



TOWN OF NEEDHAM, MA

PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

500 Dedham Ave
Needham, MA 02492
781-455-7500

PLANNING

NEEDHAM PLANNING BOARD

Charles River Room, Public Services Administration Building
500 Dedham Avenue, Needham, Massachusetts

Tuesday December 17, 2019

7:00 p.m.

1. ANR Plan – 766 Chestnut Street, LLC, Petitioner, (Property located at 766 Chestnut Street, Needham, MA).
2. Discussion of possible redevelopment of 1 First Avenue (former Acapulco's Restaurant).
3. George Giunta, Jr.: Discussion of possible zoning map change along easterly side of Hunting Road from SRA to SRB.
4. Review of Section 1.4.8 of the Needham Zoning By-Law.
5. Planning and Community Development Spending Request.
6. Board of Appeals – December 19, 2019.
7. Minutes.
8. Correspondence.
9. Report from Planning Director and Board members.

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

FUTURE DATES: Planning Board Meetings: January 7, 2020 and January 21, 2020, February 4, 2020,
February 18, 2020, March 4, 2020, March 17, 2020.

ROBERT T. SMART, JR., ESQ.

ATTORNEY AT LAW

399 CHESTNUT STREET

NEEDHAM, MASSACHUSETTS 02492

TEL (781) 444-9344 FAX (781) 449-0242

E-MAIL bob@robertsmart.net WEBSITE www.robertsmart.net

DRAFT

E-Mail and by hand
December 17, 2019

Needham Planning Board
500 Dedham Avenue
Needham, MA 02492

Re: 766 Chestnut Street, Needham

Dear Members of the Board:

As per Lee Newman's request, we are withdrawing the previously-filed ANR application, as long as withdrawal does not prejudice our ability to file a new ANR application and plan. That new application and plan will be filed soon, and well in advance of the Board's January 21, 2020 meeting, when we would like to have it heard.

Very truly yours,

RTS

Robert T. Smart, Jr.

Cc: Koby Kempel
Joyce Hastings

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 12, 2019

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

Re: Bruno DiFazio
Hunting Road
Proposed Zoning Map Change
SRA to SRB

Dear Lee,

I represent Bruno DiFazio and his wife, of 176 Hunting Road. Their property, along with all those located generally along the easterly side of Hunting Road, are situated in the SRA Zoning District. However, their lot, and all the other properties south of them, down to Cheney Street, do not, meet the applicable requirements for SRA. As a result, they are all non-conforming. Moreover, because of their smaller size, these lots are unduly restricted by the SRA setback requirements.

Therefore, the DiFazios are seeking to rezone the following properties located generally along the easterly side of Hunting Road, being all the properties in the SRA Zoning District between their property and Cheney Street to the south and between Hunting Road and Route 128 to the east (see also portions of Assessor's Map provided herewith as Exhibit A for reference):

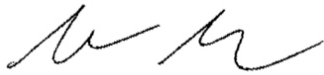
Address	Map	Parcel
176 Hunting Road	60	73
190 Hunting Road	60	72
200 Hunting Road	60	71
210 Hunting Road	60	70
220 Hunting Road	60	69
228 Hunting Road	60	68
236 Hunting Road	60	67
244 Hunting Road	60	66
250 Hunting Road	60	65
260 Hunting Road	58	27
259 Kendrick Street	58	26
249 Kendrick Street	58	25
252 Kendrick Street	58	23
254 Kendrick Street	58	24

258 Kendrick Street	58	22
286 Hunting Road	58	21
290 Hunting Road	58	20
296 Hunting Road	58	19
304 Hunting Road	58	18
342 Greendale Avenue	58	4
35 Cheney Street	58	3
29 Cheney Street	58	2
23 Cheney Street	58	1

The DiFazios have already obtained signatures of support from most of the affected properties (see signature sheets and letters provided herewith as Exhibit B), and therefore are prepared to move forward on a citizen's petition, if necessary. However, the DiFazios would prefer if the Board would sponsor a warrant article at the spring town meeting to advance the change, given the number of properties affected, the nature of the issue, and the lack of discernable rationale as to why these properties remain in the SRA District.

I look forward to discussing this further with the Board at the next available meeting.

Sincerely,



George Giunta, Jr

EXHIBIT A
Assessor's Map Selections



EXHIBIT B
Signatures of Support

Swapan Rahman and Lynda B. Furash
1001 Marina Dr., U703E
Quincy, MA 02171

November 8, 2019

To the Needham Zoning Board:

We are the owners of record of the property located at 228 Hunting Road, Needham, MA 02494.

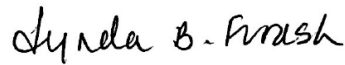
We are in favor of changing the zoning classification for Hunting Road from Single Residence A back to Single Residence B.

Thank you for your consideration.

Sincerely,



Swapan Rahman, f/k/a Mahmud Swapan Rahman



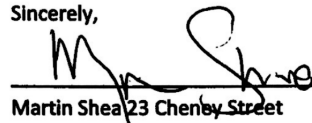
Lynda B. Furash

Town Of Needham, Ma.

To whom it may concern,

I am in favor of rezoning all the existing properties on the east side of Hunting Road, Cheney Street and Kendrick Street from **Single residence A** back to **Single residence B**.

Sincerely,


Martin Shea 23 Cheney Street

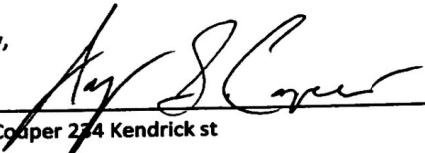
Date 10/16/19

Town Of Needham, Ma.

To whom it may concern,

I am in favor of rezoning all the existing properties on the east side of Hunting Road, Cheney Street and Kendrick Street from **Single residence A** back to **Single residence B**.

Sincerely,

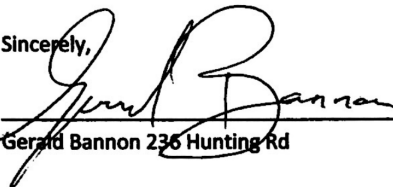
 Date 10/28/19
Audrey Cooper 274 Kendrick st

Town Of Needham, Ma.

To whom it may concern,

I am in favor of rezoning all the existing properties on the east side of Hunting Road, Cheney Street and Kendrick Street from **Single residence A** back to **Single residence B**.

Sincerely,

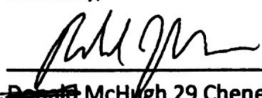
 Date Oct-12-2019
Gerald Bannon 236 Hunting Rd

Town Of Needham, Ma.

To whom it may concern,

I am in favor of rezoning all the existing properties on the east side of Hunting Road, Cheney Street and Kendrick Street from **Single residence A** back to **Single residence B**.

Sincerely,

 Date 10/29/19
~~Donald~~ McHugh 29 Cheney Street
Ronald

Jason Kraetz & Jayne Rd Needham MA 02494 *J. Kraetz*

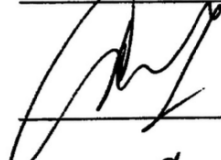
Ed Lee 281 Hunting Rd 

Robert King 197 Hunting

Ronald Jones 209 Hanover

 183 Hunting Rd.

 189 Hunting Rd

 203 Hunting Rd

NR Jones 235 Hunting Rd

Name

Address

176 Bruno DiFazio 176 Hunting Rd

190 Kevin Oconner 190 Hunting Rd

200 Fred Bowen 200 Hunting Rd.

210 Catherine Quan Thomas Yen 210 Hunting Rd

220 Ivo Rufo 220 Hunting Rd

230 Mahmad Rahman

236 Gerald Bannon

244 John Hsu 244 Hunt Rd

250 Lawrence Milesky 250 HUNTING RD

260 Irina Ratskovskaya 260 Hunting Rd
Needham MA 02494

259 Boza Arbel 259 Kendrick St. WAC 02494
Boza Arbel
259 B002

K 231 Audrey Couper Dent Ave

K 252 Donna Mahoney 252 Kendrick St.

K 258 Elaine Sweet 258 Kendrick St.

Hunt 286 Gerald Bannon

WILLIAM 286 Alon Ludwig 286 Hunting Rd.

K 290 Susan Griffin

K 296 Raveen Purushotham 296 Hunting Road.

H 304 Clair Immediato 304 Hunting Rd

g 342 Kristopher Getze 342 Greendale Ave

Toxic or Hazardous Materials – all liquid hydrocarbon products including, but not limited to, gasoline, fuel and diesel oil, and also any other toxic caustic or corrosive chemicals, radioactive materials or other substance controlled as being toxic or hazardous by the Division of Hazardous Waste under the provisions of Chapter 21 (c), G.L.

Traffic Mitigation Fund – a fund to be established in the office of the Town Treasurer to be held in a separate account to be administered and operated in accordance with the provisions of Chapter 200 of the Acts of 2001.

Trailer – a vehicle without motive power, designed to be and capable of being towed, including, but not limited to, a utility trailer, boat trailer, tent trailer and mobile home.

Uninterrupted Facade Length – As may be required by certain sections of this by-law, the term “uninterrupted facade length” shall mean the maximum horizontal length of a building facade, uninterrupted by a wall plane projection or recess having a depth of at least 3% of the length of the facade and extending at least 20% of the length of the facade.

1.4 Non-Conformance

1.4.1 Intent

The intent of this section is to define the application of this By-Law to otherwise lawful buildings, structures and uses which do not conform to its provisions; to prevent the expansion or change thereof except in conformity with the provisions of this section; and to provide for the discontinuance of said uses or for their eventual conversion to a conforming status.

1.4.2 Continuation

Any building or structure, or use of a building, structure or land which lawfully existed at the time of the adoption of this By-Law, or any amendment thereof, may be continued to the same extent except as otherwise provided herein.

1.4.3 Change

A non-conforming use shall not be changed other than to conforming use except as hereinafter set forth, and once so changed, shall not be permitted to revert to a non-conforming use.

1.4.4 Restoration

A lawful pre-existing non-conforming building or structure which has been damaged or destroyed by fire or other accidental cause may be rebuilt in the same location and to the dimensions not exceeding those that existed prior to the damage or destruction.

1.4.5 Abandonment

A non-conforming use of any building, structure or land which has been abandoned shall not thereafter be returned to that non-conforming use or converted to any other non-conforming use. A non-conforming use shall be considered abandoned:

- (a) when the intent to discontinue the use is stated by the owner or occupant, or is otherwise manifest or;
- (b) when the use has been discontinued or the stock-in-trade, equipment or furnishings characteristic of the use have been removed from the premises, for twenty-four consecutive months; or
- (c) when the non-conforming use has been replaced by a conforming use; or,
- (d) when the non-conforming use has been changed to another non-conforming use under a special permit granted by the Board of Appeals.

1.4.6 Alteration

Except as otherwise provided in Section 1.4.7, a lawful pre-existing non-conforming use may be changed or extended and a non-conforming building may be structurally altered, enlarged or reconstructed only pursuant to a special permit issued by the Board of Appeals pursuant to Section 7.5.2. No such permit shall be issued except in accordance with the requirements of Section 7.5.2 nor unless the Board shall determine that such change, extension, alteration, enlargement or reconstruction would not be substantially more detrimental to the neighborhood than using the existing non-conforming use or structure. The issuance of a special permit hereunder shall not authorize the violation of any dimensional, parking or intensity regulation with which the structure or use was theretofore in conformity.

1.4.7 Single-Family and Two-Family Dwellings

1.4.7.1 Reconstruction

A lawful pre-existing non-conforming two-family detached dwelling located in a zoning district where two-family detached dwellings are prohibited constitutes a non-conforming use and may not be reconstructed except pursuant to Section 1.4.7.4. As used in Section 1.4.7 the term "reconstruction" shall be defined as the voluntary razing and rebuilding of a building or structure.

1.4.7.2 Alteration of Single-Family and Two-Family Dwellings

A lawful pre-existing non-conforming single-family or two-family dwelling which is non-conforming because of front, side and rear setback, build factor, area and/or frontage requirements of this By-Law may be altered, extended or structurally changed (but not reconstructed) as of right and without a special permit or finding by the Board as required in the preceding section provided that such alteration, extension or structural change complies with all front, side and rear setback, lot coverage, building height, and building story requirements of the current By-Law including but not limited to the provisions of Section 4.2.3 of this By-Law. Such alteration, extension or structural change shall not be considered an increase in the non-conforming nature of the dwelling. For purposes of this section, the extension of an exterior wall within a required setback area shall be deemed to create a new non-conformity and shall require the grant of a variance by the Board of Appeals.

1.4.7.3 Reconstruction of Single-Family and Two-Family Dwellings Located in a Zoning District Where the Use is Permitted

A lawful pre-existing non-conforming single-family or two-family dwelling which is non-conforming because of front, side and rear setback, build factor, area and/or frontage requirements of this By-Law may be reconstructed as a matter of right and without a special permit or finding by the Board as required in the preceding section provided that the new building is built in compliance with all front, side and rear setback, lot coverage, building height, and building story requirements of the current By-Law including but not limited to the provisions of Section 4.2.3 of this By-Law.

1.4.7.4 Reconstruction of Two-Family Dwellings Located in a Single Residence A, Single Residence B or Rural Residence-Conservation District Where the Use is Prohibited

A lawful pre-existing non-conforming two-family dwelling located in a Single Residence A, Single Residence B or Rural Residence-Conservation District may be reconstructed as a matter of right and without a special permit or finding by the Board as required in the preceding section provided i) the building is rebuilt in the same location and in the same footprint as that which existed prior to the demolition up to the height limit of the current By-Law provided further, however, that any footprint that is violative of the side setback requirement shall not be increased as to height or story beyond that of the existing building absent a Special Permit from the Board of Appeals, or ii) the building is rebuilt in a different location on the lot in compliance with all front, side and rear setback, lot coverage, building height, and building story requirements of the current By-Law including but not limited to the provisions of Section 4.2.3 of this By-Law, and provided that the building as reconstructed has a footprint no greater in area than that of the original non-conforming building.

As used in this Section 1.4.7.4, the term “footprint” shall be defined as the area of the lot which is within the perimeter created by the vertical extension to the ground of the exterior walls of all fully enclosed portions of a building, including attached garages, porches, solariums and similar fully enclosed extensions, attachments and accessory annexes, plus eaves and roof overhangs. Not included in the footprint are unenclosed portions or extensions of buildings, including, but not limited to, unenclosed carports, decks, and porches.

Upon application the Board of Appeals may issue a special permit allowing a lawful pre-existing non-conforming two-family dwelling located in a Single Residence A, Single Residence B or Rural Residence-Conservation District to be reconstructed with a footprint greater in area than that of the original non-conforming building provided the Board of Appeals finds that the reconstructed and enlarged building is appropriate in scale and mass for the neighborhood, with particular consideration of abutting properties, and that the proposed reconstruction and enlargement will not be substantially more detrimental than the existing non-conforming building to the neighborhood, provided further, however, that such reconstruction and enlargement shall not be allowed by special permit in the following circumstances:

(a) Reconstruction of a non-conforming two-family dwelling on a non-conforming lot resulting in a building footprint of greater than 1,800 square feet except as set forth in subsection (c), below;

(b) Reconstruction of a non-conforming two-family dwelling on a conforming lot resulting in a building footprint of greater than 2,500 square feet or lot coverage greater than 18%;

(c) Reconstruction of a non-conforming two-family dwelling on a lot that conforms in all respects other than not meeting the minimum frontage requirement of the By-Law resulting in a building footprint of greater than 2,500 square feet or lot coverage greater than 18%;

(d) Reconstruction of a non-conforming two-family dwelling on a lot where the building as reconstructed would not comply with all front, side, and rear setbacks, lot coverage, building height, and building story requirements of the current By-Law including but not limited to the provisions of Section 4.2.3 of this By-Law; and

(e) Reconstruction of a non-conforming two-family dwelling on a lot resulting in the construction of enclosed garage space servicing more than one car per dwelling unit.

Notwithstanding the provisions of this section to the contrary, the Board of Appeals may allow reconstruction of a non-conforming two-family dwelling on a lot resulting in the construction of enclosed garage space servicing two cars per dwelling unit, provided the Board finds that:

a.i the additional enclosed garage space will be located in an accessory building where the accessory building is separate from and located to the rear of the back wall of the principal structure and where the enclosed garage space authorized under Section 1.4.7.4 (e) is located within the principal structure, or

a.ii. the additional enclosed garage space will be located in a tandem parking space located within the principal structure where such space is accessed through a single garage door and where such garage door shall be a standard single car garage door width; and

b. the additional enclosed garage space will not alter the character of the premises in which it is located, and

c. the additional enclosed garage space 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

d. the additional enclosed garage space will be appropriate in scale and mass for the neighborhood, taking into consideration the visual impact of the garage from the street.

