

NEEDHAM PLANNING BOARD

Wednesday December 8, 2021

7:15 p.m.

Virtual Meeting using Zoom

Meeting ID: **826-5899-3198**

(Instructions for accessing below)

To view and participate in this virtual meeting on your phone, download the “Zoom Cloud Meetings” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the following Meeting ID: **826-5899-3198**

To view and participate in this virtual meeting on your computer, at the above date and time, go to www.zoom.us click “Join a Meeting” and enter the following ID: **826-5899-3198**

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

US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 Then enter ID: **826-5899-3198**

Direct Link to meeting: <https://us02web.zoom.us/j/82658993198>

1. Report from Planning Director and Board members.
2. ANR Plan – 2021 Grove Street Partners, LLC, Petitioner, (Property located at 390 Grove Street, Needham, MA).
3. Public Hearing:
 - 7:20 p.m. Amendment to Major Project Site Plan Special Permit No. 2009-06: Town of Needham, 1471 Highland Avenue, Needham, Massachusetts, Petitioner. (Property located at 1471 Highland Avenue, Needham, Massachusetts). *Regarding proposed Town Common renovation. Please note: this hearing was continued from the November 2, 2021 and November 16, 2021 meetings of the Planning Board.*
 - 8:00 p.m. Major Project Site Plan: Needham Enterprises, LLC, 105 Chestnut Street, Suite 28, Needham, MA, Petitioner. (Property located at 1688 Central Avenue, Needham, MA). Regarding proposal to construct a new child care facility of 9,966 square feet and 30 parking spaces, that would house an existing Needham child-care business, Needham Children's Center (NCC). *Please note: this hearing was continued from the June 14, 2021, July 20, 2021, August 17, 2021, September 8, 2021, October 5, 2021, October 19, 2021, November 2, 2021 and November 16, 2021 meetings of the Planning Board.*
4. Board of Appeals – December 16, 2021.
5. Minutes.
6. Correspondence.

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

TOWN OF NEEDHAM
MASSACHUSETTS



PLANNING BOARD

500 Dedham Avenue
Needham, MA 02492
781-455-7550

APPLICATION FOR ENDORSEMENT OF PLAN
BELIEVED NOT TO REQUIRE APPROVAL

Submit three (3) copies. One copy to be filed with the Planning Board and one with the Town Clerk as required by Section 81-P, Chapter 41 of the General Laws. This application must be accompanied by the **Original Tracing** and **three (3) copies of the plan**.

To the Planning Board:

The undersigned, believing that the accompanying plan of land in the Town of Needham does not constitute a subdivision within the meaning of the Subdivision Control Law, for the reasons outlined below, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant 2021 Grove Street Partners LLC
Address 380 Grove Street Needham, MA 02492
2. Name of Engineer or Surveyor Frank Iebba
Address 1191R Washington St. Newton, MA 02485
3. Deed of property recorded in _____ Registry,
Book _____, Page _____
4. Location and description of property 390 Grove Street
5. Reasons approval is not required (check as applicable):
 - ☒ a) Every lot shown has the area and frontage required by the Zoning By-Law on a way, as defined by Section 81-L, Chapter 41 of the General Laws.
 - ☒ b) Land designated LOT 2 shall not be used as separate building lot(s) but only together with adjacent lots having the required area and frontage.
 - c) Lot(s) having less than required frontage or area resulted from a taking for public purpose or have been recorded prior to 3/26/1925, no land is available to make up the deficiency and the frontage and land area of such lots are not being reduced by the plan.
 - d) _____

(If the applicant is not the owner, written authorization to act as agent must be attached)

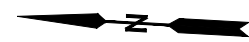
Signature of Applicant [Signature]

Address 426 Grove Street Needham 02492

By Domenic Colasacco (agent)

Application accepted this 2nd 15th day of November 2021 AC
as duly submitted under the rules and regulations of the Planning Board.

By Alexander Cleve



THERE ARE NO WETLANDS WITHIN THIS LOCUS

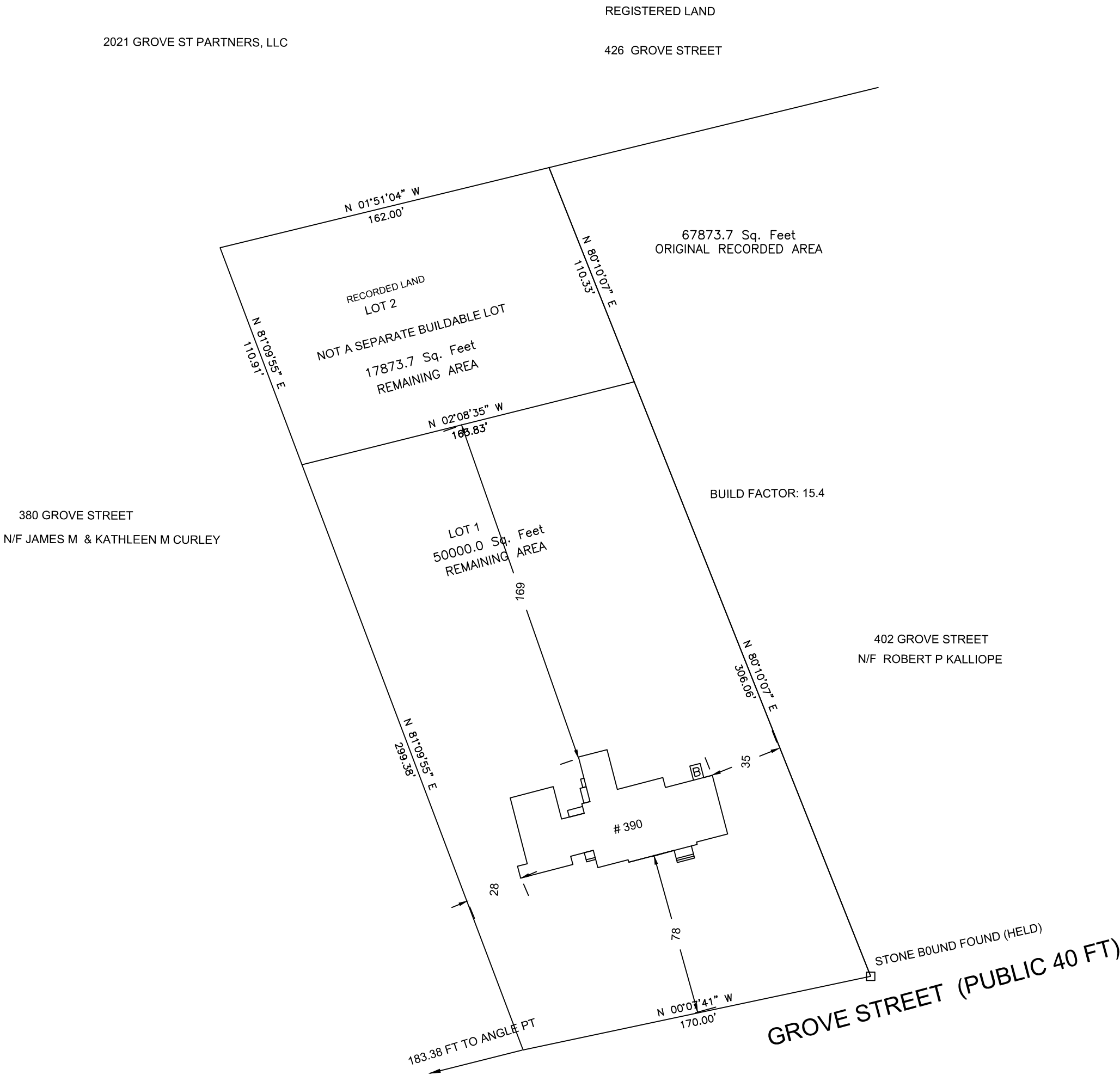
I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED.

NEEDHAM PLANNING BOARD

DATE

THE ABOVE IS NOT A DETERMINATION AS TO CONFORMANCE WITH ZONING REQUIREMENTS

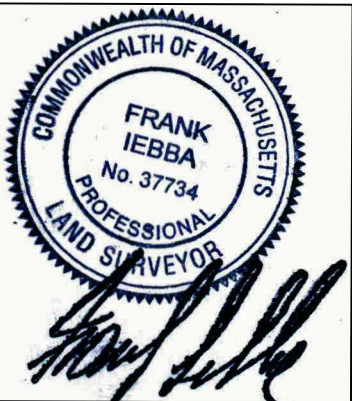


PARCEL ID 192210000900000
ZONING DISTRICT: SINGLE RESIDENCE A(SRA)
OWNER FOR 390 GROVE: 2021 GROVE ST PARTNERS LLC

DEED REFERENCE
LC CERT 205908
BOOK 39793 PAGE 30

PLAN REFERENCE
LC 8450 I
8450 H
BOOK 5719 PAGE 73
BOOK 5719 PAGE 73

LOT LINE ADJUSTMENT
390 GROVE ST
NEEDHAM, MA
1 IN = 50 FT
NOV 10, 2021
DEC 1, 2021



ESSEX ENGINEERING AND SURVEY
PO BOX 650217, WEST NEWTON
MA 02465

617-797-7342
FRANK.IEBBA@GMAIL.COM



J. Raymond Miyares Thomas J. Harrington Christopher H. Heep Donna M. Brewer Jennie M. Merrill
Bryan Bertram Ivria Glass Fried Alexandra B. Rubin Ethan B. Dively Maurica D. Miller Rian Rossetti

December 2, 2021

BY EMAIL (lnewman@needhamma.gov)

Planning Board
Town of Needham
500 Dedham Avenue
Needham, MA 02492

Re: Request to Amend Major Project Site Plan Special Permit No. 2009-06
Town Common Redesign & Reconstruction

Dear Planning Board members:

In advance of the Planning Board's meeting on December 8, 2021, I have enclosed an updated set of renderings for the Town Common redesign and reconstruction project. These new renderings show the catenary lights, the tent, the updated seat wall near Garrity's Way, and the proposed materials and fixtures to be used throughout the Common, including benches, picnic tables, swings, and more.

In addition, below is a discussion of several questions that the Planning Board had raised during the first night of the public hearing.

Catenary Lights

During the November 16, 2021 public hearing, the Planning Board and members of the public discussed possible alternatives to the catenary lights shown on the site plans. In particular, Mr. Oscar Mertz presented a rendering of an alternative approach involving light cables that run from the shade structures, then to guide poles constructed within the lawn area.

Mr. Mertz's suggested alternative closely resembles a design that was originally included in the Town Common plan, but was ultimately found to be unfeasible. The working group's original design for the Town Common included temporary poles on the lawn area, located just inside the oval pedestrian walkway. As the design work progressed, however, the working group found that the temporary poles would require substantial foundations, that the removal of the poles presented logistical challenges, and the foundation holes could be difficult to seal safely when the poles were not in use. In addition, poles located in the lawn area (whether temporary or permanent) presented obstacles to passersby and to maintenance personnel, and would diminish the open feel of the lawn area that has been an integral design objective for this project.

Given that the shade structures allow for the catenary lights to be suspended at a safe height of 12 feet, without adding any additional structural elements within the Town Common, the Applicant believes that the current proposal is the best approach from both a design and operational perspective.

Gathering Space

The Planning Board and members of the public asked whether the Town Common plans provided adequate space for large gatherings and events. As requested, the Applicant has prepared a new rendering, shown below, to demonstrate that a large crowd can gather on the steps of Town Hall and in Garrity's Way, with ample additional open space in the Town Common to accommodate greater numbers.



On a related note, this project includes a new loudspeaker system that will vastly improve the ability of speakers, presenters, performers, musicians, etc. to be heard throughout the Town Common during public events.

Development of the Town Common Plans

At the November 16, 2021 session of the Planning Board's public hearing, there was some sentiment expressed during the public comments that there had not been sufficient prior opportunity for members of the public to review and comment on the project. In fact, the project has been presented in numerous public settings over the past year, and the Applicant therefore wishes

to highlight the public process that was used to develop the project before it was submitted to the Planning Board.

A working group created in the summer of 2020 developed the Town Common plans. This working group drew from a broad range of the Town's professional staff, elected and appointed volunteer board members, and its outside engineering consultants, and included: Edward Olsen (Superintendent of Parks and Forestry), Kate Fitzpatrick (Town Manager), Carys Lustig (Director of Public Works), Rick Merson (then Director of Public Works), Bob Lewis (Assistant Director of Public Works), Anthony Del Gaizo (Town Engineer), Tom Ryder (Assistant Town Engineer), Lee Newman (Director of Planning and Community Development), Rhian Hoyland (Highway Superintendent), Gloria Greis (Historical Society), Kevin Naughton (Assistant Superintendent of Parks and Forestry), Mike Logan (Town Arborist), Maurice Handel (Select Board), Roger MacDonald (Director of Management Information Systems), Amy Haelsen (Economic Development Manager), Nelson Hammer (Working Group), Don Lankiewicz (Working Group), Dale Wise (Working Group), Robert Mackie (BETA Group), Michael Hornig (BETA Group), Kelly Carr (BETA Group) and Scott Ridder (BETA Group). The working group met in July, August, and September of 2020 to consider various options for the redesign of the Town Common, and to develop the best option to bring forward.

The Town Common project was presented to the Select Board for the first time at its November 10, 2020 public meeting. At this meeting, Carys Lustig, Director of Public Works, Robert Mackie of BETA Group, and Edward Olsen, Superintendent of Parks and Forestry, presented the full plan that the working group had developed for the Board's review and comment.¹

The project was next presented at the Community Preservation Committee's public meeting on March 17, 2021. At this meeting, Edward Olsen presented the full project to the Committee, which ultimately voted to recommend that Town Meeting approve the use of *Community Preservation Act* funds to construct the project.²

The plan was then presented to the May 1, 2021 Special Town Meeting. Article 26 of the warrant sought Town Meeting's approval of the appropriation needed to construct the project. The full details of the redesign and reconstruction were presented to Town Meeting members in advance of the meeting. (In keeping with the Moderator's practice for the spring 2021 Town Meetings, all project proponents made their presentations by pre-recorded video).³ The Select Board and the Finance Committee both unanimously recommended approval of Article 26. The Article was discussed on the floor of Town Meeting on May 1, 2021, and it ultimately passed by a unanimous vote of all Town Meeting Members.

¹ This presentation can be viewed at: https://www.youtube.com/watch?v=YE8vk91G_AM&list=PL3PRZZjHC3yE9AnWTYT5KKdVWYjmXJVug&index=42

² This presentation can be viewed at: <https://www.youtube.com/watch?v=O2rGkJzBhiM>

³ This presentation can be viewed at <https://www.youtube.com/watch?v=w6w0UF0tGTk>

The Town Common project was again presented to the Select Board during its public meeting on October 26, 2011. This discussion was devoted primarily to two revisions to the project: (1) The need to eliminate the originally-proposed freestanding catenary light poles, which further study had revealed to be infeasible, and their replacement with cables affixed to the shade structures located on the Highland Avenue and Chapel Street sides of the Common; and (2) the reconfiguration of the seat wall near Garrity's Way, which resulted in the addition of piers on either side of the wall, and new cabinet space for electrical equipment (such as a PA system) to be used in the Common. These two plan changes were added to the engineered plan set after the Select Board's meeting, and then submitted to the Planning Board in advance of its November 16 public hearing.⁴

As indicated above, the Town Common plans presented to the Planning Board are the product of significant planning and thoughtful consideration by the Town's working group and professional consultants, and were the subject of numerous public presentations and approvals over the past year.

Relief Requested

During the November 16, 2021 session of the public hearing, Planning Board member Adam Block asked for clarification regarding the zoning relief that the Applicant is requesting. The Applicant is seeking an amendment of Major Project Site Plan Special Permit No. 2009-06, which authorized the substantial expansion and renovation of Town Hall. The special permit described that project as follows:

The requested Major Project Site Plan Review Special Permit would permit the Petitioner to expand the existing Town Hall by approximately 13,836 square feet, and to renovate approximately 20,989 square feet of the existing facility for a total of 34,825 square feet. The principal components of the project are: (a) Renovate the existing three-story Town Hall; (b) construct a 30-foot wide, three story addition, having a height of 47.75 feet to the north side of the existing Town Hall building within a space currently used as permitted employee parking for 26 cars; (c) at the south side of the existing Town Hall building move the existing entry steps southward and raise said steps to create a new porch that is flush with the first floor and the proposed accessible ramp; (d) reduce the parking on Garrity Way from 12 spaces to 8 spaces to accommodate a revised entry and additional landscaping; (e) reduce the driveway curb-cut width at Garrity Way and Chapel Street from 45 feet to 28 feet and at Highland Avenue from 40 feet to 28 feet; (f) reconfigure the parking area located in the north side of the addition to accommodate up to 9 parking spaces under one of two proposed alternatives, and (g) construct a new pedestrian

⁴ This presentation can be viewed at:

<https://www.youtube.com/watch?v=ZicsS0zTRZg&list=PL3PRZZjHC3yE9AnWTYT5KKdVWYjmXJVug&index=4>

walk within the north parking area adjacent to the new addition linking Chapel Street with Highland Avenue.

Major Project Site Plan Special Permit No. 2009-06 at p.1. A copy of this special permit is enclosed for reference.

The 2009 special permit did not involve any work to the Town Common. Nonetheless, Town Hall and the Town Common sit on the same parcel of land (Assessors' Map 51, Parcel 1), and the Town Common is therefore covered by the terms of that special permit, including the control plans referenced therein that show the Common in its exiting configuration.

Accordingly, in keeping with Planning Board practice, the Applicant is simply seeking to amend the 2009 special permit to reference and include the new site plans for the Town Common.

Thank you very much for your ongoing review of this important project, and I look forward to discussing this application with the Planning Board at the upcoming public hearing.

Sincerely,



Christopher H. Heep

Encl.

cc: K. Fitzpatrick
C. Lustig
E. Olson
S. Ridder



TOWN OF NEEDHAM TOWN CLERK
MASSACHUSETTS NEEDHAM, MA 02452

2009 NOV 18 PM 1:10

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

PLANNING DEPARTMENT

DECISION

November 17, 2009

MAJOR PROJECT SITE PLAN SPECIAL PERMIT

Major Project Site Plan Special Permit No. 2009-06

Town of Needham

Town Hall Renovation - 1471 Highland Ave

Application No. 2009-06

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

DECISION of the Planning Board (hereinafter referred to as the Board) on the petition of the Town of Needham by its agent the Needham Permanent Public Building Committee, 470 Dedham Avenue, Needham, Massachusetts, for property located at 1471 Highland, Needham, MA, 02492. Said property is shown on Needham Town Assessors Plan No. 51 as Parcel No. 1 containing 1.23 acres, and Parcel 81 containing 5,660 square feet, for a total of 1.36 acres.

This decision is in response to an application submitted to the Board on September 25, 2009, by the Petitioner for: (1) a Major Project Site Plan Special Permit under Section 7.4 of the Needham Zoning By-Law (hereinafter the By-Law); (2) a Special Permit under Section 1.4.6 of the By-Law for the structural alteration, enlargement and/or reconstruction of a non-conforming structure; (3) a Special Permit under Section 1.4.6 of the By-Law for the change or extension of a non-conforming use; (4) a Special Permit under Section 4.4.3 of the By-Law to permit a municipal building of three (3) stories, to permit an increase in the height of a municipal building to a height not to exceed fifty (50) feet and to permit four (4) floors of a municipal building to be used for non-residential occupancy in the Center Business District; (5) a Special Permit under Section 4.4.5 of the By-Law to increase the maximum width of a one-way driveway opening from twelve (12) feet to eighteen (18) feet in the Center Business District; and, (6) a Special Permit under Section 5.1.1.6 of the By-Law to waive strict adherence with the off-street parking requirements of Section 5.1.2 (Required Parking) and Section 5.1.3 (Parking Plan and Design Requirements), Subsections 5.1.3 (b), (j), and (k).

The requested Major Project Site Plan Review Special Permit would permit the Petitioner to expand the existing Town Hall by approximately 13,836 square feet, and to renovate approximately 20,989 square feet of the existing facility for a total of 34,825 square feet. The principal components of the project are: (a) renovate the existing three-story Town Hall; (b) construct a 30-foot wide, three-story addition, having a height of 47.75 feet to the north side of the existing Town Hall building within space currently used as permitted employee parking for 26 cars; (c) at the south side of the existing Town Hall building move the existing entry steps southward and raise said steps to create a new porch that is flush with the first floor and the proposed accessible ramp; (d) reduce the parking on Garrity Way from 12 spaces to 8 spaces to accommodate a revised entry and additional landscaping; (e) reduce the driveway curb-cut width at Garrity Way and Chapel Street from 45 feet to 28 feet and at Highland Avenue from 40 feet to 28 feet; (f) reconfigure the parking area located on the north side of the addition to accommodate up to 9 parking spaces under one of two proposed alternatives; and (g) construct a new pedestrian

walk within the north parking area adjacent to the new addition linking Chapel Street with Highland Avenue.

After causing notice of the time and place of the public hearing and of the subject matter thereof to be published, posted and mailed to the Petitioner, abutters and other parties in interest as required by law, the hearing was called to order by the Chairperson, Jeanne S. McKnight, on Tuesday, October 20, 2009 at 8:00 p.m. in the Selectmen's Meeting Room, Needham Town Hall, 1471 Highland Ave, Needham, Massachusetts. The hearing was continued until Monday, November 2, 2009 at 6:00 p.m. in the Newman Elementary School, Room No. 308, 1155 Central Ave, Needham, Massachusetts. Board members Jeanne S. McKnight, Ronald W. Ruth, Martin Jacobs and Sam Bass Warner were present throughout the proceedings. The record of the proceedings and the submissions upon which this decision is based may be referred to in the office of the Town Clerk or the office of the Board.

Submitted for the Board's deliberation prior to the close of the public hearing were the following exhibits:

- Exhibit 1 - Application for Site Plan Review, dated September 25, 2009.
- Exhibit 2 - A letter to the Planning Board, from Douglas L. Manley, McGinley Kalsow & Associates, Inc., dated September 21, 2009.
- Exhibit 3 - Site, Floor and Elevation Plans consisting of 25 sheets, prepared by McGinley Kalsow & Associates, Inc., Architects and Preservation Planners, 324 Broadway, P.O. Box 45248, Somerville, MA 02145-2803, Bryant Associates, Engineers, Surveyors, Construction Managers, 98 North Washington Street Suite B-1, Boston Massachusetts, 02114-2127, Bradford Design Associates, 12 Power Terrace, Marblehead, MA 01945: Sheet 1 of 25, Sheet L1.1, SP Review, entitled "Layout and Materials Plan," dated October 9, 2009; Sheet 2 of 25, Sheet L1.1a, SP Review, entitled "Layout and Materials Plan," dated October 9, 2009; Sheet 3 of 25, Sheet L1.2, SP Review, entitled "Planting Plan," dated October 9, 2009; Sheet 4 of 25, Sheet L1.3, SP Review, entitled "Details," dated October 9, 2009; Sheet 5 of 25, Sheet L1.4, SP Review, entitled "Details," dated October 9, 2009; Sheet 6 of 25, Sheet L1.5, SP Review, entitled "Planting Details," dated October 9, 2009; Sheet 7 of 25, Sheet C1.0, SP Review, entitled "Existing Conditions Plan," dated October 8, 2009; Sheet 8 of 25, Sheet C2.0A, SP Review, entitled "Site Preparation Plan," dated October 8, 2009; Sheet 9 of 25, Sheet C2.0B, SP Review, entitled "Site preparation Plan," dated October 8, 2009; Sheet 10 of 25, Sheet C3.0A, SP Review, entitled "Grading and Drainage Plan," dated October 8, 2009; Sheet 11 of 25, Sheet C3.0B, SP Review, entitled "Grading and Drainage Plan," dated October 8, 2009; Sheet 12 of 25, Sheet C4.0A, SP Review, entitled "Site Utility Plan," dated October 8, 2009; Sheet 13 of 25, Sheet C4.0B, SP Review, entitled "Site Utility Plan," dated October 8, 2009; Sheet 14 of 25, Sheet C5.1, SP Review, entitled "Details Plan," dated October 8, 2009; Sheet 15 of 25, Sheet C5.2, SP Review, entitled "Details Plan," dated October 8, 2009; Sheet 16 of 25, Sheet SL1.0, SP Review, entitled "Site Lighting Plan," dated September 21, 2009; Sheet 17 of 25, Sheet A1.1, SP Review, entitled "Lower Level Plan," dated June 29, 2009; Sheet 18 of 25, Sheet A1.2, SP Review, entitled "First Floor Plan," dated June 29, 2009; Sheet 19 of 25, Sheet A1.3, SP Review, entitled "Second Floor Plan," dated June 29, 2009; Sheet 20 of 25, Sheet A1.4, SP Review, entitled "Balcony Floor Plan," dated June 29, 2009; Sheet 21 of 25, Sheet A2.1, SP Review, entitled "South Elevation" dated September 11, 2009; Sheet 22 of 25, Sheet A2.2, SP Review, entitled "North Elevation," dated

September 11, 2009; Sheet 23 of 25, Sheet A2.3, SP Review, entitled "East Elevation," dated September 11, 2009; Sheet 24 of 25, Sheet A2.4, SP Review, entitled "West Elevation," dated September 11, 2009; Sheet 25 of 25, Sheet A4, SP Review, entitled "Building Sections," dated September 11, 2009.

- Exhibit 4 - Plan entitled "Zoning Setback Plan, Version "A" prepared by Bryant Associates, 98 North Washington Street, Suite B-1, Boston, MA 02114, dated October 28, 2009.
- Exhibit 5 - Plan entitled "Zoning Setback Plan, Version "B" prepared by Bryant Associates, 98 North Washington Street, Suite B-1, Boston, MA 02114, dated October 28, 2009.
- Exhibit 6 - Parking Analysis entitled "Needham Town Hall Renovation and Addition, Parking Analysis," prepared by Bryant Associates, Inc., 14 Breakneck Hill Road, Suite 200, Lincoln, RI, 02865, dated October 2009.
- Exhibit 7 - Inter-Departmental Communications (IDC) to the Board from Anthony L. Del Gaizo, Assistant Director, Public Works, dated October 20, 2009; IDC to Lee Newman from Chief Thomas J. Leary, Police Department, dated October 6, 2009; IDC to Lee Newman from Chief Paul Buckley, Fire Department, dated October 20, 2009; and IDC to Alexandra Clee, Assistant Planner, from Janice Berns, Director, Needham Health Department, dated October 19, 2009.

Exhibits 1, 2, 3, 4, 5 and 6 are referred to hereinafter as the Plan.

FINDINGS AND CONCLUSIONS

Based upon its review of the exhibits and the record of the proceedings, the Board found and concluded that:

- 1.1 The subject property is located in the Center Business zoning district at 1471 Highland Avenue, Needham, MA, 02492, owned by Town of Needham. Said property is shown on Needham Town Assessors Plan No. 51 as Parcel 1 containing 1.23 acres, and Parcel 81 containing 5,660 square feet, for a total of 1.36 acres.
- 1.2 The subject property is currently occupied by Town of Needham Town Offices, and is identified as Needham Town Hall, Needham, MA.
- 1.3 The Needham Town Hall is located in Needham Center, which is a walkable downtown area of small businesses, institutional buildings and residential homes. Needham Center is a transit hub that serves as a connection between the local roadways, local bus routes and the Massachusetts Bay Transit Authority (MBTA) commuter rail.
- 1.4 The existing Town Hall building contains approximately 20,989 square feet. The project involves the renovation of the existing three-story Town Hall as well as an addition of approximately 13,836 square feet to the north side of the existing building. At completion the Town Hall will contain approximately 34,825 square feet comprising an auditorium with occupancy of 356 seats and an office area of approximately 29,090 square feet.
- 1.5 The principal components of the project are: (a) renovate the existing three-story Town Hall; (b) construct a 30-foot wide, three-story addition, having a height of 47.75 feet to the north side of the existing Town Hall building within space currently used as permitted

employee parking for 26 cars; (c) at the south side of the existing Town Hall building move the existing entry steps southward and raise said steps to create a new porch that is flush with the first floor and the proposed accessible ramp; (d) reduce the parking on Garrity Way from 12 spaces to 8 spaces to accommodate a revised entry and additional landscaping; (e) reduce the driveway curb-cut width at Garrity Way and Chapel Street from 45 feet to 28 feet and at Highland Avenue from 40 feet to 28 feet; (f) reconfigure the parking area located on the north side of the addition to accommodate up to 9 parking spaces under one of two proposed alternatives; and (g) construct a new pedestrian walk within the north parking area adjacent to the new addition linking Chapel Street with Highland Avenue.

- 1.6 As indicated in the Zoning Table shown on the Plan, the lot conforms to zoning requirements as to area and frontage. As indicated in the Zoning Table shown on the Plan, the proposed building will comply with all applicable dimensional and density requirements of the Center Business zoning district namely, front, side and rear setback, maximum building height, maximum lot coverage, and floor area ratio.
- 1.7 There are presently thirty-eight (38) on-site parking spaces for an approximately 20,989 square foot three-story Town Hall building. Presently twenty-six (26) on-site employee only parking spaces are located in the lot on the north side of the existing building with twelve (12) parking spaces provided on Garrity Way for the use of Town Hall employees and visitors. Parking required for the proposed use under Section 5.1.2, Use #19, requires a total of 216 parking spaces calculated as follows: 1 space per 300 gross square feet for the 29,100 square feet of the Town Hall building dedicated to office use (97 spaces) plus one space per every 3 seats for the 356 seat assembly use (119 spaces). On the Zoning Setback Plan known as Version "A" and described under Exhibit 4, the Petitioner proposes to provide a total of seventeen (17) on-site parking spaces at the completion of the project as follows: nine (9) parking spaces solely for Town Hall employees during scheduled business hours on the north side of the new addition, including one handicap space; and eight (8) parking spaces on Garrity Way, located south of the existing building for the use of Town Hall employees and visitors. On the Zoning Setback Plan known as Version "B" and described under Exhibit 5, the Petitioner proposes to provide a total of sixteen (16) on-site parking spaces at the completion of the project as follows: eight (8) parking spaces solely for Town Hall employees during scheduled business hours on the north side of the new addition, including one handicap space; and eight (8) parking spaces on Garrity Way, located south of the existing building for the use of Town Hall employees and visitors. Accordingly, the Petitioner has requested a waiver from the provision requiring two hundred sixteen (216) on-site parking spaces to a total of seventeen (17) on-site parking spaces for Zoning Setback Plan Version "A" and sixteen (16) on-site parking spaces for Zoning Setback Plan Version "B".
- 1.8 The proposed parking lot layout scheme shown on the plan known as Zoning Setback Plan Version "B" and described under Exhibit 5 of this decision does not comply with the requirements of Section 4.4.5, Driveway Openings of the By-Law. Under Section 4.4.5 the maximum width for a curb cut for a one-way driveway is limited to eighteen (18) feet by special permit. Version "B" provides for a one-way curb cut at Chapel Street having a width of twenty-four (24) feet. The Petitioner in conjunction with the Planning Board will present a zoning amendment to the May 2010 annual Town Meeting amending this provision of the By-Law so as to allow this scheme to proceed.
- 1.9 The Petitioner has requested a Special Permit for Zoning Setback Plan Version "A" (Exhibit 4) and Zoning Setback Plan Version "B" (Exhibit 5) of the plan pursuant to Section 5.1.1.6 of the By-Law to waive strict adherence to the requirements of Section

5.1.3 (off-street parking design requirements). Section 5.1.3 of the By-Law requires that the layout of all parking areas conform to the parking design requirements enumerated in Section 5.1.3. The Petitioner has requested a Special Permit, pursuant to Section 5.1.1.6 of the By-Law, to waive strict adherence to the requirements of Section 5.1.3 of the Zoning By-Law, Subsection 5.1.3(b) - Loading Requirements, Subsection (j) - Parking Setbacks, and Subsection 5.1.3(k) - Landscape Area, all as shown on the Plan. As relates Subsection 5.1.3(b) - Loading Requirements, the Petitioner notes that there are no current loading facilities on the site and asks that delivery trucks be permitted to park in the rear parking lot for deliveries. As relates Subsection (j) - Parking Setbacks and Subsection 5.1.3(k) - Landscape Area, the Petitioner is seeking relief from this section in order to keep sufficient parking space available on-site for its operations.

- 1.10 The Petitioner seeks a Special Permit under Section 4.4.3 of the By-Law to permit a municipal building of three (3) stories, to permit an increase in the height of a municipal building to a height not to exceed fifty (50) feet and to permit four (4) floors of a municipal building to be used for non-residential occupancy in the Center Business zoning district. The Petitioner proposes an addition to an existing municipal building where said addition would have three (3) stories, a building height of 47.75 feet and four (4) floors of non-residential occupancy in the Center Business zoning district.
- 1.11 The Petitioner seeks a Special Permit for Zoning Setback Plan Version "A" (Exhibit 4) and Zoning Setback Plan Version "B" (Exhibit 5) under Section 4.4.5 of the By-Law to increase the maximum width of a one-way driveway opening from twelve (12) feet to eighteen (18). The Petitioner proposes a driveway opening of eighteen (18) feet at the north parking lot exit at Highland Avenue.
- 1.12 The Petitioner seeks the zoning relief necessary under Section 1.4.6 to alter a preexisting non-conforming structure. The present structure is non-conforming relative to the height requirements of the By-Law. The maximum as-of-right height for a municipal building in the Center Business zoning district is 40 feet. The existing structure is nonconforming relative to this requirement having a height of 54.3 feet.
- 1.13 The Petitioner seeks the zoning relief necessary under Section 1.4.6 to alter a preexisting non-conforming use. The present curb-cut width at Garrity Way and Chapel Street and at Garrity Way and Highland is nonconforming relative to maximum width (12 feet as-of right) for a one-way driveway in the Center Business zoning district. The existing curb-cut width at Chapel Street is 45 feet and at Highland Avenue is 40 feet. The Petitioner proposes to reduce the curb-cut width at Chapel Street and at Highland Avenue to a 28-foot width.
- 1.14 The proposed addition's street facades along both Highland and Chapel Street will integrate with the existing building in a number of ways. The additions will use brick masonry to match the existing building. Window openings in the addition are derived from the scale and proportion of the existing windows. In addition, the facades of the addition respect the eave, cornice and base lines of the existing building, echoing the scale of the original.
- 1.15 Protection of adjoining premises against seriously detrimental uses by provision for surface water drainage, sound and sight buffers and preservation of views, light and air has been assured. The Board finds that the use of the premises for a municipal purpose does not constitute "seriously detrimental use." The site is presently fully developed and the proposed exterior changes to the building have been approved by the Design Review Board. The premise is to be connected to the municipal storm drain system. Surface

water drainage will be improved over the existing conditions and adequate provision has been made for same. No sound and sight buffers are required, and the redevelopment of the site will provide adequate and reasonable views, light, and air.

- 1.16 The Petitioner appeared before the Design Review Board on January 20, 2009 and obtained approval for the project.
- 1.17 The Board finds that the proposed project is in harmony with the general purpose and intent of the By-Law, and in harmony with the specific purposes and intent of the By-Law regarding the Center Business District. The building will continue to function as a Town Hall and is enhanced by expanding the available office space and renovating the Great Hall. The proposed design also incorporates materials, forms and proportions that are similar to the existing building.
- 1.18 Convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets, the location of driveway openings in relation to traffic or to adjacent streets and, when necessary, compliance with other regulations for the handicapped, minors and the elderly has been assured. The proposed building will feature primary entrances for the municipal spaces from Highland Avenue, Chapel Street and Garrity Way. Furthermore, the design and the location of the proposed driveways and the location and design of the parking areas are adequate, safe and convenient for vehicular movement.
- 1.19 There are no current loading facilities on the site. Delivery trucks can park in the rear parking lot for deliveries. The loading/unloading facilities are to remain as is, for the Town Hall has minimal needs for loading and unloading facilities. It occasionally takes deliveries for office supplies, mail and courier packages. The Town Hall does not anticipate any additional needs for loading or unloading facilities over current needs.
- 1.20 Adequate methods for disposal of refuse and waste will be provided. The project is not a major generator of refuse and other wastes and what is generated will be disposed of in accordance with applicable law. Trash will be removed directly from the building and will not be stored in dumpsters or other external containers. Refuse removal will remain the same as currently serviced.
- 1.21 The Premises is situated in a highly developed, commercial area. The Premises itself is fully developed at present. The proposed project will improve the appearance of the site and its use for municipal purposes is consistent with the goals of the Needham Center zoning district. Therefore, no significant additional impacts are anticipated on the Town's resources in connection with the redevelopment and use of the premises as proposed.
- 1.22 The proposed project will not have any adverse impacts on the Town's resources, including the Town's water supply and distribution system, sewer collection and treatment, fire protection and streets.
- 1.23 Under Section 7.4 of the By-Law, a Major Project Site Plan Special Permit may be granted in the Center Business zoning district if the Board finds that the proposed development complies with the standards and criteria set forth in the provisions of the By-Law. On the basis of the above findings and criteria, the Board finds that the proposed development Plan, as conditioned and limited herein for the site plan review, to be in harmony with the purposes and intent of the By-Law, to comply with all applicable

By-Law requirements, to have minimal adverse impact and to have promoted a development which is harmonious with the surrounding area.

- 1.24 Under Section 1.4.6 of the By-Law, a Special Permit may be granted in the Center Business District to alter, enlarge and/or reconstruct a nonconforming structure provided the Board finds that the proposed alteration or reconstruction would not be substantially more detrimental to the neighborhood than the existing nonconforming structure and does not authorize a violation of any other dimensional or intensity regulation with which the structure was in conformity with. On the basis of the above findings and conclusions, the Board finds the proposed development Plan, as conditioned and limited herein, to be in harmony with the general purposes and intent of the By-Law, to comply with all applicable By-Law requirements, and to not increase the detriment to the Town's and neighborhood's inherent use.
- 1.25 Under Section 1.4.6 of the By-Law, a Special Permit may be granted in the Center Business District to change or extend a preexisting nonconforming use provided the Board finds that the proposed alteration, enlargement or reconstruction would not be substantially more detrimental to the neighborhood than the existing nonconforming use and does not authorize a violation of any other dimensional or intensity regulation with which the nonconforming use was in conformity with. On the basis of the above findings and conclusions, the Board finds the proposed development Plan, as conditioned and limited herein, to be in harmony with the general purposes and intent of the By-Law, to comply with all applicable By-Law requirements, and to not increase the detriment to the Town's and neighborhood's inherent use.
- 1.26 Under Section 4.4.3 of the By-Law, a Special Permit may be granted in the Center Business District to permit a municipal building of three (3) stories, to permit an increase in the height of a municipal building to a height not to exceed fifty (50) feet and to permit four (4) floors of a municipal building to be used for non-residential occupancy provided the Board finds the proposed increased building height and number of stories will not create a significant detrimental impact on existing buildings in the vicinity; and (ii) the proposed building and its occupancy contributes to, and does not detract from, a pedestrian-friendly streetscape. The Petitioner proposes an addition to an existing municipal building where said addition would have three (3) stories, a building height of 47.75 feet and four (4) floors of non-residential occupancy in the Center Business District. On the basis of the above findings and conclusions, the Board finds the proposed development Plan, as conditioned and limited herein, to be in harmony with the general purposes and intent of the By-Law, to comply with all applicable By-Law requirements, and to not increase the detriment to the Town's and neighborhood's inherent use.
- 1.27 Under Section 4.4.5 of the By-Law a Special Permit may be granted in the Center Business District to increase the maximum width of a one-way driveway opening from twelve (12) feet to eighteen (18) feet. On the basis of the above findings and conclusions, the Board finds the proposed development Plan, as conditioned and limited herein, to be in harmony with the general purposes and intent of the By-Law, to comply with all applicable By-Law requirements, and to not increase the detriment to the Town's and neighborhood's inherent use.
- 1.28 Under Section 5.1.1.6 of the By-Law, a Special Permit to waive strict adherence with the requirements of Section 5.1.2 (Required Parking) and Section 5.1.3 of the By-Law (Off-Street Parking Requirements) may be granted provided the Board finds that owing to special and unique circumstances, the particular use, structure or lot does not warrant the application of certain design requirements, and that a reduction in the number of

spaces and certain design requirements is warranted. On the basis of the above findings and conclusions, the Board finds that there are special and unique circumstances justifying the reduction in the number of required parking spaces and design requirements, as conditioned and limited herein, which will also be consistent with the intent of the By-Law and which will not increase the detriment to the Town's and neighborhood's inherent use.

THEREFORE, the Board voted 4-0 to GRANT: (1) the requested Major Project Site Plan Special Permit under Section 7.4 of the Needham Zoning By-Law (hereinafter the By-Law) for Zoning Setback Plan Version "A" (Exhibit 3 and Exhibit 4) and in the alternative Zoning Setback Plan Version "B" (Exhibit 3 and Exhibit 5) conditioned upon the actual modification of the By-Law at the 2010 Annual Town Meeting to accommodate an increased one-way driveway width at Chapel Street; (2) the requested Special Permit under Section 1.4.6 of the By-Law for the structural alteration, enlargement and/or reconstruction of a non-conforming structure; (3) the requested Special Permit under Section 1.4.6 of the By-Law for the change or extension of a non-conforming use; (4) the requested Special Permit under Section 4.4.3 of the By-Law to permit a municipal building of three (3) stories, to permit an increase in the height of a municipal building to a height not to exceed fifty (50) feet and to permit four (4) floors of a municipal building to be used for non-residential occupancy in the Center Business District; (5) the requested Special Permit under Section 4.4.5 of the By-Law to increase the maximum width of a one-way driveway opening from twelve (12) feet to eighteen (18) feet in the Center Business District; and, (6) the requested Special Permit under Section 5.1.1.6 of the By-Law to waive strict adherence with the requirements of Section 5.1.2 (Required Parking) and of Section 5.1.3 (Off-Street Parking Requirements), Subsections 5.1.3 (b), (j), and (k) to the extent necessary to enable the parking area to be utilized as shown on the Plan, as modified by this decision; subject to and with the benefit of the following Plan modifications, conditions and limitations.

PLAN MODIFICATIONS

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

- 2.0 The Plan shall be modified to include the requirements and recommendations of the Board as set forth below. The modified plans shall be submitted to the Board for approval and endorsement. All requirements and recommendations of the Board, set forth below, shall be met by the Petitioner.
 - a) The Zoning Setback Plan, "B" Version, shall be revised to show 16 proposed on-site parking spaces.
 - b) The architectural plans shall be stamped by the project architect.
 - c) The lighting plan shall be stamped by the project electrical engineer.

CONDITIONS

- 3.0 The following conditions of this approval shall be strictly adhered to. Failure to adhere to these conditions or to comply with all applicable laws and permit conditions shall give the Board the rights and remedies set forth in Section 3.33 hereof.
- 3.1 That the building, parking areas, driveways, walkways, landscape areas, and other site features shall be constructed in accordance with the Plan, as modified by this Decision. Any changes, revisions or modifications to the Plan, as modified by this Decision, shall require approval by the Board.
- 3.2 That the proposed building and support services shall contain the dimensions and be located on that portion of the locus exactly as shown on the Plan, as modified by this Decision, and in accordance with the applicable dimensional requirements of the By-Law. Minor movement of fixed equipment, interior partitions or seating shall be allowed without further Board action provided the use allocation as shown on the plan is maintained.
- 3.3 That all buildings and land constituting the premises shall remain under a single ownership. That prior to the issuance of a building permit the Petitioner shall prepare and file with the Board and the Norfolk County Registry of Deeds a plan that shows Assessors Plan No. 51, Parcels 1 and 81 merged, using customary surveyor's notation.
- 3.4 That the maximum number of employees on site at any given time shall not exceed seventy (70), except for staff meetings when up to ninety-five (95) employees may be present. Monthly staff meetings shall be held so as not to interfere with the peak parking demand periods of the downtown.
- 3.5 That the Zoning Setback Plan known as Version "B" and described under Exhibit 3 and Exhibit 5 shall be implemented. In the event the amendment to the By-Law contemplated in Paragraph 18 is adopted, sixteen (16) parking spaces shall be provided at all times in accordance with the Plan, as modified by this decision to service the uses within the building located at 1471 Highland Avenue, Needham, MA. Eight (8) parking spaces, which shall be solely for Town employees during scheduled business hours, shall be provided on the north side of the new addition, including one handicap space and eight (8) parking spaces shall be provided on Garrity Way, located south of the existing building for the use of Town Hall employees and visitors. All off-street parking shall comply with the requirements of Section 5.1.3 of the By-Law, except as otherwise waived by this Decision.
- 3.6 That in the event the Zoning Setback Plan known as Version "A" and described under Exhibit 3 and Exhibit 4 is implemented seventeen (17) parking spaces shall be provided at all times in accordance with the Plan, as modified by this decision to service the uses within the building located at 1471 Highland Avenue, Needham, MA. Nine (9) parking spaces, which shall be solely for Town employees during scheduled business hours, shall be provided on the north side of the new addition, including one handicap space and eight (8) parking spaces shall be provided on Garrity's Way, located south of the existing building for the use of Town Hall employees and visitors. All off-street parking shall comply with the requirements of Section 5.1.3 of the By-Law, except as otherwise waived by this Decision.

- 3.7 All construction deliveries shall be made at the south and north side of the existing Town Hall building (Staging Area) off of Highland Avenue or on Highland Avenue adjacent to the property if a police detail is provided. Deliveries shall be limited to Monday through Friday between the hours of 6:00 a.m. and 4:00 p.m. The Petitioner shall, by contract and by direct field intervention, divert traffic away from the local streets surrounding the Town Hall to the main streets. The Petitioner shall create a contract exhibit indicating possible truck/delivery routes, which details the area where no construction vehicles will be permitted. The noted map shall be submitted to the Board for review and approval prior to the issuance of the building permit.
- 3.8 All Subcontractors/Vendors shall be contractually required to agree to this traffic condition in their contract with the Petitioner to work on this project. The Petitioner shall order signage, including poster boards of the above-noted map, which will be posted on site for enforcement purposes. Weekly meetings between the Petitioner and the Subcontractors/Vendors shall emphasize this delivery requirement.
- 3.9 During construction, the Petitioner shall require employees of contractors and subcontractors to park off-site, in the 20 parking spaces currently allocated to Town employees in the Walgreen's lot and the 16 parking spaces currently allocated to Town Hall employees in the Chapel Street lot. Parking demand in excess of the 36 parking spaces noted above shall be provided at the MBTA parking lot in Needham Heights or at another town owned off-site parking location outside of the downtown area. Contractors, subcontractors and their employees shall not be allowed to park on any public way in Needham. Carpooling shall be strongly encouraged and advised. Public Transportation where appropriate shall be strongly urged.
- 3.10 That all required handicapped parking spaces shall be provided including above-grade signs at each space that include the international symbol of accessibility on a blue background with the words "Handicapped Parking Special Plate Required Unauthorized Vehicles May Be Removed At Owners Expense". The quantity and design of spaces, as well as the required signage, shall comply with the M.S.B.C. 521 CMR Architectural Access Board Regulation and the Town of Needham General By-Laws.
- 3.11 That all utilities, including telephone and electrical service, shall be installed underground from the street line.
- 3.12 That the Petitioner shall seal all abandoned drainage connections and other drainage connections where the developer cannot identify the sources of the discharges.
- 3.13 That the Petitioner shall secure from the Needham Department of Public Works a Sewer Connection Permit or impact fee, if applicable.
- 3.14 That the Petitioner shall secure from the Needham Department of Public Works a Street Opening Permit, if applicable.
- 3.15 That the Petitioner shall connect the sanitary sewer line only to known sources. All known sources which cannot be identified shall be disconnected and properly sealed.
- 3.16 That the construction, operation and maintenance of the on-site catch basins and pavement areas, shall conform to the requirements outlined in the EPA's Memorandum of Understanding signed by the Needham Board of Selectmen.
- 3.17 That the Petitioner shall implement the following maintenance plan:

- a. Parking lot sweeping - sweep twice per year; once in spring after snowmelt, and early fall.
 - b. Catch basin cleaning - inspect basins twice per year; in late spring and fall. Clean basins in spring.
 - c. Oil/grit separators - inspect bi-monthly and clean four times per year of all oil and grit.
- 3.18 That the maintenance of parking landscaping as shown on the Plan shall be the responsibility of the Petitioner.
 - 3.19 That the Storm Water Management Policy form shall be submitted to the Town of Needham signed and stamped and shall include construction mitigation and an operation and maintenance plan as described in the policy.
 - 3.20 That all solid waste shall be removed from the site by Petitioner or a private contractor. Snow shall also be removed or plowed by Petitioner or a private contractor. That all snow shall be removed or plowed such that the total number and size of parking spaces are not reduced.
 - 3.21 That all deliveries and trash pick up shall occur only between the hours of 7:30 a.m. and 6:00 p.m., Monday through Saturday, not at all on Sundays and holidays. That all deliveries shall be made solely from the parking lot area and shall not be made from any of the surrounding roadways. Trash shall be removed directly from the building and shall not be stored in dumpsters or other external containers.
 - 3.22 That all exterior building lights shall be shielded and adjusted during the evening hours to prevent any annoyance to the neighbors.
 - 3.23 That additional trash receptacles shall be provided if required and the area shall be kept free of litter from the Town Hall operation.
 - 3.24 That in constructing and operating the proposed building on the locus pursuant to this Special Permit, due diligence be exercised and reasonable efforts be made at all times to avoid damage to the surrounding areas or adverse impact on the environment.
 - 3.25 That excavation material and debris, other than rock used for walls and ornamental purposes and fill suitable for placement elsewhere on the site, shall be removed from the site.
 - 3.26 That all construction staging shall be on-site. No construction parking shall be on public streets. Construction parking shall be all on-site or a combination of on-site and off-site parking at locations in which the Petitioner can make suitable arrangements. Construction staging plans shall be included in the final construction documents prior to the filing of a Building Permit and shall be subject to the review and approval of the Building Inspector.
 - 3.27 That the following interim safeguards shall be implemented during construction:
 - a. The hours of construction shall be 7:00 a.m. to 8:00 p.m. Monday through Saturday unless otherwise authorized by approval of the Board of Selectmen pursuant to the Needham General By-Laws, Section 3.8.1.

