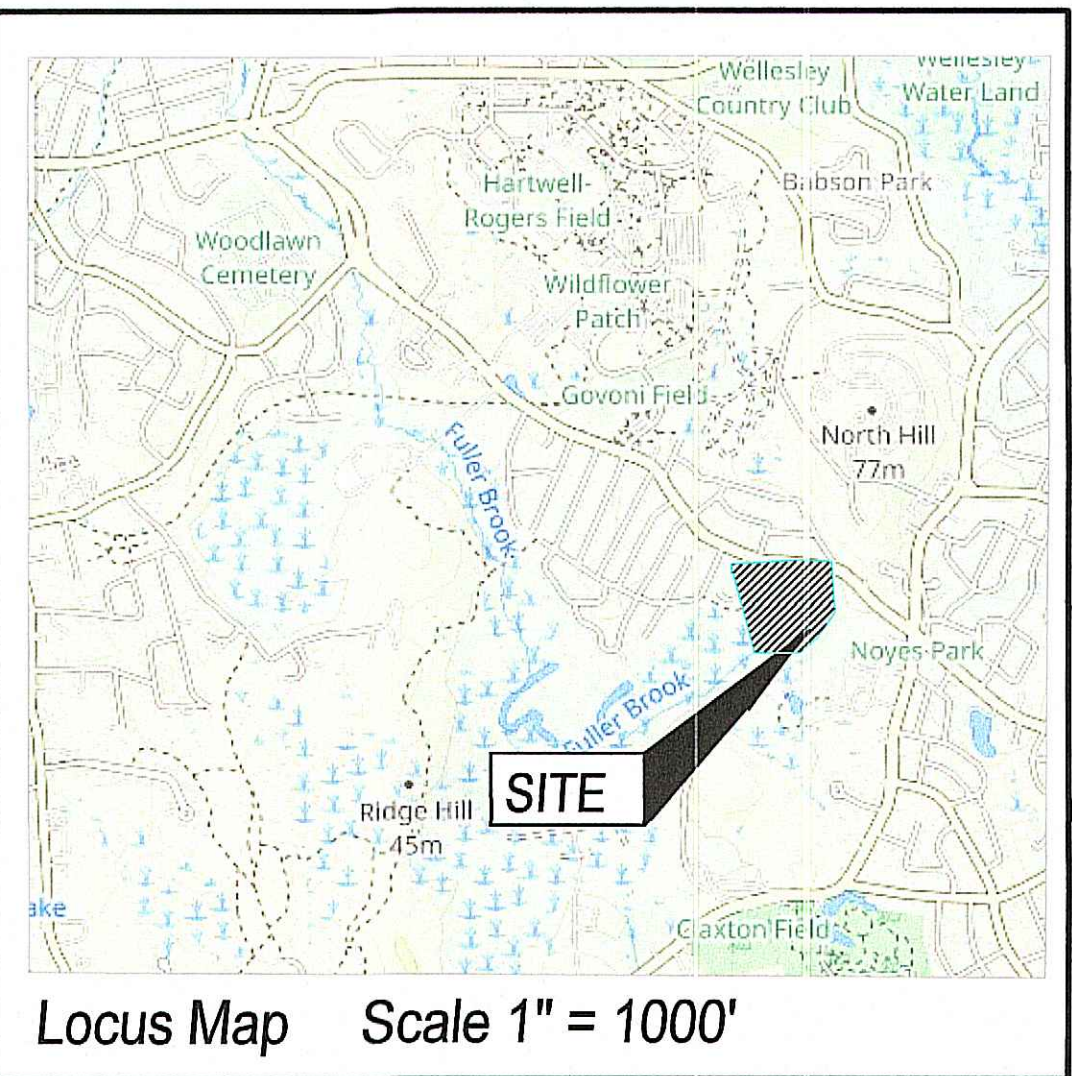
Enterprise Rent -A- Car Company of Boston
405 West Street
W. Bridgewater, MA 02379
Phone - (508) 427-1009

Owner :

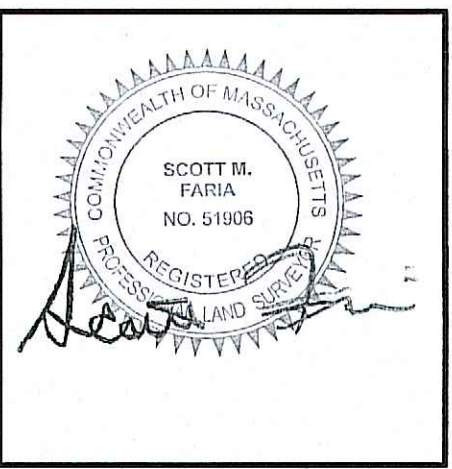
Future Plan Investment, Inc.
1960 Washington Street
Newton, MA 02462

Design Engineer/Surveyor :

J.K. HOLMGREN ENGINEERING, LLC
Registered Professional Engineers and Land Surveyors
1024 Pearl Street, Brockton, MA. 02301
Phone - (508) 583-2595
Email: sfaria@jkholmgren.com



ENGINEER:
JOHN K. HOLMGREN
MASSACHUSETTS REGISTERED
PROFESSIONAL ENGINEER REG# 30848



SURVEYOR:
SCOTT M. FARIA
MASSACHUSETTS REGISTERED
PROFESSIONAL LAND SURVEYOR REG# 51908

JKE J.K. Holmgren Engineering
Registered Professional
Engineers & Land Surveyors

○ = Construction Revision
Blank = Submittal Action
△ = Plan Revision

REV.	BY:	DATE:	REMARKS

H:\2023\2023-003\CIVIL\2023-003COV0.DWG
2023-033

DATE: 02/16/2023

C-1

DRAWING NUMBER

GENERAL NOTES :

ASSESSORS MAP : 216 BLOCK: 17

LOCUS DEED REFERENCE : BOOK 11600, PAGE 677

ZONING : SINGLE RESIDENCE -A (& FLOOD PLAIN DISTRICT)

PLAN REFERENCE:

NO. 432 OF 1952
NO. 747 OF 1987
NO. 479 OF 1980
NO. 1159 OF 1948
NO. 325 OF 1952
NO. 452 OF 1952
NO. 170 OF 1954

APPLICANT :
ENTERPRISE RENT-A-CAR
405 WEST STREET
W. BRIDGEWATER, MA 02379

OWNER :
FUTURE PLAN INVESTMENT, INC.
1960 WASHINGTON STREET
NEWTON, MA 02462

THE PROJECT SITE IS NOT LOCATED WITHIN AN AREA MAPPED AS PRIORITY HABITAT & ESTIMATED HABITAT FOR RARE SPECIES ACCORDING TO THE MASSACHUSETTS NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM.

THE PROJECT SITE IS NOT LOCATED WITHIN A ZONE II WELLHEAD PROTECTION ZONE.

OF THE PROJECT SITE IS LOCATED OUTSIDE OF ANY FLOOD ZONES (ZONE X)
AS PER FEMA - FIRM MAP COMMUNITY PANEL 25021C0017E, DATED
7/17/2012.

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR HIS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE THE START OF ANY WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO LOCATE THE UTILITIES EXACTLY. THE CONTRACTOR SHALL MAINTAIN A RESERVE OF ALL UNDERGROUND UTILITIES. THE CONTRACTOR MUST CALL "DIG SAFE" (AT 1-888-DIG-SAFE) AND THE TOWN OF NEEDHAM UTILITY DIVISION AT LEAST 72 HOURS TO MARK APPROPRIATE UTILITIES BEFORE THE START OF CONSTRUCTION.



Assessors Map: 216 Block: 17
1584 Great Plain Avenue, Needham, Massachusetts

PREPARED FOR

ENTERPRISE RENT-A-CAR

TITLE

EXISTING CONDITIONS PLAN

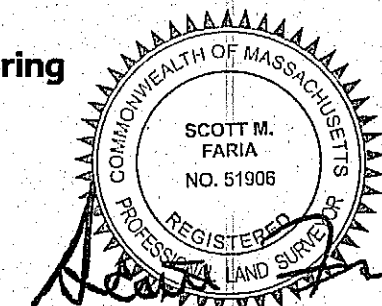
J.K. HOLMGREN ENGINEERING, LLC

Registered Professional Engineers and Land Surveyors

1024 Pearl Street, Brockton, MA. 02301

Phone - (508) 583-2595

Email : sfaria@jkhholmgren.com



20 0 20 40
SCALE IN FEET

SCALE: 1" = 20'

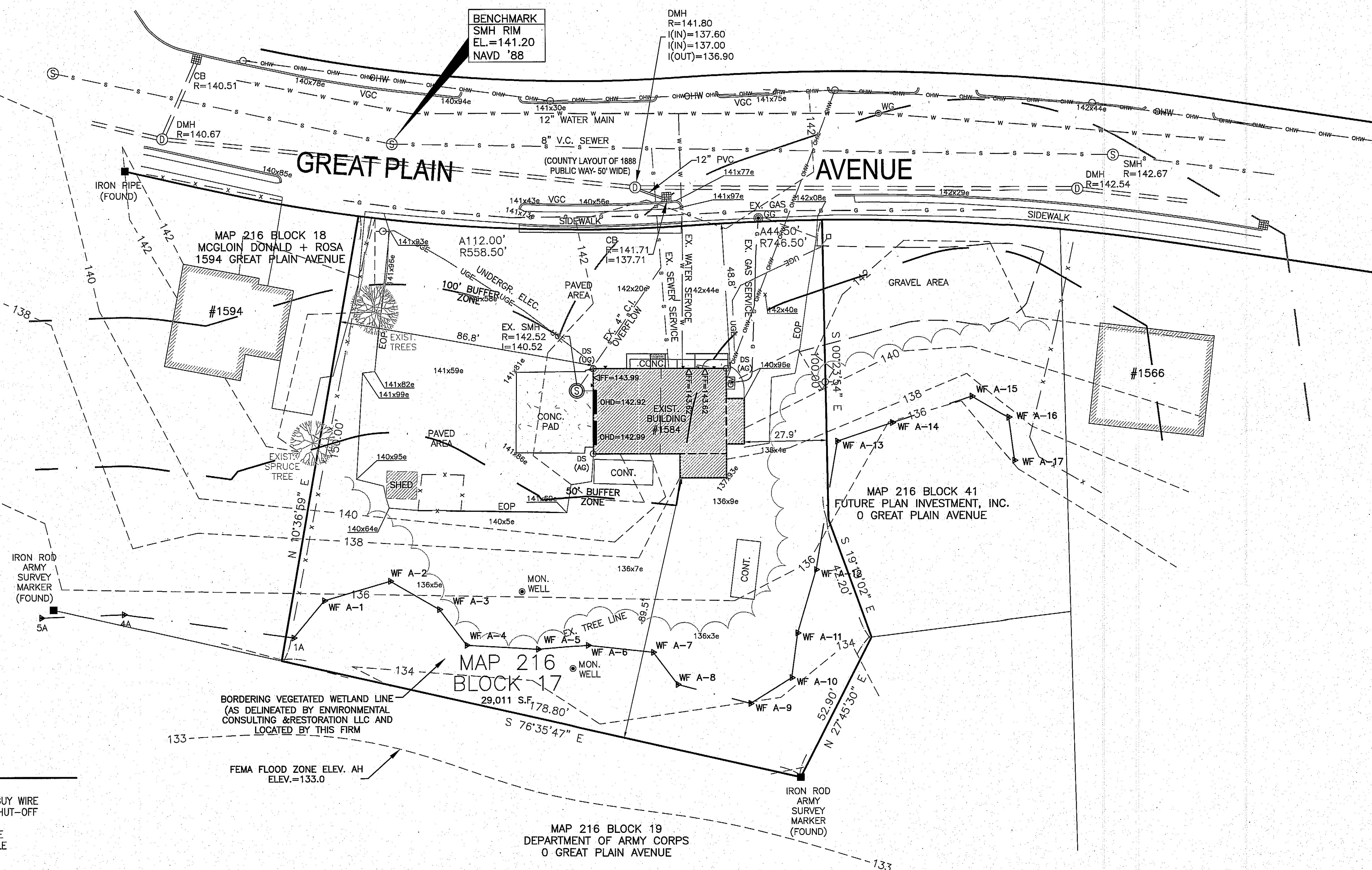
DATE: 02/16/2023

C-2

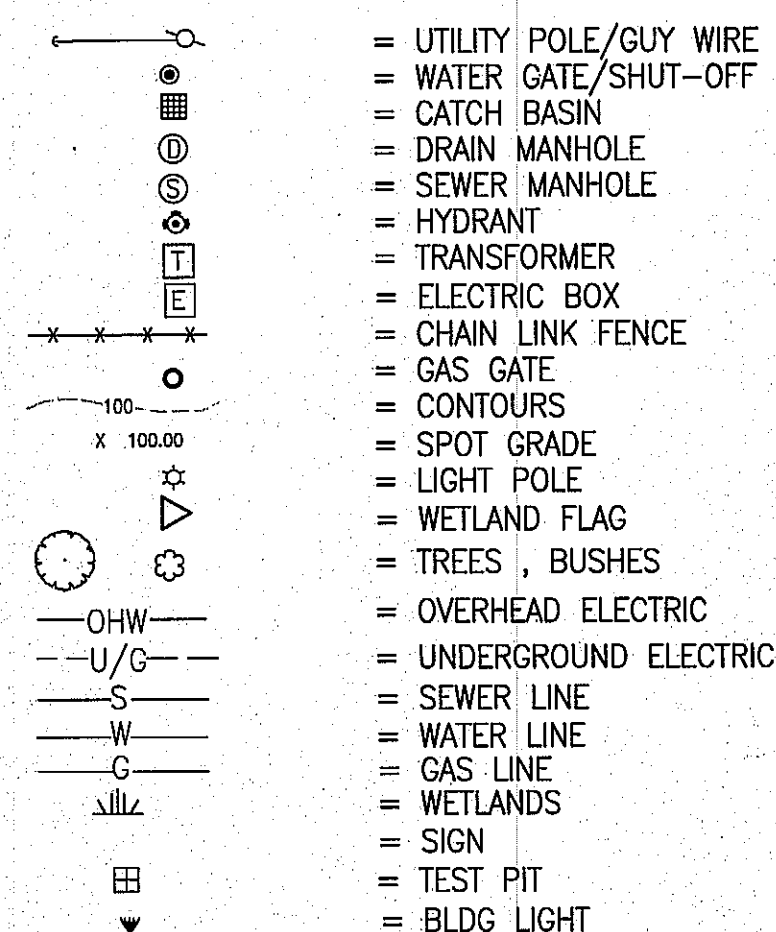
DRAWING NUMBER

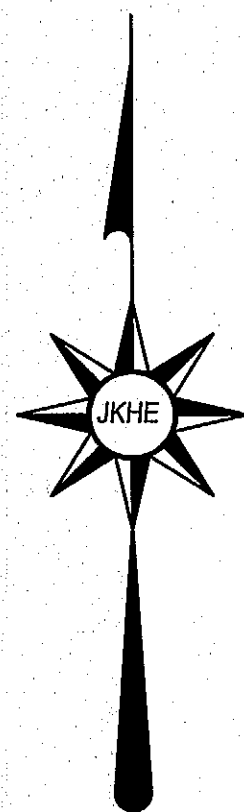
H:\2023\2023-003 Enterprise 1584 Great Plain Ave. Needham\SURVEY\2023-003ECO.d

2023-003



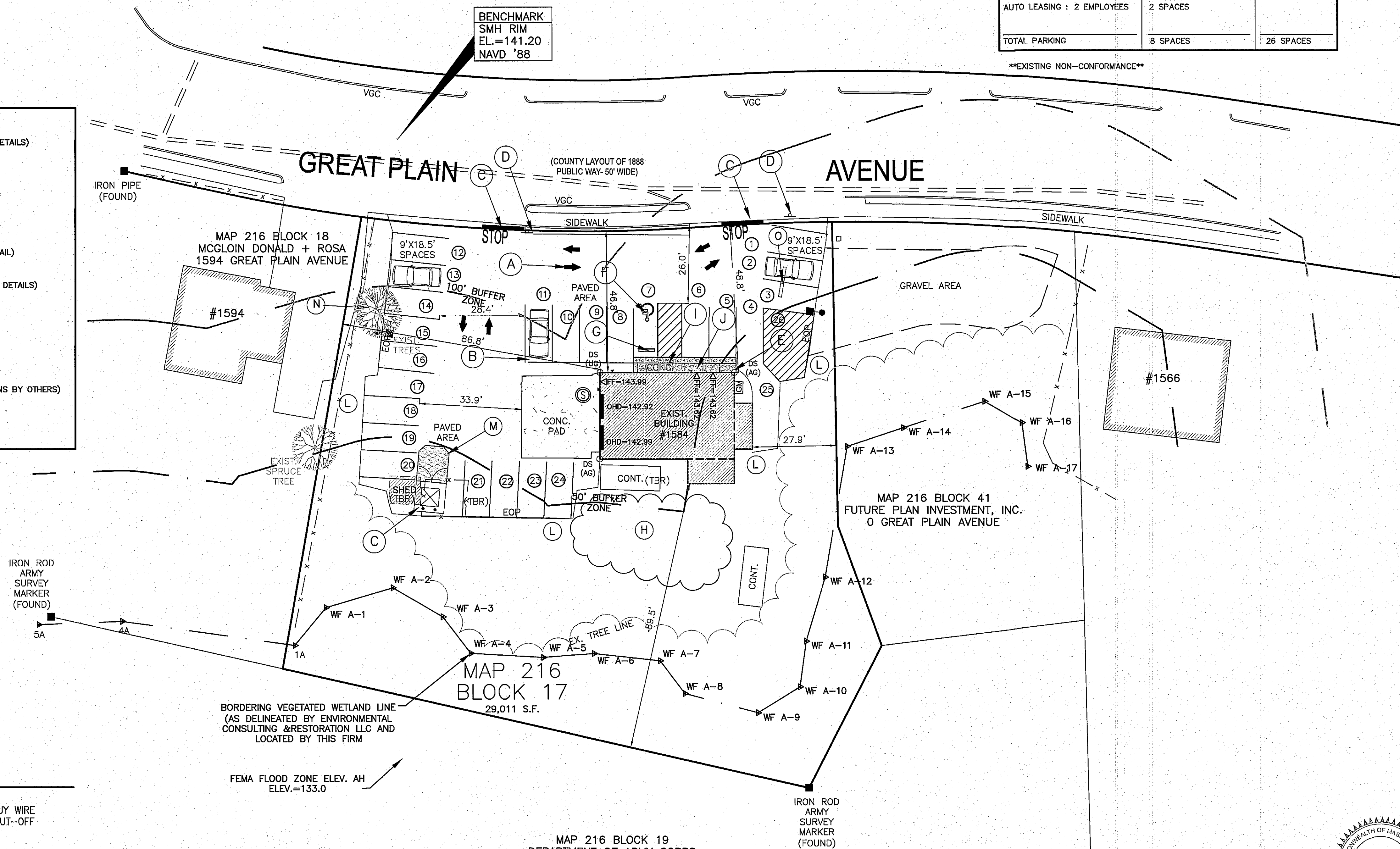
LEGEND





A
B
C
D
E
F
G
H
I
J
K
L
M
N
O

SITE LEGEND
TRAFFIC FLOW ARROWS (SEE DETAILS)
6" WIDE LINE STRIPE
12" STOP BAR
STOP SIGN (RS-8)
ACCESSIBLE PARKING SIGN
ACCESSIBLE PARKING SYMBOL
CONC. WHEEL STOPS (SEE DETAIL)
SNOW STORAGE AREA
TACTILE WARNING DEVICE (SEE DETAILS)
PROPOSED ADA RAMP
UNUSED
LANDSCAPED AREA
CONCRETE APRON
LIGHT POLE
IDENTIFICATION SIGN (SEE PLANS BY OTHERS)



ZONING TABLE		
ZONE: SINGLE RESIDENCE -A (EX. NON-CONFORMING)		
PROPOSED USE: AUTOMOBILE RENTAL FACILITY		
	REQUIRED	PROVIDED
MIN. LOT AREA	43,560 S.F.	29,011 S.F.**
FRONTAGE	150'	156.50'
FRONT SETBACK	30.0'	46.80'
SIDE SETBACK	15.0'	27.90'
REAR SETBACK	15.0'	89.5'
MAX. BLDG. HEIGHT(STORIES)	35'	25'
FLOOR AREA RATIO	N/A	.05
MAX. LOT COVERAGE	N/A	44.2%
PARKING SCHEDULE:		
OFFICE : 1 SP./250 SF	1,450/250 = 5.8 OR 6 SPACES	
AUTO LEASING : 2 EMPLOYEES	2 SPACES	
TOTAL PARKING	8 SPACES	26 SPACES

GENERAL NOTES :

ASSESSORS MAP : 216 BLOCK: 17
LOCUS DEED REFERENCE : BOOK 11600, PAGE 677
ZONING : SINGLE RESIDENCE -A (& FLOOD PLAIN DISTRICT)
PLAN REFERENCE:
NO. 432 OF 1952
NO. 747 OF 1987
NO. 479 OF 1980
NO. 1159 OF 1948
NO. 325 OF 1952
NO. 452 OF 1952
NO. 170 OF 1954
APPLICANT : ENTERPRISE RENT-A-CAR
405 WEST STREET
W. BRIDGEWATER, MA 02379
OWNER : FUTURE PLAN INVESTMENT, INC.
1960 WASHINGTON STREET
NEWTON, MA 02462

THE PROJECT SITE IS NOT LOCATED WITHIN AN AREA MAPPED AS PRIORITY HABITAT & ESTIMATED HABITAT FOR RARE SPECIES ACCORDING TO THE MASSACHUSETTS NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM.

THE PROJECT SITE IS NOT LOCATED WITHIN A ZONE II WELLHEAD PROTECTION ZONE.

THE PROJECT SITE IS LOCATED OUTSIDE OF ANY FLOOD ZONES (ZONE X) AS PER FEMA - FIRM MAP COMMUNITY PANEL 25021C0017E, DATED 7/17/2012.

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE THE START OF ANY WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO LOCATE THE UTILITIES EXACTLY. THE CONTRACTOR SHALL PRESERVE ALL UNDERGROUND UTILITIES. THE CONTRACTOR MUST CALL "DIG SAFE" (AT 1-888-DIG-SAFE) AND THE TOWN OF NEEDHAM UTILITY DIVISION AT LEAST 72 HOURS TO MARK APPROPRIATE UTILITIES BEFORE THE START OF CONSTRUCTION.

