

NEEDHAM PLANNING BOARD

Monday, May 5, 2025

7:00 p.m.

Highland Room

Needham Town Hall, 1471 Highland Avenue

AND

Virtual Meeting using Zoom

Meeting ID: **880 4672 5264**

(Instructions for accessing below)

Revised

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. Discussion of Town Meeting warrant articles.
2. Board of Appeals – May 15, 2025.
3. Minutes.
4. Correspondence.
5. Report from Planning Director and Board members.

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

Articles 18 & 19

**AMEND ZONING BY-LAW – MULTI-FAMILY OVERLAY DISTRICT
(THE “BASE COMPLIANCE PLAN”)**

**AMEND ZONING BY-LAW – MAP CHANGE FOR MULTI-FAMILY
OVERLAY DISTRICT (THE “BASE COMPLIANCE PLAN”)**

**Annual Town Meeting
May 5, 2025**

MBTA Communities Act Overview

The law (MGL C.40A Section 3A) established a requirement that each of the 177 designated MBTA Communities must have zoning that:

- Provides for at least 1 district of reasonable size in which multifamily housing is permitted as of right.
- Cannot have age-restrictions and shall be suitable for families with children.
- Must have a minimum gross density of 15 dwelling units per acre.
- A portion of the district must be located within 0.5 miles from a commuter rail station.
- Commuter rail communities, including Needham, have a deadline to comply of **July 14, 2025**.

Needham’s MBTA Communities Requirements:

Compliance Metric	Requirement
Gross Acres	50 acres
Unit Capacity	1,784 units
Dwelling Units per Acre	15 DU/AC
Percentage to be Located in Station Area	90%

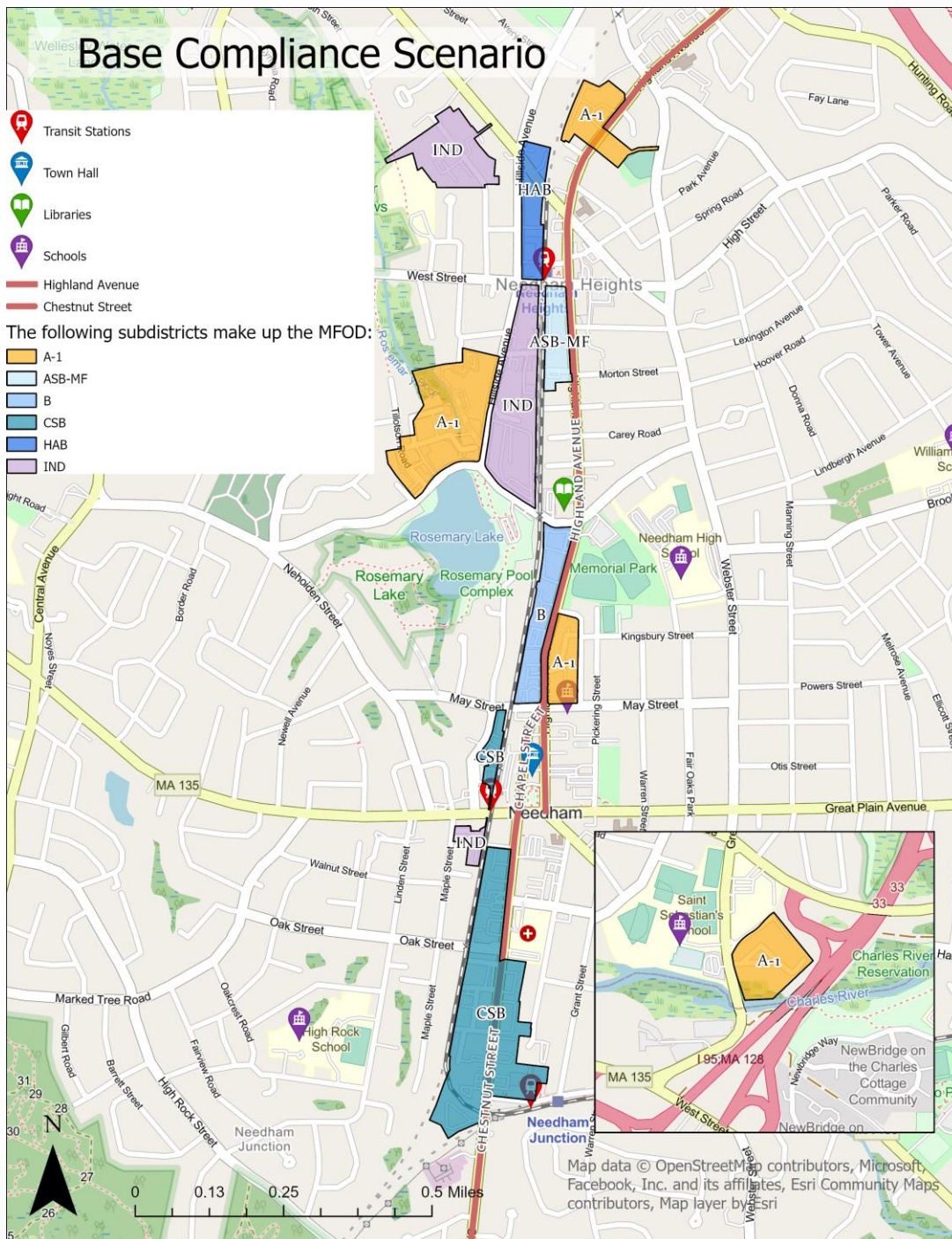
Article Overview

Base Compliance Plan: A scenario that adheres very closely to the zoning boundaries and dimensional standards in Needham’s current Zoning Bylaw. This scenario is intended to meet the minimum compliance requirements of the MBTA Communities Act.

Article 18: Creates a multi-family overlay district following the recommended district boundaries and dimensional standards in the Base Compliance Plan.

Article 19: The map change for the Base Compliance Plan to accompany Article 18.

	Needham Requirement	Base Compliance Plan
Acreage (net)	50	100.3
Unit Capacity	1,784	1,870
Density (units/acre)	15	18.6
Percent in Transit Area	90%	93%



- Follows the Highland Avenue / Chestnut Street corridor from Webster Street to Needham Junction Station
- Incorporates Existing Multi-Family Housing Developments along the corridor at
 - Hamilton Highlands / Avery School
 - Rosemary Ridge
 - Rosemary Lake
 - The Highlands
- Utilizes existing Business and Industrial Districts
- Incorporates Multi-Family Housing at Charles Court Condos

CURRENT ZONING PARAMETERS

	Apartment A1	Business	Avery Square Business Overlay	Chestnut St. Business ²	Hillside Ave. Business	Industrial
Minimum Lot Size (Sq. feet)	20,000	10,000	10,000	10,000	10,000	10,000
Height (Stories)	3.0	3.0	4.0 ¹	2.5	2.5	3.0
Floor Area Ratio (FAR)	0.50		1.1	0.70	0.70	
Max Lot Coverage		25%				60%
Max Dwelling Units Per Acre	18		18	18	18	
Parking per Unit	1.5	1.5	1.5	1.5	1.5	1.5

¹ Under existing zoning 4th story limited to 35% of total roof area.

² Chestnut Street Overlay:

- Min. Lot size – 15,000 SF
- By Special Permit:
 - 4 stories (4th stories is recessed)
 - FAR of 2.0
 - No limit on dwelling units per acre

BASE COMPLIANCE PLAN ZONING PARAMETERS

	Apartment A1	Business	Avery Square Business	Chestnut St. Business	Hillside Ave. Business	Industrial
Minimum Lot Size (Sq. feet)	20,000	10,000	10,000	10,000	10,000	10,000
Height (Stories)	3.0	3.0	3.0	3.0	3.0	3.0
Floor Area Ratio (FAR)	0.50		1.30	0.70	0.70	0.50
Max Lot Coverage		25%				
Max Dwelling Units Per Acre	18		44	18		
Parking per Unit	1.0	1.0	1.0	1.0	1.0	1.0
			4 stories, an FAR of 1.7 and > 44 units/acre allowed by Special Permit.			