Notwithstanding the provisions of this section, (1) the enclosed garage space for not more than one car per dwelling unit allowed pursuant to Section 1.4.7.4(e) and (2) the additional (second) enclosed garage space allowed by paragraph "a.i" immediately above and located in an accessory building of not more than 575 square feet per two vehicles, where the accessory building is separate from and not in front of the house, shall be excluded from the lot coverage calculation of Section 1.4.7.4 (a), 1.4.7.4 (b), 1.4.7.4 (c).

1.4.8 Non-Conforming Lots

Notwithstanding any other provision of this By-Law, an increase in the area or frontage of an existing improved lot which includes a conforming structure or building or pre-existing non-conforming structure or building shall not terminate the status of a structure or building as a pre-existing non-conforming structure if it continues to be non-conforming following such increase in area or frontage.

1.4.9 Conformance with Subsequent Amendments

Construction or operations under a building or special permit shall conform to any subsequent amendment of this By-Law unless the use or construction is commenced within a period of not more than six months after the issuance of the permit and in cases involving construction, unless such construction is continued through completion as continuously and expeditiously as is reasonable.

1.4.10 Substitution

The Board of Appeals may grant a special permit for the replacement of a non-conforming use of a building, structure or land by another specified use not conforming to this By-Law, provided the replacement is less objectionable and detrimental to the neighborhood or any property in the neighborhood.

1.5 Variation

Where this By-Law imposes a greater restriction upon the use of buildings or premises than is imposed by existing provisions of law or other by-laws, the provisions of the By-Law shall control. Where a provision of this By-Law may be in conflict with any other provision or provisions of this By-Law, the more stringent or greater requirement shall control. More

particularly, if a lot is located in more than one zoning district, the minimum area, frontage and all other dimensional requirements of the district in which fifty (50) percent or more of the lot is located shall apply throughout.

Lee Newman

From: Dave Tobin <d.tobin@verizon.net>
Sent: Friday, August 23, 2019 4:03 PM
To: Lee Newman
Cc: David Roche
Subject: Re: 260 Washington Avenue - By-Law Sections

Thanks for the information. I have reviewed it. I think that the Appeals Court decision in Glidden case is controlling. (77 Mass. App. Ct. 403) The lot is conforming before and would be conforming after. I am of the opinion that there is no increase in the non-conformity so the structure does not lose its non-conforming protection.

On Aug 23, 2019, at 11:36 AM, Lee Newman <LNewman@needhamma.gov> wrote:

As a follow-up to our conversation, I was able to review the 2005 Annual Town Meeting file specifically as relates Article 4 which saw the addition of Section 1.4.8 to the bylaw.

I have attached copies of the following items for your review.

1. Copy of Town Clerks records which details the vote on Article 4 at the May 2005 Town Meeting. This report includes the narrative description which the Planning Board provided on the intent of Section 1.4.8 which is highlighted. The explanation states as follows:

“Finally, the amendment would permit an increase in the area or frontage of an existing improved lot that includes a conforming structure or building or pre-existing non-conforming structure or building without affecting the legal pre-existing status of the lot. Presently, the area or frontage of an existing improved lot that includes a conforming structure or building or pre-existing non-conforming structure or building can only be modified so as to conform with all zoning by-law provisions. This amendment will enable owners of such lots to move their parcels toward closer conformance with current zoning by-law provisions where complete compliance is not attainable.”

Also attached are the following items.

2. Email from Rick Mann dated April 8, 2005.
3. Letter from Rick Mann dated October 25, 2004.

In items 2 and 3 above, Mr. Mann had requested that the language of Section 1.4.8 be broadened so that the non-conforming status of a lot or structure would not be lost whether or not the reconfiguration resulted in an increase, no increase, or even a decrease in area or frontage, so long as the change did not create a new nonconformity or exacerbate an existing non-conformity. Mr. Mann offered revised language which would have accomplished this goal. The Planning Board did not agree with Mr. Mann's suggestion and proceeded with the narrow language of Section 1.4.8 as currently adopted which only allowed the nonconforming status of the lot or structure to be retained where the lot size or lot frontage was increased through the reconfiguration.

The legislative intent of Section 1.4.8 I believe is clear and has been applied consistently since its adoption in 2005. I am concerned with this change in interpretation and historical practice. If you feel the language of Section 1.4.8 needs to be revised to clarify intent I am open to that approach.

Let's discuss after you have a chance to review these items.

Thanks.

Lee

From: Lee Newman
Sent: Thursday, August 22, 2019 9:52 AM
To: David Tobin (d.tobin@verizon.net)
Subject: FW: 260 Washington Avenue - By-Law Sections

From: Lee Newman
Sent: Monday, August 19, 2019 11:30 AM
To: David Roche; David Tobin (dtobin@comcast.net)
Subject: FW: 260 Washington Avenue - By-Law Sections

FYI Lee

From: Daphne Collins
Sent: Monday, August 19, 2019 10:58 AM
To: Lee Newman
Subject: FW: 260 Washington Avenue - By-Law Sections

From: Jon Schneider [<mailto:jonschneider@gmail.com>]
Sent: Thursday, December 06, 2018 7:48 PM
To: Jonathan D. Tamkin Esq.; Howard S. Goldman Esq.; Peter Friedenberg; Kathy Lind Berardi
Cc: Daphne Collins
Subject: Fwd: 260 Washington Avenue - By-Law Sections

Here is the second string.

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

From: Jay Talerman <jay@mtclawyers.com>
Date: Wed, Dec 5, 2018 at 5:47 PM
Subject: RE: 260 Washington Avenue - By-Law Sections
To: Jon Schneider <jonschneider@gmail.com>
Cc: Daphne Collins <dcollins@needhamma.gov>, Lee Newman <LNewman@needhamma.gov>, David Roche <droche@needhamma.gov>, David Tobin Esquire <d.tobin@verizon.net>

Jon: As a threshold matter, this case is different factually. Second, that language does not track through to the Appeals court decision. Third, in the Glidden case, the issue was whether a land swap that was affected through a variance would remove the non-conformity – the court ruled that it wouldn't. Here, there is no suggestion to the contrary – i.e. that if they get a variance they may retain the non-conforming status so as to allow for the protections to the house afforded to such status. Fourth, a variance WAS obtained and the court ruled, in part, that the variance remedied any flaws.

I would also suggest that, once the non-conformity is established, the lot itself absorbs that non-conformity, similar to the reasoning in the Bransford case that a conforming structure on a non-conforming parcel is, itself non-conforming. Clearly, the non-conformity is outside of the

development patterns suggested by Town Meeting. Reducing the level of frontage for that lot may have affect of accentuating that non-conformity.

All that said, I am also cognizant of the fact that a contrary argument can be made. Here however, that argument would more properly be made after the land swap and after the ensuing re-ANR and at the time a building permit application is submitted. Should the applicant's argument fail at that stage they cannot *put the genie back in the bottle* and undo the land swap as case law suggests the damage would already be done.

<image004.png> Jason R. Talerman
Mead, Talerman & Costa, LLC
730 Main Street · Suite 1F · Millis, Massachusetts · 02054
Phone 774.993.5000
jay@mtclawyers.com · www.mtclawyers.com

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If you have received the above transmittal in error, please delete the message and any attachment(s) hereto from your e-mail system and notify us immediately.

<image006.jpg>
From: Jon Schneider <jonschneider@gmail.com>
Sent: Wednesday, December 5, 2018 5:07 PM
To: Jay Talerman <jay@mtclawyers.com>
Cc: Daphne Collins <dcollins@needhamma.gov>; Lee Newman <LNewman@needhamma.gov>; David Roche <droche@needhamma.gov>; David Tobin Esquire <d.tobin@verizon.net>
Subject: Re: 260 Washington Avenue - By-Law Sections

It is helpful to know that you also cannot find a case on point. I would like to understand why you think the case cited by the applicant does not apply?

In *Glidden v. Zoning Board of Appeals of Nantucket*, Misc. Case # 317146 (Land Ct. 2009) Judge Twombly says "Minor changes in lot lines that do not create or increase nonconforming elements of a lot do not cause a preexisting, nonconforming lot to lose its grandfathered status." at 13. The case involves rebuilding a garage that was non-conforming and the court found that " the Property retained its preexisting, nonconforming status and protection.." This decision was affirmed by the Appeals Court 77 Mass. App. Ct 403 (2010).

In the *Glidden* case, the lot had previously been modified. The court could not have reached their decision if they had not concluded that the garage that was being rebuilt retained its status as a legal non-conforming structure despite the change in the lot.

I grant there is a difference from our case because the lot in the *Glidden* case was non-conforming and had been modified pursuant to a variance. Our case would modify the lot by an ANR plan. I don't see why this would make in difference in the status of the structure on the lot.

On Wed, Dec 5, 2018 at 4:50 PM Jay Talerman <jay@mtclawyers.com> wrote:

Thanks: We have discussed this a bunch today in the office. I also discussed it with other land use attorneys. There is a lack of cases that directly address this issue but our opinion is that, based upon applicable principles, that the nonconformity precludes any changes in the lot without the proper level of relief. The remedy here would be a variance. We could provide a more in depth opinion on this if you like.

It is also my opinion that the Board has no jurisdiction to hear the application. Chapter 1.4.6 does not apply as there is no request for a structural alteration. Accordingly, it is my opinion that any decision by the Board would be beyond their authority.

Please advise as to next steps

Jay

<image007.png> Jason R. Talerman
Mead, Talerman & Costa, LLC
730 Main Street · Suite 1F · Millis, Massachusetts · 02054
Phone 774.993.5000
jay@mtclawyers.com · www.mtclawyers.com

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If you have received the above transmittal in error, please delete the message and any attachment(s) hereto from your e-mail system and notify us immediately.

<image008.png>

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Wednesday, December 5, 2018 4:45 PM
To: Jay Talerman <jay@mtclawyers.com>
Cc: Jon D. Schneider (<jonschneider@gmail.com> <jonschneider@gmail.com>); Lee Newman (<LNewman@needhamma.gov>); David Roche (<droche@needhamma.gov>); Dave Tobin (<d.tobin@verizon.net> <d.tobin@verizon.net>)
Subject: 260 Washington Avenue - By-Law Sections

Jay,

Further information pertinent to 260 Washington Avenue:

Needham By-Law can be found at <http://www.needhamma.gov/DocumentCenter/View/16661>

See Sections **1.4.6 Alteration** (Page 11)

Sections **1.4.8 Non-Conforming Lot** (Page 14)

Sections **4.1.3 Reduction of Area, Frontage, and Setback Requirements** (Page 118)

Daphne

Daphne M. Collins
Zoning Administrative Specialist

ROBERT T. SMART, JR., ESQ.

ATTORNEY AT LAW

399 CHESTNUT STREET

NEEDHAM, MASSACHUSETTS 02492

TEL (781) 444-9344 FAX (781) 449-0242

E-MAIL bob@robertsmart.net WEBSITE www.robertsmart.net

Mail and E-Mail
December 6, 2019

Needham Planning Board
500 Dedham Avenue
Needham, MA 02492

Re: 766 Chestnut Street, Needham

Dear Members of the Board:

We would like to have the ANR application taken off the agenda for the meeting on December 17, 2019. We expect to file a revised ANR plan before the end of the year, and request that the matter be placed on your meeting agenda for January 7, 2020.

We hereby agree to extend the action deadline for Planning Board action on the ANR application to January 31, 2020.

Very truly yours,



Robert T. Smart, Jr.

Cc: Koby Kempel
Joyce Hastings



December 10, 2019

Attention: Needham Planning Board

Re: One First Avenue Realty Trust Submission for Special Permit - One First Avenue

Proponent is proposing the redevelopment of the former Acapulco's Restaurant at One First Avenue into a new site that will include a one-story retail bank for Century Bank in its first location in the town and situated at the corner of First Avenue and Highland Avenue and within the HC 128-Highland Commercial Zoning District. A second building is planned along the Highland Avenue and Route 128 Offramp to be occupied by the region's and town's first I Fly Indoor Skydiving Facility which is an international company with over 50 locations offering an educational experience and simulation on the art of skydiving and free falling.

Century Bank (2,500 SF) has been searching for its first location in the town for several years and is attracted by this location at the gateway to the Needham N Squared Innovation District.

I Fly (6,700 SF) offers world class instruction in classes each hour for individuals, STEM school programs, parties and social events and after the mandatory class graduates can experience a state-of-the art wind tunnel under the supervision of certified flight instructors. It is open to all ages of participants. The facility will also have a small retail shop as part of the premises.

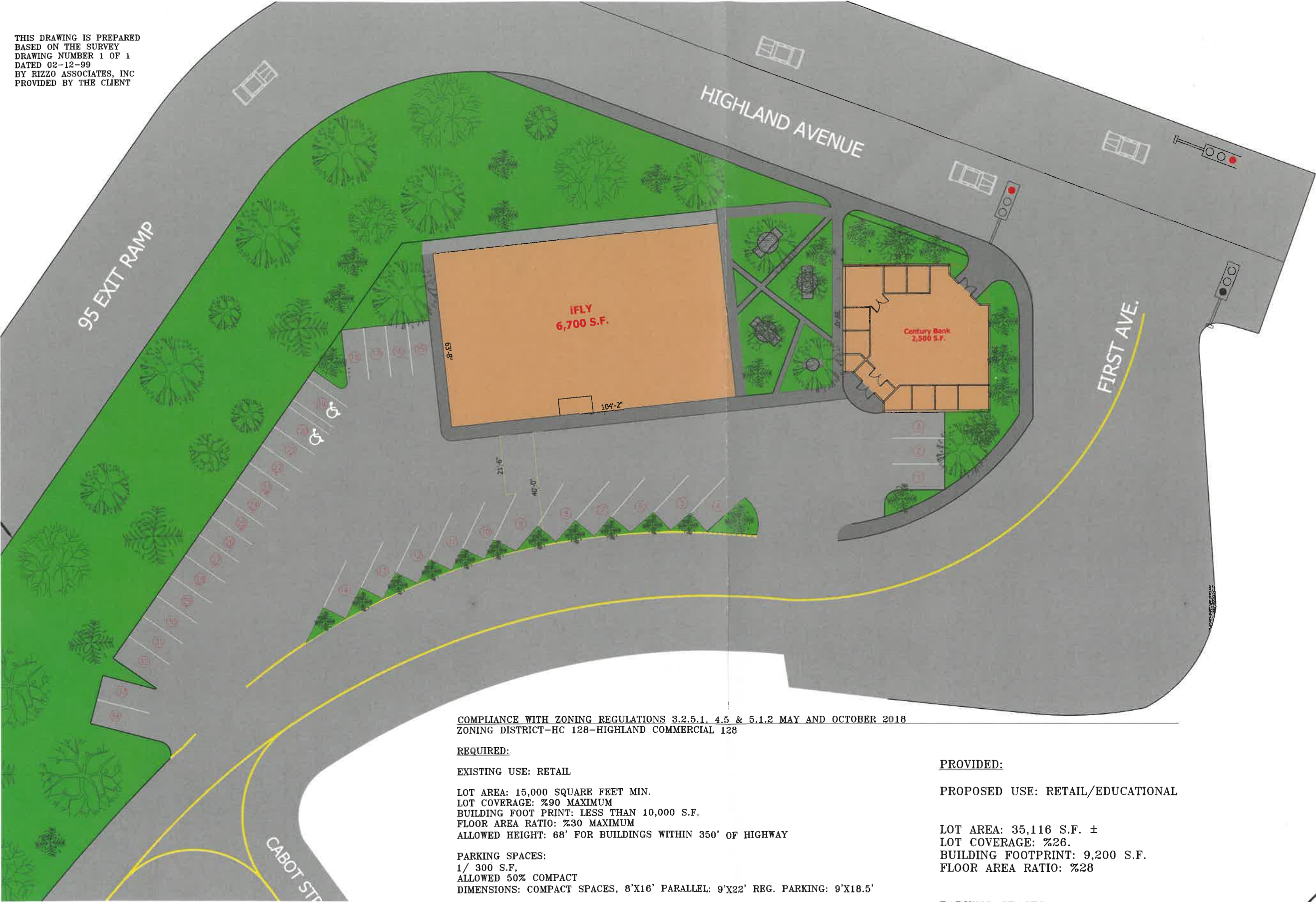
The number of guests is limited since only one participant and the instructor can be in the motion simulator at any one time.

