

NEEDHAM PLANNING BOARD
Tuesday, September 17, 2024
7:00 p.m.

Powers Hall
Needham Town Hall, 1471 Highland Avenue
AND
Virtual Meeting using Zoom
Meeting ID: **880 4672 5264**
(Instructions for accessing below)

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

1. Discussion and vote of Planning Board Recommendation: Zoning Articles for the October 21, 2024 Special Town Meeting:
 - Article 1: Amend Zoning By-Law – Multi-Family Overlay District (Base Plan)
 - Article 2: Amend Zoning By-Law – Map Change for Multi-Family Overlay District (Base Plan)
 - Article 3: Amend Zoning By-Law – Multi-Family Overlay District (Neighborhood Housing Plan)
 - Article 4: Amend Zoning By-Law – Map Change for Multi-Family Overlay District (Neighborhood Housing Plan)
2. Public Hearing:

7:30 p.m. Definitive Subdivision: 40 Highland Ave, LLC, 435E Dedham Street Newton, MA 02459, Petitioner, (Property located at 40 Highland Avenue and 14-16 Riverside Street, Needham, MA). Regarding request to subdivide the Premises into three building lots, two of which will be used for residential purposes, having frontage on the new road, and the third of which will continue to be used for commercial purposes. *Please note that this hearing has been continued from the August 27, 2024 Planning Board meeting.*
3. Minutes.
4. Board of Appeals – September 19, 2024.
5. Report from Planning Director and Board members.
6. Correspondence.

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

ARTICLE 1: AMEND ZONING BY-LAW – MULTI-FAMILY OVERLAY DISTRICT (BASE PLAN)

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

1. By amending Section 1.3, Definitions by adding the following terms:

Applicant – A person, business, or organization that applies for a building permit, Site Plan Review, or Special Permit.

2. By amending Section 2.1, Classes of Districts by adding the following after ASOD Avery Square Overlay District:

MFOD – Multi-family Overlay District

3. By inserting a new Section 3.17 Multi-family Overlay District:

3.17 Multi-family Overlay District

3.17.1 Purposes of District

The purposes of the Multi-family Overlay District include, but are not limited to, the following:

- (a) Providing Multi-family housing in Needham, consistent with the requirements of M.G.L. Chapter 40A (the Zoning Act), Section 3A;
- (b) Supporting vibrant neighborhoods by encouraging Multi-family housing within a half-mile of a Massachusetts Bay Transit Authority (MBTA) commuter rail station; and
- (c) Establishing controls which will facilitate responsible development and minimize potential adverse impacts upon nearby residential and other properties.

Toward these ends, Multi-family housing in the Multi-family Overlay District is permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the requirements of this Section 3.17.

3.17.2 Scope of Authority

In the Multi-family Overlay District, all requirements of the underlying district shall remain in effect except where the provisions of Section 3.17 provide an alternative to such requirements, in which case these provisions shall supersede. If an Applicant elects to develop Multi-family housing in accordance with Section 3.17, the provisions of the Multi-family Overlay District shall apply to such development. Notwithstanding anything contained herein to the contrary, where the provisions of the underlying district are in conflict or inconsistent with the provisions of the Multi-family Housing Overlay District, the terms of the Multi-family Overlay District shall apply.

If the applicant elects to proceed under the zoning provisions of the underlying district (meaning the applicable zoning absent any zoning overlay) or another overlay district, as applicable, the zoning bylaws

applicable in such district shall control and the provisions of the Multi-family Overlay District shall not apply.

3.17.2.1 Subdistricts

The Multi-family Overlay District contains the following sub-districts, all of which are shown on the MFOD Boundary Map and indicated by the name of the sub-district:

- (a) A-1
- (b) B
- (c) ASB-MF
- (d) CSB
- (e) HAB
- (f) IND

3.17.3 Definitions

For purposes of this Section 3.17, the following definitions shall apply.

Affordable housing – Housing that contains one or more Affordable Housing Units as defined by Section 1.3 of this By-Law. Where applicable, Affordable Housing shall include Workforce Housing Units, as defined in this Subsection 3.17.3 Definitions.

As of right – Development that may proceed under the zoning in place at time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.

Compliance Guidelines – *Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act* as further revised or amended from time to time.

EOHLC – The Massachusetts Executive Office of Housing and Livable Communities, or EOHLC's successor agency.

Multi-family housing – A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building and that complies with the requirements of M.G.L. c.40A, §3A and the rules and requirements thereunder.

Open space – Contiguous undeveloped land within a parcel boundary.

Parking, structured – A structure in which Parking Spaces are accommodated on multiple stories; a Parking Space area that is underneath all or part of any story of a structure; or a Parking Space area that is not underneath a structure, but is entirely covered, and has a parking surface at least eight feet below grade. Structured Parking does not include surface parking or carports, including solar carports.

Parking, surface – One or more Parking Spaces without a built structure above the space. A solar panel designed to be installed above a surface Parking Space does not count as a built structure for the purposes of this definition.

Residential dwelling unit – A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Section 3A – Section 3A of the Zoning Act.

Site plan review authority – The Town of Needham Planning Board

Special permit granting authority – The Town of Needham Planning Board.

Sub-district – An area within the MFOD that is geographically smaller than the MFOD district and differentiated from the rest of the district by use, dimensional standards, or development standards.

Subsidized Housing Inventory (SHI) – A list of qualified Affordable Housing Units maintained by EOHLC used to measure a community's stock of low-or moderate-income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.

Workforce housing unit – Affordable Housing Unit as defined by Section 1.3 of this By-Law but said Workforce Housing Unit shall be affordable to a household with an income of between eighty (80) percent and 120 percent of the area median income as defined.

3.17.4 Use Regulations

3.17.4.1 Permitted Uses

The following uses are permitted in the Multi-family Overlay District as a matter of right:

- (a) Multi-family housing.

3.17.4.2 Accessory Uses.

The following uses are considered accessory as of right to any of the permitted uses in Subsection 3.17.4.1:

- (a) Parking, including surface parking and structured parking on the same lot as the principal use.
- (b) Any uses customarily and ordinarily incident to Multi-family housing, including, without limitation, residential amenities such as bike storage/parking, a swimming pool, fitness facilities and similar amenity uses.

3.17.5 Dimensional Regulations

3.17.5.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply in the Multi-family Overlay District sub-districts listed below. Buildings developed under the regulations of the Multi-family Overlay District shall not be further subject to the maximum lot area, frontage, and setback requirements of the underlying districts, as contained in Subsection 4.3.1 Table of Regulations, Subsection 4.4.1 Minimum Lot Area and Frontage, Subsection 4.4.4 Front Setback, Subsection 4.6.1 Basic Requirements, and Subsection 4.6.2 Front and Side Setbacks.

	A-1	B	ASB-MF	CSB	HAB	IND
Minimum Lot Area (square feet)	20,000	10,000	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	120	80	80	80	80	80
Minimum Front Setback (feet) from the front property line	25	10	Minimum 10 Maximum 15 ^{f, g}	20 feet for buildings with frontage on Chestnut Street 10 feet for all other buildings	20	25
Minimum Side and Rear Setback (feet)	20	10 ^{a, b}	10 ^{a, d}	20 (side) ^{a, b, e}	20 ^{a, b}	20 ^{a, b}

- (a) The requirement of an additional 50-foot side or rear setback from a residential district as described in Subsection 4.4.8 Side and Rear Setbacks Adjoining Residential Districts or Subsection 4.6.5 Side and Rear Setbacks Adjoining Residential Districts shall not apply.
- (b) Any surface parking, within such setback, shall be set back 10 feet from an abutting residential district and such buffer shall be suitably landscaped.
- (c) Any underground parking structure shall be located entirely below the grade of the existing lot and set back at least ten (10) feet from the lot line and the surface of the garage structure shall be suitably landscaped in accordance with Subsection 4.4.8.5 Landscaping Specifications.
- (d) The rear and side setbacks are 20 feet along the MBTA right-of-way. With respect to any lot partially within an underlying residential district, (i) no building or structure for a multi-family residential use shall be placed or constructed within 110 feet of the lot line of an abutting lot containing an existing single family residential structure and (ii) except for access driveways and sidewalks, which are permitted, any portion of the lot within said residential district shall be kept open with landscaped areas, hardscaped areas, outdoor recreation areas (e.g., swimming pool) and/or similar open areas.

- (e) On the west side of Chestnut Street, the rear setback shall be 20 feet. On the east side of Chestnut Street, the rear setback shall be 30 feet.
- (f) Seventy percent (70%) of the main datum line of the front facade of the building shall be setback no more than 15 feet, except that periodic front setbacks greater than fifteen (15) feet are allowed if activated by courtyards, landscaping, drive aisles, amenity areas, or other similar site design features that enhance the streetscape. In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board if less than seventy percent (70%) of the main datum line front facade of the building is setback 15 feet.
- (g) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for an additional curb cut on Highland Avenue or West Street. For the sake of clarity, modifications to existing curb cuts do not require a Special Permit.

3.17.5.2 Building Height Requirements

The maximum building height in the Multi-family Overlay District sub-districts shall be as shown below. Buildings developed under the Multi-family Overlay District shall not be further subject to the maximum height regulations of the underlying district, as contained in Subsection 4.3.1 Table of Regulations, Subsection 4.4.2 Maximum Building Bulk, Subsection 4.4.3 Height Limitation, Subsection 4.6.1 Basic Requirements, and Subsection 4.6.4 Height Limitation.

	A-1	B	ASB-MF	CSB	HAB	IND
Maximum Building Height (stories)	3.0	3.0	3.0 ^c	3.0	3.0	3.0
Maximum Building Height (feet)	40	40	40 ^c	40	40	40

- (a) Exceptions. The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, stair overruns, elevator overruns, mechanical equipment, roof parapets, architectural screening, or other ornamental features of buildings, which features (i) are in no way used for living purposes; (ii) do not occupy more than 25% of the gross floor area of the building and (iii) do not project more than 15 feet above the maximum allowable height.
- (b) Exceptions: Renewable Energy Installations. The Site Plan Review Authority may waive the height and setbacks in Subsection 3.17.5.2 Building Height Requirements and Subsection 3.17.5.1 Lot Area, Frontage and Setback Requirements to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall be appropriately screened, consistent with the requirements of the underlying district; shall not create a significant detriment to abutters in terms of noise or shadow; and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.
- (c) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for a height of four stories and 50 feet, provided that the fourth story along Highland Avenue and West Street incorporates one or more of the following design elements: (i) a pitched roof having a maximum roof pitch of 45 degrees; (ii) a fourth story recessed from the face of the building by a

minimum of 12 feet; and/or (iii) such other architectural design elements proposed by the Applicant and approved by the Planning Board during the Special Permit process.

3.17.5.3 Building Bulk and Other Requirements

The maximum floor area ratio or building coverage and the maximum number of dwelling units per acre, as applicable, in the Multi-family Overlay District sub-districts shall be as shown below, except that the area of a building devoted to underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio or building coverage, as applicable. Buildings developed under the regulations of the Multi-family Overlay District shall not be subject to any other limitations on floor area ratio or building bulk in Subsection 4.3.1 Table of Regulations, Subsection 4.4.2 Maximum Building Bulk, and Subsection 4.6.3 Maximum Lot Coverage.

	A-1	B	ASB-MF	CSB	HAB	IND
Floor Area Ratio (FAR) ^c	0.50	N/A	1.3 ^b	0.70	0.70	0.50
Maximum Building Coverage (%)	N/A	25%	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre ^a	18	N/A	N/A	18	N/A	N/A

- (a) The total land area used in calculating density shall be the total acreage of the lot on which the development is located.
- (b) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for an FAR of up to 1.7.
- (c) In the ASB-MF subdistrict, the following shall not be counted as floor area for purposes of determining the maximum floor area ratio: (i) interior portions of a building devoted to off-street parking; (ii) parking garages, structured parking or deck/rooftop parking that are screened in a manner compatible with the architecture of the building from Highland Avenue and the Needham Heights Common. In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board to exclude additional areas from floor area for purposes of determining the maximum floor area ratio.

3.17.5.4 Multiple Buildings on a Lot

In the Multi-family Overlay District, more than one building devoted to Multi-family housing may be located on a lot, provided that each building complies with the requirements of Section 3.17 of this By-Law.

3.17.5.5 Use of Dwelling Units

Consistent with the Executive Office of Housing and Livable Communities' Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act, and notwithstanding anything else

contained in the Zoning By-Law to the contrary, Multi-family housing projects shall not be required to include units with age restrictions, and units shall not be subject to limit or restriction concerning size, the number or size of bedrooms, a cap on the number of occupants, or a minimum age of occupants.

3.17.6 Off-Street Parking

- (a) The minimum number of off-street parking spaces shall be one space per dwelling unit for all subdistricts within the Multi-family Overlay District.
- (b) Parking areas shall be designed and constructed in accordance with Subsection 5.1.3 Parking Plan and Design Requirements. The remaining provisions of Section 5.1 Off Street Parking Regulations shall not apply to projects within the Multi-family Overlay District.
- (c) Enclosed parking areas shall comply with Subsection 4.4.6 Enclosed Parking.
- (d) No parking shall be allowed within the front setback. Parking shall be on the side or to the rear of the building, or below grade.
- (e) The minimum number of bicycle parking spaces shall be one space per dwelling unit.
- (f) Bicycle storage. For a multi-family development of 25 units or more, no less than 25% of the required number of bicycle parking spaces shall be integrated into the structure of the building(s) as covered spaces.

3.17.7 Development Standards

- (a) Notwithstanding anything in the Zoning By-Laws outside of this Section 3.17 to the contrary, Multi-family housing in the Multi-family Overlay District shall not be subject to any special permit requirement.
- (b) Building entrances shall be available from one or more streets on which the building fronts and, if the building fronts Chestnut Street, Garden Street, Highland Avenue, Hillside Avenue, Rosemary Street, or West Street, the primary building entrance must be located on at least one such street.
- (c) Site arrangement and driveway layout shall provide sufficient access for emergency and service vehicles, including fire, police, and rubbish removal.
- (d) Plantings shall be provided and include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, are prohibited.
- (e) All construction shall be subject to the current town storm water bylaws, regulations, and policies along with any current regulations or policies from DEP, state, and federal agencies.
- (f) Control measures shall be employed to mitigate any substantial threat to water quality or soil stability, both during and after construction.
- (g) Off-site glare from headlights shall be controlled through arrangement, grading, fences, and planting. Off-site light over-spill from exterior lighting shall be controlled through luminaries selection, positioning, and mounting height so as to not add more than one foot candle to illumination levels at any point off-site.
- (h) Pedestrian and vehicular movement shall be protected, both within the site and egressing from it, through selection of egress points and provisions for adequate sight distances.
- (i) Site arrangements and grading shall minimize to the extent practicable the number of removed trees 8" trunk diameter or larger, and the volume of earth cut and fill.
- (j) No retaining wall shall be built within the required yard setback except a retaining wall with a face not greater than four (4) feet in height at any point and a length that does not exceed forty (40) percent of the lot's perimeter. Notwithstanding the foregoing, retaining walls may graduate in height from four (4) to seven (7) feet in height when providing access to a garage or egress entry

doors at the basement level, measured from the basement or garage floor to the top of the wall. In such cases, the wall is limited to seven (7) feet in height for not more than 25% of the length of the wall.

- (k) Retaining walls with a face greater than twelve (12) feet in height are prohibited unless the Applicant's engineer certifies in writing to the Building Commissioner that the retaining wall will not cause an increase in water flow off the property and will not adversely impact adjacent property or the public.

Special Development Standards for the A-1 Subdistrict

The following requirements apply to all development projects within the A-1 subdistrict of the Multi-family Overlay District:

- (a) 4.3.2 Driveway Openings
- (b) 4.3.3 Open Space
- (c) 4.3.4 Building Location, with the substitution of "Multifamily Dwelling" for "apartment house."

Special Development Standards for the B and IND Subdistricts of the Multi-Family Overlay District:

- (a) The requirements of the first paragraph of 4.4.5 Driveway Openings shall apply to all development projects within the Multi-family Overlay District within the B and IND subdistricts.

3.17.8 Affordable Housing

Any multi-family building with six or more dwelling units shall include Affordable Housing Units as defined in Section 1.3 of this By-Law and the requirements below shall apply.

3.17.8.1 Provision of Affordable Housing.

Not fewer than 12.5% of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of Affordable Housing Units required in a proposed development, any fractional unit shall be rounded up to the nearest whole number and shall be deemed to constitute a whole unit.

In the event that the Executive Office of Housing and Livable Communities (EOHLC) determines that the calculation detailed above does not comply with the provisions of Section 3A of MGL c.40A, the following standard shall apply:

Not fewer than 10% of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of Affordable Housing Units required in a proposed development, any fractional unit shall be rounded up to the nearest whole number and shall be deemed to constitute a whole unit.

3.17.8.2 Development Standards.

Affordable Units shall be:

- (a) Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
- (b) Dispersed throughout the development;
- (c) Located such that the units have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or Electric Vehicle charging stations) within the development;
- (d) Located such that the units have equal avoidance of any potential nuisances as market-rate units within the development;

- (e) Distributed proportionately among unit sizes; and
- (f) Distributed proportionately across each phase of a phased development.
- (g) Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis.

3.17.9 Site Plan Review.

3.17.9.1 Applicability.

Site Plan Review, as provided for in this Section 3.17, is required for all Multi-family housing projects within the Multi-Family Overlay District. Notwithstanding any other provision contained in the Zoning By-Law, except as expressly provided for in this Section 3.17, Multi-family housing projects are not subject to site plan or special permit review pursuant to Section 7.

3.17.9.2 Submission Requirements.

The Applicant shall submit the following site plan and supporting documentation as its application for Site Plan Review, unless waived in writing by the Planning and Community Development Director:

- (a) Locus plan;
- (b) Location of off-site structures within 100 feet of the property line;
- (c) All existing and all proposed building(s) showing setback(s) from the property lines;
- (d) Building elevation, to include penthouses, parapet walls and roof structures; floor plans of each floor; cross and longitudinal views of the proposed structure(s) in relation to the proposed site layout, together with an elevation line to show the relationship to the center of the street;
- (e) Existing and proposed contour elevations in one-foot increments;
- (f) Parking areas, including the type of space, dimensions of typical spaces, and width of maneuvering aisles and landscaped setbacks;
- (g) Driveways and access to site, including width of driveways and driveway openings;
- (h) Facilities for vehicular and pedestrian movement;
- (i) Drainage;
- (j) Utilities;
- (k) Landscaping including trees to be retained and removed;
- (l) Lighting;
- (m) Loading and unloading facilities;
- (n) Provisions for refuse removal; and
- (o) Projected traffic volumes in relation to existing and reasonably anticipated conditions based on standards from the Institute of Transportation Engineers and prepared by a licensed traffic engineer.

3.17.9.3 Timeline.

Upon receipt of an application for Site Plan Review for a project in the MFOD, the Site Plan Review Authority shall transmit a set of application materials to the Department of Public Works, Town Engineer, Police Department, Fire Department, Design Review Board, and to any other Town agency it deems appropriate, which shall each have thirty five (35) days to provide any written comment. Upon receipt of an application, the Site Plan Review Authority shall also notice a public hearing in accordance with the notice provisions contained in M.G.L. c.40A, §11. Site plan review shall be completed, with a decision rendered and filed with the Town Clerk, no later than 6 months after the date of submission of the application.

3.17.9.4 Site Plan Approval.

Site Plan approval for uses listed in Subsection 3.17.3 Permitted Uses shall be granted upon determination by the Site Plan Review Authority that the following criteria have been satisfied. The Site Plan Review Authority may impose reasonable conditions, at the expense of the applicant, to ensure that these criteria have been satisfied.

- (a) the Applicant has submitted the information as set forth in Subsection 3.17.8.2 Development Standards; and
- (b) the project as described in the application meets the dimensional and density requirements contained in Subsection 3.17.5 Dimensional Regulations, the parking requirements contained in Subsection 3.17.6 Off-Street Parking, and the development standards contained in Subsection 3.17.7 Development Standards.

3.17.9.5 Waivers

When performing site plan review, the Planning Board may waive the requirements of Subsection 3.17.6 hereof and/or Subsection 5.1.3 Parking Plan and Design Requirements, or particular submission requirements.

When performing site plan review for a Multi-family Housing project that involves preservation of a structure listed in the National Register of Historic Places, the Massachusetts Register of Historical Places, the Inventory of Historic Assets for the Town of Needham, or is in pending for inclusion in any such register or inventory, the Planning Board as part of site plan review may reduce the applicable front, side or rear setbacks in this Section 3.17 by up to 40%.

3.17.9.6 Project Phasing.

An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Site Plan Review Authority, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased solely to avoid the provisions of Subsection 3.17.7 Affordable Housing.

3.17.10 Design Guidelines

The Planning Board may adopt and amend, by simple majority vote, Design Guidelines which shall be applicable to all rehabilitation, redevelopment, or new construction within the Multi-family Overlay District. Such Design Guidelines must be objective and not subjective and may contain graphics illustrating a particular standard or definition to make such standard or definition clear and understandable. The Design Guidelines for the Multi-family Overlay District shall be as adopted by the Planning Board and shall be available on file in the Needham Planning Department.

4. By amending the first paragraph of Section 7.7.2.2, Authority and Specific Powers, to add site plan reviews under Section 3.17 to the jurisdiction of the Design Review Board, so that this paragraph reads as follows:

The Design Review Board shall review requests for site plan review and approval submitted in accordance with Section 3.17 Multi-family Overlay District, Section 7.4 Site Plan Review and requests for special permits in accordance with Section 4.2.11 Planned Residential Development, Section 4.2.10 Flexible Development and Section 6.11 Retaining Walls and, for a minor project that only

involves a change in the exterior façade of a building in the Center Business District, shall review and may approve such façade change.

5. By amending Section 7.7.3, Procedure, by inserting in the second paragraph, after the second sentence, a new sentence to read as follows:

Within fifteen (15) days of the meeting, a final advisory design review report shall be sent both to the applicant and to the Planning Board, when a site plan review is required under Section 3.17.

so that this paragraph reads as follows:

Within twenty (20) days of receipt of a Design Review application, the Design Review Board shall hold a meeting, to which the applicant shall be invited, for the purpose of conducting a review of the proposed project or activity. Within fifteen (15) days of the meeting, a preliminary design review report shall be sent to both the applicant and to the Planning Board, when a special permit is required under Sections 7.4, 4.2.11 and 4.2.10. Within fifteen (15) days of the meeting, a final advisory design review report shall be sent both to the applicant and to the Planning Board, when a site plan review is required under Section 3.17. However, if the proposed project or activity involves only a building permit or sign permit from the Building Commissioner, or is a “Minor Project” under Site Plan Review (all as described in Subsection 7.7.2.2), no preliminary report is required and the written advisory report of the Design Review Board to the applicant and the Building Commissioner shall be a final report.

Or take any other action relative thereto.

**ARTICLE 2: AMEND ZONING BY-LAW – MAP CHANGE FOR MULTI-FAMILY OVERLAY DISTRICT
(BASE PLAN)**

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

- (a) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and located directly to the south of Hamlin Lane as shown on Needham Town Assessors Map 200, Parcels 1 and 31, superimposing that district over the existing Apartment A-1 district, said description being as follows:

Beginning at the point of intersection of the easterly sideline of Greendale Avenue and the northerly sideline of Charles River; thence running westerly by the easterly line of Greendale Avenue, four hundred forty-two and 36/100 (442.36) feet, more or less; northeasterly by the southerly line of Hamlin Lane, five hundred thirty-five and 44/100 (535.44) feet, more or less; southeasterly by the southerly line of Hamlin Lane, twenty and 22/100 (20.22) feet, more or less; southeasterly by the land of the Commonwealth of Massachusetts, State Highway I-95, five hundred thirty-nine 11/100 (539.11) feet, more or less; southwesterly by the land of the Commonwealth of Massachusetts, State Highway I-95, four hundred sixty-six (466) feet, more or less; northwesterly by the northerly sideline of Charles River, two hundred seventy-six (276) to the point of beginning.

- (b) Place in the CSB Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and Single Residence B and located directly to the east and west of Chestnut Street as shown on Needham Town Assessors Map 47, Parcels 54, 72, 74-03, 74-04, 76, 77, 78, 79, 80, 83, 84, 85, 86, 87, 88, and 91, Needham Town Assessors Map 46, Parcels 12, 13, 14, 15, 16, 17, 18, 19, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, and 61 and Needham Town Assessors Map 45, Parcel 6, superimposing that district over the existing Chestnut Street Business and Single Residence districts, said description being as follows:

Beginning at the point of intersection of the easterly sideline of M.B.T.A and the southerly sideline of Keith Place; thence running southeasterly by the southerly sideline of Keith Place to the intersection with northerly sideline of Chestnut Street; southwesterly by the northerly sideline of Chestnut Street to the intersection with northerly sideline of Freeman Place; northeasterly to a point on the southerly sideline of Chestnut Street, approximately four hundred and ninety-five 88/100 (495.88) feet from the intersection with southerly sideline of School Street; southeasterly by the southerly property line of Deaconess-Glover Hospital Corporation, one hundred and eighty-seven 68/100 (187.68) feet, more or less; southwesterly by the easterly property line of Deaconess-Glover Hospital Corporation, ninety-six 74/100 (96.74) feet, more or less; southwesterly by the westerly property line of Chaltanya Kadem and Shirisha Meda, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Huard, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Reidy, ninety-seven 40/100 (97.40) feet, more or less; northeasterly by the northerly property line of L. Petrini & Son Inc, fifteen 82/100 (15.82) feet, more or less; southwesterly by easterly property line of L. Petrini & Son Inc, one hundred and seventy-seven 77/100 (177.77) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, one hundred and two 59/100 (102.59) feet, more or less; southwesterly by the easterly property line of L. Petrini & Son Inc, fifty 16/100 (50.16) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, seven 39/100 (7.39) feet, more or less; southwesterly by the easterly property of Briarwood Property LLC, seventy-five (75.00) feet, more or less; northeasterly by the easterly property of Briarwood Property LLC, one hundred (100) feet, more or less; southwesterly by the easterly property

of Briarwood Property LLC, two hundred and forty-nine 66/100 (249.66) feet, more or less; southeasterly by the southerly property of Briarwood Property LLC, two hundred ninety-three (293.28) feet, more or less; southwesterly by the easterly property of Veterans of Foreign Wars, one hundred and fifty (150) feet, more or less; northeasterly by the southerly property line of Veterans of Foreign Wars, eighty-five (85) feet, more or less; southwest by the easterly property of M.B.T.A, one hundred and sixty (160) feet, more or less; southeasterly by the northerly sideline of Junction Street to intersection with westerly sideline of Chestnut; southwesterly by the westerly sideline of Chestnut Street to intersection with northerly sideline of property of M.B.T.A; southwesterly by the southerly property line of Castanea Dentata LLC, two hundred and twenty-eight 81/100 (228.81) feet, more or less; southwesterly by the southerly property line of Castanea Dentata LLC, one hundred and eight 53/100 (108.53) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and thirty-six 6/100 (136.06) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and ten 10/100 (110.10) feet, more or less; thence running northeasterly by the easterly sideline of M.B.T.A. to the point of beginning.

- (c) Place in the IND Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located directly to the south and east of Denmark Lane as shown on Needham Town Assessors Map 132, Parcel 2, superimposing that district over the existing Industrial and Single Residence B districts, said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the southerly sideline of Great Plain Ave; thence running southwesterly by the westerly line of M.B.T.A, four hundred thirty-seven 24/100 (437.24) feet, more or less; southwesterly by the southerly property line of Denmark Lane Condominium, one hundred and eleven 17/100 (111.17) feet, more or less; northeasterly by the easterly property line of Denmark Lane Condominium, two hundred (200) feet, more or less; northwesterly by the southerly property line of Denmark Lane Condominium, one hundred and thirty-nine 75/100 (139.75) feet, more or less; northeasterly by the easterly sideline of Maple Street, one hundred and thirty-five (135) feet, more or less; southeasterly by the northerly property line of Denmark Lane Condominium, one hundred and forty (140) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, fifteen 20/100 (15.2) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, two 44/100 (2.44) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, thirty-three 35/100 (33.35) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, seventy-nine (79) feet, more or less; northwesterly by the northerly property line of Denmark Lane Condominium, thirteen 28/100 (13.28) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, forty-seven 50/100 (47.50) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, eighty-one 91/100 (81.91) feet, more or less; northeasterly by the southerly sideline of Great Plain Ave, twelve 28/100 (12.28) feet to the point of beginning.

- (d) Place in the CSB Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located directly to the east of Garden Street as shown on Needham Town Assessors Map 51, Parcels 17, 20, 22, 23, superimposing that district over the existing Chestnut Street Business district said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the northerly sideline of Great Plain Ave; thence running southwesterly by the northerly sideline of Great Plain Ave, nine 32/100 (9.32) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-three 17/100 (53.17) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 40/100 (56.40) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 92/100 (56.92) feet, more or less; northwesterly by the westerly property line of Town of Needham, on an arch length one hundred and twelve 99/100 (112.99) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifteen 10/100 (15.10) feet, more or less; northeasterly by the westerly property line of Town of Needham, one hundred and thirty-eight 83/100 (138.83) feet, more or less; southeasterly by the northerly property line of Town of Needham, thirty-three 42/100 (33.42) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, forty (40) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, eighty-one 99/100 (81.99) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, fifty-eighty 31/100 (58.31) feet, more or less; northeasterly by the easterly sideline of Garden Street to intersection with May Street; northeasterly by the southerly sideline of May Street, sixty-one 33/100 (61.33) feet, more or less; southwesterly by the westerly sideline of M.B.T.A to the point of beginning.

- (e) Place in the B Subdistrict of the Multi-family Overlay District a portion of land now zoned Business and Single Residence B and located directly to the west of Highland Avenue as shown on Needham Town Assessors Map 52, Parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, and Needham Town Assessors Map 226, Parcels 56, 57, and 58, superimposing that district over the existing Business and Single Residence B districts, said description being as follows:

Beginning at the point of intersection of the easterly sideline of M.B.T.A. and the northerly sideline of May Street; thence running northeasterly by the easterly sideline of M.B.T.A. to the intersection with southerly sideline of Rosemary Street; southeasterly by the southerly sideline of Rosemary Street to the intersection with easterly sideline of Highland Ave; southwesterly by the westerly sideline of Highland Avenue to the intersection with the northerly sideline of May St; southwesterly by the northerly sideline of May Street to the point of beginning.

- (f) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and located directly to east of Highland Avenue and north of May Street as shown on Needham Town Assessors Map 53, Parcels 1, 2 and 3, superimposing that district over the existing Apartment A-1 district, said description being as follows:

Beginning at the point of intersection of the northerly sideline of May Street and the westerly sideline of Oakland Avenue; thence running easterly by the northerly sideline of May Street to the intersection with easterly sideline of Highland Avenue; northeasterly by the easterly sideline of Highland Avenue to the intersection with southerly sideline of Oakland Avenue; southeasterly by the southerly sideline of Oakland Avenue: southerly by the westerly sideline of Oakland Avenue to the point of beginning.

- (g) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and located directly to the west of Hillside Avenue and north of Rosemary Street as shown on Needham Town Assessors Map 100 Parcels 1, 35, and 36, and Needham Town Assessors Map 101, Parcels 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, and 26, superimposing that district over the existing Apartment A-1 district, said description being as follows:

Beginning at the point of intersection of the northerly sideline of Rosemary Street and the easterly sideline of Concannon Circle; thence running northwesterly by the easterly sideline of Concannon Circle, one hundred and sixty (160) feet, more or less; northwesterly by the easterly property line of 15 Concannon Circle Realty Trust, two hundred and thirty-two 75/100 (232.75) feet, more or less; northwesterly by the easterly property line of L. Petrini and Son Inc, one hundred and forty-five 84/100 (145.84) feet, more or less; northeasterly by the northerly property line of L. Petrini and Son Inc, one hundred and twenty-five (125) feet, more or less; northwesterly by the westerly sideline of Tillotson Road, one hundred and twelve (112) feet, more or less; northeasterly across Tillotson Road to the northeasterly corner of the property of L. Petrini and Son Inc, forty (40) feet, more or less; northeasterly by the northerly property line of L. Petrini and Son Inc, one hundred and twenty-five (125) feet, more or less; northwesterly by the easterly property line of Petrini Corporation, one hundred and nineteen 94/100 (119.94) feet, more or less; northeasterly by the southerly property line of L. Petrini and Son Inc, one hundred and sixty-two (162) feet, more or less; northwesterly by the easterly property line of Rosemary Ridge Condominium, three hundred and twenty-eight (328) feet, more or less; northeasterly by the northerly property line of Rosemary Ridge Condominium, two hundred and ninety (290) feet, more or less; northeasterly by the northerly property line of Rosemary Ridge Condominium, one hundred and sixty-two 19/100 (162.19), more or less; northwesterly by the northerly property line of Rosemary Ridge Condominium, one hundred and thirty (130), more or less; southeasterly by the northerly property line of Rosemary Ridge Condominium, two hundred and forty-one 30/100 (241.30), more or less; southeasterly by the northerly property line of Pop Realty LLC, ninety-four 30/100 (94.30), more or less to westerly side of Hillside Avenue; southeasterly by the westerly sideline of Hillside Avenue to intersection with northerly sideline of Rosemary Street; southeasterly by the northerly sideline of Rosemary Street to the point of beginning.

- (h) Place in the IND Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial, Hillside Avenue Business, and Single Residence B and located directly to the east of Hillside Avenue and north of Rosemary Street as shown on Needham Town Assessors Map 100, Parcels 3, 4, 5, 7, 8, 9, 10, 11, 12, and 61, and Needham Town Assessors Map 101, Parcels 2, 3, 4, 5 and 6, superimposing that district over the existing Industrial, Hillside Avenue Business, and Single Residence B districts, said description being as follows:

Beginning at the point of intersection of the northerly sideline of Rosemary Street and the westerly sideline of M.B.T.A; thence running northwesterly by the northerly sideline of Rosemary Street to the intersection with easterly sideline of Hillside Avenue; northeasterly by the easterly sideline of Hillside Avenue to the intersection with southerly sideline of West Street; northeasterly by the southerly sideline of West Street to the intersection with the westerly sideline of M.B.T.A; southeasterly by the westerly sideline of M.B.T.A. to the point of beginning.

- (i) Place in the ASB-MF Subdistrict of the Multi-family Overlay District a portion of land now zoned Avery Square Business and Single Residence B and located directly to the west of Highland Avenue and south of West Street as shown on Needham Town Assessors Map 63, Parcel 37, superimposing that district over the existing Avery Square Business and Single Residence B districts, said description being as follows:

Beginning at the point of intersection of the easterly sideline of M.B.T.A. and the southerly sideline of West Street; thence running southeasterly by the southerly sideline of West Street, one hundred and sixty-one 48/100 (161.48) feet, more or less; southeasterly on arch, twenty-nine (27/100) 29.27 feet

to a point on the easterly sideline of Highland Avenue; southeasterly by the easterly sideline of Highland Avenue seven hundred and sixty-one (761.81) feet, more or less; northeasterly by the easterly sideline of Highland Avenue ten (10) feet, more or less; southeasterly by the easterly sideline of Highland Avenue seventy (70) feet, more or less; northwesterly by the southerly property line of HCRI Massachusetts Properties Trust II, one hundred and fifty (150) feet, more or less; southeasterly by the southerly property line of HCRI Massachusetts Properties Trust II, seventy (70) feet, more or less; southwestly by the southerly property line of HCRI Massachusetts Properties Trust II, one hundred and two $57/100$ (102.57) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., three hundred and seventy-one $56/100$ (371.56) feet, more or less; northwesterly by the easterly sideline of M.B.T.A., three $54/100$ (3.54) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., three hundred and ninety-three $56/100$ (393.56) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., one hundred and seventy-five $46/100$ (175.46) feet to the point of beginning.

- (j) Place in the HAB Subdistrict of the Multi-family Overlay District a portion of land now zoned Hillside Avenue Business and located directly to the east of Hillside Avenue and north of West Street as shown on Needham Town Assessors Map 99, Parcels 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, superimposing that district over the existing Hillside Avenue district, said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A and the northerly sideline of West Street; thence running northwesterly by the northerly sideline of West Street to the intersection with easterly sideline of Hillside Avenue; northwesterly by the easterly sideline of Hillside Avenue to the intersection with northerly sideline of Hunnewell Street; northwesterly by the easterly sideline of Hillside Avenue, twenty-four $1/100$ (24.01) feet to the angle point; northeasterly by the easterly sideline of Hillside Avenue, ninety-five $61/100$ (95.61) feet, more or less; northeasterly by the northerly property line of Hillside Condominium, two hundred and twenty-one $75/100$ (221.75) feet, more or less; northeasterly by the northerly property line of Hunnewell Needham LLC, eighteen $48/100$ (18.48) feet, more or less; southwestly by the westerly sideline of M.B.T.A. to the point of beginning.

- (k) Place in the IND Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located at Crescent Road as shown on Needham Town Assessors Map 98, Parcels 40 and 41, and Needham Town Assessors Map 99, Parcels 38, 39, 40, 61, 62, 63, and 88, superimposing that district over the existing Industrial and Single Residence B districts, said description being as follows:

Beginning at the bound on easterly side of Hunnewell Street, approximately three hundred and thirty-two $35/100$ (332.35) feet from the intersection with Hillside Avenue; thence running southwestly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-one $13/100$ (191.13) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, sixty-eight $68/100$ (68.75) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and thirty (130) feet, more or less; southeasterly by the easterly property line of Drack Realty LLC, seventy-three (73) feet, more or less; southwestly by the easterly property line of Drack Realty LLC, one hundred and forty (140) feet, more or less; northeasterly by the northerly property line of Lally, forty-one (41) feet, more or less; southeasterly by the easterly property line of Lally, seventy-five (75) feet, more or less;

southwesterly by the southerly property line of Lally, one hundred (100) feet, more or less; southwesterly to the center of Crescent Road, twenty (20) feet, more or less; southeasterly by the center of Crescent Road, twenty-nine (29) feet, more or less; southwesterly to a bound located twenty-nine feet from the angle point on the easterly side of Crescent Road; southwesterly by the southerly property line of 66 Crescent Road LL, four hundred and fifteen 60/100 (415.60) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-two 37/100 (52.37) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and sixty-two 37/100 (162.37) feet, more or less; southwesterly by the easterly property line of Town of Needham, forty-five 76/100 (45.76) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and forty-three 92/100 (143.92) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifteen 71/100 (15.71) feet, more or less; southwesterly by the easterly property line of Town of Needham, two hundred and forty-eight 40/100 (248.40) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-three 33/100 (53.33) feet, more or less; northeasterly by the northerly property line of 166 Crescent Road LLC, five hundred and fifty-five 68/100 (555.68) feet, more or less; northeasterly to the center of Crescent Road, twenty (20) feet, more or less; northwesterly by the center of Crescent Road, fifty-six 47/100 (56.47) feet, more or less; northeasterly to the bound located four 38/100 (4.38) feet from the end of the Crescent Road; northeasterly by the northerly property line of Microwave Development Laboratories Inc, one hundred and forty-six 29/100 (146.29) feet, more or less; southeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 82/100 (54.82) feet, more or less; northeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 21/100 (54.21) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-five 81/100 (195.81) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, seven (7) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, ninety-one (91) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and forty-two (142) feet, more or less; southeasterly by the easterly sideline of Hunnewell Street, twenty (20) feet to the point of beginning.

- (l) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and Single Residence B and located east and west of Highland Avenue at Cottage Avenue as shown on Needham Town Assessors Map 70, Parcels 24 and 25, superimposing that district over the existing Apartment A-1 and Single Residence B districts, said description being as follows:

Beginning at the point on the westerly sideline of Highland Avenue, two hundred and seventeen 63/100 (217.63) from the arch on Webster Street; thence running southwesterly by the westerly sideline of Highland Avenue, three hundred and seventeen (317) feet, more or less; southeasterly across Highland Avenue, fifty (50) feet to a point on the easterly sideline of Highland Avenue; southeasterly by the northerly property line of Avery Park Condominium, two hundred and seventy-eight 75/100 (278.75) feet, more or less; northeasterly by the northerly property line of Avery Park Condominium, sixty-one (61.51) feet, more or less; northeasterly by the northerly property line of Avery Park Condominium, one hundred and seventy-nine 70/100 (179.70) feet, more or less; southwesterly by the westerly sideline of Webster Street, thirty-one 16/100 (31.16) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and sixty-six 51/100 (166.51) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and five 59/100 (105.59) feet, more or less; southwesterly by the

southerly property line of Avery Park Condominium, one hundred and forty-four 62/100 (144.62) feet, more or less; northwesterly by the southerly property line of Avery Park Condominium, two hundred and seventy-seven 29/100 (277.29) feet, more or less; northwesterly across Highland Avenue, fifty (50) feet to a point on the westerly side of Highland Avenue: northwesterly by the southerly property line of Hamilton Highlands LLC, one hundred and fifty-nine 45/100 (159.45) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, ninety-seven 33/100 (97.33) feet, more or less; northwesterly by the northerly sideline of Cottage Avenue, forty (40) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, fifteen (15) feet, more or less; northwesterly by the southerly property line of Hamilton Highlands LLC, twenty-five 54/100 (25.54) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., five hundred and seventy-five 57/100 (575.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and forty-five 2/100 (145.02) feet, more or less; northeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and one 57/100 (101.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and eighty 18/100 (180.18) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, fifty-six 57/100 (56.57) feet to the point of beginning.

Or take any other action relative thereto.

ARTICLE 3: AMEND ZONING BY-LAW – MULTI-FAMILY OVERLAY DISTRICT (NEIGHBORHOOD HOUSING PLAN)

To see if the Town will vote to amend the Needham Zoning By-Law, inclusive of those amendments adopted under Article 1 and Article 2, as follows, and to act on anything related thereto:

1. Amending the definition of Mixed-Use Building in Section 1.3 to include the Multi-family Overlay District, so that the definition reads as follows:

Mixed-Use Building – A building in the Needham Center, Chestnut Street, Garden Street or Multi-family Overlay District in which the ground floor facing the street is used for such retail or restaurant uses as may be permitted by right or by special permit in the applicable overlay district, and other ground-floor and upper-floor space is used for other commercial use(s) or dwelling units(s), and subject to any additional qualifications provided for in the applicable overlay district.

2. Amending Section 3.17 Multi-family Overlay District by revising Subsection 3.17.2.1 Subdistricts to read as follows:

The Multi-family Overlay District contains the following sub-districts, all of which are shown on the MFOD Boundary Map and indicated by the name of the sub-district:

- (a) A-1
- (b) B
- (c) ASB-MF
- (d) CSB-E (Chestnut Street Business – East)
- (e) CSB-W (Chestnut Street Business – West)
- (f) CSB-GS
- (g) HAB
- (h) IND
- (i) IND-C (Industrial – Crescent)

3. Amending Subsection 3.17.1 Purposes of District by amending the last paragraph to read as follows:

Toward these ends, Multi-family housing and mixed-use development (where allowed) in the Multi-family Overlay District is permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the requirements of this Section 3.17.

4. Amending Subsection 3.17.4. Use Regulations, by adding the following paragraph (b) to Subsection 3.17.4.1 Permitted Uses:

3.17.4.1 Permitted Uses

- (b) In the B and CSB subdistricts: A Mixed-Use Building containing commercial use(s) on the ground floor, whether facing the street or otherwise, is permitted by right, provided that all upper floors shall be used as Multi-family Housing. Commercial uses are limited to the uses listed below:

- i. Retail establishments serving the general public containing less than 5,750 gross square feet of floor area. In multi-tenanted structures the provisions of the section will individually apply to each tenant or use and not to the aggregate total of the structure.
- ii. Retail trade or shop for custom work or the making of articles to be sold at retail on the premises.
- iii. Offices and banks.
- iv. Craft, consumer, professional or commercial service established dealing directly with the public and not enumerated elsewhere in this section.
- v. Personal fitness service establishment, provided all required off-street parking is provided on-site for all land uses located on the subject site and in adherence with the requirements of Section 5.1.2, Required Parking, absent any waivers from the provisions of Subsection 5.1.1.5 and 5.1.1.6.
- vi. Manufacturing clearly incidental and accessory to retail use on the same premises and the product is customarily sold on the premises.
- vii. Laundry; coin operated or self-service laundry or dry-cleaning establishment.

5. Amending Subsection 3.17.4. Use Regulations, by adding the following after Subsection 3.17.4.1 Permitted Uses and renumbering Subsection 3.17.4.2 Accessory Uses to 3.17.4.3:

3.17.4.2 Special Permit Uses in the B and CSB Subdistricts.

The following uses are permitted by Special Permit from the Planning Board in the B and CSB sub-districts of the Multi-family Overlay District:

- (a) A Mixed-Use Building containing commercial use(s) listed below on the ground floor, whether facing the street or otherwise, and provided that all upper floors shall be used as Multi-family Housing:
 - i. Restaurant serving meals for consumption on the premises and at tables with service provided by a server.
 - ii. Take-out operation accessory to the above.
 - iii. Take-out food counter as an accessory to a food retail or other non- consumptive retail establishment.
 - iv. Retail sales of ice cream, frozen yogurt, and similar products for consumption on or off the premises.
 - v. Take-out establishment primarily engaged in the dispensing of prepared foods to persons carrying food and beverage away for preparation and consumption elsewhere.

- vi. Personal fitness service establishment, where there is insufficient off-street parking on-site to serve all land uses located thereon in adherence with the requirements of Subsection 5.1.2 Required Parking but where it can be demonstrated that the hours, or days, of peak parking for the uses are sufficiently different that a lower total will provide adequately for all uses or activities served by the parking lot.

6. Amending Section 3.17 Multi-family Overlay District by replacing the tables in Subsection 3.17.5 Dimensional Requirements with the tables below, with all other text, including footnotes, contained in Subsection 3.17.5 to remain unamended unless noted below:

3.17.5. Dimensional Requirements

Replace the table in 3.17.5.1 Subsection Lot Area, Frontage and Setback Requirements with the tables below:

Table 1A. Lot Area, Frontage and Setback Requirements

	A-1	B	ASB-MF	HAB	IND
Minimum Lot Area (square feet)	20,000	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	120	80	80	80	80
Minimum Front Setback (feet) from the front property line	25	10	Minimum 10 Maximum 15	20	25
Minimum Side and Rear Setback (feet)	20	20 ^{a, b}	10 ^{a, d}	20 ^{a, b}	20 ^{a, b}

Table 1B. Lot Area, Frontage and Setback Requirements

	CSB-E	CSB-W	CSB-GS	IND - C
Minimum Lot Area (square feet)	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	80	80	80	80
Minimum Front Setback (feet) from the front property line	Minimum of 5 feet or average of setbacks within 100 feet, whichever is smaller	Minimum of 5 feet or average of setbacks within 100 feet, whichever is smaller	Minimum of 10 feet or average of setbacks within 100 feet, whichever is smaller	25
Minimum Side and Rear Setback (feet)	20 (side) 30 (rear) ^{a, b}	20 ^{a, b}	20 ^{a, b}	20 ^{a, b}

And delete footnote (e).

Replace the table in Subsection 3.17.5.2 Building Height Requirements with the tables below:

Table 2A. Building Height Requirements

	A-1	B	ASB-MF	HAB	IND
Maximum Building Height (stories) ^d	4.0	4.0 4.5 with commercial ground floor or see 3.17.8.1	3.0 ^c	3.0	3.0
Maximum Building Height (feet) ^d	50	50 55 with commercial ground floor or see 3.17.8.1	40 ^c	40	40

Table 2B. Building Height Requirements

	<u>CSB-E</u>	<u>CSB-W</u>	<u>CSB-GS</u>	<u>IND - C</u>
Maximum Building Height (stories) ^d	3.0 3.5 with commercial ground floor or see 3.17.8.1	4.0 4.5 with commercial ground floor or see 3.17.8.1	3.0 3.5 with commercial ground floor or see 3.17.8.1	3.0
Maximum Building Height (feet) ^d	40 45 with commercial ground floor or see 3.17.8.1	50 55 with commercial ground floor or see 3.17.8.1	40 45 with commercial ground floor or see 3.17.8.1	40

And add new footnote (d):

(d) The requirements of Subsection 4.4.7 Business Use in Other Districts are not applicable to commercial ground floor uses in the MFOD.

Replace the table in Subsection 3.17.5.3 **Building Bulk and Other Requirements** with the tables below:

Table 3A. Building Bulk and Other Requirements

	A-1	B	ASB-MF	HAB	IND
Floor Area Ratio (FAR)	1.00	2.00	1.00 ^b	1.00	1.0
Maximum Building Coverage (%)	N/A	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre ^a	36	N/A	N/A	24	24

Table 3B. Building Bulk and Other Requirements

	CSB-E	CSB-W	CSB-GS	IND - C
Floor Area Ratio (FAR)	2.00	2.00	2.00	0.75
Maximum Building Coverage (%)	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre ^a	N/A	N/A	N/A	24

7. Amending Section 3.17 Multi-family Overlay District by adding the following to Subsection 3.17.7 Development Standards, to read as follows:

- (l) For a mixed-use building, entrances to ground-floor dwelling units shall be located on the side or rear of the building, not from any side facing the street, or the entrances may be from a first-floor lobby serving other uses in the building.
- (m) For a mixed-use building, the ground floor of the front façade shall contain only retail or restaurant uses allowed by right or by special permit.

8. Amending Section 3.17 Multi-family Overlay District by adding a new paragraph to Subsection 3.17.8.1 Provision of Affordable Housing, immediately following the first paragraph, to read as follows:

3.17.8.1 Provision of Affordable Housing.

In the B and CSB subdistricts, an Applicant may provide an additional 7.5% of units as Workforce Housing Units in place of the requirement for a commercial ground floor to achieve the additional allowable height listed in Tables 2A and 2B under Subsection 3.17.5.2 Building Height Requirements.

9. Amending Section 3.17 Multi-family Overlay District by modifying the first line of Subsection 3.17.8.2 Development Standards to read as follows:

Affordable Units, including Workforce Housing Units, shall be:

Or take any other action relative thereto.

ARTICLE 4: AMEND ZONING BY-LAW – MAP CHANGE FOR MULTI-FAMILY OVERLAY DISTRICT (NEIGHBORHOOD HOUSING PLAN)

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map, inclusive of those changes adopted under Article 2, as follows:

- (a) Place in the CSB-W Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located directly to the west of Chestnut Street as shown on Needham Town Assessors Map 47, Parcels 72, 74-03, 74-04, 76, 77, 78, 79, 80, 83, 84, 85, 86, 87, 88, and 91, and Needham Town Assessors Map 46, Parcels 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, and 61, superimposing that district over the existing Chestnut Street Business district and removing the existing CSB Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the point of intersection of the easterly sideline of M.B.T.A and the southerly sideline of Keith Place; thence running southeasterly by the southerly sideline of Keith Place to the intersection with westerly sideline of Chestnut Street; southwesterly by the westerly sideline of Chestnut Street to the intersection with northerly sideline of property of M.B.T.A; northeasterly by the northerly sideline of M.B.T.A; northeasterly by the easterly sideline of M.B.T.A. to the point of beginning.

- (b) Place in the CSB-E Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and Single Residence B and located directly to the east of Chestnut Street as shown on Needham Town Assessors Map 46, Parcels 12, 13, 14, 15, 16, 17, 18, 19, 32, 33 and 34 superimposing that district over the existing Chestnut Street Business and Single Residence districts and removing the existing CSB Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the point on the easterly sideline of Chestnut Street, approximately four hundred and ninety-five 88/100 (495.88) feet from the intersection with southerly sideline of School Street; southeasterly by the southerly property line of Deaconess-Glover Hospital Corporation, one hundred and eighty-seven 68/100 (187.68) feet, more or less; southwesterly by the easterly property line of Deaconess-Glover Hospital Corporation, ninety-six 74/100 (96.74) feet, more or less; southwesterly by the westerly property line of Chaltanya Kadem and Shirisha Meda, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Huard, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Reidy, ninety-seven 40/100 (97.40) feet, more or less; northeasterly by the northerly property line of L. Petrini & Son Inc, fifteen 82/100 (15.82) feet, more or less; southwesterly by easterly property line of L. Petrini & Son Inc, one hundred and seventy-seven 77/100 (177.77) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, one hundred and two 59/100 (102.59) feet, more or less; southwesterly by the easterly property line of L. Petrini & Son Inc, fifty 16/100 (50.16) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, seven 39/100 (7.39) feet, more or less; southwesterly by the easterly property of Briarwood Property LLC, seventy-five (75.00) feet, more or less; northeasterly by the easterly property of Briarwood Property LLC, one hundred (100) feet, more or less; southwesterly by the easterly property of Briarwood Property LLC, two hundred and forty-nine 66/100 (249.66) feet, more or less; southeasterly by the southerly property of Briarwood Property LLC, two hundred ninety-three (293.28) feet, more or less; southwesterly by the easterly property of Veterans of Foreign Wars, one hundred and fifty (150) feet, more or less;

northeasterly by the southerly property line of Veterans of Foreign Wars, eighty-five (85) feet, more or less; southwest by the easterly property of M.B.T.A, one hundred and sixty (160) feet, more or less; southeasterly by the northerly sideline of Junction Street to intersection with easterly sideline of Chestnut; northeasterly by the easterly sideline of Chestnut Street to the point of beginning.

- (c) Place in the CSB-E Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located at 433 Chestnut Street as shown on Needham Town Assessors Map 45, Parcel 6, superimposing that district over the existing Chestnut Street Business district and removing the existing CSB Subdistrict of the Multi-family Overlay District, said description being as follows:

Starting at the point of intersection of the westerly sideline of Chestnut Street and the southerly sideline of M.B.T.A.; southerly by the westerly sideline of Chestnut Street to the intersection with northerly sideline of M.B.T.A; southwesterly by the southerly property line of Castanea Dentata LLC, two hundred and twenty-eight 81/100 (228.81) feet, more or less; southwesterly by the southerly property line of Castanea Dentata LLC, one hundred and eight 53/100 (108.53) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and thirty-six 6/100 (136.06) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and ten 10/100 (110.10) feet, more or less; running northeasterly by the easterly sideline of M.B.T.A. to the point of beginning.

- (d) Place in the CSB-GS Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located directly to the east of Garden Street as shown on Needham Town Assessors Map 51, Parcels 17, 20, 22, 23, superimposing that district over the existing Chestnut Street Business district and removing the existing CSB Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the northerly sideline of Great Plain Ave; thence running southwesterly by the northerly sideline of Great Plain Ave, nine 32/100 (9.32) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-three 17/100 (53.17) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 40/100 (56.40) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 92/100 (56.92) feet, more or less; northwesterly by the westerly property line of Town of Needham, on an arch length one hundred and twelve 99/100 (112.99) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifteen 10/100 (15.10) feet, more or less; northeasterly by the westerly property line of Town of Needham, one hundred and thirty-eight 83/100 (138.83) feet, more or less; southeasterly by the northerly property line of Town of Needham, thirty-three 42/100 (33.42) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, forty (40) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, eighty-one 99/100 (81.99) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, fifty-eighty 31/100 (58.31) feet, more or less; northeasterly by the easterly sideline of Garden Street to intersection with May Street; northeasterly by the southerly sideline of May Street, sixty-one 33/100 (61.33) feet, more or less; southwesterly by the westerly sideline of M.B.T.A to the point of beginning.

- (e) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located directly to the south and east of Denmark Lane as shown on Needham Town Assessors Map 132, Parcel 2, superimposing that district over the existing Industrial

and Single Residence B districts, and removing the existing IND Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the southerly sideline of Great Plain Ave; thence running southwesterly by the westerly line of M.B.T.A, four hundred thirty-seven 24/100 (437.24) feet, more or less; southwesterly by the southerly property line of Denmark Lane Condominium, one hundred and eleven 17/100 (111.17) feet, more or less; northeasterly by the easterly property line of Denmark Lane Condominium, two hundred (200) feet, more or less; northwesterly by the southerly property line of Denmark Lane Condominium, one hundred and thirty-nine 75/100 (139.75) feet, more or less; northeasterly by the easterly sideline of Maple Street, one hundred and thirty-five (135) feet, more or less; southeasterly by the northerly property line of Denmark Lane Condominium, one hundred and forty (140) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, fifteen 20/100 (15.2) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, two 44/100 (2.44) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, thirty-three 35/100 (33.35) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, seventy-nine (79) feet, more or less; northwesterly by the northerly property line of Denmark Lane Condominium, thirteen 28/100 (13.28) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, forty-seven 50/100 (47.50) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, eighty-one 91/100 (81.91) feet, more or less; northeasterly by the southerly sideline of Great Plain Ave, twelve 28/100 (12.28) feet to the point of beginning.

- (f) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Single Residence B and located directly to the west of Highland Avenue and north of Hunnewell Street as shown on Needham Town Assessors Map 69, Parcel 37, superimposing that district over the existing Single Residence B district, said description being as follows:

Beginning at the point of intersection of the easterly sideline of the M.B.T.A and the northerly sideline of Hunnewell Street; thence running northwesterly by the easterly sideline of the M.B.T.A., on an arch one hundred and twenty-one 22/100 (121.22) feet, more or less; southeasterly by the northerly property line of The Suites of Needham LLC, one hundred and sixty 23/100 (160.23) feet, more or less; southwesterly by the easterly sideline of Highland Avenue to the intersection with northerly sideline of Hunnewell Street; northwesterly by the northerly sideline of Hunnewell Street to the point of beginning.

- (g) Remove from the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and Single Residence B and located east and west of Highland Avenue at Cottage Avenue as shown on Needham Town Assessors Map 70, Parcels 24 and 25, said description being as follows:

Beginning at the point on the westerly sideline of Highland Avenue, two hundred and seventeen 63/100 (217.63) from the arch on Webster Street; thence running southwesterly by the westerly sideline of Highland Avenue, three hundred and seventeen (317) feet, more or less; southeasterly across Highland Avenue, fifty (50) feet to a point on the easterly sideline of Highland Avenue; southeasterly by the northerly property line of Avery Park Condominium, two hundred and seventy-eight 75/100 (278.75) feet, more or less; northeasterly by the northerly property line of Avery Park Condominium, sixty-one (61.51) feet, more or less; northeasterly by the northerly property line of

Avery Park Condominium, one hundred and seventy-nine 70/100 (179.70) feet, more or less; southwesterly by the westerly sideline of Webster Street, thirty-one 16/100 (31.16) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and sixty-six 51/100 (166.51) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and five 59/100 (105.59) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and forty-four 62/100 (144.62) feet, more or less; northwesterly by the southerly property line of Avery Park Condominium, two hundred and seventy-seven 29/100 (277.29) feet, more or less; northwesterly across Highland Avenue, fifty (50) feet to a point on the westerly side of Highland Avenue: northwesterly by the southerly property line of Hamilton Highlands LLC, one hundred and fifty-nine 45/100 (159.45) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, ninety-seven 33/100 (97.33) feet, more or less; northwesterly by the northerly sideline of Cottage Avenue, forty (40) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, fifteen (15) feet, more or less; northwesterly by the southerly property line of Hamilton Highlands LLC, twenty-five 54/100 (25.54) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., five hundred and seventy-five 57/100 (575.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and forty-five 2/100 (145.02) feet, more or less; northeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and one 57/100 (101.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and eighty 18/100 (180.18) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, fifty-six 57/100 (56.57) feet to the point of beginning.

- (h) Place in the IND-C Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located at Crescent Road as shown on Needham Town Assessors Map 98, Parcels 40 and 41, and Needham Town Assessors Map 99, Parcels 38, 39, 40, 61, 62, 63, and 88, superimposing that district over the existing Industrial and Single Residence B districts, and removing the existing IND Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the bound on easterly side of Hunnewell Street, approximately three hundred and thirty-two 35/100 (332.35) feet from the intersection with Hillside Avenue; thence running southwesterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-one 13/100 (191.13) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, sixty-eight 68/100 (68.75) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and thirty (130) feet, more or less; southeasterly by the easterly property line of Drack Realty LLC, seventy-three (73) feet, more or less; southwesterly by the easterly property line of Drack Realty LLC, one hundred and forty (140) feet, more or less; northeasterly by the northerly property line of Lally, forty-one (41) feet, more or less; southeasterly by the easterly property line of Lally, seventy-five (75) feet, more or less; southwesterly by the southerly property line of Lally, one hundred (100) feet, more or less; southwesterly to the center of Crescent Road, twenty (20) feet, more or less; southeasterly by the center of Crescent Road, twenty-nine (29) feet, more or less; southwesterly to a bound located twenty-nine feet from the angle point on the easterly side of Crescent Road; southwesterly by the southerly property line of 66 Crescent Road LL, four hundred and fifteen 60/100 (415.60) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-two 37/100 (52.37) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and sixty-two 37/100 (162.37) feet, more or less; southwesterly by the easterly property line of Town of

Needham, forty-five 76/100 (45.76) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and forty-three 92/100 (143.92) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifteen 71/100 (15.71) feet, more or less; southwesterly by the easterly property line of Town of Needham, two hundred and forty-eight 40/100 (248.40) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-three 33/100 (53.33) feet, more or less; northeasterly by the northerly property line of 166 Crescent Road LLC, five hundred and fifty-five 68/100 (555.68) feet, more or less; northeasterly to the center of Crescent Road, twenty (20) feet, more or less; northwesterly by the center of Crescent Road, fifty-six 47/100 (56.47) feet, more or less; northeasterly to the bound located four 38/100 (4.38) feet from the end of the Crescent Road; northeasterly by the northerly property line of Microwave Development Laboratories Inc, one hundred and forty-six 29/100 (146.29) feet, more or less; southeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 82/100 (54.82) feet, more or less; northeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 21/100 (54.21) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-five 81/100 (195.81) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, seven (7) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, ninety-one (91) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and forty-two (142) feet, more or less; southeasterly by the easterly sideline of Hunnewell Street, twenty (20) feet to the point of beginning.

Or take any other action relative thereto.

ARTICLE 1: AMEND ZONING BY-LAW – MULTI-FAMILY OVERLAY DISTRICT (BASE COMPLIANCE PLAN)

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

1. By amending Section 1.3, Definitions by adding the following terms:

Applicant – A person, business, or organization that applies for a building permit, Site Plan Review, or Special Permit.

2. By amending Section 2.1, Classes of Districts by adding the following after ASOD Avery Square Overlay District:

MFOD – Multi-family Overlay District

3. By inserting a new Section 3.17 Multi-family Overlay District:

3.17 Multi-family Overlay District

3.17.1 Purposes of District

The purposes of the Multi-family Overlay District include, but are not limited to, the following:

- (a) Providing Multi-family housing in Needham, consistent with the requirements of M.G.L. Chapter 40A (the Zoning Act), Section 3A;
- (b) Supporting vibrant neighborhoods by encouraging Multi-family housing within a half-mile of a Massachusetts Bay Transit Authority (MBTA) commuter rail station; and
- (c) Establishing controls which will facilitate responsible development and minimize potential adverse impacts upon nearby residential and other properties.

Toward these ends, Multi-family housing in the Multi-family Overlay District is permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the requirements of this Section 3.17.

3.17.2 Scope of Authority

In the Multi-family Overlay District, all requirements of the underlying district shall remain in effect except where the provisions of Section 3.17 provide an alternative to such requirements, in which case these provisions shall supersede. If an Applicant elects to develop Multi-family housing in accordance with Section 3.17, the provisions of the Multi-family Overlay District shall apply to such development.

Notwithstanding anything contained herein to the contrary, where the provisions of the underlying district are in conflict or inconsistent with the provisions of the Multi-family Housing Overlay District, the terms of the Multi-family Overlay District shall apply.

If the applicant elects to proceed under the zoning provisions of the underlying district (meaning the applicable zoning absent any zoning overlay) or another overlay district, as applicable, the zoning bylaws

applicable in such district shall control and the provisions of the Multi-family Overlay District shall not apply.

3.17.2.1 Subdistricts

The Multi-family Overlay District contains the following sub-districts, all of which are shown on the MFOD Boundary Map and indicated by the name of the sub-district:

- (a) A-1
- (b) B
- (c) ASB-MF
- (d) CSB
- (e) HAB
- (f) IND

3.17.3 Definitions

For purposes of this Section 3.17, the following definitions shall apply.

Affordable housing – Housing that contains one or more Affordable Housing Units as defined by Section 1.3 of this By-Law. Where applicable, Affordable Housing shall include Workforce Housing Units, as defined in this Subsection 3.17.3 Definitions.

As of right – Development that may proceed under the zoning in place at time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.

Compliance Guidelines – *Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act* as further revised or amended from time to time.

EOHLC – The Massachusetts Executive Office of Housing and Livable Communities, or EOHLC's successor agency.

Multi-family housing – A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building and that complies with the requirements of M.G.L. c.40A, §3A and the rules and requirements thereunder.

Open space – Contiguous undeveloped land within a parcel boundary.

Parking, structured – A structure in which Parking Spaces are accommodated on multiple stories; a Parking Space area that is underneath all or part of any story of a structure; or a Parking Space area that is not underneath a structure, but is entirely covered, and has a parking surface at least eight feet below grade. Structured Parking does not include surface parking or carports, including solar carports.

Parking, surface – One or more Parking Spaces without a built structure above the space. A solar panel designed to be installed above a surface Parking Space does not count as a built structure for the purposes of this definition.

Residential dwelling unit – A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Section 3A – Section 3A of the Zoning Act.

Site plan review authority – The Town of Needham Planning Board

Special permit granting authority – The Town of Needham Planning Board.

Sub-district – An area within the MFOD that is geographically smaller than the MFOD district and differentiated from the rest of the district by use, dimensional standards, or development standards.

Subsidized Housing Inventory (SHI) – A list of qualified Affordable Housing Units maintained by EOHLC used to measure a community's stock of low-or moderate-income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.

Workforce housing unit – Affordable Housing Unit as defined by Section 1.3 of this By-Law but said Workforce Housing Unit shall be affordable to a household with an income of between eighty (80) percent and 120 percent of the area median income as defined.

3.17.4 Use Regulations

3.17.4.1 Permitted Uses

The following uses are permitted in the Multi-family Overlay District as a matter of right:

- (a) Multi-family housing.

3.17.4.2 Accessory Uses.

The following uses are considered accessory as of right to any of the permitted uses in Subsection 3.17.4.1:

- (a) Parking, including surface parking and structured parking on the same lot as the principal use.
- (b) Any uses customarily and ordinarily incident to Multi-family housing, including, without limitation, residential amenities such as bike storage/parking, a swimming pool, fitness facilities and similar amenity uses.

3.17.5 Dimensional Regulations

3.17.5.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply in the Multi-family Overlay District sub-districts listed below. Buildings developed under the regulations of the Multi-family Overlay District shall not be further subject to the maximum lot area, frontage, and setback requirements of the underlying districts, as contained in Subsection 4.3.1 [Table of Regulations](#), Subsection 4.4.1 [Minimum Lot Area and Frontage](#), Subsection 4.4.4 [Front Setback](#), Subsection 4.6.1 [Basic Requirements](#), and Subsection 4.6.2 [Front and Side Setbacks](#).

	A-1	B	ASB-MF	CSB	HAB	IND
Minimum Lot Area (square feet)	20,000	10,000	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	120	80	80	80	80	80
Minimum Front Setback (feet) from the front property line	25	10	Minimum 10 Maximum 15 ^{f, g}	20 feet for buildings with frontage on Chestnut Street 10 feet for all other buildings	20	25
Minimum Side and Rear Setback (feet)	20	10 ^{a, b}	10 ^{a, d}	20 (side) ^{a, b, e}	20 ^{a, b}	20 ^{a, b}

- (a) The requirement of an additional 50-foot side or rear setback from a residential district as described in Subsection 4.4.8 [Side and Rear Setbacks Adjoining Residential Districts](#) or Subsection 4.6.5 [Side and Rear Setbacks Adjoining Residential Districts](#) shall not apply.
- (b) Any surface parking, within such setback, shall be set back 10 feet from an abutting residential district and such buffer shall be suitably landscaped.
- (c) Any underground parking structure shall be located entirely below the grade of the existing lot and set back at least ten (10) feet from the lot line and the surface of the garage structure shall be suitably landscaped in accordance with Subsection 4.4.8.5 [Landscaping Specifications](#).
- (d) The rear and side setbacks are 20 feet along the MBTA right-of-way. With respect to any lot partially within an underlying residential district, (i) no building or structure for a multi-family residential use shall be placed or constructed within 110 feet of the lot line of an abutting lot containing an existing single family residential structure and (ii) except for access driveways and sidewalks, which are permitted, any portion of the lot within said residential district shall be kept open with landscaped areas, hardscaped areas, outdoor recreation areas (e.g., swimming pool) and/or similar open areas.

- (e) On the west side of Chestnut Street, the rear setback shall be 20 feet. On the east side of Chestnut Street, the rear setback shall be 30 feet.
- (f) Seventy percent (70%) of the main datum line of the front facade of the building shall be set back no more than 15 feet, except that periodic front setbacks greater than fifteen (15) feet are allowed if activated by courtyards, landscaping, drive aisles, amenity areas, or other similar site design features that enhance the streetscape. In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board if less than seventy percent (70%) of the main datum line front façade of the building is set back 15 feet.
- (g) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for an additional curb cut on Highland Avenue or West Street. For the sake of clarity, modifications to existing curb cuts do not require a Special Permit.

3.17.5.2 Building Height Requirements

The maximum building height in the Multi-family Overlay District sub-districts shall be as shown below. Buildings developed under the Multi-family Overlay District shall not be further subject to the maximum height regulations of the underlying district, as contained in Subsection 4.3.1 [Table of Regulations](#), Subsection 4.4.2 [Maximum Building Bulk](#), Subsection 4.4.3 [Height Limitation](#), Subsection 4.6.1 [Basic Requirements](#), and Subsection 4.6.4 [Height Limitation](#).

	A-1	B	ASB-MF	CSB	HAB	IND
Maximum Building Height (stories)	3.0	3.0	3.0 ^c	3.0	3.0	3.0
Maximum Building Height (feet) ^{a,b}	40	40	40 ^c	40	40	40

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- (a) Exceptions. The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, stair overruns, elevator overruns, mechanical equipment, roof parapets, architectural screening, or other ornamental features of buildings, which features (i) are in no way used for living purposes; (ii) do not occupy more than 25% of the gross floor area of the building and (iii) do not project more than 15 feet above the maximum allowable height.
- (b) Exceptions: Renewable Energy Installations. The Site Plan Review Authority may waive the height and setbacks in Subsection 3.17.5.2 [Building Height Requirements](#) and Subsection 3.17.5.1 [Lot Area, Frontage and Setback Requirements](#) to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall be appropriately screened, consistent with the requirements of the underlying district; shall not create a significant detriment to abutters in terms of noise or shadow; and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.
- (c) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for a height of four stories and 50 feet, provided that the fourth story along Highland Avenue and West Street incorporates one or more of the following design elements: (i) a pitched roof having a maximum roof pitch of 45 degrees; (ii) a fourth story recessed from the face of the building by a minimum of 12 feet; and/or (iii) such other architectural design elements proposed by the Applicant and approved by the Planning Board during the Special Permit process.

3.17.5.3 Building Bulk and Other Requirements

The maximum floor area ratio or building coverage and the maximum number of dwelling units per acre, as applicable, in the Multi-family Overlay District sub-districts shall be as shown below, except that the area of a building devoted to underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio or building coverage, as applicable. Buildings developed under the regulations of the Multi-family Overlay District shall not be subject to any other limitations on floor area ratio or building bulk in Subsection 4.3.1 Table of Regulations, Subsection 4.4.2 Maximum Building Bulk, and Subsection 4.6.3 Maximum Lot Coverage.

	A-1	B	ASB-MF	CSB	HAB	IND
Floor Area Ratio (FAR) ^c	0.50	N/A	1.3 ^{b,c}	0.70	0.70	0.50
Maximum Building Coverage (%)	N/A	25%	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre ^a	18	N/A	N/A	18	N/A	N/A

- (a) The total land area used in calculating density shall be the total acreage of the lot on which the development is located.
- (b) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for an FAR of up to 1.7.
- (c) In the ASB-MF subdistrict, the following shall not be counted as floor area for purposes of determining the maximum floor area ratio: (i) interior portions of a building devoted to off-street parking; (ii) parking garages, structured parking or deck/rooftop parking that are screened in a manner compatible with the architecture of the building from Highland Avenue and the Needham Heights Common. In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board to exclude additional areas from floor area for purposes of determining the maximum floor area ratio.

3.17.5.4 Multiple Buildings on a Lot

In the Multi-family Overlay District, more than one building devoted to Multi-family housing may be located on a lot, provided that each building complies with the requirements of Section 3.17 of this By-Law.

3.17.5.5 Use of Dwelling Units

Consistent with the Executive Office of Housing and Livable Communities' Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act, and notwithstanding anything else contained in the Zoning By-Law to the contrary, Multi-family housing projects shall not be required to

include units with age restrictions, and units shall not be subject to limit or restriction concerning size, the number or size of bedrooms, a cap on the number of occupants, or a minimum age of occupants.

3.17.6 Off-Street Parking

- (a) The minimum number of off-street parking spaces shall be one space per dwelling unit for all subdistricts within the Multi-family Overlay District.
- (b) Parking areas shall be designed and constructed in accordance with Subsection 5.1.3 Parking Plan and Design Requirements. The remaining provisions of Section 5.1 Off Street Parking Regulations shall not apply to projects within the Multi-family Overlay District.
- (c) Enclosed parking areas shall comply with Subsection 4.4.6 Enclosed Parking.
- (d) No parking shall be allowed within the front setback. Parking shall be on the side or to the rear of the building, or below grade.
- (e) The minimum number of bicycle parking spaces shall be one space per dwelling unit.
- (f) Bicycle storage. For a multi-family development of 25 units or more, no less than 25% of the required number of bicycle parking spaces shall be integrated into the structure of the building(s) as covered spaces.

3.17.7 Development Standards

- (a) Notwithstanding anything in the Zoning By-Laws outside of this Section 3.17 to the contrary, Multi-family housing in the Multi-family Overlay District shall not be subject to any special permit requirement.
- (b) Building entrances shall be available from one or more streets on which the building fronts and, if the building fronts Chestnut Street, Garden Street, Highland Avenue, Hillside Avenue, Rosemary Street, or West Street, the primary building entrance must be located on at least one such street.
- (c) The site shall be designed so that all collection and storage areas for residential refuse shall be internal to the building(s), or otherwise shall not be visible from any public way and appropriately screened from abutting properties, and adequate management and removal of refuse shall be provided for.
- ~~(e)~~(d) Site arrangement and driveway layout shall provide sufficient access for emergency and service vehicles, including fire, police, and rubbish removal.
- ~~(e)~~(e) Plantings shall be provided and include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, are prohibited.
- ~~(e)~~(f) All construction shall be subject to the current town storm water bylaws, regulations, and policies along with any current regulations or policies from DEP, state, and federal agencies.
- ~~(f)~~(g) Control measures shall be employed to mitigate any substantial threat to water quality or soil stability, both during and after construction.
- (h) There shall be adequate water, sewer, and utility service provided to serve the project.
- ~~(g)~~(i) Off-site glare from headlights shall be controlled through arrangement, grading, fences, and planting. Off-site light over-spill from exterior lighting shall be controlled through luminaries selection, positioning, and mounting height so as to not add more than one foot candle to illumination levels at any point off-site.
- ~~(h)~~(j) Pedestrian and vehicular movement within and outside the project site shall be protected, both within the site and egressing from it, through selection of egress points, and provisions for adequate sight distances, and through reasonable mitigation measures for traffic attributable to the project.

~~(j)(k)~~ Site arrangements and grading shall minimize to the extent practicable the number of removed trees 8" trunk diameter or larger, and the volume of earth cut and fill.

~~(j)(l)~~ No retaining wall shall be built within the required yard setback except a retaining wall with a face not greater than four (4) feet in height at any point and a length that does not exceed forty (40) percent of the lot's perimeter. Notwithstanding the foregoing, retaining walls may graduate in height from four (4) to seven (7) feet in height when providing access to a garage or egress entry doors at the basement level, measured from the basement or garage floor to the top of the wall. In such cases, the wall is limited to seven (7) feet in height for not more than 25% of the length of the wall.

~~(m)~~ Retaining walls with a face greater than twelve (12) feet in height are prohibited unless the Applicant's engineer certifies in writing to the Building Commissioner that the retaining wall will not cause an increase in water flow off the property and will not adversely impact adjacent property or the public.

~~(k)(n)~~ [Construction activity shall be consistent with Section 3.8 of the General By-Laws and any reasonable conditions on construction activity that are warranted at a particular site and included in the applicable site plan approval, including but not limited to hours during which construction activity may take place, the movement of trucks or heavy equipment on or off the site, measures to control dirt, dust, and erosion and to protect existing vegetation to be preserved on the site.](#)

Special Development Standards for the A-1 Subdistrict

The following requirements apply to all development projects within the A-1 subdistrict of the Multi-family Overlay District:

- (a) 4.3.2 Driveway Openings
- (b) 4.3.3 Open Space
- (c) 4.3.4 Building Location, with the substitution of "Multifamily Dwelling" for "apartment house."

Special Development Standards for the B and IND Subdistricts of the Multi-Family Overlay District:

- (a) The requirements of the first paragraph of 4.4.5 Driveway Openings shall apply to all development projects within the Multi-family Overlay District within the B and IND subdistricts.

3.17.8 Affordable Housing

Any multi-family building with six or more dwelling units shall include Affordable Housing Units as defined in Section 1.3 of this By-Law and the requirements below shall apply.

3.17.8.1 Provision of Affordable Housing.

Not fewer than 12.5% of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of Affordable Housing Units required in a proposed development, any fractional unit shall be rounded up to the nearest whole number and shall be deemed to constitute a whole unit.

In the event that the Executive Office of Housing and Livable Communities (EOHLC) determines that the calculation detailed above does not comply with the provisions of Section 3A of MGL c.40A, the following standard shall apply:

Not fewer than 10% of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of Affordable Housing Units required in a proposed development, any fractional unit shall be rounded up to the nearest whole number and shall be deemed to constitute a whole unit.

3.17.8.2 Affordable Housing Development Standards.

Affordable Units shall be:

- (a) Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
- (b) Dispersed throughout the development;
- (c) Located such that the units have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or Electric Vehicle charging stations) within the development;
- (d) Located such that the units have equal avoidance of any potential nuisances as market-rate units within the development;
- (e) Distributed proportionately among unit sizes; and
- (f) Distributed proportionately across each phase of a phased development.
- (g) Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis.

3.17.9 Site Plan Review.

3.17.9.1 Applicability.

Site Plan Review, as provided for in this Section 3.17, is required for all Multi-family housing projects within the Multi-Family Overlay District. Notwithstanding any other provision contained in the Zoning By-Law, except as expressly provided for in this Section 3.17, Multi-family housing projects are not subject to site plan or special permit review pursuant to Section 7.

3.17.9.2 Submission Requirements.

The Applicant shall submit the following site plan and supporting documentation as its application for Site Plan Review, unless waived in writing by the Planning and Community Development Director:

- (a) Locus plan;
- (b) Location of off-site structures within 100 feet of the property line;
- (c) All existing and all proposed building(s) showing setback(s) from the property lines;
- (d) Building elevation, to include penthouses, parapet walls and roof structures; floor plans of each floor; cross and longitudinal views of the proposed structure(s) in relation to the proposed site layout, together with an elevation line to show the relationship to the center of the street;
- (e) Existing and proposed contour elevations in one-foot increments;
- (f) Parking areas, including the type of space, dimensions of typical spaces, and width of maneuvering aisles and landscaped setbacks;
- (g) Driveways and access to site, including width of driveways and driveway openings;
- (h) Facilities for vehicular and pedestrian movement;
- (i) Drainage;
- (j) Utilities;
- (k) Landscaping including trees to be retained and removed;

- (l) Lighting;
- (m) Loading and unloading facilities;
- (n) Provisions for refuse removal; and
- (o) Projected traffic volumes in relation to existing and reasonably anticipated conditions based on standards from the Institute of Transportation Engineers and prepared by a licensed traffic engineer and including, if applicable, recommended traffic mitigation measures based on the traffic attributable to a particular project.

3.17.9.3 Timeline.

Upon receipt of an application for Site Plan Review for a project in the MFOD, the Site Plan Review Authority shall transmit a set of application materials to the Department of Public Works, Town Engineer, Police Department, Fire Department, Design Review Board, and to any other Town agency it deems appropriate, which shall each have thirty five (35) days to provide any written comment. Upon receipt of an application, the Site Plan Review Authority shall also notice a public hearing in accordance with the notice provisions contained in M.G.L. c.40A, §11. Site plan review shall be completed, with a decision rendered and filed with the Town Clerk, no later than 6 months after the date of submission of the application.

3.17.9.4 Site Plan Approval.

Site Plan approval for uses listed in Subsection 3.17.3 Permitted Uses shall be granted upon determination by the Site Plan Review Authority that the following criteria have been satisfied. The Site Plan Review Authority may impose reasonable conditions, at the expense of the applicant, to ensure that these criteria have been satisfied.

- (a) the Applicant has submitted the information as set forth in Subsection 3.17.8.2 Affordable Housing Development Standards; and
- (b) the project as described in the application meets the dimensional and density requirements contained in Subsection 3.17.5 Dimensional Regulations, the parking requirements contained in Subsection 3.17.6 Off-Street Parking, and the development standards contained in Subsection 3.17.7 Development Standards.

3.17.9.5 Waivers

When performing site plan review, the Planning Board may waive the requirements of Subsection 3.17.6 hereof and/or Subsection 5.1.3 Parking Plan and Design Requirements, or particular submission requirements.

When performing site plan review for a Multi-family Housing project that involves preservation of a structure listed in the National Register of Historic Places, the Massachusetts Register of Historical Places, the Inventory of Historic Assets for the Town of Needham, or is in pending for inclusion in any such register or inventory, the Planning Board as part of site plan review may reduce the applicable front, side or rear setbacks in this Section 3.17 by up to 40%.

3.17.9.6 Project Phasing.

An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Site Plan Review Authority, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased solely to avoid the provisions of Subsection 3.17.7 Affordable Housing.

3.17.10 Design Guidelines

The Planning Board may adopt and amend, by simple majority vote, Design Guidelines which shall be applicable to all rehabilitation, redevelopment, or new construction within the Multi-family Overlay District. Such Design Guidelines must be objective and not subjective and may contain graphics illustrating a particular standard or definition to make such standard or definition clear and understandable. The Design Guidelines for the Multi-family Overlay District shall be as adopted by the Planning Board and shall be available on file in the Needham Planning Department.

4. By amending the first paragraph of Section 7.7.2.2, Authority and Specific Powers, to add site plan reviews under Section 3.17 to the jurisdiction of the Design Review Board, so that this paragraph reads as follows:

The Design Review Board shall review requests for site plan review and approval submitted in accordance with Section 3.17 Multi-family Overlay District, Section 7.4 Site Plan Review and requests for special permits in accordance with Section 4.2.11 Planned Residential Development, Section 4.2.10 Flexible Development and Section 6.11 Retaining Walls and, for a minor project that only involves a change in the exterior façade of a building in the Center Business District, shall review and may approve such façade change.

5. By amending Section 7.7.3, Procedure, by inserting in the second paragraph, after the second sentence, a new sentence to read as follows:

Within fifteen (15) days of the meeting, a final advisory design review report shall be sent both to the applicant and to the Planning Board, when a site plan review is required under Section 3.17.

so that this paragraph reads as follows:

Within twenty (20) days of receipt of a Design Review application, the Design Review Board shall hold a meeting, to which the applicant shall be invited, for the purpose of conducting a review of the proposed project or activity. Within fifteen (15) days of the meeting, a preliminary design review report shall be sent to both the applicant and to the Planning Board, when a special permit is required under Sections 7.4, 4.2.11 and 4.2.10. Within fifteen (15) days of the meeting, a final advisory design review report shall be sent both to the applicant and to the Planning Board, when a site plan review is required under Section 3.17. However, if the proposed project or activity involves only a building permit or sign permit from the Building Commissioner, or is a “Minor Project” under Site Plan Review (all as described in Subsection 7.7.2.2), no preliminary report is required and the written advisory report of the Design Review Board to the applicant and the Building Commissioner shall be a final report.

Or take any other action relative thereto.

**ARTICLE 2: AMEND ZONING BY-LAW – MAP CHANGE FOR MULTI-FAMILY OVERLAY DISTRICT
(BASE PLAN)**

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

- (a) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and located directly to the south of Hamlin Lane as shown on Needham Town Assessors Map 200, Parcels 1 and 31, superimposing that district over the existing Apartment A-1 district, said description being as follows:

Beginning at the point of intersection of the easterly sideline of Greendale Avenue and the northerly sideline of Charles River; thence running westerly by the easterly line of Greendale Avenue, four hundred forty-two and 36/100 (442.36) feet, more or less; northeasterly by the southerly line of Hamlin Lane, five hundred thirty-five and 44/100 (535.44) feet, more or less; southeasterly by the southerly line of Hamlin Lane, twenty and 22/100 (20.22) feet, more or less; southeasterly by the land of the Commonwealth of Massachusetts, State Highway I-95, five hundred thirty-nine 11/100 (539.11) feet, more or less; southwesterly by the land of the Commonwealth of Massachusetts, State Highway I-95, four hundred sixty-six (466) feet, more or less; northwesterly by the northerly sideline of Charles River, two hundred seventy-six (276) to the point of beginning.

- (b) Place in the CSB Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and Single Residence B and located directly to the east and west of Chestnut Street as shown on Needham Town Assessors Map 47, Parcels 54, 72, 74-03, 74-04, 76, 77, 78, 79, 80, 83, 84, 85, 86, 87, 88, and 91, Needham Town Assessors Map 46, Parcels 12, 13, 14, 15, 16, 17, 18, 19, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, and 61 and Needham Town Assessors Map 45, Parcel 6, superimposing that district over the existing Chestnut Street Business and Single Residence districts, said description being as follows:

Beginning at the point of intersection of the easterly sideline of M.B.T.A and the southerly sideline of Keith Place; thence running southeasterly by the southerly sideline of Keith Place to the intersection with northerly sideline of Chestnut Street; southwesterly by the northerly sideline of Chestnut Street to the intersection with northerly sideline of Freeman Place; northeasterly to a point on the southerly sideline of Chestnut Street, approximately four hundred and ninety-five 88/100 (495.88) feet from the intersection with southerly sideline of School Street; southeasterly by the southerly property line of Deaconess-Glover Hospital Corporation, one hundred and eighty-seven 68/100 (187.68) feet, more or less; southwesterly by the easterly property line of Deaconess-Glover Hospital Corporation, ninety-six 74/100 (96.74) feet, more or less; southwesterly by the westerly property line of Chaltanya Kadem and Shirisha Meda, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Huard, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Reidy, ninety-seven 40/100 (97.40) feet, more or less; northeasterly by the northerly property line of L. Petrini & Son Inc, fifteen 82/100 (15.82) feet, more or less; southwesterly by easterly property line of L. Petrini & Son Inc, one hundred and seventy-seven 77/100 (177.77) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, one hundred and two 59/100 (102.59) feet, more or less; southwesterly by the easterly property line of L. Petrini & Son Inc, fifty 16/100 (50.16) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, seven 39/100 (7.39) feet, more or less; southwesterly by the easterly property of Briarwood Property LLC, seventy-five (75.00) feet, more or less; northeasterly by the easterly property of Briarwood Property LLC, one hundred (100) feet, more or less; southwesterly by the easterly property

of Briarwood Property LLC, two hundred and forty-nine 66/100 (249.66) feet, more or less; southeasterly by the southerly property of Briarwood Property LLC, two hundred ninety-three (293.28) feet, more or less; southwesterly by the easterly property of Veterans of Foreign Wars, one hundred and fifty (150) feet, more or less; northeasterly by the southerly property line of Veterans of Foreign Wars, eighty-five (85) feet, more or less; southwest by the easterly property of M.B.T.A, one hundred and sixty (160) feet, more or less; southeasterly by the northerly sideline of Junction Street to intersection with westerly sideline of Chestnut; southwesterly by the westerly sideline of Chestnut Street to intersection with northerly sideline of property of M.B.T.A; southwesterly by the southerly property line of Castanea Dentata LLC, two hundred and twenty-eight 81/100 (228.81) feet, more or less; southwesterly by the southerly property line of Castanea Dentata LLC, one hundred and eight 53/100 (108.53) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and thirty-six 6/100 (136.06) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and ten 10/100 (110.10) feet, more or less; thence running northeasterly by the easterly sideline of M.B.T.A. to the point of beginning.

- (c) Place in the IND Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located directly to the south and east of Denmark Lane as shown on Needham Town Assessors Map 132, Parcel 2, superimposing that district over the existing Industrial and Single Residence B districts, said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the southerly sideline of Great Plain Ave; thence running southwesterly by the westerly line of M.B.T.A, four hundred thirty-seven 24/100 (437.24) feet, more or less; southwesterly by the southerly property line of Denmark Lane Condominium, one hundred and eleven 17/100 (111.17) feet, more or less; northeasterly by the easterly property line of Denmark Lane Condominium, two hundred (200) feet, more or less; northwesterly by the southerly property line of Denmark Lane Condominium, one hundred and thirty-nine 75/100 (139.75) feet, more or less; northeasterly by the easterly sideline of Maple Street, one hundred and thirty-five (135) feet, more or less; southeasterly by the northerly property line of Denmark Lane Condominium, one hundred and forty (140) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, fifteen 20/100 (15.2) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, two 44/100 (2.44) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, thirty-three 35/100 (33.35) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, seventy-nine (79) feet, more or less; northwesterly by the northerly property line of Denmark Lane Condominium, thirteen 28/100 (13.28) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, forty-seven 50/100 (47.50) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, eighty-one 91/100 (81.91) feet, more or less; northeasterly by the southerly sideline of Great Plain Ave, twelve 28/100 (12.28) feet to the point of beginning.

- (d) Place in the CSB Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located directly to the east of Garden Street as shown on Needham Town Assessors Map 51, Parcels 17, 20, 22, 23, superimposing that district over the existing Chestnut Street Business district said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the northerly sideline of Great Plain Ave; thence running southwesterly by the northerly sideline of Great Plain Ave, nine 32/100 (9.32) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-three 17/100 (53.17) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 40/100 (56.40) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 92/100 (56.92) feet, more or less; northwesterly by the westerly property line of Town of Needham, on an arch length one hundred and twelve 99/100 (112.99) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifteen 10/100 (15.10) feet, more or less; northeasterly by the westerly property line of Town of Needham, one hundred and thirty-eight 83/100 (138.83) feet, more or less; southeasterly by the northerly property line of Town of Needham, thirty-three 42/100 (33.42) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, forty (40) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, eighty-one 99/100 (81.99) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, fifty-eighty 31/100 (58.31) feet, more or less; northeasterly by the easterly sideline of Garden Street to intersection with May Street; northeasterly by the southerly sideline of May Street, sixty-one 33/100 (61.33) feet, more or less; southwesterly by the westerly sideline of M.B.T.A to the point of beginning.

- (e) Place in the B Subdistrict of the Multi-family Overlay District a portion of land now zoned Business and Single Residence B and located directly to the west of Highland Avenue as shown on Needham Town Assessors Map 52, Parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, and Needham Town Assessors Map 226, Parcels 56, 57, and 58, superimposing that district over the existing Business and Single Residence B districts, said description being as follows:

Beginning at the point of intersection of the easterly sideline of M.B.T.A. and the northerly sideline of May Street; thence running northeasterly by the easterly sideline of M.B.T.A. to the intersection with southerly sideline of Rosemary Street; southeasterly by the southerly sideline of Rosemary Street to the intersection with easterly sideline of Highland Ave; southwesterly by the westerly sideline of Highland Avenue to the intersection with the northerly sideline of May St; southwesterly by the northerly sideline of May Street to the point of beginning.

- (f) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and located directly to east of Highland Avenue and north of May Street as shown on Needham Town Assessors Map 53, Parcels 1, 2 and 3, superimposing that district over the existing Apartment A-1 district, said description being as follows:

Beginning at the point of intersection of the northerly sideline of May Street and the westerly sideline of Oakland Avenue; thence running easterly by the northerly sideline of May Street to the intersection with easterly sideline of Highland Avenue; northeasterly by the easterly sideline of Highland Avenue to the intersection with southerly sideline of Oakland Avenue; southeasterly by the southerly sideline of Oakland Avenue: southerly by the westerly sideline of Oakland Avenue to the point of beginning.

- (g) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and located directly to the west of Hillside Avenue and north of Rosemary Street as shown on Needham Town Assessors Map 100 Parcels 1, 35, and 36, and Needham Town Assessors Map 101, Parcels 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, and 26, superimposing that district over the existing Apartment A-1 district, said description being as follows:

Beginning at the point of intersection of the northerly sideline of Rosemary Street and the easterly sideline of Concannon Circle; thence running northwesterly by the easterly sideline of Concannon Circle, one hundred and sixty (160) feet, more or less; northwesterly by the easterly property line of 15 Concannon Circle Realty Trust, two hundred and thirty-two 75/100 (232.75) feet, more or less; northwesterly by the easterly property line of L. Petrini and Son Inc, one hundred and forty-five 84/100 (145.84) feet, more or less; northeasterly by the northerly property line of L. Petrini and Son Inc, one hundred and twenty-five (125) feet, more or less; northwesterly by the westerly sideline of Tillotson Road, one hundred and twelve (112) feet, more or less; northeasterly across Tillotson Road to the northeasterly corner of the property of L. Petrini and Son Inc, forty (40) feet, more or less; northeasterly by the northerly property line of L. Petrini and Son Inc, one hundred and twenty-five (125) feet, more or less; northwesterly by the easterly property line of Petrini Corporation, one hundred and nineteen 94/100 (119.94) feet, more or less; northeasterly by the southerly property line of L. Petrini and Son Inc, one hundred and sixty-two (162) feet, more or less; northwesterly by the easterly property line of Rosemary Ridge Condominium, three hundred and twenty-eight (328) feet, more or less; northeasterly by the northerly property line of Rosemary Ridge Condominium, two hundred and ninety (290) feet, more or less; northeasterly by the northerly property line of Rosemary Ridge Condominium, one hundred and sixty-two 19/100 (162.19), more or less; northwesterly by the northerly property line of Rosemary Ridge Condominium, one hundred and thirty (130), more or less; southeasterly by the northerly property line of Rosemary Ridge Condominium, two hundred and forty-one 30/100 (241.30), more or less; southeasterly by the northerly property line of Pop Realty LLC, ninety-four 30/100 (94.30), more or less to westerly side of Hillside Avenue; southeasterly by the westerly sideline of Hillside Avenue to intersection with northerly sideline of Rosemary Street; southeasterly by the northerly sideline of Rosemary Street to the point of beginning.

- (h) Place in the IND Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial, Hillside Avenue Business, and Single Residence B and located directly to the east of Hillside Avenue and north of Rosemary Street as shown on Needham Town Assessors Map 100, Parcels 3, 4, 5, 7, 8, 9, 10, 11, 12, and 61, and Needham Town Assessors Map 101, Parcels 2, 3, 4, 5 and 6, superimposing that district over the existing Industrial, Hillside Avenue Business, and Single Residence B districts, said description being as follows:

Beginning at the point of intersection of the northerly sideline of Rosemary Street and the westerly sideline of M.B.T.A; thence running northwesterly by the northerly sideline of Rosemary Street to the intersection with easterly sideline of Hillside Avenue; northeasterly by the easterly sideline of Hillside Avenue to the intersection with southerly sideline of West Street; northeasterly by the southerly sideline of West Street to the intersection with the westerly sideline of M.B.T.A; southeasterly by the westerly sideline of M.B.T.A. to the point of beginning.

