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April 15, 2022

Lee Newman
Planning Director
Town of Needham
1471 Highland Avenue
Needham, MA 02492

Re: Major Project Site Plan Amendment
Four Forty-Four Group, Inc.
422 & 444 Hillside Avenue, Needham, MA

Dear Lee,

Please be advised that this office represents Four Forty-Four Group, Inc. (hereinafter, and in the materials submitted herewith, "444 Group" and the "Applicant") relative to its two separate properties known and numbered 442 and 444 Hillside Avenue, Needham, MA (jointly, the "Premises"). In connection therewith, submitted herewith pursuant to M.G.L. Chapter 40A and the Town of Needham Zoning By-Law (the "By-Law"), please find the following materials. Same are submitted both electronically and in paper format.

1. Completed Application for further Site Plan Review with Addendum A;
2. Two copies of plan titled "Existing Conditions Site Plan, 422-444 Hillside Avenue, Needham, Mass", prepared by Verne T. Porter, Jr., PLS, dated April 12, 2022, consisting of one sheet; and
3. Check No. 1124 in the amount of \$1,000 for the requisite filing fee.¹

The Premises is located in the Industrial Zoning District, on the eastern side of Hillside Avenue. The properties are identified as Parcels 7 and 61 on Town of Needham Assessor's Map No. 100, and contain approximately 29,623 square feet of land and 25,283 square feet of land, respectively. The building at 442 Hillside was constructed following minor project site plan review in 1999 and was used and occupied for more than ten years by Gentle Giant Moving and Storage (hereinafter "Gentle Giant") for warehouse and distribution purposes.² It was subsequently used for several years by a gymnastics school, pursuant to Decision of the Zoning Board of Appeals, dated September 19, 2013. Gentle Giant now intends to reoccupy the building and use it once again for the same storage and distribution purposes as before.

¹ Given the limited nature of the relief required, the Applicant requests a reduction in the applicable fee.

² See letter d. July 15, 1999 from Lee Newman, Planning Director to Armand Lagivne, Building Inspector concerning minor project review, on file with Building Department.

The building at 444 Hillside was constructed pursuant to Major Project Site Plan Special Permit Decision, Application #97-12, filed with the Town Clerk on December 29, 1997 (authorizing the use of the property for the commercial storage and repair of motor vehicles, and associated zoning relief), as affected by Amendment dated October 10, 2000 (permitting interior display and sale of vehicles). Since construction, it has been used exclusively for automotive repair and sales, in accordance with the above referenced Decision, as amended.

As mentioned above, Gentle Giant currently intends to reoccupy the building at 422 Hillside Avenue and use it for the same purposes as it used the building previously, in connection with a planned purchase of the building. However, the current owner, the 444 Group, desires to retain ownership of the parking area located behind the building at 444 Hillside, which parking is currently located on the 422 property.

Originally, the parties had intended to divide the property at 442 Hillside Avenue so that the 444 Group could retain the aforementioned parking. However, due to the minimum lot width requirement set forth at Section 4.1.5 of the By-Law, and an inflection point in the left side lot line of the property, such division is not possible. While Section 4.1.5 has long required a minimum lot width of 80 feet, it was amended in the past few years to now specify exactly how lot width is to be measured. And, the new method of measuring lot width is different from before. Under the old methodology, the lot would have had 80 feet of width at the inflection point. But pursuant to the current methodology, the lot width at that point is just over 78 feet; short of the required 80 feet. To make things more complicated, while the adjacent property, which extends out to West Street, has ample land to provide to straighten out the lot line of 422 Hillside Avenue, that property also has an issue with lot width, and therefore can't be altered.

As a result, because the parties desire to find a way to effectuate their transaction, they have agreed to combine the two Hillside Avenue properties into one lot, and then create a commercial condominium. It is the intention that one unit will contain the building at 422 Hillside Avenue, the parking area in front and the parking area behind said building, and the other unit will contain the building at 444 Hillside Avenue, the parking area in front and the parking area behind. While far from an ideal solution, it appears to be a workable one and will allow the parties to achieve their goals. However, due to the conditions and restrictions of the existing site plan approval for 444 Hillside Avenue, further site plan review and further relief is required. In addition, because both buildings and their respective uses will now be on one lot, a new special permit will also be required for more than one non-residential use or building on a lot.