The new plan will considerably increase the landscaping and sidewalks on the site as compared to its current use. Both buildings are intended to serve as gateways to Needham in this location and the proponent is planning for a sited "Welcome to Needham" sign at the intersection of the First and Highland Avenues.

The site plan is in conformity with the lot coverage, height and parking regulations.



THIS DRAWING IS PREPARED
BASED ON THE SURVEY
DRAWING NUMBER 1 OF 1
DATED 02-12-99
BY RIZZO ASSOCIATES, INC
PROVIDED BY THE CLIENT



COMPLIANCE WITH ZONING REGULATIONS 3.2.5.1, 4.5 & 5.1.2 MAY AND OCTOBER 2018
ZONING DISTRICT-HC 128-HIGHLAND COMMERCIAL 128

REQUIRED:

EXISTING USE: RETAIL

LOT AREA: 15,000 SQUARE FEET MIN.
LOT COVERAGE: %90 MAXIMUM
BUILDING FOOT PRINT: LESS THAN 10,000 S.F.
FLOOR AREA RATIO: %30 MAXIMUM
ALLOWED HEIGHT: 68' FOR BUILDINGS WITHIN 350' OF HIGHWAY

PARKING SPACES:
1/ 300 S.F.
ALLOWED 50% COMPACT
DIMENSIONS: COMPACT SPACES, 8'X16' PARALLEL: 9'X22' REG. PARKING: 9'X18.5'

REQUIRED 31 REGULAR
2 HANDICAP

SETBACKS: 10' FROM FRONT LINE, 5' REAR LINE 10' SIDELINE

PROVIDED:

PROPOSED USE: RETAIL/EDUCATIONAL

LOT AREA: 35,116 S.F. ±
LOT COVERAGE: %26.
BUILDING FOOTPRINT: 9,200 S.F.
FLOOR AREA RATIO: %28

PARKING SPACES:
PROVIDED 32 REGULAR,
2 HANDICAP



CP-7		CONCEPTUAL SITE PLAN		DATE	DRAWING ISSUED:	OWNER: ONE FIRST AVENUE REALTY TRUST	 DSH Design Group ARCHITECTS ■ ENGINEERS ■ CM 75 Second Ave, Suite 605, Needham, MA 02494 info@dsdesigngroup.com T-617-454-1230 www.dsdesigngroup.com
ONE FIRST AVENUE NEEDHAM, MA 02494		12/10/2019	FOR PLANNING DEPARTMENT				
DATE: APRIL 1, 2018		SCALE: 1/8"=1'-0"					

Department Information DSR1	
Department	Planning and Community Development
Department Mission	
The Planning and Community Development Department includes three divisions, namely, Planning and Economic Development, Conservation, and the Board of Appeals under a single Planning and Community Development budget. The Department is tasked with protecting and advancing the quality of life in Needham through the application of sound land use planning principles and development review standards; facilitating informed land use decisions through community participation and a collaborative process; protecting and enhancing safe, livable neighborhoods which reflect and preserve Needham's unique and historic character; supporting and encouraging healthy reinvestment in the community to provide for a strong local economy; and promoting smart planning and a sustainable future for generations to come.	
On the Horizon	
The key challenges facing the Planning Board and the Planning and Economic Development Division over the course of the next five years will be securing the successful implementation of the Needham Center Plan and the Land Use and Zoning Plan for the Needham Crossing area. The State has made mixed-use smart growth development, as envisioned in the Needham Center plan, a priority and has provided the financial assistance required to secure its implementation. A key priority and challenge is to ensure that Needham capitalizes on its key strategic advantage, namely having four commuter rail train stations, to access those funds and to promote plan objectives. Additionally, unlocking the economic potential of Needham Crossing remains an overarching goal of the Board and Department. As relates to Needham Crossing, the Planning and Economic Development Division continues to work with major Needham Crossing developers to foster economic development and to identify and secure associated state infrastructure grants. Further, the Division remains committed in its effort to renew and foster its work with the City of Newton in relation to Needham Street improvements and mass transit uses of the abandoned rail bed. Finally, creating a streetscape design for the New England Business Center Zoning District and securing its implementation remains a high departmental priority. Most specifically, the Planning and Economic Development Division continues to oversee the permitting and build-out which is occurring within the New England Business Center and in particular the Center 128 project. Plan review and permitting for Center 128 comprising three components was conducted by the Division as follows: Center 128 West, Center 128 East, and the 2nd Avenue Residences. The Center 128 West Development, approved by the Planning Board in April of 2013, includes 740,000 square feet of office space, a 128-room hotel, and two parking structures. The hotel was completed and opened in 2014. The 288,346 square-foot office building located at the corner of 1st Avenue and B Street was completed and occupied by its tenant, Trip Advisor, in July of 2015. The Center 128 East Development, approved by the Planning Board in November of 2015, includes 420,429 square feet of office space, 19,000 square feet of retail space, a 128-room hotel and surface parking area. Components of the Center 128 East project currently underway or recently completed also include: the expansion of Parking Garage B at Center 128 West to accommodate the redevelopment planned at Center 128 East, the renovation and occupancy of the building located at 77A Street to accommodate the new SharpNinja headquarters and the renovation of the building located at 189 B Street to accommodate the new NBC Universal headquarters. In summary, Center 128 at completion will include four new office buildings and two renovated buildings totaling 1,160,400 square feet, two 128-room hotels, and 19,000 square feet of retail space. Parking for 4,100 cars distributed across 3 structured parking garages along with surface parking for 778 cars is also planned. The	

Department Information DSR1	
Department	Planning and Community Development
combination of elements is expected to be completed by June of 2021 and will represent a major step forward in the implementation of the vision developed for the district. Lastly, the construction of the 2nd Avenue Residences comprising 390 residential housing units and associated structured parking at 2nd Avenue was completed in the spring of 2018 with full rent-up completed in the fall of 2019. Securing grants for roadway improvements in the Needham Crossing area to complement the anticipated build-out continues to be a Departmental priority. Having successfully applied for grants with the City of Newton (MassWorks) to expedite the Highland Avenue corridor project, the Division continues to work with Newton, MassWorks and the Boston Region Metropolitan Planning Organization (MPO) to guide the project's implementation and to make sure that Needham's interests are represented and protected. Additionally, the Planning and Economic Development Division continues to work with Newton to try to locate funding for an engineering feasibility study of the unused MBTA rail running parallel to Needham Street and Highland Avenue. Both municipalities realize that mass transit is the only way to realize full economic development within the N² corridor. Lastly, the Division has worked with the City of Newton on the new N² initiative project. The N² group obtained funding from the Federal Economic Development Commission to match public and private gifts for a total of \$100,000.00 to create a sustainable marketing initiative for the corridor. The report was completed in FY2016 and included an overall marketing plan for the corridor and specific recommendations for attracting high tech and life science industries to the locale. As a result of this work the Needham/Newton Chamber of Commerce raised \$325,000 to implement the recommendations of the 2016 study to promote targeted, sustainable, and well-planned development in the N² Innovation District. A district director was hired, marketing materials created, and a website to promote the district and encourage economic development implemented. The Planning and Economic Division further continued with implantation of the Needham Center Planning effort providing staff support to the Planning Board where a meeting of all key property owners along the Chestnut Street corridor was organized to explore opportunities for partnership between the Town and owners to advance the recommendations of the Needham Center Plan. The meeting was well attended and offered an opportunity to present an overview of the Center plan recommendations and ascertain interest from key owners for moving forward with its recommendations through future investment and redevelopment. Follow-up to this meeting was held with several key landowners to assess their interest in acting upon the zoning incentives identified in the Chestnut Street Overlay District in particular, and to determine what if any constraints they feel would need to be addressed to incent the desired redevelopment. The feedback received at those follow-up meetings was constructive and has helped the Board and Department identify a number of regulatory constraints that will need to be addressed to assure Plan implementation. The Housing Division supports the Town's efforts to promote and maintain affordable housing opportunities in partnership with the Needham Housing Authority (NHA), non-profit and for profit developers and service providers, other Town departments, as well as other public entities. The Housing Division also provides professional support to collect and analyze housing-related data, coordinates potential affordable housing initiatives, monitors affordability for a number of housing developments, ensures compliance with funding sources, and addresses inquiries related to housing issues. Another important activity involves the staffing of the Needham Affordable Housing Trust which was established in 2018 to serve as the Town's entity for overseeing housing issues and managing a dedicated fund in support of affordable housing initiatives. The	

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Planning and Community Development

Fund has been receiving funds related to the monitoring of affordable housing units, including resale fees as affordable homeownership units turnover. The 2019 Annual Town Meeting approved \$50,000 in additional funding from the Town's General Fund to introduce a Small Repair Grant Program that provides grants of up to \$4,000 to homeowners 60 years and older and with incomes at or below 80% of area median income to make modest repairs or alterations to their homes for health and safety reasons. The first round of applications is due by November 1, 2019.

Finally, the Conservation Division has identified the following primary goals for FY2020: (1) Fulfilling ongoing obligations for technical support of the Conservation Commission through processing of permit applications under the MA Wetlands Protection Act and the Town of Needham Wetlands Protection Bylaw; (2) Assisting in the implementation of the Comprehensive Trails Master Plan in conjunction with the Park and Recreation Department and the re-invigorated Trails Advisory Group; (3) Continuing the coordination of the Ridge Hill/Nike Study and Assessment - This project will assist the Town in characterizing existing site conditions and constraints and identifying potential uses that may be possible; (4) Finalization and implementation of the Town's Open Space and Recreation Plan Update in conjunction with the other pertinent town departments; (5) Assisting various Town departments in assessing compliance with the Town's NPDES permit and other initiatives; (6) Expanding management activities on Conservation lands to promote use and protect valuable natural resources; and (8) Implementing a signage initiative to improve consistency and quality of signage at conservation lands across town, purchase trail markers, maintain and/or construct new kiosks as well as bird boxes for various properties; (9) Organize themed trail walks with the public and Conservation Commissioners on Conservation lands; and (10) Continue to facilitate presentations to the public on interesting, timely topics. |

Budget Statement

Fiscal Year 2010 saw the creation of a Planning and Community Development Department. Previously, the four community development and land use functions had been performed in three Departments namely, Planning, Conservation, and the Board of Appeals. Under the 2010 reorganization the Planning and Economic Development functions were retained under a single budget and the Conservation and Zoning Board of Appeals budgets were combined to create a new "Community Development" budget. A Director of Planning and Community Development was appointed with oversight of both the Planning and Economic Development budget and Community Development budget. A new Administrative Assistant position was created to support the Planning, Economic Development, Conservation and Zoning functions of the Department. The goal of the reorganization was to meet the identified needs of the then existing departments, to improve operational efficiency, and to enhance service delivery. In Fiscal Year 2013, the Planning and Economic Development Department added a part-time Community Housing Specialist position. The Housing Specialist provides administrative and technical support relating to affordable housing issues, coordinates the efforts of various town boards and committees in the development of affordable housing opportunities, and assists in the implementation of the Town's Community Housing Plan. Finally, in Fiscal Year 2016 a further consolidation occurred with the merging of the Planning, Economic Development, Conservation and Board of Appeals budgets into a single Planning and Community Development budget. We believe that the reorganization has been successful in improving operational efficiency and interdepartmental coordination and thus has enhanced service delivery to Needham's constituents.

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Planning and Community Development

In Fiscal Year 2017, the Department secured funding through CPA for the Community Housing Specialist in the amount of \$60,000. Said CPA funding was anticipated to cover a 6 month period in each of the 2017, 2018 and 2019 Fiscal Years with the remainder of the funding for the position coming from a general fund allocation. However, due to Departmental staffing turnovers during FY 2017, FY 2018 and FY2019 reduced CPA allocations were required during the noted years thereby leaving sufficient CPA funds available to fund the position for an additional fiscal year. Accordingly, the Fiscal Year 2021 budget request again allocates 50 percent of position costs for the Housing Specialist to CPA and 50 percent to the general fund. Finally, increased funding for the Conservation Specialist position was approved in FY2020 so as to increase the hours of the position from 30 to 37.5. This allocation has been carried forward into FY 2021. As relates the operating component of the FY2021 budget an overall increase of 4.1% is requested for a total of \$1,350. This requested increase is reflective of increased costs in the following budget categories: professional and technical services, communications, office supplies, travel and mileage and dues and subscriptions all as further detailed in the table below.

Table 1: Detail of FY 2021 Budget Changes

Category	Change from FY 2020	Comments
Professional and Technical Services	\$500	Increase in Conservation seminars and training based on division needs.
Communications	\$300	Increase in wireless communication cost to accommodate cell phone service for full time Conservation Specialist (\$800). Decrease in printing and mailing costs for Planning based on FY 2019 (-\$500).
Office Supplies	\$100	Increase in office supply expense for Conservation based on FY2019.
Building and Equipment Supplies	No Change	
Other Supplies and Equipment	No Change	
Government Charges	No Change	
Travel and Mileage	\$300	Increase in mileage allocation for Conservation to serve Conservation Specialist and for Economic Development based on FY 2019.
Dues and Subscriptions	\$150	Increase in professional dues for Economic Development based on FY2019.

Planning and Economic Development Division

In FY2004, Needham, through its then Planning Department, joined the HOME Consortium based in Newton, which made available approximately \$67,000 annually for affordable housing purposes. Funding at the \$67,000 level continued through FY2012. In FY2013 the federal

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Department | Planning and Community Development

appropriation to the Home Program was reduced and thus Needham's annual allocation was lowered to approximately \$36,000 annually. Beginning in FY2014 HOME funds not spent by a member community during the year have been placed in a pool where said funds are awarded on a competitive basis to Consortium members. Previously Needham was able to allow its funds to accumulate over a period of five to six years so that a critical mass could be developed to support a desired project. Although project funding is not guaranteed it is felt that having a Housing Specialist on staff will give Needham the professional capacity to compete for funding with other Consortium communities that already have in-house staff support. Funding for administrative costs under the program has continued at approximately \$3,000 annually.

Revenue for FY2020 is expected to remain in the range of historic norms following a slight increase in FY2019 due in large part to one significant project at Center 128 East namely NBC Universal.

Table 2: Planning and Economic Development Application Fees & Grants

	FY '17	FY '18	FY '19	FY '20*	FY '20**
Application Fees	\$14,813	\$10,445	\$26,168	\$2,921	\$12,700
Zoning By-Laws	\$120	\$60	\$15	\$0	\$15
Zoning Maps	\$45	\$0	\$15	\$0	\$15
Subdivision Regulations	\$20	\$0	\$0	\$0	\$0
Grants/Donations	\$2,896 ^a	\$3,004 ^b	\$5,369 ^c	\$2,194 ^d	\$3,500
Traffic Mitigation Fee					
Total	\$17,894	\$13,509	\$31,567	\$5,115	\$16,230

^aHome Program (\$2,896 received).

^bHome Program (\$3,004 received).

^cHome Program (\$5,369 received).

^dHome Program (\$2,194 received).

*Revenue received July 1, 2019 through October 22, 2019.

**Projected revenue to June 30, 2020.

Conservation Division

During FY2019, the Conservation Commission met formally a total of twenty-two (22) times and held a total of thirty (30) public hearings. During FY2019 the Conservation Commission collected a total of \$10,810.00 in fees and there was one (1) fine issued. Permitting activity for FY2020 is expected to increase from FY2019 levels.

Table 3: Conservation Commission Public Hearings, State & Bylaw Fees & Enforcement Fines

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Fiscal Year	Number of Public Hearings	Total Fees Collected (WPA & Town Bylaw)	Town Portion of State WPA Fee	Enforcement Order Fines Collected
FY 2016	37	\$16,917	\$ 4,867.00	\$3,200
FY 2017	48	\$22,340	\$ 6,790.00	\$8,800
FY 2018	35	\$20,812	\$ 5,062.00	0
FY 2019	30	\$10,810	\$ 3,350.00	\$300

Board of Appeals Division

In FY2019, the Board of Appeals met formally a total of eleven (12) times and held a total of thirty nine (39) public hearings and two (2) informal hearings. During FY2019, the Board of Appeals collected a total of \$9,300 in fees in fulfilling its regulatory function as noted below.