- (i) Place in the ASB-MF Subdistrict of the Multi-family Overlay District a portion of land now zoned Avery Square Business and Single Residence B and located directly to the west of Highland Avenue and south of West Street as shown on Needham Town Assessors Map 63, Parcel 37, superimposing that district over the existing Avery Square Business and Single Residence B districts, said description being as follows:

Beginning at the point of intersection of the easterly sideline of M.B.T.A. and the southerly sideline of West Street; thence running southeasterly by the southerly sideline of West Street, one hundred and sixty-one 48/100 (161.48) feet, more or less; southeasterly on arch, twenty-nine (27/100) 29.27 feet

to a point on the easterly sideline of Highland Avenue; southeasterly by the easterly sideline of Highland Avenue seven hundred and sixty-one (761.81) feet, more or less; northeasterly by the easterly sideline of Highland Avenue ten (10) feet, more or less; southeasterly by the easterly sideline of Highland Avenue seventy (70) feet, more or less; northwesterly by the southerly property line of HCRI Massachusetts Properties Trust II, one hundred and fifty (150) feet, more or less; southeasterly by the southerly property line of HCRI Massachusetts Properties Trust II, seventy (70) feet, more or less; southwestly by the southerly property line of HCRI Massachusetts Properties Trust II, one hundred and two 57/100 (102.57) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., three hundred and seventy-one 56/100 (371.56) feet, more or less; northwesterly by the easterly sideline of M.B.T.A., three 54/100 (3.54) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., three hundred and ninety-three 56/100 (393.56) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., one hundred and seventy-five 46/100 (175.46) feet to the point of beginning.

- (j) Place in the HAB Subdistrict of the Multi-family Overlay District a portion of land now zoned Hillside Avenue Business and located directly to the east of Hillside Avenue and north of West Street as shown on Needham Town Assessors Map 99, Parcels 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, superimposing that district over the existing Hillside Avenue district, said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A and the northerly sideline of West Street; thence running northwesterly by the northerly sideline of West Street to the intersection with easterly sideline of Hillside Avenue; northwesterly by the easterly sideline of Hillside Avenue to the intersection with northerly sideline of Hunnewell Street; northwesterly by the easterly sideline of Hillside Avenue, twenty-four 1/100 (24.01) feet to the angle point; northeasterly by the easterly sideline of Hillside Avenue, ninety-five 61/100 (95.61) feet, more or less; northeasterly by the northerly property line of Hillside Condominium, two hundred and twenty-one 75/100 (221.75) feet, more or less; northeasterly by the northerly property line of Hunnewell Needham LLC, eighteen 48/100 (18.48) feet, more or less; southwestly by the westerly sideline of M.B.T.A. to the point of beginning.

- (k) Place in the IND Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located at Crescent Road as shown on Needham Town Assessors Map 98, Parcels 40 and 41, and Needham Town Assessors Map 99, Parcels 38, 39, 40, 61, 62, 63, and 88, superimposing that district over the existing Industrial and Single Residence B districts, said description being as follows:

Beginning at the bound on easterly side of Hunnewell Street, approximately three hundred and thirty-two 35/100 (332.35) feet from the intersection with Hillside Avenue; thence running southwestly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-one 13/100 (191.13) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, sixty-eight 68/100 (68.75) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and thirty (130) feet, more or less; southeasterly by the easterly property line of Drack Realty LLC, seventy-three (73) feet, more or less; southwestly by the easterly property line of Drack Realty LLC, one hundred and forty (140) feet, more or less; northeasterly by the northerly property line of Lally, forty-one (41) feet, more or less; southeasterly by the easterly property line of Lally, seventy-five (75) feet, more or less;

southwesterly by the southerly property line of Lally, one hundred (100) feet, more or less; southwesterly to the center of Crescent Road, twenty (20) feet, more or less; southeasterly by the center of Crescent Road, twenty-nine (29) feet, more or less; southwesterly to a bound located twenty-nine feet from the angle point on the easterly side of Crescent Road; southwesterly by the southerly property line of 66 Crescent Road LL, four hundred and fifteen 60/100 (415.60) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-two 37/100 (52.37) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and sixty-two 37/100 (162.37) feet, more or less; southwesterly by the easterly property line of Town of Needham, forty-five 76/100 (45.76) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and forty-three 92/100 (143.92) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifteen 71/100 (15.71) feet, more or less; southwesterly by the easterly property line of Town of Needham, two hundred and forty-eight 40/100 (248.40) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-three 33/100 (53.33) feet, more or less; northeasterly by the northerly property line of 166 Crescent Road LLC, five hundred and fifty-five 68/100 (555.68) feet, more or less; northeasterly to the center of Crescent Road, twenty (20) feet, more or less; northwesterly by the center of Crescent Road, fifty-six 47/100 (56.47) feet, more or less; northeasterly to the bound located four 38/100 (4.38) feet from the end of the Crescent Road; northeasterly by the northerly property line of Microwave Development Laboratories Inc, one hundred and forty-six 29/100 (146.29) feet, more or less; southeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 82/100 (54.82) feet, more or less; northeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 21/100 (54.21) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-five 81/100 (195.81) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, seven (7) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, ninety-one (91) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and forty-two (142) feet, more or less; southeasterly by the easterly sideline of Hunnewell Street, twenty (20) feet to the point of beginning.

- (l) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and Single Residence B and located east and west of Highland Avenue at Cottage Avenue as shown on Needham Town Assessors Map 70, Parcels 24 and 25, superimposing that district over the existing Apartment A-1 and Single Residence B districts, said description being as follows:

Beginning at the point on the westerly sideline of Highland Avenue, two hundred and seventeen 63/100 (217.63) from the arch on Webster Street; thence running southwesterly by the westerly sideline of Highland Avenue, three hundred and seventeen (317) feet, more or less; southeasterly across Highland Avenue, fifty (50) feet to a point on the easterly sideline of Highland Avenue; southeasterly by the northerly property line of Avery Park Condominium, two hundred and seventy-eight 75/100 (278.75) feet, more or less; northeasterly by the northerly property line of Avery Park Condominium, sixty-one (61.51) feet, more or less; northeasterly by the northerly property line of Avery Park Condominium, one hundred and seventy-nine 70/100 (179.70) feet, more or less; southwesterly by the westerly sideline of Webster Street, thirty-one 16/100 (31.16) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and sixty-six 51/100 (166.51) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and five 59/100 (105.59) feet, more or less; southwesterly by the

southerly property line of Avery Park Condominium, one hundred and forty-four 62/100 (144.62) feet, more or less; northwesterly by the southerly property line of Avery Park Condominium, two hundred and seventy-seven 29/100 (277.29) feet, more or less; northwesterly across Highland Avenue, fifty (50) feet to a point on the westerly side of Highland Avenue: northwesterly by the southerly property line of Hamilton Highlands LLC, one hundred and fifty-nine 45/100 (159.45) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, ninety-seven 33/100 (97.33) feet, more or less; northwesterly by the northerly sideline of Cottage Avenue, forty (40) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, fifteen (15) feet, more or less; northwesterly by the southerly property line of Hamilton Highlands LLC, twenty-five 54/100 (25.54) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., five hundred and seventy-five 57/100 (575.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and forty-five 2/100 (145.02) feet, more or less; northeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and one 57/100 (101.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and eighty 18/100 (180.18) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, fifty-six 57/100 (56.57) feet to the point of beginning.

Or take any other action relative thereto.

ARTICLE 3: AMEND ZONING BY-LAW – MULTI-FAMILY OVERLAY DISTRICT (NEIGHBORHOOD HOUSING PLAN)

To see if the Town will vote to amend the Needham Zoning By-Law, inclusive of those amendments adopted under Article 1 and Article 2, as follows, and to act on anything related thereto:

1. Amending the definition of Mixed-Use Building in Section 1.3 to include the Multi-family Overlay District, so that the definition reads as follows:

Mixed-Use Building – A building in the Needham Center, Chestnut Street, Garden Street or Multi-family Overlay District in which the ground floor facing the street is used for such retail or restaurant uses as may be permitted by right or by special permit in the applicable overlay district, and other ground-floor and upper-floor space is used for other commercial use(s) or dwelling units(s), and subject to any additional qualifications provided for in the applicable overlay district.

2. Amending Section 3.17 Multi-family Overlay District by revising Subsection 3.17.2.1 Subdistricts to read as follows:

The Multi-family Overlay District contains the following sub-districts, all of which are shown on the MFOD Boundary Map and indicated by the name of the sub-district:

- (a) A-1
- (b) B
- (c) ASB-MF
- (d) CSB-E (Chestnut Street Business – East)
- (e) CSB-W (Chestnut Street Business – West)
- (f) CSB-GS
- (g) HAB
- (h) IND
- (i) IND-C (Industrial – Crescent)

3. Amending Subsection 3.17.1 Purposes of District by amending the last paragraph to read as follows:

Toward these ends, Multi-family housing and mixed-use development (where allowed) in the Multi-family Overlay District is permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the requirements of this Section 3.17.

4. Amending Subsection 3.17.4. Use Regulations, by adding the following paragraph (b) to Subsection 3.17.4.1 Permitted Uses:

3.17.4.1 Permitted Uses

- (b) In the B and CSB subdistricts: A Mixed-Use Building containing commercial use(s) on the ground floor, whether facing the street or otherwise, is permitted by right, provided that all upper floors shall be used as Multi-family Housing. Commercial uses are limited to the uses listed below:

- i. Retail establishments serving the general public containing less than 5,750 gross square feet of floor area. In multi-tenanted structures the provisions of the section will individually apply to each tenant or use and not to the aggregate total of the structure.
- ii. Retail trade or shop for custom work or the making of articles to be sold at retail on the premises.
- iii. Offices and banks.
- iv. Craft, consumer, professional or commercial service establishments dealing directly with the public and not enumerated elsewhere in this section.
- v. Personal fitness service establishment, provided all required off-street parking is provided on-site for all land uses located on the subject site and in adherence with the requirements of Section 5.1.2, Required Parking, absent any waivers from the provisions of Subsection 5.1.1.5 and 5.1.1.6.
- vi. Manufacturing clearly incidental and accessory to retail use on the same premises and the product is customarily sold on the premises.
- vii. Laundry; coin operated or self-service laundry or dry-cleaning establishment.

5. Amending Subsection 3.17.4. Use Regulations, by adding the following after Subsection 3.17.4.1 Permitted Uses and renumbering Subsection 3.17.4.2 Accessory Uses to 3.17.4.3:

3.17.4.2 Special Permit Uses in the B and CSB Subdistricts.

The following uses are permitted by Special Permit from the Planning Board in the B and CSB sub-districts of the Multi-family Overlay District:

- (a) A Mixed-Use Building containing commercial use(s) listed below on the ground floor, whether facing the street or otherwise, and provided that all upper floors shall be used as Multi-family Housing:
 - i. Restaurant serving meals for consumption on the premises and at tables with service provided by a server.
 - ii. Take-out operation accessory to the above.
 - iii. Take-out food counter as an accessory to a food retail or other non- consumptive retail establishment.
 - iv. Retail sales of ice cream, frozen yogurt, and similar products for consumption on or off the premises.
 - v. Take-out establishment primarily engaged in the dispensing of prepared foods to persons carrying food and beverage away for preparation and consumption elsewhere.

- vi. Personal fitness service establishment, where there is insufficient off-street parking on-site to serve all land uses located thereon in adherence with the requirements of Subsection 5.1.2 Required Parking but where it can be demonstrated that the hours, or days, of peak parking for the uses are sufficiently different that a lower total will provide adequately for all uses or activities served by the parking lot.

6. Amending Section 3.17 Multi-family Overlay District by replacing the tables in Subsection 3.17.5 Dimensional Requirements with the tables below, with all other text, including footnotes, contained in Subsection 3.17.5 to remain unamended unless noted below:

3.17.5. Dimensional Requirements

Replace the table in 3.17.5.1 Subsection Lot Area, Frontage and Setback Requirements with the tables below:

Table 1A. Lot Area, Frontage and Setback Requirements

	A-1	B	ASB-MF	HAB	IND
Minimum Lot Area (square feet)	20,000	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	120	80	80	80	80
Minimum Front Setback (feet) from the front property line	25	10	Minimum 10 Maximum 15 ^{e,f}	20	25
Minimum Side and Rear Setback (feet)	20	20 ^{a, b}	10 ^{a,d}	20 ^{a,b}	20 ^{a,b}

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Table 1B. Lot Area, Frontage and Setback Requirements

	CSB-E	CSB-W	CSB-GS	IND - C
Minimum Lot Area (square feet)	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	80	80	80	80
Minimum Front Setback (feet) from the front property line	Minimum of 5 feet or average of setbacks within 100 feet, whichever is smaller	Minimum of 5 feet or average of setbacks within 100 feet, whichever is smaller	Minimum of 10 feet or average of setbacks within 100 feet, whichever is smaller	25
Minimum Side and Rear Setback (feet)	20 (side) 30 (rear) ^{a, b}	20 ^{a, b}	20 ^{a, b}	20 ^{a, b}

And delete footnote (e).

And renumber footnote (f) as footnote (e).

And renumber footnote (g) as footnote (f).

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Replace the table in Subsection 3.17.5.2 Building Height Requirements with the tables below:

Table 2A. Building Height Requirements

	A-1	B	ASB-MF	HAB	IND
Maximum Building Height (stories) ^d	4.0	4.0 4.5 with commercial ground floor or see 3.17.8.1	3.0 ^c	3.0	3.0
Maximum Building Height (feet) ^{a,b,d}	50	50 55 with commercial ground floor or see 3.17.8.1	40 ^c	40	40

Table 2B. Building Height Requirements

	CSB-E	CSB-W	CSB-GS	IND - C
Maximum Building Height (stories) ^d	3.0 3.5 with commercial ground floor or see 3.17.8.1	4.0 4.5 with commercial ground floor or see 3.17.8.1	3.0 3.5 with commercial ground floor or see 3.17.8.1	3.0
Maximum Building Height (feet) ^{a,b,d}	40 45 with commercial ground floor or see 3.17.8.1	50 55 with commercial ground floor or see 3.17.8.1	40 45 with commercial ground floor or see 3.17.8.1	40

And add new footnote (d):

- (d) The requirements of Subsection 4.4.7 Business Use in Other Districts are not applicable to commercial ground floor uses in the MFOD.

Replace the table in Subsection 3.17.5.3 **Building Bulk and Other Requirements** with the tables below:

Table 3A. Building Bulk and Other Requirements

	A-1	B	ASB-MF	HAB	IND
Floor Area Ratio (FAR)	1.00	2.00	1.306 ^{b,c}	1.00	1.0
Maximum Building Coverage (%)	N/A	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre ^a	36	48N/A	N/A	24	24

Table 3B. Building Bulk and Other Requirements

	CSB-E	CSB-W	CSB-GS	IND - C
Floor Area Ratio (FAR)	2.00	2.00	2.00	0.75
Maximum Building Coverage (%)	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre ^a	N/A	N/A	N/A	24

7. Amending Section 3.17 Multi-family Overlay District by adding the following to Subsection 3.17.7 Development Standards, to read as follows:
 - (l) For a mixed-use building, entrances to ground-floor dwelling units shall be located on the side or rear of the building, not from any side facing the street, or the entrances may be from a first-floor lobby serving other uses in the building.
 - (m) For a mixed-use building, the ground floor of the front façade shall contain only retail or restaurant uses allowed by right or by special permit.
8. Amending Section 3.17 Multi-family Overlay District by adding a new paragraph to Subsection 3.17.8.1 Provision of Affordable Housing, immediately following the first paragraph, to read as follows:

3.17.8.1 Provision of Affordable Housing.

In the B and CSB subdistricts, an Applicant may provide an additional 7.5% of units as Workforce Housing Units in place of the requirement for a commercial ground floor to achieve the additional allowable height listed in Tables 2A and 2B under Subsection 3.17.5.2 Building Height Requirements.
9. Amending Section 3.17 Multi-family Overlay District by modifying the first line of Subsection 3.17.8.2 Affordable Housing Development Standards to read as follows:

Affordable Units, including Workforce Housing Units, shall be:

Or take any other action relative thereto.

ARTICLE 4: **AMEND ZONING BY-LAW – MAP CHANGE FOR MULTI-FAMILY OVERLAY DISTRICT (NEIGHBORHOOD HOUSING PLAN)**

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map, inclusive of those changes adopted under Article 2, as follows:

- (a) Place in the CSB-W Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located directly to the west of Chestnut Street as shown on Needham Town Assessors Map 47, Parcels 72, 74-03, 74-04, 76, 77, 78, 79, 80, 83, 84, 85, 86, 87, 88, and 91, and Needham Town Assessors Map 46, Parcels 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, and 61, superimposing that district over the existing Chestnut Street Business district and removing the existing CSB Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the point of intersection of the easterly sideline of M.B.T.A and the southerly sideline of Keith Place; thence running southeasterly by the southerly sideline of Keith Place to the intersection with westerly sideline of Chestnut Street; southwesterly by the westerly sideline of Chestnut Street to the intersection with northerly sideline of property of M.B.T.A; northeasterly by the northerly sideline of M.B.T.A; northeasterly by the easterly sideline of M.B.T.A. to the point of beginning.

- (b) Place in the CSB-E Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and Single Residence B and located directly to the east of Chestnut Street as shown on Needham Town Assessors Map 46, Parcels 12, 13, 14, 15, 16, 17, 18, 19, 32, 33 and 34 superimposing that district over the existing Chestnut Street Business and Single Residence districts and removing the existing CSB Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the point on the easterly sideline of Chestnut Street, approximately four hundred and ninety-five 88/100 (495.88) feet from the intersection with southerly sideline of School Street; southeasterly by the southerly property line of Deaconess-Glover Hospital Corporation, one hundred and eighty-seven 68/100 (187.68) feet, more or less; southwesterly by the easterly property line of Deaconess-Glover Hospital Corporation, ninety-six 74/100 (96.74) feet, more or less; southwesterly by the westerly property line of Chaltanya Kadem and Shirisha Meda, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Huard, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Reidy, ninety-seven 40/100 (97.40) feet, more or less; northeasterly by the northerly property line of L. Petrini & Son Inc, fifteen 82/100 (15.82) feet, more or less; southwesterly by easterly property line of L. Petrini & Son Inc, one hundred and seventy-seven 77/100 (177.77) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, one hundred and two 59/100 (102.59) feet, more or less; southwesterly by the easterly property line of L. Petrini & Son Inc, fifty 16/100 (50.16) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, seven 39/100 (7.39) feet, more or less; southwesterly by the easterly property of Briarwood Property LLC, seventy-five (75.00) feet, more or less; northeasterly by the easterly property of Briarwood Property LLC, one hundred (100) feet, more or less; southwesterly by the easterly property of Briarwood Property LLC, two hundred and forty-nine 66/100 (249.66) feet, more or less; southeasterly by the southerly property of Briarwood Property LLC, two hundred ninety-three (293.28) feet, more or less; southwesterly by the easterly property of Veterans of Foreign Wars, one hundred and fifty (150) feet, more or less;

northeasterly by the southerly property line of Veterans of Foreign Wars, eighty-five (85) feet, more or less; southwest by the easterly property of M.B.T.A, one hundred and sixty (160) feet, more or less; southeasterly by the northerly sideline of Junction Street to intersection with easterly sideline of Chestnut; northeasterly by the easterly sideline of Chestnut Street to the point of beginning.

- (c) Place in the CSB-E Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located at 433 Chestnut Street as shown on Needham Town Assessors Map 45, Parcel 6, superimposing that district over the existing Chestnut Street Business district and removing the existing CSB Subdistrict of the Multi-family Overlay District, said description being as follows:

Starting at the point of intersection of the westerly sideline of Chestnut Street and the southerly sideline of M.B.T.A.; southerly by the westerly sideline of Chestnut Street to the intersection with northerly sideline of M.B.T.A.; southwesterly by the southerly property line of Castanea Dentata LLC, two hundred and twenty-eight 81/100 (228.81) feet, more or less; southwesterly by the southerly property line of Castanea Dentata LLC, one hundred and eight 53/100 (108.53) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and thirty-six 6/100 (136.06) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and ten 10/100 (110.10) feet, more or less; running northeasterly by the easterly sideline of M.B.T.A. to the point of beginning.

- (d) Place in the CSB-GS Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located directly to the east of Garden Street as shown on Needham Town Assessors Map 51, Parcels 17, 20, 22, 23, superimposing that district over the existing Chestnut Street Business district and removing the existing CSB Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the northerly sideline of Great Plain Ave; thence running southwesterly by the northerly sideline of Great Plain Ave, nine 32/100 (9.32) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-three 17/100 (53.17) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 40/100 (56.40) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 92/100 (56.92) feet, more or less; northwesterly by the westerly property line of Town of Needham, on an arch length one hundred and twelve 99/100 (112.99) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifteen 10/100 (15.10) feet, more or less; northeasterly by the westerly property line of Town of Needham, one hundred and thirty-eight 83/100 (138.83) feet, more or less; southeasterly by the northerly property line of Town of Needham, thirty-three 42/100 (33.42) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, forty (40) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, eighty-one 99/100 (81.99) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, fifty-eighty 31/100 (58.31) feet, more or less; northeasterly by the easterly sideline of Garden Street to intersection with May Street; northeasterly by the southerly sideline of May Street, sixty-one 33/100 (61.33) feet, more or less; southwesterly by the westerly sideline of M.B.T.A to the point of beginning.

- (e) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located directly to the south and east of Denmark Lane as shown on Needham Town Assessors Map 132, Parcel 2, superimposing that district over the existing Industrial

and Single Residence B districts, and removing the existing IND Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the southerly sideline of Great Plain Ave; thence running southwesterly by the westerly line of M.B.T.A, four hundred thirty-seven 24/100 (437.24) feet, more or less; southwesterly by the southerly property line of Denmark Lane Condominium, one hundred and eleven 17/100 (111.17) feet, more or less; northeasterly by the easterly property line of Denmark Lane Condominium, two hundred (200) feet, more or less; northwesterly by the southerly property line of Denmark Lane Condominium, one hundred and thirty-nine 75/100 (139.75) feet, more or less; northeasterly by the easterly sideline of Maple Street, one hundred and thirty-five (135) feet, more or less; southeasterly by the northerly property line of Denmark Lane Condominium, one hundred and forty (140) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, fifteen 20/100 (15.2) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, two 44/100 (2.44) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, thirty-three 35/100 (33.35) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, seventy-nine (79) feet, more or less; northwesterly by the northerly property line of Denmark Lane Condominium, thirteen 28/100 (13.28) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, forty-seven 50/100 (47.50) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, eighty-one 91/100 (81.91) feet, more or less; northeasterly by the southerly sideline of Great Plain Ave, twelve 28/100 (12.28) feet to the point of beginning.

- (f) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Single Residence B and located directly to the west of Highland Avenue and north of Hunnewell Street as shown on Needham Town Assessors Map 69, Parcel 37, superimposing that district over the existing Single Residence B district, said description being as follows:

Beginning at the point of intersection of the easterly sideline of the M.B.T.A and the northerly sideline of Hunnewell Street; thence running northwesterly by the easterly sideline of the M.B.T.A., on an arch one hundred and twenty-one 22/100 (121.22) feet, more or less; southeasterly by the northerly property line of The Suites of Needham LLC, one hundred and sixty 23/100 (160.23) feet, more or less; southwesterly by the easterly sideline of Highland Avenue to the intersection with northerly sideline of Hunnewell Street; northwesterly by the northerly sideline of Hunnewell Street to the point of beginning.

- (g) Remove from the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and Single Residence B and located east and west of Highland Avenue at Cottage Avenue as shown on Needham Town Assessors Map 70, Parcels 24 and 25, said description being as follows:

Beginning at the point on the westerly sideline of Highland Avenue, two hundred and seventeen 63/100 (217.63) from the arch on Webster Street; thence running southwesterly by the westerly sideline of Highland Avenue, three hundred and seventeen (317) feet, more or less; southeasterly across Highland Avenue, fifty (50) feet to a point on the easterly sideline of Highland Avenue; southeasterly by the northerly property line of Avery Park Condominium, two hundred and seventy-eight 75/100 (278.75) feet, more or less; northeasterly by the northerly property line of Avery Park Condominium, sixty-one (61.51) feet, more or less; northeasterly by the northerly property line of

Avery Park Condominium, one hundred and seventy-nine 70/100 (179.70) feet, more or less; southwesterly by the westerly sideline of Webster Street, thirty-one 16/100 (31.16) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and sixty-six 51/100 (166.51) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and five 59/100 (105.59) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and forty-four 62/100 (144.62) feet, more or less; northwesterly by the southerly property line of Avery Park Condominium, two hundred and seventy-seven 29/100 (277.29) feet, more or less; northwesterly across Highland Avenue, fifty (50) feet to a point on the westerly side of Highland Avenue: northwesterly by the southerly property line of Hamilton Highlands LLC, one hundred and fifty-nine 45/100 (159.45) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, ninety-seven 33/100 (97.33) feet, more or less; northwesterly by the northerly sideline of Cottage Avenue, forty (40) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, fifteen (15) feet, more or less; northwesterly by the southerly property line of Hamilton Highlands LLC, twenty-five 54/100 (25.54) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., five hundred and seventy-five 57/100 (575.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and forty-five 2/100 (145.02) feet, more or less; northeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and one 57/100 (101.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and eighty 18/100 (180.18) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, fifty-six 57/100 (56.57) feet to the point of beginning.

- (h) Place in the IND-C Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located at Crescent Road as shown on Needham Town Assessors Map 98, Parcels 40 and 41, and Needham Town Assessors Map 99, Parcels 38, 39, 40, 61, 62, 63, and 88, superimposing that district over the existing Industrial and Single Residence B districts, and removing the existing IND Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the bound on easterly side of Hunnewell Street, approximately three hundred and thirty-two 35/100 (332.35) feet from the intersection with Hillside Avenue; thence running southwesterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-one 13/100 (191.13) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, sixty-eight 68/100 (68.75) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and thirty (130) feet, more or less; southeasterly by the easterly property line of Drack Realty LLC, seventy-three (73) feet, more or less; southwesterly by the easterly property line of Drack Realty LLC, one hundred and forty (140) feet, more or less; northeasterly by the northerly property line of Lally, forty-one (41) feet, more or less; southeasterly by the easterly property line of Lally, seventy-five (75) feet, more or less; southwesterly by the southerly property line of Lally, one hundred (100) feet, more or less; southwesterly to the center of Crescent Road, twenty (20) feet, more or less; southeasterly by the center of Crescent Road, twenty-nine (29) feet, more or less; southwesterly to a bound located twenty-nine feet from the angle point on the easterly side of Crescent Road; southwesterly by the southerly property line of 66 Crescent Road LL, four hundred and fifteen 60/100 (415.60) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-two 37/100 (52.37) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and sixty-two 37/100 (162.37) feet, more or less; southwesterly by the easterly property line of Town of

Needham, forty-five 76/100 (45.76) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and forty-three 92/100 (143.92) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifteen 71/100 (15.71) feet, more or less; southwesterly by the easterly property line of Town of Needham, two hundred and forty-eight 40/100 (248.40) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-three 33/100 (53.33) feet, more or less; northeasterly by the northerly property line of 166 Crescent Road LLC, five hundred and fifty-five 68/100 (555.68) feet, more or less; northeasterly to the center of Crescent Road, twenty (20) feet, more or less; northwesterly by the center of Crescent Road, fifty-six 47/100 (56.47) feet, more or less; northeasterly to the bound located four 38/100 (4.38) feet from the end of the Crescent Road; northeasterly by the northerly property line of Microwave Development Laboratories Inc, one hundred and forty-six 29/100 (146.29) feet, more or less; southeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 82/100 (54.82) feet, more or less; northeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 21/100 (54.21) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-five 81/100 (195.81) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, seven (7) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, ninety-one (91) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and forty-two (142) feet, more or less; southeasterly by the easterly sideline of Hunnewell Street, twenty (20) feet to the point of beginning.

Or take any other action relative thereto.

MBTA Communities Act Zoning
Student Projections vs. Actuals 09/2024

◊ In September 2024, RKG Associates updated student enrollment projections to (1) apply a more conservative student generation rate to 2-bedroom units and (2) to account for increased unit capacity in the Avery Square Business District due to a change in the allowed building size.
◊ The updated projections are consistent with the student generation rates that Needham has experienced over the last five years from the three largest multi-family housing developments in town.
◊ The Town conferred with McKibben Demographics, the consultant responsible for annual enrollment projections for the Needham Public Schools. McKibben agreed with the assumptions below.

RKG Projections (09/2024 update)	Units	Students
Base Plan - Likely Build	465	62
Base Plan - Full Build	1924	243
Neighborhood Housing Plan - Likely Build	1342	171
Neighborhood Housing Plan - Full Build	3350	422

Actuals: Children Attending NPS from Specific Developments	FY21	FY22	FY23	FY24	FY25	Average	Units	student generation rate per unit
Charles River Landing (300 2nd Avenue)	18	14	14	17	21	16.8	350	0.048
Kendrick (275 2nd Avenue)	46	50	58	50	45	49.8	390	0.128
Modera (700 Greendale Ave)	41	41	38	45	45	42	136	0.309
Total	105	105	110	112	111	108.6	876	0.124

Source: Needham Public Schools

Actuals: Unit Distribution	studio & one-bed	%	two-bed	%	three-bed	%	Total Units	
Charles River Landing (300 2nd Avenue)	244	70	106	30	0	0	350	25% affordable
Kendrick (275 2nd Avenue)	202	52	149	38	39	10	390	25% affordable
Modera (700 Greendale Ave)	19	14	103	76	14	10	136	25% affordable
Total	465	53%	358	41%	53	6%	876	

Source: Town of Needham

RKG Assumptions: Unit Distribution	studio & one-bed	55%	two-bed	35%	three-bed	10%		
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Source: CoStar (note: 10% studios, 45% one-beds)

MBTA Communities Act Zoning
Student Projections vs. Actuals 09/2024

RKG Assumptions: Student Generation (this example is the Neighborhood Housing Plan Likely Build Out)	Unit Breakdown	Unit Breakdown: Detailed		% unit type assumptions	projected # units	RKG student rate	projected # students	Student Generation Rate per Unit
total number of units	1342	MARKET (87.5% of total units)	studio	10	117.43	0.00	0.00	
total market (87.5%)	1174.25		one bed	45	528.41	0.00	0.00	
total affordable (12.5%)	167.75		two bed	35	410.99	0.16	65.76	
			three bed	10	117.43	0.50	58.71	
				<i>Subtotal</i>	1174.25		124.47	
		AFFORD- ABLE (12.5% of total units)	studio	10	16.78	0.00	0.00	
			one bed	45	75.49	0.00	0.00	
			two bed	35	58.71	0.38	22.31	
			three bed	10	16.78	1.20	20.13	
				<i>Subtotal</i>	167.75		42.44	
				Total	1342		167	0.124
				w/rounding	1342		171	0.127

Sources: Student rates from Residential Demographic Multipliers, Needham Public Schools actuals. Assumptions affirmed by McKibben Demographics. Market vs. affordable % determined by the zoning language.

MBTA Communitas Act Zoning
School Capacity Analysis 09/24

- ◊ In September 2024, RKG Associates updated student enrollment projections to (1) apply a more conservative student generation rate to 2-bedroom units and (2) to account for increased unit capacity in the Avery Square Business District due to a change in the allowed building size.
- ◊ Below, the updated projections are put into context of the Needham Public Schools' Master Plan to understand potential capital impacts.
- ◊ The School Committee's preferred master plan scenarios (C1a and C2 below) would accommodate the student projections for both the Base Plan and the Neighborhood Housing Plan Likely build outs at the elementary and middle school levels.
- ◊ The student projections from the Neighborhood Housing Plan Likely Build Out would exceed Needham High School capacity (1800 seats) by 11 students (or < 1%).

Data & Assumptions	Elementary	Middle	High School	Sources
McKibben peak enrollment projections through 2039	2628	1349	1725	McKibben Report, Dec 2023; elementary peak is 2038-39, middle peak is 2030-31, high school peak is 2034-35
RKG student projections (see tables below)				Updated analysis 09/2024
% NPS student enrollment by level (2024-25)	46%	23%	30%	McKibben Report, Dec 2023
Addition of RKG projections to McKibben peak enrollment	Assumes ALL students generated from zoning enter elementary school at the same time.	Assumes ALL students generated from zoning enter middle school at the same time.	Assumes HALF students generated from zoning enter high school at the same time.	This is a conservative application of the projections compared to the actual % students enrolled by level in NPS. Adding all RKG projections to middle school is particularly conservative, but provides added certainty as feasibility for this project is underway.
Enrollment Capacity under School Master Plan Scenario C1a: Renovate Pollard for grades 6-8, High Rock becomes a 6th elementary school, Mitchell renovated as 3-section school	2854	1624	1800	Dore & Whittier (school master plan consultant)
Enrollment Capacity under School Master Plan Scenario C2: Same as C1a scenario except Mitchell renovated as 4-section school	2983	1624	1800	Dore & Whittier (school master plan consultant)

BASE PLAN LIKELY BUILD	Elementary	Middle	High School
McKibben peak enrollment projection (FY25-39)	2628	1349	1725
additional RKG enrollment projection	62	62	31
Total Enrollment Projection	2690	1411	1756
School Master Plan C1A Capacity	2854	1624	1800
C1A Capacity vs. total enrollment projection	164	213	44
School Master Plan C2 Capacity	2983	1624	1800
C2 Capacity vs. total enrollment projection	293	213	44

MBTA Communitas Act Zoning
School Capacity Analysis 09/24

BASE PLAN FULL BUILD	Elementary	Middle	High School
McKibben peak enrollment projection (FY25-39)	2628	1349	1725
additional RKG enrollment projection	243	243	122
Total Enrollment Projection	2871	1592	1847
School Master Plan C1A Capacity	2854	1624	1800
C1A Capacity vs. total enrollment projection	(17)	32	(47)
School Master Plan C2 Capacity	2983	1624	1800
C2 Capacity vs. total enrollment projection	112	32	(47)

NEIGHBORHOOD HOUSING PLAN LIKELY BUILD	Elementary	Middle	High School
McKibben peak enrollment projection (FY25-39)	2628	1349	1725
additional RKG enrollment projection	171	171	86
Total Enrollment Projection	2799	1520	1811
School Master Plan C1A Capacity	2854	1624	1800
C1A Capacity vs. total enrollment projection	55	104	(11)
School Master Plan C2 Capacity	2983	1624	1800
C2 Capacity vs. total enrollment projection	184	104	(11)

NEIGHBORHOOD HOUSING PLAN FULL BUILD	Elementary	Middle	High School
McKibben peak enrollment projection (FY25-39)	2628	1349	1725
additional RKG enrollment projection	422	422	211
Total Enrollment Projection	3050	1771	1936
School Master Plan C1A Capacity	2854	1624	1800
C1A Capacity vs. total enrollment projection	(196)	(147)	(136)
School Master Plan C2 Capacity	2983	1624	1800
C2 Capacity vs. total enrollment projection	(67)	(147)	(136)

The following comments were received
prior
to the close of the public hearing.

Alexandra Clee

From: Lee Newman
Sent: Thursday, September 12, 2024 2:35 PM
To: Alexandra Clee
Subject: Fwd: MBTA Communities law compliance zoning articles

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

From: Jeanne McKnight <jeannemcknight@comcast.net>
Sent: Thursday, August 29, 2024 1:47:52 PM
To: Lee Newman <LNewman@needhamma.gov>
Subject: MBTA Communities law compliance zoning articles

Lee:

The internet is down at our vacation cottage, so I'm working at the public library. I have some non-substantive edits to share re: Article 1 (I haven't reviewed Article 2 yet). I don't have printouts (no printer) but if you could e-mail me the "final" articles that were sent to the Select Board, there is a Fed Ex shop that will print stuff out for me. Also, if I had the Word version of the articles, I could make an e-copy to work from on my computer to create a redlined version. For now, let me share my comments on Article 1.

p. 5, Section 3.17.5.1 fn (f) "setback" should be "set back" ("setback" is a noun; "set back" is a verb).

p. 7, Section 3.17.5.5 should be "...Multi-family housing projects shall not be required to include units with age restrictions, nor be required to limit or restrict unit size or the number or size of bedrooms or be subject to a cap on the number of occupants in each unit."

p. 9, Section 3.17.8.1 – is the 2nd paragraph needed if EOHLC approves 12 ½ % prior to adoption of these ZBL amendments? Might it be deleted from the final Warrant version?

p. 9, Section 3.17.8.2 – should the title be "Affordable Housing Development Standards" to distinguish this section from Section 3.17.7 "Development Standards"?

p. 11, Section 3.17.9.1 – Applicability – should reference to "this Section 3.17" be "this Section 3.17.9"?

p. 12, Section 3.17.9.4 – Site Plan Approval – change reference to "3.17.82 Development Standards" to "3.17.8.2 "Affordable Housing Development Standards."

I hope these non-substantive comments are helpful. I don't want to speak to this list myself at the Sept. 5th hearing – to much "in the weeds" as they say.

Jeanne

Alexandra Clee

From: Jake Shapiro <jshapi@gmail.com>
Sent: Thursday, September 5, 2024 4:29 PM
To: Planning
Subject: Stormwater and MBTA Communities

Planning board and HONE,

This email and question are related to the MBTA communities presentation prepared for 9/5/2024 ([link](#)) and the impact on stormwater drainage in Needham.

In the presentation deck, slide 28 identifies the site plan review process for proposed real estate developments that will be allowed, by right, if the compliance or neighborhood plans are passed by town meeting. With regard to stormwater management, the text reads:

The Board can apply limited, reasonable conditions, which may include modifying lighting, adding fencing, **reviewing stormwater design for compliance with applicable standards**, and adjusting parking layout and other structural elements on the site plan.

Given the known flooding issues in Needham as revealed by the flood on 8/8/2023 and previous floods, **how is the planning board and HONE planning to protect properties adjacent to new new zoning from stormwater runoff and groundwater displacement?**

My questions to the planning board are?

1. What are the current applicable standards for stormwater design and are they sufficient?
2. Do these standards take into account the impact of stormwater that is diverted to adjacent properties?
3. Do these standards address groundwater displacement through construction of underground structures?
4. How does the planning board plan to ensure that neighboring properties are not impacted by water run-off?
5. What are the incremental projections for both impervious surfaces as well as ground water displacement for the base compliance and communities plans?

To vote yes on either of these plans, it's important to know how the planning board and HONE plan to mitigate stormwater issues beyond citing the current standards, which may be insufficient with increasing wet weather in the coming years.

Thank you,
Jacob Shapiro
TMM Precinct F



September 5, 2024

Ms. Natasha Espada, Chair
Needham Planning Board

Re: Needham's MBTA Communities/Multi-Family Zoning Proposal

Dear Ms. Espada,

On behalf of the League of Women Voters of Needham, I would like to share comments related to Needham's MBTA Communities/Multi-Family Zoning Proposal.

Our Board of Directors has not had a chance to meet since these zoning proposals were finalized and therefore has not voted on supporting the final articles. However, we have previously endorsed the 2022 Town of Needham Housing Plan. As we stated then at a public hearing, our past studies have resulted in us reaching consensus to support increasing the amount of affordable housing in Needham. These proposals do in fact allow Needham to have more affordable housing. They would ensure that at least one in eight housing units constructed would be for residents that do not exceed certain income levels.

Further, we fully endorsed the draft Housing Plan back in 2022, a key component of which was to comply with the then newly- enacted State law requiring towns with MBTA services to create zoning districts that facilitate the construction of more multi-family housing. These positions remain part of our views.

Thank you for the opportunity to share our thoughts on these important articles.

Sincerely,

Carol Patey, President
League of Women Voters of Needham

The following comments were received
after
the close of the public hearing.

Alexandra Clee

From: Timothy McDonald
Sent: Friday, September 6, 2024 10:00 AM
To: Lee Newman; Alexandra Clee
Subject: BOH Feedback on MBTA Communities Act Zoning

Good morning, Lee and Alex.

Please share this email with the Planning Board at, or in advance of, tonight's hearing.

The Board of Health appreciates the opportunity to provide feedback and comment on the MTBA Communities Zoning Proposal. **At its just concluded meeting this morning, the Board of Health voted to support the need for more housing.**

Housing is a key social determinant of health and as such the Board of Health has long engaged in efforts to increase the availability, affordability and accessibility of housing in the community. Research shows that health outcomes throughout the lifespan track closely to whether or not an individual at any age has access to appropriate and affordable housing. (1) Such housing frees financial resources for nutritious food and healthcare costs. Stable, affordable housing also reduces stress and improves mental health. (2) This is especially the case for individuals ages 65 and older.

The Board offer its support for the adoption of the base compliance zoning and its strong support for the concepts behind the Neighborhood Housing Plan. The Board anticipates making a recommendation, along with a policy statement, in advance of Town Meeting, and looks forward to reviewing the final text of the warrant articles following the Planning Board's hearing.

Thanks,
TMM

- 1) *"Housing And Health: An Overview of The Literature," Health Affairs Health Policy Brief, June 7, 2018. DOI: 10.1377/hpb20180313.396577*
2) *Maqbool N, Viveiros J, Ault M. The Impacts of Affordable Housing on Health: A Research Summary. Center for Housing Policy. 2015.*

Timothy Muir McDonald
He/Him/His ([What's this?](#))

Director, Needham Department of Health & Human Services

Rosemary Recreation Complex
178 Rosemary Street
Needham, MA 02494

Public Health Division Office: 781-455-7940
Public Health Division Fax: 781-455-7922
Email: tmcdonald@needhamma.gov



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

Alexandra Clee

From: LYNNE STRATFORD <lstratford6@aol.com>
Sent: Saturday, September 7, 2024 10:48 PM
To: Planning
Subject: MBTA REZONING

09/07/2024

Dear Planning Board,

I attended another town meeting on the MBTA rezoning plans, and it struck me once again that while the focus is on future housing needs for new residents, there is little to no mention of the people who have already made significant investments in this town. The current homeowners—who have poured their savings and income into buying and maintaining their homes—seem to be an afterthought.

These are the same residents who will be expected to fund the increased operational and capital costs that come with this proposed rezoning, should it pass. They deserve to be considered. Their investments matter.

Imagine purchasing a home for \$1.5 million just two years ago, surrounded by trees and similar properties. Naturally, you'd expect your property to retain its value and appreciate over time. Now, imagine the landscape around you changes, with multi-family buildings rising three or four stories high. Your view, sunlight, peace, and neighborhood traffic are all altered, and your property's value declines as a result. This is not hypothetical—this is the likely outcome, and perhaps the reason why areas like Hersey Station were conveniently excluded from the rezoning plans.

I urge you to slow down. Let the courts resolve the constitutional questions surrounding this law. If we must proceed, we should do so with extreme caution, and with a conservative compliance plan that protects current residents. Our homeowners deserve more than to be sidelined in the rush to meet state mandates. Their investments, their quality of life, and their future in this town should be just as important as any future development.

Sincerely,

Lynne Stratford

469 Webster Street

Needham, MA 02494

lstratford6@aol.com

Alexandra Clee

From: kdfox@comcast.net
Sent: Sunday, September 8, 2024 1:06 PM
To: Planning
Subject: Statement on proposed MBTA rezoning

The MBTA rezoning is an issue for all of us residents and small business owners in Needham but you are the ones who have done so much work. I want to thank you all for the countless effort you have put and are putting in.

It seems *wise to wait for the Court decision* on the constitutionality of the MBTA rezoning before taking such an irrevocable step.

We keep hearing **assurances from the consultants which seemed to be based on unverifiable assumptions.**

As a former member of the Massachusetts State Board of Education, I have been especially interested in the impact on our students.

In the consultants' report there was a number of \$12,000 plus expense per student. According to "US News and World Report", we actually spend more than \$21,000.

There is a line in the report saying that we might have to consider portable classrooms or larger class sizes - serious red flags!.

At first, it was assumed that there would be 8 students per 100 households (versus 50 in the whole town), now it is assumed there will be 13... That seemed to be based on our current multi-family housing, which is mostly older people down-sizing. Since that group will not fill 3200 units, we cannot assume the new units will have similar resident characteristics.

The law states that units cannot be designed to discourage children or be specifically designated for seniors. That would seem to require two or more bedrooms. That many bedroom will attract people with children or cars or both.

When a family has a new baby, they are delighted but they know the child brings added responsibilities and cost. This prudence seems to be lacking in the information the consultant has provided.

At the meeting the other night, we learned that each unit will have one parking space, *thus making the traffic projections work.*

People who have more than one car either will not be attracted to the units or, more likely, will move in, park illegally, and lobby for changes in parking regulations in Needham. Those chairs on the streets in Somerville are hardly what we want.

At the meeting, also, we were shown actual projections of the revenue each plan would generate and were assured these would cover costs to the town. As far as we know, the actual coasts for

infrastructure, water, etc. have not been studied. This seems, again, like a case of **assurances based on unverifiable assumptions**.

If any one of us were having work done around our house, we certainly would not proceed on assurances based on unverifiable assumptions. It would be a shame for us, collectively, to be led down that path.

Anne Fox
238 Edgewater Drive

Alexandra Clee

From: Lee Newman
Sent: Friday, September 13, 2024 11:03 AM
To: Alexandra Clee
Subject: FW: MBTA Zoning

From: Jeanne McKnight <jeannemcknight@comcast.net>
Sent: Sunday, September 8, 2024 6:31 PM
To: Lee Newman <LNewman@needhamma.gov>
Subject: RE: MBTA Zoning

Lee:

Re-entry after a 5-week vacation has been challenging, but I finally got around to reviewing Article 3, and I have 3 comments/questions:

p. 19. Article Item 4, **3.17.4.1 Permitted Uses**

- change the title of this section to: **3.12.4.1. Permitted Uses in the B and CSB Subdistricts** – this change would match the section 3.17.4.2. heading.
- In subsection iv, “commercial service established” should be “commercial service establishment” but “service established” is the phrase used in ZBL section 3.2, so maybe making this change would be too complicated at this point.

p. 21 Article Item 5, **Dimensional Requirements** [replacing the table in Section 3.17.5.1 with two tables]. Why under **ASB-MF** in the Minimum Front Setback line, have the references to footnotes (f) & (g) been eliminated? Don't we still want these limitations?

p. 23. Article Item 9, Amending Section 3.17 Multi-family Overlay District by modifying the first line of Subsection 3.17.8.2 Development Standards to read as follows: - should be 3.17.8.2. Affordable Housing Development Standards if, per my comments on Article 1, the title of this Section is changed in Article .

Jeanne

From: Lee Newman <LNewman@needhamma.gov>
Sent: Thursday, August 29, 2024 2:02 PM
To: Jeanne McKnight (jeannemcknight@comcast.net) <jeannemcknight@comcast.net>
Subject: MBTA Zoning

As we discussed, attached is the zoning in word format.

Lee

Alexandra Clee

From: noreply@civicplus.com
Sent: Tuesday, September 10, 2024 10:27 AM
To: Alexandra Clee; Lee Newman; Elisa Litchman
Subject: Online Form Submittal: Contact Planning Board

Contact Planning Board

Please use this form to contact the Planning Board. Thank you.

Contact Information

Full Name: Gary Petrie

Email Address: Petrie@rcn.com

Address: 60 Dana Place

City/Town: Needham

State: MA

Zip Code: 02494

Telephone Number: 781-540-8167

Comments / Questions

I went to, and spoke at last Thursday's meeting. Sadly, on my walk down the 1000 yard aisle, my brain broke and I feel I didn't express my point well. In regards to the Carter building, I'm in favor of tearing it down and building new units. It's architecturally unremarkable, basically a hunk of concrete and bricks with windows. I'm confident the new building plan the Board approves will look better than what we have now. I've heard rats and other animals are living there to boot.

However I don't think the area can facilitate 254 units. My reasoning. I figure the rent/mortgage will run around \$3000 a month (a \$550,000 30 year mortgage @ 5%) and according to one website I found, it indicated the need for a \$130,000 per year salary to support that. To me, that eliminates single income families for the vast majority of units, but for arguments sake let's say there are 24 of them. That leaves 230 units occupied by double income families. Of those, some will take the train to Boston for work. Out of 24 houses in my neighborhood, 2 people take the train. While not statistically significant, if we apply this ratio to 254 units, that would mean 25 people would use the train. Let's call it 30, which means 200

units with 2 income families. I know NO double income families with only 1 vehicle. To me, that means that with 254 units, there should be enough parking to accommodate 400 cars minimum, and with the current proposal of 254 vehicle slots, that leaves 146 vehicles with nowhere to park.

There really needs to be a PLAN to solve this, and not brush it off for the new home owners to figure out by themselves. They can't park on Highland Ave, as there are only about 80 marked spots there and adjoining streets, and for a couple other reasons. There is no on street overnight parking allowed in town and the business owners would rightfully object.

I can think of a few potential solutions. First off would be to reduce the number of units being built. We can pretend that 1 vehicle per unit is sufficient, but realistically it's not. For this "special permitted" project move the number back to 1.5. If the current proposal has 254 vehicle spots, that would mean 170 units. That might be enough, but who really knows? It would also reduce the "extra" volume of cars hitting an already busy Highland Ave. Another step could be for the town or the developer(s) to work out some deal where part of the Commuter Rail/CATH lot gets designated for 100 West parking. It can't handle 146 cars (there's only about 150 spaces), but 20 maybe? Last thought. Crazy outside the box. Have the developer of 100 West purchase enough land at the Muzi sight to account for vehicle overflow. It's probably too far away, though, to work well. A valet would be hard to manage. Sorry for the length, thanks for reading and thanks for doing a really hard job.

Email not displaying correctly? [View it in your browser.](#)

Alexandra Clee

From: Dennis Lonigro <dlonigro1@verizon.net>
Sent: Thursday, September 12, 2024 12:13 PM
To: Planning
Subject: MBTA Communities Act COnsiderations

To the Needham Planning Board:

I'm a Needham resident, and I am writing to express concern over the current congestion of roads and services in Needham that I believe will only be exacerbated by implementation of the new MBTA Communities Act proposals. I am further concerned that such an impactful plan to the look, feel, and function of Needham (way into the future) has not been adequately disseminated, understood, or evaluated by a majority of Needham citizens. Many of whom I talk to are not even aware of the Act or Planning Board proposals, or even how close proposals are to being approved or implemented.

Re: Traffic: There are certain times of day (weekdays, weekends, and even holidays) when we already have significant traffic congestion and delay problems. They exist especially in the center of town and its shopping areas, some street intersections, railroad crossings, school districts, and the RTS. Streets and intersections of note include Great Plain and Highland Avenues, Chestnut Street, and Central Avenue. There are often significant problems when emergency vehicles attempt to pass through these crowded two-lane roadways. Clearly, adding hundreds of new multi-family houses, people, and cars will only exacerbate the situation.

Re: Parking: Similarly, there are times when insufficient parking exists, and one must leave the area only to try again at another (perhaps more inconvenient) time. This frequently happens at the Linden St. Post Office, Great Plain Ave. CVS and nearby restaurants, and on-street parking for local businesses. Needham Heights has a similar problem at Trader Joes and CVS, and at the CATH Senior Center especially during popular programs or guest speaker events. Parking in the adjacent MBTA lot is not an option as you may be ticketed.

Re: Health and Emergency Services: Increased population can lead to longer wait times at hospitals, delays accessing doctors or getting appointments, longer prescription drug pickup lines, and constrained 911 resources. In a related conversation with an elderly couple, I was told of a recent hospital stay where the hallways had large numbers of patients bedding in cots and others sleeping on the floor. They found this quite disconcerting.

In closing, I am concerned about the (seemingly) rushed approach to re-zoning of our town and its long-term effects. I believe we should move more slowly, obtain more independent studies, make study results more widely known and understood by residents, and ensure enough time to gather informed feedback from residents regarding the town's future. We should not rush such an important decision.

Thank you for your time and consideration,

Dennis Lonigro

Starr Ridge Road

Alexandra Clee

From: Ken Buckley <kenbuckley221@gmail.com>
Sent: Thursday, September 12, 2024 8:24 AM
To: Planning
Subject: New Zoning Regulations Related to MBTA Communities Act

To Needham Planning Board:

Needham should delay this vote on these new zoning regulations. As a new and untested law, the MBTA Communities Act requires careful consideration before we make any decisions on rezoning. Needham's leaders must act in the best interests of the town and take the time to fully understand how these changes will impact Needham. While there are many areas of concern; schools and school costs, traffic and parking, and just plain aesthetics, I wish to point out concerns regarding sewer and stormwater infrastructure.

The Act began as a simple three-paragraph law, but the agency responsible for promulgating guidelines, has expanded those 3 paragraphs into 26 pages of "guidelines" that act as zoning mandates. What's more concerning is that this agency can revise or change these "guidelines" at any time.

A critical issue is that if a project dimensionally complies with the new "by right" rezoning, the Needham Planning Board will lose its ability to halt it during site plan review. Control shifts from our town to for profit developers. Once rezoned, residents, abutters, and the town will have little say in what is built.

For instance, a recent project off of Highland Avenue, near Riverside St, was paused by our planning board due to off-site stormwater and flooding concerns. Under the proposed MBTA by-right rezoning, such a pause or rejection of a project cannot be done except for **on-site** considerations. Additionally, we should not vote on rezoning until a comprehensive and updated stormwater capacity bylaw is in place or we risk the unintended consequences of increasing the towns flooding problems, hence leading to more taxpayer capital cost burdens.

This law is untested, and we don't know what the long-term impact will be. In an April 30th meeting, a legal review outlined by town counsel, explained that while on-site conditions can shape a project during site plan review, off-site considerations can't effectively stop it.* This limits our town's ability to control undesirable developments. To quote the guidelines: ***"site plan review should not unreasonably delay a project or impose conditions that make it impractical."*** This contradicts the idea that site review can prevent projects from overloading our infrastructure and harming our town.

Another major concern is an assumption that developers will work within existing water, wastewater and stormwater constraints or secure funding for required upgrades. That assumption is stated in the EOHLC's guidelines: ***"...it is assumed that housing developers will design projects that work within existing water and wastewater constraints, and that developers, the municipality, or the Commonwealth will provide funding for infrastructure upgrades as needed for individual projects."*** It's unrealistic to expect developers to limit their profits under by-right zoning where they are specifically NOT required to upgrade town infrastructure as a condition for obtaining a permit to build.

This lack of clarity with conflicting "guidelines" has not been tested and could lead to costly litigation. This then suggests that Needham taxpayers may be forced to fund expensive infrastructure upgrades or face penalties.

I call upon our elected leaders to maintain local control over our zoning decisions, not to hand it over to profit driven developers and an unaccountable state regulatory agency. **We must delay the rezoning vote** until we have a better understanding of this untested law. The people of Needham deserve transparency and clarity. **Delay the vote to rezone.**

Thank you.

Kenneth Buckley - 221 Warren St, Needham

* For reference: <https://www.needhamchannel.org/2024/05/needham-select-board-4-30-24/>, begin playback at 30 minutes]

September 12, 2024



Subject: Concerns Regarding MBTA Rezoning Mandate

Dear Needham Planning Board,

We are writing to express our concerns regarding the MBTA rezoning mandate and its potential impact on our community. If this mandate is truly beneficial for cities and towns, why must the state resort to threats of penalties in order to enforce it?

It is my understanding that the MBTA Communities Act undermines long-standing constitutional home rule protections in Massachusetts, which have safeguarded local decision-making for decades. Moreover, by reducing our town's requirement for zoning changes from a two-thirds majority to a simple 51%, the state has diminished the voice of the community in shaping our future.

A "one-size-fits-all" approach to zoning does not serve the unique needs of Needham. Imposing blanket requirements without considering the character and concerns of our town risks harming the very residents this policy claims to support.

I strongly urge our town leaders to reconsider their position and protect the interests of Needham by opposing this mandate.

Thank you for your time and attention to this important matter.

Sincerely,

A handwritten signature in blue ink that reads 'Anthony P. Sisto' and 'Halina Sisto'.

Halina and Anthony Sisto

Meetinghouse Circle

Alexandra Clee

From: Gary Ajamian <garyajamian@gmail.com>
Sent: Thursday, September 12, 2024 5:00 PM
To: Planning
Subject: Delay the Vote—Needham Deserves Full Transparency on Rezoning

September 12, 2024

Dear Planning Board,

Back in May, I and others proposed conducting a detailed third-party independent engineering infrastructure study. That information would be invaluable right now.

Our highly educated Town Meeting members need these insights to make the best possible decision for our community. Key questions being asked include:

- Can the town's infrastructure support the proposed rezoning plans for 1,868 or 3,294 units?
- What are the required capital costs for each of these proposals?
- How will these developments impact residents' taxes, both short and long term, regardless of whether growth is fast or slow?

The assumptions by RKG consultants have already been adjusted once after numerous questions were raised about the accuracy of their projections.

Needham has a long-standing tradition of thoroughly vetting base project costs before moving forward—this has not been done here. We also require in-depth analysis of additional costs, such as school impacts, class sizes, and redistricting. Again, that's standard for Needham, and yet, it has not been done in this case.

It's clear to many residents that these costs and impacts have not been fairly or fully vetted. Rushing to meet an artificially imposed deadline makes no sense.

Needham has never voted for a project of this scope with this level of missing information. Let's delay the vote until we have the answers we need.

I value your leadership and urge thoughtful action.

Sincerely,

Gary Ajamian
Meetinghouse Circle

****Subject: Request to Postpone the October 21st Vote on MBTA Communities Act Rezoning****

Dear Planning Board Members,

Many are asking why Needham should over comply by 88% with a massive rezoning plan when a smaller, minimum-compliance option received the most support in the HONE survey. Town leaders' push for the larger JUMBO (NHP) plan raises concerns about whether the will of the residents is being properly represented.

I respectfully request that you postpone the October 21st vote until the SJC rules on the constitutionality of the MBTA Communities Act. Rushing to implement irreversible changes while the legal standing of the law is in question puts our town at unnecessary risk. What will be your response if the law is deemed unconstitutional after we've already acted?

Needham has a proven track record of thoughtful, well-planned housing growth, reflecting decades of careful zoning. The town's unique suburban character is the result of these efforts. However, traffic analyses already show that many intersections are at a failing grade, signaling infrastructure strain. Proceeding with new zoning without addressing these issues will worsen congestion, school overcrowding, and utility costs. The proposed build-out at 100 West Street alone will create a bottleneck, and adding more multi-unit developments along the same stretch is simply untenable.

More transparency and public discussion are needed to fully understand the costs and impacts of these sweeping zoning changes. Handing over too much control to the state and profit-driven developers risks higher taxes, increased water and sewer costs, overcrowded schools, and more traffic.

Local control over zoning has allowed Needham to grow responsibly and maintain its suburban charm. The current proposal undermines this, removing our oversight of 100 acres along our main thoroughfare. Is this what residents truly want—to relinquish our self-governance to the state and an unregulated agency?

The state's compliance deadline is December 31, 2024. Postponing the vote is the prudent choice.

Many are also asking if Needham would actually lose funding if we voted no. If this is not the case, greater clarity on what funding is truly at risk would benefit all residents.

Even some Planning Board members have questioned the reasonableness of these rezoning mandates. The state has consistently mishandled the housing crisis; let's not allow Needham to become another casualty of that mismanagement.

I urge you to postpone the vote on October 21st.

Sincerely,

Barbara McDonald

Alexandra Clee

From: Lee Newman
Sent: Friday, September 13, 2024 12:07 PM
To: Alexandra Clee
Subject: FW: Online Form Submittal: Town Meeting Contact Form - At Large

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Thursday, September 12, 2024 10:57 AM
To: adam.block@compass.com <adam.block@compass.com>; jbulian@rcn.com <jbulian@rcn.com>; Marianne Cooley <mcooley@needhamma.gov>; Catherine Dowd <cdowd@needhamma.gov>; Louise Miller <lmiller@needhamma.gov>; mfee@verrill-law.com <mfee@verrill-law.com>; erhardt@erhardtgraeff.com <erhardt@erhardtgraeff.com>; Heidi Frail <hfrail@needhamma.gov>; blackieball@comcast.net <blackieball@comcast.net>; cgertsel1@gmail.com <cgertsel1@gmail.com>; slizzi@yahoo.com <slizzi@yahoo.com>; Kevin Keane <kkeane@needhamma.gov>; Joshua Levy <jlevy@needhamma.gov>; tejalkgandhi@gmail.com <tejalkgandhi@gmail.com>; Myles Tucker <mtucker@needhamma.gov>; Amy Haelsen <ahaelsen@needhamma.gov>
Subject: Online Form Submittal: Town Meeting Contact Form - At Large

Town Meeting Contact Form - At Large

Question or Comment

Dear Town Meeting Members,

I hope this email finds you well and you are enjoying the more enjoyable cooler fall like temps.

I am writing to express concerns regarding the recent changes made to both of the MBTA Communities Act articles that impact the area around 100 West Street.

It was my understanding that this area under the original proposals presented to the public would allow for 187 units. I was dismayed to recently read in the Needham Observer that the Planning Board recently slipped in a change to both the base plan and the neighborhood plan to increase the number of units in this small space to 243 units!

<https://needhamobserver.com/mbta-zoning-law-gets-final-review-by-public-at-hearing/>

Frankly, I already felt the 187 units was rather high for such a small amount of land, especially where this was even higher

than the number of units we had previously approved a zoning change for at Town Meeting a couple years ago for the would be developer of that property. However, in the spirit of encouraging housing growth, I had intended to support this plan at the proposed 187 unit density.

To read that this number has now been increased to 243 units for this tiny plot, and how it was slipped in AFTER many in the public had already weight in, is very concerning. We had already held many public hearings with the public with the prior density number of 187. Many in the community attended and spoke their opinions. Slipping this change in after that is deceitful. Holding newer community meetings now will likely result in many prior attendees not attending the new meetings because they will feel they already attended earlier sessions and spoke their mind and there is no need to attend.

Our neighborhood was alerted to this change from one person and when the community heard about it they were unanimously upset with the change and spoke to me asking to vote against this change.

Because of this change, I will not be voting in support of either article at town meeting in October. I urge everyone to speak out against this change and to insist it be changed back to what we had earlier shared publicly - 187 units. If nothing else, we should not reward back room deals that benefit a developer and negatively impact the community.

Thank you for your consideration in this situation.

Sincerely,
Glenn Mulno - TMM Precinct I
40 Morton Street - Needham

First Name	Glenn
Last Name	Mulno
Address1	40 Morton Street
Address2	Field not completed.
City	Needham
State	MA
Zip	02494

Your Reply email

GlennMulno@gmail.com

Email not displaying correctly? [View it in your browser.](#)

Alexandra Clee

From: Glenn Mulno <glennmulno@gmail.com>
Sent: Friday, September 13, 2024 9:04 AM
To: Planning
Subject: Fwd: Online Form Submittal: Town Meeting Contact Form - Precinct I

FYI - This is a message I sent today to all TMMs regarding changes recently made to the articles for the MBTA Communities law.

Glenn Mulno - TMM Precinct I

----- Forwarded message -----

From: <noreply@civicplus.com>
Date: Fri, Sep 13, 2024 at 8:47 AM
Subject: Online Form Submittal: Town Meeting Contact Form - Precinct I
To: <GlennMulno@gmail.com>, <jillk222@icloud.com>, <Joelsgde09@gmail.com>, <lsockol@comcast.net>, <moehandel@gmail.com>, <omertz.precinct.i@gmail.com>, <peterpingitore@gmail.com>, <rebeccayoung04@gmail.com>, <anne Weinstein@me.com>, <peteratmmpcti@gmail.com>, <descalan@gmail.com>, <cmertz.precinct.i@gmail.com>, <mattlaw@comcast.net>, <jsmatthews1988@gmail.com>, <johnterryneedham@gmail.com>, <magdaschmalz6@gmail.com>, <mtucker@needhamma.gov>, <ahaelsen@needhamma.gov>

Town Meeting Contact Form - Precinct I

Question or Comment

Regarding the changes made to the articles for the MBTA Communities Act Impacting 100 West Street.
I apologize if you are seeing this twice. I realized that I sent this to the wrong list the first time. I also posted this on the TMMs Facebook page, but I know many here are not on Facebook.

This is in regards to concerns my neighbors expressed to me about 100 West Street with the very recent change to FAR and the maximum number of units estimated there.

I had a conversation with a member of the HONE committee, which they expressed to me that the change was not recent but happened back in April, and that it was a good thing and was minor.

The change was not recent, nor is it minor.

As to what the official final HONE documents show, you can scan them all from this site. The most recent is at the bottom, from April 30th.

<https://www.needhamma.gov/5480/HONE---Important-Documents-Meeting-Agend>

Throughout many of the documents, they use a FAR for 100 West Street of 1.4 with a special permit and the number of units of 187.

In the RKG Associates document:

https://www.needhamma.gov/DocumentCenter/View/45811/2024-04-26_Final-Report_Needham-MBTA

They also talk about a FAR of 1.4 with special permit.

Now - fast forward to the August 14th Planning Board meeting package. Pay close attention to who is driving this discussion - the Lawyer for the developer that owns 100 West Street. It is the owners of 100 West Street that pushed the planning board to increase FAR and as a result the number of units for this parcel.

Discussion begins on the bottom of Page 107 and is on page 108:

<https://www.needhamma.gov/ArchiveCenter/ViewFile/Item/12933>

Here, they talk about the FAR being 1.0, but would need to be 1.3 to accommodate the 187 expected units. Now, turn your attention to the 3rd paragraph. This is the very first time the discussion turns to a FAR of 1.7, and if they could get a FAR of 1.7 then they could "generate more than 187 units". August 14th. Not April.

So, at this point, we have gone from a FAR of 1.4 with a special permit, to proposing a FAR of 1.7. I do not see in the discussion if the 1.7 is by special permit or by right. If someone else sees that please point it out. But apparently, up to now, the non special permit FAR was 1.0, and the discussion in this document says that is unrealistic to reach the 187 units and would need to be a FAR of 1.3.

Then - On Sept 2nd, just 11 days ago now, this file below was changed so the table showed the number of units to be 243, up from 187.

<https://ma-needham2.civicplus.com/DocumentCenter/View/45663/HONE-FAQ-Updated-922024?bidId=>

To my knowledge, September 2nd is the first time a document shows up with the number of units shown as 243. Overriding ALL previously published documents that showed 187 units.

Until Sept 2nd - the HONE Committee held multiple public

meetings - all showing a FAR of 1.4 by special permit and the number of units at 187.

As far as the general public is concerned, that attended prior meetings, the FAR is 1.4 and the units are 187. Having additional public meetings will not likely inform the public of this massive change. People that attended prior sessions are not likely to attend new sessions, because they already attended and learned what the plans "were". So changes snuck in in September will not be widely known.

A response given to me was that the increase to 1.7 is "only .3 higher than the existing special permit on the building."

This is disingenuous. .3 is a HUGE increase!

Depending on which doc you read, the earlier FAR was either 1.3 or 1.4. So either .4 or .3 higher. Which is either 30.7% higher or 21.4% higher. Those are not small % increases from either 1.3 or 1.4. The increase in units from 187 to 243 is 56 units more, which is a 30% increase! Does that sound "small"?

The way this change was made - late after all the public meetings were held and allowing the lawyer for the developer to drive that change, was inappropriate at the least. Also, we should not reward this behavior by approving this change of these articles. The FAR and number of units should be changed back to the FAR and number of units that were part of all the documentation shared with the public across all prior meetings.

Needless to say, the members of my community that learned of this change were extremely upset and they feel tricked and mislead.

For these reasons, I will not be voting to approve these articles at the October special TM and I would urge everyone to reject these articles unless they are reverted back to what was presented to the public in the public meetings.

Glenn Mulno – TMM Precinct I

First Name	Glenn
Last Name	Mulno
Address1	40 Morton Street
Address2	<i>Field not completed.</i>

City	Needham
State	MA
Zip	02494
Your Reply email	GlennMulno@gmail.com

Email not displaying correctly? [View it in your browser.](#)

Alexandra Clee

From: Deb LeClair <deb.leclair@icloud.com>
Sent: Friday, September 13, 2024 10:59 AM
To: Planning
Subject: Zoning for Avery Square and the property at 100-110 West St

Dear Planning Board Members,

I hope this email finds you well. I am writing to express my serious concerns regarding the recent changes made to the MBTA Communities Act articles that will be voted on at our upcoming Town Meeting. The changes of concern are regarding the Avery Square district at 100 West Street.

As you may be aware, the original proposal allowed for 187 housing units, a number that many in our community, including myself, already felt was excessive for the proposed area. To learn that this number has now been increased to 243 units is deeply troubling. This change was made over the summer, after many in our community had already participated in public meetings. This recent change was slipped in unbeknownst to the community and they will not have attended the more recent meetings where "maybe" this was highlighted as a specific change because they will have felt they already knew the plans and spoke their opinion.

While I understand and appreciate the need for housing development in our community, I am concerned that the proposed density allowed under this article may be too high and could have negative consequences. I am particularly concerned with traffic around this neighborhood as well as the parking requirements for that many units in such a small space.

I believe it is crucial that we approach development in a way that balances the need for new housing with the well-being of our neighborhood community. The current proposal, with its increased density, does not appear to strike that balance.

I urge you to reconsider the changes to these articles and to advocate for a more moderate, carefully planned approach to development. Our town deserves a solution that promotes sustainable growth without compromising the qualities that make it a desirable place to live.

Thank you for your attention to this important matter. I appreciate your commitment to serving our community and look forward to your thoughtful consideration of these concerns.

Sincerely,
Deb LeClair
46 Morton Street, Needham MA 02494
deb.leclair@icloud.com

Alexandra Clee

From: noreply@civicplus.com
Sent: Friday, September 13, 2024 11:47 AM
To: Alexandra Clee; Lee Newman; Elisa Litchman
Subject: Online Form Submittal: Contact Planning Board

Contact Planning Board

Please use this form to contact the Planning Board. Thank you.

Contact Information

Full Name:	Jan Soma
Email Address:	somajanis@comcast.net
Address:	106 Marked Tree Road
City/Town:	Needham
State:	MA
Zip Code:	02492
Telephone Number:	7818839485

Comments / Questions	Hello, There has been some discussion on the Needham Facebook page and on the Town Meeting Member town portal about whether the 9/14/24 Planning Board meeting stipulated whether the developer of 100 West Street would need to go through a special permit process to obtain permission to have a FAR of 1.7 that would allow 243 units. Please clarify whether 187 units are allowed by right or whether 243 units will be allowed by right. Or, is this something that has yet to be decided? Thank you, Jan
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Email not displaying correctly? [View it in your browser.](#)

Alexandra Clee

From: Mark Crawford <markcrawford5151@gmail.com>
Sent: Friday, September 13, 2024 11:52 AM
To: Planning
Subject: "Efficiency Adjustment" in RKG Report 4/26/24

I understand the need for additional housing in Needham and am supportive of the proposed overlay. However, I just reviewed the 9/5 - Planning Board Packet and noted the expectation for a \$1-2.6 million positive fiscal impact from the potential future development. I then reviewed RKG's April 2024 Report for the assumptions used and noted that they are reducing projected municipal costs by ~\$17m or 56% for "Efficiency Adjustment". The report seems to define "Efficiency Adjustment" as assumptions that were made without sufficient data because Needham could not provide it. If the assumptions used to determine the "Efficiency Adjustments" are incorrect then the positive fiscal impact that is portrayed in the slides is misleading. I also think it's important for the Town to debate whether these "Efficiency Adjustments" are acceptable from a quality of life perspective and/or households are prepared to fund the gap in the future.

I view it as very important that a scenario analysis excluding the "Efficiency Adjustment" be included in the Town Fiscal Analysis and that the assumptions used in the "Efficiency Adjustment" are substantiated in the report. Please let me know if I am misunderstanding any of this or if the Planning Board is not the correct group to notify.

From RKG Report 4/26/24:

Table 9: Incremental Expenses by Town Department

Use Category	FY 2024 Budget	Incremental Share of Budget	Residential Proportional Share @ 88%	Efficiency Adjustment	Adjusted Expenses
General Gov't	\$14,358,516	\$6,338,432	\$5,577,820	10%	\$557,782
Public Safety - Fire	\$10,695,558	\$10,655,531	\$9,376,867	75%	\$7,032,650
Public Safety - Police	\$8,749,162	\$8,614,268	\$7,580,556	60%	\$4,548,334
Public Works	\$20,340,339	\$8,793,620	\$7,738,386	15%	\$1,160,758
Other	\$66,335,088	\$0	\$0	0%	\$0
TOTALS	\$120,478,663	\$34,401,851	\$30,273,629		\$13,299,524

From Planning Board Packet 9/5/24:

Gross Property Tax Revenue – Municipal Costs – Education Costs = Net Fiscal Impact

District Name	Base Plan: Likely Build	Base Plan: Full Build	NHP Plan: Likely Build	NHP Plan: Full Build
Apartment A1	\$0	\$412,063	\$55,912	\$689,392
Business	\$16,724	\$156,399	\$86,348	\$230,211
Avery Square Business	\$184,248	\$184,248	\$184,248	\$184,248
Chestnut Street East	\$29,861	\$282,937	\$96,915	\$424,788
Chestnut Street West			\$441,710	\$584,546
Chestnut Street Business			\$26,676	\$50,757
Hillside Ave Business	\$5,584	\$62,096	\$1,987	\$46,158
Industrial - Crescent	\$83,205	\$390,353	\$60,297	\$144,658
Industrial - Hillside			\$64,467	\$252,287
NET FISCAL IMPACT	\$319,622	\$1,488,096	\$1,018,560	\$2,607,045

Thank you,

Mark Crawford
Town Resident

Letter to the Planning Board Chair and All Town Meeting Members

We are writing to express our serious concerns regarding the proposed up-zoning of the Carter Building and adjacent land at 100 West Street in Needham Heights, which will be addressed at the October 21st Town Meeting. At this meeting, Town Meeting members will be asked to vote on whether to intensify multifamily zoning in line with the MBTA mandate around commuter rail stations. The proposal in question would increase the density of development on this parcel to a level that is neither sustainable nor aligned with the character of Needham Heights.

Current Special Permit

The existing special permit, granted in May 2021, allows for 2.5 stories and up to 155 total units—62 assisted living units and 88 smaller memory care units—on the 4.28-acre site. These units are relatively small in size due to their intended use, and the permit includes a modest fourth floor with 10 additional units. This development followed a previous site plan from 2004.

Proposed Changes

At the upcoming Town Meeting, members are being asked to approve a drastic increase in density, pushing the number of units on this same land to 243 units and, potentially, 318 units with a special permit. This represents a massive increase in occupancy and building scale without a corresponding increase in land area. The proposed development would also include structured parking and an extension of the building footprint toward West Street, further increasing the scale of the project.

What this Means to Needham and Needham Heights

Scale of Project

The Carter Building is already the dominant structure in the Heights, looming over the surrounding two-family homes, the Senior Center, and the small businesses nearby. Increasing the number of units to 243 or 318 would exacerbate this imbalance, creating a dense, towering structure that dwarfs the surrounding area. This is not in keeping with the scale or character of Needham Heights, a historically lower-density area.

Lack of Resident Input

This project has been developed with little to no input from local residents, who will be most affected by the changes. Despite the significant impact this development will have on the neighborhood's character, traffic, and infrastructure, residents of the surrounding single-family and two-family homes, as well as nearby businesses, have largely been left out of the decision-making process. It is unacceptable that such a large and

transformative project would move forward without the input of the people who" live and work in the area.

By Right Development

If approved, this project would be "by right" under MBTA zoning laws, limiting the town's ability to regulate the design, density, or required infrastructure improvements, such as water, sewer, and traffic mitigation. This would effectively remove any meaningful oversight from the town, allowing the developers to build with little consideration for the impact on Needham Heights' infrastructure and quality of life.

Climate and Walkability

While the intent of MBTA zoning is to promote housing near transit and reduce car use, the proposed development does little to advance walkability or climate resilience. Large, dense buildings like this one consume significant energy for heating, cooling, and electricity, negating any environmental benefits from proximity to public transit. Perhaps 25% of new residents in such developments are likely to use the commuter rail regularly, meaning the majority will still rely on cars for daily transportation. With only one parking space per unit, there is a real risk of parking overflow onto nearby streets, adding to congestion. Further if residents of a particular unit are unrelated there may even be more than 2 cars per unit.

Traffic and Parking Issues

Traffic congestion in Needham Heights is already a serious issue, with unpredictable traffic patterns, especially around the busy center. The addition of 243 to 318 units would worsen congestion as the proposal does not adequately address the need for parking. On-street parking is already heavily utilized by customers visiting local businesses, and there has been no clear communication about how this development will impact parking availability in the neighborhood.

Neglected Infrastructure

Sidewalks and pedestrian infrastructure in Needham Heights are in poor condition, and traffic is already a challenge for those on foot. The proposed development does nothing to improve this situation. Instead, it will likely worsen the area's walkability, making the neighborhood less safe and less inviting for pedestrians.

Summary and Request

We strongly urge Town Meeting members to vote to remove the Carter Building and its surrounding land from both the Base Plan and the Neighborhood Plan. This project, as proposed, is too large and too impactful to be pushed through without proper

consideration and input from the community. The future of Needham Heights is at stake, and decisions made at this Town Meeting will shape the area's livability, walkability, and environmental sustainability for decades to come.

Needham Heights deserves a thoughtful, resident-focused approach to development that balances housing needs with the preservation of the area's character, infrastructure capacity, and environmental goals. We ask that you take the time to consider the long-term effects this project will have on the neighborhood and vote to exclude the Carter Building from the current plans.

*Susan and Michael Herma
13 Carey Road*

I attended all three public meetings about multi-family that HONE arranged.

I am strongly **opposed** to the recommendation that Needham approve a zoning change to allow 3294 multi-family housing units by right. Needham is only required to provide 1754 multi-family units. In my opinion, it is needlessly risky to allow more than the required 1754 multi-family units. No one can predict with true accuracy what the impact of these drastic changes will be to Needham and its citizens.

Also, I was very disappointed in the HONE committee's dismissal of all the legitimate concerns that were raised by many Needham residents. To name a few of these concerns:

The obvious under estimate of the number of additional students that would be attending Needham public schools as a result of the addition of even the minimum 1754 multi-family units. The school budget is the most significant item of the town's overall budget and increases in the student population will impact the school budget.

The lack of required parking spaces. HONE's response was that the residents would be working in Boston and taking public transportation. There is certainly no logic to this assumption. Also, the HONE committee failed to acknowledge the lack of local public transportation in Needham. This lack of local public transportation most often, requires multiple cars per family, to commute to work and to provide in town rides to family members.

Traffic in Needham is already very heavy, especially along Highland Ave and Chestnut St, the two areas that are going to bear the brunt of the increase in multi-family housing units. No legitimate traffic study was done to determine the impact of the increase in multi-family housing units.

The HONE committee claims that the addition of these additional multi-family units will reduce the tax burden. I do not believe this to be true, given the very unknown actual impact on schools, traffic, and infrastructure that will result in increased expenditures by the Town of Needham.

Adding multi-family housing units will do nothing to provide any significant number of affordable housing units. No doubt the majority of these new multi-family housing units will be sold at fair market value and will not be affordable, by any stretch of the imagination. The stretch building code that these new multi-family housing units must meet, will, in fact, result in even higher prices for these new construction units.

Jane Volden

133 Brookside Rd

jane.volden@gmail.com

DATE: September 13, 2024

TO: Planning Board

FROM: Christine Urban

RE: School enrollment assumptions

Thank you for allowing me to participate in the Public Hearing on 9/5/24, where I presented my analysis of the school enrollment assumptions that are being made to forecast the impact of the MBTA Communities Act rezoning proposals¹. In short, my conclusion was that both RKG's original forecast of 8 students per 100 multifamily households (8/100) – as well as its recently revised forecast of 13/100 -- are **well below** what I believe the town should reasonably expect from a full build-out of either the base or neighborhood plans.

I believe a more comprehensive analysis of RKG's student enrollment assumption is essential: not only because it impacts Needham's ability to absorb new students (i.e.: capacity of existing facilities, classroom size, future investments as reflected in the School Master Plan, etc.) but also because these data serve as a core assumption underlying the "net positive fiscal impact" result that was presented to support the rezoning proposals. At 13/100, the net fiscal impact is positive. At 19/100, the fiscal impact ceases to be so rosy.

Put simply, if we change the student enrollment assumption, we change the projected fiscal impact as well.

Needham should not be treated like an outlier.

When conducting economic impact analyses to determine how new housing developments will impact schools, traffic patterns and municipal finances, it's common practice to employ benchmark databases to set reality-based guidelines for projection. One such authoritative source is the ESI Residential Demographic Multipliers for Massachusetts² that projects:

School-age children per household

All single-family units 56/100

All multifamily units 29/100

2-4 units 42/100

5+ units 18/100

At 49 students per 100 households (49/100) currently, Needham sits comfortably within ESI's statistic of predominantly single-family households, as well as within the cluster of other suburban towns that boast of top-rated public schools (e.g.: Wellesley at 47/100, Weston at 54/100, Sharon at 56/100). Conversely, the city of Boston, which is majority multifamily housing, currently generates 17 students per 100 households – again providing real-life corroboration of ESI's statistical benchmarks.

If Needham performs within ESI's expected range of students per **single-family** households now, why wouldn't we assume that its new **multifamily housing** initiative would also perform within ESI's range

expected for multifamily housing? Even the town's "Needham 2025" report recommends projecting 17 students per 100 households for multifamily housing in the town³, which is within ESI's range. RKG's suggestion that a full build-out of the rezoning proposals will generate only 13 students per 100 multifamily-household is too low, and classifies Needham as an outlier to established benchmarks such as ESI.

Study a range of probable outcomes

I believe that Town Meeting members need a more realistic fact-base to fully inform their vote on the MBTA Communities Act rezoning proposals, and would recommend that further analysis be conducted before the vote.

Because we have no certainties on key variables such as:

- a) the number of units to be built
- b) the mix of types of units to be built (2-4 units? 5+ units?)
- c) the demography of new residents, or
- d) the speed of build-out

it seems unreasonable to present only one student-to-household ratio as the "answer."

Given this uncertainty, a more prudent approach would be to analyze a **range** of probable outcomes that model the school enrollment and fiscal impact numbers bracketed by ESI's range of 17/100 (for higher-density multifamily housing) to 42/100 (for townhouse and less-dense housing). I believe the results of this sensitivity analysis could be summarized in **two graphs** that would greatly enhance Town Meeting members' understanding of the potential costs of the rezoning proposals, and provide them the essential information required to cast an informed vote.

Thank you for the opportunity to make this suggestion.

- 1 <https://nrtz.org/wp-content/uploads/2024/09/school-enrollment-presentation-at-Public-Hearing-9.5.24-Christine-Urban-1.pdf>
- 2 page 2, <https://econsultsolutions.com/wp-content/uploads/2018/04/MA.pdf>
- 3 page 45, <https://www.needhamma.gov/DocumentCenter/View/22924/Needham-2025-Report-Final-Compressed>

Alexandra Clee

From: Paula Dickerman <pauladickerman@gmail.com>
Sent: Saturday, September 14, 2024 10:47 AM
To: Planning
Cc: Selectboard
Subject: MBTA-CA Articles

To the members of the Planning Board,

I'm writing to ask you to seriously reconsider including the recent addition of changes to the zoning for 100 West Street in the Base Compliance and Neighborhood Housing Plans.

Having not been privy to discussions with the 100 West developer and not being intimately involved in the fine details of the new 3A zoning, I don't understand why it was necessary to include new zoning parameters for 100 West in the MBTA-CA plans. I urge you to consider these questions.

- Is it necessary to include this change to the submitted and approved plans for compliance with MBTA-CA now?
- Could rezoning for 100 West be considered in a separate Article at the October special town Meeting?
- What are the risks of keeping 100 West zoning in the Articles?
- What are the risks of removing it?

My request is based on a concern that focus at Town Meeting will be redirected from discussion of the Base and Neighborhood Plans to the zoning specifically for 100 West. As I hope you are aware, there is strong - though I don't know how broad - opposition to, and perhaps misunderstanding about, the new zoning for 100 West. Opponents' concerns appear to be two-fold: that the development allowed is too big for that part of Town; and, that there has been no public discussion about the new zoning proposed. In addition, there is a general lack of trust.

I am strongly in favor of more housing options in Needham. I would like to see 100 West be developed as residential housing. I also want the Neighborhood Housing Plan to pass Town Meeting. I believe you agree, and again ask that you reconsider the options.

Thank you for your consideration,

Paula Dickerman
20 Burnside Road
TMM Precinct J

Alexandra Clee

From: Margaret Murphy <comres@comcast.net>
Sent: Saturday, September 14, 2024 3:14 PM
To: Alexandra Clee
Subject: Recent packet

Hello - I looked over the packet and have one comment about the school kids information.

You have omitted the Rosemary apartments from the list of large apartments. It is significantly larger than Modern. There are over 200 apartments at that location and I'm guessing not a large number of school kids.

Also Rosemary Ridge has over 110 condos so it is close to Modera in size as well. There are very few children living there.

Thanks, Margaret

September 15, 2024

Natasha Espada
Chair of Needham Planning Board,

Members of the Needham Planning Board,

Lee Newman
Director of Planning and Community Development
500 Dedham Avenue
Public Services Administration Building
Suite 118
Needham, MA 02492

RE: Proposed Zoning Bylaw Changes Regarding Compliance with MGL Ch 40A §3A:
Multi-Family Housing in MBTA Zones

Dear Chair Espada, Planning Board Members, and Ms. Newman,

I write to outline some of my concerns about the zoning bylaw proposed for the Multi-Family Overlay District. My comments address only the proposed requirements and review of future projects, rather than a preference on which of the two proposed plans (“Base Compliance Plan” or “Neighborhood Housing Plan”) ought to be adopted. These comments are equally applicable in the event that either plan is adopted. I also do not address the particulars of any dimensional requirements. Having attended and listened to the meetings of the HONE Advisory Group, considered the submitted reports and materials, and read the statute and its guidelines, I think the town would best be served by fully incorporating the protections embodied in the current zoning bylaws into the new bylaw sections which will regulate projects in the Multi-Family Overlay District.

Bylaws should be designed to facilitate and encourage desired development while protecting against even the worst case scenario. Zoning bylaws should maximize the municipality’s ability to preserve its interests against even the most difficult of developers with the least compatible proposal imaginable. Well crafted bylaws should reassure town residents that change will be beneficial, development goals will be achieved and projects will be built as promised.

MGL Ch. 40A §3A’s requirement that multiple family housing be allowed as of right does not prevent the town from reasonably regulating proposed projects. The “Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act”

(“Guidelines”) published by the Executive Office for Housing & Livable Communities (EOHLC) addresses what is required to allow “Multi-Family Housing as of Right.” The Guidelines expressly provide, “The multi-family zoning districts required by Section 3A should encourage the development of multi-family housing projects of a scale, density and aesthetic that are compatible with existing surrounding uses, and minimize impacts to sensitive land.” The Guidelines also explicitly permit towns to use site plan review consistent with current case law as a means to regulate multi-family housing projects allowed as of right under MGL ch 40A §3A. The Guidelines provide:

a. Site plan review

The Zoning Act does not establish nor recognize site plan review as an independent method of regulating land use. However, the Massachusetts courts have recognized site plan review as a permissible regulatory tool, including for uses that are permitted as of right. The court decisions establish that when site plan review is required for a use permitted as of right, site plan review involves the regulation of a use and not its outright prohibition. The scope of review is therefore limited to imposing reasonable terms and conditions on the proposed use, consistent with applicable case law.^[1] These guidelines similarly recognize that site plan review may be required for multi-family housing projects that are allowed as of right, within the parameters established by the applicable case law. Site plan approval may regulate matters such as vehicular access and circulation on a site, architectural design of a building, and screening of adjacent properties. Site plan review should not unreasonably delay a project nor impose conditions that make it infeasible or impractical to proceed with a project that is allowed as of right and complies with applicable dimensional regulations.

^[1] See, e.g., *Y.D. Dugout, Inc. v. Board of Appeals of Canton*, 357 Mass. 25 (1970); *Prudential Insurance Co. of America v. Board of Appeals of Westwood*, 23 Mass. App. Ct. 278 (1986); *Osberg v. Planning Bd. of Sturbridge*, 44 Mass. App. Ct. 56, 59 (1997) (Planning Board “may impose reasonable terms and conditions on the proposed use, but it does not have discretionary power to deny the use”).

The Guidelines require that Multiple Family Housing be treated no differently than other uses within the district. Importantly, the Guidelines do not address parking, retaining walls, or various other subjects that Needham has recognized as important to the town’s interest and addressed in its zoning bylaws.

Zoning bylaws express and protect a municipality’s interests. The addition of a Multi-Family District under §3A should not render existing sections of the zoning bylaw enacted to protect the town’s interests inapplicable. These thought-out, fully crafted and enacted bylaws should equally apply to projects in the new Multi-Family Overlay District because the issues or problems the bylaws address may continue to exist in the new overlay district. Needham’s

zoning bylaws should continue to provide all of the possible tools that may be necessary in order to address any future proposal. This is especially important given the magnitude of the underlying changes proposed and the uncertainty of how those changes will come to fruition. The bylaws should continue to enable the Planning Board to effectively address even the most difficult project proposed by the most challenging developer in light of whatever conditions would then be present. Protecting the town's authority to act through the Planning Board does not change the availability of multiple family housing as of right. It certainly does not predetermine what the Board might do in any given circumstance. It simply assures that the Board **could** act to condition a project if it is in the town's best interest to do so.

The criteria in the current bylaws should be applied to whatever new zoning districts are adopted. While Multi-Family Developments are a use as of right in the newly proposed districts, the language and terms of the current bylaws should apply, just as these bylaws currently apply to other uses allowed as of right. This letter offers a summary of Site Plan Review allowed by Section 3A, suggested changes to the proposed section 3.17.9 related to Site Plan Review, and suggested changes to other review sections of the proposed bylaw.

I. Site Plan Review

As noted above, the Guidelines explicitly recognize site plan review as a permissible tool of municipal zoning under Section 3A to the full extent allowed under case law.. A site plan review bylaw provides the standards and criteria the reviewing authority may exercise in considering a project and is a means to control the aesthetics and environmental impacts of permitted land uses. As summarized in *Muldoon v. Planning Board of Marblehead*, 72 Mass. App. Ct. 372 (2008),

Although not expressly provided by statute, site plan review is recognized as a permissible regulatory tool and a means for communities to control the aesthetics and environmental impacts of land use under their zoning by-law. See *Osberg v. Planning Bd. of Sturbridge*, 44 Mass. App. Ct. 56, 57 (1997). Site plan review has to do with the regulation of permitted uses, not their prohibition. See *id.* at 57-59. "[I]f the specific area and use criteria stated in the by-law [are] satisfied, the board [does] not have discretionary power to deny ... [approval], but instead [is] limited to imposing reasonable terms and conditions on the proposed use." *Prudential Ins. Co. of Am. v. Board of Appeals of Westwood*, 23 Mass. App. Ct. at 281-282, quoting from *SCIT, Inc., v. Planning Bd. of Braintree*, 19 Mass. App. Ct. 101, 105 n.12, 106 (1984). The board is forbidden from entertaining any "standard, criterion or consideration not permitted by the applicable statutes or by-laws." *Britton v. Zoning Bd. of Appeals of Gloucester*, 59 Mass. App. Ct. 68, 73 (2003). A zoning by-law may require site plan approval for uses that are otherwise permissible as of right, provided the site plan review provisions of the by-law

(a) set forth proper standards for review; (b) do not authorize prohibition of the permitted use; and (c) provide for regulation of the permitted use through reasonable terms and conditions. See *Castle Hill Apartments Ltd. Partnership v. Planning Bd. of Holyoke*, 65 Mass. App. Ct. 840, 841 (2006) (board limited to imposing reasonable conditions on use).

Prudential Insurance Co. of America v. Board of Appeals of Westwood, 23 Mass. App. Ct. 278 (1986) makes clear that while site plan review addresses the regulation rather than the prohibition of a use allowed as of right, the reviewing authority is not without regulatory power over such plans. The Court states:

...A board may lawfully reject a site plan that fails to furnish adequate information on the various considerations imposed by-law as conditions of the approval of the plan. See *Auburn v. Planning Bd. of Dover*, 12 Mass. App. Ct. 998 (1981). A board also possesses discretion to impose reasonable conditions under a by-law's requirements in connection with approval of a site plan, even if the conditions are objected to by the owner or are the cause of added expense to the owner. See, e.g., the conditions suggested by the planning board of Canton on the site plan before it in the *Y.D. Dugout* decision, as set forth at 357 Mass. at 31 n. 7. In some cases, the site plan, although proper in form, may be so intrusive on the interests of the public in one regulated aspect or another that rejection by the board would be tenable. This would typically be a case in which, despite best efforts, no form of reasonable conditions could be devised to satisfy the problem with the plan and the judge conducting de novo review concurs in that conclusion. See also the discussion in the *SCIT, Inc.*, decision, 19 Mass. App. Ct. at 111 n. 17, as to other regulatory tools available in circumstances similar to those considered in this case.

Put another way, a site plan review bylaw establishes the reviewing terms and criteria by which the Board can evaluate and/or condition particular projects to address the particular circumstances of a site at the time of review to assure that the proposal accords with the public interest as defined in the site plan review bylaw itself. See: *Y.D. Dugout, Inc. v Board of Appeals of Canton*, 357 Mass. 25 (1970), *Muldoon v. Planning Board of Marblehead*, 72 Mass. App. Ct. 372 (2008).

Under Needham's current zoning bylaws, site plan review is established by NZBL section 7.4. The purpose of the review process is clearly set forth in section 7.4.1:

The purpose of this Section is to provide a comprehensive review procedure for construction projects, herein defined, to insure compliance with the goals and objectives of the Master Plan, and the provisions of the Zoning By-Law, to minimize adverse impacts of such development, and to promote development which is harmonious with surrounding areas.

The process for review is set forth in section 7.4.4. While the bylaw distinguishes between minor and major projects, **all** projects subject to site plan review are reviewed under the criteria established in section 7.4.6. Major projects are also evaluated under the criteria set forth in section 7.5.2.1 and conditions required may include those listed in section 7.5.2.2. The criteria included in these sections mirror the criteria used by other towns and approved in case law. It should be noted that the title, “Major Site Plan Review/Special Permit” is a misnomer which leads to unnecessary confusion and conflict. Currently, site plan review is triggered only by the bulk or size of a construction project, without regard to whether the use is as of right or requires a special permit. It is not the same as a discretionary special permit for a **use**. The proposed bylaws could simply clarify that multi-family projects are allowed as of right, as required by MGL ch 40A §3A , and that the Planning Board performs site plan review in evaluating projects submitted in this overlay district using the criteria established in s 7.4 and 7.5. Alternatively, the choice could be made to eliminate the words “Special Permit” completely in order to avoid any possible misinterpretation, and the review process could be called “Site Plan Review in the Multi-Family Overlay District.” Either way, the criteria currently included in NZBL sections 7.4 and 7.5 should be fully incorporated into the site plan review criteria for the proposed Multi-Family Overlay District.. The consultant stated this would be the process used to draft the proposed bylaw, and it is the process being implemented in other towns to meet the requirements of the newly imposed §3A.

Simply put, the proposed zoning bylaws should apply the existing bylaw provisions to any new development projects consistent with the requirements of MGL ch 40A §3A.

II. Specific changes to the proposed bylaws s.3.17.9 related to site plan review should include:

1. S.3.17.9- Incorporate the “Purpose Section” currently included in sections 7.4 as well as 7.5.2.1 and 7.5.2.2.

2. S.3.17.9.2- Clarify the process for waiver of any submission requirements. The current bylaws permit the Planning Board to waive any particular submission requirement. As currently written, s.3.17.9.2 allows for a written waiver of submission requirements by the Planning and Community Development Director, while s.3.17.9.5 allows for the waiver of submission requirements by the Planning Board.

3. S.3.17.9.3- Eliminate the six month time limit contained in the final sentence.

A six month time limit from date of application to stamped approval by the town clerk does not exist in the current bylaws, is not called for by the state Guidelines and should not be included in this bylaw section.

