

NEEDHAM PLANNING BOARD

Tuesday January 3, 2023

7:00 p.m.

Charles River Room

Public Services Administration Building, 500 Dedham Avenue

AND

Virtual Meeting using Zoom

Meeting ID: **880 4672 5264**

(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: **880 4672 5264**

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: **880 4672 5264**

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: **880 4672 5264**

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

1. Appointment:

7:05 p.m. George Giunta, Jr.: Discussion of possible redevelopment and rezoning of property located at 888 Great Plain Avenue.

2. Discussion of Zoning Articles for Spring Town Meeting.

3. Discussion of Planning Board Climate Action Priorities.

4. Board of Appeals – January 19, 2023.

5. Minutes.

6. Report from Planning Director and Board members.

7. Correspondence.

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

GEORGE GIUNTA, JR.
ATTORNEY AT LAW*
281 CHESTNUT STREET
NEEDHAM, MASSACHUSETTS 02492
*Also admitted in Maryland

TELEPHONE (781) 449-4520

FAX (781) 465-6059

December 28, 2022

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

Re: J. Derenzo Properties, LLC
888 Great Plain Avenue
Proposed Zoning Change

Dear Lee,

Last fall and winter the Planning Board discussed the request of my client, J. Derenzo Properties, LLC (hereinafter "Derenzo") to rezone the property at 888 Great Plain Avenue (the "Premises"). After further evaluation and consideration, and mindful of the pending housing report and plan, Derenzo has further revised the conceptual plan for the property and now wishes to move forward on the zoning change request, with certain adjustments. In particular, Derenzo proposes the following changes to the Zoning By-Law and Zoning Map.

1. Extend both the Center Business District and the Center Business District Overlay to include the Premises.

The Premises is currently located in a Single Family Residential B Zoning District, but is located immediately adjacent to the Center Business District, between the Closet Exchange and the First Church of Christ Scientist. It contains approximately 23,111 square feet of land and was used and occupied for nearly 40 years by Hillcrest Gardens, a commercial landscape nursery, offering annuals, perennials, shrubs, and trees. Because the property is situated in the Single Residence B District, the nursery constituted a lawful, pre-existing, non-conforming use.¹ Derenzo has continued the use but would prefer to redevelop the property for mixed use purposes, which appears to be the highest and best use of the property, given its location and prior use. Therefore, Derenzo proposes to modify the Zoning Map and the Zoning By-Law, to extend both the Center Business District and Center Business District Overlay to include the Premises.

¹ At the time the nursery began to operate, it was allowed as of right. But the Zoning By-Law was subsequently amended to require a minimum of two and one-half acres for such use, making the use lawful, pre-existing, non-conforming.

2. Allow a side yard setback of 20 feet adjacent to a residential zoning district, by Special Permit.

Pursuant to Section 3.4.8.1(e), the minimum side yard setback for properties in the Center Business District and the Center Business District Overlay, situated adjacent to a residential zoning district, is fifty (50) feet, with no accessory uses allowed within the twenty- five (25) feet closest to the district boundary and no buildings or structures allowed in the remaining twenty-five (25) feet. Derenzo would propose to extend the provisions of Section 4.4.12(b) of the By-Law, currently applicable to multi-use buildings in the Neighborhood Business District, to multi-use building and developments in the Center Business District Overlay, as follows:

Notwithstanding the foregoing to the contrary and subject to all other requirements of the district, the Planning Board acting as a special permit granting authority may issue a special permit for mixed use buildings and developments allowed by special permit under Subsection 3.9.3.2 (b) in the Center Business District Overlay to reduce the minimum side and/or rear setback adjoining a residential district to twenty (20) feet provided said strip is suitably landscaped in accordance with the specifications in Section 4.4.8.5.

3. Provide certain incentives for the provision of affordable housing over and above the current requirements of the Center Business District Overlay

Section 3.9.6 of the By-Law, relative to the Center Business District Overlay currently requires that 10% of the units to be created in a mixed use building or development shall be affordable. Derenzo proposes that for buildings or developments that provide a minimum of 12.5% affordable units, incentives be provided relative to the total number of units and the Floor Area Ratio, as follows:

Notwithstanding the foregoing to the contrary and subject to all other requirements of the district, the Planning Board acting as a special permit granting authority may issue a special permit for mixed use buildings allowed by special permit under Subsection 3.9.3.2 (b) in the Center Business District Overlay, which contain more than ten (10) dwelling units, at least twelve and one-half percent (12.5%) of which are affordable,

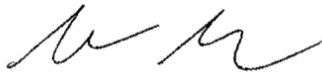
(a) to reduce the minimum lot area per dwelling unit normally required in the A-1 Zoning District (as applicable to the Center Business District Overlay); and

(b) to exclude from the calculation of Floor Area Ratio, the total floor area of the affordable units.

Submitted herewith please find rough plans for a multi-use development which would be both possible and feasible if the above zoning modifications were enacted. This development is a incorporates several comments from prior discussions and is representative of what might be proposed.

We would like to discuss the foregoing with the Board, both with respect to process and substance, at the next meeting. Please let me know if you have any questions or require anything further.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Giunta, Jr.", written in a cursive style.

George Giunta, Jr



NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

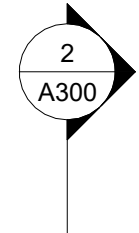
NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

PROPERTY LINE



PROPERTY LINE

Level 1 - Proposed
1/8" = 1'-0"

GENERAL NOTES

- WHEN SPECIFIC FEATURES OF CONSTRUCTION ARE NOT FULLY SHOWN ON THE DRAWINGS OR CALLED FOR IN THE GENERAL NOTES, THEIR CONSTRUCTION SHALL BE OF THE SAME CHARACTER AS SIMILAR CONDITIONS.
- ALL DIMENSIONS ARE TO BE TAKEN FROM NUMERIC DESIGNATIONS ONLY. DIMENSIONS ARE NOT TO BE SCALED OFF THE DRAWINGS.
- ALL GYPSUM BOARD SURFACES ARE TO BE 5/8" THICK UNLESS OTHERWISE NOTED.
- ALL GYPSUM AND PLASTER FINISHES SHOULD BE SMOOTH, CONTINUOUS, FREE OF IMPERFECTIONS, AND HAVE NO VISIBLE JOINTS.
- PROVIDE GAS, WATER SPIGOT, OUTLET, AND LIGHTING AT ROOF DECKS.
- ALL CLOSETS SHALL HAVE SHELF AND POLE OR SHELVES AS REQUIRED, UNLESS OTHERWISE NOTED.
- ALL REQUIRED LIFE SAFETY DEVICES, INCLUDING SMOKE & CARBON MONOXIDE DETECTORS, SHALL BE INSTALLED BY THE CONTRACTOR IN COMPLIANCE WITH THE 2015 INTERNATIONAL BUILDING CODE

PLAN NOTES

- WALL DIMENSIONS ARE MEASURED FROM FACE OF EXIST. WALL TO C.L. OF NEW WALL, UNLESS OTHERWISE NOTED.
- ALL DOORS ARE 80" TALL UNLESS OTHERWISE NOTED.

MECHANICAL | SECURITY NOTES

- PROVIDE 5.1 AUDIO WIRING FOR LIVING ROOM AND MASTER BEDROOMS. FOR NUMBER AND LOCATION, SEE REFLECTED CEILING PLANS.
- PROVIDE NEST LEARNING THERMOSTAT AT EACH UNIT. (ZONING PER FLOOR LEVEL IN DUPLEX UNITS)
- HEATING AND AIR CONDITIONING IS TO BE PROVIDED BY HIGH VELOCITY FORCED AIR SPACE PAK HIGH VELOCITY AIR CONDITIONING SYSTEMS WITH HYDRONIC HEATING.
- HOT WATER IS TO BE PROVIDED BY A HIGH EFFICIENCY NAVIEM MODULATING CONDENSING COMBINATION HEATING AND HOT WATER SYSTEM OR EQUAL.
- HARD WIRED SECURITY SYSTEM SHALL BE PROVIDED AT EACH UNIT; CONTACTS SHALL BE PLACED AT EXTERIOR DOORS AND WINDOWS WITH ONE MOTION DETECTOR PER UNIT.

ELECTRICAL NOTES

- ELECTRICAL SERVICE POWER IS TO BE EVALUATED FOR MEETING LIGHTING DESIGN AND EQUIPMENT REQUIREMENTS. PROPER POWER LEVEL SHALL BE PROVIDED.
- ALL NEW ELECTRICAL ITEMS ARE TO BE U.L. RATED.
- ALL ELECTRICAL PANELS ARE TO BE RECESSED INTO A WALL WITH A MINIMUM 6" STUD DIMENSION. REVIEW FINAL LOCATION WITH ARCHITECT AND OWNER.
- ALL DISTRIBUTION PANELS ARE TO BE NEW.
- LIVING AREAS, DINING AREAS, AND ALL BEDROOM ARE TO RECEIVE 3-WIRE JUNCTION BOXES.
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DEMO/PROPOSED PLAN GRAPHIC KEY

- EXISTING WALL TO REMAIN
 - NEW WALL/INFILL
 - AREA NOT IN CONTRACT
 - DEMOLISHED BUILDING ELEMENT
 - DEMOLISHED FLOOR FINISH/CEILING
- TRIPLE DASHED RED LINE INDICATES REQUIRED (2) HOUR FIRE RESISTANCE RATED SEPARATION, UL NO. U314 AT WALLS AND UL NO. L501 AT CEILING



Design Resource Team, LLC
 546 East Broadway
 Boston, MA 02127
 617.804.6117
 info@d-r-t.co
 www.d-r-t.co

DRAFT

No.	Description	Date

J. Derenzo Properties
 888 GREAT PLAIN AVE
 LEVEL 1 - PROPOSED

Project number	221054
Date	11/30/2022
Drawn by	DB
Checked by	NPL

A101

Scale As indicated

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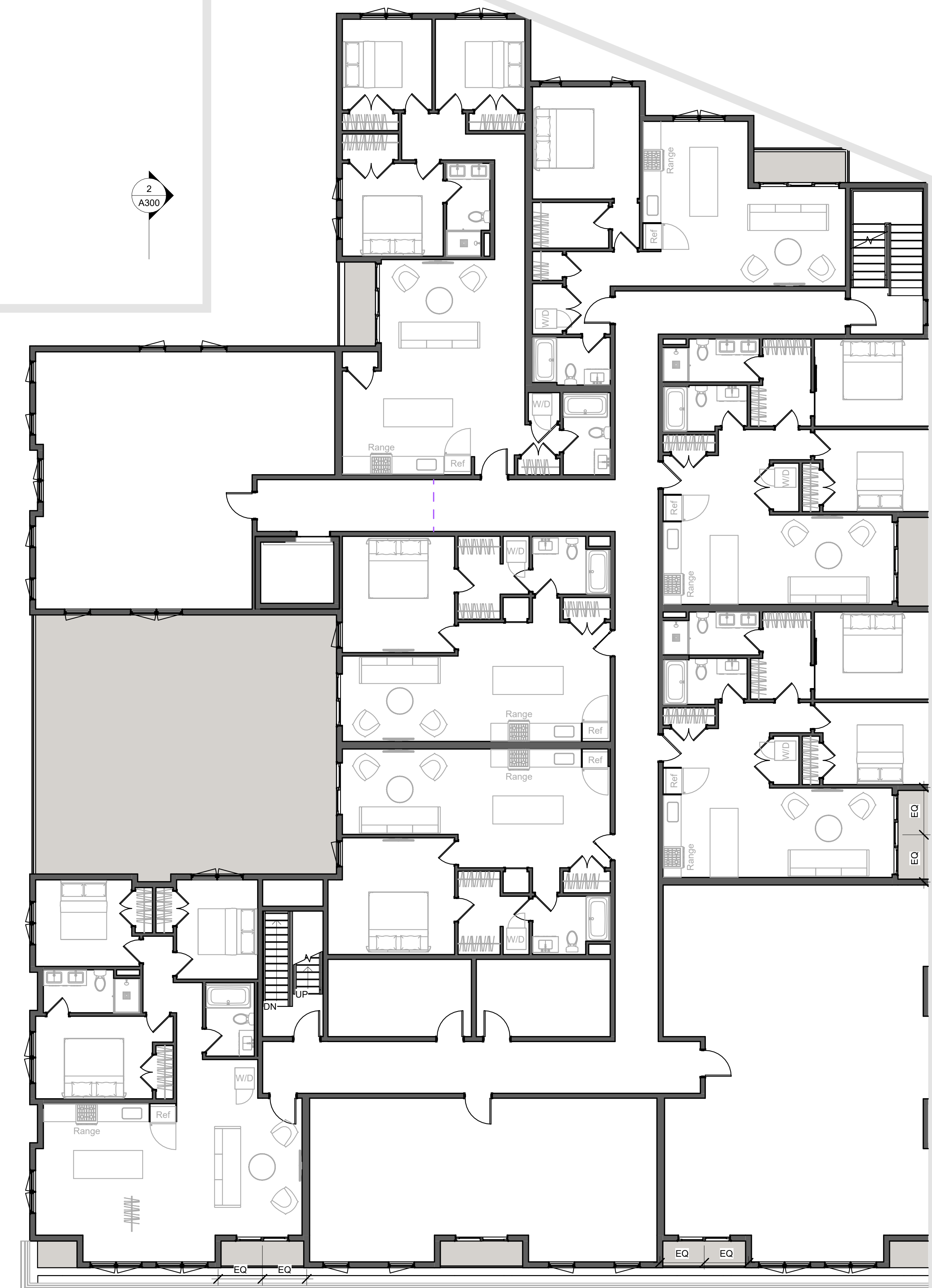
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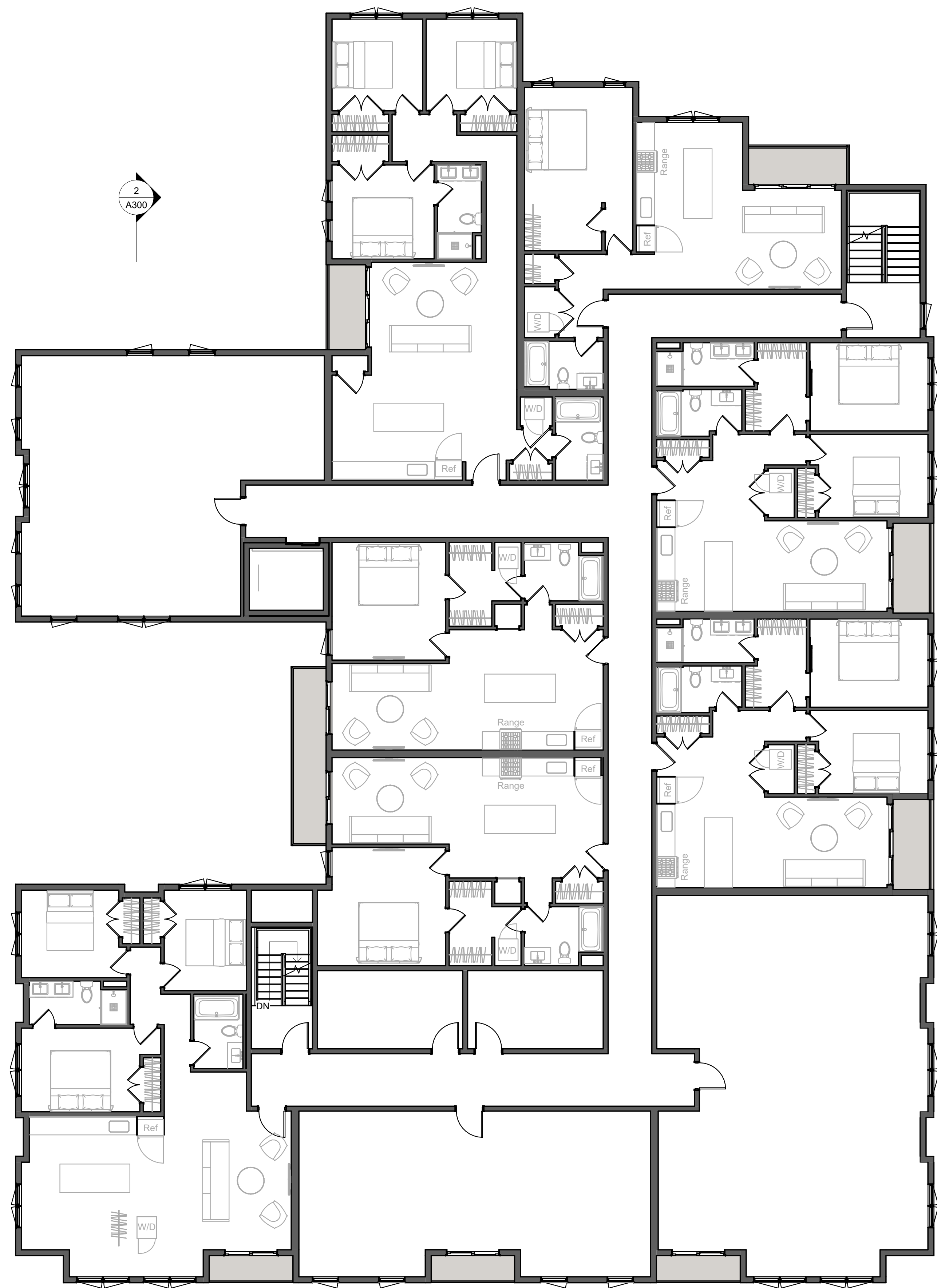
J. Derenzo Properties
 888 GREAT PLAIN AVE
 LEVEL 2 - PROPOSED

Project number	221054
Date	11/30/2022
Drawn by	DB
Checked by	NPL

A102

Scale As indicated

1 Level 2 - Proposed
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1 Level 3 - Proposed
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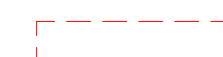

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DRAFT

No.	Description	Date

J. Derenzo Properties
888 GREAT PLAIN AVE
LEVEL 3 - PROPOSED

Project number	221054
Date	11/30/2022
Drawn by	DB
Checked by	NPL

A103

Scale As indicated

NEEDHAM PLANNING BOARD MINUTES

November 16, 2021

The Needham Planning Board Virtual Meeting using Zoom was remotely called to order by Paul Alpert, Chairman, on Tuesday, November 16, 2021, at 7:00 p.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 includes 2 public hearings and there will be public comment allowed. If any votes are taken at the meeting the vote will be conducted by roll call. All supporting materials, including the agenda, are posted on the town's website.

Appointment:

7:00 p.m. – David Feldman: discussion of proposed repurpose of Wingate skilled nursing to assisted/independent living.

David Feldman, Sr. Vice President for Real Estate and Development of Wingate Healthcare, noted that Ms. Newman suggested an informal discussion would be good. There is currently a skilled nursing home at 589 Highland Avenue. The skilled nursing is not doing well in Massachusetts, and they are looking at a "what if" scenario to expand the independent living footprint. They are a ways away from any formal presentation but want some feedback. He wants to work collaboratively. He noted Wingate has been looking at expanding the independent living. 55+ living is maintenance free with one large bedroom, full kitchen and laundry. There are a lot of the same support services but not as heavy. The average age in the skilled nursing home is 80+ who need a lot of support services. They are getting 3 meals a day and home care. There is a heavy schedule of activities and transportation. He thinks they will see a push for more private rooms and more space, so they are looking at a possible re-use.

Mr. Feldman noted the staff is amazing and have been remarkable during the pandemic. Wingate wants to continue providing great care and wants to be proactive. He noted they are not ready to make a decision or push forward with anything right now. They want feedback from the Board. He noted the project complies with all existing zoning. There is plenty of parking and he does not anticipate any site work. Only interior work will be done. Mr. Alpert stated this is at such a preliminary stage it is difficult for the Board to find questions. Mr. Feldman stated there are 52 units of independent living and 91 apartments for assisted living at the existing Wingate Residences building at 1 Wingate Way on the same site. Mr. Alpert asked what the proponent envisions having on Highland Avenue. Mr. Feldman stated another form of independent living for active adults. Not as many services as at Wingate Residences, but some they can buy into with ala carte. He noted ala carte helps keep the cost of the rent down.

Mr. Alpert asked how many units and was informed about 50 apartments depending upon the size of the units. Mr. Jacobs commented Mr. Feldman is being prudent. He has not heard anything that is a big problem for him. Mr. Feldman stated Wingate plans on staying in the community and providing good services. Ms. Espada agrees with Mr. Jacobs. She appreciates the repurposing of the building. She noted some things to think about, and keep in mind, include adding kitchens and laundries may cause them to have to change systems and they may need to have additional systems on the roof. There may need to be more parking and trash areas and the stairways may need accessibility. She noted the applicant should think about things that could impact the site.

Mr. Block concurred with his colleagues. He asked if there is any specific relief that could be anticipated at this time. Mr. Feldman noted he does not think so as no zoning relief should be required. Mr. Block asked Ms. Newman if any amendment to the special permit was needed, if there were no other changes than what has been discussed. Ms. Newman stated there would need to be an amendment to the underlying special permit and a special permit for the individual units themselves. Ms. McKnight stated Wingate has a good reputation as a skilled nursing facility. She is concerned a lot of people in skilled nursing facilities pay through Mass Health. Skilled nursing is great and provides a service for the poorest among us. Will that no longer be provided at Wingate? She asked if he would comment on the loss of the service as it feels like it is a loss

to the community. Mr. Feldman stated he feels it would be a loss also. Wingate is not actively seeking this. He noted Covid has devastated the industry as a whole. He stated 5 or 6 facilities have closed since July. The reimbursement is not there. It would be their desire to run at 90% occupancy, but the economics do not always work. It is a difficult decision for them but is a “what if” scenario. They would like to continue operating as is. He noted the staffing shortage is killing all in this profession.

Ms. McKnight stated that it sounds like units would be at a lower price point than 1 Wingate Way. She expects the Board would look for a percentage of units to be affordable. The Board has used 10% previously but required 12½% at the Carters Building. She feels he should keep that in mind. Mr. Alpert feels 55+ independent living units will generate more traffic than the skilled nursing. The major concern in the neighborhood is traffic. Wingate should make sure they have a really good traffic study done before coming to the Board. He noted his recollection is 1 Wingate Way had good community relation programs. He wants them to remember that and learn from that. There should be outreach to the abutters prior to coming back to the Board. Mr. Feldman stated there will be at least a couple of neighborhood meetings to show the abutters and answer questions. He stated this has been good feedback.

Public Hearing:

7:20 p.m. – Amendment to Major Project Site Plan Special Permit No. 2009-06: Town of Needham, 1471 Highland Avenue, Needham, MA, Petitioner (Property located at 1471 Highland Avenue, Needham, MA). Regarding proposed Town Common renovation. Please note: this hearing was continued from the November 2, 2021 meeting of the Planning Board.

Mr. Alpert noted this is a continued public hearing. Ed Olsen, Superintendent of Parks and Forestry, gave a brief history. He stated he has been here 11 years and worked on over a dozen large open space projects. Most rewarding is this project. He noted this is the Town’s front yard and they have come up with a collaborative decision. He was working with Beta and they did a great job. He noted Covid has changed everything. This allowed us to step back and take a real good look. There has been a great collaborative vision and good designs that include all people. After Covid, open space has to be looked at differently.

Christopher Heep, Town Counsel, stated that, technically, this is an amendment to the Major Project Site Plan Special Permit. It sits on the same parcel of land as Town Hall. This is redesign and reconstruction of the Town Common. He showed renderings of the existing Town Common with pedestrian pathways in a diagonal direction from each corner. He showed the redesign with a new orientation of the pathways in an oval shape. The pathway gives more usable open space. There will be a central terrace to the left of the Common. The circular terrace will be paved with pavers and the Common will have infrastructure to set up tents. He noted tents are a popular amenity since Covid. There will be 2 shade structures – one on Highland Avenue and one on the Chapel Street side – picnic tables, benches, bench swings and fixtures for hanging lighting to be put up and removed seasonally. There will be benches all around the oval pathway and the 4 corners of the Common and 2 picnic tables. The existing street light poles will remain. The fixtures will be replaced and upgraded to LED. The poles will be refurbished and repainted. There will be recessed lighting throughout. The Circle of Peace sculpture will be preserved and relocated.

Mr. Heep noted there will be technological improvements with a speaker system installed with the ability to plug into a PA system. Accessibility has been increased on all corners and all benches and tables are handicap accessible. There will be recessed up-lighting in all paths. He showed renderings of the shade structures, and the seat wall will be a feature. He showed views from all angles and noted an equipment cabinet in one pier of the seat wall. Mr. Olsen noted there will be shade trees and flowering trees. He took a deep dive in tree choices. There was a collaborative vision for tree plantings. At one time Great Plain Avenue was lined with elm trees. They have kitty-cornered elms to provide a nice canopy on the Great Plain Avenue edge of the common. He noted they wanted to have open space, so have a lawn with the blue tree centered. The blue tree is being saved but they cannot save all the trees and work around them. There will be tree lilacs, Prairie fire crab apples, red maples, Hinoki False cypress and sweet gum. This gives a presence on both sides and frames the space. It gives variety and all agreed on this vision.

Mr. Heep stated he submitted a full set of engineering plans. He felt the colored renderings would be easier for them. Garry’s Way will be used for construction of the project. After completion, it will be completely repaved, the curb reset,

and all spaces restriped. The project will begin next spring. Town Meeting has appropriated the funds already. It will take 2 to 3 seasons to complete, so maybe late fall or early winter. There is an engineering-plan-set lighting plan for the front of Town Hall and concepts for the future, but that is not this project. Mr. Alpert noted the following correspondence for the record: an October email from Police Chief John Schlittler regarding parking on Garrity's Way with a response today from Town Counsel Heep; an email from Fire Chief Dennis Condon noting no issues; an email from Tara Gurge of the Health Department with no comments; a letter from Assistant Town Engineer Thomas Ryder with no comments or objections; and an email from Michael Ruddy, of 69 Melrose Avenue with 4 concerns. His concerns include the retention of the 50-year-old diagonal paths; more porch swings; removal of the ring on the "Circle of Peace" statue and the removal of existing mature trees.

Mr. Olsen noted the lawn space will be graded and handicap accessible. The grass was discussed in meetings and will be Kentucky Blue Grass, which is a sturdy variety. There will be soil testing and irrigation. He is confident they can take care of this. The removal of trees is a sore subject in town. He is always cognizant. This is a full depth reconstruction and only the blue tree is being kept. The trees there currently are not desirable species. It is tough to work around the root systems. He noted this is an opportunity to establish trees for the next 100 years. Mr. Heep noted, regarding Mr. Ruddy's comment about more swings, they need to strike a balance. They do not want it overly congested with fixtures. A choice was made that is the right amount for this space. Mr. Heep noted Mr. Ruddy's request that the ring on one of the children on the Circle of Peace statue be removed as it is a Mormon symbol. The statue exemplifies friendship and inclusion. There are important values shown by the statue and it will continue to stand on the Common. He stated he was pleased to present this to the Planning Board.

Mr. Alpert had no comments or questions. Ms. Espada stated this is an exciting project and will be terrific. She asked if the Needham Center Design Guidelines were taken into account at all. Ms. Newman noted the design guidelines were done a long time ago and provided a framework. It was used as a guide and informed the result. The actual detail was not articulated in that plan. Ms. Espada asked if there were any environmental or sustainable goals for the project. The hardscape is being increased and she asked if there were any permeable pavers. She noted a community member was concerned with the longer walk on site and she asked if the tent was occupiable all the time. Is there a way of maintaining circulation around it? She recommended, with snow and salt, they might want to have a concrete or granite base on them. The town should think about the width of the walkways with Town bobcats and MBTA bus shelter standards.

Mr. Olson noted the MBTA bus shelter is free reign to make improvements. The Superintendent of Highway stated all equipment will go in all these spaces. The benches are wood today. The new benches will be metal and aesthetically pleasing. They will be anchored and set off the circular pathway. Ms. Espada was concerned about the canopies. Scott Ritter, of the Beta Group, does not think the walks will be salted. He will look at how the steel pieces hit the ground. The tent will not have any impact in the circulation of the pathways. Mr. Ritter stated stormwater is always a concern. Ms. Espada noted her concern with chairs being put in the pathways. Mr. Olson stated a lot of time was spent on stormwater. Sand will be blended into the existing soils and the whole area will be regraded. Environmentally, they are adding much biodiversity.

Ms. McKnight stated she had made comments at a prior meeting. One comment was circulation with people walking diagonally across. She is satisfied with Mr. Olson's response that the grass will be sturdy. An important role of this Town green is as event space and celebration space. People gather on the Common and the center is the stairs of Town Hall. She has looked at the plans and is not seeing, especially with the tent, that concept. She does not want to lose that. She asked if the applicant could show a sketch with 200 people on the Common looking forward. She asked if the wall will be a barrier or a place for seniors to sit down. She wants to preserve that event-space use and asked if that would be lost. Mr. Heep stated it will not be lost. There will be technological improvements of the loudspeaker system. There are considerable improvements that never existed before. Without the tent there is room for people to set up staging. Ms. McKnight asked how easily the tent can be put up and taken down. Mr. Olson hopes it is easy to take down. The intent is to have the tent spring, summer and fall. There were 4 meetings and gatherings were talked about. All agreed this sets up well for events and even better with the lawn and open space.

Mr. Olson stated this will give the ability to have large scale events. The low seat wall would be detrimental, but he sees it as an amenity for people to sit on and still have the ability to see people on the Town Hall steps and he thinks there will be such vision all the way back to Great Plain Avenue. He feels this project has accomplished the goals and this sets up better

for events. Ms. McKnight asked if it is true 200 people could be there. Mr. Ritter stated the steps and Garrity Way are not changing. Access to Garrity Way is wider and the seat wall will have paving on both sides. The oval walkways are 8 feet wide and the trees will be thinner without the overhanging limbs that are there now. He agrees with Mr. Olson it will be a more easily used space.

Mr. Jacobs commented he does not agree with Ms. McKnight's assumption the Town Hall steps need to be the stage. That could be anywhere. Mr. Ritter stated they took all into account and made it flexible space. Mr. Block noted there does seem to be more open space. It is considered livable area now. He has been to meetings there and has had his own meetings there. It is a wonderful amenity for the town. He commends the team for the use of Town Hall in ways it has not been used before. He asked what the seating count is compared to the existing conditions. He noted there are 5 tables now and it looks like there will only be 2 tables. Mr. Ritter stated there will be 4 tables and 6 or 8 benches. There will be swings and the seat wall. There is also a seat wall at the Great Plain Avenue end and removable chairs. There is a net plus in terms of seating.