Key comparison between base and existing zoning

Dimensional Standards

- Height is increased from 2.5 to 3 stories in the Chestnut Street Business and Hillside Avenue Business subdistricts.
- Minimum number of required parking spaces is reduced from 1.5 to 1.0 spaces in all subdistricts.

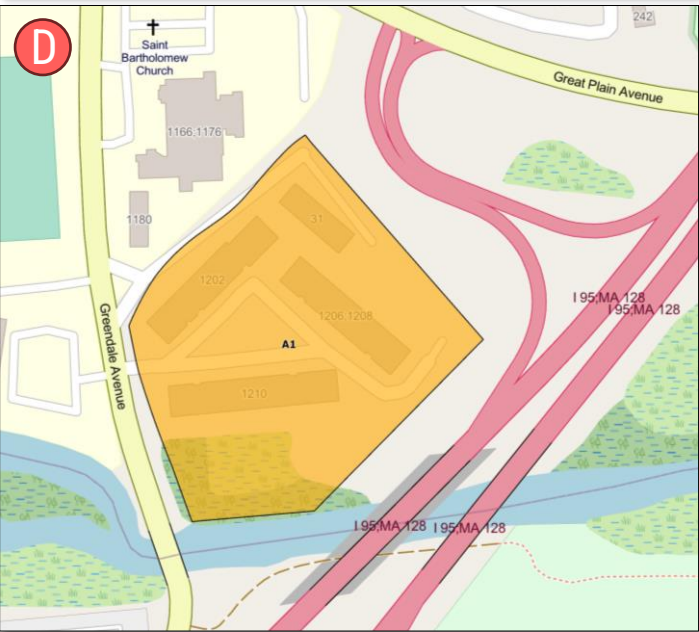
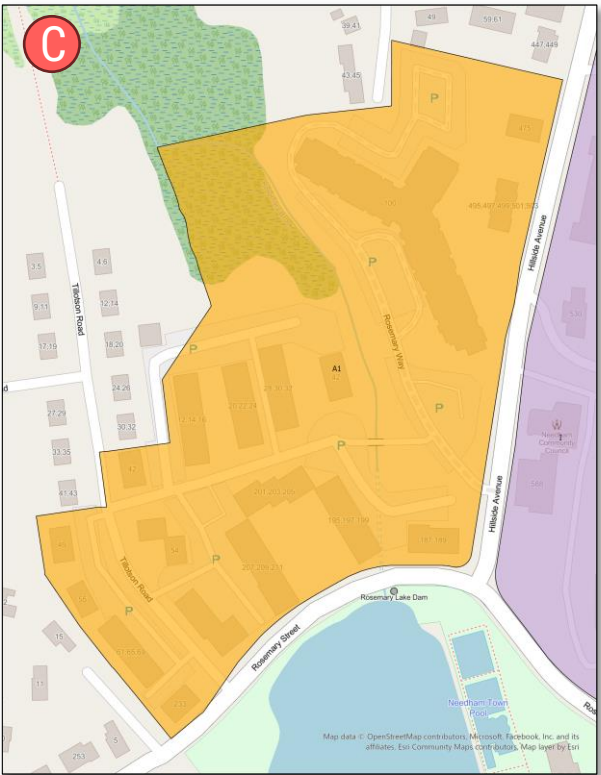
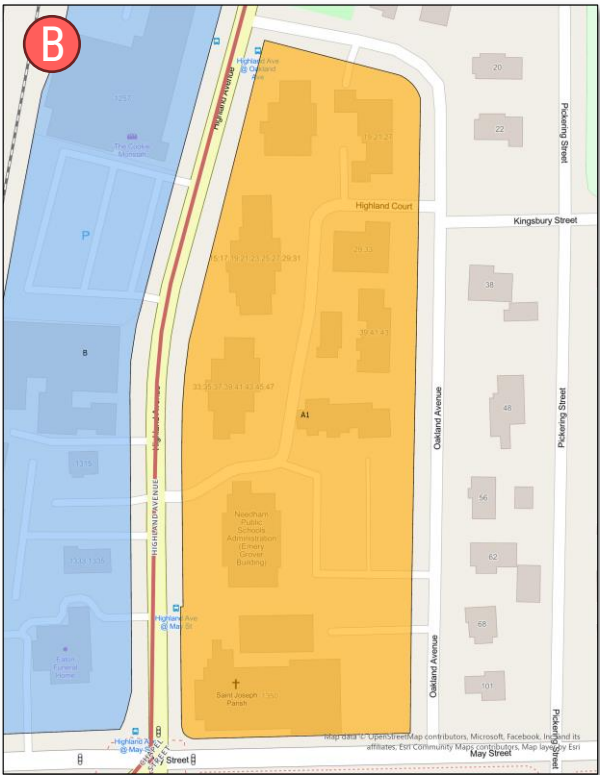
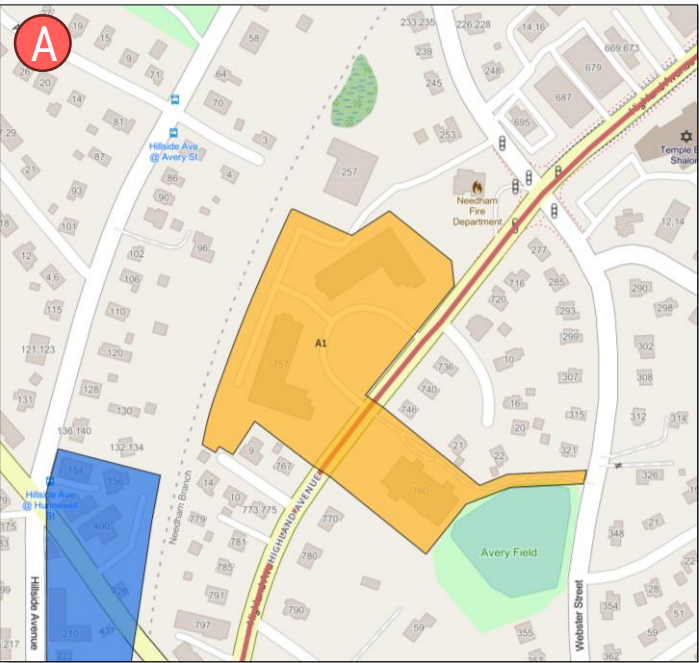
Land Use Standards

- Multifamily development is converted from special permit use to as of right use in Avery Square, Chestnut Street and Hillside Avenue Business subdistricts.
- Multifamily development is introduced as permitted as of right use in Business and Industrial subdistricts.
- * Avery Square Business subdistrict to be detailed in a subsequent slide.
- * There are currently overlay districts at Chestnut Street and Avery Square and **those overlays currently already allow higher density multifamily housing than the base plan.**

Units Allowed Under Existing & Proposed Zoning

Zoning District	Scenario Name: Unit Capacity				
	Existing Units	Existing Zoning Unit Capacity	Existing Zoning with Overlay Special Permit Unit Capacity	Base Compliance Plan Unit Capacity	Base Compliance Plan Likely Build
Apartment A1	588	526	526	526	0
Business	4	N/A	N/A	210	43
Avery Square Business	72	77	77	189	189
Chestnut St. East	46	370	987	370	50
Chestnut St. West					
Chestnut St./Garden St.					
Hillside Ave Business	44	46	46	80	8
Industrial – Crescent	21	N/A	N/A	495	121
Industrial – Hillside					
TOTAL UNIT CAPACITY	775	1,019	1,636	1,870	411