MGL Ch 40A s.9 timing provisions for the issuance of special permits is instructive. The section mandates holding a public hearing in compliance with the requirements of MGL ch 40A

§ 11 within 65 days of the filing of an application, and the issuance of a decision within 90 days following the public hearing. The statute provides these time limits may be extended by written agreement between the applicant and the permit granting authority. The Planning Board currently acts in compliance with these standards and has long prided itself on its prompt issuance of its decisions. Needham has consistently rendered decisions as quickly as possible, and often much quicker than comparable communities.

A review of the Planning Board's recent decisions reveals that some projects take longer than the proposed six months. Factors influencing the time required to address submitted projects include the complexity of a proposed project, changes to the submitted plans made during the review process, delays in receiving needed information, and the press of scheduling all of the Board's work. Given the potential size and complexity of the possible proposals in this new district, the proposed time limit is imprudent and risks preventing the thorough review that the Site Plan Review process should provide.

The inability of the Board and Planning Department to meet the proposed six month deadline could lead to a claim of constructive approval by failure to act within the time frame. Rather than place this unnecessary pressure on the Board and town's ability to fully consider a project, the town would be better served by reliance on the Planning Board and Planning Department's history of carrying out their responsibilities in a timely manner.

4. Section 3.17.9.4 should be removed so that the site plan review provisions include all of the current town bylaws. Currently, section 7 of the bylaws does not have a section titled, "Site Plan Approval."

By definition, site plan review regulates rather than prohibits projects. Site plan review bylaws allow a town to condition projects to protect defined municipal interests and overcome any challenges presented by a particular project at a particular site. Site plan review bylaws establish the criteria by which reviewing Boards may exercise their authority to protect the town's interest. See: *Prudential Ins. Co. of Am. v. Board of Appeals of Westwood*, 23 Mass. App. Ct. 278 (1986).

At best, the draft section presents an unnecessary statement of the requirement to approve rather than deny projects allowed by right as long as the project meets the terms of the bylaw. At worst, this section as currently drafted opens the door to a claim that a project complying with the facial requirements of the dimensional bylaws must be approved. This is an inaccurate statement of the law and would limit the town's ability to use site plan review as a tool to protect the town's interests. Under site plan review, a Board may require conditions, including increases in the terms of the "base" bylaws when a particular site requires those protections as long as the site plan review bylaw establishes the criteria to be applied. *Y.D. Dugout, Inc. v Board of Appeals of Canton*, 357 Mass. 25 (1970), *Muldoon v. Planning Board of Marblehead*, 72 Mass. App. Ct. 372 (2008). To be clear, a project allowed as of right must be permitted to go forward unless there is an intractable problem unresolvable by any conditions, but the bylaw should not raise

any question about the ability of the Planning Board to exercise its authority under site plan review to protect the town interests as permitted under case law.

5. Section 3.17.7 establishes “Development Standards” to be applied to projects proposed for the Multi Family Overlay District. As discussed earlier, this section should be written to mirror the language of the current bylaws as “Review Criteria”, and include the contents of NZBL s.5.3, 7.4, 7.5 and 7.7.

S.3.17.7 (a) should be eliminated. Its purpose is unclear, and it unnecessarily limits the regulation of the projects within this district beyond the protection given to any other use as of right in Needham. In fact, the proposed bylaws for this section do include the use of special permitting to allow for increases in FAR and additional height.

6. Section 3.17.9.6, permits proposals which include projects built in phases.

The current bylaws do not generally address the phasing of development projects.

¹The intention of this section seems to be to make clear such proposals can be submitted, but will not exempt a project from the requirements addressing affordable housing. The phasing of a project should not be permitted to avoid the requirements of any bylaw.

If adopted, this last section of this section should be amended by omitting the word “solely” and adding the phrase “or any other bylaw.” The sentence would read: “However, no project may be phased to avoid the provisions of Subsection 3.17.7 Affordable Housing or any other bylaw.”

7. Section 3.17.10 provides for future development of “Design Guidelines”. The section states, “The Planning Board may adopt and amend, by simple majority vote, Design Standards which shall be applicable to all rehabilitation, redevelopment, or new construction within the Multi-family Overlay District. Such Design Guidelines must be objective and not subjective and may contain graphics illustrating a particular standard or definition to make such standard or definition clear and understandable. The Design Guidelines for the Multi-family Overlay District shall be as adopted by the Planning Board and shall be available on file in the Needham Planning Department.”

The process proposed for the adoption of these “Design Guidelines” raises questions given the deliberate and specific requirements of MGL ch 40a §5 for the adoption of zoning bylaws. Section 5 mandates input from the Select Board, the Planning Board, public hearings and approval by Town Meeting.

The Guidelines for §3A specifically state, “The multi-family zoning districts required by Section 3A should encourage the development of multi-family housing projects of a scale, density and aesthetic that are compatible with existing surrounding uses, and minimize impacts

¹ Section 3.14.6 (a) allows as a condition of a Master Special Permit in the Mixed Use Overlay District, “A phasing schedule for construction of each component part of the project which ensures integration of residential, nonresidential and municipal uses.”

to sensitive land.” If the intention of the proposed Section 3.17.10 is to enact provisions to shape projects in the proposed new district, the “Design Guidelines” might be incorporated through an amendment to NZBL s.5.3, which establishes “General Design Requirements”, and/or NZBL s.7.7.4, which establishes the “Design Criteria” applied by the Design Review Board in considering projects, which is made enforceable through its incorporation into the site plan review process.

At minimum, the process for passage of the “Design Guidelines” should specifically identify who would develop the guidelines, and require a public hearing before enactment. These guidelines have the potential to greatly impact the future development in town, and public input can only benefit the process. Allowing the fundamental design principles that will impact all development in the proposed new districts to be enacted and changed by a potentially split Board seems imprudent. In comparison, a major site plan review approval requires a supermajority.

The site plan review bylaw should specifically include the criteria being applied to evaluate projects so that the town has the ability under site plan review case law to protect the town’s interests.

8. The bylaw should explicitly provide that the terms of the site plan review decision must be met before a building permit or Certificate of Occupancy may be issued. The bylaw should make clear that site plan review decisions under this section are not recommendations to the Building Commissioner. Further, the bylaw should provide that the Board retains its authority to modify or amend a site plan review decision. This process is already codified in the last sentence of Section 7.4.3 of the NZBL, which states: “Prior to issuance of a Certificate of Occupancy by the Building Department, the Building Commissioner or his designee shall transmit an approval of the completed project as conforming to the approved site plan special permit to the Planning Board.” Section 7.4.3 should be operable, or similar language (omitting reference to any special permit) should be integrated into Section 3.17.9 of the proposed bylaw. Finally, consideration should be given to placing an expiration date on site plan approval.

9. The process to be followed in considering site plan review applications under this section should be clearly established. The Bylaws should require following the **process** currently used for Major Project Site Plan Review. The projects in this overlay district merit full consideration by the Planning Board under the processes clearly understood and established by the current bylaws. Substantively, the Board would only be applying the standards for site plan review.

10. NZBL section 7.7.2.2 should be amended to include the review of these projects by the Design Review Board. The section should also be changed to allow for public input when the DRB is considering projects for site plan review.

III. Suggested Changes to Other Sections of the Proposed Bylaw:

1. Section 3.17.1- Purpose of District- Change the final clause “provided that such development complies with the requirements of this section 3.17” by adding “and all applicable sections of these bylaws”.

The bylaws should maximize the town’s ability to address and condition projects. The creation of the overlay district establishes the possibility of new multi-family housing within the new district. There is no reason to include in the bylaws any suggestion that limits the town’s authority to assure projects comply with all requirements of the town’s zoning bylaws.

If the current or future town zoning bylaw addresses an issue not included within the proposed terms of §3.17, the town zoning bylaw should apply.

2. Section 3.17.2- Scope of Authority-Mirror the bylaws addressing other overlay districts and eliminate the last sentence.

This section should be amended to read:

§3.17.2 Scope of Authority

In the Multi-family Overlay District, all requirements of the underlying district shall remain in effect except where the provisions of Section 3.17 provide an alternative to such requirements, in which case these provisions shall supersede. **If the provisions of the Multi-Family Overlay District are silent on a requirement that applies in the underlying district, the requirements of the underlying district shall apply. By filing an application for a Special Permit, site plan review or building permit under this Section 3.17, an applicant shall be deemed to accept and agree to the provisions and requirements of this Section 3.17.** If an applicant elects to proceed pursuant to zoning provisions of the underlying district, the provisions and requirements of this bylaw applicable in the underlying district shall control and the provision of the Multi-Family Overlay District shall not apply.

The highlighted addition is taken from bylaw provisions establishing other overlay districts in Needham. The language makes clear that an applicant files for a multifamily project by requesting approval under §3.17, and the terms of §3.17 apply rather than the terms of the underlying district. The language also makes clear that a developer agrees to the terms of the bylaw by filing for approval, and safeguards against any possible later claim that the developer did not agree or preserved any objections to the process for approval. Any terms on which §3.17 are silent, should remain in force.

3. Section 3.17.6 Off Street Parking- This section should use the same standards as NZBL s.5.1

The town has a carefully drafted and effective zoning bylaw which addresses parking and new development projects. The proposed Multi-Family Overlay District should continue to be subject to its provisions. The recommendation for the lower number of parking spaces required per unit could be added to s.5.1.2, or could be explicitly included in the new bylaw for multi-family housing. The other requirements of s.5.1 should fully apply to these projects. For example, s.5.1.6 requires maintenance of the parking areas, including they be kept clean, snow

removed and landscaping maintained and replaced when necessary. There is no reason to exempt multi-family projects from these requirements.

4. Section 3.17.7- Design Standards

a. This section should fully incorporate the criteria as written in the current bylaws under NZBL s.7.4.6 and 7.5.2, as well as the standards included in review by the Design Review Board, NZBL s.7.7. This would simply assure the same level of review of projects in this district as currently applies to any other project in town requiring site plan review. Incorporating the existing standards would comply with the state Guidelines for the MBTA multi-family housing statute, accord with the statements made at the HONE meeting on April 30, 2024, and would follow the practices employed by other communities. As noted above, the Guidelines for s. 3A expressly urge, **“The multi-family zoning districts required by Section 3A should encourage the development of multi-family housing projects of a scale, density and aesthetic that are compatible with existing surrounding uses, and minimize impacts to sensitive land.”** Guidelines, at p. 7 (emphasis supplied).

Incorporating existing design standards will help ensure that projects will positively impact the town. It should also be noted that one of the Attorney General’s comments on a previous draft of the proposed zoning received on July 1, 2024 states, “Does Section 7.7 Design Review apply? Consider making that clear.” Design Review under Section 7.7 of the existing NZBL should be included in the proposed bylaw as it is compatible with the intent and aims of Section 3A of the Zoning Act.

b. Section 3.17.7 (d) What are the standards for landscaping? Why does this section require species that are native, unlike any other section of the zoning bylaws? If this is a desired goal, should we amend the other parts of the bylaws?

c. Section 3.17.7 (i) seeks to limit the number of removed trees 8” or larger in diameter, and the volume of earth cut and fill. Can the bylaw prevent a developer from removing these trees or earth cut and fill before applying for site plan review?

d. Section (j)- This section should incorporate the current bylaws provisions on retaining walls, NZBL s.6.11.

Yours truly,

Holly Clarke
Town Meeting Member- Precinct D
1652 Central Avenue
Needham, MA 02492

Alexandra Clee

From: lw29@comcast.net
Sent: Sunday, September 15, 2024 3:07 PM
To: Lee Newman; Alexandra Clee; adam.block@compass.com
Cc: 'Oscar Mertz'; N. Espada; psa@westonpatrick.com
Subject: RE: Planning Board Agenda - September 17, 2024
Attachments: MBTA ovrelay.jpg; _Crescent Road, Needham MA - 01.02.2018.pdf

Lee

We do own lot 39.

315 Hunnewell Brookline Oriental although I personally feel should have been included for several reasons, mostly to provide a better access in and out of Crescent Road instead of directing everything by the homes on Crescent onto West St. You could of restricted the residential front area to only accommodate access no buildings. But that I leave to brighter minds than mine. 315 Hunnewell is unlike 178 – 186 Crescent in that its front is General Residence, it building crosses 2 zones. 178 – 186 Crescent the building is on the industrial zone and the rear mostly unbuildable is in the General Residence zone and per my conversations with you and others should be corrected. Now given that ability, it is excluded.

As to your point about abutting residential. 74 Crescent and all of the properties on the East side of Crescent proposed for the MBTA zone abut residential homes that are already on small lots, that any development will over shadow. Unlike 176 – 186 Crescent. I am attaching a plan showing this. How are any of these parcels different than our parcel????

I am attaching a plan was drawn up in 2017 in keeping with the dimensional requirements at that time, that you, Dave Roach, John Bulian, Moe Handle and Dave Matthews I shared with to open up discussions and was received favorably. Unfortunately it was not zoned at the time.

I believe that the current zoning allows for the same massing as my rendering and in keeping with the proposed base plan 40' height, far .50.

Now given an opportunity to correct this, the largest parcel on the street, the one with the most likely hood of being developed, it is excluded from MBTA zone and the much needed housing.

Thanks

Louis

From: Lee Newman <LNewman@needhamma.gov>
Sent: Friday, September 13, 2024 1:11 PM
To: 'lw29' <lw29@comcast.net>; Alexandra Clee <aclee@needhamma.gov>; adam.block@compass.com
Cc: Oscar Mertz <oemertz@gmail.com>; N. Espada <nespada@studioenee.com>
Subject: RE: Planning Board Agenda - September 17, 2024

Lou,

I have attached to this email a copy of Assessors Map 98. You are correct both lots at the end of Crescent Road namely Lot 32 and Lot 39 (I understand you own 39) were excluded from the overlay. This was because they were both split between Industrial Use and a Residential Use and directly abutted current residential development to the north at Andrea Circle. This was a decision made by HONE and was reflected in the articles submitted to the state and advertised for public hearing for Town Meeting. It is not legally possible to expand the zone presently as such would require the initiation of the complete rezoning process dictated by MGL Chapter 40A. If you wish to pursue this change it would need to be pursued at a subsequent Town Meeting.

I have added Natasha Espada to this email as she currently Chairs the Planning Board.

Lee

From: lw29 <lw29@comcast.net>
Sent: Friday, September 13, 2024 10:01 AM
To: Alexandra Clee <aclee@needhamma.gov>; Lee Newman <LNewman@needhamma.gov>; adam.block@compass.com
Cc: Lee Newman <LNewman@needhamma.gov>; Oscar Mertz <oemertz@gmail.com>
Subject: RE: Planning Board Agenda - September 17, 2024

Can you please add to the agenda crescent road map correction please. I thought this had already been addressed. But upon review of the plan it has not. Please let me know of any questions.

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: Alexandra Clee <aclee@needhamma.gov>
Date: 9/12/24 3:48 PM (GMT-05:00)
To: lw29 <lw29@comcast.net>
Cc: Lee Newman <LNewman@needhamma.gov>
Subject: RE: Planning Board Agenda - September 17, 2024

Hi Louis,

The maps can be found here: <https://needhamma.gov/DocumentCenter/View/46215/Zoning-Maps>

(with more information here: <https://needhamma.gov/5572/MBTA-Communities-Zoning-Proposal>)

I am unsure if your property is included or not, but it seems like at least not entirely.

Thanks, alex.

Alexandra Clee

Assistant Town Planner

Needham, MA

781-455-7550 ext. 271

www.needhamma.gov

From: lw29 <lw29@comcast.net>

Sent: Thursday, September 12, 2024 2:47 PM

To: Alexandra Clee <aclee@needhamma.gov>

Subject: RE: Planning Board Agenda - September 17, 2024

Alex, hope all us well. Can you send me the plan showing crescent road. In your opinion is our property at 178 - 186 going to be in the new apartment zone?

Thanks

Louis

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: Alexandra Clee <aclee@needhamma.gov>

Date: 9/12/24 1:20 PM (GMT-05:00)

To:

Subject: Planning Board Agenda - September 17, 2024

Please find attached the Planning Board agenda for its meeting of September 17, 2024.

The meeting will begin at 7:00 p.m. and will be held via Zoom as well as in the Powers Hall of Needham Town Hall, 1471 Highland Ave, Needham. Instructions for accessing the meeting can be found in the attached agenda.

Thanks, alex.

Alexandra Clee

Assistant Town Planner

Needham, MA

781-455-7550 ext. 271

[//www.needhamma.gov/planning](http://www.needhamma.gov/planning)





Proposed Residential Development
186 Crescent Road - Needham Mass.
*

architects
mckay

35 Bryant Street
Dedham, MA 02026
ph: 781-326-5400
www.mckayarchitects.no

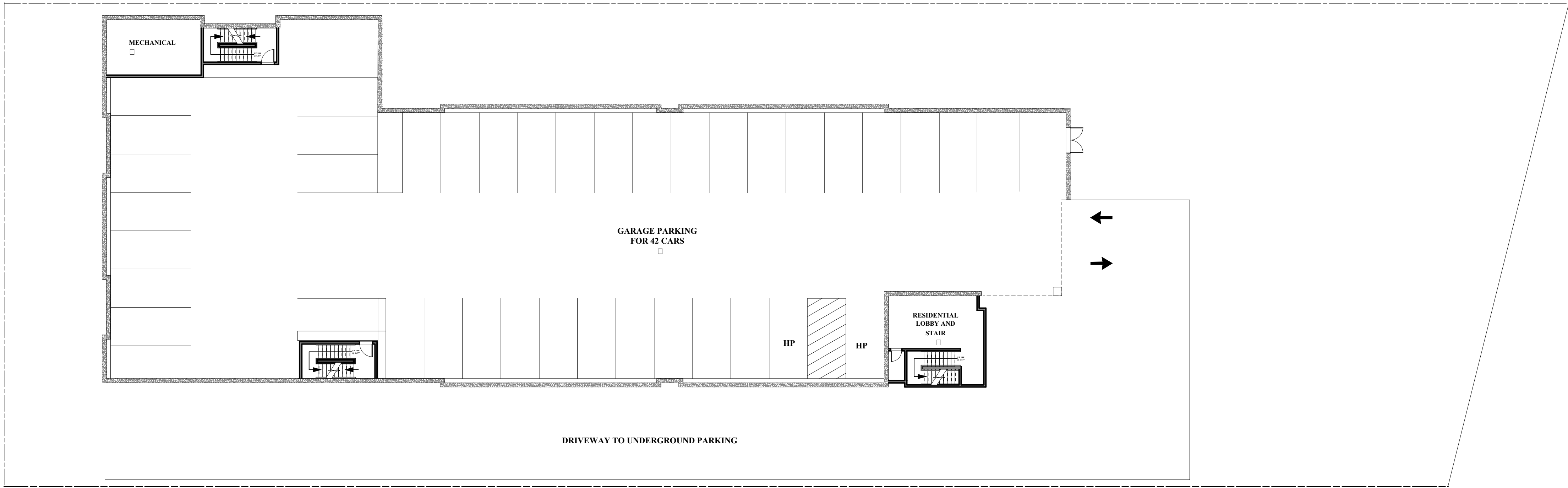
**186
Crescent Road
Needham, MA**

NER

**35 Bryant Street
Dedham, MA 02026**

ph.781.326.5400

www.mckayarchitects.net



TOTAL:
30 ONE BEDROOM UNITS
12 TWO BEDROOM UNITS

42 UNITS

PARKING FOR 82 CARS

[illegible]

OWNERSHIP & USE OF DOCUMENTS

These drawings and specifications are the property and copyright of McKay Architects and shall not be used in whole or in part, or shall be assigned to a third party without the express written permission of McKay Architects.

Contractor to verify all information and dimensions in the field prior to start of construction and is to notify McKay Architects of any discrepancies

Garage Floor Plan

JOB NO	
DATE 01.02.18	
DWG BY	RJM
CKD BY	MLM
SCALE	1/16" = 1'-0"

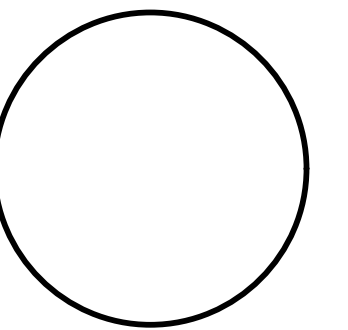
A-1.1

1	Garage
A-1.1	1/16" = 1'-0"

**186
Crescent Road
Needham, MA**

OWNER

35 Bryant Street
Dedham, MA 02026
ph.781.326.5400
www.mckayarchitects.net

[illegible]

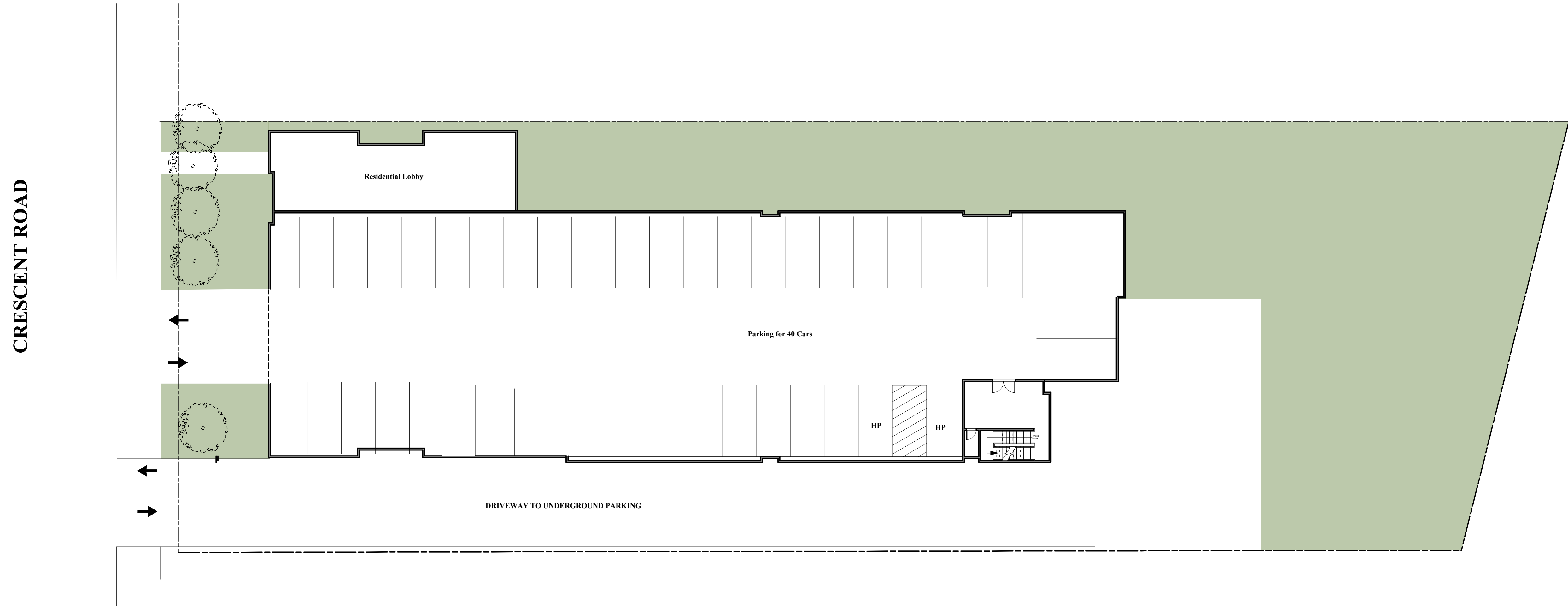
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A-1.2

JOB NO	
DATE	01.02.18
DWG BY	RJM
CKD BY	MLM
SCALE	1/16" = 1'-0"



TOTAL:
30 ONE BEDROOM UNITS
12 TWO BEDROOM UNITS
42 UNITS

PARKING FOR 82 CARS



First Floor Plan
1/16" = 1'-0"

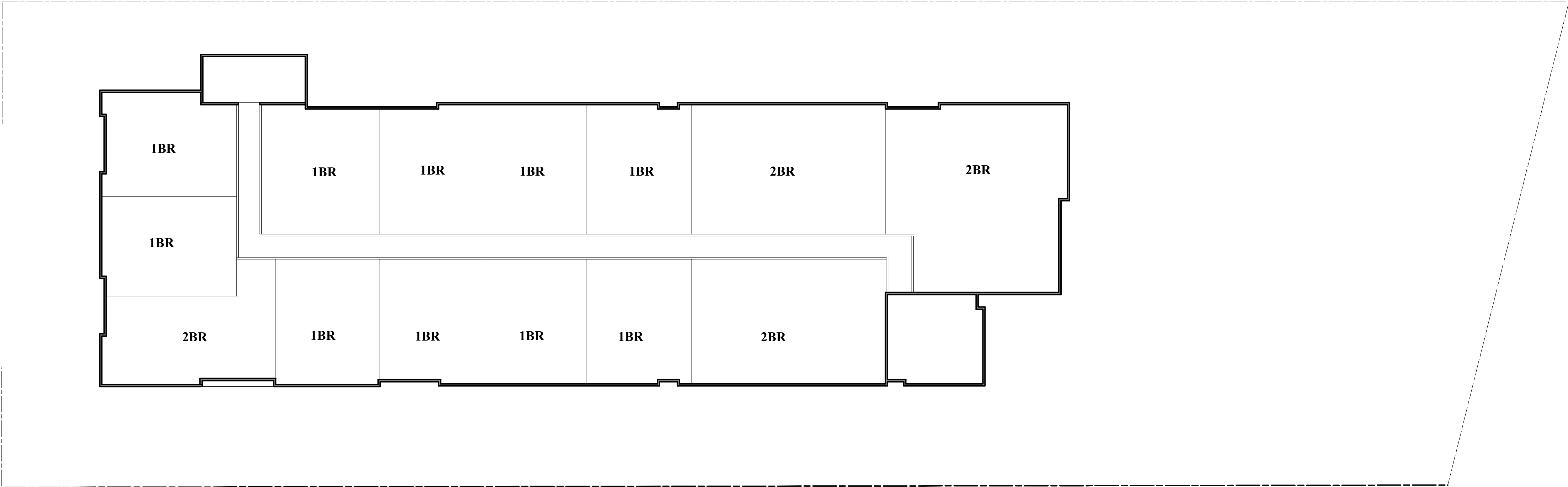
**186
Crescent Road
Needham, MA**

NER

**35 Bryant Street
Dedham, MA 02026**

ph.781.326.5400

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TOTAL:
30 ONE BEDROOM UNITS
12 TWO BEDROOM UNITS

42 UNITS

Second, Third and Fourth Floor Plan

[illegible]

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Second, Third & Fourth Floor Plan

JOB NO	
DATE 01.02.18	
DWG BY	RJM
CKD BY	MLM
SCALE	1/16" = 1'-0"

A-1.3

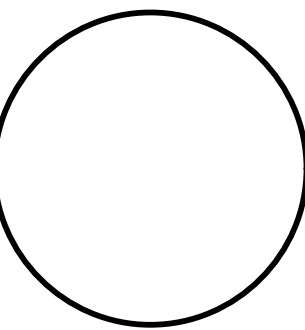
Proposed Residential Development

**186
Crescent Road
Needham, MA**

NER

mckay architects

**35 Bryant Street
Dedham, MA 02026
ph.781.326.5400
www.mckayarchitects.com**

[illegible]

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Contractor to verify all information and dimensions in the field prior to start of construction and is to notify McKay Architects of any discrepancies

Front Elevation

JOB NO	
DATE 01.02.18	
DWG BY	RJM
CKD BY	MLM
SCALE	3/16" = 1'-0"

A-2.1

Front Elevation
3/16" = 1'-0"

Front Elevation

**186
Crescent Road
Needham, MA**

OWNER

35 Bryant Street
Dedham, MA 02026
ph.781.326.5400
www.mckayarchitects.net



Right Side Elevation

[illegible]

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A-2.2

JOB NO	
DATE	01.02.18
DWG BY	RJM
CKD BY	MLM
SCALE	1/8" = 1'-0"

Alexandra Clee

From: Lee Newman
Sent: Monday, September 16, 2024 11:03 AM
To: lw29
Cc: Alexandra Clee
Subject: RE: Draft letter to the planning board

Lou,

Thanks for your email. I will add it to the packet for the Planning Board meeting on September 17. I do want to clarify however, that the public hearing on this zoning amendment closed on September 5.

Lee

From: lw29 <lw29@comcast.net>
Sent: Friday, September 13, 2024 3:05 PM
To: Lee Newman <LNewman@needhamma.gov>; lw29 <lw29@comcast.net>
Subject: Draft letter to the planning board

Lee,

I appreciate your input and recommendation. Please review and let me know. Sorry for your loss, have a good weekend.

I understand that the public hearing is still open and planned for this Tuesday the 17th.

I was always under the impression that our property at 178 -186 Crescent was to be included in the new apartment zone. And all studies included units from our property.

I did not realize that HONE had excluded it, until i sought to correct the "final plan" as soon as I saw it.

Under the existing zoning we are allowed 3 stories not to exceed 40 feet and a .5 FAR This is the same as if we were included in the "Base Plan" only difference is we would not be allowed to build apartments which is more conducive to the area and the point of the MBTA zone.

Under the enhanced plan, the only change would be to the FAR raising it from .50 vs .75 while keeping the same 3 stories and height not to exceed 40' again making it a similar use to the proposed uses for the street and point of the MBTA zone.

You elude to the property to the east of us and not owned by us, Brookline Oriental, please note that property while having access to Crescent is actually located at 315 Hunnewell street a residential zone abutting residential homes And I was told that was the rational for not including Brookline Oriental and only including those with the mixed zoning on the west side of 166, 178 - 186 Crescent.

While you also mention that we abut two homes on Andrea Circle, we mostly abut conservation lands and unbuildable land.

This is unlike the properties to the east on Crescent as well as 62 and 66 Crescent that directly abut residential dwellings. And included in the overlay.

I trust you see how I am perplexed by our exclusion.

I have met numerous times over the years from Devera Balin, Moe, John Bulian, Adam and yourself to help try to improve Crescent Road as we own multiple properties there and care deeply to helping improve our community and saw the MBTA zone as a step in the right direction.

I hope that it will be discussed and included in the plans at the public meeting on Tuesday.

If it is too late for the October vote, I would like the support of the planning board and select board to have it addressed and corrected for the spring vote. Without requiring anything further on.

Thank you.

Louis wolfson

Sent from my T-Mobile 4G LTE Device

Alexandra Clee

From: lw29@comcast.net
Sent: Monday, September 16, 2024 2:25 PM
To: Lee Newman; N. Espada
Cc: psa@westonpatrick.com; 'Jeanne McKnight'; artie@nec-solar.com; jmcullen@gmail.com; adam.block@compass.com; Alexandra Clee
Subject: RE: Letter to the planning board

Lee

You added the one below, correct?

How can it be addressed. I understand there are three avenues .- the 1st two you explained do not meet the state notification rules are not feasible. So that leaves me with #3

1: It is not too late to reopen the meeting as although closed it has not been voted on yet – if included it will be approved

2; amend it for town meeting (ideally by town planning members) as this change does not negatively impact the MBTA zone as it does not take away land or units – any concerns about town input is s alleviated, as town meeting members represent the town. It may or may not get approved

3: have planning board members, agree that they feel it should be correct (assuming they do) and that It is too late for the Oct town meeting. Agree that it should be readvertised as a warranty article for the spring town meeting and go thru the proper procedures – at which time it may or may not get approved.

As in speaking with others to exclude 178-186 was certainly not the intent. Intent and doing the right thing are two entirely different things.

Louis

From: Lee Newman <LNewman@needhamma.gov>
Sent: Monday, September 16, 2024 11:55 AM
To: lw29@comcast.net
Cc: N. Espada <nespada@studioenee.com>; adam.block@compass.com; psa@westonpatrick.com; 'Jeanne McKnight' <jeannemcknight@comcast.net>; adam.block@compass.com; artie@nec-solar.com
Subject: RE: Letter to the planning board

Lou,

Without readvertising the zoning, the hearing cannot be reopened. I have added your earlier correspondence to the Planning Board meeting packet of September 17.

Lee

From: lw29@comcast.net <lw29@comcast.net>

Sent: Monday, September 16, 2024 11:52 AM

To: Lee Newman <LNewman@needhamma.gov>

Cc: N. Espada <nespada@studioenee.com>; adam.block@compass.com; psa@westonpatrick.com; 'Jeanne McKnight' <jeannemcknight@comcast.net>; adam.block@compass.com; artie@nec-solar.com

Subject: RE: Letter to the planning board

Lee,

I am not sure if the public hearing is still open, I understand there are many discussions on going. If it is not, I hereby request that it be re-opened.

I was always under the impression and told that our property at 178 -186 Crescent was to be included in the new apartment zone. Based on being involved in the study committee and early on conversation thru April. Although I pointed out the oversight as it was not on the map. The studies up to that time included units from our property and my emails to you as well as conversations with Heidi and others never once stated we were excluded. The one property on the street that is likely to be redeveloped.

I did not realize that HONE had excluded it, until i sought to correct the "final plan" as soon as I saw it on the last email received 9/12/24 from the planning board which included the final map. The previous emails in July and August did not and I was also unable to attend them and the sept 5 meeting even via zoom.

Under the existing zoning we are allowed 3 stories not to exceed 40 feet and a .5 FAR This is the same as if we were included in the "Base Plan" only difference is we would not be allowed to build apartments which is more conducive to the area and the point of the MBTA zone.

Under the enhanced plan, the only change would be to the FAR raising it from .50 vs .75 while keeping the same 3 stories and height not to exceed 40' again making it a similar use to the proposed uses for the street and point of the MBTA zone.

You allude to the property to the east of us and not owned by us, Brookline Oriental, please note that property while having access to Crescent is actually located at 315 Hunnewell street a residential zone abutting residential homes And I was told that was the rational for not including Brookline Oriental and spoke with Heidi to ask 315 Hunnewell be included. And that it only included those with the mixed zoning on the west side of 166, 178 - 186 Crescent.

While you also mention that we abut two homes on Andrea Circle. We mostly abut conservation lands and unbuildable land, and those on Andrea Circle have greater setbacks from 178-186

This is unlike the properties to the east side on Crescent as well as 74 Crescent that directly abut residential dwellings on smaller lots, less setbacks and will have far greater impact on those properties. However they are included in the overlay, and 178 – 186 is excluded.. Attached Map overlay

I ask why is 178-186 Crescent the only property on Crescent excluded.

I have met numerous times since 2001 when we purchased the property with Devera Balin, Moe, John Bulian, Dan Matthews, Adam and yourself to help try to improve Crescent Road as we own multiple properties there and care deeply to helping improve our community and was always told we will get to it. I saw the MBTA zone as a step in the right direction, a no brainer to correct the zoning issues and provide the housing. Now when we finally get the opportunity to do that, the one property on the street that sought to make the change is excluded

I trust you see how I am perplexed by our exclusion.

I hope that it will be discussed and included in the plans at the public meeting on Tuesday.

Thank you.

Louis

Louis Wolfson
29 Cimino Road
Needham, MA 02494

617-799-3326

Sent from my T-Mobile 4G LTE Device

ARTICLE 1: AMEND ZONING BY-LAW – MULTI-FAMILY OVERLAY DISTRICT (BASE PLAN)

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

1. By amending Section 1.3, Definitions by adding the following terms:

Applicant – A person, business, or organization that applies for a building permit, Site Plan Review, or Special Permit.

2. By amending Section 2.1, Classes of Districts by adding the following after ASOD Avery Square Overlay District:

MFOD – Multi-family Overlay District

3. By inserting a new Section 3.17 Multi-family Overlay District:

3.17 Multi-family Overlay District

3.17.1 Purposes of District

The purposes of the Multi-family Overlay District include, but are not limited to, the following:

- (a) Providing Multi-family housing in Needham, consistent with the requirements of M.G.L. Chapter 40A (the Zoning Act), Section 3A;
- (b) Supporting vibrant neighborhoods by encouraging Multi-family housing within a half-mile of a Massachusetts Bay Transit Authority (MBTA) commuter rail station; and
- (c) Establishing controls which will facilitate responsible development and minimize potential adverse impacts upon nearby residential and other properties.

Toward these ends, Multi-family housing in the Multi-family Overlay District is permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the requirements of this Section 3.17.

3.17.2 Scope of Authority

In the Multi-family Overlay District, all requirements of the underlying district shall remain in effect except where the provisions of Section 3.17 provide an alternative to such requirements, in which case these provisions shall supersede. If an Applicant elects to develop Multi-family housing in accordance with Section 3.17, the provisions of the Multi-family Overlay District shall apply to such development. Notwithstanding anything contained herein to the contrary, where the provisions of the underlying district are in conflict or inconsistent with the provisions of the Multi-family Housing Overlay District, the terms of the Multi-family Overlay District shall apply.

If the applicant elects to proceed under the zoning provisions of the underlying district (meaning the applicable zoning absent any zoning overlay) or another overlay district, as applicable, the zoning bylaws applicable in such district shall control and the provisions of the Multi-family Overlay District shall not apply.

3.17.2.1 Subdistricts

The Multi-family Overlay District contains the following sub-districts, all of which are shown on the MFOD Boundary Map and indicated by the name of the sub-district:

- (a) A-1
- (b) B
- (c) ASB-MF
- (d) CSB
- (e) HAB
- (f) IND

3.17.3 Definitions

For purposes of this Section 3.17, the following definitions shall apply.

Affordable housing – Housing that contains one or more Affordable Housing Units as defined by Section 1.3 of this By-Law. Where applicable, Affordable Housing shall include Workforce Housing Units, as defined in this Subsection 3.17.3 **Definitions**.

As of right – Development that may proceed under the zoning in place at time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.

Compliance Guidelines – *Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act* as further revised or amended from time to time.

EOHLC – The Massachusetts Executive Office of Housing and Livable Communities, or EOHLC's successor agency.

Multi-family housing – A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building and that complies with the requirements of M.G.L. c.40A, §3A and the rules and requirements thereunder.

Open space – Contiguous undeveloped land within a parcel boundary.

Parking, structured – A structure in which Parking Spaces are accommodated on multiple stories; a Parking Space area that is underneath all or part of any story of a structure; or a Parking Space area that is not underneath a structure, but is entirely covered, and has a parking surface at least eight feet below grade. Structured Parking does not include surface parking or carports, including solar carports.

Parking, surface – One or more Parking Spaces without a built structure above the space. A solar panel designed to be installed above a surface Parking Space does not count as a built structure for the purposes of this definition.

Residential dwelling unit – A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Section 3A – Section 3A of the Zoning Act.

Site plan review – the site plan review process as provided in Section 7.4 of this By-Law that an applicant must obtain for any multi-family housing development projects in the MFOD district,

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Site plan review authority – The Town of Needham Planning Board.

Special permit granting authority – The Town of Needham Planning Board.

Sub-district – An area within the MFOD that is geographically smaller than the MFOD district and differentiated from the rest of the district by use, dimensional standards, or development standards.

Subsidized Housing Inventory (SHI) – A list of qualified Affordable Housing Units maintained by EOHLC used to measure a community's stock of low-or moderate-income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.

Workforce housing unit – Affordable Housing Unit as defined by Section 1.3 of this By-Law but said Workforce Housing Unit shall be affordable to a household with an income of between eighty (80) percent and 120 percent of the area median income as defined.

3.17.4 Use Regulations

3.17.4.1 Permitted Uses

The following uses are permitted in the Multi-family Overlay District as a matter of right:

- (a) Multi-family housing.

3.17.4.2 Accessory Uses.

The following uses are considered accessory as of right to any of the permitted uses in Subsection 3.17.4.1:

- (a) Parking, including surface parking and structured parking on the same lot as the principal use.
- (b) Any uses customarily and ordinarily incident to Multi-family housing, including, without limitation, residential amenities such as bike storage/parking, a swimming pool, fitness facilities and similar amenity uses.

3.17.5 Dimensional Regulations

3.17.5.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply in the Multi-family Overlay District sub-districts listed below. Buildings developed under the regulations of the Multi-family Overlay District shall not be further subject to the maximum lot area, frontage, and setback requirements of the underlying districts, as contained in Subsection 4.3.1 Table of Regulations, Subsection 4.4.1 Minimum Lot Area and Frontage, Subsection 4.4.4 Front Setback, Subsection 4.6.1 Basic Requirements, and Subsection 4.6.2 Front and Side Setbacks.

	A-1	B	ASB-MF	CSB	HAB	IND
Minimum Lot Area (square feet)	20,000	10,000	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	120	80	80	80	80	80
Minimum Front Setback (feet) from the front property line	25	10	Minimum 10 Maximum 15 ^{f, g}	20 feet for buildings with frontage on Chestnut Street 10 feet for all other buildings	20	25
Minimum Side and Rear Setback (feet)	20	10 ^{a, b}	10 ^{a, d}	20 (side) ^{a, b, e}	20 ^{a, b}	20 ^{a, b}

- (a) The requirement of an additional 50-foot side or rear setback from a residential district as described in Subsection 4.4.8 Side and Rear Setbacks Adjoining Residential Districts or Subsection 4.6.5 Side and Rear Setbacks Adjoining Residential Districts shall not apply.
- (b) Any surface parking, within such setback, shall be set back 10 feet from an abutting residential district and such buffer shall be suitably landscaped.
- (c) Any underground parking structure shall be located entirely below the grade of the existing lot and set back at least ten (10) feet from the lot line and the surface of the garage structure shall be suitably landscaped in accordance with Subsection 4.4.8.5 Landscaping Specifications.
- (d) The rear and side setbacks are 20 feet along the MBTA right-of-way. With respect to any lot partially within an underlying residential district, (i) no building or structure for a multi-family residential use shall be placed or constructed within 110 feet of the lot line of an abutting lot containing an existing single family residential structure and (ii) except for access driveways and sidewalks, which are permitted, any portion of the lot within said residential district shall be kept open with landscaped areas, hardscaped areas, outdoor recreation areas (e.g., swimming pool) and/or similar open areas.

- (e) On the west side of Chestnut Street, the rear setback shall be 20 feet. On the east side of Chestnut Street, the rear setback shall be 30 feet.
- (f) Seventy percent (70%) of the main datum line of the front facade of the building shall be setback no more than 15 feet, except that periodic front setbacks greater than fifteen (15) feet are allowed if activated by courtyards, landscaping, drive aisles, amenity areas, or other similar site design features that enhance the streetscape. In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board if less than seventy percent (70%) of the main datum line front façade of the building is setback 15 feet.
- (g) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for an additional curb cut on Highland Avenue or West Street. For the sake of clarity, modifications to existing curb cuts do not require a Special Permit.

3.17.5.2 Building Height Requirements

The maximum building height in the Multi-family Overlay District sub-districts shall be as shown below. Buildings developed under the Multi-family Overlay District shall not be further subject to the maximum height regulations of the underlying district, as contained in Subsection 4.3.1 Table of Regulations, Subsection 4.4.2 Maximum Building Bulk, Subsection 4.4.3 Height Limitation, Subsection 4.6.1 Basic Requirements, and Subsection 4.6.4 Height Limitation.

	A-1	B	ASB-MF	CSB	HAB	IND
Maximum Building Height (stories)	3.0	3.0	3.0 ^c	3.0	3.0	3.0
Maximum Building Height (feet)	40	40	40 ^c	40	40	40

- (a) Exceptions. The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, stair overruns, elevator overruns, mechanical equipment, roof parapets, architectural screening, or other ornamental features of buildings, which features (i) are in no way used for living purposes; (ii) do not occupy more than 25% of the gross floor area of the building and (iii) do not project more than 15 feet above the maximum allowable height.
- (b) Exceptions: Renewable Energy Installations. The Site Plan Review Authority may waive the height and setbacks in Subsection 3.17.5.2 Building Height Requirements and Subsection 3.17.5.1 Lot Area, Frontage and Setback Requirements to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall be appropriately screened, consistent with the requirements of the underlying district; shall not create a significant detriment to abutters in terms of noise or shadow; and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.
- (c) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for a height of four stories and 50 feet, provided that the fourth story along Highland Avenue and West Street incorporates one or more of the following design elements: (i) a pitched roof having a maximum roof pitch of 45 degrees; (ii) a fourth story recessed from the face of the building by a

minimum of 12 feet; and/or (iii) such other architectural design elements proposed by the Applicant and approved by the Planning Board during the Special Permit process.

3.17.5.3 Building Bulk and Other Requirements

The maximum floor area ratio or building coverage and the maximum number of dwelling units per acre, as applicable, in the Multi-family Overlay District sub-districts shall be as shown below, except that the area of a building devoted to underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio or building coverage, as applicable. Buildings developed under the regulations of the Multi-family Overlay District shall not be subject to any other limitations on floor area ratio or building bulk in Subsection 4.3.1 Table of Regulations, Subsection 4.4.2 Maximum Building Bulk, and Subsection 4.6.3 Maximum Lot Coverage.

	A-1	B	ASB-MF	CSB	HAB	IND
Floor Area Ratio (FAR) ^c	0.50	N/A	1.3 ^b	0.70	0.70	0.50
Maximum Building Coverage (%)	N/A	25%	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre ^a	18	N/A	N/A	18	N/A	N/A

- (a) The total land area used in calculating density shall be the total acreage of the lot on which the development is located.
- (b) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for an FAR of up to 1.7.
- (c) In the ASB-MF subdistrict, the following shall not be counted as floor area for purposes of determining the maximum floor area ratio: (i) interior portions of a building devoted to off-street parking; (ii) parking garages, structured parking or deck/rooftop parking that are screened in a manner compatible with the architecture of the building from Highland Avenue and the Needham Heights Common. In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board to exclude additional areas from floor area for purposes of determining the maximum floor area ratio.

3.17.5.4 Multiple Buildings on a Lot

In the Multi-family Overlay District, more than one building devoted to Multi-family housing may be located on a lot, provided that each building complies with the requirements of Section 3.17 of this By-Law.

3.17.5.5 Use of Dwelling Units

Consistent with the Executive Office of Housing and Livable Communities' Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act, and notwithstanding anything else

contained in the Zoning By-Law to the contrary, Multi-family housing projects shall not be required to include units with age restrictions, and units shall not be subject to limit or restriction concerning size, the number or size of bedrooms, a cap on the number of occupants, or a minimum age of occupants.

3.17.6 Off-Street Parking

- (a) The minimum number of off-street parking spaces shall be one space per dwelling unit for all subdistricts within the Multi-family Overlay District.
- (b) Parking areas shall be designed and constructed in accordance with Subsection 5.1.3 Parking Plan and Design Requirements. The remaining provisions of Section 5.1 Off Street Parking Regulations shall not apply to projects within the Multi-family Overlay District.
- (c) Enclosed parking areas shall comply with Subsection 4.4.6 Enclosed Parking.
- (d) No parking shall be allowed within the front setback. Parking shall be on the side or to the rear of the building, or below grade.
- (e) The minimum number of bicycle parking spaces shall be one space per dwelling unit.
- (f) Bicycle storage. For a multi-family development of 25 units or more, no less than 25% of the required number of bicycle parking spaces shall be integrated into the structure of the building(s) as covered spaces.

3.17.7 Development Standards

- (a) Notwithstanding anything in the Zoning By-Laws outside of this Section 3.17 to the contrary, Multi-family housing in the Multi-family Overlay District shall not be subject to any special permit requirement.
- (b) Building entrances shall be available from one or more streets on which the building fronts and, if the building fronts Chestnut Street, Garden Street, Highland Avenue, Hillside Avenue, Rosemary Street, or West Street, the primary building entrance must be located on at least one such street.
- (c) Site arrangement and driveway layout shall provide sufficient access for emergency and service vehicles, including fire, police, and rubbish removal.
- (d) Plantings shall be provided and include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, are prohibited.
- (e) All construction shall be subject to the current town storm water bylaws, regulations, and policies along with any current regulations or policies from DEP, state, and federal agencies.
- (f) Control measures shall be employed to mitigate any substantial threat to water quality or soil stability, both during and after construction.
- (g) Off-site glare from headlights shall be controlled through arrangement, grading, fences, and planting. Off-site light over-spill from exterior lighting shall be controlled through luminaries selection, positioning, and mounting height so as to not add more than one foot candle to illumination levels at any point off-site.
- (h) Pedestrian and vehicular movement shall be protected, both within the site and egressing from it, through selection of egress points and provisions for adequate sight distances.
- (i) Site arrangements and grading shall minimize to the extent practicable the number of removed trees 8" trunk diameter or larger, and the volume of earth cut and fill.
- (j) No retaining wall shall be built within the required yard setback except a retaining wall with a face not greater than four (4) feet in height at any point and a length that does not exceed forty (40) percent of the lot's perimeter. Notwithstanding the foregoing, retaining walls may graduate in height from four (4) to seven (7) feet in height when providing access to a garage or egress entry

doors at the basement level, measured from the basement or garage floor to the top of the wall. In such cases, the wall is limited to seven (7) feet in height for not more than 25% of the length of the wall.

- (k) Retaining walls with a face greater than twelve (12) feet in height are prohibited unless the Applicant's engineer certifies in writing to the Building Commissioner that the retaining wall will not cause an increase in water flow off the property and will not adversely impact adjacent property or the public.

Special Development Standards for the A-1 Subdistrict

The following requirements apply to all development projects within the A-1 subdistrict of the Multi-family Overlay District:

- (a) 4.3.2 Driveway Openings
- (b) 4.3.3 Open Space
- (c) 4.3.4 Building Location, with the substitution of "Multifamily Dwelling" for "apartment house."

Special Development Standards for the B and IND Subdistricts of the Multi-Family Overlay District:

- (a) The requirements of the first paragraph of 4.4.5 Driveway Openings shall apply to all development projects within the Multi-family Overlay District within the B and IND subdistricts.

3.17.8 Affordable Housing

Any multi-family building with six or more dwelling units shall include Affordable Housing Units as defined in Section 1.3 of this By-Law and the requirements below shall apply.

3.17.8.1 Provision of Affordable Housing.

Not fewer than 12.5% of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of Affordable Housing Units required in a proposed development, any fractional unit shall be rounded up to the nearest whole number and shall be deemed to constitute a whole unit.

In the event that the Executive Office of Housing and Livable Communities (EOHLC) determines that the calculation detailed above does not comply with the provisions of Section 3A of MGL c.40A, the following standard shall apply:

Not fewer than 10% of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of Affordable Housing Units required in a proposed development, any fractional unit shall be rounded up to the nearest whole number and shall be deemed to constitute a whole unit.

3.17.8.2 Development Standards.

Affordable Units shall be:

- (a) Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
- (b) Dispersed throughout the development;
- (c) Located such that the units have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or Electric Vehicle charging stations) within the development;
- (d) Located such that the units have equal avoidance of any potential nuisances as market-rate units within the development;

- (e) Distributed proportionately among unit sizes; and
- (f) Distributed proportionately across each phase of a phased development.
- (g) Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis.

3.17.9 Site Plan Review.

3.17.9.1 Applicability.

Site Plan Review, as provided for in this Section 3.17, is required for all Multi-family housing projects within the Multi-Family Overlay District. Notwithstanding any other provision contained in the Zoning By-Law, except as expressly provided for in this Section 3.17, Multi-family housing projects are not subject to ~~site plan or~~ special permit review pursuant to Section 7 ~~(what is Section 7?)~~.

3.17.9.2 Submission Requirements.

The Applicant shall submit the following site plan and supporting documentation as its application for Site Plan Review, unless waived in writing by the Planning and Community Development Director:

- (a) Locus plan;
- (b) Location of off-site structures within 100 feet of the property line;
- (c) All existing and all proposed building(s) showing setback(s) from the property lines;
- (d) Building elevation, to include penthouses, parapet walls and roof structures; floor plans of each floor; cross and longitudinal views of the proposed structure(s) in relation to the proposed site layout, together with an elevation line to show the relationship to the center of the street;
- (e) Existing and proposed contour elevations in one-foot increments;
- (f) Parking areas, including the type of space, dimensions of typical spaces, and width of maneuvering aisles and landscaped setbacks;
- (g) Driveways and access to site, including width of driveways and driveway openings;
- (h) Facilities for vehicular and pedestrian movement;
- (i) Drainage;
- (j) Utilities;
- (k) Landscaping including trees to be retained and removed;
- (l) Lighting;
- (m) Loading and unloading facilities;
- (n) Provisions for refuse removal; and
- ~~(o)~~ Projected traffic volumes in relation to existing and reasonably anticipated conditions based on standards from the Institute of Transportation Engineers and prepared by a licensed traffic engineer.

~~At the time of filing the site plan review application, the Applicant shall submit an application for design review to the Design Review Board, in accordance with the procedures described in Subsection 7.7.3 of Section 7.7, except that the Design Review Board shall submit its written advisory report within 35 days.~~

~~(o)~~

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3.17.9.3 Timeline.

Upon receipt of an application for Site Plan Review for a project in the MFOD, the Site Plan Review Authority shall transmit a set of application materials to the Department of Public Works, Town Engineer, Police Department, Fire Department, Design Review Board, and to any other Town agency it deems appropriate, which shall each have thirty five (35) days to provide any written comment. The Design Review Board shall submit a final design review report within said 35 day period. Upon receipt of an application, the Site Plan Review Authority shall also notice a public hearing in accordance with the notice provisions contained in M.G.L. c.40A, §11. Site plan review shall be completed, with a decision rendered and filed with the Town Clerk, no later than 6 months after the date of submission of the application.

3.17.9.4 Site Plan Approval.

Site Plan approval for uses listed in Subsection 3.17.3 Permitted Uses shall be granted upon determination by the Site Plan Review Authority that the following criteria have been satisfied. The Site Plan Review Authority may impose reasonable conditions, at the expense of the applicant, to ensure that these criteria have been satisfied.

- (a) the Applicant has submitted the information as set forth in Subsection 3.17.8.2 Development Standards; and
- (b) the project as described in the application meets the dimensional and density requirements contained in Subsection 3.17.5 Dimensional Regulations, the parking requirements contained in Subsection 3.17.6 Off-Street Parking, ~~and~~ the development standards contained in Subsection 3.17.7 Development Standards, ~~as~~ and the site plan review criteria provisions of By-Law Section 7.4.6.

3.17.9.5 Waivers

When performing site plan review, the Planning Board may waive the requirements of Subsection 3.17.6 hereof and/or Subsection 5.1.3 Parking Plan and Design Requirements, or particular submission requirements.

When performing site plan review for a Multi-family Housing project that involves preservation of a structure listed in the National Register of Historic Places, the Massachusetts Register of Historical Places, the Inventory of Historic Assets for the Town of Needham, or is in pending for inclusion in any such register or inventory, the Planning Board as part of site plan review may reduce the applicable front, side or rear setbacks in this Section 3.17 by up to 40%.

3.17.9.6 Project Phasing.

An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Site Plan Review Authority, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased solely to avoid the provisions of Subsection 3.17.7 Affordable Housing.

3.17.10 Design Guidelines

The Planning Board may adopt and amend, by simple majority vote, Design Guidelines which shall be applicable to all rehabilitation, redevelopment, or new construction within the Multi-family Overlay District. Such Design Guidelines must be objective and not subjective and may contain graphics illustrating a particular standard or definition to make such standard or definition clear and

understandable. The Design Guidelines for the Multi-family Overlay District shall be as adopted by the Planning Board and shall be available on file in the Needham Planning Department.

4. By amending the first paragraph of Section 7.7.2.2, Authority and Specific Powers, to add site plan reviews under Section 3.17 to the jurisdiction of the Design Review Board, so that this paragraph reads as follows:

The Design Review Board shall review requests for site plan review and approval submitted in accordance with Section 3.17 Multi-family Overlay District, Section 7.4 Site Plan Review and requests for special permits in accordance with Section 4.2.11 Planned Residential Development, Section 4.2.10 Flexible Development and Section 6.11 Retaining Walls and, for a minor project that only involves a change in the exterior façade of a building in the Center Business District, shall review and may approve such façade change.

5. By amending Section 7.7.3, Procedure, by inserting in the second paragraph, after the second sentence, a new sentence to read as follows:

Within fifteen (15) days of the meeting, a final advisory design review report shall be sent both to the applicant and to the Planning Board, when a site plan review is required under Section 3.17.

so that this paragraph reads as follows:

Within twenty (20) days of receipt of a Design Review application, the Design Review Board shall hold a meeting, to which the applicant shall be invited, for the purpose of conducting a review of the proposed project or activity. Within fifteen (15) days of the meeting, a preliminary design review report shall be sent to both the applicant and to the Planning Board, when a special permit is required under Sections 7.4, 4.2.11 and 4.2.10. Within fifteen (15) days of the meeting, a final advisory design review report shall be sent both to the applicant and to the Planning Board, when a site plan review is required under Section 3.17. However, if the proposed project or activity involves only a building permit or sign permit from the Building Commissioner, or is a “Minor Project” under Site Plan Review (all as described in Subsection 7.7.2.2), no preliminary report is required and the written advisory report of the Design Review Board to the applicant and the Building Commissioner shall be a final report.

Or take any other action relative thereto.

ARTICLE 2: — AMEND ZONING BY-LAW — MAP CHANGE FOR MULTI-FAMILY OVERLAY DISTRICT (BASE PLAN)

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

- (a) — ~~Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and located directly to the south of Hamlin Lane as shown on Needham Town Assessors Map 200, Parcels 1 and 31, superimposing that district over the existing Apartment A-1 district, said description being as follows:~~

~~Beginning at the point of intersection of the easterly sideline of Greendale Avenue and the northerly sideline of Charles River; thence running westerly by the easterly line of Greendale Avenue, four hundred forty-two and 36/100 (442.36) feet, more or less; northeasterly by the southerly line of Hamlin Lane, five hundred thirty-five and 44/100 (535.44) feet, more or less; southeasterly by the southerly line of Hamlin Lane, twenty and 22/100 (20.22) feet, more or less; southeasterly by the land of the Commonwealth of Massachusetts, State Highway I-95, five hundred thirty-nine 11/100 (539.11) feet, more or less; southwesterly by the land of the Commonwealth of Massachusetts, State Highway I-95, four hundred sixty-six (466) feet, more or less; northwesterly by the northerly sideline of Charles River, two hundred seventy-six (276) to the point of beginning.~~

- (b) — ~~Place in the GSB Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and Single Residence B and located directly to the east and west of Chestnut Street as shown on Needham Town Assessors Map 47, Parcels 54, 72, 74-03, 74-04, 76, 77, 78, 79, 80, 83, 84, 85, 86, 87, 88, and 91, Needham Town Assessors Map 46, Parcels 12, 13, 14, 15, 16, 17, 18, 19, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, and 61 and Needham Town Assessors Map 45, Parcel 6, superimposing that district over the existing Chestnut Street Business and Single Residence districts, said description being as follows:~~

~~Beginning at the point of intersection of the easterly sideline of M.B.T.A and the southerly sideline of Keith Place; thence running southeasterly by the southerly sideline of Keith Place to the intersection with northerly sideline of Chestnut Street; southwesterly by the northerly sideline of Chestnut Street to the intersection with northerly sideline of Freeman Place; northeasterly to a point on the southerly sideline of Chestnut Street, approximately four hundred and ninety-five 88/100 (495.88) feet from the intersection with southerly sideline of School Street; southeasterly by the southerly property line of Deaconess-Glover Hospital Corporation, one hundred and eighty-seven 68/100 (187.68) feet, more or less; southwesterly by the easterly property line of Deaconess-Glover Hospital Corporation, ninety-six 74/100 (96.74) feet, more or less; southwesterly by the westerly property line of Chaltanya Kadem and Shirisha Meda, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Huard, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Reidy, ninety-seven 40/100 (97.40) feet, more or less; northeasterly by the northerly property line of L. Petrini & Son Inc, fifteen 82/100 (15.82) feet, more or less; southwesterly by easterly property line of L. Petrini & Son Inc, one hundred and seventy-seven 77/100 (177.77) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, one hundred and two 59/100 (102.59) feet, more or less; southwesterly by the easterly property line of L. Petrini & Son Inc, fifty 16/100 (50.16) feet, more or less; northeasterly by~~

~~the easterly property line of L. Petrini & Son Inc, seven 39/100 (7.39) feet, more or less; southwesterly by the easterly property of Briarwood Property LLC, seventy-five (75.00) feet, more or less; northeasterly by the easterly property of Briarwood Property LLC, one hundred (100) feet, more or less; southwesterly by the easterly property of Briarwood Property LLC, two hundred and forty-nine 66/100 (249.66) feet, more or less; southeasterly by the southerly property of Briarwood Property LLC, two hundred ninety-three (293.28) feet, more or less; southwesterly by the easterly property of Veterans of Foreign Wars, one hundred and fifty (150) feet, more or less; northeasterly by the southerly property line of Veterans of Foreign Wars, eighty-five (85) feet, more or less; southwest by the easterly property of M.B.T.A, one hundred and sixty (160) feet, more or less; southeasterly by the northerly sideline of Junction Street to intersection with westerly sideline of Chestnut; southwesterly by the westerly sideline of Chestnut Street to intersection with northerly sideline of property of M.B.T.A; southwesterly by the southerly property line of Castanea Dentata LLC, two hundred and twenty-eight 81/100 (228.81) feet, more or less; southwesterly by the southerly property line of Castanea Dentata LLC, one hundred and eight 53/100 (108.53) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and thirty-six 6/100 (136.06) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and ten 10/100 (110.10) feet, more or less; thence running northeasterly by the easterly sideline of M.B.T.A. to the point of beginning.~~

- ~~(c) — Place in the IND Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located directly to the south and east of Denmark Lane as shown on Needham Town Assessors Map 132, Parcel 2, superimposing that district over the existing Industrial and Single Residence B districts, said description being as follows:~~

~~Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the southerly sideline of Great Plain Ave; thence running southwesterly by the westerly line of M.B.T.A, four hundred thirty-seven 24/100 (437.24) feet, more or less; southwesterly by the southerly property line of Denmark Lane Condominium, one hundred and eleven 17/100 (111.17) feet, more or less; northeasterly by the easterly property line of Denmark Lane Condominium, two hundred (200) feet, more or less; northwesterly by the southerly property line of Denmark Lane Condominium, one hundred and thirty-nine 75/100 (139.75) feet, more or less; northeasterly by the easterly sideline of Maple Street, one hundred and thirty-five (135) feet, more or less; southeasterly by the northerly property line of Denmark Lane Condominium, one hundred and forty (140) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, fifteen 20/100 (15.2) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, two 44/100 (2.44) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, thirty-three 35/100 (33.35) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, seventy-nine (79) feet, more or less; northwesterly by the northerly property line of Denmark Lane Condominium, thirteen 28/100 (13.28) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, forty-seven 50/100 (47.50) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, eighty-one 91/100 (81.91) feet, more or less; northeasterly by the southerly sideline of Great Plain Ave, twelve 28/100 (12.28) feet to the point of beginning.~~

- ~~(d) — Place in the CSB Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located directly to the east of Garden Street as shown on Needham~~

Town Assessors Map 51, Parcels 17, 20, 22, 23, superimposing that district over the existing Chestnut Street Business district said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the northerly sideline of Great Plain Ave; thence running southwesterly by the northerly sideline of Great Plain Ave, nine 32/100 (9.32) feet, more or less; northeasterly by the westerly property line of Town of Needham; fifty-three 17/100 (53.17) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 40/100 (56.40) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 92/100 (56.92) feet, more or less; northwesterly by the westerly property line of Town of Needham, on an arch length one hundred and twelve 99/100 (112.99) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifteen 10/100 (15.10) feet, more or less; northeasterly by the westerly property line of Town of Needham, one hundred and thirty-eight 83/100 (138.83) feet, more or less; southeasterly by the northerly property line of Town of Needham, thirty-three 42/100 (33.42) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, forty (40) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, eighty-one 99/100 (81.99) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, fifty-eighty 31/100 (58.31) feet, more or less; northeasterly by the easterly sideline of Garden Street to intersection with May Street; northeasterly by the southerly sideline of May Street, sixty-one 33/100 (61.33) feet, more or less; southwesterly by the westerly sideline of M.B.T.A to the point of beginning.

- (e) — Place in the B Subdistrict of the Multi-family Overlay District a portion of land now zoned Business and Single Residence B and located directly to the west of Highland Avenue as shown on Needham Town Assessors Map 52, Parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, and Needham Town Assessors Map 226, Parcels 56, 57, and 58, superimposing that district over the existing Business and Single Residence B districts, said description being as follows:

Beginning at the point of intersection of the easterly sideline of M.B.T.A. and the northerly sideline of May Street; thence running northeasterly by the easterly sideline of M.B.T.A. to the intersection with southerly sideline of Rosemary Street; southeasterly by the southerly sideline of Rosemary Street to the intersection with easterly sideline of Highland Ave; southwesterly by the westerly sideline of Highland Avenue to the intersection with the northerly sideline of May St; southwesterly by the northerly sideline of May Street to the point of beginning.

- (f) — Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and located directly to east of Highland Avenue and north of May Street as shown on Needham Town Assessors Map 53, Parcels 1, 2 and 3, superimposing that district over the existing Apartment A-1 district, said description being as follows:

Beginning at the point of intersection of the northerly sideline of May Street and the westerly sideline of Oakland Avenue; thence running easterly by the northerly sideline of May Street to the intersection with easterly sideline of Highland Avenue; northeasterly by the easterly sideline of Highland Avenue to the intersection with southerly sideline of Oakland Avenue; southeasterly by the southerly sideline of Oakland Avenue; southerly by the westerly sideline of Oakland Avenue to the point of beginning.

~~(g) — Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and located directly to the west of Hillside Avenue and north of Rosemary Street as shown on Needham Town Assessors Map 100 Parcels 1, 35, and 36, and Needham Town Assessors Map 101, Parcels 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, and 26; superimposing that district over the existing Apartment A-1 district, said description being as follows:~~

~~Beginning at the point of intersection of the northerly sideline of Rosemary Street and the easterly sideline of Concannon Circle; thence running northwesterly by the easterly sideline of Concannon Circle, one hundred and sixty (160) feet, more or less; northwesterly by the easterly property line of 15 Concannon Circle Realty Trust, two hundred and thirty-two 75/100 (232.75) feet, more or less; northwesterly by the easterly property line of L. Petrini and Son Inc, one hundred and forty-five 84/100 (145.84) feet, more or less; northeasterly by the northerly property line of L. Petrini and Son Inc, one hundred and twenty-five (125) feet, more or less; northwesterly by the westerly sideline of Tillotson Road, one hundred and twelve (112) feet, more or less; northeasterly across Tillotson Road to the northeasterly corner of the property of L. Petrini and Son Inc, forty (40) feet, more or less; northeasterly by the northerly property line of L. Petrini and Son Inc, one hundred and twenty-five (125) feet, more or less; northwesterly by the easterly property line of Petrini Corporation, one hundred and nineteen 94/100 (119.94) feet, more or less; northeasterly by the southerly property line of L. Petrini and Son Inc, one hundred and sixty-two (162) feet, more or less; northwesterly by the easterly property line of Rosemary Ridge Condominium, three hundred and twenty-eight (328) feet, more or less; northeasterly by the northerly property line of Rosemary Ridge Condominium, two hundred and ninety (290) feet, more or less; northeasterly by the northerly property line of Rosemary Ridge Condominium, one hundred and sixty-two 19/100 (162.19), more or less; northwesterly by the northerly property line of Rosemary Ridge Condominium, one hundred and thirty (130), more or less; southeasterly by the northerly property line of Rosemary Ridge Condominium, two hundred and forty-one 30/100 (241.30), more or less; southeasterly by the northerly property line of Pop Realty LLC, ninety-four 30/100 (94.30), more or less to westerly side of Hillside Avenue; southeasterly by the westerly sideline of Hillside Avenue to intersection with northerly sideline of Rosemary Street; southeasterly by the northerly sideline of Rosemary Street to the point of beginning.~~

~~(h) — Place in the IND Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial, Hillside Avenue Business, and Single Residence B and located directly to the east of Hillside Avenue and north of Rosemary Street as shown on Needham Town Assessors Map 100, Parcels 3, 4, 5, 7, 8, 9, 10, 11, 12, and 61, and Needham Town Assessors Map 101, Parcels 2, 3, 4, 5 and 6; superimposing that district over the existing Industrial, Hillside Avenue Business, and Single Residence B districts, said description being as follows:~~

~~Beginning at the point of intersection of the northerly sideline of Rosemary Street and the westerly sideline of M.B.T.A; thence running northwesterly by the northerly sideline of Rosemary Street to the intersection with easterly sideline of Hillside Avenue; northeasterly by the easterly sideline of Hillside Avenue to the intersection with southerly sideline of West Street; northeasterly by the southerly sideline of West Street to the intersection with the westerly sideline of M.B.T.A; southeasterly by the westerly sideline of M.B.T.A. to the point of beginning.~~

~~(i) — Place in the ASB-MF Subdistrict of the Multi-family Overlay District a portion of land now zoned Avery Square Business and Single Residence B and located directly to the west of Highland Avenue~~

~~and south of West Street as shown on Needham Town Assessors Map 63, Parcel 37, superimposing that district over the existing Avery Square Business and Single Residence B districts, said description being as follows:~~

~~Beginning at the point of intersection of the easterly sideline of M.B.T.A. and the southerly sideline of West Street; thence running southeasterly by the southerly sideline of West Street, one hundred and sixty-one 48/100 (161.48) feet, more or less; southeasterly on arch, twenty-nine (27/100) 29.27 feet to a point on the easterly sideline of Highland Avenue; southeasterly by the easterly sideline of Highland Avenue seven hundred and sixty-one (761.81) feet, more or less; northeasterly by the easterly sideline of Highland Avenue ten (10) feet, more or less; southeasterly by the easterly sideline of Highland Avenue seventy (70) feet, more or less; northwesterly by the southerly property line of HGRI Massachusetts Properties Trust II, one hundred and fifty (150) feet, more or less; southeasterly by the southerly property line of HGRI Massachusetts Properties Trust II, seventy (70) feet, more or less; southwesterly by the southerly property line of HGRI Massachusetts Properties Trust II, one hundred and two 57/100 (102.57) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., three hundred and seventy-one 56/100 (371.56) feet, more or less; northwesterly by the easterly sideline of M.B.T.A., three 54/100 (3.54) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., three hundred and ninety-three 56/100 (393.56) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., one hundred and seventy-five 46/100 (175.46) feet to the point of beginning.~~

- ~~(j) — Place in the HAB Subdistrict of the Multi-family Overlay District a portion of land now zoned Hillside Avenue Business and located directly to the east of Hillside Avenue and north of West Street as shown on Needham Town Assessors Map 99, Parcels 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, superimposing that district over the existing Hillside Avenue district, said description being as follows:~~

~~Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the northerly sideline of West Street; thence running northwesterly by the northerly sideline of West Street to the intersection with easterly sideline of Hillside Avenue; northwesterly by the easterly sideline of Hillside Avenue to the intersection with northerly sideline of Hunnewell Street; northwesterly by the easterly sideline of Hillside Avenue, twenty-four 1/100 (24.01) feet to the angle point; northeasterly by the easterly sideline of Hillside Avenue, ninety-five 61/100 (95.61) feet, more or less; northeasterly by the northerly property line of Hillside Condominium, two hundred and twenty-one 75/100 (221.75) feet, more or less; northeasterly by the northerly property line of Hunnewell Needham LLC, eighteen 48/100 (18.48) feet, more or less; southwesterly by the westerly sideline of M.B.T.A. to the point of beginning.~~

- ~~(k) — Place in the IND Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located at Crescent Road as shown on Needham Town Assessors Map 98, Parcels 40 and 41, and Needham Town Assessors Map 99, Parcels 38, 39, 40, 61, 62, 63, and 88, superimposing that district over the existing Industrial and Single Residence B districts, said description being as follows:~~

~~Beginning at the bound on easterly side of Hunnewell Street, approximately three hundred and thirty-two 35/100 (332.35) feet from the intersection with Hillside Avenue; thence running southwesterly by the easterly property line of Microwave Development Laboratories Inc, one~~

hundred and ninety-one 13/100 (191.13) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, sixty-eight 68/100 (68.75) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and thirty (130) feet, more or less; southeasterly by the easterly property line of Drack Realty LLC, seventy-three (73) feet, more or less; southwesterly by the easterly property line of Drack Realty LLC, one hundred and forty (140) feet, more or less; northeasterly by the northerly property line of Lally, forty-one (41) feet, more or less; southeasterly by the easterly property line of Lally, seventy-five (75) feet, more or less; southwesterly by the southerly property line of Lally, one hundred (100) feet, more or less; southwesterly to the center of Crescent Road, twenty (20) feet, more or less; southeasterly by the center of Crescent Road, twenty-nine (29) feet, more or less; southwesterly to a bound located twenty-nine feet from the angle point on the easterly side of Crescent Road; southwesterly by the southerly property line of 66 Crescent Road LL, four hundred and fifteen 60/100 (415.60) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-two 37/100 (52.37) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and sixty-two 37/100 (162.37) feet, more or less; southwesterly by the easterly property line of Town of Needham, forty-five 76/100 (45.76) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and forty-three 92/100 (143.92) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifteen 71/100 (15.71) feet, more or less; southwesterly by the easterly property line of Town of Needham, two hundred and forty-eight 40/100 (248.40) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-three 33/100 (53.33) feet, more or less; northeasterly by the northerly property line of 166 Crescent Road LLC, five hundred and fifty-five 68/100 (555.68) feet, more or less; northeasterly to the center of Crescent Road, twenty (20) feet, more or less; northwesterly by the center of Crescent Road, fifty-six 47/100 (56.47) feet, more or less; northeasterly to the bound located four 38/100 (4.38) feet from the end of the Crescent Road; northeasterly by the northerly property line of Microwave Development Laboratories Inc, one hundred and forty-six 29/100 (146.29) feet, more or less; southeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 82/100 (54.82) feet, more or less; northeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 21/100 (54.21) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-five 81/100 (195.81) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, seven (7) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, ninety-one (91) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and forty-two (142) feet, more or less; southeasterly by the easterly sideline of Hunnewell Street, twenty (20) feet to the point of beginning.

- (t) — Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and Single Residence B and located east and west of Highland Avenue at Cottage Avenue as shown on Needham Town Assessors Map 70, Parcels 24 and 25, superimposing that district over the existing Apartment A-1 and Single Residence B districts, said description being as follows:

Beginning at the point on the westerly sideline of Highland Avenue, two hundred and seventeen 63/100 (217.63) from the arch on Webster Street; thence running southwesterly by the westerly sideline of Highland Avenue, three hundred and seventeen (317) feet, more or less; southeasterly

across Highland Avenue, fifty (50) feet to a point on the easterly sideline of Highland Avenue; southeasterly by the northerly property line of Avery Park Condominium, two hundred and seventy-eight 75/100 (278.75) feet, more or less; northeasterly by the northerly property line of Avery Park Condominium, sixty-one (61.51) feet, more or less; northeasterly by the northerly property line of Avery Park Condominium, one hundred and seventy-nine 70/100 (179.70) feet, more or less; southwesterly by the westerly sideline of Webster Street, thirty-one 16/100 (31.16) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and sixty-six 51/100 (166.51) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and five 59/100 (105.59) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and forty-four 62/100 (144.62) feet, more or less; northwesterly by the southerly property line of Avery Park Condominium, two hundred and seventy-seven 29/100 (277.29) feet, more or less; northwesterly across Highland Avenue, fifty (50) feet to a point on the westerly side of Highland Avenue; northwesterly by the southerly property line of Hamilton Highlands LLC, one hundred and fifty-nine 45/100 (159.45) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, ninety-seven 33/100 (97.33) feet, more or less; northwesterly by the northerly sideline of Cottage Avenue, forty (40) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, fifteen (15) feet, more or less; northwesterly by the southerly property line of Hamilton Highlands LLC, twenty-five 54/100 (25.54) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., five hundred and seventy-five 57/100 (575.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and forty-five 2/100 (145.02) feet, more or less; northeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and one 57/100 (101.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and eighty 18/100 (180.18) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, fifty-six 57/100 (56.57) feet to the point of beginning;

Or take any other action relative thereto:

ARTICLE 3: ~~AMEND ZONING BY LAW – MULTI-FAMILY OVERLAY DISTRICT (NEIGHBORHOOD HOUSING PLAN)~~

To see if the Town will vote to amend the Needham Zoning By-Law, inclusive of those amendments adopted under Article 1 and Article 2, as follows, and to act on anything related thereto:

1. ~~Amending the definition of Mixed-Use Building in Section 1.3 to include the Multi-family Overlay District, so that the definition reads as follows:~~

~~**Mixed-Use Building** – A building in the Needham Center, Chestnut Street, Garden Street or Multi-family Overlay District in which the ground floor facing the street is used for such retail or restaurant uses as may be permitted by right or by special permit in the applicable overlay district, and other ground floor and upper floor space is used for other commercial use(s) or dwelling units(s), and subject to any additional qualifications provided for in the applicable overlay district.~~

2. ~~Amending Section 3.17 Multi-family Overlay District by revising Subsection 3.17.2.1 Subdistricts to read as follows:~~

~~The Multi-family Overlay District contains the following sub-districts, all of which are shown on the MFOD Boundary Map and indicated by the name of the sub-district:~~

- ~~(a)–A-1~~
- ~~(b)–B~~
- ~~(c)–ASB-MF~~
- ~~(d)–CSB-E (Chestnut Street Business – East)~~
- ~~(e)–CSB-W (Chestnut Street Business – West)~~
- ~~(f)–CSB-GS~~
- ~~(g)–HAB~~
- ~~(h)–IND~~
- ~~(i)–IND-C (Industrial – Crescent)~~

3. ~~Amending Subsection 3.17.1 Purposes of District by amending the last paragraph to read as follows:~~

~~Toward these ends, Multi-family housing and mixed-use development (where allowed) in the Multi-family Overlay District is permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the requirements of this Section 3.17.~~

4. ~~Amending Subsection 3.17.4. Use Regulations, by adding the following paragraph (b) to Subsection 3.17.4.1 Permitted Uses:~~

3.17.4.1 Permitted Uses

- ~~(b)–In the B and CSB subdistricts: A Mixed-Use Building containing commercial use(s) on the ground floor, whether facing the street or otherwise, is permitted by right, provided that all upper floors shall be used as Multi-family Housing. Commercial uses are limited to the uses listed below:~~

- i. ~~_____ Retail establishments serving the general public containing less than 5,750 gross square feet of floor area. In multi-tenanted structures the provisions of the section will individually apply to each tenant or use and not to the aggregate total of the structure.~~
- ii. ~~_____ Retail trade or shop for custom work or the making of articles to be sold at retail on the premises.~~
- iii. ~~_____ Offices and banks.~~
- iv. ~~_____ Craft, consumer, professional or commercial service established dealing directly with the public and not enumerated elsewhere in this section.~~
- v. ~~_____ Personal fitness service establishment, provided all required off-street parking is provided on-site for all land uses located on the subject site and in adherence with the requirements of Section 5.1.2, Required Parking, absent any waivers from the provisions of Subsection 5.1.1.5 and 5.1.1.6.~~
- vi. ~~_____ Manufacturing clearly incidental and accessory to retail use on the same premises and the product is customarily sold on the premises.~~
- vii. ~~_____ Laundry; coin-operated or self-service laundry or dry-cleaning establishment.~~

5. ~~Amending Subsection 3.17.4. Use Regulations, by adding the following after Subsection 3.17.4.1 Permitted Uses and renumbering Subsection 3.17.4.2 Accessory Uses to 3.17.4.3:~~

3.17.4.2 Special Permit Uses in the B and GSB Subdistricts:

The following uses are permitted by Special Permit from the Planning Board in the B and GSB sub-districts of the Multi-family Overlay District:

- (a) ~~A Mixed-Use Building containing commercial use(s) listed below on the ground floor, whether facing the street or otherwise, and provided that all upper floors shall be used as Multi-family Housing:~~
 - i. ~~_____ Restaurant serving meals for consumption on the premises and at tables with service provided by a server.~~
 - ii. ~~_____ Take-out operation accessory to the above.~~
 - iii. ~~_____ Take-out food counter as an accessory to a food retail or other non-consumptive retail establishment.~~
 - iv. ~~_____ Retail sales of ice cream, frozen yogurt, and similar products for consumption on or off the premises.~~

v. ~~Take-out establishment primarily engaged in the dispensing of prepared foods to persons carrying food and beverage away for preparation and consumption elsewhere.~~

vi. ~~Personal fitness service establishment, where there is insufficient off-street parking on-site to serve all land uses located thereon in adherence with the requirements of Subsection 5.1.2 Required Parking but where it can be demonstrated that the hours, or days, of peak parking for the uses are sufficiently different that a lower total will provide adequately for all uses or activities served by the parking lot.~~

6. ~~Amending Section 3.17 Multi-family Overlay District by replacing the tables in Subsection 3.17.5 Dimensional Requirements with the tables below, with all other text, including footnotes, contained in Subsection 3.17.5 to remain unamended unless noted below:~~

~~3.17.5. Dimensional Requirements~~

~~Replace the table in 3.17.5.1 Subsection Lot Area, Frontage and Setback Requirements with the tables below:~~

~~Table 1A. Lot Area, Frontage and Setback Requirements~~

	A-1	B	ASB-MF	HAB	IND
Minimum Lot Area (square feet)	20,000	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	120	80	80	80	80
Minimum Front Setback (feet) from the front property line	25	10	Minimum 10 Maximum 15	20	25
Minimum Side and Rear Setback (feet)	20	20 ^{a, b}	10 ^{a, d}	20 ^{a, b}	20 ^{a, b}

~~Table 1B. Lot Area, Frontage and Setback Requirements~~

	CSB-E	CSB-W	CSB-GS	IND-C
Minimum Lot Area (square feet)	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	80	80	80	80
Minimum Front Setback (feet) from the front property line	Minimum of 5 feet or average of setbacks within 100 feet; whichever is smaller	Minimum of 5 feet or average of setbacks within 100 feet; whichever is smaller	Minimum of 10 feet or average of setbacks within 100 feet; whichever is smaller	25

Minimum Side and Rear Setback (feet)	20 (side) 30 (rear) ^{a, b}	20 ^{a, b}	20 ^{a, b}	20 ^{a, b}
--------------------------------------	--	--------------------	--------------------	--------------------

And delete footnote (e):

Replace the table in Subsection 3.17.5.2 Building Height Requirements with the tables below:

Table 2A. Building Height Requirements

	A-1	B	ASB-MF	HAB	IND
Maximum Building Height (stories) ^d	4.0	4.0 4.5 with commercial ground floor or see 3.17.8.1	3.0 ^c	3.0	3.0
Maximum Building Height (feet) ^d	50	50 55 with commercial ground floor or see 3.17.8.1	40 ^c	40	40

Table 2B. Building Height Requirements

	GSB-E	GSB-W	GSB-GS	IND-G
Maximum Building Height (stories) ^d	3.0 3.5 with commercial ground floor or see 3.17.8.1	4.0 4.5 with commercial ground floor or see 3.17.8.1	3.0 3.5 with commercial ground floor or see 3.17.8.1	3.0
Maximum Building Height (feet) ^d	40 45 with commercial ground floor or see 3.17.8.1	50 55 with commercial ground floor or see 3.17.8.1	40 45 with commercial ground floor or see 3.17.8.1	40

And add new footnote (d):

(d) ~~The requirements of Subsection 4.4.7 Business Use in Other Districts are not applicable to commercial ground floor uses in the MFD.~~

Replace the table in Subsection 3.17.5.3 Building Bulk and Other Requirements with the tables below:

Table 3A. Building Bulk and Other Requirements

	A-1	B	ASB-MF	HAB	IND
Floor Area Ratio (FAR)	1.00	2.00	1.00 ^b	1.00	1.0
Maximum Building Coverage (%)	N/A	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre ^a	36	N/A	N/A	24	24

Table 3B. Building Bulk and Other Requirements

	GSB-E	GSB-W	GSB-GS	IND-G
Floor Area Ratio (FAR)	2.00	2.00	2.00	0.75
Maximum Building Coverage (%)	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre ^a	N/A	N/A	N/A	24

7.—Amending Section 3.17 Multi-family Overlay District by adding the following to Subsection 3.17.7 Development Standards, to read as follows:

(l)—For a mixed-use building, entrances to ground-floor dwelling units shall be located on the side or rear of the building, not from any side facing the street, or the entrances may be from a first-floor lobby serving other uses in the building;

(m) For a mixed-use building, the ground floor of the front façade shall contain only retail or restaurant uses allowed by right or by special permit;

8.—Amending Section 3.17 Multi-family Overlay District by adding a new paragraph to Subsection 3.17.8.1 Provision of Affordable Housing, immediately following the first paragraph, to read as follows:

3.17.8.1 Provision of Affordable Housing:

In the B and GSB subdistricts, an Applicant may provide an additional 7.5% of units as Workforce Housing Units in place of the requirement for a commercial ground floor to achieve the additional allowable height listed in Tables 2A and 2B under Subsection 3.17.5.2 Building Height Requirements;

9.—Amending Section 3.17 Multi-family Overlay District by modifying the first line of Subsection 3.17.8.2 Development Standards to read as follows:

Affordable Units, including Workforce Housing Units, shall be:

Or take any other action relative thereto:

ARTICLE 4: ~~AMEND ZONING BY LAW – MAP CHANGE FOR MULTI-FAMILY OVERLAY DISTRICT (NEIGHBORHOOD HOUSING PLAN)~~

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map, inclusive of those changes adopted under Article 2, as follows:

- (a) ~~Place in the GSB-W Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located directly to the west of Chestnut Street as shown on Needham Town Assessors Map 47, Parcels 72, 74-03, 74-04, 76, 77, 78, 79, 80, 83, 84, 85, 86, 87, 88, and 91, and Needham Town Assessors Map 46, Parcels 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, and 61, superimposing that district over the existing Chestnut Street Business district and removing the existing GSB Subdistrict of the Multi-family Overlay District, said description being as follows:~~

~~Beginning at the point of intersection of the easterly sideline of M.B.T.A and the southerly sideline of Keith Place; thence running southeasterly by the southerly sideline of Keith Place to the intersection with westerly sideline of Chestnut Street; southwesterly by the westerly sideline of Chestnut Street to the intersection with northerly sideline of property of M.B.T.A; northeasterly by the northerly sideline of M.B.T.A; northeasterly by the easterly sideline of M.B.T.A. to the point of beginning.~~

- (b) ~~Place in the GSB-E Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and Single Residence B and located directly to the east of Chestnut Street as shown on Needham Town Assessors Map 46, Parcels 12, 13, 14, 15, 16, 17, 18, 19, 32, 33 and 34 superimposing that district over the existing Chestnut Street Business and Single Residence districts and removing the existing GSB Subdistrict of the Multi-family Overlay District, said description being as follows:~~

~~Beginning at the point on the easterly sideline of Chestnut Street, approximately four hundred and ninety-five 88/100 (495.88) feet from the intersection with southerly sideline of School Street; southeasterly by the southerly property line of Deaconess-Glover Hospital Corporation, one hundred and eighty-seven 68/100 (187.68) feet, more or less; southwesterly by the easterly property line of Deaconess-Glover Hospital Corporation, ninety-six 74/100 (96.74) feet, more or less; southwesterly by the westerly property line of Chaltanya Kadem and Shirisha Meda, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Huard, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Reidy, ninety-seven 40/100 (97.40) feet, more or less; northeasterly by the northerly property line of L. Petrini & Son Inc, fifteen 82/100 (15.82) feet, more or less; southwesterly by easterly property line of L. Petrini & Son Inc, one hundred and seventy-seven 77/100 (177.77) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, one hundred and two 59/100 (102.59) feet, more or less; southwesterly by the easterly property line of L. Petrini & Son Inc, fifty 16/100 (50.16) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, seven 39/100 (7.39) feet, more or less; southwesterly by the easterly property of Briarwood Property LLC, seventy-five (75.00) feet, more or less; northeasterly by the easterly property of Briarwood Property LLC, one hundred (100) feet, more or less; southwesterly by the easterly property of Briarwood Property LLC, two hundred and forty-nine 66/100 (249.66) feet, more or less; southeasterly by the southerly~~

property of Briarwood Property LLC, two hundred ninety-three (293.28) feet, more or less; southwesterly by the easterly property of Veterans of Foreign Wars, one hundred and fifty (150) feet, more or less; northeasterly by the southerly property line of Veterans of Foreign Wars, eighty-five (85) feet, more or less; southwest by the easterly property of M.B.T.A, one hundred and sixty (160) feet, more or less; southeasterly by the northerly sideline of Junction Street to intersection with easterly sideline of Chestnut; northeasterly by the easterly sideline of Chestnut Street to the point of beginning:

- (c) — Place in the CSB-E Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located at 433 Chestnut Street as shown on Needham Town Assessors Map 45, Parcel 6, superimposing that district over the existing Chestnut Street Business district and removing the existing CSB Subdistrict of the Multi-family Overlay District, said description being as follows:

Starting at the point of intersection of the westerly sideline of Chestnut Street and the southerly sideline of M.B.T.A.; southerly by the westerly sideline of Chestnut Street to the intersection with northerly sideline of M.B.T.A.; southwesterly by the southerly property line of Castanea Dentata LLC, two hundred and twenty-eight 81/100 (228.81) feet, more or less; southwesterly by the southerly property line of Castanea Dentata LLC, one hundred and eight 53/100 (108.53) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and thirty-six 6/100 (136.06) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and ten 10/100 (110.10) feet, more or less; running northeasterly by the easterly sideline of M.B.T.A. to the point of beginning:

- (d) — Place in the CSB-GS Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located directly to the east of Garden Street as shown on Needham Town Assessors Map 51, Parcels 17, 20, 22, 23, superimposing that district over the existing Chestnut Street Business district and removing the existing CSB Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the northerly sideline of Great Plain Ave; thence running southwesterly by the northerly sideline of Great Plain Ave, nine 32/100 (9.32) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-three 17/100 (53.17) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 40/100 (56.40) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 92/100 (56.92) feet, more or less; northwesterly by the westerly property line of Town of Needham, on an arch length one hundred and twelve 99/100 (112.99) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifteen 10/100 (15.10) feet, more or less; northeasterly by the westerly property line of Town of Needham, one hundred and thirty-eight 83/100 (138.83) feet, more or less; southeasterly by the northerly property line of Town of Needham, thirty-three 42/100 (33.42) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, forty (40) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, eighty-one 99/100 (81.99) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, fifty-eighty 31/100 (58.31) feet, more or less; northeasterly by the easterly sideline of Garden Street to intersection with May Street; northeasterly by the southerly sideline of May Street, sixty-one 33/100 (61.33) feet, more or less; southwesterly by the westerly sideline of M.B.T.A to the point of beginning:

- (e) ~~Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located directly to the south and east of Denmark Lane as shown on Needham Town Assessors Map 132, Parcel 2, superimposing that district over the existing Industrial and Single Residence B districts, and removing the existing IND Subdistrict of the Multi-family Overlay District, said description being as follows:~~

~~Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the southerly sideline of Great Plain Ave; thence running southwesterly by the westerly line of M.B.T.A, four hundred thirty-seven 24/100 (437.24) feet, more or less; southwesterly by the southerly property line of Denmark Lane Condominium, one hundred and eleven 17/100 (111.17) feet, more or less; northeasterly by the easterly property line of Denmark Lane Condominium, two hundred (200) feet, more or less; northwesterly by the southerly property line of Denmark Lane Condominium, one hundred and thirty-nine 75/100 (139.75) feet, more or less; northeasterly by the easterly sideline of Maple Street, one hundred and thirty-five (135) feet, more or less; southeasterly by the northerly property line of Denmark Lane Condominium, one hundred and forty (140) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, fifteen 20/100 (15.2) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, two 44/100 (2.44) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, thirty-three 35/100 (33.35) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, seventy-nine (79) feet, more or less; northwesterly by the northerly property line of Denmark Lane Condominium, thirteen 28/100 (13.28) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, forty-seven 50/100 (47.50) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, eighty-one 91/100 (81.91) feet, more or less; northeasterly by the southerly sideline of Great Plain Ave, twelve 28/100 (12.28) feet to the point of beginning.~~

- (f) ~~Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Single Residence B and located directly to the west of Highland Avenue and north of Hunnewell Street as shown on Needham Town Assessors Map 69, Parcel 37, superimposing that district over the existing Single Residence B district, said description being as follows:~~

~~Beginning at the point of intersection of the easterly sideline of the M.B.T.A and the northerly sideline of Hunnewell Street; thence running northwesterly by the easterly sideline of the M.B.T.A.; on an arch one hundred and twenty-one 22/100 (121.22) feet, more or less; southeasterly by the northerly property line of The Suites of Needham LLC, one hundred and sixty 23/100 (160.23) feet, more or less; southwesterly by the easterly sideline of Highland Avenue to the intersection with northerly sideline of Hunnewell Street; northwesterly by the northerly sideline of Hunnewell Street to the point of beginning.~~

- (g) ~~Remove from the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and Single Residence B and located east and west of Highland Avenue at Cottage Avenue as shown on Needham Town Assessors Map 70, Parcels 24 and 25, said description being as follows:~~

~~Beginning at the point on the westerly sideline of Highland Avenue, two hundred and seventeen 63/100 (217.63) from the arch on Webster Street; thence running southwesterly by the westerly sideline of Highland Avenue, three hundred and seventeen (317) feet, more or less; southeasterly across Highland Avenue, fifty (50) feet to a point on the easterly sideline of Highland Avenue;~~

southeasterly by the northerly property line of Avery Park Condominium, two hundred and seventy-eight 75/100 (278.75) feet, more or less; northeasterly by the northerly property line of Avery Park Condominium, sixty-one (61.51) feet, more or less; northeasterly by the northerly property line of Avery Park Condominium, one hundred and seventy-nine 70/100 (179.70) feet, more or less; southwesterly by the westerly sideline of Webster Street, thirty-one 16/100 (31.16) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and sixty-six 51/100 (166.51) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and five 59/100 (105.59) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and forty-four 62/100 (144.62) feet, more or less; northwesterly by the southerly property line of Avery Park Condominium, two hundred and seventy-seven 29/100 (277.29) feet, more or less; northwesterly across Highland Avenue, fifty (50) feet to a point on the westerly side of Highland Avenue; northwesterly by the southerly property line of Hamilton Highlands LLC, one hundred and fifty-nine 45/100 (159.45) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, ninety-seven 33/100 (97.33) feet, more or less; northwesterly by the northerly sideline of Cottage Avenue, forty (40) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, fifteen (15) feet, more or less; northwesterly by the southerly property line of Hamilton Highlands LLC, twenty-five 54/100 (25.54) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., five hundred and seventy-five 57/100 (575.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and forty-five 2/100 (145.02) feet, more or less; northeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and one 57/100 (101.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and eighty 18/100 (180.18) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, fifty-six 57/100 (56.57) feet to the point of beginning.