Mr. Block asked if there is any specific relief needed. Mr. Heep stated there needs to be an amendment to reference the Major Project Site Plan Special Permit to include a reference to this new plan set. Mr. Jacobs stated he appreciated Mr. Ruddy's comments which were thoughtful. It would be nice to keep the diagonals, but he hopes they will keep the grass in such a way they do not turn into dirt paths. His thought is the swings may end up being very popular. He would like them to think of a contingency plan to add more if that happens. He noted Mr. Ruddy's comment about the ring on the hand of one of the kids. He is not sure Mr. Heep's explanation was that thorough. If there is a way to remove the ring, he would advise they do that. He noted he does not see any trash containers anywhere. The plans showed cables and lights running across the common. Are they intended to be permanent or only for special occasions? He does not like them and feels they get in the way of the whole design. If it is only on special occasions, he could see it, but he does not favor them for all the time. Mr. Heep intended to highlight the trash receptacles. He noted there is one located at each of the 4 corners of the common. Each one is located near tables and seating. The trash receptacles will be attended to regularly. Mr. Olson stated they are moving toward big bellies trash receptacles that have brains in them now and tell when they need emptying. The RTS weighed in and was fine with the 4 locations.

Mr. Heep does not believe the cables and lights tend to be up permanently but rather seasonally. Originally, they were going to install poles on the sidewalks, but the poles were not feasible. Ms. McKnight requested to see the electrical plan. Mr. Heep showed the plan with the lines running shade structure to shade structure. Mr. Jacobs asked what is seasonal? Mr. Olson stated that originally they were intended to be seasonal but after further guidance the wires and system need quite a bit of infrastructure and will be permanent. Mr. Jacobs appreciates that. He just wanted to register he does not like it. Mr. Alpert asked how high the lights and strings are and was informed they are 12 feet up. Ms. McKnight asked if the lights going around the oval were low lights. Mr. Ritter stated they are almost flush with the pavement and cast light over the walkway. They are not solar powered. The high lights will be turned on and off. Mr. Jacobs emphasized if the cables are permanent, they should show up on the bird's-eye view slide.

Grace Chan, of 14 Bird Street, loved what she is seeing and commends the efforts to beautify the Town. She questions the ability to have meetings. She asked if it was possible to add some kind of amphitheater for better performances and to meet up with friends. Something that could be raised and lowered for large gathering. That is a natural way to be more pedestrian friendly and have people stay in town longer. Lisa Chevalier stated she likes this. This is a nice job thinking about flexible space. She loves Mr. Olson's enthusiasm for nature and plants and likes that the grass will be sports field quality. She noted the Farmer's Market has been using Garrity Way and would be using the Common after the renovation. She is glad it will be sturdy grass. She noted big bellies are on cement blocks with foot pedals that risk hitting kids on their heads. They only work if maintained. She noted there are some around that have not been maintained.

Ms. Chevalier stated she is astonished anyone is considering altering an artist's sculpture that the Town acquired. The thought is of togetherness. The Town should be fostering the artists intentions of togetherness. She asked if electricity could be accessed for vendors at the Farmer's Market that need cooling. That would be an amenity for vendors and for people charging their phones. She asked how groups with various functions would use this space. How will this be accessible for groups to use this space? Mr. Ritter noted outlets will be installed around. He will look at wattage for refrigerators. He noted the space would be open. There are no planned activities there. Mr. Olson stated there is a special permit process for special events. He expects the town will see a whole plethora of new things.

Ms. Espada left the meeting at 9:00 p.m. Oscar Mertz, of the Bird's Hill area, commended the team that worked passionately to create this. He agrees with Mr. Jacobs regarding the lights. They are completely flat and seemed a little low. He suggested they create guide poles on the outer edge of the oval to act as a prop to allow cables to go a little higher. He showed a sketch he drew. He looks forward to seeing the common evolve. Ms. Chan stated that she likes the lights. She added the town should consider a small splash pad in the corner like Brookline has. She noted there is an amphitheater at Newman now.

Mr. Heep stated he heard a lot of good comments from the public. He noted a considerable amount of work has gone into this for over a year. He would like to move forward with the plan set before the Board. They could consider comments and ideas at a later date. Ms. McKnight stated the Board could introduce sufficient flexibility to add things later. Mr. Heep would like if there was sufficient flexibility to make changes later. Mr. Jacobs stated Mr. Mertz's comments require some more thought. He would like to see this and have it flushed out. He is not ready to vote to close the hearing. He would like Mr. Mertz to consult with the applicant to work on ideas. Ms. McKnight would like to see a sketch of how a large crowd of people could be accommodated.

Florence Graves, of 94 Warren Street, noted a lot of people did not know this was in the works. It seems like a fait accompli. She is not sure why the public is attending if comments are not welcome. This is the first time most of us are seeing this. Mr. Alpert noted the Planning Board followed all the rules and procedures. The meeting was posted 2 weeks ago and the plans have been on the website. He noted the hearing will be continued. Ms. Graves asked if others can make comments. She noted she cannot really see the seating and such. She cannot get a good sense of the details and what the seating is made of. Mr. Alpert suggested she contact the Planning Department with comments. She can see what she needs to see and can raise questions on 12/8/21. Mr. Block noted any comments and questions can be submitted. Mr. Heep stated he did not intend his earlier comments to be an unwillingness to listen to comments and concerns from the townspeople. He welcomes all comments from the public. Ms. McKnight hopes the visuals presented at the next hearing are updates. She would like to see the tent as it is erected. It is important to know how that would look. Mr. Heep stated there is at least one rendering that shows that, but he will show it again next time and will add all the renderings.

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

VOTED: to continue the hearing, one time, to Wednesday 12/8/21 at 7:20 p.m. to show Mr. Mertz's information.

8:00 p.m. – George Giunta Jr.: Discussion of possible redevelopment at 888 Great Plain Avenue.

Mr. Alpert recused himself. His law firm represents the First Baptist Church, which is an abutter to an abutter. He left the meeting for this discussion and Mr. Block chaired. George Giunta Jr., representative for the applicant, stated this is the first of multiple discussions. This was Hillcrest Gardens, a commercial landscape nursery. It is a unique location between commercial and church uses. It is zoned Single Residence B (SRB) as are the 2 church properties. Single family residence is not the best use of the land. He feels it makes sense to extend the Center Business District and the Center Business Overlay District to include this property. This would allow some retail with residential above. He noted this is very preliminary and has a better flow and is more attractive than the previous preliminary plan.

Mr. Giunta Jr. noted this plan has a 3-story building under 35 feet in height. It goes into the side yard setback. He is also asking for a mechanism to change the side yard setback down to 10 feet. He is proposing a special permit provision to allow the Planning Board to reduce it down to 10 feet. This is opening the discussion. The property is not really appropriate to be single family. It needs to be looked at and the simplest is to extend the existing zoning. Mr. Jacobs asked if there is a problem with spot zoning. Mr. Giunta Jr. stated that is something to be mindful of but it is bordered on 2 sides by the Center Business District, so it is defensible. It is a natural extension of the existing business district.

Ms. McKnight questioned whether, if zoning allowed stand-alone multi-family, that would be more feasible economically. Jay Derenzo, owner, stated he has not looked at that. He noted the commercial component would help the economics of the project. Ms. McKnight stated she is co-chair of the newly established Housing Plan Working Group, and the Overlay District is something they will be looking at closely. She agrees with Mr. Giunta Jr. that rezoning is defensible due to the location. The Housing Group will be making recommendations but probably not until the 2023 Town Meeting. Mr. Giunta

Jr. stated this is all for discussion purposes. He is suggesting an extension of zoning, but that is not the only way to deal with this.

Nicholas Landry, architect, described the building. It will be 3-stories with retail on the first floor and residential above. Parking will be below grade. They are considering 3 options: 1) brick façade on the first floor and the other floors will be stepped back; 2) the ground floor mimics the floors above with clapboard and 3) the building copies the buildings across the street with precast concrete on the first floor then residential aesthetics above. The first floor will have 3 retail units, then a ramp to below grade parking with a couple of residential units behind. There will be 33 parking spots underground. The 2 upper floors each have 11 units with a 2-bed and 1-bed unit mix. Ms. McKnight likes that parking is underground.

Mr. Jacobs asked for clarification as to whether there will be 24 residential units, 3 retail units and 39 parking spaces on site and was informed that is correct. Mr. Jacobs feels this is a perfectly reasonable presentation but noted some will not like the design. Ms. McKnight asked why change the 14-foot setback to 10 feet. With new construction why not 14 feet from the side lot lines? Mr. Giunta Jr. stated a quirky setback was put in commercial districts adjoining to residential districts, so a 50-foot setback applies. A mixed-use building would have to be 50 feet from the left side where the First Baptist Church is. The property is 135 feet wide, so this creates an open area that makes it hard to maximize the space and limits redevelopment on site.

Mr. Block thought one idea was to extend the commercial zoning all the way to Warren Street. Ms. Espada's comments were that she was concerned with a 10-foot setback. It seemed it was encroaching. The other side seemed like it was 5 feet. They need to review the zoning chart. Mr. Block asked if there was parking in the rear, noting that this abuts the municipal parking lot in the back. Mr. Giunta Jr. stated the right side of the property has a 0-setback requirement, but the plan provides a 5-foot setback. They had some discussions regarding that. Gil Cox owns the small piece of property behind and then there is the municipal lot. This would require a 3-way conversation with the Town, Mr. Cox and the proponent. That parking lot provides back access to the church, but they are open to a discussion regarding using the parking lot.

Mr. Block noted Ms. Espada's other comment was if the By-Law requires outdoor space for residential buildings. Mr. Giunta Jr. does not believe it does. Mr. Block stated there is a need for more housing in town and the concept of mixed use is an interesting approach. It seems Mr. Derenzo is responding to the demand for housing. He lauds the attempt, but he needs more time to look into this. He noted the following correspondence for the record: an email from Andrew McCollum, dated 11/15/21, with comments regarding a 3-story building being too much commercial; an email from Samuel Graves, dated 11/15/21, opposing the concept and extension of the commercial district and an email from Barbara Ridge, dated 11/15/21, concerned with rezoning and public input.

Mr. Alpert returned to the meeting. Mr. Block continued to chair for the next 2 items.

Planning Board Response to Open Meeting Law Complaint filed by Joe Abruzese on November 2, 2021.

Mr. Block noted the Board needs to address a complaint made against the Planning Board. There was an open meeting law complaint regarding the 10/19/21 meeting. The complaint was received 11/2/21 alleging a violation in the minutes before the 10/19/21 meeting occurred. The Board takes this seriously. They met with Town Counsel last week. He noted since Covid the Board has been convening by Zoom. They usually had the meeting participants join moments before the Planning Board meeting started, to work through features of the Zoom platform. It assisted with meetings to test features. At no time during this pre-meeting status did any Planning Board member give an opinion on any matter before them or any substance on any item of agenda before them. There were no deliberations on any matter that had occurred while they had met in a pre-meeting status. It is not an open meeting law violation to discuss procedural matters or scheduling. They consulted with Town Counsel who has responded directly to the complainant, and it is part of the record for this week. He read the response into the record for the public.

Mr. Block stated the Planning Board has decided not to have pre-meetings going forward. They have also enabled a gallery view so all can see who is participating. No violations occurred of the Open Meeting Law. With regards to conflict of interest and ethics, the Planning Board received a number of complaints about alleged conflict of interest by the applicant or members of the applicant's team. They questioned if the Planning Board can act on this proposal with the conflict of interest outstanding. The Board spoke with Town Counsel and with an outside counsel. The Planning Board has no

jurisdiction to discuss or deliberate on any conflict by the applicants. The Chair will not recognize any comments regarding the alleged conflict.

8:30 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 and November 2, 2021 meetings of the Planning Board.

Mr. Block noted the following correspondence for the record: a letter from Assistant Town Engineer Thomas Ryder with comments regarding ADA compliant sidewalks; an email from Maggie Abruzese with comments regarding the Canton Zoning Board of Appeals case; 3 emails from Holly Clarke with comments regarding 1) traffic and photos; 2) traffic and validation of traffic counts and 3) the barn; a letter from Evan and Sharon Gold of Charles River Street opposed to diverting traffic through Charles River Street, with the change to the timing of the light and the need for a sidewalk; an 11/16/21 letter from John Diaz which has been shared regarding unresolved items. Mr. Diaz commented ADA compliant sidewalks would be appropriate. He noted there are a couple of questions regarding grading there. If the applicant rebuilds the sidewalk, he would need to see the designs. He feels there should be follow up with the traffic study.

Evans Huber, attorney for the applicant, stated the applicant is willing to put in ADA compliant sidewalks along the frontage. They will not go through another design review. He stated Engineering is perfectly capable of reviewing the design. They are willing to follow up with a traffic study and police details until the Police Chief is satisfied. Mr. Diaz noted the traffic signal optimization and stated traffic is not being diverted and impacting other roadways. They are just optimizing the roadways after a reevaluation. The intersection does not operate as well as it should. It is a standard practice with signals to make sure they are operating as they should. This should be done regardless of this project.

Mr. Alpert stated he personally has a problem with Mr. Diaz’ vision suggesting a police detail until the Chief of Police has determined it is not necessary. The Planning Board should not be delegating that responsibility to the Chief of Police. The Board should have a condition that this Board has to be satisfied. It should be handled as a minor modification once the applicant feels the detail is no longer needed. Ms. McKnight noted there was also a memo from Denise Linden, a Dover resident, and a memo from Christy Thomson regarding lead testing. Mr. Block noted the Department of Health had a meeting today to discuss the environmental impacts and recommendations. Mr. Huber commented he would like to know why he is not allowed to speak on procedural matters. Mr. Block noted he wants to get to members of the public and not debate on how or when something should be done, which would delay that goal.

Mr. Huber stated he will submit comments in writing to the Board regarding how these meetings are being conducted. Recent last-minute submissions this Board continues to receive are at best misleading if not intentionally so. The Board was submitted a document which appears to be a decision from the Canton Board of Appeals ostensibly showing support for the idea that this Board has the authority to deny this application outright. What is missing is that the ZBA did in fact deny the application for a special permit for a day care center. That decision was appealed to the Superior Court who remanded it back to the ZBA with instructions that the Zoning Board had 2 alternatives -- one was the Board approve the permit with the conditions previously agreed to by the applicant or the Court would approve it without any input from anyone. That clearly demonstrates this Board does not have the authority to deny the permit and they should not be spending one minute discussing it. This Board should not be entertaining any issues pertaining to law. Mr. Jacobs noted, since those comments were received, there has been no discussion by this Board. The only one discussing them is Mr. Huber. Mr. Huber stated this is a pattern of behavior by this Board. This Board has allowed the opponents to submit material as late as one day but not the applicant. Mr. Block stopped Mr. Huber and stated he is out of order. The public has an equal opportunity to comment as well as comment on revised plans.

Mr. Alpert stated he was glad Mr. Huber brought up the Canton submission. He looked it up himself and took exception to what Mr. Huber said. The Court said they would send it to the Canton ZBA for further appeal in accordance with the rules and regulations. They did not say if the Board would not grant the special permit the judge would just allow it. That is a misrepresentation, and he is correcting the record. Mr. Huber stated the comments came from the minutes of the Canton ZBA 3/25/21 meeting. The minutes state the Board was told they had 2 options. He will provide the minutes to the Board

if wanted. Mr. Alpert stated he can make any submissions he wants as long as the hearing is open. Mr. Block noted he will not recognize Pat Day at this time. He will recognize her at the next meeting on 12/8/21 at 8:00 p.m. Mr. Alpert wanted to let Mr. Huber know that within the past few weeks the Canton case has been reported to the courts as being settled.

Mr. Alpert returned to the meeting as Chair.

Correspondence

There is no correspondence.

Minutes

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

VOTED: to accept the minutes of 9/8/21.

Report from Planning Director and Board members

Mr. Block noted the Council of Economic Advisors (CEA) met last week and one item discussed was regarding different types of brewing. They can range by size and type. The CEA voted to support the concept of a brewery in town and wants to send a letter to the Select Board regarding that. Ms. Newman noted the Planning Board is meeting with the Select Board next Tuesday evening regarding the issue of breweries and tree preservation strategies. She will be away next week but will participate by Zoom. She noted the budget was presented this afternoon.

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

VOTED: to adjourn the meeting at 11:00 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Adam Block, Vice-Chairman and Clerk

NEEDHAM PLANNING BOARD MINUTES

January 18, 2022

The Needham Planning Board Virtual Meeting using Zoom was remotely called to order by Paul Alpert, Chairman, on Tuesday, January 18, 2022, at 7:15 p.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 includes public hearings and there will be public comment allowed. If any votes are taken at the meeting the vote will be conducted by roll call. All supporting materials, including the agenda, are posted on the town's website.

Public Hearings:

7:20 p.m. – Amendment to Major Project Site Plan Special Permit No. 98-6: Town of Needham, 1471 Highland Avenue, Needham, MA, Petitioner (Property located at Existing Municipal Parking Lot on Chestnut and Lincoln Street, Needham, MA).

Town Counsel Christopher Heep noted the Chestnut and Lincoln Street parking lot was approved in 1998 and there have been several revisions since then. There is seasonal outdoor seating for the restaurants that abut the lot. The Town site plan special permit covers the entire lot and does not account for outdoor seating. He thought it was necessary to amend the special permit to allow the restaurants to conduct seasonal outdoor seating in some portions of the lot. He believes there will be no loss of parking spaces. He added no restaurant is applying for any seating plan approval as part of this application. This is just allowing others to come in to seek permission on an individual basis.

Mr. Alpert noted the following correspondence for the record: an email from Fire Chief Dennis Condon with comments; an email from Tara Gurge of the Health Department noting no comments at this time and a letter from Acting Town Engineer Thomas Ryder with no comments or objections. Mr. Alpert noted his understating is that Hearth Pizzeria is using space outside for seating that, pre-Covid, were parking spaces but on private property. Masala Art is also using pre-Covid parking spaces. The Planning Board has jurisdiction for Masala Art and Hearth Pizzeria but if another restaurateur moving into a building abutting the parking lot, it would be the Select Board, since this application is to allow the Select Board to have discretion to allow outdoor seating on any part of the parking lot. Mr. Jacobs asked if Mr. Heep, on behalf of the Town, would have any objection if the Board put a condition on there would be no loss of parking spaces. Mr. Heep stated he would have no objection. Ms. Newman noted, however, that the seating would be on areas that are shown on the previously-approved site plan as parking spaces. Mr. Heep noted the spaces in question have not been used as parking spaces since before Covid. He would like a little flexibility where a restaurant may want to use individual spaces. He noted each restaurant would have to apply for relief from conditions of its own special permit from the Planning Board.

Ms. Newman stated the goal is to amend the parking lot Special Permit so the Planning Board or Select Board could entertain an application to put outdoor seating on parking spaces through a process. A discussion ensued. Ms. McKnight noted that the Select Board, for any spaces for restaurants abutting the parking lot, can allow outdoor seating anywhere, but any restaurant with a special permit would need to come to the Planning Board. Mr. Heep stated the existing parking lot special permit covers the entire lot. He is only asking for spaces near the restaurants they are currently occupying. Ms. Newman noted, if the Board issues a permit for another restaurant and they decide 2 years later to get outdoor seating, it would go back to the Select Board. Mr. Jacobs commented the Board needs to be careful writing the draft decision. It would be hard to describe.

Mr. Alpert noted correspondence from Bernie Segaloff, of Segaloff's Jewelers, to Amy Haelsen, of the Town, forwarded to the Planning Board, with comments regarding concerns with losing parking spaces. He noted this amendment would allow for future applications that would have to be approved by the Planning Board or Select Board.

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

VOTED: to close the hearing.

Mr. Jacobs stated it needs to be clear in the decision the Town does not intend to give up any more parking spaces.

7:30 p.m. – Amendment to Major Project Site Plan Special Permit No. 2006-04: Sol Soul Family Foods LLC, c/o Ivan Millan-Pulecio, Chef/Owner, d/b/a Hearth Pizzeria, 59 Mount Vernon Avenue, Needham, MA 02492, Petitioner (Property located at 974 Great Plain Avenue, Needham, MA).

Ivan Millan-Pulecio, chef and owner, thanked the Board for allowing him to operate the patio last year. He would like to keep the patio. He noted it is not on any parking spots on the left side. There may be one on the right side. He has 33 seats outside, a service station, handwashing station and bathrooms just inside the back door. He would like to legalize the seating. Mr. Alpert noted the following correspondence for the record: an email from Fire Chief Dennis Condon with comment he is ok with allowing this year round; an email from Police Chief John Schlittler noting the police are ok with approved safety measures previously approved and keeping the jersey barriers in place; an email from Tara Gurge of the Health Department with no comments and a letter from Acting Town Engineer Thomas Ryder with comment that the applicant would need Select Board approval as well.

Mr. Block stated he is glad it was working before, and he is glad to continue it. He asked if it would be a certain percentage of the number of seats inside that would be allowed outside. Ms. Newman noted it would be 30% but they are amending the special permit for 3 conditions; (1) outdoor dining, (2) on an outdoor lot and (3) year-round. Mr. Block stated he is pleased to support the application. Mr. Jacobs noted a reference to the Town's existing easement. Ms. McKnight asked who owns the fee. Ms. Newman noted the fee is owned by the Simons. When the municipal lot was created it was done with private owners. The property lines run through the lot. The Town has rights to access the property. She will get a copy of the easement documents for the Board members.

Ms. McKnight understood the Town was the holder of the easement and someone else held the fee. Ms. Newman confirmed that is correct. Mr. Alpert asked if the dumpster will be moved. Mr. Millan-Pulecio stated there are 5 parking spaces and one is used for the dumpster. The dumpster has been moved but the enclosure is still there. He noted there are 2 CVS dumpsters behind the area where the patio is proposed. Mr. Jacobs asked if the Town has surrendered the right to allow Hearth to continue the patio. He wants to understand. Ms. Newman will pull out the easement documents for the Board members to review. Mr. Alpert stated initial approval was from the Select Board for outdoor seating. They will need to get copies of the easement agreement.

Ms. McKnight stated the application was not clear. It was said that the property owner is Simon but the owner's name is Copley Investments. Ms. Newman noted it is owned by the Simon Family. A motion was made to close the hearing and allow for easement information to be submitted post-hearing. Mr. Alpert commented the Board may want further discussion. The motion was withdrawn. A motion was made to continue the hearing. Mr. Millan-Pulecio stated the space he fixed to have the outdoor seating is behind the CVS dumpsters. It is not on any parking spaces. He noted the Farmhouse (restaurant) is taking the parking spaces.

Ms. Newman noted the next meeting will have to start at 7:00 p.m. She will have this on the agenda for 7:00 p.m. Ms. McKnight would like a copy of the parking lot plan and architectural drawings to be provided. Mr. Jacobs stated they may need to reopen the previous hearing re: the Town parking lot after this discussion. Artie Crocker stated nothing has been better for the community than the opening of outdoor seating. What would this mean in the future? This is a huge benefit for the community. Mr. Jacobs thanked Mr. Crocker for his comments. Ms. Espada stated she is also in support. She wants to make sure it is written correctly so the applicant does not have to come back in the future. Carolyn Day raised the point to remember the rat situation of a few years ago with the outside dining. She wants the Board of Health to stay on top of it.

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 continue the hearing to 2/1/22 at 7:00 p.m.

Appointment:

7:45 p.m. – George Guinta Jr.: Discussion of possible redevelopment at 888 Great Plain Avenue.

Mr. Alpert recused himself from this discussion. Mr. Block chaired the discussion. Mr. Block noted the Board received 27 emails and letters regarding this proposal. Other communications received last November are already in the record. Some are concerned they were not provided notice for tonight's agenda item. He explained sometimes the developer would ask for an appointment to get feedback on aspects of their proposal. This is not a public hearing and does not require notice. He noted when the developer comes with a plan there is a public hearing with notice. Comments are helpful and are part of the decision-making process.

George Giunta Jr., representative for the applicant, provided a set of plans to give the Board an idea of what the applicant is proposing. He noted this is an example of what might happen and is a starting point for discussion and not a final point. The property is zoned for single family residential in the middle of multiple zones with commercial on 2 sides and parking areas and a church. It does not make sense to be a single-family house. The applicant is requesting to extend the Center Business District. Some other zoning relief may be a better idea which is the reason for the discussion. He discussed the relief sought on the side yard setback. He prepared supplemental information that he shared with the Board. Currently there is a 50-foot setback requirement adjacent to the residential boundary. The Center Business District Overlay allows for underground parking up to 10 feet from the lot boundary. He is proposing to extend the Center Business District with relief from the 50-foot setback through a special permit process. To limit it to the Overlay District zoning as currently in place would make it difficult to develop the lot without some relief.

Mr. Giunta Jr. noted, even now if Center Business Zoning were to be extended, the first floor cannot be residential so they would need a 50-foot setback. They are asking for relief to get some flexibility. He would like feedback to help move it forward so there could be some reasonable development here. Mr. Block noted there is some misconception that may be affecting some people's understanding of the proposal. He asked if it is in a residential zone and the structure was a house but has been used as a garden center as a lawful pre-existing non-conforming use? He noted there is a desire to promote mixed-use. There are challenges and there is no curb cut between Dedham Avenue and Warren Street. Mr. Giunta Jr. stated the driveway may be the only curb cut on the block. Mr. Block stated that may be an issue. A ton of children go to Greene's Field and this is a walking path for many. This will be 24 residential units and 3 commercial units. There could be an intensive use coming out of the one curb cut. It could be problematic with people coming in and out of the pizza place and Abbott's Custard.

Mr. Block stated everyone needs to be cognizant of safety. He is not closed off to it as proposed, but he is not a fan of it. He would recommend that the building have access through the municipal lot and that be only vehicular access with pedestrian access in the front. He has strong concerns. He does not mind the concept of retail on the first floor with residential above. He is not sure he is comfortable with the density, though. The setback requirement is 50 feet. To go from 50 feet to 10 feet is a high bar to achieve. He is not comfortable with that change. He has a question with regard to height. He is using 35 feet and 3 stories as the appropriate standard. A number of homes in the area are at least that height. If the building were designed to look at least like a house, it may have an easier time. Smaller, shorter and access from Dedham Avenue or Warren Street may be better. He is not convinced this rezoning could go through Town Meeting. He is not sure, but it may be spot zoning. The applicant should think about extending the mixed-use District from Dedham Avenue to Warren Street.

Ms. McKnight noted Mr. Giunta Jr. is here to get responses. She noted that Mr. Block suggested the prior use was a lawful, pre-existing, non-conforming under the By-Law but she is not convinced. It was an agricultural use which is allowed in residential districts. Mr. Giunta Jr. noted the only relief sought would be on the side but she noted that the rear also abuts residential – wouldn't the project need relief on the back? Mr. Giunta Jr. stated the rear setback abuts the Center Business District and it borders residential only on the left side not the rear. He noted, with regards to spot zoning, this borders the Center Business District on 2 sides and this squares off the district.

Ms. Espada asked for clarification as to whether 3 sides would require a 50-foot setback now but the plan shows 15 feet, 20 feet and 20 feet. Mr. Giunta Jr. stated his understanding is this property was a single-family house and used for Hillcrest Gardens agricultural activity. After they began using the property, the town changed the zoning to require 2½ acres for agricultural use, making it non-conforming. Ms. McKnight noted a serious issue is the back alley having an entrance to underground parking. It would be tense whenever someone came out of the garage. There is no driver visibility until you are at the sidewalk. She would like to see a driveway back to a side or rear entrance to the underground parking, and suggested the developer look at 15-17 Oak Street that was recently built. She commented she would not like to see the entrance to the garage coming right out to the sidewalk. She noted the dimensional table mentions a 35-foot height and

with the overlay it can go to 37 feet. She asked if the developer would consider going up as an alternative if they do not get the 50-foot setback relief. Mr. Giunta Jr. stated they very well might but do not want to go too high.

Nicholas Landry, architect, stated they are trying to keep the building at a lower height to keep it in line with the commercial building next door but he can look at it. For the parking, there was talk about having the entrance coming off the parking lot but this was not looked at. A couple of parking spaces may be lost. Ms. McKnight asked if the number of spaces are what are required or are more being provided. Mr. Giunta Jr. stated 1½ spaces per unit would be 36 spaces. They wanted to get as much parking as possible but may need a waiver. They will know once they begin the plans.

Ms. McKnight noted the Housing Plan Working Group is looking at this area. Retail is having a hard time. She asked if stand-alone multi-family housing should be talked about. Is it economically feasible? Does mixed-use add economic value? Jay Derenzo, applicant, stated there definitely needs to be a commercial component to make it economically feasible. The Board discussed if it made sense to require 1½ parking spaces for multi-family housing that is transit oriented, how many units will be affordable, and curb cuts. Mr. Giunta Jr. noted the existing curb cut is at the driveway. The proposed curb cut has been shifted slightly to the other side to shift it away from Pickering Street.

Ms. Espada noted the Church adjacent to the property seems to be over the property line. She asked if that was an easement. Mr. Giunta Jr. noted the Assessor's map shows it really close but he is not sure it is accurate. Mr. Landry got the plan off the internet. It is not a survey. It could be an error and should be set farther over. Ms. Espada stated she had similar concerns to Ms. McKnight. She has a concern with traffic going directly out of the property and this should be taken into consideration. Mr. Block noted more green space would be able to be created. Mr. Giunta Jr. noted they looked at doing something in the back early on. The tail piece abutting the property is owned by the same owner as 60 Dedham Avenue. Something would have to be worked out with them, but the rest of the parking lot is owned by the Town. They would need to work something out with the Town, get Town Meeting approval and would need to reconfigure the parking lot. Mr. Block noted the project would need to go to Town Meeting anyway.

Mr. Jacobs informed the applicant he would not be on the Board in April. He thinks the driveway from Great Plain Avenue across the sidewalk to the underground parking is problematic. They should try to access the underground parking from the rear or a new drive from Great Plain Avenue going down the side. He views this site as an anomaly to be zoned single residence but is a transitional lot. It should be viewed differently. This needs to be setback from the street line more than zero and needs a lot more greenery. He likes the idea of maybe reducing the parking requirement from 1½ to 1 space per unit. He asked if 3 commercial spaces on the ground floor were really needed to make it work economically. He is not sure he is willing to accept more stand-alone multi-family.

Ms. McKnight agreed with Mr. Jacobs on not using a zero setback. The visibility from the driveway will be better with a front setback, and it would not be disharmonious with the area. Mr. Derenzo stated he would like to have another working meeting with the Planning Board. He will go back to the original plans.

Mr. Alpert rejoined the meeting as Chairman.

Minutes

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

VOTED: to accept the minutes of 9/21/21 Planning Board meeting as redlined.

Report from Planning Director and Board members.