Scenario Comparison – Apartment A1 Subdistricts – Base Compliance

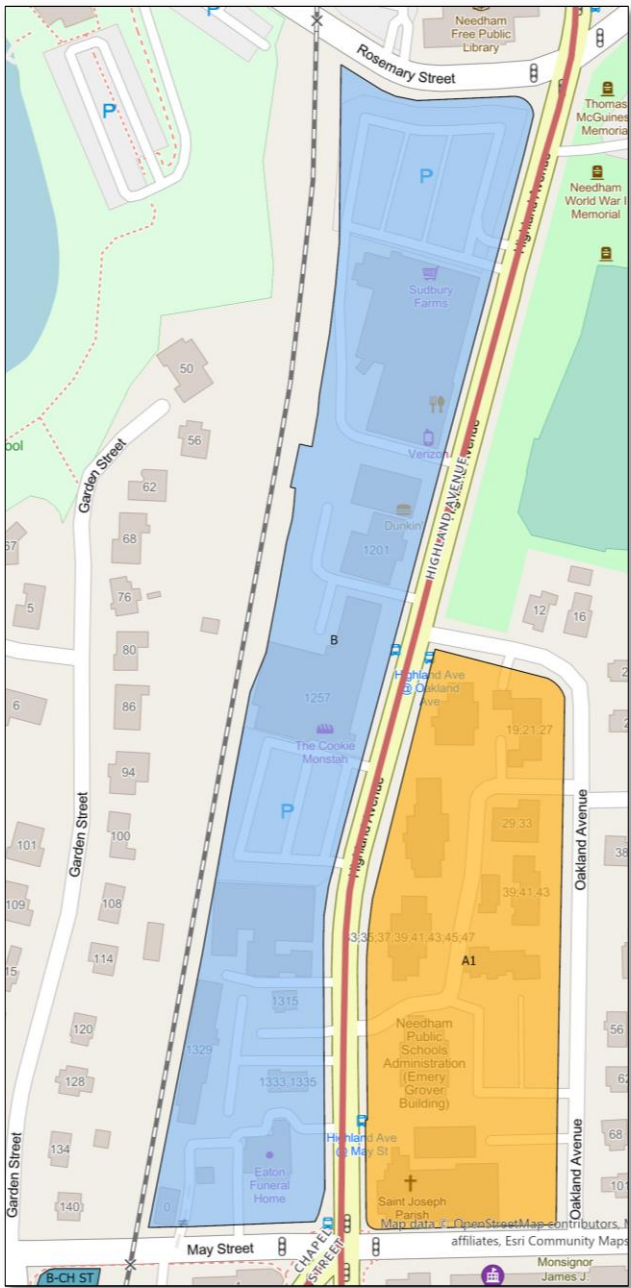


- A** Avery School/Hamilton Highlands
- B** The Highlands, NPS, St. Joseph (Highland Ave/May St.)
- C** Rosemary Ridge, Rosemary Lake Apts. (Rosemary St./Hillside Ave)
- D** Charles Court Condos

Zoning Standards	Existing Zoning	Base Compliance
Minimum Lot Size	20,000 SF	20,000 SF
Height (Stories)	3	3
Floor Area Ratio (FAR)	0.50	0.50
Max Lot Coverage	N/A	N/A
Max Dwelling Units per Acre	18	18
Parking per Unit	1.5	1.0

Scenario Comparison – Business Subdistricts

Base Compliance

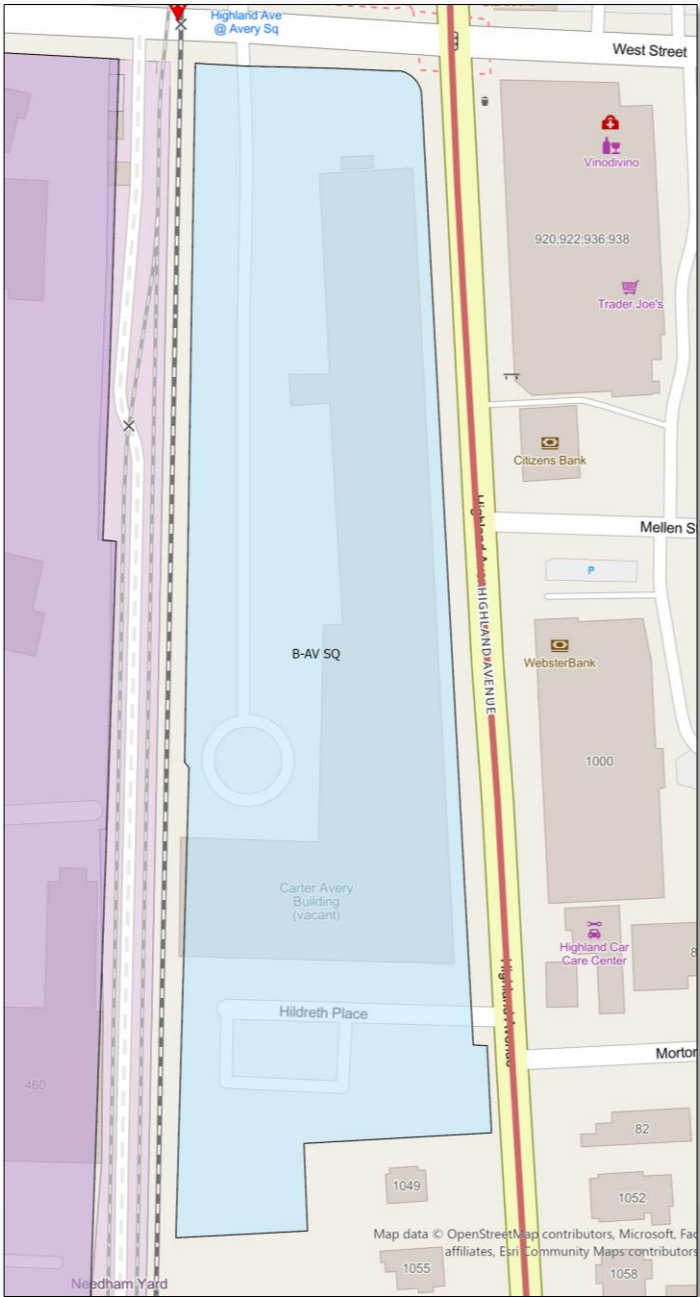


Zoning Standards	Existing Zoning	Base Compliance
Minimum Lot Size	10,000 SF	10,000 SF
Height (Stories)	3	3
Floor Area Ratio (FAR)	N/A	N/A
Max Lot Coverage	25%	25%
Max Dwelling Units per Acre	N/A	N/A
Parking per Unit	1.5	1.0

Under existing zoning, multi-family housing is not allowed in this district.

Scenario Comparison – Avery Square Subdistricts

Base Compliance



Zoning Standards	Existing Overlay Zoning	Base Compliance
Minimum Lot Size	10,000 SF	10,000 SF
Height (Stories)	4 ¹	3
Floor Area Ratio (FAR)	1.1	1.3
Max Lot Coverage	N/A	N/A
Max Dwelling Units per Acre	18	44
Parking per Unit	1.5	1.0

Under the Base Plan, the zoning would allow 4 stories, an FAR of 1.7 and a density greater than 44 dwelling units per acre by Special Permit. It would only apply to the 100 West parcel.

