

NEEDHAM PLANNING BOARD

Tuesday June 2, 2020

7:15 p.m.

Virtual Meeting using Zoom

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

(Instructions for accessing below)

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

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

1. Discussion of Annual Town Meeting zoning articles.
2. Discussion of proposed new use at 100 West Street. Redevelop and zoning change of the property to enable an 83 unit Assisted Living and Alzheimer's/Memory Care facility and 71 Independent Living Apartments.
3. Board of Appeals – June 18, 2020.
4. Minutes.
5. Correspondence.
6. Report from Planning Director and Board members.

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

LEGAL NOTICE
Planning Board,
TOWN OF NEEDHAM
NOTICE OF HEARING

Revised March 20, 2020 to Accommodate Conversion from On-Site to Remote Participation

In accordance with the provisions of M.G.L., Chapter 40A, S.5, the Needham Planning Board will hold a public hearing on Wednesday, April 15, 2020 at 7:05 p.m. regarding certain proposed amendments to the Needham Zoning By-Law to be considered by the May 2020 Annual Town Meeting.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, Section 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this public hearing of the Needham Planning Board is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but the public can view and participate in this meeting while in progress by remote access following the instructions detailed below. The subject hearing had previously been noticed for the Needham Town Hall, Powers Hall, 1471 Highland Avenue, Needham, MA.

To view and participate in this virtual meeting on your phone, download the "Zoom Cloud Meetings" app in any app store or at www.zoom.us. At the above date and time, click on "Join a Meeting" and enter the following Meeting ID: 394240461

To view and participate in this virtual meeting on your computer, at the above date and time, go to www.zoom.us click "Join a Meeting" and enter the following ID: 394240461

Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment through the zoom app.

Persons interested are encouraged to call the Planning Board office (781-455-7550) for more information. A copy of the complete text of the proposed article is detailed below. The article designation given has been assigned by the Planning Board for identification purposes only. An article number will subsequently be established by the Select Board for the Warrant.

ARTICLE 1: MAP CHANGE TO GENERAL RESIDENCE B ZONING DISTRICT

To see if the Town will vote to amend the Needham Zoning Bylaw by amending the Zoning Map as follows:

Place in the Single Residence B Zoning District (i) all that land now zoned Single Residence A bounded generally to the northwest by a point at the northwesterly end of Parcel 73 on Needham Assessor's Map No. 66, to the northeast by the State Circumferential Highway, to the southeast by Kendrick Street, and to the northwest by Hunting Road; said land comprising Parcels 65, 66, 67, 68, 69, 70, 71, 72 and 73 on said Map No. 66 and Parcels 25, 26 and 27 on Needham Assessor's Map No. 58; as well as (ii) all that land now zoned Single Residence A bounded generally to the northwest by Kendrick Street, to the northeast by the State Circumferential Highway, to the southeast by Cheney Street, and to the southwest by Hunting Road, said land comprising Parcels 1, 2, 3, 4, 18, 19, 20, 21, 22, 23 and 24 on said Map No. 58.

So much of said land comprising Parcels 65, 66, 67, 68, 69, 70, 71, 72 and 73 on said Map No. 66 and Parcels 25, 26 and 27 on Needham Assessor's Map No. 58 being bounded and described as follows:

Beginning at a point on the northeasterly side of Hunting Road at the northwesterly end of Parcel 73 on Needham Assessor's Map No. 66; thence running southeasterly along the southwesterly side of the State Circumferential Highway a distance of 1,792.15 feet to Kendrick Street; thence running westerly and northwesterly along the northerly side of Kendrick Street, 328.72 feet to Hunting Road; thence running northwesterly along the northeasterly line of Hunting Road, 1,359.60 feet, to the point of beginning.

And so much of said land comprising Parcels 1, 2, 3, 4, 18, 19, 20, 21, 22, 23 and 24 on Needham Assessor's Map No. 58 being bounded and described as follows: Beginning at a point on the southerly side of Kendrick Street, at the intersection with Hunting Road, thence running westerly 250.08 feet to the southwesterly side of the State Circumferential Highway; thence running generally southeasterly along the southwesterly side of the State Circumferential Highway a distance of 224.63 feet to Cheney Street; thence running southerly along the westerly line of Cheney Street a distance of 371.7 feet to the intersection with Hunting Road; thence running northwesterly along Hunting Road, a distance of 14.19 feet; thence running southerly by Hunting Road, along a curved line, a distance of 68.91 feet; thence running northwesterly along the northeasterly side of Hunting Road 444.24 feet; thence running along a curved line at the intersection of Hunting Road and Kendrick Street a distance of 95.20 to the point of beginning.

Be any or all of said measurements, more or less.

ARTICLE 2: AMEND ZONING BY-LAW – PEDIATRIC MEDICAL FACILITY IN NEW ENGLAND BUSINESS CENTER DISTRICT

To see if the Town will vote to amend the Zoning By-Law as follows:

1. In Section 1.3 Definitions, by adding the following after the existing definition of "Hospital, Community" and before the existing definition of "Hotel or Motel":

Hospital, Pediatric: A Hospital in which not less than three-quarters of its patients are Pediatric Patients as defined in 105 CMR 130.700 and which provides a broad range of ambulatory and inpatient services to children and young adults under the age of twenty-six (26).

2. In Section 1.3 Definitions, by adding the following after the existing definition of "Medical Clinic", and before the existing definition of "Medical Laboratory":

Medical Facility, Pediatric shall mean a facility with one or more of the following uses each primarily (not less than three-quarters) for children and young adults under the age of twenty-six (26), where, in each case, the uses are owned, operated or managed directly by a Pediatric Hospital or through a corporate affiliate controlled by a Pediatric Hospital (excluding any affiliate which is a hospital whose primary purpose is the provision of health care services to adults): (i) doctor's offices, dentist's offices, orthodontic services, psychiatric, psychological and other mental health services, imaging and laboratory services, sale, rental and repair of medical devices and equipment or other health care or health care services on an ambulatory or outpatient basis; (ii) professional, business or administrative office; (iii) a medical clinic or medical, surgical, psychiatric, dental, orthodontic, or psychologist group practices comprised of three or more such professionals; (iv) facility for the provision of testing, analytical, diagnostic, pharmaceutical or other health care support services, equipment or procedures; (v) Determination of Need Required Equipment or Determination of Need Required Services as each is defined in 105 CMR 100; (vi) cell generation, gene therapy, and infusion treatment; (vii) medical offices; (viii) diagnosis or medical, surgical, restorative or other treatment that is rendered within said facility on an ambulatory or outpatient basis, including, without limitation, patient and retail pharmacy, physical, speech and occupational therapy, transitional care and rehabilitation respite, palliative care and behavioral medicine, specialty clinics, radiation oncology, alternative medicine treatment, mobile diagnostic services, meeting and conference facilities, stock rooms, laundries, staff and administrative office; (ix) accessory uses customarily conducted in coordination with any of the foregoing, including, without

limitation, retail establishments, cafeteria, gift and coffee shops, indoor athletic exercise facility, and research laboratories.

3. In Section 3.2.4 Uses in the New England Business Center District, by adding a new subsection (j) to subsection 3.2.4.2 Uses Permitted by Special Permit, to read as follows:

(j) Medical Facility, Pediatric

4. In Section 5.1.2. Required Parking, by adding a new subsection (19), to read as follows:

(19) Medical Facility, Pediatric

One (1) parking space per 290 square feet of floor area

5. In Section 5.1.2. Required Parking, by renumbering existing subsection (19) “Mixed Uses” as subsection (20), and renumbering existing subsection (20) “Any use permitted by this Zoning By-Law” as a new subsection (21).

Interested persons are encouraged to attend the public hearing and make their views known to the Planning Board. This legal notice is also posted on the Massachusetts Newspaper Publishers Association’s (MNPA) website at (<http://masspublicnotices.org/>).

Needham Times, March 26, 2020 and April 2, 2020.

FRIEZE CRAMER ROSEN & HUBER LLP
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EVANS HUBER
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May 8, 2019

Members of the
Needham Planning Board

And

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

Re: 100 West Street, Needham

Dear Planning Board Members and Ms. Newman:

This office represents LCB Senior Living, 3 Edgewater Drive, Suite 101, Norwood, MA 02062, the prospective purchaser of 100 West Street, Needham, MA 02494. ("LCB"). The property is a 4.298 acre parcel (187,219 SF) located at the corner of Highland Avenue and West Street previously occupied by Avery Crossing, a 60 unit assisted living/memory care facility, Avery Manor, a 142 bed skilled nursing facility, and medical offices comprising approximately 8,308 SF.

The entire building, and the great majority of the property, is located in the Avery Square Business District (ASB), with a portion of the property located in the Single Residence B Zoning District. The property is currently vacant and is improved by a three story brick building of approximately 186,000 SF, outdoor parking areas to the south and west of the building and an indoor parking area. The original Planning Board Decision authorizing the former uses was Site Plan Special Permit No. 93-4, dated October 12, 1993, and amended on February 8, 1994, February 25, 1995, May 6, 1996, August 20, 1996 and April 20, 2004.

LCB is proposing to redevelop the property to include an 83 unit Assisted Living and Alzheimer's/Memory Care facility and 71 Independent Living Apartments. The existing 3 story brick building will remain. The existing footprint of the building will not change and, in order to make the project financially feasible, a partial fourth story will be added to create 10 of the proposed 71 Independent Living Apartments. The parking lot to the south of the building will

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remain unchanged except for selected new landscaping and the parking lot west of the building and adjacent to the railroad right of way will be modified slightly, including selected new landscaping.

The building is a legal, pre-existing non-conforming structure. Some aspects of the proposed redevelopment can be accomplished by special permit by the Planning Board, but other aspects of the proposed redevelopment will require zoning changes. After discussions with the Town Planner, the Chairman of the Planning Board, and the Building Commissioner, it was determined that the preferable course of action was to create an Avery Square Overlay District and to limit the boundaries of that district to the portion of the property that is located in the Avery Square Business District. The portion of the property lying in the adjacent Residential B District consists entirely of a portion of the south parking area, and landscaped areas. As noted above, no portion of the building is located in the residential district.

We have prepared two draft zoning articles, attached for your review. The first article creates the Avery Square Overlay District ("ASOD") and the second article is a map change. In an effort to draw the articles narrowly so as to minimize unintended consequences, the proposed zoning changes closely mirror what is actually intended to be constructed. The principal proposed zoning changes and additions are:

- 1) The maximum allowable height of a structure in the ASB is 35 feet. The proposed zoning change will increase the maximum allowable height of a structure in the ASOD to (a) 44 feet to the top of the fourth story, including mechanical systems, except that (b) the two elevator mechanical systems will have a maximum allowable height of 49 feet.
- 2) The maximum number of stories allowed in the ASB is 2 ½, and only two stories may be occupied. However, the current building is a 3-story legal, pre-existing non-conforming structure with occupancy on all three stories. The proposed zoning change is to increase the maximum allowable number of stories in the ASOD to 4, with all four stories permitted to be occupied (note that a portion of the first level will continue to be an indoor parking area).
- 3) The proposed fourth story is limited so that any structures (including mechanicals) on the fourth story must be set back from the façade of the existing structure by 35 feet on the south, 15 feet on the east, 110 feet on the north (except for the northern-facing side of the building at the rear of the West Street parking area and closest to the MBTA right of way, which is proposed to be 0 feet), and 0 feet on the west. Please note that to the west of the building is a parking area, which is immediately adjacent to the railroad right of way, which in turn is adjacent to the Hillside Avenue Business District.
- 4) The proposed fourth story is also limited so that the total floor area of any fourth floor addition to the existing building (excluding mechanicals such as HVAC equipment) may not exceed thirty-five percent (35%) of the total roof area of the existing building.

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5) The maximum allowable floor area ratio (FAR) in the ASB is 0.7, and the proposed maximum allowable FAR in the ASOD is 1.1. The area of the building devoted to parking garages is not included in FAR calculations, as is the case in some of the other zoning districts in Needham, such as the Medical, Needham Center, Lower Chestnut Street, and Garden Street Overlay Districts, and the Elder Services Zoning District.

6) The proposed parking requirement for Independent Living Apartments is 1 space per Apartment. For comparison purposes, the parking requirement for Independent Living Apartments in the Elder Services Zoning District is 0.5, and the parking requirement for the A-2 Zoning District (where North Hill is located) is 1.5. The proposed parking requirement for the Assisted Living and Alzheimer/Memory Loss units is the same as is already set forth in Section 5.1.2 of the Bylaw for nursing homes and residential care facilities; one space for every two beds, plus one space for every two employees on the largest shift.

7) Both Independent Living Apartments and Assisted Living and Alzheimer/Memory Loss Facilities are proposed to be allowed as a matter of right in the ASOD. We note that although the Planning Board sometimes prefers certain uses to be allowed by special permit instead of as a matter of right, we believe that in this very limited overlay district, designating these two uses to be allowable as a matter of right is warranted because (a) an assisted living/memory care facility operated in this building for almost 25 years; (b) Independent Living Apartments are in very short supply in Needham; (c) the property is close to the Senior Center and the Needham Heights train stop; (d) many other nearby commercial businesses are within walking distance of the proposed development; and (e), the other restrictions set forth in the proposed zoning articles will ensure, to the maximum extent possible, that the project maintains and promotes the existing character of the neighborhood.

8) The proposed ASOD bylaw requires that ten percent (10%) of the Independent Living Apartments to be affordable units.

The proposed map change article defines the boundaries of the ASOD as matching the boundaries of the property, except that on the south, the boundary of the ASOD matches the boundary of the ASB established in 1992. Although this means that a small portion of the property (including, as noted above) a portion of the south parking area, will not be in the ASOD, but will continue to be located in the adjacent SRB district, we believe this may be preferable to creating an overlay district whose boundaries extend into the current, adjacent SRB district.

Our consultants have prepared a number of documents and plans to assist you in analyzing the proposed development. They include:

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Lee Newman

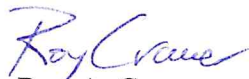
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1. Traffic Impact Study, prepared by McMahon Associates, 120 Water Street, Unit 1, Boston, MA 02109, dated April 2020
2. Fiscal Impact Analysis, prepared by Fougere Planning + Development, 253 Jennison Road, Milford, NH 03055, dated May 4, 2020;
3. Existing Conditions and Proposed Conditions Site Plans, and Zoning and Parking Tables, prepared by Kelly Engineering Group, 0 Campanelli Drive, Braintree, MA 02184
4. Landscaping Plan, prepared by Hawk Design Inc., P.O. Box 1309, Sandwich, MA 02563
5. Floor plans, roof plan, elevation plans, photographs and renderings (including existing and proposed views of the property from various vantage points), prepared by The Architectural Team, Inc., 50 Commandants Way, Chelsea, MA 02150. With respect to these plans and renderings, please note:
 - a. the elevations and view renderings show the fourth floor units and screening of mechanicals as being built to the maximum height allowed by the proposed bylaw, although LCB expects that the fourth floor units and screening will be somewhat lower than the maximum allowable height;
 - b. the color of the exterior of the fourth floor units, and the color of the screening, has not yet been determined; and
 - c. the height and exact location of all mechanical systems on the roof has not been finalized, and as a result there may be minor adjustments to the location and height of the screening around those mechanical systems.

We look forward to meeting with you (via Zoom) on May 19, 2020. It is our hope that you will look favorably on this project and agree to sponsor the zoning changes at the Fall, 2020 Town Meeting, as was preliminarily discussed at our initial meeting with the Town Planner, Planning Board Chair and Building Inspector described above.

Sincerely,


Roy A. Cramer



Evans Huber

**ARTICLE 2: AMEND ZONING BY-LAW – MAP CHANGE TO AVERY SQUARE
OVERLAY DISTRICT**

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map as follows:

- (a) Place in the Avery Square Overlay District all that land described as follows, and superimposing that District over the existing Avery Square Business District:

Beginning at the point of intersection of the westerly sideline of Highland Avenue and the northerly sideline of what was formerly known as Hildreth Place (said former Hildreth Place as shown on Needham Town Assessors Map 63); thence running northerly by the westerly sideline of Highland Avenue to the point of curvature of a curve having a radius of 20 feet and an arc length of 29.27 feet; said curve being a property rounding of the intersection of the westerly sideline of Highland Avenue and the southerly sideline of West Street; thence running northerly, northwesterly, and westerly by said curve to the point of tangency of said curve located on the southerly sideline of West Street; thence running westerly by the southerly sideline of West Street to the point of intersection of the southerly sideline of West Street and the easterly right of way line of MBTA property; thence running southerly by said easterly right of way line of MBTA property to the intersection of the easterly right of way line of MBTA property and the northerly sideline of what was formerly known as Hildreth Place; thence running easterly by the northern boundary of what was formerly known as Hildreth Place, to the point of beginning.

The land is also shown on Needham Town Assessors Map 63, Parcel 37, but excluding any land to the south of the northerly sideline of what was formerly known as Hildreth Place.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Explanation: This article describes the geographical boundaries of the new Avery Square Overlay District, which is bounded on the north by West Street; on the east by Highland Avenue; on the south by the northern and western boundaries of the property located at 1049 Highland Avenue and the northern boundary of the property located at 95 Dana Place; and on the west by the MBTA commuter railroad right-of-way.

ZONING/LAND USE ARTICLES

ARTICLE 1: AMEND ZONING BY-LAW – AVERY SQUARE OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) Amend the definition of “Independent Living Apartments” in Section 1.3, Definitions, by (i) adding the words “or Avery Square Overlay District” after the words “Elder Services Zoning District”; (ii) deleting the word “only” before the words “residential uses”; and (iii) adding to the end of the definition the sentence “; provided, however, that within the Avery Square Overlay District, as provided in Section 3.15.3.1, below, such Independent Living Apartments may be located in a building that also houses Assisted Living units, and/or Alzheimer’s/Memory Loss units, but need not be part of a Continuing Care Retirement Community.”, so that it reads as follows:

A building in the Elder Services Zoning District or Avery Square Overlay District containing three or more dwelling units, which building houses residential uses and support services accessory thereto, intended primarily as independent living units for individuals aged 55 years or older, and/or families with at least one family member aged 55 years or older, within a Continuing Care Retirement Community; provided, however that within the Avery Square Overlay District, as provided in Section 3.15.3.1, below, such Independent Living Apartments may be located in a building that also houses Assisted Living units, and/or Alzheimer’s/Memory Loss units, but need not be part of a Continuing Care Retirement Community.

- (b) Amend Section 2.1 Classes of Districts by adding the following term and abbreviation under the subsection Overlay:

“ASOD -- Avery Square Overlay District”

- (c) Amend Section 3, Use Regulations, by adding a new Subsection 3.15, Avery Square Overlay District, to read as follows:

“3.15 Avery Square Overlay District

3.15.1 Purposes of District

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

density and dimensional requirements that normally apply in the underlying zoning district provided that such development complies with all other requirements of this Section 3.15.

3.15.2 Scope of Authority

In the Avery Square Overlay District, all requirements of the underlying district shall remain in effect except where this Section 3.15 provides an alternative to such requirements, in which case the requirements of this Section 3.15 shall prevail. If the provisions of the Avery Square Overlay District are silent on a requirement that applies in the underlying district, the requirements of the underlying district shall apply.

By filing an application for a Special Permit, site plan review or building permit under this Section 3.15, an applicant shall be deemed to accept and agree to the provisions and requirements of this Section 3.15. If an applicant elects to proceed pursuant to zoning provisions of the underlying district, the provisions and requirements of this bylaw applicable in the underlying district shall control and the provision of the Avery Square Overlay District shall not apply.

3.15.3 Use Regulations

3.15.3.1 Permitted Uses

The following uses are permitted in the Avery Square Overlay District as a matter of right:

- (a) Uses exempt from local zoning control under M.G.L. c.40A, s. 3.
- (b) Public, semi-public and institutional uses permitted as of right in the underlying district.
- (c) Business uses permitted as of right in the underlying district.
- (d) Mixed-use buildings, including buildings containing Assisted Living units and/or Alzheimer's/Memory Loss units, and Independent Living Apartments.
- (e) accessory uses permitted as of right in the underlying district.

3.15.3.2 Special Permit Uses

The following uses are allowed by Special Permit:

- (a) All uses allowed by special permit in the Avery Square Business District as set forth in Section 3.2.2 of this Bylaw, except those uses permitted as a matter of right as set forth in Section 3.15.3.1, above.

3.15.4 Dimensional Regulations

3.15.4.1 Building Height and Related Requirements

The maximum building height (including mechanical structures such as HVAC equipment) in the Avery Square Overlay District shall be 44 feet. This height limitation shall not apply to elevator shaft overruns, which shall not exceed a maximum height of 49 feet.

A building or structure which is located on property in the Avery Square Overlay District may include, but not exceed, four (4) stories, all of which may be occupied.

For the fourth story, minimum setback requirements, measured from the façade(s) of the building on which such fourth story is located, shall be as follows: from the eastern facade of the building (facing Highland Ave), fifteen (15) feet; from the northern façade of the building (closest to and facing West Street), one hundred and ten (110) feet; from the northern facade of the rear of the building (at the rear of the West Street parking area and closest to the MBTA right-of-way), zero (0) feet; from the western facade of the building, zero (0) feet; from the southern facade of the building, thirty-five (35) feet.

The total floor area of any fourth floor addition to the existing building may not exceed thirty-five percent (35%) of the total roof area of the existing building. Mechanical equipment, including but not limited to HVAC equipment, whether or not enclosed, shall not be included in the calculation of maximum allowable floor area hereunder.

Buildings developed under the regulations of the Avery Square Overlay District shall not be subject to any other height limitations nor any other limitations contained in Section 4.4.3.