Table 4: Board of Appeals Public Hearings, Informal Hearings & Fees

Fiscal Year	Number of Public Hearings	Number of Informal Hearings	By-Law Fees Collected
FY 2015	28	8	\$10,700
FY 2016	32	6	\$49,200
FY 2017	20	4	\$7,964
FY2018	30	2	\$4,900
FY2019	39	2	\$9,300

Accomplishments and Activities

Planning and Economic Development Division

The Planning Board is charged with broad statutory responsibilities to guide the physical growth and development of Needham in a coordinated and comprehensive manner. Specifically, the Planning Board is legally mandated to carry out certain provisions of the Subdivision Control Law (M.G.L., Chapter 41, Section 81-K to 81-GG) and of the Zoning Act (M.G.L., Chapter 40A). These legal responsibilities are reflected locally in the Subdivision Rules and Regulations and Procedural Rules of the Planning Board, and in the Town's Zoning By-Law. The specific services that the Planning Board provides are as follows:

Review and Approval/Disapproval of:

- Approval-Not-Required (ANR) Plans
- Preliminary Subdivision Plans
- Definitive Subdivision Plans*, including ongoing administration
- Site Plans of certain larger developments (major projects)*
- Residential Compounds (RC's)*
- Scenic Road Applications
- Outdoor Restaurant Seating Applications

* This includes Special Permit Decisions, with legal notices, public hearings, and written decisions.

Review and Advisory Reports on:

- Site Plans of certain smaller developments (minor projects)

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Department	Planning and Community Development
• Applications to the Board of Appeals for variances and special permits • Petitions for acceptance/discontinuance of public ways Initiation, Development, and Presentation of Proposed Zoning Amendments to Town Meeting Reprinting of Town Zoning By-Laws and Zoning Map Preparation and Maintenance of a Master Plan and related planning studies to guide future physical growth and development in Needham (including studies referred to the Board by Town Meeting) Revisions to "Subdivision Regulations and Procedural Rules of the Planning Board" and printing of the same Provision of Information on Planning, Zoning and Development matters to the public (including residents, developers, and other government agencies) In its capacity as a special permit granting authority, the Planning Board in FY2019 processed 17 applications as "Major Projects" under the Site Plan Review By-Law. In addition, the Board reviewed and approved 2 subdivision plans and 5 plans were endorsed "Approval-Not-Required (ANR)" under the Subdivision Control Law, meaning that the lots created or altered on such plans met minimum frontage requirements. The Board of Appeals referred 39 applications for variances, special permits, comprehensive permits, and administrative appeals to the Planning Board last year, and as required by the Zoning By-Law, the Board reviewed each application and submitted its recommendations in writing to the Board of Appeals were warranted. Planning Studies currently underway and recently completed are as follows: <u>Land Use and Zoning Study for the Industrial-1 and Industrial Districts:</u> Working with the Industrial sub-committee from the Council of Economic Advisors, residents, businesses and elected officials the goal of this planning effort was to bring together a zoning proposal to incent development in three industrial zones abutting 128. The districts were reviewed in terms of their use profile and dimensional requirements with associated changes to the noted parameters to encourage redevelopment at a more intense level. A consultant was engaged to respond to neighborhood concerns expressed during the Subcommittee's initial outreach. A build-out analysis, traffic impact study and elevation drawings were completed. Zoning implementing the vision was prepared and presented to numerous interested resident and business interest groups for feedback and comment. The Council of Economic Advisors issued a final report with its recommendations to the Board of Selectmen in the fall of 2017. The Selectmen reviewed the report and secured citizen input on the rezoning initiative and decided to proceed with only a portion of the recommended rezoning presently, namely, the Industrial-1 District located south of the MBTA right-of-way. The Planning Board held zoning hearings on the draft zoning articles prepared by the CEA to implement the study recommendations in February of 2019 and had planned to present these zoning initiatives at the May 2019 Annual Town Meeting. However, 3D modeling of the project in preparation for Town Meeting and in the context of the surrounding neighborhood revealed the necessity for required further adjustments to building height and setback. A workshop was organized to present the findings of the 3D models to both the Board of Selectmen and Planning Board in early July so that policy objectives for the property as relates massing and scale could be confirmed in the context of these new findings and a zoning strategy supported by both	

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Boards moving forward could be determined. A fiscal impact analysis and an updated traffic study of the proposed Highway Commercial 1 district were completed. A revised zoning proposal supported by both Board's has now been offered which will give the Planning Board authority to review and approve a broad range of development alternatives on the property provided they are compliant with a set of articulated design goals and have secured appropriate traffic mitigation. Public hearings on the zoning articles were held in September and Town Meeting action is planned for the end of October 2019. <u>Accessory Dwelling Units:</u> There are no provisions to allow accessory apartments in Needham, although all neighboring communities allow them, as do most comparable municipalities in the state as such units are helpful in meeting a number of important policy objectives. The Needham Planning Board had presented a zoning article at the May 2019 Annual Town Meeting which would have established a special permit process to enable the Board of Appeals to permit accessory dwelling units in single-family homes for occupancy by family member(s) related to the owners of the property and caregivers of family members, subject to specified standards and procedures.). This effort was a follow-up to the Senior Friendly Housing in Needham study completed in 2017 and the Accessory Dwelling Report commissioned by the Board of Health and completed last year. The report, <i>Accessory Dwelling Units: A Report for the Needham Public Health Division</i>, examined in some depth the experience of nine communities similar to Needham that have passed ADU bylaws. Their experiences, combined with recommendations from the Massachusetts Office on Energy and Environmental Affairs, had served as a guide as Needham assessed the impact of these bylaws on issues of importance to Needham, including cost, density, traffic, appearance, and meeting the changing needs of our residents. The Accessory Dwelling Unit zoning amendment was presented at the May 2019 Annual Town Meeting and received a number of questions and amendments and as a result was referred back to the Planning Board for further study. The Board has now made the necessary policy and language adjustments and Town Meeting action on the matter is planned for the end of October 2019. <u>Chestnut Street Corridor:</u> The Planning Board continues to review the zoning plan which was established for the Lower Chestnut Street area through the Overlay District to determine if it is meeting its stated objective of establishing a pedestrian friendly streetscape with multi-use development in the form of a traditional New England Village. In Fiscal Year 2019 the Planning Board offered eight major zoning initiatives as described below. Zoning articles prepared for presentation to the October 2018 Special Town Meeting are as noted below. All of the articles were adopted. <u>1. Amend Zoning By-Law-Wireless Communication Facilities.</u> The Town is currently designing a new public safety communications system. As currently planned, this new system involves a new 120 foot radio antenna monopole at the Police and Fire Station on Chestnut, Lincoln and School Street, and a new 199 foot tower located at the Recycling and Transfer Station. The Town is also working to secure an antenna location on an existing commercial wireless communication tower near Cabot Street, and a site for a new communication tower on Commonwealth-owned land located next to the Norfolk County Sheriff's Office at 200 West Street in Dedham. The Zoning By-Law does not currently allow municipal public safety communications facilities anywhere in Town. Accordingly, the purpose of this zoning amendment is to allow by special permit, the three kinds of public safety communications facilities that would be proposed within the Town as noted above.	

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Zoning articles 1, 2, 3, and 4 were prepared for presentation to the May 2019 Annual Town Meeting by the Planning Board as noted below. Article 5 was submitted by Citizens Petition for presentation to the May 2019 Special Town Meeting as noted below. Articles 1, 2, 3 and 4 were not adopted at the Annual Town Meeting. Article 5 was withdrawn by the Petitioner and was not acted upon by the Special Town Meeting. The Planning Board has revised Article 1 which relates to Accessory Dwelling Units and has placed it on the October 2019 Special Town Meeting warrant. No further action is planned currently on the remainder articles.

1. Amend Zoning By-Law – Accessory Dwelling Unit.

This article establishes a special permit process to enable the Board of Appeals to permit accessory dwelling units (ADUs) in single-family homes for occupancy by family member(s) related to the owners of the property and caregivers of family members, subject to specified standards and procedures. It is also the intent of this zoning to assure that the single-family character of a neighborhood will be maintained and that the necessary accessory unit remains subordinate to the principal use of the living quarters. ADUs will be allowed in all zoning districts with the exception of the Chestnut Street Business District, Center Business District, Mixed-Use 128 District, Highland Commercial 128 District, and New England Business Center District. In these zoning districts single-family homes are not currently permitted. To accomplish this, the by-law restricts size, occupancy, and exterior conditions.

2. Amend Zoning By-Law –Dimensional and Use Regulations for the Transit Oriented Development Sub-District of the Lower Chestnut Street Overlay District.

Articles 2-4 represent a package of proposed zoning by-law amendments that stem from more than two years of work by the Planning Board. The articles seek to secure implementation of the Needham Center Development Plan dated March 30, 2009, by enabling the development of housing at a location proximate to transit at the Needham Junction MBTA Commuter Rail Station and within walking distance to Needham Center and the Chestnut Street businesses. Article 2 proposes the creation of a new Transit Oriented Development Sub-District (TODD) within the Lower Chestnut Street Overlay District and lays out the regulatory framework for the new sub-district. Article 4 describes the geographical boundaries of the TODD. The affected area comprises 433 Chestnut Street and the land located directly to the south and the west of 433 Chestnut Street, owned by the M.B.T.A. The land located at 433 Chestnut Street is currently located in the Chestnut Street Business District and the Lower Chestnut Street Overlay District. The land located directly to the south and the west of 433 Chestnut Street and owned by the M.B.T.A., is currently located within the Single Residence B zoning district. This later parcel is proposed to be rezoned to the Chestnut Street Business District and the Lower Chestnut Street Overlay District under Article 3 so that the TODD provisions may be extended to that location. The planning goals for the sub-district and its key provisions are summarized below.

The rezoning seeks to allow a multi-family housing development of up to 150 units to be developed at 433 Chestnut Street and on the adjacent M.B.T.A. property. This gateway location at the southern end of Chestnut Street is challenged by the train tracks that surround the site, limited frontage and a difficult site configuration. These challenges have limited the desirability of the property to be utilized for retail development (due to a lack of visibility), condominium development (due to the adjacencies of the rail tracks and the Eversource electric transmission facility to the south), or an active commercial user other than the existing landscape business, which is a benefit to the Town, but which does not provide any benefit to the streetscape or activation for adjacent businesses. The Town's current zoning contributes to these problems

Department Information DSR1	
Department	Planning and Community Development
further by posing use and dimensional barriers to redevelopment. Specifically, the existing zoning allows for multi-family development in the Chestnut Street Overlay District, but requires an increased frontage, limits height to 4 stories, and requires ground floor retail uses, which are all challenges for development at this location. Additionally, the existing zoning establishes minimum side and rear yard setback standards from residential district boundaries and the MBTA right-of-way which are inappropriate at a site where the proposed use is exclusively residential and does not include a commercial component. The proposed TODD is designed to address these development constraints by placing supplemental provisions on top of those which already exist in the Lower Chestnut Street Overlay District thereby creating additional opportunities for development at the subject location. <u>3. Amend Zoning By-Law –Map Change to Chestnut Street Business District and Lower Chestnut Street Overlay District.</u> Article 3 describes the geographical area located directly to the south and the west of 433 Chestnut Street proposed to be placed in the Chestnut Street Business District and the Lower Chestnut Street Overlay District. The affected area comprises land located directly to the south and the west of 433 Chestnut Street owned by the M.B.T.A. The land is currently located within the Single Residence B zoning district. <u>4. Amend Zoning By-Law –Map Change to Transit Oriented Development Sub-District of Lower Chestnut Street Overlay District.</u> Article 4 describes the geographical area proposed to be placed in the Transit Oriented Development Sub-District of the Lower Chestnut Street Overlay District. The affected area comprises 433 Chestnut Street and the land located directly to the south and the west of 433 Chestnut Street, owned by the M.B.T.A. The subject land located at 433 Chestnut Street is currently located in the Chestnut Street Business District and the Lower Chestnut Street Overlay District. The subject land located directly to the south and the west of 433 Chestnut and owned by the M.B.T.A. is currently located within the Single Residence B zoning district. This later parcel is proposed to be rezoned to the Chestnut Street Business District and the Lower Chestnut Street Overlay District under Article 3 above. <u>5. Amend Zoning By-Law – Self Storage Facility in Mixed Use 128 District.</u> This article was submitted on the petition of Michael Surprenan, et al. The petition proposes to add a definition of "self-storage facility" to the Zoning By-Law, and to allow such facilities to be constructed and operated in the Mixed-Use 128 District, upon receipt of a special permit issued by the Planning Board, at its discretion, and after notice and public hearing. Currently, self-storage facilities are not defined in the By-Law, and are not listed in the By-Law's Use Regulations for any of Needham's Zoning Districts, whether by right or by special permit. <u>Performance Factors</u> During the previous fiscal year the Planning Department had committed to tracking the turnaround time required on its Major Project Site Plan Special Permits and Subdivision applications. Monitoring of the timeline between application filing and the scheduling of the public hearing, issuance of the Decision following the close of the public hearing, and filing of the written decision with the Town Clerk following Board action were tracked. The goal was to schedule the public hearing within 5 weeks of application receipt, to issue the Special Permit Decision or Subdivision Decision within two weeks of the close of the public hearing, and to file the written decision within 5 business days of permit issuance by the Board. The articulated	

**Department Information
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Department	Planning and Community Development
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goals were met in two of three studied criteria in FY2019. During the affected timeline 17 new Special Permit applications and 2 Subdivision applications were processed. Public hearings were held on average within 32 days of application receipt, decisions were issued within 18 days of the close of the public hearing, with written decisions filed with the Town Clerk within 2 days of permit issuance. Total average time required to process an application was 63 days with a minimum of 27 days and a maximum of 101 days. The Department plans to continue to track these items and will submit a similar report with its FY2022 budget request.

Conservation Division

The Needham Conservation Division is primarily tasked with providing dedicated professional, administrative and technical assistance to the Town and Conservation Commission in accordance with the MA Wetlands Protection Act (M.G.L. Chapter 131 Section 40) and the Needham Wetlands Protection Bylaw (Article 6), and their respective regulations, guidelines and policies.

Additionally, the Division provides support in office administration and organization, public assistance, grant administration, committee and community support, and land conservation and management.

The Needham Conservation Commission is comprised of seven volunteer members appointed by the Board of Selectmen to staggered three-year terms. The Commission's primary responsibility involves ensuring compliance with the Massachusetts Wetlands Protection Act (M.G.L. Chapter 131 Section 40) and the local Wetlands Protection Bylaw (Needham General Bylaws Article 6). As the administrative and technical support agency to the Commission, the Conservation Division undertakes the following tasks pertaining to wetlands permitting:

- Reviews Notice of Intent applications and other filings for completeness and compliance with wetland statutes and associated regulations.
- Assures legal requirements are met including postings, hearing and permit timeframes, minutes and other records.
- Schedules and attends twice monthly meetings of the Conservation Commission and transcribes meeting minutes.
- Maintains case files and materials including computer databases.
- Arranges and conducts on-site inspections related to filings.
- Reviews wetland delineations.
- Drafts permits with associated conditions and other documents.
- Monitors construction to ensure compliance with permits.
- Reviews building permits for projects occurring within the Commission's jurisdiction to reduce the amount of Enforcement Orders issued and provide better public outreach.
- Responds to complaints and investigates potential violations.
- Keeps regular office hours to provide assistance to the regulated community.
- Collaborates with other Town Departments, Boards and Committees on matters pertaining to permitting municipal projects and activities.

In addition to wetland permitting, the Conservation Division undertakes broader environmental and land management functions including the following:

- Oversees/carries out management tasks such as trail building and maintenance, signage, and cleanup.
- Participates in various committees, including Trail Advisory Group and the Town's Integrated Pest Management Committee.

Department Information DSR1	
Department	Planning and Community Development

Meetings and discussions with the Walker Pond watershed neighbors have continued since the Walker Pond study was completed and the importance of proper stormwater management, as well as, other improvements for the health of the pond were further defined.

