

NEEDHAM PLANNING BOARD

Tuesday, April 6, 2021

7:15 p.m.

Virtual Meeting using Zoom

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

(Instructions for accessing below)

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

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

Or to Listen by Telephone: Dial (for higher quality, dial a number based on your current location):
US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 Then enter ID: **826-5899-3198**

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

1. Public Hearing:

7:20 p.m. Article 1: Map Change to General Residence B Zoning District

2. Appointment:

7:50 p.m. Minor Project Review: Needham Enterprises, LLC, 105 Chestnut Street, Suite 28, Needham, Massachusetts, Petitioner (Property located at 1688 Central Avenue, Needham, MA).

3. Discussion and Vote of Planning Board Recommendations on Zoning Articles for Annual Town Meeting.

4. Board of Appeals – April 15, 2021.

5. Minutes.

6. Correspondence.

7. 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

In accordance with the provisions of M.G.L., Chapter 40A, S.5, the Needham Planning Board will hold a public hearing on Tuesday, April 6, 2021 at 7:20 p.m. regarding certain proposed amendments to the Needham Zoning By-Law to be considered by the Spring 2021 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.

To view and participate in this virtual hearing 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 hearing 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

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.

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 18, 2021 and March 25, 2021.

cc: SB
→ KFC

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

RECEIVED
TOWN OF NEEDHAM
SELECT BOARD

2020 JAN 30 P 3:43

TELEPHONE (781) 449-4520

FAX (781) 465-6059

January 30, 2020

Kate Fitzpatrick
Town Manager
Town of Needham
1471 Highland Avenue
Needham, Massachusetts 02492

COMPLETED
1/31/2020

Re: Bruno DiFazio
Hunting Road
Petition for Zoning Map Change

Dear Ms. Fitzpatrick,

Please be advised that this office represents Bruno and Linda J. DiFazio, individually and as Trustees of the Bruno DiFazio Living Trust, owners of the property at 176 Hunting Road, Needham, MA, relative to their desire, pursuant to M.G.L. c. 40A, Section 5, to petition the Town of Needham Town Meeting for a Zoning Map Change. Their property, and all those located generally along the easterly side of Hunting Road, are currently situated in the SRA Zoning District. However, their lot, and all the other properties south of them, down to Cheney Street, do not meet applicable requirements for SRA. Moreover, because of their smaller size, these lots are unduly restricted by the SRA setback requirements.

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

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

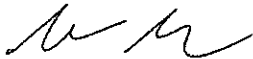
254 Kendrick Street	58	24
258 Kendrick Street	58	22
286 Hunting Road	58	21
290 Hunting Road	58	20
296 Hunting Road	58	19
304 Hunting Road	58	18
342 Greendale Avenue	58	4
35 Cheney Street	58	3
29 Cheney Street	58	2
23 Cheney Street	58	1

The DiFazios have already obtained signatures of support from most of the affected properties, including a land owner affected by the proposed change and 10 or more registered voters (see signature sheets and letters provided herewith as Exhibit B), and pursuant to M.G.L. C.40A, Section 5, and M.G.L. C. 39, Section 10, requests that the matter be brought before the upcoming Annual Town Meeting. A proposed draft warrant is provided herewith as Exhibit C.

If you or the Board of Selectmen have any questions comments or concerns relative to the foregoing, or if you require any further information, please do not hesitate to contact me.

Your attention and cooperation are appreciated.

Sincerely,



George Giunta, Jr

EXHIBIT A
Assessor's Map Selections

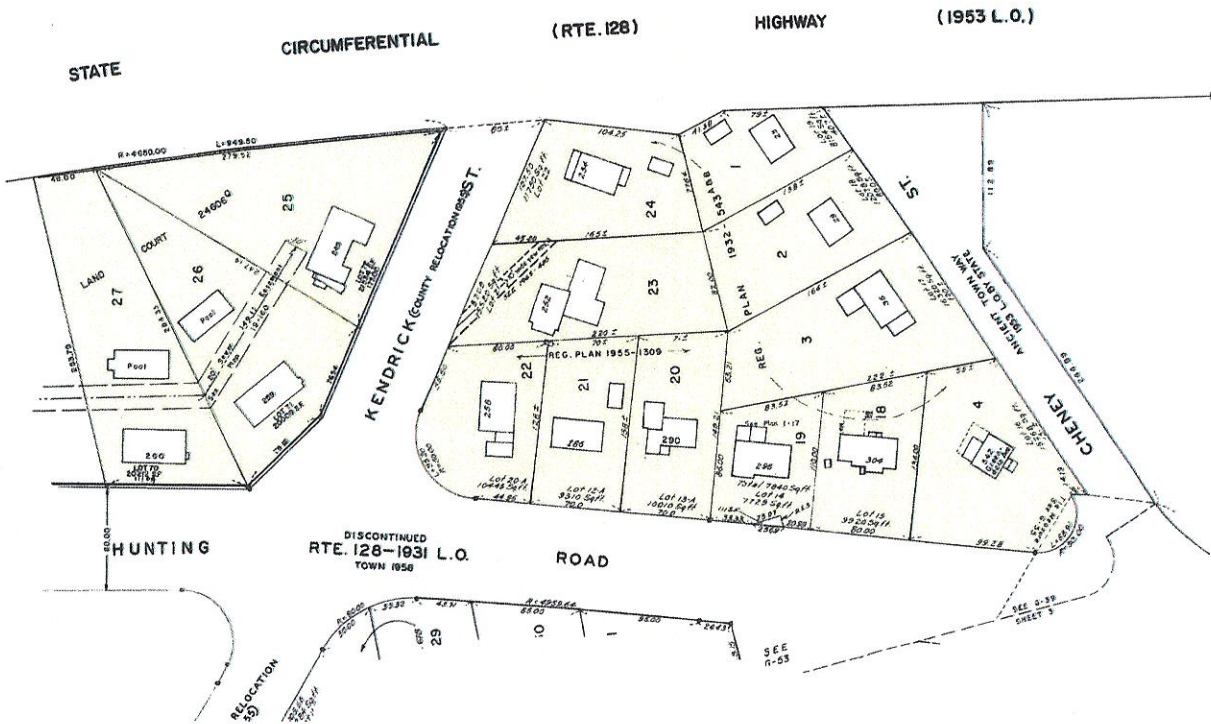
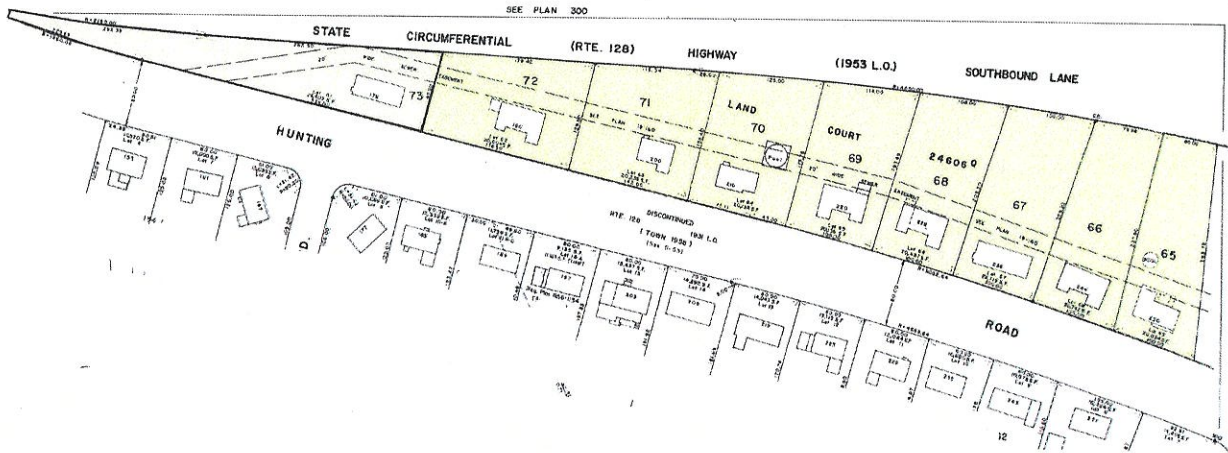


EXHIBIT B
Signatures of Support

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

November 8, 2019

To the Needham Zoning Board:

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

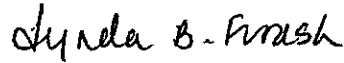
We are in favor of changing the zoning classification for Hunting Road from Single Residence A back to Single Residence B.

Thank you for your consideration.

Sincerely,



Swapam Rahman, f/k/a Mahmud Swapam Rahman



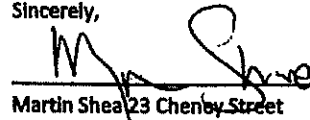
Lynda B. Furash

Town Of Needham, Ma.

To whom it may concern,

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

Sincerely,


Martin Shea 23 Cheney Street

Date 10/16/19

Town Of Needham, Ma.

To whom it may concern,

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

Sincerely,


Audrey Cooper 234 Kendrick st

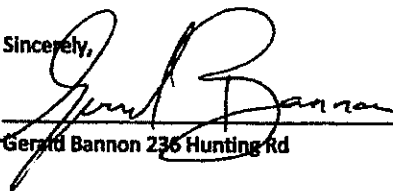
Date 10/28/19

Town Of Needham, Ma.

To whom it may concern,

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

Sincerely,


Gerald Bannon 236 Hunting Rd

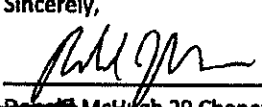
Date Oct-12-2019

Town Of Needham, Ma.

To whom it may concern,

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

Sincerely,


Donald McHugh 29 Cheney Street
Ronald

Date 10/29/19

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

Ed live 281 Hunting Rd

Robert King 197 Hunting

Dennis Jones 209 Hunting

183 Hunting Rd.

Robert King 189 Hunting Rd

203 Hunting Rd

NR Jones 235 Hunting Rd

Name

Address

176 Bruno DiFazio 176 Hunting Rd

190 Kevin O'Connor 190 Hunting Rd

200 Fred Bowen 200 Hunting Rd.

210 Katherine Quan Thomas 210 Hunting Rd

220 Ivo Rufo 220 Hunting Rd

220 Mahmad Rahman

250 Gerald Bannon

250 John Hest 250 Hunting Rd

250 Lawrence Milesky 250 Hunting Rd

260 Irina Ratskovskaya 260 Hunting Rd
Needham MA 02494

259 Bonnie Arbel 259 Kendrick St. WASHINGTON

259 Bonnie Arbel

K234 Audrey Couper Don't Care

K 252 Donna Mahoney 252 Kendrick St.

K 258 Elaine Sweet 258 Kendrick St.

K 258 Elaine Sweet

K286 Gerald Bannon

K 280 Alon Ludwig 286 Hunting Rd.

* 290 Susan Griffin

* 296 Raveen Purushotham 296 Hunting Road.

* 304 Clair Immediato 304 Hunting Rd

342 Kristopher Getez 342 Greendale Ave

EXHIBIT C
Proposed Warrant Article

AMEND ZONING BY-LAW
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.

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

Or take any other action relative thereto.

TOWN OF NEEDHAM
MASSACHUSETTS

500 Dedham Ave
Needham, MA 02192
781-455-7550
March 11, 2021

PLANNING BOARD

APPLICATION FOR SITE PLAN REVIEW

Project Determination: ☐ Major Project
☒ Minor Project

This application must be completed, signed, and submitted with the filing fee by the applicant or his representative in accordance with the Planning Board's Rules as adopted under its jurisdiction as a Special Permit Granting Authority pursuant to Section 7.4 of the By-laws.

Location of Property: 1688 Central Avenue, Needham, MA 02492

Name of Applicant: Needham Enterprises, LLC

Address: 105 Chestnut Street, Suite 28, Needham, MA 02492 Tel.#: (781) 444-8060

Applicant is Owner ☒ X Tenant ☐

Property Owner's Name: Needham Enterprises, LLC

Address: 105 Chestnut Street, Suite 28, Needham, MA 02492 Tel.#: (781) 444-8060

Characteristics of Property: Lot Area: 3.352 acres Present Use: Vacant Building

Map #: 199 Parcel #: 213 Zoning District: SRA

Description of Project for Site Plan Review under Section 7.4. of the Zoning By-law:

See Exhibit A attached hereto.

Signature of Applicant (or his representative) Roy A. Cramer, Esq.
Evans Huber, Esq.

Address if not Applicant Frieze Cramer Rosen & Huber LLP
60 Walnut Street, Wellesley, MA 02481
Tel. # 781 943 4030

Owner's permission if other than applicant N/A

By: _____

SUMMARY OF PLANNING BOARD ACTION

Received by Planning Board Alvin Chen Date 3/18/21

Hearing Date _____

Decision Required by _____ (date) Parties in Interest Notified
(90 days after hearing for special permit) of Public Hearing _____ (date)

Granted _____ (date) Decision and Notices of the
Decision sent _____ (date)

Denied _____ (date)

Withdrawn _____ (date) Fee Paid _____
Fee Waived _____

NOTE: Reports on Minor Projects must be issued within 35 days of filing date.

Exhibit A
Application for Minor Project Site Plan Review
Needham Enterprises LLC
Property at 1688 Central Avenue, Needham, MA

Description of Project for Minor Project Site Plan Review Under Section 7.4 of the Zoning By-Law

The proposed project is to demolish the existing house and garage at the property, but to leave the existing barn. A new building of 9,966 square feet of gross floor area will be constructed, to house a child care facility. A new parking area that includes 24 parking spaces will also be constructed.

All of the foregoing is more particularly shown on the plans filed herewith.

2021 MAR 18 PM 2:51
RECEIVED
PLANNING DEPT.
TOWN OF NEEDHAM
1688 CENTRAL AVENUE
NEEDHAM, MA 02455

Needham Enterprises, LLC
105 Chestnut Street, Suite 28, Needham, MA
02492
781-444-8060 (P) 781-444-8070(F)
Needhamenterprises105@gmail.com

March 16, 2021

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: 1688 Central Avenue Needham

Dear Planning Board Members and Ms. Newman:

As indicated on the attached filing with the Secretary of State's office, I am the Manager and sole Member of Needham Enterprises, LLC. In that capacity, I hereby authorize Attorney Evans Huber to act on behalf of Needham Enterprises, LLC on all matters before the Planning Board regarding 1688 Central Avenue, including but not limited to signing the application for Minor Project Site Plan Review.

Sincerely,



Matt Borrelli
Needham Enterprises, LLC
Manager

RECEIVED
NEEDHAM PLANNING BOARD
18 MAR 2021 2:51 PM

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

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

EVANS HUBER

781-943-4043
EH@I28LAW.COM

March 12, 2021

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: 1688 Central Avenue, Needham

Dear Planning Board Members and Ms. Newman:

I am writing on behalf of Needham Enterprises LLC, with respect to the Application for Minor Project Site Plan Review for the Project at 1688 Central Avenue. The purpose of this letter is to provide the Planning Board with additional information in connection with this Project and, in particular, to discuss how the project will conform to the Review Criteria for Site Plan Review, as set forth in Section 7.4.6 of the Zoning By-Law.

The following are the criteria for the Planning Board to consider during the site plan review process pursuant to Section 7.4.6 of the Zoning By-Law, and the description of how the Project meets those criteria.

(a) Protection of adjoining premises against seriously detrimental uses by provision for surface water drainage, sound and sight buffers and preservation of views, light, and air;

The proposed project has been designed to protect adjoining premises from detrimental impacts by provision for surface water drainage, sound and sight buffers, and preservation of views, light and air, as follows:

As noted in the stormwater management report prepared by Glossa Engineering, the drainage plan will capture all of the runoff from the building rooftops and most of the runoff from the paved areas, and direct the runoff into an underground infiltration basin. The design and analysis of the system is based on MA DEP stormwater management regulations.

Needham Planning Board
March 12, 2021
Page 2

A landscape plan has been developed for screening and enhancing the existing site.

The lighting system for the project parking areas has been designed to comply with the Town of Needham lighting requirements. The parking area is on the side of the property adjacent to Temple Aliyah, and is not close to the residential properties abutting the southern boundary of the property. No light “spillage” onto neighboring residential properties is anticipated.

(b) Convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets, the location of driveway openings in relation to traffic or to adjacent streets and, when necessary, compliance with other regulations for the handicapped, minors and the elderly;

As shown on the plans filed with this application, the project has been designed to ensure that there will be safe vehicular and pedestrian circulation on site. The parking area has been designed with an “island” that vehicles can circulate around so that vehicles dropping off and picking up children can continuously move forward upon entry, following dropoff and pickup, and when exiting the site.

The access to and egress from the property will be via the existing driveway opening onto Central Avenue, where there are adequate sight lines up and down Central Avenue.

(c) Adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the premises;

Adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the premises has been achieved. The proposed parking area complies with the Town of Needham Bylaw requirements for number of spaces, illumination, loading, parking space size, location, design and number of handicap spaces, width of maneuvering aisles, setbacks, and landscaping.

The parking area includes 24 spaces, which is the required number of spaces for the proposed use and the anticipated number of children and staff members. The required parking calculation is based on a formula the Town uses for this type of use, which is 8 spaces, plus 1 space for each 40 children, plus one space per staff member. Applying this formula leads to a calculated parking requirement of 24 spaces.

Please see the Layout and Zoning Plan for additional details of the parking layout.

(d) Adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site;

The site has been designed such that adequate methods of disposal of refuse resulting from the proposed use has been assured. A dumpster will be located at the far (eastern) end of

Needham Planning Board
March 12, 2021
Page 3

the parking area and will be enclosed with fencing. Refuse will be removed from the site by a licensed hauler.

(e) Relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area and compliance with other requirements of this By-Law; and

The matters to be considered by this Board in connection with relationship of structures and open spaces to the natural landscape, existing buildings, and other community assets in the area, have been addressed, and the project complies with all other requirements of the Town Bylaw.

The proposed building was designed to fit into the existing surroundings with a façade that measures 84' 6", which is comparable to large homes in the surrounding neighborhood and streets. The building is also designed to architecturally blend in with the surroundings by including design elements to look like a single-family home. There is no proposed signage for the building and there will be no light trespass.

The gross floor area of the building is 9966 square feet on one floor, which, even including the barn that will remain, is far smaller than what would be allowed by the applicable maximum lot coverage (15%) and the applicable FAR (.30) for this Zoning District. In addition, this building is considerably smaller than the abutting Temple Aliyah. Further, the parking will be in the rear of the building, and the Applicant is open to allowing, by agreement, overflow parking for the benefit of Temple Aliyah at certain times that will not conflict with the requirements of NCC.

(f) Mitigation of adverse impacts on the Town's resources including the effect on the Town's water supply and distribution system, sewer collection and treatment, fire protection, and streets; and may require when acting as the Special Permit Granting Authority or recommend in the case of minor projects, when the Board of Appeals is acting as the Special Permit Granting Authority, such appropriate conditions, limitations, and safeguards necessary to assure the project meets the criteria of a through f.