3.15.4.2 Building Bulk and Other Requirements

The maximum floor area ratio in the Avery Square Overlay District shall be 1.1. The enclosed area of a building devoted to off-street parking shall not be counted as floor area for purposes of determining the maximum floor area ratio. Buildings developed under the regulations of the Avery Square Overlay District shall not be subject to any other limitations on floor area ratio, lot coverage, or building bulk such as are contained in Sections 4.4.2, 4.4.7 and 4.4.9.

3.15.5 Off-Street Parking

Except as provided below, the off-street parking regulations in Section 5.1 and the regulations for enclosed parking in Section 4.4.6 shall apply in the Avery Square Overlay District.

(a) The minimum number of off-street parking spaces in Section 5.1.2 shall apply except as follows:

(1) For Independent Living Apartments, there shall be one space per Apartment.

(2) For Assisted Living units and Alzheimer's/Memory Loss units, the parking requirement shall be the same as the number of spaces that is currently required under Section 5.1.2 for a nursing home or a residential care institution or facility, which is one space for every two beds, plus one space for each two employees on the largest shift.

(b) Notwithstanding anything to the contrary elsewhere in this Bylaw, including but not limited to Section 4.4.8.4, in the event that land located in the Single Residence B Zoning District

(1) is adjacent to the Avery Square Overlay District;

(2) is in common ownership with adjacent land located in the Avery Square Overlay District;

(3) prior to approval of this Section 3.15, was improved as a parking area associated with a building located in the Avery Square Overlay District; and

(4) is located not more than one hundred (100') feet from the boundary line between the Single Residence B Zoning District and the Avery Square Business District,

then said land may, as a matter of right, be used as a parking area accessory to uses permitted in the Avery Square Overlay District by right or by special permit.

3.15.6 Affordable Housing

Any mixed-use building with ten or more Independent Living Apartments shall include affordable housing units as defined in Section 1.3 of this By-Law. The following requirements shall apply to a development that includes affordable units:

(a) If the Applicant provides at least one-half of the affordable Independent Living Apartments for households with incomes at or below 50% of area median income, the remaining affordable Independent Living Apartments may be rented to households with incomes up to 100% of area median income even if the latter units are not eligible for the Subsidized Housing Inventory, regardless of any requirements to the contrary set forth in Section 1.3.

(b) For a development with ten or more Independent Living Apartments, ten percent (10%) of the Independent Living Apartments shall be affordable units. In the instance of a fraction, the fraction shall be rounded up to the nearest whole number. There shall be no affordable housing requirement for nursing homes, convalescent homes,

Assisted Living and Alzheimer's/Memory Loss Facilities, or residential care institutions or facilities.

- (c) Affordable units shall be dispersed within the building and not concentrated in one area or on one floor. They shall generally be comparable in size, energy efficiency, quality, convenience, and unit-specific real estate-related amenities to the development's market-rate units. Services and other amenities that may be purchased by residents on a voluntary basis are not to be considered unit-specific real estate-related amenities and are excluded from such comparability requirements.
 - (d) The selection of eligible homebuyers or renters for the affordable units shall be in accordance with a marketing plan approved by the Needham Planning Board prior to the issuance of any building permits for the development.
 - (e) The affordable units shall be subject to an affordable housing restriction as defined in Section 1.3 of this By-Law with limitations on use, occupancy, resale prices or rents, as applicable, and which provides for periodic monitoring for compliance with the requirements of said restriction.
- (d) Amend Section 4.4.4 Front Setback, by adding the following paragraph after the fourth paragraph of that section:
- In the Avery Square Overlay District, the setback, if any, shall be kept open and landscaped with grass, plants, and other non-paving materials such as mulch, and shall be unpaved except for patios, walks, and driveways as defined in section 4.4.5. Walls (including walls serving in part as retaining walls) no higher than 36 inches above the grade of the patios, as well as fencing and privacy screening, along the front and side edges of the patios, shall be allowed in the Avery Square Overlay District.
- (e) Amend Section 4.4.6 Enclosed Parking, by adding the phrase "for each square foot" before the words "of parking space (excluding driveways and aisles)" on the fourth line of the first paragraph of that section so that it reads as follows:
- Whenever off-street parking is provided underground and/or within a building itself, the maximum area coverage of the building may be increased up to the limits of the required setback as provided herein. The lot coverage of the building may be increased up to 2 ½ % points above the maximum allowed percentage, by one square foot for each square foot of parking space (excluding driveways and aisles) that is underground and/or within the building itself.

Parking which is under a building or partially underground shall, except for driveways, be separated from the street line by building space occupied by the principal use, not by parking.

In the Center Business District, enclosed parking shall be entirely below the grade of adjoining streets measured at their respective center lines. Access to enclosed parking shall be from the rear of the building. If provided, enclosed parking shall not be visible from the street. The placement of parking underground shall not raise the first non-parking floor of a structure above grade. Municipal parking facilities in the Center Business District shall be exempt from this provision.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

From: [Evans Huber](#)
To: [Lee Newman](#); [Alexandra Clee](#)
Cc: [Roy Cramer](#)
Subject: The Residence at Carter Mill - 100 West Street - Revised Avery Square Overlay District Warrant Article
Date: Saturday, May 30, 2020 12:35:32 PM
Attachments: [Avery Square Overlay District Warrant Article 05-29-20 clean.doc](#)
[Avery Square Overlay District Warrant Article 05-29-20 redlined.doc](#)

Lee and Alex:

Attached is the most recent version of the proposed Warrant Article for the Avery Square Overlay District, which has been revised following the comments of the Planning Board members at the May 20 meeting, and some more specific comments from Paul Alpert. For the Board's convenience, I am attaching both a clean and a redlined version.

The primary substantive change in the attached draft is to increase the affordable unit percentage from 10% to 12.5% as suggested by several members of the Board. As a result of this change, LCB Senior Living is also reconfiguring the unit layout so that there will be 72 Independent Living Apartments instead of 71. This will require one additional parking space, which has been added to the parking plan, and the zoning table has been adjusted to reflect this. This change will not affect the overall footprint of any of the floors, will not affect the fourth floor, and will not change the FAR calculation.

The other changes are either intended to address Mr. Alpert's comments and concerns, and/or to clean up the language to clarify some ambiguities.

In addition, in response to a concern that was raised at the last Planning Board meeting regarding the intersection of Hillside Ave and West Street, please note the following information contained in the Traffic Impact Study:

1. Figure 2, page 7, 2019 Existing Weekday Morning Peak Hour Traffic Volumes, shows that under current (normal) conditions during the weekday morning peak hour, there are 393 (99 + 292 + 2) vehicles traveling west on West Street that will travel through the Hillside Ave/West Street intersection; and 416 vehicles traveling east on West street that have traveled through that intersection.
2. Figure 7, page 18, Weekday Morning Peak Hour New Project Trips (i.e., additional traffic that will be generated by this project), shows that during that same hour, this project will add four vehicles traveling west on West Street that will travel through the intersection of West Street and Hillside Ave, and will add four vehicles traveling east on West Street that have traveled through that intersection. This represents an increase of 1% in the traffic that will travel through that intersection (in both directions) during the weekday morning peak hour as a result of this project.
3. Figure 3, page 8, 2019 Existing Weekday Afternoon Peak Hour Traffic Volumes, shows that under current (normal) conditions during the weekday afternoon peak hour, there are 326 (243 + 82 + 1) vehicles traveling west on West Street that will travel through the Hillside

Ave/West Street intersection; and 409 vehicles traveling east on West street that have traveled through that intersection.

4. Figure 8, page 19, Weekday Afternoon Peak Hour New Project Trips (i.e., additional traffic that will be generated by this project), shows that during that same hour, this project will add six vehicles traveling west on West Street that will travel through the intersection of West Street and Hillside Ave, and will add five vehicles traveling east on West Street that have traveled through that intersection. This represents an increase of 1.2% in the traffic that will travel east through that intersection, and an increase of 1.8% in the traffic that will travel west through that intersection, as a result of this project.

In sum, the existing traffic volume and new trip generation data in the Traffic Impact Study shows that the impact on the Hillside Ave/West Street intersection, resulting from additional traffic generated by this site, will be minimal.

We would also draw the Board's attention to the fact that, as shown in the Traffic Impact Study and summarized in the Conclusion on page 29, the trip generation resulting from the proposed redevelopment will be significantly less than that of the previous uses during the weekday peak hours and over the course of a typical work day.

Please forward this email and the attached revised versions of the Warrant Article to the members of the Board, so that they will have a chance to review them in advance of the June 2 meeting.

Thanks very much, Evans

Evans Huber
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ZONING/LAND USE ARTICLES

ARTICLE 1: AMEND ZONING BY-LAW – AVERY SQUARE OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) Amend the definition of “Independent Living Apartments” in Section 1.3, Definitions, by (i) adding the words “or Avery Square Overlay District” after the words “Elder Services Zoning District”; (ii) deleting the word “only” before the words “residential uses”; and (iii) adding to the end of the definition the sentence “; provided, however, that within the Avery Square Overlay District, as provided in Section 3.15.3.1, below, such Independent Living Apartments may be located in a building that also houses Assisted Living units, and/or Alzheimer’s/Memory Loss units, but need not be part of a Continuing Care Retirement Community.”, so that it reads as follows:

A building in the Elder Services Zoning District or Avery Square Overlay District containing three or more dwelling units, which building houses residential uses and support services accessory thereto, intended primarily as independent living units for individuals aged 55 years or older, and/or families with at least one family member aged 55 years or older, within a Continuing Care Retirement Community; provided, however that within the Avery Square Overlay District, as provided in Section 3.15.3.1, below, such Independent Living Apartments may be located in a building that also houses Assisted Living units, and/or Alzheimer’s/Memory Loss units, but need not be part of a Continuing Care Retirement Community.

- (b) Amend Section 2.1 Classes of Districts by adding the following term and abbreviation under the subsection Overlay:

“ASOD -- Avery Square Overlay District”

- (c) Amend Section 3, Use Regulations, by adding a new Subsection 3.15, Avery Square Overlay District, to read as follows:

“3.15 Avery Square Overlay District

3.15.1 Purposes of District

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

density and dimensional requirements that normally apply in the underlying zoning district provided that such development complies with all other requirements of this Section 3.15.

3.15.2 Scope of Authority

In the Avery Square Overlay District, all requirements of the underlying district shall remain in effect except where this Section 3.15 provides an alternative to such requirements, in which case the requirements of this Section 3.15 shall prevail. If the provisions of the Avery Square Overlay District are silent on a requirement that applies in the underlying district, the requirements of the underlying district shall apply.

By filing an application for a Special Permit, site plan review or building permit under this Section 3.15, an applicant shall be deemed to accept and agree to the provisions and requirements of this Section 3.15. If an applicant elects to proceed pursuant to zoning provisions of the underlying district, the provisions and requirements of this bylaw applicable in the underlying district shall control and the provision of the Avery Square Overlay District shall not apply.

3.15.3 Use Regulations

3.15.3.1 Permitted Uses

The following uses are permitted in the Avery Square Overlay District as a matter of right:

- (a) Uses exempt from local zoning control under M.G.L. c.40A, s. 3.
- (b) Public, semi-public and institutional uses permitted as of right in the underlying district.
- (c) Business uses permitted as of right in the underlying district.
- (d) Mixed-use buildings, ~~including buildings~~ containing, as primary uses, only Assisted Living units and/or Alzheimer's/Memory Loss units, and Independent Living Apartments; as well as accessory uses subordinate to and customarily incidental to the primary uses.
- (e) accessory uses permitted as of right in the underlying district.

3.15.3.2 Special Permit Uses

The following uses are allowed by Special Permit:

- (a) All uses allowed by special permit in the Avery Square Business District as set forth in Section 3.2.2 of this Bylaw, except those uses permitted as a matter of right as set forth in Section 3.15.3.1, above.

3.15.4 Dimensional Regulations

3.15.4.1 Building Height and Related Requirements

The maximum building height (including mechanical structures such as HVAC equipment) in the Avery Square Overlay District shall be 44 feet. This height limitation shall not apply to elevator shaft overruns, which shall not exceed a maximum height of 49 feet.

A building or structure which is located on property in the Avery Square Overlay District may include, but not exceed, four (4) stories, all of which may be occupied.

For the fourth story, minimum setback requirements, measured from the façade(s) of the building on which such fourth story is located, shall be as follows: from the eastern facade of the building (facing Highland Ave), fifteen (15) feet; from the northern façade of the building (closest to and facing West Street), one hundred and ten (110) feet; ~~from the northern facade of the rear of the building (at the rear of the West Street parking area and closest to the MBTA right of way), zero (0) feet;~~ from the western facade of the building, zero (0) feet; from the southern facade of the building, thirty-five (35) feet. No fourth story setback from the north-facing building façade is required with respect to any portion of any building that is set back from West Street at least two hundred (200) feet.

The total floor area of any fourth floor addition to the existing building may not exceed thirty-five percent (35%) of the total roof area of the existing building. Mechanical equipment, including but not limited to HVAC equipment, whether or not enclosed, shall not be included in the calculation of maximum allowable floor area hereunder.

Buildings developed under the regulations of the Avery Square Overlay District shall not be subject to any other height limitations nor any other limitations contained in Section 4.4.3.

3.15.4.2 Building Bulk and Other Requirements

The maximum floor area ratio in the Avery Square Overlay District shall be 1.1. Property contiguous with and in common ownership with property in the Avery Square Overlay District shall be included in the lot for purposes of calculating floor area ratio. The enclosed area of a building devoted to off-street parking shall not be counted as floor area for purposes of determining the maximum floor area ratio. Buildings developed under the regulations of the Avery Square Overlay District shall not be subject to any other limitations on floor area ratio, lot coverage, or building bulk such as are contained in Sections 4.4.2, 4.4.7 and 4.4.9.

3.15.5 Off-Street Parking

Except as provided below, the off-street parking regulations in Section 5.1 and the regulations for enclosed parking in Section 4.4.6 shall apply in the Avery Square Overlay District.

(a) The minimum number of off-street parking spaces in Section 5.1.2 shall apply except as follows:

(1) For Independent Living Apartments, there shall be one space per Apartment.

(2) For Assisted Living units and Alzheimer's/Memory Loss units, the parking requirement shall be ~~the same as the number of spaces that is currently required under Section 5.1.2 for a nursing home or a residential care institution or facility, which is~~ one space for every two beds, plus one space for each two employees on the largest shift.

(b) Notwithstanding anything to the contrary elsewhere in this Bylaw, including but not limited to Section 4.4.8.4, in the event that land located in the Single Residence B Zoning District

(1) is adjacent to the Avery Square Overlay District;

(2) is in common ownership with adjacent land located in the Avery Square Overlay District; ~~and~~

(3) prior to approval of this Section 3.15, was improved as a parking area associated with a building located in the Avery Square Overlay District; ~~and~~

~~(4) is located not more than one hundred (100') feet from the boundary line between the Single Residence B Zoning District and the Avery Square Business District;~~

then, provided that said land extends into the Single residence B Zoning District not more than one hundred (100') feet from the boundary line between the Single Residence B Zoning District and the Avery Square Business District, said land may, as a matter of right, be used as a parking area accessory to uses permitted in the Avery Square Overlay District by right or by special permit.

3.15.6 Affordable Housing

Any mixed-use building with ten or more Independent Living Apartments shall include affordable housing units as defined in Section 1.3 of this By-Law. The following requirements shall apply to a development that includes affordable units:

(a) If the Applicant provides at least one-half of the affordable Independent Living Apartments for households with incomes at or below 50% of area median income, the remaining affordable Independent Living Apartments may be rented to households with incomes up to 100% of area median income even if the latter units are not

eligible for the Subsidized Housing Inventory, regardless of any requirements to the contrary set forth in Section 1.3.

- (b) For a development with ten or more Independent Living Apartments, ~~ten~~twelve and one-half percent (~~12.5~~12.5%) of the Independent Living Apartments shall be affordable units. In the instance of a fraction, the fraction shall be rounded up to the nearest whole number. There shall be no affordable housing requirement for nursing homes, convalescent homes, Assisted Living and Alzheimer's/Memory Loss Facilities, or residential care institutions or facilities.
- (c) Affordable units shall be dispersed within the building and not concentrated in one area or on one floor. They shall generally be comparable in size, energy efficiency, quality, convenience, and unit-specific real estate-related amenities to the development's market-rate units. Services and other amenities that may be purchased by residents on a voluntary basis are not to be considered unit-specific real estate-related amenities and are excluded from such comparability requirements.
- (d) The selection of eligible homebuyers or renters for the affordable units shall be in accordance with a marketing plan approved by the Needham Planning Board prior to the issuance of any building permits for the development.
- (e) The affordable units shall be subject to an affordable housing restriction as defined in Section 1.3 of this By-Law with limitations on use, occupancy, resale prices or rents, as applicable, and which provides for periodic monitoring for compliance with the requirements of said restriction.

- (d) Amend Section 4.4.4 Front Setback, by adding the following paragraph after the fourth paragraph of that section:

In the Avery Square Overlay District, the setback, if any, shall be kept open and landscaped with grass, plants, and other non-paving materials such as mulch, and shall be unpaved except for patios, walks, and driveways as defined in section 4.4.5. Walls (including walls serving in part as retaining walls) no higher than 36 inches above the grade of the patios, as well as fencing and privacy screening, along the front and side edges of the patios, shall be allowed in the Avery Square Overlay District.

- (e) Amend Section 4.4.6 Enclosed Parking, by adding the phrase "for each square foot" before the words "of parking space (excluding driveways and aisles)" on the fourth line of the first paragraph of that section so that it reads as follows:

Whenever off-street parking is provided underground and/or within a building itself, the maximum area coverage of the building may be increased up to the

limits of the required setback as provided herein. The lot coverage of the building may be increased up to 2 ½ % points above the maximum allowed percentage, by one square foot for each square foot of parking space (excluding driveways and aisles) that is underground and/or within the building itself.

Parking which is under a building or partially underground shall, except for driveways, be separated from the street line by building space occupied by the principal use, not by parking.

In the Center Business District, enclosed parking shall be entirely below the grade of adjoining streets measured at their respective center lines. Access to enclosed parking shall be from the rear of the building. If provided, enclosed parking shall not be visible from the street. The placement of parking underground shall not raise the first non-parking floor of a structure above grade. Municipal parking facilities in the Center Business District shall be exempt from this provision.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

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- (2) is in common ownership with adjacent land located in the Avery Square Overlay District; and
- (3) prior to approval of this Section 3.15, was improved as a parking area associated with a building located in the Avery Square Overlay District;

then, provided that said land extends into the Single residence B Zoning District not more than one hundred (100') feet from the boundary line between the Single Residence B Zoning District and the Avery Square Business District, said land may, as a matter of right, be used as a parking area accessory to uses permitted in the Avery Square Overlay District by right or by special permit.

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- (b) For a development with ten or more Independent Living Apartments, twelve and one-half percent (12.5%) of the Independent Living Apartments shall be affordable units. In the instance of a fraction, the fraction shall be rounded up to the nearest whole

number. There shall be no affordable housing requirement for nursing homes, convalescent homes, Assisted Living and Alzheimer's/Memory Loss Facilities, or residential care institutions or facilities.

- (c) Affordable units shall be dispersed within the building and not concentrated in one area or on one floor. They shall generally be comparable in size, energy efficiency, quality, convenience, and unit-specific real estate-related amenities to the development's market-rate units. Services and other amenities that may be purchased by residents on a voluntary basis are not to be considered unit-specific real estate-related amenities and are excluded from such comparability requirements.
- (d) The selection of eligible homebuyers or renters for the affordable units shall be in accordance with a marketing plan approved by the Needham Planning Board prior to the issuance of any building permits for the development.
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Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

This draft Agenda is for the PB Use Only

**NEEDHAM
ZONING BOARD OF APPEALS
AGENDA**

Thursday June 18, 2020 - 7:30PM

AGENDA draft

Minutes	Review and approve Minutes from April 30 meeting.
Case #1 –	18 Highland Circle – Spiga, LLC
Case #2 –	52 Coulton Park – Mary and Jasper Bogogian

RECEIVED TOWN CLERK
NEEDHAM, MA 02492

2020 MAY 21 PM 11:41

GEORGE GIUNTA, JR.
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281 Chestnut Street
Needham, MASSACHUSETTS 02492
*Also admitted in Maryland

TELEPHONE (781) 449-4520

FAX (781) 465-6059

May 21, 2020

Town of Needham
Zoning Board of Appeals
Needham, Massachusetts 02492

Attn: Daphne M. Collins, Administrative Specialist

Re: Spiga Restaurant
18 Highland Circle, Needham, MA
Request for Relief

Dear Mrs. Collins,

Please be advised that I represent Spiga, LLC (hereinafter, "Spiga") relative to the Spiga Restaurant at 18 Highland Terrace, Needham, MA (the "Premises"). In connection therewith, and pursuant to the Zoom meeting last week, submitted herewith, please find the following:

1. A Completed Application for Hearing
2. One Full size copy of Architectural Plans titled "Café' Spiga, 18 Highland Circle, Needham, MA", prepared by Nunes – Trabucco Architects, consisting of one sheet titled "Proposed Vestibule Structure", dated May 5, 2020;
3. One Full size copy of Site Plan, titled "Site Plan of Land Showing Proposed Additions, Needham, Mass.," prepared by Site Design Consultants, consisting of one sheet, dated April 23, 2015, rev August 21, 2015, updated to May 14, 2020; and
5. Check no. 246 in the amount of \$500 for the applicable special permit filing fee and check no. 257 in the amount of \$200 for the applicable variance filing fee.