- (h) ~~Place in the IND-C Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located at Crescent Road as shown on Needham Town Assessors Map 98, Parcels 40 and 41, and Needham Town Assessors Map 99, Parcels 38, 39, 40, 61, 62, 63, and 88, superimposing that district over the existing Industrial and Single Residence B districts, and removing the existing IND Subdistrict of the Multi-family Overlay District, said description being as follows:~~

~~Beginning at the bound on easterly side of Hunnewell Street, approximately three hundred and thirty-two 35/100 (332.35) feet from the intersection with Hillside Avenue; thence running southwesterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-one 13/100 (191.13) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, sixty-eight 68/100 (68.75) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and thirty (130) feet, more or less; southeasterly by the easterly property line of Drack Realty LLC, seventy-three (73) feet, more or less; southwesterly by the easterly property line of Drack Realty LLC, one hundred and forty (140) feet, more or less; northeasterly by the northerly property line of Lally, forty-one (41) feet, more or less; southeasterly by the easterly property line of Lally, seventy-five (75) feet, more or less; southwesterly by the southerly property line of Lally, one hundred (100) feet, more or less; southwesterly to the center of Crescent Road, twenty (20) feet, more or less; southeasterly by the center of Crescent Road, twenty-nine (29) feet, more or less; southwesterly to a bound located twenty-nine feet from the angle point on the easterly side of~~

Crescent Road; southwesterly by the southerly property line of 66 Crescent Road LL, four hundred and fifteen 60/100 (415.60) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-two 37/100 (52.37) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and sixty-two 37/100 (162.37) feet, more or less; southwesterly by the easterly property line of Town of Needham, forty-five 76/100 (45.76) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and forty-three 92/100 (143.92) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifteen 71/100 (15.71) feet, more or less; southwesterly by the easterly property line of Town of Needham, two hundred and forty-eight 40/100 (248.40) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-three 33/100 (53.33) feet, more or less; northeasterly by the northerly property line of 166 Crescent Road LLC, five hundred and fifty-five 68/100 (555.68) feet, more or less; northeasterly to the center of Crescent Road, twenty (20) feet, more or less; northwesterly by the center of Crescent Road, fifty-six 47/100 (56.47) feet, more or less; northeasterly to the bound located four 38/100 (4.38) feet from the end of the Crescent Road; northeasterly by the northerly property line of Microwave Development Laboratories Inc, one hundred and forty-six 29/100 (146.29) feet, more or less; southeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 82/100 (54.82) feet, more or less; northeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 21/100 (54.21) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-five 81/100 (195.81) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, seven (7) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, ninety-one (91) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and forty-two (142) feet, more or less; southeasterly by the easterly sideline of Hunnewell Street, twenty (20) feet to the point of beginning.

Or take any other action relative thereto:

Alexandra Clee

From: Lee Newman
Sent: Tuesday, September 17, 2024 10:22 AM
To: Alexandra Clee
Subject: Fwd: MBTA Communities Zoning

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

From: Joshua Levy <jlevy@needhamma.gov>
Sent: Monday, September 16, 2024 3:55:49 PM
To: Lee Newman <LNewman@needhamma.gov>; N. Espada <nespada@studioenee.com>
Subject: MBTA Communities Zoning

Hello Lee and Natasha

I have reviewed the redlined changes to the proposed MBTA Communities Zoning that appear in the Planning Board packet for its September 17, 2024 meeting. I want to thank you and the Board for the thoughtful additions to the proposed Section 3.17.7 Development Standards.

In addition, I have one comment related to the references in the proposed Section 3.17.9.4 Site Plan Approval. If I understand the intent correctly, I believe subsections (a) and (b) should instead read:

(a) the Applicant has submitted the information as set forth in Subsection ~~3.17.8.2 Affordable Housing Development Standards~~ 3.17.9.2 Submission Requirements; and

(b) the project as described in the application meets the dimensional and density requirements contained in Subsection 3.17.5 Dimensional Regulations, the parking requirements contained in Subsection 3.17.6 Off-Street Parking, and the development standards contained in Subsection 3.17.7 Development Standards and Subsection 3.17.8.2 Affordable Housing Development Standards.

Please let me know if you have any questions, and thank you again for all of your hard work in drafting the proposed zoning.

Best,
Josh

--



Joshua Levy

Needham Select Board

jlevy@needhamma.gov

www.needhamma.gov

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

TELEPHONE (781) 449-4520

FAX (781) 465-6095

July 16, 2024

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

Re: Definitive Subdivision Application
40 Highland Ave, LLC
40 Highland Avenue & 14-16 Riverside Street

Dear Lee,

Please be advised that I represent 40 Highland Ave, LLC relative to its properties at 40 Highland Avenue and 14-16 Riverside Street, Needham, MA (jointly, the "Premises") and the intent to subdivide same into three lots; one commercial lot and two residential lots. In connection therewith, submitted herewith please find the following:

1. Completed Application for Approval of a Definitive Subdivision Plan;
2. Exhibit A – List of Waivers;
3. Exhibit B - Description;
4. Definitive Subdivision Plan, prepared by Land Design Collaborative, Chauncy Place, Terrace North, Suite 1, 45 Lyman Street, Westborough, MA 01581 and Field Resources, Inc., 281 Chestnut Street, Needham, MA 02492, consisting of eleven sheets, as follows: (a) Cover Sheet, dated April 26, 2024; (b) Sheet 1 of 10, titled "General Notes and Legend", dated April 26, 2024; (c) Sheet 2 of 10, titled "Existing Conditions Plan", dated April 26, 2024; (d) Sheet 3 of 10, titled "Lotting Plan "By Right"", dated April 26, 2024; (e) Sheet 4 of 10, titled "Lotting Plan "Waiver"", dated April 26, 2024; (f) Sheet 5 of 10, titled "Grading & Drainage Plan", dated April 26, 2024; (g) Sheet 6 of 10, titled "Plan & Profile, STA 0+00 to End", dated April 26, 2024; (h) Sheet 7 of 10, titled "Details", dated April 26, 2024; (i) Sheet 8 of 10, titled "Details", dated April 26, 2024; (j) Sheet 9 of 10, titled "Details", dated April 26, 2024; and (k) Sheet 10 of 10, titled "Turning Movement Exhibit", dated April 26, 2024; (hereinafter, collectively, the "Subdivision Plan");
5. Stormwater Management Report, dated April, 2024, prepared by Land Design Collaborative,

6. Letter of Authorization; and

7. Check No. 190 in the amount of \$1,250 for the applicable filing fee.

The Premises, which consists of two parcels of land, is located on the southerly side of Highland Avenue and the easterly side of Riverside Street. It is known and numbered as 40 Highland Avenue and 14-16 Riverside Street, and shown and identified, respectively, as Parcels 58 and 45 on Assessor's Map No. 73. The aforesaid Parcel 45, which is located entirely in the General Residence Zoning District, is currently occupied by a two-story, two-family residential dwelling, detached three-car garage, and associated driveway and yard. The aforesaid Parcel 58, which is located partially in the Highland Commercial-128 zoning district and partially in the General Residence zoning district, is currently occupied by a commercial building and associated driveway and parking, used for automotive repair.¹

As shown and depicted on the Subdivision Plan, the applicant is proposing to subdivide the Premises into three building lots, two of which will be used for residential purposes and the third of which will continue to be used for commercial purposes.² The commercial lot will continue to have frontage on and be served and accessed from Highland Avenue, and the two residential lots will have frontage on and will be served by and accessed from the proposed new roadway, off Riverside Street. All three lots comply with applicable dimensional and density requirements.

As depicted on sheet 3 of 10 of the Subdivision Plan, a new roadway can be built with a 60 foot radius circle and 50 foot width road. However, whereas the proposed road will only serve two residential lots, will end in a turn-around, and is located in relatively close proximity to the Charles River, the Applicant is of the opinion that a full 50 foot wide roadway, with a full 120 foot diameter circle is not the best and most appropriate way to divide this portion of the property. Therefore, the Applicant is requesting a waiver of construction as well as several other waivers in order to utilize a short road ending with a hammerhead or "T" style turnaround. Given the nature of the development, its location and past practice of the Board, The Applicant asserts that the requested waivers are appropriate for this development.

Finally, as noted on the Subdivision Plan, whereas the two new residential lots are located in the General Residence zoning district, it is the plan and intention of the Applicant to utilize same for two-family residential dwellings. In that regard, I note that, consistent with the zoning district, the vast majority of other properties on Riverside Street are used and occupied by two-family dwelling, albeit on much smaller lots, with less than conforming frontage.

¹ The existing commercial building, driveway and parking area and automotive repair use are all located entirely within that portion of the lot contained within the Highland Commercial-128 zoning district. The balance of the lot, situated in the General Residence zoning district is presently undeveloped.

² No change is currently anticipated or proposed in connection with the within application relative to the existing automotive repair business.

Kindly schedule this matter for consideration at the next available meeting of the Planning Board. Please also let me know if you require any further information or materials.

As always, your anticipated courtesy and cooperation and appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read "Giunta", with a stylized flourish at the end.

George Giunta, Jr.



TOWN OF NEEDHAM
MASSACHUSETTS

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

APPLICATION FOR APPROVAL
OF A DEFINITIVE SUBDIVISION PLAN

PLANNING DEPARTMENT

Date: June 20, 2024

The undersigned, on behalf of 40 Highland Ave, LLC (owner's name or self) of
435E Dedham Street, Newton, MA 02459 (address), owner of land in Needham, the description of
said land being submitted herewith, desiring to make a subdivision of said land hereby submits the following required plans
and documents:

- a) the original tracings and eight full sized copies and six reduced sized copies of each of the
following plans –
- i. a key location map
 - ii. a lot plan
 - iii. a profile plan
 - iv. a municipal services and utility plan
 - v. a topographic plan
 - vi. any detail plans required

Each plan bearing titles, endorsements and imprints required.

- b) a filing fee of \$500 plus \$250 per lot for each lot in the subdivision.
c) a description of the boundaries of the entire area to be subdivided; and
d) ~~a list of names and addresses of all abutters as they appear on the most recent Needham Assessors' records.~~
e) Exhibit A - List of Waivers; Exhibit B - Legal Description; and Drainage Calculations
(specify any additional material or information submitted)

and petitions the Planning Board to consider and approve such subdivision plans under the provisions of the Subdivision
Control Law (M.G.L. Chapter 41, Sections 81-A through 81-G inclusive, as amended) and in accordance with the Rules and
Regulations of the Needham Planning Board and the applicable By-Laws of the Town of Needham.

The undersigned certifies that the applicant(s) is/are the sole owner(s) of the entire land proposed to be subdivided and that
the subdivision plans and the description submitted indicate the true boundaries of said land and ~~the correct names of all~~
~~abutters as shown on the most recent records of the Needham Assessors.~~

(If the applicant is not the owner, written authorization to act as agent must be at

 (owners)
40 Highland Ave, LLC
by Steven Wolberg, Manager

By _____ (agent)

This application is accepted by the Needham Planning Board in accordance with Sections 81-Q and 81-T of the Subdivision Control Law.

20

By _____

EXHIBIT A

Definitive Subdivision Application
40 Highland Avenue & 14-16 Riverside Street
Needham, MA

LIST OF WAIVERS

The Applicants hereby request the following waivers with respect to the Town of Needham, Subdivision Regulations and Procedural Rules of the Planning Board:

1. Waiver of the requirements of 3.2, relative to submission of definitive plans, as follows:

- a. A waiver from the requirements of subsection (b) that plans be drawn on blue tracing cloth or mylar, that the plan be drawn to a scale of 1" = 40' and that the Title Block be located in the lower right-hand corner;
- b. A waiver from the requirements of subsection (e) that street line traverse closures be provided.

2. Waiver of the requirements of Section 3.3, relative to street and construction details, as follows:

- a. A waiver from the required width of roadway layout at Section 3.3.1 from 50 feet to 40 feet;
- b. A waiver from the required circular turnaround at Section 3.3.5 in favor of an alternative back-up strip;
- c. A waiver from the requirement of sidewalks on both sides of the road layout at Section 3.3.16 to no sidewalk
- d. A general waiver of construction and such other unspecified waivers as may be necessary for the construction of the way and related improvements as shown on the plans submitted herewith.

3. Waiver of any and all other requirements as may be necessary and appropriate for the division and reconfiguration of the subject premises as depicted on the plan.

EXHIBIT B

Definitive Subdivision Application
40 Highland Avenue & 14-16 Riverside Street
Needham, MA

Description

Two certain parcels of land in Needham, Norfolk County, as follows:

Parcel I

That certain parcel of land known and numbered 40 Highland Avenue, Needham, Norfolk County, MA, being more particularly described as follows:

Beginning at a point on the westerly sideline of Highland Avenue, Massachusetts highway layout number 8542, at the intersection of the southerly sideline of the Metropolitan District Commission;

Thence running, south $74^{\circ}21'18''$ east, by land now or formerly of the Metropolitan District Commission, a distance of 453.41 to a concrete bound with a drill hole;

Thence turning and running, south $22^{\circ}40'29''$ west, by land now or formerly of Joseph P. & Eileen J. Manning, a distance of 147.31 feet;

Thence turning and running, north $67^{\circ}55'38''$ west, by four parcels, a distance of 384.74 feet;

Thence turning and running, south $25^{\circ}45'55''$ west, by land now or formerly of Arthur & Anna Deych, a distance of 9.48 feet;

Thence turning and running, north $64^{\circ}40'02''$ west, by land now or formerly of Nina Prohodski and Helen Harcovitz, a distance of 85.29 feet to the aforementioned sideline of Highland Avenue;

Thence turning and running, north $34^{\circ}04'13''$ east, by said sideline, a distance of 103.41 to the point of beginning.

Containing 56,409 square feet, more or less.

Parcel II

That certain parcel of land known and numbered 14 Riverside Drive, Needham, Norfolk County, MA, being more particularly bounded and described as follows:

Beginning at a point on the northerly sideline of riverside drive being the southwesterly corner of said parcel;

Thence running, north $25^{\circ}45'55''$ east, by land now or formerly of Arthur & Anna Deych, a distance of 60.71 to an iron rod with a cap;

Thence turning and running, south $67^{\circ}55'38''$ east, by land now or formerly of 40 highland Avenue LLC, a distance of 150.31 feet;

Thence turning and running, south $25^{\circ}45'55''$ west, by land now or formerly of Boris Karpachev & Rufina Veysberg, a distance of 70.39 feet to the aforementioned sideline of Riverside Drive;

Thence turning and running, north $64^{\circ}14'05''$ west, by said sideline, a distance of 150.00 feet to the point of beginning;

Containing 9,832 square feet, more or less.

40 Highland Ave, LLC
435E Dedham Street
Newton, MA 02459

June 20, 2024

Town of Needham
Planning Board
Needham, Massachusetts 02492

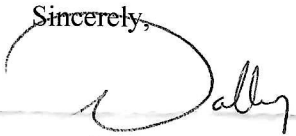
Attn: Lee Newman, Planning Director

Re: 40 Highland Ave, LLC
Application for Approval of
Definitive Subdivision Plan
40 Highland Avenue & 14-16 Riverside Street

Dear Mrs. Newman,

Please accept this letter as confirmation that 40 Highland Ave, LLC, a Massachusetts limited liability company, current owner of the properties known and numbered 40 Highland Avenue and 14-16 Riverside Street, Needham, MA (jointly, the "Premises"), have authorized George Giunta, Jr., Esquire, to make application to the Planning Board for Approval of Definitive Subdivision Plan and other zoning and planning related relief that may be required or appropriate in connection with the division of the said Premises into one commercial lot, two residential lots and a new roadway. In connection therewith, Attorney Giunta is specifically authorized to execute, sign, deliver and receive all necessary documentation related thereto, including, without limitation, Application for Approval of a Definitive Subdivision Plan.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Wolberg', is written over a horizontal line.

40 Highland Ave, LLC
By Steven Wolberg, Manager

DEFINITIVE SUBDIVISION PLAN

PURSUANT TO THE TOWN OF NEEDHAM SUBDIVISION REGULATIONS AND PROCEDURAL RULES OF THE PLANNING BOARD SECTION 3.2

FOR

40 HIGHLAND AVENUE, LLC

40 Highland Avenue & 14-16 Riverside Street
Needham, MA

DATE
April 26, 2024

NEEDHAM PLANNING BOARD

APPROVED IN ACCORDANCE WITH SECTION 81-U OF CHAPTER 41 OF THE GENERAL LAWS AS AMENDED.

APPROVED SUBJECT TO TERMS AND CONDITIONS OF A COVENANT GIVEN IN ACCORDANCE WITH SECTION 81-U CHAPTER 41 OF THE GENERAL LAWS AS AMENDED.

NEEDHAM PLANNING BOARD

NEEDHAM DIRECTOR OF PUBLIC WORKS

NAMEDATE

NEEDHAM TOWN ENGINEER

NAMEDATE

NEEDHAM TOWN CLERK CERTIFICATION

"I, TOWN CLERK OF THE TOWN OF NEEDHAM, CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE NEEDHAM PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE"

NAMEDATE

PROJECT TEAM

Civil Engineer | Landscape Architect

LDC

LAND DESIGN COLLABORATIVE
Chauncy Place | Terrace North | Suite 1
45 Lyman Street
Westborough, MA 01581
508.952.6300 | LDCollaborative.com

Land Surveyor

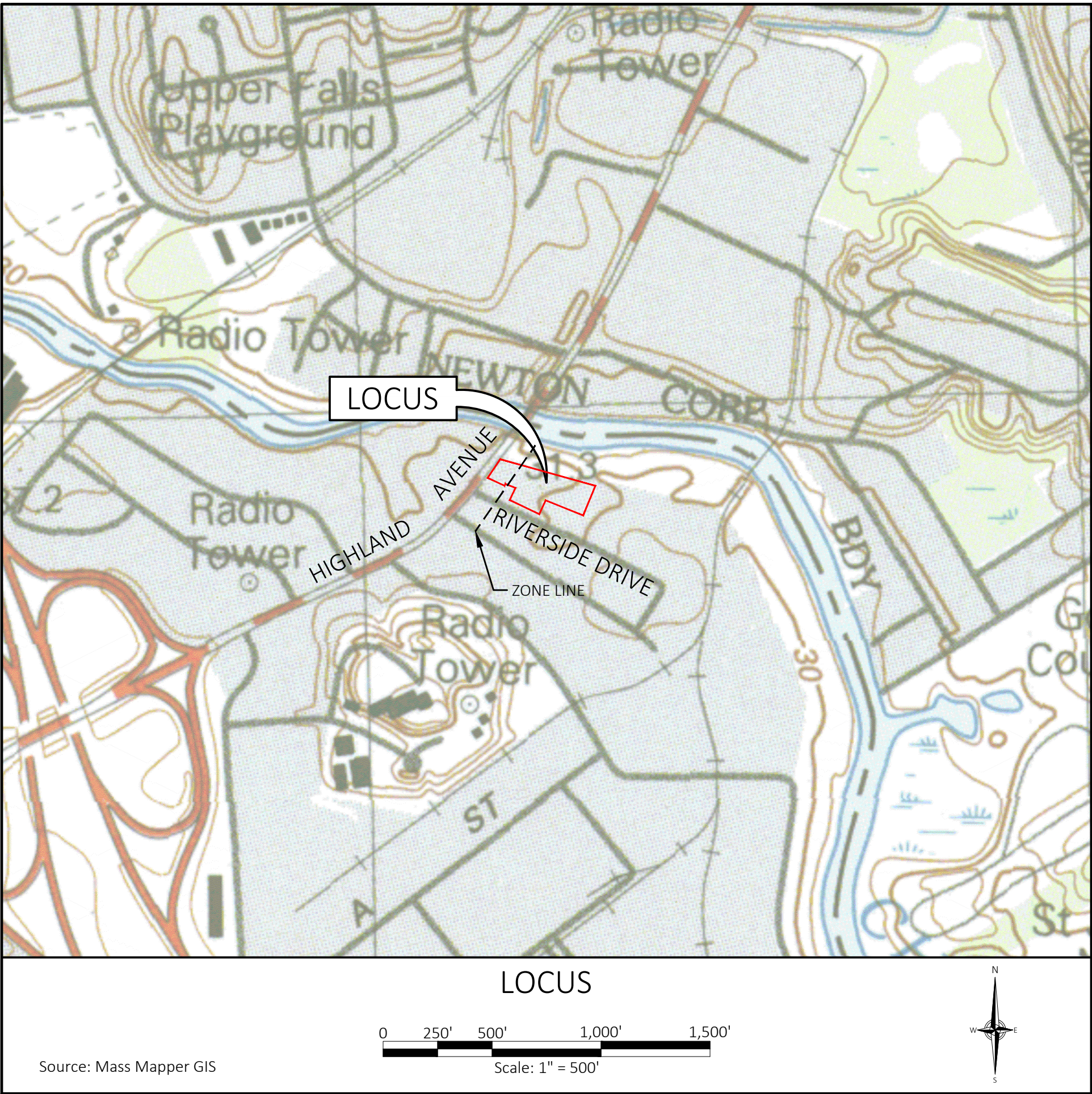
Field Resources, Inc.
281 Chestnut Street P.O. Box 324
Needham, MA 02492 Auburn, MA 01501

PROJECT OWNER

40 Highland Avenue, LLC
435 Dedham, MA Unit E
Newton, MA 02459

PROJECT APPLICANT

40 Highland Avenue, LLC
435 Dedham, MA Unit E
Newton, MA 02459



SHEET INDEX

SHEET NO.	SHEET TITLE
1 OF 10	GENERAL NOTES AND LEGEND
2 OF 10	EXISTING CONDITIONS PLAN (BY FIELD RESOURCES INC.)
3 OF 10	LOTTING PLAN "BY-RIGHT"
4 OF 10	LOTTING PLAN "WAIVER" (REGISTRY SHEET 1 OF 1)
5 OF 10	GRADING & DRAINAGE PLAN
6 OF 10	PLAN & PROFILE SHEET
7-9 OF 10	DETAILS
10 OF 10	TURNING MOVEMENT EXHIBIT (FIRE APPARATUS)

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY THE SUBDIVISION REGULATIONS AND PROCEDURAL RULES OF THE NEEDHAM PLANNING BOARD.



NAMEREGISTRATION NO.

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY THE SUBDIVISION REGULATIONS AND PROCEDURAL RULES OF THE NEEDHAM PLANNING BOARD.



NAMEREGISTRATION NO.

THE CONTENT, INFORMATION AND DESIGN OF THIS PLAN ARE PROPRIETARY AND DUPLICATION AND/OR UTILIZATION FOR ANY PURPOSES IS STRICTLY PROHIBITED WITHOUT PRIOR WRITTEN AUTHORIZATION FROM LAND DESIGN COLLABORATIVE. ONLY APPROVED, SIGNED AND SEALED PLANS SHALL BE UTILIZED FOR CONSTRUCTION PURPOSES.
© LAND DESIGN COLLABORATIVE, LLC.

GENERAL NOTES:

- THIS PROJECT DISTURBS MORE THAN ONE ACRE OF LAND AND IS WITHIN THE NPDES CONSTRUCTION GENERAL PERMIT (CGP) AND THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) JURISDICTION. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR IS TO SUBMIT A NOTICE OF INTENT WITH THE EPA AND SECURE AND COMPLY WITH THE CGP IN ACCORDANCE WITH THE NPDES REGULATIONS.
- A MINIMUM OF SEVENTY-TWO (72) HOURS BEFORE COMMENCING SITE WORK, CONTRACTOR SHALL CALL "DIG SAFE" AT 1-888-344-7233 (PER 220 CMR 99), MUNICIPAL UTILITY DEPARTMENTS, AND UTILITY DISTRICTS TO ACCURATELY LOCATE UNDERGROUND UTILITIES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION NOTIFICATION AND APPLY FOR AND OBTAIN ALL NECESSARY CONSTRUCTION PERMITS. THE CONTRACTOR SHALL PAY ALL FEES AND POST ALL BONDS ASSOCIATED WITH THE WORK AND COORDINATE WITH THE PROJECT ARCHITECT AND ENGINEER AS NECESSARY.
- THE CONTRACTOR SHALL OBTAIN PERMIT(S) FOR TRENCH EXCAVATION (PER 520 CMR 14).
- ALL ITEMS NOTED FOR REMOVAL AND DISPOSAL, AS WELL AS THOSE ITEMS DISCOVERED DURING EXCAVATION THAT REQUIRE REMOVAL AND REPLACEMENT, SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND MUST EITHER BE RECYCLED OR DISPOSED OF OFF SITE ACCORDING TO APPLICABLE REGULATIONS (310 CMR 7, 18 & 19 AND 453 CMR 6). CONTRACTOR IS RESPONSIBLE FOR OBTAINING NECESSARY PERMITS FOR DEMOLITION, HAULING AND DISPOSING OF SAID MATERIALS.
- CONTRACTOR SHALL VERIFY ALL CONDITIONS IN THE FIELD AND REPORT ANY DISCREPANCIES TO THE OWNER'S REPRESENTATIVE PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR SITE SECURITY, JOB SAFETY AND CONSTRUCTION MEANS AND METHODS. CONSTRUCTION ACTIVITIES SHALL BE IN ACCORDANCE WITH OSHA STANDARDS AND STATE AND LOCAL REQUIREMENTS.
- REFUELING OF CONSTRUCTION VEHICLES AND EQUIPMENT SHALL NOT BE CONDUCTED IN PROXIMITY TO CATCH BASINS, STORMWATER BASINS OR WETLAND RESOURCES.
- ANY ALTERATIONS MADE IN THE FIELD TO THE WORK SHOWN ON THESE DRAWINGS SHALL BE RECORDED BY THE CONTRACTOR ON RECORD DOCUMENTS.
- THE CONTRACTOR SHALL NOTIFY APPROPRIATE UTILITY COMPANIES OF ANY UTILITIES DAMAGED DURING CONSTRUCTION. ANY COSTS RELATED TO THE REPAIR OF UTILITIES DAMAGED AS A RESULT OF CONSTRUCTION ACTIVITY SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
- THE CONTRACTOR IS RESPONSIBLE FOR PREPARING AND MAINTAINING RECORD AS-BUILT DRAWINGS OF ALL SUBSURFACE UTILITIES.
- ANY AREA DISTURBED BY THE CONTRACTOR OUTSIDE THE LIMIT OF WORK SHALL BE RESTORED TO ITS ORIGINAL CONDITIONS AT NO COST TO THE OWNER.

EROSION AND SEDIMENT CONTROL NOTES:

- PRIOR TO CONSTRUCTION A FENCE SHALL BE PLACED AROUND ALL TREES THAT ARE TO BE MAINTAINED AND PROTECTED. NO CONSTRUCTION ACTIVITY OR STOCKPILING OF MATERIAL SHALL BE ALLOWED WITHIN THE DRIPLINE OF THE EXISTING TREES THAT ARE TO REMAIN.
- SITE ELEMENTS TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION.
- PRIOR TO CONSTRUCTION AN EROSION CONTROL BARRIER (ECB) SHALL BE PROVIDED AT THE EDGE OF THE DEVELOPMENT AREA AS SHOWN ON THE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE ECB THROUGHOUT ALL PHASES OF CONSTRUCTION AS WELL AS COMPLYING WITH ANY OTHER CONDITIONS ESTABLISHED IN THE ORDER OF CONDITIONS (MASSDEP FILE # _____) ISSUED BY THE _____ CONSERVATION COMMISSION OR ANY OTHER PERMIT ISSUED FOR THE SITE.
- THE CONTRACTOR SHALL TAKE SUFFICIENT PRECAUTIONS DURING CONSTRUCTION TO MINIMIZE THE RUNOFF OF POLLUTING SUBSTANCES SUCH AS SILT, CLAY, FUELS, OILS, BITUMINOUS CONCRETE OR OTHER POLLUTING MATERIALS HARMFUL TO HUMANS, FISH, OR OTHER LIFE, AND WATER SUPPLIES AND SURFACE WATERS. SPECIAL PRECAUTIONS SHALL BE TAKEN IN THE USE OF CONSTRUCTION EQUIPMENT TO PREVENT OPERATIONS WHICH PROMOTE EROSION.
- CONTRACTOR SHALL UTILIZE TEMPORARY SEDIMENT PITS OR BASINS AS NECESSARY TO PREVENT SEDIMENT LADEN WATERS FROM ENTERING DRAINAGE FACILITIES. SPECIAL ATTENTION SHALL BE GIVEN TO AREAS FOR PROPOSED STORMWATER INFILTRATION SYSTEMS. IF ADDITIONAL SILTATION CONTROL IS REQUIRED, CHECK DAMS OR SILT FENCES MAY BE PLACED IN DITCHES RECEIVING STORMWATER FROM DISTURBED AREAS, UPON APPROVAL OF THE PROJECT ENGINEER.
- AS CONSTRUCTION PROGRESSES AND SEASONAL CONDITIONS DICTATE, MORE SILTATION CONTROL FACILITIES MAY BE REQUIRED. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO ADDRESS NEW CONDITIONS THAT MAY BE CREATED AND TO PROVIDE ADDITIONAL FACILITIES OVER AND ABOVE THE MEASURES DEPICTED HEREON.
- MEASURES FOR CONTROL OF EROSION MUST BE ADEQUATE TO ASSURE THAT TURBIDITY IN THE RECEIVING WATER WILL NOT BE INCREASED BEYOND LEVELS ESTABLISHED BY THE STATE OR OTHER CONTROLLING BODY, IN WATERS USED FOR PUBLIC SUPPLY OR FISHING UNLESS OTHER LIMITS HAVE BEEN ESTABLISHED FOR THE PARTICULAR WATER.
- ALL SOIL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSPECTED AND MAINTAINED ON A DAILY BASIS DURING THE DURATION OF CONSTRUCTION TO INSURE THAT CHANNELS, DITCHES AND PIPES ARE CLEAR OF DEBRIS AND THAT EROSION CONTROL BARRIERS ARE INTACT. EROSION CONTROL BARRIERS SHALL BE CLEANED AND MAINTAINED AS REQUIRED TO ENSURE FUNCTIONALITY.
- AN ANTI-TRACKING CONSTRUCTION ENTRANCE SHALL BE MAINTAINED AT ALL POINTS OF CONSTRUCTION ACCESS AND EGRESS TO PUBLIC RIGHTS-OF-WAY FOR THE DURATION OF CONSTRUCTION.
- ANY SEDIMENT TRACKED ONTO PUBLIC RIGHTS-OF-WAY SHALL BE SWEEPED AND CLEANED AT THE END OF EACH WORK DAY.
- CONTRACTOR SHALL BE RESPONSIBLE FOR DUST CONTROL, WHICH INCLUDES STREET SWEEPING OF ALL PAVED SURFACES WITHIN THE SITE AND OFF-SITE AREAS THAT ARE IMPACTED BY SITE CONSTRUCTION.
- ALL TOPSOIL WITHIN THE LIMITS OF THE EXCAVATED AREAS SHALL BE STRIPPED TO ITS FULL DEPTH AND STOCKPILED FOR REUSE AND SEGREGATED FROM SUBSURFACE SOIL MATERIAL. EXCESS TOPSOIL SHALL BE DISPOSED OF ON SITE AS DIRECTED BY THE PROJECT ENGINEER.
- ALL STOCKPILE AREAS SHALL BE LOCATED WITHIN THE LIMIT OF WORK LINE AND STABILIZED TO PREVENT EROSION.
- SILT SACKS SHALL BE INSTALLED IN ALL DOWNSTREAM DRAIN INLETS PRIOR TO CONSTRUCTION TO CONTROL SILTATION.
- WITHIN THE LIMIT OF WORK TREES THAT ARE TO BE REMOVED MAY BE CUT BUT BRUSH AND STUMPS SHALL NOT BE REMOVED UNTIL ONE WEEK PRIOR THE START OF CONSTRUCTION. DISTURBANCE OF THE EXISTING GROUND SURFACE SHALL BE MINIMIZED PRIOR TO THE START OF CONSTRUCTION.
- SILTATION AND SEDIMENTATION BASINS SHALL BE INSTALLED ON SITE TO DE-SILT ALL STORMWATER OR WATER PUMPED FROM EXCAVATED AREAS. PROPOSED DETENTION AND INFILTRATION BASINS MAY BE UTILIZED AS SILTATION PONDS PROVIDED THAT TOPSOIL AND SUBSOIL IS NOT STRIPPED FROM THE BOTTOM OF THE BASINS. SILTATION AND SEDIMENTATION BASINS SHALL BE CONSTRUCTED TO RECEIVE DISCHARGE FROM SILTATION AND SEDIMENTATION PONDS IN ACCORDANCE WITH THE REQUIREMENTS OF THE AGENCIES HAVING JURISDICTION. FOLLOWING STABILIZATION OF UPSTREAM TRIBUTARY AREAS, TOPSOIL AND SUBSOIL SHALL BE REMOVED FROM BASINS AND FREE-DRAINING SOIL FILL MATERIAL PLACED FROM PARENT MATERIAL UP TO SUBGRADE. BASIN BOTTOMS SHALL RECEIVE FINAL LOAM AND SEED.
- EROSION CONTROL BLANKETS SHALL BE INSTALLED PER MANUFACTURE'S SPECIFICATIONS FOR AREAS REQUIRING SLOPE STABILIZATION AND SHALL BE LOAMED, SEEDED AND FERTILIZED PRIOR TO THE PLACEMENT OF THE BLANKETS.
- CONTRACTOR SHALL DIVERT STORMWATER RUNOFF AROUND THE SITE AS REQUIRED AND DRAINAGE SHALL BE RESTORED TO CONDITION EXISTING PRIOR TO CONSTRUCTION UNLESS OTHERWISE SHOWN ON THE DRAWINGS.
- ALL DISTURBED AREAS SHALL BE LOAMED AND SEEDED OR MULCHED AS SOON AS PRACTICABLE.

CONSTRUCTION SEQUENCING NOTES:

- INSTALL CONSTRUCTION ENTRANCE.
- CLEAR AND GRUB ONLY AS NECESSARY FOR SAFE ACCESS TO SITE FOR TREE REMOVAL EQUIPMENT AND MACHINERY AND THE INSTALLATION OF EROSION CONTROL BARRIER AND SEDIMENT CONTROL MEASURES AROUND THE INITIAL STAGING AREA(S).
- FELL TREES WITHIN APPROVED LIMITS OF CLEARING (WORK AREA).
- INSTALL EROSION CONTROL BARRIERS AND SEDIMENT CONTROL MEASURES AS WELL AS LIMIT OF WORK DEMARCATION (FLAGGING OR FENCING) AS MAY BE SHOWN ON THE DRAWINGS OR REQUIRED BY PERMIT GRANTING AUTHORITIES.
- EXCAVATE TEMPORARY SEDIMENTATION BASINS TO ONE FOOT ABOVE BOTTOM OF BASIN ELEVATION AND CONSTRUCT TEMPORARY DIVERSION SWALES TO DIRECT SEDIMENTATION RUNOFF TO BASINS.
- CLEAR AND GRUB WITHIN LIMIT OF WORK AREA AND PROPERLY DISPOSE OF STUMPS AND BRUSH.
- PERFORM SITE CUT AND FILL OPERATIONS AND ESTABLISH ROUGH SUB-GRADES.
- ROUGH GRADE PAVED AREAS.
- LOAM AND SEED TEMPORARY SEDIMENT BASINS AND TEMPORARY DIVERSION SWALES.
- ESTABLISH STOCKPILE AREA AND SURROUND WITH EROSION CONTROL BARRIER. AVOID STOCKPILING IN VALLEYS OR LOW-LYING AREA WHERE SUSCEPTIBLE TO EROSION.
- MAINTAIN CONSTRUCTION ENTRANCE, EROSION CONTROL MEASURES, TEMPORARY DIVERSION SWALES AND TEMPORARY SEDIMENTATION BASINS THROUGHOUT DURATION OF CONSTRUCTION. REMOVE SEDIMENT IN TEMPORARY BASIN(S) WHEN ACCUMULATED TO A DEPTH OF TWELVE (12) INCHES.
- SEDIMENTATION BASINS TO REMAIN DURING EARTHWORK OPERATIONS. ALL SEDIMENT SHALL BE REMOVED FROM BASINS AND BOTTOM OF BASINS EXCAVATED TO FINAL BOTTOM ELEVATION FOLLOWING STABILIZATION OF DISTURBED AREAS.
- EROSION AND SEDIMENT CONTROL IS SUBJECT TO CHANGE BASED UPON FIELD CONDITIONS, CONSTRAINTS, AND OTHER UNFORESEEN FACTORS.

LAYOUT AND MATERIAL NOTES:

- ALL SETBACK LINES AND DIMENSIONS ARE PARALLEL OR PERPENDICULAR TO THE LINES FROM WHICH THEY ARE MEASURED, UNLESS NOTED OTHERWISE.
- DIMENSIONS ARE FROM THE FACE OF CURB, FACE OF BUILDING, FACE OF WALL AND CENTERLINE OF PAVEMENT MARKINGS UNLESS NOTED OTHERWISE.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON THE GROUND AND REPORT ANY DISCREPANCIES TO THE PROJECT ENGINEER.
- SEE ARCHITECTURAL DRAWINGS FOR EXACT BUILDING DIMENSIONS AND DETAILS CONTIGUOUS TO THE BUILDING.
- EXISTING PROPERTY LINE MONUMENTATION SHALL BE PROTECTED DURING CONSTRUCTION. ANY MONUMENTATION DISTURBED DURING CONSTRUCTION OR ANY PROPOSED MONUMENTATION SHALL BE SET OR RESET BY A PROFESSIONAL LICENSED SURVEYOR.
- SYMBOLS OF PROJECT FEATURES DEPICTED IN THESE DRAWINGS ARE GRAPHIC REPRESENTATIONS AND ARE NOT NECESSARILY SCALED TO THEIR DIMENSIONS OR LOCATIONS ON THE DRAWINGS. THE CONTRACTOR SHALL REFER TO THE DETAIL SHEET DIMENSIONS, MANUFACTURER'S SPECIFICATIONS, SHOP DRAWINGS AND FIELD MEASUREMENTS FOR ACCURATE INFORMATION.
- ALL PAVEMENT MARKINGS INCLUDING PARKING SPACES AND CROSSWALKS SHALL BE PAINTED WHITE UNLESS OTHERWISE NOTES.
- EACH ACCESSIBLE PARKING SPACE SHALL BE IDENTIFIED BY A SIGN CONTAINING THE "INTERNATIONAL SYMBOL OF ACCESSIBILITY" AS DESCRIBED IN THE AMERICANS WITH DISABILITIES ACT, PUBLIC LAW 101-366, AND DETAILED IN THE FHWA/USDOT MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, AS AMENDED.

GRADING, DRAINAGE AND UTILITY NOTES:

- THE CONTRACTOR SHALL CONFIRM THE SIZE AND DISPOSITION OF ALL UTILITIES TO SITE AND COORDINATE WITH RESPECTIVE UTILITY COMPANIES REGARDING ANY UTILITIES THAT REQUIRE REMOVAL OR RELOCATION. NO EXCAVATION SHALL BE PERFORMED UNTIL ALL UTILITY COMPANIES HAVE BEEN NOTIFIED.
- LOCATIONS OF UNDERGROUND UTILITIES SHOWN HEREON WERE COMPILED FROM AVAILABLE RECORD PLANS OF UTILITY COMPANIES AND ARE APPROXIMATE AND ASSUMED. THERE MAY BE ADDITIONAL UNDERGROUND UTILITIES THAT ARE NOT DEPICTED HEREON. NO WARRANTY IS EXPRESSED OR IMPLIED AS TO THE ACCURACY OF SUBSURFACE UTILITY LOCATIONS OR DISPOSITION, UNLESS OTHERWISE NOTED ON THE PLAN.
- CONTRACTOR SHALL CONFIRM DEPTH(S) OF PERTINENT UTILITIES BY TEST PIT AND NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES.
- THE CONTRACTOR SHALL VERIFY EXISTING GRADES IN THE FIELD AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE PROJECT SURVEYOR AND ENGINEER.
- PROVIDE CRIBBING TO PROTECT UTILITY LINES DURING CONSTRUCTION AS NECESSARY.
- THE CONTRACTOR SHALL PROTECT SUBSURFACE DRAINAGE, SEWER AND ALL OTHER UTILITIES FROM EXCESSIVE VEHICLE LOADS DURING CONSTRUCTION. FACILITIES DAMAGED DUE TO CONSTRUCTION LOADS SHALL BE RESTORED TO THE ORIGINAL CONDITION BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER OR UTILITY OWNER.
- ALL DRAIN PIPE SHALL BE CLASS II RCP (ASTM C76) OR SMOOTH INTERIOR CORRUGATED POLYETHYLENE (CPE TYPE S; AASHTO M252 OR M294), UNLESS OTHERWISE NOTED. PIPE LENGTHS ARE MEASURED CENTER-OF-STRUCTURE TO CENTER-OF-STRUCTURE.
- ALL GRAVITY SEWER PIPE SHALL BE SDR 35 PVC (ASTM D3034) WITH WATERTIGHT INTEGRAL BELL GASKETED JOINT (ASTM D3212) AND ELASTOMERIC GASKET (ASTM F477), UNLESS OTHERWISE NOTED.
- ALL FORCE MAIN SEWER PIPE SHALL BE SDR 21 PVC (200 PSI RATED, ASTM D2241) WITH WATERTIGHT JOINTS (ASTM D2672 OR D3212 AS ALLOWED), UNLESS OTHERWISE NOTED.
- ALL WATER MAIN PIPE AND FITTINGS SHALL BE CLDI CLASS 52 (AWWA C151, C110 & C104) WITH RUBBER GASKETED JOINTS (AWWA 111), UNLESS OTHERWISE NOTED. ALL WATER SERVICES TO BE PRESSURE RATED PE OR COPPER AS REQUIRED AND APPROVED BY DPW. PROVIDE FIVE (5) FEET MINIMUM COVER ON ALL WATER MAINS AND SERVICES.
- WHERE 10' HORIZONTAL SEPARATION BETWEEN SEWER AND WATER MAINS CANNOT BE MAINTAINED, CROWN OF SEWER MAIN SHALL BE EIGHTEEN (18) INCHES BELOW BOTTOM OF WATER MAIN, IN ACCORDANCE WITH SECTION 9.7.2 OF MASSDEP "GUIDELINES AND POLICIES FOR PUBLIC WATER SYSTEMS" (AS DEFINED IN 310 CMR 22.02).
- THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS FOR THE ALTERATION OF GAS, ELECTRIC, TELECOMMUNICATIONS AND ANY OTHER PRIVATE UTILITIES BY THE UTILITY COMPANIES AS REQUIRED. WHERE AN EXISTING UTILITY IS IN 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 THE OWNER AND PROJECT ENGINEER FOR RESOLUTION.
- PROPOSED GAS, ELECTRIC, TELECOMMUNICATIONS AND CABLE TV DEPICTED IS SCHEMATIC ONLY. CONTRACTOR SHALL COORDINATE WITH RESPECTIVE UTILITY COMPANY FOR FINAL PLANS AND SPECIFICATIONS.
- CONTRACTOR SHALL COORDINATE CONNECTION TO MUNICIPAL FIRE ALARM.
- ALL UTILITIES INCLUDING CONCRETE PADS ARE TO BE INSTALLED PER UTILITY COMPANY OR LOCAL DPW STANDARDS AS APPLICABLE.
- ALL UTILITY COVERS, GRATES, HATCHES, ETC., SHALL BE FLUSH WITH THE PAVEMENT FINISHED GRADE.
- EXISTING PAVEMENT SHALL BE SAW CUT AND NEW PAVEMENT SHALL BE BLENDED SMOOTHLY TO MEET CUT EDGES.
- FINAL GRADES SHALL BE PITCHED EVENLY BETWEEN SPOT ELEVATIONS AND ALL AREAS SHALL BE GRADED TO DRAIN WITH NO PUDDLING OR PONDING.
- THE CONTRACTOR SHALL SCHEDULE THE WORK TO ALLOW THE FINISHED SUBGRADE ELEVATIONS TO DRAIN PROPERLY WITHOUT PUDDLING. SPECIFICALLY, ALLOW WATER TO ESCAPE WHERE PROPOSED CURBING MAY RETAIN RUNOFF PRIOR TO APPLICATION OF THE FINISH SUBGRADE AND/OR SURFACE PAVING. PROVIDE TEMPORARY POSITIVE DRAINAGE AS REQUIRED.
- THE CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE (1.5% MINIMUM) AWAY FROM ALL BUILDING FOUNDATIONS AND STRUCTURES.
- GRADES IN ACCESSIBLE PARKING SPACES SHALL NOT EXCEED 2% IN ANY DIRECTION (PER 521 CMR 23.4.3).
- GRADES IN ACCESSIBLE WALKWAYS SHALL NOT EXCEED 5% (PER 521 CMR 22.3) AND SHALL NOT HAVE A CROSS PITCH OF MORE THAN 2% (PER 521 CMR 22.3.1).
- RIPRAP APRONS SHALL BE PROVIDED AT ALL FLARED ENDS AND HEADWALLS.
- RETAINING WALLS OVER FOUR (4) FEET IN HEIGHT ARE TO BE DESIGNED BY OTHERS. THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE ENGINEERED STRUCTURAL DRAWINGS FOR RETAINING WALLS WHERE REQUIRED BY CODE, INCLUDING BUT NOT LIMITED TO THE STATE BUILDING CODE (780 CMR).
- ALL DISTURBED AREAS SHALL BE LOAMED TO A SIX (6) INCH DEPTH AND SEEDED WITH SUITABLE GRASS SEED MIX UNLESS OTHERWISE SPECIFIED ON THE PLANS.

PLANTING NOTES:

- ALL PLANT MATERIAL SHALL MEET THE SPECIFICATIONS AND GUIDELINES OF THE AMERICAN STANDARD FOR NURSERY STOCK ISSUED BY THE AMERICAN ASSOCIATION OF NURSERYMEN, INC.
- ANY PROPOSED SUBSTITUTION OF PLANT MATERIAL SHALL BE EQUAL IN OVERALL SIZE, HEIGHT, LEAF, FORM, BRANCHING HABIT, FRUIT, FLOWER, COLOR, AND CULTURE. ALL PROPOSED SUBSTITUTIONS SHALL BE REVIEWED AND APPROVED IN WRITING BY LANDSCAPE ARCHITECT PRIOR TO PURCHASING.
- FINAL QUANTITIES FOR EACH PLANT TYPE SHALL BE AS GRAPHICALLY SHOWN ON THE PLANS. THIS NUMBER SHALL TAKE PRECEDENCE IN CASE OF ANY DISCREPANCY BETWEEN QUANTITIES SHOWN ON THE PLANT LIST AND ON THE PLAN. THE LANDSCAPE CONTRACTOR SHALL REPORT AND DISCREPANCIES BETWEEN THE NUMBER OF PLANTS SHOWN ON THE PLANT LIST AND PLANT LABELS PRIOR TO BIDDING.
- THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL AT THE SITE. MATERIAL SHALL BE REMOVED FROM THE PROPERTY BY THE LANDSCAPE CONTRACTOR AND REPLACED WITH PLANT MATERIAL APPROVED BY LANDSCAPE ARCHITECT AT NO ADDITIONAL COST TO THE OWNER.
- ALL TREES SHALL BE BALLED AND BURLAPPED UNLESS OTHERWISE SPECIFIED.
- ALL PLANTING BEDS ARE TO BE CROWNED WITH TOPSOIL AND MULCH ABOVE ADJACENT AREAS.
- NO PLANT MATERIAL SHALL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA. THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OF ANY CONFLICT.
- THE LANDSCAPE CONTRACTOR SHALL LAYOUT ALL PLANT MATERIAL AS SHOWN ON THE PLANS AND SHALL NOTIFY THE LANDSCAPE ARCHITECT A MINIMUM OF 48 HOURS PRIOR TO INSTALLATION FOR FIELD REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT.
- PROVIDE A 3" DEPTH OF MULCH AS SHOWN ON THE PLANTING DETAILS UNDER AND AROUND ALL PLANT MATERIAL AND IN ALL PLANT BEDS AND LANDSCAPE ISLANDS. MULCH SHALL BE CLEAN, SHREDED PINE BARK MULCH UNLESS OTHERWISE SPECIFIED. PRIOR TO SPREADING MULCH, APPLY A WEED PRE-EMERGENT SUCH AS "PREEM" OR APPROVED EQUAL. FOLLOW MANUFACTURER'S APPLICATION INSTRUCTIONS.
- ALL TREES ADJACENT TO SIDEWALKS SHALL HAVE A 6'-8" MINIMUM BRANCHING HEIGHT AT TIME OF PLANTING.
- LAWN AND DISTURBED SHALL RECEIVE A MINIMUM OF 6" OF LOAM AND SPECIFIED SEED MIX UNLESS OTHERWISE NOTED. AREAS OVER 2:1 SLOPE SHALL BE PROTECTED WITH EROSION CONTROL FABRIC.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETE MAINTENANCE OF THE PLANT MATERIAL AND LAWN AREAS UNTIL DATE OF FINAL ACCEPTANCE BY THE LANDSCAPE ARCHITECT. WATERING SHALL BE PROVIDED DURING THE FIRST GROWING SEASON WHEN NATURAL RAINFALL IS BELOW ONE INCH PER WEEK.
- IF AN IRRIGATION SYSTEM IS PROVIDED THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR FULL COORDINATION WITH THE IRRIGATION CONTRACTOR TO PROVIDE PROPER IRRIGATION TO ALL TREES, PLANT BEDS AND LAWN AREAS UNLESS OTHERWISE NOTED. IRRIGATION DESIGN AND PERMITTING TO BE PROVIDED BY OTHERS.
- ALL PLANT MATERIAL SHALL BE GUARANTEED BY THE LANDSCAPE CONTRACTOR FOR A PERIOD OF ONE YEAR FOLLOWING DATE OF FINAL ACCEPTANCE BY THE LANDSCAPE ARCHITECT. ALL REPLACEMENTS SHALL BE AT NO ADDITIONAL COST TO OWNER.

LEGEND

ENVIRONMENTAL		
100' FLOOD ZONE		100' WBZ
100' WETLAND BUFFER ZONE		
200' RIVERFRONT AREA		BB/AV
APPROX. BOUNDARY BORDERING VEGETATED WETLAND		ABBVW
BOUNDARY BORDERING VEGETATED WETLAND		ECB
EROSION CONTROL BARRIER		FLOP
STREAM - INTERMITTENT		FLOP
STREAM - PERENNIAL		
WATER BODY		
GRADING & TOPOGRAPHY		
BASEMENT FLOOR ELEVATION	BFE=100.00	
CONTOUR - MINOR	99	
CONTOUR - MAJOR	100	
CURB - BOTTOM OF CURB	BcX100	
CURB - TOP OF CURB	TcX100	
FINISH FLOOR ELEVATION	FFE=100.00	
FOUNDATION - TOP OF FOUNDATION	TOP=100.00	
GARAGE FLOOR ELEVATION	GFE=100.00	
HIGH POINT	HPx100	
LOW POINT	LPx100	
SPOT ELEVATION	x100.00	
TREELINE		
WALL - BOTTOM OF WALL	BWx100	
WALL - TOP OF WALL	TWx100	
MATERIALS		
BOLLARD POST		BP
BUILDING		D
BUILDING - DOOR		DHD
BUILDING - OVERHEAD DOOR		
BUILDING - OVERHANG		
CAPE COD BERM		CCB
CURB - BITUMINOUS CONCRETE		BCC
CURB - CONCRETE		CC
CURB - HAUNCHED		HCC
CURB - SLOPED GRANITE		SGC
CURB - VERTICAL GRANITE		VGC
EDGE OF PAVEMENT		EOP
FENCE - CHAIN LINK		CLE
FENCE - POST & RAIL		PRR
FENCE - STOCKADE		SE
GUARDRAIL - STEEL		SGR
GUARDRAIL - STEEL BACK WOODEN		SBWG
GUARDRAIL - WOODEN		WGR
HANDICAP ACCESSIBLE PARKING SPACE		WCR
HANDICAP ACCESSIBLE RAMP		
HANDRAIL - STEEL		SHR
HANDRAIL - WOODEN		WHR
LIGHTPOLE		LP-X (ORNAMENTAL)
RIPRAP		
SIGN		S
WALL - CONCRETE		
WALL - HEAD		
WALL - RAILROAD TIE		
WALL - STONE		
WALL - WING		
MONITORING & TESTING		
MONITORING WELL		MW
PERCOLATION TEST		PT-##
TEST PIT		TP-##
UTILITIES & DRAINAGE		
ELECTRIC & COMMUNICATION		
ELECTRIC BOX		E
ELECTRIC, COMMUNICATION & DATE LINE		UGE
ELECTRIC MANHOLE		EMH
OVERHEAD WIRE		OHW
TELEPHONE MANHOLE		TMH
TRANSFORMER		T
UTILITY POLE		UP
GAS		
GAS LINE		G
GAS METER		GM
GATE VALVE		GV
SANITARY SEWER & WASTEWATER		
FORCEMAIN		FM
SANITARY SEWER LINE		S
SANITARY SEWER SERVICE		SS
SANITARY SEWER MANHOLE		SMH
STORMWATER		
AREA DRAIN		AD
CATCH BASIN		CB
CATCH BASIN - D-TYPE		CB D-TYPE
CATCH BASIN - DOUBLE		DCB
CATCH BASIN - LEACHING		LCB
CATCH BASIN - ROUND		CB
DRAIN INLET		DI
DRAINLINE		D
DRAIN MANHOLE		DMH
FLARED END		FE
FOUNDATION DRAIN		FD
INVERT		INV=100.00
OUTLET CONTROL STRUCTURE		OCS
RIM		R=100.00
ROOF DRAIN		RD
WATER & APPURTENANCES		
HYDRANT		HYD
GATE VALVE		GV
REDUCER		
TEE		T
WATER LINE		W
WATER SERVICE		WS
WATER SHUT OFF		WS
WELL		W

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY THE SUBDIVISION REGULATIONS AND PROCEDURAL RULES OF THE NEEDHAM PLANNING BOARD.

NAME REGISTRATION NO.

NEEDHAM PLANNING BOARD

APPROVED IN ACCORDANCE WITH SECTION 81-U OF CHAPTER 41 OF THE GENERAL LAWS AS AMENDED.

APPROVED SUBJECT TO TERMS AND CONDITIONS OF A COVENANT GIVEN IN ACCORDANCE WITH SECTION 81-U CHAPTER 41 OF THE GENERAL LAWS AS AMENDED.

NEEDHAM PLANNING BOARD

NEEDHAM DIRECTOR OF PUBLIC WORKS

SIGNATURE DATE

NEEDHAM TOWN ENGINEER

SIGNATURE DATE

NEEDHAM TOWN CLERK CERTIFICATION

"I, TOWN CLERK OF THE TOWN OF NEEDHAM, CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE NEEDHAM PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE

SIGNATURE DATE

ABBREVIATIONS

ACRES	AC.
BITUMINOUS CONCRETE	BIT. CONC.
CONCRETE	CONC.
DIAMETER	DIA.
FOUND	FND
LINEAR FEET	L.F.
MAINTAIN AND PROTECT	M&P
NOT TO SCALE	N.T.S.
NOW OR FORMERLY	N / F
PLUS OR MINUS	±
SQUARE FEET	S.F.
REMOVE AND DISPOSE	R&D
REMOVE AND REPLACE	R&R
REMOVE AND STOCKPILE	R&S
VERIFY IN FIELD	V.I.F.



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

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Project Owner:

40 Highland Avenue, LLC
435 Dedham Street, Unit E
Newton, MA 02459

Prepared For:

40 Highland Avenue, LLC
435 Dedham Street, Unit E
Newton, MA 02459

Project Title:

Definitive Subdivision Plan
40 Highland Ave.
Needham, MA
(Norfolk County)

Sheet Title:

GENERAL NOTES
AND LEGEND

Definitive Subdivision

Prepared By:

LD
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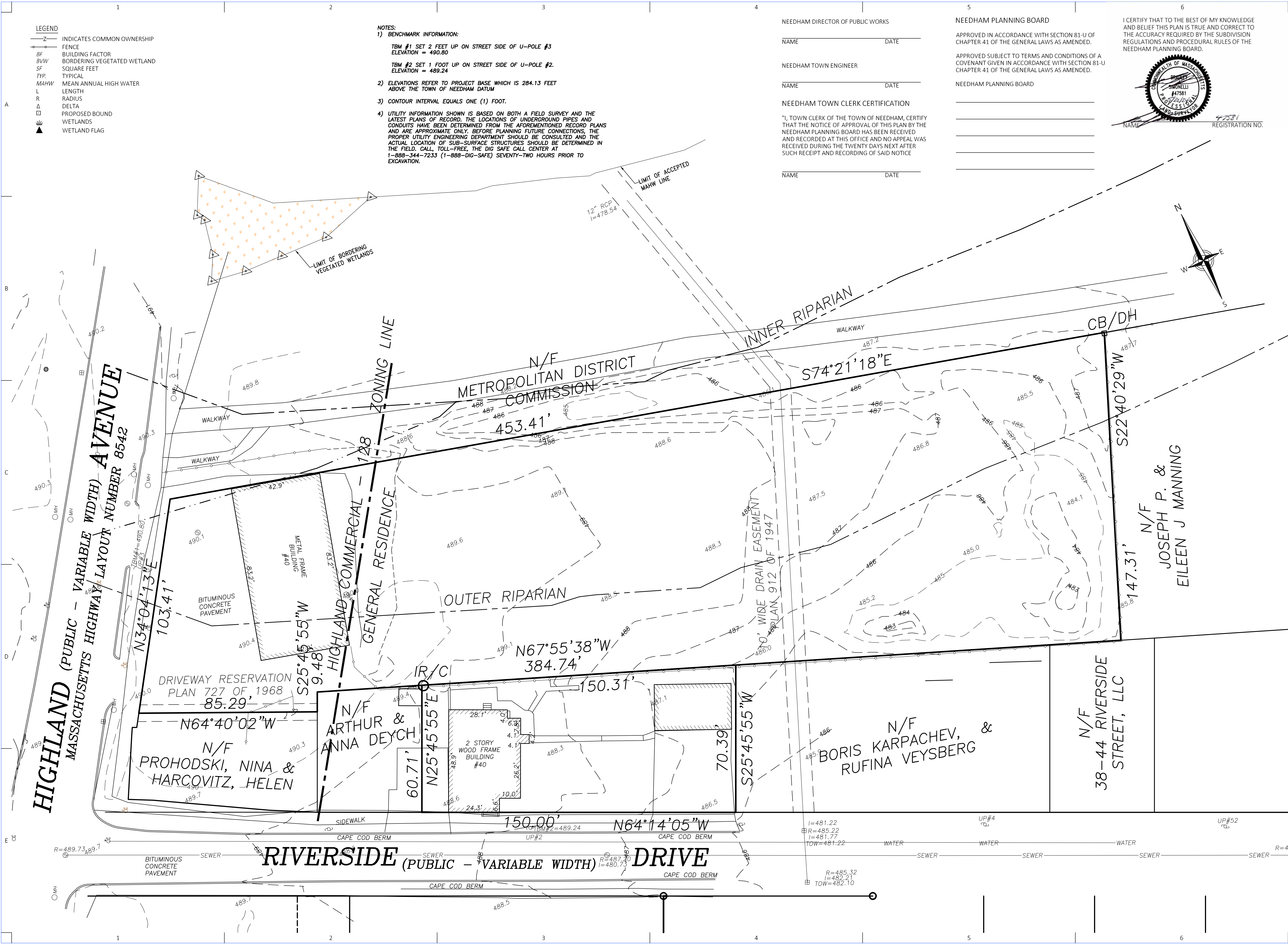
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Date: 04/19/2024 Project No.: 21-0089

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Scale: 1" = 20'

Sheet No.:

1 OF 10



- LEGEND**
- Z— INDICATES COMMON OWNERSHIP
 - FENCE
 - BF BUILDING FACTOR
 - BVW BORDERING VEGETATED WETLAND
 - SF SQUARE FEET
 - TYP. TYPICAL
 - MAHW MEAN ANNUAL HIGH WATER
 - L LENGTH
 - R RADIUS
 - Δ DELTA
 - PROPOSED BOUND
 - ▣ WETLANDS
 - ▲ WETLAND FLAG

- NOTES:**
- 1) **BENCHMARK INFORMATION:**
- TBM #1 SET 2 FEET UP ON STREET SIDE OF U-POLE #3
ELEVATION = 490.80
- TBM #2 SET 1 FOOT UP ON STREET SIDE OF U-POLE #2.
ELEVATION = 489.24
- 2) ELEVATIONS REFER TO PROJECT BASE WHICH IS 284.13 FEET ABOVE THE TOWN OF NEEDHAM DATUM
- 3) CONTOUR INTERVAL EQUALS ONE (1) FOOT.
- 4) UTILITY INFORMATION SHOWN IS BASED ON BOTH A FIELD SURVEY AND THE LATEST PLANS OF RECORD. THE LOCATIONS OF UNDERGROUND PIPES AND CONDUITS HAVE BEEN DETERMINED FROM THE AFOREMENTIONED RECORD PLANS AND ARE APPROXIMATE ONLY. BEFORE PLANNING FUTURE CONNECTIONS, THE PROPER UTILITY ENGINEERING DEPARTMENT SHOULD BE CONSULTED AND THE ACTUAL LOCATION OF SUB-SURFACE STRUCTURES SHOULD BE DETERMINED IN THE FIELD. CALL, TOLL-FREE, THE DIG SAFE CALL CENTER AT 1-888-344-7233 (1-888-DIG-SAFE) SEVENTY-TWO HOURS PRIOR TO EXCAVATION.

NEEDHAM DIRECTOR OF PUBLIC WORKS

NAME DATE

NEEDHAM TOWN ENGINEER

NAME DATE

NEEDHAM TOWN CLERK CERTIFICATION

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NAME DATE

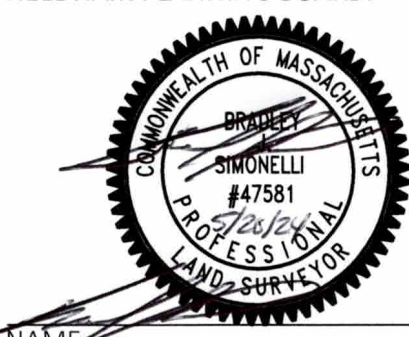
NEEDHAM PLANNING BOARD

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NEEDHAM PLANNING BOARD

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NAME 47581 REGISTRATION NO.

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Project Owner:

40 Highland Avenue, LLC
435 Dedham Street, Unit E
Newton, MA 02459

Prepared For:

40 Highland Avenue, LLC
435 Dedham Street, Unit E
Newton, MA 02459

Project Title:

Definitive Subdivision Plan
40 Highland Ave.
Needham, MA
(Norfolk County)

Sheet Title:

EXISTING
CONDITIONS PLAN

Definitive Subdivision

Prepared By:



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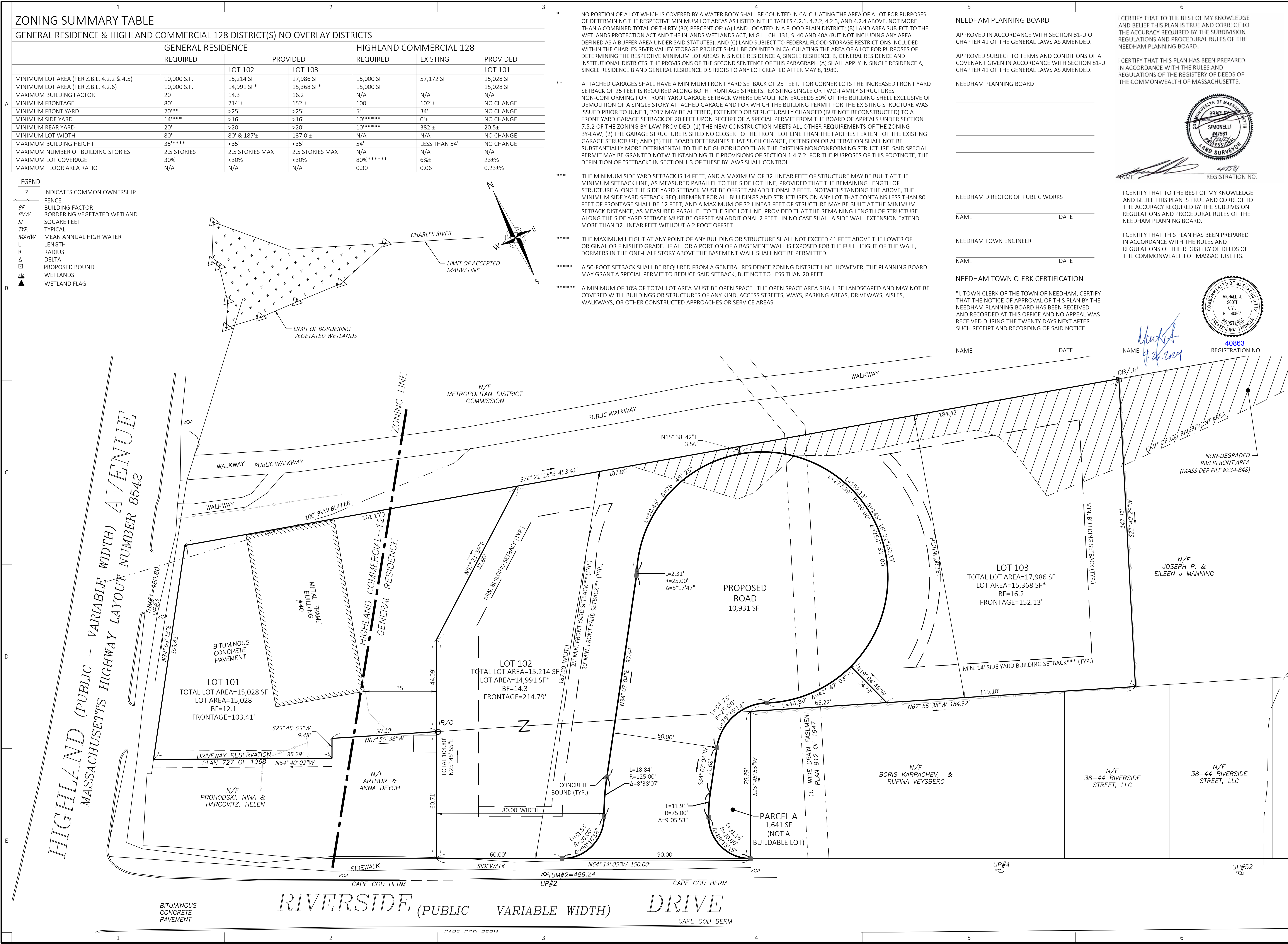
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NEEDHAM PLANNING BOARD

NEEDHAM DIRECTOR OF PUBLIC WORKS

NAME

DATE

NEEDHAM TOWN ENGINEER

NAME

DATE

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I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

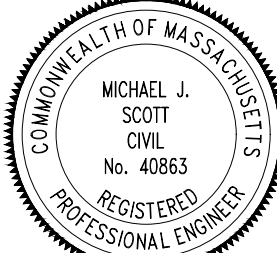


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NAME

DATE

REGISTRATION NO.

Project Owner:
40 Highland Avenue, LLC
435 Dedham Street, Unit E
Newton, MA 02459

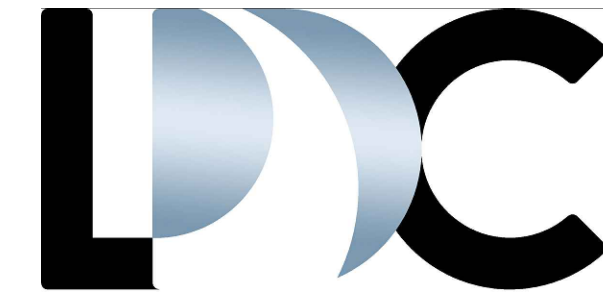
Prepared For:
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435 Dedham Street, Unit E
Newton, MA 02459

Project Title:
Definitive Subdivision Plan
40 Highland Ave.
Needham, MA
(Norfolk County)

Sheet Title:
LOTING PLAN
"BY-RIGHT"

Definitive Subdivision

Prepared By:



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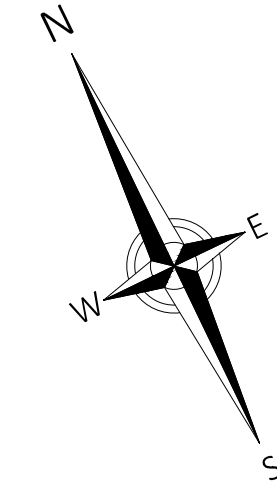
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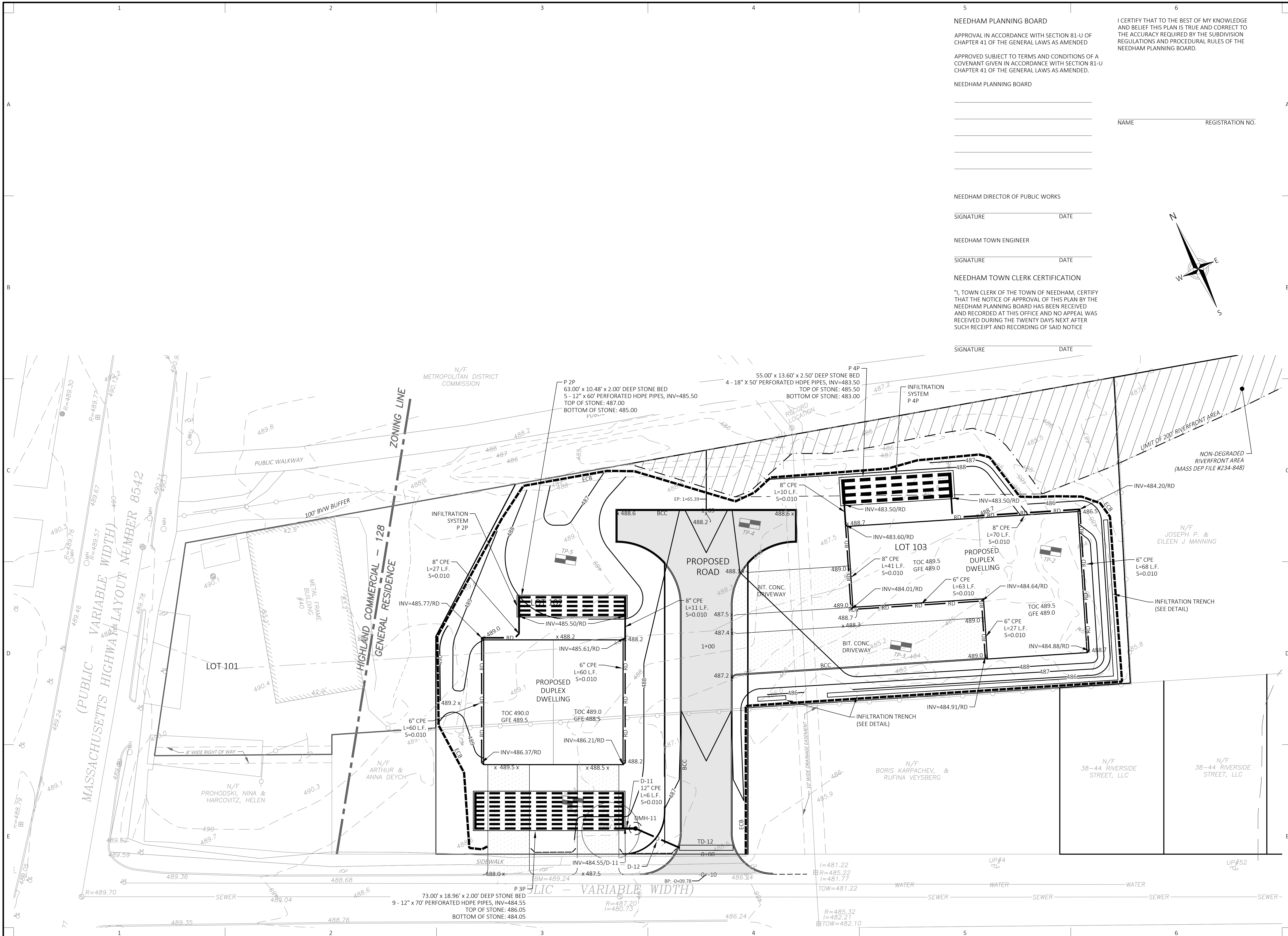
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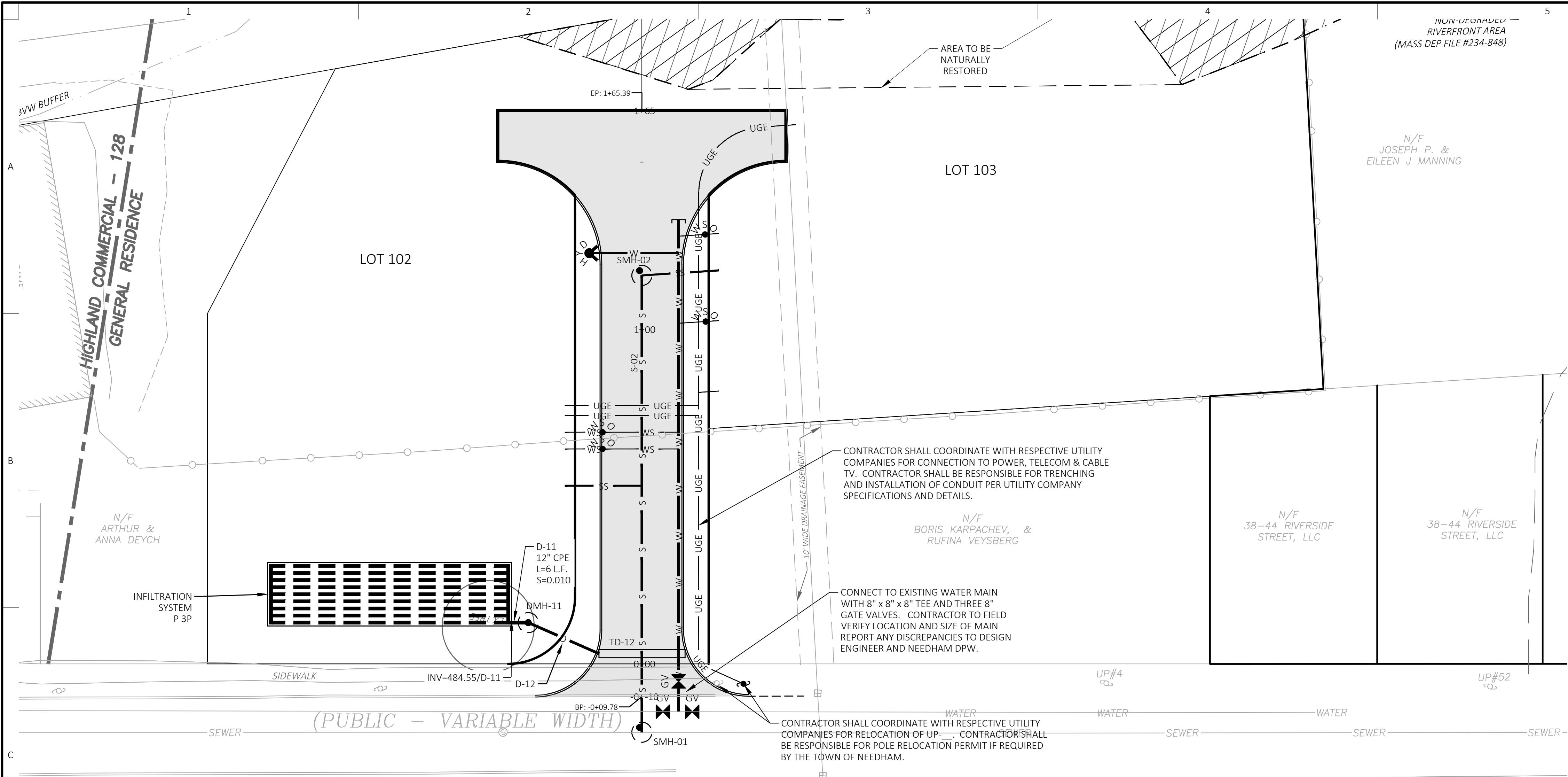
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NAME	REGISTRATION NO.
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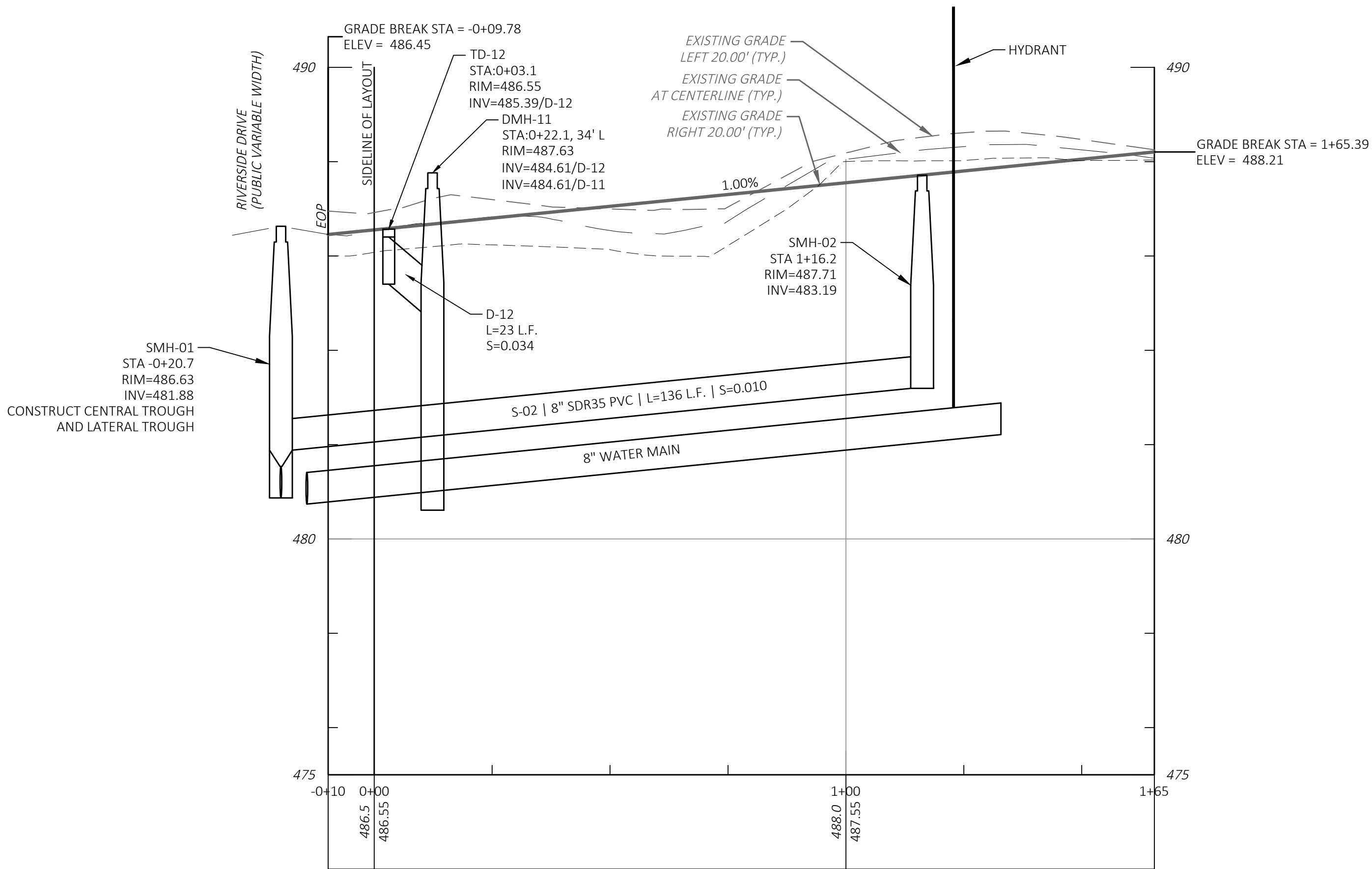


5 OF 10





PLAN



PROFILE

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NEEDHAM PLANNING BOARD

NEEDHAM DIRECTOR OF PUBLIC WORKS

SIGNATURE _____ DATE _____

NEEDHAM TOWN ENGINEER

SIGNATURE _____ DATE _____

NEEDHAM TOWN CLERK CERTIFICATION

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Project Title:
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40 Highland Ave.
Needham, MA
(Norfolk County)