The project has been designed to limit adverse impacts to the Town resources as follows:

The Applicant will connect to the Town's sewer system by running, at the Applicant's expense, a sewer main from its current closest point on Country Way, up Central Avenue to the site. Neighboring properties will have the option of connecting, at their expense, to this sewer line. The Applicant has met with Sean Harrington, the Superintendent of Water, Sewer, and Drains, who is in favor of and has approved the plans to do this. The project will connect to the Town's water supply.

The Applicant has engaged a traffic engineer to study this site. As set forth in the

Needham Planning Board
March 12, 2021
Page 4

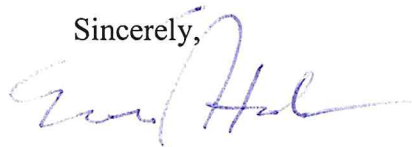
Traffic Impact Assessment, drop-off and pick-up will continue to be staggered, as is NCC's current practice. The facility will be closed on Federal holidays, Patriots Day, the day after Thanksgiving, the week between Christmas and New Years and a week before Needham Public Schools open. There will be no buses to the site. Additionally, the drop-off and pick-up numbers include siblings, meaning that there will be fewer cars than the number of children being dropped off and picked up.

As shown in the Traffic Impact Assessment submitted with this Application, all through traffic on Central Avenue in each direction will continue to enjoy an "A" level of service with little or no delay during the weekday morning commuting peak hour. The Central Avenue southbound left-turn lane utilized for left turns into the site will operate at an "A" level resulting in no turbulence on Central Avenue during the morning peak hour. The site driveway itself will have an acceptable "C" level of service, with average delays, during the morning peak hour.

Based on the projected arrivals and departures, the evening peak hour is expected to generate fewer vehicle trips than the morning peak hour.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Evans Huber

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

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

EVANS HUBER
781-943-4043
EH@I28LAW.COM

March 16, 2021

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: 1688 Central Ave, Needham; Minor Project Site Plan Review

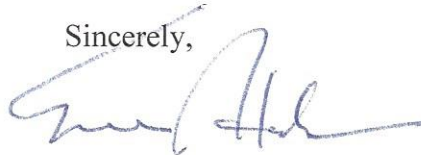
Dear Planning Board Members and Ms. Newman:

As requested by the Planning Department, this letter is submitted as a supplement to my prior letters dated March 11 and 12 in support of the application for Minor Project Site Plan Review for the proposed project at this address.

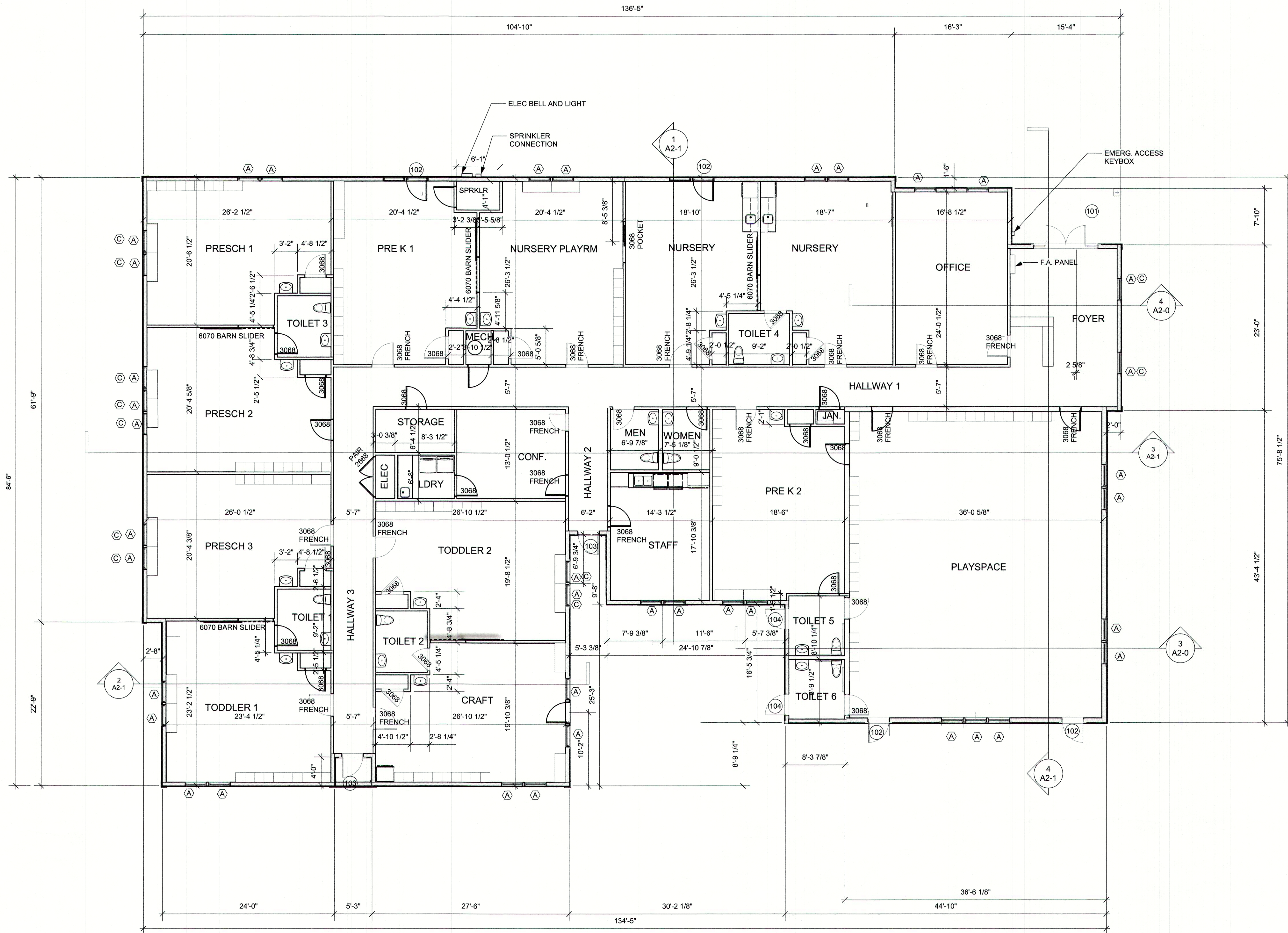
The anticipated maximum number of children at the site is 100, and the anticipated maximum number of staff is 13. This information can also be found on Sheet A 1-0 of the Architectural Plans and elevations, prepared by Mark Gleusing Architect, 48 Mackintosh Avenue, Needham, MA 02492, dated March 8, 2021, which were submitted with the application.

Please let me know if you need anything else.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Evans Huber', written over a horizontal line.

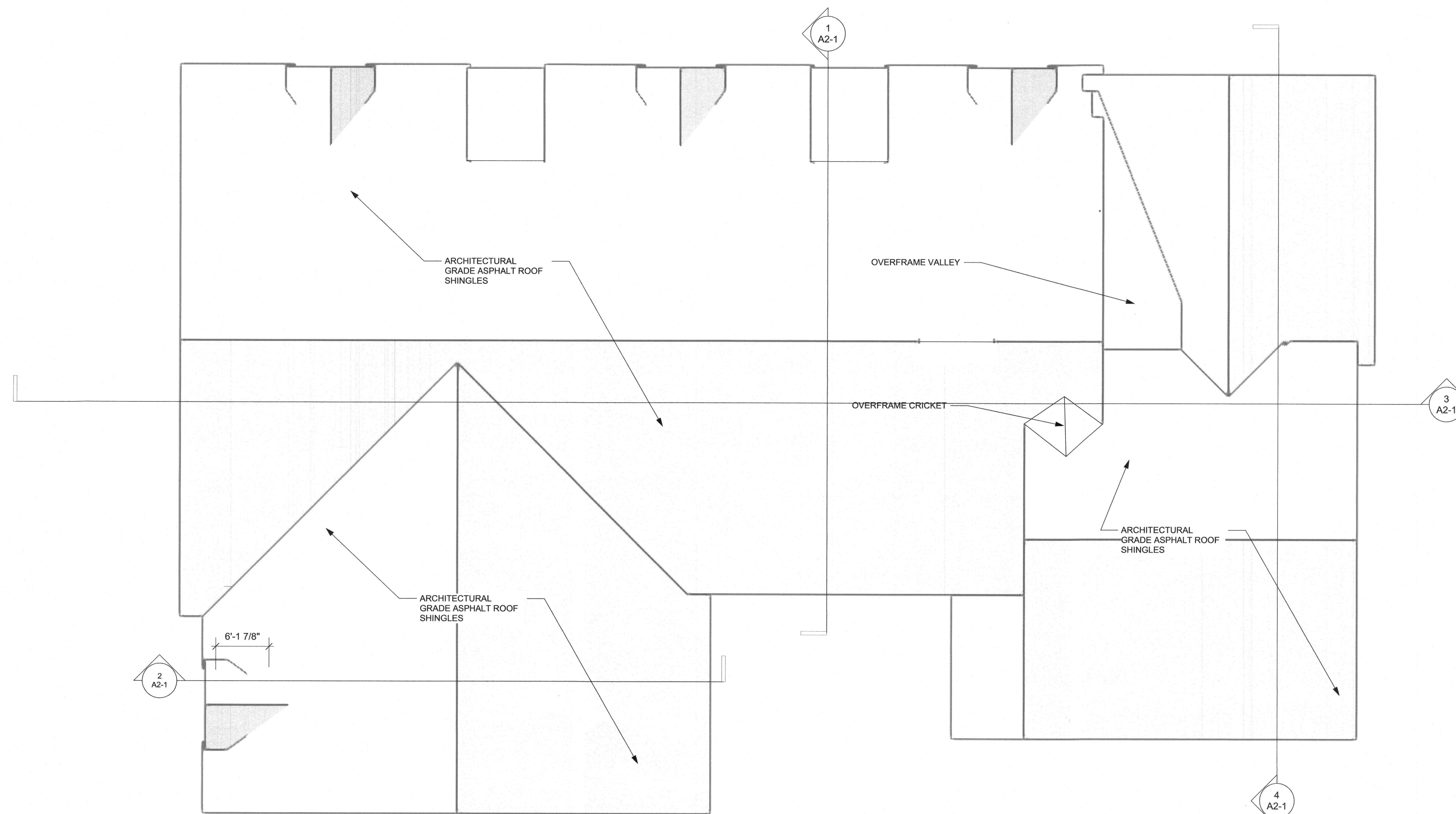
Evans Huber



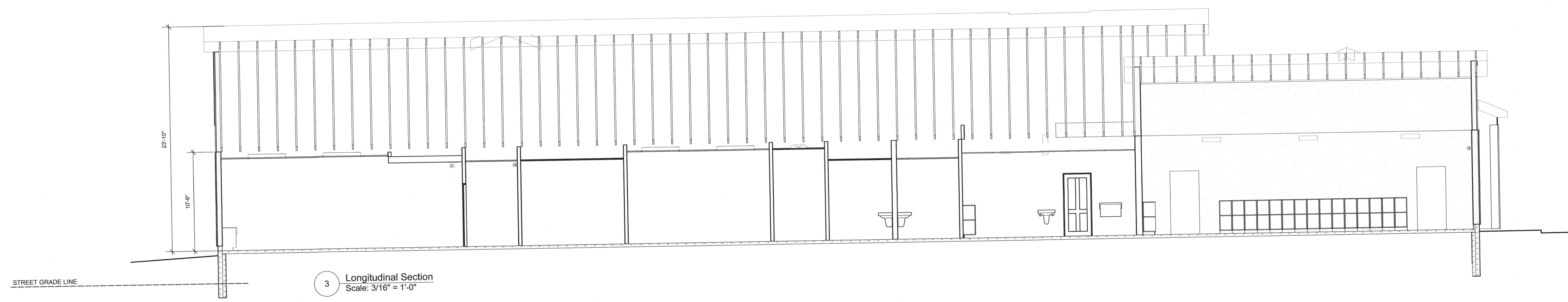
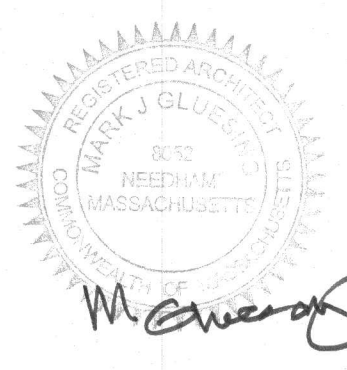
1 1st Floor Plan
Scale: 1/8" = 1'-0"

BUILDING DATA

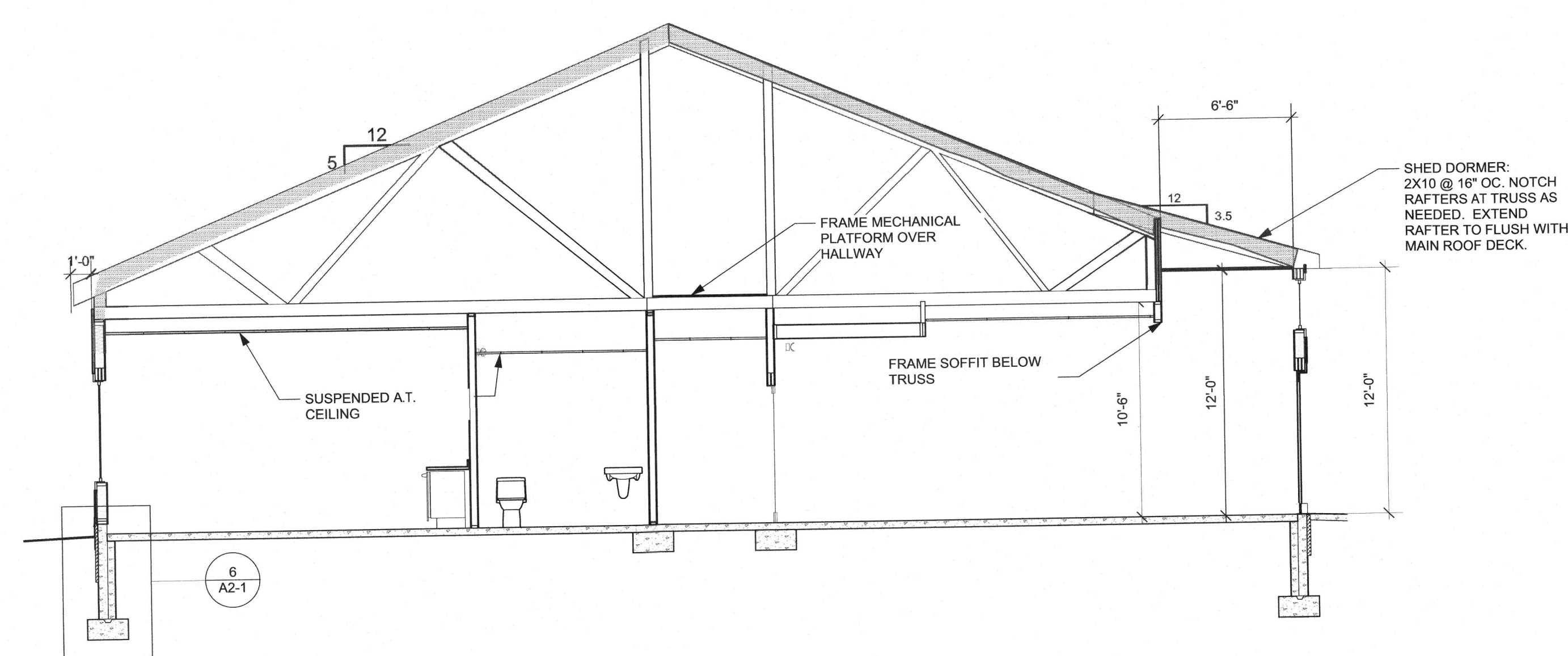
LOT SIZE	146,003 SF
NEW BUILDING SIZE	9,966 SF
PARKING SPACES:	
OPERATIONAL OCCUPANCY	
100 CHILDREN: 8 SPACES+1/40 (3)=	11
13 STAFF	13
TOTAL	24



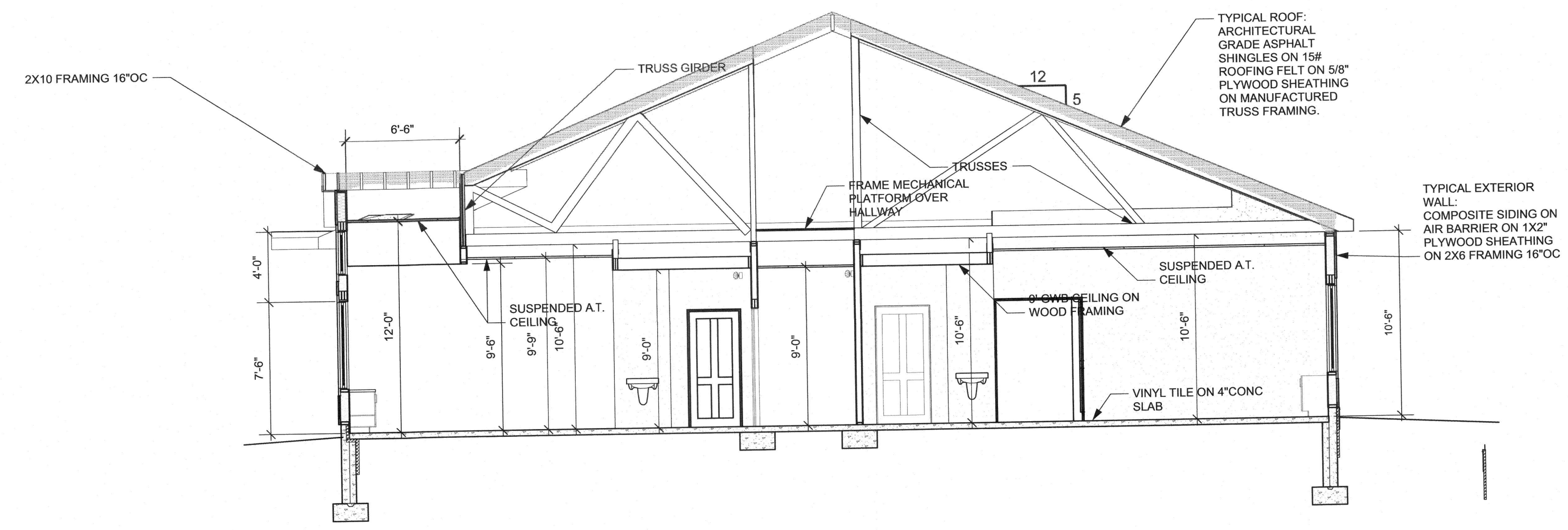
1 Roof Plan
Scale: 1/8" = 1'-0"