The Premises is identified as Parcels 7 and 8 on Town of Needham Assessor's Map No. 74 and consists of two lots – Lot A and Lot B, as shown on the Site Plan. It is located mostly within the Mixed Use – 128 Zoning District (the "MU-128"), although a portion of Lot A is located within the Highland-Commercial 128 Zoning District (HC-128). Lot A, which is currently occupied by the existing parking area, consists of 6,505 square feet of area, with 103.99 feet of frontage on Highland Circle.¹ Lot B, which is currently occupied by the restaurant building and associated parking, walkways and patio areas, consists of 5,964 square feet of area with 94.45 feet of

¹ Lot A is subject to a 99 year lease for the benefit of Lot B, which lease commenced on November 24, 1982.

frontage on Highland Terrace. The Premises is fully developed, with virtually no existing landscaping or green space, excepting only two rows of existing arborvitae trees on the east and west sides of Lot A.

Based on the records of the Assessor's Department and the Building Department, the front portion of the existing building appears to have been built in approximately 1900. That portion consists of two stories and has a footprint of approximately 441 square feet. The other, rear portion of the building consists of one story and has a footprint of approximately 1,671 square feet. It appears to have been built in 1981. By Decision of the Zoning Board of Appeals, dated May 19, 2005, filed with the Town Clerk on May 26, 2005 (the "Decision"), the entire building was converted from its prior use to a 54 seat restaurant.² On April 17, 2008, the Board of Appeals voted to authorize an additional 48 outdoor, seasonal seats.³ Such authorization never having been perfected, in 2015, Spiga sought and was granted authorization to add 36 indoor, year-round seats, to be located in one of two proposed additions.

However, Spiga never acted upon the 2015 approval, and now desires to undertake a similar, albeit a bit different expansion. Instead of 36 seats, Spiga is now seeking an additional 32 seats. Moreover, instead of locating the seats within a "brick and mortar" addition, Spiga is proposing to install a permanent tent that will cover the seating area, but also allow customers to enjoy a sense of outdoor dining. In addition, in order to better serve its customers and comply with both the building code and handicap accessibility requirements, Spiga is also proposing a more traditional, structural vestibule addition. Upon completion, the restaurant will contain a total of 86 seats, serving the same food and operating in substantially the same manner as at present.

Lot B is currently used for restaurant purposes, pursuant to special permit issued by the Zoning Board of Appeals prior to the creation of the Mixed Use-128 District. As a result, the proposed change and expansion requires either an amendment to the existing special permit and a special permit pursuant to Section 1.4.6 for the change, change, extension, alteration or enlargement of a lawful, pre-existing, non-conforming use and structure; or a new special permit pursuant to section 3.2.6.2 for an eat-in restaurant. Both forms of relief have been requested to provide the Board with the greatest flexibility.

In addition, because the number of seats is proposed to change, the parking demand associated with the restaurant will change as well, requiring a new parking waiver or further relief.

The base parking demand for the Premises, based on 54 indoor, year-round seats, is 18 spaces, calculated as follows:

$$54 \text{ seats year round} @ 1 \text{ space} / 3 \text{ seats} = 18 \text{ spaces required}$$

² The Decision was initially issued to Maria S. and Carmelo Iriti, Trustees of Riti Realty Trust Two, as owners of the property, and was subsequently transferred to Spiga, LLC by decision of the Board in April, 2006.

³ While there is a video recording of the vote of the Board, the written decision remains missing and unaccounted for.

Taking into account the prior authorizations, the parking demand increased to 34 and then 30, as follows:

48 seasonal seats (2008) @ 1 space / 3 seats = 16 additional spaces required
Base Demand of 18 spaces + 16 additional spaces = 34 total spaces required

36 year-round seats (2015) @ 1 space / 3 seats = 12 additional spaces required
Base Demand of 18 spaces + 12 additional spaces = 30 total spaces required

Following construction of the proposed addition and installation of the additional seats, the total parking demand will be , calculated as follows:

32 additional seats @ 1 space / 3 seats = 10.67 = 11 (rounded up) spaces required
Base Demand of 18 spaces + 11 additional spaces = 29 total spaces required

As indicated on the Site Plan, there are a total of 28 existing spaces at the Premises; 19 on Lot B to the left of the building, and 9 along Highland Terrace in front of the restaurant. As a result, there will be a shortfall of just 1 parking space.

However, the parking has been in place since the restaurant was first approved in 2005. And while the prior zoning relief was never fully perfected or acted upon, the patio has contained a number of seats over the years, with parking never having been an issue.

Finally, while Spiga does not intend to materially change the parking area, it does intend to enhance and upgrade same, through the provision of a bit of additional landscaping. Such change, while minor, also requires a parking waiver or an amendment to the relief previously issued by the Board.

Please schedule this matter for the next available hearing of the Board, whether in person or via Zoom or other electronic format. In the meantime, if you have any questions, comments or concerns relative to the foregoing, please do not hesitate to contact me so that I may be of assistance.

Your courtesy and attention are appreciated.

Sincerely,



George Giunta, Jr.



**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

RECEIVED TOWN CLERK
NEEDHAM, MA 02492

2020 MAY 21 PM 11:41

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: May 21, 2020

Name of Applicant or Appellant Spiga, LLC

Address: 18 Highland Circle, Needham, MA 02494

ATTN: Marisa Iocco, Manager

(Optional) E-mail address: _____

Daytime telephone: 617-407-5126

(Optional) Cell phone: same as above

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

George Giunta, Jr., Esq. – 281 Chestnut Street, Needham, MA 02492

781-449-4520

Address/Location of Property 18 Highland Circle, Needham, MA

Assessor map/parcel number Map 74, Parcels 7 & 8

Zone for property: Mixed-Use 128 (MU-128) & Highland -Commercial 128 (HC-128)

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.)

Statement of relief sought:

1. Amendment to Decision of the Board, dated May 19, 2005, filed with the Town Clerk on May 26, 2005, issued to Maria S. and Carmelo Iriti, Trustees, Riti Realty Trust Two, transferred to Spiga, LLC, as modified and amended, to:

- a. Replace the existing outdoor patio and seats with a permanent tent structure shown as proposed Addition No. 1, to contain 32 total seats; and
- c. Construct a vestibule addition near the existing building entry;

2. Special permit pursuant to Section 1.4.6 of the Zoning By-Law for the change, extension, alteration or enlargement of a lawful, pre-existing, non-conforming use and structure.

3. Special Permit pursuant to Section 3.2.6.2 for an eat-in restaurant in the MU-128 District;

4. Special Permit and / or Special Permit Amendment, pursuant to Section 5.1.1.5, waiving strict adherence to the requirements of Section 5.1.2 (Required Parking) and Section 5.1.3 (Parking Plan and Design Requirements);

5. Variance, pursuant to Section 7.5.3 and / or M.G.L. c. 40A, Section 10 from applicable side yard setback requirements of the Zoning By-Law to permit a 5.5 foot encroachment in connection with the proposed vestibule; and

6. All other relief that is or may be necessary and proper to permit the construction of the proposed vestibule and tent, with 32 new seats, resulting in a total of 86 seats, and the continued use of the building for eat-in restaurant purposes.

Applicable Section (s) of Zoning By-Law 1.4.6, 3.2.5.2, 3.2.6.2, 5.1.1.5, 5.1.2, 5.1.3, 4.2.1, 7.5.3 and any other applicable Section or By-Law

If application under Zoning Section 1.4, listed immediately above
List nonconformities related to lot/structure(s) in application:

1. Lot A consists of 6,505 square feet v 10,000 square feet required;
2. Lot A includes 3.97% open space v. 20% required;
3. Lot B consists of 5,722 square feet v. 10,000 square feet required;
4. Lot B consists of 0% open space v. 20% required;
5. Lot B consists of 94.45 feet of frontage v. 100 feet required;
6. Existing structure on Lot B is approx. 1.4' from rear property line v. 10' required;
7. Existing structure on Lot B is approx. less than .09' from side property line v. 10' required;

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

Front portion – approx. 1900 and Rear portion – approx. 1981

Date lot created:

Approx. 1938 or earlier

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

Spiga, LLC
By its attorney,



Signed _____

George Giunta, Jr., Esq.

Spiga, LLC
18 Highland Circle
Needham, MA 02492

May 8, 2020

Daphne M. Collins, Administrative Specialist
Town of Needham
Zoning Board of Appeals
Needham, Massachusetts 02492

Re: Site Plan Application
Spiga Restaurant
18 Highland Circle, Needham, MA

Dear Mrs. Collins,

Please accept this letter as confirmation that George Giunta, Jr., Esquire, is authorized to make application for special permit amendment, new special permit and any and all other zoning, planning, general by-law and other relief that may be required or appropriate in connection with the alteration and expansion of the Spiga Restaurant at 18 Highland Circle. In connection therewith, Attorney Giunta is hereby authorized, to execute, sign, deliver and receive all necessary documentation related thereto, including, without limitation, Application for Hearing.

Sincerely,

A handwritten signature in blue ink, appearing to read "George Giunta, Jr.", with a stylized flourish at the end.

Manager

WOOD SILL
TO MATCH EXISTING

STEEL TUBE ANGLE
TO HOLD EXISTING
POSTS

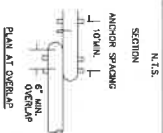
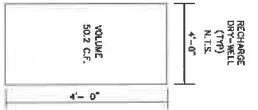
EXISTING CURTAIN: 20" x 44"
MATCH EXISTING WOOD SILL

[illegible][illegible]

EXTERIOR ELEVATION
 1/2" = 1'-0"
 1/4" = 1'-0"
 1/8" = 1'-0"
 1/16" = 1'-0"
 1/32" = 1'-0"
 1/64" = 1'-0"
 1/128" = 1'-0"
 1/256" = 1'-0"
 1/512" = 1'-0"
 1/1024" = 1'-0"
 1/2048" = 1'-0"
 1/4096" = 1'-0"
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 1/1

EROSION CONTROL DETAILS

TOTAL LOT AREA = 12,469 S.F.
 TOTAL RIPERFRONT AREA = 42,436 S.F.
 AREA OF LOT IN OUTER RIPARIAN
 RIPERFRONT = 6008 S.F.
 ALTERATION IN OUTER RIPARIAN ZONE = 208 S.F.
 TOTAL IMPERVIOUS LOT AREA PRE CONSTRUCTION = 12,245 S.F.
 TOTAL IMPERVIOUS LOT AREA POST CONSTRUCTION = 11,798 S.F.
 TOTAL IMPERVIOUS AREA IN RIPERFRONT PRE CONSTRUCTION = 5960 S.F.
 TOTAL IMPERVIOUS AREA IN RIPERFRONT POST CONSTRUCTION = 5833 S.F.
 ROOF AREA ADDITION NO. 1 = 608 S.F. X 1" RAINFALL = 48.6 C.F.
 DRYWELL AREA = 50.2 C.F.



ZONING TABLE

Zoning District: MU-128 & HC-128

	Required	Existing	Proposed
LOT A			
Lot Area	10,000 S.F.	6505 S.F.	6505 S.F.
Lot Frontage	100'	103.99'	103.99'
Open Space	20%	3.97%	6.87%
LOT B			
Lot Area	10,000 S.F.	5964 S.F.	5964 S.F.
Lot Frontage	100'	94.45'	94.45'
Open Space	20%	0.0%	5.1%
Front Setback	5'	25.4'	25.4'
Existing Bldg.	5'	N/A	18.6'
Proposed Add'n.	10'	0.9'	0.9'
Side Setback	10'	N/A	2.0'
Existing Bldg.	10'	N/A	2.0'
Proposed Add'n.	(7.5 by SP 4.9.3)		
Rear Setback	10'	1.4'	1.4'
Building Height	70'	<25'	<25'
Lot Coverage	65% (81.25% by SP 4.9.3)	34.64%	43.74%
Floor Area Ratio	1 (1.75 by SP 4.9.3)	0.42*	0.517*

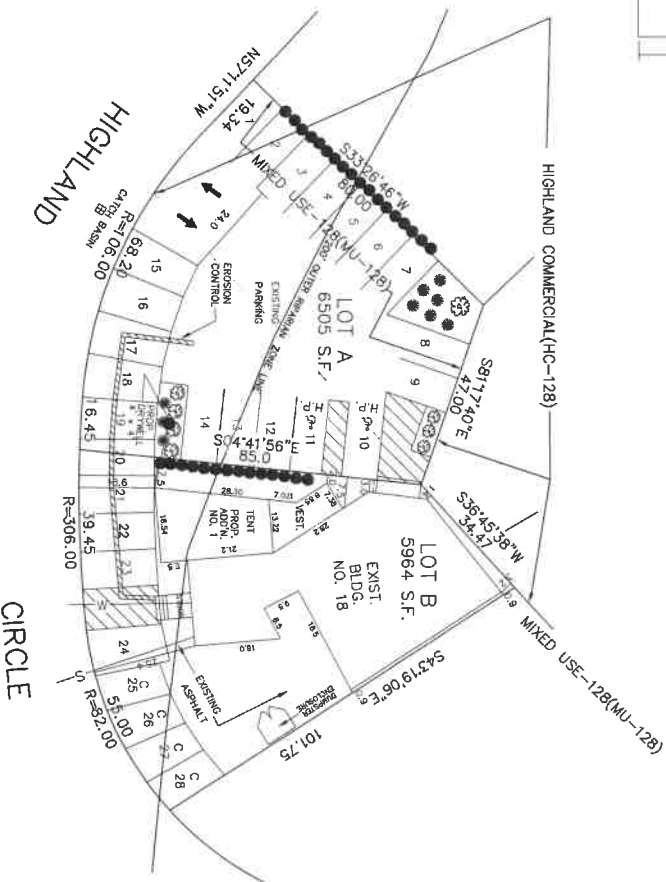
* Based on Assessor's Data for Existing Building

PARKING TABLE			
	Parking Demand	Spaces Provided	Waiver Required
Existing	24	28	0
Proposed	29	28	1

Parking Calculation

54 Seats Year Round	@ 1 space/3 seats = 18 spaces
16 Seasonal	@ 1 space/3 seats = 5.3 (6) spaces
24 Total spaces required	

54 Seats Year Round	@ 1 space/3 seats = 30 spaces
32 Seasonal	@ 1 space/3 seats = 10.6 (11) spaces
29 Total spaces required	



SITE PLAN OF LAND SHOWING PROPOSED ADDITIONS AT 18 HIGHLAND CIRCLE

NOTES:
 FULL SIZE SPACES= 9'x18.5'
 COMPACT SPACES= 8'x16'

- EXISTING ARBORVITAE TREES TO REMAIN POST CONSTRUCTION
- PROPOSED RHODODENDRON
- PROPOSED AZALEA BUSHES



Existing Building Footprint: 2014 S.F.
 Addition No. 1 Footprint: 594 S.F.

SPIGA LLC 12-19
18 HIGHLAND CIR.
NEEDHAM, MA 02494

53-7185/2113

246

DATE 5/8/2020

SECURED BY
EZBANK ID

PAY TO THE
ORDER OF

TOWN OF NEEDHAM

\$ 500.00

FIVE

HUNDRED

00

DOLLARS

Heat
Reactive
Ink



307 Auburn Street, Auburndale, MA 02466

MEMO

ZBA Fee - Spig2 - 18 Highland Cir

MP

1:2113718581: 650004698211 0246

LOOK FOR FRAUD-DETERRING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT-REACTIVE INK-DETAILS ON BACK

SPIGA LLC 12-19
18 HIGHLAND CIR.
NEEDHAM, MA 02494

53-7185/2113

257

DATE MAY 22-20



PAY TO THE
ORDER OF

TOWN OF NEEDHAM

\$ 200.00

TWO HUNDRED

00 DOLLARS

Heat
Reactive
Ink



307 Auburn Street, Auburndale, MA 02466

MEMO

ZBA Fee - Spys - 18 Highland Cir

[Signature]

MP

⑆211371858⑆ 6500046982⑆ 0257

LOOK FOR FRAUD-DETERRING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT-REACTIVE INK. DETAILS ON BACK



ADU – ZBA Special Permit Application

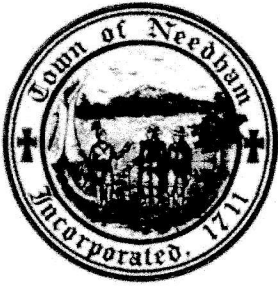
Owner's Name	Mary and Jasper Bogosien			
Address	52 Coulton Park Needham, MA 02492			
Phone	617-640-7249	E-mail	mary.bogosien.2000@yahoo.com jasper.bogosien@yahoo.com	
ADU's Resident Name	Amy Bogosien			
Phone	617-584-7790	E-mail	amy.bogosien@yahoo.com	
ADU Resident Relationship to Owner (Select one)	☐ spouse ☐ parent ☐ sibling ☒ child ☐ grandchild	Spouse of: ☐ parent ☐ sibling ☐ child ☐ grandchild	Child of: ☐ parent ☐ sibling ☐ child ☐ grandchild	☐ Caregiver. If caregiver, select type of caregiver: ☐ Elderly ☐ Chronically Ill ☐ Disable Owner
Total Occupants in Principal Dwelling Unit and ADU	3	Total Occupants not related to Owner (not to exceed five)	0	Owner to occupy: ☒ Principal Unit ☐ ADU

ADU Information			
Map & Page ID	Map 32, Block 8 Lot 0	Zoning District	STB
Size of ADU (not to exceed 850 sq. feet)	850 sq. FT.	Location of ADU: ☐ basement, ☐ attic, ☐ 1 st floor, ☐ 2 nd floor Right side of existing house	
Does ADU have separate provisions for (ADU limited to one bedroom): Living ☒ Yes ☐ No; Sleeping ☒ Yes ☐ No; Cooking ☒ Yes ☐ No; Eating ☒ Yes ☐ No			
Number and location of Means of Egress: Basement Level has Two - one out The back and one out the Front. First Floor has one, out the Front.			
Describe where the interior door access between ADU and Principal Dwelling Unit is? First Floor of the ADU, front left of the Living room.			
Total number of off-street parking for Principal Dwelling Unit and ADU: 4			

I attest that the information in this application is true and accurate to the best of my knowledge and understanding:

 5/7/2020

Owner's Signature/Date



**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

APPLICATION FOR HEARING

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

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

Date: 5/21/20

Name of Applicant or Appellant: Richard Lind

Address: 151 Heights of Hill Street, Whitinsville MA

(Optional) E-mail address: rlind@mitchco-group.com

Daytime telephone: 508-902-8535

(Optional) Cell phone: _____

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

Mitchell Construction Group Inc.

Medfield MA 02052 508-359-7904

Address/Location of Property 52 Coulton Park, Needham

Assessor map/parcel number Map 32 Block 8 Lot 0

Zone of property: SRB

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: _____

Statement of relief sought: _____

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

If application under Zoning Section 1.4, listed immediately above:

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

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

Date lot created: _____

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

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

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

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

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

Signed Burt J. Lind

Title Production Coordinator

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

MITCHELL

CONSTRUCTION GROUP INC.

Designers

Builders

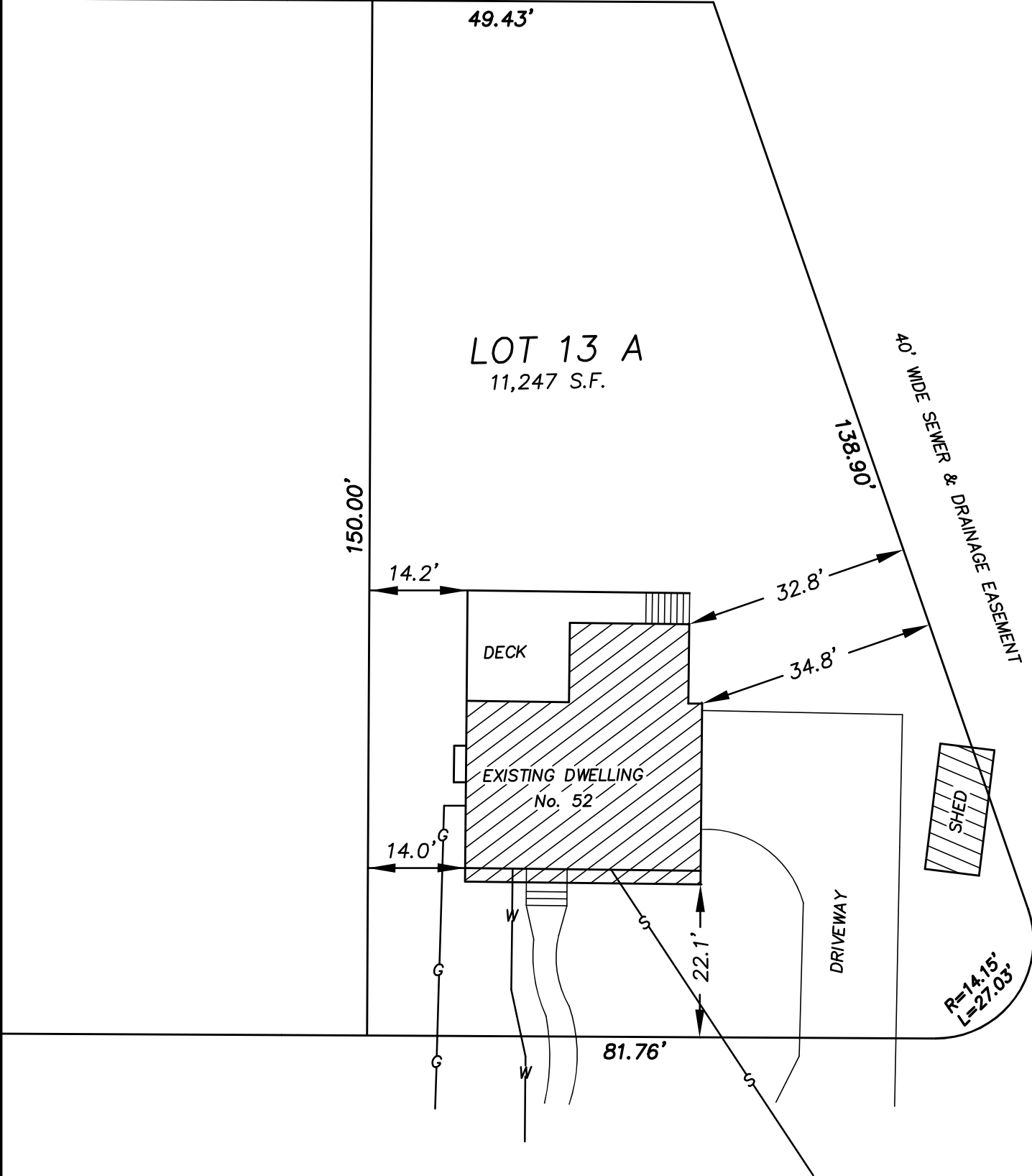
Remodelers

I, as Owner of the subjected property, hereby authorize Mitchell Construction Group Inc., to act on my behalf, in all matters relative to work authorized by the building permit application.