Ms. Newman reviewed upcoming meetings. The Housing Plan Working Group is having a meeting on 1/27/22. There will be a community wide meeting to discuss the status of affordable housing in Needham and the housing patterns. It will let the residents give ideas on what they see as problems. She would encourage all Planning Board members to participate. Ms. Espada encouraged community members to attend. It is a listening session. They want to get input at the beginning of the process. Ms. McKnight commented the Housing Plan Working Group thought to send out a survey but decided against it at this time, as it was too complicated and too early. They thought it would be a benefit to first get thoughts and ideas from community members. Mr. Block stated he has access to MLS and can get any information or data needed for the last

5 to 8 years. Ms. McKnight suggested he communicate directly with Community Housing Specialist Karen Sunnarborg. Ms. Sunnarborg has put together a lot of data and he may be able to assist her with additional information.

Ms. Newman reminded the Board there will be a Chair/Vice-Chair meeting with the Finance Committee on 2/2/22. She had a meeting with the Finance Committee and thinks it went well. She noted she is working with Latina Restaurant. The restaurant wants to retain the outdoor seating installed during Covid. She is having an issue as the seating is located on the right of way that services the building they are in and the multi-family dwelling next door. The applicant is having trouble getting a formal license agreement to allow them to keep the seating out there permanently. The owner was able to get a letter from the property owner next door acknowledging the use and stating he has no issue with the use and its continuation. She was hoping the Board would accept that rather than a formalized license agreement to allow the use to continue on a more permanent basis.

Ms. Newman thinks it is a good use and would like the Board to allow the use to remain in place after 4/1/22 when the Covid protections expire. She noted a lot of restaurants want to make the arrangement permanent. Mr. Alpert was confused who owns the land. Ms. Newman noted it is a private right of way. Both Brookline Development Corporation and Mr. Fuhrman, who owns 50 Dedham Avenue, have an easement over it to allow access to the rest of the property. She has a letter from the owner of 50 Dedham Avenue stating he is ok with it. The dumpster in back can be accessed coming through the other area. She asked if Mr. Fuhrman's letter is sufficient to formalize the seating? Mr. Jacobs commented the Board needs to recognize the two owners could end this accommodation at any time. Mr. Alpert stated the letter had conditions that he wants to exist. He asked if there were special permits on these 2 parcels that need to be defined to allow this use.

Ms. Newman stated Latina would come in front of the Board and ask they be allowed to keep this. The Board would need to allow Latina to accept deliveries off Great Plain Avenue so that Latina can comply with the conditions set forth in the letter from Mr. Fuhrman. The issue of where it is located has been the impediment, but the abutter has now said he would allow it to go forward. Ms. McKnight is all in favor of going ahead using the letter as authorization. Usually, the Board would want to see a formal license agreement, but they are not going to require it in this case. She noted the Select Board is very supportive of outdoor dining. Ms. Espada feels the Board should have Town Counsel look at these to make sure they are ok. Ms. McKnight feels seeking the opinion of Town Counsel would be perceived as being difficult. Ms. Newman agreed. Restaurants are relying on outdoor dining to maintain their business. The Town needs to be supportive of these restaurants. Mr. Alpert noted the Board needs to recognize the fact permission needs to be granted by 50 Dedham Avenue. Granting permission does not negate the applicant needing permission from 50 Dedham Avenue.

Mr. Block feels the issue was more about deliveries coming through the driveway instead of from Great Plain Avenue. This would solve that issue and make it better. Mr. Alpert feels the language should be clear that no rights are being taken away from 50 Dedham Avenue. A discussion ensued. Mr. Jacobs noted the Board talked about a policy of non-enforcement when this started 2 years ago. The Board is trying to make it happen quickly to allow people to do the outdoor seating. Ms. Newman noted outdoor seating has only been effective during the time of the Governor's order and will expire once the Governor's order expires. There would be a minor modification for 50 Dedham Avenue. Ms. Newman understands the next steps.

Correspondence

Mr. Alpert noted a notice of a zoning public hearing from Wellesley's Planning Board. Ms. McKnight stated some interesting zoning changes to Wellesley and Westwood. She would like to know more. Ms. Newman will get copies and reach out to the Planners of those towns. Mr. Alpert noted an email from Elizabeth Kaponya, Precinct J, expressing concerns as to a medical clinic proposed where Panera Bread is.

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

VOTED: that the Planning Board enter into executive session under M.G.L. c 30A, S 21(a)(7), for the purposes of complying with M.G.L. c.30A, S 22, to review and approve the minutes of the executive session held on November 8, 2021 and that the Board not return to open session at the conclusion of the executive session.

Executive session purpose 7: Approve minutes of executive session held November 8, 2021.

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

VOTED: to approve the minutes of the 11/8/21 executive session.

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

VOTED: to adjourn the meeting at 10:15 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Adam Block, Vice-Chairman and Clerk

such Affordable Unit shall be included in the DHCD Subsidized Housing Inventory. Affordable Units shall be subject to the following conditions:

- (a) The Affordable Unit shall be affordable in perpetuity.
- (b) Each Affordable Unit must be constructed and an occupancy permit obtained at the rate of at least one Affordable Unit for every seven market rate units.
- (c) In computing the number of required Affordable Units, any fraction of a unit must be rounded up, and the result shall be the number of Affordable Units to be required.
- (d) All required Affordable Units must be built within the MUOD Project and not off-site.

3.14.10 Peer Review

The Planning Board, at the expense of the applicant and pursuant to M.G.L. Chapter 44, Section 53G, may engage qualified peer reviewers, including, but not limited to, traffic engineers, civil engineers, architects, landscape architects, wetlands scientists, lighting technicians, and experts on impacts, to review all Concept Plans, special permit applications, MSP, and Site Plan Review applications.

3.14.11 Rules and Regulations

The Planning Board may adopt rules and regulations for the implementation of this Section.

3.15 Accessory Dwelling Units (ADUs)

3.15.1 Intent

The intent and purpose of this section is to permit accessory dwelling units (ADUs) in single-family homes for occupancy by (a) an Owner (as defined in this section 3.15.2) or (b) Family of an Owner of the property (as so defined) or (c) Caregivers to an Owner of the property or a Family member of an Owner (as so defined) who resides in the property as his or her primary residence, all subject to the standards and procedures hereinafter set forth. It is also the intent to assure that the single-family character of the neighborhood will be maintained and that the accessory unit remains subordinate to the principal use of the living quarters.

3.15.2 Definition

- (a) Accessory dwelling unit (ADU) is an apartment in a single-family detached dwelling that is a second, self-contained dwelling unit and a complete, separate housekeeping unit containing provisions for living, sleeping, cooking and eating. This unit shall be subordinate in size to the principal dwelling unit on a lot and shall be constructed to maintain the appearance and essential character of the single-family dwelling.

- (b) “Caregiver” shall mean an adult who regularly looks after an elderly, chronically ill or disabled Owner who needs assistance with activities of daily living or a Family member who needs such assistance and for whom the property is such person’s primary residence.
- (c) “Family” shall mean other persons who are related to an Owner or Caregiver by blood, adoption or marriage and who are related to such Owner or Caregiver as follows: spouse, parent, sibling, child, grandchild, or a spouse or child of any such resident person.
- (d) “Owner” shall mean a person who holds record title to the property directly or indirectly and for whom the property is such Owner’s principal residence. Indirect ownership includes but is not limited to a beneficiary of a trust holding record title to the property and a majority owner of the voting stock of a corporation or the membership units of a limited liability company holding record title to the property.

3.15.3 Use Regulations

Such accessory dwelling unit (ADU) shall be permitted upon the issuance of a Special Permit by the Board of Appeals under the following use regulations:

- (a) There shall be no more than one ADU on a lot, which ADU shall be located in the single-family detached dwelling and not in an accessory building.
- (b) At least one of the units, the principal unit or the ADU, shall be Owner-occupied, except for a temporary absence of the Owner for a period of nine months or less if written notice thereof is made to the Building Commissioner on a form prescribed by the Commissioner within 60 days of the commencement of the absence.
- (c) Occupancy of the unit that is not Owner-occupied shall be limited to a member of the Owner’s Family or a Caregiver and such Caregiver’s Family; provided that occupancy of the principal dwelling unit and the ADU combined shall be limited to five persons who are not Family of the Owner.
- (d) The size of the ADU shall be limited to 850 square feet of living space and shall have no more than one bedroom.
- (e) Off-street parking shall be provided for residents of both units with a minimum of one parking space per dwelling unit.
- (f) Adequate provisions for the proper disposal of sewage, waste, and drainage generated by the ADU shall be in accordance with Board of Health requirements.
- (g) Compliance with the ingress and egress provisions of the Massachusetts State Building Code, applicable to dwelling units, shall be required. To the extent possible, exterior entrances and access ways shall not detract from the single-family appearance of the dwelling. Where there are two or more existing entrances on the

front façade of a dwelling and modifications are made to any entrance, the result shall be that one appears to be the principal entrance and the other appears to be secondary. An interior door way shall be provided between each living unit as a means of access for purposes of emergency response. All stairways to additional floors shall be enclosed within the exterior walls of the structure.

- (h) The owner of record shall be responsible for submitting an ADU application to the Building Commissioner. Floor plans of the accessory unit and principal residence, along with a certified site plan, shall also be submitted with the application to the Building Commissioner. Appropriate fees as established and recorded shall be assessed for the initial application and each renewal of the occupancy permit as determined by the Building Commissioner.
- (i) The installation of the ADU shall require the issuance of a building permit by the Building Commissioner.
- (j) Occupancy of the ADU shall not take place without proof of the recorded Special Permit and an occupancy permit issued by the Building Commissioner. The initial occupancy permit shall remain in force for a period of three (3) years from the date of issue provided that ownership of the premises is not changed. Thereafter, permits may be issued by the Building Commissioner for succeeding three-year periods provided that the structure and use continue to comply with the relevant provisions of the State Building Code and Needham By-laws. Occupancy permits shall not be transferable upon a change in ownership or occupancy.
- (k) In the case that the ADU has violated the terms of the Special Permit or the lawful use of such unit has expired or been terminated, the Building Commissioner may, in addition to other remedies, order the removal of any one or more of the provisions that create a separate dwelling unit, such as living, sleeping, cooking and eating.

3.15 Avery Square Overlay District

3.15.1 Purposes of District

The purposes of the Avery Square Overlay District (“ASOD”) are to promote the health, safety, and general welfare of the community by creating opportunities for housing primarily serving individuals 55 years old or older, who wish to live in independent apartments and/or who may need to live in Assisted Living and/or Alzheimer’s/Memory Loss facilities, within walking distance of goods and services, public transportation, and the civic life of the town; to promote a vibrant, walkable area within the ASOD, and to encourage and allow redevelopment of the existing property within the ASOD in a manner that will further these purposes. Toward these ends, development in the Avery Square Overlay District shall, as set forth in this Section 3.15, be permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district provided that such development complies with all other requirements of this Section 3.15.

GEORGE GIUNTA, JR.
ATTORNEY AT LAW*
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*Also admitted in Maryland

TELEPHONE (781) 449-4520

FAX (781) 465-6059

November 10, 2021

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

Re: J. Derenzo Properties, LLC
888 Great Plain Avenue
Proposed Zoning Change

Dear Lee,

As you know, I represent J. Derenzo Properties, LLC (hereinafter “Derenzo”) relative to the property at 888 Great Plain Avenue. That property is located immediately adjacent to the Center Business District and is between the Closet Exchange and the First Church of Christ Scientist. It contains approximately 23,111 square feet of land and was used and occupied for nearly 40 years by Hillcrest Gardens, a commercial landscape nursery, offering annuals, perennials, shrubs, and trees. Because the property is situated in the Single Residence B District and contains less than two and one-half acres of land, the nursery constituted a lawful, pre-existing, non-conforming use.¹ Derenzo has continued the use but would prefer to redevelop the property for mixed use purposes, as that is more in keeping with the adjacent properties and surrounding area.

Because of its location between a commercial block and two large, church buildings, across from another commercial block, a recreational field and the YMCA complex, and in front of a commercial parking lot, the property is better suited to a mixed-use building than a single-family residential house.² Moreover, because the property is over twice the minimum area required for a single-family residential house, the size also makes it more suitable for a mixed-use building than for a single-family residential house. Considering the surrounding uses and properties, it seems a bit odd that this parcel is zoned single-family.

Therefore, Derenzo asks that the parcel be rezoned, from Single Residence B to Center Business District, and that the Center Business Overlay also be extended to cover this parcel. This would extend the Center Business District to a more natural end; namely, the two large church buildings, and would be more consistent with the overall area than the current zoning. He also

¹ At the time the nursery began to operate, it was allowed as of right. But the Zoning By-Law was subsequently amended to require a minimum of two and one-half acres for such use, making the use lawful, pre-existing, non-conforming.

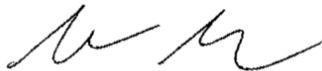
² See Exhibit A and Exhibit B, excerpts from the Needham GIS and Assessor’s Map.

asks that the side-yard setback applicable to commercial uses and buildings adjacent to residential district be amended, to allow for a setback of ten (10) feet, either by right or by special permit.

To help the Board visualize what a mixed-use building could look like, with a ten foot side yard setback, and to show what Derenzo has in mind, provided herewith please find a conceptual design set by Design Resource Team, LLC, dated August 27, 2021. Note that this design features a three-story building with underground parking, commercial and residential uses on the first floor (there are two residential units in the back) and residential use on the second and third floors. This design complies with the Center Business Overlay requirements, taking into account the special permit provisions, except with respect to the ten foot side yard setback.

Given the nature of the requested zoning change, how it fits into the downtown, and the need to address the side yard setback requirement, Derenzo would prefer if the Board would sponsor the necessary warrant article(s) if the memers agree that this rezoning makes sense and would be beneficial to the Town. To that end, we would like to discuss the request with the Board at the next available meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Giunta, Jr.", written in a cursive style.

George Giunta, Jr

EXHIBIT A
GIS Excerpt



■ Locus - 888 Great Plain Avenue

■ Outline of Adjacent Center Business District

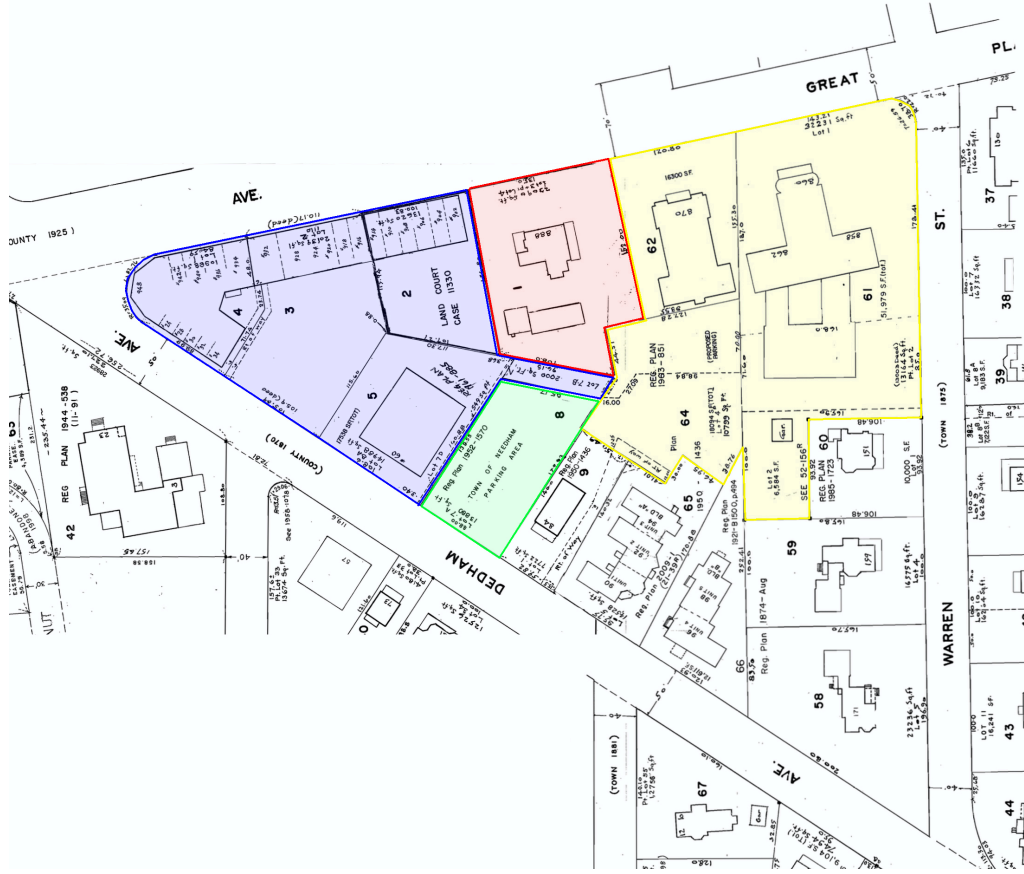
C Commercial Building / Use

I Church / Religious Building / Use

M Mixed Commercial / Residential Building / Use

Y YMCA

EXHIBIT B
Assessor's Map Excerpt



- Locus
- Center Business District
- Church Properties
- Municipal Parking Lot

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November 30, 2021

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

Re: J. Derenzo Properties, LLC
888 Great Plain Avenue
Proposed Zoning Change

Dear Lee,

Please accept this letter as a follow up to the discussion at the recent Planning Board meeting relative to the request of my client, J. Derenzo Properties, LLC (hereinafter “Derenzo”) to rezone the property at 888 Great Plain Avenue (the “Premises”) to Center Business District, with the Center Business District Overlay, and to change the applicable side yard setback. In particular, this letter is intended to address some of the questions that arose relative to setbacks and clarify why relief is needed relative thereto.

Assuming the Premises is rezoned as Center Business with the Center Business Overlay, the applicable setbacks would be as follows:

Front – Pursuant to Section 4.4.4, properties in the Center Business District have a minimum front setback of “three (3) feet or a setback consistent with the average of the setbacks of the two adjacent buildings, whichever is smaller”.

Pursuant to Section 3.4.8.1(c), under the Overlay, the minimum front setback is reduced to 0 and a maximum setback is imposed; “the lesser of 3 feet from the front property line, or the average setback of existing buildings within 100 feet on the same side of the street as the proposed development”.

Side and Rear – Pursuant to Section 4.4.8.3, “where a lot in a Center Business District adjoins a residential district, no building or structure for *business use* shall be placed or constructed within fifty (50) feet of the residential district boundary, and within said strip, the twenty-five (25) feet closest to the district boundary shall be suitably landscaped per specifications outlined below, and there shall be no accessory use. The remaining twenty-five (25) feet may be used for an accessory use not including a building or structure” (emphasis added). Furthermore, because the use table at Section 3.2.2 only allows residential apartments on the second floor and in the half-

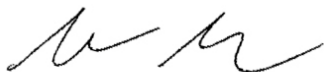
story directly above second floor, this means that under the “base” zoning in the Center Business District, the first floor for any new building at the Premises could not be closer than 50 feet to the left side line adjoining a residential district.

Under the Overlay, the situation is much the same. Pursuant to Section 3.4.8.1(e), in the Overlay, the side and rear yard setbacks for properties adjoining a residential district are 50 feet, regardless of the use of the structure. As a result, assuming the Premises is rezoned Center Business with the Overlay, under both sets of requirements, the first floor of any new building would have to be located at least 50 feet from the left property line, as it would adjoin a residential district. The only difference would be that under the “base” zoning, the second floor and half story above could extend to 25 feet from the left property line, provided they were used solely for residential use. But as illustrated by the first design, this would result in a somewhat unusual building, out of character with the area and the design goals for the Center Business District.

As a result, and after consultation with Planning staff and others, we propose a zoning change to allow for a reduction in the applicable setback down to 10 feet. This might be accomplished in two ways. First, with an outright change to the applicable setback requirements. Second, with the creation of a new special permit mechanism to allow for reduction of the setback requirements based on certain criteria, such as, the nature of adjacent properties, the surrounding area, and the proposed development. Given that changing the setback requirements outright might have unintended consequences in other zoning districts, a special permit mechanism might be simpler and could be limited to just the Center Business District.

We look forward to continuing the discussion concerning the requested zoning change at the Board’s meeting on December 7.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Giunta, Jr.", written in a cursive style.

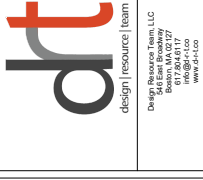
George Giunta, Jr

888 GREAT PLAIN AVE

Needham, MA 02492

08.27.2021

CONCEPTUAL DESING



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Boston, MA 02127
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Client
Derenzo Properties
300 Huntington Heights, MA 02494
www.derenzoproperties.com

Architect
Design Resource Team, LLC
546 East Broadway, Boston, MA 02127

Structural Engineer
TBD

MEP Engineer
TBD

Consultants
Structural Engineer
TBD
MEP Engineer
TBD

Supervisor
TBD

Drawn by
TBD

Checked by
TBD

Date
08.27.2021

Description
COVER

J. Derenzo Properties
888 GREAT PLAIN AVE

A001 COVER
A002 CIVIL SITE PLAN - PROPOSED CONDITIONS
A003 BUILDING INFORMATION
A004 ARCH SITE PLAN - PROPOSED
A005 GROUND FLOOR - PROPOSED
A006 LEVEL 1 - PROPOSED
A007 LEVEL 2 - PROPOSED
A008 LEVEL 3 - PROPOSED
A009 ROOF - PROPOSED
A010 CEILING PLAN - REFLECTED
A011 CEILING PLAN - REFLECTED
A012 ELEVATIONS - PROPOSED
A013 SECTIONS
A014 PRESPECTIVES
A015 SCHEDULES, DIAGRAMS
A016 MECH LAYOUT - LEVEL G, 1, 2, 3
S101 STRUCTURAL FRAMING PLANS
S102 STRUCTURAL FRAMING PLANS

VICINITY MAP



PROJECT 3D



SHEET LIST

SHEET #	SHEET NAME	REVISION	DATE
A001	COVER		
C1	CIVIL SITE PLAN - PROPOSED CONDITIONS		
A002	BUILDING INFORMATION		
A003	ARCH SITE PLAN - PROPOSED		
A004	GROUND FLOOR - PROPOSED		
A005	LEVEL 1 - PROPOSED		
A006	LEVEL 2 - PROPOSED		
A007	LEVEL 3 - PROPOSED		
A008	ROOF - PROPOSED		
A009	CEILING PLAN - REFLECTED		
A010	CEILING PLAN - REFLECTED		
A011	ELEVATIONS - PROPOSED		
A012	SECTIONS		
A013	PRESPECTIVES		
A014	SCHEDULES, DIAGRAMS		
A015	MECH LAYOUT - LEVEL G, 1, 2, 3		
S101	STRUCTURAL FRAMING PLANS		
S102	STRUCTURAL FRAMING PLANS		

ABBREVIATIONS

AF	ASBESTOS FLOOR
ACT	ACCRETION, EDS, M, TILE
ADA	APPROXIMATE
ADT	AUDIO VISUAL
AV	AUDIO VISUAL
BLOS	BOTTOM OF
BO	BOTTOM OF
CAB	CABINET HEIGHT
CL	CLEAR HEIGHT
CL	CENTERLINE
CON	CONTIGUOUS
CONT	CONCRETE MANSUARY UNIT
CMU	CONCRETE MASONRY UNIT
DETA	DETAIL
DIA	DIAMETER
DM	DOWN DIMENSION
DM	DRAWING
DWG	DRAWING
ELEV	ELEVATION
ELEC	ELECTRICAL
EQ	EQUAL
FD	FLOOR FINISH
FO	FACE OF CONCRETE
FOC	FACE OF CONCRETE
FOS	FACE OF STUD
GFC	GROUND FAULT INTERCEPTOR CIRCUIT
GFI	GROUND FAULT INTERRUPTER
GWB	GYPSPUM WALL BOARD
H	HEATING, VENTILATING, AND AIR CONDITIONING
HWC	HOLLOW METAL
HM	HOLLOW METAL
MAX	MAXIMUM OPENING
MECH	MECHANICAL
MIN	MINIMUM
MISC	MISCELLANEOUS
META	METAL
NOT IN CONTRACT	NOT IN CONTRACT
NC	NUMBER
OT	OUT OF SCALE
O	OVER
OC	ON CENTER
OP	OPENING
OPP	OPPOSITE
OS	ON SITE
P	PAINTED
PLYWD	PLYWOOD
PTD	PAINTED
REGD	REGISTERED
RO	ROUGH OPENING
SCHED	SCHEDULE
SM	SMALL
SM	SMALL
SQ	SQUARE
STL	STEEL
STL	STEEL
STOR	STORAGE
STOR	STORAGE
TACT	TONGUE AND GROOVE
TAG	TOP OF
TAG	TOP OF
UNLESS OTHERWISE NOTED	UNLESS OTHERWISE NOTED
VERY IN FIELD	VERY IN FIELD
W/OUT	WITHOUT
WOOD	WOOD
WPM	WATERPROOFING MEMBRANE

SYMBOLS

	REFERENCE TO EXISTING DRAWING SHEET
	REFERENCE TO EXISTING DRAWING SHEET
	REFERENCE TO EXISTING DRAWING SHEET
	REFERENCE TO EXISTING DRAWING SHEET
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	REFERENCE TO EXISTING DRAWING SHEET

GENERAL REQUIREMENTS

- ALL WORK SHALL BE IN ACCORDANCE WITH ALL APPLICABLE LOCAL, BUILDING, AND REGULATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR PERMITS APPLICABLE TO SPECIFIC TRADES OR SUBCONTRACTORS.
- CONTRACTOR SHALL EXAMINE THE PREMISES AND SITE SOAS TO COMPARE THEM TO THE CONTRACT DRAWINGS AND WILL BE FAMILIAR WITH THE EXISTING CONDITIONS OF THE BUILDING AND ADJACENT PROPERTY PRIOR TO SUBMISSION OF BID NUMBER. ALLOWANCES ARE TO BE SHOWN AS SUCH IN THE DRAWINGS. CONTRACTOR SHALL VERIFY THAT ALL MATERIALS AND METHODS USED TO BE OBTAINED TO OBTAIN THE COMPLETED CONDITIONS PROPOSED IN THE DRAWINGS AND SPECIFICATIONS.
- ALL SUBCONTRACTORS SHALL INSPECT THE SITE AND CONVEY ANY QUESTIONS REGARDING DESIGN INTENT AND SCOPE OF WORK TO THE GENERAL CONTRACTOR WHO WILL CONVEY THESE TO THE ARCHITECT PRIOR TO SUBMITTING A BID AND PRIOR TO COMMENCING WORK. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LICENSING, AND INSURANCE FOR ALL TRADES AND SUBCONTRACTORS OF THIS PROJECT. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF PERSONS AND PROPERTY FOR THE DURATION OF THE PROJECT.
- CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR JOB SITE CONDITIONS INCLUDING THE SAFETY OF PERSONS AND PROPERTY FOR THE DURATION OF THE PROJECT.
- CONTRACTOR SHALL CONFORM TO ALL NEIGHBORHOOD ASSOCIATION RULES AND GUIDELINES.
- CONTRACTOR SHALL NOTIFY ARCHITECT IMMEDIATELY AND PRIOR TO ORDERING OF ALL LONG LEAD TIME ITEMS AND OF APPROXIMATE DELIVERY DATES.
- ALL CONSTRUCTION MATERIALS AND SUPPLIES ARE TO BE STORED, HANDLED, AND INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS AND IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. THEY SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
- IF THERE ARE DISCREPANCIES FOUND IN THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL ANTICIPATE, BASED ON EXPERIENCE, A REASONABLE DRAWINGS SCHEMATICALLY INDICATE NEW CONSTRUCTION. THE CONTRACTOR SHALL ANTICIPATE, BASED ON EXPERIENCE, A REASONABLE DRAWINGS SCHEMATICALLY INDICATE NECESSARY TO MEET THE DESIGN OBJECTIVES AND SHOULD CONSIDER SUCH ADJUSTMENTS AS NECESSARY TO COMPLY WITH THE DESIGN INTENT.
- WHEN SPECIFIC FEATURES OF CONSTRUCTION ARE NOT FULLY SHOWN ON THE DRAWINGS OR CALLED FOR IN THE GENERAL NOTES, THEIR CONSTRUCTION SHALL BE OF THE SAME CHARACTER AS SIMILAR CONDITIONS.
- ALL DIMENSIONS ARE TO BE TAKEN FROM NUMERIC DIMENSIONS ONLY. DIMENSIONS ARE NOT TO BE SCALED OFF OF THE DRAWINGS.
- THESE NOTES ARE TO APPLY TO ALL DRAWINGS AND COVER UNLESS MORE SPECIFIC REQUIREMENTS ARE INDICATED THAT ARE CONTRACT DOCUMENTS FOR ADDITIONAL INFORMATION.
- ALL DIMENSIONS ARE TO FACE OF FINISH UNLESS OTHERWISE NOTED.
- PROVIDE WEATHER BARRING AT ALL DOORS LEADING FROM HEATED TO UNHEATED AREAS. PROVIDE VINYL BRUSH TYPE WEATHER STRIPPING AT THE SEALS AND WINDOWS. ALL SIDES OF NEW DOORS ARE TO BE WEATHER STRIPPED INCLUDING THE THRESHOLD.
- CALK AND SEAL OPENINGS IN BUILDING EXTERIOR TO A THICKNESS OF 1/8" OR GREATER TO PREVENT AIR INTRUSION.
- ALL WINDOWS ARE TO BE OPERABLE FOR CLEANING UNLESS OTHERWISE NOTED.
- ALL WALL FRAMING SHALL BE 3 1/2" AT 16" ON CENTER UNLESS OTHERWISE NOTED.
- ALL GYPSUM BOARD SHALL BE 5/8" THICK UNLESS OTHERWISE NOTED.
- STRUCTURAL WOOD MEMBERS ADJACENT TO CONCRETE ARE TO BE PRESSURE TREATED DOUGLAS FIR.

REVISIONS TO THIS DRAWING SHALL BE MADE ON THE DRAWING SHEETS. REVISIONS SHALL BE INDICATED BY THE INTERNATIONAL MECHANICAL CODE (IMC) 2018 AND THE MASSACHUSETTS BUILDING CODE (MBC) 2018. CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE SECTIONS.