Performance Factors

The following Table 5 reflects the number of permit application filings and requests received by the Conservation Commission in each of the last three fiscal years. Over the course of the year, the Commission continued to see a steady flow of applications primarily for the construction of single-family homes and additions. The Conservation staff can issue Administrative Approvals for minor projects located within the 100-foot Buffer Zone. This flexibility allows for a shorter, more streamlined experience for the public doing minor projects while maintaining compliance with the wetland rules and regulations. Administrative Approvals increased from five (5) in FY 2018 to eighteen (18) in FY 2019. In the past, before the Administrative Approval mechanism was in place, many of these small projects would have gone before the Commission as Requests for Determination of Applicability and Notice of Intent filings requiring the issuance of Permits. During FY2019, the Conservation Commission met formally a total of twenty-two (22) times and held a total of thirty (30) public hearings.

Table 5: Conservation Commission Application Filings & Requests

Type of Application Filing/Request	FY 2017	FY 2018	FY2019
Notice of Intent ¹	28	22	23
Request to Amend Order of Conditions ¹	3	1	1
Request for Determination of Applicability ¹	17	8	4
Abbreviated Notice of Resource Area Delineation ¹	0	2	0
Extension Permit ¹	2	2	2
Emergency Certification	1	0	3
Certificate of Compliance	30	24	27
Minor Modification Request	9	15	10
Enforcement Order	5	4	1
Trail Maintenance Notification Form	2	0	0
DPW Generic Permit Activity Notification Form	2	0	0
Exemption Letter	13	5	18
Conservation Restriction	0	25	0
Notice of Non-significance	0	0	0
TOTAL	112	108	89

¹Filing involved a public hearing

In addition to applications reviewed through the public hearing process, the Commission is required to review and act on requests to modify, extend or close out existing permits. The Commission handled forty (40) of these requests during this fiscal year. The Conservation Division also coordinates with the Town of Needham Department of Public Works and Public Facilities, and provides professional expertise on town projects in a growing and more restrictive

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• Assures compliance with rules and regulations for conservation lands; issues needed permits; and addresses user problems. • Assists the Commission in planning, acquisition, administration and management of municipal conservation land. • Assists in preparation of Open Space and Recreation Plans to meet criteria for approval. • Researches and conducts on-site evaluations for parcels under consideration for acquisition, donation, conservation or agricultural preservation restrictions. • Researches, pursues and coordinates grant and other funding opportunities; writes proposals and manages grants. • Collaborates with other Town Departments, Boards and Committees on matters pertaining to the use, management and protection of the Town's natural resources and open space. • Educates the public about the importance of protecting wetlands and other open space. Under both the state and local statutes, the Conservation Commission has a maximum of 21 days from receipt of a completed application to open a public hearing on that application. A hearing may be continued with the consent of the Applicant to allow for the submittal of additional information. After closing the public hearing, the Commission has 21 days to issue an Order of Conditions. In FY2019, all applications were completed within the noted time line with no requests for additional time requested. The Conservation Division makes every effort to assist Applicants with the filing process. The Division's staff meets frequently with property owners and potential applicants to explain the filing process or to provide input on which application would be most appropriate (for a particular site or project). The Conservation Division conducts well over one hundred site visits each year to review projects associated with both the MA Wetlands Protection Act and the Needham Wetlands Protection Bylaw. The collective knowledge and experience of the Conservation Division serves to benefit the regulated community including the Town of Needham as it provides professional expertise in a growing and more restrictive environmental regulatory time period. <u>FY2019 Achievements</u> The implementation of the new Town of Needham Stormwater Bylaw was an educational experience for the public, the Commission, as well as, the staff. Several opportunities were provided for staff to receive training and education regarding NPDES and the new Bylaw. Coordination and communication with the Engineering and Building Departments during the implementation of the Bylaw was vital in ensuring the public was given consistent information. Fiscal year 2019 was a busy year for Town projects whether they were beginning, in progress or finishing up. The Mitchell School Modular classroom project required several site meetings and continued oversight. The Conservation portion of the Sunita Williams School project namely the Knoll Trail and the interactive bond area has been on-going. The final walkthrough for the Needham Accessible Reservoir Trail project occurred and the trail is considered a great success with people of all capabilities. The permitting for the new DPW Storage Building located on Central Avenue next to the Needham RTS was completed and the project initiated. Several modifications to the Permit have been required as the project progresses. The Conservation Department staff and the Commission continue to work with Eagle Scout candidates and other groups on projects on conservation properties that are beneficial to the public such as a recently constructed stream crossing footbridge in the Town Forest off of Central Street by an Eagle Scout candidate.	

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Department

Planning and Community Development

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environmental regulatory time period. Finally, for that small percentage of projects that occur within the Commission's jurisdiction without obtaining a permit in advance, the Commission is responsible for pursuing enforcement to bring such sites into compliance with the state and local wetland regulations. In FY2019, one (1) project required the issuance of an Enforcement Order in order to restore or protect wetland resource areas.

During FY 2019, the Conservation Division staff continued to issue standardized post cards to permit holders alerting them of various permit requirements or permit expiration dates. The goal of this program is to encourage voluntary compliance and project close-out that saves permit holders time and money, while reducing the need for enforcement actions by the Conservation Commission.

Zoning Board of Appeals Division

The Zoning Board of Appeals is a quasi-judicial body that hears and renders decisions on: 1) Appeals from Building Inspector administrative decisions; 2) Applications for Special Permits or Variances under M.G.L. Chapter 40A and the Needham Zoning By-Laws; and 3) Requests for Comprehensive Permits under M.G.L. Chapter 40B (affordable housing) as well as hearing amendment and de minimis change requests. The Board of Appeals consists of three regular members and two associate members appointed by the Board of Selectmen as authorized and established by General Laws, Chapter 40A, the Home Rule Charter Act and Article VIII of the General By-Laws.

The Division provides guidance to applicants on all zoning matters, including assistance with the application and hearing process; reviews and analyzes applications for completeness and compliance to established zoning guidelines; coordinates the interdepartmental administrative review process, conducts site reviews; organizes the production of Special Permits and Board determinations post-public hearings; provides professional staffing to Board members, provides management and coordination of Comprehensive Permits projects, designs procedures for any new zoning review processes, produces technical reports, conducts research, and maintains and manages all Board data bases, communications and legal documents. Virtually all matters that come before the Board are initiated by residents or businesses seeking relief from the Zoning By-Law. Each application is processed in accordance with the legal requirements and timetables established under the Massachusetts Zoning Act, the Town of Needham Zoning By-Law, and Zoning Board of Appeals Rules and Regulations.

Performance Factors

In FY2019, the Board of Appeals met formally a total of twelve (12) times and held a total of thirty nine (39) public hearings and two (2) informal hearings (refer to Table 4). The informal matters consisted of permit renewals, document reviews, plan substitutions or corrections. The Board of Appeals received twenty-six (26) applications relating to Special Permits; one (1) for a Comprehensive Permit Amendment; five (5) of which were withdrawn (refer to Table 6). In addition, there was no Appeal of a Building Inspector's Decision or application for a Variance. The Board issued twenty-three (23) Decisions in FY2019, two were continued to FY2020.

The Division continues to coordinate the conditions associated with the 40B Comprehensive Permits issued by the ZBA - 700 Greendale Avenue, a 136-unit residential development consisting of 52 townhouses and 84 units in a multi-story building. Twenty-five percent of the

Department Information DSR1

Department	Planning and Community Development
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units are affordable, and the project is now substantially completed. The developer granted a Pedestrian Easement on the property which was accepted by Town Meeting. The Kendrick Residences, 295 Second Avenue, a 390-unit apartment complex consisting of 98 affordable units was issued a Certificate of Occupancy. In FY2019, the ZBA granted a Comprehensive Permit Amendment to the Lofts on Charles River, 300 Second Avenue, a 300-unit residential development consisting of 88 affordable units, to construct a dog-exercise area located on the top floor of their parking garage.

Table 6: Number of Permit Application Filings FY2014 - FY2019

Fiscal Year	Number of Meetings	Special Permit Applications	Variance Applications	Appeals of Building Inspector Decisions	40B Applications	Withdrawals	Decisions
2015	12	26	1	2	0	2	28
2016	14	24	2	4	2	5	29
2017	11	21	0	1	0	3	19
2018	11	19	1	1	0	3	18
2019	12	25	0	0	1	5	23

Spending Request Recap			
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Description	Base Request DSR2	Additional Request DSR4	Total (DSR2 + DSR4)
a) Salary and Wages	576,051	6,200	582,251
b) Expenses	34,400	6,000	40,400
c) Capital			
d) []			
e) []			
f) []			
g) Total DSR2 & DSR4 Request (a through f)	610,451	12,200	622,651

V2021

Department Expenditure Detail DSR2																	
Department				Planning and Community Development													
Object				Description					Amount								
DSR2A																	
Permanent Personnel	Last Year (FY2019)			Current Year (FY2020)			Next Year (FY2021)										
	FT Head Count	PT Head Count	Full Time Equivalent (FTE)	FT Head Count	PT Head Count	Full Time Equivalent (FTE)	FT Head Count	PT Head Count	Full Time Equivalent (FTE)								
	4	3	6.3	4	3	6.3	5	2	6.4								
Non-Budget Personnel: Will the department rely on grant/revolving fund positions to provide services?						Yes	No	FT Head Count	PT Head Count								
						X				1							
Union Positions:		BCTIA		Fire A		Fire C		ITWA	3	NIPEA		Police		Police Superior		NA	
1. Salary and Wage Permanent Positions.																	
a. PRD1 Salary and Wages Base																537,153	
b. PRD1 Differentials (Conditions, Requirements, Shifts)																	
c. PRD1 Education																	
d. PRD1 Extra Holiday																	
e. PRD1 Longevity																400	
f. PRD1 Snow Program																	
g. PRD1 Uniform																	
h. PRD1 Other Compensation																	
i. PRD1 Budget Adjustments																2,068	
PRD1 Sub Total																	
J DSR3 Other Compensation																	
Sub Total 1																539,621	
2. Salary and Wage Seasonal & Temporary Positions (Itemized Below)																	
a. Recording Secretary																6,700	
b. Housing Specialist																23,600	
c.																	
d.																	
e. DSR3 Total																	
Sub Total 2																30,300	
3. Salary and Wage Overtime (Itemized Below)																	
a. Scheduled Overtime (contractually obligated)																	
b. Training and Development																	
c. Additional Hours of Part-time staff																1,030	
d.																	
e. DSR3 Total																	
Sub Total 3																1,030	
4. Other Salary and Wage Expenses - (Itemized Below)																	
a. Incentive Programs																	
b. Pay In Lieu of Accrued Leave																5,100	
c. Program Stipend																	
d. Tuition Reimbursement																	
e. DSR3 Other Compensation																	
Sub Total 4																5,100	
5. Total Salary and Wages (1+2+3+4)																576,051	

Department Expenditure Detail DSR2			
Department		Planning and Community Development	
DSR2B			
Object	Description	Amount	
Energy (521x)			
Repairs & Maintenance Services (524x - 525x)			
Rental & Leases (527X)			
Other Property Related Services (529x)			
Professional & Technical Services (530x - 531x)	Planning (\$4,000) Con Comm (\$2,700) BOA (\$500)	7,200	
Communications (534x)	Wireless Communications (\$2,400) Printing & Mailing (\$2,350) Legal Notices (\$5,200) Postage (\$5,100)	15,050	
Recreational & Cultural Services (535x)			
Other Purchased Services (538x)			
Office Supplies (542x)	Planning (\$2,000) Con Comm (\$500) BOA (\$500)	3,000	
Building & Equipment Supplies (543x)	Con Comm (\$500)	500	
Custodial Supplies (545x)			
Grounds Keeping Supplies (546x)			
Vehicular Supplies (548x)			
Gasoline and Diesel Fuel (5481)			
Food and Service Supplies (549x)			
Medical Supplies (550x)			
Public Works Supplies (553x)			
Other Supplies & Equipment (558x)	Planning (\$1,300) Con Comm (\$600)	1,900	
Governmental Charges (569x)	Planning (\$300) Con Comm (\$300) BOA (\$100)	700	
Travel & Mileage (571x - 572x)	Conf In-State (\$700) Mileage (\$1,200) Conf Out-State (\$1,300)	3,200	
Dues & Subscriptions (573X)	Planning (\$1,300) Con Comm (\$1,300) BOA (\$100) Eco Dev (\$150)	2,850	
Other Expenses (574 X - 579x)			
6. Total Expenses		34,400	
DSR2C			
Capital Equipment Replacement (587X)			
7. Total Operating Budget Capital			
8. Total Base Request (Line 5 + Line 6 + Line 7)		610,451	
Does the Department depend on any Federal or State grants to			
YES		NO	X

Department Expenditure Detail DSR2				
Department	Planning and Community Development			
provide services?				
Did the Department submit any requests for FY2021 for the replacement or upgrade of technology or software to the Information Technology Center?	YES		NO	X
Did the Department submit any requests for FY2021 to the Department of Public Works/Building Maintenance division to improve or upgrade a public building or facility?	YES		NO	X
V2021				

Performance Improvement Funding Request DSR4				
Department	Planning and Community Development			
Title	Recording Secretary	Priority	1	
DSR4				
Expenditure Classification	FTE	Frequency		Total Amount (A + B)
		Recurring Amount (A)	One Time Only Amount (B)	
1. Salary and Wage		6,200		6,200
2. Expense				
3. Operating Capital				
4. Department Total (1+2+3)		6,200		6,200
5. Other Costs		479		479
6. Grand Total (4+5)		6,679		6,679
Budgetary Considerations				Yes No
Does this request address a goal of the Select Board or other Board or Committee?				X
If yes, which Board or Committee?				
Has this request been submitted in the last three fiscal years and not funded?				X
Are there additional costs to implement this request (except for future year operating costs which would be ongoing if funding is approved) which are NOT included in this request?				X
Will the assistance of another department be required to provide support (personnel or financial) for this request to be implemented?				X
Will additional staff (beyond the staff requested in this DSR4 submission) be required if the request is approved?				X
Does the request support activities which produce revenue for the Town?				X
If the request is not approved, will current Town revenues be negatively impacted?				X
Is there an increased exposure for the Town if the request is not approved?				X
Is specialized training or licensing required (beyond the initial purchase)?				X
Does this request address a documented health or safety issue?				X
All "YES" responses above must be explained in the narrative below				
Description and Explanation				
For FY2021 one staffing change is requested. The Department is seeking funding for a new part-time, non-benefitted position of Recording Secretary for the Design Review Board. This position would be responsible for taking meeting minutes according to the requirements of the Massachusetts Open Meeting Law and generating draft and final meeting minutes. Attendance would be required at all Design Review Board meetings which are usually held on Monday evenings at least twice per month as well as additional meetings that may be scheduled as needed. The position supports the permitting function of the Design Review Board which in FY2018 collected review fees of \$2,800 under the Town's zoning by-law. The position is to be paid on an hourly basis and is anticipated to require up to 25 hours per month of staff time. Funding in the amount of \$6,200 is requested. Not funding this position will place the Town at risk for a violation under the Massachusetts Open Meeting Law as the Design Review Board is composed of volunteer members without capacity to generate meeting minutes of Board activities.				

V2021

Performance Improvement Funding Request Supplement									
DSR4S									
Position Title	Recording Secretary				Priority	1			
Classification	Sched. C	FT	PT	☒	Seasonal				
Part Time /Seasonal	Hours Per Week		5.77		Number of Weeks Per Year		52		
Compensation Detail									
Base Rate	5.77 X 20.65 X 52 = \$6,195.82								
Other					6,200				
Other									
Other									
Other									
Other									
Other									
Other									
Other									
Salary and Wage Total					6,200				
If Funded the Position Will Require the Following Additional Items									
Description	No	Yes	Explain		Start Up Cost \$		Annual Recurring Cost \$		
Workstation	X								
Vehicle	X								
Computer	X								
Software	X								
Mobile Communication Device	X								
Uniform	X								
Tools	X								
Equipment	X								
Other	X								
Other	X								
Other	X								
Totals									
Estimated Annual Benefit Cost					479				
Description and Explanation									
Benefit costs for this part time position are estimated at \$479.00. It is further expected that the person filling the position will either use an existing departmental computer for on-site work or will complete the tasks from an off-site location using their personal equipment.									