Jasper Bogdian Jr.
Signature

5/7/2020
Date

JASPER BOGDIAN JR.
Print Name



COULTON PARK

PREPARED FOR: AMY BOGOSIAN
DEED REFERENCE: NORFOLK COUNTY REGISTRY OF DEEDS
BOOK 6152 PAGE 197
PLAN REFERENCE: PLAN No. 248 OF 1982
ZONING DISTRICT: SRB

I CERTIFY THAT THE DWELLING IS LOCATED ON THE LOT AS SHOWN
ON THIS PLAN.
I FURTHER CERTIFY THAT THE DWELLING DOES NOT LIE WITHIN A
FLOOD HAZARD ZONE.

PROFESSIONAL LAND SURVEYOR _____ DATE _____

CERTIFIED PLOT PLAN
52 COULTON PARK
NEEDHAM, MASSACHUSETTS

SCALE: 1"=20' DATE: FEB. 7, 2020

 **O'DRISCOLL**
LAND SURVEYING, Inc.

LAND SURVEYING GPS MAPPING LAND COUNSULTING
46 COTTAGE MEDWAY, MASSACHUSETTS 02053 508-533-3314

FILE No. 2081

TOWN OF NEEDHAM, MASSACHUSETTS

Building Inspection Department

Assessor's Map & Parcel No. MAP 32 BLOCK 8 Lot 0
Building Permit No. _____ Zoning District SRB
Lot Area 11,247 S.F. Address 52 COULTON PARK
Owner JASPER BOGOSIAN Builder MITCHELL CONST. GROUP

PLOT PLAN

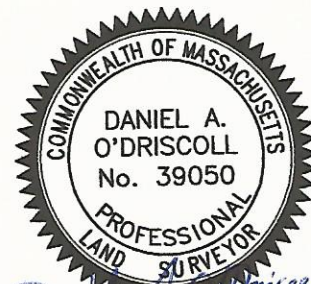
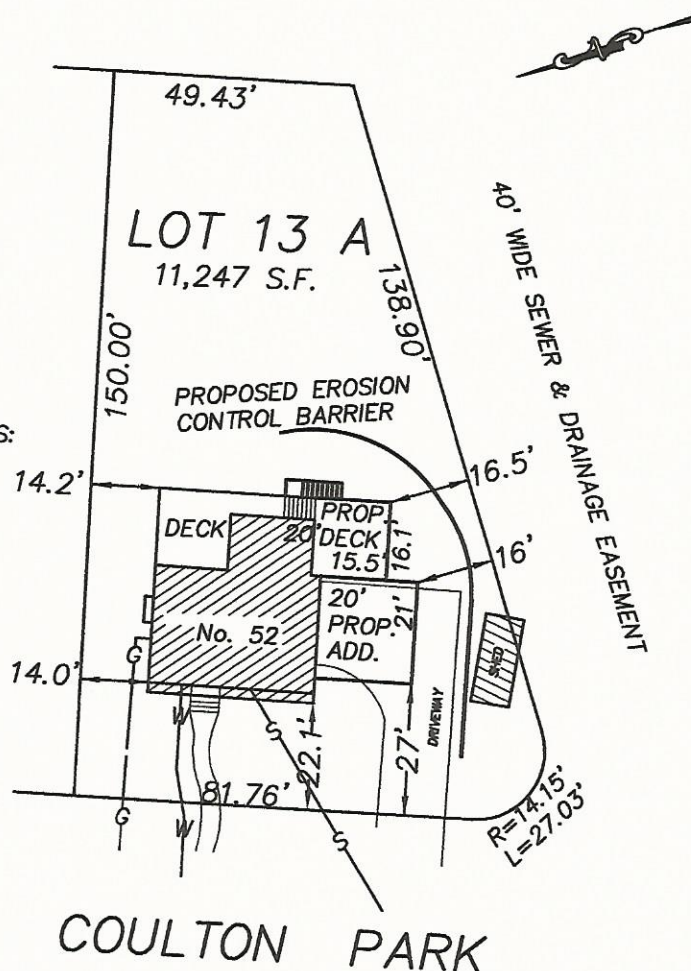
40' Scale

EXISTING LOT COVERAGE BY BUILDINGS:

1,562 S.F. / 11,247 S.F.=13.8%

PROPOSED LOT COVERAGE BY BUILDINGS:

2,127 S.F. / 11,247 S.F.=18.9%



Dan O'Driscoll
5/19/2020

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 & private utilities, including water mains, sewers, drains, gas lines, etc.; driveways, septic systems, wells, Flood Plain and Wetland Areas, lot dimensions, lot size, dimensions of proposed structures, sideline, front and rear offsets and setback distances, (measured to the face of structure) and elevation of top of foundations and garage floor. For new construction, lot coverage, building height calculations proposed grading and drainage of recharge structures. 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 areas with no public sewer. (*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 19TH day of MAY 2020
Name DANIEL A. O'DRISCOLL Registered Land Surveyor No. 39050
Address 46 COTTAGE ST. City MEDWAY State MA Zip 02053 Tel. No. (508) 533-3314
Approved _____ Director of Public Works Date _____
Approved _____ Building Inspector Date _____

BOGOSIAN RESIDENCE
52 COULTON PARK
NEEDHAM, MA.

BUILDER
MITCHELL CONSTRUCTION GROUP, INC.
511 MAIN STREET
MEDFIELD, MA 02052
508-359-7904

EXISTING FLOOR AREA	1,712 S.F.
EXISTING BASEMENT AREA	809 S.F.
ADU FLOOR AREA	850 S.F.
ADU GARAGE AREA	410 S.F.
TOTAL AREA	3,371 S.F.
OFF STREET PARKING SPACE = 4	

Sheet List	
Sheet Number	Sheet Name
A0	Cover Page
A1	Foundation Plan
A2	Basement Plan
A3	First Floor Plan
A4	Second Floor Plan
A5	Front & Right Elevations
A6	Rear & Left Elevations
A7	Demo Plans
A8	First & Second Floor Framing Plans
A9	Attic & Roof Framing Plans
A10	Section
EX1	Existing Basement & First Plans
EX2	Existing Second Floor Plan
EX4	Existing Front & Right Elevations
EX5	Existing Rear & Left Elevations

BOGOSIAN RESIDENCE

52 COULTON PARK
NEEDHAM, MA. 02492

MITCHELL

CONSTRUCTION GROUP INC.

Designers

Builders

Remodelers

511 Main St
Medfield, MA 02052
508-359-7904

Cover Page

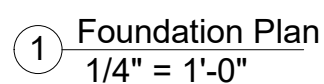
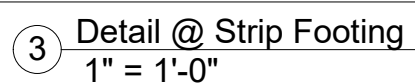
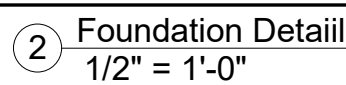
Date5-20-2020

Drawn byWC

Checked by

Scale

A0



Foundation Plan

Date 5-20-2020

Drawn by WC

Checked by

Scale As indicated

BOGOSIAN RESIDENCE

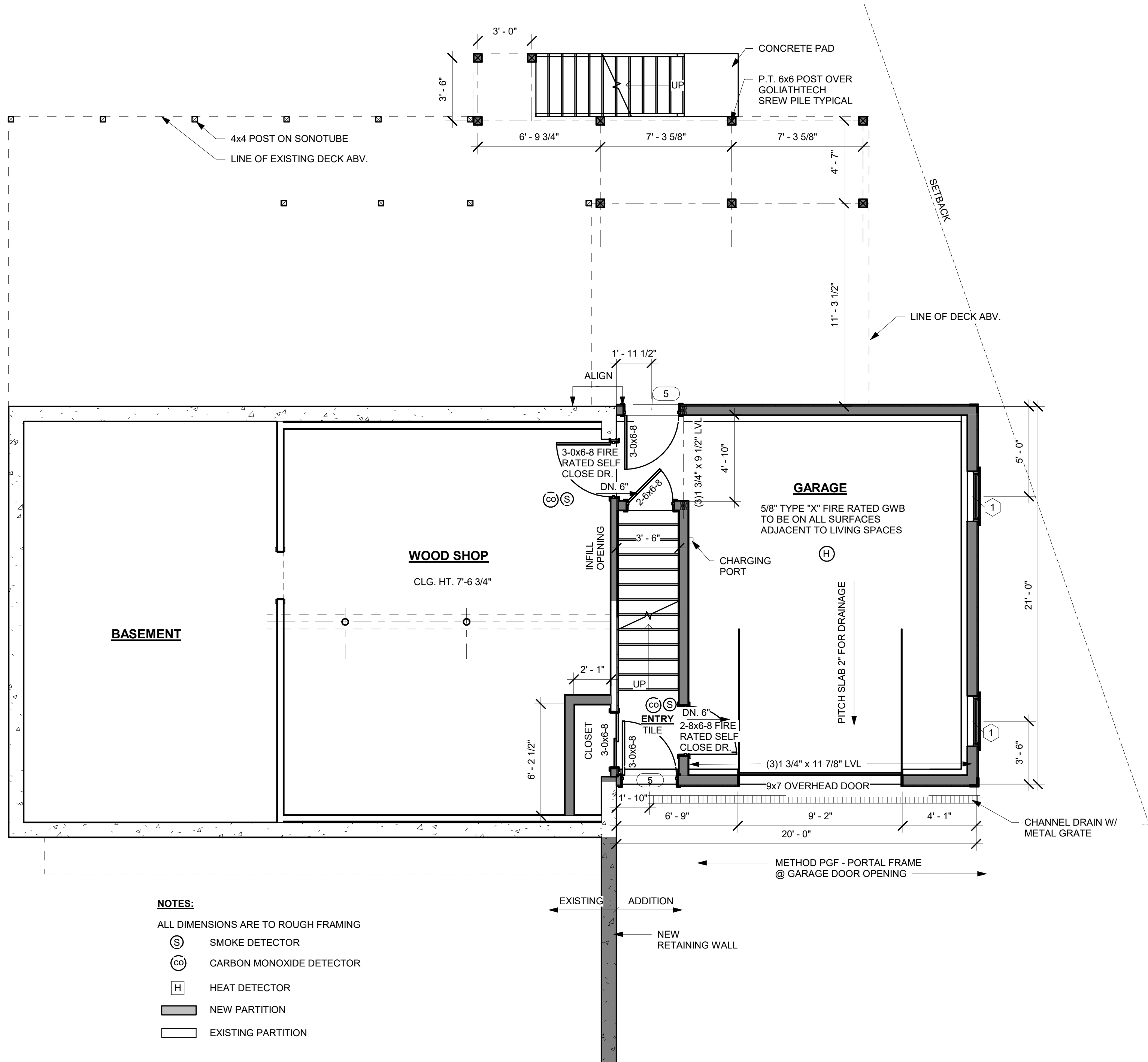
52 COULTON PARK
NEEDHAM, MA. 02492

Mitchell
CONSTRUCTION GROUP INC.

Designers	Builders	Remodelers
1. Designers: Architects, interior designers, landscape architects, and design-build firms. 2. Builders: General contractors, trade contractors (carpenters, electricians, plumbers, etc.), and construction management firms. 3. Remodelers: Kitchen and bathroom remodelers, home improvement stores, and specialty remodeling firms.	1. Designers: Architects, interior designers, landscape architects, and design-build firms. 2. Builders: General contractors, trade contractors (carpenters, electricians, plumbers, etc.), and construction management firms. 3. Remodelers: Kitchen and bathroom remodelers, home improvement stores, and specialty remodeling firms.	1. Designers: Architects, interior designers, landscape architects, and design-build firms. 2. Builders: General contractors, trade contractors (carpenters, electricians, plumbers, etc.), and construction management firms. 3. Remodelers: Kitchen and bathroom remodelers, home improvement stores, and specialty remodeling firms.

511 Main St
Medfield, MA 02052
508-359-7904

A



- NOTES:**
- ALL DIMENSIONS ARE TO ROUGH FRAMING
 - (S) SMOKE DETECTOR
 - (CO) CARBON MONOXIDE DETECTOR
 - (H) HEAT DETECTOR
 - NEW PARTITION
 - EXISTING PARTITION

Basement Plan

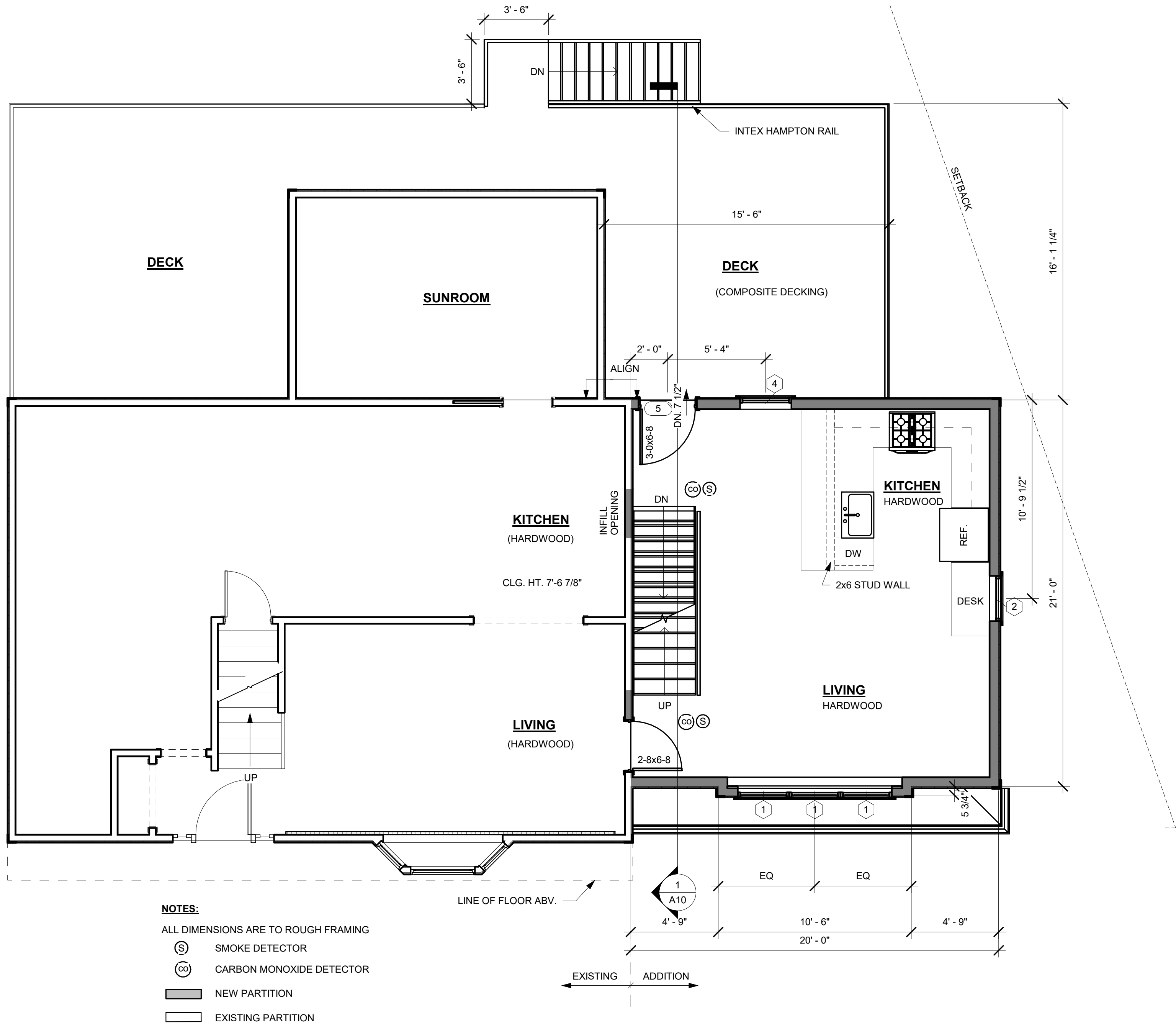
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Drawn by	WC
Checked by	
Scale	1/4" = 1'-0"

BOGOSIAN RESIDENCE

52 COULTON PARK
NEEDHAM, MA. 02492

Mitchell
CONSTRUCTION GROUP INC.
Designers Builders Remodelers

511 Main St
Medfield, MA 02052
508-359-7904



First Floor Plan

Date	5-20-2020
Drawn by	WC
Checked by	
Scale	1/4" = 1'-0"

BOGOSIAN RESIDENCE

52 COULTON PARK
NEEDHAM, MA. 02492

MITCHELL
CONSTRUCTION GROUP INC.
Designers Builders Remodelers

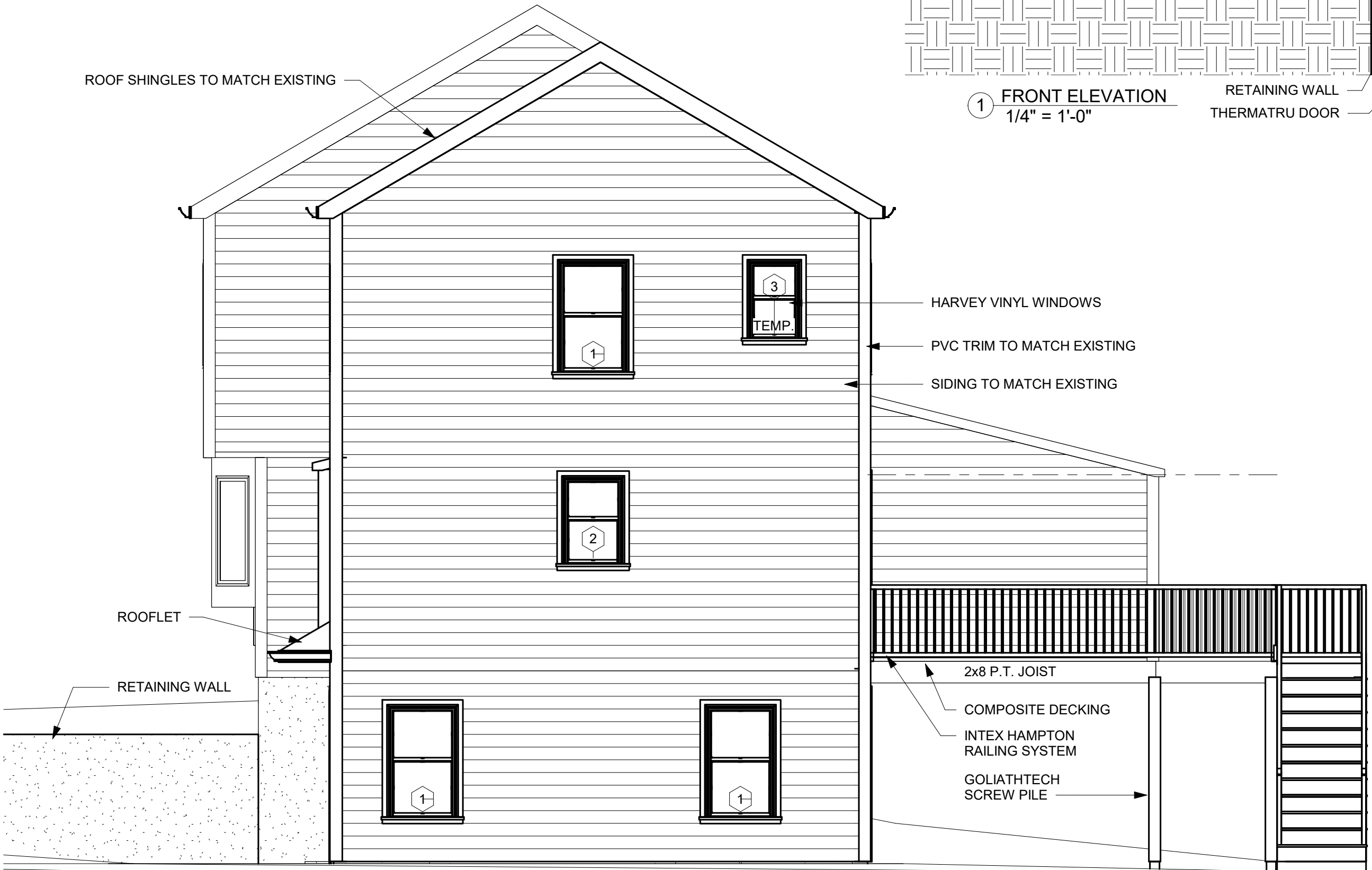
511 Main St
Medfield, MA 02052
508-359-7904

Harvey Window Schedule							
Type Mark	Count	Description	Width	Height	Rough Width	Rough Height	Comments
1	9	2842	2' - 9 1/2"	4' - 5"	2' - 9 1/2"	4' - 5"	U-FACTOR= 0.29
2	1	2432	2' - 5 1/2"	3' - 5 1/2"	2' - 5 1/2"	3' - 5 1/2"	U-FACTOR= 0.29
3	1	20210	2' - 1 1/2"	3' - 1"	2' - 1 1/2"	3' - 1"	U-FACTOR= 0.29, TEMP.
4	1	2842	2' - 9 1/2"	3' - 5 1/2"	2' - 9 1/2"	3' - 5 1/2"	U-FACTOR= 0.29

NOTES:
HARVEY WINDOWS, WHITE EXTERIOR, WHITE INTERIOR, NO GRILLES, LOW-E ARGON GLASS, WHITE HARDWARE,
FULL INSECT SCREEN, 6 9/16" JAMB.