- b. The Petitioner's contractor shall provide temporary security chain-link or similar type fencing around the portions of the project site which require excavation or otherwise pose a danger to public safety.
 - c. The Petitioner's contractor shall designate a person who shall be responsible for the construction process. That person shall be identified to the Police Department, the Department of Public Works, the Building Inspector, and the abutters and shall be contacted if problems arise during the construction process. The designee shall also be responsible for assuring that truck traffic and the delivery of construction material does not interfere with or endanger traffic flow on Highland Avenue, Great Plain Avenue, Chapel Street or the adjacent roads.
 - d. The Petitioner shall take the appropriate steps to minimize, to the maximum extent feasible, dust generated by the construction including, but not limited to, requiring subcontractors to place covers over open trucks transporting construction debris and keeping Highland Avenue, Great Plain Avenue and Chapel Street clean of dirt and debris.
- 3.28 That no building permit shall be issued in pursuance of the Special Permit and Site Plan Approval until:
- a. The final plans shall be in conformity with those approved by the Board, and a statement certifying such approval shall have been filed by this Board with the Building Inspector.
 - b. A construction management and staging plan shall have been submitted to the Police Chief and Building Inspector for their review and approval.
 - c. The Petitioner shall prepare and file with the Board and the Norfolk County Registry of Deeds a plan that shows Assessors Plan No. 51, Parcels 1 and 81 merged, using customary surveyor's notation.
 - d. The Petitioner shall create a contract exhibit indicating possible truck/delivery routes, which details the area where no construction vehicles will be permitted. The noted map shall be submitted to the Board for review and approval.
 - e. The Petitioner shall have recorded with the Norfolk County Registry of Deeds a certified copy of this decision granting this Special Permit and Site Plan Approval with the appropriate reference to the book and page number of the recording of the Petitioner's title deed or notice endorsed thereon.
- 3.29 That no building or structure, or portion thereof, subject to this Special Permit and Site Plan Approval shall be occupied until:
- a. An as-built plan, supplied by the engineer of record certifying that the on-site and off-site project improvements were built according to the approved documents, has been submitted to the Board and Department of Public Works. The as-built plan shall show the building, all finished grades and final construction details of the driveways, parking areas, drainage systems, utility installations, and sidewalk and curbing improvements on-site and off-site, in their true relationship to the lot lines. In addition to the engineer of record, said plan shall be certified by a Massachusetts Registered Land Surveyor.
 - b. That there shall be filed with the Building Inspector and Board a statement by the Department of Public Works certifying that the finished grades and final construction

details of the driveways, parking areas, drainage systems, utility installations, and sidewalks and curbing improvements on site, have been constructed to the standards of the Town of Needham Department of Public Works and in accordance with the approved Plan.

c. That there shall be filed with the Board and Building Inspector a Certificate of Compliance signed by a registered architect upon completion of construction.

d. That there shall be filed with the Board and Building Inspector an as-built Landscaping Plan showing the final location, number and type of plant material, final landscape features, parking areas, and lighting installations. Said plan shall be prepared by the landscape architect of record and shall include a certification that such improvements were completed according to the approved documents.

e. Notwithstanding the provisions of Sections a, b, and d hereof, the Building Inspector may issue one or more certificates for temporary occupancy of all or portions of the buildings prior to the installation of final landscaping and other site features, provided that the Petitioner shall have first filed with the Board in an amount not less than 135% of the value of the aforementioned remaining landscaping or other work to secure installation of such landscaping and other site and construction features.

- 3.30 That in addition to the provisions of this approval, the Petitioner must comply with all requirements of all state, federal, and local boards, commissions or other agencies, including, but not limited to, the Building Inspector, Fire Department, Department of Public Works, Conservation Commission, Police Department, and Board of Health.
- 3.31 That the building or structure authorized for construction by this permit shall not be occupied or used, and no activity except the construction activity authorized by this permit shall be conducted within said area until a Certificate of Occupancy and Use or a Certificate of Temporary Occupancy and Use has been issued by the Building Inspector.
- 3.32 That the Petitioner, by accepting this permit decision, warrants that the Petitioner has included all relevant documentation, reports, and information available to the Petitioner in the application submitted, and that this information is true and valid to the best of the Petitioner's knowledge.
- 3.33 That violation of any of the conditions of this Special Permit shall be grounds for revocation of this Special Permit, or of any building permit granted hereunder. In the case of violation of the continuing obligations of this permit, the Town will notify the owner of such violation and give the owner reasonable time, not to exceed thirty (30) days, to cure the violation. If, at the end of said thirty (30) day period, the Petitioner has not cured the violation, or in the case of violations requiring more than thirty (30) days to cure, has not commenced the cure and prosecuted the cure continuously, the permit granting authority may, after notice to the Petitioner or owner of the property, conduct a hearing in order to determine whether the failure to abide by the conditions contained herein should result in revocation of the Special Permit. As an alternative, the Town may enforce compliance with the conditions of this permit by an action for injunctive relief before any court of competent jurisdiction. The Petitioner/Owner agrees to reimburse the Town for its reasonable costs including attorney fees in connection with the enforcement of the conditions of this permit.

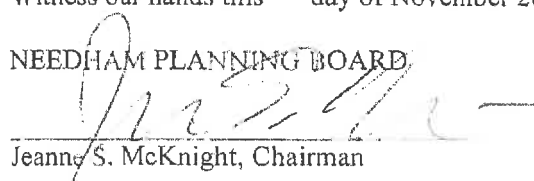
LIMITATIONS

- 4.0 The authority granted to the Petitioner by this permit is limited as follows:
- 4.1 This permit applies only to the site improvements, which are the subject of this petition. All construction to be conducted on site shall be conducted in accordance with the terms of this permit and shall be limited to the improvements on the Plan, as modified by this decision.
- 4.2 There shall be no further development of the space to be occupied by Petitioner without further site plan approval as required under Section 7.4 of the By-Law. The Board, in accordance with M.G.L., Ch. 40A, S.9 and said Section 7.4, hereby retains jurisdiction to (after hearing) modify and/or amend the conditions to, or otherwise modify, amend or supplement, this decision and to take other action necessary to determine and ensure compliance with the decision.
- 4.3 This decision applies only to the requested Special Permits and Site Plan Review. Other permits or approvals required by the By-Law, other governmental boards, agencies or bodies having jurisdiction should not be assumed or implied by this decision.
- 4.4 No approval of any indicated signs or advertising devices is implied by this decision.
- 4.5 The foregoing restrictions are stated for the purpose of emphasizing their importance but are not intended to be all-inclusive or to negate the remainder of the By-Law.
- 4.6 This Site Plan Special Permit shall lapse on November 2, 2011 if substantial use thereof has not sooner commenced, except for good cause. Any requests for an extension of the time limits set forth herein must be in writing to the Board at least 30 days prior to November 2, 2011. The Board herein reserves its rights and powers to grant or deny such extension without a public hearing. The Board, however, shall not grant an extension as herein provided unless it finds that the use of the property in question or the construction of the site has not begun, except for good cause.
- 4.7 This approval shall be recorded in the Norfolk District Registry of Deeds. This Special Permit shall not take effect until a copy of this decision bearing the certification of the Town Clerk that twenty (20) days have elapsed after the decision has been filed in the Town Clerk's office or that if such appeal has been filed, that it has been dismissed or denied is recorded with Norfolk District Registry of Deeds and until the Petitioner has delivered a certified copy of the recorded document to the Board.

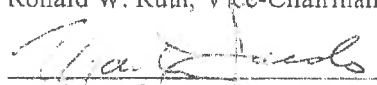
The provisions of this Special Permit shall be binding upon every owner or owner of the lots and the executors, administrators, heirs, successors and assigns of such owners, and the obligations and restrictions herein set forth shall run with the land, as shown on the Plan, as modified by this decision, in full force and effect for the benefit of and enforceable by the Town of Needham. Any person aggrieved by this decision may appeal pursuant to the General Laws, Chapter 40A, Section 17, within twenty (20) days after filing of this decision with the Needham Town Clerk.

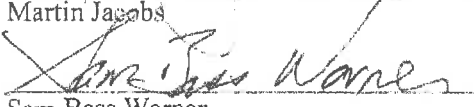
Witness our hands this 17th day of November 2009

NEEDHAM PLANNING BOARD


Jeanne S. McKnight, Chairman


Ronald W. Ruth, Vice-Chairman


Martin Jacobs

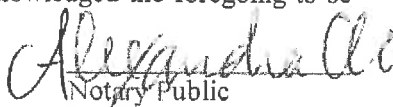

Sam Bass Warner

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

Nov 17 2009

On this 17 day of November, 2009, before me, the undersigned notary public, personally appeared Seanne McKnight, one of the members of the Planning Board of the Town of Needham, Massachusetts, proved to me through satisfactory evidence of identification, which was in the form of a state issued drivers license, to be the person whose name is signed on the proceeding or attached document, and acknowledged the foregoing to be the free act and deed of said Board before me.


Notary Public

My Commission Expires: April 2, 2015

TO WHOM IT MAY CONCERN: This is to certify that the 20-day appeal period on the decision of the Town of Needham by its agent the Needham Permanent Public Building Committee, 470 Dedham Avenue, Needham, Massachusetts, for property located at 1471 Highland Avenue, Needham, Massachusetts, has passed, and there have been no appeals made to this office. (All Judicial Appeals taken from this decision have been dismissed.)

Date

Theodora K. Eaton, Town Clerk

Copy sent to:

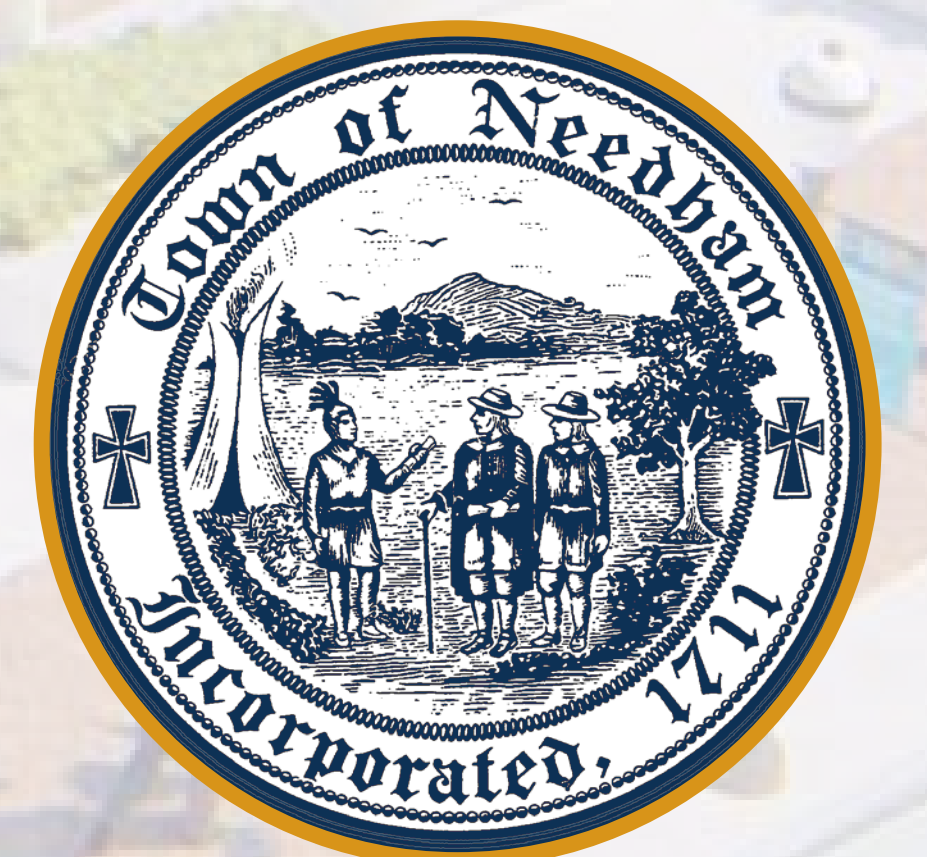
Petitioner - Certified Mail #
Town Clerk
Building Inspector
Director, PWD
Board of Health
Conservation Commission

Design Review Board
Board of Selectmen
Engineering
Fire Department
Police Department
Steven Popper

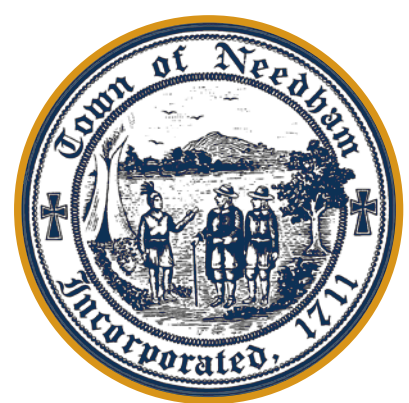
Parties in Interest

Town Common Renovations

Needham, MA
December, 2021







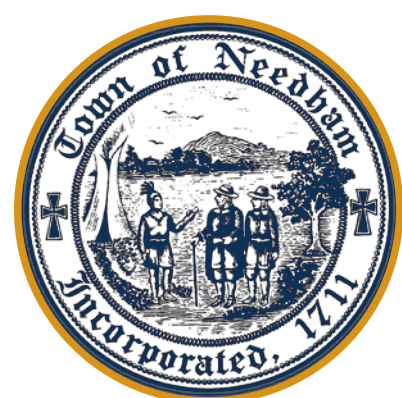
Bird's Eye View of the Town Common

Town Common Renovations | Town of Needham

December 2021

Needham, Massachusetts





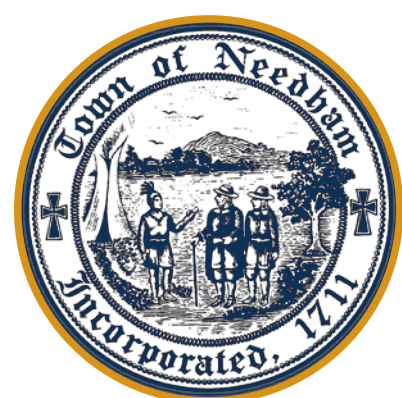
Perspective View from Seating Area Looking North

Town Common Renovations | Town of Needham

December 2021

Needham, Massachusetts





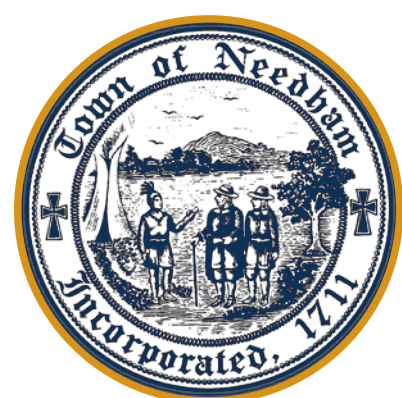
Perspective View Looking South from the Town Hall (with Tent)

Town Common Renovations | Town of Needham

December 2021

Needham, Massachusetts





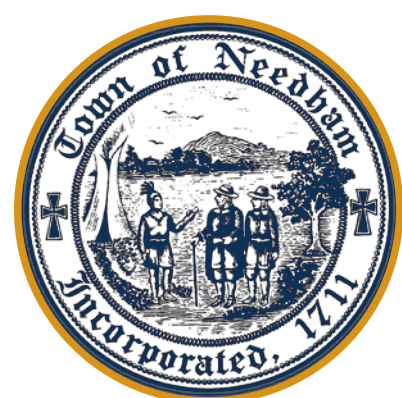
Perspective View Looking South from the Town Hall

Town Common Renovations | Town of Needham

December 2021

Needham, Massachusetts



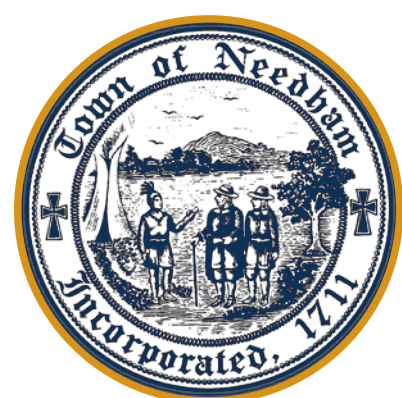


Perspective View Looking Towards the Town Hall

Town Common Renovations | Town of Needham

December 2021

Needham, Massachusetts



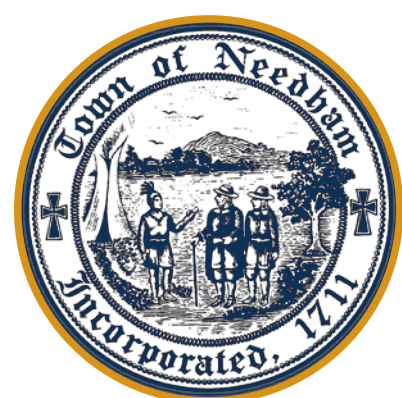
Perspective View from the Great Lawn Looking East

Town Common Renovations | Town of Needham

December 2021

Needham, Massachusetts





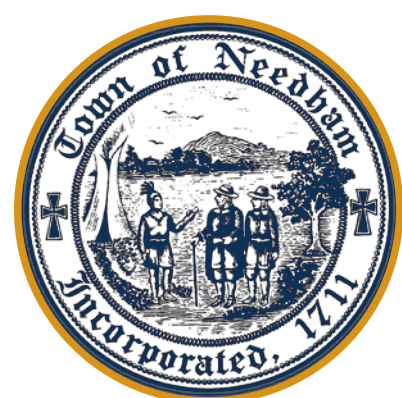
Perspective View from the Circle of Peace Sculpture Looking West

Town Common Renovations | Town of Needham

December 2021

Needham, Massachusetts



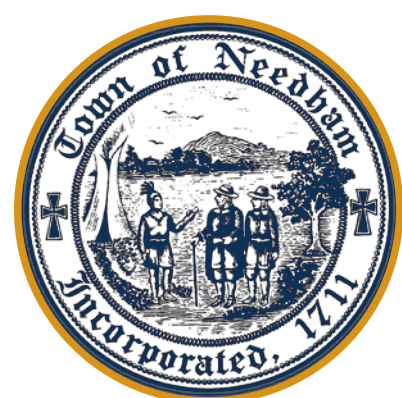


Perspective View from the Great Lawn Looking North

Town Common Renovations | Town of Needham

December 2021

Needham, Massachusetts



Perspective View from the Great Lawn Looking North

Town Common Renovations | Town of Needham

December 2021

Needham, Massachusetts





Bench



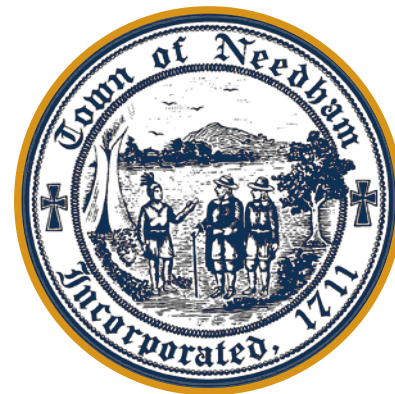
Table



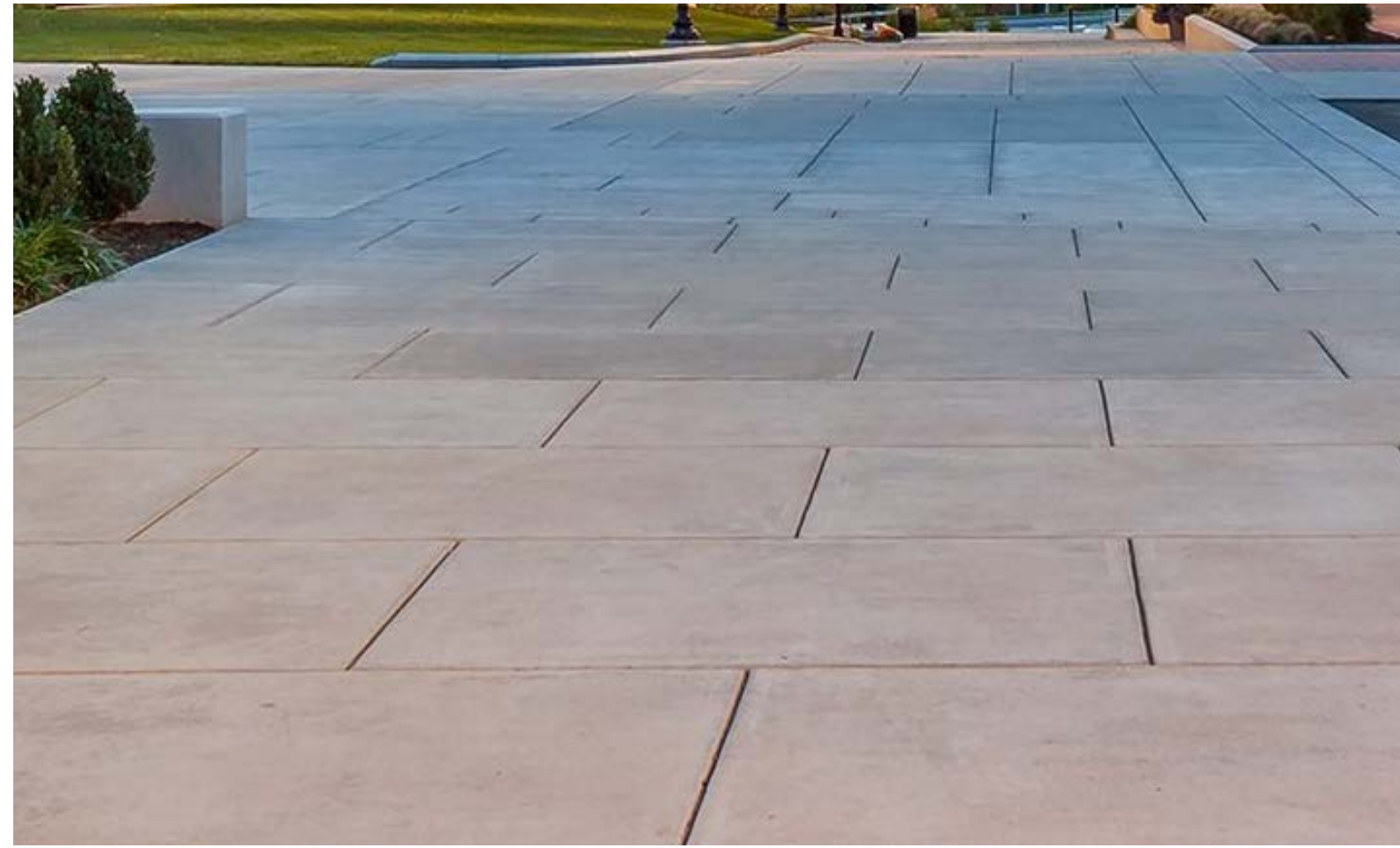
Swing Bench



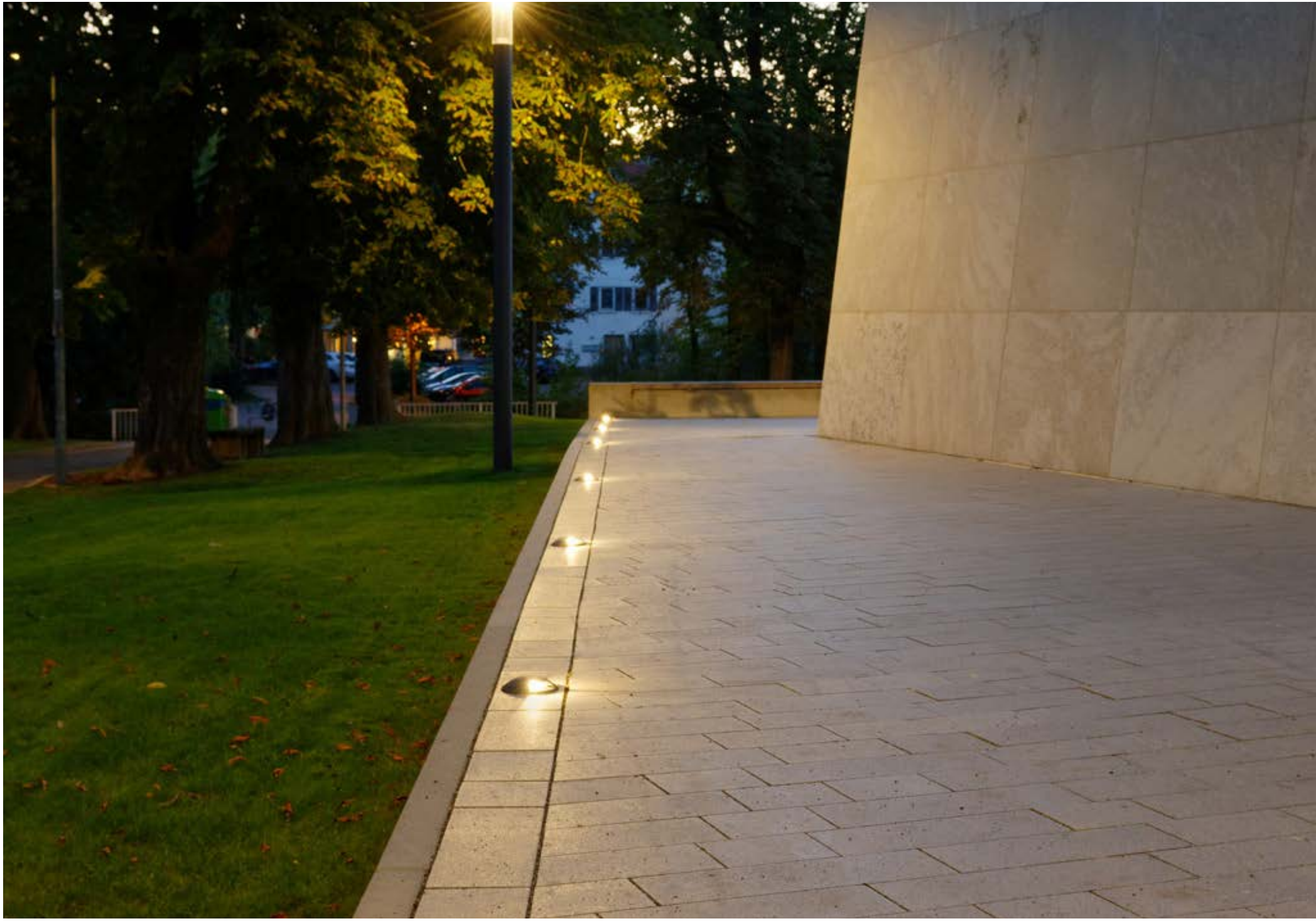
Litter Receptacle



Project Elements



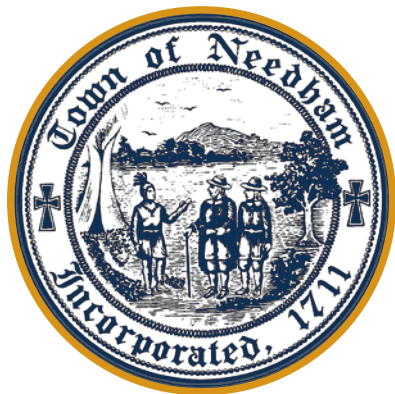
Surface materials



Path Uplight



Bus Shelter



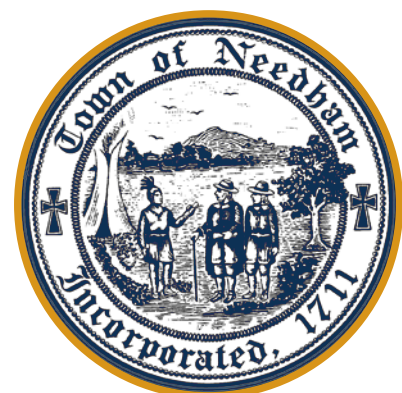
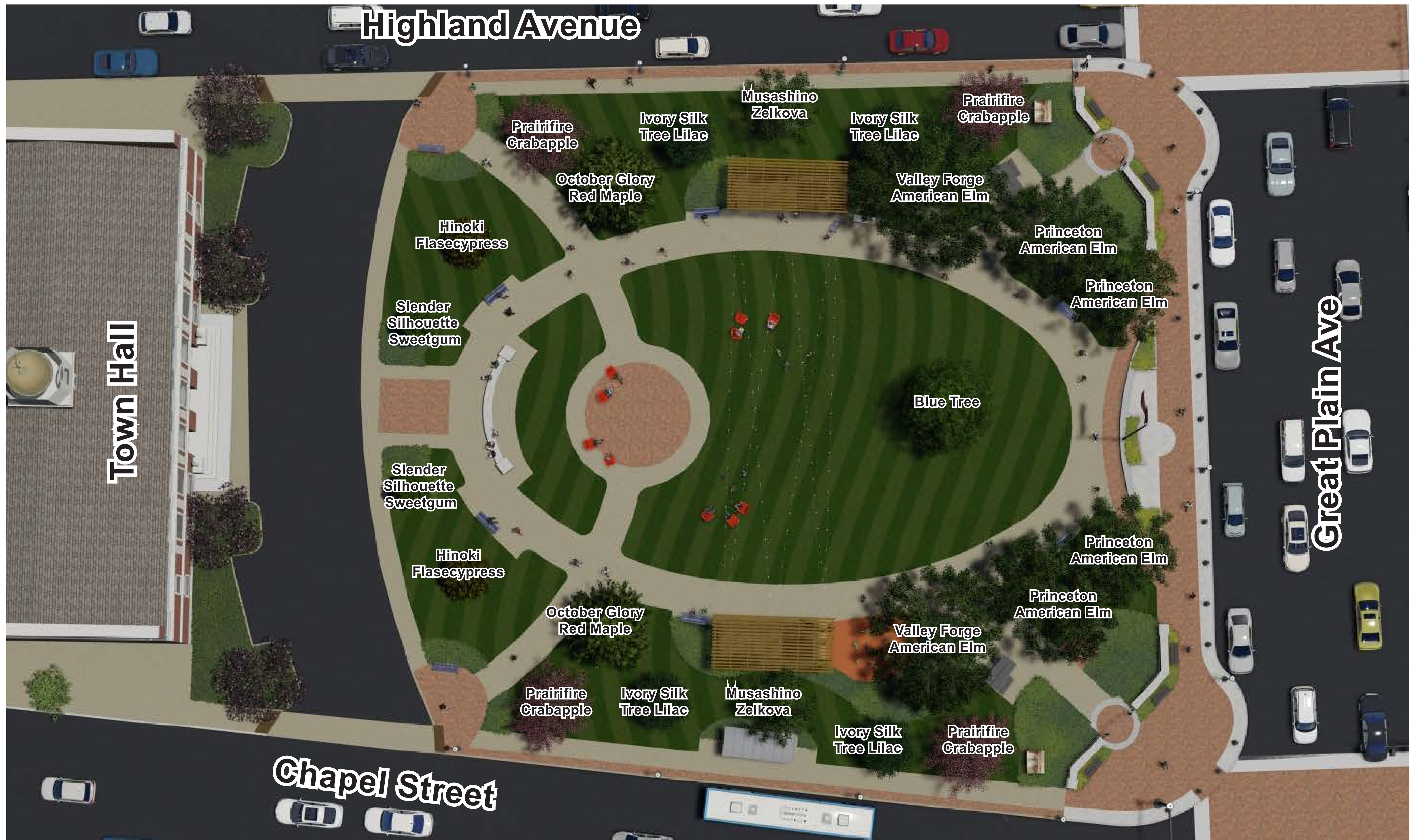
Project Elements

Town Common Renovations | Town of Needham

December 2021

Needham, Massachusetts





Tree Species



Acer rubrum 'October Glory'
October Glory Red Maple



Ulmus americana 'Valley Forge'
Valley Forge American Elm



Ulmus americana 'Princeton'
American Elm



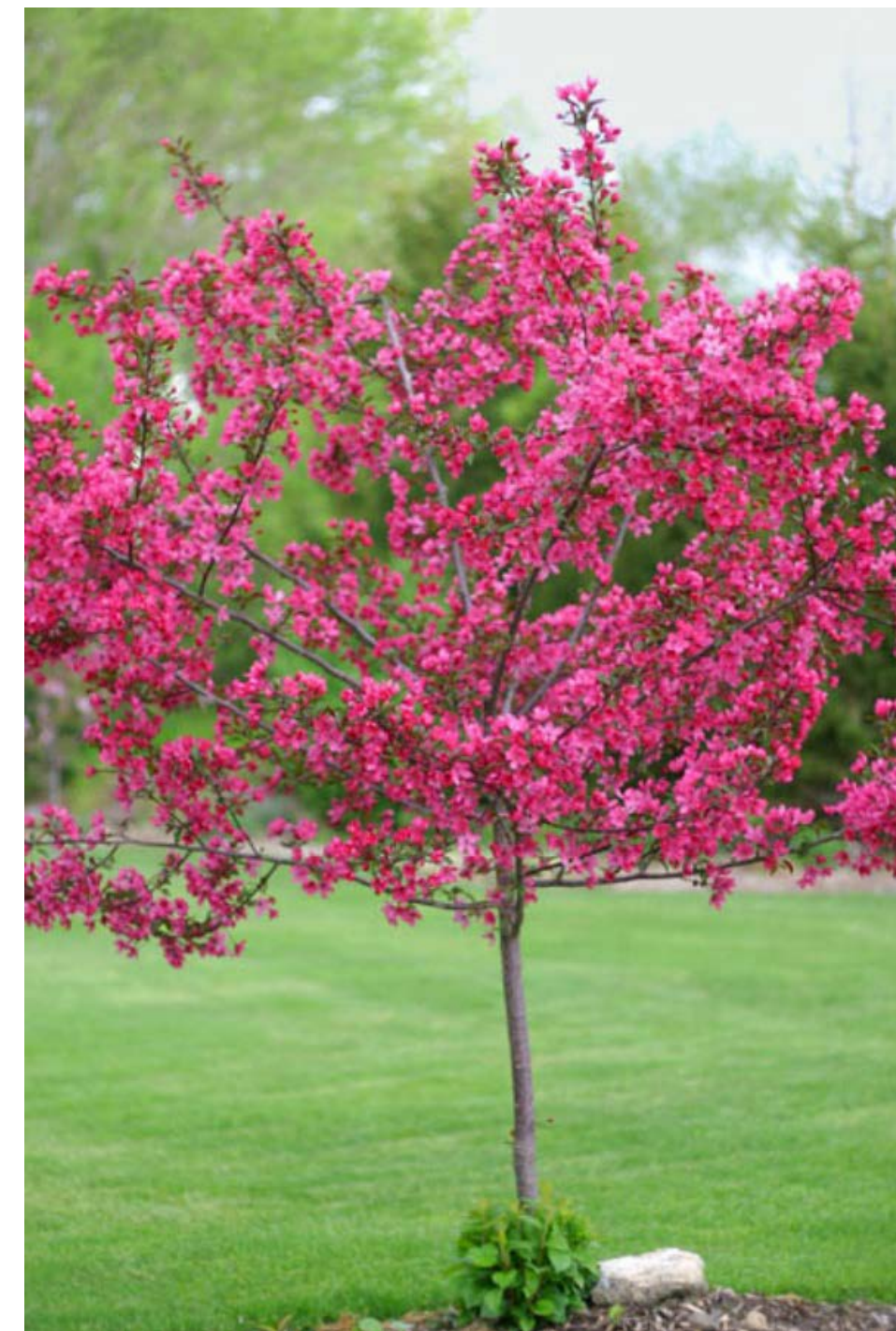
Ulmus parvifolia 'Allee'
Allee Chinese Elm



Liquidambar styraciflua 'Slender Silhouette'
Slender Silhouette Sweetgum



Zelkova serrata 'Musashino'
Musashino Japanese Zelkova



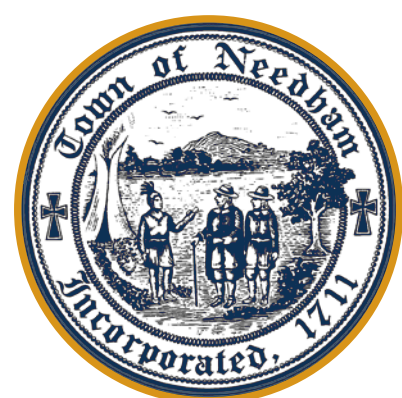
Malus 'Prairifire'
Prairifire Crabapple



Syringa reticulata 'Ivory Silk'
Japanese Tree Lilac



Chamaecyparis obtusa
Hinoki Falsecypress



Tree Species

Town Common Renovations | Town of Needham

December 2021

Needham, Massachusetts

From: [Lisa C](#)
To: [Planning](#)
Cc: [Jeff Friedman](#)
Subject: Planning Board Meeting - review of Town Commons overhaul
Date: Sunday, November 28, 2021 8:34:56 PM

Hello Planning Board Members,

Thanks for such an informative presentation on Nov 16 about the Town Commons renovation. You've clearly done so much work to plan the new design.

As I mentioned, I am on the Board of the Needham Farmers Market and I offered two requests related to the NFM's use of Garrity Way and the Commons. I am writing to make sure these aren't lost in the significant amount of feedback you are receiving:

- Please verify that the electrical system will accommodate Farmers Market vendors who use freezers or refrigerators for their food products. Currently, vendors plug into ground outlets next to the Town Hall building or on the edge of the Commons.
- How will the Town prioritize and accommodate requests to use the Commons. We've seen a large increase in use driven by the pandemic and placement of the large tent and benches. I can imagine that we will see many groups, individuals and organizations seeking access to the newly renovated space. The NFM is in the process of finding alternative space for the 2022 season during the renovation and we hope that we will be able to return to the Commons for the 2023 season as we bring a benefit to the Town and residents who value a regular source of locally grown or baked food/flowers, locally produced arts and crafts, as well as live music. We operate on Sundays from mid June to the Sunday before Thanksgiving.

Thanks again for your consideration,
Lisa Cherbuliez

copying Jeff Friedman, President of the Needham Farmers Market

From: [Heather Hampf](#)
To: [Planning](#)
Cc: [Heather Kortenkaemper](#)
Subject: Town Common Design
Date: Saturday, December 4, 2021 11:19:00 AM

Dear Town Planning Board

I watched the entire meeting from November 16th and have some concerns on the proposed design.

Here are my concerns:

1, the shade structures seriously obstruct the open space. Shade can be found under trees or people should just be able to enjoy the open air and sunshine.

2, how cold would the metal benches be in the winter time? How hot in the summertime?

3, like one of the board members I am worried about the salt on the metal structures. Obviously the walkways would need to be salted in the wintertime. People enjoy open spaces all year long.

4, I am concerned that the proposing party did not know how hard it was to put up and take down the tent. One should never assume when spending a lot of money. I don't even understand why a more permanent tent needs to be installed since we have had a tent up for over a year. The tent should be able to be put up and taken down at a moments notice.

5, The price Tag of \$1.4million is most likely outdated now. I was just in a conference call today and a boat load of sugar from the Philippines cost \$12k to ship pre covid, now it costs \$25k. So I am sure building supplies are still sky high?

For the open space reasons and the price tag (to remain in budget), the shade structures really need to be reconsidered. It really would reduce the amount of open space which is the whole point of the town common, both in current times and from a historical perspective.

Thank you for listening to my point of view. I appreciated the board members questions and hope to have a beautiful open space to preserve native plants and trees.

Thank you again for your time
Heather Kortenkaemper
275 Broad Meadow Rd

From: [Oscar Mertz](#)
To: [Alexandra Clee](#)
Cc: [Jeanne McKnight](#)
Subject: Fwd: Town Green Public Gathering test fits
Date: Monday, December 6, 2021 2:02:35 PM
Attachments: [7185 Needham Town Common Permit Set Revised 11-4-2021 Public Gathering Tests OM.pdf](#)

Alex - Let me know if you need more information in the memo below.
Jeanne - If you have any further comments please let me know.

Diagram description:

These diagrams represent a crude test fit for a possible public gathering locations adjacent to Needham Town Hall. There are two diagrams shown for possible public gatherings: at the Town Hall steps or in the new oval green space of the proposed revised park layout. The calculations for a standing crowd use 6SF per person to indicate the possible capacity for the illustrated areas shown on the plan diagrams. The general rule of thumb used by planners is 5-7SF for standing crowds so 6SF is the average.

The (yellow) diagrams are intended to test, and reiterate, the importance of maintaining the front steps of Town Hall as an historic and very functional location for public gatherings for the Needham community. It is particularly well suited since the steps place the stage at an elevated position.

The (green) diagrams are intended to test a public gathering in the new oval.

It is important to note gatherings typically face north to a "stage" to avoid solar glare. Therefore, the logical location for a stage for the oval would land near the top, towards the Town Hall. The location shown, north of the low wall, is to illustrate the largest possible gathering by placing the stage above the oval. Any stage in this general area of the top of the oval would be in direct visual conflict with the tent location floating over the paved circle in the oval.

Recalling that at the last planning board hearing, it was suggested that the tent location would effectively be permanent, there would seem to be an issue worth further discussion to find the appropriate flexibility for the tent to allow for large events in the Town green oval.

These diagrams have been prepared by Oscar Mertz, a Needham resident and practicing architect.

Sent from my

Begin forwarded message:

From: "Mertz, Oscar" <omertz@elkus-manfredi.com>
Date: December 6, 2021 at 1:53:13 PM EST

To: Oscar Mertz <oemertz@gmail.com>
Subject: Town Green Public Gathering test fits

Oscar Mertz III AIA LEED AP
Senior Associate

ELKUS MANFREDI ARCHITECTS

[address] 25 Drydock Avenue, Boston Massachusetts 02210

[tel] 617.368.3417 [fax] 617.426.7502

[email] [omertz @elkus-manfredi.com](mailto:omertz@elkus-manfredi.com)

[web] www.elkus-manfredi.com

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TOWN OF NEEDHAM, MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS

Public Gathering Test fits
by Oscar Mertz
12/05/21

NEEDHAM TOWN COMMON RENOVATION
OCTOBER 2021
REV. NOVEMBER , 2021



SELECT BOARD

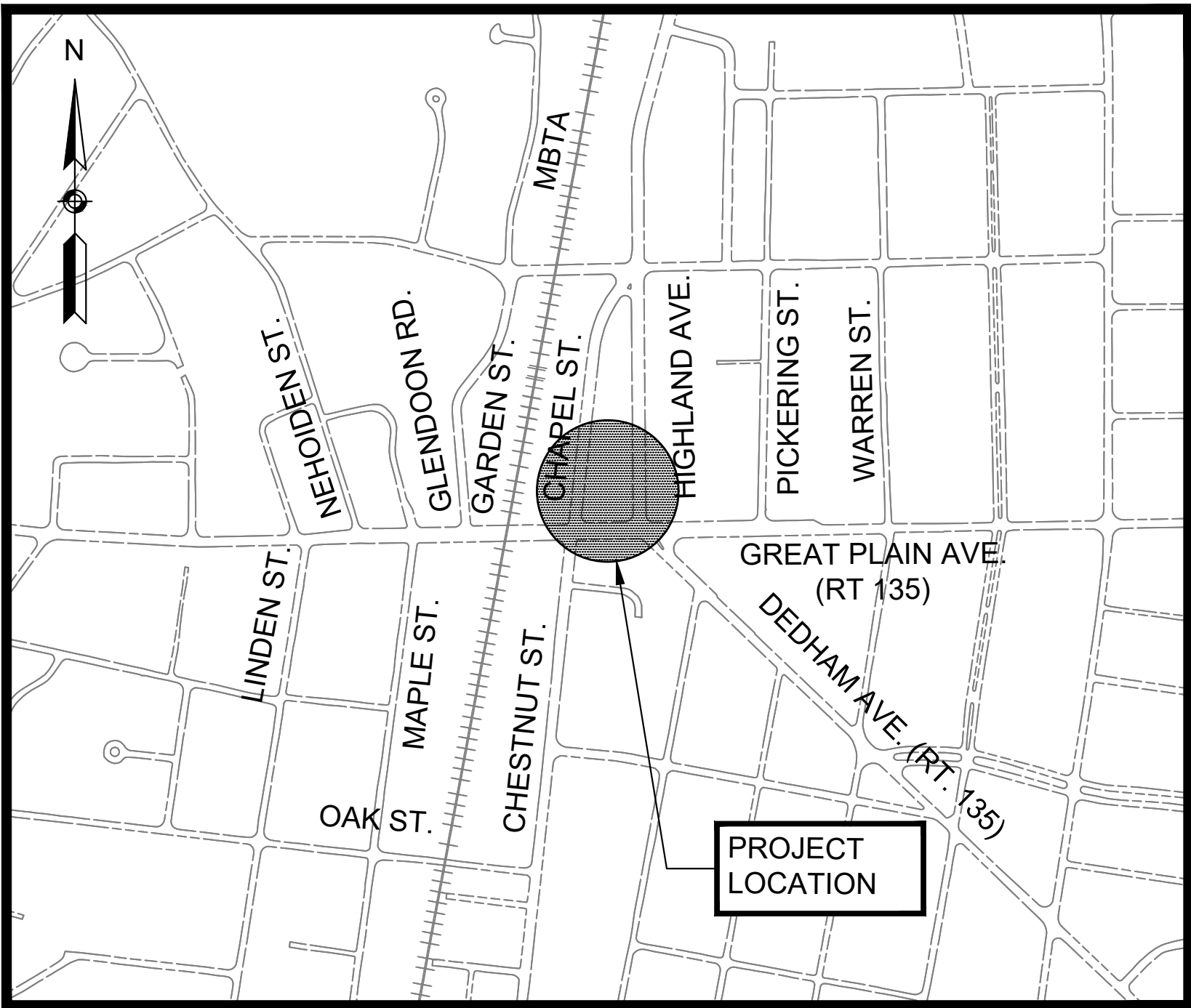
MATTHEW BORRELLI, CHAIRMAN
MARIANNE COOLEY, VICE CHAIRMAN
DANIEL P. MATTHEWS, MEMBER
MARCUS NELSON, MEMBER

TOWN MANAGER

KATHLEEN P. FITZPATRICK

DEPARTMENT OF PUBLIC WORKS

CARYS LUSTIG, DIRECTOR
ROBERT A. LEWIS, ASSISTANT DIRECTOR
EDWARD OLSEN, SUPERINTENDENT PARKS & FORESTRY



LOCATION MAP
1"=500'

PLAN INDEX

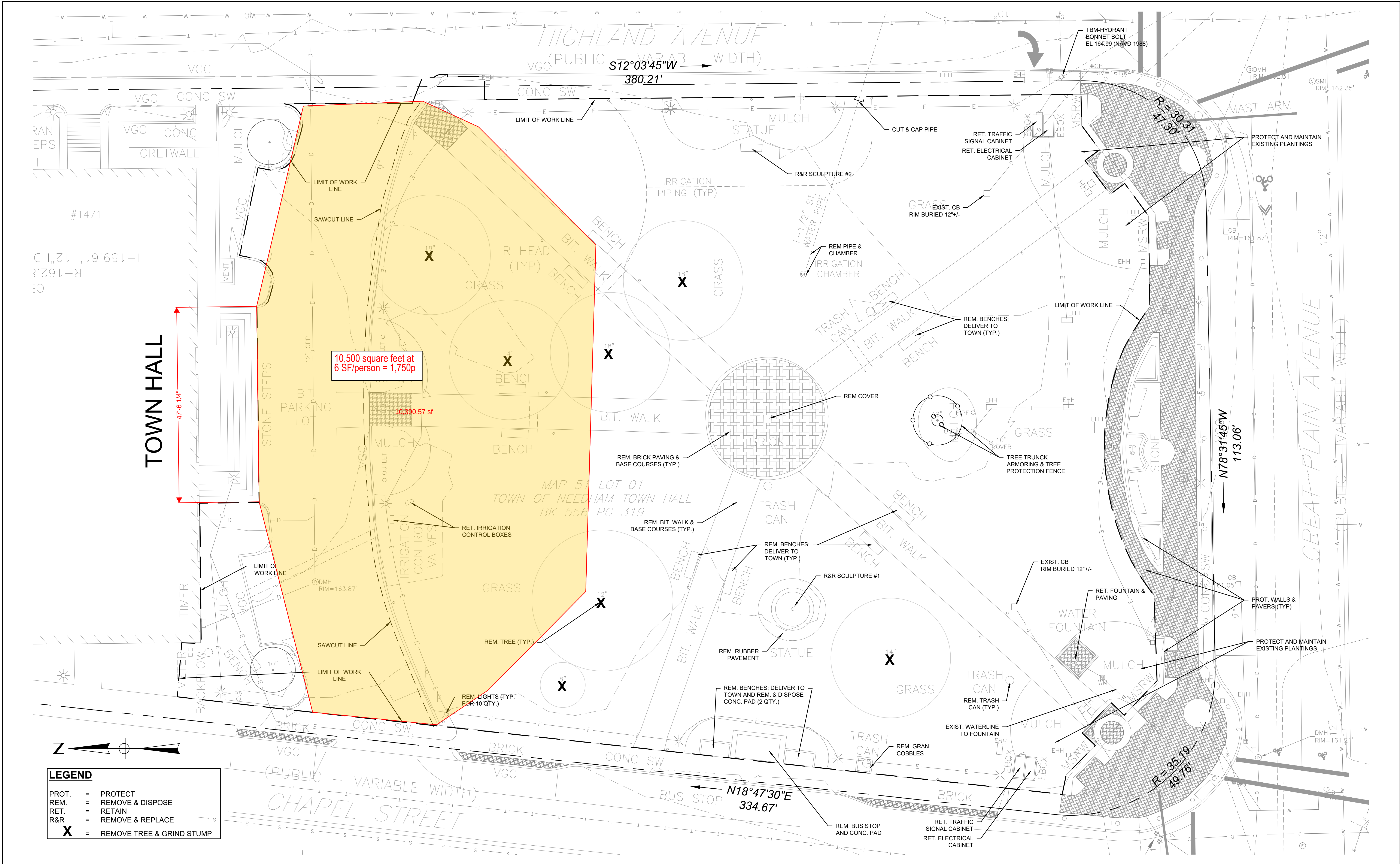
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1	TITLE SHEET & INDEX
2	GENERAL NOTES
3	EXISTING CONDITIONS & SITE PREPARATION PLAN
4	LAYOUT & MATERIALS PLAN
5	GRADING & DRAINAGE PLAN
6	ELECTRICAL PLAN
7	IRRIGATION PLAN
8	IRRIGATION DETAIL
9	PLANTING PLAN
10	DETAILS
11	DETAILS
12	DETAILS
13	ELECTRICAL DETAILS
14	ELECTRICAL DETAILS
15	ELECTRICAL DETAILS
16	ELECTRICAL DETAILS
17	DETAILS
18	DETAILS

