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**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

Special Permit Amendment

Hearst Station, Inc. d/b/a WCVB-TV, Applicant

5 TV Place

Map 76, Parcel 10

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

April 15, 2021

Hearst Stations Inc., d/b/a WCVB-TV, applicant, applied to the Board of Appeals for an Amendment under Sections 6.5, 7.5.2 and any other applicable Sections of the Zoning By-Law to a Special Permit dated July 30, 1985 authorizing the operation of a helicopter at 5 TV Place in order to change the helicopter model from a Bell Jet Ranger 206 to an Eurocopter-Airbus AS350. The property is located at 5 TV Place, Needham, MA in the Industrial-1 zoning district. A public hearing was held remotely on Zoom on Thursday, April 15, 2021 at 7:30 p.m.

Documents of Record:

- Application for Hearing, Clerk stamped March 22, 2021.
- Eurocopter Sound Level – Flyover
- Manufacturers Specifications for Airbus Helicopters – AS-350BA Astar; AS-350 B2 Astar, Copyright 2031 HeliValue, Inc.
- Letter from Dave Roche, Building Commissioner, dated April 7, 2021.
- Email from Tara Gurge, Assistant Public Health Director, dated March 29, 2021.
- Email from Dennis Condon, Chief of Department, Needham Fire Department, dated March 29, 2021.
- Letter from Thomas A. Ryder, Assistant Town Engineer, dated April 12, 2021.
- Letter from Lee Newman, Director of Planning and Community Development, dated April 13, 2021.

April 15, 2021

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

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

Kyle Grimes, President and General Manager, reported that the station had been operating a rooftop heliport and helicopter under a Special Permit issued in July 30, 1985. The Special Permit was amended in November 17, 2005 to allow the changed of helicopter model to a Eurocopter AS350B Astar. A subsequent Special Permit Amendment issued January 20, 2011 changed the model to a Bell Jet Ranger 206. Mr. Grimes was seeking to change the helicopter model back to a Eurocopter AS350B. He noted that this single engine helicopter was similar to the Bell Jet Ranger though it created slightly less noise and was the model being used by the station's helicopter contractor.

Comments received:

- Planning Board had no comment.
- Building Department had not received any complaints in nine years. The Building Commissioner had no issues with the amendment.
- Fire Department had no issue with the change in helicopter.
- Health Department had no comment.
- Engineering had no comment.

There were no comments from the public.

Mr. Schneider suggested that the amendment allow either a Eurocopter-Airbus or a Bell Jet Ranger helicopter to be used without the need for the applicant to come to the Board seeking future amendments for model changes. Mr. Grimes noted that both helicopters models were commonly used for media purposes and appreciated the flexibility.

Mr. Goldman said his office was located next door on Gould Street and had never heard any helicopters. Mr. Grimes offered that the helicopters are rarely used and that there have been no landings in the past ten months. The helicopter comes to the station only two to three times a year primarily for maintenance of media equipment.

Mr. Tamkin said that he served on the hearings for the Special Permit Amendments of 2005 and 2011 and there have never been any complaints or issues with the change in helicopter models. He was supportive of allowing the use of a Eurocopter-Airbus or a Bell Jet Ranger helicopter.

Ms. Berardi had no comment.

Mr. Tamkin moved to grant an amendment to the Special Permit to allow the use of a Eurocopter-Airbus or a Bell Jet Ranger helicopter at the preference of the applicant. Mr. Goldman seconded the motion. The motion was unanimously approved.

The meeting adjourned at 7:40 p.m.

Findings:

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

1. The applicant is authorized to operate a helicopter at 5 TV Place under a Special Permit dated July 30, 1985.
2. The Special Permit specified that the helicopter to be used was a Bell Jet Ranger 206. By amendment dated November 17, 2005 the specified helicopter was changed to a Eurocopter AS350B. By amendment dated January 20, 2011 the helicopter was changed back to the Bell Jet Ranger 206. The applicant now wants to change to the Eurocopter AS350.
3. The Building Commissioner indicates that he has received no complaints about the operations of a helicopter by the applicant in the nine years he has served. No one from the public appeared to comment on the operation of the helicopters.
4. Amendment of the Special Permit to allow operation of either model of helicopter previously used by the applicant is consistent with the criteria in Section 7.5.2.

Decision:

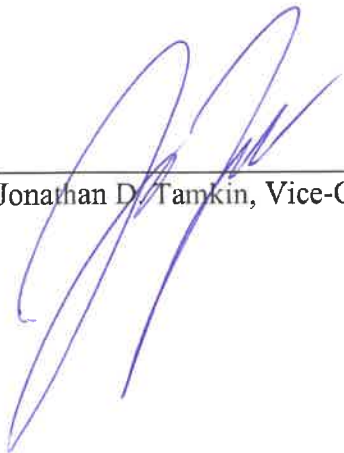
On the basis of the foregoing findings, following due and open deliberation, upon motion duly made and seconded, the Board by unanimous vote, grants the applicant an amendment to the Special Permit issued by the Board on July 30, 1985, as amended by two previous amendments to the Special Permit dated November 17, 2005 and on January 20, 2011, to permit the use of either a Bell Jet Ranger 206 or a Eurocopter AS350.

SIGNATORY PAGE – 5 TV PLACE



Jon D. Schneider, Chair

SIGNATORY PAGE – 5 TV PLACE



Jonathan D. Tamkin, Vice-Chair

SIGNATORY PAGE – 5 TV PLACE



Howard S. Goldman, Member