ThermaTru Door Schedule					
Door Number	Count	Description	Width	Height	Comments
5	3	S2100	3' - 0"	6' - 8"	U-FACTOR= 0.22

NOTES:
THERMA-TRU SMOOTH STAR, WHITE EXTERIOR, WHITE INTERIOR, LOW-E ARGON GLASS, NO GRILLES,
BRUSH NICKEL HARDWARE, COMPOSITE SILL , 6 9/16" JAMB.



Front & Right Elevations

Date	5-20-2020
Drawn by	WC
Checked by	
Scale	1/4" = 1'-0"

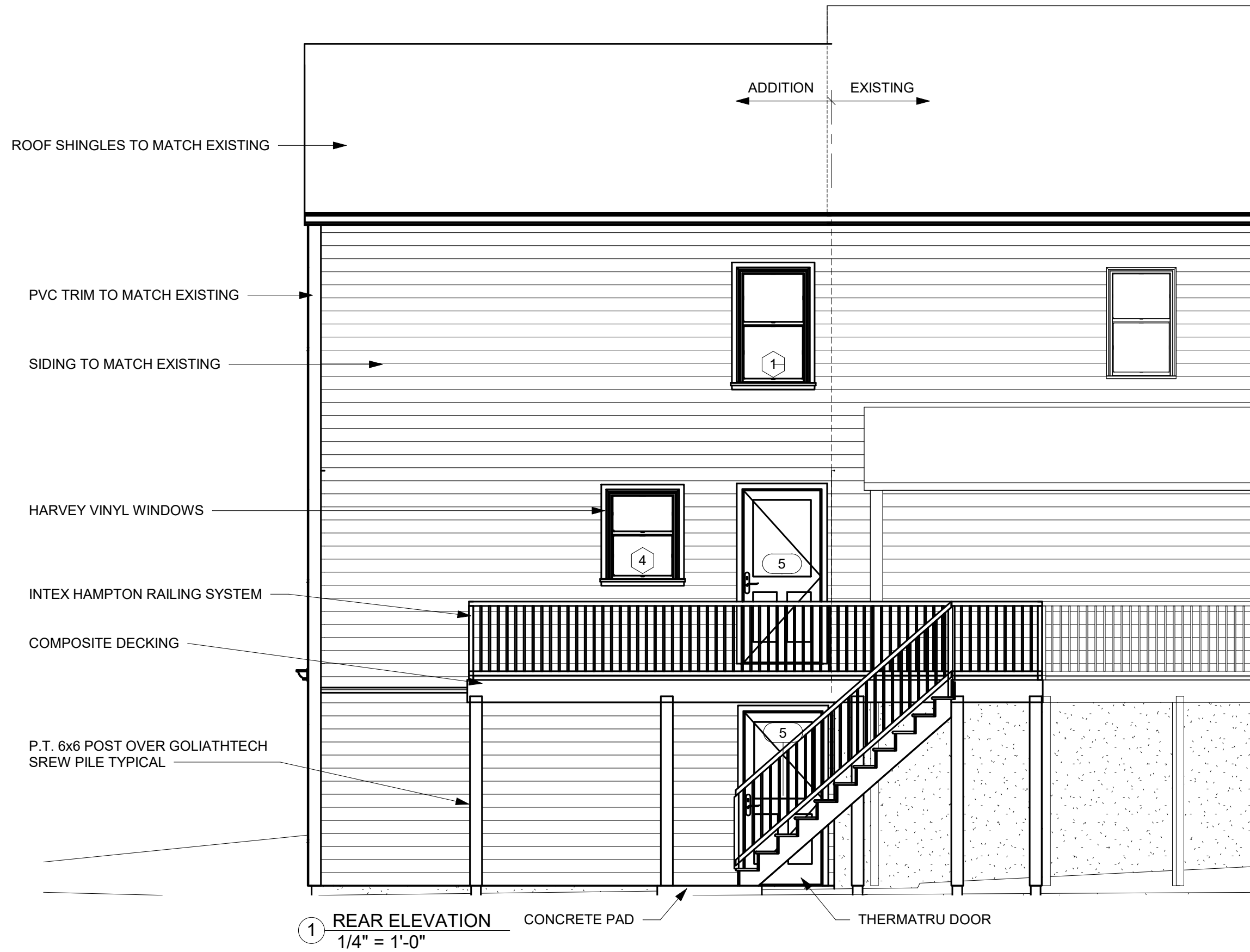
BOGOSIAN RESIDENCE

52 COULTON PARK
NEEDHAM, MA. 02492

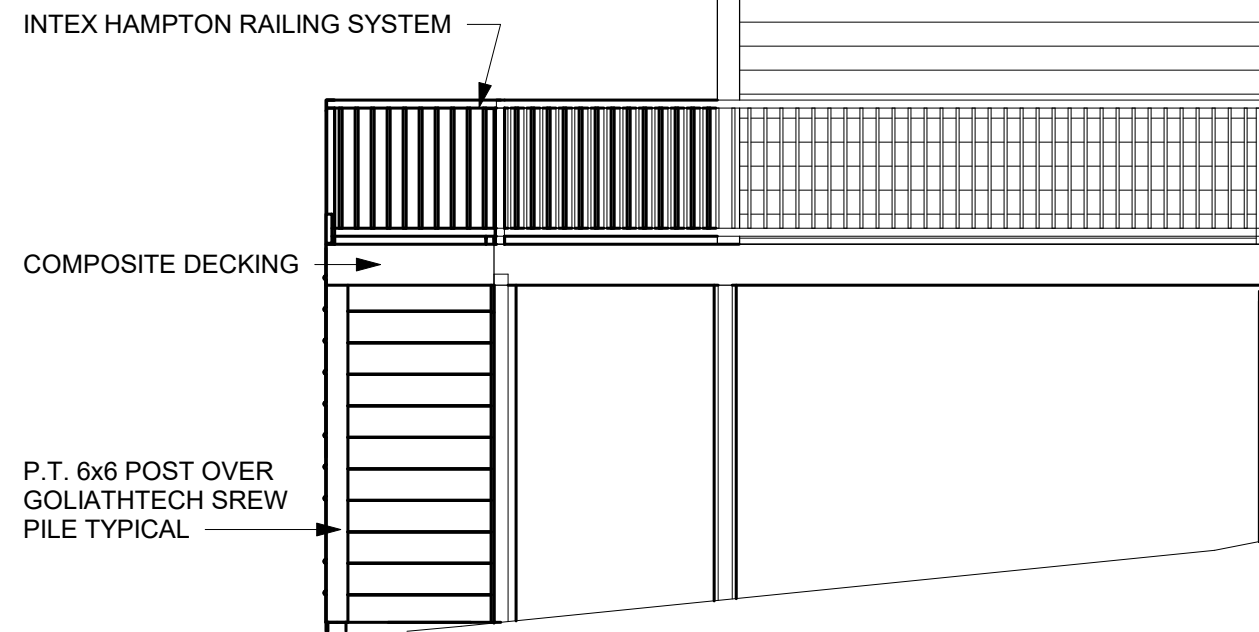
MITCHELL
CONSTRUCTION GROUP INC.

Designers Builders Remodelers

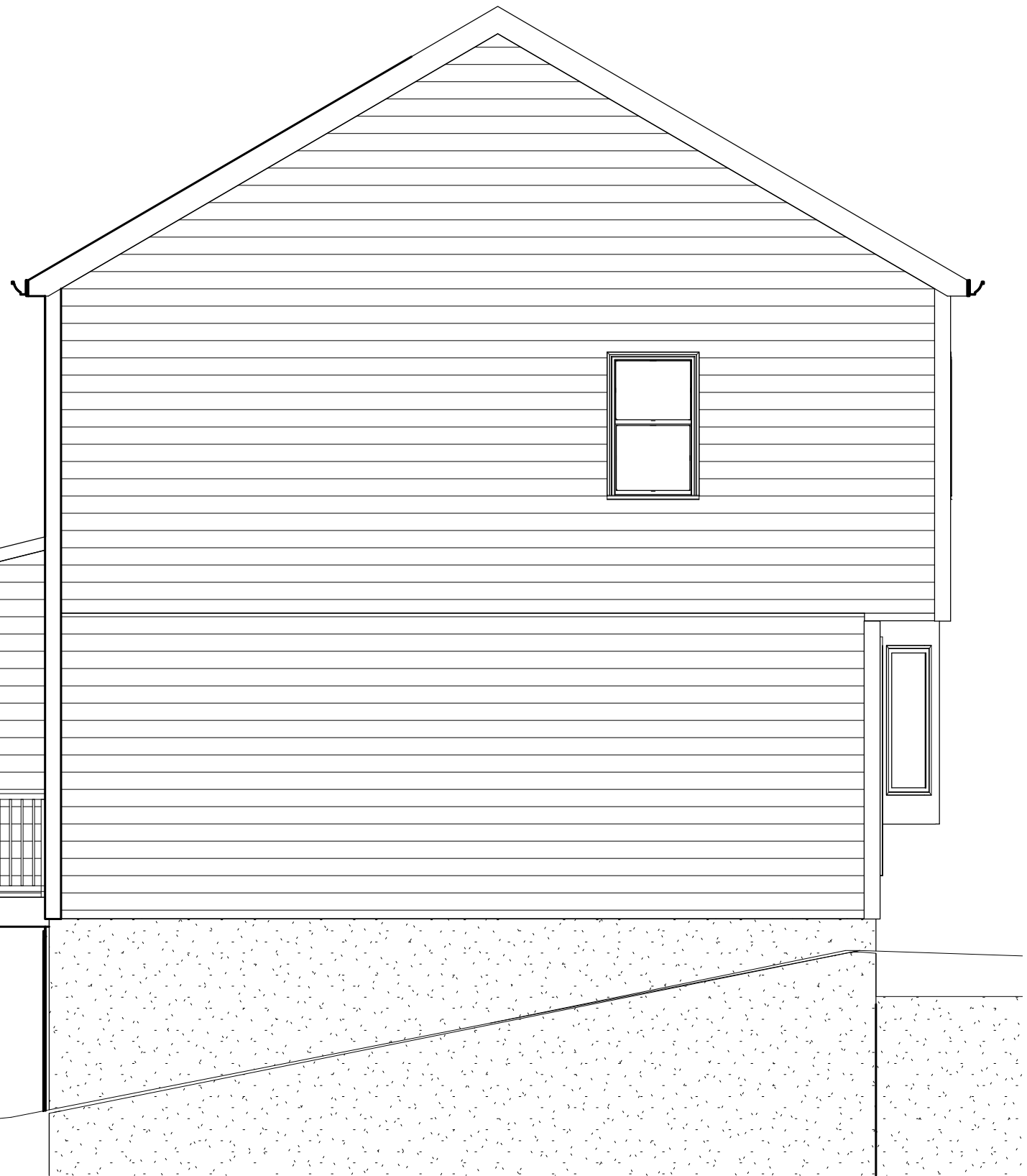
511 Main St
Medfield, MA 02052
508-359-7904



1 REAR ELEVATION
1/4" = 1'-0"



2 LEFT ELEVATION
1/4" = 1'-0"



Rear & Left
Elevations

Date	5-20-2020
Drawn by	WC
Checked by	
Scale	1/4" = 1'-0"

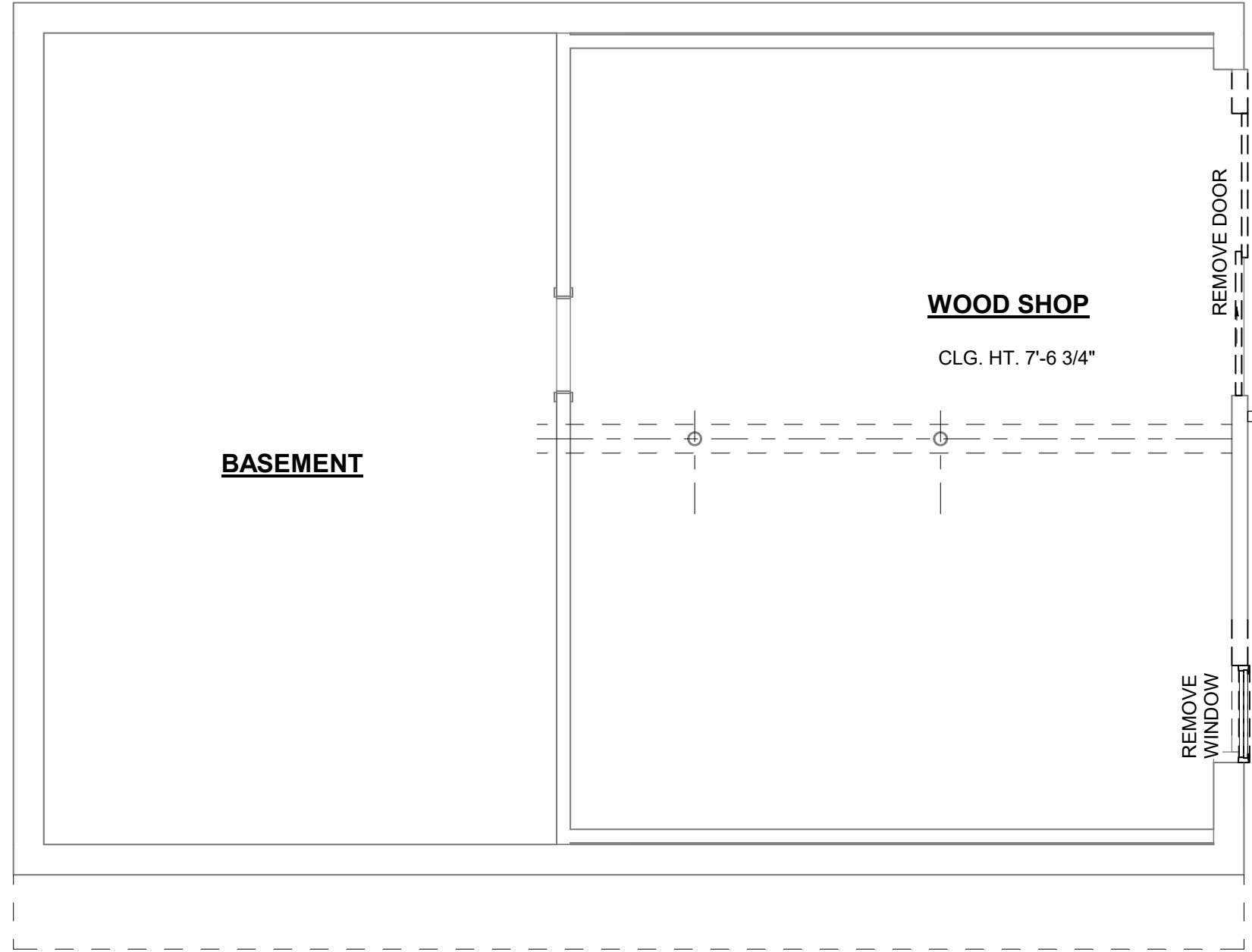
BOGOSIAN RESIDENCE

52 COULTON PARK
NEEDHAM, MA. 02492

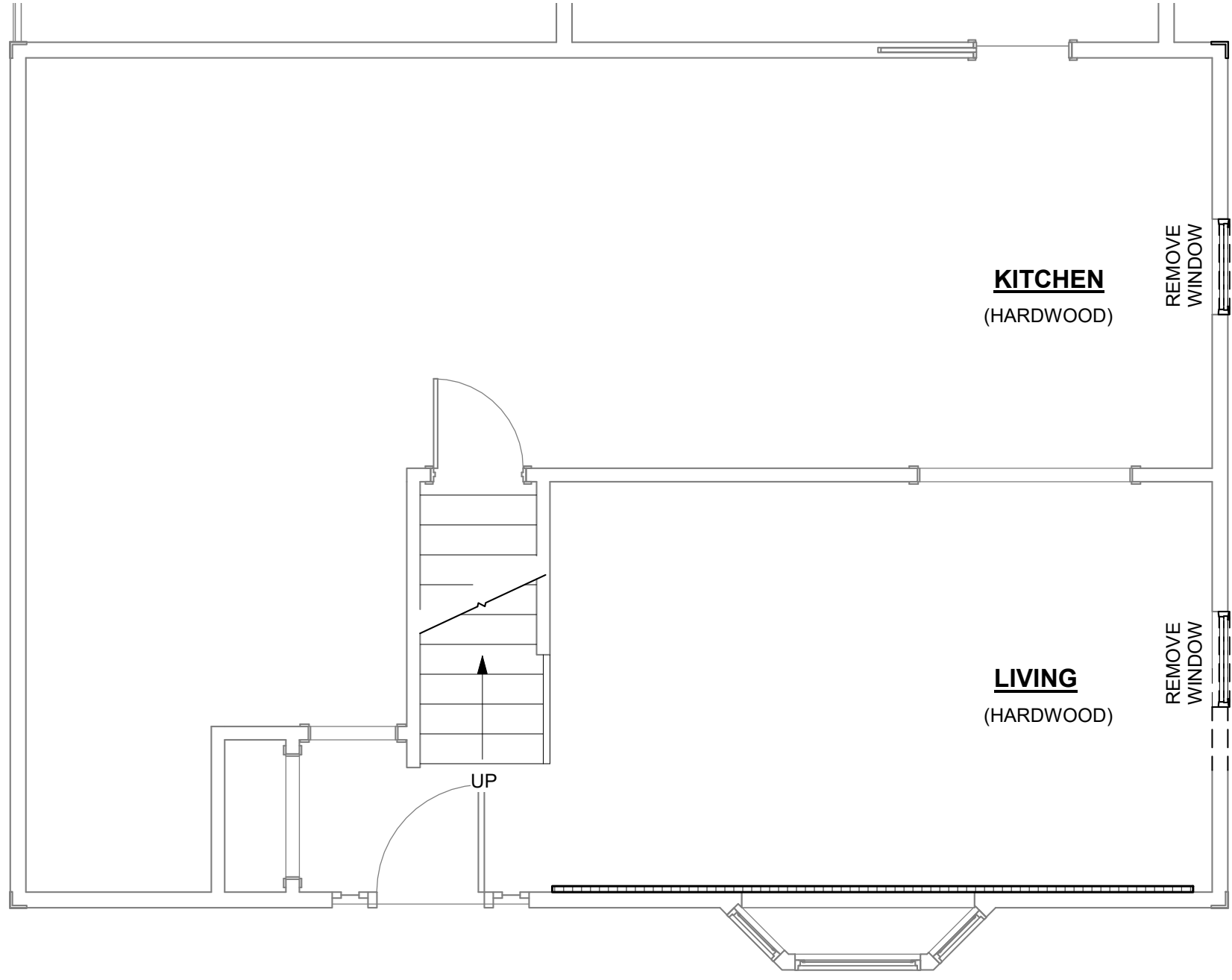
MITCHELL
CONSTRUCTION GROUP INC.