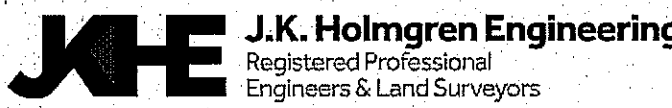


Assessors Map: 216 Block: 17
1584 Great Plain Avenue, Needham, Massachusetts

PREPARED FOR
ENTERPRISE RENT-A-CAR

TITLE
LAYOUT & MATERIALS PLAN

J.K. HOLMGREN ENGINEERING, LLC
Registered Professional Engineers and Land Surveyors
1024 Pearl Street, Brockton, MA. 02301
Phone - (508) 583-2595
Email : sfaria@jkholmgren.com



SCALE: 1" = 20' DATE: 02/16/2023

NO.	BY	DATE	REMARKS

C-3

DRAWING NUMBER

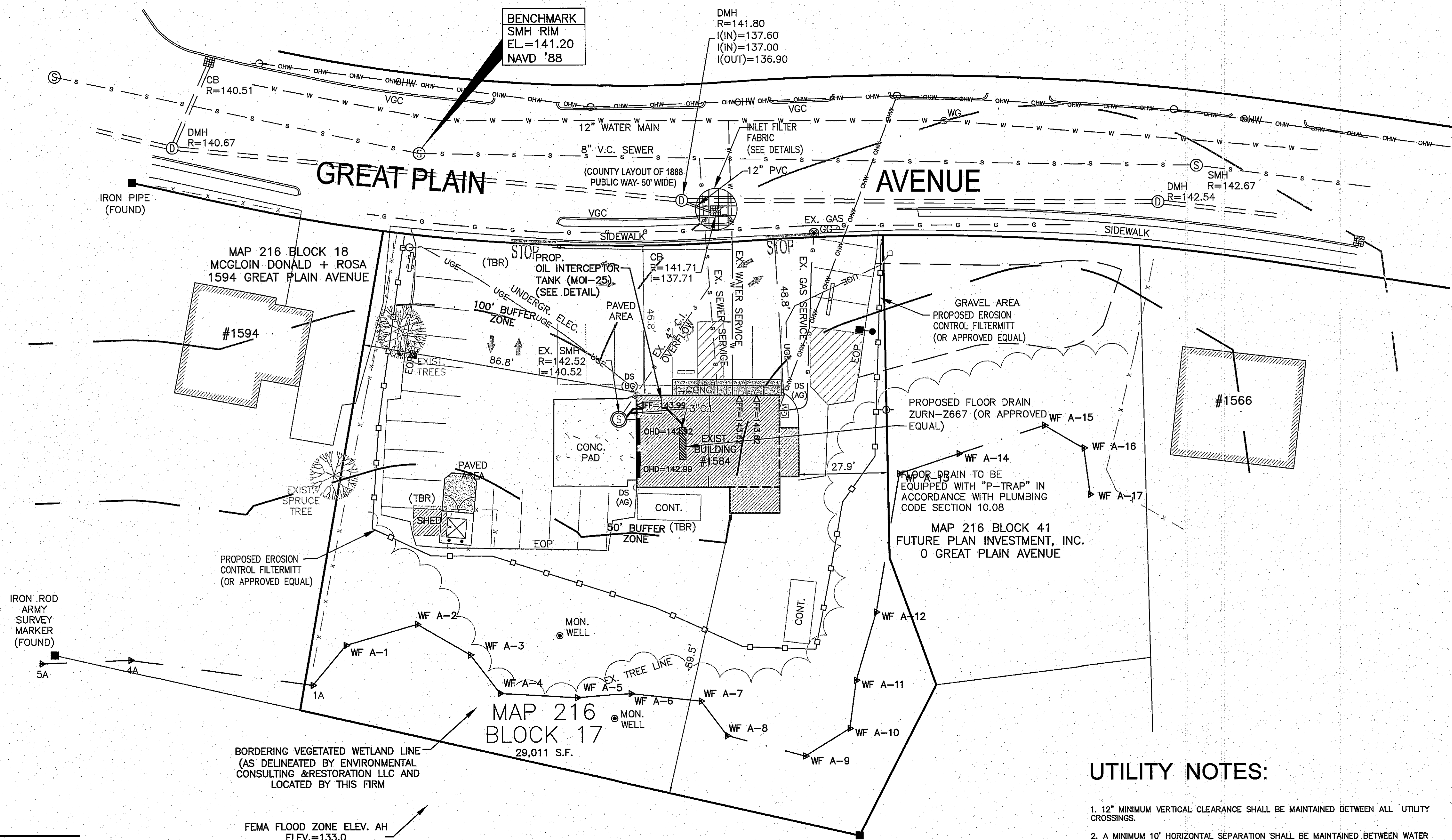
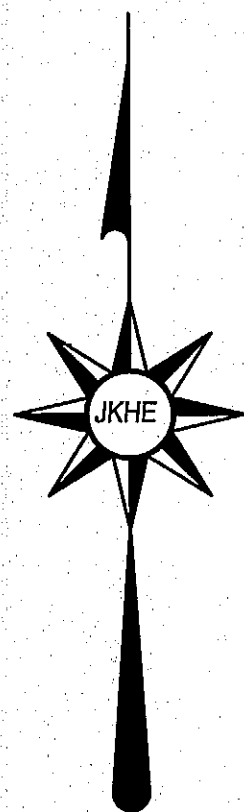
H:\2023\2023-003 Enterprise, 1584 Great Plain Ave., Needham\SURVEY\2023-003EC1.dwg
2023-003

LEGEND

- = UTILITY POLE/GUY WIRE
- = WATER GATE/SHUT-OFF
- = CATCH BASIN
- = DRAIN MANHOLE
- = SEWER MANHOLE
- = HYDRANT
- = TRANSFORMER
- = ELECTRIC BOX
- = CHAIN LINK FENCE
- = GAS GATE
- = CONTOURS
- = SPOT GRADE
- = LIGHT POLE
- = WETLAND FLAG
- = TREES , BUSHES
- = OVERHEAD ELECTRIC
- = UNDERGROUND ELECTRIC
- = SEWER LINE
- = WATER LINE
- = GAS LINE
- = WETLANDS
- = SIGN
- = TEST PIT
- = BLDG LIGHT



SIGN SUMMARY			
M.U.T.C.D. NUMBER	SPECIFICATION	TEXT	
	WIDTH	HEIGHT	
R5-1	12"	18"	DO NOT ENTER
R1-1	24"	24"	STOP
R7-8*	12"	18"	



LEGEND

- = UTILITY POLE/GUY WIRE
- = WATER GATE/SHUT-OFF
- = CATCH BASIN
- = DRAIN MANHOLE
- = SEWER MANHOLE
- = HYDRANT
- = TRANSFORMER
- = ELECTRIC BOX
- = CHAIN LINK FENCE
- = GAS GATE
- = CONTOURS
- = SPOT GRADE
- = LIGHT POLE
- = WETLAND FLAG
- = TREES, BUSHES
- = OVERHEAD ELECTRIC
- = UNDERGROUND ELECTRIC
- = SEWER LINE
- = WATER LINE
- = GAS LINE
- = WETLANDS
- = SIGN
- = TEST PIT
- = BLDG LIGHT

UTILITY NOTES:

1. 12" MINIMUM VERTICAL CLEARANCE SHALL BE MAINTAINED BETWEEN ALL UTILITY CROSSINGS.
2. A MINIMUM 10' HORIZONTAL SEPARATION SHALL BE MAINTAINED BETWEEN WATER AND SEWER LINES. WHERE WATER LINES CROSS SEWER LINES, THE SEWER LINE SHALL BE LOCATED WITH A MINIMUM VERTICAL CLEARANCE OF 18" BELOW THE WATER LINE. THE SEWER LINE JOINTS SHALL BE LOCATED EQUIDISTANT AND AS FAR AWAY FROM THE WATER LINE AS POSSIBLE. WHEN IT IS IMPOSSIBLE TO ACHIEVE HORIZONTAL AND/OR VERTICAL SEPARATION AS STIPULATED ABOVE, BOTH THE WATER LINE AND SEWER LINE AT THE CROSSING LOCATION SHALL BE CONSTRUCTED OF MECHANICAL JOINT CEMENT-LINED DUCTILE IRON PIPE FOR ONE FULL 20' PIPE LENGTH OR ANOTHER EQUIVALENT THAT IS WATERTIGHT AND STRUCTURALLY SOUND. THE JOINTS FOR BOTH PIPES SHALL BE LOCATED AS FAR AWAY FROM THE CROSSING AS POSSIBLE. BOTH PIPES SHOULD BE PRESSURE TESTED TO 150 PSI TO ENSURE THAT THEY ARE WATERTIGHT.
3. SEWER BUILDING CONNECTIONS SHALL BE 6" MIN. SDR 35 PVC, U.O.N., AT A SLOPE OF 1/2" MINIMUM FROM MAINLINE TO BUILDING UNIT WITH A CLEAN OUT SET AT A DISTANCE OF 10' (U.O.N.) OFF EACH UNIT FOUNDATION.
4. TYPICAL COVER OVER WATER LINE SHALL BE 5', IF LESS THAN 4' OF COVER IS PROVIDED, INSULATE WATER LINE AGAINST FREEZING.
5. GAS, ELECTRIC, DATA/COM IS SHOWN SCHEMATICALLY HEREON. THESE UTILITIES SHALL BE INSTALLED WITH A MINIMUM COVER OF 3 FEET U.O.N. OR OTHERWISE DIRECTED BY THE CONTROLLING UTILITY COMPANY. CONTRACTOR SHALL COORDINATE FINAL LAYOUT WITH APPLICABLE UTILITY COMPANY.
6. ALL COMMERCIAL LIGHTING SHALL DIRECT ALL LIGHT SO AS TO KEEP ALL LIGHTING WITHIN SUBJECT LOT.
7. ALL UTILITY CUTS THROUGH EXISTING CONCRETE OR BITUMINOUS CONCRETE PAVED SURFACES SHALL BE SAW CUT. BACK FILLING OF TRENCH SHALL INCLUDE 12" IN DEPTH FLOWABLE FILL TO BE THE BASE COURSE OF THE SURFACE TREATMENT. THE SURFACE TREATMENT SHALL THEN BE REPLACED IN KIND. IF THE BITUMINOUS CONCRETE SURFACE IS WITHIN THE ROADWAY THE BITUMINOUS CONCRETE TOP COURSE SHALL BE FINISHED WITH INFRARED TREATMENT TO BLEND EXISTING & NEWLY PAVED SURFACES.

GENERAL NOTES :

ASSESSORS MAP : 216 BLOCK: 17
LOCUS DEED REFERENCE : BOOK 11600, PAGE 677
ZONING : SINGLE RESIDENCE -A (& FLOOD PLAIN DISTRICT)

PLAN REFERENCE:
NO. 432 OF 1952
NO. 747 OF 1987
NO. 479 OF 1980
NO. 1159 OF 1948
NO. 325 OF 1952
NO. 452 OF 1952
NO. 170 OF 1954

APPLICANT : ENTERPRISE RENT-A-CAR
405 WEST STREET
W. BRIDGEWATER, MA 02379
OWNER : FUTURE PLAN INVESTMENT, INC.
1960 WASHINGTON STREET
NEWTON, MA 02452

THE PROJECT SITE IS NOT LOCATED WITHIN AN AREA MAPPED AS PRIORITY HABITAT & ESTIMATED HABITAT FOR RARE SPECIES ACCORDING TO THE MASSACHUSETTS NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM.

THE PROJECT SITE IS NOT LOCATED WITHIN A ZONE II WELLHEAD PROTECTION ZONE.

THE PROJECT SITE IS LOCATED OUTSIDE OF ANY FLOOD ZONES (ZONE X) AS PER FEMA - FIRM MAP COMMUNITY PANEL 25021C0017E, DATED 7/17/2012.

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE THE START OF ANY WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO LOCATE THE UTILITIES EXACTLY. THE CONTRACTOR SHALL PRESERVE ALL UNDERGROUND UTILITIES. THE CONTRACTOR MUST CALL "DIG SAFE" (AT 1-888-DIG-SAFE) AND THE TOWN OF NEEDHAM UTILITY DIVISION AT LEAST 72 HOURS TO MARK APPROPRIATE UTILITIES BEFORE THE START OF CONSTRUCTION.



Assessors Map: 216 Block: 17
1584 Great Plain Avenue, Needham, Massachusetts

PREPARED FOR

ENTERPRISE RENT-A-CAR

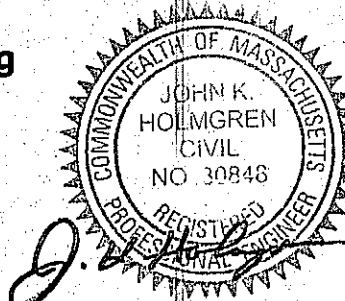
TITLE

UTILITY PLAN

J.K. HOLMGREN ENGINEERING, LLC

Registered Professional Engineers and Land Surveyors
1024 Pearl Street, Brockton, MA. 02301
Phone - (508) 583-2595
Email : sfaria@jkholmgren.com

J.K. Holmgren Engineering
Registered Professional
Engineers & Land Surveyors



20 0 20 40
SCALE IN FEET

SCALE: 1" = 20'

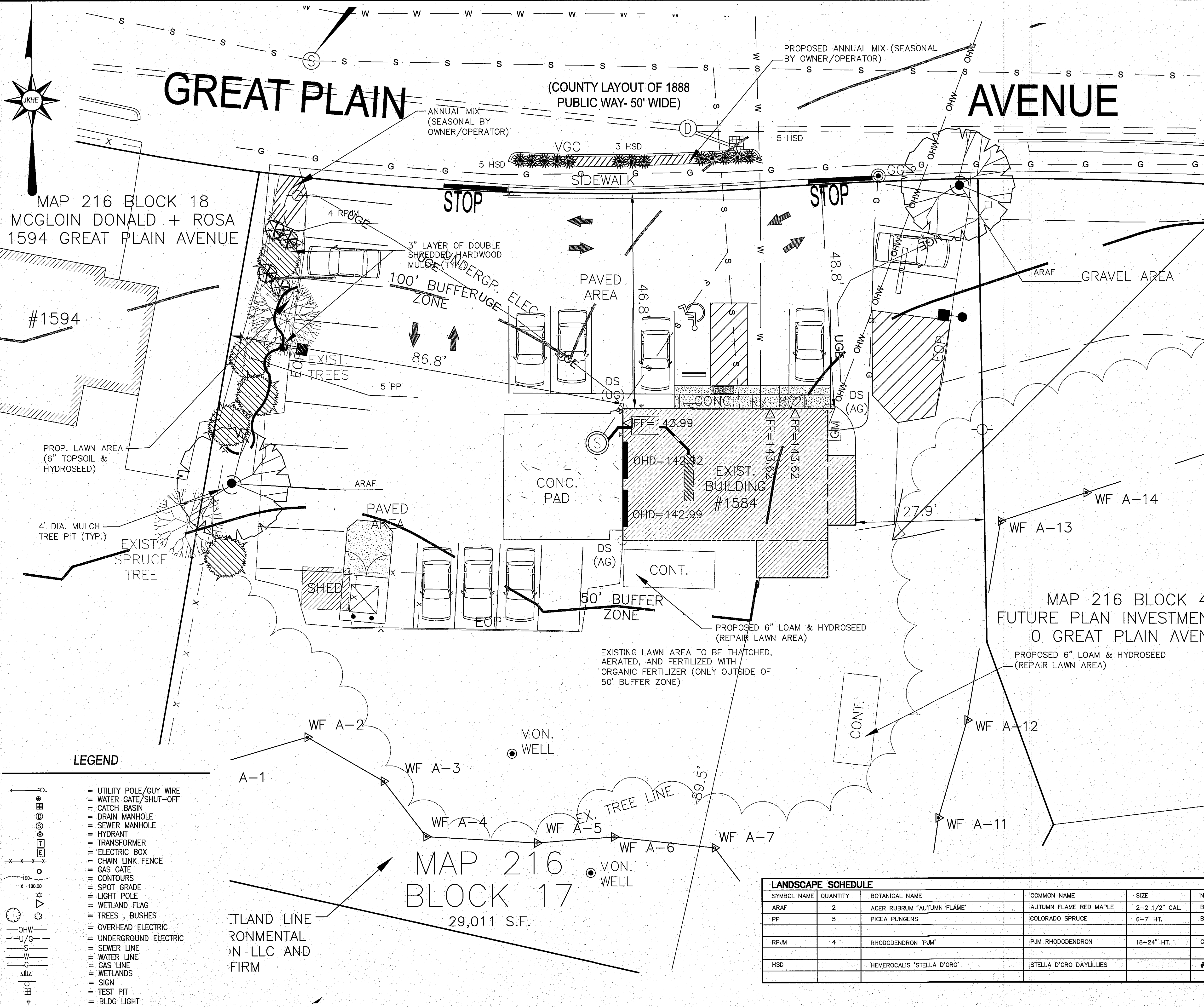
DATE: 02/16/2023

NO.	BY	DATE	REMARKS

C-4

DRAWING NUMBER

H:\2023\2023-003 Enterprise, 1584 Great Plain Ave., Needham\SURVEY\2023-003EC1.dwg
2023-003



- LANDSCAPE NOTES:**
1. CONTRACTOR SHALL SUPPLY ALL LABOR, MATERIALS AND EQUIPMENT IN ORDER TO COMPLETE THE WORK.
 2. ALL SEEDED AND / OR SOD AREAS SHALL RECEIVE 6" OF LOAM OR TOPSOIL.
 3. ALL MULCH AREAS SHALL RECEIVE A 3" LAYER OF DOUBLE SHREDDED HARDWOOD MULCH.
 4. PLANTING SOIL MIX SHALL CONSIST OF 1/3 SPHAGNUM PEAT MOSS AND 2/3 FERTILE FIELD LOAM BY VOLUME.
 5. ALL PLANTINGS AT DRIVEWAY ENTRANCES WILL BE MAINTAINED TO A HEIGHT OF THREE FEET OR LESS AS TO NOT OBSCURE TRAFFIC VISIBILITY.
 6. ALL PLANT MATERIAL SHALL CONFORM TO THE LATEST VERSION OF THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1).
 7. ALL PLANT MATERIAL SHALL BE GUARANTEED FOR A MINIMUM PERIOD OF ONE YEAR FROM THE DATE OF ACCEPTANCE. REPLACEMENTS SHALL BE MADE AT THE BEGINNING OF THE FIRST SUCCEEDING GROWING SEASON.
 8. REFERENCE IS MADE TO THE "MULCH LAW", THE REVISED REGULATION, 827 CMR 1 - 10.14.10.4, PROHIBITS THE NEW APPLICATION OF MULCH WITHIN 18 INCHES AROUND COMBUSTIBLE EXTERIORS OF BUILDINGS, SUCH AS WOOD OR VINYL BUT NOT BRICK OR CONCRETE. AN 18" STRIP OF 1 1/2" - 2 1/2" STONE SHALL BE PLACED AT A DEPTH OF 6" AROUND EXISTING WOOD AND VINYL BUILDINGS.

SEEDING SPECIFICATIONS:

TEMPORARY SEEDING: SEED MIXTURE: RYEGRASS	APPLICATION RATE: 1 LB/1000 SF
PERMANENT SEEDING IN LANDSCAPED AREAS: SEED MIXTURE: PERENNIAL RYEGRASS CREEPING RED FESCUE REDTOP	APPLICATION RATE: 85 LBS/1000 SF 52 LBS/1000 SF 7 LBS/1000 SF
PERMANENT SEEDING IN SLOPED AREAS: SEED MIXTURE: PERENNIAL RYEGRASS CREEPING RED FESCUE REDTOP ALSEE CLOVER BIRDSEED TREFOIL	APPLICATION RATE: 30 LBS/1000 SF 35 LBS/1000 SF 5 LBS/1000 SF 5 LBS/1000 SF 5 LBS/1000 SF

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE THE START OF ANY WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO LOCATE THE UTILITIES EXACTLY. THE CONTRACTOR SHALL PRESERVE ALL UNDERGROUND UTILITIES. THE CONTRACTOR MUST CALL "DIG SAFE" (AT 1-888-DIG-SAFE) AND THE TOWN OF NEEDHAM UTILITY DIVISION AT LEAST 72 HOURS TO MARK APPROPRIATE UTILITIES BEFORE THE START OF CONSTRUCTION.



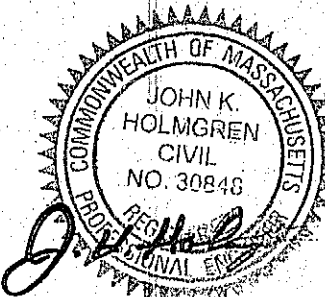
Assessors Map: 216 Block: 17
1584 Great Plain Avenue, Needham, Massachusetts

PREPARED FOR
ENTERPRISE RENT-A-CAR

TITLE
LANDSCAPE DEVELOPMENT PLAN

J.K. HOLMGREN ENGINEERING, LLC
Registered Professional Engineers and Land Surveyors
1024 Pearl Street, Brockton, MA, 02301
Phone - (508) 583-2595
Email : sfaria@jkholmgren.com

JKE J.K. Holmgren Engineering
Registered Professional
Engineers & Land Surveyors



10 0 10 20
SCALE IN FEET

SCALE: 1" = 10'

DATE: 02/16/2023

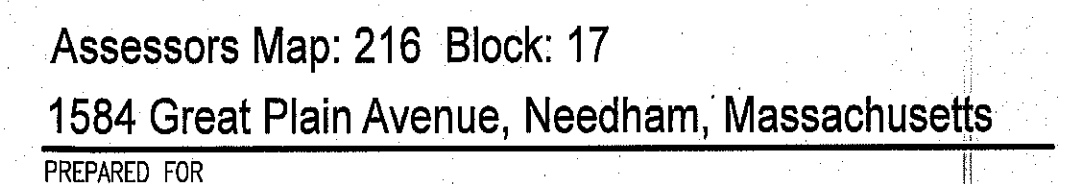
NO.	BY	DATE	REMARKS

C-5

DRAWING NUMBER

H:\2023\2023-003 Enterprise, 1584 Great Plain Ave., Needham\SURVEY\2023-003EC1.dwg
2023-003

LANDSCAPE SCHEDULE					
SYMBOL NAME	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
ARAF	2	ACER RUBRUM 'AUTUMN FLAME'	AUTUMN FLAME RED MAPLE	2-2 1/2" CAL.	B & B
PP	5	PICEA PUNGENS	COLORADO SPRUCE	6-7" HT.	B & B
RPJM	4	RHODODENDRON 'PJM'	PJM RHODODENDRON	18-24" HT.	CONTAINER
HSD		HEMEROCAULIS 'STELLA D'ORO'	STELLA D'ORO DAYLILLIES		#2 POT



Enterprise Rent-A-Car

TITLE

DETAIL SHEET

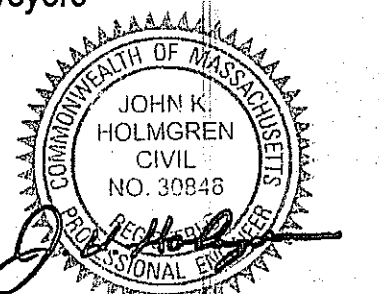
J.K. HOLMGREN ENGINEERING, LLC

Registered Professional Engineers and Land Surveyors

1024 Pearl Street, Brockton, MA. 02301

Phone - (508) 583-2595

Email : sfaria@jkholtmgren.com



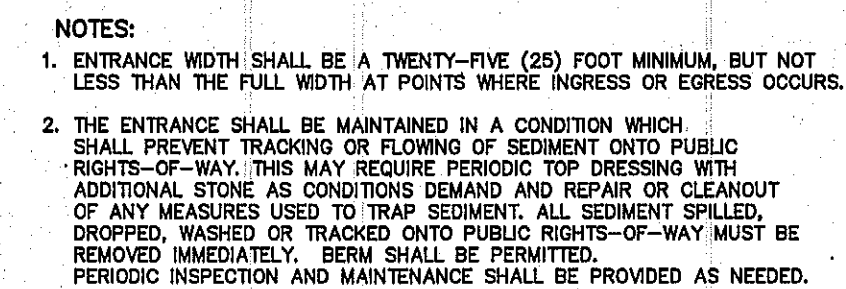
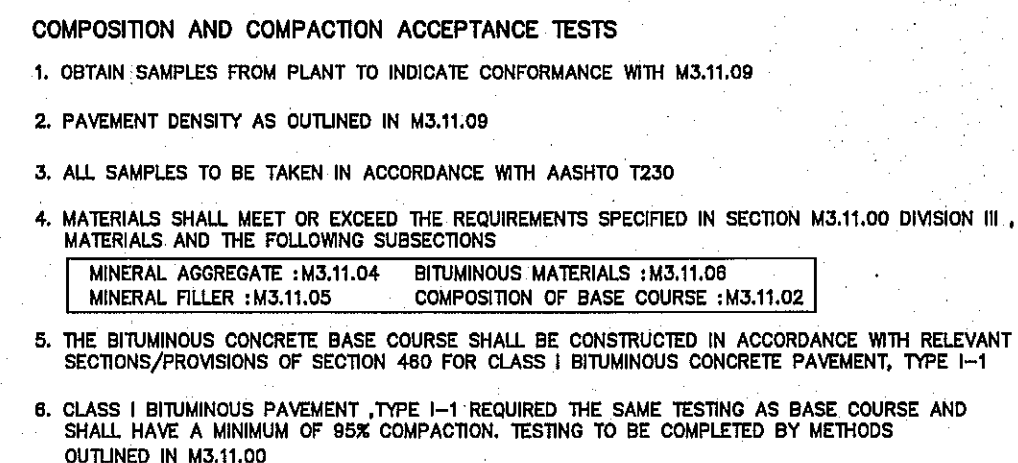
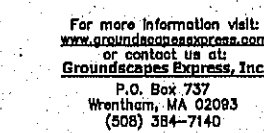
DATE: 02/16/2023