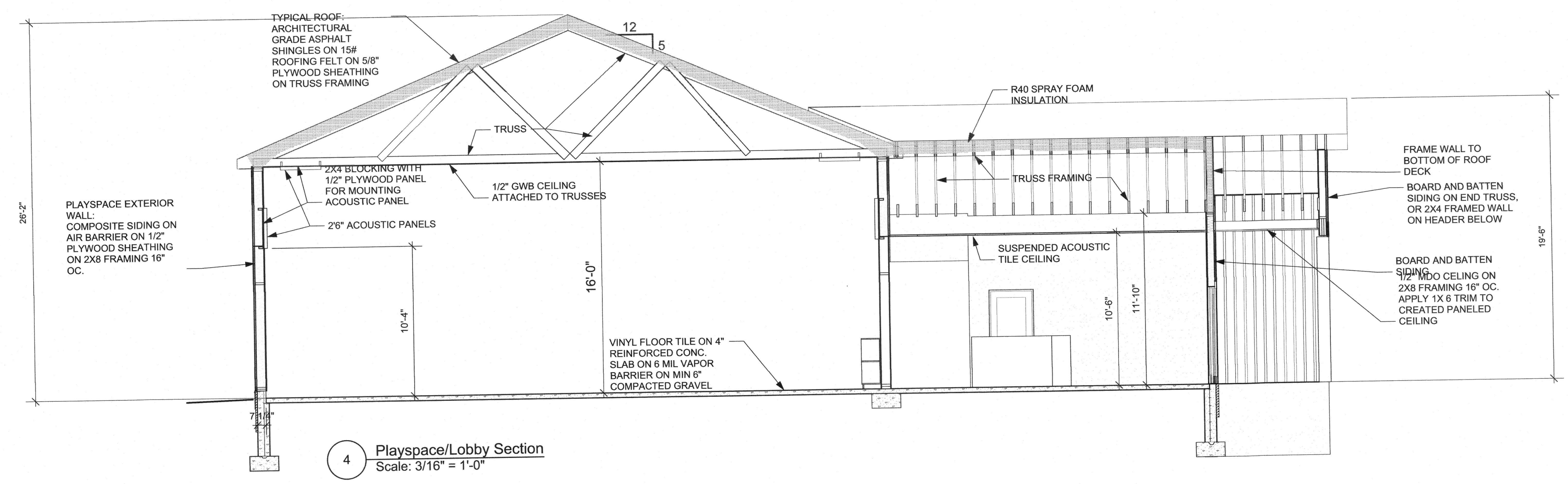
3 Longitudinal Section
Scale: 3/16" = 1'-0"



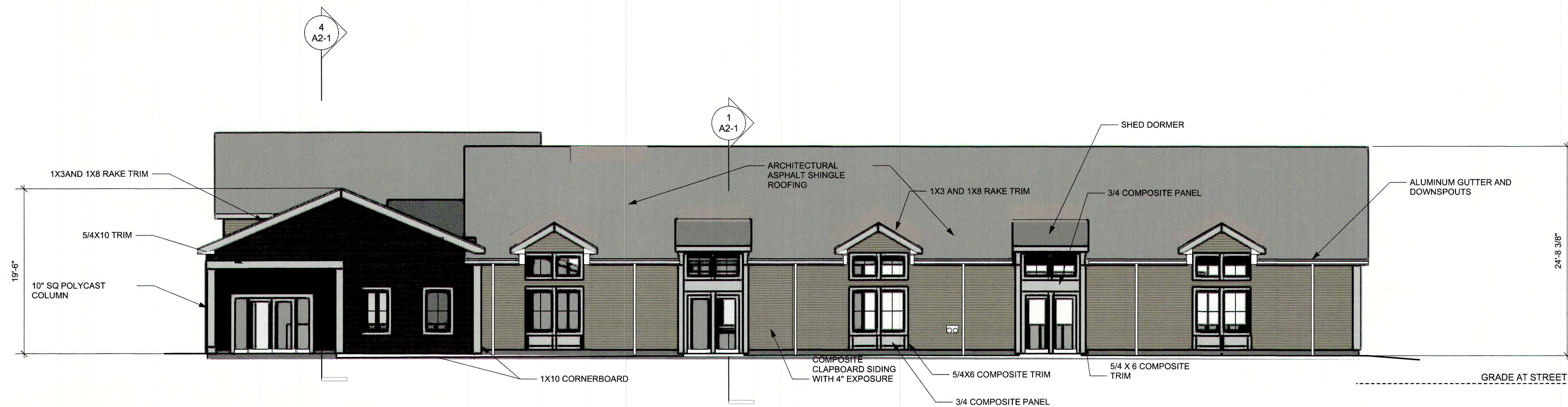
1 Nursery/Staffroom Section
Scale: 3/16" = 1'-0"



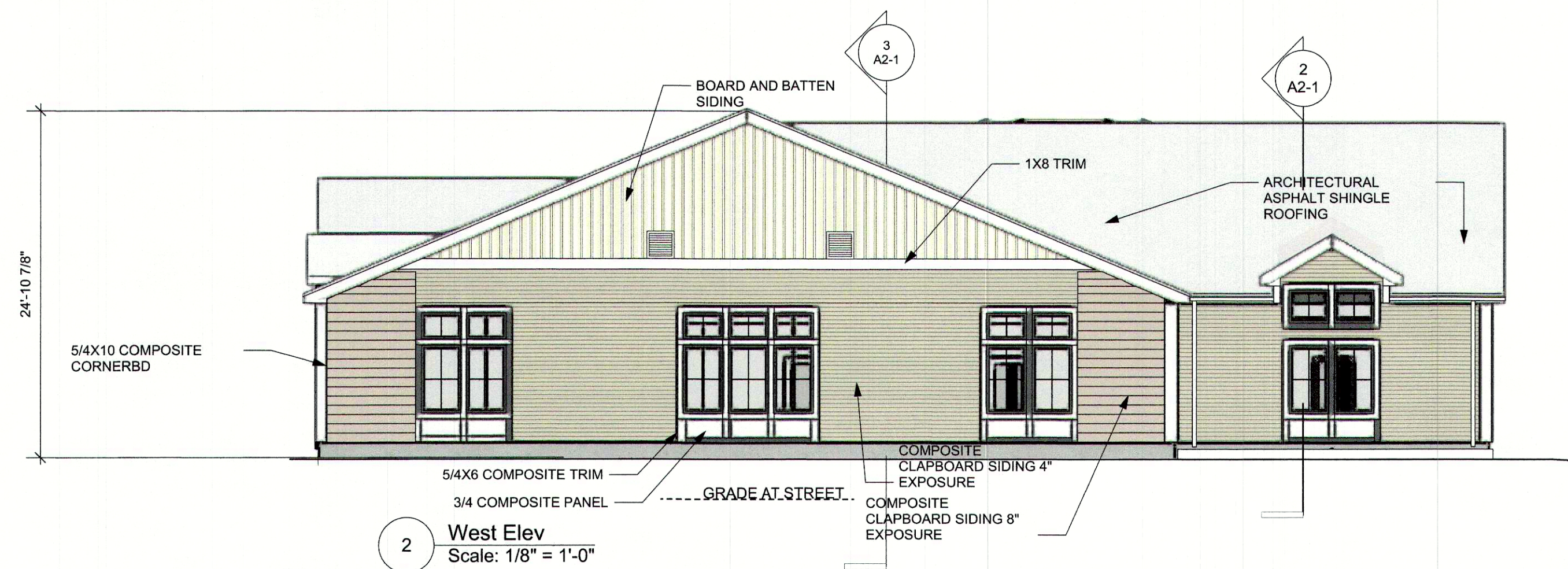
2 Toddler 1/ Craft Section at Dormer
Scale: 3/16" = 1'-0"



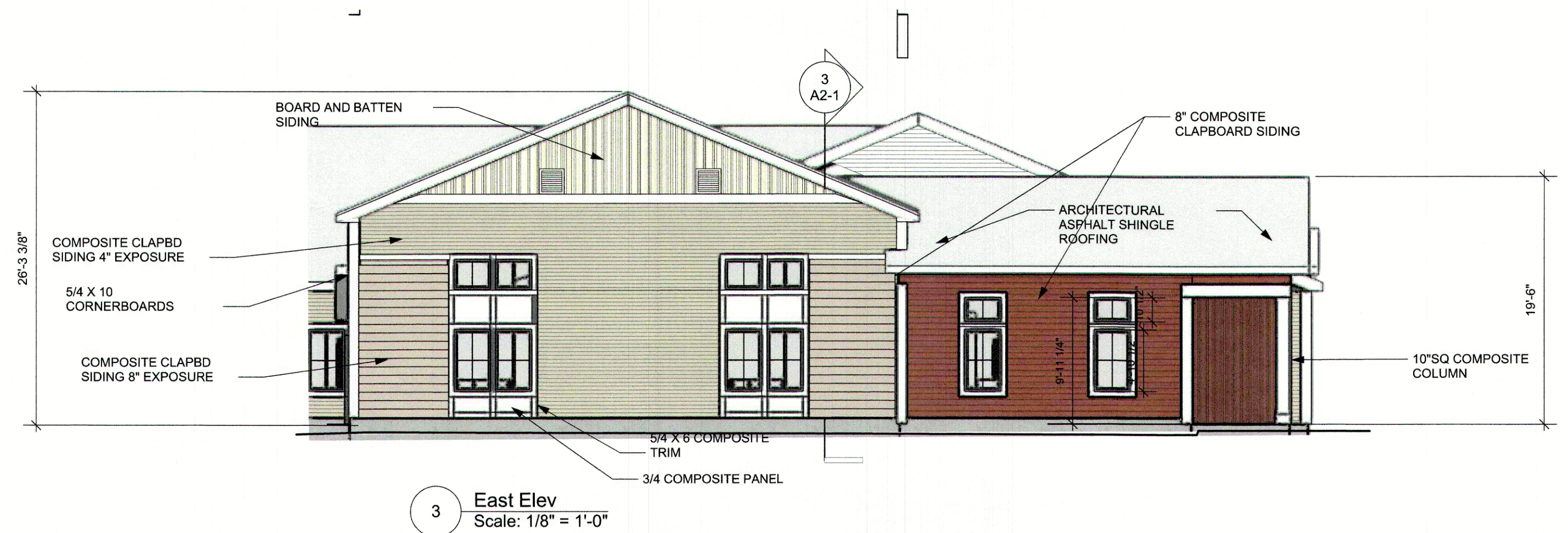
4 Playspace/Lobby Section
Scale: 3/16" = 1'-0"



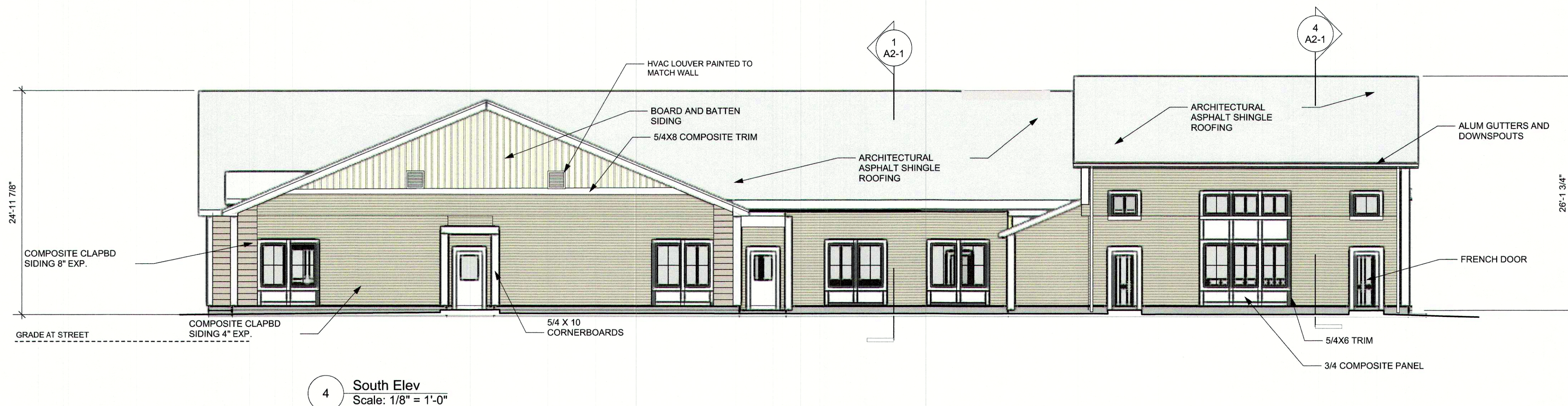
1 North Elev
Scale: 1/8" = 1'-0"



2 West Elev
Scale: 1/8" = 1'-0"

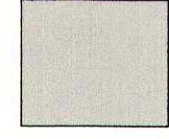


3 East Elev
Scale: 1/8" = 1'-0"



4 South Elev
Scale: 1/8" = 1'-0"

COLOR CHART

SIDING		BENJ MOORE AC-28
TRIM		BENJ MOORE OC-85
BOARD/BATTEN AT GABLES		BENJ MOORE OC-85
SIDING AT ENTRANCE		BENJ MOORE HC-181

ZONING LEDGEND:				
SINGLE RESIDENCE A	REQUIRED/ALLOWED	EXISTING	PROPOSED	COMPLIANCE
MIN. AREA	43,560 S.F.	146,003 S.F.	146,003 S.F.	YES
MIN. FRONTAGE	150'	250.05'	250.05'	YES
MIN. SETBACK FRONT	30'	*105.0' **211.2' ***30'	40.6'	YES
MIN. SETBACK SIDE	25'	*67.5' **65.0' ***54.2'	52.4'	YES
MIN. SETBACK REAR	15'	*864.9' **763.4' ***677.0'	835.9'	YES
MAXIMUM STORIES	2-1/2	*2 **1 ***2	1	YES
MAXIMUM HEIGHT	35'	*30.7' **15.3' ***31.2'	20'	YES
BUILDING COVERAGE	NR	NR	NR	YES
FLOOR AREA RATIO	NR	NR	NR	YES
DRIVEWAY OPENINGS	18' - 25'	19'	24'	YES

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

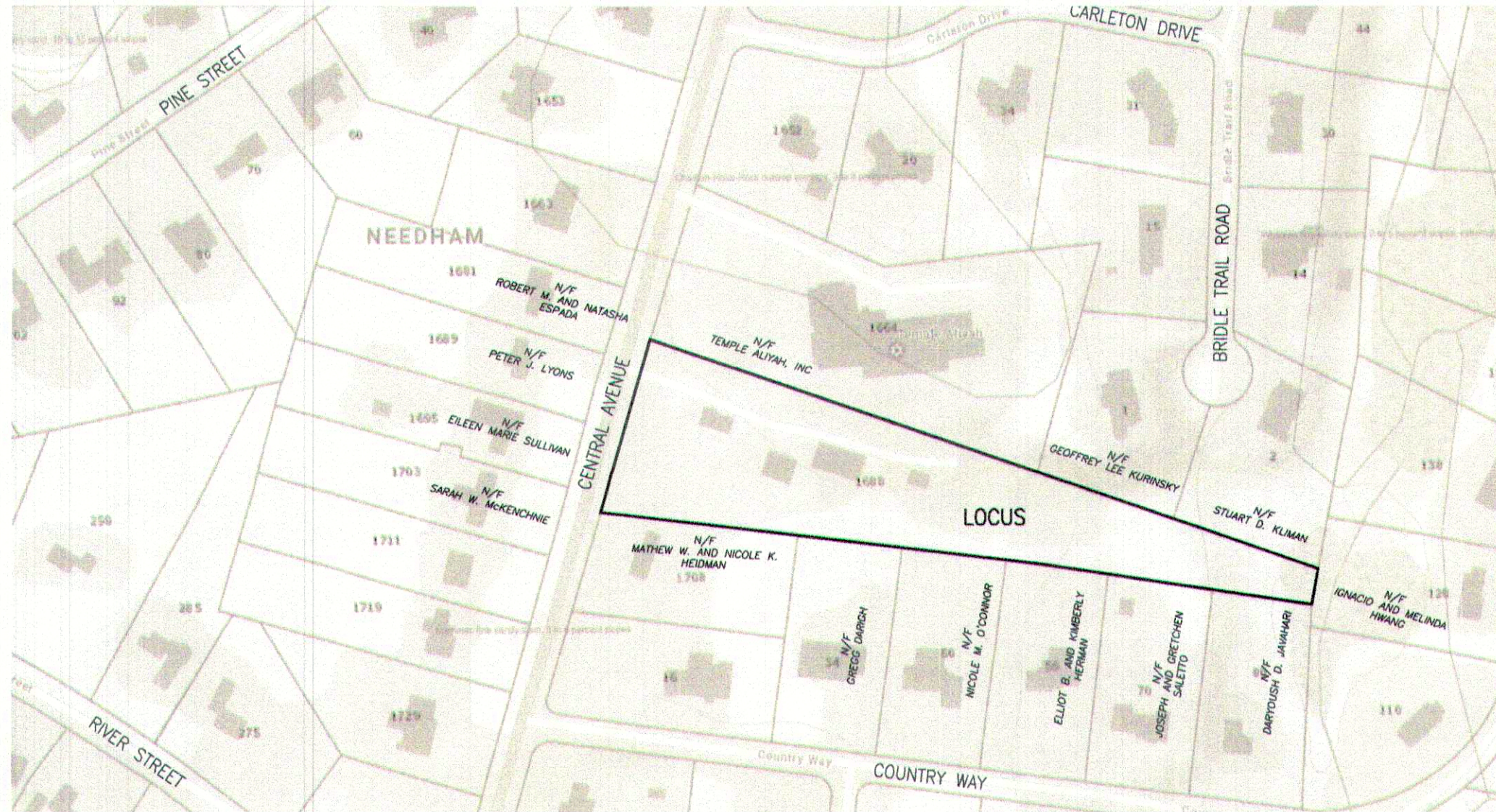
ZONING BYLAW 6.1.3 PARKING PLAN AND DESIGN REQUIREMENTS

	REQUIRED/ALLOWED	EXISTING	PROPOSED	COMPLIANCE
A) PARKING ILLUMINATION	AVG. 1 FOOT CANDLE	N/A	AVG. 1 FOOT CANDLE	YES
B) LOADING REQUIREMENTS	N/A	N/A	N/A	YES
C) HANDICAPPED REQUIREMENTS	2	N/A	2	YES
D) DRIVEWAY OPENINGS	1	1	1	YES
E) COMPACT CARS	50% (8'X16')	N/A	N/A	YES
F) PARKING SPACE SIZE	9'X18.5'	N/A	9'X18.5'	YES
G) BUMPER OVERHANG	1' OVERHANG	N/A	NONE REQUIRED	YES
H) PARKING SPACE LAYOUT	N/A	N/A	N/A	YES
I) WIDTH OF MANEUVERING AISLE	24' (90" STALL)	N/A	24' (90" STALL)	YES
J) PARKING SETBACK				
-FRONT	10'	N/A	181.2'	YES
-SIDE	4'	N/A	42.5'	YES
-REAR	4'	N/A	625.1'	YES
-BUILDING	5'	N/A	5'	YES
K) LANDSCAPE AREA	10%	N/A	10%	YES
L) TREES	1 PER 10 SPACES (3)	N/A	3	YES
M) LOCATION	WITHIN LOT	N/A	WITHIN LOT	YES
N) BICYCLE RACKS	NONE REQUIRED	N/A	NONE REQUIRED	YES