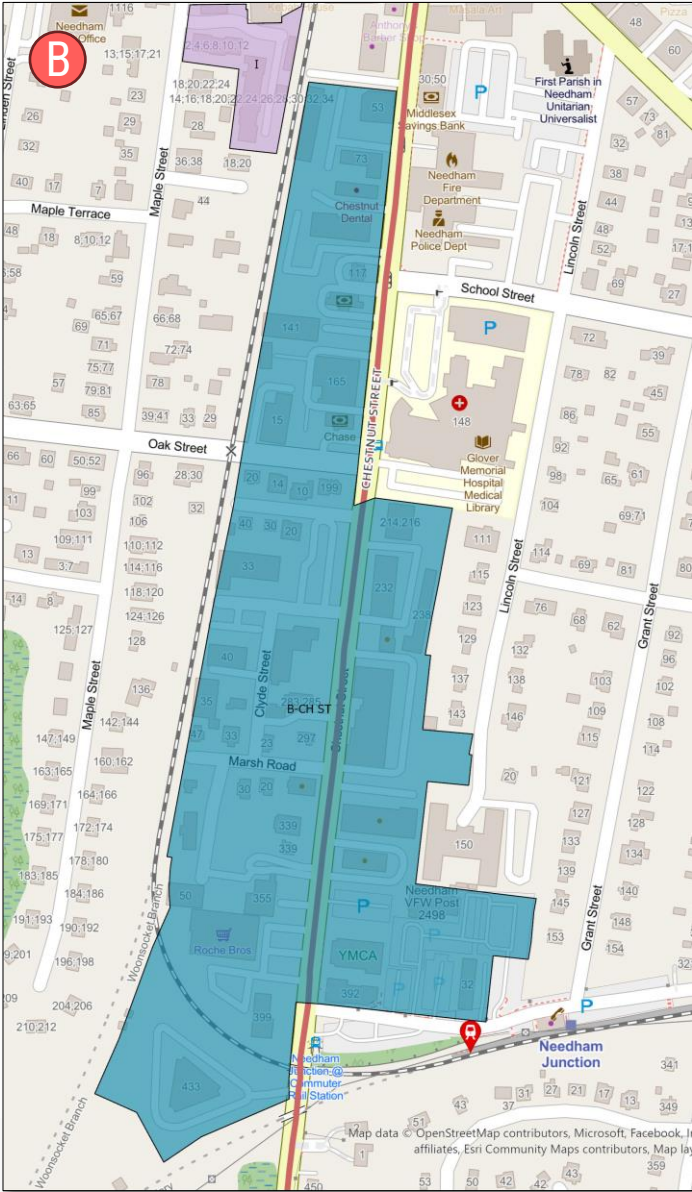
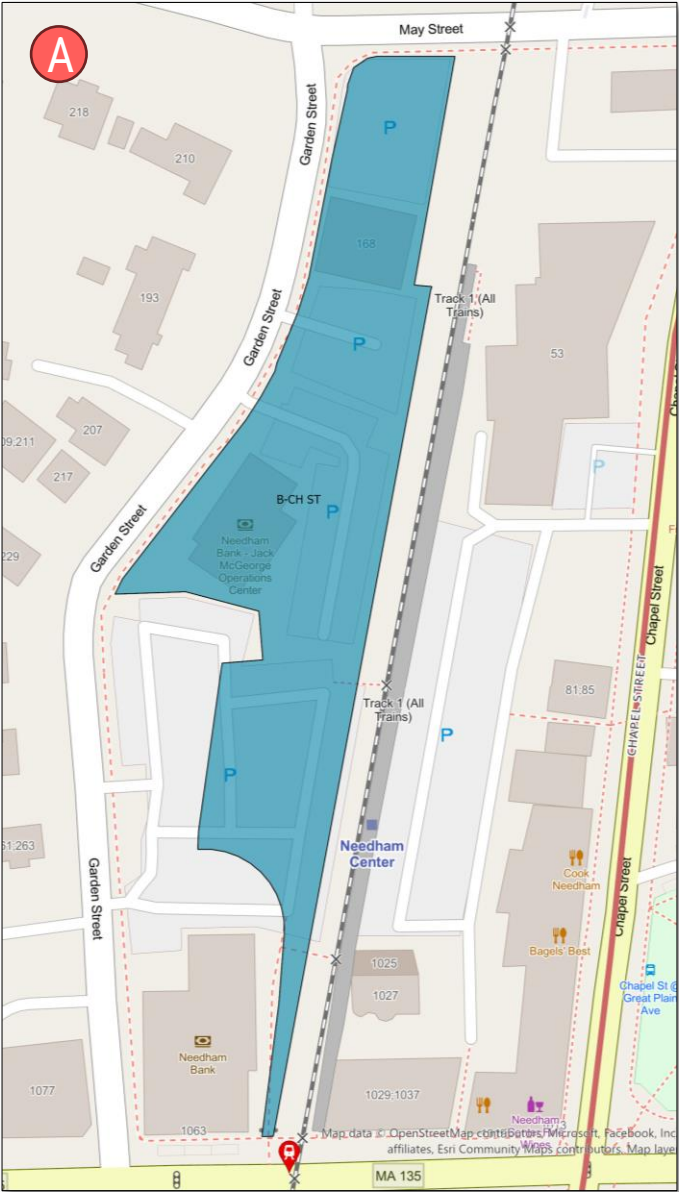
¹ Under existing zoning 4th story limited to 35% of total roof area.

The Base Compliance Plan includes:

Avery Square Business District

- Multi-family housing development as-of-right at 3 stories, an FAR of 1.3, and a limit of 44 maximum dwelling units per acre. The MBTA Communities Compliance model calculates this at 189 units.
- Multi-family housing development by special permit at an FAR of 1.7, a density greater than 44 units per acre and 4 stories.
- More stringent development standards for parking garages facades and curb cuts.
- The maximum FAR permitted as of right under existing zoning is increased from 1.1 to 1.3 with a special permit to increase the maximum FAR to 1.7. Parking garages, structured parking or deck/roof top parking screened from Highland Avenue and West Street are not counted toward FAR. Maximum area of 4th floor is increased from 35% of roof area to 100%. A maximum number of dwelling units per acre standard of 44 is introduced for the as of right condition. A density greater than 44 units per acre is permitted by special permit.

Scenario Comparison – Chestnut Street Subdistricts – Base Compliance

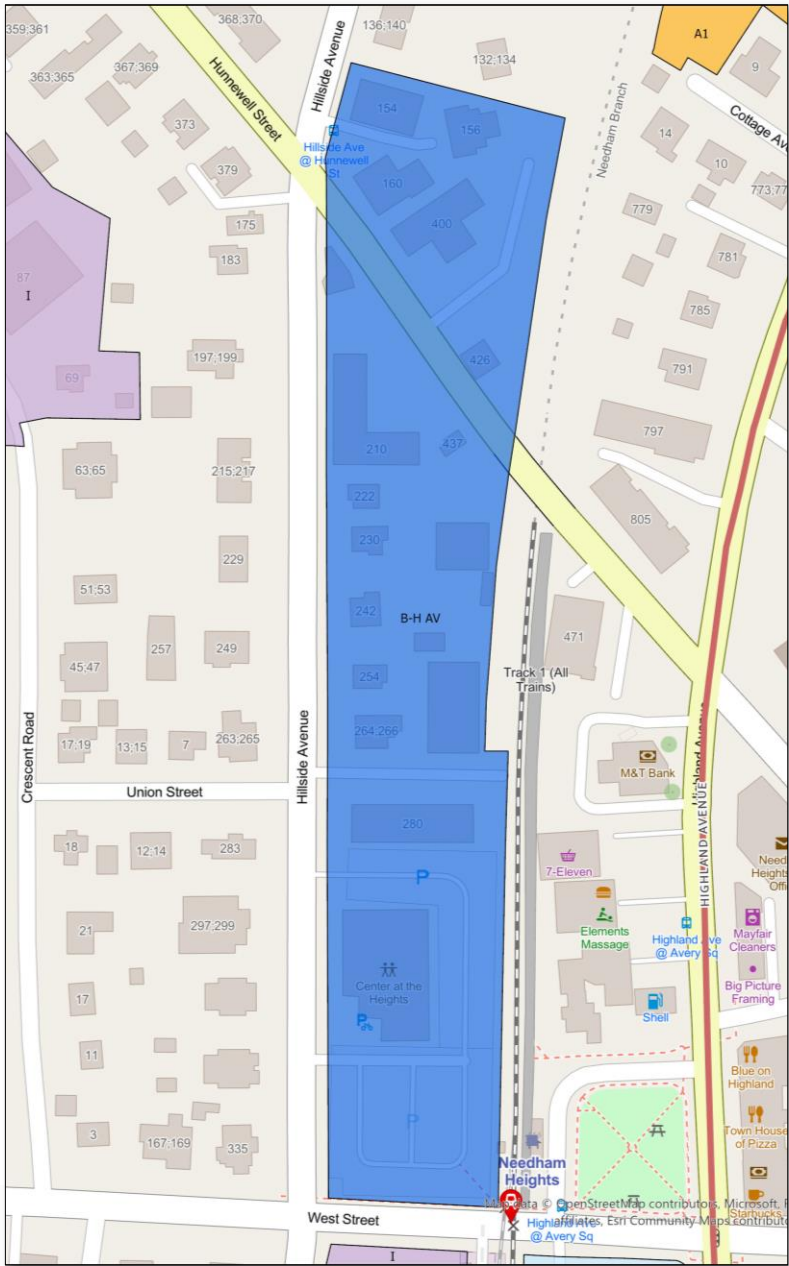


- A** Garden Street District between May St. and Great Plain Ave
- B** Chestnut St. from just south of Great Plain Ave to Junction St.