LEVEL	AREA
FIRST	XX
SECOND	XX
THIRD	XX
FOURTH	XX
FIFTH	XX
SIXTH	XX
TOTAL GSF	XX GSF

REVIEW PER PROJECT

A. PRODUCT TYPE
B. FINISH TYPE
C. GOVERNING CODE MA 780 CMR 26B.001 (2015) - 9TH EDITION, INC
D. CONSTRUCTION CLASSIFICATION XXXXX
E. FULLY SPRINKLER
F. HEIGHT AND AREA PER XXXXX ZONING ORDINANCES

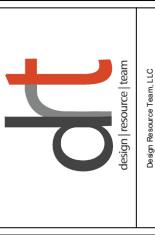
ZONING REVIEW

888 GREAT PLAIN AVE ZONING SUMMARY PROPOSED CENTER BUSINESS SUBDISTRICT

NEEDHAM NEIGHBORHOOD, CB ZONING SUBDISTRICT	PERMITTED DIMENSION	EXISTING DIMENSION	PROPOSED DIMENSION	RELIEF REQUIRED
LOT AREA (SF) MINIMUM	10,000	23,111	23,111	N
LOT FRONTAGE (FEET) MINIMUM	80	135	135	N
FLOOR AREA RATIO (FAR) MAXIMUM	1.0		-2.0	Y
BUILDING HEIGHT (STORES) MAXIMUM	2.5		3	Y
BUILDING HEIGHT (FEET) MAXIMUM	35		35	N
MAX BUILDING COVERAGE	-	-	-	-
FRONT YARD MIN. DEPTH (FEET - SOUTH SIDE)	3 (OR STREET LINE)		0 STREET LINE	N
SIDE YARD DEPTH (FEET - WEST SIDE)	14*		10	Y
SIDE YARD DEPTH (FEET - EAST SIDE)	14*		5	Y
REAR YARD DEPTH (FEET - NORTH SIDE)	20**		20	N
# OF PARKING SPACES REQD	39 RESIDENTIAL		N/A	Y
# OF PARKING SPACES REQD	39 RESIDENTIAL		39	Y

FOOTNOTES TO THIS TABLE:
1. * - MIN OF 32' LINEAR FEET OF THE BUILDING MAY BE BUILT AT MINIMUM SETBACK. THE REMAINDER MUST BE AT LEAST 2 ADDITIONAL FEET.
2. ** - EN - Existing Nonconforming

REVIEW PER PROJECT

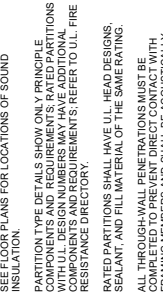


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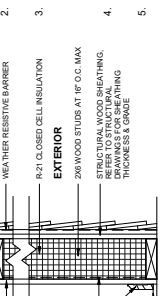


J. Derenzo Properties
888 GREAT PLAIN AVE
BUILDING INFORMATION
Project Number: 271064
Date: 08/27/2011
Drawn by: DB
Checked by: NFL
A001
Scale: As indicated

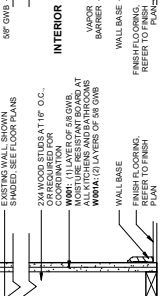
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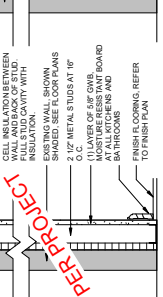
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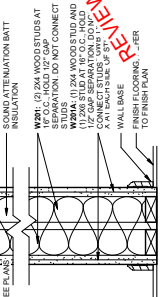
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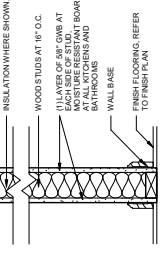
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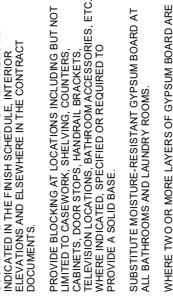
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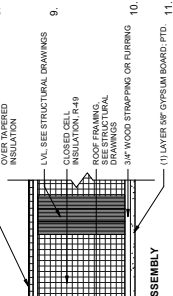
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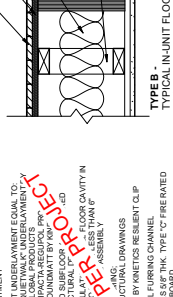
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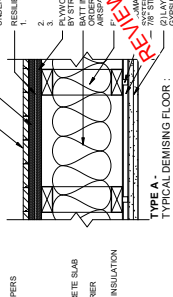
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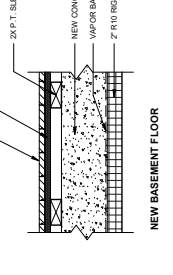
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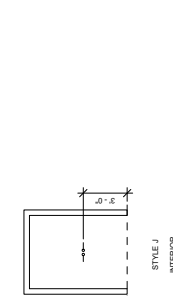
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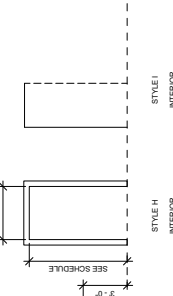
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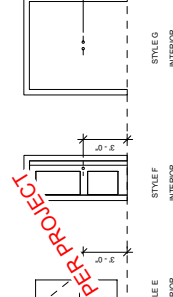
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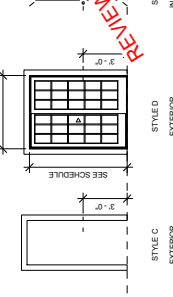
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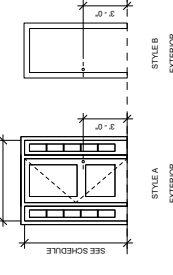
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NOT FOR CONSTRUCTION



NOT FOR CONSTRUCTION



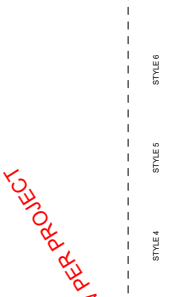
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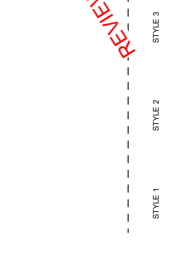
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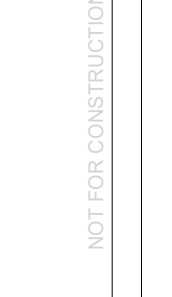
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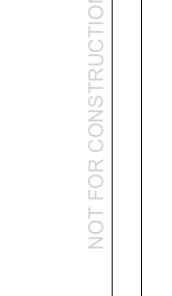
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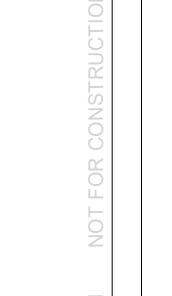
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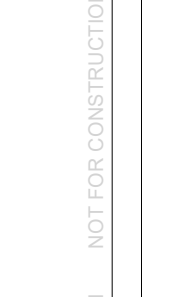
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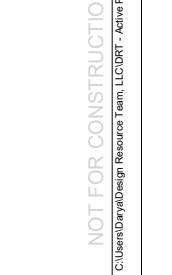
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NOT FOR CONSTRUCTION





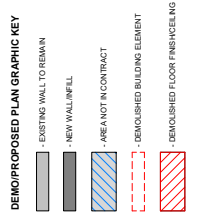
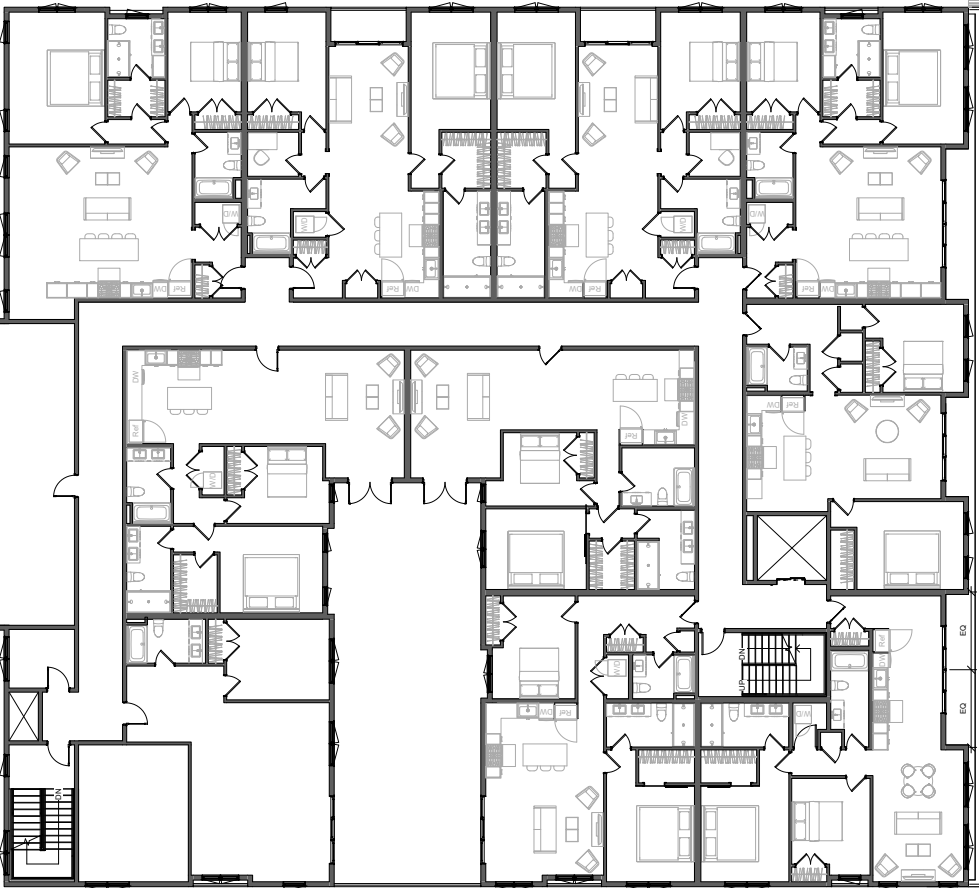
Design Resource Team, LLC
 546 East Broadway
 Denver, CO 80202
 (303) 733-4317
 www.dr-team.com

DRAFT

- GENERAL NOTES**
1. ALL NEW ELECTRICAL WIRING SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL CODES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE GENERAL CONTRACTOR'S OBLIGATION TO THE CITY OF DENVER FOR ANY REQUIRED PERMITS. ALL DIMENSIONS ARE TO BE TAKEN FROM AN INTERIOR FINISH SURFACE UNLESS OTHERWISE NOTED. DIMENSIONS ARE TO BE TO THE CENTERLINE OF THE DIMENSION UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS ARE TO BE TAKEN FROM AN INTERIOR FINISH SURFACE UNLESS OTHERWISE NOTED. DIMENSIONS ARE TO BE TO THE CENTERLINE OF THE DIMENSION UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO BE TAKEN FROM AN INTERIOR FINISH SURFACE UNLESS OTHERWISE NOTED. DIMENSIONS ARE TO BE TO THE CENTERLINE OF THE DIMENSION UNLESS OTHERWISE NOTED.
 4. ALL OVERHEAD AND PLASTER FINISHES SHOULD BE SMOOTH, CONTINUOUS, FREE OF IMPERFECTIONS, AND FINISHED TO THE SATISFACTION OF THE ARCHITECT.
 5. PROVIDE GAS, WATER SPOUT, OUTLET, AND LIGHTING AT ALL CLOSETS. PROVIDE CLOSET RODS AND HANGERS AS NOTED.
 6. ALL CLOSETS SHALL HAVE SHELF AND HOLE FOR SHOE CHANGERS AND CLOSET RODS AND HANGERS AS NOTED.
 7. ALL REQUIRED LIFE SAFETY DEVICES, INCLUDING SMOKE AND HEAT DETECTORS, SHALL BE INSTALLED AND TESTED BY THE CONTRACTOR IN COMPLIANCE WITH THE 2015 INTERNATIONAL BUILDING CODE.

- PLAN NOTES**
1. ALL WALL FINISHES ARE TO BE 5/8" THICK GYPSUM BOARD ON TOP OF CONCRETE OR MASONRY. ALL EXIST WALLS TO CL OF NEW WALL UNLESS OTHERWISE NOTED.
 2. ALL DOORS ARE 8' TALL UNLESS OTHERWISE NOTED.
- MECHANICAL | SECURITY NOTES**
1. PROVIDE 5/8" AUDIO WIRING FOR LIVING ROOM AND BEDROOMS. PROVIDE 1" DUCTWORK AND LOGS AS SEE REFLECTED CEILING PLANS.
 2. PROVIDE NEST LEARNING THERMOSTATS AT EACH UNIT. ZONING PER FLOOR LEVEL IN DUPLEX UNITS.
 3. PROVIDE RADIANT HEATING SYSTEMS IN ALL UNITS. HEATING AND COOLING WIRING SHALL BE PROVIDED BY AIR CONDITIONING SYSTEMS WITH HYDRONIC HEATING. NOT WATER IS TO BE PROVIDED BY A HIGH EFFICIENCY HEATING AND HOT WATER SYSTEM OR EQUAL.
 4. HARD WIRED SECURITY SYSTEM SHALL BE PROVIDED AT ALL UNITS. PROVIDE WIRING FOR CONTACT DETECTOR FOR DOORS AND WINDOW DETECTOR FOR MOTION DETECTOR PER UNIT.

- ELECTRICAL NOTES**
1. ELECTRICAL SERVICE POWER IS TO BE EVALUATED FOR MEETING LIGHTING DESIGN AND EQUIPMENT REQUIREMENTS. PROPER POWER LEVEL SHALL BE PROVIDED.
 2. ALL NEW ELECTRICAL ITEMS ARE TO BE UL RATED. ALL ELECTRICAL PANELS ARE TO BE RECESSED INTO A WALL WITH A MINIMUM 4" STUD DIMENSION. REVIEW ALL ELECTRICAL PANEL SIZES TO BE NEW.
 3. ALL DISTRIBUTION PANELS ARE TO BE NEW.
 4. ALL ELECTRICAL PANELS ARE TO BE NEW.
 5. PROVIDE 3 WIRE JUNCTION BOXES. ALL BEDROOMS ARE TO RECEIVE ELECTRIC HEAT MATS BY NUHEAT OR EQUAL AT ALL BEDROOMS.
 6. ALL COSET LIGHTING IS TO BE HIGH EFFICIENCY.
 7. ALL OUTLET LIGHTING SHALL HAVE GROUND FAULT INTERRUPTORS.
 8. ALL ELECTRICAL PANELS SHALL BE PROVIDED WITH A SOURCE OF POWER FROM BUILDING WIRING WITH BATTERY BACKUP.
 9. ALL DIMENSIONS FOR THE FOLLOWING ITEMS ARE TO BE TAKEN FROM THE CENTERLINE UNLESS OTHERWISE NOTED.
 - A. MOUNT ALL OUTLETS, PHONE JACKS, AND TELEVISION CABLE JACKS VERTICALLY AT 18" TO 24" FROM THE BOTTOM OF THE PLATE UNLESS OTHERWISE NOTED. WHERE BASE AND TRIM IS TO BE INSTALLED, THE CENTERLINE OF THE PLATE IS TO BE 48" FROM THE BOTTOM OF THE PLATE TO TOP OF BASEBOARD TRIM.
 - B. MOUNT ALL SWITCHES AT 48" TO CENTERLINE UNLESS OTHERWISE NOTED.
 - C. VERTICALLY ALIGN SWITCHES AND OUTLETS WHERE POSSIBLE.
 10. ALL DIMENSIONS FOR THE FOLLOWING ITEMS ARE TO BE TAKEN FROM THE CENTERLINE UNLESS OTHERWISE NOTED.
 - A. MOUNT ALL OUTLETS, PHONE JACKS, AND TELEVISION CABLE JACKS VERTICALLY AT 18" TO 24" FROM THE BOTTOM OF THE PLATE UNLESS OTHERWISE NOTED. WHERE BASE AND TRIM IS TO BE INSTALLED, THE CENTERLINE OF THE PLATE IS TO BE 48" FROM THE BOTTOM OF THE PLATE TO TOP OF BASEBOARD TRIM.
 - B. MOUNT ALL SWITCHES AT 48" TO CENTERLINE UNLESS OTHERWISE NOTED.
 - C. VERTICALLY ALIGN SWITCHES AND OUTLETS WHERE POSSIBLE.



J. Derenzo Properties
 888 GREAT PLAIN AVE
 LEVEL 2 - PROPOSED

Project Number: 2210524
 Date: 08.27.2024
 Checked by: NPL

A102

Scale: As indicated

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION



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DRAFT

J. Derenzo Properties
888 GREAT PLAIN AVE
ROOF - PROPOSED

Project Number: 221054
Drawn By: 08.27.2021 DR
Checked By: NFL

A104

Scale: As indicated

NOT FOR CONSTRUCTION

GENERAL NOTES

1. VERIFY ALL DIMENSIONS AND LOCATIONS FOR ALL ITEMS TO BE DEMOLISHED OR CALLED FOR IN THESE GENERAL NOTES PRIOR TO CONSTRUCTION. ALL DIMENSIONS ARE TO BE TAKEN FROM INTERIOR DESIGNATIONS UNLESS OTHERWISE NOTED. ALL DIMENSIONS ARE TO BE TO CENTER UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO BE TAKEN FROM INTERIOR DESIGNATIONS UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO BE TO CENTER UNLESS OTHERWISE NOTED.
4. ALL OPERABLE AND PLASTER FINISHES SHOULD BE SMOOTH, CONTINUOUS, FREE OF IMPERFECTIONS, AND FINISHED TO A FINISH FINISH.
5. PROVIDE GAS, WATER SPOUT, OUTLET, AND LIGHTING AT ROOF DECKS.
6. ALL CLOSETS SHALL HAVE SHELF AND PALEOR SHELVES AS REQUIRED, UNLESS OTHERWISE NOTED.
7. ALL REQUIRED LIFE SAFETY DEVICES, INCLUDING SMOKE DETECTORS AND EXHAUST SYSTEMS SHALL BE PROVIDED BY THE CONTRACTOR IN COMPLIANCE WITH THE 2015 INTERNATIONAL BUILDING CODE.

NOT FOR CONSTRUCTION

PLAN NOTES

1. WALL TYPE REMAINS THE SAME AS NOTED IN THE EXISTING WALL TO CL OF NEW WALL UNLESS OTHERWISE NOTED.
 2. ALL DOORS ARE 87" TALL UNLESS OTHERWISE NOTED.
- MECHANICAL | SECURITY NOTES**
1. PROVIDE 5/8" AUDIO WIRING FOR LIVING ROOM AND BEDROOM AND SUBMITTER AND LAYOUT SEE REFLECTED CEILING PLANS.
 2. PROVIDE NEST LEARNING THERMOSTATS AT EACH UNIT. ZONING PER FLOOR LEVEL IN DUPLEX UNITS.
 3. HEATING AND COOLING SYSTEMS SHALL BE PROVIDED BY AIR CONDITIONING SYSTEMS WITH HYDRONIC HEATING.
 4. HOT WATER IS TO BE PROVIDED BY A HIGH EFFICIENCY HEATING AND HOT WATER SYSTEM OR EQUAL.
 5. HARD WIRED SECURITY SYSTEM SHALL BE PROVIDED AT EACH UNIT. SYSTEM SHALL BE INSTALLED FOR LOCKS AND WINDOWS WITH CALL MOTION DETECTOR PER UNIT.

NOT FOR CONSTRUCTION

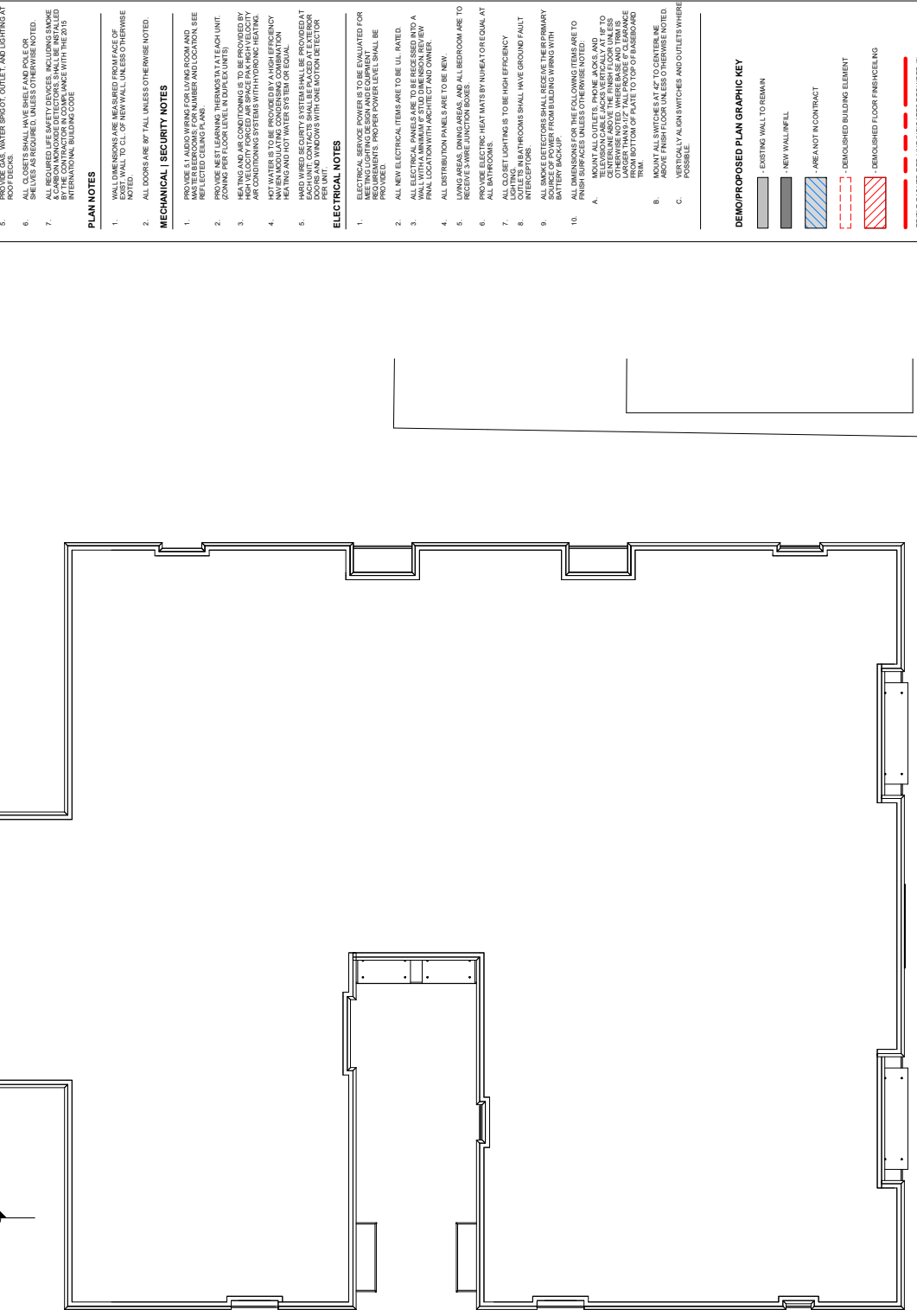
ELECTRICAL NOTES

1. ELECTRICAL SERVICE POWER IS TO BE EVALUATED FOR MEETING LIGHTING DESIGN AND EQUIPMENT REQUIREMENTS. PROPER POWER LEVEL SHALL BE PROVIDED.
 2. ALL NEW ELECTRICAL ITEMS ARE TO BE UL RATED.
 3. ALL ELECTRICAL PANELS ARE TO BE RECESSED INTO A WALL WITH A MINIMUM 4" STUD DIMENSION. REVIEW THE DRAWINGS FOR PANEL SIZES AND LOCATIONS.
 4. ALL DISTRIBUTION PANELS ARE TO BE NEW.
 5. RECESSED 3-WIRE JUNCTION BOXES. ALL BEDROOMS ARE TO RECEIVE ELECTRIC HEAT MATS BY NUHEAT OR EQUAL. AT ALL BATHROOMS.
 6. ALL COSET LIGHTING IS TO BE HIGH EFFICIENCY.
 7. ALL OUTLET IN BATHROOMS SHALL HAVE GROUND FAULT INTERRUPTORS.
 8. ALL ELECTRICAL WORK SHALL BE DONE AT THE PRIMARY SOURCE OF POWER FROM BUILDING WIRING WITH BATTERY BACKUP.
 9. ALL DIMENSIONS FOR THE FOLLOWING ITEMS ARE TO BE TAKEN TO THE CENTERLINE UNLESS OTHERWISE NOTED.
- A.** MOUNT ALL OUTLETS, PHONE JACKS, AND TELEVISION CABLE JACKS VERTICALLY AT 8" TO CENTERLINE UNLESS OTHERWISE NOTED. WHERE BASE AND TRIM IS OTHERWISE NOTED, MEASURE FROM THE CENTERLINE FROM BOTTOM OF PLATE TO TOP OF BASEBOARD TRIM.
- B.** MOUNT WALL SWITCHES AT 48" TO CENTERLINE UNLESS OTHERWISE NOTED.
- C.** VERTICALLY ALIGN SWITCHES AND OUTLETS WHERE POSSIBLE.

NOT FOR CONSTRUCTION

DEMOPOSED PLAN GRAPHIC KEY

- EXISTING WALL TO REMAIN
- NEW WALL/FELL
- ARE NOT IN CONTRACT
- DEMOLISHED BUILDING ELEMENT
- DEMOLISHED FLOOR FINISH/CEILING
- TRIPLE BASED RED LINE INDICATES REQUIRED (P)
- UL NO. LIST AT WALLS AND UL NO. LIST AT CEILING



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1 South Elevation - Proposed
1/8" = 1'-0"



2 PERSPECTIVE



Design Resource Team, LLC
546 East Broadway
Portland, Oregon 97232
503.281.6117
www.drt-llc.com

DRAFT

No.	Description	Date

J. Derenzo Properties
888 GREAT PLAIN AVE
ELEVATIONS - PROPOSED

Project Number: 221054
Date: 08/27/2024
Drawn by: DB
Checked by: NPL

A200

Scale: 1/8" = 1'-0"

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546 East Broadway
Chicago, IL 60611
www.drt.com

DRAWN

No.	Description	Date

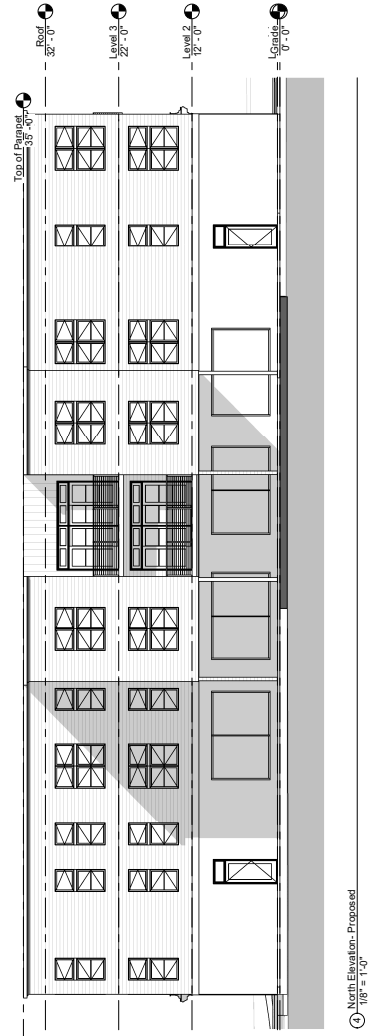
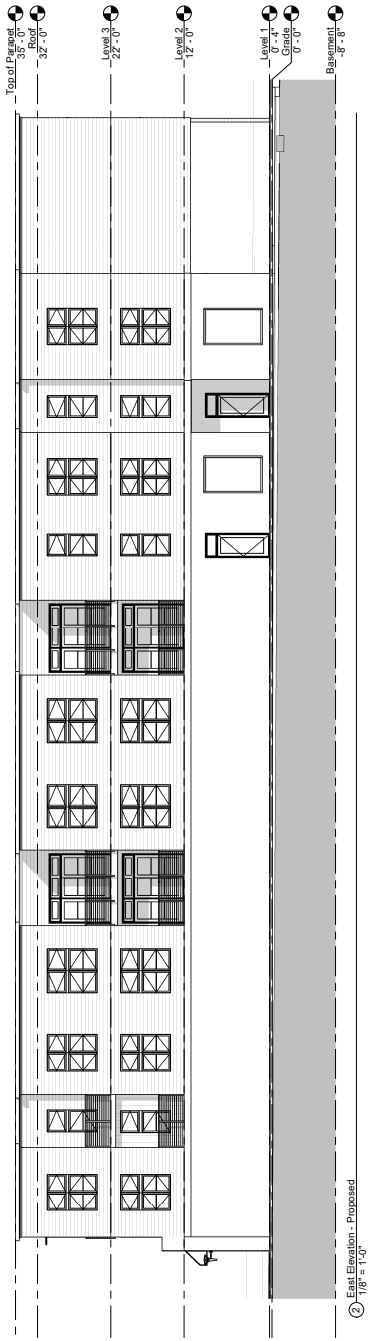
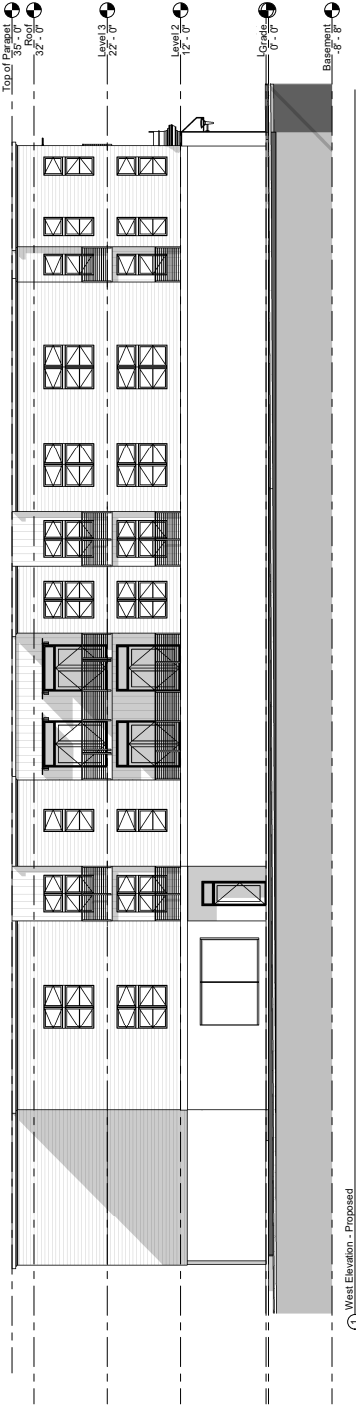
J. Derenzo Properties
888 GREAT PLAIN AVE
ELEVATIONS - PROPOSED