V2021

Performance Improvement Funding Request DSR4				
Department	Planning and Community Development			
Title	Professional Design Services – Trail Mapping and Identification	Priority	2	
DSR4				
Expenditure Classification	FTE	Frequency		Total Amount (A + B)
		Recurring Amount (A)	One Time Only Amount (B)	
7. Salary and Wage				
8. Expense			\$6,000	\$6,000
9. Operating Capital				
10. Department Total (1+2+3)				
11. Other Costs				
12. Grand Total (4+5)				\$6,000
Budgetary Considerations				Yes No
Does this request address a goal of the Select Board or other Board or Committee?				X
If yes, which Board or Committee?				Conservation
Has this request been submitted in the last three fiscal years and not funded?				X
Are there additional costs to implement this request (except for future year operating costs which would be ongoing if funding is approved) which are NOT included in this request?				X
Will the assistance of another department be required to provide support (personnel or financial) for this request to be implemented?				X
Will additional staff (beyond the staff requested in this DSR4 submission) be required if the request is approved?				X
Does the request support activities which produce revenue for the Town?				X
If the request is not approved, will current Town revenues be negatively impacted?				X
Is there an increased exposure for the Town if the request is not approved?				X
Is specialized training or licensing required (beyond the initial purchase)?				X
Does this request address a documented health or safety issue?				X
All "YES" responses above must be explained in the narrative below				
Description and Explanation				
This funding request looks to address a long-standing goal of the Conservation Commission. If this request is funded, the Town would look to hire a pre-approved Design and Engineering firm to help the Commission with the following goals: - Options for graphic presentation of standardized trail mapping - Developing a system of identification signage for the trail heads and options for trailhead information kiosks and directional signage including trail markers. *Please see the attached proposal from Tighe & Bond Once design of a standardized trail entrance signage system, trail markers, and trailhead information kiosks are finalized, the department will be seeking construction funding to replace and renovate the existing trail entrance signage system, trail markers, and trailhead information kiosks on both Conservation and Park and Recreation properties. Funding for this second phase effort is expected to come from either a subsequent operating cost request or CPA allocation. Additionally, private donations will be utilized when available.				

V2021

FY2021 - Department Spending Request

Town of Needham
Line Detail

Planning & Community Development

	FY2017 Expenditures	FY2018 Expenditures	FY2019 Expenditures	FY2020 Budget 12/01/2019	FY2021 DSR2 Request	FY2021 DSR4 Request	FY2021 Department Request	FY2021 \$ Change	FY2021 % Change
Planning & Community Development									
Salary & Wage Regular	449,392.27	468,113.99	442,685.58	526,129	539,621		539,621	13,492	
Salary & Wage Temporary	36,005.11	34,550.37	38,781.50	28,922	30,300	6,200	36,500	7,578	
Salary & Wage Overtime		3,512.58	216.57	1,030	1,030		1,030	-	
Salary & Wage Other	4,636.86	9,110.39	6,899.81	4,900	5,100				
Salary and Wage Total	490,034.24	515,287.33	488,583.56	560,981	576,051	6,200	582,251	21,270	3.8%
Energy									
Non Energy Utilities									
Repairs and Maintenance									
Rental and Leases									
Other Property Related									
Professional & Technical									
Communications	4,810.00	889.00	9,320.00	6,700	7,200	6,000	13,200	6,500	
Recreation	10,066.59	6,984.73	9,386.66	14,750	15,050		15,050	300	
Other Purchased Services		6,269.40							
Energy Supplies									
Office Supplies	4,005.10	868.90	1,463.26	2,900	3,000				
Building & Equipment Repair Supplies	1,222.70								
Custodial Supplies				500	500				
Grounds Keeping Supplies									
Vehicular Supplies									
Food & Service Supplies									
Medical Supplies									
Educational Supplies									
Public Works Supplies									
Other Supplies & Equipment	3,102.01	8,553.42	1,822.74	1,900	1,900				
Governmental Charges	152.00	60.00	76.00	700	700				
Travel & Mileage	346.25	522.57	1,015.12	2,900	3,200				
Dues & Subscriptions	2,188.00	2,365.00	2,074.00	2,700	2,850				
Other									
Expense Total	25,892.65	26,513.02	25,157.78	33,050	34,400	6,000	40,400	7,350	22.2%
TOTAL:	515,926.89	541,800.35	513,741.34	594,031	610,451	12,200	622,651	28,620	4.8%

FY2021 - Department Spending Request

PRD1 - FY2021

Position	FTE	Sch	Step	FY21	Base	FY21	Longevity	FY21	Other Compensation	FY21	Budget Adjustment	FY21	Estimate	Description	Note
PRD - Base Salary and Wage					537,153.00								537,153.00		
PRD - Differentials															
PRD - Education															
PRD - Extra Holiday															
PRD - Longevity							400.00						400.00		
PRD - Snow Program															
PRD - Uniform															
PRD - Other Compensation															
PRD - Budget Adjustment									2,068				2,068.00		
PRD															

Special Financial Warrant Article Request DSR5			
Title	Planning Consulting Assistance		
Fiscal Year	2021	Department	Planning and Community Development
Funding Amount	\$60,000	Funding Source	Tax Levy
Article Information			
The Planning and Community Development Department is requesting additional funding in its operating budget for professional and technical assistance in support of planning and zoning initiatives, development applications, land use regulations, and related activities. Planning consulting assistance funds would be used to conduct build-out, traffic and fiscal impact analyses of zoning initiatives that the Planning Board is currently studying. In addition, funds would be used to help the Department research and advise appropriate Town boards when presented with complex development projects requiring advanced technical input. Funding for this activity was previously approved in FY2015 in the amount of \$45,000. Examples of projects completed under the FY2015 appropriation include: build-out and traffic analysis for the Gould Street Industrial 1 and Reservoir Street Industrial Districts; 3D modeling and presentation drawings for the proposed Highway Commercial 1 zoning district at the Muzi Ford and Channel 5 site; and fiscal and traffic impact analyses for the proposed Highway Commercial 1 zoning district. An allocation of \$60,000 is requested as a special warrant article to replenish this consulting assistance account. The funds will then be available to be used as projects arise.			
Disclosures		YES	NO
1. Was this request submitted last year?			X
2. Is this a recurring special financial warrant article?			X
3. Is this a matching grant funding request?			X
4. Is this a CPA funding request?			X
5. Is this a revolving fund request?			X
6. Is this a pilot program request?			X
7. Is this a study?			X
8. Is this a program that is planned to be in place for more than one year?		X	
9. Is this required by a court or other jurisdictional order?			X
10. Is this a personnel related request?			X
11. Is this a local option acceptance request?			X
12. Is this in support of a goal of a Board or Committee?		X	
<i>All "YES" responses must be explained Below</i>			
Disclosure Explanation			
This funding request is designed to provide monies for consulting services on an as needed basis over multiple fiscal years.			
V2021			

CPC USE ONLY:

Application # _____

Qualifies: _____

Does not qualify: _____

INITIAL ELIGIBILITY PROJECT APPLICATION FORM

DUE DATE: DECEMBER 6, 2019

TOWN OF NEEDHAM
COMMUNITY PRESERVATION COMMITTEE
c/o Park & Recreation Department
178 Rosemary Street
Needham, MA 02494
www.needhamma.gov/CPC

1. **Applicant:** Conservation

Submission Date: 12/6/2019

2. **Applicant's Address, Phone Number and Email:**

3. **Purpose:**
(Please select all that apply)

500 Dedham Avenue, Needham, MA 02492

781-455-7550 x 248

AndersonD@Needhamma.gov

Contact Name:

Debbie Anderson, Director of Conservation

- ☒ Open Space
☐ Community Housing
☐ Historic Preservation
☒ Recreation

4. **Project Name:** Professional Design Services - Trail Identification

5. **Project Location/Address/Ownership** (Control):

500 Dedham Avenue, under jurisdiction of the Conservation Commission, Park and Recreation Commission, School Committee, and Board of Selectmen

6. **Amount Requested:**

\$ 6,000

7. **Estimated Total Project Cost** (If Different):

\$ 6,000

8. **Critical Dates:** (If Applicable)

- continued -

CPC USE ONLY:	
Application #	_____
Qualifies:	_____
Does not qualify:	_____

Project Name: Professional Design Services - Trail Identification

9. Project Summary: In 100 words or less provide a brief summary of the project:

This request looks to address a long-standing goal of the Conservation Commission and is identified as a priority in the Town of Needham - Trails Master Plan. If this request is funded, the Town would look to hire a pre-approved Design and Engineering firm to help the Commission with the following goals:

1. Options for graphic presentation of standardized trail mapping.
2. Developing a system of identification signage for the trail heads and options for trail head information kiosks and directional signage including trail markers.

*Please see attached proposal from Tighe & Bond.

This proposal is for the design of a system of identification signage for the trail heads, information kiosks and directional signage including trail markers for these properties. We anticipate that we will come back before the CPC with a request for funds to implement these improvements at a later date.

10. Community Need: In 100 words or less provide a brief statement of the need for and the benefits to the community.

The Conservation Commission, Park and Recreation Commission, School Committee, and Board of Selectmen, manage the Town's Open Space resources. There is an extensive trail network, established through the guidance of the Needham Trails Master Plan, adopted in 2008. There are also a number of trail maps published for resident and visitor use. At the present time, each parcel with trails may have a separate, independently designed sign indicating its name. Signs and trail markers are different at each locations, if present at all.

The Commission wishes to create a standardized "look and feel" for signage located at the various parcels including trail heads, trail markers and kiosks. Having cohesive, easy to follow, signage and markers, as well as, additional kiosks will encourage the public and visitors to enjoy our trails and all the properties have to offer.

Note: *This application enables the Community Preservation Committee to review the request to assess eligibility. You shall be notified by January 1 of your eligibility. If eligible you will be requested to supply additional information by February 1.*

N-5001
October 23, 2019

Edward Olsen, Superintendent
Parks & Forestry Division
470 Dedham Avenue
Needham, MA 02492

**RE: Professional Design Services
Trail Mapping and Identification**

Dear Mr. Olsen,

In response to the Town's request, Tighe & Bond is pleased to submit this proposal to work with you and your staff to develop designs for standardized trail entrance signage, trail markers, and trailhead information kiosks.

Background

The Conservation Commission, along with the Division of Parks and Forestry, manage the Town's open space resources. There is an extensive trail network, established through the guidance of the Needham Trails Master Plan, adopted in 2008. There are also a number of trail maps published for resident and visitor use. The Town wishes to create a standardized "look and feel" for the maps and create a trail kiosk and trailhead theme to implement throughout the Town's properties.

Scope of Services

We have developed the following proposed Scope of Services based on our understanding of the project:

Task 1 – Trail System Branding

- 1.1 Tighe & Bond will attend a meeting of the Conservation Commission to discuss our approach to development of the vision for trail mapping and trailhead features. Prior to this meeting, we will visit the various sites to review existing conditions.
- 1.2 Using the trail maps already developed by the Town as a starting point, Tighe & Bond will develop up to three (3) options for graphic presentation of standardized trail mapping. These maps will be suitable for posting online and in paper format for brochures/trail guides and for posting at trail heads.
- 1.3 We will develop a system of Identification signage for the trailheads and options for trailhead information kiosks and directional signage including trail markers.
- 1.4 Tighe & Bond will attend a second meeting of the Conservation Commission to review the options for trail graphics, kiosks, and trail markers, and select a preferred option for each.
- 1.5 Following selection of a preferred option, Tighe & Bond will create design standards for each element for the Town's use in implementation of the vision and replacement and renovation of facilities.

Assumptions

Detailed design and construction of trail markings and kiosks is not included in this proposal. Meetings and coordination will be as noted, and additional meetings may require an amendment to this agreement.

Schedule

We look forward to continuing our relationship with the Town by providing these services. We propose the following project schedule:

Preliminary meeting & site visit:	November 14, 2019
Presentation of alternatives:	December 12, 2019
Completion of design standard documents:	January 15, 2020

Budget

Tighe & Bond will perform these services for a lump sum fee of \$5,700, invoiced monthly based on percentage complete plus reimbursable expenses as incurred. In the event that the scope of work is increased for any reason, the lump sum fee to complete the work shall be mutually revised by written amendment.

Please forward a project agreement based on this proposal and our current Master Agreement for our review and signature.

Tighe & Bond will undertake the project upon receipt of an executed contract.

If you have any questions or require additional information, please contact Bradlee Mezquita at 603-433-8818, or Gordon Leedy at 603-294-9234. We look forward to assisting you with this project.

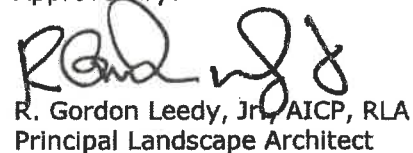
Very truly yours,

TIGHE & BOND, INC.



Bradlee L. Mezquita, PE, LEED AP
Vice President, Project Director

Approved by:



R. Gordon Leedy, Jr., AICP, RLA
Principal Landscape Architect

Acceptance:

On behalf of the Town of Needham, MA the scope, fee, and terms of this proposal are hereby accepted.

Authorized Representative

Date

This draft Agenda is for the PB Use Only

ZONING BOARD OF APPEALS

AGENDA

Needham Public Services Administration Building

Charles River Room

500 Dedham Avenue, Needham, MA

THURSDAY, December 19, 2019 - 7:30PM

Minutes	Review and approve minutes from November 21, 2019 meeting.
Case #1 – 7:30PM	19 Riverside Street – Public notice is hereby given that Design Concepts Pro Contractors, Inc., applicant, has made application to the Board of Appeals for a Special Permit under Sections 1.4.6, 4.2.1, 7.5.2, and any other applicable Sections of the By-Law to permit the demolition, extension, alteration, enlargement and reconstruction of the lawful, pre-existing, non-conforming single-family dwelling to allow the expansion of the roof line to add two side dormers. The property is located at 19 Riverside Street , Needham, MA in the General Residence District.

Next Meeting: Thursday, January 16, 2019 7:30pm, Charles River Room, PSAB



**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

RECEIVED TOWN CLERK
NEEDHAM, MA 02459

2019 NOV 25 PM 2:31

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: 11-25-2019

Name of Applicant or Appellant: DESIGN CONCEPTS

Address: 517 AMES HILL DRIVE
Taunton, MA

(Optional) E-mail address: DESIGN.BUILD4040@gmail.com

Daytime telephone: 781 960 4337

(Optional) Cell phone: 781 960 4337

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

PASQUALE SPADORELLA 517 AMES HILL DRIVE Taunton, MA
TEL# 781 960 4337 EMAIL: DESIGN.BUILD4040@gmail.com

Address/Location of Property 19 RIVERSIDE ST

Assessor map/parcel number 73, 40

Zone of property: GR

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: ALTERATION of Roof
changing and extending existing NON CONFORMING
BUILDING, APPLICABLE ZONING BELOW 1.4.6

Statement of relief sought: Changing and extending existing
NON-conforming building, to enlarge it by
adding dormers

Applicable Section(s) of Zoning By-Law: 1.4.6

If application under Zoning Section 1.4, listed immediately above:

List nonconformities related to lot/structure(s) in application: FRONTAGE; side area conformance
and lot size

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

1920

Date lot created:

1910-1920 Per ENGINEERING DEPARTMENT RECORDS

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 Paquale Spadaccia

Title Design Concepts / owner

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

TOWN OF NEEDHAM, MASSACHUSETTS

Building Inspection Department

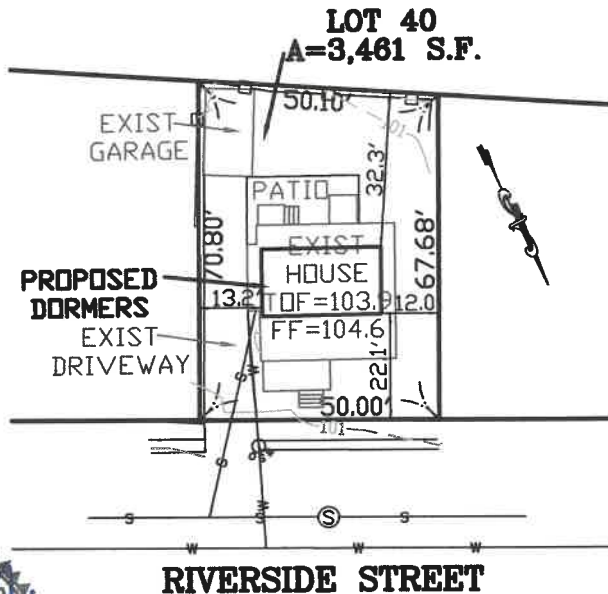
Assessor's Map & Parcel No. 73 LOT 40

Building Permit No. _____ At No. 19 RIVERSIDE STREET

Lot Area 3,461 S.F. Zoning District GR

Owner _____ Builder _____

PROPOSED PLOT PLAN 40' Scale



24.0'
14.0'
PROPOSED DORMERS
SCALE: 1"=30'



EXIST/PROPOSED LOT COVERAGE=33.0%
EXIST/PROPOSED OPEN SPACE=53.2%
PROPOSED HEIGHT OF HOUSE 34.4'

Note: Plot Plans shall be drawn in accordance with Sections 7.2.1 and 7.2.2 of the Zoning By-Laws for the town of Needham. All plot plans shall show existing structures and public utilities, including water mains, sewers, drains, gaslines, etc.; driveways, Flood Plain and Wetland Areas, lot dimensions, dimensions of proposed structures, sideline offsets and setback distances, (allowing for overhangs) and elevation of top of foundations and garage floor. For new construction, elevation of lot corners at streetline and existing and approved street grades shall be shown for grading along lot line bordering streetline. For pool permits, plot plans shall also show fence surrounding pool with a gate, proposed pool and any accessory structures*, offsets from all structures and property lines, existing elevations at nearest house corners and pool corners, nearest storm drain catch basin (if any) and, sewage disposal system location in unsewered area.