PERMIT SET

PREPARED BY:

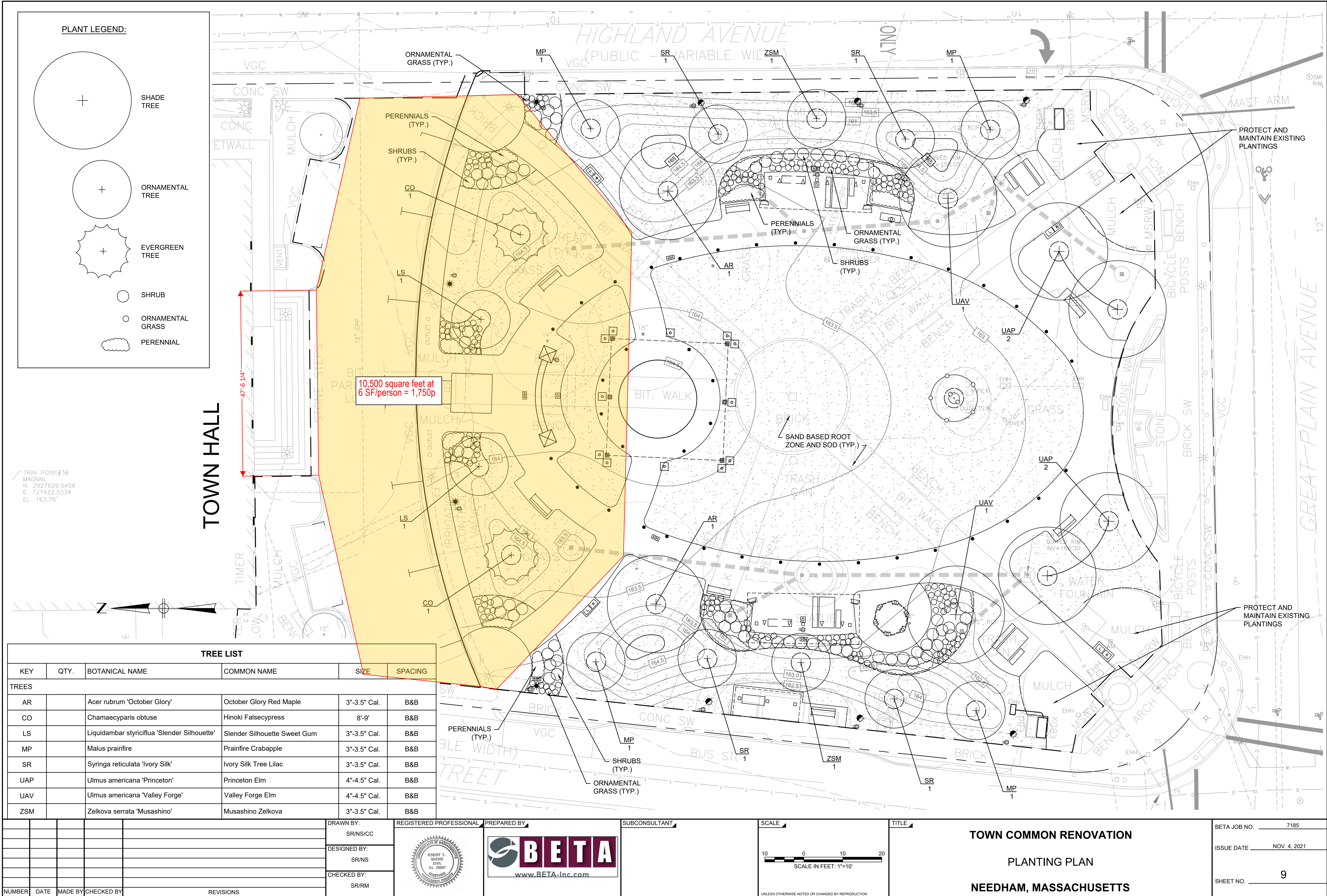


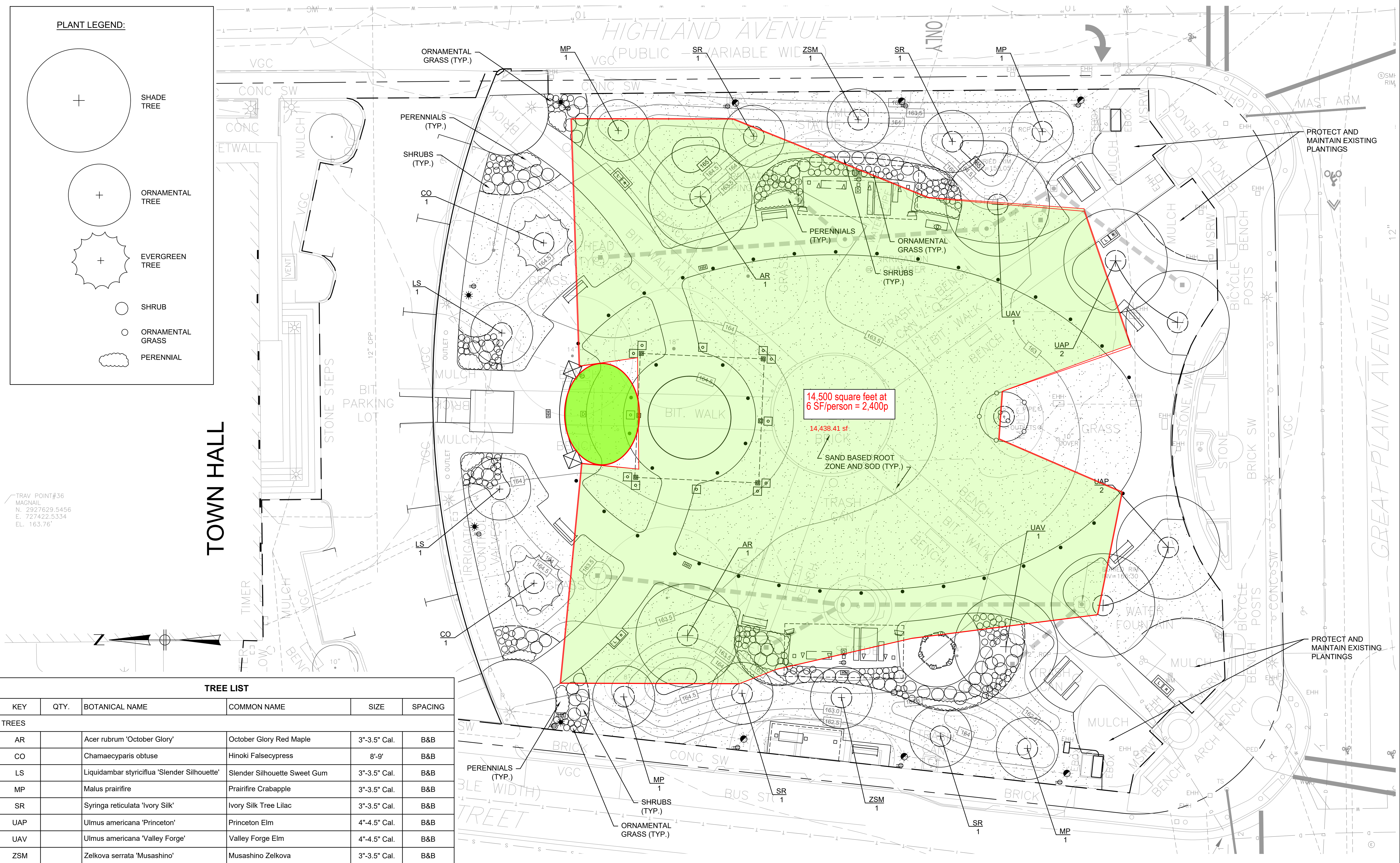
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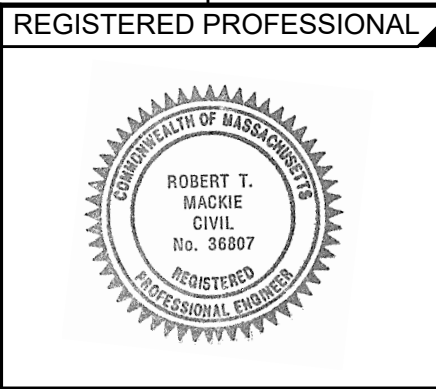
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NUMBER	DATE	MADE BY	CHECKED BY	REVISIONS



SUBCONSULTANT

TITLE	TOWN COMMON RENOVATION PLANTING PLAN NEEDHAM, MASSACHUSETTS
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Exhibits received for 1688 Central Avenue

All testimony received between March 1, 2021 and December 7, 2021

Applicant submittals. Application, Memos, Plans, Traffic Studies, Drainage. Etc.

1. Properly executed Application for Site Plan Review for: (1) A Major Project Site Plan under Section 7.4 of the Needham By-Law, dated May 20, 2021.
2. Letter from Matt Borrelli, Manager, Needham Enterprises, LLC, dated March 16, 2021.
3. Letter from Attorney Evans Huber, dated March 11, 2021.
4. Letter from Attorney Evans Huber, dated March 12, 2021.
5. Letter from Attorney Evans Huber, dated March 16, 2021.
6. Architectural plans entitled "Needham Enterprises, Daycare Center, 1688 central Avenue," prepared by Mark Gluesing Architect, 48 Mackintosh Avenue, Needham, MA, consisting of 4 sheets: Sheet 1, Sheet A1-0, entitled "1st Floor Plan, dated Mach 8, 2021; Sheet 2, Sheet A1-1, entitled "Roof Plan," dated March 8, 2021; Sheet 3, Sheet A2-1 showing "Longitudinal Section," "Nursery/Staff Room Section," "Toddler 1/ Craft Section at Dormer," and "Playspace/Lobby Section," dated March 8, 2021; and Sheet 4, Sheet A3-0, showing "North Elevation," "West Elevation," "East Elevation," and "South Elevation," dated March 8, 2021.
7. Plans entitled "Site Development Plans, Daycare, 1688 Central Avenue, Needham, MA," consisting of 10 sheets, prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA, 02032, Sheet 1, Cover Sheet, dated June 22, 2020; Sheet 2, entitled "Existing Conditions Plan of Land in Needham, MA," dated June 22, 2020; Sheet 3, entitled "Site Plan," dated June 22, 2020; Sheet 4, entitled "Grading and Utilities Plan of Land," dated June 22, 2020; Sheet 5, entitled "Landscaping Plan," dated June 22, 2020; Sheet 6, entitled "Construction Details," dated June 22, 2020; Sheet 7, entitled "Construction Details," dated June 22, 2020; Sheet 8, entitled "Sewer Extension Plan and Profile," dated November 19, 2020; Sheet 9, entitled "Construction Period Plan," dated June 22, 2020; Sheet 10, entitled "Appendix, Photometric and Site Lighting," dated June 22, 2021, **all plans stamped January 21, 2021.**
8. Traffic Impact Assessment, prepared by Gillon Associates, Traffic and Parking Specialists, dated March 2021.
9. Stormwater Report prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA, 02032, dated June 22, 2020, stamped January 26, 2021.
10. Traffic Impact Assessment, prepared by Gillon Associates, Traffic and Parking Specialists, revised March 2021.
11. Plans entitled "Site Development Plans, Daycare, 1688 Central Avenue, Needham, MA," consisting of 9 sheets, prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA, 02032, Sheet 1, Cover Sheet, dated June 22, 2020, revised April 15, 2021; Sheet 2, entitled "Existing Conditions Plan of Land in Needham, MA," dated June 22, 2020, revised April 15, 2021;

Sheet 3, entitled "Site Plan," dated June 22, 2020, revised April 15, 2021; Sheet 4, entitled "Grading and Utilities Plan of Land," dated June 22, 2020, revised April 15, 2021; Sheet 5, entitled "Landscaping Plan," dated June 22, 2020, revised April 15, 2021; Sheet 6, entitled "Construction Details," dated June 22, 2020, revised April 15, 2021; Sheet 7, entitled "Construction Details," dated June 22, 2020, revised April 15, 2021; Sheet 8, entitled "Sewer Extension Plan and Profile," dated November 19, 2020, revised April 15, 2021; Sheet 9, entitled "Construction Period Plan," dated June 22, 2020, revised April 15, 2021, **all plans stamped April 15, 2021.**

12. Architectural plans entitled "Needham Enterprises, Daycare Canter, 1688 central Avenue," prepared by Mark Gluesing Architect, 48 Mackintosh Avenue, Needham, MA, consisting of 2 sheets: Sheet 1, Sheet A3-0, showing "North Elevation," "West Elevation," "East Elevation," and "South Elevation," dated March 8, 2021, revised March 30, 2021; Sheet 2, Sheet A1-0, entitled "1st Floor Plan, dated March 8, 2021, revised March 30, 2021.
13. Letter from Attorney Evans Huber, dated April 21, 2021.
14. Memorandum from Attorney Evans Huber, dated May 5, 2021.
15. Plans entitled "Site Development Plans, Daycare, 1688 Central Avenue, Needham, MA," consisting of 9 sheets, prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA, 02032, Sheet 1, Cover Sheet, dated June 22, 2020, revised April 15, 2021 and June 2, 2021; Sheet 2, entitled "Existing Conditions Plan of Land in Needham, MA," dated June 22, 2020, revised April 15, 2021 and June 2, 2021; Sheet 3, entitled "Site Plan," dated June 22, 2020, revised April 15, 2021 and June 2, 2021; Sheet 4, entitled "Grading and Utilities Plan of Land," dated June 22, 2020, revised April 15, 2021 and June 2, 2021; Sheet 5, entitled "Landscaping Plan," dated June 22, 2020, revised April 15, 2021 and June 2, 2021; Sheet 6, entitled "Construction Details," dated June 22, 2020, revised April 15, 2021 and June 2, 2021; Sheet 7, entitled "Construction Details," dated June 22, 2020, revised April 15, 2021 and June 2, 2021; Sheet 8, entitled "Sewer Extension Plan and Profile," dated November 19, 2020, revised April 15, 2021 and June 2, 2021; Sheet 9, entitled "Construction Period Plan," dated June 22, 2020, revised April 15, 2021 and June 2, 2021, **all plans stamped June 2, 2021.**
16. Architectural plans entitled "Needham Enterprises, Daycare Canter, 1688 central Avenue," prepared by Mark Gluesing Architect, 48 Mackintosh Avenue, Needham, MA, consisting of 2 sheets: Sheet 1, Sheet A1-0, entitled "1st Floor Plan, dated March 8, 2021, revised March 30, 2021 and May 30, 2021; Sheet 2, Sheet A3-0, showing "North Elevation," "West Elevation," "East Elevation," and "South Elevation," dated March 8, 2021, revised March 30, 2021 and May 30, 2021.
17. Traffic Impact Assessment, prepared by Gillon Associates, Traffic and Parking Specialists, revised June 2021.
18. Letter from Attorney Evans Huber, dated June 14, 2021.
19. Presentation shown at the July 20, 2021 hearing.
20. Memorandum from Attorney Evans Huber, dated August 4, 2021.
21. Plans entitled "Site Development Plans, Daycare, 1688 Central Avenue, Needham, MA," consisting of 9 sheets, prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA,

02032, Sheet 1, Cover Sheet, dated June 22, 2020, revised April 15, 2021, June 2, 2021 and July 28, 2021; Sheet 2, entitled "Existing Conditions Plan of Land in Needham, MA," dated June 22, 2020, revised April 15, 2021, June 2, 2021 and July 28, 2021; Sheet 3, entitled "Site Plan," dated June 22, 2020, revised April 15, 2021, June 2, 2021 and July 28, 2021; Sheet 4, entitled "Grading and Utilities Plan of Land," dated June 22, 2020, revised April 15, 2021, June 2, 2021 and July 28, 2021; Sheet 5, entitled "Construction Details," dated June 22, 2020, revised April 15, 2021 and June 2, 2021; Sheet 6, entitled "Construction Details," dated June 22, 2020, revised April 15, 2021, June 2, 2021 and July 28, 2021; Sheet 7, entitled "Sewer Extension Plan and Profile," dated November 19, 2020, revised April 15, 2021, June 2, 2021 and July 28, 2021; Sheet 8, entitled "Construction Period Plan," dated June 22, 2020, revised April 15, 2021, June 2, 2021 and July 28, 2021; Sheet 9, entitled "Landscaping Plan," dated June 22, 2020, revised April 15, 2021, June 2, 2021 and July 28, 2021, **all plans stamped July 28, 2021.**

22. Traffic Impact Assessment, prepared by Gillon Associates, Traffic and Parking Specialists, dated August 11, 2021.
23. Technical Memorandum, from John Gillon, prepared by Gillon Associates, Traffic and Parking Specialists, dated September 2, 2021.
24. Letter from Attorney Evans Huber, dated September 30, 2021.
25. Plans entitled "Site Development Plans, Daycare, 1688 Central Avenue, Needham, MA," consisting of 9 sheets, prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA, 02032, Sheet 1, Cover Sheet, dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021 and September 28, 2021; Sheet 2, entitled "Existing Conditions Plan of Land in Needham, MA," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021 and September 28, 2021; Sheet 3, entitled "Site Plan," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021 and September 28, 2021; Sheet 4, entitled "Grading and Utilities Plan of Land," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021 and September 28, 2021; Sheet 5, entitled "Construction Details," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021 and September 28, 2021; Sheet 6, entitled "Construction Details," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021 and September 28, 2021; Sheet 7, entitled "Sewer Extension Plan and Profile," dated November 19, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021 and September 28, 2021; Sheet 8, entitled "Construction Period Plan," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021 and September 28, 2021; Sheet 9, entitled "Landscaping Plan," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021 and September 28, 2021, **all plans stamped September 29, 2021.**
26. Plan entitled "Appendix, Photometric and Site Lighting Plan, 1688 Central Ave in Needham," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021 and September 28, 2021.
27. Memorandum from Attorney Evans Huber, dated October 13, 2021.
28. Email from Evans Huber, dated October 14, 2021 with two attachments: Vehicle Count for September 2019 and Vehicle Count for February 2020.
29. Memorandum from Attorney Evans Huber, dated October 28, 2021.
30. Plans entitled "Site Development Plans, Daycare, 1688 Central Avenue, Needham, MA," consisting of 9 sheets, prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA,

02032, Sheet 1, Cover Sheet, dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021 and October 28, 2021; Sheet 2, entitled “Existing Conditions Plan of Land in Needham, MA,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, , September 28, 2021 and October 28, 2021; Sheet 3, entitled “Site Plan,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021 and October 28, 2021; Sheet 4, entitled “Grading and Utilities Plan of Land,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021 and October 28, 2021; Sheet 5, entitled “Construction Details,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021 , September 28, 2021 and October 28, 2021; Sheet 6, entitled “Construction Details,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021 and October 28, 2021; Sheet 7, entitled “Sewer Extension Plan and Profile,” dated November 19, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021 and October 28, 2021; Sheet 8, entitled “Construction Period Plan,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021 and October 28, 2021; Sheet 9, entitled “Landscaping Plan,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021 and October 28, 2021, **all plans stamped October 28, 2021.**

31. Plan entitled “Appendix, Photometric and Site Lighting Plan, 1688 Central Ave in Needham,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021 and October 28, 2021.
32. Technical Memorandum, from John Gillon, prepared by Gillon Associates, Traffic and Parking Specialists, dated October 27, 2021.
33. Email from Evans Huber, dated November 8, 2021, regarding “1688 Central Ave request for additional peer review fees.”
34. Memorandum from Attorney Evans Huber, dated November 10, 2021.
35. Plans entitled “Site Development Plans, Daycare, 1688 Central Avenue, Needham, MA,” consisting of 9 sheets, prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA, 02032, Sheet 1, Cover Sheet, dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021 and November 8, 2021; Sheet 2, entitled “Existing Conditions Plan of Land in Needham, MA,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, , September 28, 2021, October 28, 2021 and November 8, 2021; Sheet 3, entitled “Site Plan,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021 and November 8, 2021; Sheet 4, entitled “Grading and Utilities Plan of Land,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021 and November 8, 2021; Sheet 5, entitled “Landscaping Plan,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021 and November 8, 2021; Sheet 6, entitled “Construction Details,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021 , September 28, 2021, October 28, 2021 and November 8, 2021; Sheet 7, entitled “Construction Details,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021 and November 8, 2021; Sheet 8, entitled “Sewer Extension Plan and Profile,” dated November 19, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021 and November 8, 2021; Sheet 9, entitled “Construction Period Plan,” dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021 and November 8, 2021; Sheet 10, entitled “Appendix, Photometric and Site Lighting Plan, 1688 Central Ave in Needham,” dated June 22,

2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021 and November 8, 2021, **all plans stamped November 8, 2021.**

36. Plan entitled "1688 Central Turning Radius," consisting of 3 sheets, prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA, 02032: sheet 1, showing "20' Delivery Van," dated October 6, 2021; Sheet 2, showing "30' Trash Truck," dated October 6, 2021; sheet 3, showing "30' Trash Truck," dated October 6, 2021.
37. Email from Evans Huber, dated November 11, 2021, regarding "Traffic Peer Review: 1688 Central Avenue."
38. Letter from Attorney Evans Huber, dated December 2, 2021 with attached minutes from Canton Zoning Board of Appeals from March 25, 2021.
39. Memorandum from Attorney Evans Huber, dated December 2, 2021.
40. Plans entitled "Site Development Plans, Daycare, 1688 Central Avenue, Needham, MA," consisting of 9 sheets, prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA, 02032, Sheet 1, Cover Sheet, dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021, November 8, 2021 and November 22, 2021; Sheet 2, entitled "Existing Conditions Plan of Land in Needham, MA," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, , September 28, 2021, October 28, 2021, November 8, 2021 and November 22, 2021; Sheet 3, entitled "Site Plan," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021, November 8, 2021 and November 22, 2021; Sheet 4, entitled "Grading and Utilities Plan of Land," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021, November 8, 2021 and November 22, 2021; Sheet 5, entitled "Landscaping Plan," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021, November 8, 2021 and November 22, 2021; Sheet 6, entitled "Construction Details," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021 , September 28, 2021, October 28, 2021, November 8, 2021 and November 22, 2021; Sheet 7, entitled "Construction Details," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021, November 8, 2021 and November 22, 2021; Sheet 8, entitled "Sewer Extension Plan and Profile," dated November 19, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021, November 8, 2021 and November 22, 2021; Sheet 9, entitled "Construction Period Plan," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021, November 8, 2021 and November 22, 2021; Sheet 10, entitled "Appendix, Photometric and Site Lighting Plan, 1688 Central Ave in Needham," dated June 22, 2020, revised April 15, 2021, June 2, 2021, July 28, 2021, September 28, 2021, October 28, 2021, November 8, 2021 and November 22, 2021, **all plans stamped November 22, 2021.**

Peer Review on Traffic

41. Letter from John W. Diaz, Greenman-Pedersen, Inc., dated July 15, 2021, regarding traffic impact peer review.
42. Memo prepared by John T. Gillon, Gillon Associates, Traffic and Parking Specialists, dated August 21, 2021, transmitting Response to Greenman-Pedersen, Inc. peer review.

43. Letter from John W. Diaz, Greenman-Pedersen, Inc., dated August 26, 2021, regarding traffic impact peer review.
44. Letter from John W. Diaz, Greenman-Pedersen, Inc., dated October 18, 2021, regarding traffic impact peer review.
45. Email thread between John Glossa and John Diaz, most recent email dated October 28, 2021.
46. Letter from John W. Diaz, Greenman-Pedersen, Inc., dated November 1, 2021, regarding traffic impact peer review, with accompanying marked up site plans from October 28, 2021.
47. Email from John Diaz, dated November 16, 2021.
48. Letter from John W. Diaz, Greenman-Pedersen, Inc., dated November 16, 2021, regarding traffic impact peer review.

Staff/Board Comments.

49. Memorandum from the Design Review Board, dated March 22, 2021.
50. Memorandum from the Design Review Board, dated May 14, 2021.
51. Memorandum from the Design Review Board, dated August 13, 2021.
52. Interdepartmental Communication (IDC) to the Board from Tara Gurge, Health Department, dated March 24, 2021, April 27, 2021, August 9, 2021, August 16, 2021 (with attachment – “Environmental Risk Management Review,” prepared by PVC Services, LLC dated March 17, 2021), November 18, 2021 (with attachment of Board of Health 11/16/21 agenda) and November 18, 2021.
53. IDC to the Board from David Roche, Building Commissioner, dated March 22, 2021.
54. IDC to the Board from Chief Dennis Condon, Fire Department, dated March 29, 2021, April 27, 2021 and August 9, 2021
55. IDC to the Board from Chief John J. Schlittler, Police Department, dated May 6, 2021.
56. IDC to the Board from Thomas Ryder, Assistant Town Engineer, dated March 31, 2021, May 12, 2021, August 12, 2021, September 3, 2021, November 16, 2021 and December 6, 2021.

Abutter Comments.

57. Neighborhood Petition Regarding Development of 1688 Central Avenue in Needham, submitted by email from Holly Clarke, dated March 22, 2021, with excel spreadsheet of signatories.

58. Email from Robert J. Onofrey, 49 Pine Street, Needham, MA, dated March 26, 2021.
59. Email from Norman MacLeod, Pine Street, dated March 31, 2021.
60. Letter from Holly Clarke, 1652 Central Avenue, Needham, MA, dated April 3, 2021, transmitting "Comments of Neighbors of 1688 Central Avenue for Consideration During the Planning Board's Site Review Process for that Location," with 3 attachments.
61. Email from Meredith Fried, dated Sunday April 4, 2021.
62. Letter from Michaela A. Fanning, 853 Great Plain Avenue, Needham, MA, dated April 5, 2021.
63. Email from Maggie Abruzese, dated April 5, 2021.
64. Letter from Sharon Cohen Gold and Evan Gold, dated April 5, 2021.
65. Email from Matthew Heidman, dated May 10, 2021.
66. Email from Matthew Heidman, dated May 11, 2021 with attachment Letter directed to members of the Design Review Board, from Members of the Neighborhood of 1688 Central Avenue, undated.
67. Email from Rob DiMase, dated May 12, 2021.
68. Email from Eileen Sullivan, dated May 12, 2021.
69. Two emails from Eric Sockol, dated May 11 and May 12.
70. Email from Rob DiMase, dated May 13, 2021.
71. Email from Sally McKechnie, dated May 13, 2021.
72. Letter from Holly Clarke, dated May 13, 2021, transmitting "Response of Abutters and Neighbors of 1688 Central Avenue Project to the Proponent's Letter of April 16, 2021," with Attachment 1.
73. Email from Joseph and Margaret Abruzese dated May 17, 2021 transmitting the following:

Letter from Joseph and Margaret Abruzese, titled "Objection to Any Purported Agreement to Waive Major Project Review and/or Special Permit requirements with Regard to Proposed Construction at 1688 Central Avenue," undated.
74. Letter directed to Kate Fitzpatrick, Town Manager, from Joseph and Margaret Abruzese, dated April 5, 2021.
75. Email from Lee Newman, Director of Planning and Community Development, dated May 17, 2021, replying to email from Sharon Cohen Gold, dated May 15, 2021.
76. Email from Meredith Fried, dated May 18, 2021.
77. Email from Lori Shaer, Bridle Trail Road, dated May 18, 2021.

78. Email from Sandra Jordan, 219 Stratford Road, dated May 18, 2021.
79. Email from Khristy J. Thompson, 50 Windsor Road, dated May 18, 2021.
80. Email from Henry Ragin, dated May 18, 2021.
81. Email from David G. Lazarus, 115 Oxbow Road, dated May 18, 2021.
82. Email from John McCusker, 248 Charles River Street, dated May 18, 2021.
83. Email from Laurie and Steve Spitz, dated May 18, 2021.
84. Email from Randy Hammer, dated May 18, 2021.
85. Letter from Holly Clarke, dated May 24, 2021, transmitting comments concerning the Planning Board meeting of May 18, 2021.
86. Email from Robert Onofrey, 49 Pine Street, dated May 25, 2021, with attachment (and follow up email May 26, 2021).
87. Email from Maggie and Joe Abruzese, 30 Bridle Trail Road, dated June 8, 2021, transmitting document entitled “Needham Enterprise, LLC Application for Major Site Review Must be Rejected Because the Supporting Architectural Drawings are Filed in Violation of the State Ethics Code,” with Exhibit A.
88. Email from Barbara Turk, 312 Country Way, dated April 3, 2021, forwarded from Holly Clarke on June 14, 2021.
89. Email from Patricia Falacao, 19 Pine Street, dated April 4, 2021, forwarded from Holly Clarke on June 14, 2021.
90. Email from Leon Shaigorodsky, Bridle Trail Road, dated April 4, 2021, forwarded from Holly Clarke on June 14, 2021.
91. Letter from Peter F. Durning, Mackie, Shae, Durning, Counselors at Law, dated June 11, 2021.
92. Revised list of signatories to earlier submitted petition, received on June 11, 2021.
93. Email from Maggie and Joe Abruzese, 30 Bridle Trail Road, dated June 11, 2021.
94. Email from Karen and Alan Langsner, Windsor Road, dated June 13, 2021.
95. Email from Stanley Keller, 325 Country Way, dated June 13, 2021. Email from Sean and Marina Morris, 48 Scott Road, dated June 14, 2021.
96. Letter from Holly Clarke, dated June 14, 2021, transmitting “Comments of Neighbors of 1688 Central Avenue for Consideration During the Planning Board’s Site Review Process for that Location Concerning the Traffic Impact Assessment Reports.”
97. Email from Pete Lyons, 1689 Central Avenue, dated June 14, 2021.

98. Email from Maggie and Joe Abruzese, 30 Bridle Trail Road, dated June 14, 2021.
99. Email from Ian Michelow, Charles River Street, dated June 13, 2021.
100. Email from Nikki and Greg Cavanagh, dated June 14, 2021.
101. Email from Patricia Falacao, 19 Pine Street, dated June 14, 2021.
102. Email from Maggie and Joe Abruzese, 30 Bridle Trail Road, dated July 6, 2021.
103. Email from David Lazarus, Oxbow Road, dated July 12, 2021.
104. Email from Maggie Abruzese, dated July 12, 2021.
105. Letter directed to Marianne Cooley, Select Board, and Attorney Christopher Heep, from Maggie and Joe Abruzese, 30 Bridle Trail Road, dated July 12, 2021.
106. Email from Barbara and Peter Hauschka, 105 Walker Lane, dated July 13, 2021.
107. Email from Rob DiMase, dated July 14, 2021.
108. Email from Lee Newman, Director of Planning and Community Development, dated July 14, 2021, replying to email from Maggie Abruzese, dated July 14, 2021.
109. Email from Leon Shaigorodsky, dated July 17, 2021.
110. Letter directed to Members of the Planning Board, from Maggie and Joe Abruzese, 30 Bridle Trail Road, dated July 28, 2021, regarding "Suspending Hearings Pending a Resolution of the Ethics Questions."
111. Letter directed to Members of the Planning Board, from Maggie and Joe Abruzese, 30 Bridle Trail Road, dated July 28, 2021, regarding "Objection to the Hearing of July 20, 2021."
112. Letter from Holly Clarke, dated August 12, 2021, transmitting "The Planning Board Must Deny the Application as the Needham Zoning Bylaws Prohibit More than One Non-Residential Use or Building On a Lot in Single Residence A."
113. Email directed to the Planning Board from Maggie and Joe Abruzese, 30 Bridle Trail Road, dated August 12, 2021, transmitting "The Authority of the Planning Board to Address Ethical Issues in the 1688 Central Matter."
114. Email directed to the Select Board from Maggie and Joe Abruzese, 30 Bridle Trail Road, dated August 13, 2021, transmitting "The Power and Duty of the Select Board to Address Ethical Issues in the 1688 Central Matter."
115. Letter from Holly Clarke, dated August 13, 2021, transmitting "The Planning Board's Authority to Regulate the Proposed Development of 1688 Central Avenue Includes the Authority to Reject the Plan."

116. Letter from Patricia Falcao, dated August 30, 2021.
117. Email directed to the Planning Board from Maggie and Joe Abruzese, 30 Bridle Trail Road, dated August 25, 2021, with attachment regarding Special Municipal Employee status.
118. Email from Patricia Falcao, dated August 30, 2021.
119. Email from Daniel Gilmartin, 111 Walker Lane, dated August 30, 2021.
120. Email from Dave S., dated September 4, 2021.
121. Letter from Holly Clarke, dated September 7, 2021, transmitting "Neighbors' Comments on the Traffic Impact Analysis," with 2 attachments.
122. Email from Elizabeth Bourguignon, 287 Warren Street, dated September 5, 2021.
123. Letter from Amy and Leonard Bard, 116 Tudor Road, dated September 5, 2021.
124. Email from Mary Brassard, 267 Hillcrest Road, dated September 28, 2021.
125. Email from Christopher K. Currier, 11 Fairlawn Street, dated September 28, 2021.
126. Email from Stephen Caruso, 120 Lexington Avenue, dated September 28, 2021.
127. Email from Emily Pugach, 42 Gayland Road, dated September 29, 2021.
128. Email from Robin L. Sherwood, dated September 29, 2021.
129. Email from Sarah Solomon, 21 Otis Street, dated September 29, 2021.
130. Email from Lee Ownbey, 27 Powderhouse Circle, dated September 29, 2021.
131. Email from Emily Tow, dated September 29, 2021.
132. Email from Leah Caruso, dated September 29, 2021.
133. Email from Jennifer Woodman, dated September 29, 2021.
134. Email from Nancy and Chet Yablonski, dated September 29, 2021.
135. Email from Pamela and Andrew Freedman, 17 Wilshire Park, dated September 29, 2021.
136. Email from Dr. Jennifer Lucarelli, 58 Avalon Rd, dated September 29, 2021.
137. Email from Maija Tiplady, dated September 30, 2021.
138. Email from Ashley Schell, dated September 30, 2021.
139. Email from Kristin Kearney, 11 Paul Revere Rd, dated September 30, 2021.

140. Email from Dave Renninger, dated September 30, 2021.
141. Letter from Brad and Rebecca Lacouture, dated September 30, 2021.
142. Email from Kerry Cervas, 259 Hillcrest Road, dated September 30, 2021.
143. Letter from Holly Clarke, dated October 1, 2021, transmitting “The Past Use of the Property for Automobile Repairs and Other Non-Residential Purposes Merit Environmental Precautions to Insure the Safe Development and Use of the Property.”
144. Email from Carolyn Walsh, 202 Greendale Avenue, dated September 30, 2021.
145. Email from Robert DiMase, 1681 Central Avenue, dated October 6, 2021.
146. Email from Elyse Park, dated October 6, 2021.
147. Email from R.M. Connelly, dated October 6, 2021.
148. Email from Eric Sockol, 324 Country Way, undated, received October 6, 2021.
149. Email from R.M. Connelly, dated October 9, 2021.
150. Email from Robert James Onofrey, 49 Pine Street, dated October 12, 2021 with attachment.
151. Letter from Holly Clarke, dated October 16, 2021, transmitting “Neighbor’s Comments on the Application of Needham Zoning By-Law 3.2.1.”
152. Email from R.M. Connelly, dated October 18, 2021.
153. Email from David Lazarus, Oxbow Road, dated October 19, 2021.
154. Email directed to the Planning Board from Maggie and Joe Abruzese, 30 Bridle Trail Road, dated October 27, 2021, transmitting “Objection to Use of Architectural Plans and Testimony 1688 Central Avenue.”
155. Email directed to the Planning Board from Maggie and Joe Abruzese, 30 Bridle Trail Road, dated November 1, 2021, transmitting “The Applicant Cannot Keep both the Barn and the New Building.”
156. Letter to the Planning Board from Denise Linden, undated, received November 10, 2021.
157. Email to the Planning Board from Khristy J. Thompson, Ph.D., dated November 10, 2021 with the following attachments discussing the impact of lead and other metals on the neurodevelopment of young children.
158. Letter from Holly Clarke, dated November 13, 2021, transmitting “The Proponent’s October 27, 2021 Report Again Changes the Data Used to Assess the Impact of the Project on Central Avenue.”

159. Letter from Holly Clarke, dated November 14, 2021, transmitting “Photographs and Video of Traffic on Central Avenue”
160. Letter from Holly Clarke, dated November 14, 2021, transmitting “Commercial Child Care Facilities Do Not Customarily Have Accessory Buildings”
161. Email from Joseph and Margaret Abruzese dated November 15, 2021 accompanying the following attachment:

Town of Canton, Massachusetts, Zoning Board of Appeals Decision, dated August 13, 2020, with Exhibits A, B, C and D.
162. Letter from Sharon Cohen Gold and Evan Gold, dated November 16, 2021.
163. Letter to the Planning Board from Elizabeth Bourguignon, 287 Warren St, dated, November 16, 2021.
164. Letter to the Planning Board from Carolyn Day Reulbach, 12 Longfellow Road, dated, December 2, 2021.
165. Email directed to the Planning Board from Maggie and Joe Abruzese, 30 Bridle Trail Road, dated December 6, 2021.
166. Email directed to the Planning Board from Maggie and Joe Abruzese, 30 Bridle Trail Road, dated December 6, 2021, transmitting “Parking Requirements of Needham Zoning Bylaw.”
167. Letter from Pat Falacao, 19 Pine Street, received December 7, 2021.

Misc.

168. Email from Attorney Christopher H. Heep, dated June 9, 2021.
169. Two Emails from Attorney Christopher Heep, dated July 16, 2021.
170. Letter from Attorney Christopher H. Heep, dated September 2, 2021.
171. Letter from Attorney Christopher H. Heep, dated September 8, 2021.
172. Letter from Stephen J. Buchbinder, Schlesinger and Buchbinder, LLP, dated October 1, 2021.
173. Letter from Eve Slattery, General Counsel, Commonwealth of Massachusetts, State Ethics Commission, dated September 30, 2021.
174. Email from Evans Huber, dated October 7, 2021.
175. Email from Lee Newman directed to Evans Huber, dated October 8, 2021.

176. Letter from Eve Slattery, General Counsel, Commonwealth of Massachusetts, State Ethics Commission, dated October 4, 2021.
177. Email from Lee Newman directed to and replying to R.M. Connelly, dated October 19, 2021.
178. Letter from Brian R. Falk, Mirick O'Connell, Attorneys at Law, dated October 27, 2021.
179. Letter from Attorney Christopher H. Heep, dated November 2, 2021.
180. Letter directed to Evans Huber from Lee Newman, Director, Planning and Community Development, dated November 10, 2021.
181. Letter from David Roche, Building Commissioner, dated December 7, 2021.

MEMORANDUM

To: Needham Planning Department
From: Evans Huber, Esq.
Date: December 2, 2021
Subject: Summary of Changes to Site Plans Submitted Herewith

The following is a summary of the changes to the project reflected in the Site Plans signed and stamped on November 22, 2021, as compared to the prior most recent set of plans. The prior most recent set of Site Plans was signed and stamped on November 8, 2021 and was submitted on or about November 10, 2021. This memo supplements, but does not repeat, the changes to the project described in my memos of August 4, 2021, October 13, 2021, October 28, and November 10, 2021 to the Planning Board.

The only difference between this set and the last set are that, as shown on sheets 3, 4, and 7, this plan set reflects the applicant's agreement to construct an ADA-compliant sidewalk along the entire frontage of the property. The engineering details, such as elevation, grading, and how this sidewalk will meet existing sidewalks or paved pathways on adjacent properties are being worked out among the applicant's engineer, John Glossa, the Town's engineering department, and the Board's expert, Mr. Diaz.

The November 22, 2021 site plans have been emailed to the Planning Department, although the size of the file has made emailing difficult and may result in difficulty receiving the plans via email. Additionally, 11 x 17 hard copies will be delivered to each Planning Board member sitting on the panel for this matter, as well as Ms. Newman.

ZONING LEGEND:				
SINGLE RESIDENCE A, PROPOSED PUBLIC, SEMI PUBLIC OR INSTITUTIONAL USE				
	REQUIRED/ALLOWED	EXISTING	PROPOSED	COMPLIANCE
MIN. AREA	43,560 S.F.	146,003 S.F.	146,003 S.F.	YES
MIN. FRONTAGE	150'	250.05'	250.05'	YES
MIN. SETBACK FRONT	35'	*105.0' **211.2' ***276.3'	64.0'	YES
MIN. SETBACK SIDE	25'	*67.5' **65.0' ***54.2'	52.3'	YES
MIN. SETBACK REAR	25'	*864.9' **763.4' ***677.0'	811.0'	YES
MAXIMUM STORIES	2-1/2	*2 **1 ***2	1	YES
MAXIMUM HEIGHT	35'	*30.7' **15.3' ***31.2'	24.7'	YES
LOT COVERAGE	15%	NR	9.0%	YES
FLOOR AREA RATIO	.30	NR	.09	YES
DRIVEWAY OPENINGS	18' - 25'	19'	24'	YES

*EXISTING HOUSE (TO BE DEMOLISHED)
**OUT BUILDING -1 (TO BE DEMOLISHED)
***OUT BUILDING -2 (TO REMAIN)

ZONING BYLAW 6.1.3 PARKING PLAN AND DESIGN REQUIREMENTS

	REQUIRED/ALLOWED	EXISTING	PROPOSED	COMPLIANCE
A) PARKING ILLUMINATION	AVG. 1 FOOT CANDLE	N/A	AVG. 1 FOOT CANDLE	YES
B) LOADING REQUIREMENTS	N/A	N/A	N/A	YES
C) HANDICAPPED REQUIREMENTS	2	N/A	2	YES
D) DRIVEWAY OPENINGS	1	1	1	YES
E) COMPACT CARS	50% (8'X16')	N/A	N/A	YES
F) PARKING SPACE SIZE	9'X18.5'	N/A	9'X18.5'	YES
G) BUMPER OVERHANG	1' OVERHANG	N/A	NONE REQUIRED	YES
H) PARKING SPACE LAYOUT	N/A	N/A	N/A	YES
I) WIDTH OF MANEUVERING AISLE	24' (90° STALL)	N/A	24' (90° STALL)	YES
J) PARKING SETBACK				
-FRONT	10'	N/A	*207.5'	YES
-SIDE	4'	N/A	26.9'	YES
-REAR	4'	N/A	609.6'	YES
-BUILDING	5'	N/A	5'	YES
K) LANDSCAPE AREA	10%	N/A	10%	YES
L) TREES	1 PER 10 SPACES (3)	N/A	3	YES
M) LOCATION	WITHIN LOT	N/A	WITHIN LOT	YES
N) BICYCLE RACKS	NONE REQUIRED	N/A	NONE REQUIRED	YES

* TO LOADING AREA

REQUIRED PARKING TO BE DETERMINED BY BUILDING INSPECTOR
PARKING PROVIDED SPACES INCLUDING 2 HANDICAP SPACES

LANDSCAPE AREA REQUIREMENT IS 10% OF REQUIRED SET BACK AREA. SET BACK AREA IS 3,939 S.F.
10% OF 3,939 IS 394 S.F. OF MAINTAINED LANDSCAPE AREA REQUIRED 25% OF THAT OR 98 S.F. TO
BE LOCATED WITHIN THE INTERIOR OF THE PARKING AREA. 860 S.F. PROVIDED WITHIN PARKING AREA

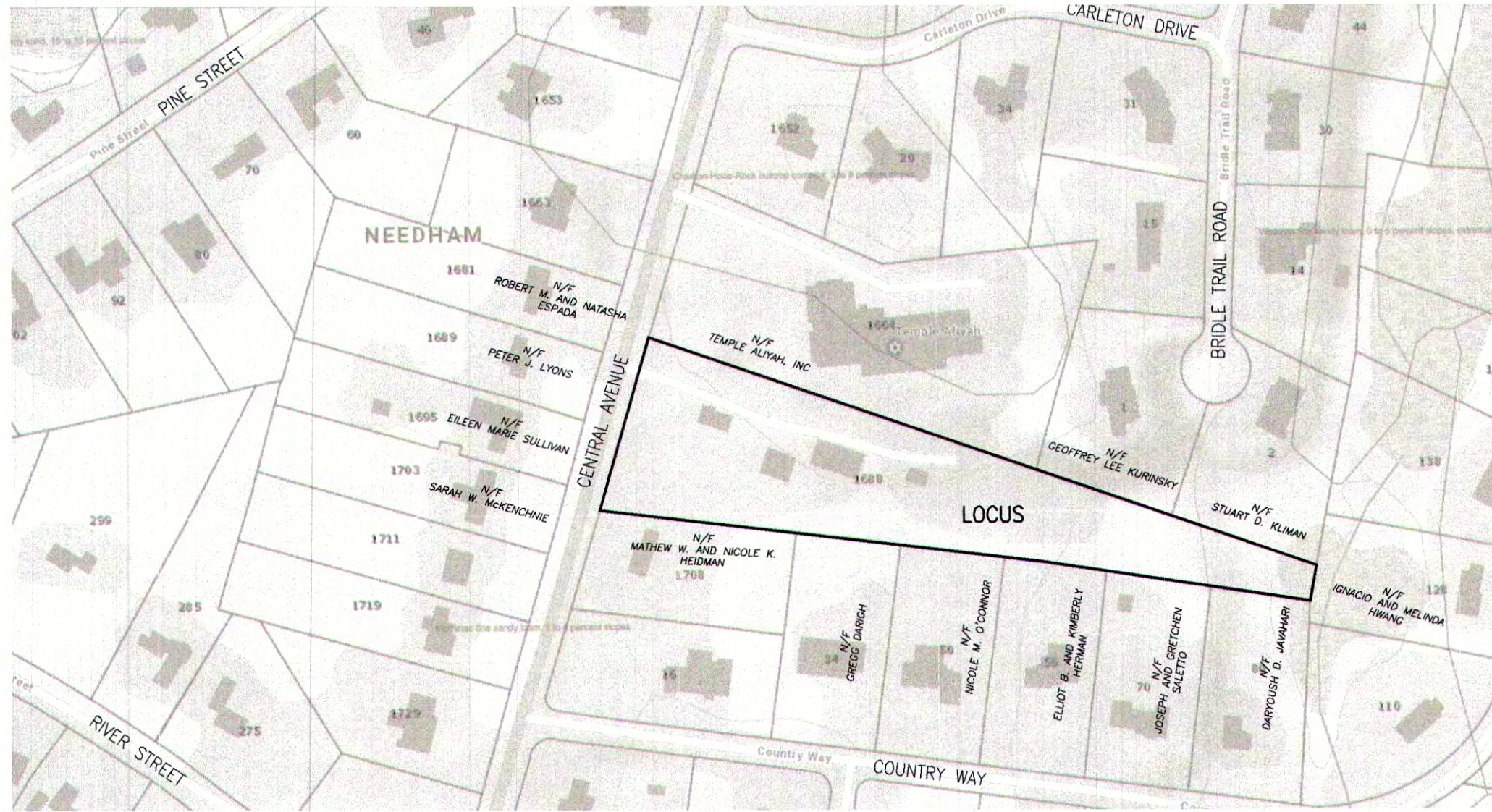
SITE DEVELOPMENT PLANS

DAYCARE

1688 CENTRAL AVENUE

NEEDHAM, MA

JUNE 22, 2020



LOCUS
N.T.S

PLAN INDEX

SHEET	1:	COVER SHEET
SHEET	2:	EXISTING CONDITIONS PLAN
SHEET	3:	SITE PLAN
SHEET	4:	GRADING AND UTILITIES PLAN
SHEET	5:	LANDSCAPE PLAN
SHEET	6 & 7:	DETAILS
SHEET	8:	SEWER PLAN AND PROFILE
SHEET	9:	CONSTRUCTION PERIOD PLAN
APPENDIX		PHOTOMETRIC AND SITE LIGHTING PLAN

NO.	DATE	REVISION
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5	10-28-21	PER PEER REVIEW COMMENTS
6	11-8-21	PER TOWN COMMENTS
7	11-22-21	PER TOWN COMMENTS

OWNER:

NEEDHAM ENTERPRISES LLC
105 CHESTNUT STREET SUITE 28
NEEDHAM, MA 02492

APPLICANT:

NEEDHAM ENTERPRISES LLC
105 CHESTNUT STREET SUITE 28
NEEDHAM, MA 02492

ASSESSORS PARCELS:

MAP 199, LOT 213

DEED REFERENCE:

BOOK 37770 PAGE 308

PLAN REFERENCE:

PLAN OF LAND DATED SEPTEMBER 28, 1933
BY P.D.G. HAMILTON, CIVIL ENGINEER



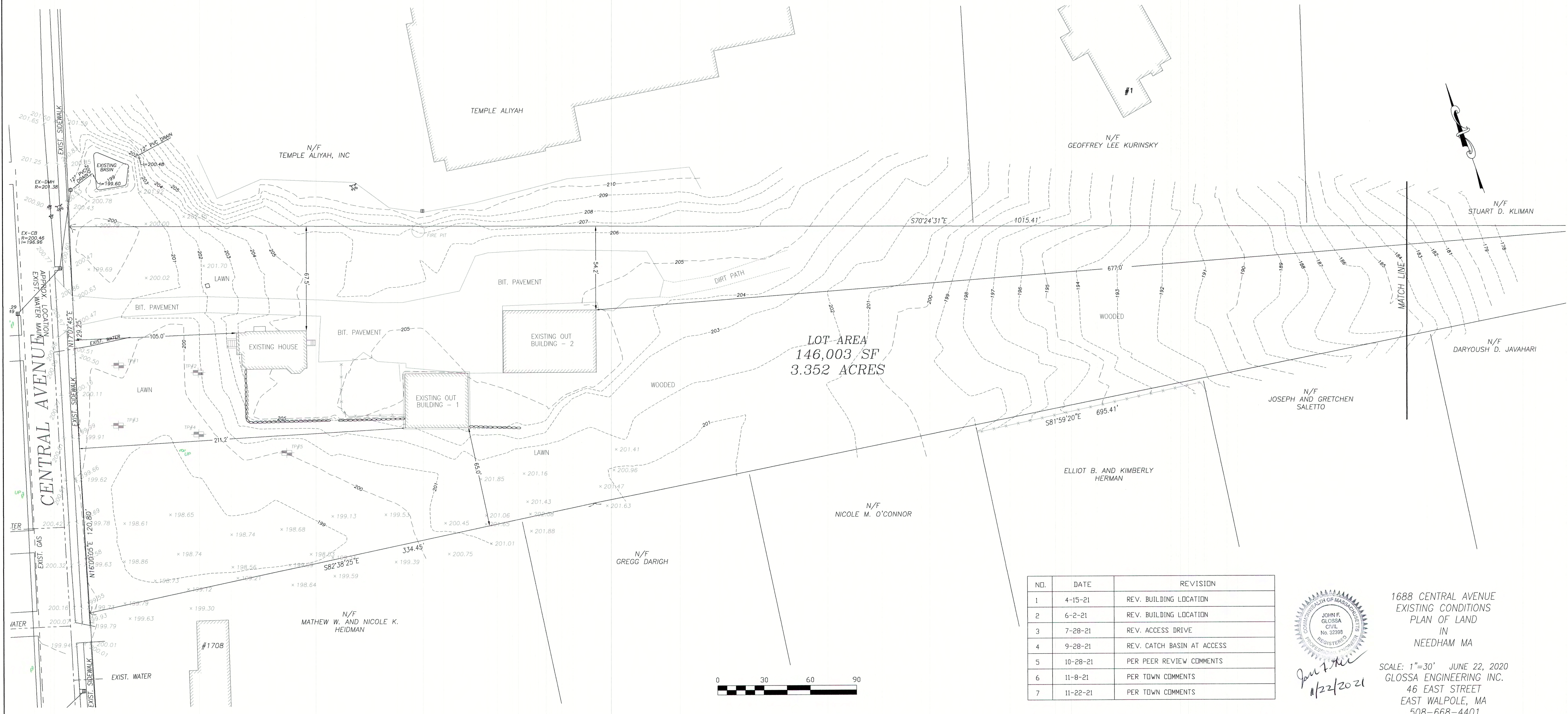
PREPARED BY
GLOSSA ENGINEERING, INC.
46 EAST ST
EAST WALPOLE, MA 02032
(508) 668-4401

LEDGEND:

- EXISTING GRADE
EXISTING SPOT GRADE
EXISTING GAS MAIN
EXISTING SEWER MANHOLE
EXISTING DRAIN MANHOLE
EXISTING CATCH BASIN
EXISTING ELECTRIC MANHOLE
EXISTING UTILITY POLE
EXISTING TEST PIT
EXISTING BOUND
EXISTING FENCE
EXISTING FIRE HYDRANT
EXISTING GATE VALE

TEST PIT # 1	TEST PIT # 2	TEST PIT # 3	TEST PIT # 4	TEST PIT # 5
0" A SANDY LOAM 10YR 3/2 200.00	0" A SANDY LOAM 10YR 3/2 201.00	0" A SANDY LOAM 10YR 3/2 199.50	0" A SANDY LOAM 10YR 3/2 199.75	0" A SANDY LOAM 10YR 3/2 200.00
14" B SANDY LOAM 10YR 5/8 198.33	13" B1 SANDY LOAM 10YR 5/8 199.92	12" B SANDY LOAM 10YR 5/8 198.50	12" B SANDY LOAM 10YR 5/8 198.75	13" B SANDY LOAM 10YR 5/8 198.92
40" C SAND 2.5Y 5/4 199.67	28" B2 SANDY LOAM 2.5Y 6/3 198.67	26" C SAND 2.5Y 5/4 197.33	24" C SAND 2.5Y 5/4 197.75	48" B SANDY LOAM 10YR 5/8 196.00
112" C SAND 2.5Y 5/4 190.67	48" C SAND 2.5Y 5/4 197.00	120" C SAND 2.5Y 5/4 189.50	114" C SAND 2.5Y 5/4 190.25	136" C SAND 2.5Y 5/4 188.67
NO REFUSAL NO MOTTILING NO WEEPING	NO REFUSAL NO MOTTILING NO WEEPING	NO REFUSAL NO MOTTILING NO WEEPING	NO REFUSAL NO MOTTILING NO WEEPING	NO REFUSAL NO MOTTILING NO WEEPING

SOIL TEST PERFORMED BY JOHN F. GLOSSA P.E. SOIL EVALUATOR #890 ON 3-24-20



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1688 CENTRAL AVENUE
EXISTING CONDITIONS
PLAN OF LAND
IN
NEEDHAM MA

SCALE: 1"=30' JUNE 22, 2020
GLOSSA ENGINEERING INC.
46 EAST STREET
EAST WALPOLE, MA
508-668-4401

1) ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN ON THIS PLAN AND THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN MAY VARY FROM THEIR FIELD LOCATION. THE CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO THE CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY DIG SAFE AT LEAST 72 HOURS PRIOR TO THE START OF THE CONSTRUCTION.