Sheet Title:
PLAN & PROFILE
STA 0+00 TO END

Definitive Subdivision

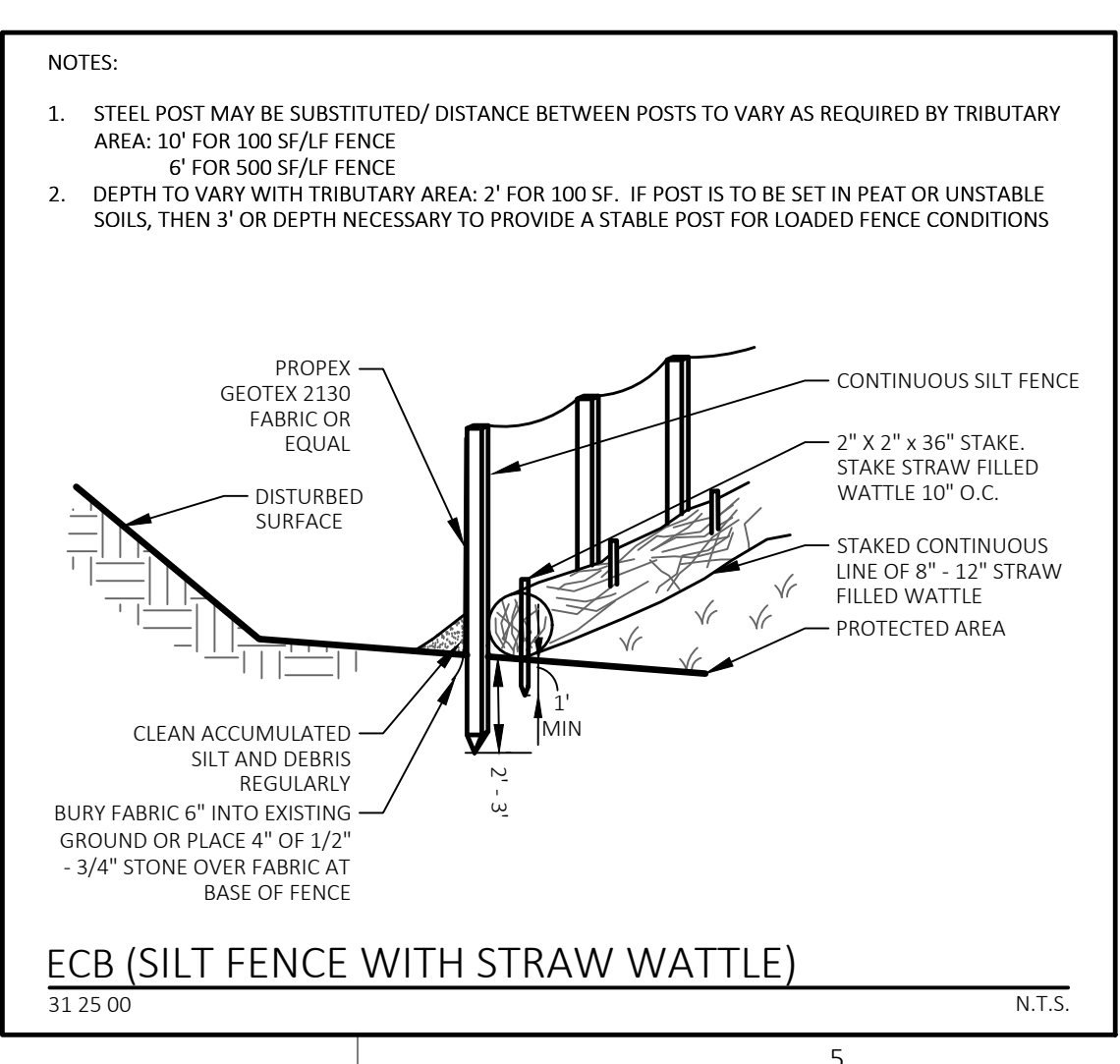
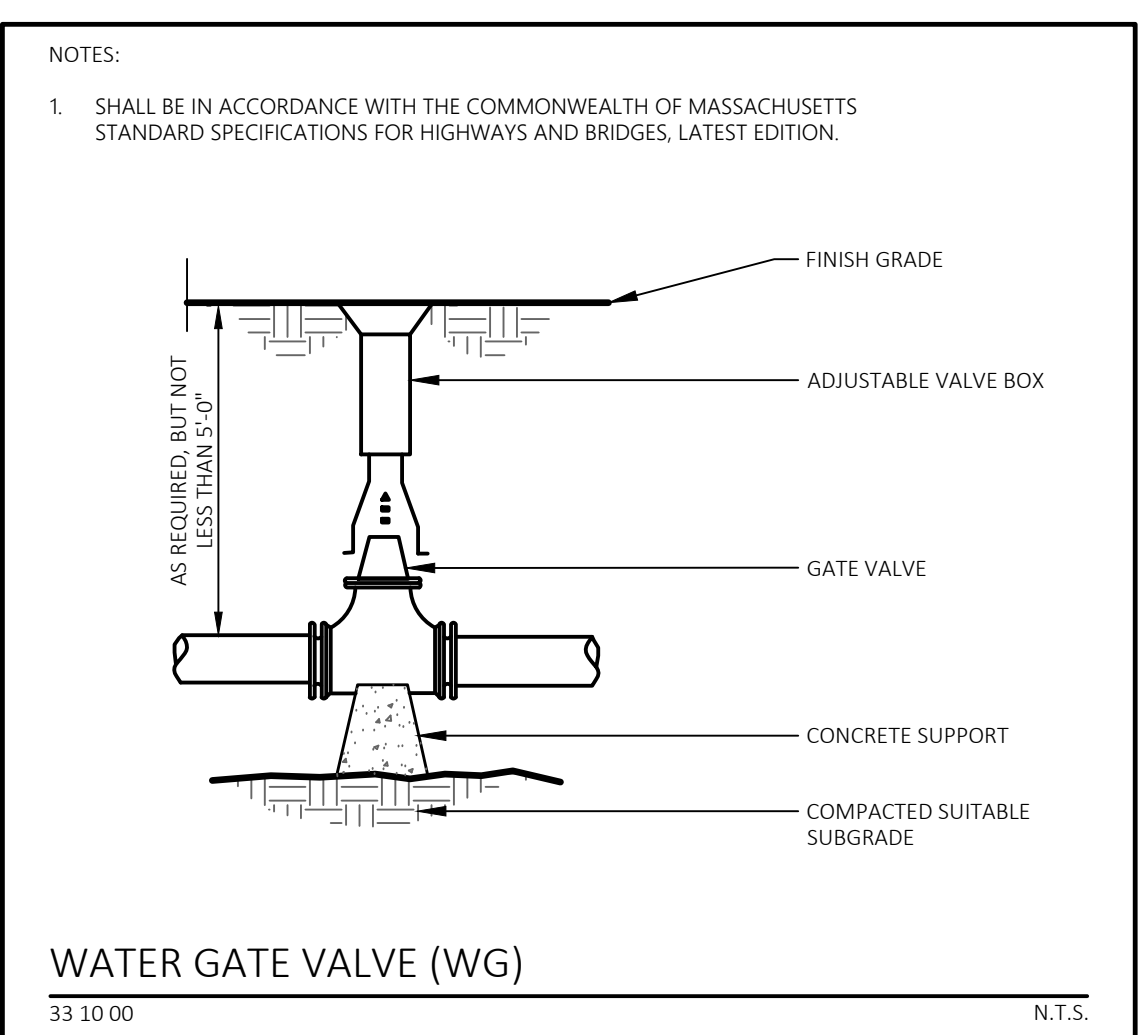
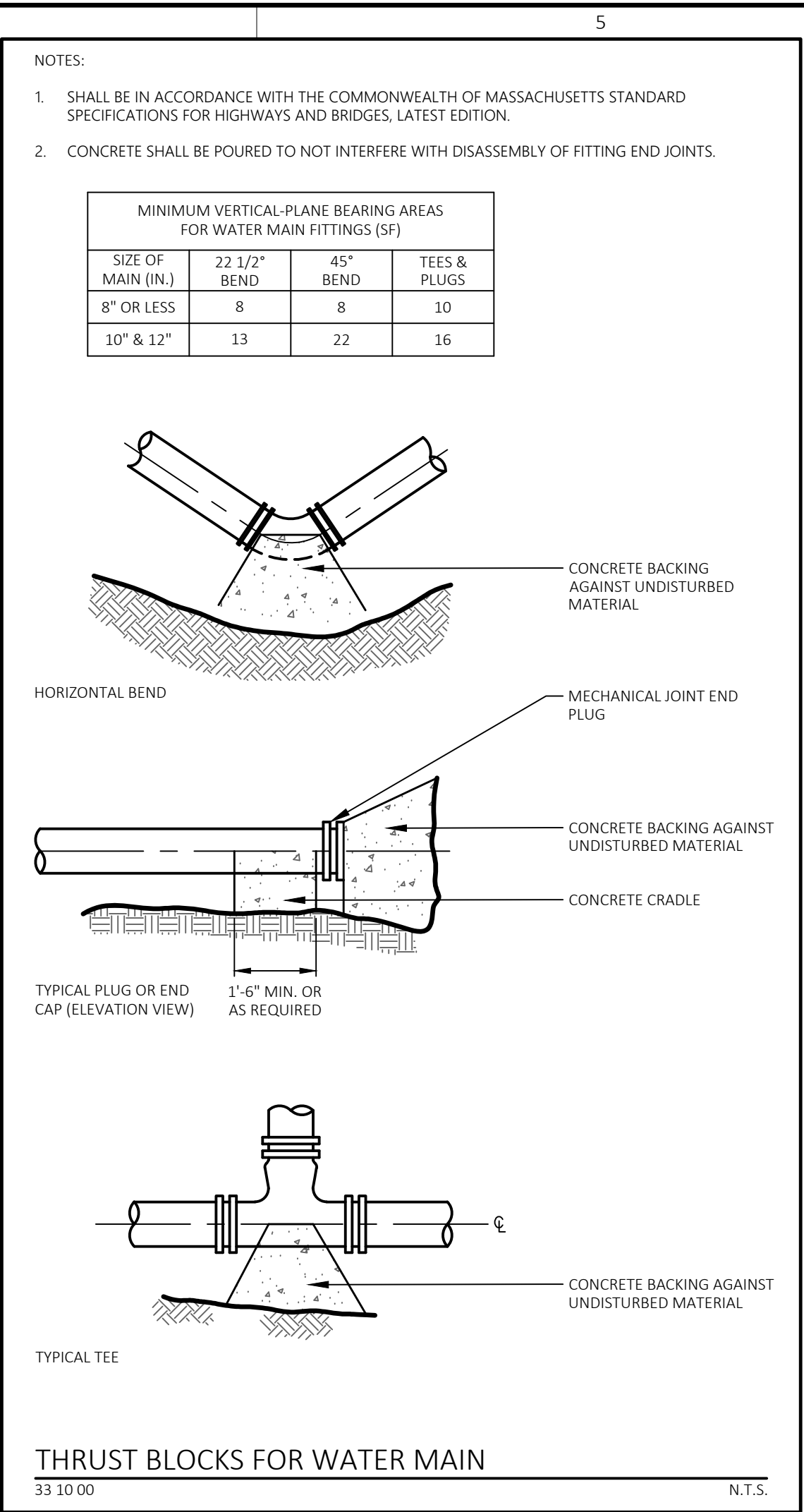
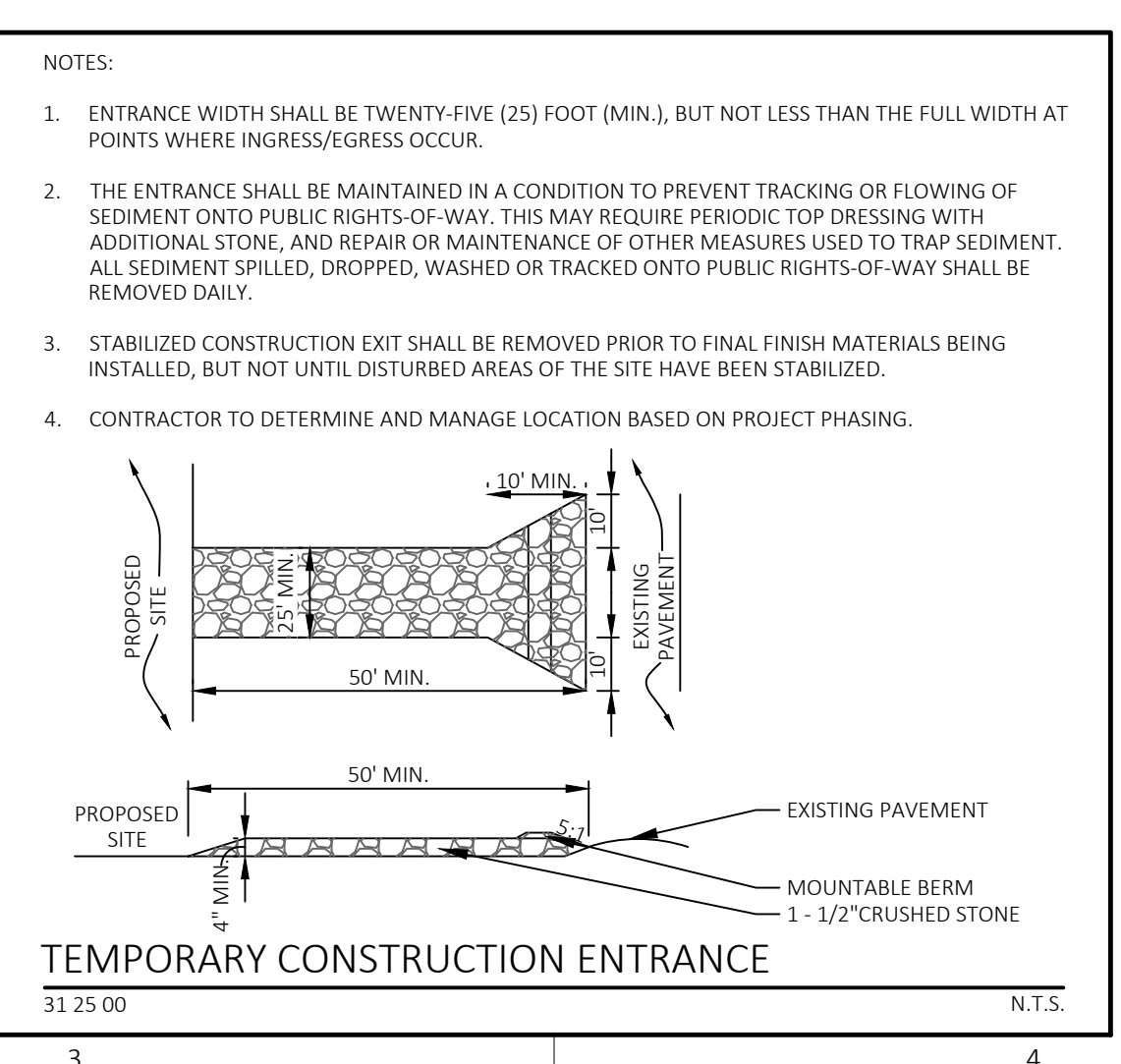
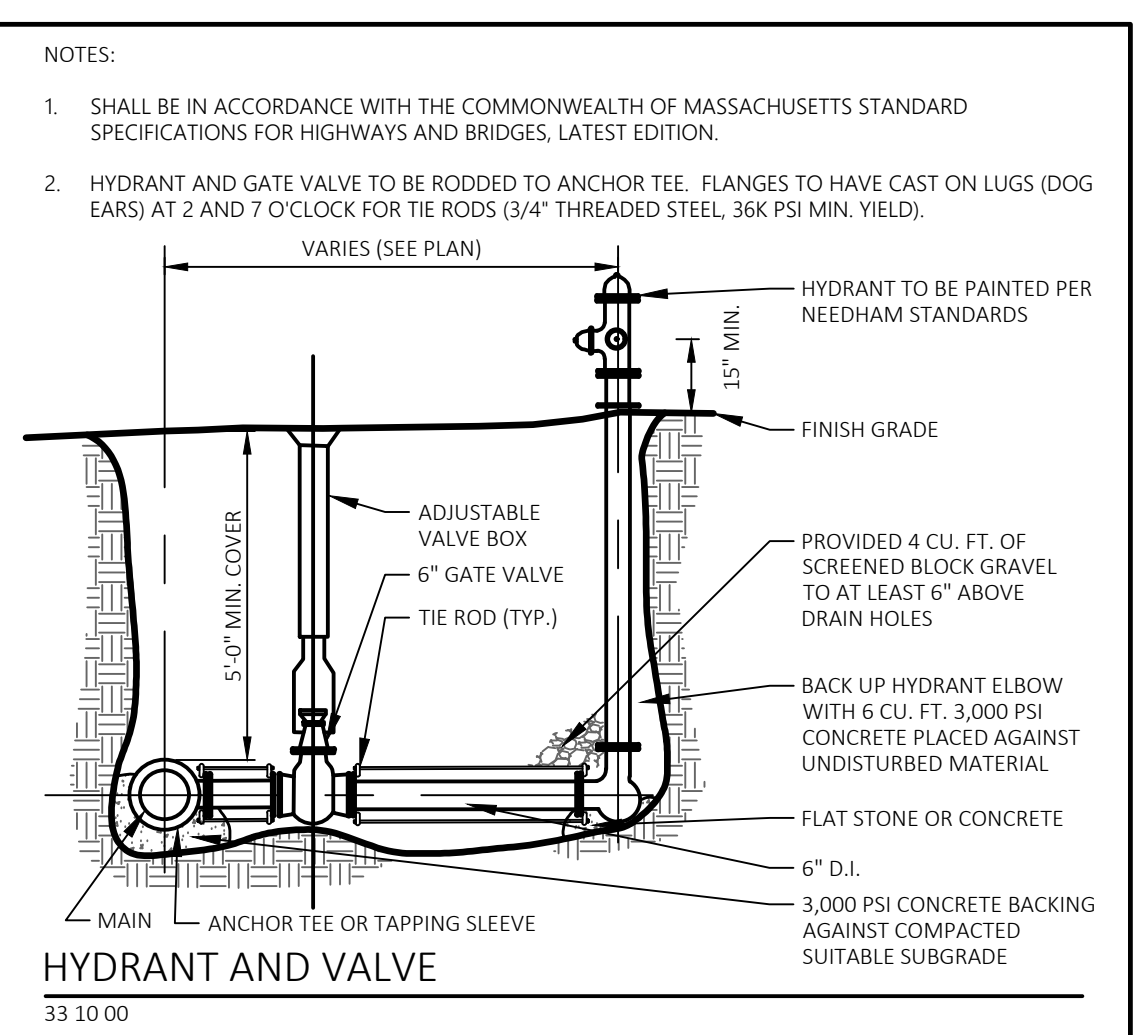
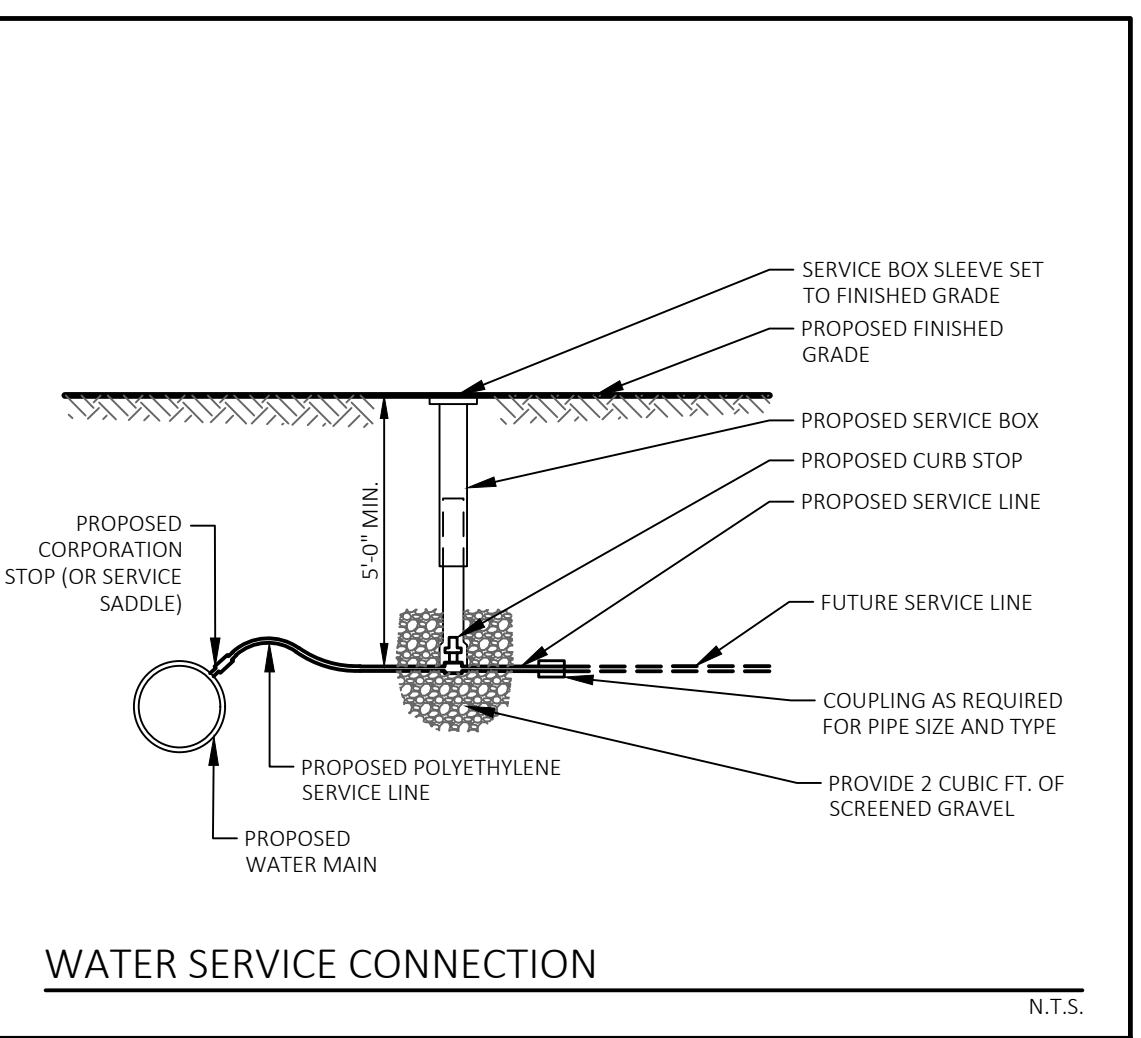
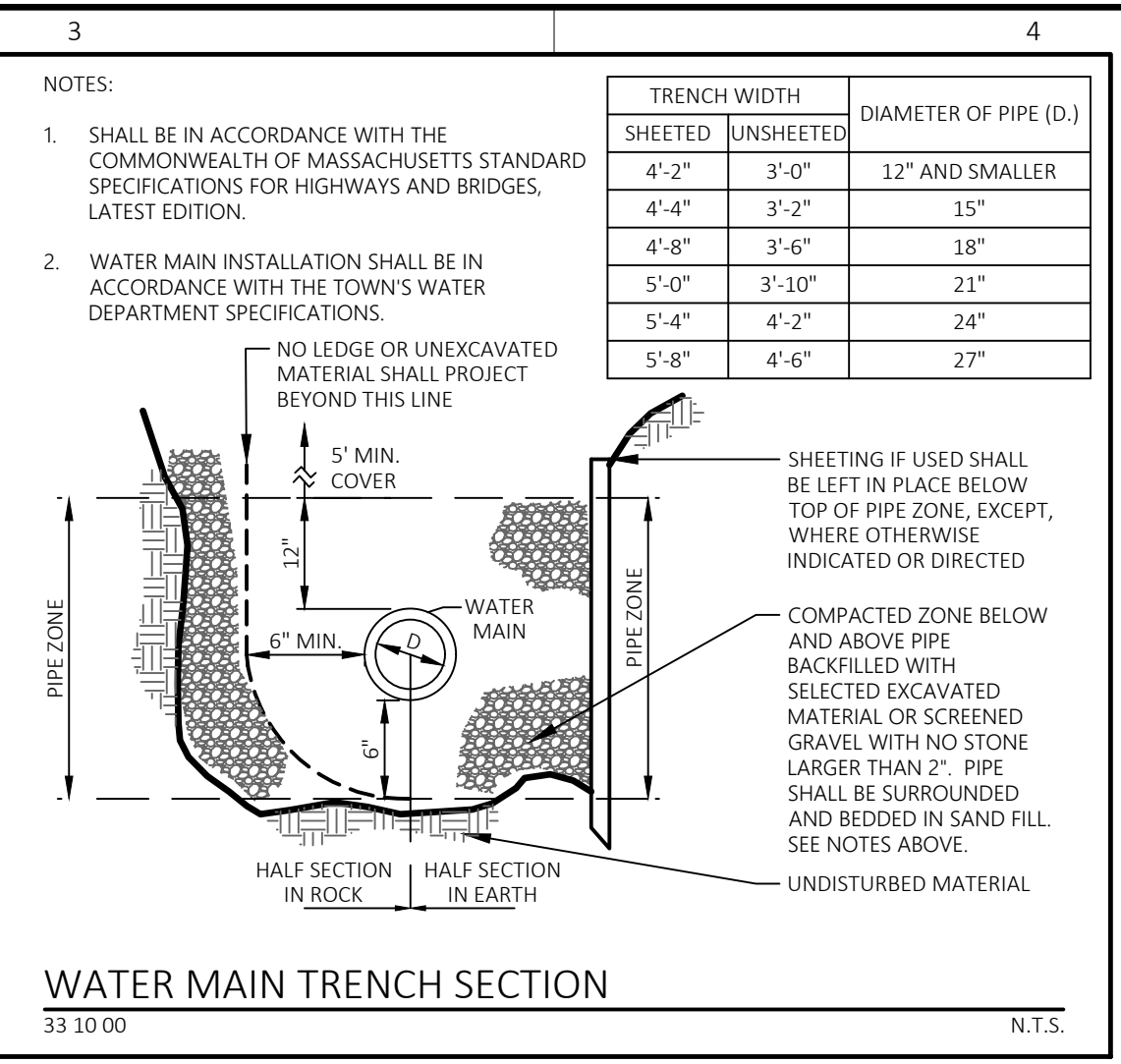
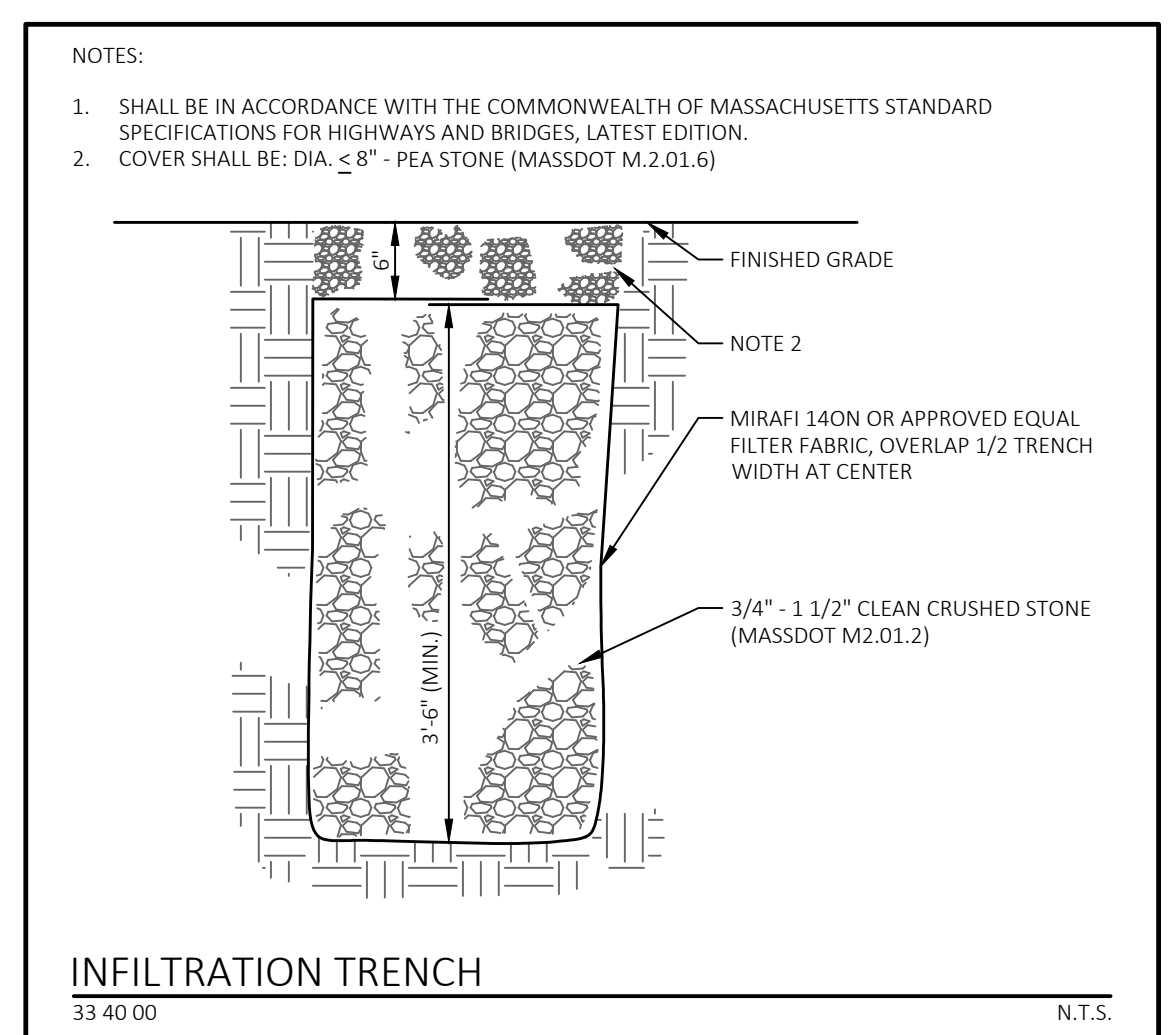
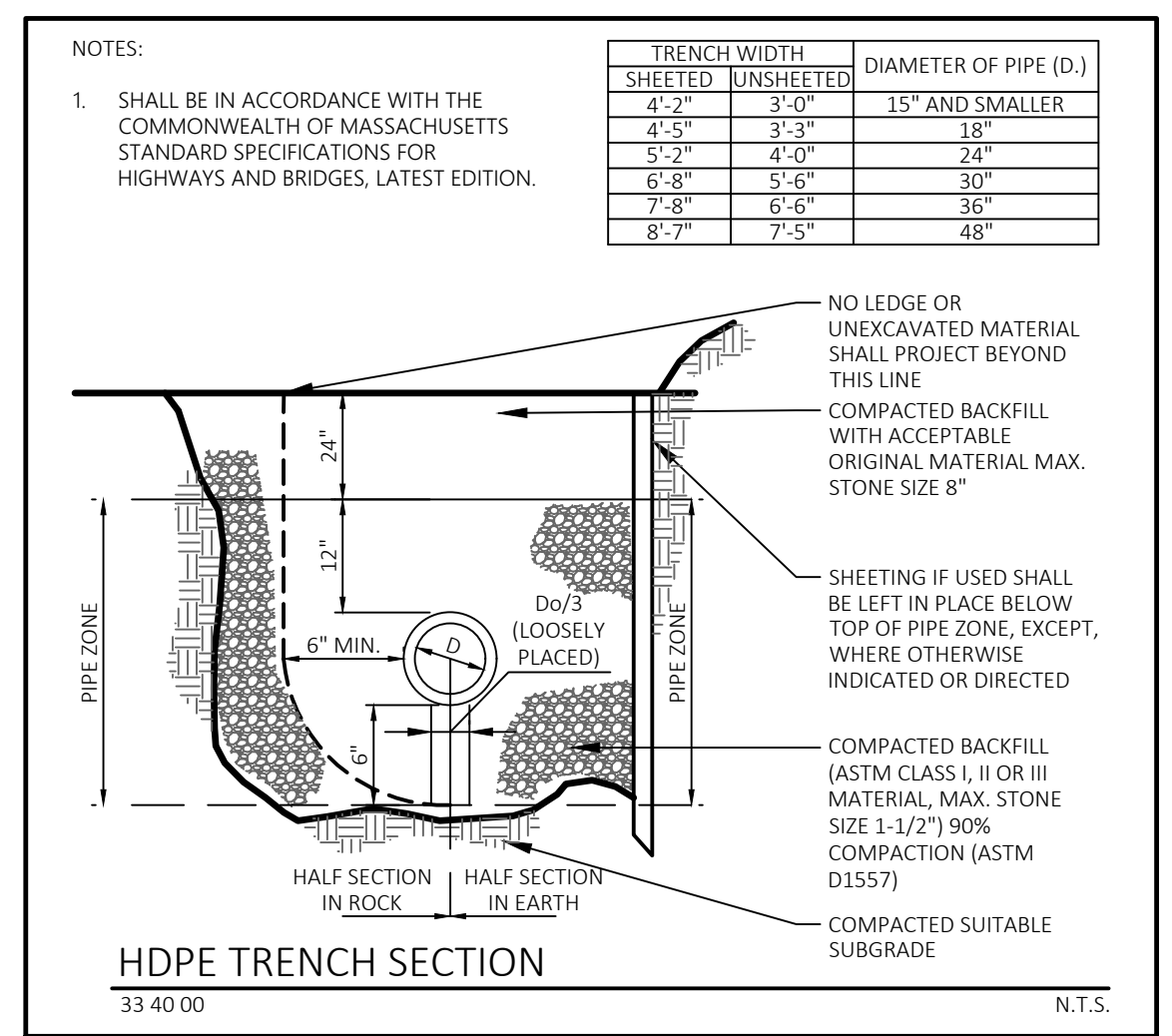
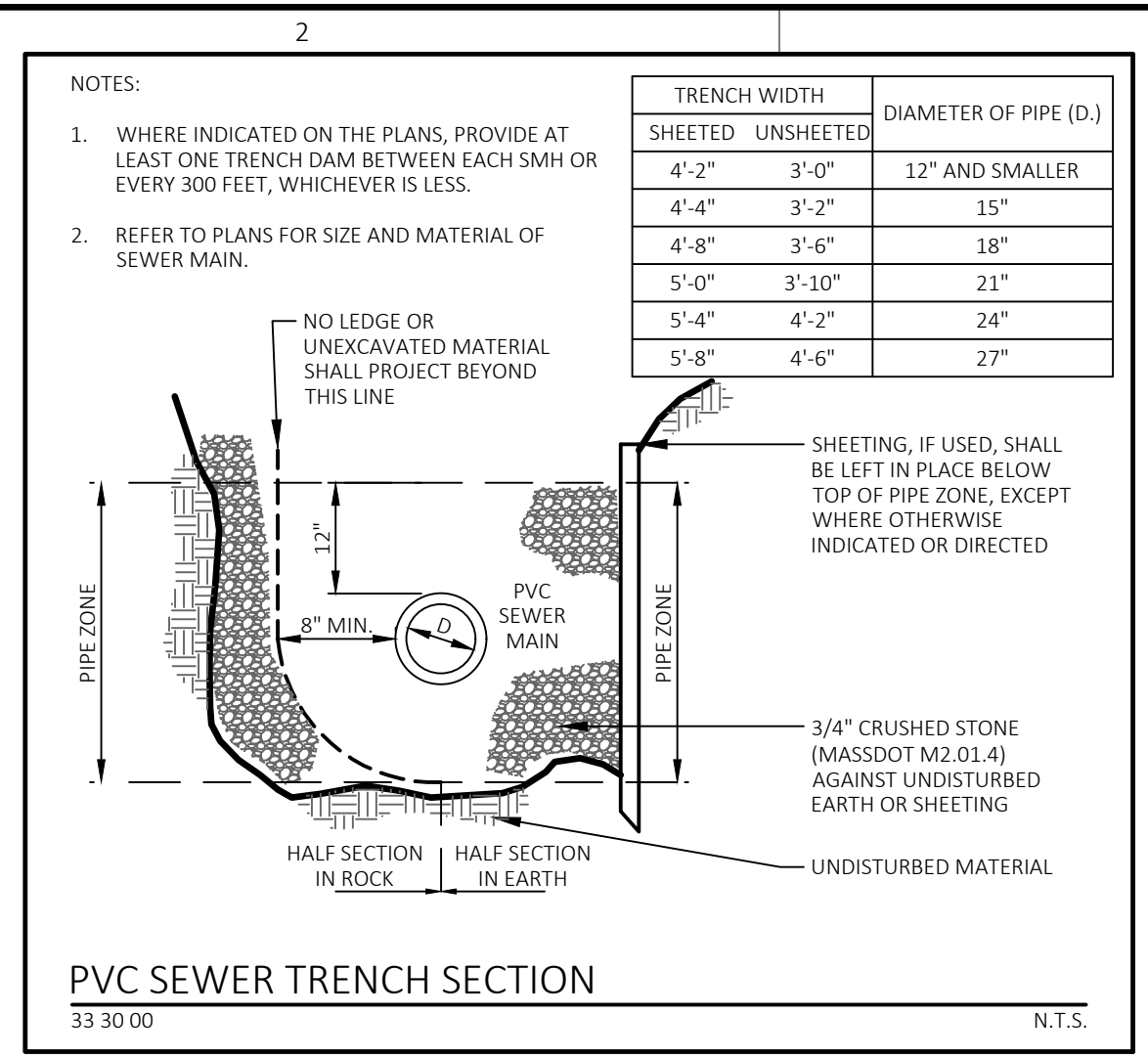
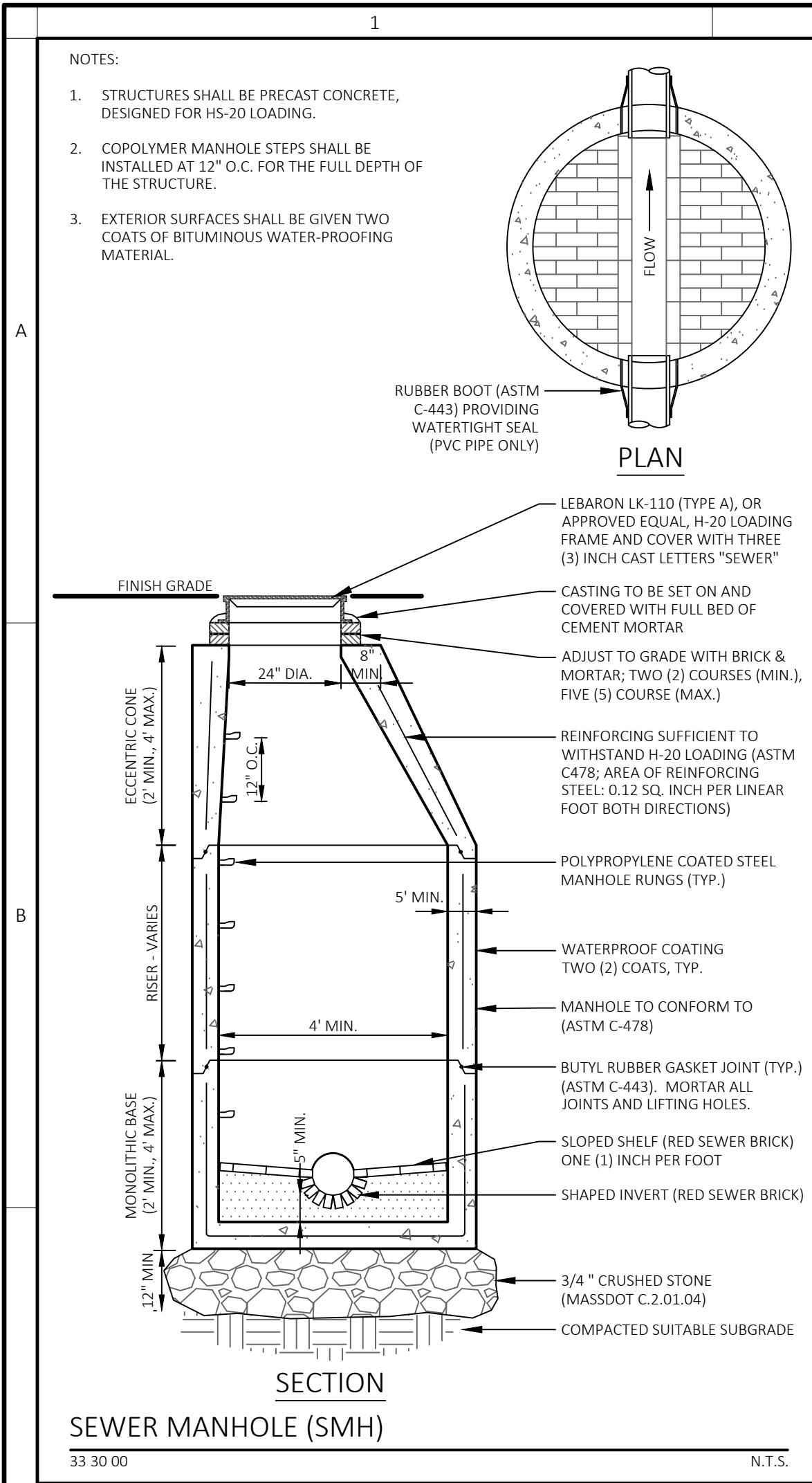
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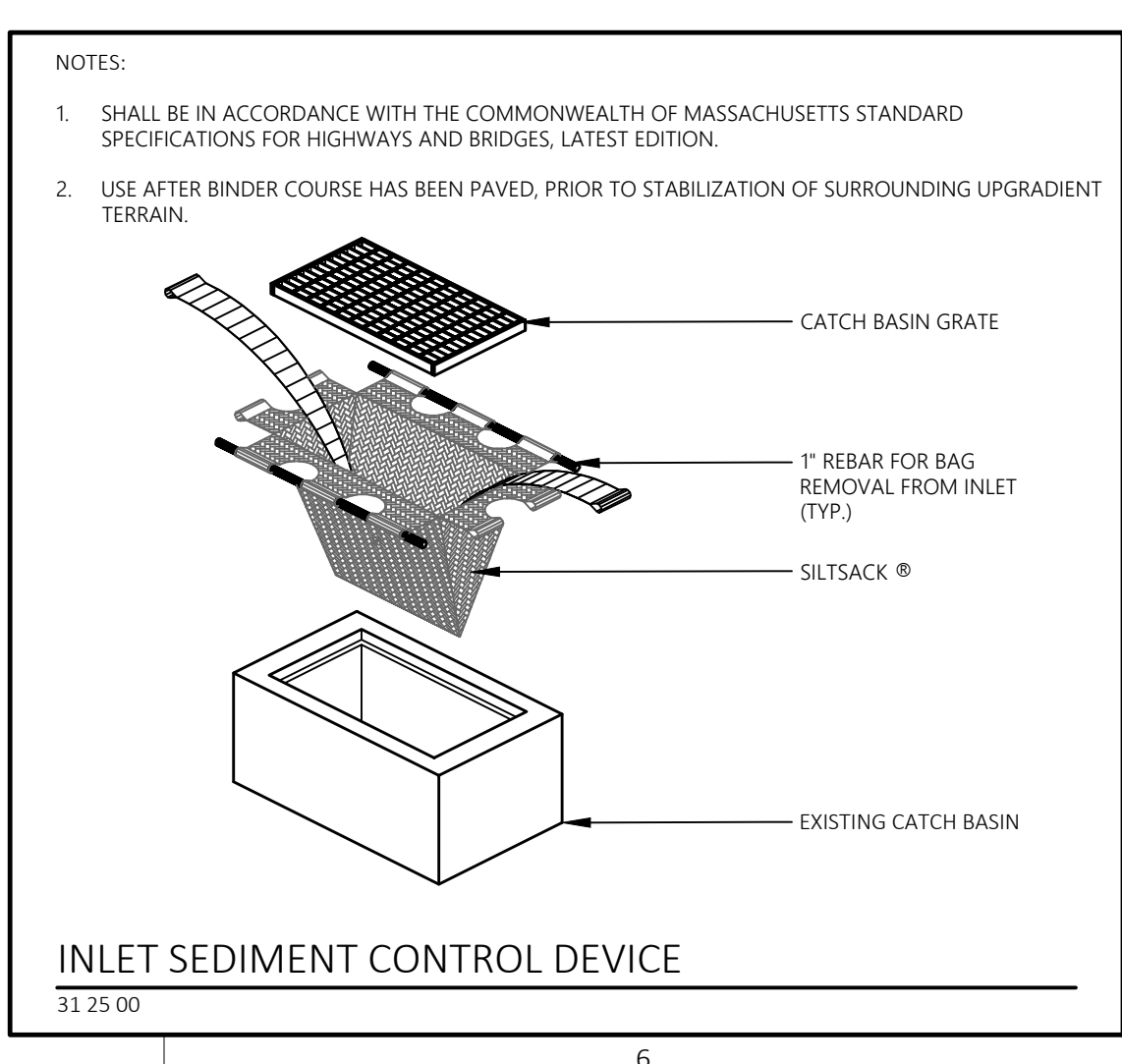
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Project Owner:

40 Highland Avenue, LLC
435 Dedham Street, Unit E
Newton, MA 02459

Prepared For:

40 Highland Avenue, LLC
435 Dedham Street, Unit E
Newton, MA 02459

Project Title:

Definitive Subdivision Plan
40 Highland Ave.
Needham, MA (Norfolk County)

Sheet Title:

DETAILS

Definitive Subdivision

Prepared By:

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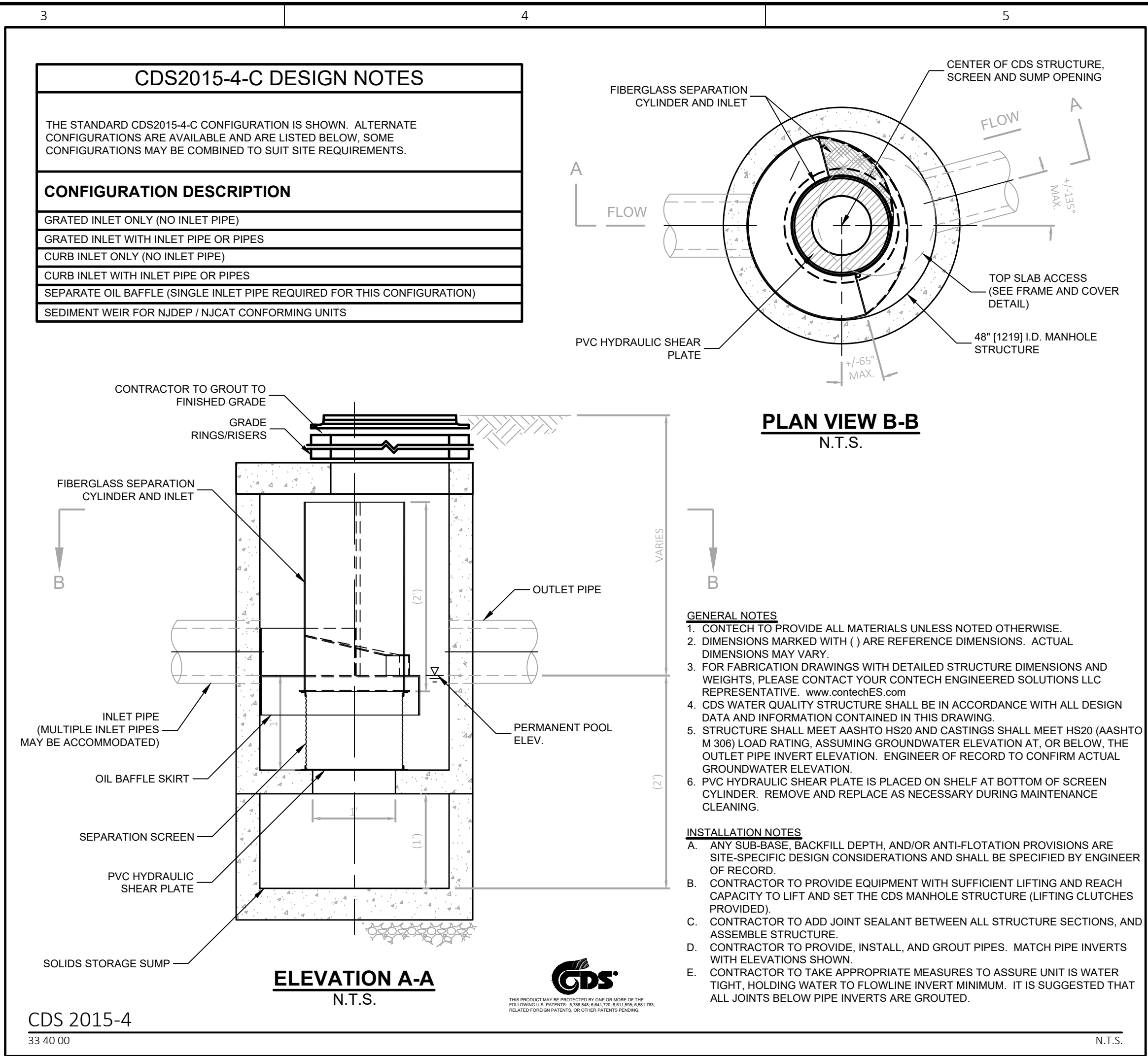
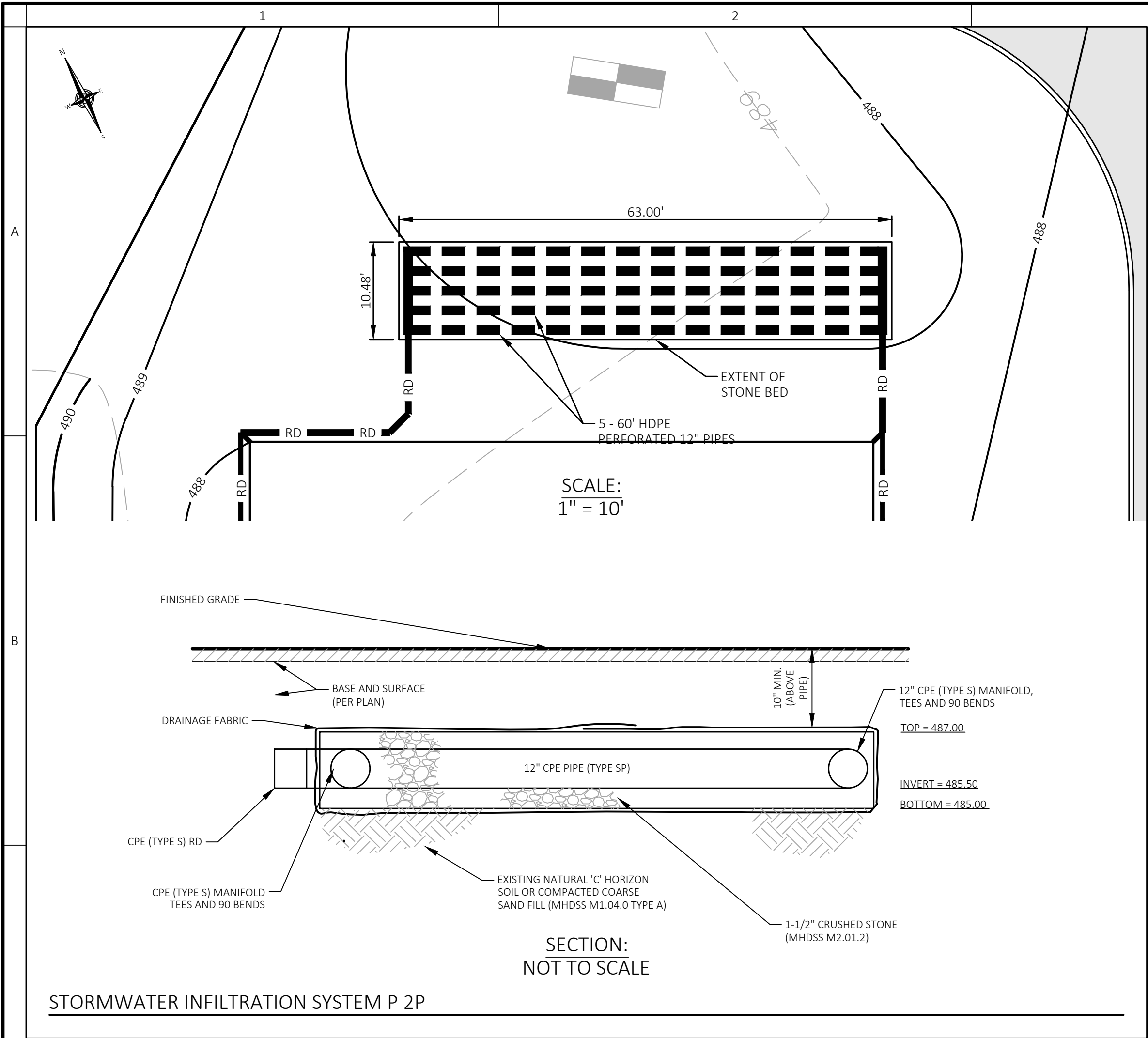
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7 OF 10



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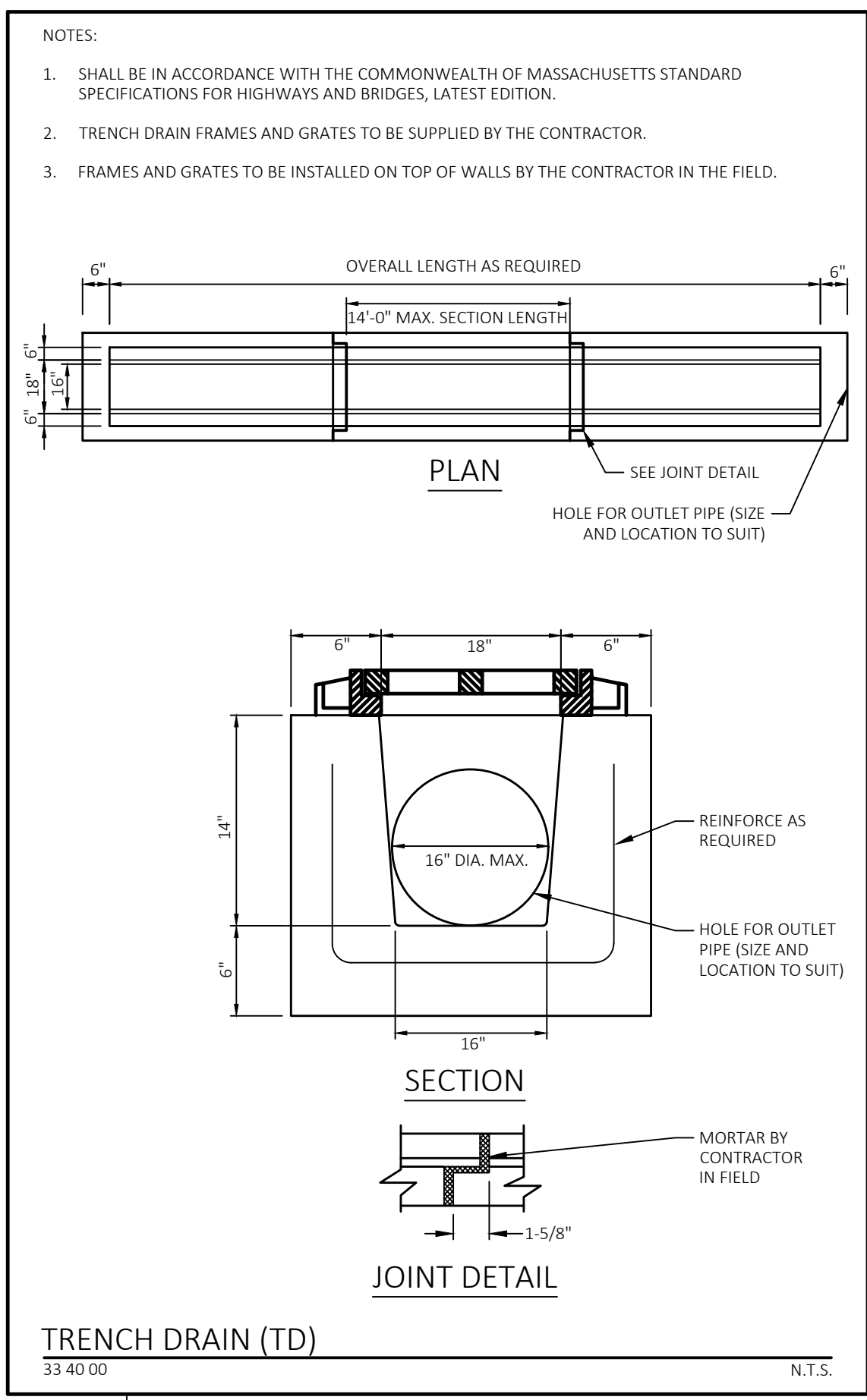
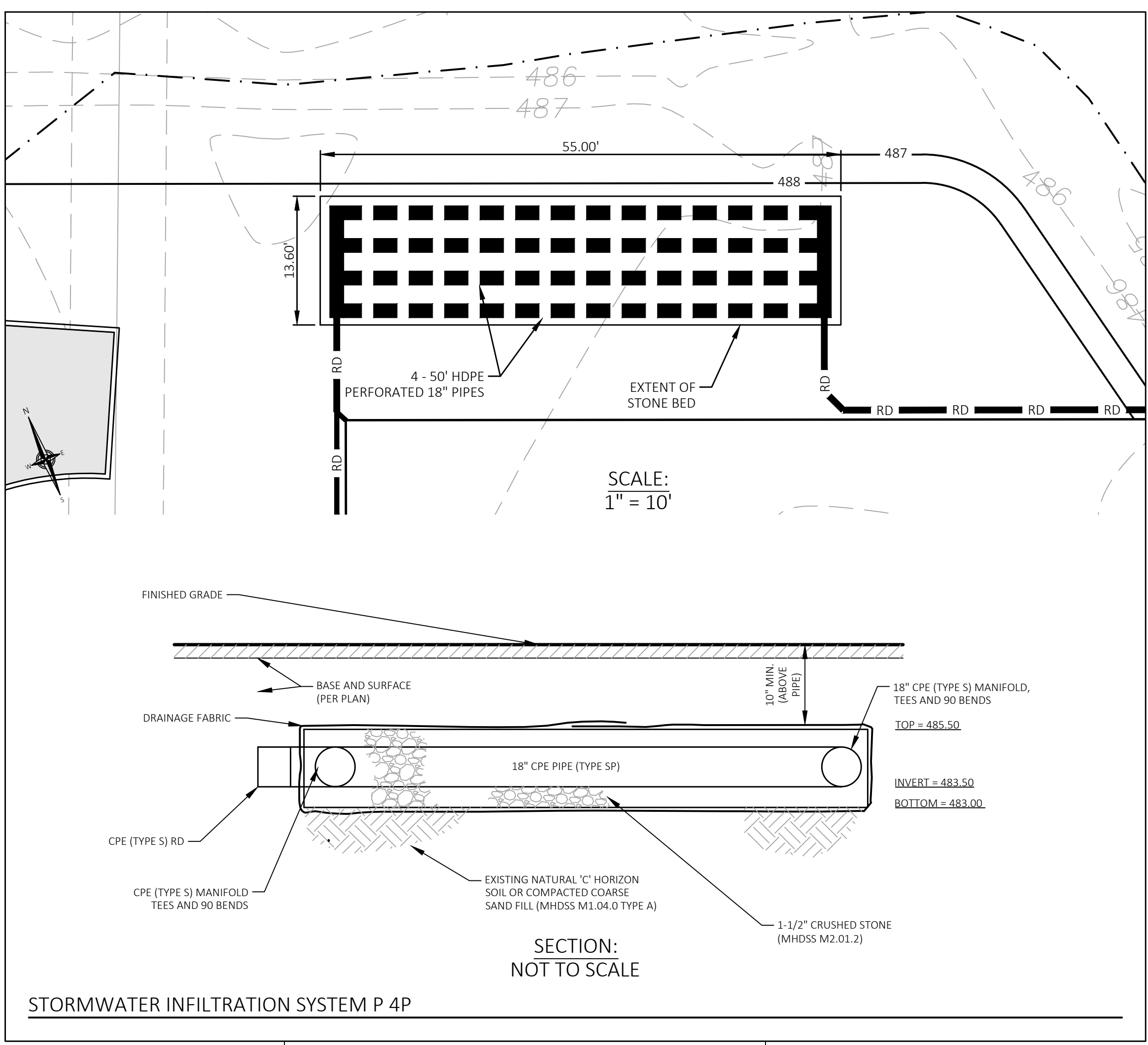
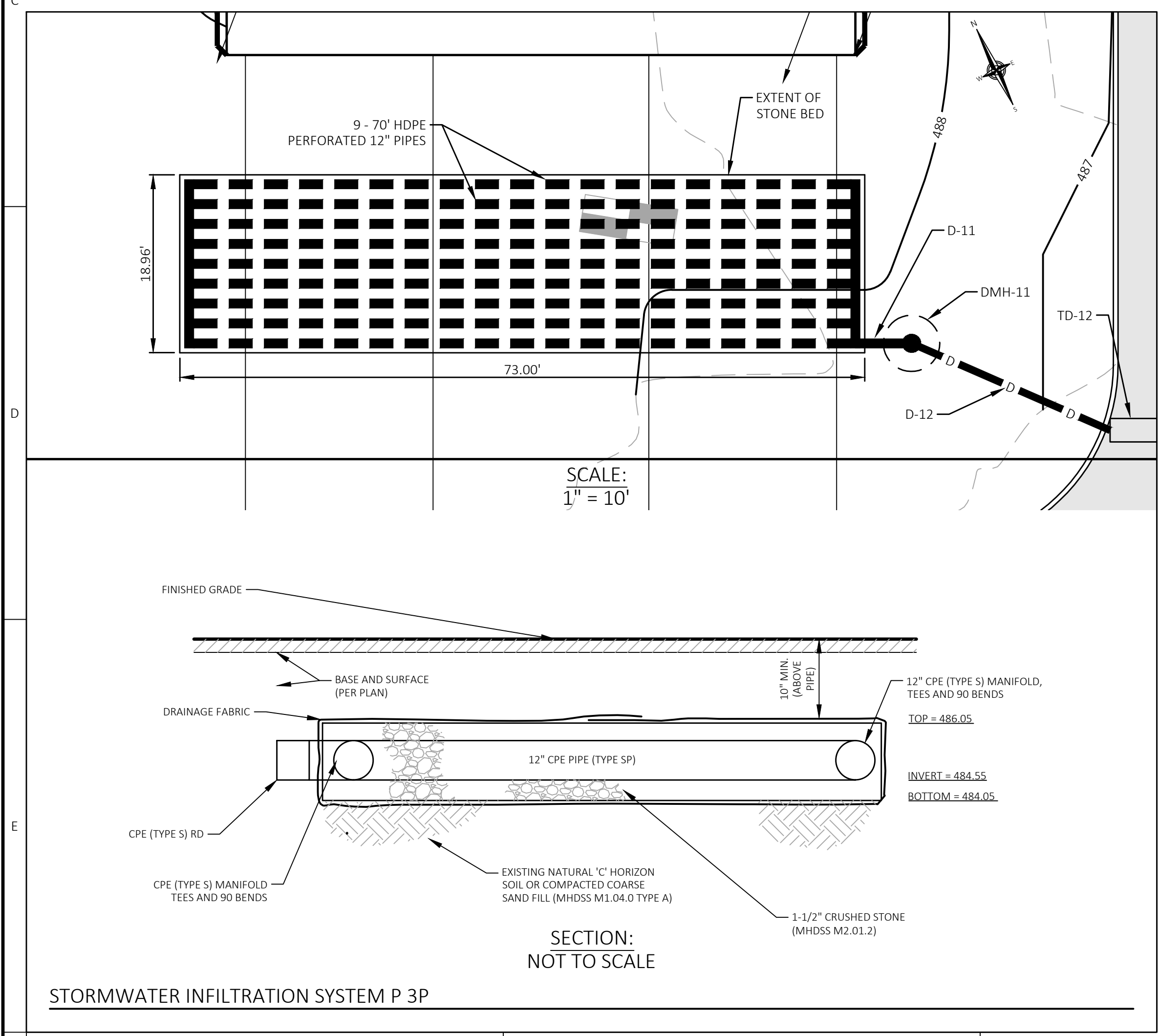
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435 Dedham Street, Unit E
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Prepared For:

40 Highland Avenue, LLC
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Newton, MA 02459

Project Title:

Definitive Subdivision Plan
40 Highland Ave.
Needham, MA (Norfolk County)

Sheet Title:

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Definitive Subdivision

Prepared By:

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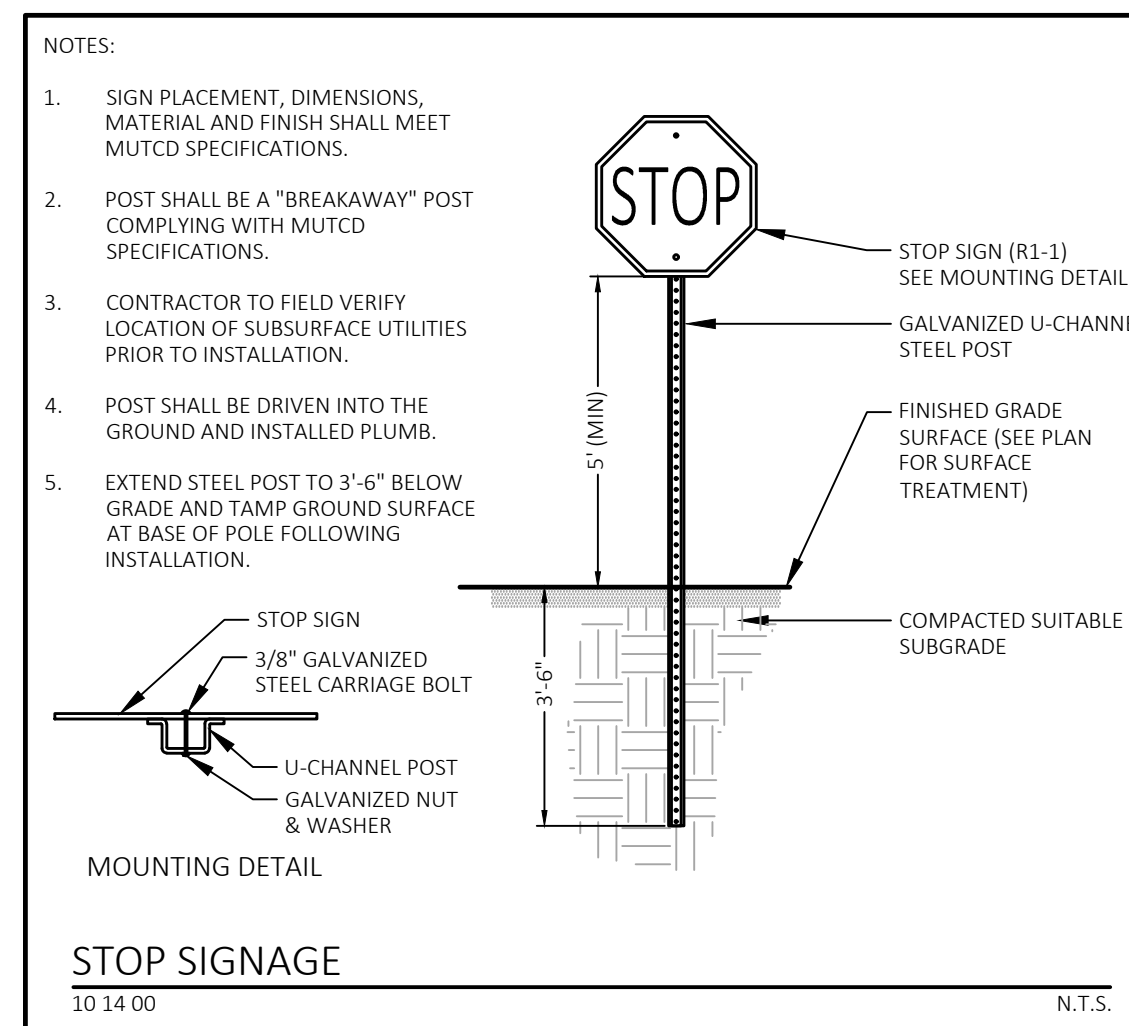
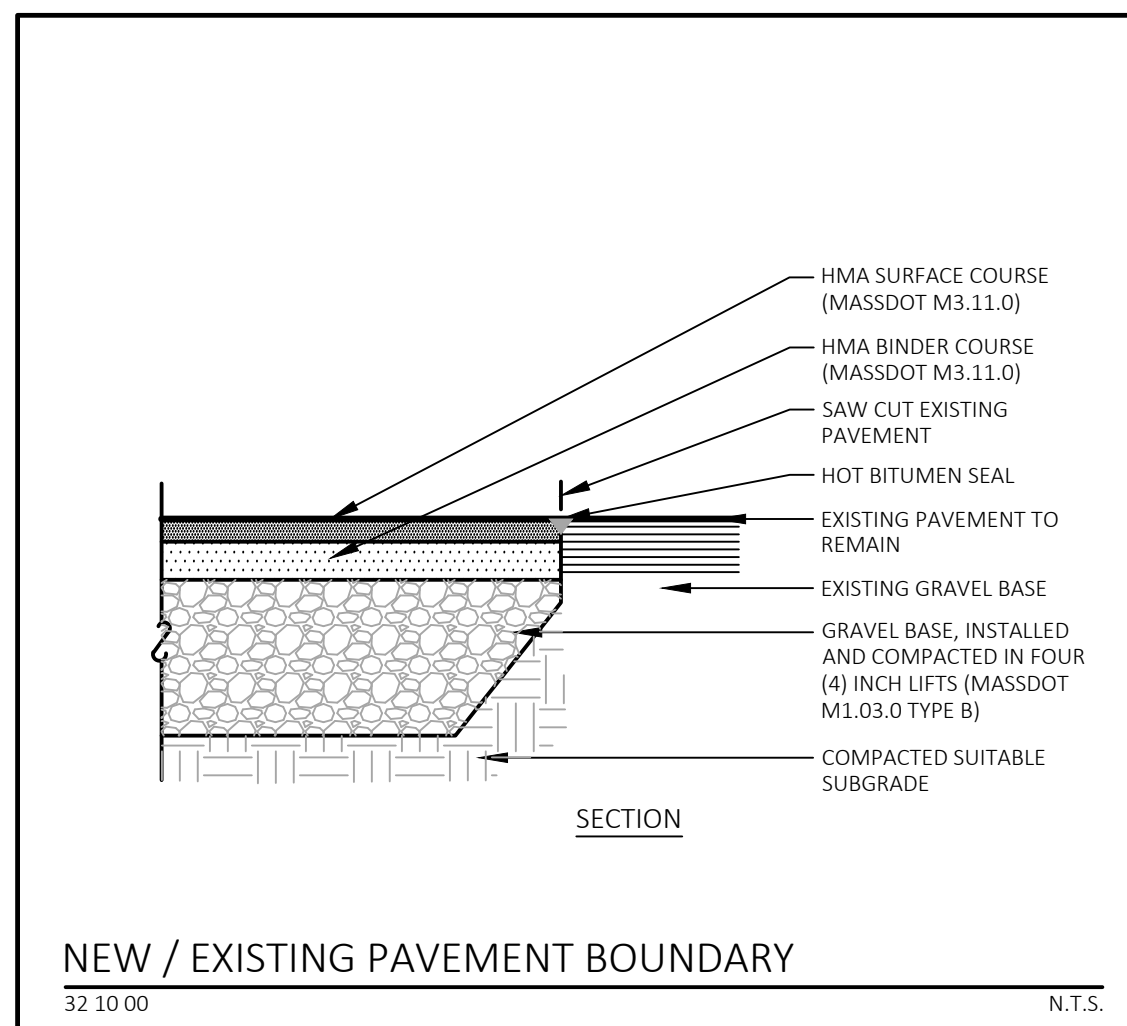
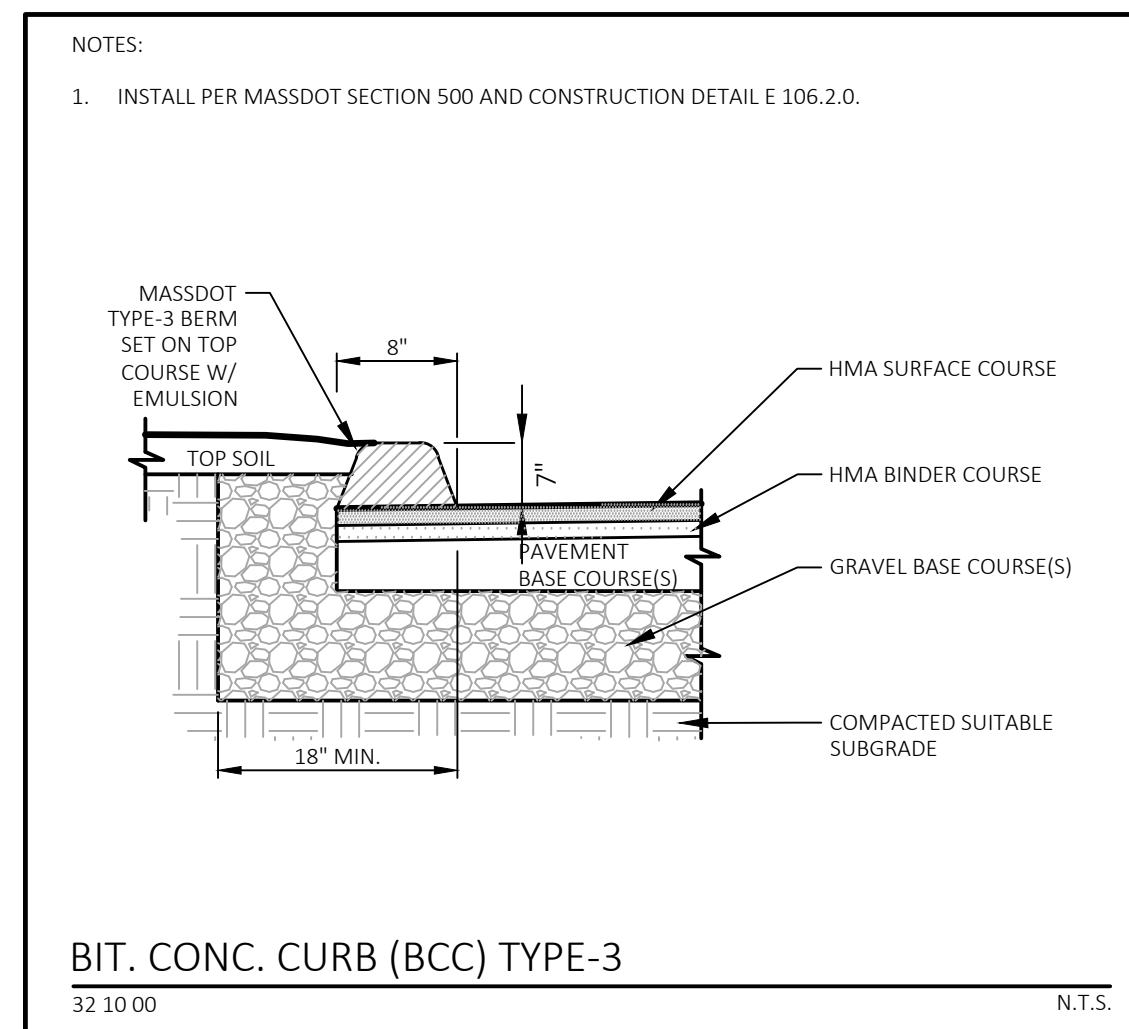
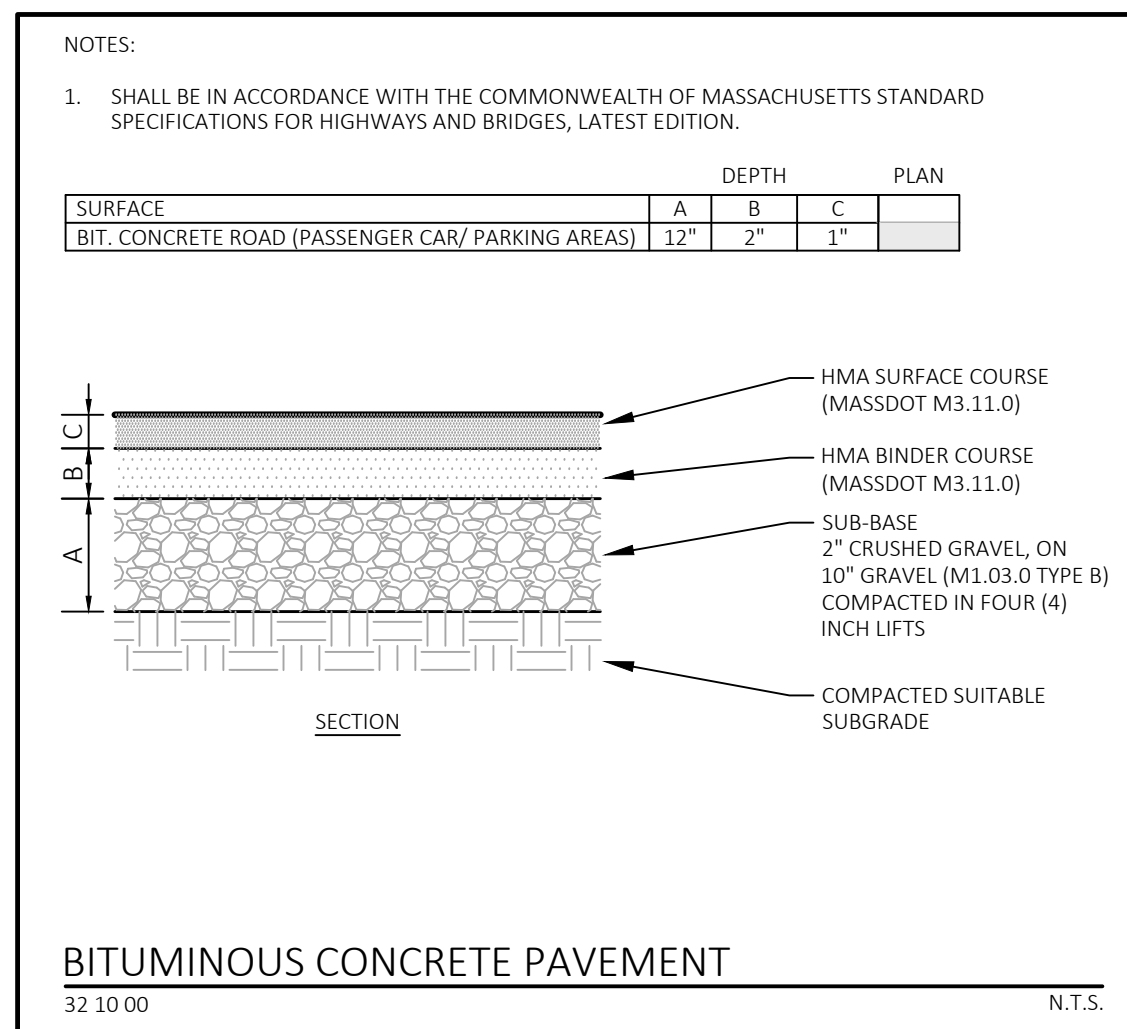
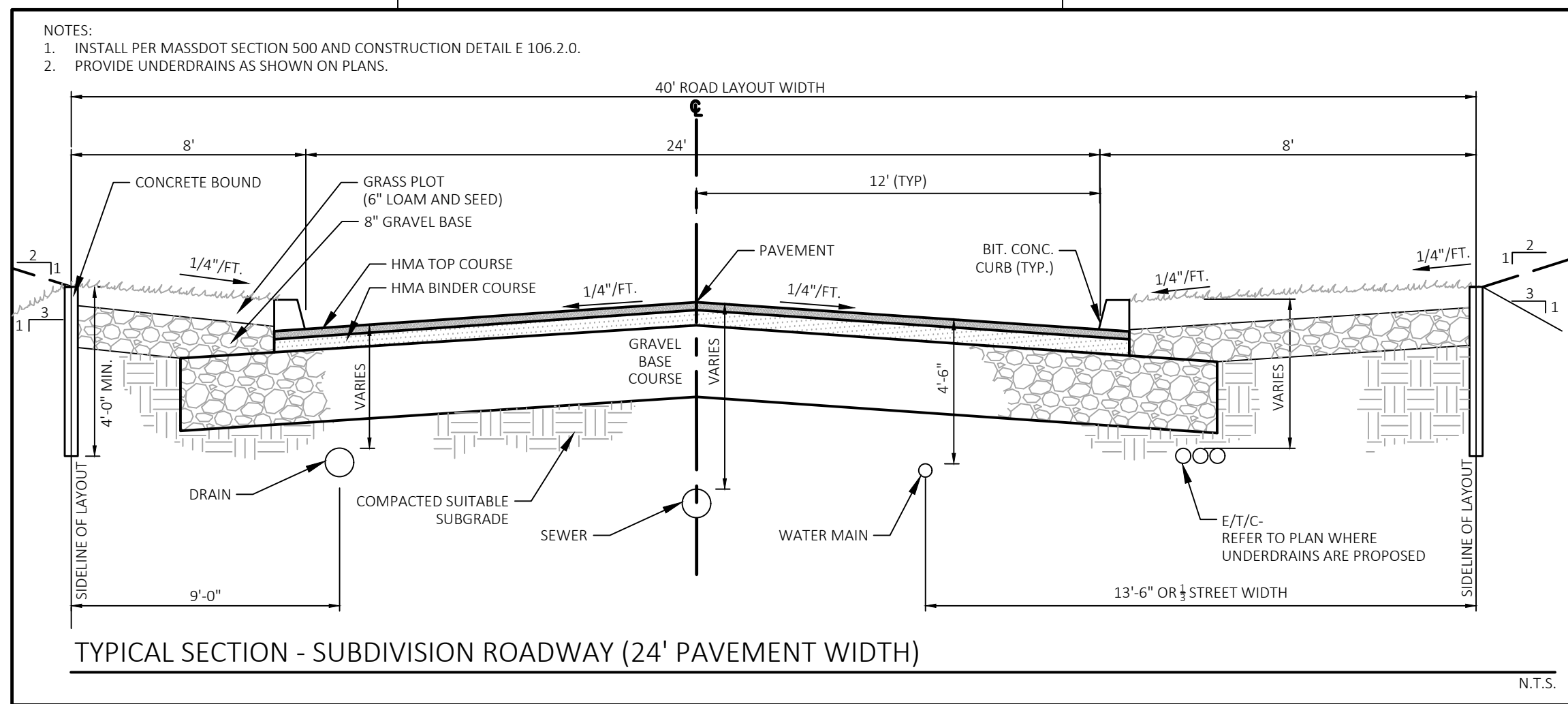
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0 10' 20' 40' 60'
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Sheet No.: 8 OF 10



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NEEDHAM TOWN ENGINEER

SIGNATURE _____ DATE _____

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Project Owner

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Avenue, LLC
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Newton, MA 02459

Prepared For:

40 Highland
Avenue, LLC
435 Dedham Street, Unit E
Newton, MA 02459

Project Title:

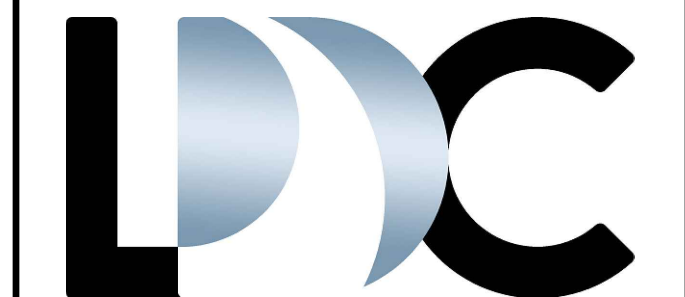
Definitive Subdivision Plan
40 Highland Ave.
Needham, MA
(Norfolk County)

Sheet Title:

DETAILS

Definitive Subdivision

Prepared By:



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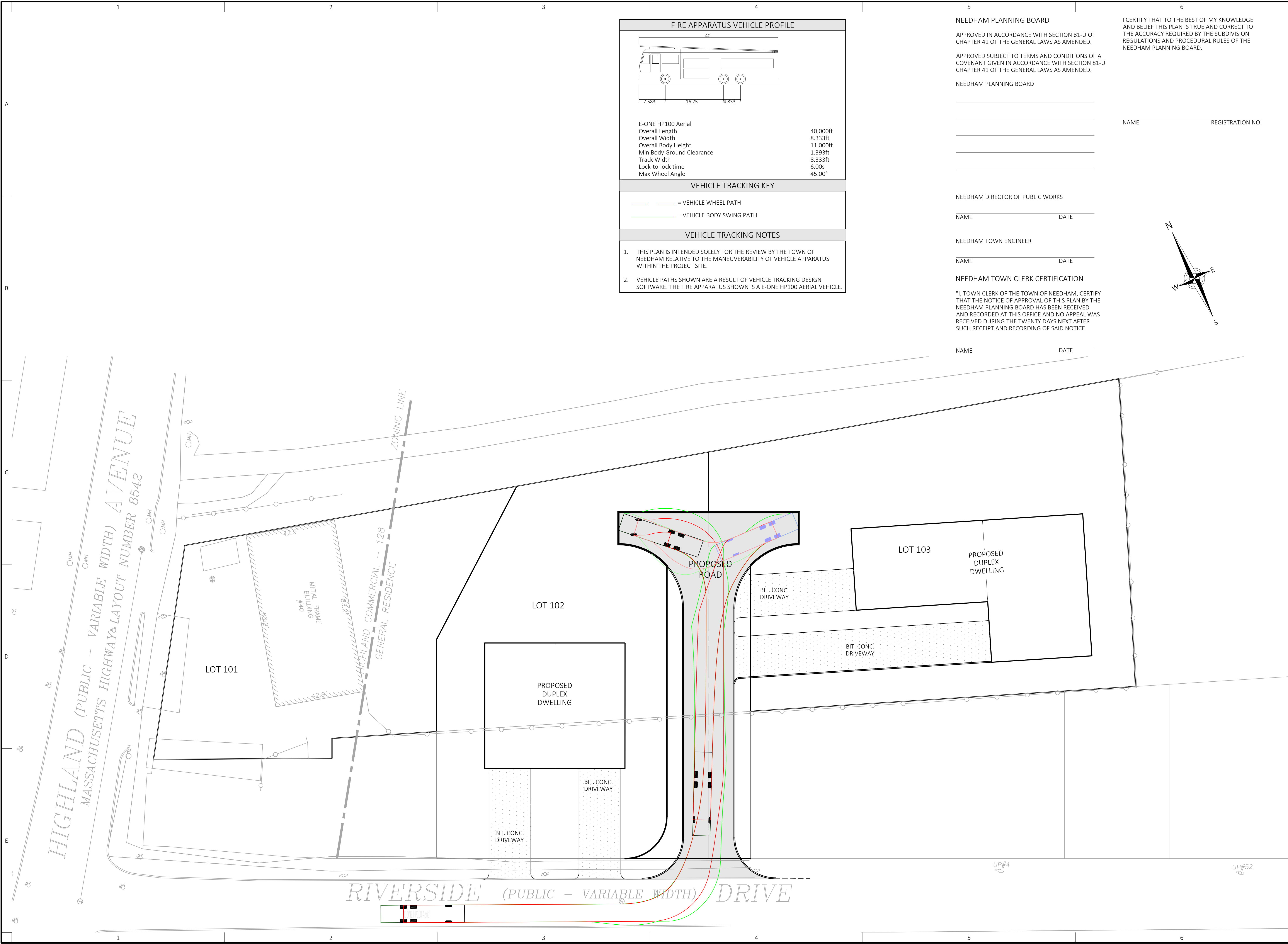
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Date:	04/26/2024	Project No.:	21-0089
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Scale: 1" = 20'

Sheet No.:

9 OF 10



FIRE APPARATUS VEHICLE PROFILE

E-ONE HP100 Aerial

Overall Length40.000ft

Overall Width8.333ft

Overall Body Height11.000ft

Min Body Ground Clearance1.393ft

Track Width8.333ft

Lock-to-lock time6.00s

Max Wheel Angle45.00°

VEHICLE TRACKING KEY

= VEHICLE WHEEL PATH

= VEHICLE BODY SWING PATH

VEHICLE TRACKING NOTES

1.

THIS PLAN IS INTENDED SOLELY FOR THE REVIEW BY THE TOWN OF NEEDHAM RELATIVE TO THE MANEUVERABILITY OF VEHICLE APPARATUS WITHIN THE PROJECT SITE.

2.

VEHICLE PATHS SHOWN ARE A RESULT OF VEHICLE TRACKING DESIGN SOFTWARE. THE FIRE APPARATUS SHOWN IS A E-ONE HP100 AERIAL VEHICLE.

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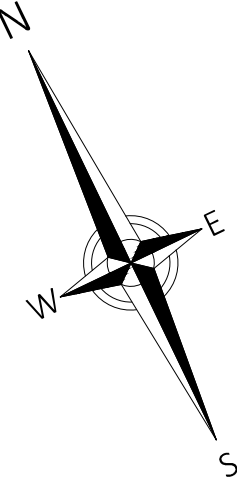
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NEEDHAM TOWN ENGINEER

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Prepared For:

40 Highland Avenue, LLC
435 Dedham Street, Unit E
Newton, MA 02459

Project Title:

Definitive Subdivision Plan
40 Highland Ave.
Needham, MA
(Norfolk County)

Sheet Title:

TURNING MOVEMENT
EXHIBIT
Fire Apparatus

Definitive Subdivision

Prepared By:

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Project Surveyor:

FIELD RESOURCES, INC.

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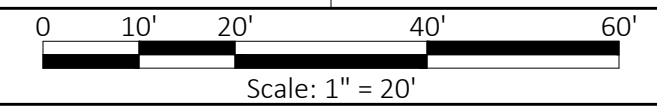
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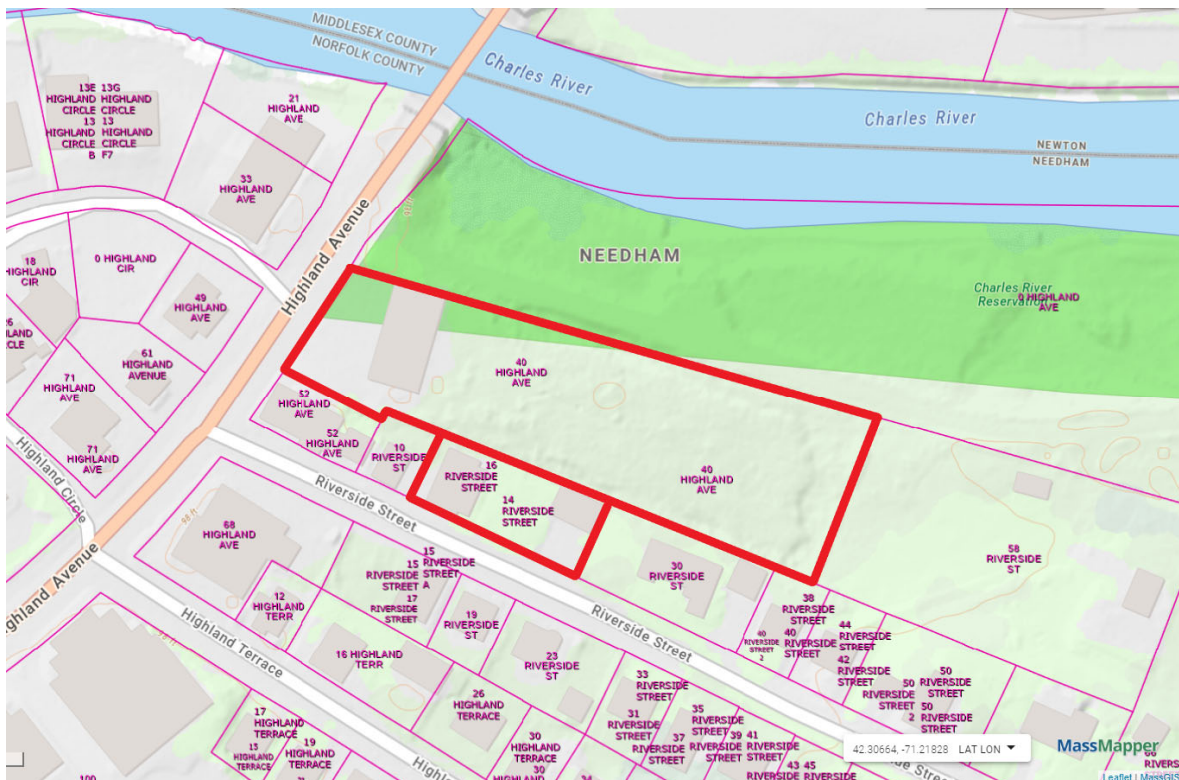
Stormwater Management Report

Date: April 2024

Project: Residential Subdivision
40 Highland Avenue
Needham, MA

Prepared For: 40 Highland Avenue, LLC
435 Dedham Street, Unit E
Newton, MA 02459

Locus Map:



No Information on This Page

Stormwater quality and quantity calculations have been performed for 40 Highland Avenue and 14 Riverside Drive (collectively the Property) to demonstrate compliance with the MassDEP Stormwater Standards, as enumerated in the Wetland Protection Regulations (310 CMR 10) and Town of Needham Stormwater By-Law.

The western portion of the subject Property (adjacent to Highland Avenue) is located within the Highland Commercial district, whereas the central/eastern portion of the Property resides in the General Residence district. The portion of the lot in the Highland Commercial district is developed with a commercial building and a parking lot. The portion of 40 Highland Ave in the General Residence district is presently undeveloped, though there is evidence of historic use as depicted on the survey plan and confirmed by the Needham Conservation Commission. The Applicant also owns 14 Riverside Street. Existing on this parcel is a two-family house and a detached garage. The Applicant proposes a reconfigure the two lots by subdividing the commercial building and parking lot (adjacent to 40 Highland Avenue) along the Town of Needham's zoning line from the rear/eastern portion of the lot, which will be added to the 14 Riverside Street lot. This reconfiguration will allow the current and future uses to reside within the appropriate zoning district. A hammerhead road is proposed (as discussed with Town staff) to access one of the future residential subdivision lots. Both residential lots will have a duplex erected onsite with a driveway for each unit. The road and future duplexes constitute the Project.

The Property resides just south of the Charles River and a portion of the site within the 200' Riverfront Area (RFA). A drainage easement runs through the Property. It appears the street drainage system in Riverside Street discharges through this easement towards the Charles River as shown on the Existing Conditions plan. The site generally drains towards the southeast corner of the Property to a local depression with infiltration occurring throughout the flow path and at the low point. The soils are mapped as Hinckley and Deerfield, both Hydrologic Soil Group A (HSG A). Site specific soils testing confirmed the USDA/NRCS mapping in the area of the proposed development. There is a FEMA flood zone on the Property associated with the 0.2% Flood (500-year storm) as mapped on FIRM 25017C0562E. However, the FEMA mapping appears to be inconsistent with the FEMA Flood Insurance Study (FIS). The FIS for Norfolk County (Revised on July 6, 2021, Flood Insurance Study Number: 25021CV004D) shows the 0.2% Flood elevation as elevation 92 (Flood Profile for the Charles River (Lower Reach) on Pg. '38P'), which is highlighted in red in the LIDAR Exhibit in Appendix F. As can be seen with the highlighted 92 contour, the 0.2% chance flood elevation resides roughly 90' away from the Property.

Site improvements for the future duplexes will be made, including utility connections for sewer, water, underground electric, and stormwater management. Analysis for the proposed stormwater management system shows the Project complies with the guidance documents.

This Report contains:

- A) MassDEP Stormwater Management Checklist
- B) Existing and Proposed Hydrologic Calculations (MassDEP Standards 1 & 2)
- C) Water Quality Calculations (MassDEP Standards 3, 4, 5, 6 & 7)
- D) Construction Period Pollution Prevention Plan, Long-Term Pollution Prevention Plan, Long-Term Operations & Maintenance Plan, and Illicit Discharge Statement (MassDEP Standards 8, 9 & 10)
- E) Soils Information

F) FEMA Flood Map, FIS Profile & LIDAR Exhibit

G) Existing Hydrology Map

H) Proposed Hydrology Map

[https://ldcollaborative.sharepoint.com/sites/landdesigncollaborative/shared documents/_projects/21-0089 - 40 highland avenue, needham/engineering/stormwater components/21-0089 ldc stormwater report.docx](https://ldcollaborative.sharepoint.com/sites/landdesigncollaborative/shared%20documents/_projects/21-0089-40%20highland%20avenue,needham/engineering/stormwater%20components/21-0089%20ldc%20stormwater%20report.docx)

A) MassDEP Stormwater Management Checklist (8 pages)

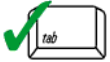
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Checklist for Stormwater Report

A. Introduction

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A Stormwater Report must be submitted with the Notice of Intent permit application to document compliance with the Stormwater Management Standards. The following checklist is NOT a substitute for the Stormwater Report (which should provide more substantive and detailed information) but is offered here as a tool to help the applicant organize their Stormwater Management documentation for their Report and for the reviewer to assess this information in a consistent format. As noted in the Checklist, the Stormwater Report must contain the engineering computations and supporting information set forth in Volume 3 of the [Massachusetts Stormwater Handbook](#). The Stormwater Report must be prepared and certified by a Registered Professional Engineer (RPE) licensed in the Commonwealth.

The Stormwater Report must include:

- The Stormwater Checklist completed and stamped by a Registered Professional Engineer (see page 2) that certifies that the Stormwater Report contains all required submittals.¹ This Checklist is to be used as the cover for the completed Stormwater Report.
- Applicant/Project Name
- Project Address
- Name of Firm and Registered Professional Engineer that prepared the Report
- Long-Term Pollution Prevention Plan required by Standards 4-6
- Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan required by Standard 8²
- Operation and Maintenance Plan required by Standard 9

In addition to all plans and supporting information, the Stormwater Report must include a brief narrative describing stormwater management practices, including environmentally sensitive site design and LID techniques, along with a diagram depicting runoff through the proposed BMP treatment train. Plans are required to show existing and proposed conditions, identify all wetland resource areas, NRCS soil types, critical areas, Land Uses with Higher Potential Pollutant Loads (LUHPPL), and any areas on the site where infiltration rate is greater than 2.4 inches per hour. The Plans shall identify the drainage areas for both existing and proposed conditions at a scale that enables verification of supporting calculations.

As noted in the Checklist, the Stormwater Management Report shall document compliance with each of the Stormwater Management Standards as provided in the Massachusetts Stormwater Handbook. The soils evaluation and calculations shall be done using the methodologies set forth in Volume 3 of the Massachusetts Stormwater Handbook.

To ensure that the Stormwater Report is complete, applicants are required to fill in the Stormwater Report Checklist by checking the box to indicate that the specified information has been included in the Stormwater Report. If any of the information specified in the checklist has not been submitted, the applicant must provide an explanation. The completed Stormwater Report Checklist and Certification must be submitted with the Stormwater Report.

¹ The Stormwater Report may also include the Illicit Discharge Compliance Statement required by Standard 10. If not included in the Stormwater Report, the Illicit Discharge Compliance Statement must be submitted prior to the discharge of stormwater runoff to the post-construction best management practices.

² For some complex projects, it may not be possible to include the Construction Period Erosion and Sedimentation Control Plan in the Stormwater Report. In that event, the issuing authority has the discretion to issue an Order of Conditions that approves the project and includes a condition requiring the proponent to submit the Construction Period Erosion and Sedimentation Control Plan before commencing any land disturbance activity on the site.



Checklist for Stormwater Report

B. Stormwater Checklist and Certification

The following checklist is intended to serve as a guide for applicants as to the elements that ordinarily need to be addressed in a complete Stormwater Report. The checklist is also intended to provide conservation commissions and other reviewing authorities with a summary of the components necessary for a comprehensive Stormwater Report that addresses the ten Stormwater Standards.

Note: Because stormwater requirements vary from project to project, it is possible that a complete Stormwater Report may not include information on some of the subjects specified in the Checklist. If it is determined that a specific item does not apply to the project under review, please note that the item is not applicable (N.A.) and provide the reasons for that determination.

A complete checklist must include the Certification set forth below signed by the Registered Professional Engineer who prepared the Stormwater Report.

Registered Professional Engineer's Certification

I have reviewed the Stormwater Report, including the soil evaluation, computations, Long-term Pollution Prevention Plan, the Construction Period Erosion and Sedimentation Control Plan (if included), the Long-term Post-Construction Operation and Maintenance Plan, the Illicit Discharge Compliance Statement (if included) and the plans showing the stormwater management system, and have determined that they have been prepared in accordance with the requirements of the Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook. I have also determined that the information presented in the Stormwater Checklist is accurate and that the information presented in the Stormwater Report accurately reflects conditions at the site as of the date of this permit application.

Registered Professional Engineer Block and Signature



Signature and Date

[Handwritten Signature] 4-19-2024

Checklist

Project Type: Is the application for new development, redevelopment, or a mix of new and redevelopment?

- ☐ New development
- ☐ Redevelopment
- ☒ Mix of New Development and Redevelopment



Checklist for Stormwater Report

Checklist (continued)

LID Measures: Stormwater Standards require LID measures to be considered. Document what environmentally sensitive design and LID Techniques were considered during the planning and design of the project:

- ☐ No disturbance to any Wetland Resource Areas
- ☐ Site Design Practices (e.g. clustered development, reduced frontage setbacks)
- ☐ Reduced Impervious Area (Redevelopment Only)
- ☐ Minimizing disturbance to existing trees and shrubs
- ☐ LID Site Design Credit Requested:
 - ☐ Credit 1
 - ☐ Credit 2
 - ☐ Credit 3
- ☐ Use of "country drainage" versus curb and gutter conveyance and pipe
- ☐ Bioretention Cells (includes Rain Gardens)
- ☐ Constructed Stormwater Wetlands (includes Gravel Wetlands designs)
- ☐ Treebox Filter
- ☐ Water Quality Swale
- ☐ Grass Channel
- ☐ Green Roof
- ☒ Other (describe): No new disturbance in the RFA and reclamation of a portion of previously disturbed RFA

Standard 1: No New Untreated Discharges

- ☒ No new untreated discharges
- ☒ Outlets have been designed so there is no erosion or scour to wetlands and waters of the Commonwealth
- ☒ Supporting calculations specified in Volume 3 of the Massachusetts Stormwater Handbook included.



Checklist for Stormwater Report

Checklist (continued)

Standard 2: Peak Rate Attenuation

- ☐ Standard 2 waiver requested because the project is located in land subject to coastal storm flowage and stormwater discharge is to a wetland subject to coastal flooding.
- ☒ Evaluation provided to determine whether off-site flooding increases during the 100-year 24-hour storm.
- ☒ Calculations provided to show that post-development peak discharge rates do not exceed pre-development rates for the 2-year and 10-year 24-hour storms. If evaluation shows that off-site flooding increases during the 100-year 24-hour storm, calculations are also provided to show that post-development peak discharge rates do not exceed pre-development rates for the 100-year 24-hour storm.

Standard 3: Recharge

- ☒ Soil Analysis provided.
- ☒ Required Recharge Volume calculation provided.
- ☐ Required Recharge volume reduced through use of the LID site Design Credits.
- ☒ Sizing the infiltration, BMPs is based on the following method: Check the method used.
 - ☒ Static
 - ☐ Simple Dynamic
 - ☐ Dynamic Field¹
- ☐ Runoff from all impervious areas at the site discharging to the infiltration BMP.
- ☒ Runoff from all impervious areas at the site is *not* discharging to the infiltration BMP and calculations are provided showing that the drainage area contributing runoff to the infiltration BMPs is sufficient to generate the required recharge volume.
- ☒ Recharge BMPs have been sized to infiltrate the Required Recharge Volume.
- ☐ Recharge BMPs have been sized to infiltrate the Required Recharge Volume *only* to the maximum extent practicable for the following reason:
 - ☐ Site is comprised solely of C and D soils and/or bedrock at the land surface
 - ☐ M.G.L. c. 21E sites pursuant to 310 CMR 40.0000
 - ☐ Solid Waste Landfill pursuant to 310 CMR 19.000
 - ☐ Project is otherwise subject to Stormwater Management Standards only to the maximum extent practicable.
- ☒ Calculations showing that the infiltration BMPs will drain in 72 hours are provided.
- ☐ Property includes a M.G.L. c. 21E site or a solid waste landfill and a mounding analysis is included.

¹ 80% TSS removal is required prior to discharge to infiltration BMP if Dynamic Field method is used.



Checklist for Stormwater Report

Checklist (continued)

Standard 3: Recharge (continued)

- ☐ The infiltration BMP is used to attenuate peak flows during storms greater than or equal to the 10-year 24-hour storm and separation to seasonal high groundwater is less than 4 feet and a mounding analysis is provided.
- ☒ Documentation is provided showing that infiltration BMPs do not adversely impact nearby wetland resource areas.

Standard 4: Water Quality

The Long-Term Pollution Prevention Plan typically includes the following:

- Good housekeeping practices;
 - Provisions for storing materials and waste products inside or under cover;
 - Vehicle washing controls;
 - Requirements for routine inspections and maintenance of stormwater BMPs;
 - Spill prevention and response plans;
 - Provisions for maintenance of lawns, gardens, and other landscaped areas;
 - Requirements for storage and use of fertilizers, herbicides, and pesticides;
 - Pet waste management provisions;
 - Provisions for operation and management of septic systems;
 - Provisions for solid waste management;
 - Snow disposal and plowing plans relative to Wetland Resource Areas;
 - Winter Road Salt and/or Sand Use and Storage restrictions;
 - Street sweeping schedules;
 - Provisions for prevention of illicit discharges to the stormwater management system;
 - Documentation that Stormwater BMPs are designed to provide for shutdown and containment in the event of a spill or discharges to or near critical areas or from LUHPPL;
 - Training for staff or personnel involved with implementing Long-Term Pollution Prevention Plan;
 - List of Emergency contacts for implementing Long-Term Pollution Prevention Plan.
- ☒ A Long-Term Pollution Prevention Plan is attached to Stormwater Report and is included as an attachment to the Wetlands Notice of Intent.
 - ☒ Treatment BMPs subject to the 44% TSS removal pretreatment requirement and the one inch rule for calculating the water quality volume are included, and discharge:
 - ☐ is within the Zone II or Interim Wellhead Protection Area
 - ☐ is near or to other critical areas
 - ☒ is within soils with a rapid infiltration rate (greater than 2.4 inches per hour)
 - ☐ involves runoff from land uses with higher potential pollutant loads.
 - ☐ The Required Water Quality Volume is reduced through use of the LID site Design Credits.
 - ☒ Calculations documenting that the treatment train meets the 80% TSS removal requirement and, if applicable, the 44% TSS removal pretreatment requirement, are provided.



Checklist for Stormwater Report

Checklist (continued)

Standard 4: Water Quality (continued)

- ☒ The BMP is sized (and calculations provided) based on:
 - ☒ The ½" or 1" Water Quality Volume or
 - ☐ The equivalent flow rate associated with the Water Quality Volume and documentation is provided showing that the BMP treats the required water quality volume.
- ☒ The applicant proposes to use proprietary BMPs, and documentation supporting use of proprietary BMP and proposed TSS removal rate is provided. This documentation may be in the form of the propriety BMP checklist found in Volume 2, Chapter 4 of the Massachusetts Stormwater Handbook and submitting copies of the TARP Report, STEP Report, and/or other third party studies verifying performance of the proprietary BMPs.
- ☒ A TMDL exists that indicates a need to reduce pollutants other than TSS and documentation showing that the BMPs selected are consistent with the TMDL is provided.

Standard 5: Land Uses With Higher Potential Pollutant Loads (LUHPPLs)

- ☐ The NPDES Multi-Sector General Permit covers the land use and the Stormwater Pollution Prevention Plan (SWPPP) has been included with the Stormwater Report.
- ☐ The NPDES Multi-Sector General Permit covers the land use and the SWPPP will be submitted **prior to** the discharge of stormwater to the post-construction stormwater BMPs.
- ☐ The NPDES Multi-Sector General Permit does **not** cover the land use.
- ☐ LUHPPLs are located at the site and industry specific source control and pollution prevention measures have been proposed to reduce or eliminate the exposure of LUHPPLs to rain, snow, snow melt and runoff, and been included in the long term Pollution Prevention Plan.
- ☐ All exposure has been eliminated.
- ☐ All exposure has **not** been eliminated and all BMPs selected are on MassDEP LUHPPL list.
- ☐ The LUHPPL has the potential to generate runoff with moderate to higher concentrations of oil and grease (e.g. all parking lots with >1000 vehicle trips per day) and the treatment train includes an oil grit separator, a filtering bioretention area, a sand filter or equivalent.

Standard 6: Critical Areas

- ☐ The discharge is near or to a critical area and the treatment train includes only BMPs that MassDEP has approved for stormwater discharges to or near that particular class of critical area.
- ☐ Critical areas and BMPs are identified in the Stormwater Report.



Checklist for Stormwater Report

Checklist (continued)

Standard 7: Redevelopments and Other Projects Subject to the Standards only to the maximum extent practicable

- ☒ The project is subject to the Stormwater Management Standards only to the maximum Extent Practicable as a:
 - ☐ Limited Project
 - ☐ Small Residential Projects: 5-9 single family houses or 5-9 units in a multi-family development provided there is no discharge that may potentially affect a critical area.
 - ☐ Small Residential Projects: 2-4 single family houses or 2-4 units in a multi-family development with a discharge to a critical area
 - ☐ Marina and/or boatyard provided the hull painting, service and maintenance areas are protected from exposure to rain, snow, snow melt and runoff
 - ☐ Bike Path and/or Foot Path
 - ☐ Redevelopment Project
- ☒ Redevelopment portion of mix of new and redevelopment.
- ☐ Certain standards are not fully met (Standard No. 1, 8, 9, and 10 must always be fully met) and an explanation of why these standards are not met is contained in the Stormwater Report.
- ☐ The project involves redevelopment and a description of all measures that have been taken to improve existing conditions is provided in the Stormwater Report. The redevelopment checklist found in Volume 2 Chapter 3 of the Massachusetts Stormwater Handbook may be used to document that the proposed stormwater management system (a) complies with Standards 2, 3 and the pretreatment and structural BMP requirements of Standards 4-6 to the maximum extent practicable and (b) improves existing conditions.

Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control

A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan must include the following information:

- Narrative;
 - Construction Period Operation and Maintenance Plan;
 - Names of Persons or Entity Responsible for Plan Compliance;
 - Construction Period Pollution Prevention Measures;
 - Erosion and Sedimentation Control Plan Drawings;
 - Detail drawings and specifications for erosion control BMPs, including sizing calculations;
 - Vegetation Planning;
 - Site Development Plan;
 - Construction Sequencing Plan;
 - Sequencing of Erosion and Sedimentation Controls;
 - Operation and Maintenance of Erosion and Sedimentation Controls;
 - Inspection Schedule;
 - Maintenance Schedule;
 - Inspection and Maintenance Log Form.
- ☒ A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan containing the information set forth above has been included in the Stormwater Report.



Checklist for Stormwater Report

Checklist (continued)

Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control (continued)

- ☐ The project is highly complex and information is included in the Stormwater Report that explains why it is not possible to submit the Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan with the application. A Construction Period Pollution Prevention and Erosion and Sedimentation Control has **not** been included in the Stormwater Report but will be submitted **before** land disturbance begins.
- ☐ The project is **not** covered by a NPDES Construction General Permit.
- ☐ The project is covered by a NPDES Construction General Permit and a copy of the SWPPP is in the Stormwater Report.
- ☒ The project is covered by a NPDES Construction General Permit but no SWPPP been submitted. The SWPPP will be submitted BEFORE land disturbance begins.

Standard 9: Operation and Maintenance Plan

- ☒ The Post Construction Operation and Maintenance Plan is included in the Stormwater Report and includes the following information:
 - ☒ Name of the stormwater management system owners;
 - ☒ Party responsible for operation and maintenance;
 - ☒ Schedule for implementation of routine and non-routine maintenance tasks;
 - ☒ Plan showing the location of all stormwater BMPs maintenance access areas;
 - ☐ Description and delineation of public safety features;
 - ☐ Estimated operation and maintenance budget; and
 - ☒ Operation and Maintenance Log Form.
- ☐ The responsible party is **not** the owner of the parcel where the BMP is located and the Stormwater Report includes the following submissions:
 - ☐ A copy of the legal instrument (deed, homeowner's association, utility trust or other legal entity) that establishes the terms of and legal responsibility for the operation and maintenance of the project site stormwater BMPs;
 - ☐ A plan and easement deed that allows site access for the legal entity to operate and maintain BMP functions.