Analysis

I. Use

The property at 444 Hillside is currently used for automotive repair and sales purposes pursuant to existing special permits. Whereas such uses are still currently allowed by special permit, and assuming the issuance of the relief currently requested, the uses will continue to comply with the By-Law.

The property at 422 Hillside will be used by Gentle Giant for warehouse and distribution purposes as before. Such use is allowed as of right pursuant to the By-Law and therefore, the use will comply.

II. Parking

As established pursuant to the original site plan decision for 444 Hillside Avenue, the use of that property for automotive repair and sale requires a total of 29 off-street parking spaces. There are currently 42 spaces on that property; 25 above ground and 17 underground.

The use of the building at 422 Hillside for warehouse and distribution purposes will require a total of 15 parking spaces calculated as follows:

Total Office: 1,344 SF
(Mezzanine Office 672 SF + First Floor Office 672 SF)

Total Warehouse: 8,388 SF

1,344 SF office @ 1 space / 300 SF = 4.48 spaces required, rounded up = 5 spaces required

8,388 SF warehouse @ 1space / 850 SF = 9.87 space required, rounded up =10 spaces required

5 + 10 = 15 total spaces required

That property currently contains 49 parking spaces; well in excess of the 15 spaces required.

Combining the two properties together, the existing and anticipated uses will require 44 parking spaces and there are 92 spaces on site. Therefore, more than adequate parking will be provided.

III. Site Plan Analysis

(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.

With the exception of returning the front parking area at 422 to its prior condition when Gentle Giant previously occupied the building, no changes to the properties or to any existing buildings, landscaping, driveways or other features are anticipated or proposed. Therefore, no material impact is anticipated to surface water drainage, sound and sight, views, light and air.

(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 two buildings and properties are currently fully developed and bounded by existing established ways. Furthermore, while the front parking area at 422 Hillside Avenue will be returned to its prior condition as review in connection with the minor site plan review from 1999 mentioned above, such condition existed previously for more than 10 years. Therefore, traffic patterns are not expected to be affected in any material way, and the Applicant is neither aware

of nor anticipates any problems with vehicular and pedestrian movement within the site or on adjacent streets.

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

Whereas the use of 444 Hillside will not change, and where 422 Hillside was previously used for the same purpose for more than 10 years without issue or incident, the 444 Group does not anticipate any significant or material additional impacts to the parking and loading spaces. Given its location in a developed and somewhat dense industrial area, and considering both uses co-existed previously without any problem, the Applicant considers the current arrangement of parking and loading spaces to be adequate. In addition, while there are existing parking design waivers for the 444 Hillside property, the parking is not being altered and no additional waivers are required.

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

The two properties are already developed with infrastructure in place. Moreover, no changes is proposed for 444 Hillside and the use of 422 Hillside previously operated for more than 10 years without issue or incident. Therefore, the Applicant considers the waste disposal methods to be adequate.

(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 the By-Law.

The two properties are situated in a highly developed, industrial area. The Applicant is not aware of any significant community assets in the area immediately adjoining the Premises. Moreover, both properties are fully developed at present and given that both uses previously operated simultaneously for more than 10 years, the relationship of the Premises to any community assets or any adjacent landscape, buildings and structures is not anticipated to be altered or affected in any material way.

(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.

The two properties are presently fully developed and fully connected to Town infrastructure. Moreover, the only changes anticipated are to the front parking area at 422 Hillside, which condition was previously approved under a minor project site plan review. Therefore, the Applicant does not anticipate any significant or material change, or any adverse impacts to any Town resource.

Conclusion

Based on the foregoing, the 444 Group asserts that the proposed combination of the two properties at 422 and 44 Hillside Avenue, into one property, with the buildings to be used and occupied in the same manner as they were previously, as set forth above and in the materials submitted herewith, is both proper and appropriate. The property at 444 Hillside has been used continuously for automotive repair for over 20 years, since the building was built. Moreover, for more than 10 years, the property at 422 Hillside was used for the same purpose by the same

entity as currently proposed. Therefore, the 444 Group does not anticipate any significant change in operation or effect and requests that the relief be granted.

Once you have had a chance to review, please contact me to discuss scheduling. And, of course, if you have any questions, comments or concerns, please do not hesitate to contact me so that I may be of assistance.

Your courtesy and attention are appreciated.