C-6

DRAWING NUMBER

H:\2023\2023-003\CIVIL\2023-003CDS0.DWG
2023-003

H:\2023\2023-003\CIVIL\2023-003CDS0.DWG

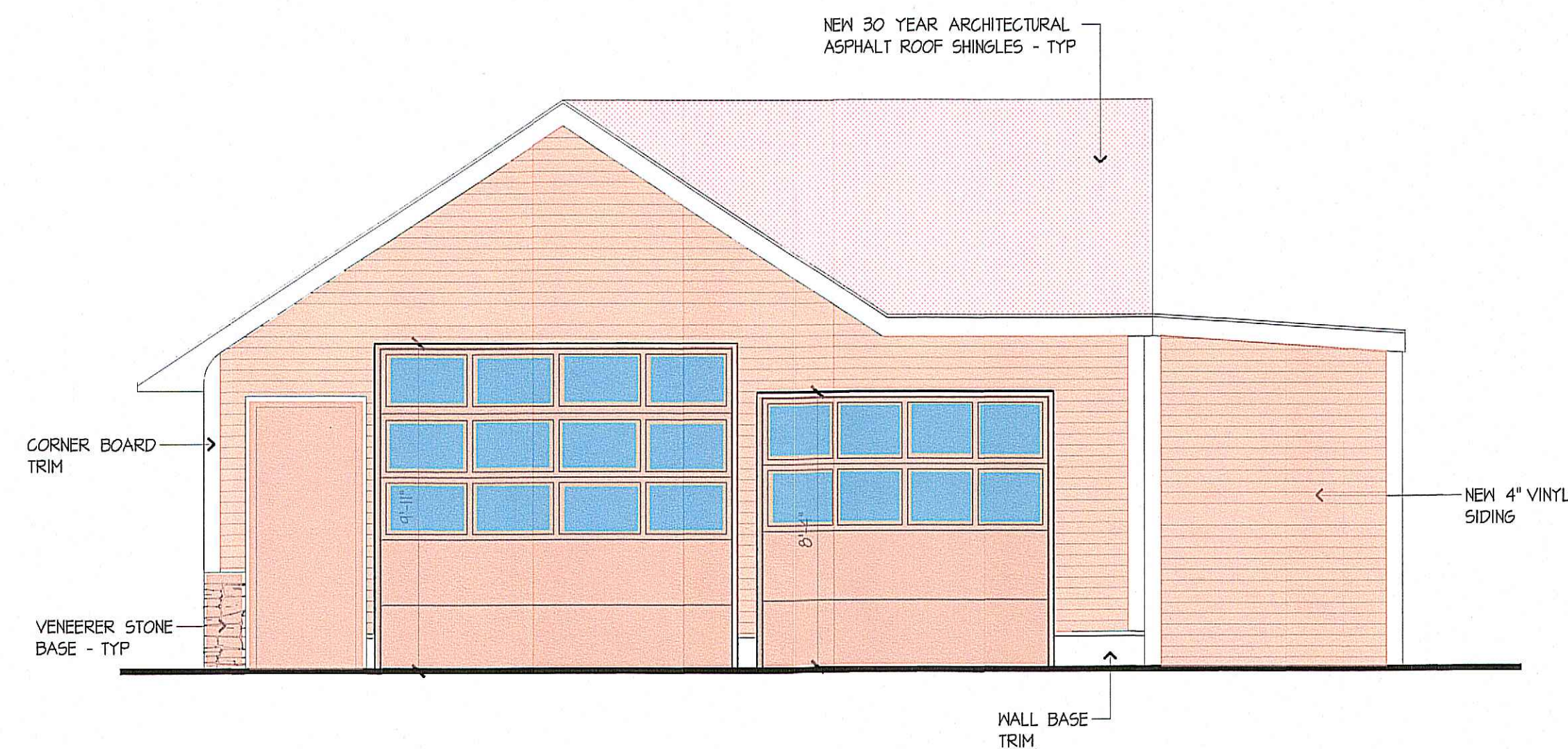


DRAWING NUMBER

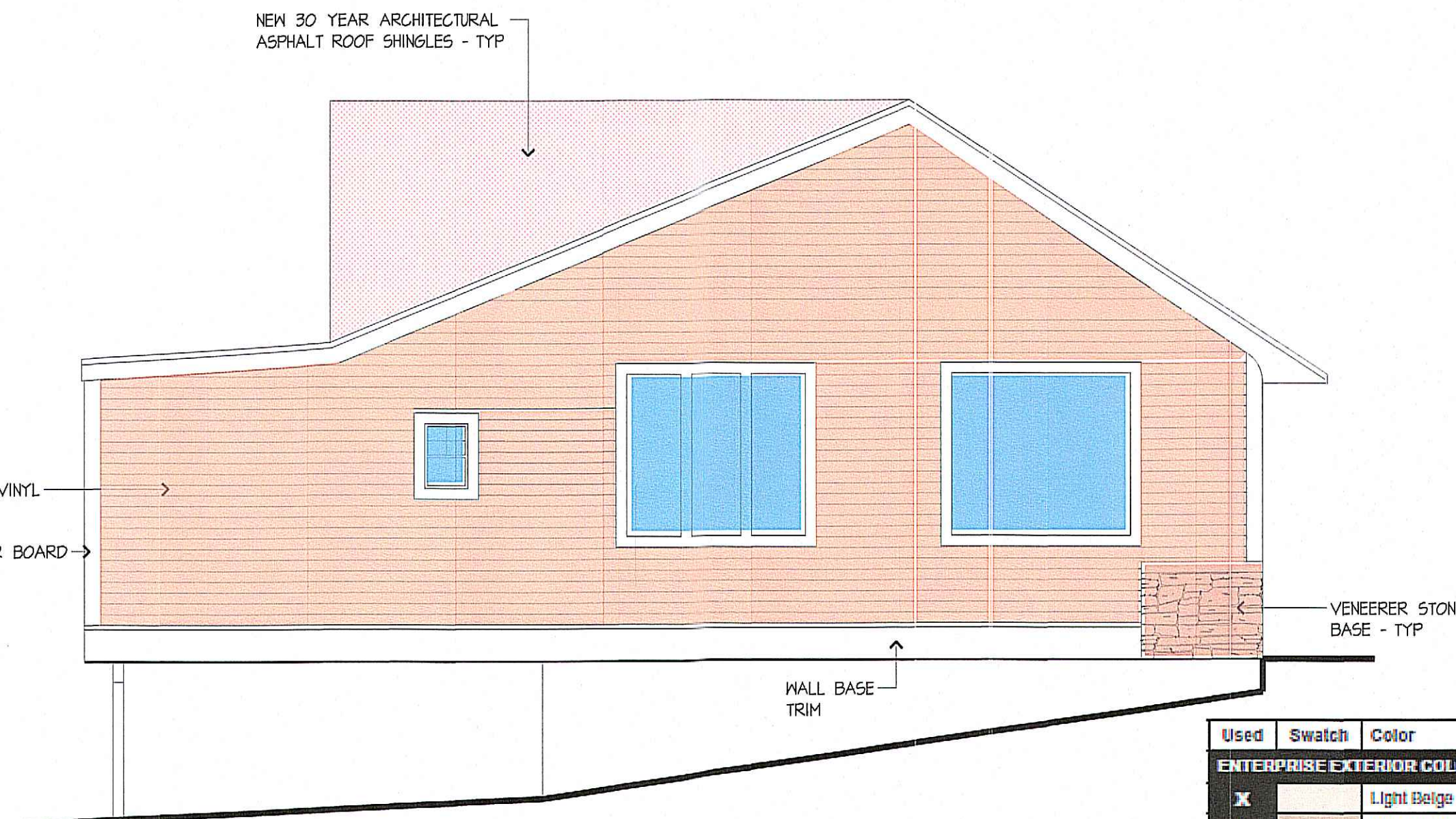
NO.	BY	DATE	REMARKS

H:\2023\2023-003\CIVIL\2023-003CDS0.DWG

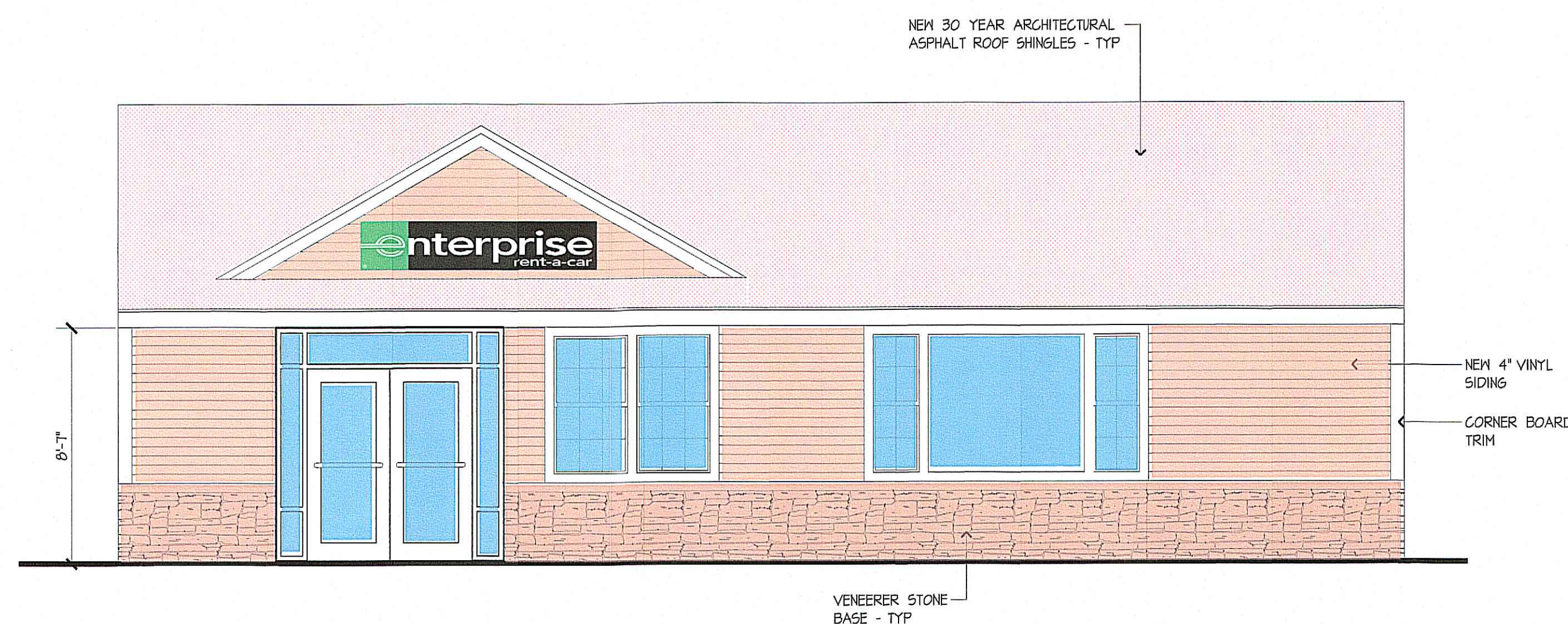
2023-003



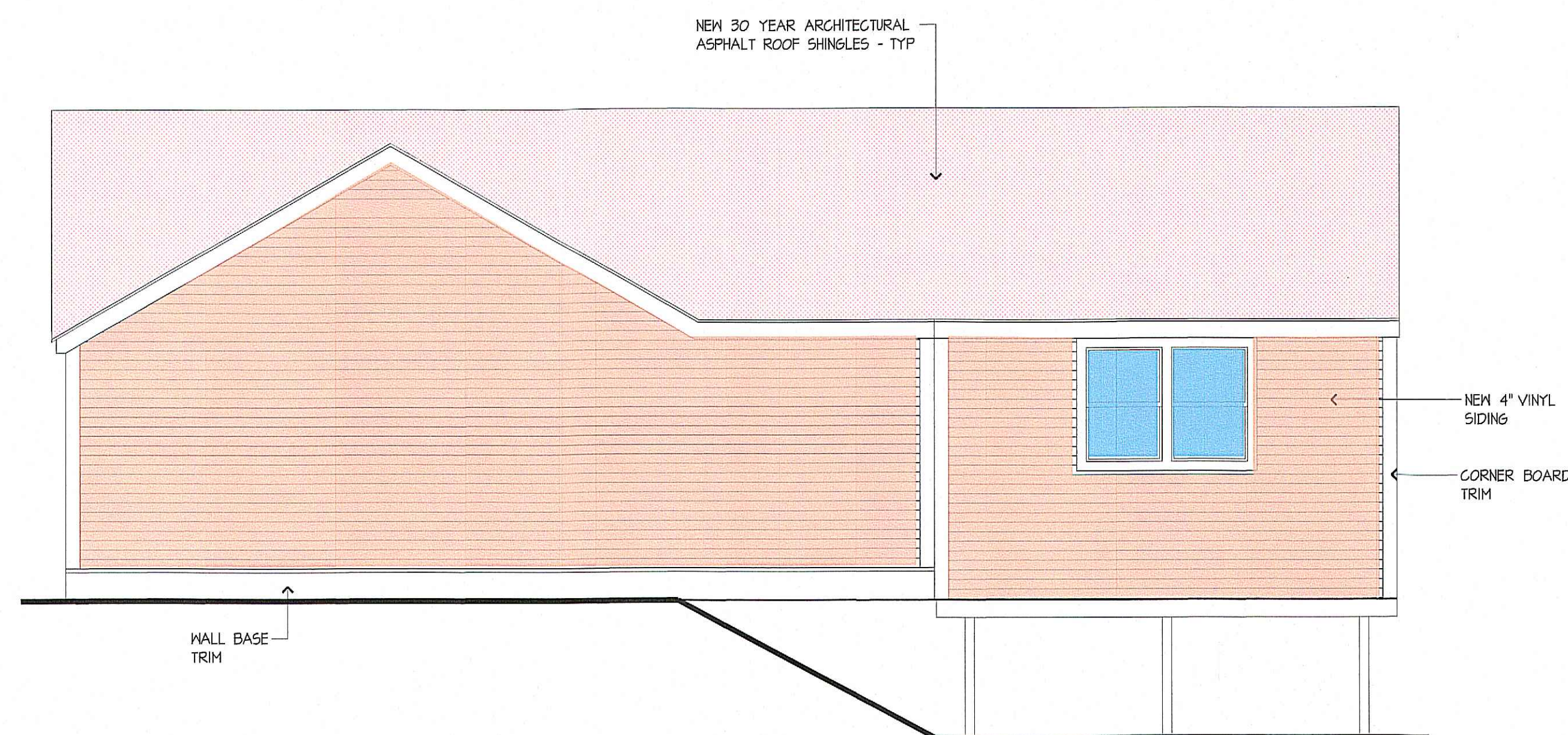
4 RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



5 LEFT SIDE ELEVATIONS
SCALE: 1/4" = 1'-0"



3 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

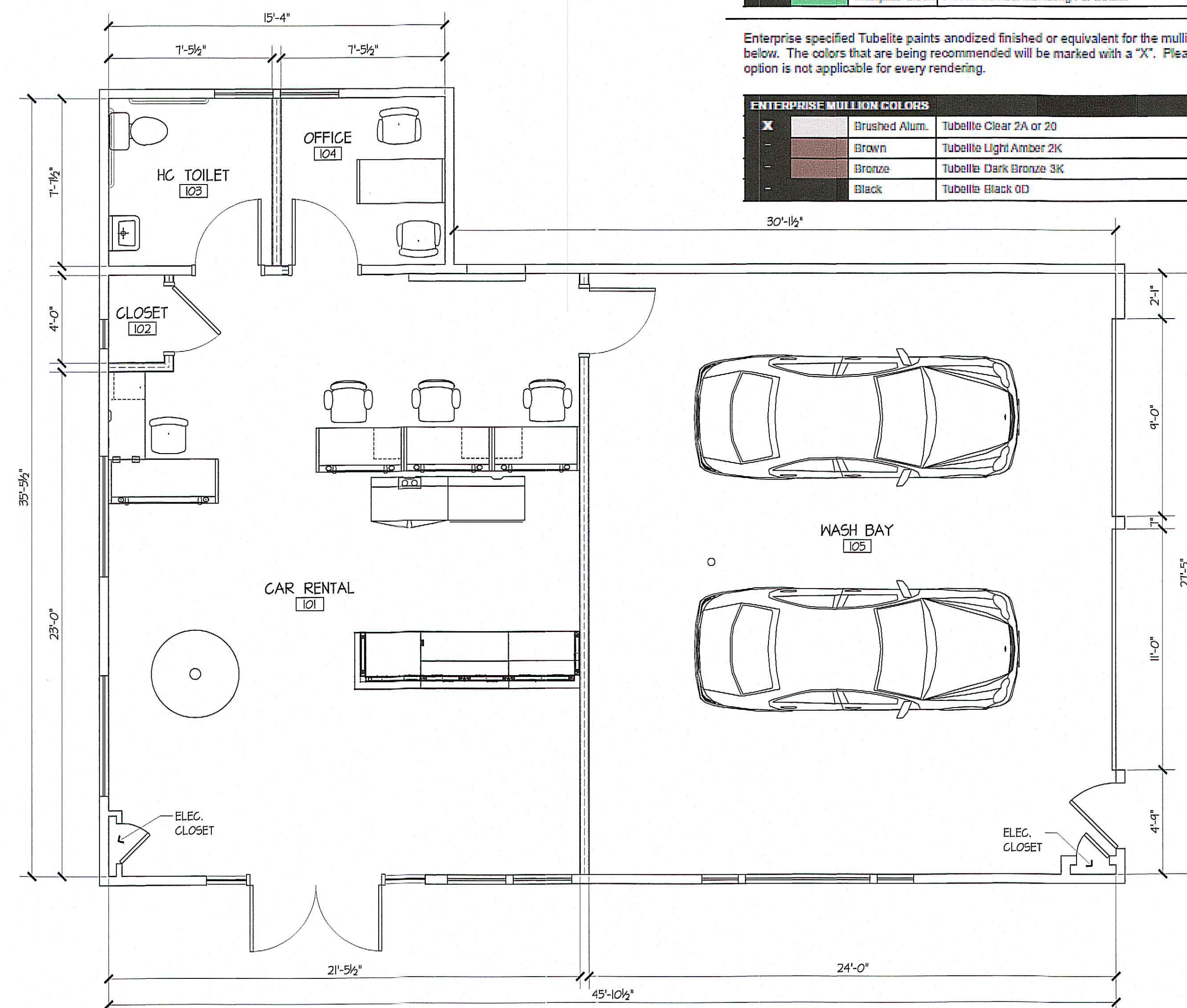


2 REAR ELEVATION
SCALE: 1/4" = 1'-0"

Used	Swatch	Color	Sherwin Williams Color Name
ENTERPRISE EXTERIOR COLORS			
X		Light Beige	SW 6140 - Moderate White (Satin)
X		Dark Beige	SW 7036 - Tony Taupe (Satin)
		Pure White	SW 7005 - Pure White (Satin)
		Bright White	BGGW300 Series, SherCryl Gloss Ultra White
		Black	SW 0258 - Tricorn Black (building accents)
		Black	BGGW300 - Black (sign poles)
ENTERPRISE INTERIOR COLORS			
		Light Beige	SW 6140 - Moderate White (Eggshell or Satin)
		Light Blue	SW 6595 - Atmospheric (Eggshell or Satin)
		Light Green	SW 1428 - Uphill (Eggshell or Satin)
		Medium Brown	SW 7039 - Virtual Taupe (Eggshell or Satin)
		Enterprise Green	Please Contact Marketing For Details

Enterprise specified Tubelite paints anodized finished or equivalent for the mullions are listed below. The colors that are being recommended will be marked with a "X". Please note that this option is not applicable for every rendering.

ENTERPRISE MULLION COLORS			
X		Brushed Alum.	Tubelite Clear 2A or 20
		Brown	Tubelite Light Amber 2K
		Bronze	Tubelite Dark Bronze 3K
		Black	Tubelite Black 0D



1 FLOOR PLAN
SCALE: 1/4" = 1'-0"

Enterprise Holdings, Inc.

1584 Great Plain Avenue
Needham, MA

Renovations

JFA
J FERRERA ASSOCIATES INC.

2 Fern Lane - Sterling, MA 01564
tel: (978) 407-8848
email: jaferrera@comcast.net



ISSUED FOR PERMIT

1 02-16-23 ISSUED FOR PERMIT
NO. DATE DESCRIPTION

SHEET TITLE:

PROPOSED
FLOOR PLAN
&
ELEVATIONS

Job No.: 22031

FILE:

DRAWN:

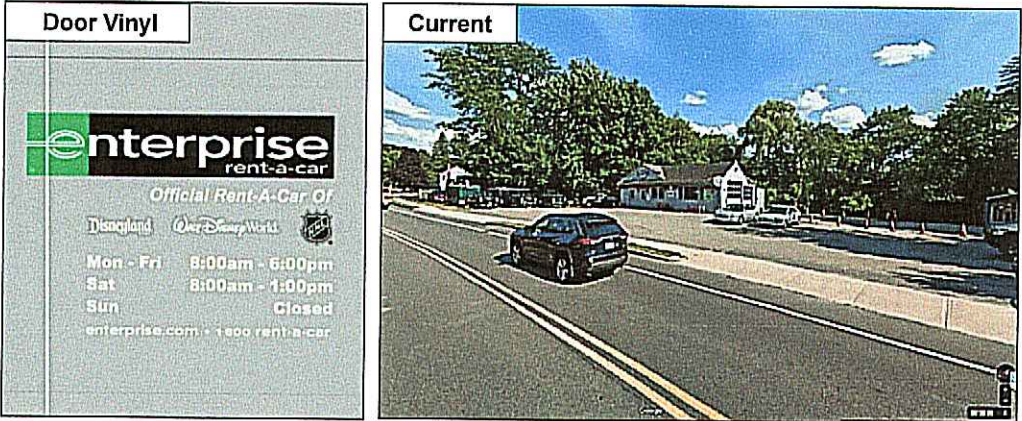
SCALE: 1/4" = 1'-0"

DATE: 02/02/2023

SHEET IDENTIFICATION:

A-201

Exterior | Approach



Proposed Rendering



Illuminated Pylon Sign 2'-0" h
x 10'-0" w (20sqft)

15' 0" Tall

12" h Full Color Window Swipe

Tradedress Rendering

Date:

2/17/23

Group:

10

Branch #s:

K4

Location:

Needham, MA

Artist:

Allen

Specialist:

Corner

Job #:

BI2261

Type:

HC

Attention: These renderings are intended to be used for conceptual Tradedress sign and site planning. They are not to be considered as construction drawings. Verification of dimensions, field conditions and local building codes is required.

In order to maintain brand consistency and integrity, for all significant tradedress upgrades please refer to the Facility and Vehicle Identification Manuals on the Operations Intranet or AdShop.

Corporate Resources are also available to help guide you on significant tradedress updates as necessary. For airport facilities consult with the Airport Facilities/Construction team or for home city locations consult your Corporate Operations team.

Specified Sherwin Williams® paints are listed below. The colors that are being recommended to complete the above rendering will be marked with a 'X'. Contact your local Sherwin Williams Representative for specific paint specifications and applications at 1-800-4SHERWIN.