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

LANDSCAPE AREA REQUIREMENT IS 10% OF REQUIRED SET BACK AREA. SET BACK AREA IS 3,939 S.F.
10% OF 3,939 IS 394 S.F. OF MAINTAINED LANDSCAPE AREA REQUIRED 25% OF THAT OR 98 S.F. TO
BE LOCATED WITHIN THE INTERIOR OF THE PARKING AREA. 365 S.F. PROVIDED WITHIN PARKING AREA

SITE DEVELOPMENT PLANS
DAYCARE
1688 CENTRAL AVENUE
NEEDHAM, MA
JUNE 22, 2020



LOCUS
N.T.S

PLAN INDEX

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

OWNER:

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

APPLICANT:

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

ASSESSORS PARCELS:

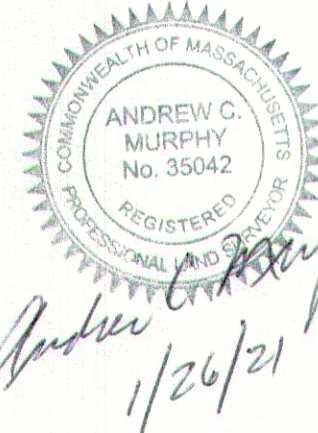
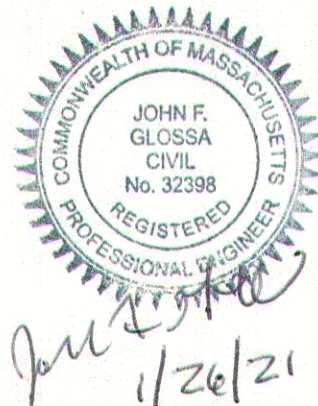
MAP 199, LOT 213

DEED REFERENCE:

BOOK 37770 PAGE 308

PLAN REFERENCE:

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



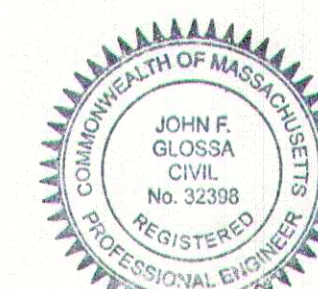
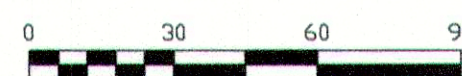
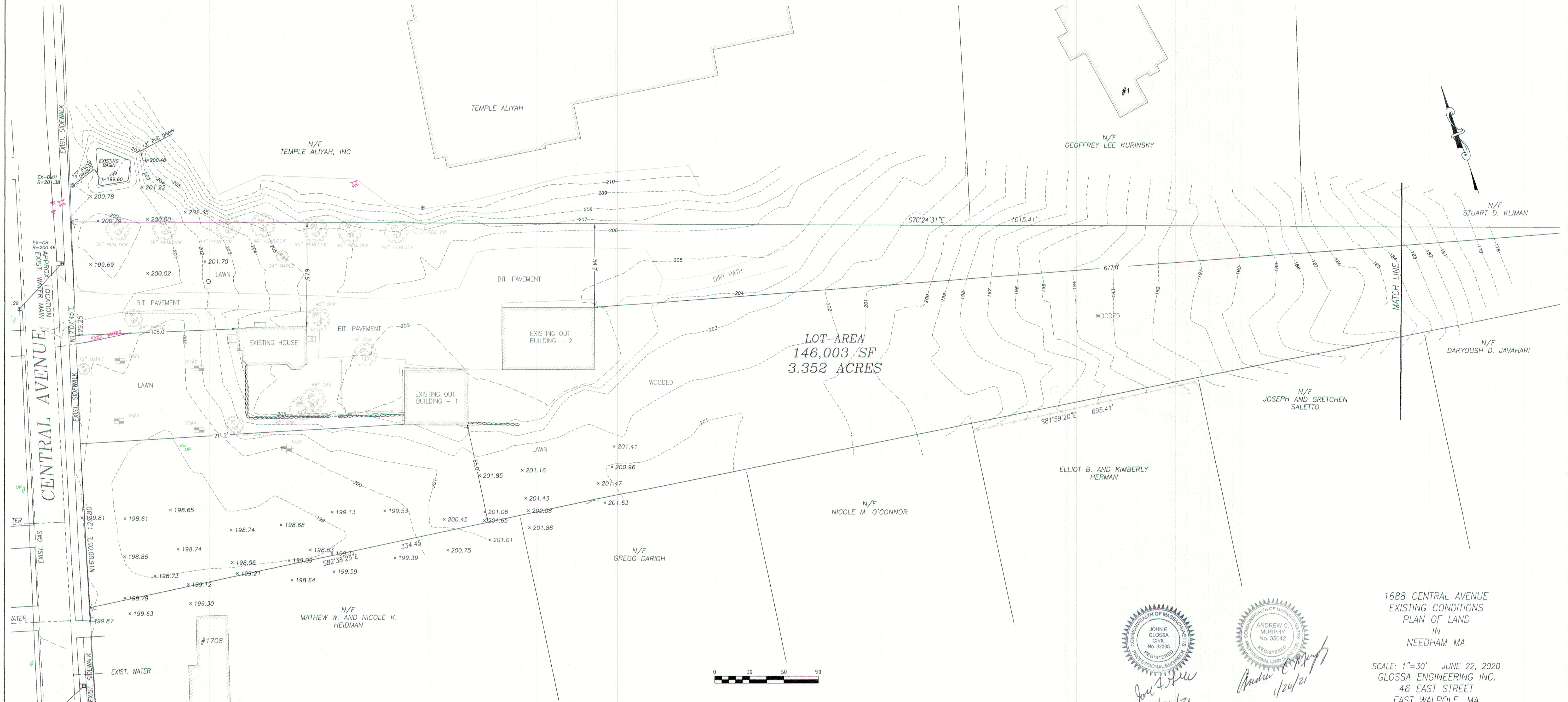
PREPARED BY
GLOSSA ENGINEERING, INC.
46 EAST ST
EAST WALPOLE, MA 02032
(508) 668-4401

LEDGEND:

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

TEST PIT # 1	TEST PIT # 2	TEST PIT # 3	TEST PIT # 4	TEST PIT # 5
0" A SANDY LOAM 10YR 3/2	0" A SANDY LOAM 10YR 3/2	0" A SANDY LOAM 10YR 3/2	0" A SANDY LOAM 10YR 3/2	0" A SANDY LOAM 10YR 3/2
14" B SANDY LOAM 10YR 5/8	13" B1 SANDY LOAM 10YR 5/8	12" B SANDY LOAM 10YR 5/8	12" B SANDY LOAM 10YR 5/8	13" B SANDY LOAM 10YR 5/8
40" C SAND 2.5Y 5/4	28" B2 SANDY LOAM 2.5Y 6/3	26" C SAND 2.5Y 5/4	24" C SAND 2.5Y 5/4	48" C SAND 2.5Y 5/4
112" NO REFUSAL NO MOTTILING NO WEeping	48" C SAND 2.5Y 5/4	120" NO REFUSAL NO MOTTILING NO WEeping	114" NO REFUSAL NO MOTTILING NO WEeping	136" NO REFUSAL NO MOTTILING NO WEeping
200.00	201.00	199.50	199.75	200.00
198.33	199.92	188.50	198.75	198.92
199.67	198.67	197.33	197.75	196.00
190.67	197.00	189.50	190.25	188.67

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



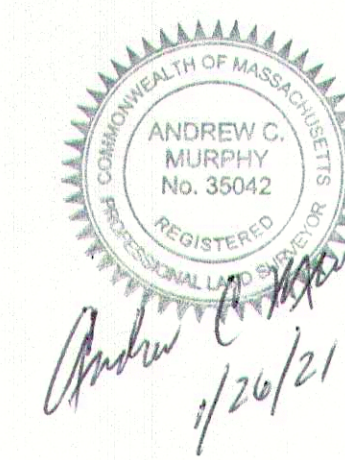
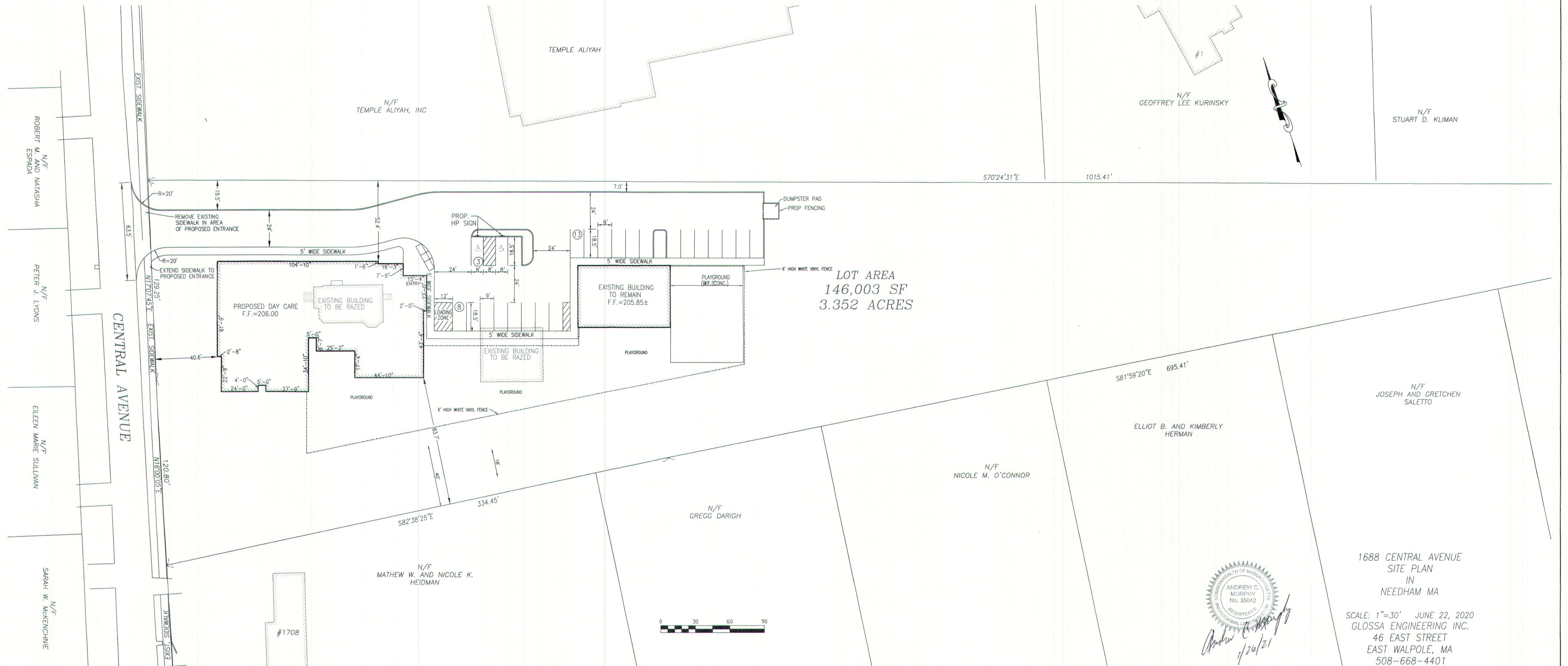
CONSTRUCTION NOTES

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

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

LEDGEND:

EXISTING GRADE	----- 100-----
EXISTING SPOT GRADE	100x0
EXISTING GAS MAIN	—G—
EXISTING SEWER MANHOLE	○ SMH
EXISTING DRAIN MANHOLE	○ EX-DMH
EXISTING CATCH BASIN	▣ EX-CB
EXISTING ELECTRIC MANHOLE	○ EX-EMH
EXISTING UTILITY POLE	○ UP
EXISTING TEST PIT	TEST PIT#5
EXISTING BOUND	□
EXISTING FENCE	—X—X—X—X—X—
EXISTING FIRE HYDRANT	⊕
EXISTING GATE VALE	⊕
PROPOSED GRADE	----- 205-----
PROPOSED SPOT GRADE	205x25
PROPOSED CATCH BASIN	▣ CB-1
PROPOSED DRAIN MANHOLE	⊕ DMH-1
PROPOSED TAPPING SLEEVE AND VALVE	PROPOSED 8"x6" TS&V



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

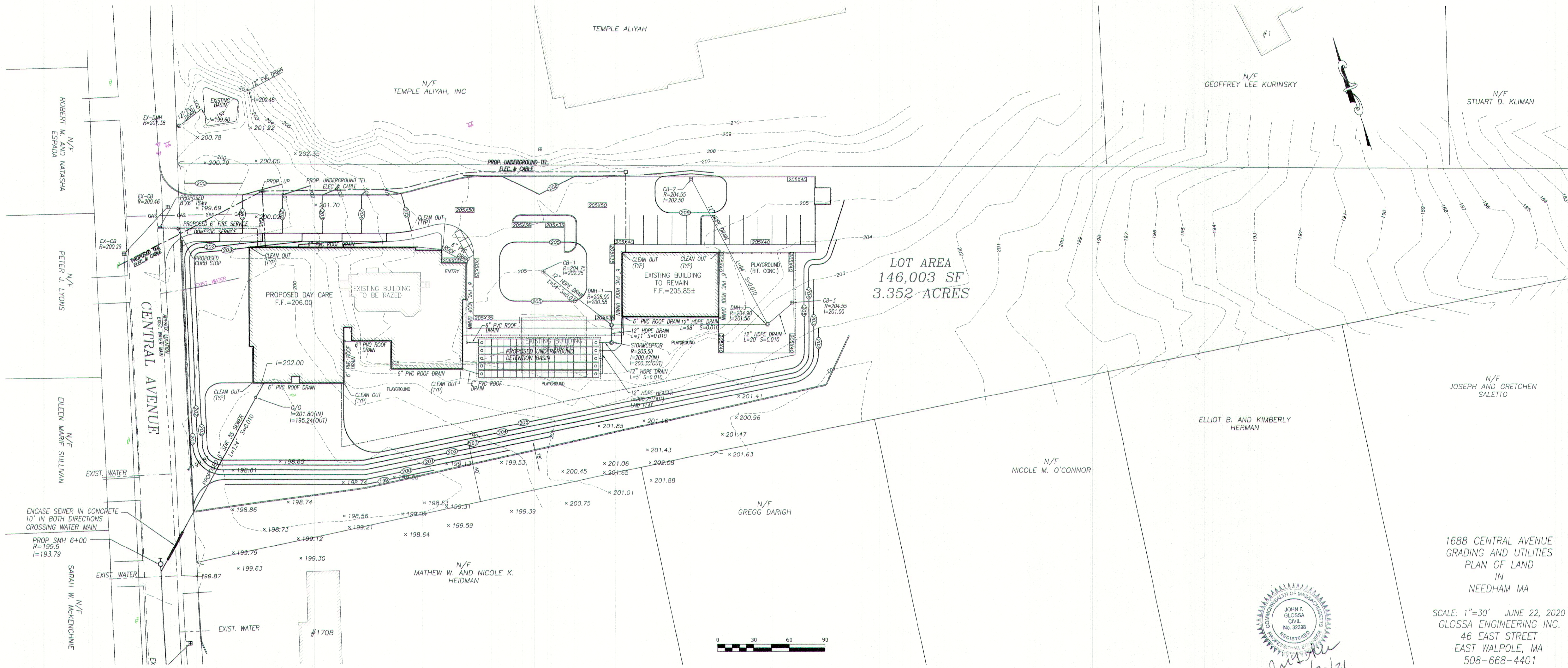
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2) ALL CONSTRUCTION SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE TOWN OF NEEDHAM PUBLIC WORKS DEPARTMENT.

LEDGEND:

EXISTING GRADE	----- 100-----
EXISTING SPOT GRADE	x 200.02
EXISTING GAS MAIN	----- G -----
EXISTING SEWER MANHOLE	○ SMH
EXISTING DRAIN MANHOLE	○ EX-DMH
EXISTING CATCH BASIN	■ EX-CB
EXISTING ELECTRIC MANHOLE	○ EX-EMH
EXISTING UTILITY POLE	○ UP
EXISTING TEST PIT	■ TEST PIT#5
EXISTING BOUND	□
EXISTING FENCE	---x---x---x---
EXISTING FIRE HYDRANT	⋈
EXISTING GATE VALE	⋈
PROPOSED GRADE	----- 205.55 -----
PROPOSED SPOT GRADE	x 205.55
PROPOSED CATCH BASIN	■ CB-1
PROPOSED DRAIN MANHOLE	○ DMH-1
PROPOSED TAPPING SLEEVE AND VALVE	⋈ PROPOSED 8" 6" 15&V