Standard 10: Prohibition of Illicit Discharges

- ☒ The Long-Term Pollution Prevention Plan includes measures to prevent illicit discharges;
- ☒ An Illicit Discharge Compliance Statement is attached;
- ☐ NO Illicit Discharge Compliance Statement is attached but will be submitted **prior to** the discharge of any stormwater to post-construction BMPs.

B) Pre- and Post-Development Hydrologic Calculations (Standards 1 & 2)

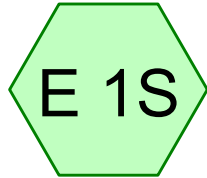
Standard 1)

The stormwater management system has been designed to mimic existing conditions and infiltrate runoff during all storm events, collecting, treating, and discharging (recharging) stormwater via subsurface infiltration systems. The proposed drainage system will mitigate water quality and quantity to match the existing conditions as reported for the 2-, 10-, and 100-year return periods. Stormwater runoff from paved areas will be pretreated as required. Roof drains will collect and direct the 'clean' runoff to one of two infiltration systems. The three proposed infiltration systems maintain a 2' offset to groundwater.

Standard 2)

The Project results in new impervious surfaces. The proposed stormwater management system has been designed to mitigate stormwater runoff rates for the required storm events (refer to HydroCAD calculations), as summarized below.

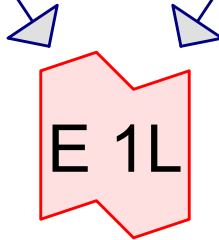
EXXX Y	Existing Conditions Features where “E” designates “Existing”; XXX designates the area or feature “name”; and Y designates the feature - a sub-catchment “S”, a basin/depression/pond/ “P”, a conveyance/reach “R”, or a point of interest/summation point/link “L”		
PXXX- Y	Proposed Conditions Features where “P” designates “Proposed”; XXX designates area or feature “name”; and Y designates the feature - a sub-catchment “S”, a basin/depression/pond/ “P”, a conveyance/reach “R”, or a point of interest/summation point/link “L”		
Rates			
Point of Interest	Storm Event / Runoff (cubic feet/second)		
	2-Year	10-Year	100- Year
E 1L	0.1	0.2	0.5
P 1L	0.0	0.0	0.5
Volumes			
Point of Interest	Storm Event / Runoff (cubic feet)		
	2-Year	10-Year	100-Year
E 1L	277	1,256	4,208
P 1L	6	430	1,929



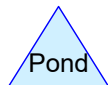
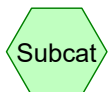
Subcat E 1S



Subcat E 2S



E 1L



Routing Diagram for 21-0089 - Existing

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21-0089 - Existing

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Page 2

Area Listing (all nodes)

Area (sq-ft)	CN	Description (subcatchment-numbers)
5,214	39	>75% Grass cover, Good, HSG A (E 1S, E 2S)
2,116	98	Paved parking, HSG A (E 1S, E 2S)
2,501	98	Roofs, HSG A (E 1S, E 2S)
36,645	36	Woods, Fair, HSG A (E 1S)
4,736	30	Woods, Good, HSG A (E 1S)
51,212	41	TOTAL AREA

21-0089 - Existing

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Page 3

Soil Listing (all nodes)

Area (sq-ft)	Soil Group	Subcatchment Numbers
51,212	HSG A	E 1S, E 2S
0	HSG B	
0	HSG C	
0	HSG D	
0	Other	
51,212		TOTAL AREA

21-0089 - Existing*Type III 24-hr 2-Year Rainfall=3.20"*

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Time span=0.00-96.00 hrs, dt=0.05 hrs, 1921 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment E 1S: Subcat E 1S

Runoff Area=47,440 sf 5.39% Impervious Runoff Depth=0.00"

Flow Length=346' Tc=20.5 min CN=39 Runoff=0.0 cfs 1 cf

Subcatchment E 2S: Subcat E 2S

Runoff Area=3,772 sf 54.64% Impervious Runoff Depth=0.88"

Tc=6.0 min CN=71 Runoff=0.1 cfs 276 cf

Link E 1L: E 1L

Inflow=0.1 cfs 277 cf

Primary=0.1 cfs 277 cf

Total Runoff Area = 51,212 sf Runoff Volume = 277 cf Average Runoff Depth = 0.06"**90.98% Pervious = 46,595 sf 9.02% Impervious = 4,617 sf**

Summary for Subcatchment E 1S: Subcat E 1S

Runoff = 0.0 cfs @ 24.05 hrs, Volume= 1 cf, Depth= 0.00"
Routed to Link E 1L : E 1L

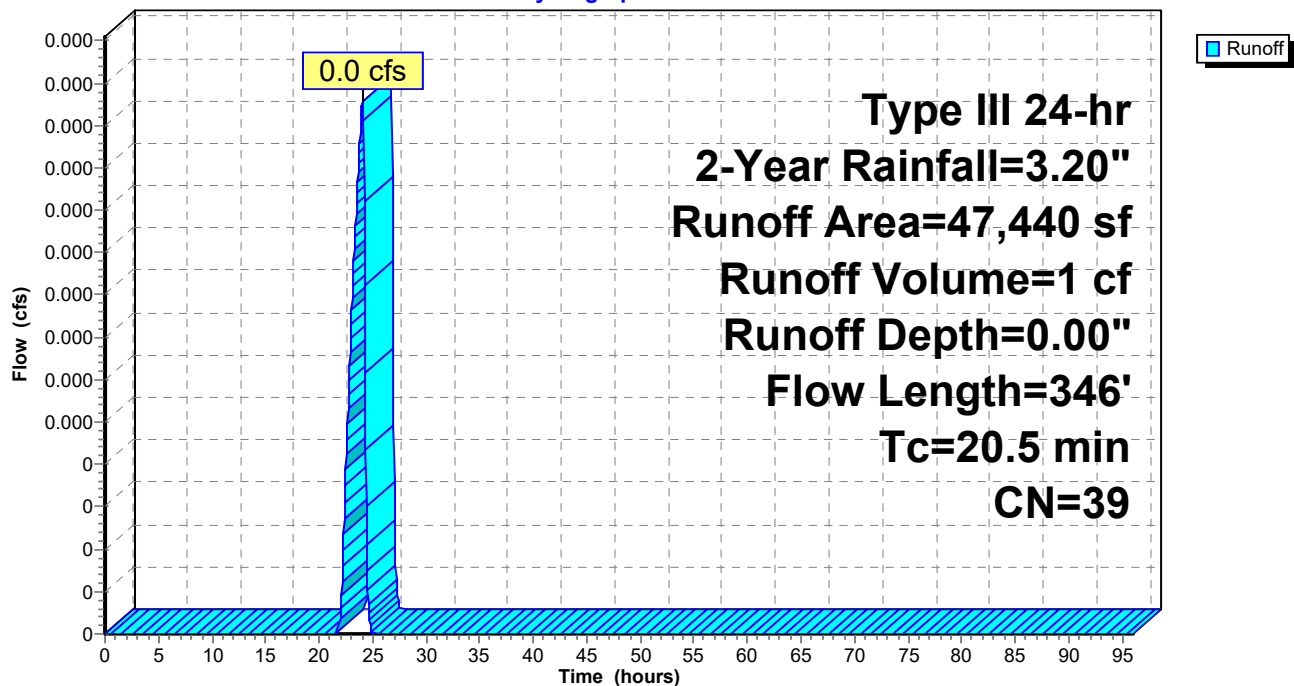
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
Type III 24-hr 2-Year Rainfall=3.20"

Area (sf)	CN	Description
3,503	39	>75% Grass cover, Good, HSG A
619	98	Paved parking, HSG A
1,937	98	Roofs, HSG A
36,645	36	Woods, Fair, HSG A
4,736	30	Woods, Good, HSG A
47,440	39	Weighted Average
44,884		94.61% Pervious Area
2,556		5.39% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
13.8	50	0.0150	0.06		Sheet Flow, Woods: Light underbrush n= 0.400 P2= 3.20"
6.7	296	0.0220	0.74		Shallow Concentrated Flow, Woodland Kv= 5.0 fps
20.5	346	Total			

Subcatchment E 1S: Subcat E 1S

Hydrograph



21-0089 - Existing

Type III 24-hr 2-Year Rainfall=3.20"

Prepared by Land Design Collaborative

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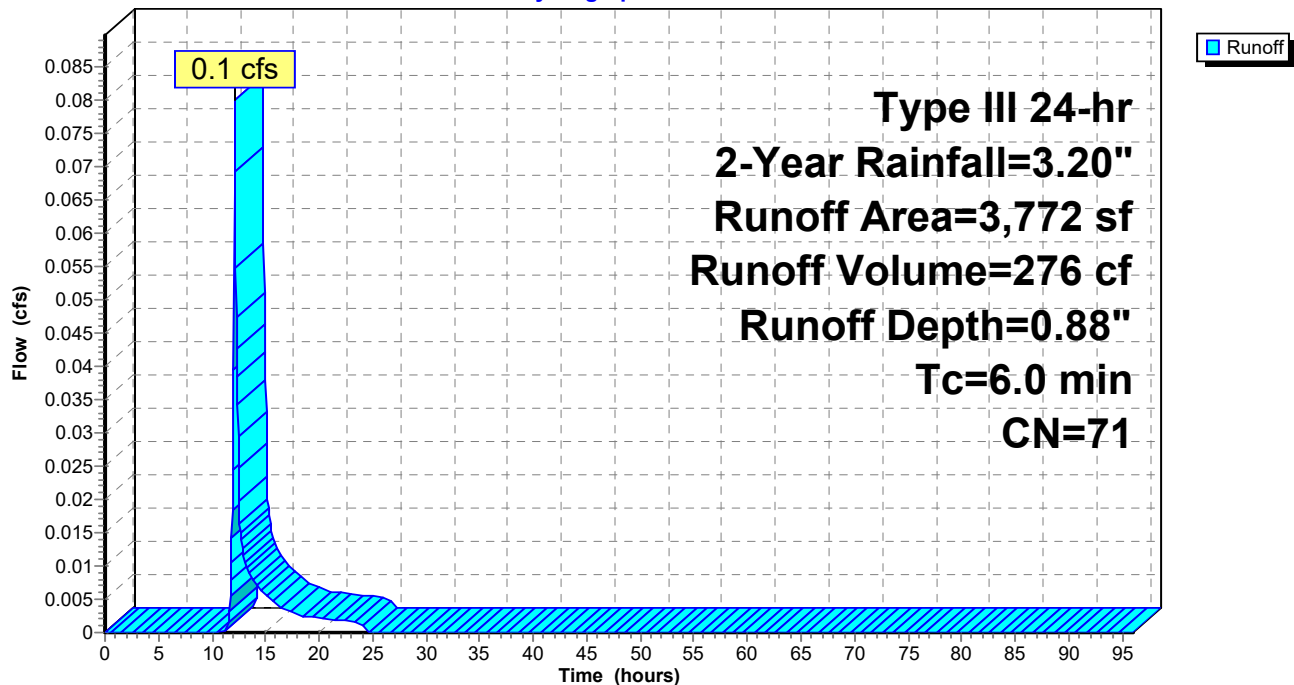
Summary for Subcatchment E 2S: Subcat E 2S

Runoff = 0.1 cfs @ 12.10 hrs, Volume= 276 cf, Depth= 0.88"
Routed to Link E 1L : E 1L

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
Type III 24-hr 2-Year Rainfall=3.20"

Area (sf)	CN	Description
1,711	39	>75% Grass cover, Good, HSG A
1,497	98	Paved parking, HSG A
564	98	Roofs, HSG A
3,772	71	Weighted Average
1,711		45.36% Pervious Area
2,061		54.64% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment E 2S: Subcat E 2S**Hydrograph**

21-0089 - Existing

Type III 24-hr 2-Year Rainfall=3.20"

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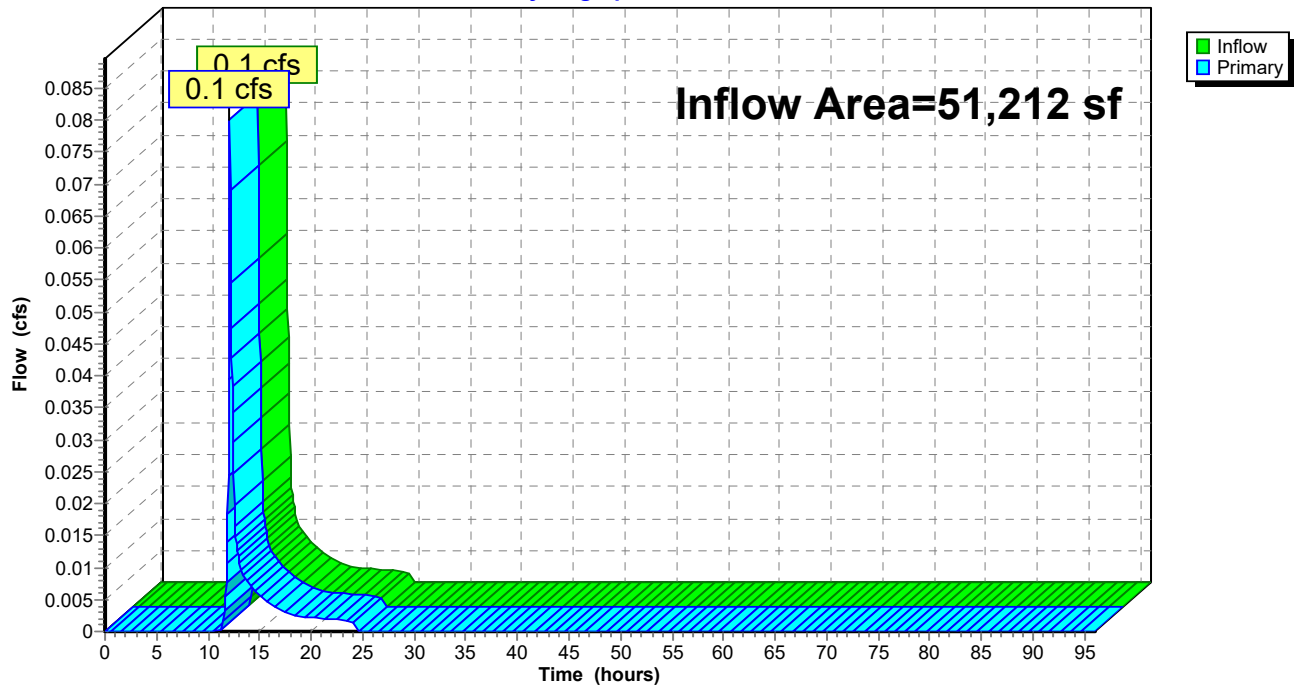
Summary for Link E 1L: E 1L

Inflow Area = 51,212 sf, 9.02% Impervious, Inflow Depth = 0.06" for 2-Year event
Inflow = 0.1 cfs @ 12.10 hrs, Volume= 277 cf
Primary = 0.1 cfs @ 12.10 hrs, Volume= 277 cf, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs

Link E 1L: E 1L

Hydrograph



21-0089 - Existing*Type III 24-hr 10-Year Rainfall=4.80"*

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Time span=0.00-96.00 hrs, dt=0.05 hrs, 1921 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment E 1S: Subcat E 1S

Runoff Area=47,440 sf 5.39% Impervious Runoff Depth=0.16"

Flow Length=346' Tc=20.5 min CN=39 Runoff=0.0 cfs 638 cf

Subcatchment E 2S: Subcat E 2S

Runoff Area=3,772 sf 54.64% Impervious Runoff Depth=1.97"

Tc=6.0 min CN=71 Runoff=0.2 cfs 618 cf

Link E 1L: E 1L

Inflow=0.2 cfs 1,256 cf

Primary=0.2 cfs 1,256 cf

Total Runoff Area = 51,212 sf Runoff Volume = 1,256 cf Average Runoff Depth = 0.29"**90.98% Pervious = 46,595 sf 9.02% Impervious = 4,617 sf**

21-0089 - Existing

Type III 24-hr 10-Year Rainfall=4.80"

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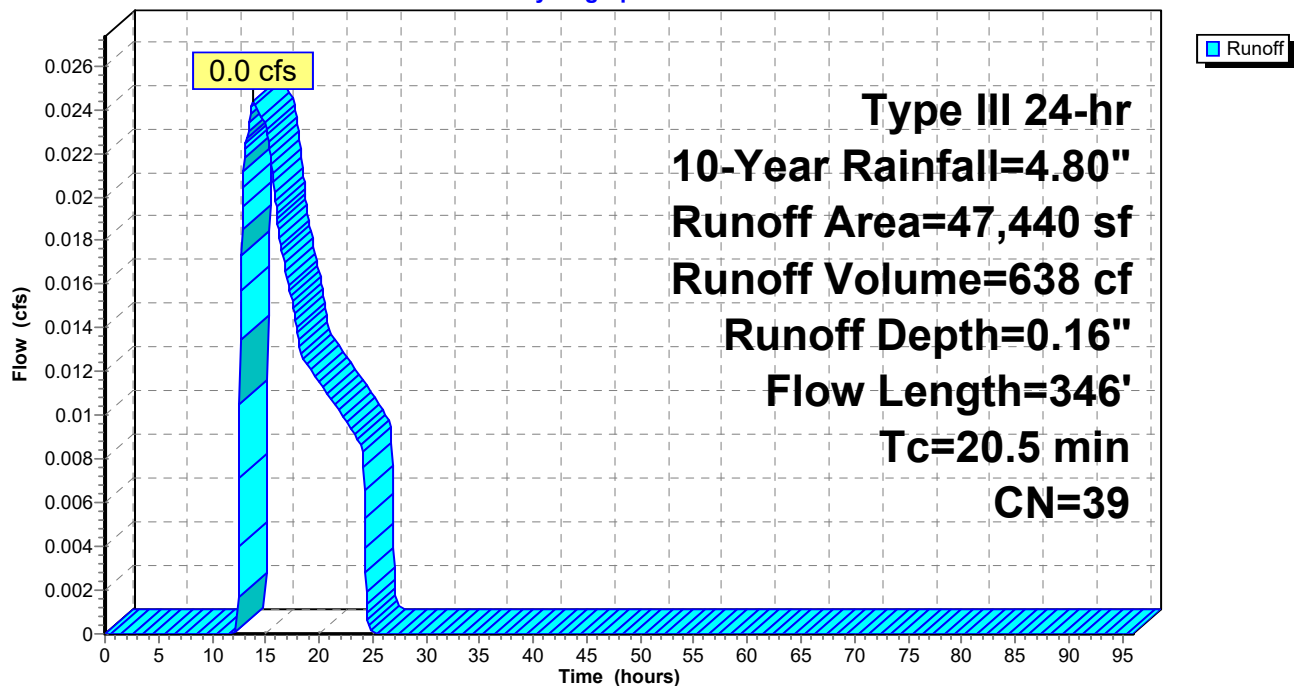
Summary for Subcatchment E 1S: Subcat E 1S

Runoff = 0.0 cfs @ 13.90 hrs, Volume= 638 cf, Depth= 0.16"
 Routed to Link E 1L : E 1L

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
 Type III 24-hr 10-Year Rainfall=4.80"

Area (sf)	CN	Description
3,503	39	>75% Grass cover, Good, HSG A
619	98	Paved parking, HSG A
1,937	98	Roofs, HSG A
36,645	36	Woods, Fair, HSG A
4,736	30	Woods, Good, HSG A
47,440	39	Weighted Average
44,884		94.61% Pervious Area
2,556		5.39% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
13.8	50	0.0150	0.06		Sheet Flow, Woods: Light underbrush n= 0.400 P2= 3.20"
6.7	296	0.0220	0.74		Shallow Concentrated Flow, Woodland Kv= 5.0 fps
20.5	346	Total			

Subcatchment E 1S: Subcat E 1S**Hydrograph**

21-0089 - Existing

Type III 24-hr 10-Year Rainfall=4.80"

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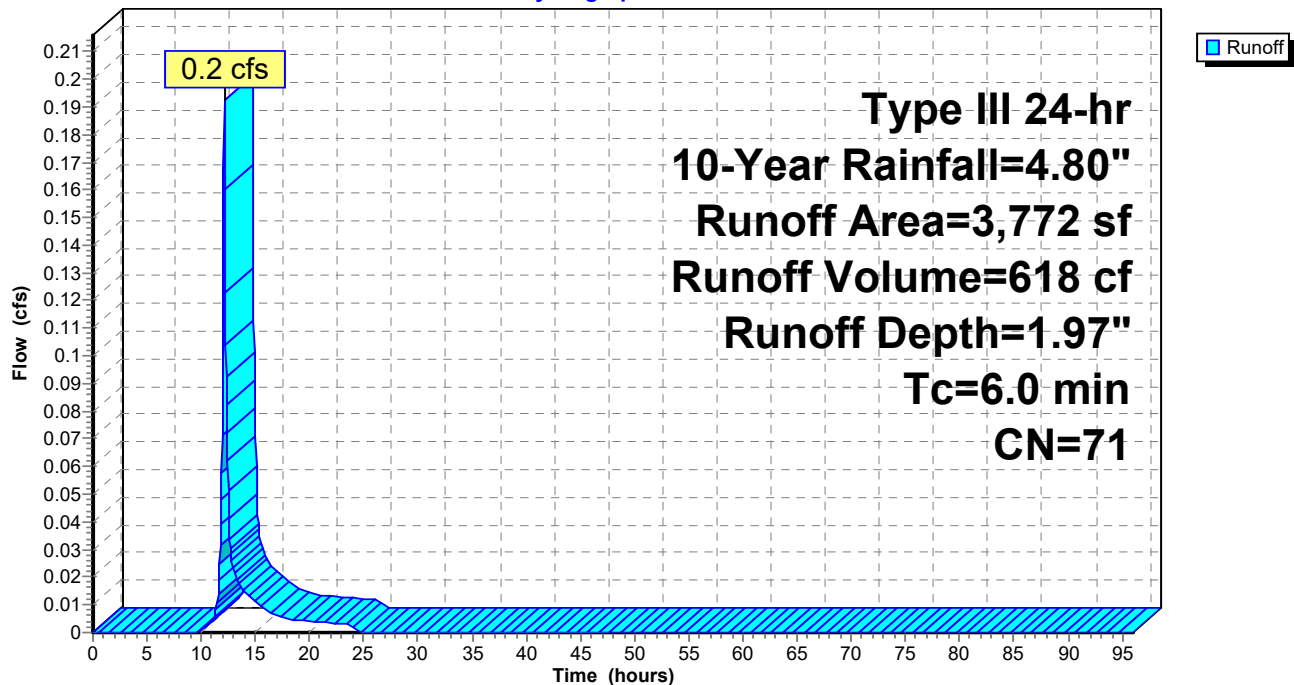
Summary for Subcatchment E 2S: Subcat E 2S

Runoff = 0.2 cfs @ 12.10 hrs, Volume= 618 cf, Depth= 1.97"
Routed to Link E 1L : E 1L

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
Type III 24-hr 10-Year Rainfall=4.80"

Area (sf)	CN	Description
1,711	39	>75% Grass cover, Good, HSG A
1,497	98	Paved parking, HSG A
564	98	Roofs, HSG A
3,772	71	Weighted Average
1,711		45.36% Pervious Area
2,061		54.64% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment E 2S: Subcat E 2S**Hydrograph**

21-0089 - Existing

Type III 24-hr 10-Year Rainfall=4.80"

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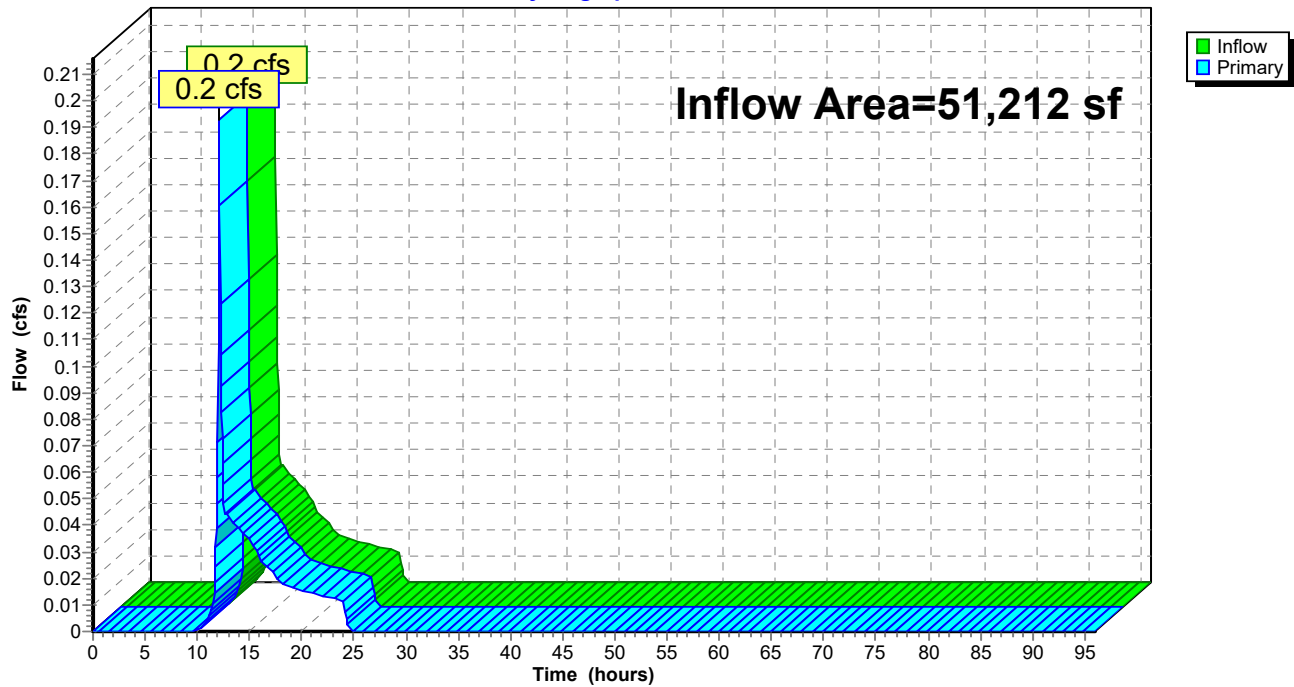
Summary for Link E 1L: E 1L

Inflow Area = 51,212 sf, 9.02% Impervious, Inflow Depth = 0.29" for 10-Year event
Inflow = 0.2 cfs @ 12.10 hrs, Volume= 1,256 cf
Primary = 0.2 cfs @ 12.10 hrs, Volume= 1,256 cf, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs

Link E 1L: E 1L

Hydrograph



21-0089 - Existing*Type III 24-hr 100-Year Rainfall=7.00"*

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Time span=0.00-96.00 hrs, dt=0.05 hrs, 1921 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment E 1S: Subcat E 1SRunoff Area=47,440 sf 5.39% Impervious Runoff Depth=0.77"
Flow Length=346' Tc=20.5 min CN=39 Runoff=0.4 cfs 3,037 cf**Subcatchment E 2S: Subcat E 2S**Runoff Area=3,772 sf 54.64% Impervious Runoff Depth=3.72"
Tc=6.0 min CN=71 Runoff=0.4 cfs 1,170 cf**Link E 1L: E 1L**Inflow=0.5 cfs 4,208 cf
Primary=0.5 cfs 4,208 cf**Total Runoff Area = 51,212 sf Runoff Volume = 4,208 cf Average Runoff Depth = 0.99"**
90.98% Pervious = 46,595 sf 9.02% Impervious = 4,617 sf

21-0089 - Existing

Type III 24-hr 100-Year Rainfall=7.00"

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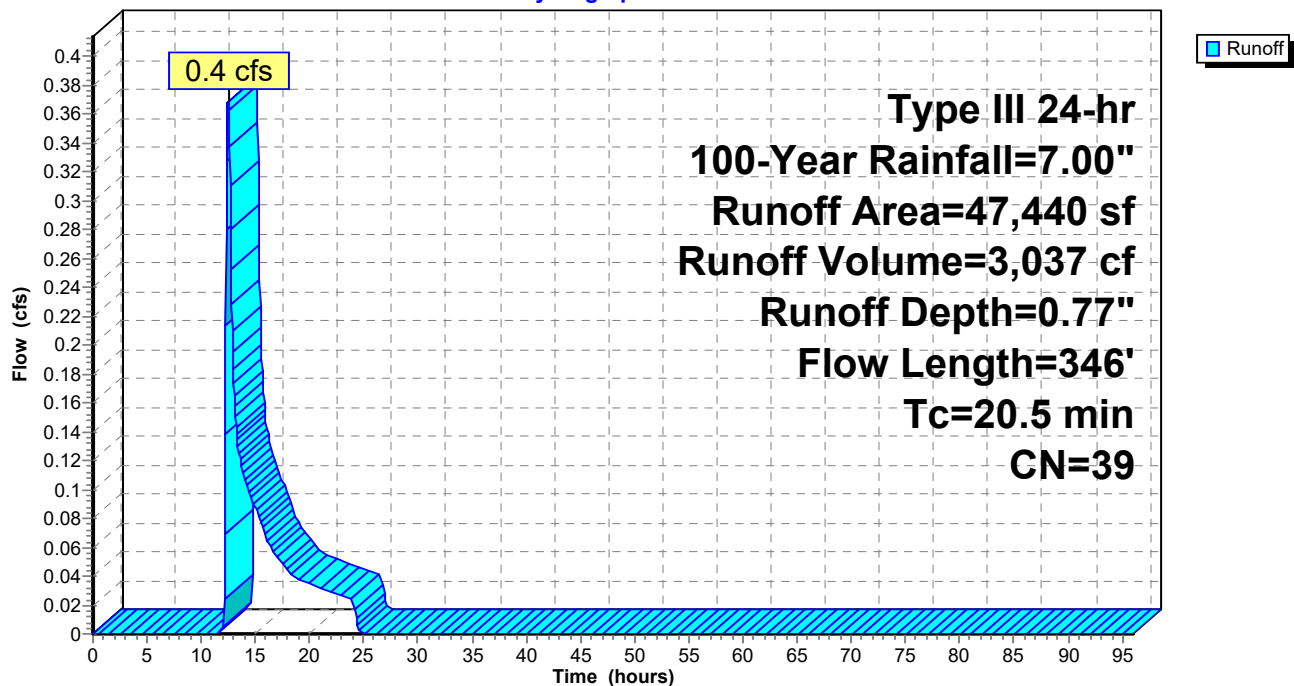
Summary for Subcatchment E 1S: Subcat E 1S

Runoff = 0.4 cfs @ 12.48 hrs, Volume= 3,037 cf, Depth= 0.77"
 Routed to Link E 1L : E 1L

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
 Type III 24-hr 100-Year Rainfall=7.00"

Area (sf)	CN	Description
3,503	39	>75% Grass cover, Good, HSG A
619	98	Paved parking, HSG A
1,937	98	Roofs, HSG A
36,645	36	Woods, Fair, HSG A
4,736	30	Woods, Good, HSG A
47,440	39	Weighted Average
44,884		94.61% Pervious Area
2,556		5.39% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
13.8	50	0.0150	0.06		Sheet Flow, Woods: Light underbrush n= 0.400 P2= 3.20"
6.7	296	0.0220	0.74		Shallow Concentrated Flow, Woodland Kv= 5.0 fps
20.5	346	Total			

Subcatchment E 1S: Subcat E 1S**Hydrograph**

21-0089 - Existing

Type III 24-hr 100-Year Rainfall=7.00"

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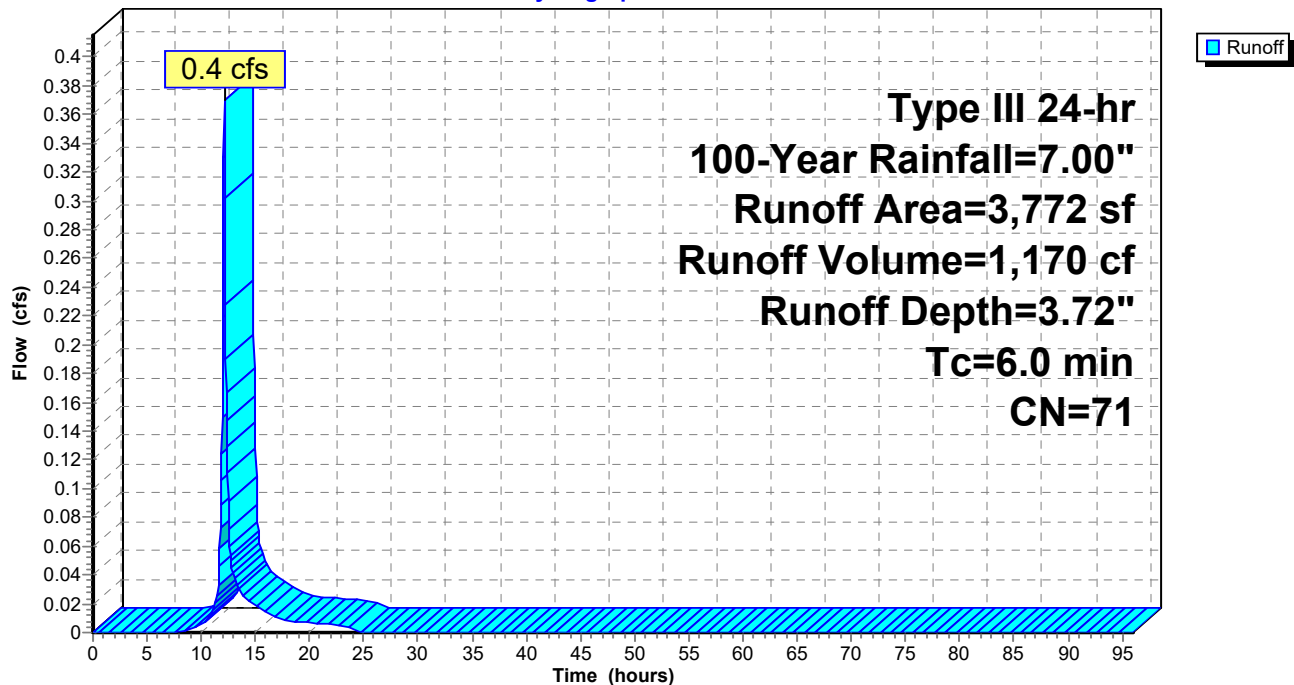
Summary for Subcatchment E 2S: Subcat E 2S

Runoff = 0.4 cfs @ 12.09 hrs, Volume= 1,170 cf, Depth= 3.72"
Routed to Link E 1L : E 1L

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
Type III 24-hr 100-Year Rainfall=7.00"

Area (sf)	CN	Description
1,711	39	>75% Grass cover, Good, HSG A
1,497	98	Paved parking, HSG A
564	98	Roofs, HSG A
3,772	71	Weighted Average
1,711		45.36% Pervious Area
2,061		54.64% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment E 2S: Subcat E 2S**Hydrograph**

21-0089 - Existing

Type III 24-hr 100-Year Rainfall=7.00"

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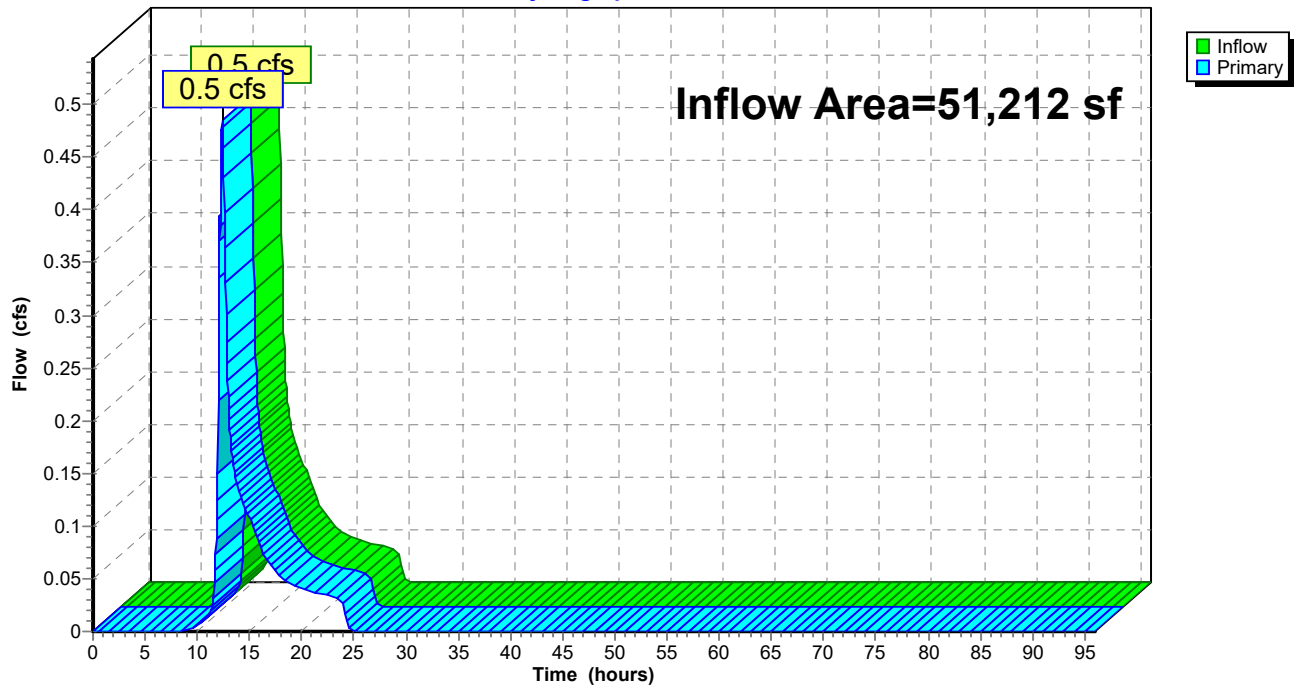
Summary for Link E 1L: E 1L

Inflow Area = 51,212 sf, 9.02% Impervious, Inflow Depth = 0.99" for 100-Year event
Inflow = 0.5 cfs @ 12.40 hrs, Volume= 4,208 cf
Primary = 0.5 cfs @ 12.40 hrs, Volume= 4,208 cf, Atten= 0%, Lag= 0.0 min

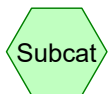
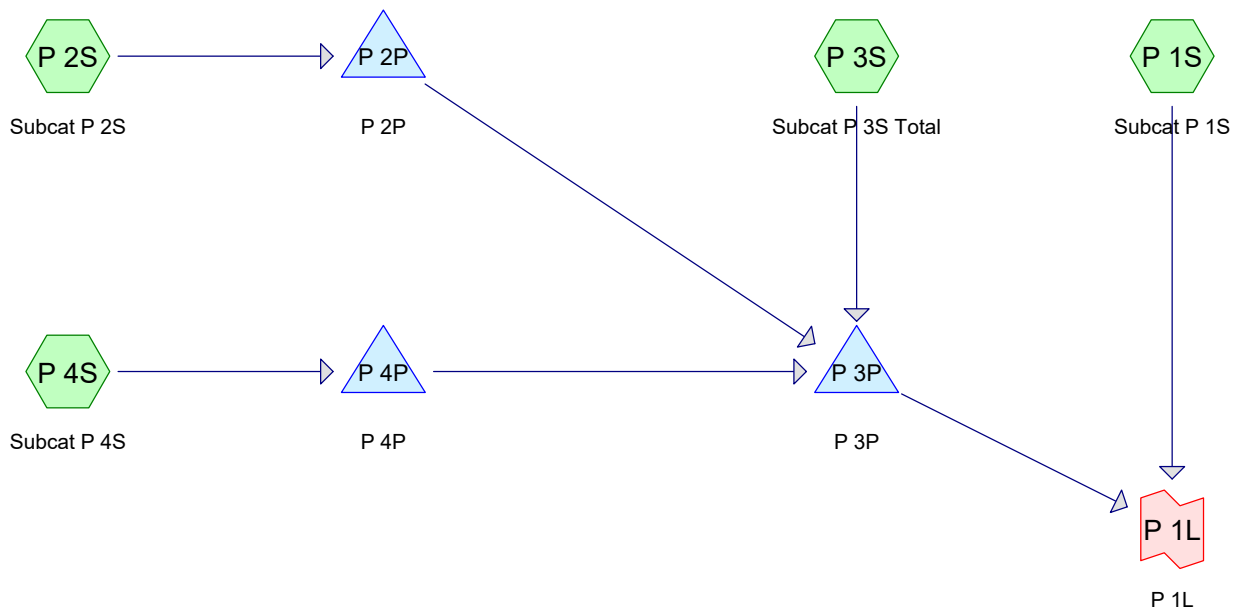
Primary outflow = Inflow, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs

Link E 1L: E 1L

Hydrograph



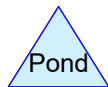
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Subcat



Reach



Pond



Link

Routing Diagram for 21-0089 - Proposed
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21-0089 - Proposed

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Rainfall Events Listing (selected events)

Event#	Event Name	Storm Type	Curve	Mode	Duration (hours)	B/B	Depth (inches)	AMC
1	2-Year	Type III 24-hr		Default	24.00	1	3.20	2
2	10-Year	Type III 24-hr		Default	24.00	1	4.80	2
3	100-Year	Type III 24-hr		Default	24.00	1	7.00	2

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Area Listing (selected nodes)

Area (sq-ft)	CN	Description (subcatchment-numbers)
22,766	39	>75% Grass cover, Good, HSG A (P 1S, P 3S)
3,076	30	Meadow, non-grazed, HSG A (P 1S)
10,656	98	Paved parking, HSG A (P 1S, P 3S)
9,738	98	Roofs, HSG A (P 2S, P 4S)
239	36	Woods, Fair, HSG A (P 1S)
4,737	30	Woods, Good, HSG A (P 1S)
51,212	61	TOTAL AREA

21-0089 - Proposed

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Soil Listing (selected nodes)

Area (sq-ft)	Soil Group	Subcatchment Numbers
51,212	HSG A	P 1S, P 2S, P 3S, P 4S
0	HSG B	
0	HSG C	
0	HSG D	
0	Other	
51,212		TOTAL AREA

21-0089 - Proposed

Type III 24-hr 2-Year Rainfall=3.20"

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Time span=0.00-96.00 hrs, dt=0.05 hrs, 1921 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment P 1S: Subcat P 1SRunoff Area=26,765 sf 6.62% Impervious Runoff Depth=0.00"
Tc=6.0 min CN=40 Runoff=0.0 cfs 6 cf**Subcatchment P 2S: Subcat P 2S**Runoff Area=4,020 sf 100.00% Impervious Runoff Depth=2.97"
Tc=6.0 min CN=98 Runoff=0.3 cfs 994 cf**Subcatchment P 3S: Subcat P 3S Total**Runoff Area=14,709 sf 60.39% Impervious Runoff Depth=1.09"
Tc=6.0 min CN=75 Runoff=0.4 cfs 1,341 cf**Subcatchment P 4S: Subcat P 4S**Runoff Area=5,718 sf 100.00% Impervious Runoff Depth=2.97"
Tc=6.0 min CN=98 Runoff=0.4 cfs 1,414 cf**Pond P 2P: P 2P**Peak Elev=485.36' Storage=95 cf Inflow=0.3 cfs 994 cf
Discarded=0.1 cfs 993 cf Primary=0.0 cfs 0 cf Outflow=0.1 cfs 993 cf**Pond P 3P: P 3P**Peak Elev=484.18' Storage=72 cf Inflow=0.4 cfs 1,341 cf
Discarded=0.3 cfs 1,341 cf Primary=0.0 cfs 0 cf Outflow=0.3 cfs 1,341 cf**Pond P 4P: P 4P**Peak Elev=483.62' Storage=192 cf Inflow=0.4 cfs 1,414 cf
Discarded=0.1 cfs 1,414 cf Primary=0.0 cfs 0 cf Outflow=0.1 cfs 1,414 cf**Link P 1L: P 1L**Inflow=0.0 cfs 6 cf
Primary=0.0 cfs 6 cf**Total Runoff Area = 51,212 sf Runoff Volume = 3,755 cf Average Runoff Depth = 0.88"**
60.18% Pervious = 30,818 sf 39.82% Impervious = 20,394 sf

Summary for Subcatchment P 1S: Subcat P 1S

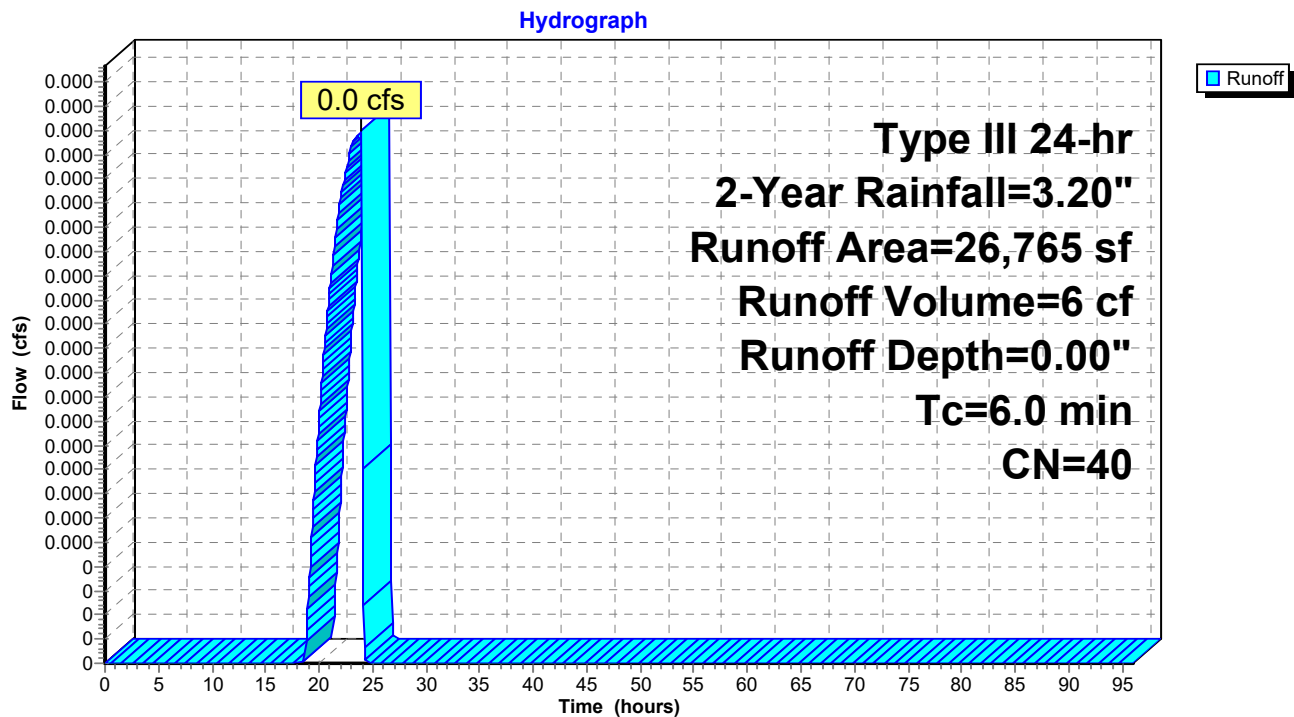
Runoff = 0.0 cfs @ 23.95 hrs, Volume= 6 cf, Depth= 0.00"
Routed to Link P 1L : P 1L

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
Type III 24-hr 2-Year Rainfall=3.20"

Area (sf)	CN	Description
16,940	39	>75% Grass cover, Good, HSG A
3,076	30	Meadow, non-grazed, HSG A
1,773	98	Paved parking, HSG A
239	36	Woods, Fair, HSG A
4,737	30	Woods, Good, HSG A
26,765	40	Weighted Average
24,992		93.38% Pervious Area
1,773		6.62% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment P 1S: Subcat P 1S



21-0089 - Proposed

Type III 24-hr 2-Year Rainfall=3.20"

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Summary for Subcatchment P 2S: Subcat P 2S

Runoff = 0.3 cfs @ 12.09 hrs, Volume= 994 cf, Depth= 2.97"
Routed to Pond P 2P : P 2P

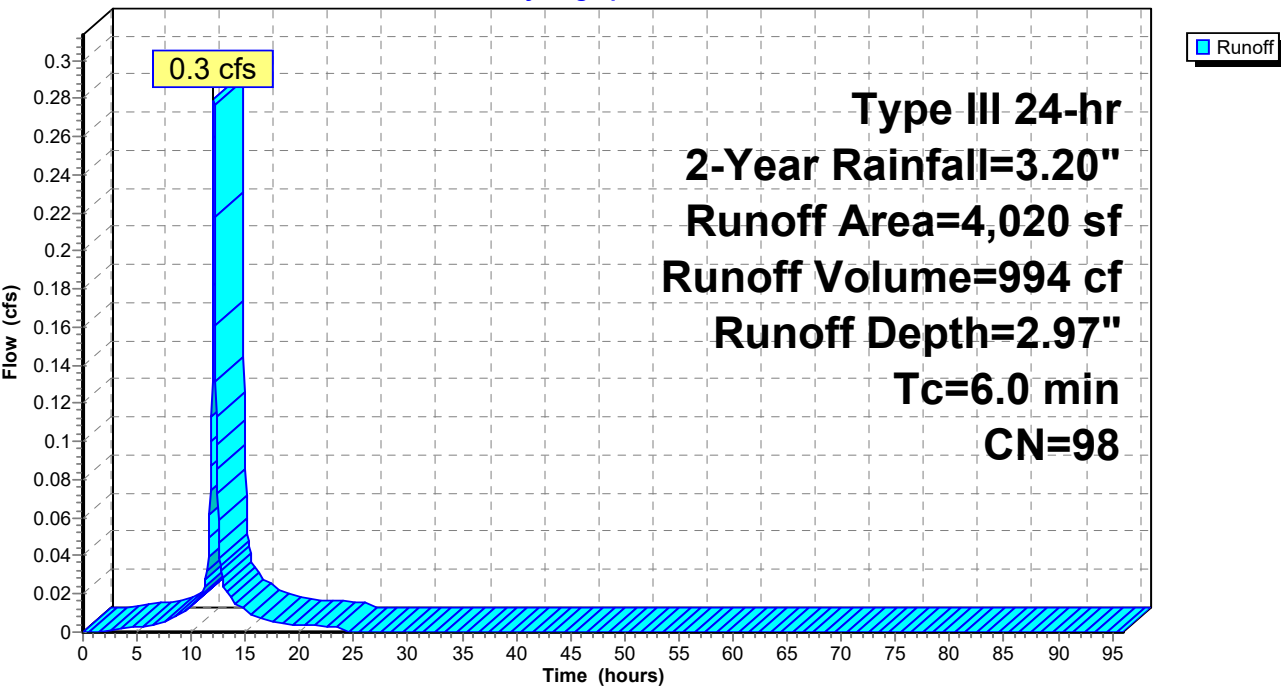
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
Type III 24-hr 2-Year Rainfall=3.20"

Area (sf)	CN	Description
4,020	98	Roofs, HSG A
4,020		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment P 2S: Subcat P 2S

Hydrograph



21-0089 - Proposed

Type III 24-hr 2-Year Rainfall=3.20"

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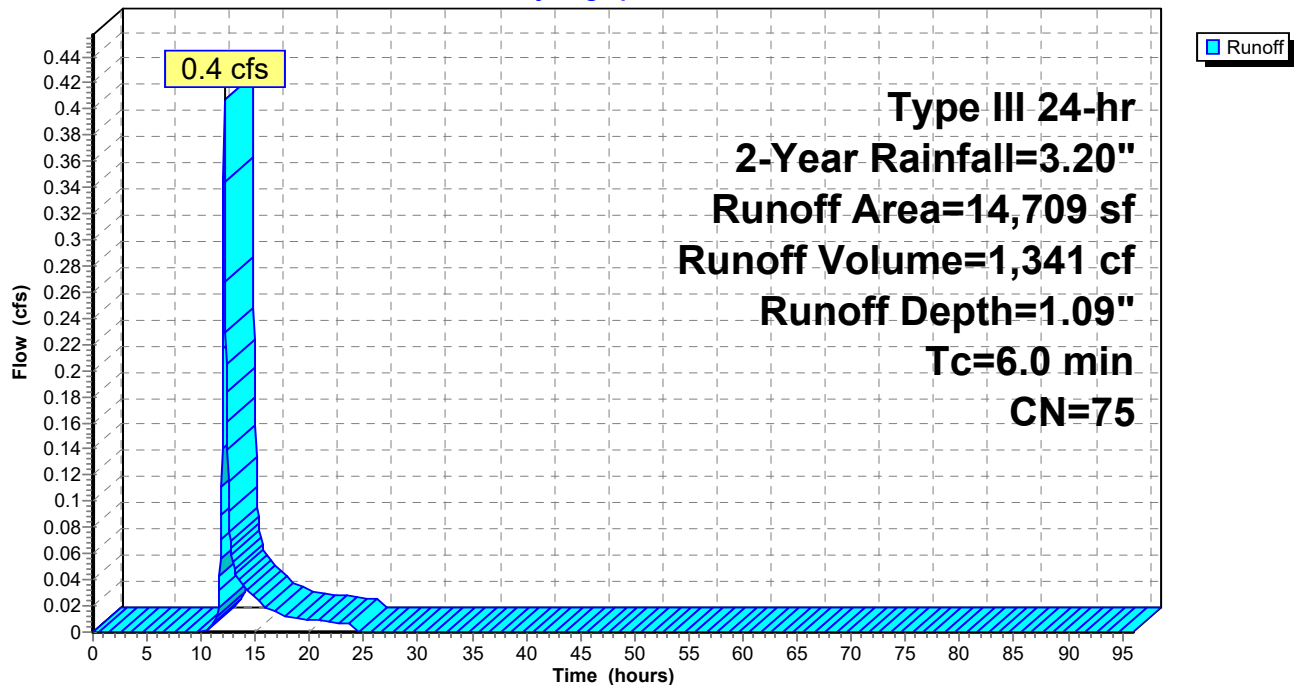
Summary for Subcatchment P 3S: Subcat P 3S Total

Runoff = 0.4 cfs @ 12.10 hrs, Volume= 1,341 cf, Depth= 1.09"
 Routed to Pond P 3P : P 3P

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
 Type III 24-hr 2-Year Rainfall=3.20"

Area (sf)	CN	Description
2	98	Paved parking, HSG A
44	39	>75% Grass cover, Good, HSG A
5,280	98	Paved parking, HSG A
1,143	98	Paved parking, HSG A
2,458	98	Paved parking, HSG A
1,049	39	>75% Grass cover, Good, HSG A
4,733	39	>75% Grass cover, Good, HSG A
14,709	75	Weighted Average
5,826		39.61% Pervious Area
8,883		60.39% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment P 3S: Subcat P 3S Total**Hydrograph**

Summary for Subcatchment P 4S: Subcat P 4S

Runoff = 0.4 cfs @ 12.09 hrs, Volume= 1,414 cf, Depth= 2.97"
Routed to Pond P 4P : P 4P

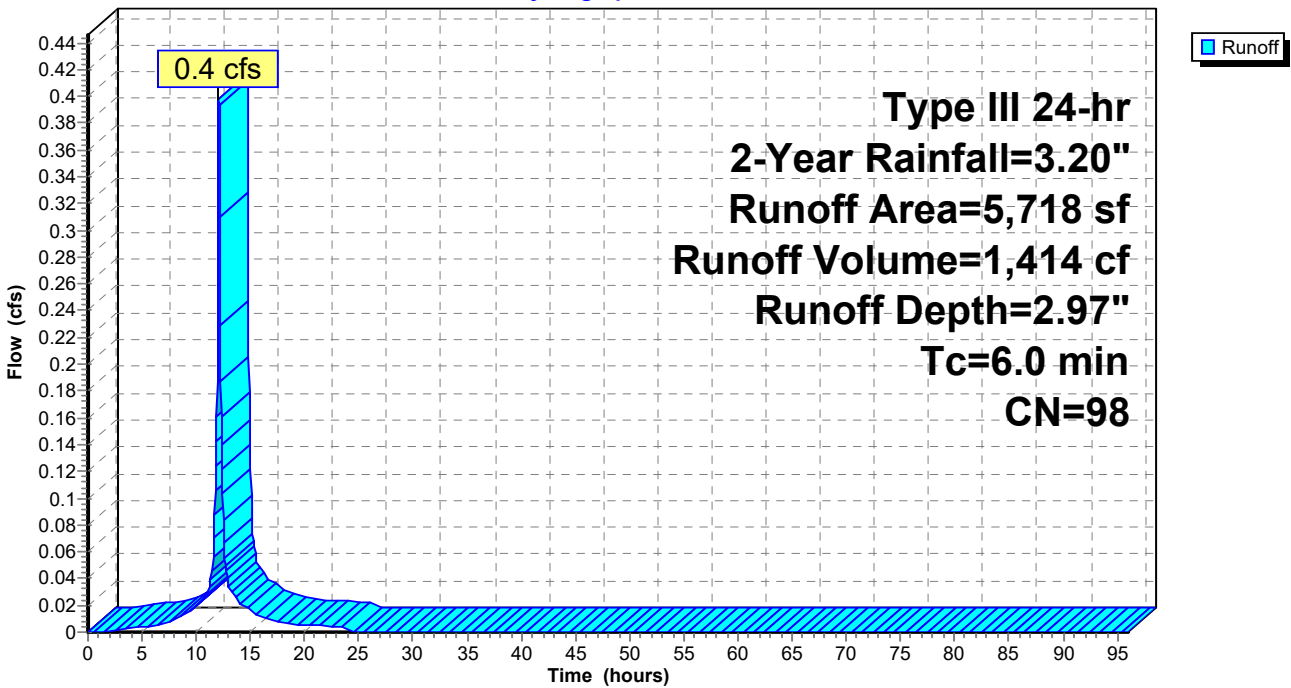
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
Type III 24-hr 2-Year Rainfall=3.20"

Area (sf)	CN	Description
5,718	98	Roofs, HSG A
5,718		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment P 4S: Subcat P 4S

Hydrograph



21-0089 - Proposed

Type III 24-hr 2-Year Rainfall=3.20"

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Summary for Pond P 2P: P 2P

Inflow Area = 4,020 sf, 100.00% Impervious, Inflow Depth = 2.97" for 2-Year event
 Inflow = 0.3 cfs @ 12.09 hrs, Volume= 994 cf
 Outflow = 0.1 cfs @ 12.00 hrs, Volume= 993 cf, Atten= 55%, Lag= 0.0 min
 Discarded = 0.1 cfs @ 12.00 hrs, Volume= 993 cf
 Primary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf
 Routed to Pond P 3P : P 3P

Routing by Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs / 2
 Peak Elev= 485.36' @ 12.27 hrs Surf.Area= 660 sf Storage= 95 cf

Plug-Flow detention time= 4.5 min calculated for 993 cf (100% of inflow)
 Center-of-Mass det. time= 3.5 min (759.9 - 756.4)

Volume	Invert	Avail.Storage	Storage Description
#1	485.50'	2 cf	1.00'D x 2.71'H Vertical Cone/Cylinder
#2	485.50'	236 cf	12.0" Round Pipe Storage x 5 Inside #3 L= 60.0'
#3	485.00'	434 cf	10.48'W x 63.00'L x 2.00'H Prismatic 1,320 cf Overall - 236 cf Embedded = 1,085 cf x 40.0% Voids
672 cf			Total Available Storage

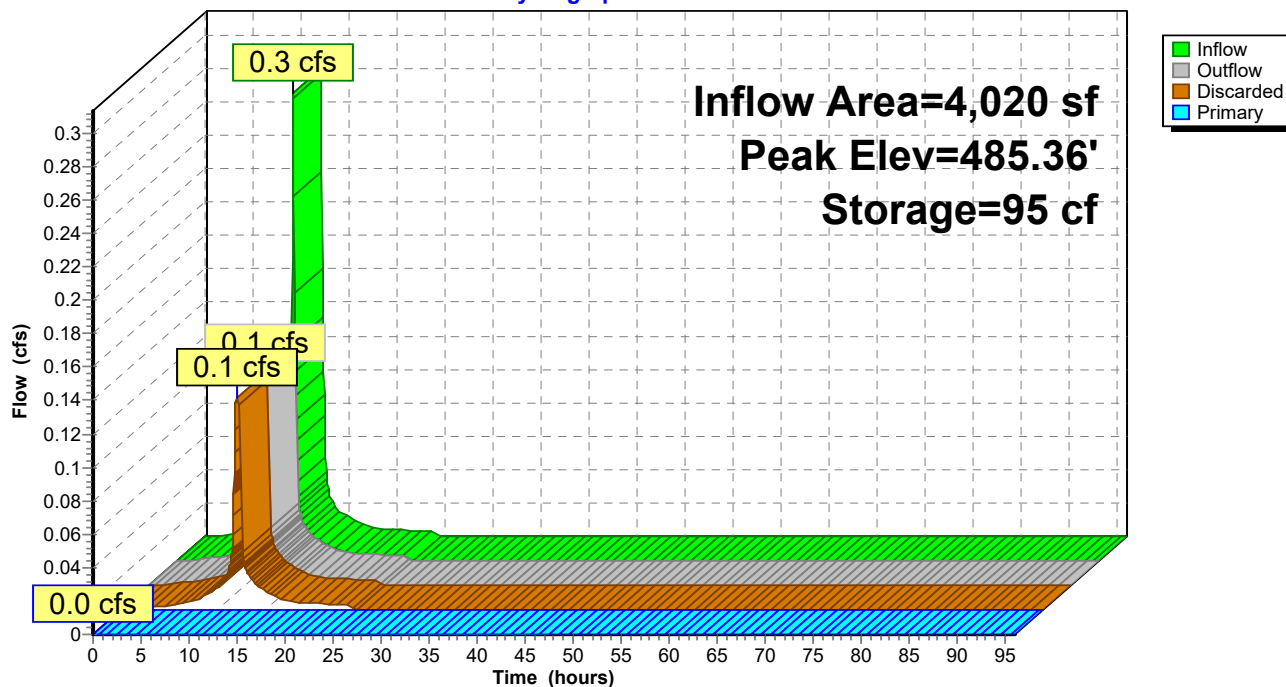
Device	Routing	Invert	Outlet Devices
#1	Primary	488.20'	6.0" Vert. Orifice/Grate X 2.00 C= 0.600 Limited to weir flow at low heads
#2	Discarded	485.00'	8.270 in/hr Exfiltration over Surface area

Discarded OutFlow Max=0.1 cfs @ 12.00 hrs HW=485.06' (Free Discharge)
 ↑ **2=Exfiltration** (Exfiltration Controls 0.1 cfs)

Primary OutFlow Max=0.0 cfs @ 0.00 hrs HW=485.00' (Free Discharge)
 ↑ **1=Orifice/Grate** (Controls 0.0 cfs)

Pond P 2P: P 2P

Hydrograph



21-0089 - Proposed

Type III 24-hr 2-Year Rainfall=3.20"

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Summary for Pond P 3P: P 3P

Inflow Area = 24,447 sf, 76.17% Impervious, Inflow Depth = 0.66" for 2-Year event
 Inflow = 0.4 cfs @ 12.10 hrs, Volume= 1,341 cf
 Outflow = 0.3 cfs @ 12.05 hrs, Volume= 1,341 cf, Atten= 35%, Lag= 0.0 min
 Discarded = 0.3 cfs @ 12.05 hrs, Volume= 1,341 cf
 Primary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf
 Routed to Link P 1L : P 1L

Routing by Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
 Peak Elev= 484.18' @ 12.21 hrs Surf.Area= 1,384 sf Storage= 72 cf

Plug-Flow detention time= 1.8 min calculated for 1,340 cf (100% of inflow)
 Center-of-Mass det. time= 1.8 min (860.6 - 858.8)

Volume	Invert	Avail.Storage	Storage Description
#1	484.61'	38 cf	4.00'D x 3.03'H Vertical Cone/Cylinder
#2	484.55'	495 cf	12.0" Round Pipe Storage x 9 Inside #3 L= 70.0'
#3	484.05'	909 cf	18.96'W x 73.00'L x 2.00'H Prismatoid
			2,768 cf Overall - 495 cf Embedded = 2,273 cf x 40.0% Voids
			1,442 cf Total Available Storage

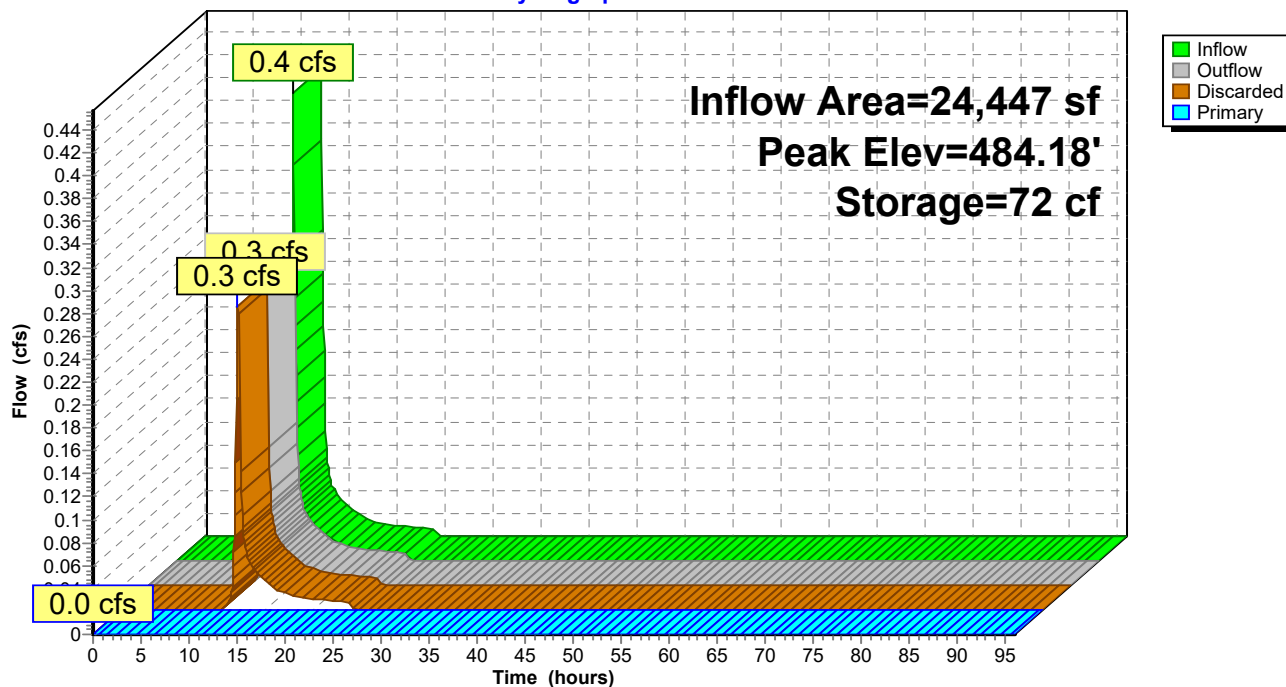
Device	Routing	Invert	Outlet Devices
#1	Primary	486.58'	1.0" x 5.0" Horiz. Orifice/Grate X 11.00 columns X 2 rows C= 0.600 in 18.0" x 25.7" Grate (24% open area) Limited to weir flow at low heads
#2	Discarded	484.05'	8.270 in/hr Exfiltration over Surface area

Discarded OutFlow Max=0.3 cfs @ 12.05 hrs HW=484.09' (Free Discharge)
 ↑ **2=Exfiltration** (Exfiltration Controls 0.3 cfs)

Primary OutFlow Max=0.0 cfs @ 0.00 hrs HW=484.05' (Free Discharge)
 ↑ **1=Orifice/Grate** (Controls 0.0 cfs)

Pond P 3P: P 3P

Hydrograph



21-0089 - Proposed

Type III 24-hr 2-Year Rainfall=3.20"

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Summary for Pond P 4P: P 4P

Inflow Area = 5,718 sf, 100.00% Impervious, Inflow Depth = 2.97" for 2-Year event
 Inflow = 0.4 cfs @ 12.09 hrs, Volume= 1,414 cf
 Outflow = 0.1 cfs @ 12.15 hrs, Volume= 1,414 cf, Atten= 64%, Lag= 3.8 min
 Discarded = 0.1 cfs @ 12.15 hrs, Volume= 1,414 cf
 Primary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf
 Routed to Pond P 3P : P 3P

Routing by Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs / 2
 Peak Elev= 483.62' @ 12.34 hrs Surf.Area= 749 sf Storage= 192 cf

Plug-Flow detention time= (not calculated: outflow precedes inflow)
 Center-of-Mass det. time= 6.8 min (763.2 - 756.4)

Volume	Invert	Avail.Storage	Storage Description
#1	483.50'	4 cf	1.00'D x 5.51'H Vertical Cone/Cylinder
#2	483.50'	353 cf	18.0" Round Pipe Storage x 4 Inside #3 L= 50.0'
#3	483.00'	607 cf	13.60'W x 55.00'L x 2.50'H Prismatoid 1,870 cf Overall - 353 cf Embedded = 1,517 cf x 40.0% Voids
		964 cf	Total Available Storage

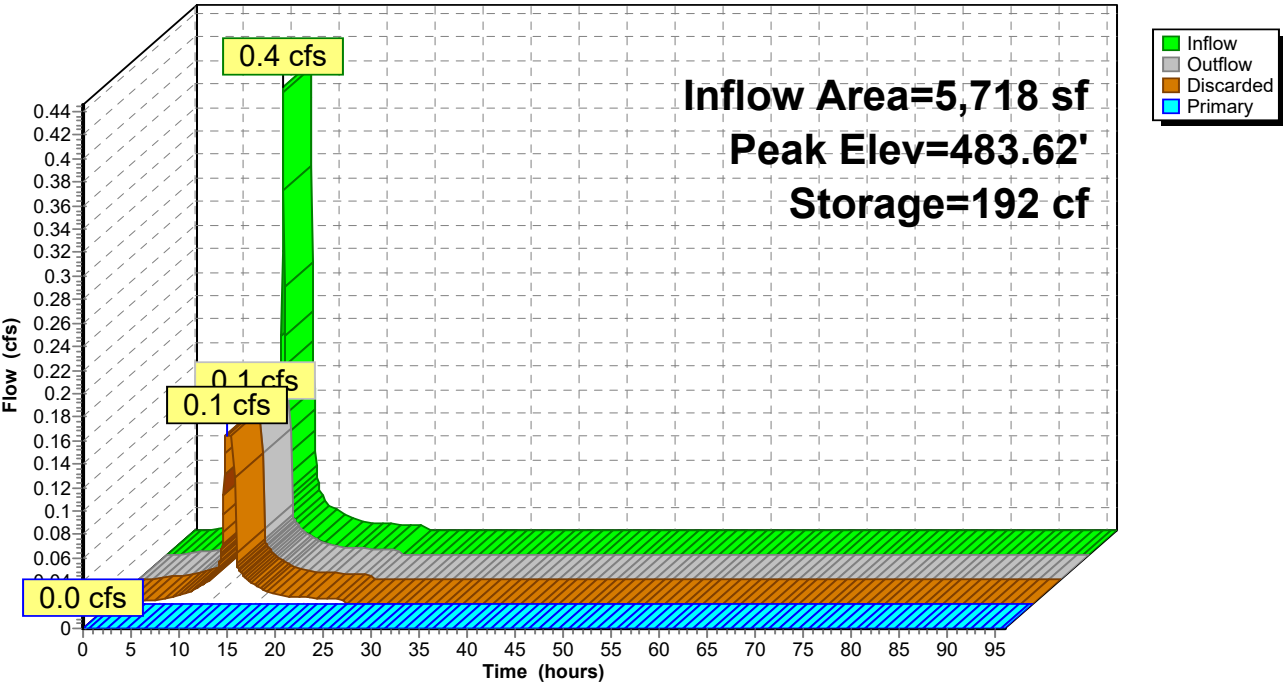
Device	Routing	Invert	Outlet Devices
#1	Primary	489.00'	6.0" Vert. Orifice/Grate X 3.00 C= 0.600 Limited to weir flow at low heads
#2	Discarded	483.00'	8.270 in/hr Exfiltration over Surface area

Discarded OutFlow Max=0.1 cfs @ 12.15 hrs HW=483.51' (Free Discharge)
 ↑ **2=Exfiltration** (Exfiltration Controls 0.1 cfs)

Primary OutFlow Max=0.0 cfs @ 0.00 hrs HW=483.00' (Free Discharge)
 ↑ **1=Orifice/Grate** (Controls 0.0 cfs)

Pond P 4P: P 4P

Hydrograph



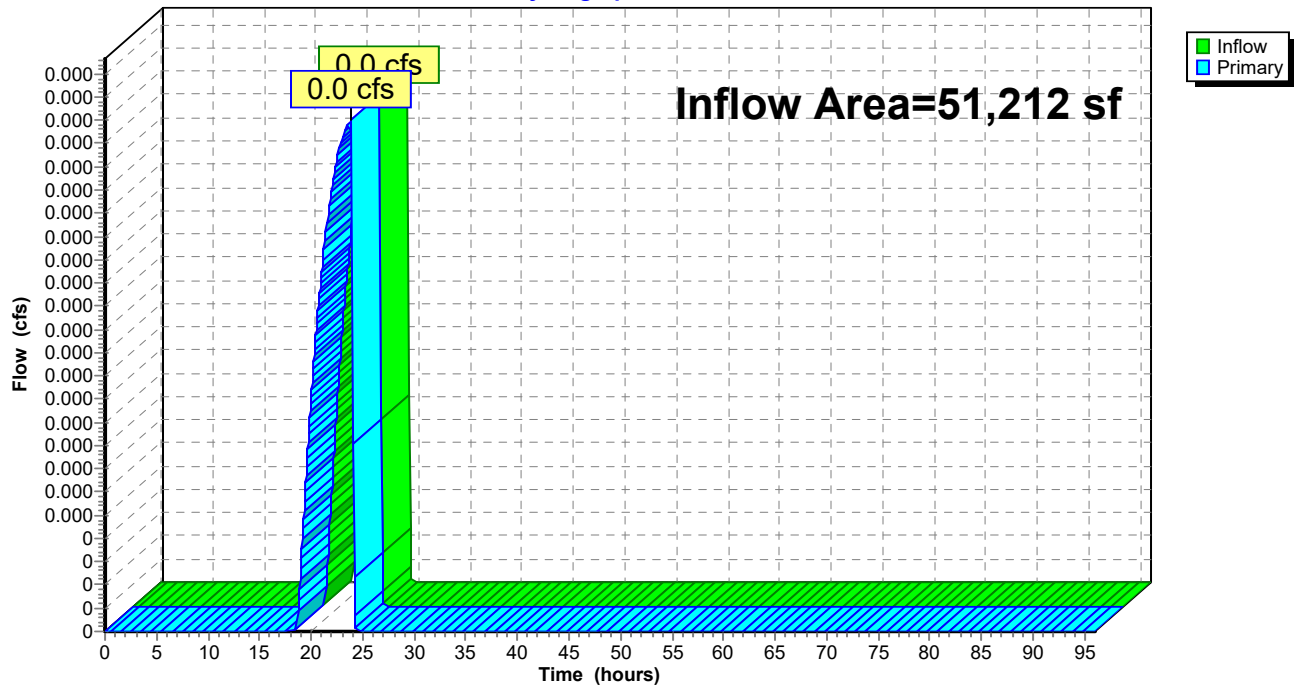
Summary for Link P 1L: P 1L

Inflow Area = 51,212 sf, 39.82% Impervious, Inflow Depth = 0.00" for 2-Year event
Inflow = 0.0 cfs @ 23.95 hrs, Volume= 6 cf
Primary = 0.0 cfs @ 23.95 hrs, Volume= 6 cf, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs

Link P 1L: P 1L

Hydrograph



21-0089 - Proposed

Type III 24-hr 10-Year Rainfall=4.80"

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Time span=0.00-96.00 hrs, dt=0.05 hrs, 1921 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment P 1S: Subcat P 1SRunoff Area=26,765 sf 6.62% Impervious Runoff Depth=0.19"
Tc=6.0 min CN=40 Runoff=0.0 cfs 430 cf**Subcatchment P 2S: Subcat P 2S**Runoff Area=4,020 sf 100.00% Impervious Runoff Depth=4.56"
Tc=6.0 min CN=98 Runoff=0.4 cfs 1,529 cf**Subcatchment P 3S: Subcat P 3S Total**Runoff Area=14,709 sf 60.39% Impervious Runoff Depth=2.29"
Tc=6.0 min CN=75 Runoff=0.9 cfs 2,805 cf**Subcatchment P 4S: Subcat P 4S**Runoff Area=5,718 sf 100.00% Impervious Runoff Depth=4.56"
Tc=6.0 min CN=98 Runoff=0.6 cfs 2,175 cf**Pond P 2P: P 2P**Peak Elev=485.80' Storage=246 cf Inflow=0.4 cfs 1,529 cf
Discarded=0.1 cfs 1,526 cf Primary=0.0 cfs 0 cf Outflow=0.1 cfs 1,526 cf**Pond P 3P: P 3P**Peak Elev=484.83' Storage=507 cf Inflow=0.9 cfs 2,805 cf
Discarded=0.3 cfs 2,805 cf Primary=0.0 cfs 0 cf Outflow=0.3 cfs 2,805 cf**Pond P 4P: P 4P**Peak Elev=484.18' Storage=445 cf Inflow=0.6 cfs 2,175 cf
Discarded=0.1 cfs 2,175 cf Primary=0.0 cfs 0 cf Outflow=0.1 cfs 2,175 cf**Link P 1L: P 1L**Inflow=0.0 cfs 430 cf
Primary=0.0 cfs 430 cf**Total Runoff Area = 51,212 sf Runoff Volume = 6,938 cf Average Runoff Depth = 1.63"**
60.18% Pervious = 30,818 sf 39.82% Impervious = 20,394 sf

21-0089 - Proposed

Type III 24-hr 10-Year Rainfall=4.80"

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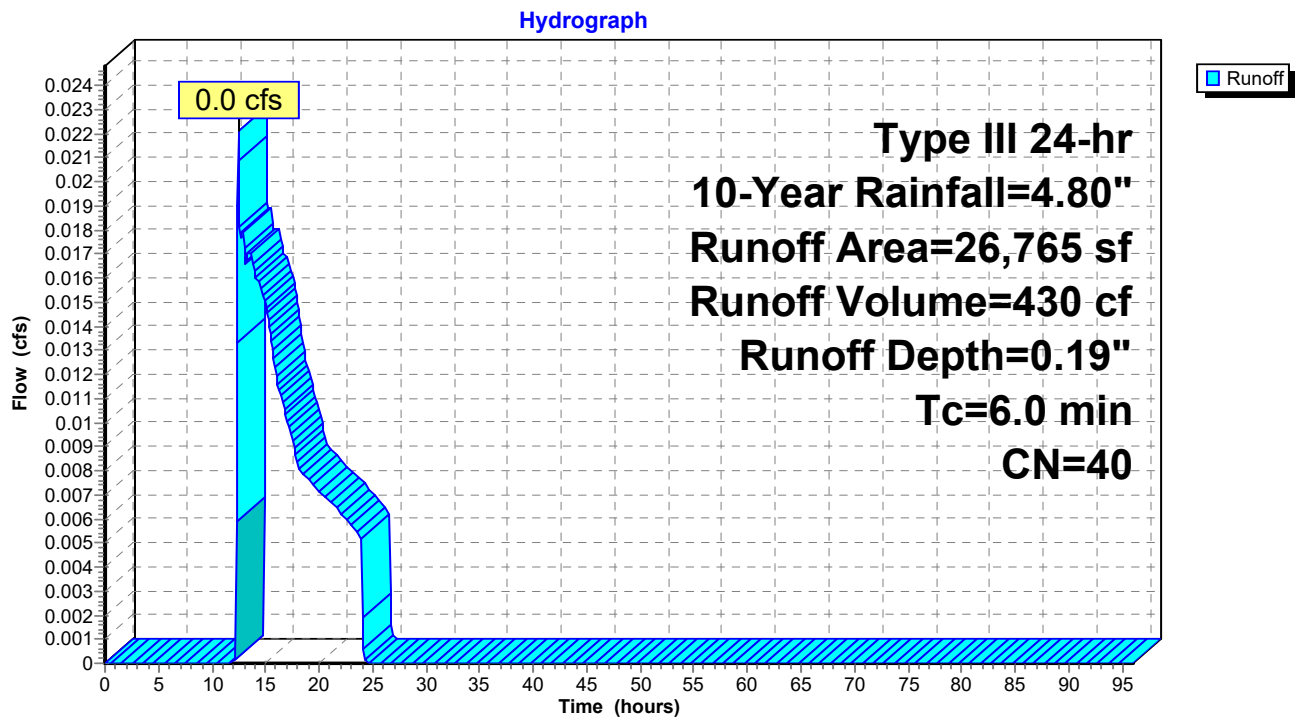
Summary for Subcatchment P 1S: Subcat P 1S

Runoff = 0.0 cfs @ 12.48 hrs, Volume= 430 cf, Depth= 0.19"
Routed to Link P 1L : P 1L

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
Type III 24-hr 10-Year Rainfall=4.80"

Area (sf)	CN	Description
16,940	39	>75% Grass cover, Good, HSG A
3,076	30	Meadow, non-grazed, HSG A
1,773	98	Paved parking, HSG A
239	36	Woods, Fair, HSG A
4,737	30	Woods, Good, HSG A
26,765	40	Weighted Average
24,992		93.38% Pervious Area
1,773		6.62% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment P 1S: Subcat P 1S

21-0089 - Proposed

Type III 24-hr 10-Year Rainfall=4.80"

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Summary for Subcatchment P 2S: Subcat P 2S

Runoff = 0.4 cfs @ 12.09 hrs, Volume= 1,529 cf, Depth= 4.56"
Routed to Pond P 2P : P 2P

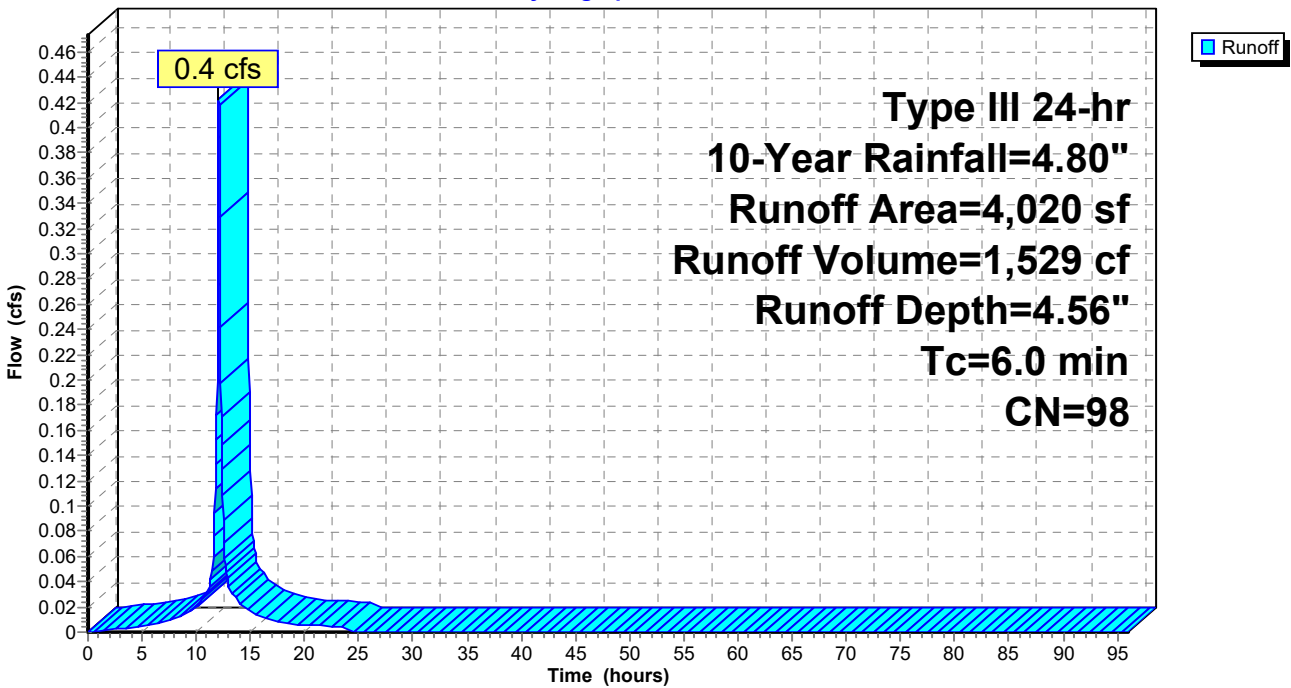
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
Type III 24-hr 10-Year Rainfall=4.80"

Area (sf)	CN	Description
4,020	98	Roofs, HSG A
4,020		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment P 2S: Subcat P 2S

Hydrograph



21-0089 - Proposed

Type III 24-hr 10-Year Rainfall=4.80"

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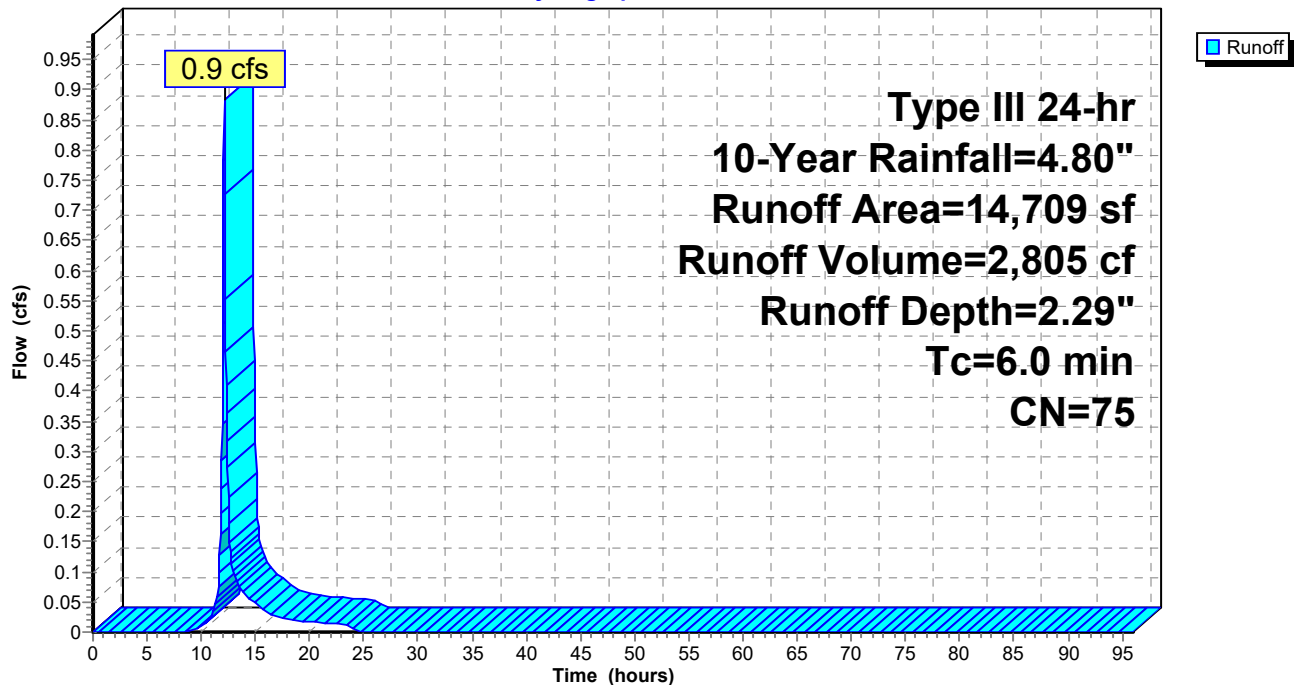
Summary for Subcatchment P 3S: Subcat P 3S Total

Runoff = 0.9 cfs @ 12.09 hrs, Volume= 2,805 cf, Depth= 2.29"
 Routed to Pond P 3P : P 3P

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
 Type III 24-hr 10-Year Rainfall=4.80"

Area (sf)	CN	Description
2	98	Paved parking, HSG A
44	39	>75% Grass cover, Good, HSG A
5,280	98	Paved parking, HSG A
1,143	98	Paved parking, HSG A
2,458	98	Paved parking, HSG A
1,049	39	>75% Grass cover, Good, HSG A
4,733	39	>75% Grass cover, Good, HSG A
14,709	75	Weighted Average
5,826		39.61% Pervious Area
8,883		60.39% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment P 3S: Subcat P 3S Total**Hydrograph**

Summary for Subcatchment P 4S: Subcat P 4S

Runoff = 0.6 cfs @ 12.09 hrs, Volume= 2,175 cf, Depth= 4.56"
Routed to Pond P 4P : P 4P

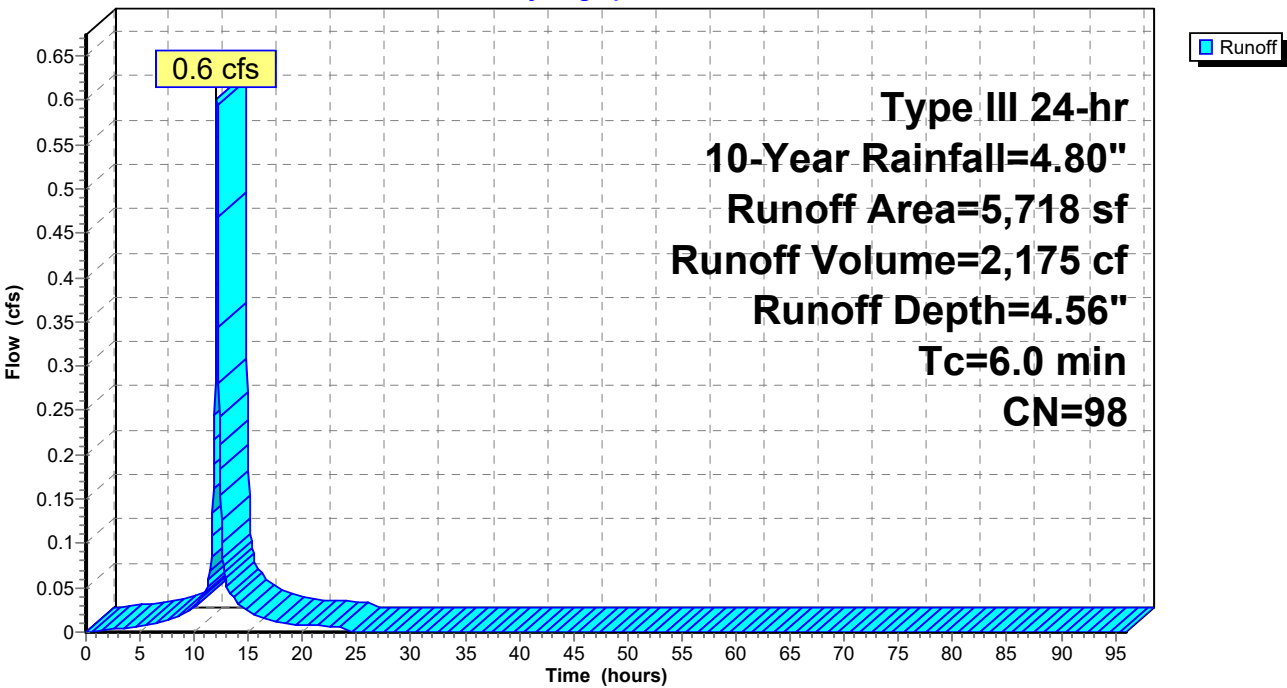
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
Type III 24-hr 10-Year Rainfall=4.80"

Area (sf)	CN	Description
5,718	98	Roofs, HSG A
5,718		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment P 4S: Subcat P 4S

Hydrograph



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Type III 24-hr 10-Year Rainfall=4.80"

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Summary for Pond P 2P: P 2P

Inflow Area = 4,020 sf, 100.00% Impervious, Inflow Depth = 4.56" for 10-Year event
 Inflow = 0.4 cfs @ 12.09 hrs, Volume= 1,529 cf
 Outflow = 0.1 cfs @ 12.10 hrs, Volume= 1,526 cf, Atten= 70%, Lag= 0.8 min
 Discarded = 0.1 cfs @ 12.10 hrs, Volume= 1,526 cf
 Primary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf
 Routed to Pond P 3P : P 3P

Routing by Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs / 2
 Peak Elev= 485.80' @ 12.41 hrs Surf.Area= 661 sf Storage= 246 cf

Plug-Flow detention time= 9.8 min calculated for 1,526 cf (100% of inflow)
 Center-of-Mass det. time= 8.8 min (757.5 - 748.7)

Volume	Invert	Avail.Storage	Storage Description
#1	485.50'	2 cf	1.00'D x 2.71'H Vertical Cone/Cylinder
#2	485.50'	236 cf	12.0" Round Pipe Storage x 5 Inside #3 L= 60.0'
#3	485.00'	434 cf	10.48'W x 63.00'L x 2.00'H Prismatoid 1,320 cf Overall - 236 cf Embedded = 1,085 cf x 40.0% Voids
672 cf			Total Available Storage

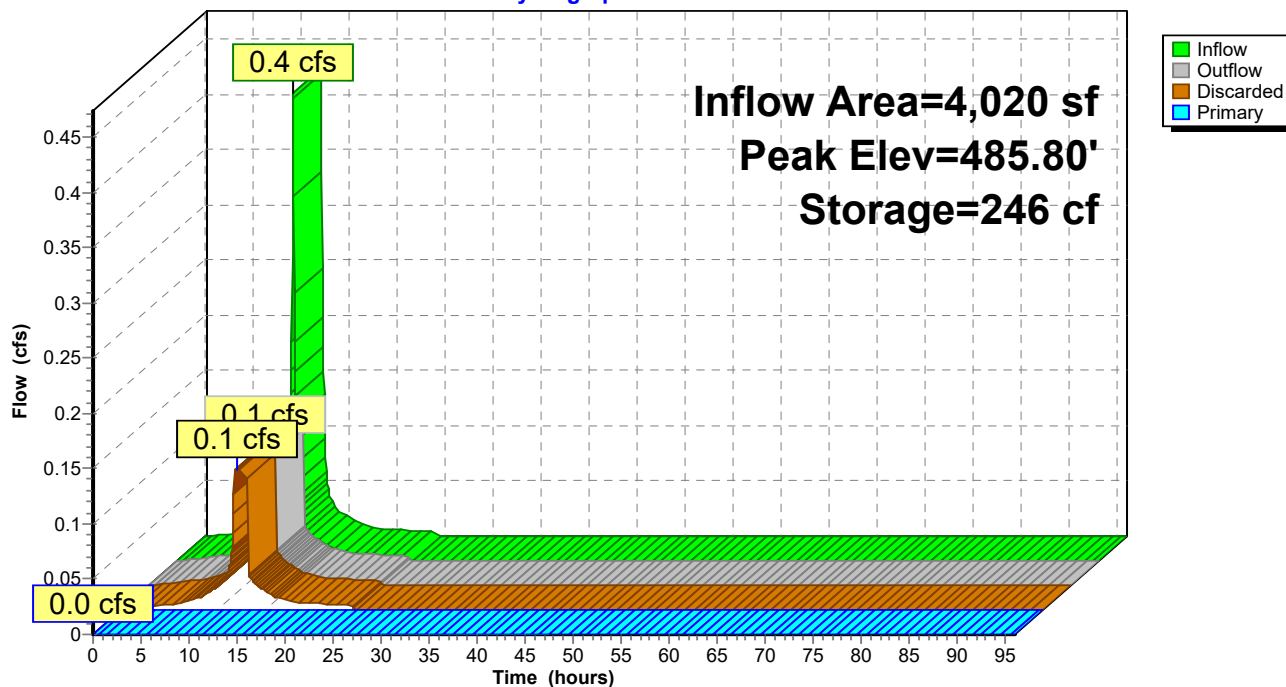
Device	Routing	Invert	Outlet Devices
#1	Primary	488.20'	6.0" Vert. Orifice/Grate X 2.00 C= 0.600 Limited to weir flow at low heads
#2	Discarded	485.00'	8.270 in/hr Exfiltration over Surface area