Used	Swatch	Color	Sherwin Williams Color Name
ENTERPRISE EXTERIOR COLORS			
X		Light Beige	SW 6140 - Moderate White (Satin)
X		Dark Beige	SW 7038 -Tony Taupe (Satin)
-		Pure White	SW 7005 - Pure White (Satin)
-		Bright White	B66W300 Series, SherCryl Gloss Ultra White
-		Black	SW 6258 -Tricorn Black (building accents)
-		Black	B66B300 - Black (sign poles)
ENTERPRISE INTERIOR COLORS			
-		Light Beige	SW 6140 - Moderate White (Eggshell or Satin)
-		Light Blue	SW 6505 - Atmospheric (Eggshell or Satin)
-		Light Green	SW 1428 - Uphill (Eggshell or Satin)
-		Medium Brown	SW 7039 - Virtual Taupe (Eggshell or Satin)
-		Enterprise Green	Please Contact Marketing For Details

Enterprise specified Tubelite paints anodized finished or equivalent for the mullions are listed below. The colors that are being recommended will be marked with a "X". Please note that this option is not applicable for every rendering.

ENTERPRISE MULLION COLORS			
X		Brushed Alum.	Tubelite Clear 2A or 20
-		Brown	Tubelite Light Amber 2K
-		Bronze	Tubelite Dark Bronze 3K
-		Black	Tubelite Black 0D

Site Location:
1584 Great Plain Ave, Needham, MA

Signage Restrictions:
Building Signage: Each sign shall not exceed 2 sq ft for every linear foot of projected area up to a maximum of 32 sq ft

Proposed Signage
Building Signage:



ZBA Application For Hearing

Applicants must consult with the Building Inspector prior to filing this Application. Failure to do so will delay the scheduling of the hearing.

Applicant Information

Applicant Name	Town of Needham DPW, on behalf of the Park and Recreation Commission	Date:	2/21/23
Applicant Address	500 Dedham Ave., Needham MA 02492		
Phone	781 455 7550	email	eolsen@needhamma.gov
Applicant is ☒ Owner; ☐ Tenant; ☐ Purchaser; ☐ Other _____			
If not the owner, a letter from the owner certifying authorization to apply must be included			
Representative Name	Edward Olsen, Superintendent of Parks and Forestry		
Address	500 Dedham Ave., Needham MA 02492		
Phone	781 455 7550 ext. 316	email	eolsen@needhamma.gov
Representative is ☐ Attorney; ☐ Contractor; ☐ Architect; ☒ Other Superintendent of Parks & Forestry, Town of Needham _____			
Contact ☒ Me ☐ Representative in connection with this application.			

Subject Property Information

Property Address	470 Dedham Avenue, DeFazio Park		
Map/Parcel Number	Map 302, Parcel 5, 9, 18	Zone of Property	SRB
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? Yes			
Is property Residential or Commercial: N/A Town Park Recreational Field			
If residential renovation, will renovation constitute "new construction"? ☐ Yes ☐ No			
If commercial, does the number of parking spaces meet the By-Law requirement? ☐ Yes ☒ No			
Do the spaces meet design requirements? ☐ Yes ☒ No			



ZBA Application For Hearing

Application Type (*select one*): Special Permit ☐ Variance ☐ Comprehensive Permit ☒ Amendment ☐ Appeal Building Inspector Decision

Existing Conditions: McLeod field is a 90' baseball field located in the Northeast corner of the DeFazio Athletic complex.

Statement of Relief Sought:

The Town seeks to amend the Special Permit Amendment of May 21, 2009, and the original Decision of dated April 17, 2008 to included the renovation and conversion of the McLeod baseball field into a premier softball field, with dugout, foul pole and batting cage. The renovations will include the installation of 4 field lights – 2 - 60' high TLC LED-900 light poles; and 2-70' high TLC-LED-1200 light poles as permitted under a special permit application. All previous conditions regarding hours of operation shall remain in full force.

Applicable Section(s) of the Zoning By-Law: 4.1.6, 4.1.6.2, 4.1.6.3, 4.1.6.4 and any other applicable section of the by-law.

If application under Zoning Section 1.4 above, list non-conformities:

	Existing Conditions	Proposed Conditions
Use		
# Dwelling Units		
Lot Area (<i>square feet</i>)		
Front Setback (<i>feet</i>)		



ZBA Application For Hearing

Front Setback (feet)		
Rear Setback (feet)		
Left Setback (feet)		
Right Setback (feet)		
Frontage (feet)		
Lot Coverage (%)		
FAR (Floor area divided by the lot area)		
<i>Numbers must match those on the certified plot plan and supporting materials</i>		
Date Structure Constructed including additions:	Date Lot was created:	

Submission Materials	Provided
Certified Signed Plot Plan of Existing and Proposed Conditions <i>(Required)</i>	
Application Fee, check made payable to the Town of Needham Check holders name, address, and phone number to appear on check and in the Memo line state: "ZBA Fee – Address of Subject Property" <i>(Required)</i>	
If applicant is tenant, letter of authorization from owner <i>(Required)</i>	
Electronic submission of the complete application with attachments <i>(Required)</i>	
Elevations of Proposed Conditions <i>(when necessary)</i>	
Floor Plans of Proposed Conditions <i>(when necessary)</i>	

Feel free to attach any additional information relative to the application.
Additional information may be requested by the Board at any time during the
application or hearing process.





ZBA Application For Hearing

I hereby request a hearing before the Needham Zoning Board of Appeals. I have reviewed the Board Rules and instructions.

I certify that I have consulted with the Building Inspector 2/21/23
date of consult

Date: 2/21/23 Applicant Signature 

An application must be submitted to the Town Clerk's Office at townclerk@needhamma.gov and the ZBA Office at dcollins@needhamma.gov

LIGHTING SPECIFICATION
PREPARED FOR

McLeod Field

Lighting Project
Needham, MA
February 16, 2023

Project # 220378

SUBMITTED BY:

Musco Sports Lighting, LLC

2107 Stewart Road
PO Box 260
Muscatine, Iowa 52761
Local Phone: 563/263-2281
Toll Free: 800/756-1205
Fax: 800/374-6402



We Make It Happen.

SECTION 26 56 68 – EXTERIOR ATHLETIC LIGHTING

Lighting System with LED Light Source

PART 1 – GENERAL

1.1 SUMMARY

- A. Work covered by this section of the specifications shall conform to the contract documents, engineering plans as well as state and local codes.
- B. The purpose of these specifications is to define the lighting system performance and design standards for the McLeod Field lighting project using an LED Lighting source. The manufacturer / contractor shall supply lighting equipment to meet or exceed the standards set forth in these specifications.
- C. The sports lighting will be for the following venues:
 - 1. Softball Field
- D. The primary goals of this sports lighting project are:
 - 1. **Guaranteed Light Levels:** Selection of appropriate light levels impact the safety of the players and the enjoyment of spectators. Therefore light levels are guaranteed to not drop below specified target values for a period of 25 years.
 - 2. **Environmental Light Control:** It is the primary goal of this project to minimize spill light to adjoining properties and glare to the players, spectators and neighbors.
 - 3. **Control and Monitoring:** To allow for optimized use of labor resources and avoid unneeded operation of the facility, customer requires a remote on/off control system for the lighting system. Fields should be proactively monitored to detect luminaire outages over a 25-year life cycle. All communication and monitoring costs for 25-year period shall be included in the bid.

1.2 LIGHTING PERFORMANCE

- A. **Illumination Levels and Design Factors:** Playing surfaces shall be lit to an average target illumination level and uniformity as specified in the chart below. Lighting calculations shall be developed and field measurements taken on the grid spacing with the minimum number of grid points specified below. Appropriate light loss factors shall be applied and submitted for the basis of design. Average illumination level shall be measured in accordance with the IESNA LM-5-04 (IESNA Guide for Photometric Measurements of Area and Sports Lighting Installations). Illumination levels shall not to drop below desired target values in accordance to IES RP-6-15, Page 2, Maintained Average Illuminance and shall be guaranteed for the full warranty period.

Area of Lighting	Average Target Illumination Levels	Maximum to Minimum Uniformity Ratio	Grid Points	Grid Spacing
Softball Field	50fc Infield 30fc Outfield	2:1 Infield 2.5:1 Outfield	25 Infield 65 Outfield	20' x 20'

- B. **Color:** The lighting system shall have a minimum color temperature of 5700K and a CRI of 75.
- C. **Mounting Heights:** To ensure proper aiming angles for reduced glare and to provide better playability, minimum mounting heights shall be as described below. Higher mounting heights may be required based on photometric report and ability to ensure the top of the field angle is a minimum of 10 degrees below horizontal.

# of Poles	Pole Designation	Pole Height
2	A1-A2	60'
2	B1-B2	70'

1.3 **ENVIRONMENTAL LIGHT CONTROL**

- A. Light Control Luminaires: All luminaires shall utilize spill light and glare control devices including, but not limited to, internal shields, louvers and external shields. No symmetrical beam patterns are accepted.
- B. Spill Light and Glare Control: To minimize impact on adjacent properties, spill light and candela values must not exceed the following levels taken at 3 feet above grade.

Specified Spill Line	Maximum
Horizontal Footcandles	.1 FC
Vertical Footcandles	.2 FC
Candela	5470 CD

- C. Spill Scans: Spill scans must be submitted indicating the amount of horizontal and vertical footcandles along the specified lines. Light levels shall be taken at 30-foot intervals along the boundary line. Readings shall be taken with the meter orientation at both horizontal and aimed towards the most intense bank of lights. Illumination level shall be measured in accordance with the IESNA LM-5-04 after 1 hour warm up.
- D. The first page of a photometric report for all luminaire types proposed showing horizontal and vertical axial candle power shall be provided to demonstrate the capability of achieving the specified performance. Reports shall be certified by a qualified testing laboratory with a minimum of five years experience or by a manufacturer's laboratory with a current accreditation under the National Voluntary Laboratory Accreditation Program for Energy Efficient Lighting Products. A summary of the horizontal and vertical aiming angles for each luminaire shall be included with the photometric report.

PART 2 – PRODUCT

2.1 **SPORTS LIGHTING SYSTEM CONSTRUCTION**

- A. Manufacturing Requirements: All components shall be designed and manufactured as a system. All luminaires, wire harnesses, drivers and other enclosures shall be factory assembled, aimed, wired and tested.
- B. Durability: All exposed components shall be constructed of corrosion resistant material and/or coated to help prevent corrosion. All exposed carbon steel shall be hot dip galvanized per ASTM A123. All exposed aluminum shall be powder coated with high performance polyester or anodized. All exterior reflective inserts shall be anodized, coated, and protected from direct environmental exposure to prevent reflective degradation or corrosion. All exposed hardware and fasteners shall be stainless steel of 18-8 grade or better, passivated and coated with aluminum-based thermosetting epoxy resin for protection against corrosion and stress corrosion cracking. Structural fasteners may be carbon steel and galvanized meeting ASTM A153 and ISO/EN 1461 (for hot dipped galvanizing), or ASTM B695 (for mechanical galvanizing). All wiring shall be enclosed within the cross-arms, pole, or electrical components enclosure.
- C. System Description: Lighting system shall consist of the following:
 - 1. Galvanized steel poles and cross-arm assembly.
 - 2. Non-approved pole technology:
 - a. Square static cast concrete poles will not be accepted.
 - b. Direct bury steel poles which utilize the extended portion of the steel shaft for their foundation will not be accepted due to potential for internal and external corrosive reaction to the soils and long term performance concerns.
 - 3. Lighting systems shall use concrete foundations. See Section 2.4 for details.
 - a. For a foundation using a pre-stressed concrete base embedded in concrete backfill the concrete shall be air-entrained and have a minimum compressive design strength at 28

days of 3,000 PSI. 3,000 PSI concrete specified for early pole erection, actual required minimum allowable concrete strength is 1,000 PSI. All piers and concrete backfill must bear on and against firm undisturbed soil.

- b. For anchor bolt foundations or foundations using a pre-stressed concrete base in a suspended pier or re-inforced pier design pole erection may occur after 7 days. Or after a concrete sample from the same batch achieves a certain strength.
- 4. Manufacturer will supply all drivers and supporting electrical equipment
 - a. Remote drivers and supporting electrical equipment shall be mounted approximately 10 feet above grade in aluminum enclosures. The enclosures shall be touch-safe and include drivers and fusing with indicator lights on fuses to notify when a fuse is to be replaced for each luminaire. Disconnect per circuit for each pole structure will be located in the enclosure. Integral drivers are not allowed.
 - b. Manufacturer shall provide surge protection at the pole equal to or greater than 40 kA for each line to ground (Common Mode) as recommended by IEEE C62.41.2_2002.
- 5. Wire harness complete with an abrasion protection sleeve, strain relief and plug-in connections for fast, trouble-free installation.
- 6. All luminaires, visors, and cross-arm assemblies shall withstand 150 mph winds and maintain luminaire aiming alignment.
- 7. Control cabinet to provide remote on-off control, monitoring of the lighting system. See Section 2.3 for further details.
- 8. Manufacturer shall provide lightning grounding as defined by NFPA 780 and be UL Listed per UL 96 and UL 96A.
 - a. Integrated grounding via concrete encased electrode grounding system.
 - b. If grounding is not integrated into the structure, the manufacturer shall supply grounding electrodes, copper down conductors, and exothermic weld kits. Electrodes and conductors shall be sized as required by NFPA 780. The grounding electrode shall be minimum size of 5/8 inch diameter and 8 feet long, with a minimum of 10 feet embedment. Grounding electrode shall be connected to the structure by a grounding electrode conductor with a minimum size of 2 AWG for poles with 75 feet mounting height or less, and 2/0 AWG for poles with more than 75 feet mounting height.
- D. Safety: All system components shall be UL listed for the appropriate application.

2.2 ELECTRICAL

- A. Electric Power Requirements for the Sports Lighting Equipment:
 - 1. Electric power: 480 Volt, 3 Phase
 - 2. Maximum total voltage drop: Voltage drop to the disconnect switch located on the poles shall not exceed three (3) percent of the rated voltage.
- B. Energy Consumption: The kW consumption for the field lighting system shall be 18kW, or less.

2.3 CONTROL

- A. Instant On/Off Capabilities: System shall provide for instant on/off of luminaires.
- B. Lighting contactor cabinet(s) constructed of NEMA Type 4 aluminum, designed for easy installation with contactors, labeled to match field diagrams and electrical design. Manual off-on-auto selector switches shall be provided.
- C. Dimming: System shall provide for 3-stage dimming (high-medium-low). Dimming will be set via scheduling options (Website, app, phone, fax, email)
- D. Remote Lighting Control System: System shall allow owner and users with a security code to schedule on/off system operation via a web site, phone, fax or email up to ten years in advance. Manufacturer shall provide and maintain a two-way TCP/IP communication link. Trained staff shall be available 24/7 to provide scheduling support and assist with reporting needs.

The owner may assign various security levels to schedulers by function and/or fields. This function must be flexible to allow a range of privileges such as full scheduling capabilities for all fields to only having permission to execute "early off" commands by phone. Scheduling tool shall be capable of setting curfew limits.

Controller shall accept and store 7-day schedules, be protected against memory loss during power outages, and shall reboot once power is regained and execute any commands that would have occurred during outage.

- E. Remote Monitoring System: System shall monitor lighting performance and notify manufacturer if individual luminaire outage is detected so that appropriate maintenance can be scheduled. The controller shall determine switch position (manual or auto) and contactor status (open or closed).
- F. Management Tools: Manufacturer shall provide a web-based database and dashboard tool of actual field usage and provide reports by facility and user group. Dashboard shall also show current status of luminaire outages, control operation and service. Mobile application will be provided suitable for IOS, Android and Blackberry devices.

Hours of Usage: Manufacturer shall provide a means of tracking actual hours of usage for the field lighting system that is readily accessible to the owner.
 - 1. Cumulative hours: shall be tracked to show the total hours used by the facility
 - 2. Report hours saved by using early off and push buttons by users.
- G. Communication Costs: Manufacturer shall include communication costs for operating the control and monitoring system for a period of 25 years.
- H. Communication with luminaire drivers: Control system shall interface with drivers in electrical components enclosures by means of powerline communication.

2.4 STRUCTURAL PARAMETERS

- A. Wind Loads: Wind loads shall be based on the 2015 International Building Code. Wind loads to be calculated using ASCE 7-10, an ultimate design wind speed of 130 and exposure category C.
- B. Pole Structural Design: The stress analysis and safety factor of the poles shall conform to 2013 AASHTO Standard Specification for Structural Supports for Highway Signs, Luminaires, and Traffic Signals (LTS-6).
- C. Foundation Design: The foundation design shall be based on soil parameters as outlined in the geotechnical report. If no geotechnical report is available, the foundation design shall be based on soils that meet or exceed those of a Class 5 material as defined by 2015 IBC Table 1806.2.
- D. Foundation Drawings: Project specific foundation drawings stamped by a registered engineer in the state where the project is located are required. The foundation drawings must list the moment, shear (horizontal) force, and axial (vertical) force at ground level for each pole. These drawings must be submitted at time of bid to allow for accurate pricing.

PART 3 – EXECUTION

3.1 SOIL QUALITY CONTROL

- A. It shall be the Contractor's responsibility to notify the Owner if soil conditions exist other than those on which the foundation design is based, or if the soil cannot be readily excavated. Contractor may issue a change order request / estimate for the Owner's approval / payment for additional costs associated with:

1. Providing engineered foundation embedment design by a registered engineer in the State of Massachusetts for soils other than specified soil conditions;
2. Additional materials required to achieve alternate foundation;
3. Excavation and removal of materials other than normal soils, such as rock, caliche, etc.

3.2 DELIVERY TIMING

- A. Delivery Timing Equipment On-Site: The equipment must be on-site 10-12 weeks from receipt of approved submittals and receipt of complete order information.

3.3 FIELD QUALITY CONTROL

- A. Illumination Measurements: Upon substantial completion of the project and in the presence of the Contractor, Project Engineer, Owner's Representative, and Manufacturer's Representative, illumination measurements shall be taken and verified. The illumination measurements shall be conducted in accordance with IESNA LM-5-04.
- B. Field Light Level Accountability
 1. Light levels are guaranteed not to fall below the target maintained light levels for the entire warranty period of 25 years. These levels will be specifically stated as "guaranteed" on the illumination summary provided by the manufacturer.
 2. The contractor/manufacturer shall be responsible for conducting initial light level testing and an additional inspection of the system, in the presence of the owner, one year from the date of commissioning of the lighting.
 3. The contractor/manufacturer will be held responsible for any and all changes needed to bring these fields back to compliance for light levels and uniformities. Contractor/Manufacturer will be held responsible for any damage to the fields during these repairs.
- C. Correcting Non-Conformance: If, in the opinion of the Owner or his appointed Representative, the actual performance levels including footcandles and uniformity ratios are not in conformance with the requirements of the performance specifications and submitted information, the Manufacturer shall be required to make adjustments to meet specifications and satisfy Owner.

3.4 WARRANTY AND GUARANTEE

- A. 25-Year Warranty: Each manufacturer shall supply a signed warranty covering the entire system for 25 years from the date of shipment. Warranty shall guarantee specified light levels. Manufacturer shall maintain specifically-funded financial reserves to assure fulfillment of the warranty for the full term. Warranty does not cover weather conditions events such as lightning or hail damage, improper installation, vandalism or abuse, unauthorized repairs or alterations, or product made by other manufacturers.
- B. Maintenance: Manufacturer shall monitor the performance of the lighting system, including on/off status, hours of usage and luminaire outage for 25 years from the date of equipment shipment. Parts and labor shall be covered such that individual luminaire outages will be repaired when the usage of any field is materially impacted. Manufacturer is responsible for removal and replacement of failed luminaires, including all parts, labor, shipping, and equipment rental associated with maintenance. Owner agrees to check fuses in the event of a luminaire outage.

PART 4 – DESIGN APPROVAL

4.0 PRE-BID SUBMITTAL REQUIREMENTS (Non-Musco)

- A. Design Approval: The owner / engineer will review pre-bid submittals per section 4.0.B from all the manufacturers to ensure compliance to the specification 10 days prior to bid. If the design meets the design requirements of the specifications, a letter and/or addendum will be issued to the manufacturer indicating approval for the specific design submitted.
- B. Approved Product: Musco's Light-Structure System™ with TLC for LED™ is the approved product. All substitutions must provide a complete submittal package for approval as outlined in Submittal Information at the end of this section at least 10 days prior to bid. Special manufacturing to meet the

standards of this specification may be required. An addendum will be issued prior to bid listing any other approved lighting manufacturers and designs.

- C. All listed manufacturers not pre-approved shall submit the information at the end of this section at least 10 days prior to bid. An addendum will be issued prior to bid; listing approved lighting manufacturers and the design method to be used.
- D. Bidders are required to bid only products that have been approved by this specification or addendum by the owner or owner's representative. Bids received that do not utilize an approved system/design, will be rejected.

**REQUIRED SUBMITTAL INFORMATION FOR ALL MANUFACTURERS (NOT PRE-APPROVED) 10 DAYS
PRIOR TO BID**

*All items listed below are mandatory, shall comply with the specification and be submitted according to pre-bid submittal requirements. Complete the Yes/No column to indicate compliance (Y) or noncompliance (N) for each item. **Submit checklist below with submittal.***

Yes/ No	Tab	Item	Description
	A	Letter/ Checklist	Listing of all information being submitted must be included on the table of contents. List the name of the manufacturer's local representative and his/her phone number. Signed submittal checklist to be included.
	B	Equipment Layout	Drawing(s) showing field layouts with pole locations
	C	On Field Lighting Design	Lighting design drawing(s) showing: a. Field Name, date, file number, prepared by b. Outline of field(s) being lighted, as well as pole locations referenced to the center of the field (x & y), Illuminance levels at grid spacing specified c. Pole height, number of fixtures per pole, horizontal and vertical aiming angles, as well as luminaire information including wattage, lumens and optics d. Height of light test meter above field surface. e. Summary table showing the number and spacing of grid points; average, minimum and maximum illuminance levels in foot candles (fc); uniformity including maximum to minimum ratio, coefficient of variance (CV), coefficient of utilization (CU) uniformity gradient; number of luminaires, total kilowatts, average tilt factor; light loss factor.
	D	Off Field Lighting Design	Lighting design drawing showing initial spill light levels along the boundary line (defined on bid drawings) in footcandles. Lighting design showing glare along the boundary line in candela. Light levels shall be taken at 30-foot intervals along the boundary line. Readings shall be taken with the meter orientation at both horizontal and aimed towards the most intense bank of lights.
	E	Photometric Report	Provide first page of photometric report for all luminaire types being proposed showing candela tabulations as defined by IESNA Publication LM-35-02. Photometric data shall be certified by laboratory with current National Voluntary Laboratory Accreditation Program or an independent testing facility with over 5 years experience.
	F	Performance Guarantee	Provide performance guarantee including a written commitment to undertake all corrections required to meet the performance requirements noted in these specifications at no expense to the owner. Light levels must be guaranteed to not fall below target levels for warranty period.
	G	Structural Calculations	Pole structural calculations and foundation design showing foundation shape, depth backfill requirements, rebar and anchor bolts (if required). Pole base reaction forces shall be shown on the foundation drawing along with soil bearing pressures. Design must be stamped by a structural engineer in the state of Massachusetts, if required by owner. (May be supplied upon award).
	H	Control & Monitoring System	Manufacturer of the control and monitoring system shall provide written definition and schematics for automated control system. They will also provide ten (10) references of customers currently using proposed system in the state of Massachusetts.
	J	Warranty	Provide written warranty information including all terms and conditions. Provide ten (10) references of customers currently under specified warranty in the state of Massachusetts.
	K	Project References	Manufacturer to provide a list of ten (10) projects where the technology and specific fixture proposed for this project has been installed in the state of Massachusetts. Reference list will include project name, project city, installation date, and if requested, contact name and contact phone number.
	L	Product Information	Complete bill of material and current brochures/cut sheets for all product being provided.
	M	Delivery	Manufacturer shall supply an expected delivery timeframe from receipt of approved submittals and complete order information.
	N	Non- Compliance	Manufacturer shall list all items that do not comply with the specifications. If in full compliance, tab may be omitted.