3) CONSTRUCTION OF SIDEWALK SHALL MEET ALL ADA REQUIREMENTS.

1) THE PROJECT DOES NOT REQUIRE AN ELECTRICAL TRANSFORMER AND WILL NOT HAVE A GENERATOR.

EXISTING GRADE 100'0

EXISTING SPOT GRADE 100x0

EXISTING GAS MAIN — G —

EXISTING SEWER MANHOLE ○ SMH

EXISTING DRAIN MANHOLE ○ EX-DMH

EXISTING CATCH BASIN 田 CB

EXISTING ELECTRIC MANHOLE ○ EX-EMH

EXISTING UTILITY POLE 00 UP

EXISTING TEST PIT 田 TEST PIT #5

EXISTING BOUND □

EXISTING FENCE — X — X — X — X —

EXISTING FIRE HYDRANT 消防

EXISTING GATE VALVE 閘

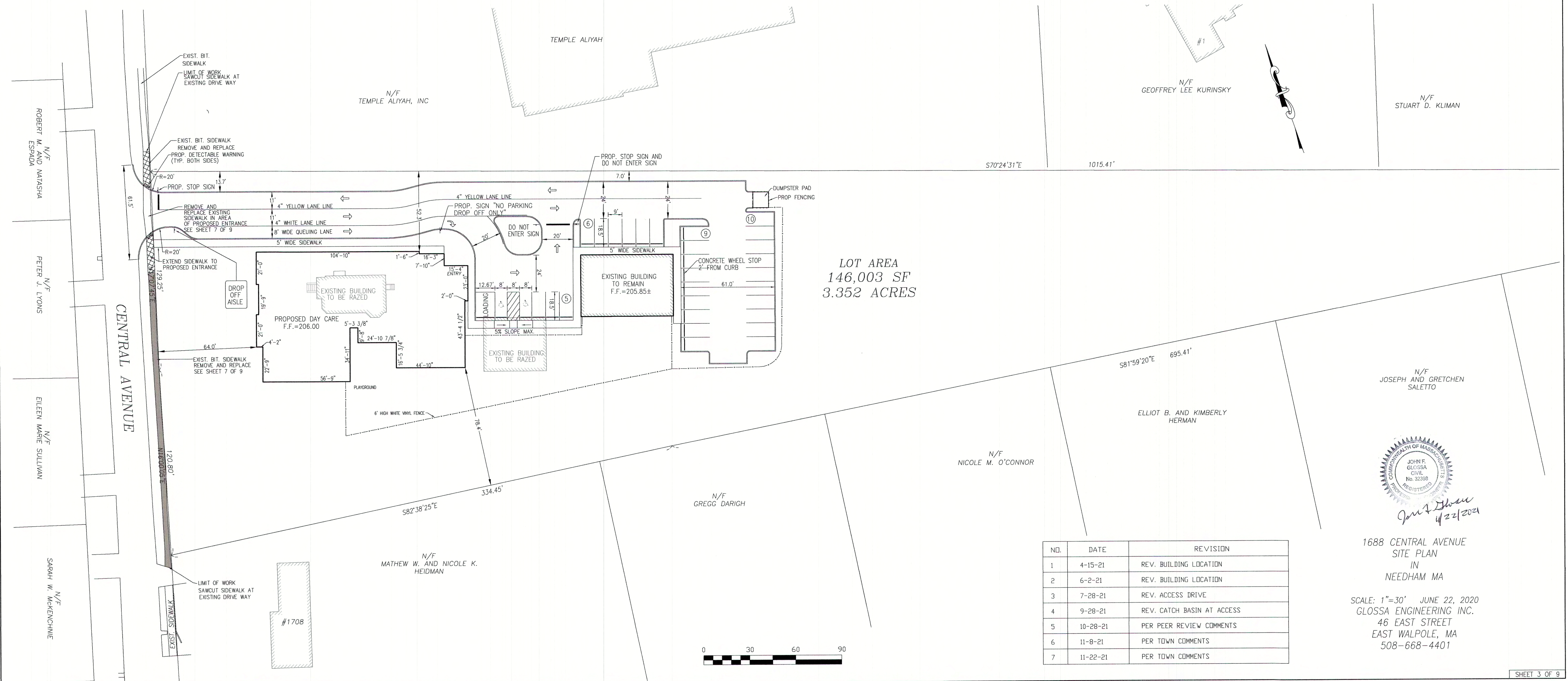
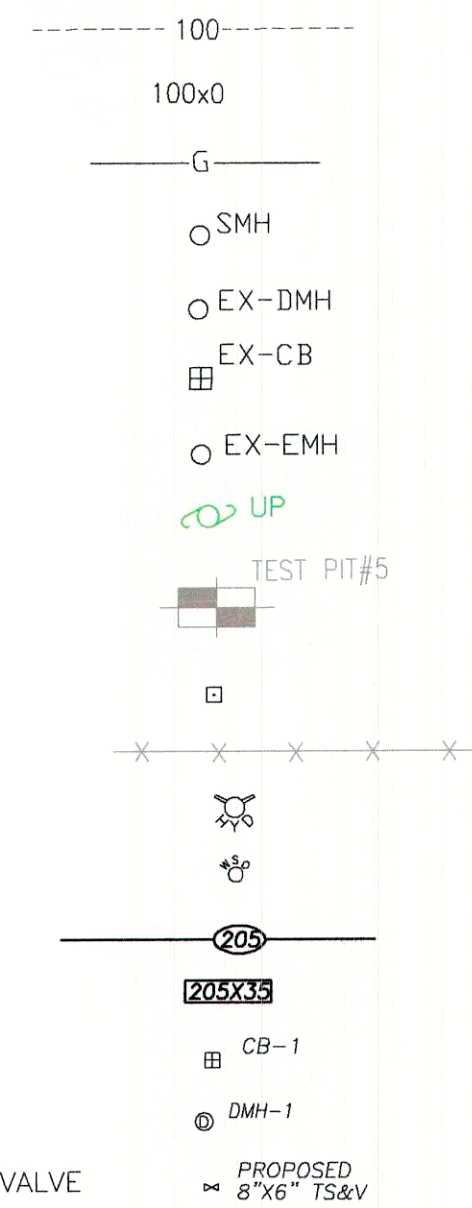
PROPOSED GRADE 205

PROPOSED SPOT GRADE 205x05

PROPOSED CATCH BASIN 田 CB-1

PROPOSED DRAIN MANHOLE ○ DMH-1

PROPOSED TAPPING SLEEVE AND VALVE 8"X6" TS&V



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SCALE: 1"=30' JUNE 22, 2020
GLOSSA ENGINEERING INC.
46 EAST STREET
EAST WALPOLE, MA
508-668-4401

CONSTRUCTION NOTES:

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2) ALL CONSTRUCTION SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE TOWN OF NEEDHAM PUBLIC WORKS DEPARTMENT.

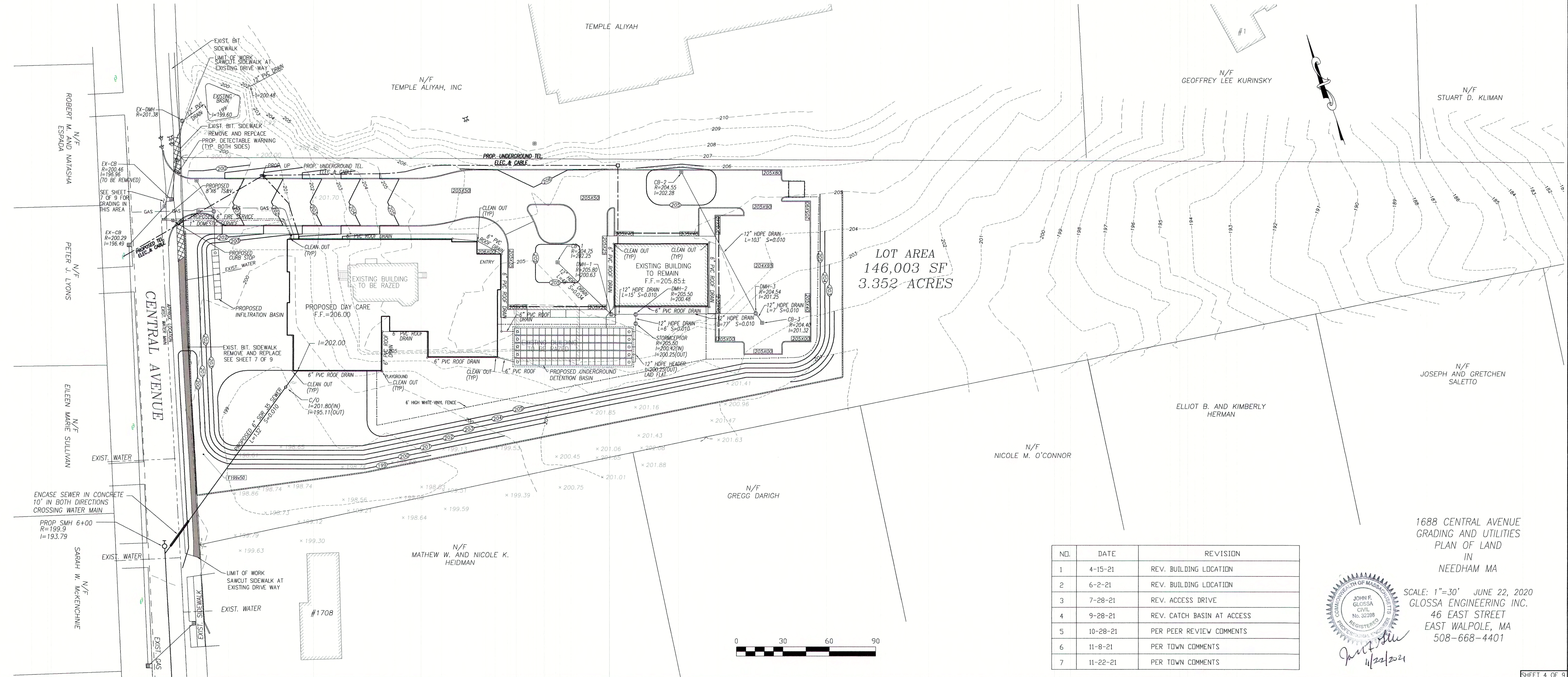
3) CONSTRUCTION OF SIDEWALK SHALL MEET ALL ADA REQUIREMENTS.

GENERAL NOTES:

1) THE PROJECT DOES NOT REQUIRE AN ELECTRICAL TRANSFORMER AND WILL NOT HAVE A GENERATOR.

LEDGEND:

EXISTING GRADE	----- 100
EXISTING SPOT GRADE	x 200.02
EXISTING GAS MAIN	— G —
EXISTING SEWER MANHOLE	○ SMH
EXISTING DRAIN MANHOLE	○ EX-DMH
EXISTING CATCH BASIN	▣ EX-CB
EXISTING ELECTRIC MANHOLE	○ EX-EMH
EXISTING UTILITY POLE	○ UP
EXISTING TEST PIT	TEST PIT#5
EXISTING BOUND	□
EXISTING FENCE	— X — X — X — X —
EXISTING FIRE HYDRANT	⊗
EXISTING GATE VALE	⊕
PROPOSED GRADE	205
PROPOSED SPOT GRADE	205X
PROPOSED CATCH BASIN	▣ CB-1
PROPOSED DRAIN MANHOLE	⊙ DMH-1
PROPOSED TAPPING SLEEVE AND VALVE	PROPOSED 8"X6" TS&V



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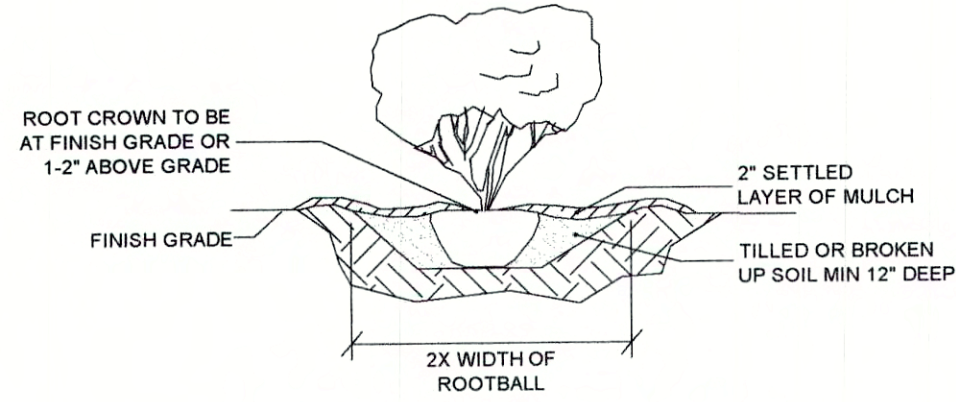
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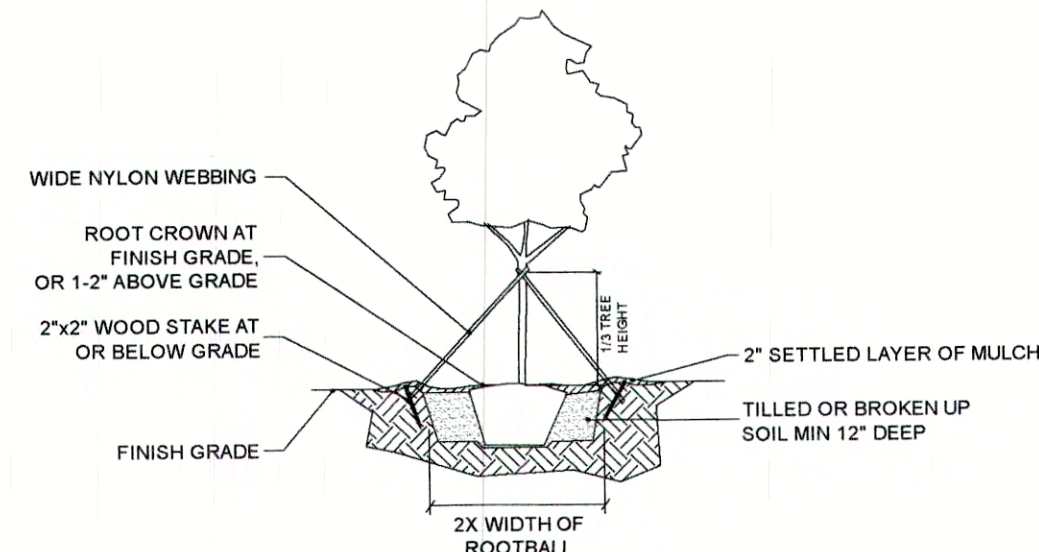
GENERAL NOTES:

1) THE PROJECT DOES NOT REQUIRE AN ELECTRICAL TRANSFORMER AND WILL NOT HAVE A GENERATOR.

	COMMON NAME	BOTANICAL NAME	SIZE	QUANTITY
PA	PINK AZALEA	RHODODENDRON PERICLYMENOIDES	2'-3'	4
MA	WHITE AZALEA	RHODODENDRON VICOSUM	2'-3'	3
RA	RHODODENDRON	RHODODENDRON FERRUGINEUM	2'-3'	2
JA	JUNIPER	JUNIPERUS	2'-3'	6
CA	CREeping JUNIPER	JUNIPERUS HORIZONTALIS	6"-12"	6
LA	MAPLE "LEGACY"	ACER SACCHARUM	1-1/2" CAL.	4
PA	WHITE PINE	PINUS STOBUS	1-1/2" CAL.	16
CA	CRABAPPLE "DONALD WYMAN"	MALUS "DONALD WYMAN"	1-1/2" CAL.	4
EA	ARBORVITAE "EMERALD GREEN"	THUJA OCCIDENTALIS "SMARAGO"	2'-3'	54
MA	ARBORVITAE "HETZ MIDGET"	THUJA OCCIDENTALIS "HETZ MIDGET"	2'-3'	18
CA	RED CEDAR	JUNIPERUS VIRGINIANA	1-1/2" CAL.	14
CA	CHERRY	PRUNUS AVIUM	1-1/2" CAL.	2
NS	NORWAY SPRUCE	PICEA ABIES	1-1/2" CAL.	3
BS	BLUE SPRUCE	PICEA PUNGENS	1-1/2" CAL.	5



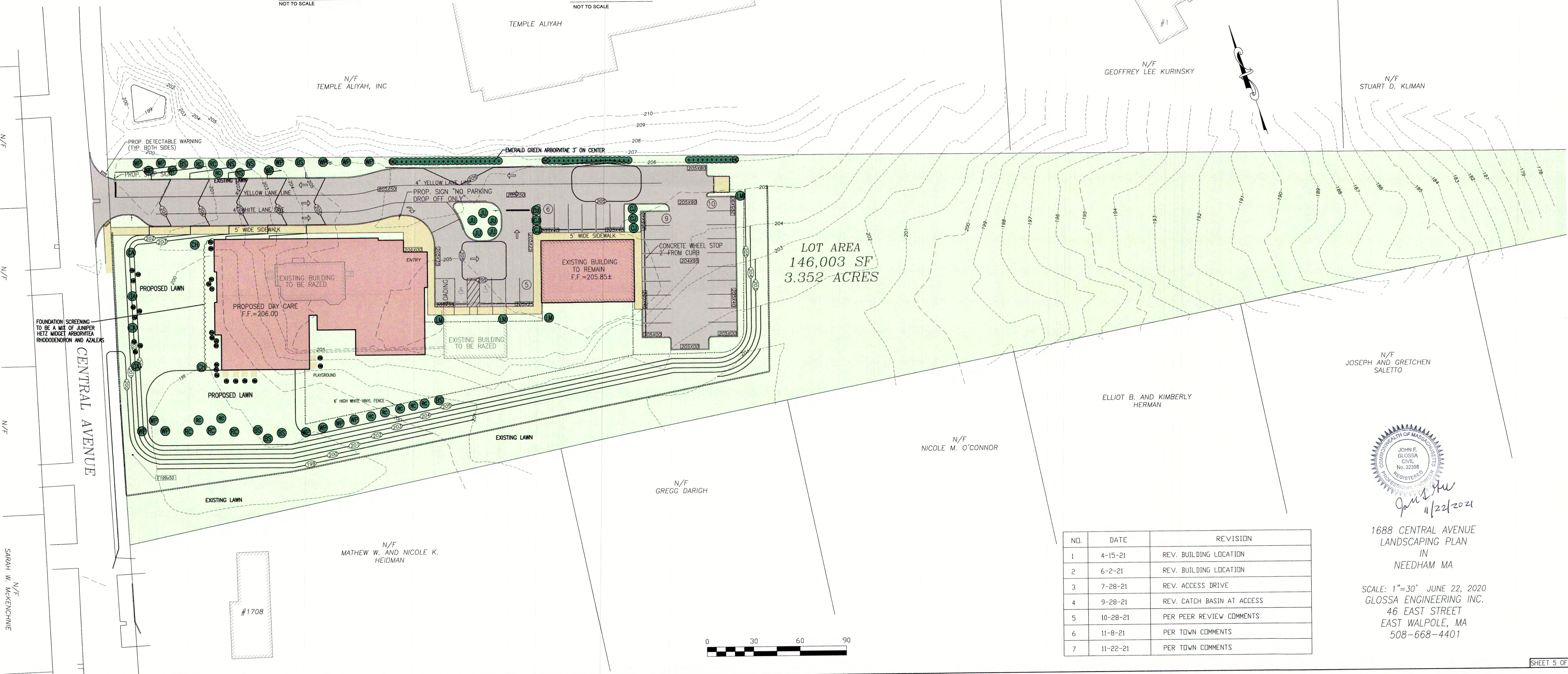
TYP. SHRUB PLANTING:
INDIVIDUAL PLANTING HOLE
NOT TO SCALE



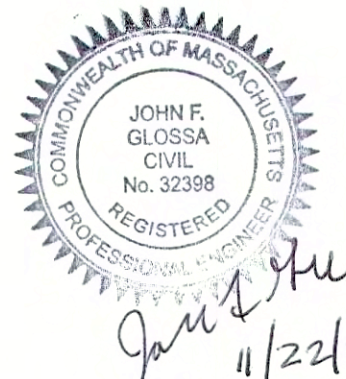
TREE PLANTING
NOT TO SCALE

LEDGEND:

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EXISTING SPOT GRADE
EXISTING GAS MAIN
EXISTING SEWER MANHOLE
EXISTING DRAIN MANHOLE
EXISTING CATCH BASIN
EXISTING ELECTRIC MANHOLE
EXISTING UTILITY POLE
EXISTING TEST PIT
EXISTING BOUND
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EXISTING GATE VALE
PROPOSED GRADE
PROPOSED SPOT GRADE
PROPOSED CATCH BASIN
PROPOSED DRAIN MANHOLE
PROPOSED TAPPING SLEEVE AND VALVE

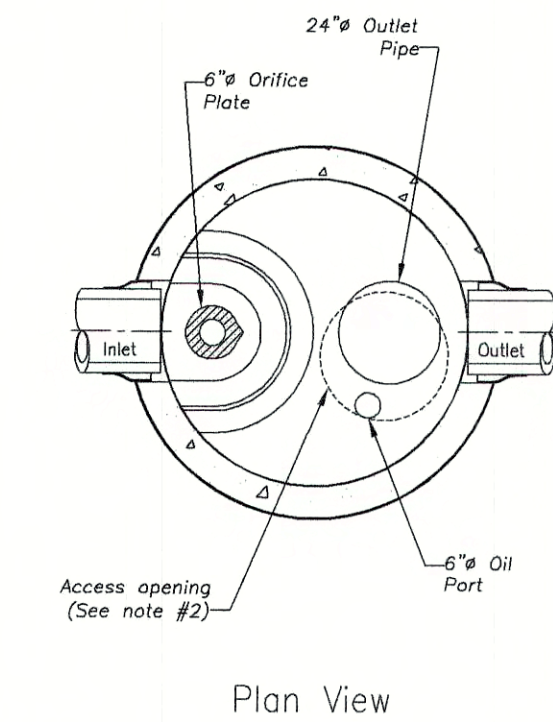
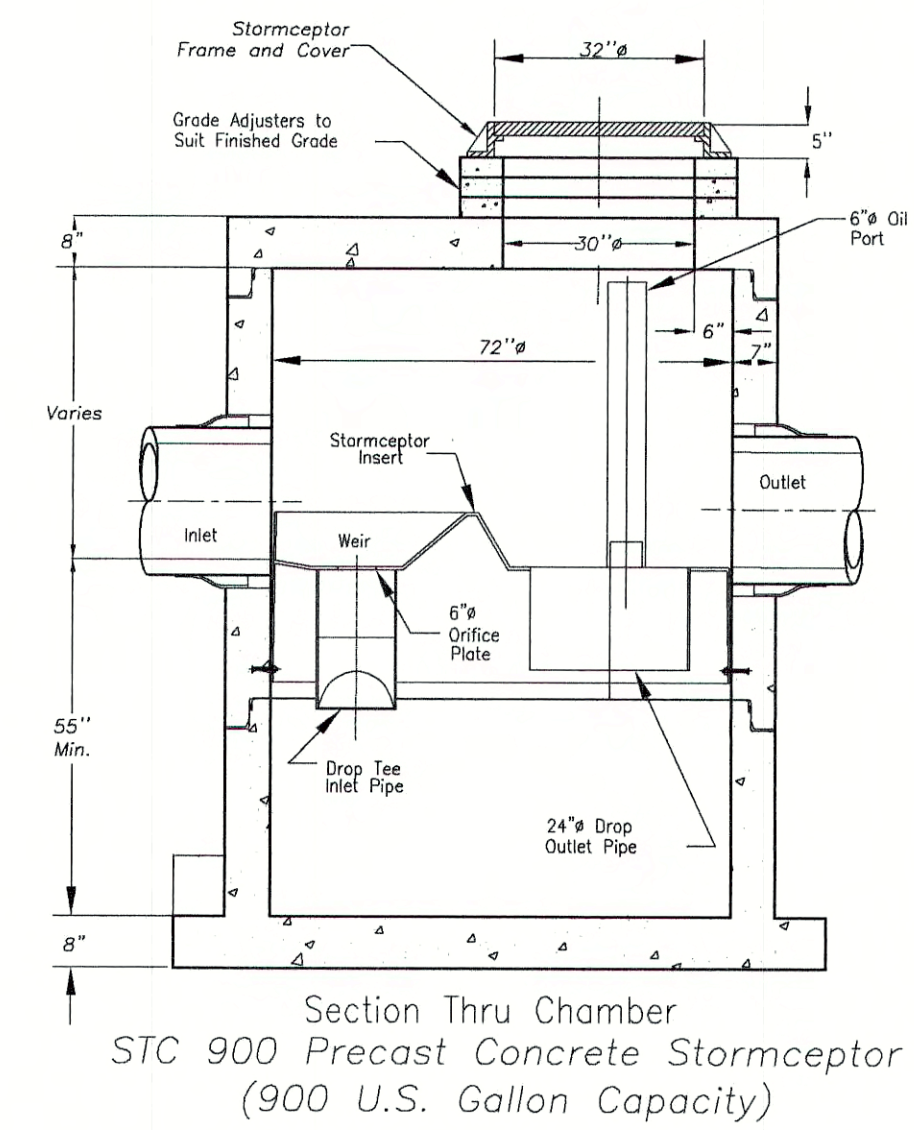
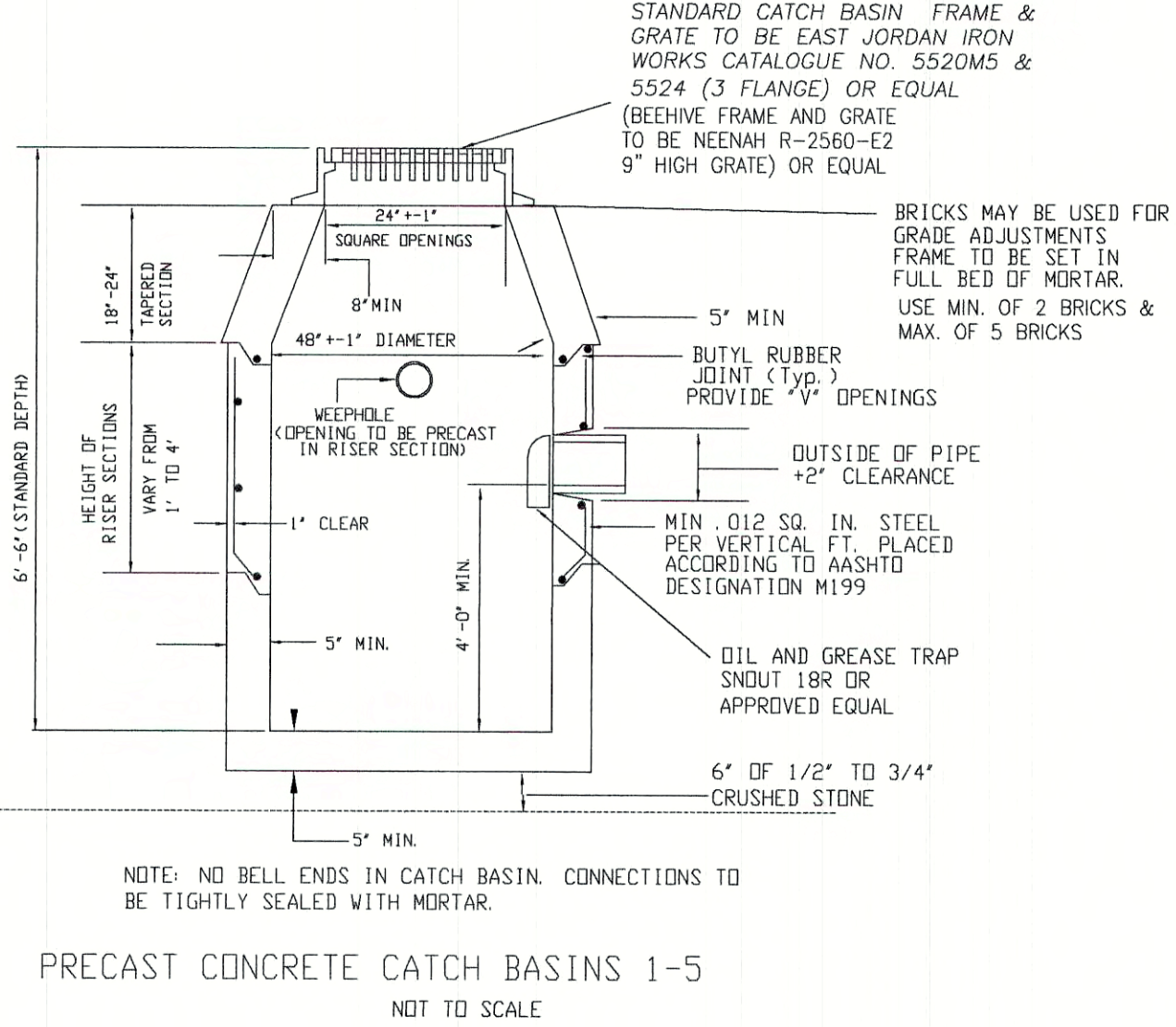
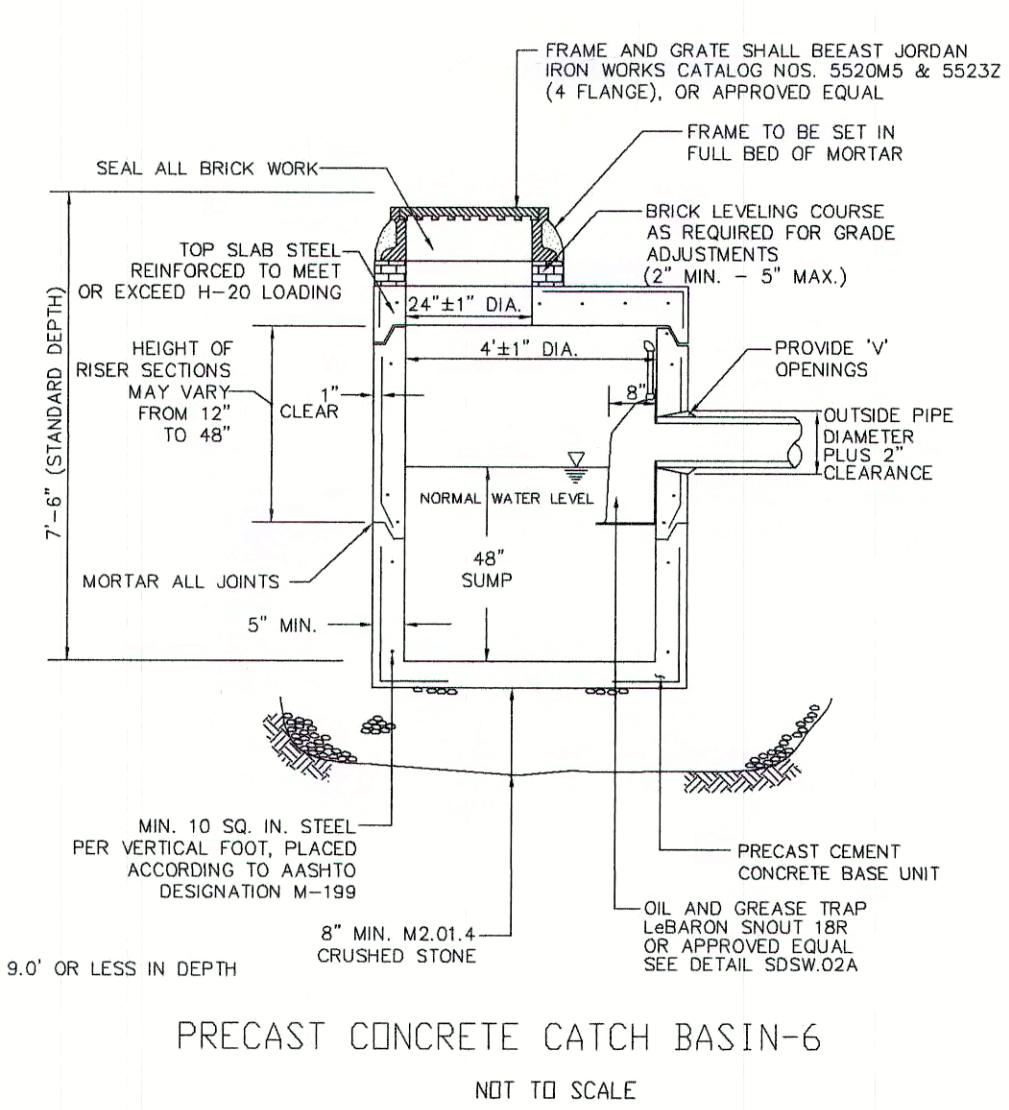
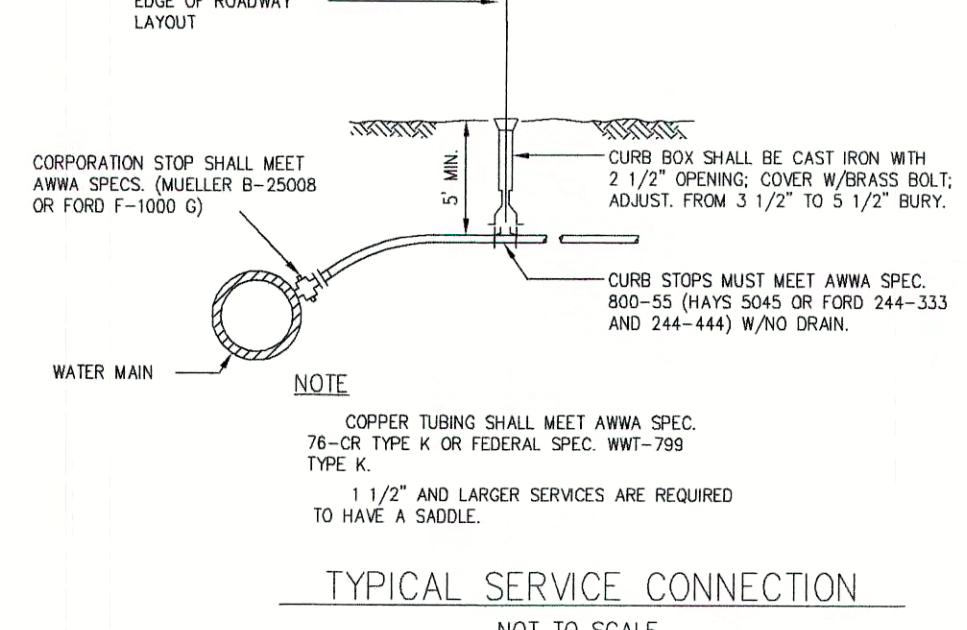
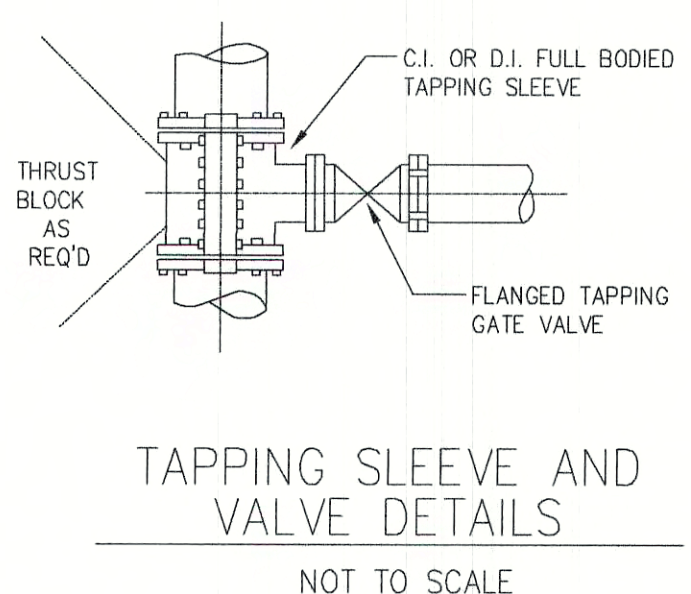
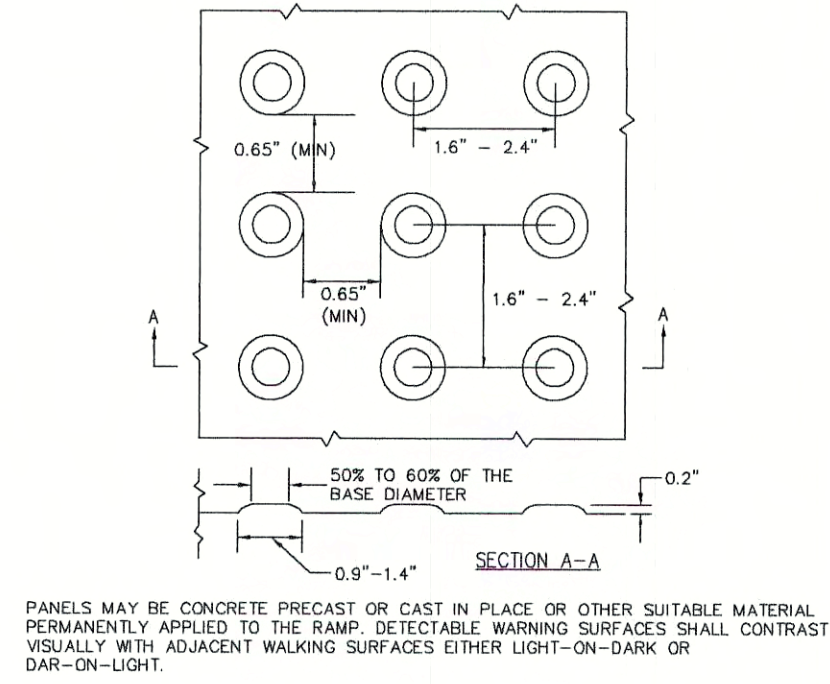
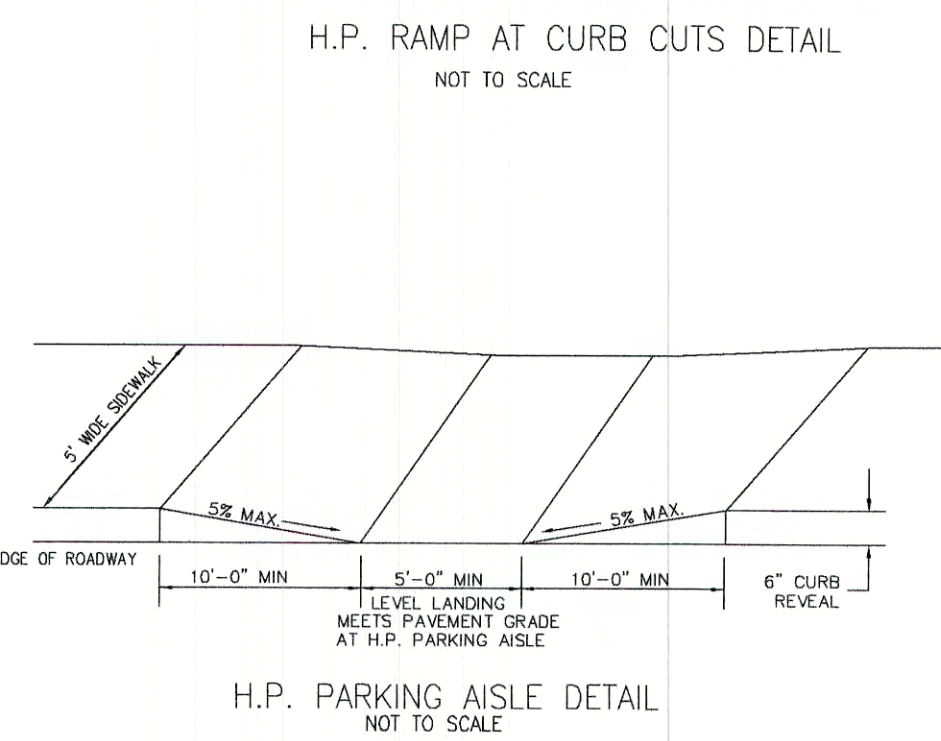
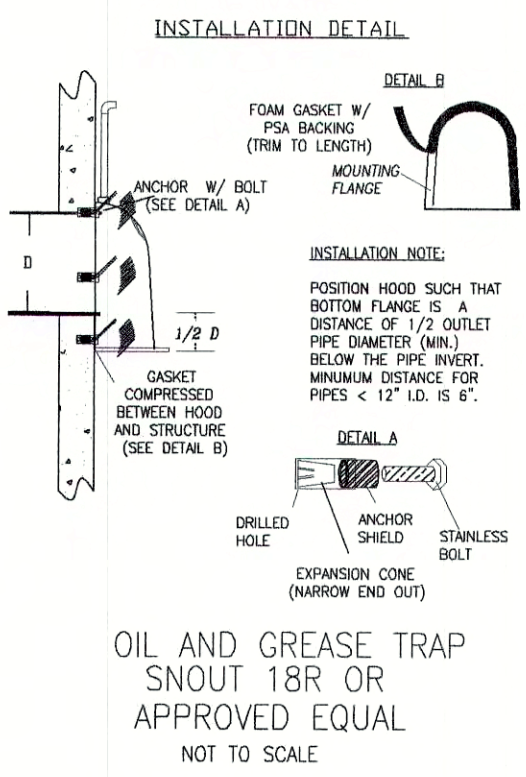
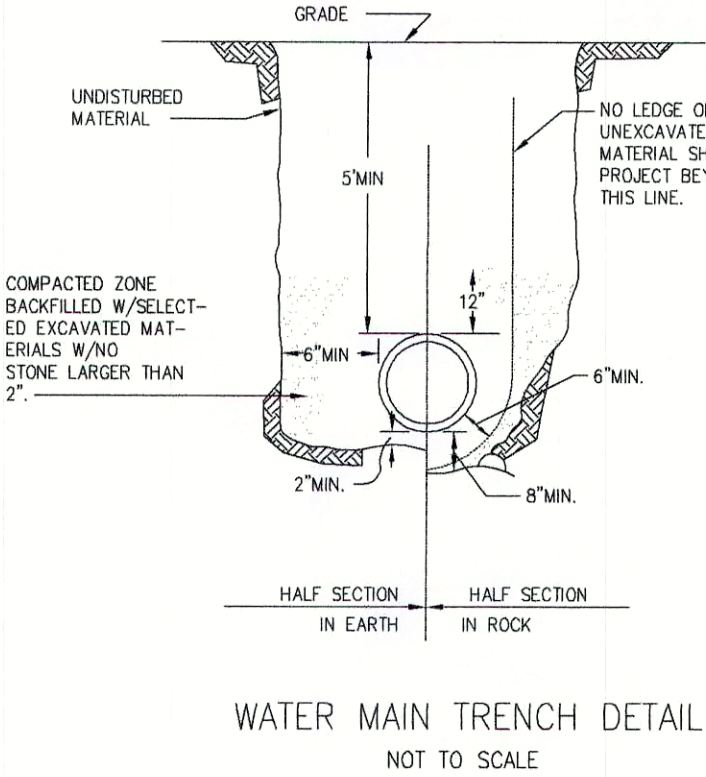
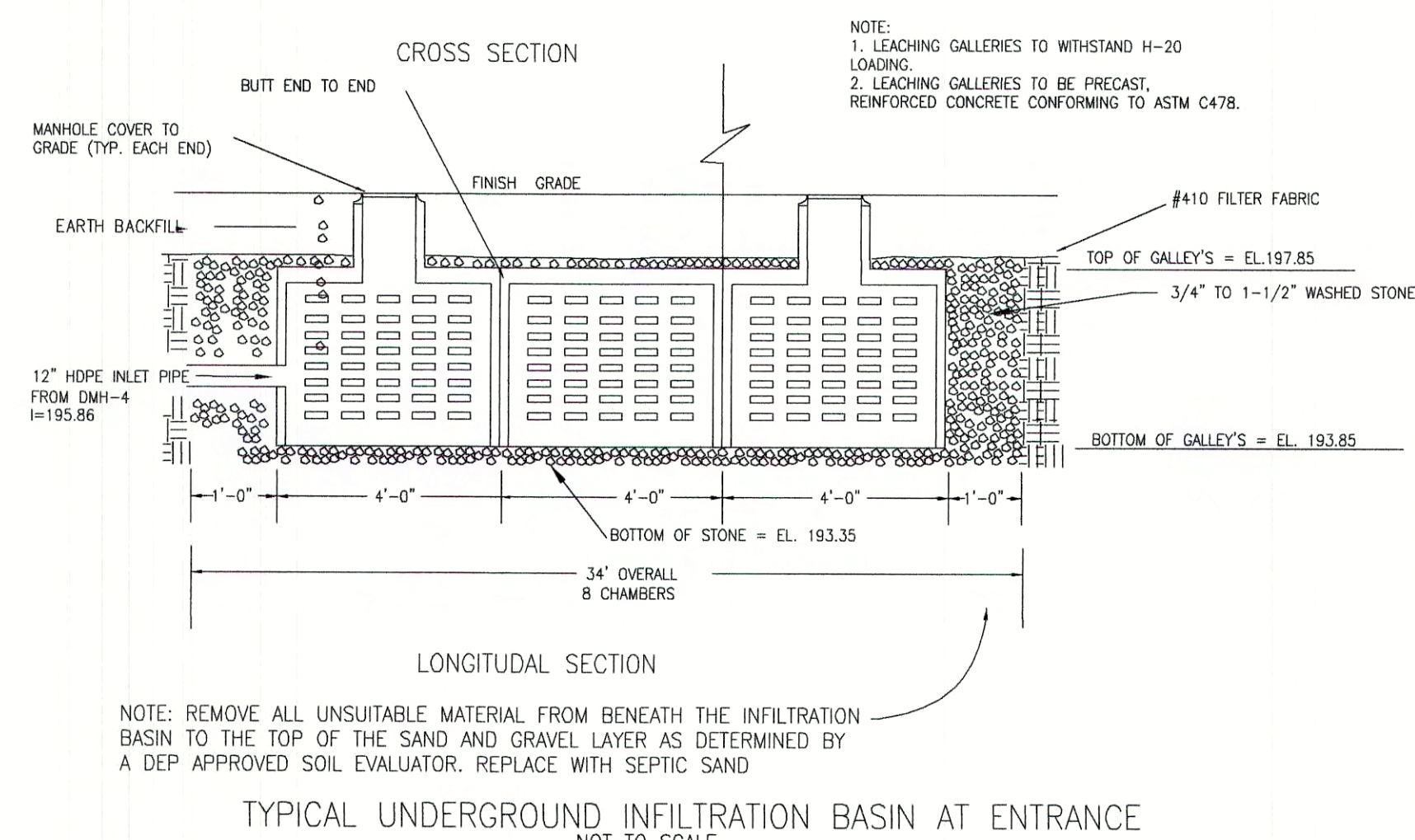
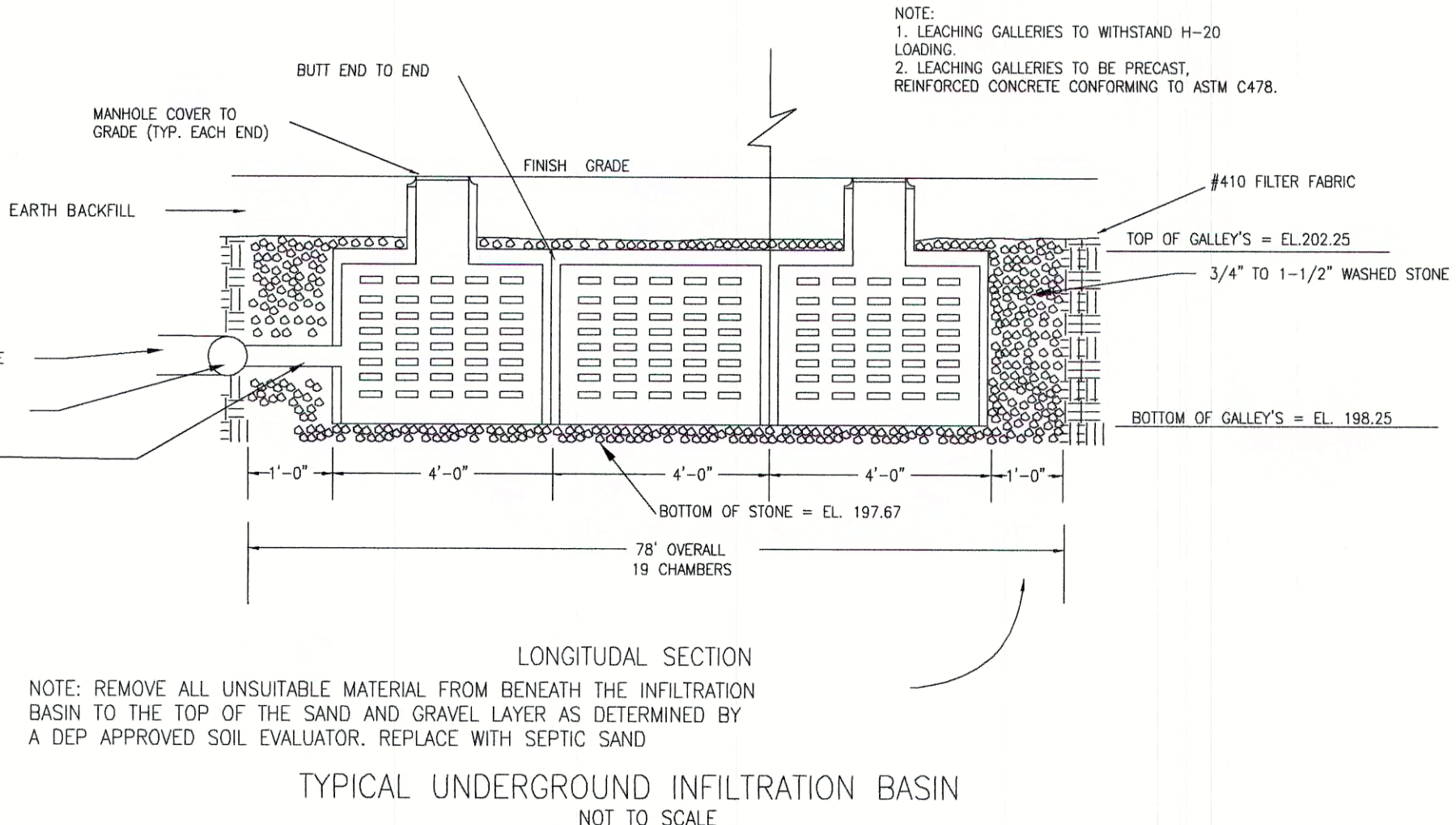
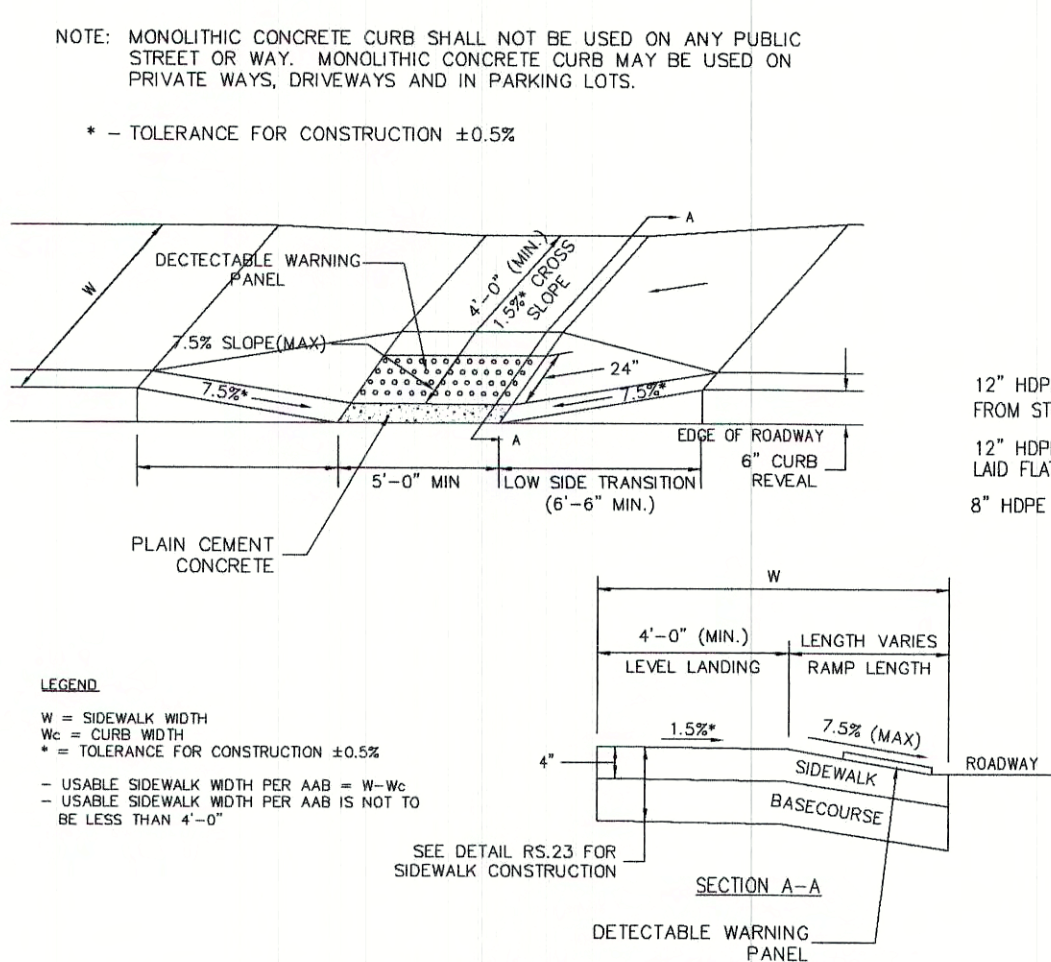
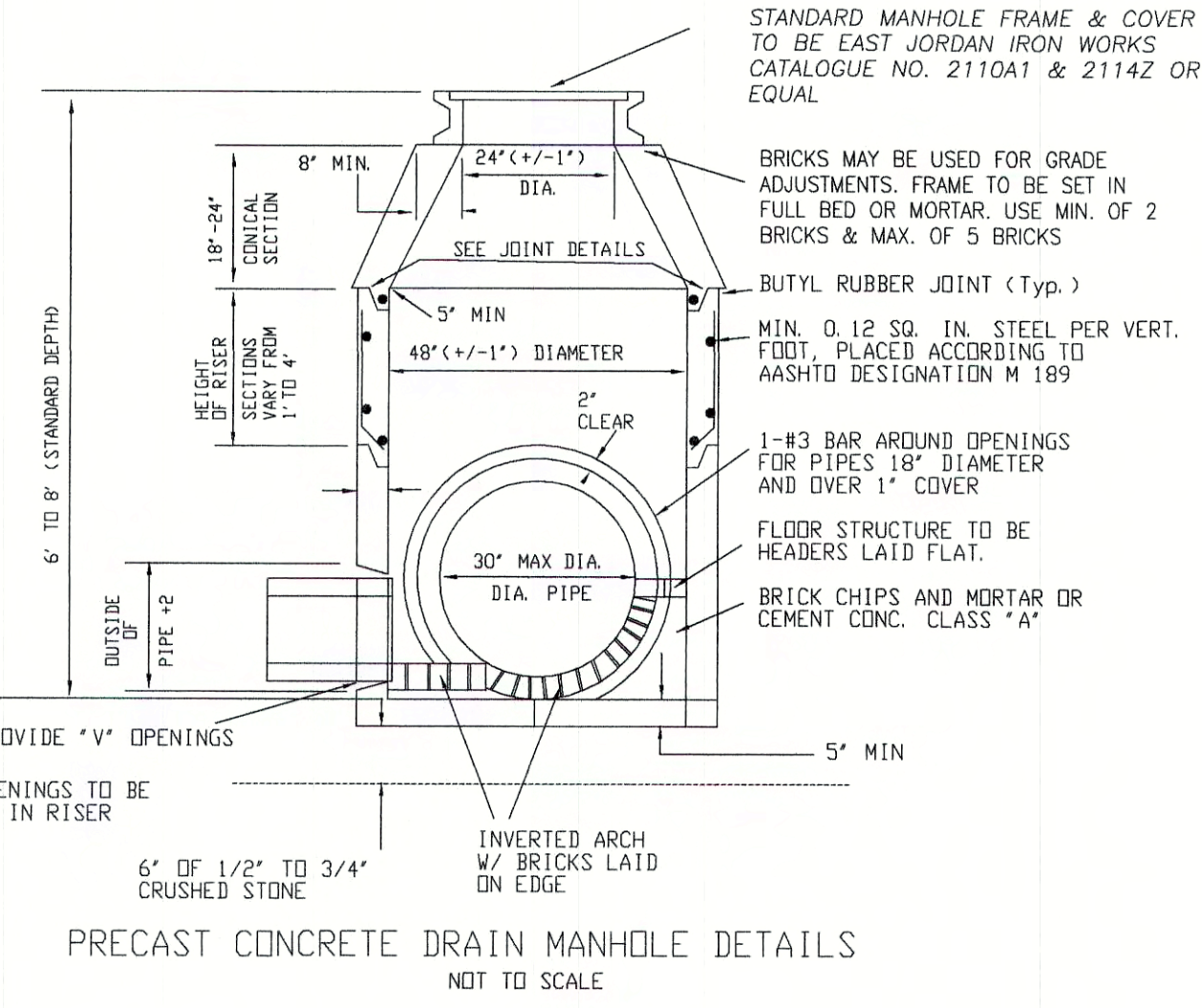
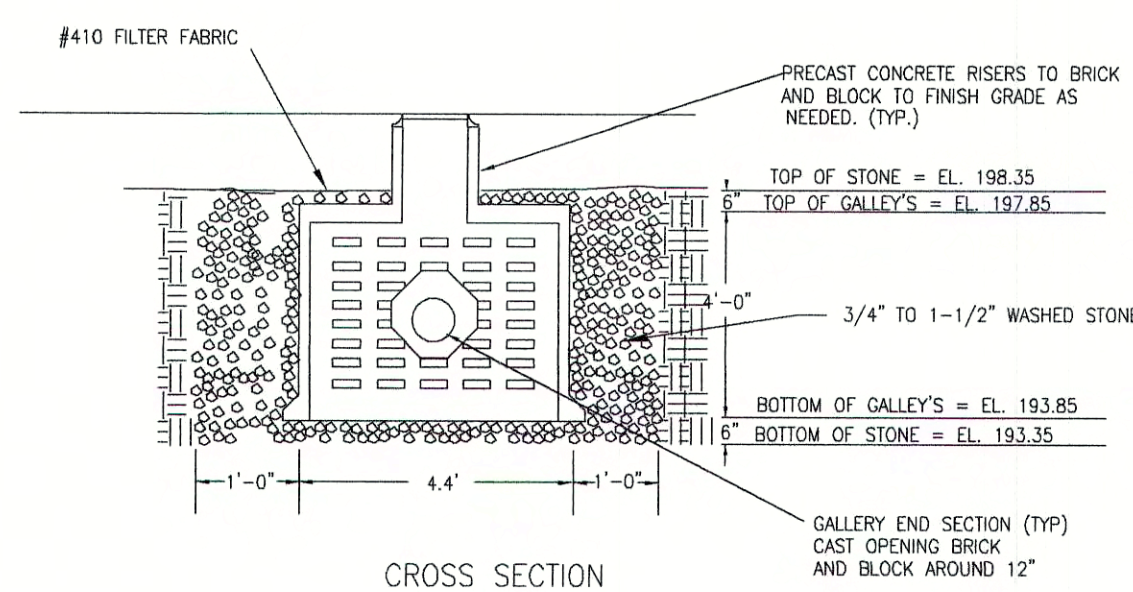
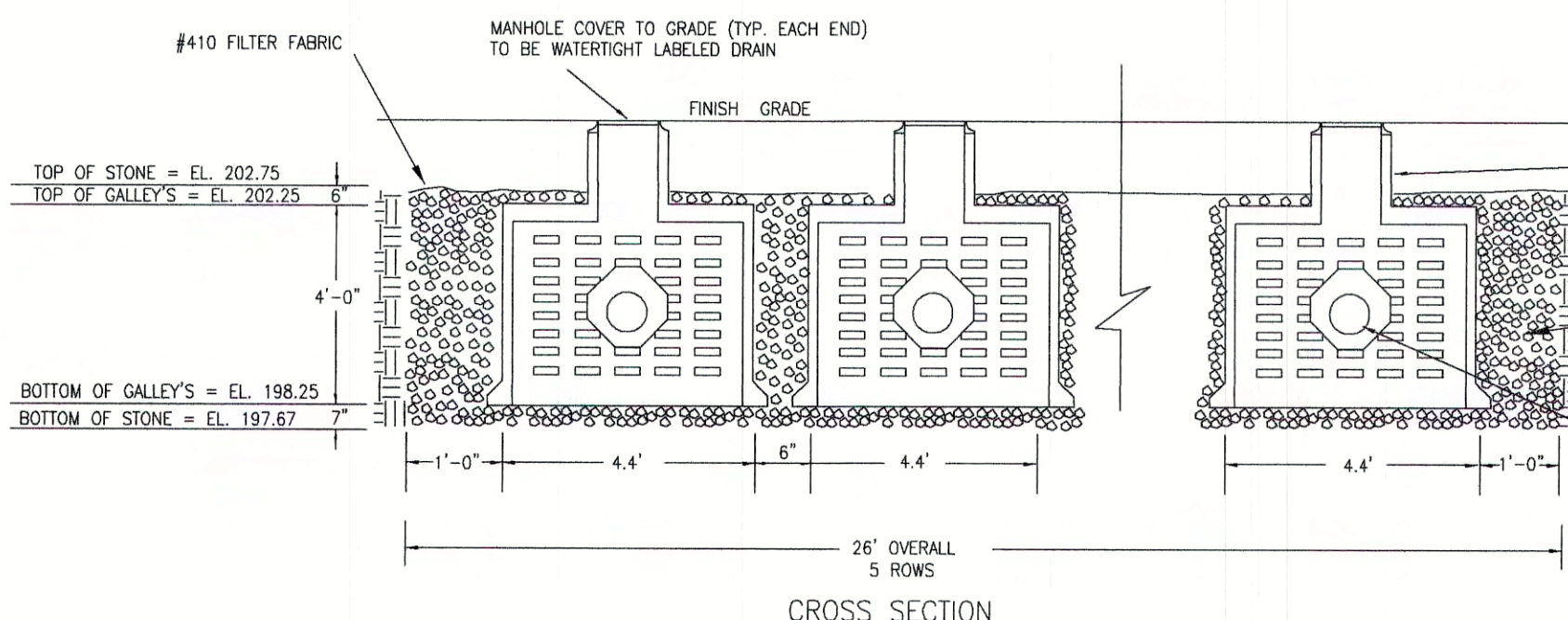
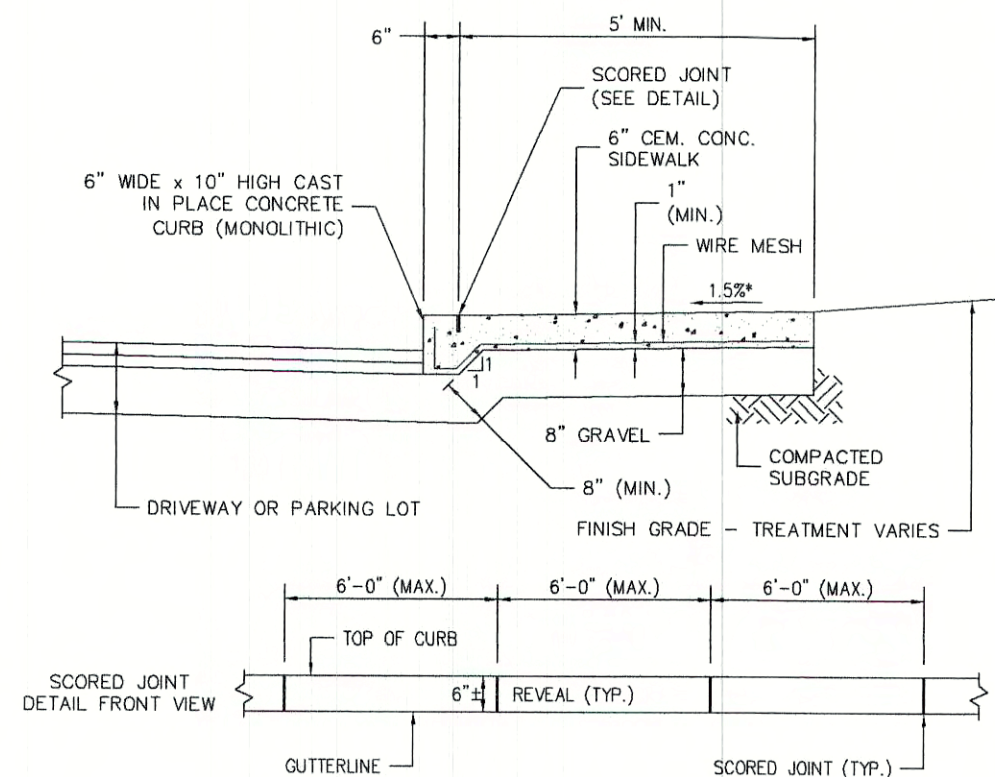
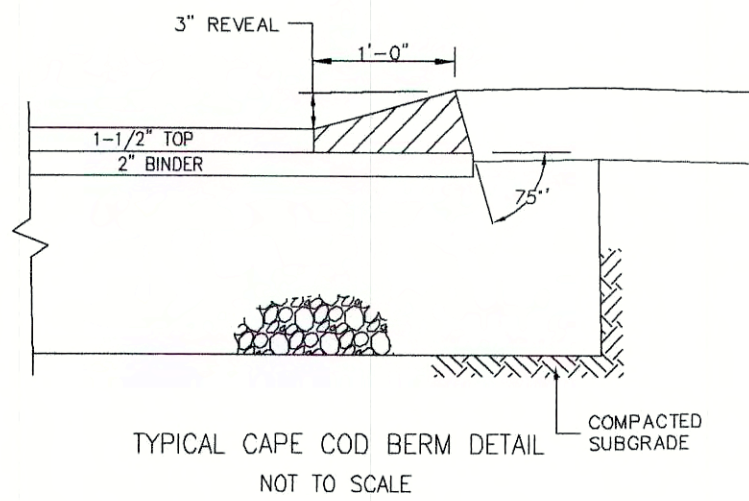
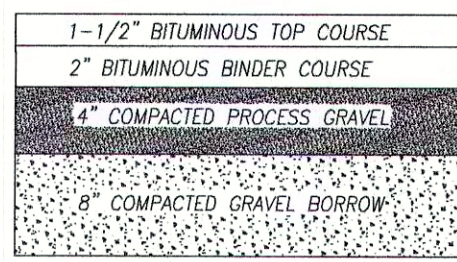