1/26/21

1688 CENTRAL AVENUE
GRADING AND UTILITIES
PLAN OF LAND
IN
NEEDHAM MA

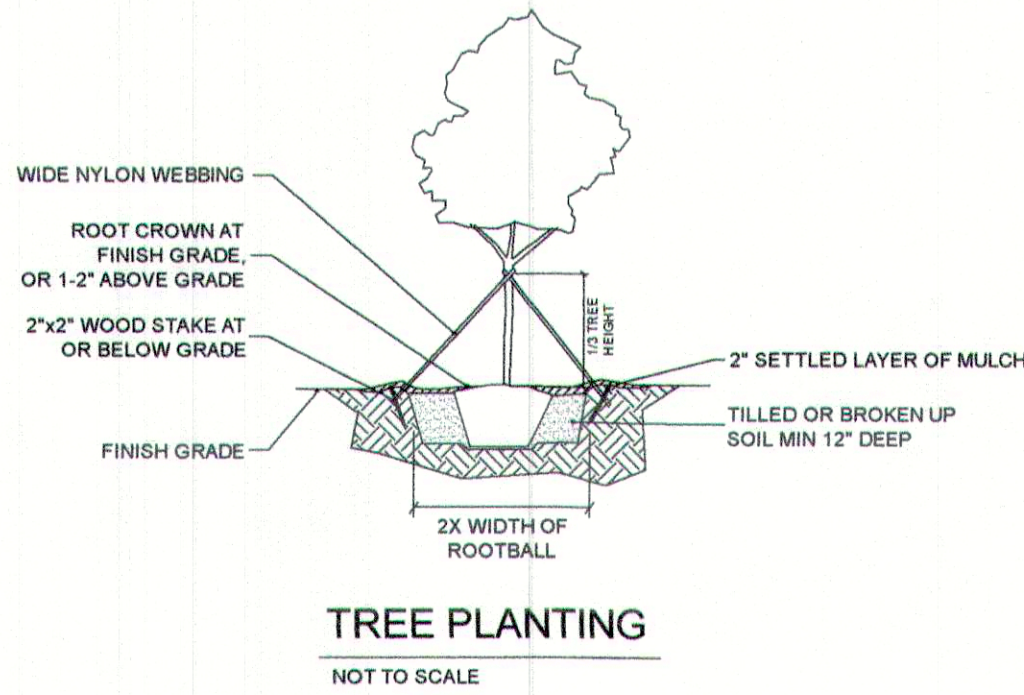
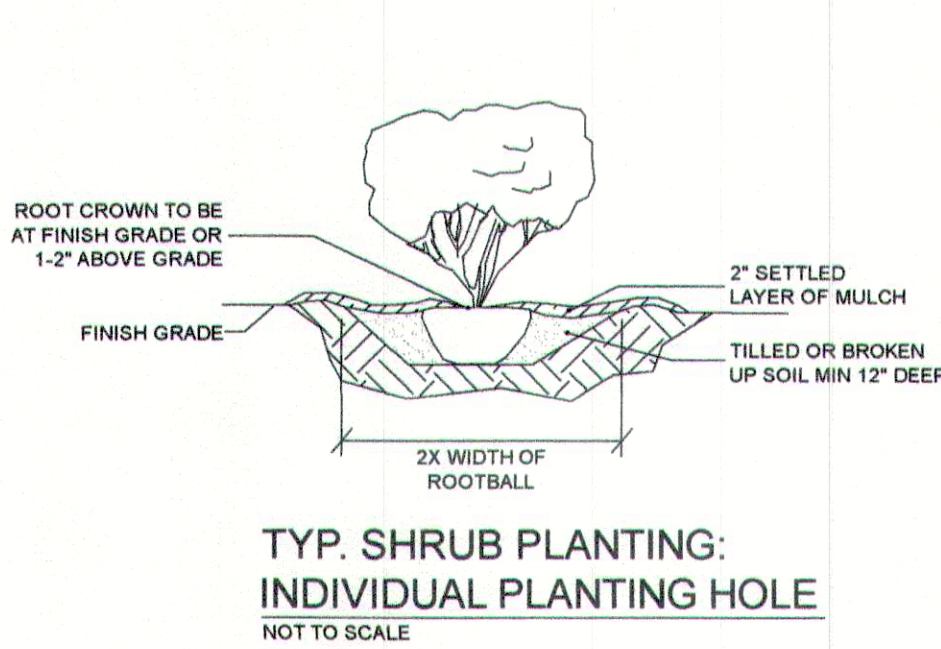
SCALE: 1"=30' JUNE 22, 2020
GLOSSA ENGINEERING INC.
46 EAST STREET
EAST WALPOLE, MA
508-668-4401

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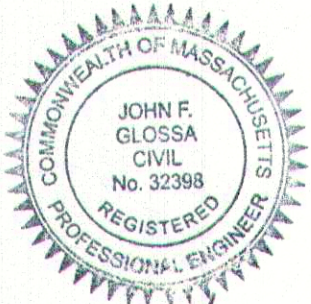
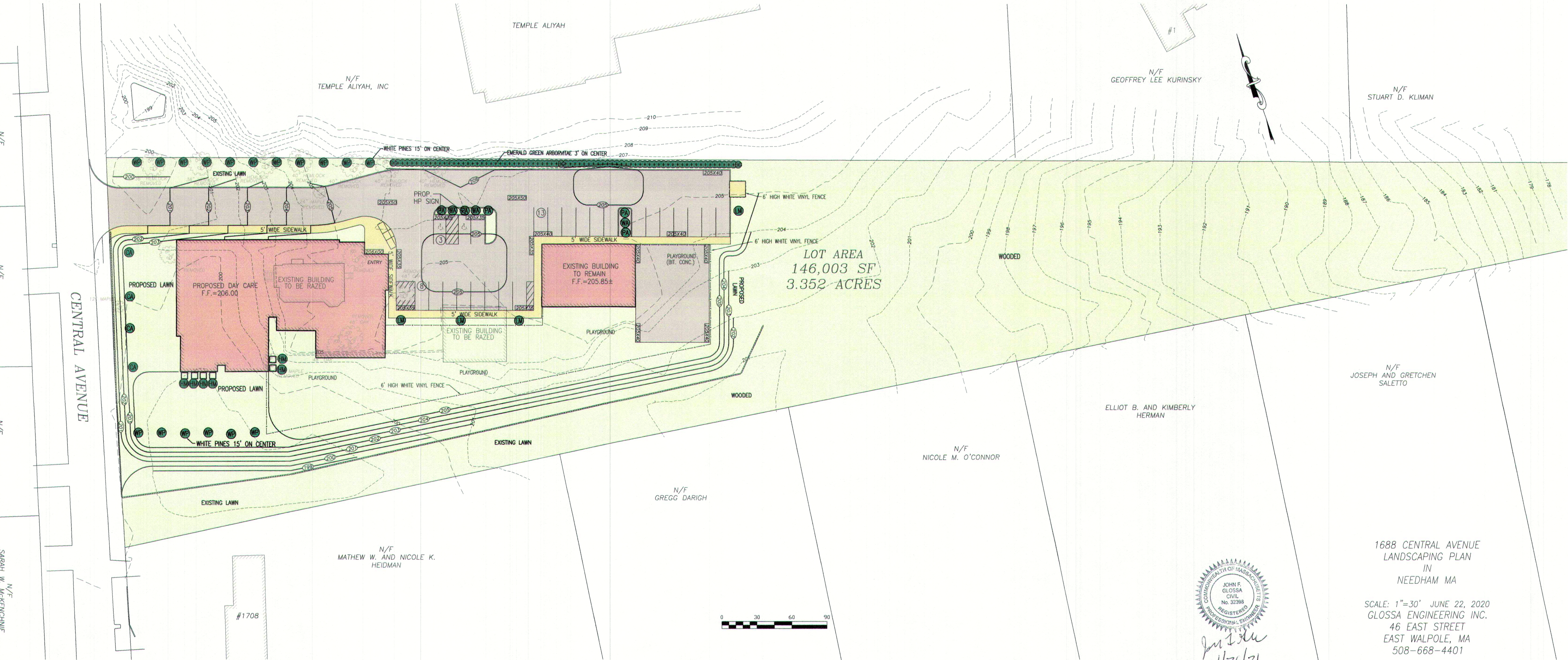
2) ALL CONSTRUCTION SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE TOWN OF NEEDHAM PUBLIC WORKS DEPARTMENT.

	COMMON NAME	BOTANICAL NAME	SIZE	QUANTITY
PA	PINK AZELEA	RHODODENDRON PERICLYMENOIDES	2'-3'	5
WA	WHITE AZELEA	RHODODENDRON VICOSUM	2'-3'	3
LM	MAPLE "LEGACY"	ACER SACCHARUM	1-1/2" CAL.	4
WP	WHITE PINE	PINUS STOBUS	1-1/2" CAL.	17
CA	CRABAPPLE "DONALD WYMAN"	MALUS "DONALD WYMAN"	1-1/2" CAL.	4
EG	ARBORVITAE "EMERALD GREEN"	THUA OCCIDENTALIS SMARAGD	2'-3'	75
HW	ARBORVITAE "HETZ MIDGET"	THUA OCCIDENTALIS "HETZ MIDGET"	2'-3'	6

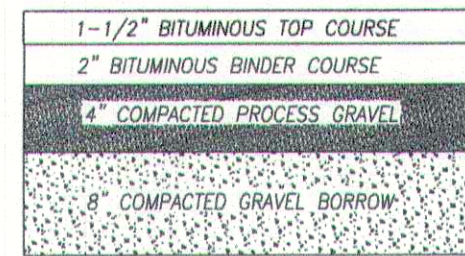


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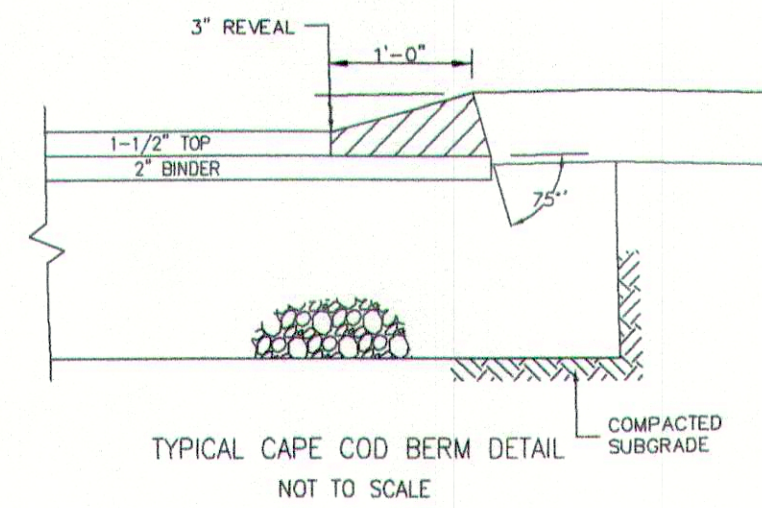
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EXISTING SPOT GRADE	x 200.02
EXISTING GAS MAIN	G
EXISTING SEWER MANHOLE	SMH
EXISTING DRAIN MANHOLE	EX-DMH
EXISTING CATCH BASIN	EX-CB
EXISTING ELECTRIC MANHOLE	EX-EMH
EXISTING UTILITY POLE	UP
EXISTING TEST PIT	TEST PIT#5
EXISTING BOUND	
EXISTING FENCE	
EXISTING FIRE HYDRANT	
EXISTING GATE VALE	
PROPOSED GRADE	205
PROPOSED SPOT GRADE	205.5
PROPOSED CATCH BASIN	CB-1
PROPOSED DRAIN MANHOLE	DMH-1
PROPOSED TAPPING SLEEVE AND VALVE	PROPOSED 8"X6" TS&V



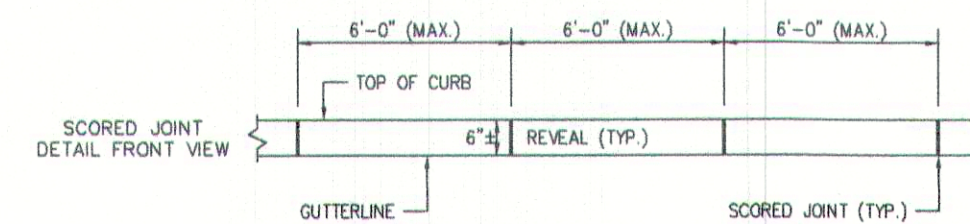
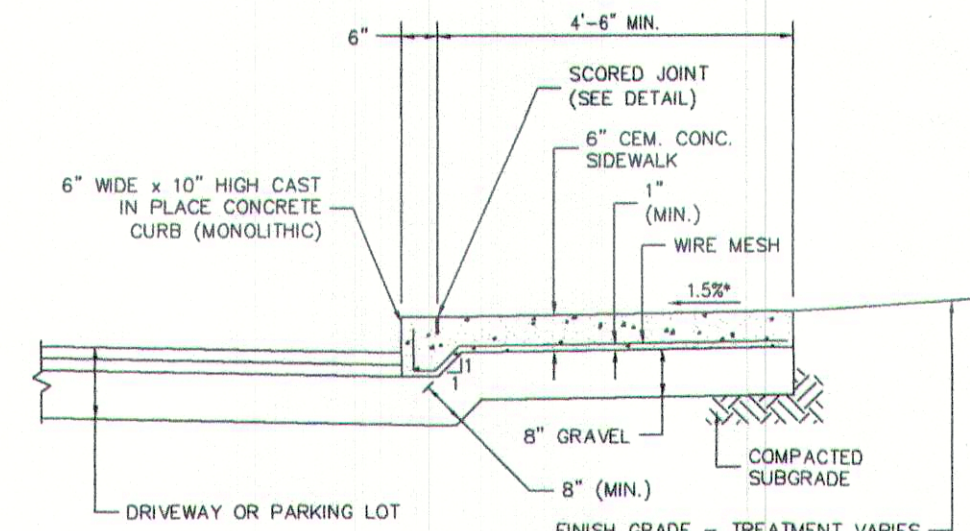
1688 CENTRAL AVENUE
LANDSCAPING PLAN
IN
NEEDHAM MA
SCALE: 1"=30' JUNE 22, 2020
GLOSSA ENGINEERING INC.
46 EAST STREET
EAST WALPOLE, MA
508-668-4401



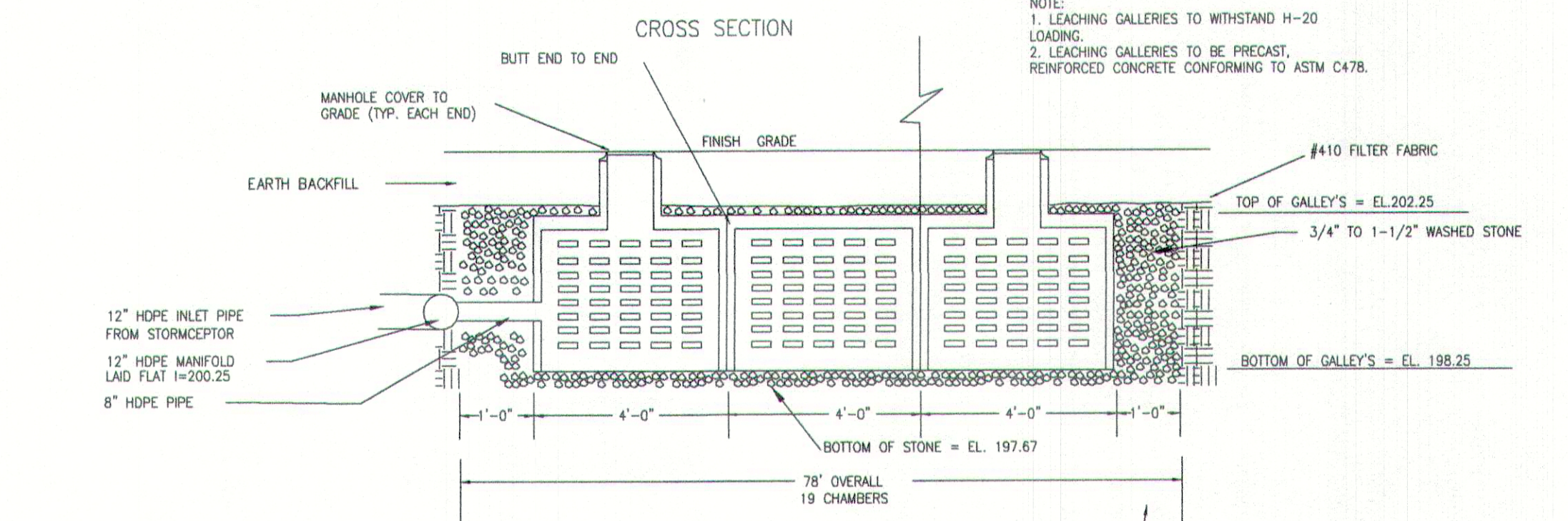
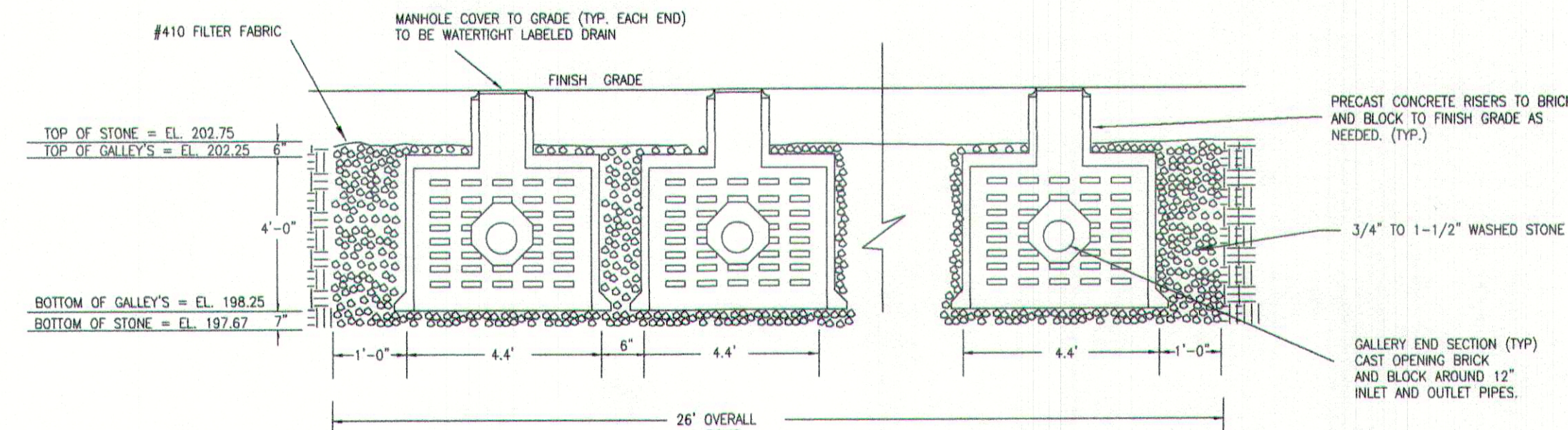
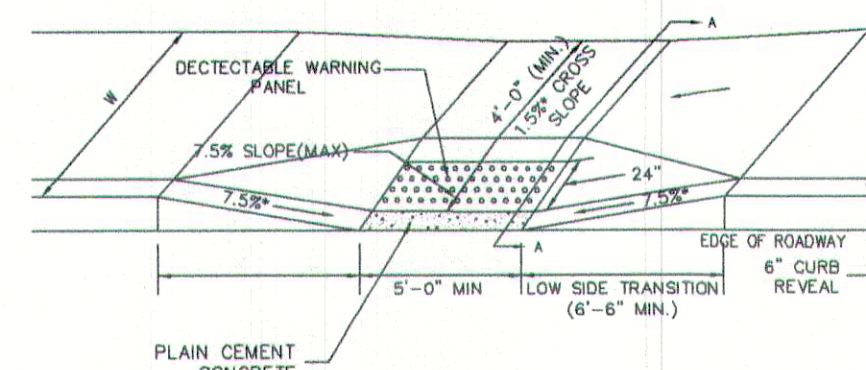
PAVEMENT DETAIL
NOT TO SCALE