Zoning Standards	Existing Zoning	Base Compliance
Minimum Lot Size	10,000 SF	10,000 SF
Height (Stories)	2.5	3
Floor Area Ratio (FAR)	0.70	0.70
Max Lot Coverage	N/A	N/A
Max Dwelling Units per Acre	18	18
Parking per Unit	1.5	1.0

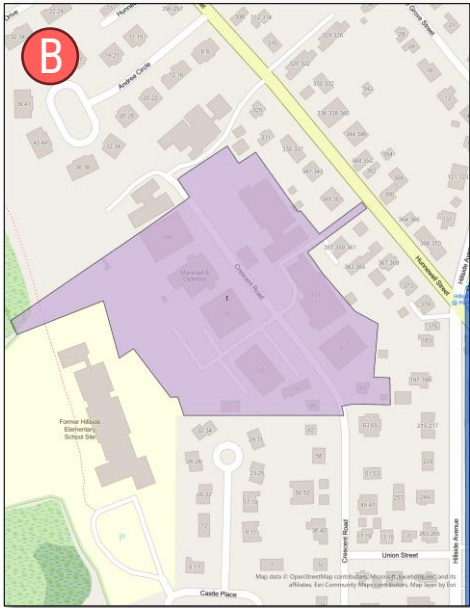
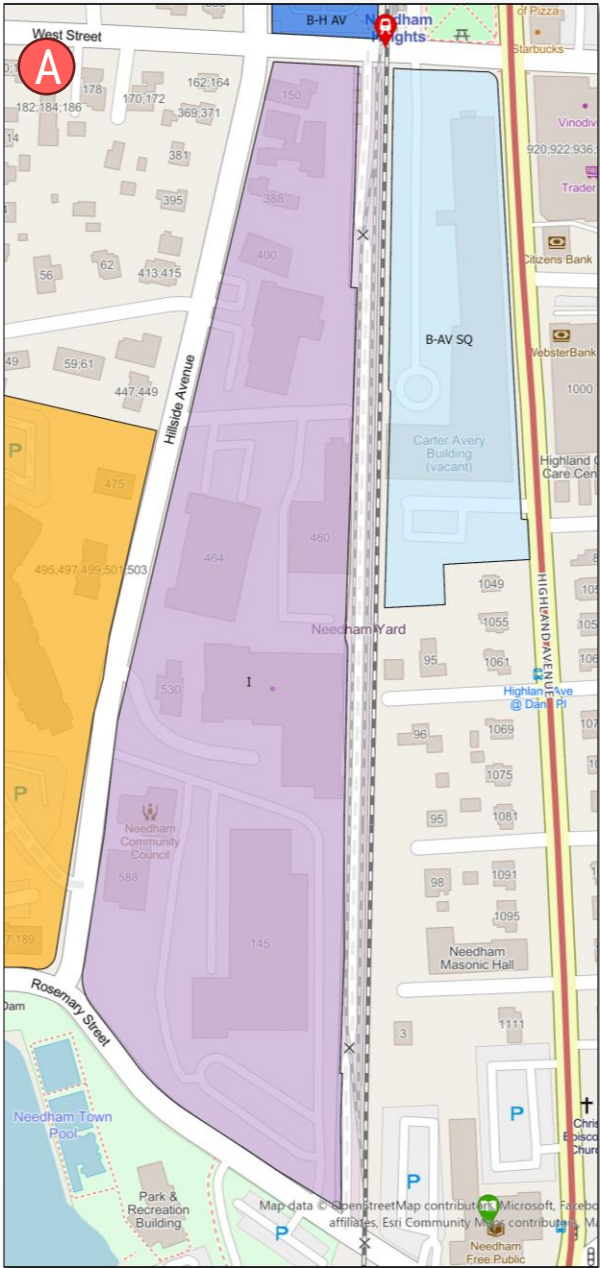
Scenario Comparison – Hillside Ave Business Subdistricts

Base Compliance



Zoning Standards	Existing Zoning	Base Compliance
Minimum Lot Size	10,000 SF	10,000 SF
Height (Stories)	2.5	3
Floor Area Ratio (FAR)	0.70	0.70
Max Lot Coverage	N/A	N/A
Max Dwelling Units per Acre	18	N/A
Parking per Unit	1.5	1.0

Scenario Comparison – Industrial Subdistricts – Base Compliance



- A** Hillside Ave from West St. to Rosemary St.
- B** Crescent Road Industrial District
- C** Denmark Lane off Maple St. at Great Plain Ave

Zoning Standards	Existing Zoning	Base Compliance
Minimum Lot Size	10,000 SF	10,000 SF
Height (Stories)	3	3
Floor Area Ratio (FAR)	N/A	0.50
Max Lot Coverage	60%	N/A
Max Dwelling Units per Acre	N/A	N/A
Parking per Unit	1.5	1.0

Under existing zoning, housing is not allowed in this district.

Site Plan Review

- Applications will be reviewed by the Planning Board, with a public hearing process.
- The Planning Board cannot deny an application that complies with the zoning (including building dimensions, height, setbacks, and development standards) because the use of multi-family housing is allowed as of right.
- The Board can apply limited, reasonable conditions, which may include modifying lighting, adding fencing, reviewing stormwater design for compliance with applicable standards, and adjusting parking layout and other structural elements on the site plan.
- Conditions can be used to shape a project, but conditions cannot go so far as to unreasonably interfere with or effectively prohibit the project.

Site Plan Review

- All projects will need to comply with Building Code, Fire Code, Health Code, Department of Public Works regulations, state and local wetlands and other environmental regulations.
- Given the limited nature of site plan review for a by-right use, the applicant cannot be required to fund major off-site public infrastructure improvements as a condition of approval, beyond the requirements of code and non-zoning regulations noted above.
- Conversely, the Town is under no obligation to make investments in public infrastructure to make an individual project viable.

The Base Compliance Plan includes:

Additional Site Plan review standards to:

- assure that buildings are designed with regard to their relationship to open spaces, existing buildings and other community assets in the area;
- address all collection and storage areas for residential refuse;
- assure provision of adequate water, sewer, and utility service to serve the project;
- address pedestrian and vehicular movement within and outside the project site including application of reasonable mitigation measures to address traffic attributable to the project; and
- include construction management standards consistent with those of the Town's General By-laws.

Housing Affordability

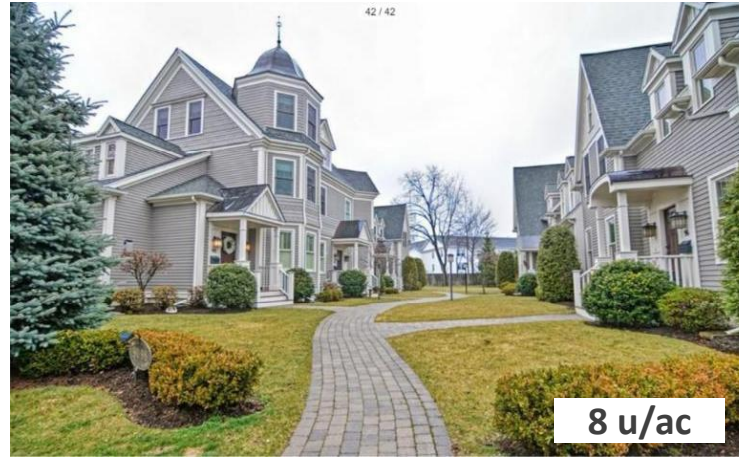
- Zoning requires that 12.5% of all new units in buildings with 6 or more units are set aside as deed restricted affordable housing for those making up to 80% of Area Median Income. This is consistent with Needham's existing zoning.
- RKG's Economic Feasibility Analysis (EFA) supports this recommendation in compliance with State guidelines under the MBTA Communities Act.
- Keeping the affordability set aside at 12.5% helps Needham continue to stay above the state's requirement of 10% affordability townwide.