Discarded OutFlow Max=0.1 cfs @ 12.10 hrs HW=485.52' (Free Discharge)
 ↑ **2=Exfiltration** (Exfiltration Controls 0.1 cfs)

Primary OutFlow Max=0.0 cfs @ 0.00 hrs HW=485.00' (Free Discharge)
 ↑ **1=Orifice/Grate** (Controls 0.0 cfs)

Pond P 2P: P 2P

Hydrograph



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Type III 24-hr 10-Year Rainfall=4.80"

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Summary for Pond P 3P: P 3P

Inflow Area = 24,447 sf, 76.17% Impervious, Inflow Depth = 1.38" for 10-Year event
 Inflow = 0.9 cfs @ 12.09 hrs, Volume= 2,805 cf
 Outflow = 0.3 cfs @ 12.15 hrs, Volume= 2,805 cf, Atten= 70%, Lag= 3.3 min
 Discarded = 0.3 cfs @ 12.15 hrs, Volume= 2,805 cf
 Primary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf
 Routed to Link P 1L : P 1L

Routing by Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
 Peak Elev= 484.83' @ 12.45 hrs Surf.Area= 1,397 sf Storage= 507 cf

Plug-Flow detention time= 10.0 min calculated for 2,803 cf (100% of inflow)
 Center-of-Mass det. time= 10.0 min (846.9 - 836.9)

Volume	Invert	Avail.Storage	Storage Description
#1	484.61'	38 cf	4.00'D x 3.03'H Vertical Cone/Cylinder
#2	484.55'	495 cf	12.0" Round Pipe Storage x 9 Inside #3 L= 70.0'
#3	484.05'	909 cf	18.96'W x 73.00'L x 2.00'H Prismatoid 2,768 cf Overall - 495 cf Embedded = 2,273 cf x 40.0% Voids
		1,442 cf	Total Available Storage

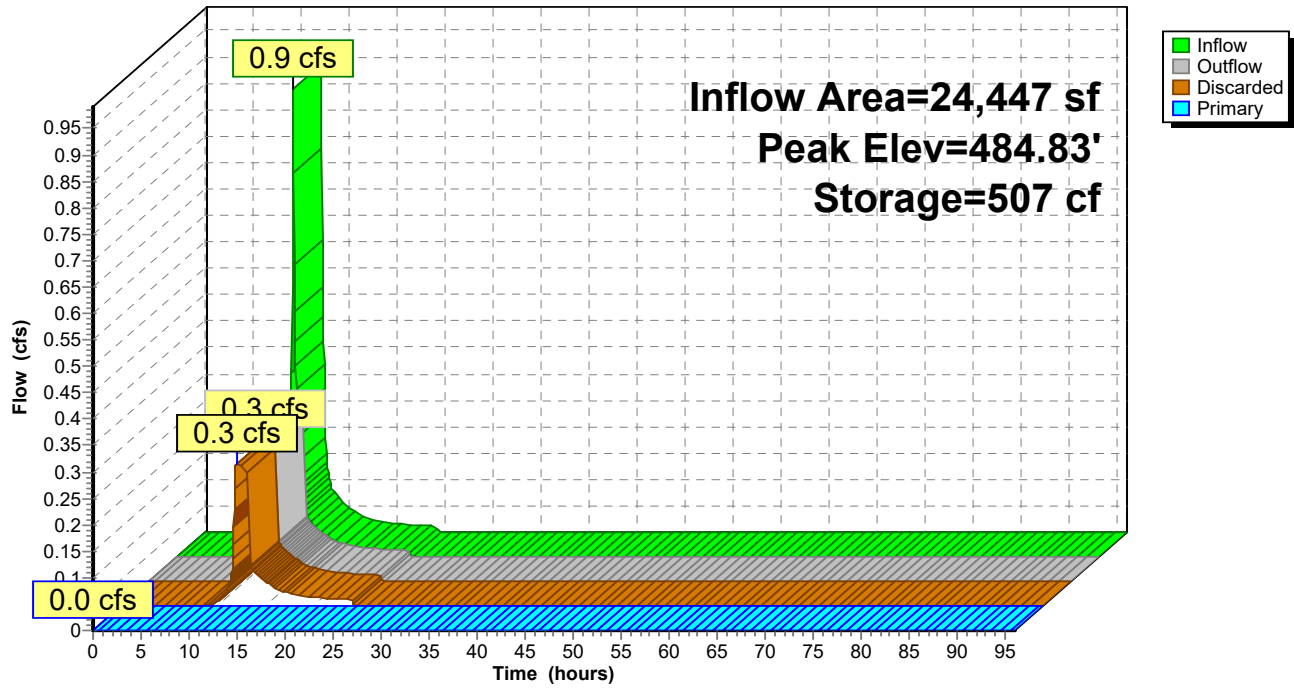
Device	Routing	Invert	Outlet Devices
#1	Primary	486.58'	1.0" x 5.0" Horiz. Orifice/Grate X 11.00 columns X 2 rows C= 0.600 in 18.0" x 25.7" Grate (24% open area) Limited to weir flow at low heads
#2	Discarded	484.05'	8.270 in/hr Exfiltration over Surface area

Discarded OutFlow Max=0.3 cfs @ 12.15 hrs HW=484.62' (Free Discharge)
 ↑ **2=Exfiltration** (Exfiltration Controls 0.3 cfs)

Primary OutFlow Max=0.0 cfs @ 0.00 hrs HW=484.05' (Free Discharge)
 ↑ **1=Orifice/Grate** (Controls 0.0 cfs)

Pond P 3P: P 3P

Hydrograph



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Type III 24-hr 10-Year Rainfall=4.80"

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Summary for Pond P 4P: P 4P

Inflow Area = 5,718 sf, 100.00% Impervious, Inflow Depth = 4.56" for 10-Year event
 Inflow = 0.6 cfs @ 12.09 hrs, Volume= 2,175 cf
 Outflow = 0.1 cfs @ 12.05 hrs, Volume= 2,175 cf, Atten= 76%, Lag= 0.0 min
 Discarded = 0.1 cfs @ 12.05 hrs, Volume= 2,175 cf
 Primary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf
 Routed to Pond P 3P : P 3P

Routing by Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs / 2
 Peak Elev= 484.18' @ 12.47 hrs Surf.Area= 749 sf Storage= 445 cf

Plug-Flow detention time= 15.3 min calculated for 2,174 cf (100% of inflow)
 Center-of-Mass det. time= 15.5 min (764.2 - 748.7)

Volume	Invert	Avail.Storage	Storage Description
#1	483.50'	4 cf	1.00'D x 5.51'H Vertical Cone/Cylinder
#2	483.50'	353 cf	18.0" Round Pipe Storage x 4 Inside #3 L= 50.0'
#3	483.00'	607 cf	13.60'W x 55.00'L x 2.50'H Prismatoid 1,870 cf Overall - 353 cf Embedded = 1,517 cf x 40.0% Voids
964 cf			Total Available Storage

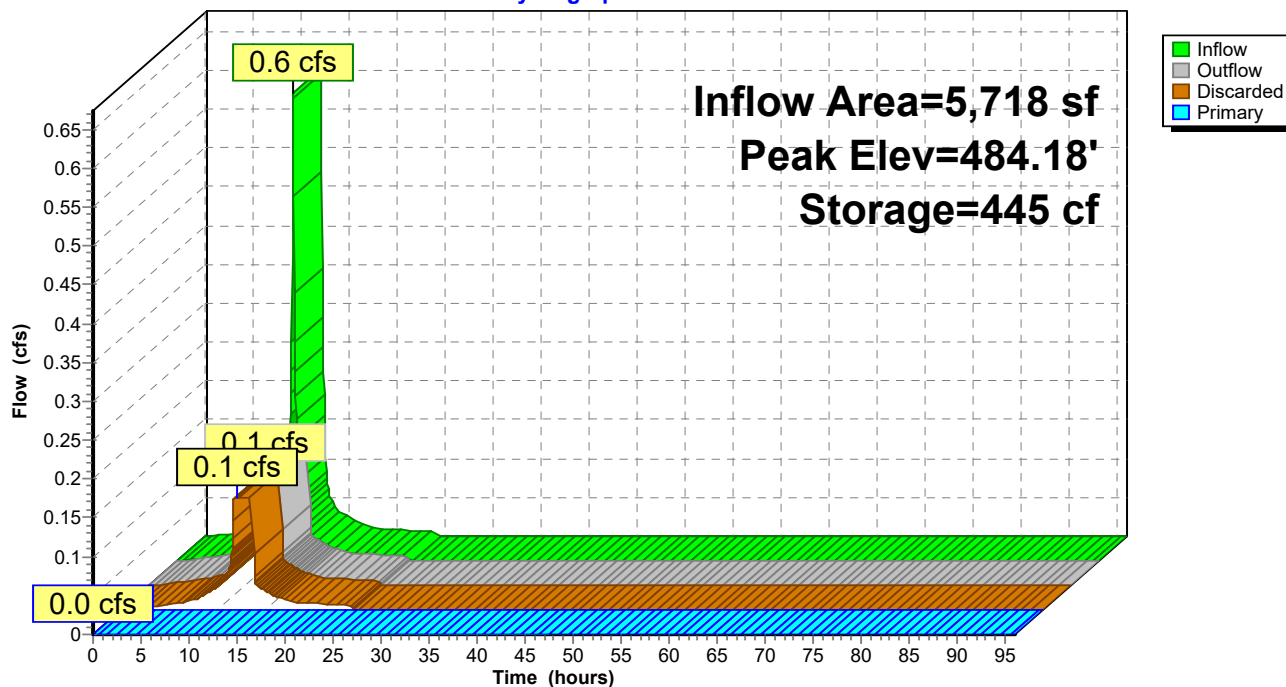
Device	Routing	Invert	Outlet Devices
#1	Primary	489.00'	6.0" Vert. Orifice/Grate X 3.00 C= 0.600 Limited to weir flow at low heads
#2	Discarded	483.00'	8.270 in/hr Exfiltration over Surface area

Discarded OutFlow Max=0.1 cfs @ 12.05 hrs HW=483.55' (Free Discharge)
 ↑ **2=Exfiltration** (Exfiltration Controls 0.1 cfs)

Primary OutFlow Max=0.0 cfs @ 0.00 hrs HW=483.00' (Free Discharge)
 ↑ **1=Orifice/Grate** (Controls 0.0 cfs)

Pond P 4P: P 4P

Hydrograph



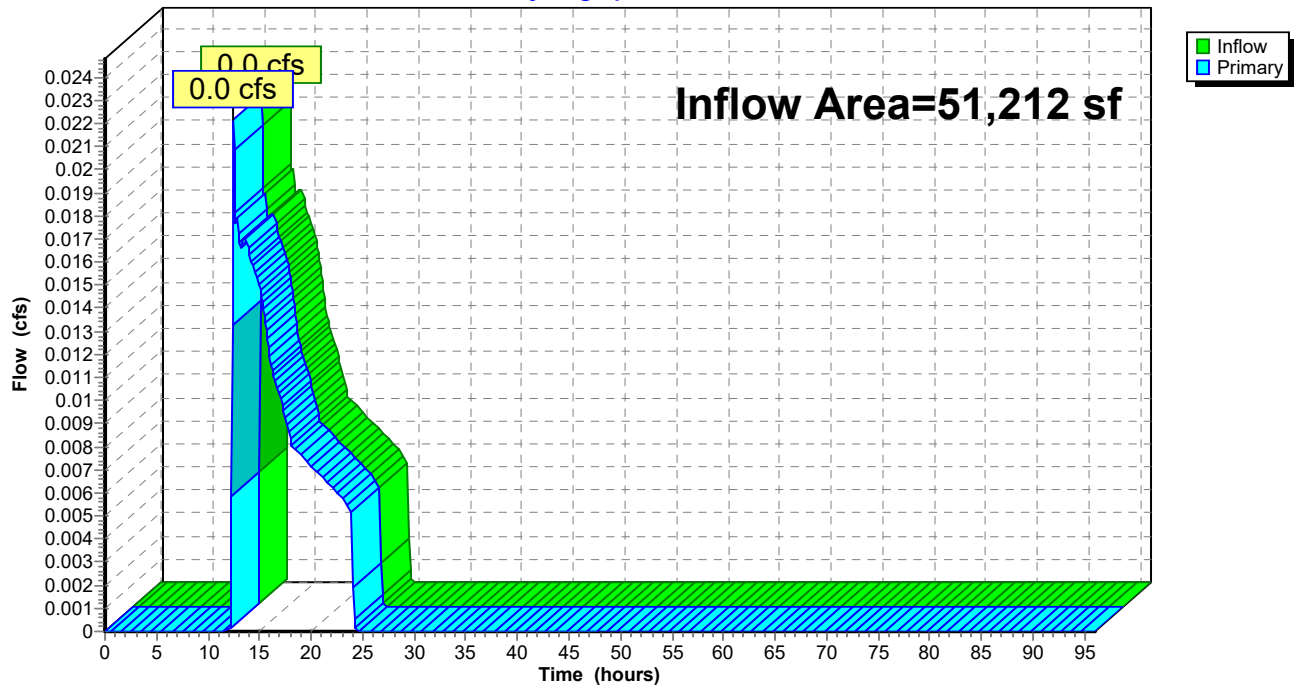
Summary for Link P 1L: P 1L

Inflow Area = 51,212 sf, 39.82% Impervious, Inflow Depth = 0.10" for 10-Year event
Inflow = 0.0 cfs @ 12.48 hrs, Volume= 430 cf
Primary = 0.0 cfs @ 12.48 hrs, Volume= 430 cf, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs

Link P 1L: P 1L

Hydrograph



21-0089 - Proposed*Type III 24-hr 100-Year Rainfall=7.00"*

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Time span=0.00-96.00 hrs, dt=0.05 hrs, 1921 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment P 1S: Subcat P 1SRunoff Area=26,765 sf 6.62% Impervious Runoff Depth=0.84"
Tc=6.0 min CN=40 Runoff=0.3 cfs 1,878 cf**Subcatchment P 2S: Subcat P 2S**Runoff Area=4,020 sf 100.00% Impervious Runoff Depth=6.76"
Tc=6.0 min CN=98 Runoff=0.6 cfs 2,265 cf**Subcatchment P 3S: Subcat P 3S Total**Runoff Area=14,709 sf 60.39% Impervious Runoff Depth=4.15"
Tc=6.0 min CN=75 Runoff=1.6 cfs 5,086 cf**Subcatchment P 4S: Subcat P 4S**Runoff Area=5,718 sf 100.00% Impervious Runoff Depth=6.76"
Tc=6.0 min CN=98 Runoff=0.9 cfs 3,222 cf**Pond P 2P: P 2P**Peak Elev=486.41' Storage=508 cf Inflow=0.6 cfs 2,265 cf
Discarded=0.1 cfs 2,264 cf Primary=0.0 cfs 0 cf Outflow=0.1 cfs 2,264 cf**Pond P 3P: P 3P**Peak Elev=486.66' Storage=1,430 cf Inflow=1.6 cfs 5,086 cf
Discarded=0.3 cfs 5,035 cf Primary=0.3 cfs 51 cf Outflow=0.6 cfs 5,086 cf**Pond P 4P: P 4P**Peak Elev=485.11' Storage=843 cf Inflow=0.9 cfs 3,222 cf
Discarded=0.1 cfs 3,223 cf Primary=0.0 cfs 0 cf Outflow=0.1 cfs 3,223 cf**Link P 1L: P 1L**Inflow=0.5 cfs 1,929 cf
Primary=0.5 cfs 1,929 cf**Total Runoff Area = 51,212 sf Runoff Volume = 12,451 cf Average Runoff Depth = 2.92"**
60.18% Pervious = 30,818 sf 39.82% Impervious = 20,394 sf

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Type III 24-hr 100-Year Rainfall=7.00"

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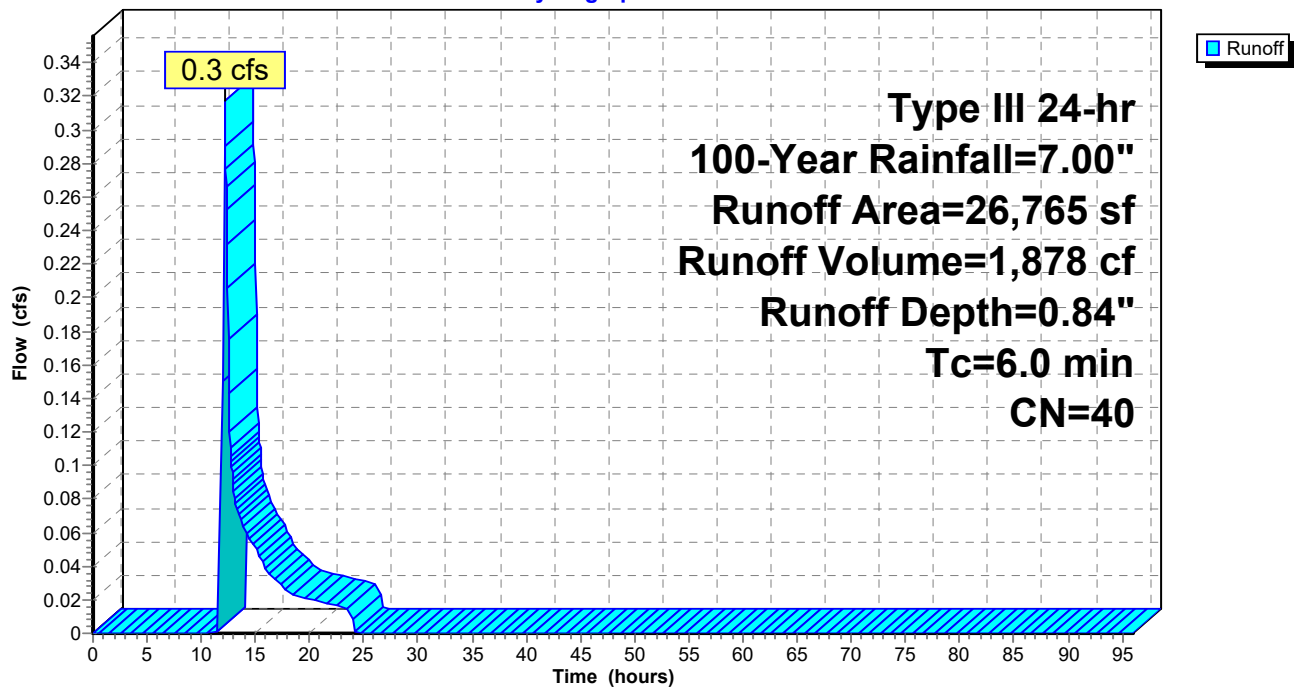
Summary for Subcatchment P 1S: Subcat P 1S

Runoff = 0.3 cfs @ 12.15 hrs, Volume= 1,878 cf, Depth= 0.84"
Routed to Link P 1L : P 1L

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
Type III 24-hr 100-Year Rainfall=7.00"

Area (sf)	CN	Description
16,940	39	>75% Grass cover, Good, HSG A
3,076	30	Meadow, non-grazed, HSG A
1,773	98	Paved parking, HSG A
239	36	Woods, Fair, HSG A
4,737	30	Woods, Good, HSG A
26,765	40	Weighted Average
24,992		93.38% Pervious Area
1,773		6.62% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment P 1S: Subcat P 1S**Hydrograph**

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Type III 24-hr 100-Year Rainfall=7.00"

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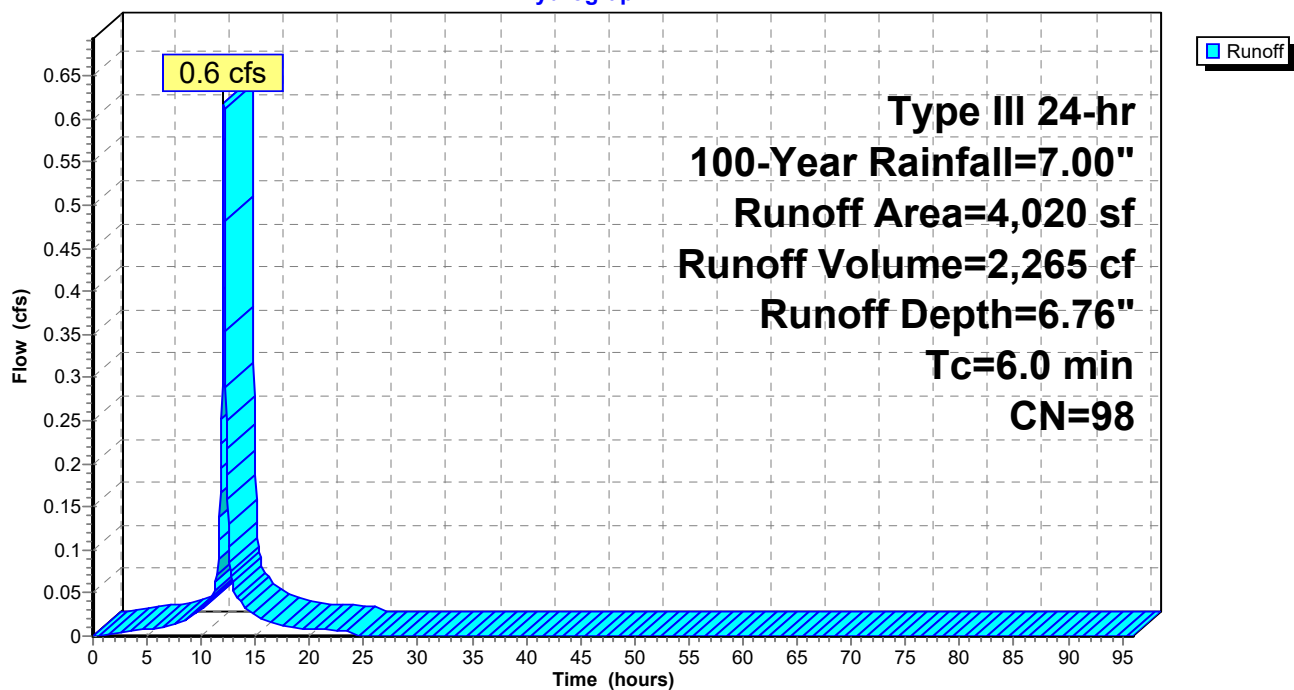
Summary for Subcatchment P 2S: Subcat P 2S

Runoff = 0.6 cfs @ 12.09 hrs, Volume= 2,265 cf, Depth= 6.76"
Routed to Pond P 2P : P 2P

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
Type III 24-hr 100-Year Rainfall=7.00"

Area (sf)	CN	Description
4,020	98	Roofs, HSG A
4,020		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment P 2S: Subcat P 2S**Hydrograph**

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Type III 24-hr 100-Year Rainfall=7.00"

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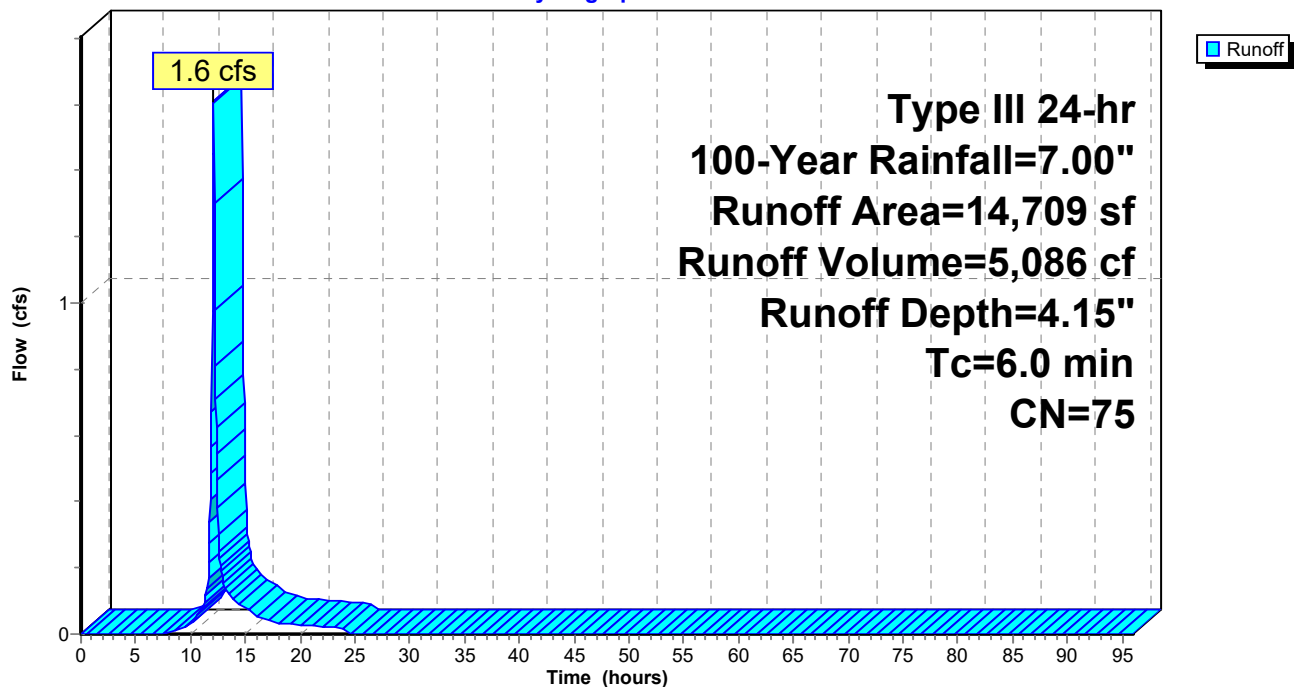
Summary for Subcatchment P 3S: Subcat P 3S Total

Runoff = 1.6 cfs @ 12.09 hrs, Volume= 5,086 cf, Depth= 4.15"
Routed to Pond P 3P : P 3P

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
Type III 24-hr 100-Year Rainfall=7.00"

Area (sf)	CN	Description
2	98	Paved parking, HSG A
44	39	>75% Grass cover, Good, HSG A
5,280	98	Paved parking, HSG A
1,143	98	Paved parking, HSG A
2,458	98	Paved parking, HSG A
1,049	39	>75% Grass cover, Good, HSG A
4,733	39	>75% Grass cover, Good, HSG A
14,709	75	Weighted Average
5,826		39.61% Pervious Area
8,883		60.39% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment P 3S: Subcat P 3S Total**Hydrograph**

21-0089 - Proposed

Type III 24-hr 100-Year Rainfall=7.00"

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Summary for Subcatchment P 4S: Subcat P 4S

Runoff = 0.9 cfs @ 12.09 hrs, Volume= 3,222 cf, Depth= 6.76"
Routed to Pond P 4P : P 4P

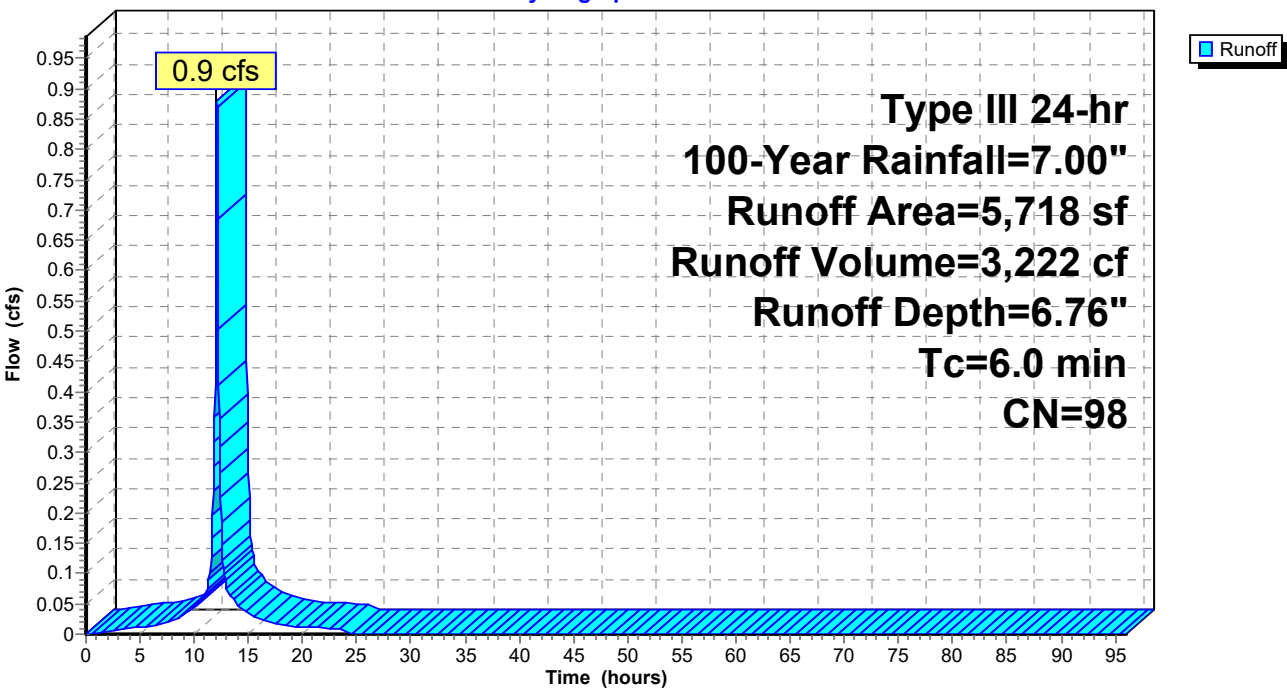
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
Type III 24-hr 100-Year Rainfall=7.00"

Area (sf)	CN	Description
5,718	98	Roofs, HSG A
5,718		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment P 4S: Subcat P 4S

Hydrograph



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Type III 24-hr 100-Year Rainfall=7.00"

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Summary for Pond P 2P: P 2P

Inflow Area = 4,020 sf, 100.00% Impervious, Inflow Depth = 6.76" for 100-Year event
 Inflow = 0.6 cfs @ 12.09 hrs, Volume= 2,265 cf
 Outflow = 0.1 cfs @ 12.05 hrs, Volume= 2,264 cf, Atten= 80%, Lag= 0.0 min
 Discarded = 0.1 cfs @ 12.05 hrs, Volume= 2,264 cf
 Primary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf
 Routed to Pond P 3P : P 3P

Routing by Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs / 2
 Peak Elev= 486.41' @ 12.51 hrs Surf.Area= 661 sf Storage= 508 cf

Plug-Flow detention time= 20.0 min calculated for 2,264 cf (100% of inflow)
 Center-of-Mass det. time= 19.8 min (762.8 - 743.0)

Volume	Invert	Avail.Storage	Storage Description
#1	485.50'	2 cf	1.00'D x 2.71'H Vertical Cone/Cylinder
#2	485.50'	236 cf	12.0" Round Pipe Storage x 5 Inside #3 L= 60.0'
#3	485.00'	434 cf	10.48'W x 63.00'L x 2.00'H Prismatoid 1,320 cf Overall - 236 cf Embedded = 1,085 cf x 40.0% Voids
672 cf			Total Available Storage

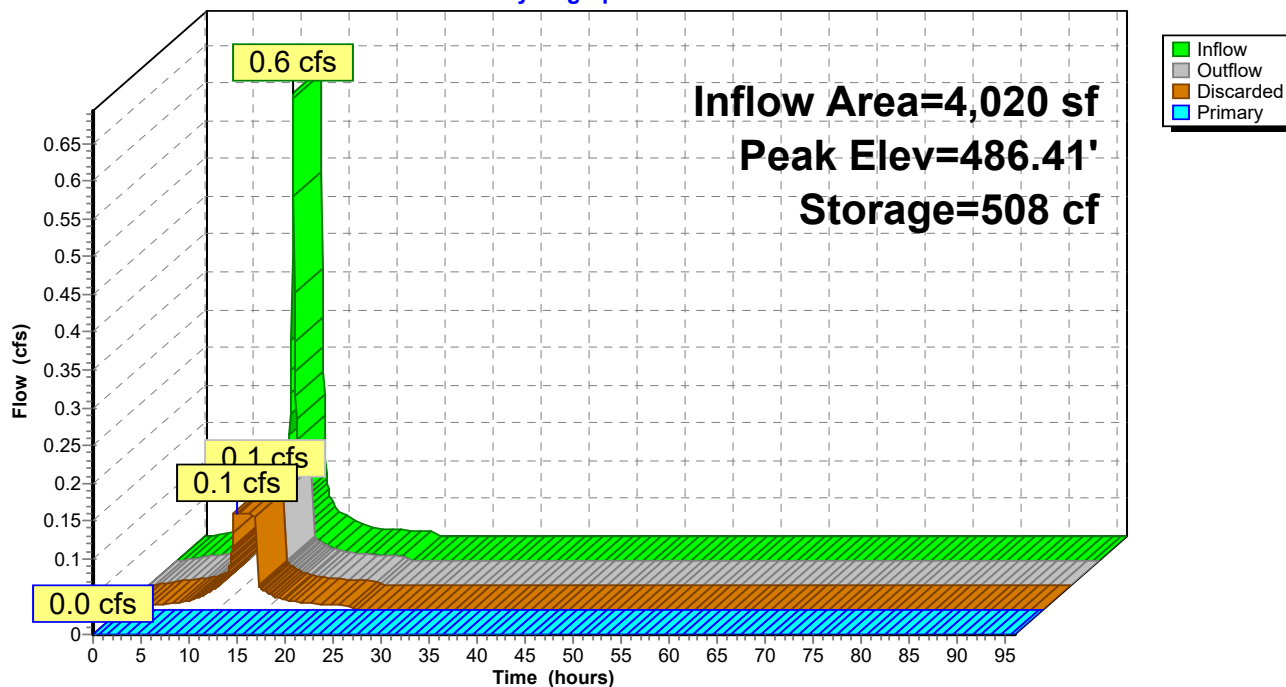
Device	Routing	Invert	Outlet Devices
#1	Primary	488.20'	6.0" Vert. Orifice/Grate X 2.00 C= 0.600 Limited to weir flow at low heads
#2	Discarded	485.00'	8.270 in/hr Exfiltration over Surface area

Discarded OutFlow Max=0.1 cfs @ 12.05 hrs HW=485.66' (Free Discharge)
 ↑ **2=Exfiltration** (Exfiltration Controls 0.1 cfs)

Primary OutFlow Max=0.0 cfs @ 0.00 hrs HW=485.00' (Free Discharge)
 ↑ **1=Orifice/Grate** (Controls 0.0 cfs)

Pond P 2P: P 2P

Hydrograph



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Type III 24-hr 100-Year Rainfall=7.00"

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Summary for Pond P 3P: P 3P

Inflow Area = 24,447 sf, 76.17% Impervious, Inflow Depth = 2.50" for 100-Year event
 Inflow = 1.6 cfs @ 12.09 hrs, Volume= 5,086 cf
 Outflow = 0.6 cfs @ 12.50 hrs, Volume= 5,086 cf, Atten= 66%, Lag= 24.5 min
 Discarded = 0.3 cfs @ 12.05 hrs, Volume= 5,035 cf
 Primary = 0.3 cfs @ 12.50 hrs, Volume= 51 cf
 Routed to Link P 1L : P 1L

Routing by Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs
 Peak Elev= 486.66' @ 12.49 hrs Surf.Area= 1,397 sf Storage= 1,430 cf

Plug-Flow detention time= 33.9 min calculated for 5,084 cf (100% of inflow)
 Center-of-Mass det. time= 33.9 min (853.6 - 819.7)

Volume	Invert	Avail.Storage	Storage Description
#1	484.61'	38 cf	4.00'D x 3.03'H Vertical Cone/Cylinder
#2	484.55'	495 cf	12.0" Round Pipe Storage x 9 Inside #3 L= 70.0'
#3	484.05'	909 cf	18.96'W x 73.00'L x 2.00'H Prismatoid
			2,768 cf Overall - 495 cf Embedded = 2,273 cf x 40.0% Voids
			1,442 cf Total Available Storage

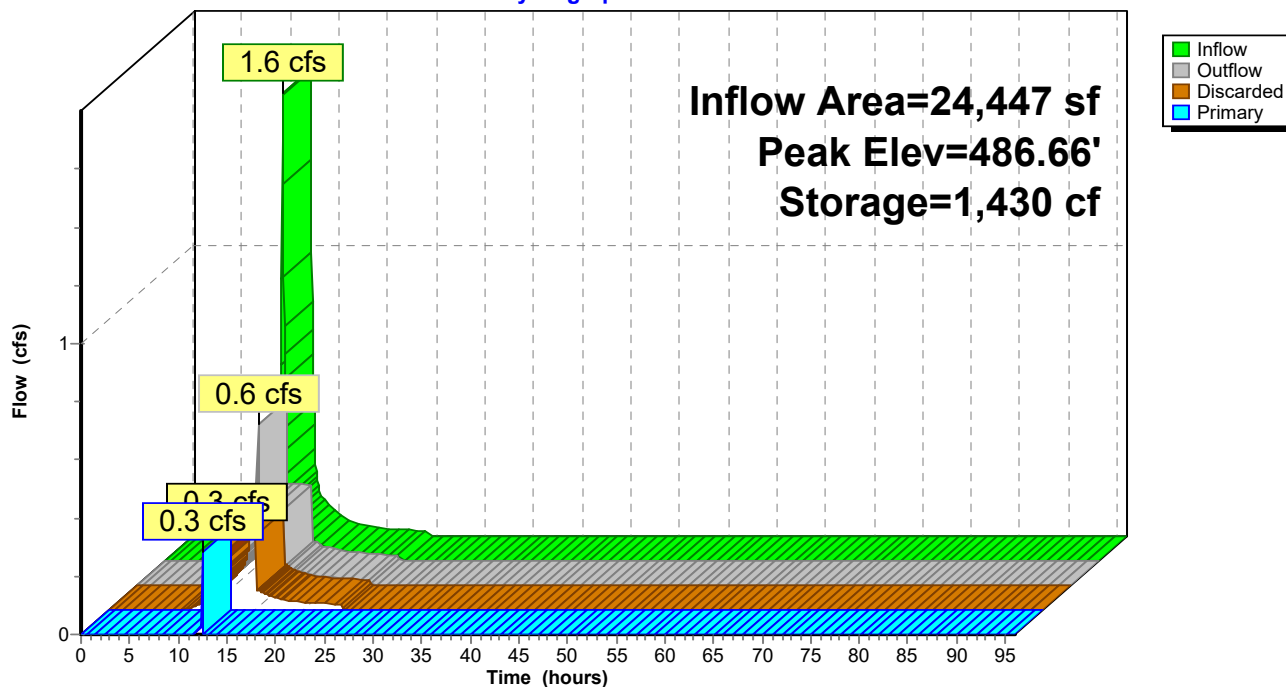
Device	Routing	Invert	Outlet Devices
#1	Primary	486.58'	1.0" x 5.0" Horiz. Orifice/Grate X 11.00 columns X 2 rows C= 0.600 in 18.0" x 25.7" Grate (24% open area) Limited to weir flow at low heads
#2	Discarded	484.05'	8.270 in/hr Exfiltration over Surface area

Discarded OutFlow Max=0.3 cfs @ 12.05 hrs HW=484.78' (Free Discharge)
 ↑ **2=Exfiltration** (Exfiltration Controls 0.3 cfs)

Primary OutFlow Max=0.3 cfs @ 12.50 hrs HW=486.63' (Free Discharge)
 ↑ **1=Orifice/Grate** (Weir Controls 0.3 cfs @ 0.74 fps)

Pond P 3P: P 3P

Hydrograph



21-0089 - Proposed

Type III 24-hr 100-Year Rainfall=7.00"

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Summary for Pond P 4P: P 4P

Inflow Area = 5,718 sf, 100.00% Impervious, Inflow Depth = 6.76" for 100-Year event
 Inflow = 0.9 cfs @ 12.09 hrs, Volume= 3,222 cf
 Outflow = 0.1 cfs @ 11.95 hrs, Volume= 3,223 cf, Atten= 84%, Lag= 0.0 min
 Discarded = 0.1 cfs @ 11.95 hrs, Volume= 3,223 cf
 Primary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf
 Routed to Pond P 3P : P 3P

Routing by Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs / 2
 Peak Elev= 485.11' @ 12.56 hrs Surf.Area= 749 sf Storage= 843 cf

Plug-Flow detention time= (not calculated: outflow precedes inflow)
 Center-of-Mass det. time= 32.4 min (775.3 - 743.0)

Volume	Invert	Avail.Storage	Storage Description
#1	483.50'	4 cf	1.00'D x 5.51'H Vertical Cone/Cylinder
#2	483.50'	353 cf	18.0" Round Pipe Storage x 4 Inside #3 L= 50.0'
#3	483.00'	607 cf	13.60'W x 55.00'L x 2.50'H Prismatoid 1,870 cf Overall - 353 cf Embedded = 1,517 cf x 40.0% Voids
964 cf			Total Available Storage

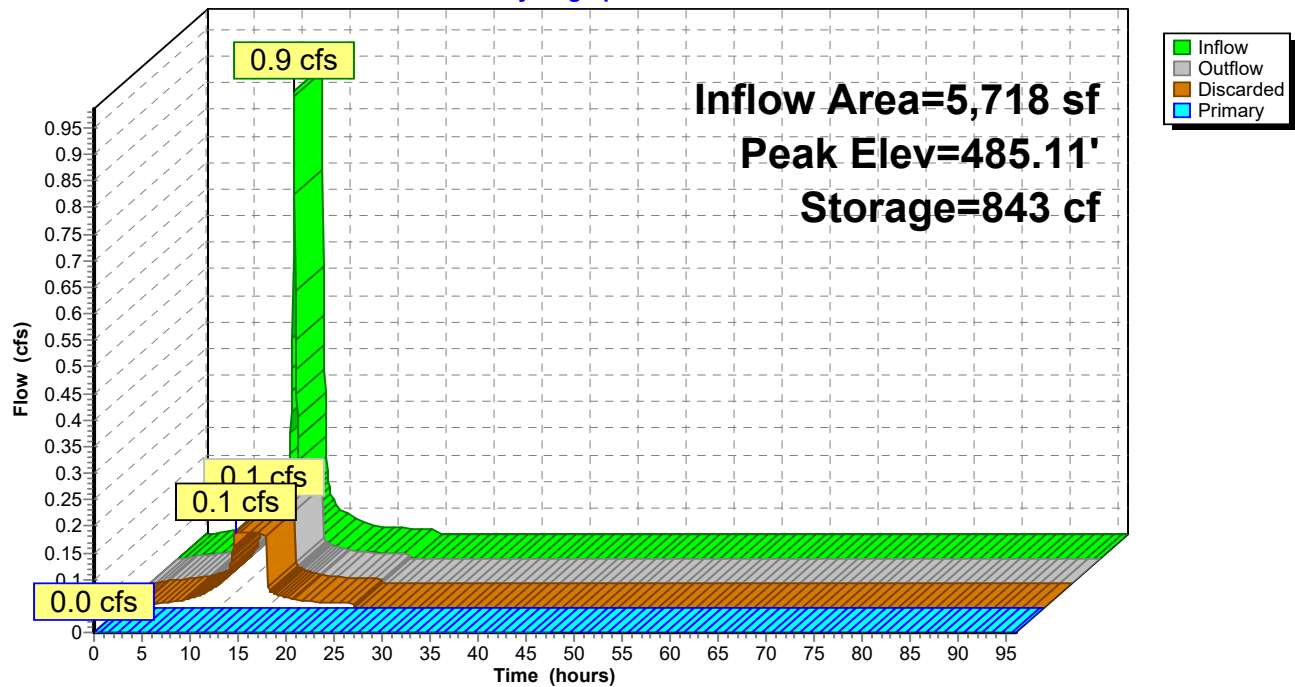
Device	Routing	Invert	Outlet Devices
#1	Primary	489.00'	6.0" Vert. Orifice/Grate X 3.00 C= 0.600 Limited to weir flow at low heads
#2	Discarded	483.00'	8.270 in/hr Exfiltration over Surface area

Discarded OutFlow Max=0.1 cfs @ 11.95 hrs HW=483.55' (Free Discharge)
 ↑ **2=Exfiltration** (Exfiltration Controls 0.1 cfs)

Primary OutFlow Max=0.0 cfs @ 0.00 hrs HW=483.00' (Free Discharge)
 ↑ **1=Orifice/Grate** (Controls 0.0 cfs)

Pond P 4P: P 4P

Hydrograph



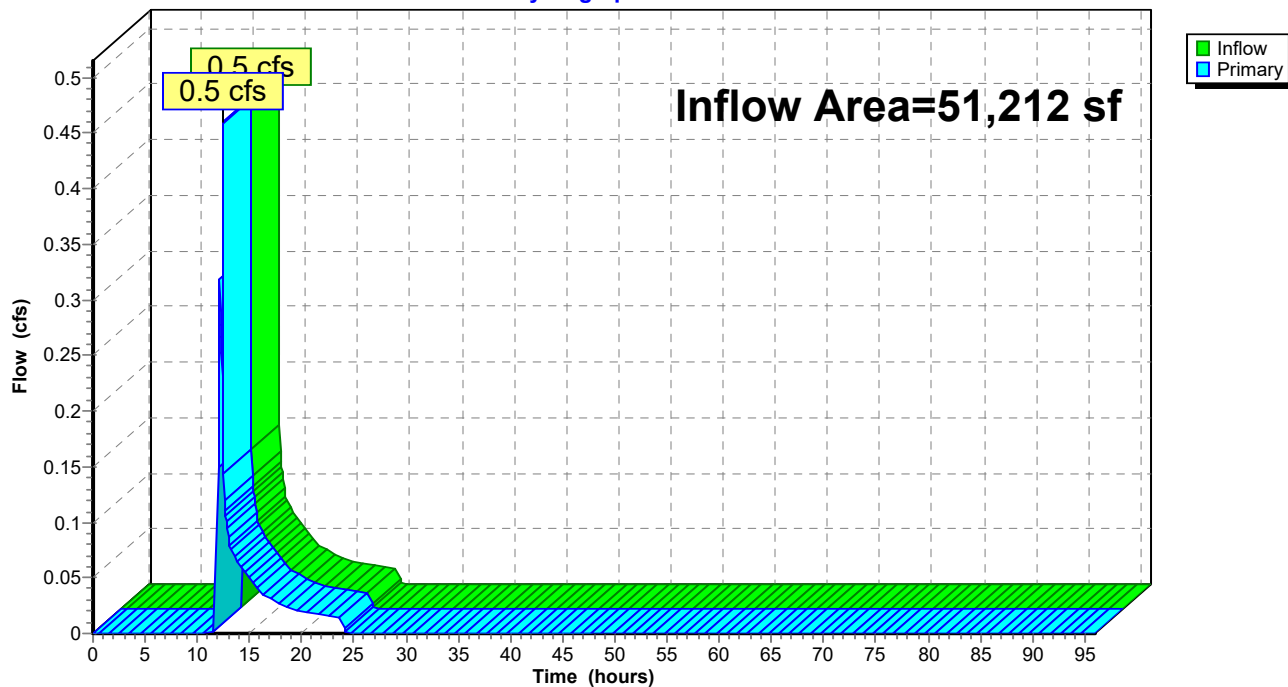
Summary for Link P 1L: P 1L

Inflow Area = 51,212 sf, 39.82% Impervious, Inflow Depth = 0.45" for 100-Year event
Inflow = 0.5 cfs @ 12.50 hrs, Volume= 1,929 cf
Primary = 0.5 cfs @ 12.50 hrs, Volume= 1,929 cf, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-96.00 hrs, dt= 0.05 hrs

Link P 1L: P 1L

Hydrograph



C) Water Quality Calculations (Standards 3, 4, 5, 6 & 7)

The proposed stormwater management system is comprised of pervious areas, a trench drain, roof drains, a water quality unit, and three subsurface infiltration systems.

Standard 3)

The Project results in an increase in impervious area of about 15,077 S.F. however accounts for about twice the required recharge volume for the 20,394 S.F. paved access drive, roof areas, and driveways thereby meeting the recharge requirements. Stormwater runoff from the site is pretreated and then directed to the infiltration systems to provide recharge.

Standard 4)

The Project results in an increase in impervious area of about 15,077 S.F. however proposed TSS removal accounts for a water quality volume for the 29,394 S.F. paved access drive, roof areas, and driveways thereby meeting the water quality volume requirements. The site stormwater system provides water quality volume in the water quality structure and below the overflow outlet from the subsurface detention/ infiltration systems.

Standard 5)

This Standard is not applicable.

Standard 6)

This Standard is not applicable.

Standard 7)

The Project is a mix of new and redevelopment. The stormwater management system has been designed to fully comply with all ten Standards.

No Information on This Page

MassDEP Stormwater Standard 3
TSS Removal

Project: 40 Highland Avenue
Project No: 21--0089

Date: Apr-24
Page: C-2

Critical Area - Yes or No No

	TSS			
BMP Name	Removal	Starting	Amount	Remaining
Sump	Rate	TSS	Removed	Load
	25%	100%	25%	75%
CDS Unit	50%	75%	38%	38%
Infiltration	80%	38%	30%	8%
	0%	8%	0%	8%
	0%	8%	0%	8%
Total TSS Remaining:			8%	OK

Critical Area - Yes or No No

Note: No credit for existing impervious areas was taken for the recharge calculations.

Impervious Area	Area (S.F.)	Soil	Depth (inches)	Volume (C.F.)
P 2S	4,020	A	0.60	201.0
P 3S	8,883	A	0.60	444.2
P 4S	5,718	A	0.60	285.9

Total Area 18,621 S.F. Volume Required 931.1 C.F.

Capture Area Adjustment

To Recharge Facility	Area (S.F.)	Volume Required	C.F.
P 1S	1,773	1029.0	C.F.

Volume Provided below lowest invert (Static Method)

BMP

P 2P	672	C.F.	(See Stormwater Report)
P 3P	1429	C.F.	(See Stormwater Report)
P 4P	964	C.F.	(See Stormwater Report)

Volume Provided: 3065.0 C.F. OK

Critical Area - Yes or No Yes (Note: Not a Critical Area, however the 1" was used for documentation)

Watershed (Subcatchment)	Impervious Area (S.F.)	Required Depth (inches)	Required Volume (C.F.)
P 1S	1,773	1.00	147.8
P 2S	4,020	1.00	335.0
P 3S	8,883	1.00	740.3
P 4S	5,718	1.00	476.5

Total Area: 20,394 Volume Required: **1699.5**

Volume Provided (per HydroCAD)

BMP

P 2P	672	C.F.	(See Stormwater Report)
P 3P	1429	C.F.	(See Stormwater Report)
P 4P	964	C.F.	(See Stormwater Report)

Volumes reported are below lowest invert (Static Method)

Volume Provided **3065.0** C.F. **OK**

No Information on This Page

D) Construction Period Pollution Prevention Plan, Long-Term
Pollution Prevention Plan, and Long-Term Operations &
Maintenance Plan (Standards 8, 9 & 10)

Standards 8 & 9)

The owner is responsible for implementation of the Construction Period Pollution Prevention Plan, the Long-Term Operation & Maintenance Plan, and the Long-Term Pollution Prevention Plan for 40 Highland Avenue in Needham, Massachusetts.

The site work will result in more than one (1) acre of disturbance, therefore NPDES requirements of the Construction General Permit are applicable and a SWPPP is required. A SWPPP will be prepared prior to the start of construction once a contractor has been selected.

The stormwater management system for 40 Highland Avenue is comprised of pervious areas, roof drains, trench drains, drain manholes, and three subsurface infiltration systems. Only stormwater may be discharged through these facilities, there shall be no connections of floor drains and/or sanitary connections. Refer to the following pages for specific requirements to prevent pollution and the maintenance of the stormwater management system.

Standard 10)

No illicit connections to the stormwater management system are known or proposed. Sanitary wastewater will be discharged to an onsite sewage disposal system designed in accordance with 310 CMR 15 (Title 5) and industrial wastewater will be collected in holding tanks in accordance with 314 CMR 18.

No Information on This Page

Best Management Practice	Frequency Of Inspection	Maintenance (Inspect for these items) and Frequency (major storms being ½" of rain or more)	Inspection (Date) Maintenance (Yes/No)	Maintenance Performed (Date and Initial)
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Natural Buffer	Daily	These areas are beyond the Limit of Work and are to be protected. Replace Limit of Work demarcation (flagging, berms/dikes, fencing or ECB's) when deteriorated. Should infringement into Natural Buffers occur, take corrective action immediately and implement mitigation measures (seeding, planting of native trees or shrubs) to restore Natural Buffers.		
Erosion Control Barriers (ECB)	Weekly and after major storms	Remove sediment before it has accumulated to one-half of the above-ground height of ECB's. Replace ECB's before they have deteriorated/decomposed to half their original height or every twelve (12) months, whichever comes first. Sediments to be removed and disposed of above the ECB line in an area to be stabilized later. Fabric to be disposed of offsite. Natural liners and wooden stakes may be left to decompose.		
Silt-sacks	Weekly and after major storms	Replace at least twice per year, or when sediment reaches two (2) inches in depth, or if flooding is observed. Dispose of materials offsite.		
Anti-tracking Pad	Daily	Replace at least one per year, or when effectiveness has diminished. Where sediment has been tracked-out offsite onto paved roads, sidewalks, or other paved areas offsite, remove the deposited sediment by the end of the same business day in which the track-out occurs or by the end of the next business day if track-out occurs on a non-business day. Remove the track-out by sweeping, shoveling, or vacuuming these surfaces, or by using other similarly effective means of sediment removal. Hosing or sweeping tracked-out sediment into any stormwater conveyance, storm drain inlet, or water of the U.S. (i.e., wetland or stream) is PROHIBITED.		
Equipment Storage and Refueling	Daily	Storage or refueling of construction equipment within one hundred (100) feet of any stormwater conveyance, storm drain inlet, or water of the U.S. (i.e., wetland or stream) is PROHIBITED. Spill kits shall be readily available on site if refueling is to occur. All materials shall be disposed of offsite.		
Soil Stockpiles	Weekly and after major storms	Locate Stockpiles away from stormwater channels and conveyances. Provide ECB or Stone Check Dams around Stockpiles. Stockpiles that will remain unused for more than a month should be seeded with a quick cover crop such as Ryegrass (10-30 lbs./acres). Hosing or sweeping tracked-out		

Best Management Practice	Frequency Of Inspection	Maintenance (Inspect for these items) and Frequency (major storms being ½" of rain or more)	Inspection (Date) Maintenance (Yes/No)	Maintenance Performed (Date and Initial)
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Soil Stockpiles (Cont.)		sediment into any stormwater conveyance, storm drain inlet, or water of the U.S. (i.e., wetland or stream) is PROHIBITED.		
Sediment Basins	Weekly and after major storms	Remove floatables and any accumulated debris or as soon as observed. Remove accumulated sediment to maintain at least one-half of the design capacity and conduct all other appropriate maintenance to ensure the basin or impoundment remains in effective operating condition.		
Stone Check Dams	Weekly and after major storms	Remove sediment at least every other month or when sediment is six (6) inches deep.		
Dust Control	Daily	Minimizing disturbed areas and rapid seeding/stabilization of disturbed areas is the preferred option. Water or an acceptable Dust Palliative should be used on haul roads to prevent dust from emanating and leaving the site or affecting Natural Buffers.		
Outlet & Channel Protection	Weekly and after major storm events	Observe slopes downgradient of Sediment Basins for stability, integrity, and erosion and repair immediately with seed or Turf Reinforcement Mat (TRM) and seed as necessary.		

Potential Source of Pollution	Protective Measures
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Reportable Spill(s)	• The Responsible Party or its representative is obligated to notify appropriate authorities of any spills of hazardous/harmful materials. • Should a spill bypass a containment device – trench drain, berm, etc. – and impact a stormwater detention or retention facility, the Responsible Party shall clean-up, mitigate and/or restore the facility to its original condition.
Lawn/Landscape Maintenance	• Clippings and yard waste shall not be disposed of in stormwater management facilities or wetland resource areas. • Pesticides and fertilizers shall only be stored on site in approved containers within a structure. • Pesticides and fertilizers shall be applied at the proper time of year in the minimal effective quantity/concentration. They should not be applied when severe rainfall events are forecast. • Use drought-tolerant species to limit watering requirements, and mulch and compost to retain soil moisture. Irrigate at appropriate times of day - early morning and late evening – for the minimal period necessary to restore soil moisture. • Pet waste shall not be disposed of in stormwater management facilities or wetland resource areas.
De-icing	• Application rates of de-icing materials shall be the minimum acceptable to adequately treat storm-specific conditions. Multiple treatments are preferred to use of excessive quantities during the initial response. • De-icing materials may not be stored on site. • Non-toxic and inert materials (sand/gravel) are preferable in areas adjacent to stormwater management facilities and wetland resource areas. For general use, calcium magnesium acetate (CMA), calcium chloride and potassium acetate are preferable to sodium chloride.
Snow Removal	• Snow shall be piled in pervious areas where melt water can infiltrate (as designated on the plan). • Snow shall not be piled within one hundred (100) feet of a wetland resource area. • Snow shall not be piled on trench drains or swales. • Management of snow shall not create a nuisance or hazard. The Responsible Party shall remove snow from site if adequate area on site is not available. • Sediments deposited in snow storage areas shall be removed each spring and disposed of offsite.

No Information on This Page

Responsible Party:

Owner or their assigns are responsible for implementation of the Long-Term Operation & Maintenance Plan and the Long-Term Pollution Prevention Plan for 40 Highland Avenue in Needham, Massachusetts.

System Components:

The stormwater management system for 40 Highland Avenue in Needham, Massachusetts is comprised of pervious areas, a trench drain, roof leaders/drains, subsurface infiltration systems, infiltration trenches, and stabilized discharge points. Only stormwater may be discharged through these facilities, there shall be no connections of floor drains and/or sanitary connections, and nothing shall be dumped into any of the System Components. The stormwater system components are shown on the attached Stormwater Management System Plan.

Trench Drain – the Trench Drain is meant to collect, but not treat, runoff from the roadway and some future driveways.

Roof Leaders/Drains – conveyances that collect and direct runoff from the two roofs towards the designated subsurface infiltration system.

Subsurface Infiltration Systems – subsurface stormwater systems meant to capture, retain, and infiltrate stormwater. Each system is made up of pipe and stone and utilizes trench drains as stabilized outlets/overflows meant to allow water to drain during periods of frozen ground or saturated conditions. The infiltration systems are to be kept free of trash and debris. No yard waste and / or landscape maintenance clippings or brush shall be disposed of in these areas. No accessory structures are permitted in these areas.

Pervious Areas / Vegetated Filter Strips – open, vegetated (turf lawns or other grasses) areas over which stormwater runoff flows slowly and in a sheeting manner. These areas are to be kept free of trash and debris. No yard waste and/or landscape maintenance clippings or brush shall be disposed of in these areas. Residents may not store vehicles or other personal items in these areas. No accessory structures are permitted in these areas.

Infiltration Trenches – open drains of crushed stone capped with pea stone for collecting and infiltration runoff from surrounding areas. No yard waste and/or landscape maintenance clippings or brush shall be disposed of in these areas. Residents may not store vehicles or other personal items in these areas. No accessory structures are permitted in these areas.

Grass Channels / Drainage Swales – shallow channels/swales lined with vegetation. Some may be lined with a turf reinforcement mat (TRM).

Residential Subdivision
40 Highland Avenue
Needham, MA
Owner: 40 Highland Avenue, LLC

**Stormwater Management
Long Term Operation
& Maintenance Plan**



Illicit Connections

No illicit connections to the stormwater management system are proposed or shall be installed during construction. No future connections to the stormwater system shall be allowed without permission of the Needham DPW or other Town's issuing authorities, as applicable. The proposed townhomes will be served by a wastewater (sewer) system including pipes and manholes connecting to the Town's system in Riverside Ave.

Maintenance Schedule and Forms:

Refer to the following pages for specific requirements to prevent pollution and the maintenance of the stormwater management system.

Snow Storage / Removal:

Refer to the following pages for specific requirements on snow storage and removal.

Stormwater Management
Long Term Operation
& Maintenance Plan

Best Management Practice	Frequency Of Inspection	Maintenance (Inspect for these items) and Frequency	Inspection (Date) Maintenance (Yes/No)	Maintenance Performed (Date and Initial)
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Street/Pavement Sweeping	Annually (March – April)	Annually (March – April). Paved areas to be swept of sediments, trash, and debris. Sediments to be removed and disposed off-site.		
Trench Drain	Monthly or per Manufacturer's Recommendation	At least twice per year, or per Manufacturer's Recommendation. Remove floatables and remove sediment when it reaches one (1) foot in depth. Dispose of debris and sediment off-site.		
Subsurface Infiltration	Monthly for first three (3) months, Quarterly and after major storm events	Twice per year or after major storm events. Camera inspection may be required. Remove debris and sediment at inlets and outlets by jetting or vacuor truck. Debris and sediment must be disposed of off-site in accordance with Local, State, and Federal requirements.		
Grassed Channel / Drainage Swale	Monthly (mowing) Annually	Mow monthly during growing season. Remove sediment annually and re-seed (if necessary). Repair erosion and re-seed when necessary. Turf reinforcement mat (TRM) or rock riprap may be required.		
Infiltration Trenches	Monthly for first three (3) months, Quarterly and after major storm events	Remove any sediment and/or woody vegetation annually. Replace crushed stone if system becomes clogged as evidenced by prolonged periods of ponding.		

No Information on This Page

E) Soils Information

No Information on This Page



United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Middlesex County, Massachusetts, and Norfolk and Suffolk Counties, Massachusetts



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot

 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

Water Features

 Streams and Canals

Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at scales ranging from 1:24,000 to 1:25,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Middlesex County, Massachusetts
Survey Area Data: Version 23, Sep 12, 2023

Soil Survey Area: Norfolk and Suffolk Counties, Massachusetts
Survey Area Data: Version 19, Sep 10, 2023

Your area of interest (AOI) includes more than one soil survey area. These survey areas may have been mapped at different scales, with a different land use in mind, at different times, or at different levels of detail. This may result in map unit symbols, soil properties, and interpretations that do not completely agree across soil survey area boundaries.

MAP LEGEND

MAP INFORMATION

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 22, 2022—Jun 5, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1	Water	1.0	3.6%
602	Urban land	0.7	2.4%
Subtotals for Soil Survey Area		1.7	5.9%
Totals for Area of Interest		28.0	100.0%

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1	Water	3.3	11.9%
105D	Rock outcrop-Hollis complex, 3 to 25 percent slopes	0.1	0.3%
245B	Hinckley loamy sand, 3 to 8 percent slopes	18.2	65.2%
256A	Deerfield loamy fine sand, 0 to 3 percent slopes	2.4	8.4%
602	Urban land, 0 to 15 percent slopes	2.3	8.3%
Subtotals for Soil Survey Area		26.3	94.1%
Totals for Area of Interest		28.0	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They

generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Middlesex County, Massachusetts

1—Water

Map Unit Setting

National map unit symbol: 996p

Frost-free period: 110 to 200 days

Farmland classification: Not prime farmland

Map Unit Composition

Water: 100 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Water

Setting

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Dip

Down-slope shape: Linear

Across-slope shape: Linear

602—Urban land

Map Unit Setting

National map unit symbol: 9950

Elevation: 0 to 3,000 feet

Mean annual precipitation: 32 to 50 inches

Mean annual air temperature: 45 to 50 degrees F

Frost-free period: 110 to 200 days

Farmland classification: Not prime farmland

Map Unit Composition

Urban land: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Urban Land

Setting

Landform position (two-dimensional): Footslope

Landform position (three-dimensional): Base slope

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Excavated and filled land

Minor Components

Rock outcrop

Percent of map unit: 5 percent

Landform: Ledges

Landform position (two-dimensional): Summit

Custom Soil Resource Report

Landform position (three-dimensional): Head slope

Down-slope shape: Concave

Across-slope shape: Concave

Udorthents, wet substratum

Percent of map unit: 5 percent

Hydric soil rating: No

Udorthents, loamy

Percent of map unit: 5 percent

Hydric soil rating: No

Norfolk and Suffolk Counties, Massachusetts

1—Water

Map Unit Setting

National map unit symbol: vkyp
Mean annual precipitation: 32 to 50 inches
Mean annual air temperature: 45 to 50 degrees F
Frost-free period: 120 to 200 days
Farmland classification: Not prime farmland

Map Unit Composition

Water: 100 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

105D—Rock outcrop-Hollis complex, 3 to 25 percent slopes

Map Unit Setting

National map unit symbol: vkxr
Elevation: 0 to 620 feet
Mean annual precipitation: 32 to 54 inches
Mean annual air temperature: 43 to 54 degrees F
Frost-free period: 120 to 240 days
Farmland classification: Not prime farmland

Map Unit Composition

Rock outcrop: 65 percent
Hollis and similar soils: 25 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Rock Outcrop

Setting

Parent material: Igneous and metamorphic rock

Properties and qualities

Slope: 15 to 25 percent
Depth to restrictive feature: 0 inches to lithic bedrock

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 8s
Hydric soil rating: Unranked

Description of Hollis

Setting

Landform: Hills
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear

Custom Soil Resource Report

Across-slope shape: Convex

Parent material: Shallow, friable loamy ablation till

Typical profile

H1 - 0 to 3 inches: fine sandy loam

H2 - 3 to 14 inches: gravelly fine sandy loam

H3 - 14 to 18 inches: unweathered bedrock

Properties and qualities

Slope: 3 to 25 percent

Surface area covered with cobbles, stones or boulders: 9.0 percent

Depth to restrictive feature: 10 to 20 inches to lithic bedrock

Drainage class: Well drained

Runoff class: High

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.14 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Very low (about 1.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7s

Hydrologic Soil Group: D

Ecological site: F144AY033MA - Shallow Dry Till Uplands

Hydric soil rating: No

Minor Components

Chatfield

Percent of map unit: 7 percent

Hydric soil rating: No

Swansea

Percent of map unit: 2 percent

Landform: Bogs

Hydric soil rating: Yes

Whitman

Percent of map unit: 1 percent

Landform: Depressions

Hydric soil rating: Yes

245B—Hinckley loamy sand, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2svm8

Elevation: 0 to 1,430 feet

Mean annual precipitation: 36 to 53 inches

Mean annual air temperature: 39 to 55 degrees F

Custom Soil Resource Report

Frost-free period: 140 to 250 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Hinckley and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hinckley

Setting

Landform: Outwash deltas, outwash terraces, kames, kame terraces, moraines, eskers, outwash plains

Landform position (two-dimensional): Summit, shoulder, backslope, footslope

Landform position (three-dimensional): Base slope, crest, nose slope, side slope, riser, tread

Down-slope shape: Concave, convex, linear

Across-slope shape: Convex, linear, concave

Parent material: Sandy and gravelly glaciofluvial deposits derived from gneiss and/or granite and/or schist

Typical profile

Oe - 0 to 1 inches: moderately decomposed plant material

A - 1 to 8 inches: loamy sand

Bw1 - 8 to 11 inches: gravelly loamy sand

Bw2 - 11 to 16 inches: gravelly loamy sand

BC - 16 to 19 inches: very gravelly loamy sand

C - 19 to 65 inches: very gravelly sand

Properties and qualities

Slope: 3 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Excessively drained

Runoff class: Very low

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Available water supply, 0 to 60 inches: Very low (about 3.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3s

Hydrologic Soil Group: A

Ecological site: F144AY022MA - Dry Outwash

Hydric soil rating: No

Minor Components

Windsor

Percent of map unit: 8 percent

Landform: Outwash deltas, outwash terraces, moraines, eskers, kames, outwash plains, kame terraces

Landform position (two-dimensional): Summit, shoulder, backslope, footslope

Custom Soil Resource Report

Landform position (three-dimensional): Base slope, crest, nose slope, side slope, riser, tread

Down-slope shape: Concave, convex, linear

Across-slope shape: Convex, linear, concave

Hydric soil rating: No

Sudbury

Percent of map unit: 5 percent

Landform: Outwash deltas, outwash terraces, moraines, outwash plains, kame terraces

Landform position (two-dimensional): Backslope, footslope

Landform position (three-dimensional): Base slope, head slope, side slope, tread

Down-slope shape: Concave, linear

Across-slope shape: Concave, linear

Hydric soil rating: No

Agawam

Percent of map unit: 2 percent

Landform: Outwash deltas, outwash terraces, moraines, eskers, kames, outwash plains, kame terraces

Landform position (two-dimensional): Summit, shoulder, backslope, footslope

Landform position (three-dimensional): Base slope, crest, nose slope, side slope, riser, tread

Down-slope shape: Concave, convex, linear

Across-slope shape: Convex, linear, concave

Hydric soil rating: No

256A—Deerfield loamy fine sand, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 2xfg8

Elevation: 0 to 1,100 feet

Mean annual precipitation: 36 to 71 inches

Mean annual air temperature: 39 to 55 degrees F

Frost-free period: 145 to 240 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Deerfield and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Deerfield

Setting

Landform: Outwash terraces, outwash deltas, outwash plains, kame terraces

Landform position (three-dimensional): Tread

Down-slope shape: Concave, convex, linear

Across-slope shape: Convex, linear, concave

Parent material: Sandy outwash derived from granite, gneiss, and/or quartzite

Custom Soil Resource Report

Typical profile

Ap - 0 to 9 inches: loamy fine sand
Bw - 9 to 25 inches: loamy fine sand
BC - 25 to 33 inches: fine sand
Cg - 33 to 60 inches: sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr)
Depth to water table: About 15 to 37 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)
Sodium adsorption ratio, maximum: 11.0
Available water supply, 0 to 60 inches: Moderate (about 6.5 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: A
Ecological site: F144AY027MA - Moist Sandy Outwash
Hydric soil rating: No

Minor Components

Windsor

Percent of map unit: 7 percent
Landform: Outwash terraces, kame terraces, outwash deltas, outwash plains
Landform position (three-dimensional): Tread
Down-slope shape: Concave, convex, linear
Across-slope shape: Convex, linear, concave
Hydric soil rating: No

Wareham

Percent of map unit: 5 percent
Landform: Drainageways, depressions
Down-slope shape: Concave
Across-slope shape: Concave
Hydric soil rating: Yes

Sudbury

Percent of map unit: 2 percent
Landform: Outwash plains, kame terraces, outwash deltas, outwash terraces
Landform position (three-dimensional): Tread
Down-slope shape: Concave, convex, linear
Across-slope shape: Convex, linear, concave
Hydric soil rating: No

Ninigret

Percent of map unit: 1 percent
Landform: Kame terraces, outwash plains, outwash terraces
Landform position (three-dimensional): Tread
Down-slope shape: Convex, linear

Across-slope shape: Convex, concave

Hydric soil rating: No

602—Urban land, 0 to 15 percent slopes

Map Unit Setting

National map unit symbol: vkyj

Mean annual precipitation: 32 to 50 inches

Mean annual air temperature: 45 to 50 degrees F

Frost-free period: 120 to 200 days

Farmland classification: Not prime farmland

Map Unit Composition

Urban land: 99 percent

Minor components: 1 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Urban Land

Setting

Parent material: Excavated and filled land

Minor Components

Rock outcrops

Percent of map unit: 1 percent

Hydric soil rating: Unranked

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No Information on This Page



Commonwealth of Massachusetts

City/Town of NEEDHAM

Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

A. Facility Information

40 HIGHLAND AVENUE LLC

Owner Name

234 ARNOLD ROAD

Street Address

NEEDHAM

City

MA

State

Map/Lot #

02459

Zip Code

B. Site Information

1. (Check one) ☒ New Construction ☐ Upgrade ☐ Repair

2. Soil Survey Available? ☒ Yes ☐ No If yes:

MRCS SOIL SURVEY

Source

245B

Soil Map Unit

HICKLEY LOAM SAND

Soil Name

Soil Limitations

MATTAPAN VOLCANIC COMPLEX

Soil Parent material

Landform

3. Surficial Geological Report Available? ☒ Yes ☐ No

If yes:

Year Published/Source

Map Unit

Description of Geologic Map Unit:

4. Flood Rate Insurance Map Within a regulatory floodway? ☐ Yes ☒ No

5. Within a velocity zone? ☐ Yes ☒ No

6. Within a Mapped Wetland Area? ☐ Yes ☒ No

If yes, MassGIS Wetland Data Layer:

Wetland Type

7. Current Water Resource Conditions (USGS):

Month/Day/ Year

Range: ☐ Above Normal

☒ Normal

☐ Below Normal

8. Other references reviewed:



Commonwealth of Massachusetts

City/Town of NEEDHAM

Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

C. On-Site Review (minimum of two holes required, at every proposed primary and reserve disposal area)

Deep Observation Hole Number: 622-01 Hole # 6/17/22 Date AM Time SUNNY 60'S Weather 42.729 Latitude -71.129 Longitude

1. Land Use LAWN (e.g., woodland, agricultural field, vacant lot, etc.) GRASS Vegetation N/A Surface Stones (e.g., cobbles, stones, boulders, etc.) 2-8% Slope (%)

Description of Location: _____

2. Soil Parent Material: NEED. SAND Landform OUTWASH TERRACE Position on Landscape (SU, SH, BS, FS, TS) BACKSLOPE

3. Distances from: Open Water Body _____ feet Drainage Way _____ feet Wetlands _____ feet

Property Line _____ feet Drinking Water Well _____ feet Other _____ feet

4. Unsuitable Materials Present: ☐ Yes ☒ No If Yes: ☐ Disturbed Soil ☐ Fill Material ☐ Weathered/Fractured Rock ☐ Bedrock

5. Groundwater Observed: ☐ Yes ☐ No If yes: _____ Depth Weeping from Pit _____ Depth Standing Water in Hole

Soil Log

Depth (in)	Soil Horizon /Layer	Soil Texture (USDA)	Soil Matrix: Color-Moist (Munsell)	Redoximorphic Features			Coarse Fragments % by Volume		Soil Structure	Soil Consistence (Moist)	Other
				Depth	Color	Percent	Gravel	Cobbles & Stones			
0"-13"	AP	SANDY LOESS	10YR 3/2								
13"-40"	B _u		10YR 5/6								
40"-90"	C	NEED SAND	2.5Y 3/3	75"	7.5-12.5/3	5%					

Additional Notes:

NO GROUNDWATER, NO WEPPAGE
NO STONES



Commonwealth of Massachusetts

City/Town of NEEDHAM**Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal****C. On-Site Review** (minimum of two holes required at every proposed primary and reserve disposal area)

Deep Observation Hole Number: 677-02 Hole # 6/17/22 Date AM Time SUNNY Weather 60°S Latitude 42.729 Longitude: -71.128

1. Land Use: WOODLAND (e.g., woodland, agricultural field, vacant lot, etc.) Vegetation MAPLES Surface Stones (e.g., cobbles, stones, boulders, etc.) N/A Slope (%) 2-5%

Description of Location: _____

2. Soil Parent Material: FINE SAND Landform OUTWASH TERRACE Position on Landscape (SU, SH, BS, FS, TS) BACK SLOPE

3. Distances from: Open Water Body _____ feet Drainage Way _____ feet Wetlands _____ feet
Property Line _____ feet Drinking Water Well _____ feet Other _____ feet

4. Unsuitable

Materials Present: ☐ Yes ☐ No If Yes: ☐ Disturbed Soil ☒ Fill Material ☐ Weathered/Fractured Rock ☐ Bedrock

5. Groundwater Observed: ☐ Yes ☐ No If yes: _____ Depth Weeping from Pit _____ Depth Standing Water in Hole

Soil Log

Depth (in)	Soil Horizon /Layer	Soil Texture (USDA)	Soil Matrix: Color-Moist (Munsell)	Redoximorphic Features			Coarse Fragments % by Volume		Soil Structure	Soil Consistence (Moist)	Other
				Depth	Color	Percent	Gravel	Cobbles & Stones			
<u>0-49"</u>											
<u>49-70"</u>	<u>B₁₀</u>	<u>SANDY LOAM</u>	<u>10YR 5/6</u>								
<u>70-105"</u>	<u>C</u>	<u>FINE SAND</u>	<u>5YR 4/4</u>	<u>70"</u>	<u>7.5YR 5/6</u>	<u>5%</u>					<u>RELICS OF SANDY LOAM</u>

Additional Notes:

NO GROUNDWATER
NO WEPPAGE



Commonwealth of Massachusetts

City/Town of NEEDHAM

Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

C. On-Site Review (minimum of two holes required at every proposed primary and reserve disposal area)

Deep Observation Hole Number: 62203

Hole #

Date

6/17/22

Time

12PM

Weather

SUNNY 60°

Latitude

42.729

Longitude:

-71.128

1. Land Use (e.g., woodland, agricultural field, vacant lot, etc.)

WOODLAND

Vegetation

MAPLE, IVY

Surface Stones (e.g., cobbles, stones, boulders, etc.)

N/A

Slope (%)

2-5%

Description of Location:

2. Soil Parent Material:

FINE SAND

Landform

OUTWASH
TERRACE

Position on Landscape (SU, SH, BS, FS, TS)

BACK SLOPE

3. Distances from: Open Water Body _____ feet

Drainage Way _____ feet

Wetlands _____ feet

Property Line _____ feet

Drinking Water Well _____ feet

Other _____ feet

4. Unsuitable Materials Present: ☐ Yes ☐ NoIf Yes: ☐ Disturbed Soil ☒ Fill Material☐ Weathered/Fractured Rock ☐ Bedrock5. Groundwater Observed: ☐ Yes ☒ No

If yes: _____ Depth Weeping from Pit

_____ Depth Standing Water in Hole

Soil Log

Depth (in)	Soil Horizon /Layer	Soil Texture (USDA)	Soil Matrix: Color-Moist (Munsell)	Redoximorphic Features			Coarse Fragments % by Volume		Soil Structure	Soil Consistence (Moist)	Other
				Depth	Color	Percent	Gravel	Cobbles & Stones			
0-72"	FILL										
72-79"	B ₁₀	SANDY LOAM	10YR 5/6								
79-110"	C	FINE SAND	2.5Y 5/3	86"	7.5Y 5/6	5%					LENSES OF SANDY LOAM

Additional Notes:

NO GROUNDWATER, NO WEEPAGE, NO STONES



Commonwealth of Massachusetts

City/Town of MIDDLEHAM

Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

C. On-Site Review (minimum of two holes required at every proposed primary and reserve disposal area)

Deep Observation Hole Number: 622-04 Hole # 4/17/22 Date AM Time SUNNY 60'S Weather 42.729 Latitude -71.128 Longitude

1. Land Use WOODLAND (e.g., woodland, agricultural field, vacant lot, etc.) Vegetation RAPHE, 144 Surface Stones (e.g., cobbles, stones, boulders, etc.) N/A Slope (%) 2-5%

Description of Location: _____

2. Soil Parent Material: MED. SAND Landform OUTWASH TERRACE Position on Landscape (SU, S-I, BS, FS, TS) BACK-SLOPE

3. Distances from: Open Water Body _____ feet Drainage Way _____ feet Wetlands _____ feet

Property Line _____ feet Drinking Water Well _____ feet Other _____ feet

4. Unsuitable Materials Present: ☐ Yes ☐ No If Yes: ☐ Disturbed Soil ☒ Fill Material ☐ Weathered/Fractured Rock ☐ Bedrock

5. Groundwater Observed: ☐ Yes ☒ No If yes: _____ Depth Weeping from Pit _____ Depth Standing Water in Hole

Soil Log

Depth (in)	Soil Horizon /Layer	Soil Texture (USDA)	Soil Matrix: Color-Moist (Munsell)	Redoximorphic Features			Coarse Fragments % by Volume		Soil Structure	Soil Consistence (Moist)	Other
				Depth	Color	Percent	Gravel	Cobbles & Stones			
0-60	Full										
60-68	B ₁₀	SANDY LOAM	10YR 5/6								
68-90	C	MED SAND	2.5Y 5/3	72"	7.5YR 5/3	5%					

Additional Notes:

NO GROUNDWATER, NO WEEDS



Commonwealth of Massachusetts

City/Town of NEEDHAM**Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal****C. On-Site Review** (minimum of two holes required at every proposed primary and reserve disposal area)Deep Observation Hole Number: 622-05

Hole #

Date

6/17/72

Time

1:00 PM

Weather

SUNNY 60°S

Latitude

42.729

Longitude:

-71.1281. Land Use WOODLAND
(e.g., woodland, agricultural field, vacant lot, etc.)Vegetation MAPLE, 147Surface Stones (e.g., cobbles, stones, boulders, etc.) N/ASlope (%) 2-5%

Description of Location: _____

2. Soil Parent Material: FIRED SAND

Landform

OUTWASH TERRACEPosition on Landscape (SU, S-H, BS, FS, TS) BACKSLOPE

3. Distances from: Open Water Body _____ feet

Drainage Way _____ feet

Wetlands _____ feet

Property Line _____ feet

Drinking Water Well _____ feet

Other _____ feet

4. Unsuitable Materials Present: ☐ Yes ☐ NoIf Yes: ☐ Disturbed Soil ☒ Fill Material☐ Weathered/Fractured Rock ☐ Bedrock5. Groundwater Observed: ☐ Yes ☒ No

If yes: _____ Depth Weeping from Pit

_____ Depth Standing Water in Hole

Soil Log

Depth (in)	Soil Horizon /Layer	Soil Texture (USDA)	Soil Matrix: Color-Moist (Munsell)	Redoximorphic Features			Coarse Fragments % by Volume		Soil Structure	Soil Consistence (Moist)	Other
				Depth	Color	Percent	Gravel	Cobbles & Stones			
0"-5"	FILL										
5"-8"	BU	SANDY LOAM	10YR 5/6	75"	2.5Y 5/3	5%					
8"-10"	C	FIRED SAND	2.5Y 3/3								CORROSE

Additional Notes:

NO GROUNDWATER, NO WEPPAGE



Commonwealth of Massachusetts

City/Town of NEEDHAM

Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

D. Determination of High Groundwater Elevation

1. Method Used:

☐ Depth observed standing water in observation hole

Obs. Hole # _____

Obs. Hole # _____

_____ inches

_____ inches

☐ Depth weeping from side of observation hole

_____ inches

_____ inches

☒ Depth to soil redoximorphic features (mottles)

_____ inches

_____ inches

☐ Depth to adjusted seasonal high groundwater (S_h)
(USGS methodology)

_____ inches

_____ inches

Index Well Number _____

Reading Date _____

$$S_h = S_c - [S_r \times (OW_c - OW_{max}) / OW_r]$$

Obs. Hole/Well# _____

S_c _____

S_r _____

OW_c _____

OW_{max} _____

OW_r _____

S_h _____

2. Estimated Depth to High Groundwater: UNAVAILABLE inches

E. Depth of Pervious Material

1. Depth of Naturally Occurring Pervious Material

a. Does at least four feet of naturally occurring pervious material exist in all areas observed throughout the area proposed for the soil absorption system?

☒ Yes

☐ No

b. If yes, at what depth was it observed (exclude A and O Horizons)?

Upper boundary: _____

UNAVAILABLE
Lower boundary: _____

inches

inches

c. If no, at what depth was impervious material observed?

Upper boundary: _____

Lower boundary: _____

inches

inches



Commonwealth of Massachusetts
City/Town of MEDFORD

Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

F. Certification

I certify that I am currently approved by the Department of Environmental Protection pursuant to 310 CMR 15.017 to conduct soil evaluations and that the above analysis has been performed by me consistent with the required training, expertise and experience described in 31C CMR 15.017. I further certify that the results of my soil evaluation, as indicated in the attached Soil Evaluation Form, are accurate and in accordance with 310 CMR 15.100 through 15.107.

Signature of Soil Evaluator

LAURENCE L. GREENE
Typed or Printed Name of Soil Evaluator / License #

2665

Date

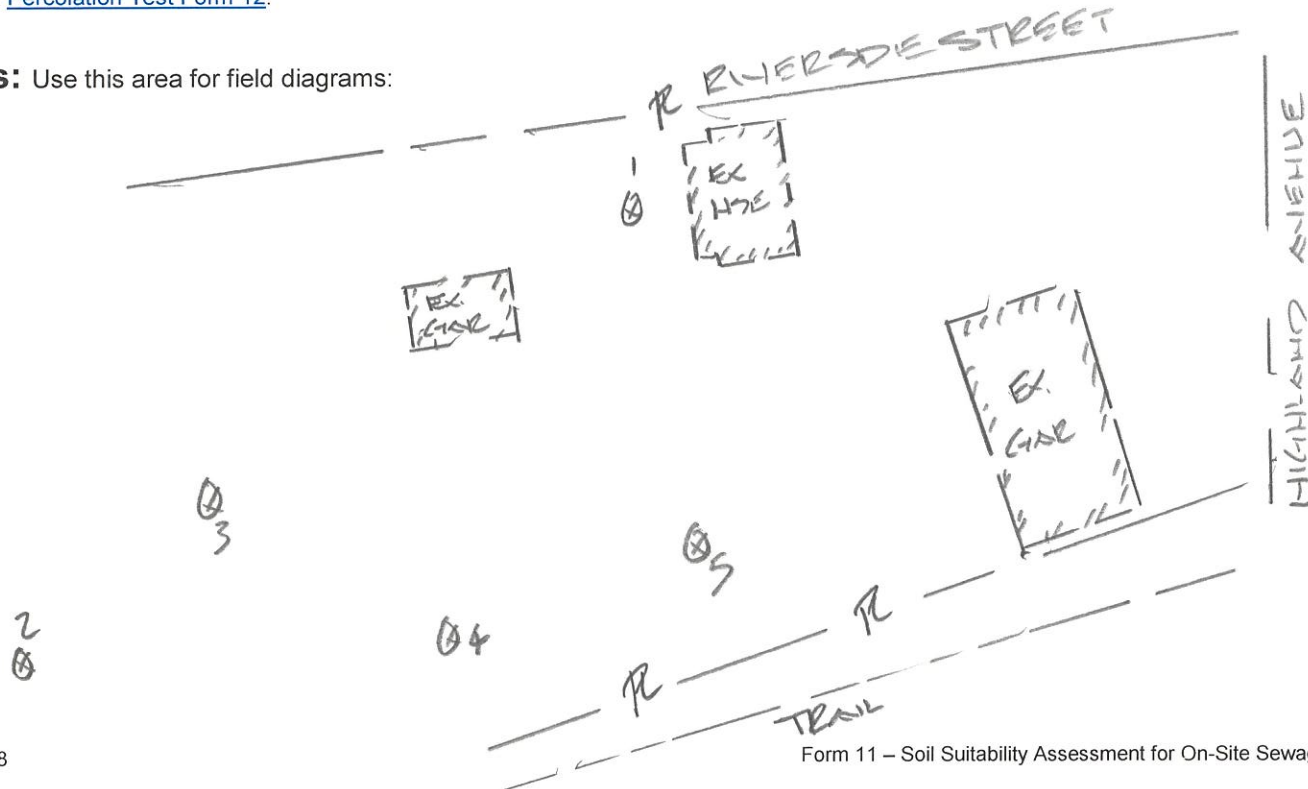
9/15/22
9/30/22
Expiration Date of License

Name of Approving Authority Witness

Approving Authority

Note: In accordance with 310 CMR 15.018(2) this form must be submitted to the approving authority within 60 days of the date of field testing, and to the designer and the property owner with [Percolation Test Form 12](#).

Field Diagrams: Use this area for field diagrams:



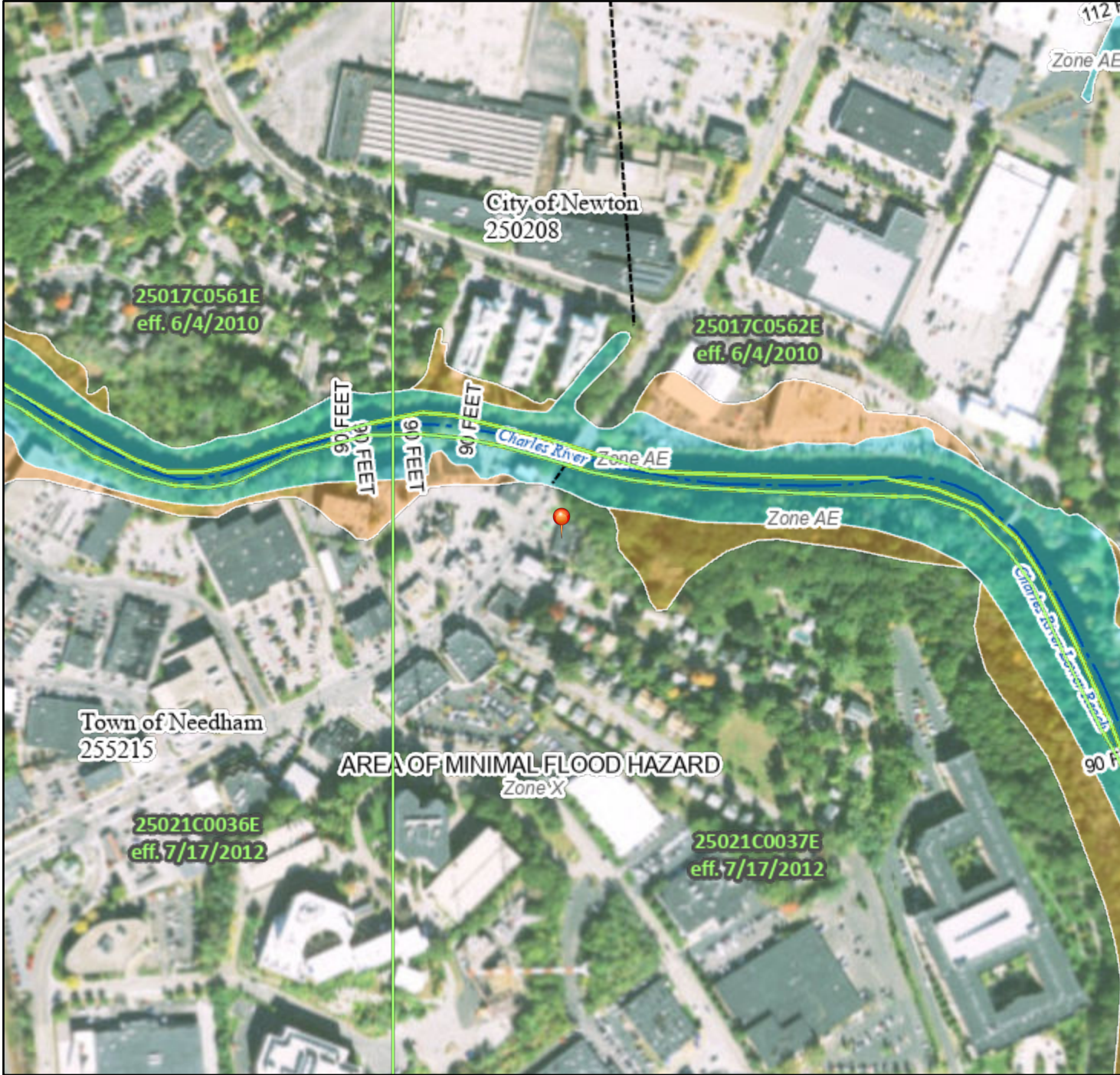
F) FEMA Flood Map, FIS Profile & LIDAR Exhibit

No Information on This Page

National Flood Hazard Layer FIRMMette



71°13'21"W 42°18'35"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

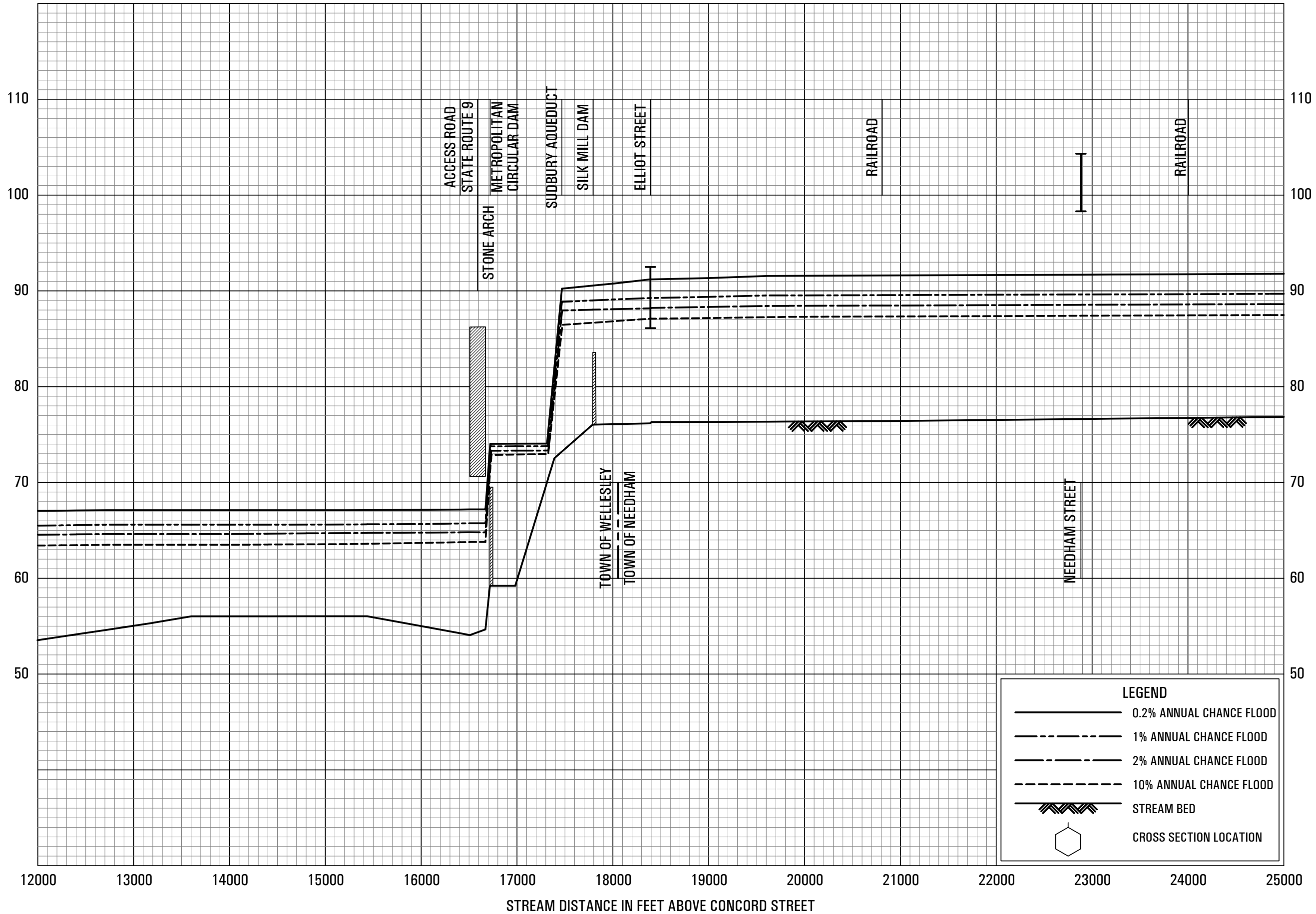
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 12/6/2023 at 9:49 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

No Information on This Page

ELEVATION IN FEET (NAVD 88)

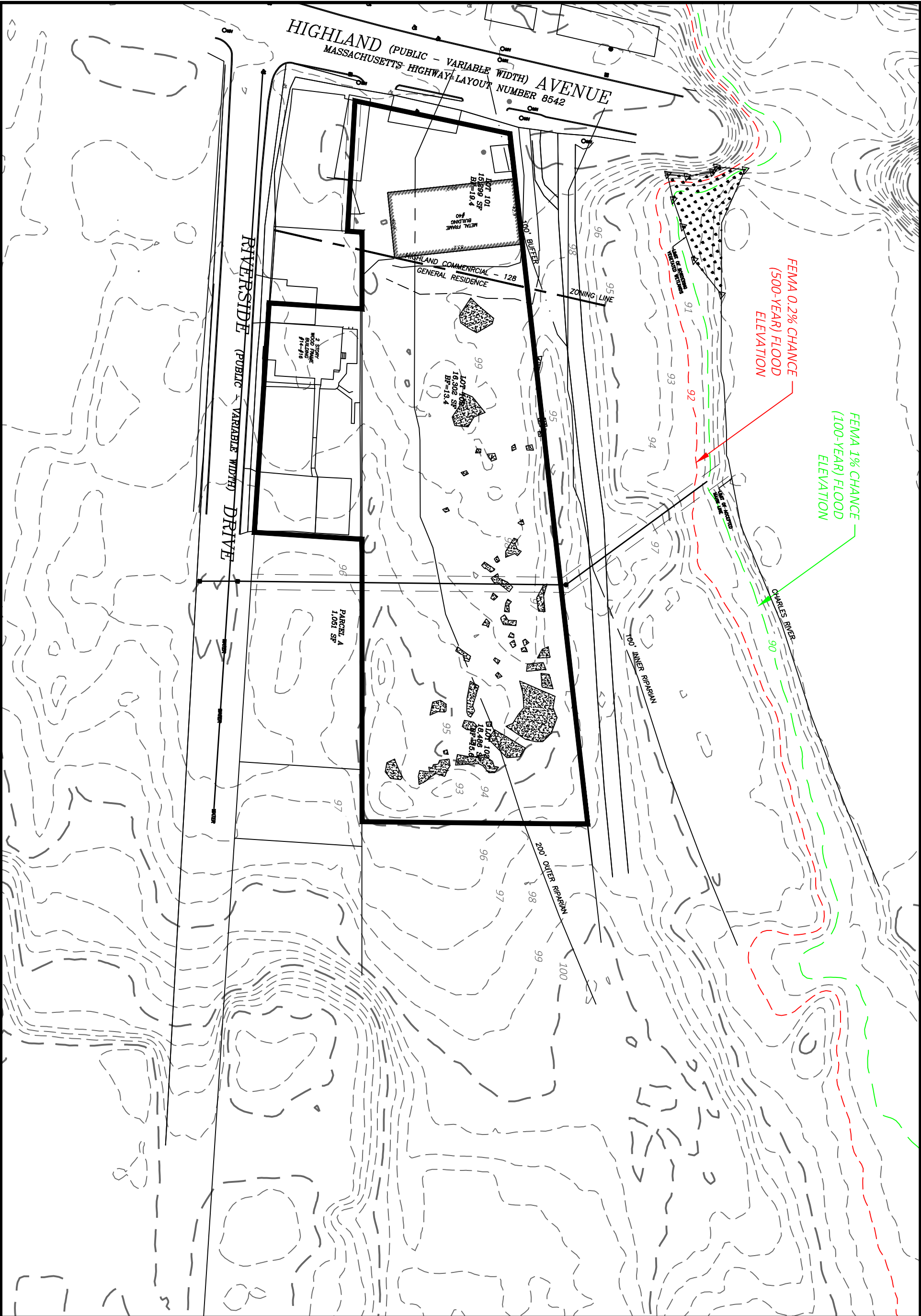


FEDERAL EMERGENCY MANAGEMENT AGENCY
MIDDLESEX COUNTY, MA
(ALL JURISDICTIONS)

FLOOD PROFILES

CHARLES RIVER (LOWER REACH)

No Information on This Page



Project Title:

40 Highland Avenue, LLC
Needham, MA
(Norfolk County)

Sheet Title:

FEMA & LIDAR Overlay
40 Highland Avenue
Needham, MA
(Norfolk County)

Date: 12/07/2023 Project No.: 21-0089 Reference Plan No.: LIDAR & ILSF Drawn By: ESM Checked By: MJS

0 30 60 120 180

Scale: 1" = 60'

North arrow pointing towards the top right.

