



TOWN OF NEEDHAM

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Office of the
BOARD OF SELECTMEN

September 6, 2013

Mr. Rob Hewitt
Greendale Avenue Venture, LLC
c/o Mill Creek Residential Trust, LLC
15 New England Executive Park
Burlington, MA 01803

Copy by email to rhewitt@MCRTrust.com

Re: Needham Mews 40B Application

Dear Mr. Hewitt:

On behalf of the Needham Board of Selectmen, I am writing to express the Board's concern that Mill Creek has yet to submit a revised proposed plan for the project. Given manifest deficiencies in Mill Creek's plan as presented, and ample time and opportunity to prepare and file revisions, there appears no sound reason for your failure to file amended plans.

These deficiencies include: the thoroughly reviewed issue that Mill Creek does not have adequate title and/or *site control* to construct the project as proposed; basic design and engineering flaws involving the relationship of buildings and parking garages to the steeply sloped topography of the site; and additional identified site plan and safety issues and community concerns. Many of these issues arise from, or are exacerbated by, Mill Creek's proposal to develop the property much more densely than what Mill Creek itself, at an earlier stage, described as comparable projects.

At various points, Mill Creek has said that it "would" present revised plans with respect to some issues, and it "might" present revisions with respect to others. Nevertheless, no revisions have been forthcoming.

There is little value in continuing to review plans which are not buildable as a matter of law, of sound design, or respectful of concerns for public, health, safety and welfare. In that context, continued review of the present plans is futile.

The Board emphatically requests that, unless Mill Creek intends to go forward to adjudication with its current plan as presented, it present an adequately revised plan showing Mill Creek's actual proposal not later than the next hearing session, September 19, 2013, or that Mill Creek, at that time, show good cause why such plan has not been submitted, and offer the Zoning Board of



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Appeals the right to extend the hearing for a sufficient period of time after such plan is submitted, so that a thorough and appropriate review may be conducted.

In the alternative, Mill Creek should expect that the Board of Selectmen will ask the ZBA to close the hearing and deny the application for the reasons stated above.

Sincerely,

A handwritten signature in black ink, appearing to read "D. P. Matthews". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Daniel P. Matthews, Chairman
Needham Board of Selectmen

cc: Board of Selectmen
ZBA
D. Horwitz, Esq. (by mail and email)