Sincerely,

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

George Giunta, Jr

**TOWN OF NEEDHAM
MASSACHUSETTS**



Room 20, Town Hall
Needham, MA 02492
781-455-7526

PLANNING BOARD

APPLICATION FOR SITE PLAN REVIEW

Project Determination: (circle one) 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 422 Hillside Avenue & 444 Hillside Avenue, Needham, MA
Name of Applicant Four Forty-Four Group, Inc.
Applicant's Address 444 Hillside Avenue, Needham, MA 02494
Phone Number 781-444-2522

Applicant is: Owner X Tenant _____
Agent/Attorney _____ Purchaser _____

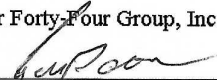
Property Owner's Name Same as above
Property Owner's Address _____
Telephone Number _____

Characteristics of Property: 29,623 & Warehouse & Distribution
Lot Area 25,283 SF Present Use Automotive Repair and Sales
Map # 100 Parcel # 7 Zoning District Industrial (IND)
& 61

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

Applicant desires to combine the properties known and numbered 422 Hillside Avenue and 444 Hillside Avenue into one parcel in anticipation of creation of a commercial condominium. No changes are proposed relative to the existing buildings, but the parking area in front of 422 Hillside will be returned to its prior condition, as approved in connection with minor project site plan review in 1999. Notwithstanding the lack of any material change, zoning relief is required, as set forth at Addendum A attached hereto and incorporated herein.

Four Forty-Four Group, Inc.

Signature of Applicant (or representative) 
Address if not applicant _____ By James P. O'Brien, Pres.
Telephone # _____
Owner's permission if other than applicant _____

SUMMARY OF PLANNING BOARD ACTION

Received by Planning Board _____ Date _____
Hearing Date _____ Parties of Interest Notified of Public Hearing _____
Decision Required by _____ Decision/Notices of Decision sent _____
Granted _____
Denied _____ Fee Paid _____ Fee Waived _____
Withdrawn _____

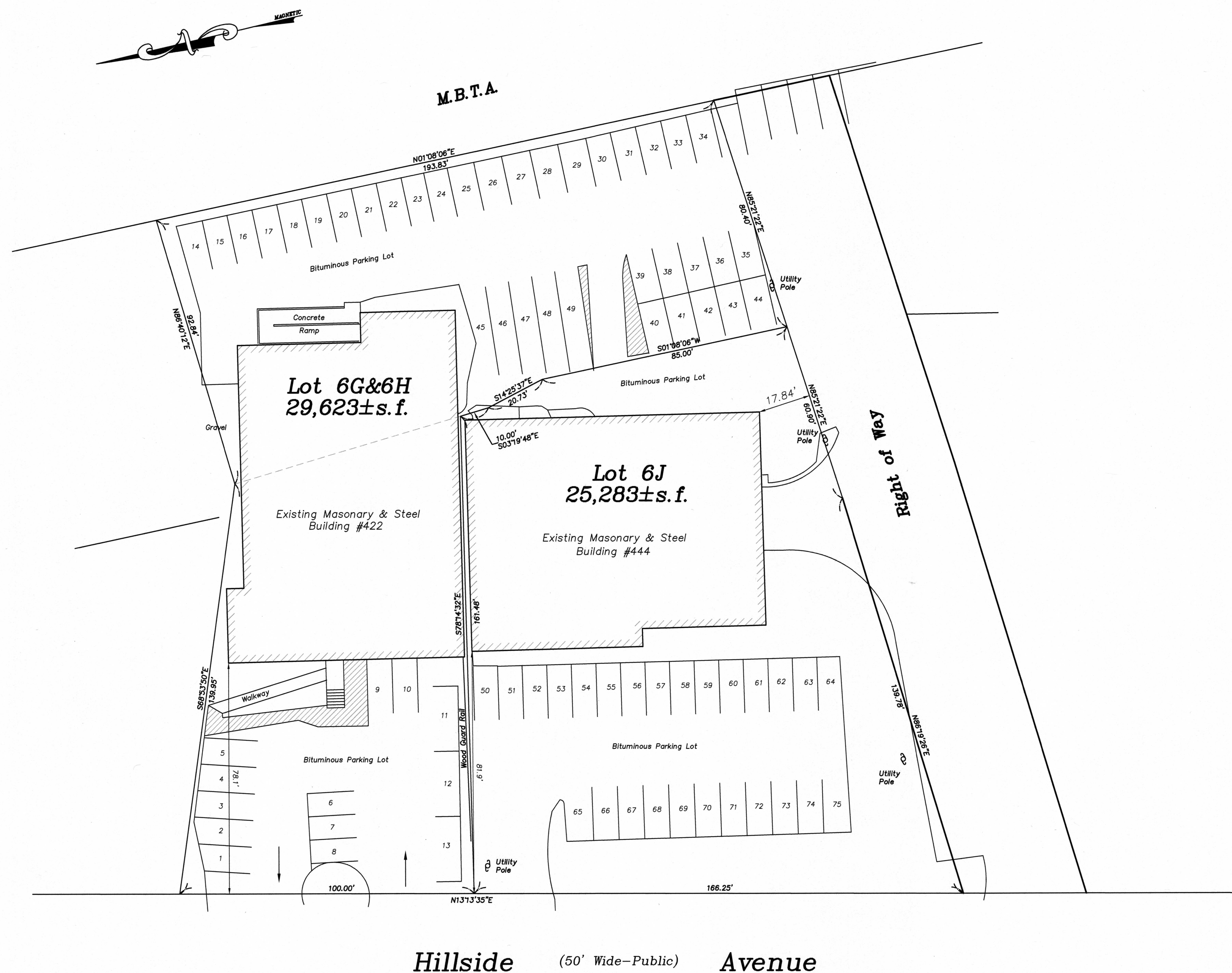
NOTE: Reports on Minor Projects must be issued within 35 days of filing date.