Project Number	221054
Date	08.27.2021
Drawn by	DB
Checked by	NPL

A201

Scale	1/8" = 1'-0"
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DRAFT

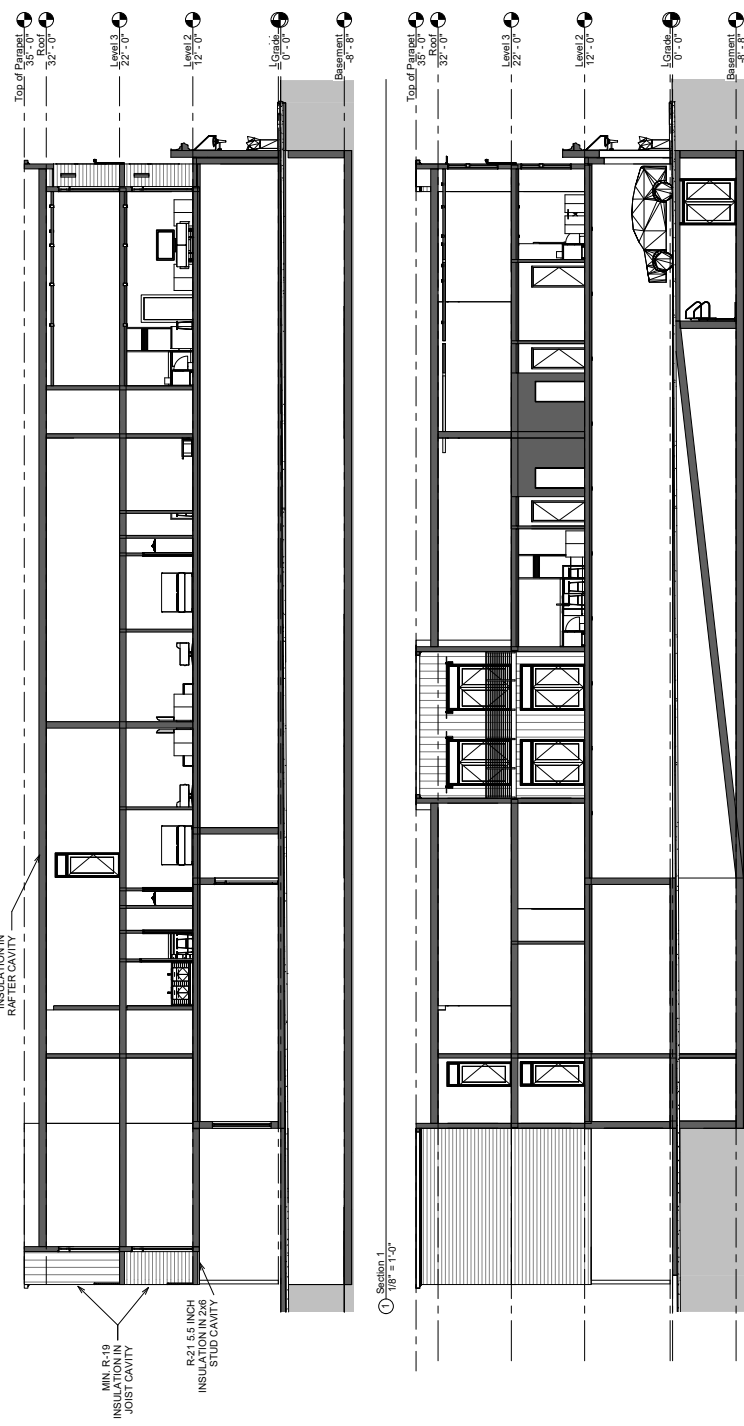
No.	Description	Date

J. Derenzo Properties
 888 GREAT PLAIN AVE
 SECTIONS

Project Number	2210524
Date	08.27.2021
Drawn by	DB
Checked by	NPL
Scale	1/8" = 1'-0"

A300

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INSULATION NOTES - Section 1

1. PRESCRIPTIVE CONFORMANCE TO IECC SECTION 402 SELECTED FOR COMPLIANCE WITH IRC CHAPTER 11 IN 1101.2
2. MINIMUM WINDOW PERFORMANCE: U-0.30 OR BETTER
3. MINIMUM SKYLIGHT PERFORMANCE: U-0.55 OR BETTER
4. ROOF AND CEILING INSULATION PERFORMANCE R-49 OR BETTER. EXTEND FULL DEPTH INSULATION TO EXTERIOR WALL SHEATHING TO ELIMINATE COLD CORNERS AND PREVENT ICE DAM FORMATIONS
5. WOOD FRAME EXTERIOR WALLS: HIGH PERFORMANCE R-21 WALL INSULATION IN 2x6 W/ STUD WALLS OR FLASH AND BATT WITH SPRAY FOAM AND FIBERGLASS ATT INSULATION TO MEET MINIMUM REQUIREMENT IN TABLE 402.1.1
6. MASS WALLS: R-17 MINIMUM PERFORMANCE IF INSTALLED INSIDE OF WALL CENTERLINE. R-13 MINIMUM IF INSTALLED ON THE OUTSIDE AS MEASURED FROM THE WALL CENTERLINE
7. FLOOR INSULATION: R-30 INSULATION BETWEEN JOISTS. INSULATION MUST BE INSTALLED FOR PERMANENT DIRECT CONTACT BETWEEN SUB-FLOOR AND INSULATION. INSTALLATIONS THAT ALLOW FUTURE SAGGINGS OF INSULATION AWAY FROM FLOOR DECK NOT PERMITTED
8. FOUNDATION AND SLAB INSULATION AT BASEMENT: R-30 INSULATION UNDER SLAB

ENERGY CODE REQUIREMENTS (IECC 2018 EDITION)

TABLE R402.1.2 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT (a)

CLIMATE ZONE	FENESTRATION U-FACTOR (b)	GLAZED FENESTRATION SHGC (b, c)	CEILING R-VALUE	WOOD FRAME WALL R-VALUE (f)	MASS WALL R-VALUE (i)	FLOOR R-VALUE	BASEMENT WALL R-VALUE	SLAB (g) R-VALUE & DEPTH	CRAWL SPACE (e) R-VALUE
5 and Marine 4	0.30	0.55	NR	49	20 or 13-(5/f)	39(9)	15/19	10, 2, 4	15/19

NR - Not Required; For Sl: 1 foot = 304.8 mm.

a. R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.

b. The fenestration U-factor applies to skylights. The SHGC applies to all glazed fenestration. Exception: Skylights may be excluded from glazed fenestration SHGC requirements in climate zones 1 through 3 where the SHGC for such skylights does not exceed 0.30.

c. *15/19* means R-15 continuous insulation on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. *10/2/4* shall be permitted to be met with R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.

d. R-5 shall be added to the required slab edge R-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less in Climate Zones 1 through 4 or heated slabs.

e. There are no SHGC requirements in the Marine Zone.

f. Basement wall insulation is not required in warm-humid locations as defined by Figure R301.1 and Table R301.1.

g. Or insulation sufficient to fill the framing cavity. R-19 minimum.

h. The first value is cavity insulation, the second value is continuous insulation, so *13+5* means R-13 cavity insulation plus R-5 continuous insulation.

i. The second R-value applies when more than half the insulation is on the interior of the mass wall.

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Portland, OR 97204
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DRAFT

No.	Description	Date

J. Derenzo Properties
888 GREAT PLAIN AVE
AXONS

Project Number: 221054
Date: 08/27/2024
Drawn by: DB
Checked by: NFL

A400



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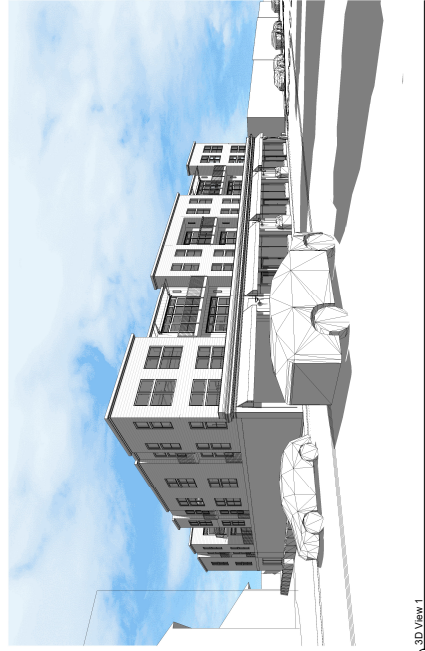
NOT FOR CONSTRUCTION

② 3D VIEW - Back

① 3D VIEW - Front



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① 3D View 1



② 3D View 2



③ 3D View 3



④ 3D View 4

No.	Description	Date

J. Derenzo Properties
 888 GREAT PLAIN AVE
 PERSPECTIVES

Project Number: 271054
 Date: 08/27/2021
 Drawn by: AJB
 Checked by: **A500**

Scale: _____

TOWN OF NEEDHAM HOUSING PLAN DECEMBER 2022



Needham Place



Rosemary Ridge



Craftsman Village



High Rock Estates

Prepared by the Needham Housing Plan Working Group

Jeanne McKnight, Co-Chair	Planning Board
Natasha Espada, Co-Chair	Planning Board
Rhonda Spector	Citizen At Large
Oscar Mertz	Citizen At Large
Emily Cooper	Citizen At Large
Ed Cosgrove	Board of Health
Helen Gregory	Council on Aging
Carol Fachetti	Finance Committee
Ed Scheideler	Housing Authority
Heidi Frail	Select Board
Marcus Nelson	Select Board
Michael O'Brien	School Committee

Needham Department of Planning and Community Development

Lee Newman, Director of Planning and Community Development
Alexandra Clee, Assistant Town Planner Karen Sunnarborg, Housing Specialist

that the value of the fee relates to the losses the developer would suffer by building affordable units. Stronger fees typically match the value of the affordable unit not built, allowing the fee to subsidize the same number of units in a separate project.

A simple formula would be the difference between the market sales price of a homeownership unit and the affordable one with the affordability based on the state’s formula for calculating the purchase price through the Local Initiative Program (LIP). The per unit fee would be multiplied by the number of affordable units required under the permitting.

Another consideration that was adopted as part of the changes to the Neighborhood Business District/128 zoning, is adopting the cash-out fee calculation in which the cash payment is equal to the most current Total Development Costs (TDC) as articulated in the MA Department of Housing and Community Development’s Qualified Allocation Plan (QAP) for projects using the Low-Income Housing Tax Credit. These costs are divided by whether the units are part of a production or preservation project, are outside or within the Metro Boston area and by the type of housing to be built.

It is also useful to provide sufficient incentives to developers to make sure that the incorporation of affordable units will be financially feasible. Consequently, it may be prudent to add incentives, such as density bonuses, when the inclusionary zoning requires more than 10% of units to be affordable to ensure that the zoning works economically.

3. Broaden Requirements for Accessory Dwelling Units (ADUs)

Lead Entity: Planning Board and Zoning Board of Appeals
Timeframe: Near Term
Requires Town Meeting Approval: Yes (Simple Majority)
Level of Complexity: Medium

Background: The 2019 Special Town Meeting approved the bylaw to permit the creation of accessory dwelling units (ADUs) by Special Permit of the Board of Appeals. The bylaw limits the units to single-family homes that are occupied “by the Owner; Family members related to the Owner by blood, adoption or marriage (spouse, parent, sibling, child, or a spouse of such persons); and Caregivers of Family members who look after an elderly, chronically ill or disabled Owner who needs assistance with activities of daily living or a Family member who needs such assistance, subject to specified standards and procedures.”²⁶ The bylaw also defined the ADU as “an apartment in a single-family detached dwelling that is a second, self-contained dwelling unit and a complete, separate housekeeping unit containing provisions for living, sleeping, cooking and eating. The ADU must be subordinate in size to the principal dwelling unit on a lot, and constructed to maintain the appearance and essential character of the single-family dwelling.”²⁷ . A total of eight ADUs were permitted as of August 2022.

While the bylaw limited occupancy to family members or caregivers, it still promotes greater housing diversity in the community by allowing small apartments in existing dwellings, enabling extended family members to live together, and also providing opportunities for live-in support for people with disabilities.

²⁶ Section 3.15 of the Needham Zoning By-law.

²⁷ Ibid.

Major provisions of the current bylaw include the following:

- Available by Special Permit from the Board of Appeals, good for 3 years, renewable by Special Permit. If there is a new owner of the home, they have to go through the Special Permitting process to keep the ADU.
- At least one of the units (the primary residence or the ADU) must be owner-occupied and occupancy of the second residence must be limited to a member of the owner's family or a caregiver and such caregiver's family.
- No more than five persons who are not family members of the owner can live in the primary residence and the ADU combined.
- There can be no more than one ADU on a lot, and it must be located within the single-family detached dwelling and **not** in a separate building.
- To the extent possible, exterior entrances and access ways shall not detract from the single-family appearance of the dwelling. No stairs for access to upper floors of the ADU shall be on the outside. There must be an interior doorway between each living unit for safety purposes in an emergency.
- The size of the ADU is limited to 850 sq. ft., and it can have no more than one bedroom.
- Off-street parking must be provided with at least one parking space per dwelling unit.

It is important to emphasize that ADUs provide a number of important benefits to the community, diversifying the housing stock and allowing Needham to be part of a regional effort to contribute to the urgent need for additional smaller, more affordable housing unit production. As documented in this Housing Plan, Needham's housing is increasingly less affordable without a sufficient range of housing choices that offer smaller unit sizes with more affordable rental costs for employees, new residents or families, or for existing, mostly senior, residents.

If Needham's ADU by-law were to be amended, it could address more local needs:

- ADUs could provide additional, affordable studio and one-bedroom rentals, by expanding the housing opportunities for
 - Seniors and other residents to remain in their homes
 - Young adults who want to stay in or return to Needham
 - Employees of Needham businesses
 - Potential newcomers to the Needham community
- ADUs could allow homeowners to stay in their homes by providing needed rental income to assist with housing costs including taxes, utilities and other housing expenses.
- Homeowners of small homes that cannot easily be enlarged could benefit from ADU income by converting a smaller building on their lot, such as a detached garage, into an ADU.
- ADUs could provide additional housing while maintaining existing single-family neighborhoods.
- ADUs are encouraged by the Massachusetts Executive of Energy and Environmental Affairs and advocated for by the Needham Council on Aging, Board of Health and Department of Public Health and Human Services.
- Owners will be responsible landlords because they must reside in the property and always provide emergency egress freely through the main unit from the ADU.
- ADUs can provide important services for the owner such as snow removal or errands for seniors or babysitting for families for example.

It is important to note that ADUs are not:

- ADUs in Needham are not to be used for short-term rentals (i.e., Airbnbs) **because** rentals must be for at least 6 months.
- ADUs will not likely be built in large numbers throughout the town **because** the data from our Town and others in Massachusetts shows small numbers of ADUs even when regulations are less restrictive.
- ADUs will not change the look of our single-family neighborhoods **because** the appearance maintains that of a single-family dwelling.
- ADUs will not be unattractive **because** they will have to comply with specific building design guidelines that have them in keeping with the architectural design character of the main building, which will be reviewed by the Town’s Design Review Board.

ADUs are allowed in many Massachusetts communities. For example, of the 100 cities and towns in the Metropolitan Area Planning Council (MAPC) region outside the City of Boston, 37 allow a homeowner to create an accessory apartment and rent it to persons other than family members or caregivers. Moreover, in the last decade, almost half of the 100 Boston-area municipalities have adopted either a master plan or housing production plan that recommends allowing ADUs with fewer restrictions. For example, Belmont and Hudson voted to allow ADUs unrestricted to relatives. Lexington, Newton, Carlisle, and other municipalities voted to allow ADUs in detached structures. Burlington, Bedford, and Acton, among other towns, allow ADUs by-right. Most recently, Wellesley’s Town Meeting voted to adopt an ADU by-law without any residency restrictions, allowing both attached and detached ADUs by-right with a maximum unit size of 900 square feet.

Needham homeowners who want to add an ADU to their home under the current by-law must obtain a special permit, which involves **considerable and** unnecessary time for both the applicant and the Zoning Board of Appeals. Review of proposed building plans for attached or interior ADUs by the Building Commissioner should suffice to ensure compliance with the by-law and whether the ADU is “constructed to maintain the appearance and general character of the single-family dwelling”.

Recommendations: This Housing Plan recommends amending the ADU by-law to allow for unrestricted lessee residency requirements (owner must occupy the property and allow as rental property with a 6-month minimum lease), using a by-right process. In addition, the Housing Plan recommends allowing stand-alone (detached) ADUs for existing accessory buildings through the special permit process and current design and building code regulations.

This Housing Plan recommends the following zoning changes to better encourage the creation of ADUs:

- Allow attached ADUs by-right rather than by special permit, eliminating delay and perhaps legal costs for the homeowner, while still requiring that building and design guidelines be met. ADUs must meet all zoning dimensional requirements for a single-family home.
- Eliminate the residency restriction (i.e., the unit can be rented to anyone).
- Allow ADUs in detached dwellings on the property if the detached structure to be renovated and converted already exists. Such detached ADUs would be by the special permit process.
- ADU rentals must be leased for at least 6 months, so that ADUs will be used for rental housing rather than short-term accommodations.
- This Housing Plan also suggests that there be some consideration for allowing the new construction of ADUs in detached structures in the Single Residence A districts under a special permit process and certain conditions.

Specifically, this Housing Plan recommends that the Zoning Bylaw be amended to incorporate the following new ADU definition:

An accessory dwelling unit (ADU) is an apartment on a single-family-zoned lot that is a second, self-contained, complete, separate housekeeping unit containing provisions for living, including 1 bedroom, cooking and eating. ADUs come in three different forms: Existing portions of a home can be converted into a separate apartment; an outward addition could create a new unit within an existing home, or a detached living space, such as a garage or carriage house, can be renovated to create a new unit if the detached structure already exists²⁸ (a detached ADU would require a special permit approval process).

4. Promote Greater Energy Efficiencies in Housing

Lead Entity: Planning Board, **Select Board and Climate Action Planning Committee**

Timeframe: Near Term

Requires Town Meeting Approval: Yes

Level of Complexity: High

Background: The Select Board recently appointed a Climate Action Plan Committee (CAPC) to guide the Town in developing a plan that meets or exceeds the State’s climate mitigation and resilience goals. The Committee will make recommendations to the Select Board as part of a Climate Action Plan (CAP), and may be asked to continue to serve as an advisory committee to oversee the implementation of the CAP.

The Committee is seeking \$55,000 to hire a consultant to prepare the plan and has established working groups to focus on various elements of the plan. The Committee has also referenced the Metropolitan Area Planning Council (MAPC) Climate Action Plan (CAP) toolkit that identifies major actions and provides a starting point for the working groups. It was suggested that each working group put together a similar chart and pick the top three priority actions that are achievable and will achieve the greatest reduction in Greenhouse Gas (GHG).

Recommendations: The Climate Action Plan should include actions that might ease zoning and permitting requirements to incentivize energy-efficient and environmentally-sustainable housing development. A zoning working group has been established to explore such actions. One action under early discussion is as of right zoning for solar installations.

Similarly, the zoning working group might explore potential regulatory changes requiring affordable housing to be built at a zero, or nearly net zero, energy standard under certain conditions. While such requirements will significantly add to construction costs, they will also substantially reduce operating costs, an important consideration not only with respect to the climate change issue but to keeping housing more affordable over time. Martha’s Vineyard Island Housing Trust has successfully integrated these energy-efficient measures into their housing developments and have good models for consideration.

It is important to note, however, that DHCD Guidelines for districts proposed for compliance with Section 3A prohibit requirements that would be deemed to be inconsistent with “as of right” use, noting

²⁸ **There might be some consideration to allowing an ADU in a newly-constructed detached structure by special permit as well or even allowing ADUs in any detached structure by-right.**

From: [Board Chairman](#)
To: [Jeanne McKnight](#)
Cc: [Lee Newman](#); [Alexandra Clee](#); [N. Espada](#)
Subject: NHA Comments on ADU Recommendations - Final Draft of Needham Housing Plan
Date: Tuesday, January 3, 2023 2:44:13 PM

Hi Jeanne,

Per Lee's request, the NHA wishes to offer the following comments for the HPWG's and Planning Board's consideration:

- **Broadening the Existing ADU Bylaw Requirements** — NHA supports the recommendations currently in the Plan and agrees with arguments made that no special design review board step need be required for by-right ADUs.

However we continue to advocate that the by-right number of bedrooms be changed from one to two, and that the maximum permissible size be increased from "850 square feet" to "not larger in floor area than 1/2 the floor area of the principal dwelling or 900 square feet, whichever is smaller" (language lifted from Acts of 2020 Chapter 358's modifications to MGL Ch. 40A §1A and §5(1)(b)).

Of all the recommendations in the Plan, we feel the recommended ADU bylaw changes have the greatest potential for near-future improvement to Needham's shortage of affordable housing.

Best regards,

Reg

=====
Reginald C. Foster, Chair
Needham Housing Authority
Board of Commissioners

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Alexandra Clee

From: Jon Schneider <jonschneider@gmail.com>
Sent: Wednesday, August 1, 2018 10:28 AM
To: Lee Newman
Cc: Jonathan D. Tamkin Esq.; Howard S. Goldman Esq.; Peter Friedenber; Kathy Lind Berardi; Daphne Collins
Subject: Special Permits for Third Garage

Would you kindly discuss with the Planning Board the possibility of an amendment to Section 6.1.2 so as to eliminate the requirement for a special permit to have a third garage in the Single Residence B District?

With the size of houses being constructed and the affluence of Needham, a three car garage is pretty much the standard for new houses. In my judgment, a third garage is a much better approach to storage of lawn mowers, bike, kayaks and all the stuff people have these days over a detached accessory shed.

The ZBA is spending a large amount of time hearing special permits for third garages. In my 25+ years on the ZBA, I remember only one case where we turned down a request for a third garage (and that had a lot to do with the arrogance of the builder). I feel these hearing are a waste of time.

If you look at the criteria for a special permit, it is very hard to see how you would turn down a third garage. The criteria is:

" the premises in questions are reasonably adaptable to such use and will allow proper layout thereof (including adequate separation of buildings or structures and open areas from adjacent premises), and provided further that the proposed use; (a) will not alter the character of the premises in which it is located, (b) will not have a material adverse effect on the value of the land and buildings or structures in the neighborhood, or on the amenities thereof, and (c) will not produce noise, odors or glare observable at the lot lines in amounts clearly detrimental to the normal use of adjacent property."

Typically, the developers come for the special permit after the structure is built so that the only question is whether there will be a garage door or a regular door and windows for the third bay. The denial of a special permit has no impact on the size of the structure. A garage door is not going alter the character of the premises or have a material adverse effect on values.

For many years, no one would appear to oppose these permits. In recent years, we sometimes have large crowds who are angry about an over sized house being built in their neighborhood. They fight the third garage as away of punishing the developer. We hear crazy arguments like a third garage will increase the traffic on their street or will result in more cars being parked on the street.

I observe that the new FAR restriction has some impact in limiting third garages because garage space over 600 sq feet goes into the calculation of allowable space.

I prefer that we amend 6.1.2 to allow three garages of right everywhere in Single Residence B . I just think that is the modern standard. Developers will be limited by setbacks and FAR restrictions. If you want to consider a middle ground, you could allow three garages on conforming lots i.e. lots with

10,000 sq ft and require a special permit for undersized lots. Most of the third car garage requests are for larger lots.

Thank you for your consideration. I would be happy to come to a Planning Board meeting to discuss this issue. I can make your meeting on 8/14 or 8/28.

--

Jon D Schneider
210 South Street
Needham, MA 02492
Home: (781) 449-2513
Cell: (617) 233-3070

From: [Jon Schneider](#)
To: [Jeanne McKnight](#)
Cc: [Lee Newman](#)
Subject: Zoning
Date: Thursday, December 8, 2022 11:32:00 AM

I appeared before the Planning Board about two years ago to ask that the zoning be changed for Single Residence B to allow three car garages "of right". I thought there was a consensus that this change makes sense, but nothing has happened. I am hoping the matter can get on the agenda for next May's Town Meeting.

My reason for proposing this change is that three car garages are not out of place in this modern era. They are very typical for the size of houses being built in Residence B. They are useful to get cars, boats, and other equipment out of sight. Lot Coverage and FAR limit the size of the structures. The requirement for a special permit imposes a burden on homeowners/ builders involving time delays, filing fees, advertising, cost of a lawyer and recording fees. The ZBA spends a lot of time with these hearings. Given the criteria in Section 6.1.2, there is hardly ever a case where a third car garage should not be approved.

I am also writing to urge some immediate amendments to the provisions for ADU's- Section 3.15. As you know, I favor eliminating the restriction on who occupies ADU units. This would be the single easiest step the Town can take to improve affordable housing. This step involves policy considerations that may not be ripe for consideration in May. However, I am writing today about other provisions of Section 3.15 that I think make no sense.

Section 3.15(3)(j) requires that any Special Permit be renewed after three years. This is a significant burden (time, costs, lawyers etc) on homeowners that has no discernable purpose. The ZBA has included a condition in every Special Permit for an ADU that the Building Inspector may terminate the permit if a homeowner does not respond with proof of who is occupying an ADU - so there is a mechanism for policing occupancy. The ZBA issued the first permits in 2020, so owners are going to seek new permits in 2023. I think that hearings to renew ADU permits are a large burden on homeowners and a waste of the ZBA's time.

The same section also provides that the Special Permit for an ADU is not transferable. This means that a new owner of a property must go through the process of seeking a new Special Permit or tear out the kitchen in the ADU. Why are we imposing this requirement? Is the Building Inspector going to spend his time policing the sale of houses with ADU's? The structures are not going away if there is no new permit - the only thing that can be required is to remove the kitchen. The new owner will be subject to the same limitations as the original holder of the permit. I do not think the restriction on transfer makes sense.

I urge the Planning Board to remove the requirement that ADU permits be renewed every three years and allow the permits to be transferred upon the sale of a property,

Please forward this letter to the Chairman of the Planning Board. I did not have his email address to write directly. Also, you are familiar with these issues and can help to have them considered by the Board.

Thank you.

Jon D. Schneider
210 South Street

Needham, MA 02492
Home: (781) 449-2513
Cell: (617) 233-3070

6. SPECIAL REGULATIONS

6.1 Accessory Uses

6.1.1

Accessory uses shall be on the same lot with the building of the owner or occupant and shall not alter the character of the premises on which they are located nor impair the neighborhood.

6.1.2

There shall be permitted as an accessory use on residential property in the Single Residence A, Rural Residence – Conservation, and Institutional districts garage space for not more than three (3) cars and in the Single Residence B, General Residence, Business and Industrial districts garage space for not more than two (2) cars.

Upon application the Board of Appeals may issue a Special Permit for one additional garage space per lot, provided that the premises in questions are reasonably adaptable to such use and will allow proper layout thereof (including adequate separation of buildings or structures and open areas from adjacent premises), and provided further that the proposed use;

- (a) will not alter the character of the premises in which it is located,
- (b) will not have a material adverse effect on the value of the land and buildings or structures in the neighborhood, or on the amenities thereof, and
- (c) will not produce noise, odors or glare observable at the lot lines in amounts clearly detrimental to the normal use of adjacent property.

In acting upon applications for such Special Permits, the Board of Appeals shall be governed by the provisions of Section 7.2.

6.1.3

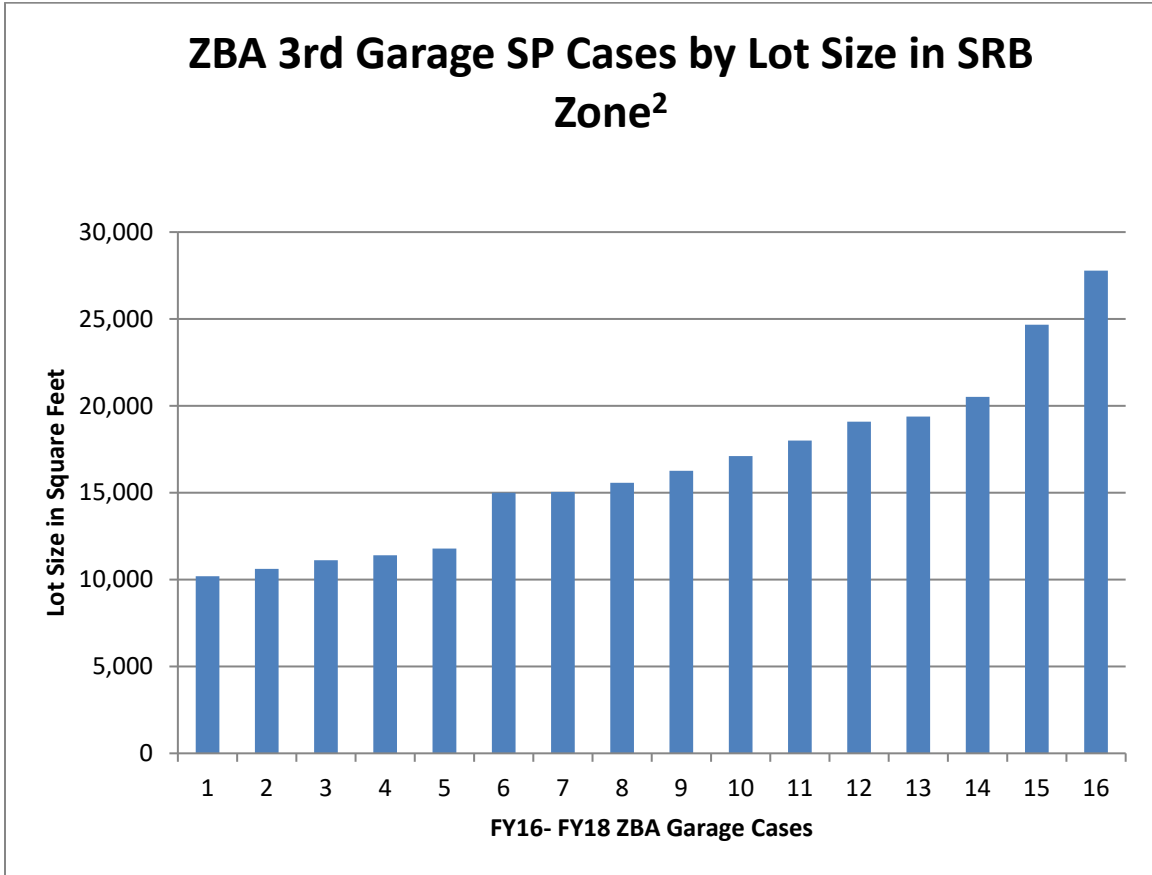
Uses, whether or not on the same parcel as activities permitted as a matter of right, which activities are necessary in connection with the scientific research or scientific development or related production, may be permitted upon issuance of a special permit by the Board of Appeals, provided the Board of Appeals finds that the proposed accessory use does not substantially derogate from the public good.