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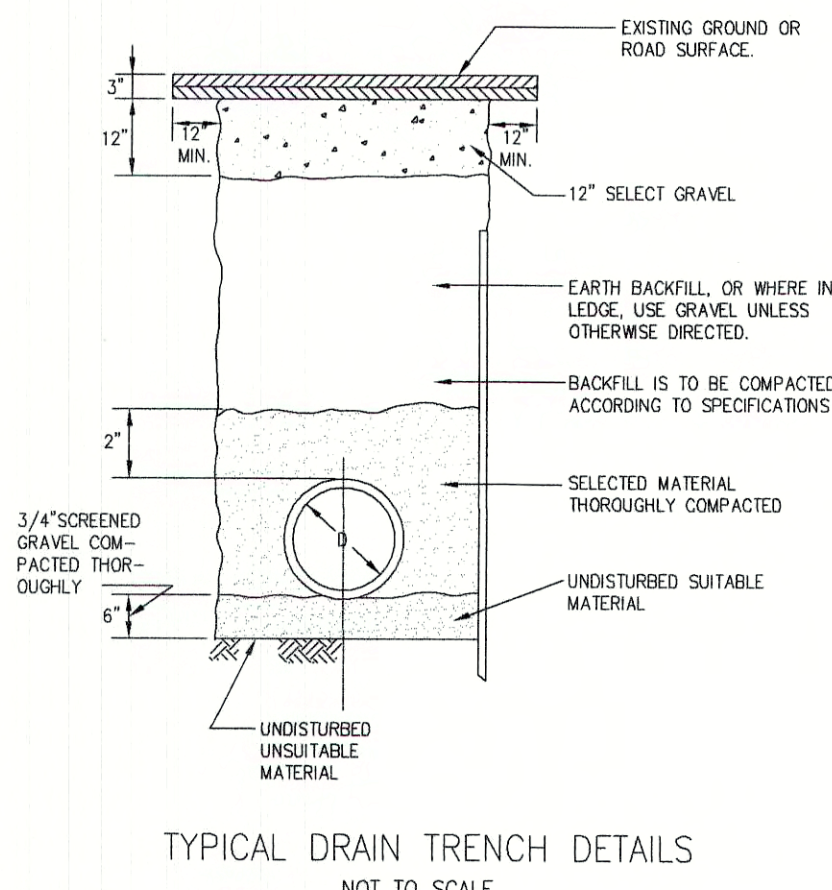
1688 CENTRAL AVENUE
LANDSCAPING PLAN
IN
NEEDHAM MA

SCALE: 1"=30' JUNE 22, 2020
GLOSSA ENGINEERING INC.
46 EAST STREET
EAST WALPOLE, MA
508-668-4401

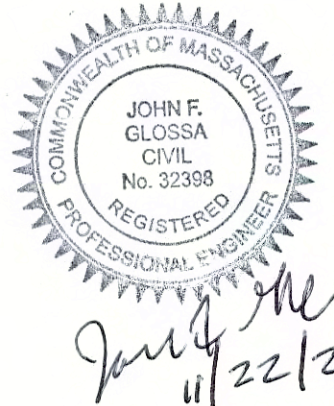


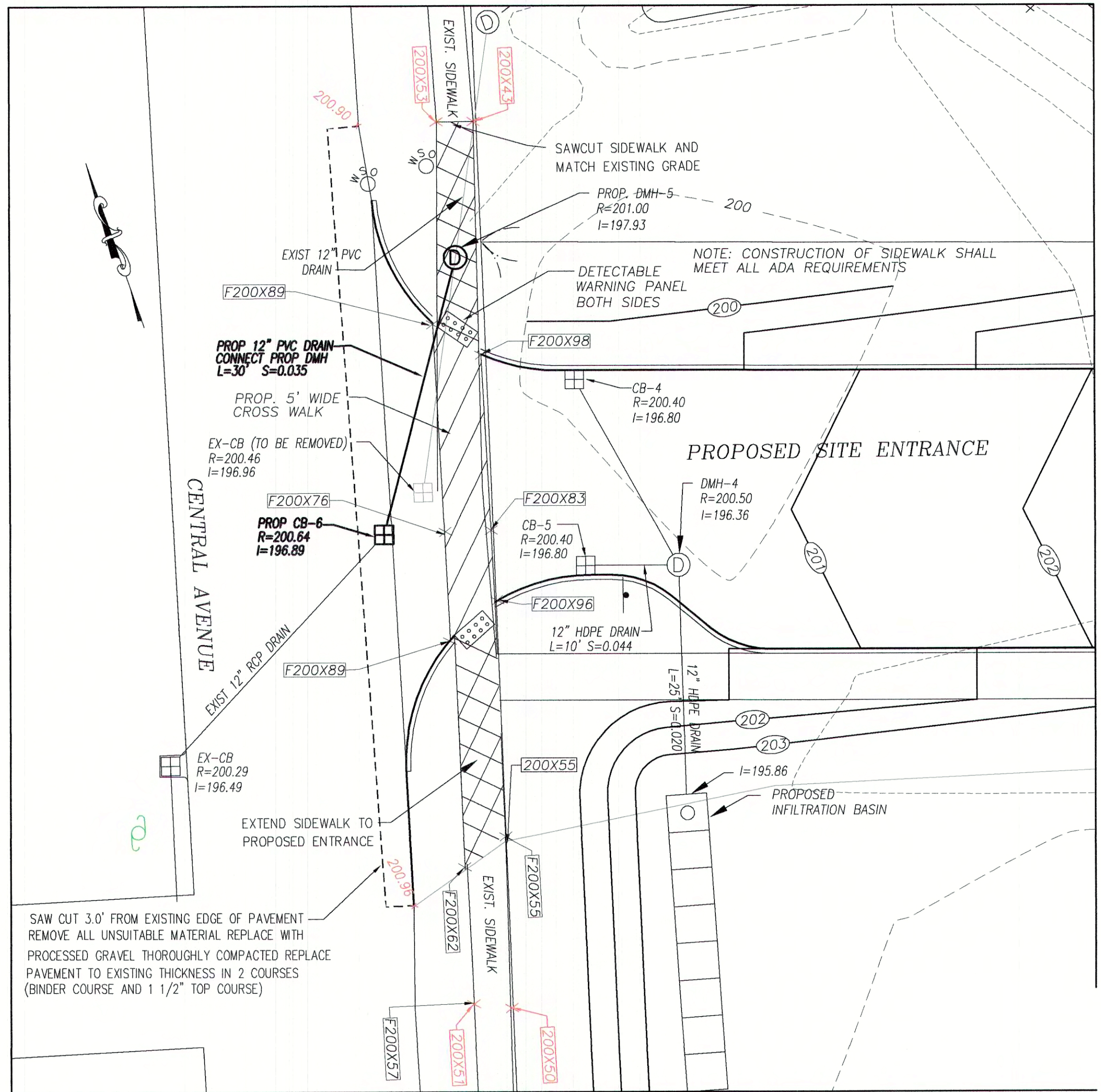
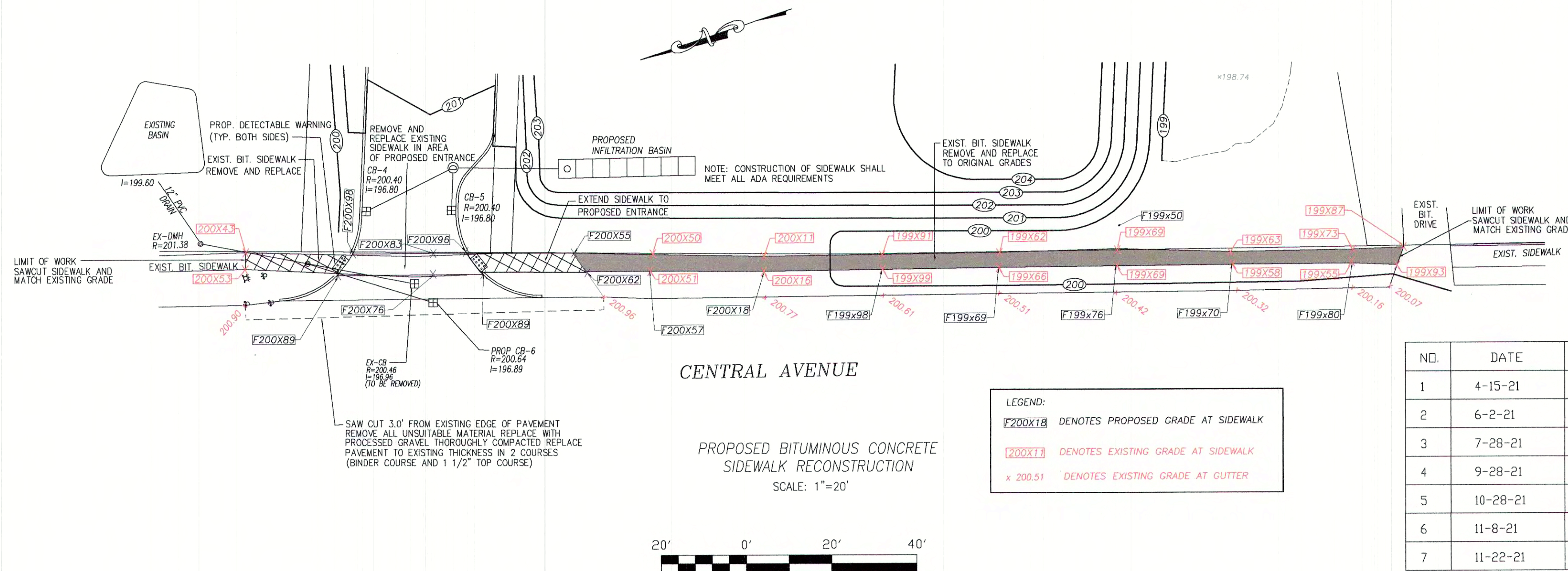
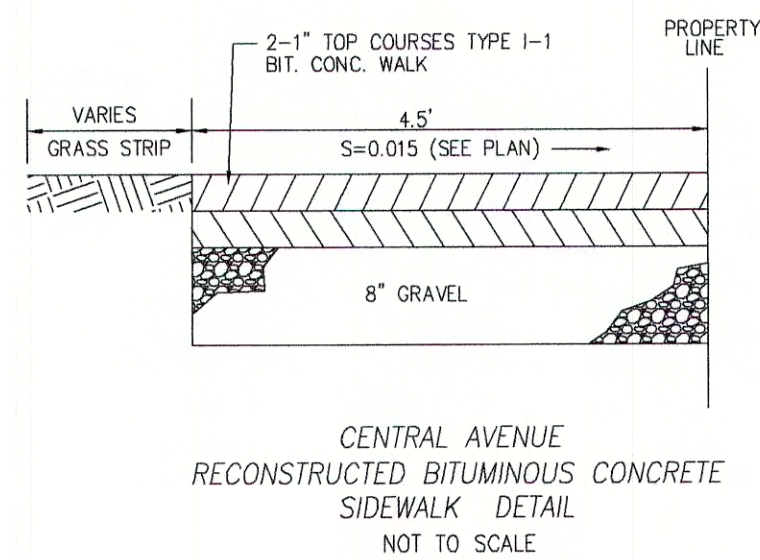
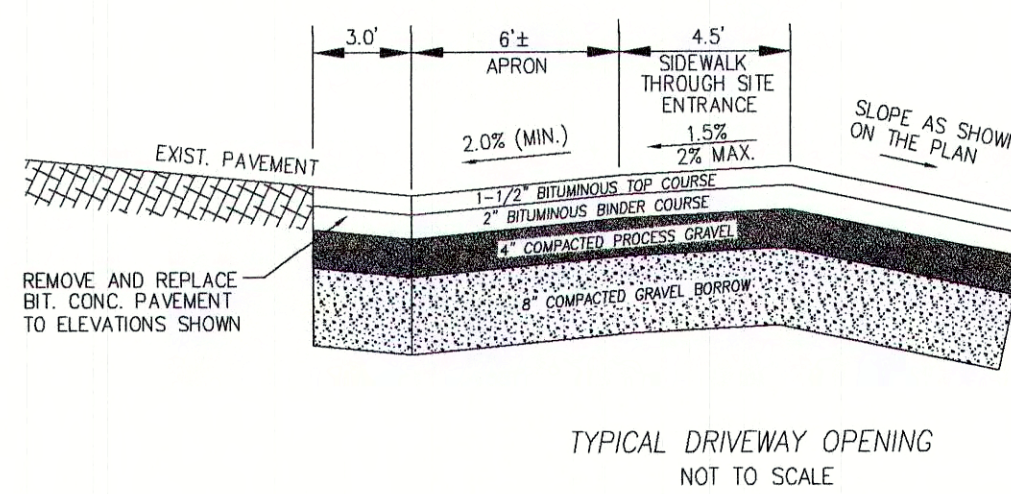
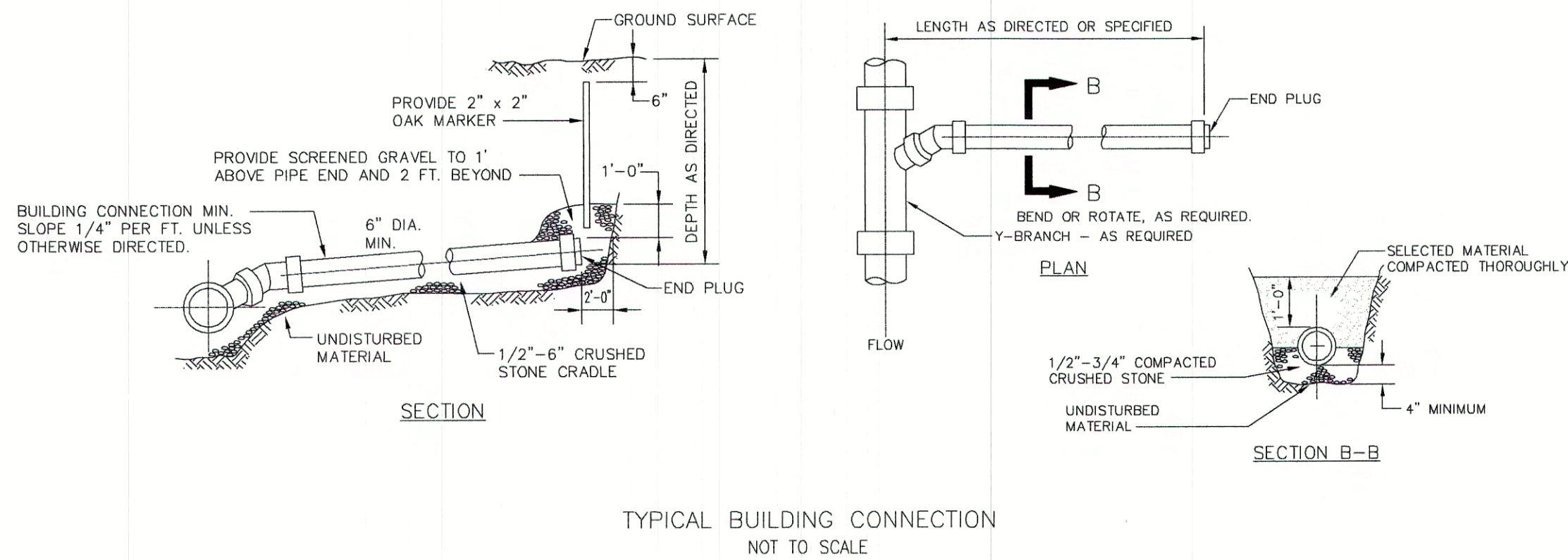
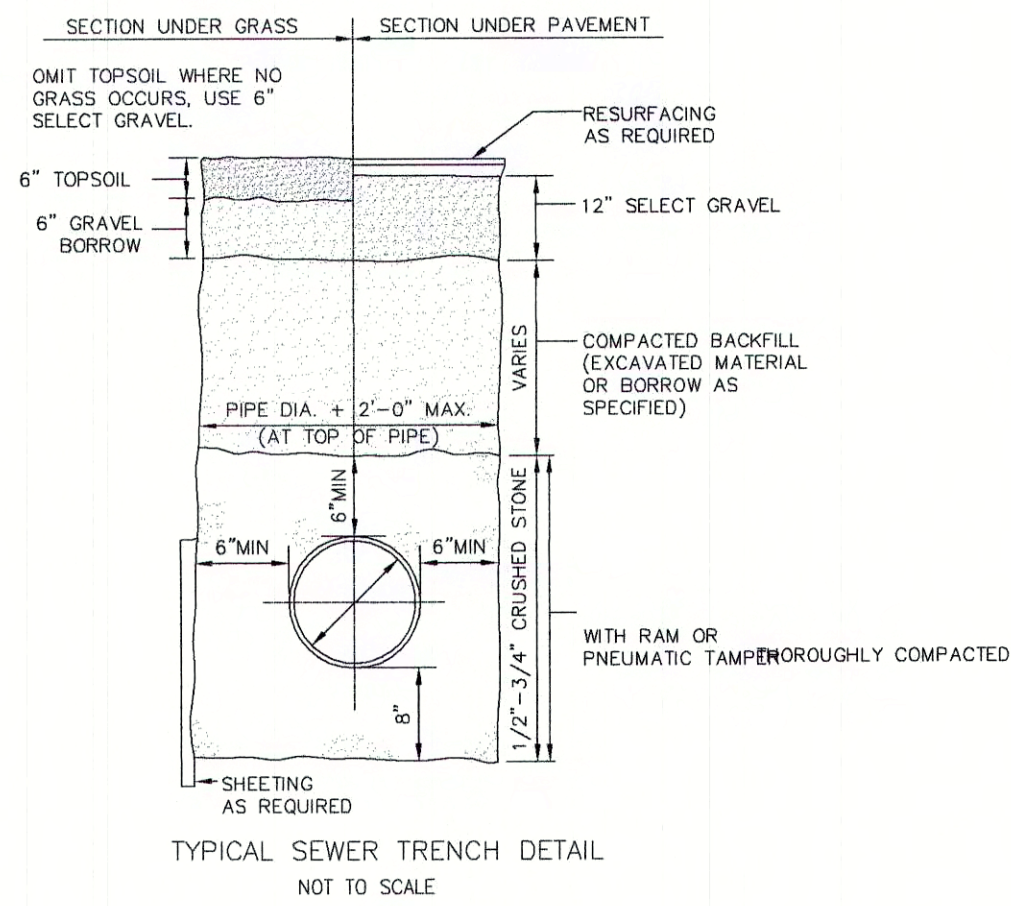
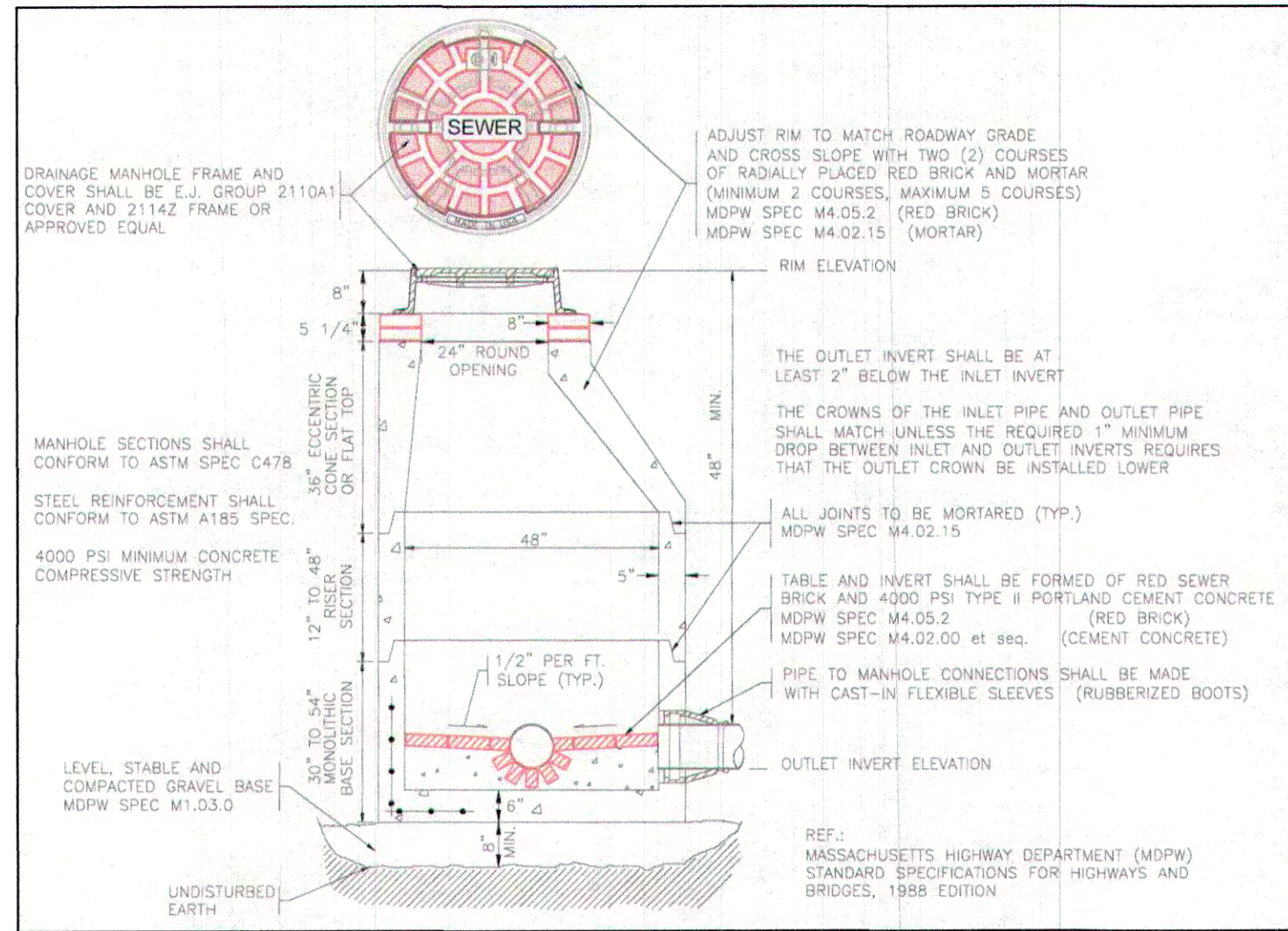
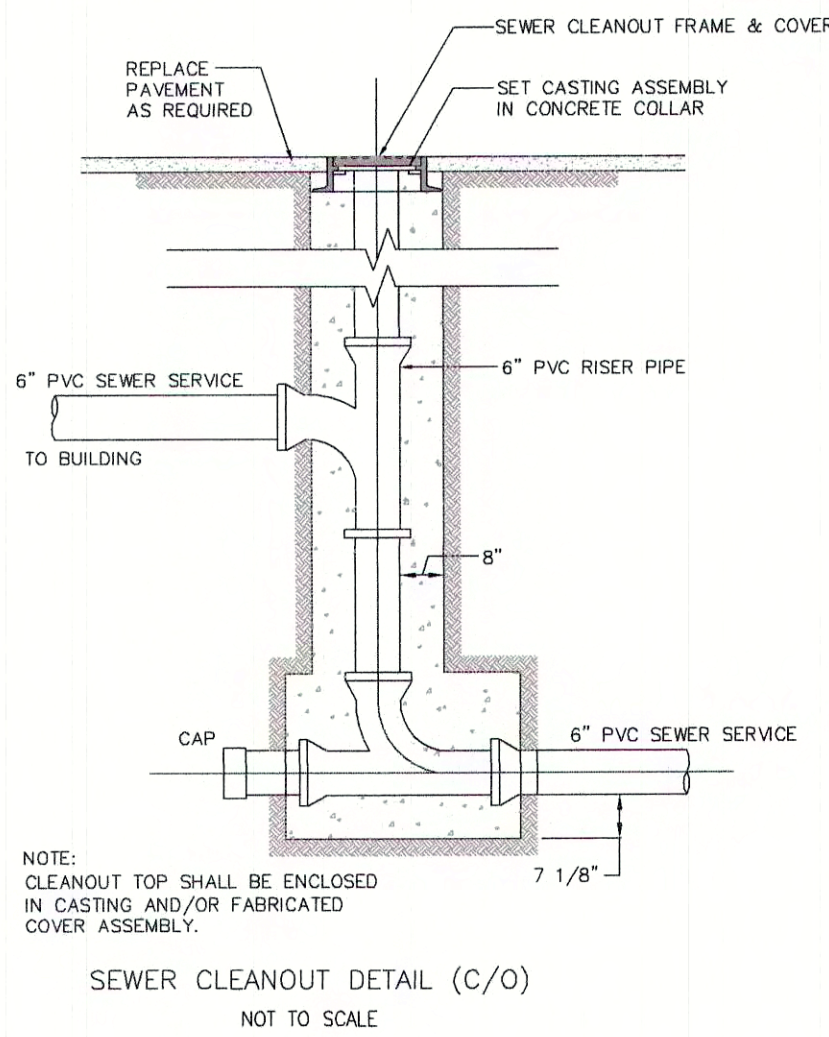
- Notes:
1. The Use Of Flexible Connection is Recommended At The Inlet and Outlet Where Applicable.
 2. The Cover Should be Positioned Over The Outlet Drop Pipe and The Oil Port.
 3. The Stormceptor System is protected by one or more of the following U.S. Patents: #4985148, #5498331, #5725760, #5753115, #5849181, #6068765, #6371690.
 4. Contact a Concrete Pipe Division representative for further details not listed on this drawing.