Designers Builders Remodelers

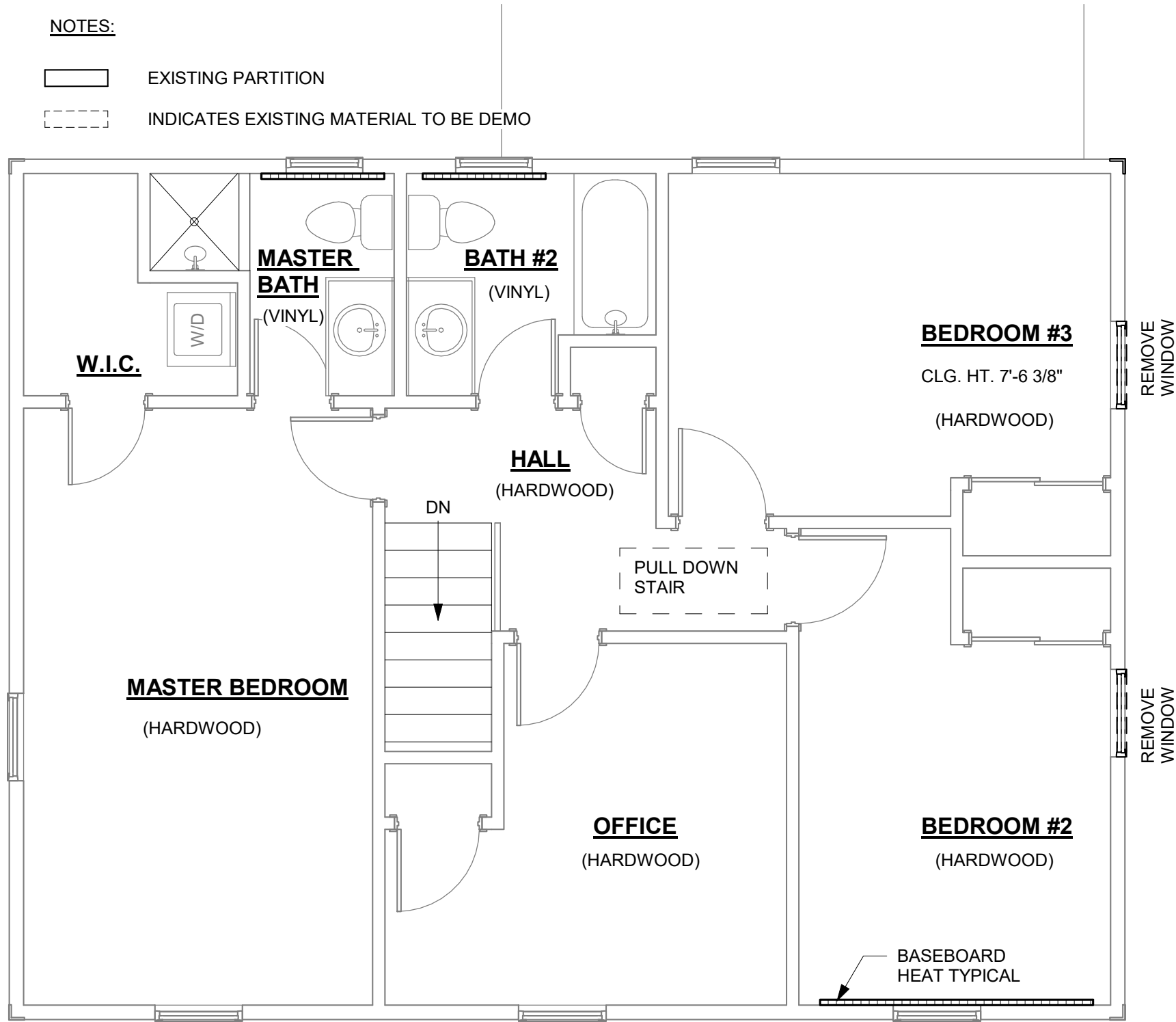
511 Main St
Medfield, MA 02052
508-359-7904



1 Basement Demo
1/4" = 1'-0"



2 First Floor Demo
1/4" = 1'-0"



3 Second Floor Demo
1/4" = 1'-0"

Demo Plans

Date	5-20-2020
Drawn by	WC
Checked by	
Scale	1/4" = 1'-0"

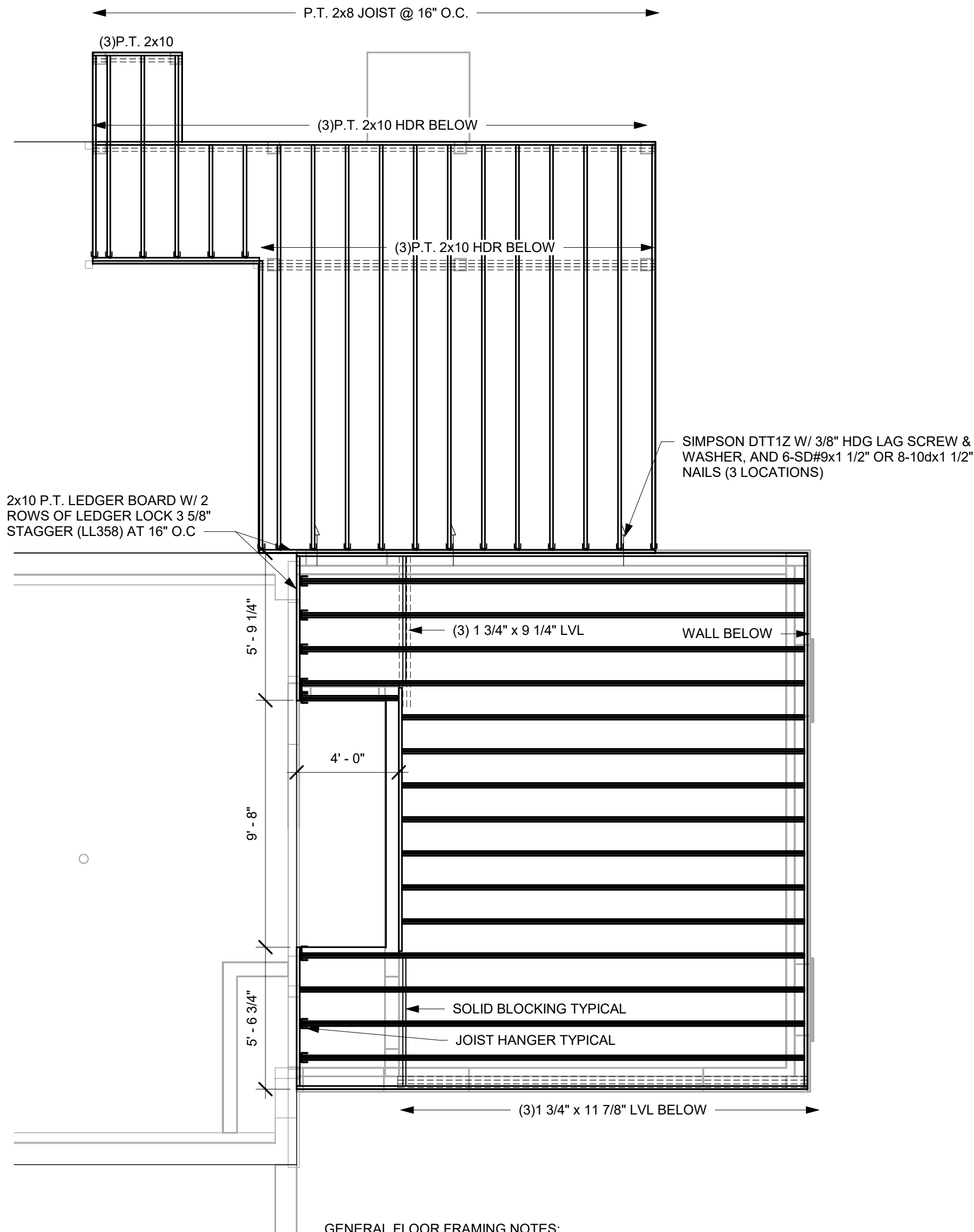
BOGOSIAN RESIDENCE

52 COULTON PARK
NEEDHAM, MA. 02492

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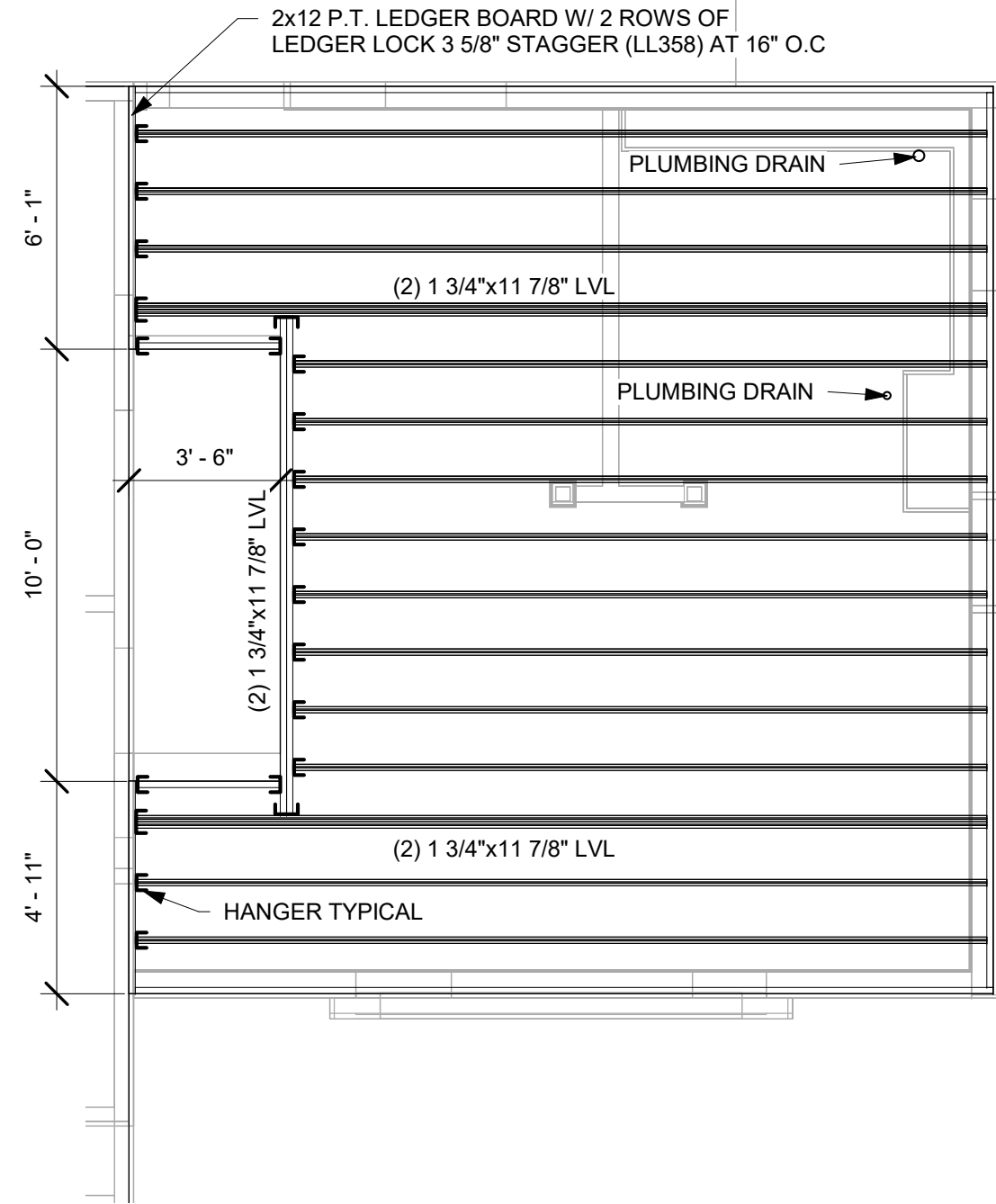
Designers Builders Remodelers

511 Main St
Medfield, MA 02052
508-359-7904



GENERAL FLOOR FRAMING NOTES:
ALL FLOOR JOIST TO BE TJI210 2 1/16" x 9 1/2" JOIST AT 16" O.C. UNLESS NOTED OTHERWISE
ALL POSTS TO BE (3)2x4 OR (3)2x6 MULTIPLE STUD POSTS
ALL HEADER TO BE (2)2x10 WITH 1" THICK RIGID FOAM AT EXTERIOR BEARING PARTITIONS
FIRE BLOCK / DRAFT STOP AS PER CODE

① First Floor Framing
1/4" = 1'-0"



GENERAL FLOOR FRAMING NOTES:
ALL FLOOR JOIST TO BE TJI360 2 5/16" x 11 7/8" JOIST AT 16" O.C. UNLESS NOTED OTHERWISE
ALL POSTS TO BE (3)2x4 OR (3)2x6 MULTIPLE STUD POSTS
ALL HEADER TO BE (2)2x10 WITH 1" THICK RIGID FOAM AT EXTERIOR BEARING PARTITIONS
FIRE BLOCK / DRAFT STOP AS PER CODE

② Second Floor Framing
1/4" = 1'-0"

First & Second
Floor Framing
Plans

Date	5-20-2020
Drawn by	WC
Checked by	
Scale	1/4" = 1'-0"

BOGOSIAN RESIDENCE
52 COULTON PARK
NEEDHAM, MA. 02492

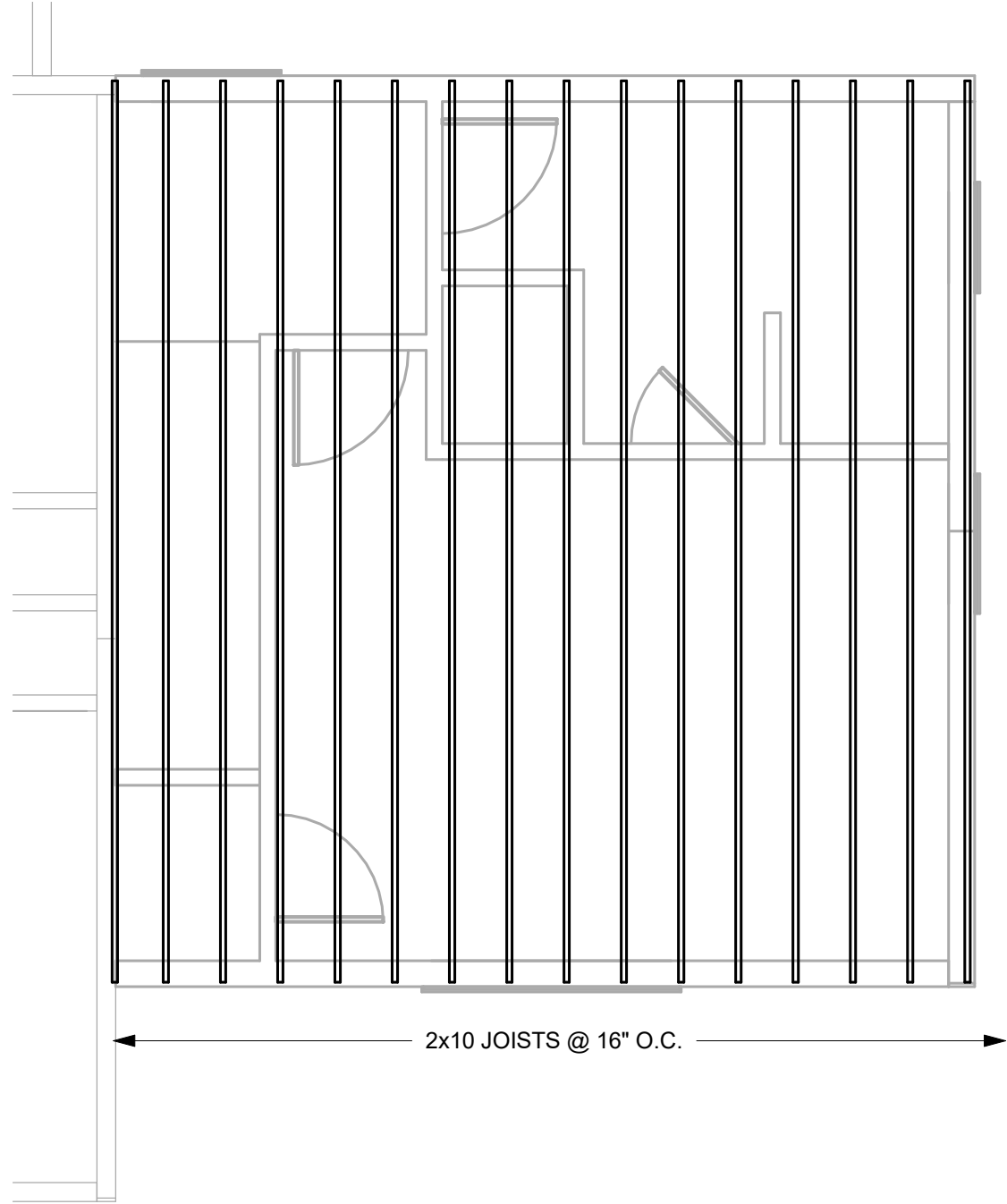
Mitchell
CONSTRUCTION GROUP INC.

Designers

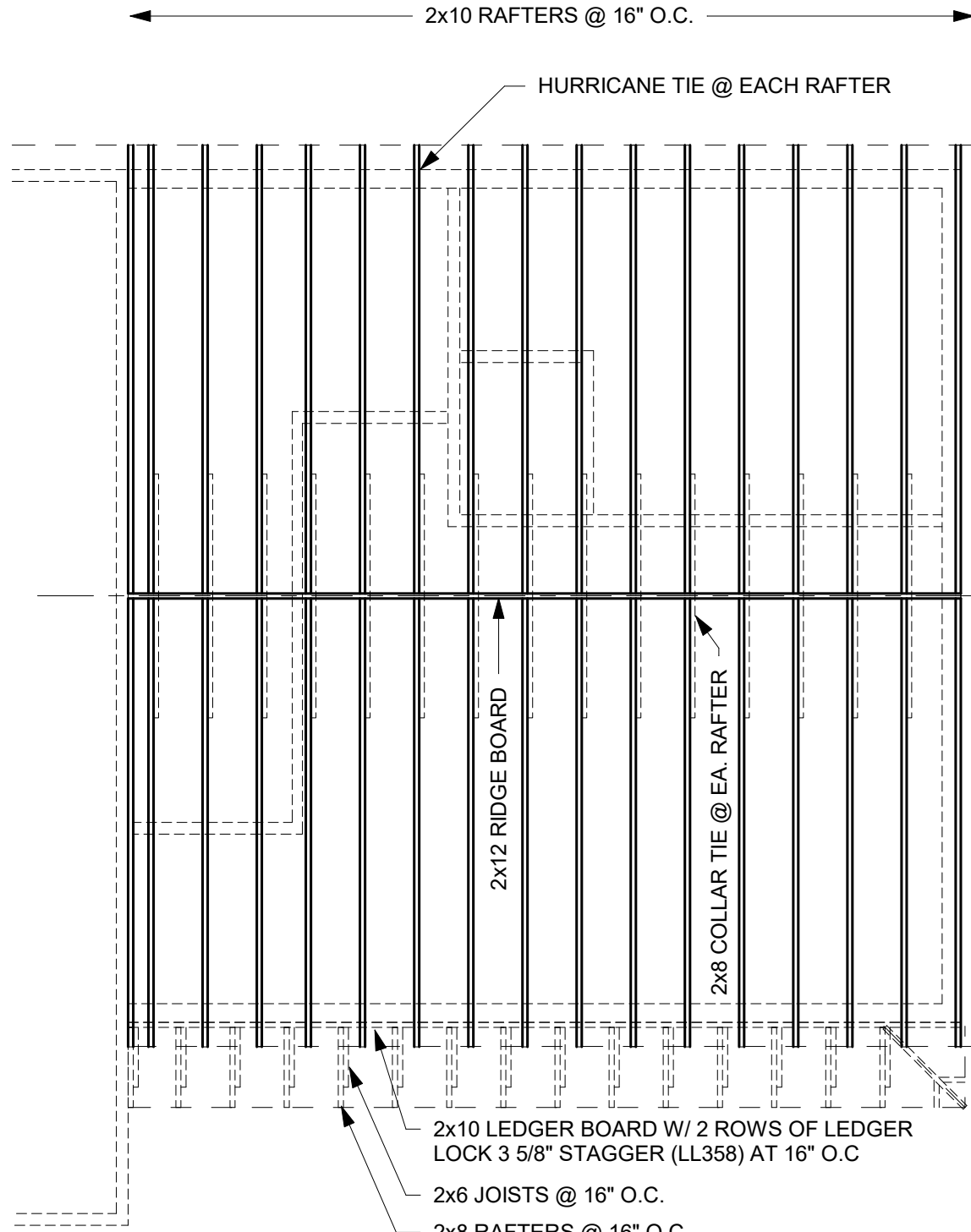
Builders

Remodelers

511 Main St
Medfield, MA 02052
508-359-7904



1a Attic Framing
1/4" = 1'-0"



2 Roof Framing
1/4" = 1'-0"

ROOF FRAMING SPECIFICATIONS:
ALL ROOF RAFTERS & HIPs TO BE SPF#2 2x10 @ 16" O.C.
UNLESS NOTED OTHERWISE.
PROVIDE H2.5A HURRICANE TIE AT ALL RAFTERS
PROVIDE 5/8" CDX FIR PLY 32/16 RATING STC II AT ROOF
EAVE & RAKE DETAILS TO MATCH EXISTING

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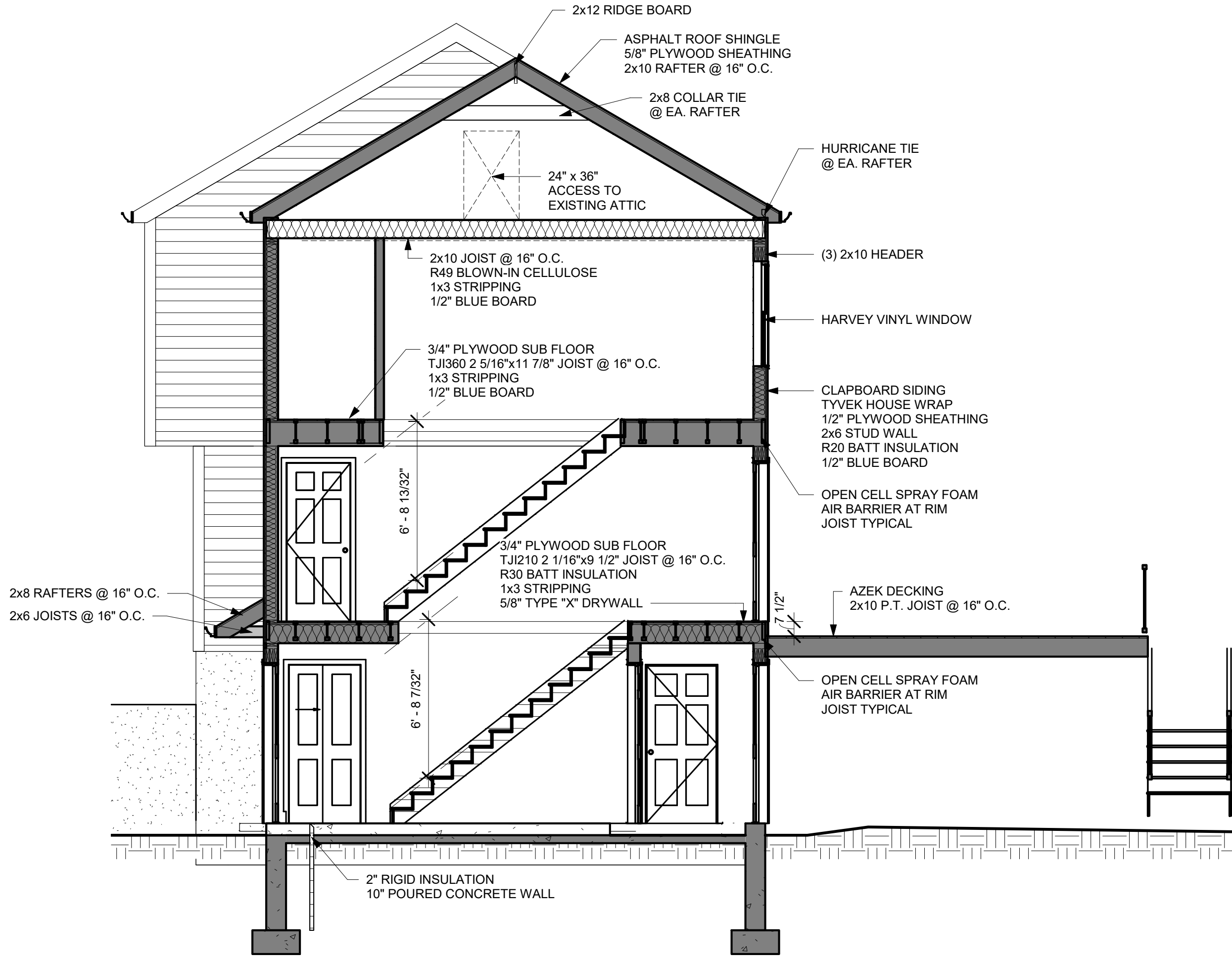
MITCHELL
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Designers Builders Remodelers