FY16-18 3rd Garage By-Law Special Permit Paper

Prepared by Daphne M. Collins

	New S-Fam ¹	ZBA SP Cases ²	3 rd Garage SP Cases ²	SRB Zone ²	Pre-Construction Requests ²	ZBA Decisions Granted ^{2**}
2018	84	22	7	7	3	6, W 1
2017	92	23	8	8	3	7, D 1
2016	104	29	3*	2*	0	3
Total	280	74	18	17	6	16

**1 SP for 4th garage in Rural Residence-Conservation **W=Withdrawn, D=Denied*



Other Relevant Statistics:

Number of Single Family Structures - 8,396³

Number of Households in Needham – 14,154⁴

Number of Households with 0 to 2 cars – 9825⁴

Number of Household with 3 to 5 cars – 4,329⁴

Sources:

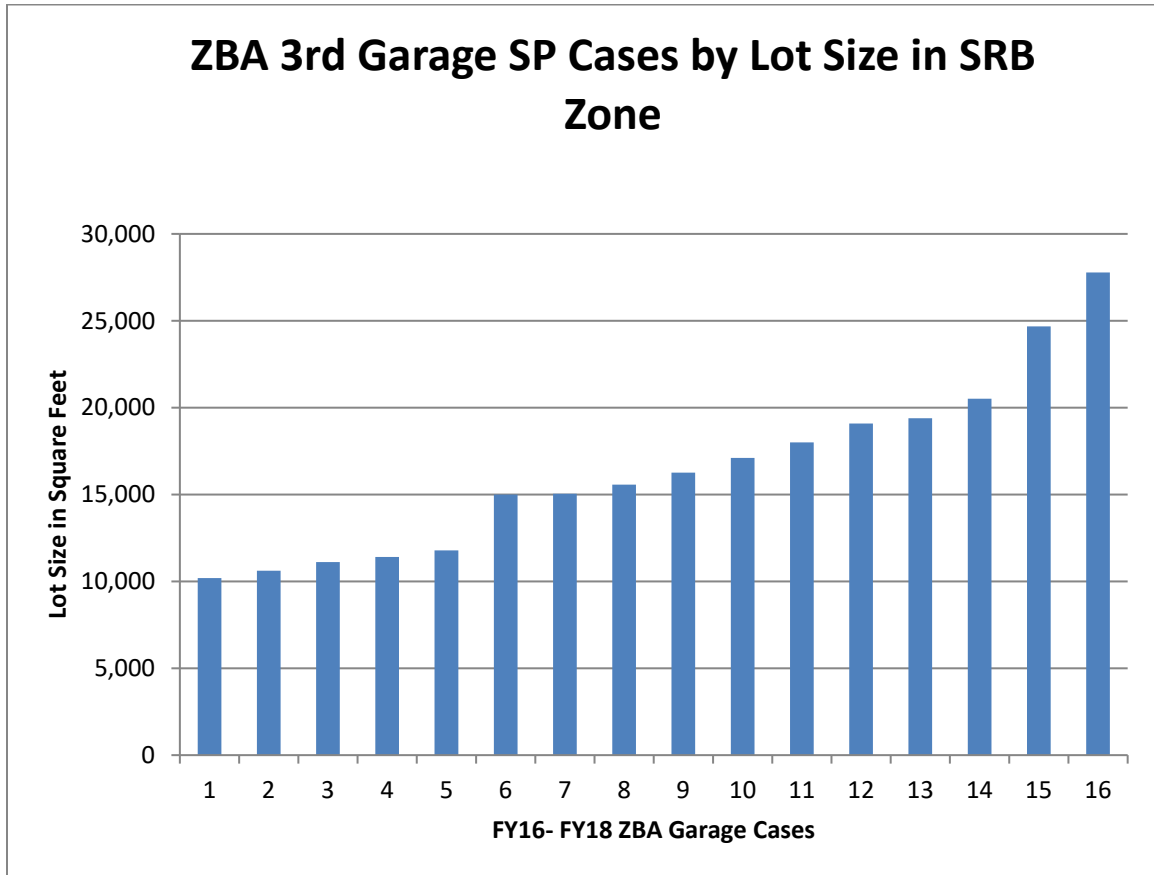
Building Department¹

ZBA Department²

Assessing Department³

US Census, 2016 Data Set³

FY16-18 ZBA SP 3rd Garage - Lot Size & Location



Cht #	Address
1	57 Brookline Street
2	5 Sunrise Terrace
3	68 Tower Avenue
4	11 Trout Pond Lane
5	21 Norfolk Street
6	30 School Street
7	289 Harris Avenue
8	120 Jarvis Circle
9	162 Warren Street
10	132 Washington Street
11	40 Ardmore Road
12	23 Grasmere Road
13	15 Pleasant Street
14	969 Greendale Avenue
15	9 Alden Road
16	51 Pershing Road

MEMORANDUM

To: Needham Planning Board

From: Jeanne S. McKnight, Member

Date: October 17, 2018

Re: Zoning for 3rd Garage for Residence

The Chairman of the Zoning Board of Appeals asked the Planning Board to respond to a concern of the Zoning Board of Appeals that requiring a special permit for garage space, as an accessory use on residential property for more than two cars, in the Single Residence B (SRB) and General Residence districts, pursuant to Section 6.1.2 of the Zoning By-Law, is a waste of time for the ZBA and for Town planning and development staff. The Chairman noted, when he met with the Planning Board on September 12, 2018, that such special permits are rarely denied, and objections by abutters, when they do attend ZBA hearings, generally pertain to other aspects of construction rather than to the garages per se. The Planning Board was provided with a chart showing the size of 16 lots where such permits were granted in the SRB district during FY16-FY18. The Planning Board was also provided with a list of the addresses of the 16 lots.

I viewed and photographed the 16 properties that were listed. Five of the properties (11 Trout Pond Lane, 21 Norfolk Street, 162 Warren Street, 40 Ardmore Road and 15 Pleasant Street) do not appear to have actually built garage space for more than two cars. I note also that 11 Trout Pond Lane and 162 Warren Street appear to be two-family residences.

Of the remaining 11 properties that do have garage space for more than two cars, I observed that four of them (57 Brookline Street, 30 School Street, 289 Harris Avenue and 132 Washington Street) have all three of the garages on the side of the residence rather than on the front. Two of these, 298 Harris Avenue and 132 Washington Street, have the garages facing a side street rather than the street that the house faces; 298 Harris Avenue has the driveway entrance from Harris Avenue and the driveway and garage is partly screened by a row of arbor vitae; 132 Washington street has the driveway entrance to the garages from the side street. The other two, 57 Brookline Street and 30 School Street, are not corner lots, and the garages face a side lot line, and the garages for 57 Brookline Street are on the basement level of the house.

68 Tower Avenue has its 3rd garage facing a side street (it is apparently the original garage constructed under a steep slope) while the newly constructed house that faces Tower Avenue has two garages that also face Tower Avenue, which are attached to the house.

I would support a zoning amendment that permits garage space for not more than three cars in the SRB and General Residence districts provided that the garages do not face a public way (e.g., 57 Brookline Street and 30 School Street). I would also support permitting garage space for not more than three (3) cars in these districts for corner lots if one or more of the

garages fronts on a side street rather than on the street on which the house fronts (e.g., 28 Harris Avenue, 132 Washington Street and 68 Tower Avenue)

Three of the houses have three garages constructed in a “snout out” manner, that is, the garages protrude out from the front plane of the houses (e.g., 75 Sunrise Terrace, 83 Grasmere Road) or jut out from the front plane of the house at an angle (e.g., 120 Jarvis Circle). Another house, 51 Pershing Road, has two garages snout out and a third garage set back. Such snout-out houses, in my opinion, present an unattractive appearance that may detract from the value of land and buildings in its neighborhood and create a feeling of lack of safety due to lack of windows facing the street. The Zoning By-Law in Section 4.2.1. (Table of Dimensional Regulations for single-family residential districts) requires a front setback of 20 feet but, per footnote (g) for the SRB and General Residence districts, requires attached garages to have a minimum front yard setback of 25 feet (for corner lots the increased front yard is required along both frontage streets). This increased setback for garages was pursuant to zoning amendments adopted by the 2017 Annual Town Meeting that took effect for building permits issued in FY 2018, but was not in effect for FY 2016 and FY 2017, so it is not clear which, if any, of the 16 houses listed were affected by this change.

The increased front yard setback for garages does not prohibit garages that are in the same plane as the front wall of the house, or even prohibit snout-out garages, provided the garages are set back at least 25 feet from the front lot line. I would support an amendment that allows a third garage, provided all of the garages are set back at least five feet from the front wall of the house.

Some unusual designs are not unattractive. I note 9 Alden Road, an added-onto cape/ranch that has two garages on the right end of the house on the same plane as the front of the house, and the third garage on the left end of the hose on the same plane as the front of the house. Perhaps these unusual situations can be dealt with in a special permit process as at present.

I have provided notes on each of the houses in the attached chart numbered the same as the chart that was provided to the Planning Board. The stars * to *** indicate my evaluation of the appearance of the house from the street. A question mark indicates that the house does not actually appear to have more than two garages.

No.	Address	Notes
1	57 Brookline Street	*** garages on side at basement level
2	5 Sunrise Terrace	* snout out
3	68 Tower Avenue	** third garage is original under hill on side street of corner lot
4	11 Trout Pond Lane	? 2-family with one garage each
5	21 Norfolk Street	? garages on side at basement level; appear to be only 2 garages
6	30 School Street	*** garages on side of house facing side lot line
7	289 Harris Avenue	*** garages on side of corner lot, driveway from front, tree screen
8	120 Jarvis Circle	* front-facing, 1 along plane with house; 2 at angle out
9	162 Warren Street	? 2-family with 1-car garage facing front, 1-car garage facing side
10	132 Washington St	** 3 garages facing side street with driveway from side, no screen
11	40 Ardmore Road	? has only 2 garage doors, on front
12	83 Grasmere Road	* under construction – 3 garages snout out
13	15 Pleasant Street	? no 3 rd garage (shed on end beside 2-car garage)
14	969 Greendale Ave	*** 2 or 3-family with garages set way back
15	9 Alden Road	*** unusual added-onto cape/ranch - 2 garages on left, 1 on right
16	51 Pershing Road	** under construction – 2 garages snout out; 1 garage set back a bit

57 Brookline Street

Jeanne Notes: "3 garages on side at basement level"



5 Sunrise Terrace

Jeanne Notes: “3 garages in front, snout out.”



68 Tower Avenue

Jeanne Notes: “New house facing Tower Avenue has 2 garages facing front on same plane as house front; old garage facing side street (Lexington Avenue) was preserved and is under steep slope.”



11 Trout Pond Lane

Jeanne Notes: "2-family with one garage each"



21 Norfolk Street

Jeanne Notes: "Garages on side at basement level, but there appear to be only 2 garages."





30 School Street

Jeanne Notes: "3 garages on side."



289 Harris Avenue

Jeanne Notes: “3 garages on side of corner lot (corner of Webster Street) with driveway entrance from Harris Ave; arbor vitae hedge along Webster provides some screening.”



120 Jarvis Circle

Jeanne Notes: "3 garages on front, one along plane with house, 2 at slight angle jutting forward from house."





162 Warren Street

Jeanne Notes: “2-Family
with one front-facing 1-
car garage and one side-
facing 1-car garage.”



**132
Washington
Street**

Jeanne Notes: “No garages on front; 3 garages on side street of corner lot, with entry from side street.”



40 Ardmore Road

Jeanne Notes: "Has only 2 garages, both on front."



23 Grasmere Road

Jeanne Notes:
“Unfinished; 3 garages
snout out.”



15 Pleasant Street

Jeanne Notes: “2-car garage on left front of house with shed on left end; no 3rd garage. Third Car garage was Denied”





969 Greendale Avenue

Jeanne Notes: "2 or 3-family house with 3? garages set way back"





9 Alden Road

Jeanne Notes: “Unusual added-onto cape/ranch with 2 garages on left and 1 garage on right.”



**51
Pershing
Road**

Jeanne Notes:
“Still under
construction – 2
garages snout out;
3rd garage set
back.”



Tentative Schedule for Zoning article - Annual Town Meeting

Tuesday February 7, 2023 – Planning Board to finalize language to include in legal notice

Vote to send language to Select Board

Friday February 10, 2023 – Send legal notice to the newspaper

Tuesday February 14, 2023 – Select Board refer back zoning article to Planning Board

Thursday February 16, 2023 – Post notice with Town Clerk, first run in newspaper

Thursday February 23, 2023 – second run in paper

Tuesday March 7, 2023 – Planning Board Hearing date

Wednesday March 15, 2023 – final language for warrant to Myles.

Monday May 1, 2023 – Annual Town Meeting date

THIS AGENDA IS FOR PB USE ONLY

**NEEDHAM
ZONING BOARD OF APPEALS
AGENDA**

**Thursday, January 19, 2023 - 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 17, 2022 meeting.
- Case #1 – 7:30PM **145 Rosemary Street – EIP Rosemary, LLC**, applicant, applied to the Board of Appeals for a Special Permit under Sections 5.1.1.5, 5.1.2, and any other applicable Sections of the By-Law to waive strict adherence to the off-street parking number and parking design requirements. This request is associated with Wellesley Family Care and Boston Ortho, a medical office use, which will be occupying units formerly occupied for general office use. The property is located at 145 Rosemary Street, Needham, MA in the Industrial (IND) and Single Residence B (SR-B) District.

FRIEZE CRAMER ROSEN & HUBER LLP

COUNSELLORS AT LAW

62 WALNUT STREET, SUITE 6 | WELLESLEY, MA | 02481

781-943-4000 | FAX 781-943-4040

December 19, 2022

BY HAND DELIVERY

Board of Appeals Members
Town of Needham
Administration Building
500 Dedham Avenue
Needham, MA 02492
Attn: Daphne Collins

Re: Application for Special Permit
145 Rosemary Street, Needham, MA

Dear Members of the Board of Appeals:

On behalf of EIP Rosemary LLC, enclosed please find the following:

- 1) Application for Special Permit (7 copies)
- 2) Certified site plans prepared by a registered surveyor (7 copies)
- 3) MDM Transportation Consultants, Inc. report entitled "Parking Evaluation – 145 Rosemary Street Conversion of Office to Medical Office (Suite C1A, C2, and I) Needham Massachusetts," dated December 13, 2022 (7 copies)
- 4) Letter to the Board describing the parking waivers requested from Section 5.1.3 of the Zoning By-Law (Parking Plan and Design Requirements). The waiver sections listed are identical to those requested and granted by

Board of Appeals Members
December 19, 2022
Page 2

the Board in connection with the Pediatric Dental Specialists of Needham
Decision dated February 28, 2019 (7 copies)

- 5) Filing fee in the amount of \$500.00 payable to the Town of Needham

I would appreciate your placing this matter on the next available Board of
Appeals meeting agenda for hearing.

If there is any additional information you require, or if you have any questions,
please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Evans Huber, SFC". The signature is written in a cursive style.

Evans Huber

Enclosures

FRIEZE CRAMER ROSEN & HUBER LLP
COUNSELLORS AT LAW

62 WALNUT STREET, SUITE 6 | WELLESLEY, MA | 02481
781-943-4000 | Fax 781-943-4040

December 19, 2022

BY HAND DELIVERY

Board of Appeals Members
Town of Needham
Administration Building
500 Dedham Avenue
Needham, MA 02492
Attn: Daphne Collins

Re: Application for Special Permit
145 Rosemary Street, Needham, MA

Dear Members of the Board of Appeals:

In addition to requesting a special permit to waive strict adherence to the off-street parking requirements of Section 5.1.2 of the Zoning By-Law (number of spaces), the Applicant has requested relief from Section 5.1.3 of the Zoning By-Law (parking plan and design requirements). The following is a list of the specific subsections of Section 5.1.3 for which relief is requested.

1) Section 5.1.3(a) Parking Lot Illumination

No photometric study has been conducted in connection with this application. The parking areas are extensive and have been in existence for many years. A waiver is requested from this subsection.

2) Section 5.1.3(i) Width of Maneuvering Aisle

There are numerous locations throughout the parking areas that do not comply with this subsection. The property is unique in that there are multiple entrances to the building on at least three of its four sides, and several separate parking areas surrounding the building. The

configuration of the property, as well as the location of the building on the property, is unique, and compliance with this subsection would be impossible without a substantial reduction in the number of parking spaces on the site and substantial hardship to the owner and to the existing tenants (as well as to the Town of Needham).

3) Section 5.1.3(j) Parking Setbacks

The parking areas are within five feet of the building in multiple locations around the building. The parking area is within four feet of the side lot line along the entire northerly side of the structure.

4) Section 5.1.3(k) Landscaped Areas

To the extent that the parking areas do not comply with the setbacks described in Section 5.1.3(j) above, they do not comply with the provisions of Section 5.1.3(k), since the setback areas are to be landscaped. In addition, this subsection requires that 10% of the parking area shall be maintained as landscaped area and "a minimum of one-quarter of this amount shall be located in the interior of the parking area." While the 10% landscaped area requirement is met, the interior landscaped requirement is not met.

5) Section 5.1.3(l) Trees

A waiver is requested from this section.

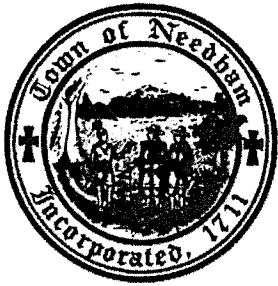
Parking waivers are requested from the above-described subsections of Section 5.1.3. Please note that these are the same waivers that were requested and granted by the Board in the February 28, 2019 Pediatric Dental Specialists of Needham Decision.

Thank you for your cooperation.

Sincerely,

A handwritten signature in blue ink that reads "Evans Huber, SFC". The signature is written in a cursive style.

Evans Huber



TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS

APPLICATION FOR HEARING

IT IS STRONGLY RECOMMENDED THAT APPLICANTS CONSULT WITH THE BUILDING INSPECTOR PRIOR TO FILING THIS APPLICATION.

Note: Application must be complete, with certified plot plan attached, and application fee included, or application will not be accepted.

Date: December 19, 2022

Name of Applicant or Appellant: EIP Rosemary, LLC

Address: 20 Pickering Street, 2nd Floor, Needham, MA 02492

(Optional) E-mail address: _____

Daytime telephone: 781-449-9000

(Optional) additional contact information, (ie: contractor architect builder or attorney):

Evans Huber, Esq., Frieze Cramer Rosen & Huber LLP, 62 Walnut Street, Wellesley, MA 02481 (781-943-4000)

Address/Location of Property: 145 Rosemary Street, Needham, MA 02492

Assessor map/parcel number: Map 101, Parcel 2

Zone of property: Industrial Zoning District and Single Residence B Zoning District

Is property within 100 feet of wetlands, 200 ft. of stream or in flood plain? Yes no

Applicant is owner, tenant, prospective tenant, licensee prospective purchaser

Type of Permit requested: residential or commercial

If residential renovation, will renovation constitute "new construction"? yes no

If commercial, please consult with building inspector regarding parking issues

Select one: Special Permit Variance Comprehensive Permit, M.G. L Ch. 40B

Amendment Appeal Building Inspector Decision*

*(For an appeal from decision of Building Inspector, attach copy of the decision or other written notice received from the Building Inspector.)

Existing Conditions: The property is a parcel containing approximately 220,311 sq. ft. and contains a multi-tenanted office building with 86,269 sq. ft. of floor area, a parking area containing 284 parking spaces and associated landscaping.

Statement of relief sought: See Exhibit A attached hereto

Applicable Section(s) of Zoning By-Law: Section 5.1.1.5; Section 5.1.2; Section 5.1.3; Section 7.5.2; and all other applicable sections of the Zoning By-Law.

If application under Zoning Section 1.4, listed immediately above:

List nonconformities related to lot/structure(s) in application: N/A

Date structure(s) on lot constructed (including any additions): N/A

Date lot created: _____

A certified plot plan, prepared by a registered surveyor, must be attached to each of the thirteen (13) copies of this application at time of filing. Application will be returned if a copy of the plot plan is not attached to each application.

• Applications for Comprehensive permits under M.G.L. Ch. 40B require thirteen (13) copies of plot plan (two reduced to 8 ½ by 11), plus additional submissions.

Please feel free to attach any additional information/photos relative to the application.

Additional information may be requested by the Board at any time during the application or hearing process.

A hearing before the Board of Appeals, with reference to the above noted application or appeal, is requested by

Signed Evans Huber, SFC
Evans Huber, Esq.
Frieze Cramer Rosen & Huber LLP
62 Walnut Street, Wellesley, MA 02481
781-943-4000; eh@128law.com

Title Attorney for Applicant

Application Packets must be delivered to the Town Clerk's Office.

EXHIBIT A

**EIP Rosemary LLC
Application for Hearing
On Amendment to Special Permit
145 Rosemary Street**

Statement of Relief Sought

The Applicant requests a Special Permit pursuant to Section 5.1.1.5 of the Zoning By-Law to waive strict adherence to the off-street parking requirements of Sections 5.1.2 and 5.1.3 of the Zoning By-Law.

The property is a parcel of approximately 220,311 sq. ft. and contains a multi-tenanted office building with 86,269 sq. ft. of floor area, a parking area containing 284 parking spaces, and associated landscaping. The tenants are a mixture of regular office and medical office uses. The property has been the subject of multiple special permits, seeking waivers of the parking requirements as set forth in the Bylaw, based on the proposed uses and the then-existing mix of uses throughout the property at various times. See Needham Pediatrics, PC Decision dated June 19, 2012, Beth Israel Deaconess Hospital-Needham, Inc. Decision dated August 12, 2012, Steward Medical Group, LLC Decision dated January 17, 2013, Boston ENT Associates, P.C. Decision dated December 19, 2013, Daniel M. Rutowicz DPM, P.C. Decision dated February 26, 2015, and Harvard Medical Faculty Physicians at Beth Israel Medical Center, Inc., d/b/a Needham Urology Associates Decision dated May 17, 2018).

The parking supply at this property was last considered by this Board in early 2019. See Pediatric Dental Specialists of Needham Decision dated February 28, 2019. At that time a Special Permit was approved which waived strict adherence to the Bylaw parking requirements, based on the proposed use of that applicant for medical office space, and aggregate uses at the property of 46,058 s.f. of general office space and 40,211 s.f. of medical office space. Per the Bylaw, such uses in the aggregate would have required 355 spaces at the property (as compared to the existing parking supply of 284 spaces).

Since that time, due in significant part to the Covid-19 Pandemic, there have been changes in some of the tenants, and a portion of the building is currently vacant. A parking summary, identifying current and proposed tenants by unit number, tenant name, current and proposed uses (proposed tenants and uses in **bold**) and parking requirements is provided below. As shown on that table, Applicant proposes that Wellesley Family Care, which will be occupying Unit C2 (already permitted as medical office space by virtue of the prior tenant), also occupy a portion (2,168 s.f.) of the currently vacant Unit C1A; and that Ortho Boston occupy Unit I (3,262 s.f.). At the time of the last Special Permit, both of these spaces (combined 5,430 s.f.) were treated as general office space.

The total square footage of the building remains the same and no exterior changes are proposed. The total parking supply on the property remains unchanged at 284. The proposed change in use for this

5,430 s.f., as shown in the table below in **bold**, is from general office space (parking requirement one space per 300 sq. ft.) to medical office space (parking requirement one space per 200 sq. ft.), and results in an increase of nine (9) spaces in the parking requirement, for a total required parking supply of 364 spaces, based on the Bylaw.

Bylaw Parking Requirements
Based On Updated Tenant Roster & Current and Proposed (in bold) Usage
As Of December 19, 2022
145 Rosemary Street, Needham MA

Unit	Lease Name	Area (s.f.)	Use	Requirement
A	Bierman, ABA, Inc.	11,044	Office	1/300
B	Dan M. Rutowicz, DPM, P.C.	3,071	Medical Office	1/200
B2	Combined with C1B space	0	Office	1/300
C1A	Currently Vacant	6,186	Office	1/300
C1A	Proposed: Wellesley Family Care	2,168	Medical Office	1/200
C1A	Proposed: a portion remains vacant	4,018	Office	1/300
C1B	Children's Speech and Feeding	4,043	Office	1/300
C2	Proposed: Wellesley Family Care	7,273	Medical Office ¹	1/200
D1-A,D3	Lily Transportation	5,433	Office	1/300
D2-A	Lily Transportation	6,665	Office	1/300
D2-B	Needham Urology Associates	6,800	Medical Office	1/200
E	Vacant	7,685	Office	1/300
H1	Boston ENT Associates, P.C.	4,493	Medical Office	1/200
H2	Combined with K1	0	Office	1/300
K1	Pediatric Dental Specialists of Needham	3,088	Medical Office	1/200
K2	Ashworth Mortgage	1,740	Office	1/300
D1-B	BID-Needham, Inc.	7,722	Medical Office	1/200
F3-K3	Needham Pediatric	7,764	Medical Office	1/200
I	Proposed: Ortho Boston	3,262	Medical Office	1/200
Use		Area (sq.ft)	Requirement	Total Spaces Required
Office		40,628	1/300	135.43
Medical Offices		45,641	1/200	228.2
Total Parking Requirement (rounded up)		86,269		364

¹ Wellesley Family Care will be occupying this space; Unit C2 was previously permitted as Medical Office space, (Steward Medical Group) so the parking demand calculation for Unit C2 per the Bylaw does not change as a result.

The parking evaluation conducted by MDM Transportation Consultants, Inc. ("MDM") and filed with this Application makes several important findings:

1. The existing parking supply of 284 marked parking spaces accommodates a peak weekday actual (observed) demand of 178 or fewer vehicles for the current tenants, resulting in a current parking surplus of 106 parking spaces. This peak parking demand reflects current building occupancy, including the fact that at present approximately 21,144 s.f. of the building is vacant.
2. Re-occupancy of currently vacant space, assuming all space is occupied as currently permitted, is expected to generate an additional peak demand of up to 76 spaces over observed levels based on industry standard parking rates, bringing the total peak demand, were the Campus to be fully occupied as currently permitted, to 254 spaces. This projected peak demand is still well below the available parking supply at the site (91% utilization rate).
3. Conversion of 5,430 sf of office space to medical office use is projected to generate an additional peak weekday demand of approximately 7 spaces on average based on industry standards and documented empirical data.
4. Collectively, these three factors result in an aggregate net property parking demand of 261 spaces. Therefore, the projected total demand, including if the buildings are fully occupied as currently permitted and (with respect to 5,430 s.f.) are occupied as proposed, remains 23 spaces below the available parking supply at the property.
5. The on-site parking supply of 284 spaces will be more than sufficient to meet the actual parking demands of the current and proposed tenants.

Proposed tenant Ortho Boston is an orthopedic specialist practice providing diagnosis, rehabilitation and surgery (off- site). The anticipated hours of operation for Ortho Boston are Monday through Friday, 7:30 a.m. to 5:00 p.m. They will have 5 full time employees at this location and expect 12 to 15 patients per day.

Under the Zoning Bylaw, the 3,262 square feet of space that Ortho Boston will be occupying would require $3,262 \div 200 = 16.3$; rounded up that would require 17 spaces. Even with 5 spaces used by staff all day, that would leave 12 spaces for patients which is obviously more than is needed for a practice seeing 12 to 15 patients over the course of a 9½ hour day.

Proposed tenant Wellesley Family Care is a general family medical practice. It will have 28 employees at this site and anticipates seeing 60 to 80 patients per day. Hours of operation will be Monday to Friday 6:00 a.m. to 7:00 p.m. for employees and 7:00 a.m. to 6:30 p.m. for patient appointments.

Under the Zoning Bylaw, the 9,441 combined square feet of space that Wellesley Family Care will be

occupying would require $9,441 \div 200 = 47.2$; rounded up that would require 48 spaces. Even if all 28 employees overlap in such a way that at some point during the day 28 of those spaces are used by employees, that would still leave 20 spaces for patients which, again, is clearly more than is needed for a practice seeing 60 to 80 patients over the course of a 11½ hour day.

These actual operational details for these two anticipated tenants are consistent with the overall MDM analysis set forth above; namely, that the actual parking demand for this mix of uses at this property is well below that specified in the Bylaw, and below the actual parking supply at the property.

LEGEND	
EXISTING	PROPOSED
-100-	CONTOUR
D	STORM DRAIN
W	WATER
⊕	ELECTRIC MANHOLE
E	ELECTRICAL
C	GAS
S	SANITARY SEWER
⊕	HYDRANT
⊕	SEWER MANHOLE
⊕	DRAIN MANHOLE
⊕	VALVE
D	CATCH BASIN
—	CURB
429x5	SPOT GRADE
HP	HP RAMP
HAY BALES W/ SILTATION FENCE	
⊕	LIGHT POLE
⊕	TREE
⊕	UTILITY POLE
⊕	POST INDICATOR VALVE
→	TRAFFIC DIRECTION

NOTES:

- EXISTING CONDITIONS WERE OBTAINED FROM FIELD SURVEY PREPARED BY LEVEL DESIGN GROUP, LLC OR THEIR AFFILIATED COMPANIES JUNE 15, 2012, JUNE 21/22, 2012, AS-BUILT FIELD SURVEY OCTOBER 23, 2014, STRIPING UPDATES PER CONTRACTOR SKETCH APRIL 12, 2018.
- THE LOCATION OF EXISTING UTILITIES IS APPROXIMATE, THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES IN THE FIELD PRIOR TO THE START OF CONSTRUCTION. NOTIFY "DIG-SAFE" AT 1-888-344-7233 AT LEAST 72 HOURS PRIOR TO ANY SITE DEMOLITION OR EXCAVATION.
- CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES IN THE DESIGN PLANS PRIOR TO THE START OF CONSTRUCTION.

NOTES (CONT):

- ALL EXISTING PAVEMENT SHALL BE SAWCUT PRIOR TO REMOVAL.
- ALL EXISTING PAVEMENT, CURB, WALKS, UTILITIES, LIGHT POLES, TREES, SHRUBS, ETC., SHALL BE REMOVED FROM THE AREAS TO BE DEVELOPED. ALL SUCH ITEMS NOT WITHIN THE WORK AREA SHALL BE PROTECTED AND UNDISTURBED.
- ALL DISTURBED AREAS NOT RECEIVING IMPROVEMENTS SHALL BE LOAMED AND SEEDING.
- ALL CONSTRUCTION AND CONSTRUCTION ACTIVITIES SHALL CONFORM TO STATE AND LOCAL REQUIREMENTS, INCLUDING BUT NOT LIMITED TO THE TOWN OF NEEDHAM, THE COMMONWEALTH OF MASSACHUSETTS AND ANY OTHER AGENCIES HAVING JURISDICTION.
8. THERE ARE 284 PARKING SPACES EXISTING.