LIDAR Exhibit

LDC

LAND DESIGN COLLABORATIVE
Chauncy Place | Terrace North | Suite 1
45 Lyman Street
Westborough, MA 01581
508.952.6300 | LDCollaborative.com

No Information on This Page

G) Existing Watershed Map

No Information on This Page

No Information on This Page

H) Proposed Watershed Map

No Information on This Page

No Information on This Page

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

TELEPHONE (781) 449-4520

FAX (781) 465-6095

September 11, 2024

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

VIA EMAIL

Re: Definitive Subdivision Application
40 Highland Ave, LLC
40 Highland Avenue & 14-16 Riverside Street

Dear Lee,

Please accept this letter in connection with the pending application of 40 Highland Ave, LLC for definitive subdivision approval relative to its properties at 40 Highland Avenue and 14-16 Riverside Street, Needham, MA (jointly, the "Premises"). In particular, this letter, and the accompanying materials, are submitted to address questions and concerns that were raised at the first hearing relative to drainage and impervious surface.

1. It was noted at the first hearing that certain properties in the neighborhood have experienced flooding and drainage related issues. In connection therewith, the newly built properties on the opposite side of Riverside Street engaged an engineer to review the situation and make recommendations. My client and the project design team reached out to both the Needham Engineering Department and the condominium association for those properties to obtain a copy of any report or written analysis that may be available. It is our understanding that there is no report or document yet available. However, I note that at the hearing, Stephen Von Stetina, of 37 Riverside Street, who identified himself as one of the trustees of the condominium association, stated his understanding that the preliminary conclusion of the study was that bedrock is present, just below the foundations of the houses on the other side of Riverside Street, preventing water from effectively infiltrating into the ground.

With Mr. Von Stetina's comments in mind, my client reached out via email to Alex Prohodski whose family previously owned a portion of the Premises and still owns property at 38 Riverside St, 42 Riverside St, 50 Riverside St, 58 Riverside St and 52 Highland Ave, as well as Arthur

Deych, one of the direct abutters on the same side of the street. Their responses are attached hereto as Exhibit A and Exhibit B, respectively. Based upon their comments, it appears that the bedrock issue that affects the opposite side of Riverside Street does not extend to the Premises or its side of the street.

2. Previous to submittal, while the design for the subdivision was being developed, the project engineers visited the site after a substantial rainfall, roughly equivalent to the 1-year storm. They stood in the low point of the property and saw no evidence of drainage issues or problems. See email of Michael Scott attached hereto as Exhibit C.

3. At the hearing, there was some discussion about the amount of pavement and whether less pavement was possible. The design that was submitted, including the amount of pavement, was developed in coordination with applicable Town department; especially the Fire Department. However, the Applicant would embrace less pavement if the Town were open to such design, as there is only one duplex that will be served by the constructed road. To further explore this aspect, the project engineers consulted with the Fire Department and are awaiting a response. See email of James Altamonte attached hereto as Exhibit D.

If you have any questions, comments or concerns relative to any of the foregoing, please do not hesitate to let me know.

Sincerely,

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

George Giunta, Jr.

EXHIBIT A

Email Correspondence with Alex Prohodski

From: alex prohodski <alex.prohodski@gmail.com> Subject: Re: Riverside
Date: September 4, 2024 at 6:10:39 PM EDT
To: steven wolberg <stevewolberg@gmail.com>

Hello Steve,

Fine by me...one build is that I mentioned 4 of the houses. My mother thinks that it was only the lower 3 and that is apparently who is having the problem now as well...

Alex
Sent from my iPhone

On Sep 4, 2024, at 5:11 PM, steven wolberg <stevewolberg@gmail.com> wrote:

Hi Alex:
Thank you for your email. Please confirm I can share this email thread with the Planning Department/Board for use in my subdivision application. Thanks!

Steven Wolberg
m. 617-306-0475
e. stevewolberg@gmail.com

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On Sep 4, 2024, at 2:32 PM, alex prohodski <alex.prohodski@gmail.com> wrote:

Hello Steve,

It is a ground water issue. I do not believe there was ever water in 14/16. The ranch owned by my grandmother (# 38 I think) had water and was raised 2 or 3 feet about 30+ years ago and that resolved the issue. Other than that we have had no water issues. On the opposite side of Riverside Street there was always water. 4 of the original 5 owners by John Sovenovich were wet. The one he lived in close to the playground was the only dry one as I understand things. The new construction I believe has had a similar experience. The FW Webb building also had water in the past...don't know if it remains a problem. It's all pretty random on that side of the street.

I am away but feel free to reach out if I can help.

Alex
Sent from my iPhone

On Sep 4, 2024, at 2:09 PM, steven wolberg <stevewolberg@gmail.com> wrote:

Hi Alex - hope you enjoyed the Labor Day weekend.

Not sure if you listened in to the Planning Board meeting a week ago.

Anyway, quick question for you. Has your mom or any of your tenants on Riverside Street experienced any water drainage or flooding issues? I know there have been no such issues at 14-16 Riverside and my immediate abutter, Arthur Deych of 10 Riverside Street says he has never had water issues in his house.

Apparently the condos that were recently built across the street have major water/drainage issues and the Planning Board wants me to investigate the drainage study that they had done. I am curious if any of your properties at 38 Riverside, 42 Riverside, 50 Riverside, 58 Riverside and 52 Highland Ave have had water issues.

Please let me know asap.

Thanks!
Best,
Steven

Steven Wolberg
m. 617-306-0475
e. stevewolberg@gmail.com

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EXHIBIT B

Email Correspondence with Arthur Deych

From: Arthur Deych <arthurdeych@gmail.com> Subject: Re: 10 Riverside
Date: September 5, 2024 at 9:32:51 AM EDT To: steven wolberg <stevewolberg@gmail.com>

Dear Steve

Happy Thursday :)

I hope you are well!

The information you stated is accurate and I can confirm this. Please feel free to share with the planning department.

Thank you

Sincerely,

Arthur Deych
Owner of 10 Riverside Street Needham, MA 02494

On Wed, Sep 4, 2024 at 5:35 PM steven wolberg <stevewolberg@gmail.com> wrote:

Hi Arthur:

I hope you are well.

I am confirming our discussion after the recent Planning Board meeting on my proposed subdivision at 14-16 Riverside Street. As you recall, the condos that were recently built across the street have major water/drainage issues and the Planning Board requested that I investigate the drainage study that they are having done. I shared with you that I have had no water in my property at 14-16 Riverside and you told me that you have had no ground water or flooding issues at your house located at 10 Riverside Street.

Please confirm that what I have stated above is correct and please let me know if its OK to share your response with the Planning Department for use in my proposed subdivision application.

Thanks.

Regards, Steven

=====

Steven Wolberg
m. 617-306-0475
e. stevewolberg@gmail.com

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EXHIBIT C

Email Correspondence from Michael Scott, Project Engineer

From: Michael Scott MScott@ldcollaborative.com
Subject: RE: 10 Riverside
Date: September 5, 2024 at 12:35 PM
To: steven wolberg stevewolberg@gmail.com, George Giunta Jr (george.giuntajr@needhamlaw.net)
Cc: James Almonte jalmonte@ldcollaborative.com

Steven and George,

We visited the site on 12/12/2023 after the area received roughly 2-3/4" of rain in 24 hours or so, which is roughly the 1-year (100% chance) rainfall event that is used to determine whether a low spot may be classified Isolated Land Subject to Flooding per 310 CMR 10. During our visit, we stood in the site's low point (based on the survey plan) and the ground was not saturated and there was no evidence of ponding such as standing water, sponginess, or staining and/or matting of vegetation or leaf litter.

Mike Scott
508.232.4602

EXHIBIT D

Fire Department Submittal

From: James Almonte jalmonte@ldcollaborative.com
Subject: 14-16 Riverside Street
Date: September 9, 2024 at 4:04 PM
To: Ronnie Gavel rgavel@needhamma.gov
Cc: steven wolberg stevewolberg@gmail.com, george.giuntajr@needhamlaw.net

Hi Ronnie,

Per our conversation last week please see the attached exhibit plan for your discussion with Chief Conroy. As discussed we had our first Planning Board hearing on August 27th. During that hearing the Board and some abutters expressed concerned about the amount of impervious surface associated with subdivision road to service one duplex. They asked if we could re-visit the road design to potentially eliminate the hammerhead turnaround and/or reduce the pavement width from 24' to 20'. The length of the road to unit furthest from Riverside Street is about 150'. One of the comments from the hearing was that there are driveways in Town that are much longer than 150' that do not have turnarounds. If there is no opportunity to reduce the impervious surface please let me know that as well. It would be appreciated if we could get a response either way prior to our next hearing on September 17th.

I also attached the plan that was submitted as part of the Definitive Subdivision process for your reference. Please note that both plans call for a new hydrant at the end of the road. Please let me know if you have any questions or need any additional information. I appreciate you and the Chief taking another look at this.

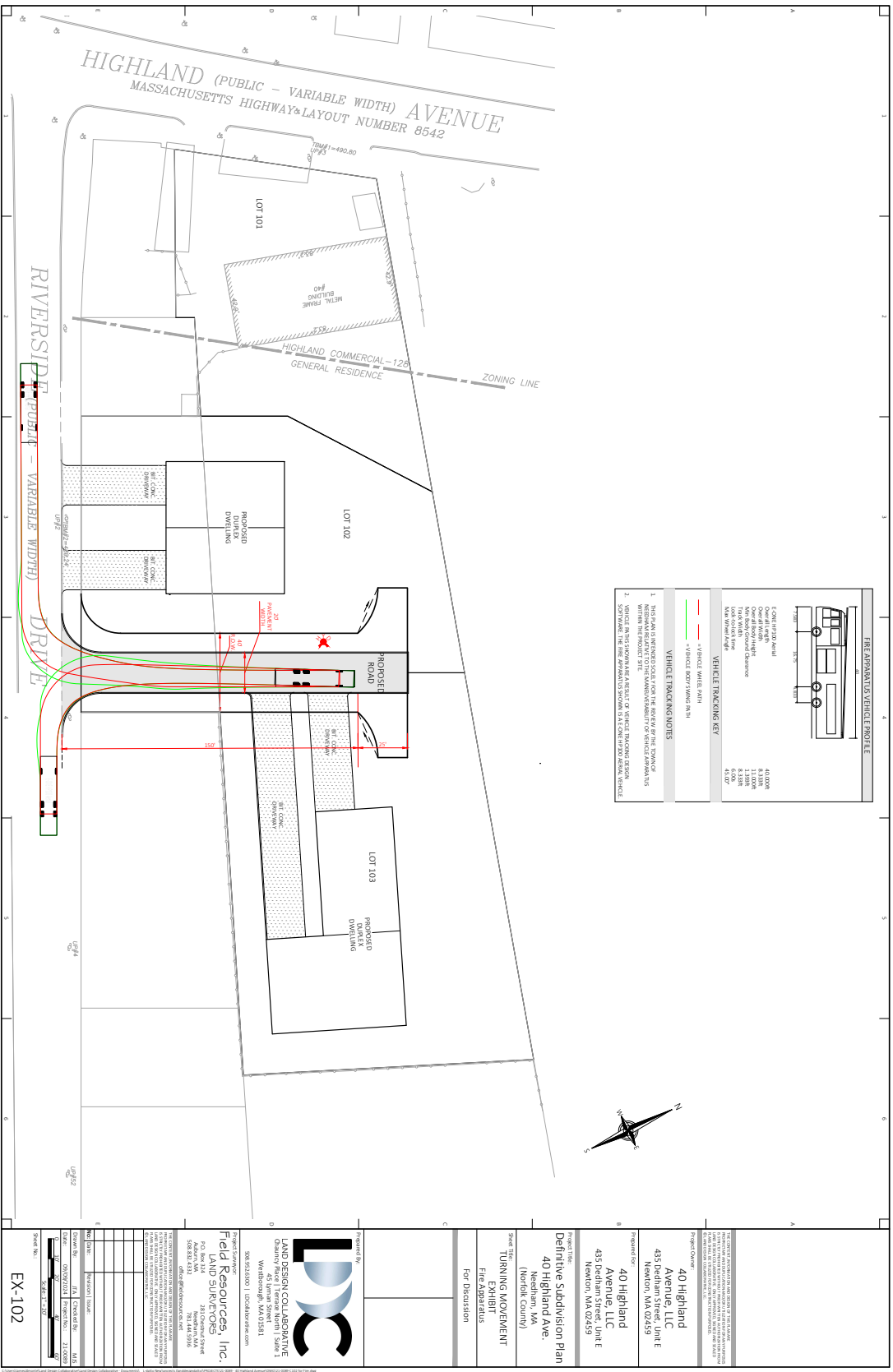
Regards,

James Almonte, RLA
Principal



Terrace North | Suite 1
45 Lyman Street
Westborough, MA 01581
LDCollaborative.com

O 508-952-6300 x 101
D 508-232-4593



FIRE APPARATUS/VEHICLE PROFILE	
Overall length	40.000'
Overall width	8.500'
Overall height	11.000'
Wheelbase	10.000'
Track width	8.500'
Turn radius	45.000'
Turn speed	45.000'

VEHICLE TRACKING KEY	
	VEHICLE WHEEL PATH
	VEHICLE BODY WING PATH

- VEHICLE TRACKING NOTES**
- THIS PLAN IS INTENDED FOR USE BY THE USER FOR THE PURPOSE OF INFORMATION ONLY. THE USER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON.
 - SOFTWARE: THE FIRE APPARATUS SHOWN IS A 2020 P-2000, VEHICLE.

40 Highland Avenue, LLC
435 Dedham Street, Unit E
Newton, MA 02459

40 Highland Avenue, LLC
435 Dedham Street, Unit E
Newton, MA 02459

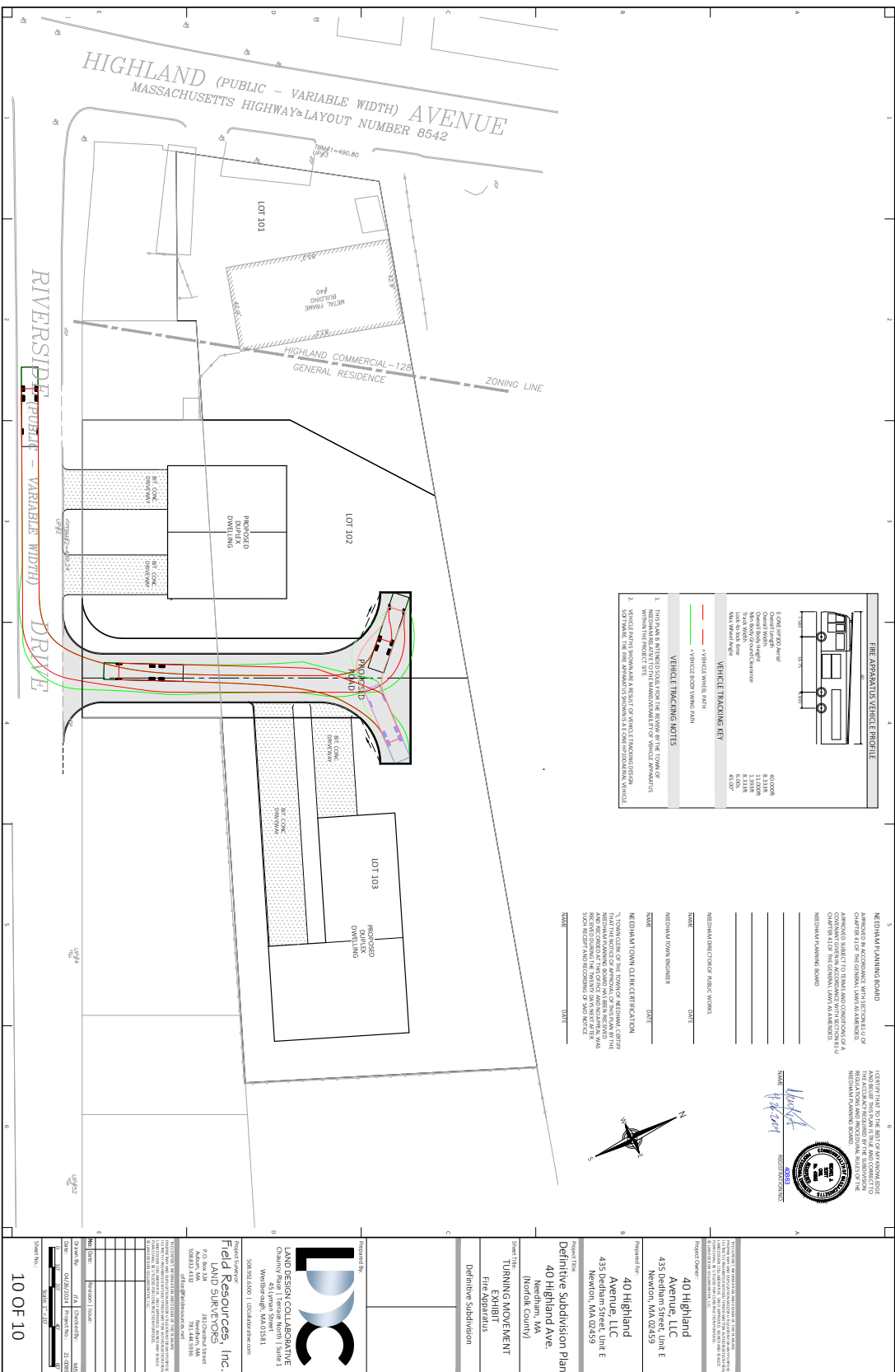
Definitive Subdivision Plan
40 Highland Ave.
Needham, MA
(Norfolk County)

TURNING MOVEMENT EXHIBIT
Fire Apparatus
For Discussion

Prepared By:
LAND RESOURCES CONSULTANTS, INC.
231 Commercial Street
Needham, MA 02459
TEL: 781.448.9946
WWW.LANDRESOURCES.COM

Field Resources, Inc.
231 Commercial Street
Needham, MA 02459
TEL: 781.448.9946
WWW.LANDRESOURCES.COM

EX-102



Alexandra Clee

From: Naomi Ribner <tonaomirose@gmail.com>
Sent: Tuesday, August 27, 2024 1:54 PM
To: Lee Newman; Alexandra Clee; Elisa Litchman
Subject: Proposal for Highland Ave and 14-16 Riverside Street

Dear Lee, Alexandra, and Elisa,

I want to clearly state my distress and opposition to the proposal to build a road and houses on the property behind the houses on Riverside Street, for so many reasons.

Conservation concerns:

1. It is too close to the Charles River.
2. We would lose SO MUCH green space. We already lost all the trees on Riverside street. We would now lose all the forested space between our houses and the river.

Traffic:

As it currently is, it is already extraordinarily difficult to get out of Riverside Street to turn onto Highland Avenue. This proposal will only make it worse.

Location: This proposal impinges on the existing properties. It will be way too close to existing properties. Quite honestly, the reason I like living on Riverside Street is the green space, which we are continually losing. This proposal will remove all that's left. I am beside myself with the possibility that this will go be approved.

Thank you for your consideration,
Naomi Ribner
40 Riverside Street

Alexandra Clee

From: Janice Epstein <janiceeps@comcast.net>
Sent: Tuesday, September 3, 2024 8:33 PM
To: Lee Newman; Alexandra Clee
Subject: follow up to development on Riverside street

Hi,
I wanted to put in a request for the continuation meeting on Sep 17th for this development.
I would like to request that they submit a map/plan that shows the houses that would be abutting to show how far the the houses would be spaced apart.
Also, I saw in the documents that they state that the development abuts Nina's property and the Mannings property.
If this can be clarified because the Mannings property is behind Nina's property so this statement doesn't make sense.

thank you

Janice Epstein
75 Highland terrace
Needham
town meeting member J'

Alexandra Clee

From: McKee, Ryan <Ryan.Mckee@FMR.com>
Sent: Monday, September 16, 2024 8:30 AM
To: Lee Newman; Alexandra Clee; Elisa Litchman
Cc: sweet.ton@gmail.com
Subject: RE: Riverside Street Development

Good Morning,

I understand that development proposal of Riverside street is continuing to advance. I'm candidly a bit shocked by this as I didn't think that this had any plausibility given drainage, Charles River, traffic, community concerns, etc. but, my surprise aside, I wanted to check in and see if there is a plan to engage the below Charles River organizations. Part of my fear is that this building will act as a conduit to potentially send more discharge from the auto shop into the River. If you could confirm as you review this proposal at the meeting this week I would appreciate it.

[Charles River Climate Compact — Charles River Watershed Association \(crwa.org\)](#)

[Charles River Watershed Association \(crwa.org\)](#)

Thank you,
Ryan

Ryan K. McKee, CIMA®
Senior Vice President
Head of Emerging Product Specialists
Fidelity Institutional®
[500 Salem Street](#)
[Smithfield, RI 02917](#)
Mobile #: [617.921.1987](#)
Text #: [617.855.0072](#)
Fax #: [401.292.1248](#)
E-Mail: ryan.mckee@fmr.com



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From: McKee, Ryan
Sent: Tuesday, August 27, 2024 6:30 AM
To: LNewman@needhamma.gov; Alexandra Clee <aclee@needhamma.gov>; Elisa Litchman <elitchman@needhamma.gov>
Cc: sweet.ton@gmail.com
Subject: Riverside Street Development

Good Morning,

I understand that you're meeting this evening to consider, among other things, a new street development and subdivision abutting the Riverside Park Neighborhood. I wanted to reach out to you to ask you to strongly reconsider this for a number of reasons including:

- A garage/mechanic should probably not be as close to the river as the current garage already is – adding more development in that area only more strongly runs the risk of run-off of gas, fuels, garbage, etc. into the river. This is already an issues and this area's ecology has already been severely disrupted by the bridge and street development.
- All of the new development on Riverside street over the last few years has already caused issues with drainage and run off with regular flooding and run-off issues – this will only exacerbate these issues.
- The section and the various intersections over this stretch of Needham Street is already quite dangerous – as roads merge, the bridge approaches, and a turn-only lane develops – adding another element here seems inappropriately dangerous.
- There are plenty of sections of Needham that may be able to accommodate additional development; this does not seem like one of them.

I will not be able to attend the meeting this evening, but thank you for your consideration as you review this plan. I'm not sure how seriously this proposal is being considered as it seems like the proposal would just have far too many negatives to even be considered, but I appreciate your review of the neighborhood's concerns.

Thank you again,
Ryan
18 Highview Street / Riverside Park Neighborhood Resident

Ryan K. McKee, CIMA®
Senior Vice President
Head of Emerging Product Specialists
Fidelity Institutional®
[500 Salem Street](#)
[Smithfield, RI 02917](#)
Mobile #: [617.921.1987](#)
Text #: [617.855.0072](#)
Fax #: [401.292.1248](#)
E-Mail: ryan.mckee@fmr.com



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NEEDHAM PLANNING BOARD MINUTES

July 25, 2024

The Needham Planning Board meeting, held virtually using Zoom, was called to order by Natasha Espada, Chairman, on Thursday, July 25, 2024, at 7:15 p.m. with Messrs. Alpert, Crocker and McCullen, Planner, Ms. Newman and Assistant Planner, Ms. Clee.

Ms. Espada noted this is an open meeting that is being held in a remote manner per state guidelines. She reviewed the rules of conduct for all meetings. This meeting includes does not include and public hearings and public comment will not be allowed. If any votes are taken at the meeting the vote will be conducted by roll call.

Correspondence

Ms. Espada noted the following correspondence for the record: a memo from Town Counsel Christopher Heep, dated 6/20/24, regarding the Open Meeting Law requirements; an email from Joe Matthews, dated 7/14/24, regarding Planning Board concerns; and an email from Jeanne McKnight, dated 7/24/24, regarding 100 West Street revisions to the HONE draft zoning.

MBTA Zoning Initiative

Overview of Current HONE MBTA Zoning Proposal, Lee Newman

Presentation of Zoning Changes Requested for 100 West Street, Tim Sullivan

Review of Comments Received from Attorney General on Current HONE MBTA Zoning Proposal

Planning Director Ms. Newman gave an overview of the HONE MBTA proposal and the final recommendations. Two plans have been recommended: 1) the Base Compliance Plan which more closely mirrors the existing profile and meets the minimum requirement of the MBTA Communities Act and 2) the Neighborhood Housing Plan, which has an adjustment to the zoning district to allow more housing to be built by adjusting FAR and density and meets, and exceeds, the minimum compliance requirements. Needham requires 1,784 units. In the Base Compliance Plan there would be 1,868 units and in the Neighborhood Housing Plan there would be 3,294 units. The land area is similar with 100 acres and 92 acres respectively. A decision was made to present zoning proposals in a series of steps that were built on each other. In Article 1, the Base Plan creates a multi-family overlay district with recommended district boundaries and dimensional standards. Article 2 is the map change for the Base Compliance Plan. If these 2 Articles pass to allow great density, Article 3 would amend Article 1 and 2 and inserts the Neighborhood Housing Plan as modified. Article 4 would be the map change for the Neighborhood Housing Plan to accompany Article 3.

Mr. Alpert asked why the difference in the maps. Ms. Newman noted the district follows the Highland Avenue corridor from Hunnewell Street to the Junction and captures the apartments at Charles Court. The Neighborhood Plan also includes the Apartment District where Avery School shows up in the Base Plan and not the Neighborhood Plan. In geometry there is one apartment district that shows up in the Neighborhood Plan that is not in the Base Plan and that is at Hunnewell and Highland. The Chestnut Street Business District is changed due to the proximity to residential on the east side of Chestnut Street to the Hartney Greymont property. A separate subdistrict on the west side has been fractured out. Mr. Crocker clarified the Base Plan has the Avery District but not multi-family at Hunnewell and Highland, then flips and it is not on the Neighborhood Plan. Ms. Newman noted that will have added units. She wanted to keep the number of units palatable. Ms. Espada stated they are trying to keep the counts down. The area is already developed so areas were chosen where housing could be created. The compromise was to lower the numbers.

For a comparison of the scenarios, Ms. Newman gave an overview of existing unit counts, existing units and unit capacity, how many with an overlay special permit capacity and Base Plan unit capacity. The Base Compliance Plan has a unit capacity of 526 and the Neighborhood Housing Plan would have a capacity of 877. Ms. Espada stated developers are struggling. There have been many proposals that have not gone anywhere. Ms. Newman noted the Base Plan has zoning parameters of lot size, height, units/acre, FAR and parking per acre. There are 2 changes from the existing in the Business

Districts – 2 stories goes to 3 stories and 1.5 parking spaces per unit goes down to one space per unit. This follows dimensional requirements as currently exist.

Ms. Newman noted the Neighborhood Housing Plan zoning parameters include overall density profile with 3 variables – height, which will increase from 3 stories to 4 stories, FAR, which has an upward adjustment at varying levels, and dwelling units per acre, which is eliminated or adjusted. The half story is added in select districts to incent if commercial development is on the first floor or there is 7.5% workforce housing. The zoning language in Article 1 creates zoning framework for the Base Plan with definitions updated in foundational zoning. This adds a district multi-family overlay to the foundational zoning. It creates a new multi-family overlay district that 1) establishes the purpose of the district, 2) defines scope of authority, 3) identifies sub-districts being creating that are coming off the maps, 4) creates definitions used in the By-Law in terms of regulations, 5) creates use regulations, 6) creates dimensionals that lays out everything such as lot area, frontage, setback requirements, which follow setbacks as they currently exist, 7) height requirements and lays out exceptions to the heights, 8) bulk and other requirements, 9) off-street parking requirements, 10) development standards and 11) requirements for affordable housing. Ms. Espada noted 3.17.5.3, building bulk, has a maximum of 18 dwelling units in the A1 and Chestnut Street Districts and 3.17.8, affordable housing, says multi-family dwellings with 6 or more units require 12.5% affordable.

Ms. Newman noted the site plan review process with submission requirements and timelines. Ms. Espada talked about landscaping, trees to keep and to be removed, and traffic prepared by a licensed traffic engineer. Ms. Newman noted the site plan approval lays out when the Planning Board can grant waivers, when a developer can do phasing and allows the Planning Board to adopt design standards. Mr. McCullen understands, with regard to traffic, the scope is limited to the site itself and not going to and from. He asked if this was correct. Ms. Newman noted this is really dealing with the area immediately around, but Town Counsel Chris Heep can clarify that. Mr. Crocker asked if there was any bonus for greater than the affordable housing requirement and was informed there was no bonus. Ms. Espada stated there is no bonus on solar either, but they may want to consider that.

Ms. Newman noted the second Article is the map change. This provides meets and bounds descriptions of the areas proposed to be rezoned and places them in a new zoning district. Article 3 assumes Article 1 is adopted in the form written so it makes changes necessary. Changes would include making adjustments required for names of the districts, modifies the purposes of the districts, makes modifications to schedule of uses by right and defines retail uses that would be allowed and uses allowed by special permit. The tables are modified to replace and update the tables to reflect greater density, establishes design standards for how mixed use buildings would be done, a provision is introduced for 7.5% workforce housing and a change in height for that modification. Article 4 is the map modification to reflect boundaries implemented by Article 3.

Mr. Alpert noted in the Chestnut Street area, under the existing zoning, 370 units could be as of right. Ms. Newman noted housing is always by special permit. Mr. Alpert noted with the overlay there could be 987 units. The Base Compliance Plan gives the same 370 with some adjustment to bulk requirements and as of right. Then the Neighborhood Plan has 1,300 plus units. On the floor of Town Meeting the differences between the 2 plans will be discussed. He is seeing if the Base Plan is adopted the developer can still build an additional 600 units in the Chestnut Street corridor with a special permit. Ms. Newman stated that is correct. Mr. Alpert noted, with the Base Plan, they can still get up to 2,400 – 2,500 units. Ms. Espada noted it is not a big change but creates more density. There is an as of right process also. If the Base Compliance Plan passes and the Neighborhood plan does not, in order to incentivize developers to build an extra 600 units under the existing with the overlay, they propose 2 Town Meeting amendments to the Overlay District on Chestnut Street specifically to add the 600 units. She is not sure if that will fly with Town Meeting if they do not like the Neighborhood Plan specifically. The question is what does the Planning Board want to see along the Chestnut Street corridor.

Mr. Alpert feels it should be presented to Town Meeting October 2024, see what happens and go back to the drawing board for next May or October 2025 and propose an amendment to the Chestnut Street Overlay District to incentivize more housing there in accordance with HONE. Mr. Crocker feels some consideration should be given to bring that aspect to the Base Plan now. Ms. Espada stated they are trying to get 2 district plans. This seems reasonable by neighborhood. Mr. McCullen stated it has to be emphasized they are not building 3,300 units. There is almost 100% certainty Needham will never reach that. That is a true maximum. The Board need to definitely push for the Neighborhood Plan knowing those numbers would not be reached.

Ms. Espada noted Attorney Tim Sullivan sent a letter with comments regarding 100 West Street. Tim Sullivan, of Goulston & Storrs, is representative for the owners of 100 West Street. He has been following the process closely and asked an architect to look at the zoning and see if it would work. It largely does for this site. On 6/18/24, they talked about it and he submitted a red line of the zoning that came from that meeting. The front setback along Highland Avenue is a 15-foot maximum setback. He suggests maintaining that but incorporating some flexibility such as a courtyard or landscaping. Mr. Alpert asked why a maximum setback. Ms. Newman noted at the beginning it was to make sure there is a strong street edge. They wanted more of an urban setback. Mr. Alpert stated that was 35 years ago and times change. There are amendments only to the Overlay District. He asked if it made sense to delete the maximum setback. Ms. Espada stated no. Developers can work with the written and proposed. There are 2 pieces to the setback and what to accommodate. She thinks larger periodic setbacks are fine and thought 70% of the building has to meet the 15-foot setback.

Mr. Sullivan will ask that question to the architect. For the etcetera, they could say “or similar site design features that enhance the site line.” Ms. Espada stated there cannot be an etcetera. She will work with Mr. Sullivan. This cannot be open, and she wants to make sure there is no curb cut there. Mr. Sullivan stated they may want to split the building so there is an entrance there that aligns better and is a primary entrance. Ms. Espada stated this is as of right. The Board will be reasonable but they also want to be flexible. Mr. Sullivan will look at this. He stated if they build to the height allowed and maintain setbacks the 187 units could not be reached. That is assumed at an FAR of 1.0 due to corridors, common areas and elevators. He feels the FAR should change from 1.0 to 1.3 as of right and 1.4 to 1.7 in the special permit and parking would be excluded from the calculations like the Avery Square District. Ms. Newman stated it was not excluded if a separate structure, only if it is internal parking. Ms. Espada commented, right now, the site is approximately 187,000 square feet with 1.0 FAR and 3 stories, with 64,000 square feet on each floor and 34% lot coverage. At a 1.3 FAR there would be 83,000 square feet and a lot coverage of 43%. Mr. Sullivan noted the significant setback on the rear would not be changed nor the side setbacks. If adding on the end, it would be an FAR of 1.3. Ms. Espada feels the 1.3 FAR seems reasonable to do as of right. Lot coverage is 43% of the site. All are comfortable with an FAR of 1.3.

Mr. Crocker asked if Mr. Sullivan was thinking of a 4th floor. Mr. Sullivan stated a 4th floor is an option by special permit. He would propose the same adjustment. If a 4th floor it would become an FAR of 1.7. Mr. Crocker noted Mr. Sullivan is not asking it be as of right and was informed that is correct. Ms. Espada noted an FAR of 1.7 is still reasonable on this site. Mr. Sullivan stated, to qualify for a 4th floor special permit, the step back on the 4th floor should be kept or a 45 degree pitched roof. He suggests keeping those but allow for another architectural treatment to soften the 4th floor. Ms. Espada commented, without a step back, it would be seen as very tall with the 1 and 2 story buildings surrounding it. She would not want to have that as of right. Ms. Newman noted they talked about a setback in that area also. Mr. Crocker wants to reduce the shadow being thrown there, especially with the park there. Ms. Espada noted the 4th story is a special permit and the Planning Board can review it.

Ms. Newman commented the parking, and how Needham manages parking exemptions, is not uniform across the town. She explained what was counted and what was exempted in each district. They are proposing the parking garage be exempted out. The interior portion of the building is what was originally proposed and currently exists within the Avery Square. Deck parking, roof top and other parking is counted in all the other districts. Mr. Sullivan stated this was drafted around redeveloping an existing building. This will not yield 187 units if structure parking is included in FAR. The existing building has parking in it. An enhancement HONE includes is there needs to be 110 feet as an open area and that space cannot be used as parking. There would need to be structure parking to meet the yield. The Board can either exclude from FAR or increase FAR consistent with the Muzi or Children’s Hospital sites. A carve out is cleaner. Ms. Newman stated there was talk of carving out parking interior to the building or underground but if it was going to create a new structure with more lot coverage or massing it would have to be covered in the FAR.

Ms. Espada stated there is no project yet. Is the applicant planning on a huge parking garage? Muzi is different as it is a very large lot. This site is very narrow and with as of right the Board would need to have a lot of say. The Board would need more information to make a better decision without compromising the as of right. Mr. McCullen noted a 4th story would be by special permit and it was as of right for 3 stories. The Town needs to find a way to get someone in here. It has been vacant a long time. He is not sure it is realistic to get what the Board wants without excluding parking from FAR. Mr. Alpert is not clear on what Mr. Sullivan said. To get to 187 units the building would have to be expanded out to the HONE setbacks. If they are going to have an apartment building filling up the entire site to get 187 units basically at the setbacks, where would you put the parking? It has to be within the setbacks. He does not hear there is a separate place for structured

parking. Mr. Sullivan thinks that is correct but there could be a building around structured parking and get 187 units, if you exclude it from FAR. There could be a scenario like that. Ms. Newman stated, if interior to the building, it would be excluded.

Ms. Espada asked about being screened by the building. Mr. Sullivan noted it could say it should be screened. The MBTA tracks have to have a setback or that side could be exposed. Mr. Crocker noted it is a math problem. Perhaps give a percentage that needs to be screened by the building. They do not want on Highland Avenue but Mr. Sullivan wanted to leave that option open. The entrance cannot be off Highland Avenue and would have to be off West Street. Some language needs to be put in. The idea of screened and under the building makes sense. If as of right, the Board has to say something. Ms. Newman feels they could say create the as of right for the building itself but say, by special permit, the Planning Board could allow for structured parking and the FAR to increase to a certain level to accommodate structured parking that meets certain parameters. Mr. Sullivan stated it would not qualify for the MBTA but Ms. Espada is not sure that is correct. Ms. Espada wants to prevent the whole front of the building from becoming parking. They want a streetscape that would enhance the neighborhood.

Mr. Sullivan will look at the language with what was just said in mind and try to come up with some concept so not fronting on Highland or West. The open space on the MBTA side is the most likely possibility. Ms. Espada agrees but doing as of right would need some understanding. She wants it developed and it is a great location for housing. She wants to work with Mr. Sullivan but needs to be aware of the community. Mr. Sullivan would not put units along the tracks. The units need to be close to Highland Avenue. He will look at this. Ms. Espada stated there just need to be some rules. A 15-foot maximum overrun for the elevator is acceptable. Mr. Crocker stated the building would also need to meet current standards. Ms. Newman noted there was a discussion about if there should be a maximum coverage requirement and minimum open space requirement. Ms. Espada noted that currently there is a 10% landscape requirement in open parking. An FAR of 1.3 is 43% site coverage. She would like to have 45% coverage for flexibility. Mr. Sullivan will look at that. He always thought the 110-foot open space was getting at that issue. They are taking the entire left side of the property for open space.

Ms. Espada noted, on some of the lots they have landscape requirements. She is thinking of a 10% landscape provision. She feels that would be good for this particular site. That is what they have at the Muzi site. Mr. Sullivan cautioned on that with the changes he proposed. These kinds of restrictions are restrictions and limit what can be done on site and are more restrictive than what was submitted to the MBTA. Ms. Espada wants to make it as of right and a good project. They need to be sensitive that if everything is getting larger there needs to be some idea of how the site would work without a specific project. Mr. Sullivan stated his goal is to have edits proposed included and get something back to the Board in short order. He wants to have another conversation with the Board to include in the Article.

Ms. Newman stated the Board will be looking at the draft changes then reflect the comments that come back from the Attorney General and the State. She will incorporate those comments and Mr. Sullivan's comments for the meeting in August. After the zoning was adopted by Town Meeting and went to the Attorney General for review, they looked at zoning and came back with minor changes. The Attorney General wanted the town to look at the definition of family. Town Counsel Heep is looking at definitions of family that would be suitable. Most communities are language smithing. She will have a revised draft for the next meeting and there will be a hearing at the first meeting in September.

Review of Draft Charge and Committee Composition for the Large House Study Committee

Ms. Espada noted there is a draft charge from the 7/15/24 meeting. Mr. McCullen feels it is important to put in the scope a fiscal impact analysis. What does a reduction impact have on homeowners and the cost of rebuilding from scratch? That is the crux of that. What are the hydrological impacts and non-imperious surfaces. He feels large houses have impacts. The Board needs to codify the work with the Select Board on having a Tree By-Law. That should be somewhere in this document. Mr. Crocker hoped there would be something for May but it does not seem to be practical. He is ok with October next year. Ms. Espada reviewed the timeline with the Warrant Article for October 2025. Mr. Crocker agrees with Mr. McCullen they need to have a scope and look at the economic aspects.

Mr. Alpert noted the 1st paragraph under Background, regarding the tear down issue, he wondered why the Planning Board feels tear downs are still an issue. Reading further he noted the 3rd paragraph noting "current observations suggest..." should be moved after the 1st paragraph in Background. Ms. Espada asked if landscape should be reviewed, and storm

water, specifically be in the Charge of this and the Tree By-Law or be in the specific purpose. Ms. Newman noted they are only looking at the house. She feels they should call out that this Committee has been created and should be coordinated with other entities regarding the Tree-By-Law and Storm Water. Mr. Crocker wants the Select Board Tree-By-Law to be integrated into this. Mr. McCullen feels the fiscal impact analysis should be a bullet point in the project scope. Ms. Espada believes it should also say coordinating there.

Mr. Alpert noted the problem on South Street was a subdivision problem. With a typical single-family home construction the Planning Board and Zoning Board of Appeals do not get involved. It is submitted to the Building Commissioner who approves. He does not see where landscaping could be included. He is glad it says members or designees. Who will choose the residents? Ms. Espada noted there will be 2 Planning Board members, 2 Select Board members, one Design Review Board member, one Finance Committee member, one Historical Commission member, one Zoning Board of Appeals member, one League of Women Voter's member, one Realtor, one Developer, one Architect and 2 members at large. Mr. Alpert feels it should say "to be appointed by the Planning Board." Ms. Newman will advertise to get people to apply. The Planning Board will interview and decide who to appoint. Ms. Espada asked if anyone from the Conservation Commission has been on. Mr. McCullen noted 15 members is a lot. He feels the Conservation Commission should be consulted with. After discussion, it was decided to take off the League of Women Voter's member as they could be one of the members at large.

Upon a motion made by Mr. Crocker, and seconded by Mr. Alpert, it was by a vote of the four members present unanimously:

VOTED: to approve the composition of the draft committee.

Ms. Newman will make the changes for the Board to review at the next meeting.

ANR Plan – Robert DiPierro, Applicant: John Zadroga, Vasu Talluri, Property Owners, (Property located at 235 Central Avenue and 9 Rosegate Road, Needham, MA).

Ms. Newman noted this is 2 existing houses. The property lines are being reconfigured and there will be a land swap to create a new building lot. Parcel A is transferred to Lot 2. All have required frontage on a public way. Lot 3A is non-conforming but the non-conformity is not being increased.

Upon a motion made by Mr. Alpert, and seconded by Mr. McCullen, it was by a vote of the four members present unanimously:

VOTED: to approve the plan as ANR.

Report from Planning Director and Board members

Ms. Clee noted she has 2 appointments – one is a special permit amendment and one is a subdivision. September is very busy. There was a meeting being held for 8/27 in case it is needed. She feels the Board should meet that day. She confirmed that still worked for everyone. She will send an email with all the upcoming dates.

Upon a motion made by Mr. Crocker, and seconded by Mr. McCullen, it was by a vote of the four members present unanimously:

VOTED: to adjourn the meeting at 9:45 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Artie Crocker, Vice-Chairman and Clerk

DRAFT

FOR PLANNING BOARD USE ONLY

NEEDHAM

ZONING BOARD OF APPEALS

AGENDA

THURSDAY, September 19, 2024 - 7:30PM

Charles River Room Public Service Administration Building 500 Dedham Avenue Needham, MA 02492	Also livestreamed on Zoom Meeting ID: 869-6475-7241 To join the meeting click this link: https://us02web.zoom.us/j/86964757241
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Minutes Review and approve Minutes from August 19, 2024 meeting.

7:30 PM **37 Moseley Avenue - Saybrook Construction, LLC**, applied for a Variance pursuant to Sections 7.5.3, and MGL40A, Section 10, from the following provisions of Section 4.2.3 and any other applicable sections of the By-Law to permit the demolition of a deteriorated single family residential dwelling with detached garage and shed and to allow the construction of a new single-family residential dwelling with a side setback of 13.8 feet where 25 feet are required and a front yard setback of 20 feet where 30 feet are required. The lot contains 35,726 square feet, less than the required 43,560 square feet. The property is located at 37 Moseley Avenue, Needham, MA in the Single Residence A (SRA) Zoning 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

August 26, 2024

Town of Needham
Zoning Board of Appeals
Needham, Massachusetts 02492

Attn: Daphne M. Collins, Zoning Specialist

Re: Saybrook Construction, LLC
37 Moseley Avenue, Needham, MA

Dear Ms. Collins,

Please be advised this office represents Saybrook Construction, LLC (hereinafter the Applicant and "Saybrook") with respect to the property known and numbered 37 Moseley Avenue, 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 plot plans depicting existing and proposed conditions;
4. Seven copies of Memorandum in Support of the application; and
5. Check in the amount of \$200 for the applicable filing fee.

The Premises is situated in the Single Residence A Zoning District (SRA). It contains 35,726 square feet of land, less than the required one acre. It has an unusual or irregular shape, and a substantial portion of the lot, approximately two-thirds, is covered by wetlands. The Premises is currently occupied by an existing one-story residential dwelling that appears to have been built in 1922, as well as an associated detached garage. Both structures are in bad condition and the house has been subject to flooding due to proximity to wetlands and an apparent high water table.

Due, in part, to the condition of the existing structures, Saybrook desires to demolish the garage in its entirety, as well as the portion of the house that exists above the foundation. Saybrook then intends to build a new, single-family residential structure with an attached garage on top of the remaining foundation and structural elements. Because of the extensive wetlands that cover the

Premises, and the applicable limitations and regulations associated therewith, the useable portion of the lot is limited to a very small area, in the northwest corner (the right front corner of the property when viewed from the street). Furthermore, because of the apparent high water table and frequency of flooding, it is not practical or desirable to construct any occupied basement space, as same will likely incur water damage. As a result, the house construction has been designed without any basement, and therefore requires a bit more space above grade to meet current housing needs and standards.

Unfortunately, this requires intrusion into the applicable setback and, as a result, Saybrook is requesting a variance from applicable setback requirements. In particular, Saybrook is seeking to reduce the applicable side yard setback from the minimum 25 feet to 13.8 feet, at the closest point, and to reduce the applicable front yard setback from the minimum 30 feet to 20 feet. Saybrook asserts that such variations are permissible and warranted due to the shape of the lot, the soil conditions, and because strict application of the By-Law would impose a hardship.

While the Premises is situated in the SRA Zoning District, only two of the nine lots on Moseley Avenue contain the minimum one acre of area or more. All the rest consist of less than one acre. Furthermore, the houses on Moseley Avenue are situated and located in such a way as to be generally consistent with SRB development rather than SRA. Whereas the requested setback variations are very nearly consistent with the applicable SRB setback, Saybrook asserts that the requested side yard setback variation would be consistent with the general character of the neighborhood, and is generally appropriate.

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	Saybrook Construction, LLC			Date:	8/26/24
Applicant Address	11 Shepard Drive, Brighton, MA 02134				
Phone	617-480-5990	email	danieldeychman@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	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 ☒ Representative in connection with this application.					

Subject Property Information

Property Address	37 Moseley Avenue, Needham, MA 02492		
Map/Parcel Number	Map 213 / Parcel 60	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			
Application Type (<i>select one</i>): ☐ Special Permit ☒ Variance ☐ Comprehensive Permit ☐ Amendment ☐ Appeal Building Inspector Decision			



ZBA Application For Hearing

Existing Conditions:

Single family residential dwelling with detached garage in bad condition and subject to flooding.

Statement of Relief Sought:

1. Variance, pursuant to Section 7.5.3 and M.G.L. c. 40A, Section 10, from the following applicable provisions of Section 4.2.3 of the By-Law:

- a. 25 foot minimum side yard setback requirement; and
- b. 30 foot minimum front yard setback requirement; and

2. Any and all other relief necessary for the partial demolition, enlargement, and reconstruction of the existing single-family dwelling by removal of that portion above the foundation and replacement thereof with new construction, resulting in a new single-family dwelling without basement access, as shown on the plans submitted herewith and approved by the Needham Conservation Commission pursuant to Order of Conditions DEP File #234-896..

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

4.2.3, 7.5.3 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		
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:	Date Lot was created:
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Submission Materials	Provided
Certified Signed Plot Plan of Existing and Proposed Conditions (Required)	
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)	
If applicant is tenant, letter of authorization from owner (Required)	
Electronic submission of the complete application with attachments (Required)	
Elevations of Proposed Conditions (when necessary)	
Floor Plans of Proposed Conditions (when necessary)	

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 7/18/ 24
date of consult

Date: 8/26/24 Applicant Signature George Giunta Jr

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

TO: THE MEMBERS OF THE BOARD OF APPEALS
TOWN OF NEEDHAM, MA

August 26, 2024

MEMORANDUM IN SUPPORT OF APPLICATION OF
SAYBROOK CONSTRUCTION, LLC
37 Moseley Avenue, Needham, MA

The applicant, Saybrook Construction, LLC (hereinafter both “Saybrook” and the “Applicant”), seeks a Variance, pursuant to Section 7.5.3 of the Needham Zoning By-Law and M.G.L. c. 40A, Section 10, and any and all other relief that is or may be necessary and proper to permit the partial demolition, enlargement and reconstruction of the single family dwelling at the property at 37 Moseley Avenue (the “Premises”) with less than the required side and front yard setbacks.

I. Existing Conditions / History

The Premises is identified as Parcel 60 on Town of Needham Assessor’s Map No. 213 and is located in the Single Residence A Zoning District (the “SRA”). It appears to originally have been created as a separate lot when it was conveyed to Harold W. Pierce by deed dated October 3, 1931, recorded with Norfolk County Registry of Deeds in Book 1947, Page 431. At that time, the lot contained only approximately 8,250 square feet. It was later enlarged through the addition of a portion of the land described in deed dated June 12, 1948, recorded with Norfolk County Registry of Deeds in Book 2765, Page 150, and shown on “Compiled Plan of Land in Needham, Mass.”, dated July, 1948, recorded with Norfolk County Registry of Deeds as Plan no. 732 of 1948 at Book 2775, Page 201.¹ As a result, at present, the Premises contains approximately .85 acre.

The Premises is currently occupied by a one-story, wood frame, single-family dwelling and a detached garage. The records of the Assessor’s Department indicate that the dwelling was initially constructed in 1922, and the index card on file with the Building Department indicates 1926.² Whenever the house was first built, it is currently in bad condition, as is the garage, and

¹ See Exhibit A attached hereto, excerpt of Assessor’s Map. Note that the original lot can be shown as the dashed line inside the current lot.

² See Exhibit B attached hereto, Assessor’s Residence Information and Building Department Index Card.

subject to flooding.³ The house contains five rooms, with two bedrooms and one full bath and its condition is graded as D- by the Assessor Department.⁴

Approximately two-thirds of the Premises is covered by wetlands, with the entire remaining area located inside the applicable 100 foot buffer zone. The first 25 in the 100 foot buffer zone, closest to the wetlands, is a so-called ‘no touch’ area where all but the most passive activities (such as walking on foot) are prohibited. The next closest 25 feet is also a restricted area, where structures, dwellings and construction are generally prohibited. Together, these two areas are sometimes referred to as the 50 foot buffer, and are distinguished from the remaining 50 feet due to the extremely limited nature of allowed activities permitted therein.

With respect to that part of the Premises that is situated outside of the wetlands, a substantial majority is not only located within the wetlands buffer zone, but is within the aforescribed more restrictive 50 foot buffer. In fact, only a small area of the Premises is located outside such buffer. The portion of the lot that is located between the right-side property line and the 25 foot no touch / no disturb buffer zone line to the left is only a bit over 45 feet wide. And, because of the way the wetlands wrap around the Premises in the rear, the portion of the Premises where structures and dwellings might be allowed, subject to approval of the Conservation Commission, is only approximately 100 feet deep. This results in a maximum useable area of approximately 45 feet wide by 100 feet deep. If the required side and front yard setbacks are applied to this useable area, it results in a buildable area approximately 20 feet wide by 70 deep, at best. But even then, because of the shape of the wetlands area in the rear, the back 20 feet or so are significantly constrained, resulting in an even smaller useable area.

II. Proposed Work

As indicated above, because of the bad condition of the existing house and garage, and the fact that the house is prone to flooding, Saybrook proposes to demolish the garage, together with that portion of the house above the foundation, and to enlarge and reconstruct the demolished portion of the house. From a practical and functional perspective, this will result in a new single-family dwelling and attached garage, even though a portion of the existing structure is being retained and incorporated into the reconstructed dwelling. To avoid

³ See Exhibit C attached hereto, photo of flooding in basement.

⁴ Refer to Exhibit B attached hereto.

and protect against future flooding, the new house will not include any useable basement.⁵ As a result, all the living areas and storage space will need to be located above grade. Given the small useable area created by the proximity of the wetlands and the applicable buffer zones, this is not practicalable if the side and front yard setbacks are strictly applied. Moreover, because of current stormwater requirements, a stormwater infiltration system also needs to be located within the small useable space, further limiting the size of any house situated at the Premises.

As a result, Saybrook is requesting a variance from the side and front yard setbacks, so that instead of a 25 foot side yard setback, the house be located 13.8 from the right, northwesterly, sideline, and instead of a 30 foot front yard setback, the house would be located 20 feet from the front property line. The proposed front setback is consistent with the applicable front yard setback in the SRB Zoning District, and the proposed side yard setback very nearly so.⁶

Notwithstanding the location of Moseley Avenue in the SRA Zoning District, the houses on the street are laid out more like houses in the SRB Zoning District; being closer together and situated up close to the street. Furthermore, of the nine lots located on Moseley Avenue, only two contain the requisite minimum area of one acre or more; the rest consisting less than one acre. Finally, while the existing house technically complies with the applicable side-yard setback, that is only because there is a different setback applicable to existing houses versus the one applicable to new construction.⁷

In furtherance of Saybrook's desire and intent, it previously sought and obtained an Order of Conditions from the Needham Conservation Commission, DEP File No. 234-896, permitting the construction proposed herein. The Order restricts the work and the location of the new home so as to leave the natural area untouched and protect the interests of the MA Wetlands Protection Act and the Needham Wetlands Protection By-law.

⁵ Although the existing foundation is being retained, no access to the current basement space will be provided inside the enlarged and reconstructed upper portion of the house.

⁶ Compare 13.8 feet proposed v 14 feet applicable in the SRB Zoning District.

⁷ The side-yard setback applicable to new construction is 25' whereas the side-yard setback applicable to existing dwelling is only 15'.

III. Law

Massachusetts General Laws, c.40A, Section 10, provides that variances may be granted when,

owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.

The foregoing criteria are mirrored in Section 7.5.3 of the Needham Zoning By-Law.⁸

Section 1.1 of the By-Law states that is the intent and purpose of the By-Law to

promote the health, safety, convenience, morals or welfare of the inhabitants of Needham; to lessen congestion in the streets; to conserve health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the Town and to preserve and increase amenities under the provisions of General Laws, Chapter 40A.

IV. Analysis / Argument

There currently exist circumstances relating to the soil conditions and shape of the Premises that especially affect the Premises but not generally the Single Residence A Zoning District. As can be seen from the plans submitted with the application, the Premises consists of an usual or irregular shape, one that is not found generally within the SRA Zoning District. Moreover, the presence of wetlands over so much of the lot and the apparent high-water table (as

⁸ That Section authorizes the Board to grant a variance where, “owing to circumstances relating to soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the By-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the By-Law”.

indicated by the flooding), constitute soil conditions which are also not generally found throughout the SRA Zoning District.

Literal enforcement of the provisions of the By-Law would involve substantial hardship, financial or otherwise. The current condition of the house and detached garage, combined with the continuing damage from flooding makes partial demolition and substantial renovation a necessity. Strict application of the setback requirements of the By-Law, when combined with the location and extent of the wetlands on the lot, would result in a severely and unduly limited space within which to build a home and the necessary infiltration system associated therewith. As it is, the vast majority of the lot is completely unusable due to the extent and location of the wetlands, and even the area where the enlarged, reconstructed portion of the home is to be located is subject to frequent flooding. Therefore, strict application of the side and front yard setbacks would result in a tremendous hardship to Saybrook.

Finally, the requested relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the by-law. While the Premises is currently situated in a Single Residence A Zoning District, the other houses on the street are located and laid out more consistent with conditions found generally in the Single Residence B Zoning District. They are closer together and closer to the street than generally is found throughout the SRA Zoning District. Moreover, while Saybrook is requesting a variation from the setbacks, the proposed setbacks are only a bit closer than the existing house, and are effectively consistent with those found in the SRB Zoning District. Therefore, issuance of a variance would not present any apparent detriment and further does not nullify or substantially derogate from the intent or purpose of the By-Law, as it would permit the continued use of a lot for single family residential purposes that has been so occupied for approximately 100 years.

V. Conclusion

The Board is currently presented with a compelling situation. The Premises consists of an unusual and irregular shape. It is substantially and materially occupied and covered by wetlands, which wrap around the lot leaving only a small area in the front right corner useable to any real extent. And after the application of current wetlands regulations and setback requirements, this area becomes that much smaller and limited.

Given the current condition of the existing dwelling and garage, and the fact that the existing house is prone to flooding, they require extensive work at a bare minimum. And considering the work that would be necessary, as well as current housing standards, only a larger house makes practical and economic sense. However, if the setback requirements of the By-Law are strictly applied, any enlarged or rebuilt house would be impractically small, with less than adequate space and function. Moreover, because stormwater infiltration is required, the area available for a dwelling is further limited.

This would impose a tremendous and needless hardship upon Saybrook and would be inconsistent with not only the use of the Premises and its treatment over the past 100 or so years, but also the purposes of the By-Law. As a result, Saybrook has requested zoning relief so as to locate a modest house on the lot in a location that is generally consistent with the requirements of the SRB Zoning District. This is consistent with the useable portion of the lot and with the characteristics of the neighborhood. Therefore, Saybrook asserts that the issuance of a variance is proper and appropriate, and requests that same be granted.

Respectfully submitted,
Saybrook Construction, LLC
by its attorney,



George Giunta, Jr., Esquire
281 Chestnut Street
Needham, Massachusetts 02492
781-449-4520
george.giuntajr@needhamlaw.net

EXHIBIT A
Except from Assessor's Map 213

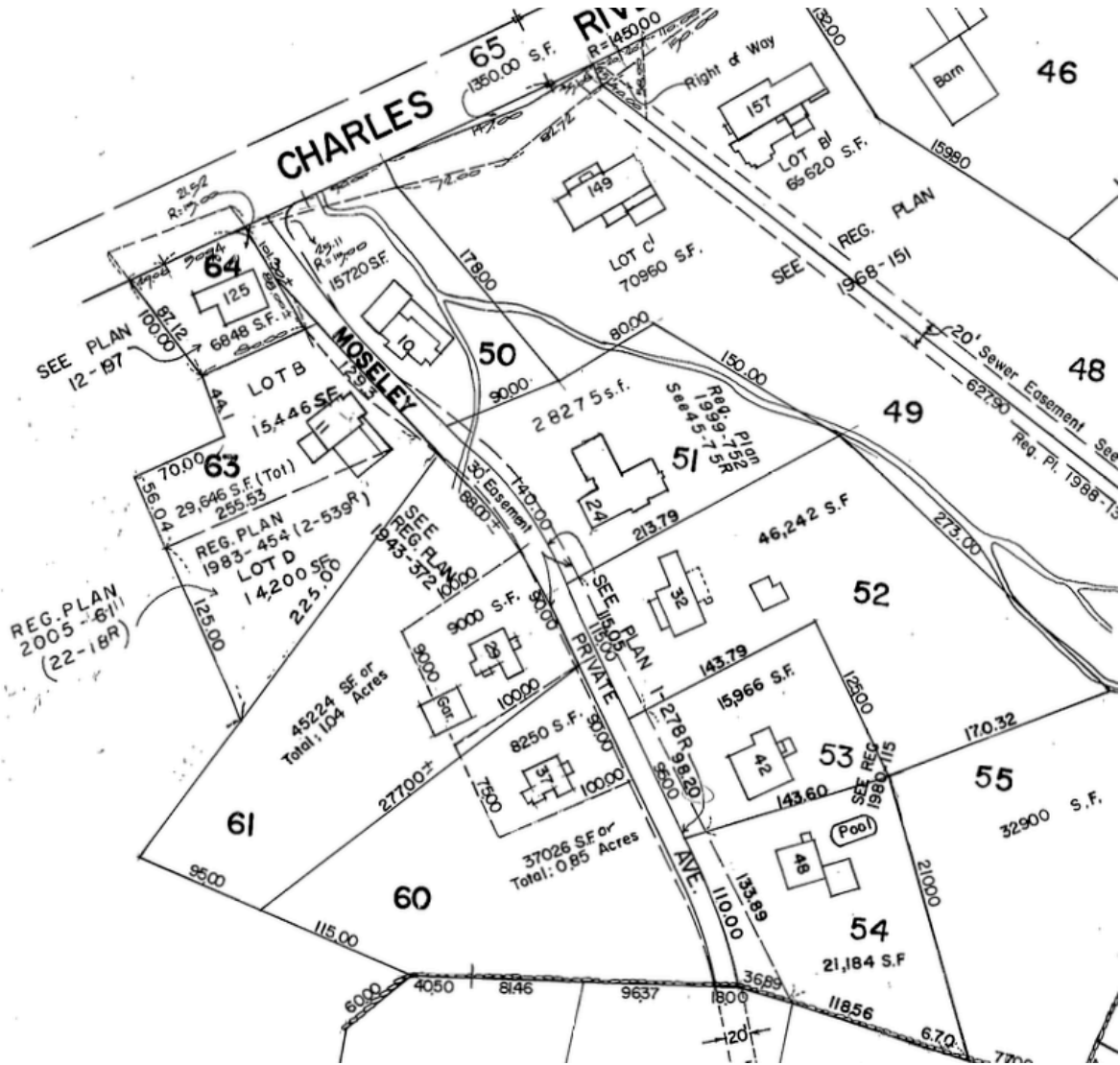


EXHIBIT B
1. Assessor's Residence Information

PARID: 1992130006000000
SAYBROOK CONSTRUCTION LLC

MUNICIPALITY: NEEDHAM
37 MOSELEY AVE

LUC: 101
PARCEL YEAR: 2024

Residential Card Summary

Card/Building:	1
Stories:	1
Condition:	8 - POOR
Grade:	D- - POOR
CDU:	PR - POOR
Exterior Wall:	WS - WOOD-SHN-SHK
Style:	BN - COTTGE-BNGLW
Year Built:	1922
Effective Year:	1980
Square Feet of Living Area:	672
Total Rooms:	5
Bedrooms:	2
Full Baths:	1
Half Baths:	0
Additional Fixtures:	0
Roofing Material:	AS - ASPHALT-SHNG
Heating:	D - HOT WATER
Fuel Type:	O - OIL
Dwelling Value:	\$52,400

Sections

Card #	Addition #	Lower	First	Second	Third	Area	RCNLD
1	0					672	0
1	1		P			44	900

EXHIBIT B
2. Building Department Index Card

PT. NO 1941		FEE 3.00	DATE 4/6/26
LOCUS 37 Moseley Avenue			
BLDG. Single Family	NO. RMS		
OWNER Harold Pierce	VALUE 2,500.		
BLDR. Same	FEE		
ELECT.	PT. NO.		
PLBR.	PT. NO.		
GAS FTR.	PT. NO.		
SEPTIC TANK	SEWER		
HEAT	GRADES		
COMPLETE			
OCC. PT			
TOWN OF NEEDHAM INSPECTION DEPARTMENT			WHDX C68-0105

EXHIBIT C
Photo of Flooding in House Basement



TOWN OF NEEDHAM, MASSACHUSETTS

Building Inspection Department

Assessor's Map & Parcel Number: 213 LOT 60

Building Permit No. _____

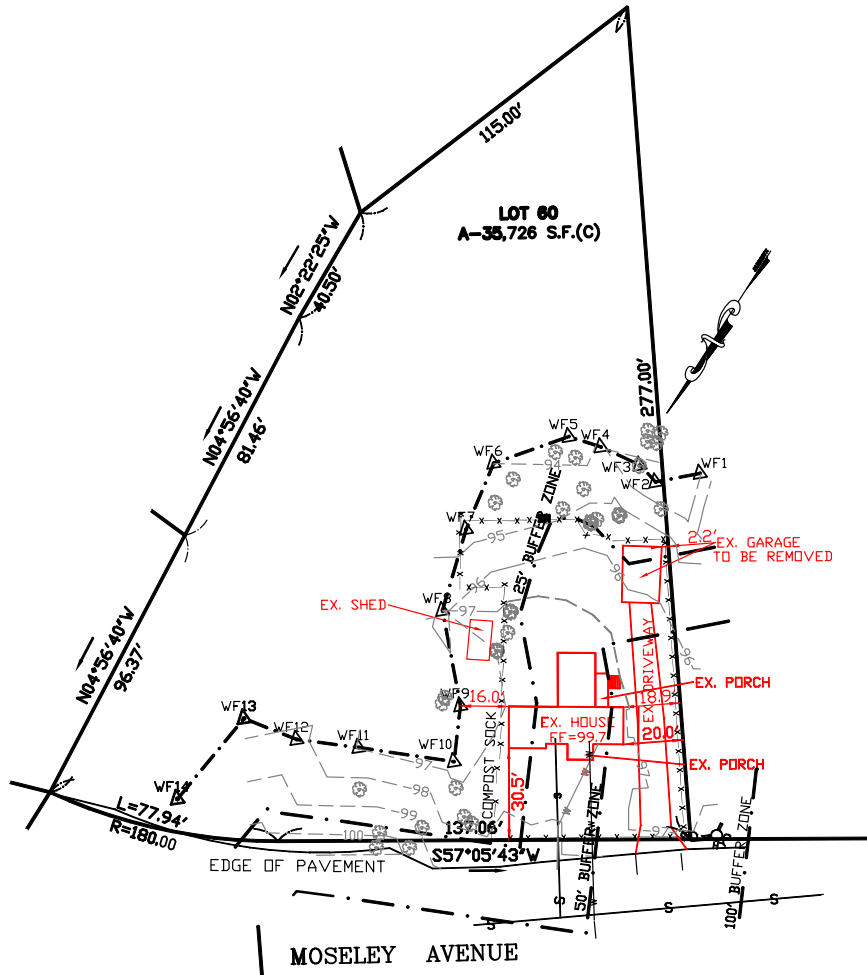
Zoning District: SRA

Lot Area 35,726 S.F.

Address: 37 MOSELEY AVENUE

Owner SAYBROOK CONSTRUCTION LLC Builder MIKHAIL DEYCHMAN

DEMO/PROPOSED PLOT PLAN/FOUNDATION AS-BUILT/FINAL AS-BUILT
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 JULY, 2022.

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 _____

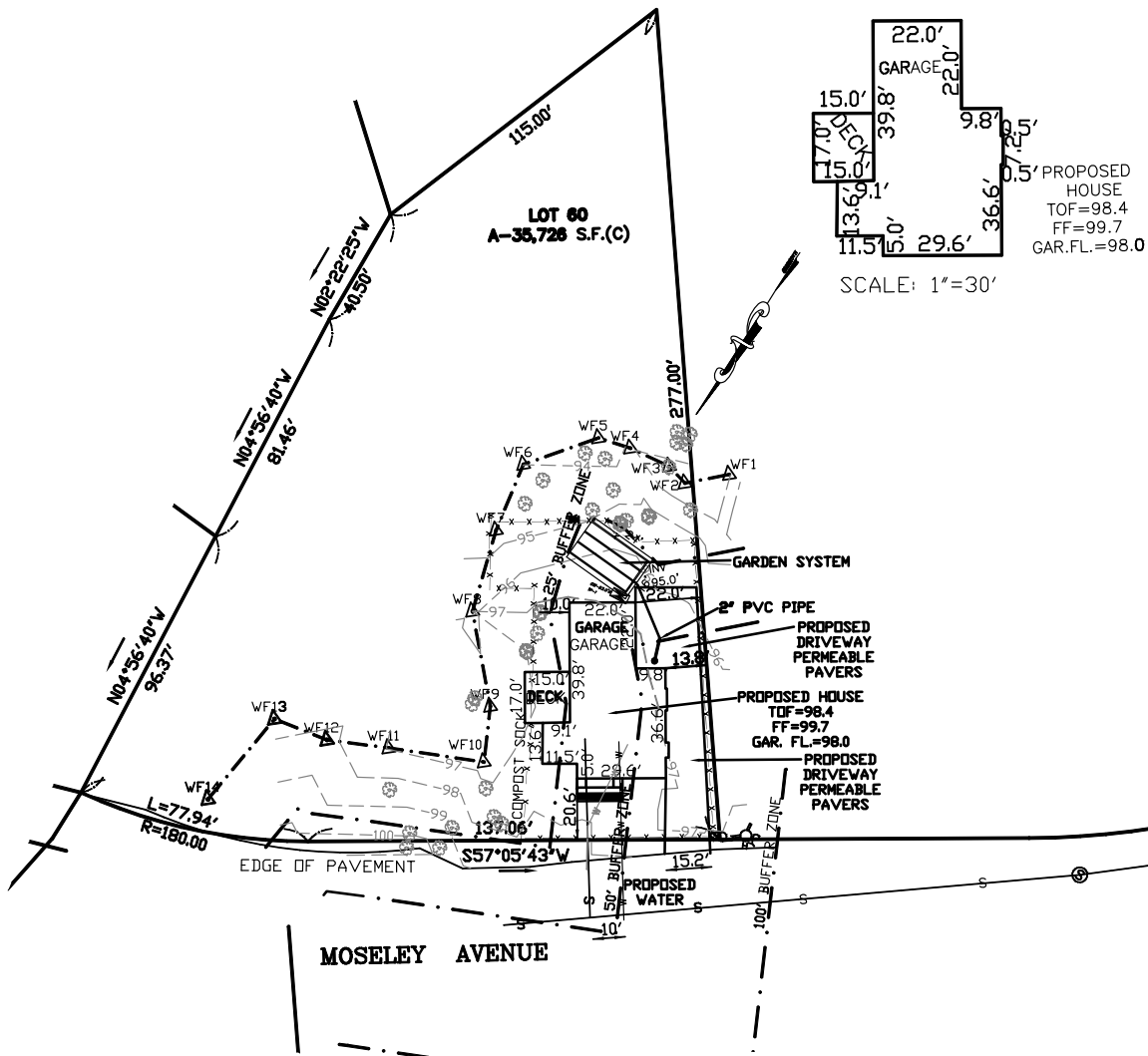
Building Inspector

Date _____

TOWN OF NEEDHAM, MASSACHUSETTS
Building Inspection Department

Assessor's Map & Parcel Number: 213 LOT 60
Building Permit No. _____ Zoning District: SRA
Lot Area 35,726 S.F. Address: 37 MOSELEY AVENUE
Owner SAYBROOK CONSTRUCTION LLC Builder: MIKHAIL DEYCHMAN

DEMO/PROPOSED PLOT PLAN/FOUNDATION AS-BUILT/FINAL AS-BUILT
40' Scale



HEIGHT OF DWELLING 35.0'
FROM AVERAGE GRADE
TO THE RIDGE OF ROOF

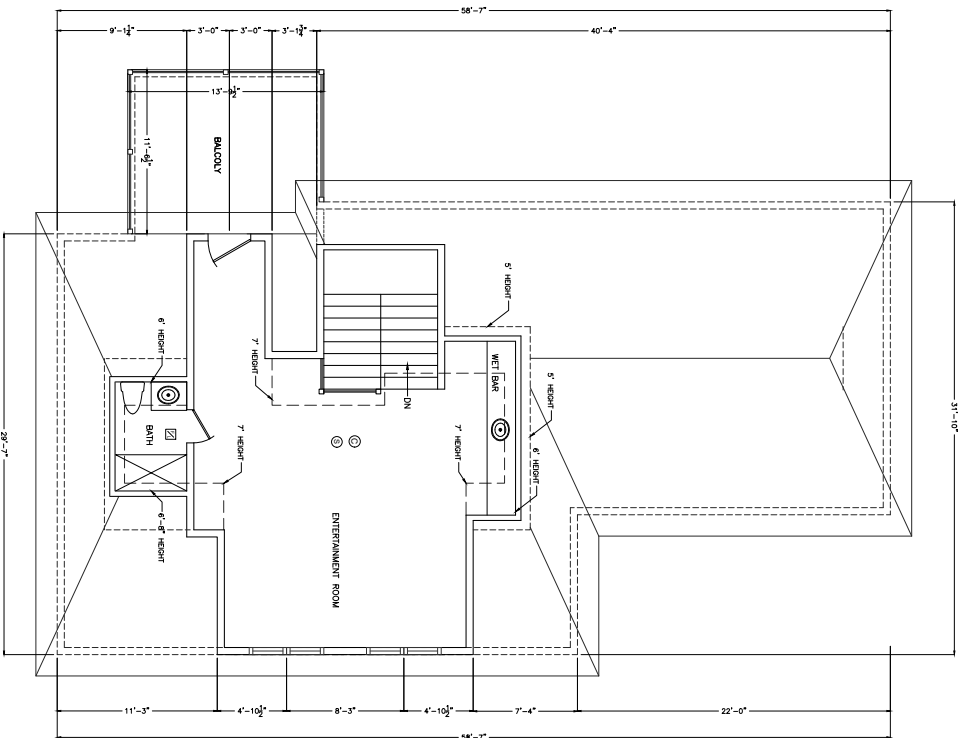
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(*Accessory structures may require a separate building permit— See Building Code)

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 16 day of JANUARY 2024.

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 _____ Date _____
Approved _____ Director of Public Works
Approved _____ Building Inspector Date _____



ATTIC PLAN

05/30/24 LAYOUT REVISED	
05/06/24 STAIRCASE REVISED, ATTIC REVISED BASED ON NEW ROOF	
DATE	REVISION
All work under this drawing has not finished the completed and design project forth in the drawings. The drawings are not to be used or revised in whole or in part, except in connection with this project, without the prior written consent of the architect. The drawings are not to be used for any other purpose, and no other drawings or specifications shall be used in connection with this project. The drawings are not to be used for any other purpose, and no other drawings or specifications shall be used in connection with this project. The drawings are not to be used for any other purpose, and no other drawings or specifications shall be used in connection with this project.	

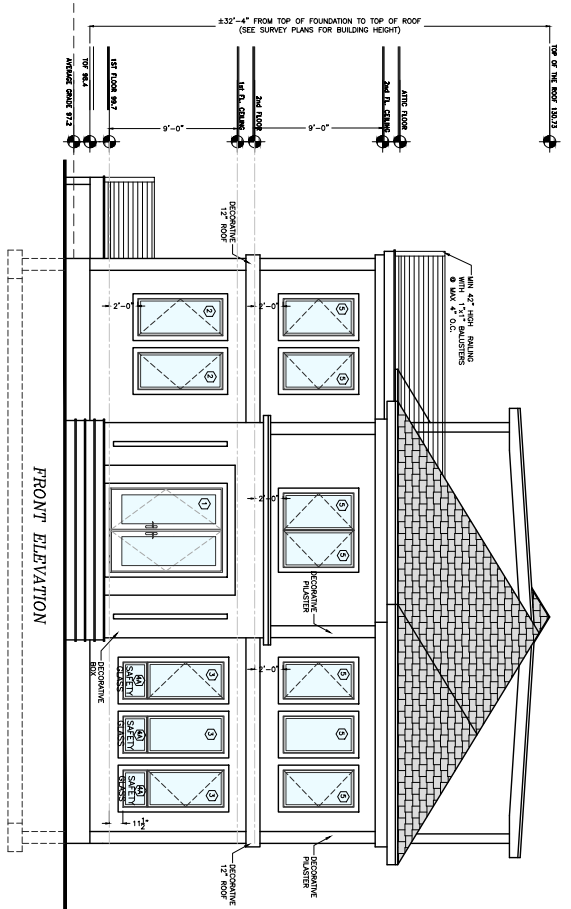
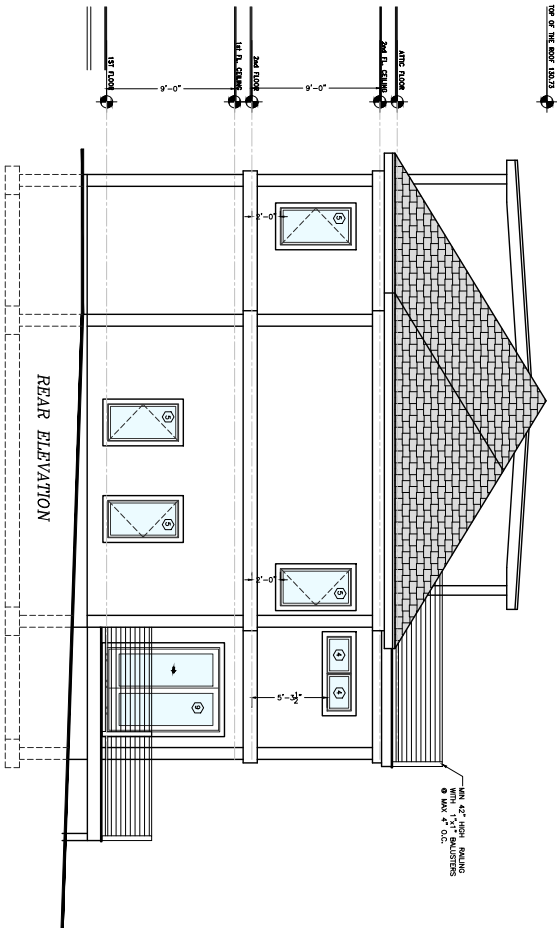


37 MOSELEY AVENUE, NEEDHAM, MASSACHUSETTS	
RAV & Assoc., Inc. 1 HERBIE AND VANDIE NEEDHAM MASSACHUSETTS 02046 TELEPHONE: (781) 449-8300 FAX: (781) 449-8305	
SCALE: 1/4"=1'-0"	
APPROVED: R.A.V.	DESIGNED BY: I.B.
DATE: 11/30/2023	DRAWN BY: I.B.
CHECKED BY: R.A.V.	DRIVING NO.: A-2

EXTERIOR DOORS AND WINDOWS SCHEDULE

No.	UNIT DIMENSIONS	MODEL	REMARKS
①	6'-0" x 8'-0"	CUSTOM	ENTRY DOOR
②	2'-7 1/2" x 5'-11 7/8"	CV16	*
③	2'-7 1/2" x 5'-4 13/16"	CV15	*
④	2'-7 1/2" x 1'-8 1/2"	AN21	TRANSOM WINDOW
⑤	2'-7 1/2" x 1'-8 1/2"	AN21	TRANSOM WINDOW, SAFETY GLASS
⑥	2'-7 1/2" x 4'-11 7/8"	CV16	*
⑦	2'-7 1/2" x 4'-4"	CV15	SAFETY GLASS
⑧	2'-7 1/2" x 4'-4 13/16"	CV14	*
⑨	16'-0" x 8'-0"	CUSTOM	GARAGE DOOR
⑩	5'-11 1/4" x 7'-11 1/2"	PIVINGR	PIVINGR DOOR
⑪	2'-11 15/16" x 1'-8 1/2"	AN11	TRANSOM WINDOW, SAFETY GLASS
⑫	4'-11 7/8" x 4'-11 7/8"	PIVINGR	PICTURE WINDOW, SAFETY GLASS

* GROSS WINDOW MEETS OR EXCEEDS CLEAR OPENING OF 5.7 SF, CLEAR WIDTH 20" AND CLEAR HEIGHT 24" A MEET CLEAR OPENING WIDTH OF 20" USING SLIDING CONTROL BRACKET W/ SPRING-ARM OPERATOR SPECIFIED (BRACKET CAN BE PIVOTED FOR CLEANING POSITION) & MEET CLEAR OPENING WIDTH OF 22" WITH STRAIGHT-ARM OPERATOR SPECIFIED.



NOTES

CONTRACTOR MUST VERIFY ALL SIZES AND ROUGH OPENINGS PRIOR TO ORDERING CONTRACT WINDOW MANUFACTURER FOR DETAILS. CONTACT THE OWNER FOR FINAL SELECTION AND WINDOWS PRIOR TO ORDERING AND PRIOR TO FRAMING DOOR AND WINDOW OPENINGS. WINDOWS IN ALL ROOMS, MINIMUM CLEAR OPENING MUST BE 20 IN (W) X 24 IN (H) AND HAVE MINIMUM OF 5.7 SF OF CLEAR OPEN AREA FOR ANY WINDOW EXCEPT OF DOUBLE HUNG WINDOW (3.3 SF OF CLEAR OPEN AREA FOR VERTICAL LOCATIONS OF SAFETY GLASS WINDOWS AND DOORS PRIOR TO ORDERING WINDOWS AND DOORS.

1. EXPOSED AREA OF AN INDIVIDUAL FRAME GREATER THAN 9 S.F.
2. GLAZING IN FIXED AND SLIDING PANELS OF SLIDING DOORS AND SWINGING DOORS:
3. GLAZING IN DOORS AND ENCLOSURES FOR BATHROOMS, STEAM ROOMS AND SHOWERS.
4. GLAZING IN DOORS AND ENCLOSURES FOR BATHROOMS, STEAM ROOMS AND SHOWERS.
5. GLAZING IN DOORS AND ENCLOSURES FOR BATHROOMS, STEAM ROOMS AND SHOWERS.
6. GLAZING IN DOORS AND ENCLOSURES FOR BATHROOMS, STEAM ROOMS AND SHOWERS.
7. GLAZING IN DOORS AND ENCLOSURES FOR BATHROOMS, STEAM ROOMS AND SHOWERS.
8. GLAZING IN DOORS AND ENCLOSURES FOR BATHROOMS, STEAM ROOMS AND SHOWERS.
9. EXPOSED AREA OF AN INDIVIDUAL FRAME GREATER THAN 9 S.F.
10. EXPOSED AREA OF AN INDIVIDUAL FRAME GREATER THAN 9 S.F.
11. EXPOSED AREA OF AN INDIVIDUAL FRAME GREATER THAN 9 S.F.
12. EXPOSED AREA OF AN INDIVIDUAL FRAME GREATER THAN 9 S.F.

NOTE:
ALL EXTERIOR WINDOWS
CHILD-PROOF LOCK

FRONT AND REAR ELEVATIONS

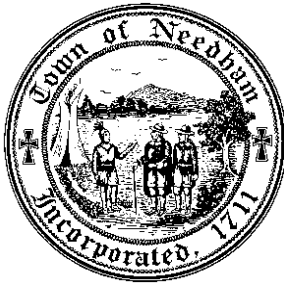
37 MOSELEY AVENUE,
NEEDHAM, MASSACHUSETTS

RAV & ASSOC., INC.
ARCHITECTS AND PLANNERS
TELEPHONE: (781) 469-8200 FAX: (781) 469-8205

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

APPROVED: R.A.V. DESIGNED BY: L.B. DRAWN BY: L.B. DATE: 11/30/2023 CHECKED BY: R.A.V. DRAWING NO.: A-3





PLANNING & COMMUNITY DEVELOPMENT
PLANNING DIVISION

April 2, 2024

Mr. Jonathan Tamkin, Chair, and Members
Zoning Board of Appeals
Public Services Administration Building
500 Dedham Avenue
Needham, MA 02492

Dear Mr. Tamkin and Members of the Zoning Board of Appeals:

At its meeting of April 2, 2024, the Planning Board reviewed the applications to be heard by the Board of Appeals on April 24, 2024, and made the following recommendations:

1. 315 Chestnut Street Needham, LLC, applied to the Board of Appeals for a Special Permit under Sections 3.2.2, 5.1.1.5, 5.1.2. and any other applicable sections of the By-Law to permit the conversion and use of the second floor space, most recently used as office space, for residential purposes as one residential dwelling unit and waiving strict adherence to the number of required parking and the parking plan and design requirements. The property is located at 315 Chestnut Street, Needham, MA in the Chestnut Street Business (CSB) Zoning District.

The Planning Board makes NO COMMENT.

2. Saybrook Construction, LLC, applied to the Board of Appeals for a Variance pursuant to Sections 7.5.3, and MGL40A, Section 10, from the following provisions of Section 4.2.3 and any other applicable sections of the By-Law to permit the demolition of a deteriorated single family residential dwelling with detached garage and shed and to allow the construction of a new single-family residential dwelling with a side setback of 13.8 feet where 25 feet are required and a front yard setback of 20 feet where 30 feet are required. The lot contains 35,726 square feet, less than the required 43,560 square feet. The property is located at 37 Moseley Avenue, Needham, MA in the Single Residence A (SRA) Zoning District.

The Planning Board makes NO COMMENT.

NEEDHAM PLANNING BOARD

Lee Newman

Lee Newman

Director of Planning and Community Development



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

September 5, 2024

Christopher Heep, Esq.
Harrington Heep
40 Grove Street, Suite 190
Wellesley, MA 02482

**Re: Extension of 90-day review period of Articles 18, 19, 20, and 42
Needham Annual Town Meeting of May 6, 2024
Case # 11480**

Dear Attorney Heep:

Pursuant to the requirements of G.L. c. 40, § 32, the Attorney General and Town Counsel are authorized to extend the 90-day period provided for the Attorney General's review of town by-laws for not more than an additional 90 days. This letter serves to satisfy the requirements of G.L. c. 40, § 32. In light of our need for time to further discuss the proposed by-laws' consistency with state law, we hereby jointly agree to extend the Attorney General's review period of Articles 18, 19, 20, and 42 for an additional 45 days. Our decision on Articles 18, 19, 20, and 42 will now be due on **October 23, 2024**.

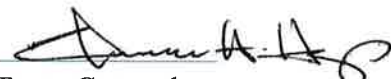
Please sign this letter to reflect your agreement and return the signed letter to us. We will then file the letter with the Town Clerk, with a copy to you. Thank you for your accommodation in this matter.

Very truly yours,

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

Nicole B. Caprioli

By: Nicole B. Caprioli
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600 ext. 4418


Town Counsel

September 6, 2024
Date

WELLESLEY PLANNING BOARD
NOTICE OF ZONING PUBLIC HEARING
FALL SPECIAL TOWN MEETING

MONDAY, SEPTEMBER 16, 2024, 6:30 PM
REMOTE MEETING

<https://www.wellesleymedia.org/live-streaming.html>

Residents can view the meeting from the link above (<https://www.wellesleymedia.org/live-streaming.html>). The online meeting will also be streaming live and will be telecast live on Comcast channel 8 and Verizon channel 40.

If you would like to participate on this topic, an agenda will be posted prior to the meeting with remote information.

In accordance with M.G.L., Chapter 40A, Section 5, and Section 26 of the Zoning Bylaws of the Town of Wellesley, Massachusetts, notice is hereby provided that the Planning Board will hold a public hearing to begin at 6:30 p.m. on Monday, September 16, 2024, on the following proposed amendments to the Zoning Bylaw proposed to be considered at the 2024 Fall Special Town Meeting:

PLANNING ARTICLE A: ZONING MAP CHANGE FOR 6 WASHINGTON COURT
To see if the Town will vote to amend the Zoning Map to rezone property to the Residential Incentive Overlay District located at:

- 6 Washington Court (Assessor's Parcel ID# 34-15), the area to be rezoned totaling approximately 46,457 square feet in area, into the Residential Incentive Overlay District.

Or take any other action in relation thereto.

PLANNING ARTICLE B: ZONING MAP CHANGE FOR 35-49 WALNUT STREET

To see if the Town will vote to amend the Zoning Map to rezone properties to the Residential Incentive Overlay District located at:

- 35-37 Walnut Street (Assessor's Parcel ID# 27-19), 47 Walnut Street (Assessor's Parcel ID# 27-18) and 49 Walnut Street (Assessor's Parcel ID # 27-17), the area to be rezoned totaling approximately 155,375 square feet in area into the Residential Incentive Overlay District.

Or take any other action in relation thereto.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02459
2024 AUG 22 AM 9:19

PLANNING ARTICLE C: MBTA COMMUNITY ZONING

To see if the Town will vote to amend the Zoning Bylaw to achieve compliance with the provisions of M.G.L. c.40A Section 3A Multi-Family Zoning as-of-right in MBTA Communities by:

- I. Amend Section 3.6.1.D Wellesley Park Smart Growth Overlay District subsection D. Dimensional and Other Requirements to allow for the provision of multi-family dwelling units on all lots in the District and to eliminate the cumulative height cap in the District.

D. Dimensional and Other Requirements

Buildings and Development Lots within the Wellesley Park Overlay District shall be subject to the following requirements:

1. Density

Development of the following uses within the Wellesley Park Overlay District shall be limited, as follows:

- a. Multi-Family Dwellings: no more than eight hundred fifty (850) total Dwelling Units or twenty (20) units per acre based on the entire area of the District, whichever is greater; **provided however that a minimum of fifteen (15) units per acre shall be permitted on each parcel within the District regardless of whether the preceding total unit or aggregate density maximums have been achieved.**
- b. Small-Scale Retail Establishments: not to exceed a total of 19,500 gross square feet; and
- c. Offices and Office-High Tech: not to exceed a total of 700,000 gross square feet;

6. Height

The maximum height of buildings and structures in a Development Project in the Wellesley Park Overlay District shall be eighty-five (85) feet.,~~and the aggregate height of all buildings in the Wellesley Park Overlay District shall not exceed five hundred and seventy-five (575) feet based on the maximum height of each individual building. Independent parking structures shall not be included in the calculation of aggregate height.~~

For the purposes of Development Projects within the Wellesley Park Overlay District, building or structure height shall be the distance between average finished grade adjacent to the building, exclusive of basements, and the ceiling of the upper-most occupied space in the building in the case of flat roofs and, in the case of buildings with pitched roofs, at the point at which such ceiling intersects with the exterior portion of the building. The calculation of building height shall not apply to roof tanks and their supports, roof decks, parapets, ventilating, air conditioning and similar building service equipment, chimneys, railings, skylights, mechanical penthouses, and other similar features of buildings which are in no way designed or used for living purposes nor the portion of the pitched roof

above the intersection of the ceiling of the upper-most heated space and the exterior of the building.

- II. Amend Section 5.6 Project Approval subsection C. Applicability and Procedure, Part 2 Site Plan Review to define that MBTA Community Projects are subject to site plan review and that site plan review is not a special permit for MBTA Community projects.

2. Site Plan Review

In addition to Design Review in accordance with the preceding section, Major Construction Projects and Projects of Significant Impact, and **MBTA Community Projects** are subject to Site Plan Review, as follows:

- a. The applicant shall submit to the Zoning Board of Appeals ("ZBA") plans and other submission materials in accordance with the procedures for **Site Plan Review Special Permits** adopted by the ZBA pursuant to Section 6.3.C.3 of this Zoning Bylaw. Within seven (7) days from the date of its submission to the ZBA, copies of the complete application as submitted shall be referred by the ZBA to the Board of Health, Planning Board, Design Review Board, Town Engineer, Wetlands Protection Committee, Municipal Light Plant, Fire Chief, Police Chief and any other Town agencies or boards designated by the ZBA, for review and preparation of written recommendations to the ZBA, Building Inspector and the applicant prior to the required public hearing. Said written recommendations shall be attached to and become part of the application.
- b. **Site Plan Review for MBTA Community Projects by the ZBA pursuant to Section 5.6 of this Zoning Bylaw shall be for the purpose of ensuring that such projects conform to the standards outlined for Special Use Permits in Section 6.3.D, provided however that approval hereunder shall be limited to the imposition of reasonable conditions necessary to ensure compliance with said criteria.**

Approval under this section shall not be unreasonably withheld, provided that an application may be denied where identified extraordinary adverse impacts from such MBTA Community Projects cannot be effectively conditioned or mitigated.

- bc. No decision shall be made by the ZBA in connection with any application until the above referenced written recommendations have been received or thirty-five (35) days shall have elapsed after such referral of the application without a recommendation being received. The ZBA may modify such plans to meet the requirements of this Section, and as modified, approve the same, or may disapprove the plans. No building permit or parking plan permit shall be issued by the Building Inspector without the written approval of plans as herein above provided.

- III. Amend Section 6.3 Special Permit Granting Authority subsection B. Project Approval Part 3 Project Approval to define that MBTA Community Projects are subject to Site Plan Review, but that Site Plan Review is not a Special Permit.

3. Project Approval

The Special Permit Granting Authority is empowered to review and approve plans in accordance with the requirements of Section 5.6 and this Section 6.3. **The ZBA shall, after public hearing, adopt rules and regulations and/or procedures for the administration of Site Plan Review required by Section 5.6.C.2.b, and shall file a copy of the same in the office of the Town Clerk.** ~~The provisions of Section 6.3.C of this section shall apply to the review and approval of plans for Major Construction Projects.~~ The approval of plans by the Special Permit Granting Authority in accordance with Section 5.6 shall constitute the granting of a special permit, **except in the case of MBTA Community Projects.**

A copy of the text of the proposed amendments, as well as exhibit maps, may be inspected at the Planning Department/Planning Board Office (888 Worcester Street, Suite 160), and can be found online at <https://www.wellesleyma.gov/267/Planning> Interested persons are encouraged to call or visit the Planning Department/Planning Board Office (781-431-1019 ext. 2230, 2232, 2234, 2237 or 2238) for more information.

Eric Arbeene
Planning Director
(WT-8/29 & 9/5)

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