Existing Needham Multifamily Housing



1110 Great Plain Avenue



90-98 Dedham Avenue



401-405 Hunnewell Street



The Highlands



Denmark Lane

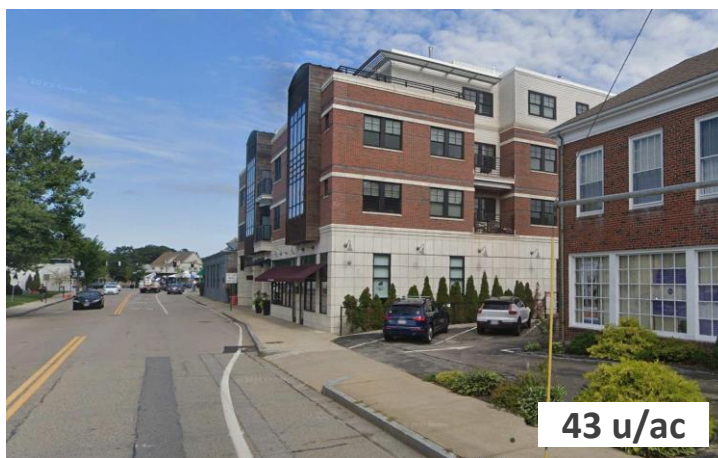


25 High Street

Existing Needham Multifamily Housing



Stephen Palmer



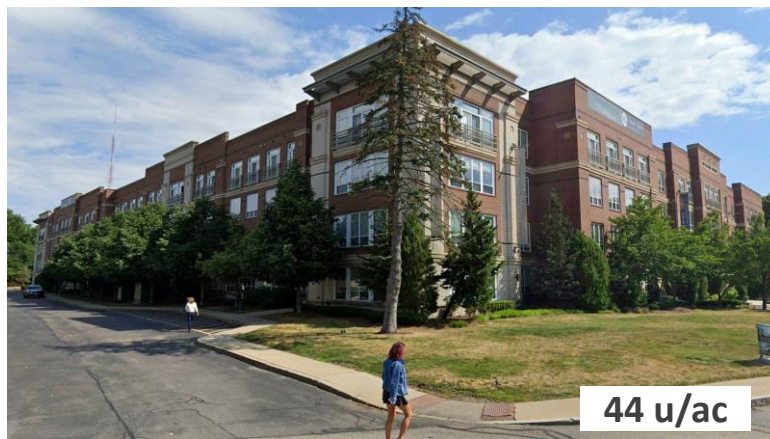
50 Dedham Avenue



100 West Street



Rosemary Ridge



Charles River Landing



Rosemary Lake

Examples of multifamily housing



Townhomes



3-4 story multifamily



Denser single-family homes



3-story multifamily



3-story multifamily



Live-work townhomes

Base Height

Chestnut
Street
Business

3

Chestnut
Street
Business

3

Chestnut
Street
Business

3

Hartney
Greymont

Roche
Bros.

VFW

Junction Street

Chestnut Street

Lincoln Street

Warren Street



Base Height

Linden Street

Maple Street

Chestnut Street Business

3

Chestnut Street Business

3

Roche Bros.

Chestnut Street

Dunkin Donuts

Chestnut Street Business

3

Lincoln Street

VFW

Grant Street

Warren Street

Junction Street

Base Height

Industrial,
Apt-A1

3

Chestnut
Street
Business

3

Town Common

Great Plain Avenue

CVS

Dedham
Avenue

Public Safety
Building

School Street

Grant
Street

Lincoln Street

Oak Street

Chestnut Street

Lincoln Street



Base Height

Chestnut St.
Business

3

Industrial,
Apt-A1

3

St. Joe's

May Street

Town Hall

Town Common

Great Plain Avenue

Michelson's

Harvey's

Dedham Avenue

Chestnut Street

Maple Street

Linden Street



Base Height

Needham
Library

Needham
High School

Bertucci's

3

Apartment
A1

Business
District

3

Highland Avenue

St. Joe's

3

May Street

May Street

Base Height

Avery
Square
Business

100 West
Street

Rosemary Ridge

Apartment
A1

3

Rosemary Lake
Apartments

Industrial -
Hillside

3

Rosemary Lake

Rosemary Street

Hillside Avenue

Highland Avenue

West Street



Base Height

Industrial -
Crescent

3

Hillside
Ave.
Business

3

CATH

Apartment
A1

3

West Street

West Street

Avery
Square
Business

100 West
Street

Industrial -
Hillside

3

3 By Right;
4 Special
Permit

Hillside Avenue

Highland Avenue

Trader
Joe's



Base Height

Apartment
A1

3

Thank you.

PLANNING BOARD USE ONLY

NEEDHAM ZONING BOARD OF APPEALS AGENDA Thursday, May 15, 2025 - 7:30PM

Charles River Room Public Service Administration Building 500 Dedham Avenue Needham, MA 02492	Also livestreamed on Zoom Meeting ID:820-9352-8479 To join the meeting click this link: https://us02web.zoom.us/j/82093528479
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Minutes Review and approve Minutes from April 17, 2025 meeting.

7:30 PM **6 Brook Road** – Advanced Softball Training, LLC, applied for a Special Permit to allow the operation of softball training facility with indoor batting cages under Section 3.2.6.2 private school and indoor athletic and exercise facilities; and to waive strict adherence to the number of required parking and the parking plan and design requirements under Sections 5.1.1.5, 5.1.2, 5.1.3 and any other applicable sections of the By-Law. The property is located in the Mixed Use -128 (MU-128) zoning district.

7:30 PM* **339 Chestnut Street** (*Continued from April 17, 2025*) - Needham Enterprises, LLC, Owner, applied for a Comprehensive Permit under MGL Chapter 40B, Sections 20 through 23, and 760 CMR 56.00, to allow the development of six rental units consisting of one one-bedroom units and five two-bedroom units with 8 parking spaces. Two units will be affordable. The project involves the demolition of the existing two-story building and the redevelopment of the site. The property is located in the Chestnut Street Business (CSB) zoning district.

Informal Matter **51 Fremont Street** – Consider a plan substitution for the propane tank associated with the ZBA Special Permit dated January 19, 2025.

**Prior cases may delay the precise start time.*

Next ZBA Meeting – June 12, 2025

GEORGE GIUNTA, JR.
ATTORNEY AT LAW*
281 CHESTNUT STREET
NEEDHAM, MASSACHUSETTS 02492

*Also admitted in Maryland

TELEPHONE (781) 449-4520

FAX (781) 465-6059

April 17, 2025

Town of Needham
Zoning Board of Appeals
Needham, Massachusetts 02492

Attn: Daphne M. Collins, Zoning Specialist

Re: Advanced Softball Training LLC
6 Brook Road, Needham, MA

Dear Ms. Collins,

Please be advised this office represents Advanced Softball Training LLC (hereinafter the Applicant and "Advanced Softball") in connection with the proposed operation of softball training facility with indoor batting cages in the Mixed Use-128 Zoning District at the property known and numbered 6 Brook Road, Needham, MA (hereinafter the "Premises"). In connection therewith, submitted herewith, please find the following:

1. Seven copies of a Completed Application for Hearing;
2. Seven copies of site plan and floor plans;
3. Seven copies of Memorandum in Support of Application of Advanced Softball Training LLC;
4. Seven copies of authorization letter; and
6. Check in the amount of \$500 for the applicable filing fee.