TYPICAL CAPE COD BERM DETAIL
NOT TO SCALE

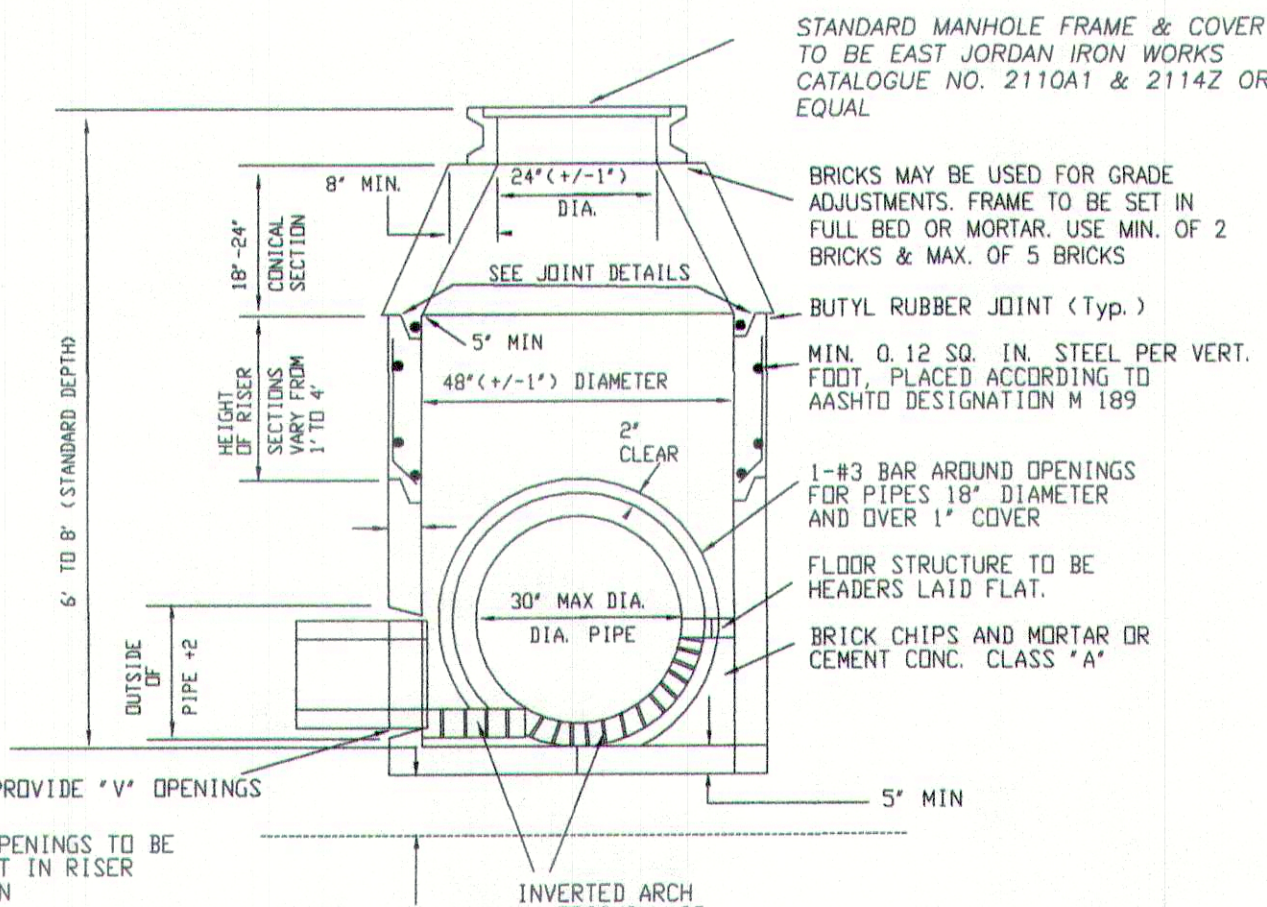


NOTE: MONOLITHIC CONCRETE CURB SHALL NOT BE USED ON ANY PUBLIC STREET OR WAY. MONOLITHIC CONCRETE CURB MAY BE USED ON PRIVATE WAYS, DRIVEWAYS AND IN PARKING LOTS.
* - TOLERANCE FOR CONSTRUCTION $\pm 0.5\%$

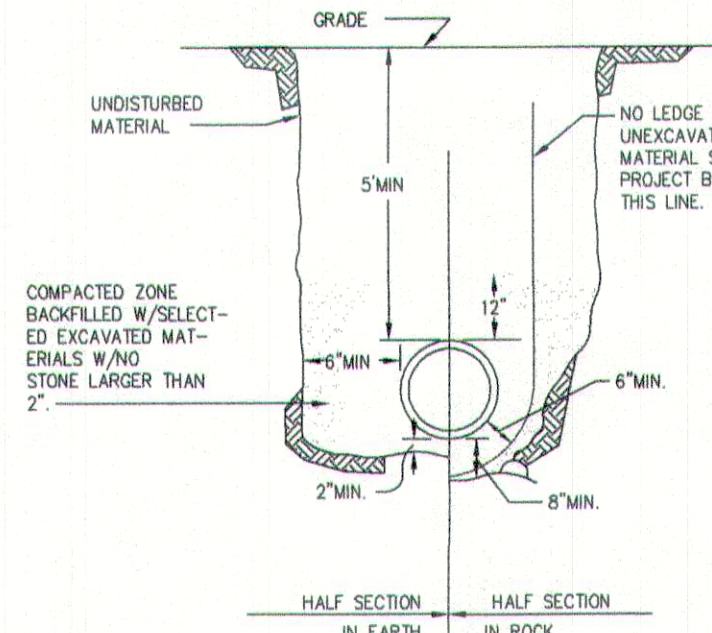


NOTE: REMOVE ALL UNSUITABLE MATERIAL FROM BENEATH THE INFILTRATION BASIN TO THE TOP OF THE SAND AND GRAVEL LAYER AS DETERMINED BY A DEP APPROVED SOIL EVALUATOR. REPLACE WITH SEPTIC SAND

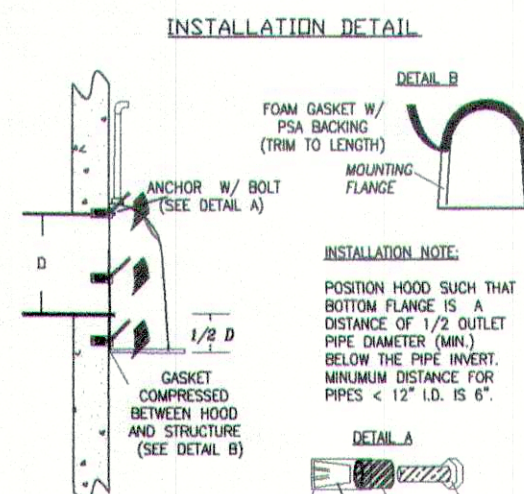
TYPICAL UNDERGROUND INFILTRATION BASIN
NOT TO SCALE



PRECAST CONCRETE DRAIN MANHOLE DETAILS
NOT TO SCALE

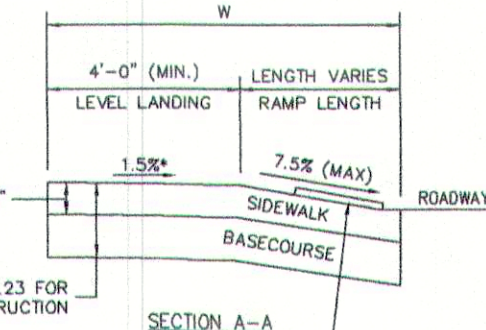


WATER MAIN TRENCH DETAIL
NOT TO SCALE

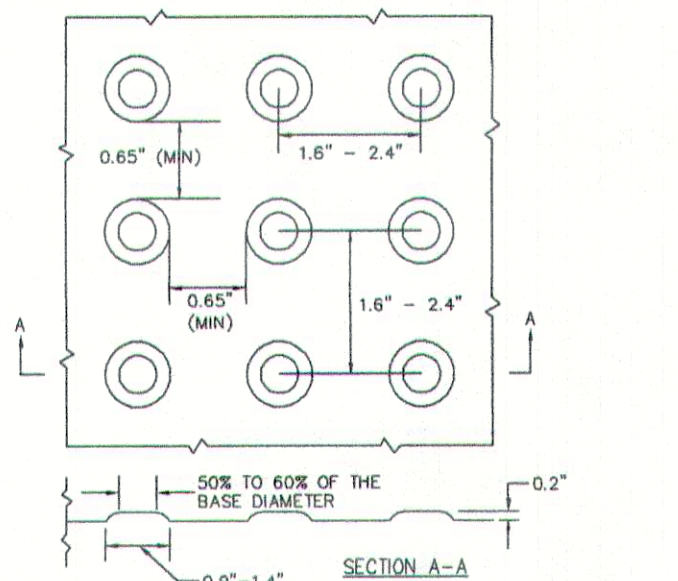


OIL AND GREASE TRAP
SNOUT 18R OR
APPROVED EQUAL
NOT TO SCALE

LEGEND:
W = SIDEWALK WIDTH
WC = CURB WIDTH
W-C = TOLERANCE FOR CONSTRUCTION $\pm 0.5\%$
- USABLE SIDEWALK WIDTH PER AAB = W-WC
- USABLE SIDEWALK WIDTH PER AAB IS NOT TO BE LESS THAN 4'-0"

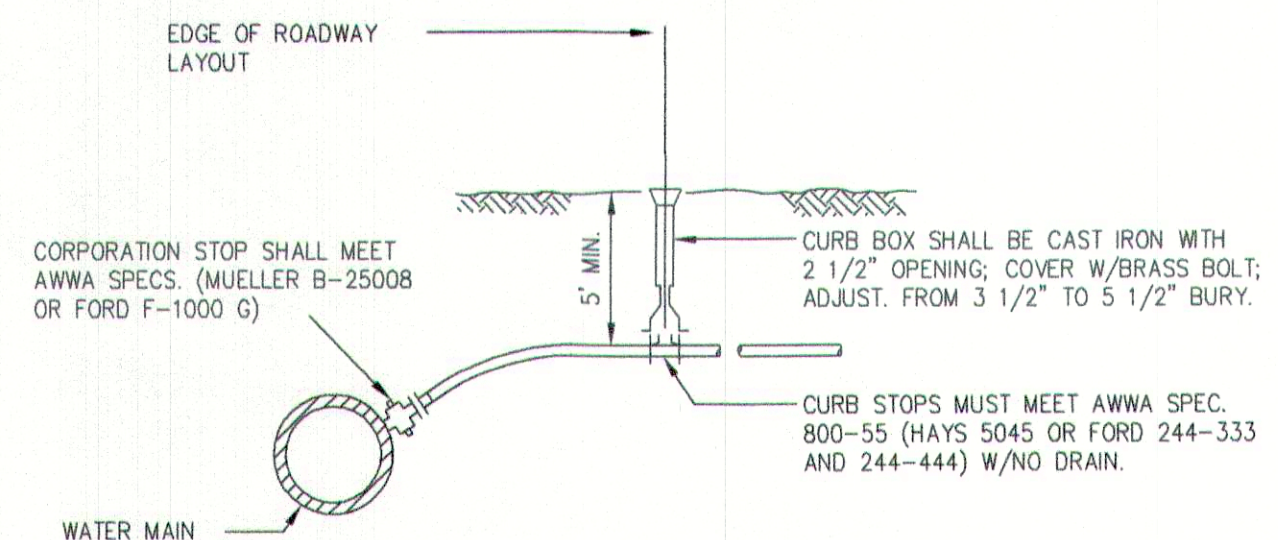


SIDEWALKS SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE CURRENT REGULATIONS OF THE ARCHITECTURAL ACCESS BOARD, THE AMERICANS WITH DISABILITIES ACT AND THE CURRENT MASSHIGHWAY CONSTRUCTION STANDARDS.



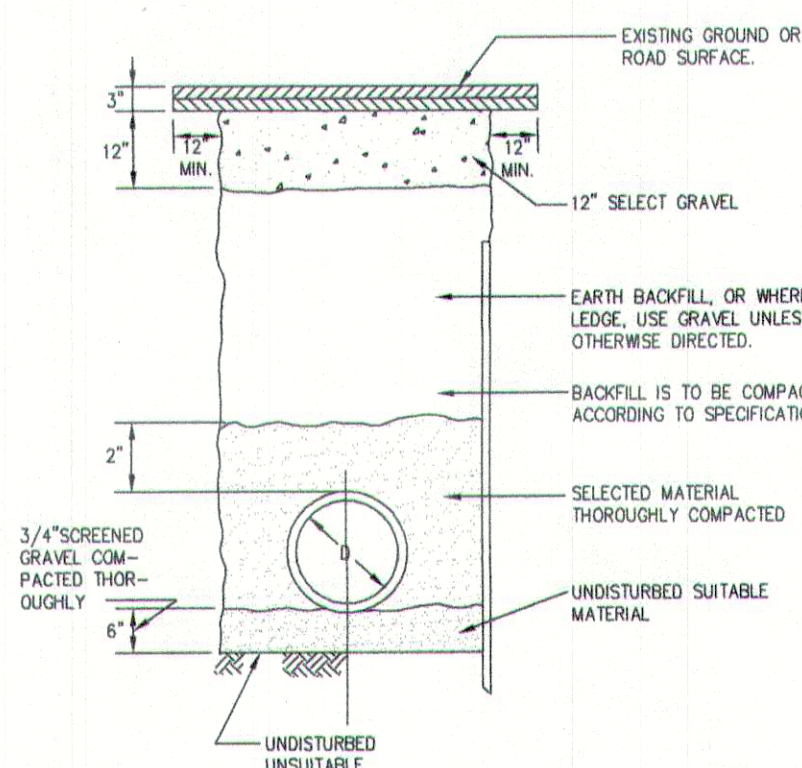
PANELS MAY BE CONCRETE PRECAST OR CAST IN PLACE OR OTHER SUITABLE MATERIAL PERMANENTLY APPLIED TO THE RAMP. DETECTABLE WARNING SURFACES SHALL CONTRAST VISUALLY WITH ADJACENT WALKING SURFACES EITHER LIGHT-ON-DARK OR DARK-ON-LIGHT

TAPPING SLEEVE AND
VALVE DETAILS
NOT TO SCALE

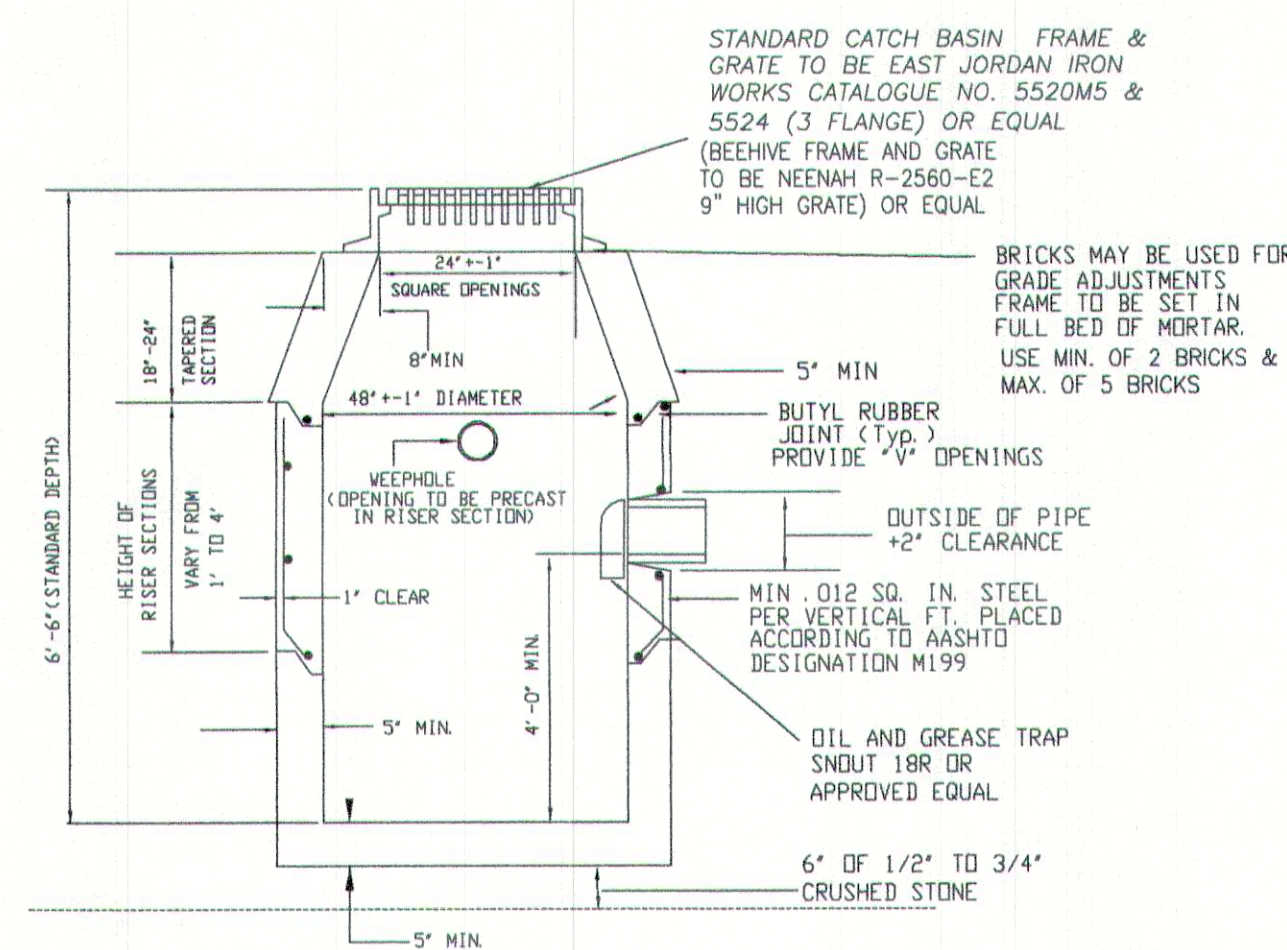


NOTE:
COPPER TUBING SHALL MEET AWWA SPEC. 76-OR TYPE K OR FEDERAL SPEC. WWT-799 TYPE K.
1 1/2" AND LARGER SERVICES ARE REQUIRED TO HAVE A SADDLE.