The information supplied herein shall be used for the purpose of complying with the specifications for the McLeod Field lighting project. By signing below I agree that all requirements of the specifications have been met and that the manufacturer will be responsible for any future costs incurred to bring their equipment into compliance for all items not meeting specifications and not listed in the Non-Compliance section.

Manufacturer: _____ **Signature:** _____

Contact Name: _____ **Date:** ____/____/____

Contractor: _____ **Signature:** _____

Lighting System

Pole / Fixture Summary					
Pole ID	Pole Height	Mtg Height	Fixture Qty	Luminaire Type	Load
A1-A2	60'	60'	3	TLC-LED-900	2.67 kW
		16'	1	TLC-BT-575	0.58 kW
B1-B2	70'	70'	5	TLC-LED-1200	5.85 kW
		16'	1	TLC-BT-575	0.58 kW
4			20		19.34 kW

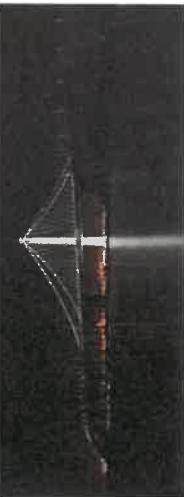
Circuit Summary			
Circuit	Description	Load	Fixture Qty
A	Little League	19.34 kW	20

Fixture Type Summary						
Type	Source	Wattage	Lumens	L90	L80	Quantity
TLC-LED-1200	LED 5700K - 75 CRI	1170W	136,000	>120,000	>120,000	10
TLC-BT-575	LED 5700K - 75 CRI	575W	52,000	>120,000	>120,000	4
TLC-LED-900	LED 5700K - 75 CRI	890W	89,600	>120,000	>120,000	6

Light Level Summary

Calculation Grid Summary							
Grid Name	Calculation Metric	Ave	Min	Max	Max/Min	Ave/Min	Fixture Qty
150' Spill (Cd)	Max Candela (by Fixture)	1779	8.95	4974	556.04	198.77	20
150' Spill	Horizontal Illuminance	0.03	0	0.09	0.00		20
150' Spill	Max Vertical Illuminance Metric	0.08	0	0.26	2513.69		20
Softball (Infield)	Horizontal Illuminance	50	38	59	1.57	1.32	20
Softball (Outfield)	Horizontal Illuminance	32.4	22	41	1.86	1.47	20

From Hometown to Professional



We Make It Happen.

Not to be reproduced in whole or part without the written consent of Musco Sports Lighting, LLC. ©1981, 2021 Musco Sports Lighting, LLC.

PROJECT NAME (EDIT)

PROJECT LOCATION (EDIT)

GRID SUMMARY

Name: Softball
Size: 200' / 200' / 200' - basepath 60'
Spacing: 20.0' x 20.0'
Height: 3.0' above grade

ILLUMINATION SUMMARY

MAINTAINED HORIZONTAL FOOTCANDLES

	Infield	Outfield
Guaranteed Average:	50	30
Scan Average:	50.02	32.40
Maximum:	59	41
Minimum:	38	22
Avg / Min:	1.32	1.46
Guaranteed Max / Min:	2	2.5
Max / Min:	1.57	1.86
UG (adjacent pts):	1.21	1.53
CU:	0.69	
No. of Points:	25	71

LUMINAIRE INFORMATION

Applied Circuits: A
No. of Luminaires: 20
Total Load: 19.34 kW

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



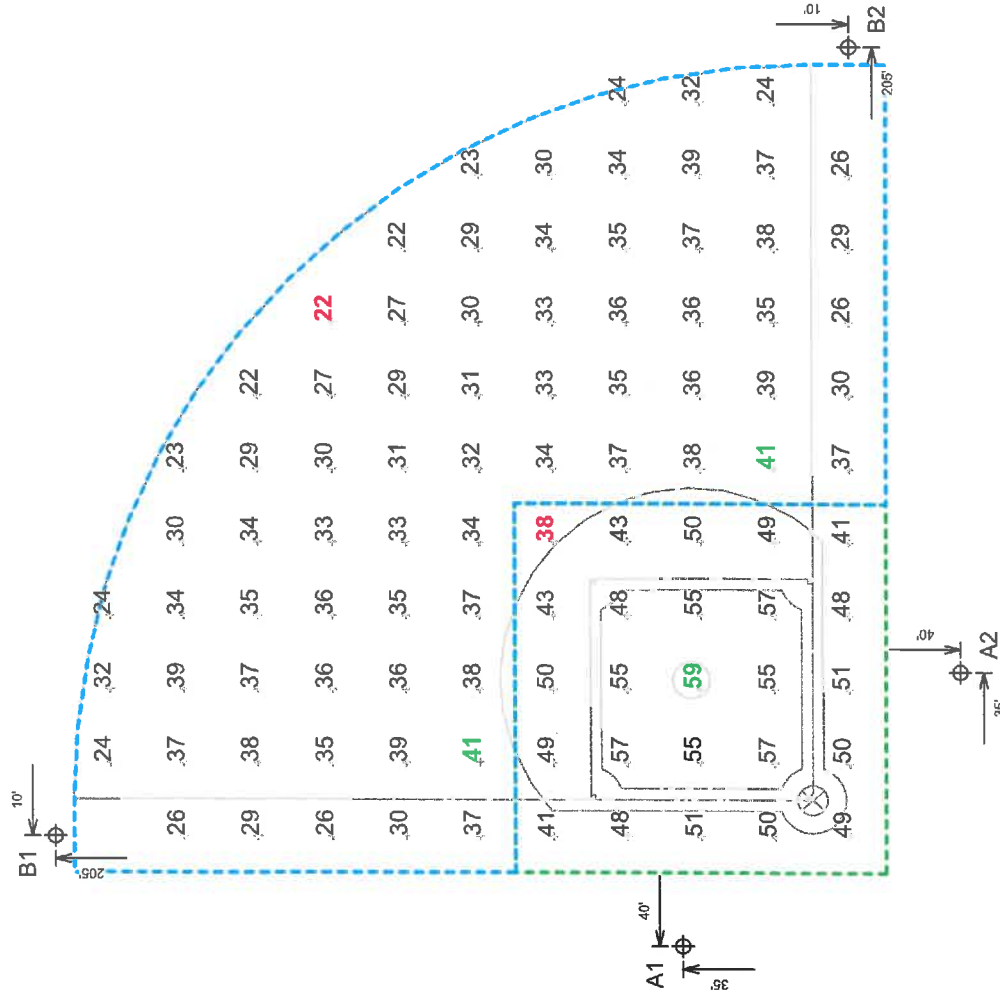
We Make It Happen.®

Not to be reproduced in whole or part without the written consent of Musco Sports Lighting, LLC. ©1981, 2021 Musco Sports Lighting, LLC.

ILLUMINATION SUMMARY

EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	Pole				Luminaires			
		SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE	THIS GRID	OTHER GRIDS	
2	A1-A2	60'	-	15.5'	TLC-BT-575	1	1	0	
2	B1-B2	70'	-	15.5'	TLC-BT-575	1	1	0	
4				70'	TLC-LED-1200	5	5	0	
						20	20	0	



SCALE IN FEET 1 : 50



ENGINEERED DESIGN By: File #5B53-202020-12-4P_D · 11-Aug-21

Pole location(s) ⦿ dimensions are relative to 0,0 reference point(s) ⊗

PROJECT NAME (EDIT)

PROJECT LOCATION (EDIT)

GRID SUMMARY

Name: 150' Spill
Spacing: 30.0'
Height: 3.0' above grade

ILLUMINATION SUMMARY

HORIZONTAL FOOTCANDLES

Entire Grid
Scan Average: 0.0283
Maximum: 0.09
Minimum: 0.00
No. of Points: 56

LUMINAIRE INFORMATION

Applied Circuits: A
No. of Luminaires: 20
Total Load: 19.34 kW

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume $\pm 3\%$ nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

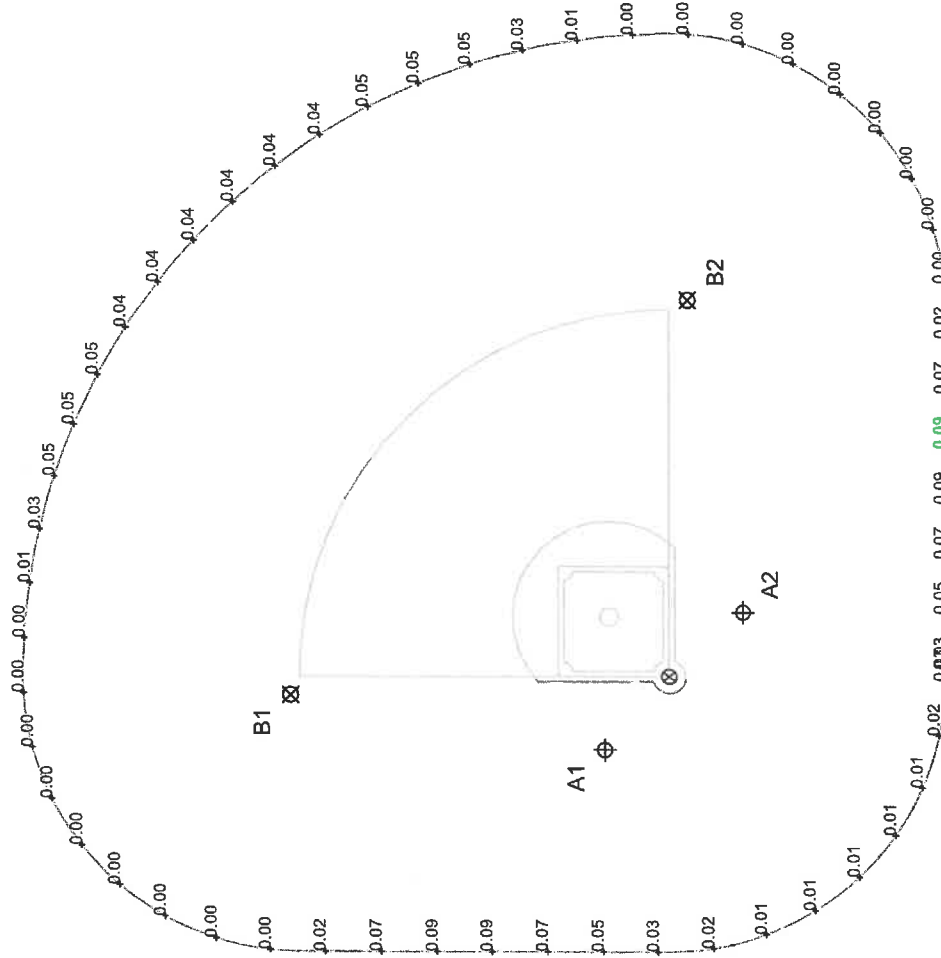


Not to be reproduced in whole or part without the written consent of Musco Sports Lighting, LLC. ©1981 - 2021 Musco Sports Lighting, LLC.

ILLUMINATION SUMMARY

EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	Pole				Luminaires			
		GRADE ELEVATION	SIZE	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE	THIS GRID	OTHER GRIDS	
2	A1-A2		60'	15.5'	TLC-BT-575	1	1	0	
				60'	TLC-LED-900	3	3	0	
2	B1-B2		70'	15.5'	TLC-BT-575	1	1	0	
				70'	TLC-LED-1200	5	5	0	
4	TOTALS					20	20	0	



SCALE IN FEET 1 : 100



Pole location(s) $\oplus$ dimensions are relative to 0,0 reference point(s) $\otimes$

ENGINEERED DESIGN By: File #SB53-202020-12-4P_D · 11-Aug-21

PROJECT NAME (EDIT)

PROJECT LOCATION (EDIT)

GRID SUMMARY

Name: 150' Spill
Spacing: 30.0'
Height: 3.0' above grade

ILLUMINATION SUMMARY

MAX VERTICAL FOOTCANDLES

Entire Grid

Scan Average: 0.0842

Maximum: 0.26

Minimum: 0.00

No. of Points: 56

LUMINAIRE INFORMATION

Applied Circuits: A

No. of Luminaires: 20

Total Load: 19.34 kW

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume $\pm 3\%$ nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



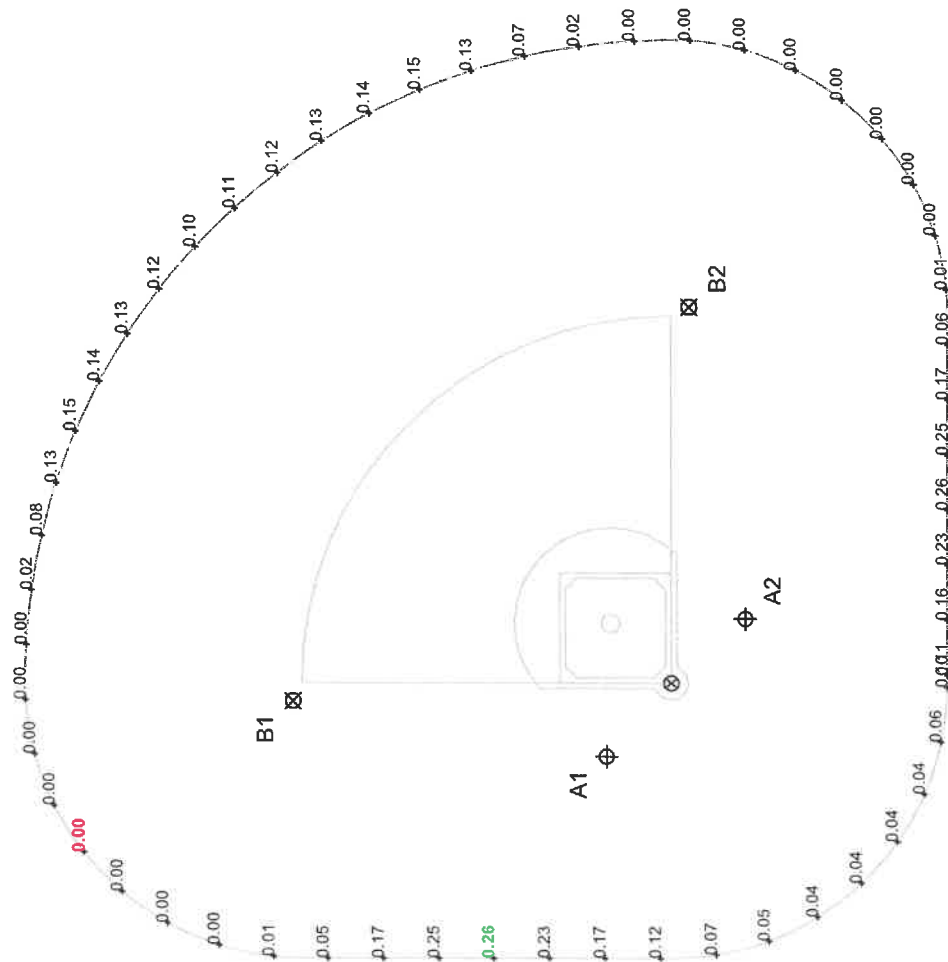
We Make It Happen.®

Not to be reproduced in whole or part without the written consent of Musco Sports Lighting, LLC. ©1981, 2021 Musco Sports Lighting, LLC.

ILLUMINATION SUMMARY

EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	Pole	GRADE ELEVATION	MOUNTING HEIGHT	Luminaires			
					LUMINAIRE TYPE	QTY / POLE	THIS GRID	OTHER GRIDS
2	A1-A2	60'	-	15.5'	TLC-BT-575	1	1	0
		60'	-	60'	TLC-LED-500	3	3	0
2	B1-B2	70'	-	15.5'	TLC-BT-575	1	1	0
		70'	-	70'	TLC-LED-1200	5	5	0
4	TOTALS					20	20	0



ENGINEERED DESIGN By: · File #SB53-202020-12-4P_D · 11-Aug-21

EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	Pole		Luminaires			
		SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE	THIS GRID / OTHER GRIDS
2	A1-A2	60'	-	15.5'	TLC-BT-575	1	1
				60'	TLC-LED-900	3	3
2	B1-B2	70'	-	15.5'	TLC-BT-575	1	1
				70'	TLC-LED-1200	5	5
4	TOTALS					20	20

PROJECT NAME (EDIT)

PROJECT LOCATION (EDIT)

GRID SUMMARY

Name: 150' Spill (Cd)
Spacing: 30.0'
Height: 5.0' above grade

ILLUMINATION SUMMARY

CANDELA (PER FIXTURE)

Entire Grid
Scan Average: 1779.0258
Maximum: 4974.19
Minimum: 8.95
No. of Points: 56

LUMINAIRE INFORMATION

Applied Circuits: A

No. of Luminaires: 20

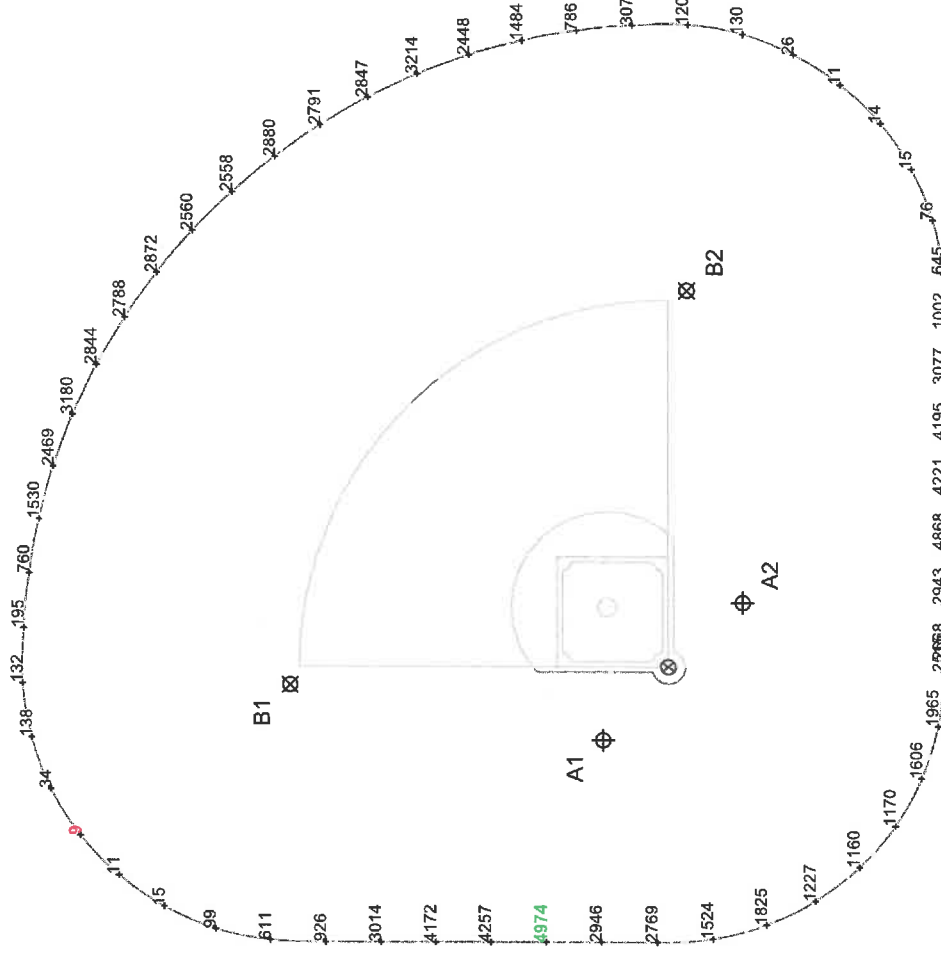
Total Load: 19.34 kW

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume $\pm 3\%$ nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



SCALE IN FEET 1 : 100



ENGINEERED DESIGN By: File #SB53-202020-12-4P_D 11-Aug-21



We Make It Happen.

Not to be reproduced in whole or part without the written consent of Musco Sports Lighting, LLC. ©1981, 2021 Musco Sports Lighting, LLC.

ILLUMINATION SUMMARY

PROJECT NAME (EDIT)

PROJECT LOCATION (EDIT)

EQUIPMENT LAYOUT

INCLUDES:

· Softball

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

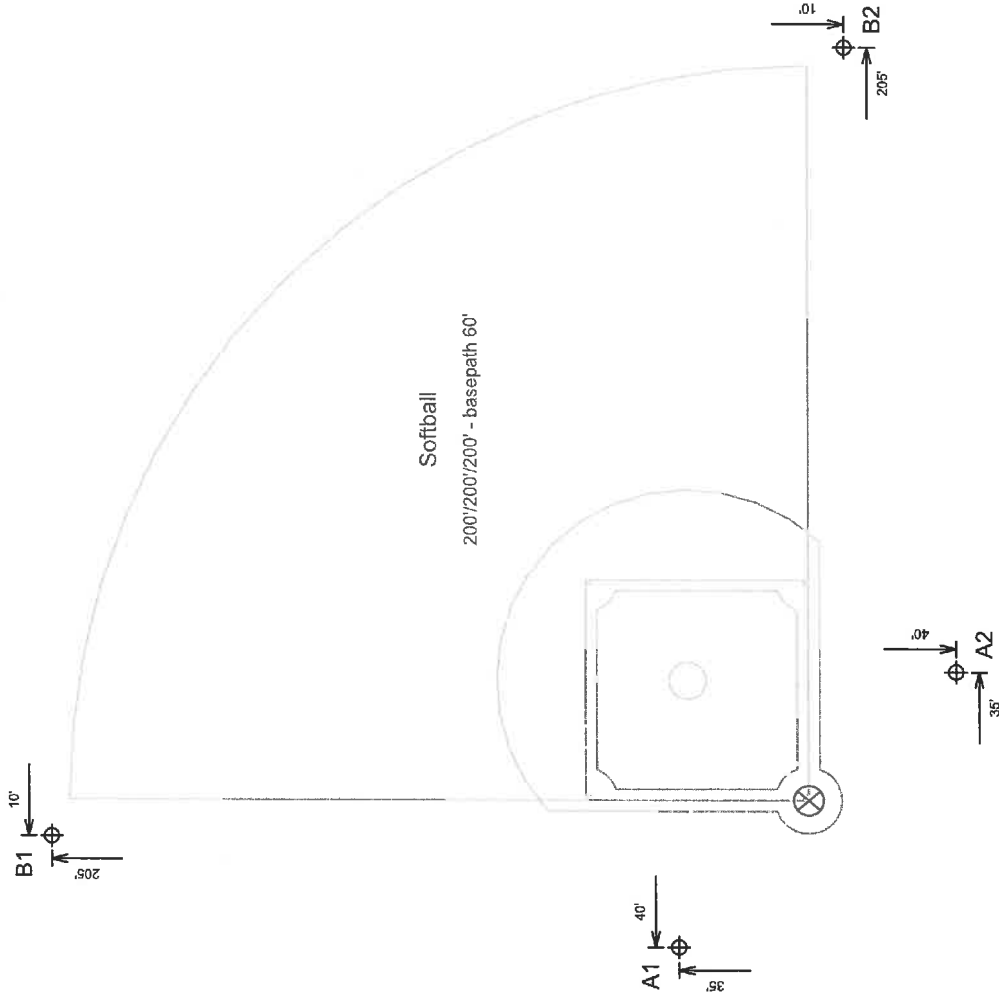
Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	Pole SIZE	GRADE ELEVATION	MOUNTING HEIGHT	Luminaires	
					LUMINAIRE TYPE	QTY / POLE
2	A1-A2	60'	-	15.5'	TLC-BT-575	1
				60'	TLC-LED-900	3
2	B1-B2	70'	-	15.5'	TLC-BT-575	1
				70'	TLC-LED-1200	5
4	TOTALS					20

SINGLE LUMINAIRE AMPERAGE DRAW CHART

Ballast Specifications (.90 min power factor)		Line Amperage Per Luminaire (max draw)					
Single Phase Voltage		208	220	240	277	347	480
		(60)	(60)	(60)	(60)	(60)	(60)
TLC-LED-1200		7.0	6.6	6.1	5.2	4.2	4.0
TLC-BT-575		3.4	3.2	2.9	2.5	2.0	1.8
TLC-LED-900		5.3	5.0	4.6	4.0	3.2	2.9