The Premises, which is located at the corner of Wexford Street and Brook Road, is occupied by an existing commercial building and associated parking. The building has been used and occupied for many years by "Chilly Bears", an apparel decorating, screen printing and embroidery business, open to the general public. Advanced Softball is proposing to use and occupy approximately 60% of the building and Chilly Bears will continue to use and occupy approximately 32% of the building. The balance of the building will be occupied by a common hallway and bathroom facilities.



ZBA Application For Hearing

Applicants must consult with the Building Inspector prior to filing this Application. Failure to do so will delay the scheduling of the hearing.

Applicant Information

Applicant Name	Advanced Softball Training LLC			Date:	4/17/25
Applicant Address	C/O Emily Sargent 88 Harnden Avenue, Watertown, MA 02472				
Phone	774-261-0559	email	emilysargent19@gmail.com		
Applicant is ☐ Owner; ☒ Tenant; ☐ Purchaser; ☐ Other _____					
If not the owner, a letter from the owner certifying authorization to apply must be included					
Representative Name	George Giunta, Jr., Esq.				
Address	P.O. Box 70, South Weymouth, MA 02190				
Phone	781-449-4520	email	george.giuntajr@needhamlaw.net		
Representative is ☒ Attorney; ☐ Contractor; ☐ Architect; ☐ Other _____					
Contact ☒ Me ☒ Representative in connection with this application.					

Subject Property Information

Property Address	6 Brook Road		
Map/Parcel Number	Map 74 / Parcel 30	Zone of Property	Mixed Use-128 Zoning District
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☐ Yes ☒ No			
Is property ☐ Residential or ☒ Commercial			
If residential renovation, will renovation constitute "new construction"? ☐ Yes ☐ No			
If commercial, does the number of parking spaces meet the By-Law requirement? ☐ Yes ☒ No			
Do the spaces meet design requirements? ☐ Yes ☒ No			
Application Type (<i>select one</i>): ☒ Special Permit ☐ Variance ☐ Comprehensive Permit ☐ Amendment ☐ Appeal Building Inspector Decision			



ZBA Application For Hearing

Date Structure Constructed including additions:

Date Lot was created:

Submission Materials	Provided
Certified Signed Plot Plan of Existing and Proposed Conditions (Required)	
Application Fee, check made payable to the Town of Needham Check holders name, address, and phone number to appear on check and in the Memo line state: "ZBA Fee – Address of Subject Property" (Required)	
If applicant is tenant, letter of authorization from owner (Required)	
Electronic submission of the complete application with attachments (Required)	
Elevations of Proposed Conditions (when necessary)	
Floor Plans of Proposed Conditions (when necessary)	

Feel free to attach any additional information relative to the application.
Additional information may be requested by the Board at any time during the
application or hearing process.



I hereby request a hearing before the Needham Zoning Board of Appeals. I have
reviewed the Board Rules and instructions.

I certify that I have consulted with the Building Inspector prior to filing this application.

date of consult

Advanced Softball Training LLC

Date: April 17, 2025 Applicant Signature _____

by its attorney
George Giunta, Jr., Esq.

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

TO: THE MEMBERS OF THE BOARD OF APPEALS
TOWN OF NEEDHAM, MA

April 17, 2025

MEMORANDUM IN SUPPORT OF
APPLICATION FOR SPECIAL PERMITS
Advanced Softball Training LLC
6 Brook Road, Needham, MA

The applicant, Advanced Softball Training LLC (hereinafter, interchangeably, the “Applicant” and “Advanced Softball”), seeks a Special permit pursuant to Section 3.2.6.2 for a private school not otherwise classified under Section 3.2.6.1, a Special Permit pursuant to Section 3.2.6.2 for an indoor athletic or exercise facility, a Special Permit pursuant to Section 5.1.1.5 waiving the requirements of Section 5.1.2 (Required Parking) and Section 5.1.3 (Parking Plan and Design Requirements); and any and all other relief as may be necessary for the use of a portion of the Premises for a softball training facility with indoor batting cages, as described herein.

I. EXISTING CONDITIONS / BACKGROUND

The Premises is located in the Mixed Use-128 Zoning District at the corner of Wexford Street and Brook Road and is identified on Assessor’s Map 74 as Parcel 30. It consists of a one-story commercial building containing approximately 5,577 square feet of space, as well as 17 existing parking spaces adjacent to and used in connection therewith; seven on the Brook Road side of the building and ten on the Wexford Street side. The building appears to have been built and developed and the parking laid out in 1966 pursuant to building permit no. 6705.¹ Based on available records, it appears that the building and the existing parking surrounding the building have existed without material change since that time.

For over twenty years, the building has been used and occupied by Chilly Bears, a company specializing in the production and manufacture of decorated apparel, including screen printing and embroidery. Prior to such use, the building appears to have been used and occupied for many years by Anderson Machine Company, Inc. for warehouse and manufacturing purposes.

¹ See Exhibit A, permit and foundation certification attached hereto.

The target clientele are youth athletes, ranging in age from 10 to 18 years old, with the majority being between 12 and 15. Currently, most clients get dropped off by parents and are picked up after sessions. Older clients may drive themselves, but based on experience, no more than about 20% of all attendees are old enough to drive.

Anticipated hours of operation are 6 AM -10 AM and 3 PM – 9 PM on weekdays, and 8 AM – 9 PM on weekends. The vast majority of the time there will be no more than 2 staff on site, however, on occasion there may be one additional staff present.

B. Parking

Section 5.1.3 of the By-Law, “Required Parking”, sets forth various categories of uses and the parking demands associated therewith. However, there is no set category for a softball coaching facility with indoor batting cages. In consultation with the Building Commissioner, it has been determined to apply the Indoor Athletic or Exercise Facility or Personal Fitness Service Establishment category, which requires one parking space “for each 150 square feet or fraction thereof of gross floor area and one space of each three employees to be employed or anticipated or to be employed on the largest shift”.

Applying such standard, the parking demand associated with the proposed use would be 24 spaces, calculated as follows:

$3,346 \text{ square feet of space} \div 150 = 22.31 \text{ spaces} + 1 \text{ space for three employees} = 23.31, \text{ or } 24 \text{ spaces}$
(rounded up).

In addition, the continued use of the remainder of the building by Chilly Bears requires 6 spaces, calculated as follows:

$1,785 \text{ square feet of space} \div 300 = 5.95 = 6 \text{ spaces (rounded up)}$

As a result, the total calculated parking demand for the building is 31 spaces.

As mentioned above, there are currently 17 parking spaces adjacent to the building; seven on the Brook Road side and ten on the Wexford Street side. In addition, there are approximately 8 other non-exclusive parking spaces within the three building condominium that are available for general use. As a result, there is a calculated shortfall of 6 spaces and a waiver is required.

Furthermore, the existing parking spaces do not comply with many of the design guidelines set forth at Section 5.1.3. As indicated above, it appears these spaces were created in or about 1966 when the building was constructed, well prior to the adoption of parking requirements in the 1980s. While not an exhaustive list, the spaces clearly do not comply with the requirements of subsection (a) relative to illumination, subsection (c) relative to handicapped

IV ARGUMENT / ANALYSIS

A. Use

The proposed use of a portion of the Premises for a softball training facility with indoor batting cages is consistent with both the general and specific purposes of the By-Law. Provision of athletic instruction as proposed will promote the welfare and interests of the residents of the Town of Needham by enhancing and facilitating the physical development and well-being of residents within the Town.

The Premises is in a highly developed, mixed commercial and industrial area, within an existing commercial zoning district that contemplates a mixture of uses, specifically including uses such as the one proposed. Therefore, the proposed use is compatible with the spirit and intent of the Zoning District as well as the characteristics of the surrounding area and the Applicant asserts that the proposed use complies with the applicable provisions of both Chapter 40A and the By-Law.

B. Parking

Based on information provided by the owner / operator of Chilly Bears, that business has been and is currently open to the general public and customers not only visit the business, but also participate in operations on a regular basis. As a result, the current use of the Premises likely entails a mixture of “Retail Services” and “Manufacturing” pursuant to Section 5.1.2 of the By-Law. Applying the more conservative category of Retail Services, the existing use requires a total of 19 parking spaces.⁵ As a result, the proposed use will result in an increase in calculated parking demand of 12 spaces.