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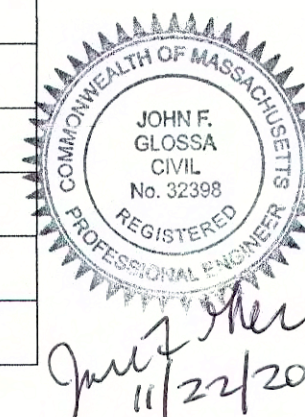


1688 CENTRAL AVENUE
CONSTRUCTION DETAILS
IN
NEEDHAM MA
SCALE: 1"=30' JUNE 22, 2020
GLOSSA ENGINEERING INC.
46 EAST STREET
EAST WALPOLE, MA
508-668-4401

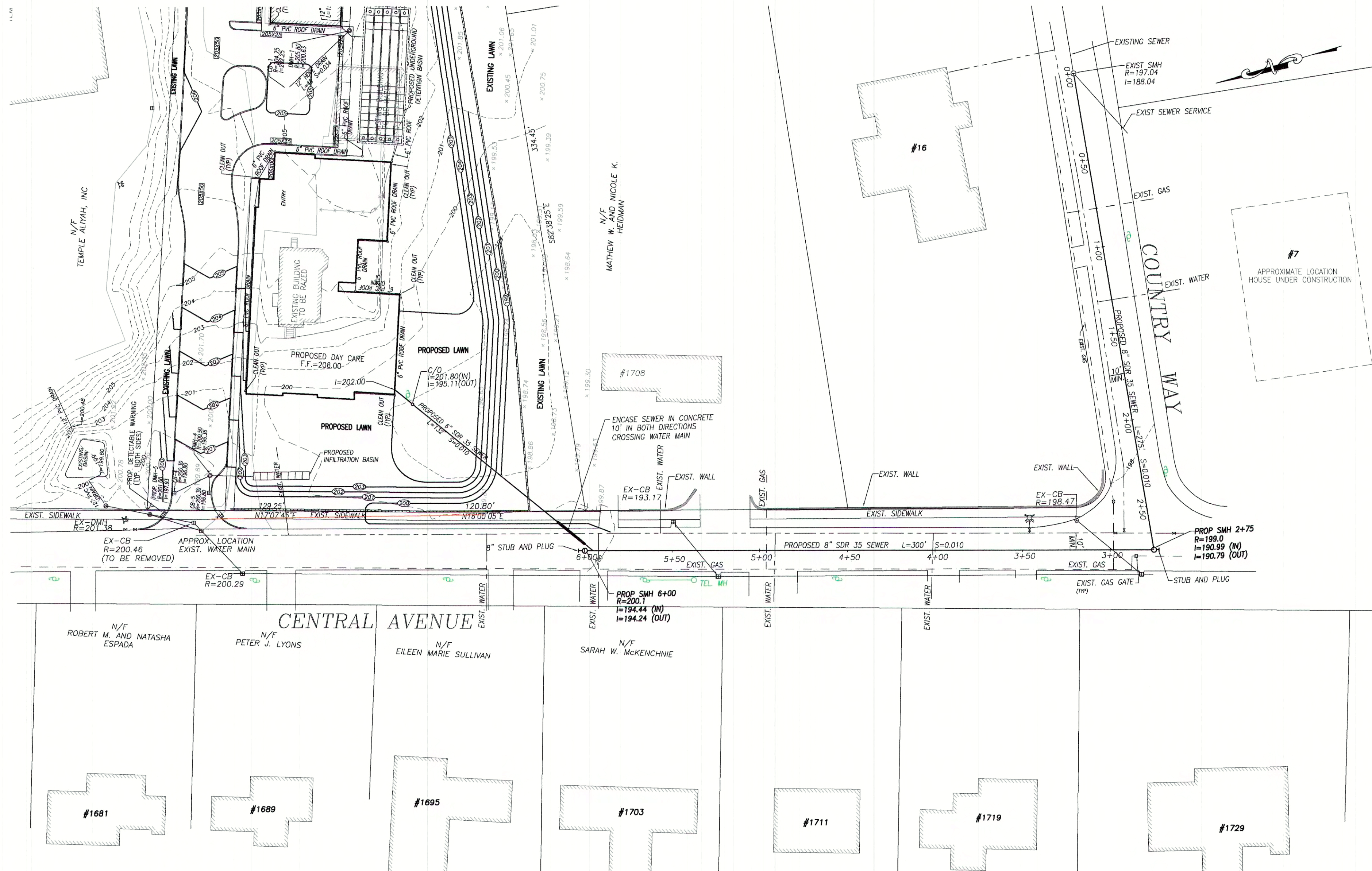




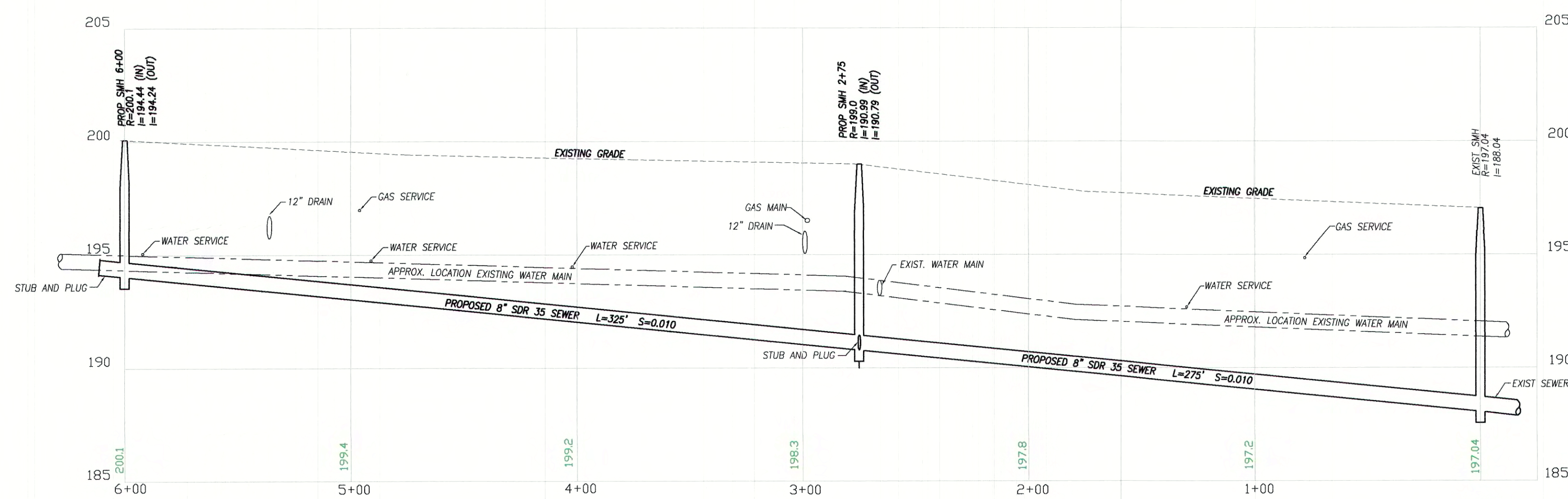
NO.	DATE	REVISION
1	4-15-21	REV. BUILDING LOCATION
2	6-2-21	REV. BUILDING LOCATION
3	7-28-21	REV. ACCESS DRIVE
4	9-28-21	REV. CATCH BASIN AT ACCESS
5	10-28-21	PER PEER REVIEW COMMENTS
6	11-8-21	PER TOWN COMMENTS
7	11-22-21	PER TOWN COMMENTS



1688 CENTRAL AVENUE
CONSTRUCTION DETAILS
IN
NEEDHAM MA
SCALE: 1"=30' JUNE 22, 2020
GLOSSA ENGINEERING INC.
46 EAST STREET
EAST WALPOLE, MA
508-668-4401



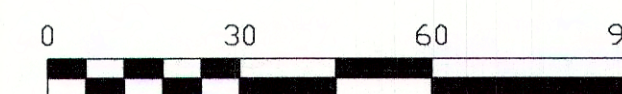
PLAN
SCALE: 1" = 40'



PROFILE
SCALE: HOR. 1" = 40'
VERT. 1" = 4'

NO.	DATE	REVISION
1	4-15-21	REV. BUILDING LOCATION
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BUILDING CONNECTION PROFILE
SCALE: HOR. 1" = 40'
VERT. 1" = 4'



LEDGEND:

EXISTING GRADE	----- 100-----
EXISTING SPOT GRADE	* 200.02
EXISTING GAS MAIN	-----
EXISTING GAS GATE	==
EXISTING SEWER MANHOLE	○ EXIST. SMH
EXISTING DRAIN MANHOLE	○ EX-DMH
EXISTING CATCH BASIN	⊞ EX-CB
EXISTING ELECTRIC MANHOLE	○ EX-EMH
EXISTING UTILITY POLE	○
EXISTING FENCE	× × × ×
EXISTING FIRE HYDRANT	⊕
EXISTING GATE VALE	⊞
PROPOSED GRADE	----- 205-----
PROPOSED SPOT GRADE	* 205.25
PROPOSED SEWER MANHOLE	○ PROP. SMH
PROPOSED CATCH BASIN	⊞ CB-1
PROPOSED DRAIN MANHOLE	○ DMH-1
PROPOSED TAPPING SLEEVE AND VALVE	⊞ PROPOSED 8"x6" TS&V

CONSTRUCTION NOTES

- 1) ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN ON THIS PLAN AND THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN MAY VARY FROM THEIR FIELD LOCATION. THE CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO THE CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY DIG SAFE AT LEAST 72 HOURS PRIOR TO THE START OF THE CONSTRUCTION.
- 2) ALL CONSTRUCTION SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE TOWN OF NEEDHAM PUBLIC WORKS DEPARTMENT

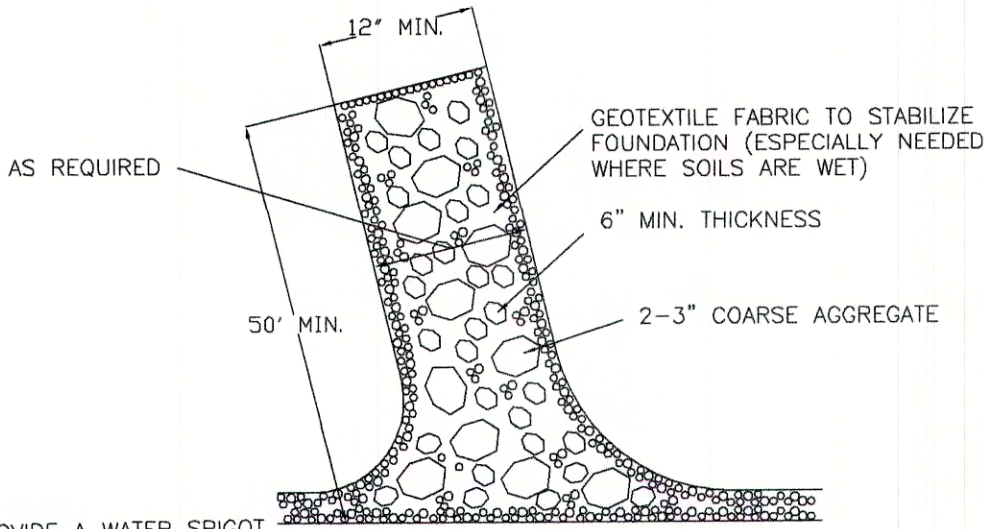


1688 CENTRAL AVENUE
SEWER EXTENSION
PLAN AND PROFILE
IN
NEEDHAM MA

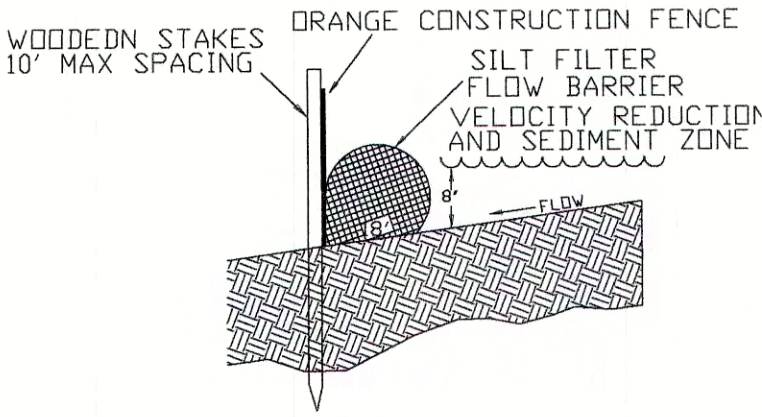
SCALE: AS NOTED NOVEMBER 19, 2020
GLOSSA ENGINEERING INC.
46 EAST STREET
EAST WALPOLE, MA
508-668-4401

- CONSTRUCTION SEQUENCING:
1. INSTALLATION OF SILT BARRIERS AS SHOWN ON THE PLANS
 2. INSTALLATION OF STABILIZED CONSTRUCTION ENTRANCE
 3. ESTABLISHMENT OF A CONSTRUCTION STAGING AREA
 4. ESTABLISHMENT OF A MATERIALS STOCKPILE AREA
 5. REMOVAL OF EXISTING BUILDINGS
 6. CLEARING AND GRUBBING
 7. REMOVAL AND STOCKPILING OF TOP AND SUBSOILS
 8. REMOVAL OF SAND AND GRAVEL TO BRING SITE TO SUB GRADE
 9. ESTABLISHING AND STABILIZING WITH LOAM AND SEED ALL CUT AND FILL SLOPES
 10. INSTALL BINDER COURSE OF DRIVEWAY IN LOCATION OF FINAL ASPHALT DRIVEWAY
 11. CONSTRUCTION OF THE BUILDING
 12. INSTALLATION OF UNDERGROUND DETENTION BASIN
 13. INSTALLATION OF UNDERGROUND UTILITIES, IE DRAINAGE, WATER LINE, ELECTRIC, CATV AND TELEPHONE
 14. INSTALLATION OF LANDSCAPING AND GRASS AREAS
 15. FINAL COURSE OF ASPHALT FOR DRIVEWAYS
 16. CLEAN UP AND DEMOBILIZE

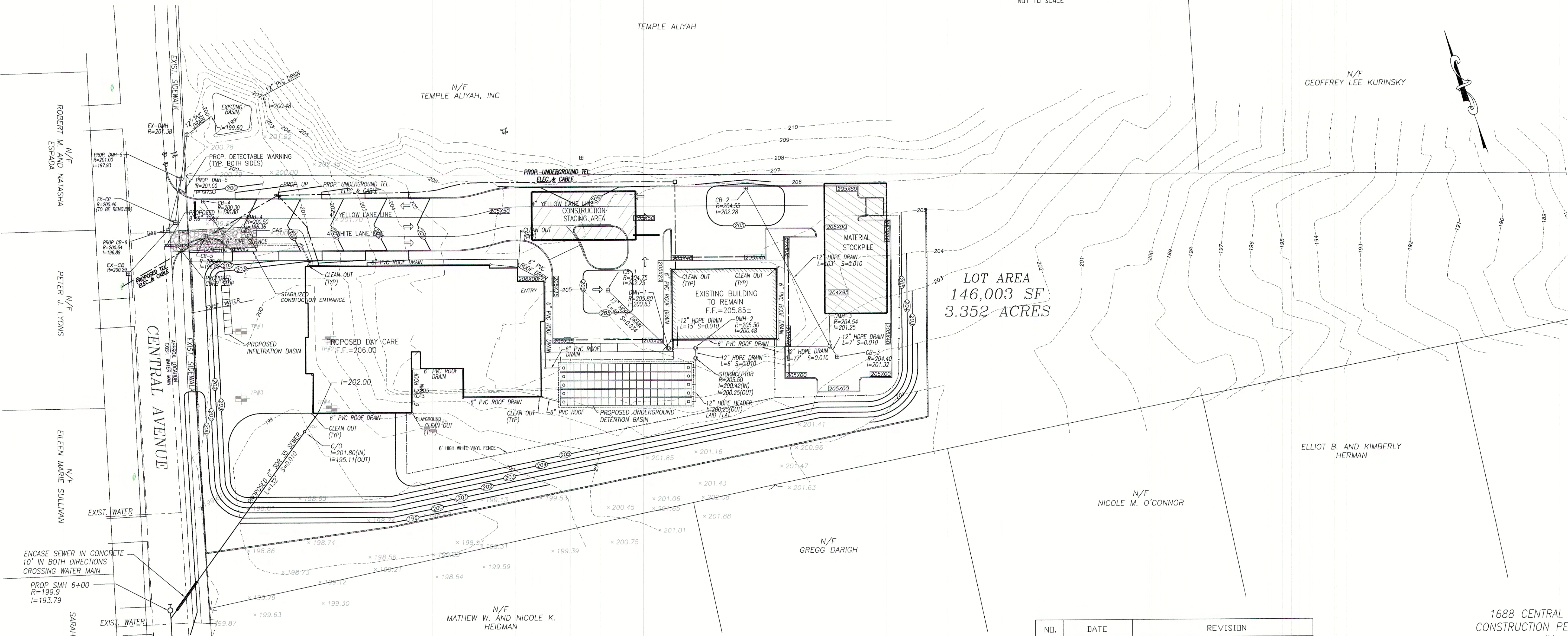
- CONSTRUCTION NOTES:
1. ALL AREAS TO BE ALTERED SHALL BE BROUGHT TO SUB GRADE OR FINAL GRADE AT THE START OF CONSTRUCTION
 2. AREAS ONCE BROUGHT TO GRADE THAT WILL NOT BE ALTERED AGAIN SHALL BE LOAMED AND SEEDDED AND PROTECTED WITH STRAW GUARD AS NEEDED
 3. DRAINAGE BASIN AS SHOWN SHALL NOT BECOME OPERATIONAL UNTIL THE SITE IS FINISHED AND SWEEPED OF ALL DEBRIS
 4. TEMPORARY SEDIMENT BASINS SHALL BE USED AND MAINTAINED UNTIL ALL PROPOSED PAVED AREAS ARE COMPLETE AND SWEEPED OF ALL DEBRIS
 5. CATCH BASINS SHALL BE PROTECTED FROM SEDIMENTS AT ALL TIMES UNTIL CONSTRUCTION IS COMPLETE
 6. INSTALL SILT SACKS IN ALL EXISTING AND PROPOSED CATCH BASINS



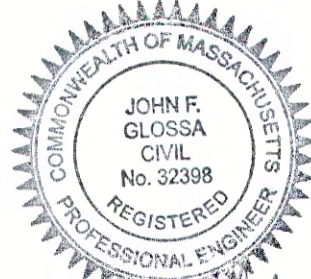
STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE



8" COMPOST SOCK DETAIL
NOT TO SCALE

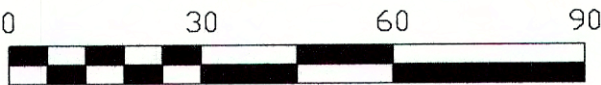


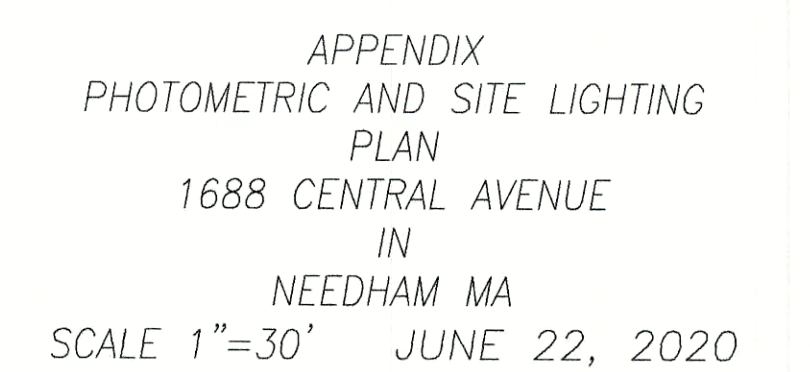
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1688 CENTRAL AVENUE
CONSTRUCTION PERIOD PLAN
IN
NEEDHAM MA

SCALE: 1"=30' JUNE 22, 2020
GLOSSA ENGINEERING INC.
46 EAST STREET
EAST WALPOLE, MA
508-668-4401





FRIEZE CRAMER ROSEN & HUBER LLP
C O U N S E L L O R S A T L A W

60 WALNUT STREET, WELLESLEY, MASSACHUSETTS 02481
781-943-4000 • FAX 781-943-4040

EVANS HUBER

781-943-4043
EH@I28LAW.COM

December 2, 2021

Via Electronic Mail
Members of the
Needham Planning Board
c/o

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

Re: 1688 Central Avenue, Needham

Dear Planning Board Members and Ms. Newman:

I am writing on behalf of Needham Enterprises LLC, with respect to a few matters that have been raised at the most recent hearing, or thereafter.

First, I am enclosing for your review the minutes of the meeting of the Canton Zoning Board of Appeals on March 25, 2021, following that Board's denial of a site plan review/special permit for a child care facility, which denial was appealed to Superior Court and then remanded back to the Canton ZBA. In particular, I would draw this Board's attention to the portion of the minutes which states, on page 4 of 6:

Chairman Pando opens the hearing and reads the petition. Chairman Pando explains this case [is] reflective of a previous hearing and a deniable [sic, presumably denial] by the Board that was filed in the Massachusetts Superior Court and the court gave the town two options. Either remand it back to the town and approve it based on a list of conditions, or to build the original proposed facility with no input from the town. This cannot be denied. Chairman Pando explains this is part of the Dover Amendment and it is the law. If you disagree with it you need to take it up with the lawmakers.

In light of this outcome, it is clear that the entirety of the matter before the Canton ZBA does not provide support for the proposition that this Board has the authority to deny the current application outright, which is the argument made by the persons submitting the earlier decision of the Canton ZBA to this Board.

Needham Planning Board
December 2, 2021
Page 2

Second, there has never been any actual evidence of contaminants present in the soil at the property. Notwithstanding this, in light of concerns raised regarding the *possible* presence of contaminants in the soil at the property, as this Board is aware, it has always been the applicant's intention that all surfaces at the property to which children (and adults) will have access will either be covered by an impervious surface (i.e., a building, sidewalks, or driveways and parking areas), or covered by an appropriately thick layer of clean fill and loam. In order to further assuage concerns in this regard, and in an effort to move this matter forward, the applicant has agreed with the Board of Health to test the soil for the presence of lead, and has submitted a testing plan to the Board of Health for its review. The Board has already held and will continue to hold a public hearing on this matter and the applicant intends to continue to work with the Board of Health on this issue.

To the extent efforts are made to bring this issue before the Planning Board, the applicant respectfully submits that it is not an appropriate, efficient, or fair use of anyone's time and resources to hold public hearings before two different town boards on the same issue. That is particularly true given how long this matter has been before this Board and in light of past practices and site plan review criteria. We ask that this Board handle this issue by deferring to the jurisdiction and expertise of the Board of Health, and by including in the decision approving this application the standard Planning Board condition that appears in virtually every decision on major project site plan review, to wit:

In addition to the provisions of this approval, the Petitioner must comply with all requirements of all state, federal, and local boards, commissions or other agencies, including, but not limited to, the Board of Selectmen, Building Inspector, Fire Department, Department of Public Works, Conservation Commission, Police Department, and Board of Health.

Third, the applicant wishes to confirm to the Board that the applicant has agreed to install an ADA-compliant sidewalk along the entire frontage of the property. The engineering details of how that will be done are being worked out between the applicant's engineer, Mr. Glossa, the Town's engineering department, and the Board's expert, Mr. Diaz of GPI. We respectfully request that working out these details does not prevent this hearing from closing and instead be addressed as a condition of the Permit.

Lastly, in order to move the remainder of this hearing along as efficiently as possible, the applicant requests that at the hearing on December 8, when this matter is reached, the Board proceed immediately to public comments, and complete that portion of the public hearing before hearing any further response on behalf of the applicant. At the conclusion of the public comment portion of this hearing, I request the opportunity to address the Board one final time rather than responding to all the various concerns and comments in a piecemeal fashion, as they are raised.

Needham Planning Board
December 2, 2021
Page 3

I appreciate your attention to the points raised in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Evans Huber", written in a cursive style.

Evans Huber



Town of Canton, Massachusetts

ZONING BOARD OF APPEALS

MEMORIAL HALL

801 WASHINGTON STREET

CANTON, MA 02021

TEL: (781) 575-6589 FAX: (781) 575-6574

Minutes of the meeting of March 25, 2021

PRESENT: Gregory L. Pando, Chairman
Charles J. Armando
John R. McCourt, Member

Also Present: Tamra Stock, Recording Secretary

Not Present: Paul B. Carroll, Alternate
Michael Khoury, Alternate

Meeting Held virtually in Zoom

Chairman Pando opens the meeting at 6:00 pm and reads the agenda.

Emergent BioSolutions and Emergent BioDefense Operations Lansing, LLC. – 80 Shawmut Road – 17-21-ENCB-SP-V

And

Emergent BioSolutions and Emergent BioDefense Operations Lansing, LLC. – 90 Shawmut Road – 18-21-ENCB-SP-V

Chairman Pando opens the hearing and reads the petitions. Attorney Paul Schneiders explains these are projects that go together. He explains the petitioner is currently operating out of 90 Shawmut Road and they are trying to expand their operations to the building next door at 80 Shawmut Road. This will require modifications to each site. Emergent is a global life sciences company whose stated mission is to "protect and enhance life". The company develops and manufactures drugs in its 20 worldwide locations. Emergent has been operating at 90 Shawmut Road since 1998. As noted, they now want to expand into their adjacent building at 80 Shawmut Road. They plan to invest approximately \$75 million to develop the "state of the art operations that will support live viral manufacturing for advanced gene therapies as well as its existing small pox vaccine capabilities." They plan to create 46 new full-times jobs. Attorney Schneiders reviews who is representing the petitioner and he believes Nicholas Skoly is on the call tonight along with himself. He explains they are primarily requesting Site Plan Approval. He states they have met with Mr. Houston and the Planning Board and they should have a final report for the next meeting. They are also looking for a height Variance for 80 Shawmut Road. He reviews the Section of the By-Law 4.3.1 and the relief they are looking for. Chairman Pando explains under state statute mechanical penthouses are exempt from height regulations. Attorney Schneider states the By-Law doesn't represent that but he won't go any further with that. Attorney Schneiders explains they are also looking for a Special Permit for Reduced Parking and reviews the details of the parking. He goes on to state they need a Variance for the fence height. There is an existing security fence around 90 Shawmut Road which is approximately 8' in height as required by a prior Zoning Decision. The applicant needs to utilize the existing fence around 90 Shawmut Road and install a matching fence around 80 Shawmut Road to secure the perimeter of the properties

as a whole. Such security is essential due to the nature of the operation. A Special Permit for parking setback. The applicant intends to create a perimeter road around 80 Shawmut Road to separate truck access from employee access and separate movements to create a safer experience. The applicant is seeking relief to allow the drive lane within 5' of the property line. The drive will be located 4' from the property line. Finally, the petitioner is asking for a Special Permit for directional signs shown in Exhibit E. Attorney Schneiders believes they just need the permission from the Building Commissioner for directional signs but he included it just in case. Attorney Schneiders explains some of the non-conformities already existing on the site and states the petitioner is not seeking to alter them. Attorney Schneiders reviews the site security and explains he has the approval letters from the Fire and Police Chief.

Mr. Nicholas Skoly of VHB reviews the site plan of the two properties. He explains the big changes will be at 80 Shawmut Road. There are no changes to the footprint of the building but they will be adding a loading dock and some parking. He reviews some of the changes in the fencing. He explains there will also be a security booth at the entrance for visitors to check in prior to entering the facility. He explains they are going through the Conservation process and working with Mr. Houston. Although there is an increase in impervious area on the site the storm water system is improving.

Chairman Pando states for an initial presentation this is good. One of his questions what biosafety level. Mr. Mike Bush states it is a Biosafety level two. Mr. McCourt states he would like to hear from the Planning Board as to their recommendations. Mr. Armando states he has no comments right now. Chairman Pando asks if anyone on the call would like to speak on behalf of the petition. Seeing none.

Chairman Pando continues the hearings to April 8, 2021.

Canton Manufactured Gravel, LLC. and Canton Commerce Park, LLC. – 50 John Road – 19-21-SPA-SP-V

Chairman Pando opens the hearing and reads the petition. Attorney Schneiders states they are looking for relief for use and Site Plan Approval so the site can be used for site material recycling. Mr. Thomas O'Shea is the Principal for both of the LLC's. He has been constructing commercial and residential facilities for over 38 years. Mr. Paul Brodmerkle is also with them to present this to the Board. Canton Manufactured Gravel receives clean construction aggregate such a brick, asphalt, concrete, rock, and ledge and he recycles this material so they can be used as building materials. This process is strictly regulated by state laws under 310 CMR. This will also be controlled under local Zoning By-Laws and reviews the Sections. Other regulatory agencies are the Canton Conservation Commission and the Board of Health. Although they believe this operation is "manufacturing" as defined in the Town of Canton Zoning By-Laws the Building Commissioner believes it is "limited manufacturing." Attorney Schneiders states he would like to point out that the

business would use less than half of this heavily wooded ten-acre site. The operation would be completely surrounded by dense woods. They would meet or exceed all of the site plan regulations except for the inclusion of a loading bay, which is simply not needed.

Mr. Paul Brodmerkle states he would like to talk about the limitations of this site. It is ten acres but that is not all useful. There are wetlands around the site. He reviews the unique configuration. While doing soil testing it became clear the original owner never intended to make use of the property. He reviews some of the findings of the soil testing. He understands it was a sand pit back in the 60's. It will have municipal water and sewer systems available from John Road. He reviews the parking. He also reviews the storm water system for the site. Mr. Brodmerkle states the improvements are straight forward and simple. There is a requirement to recycle the types of materials that will come through this site so this is the perfect site for it. Chairman Pando states he is familiar with this site. He needs a better understanding of the operations. Is there going to be any crushing operations of materials. Mr. Brodmerkle states there will be. Crushing equipment is similar to a site in Dedham owned by Fed corp. They will have water trucks to handle the dust. Chairman Pando states looking at this large reclaimed surface in the shape of a "U" will raw material be trucked in and piled. Yes. Chairman Pando states the reason he is concerned is brick depending on where it has been or where it is coming from it is painted and there could be lead. Some cinderblock may be contaminated as well. What's the process for tracking of that material. Mr. Brodmerkle states he doesn't know if there is a standard for that but Mass Dep prohibit painted and contaminated material from being recycled. Mr. McCourt asked how many pieces of equipment will be on the site. 1 crusher and 2 or 3 front end loaders. The facility doesn't use trucks they use loaders. Mr. McCourt asks the entrance and exit if there will be a wash station so material doesn't go onto John Road. Mr. Brodmerkle states the first 250' of the entrance is paved and there will be a gravel pad before that to make sure it is clean. It will be treated and maintained like a construction site. Mr. McCourt asks the height of the storage bins and what are they made of. Mr. Brodmerkle states they haven't talked about that yet but the ones he has seen at the site in Dedham are 12' high. Mr. Armando asks when they will appear before Conservation. Right after it is approved through Zoning. Mr. Armando asks what will be done for leakage for fuel or oil. Mr. Brodmerkle states there will be a program to handle that just like any other construction site. Mr. Brodmerkle mentions at the edge of the property has a retaining wall to prevent any spills into the wetlands. Chairman Pando asks if there is going to be any scale house. Mr. Brodmerkle states not initially. Mr. McCourt on the proposed one-story building is the garage area to service the equipment. Yes. Chairman Pando asks if there is anyone on the call that would like to speak in regards to this petition. Seeing none. Chairman Pando asks when they will be going in front of the Planning Board. Attorney Schneiders states it hasn't been scheduled yet so they have time.

Chairman Pando continues this hearing to April 22, 2021

Chairman Pando asks if they have hours of operation for the site. Attorney Schneiders states they are listed in the By-Laws and they are not asking for any relief on that. Mr. Thomas O'Shea states he believes it is 7AM-6PM on Section 43 of the Town By-Laws. Chairman Pando confirms there will be no processing on the weekends. Correct.

Next Day Moulding, LLC. /LRF1 Boston Logistics 2 LLC. – 960R Turnpike Street – 20-21-SP-V

Chairman Pando opens the hearing and reads the petition. Mr. Jason Stalcup states they are looking for a Special Permit for use to operate their wood shop in a 5,000 square foot portion of the existing building. They make custom stair parts etc. He has been working with the Building Commissioner and our use falls under Light Manufacturing which is not allowed in this district. Mr. Stalcup states they have been around since 2008 and started in Braintree and they have opened two retail locations and they stock wood mouldings and boards. They sell doors and stair parts as well. This particular location makes custom parts. They were operating out of Randolph, Ma for eight years and needed to move and have selected this facility. Chairman Pando states this is straight forward but asks if there will be any retail sales at this location. No. There will be no customers allowed in this location. Mr. McCourt asks how many employees at this site. *Two*. Mr. McCourt confirms this is unit 17. Yes. Mr. Armando states his question was answered already. Chairman Pando asks for hours of operations. 7:30PM-5:00PM Monday through Friday. Chairman Pando asks if there is anyone on the call that wishes to speak. Seeing none.

Mr. McCourt makes a motion on behalf of Next Day Moulding, LLC/LRF1 Boston Logistics 2 LLC of 960R Turnpike Street Unit 17 to issue a Special Permit to allow the use of a wood shop with the hours of operation Monday through Friday 7:00AM-5:00PM. The Zoning Board reserves the right to amend or modify this decision. Mr. Armando Seconds.
Vote 3-0 approve

DTG, LLC and Considine Development Company, LLC – 15, 25, 35, and 0 Ronayne Way – 21-21-SPA-SP-V

Chairman Pando opens the hearing and reads the petition. Chairman Pando explains this case reflective of a previous hearing and a deniable by the Board that was filed in the Massachusetts Superior Court and the court gave the Town two options. Either remand it back to the Town and approve it based on a list of conditions or to build the original proposed facility with no input from the town. This cannot be denied. Chairman Pando explains this is part of the Dover Amendment and it is the law. If you disagree with it you need to take it up with the law makers. Town Counsel has worked very hard to negotiate and have come up with the best case possible. Attorney Robert DeLello explains they are in front of the Board for an approval with the list of conditions that were made part of the original decision. Attorney DeLello explains they are on the same page as the Town and would like to work with the town. Chairman Pando states he will run this by the members of the Board and then will open this up to the general public. He would like to remind

everyone this will be voted on tonight between the applicant, Town Counsel, and the Board. If any comments are for a change in vote that will not be possible. The Boards hands are tied under the circumstances. Mr. McCourt asks on the site line the actual cutback goes into a lot number 164. Does the applicant own this house and is it coming down? Attorney DeLello explains the building is not coming down but the site line will be cleared. There will be an easement going forward so the site line can be maintained. Mr. McCourt wanted to make sure that easement was going to be discussed. Chairman Pando the Board is going to require that the easement is in place between all parties as part of the decision. Attorney DeLello states that is understood and they are asking the approval be subject to that easement being executed. Mr. McCourt states on the other side of the lot there is a saw cut existing driveway and it looks like a brand-new driveway. Is the applicant working with that neighbor? Attorney DeLello states he would have to check on that. Chairman Pando states they will have to adhere to the site plan. Mr. Pat Considine states he allowed the owner of that home to continue with that driveway. It is a newly paved driveway and they will blend his driveway to the new driveway. Mr. McCourt confirms he has access. Yes. Mr. Armando asks if the Board will be voting on this tonight. Chairman Pando states they have been working in good faith and Attorney DeLello states he will provide the easement and it will be voted on subject to receiving that. Mr. Armando asks on item 11 it seems like they want construction Monday through Saturday and it is a residential area so he would like that adjusted. Chairman Pando states the Board agreed to the original hours. Mr. Armando has no further questions. Chairman Pando asks if there is anyone on the call who would like to any questions.

M. J Troy of 20 Beal Street states they understand the list of conditions was submitted on March 16th and wondering is they should have been shared with the abutters. Chairman Pando states they are the ones proposed at the previous hearings and now negotiated with Town Counsel. M. Troy asks for a clarification on the site line and which lot it will affect. Chairman Pando explains the site plans show grading at the front of the house with the easement and it shows sufficient site distance for traffic safety. M. Troy is also curious of time line going forward with construction. Chairman Pando states upon vote this evening a decision has to be written and signed by the members and will go on record at the Town Clerks office with a 20-day appeal period. The applicant can then apply for the Building Permit. Chairman Pando asks Attorney DeLello if he has any time line information. Attorney DeLello states he doesn't have any information. The project has already been delayed with the denial and court filings. They are just dealing with what is in front of them now. M. Troy asks if there is any wiggle room on the time for construction for the residents. Chairman Pando explains they cannot negotiate any further on that. Chairman Pando thinks the design process will take a couple of months.

Ms. Patricia McDermott of 225 Sherman Street asks about that wall since it is part of the scenic wall. They have not come before the Planning Board for the removal. Chairman Pando states if it is on private property they do not have to.

Mr. McCourt makes a motion on behalf of DTG, LLC and Considine Development Company, LLC of 15, 25, 35, and 0 Ronayne Way to approve the Site Plan by DiPrete Engineering of Dedham, MA Sheet 6 dated March 16, 2021 with the conditions listed in the packet 1 through 14 agreed upon between the petitioner and the Town and a written easement as discussed be included. Mr. Armando seconds. **Vote 3-0 approve**

Stephen Doody & Kristina Anes – 142 Washington Street

Chairman Pando opens the hearing and explains this is an informal hearing. Mr. Paul Brodmerkle of Site Design Professionals is representing the petitioners. Last August of 2020 the Board approved a Special Permit to remodel a garage at this address under the carriage house By-Law on top of the existing foundation. Since the hearing the owner has had a Structural Engineer prepare a report for that foundation. It is not going to be able to support new construct. The foundation has to go and they are requesting now to construct an 8' deep concrete foundation. The first floor will remain the same. The area volume will be the exact same. They are looking for this to be approved as a Minor Modification. Mr. McCourt states before they consider this a Minor Modification in the By-Law the volume of the building isn't supposed to change and by adding a stairwell down to the basement it will change the volume. He doesn't believe this can be a Minor Modification. He is OK with the project but would like it done properly. Chairman Pando states the petitioner can file formally so abutters can look at it. Mr. Armando has no comments. Chairman Pando asks Mr. Brodmerkle to have the petitioners file formally.

Mr. McCourt makes a motion to accept the minutes of the March 11, 2021 meeting. Mr. Armando seconds. **Vote 3-0 approve.**

Chairman Pando reads the continuations at a later date.

Chairman Pando states the next meeting is being held on April 8, 2021

Mr. McCourt makes a motion to adjourn the meeting at 7:24 PM. Mr. Armando seconds. **Vote 3-0 approve.**

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'G. Pando', written over a circular stamp or seal.

Gregory L. Pando
Chairman

From: [Lee Newman](#)
To: [Alexandra Clee](#)
Subject: FW: 1688 Central Traffic Observations
Date: Tuesday, November 16, 2021 12:30:12 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image011.png](#)
[2021-11-16-Review Status Letter.pdf](#)

From: John Diaz <jdiaz@gpinet.com>
Sent: Tuesday, November 16, 2021 12:27 PM
To: Lee Newman <LNewman@needhamma.gov>
Subject: 1688 Central Traffic Observations

After the November 2, 2021 meeting, I went out with a GOPRO in the car on Wednesday November 3, 2021 in the morning from about 7:45-8:00, in the afternoon around 3:30 and then again from about 4:45-5:15. I also talked with a police officer who was monitoring traffic at the Transfer Station driveway around 5 to get his sense on traffic levels returning to normal.

Over the course of the 3 periods I made left turns in and out of the driveway at least 7 or 8 times. The only time I saw any queue was at 5PM and while I crawled to the driveway, I don't think I waited more than 5 seconds to make the left into the site.

While making a left out took a bit longer, it was actually easier to do at 5 when the traffic was queued past the driveway. Since there was no one NB, SB vehicles gave a courtesy gap. By 5:15, the queue had dissipated.

One of the neighbors was also recording the queue at 5 PM.

Also attached is a review of the truck turning templates and revised site plans.

The videos are too large to email, but are uploading to a onedrive site at the following link. You should be able to access them and download them. It will take sometime for them to upload.

 [1688 Central Videos](#)

John W. Diaz, P.E., PTOE
Vice President / Director of Innovation
(He/Him/His)

181 Ballardvale Street, Suite 202, Wilmington, MA 01887
d 978.570.2953 | c 617.921.9606
jdiaz@gpinet.com | www.gpinet.com



Engineering | Design | Planning | Construction Management

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draft

November 16, 2021

NEX-2021238.00

Town of Needham Planning Board
Town Hall
1471 Highland Avenue
Needham, MA 02492

SUBJECT: 1688 Central Avenue
Proposed Child Care Facility – Peer Review 3

Dear Ms. Newman:

The following items were submitted by the proponent on November 10, 2021.

- Site Plans dated June 22, 2020 rev. 11-08-2021
- 168 8Central Turning Maneuver Supply Van and Trash Truck Templates

In addition, GPI conducted a site visit during the morning, afternoon and evening peak periods to observe traffic operations on November 3, 2021.

The above materials have been reviewed against typical engineering practices, standards, and industry guidelines. We offer the following comments. (

SITE PLANS

The following highlights GPI's original comments from the July 15, 2021 Peer Review letter and our responses based on the revised site plan.

1. What is the purpose of the 12.67' loading zone? What size vehicle is expected to need access to the loading area. Truck turning templates should be provided showing access and egress from the loading area as well as the dumpster pad.

Comment has been addressed

2. The proponent should construct fully compliant ADA sidewalks along the property frontage and tie into existing sidewalks at the property limits.

GPI 11-11-21 response

The proponent has not indicated any sidewalk work on the plans.

3. The proponent should ensure that the construction of the site drive does not impact the drainage, particularly with the existing catch basin on the NW corner of the existing driveway.

It appears the existing CB will be in the center of the driveway on the gutter line. With the introduction of two wheelchair ramps the construction plans should consider relocating or providing additional drainage to ensure ponding in the vicinity of the wheelchair ramps does not occur.

GPI – 11-1-21 response

The proponent has modified the drainage as requested above. However, we still have comments as noted on the plans:

- a) Sheet 4 - Proposed grades of the centerline of the driveway apron do not make sense. It appears to slope DOWN from the edge of road to the front of crosswalk by more than 2% and then slope up to the back of the crosswalk by more than 4%
- b) Sheet 4 – The spot grades 200x68 and 200x74 indicate the apron slope of about 1% UP at the sidewalk openings and a 1.8%-2.0% slope across the sidewalk/crosswalk, the apron portion should be sloped greater than the crosswalk portion.
- c) Provide grades on sidewalk approaching driveway. It is unclear if the sidewalk slopes to the driveway or is level with the crossing.
- d) Sheet 4 – Limit of work on the sidewalks should be indicated (also relates to Comment 2)
- e) Sheet 6 – Detail should be provided for the proposed driveway apron.
- f) Sheet 8 & 9 – Proposed CBs should be labeled and Existing CB to be removed should be labeled
- g) Sheet 10 – Either delete labels on CBs (not relevant for lighting) or correctly label the Existing CB to be Removed

GPI – 11-11-21 response

The comments highlighted in green have not been addressed and there are still concerns over the grading. It appears that the cross slope of the crossing across the driveway exceeds 2% in some areas. The maximum slope should be 1.5% with a 0.5% +/- tolerance.

TRAFFIC ANALYSIS

On November 3, 2021, I went out with a GOPRO in the car in the morning from about 7:45-8:00, in the afternoon around 3:30 and then again from about 4:45-5:15. I also talked with a police officer who was monitoring traffic at the Transfer Station driveway around 5 to get his sense on traffic levels returning to normal.

Over the course of the 3 periods, I made left turns in and out of the driveway at least 7 or 8 times. The only time I saw any queue was at 5PM and while I crawled to the driveway, I didn't wait more than 5 seconds to make the left into the site.

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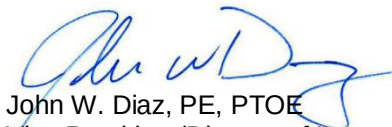
Based on the updated Traffic Memo and previous discussions, the following traffic mitigation is recommended:

1. The proponent should commit to a follow up traffic study after the site is open and operational to at least 80% of the student capacity.
2. The proponent should commit to provide police details during the peak morning and afternoon hours of arrivals and dismissals. The detail should remain in place, until the Police Chief believes the site is operating without significantly impacting operations along Central Ave.
3. The proponent should provide detailed traffic signal timing plans for optimized operations during the weekday morning and evening peak hours. The proponent should coordinate with Needham DPW on how to implement the revised signal times

Should you have any questions, or require additional information, please do not hesitate to contact me at (978) 570-2953 or via email at jdiaz@gpinet.com.

Sincerely,

GREENMAN-PEDERSEN, INC.



John W. Diaz, PE, PTOE
Vice President/Director of Innovation

From: [Tara Gurge](#)
To: [Lee Newman](#)
Cc: [Alexandra Clee](#)
Subject: RE: 1688 Central - Environmental Impact
Date: Thursday, November 18, 2021 4:47:04 PM
Attachments: [November 16 2021_BOH AgendaRev.pdf](#)

Lee –

I wanted to follow-up with you. We had our monthly Board of Health meeting this week on Tuesday evening, and 3 of the 5 members were present during the #1688 Central Ave. discussion which was on our agenda for 6 PM. (See attached revised agenda.) So we actually had two concerned residents attend and the BOH invited them up to the table to talk to them about their concerns. The residents were – Holly Clarke and Khristy Thompson. Richard Wozmak from EndPoint also was in attendance. He also joined everyone at the table to help answer some of the residents concerns. The discussion went on well beyond the 15 minute agenda time slot and the board decided it would be best to continue the discussion until next month in order to allow the other 2 board members to give their feedback. We feel it was a very productive discussion, between the residents and the environmental company, which was needed in order for the residents to have their concerns addressed and questions answered. (Also - The discussion continued for another 20 minutes in the hallway once the board went on to the next agenda topic.)

Our next hybrid BOH meeting is scheduled for Tuesday, December 14th from 7 – 9 PM. We will continue that discussion with all board members at that time.

We will keep you updated on the outcome of that continued discussion.

Also – I'd be happy to give you the info. on our strict Health Division demolition protocols, re: asbestos removal, lead/construction dust control, Underground Storage Tanks (USTs), and pest control, which are all extensively reviewed and proper protocols are required to remove all asbestos and spray down all construction dust/debris during active demolition, to prevent any migration of dust onto the abutting properties. Pest reports and UST permits are checked (if any listed for the property) by the Health Division, prior to Health's approval, which the Building Dept. needs prior to the issuance of the demo permit.

Let me know if you need any additional information on that.

Thanks,
Tara

From: Lee Newman <LNewman@needhamma.gov>
Sent: Monday, November 15, 2021 4:58 PM
To: Tara Gurge <TGurge@needhamma.gov>
Subject: FW: 1688 Central - Environmental Impact

Tara,

I wanted to make sure that the Board of Health addresses the following open issues at its meeting tomorrow. Let me know if you have any questions.

Lee

From: Adam Block <adamjblock@kw.com>
Sent: Monday, November 15, 2021 3:48 PM
To: Lee Newman <LNewman@needhamma.gov>
Subject: 1688 Central - Environmental Impact

Hi Lee,

If I recall correctly, I believe there are unresolved questions about the environmental impact of this project.

Based on the history of uses and observations at the site prior to and after 2003, and the intended use as a daycare, is there a need for soil testing for:

- a) lead;
- b) asbestos;
- c) oil;
- d) other hazardous materials resulting from rusted vehicles>

Some years ago, residents observed moving oil drums deep in the back of the lot. Have those been removed? Should soil testing be performed there as well?

What are the specific recommendations from the Needham Department of Health to ensure the safe demolition, construction and use for this project at this site?

Regards,
Adam

Adam Block, Realtor®
Keller Williams Chestnut Hill Market Center
C.617.731.9454
adamjblock@kw.com

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Needham Board of Health



Revised AGENDA

Tuesday November 16, 2021

5:00 p.m. to 7:00 p.m.

Powers Hall

Needham Town Hall

1471 Highland Avenue, Needham MA 02492

Or via Zoom

To listen/view this meeting, download the "Zoom Cloud Meeting" app in any app store or at www.zoom.us. At the above date and time, click on "Join a Meeting" and enter the meeting ID **851-8968-0264** or click the link below to register: <https://us02web.zoom.us/j/85189680264?pwd=bktUc3NEZmxDUktUK0MvczdFemFVdz09>

- **5:00 to 5:05 – Welcome & Review of Minutes (October 14th)**
- **5:05 to 5:40 – Staff Reports (October)**
- **5:40 to 6:00 – COVID-19 Update**
- **6:00 to 6:15 – ~~Continued discussion of Tobacco Free Generation Policy~~
Continued discussion on #1688 Central Ave. proposed Day Care**
- **6:15 to 6:30 – Continued discussion of Camp Non-compliance: Saint Sebastian's Summer Sports Camps**
- **6:30 to 6:45 – Public Health Accreditation: 1) Pathways Program summary and 2) Upcoming release of PHAB 2022**
- **6:45 to 6:55 – Brief update on HHS Priorities Identified for American Rescue Plan Act Spending**
- **6:55-7:00 – Discuss timeframe for next January BOH meeting date**
- **Topics for Upcoming BOH Meetings**
 - **Continued discussion of Tobacco Free Generation Policy**
 - **Discussion on Controlled Substance Decriminalization**
 - *Continued Discussion about Sira Naturals Staff Request for Modifications to Operating Permit and Underlying Regulations*
 - *Status Update on BOH FY 21-22 Goals*
 - *Discussion on NEW 314 CMR 16.00: Notification Requirements to Promote Public Awareness of Sewage Pollution/Combined Sewer Overflow Notifications*
- **Next BOH meetings**

○ Regular Monthly Meeting	December 14, 2021	7:00 p.m.
○ Regular Monthly Meeting	January, 2022	TBD
- **Adjournment**

(Please note that all times are approximate)

From: [Tara Gurge](#)
To: [Lee Newman](#)
Cc: [Alexandra Clee](#)
Subject: FW: 1688 Central - Environmental Impact
Date: Thursday, November 18, 2021 4:56:06 PM
Attachments: [November 16 2021 BOH AgendaRev.pdf](#)

Lee –

Quick follow-up – When I read my email back I wanted to clarify that ALL asbestos containing building materials from each structure to be demolished are removed prior to the active demo. The builder needs to show us proof of that asbestos was sampled for and all identified asbestos containing materials were properly removed and disposed of properly by a certified asbestos removal company, etc.

We reviewed those protocols at our meeting with the residents as well.

Again, let me know if you have any additional questions on that process.

Thanks,
Tara

From: Tara Gurge
Sent: Thursday, November 18, 2021 4:47 PM
To: Lee Newman <LNewman@needhamma.gov>
Cc: Alexandra Clee <aclee@needhamma.gov>
Subject: RE: 1688 Central - Environmental Impact

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

December 6, 2021

Needham Planning Board
Public Service Administration Building
Needham, MA 02492

RE: Project Site Plan Follow up Review of revised submittals
Needham Enterprises Childcare Facility-1688 Central Avenue

Dear Members of the Board,

The Department of Public Works has completed a follow up review for the above referenced site Planning Board plan permit application. The applicant proposes to construct a new 9,966 square foot building as a childcare facility. The childcare facility will have a maximum of 100-children. The support staff will be 13-employees.

The most recent submittals for review consist of an update plan set by Glossa Engineering, Inc dated November 22, 2021, and a response memo from Evans Huber, Esq. dated December 2, 2021.

Our comments and recommendations are as follows:

- The Department of Public Works has reviewed and discussed the sidewalk reconstruction plans with the Applicant's Engineer. The Applicant's Engineer has agreed to modify and resubmit the plans to meet the Town of Needham specifications. The DPW does not object that the revised plans be provided as part of a plan modification to the Planning Board's Decision.

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

Truly yours,

Thomas Ryder
Assistant Town Engineer



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

Tel. 781-455-7550 x 308

December 7, 2021

Town of Needham
Planning Board
500 Dedham Ave.
Needham, MA. 02492

Re: 1688 Central Ave. / Accessory Use

Dear Planning Board Members,

I have been asked to comment on the Special Permit application for 1688 Central Ave. specifically the use of the existing barn on the property. Section **1.3 Definitions** of the Needham Zoning By-Law has the following definitions:

Accessory Building – a building devoted exclusively to a use subordinate to and customarily incidental to the principal use.

Accessory Use – a use subordinate to and customarily incidental to the principal use.

The following is a section from Chapter 40A Section 3 that states:

No Zoning ordinance or bylaw in any city or town shall prohibit, or require a Special Permit for, the use of land or structures, or the expansion of existing structures, for the primary, accessory or incidental purpose of operating a child care facility; provided, however, that such land or structures may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements. As used in this paragraph, the term “child care facility” shall mean a child care center or a school-aged child care program, as defined in section 1A of chapter 15D.

Based on the definitions in the By-Law and the section from 40A I believe that the use of the barn if used specifically by the child care facility would be a permitted use and not a violation of Zoning.

Any questions please contact my office.