(*Accessory structures may require a separate building permit — See Building Code)

I hereby certify that the information provided on this plan is accurately shown and correct as indicated.

The above is subscribed to and executed by me this 14 day of NOVEMBER 2019.

Name A. MATTHEW BELSKI, JR. Registered Land Surveyor No. 37557

Address 35 MAPLE ST. City W. NEWBURY State MA Zip _____ Tel. No. (978) 363-8130

Approved _____ Director of Public Works Date _____

Approved _____ Building Inspector Date _____



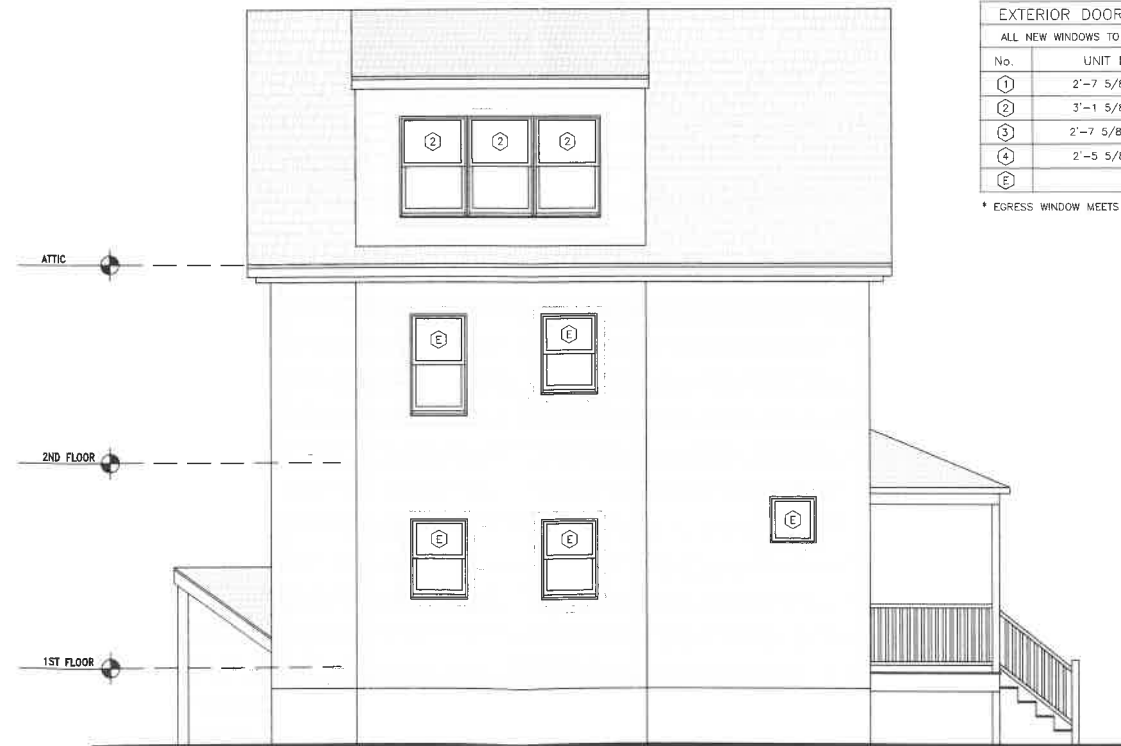
EXISTING FRONT ELEVATION



EXISTING LEFT ELEVATION



EXISTING REAR ELEVATION



EXISTING RIGHT ELEVATION

NOTES:

CONTRACTOR MUST VERIFY ALL SIZES AND ROUGH OPENINGS PRIOR TO ORDERING WINDOWS. CONTACT WINDOW MANUFACTURER FOR DETAILS. CONTACT THE OWNER FOR FINAL SELECTION OF DOORS AND WINDOWS PRIOR TO ORDERING AND PRIOR TO FRAMING DOOR AND WINDOW OPENINGS. VERIFY CLEAR OPENINGS IN ALL BEDROOMS. MINIMUM CLEAR OPENING MUST BE 20 IN (W) X 24 IN (H) AND HAVE MINIMUM OF 5.7 S.F. OF CLEAR OPEN AREA. VERIFY LOCATIONS OF SAFETY GLASS WINDOWS AND DOORS PRIOR TO ORDERING WINDOWS AND DOORS.

SPECIFIC LOCATIONS:

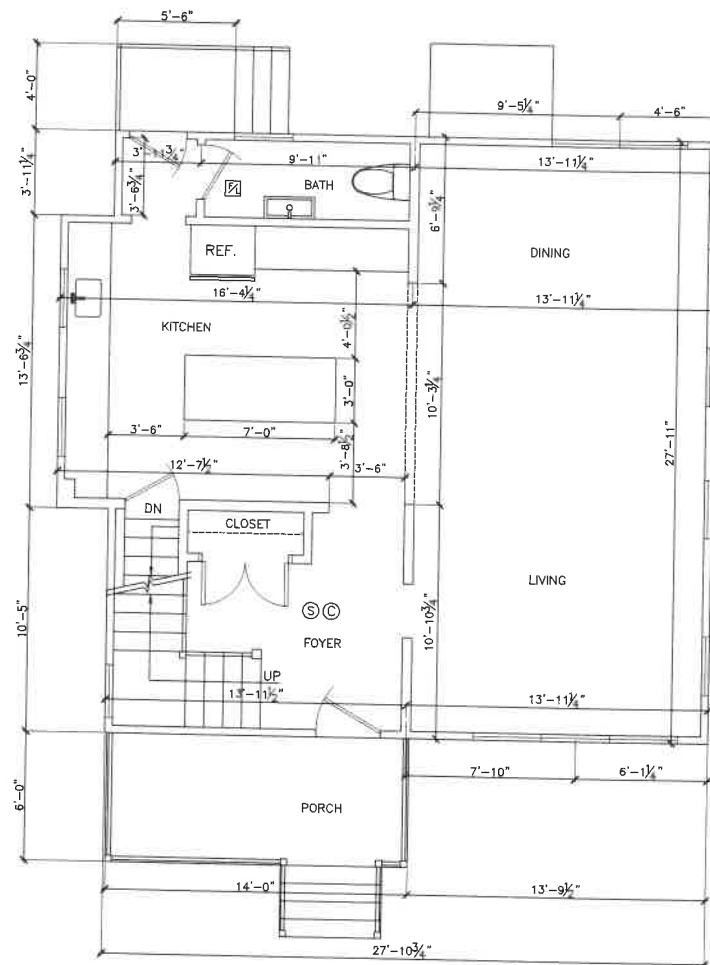
1. GLAZING IN INGRESS AND MEANS OF EGRESS DOORS;
2. GLAZING IN FIXED AND SLIDING PANELS OF SLIDING DOORS AND SWINGING DOORS;
3. GLAZING IN STORM DOORS;
4. GLAZING IN UNFRAMED SWINGING DOORS;
5. GLAZING IN DOORS AND ENCLOSURES FOR BATHTUBS, STEAM ROOMS AND SHOWERS; GLAZING IN ANY PORTION OF A BUILDING WALL ENCLOSING THESE COMPONENTS WHERE THE BOTTOM EXPOSED EDGE OF THE GLAZING IS LESS THAN 60 INCHES ABOVE A STANDING SURFACE;
6. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL ADJACENT TO A DOOR WHERE THE NEAREST EXPOSED EDGE OF THE GLAZING IS WITHIN A 24-INCH ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND WHERE THE BOTTOM EXPOSED EDGE OF THE GLAZING IS LESS THAN 60 INCHES ABOVE THE WALKING SURFACE;
7. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL WHICH MEETS THE FOLLOWING CONDITIONS:
 - a) EXPOSED AREA OF AN INDIVIDUAL PANE GREATER THAN 9 S.F.;
 - b) EXPOSED BOTTOM EDGE LESS THAN 18 INCHES ABOVE THE FLOOR;
 - c) EXPOSED TOP EDGE GREATER THAN 36" ABOVE THE FLOOR;
 - d) ONE OR MORE WALKING SURFACES WITHIN 36 INCHES HORIZONTALLY OF THE PLANE OF THE GLAZING.

EXTERIOR DOORS AND WINDOWS SCHEDULE				
ALL NEW WINDOWS TO MATCH EXISTING WINDOWS STYLE				
No.	UNIT DIMENSIONS	MODEL		REMARKS
①	2'-7 5/8" x 4'-8 7/8"	WDH2646		
②	3'-1 5/8" x 4'-8 7/8"	WDH3046	*	
③	2'-7 5/8" x 1'-7 5/16"	WTR2615		
④	2'-5 5/8" x 3'-0 7/8"	WDH24210		
E				EXISTING WINDOWS

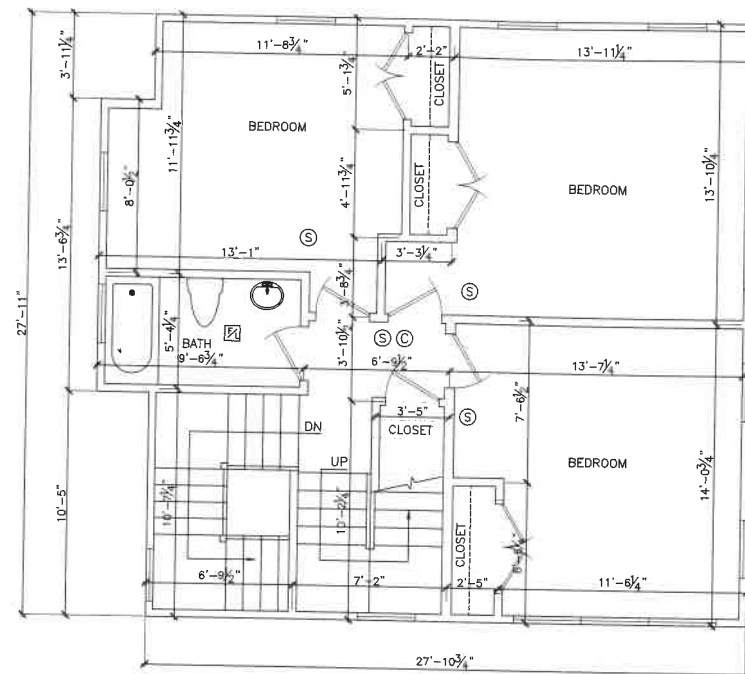
* EGRESS WINDOW MEETS OR EXCEEDS CLEAR OPENING OF 5.7 SF, CLEAR WIDTH 20" AND CLEAR HEIGHT 24"

DATE	REVISION
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PROPOSED ELEVATIONS 19 RIVERSIDE STREET NEEDHAM, MASSACHUSETTS RAV & Assoc., Inc. 21 HIGHLAND AVENUE NEEDHAM, MASSACHUSETTS 02494 TELEPHONE: (781) 449-8200 FAX: (781) 449-8205	
SCALE: 1/4"=1'	
APPROVED: R.A.V.	DESIGNED BY: I.M.
DATE: 10/31/19	DRAWN BY: E.F.
	CHECKED BY: R.A.V.
	DRAWING No. A4

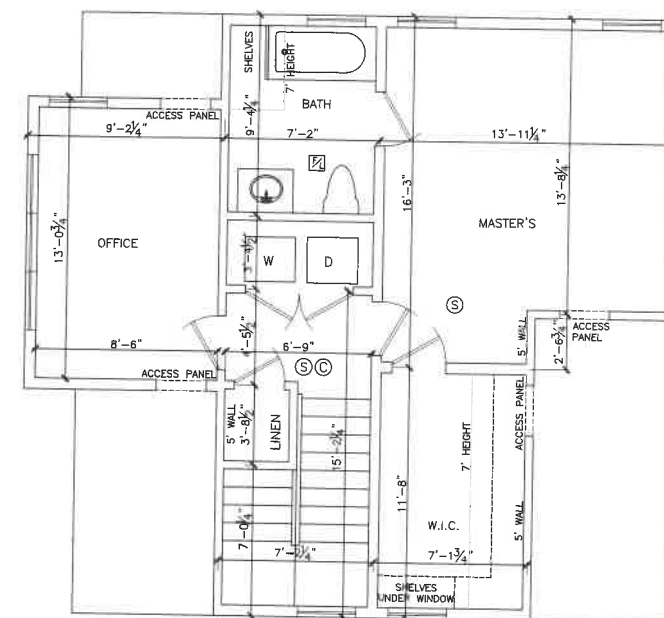




PROPOSED FIRST FLOOR PLAN



PROPOSED SECOND FLOOR PLAN



PROPOSED ATTIC PLAN

LEGEND:

- Ⓢ PHOTO ELECTRIC HARD WIRED SMOKE DETECTOR WITH SECONDARY (STANDBY) POWER SUPPLIED FROM MONITORED BATTERIES
- Ⓛ FAN/LIGHT TO BE VENTED DIRECTLY TO OUTSIDE
- Ⓢ CARBON MONOXIDE DETECTOR
- Ⓢ HEAT DETECTOR

NOTES:

1. ALL EXTERIOR WALLS ARE 2"x6" @ 16" O.C. UNLESS NOTED OTHERWISE.
2. ALL INTERIOR WALLS ARE 2"x4" @ 16" O.C. UNLESS NOTED OTHERWISE.
3. INTERIOR (DEMISING) WALL BETWEEN THE GARAGE AND THE BUILDING IS 2"x6" @ 16" O.C.
4. DIMENSIONS TO THE OUTSIDE (PERIMETER) WALLS ARE TO FACE OF STUDS OR EXTERIOR FACE OF THE FOUNDATION WALL.
5. DIMENSIONS TO THE OUTSIDE (FACE) OF THE INTERIOR WALLS ARE TO FACE OF DRYWALL.

DATE	REVISION

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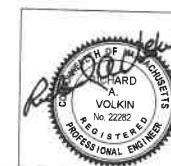
PROPOSED FLOOR PLANS

**19 RIVERSIDE STREET
NEEDHAM, MASSACHUSETTS**

RAV & Assoc., Inc.
21 HIGHLAND AVENUE
NEEDHAM, MASSACHUSETTS 02494
TELEPHONE: (781) 449-8200 FAX: (781) 449-8205

SCALE: 1/4"=1'

APPROVED: R.A.V.	DESIGNED BY: I.M.	DRAWING No.
DATE: 10/31/19	DRAWN BY: E.F.	A2
	CHECKED BY: R.A.V.	