BOGOSIAN RESIDENCE
52 COULTON PARK
NEEDHAM, MA. 02492

Date 5-20-2020
Drawn by WC
Checked by
Scale 1/4" = 1'-0"

Attic & Roof
Framing Plans

A9



Section

Date	5-20-2020
Drawn by	WC
Checked by	
Scale	1/4" = 1'-0"

BOGOSIAN RESIDENCE

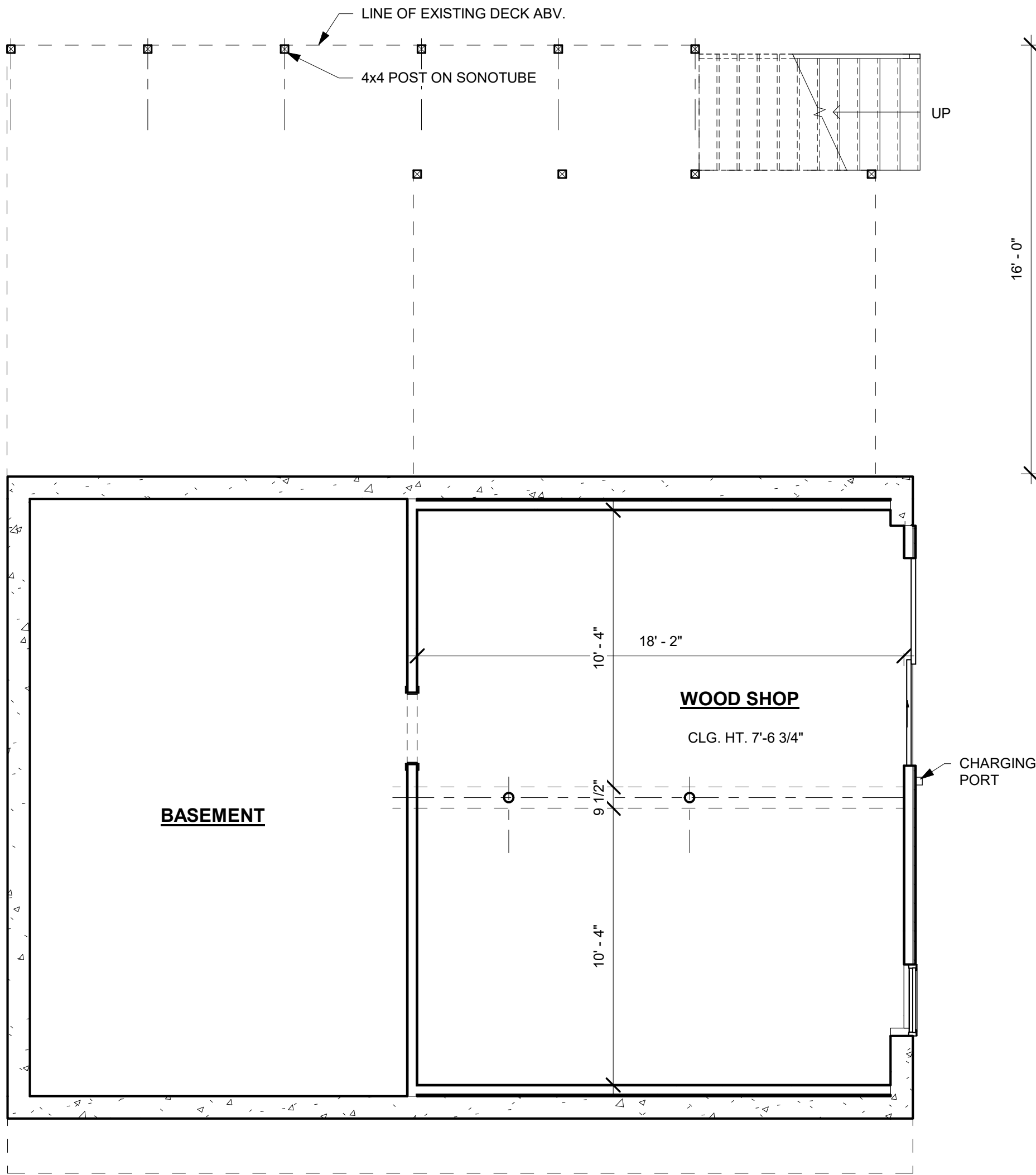
52 COULTON PARK
NEEDHAM, MA. 02492

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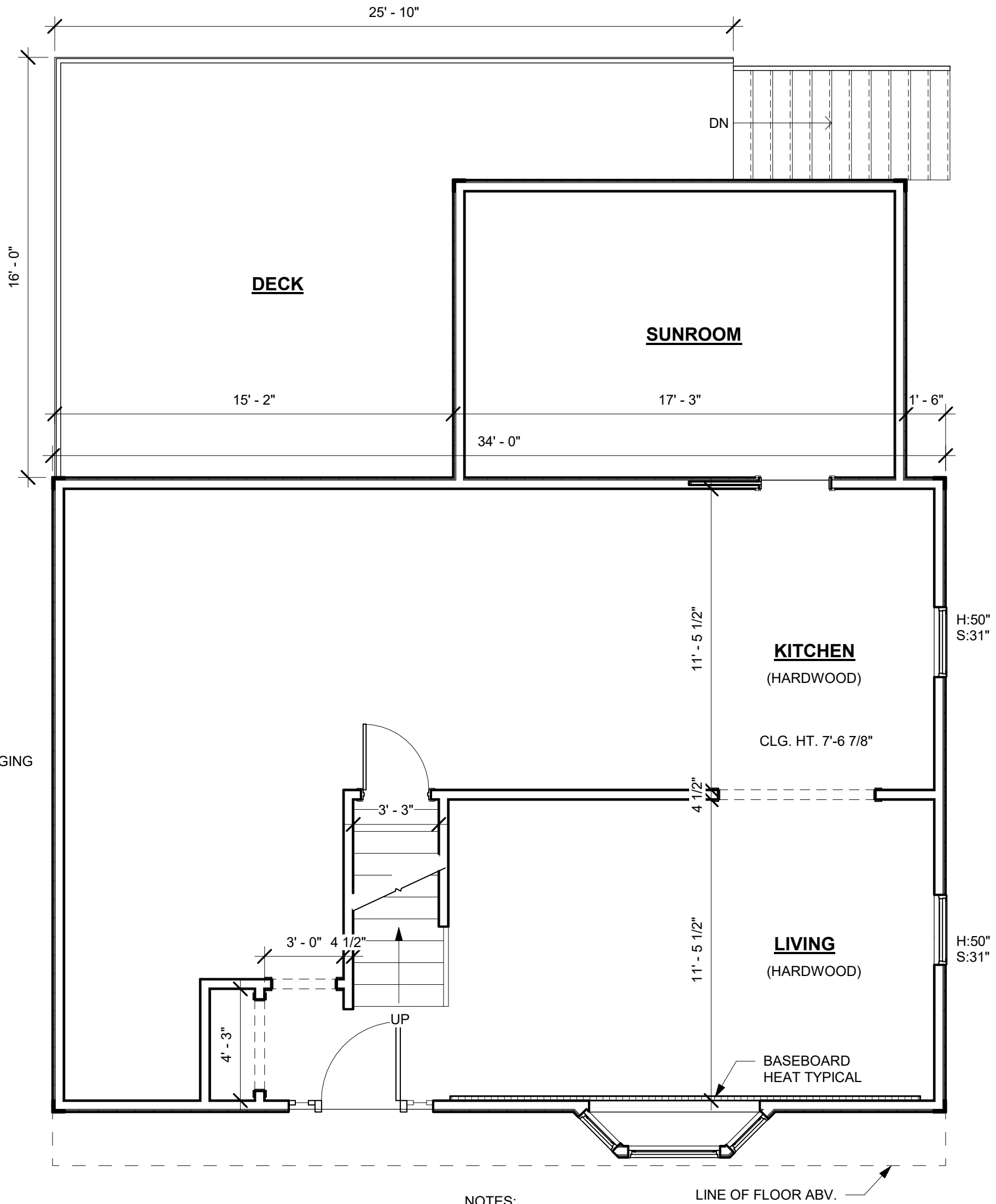
Designers	Builders	Remodelers
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511 Main St
Medfield, MA 02052
508-359-7904

1 Existing Basement
1/4" = 1'-0"



2 Existing First Floor
1/4" = 1'-0"



NOTES:
INTERIOR FINISHES:
3" CASING
3 1/2" BASE
2 1/4" OAK FLOOR

EXTERIOR FINISHES:
NEWPRO VINYL WINDOWS
4 1/2" TRIM
4 1/2" CORNER BD.
4 1/4" CLAPBOARD SIDING

BOGOSIAN RESIDENCE

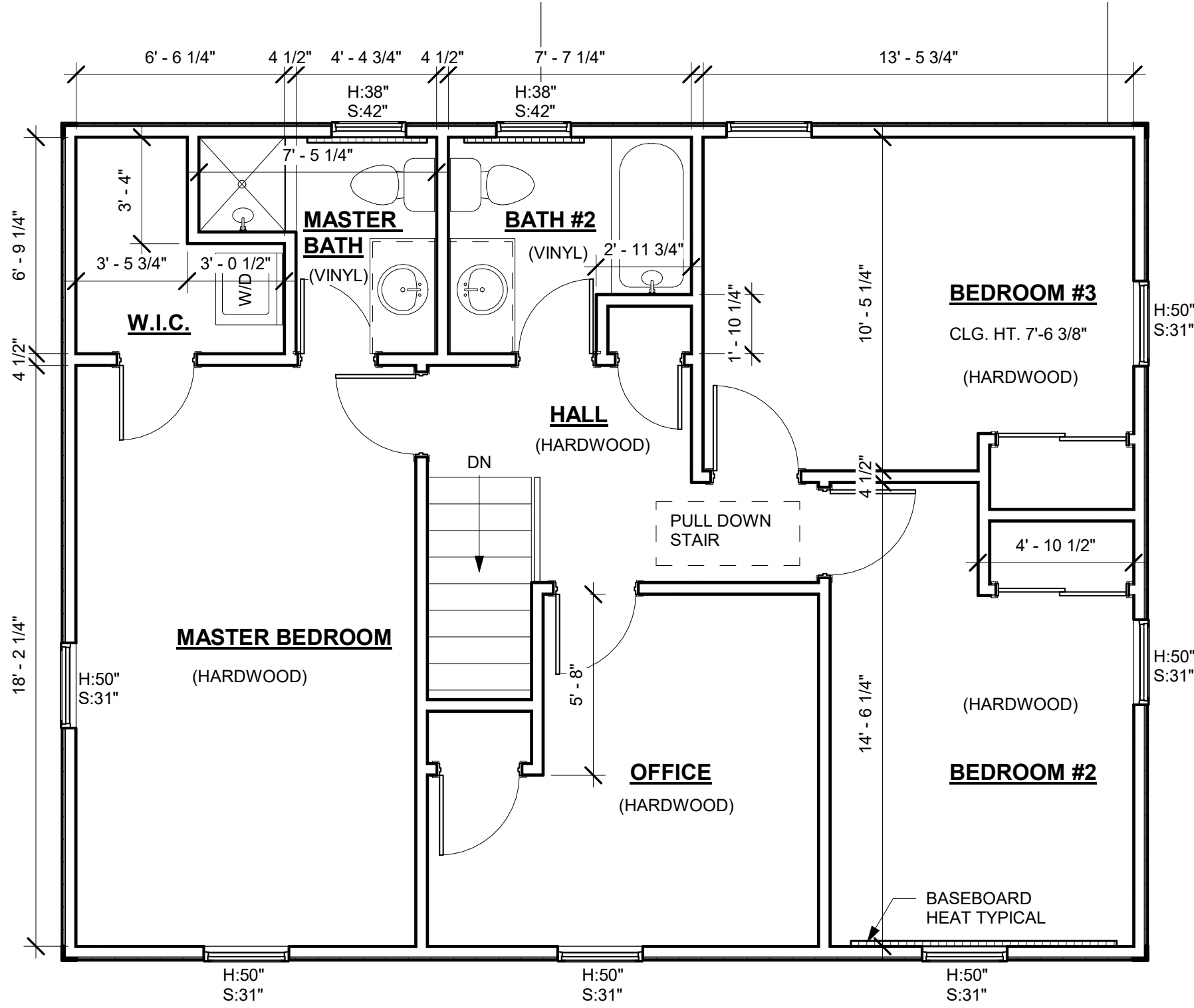
MITCHELL
CONSTRUCTION GROUP INC.
Designers Builders Remodelers

511 Main St
Medfield, MA 02052
508-359-7904

Existing Basement
& First Plans

Date	5-20-2020
Drawn by	WC
Checked by	
Scale	1/4" = 1'-0"

52 COULTON PARK
NEEDHAM, MA. 02492



511 Main St
Medfield, MA 02052
508-359-7904

MITCHELL
CONSTRUCTION GROUP INC.
Designers Builders Remodelers

BOGOSIAN RESIDENCE
52 COULTON PARK
NEEDHAM, MA. 02492

Existing Second
Floor Plan

Date	5-20-2020
Drawn by	WC
Checked by	
Scale	1/4" = 1'-0"

EX2



2 EXISTING RIGHT ELEVATION
1/4" = 1'-0"

1 EXISTING FRONT ELEVATION
1/4" = 1'-0"



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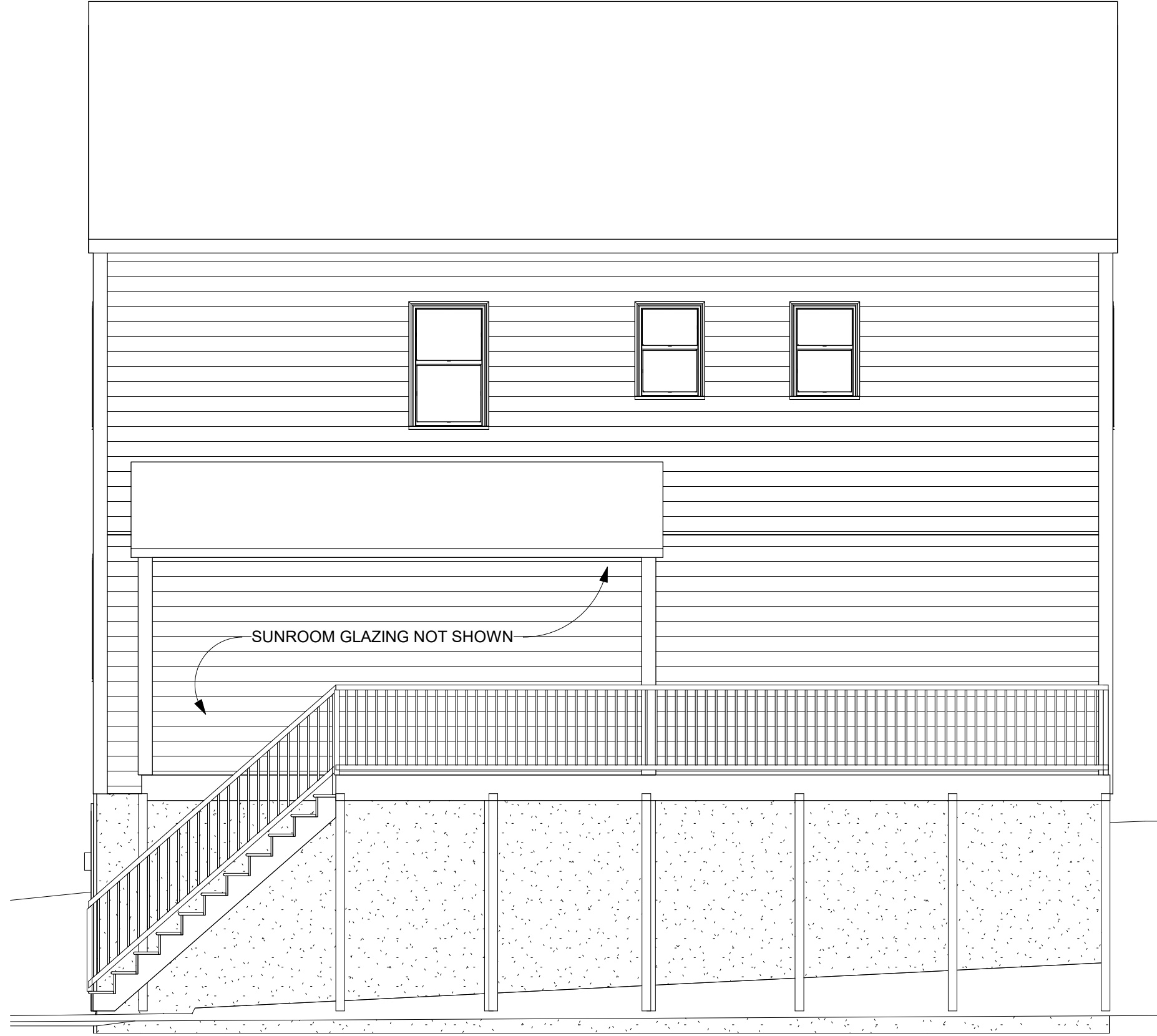
MITCHELL
CONSTRUCTION GROUP INC.
Designers Builders Remodelers

BOGOSIAN RESIDENCE
52 COULTON PARK
NEEDHAM, MA. 02492

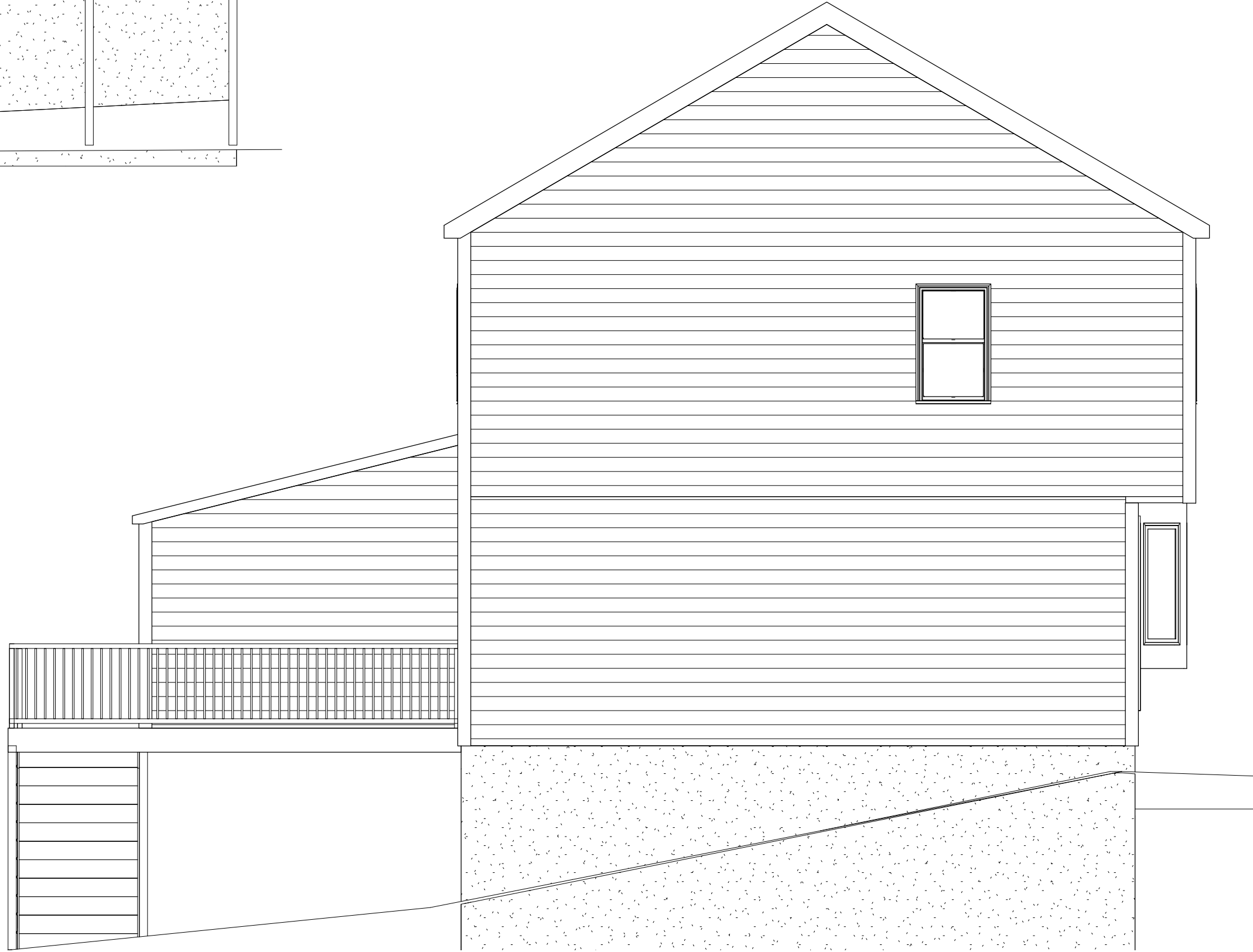
Existing Front &
Right Elevations

Date	5-20-2020
Drawn by	Author
Checked by	Checker
Scale	1/4" = 1'-0"

EX4



① EXISTING REAR ELEVATION
1/4" = 1'-0"



② EXISTING LEFT ELEVATION
1/4" = 1'-0"

BOGOSIAN RESIDENCE

52 COULTON PARK
NEEDHAM, MA. 02492

Existing Rear & Left
Elevations

Date 5-20-2020

Drawn by WC

Checked by

Scale 1/4" = 1'-0"

MITCHELL
CONSTRUCTION GROUP INC.