David A Roche
Building Commissioner
Town of Needham

From: [Elizabeth Bourguignon](#)
To: [Planning](#)
Subject: 1688 Central Ave
Date: Tuesday, November 16, 2021 11:26:56 PM

Members of the Board,

My name is Elizabeth Bourguignon, 287 Warren St. I am a 49 year resident of Needham. My comment/question is one of procedure. Having attended the Planning Board meetings via Zoom since last spring I am wondering at what point the Board will turn off public comments. In my opinion the opponents to the project have constructed a filibuster to block any further movement of this petition through the planning board. I, personally, do not understand how any further discussion of traffic generates any new and not previously opinions. We have heard several times from the same person who, as you noted tonight, has submitted three additional comments "with pictures and video" to the board in reference to traffic. Yes, there is traffic on Central Ave. There has been traffic on Central for many years. I imagine it does take a few minutes of waiting to get out of a driveway on Central, as it does on Great Plain, Greendale, Dedham Ave, Webster, Highland and at times on Warren. We live in a growing suburb of a major metropolitan area. When looking at the big picture not being able to get out of one's driveway seems a very narrow and self serving viewpoint. I implore the Board to set some parameters as to how many times the same people can speak on the same topic. Surely this must be within the scope of the board's authority. The Town Meeting moderator states at the start that if the topic has already been covered he will not take the comment and move on. We who are attending the Planning Board meetings ask that the chair does the same. The public forum, I feel, should not be dominated by one or two people. Their strategy has become all too clear.

Thank you,
Elizabeth Bourguignon

Disclosure: I have been employed by the Needham Children's Center for 41 years.

12/2/21

RE 1688 Central Ave

Dear Planning Board Members

I am writing to you as a current resident of the town of Needham for the past 34 years, as well as one of the Directors at Needham Children's Center. Over the past 8 + months I have attended these board meetings with the main topic being the construction of a child care facility at 1688 Central Ave. I believe that the Planning Board members have recognized on the record that this is a legal use for this land. I agree that the residents of the town of Needham and the neighbors should have the opportunity to speak and have an opportunity to make recommendations, but using a consistent fair and equitable procedure, limiting time, and one time per speaker with no repetitions. It is clear that a "neighborhood group" has made it their mission to push out and postpone meetings in order ultimately try to stop this building from coming to fruition. These tactics are now more than apparent and I ask the Planning Board to move forward according to the rules and regulations and vote and make what they feel are necessary revisions in their decision.

Fact- Needham Needs Childcare.

Last Saturday I ran into 4 families on separate occasions who greeted me with a sweet welcome. I asked how their families were, I knew the children's names, extended family members that I would see at school or hear about from the children. Each family let me know they were doing great and still are close friends with their NCC friend group. This sends such a strong message. NCC has the ability to create long lasting friendships between both children and parents. Sadly, this aspect of the project is being overlooked by the enormous amount of discussion of traffic. The community we have built at NCC prides itself on the connections created between our teachers and families. We are there to lend a hand if a family member is sick, we are helping children through the transition into a big sister or big brother role. We are not just a childcare; we truly treat and think of these families as an extension of our own.

Needham Children's Center was created by a Needham resident, who opened her doors to Needham families in need when both parents had to work out of the home. NCC was created for Needham residents both young and old. We are so lucky to have opened our doors in the center of Needham, but sadly now the church is closing and we must find a new space. We owe it to the future of Needham, the families moving into the town, to have Needham Children's Center continue to offer extraordinary care.

I am saddened by the fact that a handful of neighbors with a "not in my backyard" mentality is doing whatever they can to stall a project that is benefiting countless numbers of Needham residents. "I am Needham" is a video that is out now about voting in our town elections and the importance of making a vote for our youngest Needham resident's count. I ask the Board and these neighbors, "why are we not thinking of the children?" The children of Needham need child care. The parents of Needham need child care. This is a fact. When Covid hit, all out of the home school and child care came to a halt. Needham Children's Center worked hard to come back strong and safe for it's families. Parents needed to get back to work and we were able to provide this safe space for them. Our dedicated teachers came to the front

line in the middle of a pandemic risking their own health to be there for the families in need. The bottom line is our home for the last 40+ years is closing. If a decision is not made quickly, looking at all the facts which are in favor of this project, many Needham families will be displaced and many more will not have the opportunity to experience the dedicated NCC community and the exceptional child care that they deserve.

Community outreach is strong at Needham Children's Center. Because NCC is run by Needham residents catering to Needham families we make a point to dive into community needs and events. We support programs such as Needham Community Council, Charles River Center, Rosemary pool complex, Park and Rec, local businesses with our community strolls, we have attended town meetings, created the luminary project which are still seen at the famous blue tree lighting by children from past years. Needham Children's Center goes beyond its doors. We are here for the town of Needham.

We have heard the same residents speak over and over about traffic, even after town hired experts and have concluded many times that the traffic will not be affected by the project. Three times the Planning Board has looked into it, spoken to the Needham Police, and have even driven the route themselves and taken turns into the lot. Why are we still listening to neighbors speak about traffic if the topic has come to a conclusion? We are wasting valued time here by continuing to listen to the same argument.

Fact- Needham Children's Center currently sits directly on Great Plain and our entrance flows smoothly onto Route 135, where there is a major intersection in town. Needham Children's Center does not experience a backup turning into the lot in either direction. The families leaving NCC leave the lot into oncoming traffic and make their turn left or right without issue. The space where we are currently occupying has much more traffic at "rush hour" peaks during the day than Central ave. without incident and that's is over 42+years. We are moving childcare from down town Needham to a space with land where children can only benefit. The need for quality child care is escalating there are more families in need, families are in need.

Fact- NCC currently shares a parking lot with the Town of Needham. The majority of the spaces are permit parking and are full. There are only 6 spots which are designated 30 min spots, which are used for our pick up/drop off. There have been no instances where families have to wait for parking to drop off their children. Drop offs and pickups are quick.

Please take these thoughts into consideration. There are so many Needham families and children to young to participate in this forum that are counting on you to come to a vote and decision. It is my hope that you move project forward.

Thank you for your time and consideration

Carolyn Day Reulbach

12 Longfellow Road

From: [Maggie Abruzese](#)
To: [Planning](#); [Alexandra Clee](#); [Lee Newman](#)
Cc: ["Joe Abruzese"](#)
Subject: 1688 Central Avenue
Date: Monday, December 6, 2021 3:28:15 PM

Dear Needham Planning Board,

First, we would like to apologize. We were not aware that the Canton case attached to our email of November 15, 2021 had been appealed. We assure you that we would have disclosed that fact had we known it. We apologize for the unintentional omission.

Second, we would like to comment briefly about what the appeal of the Canton case means.

As the facts post-appeal show, Canton did not ultimately deny site plan review. The ZBA settled with the developer and approved the site plan with conditions. However, we urge you to note that in that case (unlike here) the **developer agreed** to every condition proposed by the ZBA and there was no indication that there was a municipal interest that was not protected by the plan and/or conditions.

Denial of site plan review, even for an as-of-right structure, is permissible and will be upheld on appeal, if the problem prompting the denial is so intractable that it could admit of no reasonable solution, Prudential Ins. Co. of America v. Board of Appeals of Westwood, 23 Mass. App. Ct. 278, 283 (1986), or if the applicant fails to furnish adequate information on the various considerations required for site plan review. Id. at footnote 9, citing Auburn v. Planning Bd. of Dover, 12 Mass. App. Ct. 998 (1981).

This Board has indicated it may only be doing site plan review for Needham Enterprise's Major Project. Even if that is the case, there still would be grounds for the Board to deny the site plan in this case. Needham Enterprise LLC's site plan presents problems that admit of no reasonable solution (traffic), which would permit a denial of site plan review, AND ALSO Needham Enterprises has failed to furnish adequate information on the various considerations required for site plan review set forth in 7.4.6, which should form an independent basis for denial of site plan review.

The applicant urges the Planning Board to ignore the fact that information is missing. The applicant wants the Planning Board to vote affirmatively on site plan review without all the information and just put in a condition requiring the applicant to "work out" whatever is missing, lacking or unresolved with the various town departments after the Planning Board review concludes. The Planning Board should not so abdicate its authority. If the applicant has not yet supplied information to the Planning Board relating to each and every aspect of the review criteria, the Planning Board has the authority to hold its hearing open while it waits for the information and the authority to deny site plan review for the failure to furnish adequate information.

Additionally, Needham's bylaws require Needham Enterprises to do more than obtain site plan approval. Needham Enterprises is required to obtain a special permit. Needham Enterprises must furnish the Board with adequate, credible information. The Planning Board must assess the credibility and completeness of the evidence and be able to make the affirmative findings that are

required under the bylaws in order to issue a special permit.

This requirement of a special permit is not prohibited by the Dover Amendment. The reason for this can be explained by looking at the case of Rogers v. Town of Norfolk, 432 Mass. 374 (2000).

Rogers stands for the proposition that bylaws which restrict the establishment of child care facilities *only when the facility is greater than a certain bulk* are NOT the same thing as bylaws which “prohibit, or require a special permit for, the use of land or structures, for the primary, accessory or incidental purpose of operating a child care facility.”

In Rogers, the town had a bylaw that was much more restrictive than Needham’s bylaws. Norfolk’s bylaw outright prohibited daycares greater than 2500 sq ft.

The Supreme Judicial Court held that this bylaw was **valid**. It did **not** hold this bylaw is unenforceable under M.G.L. c. 40A, s.3. It did **not** say the bylaw prohibiting daycares greater than 2500 sq ft would “prohibit, or require a special permit for, the use of land or structures, for the primary, accessory or incidental purpose of operating a child care facility” in contravention of M.G.L.c. 40A s.3. Instead, the Supreme Judicial Court held that Norfolk was allowed to have that bylaw.

It is true that, after it found that the bylaw was legal, the Rogers court did allow the daycare in that case to use the slightly larger building in spite of Norfolk’s bylaw. **However, that result was NOT based on a finding that the bylaw itself was invalid.** The Court allowed the plaintiff to proceed with using an *already existing building as a daycare* in that case **based on the particular facts of that case**. The court wrote:

2. We turn now to the plaintiff's claim that the provision is unreasonably restrictive as applied to her property, keeping in mind that the pertinent language of § 3, third par., seeks to strike a balance between preventing local discrimination against child care facilities and respecting legitimate municipal concerns. See Trustees of Tufts College v. Medford, supra at 757, 616 N.E.2d 433. “[T]he question of the reasonableness of a local zoning requirement, as applied to a proposed [exempt] use, will depend on the particular facts of each case. Because local zoning laws are intended to be uniformly applied, **an [applicant] will bear the burden of proving that the local requirements are unreasonable as applied to its proposed project.** The [applicant] might do so by demonstrating that compliance would substantially diminish or detract from the usefulness of a proposed structure, or impair the character of the [applicant's property], **without appreciably advancing the municipality's legitimate concerns.** Excessive cost of compliance with a requirement imposed [by the zoning ordinance] **without significant gain in terms of municipal concerns**, might also qualify as unreasonable regulation of an [exempt] use.” Id. at 759-760, 616 N.E.2d 433. In addition, in determining the reasonableness of a zoning provision, we may inquire whether “the requirement[] sought to be applied take[s] into account the special characteristics of [the exempt] use.” Id. at 758-759 n. 6, 616 N.E.2d 433. A practical examination of this case leads to the conclusion that the provision is unreasonable as applied to the plaintiff's property. Rogers, 432

Mass. at 383-384.

Norfolk's bylaw was intended to protect the character of residential neighborhoods, a legitimate municipal interest. However, the plaintiff in that case was using an existing residential structure that conformed to all other bylaws and was in the style and character of the residences in the area. The lot was spacious, the building was screened, and no neighbor was too close. The property had unique characteristics that made it ideal for child care use. Altering the building to be less than 2500 square feet would have made it structurally unsound and it would not have furthered any legitimate interest – the existing building did not affect the aesthetic appearance of the neighborhood in the way the bylaw was intended to discourage.

In this case, Needham Enterprises **does not** (1) make any assertion that the local requirement of Major Project special permit is unreasonable **as applied to its proposed project** and (2) it does not provide any evidence to meet its burden of proof in order to justify a board not following established zoning bylaws.

Needham Enterprises proposes to build an entirely new building. Major Project special permit requirements seek to protect a whole host of legitimate municipal interests which are implicated when a project is of such a large size. Because the special permit bylaw is **presumed to be valid** and **must be applied uniformly to all applicants**, the Board must use the special permit requirements in this case.

Sincerely,

Maggie and Joe Abruzese
30 Bridle Trail Rd

cc: Lee Newman
Alex Clee

From: [Maggie Abruzese](#)
To: [Planning](#); [Alexandra Clee](#); [Lee Newman](#)
Cc: ["Joe Abruzese"](#)
Subject: 1688 Central Ave - Parking Requirements for Daycares
Date: Monday, December 6, 2021 3:35:27 PM
Attachments: [Needham Parking Requirements Daycare.pdf](#)

Dear Needham Planning Board,

Attached please find a filing regarding Needham Zoning Bylaws parking requirements for daycares.

In summary, under the bylaws, the applicant is required to have 3.7 spaces for every 1,000 square feet of building. This means that the proposed new building requires 38 parking spaces and if the barn is kept for the daycare 55 parking spaces total are required.

We request that you enforce the zoning bylaws.

Sincerely,

Maggie and Joe Abruzese
30 Bridle Trail Rd

Parking Requirements of Needham Zoning Bylaws

Needham's zoning bylaws require **38 parking spaces** for the proposed new daycare building and **55 parking spaces total** for a site plan that includes the barn as a part of the child care facility.

Section 5 of the Needham Zoning Bylaws set forth parking requirements.

In section 5.1.2 of the Needham Zoning Bylaws, there is a schedule of uses and associated parking requirements. Daycares are not listed in that schedule. The bylaw states that when a use is not listed, the Building Commissioner should use the requirements for the most similar use, or the planning board should designate the required number of spots according to the ITE parking manual, 2nd edition or a different technical manual determined by the Planning Board to be equally or more applicable. (Section 5.1.2 of Needham Zoning Bylaws, attached).

Twenty four years ago, in 1997, the building commissioner asked the planning board to tell it how many parking spaces to require for the application of After School Inc. at 72 School Street. The 2nd edition of the ITE parking manual didn't have guidelines for child care centers so the board used guidelines suggested for daycares in a 1996 article from the ITE journal. (Memo to Building Department dated April 30, 1997, attached). That is the guideline that Needham Enterprises seeks to use today.

However, in giving that opinion in 1997 and telling the Building Commissioner to use that calculation for After School Inc, the Planning Board specifically stated that the guideline should only be used for that project and that it was not a universal standard. What the Planning Board recommended for After School Inc in 1997 is NOT what the bylaw requires today.

The world has changed since 1997. The ITE parking manual has been updated. It now includes parking information for daycare facilities. The zoning bylaws direct the Planning Board to use the ITE parking manual to calculate the required parking.

It is industry standard to design a site's parking supply to match the 85% peak parking rate.

ITE requires: 3.7 spots for every 1000 square feet of building. For a 10,034 square foot building, that comes out to 38 parking spaces. If the applicant keeps the barn, that means the square footage is 14,834 which works out to 55 parking spaces.

In the traffic materials, the applicant acknowledges that this is what the ITE standards require. After acknowledging this fact, the applicant goes on to disregard the standard arguing that they don't really need that many spaces because of the specific way that Mrs. Day has structured her programs in the past. (See John Gillan response to Paragraph 4 of Peer Review Engineer John Diaz, attached).

You cannot regulate this building based on the unique specifics of any one program. The Planning Board must regulate based on what the building holds. The zoning bylaws require the Board to go with the ITE standards which are **38 parking spaces** for the new building and **55 parking spaces total** if they are keeping the barn.

Sincerely,

Maggie and Joe Abruzese
30 Bridle Trail Rd
(attachments follow)

5.1.2 Required Parking

Use

1) Theater, gymnasium, auditorium or similar place of public assembly indoor or out-door with seating facilities

2) Medical, dental and related health service structures or clinics

3) Hospital

4) Nursing home or a residential care institution or facility

5) Boarding house, dormitory, fraternity

6) Retail or wholesale stores or services

7) Offices, office buildings, and banks

8) Hotel or motel

9) Restaurant

10) Laundry or Laudromat

11) Bowling alley, tennis or racquet ball court

Number of Off-Street Parking Spaces

One space per three seats of total seating capacity

One space per 200 square feet of floor area

One space for each two beds plus one space for each two employees on the largest shift, plus one space for each three seats in a place of public assembly (if available)

One space for every two beds plus one space for each two employees on the largest shift

One space per rental or sleeping unit. Any bedroom or group of two beds in a single room constitutes a sleeping unit

One space per 300 square feet of floor area

One space per 300 square feet of floor area

One space for each sleeping unit plus one space for each 200 square feet of function or conference area, plus one space for each three employees on the largest shift

One space per 3 seats plus ten spaces per take-out service station

One space per 300 square feet of floor area

Four spaces per alley or court

12) Colleges, vocational and high schools excluding boarding and office facilities which shall be computed separately in accordance with this section

One half of the design or expected enrollment

13) Research facilities, laboratories and company offices not open to the public

One space per 300 square feet of floor area. Occupancy by a single tenant of more than 50,000 square feet of floor area shall provide one space per 300 square feet floor area for the first 50,000 square feet and one space per 400 square feet of floor area in excess of 50,000 square feet

14) Warehouses, excluding retail and/or wholesale, on site sales and office space which shall be computed separately

One space per 850 square feet floor area or one space per every two warehouse employees on the largest shift, whichever is greater

15) Automotive and truck service, and related repair, including body repair

One space for employees and guests per 250 square feet of floor area

16) Automobile and truck sales and lease

One space for employees and guests per 250 square feet of floor area

17) Manufacturing or industrial establishment

One space per 400 square feet of floor area or one per two employees on the largest shift, whichever is greater

18) Indoor Athletic or Exercise Facility or Personal Fitness Service Establishment

One space for each 150 square feet or fraction thereof of gross floor area and one space for each three employees to be employed or anticipated to be employed on the largest shift. Notwithstanding the above, in circumstances where facility size is known and occupancy and parking demand will be controlled by the method of operation, the Planning Board may reduce the number of parking spaces required for a personal fitness service establishment to one parking space per employee and visitor

	present on the site at any one time during the peak usage period
19) Medical Facility, Pediatric	One (1) parking space per 290 square feet of floor area
20) Mixed uses	Sum of various uses computed separately
21) Any use permitted by this Zoning By-Law	Closest similar use as shall be determined by the Building Inspector

In the event that the Building Inspector is unable to determine if a particular use relates to any use within the table of 'Required Parking' (Section 5.1.2), the Planning Board shall recommend to the Building Inspector a reasonable number of spaces to be provided based on the expected parking needs of occupants, users, guests, or employees of the proposed business, with said recommendations based on the ITE Parking Generation Manual, 2nd Edition, or an alternative technical source determined by the Planning Board to be equally or more applicable.

For purposes of this Section, "floor area" shall mean the sum, in square feet, of all horizontal areas of all floors of a building or several buildings on the same lot measured from the exterior face of exterior walls, or for office buildings from the center line of the glass exterior windows or party wall separating two buildings.

5.1.3 Parking Plan and Design Requirements

All parking areas shall be shown on a plan prepared by a Massachusetts Registered Architect, Landscape Architect, Professional Civil Engineer and/or Land Surveyor indicating the layout of the parking area including access, setbacks, dimensions of typical spaces, location of the trees and other landscaped areas, any proposed lighting, and provisions for surface drainage. Such plan shall be reviewed by the Building Inspector prior to the issuance of a special permit or building permit and shall conform to the following design requirements.

- (a) **Parking Lot Illumination** – All parking areas which are proposed to be illuminated shall provide an illumination level of an average of one foot candle. All illumination shall be shielded so as not to shine directly onto a public or private way or onto any property in a residential district.
- (b) **Loading Requirements** – Adequate off-street loading facilities and space with unimpeded access shall be provided for all new construction and for all building additions greater than 100 square feet of floor area. Facilities shall be so sized and arranged that no trucks shall be parked on a public way while loading, unloading, or waiting to do so.



TOWN OF NEEDHAM
MASSACHUSETTS

Room 20, Town Hall
Needham, MA 02192
617-455-7526

PLANNING BOARD

Memo

TO: Armand Lavigne - Building Department

FROM: Planning Department

DATE: April 30, 1997 *W*

SUBJECT: After School Inc. / Required Parking
Property Located at 72 School Street

The Planning Board is in receipt of your memo dated April 16, 1997, and considered your request for a recommendation relative to the number of parking spaces that should be required for the above-named use. Following review of an article appearing in the ITE Journal of July 1994 entitled "Parking and Trip Generation Characteristics for Day-Care Facilities" (copy enclosed), the Board, at its meeting of April 29, 1997, voted to recommend the following standard based on either the number of students or the size of the facility.

If the projected maximum enrollment is known, use the following. For enrollments with 45 or fewer children, require one parking space for every five students, plus employee parking. For enrollments greater than 45, require eight parking spaces plus one space for every 40 students plus, employee parking. Employee parking can be defined as the maximum number of staff on duty at any one time. Fractional spaces should be rounded up to the next whole number.

If the proposed facility size is known and enrollment has not been finalized, use the following. If the day-care center is 2,500 square feet or less, require one parking space for every 300 square feet, plus employee parking. If the center is greater than 2,500 square feet, require eight spaces plus one space for every 5,000 square feet of space, plus employee parking. When using the square footage criteria, the maximum enrollment permitted should be established using the Figure 1 contained in the attached ITE study. This will prevent a parking overflow as our local ordinance does not otherwise set an upper limit on enrollment. The equations in Figure 1 should be used by entering the number of parking spaces determined as a function of the facility size calculation and then solving for enrollment.

Please note that this standard is only to be applied to the above-named project. Further study is required before a universal standard can be recommended due to regional bias contained within the ITE study results.

cc: Tony Del Gaizo

JAN 16 1996

TOWN OF NEEDHAM
BUILDING DEPT.

Parking and Trip Generation Characteristics for Day-Care Facilities

95 JAN 16 PM 5:17

PLANNING OFFICE
PUBLIC WORKS DEPARTMENT
TOWN OF NEEDHAM

BY JOHN W. VAN WINKLE AND S. COLIN KINTON

With the steady rise in the number of women in the work force, there has been a corresponding increase in the need for children's day-care services. As part of the licensing process for day-care centers, most local governments are required to evaluate proposed day-care facilities for parking needs.

While many commercial day-care facilities are being located in commercially zoned areas, there has been a growing trend for the establishment of day-care facilities in single-family homes in residential neighborhoods. For this reason, it is very important that proper guidelines be provided by the governmental agencies to ensure that adequate on-site parking is provided for centers in both commercial and residential settings. If this is done, traffic impacts for the surrounding properties and street network can be kept to a minimum.

Because of the limited amount of data available, the Technical Activities Committee of the Tennessee Section of the Institute of Transportation Engineers initiated this study to evaluate the parking demand and trip generation characteristics for day-care facilities. This article summarizes the results of this study effort and proposes recom-

mendations for day-care centers based on these findings.

Study Methodology

The committee established a database by conducting a total of 29 field studies of day-care facilities in the cities of Chattanooga and Nashville in Tennessee. Care was taken to study locations with a varying number of students (ranging from a daily enrollment of 17 to 144 children) in order to get a good cross section of examples.

Before the field studies were made, the directors of the day-care centers were contacted to obtain permission to conduct the study and to gather the necessary statistical information. The data obtained during the interview included the current enrollment, the staffing levels, the square footage of the building and the number of parking spaces available. Peak-hour manual counts were made for each facility during the normal peak hours (7-9 a.m. and 4-6 p.m.) in one-minute intervals. For each minute of the study, the field investigator recorded the following data:

- The number of cars parked in the lot.
- The number of vehicles entering and exiting.
- The number of children dropped off or picked up.

Studies were made on Tuesdays through Thursdays so as to avoid the traffic variations that typically occur on Mondays and Fridays. Because of the nature of the trip arrival characteristics, it was found that a single person was

able to gather the necessary data with no difficulty. Because of the nature of trip generation of day-care facilities, separate traffic counts were not made for the adjacent roadway. It was assumed that the peak hours of the generator and adjacent street traffic were the same.

Data Analysis

The primary purpose of this study was to determine the parking demand for day-care centers so that parking requirements could be established for use in the governmental review process.

Although parking was the the primary consideration, the field study procedures were designed to allow the researchers to also investigate the peak-hour trip generation characteristics of the study sites. As a result, trip rates were calculated using several independent variables and compared with existing data.

Parking Generation. Parking requirements were analyzed based on the number of employees during the peak hours, the enrollment, the square footage of the facility and the maximum number of parked vehicles during the peak hours. Table 1 summarizes the peak-hour parking data.

The maximum number of parked vehicles generated by the students was determined to be the total number of vehicles parked minus the number of staff vehicles parked during the peak hours. This value was plotted vs. the enrollment and the square footage of

Conversion Factors		
To convert from	to	multiply by
sq ft	m ²	0.0929

Table 1. Parking Analysis Data of Day Care Centers

Site No.	No. Students	Area Sq. Ft.	AM Peak			PM Peak		
			Staff	Max Veh.	Student Max Veh.	Staff	Max Veh.	Student Max Veh.
1C	17	1,080	3	3	0	3	5	2
2C	37	2,640	4	6	2	5	8	3
3C	50	5,000	9	13	4	6	12	6
4C	144	15,000	10	17	7	10	21	11
5C	88	5,184	8	14	6	8	17	9
6C	53	5,184	7	10	3	6	12	6
7C	57	5,332	5	7	2	5	11	6
8C	55	6,041	8	10	2	8	15	7
9C	80	5,041	9	14	5	9	14	5
10C	92	4,880	10	13	3	10	17	7
11C	29	3,500	5	10	5	5	10	5
12C	48	5,073	2	6	4	2	6	4
13C	32	2,040	2	5	3	2	7	5
14C	62	3,204	6	8	2	3	7	4
15C	22	2,400	2	6	4	2	9	7
16C	65	5,400	13	19	6	9	20	11
17N	127	5,160	11	17	6	11	15	4
2N	72	NA	5	9	4	5	14	8
3N	63	4,477	7	13	6	6	15	9
4N	55	5,216	6	11	5	6	15	9
5N	65	4,320	6	11	5	5	9	4
6N	90	4,400	8	12	4	7	12	5
7N	26	2,333	3	6	2	3	6	3
8N	63	1,875	3	7	4	3	7	4
9N	78	7,800	18	22	4	16	22	6
10N	42	2,450	4	6	2	4	9	5
11N	46	5,400	6	9	3	6	14	8
12N	92	5,780	4	10	6	7	16	9
13N	84	4,150	8	14	6	9	14	5

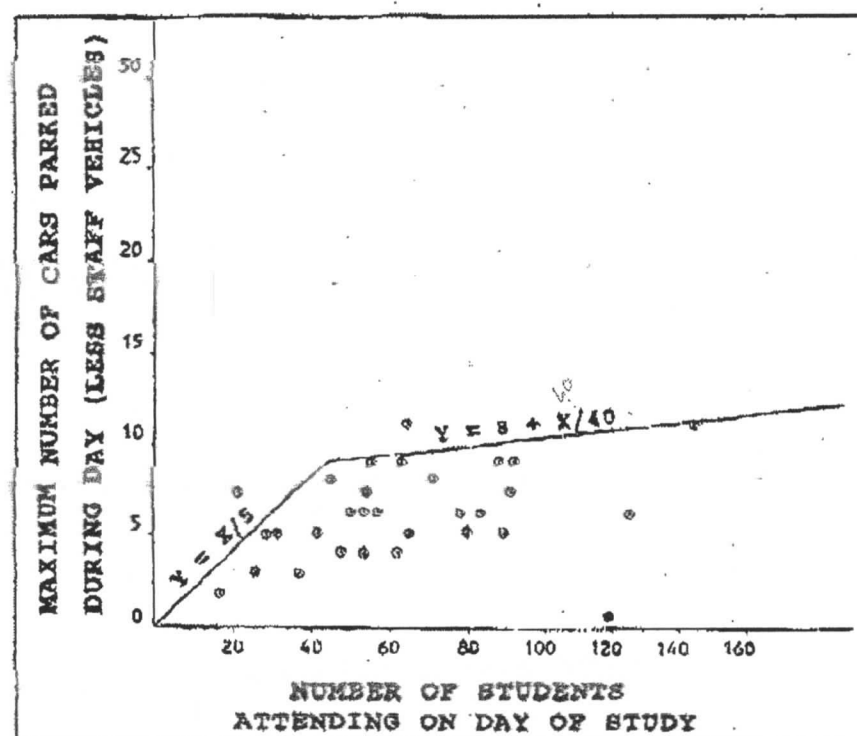


Figure 1. Day-care center parking generation based on enrollment.

each facility (see Figures 1 and 2). It was assumed that the vehicles that did not move during the two-hour study period were staff vehicles. It also should be noted that staff vehicles did not necessarily coordinate with the number of staff employed or working on the day of the study because of various factors, such as split shifts, part-time employees or employees who shared a ride or used transit.

Because it was desired to establish a conservative parking requirement, regression analysis was not used to create a curve with the "best fit," that is, an average condition. Instead, straight-line curves were fitted to each of the data plots such that nearly all the data points fell under the envelope created. The break points in the curves were established by matching the natural break in the data plots. The breaks were created so as to not penalize the larger facilities with an unrealistically high parking requirement.

Trip Generation. Trip rates were calculated for the 29 study locations using three standard independent variables:

the number of employees, the enrollment and the square footage of the facility. A summary of the trip generation data is shown in Table 2.

The calculated trip rates, the minimum and maximum trip rates and the standard deviations of the trip rates are shown in Table 3. For comparative purposes, the trip rates as published in ITE's *Trip Generation*, 3th ed.,¹ informational report also are listed.

As can be seen in Table 3, the study's trip rates compare favorably with the ITE values, though they are somewhat lower. These differences could be due to a number of contributing factors. The *Trip Generation* statistics for this land use indicate that the statistics in the report were conducted during the mid-1980s at day-care centers along the East Coast. Possible changes in trends in day-care center operations since then, as well as region-

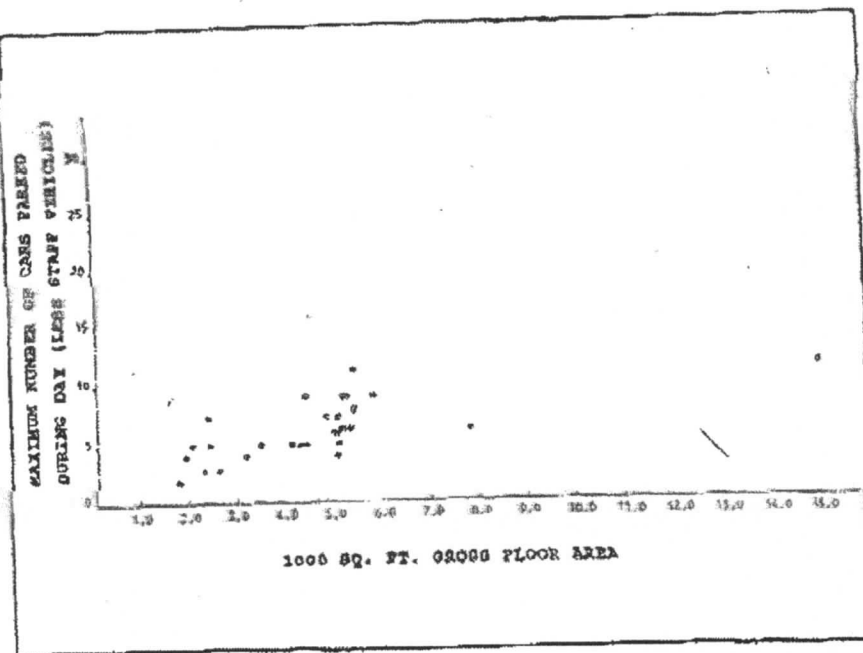


Figure 2. Day-care center parking generation based on square footage.

Table 2. Trip Generation Data of Day Care Centers

Site No.	No. Staff	No. Students	Area Sq. Ft.	AM Peak			PM Peak		
				In	Out	Total	In	Out	Total
1C	4	17	1,080	9	8	17	6	7	13
2C	7	37	2,640	16	12	28	12	16	28
3C	9	50	5,000	23	17	40	16	21	37
4C	10	144	15,000	31	32	63	27	29	56
5C	16	88	5,184	22	16	38	18	24	42
6C	10	53	5,184	24	19	43	18	23	41
7C	15	57	5,332	17	14	31	15	19	34
8C	8	55	5,041	17	13	30	14	17	31
9C	9	80	5,041	22	14	36	18	25	43
10C	10	92	4,880	17	14	31	24	22	46
11C	5	29	3,500	16	15	31	16	20	36
12C	10	48	5,073	20	18	38	17	15	32
13C	7	32	2,040	11	11	22	13	11	24
14C	7	62	3,204	15	13	28	20	24	44
15C	5	22	2,400	8	9	17	6	10	16
16C	13	65	5,400	28	18	46	28	38	66
1N	16	127	5,180	33	33	66	29	36	65
2N	8	72	NA	21	19	40	22	27	49
3N	13	63	4,477	31	28	59	22	29	51
4N	6	55	5,216	33	30	63	23	28	51
5N	6	65	4,320	24	23	47	13	18	31
6N	9	90	4,400	33	25	61	23	31	54
7N	3	26	2,333	11	10	21	10	23	33
8N	4	53	1,876	22	20	42	18	18	36
9N	34	78	7,800	24	16	40	23	24	47
10N	8	42	2,450	15	15	30	21	27	48
11N	10	46	5,400	23	22	45	18	16	34
12N	16	92	5,780	26	24	50	26	26	52
13N	15	84	4,180	29	29	58	23	29	52
Average	10.1	62.9	4,620.7	21.4	18.6	40.0	18.6	22.5	41.1

Table 3. Trip Generation Rates of Day Care Centers

Time Period	Average Trip Rate	Range of Trip Rates	Standard Deviation of Rates	Number of Studies	Average Size of Ind. Vol./Study
Trips/Employee					
AM In	2.48	0.71-5.50	1.12	29	
Out	2.79	0.47-5.00	1.07	29	
Total	4.57	1.18-10.50	2.17	29	10.1
ITE Total	5.75	2.06-12.29	3.16	24	9
PM In	2.13	0.63-4.50	0.85	29	
Out	2.66	0.71-7.67	1.36	29	
Total	4.79	1.36-11.00	2.12	29	10.1
ITE Total	5.60	1.12-12.29	3.42	24	9
Trips/Student					
AM In	0.37	0.18-0.60	0.11	29	
Out	0.33	0.15-0.55	0.10	29	
Total	0.70	0.33-1.15	0.20	29	62.9
ITE Total	0.83	0.39-1.72	0.94	35	73
PM In	0.32	0.19-0.55	0.09	29	
Out	0.40	0.20-0.88	0.15	29	
Total	0.72	0.39-1.26	0.22	29	62.9
ITE Total	0.80	0.39-1.72	0.93	35	73
Trips/1,000 GSF					
AM In	6.20	2.07-11.70		28	
Out	0.33	2.05-10.64		28	
Total	9.76	5.13-22.34	3.83	28	4,621
ITE Total	14.29	4.43-21.57	8.48	30	3,000
PM In	4.51	1.39-9.57		28	
Out	5.28	1.92-11.02		28	
Total	9.89	3.73-19.59	3.70	28	4,621
ITE Total	16.27	6.43-39.17	8.41	30	3,000

al differences could account for the variances in the trip rates.

For example, while the Trip Generation figures showed an average square footage of 3,000 gross square feet (sq ft) with an average enrollment of 73 students, the Tennessee figures were 4,600 gross sq ft and 69 students. This represents an average density of 41 sq ft/student vs. 73 sq ft/student, respectively, or a difference of 44 percent.

Recommendations

Using the data plotted in Figures 1 and 2 the following parking requirements are recommended based on either the number of students or the size of the facility:

■ If the projected maximum enrollment is known, use Figure 1. For enrollments with 45 or fewer children, require one parking space for every two students, plus employee parking. For enrollments

greater than 45, require eight spaces plus one space for every 45 students, plus employee parking. Employee parking can be defined as the maximum number of staff on duty at any one time. Fractional spaces should be rounded up to the next whole space.

■ If the proposed facility size is known and enrollment has not been finalized, use Figure 2. If the day-care center is 2,500 sq ft or less, require one parking space for every 300 sq ft, plus employee parking. If the center is greater than 2,500 sq ft, require eight spaces plus one space for every 3,000 sq ft of space, plus employee parking. When using the square footage criteria, the maximum enrollment permitted should be established using Figure 1. This will prevent a parking overflow when local codes do not otherwise set an upper limit on enrollment. The equation in Figure 1 should be used by entering the number of parking spaces determined from

Figure 2 and solving for the enrollment.

The results of the trip generation analysis showed that the rates are quite comparable to the published values. However, the differences suggest that more studies should be conducted in other parts of the country to eliminate any regional bias.

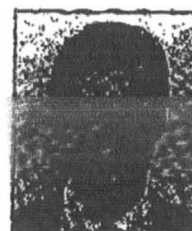
Acknowledgements

The authors would like to give special thanks to George Harper and Don Swartz of Metro Nashville for their support and assistance in the collection of the field data in the Nashville area. Also, technical assistance provided by Rick Davis, Wayne Herring, Jay Holloway and Becky Roberts is gratefully appreciated.

References

1. Institute of Transportation Engineers. Trip Generation, 5th ed. Washington, DC: Institute of Transportation Engineers, 1991.

Note: This paper received the Best Section Technical Committee Paper award at the 1993 ITE Southern District Annual Meeting.



John W. Van Winkle, P.E., is the city traffic engineer for the City of Chattanooga, Tenn. He received his B.S. and M.S. degrees in civil engineering from the University of Tennessee, Knoxville. He is a registered professional engineer in Tennessee. Mr. Winkle is a Member of the Institute.



S. Colton Kinton, E.I.T., is the traffic operations engineer for the City of Chattanooga, Tenn. He received his B.S. in civil engineering from the University of Tennessee, Knoxville, in 1990 and is currently pursuing his master's degree at the University of Tennessee, Chattanooga. Kinton is an Associate Member of the Institute.



Gillon Associates

Traffic & Parking Specialists

111 River Street
Weymouth, MA 02191-2104
Telephone: (781) 589-7339
e-mail: jt.gillon@comcast.net

TECHNICAL MEMORANDUM

To: John Glossa, P.E., Glossa Engineering
Date: August 21, 2021
From: John T. Gillon, P.E.
Re: New Day Care Facility at 1688 Central Avenue Response

At your request, I hereby certify the attached document constitutes my response to the latest GPI, Peer Review Comments.



Sincerely,
GILLON ASSOCIATES

John T. Gillon

July 15, 2021

NEX-2021238.00

Town of Needham Planning Board
Town Hall
1471 Highland Avenue
Needham, MA 02492

SUBJECT: 1688 Central Avenue
Proposed Child Care Facility – Peer Review

Dear Ms. Newman:

The Town of Needham has retained Greenman-Pedersen, Inc. (GPI) to perform an independent review of the proposed Child Care Facility to be located at 1688 Central Avenue in Needham, MA. The following items have been reviewed:

- Traffic Impact Assessment prepared by Gillon Associates March 2021
- Traffic Impact Assessment prepared by Gillon Associates Revised March 2021
- Traffic Memo prepared by Gillon Associates dated April 5, 2021
- Traffic Impact Assessment prepared by Gillon Associated Revised June 2021
- Fire Department Comments from March 29, 2021
- Engineering Department Comments from March 31, 2021
- Fire Department Comments from April 27, 2021
- Public Health Comments from April 27, 2021
- Design Review Board Letter dated May 14, 2021
- Police Comments dated May 6, 2021
- Engineering Department Comments dated May 12, 2021
- Design Review Board Letter dated May 22, 2021
- Site Plans dated June 22, 2020
- Site Plans Revised April 15, 2021
- Site Plans revised June 2, 2021
- Submission letter from Attorney Evans Huber dated March 12, 2021
- Various public comments provided to GPI by the Town

The above materials have been reviewed against typical engineering practices, standards, and industry guidelines. In general, it appears the traffic volumes along Central Avenue have been adequately projected to 2021 conditions, in accordance with MassDOT's recommendations on traffic projections for projects undertaken during Covid 19. In addition, based on the anticipated trip generation, it appears that the impacts of the site operation will have minimal impacts on traffic along Central Avenue. However, there are several comments noted below, particularly related to the site operations and site circulation that need further evaluation, prior to providing a definitive final assessment.

Traffic Impact Assessments (TIA)

1. The March 2021 TIA has been developed for a 9,941 square foot Child Care facility and proposed 24 parking spaces.

R-1 This has been revised based on a building size of 10,034 SF and 30 Parking Spaces

2. The study states that the site could accommodate between 80-100 students although 120 children appears to be allowed. The submission letter from Attorney Evans Huber date March 12, 2021 indicates

the site is to accommodate 100 students. If the intent is to eventually grow to 120 students, the traffic and parking analysis should be based on 120 students. Also, the TIA does not mention number of staff, although the attorney's letter indicates 13 staff. Please clarify the maximum number of students and staff in the TIA, as this impacts the parking requirements based on Town calculations of 8 parking spaces are required, plus one (1) for each 40 students, plus 1 space per staff.

R-2 The program is intended to accommodate a maximum number of 115 children. The projected total maximum staff will be 16 Staff and 2 administrators on peak days (Tuesday-Thursday); 15 Staff and 2 administrators on Mondays; and 13 Staff and 2 Administrators on Fridays . According to the Town formula referenced above, the maximum parking demand will be 29 spaces. Staff will be on site before the critical arrival and departure hours to assist children between vehicles and the building. Also, arriving staff and any parent who wishes to park will use the separate entrance lane in order to bypass the drop-off lane. The proposed parking supply is one more space than what is required under the Town calculations.

Maximum total of 115 children is broken down as follows:

- a. 55 Infants, toddlers and preschoolers arriving in the morning peak drop-off period of 7:30 a.m. to 8:50 a.m.
- b. 30 children, who will not arrive until shortly before 9:00 (or later).
- c. 30 after-school kids, who arrive in the afternoon
- d. $55 + 30 + 30 = 115$

3. Based on the June 2021 Revised TIA the number of students has increased to 113; however, there is no mention if the staff is increased and the parking capacity has been increased to 30 vehicles.

R-3 See above. The projected staff has increased to a maximum of 16 FTE and 2 administrators on peak days.

4. Based on the ITE Parking Generation 4th Edition, LUC 565 Child Care Facility, a 9,966 sf facility would have an Average Parking Demand of 24 vehicles and an 85th Percentile Peak Demand of 37 vehicles.
 - a. The proponent is currently proposing 30 spaces, which more than satisfies the Average Demand established in the ITE Parking Generation and the requirements of the Town.

R-4. Please see Figure 14. The Revised Plans show 30 parking spaces are provided for a 10,034 square-foot facility. The ITE Parking Generation Report shows this building would have an average demand of 25 spaces and an 85th Percentile Peak of 37.5 vehicles. However, for the reasons discussed below, we believe this figure is far higher than the actual number of vehicles that will be arriving during the peak drop-off period.

5. The proponent discusses additional Child Care facilities in terms of evaluating number of vehicles arriving during the peak hour. Based on the Goddard School 59 out of 80 students arrived during the peak hour. However, in the two-hour window observed (7-9AM) for 80 students a total of 96 vehicles arrived on site. Assuming a portion of these vehicles were staff, the results seem to indicate that each child appears to be in a single vehicle. Therefore, the impacts of the drop-off and pick-up (queuing, time on site, etc.) cannot be fully evaluated without understanding more about the proposed drop-off and pick up schedules.

- a. Attorney Huber's March 12, 2021 letter states, "...drop off and pick up will continue to be staggered, as is NCC's current practice...", however, further information on what the current practice entails, is not provided in the TIA or in the letter.

R5a. Based on actual data from the operator as to the number of children, there will be a maximum of 55 children arriving during the peak morning drop-off period, which is from 7:30 a.m. to 8:50 a.m (80 Minutes). The next cohort of a maximum of 30 children will arrive after this peak drop-off period because their programs do not start until 9:00 or later. The remaining maximum of 30 children will not arrive until the afternoon.

In addition, the assumption that each child will arrive in a separate vehicle is significantly inconsistent with the operator's actual enrollment and experience. Years of data from the operator confirm that of the 55 children being dropped off during the peak 80-minute drop-off period, approximately 30 will be siblings, meaning that these 30 children will arrive in 15 vehicles. The other 25 children will arrive in one vehicle per child for a total of 40 parent vehicles that will arrive in that window. Lastly, the morning staff will either have arrived prior to the beginning of drop-off, or, if they arrive during the peak period, they will proceed directly to the rear parking area, will not be in the drop-off lane, and thus need not be considered in the queueing analysis.

See also R-2 and R-6.

- b. Furthermore, it would be valuable to have data from existing NCC facilities at 23 Dedham Ave and 858 Great Plain Ave in terms of number of students vs. number of vehicles, current arrival/pick up times, average time vehicles are on-site, assessment of drop off/pick up, queueing, etc. from the existing NCC sites.

R5b. Data has been compiled from these sites in order to provide the analysis of number of students/vehicles, arrival/pick up times, average time vehicles are on-site, assessment of drop off/pick up, queueing, etc. This analysis is shown in R-6. In addition, the drop off/pick up times have been observed to be 30-45 seconds each vehicle, but we used 60 seconds as requested by the peer review.

- c. Is the proposed facility to replace one or both of the existing NCC facilities or provide a third facility in Needham?

R5c. This location will replace the Baptist Church location that is closing.

6. Based on the March 2021 Initial TIA and on ITE Land Use Code 565 from the ITE Trip Generation Manual 10th edition a 9,941 sf Child Care Facility is expected to generate:
 - a. 109 Weekday Morning Peak Hour Trips with
 - i. 58 vehicles entering the site and
 - ii. 51 vehicles exiting the site
 - b. 111 Weekday Evening Peak Hour Trips with
 - i. 52 vehicles entering the site and
 - ii. 59 vehicles exiting the site

The March 2021 TIA appendix includes the ITE trip generation calculations, indicating 109 morning peak hour trips. The analysis then further uses data based on proponent's schedule to project 104 morning peak hour trips. However, the schedule does not mention timing on employees' arrivals

The revised March 2021 TIA proposes the same square footage facility but reduces the Morning Peak Hour Trips from 104 vehicles to 76 new morning peak hour trips with 40 vehicles entering and 36 vehicles exiting. There is no explanation provided in the TIA as to why the rates have lowered.

The April 5, 2021 Traffic Memo indicates 97 students at the site and the June 2021 Revised TIA appears to increase the square footage of the facility to 9,966 sf and the student population to 113 students. Based on the increased square footage the trip generation based on ITE LUC 565 results in:

- a. 110 Weekday Morning Peak Hour Trips with
 - iii. 58 vehicles entering the site and
 - iv. 52 vehicles exiting the site
- b. 111 Weekday Evening Peak Hour Trips with
 - v. 52 vehicles entering the site and
 - vi. 59 vehicles exiting the site

The proponent should clearly indicate the square footage of the facility, the maximum number of students and the maximum number of staff and utilize the more conservative appropriate ITE LUC calculations based on square footage to determine site traffic.

R6. As noted above, the maximum number of students will be 115, and the square footage of the building will be 10,034 square feet.

Our analysis of peak period arrivals, queueing, and site capacity is based on the Poisson distribution of random arrivals. Several scenarios were considered. The scenario considered most appropriate is based on actual data from the operator as to the number of children (max 55) that will be arriving during the peak morning drop-off period, which is from 7:30 a.m. to 8:50 a.m. Another group of children (max 30) will arrive after this peak drop-off period because their programs do not start until 9:00 or later. The remaining children using the facility are after-school children (max 30) who will not arrive until the afternoon. In addition, years of data from the operator confirm that of the 55 children being dropped off during the peak 80-minute drop-off period, approximately 30 will be siblings, meaning that these 30 children will arrive in 15 vehicles. The other 25 children will arrive in one vehicle per child. Lastly, the morning staff will either have arrived prior to the beginning of drop-off, or, if they arrive during the peak period, they will proceed directly to the rear parking area, will not be in the drop-off lane, and thus need not be considered in the queueing analysis.

The analysis thus used the following assumptions:

- a. Random arrivals during the peak drop-off period (per GPI)
- b. Drop-off period is 80 minutes (per operator's schedule)
- c. 40 parent vehicles arriving during this period (per operator historical data)
- d. 60-second drop-off window (per GPI)

This evaluation (see figure 13 of the revised TIA) concludes that with these assumptions, there will never be more than 7 vehicles in the drop-off lane. Furthermore, even with considerably more conservative assumption requested by GPI as to the number of vehicles (58) arriving during the drop-off window (see figure 8 of the Revised TIA), there will never be a back-up onto Central Ave because (1) the site has 30 parking spaces; (2) the drop-off lane can accommodate 10 vehicles; and (3) the lane accessing the rear parking areas, which is 390 feet long, can accommodate as many as an additional 19 vehicles. It is important to remember that the figure of 58 vehicles exceeds the actual number of children that will be arriving during this window, even if every child, including all siblings in the program, arrived in a separate vehicle. Also, at GPI's request, the driveway itself has been widened to formalize the separate inbound stacking or queue lane. In addition, the turn-around area has been modified at GPI's request to improve safety and circulation.

7. The March 2021 TIA does not cite the date of traffic counts on Central Avenue. The revised March 2021 TIA cites traffic counts from February 4th; however, no year is provided. It is assumed that these were counts from 2021. Please confirm.

R7. Confirmed

8. Due to Covid 19, traffic levels from 2020 and 2021 have generally decreased and while slowly increasing are generally still below pre-2020 levels. Based on MassDOT guidelines for traffic studies, the standard practice has been to use pre-2020 traffic data where possible and factor to current conditions based on historic growth rates. Based on the revised March 2021 TIA, the proponent has done this and has utilized 2016 traffic data provided by the town along Central Ave in the vicinity of the site and factored volumes by 1.6% annual to 2021 conditions. However, the proponent does not cite how the 1.6% growth rate was selected. Please provide a source for the assumed growth rate.

R-8 This figure was expanded from a combination of turning movement counts and a one-time automatic recorder count. At the July 23rd meeting with the Peer Reviewer, it was decided to include the Central Avenue / Charles River Street intersection for the evening peak hour, since counts were available, and grow all volumes by the more regional normal Growth Factor of one percent per year for all years since the count was obtained.

9. The March 2021 TIA indicates that trip distribution reflects the existing Central Avenue directional distribution (70% NB/30% SB). The entering traffic is therefore distributed for 70% of the traffic to enter from the south (Right Turn in) and 30% of the traffic to enter from the north (Left Turn in). However, the exiting traffic assigns 70% of the traffic to right turns (continuing north) and only 30% turning left (continuing south). This would indicate that all the drop off trips are acting similar to “pass-by trips” and dropping off students on the way to another destination. If the trips are new trips, the vehicles would be returning from the direction they originated from.