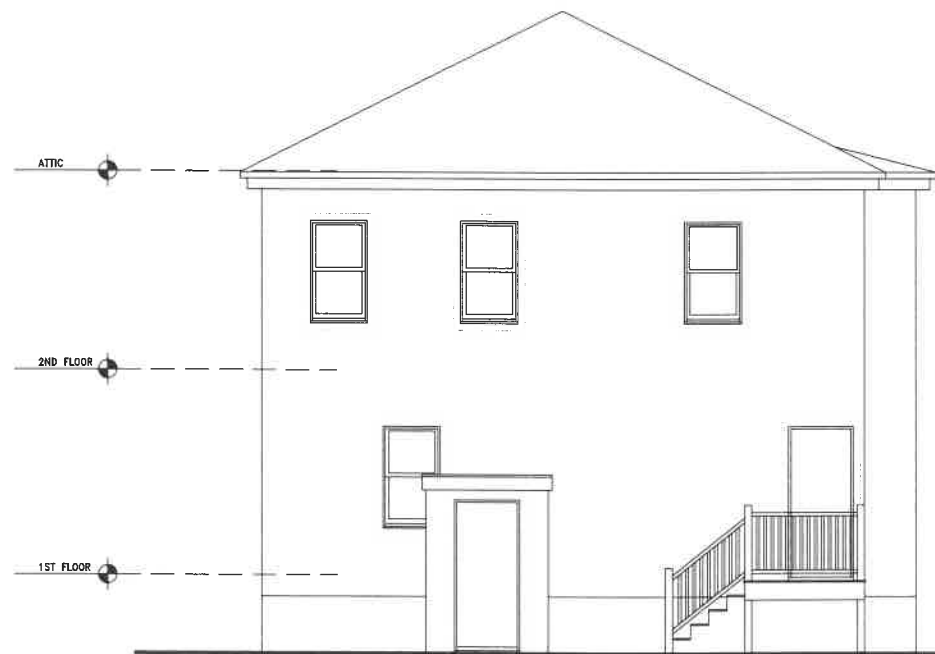




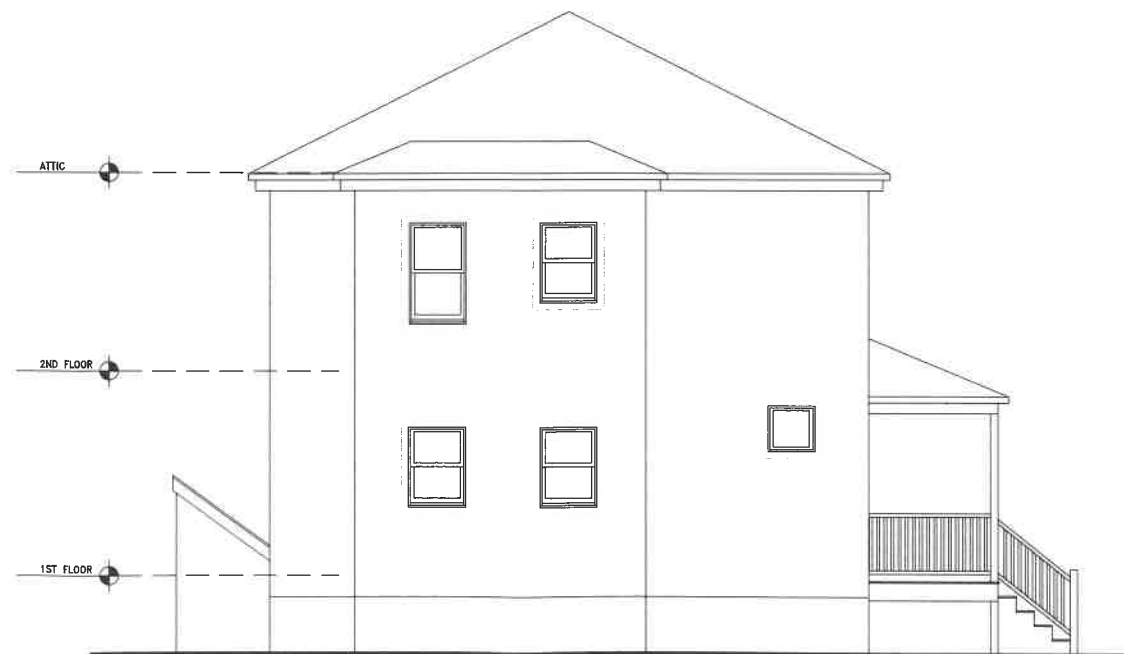
EXISTING FRONT ELEVATION



EXISTING LEFT ELEVATION



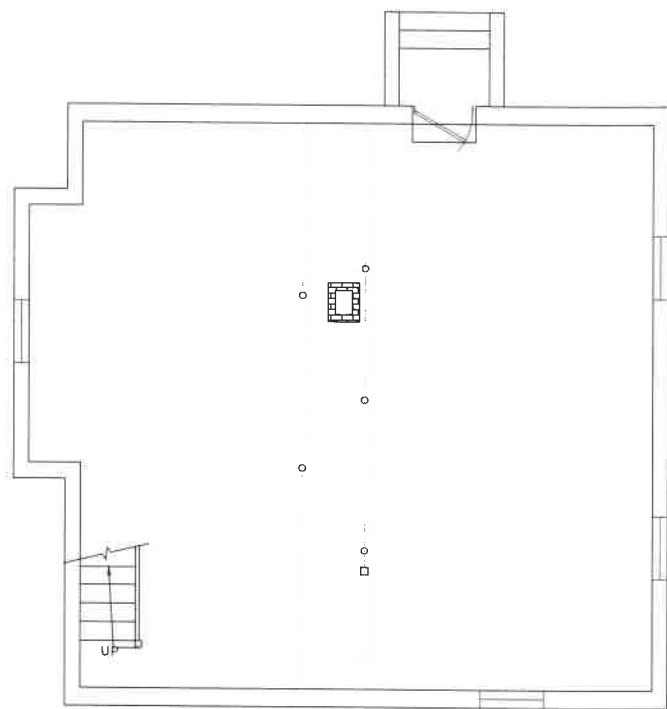
EXISTING REAR ELEVATION



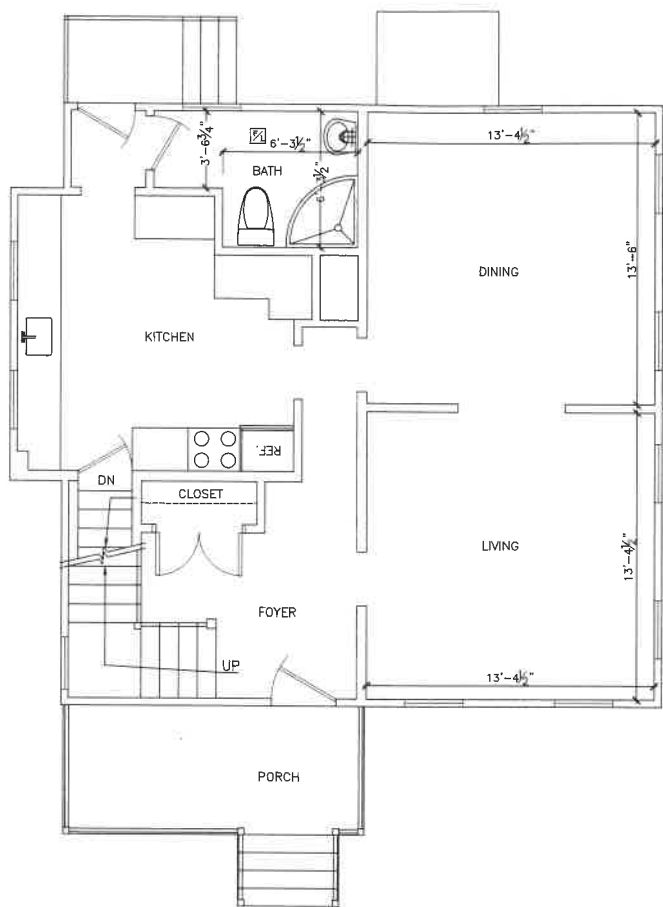
EXISTING RIGHT ELEVATION

DATE	REVISION															
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APPROVED:	R.A.V.	DESIGNED BY:	I.M.	DRAWING No.												
DATE:	10/31/19	DRAWN BY:	E.F.	A3												
		CHECKED BY:	R.A.V.													

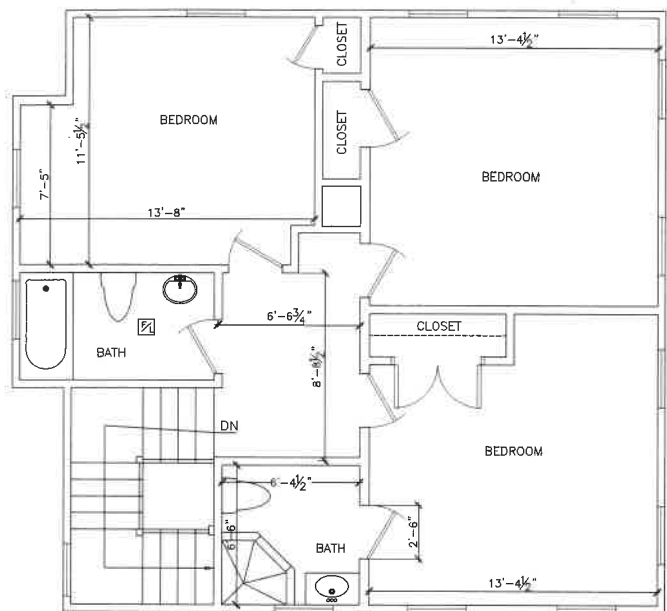




EXISTING BASEMENT PLAN



EXISTING FIRST FLOOR PLAN

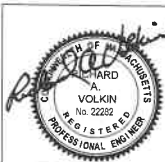


EXISTING SECOND FLOOR PLAN

NOTES:

CARPENTRY:

- ALL ROUGH CARPENTRY SHALL PRODUCE JOINTS TRUE, TIGHT, WITH ALL MEMBERS ASSEMBLED IN ACCORDANCE WITH THE DRAWINGS AND WITH ALL PERTINENT CODES AND REGULATIONS.
- CAREFULLY SELECT ALL MEMBERS. SELECT INDIVIDUAL PIECES SO THAT KNOTS AND DEFECTS WILL NOT INTERFERE WITH PLACING BOLTS OR PROPER NAILING OR MAKING CONNECTIONS.
- LUMBER MAY BE REJECTED BY THE ENGINEER, WHETHER OR NOT IT HAS BEEN INSTALLED, FOR EXCESSIVE WARP, TWIST, BOW, CROOK, MILDEW, FUNGUS, OR MOLD, AS WELL AS FOR IMPROPER CUTTING AND FITTING.
- DO NOT SHIM SILLS, JOISTS, SHORT STUDS, TRIMMERS, HEADERS, LINTELS, OR OTHER FRAMING COMPONENTS.
- USE ONLY TREATED LUMBER FOR ALL WOOD BUCKS AND NAILING GROUNDS IN, OR IN CONTACT WITH CONCRETE.
- TREAT ALL WOOD LESS THAN TWO FEET ABOVE FINISHED GRADE BY SPRAYING WITH THE PRESERVATIVE TO A MINIMUM DISTANCE OF SIX INCHES FROM THE ENDS. PERFORM ALL TREATMENT IN STRICT ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
- IN ADDITION TO ALL FRAMING OPERATIONS NORMAL TO FABRICATION AND ERECTION INDICATED ON THE DRAWINGS, INSTALL ALL BACKING REQUIRED FOR WORK OF OTHER TRADES.
- MAKE ALL BEARINGS FULL. FINISH ALL BEARING SURFACES ON WHICH STRUCTURAL MEMBERS ARE TO REST SO AS TO GIVE SURE AND EVEN SUPPORT. WHERE FRAMING MEMBERS SLOPE, CUT OR NOTCH THE ENDS AS REQUIRED TO GIVE UNIFORM BEARING SURFACE.
- INSTALL ALL BLOCKING REQUIRED TO SUPPORT ALL ITEMS OF FINISH AND TO CUT OFF ALL CONCEALED DRAFT OPENINGS, BOTH VERTICAL AND HORIZONTAL, BETWEEN CEILING AND FLOOR AREAS.
- FIRE BLOCKS SHALL BE TWO INCHES IN THICKNESS (NOMINAL) BY THE FULL WIDTH OF THE OPENING BEING BLOCKED.
- FIRE-BLOCK IN THE FOLLOWING SPECIFIC LOCATIONS:
- (1) IN ALL STUD WALLS AT CEILING AND FLOOR LEVELS;
 - (2) IN ALL STUD WALLS, INCLUDING FURRED SPACES, SO THAT THE MAXIMUM DIMENSION OF EACH CONCEALED SPACE IS NOT MORE THAN EIGHT FEET;
 - (3) ALL OTHER LOCATIONS WHERE OPENINGS COULD AFFORD PASSAGE FOR RODENTS OR FLAMES.
- INSTALL WOOD CROSS BRIDGING OF NOT LESS THAN TWO INCHES BY THREE INCHES NOMINAL, METAL CROSS BRIDGING OF EQUAL STRENGTH, OR SOLID BLOCKING BETWEEN JOISTS WHERE THE SPAN EXCEEDS EIGHT FEET.
- INSTALL SOLID BLOCKING BETWEEN JOISTS AT ALL POINTS OF SUPPORT AND WHEREVER SHEATHING OR FLOORING IS DISCONTINUOUS.
- MAKE ALL STUDS SINGLE LENGTH, UNSPLICED, AND PLATFORM FRAMED. FRAME ALL CORNERS AND INTERSECTIONS WITH THREE OR MORE STUDS AND ALL REQUIRED BEARING FOR WALL FINISH.
- ON ALL FRAMING MEMBERS TO RECEIVE A FINISHED WALL OR CEILING, ALIGN THE FINISH SUBSURFACE TO VARY NOT MORE THAN 1/8" FROM THE PLANE OF SURFACES OF ADJACENT FRAMING AND FURRING MEMBERS.
- PLACE ALL PLYWOOD WITH FACE GRAIN PERPENDICULAR TO SUPPORTS AND CONTINUOUSLY OVER AT LEAST TWO SUPPORTS.
- ALL DOORS AND WINDOWS MUST BE INSTALLED WITH ALL NECESSARY APPURTENANCES AND TRIMS.



DATE		REVISION	
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EXISTING FLOOR PLANS			
19 RIVERSIDE STREET NEEDHAM, MASSACHUSETTS			
RAV & Assoc., Inc. 21 HIGHLAND AVENUE NEEDHAM, MASSACHUSETTS 02494 TELEPHONE: (781) 449-8200 FAX: (781) 449-8205			
SCALE: 1/4"=1'			
APPROVED: R.A.V.		DESIGNED BY: I.M.	
DATE: 10/31/19		DRAWN BY: E.F.	
		CHECKED BY: R.A.V.	
		DRAWING No. A1	



Theodora K. Eaton, MMC
Town Clerk

TOWN OF NEEDHAM

Office of the Town Clerk

1471 Highland Avenue, Needham, MA 02492-0909

Telephone (781) 455-7500 x216

Fax (781) 449-1246

Email: Teaton@needhamma.gov

December 10, 2019

Needham Select Board and
Needham Planning Board
Town of Needham
1471 Highland Avenue
Needham, MA 02492

Dear Members of the Select Board and the Needham Planning Board:

I have received a letter of resignation from Elizabeth Jane Grimes, elected member of the Planning Board, effective January 2, 2020.

Once again, I would like to outline the methodology for filling a vacancy on an elected board under Massachusetts General Laws Chapter 41, Section 11, Subsection 81A:

“The remaining members (Needham Planning Board) write to the Select Board, within one month of the vacancy, informing them of the vacancy. Then, the Select Board, with the remaining members of the Needham Planning Board, after one week’s public notice, fill the vacancy by roll call vote. If the remaining members do not inform the Select Board within one month, the Select Board fill the vacancy by themselves. In either case, a majority vote of all the officials eligible to vote is required to select a replacement. Whoever is selected must be a registered voter in the town and perform the duties of the office until the next Annual Town Election or until another person is qualified.”

If you have any questions, please don’t hesitate to contact me.

Sincerely,

Theodora K. Eaton, MMC,
Town Clerk

Cc: Kate Fitzpatrick, Town Manager
Lee Newman, Director, Needham
Planning Board

Schedule for Highway Commercial-1 May Town Meeting

Tuesday January 7, 2020 – Planning Board to discuss information to include in invitation

Monday January 13, 2020 – send out community meeting invitation (2 weeks in advance of mtg)

Monday January 27, 2020 – Community Meeting

Tuesday February 4, 2020 – Planning Board to finalize language to include in legal notice

Vote to send language to Select Board

Friday February 7, 2020 – Send legal notice to the newspaper

Tuesday February 11, 2020 – Select Board refer back zoning article to Planning Board

Thursday February 13, 2020 – Post notice with Town Clerk, first run in newspaper

Thursday February 20, 2020 – second run in paper

Wednesday March 4, 2020 – Hearing date

Tuesday March 17, 2020 – Discuss hearing and finalize language