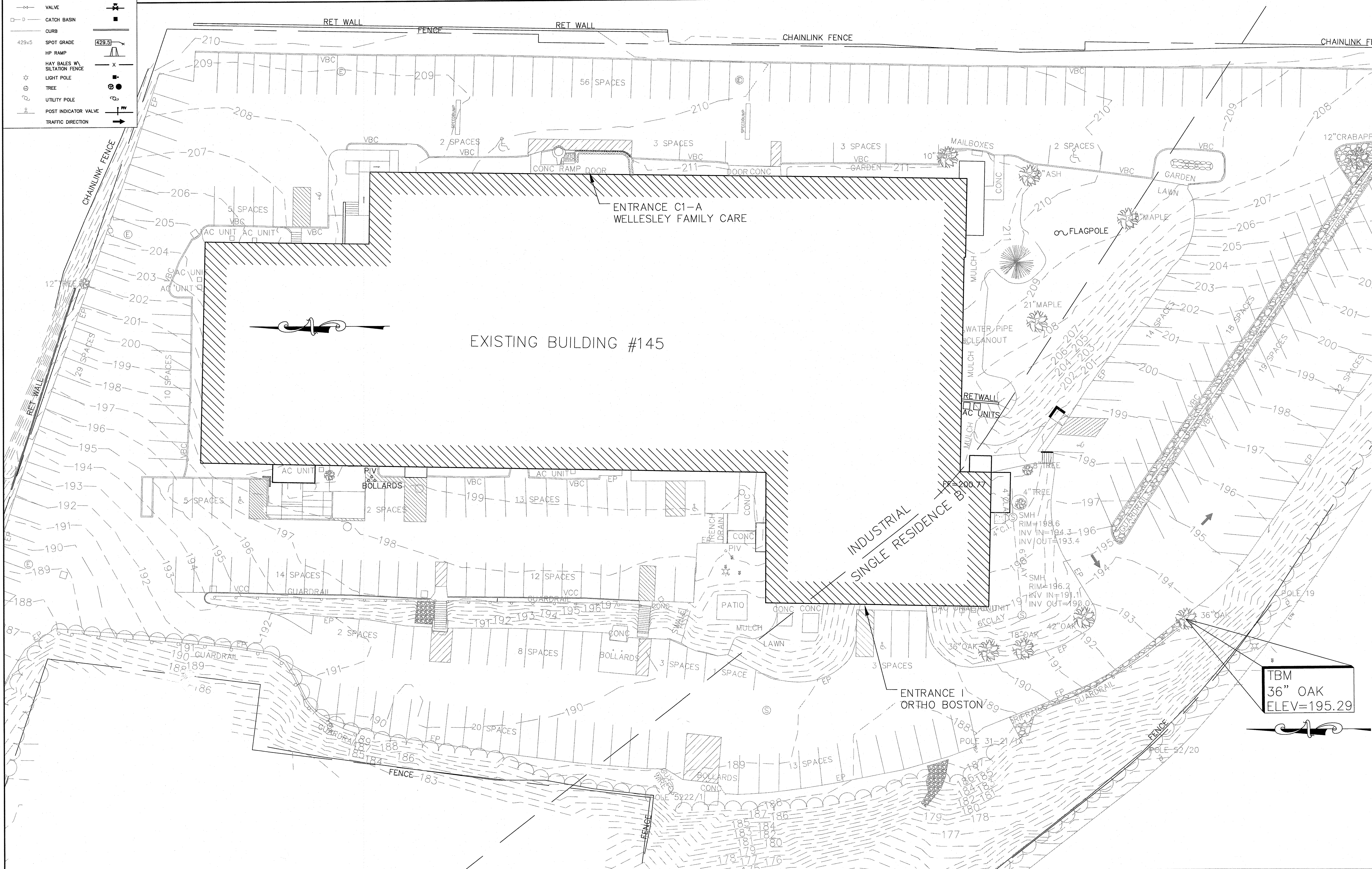
CONSTRUCTION NOTES:

- GENERALLY THERE IS NO MODIFICATION OF PARKING OR BUILDING AS PART OF THIS PROJECT. THERE WILL BE MAINTENANCE OF THE ENTRANCE AND PARKING AS NECESSARY.

NO.	DATE	REVISIONS
1	12/12/2022	PERMITTING

SEAL

DATE: JUNE 7, 2012
DRAWN: DRC
SCALE: 1" = 20'



WELLESLEY FAMILY CARE & ORTHO BOSTON
 PARKING LOCATIONS
 145 ROSEMARY STREET, AM 101, PARCEL 2
 NEEDHAM, MASSACHUSETTS

LEVEL DESIGN GROUP
Civil Engineers & Land Surveyors
249 SOUTH STREET, UNIT 1
PLAINVILLE, MA 02762
TEL: (508) 695-2221 FAX: (508) 695-2219

SITE PLAN

C-2.0
SHEET 1 OF 1

1310.00

December 13, 2022

Mr. Bruce Levine
Rosemary Office Associates LP
20 Pickering Street
Needham MA 02492

Re: Parking Evaluation - 145 Rosemary Street
Conversion of Office to Medical Office (Suite C1-A, C2 and I)
Needham, Massachusetts

Dear Bruce:

MDM Transportation Consultants, Inc. (MDM) has evaluated peak parking demands for the property at 145 Rosemary Street (the "Campus"), assuming conversion of a portion of vacant space to medical office use. Total Campus parking demands are based on a recent survey of current Campus parking activity and the conversion of approximately 5,430± square feet (sf) from its currently permitted status as office use to medical office use. The evaluation concludes that the proposed on-Campus parking supply of 284 spaces will readily accommodate peak demands under the proposed use scenario, leaving a projected surplus of 23 or more spaces at the Campus at full building occupancy.

A portion of the Campus is currently vacant. Therefore, projected parking demand is calculated by combining (a) observed peak demand generated by the current tenants; (b) projected additional peak demand if all of the currently vacant space were to be occupied consistent with the currently permitted uses; and (c) calculated additional peak demand if 5,430 sf of space, currently permitted as office use, is converted for medical offices uses.

Key findings of the parking evaluation are as follows:

- **Existing Parking Utilization:** The existing parking supply of 284 marked parking spaces accommodates a peak weekday demand of 178 or fewer vehicles for the current tenants. This represents a peak utilization rate of 63 percent of available spaces at the busiest time of day (11:30 AM), leaving an extensive surplus of approximately 106 parking spaces available for use (and higher during other times of the day). This peak parking demand reflects existing occupancy, which includes 17,133 sf of vacant space currently permitted for office use and 4,011 sf of vacant space currently permitted for medical office use.

- ***Additional Parking Demands For Currently Vacant Space:*** Re-occupancy of currently vacant space, assuming all space is occupied as currently permitted, is expected to generate an additional peak demand of between 58 and 76 spaces over observed levels, bringing the total peak demand, were the Campus to be fully occupied as currently permitted, to between 236 (empirical methodology) and 254 spaces (ITE methodology). This projected peak demand under the most conservative methodology is still well below the available parking supply at the site resulting in at least an 11% reserve.
- ***Projected Additional Parking Demands Generated by Proposed Conversion of Office Space to Medical Office Space:*** Conversion of 5,430 sf of office space to medical office use is projected to generate an additional peak parking demand of between 3 and 7 spaces on based on documented industry standard rates and empirical parking rates, resulting in an aggregate net Campus parking demand of between 239 (empirical methodology) and 261 spaces (ITE methodology). This projected additional demand remains below the available parking supply at the Campus; and is consistent with the increase that would be calculated by applying parking requirements under the zoning bylaw. Under the parking requirements set forth in Section 5.1.2, conversion of 5,430 sf of general office use to medical office use results in a 9-space increase in the required supply, which is also accommodated well under observed Campus surplus parking supply.

In summary, projected peak parking demands at the site including infill of general office and medical office vacancies and the proposed conversion of 5,430 sf of general office use to medical office use results in a projected peak parking demand on the campus of between 239 (empirical methodology) and 261 spaces (ITE methodology). Relative to existing observed Campus parking activity, this leaves a surplus parking supply of at least 23 spaces at the Campus resulting in at least an 8% reserve. This surplus parking supply will accommodate day to day fluctuations. Therefore, the Campus parking supply of 284 spaces more than satisfies the peak parking demands generated by existing and proposed building tenants.

Existing and Proposed Site Programming

The Rosemary Office Park is an existing 86,269 square foot (sf) office building located on an approximate 5-acre tract of land. The proximity of the site to area roadways is presented in **Figure 1**. A total parking supply of 284 parking spaces currently supports the building representing an effective parking supply ratio of 3.3 spaces per 1,000 sf of building area (approximately 1 space per 300 sf of building area). Access/egress to the site is currently provided via curb cuts along Rosemary Street and Hillside Avenue. A breakdown of building leased square footage for existing tenants and proposed tenants (in **Bold**) is summarized in **Table 1**.



Figure 1

**TABLE 1
 BUILDING UNIT ALLOCATION**

Unit	Plaza Tenant	Size (sf)	Use
A	Bierman, ABA, Inc.	11,044	Office
B	Dan M. Rutowicz, DPM P.C.	3,071	Medical Office
B2	1,610 sf Combined with Unit C1-B	0	Office
C1-A	Vacant	6,186	Office
C1-A	Vacant: Proposed: Wellesley Family Care¹	2,168	Medical Office¹
C1-A	Vacant	4,018	Office
C1-B	Children’s Speech and Feeding	4,043	Office
C2	Vacant: Proposed Wellesley Family Care	7,273	Medical Office ¹
D1-A, D3	Lily Transportation	5,433	Office
D2-A	Lily Transportation	6,665	Office
D2-B	Needham Urology Associates	6,800	Medical Office
E	Vacant	7,685	Office
H1	Boston ENT Associates, PC	4,493	Medical Office
H2	Combined with K1	0	Office
K1	Pediatric Dental Specialists of Needham	3,088	Medical Office
K2	Ashworth Mortgage	1,740	Office
D1-B	BID-Needham	7,722	Medical Office
F3-K3	Needham Pediatric	7,764	Medical Office
I	Vacant: Proposed: Ortho Boston	3,262	Medical Office
	Proposed Sub-Total	40,628	Office
	Proposed Sub-Total	45,641	Medical Office
	Total	86,269	Mixed-Office

¹This space is currently permitted as Medical Office Space and is leased to Steward Medical Group (Vacated Medical Office Space) but will be taken over by Wellesley Family Care and combined with 2,168 sf of currently vacant office space in Unit C1-A to provide 9,441 sf of medical office space for Wellesley Family Care.

Under the proposed conditions Unit I will be converted to medical office space for Ortho Boston and 2,168 sf of the vacant office space in Unit C1-A will be converted to medical office space and combined with space in Unit C2 for Wellesley Family Care resulting in 9,441 sf of medical office space for Wellesley Family Care. These changes will result in a net change of 5,430 sf office space to medical office space as shown in **Bold** in the Table above. The total square footage of the building remains the same.

Existing Parking Inventory

A parking accumulation survey was conducted to identify parking trends at the Rosemary Office Park on Tuesday, November 1, 2022, and Thursday, November 3, 2022, and included observations between 8:00 AM and 6:00 PM. These time periods correspond to the peak demand periods for the Rosemary Office Park uses, as well as Medical-Dental Office Buildings as published by in the Institute of Transportation Engineers (ITE) *Parking Generation*¹. The site parking lot was subdivided into parking zones for inventory purposes and to identify where peak parking use (or vacancies) occur relative to the building entrances as indicated in **Figure 2**. Hourly parking activity is presented in **Figure 3** with more specific accounting of peak demands/vacancies for each parking zone presented in **Figure 4**. At the time of survey, building vacancies included 17,133± sf of office space and 4,011± sf of medical office space located in Units C1A, C2, E and I.

A summary of peak parking activity at the Site is as follows:

- The peak parking demand of 178 parked vehicles occurs at 11:30 AM on weekdays, representing an existing surplus of approximately 106 parking spaces (approximate 63% utilization rate). The equivalent parking demand rate for observed conditions is 2.73 spaces per thousand square feet of occupied space.
- Parking zones 4 and 5, which are most proximate to Suite C1A and C2, have a combined utilization rate of 52 percent, with approximately 30 spaces vacant during the peak parking period.

Estimated Peak Parking Demand

This section provides estimated peak parking demand for the mixed-use office building based on industry standard parking rates (applied to the currently vacant space) and observed parking rates for the currently occupied space.

Estimated Peak Parking Demand – ITE Based Methodology

The Institute of Transportation Engineers (ITE) has documented peak parking demand characteristics for office buildings and medical-dental office buildings in *Parking Generation* for Land Use Code (LUC) 710 and LUC 720, respectively. For reference, the ITE parking data is provided in the **Attachments**.

¹*Parking Generation*, 5th Edition; Institute of Transportation Engineers; Washington, DC; 2019.

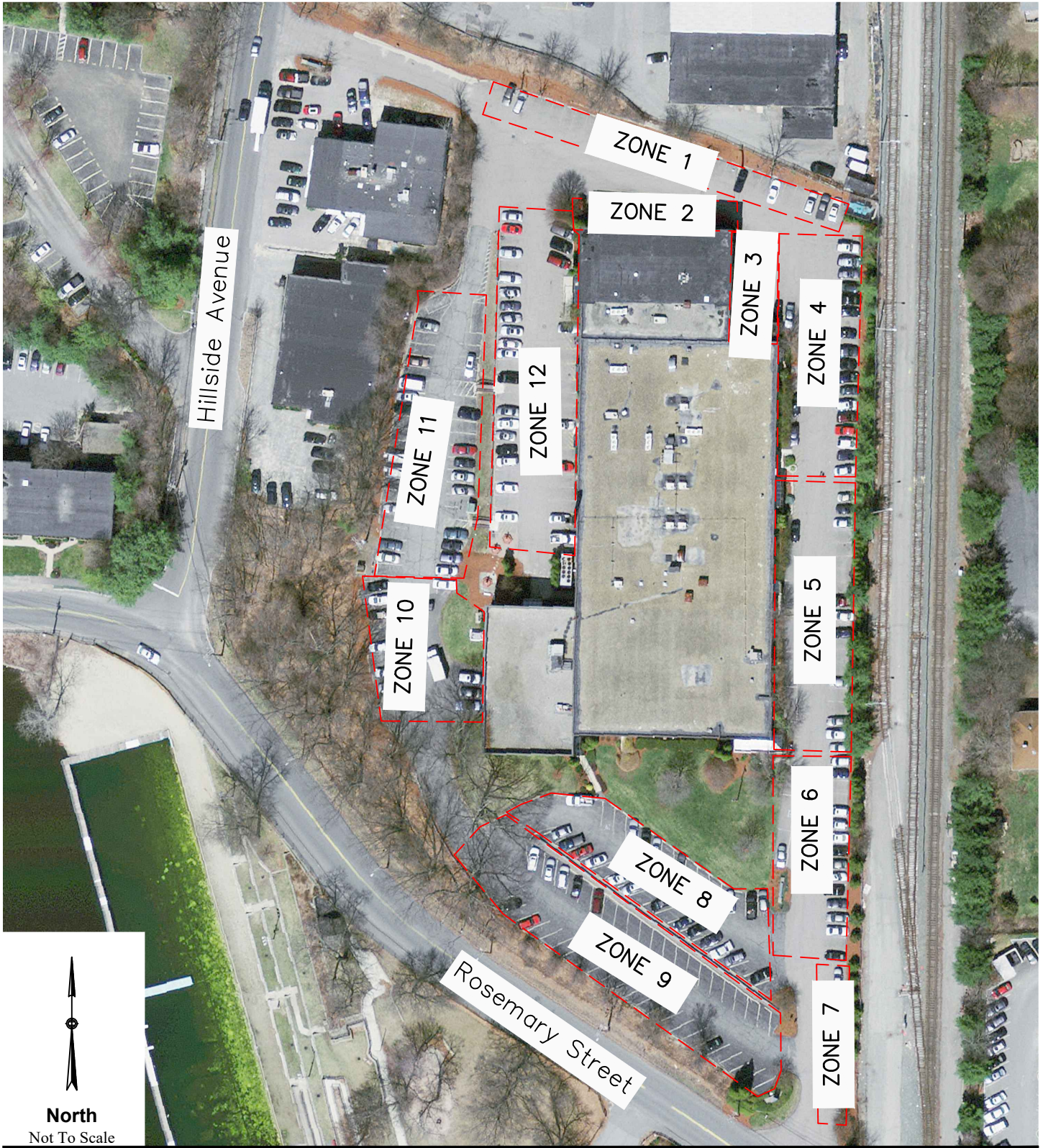


Figure 2

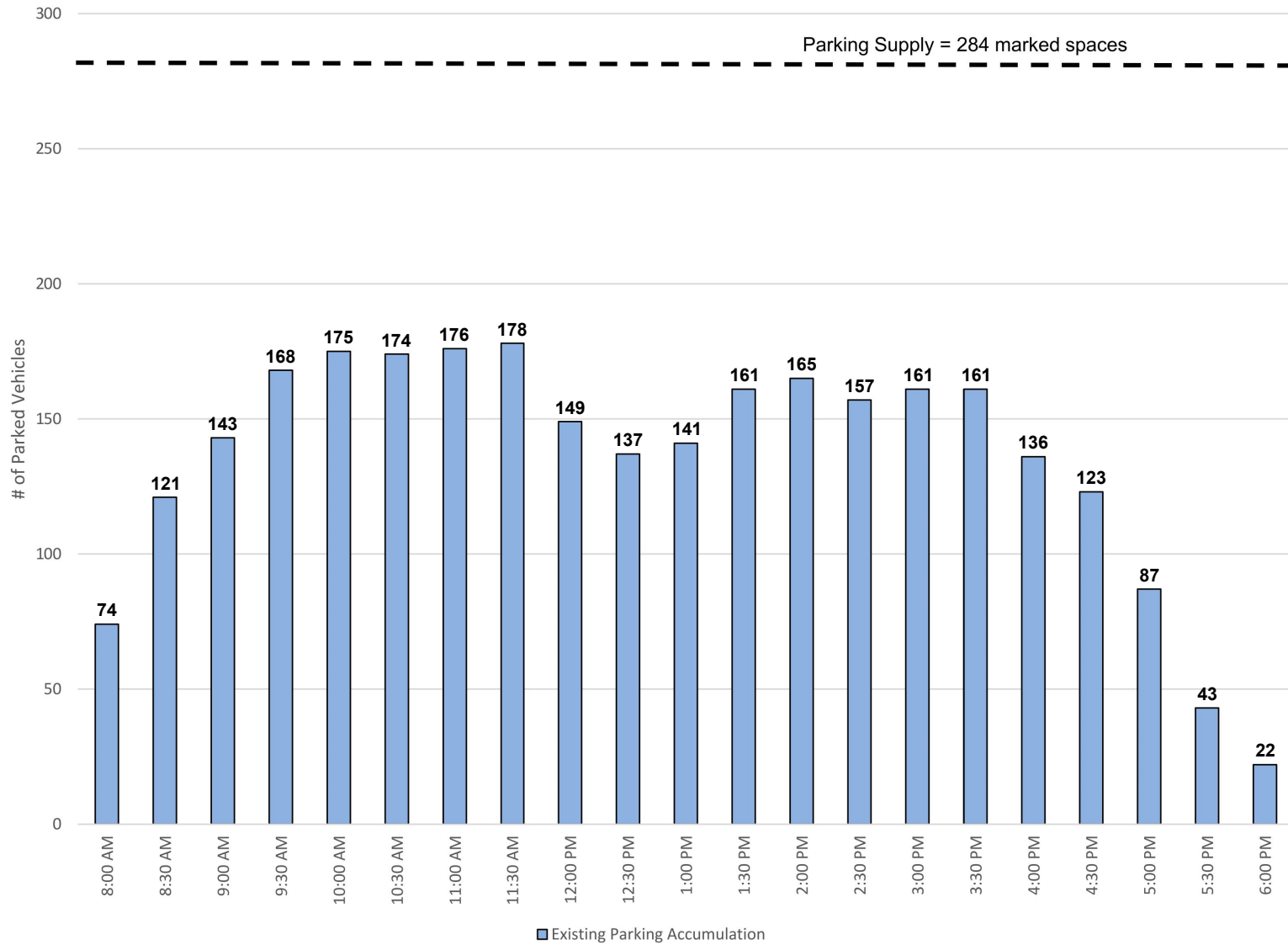


Figure 3

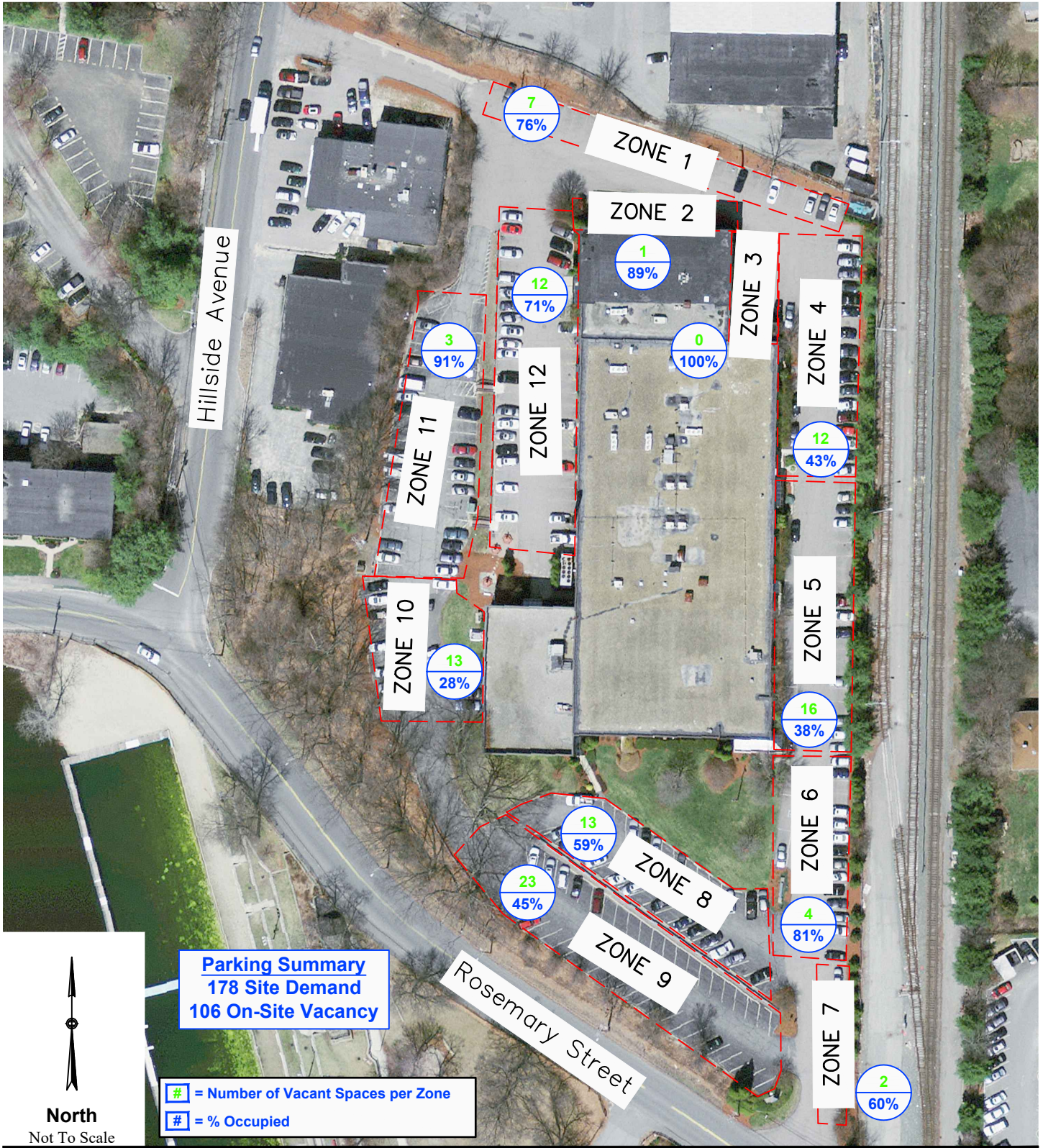


Figure 4

The parking data indicate that the peak parking occupancy for both general office and medical office uses occurs between 10:00 AM and 11:00 AM, consistent with parking surveys of the existing Campus. The peak parking demand for vacant space based on industry standard methodology is summarized in **Table 2**, assuming (*under Method (a)*) the currently-vacant 17,133± sf of office space and 4,011± sf of medical office space in Units C1A, C2, E, and I is occupied as currently permitted; and (*under Method (b)*) full occupancy of the Campus including 5,430± sf of office space converted to medical office space in Units C2 and I.

TABLE 2
PROJECTED PEAK PARKING DEMAND – ITE BASIS
ROSEMARY OFFICE PARK (10:00 AM – 12:00 PM)

Land Use	Size (gsf)	Peak Parking Rate (Vehicles per 1,000 sf)	Peak Parking Demand (Vehicles Parked)
<i>Currently Permitted Uses – Method (a)</i>			
Existing Tenants ¹	65,125	2.73	178
Re-Tenancy of Vacant Office Use ²	17,133	3.30	57
<u>Re-Tenancy of Vacant Medical Office Use³</u>	<u>4,011</u>	<u>4.59</u>	<u>19</u>
Estimated Total Demand	86,269	-	254
<i>Proposed Use – Method (b)</i>			
Existing Tenants ¹	65,125	2.73	178
Re-Tenancy of Vacant Office Use ⁴	11,703	3.30	39
Re-Tenancy of Vacant Medical Office Use	4,011	4.59	19
<u>Proposed New Medical Office Use⁴</u>	<u>5,430</u>	<u>4.59</u>	<u>25</u>
Estimated Total Demand	86,269	-	261

¹The Rosemary Office Park included approximately 65,125 gsf of occupied building space on dates of observations.

²Based on 17,133 gsf of vacant building space at the Rosemary Office Park applied to ITE LUC 710 85th percentile parking rates.

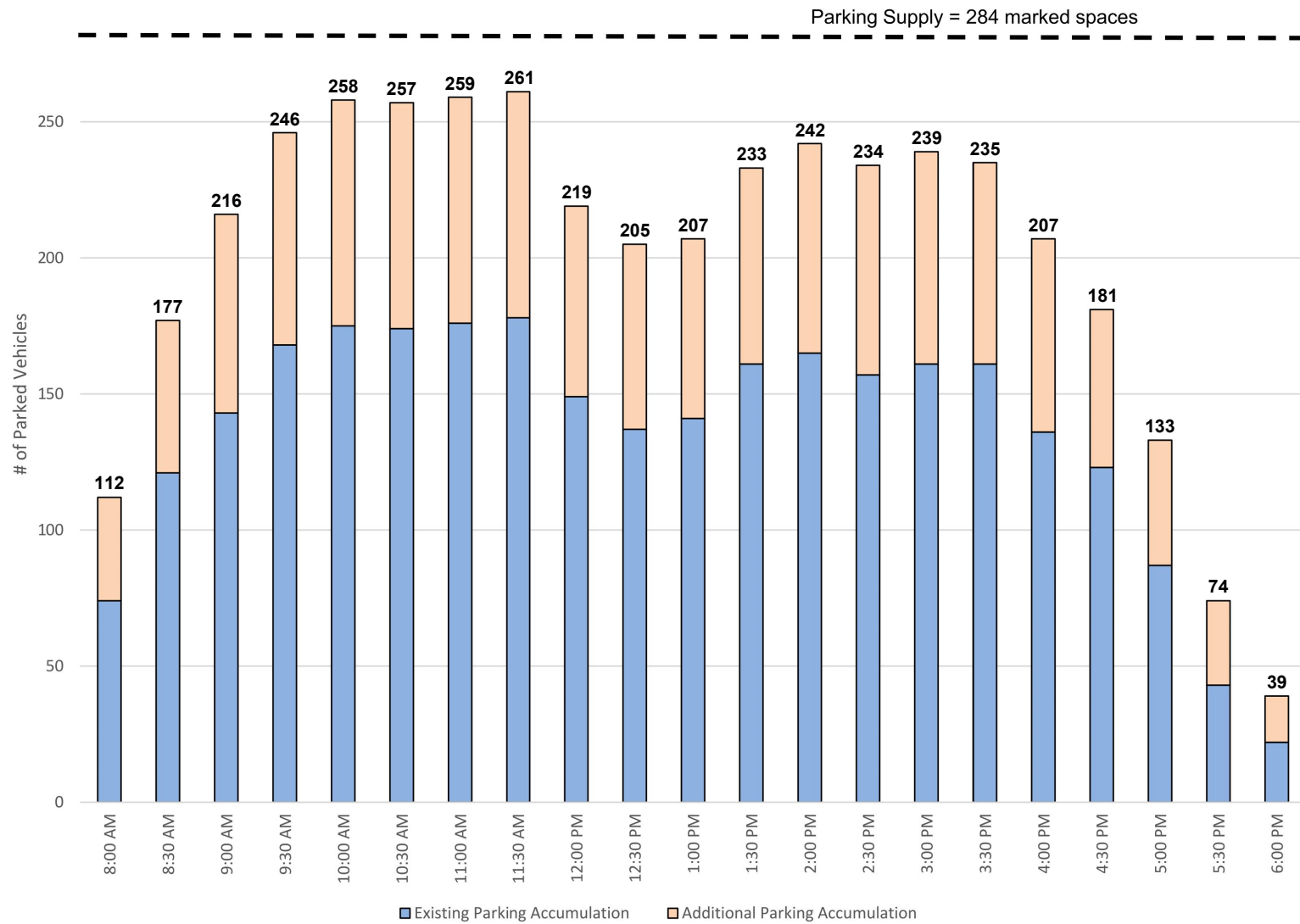
³Based on 4,011 gsf of vacant building space at the Rosemary Office Park applied to ITE LUC 720 85th percentile parking rates.

⁴Based on 11,703 gsf of vacant building space at the Rosemary Office Park applied to ITE LUC 710 85th percentile parking rates.

⁵Based on 9,441 gsf of vacant building space at the Rosemary Office Park applied to ITE LUC 720 85th percentile parking rates.

As summarized in **Table 2**,

- Based on ITE methodology, the re-occupancy of the vacant space (21,144 sf) under the currently permitted uses is estimated to result in an overall Campus peak parking demand of approximately 254 spaces.
- Based on ITE methodology, the re-occupancy of vacant space and the conversion of 5,430 sf of space within Suite C1-A, C2 (Wellesley Family Care) and I (Boston Orthopedics) to medical office is estimated to result in an overall campus peak parking demand increase of approximately 7 spaces compared to the Permitted uses resulting in up to 261 occupied parking spaces. For reference, estimated hourly parking activity at the Site is presented in **Figure 5** following this most conservative methodology.