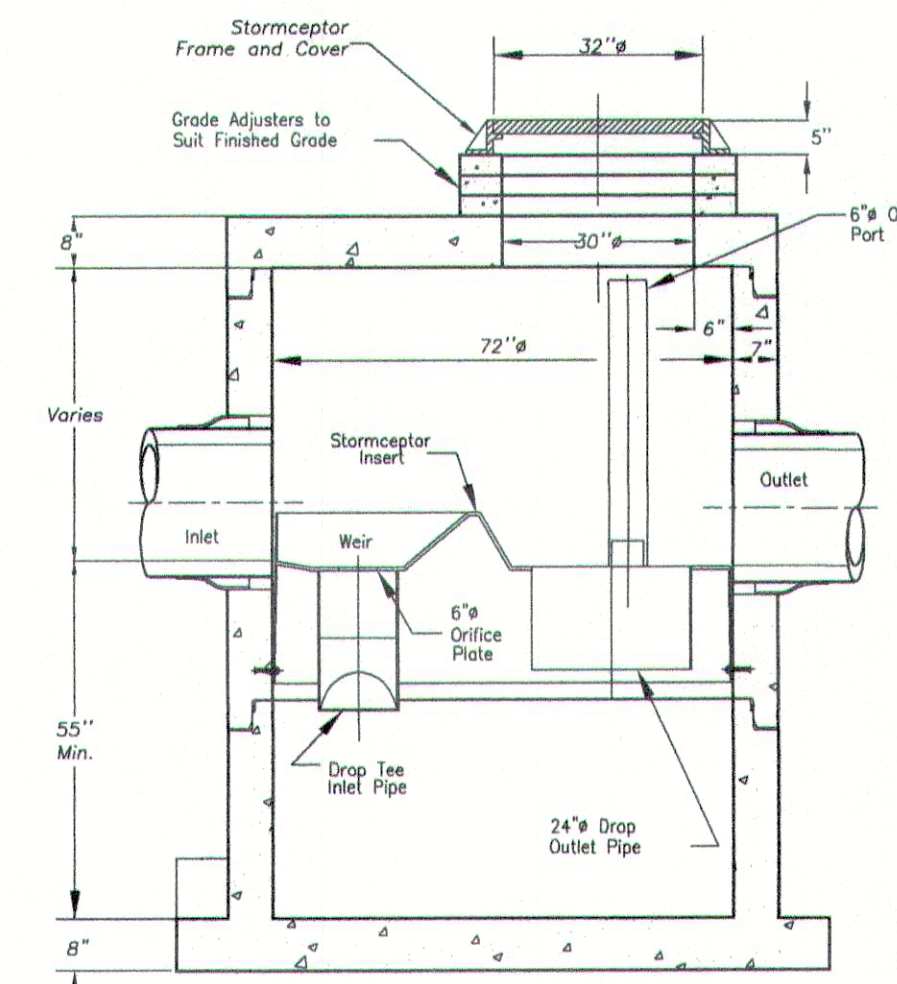
TYPICAL SERVICE CONNECTION
NOT TO SCALE



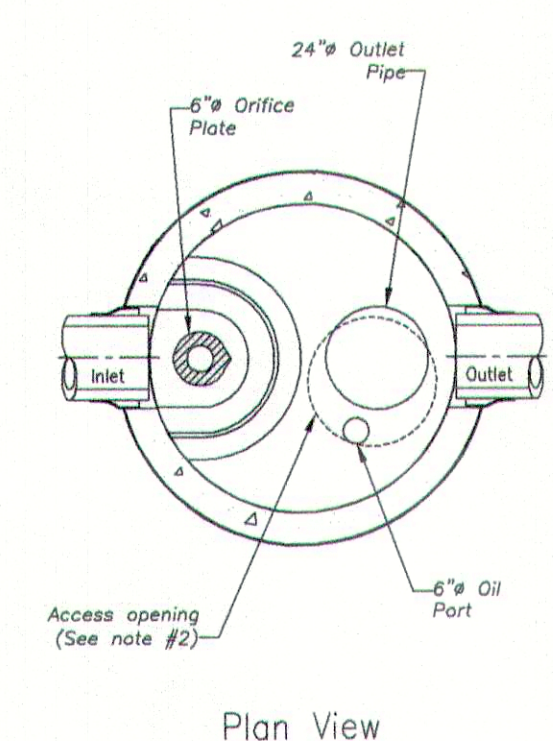
TYPICAL DRAIN TRENCH DETAILS
NOT TO SCALE



PRECAST CONCRETE CATCH BASIN DETAILS
NOT TO SCALE



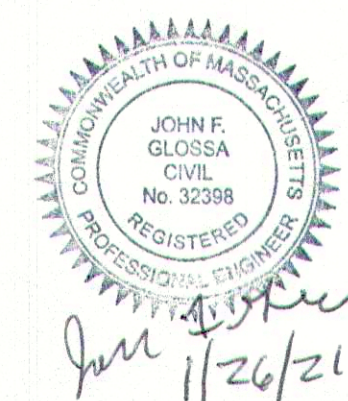
Section Thru Chamber
STC 900 Precast Concrete Stormceptor
(900 U.S. Gallon Capacity)

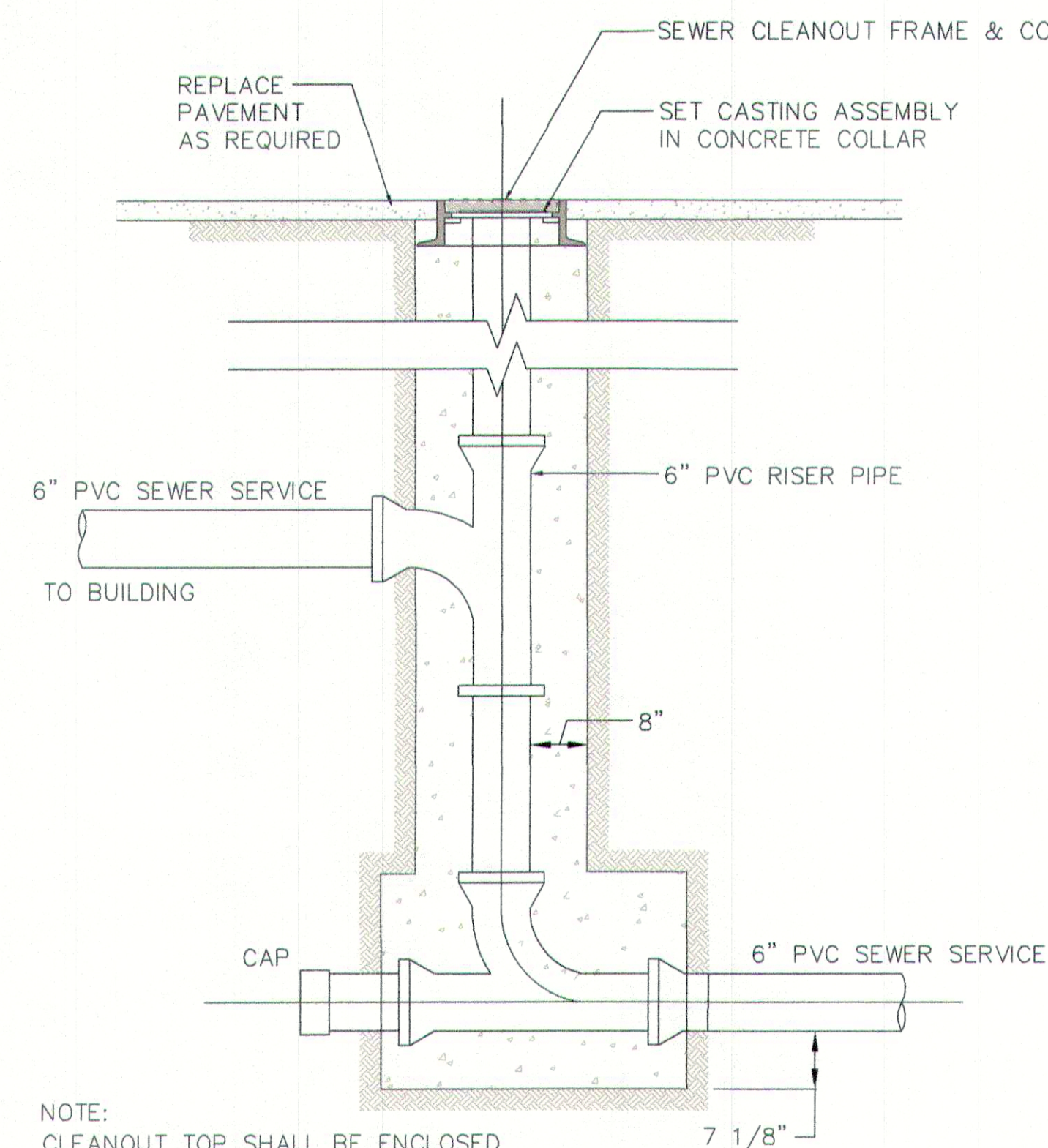


- Notes:
1. The Use Of Flexible Connection is Recommended at The Inlet and Outlet Where Applicable.
 2. The Cover Should be Positioned Over The Outlet Drop Pipe and The Oil Port.
 3. The Stormceptor System is protected by one or more of the following U.S. Patents: #4985148, #5498331, #5725760, #5753115,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

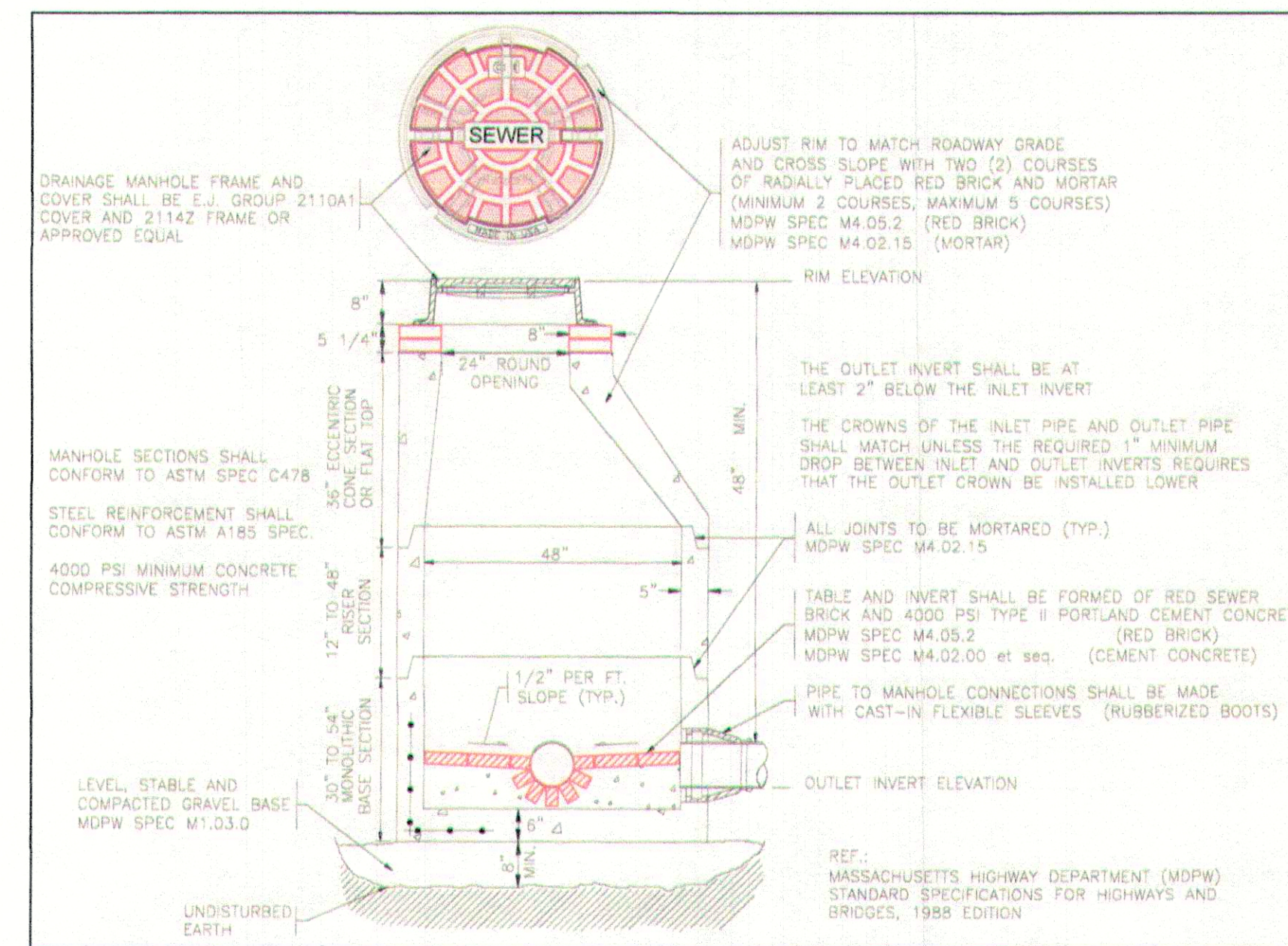
1688 CENTRAL AVENUE
CONSTRUCTION DETAILS
IN
NEEDHAM MA

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

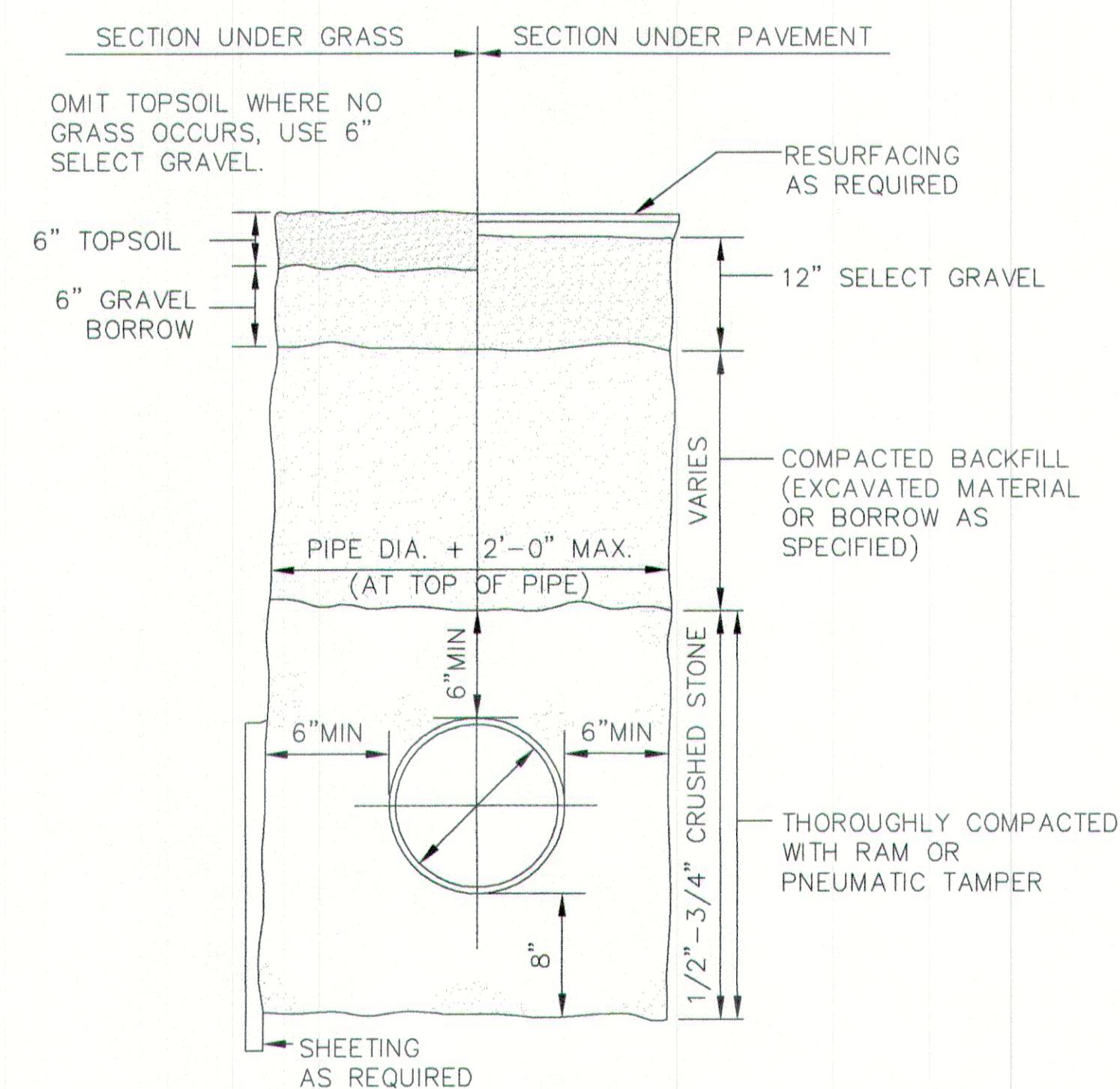




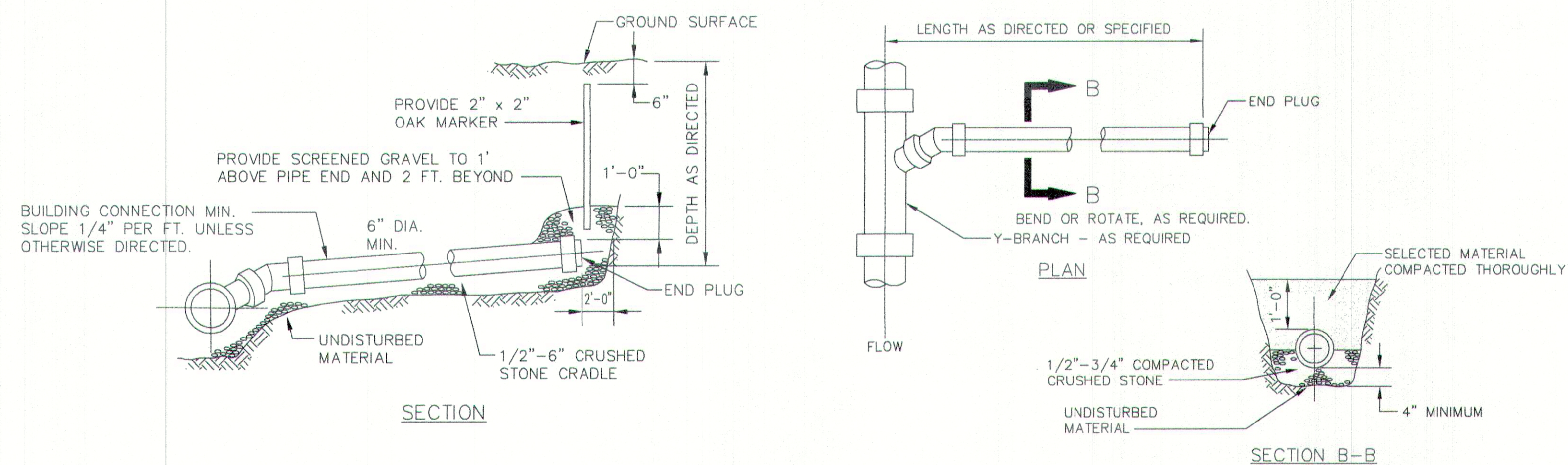
SEWER CLEANOUT DETAIL (C/O)
NOT TO SCALE



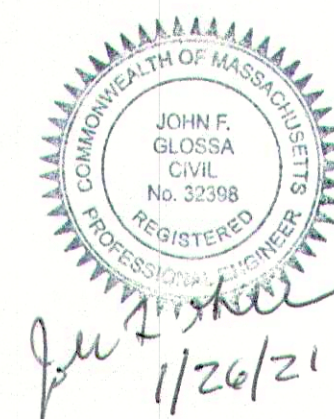
TYPICAL SEWER MANHOLE DETAIL
NOT TO SCALE