Designers Builders Remodelers

511 Main St
Medfield, MA 02052
508-359-7904

EX5







NEEDHAM PLANNING BOARD MINUTES

March 19, 2020

The regular meeting of the Planning Board held in the Charles River Room, Public Services Administration Building, was conducted using a remote program called Zoom.~~remotely.~~ The meeting was called to order by Martin Jacobs, Chairman, on Tuesday, March 19, 2020, at 8:32 a.m. with Messrs. Owens, Alpert and Eisenhut and Ms. McKnight, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Endorsement of ANR Plan – Jason Koshnitsky and Alina Kirzner, Petitioners (Property located at 142 Hunnewell Street, Needham, MA).

Ms. Newman stated this is a lot line adjustment between 2 properties. Lot 2B will be incorporated into the house at 142 Hunnewell Street. Both lots have the required frontage on a way and meet all lot and setback requirements. Lot G1 will be combined with 2B and Lot G2 will be combined with 2A.

Upon a motion made by Ms. McKnight, and seconded by Mr. Alpert, it was by the five members present unanimously:

VOTED: to endorse subdivision approval not required.

Request to Extend Action Deadline on ANR Plan – 766 Chestnut Street, LLC, Petitioner (Property located at 766 Chestnut Street, Needham, MA).

Ms. Newman noted a letter from Attorney Robert Smart, representative for the applicant, requesting an extension to the first meeting in May and extending the action deadline to 5/31/20.

Upon a motion made by Mr. Eisenhut, and seconded by Mr. Alpert, it was by the five members present unanimously:

VOTED: to extend the action deadline to 5/31/20.

Review and Approval of Highway Commercial 1 Zoning work plan.

Mr. Jacobs noted there is a problem with the work plan schedule, which was premised on Engineering doing new traffic counts. There will be no traffic counts done now until the traffic returns to normal. Ms. Newman stated she ~~worked with the Town and~~ contracted with a company to ~~do prepare~~ the scope of work. All new counts were to be required. She was working out the final details of that scope when the Corona Virus happened. New counts would be no good at this time. There were some counts done earlier for 2 of the locations, which were the intersection of Highland and Gould and the intersection of Gould and Central. She asked if it would make sense to delay this to get more comprehensive information. Furthermore, T~~he~~ assumption embedded does not allow housing as a permitted use. She asked if the Board wants to take ~~that housing~~ off the table or add it as a variable.

Ms. Newman noted the Board could move forward with the schedule with no new counts and rely~~ing~~ on the existing counts out there.

~~–She noted the Town will be going to remote zoom meetings. The new online permitting process was scheduled but that is not going forward at this time.~~ The Planning Department is scrambling to put together pieces to accept applications, post meetings and establish the review process. She asked what the Board views as priorities. Children's Hospital will be coming in. There will also be the Avery Square rehab with zoning changes, potential office on Highland Avenue and a proposed subdivision ~~for proposed by Attorney~~ –Robert Smart off Dedham Avenue.

Mr. Owens noted no one knows when or how this will end. Theoretically the current traffic counts are ok with him. He feels the Board needs to have a conversation with the Finance Committee. If the Board decides to delay because we believe we will be able to get accurate counts later there is a lot of risk. A theoretical analysis may not be satisfactory for the Finance Committee, which would be a dilemma. Mr. Alpert stated the traffic study needs to be delayed into the Fall. There will not be anything approximately ly to what would be normal traffic until September or October. He feels the Board should deal with this in the Fall. Mr. Eisenhut agreed.

Ms. McKnight stated the Board needs an updated traffic study. As compared with the prior counts, ~~there~~ there will be traffic changes when reflecting completion of the Add-A-Lane ~~is completed~~. She asked if there is any idea when the traffic will be impacted by the Highland Avenue project? —. She is concerned if that would be a factor. If that is not a factor she does not see why the decision to engage a traffic consultant cannot be put off until May. She believes the dates could be shifted with the traffic and the study could be done at the end of September. She stated the timing works if everything is just pushed off. She feels the traffic studies should be done.

Ms. Newman stated the estimate to do the work came in higher than expected. Some study locations do not feel necessary. She will put in a request for the funds on the Special Town Meeting Warrant so the money will be there when it can go forward. Originally the consultant was asked to model at 1.35 FAR with a split between office and research and development. Another example could have housing with a mixed use. She would like to finalize next steps.

Mr. Jacobs asked if anyone wanted to remove residential housing as a use. Mr. Owens stated he would need more information on that. He wants a firmer grasp on where that is going politically. He continues to believe this is not a site for residential. He knows some Town Meeting members and a couple of Select Board members keep raising this issue. The Planning Board decided years ago this was not an appropriate site for residential. He feels it is a big mistake to go the residential road.

Ms. Newman stated she would like to make sure Mr. Owens is looking at the entire site. One option could be for the housing to be located on the Channel 5 site closer to the MBTA right of way and the residential neighborhoods. Mr. Owens has thought about that. He sees no reason to believe Channel 5 is going anywhere and residential on that site would have to exit at Gould and Highland or Gould and Central. He does not want to put on that extra traffic burden. Mr. Jacobs stated it the scope of work currently includes a residential option and asked if the Board wants to keep that included. Mr. Eisenhut stated the study should include the option. It may show it would increase traffic.

A motion was made to say the study should include residential. Ms. McKnight noted it should say “zoning would likely not include housing due to the traffic impact which is to be studied.” Mr. Alpert stated this is the scope of work for the GBI traffic study and not for Town Meeting. He is open to Mr. Owen’s opinion but is keeping an open mind.

Upon a motion made by Mr. Eisenhut, and seconded by Mr. Alpert, it was by four of the five members present (Mr. Owens voted in the negative):

VOTED: to say “the zoning would likely not include housing due to the traffic impact which is to be studied.”

Mr. Jacobs noted the schedule presented would be revised.

Report from Planning Director and Board members.

Ms. Newman gave a recap of where the department is. She noted the Children’s Hospital meeting scheduled for 4/15 will probably be held remotely. Ms. McKnight gave an update on the Legislature’s vote regarding Town Meetings and allowing the Town Moderator to postpone Town Meeting.

Upon a motion made by Mr. Alpert, and seconded by Ms. McKnight, it was by the five members present unanimously:

VOTED: to adjourn the meeting at 9:05 a.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Jeanne S. McKnight, Vice-Chairman and Clerk

NEEDHAM PLANNING BOARD MINUTES

April 7, 2020

The Planning Board Virtual Meeting using Zoom was remotely called to order by Martin Jacobs, Chairman, on Tuesday, April 7, 2020, at 7:00 p.m. with Messrs. Owens, Alpert and Eisenhut and Ms. McKnight, as well as Assistant Planner, Ms. Clee.

Mr. Jacobs reviewed the rules of conduct for zoom meetings. He noted there would be no public comments at this meeting. The public may submit comments via email or writing to the Planning Board if there are any issues with matters continued tonight to the 4/21/20 meeting at 7:00 p.m.

Appointment:

7:15 p.m. – Presentation and discussion: Update on Emery Grover Building working group.

Hank Haff, representative for the Emery Grover working group, stated the group has been working for over 6 months looking at options for the School Department's Emery Grover Building. It is out of date and too small. They are looking at the most viable solution. The Select Board requested 2 options both at the same site. Option 1 would be to construct an addition and renovate the building and Option 3 would be to demolish the building and build a new building. Both options would require action by the Planning Board such as zoning changes for the A1 District FAR and waivers associated with parking.

Reece Schroeder, representative for the Permanent Public Building Committee (PPBC), stated 2 of 6 options are being looked at. A new building on the same site is the best option. Both options are on the same site. He reviewed the requirement in the A1 zoning district – FAR is 0.5 for a maximum of 23,077 gross square feet for the 1.06 acre site and the maximum height is 3 stories or 40 feet. The parking is one space per 300 feet for office. There are some areas of non-conformance. The new building would have 30,419 of gross square footage which exceeds the FAR at 0.66. The renovation and addition would have 30,266 of gross square footage with an FAR of 0.74 with 4 stories over 50 feet in height.

Mr. Schroeder noted the project does not meet the side yard setback. There are 101 parking spaces for the new building and 114 for the renovation. With the new building there would be 66 new spaces with 3 handicap spaces and a deficiency of 39 spaces. The renovation would have 36 spaces with 2 handicap spaces and a deficiency of 78 spaces. The PPBC could construct 24 off-site parking spaces at the Steven Palmer site but the distance from the Emery Grover building is greater than 500 feet. He noted remote parking must be within 300 feet of the site. He reviewed the waivers which include FAR, parking spaces, additional future parking and remote parking at a distance greater than 300 feet. A renovation would also have additional waivers of height and side yard setback. There is a non-conforming driveway opening on Highland Avenue.

The proposed new building is within the allowed setbacks and parking will be behind. There will be a 1,200 square foot conference center and the school Information Technology Department. The remote parking could be increased by building a parking lot on Pickering Street. That would provide 22 more parking spaces. There will be a one-way, double loaded angled parking lot. The architects design has not been vetted yet so he is just suggesting general massing only. There will be a full below grade basement with 3 stories above. Each floor will be 13 feet 4 inches to maintain the 40 foot roof height. The existing lots on Pickering Street are for residents or for lease and are not considered in this study. The site is zoned A1 Apartments and is not in the Needham Center Overlay District. This conforms to all setback requirements.

Mr. Schroeder noted the existing building has an FAR of 0.4. The project needs a minimum of 101 parking spaces and there are 67 spaces currently. With the new construction there would be 63 spaces behind for a non-conforming parking count. With Pickering Street there would be 85 spaces and a waiver for number of spaces would be needed. There would also be a waiver for the remote location at more than 300 feet away. He noted Option 3 is the

renovation with construction of a 50 foot addition to the rear. He reviewed the necessary waivers and gave a summary of the zoning requirements. There would be exterior historical renovations if Option 3 were chosen. The existing building is 55 feet high pre-existing, non-conforming. There would be an addition of 3 stories that would match the existing above 40 feet. The existing drive is non-conforming. Mr. Haff stated there are a number of challenges. The reuse of the site and location for the School Department have been identified as very important aspects by the School Committee and School Department. There would need to be a number of waivers and changes to the Zoning By-Laws in order to accomplish this. The town went through new By-Law changes with the new school on Central Avenue. The working group would like feedback from the Planning Board. He noted this is a very preliminary discussion.

Ms. McKnight stated she agrees with the decision to have the school administration in the downtown location. She is in favor of historic preservation but she is torn on this project. She noted the property off site is out on long term lease by the Town. How feasible is it to use that strip for parking? Mr. Haff noted the long-term lease goes until 2027 and was a 50 year lease. The timing of reconstruction is such that it would not open for 3 to 4 years at the earliest. He has not explored in detail putting in that additional parking or vetted with only the PPBC but the Select Board has offered it as the only option other than on street parking. Ms. McKnight asked what Zoning By-Law amendment is needed for the A1 District. She asked if consideration has been given to increase the FAR of the A1 District. She feels that should be looked at as an option and might be a simple solution. Mr. Haff stated he has not looked at that as an option.

Mr. Jacobs asked if the town owns the Steven Palmer site currently and was informed it does. He asked if future parking will be available at the 2027 termination date. Mr. Haff stated 22-24 spaces may be available sooner. The town would need to look at all options. Mr. Owens asked if the existing Emery Grover building was historical. Mr. Haff stated it is on the state and national register. Mr. Owens asked if the option of renovation and addition is more expensive than the tear down. Mr. Haff stated the next step is the cost estimate and will include a temporary relocation to the Hillside School for the 2 year renovation. Mr. Owens asked if the current building is functionally obsolete. Mr. Haff stated yes, there is no ADA access, no elevator and it is not sprinklered. It was fully code compliant when constructed in the 50s.

Mr. Eisenhut stated in an ideal world the historic façade could be preserved and an addition put on. He sees preservation as politically welcome in the Town and pleasing. He asked if Option 3 would create a much larger number of gross square footage and less parking and was informed it would. He commented he does not like paring in front as it is not aesthetically pleasing. Option 3 continues the parking in front. He feels the façade should be preserved, the parking in front taken away and not doing quite as large an addition in the back. He asked if that has been considered. Mr. Haff stated they looked at preserving the front façade and adding a footprint of the total new construction. This is the most expensive option. A small addition is less efficient than a total reconstruction. Mr. Eisenhut stated Option 3 is really squeezing the property. He feels the parking area is really underutilized.

Mr. Schroeder noted there is a staff of 54 plus visitors. The IT Department has 15 employees with work stations and the van drivers are in and out. The School Department has been requiring 100 spaces. Less spaces would require people to park on the street. The 100 spaces includes the large meeting area. Mr. Eisenhut stated he would like to see the façade saved, be aesthetically pleasing and not have parking in front unless necessary.

Mr. Alpert agrees with the others comments. He has no problem with the request for additional FAR. The renderings meet height requirements. He is concerned with parking, with how many employees and traffic in and out. Option 3 with 36 spaces is nowhere near the amount of parking needed. Parking on the street in that area is already a problem. Option 1 looks like parking may be alright. He is not vested in saving the façade as long as it looks nice. He is fine with the FAR change request but parking is a huge problem. Mr. Jacobs agreed with all that has been said. Option 3 would not work. The parking is way too limited. He is not wedded to the historic nature of the building. There are limited options and Option 1 is better than Option 3. He has no problem with the FAR increase but parking is a problem.

Steven Popper, of the PPBC, stated he appreciates the comments. The comments have been helpful and he has a better understanding of issues going forward. He will price both schemes to understand the aspects of the costs. Mr. Jacobs asked if there was a sense of the timing of how long it would take to do that. Joel Bargman noted they were ready to start next week and it will be 2 weeks to get the cost estimates together. They are looking at the end of April to report back to the PPBC. Ms. McKnight stated the building is on the federal and state historic register. The schools get significant grant money from the state. She asked if there is similar state funding available for the administration building and, if it was sought, would the historic designation be a barrier to getting funds. Mr. Haff stated the MSBA does not fund school administration buildings. There might be other grants for historic preservation that could be requested if renovated. It could potentially be funded through Community Preservation Act (CPA) funds but that is still taxpayer funded. He asked if the FAR would be waived down or does it have to go to Town Meeting. What would the timing be if it has to go to Town Meeting? Mr. Jacobs stated he is not sure if it could be waived. Ms. McKnight stated she is not sure it could be waived in the Apartment 1 District. The Board could issue a Special Permit for something already non-conforming but not non-conforming with FAR.

Mr. Jacobs noted there was no firm answer. If it is a zoning change to Town Meeting it would at best be in the Fall. The Planning Board would need to think about timing but it is possible to be ready for the Fall.

Discussion of Beth Israel Deaconess Hospital Needham request to extend a pre-existing, non-conforming setback.

Michael Kelly, Director of Facilities for BID Needham, noted this was non-conforming for many years before he started. This was an awning 9 feet off the property line that needed to be removed for the temporary compounding pharmacy. The Department of Public Health required the hospital to build a vestibule in lieu of the awning for a compounding trailer for the pharmacy. The pharmacy was built and the trailer went to another facility. They were left with the structure which is a vinyl sided eye sore. It was built under Needham regulations and is a fully sprinkled building. The building is 20 feet off the property line. The hospital proposes to add faux brick or full brick to the exterior of the building with a sliding glass façade to match the other façades from 1948 and 1965. They will match it as best as they can. The proposal is to remove the concrete half rounds that made the driveway and add foliage. Presently the variance allows pick up and drop off of patients there.

Ms. McKnight stated she reviewed the original Special Permit granted in 2007 and the amended Special Permit granted in March 2019. She walked by and took photos of the temporary structure. She feels the area in question should revert to the prior use such as persons brought by ambulance on a non-emergency basis. She does not see why the temporary portico is not removed and brought back to the original entrance. She asked why it has to extend so far out that it violates the setback requirement. Also, she does not understand why the masonry wall has to be removed. The wall is behind the plantings. She feels it is an appealing feature of that area. Mr. Kelly noted the applicant is obligated to put back the awning. It is not aesthetically pleasing and sticks out. The awning is too short in height. Economics make sense to having something aesthetically pleasing and avoid issues down the line. The wall will not be noticeable if it was taken down with an appropriate planting package.

Mr. Owens stated he is not clear on why the original promise needs to be cast aside. The Board was told in 2019 the compounding pharmacy was a one-time event and would be put back. Mr. Kelly stated the hospital wants to adhere. They were looking at what needed to be done for this compounding pharmacy and what would happen if there were issues down the road. They would not be able to bring in mobile equipment quickly if necessary so they would like to save the vestibule. Mr. Owens stated that is not persuasive. Mr. Eisenhut noted the setback requirement is 25 feet and it will be at 20 feet. He suggested bringing it back the 5 feet. Mr. Kelly stated it is approximately 9 feet and will be at 20 feet. He will look at it.

Ms. McKnight stated it could be a minor modification. The Planning Board could vote to not put the awning back as a minor modification. Keeping the new entrance would be an amendment to the Special Permit and may need a hearing. Mr. Alpert stated there is a huge difference between allowing disparity from the setback requirement for the awning high up versus a new structure. He understands the desire and reasoning for keeping the structure. He

feels this would be an amendment and not a minor modification. He sympathizes with the hospitals desire for this. He would like to see a more formal application. Mr. Jacobs had nothing to add.

Mr. Kelly stated he respects the comments. He asked if he should prepare a package for a Planning Board hearing. Mr. Jacobs noted he should and he suggested the applicant speak with the abutters first. Ms. Clee suggested the applicant talk about use changes if any. It should be clear what the hospital would be proposing including emergency situations.

Update on Scope of Traffic Study for Highland Commercial 128 zoning.

Ms. Clee stated the plan is to get the appropriation at the Special Town Meeting in the Spring and do traffic counts in the Fall. Mr. Jacobs commented he anticipates the counts assume that traffic will have returned to normal by the Fall. Ms. Clee feels the hope is to get close enough. Mr. Owens stated the Board needs to figure out what can be supplied to the Finance Committee and what would satisfy them. He would say that unless traffic has returned to some semblance of normal they would not pay attention to any traffic study done. It makes sense to go ahead and ask for funding but it is still a big unknown when to go ahead with the study. All agreed the Planning Board should seek the funding but not go ahead yet.

Mr. Alpert stated if traffic is not back to normal by September maybe this project should be shelved. Adam Block, candidate for the Planning Board, asked what had happened to the original request of \$30,000. Has that been spent? Ms. Clee was not sure. Mr. Jacobs' belief is a prior study has essentially been completed. This is money for a new study with an increase in the scope of the study. Ms. McKnight believed there was a traffic study done for the rezoning of the Muzi site. This is talking about the need for another traffic study. If put off, she does not see anything that says the prices will still be good.

Mr. Block recalls there were traffic study results presented at a prior Town Meeting. Ms. McKnight noted the Board thought to re-engage the consultants for expanded scenario traffic counts but realized the old traffic counts were too old. Mr. Alpert agreed they were using the old data. Mr. Block asked if the hospital has permanent CAT scan or PET scan capabilities. Ms. Clee will check on that tomorrow.

Discussion of Planning Board meeting schedule.

Ms. Clee noted there will be a meeting by Zoom on 4/15/20 at 7:00 p.m. and the Board will convene at 6:45 p.m. There was a meeting scheduled for 4/21 but that will be canceled. There was no early May meeting due to Town Meeting. There could be an early May meeting scheduled now as Town Meeting has been postponed until June. She proposed 5/5/20. All agreed. She added all Zoom meetings will begin at 7:15 p.m. going forward.

Minutes

Ms. McKnight noted in the minutes of 1/7/20, under Highland Commercial 1 Rezoning, 4th paragraph, last sentence, take out "there was."

Upon a motion made by Ms. McKnight, and seconded by Mr. Alpert, it was by the five members present unanimously:

VOTED: to accept the minutes of 1/7/20 with the one change discussed.

Upon a motion made by Ms. McKnight, and seconded by Mr. Alpert, it was by the five members present unanimously:

VOTED: to accept the minutes of 12/17/19 and 1/21/20 as revised.

Correspondence

There is no correspondence.

Report from Planning Director and Board members

Ms. McKnight noted she viewed the Zoning Board of Appeals Zoom meeting and recommended linking onto that as she felt it was helpful. Mr. Jacobs commented the meeting went better than expected and he thanked all.

Upon a motion made by Ms. McKnight, and seconded by Mr. Alpert, it was by the five members present unanimously:

VOTED: to adjourn the meeting at 9:00 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Jeanne S. McKnight, Vice-Chairman and Clerk