However, actual demand is anticipated to be far less. As indicated above, maximum occupancy for the softball training facility will be 21; 18 clients and 3 instructors. In addition, based on information provided by the owner / operator of Chilly Bears, the maximum number of staff on site at any given time will be 3 people. Therefore, a maximum of 24 people are anticipated to be on site at any one time; substantially less than the 31 spaces calculated pursuant to the By-Law.

use will be a great benefit to the Town of Needham, both in terms of offering a direct benefit, but also in terms of bringing people from outside of Town who may then contribute to the local economy.

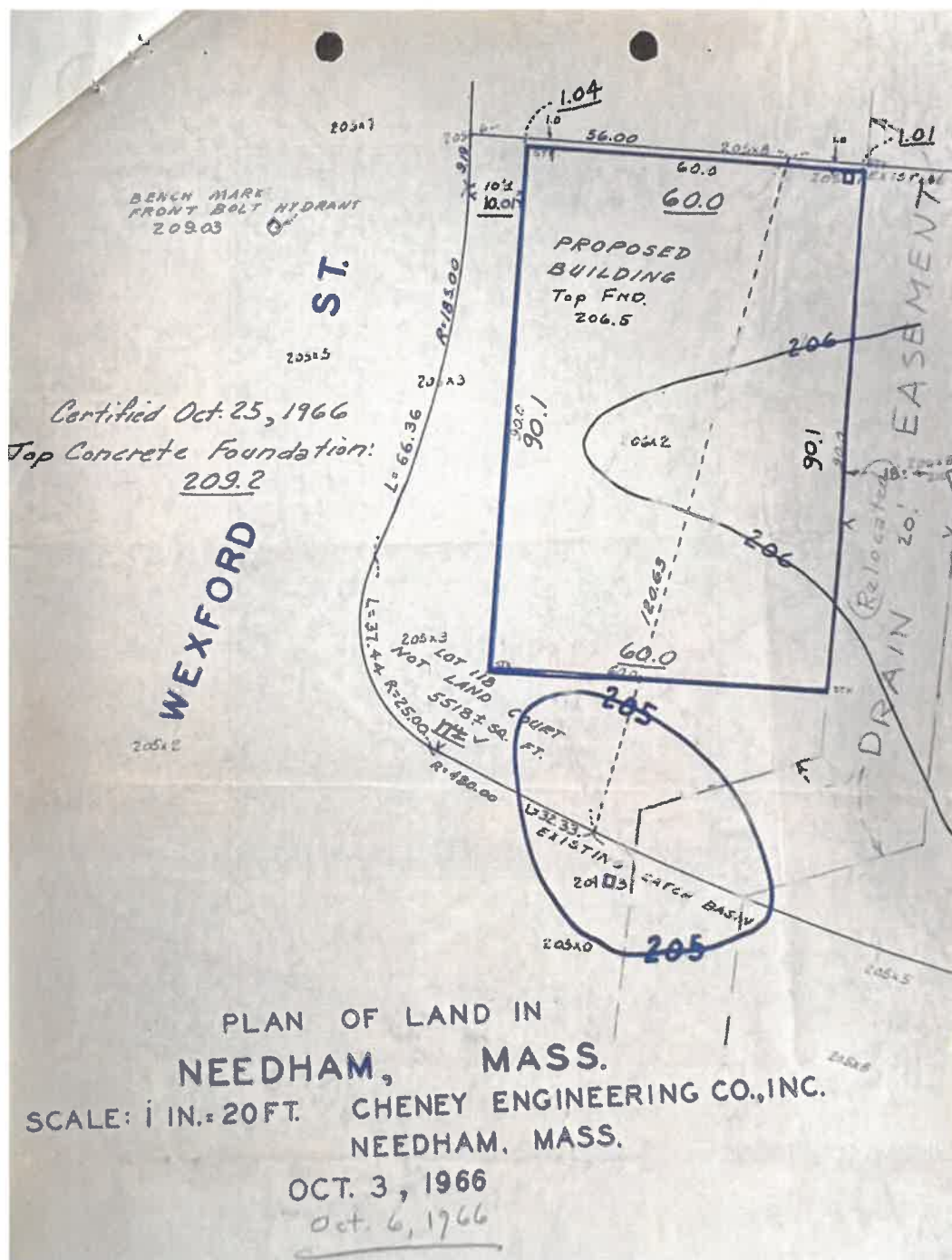
The proposed use, which includes both instructional elements and athletic elements, is permissible by special permit under two applicable categories. Moreover, while parking waivers are required, there is sufficient parking available in practice to support the proposed use. Therefore, Advanced Softball asserts that the requested zoning relief is both proper and appropriate and should be granted.

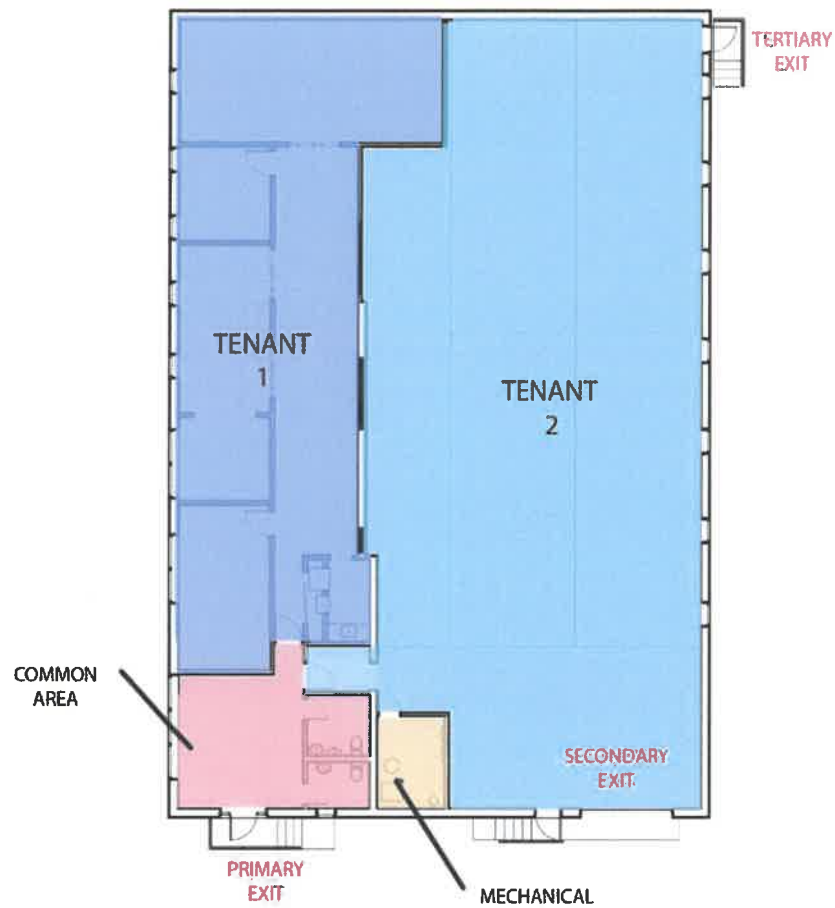
Respectfully submitted,
Advanced Softball LLC
by its attorney,



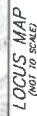
George Giunta, Jr., Esquire
281 Chestnut Street
Needham, Massachusetts 02492
617.840.3570

Foundation Certification

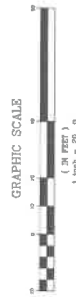




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GOOD BY				
APPRO BY				



Steven
Horsfall
No. 41008
MASSACHUSETTS
REGISTERED PROFESSIONAL ENGINEER

Prepared by
Steven
Horsfall
Checked by
Steven
Horsfall
Date
7/27/25

NO. **1**
 SHEET

SPS SOLUTIONS
 36-56 BROOK ROAD
 NEEDHAM, MASSACHUSETTS
 EXISTING CONDITIONS
 PLAN

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