SCALE IN FEET 1 : 50



Pole location(s) ⓧ dimensions are relative to 0,0 reference point(s) ⓧ



TOWN OF NEEDHAM, MASSACHUSETTS

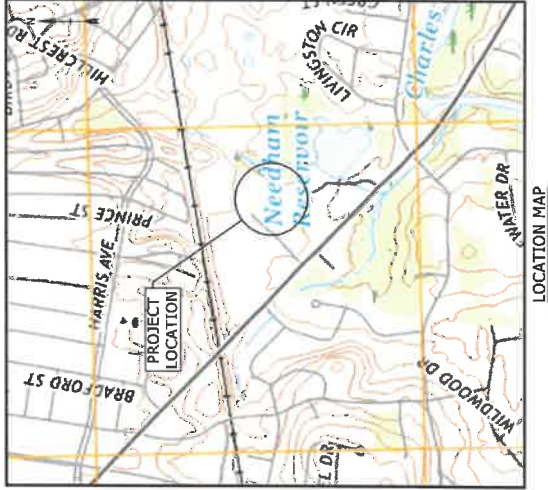
MCLEOD FIELD RENOVATIONS PROJECT

DEFAZIO PARK - 380 DEDHAM AVE

NEEDHAM, MA

SEPTEMBER 14, 2022

LIST OF DRAWINGS	
SHEET NO.	SHEET TITLE
C.100	COVER SHEET
C.101	EXISTING CONDITIONS & DEMO PLAN
C.102	SITE PLAN
C.103	GRADING, DRAINAGE & EROSION CONTROL PLAN
C.104	UTILITIES PLAN
C.501	EROSION CONTROL NOTES & DETAILS SHEET
C.502	DETAILS SHEET
C.503	DETAILS SHEET
C.504	DETAILS SHEET
C.505	DETAILS SHEET



PREPARED BY:
Tighe & Bond
177 Corporate Drive
Portsmouth, NH 02801
(603) 433-8818

PREPARED FOR:
TOWN OF NEEDHAM, MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS
500 DEDHAM AVENUE
NEEDHAM, MASSACHUSETTS 02492

T & B PROJECT NO: N-5001-008

COMPLETE SET 10 SHEETS

**DRAFT SET -
NOT FOR
CONSTRUCTION**

McLeod Field Renovation

**Town of
Needham, MA**

Needham, MA

	MARK	UNIT	DESCRIPTION
	RESIST #93		R0001-008
	DATE		17-11-2022
	BY		15001-000-JAG
	REASON BY:		CROWN
	REASON NO:		N/A
	PREPARED BY:		RJA

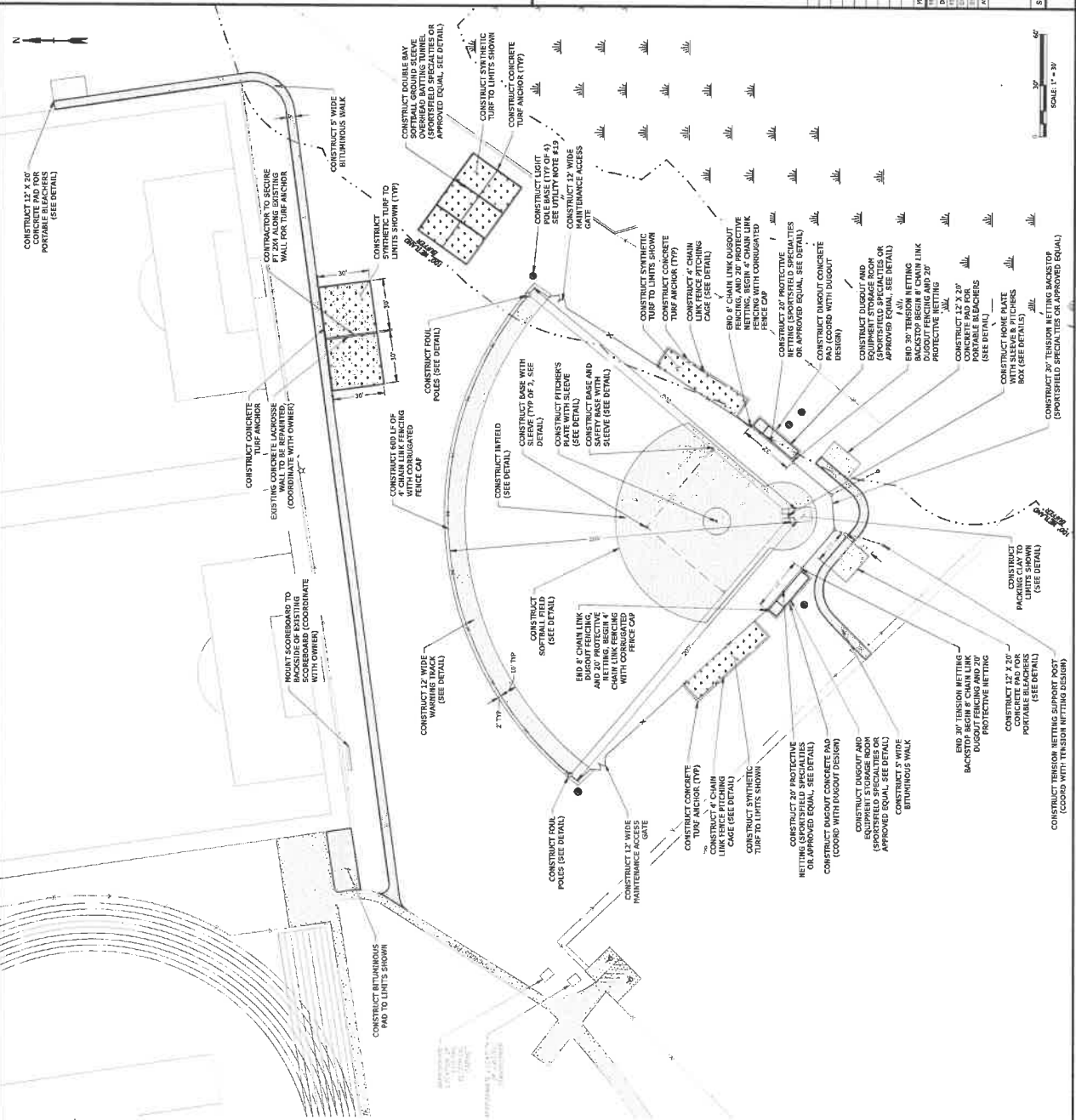
**EXISTING CONDITIONS &
DEMO PLAN**

SCALE: AS SHOWN

C-101

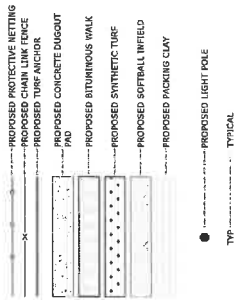


- [illegible]



- 1. THE CONTRACTOR SHALL EMPLOY A MASSACHUSETTS LICENSED LAND SURVEYOR TO**
- 2. ALL MATERIALS AND CONSTRUCTION SHALL CONFORM WITH APPLICABLE FEDERAL, STATE,**
- 3. AND LOCAL CODES & SPECIFICATIONS.**
- 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND**
- 5. ANY TO THE OWNER AND ENGINEER UPON COMPLETION OF THE PROJECT. AS-BUILTS SHALL**
- 6. BE PREPARED AND CERTIFIED BY A NEW HAMPSHIRE LICENSED LAND SURVEYOR.**

LEGEND



**DRAFT SET -
NOT FOR
CONSTRUCTION**

**McLeod Field
Renovation**

**Town of
Needham, MA**

Needham, MA

NO.	DATE	DESCRIPTION
1	01/10/22	ISSUED FOR PERMIT
2	01/10/22	ISSUED FOR PERMIT
3	01/10/22	ISSUED FOR PERMIT
4	01/10/22	ISSUED FOR PERMIT
5	01/10/22	ISSUED FOR PERMIT
6	01/10/22	ISSUED FOR PERMIT
7	01/10/22	ISSUED FOR PERMIT
8	01/10/22	ISSUED FOR PERMIT
9	01/10/22	ISSUED FOR PERMIT
10	01/10/22	ISSUED FOR PERMIT

SITE PLAN

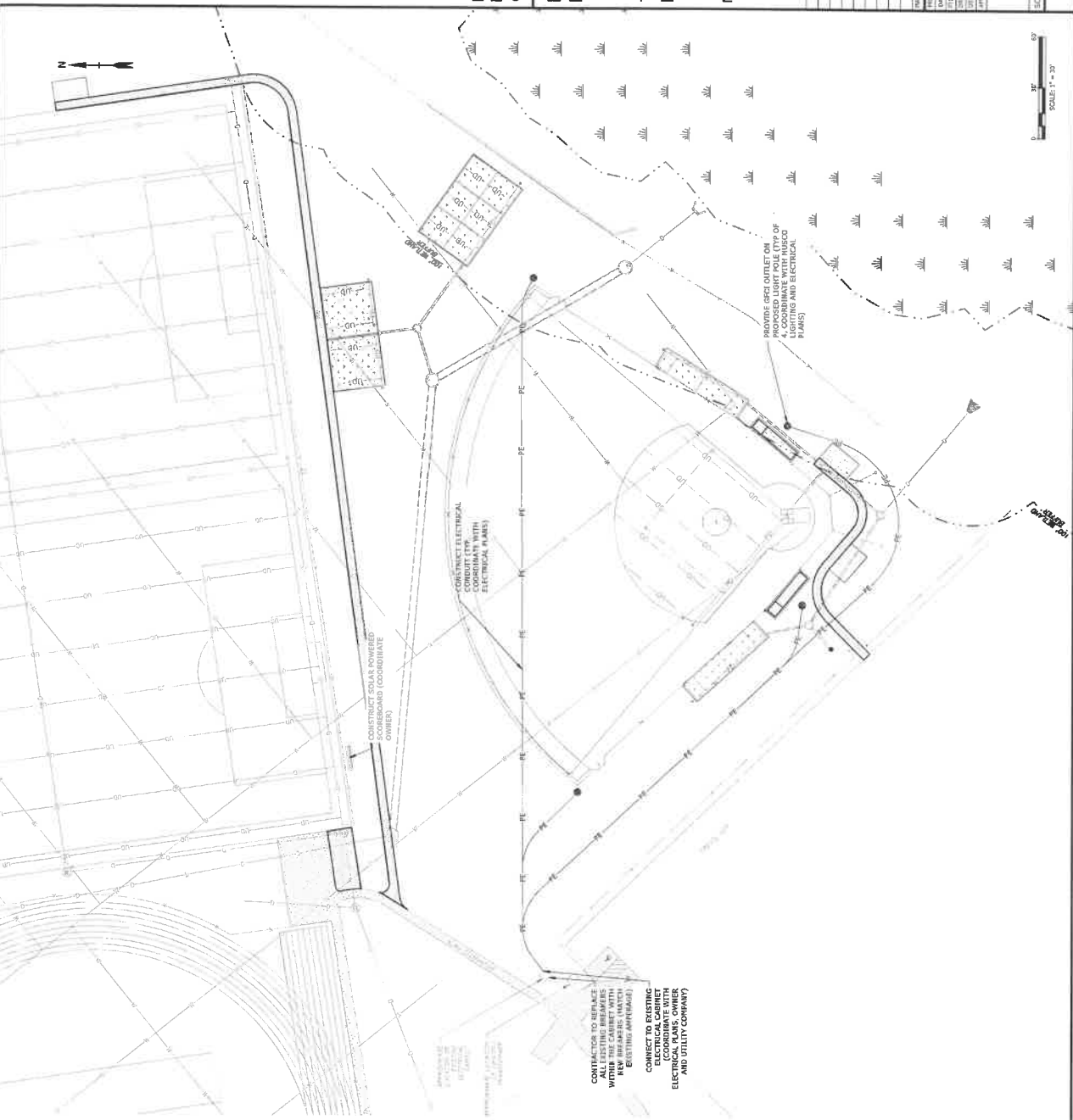
SCALE: 1" = 20'

C-102



- LEGEND**
- | | | | | | | | | | | |
|------------------------------|---------------------|--------------------------------|---------------------|--------------------|------------------------|---------------------|----------------------|--------------------------|-------------------|-----|
| PROPOSED MAJOR CONTIGUE LINE | PROPOSED DRAIN LINE | PROPOSED PERFORATED DRAIN LINE | PROPOSED UNDERDRAIN | PROPOSED SILT SOCK | PROPOSED DRAIN MANHOLE | PROPOSED YARD DRAIN | PROPOSED CATCH BASIN | INLET PROTECTION BARRIER | PROPOSED CLEANOUT | TYP |
|------------------------------|---------------------|--------------------------------|---------------------|--------------------|------------------------|---------------------|----------------------|--------------------------|-------------------|-----|

CONTRACTOR SHALL INSTALL 48" RCP PIPE ONLY WHEN EXISTING UNDISTURBED SOILS AND BEDDING MATERIALS ARE DRY. DEWATERING OF THE EXCAVATIONS SHOULD BE ANTICIPATED. THE CONTRACTOR SHALL DETERMINE THE METHOD OF DEWATERING PRIOR TO EXCAVATING AND COORDINATE METHOD WITH DPW FOR FINAL APPROVAL.



- UTILITY NOTES:**
1. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE APPROXIMATE AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL AFFECTED UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND FOR REPAIRING ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL AFFECTED UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND FOR REPAIRING ANY DAMAGE TO EXISTING UTILITIES.
 2. *ELECTRIC - NETA.
 3. SEE GRADING, DRAINAGE & EROSION CONTROL PLAN FOR PROPOSED GRADING AND CONSTRUCTION.
 4. CONTRACTOR SHALL MAINTAIN UTILITY SERVICES TO PROPERTY THROUGHOUT CONSTRUCTION.
 5. ALL ELECTRICAL WORKSHIPS SHALL CONFORM TO THE NATIONAL ELECTRICAL CODE, LATEST EDITION, AND ALL APPLICABLE STATE AND LOCAL CODES.
 6. THE EXACT LOCATION OF NEW UTILITY SERVICES AND CONNECTIONS SHALL BE DETERMINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL AFFECTED UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND FOR REPAIRING ANY DAMAGE TO EXISTING UTILITIES.
 7. ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OF WORK TO FINISH GRADE.
 8. ALL CONDUITS SHALL HAVE WYON FULL ROYES TO FACILITATE PULLING CABLES.
 9. THE CONTRACTOR SHALL OBTAIN, PAY FOR, AND COMPLY WITH ALL REQUIRED PERMITS AND CERTIFICATES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL AFFECTED UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND FOR REPAIRING ANY DAMAGE TO EXISTING UTILITIES.
 10. THE CONTRACTOR SHALL PROVIDE AND INSTALL ALL MANHOLES, BOXES, FITTINGS, AND CONNECTIONS IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, LATEST EDITION, AND ALL APPLICABLE STATE AND LOCAL CODES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL AFFECTED UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND FOR REPAIRING ANY DAMAGE TO EXISTING UTILITIES.
 11. THE CONTRACTOR SHALL CONTACT "DIG-CAVE" 72 HOURS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL HAVE THE "DIG-CAVE" NUMBER ON SITE AT ALL TIMES.
 12. CONTRACTOR SHALL COORDINATE ALL ELECTRICAL WORK INCLUDING BUT NOT LIMITED TO: CONDUIT LAYOUT, OVERHEAD WIRE RELOCATION, AND TRANSFORMER CONSTRUCTION WITH THE CIVIL ENGINEER.
 13. THE CONTRACTOR SHALL PROVIDE AND INSTALL ALL MANHOLES, BOXES, FITTINGS, AND CONNECTIONS IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, LATEST EDITION, AND ALL APPLICABLE STATE AND LOCAL CODES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL AFFECTED UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND FOR REPAIRING ANY DAMAGE TO EXISTING UTILITIES.
 14. THE CONTRACTOR SHALL PROVIDE AND INSTALL ALL MANHOLES, BOXES, FITTINGS, AND CONNECTIONS IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, LATEST EDITION, AND ALL APPLICABLE STATE AND LOCAL CODES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL AFFECTED UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND FOR REPAIRING ANY DAMAGE TO EXISTING UTILITIES.

LEGEND

— PE — PROPOSED ELECTRICAL LINE

**DRAFT SET -
NOT FOR
CONSTRUCTION**

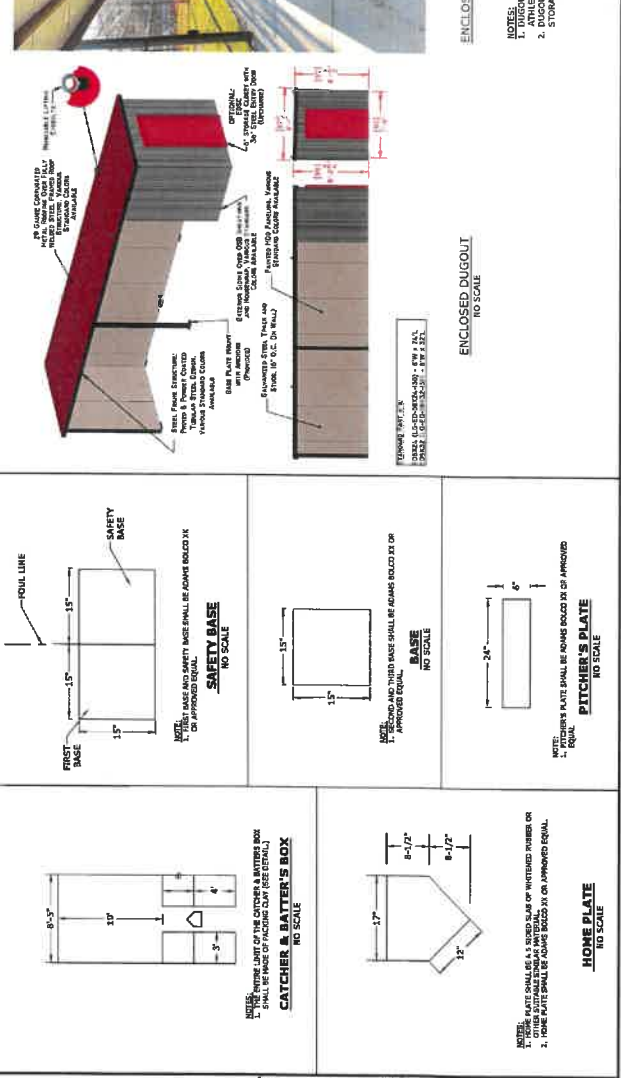
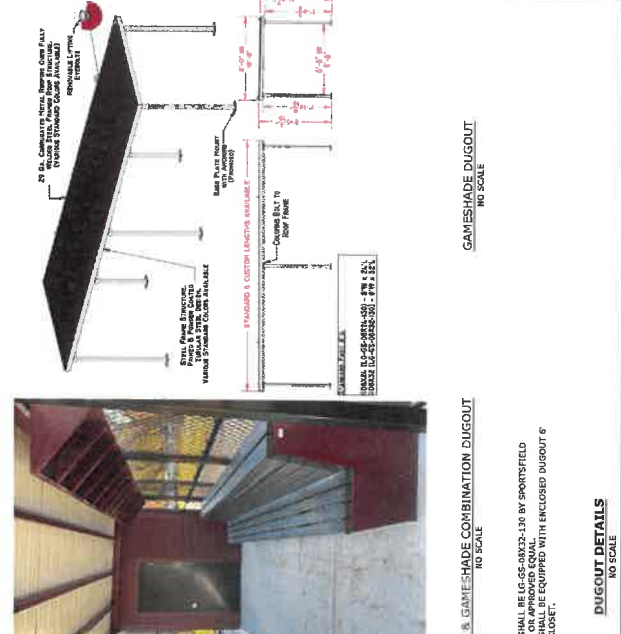
**McLeod Field
Renovation**

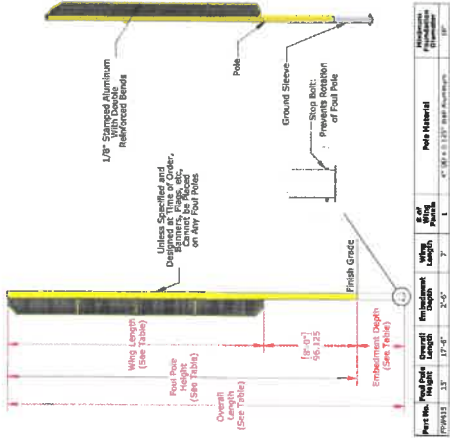
**Town of
Needham, MA**

Needham, MA

NO.	DATE	DESCRIPTION
1	10/11/2022	ISSUED FOR PERMIT
2	10/11/2022	ISSUED FOR PERMIT
3	10/11/2022	ISSUED FOR PERMIT
4	10/11/2022	ISSUED FOR PERMIT
5	10/11/2022	ISSUED FOR PERMIT
6	10/11/2022	ISSUED FOR PERMIT
7	10/11/2022	ISSUED FOR PERMIT
8	10/11/2022	ISSUED FOR PERMIT
9	10/11/2022	ISSUED FOR PERMIT
10	10/11/2022	ISSUED FOR PERMIT
11	10/11/2022	ISSUED FOR PERMIT
12	10/11/2022	ISSUED FOR PERMIT
13	10/11/2022	ISSUED FOR PERMIT
14	10/11/2022	ISSUED FOR PERMIT
15	10/11/2022	ISSUED FOR PERMIT
16	10/11/2022	ISSUED FOR PERMIT
17	10/11/2022	ISSUED FOR PERMIT
18	10/11/2022	ISSUED FOR PERMIT
19	10/11/2022	ISSUED FOR PERMIT
20	10/11/2022	ISSUED FOR PERMIT

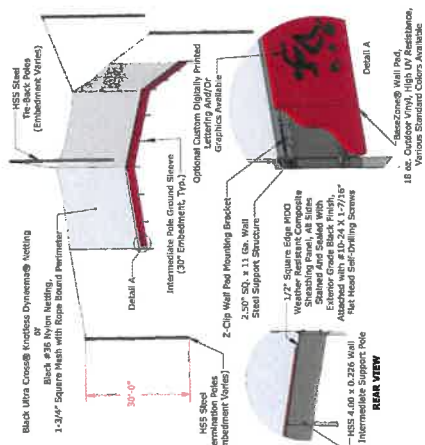
UTILITY PLAN	
SCALE	AS SHOWN
C-104	





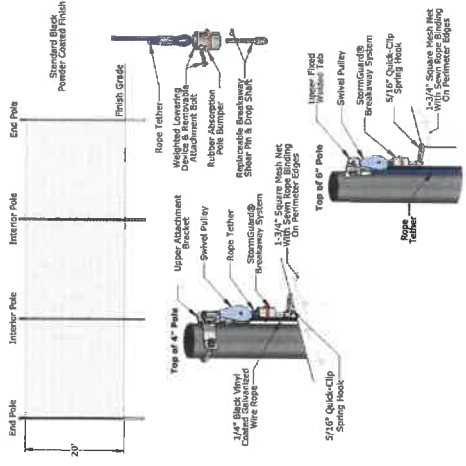
FOUL POLE DETAIL
NO SCALE

NOTES:
1. FOUL POLE SHALL BE FINALS BY SPORTSFIELD ATHLETICS OR APPROVED EQUAL.



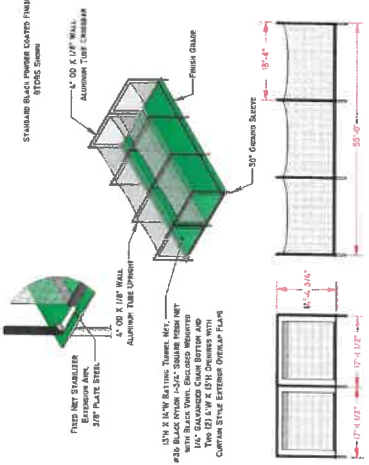
TENSION NETTING BACKSTOP DETAIL
NO SCALE

NOTES:
1. TENSION NETTING SHALL BE FINALS BY SPORTSFIELD ATHLETICS OR APPROVED EQUAL.
2. WALL PAD SHALL BE MANTY AND GOLD COLOR, COORDINATE FINAL COLOR WITH CURREL.