ADDENDUM A
TO
APPLICATION FOR SITE PLAN REVIEW
OF

Four Forty-Four Group, Inc.
422 & 444 Hillside Avenue
Needham, Massachusetts

The following relief is or may be required, and is hereby requested:

1. Pursuant to Paragraphs 3.2 and 4.2 of the original Site Plan Special Permit Decision (#97-12), as amended, further Major Project Site Plan Review is required.
2. In addition, the following relief is, or may be required:
 - a. a Special Permit pursuant to Section 3.2.1 for more than one non-residential building or use on a lot where such buildings or uses are not detrimental to each other and are in compliance with all other requirements of this By-Law;
 - b. A Special Permit pursuant to Section 5.1.1.5 further waving strict adherence with the off-street Parking Plan and Design requirements of Section 5.1.3 of the Zoning By-law;
 - d. Waiver of strict compliance with the requirements of Section 7.4.4, as applicable; and
 - e. Any and all additional relief required or appropriate for the combination of the two properties at 422 & 444 Hillside Avenue into one parcel, while maintaining the use of 422 for warehouse and distribution by a moving and storage company and 444 for automotive repair and sales.
3. The Applicant requests that any and all relief granted by the Board in connection with the within application shall run with the land and that movement of interior walls and interior fixtures, and other interior alterations not require further review.



ZONING TABLE			
422-444 Hillside Avenue, Needham, Massachusetts			
ZONE: Industrial			
REGULATION	REQUIRED	EXISTING #422	EXISTING #444
LOT AREA	10,000S.F.	29,623S.F.	25,283S.F.
LOT FRONTAGE	80'	100.0'	166.25'
FRONT SETBACK	10.0'	78.1'	81.9'
SIDE SETBACK	0'/0'	1.9'/1.0'	1.5'/17.8'
REAR SETBACK	0'	44.9'	1.7'

Parking Space Calculation

422 Hillside Avenue
1,344s.f. Office Space, 5 Parking Spaces Required
8,338s.f. Warehouse, 10 Parking Spaces Required
15 Total Parking Spaces Required

444 Hillside Avenue
29 Parking Spaces (See DEcision, Site Plan Special Permit #97-12, Para. 1.4)

44 Total Parking Spaces Required
92 Total Parking Spaces Existing

Owners

422 & 444 Hillside Avenue
Four Forty-Four Group, Inc.
444 Hillside Avenue
Needham, Ma. 02492
Bk.24954 Pg.599

Assessors Map 100 Parcels 61 & 7

~Existing Conditions Plan~	
422-444 Hillside Avenue	
Needham, Massachusetts	
Scale: 1"=20' April 12, 2022	
VERNE T. PORTER Jr, PLS	
Land Surveyors - Civil Engineers	
354 Elliot Street, Newton, Ma. 02464	
Project:	
Desinged By:	
Drawn By:	
Checked By:	

Sheet 1 of 1