Estimated Peak Parking Demand – Empirical Methodology

MDM has reviewed an inventory of parking data for medical office buildings that offer outpatient-based services for various locations in southeastern Massachusetts (**see Attachments**). These data indicate the following parking supply characteristics:

- Average parking supply of 4.3 spaces per 1,000 sf building area
- Average peak parking demand of 3.0 spaces per 1,000 sf building area
- Observed peak occupancy of 72% for surveyed sites

The inventory of parking supply data correlates well to the peak demand (85th percentile) ITE data. Interestingly, observed peak parking demands suggest that actual peak parking demand is lower than ITE data - approximately 3.0 occupied spaces per 1,000 sf for surveyed buildings (72 percent occupancy).

The peak parking demand vacant space based on empirical methodology is summarized in **Table 3**. Method (a) assumes any new tenants (office or medical office) generate a peak parking demand of 2.73 spaces per 1,000 sf of occupied space which is consistent with the existing tenants while Method (b) assumes any new office tenant would continue to generate a peak parking demand of 2.73 spaces per 1,000 sf of occupied space and any new medical office tenant would require a slightly higher peak parking demand of 3.0 spaces per 1,000 sf of occupied space based on empirical medical office data referenced above.

TABLE 3
PROJECTED PEAK PARKING DEMAND – EMPIRICAL BASIS
ROSEMARY OFFICE PARK (10:00 AM – 12:00 PM)

Land Use	Size (gsf)	Peak Parking Rate (Vehicles per 1,000 sf)	Peak Parking Demand (Vehicles Parked)
<i>Currently Permitted Uses – Method (a)</i>			
Existing Tenants ¹	65,125	2.73	178
Re-Tenancy of Vacant Office Use ²	17,133	2.73	47
<u>Re-Tenancy of Vacant Medical Office Use²</u>	<u>4,011</u>	2.73	<u>11</u>
Estimated Total Demand	86,269	2.73	236
<i>Proposed Use – Method (b)</i>			
Existing Tenants ¹	65,125	2.73	178
Re-Tenancy of Vacant Office Use ²	11,703	2.73	32
Re-Tenancy of Vacant Medical Office Use ³	4,011	3.0	12
<u>Proposed New Medical Office Use³</u>	<u>5,430</u>	<u>3.0</u>	<u>17</u>
Estimated Total Demand	86,269	2.76	239

¹The Rosemary Office Park included approximately 65,125 gsf of occupied building space on dates of observations.

²Based on vacant building space at the Rosemary Office Park applied to 2.73 spaces/1,000 sf.

³Based on vacant building space at the Rosemary Office Park applied to 3.0 spaces/1,000 sf.

As summarized in **Table 3**, empirical parking rates indicate a peak parking demand of 236 spaces assuming new tenants (office or medical office) would follow observed building parking trends/rates; a higher projected demand of 239 spaces is estimated assuming the infill of vacant medical office space and proposed new medical office space based on a slightly higher peak parking demand of 3.0 spaces per 1,000 sf of occupied space based on empirical medical office data referenced above.

Comparison to Local Zoning Requirements

Zoning for general office uses require a parking supply ratio of 1 space per 300 sf of building area for general office use versus 1 space per 200 sf of building area for medical office use. Based on survey results of the existing building parking demands, these parking ratios are conservatively high. However, even applying these zoning-based parking ratios to the net change of 5,430 sf of general office use to medical office use results in a net projected parking requirement 9 spaces above by-right office use for those combined units (28 spaces versus 19 spaces). This difference in parking is well accommodated within available vacancies within the Campus.

Summary & Conclusions

In summary, projected peak parking demands at the site including infill of general office and medical office vacancies and the proposed conversion of 5,430 sf of general office use to medical office use results in a projected peak parking demand on the campus of between 239 (empirical methodology) and 261 spaces (ITE methodology). Relative to existing observed Campus parking activity, this leaves a surplus parking supply of at least 23 spaces at the Campus. This surplus parking supply will accommodate a relatively wide fluctuation in peak parking demands. Therefore, the Campus parking supply of 284 spaces more than satisfies the peak parking demands generated by existing and proposed building tenants.

I trust the above assessment of parking demand and supply will be useful in your request for a parking variance for the Rosemary Office Park for the proposed medical office tenant.

Sincerely,

MDM TRANSPORTATION CONSULTANTS, INC.



Robert J. Michaud, P.E.
Managing Principal

Attachments

- ITE Parking Data
 - LUC 710 (General Office Building)
 - LUC 720 (Medical-Dental Office Building)

- Empirical (Observed) Parking Data

Attachments

- ITE Parking Data
 - LUC 710 (General Office Building)
 - LUC 720 (Medical-Dental Office Building)

Land Use: 710 General Office Building

Description

A general office building houses multiple tenants. It is a location where affairs of businesses, commercial or industrial organizations, or professional persons or firms are conducted. An office building or buildings may contain a mixture of tenants including professional services, insurance companies, investment brokers, and tenant services, such as a bank or savings and loan institution, a restaurant, or cafeteria and service retail facilities. A general office building with a gross floor area of 5,000 square feet or less is classified as a small office building (Land Use 712). Corporate headquarters building (Land Use 714), single tenant office building (Land Use 715), medical-dental office building (Land Use 720), office park (Land Use 750), and research and development center (Land Use 760) are additional related uses.

If information is known about individual buildings, it is suggested that the general office building category be used rather than office parks when estimating parking generation for one or more office buildings in a single development. The office park category is more general and should be used when a breakdown of individual or different uses is not known. If the general office building category is used and if additional buildings, such as banks, restaurants, or retail stores are included in the development, the development should be treated as a multiuse project. On the other hand, if the office park category is used, internal trips are already reflected in the data and do not need to be considered.

When the buildings are interrelated (defined by shared parking facilities or the ability to easily walk between buildings) or house one tenant, it is suggested that the total area or employment of all the buildings be used for calculating parking generation. When the individual buildings are isolated and not related to one another, it is suggested that parking generation be calculated for each building separately and then summed.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at 30 study sites in a general urban/suburban setting and two study sites in a dense multi-use urban setting.

Hour Beginning	Percent of Weekday Peak Parking Demand	
	General Urban/Suburban	Dense Multi-Use Urban
12:00–4:00 a.m.	–	–
5:00 a.m.	–	–
6:00 a.m.	–	–
7:00 a.m.	13	26
8:00 a.m.	48	65
9:00 a.m.	88	95
10:00 a.m.	100	100
11:00 a.m.	100	100
12:00 p.m.	85	99
1:00 p.m.	84	99
2:00 p.m.	93	97
3:00 p.m.	94	94
4:00 p.m.	85	90
5:00 p.m.	56	–
6:00 p.m.	20	–
7:00 p.m.	11	–
8:00 p.m.	–	–
9:00 p.m.	–	–
10:00 p.m.	–	–
11:00 p.m.	–	–

Additional Data

The average parking supply ratios for the study sites with parking supply information are as follows:

- 2.9 spaces per 1,000 square feet GFA in a dense multi-use urban setting that is not within ½ mile of rail transit (seven sites)
- 3.3 spaces per 1,000 square feet GFA (73 sites) and 1.2 spaces per employee (20 sites) in a general urban/suburban setting that is not within ½ mile of rail transit
- 3.0 spaces per 1,000 square feet GFA (seven sites) and 0.8 spaces per employee (two sites) in a general urban/suburban setting that is within ½ mile of rail transit

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Arizona, California, Colorado, Connecticut, Georgia, Illinois, Massachusetts, Minnesota, Montana, New Jersey, New York, Oklahoma, Oregon, Pennsylvania, Texas, Utah, and Washington.

Source Numbers

21, 22, 47, 122, 124, 142, 172, 201, 202, 205, 211, 215, 216, 217, 227, 239, 241, 243, 276, 295, 399, 400, 425, 431, 433, 436, 438, 440, 516, 531, 540, 551, 555, 556, 557, 571, 572, 588

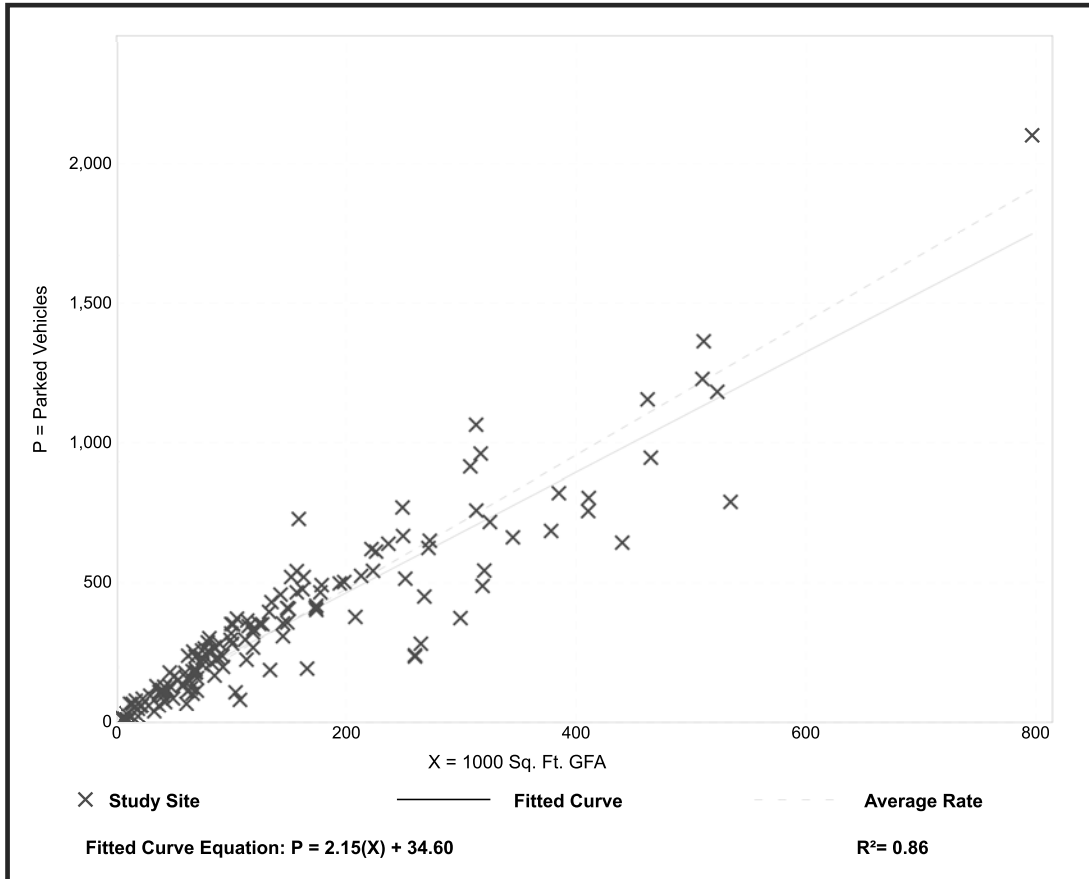
General Office Building (710)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban
Peak Period of Parking Demand: 9:00 a.m. - 3:00 p.m.
 Number of Studies: 148
 Avg. 1000 Sq. Ft. GFA: 145

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
2.39	0.50 - 5.58	2.30 / 3.30	2.28 - 2.50	0.69 (29%)

Data Plot and Equation



Land Use: 720 Medical-Dental Office Building

Description

A medical-dental office building is a facility that provides diagnoses and outpatient care on a routine basis but is unable to provide prolonged in-house medical and surgical care. One or more private physicians or dentists generally operate this type of facility. General office building (Land Use 710), small office building (Land Use 712), and clinic (Land Use 630) are related uses.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at 27 study sites in a general urban/suburban setting and two study sites in a dense multi-use urban setting.

Hour Beginning	Percent of Weekday Peak Parking Demand	
	General Urban/Suburban	Dense Multi-Use Urban
12:00–4:00 a.m.	–	–
5:00 a.m.	–	–
6:00 a.m.	–	–
7:00 a.m.	12	–
8:00 a.m.	43	61
9:00 a.m.	88	62
10:00 a.m.	99	96
11:00 a.m.	100	56
12:00 p.m.	83	29
1:00 p.m.	74	67
2:00 p.m.	94	100
3:00 p.m.	93	82
4:00 p.m.	86	79
5:00 p.m.	54	71
6:00 p.m.	–	–
7:00 p.m.	–	–
8:00 p.m.	–	–
9:00 p.m.	–	–
10:00 p.m.	–	–
11:00 p.m.	–	–

Additional Data

Some of the study sites in the database are located within a hospital campus. The limited number of data points did not reveal a definitive difference in parking demand from stand-alone sites.

The average parking supply ratio for the 80 study sites with parking supply information is 4.3 spaces per 1,000 square feet GFA.

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in British Columbia (CAN), California, Connecticut, Florida, Georgia, Illinois, Indiana, Maryland, Massachusetts, Minnesota, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Texas, and Washington.

Source Numbers

36, 37, 84, 86, 120, 121, 153, 161, 173, 217, 218, 224, 239, 308, 309, 310, 315, 416, 428, 433, 527, 530, 531, 532, 553, 555, 563, 564

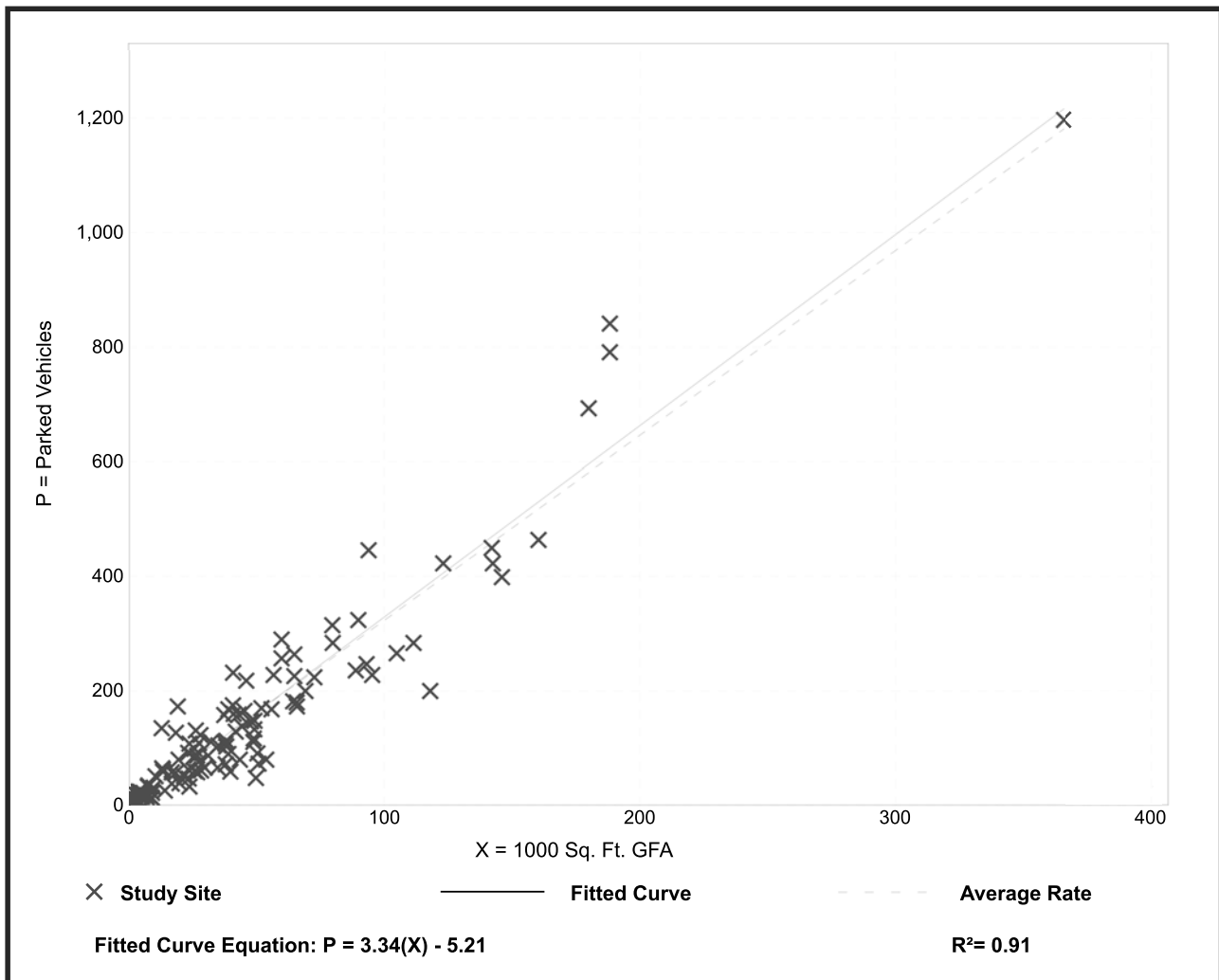
Medical-Dental Office Building (720)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban
Peak Period of Parking Demand: 9:00 a.m. - 4:00 p.m.
 Number of Studies: 117
 Avg. 1000 Sq. Ft. GFA: 46

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
3.23	0.96 - 10.27	2.73 / 4.59	3.04 - 3.42	1.05 (33%)

Data Plot and Equation



Attachments

- Empirical (Observed) Parking Data

Parking Accumulation Survey

Location: 145 Rosemary Street - Needham, MA
 Date: Tuesday, November 1, 2022
 Count Technician: _____

	Zone												Total
	1	2	3	4	5	6	7	8	9	10	11	12	
# Available Parking Spaces (designated as Handicapped Parking)	0	0	1	1	0	1	0	1	0	1	0	3	8
# Available Parking Spaces (NOT designated as Handicapped Parking)	29	9	4	20	26	20	5	31	42	17	34	39	276

	# Occupied Spaces												Total
Time	1	2	3	4	5	6	7	8	9	10	11	12	
8:00 AM	12	1	2	2	7	13	2	4	8	0	13	10	74
8:30 AM	12	1	3	7	10	19	2	14	17	3	20	13	121
9:00 AM	18	2	3	6	11	18	3	15	20	4	25	18	143
9:30 AM	19	3	5	6	13	18	3	22	21	3	31	24	168
10:00 AM	22	6	4	6	13	17	3	18	25	5	27	29	175
10:30 AM	21	6	4	8	10	18	3	16	20	5	28	35	174
11:00 AM	22	7	5	8	12	18	3	17	17	5	30	32	176
11:30 AM	22	8	5	9	10	17	3	19	19	5	31	30	178
12:00 PM	18	7	4	6	9	16	3	19	16	6	29	16	149
12:30 PM	15	7	4	3	7	16	4	17	20	7	27	10	137
1:00 PM	21	7	5	4	8	16	2	9	16	7	32	14	141
1:30 PM	19	6	4	12	13	16	2	13	19	6	32	19	161
2:00 PM	18	8	5	10	12	16	2	20	21	8	27	18	165
2:30 PM	13	8	5	9	13	16	2	26	17	7	28	13	157
3:00 PM	16	8	5	8	9	19	2	17	22	7	28	20	161
3:30 PM	16	6	3	9	8	18	2	21	21	7	27	23	161
4:00 PM	14	4	2	8	8	17	2	21	16	5	23	16	136
4:30 PM	8	3	1	6	8	19	2	21	17	4	22	12	123
5:00 PM	6	2	1	6	4	3	1	12	17	4	22	9	87
5:30 PM	3	1	1	2	2	0	1	4	9	2	11	7	43
6:00 PM	2	1	1	1	0	0	0	3	4	1	5	4	22
Maximum	22	8	5	12	13	19	4	26	25	8	32	35	178

Parking Accumulation Survey

Location: 145 Rosemary Street - Needham, MA
 Date: Thursday, November 3, 2022
 Count Technician: _____

	Zone												Total
	1	2	3	4	5	6	7	8	9	10	11	12	
# Available Parking Spaces (designated as Handicapped Parking)	0	0	1	1	0	1	0	1	0	1	0	3	8
# Available Parking Spaces (NOT designated as Handicapped Parking)	29	9	4	20	26	20	5	31	42	17	34	39	276

	# Occupied Spaces												Total
Time	1	2	3	4	5	6	7	8	9	10	11	12	
8:00 AM	9	1	1	2	5	12	2	3	5	1	15	11	67
8:30 AM	12	2	1	3	15	21	3	13	13	3	20	10	116
9:00 AM	15	1	1	3	12	16	3	18	21	3	23	19	135
9:30 AM	16	0	2	7	10	17	3	25	17	3	26	19	145
10:00 AM	16	1	2	3	12	17	3	26	19	3	25	23	150
10:30 AM	17	1	4	5	12	18	3	23	23	4	28	21	159
11:00 AM	16	0	3	2	10	20	3	22	24	6	27	28	161
11:30 AM	16	1	4	6	12	17	3	21	22	4	27	21	154
12:00 PM	16	2	3	3	8	19	4	21	23	4	23	17	143
12:30 PM	11	2	3	2	8	17	4	15	19	4	22	13	120
1:00 PM	13	2	3	3	10	18	3	11	18	3	23	16	123
1:30 PM	16	2	2	8	12	17	3	11	18	4	24	20	137
2:00 PM	16	2	2	7	13	17	3	17	26	4	25	17	149
2:30 PM	12	2	2	4	13	17	2	20	19	5	22	19	137
3:00 PM	13	2	3	1	8	14	2	17	21	5	21	20	127
3:30 PM	12	2	2	1	9	14	2	17	21	4	18	17	119
4:00 PM	11	1	1	2	13	15	2	17	22	4	16	13	117
4:30 PM	6	1	0	3	11	17	2	17	22	3	13	7	102
5:00 PM	6	1	0	1	2	8	2	10	16	3	12	3	64
5:30 PM	2	0	0	1	2	4	0	7	7	3	2	3	31
6:00 PM	1	1	0	0	0	2	0	4	6	3	1	2	20
Maximum	17	2	4	8	15	21	4	26	26	6	28	28	161

Medical Office Building Inventory
 Source: Campanelli Companies/ MDM Data Collection

Medical Office Buildings

Dec. 9, 2005

No.	Address	Town	Area (SF)	Use	Total Parking Spaces	Space/Bldg. SF	Supply Spaces per 1,000 SF	Occupied Spaces	Demand Spaces per 1,000 SF	%	Time of Visit
1	Braintree Medical Center	Braintree	48,000	Medical	104	461.54	2.17	83	1.73	80%	10:30AM
2	Stetson Office Building	Weymouth	123,696	Medical	505	244.94	4.08	294	2.38	58%	10AM-10:30AM
4	Medical Office Building	Weymouth	46,058	Medical	250	184.23	5.43	184	3.99	74%	11:00AM
	Tuesday, May 25, 2011										
7	Southeast Medical Center	E. Bridgewater	70,000	Medical	351	199.43	5.01	262	3.74	75%	10:00AM
			Average: 33,164 SF			Average:	Supply 4.3	Spaces/KSF 101	Demand 3.00	Spaces/KSF 72%	

Alexandra Clee

From: David Roche
Sent: Tuesday, December 27, 2022 8:43 AM
To: Joe
Cc: Planning; Lee Newman; Alexandra Clee
Subject: RE: Clarification on SRB dimension regulations

The By-law dictates what we count for F.A.R. this would be a Zoning change and Town Meeting will decide what we want to count towards F.A.R. what ever the outcome we will issue permits according to the By-Law. Keep in mind that if the F.A.R. was to stay the same .38 for a 10,000 Sq. Ft. lot which would mean that you could have 3,800 Sq. Ft. on the first and second floor. If you include the attic and basement which could be 2,000 Sq. Ft. this would leave you with 900 Sq. Ft. per floor, this is not going to fly with the builders or buyers.

Dave

From: Joe <jsmatthews1988@gmail.com>
Sent: Monday, December 26, 2022 1:27 PM
To: David Roche <droche@needhamma.gov>
Cc: Planning <planning@needhamma.gov>; Lee Newman <LNewman@needhamma.gov>; Alexandra Clee <aclee@needhamma.gov>
Subject: Re: Clarification on SRB dimension regulations

Thank you for the response Dave, this is informative and useful.

The Housing Plan Working Group recently completed a draft report of a housing plan and included a proposal to revisit the by-laws and regulations regarding houses in Needham. I have been following their work over the past year and the other work done by the Planning Board over the past two years, but did not know the FAR restrictions for SRB or how FAR was evaluated.

Judging by real estate listings, even over a relatively short period of time, the average square footage for new houses on SRB lots appears to be rising. I would say that anecdotally, the interior photos for houses I am seeing around town appear to have finished staircases leading to a third floor with finished rooms meant for human occupancy. Also, looking at some examples of new construction and their real estate listings, the square footage listed on real estate advertisements such as Zillow appears to indicate FARs which are higher than the SRB regulations for their lots. It could be the case that realtors are including garage, deck, or equipment space in the real estate listings, but I am skeptical of that.

I think it might be good to have some language in the by-laws to reflect the current methods for FAR evaluation. I think that this is something the Planning Board and others (such as the Housing Plan Working Group) should be looking at given the discrepancy between a practice of only counting space on the first and second floors towards FAR and the definition in the Needham Zoning By-Law definitions:

"Floor Area, Gross – the sum of the areas of the several floors of each building on a lot including areas used for human occupancy in basements, attics, and penthouses, as measured from the exterior faces of the walls, but excluding cellars, unenclosed porches, balconies, attics, or any floor space in accessory buildings or in main buildings intended and designed for the parking of automobiles or for accessory heating and ventilating equipment, laundry, or accessory storage."

Many real estate listings for new construction state the existence of third floors which will be occupied by people (note: I believe the definition/terminology for half-stories could be reexamined), and thus should be included in FAR calculations. It would also appear that even finished basement space should be included.

I can understand the previous rationale of not wanting to discourage developers or property owners to finish rooms or take other actions without letting the town know, but it appears as if this leniency towards development is at this point not in accordance with town by-laws. Beyond a general response to the issues raised here (also for Lee Newman and the Planning Board), my main question would be who has the authority to decide what space should count towards FAR?

Best,

Joe

On Mon, Dec 19, 2022 at 9:32 AM David Roche <droche@needhamma.gov> wrote:

Joe,

The working group for the big house committee was made up of people from all phases related to and directly involved with new home construction. You are correct under the new construction By-Law F.A.R. is .38 for lots up to 12,000 Sq. ft. and .36 for lots over 12,000 sq. ft. you are also correct about just counting the first and second floors, for the F.A.R. calculation also allowing 600 sq. ft. for a garage. This F.A.R. calculation was based on what the average home being built at the time, other town By-Law's were looked at and they involve restrictions on the attic and basement areas that are somewhat complicated to approve or regulate. My feeling about these restrictions compromise the look of the home by lowering the roof pitch, or using roof trusses, to create an inhabitable space less than 7' in height or altering basement grades to render the basement not a habitable space. These restrictions force people to finish rooms in there attic or basement without permits, The committee felt that the roof or basement would be part of normal construction, and in the case of the roof area, concerns about low pitched roofs in New England because of snow loading is a real issue. All of the Changes that were adopted went to the Planning Board and the Select Board for comments and approval before the final Town Meeting vote. I can say that I have not received as many complaints about new homes from residents, and have had some push back from developers about the currant F.A.R. calculations. I personally think the By-Law changes were very accommodating and could have been more restrictive, but I am not willing to support major changes to the currant By-law. I am not sure that there would be large public support of amending the F.A.R. regulations, but as you know anything can happen on Town Meeting floor. The new By-Law went into effect on June 1ST 2017 The Building Department issues roughly 70 – 80 new home permits every year, exact numbers can be found in the Town annual Report.

Dave Roche

From: Alexandra Clee <aclee@needhamma.gov> **On Behalf Of** Planning

Sent: Monday, December 19, 2022 8:05 AM

To: Lee Newman <LNewman@needhamma.gov>; David Roche <droche@needhamma.gov>

Subject: Fwd: Clarification on SRB dimension regulations

This may be a question for Dave.

Alexandra Clee

Assistant Town Planner

Needham, MA

781-455-7550 ext. 271

www.needhamma.gov

From: Joe <jsmatthews1988@gmail.com>
Sent: Monday, December 19, 2022 12:05:01 AM
To: Planning <planning@needhamma.gov>
Subject: Clarification on SRB dimension regulations

Hello,

I am writing to gain clarification on building on lots zoned in the Single Residence B (SRB).

While reviewing the zoning by-laws linked to on the Housing Plan Working Group page (<http://www.needhamma.gov/1614/Zoning-By-Laws>), I saw the following:

4.2.3 Table of Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, and General Residence Districts, for Buildings and Structures Created Through New Construction on any Lot

Except as otherwise provided in Section 4.2.4 for public, semi-public and institutional uses, no building or structure created through New Construction shall be constructed, altered, or relocated on any lot except in conformance with these regulations:

District	Min. Lot Area (sf)	Min. Frontage (ft)	Front Setback (ft)	Side Setback (ft)	Rear Setback (ft)	Max. Floor Area Ratio (F.A.R.)	Max. % Lot Coverage	Max. Stories	Max. Height (ft)
Rural Residence Conservation	43,560	150	50	25	25	NR	15%	2-1/2	35
Single Residence A	43,560	150	30	25	15	NR	NR	2-1/2	35
Single Residence B	10,000	80	20 (h)(i)	14 (a)(j)	20	.36-.38 (g)	25%-30% (b)	2-1/2	35 (e)(f)
General Residence	10,000	80	20 (h)(i)	14 (a)(j)	20	NR	30%-35% (c)	2-1/2	35 (e)(f)

This would indicate that the FAR of new construction (house) on an SRB-zoned lot would only have a max FAR of 0.38 or 0.36 in the case of lots of at least 12,000 square feet (0.275 acres).

From the same zoning by-law documents: *“Floor Area, Gross – the sum of the areas of the several floors of each building on a lot including areas used for human occupancy in basements, attics, and penthouses, as measured from the exterior faces of the walls, but excluding cellars, unenclosed porches, balconies, attics, or any floor space in accessory buildings or in main buildings intended and designed for the parking of automobiles or for accessory heating and ventilating equipment, laundry, or accessory storage.*

Floor Area Ratio (FAR) – the floor area divided by the lot area. Floor area shall be the sum of the horizontal areas of the several floors of a building as measured from the exterior surface of the exterior walls. Parking garages, interior portions of building devoted to off-street parking, and deck or rooftop parking shall be considered floor area.”

From watching the 12/14/2022 meeting of the Finance Committee (<https://youtu.be/UoowyeePi80>), comments by the building inspector support my understanding that current FAR for lots with SRB zoning is 0.38 (starting at around 12:00 minute mark). The building inspector further said that only the first two floors are being counted and that this may not be the same practice as is done in other towns.

So my questions are:

1) Is my understanding correct (0.36 or 0.38 FAR for new houses on SRB lots)? If not, what are the correct dimensional regulations?

2) For how long has the current policy been in place? Do we know why this or other regulations were chosen?

3) How are decisions made as to what areas of a structure to include as part of FAR calculations? With the definition above, finished basements and rooms part of a third story (also referred to as a half-story) would be part of FAR calculations.

Best,

Joe Matthews

Precinct I