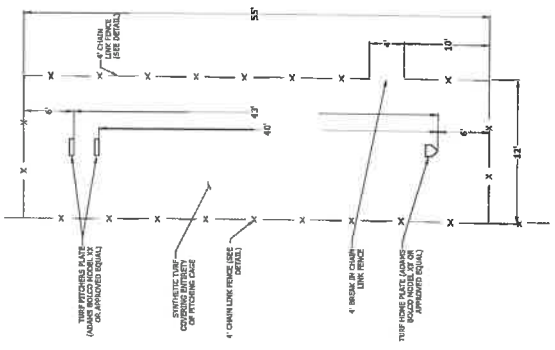
PROTECTIVE NETTING DETAIL
NO SCALE

NOTES:
1. SAFETY NETTING SHALL BE B55420 WITH A WALL HEIGHT OF 20' BY SPORTSFIELD ATHLETICS OR APPROVED EQUAL.



BATTING CAGE DETAIL
NO SCALE

NOTES:
1. BATTING CAGE SHALL BE B55420 WITH A WALL HEIGHT OF 20' BY SPORTSFIELD ATHLETICS OR APPROVED EQUAL.



PITCHING CAGE LAYOUT DETAIL
NO SCALE

NOTES:
1. SAFETY NETTING SHALL BE B55420 WITH A WALL HEIGHT OF 20' BY SPORTSFIELD ATHLETICS OR APPROVED EQUAL.

DRAFT SET - NOT FOR CONSTRUCTION

McLeod Field Renovation

Town of Needham, MA

Needham, MA

NO.	DATE	DESCRIPTION
1	11/12/2021	ISSUED FOR PERMIT
2	11/12/2021	ISSUED FOR PERMIT
3	11/12/2021	ISSUED FOR PERMIT
4	11/12/2021	ISSUED FOR PERMIT
5	11/12/2021	ISSUED FOR PERMIT
6	11/12/2021	ISSUED FOR PERMIT
7	11/12/2021	ISSUED FOR PERMIT
8	11/12/2021	ISSUED FOR PERMIT
9	11/12/2021	ISSUED FOR PERMIT
10	11/12/2021	ISSUED FOR PERMIT
11	11/12/2021	ISSUED FOR PERMIT
12	11/12/2021	ISSUED FOR PERMIT
13	11/12/2021	ISSUED FOR PERMIT
14	11/12/2021	ISSUED FOR PERMIT
15	11/12/2021	ISSUED FOR PERMIT
16	11/12/2021	ISSUED FOR PERMIT
17	11/12/2021	ISSUED FOR PERMIT
18	11/12/2021	ISSUED FOR PERMIT
19	11/12/2021	ISSUED FOR PERMIT
20	11/12/2021	ISSUED FOR PERMIT

DETAILS SHEET
SCALE: AS SHOWN
C-504

**DRAFT SET -
NOT FOR
CONSTRUCTION**

McLeod Field Renovation

**Town of
Needham, MA**

Needham, MA

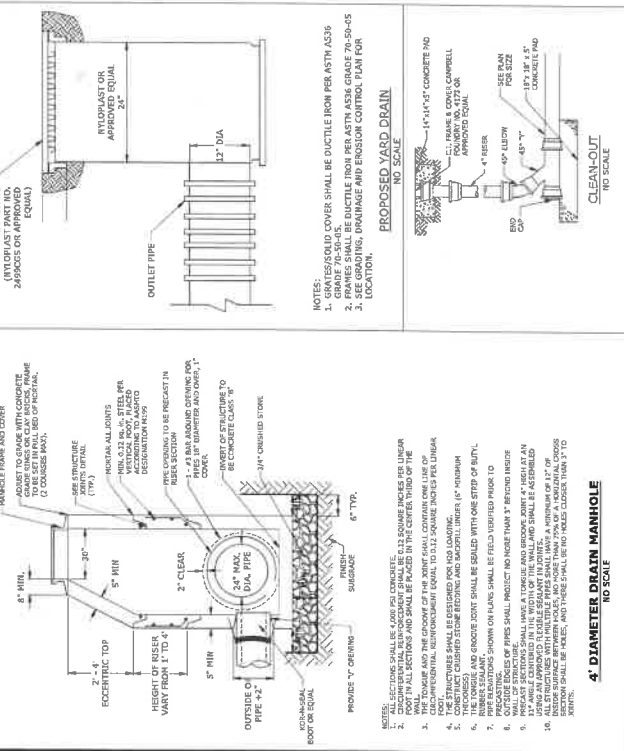
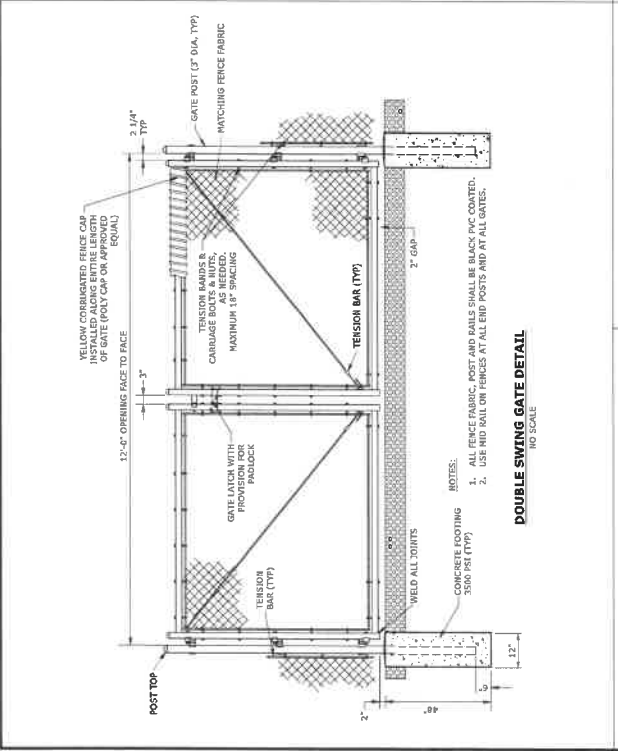
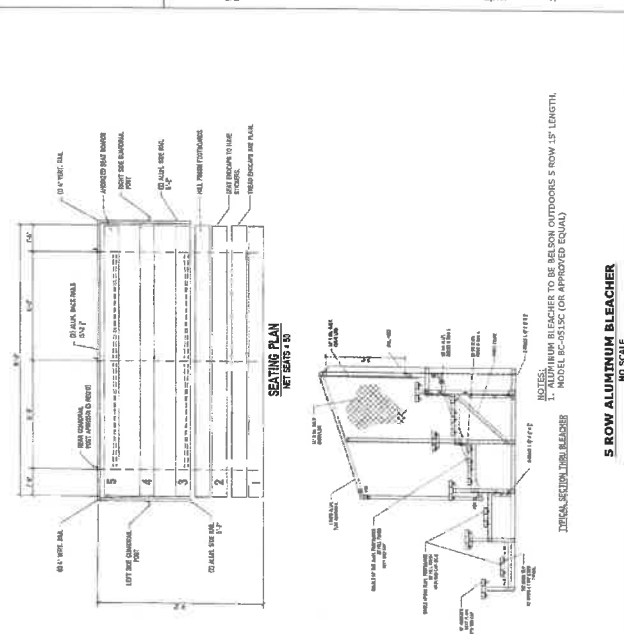
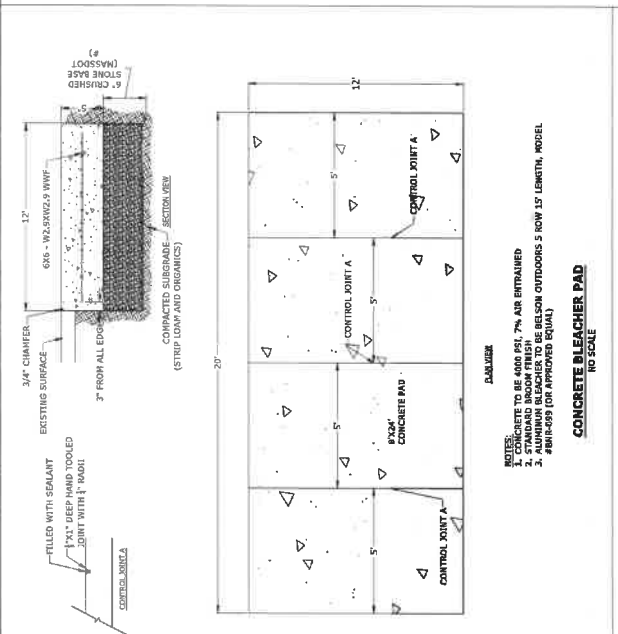
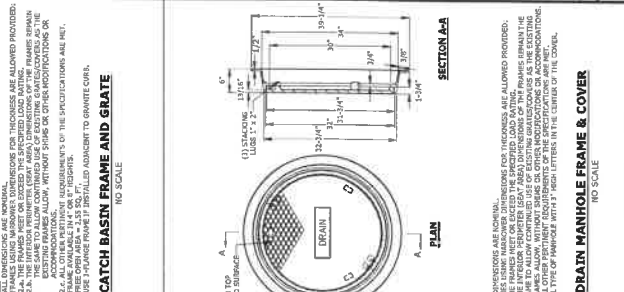
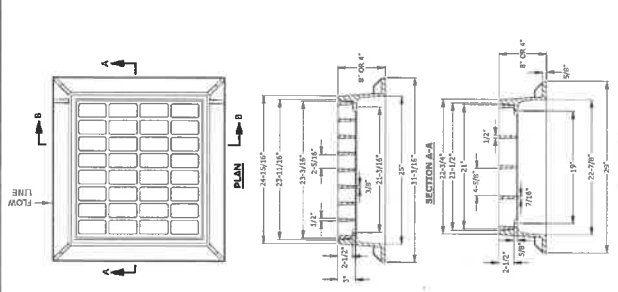
DATE	DESCRIPTION
N2001-008	
917-420702	
N2001-008-DTLG-Eng	
CXCHRW	
NMP	
SLH	

DETAILS SHEET

DRAIN MANHOLE FRAME & COVER

NO SCALE

C-505



NEEDHAM PLANNING BOARD MINUTES

December 19, 2022

The Needham Planning Board hybrid meeting, held in person at the Charles River Room of the Public Services Administration Building and Virtual using Zoom, was called to order by Adam Block, Chairman, on Monday, December 19, 2022, at 7:30 p.m. with Messrs. Alpert and Crocker and Ms. McKnight, as well as Assistant Planner, Ms. Clee.

Mr. Block took a roll call attendance of the Board members and staff. He noted this is an open meeting that is being held in public and remotely per state guidelines. He reviewed the rules of conduct for all meetings. He noted Ms. Espada will not be at the meeting and will watch the video of this meeting so she can participate. This meeting does include public hearings and public comment will be allowed. If any votes are taken at the meeting the vote will be conducted by roll call. All supporting materials, including the agenda, are posted on the town's website.

Public Hearing:

7:30 p.m. -- Major Project Site Plan Special Permit No. 2002-03: WELL Balfour Needham Landlord LLC, 4500 Dorr Street, Toledo, Ohio 43615, Petitioner. (Property located at 100-110 West Street, Needham, MA). Regarding proposal to redevelop the property to include 155 units of senior housing, consisting of 127 Assisted Living apartments and 28 Alzheimer's/Memory Care units. Please note: this hearing has been continued from the August 16, 2022, September 20, 2022, October 18, 2022 and November 15, 2022 meetings of the Planning Board.

Mr. Block noted this is a continued hearing. Additional materials have been submitted. He will take a motion to continue the ~~hearing~~hearing, but people will have an opportunity to speak tonight. He noted the public can email comments or questions to the Board. He noted the following correspondence for the record: an email from Colleen Schaller, Chair of the Council on Aging, dated 10/17/22, noting the Council on Aging passed a vote opposing a special permit for the current proposal as it does not include independent living; an email from Kim Marie Nicols, of 12 Crescent Road, dated 9/21/22, with comments and questions; an email from Glenn Mulno, of 40 Morton Street, dated 12/19/22, opposing the plan; and an email from Attorney Evans Huber, representative for the applicant, dated 12/15/22, with comments.

Mr. Huber noted the applicant will revise the application to include 9 independent living units in the southeast corner of the building on the first floor. The reason for this location is it is physically segregated in one corner and the area has its own entrance. The residents are free to use the main entrance and amenities. Each unit has its own patio. He noted the affordable unit requirements are for 10 or more units. There are no affordable units with this project. The applicant will contribute \$1.9 million ~~to the Affordable Trust Fund??~~. He noted there will be some updated filings such as revised floor plans, first floor changes to some elevations and updated parking and traffic analysis. Chris Yetman, Development Manager from HYM Investments, showed the plan. He has tried to address all comments to date. The ground floor will have walk out patios with an entrance/exit directly to the vehicles and Highland Avenue. This is a great area for independent living and the applicant is committed to ~~making a~~ financial mitigation ~~payment~~.

Formatted: Highlight

Mr. Yetman noted there will be one 2-bedroom unit, 2 one-bedroom-~~plus-den~~ units and the rest are ~~one-bedroomone-bedroom~~ units. Mr. Crocker asked the square footage of the units. Mr. Yetman noted the one-~~bedroom~~ units will be 760 square feet, one bed~~room~~ plus den will be 950 square feet and the 2-~~bedroom~~ units will be 975 square feet. Mr. Block asked if the independent living units would have access to all amenities and was informed they would. Mr. Block asked if there would be an additional fee basis for the amenities. Mr. Yetman noted there would be a base rent pay rate and residents could have an additional amenities package. Trip Regg, of Balfour ~~Senior~~ Living, stated there was a desire for a lower price point. Balfour would need to charge for things with a direct expense like food and beverage. There is no need to charge for the pool and fitness center as long as the model stays operationally efficient. That could change in the future if it starts costing a lot. Mr. Block asked what the amenities are on the second and third floors for the residents. Mr. Yetman stated the main dining is on the third floor.

Mr. Block noted ~~his understanding that~~ the food package is an added expense but for the amenities on the first floor there is either no fee or a minimal fee depending on the model and may have a cost in the future. Mr. Regg stated it is not intended to have an expense in the future. Ms. McKnight asked what circumstances may change in the future that would incur a fee.

Mr. Regg would not expect this to change for the pool. As part of the program, residents may buy tickets to outside experiences like movies and the cost will be passed along to the residents without a markup. There is no plan to charge for the fitness center or pool but there will be a charge for 3 meals a day. There will be no charge for use of the community room. Ms. McKnight noted, at North Hill, she can go have lunch with a friend and pay. Can the independent living residents invite friends to have lunch with them and pay for the lunch. Mr. Regg stated the program has the ability to take outside payments for meals. The meal could be charged to the ~~room~~ room, or it could be paid for with a credit card.

Mr. Crocker asked if all the amenities on the first floor are for the whole building but the memory care units and was informed this was correct. He asked if the independent living residents can use the same facilities as the assisted living residents and was informed they could. Mr. Crocker asked if there were different plans for the assisted living. Mr. Huber noted, by law, they were required to provide at least one meal per day for the assisted living residents. Other meals above that would be part of a fee package. There is no such meals requirement for independent living. Mr. Crocker asked what amenities are on the upper floor. Mr. Regg noted the theater and dining ~~room~~ room, and both are available to all independent living residents. Mr. Crocker asked what was not available to independent living residents. Mr. Yetman noted a personal care package was not available. There is a difference between a licensed unit and an unlicensed unit. Independent living is ~~unlicensed~~ unlicensed, and care would not be provided. If care is needed, the resident would need to move into a licensed unit or get outside care.

Ms. McKnight appreciates the cooperation of coming up with independent living units. An important aspect of this project is affordability. She wants to see one unit be affordable and feels it would be reasonable for a proportionate reduction paid to the town of approximately \$211,000. Mr. Alpert asked where the Select Board is regarding this agreement. He heard the Select Board had tabled it. He noted the agreement is on the Select Board's plate and not the Planning Board's. He is not sure how much influence the Planning Board has. He asked if there has been any further discussion with the Select Board. Mr. Huber noted it is on hold as some aspects are in flux at the moment. Mr. Block asked if Mr. Huber intends to enter into an agreement with the Select Board. Mr. Huber stated that is the intent. He commented there is a desire by Ms. McKnight to have affordable units on site but that is not Balfour's intention. Balfour does not intend to renege on the \$1.9 million to the town.

Daniel Goldberg, of 199 Tudor Road, noted the only issue talked about is meals. The Council on Aging was unanimously opposed to the project if it had no independent living units. He is concerned the applicant came back with only 9 units. The Planning Board did not ask why only 9 units. He feels that is the minimal number to sneak their proposal through.

Josh Levy, of 1668 Great Plain Avenue, questioned the process. He asked if this is under the jurisdiction of the Planning Board. Mr. Block noted the application is only before the Planning Board. The Board will vote on the relief being sought and decide on the proposal as revised. The municipal benefits agreement is with the Petitioner and the Select ~~Board~~ Board, and the Planning Board does not have a role with that. Mr. Levy asked if the Planning Board would consider the Municipal Benefits Agreement and was informed they would. It may possibly be made a condition or that it be signed and executed may be a finding.

Colleen Schaller, Board Chair of the Council on Aging, noted the Board has not met to discuss the new proposal. The proposal will have been discussed ~~at~~ by the next public hearing and comments will be sent. Mr. Block suggested comments be sent by the Thursday before the meeting by 1/12. Ms. Schaller noted her meeting is not until 1/12. Mr. Alpert stated he has been on the Board for 7 or 8 years. It had been a rule to require comments be sent by the Thursday before the meeting. Comments arriving on Friday generally gives the ~~Board members~~ time. This is a volunteer position. It is frustrating to get comments and letters the day of the hearing. He appreciates the Council on Aging will meet on the 12th, but he would like to get the comments by Monday if possible. Ms. Schaller stated comments will be given the next day and she will be at the next Planning Board meeting.

Maggie Abuzzese, of 30 Bridle Trail, wants to comment on the discussion of when comments should be to the Board. The Board should require applicants to have all in the week before. She noted she received this packet late Friday. The Board should back up the applicant's deadline. This is a new proposal with 9 independent units. This does not meet the purpose of the Overlay District Amendment. The proposal should meet the purposes. Nine people do not revive the neighborhood and there are no affordable units. She noted Town Meeting was promised 9 affordable units which is why this was passed. Mr. Block recognized the frustration through the correspondence from the community. His understanding of the scope of

the authority for the Planning Board is they can only reject the applicant if there is 1) a violation of the dimensional requirements, 2) if built in violation of other parts of the By-Law or 3) if the impacts of the proposal were too great ~~and~~ they could not be reasonably mitigated. The By-Law talks about vibrancy but not a certain amount. There will still be employees, friends and relatives contributing to the vibrancy of the neighborhood. The Board needs to think carefully about the scope of ~~its~~~~their~~ legal authority under the Zoning By-Law and state Zoning Act~~statute~~. If the Board is demanding independent ~~living~~~~living~~, he is not sure of ~~its~~~~their~~ legal authority. It could be discriminating against people with disabilities. There is a great need in town for all levels of housing, but they need to be mindful of the limit of their authority.

Mr. Crocker noted the proposal was ushered through Town Meeting talking about vibrancy and affordable units all packaged together. People in memory care are an important part of the community. The town needs these types of programs and options for seniors and multi-generational living. There are varying degrees of vibrancy. He does not believe this is within the window of acceptance. He understands why only 9 units but feels the applicant can do better. The town needs independent living. He noted the original plan did not have memory care and now this plan does. The applicant needs to find a way to make them both work. This part of town needs this. He wants something toward what the town voted for. He appreciates it but is disappointed with only ~~this~~~~this~~, but he thinks they can get there.

Mr. Alpert stated when the Overlay District was proposed the Board insisted the use be by special permit. The Board should consider if the application is consistent with the general purpose of the By-Law and the more specific purposes and objectives of this By-Law. He looks forward to discussing this with Town Counsel. He noted the Avery Square District Overlay District, Section 3.15.1. He wants the members to be mindful of 7.5.2.1 and consider if the application is consistent with the By-Law. He believes this is where the Board has the authority to decide if this meets the criteria. He has not made up his mind yet and wants further input. He feels the Planning Board should have the authority to accept or reject the application.

Jill Kahn, of 44 Brookline Street, has been a Town Meeting member for 25 years. She does not appreciate that what went to Town Meeting is not what they are looking at. She would not have voted in favor of this proposal. She asked why they are presenting something new without affordable units. Mr. Huber stated the number of 9 was chosen because there is a good place in the building for the segregation of units and because it does not require an affordable unit. If there are over 10 ~~units~~~~units~~, there would need to be 12.5% affordable units. Projects like this are very expensive and at some ~~point~~~~point~~, it does not become financially feasible.

Ms. Kahn noted another concern is there was an article in the Boston Globe regarding staffing shortages in nursing and assisted living homes. She is concerned with no affordability and having so many assisted living and memory care units. There will be staffing shortages. She would like to see something back to what was voted on at Town Meeting.

Ms. McKnight noted the Board could not reduce the financial amount in proportion ~~to the value of an affordable unit~~~~for the Select Board~~ without speaking with ~~the Select Board~~~~them~~. Mr. Crocker is concerned with the Planning Board getting into payment talks with the ~~town~~. Ms. McKnight stated she could go along but say "if the Select Board agrees." ~~She thought she had direction to speak with the Select Board.~~ Ms. Newman will speak with Town Manager Kate Fitzpatrick. A motion was made to continue the hearing to 2/7/23 at 7:00 p.m. Mr. Alpert prefers the hearing be at 7:15 p.m. The amendment to the motion was accepted.

Upon a motion made by Mr. Crocker, and seconded by Ms. McKnight, it was by a roll call vote of the four members present unanimously:

VOTED: to continue the hearing to 2/7/23 at 7:15 p.m.

8:00 p.m. – 920 South Street Definitive Subdivision: Brian Connaughton, 920 South Street, Needham, MA, Petitioner (Property located at 920 South Street, Needham, MA).

8:00 p.m. – Scenic Road Act and Public Shade Tree Act: Brian Connaughton, 920 South Street, Needham, MA, Petitioner (Property located at 920 South Street, Needham, MA).

Upon a motion made by Mr. Crocker, and seconded by Ms. McKnight, it was by a roll call vote of the four members present unanimously:

VOTED: to waive the reading of all three public hearing notices and hear all 3 matters simultaneously.

Mr. Block noted the following correspondence for the record: a memo from Assistant Public Health Director Tara Gurge, dated 10/20/22, with comments; an email from Justin Savignano, dated 12/16/22, with no comments or objections, and a letter from Attorney Barry Fogel, dated 12/19/22, representative for an abutter, with a request for more information. George Giunta Jr., representative for the applicant, noted this is the former Stanley Tippet Hospice House and is in the Rural Residential Conservation District. There is 177 feet of frontage on South Street with 5.68 acres down to the Charles River. The property could be divided into 3 lots but will be divided into 2 lots. Mr. Connaughton will live on one lot. The Tippet House was there from 1993 to last year and was a ~~3-story~~3-story house with 22 rooms built in 1908. The location of the house was in the middle of the property and has been taken down. The applicant tried to preserve the ~~house~~house, but it could not be done.

Mr. Giunta Jr. noted 2 lots are proposed and the by-right plan shows a 40-foot-wide road with a 60-foot radius circle, sidewalks and a full building out. There is room to make it all fit. The ~~By-Law~~Subdivision Rules and Regulations calls??call for a 50-foot road, but all roads have been 40 feet or less for many years. Two lots can be done with no waivers but a 40-foot waiver. It does not make sense to do 24 feet of pavement and sidewalks for 2 houses. There will be a 20-foot-wide layout road and 18 feet paved with a circle. A hammerhead was explored but it did not work well. He noted a chunk of property has visible ledge there will be issues with. Mr. Crocker asked if the Fire Department had any comments on the radius. Mr. Giunta Jr. stated the Fire Department is fine with a 20-foot layout. Ms. Clee clarified she did not get comments from the Fire or Police and will need to get something. Mr. Giunta Jr. stated he will be asking for a continuance. He noted this would be a private way for 2 houses and is basically a common driveway. He feels the smaller pavement looks better and is environmentally better. No sidewalks are proposed.