Therefore, the left turn volume out of the site could be higher than projected. Left turn movements across two lanes of traffic generally require larger gaps and longer wait times than right turns, so a higher percentage of left turning traffic leaving the site could impact queueing on site.

The proponent should provide further data (ITE Pass-By rates, or data based on current/proposed operations) to support the exiting distribution.

R-9 The original Directional Distribution was based on projections along with current and historical data of the NCC existing facility. Based on the Peer Review meeting of July 23rd, we observed the existing directional distribution of the Gan Aliyah Pre-School at Temple Aliyah as shown on Figure 9 of the Revised TIA.

10. The level of service sheets provided are for the proposed Morning and Evening Peak Hours based on 2021 traffic volumes. An analysis of Build Conditions when the site is constructed and operational should also be provided. Industry standards is for a 7 year build out period. Please provide analysis of 2028 conditions with the site fully operational and appropriate traffic increases along Central Avenue.

Please provide a summary table comparing the 2021 Existing Conditions, 2028 No-Build Conditions and the 2028 Build conditions, including Delays, Queues, and V/C ratios by lane.

R-10 The Levels of Service Delay, and average and maximum queue lengths for Existing (2021), Baseline (2028), and Projected or Build Conditions by lane are provided on Figure 12 of the Revised TIA.

11. The TIA discusses Minimum Safe Stopping Sight Distance (MSSD) and Stopping Sight Distance at a Driveway and indicates correctly that "... if the available sight distance for an entering or crossing vehicle is at least equal to the appropriate stopping sight distance for the major road, then drivers have sufficient sight distance to anticipate and avoid collisions." AASHTO also discusses Intersection Sight Distance, which is a recommended distance that allows a vehicle to enter the roadway and an approaching vehicle to adjust speed, but not have to stop. (See attached for explanation of various sight distance criteria) The proponent should indicate what the Intersection Sight distance existing at the driveway is.

R-11 The Intersection Sight Distance is computed as follows and is now included within the Revised TIA.

$$ISD = 1.47 V_{Major} t_g$$

Where: V = roadway design speed or 85th percentile, and t_g = time gap for driveway maneuver

t_g = 7.5 seconds for Left Turn from Stop, t_g = 6.5 seconds for Right Turn from Stop,

Therefore, the Left-Turn ISD = 1.47 (39) (7.5) = 430 feet.

Similarly, the Right-Turn ISD = 1.47 (37) (6.5) = 354 feet.

Roadway is fairly flat and straight and Intersection Sight Distance is provided

12. The Revised June 2021 TIA discusses the traffic signal operations at the intersection of Central Avenue and Charles River Road and mentions the optimal traffic signal length of sixty (60) seconds. The proponent should clarify the following:
- What are the current signal operations (cycle lengths, phase times, time of day operations) and explain if that differs from the optimal 60 seconds mentioned?
 - The proponent should provide LOS calculations for the signal based on existing conditions, and optimized timings.
 - If timing changes are required at the signal, the proponent should commit to implementing those changes.
 - We would recommend the proponent provide an analysis of the signalized intersection of Central Avenue at Charles River Road under the following scenarios.
 - 2021 existing morning and evening peak hours (adjusted volumes based on Covid 19) without the site present
 - 2028 morning and evening peak hours without the site (Future No-Build)
 - 2028 morning and evening peak hours with the Site – No mitigation (Future Build)
 - 2028 morning and evening peak hour with the site and any signal timing modifications (Future Build with Mitigation)

R-12 The original optimal cycle length at the Central Avenue / Charles River Street intersection was presumed based on the "Trafficware-Synchro" assessment of the old traffic counts allowed to run free at the optimal cycle length and splits. Since the existing traffic signal timing was obtained by GPI, we have re-run the analysis for the evening peak hour, where we had counts, for the various scenarios mentioned above as shown in the Revised TIA.

13. The Revised June 2021 TIA discusses queuing of morning arrivals and uses 40 vehicle drop offs based on the proponents proposed schedule. However, the number of peak hour trips has been reduced. ITE rates indicate that close to 60 vehicles could arrive during the morning peak hour. Furthermore, there is no discussion about afternoon pick-ups, where parents generally arrive and wait for students, as opposed to the quicker morning drop offs.

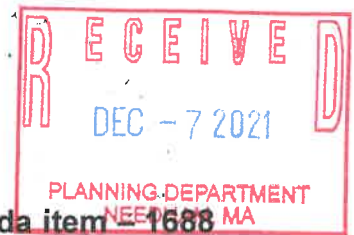
R-13 The critical morning peak hour queue was evaluated in depth based on the operator's data showing random arrivals of the child care program operator. See R-6, above. This assessment along with the assessment suggested by the Peer Reviewer is also discussed in the Revised TIA and is presented on Figures 13 and 14 of the Revised TIA. In addition, a separate lane has been added to allow for greater capacity than was shown in prior iterations.

With respect to the afternoon pick up schedule, the operator has provided the following information:

1. There are a total of 20 children (max) in the nursery school group whose program ends at either noon or 2:30. There are 10 (max) pre-school children whose day ends at 3:00. These 30 children will all be gone by 3:15 or earlier.
2. Of the remaining 85 (max) children, the same ratio of siblings as discussed above in R-6 for morning drop-off applies. In other words, out of 85 children, approximately 46 will be siblings, requiring 23 vehicles. The other 39 children will be picked up in one vehicle per child, for a total of an expected 62 vehicles picking up 85 children.
3. The pick-up window for these 85 children (62 vehicles) is from 3:30 to 6:00. Parent pick-ups are spaced relatively evenly throughout this 2.5 hour window; some children are picked up at the early end of this window because of their young age; some are picked up earlier or in the middle of the window because they have after-school activities such as sports, music lessons, etc.; some stay until close to the end of the day.

Given this volume of vehicles and the length of the pick-up window (2.5 hours), the number of cars that can be expected to arrive at any one time is very similar to the analysis discussed in R-6, above. Maximum queueing in the afternoon will be no greater than, and probably less than, maximum queueing in the morning peak drop-off period.

Thank you for the opportunity to provide this additional information.



NEEDHAM PLANNING BOARD: MEETING for Dec 8, 2021: agenda item 1688
CENTRAL AVE, Needham Enterprises LLC

For Jeanne McKnight, Board Chairperson; Paul S. Alpert, Board Vice-Chairperson; Board Members: Adam Block, Natasha Espada, Martin Jacobs, and attention Lois Newman, Administrative Director

RESIDENT TESTIMONY from a near neighbor (19 Pine St, at junction of Central Ave entry triangle):

I speak as a 38+ year Needham citizen, residing at this address for 35+ years. I speak as a full time and part time working mother who relied on toddler-kindergarten child care for 3 years. I speak as a concerned neighborhood "good citizen", participating in local civics to the best of my ability, and as a prior elected town official (Commissioner of Trust Funds 2008-2011). I speak as a partly retired homeowner, planning to age in place until incapacitated. I speak as a person who loves the Town of Needham, and who moved from our prior Needham address on Webster St, choosing to pay more, to live in the one- acre residentially-zoned section of Needham, for its lower noise level. As a physician with a very stressful career, my home "sanctuary" was my sanity.

So, how on earth is a for-profit corporation allowed to purchase acreage in ONE ACRE RESIDENTIAL ZONING, but NOT for the purpose of developing additional one acre residentially-zoned neighborhood homes?

Does anyone seriously believe that a venture capital corporation will optimize their profits from fronting a day care center, for the purposes of imposing a large commercial use building in the middle of a residentially-zoned neighborhood?.....is this their "loss leader" for reduction of corporate taxes? Why on earth is this being "allowed"????

So, does the day care center hold a 100 year capital lease? Nothing prevents a venture capital corporation (who would override neighborhood concerns, and zoning INTENT, to impose a large building on a residentially-zoned neighborhood).... from failing to renew the day care center's lease, or from raising their rent ("out-pricing them")....and moving more/other commercial business offices into their now existing large corporate commercial building, with 30 parking spaces.

As neighbors seeking peace of mind from stressful careers, in our dearly earned expensive home settings, we **IMPLORE YOU**, our community elected Planning Board members, NOT to approve this project. We implore you to recognize that 1688 Central is **the WRONG SITE for this venture.**

Respectfully, Pat Falcao, MD, MPH, MBA
(Tel: 781-444-5425, & email: patfalcaomd@gmail.com)

This draft Agenda is for Planning Board Usage Only

**NEEDHAM
ZONING BOARD OF APPEALS
AGENDA**

MONDAY, December 16, 2021 - 7:30PM

Zoom Meeting ID Number: 869-6475-7241

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

AGENDA

Minutes Review and approve Minutes from November 18, 2021 meeting.

Case #1 – 7:30PM **646 Webster Street** - Silva Development, LLC, applicant, has applied for a Special Permit under Sections 1.4.7.4, 3.5.2 and any other applicable Sections of the By-Law to allow the demolition, extension, alteration, enlargement and reconstruction of the lawful, pre-existing, non-conforming two-family dwelling and garage located at 646 Webster Street and replacing it with a new two-family dwelling with two new single-car detached garages. The property is located at 646 Webster Street, Needham, MA in the Single Residence B (SRB) District.

Case #2 – 7:45PM **883 Greendale Avenue** –Nicholas Tan, applicant, applied to the Board of Appeals for a Special Permit under Sections 6.1.2 and any other applicable Sections of the By-Law to allow one additional garage space. This request is associated with an addition to an existing single-family home with an attached two-car garage. The property is located at 883 Greendale Avenue, Needham, MA in the Single Residence B (SRB) District.

Next Meeting: Thursday, January 20, 2021, 7:30pm



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	Nicholas Tan		Date:	11.16.2021
Applicant Address	883 Greendale Ave, Needham MA 02492			
Phone	617-888-9666	email	nick@nt-development.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	Wei Liang			
Address	883 Greendale Ave, Needham MA 02492			
Phone	508 479 5277	email	pm1@nt-development.com	
Representative is ☐ Attorney; ☐ Contractor; ☐ Architect; ☒ Other <u>Employee</u>				
Contact ☐ Me ☒ Representative in connection with this application.				

Subject Property Information

Property Address	883 Greendale Ave, Needham MA 02492		
Map/Parcel Number	199/014.0-0012-0000.0	Zone of Property	SRB
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 (select one): ☒ Special Permit ☐ Variance ☐ Comprehensive Permit ☐ Amendment ☐ Appeal Building Inspector Decision			



ZBA Application For Hearing

Existing Conditions: (garage)

Two parking spaces, single family

Statement of Relief Sought:

Request for ^{one} additional garage space, next to the existing garages.

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

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

	Existing Conditions	Proposed Conditions
Use		
# Dwelling Units	1	1
Lot Area (square feet)	14326	14326
Front Setback (feet)	24.4	24.4
Rear Setback (feet)	71.3	71.3
Left Setback (feet)	14-17	14-17
Right Setback (feet)	19	19
Frontage (feet)	80+	80+
Lot Coverage (%)	19.64	19.64
FAR (Floor area divided by the lot area)	0.359	0.359

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:

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 not the owner, a letter from the owner certifying authorization (Required)	N/A
An electronic copy of the application and all submitted materials (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 11/15/2021
date of consult

Date: 11/15/21 Applicant Signature [Signature]

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

TOWN OF NEEDHAM, MASSACHUSETTS

BUILDING INSPECTION DEPARTMENT

Building Permit No.
 Lot Area: 14,326± S.F.
 Owner:
 Book 7737, Page 382
 Zoning District: SRB
 Builder:

Assessor's Map & Parcel No: 199/014.0-0012-0000.0

At No: 883 Greendale Avenue

PROPOSED PLAN

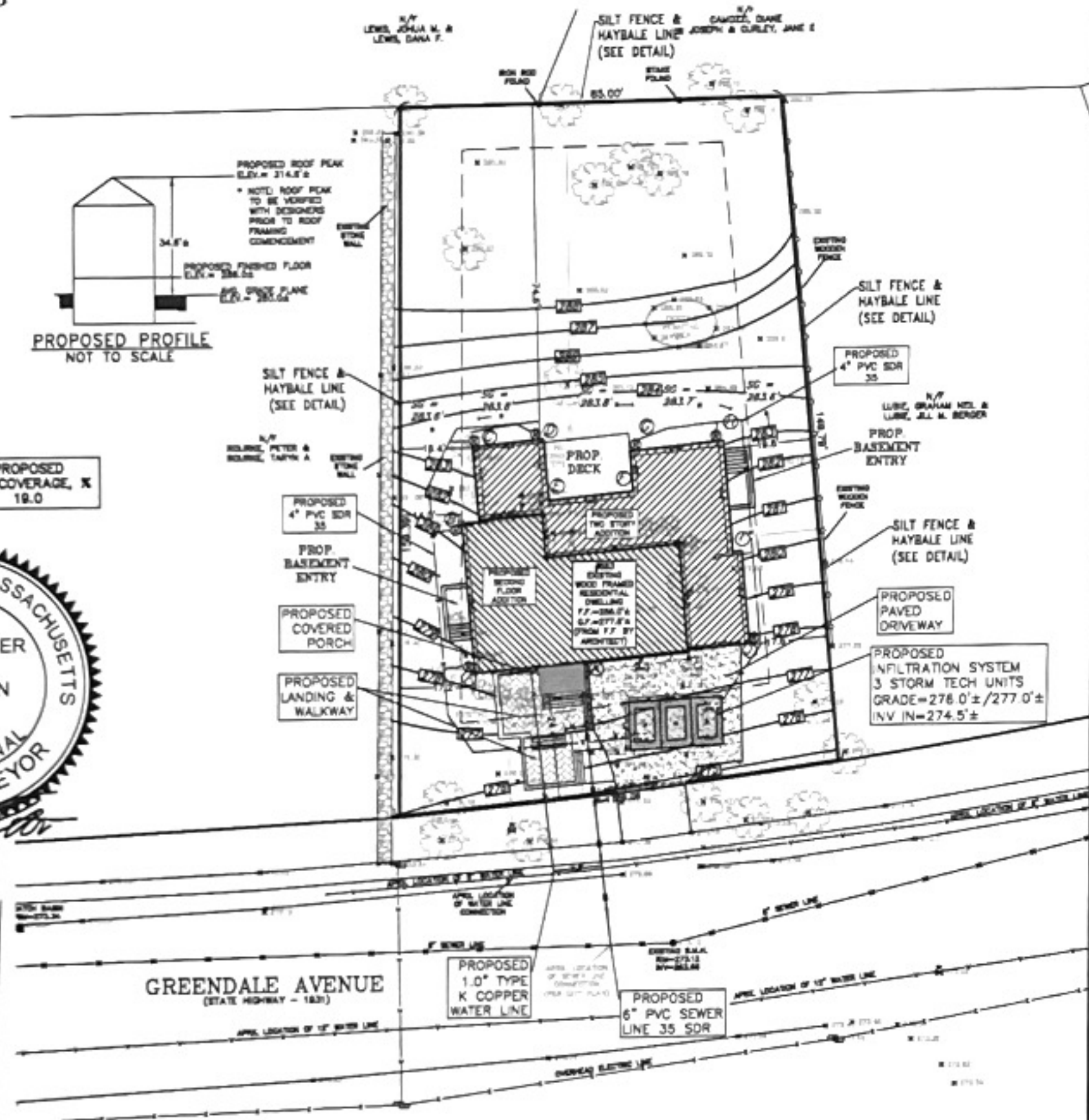
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SPOT LOCATION	EXISTING	PROPOSED
A	278.7	278.5
B	282.5	281.7
C	282.7	284
D	281.5	284.0
E	277.4	284
F	277.4	284
G		284
H		284
I		281.3
J		277.7
K		277.4
TOTAL	1680.2	2100.8
AVERAGE	280.0	281.89

EXISTING LOT COVERAGE, %	PROPOSED LOT COVERAGE, %
9.5	19.0



CONTRACTOR TO SHIRT
 BUNNET AWAY FROM
 FOUNDATION



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 street line 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 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: 23rd day of: AUGUST 2021

Name: Christopher C. Charlton

Registered Land Surveyor #: 48649

Address: 105 Beaver Street

City: Franklin State: MA Zip: 02038 Tel. No: (508) 528-2528

Director of Public Works

Date

Building Inspector

Date

EXTERIOR ELEVATIONS LEGEND

 EXTERIOR WINDOW ASSEMBLY

 5" EXTERIOR HANGAR

 BOARD SIDING WHITE

 8" EXTERIOR HANGAR BOARD

 BOARD SIDING COBBLE STONE

 DEL. 1x4 MILL WORKS (Across)

 Cedar Siding (Inside 1x4)

 BOARD SIDING COBBLE STONE

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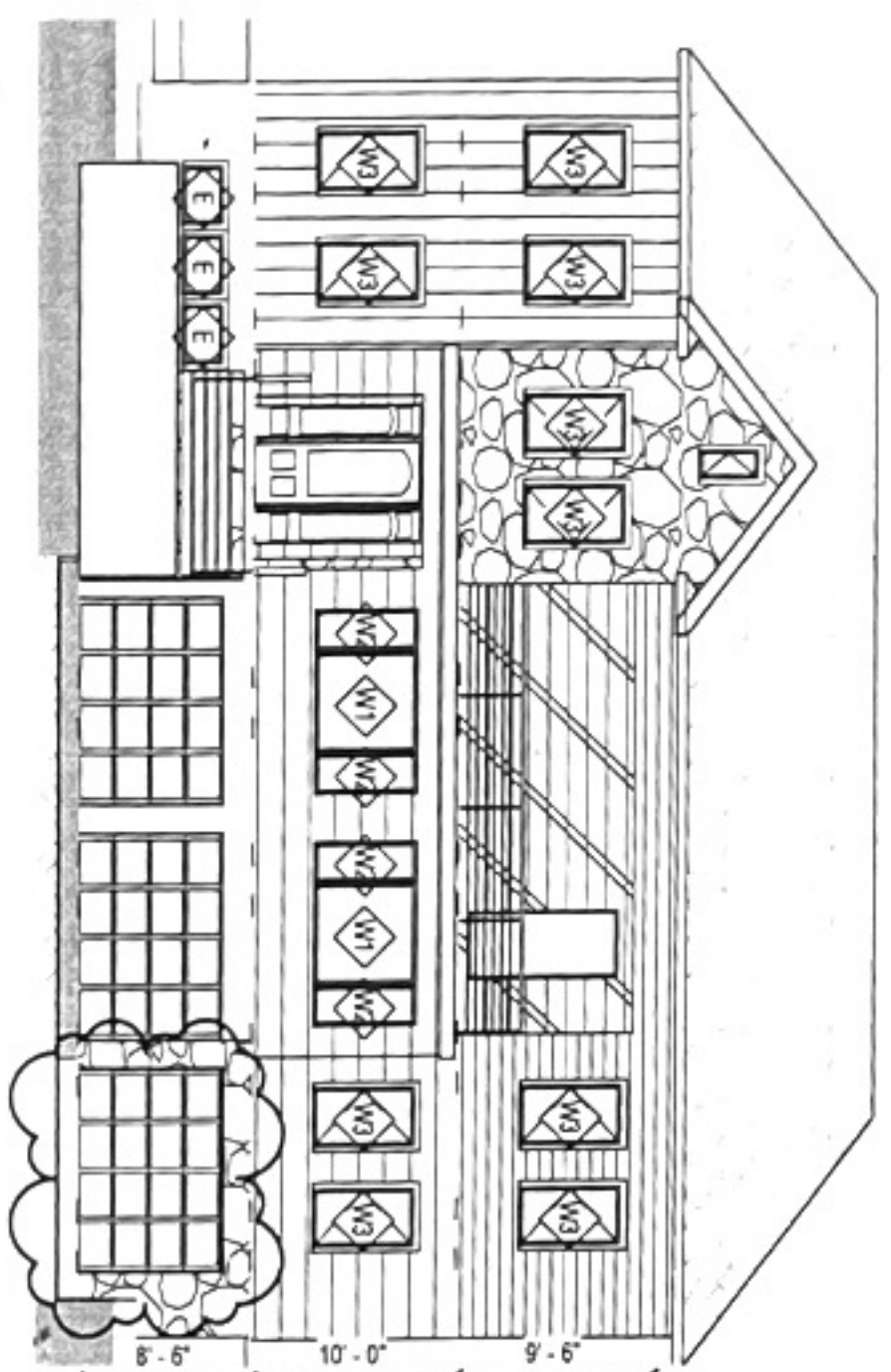
GENERAL NOTE:
GC TO REFER TO BIDDING DOCUMENTS
FOR MATERIALS, FINISHES, AND
WINDOW OPENING DETAILS.

ISSUE CHART

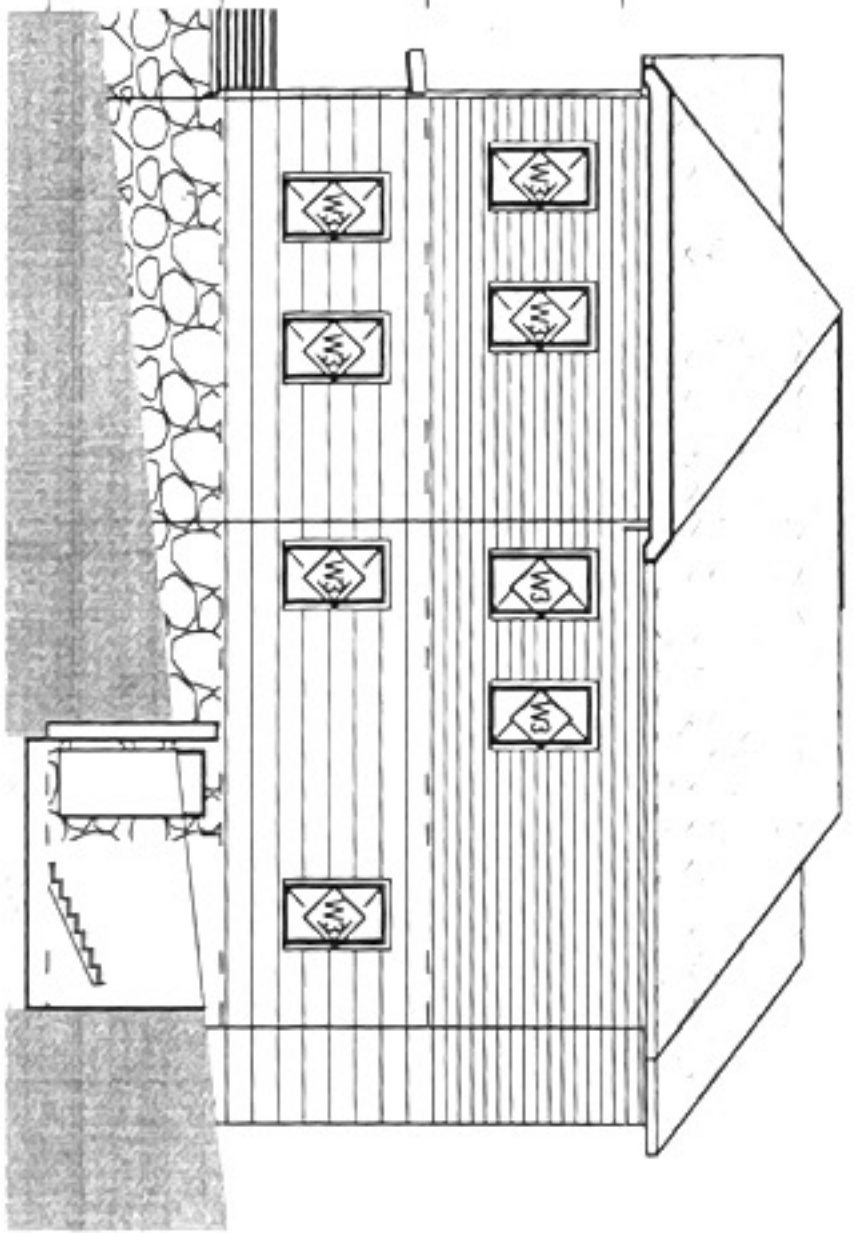
NO.	DATE	DESCRIPTION
1	10/1/2024	ISSUED FOR PERMIT
2	10/1/2024	ISSUED FOR PERMIT
3	10/1/2024	ISSUED FOR PERMIT
4	10/1/2024	ISSUED FOR PERMIT
5	10/1/2024	ISSUED FOR PERMIT
6	10/1/2024	ISSUED FOR PERMIT
7	10/1/2024	ISSUED FOR PERMIT
8	10/1/2024	ISSUED FOR PERMIT
9	10/1/2024	ISSUED FOR PERMIT
10	10/1/2024	ISSUED FOR PERMIT

PROPOSED
EXTERIOR
ELEVATIONS
U-V

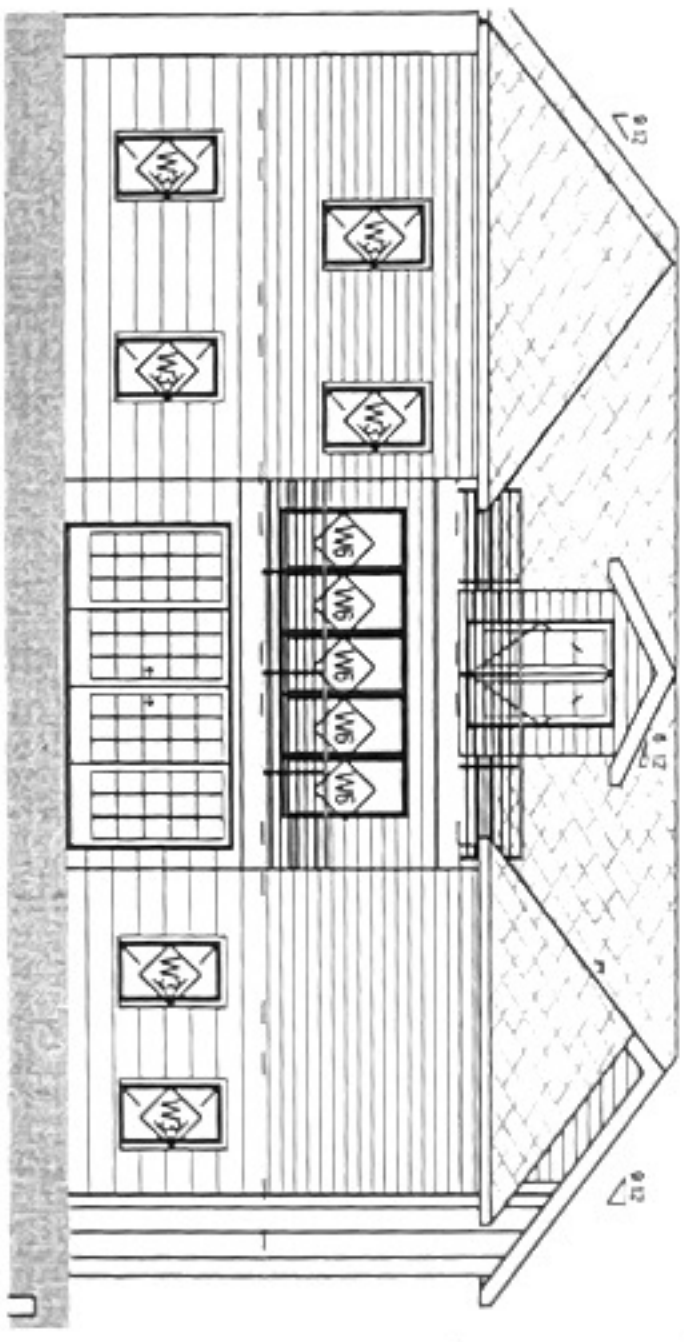
SHEET NUMBER
A4.02



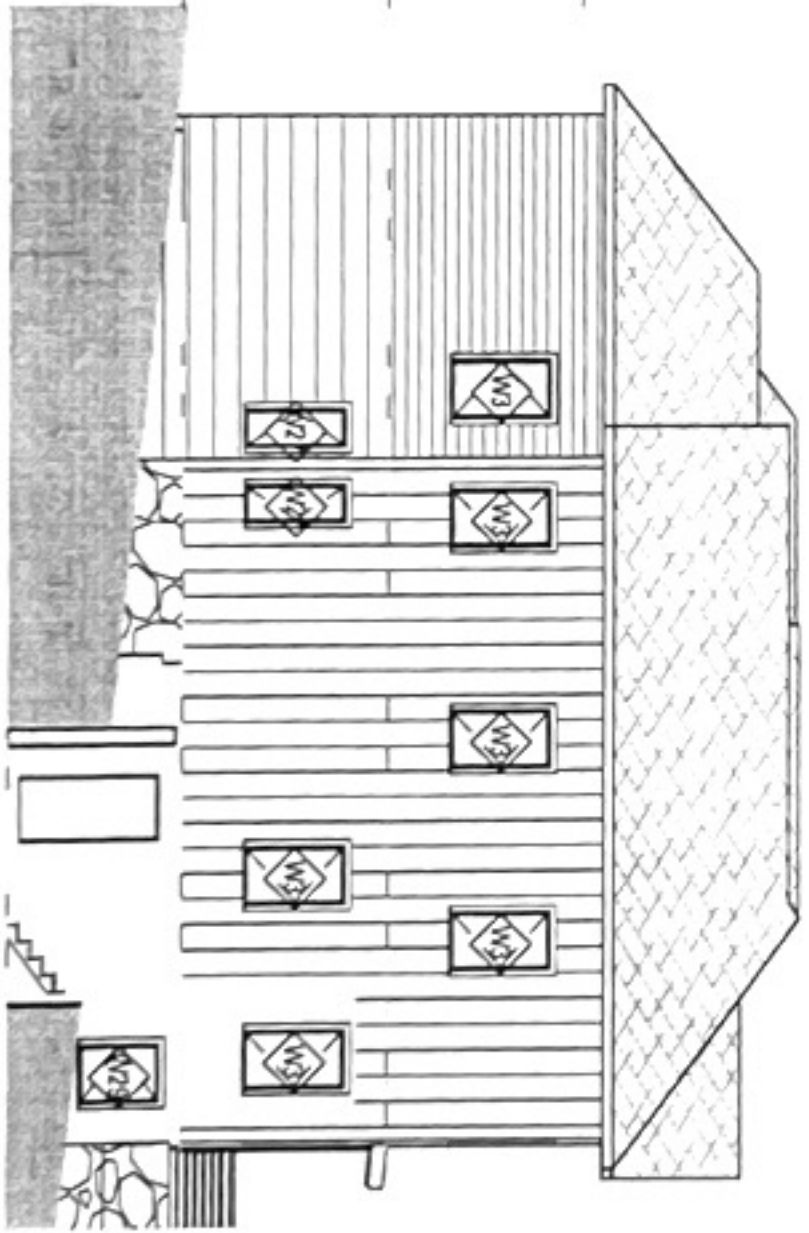
44 PROPOSED EAST ELEVATION
1" = 10'-0"



3 PROPOSED NORTH ELEVATION
1" = 10'-0"



2 PROPOSED WEST ELEVATION
1" = 10'-0"



1 PROPOSED SOUTH ELEVATION
1" = 10'-0"

* NOT INCLUDED IN F.A.R.

EXISTING PARTITION TO
REMAIN

NEW PARTITION

DOOR NUMBER,

PARTITION TYPE

⑤D ③C0 ④HD SMOKE, CO, HEAT SENSOR



883 GREENDALE
AVE. NEEDHAM, MA
02492



BASEMENT PLAN

Belt Number

A1.00

NEEDHAM PLANNING BOARD MINUTES

September 15, 2021

The Needham Planning Board Virtual Meeting using Zoom was remotely called to order by Paul Alpert, Chairman, on Wednesday, September 15, 2021, at 8:30 a.m. with Messrs. Jacobs and Block and Mmes. McKnight and Espada, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Mr. Alpert took a roll call attendance of the Board members and staff. He noted this is an open meeting that is being held remotely because of Governor Baker's executive order on March 12, 2020 due to the COVID Virus. All attendees are present by video conference. He reviewed the rules of conduct for zoom meetings. He noted this meeting does not include any public hearings so there will be no public comment allowed. If any votes are taken at the meeting the vote will be conducted by roll call. All supporting materials are posted on the town's website.

Appointment:

8:30 a.m. – Robert Schlager: Discussion of Route 128 Shuttle requirement: 117 Kendrick Street and 250 First Avenue.

Mr. Alpert noted there is a requirement in the special permit that requires participation in the 128 Business Council Shuttle Service. Ms. Newman noted the Board invited Mr. Schlager in to discuss the condition requiring shuttle service be provided between the buildings and public transportation from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. at both locations. All permits issued have this condition. Mr. Schlager has been invited in due to not providing the shuttle service. The Board wants to know why. Robert Schlager, representative from Bulfinch Group, stated 250 First Avenue was developed and constructed in 1997 and opened in 1998. They have been a great neighbor in the community and have complied with all conditions.

Mr. Schlager stated, with Covid, the building was vacant all of 2020 and is only occupied 20% to 30% now. There are 11 to 30 parking spaces a day occupied. Most employees are working remotely or working on skeleton crews so the shuttle service was suspended. Bulfinch participated and paid the first year with no occupants so they withdrew from the 128 shuttle service. Bulfinch has suggested to tenants they will provide UBER services to employees at their expense. He would like an interim waiver until things return to normalcy. He thought it would be back to normal Labor Day but that is not the case. He noted 117 Kendrick Street was permitted in 1996-1997. Bulfinch is a 30-year veteran of the 128 Business Council Shuttle. The cost is \$50,000 per year. Participation is a little higher now with approximately 100 vehicles per day in the 700 parking spots. Occupancy is around 10%. He is asking for guidance. He noted a café is offered at this building. He stated there is generally about 15% average occupancy for both buildings.

Mr. Block suggested getting a sense of occupancy from the rest of the landlords to see what else is happening in the area. Mr. Alpert asked if the 128 shuttle is the only shuttle available and if Ms. Newman has been in touch to see how it has changed in the last year. Ms. Newman noted this is the only shuttle service. She understands the other businesses are all participating and providing services. Mr. Block asked if the special permit says Bulfinch is required to register for this or just provide service. Mr. Alpert noted they shall provide van shuttle service. It is not required they use any particular service. Mr. Block noted, as an alternative, Bulfinch is paying for tenant's costs. Mr. Schlager stated, presently, he has suggested to those that have asked if the shuttle will return, with a receipt, they will reimburse them to the Newton Highland T stop. They are happy to continue with the UBER subsidies for the time being until it makes financial sense. They are happy to rejoin if there is a participation level.

Ms. Newman stated the purpose was convenience for the employees but mainly to remove single use cars and bring down traffic on the roads. Using UBER is putting single cars back on the roads. Mr. Schlager stated traffic is no where near what it was. Ms. Espada clarified Mr. Schlager is asking to not participate for the next year because of a lack of demand. That is correct. Ms. Espada noted, if capacity increases, how will people know they can get an UBER. What is the communication to let people know the shuttle is not going? Mr. Schlager stated he needs to think about it. At some occupancy level he will restart service or provide a substitute service. He would like a temporary substitution of utilization

of UBER to be monitored and reported to Ms. Newman monthly. Perhaps if there are more than 10 requests per day for UBER they will resume the shuttle bus service. Mr. Block noted everybody should be informed of the alternative. He feels what is being asked is reasonable but there is not enough of a plan. A year is a long time and a monthly report would be good but he would like to agree on a plan. Ms. Newman stated a lot of businesses have the same issues. People worked hard to put the shuttle service in place.

Mr. Schlager noted he continued the shuttle service for a year at a cost of \$70,000 for the 2 buildings but the bus sat and idled and no one used it. They were not able to come up with a compromise. It is a challenge paying for something no one uses. He is happy to pay for it if the people are there. He is also happy to make a minimal donation to help out. Mr. Jacobs stated he [agrees with/understands](#) Mr. Schlager's point of view but it cannot be up to him. They need to keep the system running. Mr. Schlager stated Bulfinch could withdraw and run their own van but they want to be a good neighbor. Ms. McKnight stated there are 2 issues in the shuttle service. One could be insufficient parking but this was adequate. The second issue is traffic. Traffic studies were done and she assumes the shuttle service requirement was taken into account. It is important to preserve this as a condition in the permit. Granting a 6-month waiver seems reasonable under the circumstances. She noted Mr. Schlager stated he has told those who have asked. She feels the Board should set 2 requirements. Express communication to employees and employers that they may use services such as UBER and copy the Planning Board. There has to be communication to the employees. Mr. Schlager would report monthly the number of people doing this. If a reasonable donation per month is made then we can revisit in 6 months.

Mr. Alpert stated he was thinking the same thing. There would be communication from Bulfinch to the tenants requesting they share it with their employees. He would like to see something in there that somebody is encouraging the use of public transportation. When demand reaches a certain level the shuttle will be reinstated. Ms. McKnight stated it should be made clear the cap is the cost to the Highland T stop or the commuter rail. Mr. Jacobs stated he would add a step. He would like to hear from Monica Tibbets of the 128 Business Council on what the result would be and the impact of similar requests if the Board does that. Also the viability of the service continuing. He does not think Mr. Schlager is being unreasonable at all. He thinks he is legitimately trying in good faith. Ms. Newman noted the decision would need to be modified. Mr. Alpert stated this is an informal discussion. He sees no harm in contacting Ms. Tibbets, letting her know about the discussion and ask for input.

Mr. Schlager stated he would not like a formal vote per se. He would like to address it informally between Ms. Newman and Bulfinch. They have worked together for 30 years and have always been fair to each other. He will do the communication as Ms. McKnight asked and will speak with Ms. Tibbets. Mr. Block noted Mr. Schlager was going to ask for an alternative pricing 6 months ago and asked if he ever heard. Mr. Schlager stated he did not hear back but a couple of shuttle stops were added to help out but some are still out. When occupancy increases the cost is justifiable. He would not be here if it was \$10,000 per property but the cost went up.

Ms. Newman suggested she have a conversation with Ms. Tibbets, put in writing what the plan is and what the terms are. This could be done as a de minimus change. Mr. Schlager will write a letter to Ms. Newman to summarize the discussion of the short-term interim approach. He is happy to work with the Board. Ms. McKnight commented, with outdoor seating, the Board chose to defer enforcement of the special permit for a limited period of time. She asked if that could be an approach. Mr. Alpert agrees but feels they are not there yet. He noted this discussion could be continued at another meeting.

Review of application received for two at-large appointment for the Housing Plan 2021 and vote to appoint.

Mr. Alpert noted they received 14 applications. He noted Laura Dorfman submitted an application because they did not know if the Community Preservation Committee (CPC) would have a seat. She will be the CPC representative. Andrew Cohen was on the Housing Authority for 6 years. He will be on the committee as a member at large representative. He noted there will be 2 members at large. Ms. Newman wants to move this along. Potential dates for the first meeting are 10/7/21 or 10/12/21. She wants to set up the first meeting. Ms. Espada would like to be on this committee and the environmental committee.

Mr. Block noted Stephen Frail is one of the applicants. He asked if the Board should reach out to him to see if he has a preference which committee he would like to be on. Ms. McKnight agreed. She noted she wants to be on the Housing

Committee. Mr. Alpert stated the Chair of the committee should be a Planning Board member. Ms. McKnight and Ms. Espada will discuss among themselves who will Chair the committee. Mr. Block stated he had reached out to School Committee and will need to follow up. He will let them know there will be one spot for them. Mr. Alpert noted this will be deferred to another meeting so other members have a chance to review the resumes.

Review of Citizens Petition for Fall Special Town Meeting regarding “a non-binding resolution concerning the amendment of the current Accessory Dwelling Units (ADUs) by-law.”

Mr. Alpert noted this is an amendment to allow people to be able to lease out their Accessory Dwelling Units (ADUs). He feels the Planning Board should not make any recommendation at this time. He is not inclined to amend the ADUs until they see how it is working. This will be dealt with in October.

Minutes

Upon a motion made by Ms. McKnight, and seconded by Mr. Block, it was by a roll call vote of the five members present unanimously:

VOTED: to accept the minutes of 6/14/21.

Correspondence

Mr. Alpert noted correspondence from the Attorney General approving the Zoning By-Law change for the Highway Commercial 1 District.

Report from Planning Director and Board members.

Ms. McKnight noted Kim Marie Nichols correspondence. She asked if the Planning Board would be willing to offer a break out session on housing. Mr. Alpert stated he is not inclined to do that as they are already forming the housing committee. Ms. McKnight and Ms. Espada will decide what to do with this. Ms. Espada feels it is a great idea to hear what the community thinks. It is a great way to let people participate.

Upon a motion made by Mr. Block, and seconded by Ms. Espada, it was by a roll call vote of the five members present unanimously:

VOTED: to adjourn the meeting at 9:54 a.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Adam Block, Vice-Chairman and Clerk

RICHARD AND KATHARINE HEIDLAGE
92 Dedham Ave.
Needham, Massachusetts 02492

Planning Board
c/o Lee Newman, Planning Director
Town of Needham
1471 Highland Ave.

November 16, 2021

Re: 888 Great Plain Avenue - Proposed Zoning Change

Members of the Board:

As noted above, we reside at 92 Dedham Avenue, one of the townhouses adjacent to the parking lot that abuts the rear of the subject property. At this time, we oppose the proposed zoning change as requested by J. Derenzo Properties for the subject property.

Although we would not necessarily oppose some form of development for this property, we believe the current proposal is inappropriate in two aspects. First, we believe that extension of the Center Business District onto the subject property is both inappropriate and inconsistent with the nature of the surrounding properties. The current natural boundary of the Center Business District is the extension of Pickering street. Adding this property would place the Center Business District directly adjacent to the Christian Science church and directly across from one of the few open spaces remaining in this neighborhood. Unlike the Hillcrest Gardens pre-existing non-conforming use, the proposed new use would radically change the character of the property. Hillcrest Gardens enhanced the neighborhood by bringing in landscaped green space and natural light. The proposed development would do nothing to enhance the neighborhood.

Second, the proposed development is a massive one on a relatively small lot. The front part of the development covers almost 100% of the lot (approximately 15,427 s.f. with most of the uncovered area of the 23,111 s.f. lot being in the rear of the development in an irregular area adjacent to the parking lot). Given the 3-story height of the structure and its proposed construction with only a 10' side setback, it will be an overwhelming structure jammed immediately next to and blocking any light to the church. What is currently an open space buffer between the current commercial Center Business District and the residential area will become a commercial encroachment overshadowing everything else in the surrounding neighborhood.

We urge you not to support this proposed project as currently conceived and further urge the Board not to pursue a zoning change for the property on behalf of the developer.

Sincerely,



Richard and Katharine Heidlage

From: [Amy Snelling](#)
To: [Planning](#)
Subject: Perspective regarding 888 Great Plain Ave
Date: Wednesday, November 17, 2021 7:58:47 AM

Good morning,

I was able to listen to the meeting last night and wanted to voice my concerns regarding the re-zoning of the parcel at 888 Great Plain Ave. I grew up in Concord MA, a town with a very clear perspective on the role of the town center, and how that needs to function, as well as what it needs to look like. I feel before we jump to arbitrary decisions on if it should be commercially zoned or not, we should step back and ask ourselves what we want our town center to look like, and how we want it to function. If that is written down somewhere I'd appreciate being pointed to it. If not, I propose we take a moment to get clear on that first.

Secondly, there was also a comment made that we need more housing. I'd like to better understand that. From my perspective we are packed in this town, our lots getting smaller and smaller and our schools bursting at the seams. Why do we "need" more housing? Is it for tax reasons? If so let's solve that other ways, Or is it really that we need diversity of housing in which case I'd argue any residential elements we consider for that space be specifically low income. We do not need more \$1M+ housing options and the current guid of 10% low income in new development is not enough to offset that overall problem.

Lastly, without the clarity on the role of our town center etc, my initial reaction is I'd like to see that land re-zoned for commercial use -- BUT ONLY with the understanding that the house that is on that land be restored and used as part of the commercial endeavor. The drawings that were submitted are out of character with his town and we have a lot to be gained in beautifying something that is already there. I understand this is limiting the profit potential for various parties and so perhaps the town could find a way to help with that. I am very concerned about that garage entrance and what that does to the feeling of that part of town. No other buildings have that, and that's part of what makes our center a place you can stroll with your ice cream. I think a drawing like that opens us up to future, more commercial properties in town and paves the way for us to erase our character, our humble roots and the soul of this town.

Happy to talk further if that's helpful.

Best,

Amy

From: [Kimberly McCollum](#)
To: [Planning](#)
Subject: Development of 888 Great Plain Ave
Date: Wednesday, November 17, 2021 6:42:58 PM

Dear Planning Board,

I write to express my opposition to the development of the property at 888 Great Plain Ave as it was proposed at the Planning Board meeting of November 16, 2021. Before moving ahead with any development of the project feedback should be solicited widely, with particular attention given to the immediate neighbors and abutters.

The primary reason I am opposed to the current proposal is that the entryway/driveway is on Great Plain Avenue. With 39 spaces underground we should expect vehicles entering and exiting throughout the day. In a high (pedestrian and auto) traffic area such a driveway is *extremely dangerous*. The proposed entryway crosses a high-traffic sidewalk. Indeed, with two churches and a highly used field directly across the street, pedestrian traffic is heavy. (Visit Greene's Field on any weekend between March and November and there are literally hundreds of people on the field. These folks cross the street to Needham House of Pizza and Abbott's Ice Cream, to name but two popular businesses, on a consistent basis.) Visibility at the existing crosswalks is already limited given the on-street parking. Adding a busy driveway to Great Plain Avenue increases the danger to drivers and pedestrians. I encourage the owner/designer to work to develop a plan that puts the entry/driveway BEHIND THE BUILDING.

This addresses my second point regarding the entryway: such a design is inconsistent with the current commercial district. No other business on that or the adjoining block (including the churches zoned Residential) has a driveway/vehicle entrance on Great Plain Avenue. (This is true for both sides of the street.) This was undoubtedly done because *entrances on Great Plain increase the danger to people and drivers*. Furthermore, vehicle entrances on Great Plain are an eyesore. Given that more than *two hours* was given to discussing the beautification of town center (Needham's "front door", to quote Needham Parks and Forestry's Mr. Olsen at the meeting of Nov 16), it would seem that any plan for 888 Great Plan ought to consider the bigger picture. Is the proposed plan for 888 GPA in line with the town's goals regarding visual appeal?

No.

The "front door" that Needham is working hard to build will be marred by a building that is three stories tall and set too close to the sidewalk and abutting church.

In short, the proposed design for 888 GPA is dangerous and inconsistent with Needham's beautification goals.

Sincerely,

Kimberly Bartlett-McCollum
843 Great Plain Ave

Planning Board
c/o Alexandra Clee, Assistant Town Planner
Town of Needham
1471 Highland Avenue

November 18, 2021

Thank you for the opportunity to provide input about the proposed zoning change regarding the property at 888 Great Plain Avenue and about the proposed structure.

We are the owners/residents of the residence located at 94 Dedham Avenue. Ours is one of five residential units (The Miller Green Condominiums). Our unit sits on the edge of the municipal parking lot, and is the closest of the five units to the proposed structure. We are, in essence, abutters, since our unit is separated from the proposed building only by the town parking lot. We will be affected by the occluded view, the noise, the lighting, the pollution and the loss of sunlight and open, green space. We are opposing several features in this proposal not only because of its impact on us personally, but also how it affects the quality of life in the downtown area.

We are in favor of providing additional housing (especially affordable housing) close to the center of Needham. However, we have several concerns about this project, which we enumerate below:

1) The proposed structure would fill the entire space with a three-story cube structure with no “green” features, occluding both airflow and sunlight, casting shadows on the adjacent buildings. There is no permeable ground cover, thereby increasing storm water run-off and heat generation. Further, there is no green or open space in the plan; no oxygen-replenishing trees, shrubbery or other planted areas. The plan eliminates all current sources of food, protection and nesting space for the birds and small mammals that live and reproduce in this area. A variance that would allow a 10-foot setback only intensifies these concerns, and is unacceptable. In other projects, the town planners have indicated that they value light, open, airy spaces, and this project is antithetical to that ideal.

2) this plan will increase the number of cars in town, which increases noise and pollution. (A single typical passenger vehicle emits about 4.6 metric tons of carbon dioxide per year.) Traffic entering and exiting the property will further congest traffic on Great Plain Avenue. Vehicles must cross a sidewalk in the process, which endangers pedestrians and bikers. Delivery trucks will undoubtedly use the lot behind the property to deliver their goods, adding to the noise, pollution and traffic. We’ve repeatedly witnessed this problem at the relatively new combined-use building located two doors from us at 50 Dedham Avenue. Fewer units and fewer cars would reduce this problem.

3) It was not clear at the Tuesday night (Nov. 16th) meeting or in the documents if there was a provision for affordable housing, or for units with handicapped access, or accessible spaces for vehicles used by residents with disabilities.

4) We have concerns about introducing many more exterior lights to the neighborhood, and the probability that these will be high intensity, bright white bulbs which are visually intrusive. In

the interests of safety, these lights will probably burn throughout the night, not only shining into our windows, but also contributing to light pollution that causes disruptions in patterns of bird migration. We encourage the developers to consider mitigation strategies (e.g., no flood lights, warm light bulbs at the lowest lumens possible to achieve the goals of the lighting; motion-generated lighting, down-lighting vs. up-lighting to reduce the impact of artificial night lights on birds, etc.).

In summary, we encourage the Board not to allow this project to move forward unless and until the issues raised above (as well as those concerns raised by other citizens) are addressed and resolved. We strongly urge you not to allow a zoning change that would reduce the side setback to 10 feet. Further, the developers should be asked to submit a landscaping plan that would address the issues raised above in item #1.

Respectfully,

Marlene and Jerome Schultz
94 Dedham Avenue
Needham, MA

From: [Nancy Louca](#)
To: [Planning](#)
Subject: Town center
Date: Saturday, November 20, 2021 5:02:10 PM

Dear planning board,

As a Needham taxpayer, resident, and parent, I think our town center is perfectly fine. What the town does need is more playground and outdoor playspace with bathroom facilities for families with children.

Please consider redirecting the funds for redoing the town center towards things that more people can enjoy.

Thank you,
Nancy