Formatted: Highlight

Formatted: Highlight

Ms. McKnight asked the diameter of the turn around and was informed 52 feet. Mr. Crocker asked if there will be an ~~18~~~~foot~~18-foot width going around the circle. Mr. Giunta Jr. stated there will be. They will bring revised plans and get them to members before the next meeting. Ms. McKnight noted she drove that way and drove down the small streets. It is hard to turn around with grass in the middle of the circle. She asked if there would be grass. Mr. Giunta Jr. stated there would be grass and a landscaped circle. It will be the standard design. The applicant is making use of the existing drive and will revise as much as they can. The drive has been shifted a bit. There is a large wetland area in back down to the Charles River. The project has tried to minimize and stay away from the wetlands and the wetland buffer zone. They may need to dip into the buffer for some utilities. The applicant will deal with the Conservation Commission in some form. Ms. McKnight asked what utilities and was informed a drain/sewer easement is proposed. The existing sewer line will be connected to. Parcel A is an unbuildable strip on South Street and provides the vegetative buffer along the street. The project will need an Association for the 2 lots and both lots will ~~include an ownership interest in~~own Parcel A.

Mr. Alpert asked why show 40 feet and not 50 feet when the ~~By-Law says~~rules say?? The Petitioner has to show 50 feet. He will talk to Ms. Newman to see if the requirement can be waived. He is not sure why it is there. He is in favor of the concept but if it cannot be waived the applicant would need to show 50 feet. Mr. Giunta Jr. encouraged him to speak with the Planning Director. He submitted the plan based on discussions with the staff. The standard for public ways is 40 feet. Mr. Alpert has no problem with reducing it, but they need to show an as-of-right plan. He feels the regulations should be amended.

Formatted: Highlight

Mr. Giunta Jr. showed the Utilities and Roadway Plan. The project has minimized the impact and pavement. Two infiltration systems have been proposed – one up front in the scrub area with mature trees in front. The other system is in back. The plans will be revised to flip it with the other side as the sewer drain line is already on that side. The grading is minimal for the road. He will add more information.

Ms. McKnight stated the width of the right of way seems narrow. She has no issue with 18 feet of pavement but is concerned with snow storage. There is only 2 feet beyond the 18 feet of pavement. People can put up fences. She feels the right of way should be 22 or 24 feet. Mr. Crocker would like to see vegetation. It would help mitigate run off. Mr. Giunta Jr. stated there may be a sketch that shows some of it but there will be more information coming. There will be continuing dialogues with the neighbor. He noted in the front of the property there is an existing wall and driveway opening. They need to get rid of a section of the existing wall. The stones will be reused to make a return to have the 2 sides match. He noted permission is needed from the Planning Board to change the wall. They are trying to keep the wall as much as they can.

He noted the prior driveway was not compliant and 2 existing trees will need to be removed. The Tree Warden has been involved.

Mr. Block asked if other trees will be removed where the houses are to be constructed. Mr. Giunta Jr. stated a number of trees will be removed. Ed Olsen, Tree Warden, met with the applicant and, if granted permission, he has no objection to the removal of the 2 white pines. Mr. Giunta Jr. will have the materials to the Board on 1/9 or 1/10.

Dr. Serguei Aliev, of 31 Marant Drive, is a direct abutter. He does not oppose the subdivision and hopes for better for the area. Before the property was not maintained. He has had good communication with Brian Connaughton. His question regards the drainage. This area ~~get~~gets flooded due to the lowest point. He asked the applicant to compromise and discuss the buffer zone. He would like to see how the grading will be done. He is satisfied with the project and the applicant. James Jakobeak, of 50 Bird Burr?? Drive, noted it sounds like this is away from the Bird Burr?? Drive side. He has questions about run off. There is ponding on the other side of the road. He wants to comment about the run off. Mr. Block noted correspondence from Debbie Anderson, of the Conservation Commission, dated 9/15/22, with comments.

Formatted: Highlight

Formatted: Highlight

Upon a motion made by Mr. Alpert, and seconded by Mr. Crocker, it was by a roll call vote of the four members present unanimously:

VOTED: to continue the 3 hearings to 2/7/23 at 8:15 p.m.

The Board took a 5-minute recess.

Transfer of Permit: Major Project Site Plan Special Permit No. 1991-01: TDRG Inc., Paul Turano, President, d/b/a Cook Needham, 63 Kings Road, Canton, MA 02021, to Ceed Corp, d/b/a Cook Restaurant, 15 Nell Road, Revere, MA 02151, Petitioner (Property located at 101-105 Chapel Street, Needham, MA).

Mr. Block stated this special permit will be transferred from TDRG, Inc. to Ceed Corp and will continue the name Cook at 101-105 Chapel Street. Edison Gutierrez, managing partner, stated the same floor plan is being kept. The only changes are the daily specials, the food menu and the bar menu. Mr. Crocker asked if the décor would be changing. Mr. Gutierrez stated some has already been improved. He did some Christmas décor but nothing major. Mr. Alpert noted the letter signed by Mr. Gutierrez. He asked if he had read the special permit and is only requesting one change. He wants on the record Mr. Gutierrez abides by all conditions in the special permit. Mr. Gutierrez has read the special permit and agrees to all conditions. Mr. Alpert noted he has requested extended hours. Mr. Gutierrez noted he would like 10:00 a.m. Saturday and Sunday rather than 11:00 a.m. for a brunch menu.

Upon a motion made by Mr. Alpert, and seconded by Mr. Crocker, it was by a roll call vote of the four members present unanimously:

VOTED: to treat the change in the site plan special permit as a minor modification.

Upon a motion made by Mr. Alpert, and seconded by Ms. McKnight, it was by a roll call vote of the four members present unanimously:

VOTED: to accept the transfer with the minor modification requested.

Upon a motion made by Ms. McKnight, and seconded by Mr. Alpert, it was by a roll call vote of the four members present unanimously:

VOTED: to approve the decision as written.

Decision: Amendment to Major Project Site Plan Special Permit No. 94-5: Coca-Cola Beverages Northeast, Inc., 1 Executive Park Drive, Bedford, NH, 03110, Petitioner (Property located at 9 B Street, Needham, Massachusetts). Regarding proposal to renovate the existing building by removing the existing 14,500 sf office wing, removal of 44, 985 sf of the existing Fleet Services wing, associated storage and former railroad bay to be replaced by 14, 610 sf attached new single-story Fleet Services wing and addition of 14 loading docks (see legal notice and application for more details).

Attorney Evans Huber noted there was an inconsistency or error in the documents. In the parking analysis, the building was classified as ~~warehouse~~warehouse, but the parking requirement was 1:400 square feet. That is for light industrial or manufacturing. Warehouse is 1:850 square feet. If the correct classification is warehouse, the project would need less parking. He feels this was incorrectly classified as warehouse and should be light industrial per the ITE parking generation manual. It should not be classified as warehouse. Another issue this raises was the way the existing parking supply was counted. In the total parking count truck spaces were included. The By-Law says automobiles and does not mention trucks. They looked at the site from that perspective – auto parking and truck parking or storage. If classified as warehouse, auto parking on site is still short but not by as much. The project will still need a waiver. He will submit revised documents. This was triggered by error on their part but is easily fixable. They are not proposing to change any parking, just the calculation.

Ms. McKnight does not see manufacturing and she is not sure why it is a warehouse. Mr. Huber stated the category is light industrial or manufacturing. He feels it is light industrial rather than warehouse. This is more than just storage of product. Ms. McKnight asked if the Building Commissioner and Planning Director agreed with that. Mr. Huber noted the Building Commissioner acknowledged the ambiguity there. Mr. Block would like the Building Commissioner to concur with whatever classification they resolve it to. Mr. Alpert asked if, procedurally, the hearing would need to be reopened. He will check with Ms. Newman. Mr. Block noted this will be continued to 1/17/23.

Deliberation: Major Project Site Plan Special Permit No. 2022-02: 557 Highland, LLC, an affiliate of The Bulfinch Companies, Inc., 116 Huntington Avenue, Suite 600, Boston, MA, Petitioner (Property located at 557 Highland Avenue, Needham Massachusetts). Regarding proposal to redevelop the Property with approximately 496,694 square feet of office, laboratory and research and development uses. The proposal also includes construction of one-level of below grade parking under each building and a separate stand-alone parking garage, as well as approximately 10,000 square feet of retail and restaurant uses. (See legal notice and application for more details).

Mr. Block noted there was a redlined version of the decision and comments from the developer's attorney. Ms. Espada will have to listen to the recording so she can participate at the next meeting on Thursday at 2:00 p.m. Mr. Block noted the solar-ready status and asked Mr. Crocker if he had reviewed the final version. Mr. Crocker stated the applicant had specifically talked about solar on the 2 main roof buildings and had agreed to do it. Mr. Block stated the petitioner has proposed, in Section 3.12, to install one or more solar arrays as part of the North and/or the South buildings. Mr. Crocker stated he understands what they are saying but the petitioner said at meetings they would do ~~solar~~solar, but circumstances may create a hindrance. This is unnecessarily convoluted. In the future there may be an allowance for solar to go over mechanicals. He does not see a need to give an easy out and is not happy with the revised language. The petitioner said they were going to install ~~solar~~solar, and it should be in the decision.

Mr. Alpert agreed with Mr. Crocker. He wants the decision left as the Planning Director drafted it. The petitioner can come back if they have an issue. The hearing is closed. He feels the Board should go forward with the decision as drafted and the petitioner can come back with modifications if needed. Ms. McKnight concurs with her colleagues on the solar. Attorney Timothy Sullivan, representative for the applicant, noted his client submitted a letter this afternoon. Mr. Alpert stated he resents getting a letter at 5:30 p.m. on the night of a meeting and be expected to read it and consider it. Mr. Sullivan stated the substance does not change from the draft and the letter. The petitioner said there were opportunities but did not show solar. The project will be solar ready with solar arrays implemented. Mr. Crocker reiterated the applicant stated it would be done. Mr. Sullivan noted solar ready and solar arrays are being committed to the same as was presented. He stated the applicant is committed to LEED standard and will have the project solar ready and have solar arrays.

Mr. Block suggested saying "the applicant shall not be required to fulfill this requirement if it is out of compliance with the rest of the By-Law." Mr. Alpert noted, in Section 3.12, Mr. Sullivan's language, remove (i) "the petitioner determines, based on an analysis from a qualified professional" and the word "desired." Subsection (ii) and (iii) are ok. Mr. Sullivan is fine with the changes. Mr. Crocker accepts the change. Mr. Block noted it had never been said the applicant intends to phase the project. There is no phasing plan. Mr. Sullivan stated this was in the initial application. The applicant asked for a Certificate of Occupancy for one building before the next building was done. This is consistent with what was presented. It is not intended to be phased if there are no material alterations of the ~~plan~~plan, but they need the flexibility to build one building and get a Certificate of Occupancy.

Mr. Block asked, if phased, what other changes will there be. Will the track still be in the same place? Mr. Sullivan stated all conditions apply and all are in the same location. The applicant will come back to the Board if modifications are necessary. Mr. Alpert has an issue with the concept not being discussed at the public meeting. Mr. Block stated Town Counsel does not have a problem with the changes. Mr. Alpert stated he has no issue with issuing a Certificate of Occupancy for one building and no problem with the concept issue of each building being owned separately and financed. The financing is not within the Planning Board purview and should not be in the decision. Mr. Sullivan suggested saying each can have its own Certificate of Occupancy and strike "separately owned and financed" on the first page of his redlined version.

Ms. Clee informed the Board the Planning Director stated it would be prudent to require a phasing plan if the applicant decided to phase it. Mr. Sullivan noted "any changes shall be shown on a phasing plan and submitted to the Planning Board." Mr. Alpert suggested taking out Mr. Sullivan's language about a separate phase and include a proviso that sufficient parking be constructed. Mr. Crocker is ok with that. In Section 1.23, Mr. Sullivan put in words to make it clear and noted a grant of easement is in another area. Section 3.4 was made clear for lenders and others. If one building is in violation not all are in violation. Ms. McKnight asked who would be responsible if the common areas are not maintained. Mr. Block stated it will be maintained by a condo association. Mr. Crocker noted the language says "one or more solar arrays on the north and/or south buildings." He wants "/or" taken out and keep "and." In Section 3.38 (g), Mr. Sullivan wants to clarify all traffic mitigation measures are subject to obtaining approvals." Ms. McKnight stated it should be added that the applicant shall diligently pursue getting approvals. Mr. Sullivan would like to add the ability to bond over something in (p). Mr. Block stated the Board will finalize the language on Thursday when the Board meets.

Mr. Alpert left the meeting at 11:30 p.m.

Minutes

Mr. Block stated in the minutes of 9/20/22, page 2, he is not sure if the 7 spaces are on site or off. It was decided to delete "with the 7 spaces shown." On page 3, Mr. Fernandes is a participant for the business owner. In the 10/3/22 minutes, page 3, remove "it" and clarify he would like "the south building" pushed back. Ms. McKnight suggested deleting the sentence "Mr. Crocker likes the yews" and all agreed. On the top of page 5, delete "they are proposing nothing more in the way of hazardous waste..."

Upon a motion made by Mr. Crocker, and seconded by Ms. McKnight, it was by a roll call vote of the four members present unanimously:

VOTED: to approve the minutes of 9/20/22 and 10/3/22 as revised tonight.

Report from Planning Director and Board members.

Mr. Block noted there is a revision to the red brick on the Town Common in front of Town Hall. He noted this seems fine to him. All agreed.

Correspondence

Mr. Block noted correspondence from Jon Schneider, Chairman of the Zoning Board of Appeals, suggesting revisions to ADUs by right and eliminating the requirement for a special permit for 3 car garages in the Single Residence B District. ~~He~~ He would like them allowed by right. Mr. Block hopes to take up ADUs for the May Town Meeting. He will speak with Mr. Schneider.

Upon a motion made by Mr. Crocker, and seconded by Ms. McKnight, it was by a roll call vote of the four members present unanimously:

VOTED: to adjourn the meeting at 11:35 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Jeanne S. McKnight, Vice-Chairman and Clerk

DRAFT

From: [Michael Ruddy](#)
To: [Planning](#)
Subject: Opposition to Proposed Article 1 Amendment
Date: Wednesday, February 15, 2023 8:33:58 PM

Dear Planning Board Members,

I'd like to express my opposition to the proposed amendment to the Zoning By-Laws ("Article 1") that would allow three-car garages by right in substantially all of the town, and four-car garages by special permit in the SRA and rural districts.

This article is unfortunately symptomatic of the board's continued adherence to primitive car-centric ideals that are destroying our planet and endangering our community.

I wish that a majority of the board would show more consistent concern for sustainability and for future generations of Needhamites, in part by following the lead of less myopic municipal governments that have discouraged car ownership and promoted alternative means of mobility and transportation.

Prioritizing completely unnecessary articles like this (while regrettably devoting almost all of the accompanying discussion to inconsequential aesthetic concerns) is yet another step by the Planning Board in the wrong direction, and a missed opportunity by its members to demonstrate real leadership.

Sincerely,
Michael Ruddy
69 Melrose Ave.

To: Planning Board

I am writing as a follow-up to my previous email.

After doing more reading, I can see that there are some issues with Floor Area Ratio (FAR) in the town's by-laws.

In the general definitions, FAR is given as:

Floor Area, Gross – the sum of the areas of the several floors of each building on a lot including areas used for human occupancy in basements, attics, and penthouses, as measured from the exterior faces of the walls, but excluding cellars, unenclosed porches, balconies, attics, or any floor space in accessory buildings or in main buildings intended and designed for the parking of automobiles or for accessory heating and ventilating equipment, laundry, or accessory storage.

Floor Area Ratio (FAR) – the floor area divided by the lot area. Floor area shall be the sum of the horizontal areas of the several floors of a building as measured from the exterior surface of the exterior walls. Parking garages, interior portions of building devoted to off-street parking, and deck or rooftop parking shall be considered floor area.

However, in section 4 (pdf page 8), FAR is redefined, as of June 2017, as:

The term "Floor Area Ratio" means the floor area divided by the lot area. Floor area shall be the sum of the horizontal areas of the several floors of each building on a lot, as measured from the exterior faces of the exterior walls, but excluding basements, attics, half-stories located directly above the second floor, unenclosed porches, and up to 600 square feet of floor area intended and designed for the parking of automobiles whether in accessory buildings or structures, or in main buildings or structures.

I can understand that within a document that terms can be redefined for certain sections. However, I think that this is somewhat of a contradiction because it appears that the spirit of the general definition is to include any spaces where people live and spend time, but then the definition in 4.2 says that those spaces do not count towards FAR so long as they are not on a first or second floor of a structure.

Looking further, I understand that the language in section 4.2 was added only during the May 2017 Town Meeting, when zoning changes, including the limit of 0.38 FAR for SRB-zoned lots, were adopted as part of an effort to reduce teardown activity.

RE: Annual Town Meeting Article 26: Amend Zoning By-Law –Floor Area Ratio Requirement in the Single Residence B District

The amendment offered under Article 26 is intended to preserve the relative scale, character and value of Needham's existing neighborhoods by regulating the gross floor area of structures relative to the size of the lot through the introduction of a Floor Area Ratio (FAR) requirement in the Single Residence B District. Floor Area Ratio expresses the allowed square footage of all buildings on a lot as a ratio, or percentage, of the existing lot area.

This Zoning By-Law amendment is intended to address concerns with demolition of existing smaller homes being replaced with larger homes in existing neighborhoods and the loss of neighborhood character which is occurring as a result of this conversion process. Homes that are out of scale relative to their lot size can compromise the character of the neighborhood. Bigger houses on smaller lots are often much taller or wider than nearby homes, stand closer to the street than their neighbors, and include fewer porches, decks or other exterior features of architectural interest.

It was a stated policy objective of those involved in approving this by-law change to discourage "teardown" activity. Unfortunately, in the now nearly six years since this change was approved, it appears that the intended objective was not achieved.

For those interested in achieving that objective, such as myself, the by-law language in 4.2 redefining what counts towards FAR is an obvious candidate for reconsideration (in addition to all other dimensional regulations, such as FAR). In practice, we can see exactly how this language undercuts the original intent of the FAR restrictions for SRB.

Recent example - 393 Hillcrest Ave.

A new construction was built at 393 Hillcrest Ave. According to the real estate agent's listing and Zillow, it has 5,600 square feet of living space. This is just one example and is quite typical of teardown and new construction in Needham in 2022-23.

6 bd | 6 ba | 5,600 sqft
393 Hillcrest Rd, Needham, MA 02492
● **Sold: \$2,599,000** | Sold on 05/02/22 | Zestimate®: **\$2,618,700**
Est. refi payment: \$16,153/mo  [Refinance your loan](#)

(Zillow)

<https://www.commonwealthstandard.com/homes-for-sale/MA/needham/02492/393-hillcrest-rd/bid-60-72913687>

*"Move in Spring 2022! Wonderful new construction by a premier local builder. Spacious modern colonial **with 5,653 square feet of living space across four finished levels.** Superior craftsmanship, modern finishes, exquisite details built with the finest materials available on the market today will make this a perfect forever home. Beautiful bright kitchen, upscale stainless steel appliances, ample cabinets, and a cozy breakfast area will check all of your must-have boxes. Spacious bright rooms throughout include 6 bedrooms with an amazing master suite with two walk-in closets, 5 ½ bathrooms. Basement includes*

guest bedroom with a full bath, playroom/den and an exercise room, finished attic includes bedroom, playroom/den and a full bath. Ability to customize some of the finishes if you get this spectacular home early so don't wait!"

From the town's GIS database, we can look at the property information.

PARCEL_ID	199/028.0-0007-0000.0
Map	028
Block	0007
Lot	
Par_Addr_Comb	393 HILLCREST RD
Tot_Lnd_Area	0.239000
GIS_acres	0.246458
Par_Year	2022

Lot size (acres)	Lot size (square feet)	SRB 0.38 FAR maximum house build (square feet)
0.239000	10,411	3,956
0.246458	10,736	4,080

It is not apparent to me which measurement is the most accurate for the purposes of FAR calculation, however we can assume the higher figure. That figure here, 4,080 of square feet under a 0.38 FAR restriction, is below what the property card has for living space (4,348 square feet).

PARID: 1990280000700000	MUNICIPALITY: NEEDHAM	LUC: 101
393 HILLCREST LLC	393 HILLCREST RD	PARCEL YEAR: 2023
Residential Card Summary		
Card/Building:	1	
Stories:	2.5	
Condition:	1 - EXCELLENT	
Grade:	X+ - SUPERIOR +	
CDU:	EX - EXCELLENT	
Exterior Wall:	FB - FRAME-CLAPBD	
Style:	C2 - NEW COLONIAL	
Year Built:	2021	
Effective Year:	2021	
Square Feet of Living Area:	4348	
Total Rooms:	12	
Bedrooms:	6	
Full Baths:	5	
Half Baths:	1	
Additional Fixtures:		
Roofing Material:	AS - ASPHALT-SHNG	
Heating:	A - FORCED AIR - AC	
Fuel Type:	G - GAS	
Dwelling Value:	\$1,693,100	

I am trying to understand what is going on here, as this house does not appear to comply with the by-laws for SRB with the current language, let alone a broader definition of floor area.

In theory, this house should only have at most 4,080 square feet of human-occupied space. However, not only does it appear to have more than that on the first two floors, but by not counting anything in the basement or third story, the developer has created new house with 0.526 FAR as stated by the developer.

In the draft Housing Plan to be voted on at Town Meeting, Table 22 details how the previous efforts to curtail teardowns, have been insufficient. Apart from the first pandemic year (2020), teardowns were as prevalent as before the 2017 policy change.

Year	New Single-family Units	New 2-Family Units	New Two-family Units/New Multi-family	Demolished or Relocated	Estimated Total Net New Single-family Units	Net New 2-Family	Net New MF and Subdivisions
2010	66	8	0	160*	5	1	
2011	67	10	0	101*	5	1	
2012	75	20	0	108*	6	2	
2013	61	20	1***	68**	-7	2	12
2014	98	68	4****	92**	6	6	40
2015	85	18	0	84**	1	2	
2016	104	12*****	0	96**	8	1	52
2017	92	20	12*****	93**	-1	2	562
2018	80	0	4	79	3	2	
2019	87	0	11	87	2	9	
2020	52	0	11	65	-9	7	
<i>Subtotal = 720 Total Net New Units</i>	<i>867</i>	<i>176</i>	<i>710</i>	<i>1,033</i>	<i>19</i>	<i>356</i>	<i>666</i>
2021	76	0	6	72	6	4	0
Total = 730 Total Net New Units	943	176	716	1,105	25	39	666

The idea that floor space should not count towards the FAR limit because it is part of a third floor or basement of a house does not make sense. If that space is not habitable or serves some sort of utility function (laundry room, HVAC, gas boiler, etc.) then yes, it should not count towards FAR. However, if a space is for human occupancy it must count towards FAR.

The redefinition in section 4.2 of the zoning by-law makes the current FAR restrictions ineffective, as shown by the example above – it would not be difficult to find other recent examples.

Previous language from the 2017 Town Meeting points towards a desire to discourage teardown activity, however there is nothing actionable in the new Housing Plan to address this at all. The Planning Board and Housing Plan Working Group should have provided something to achieve this objective.

The language in section 4.2 redefining what areas count towards FAR should be removed, and the general definition of what counts towards FAR should be used. Ideally, this should be done at the 2023 Town Meeting. This should not be a significant change, as there is existing language which defines floor space with regards to FAR.

Best,

Joe Matthews

Precinct I