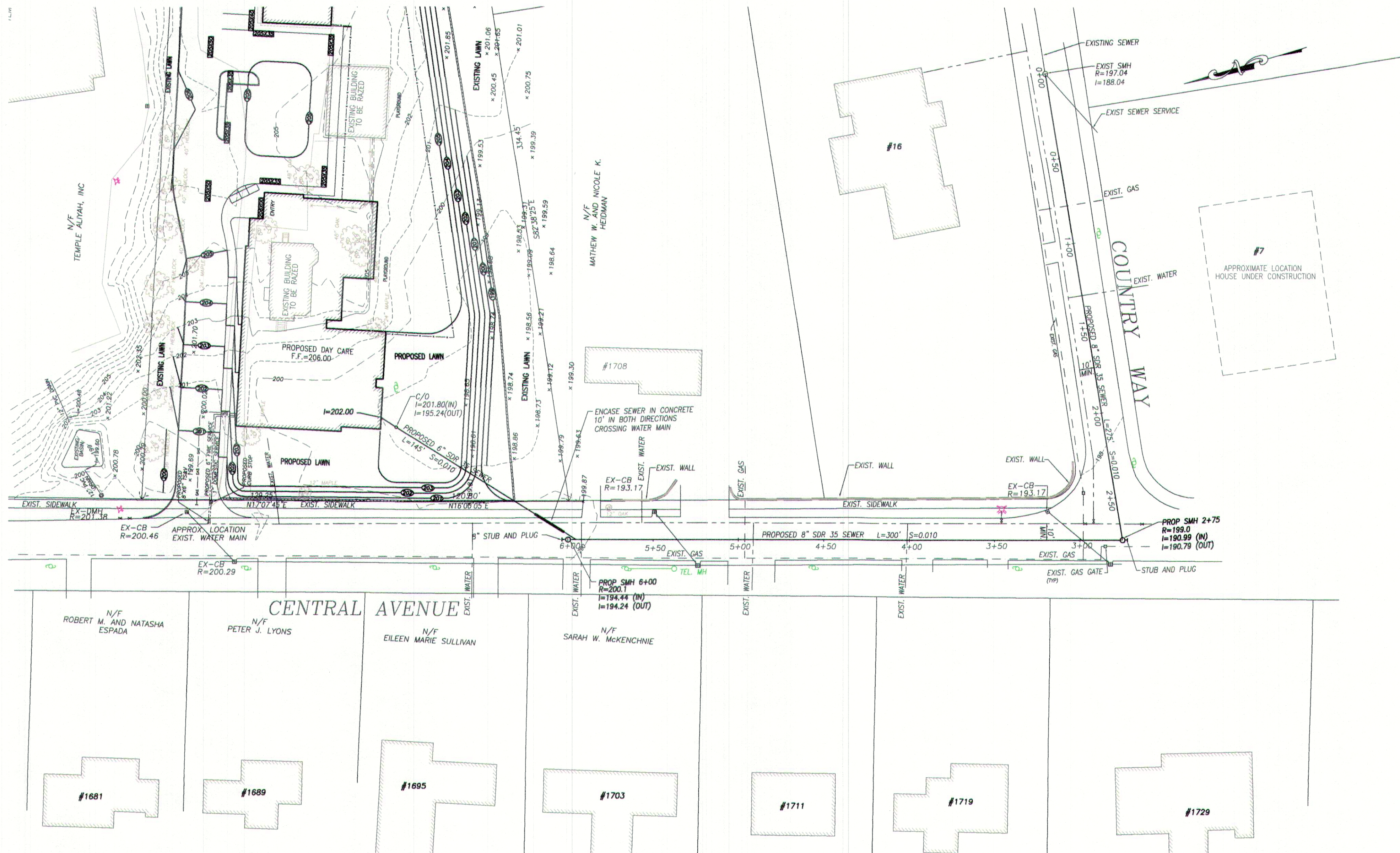
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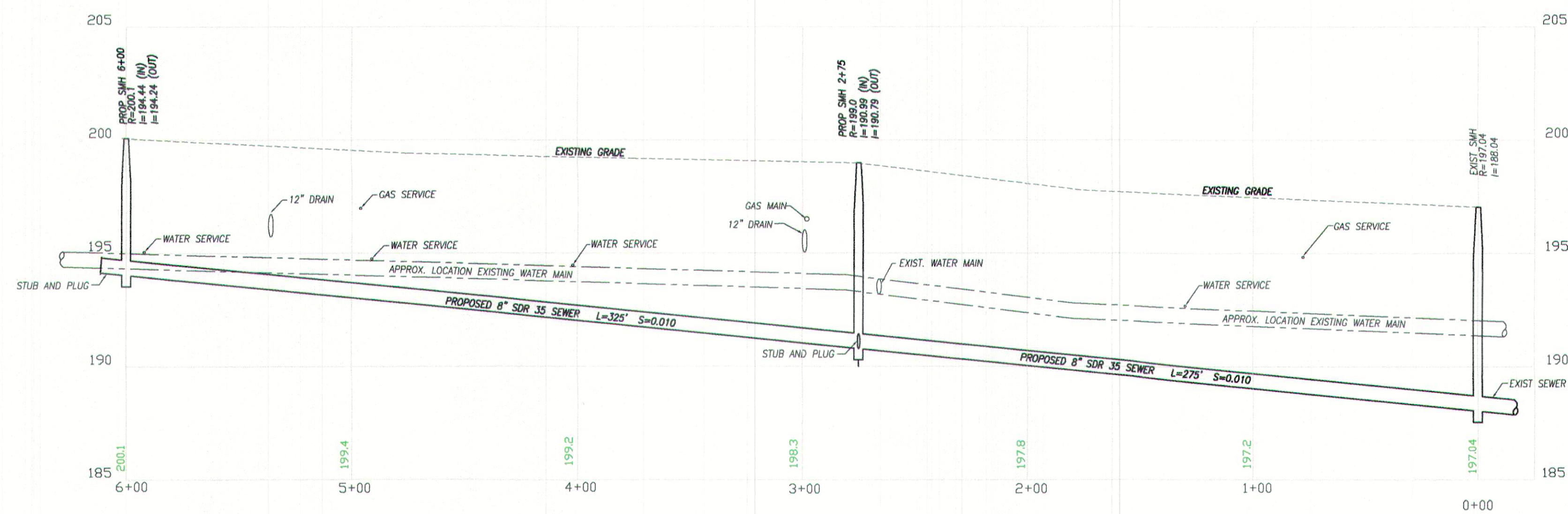
TYPICAL BUILDING CONNECTION
NOT TO SCALE



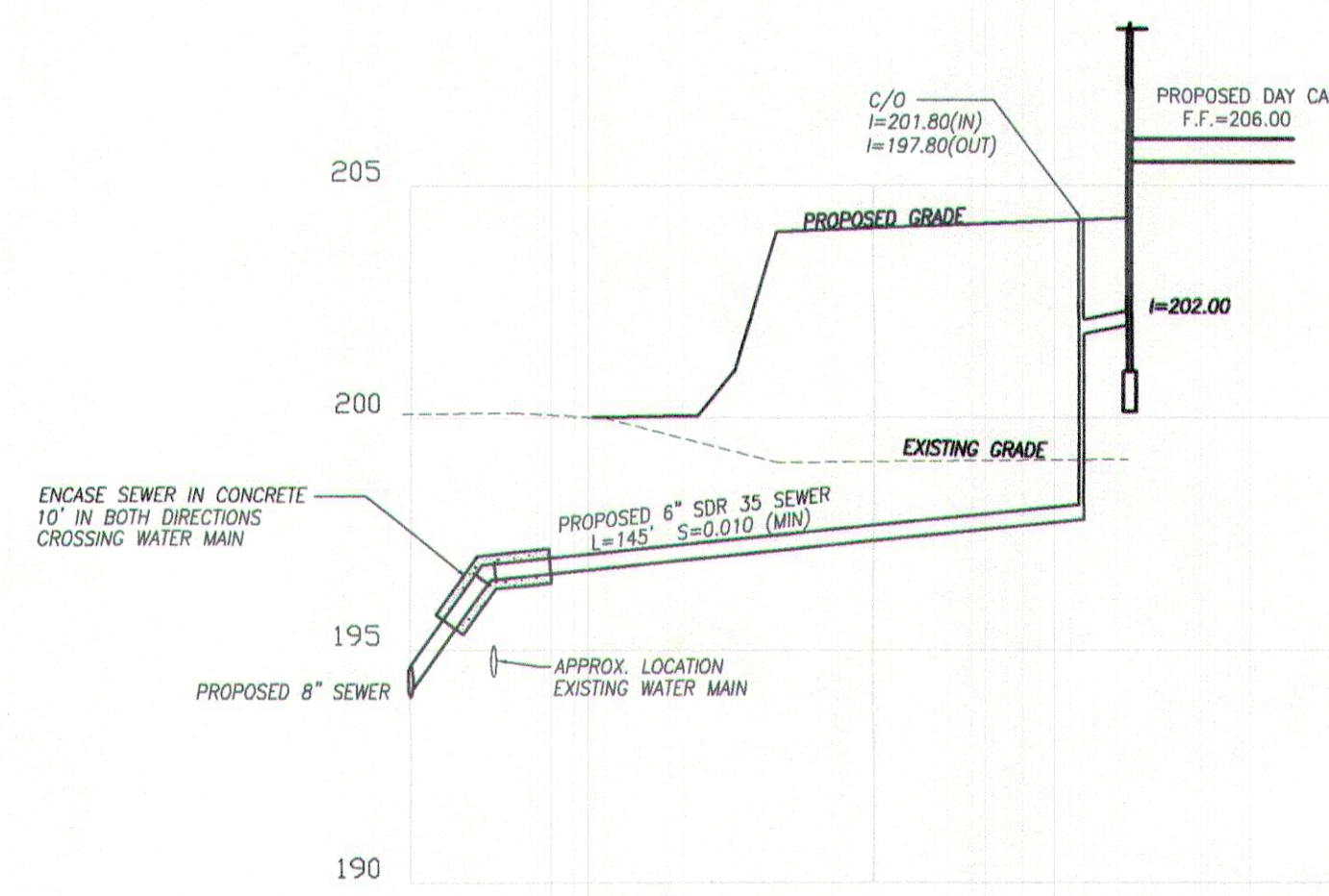
1688 CENTRAL AVENUE
CONSTRUCTION DETAILS
IN
NEEDHAM MA
SCALE: 1"=30' JUNE 22, 2020
GLOSSA ENGINEERING INC.
46 EAST STREET
EAST WALPOLE, MA
508-668-4401



PLAN
SCALE: 1" = 40'



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



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

LEDGEND:

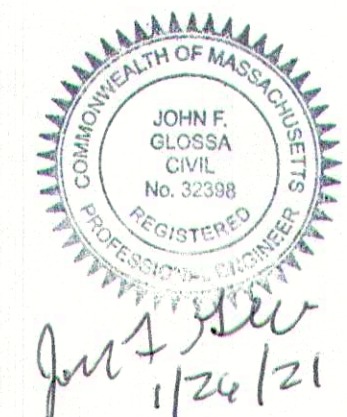
EXISTING GRADE	----- 100-----
EXISTING SPOT GRADE	x 200.02
EXISTING GAS MAIN	-----
EXISTING GAS GATE	==
EXISTING SEWER MANHOLE	○ EXIST. SMH
EXISTING DRAIN MANHOLE	○ EX-DMH
EXISTING CATCH BASIN	⊞ EX-CB
EXISTING ELECTRIC MANHOLE	○ EX-EMH
EXISTING UTILITY POLE	○
EXISTING FENCE	-----
EXISTING FIRE HYDRANT	⊞
EXISTING GATE VALE	⊞
PROPOSED GRADE	----- 200-----
PROPOSED SPOT GRADE	x 205.35
PROPOSED SEWER MANHOLE	○ PRDP. SMH
PROPOSED CATCH BASIN	⊞ CB-1
PROPOSED DRAIN MANHOLE	○ DMH-1
PROPOSED TAPPING SLEEVE AND VALVE	⊞ PROPOSED 8"x6" TS&V

CONSTRUCTION NOTES

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

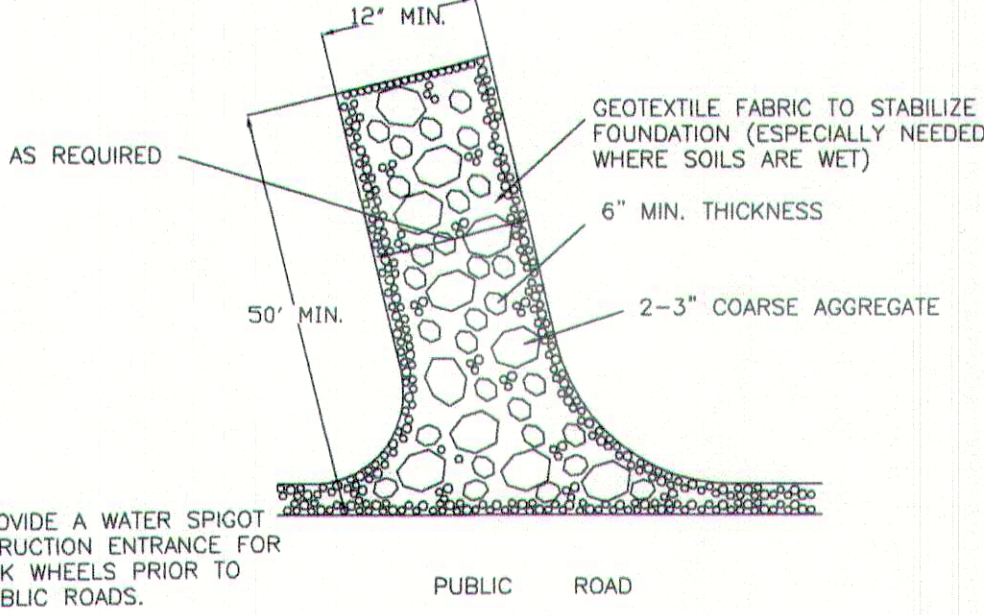
1688 CENTRAL AVENUE
SEWER EXTENSION
PLAN AND PROFILE
IN
NEEDHAM MA

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

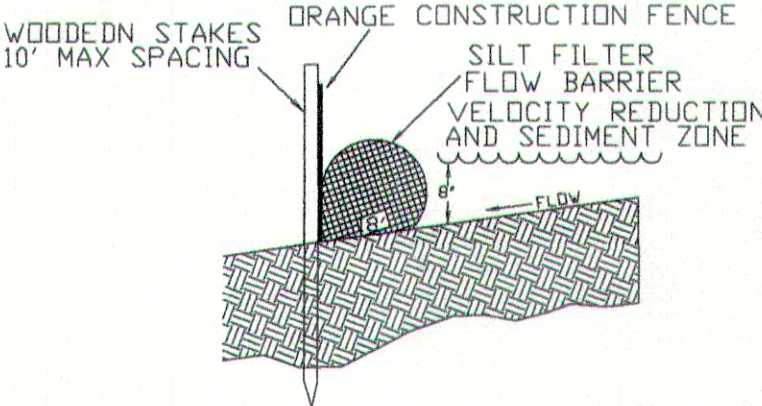


- CONSTRUCTION SEQUENCING:
1. INSTALLATION OF SILT BARRIERS AS SHOWN ON THE PLANS
 2. INSTALLATION OF STABILIZED CONSTRUCTION ENTRANCE
 3. ESTABLISHMENT OF A CONSTRUCTION STAGING AREA
 4. ESTABLISHMENT OF A MATERIALS STOCKPILE AREA
 5. REMOVAL OF EXISTING BUILDINGS
 6. CLEARING AND GRUBBING
 7. REMOVAL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

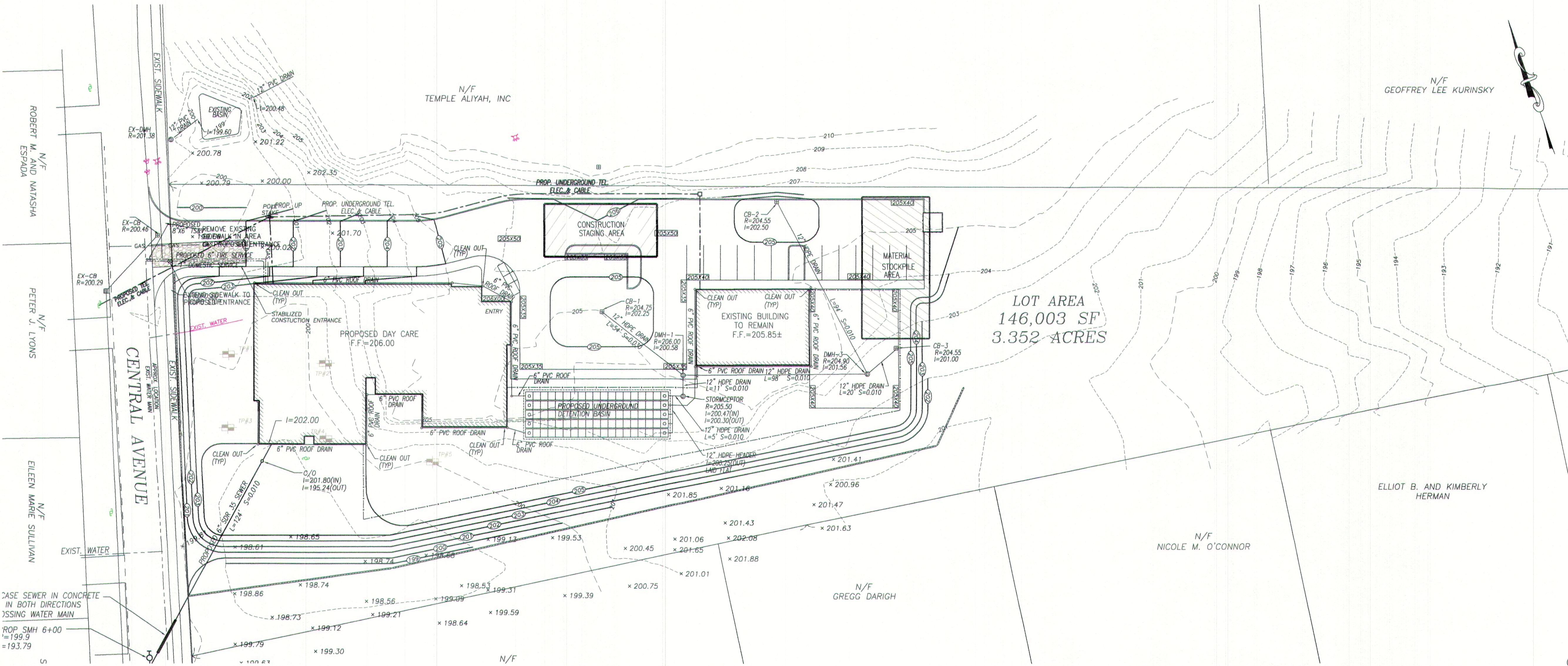
- CONSTRUCTION NOTES:
1. ALL AREAS TO BE ALTERED SHALL BE BROUGHT TO SUB GRADE OR FINAL GRADE AT THE START OF CONSTRUCTION
 2. AREAS ONCE BROUGHT TO GRADE THAT WILL NOT BE ALTERED AGAIN SHALL BE LOAMED AND SEEDED AND PROTECTED WITH STRAW GUARD AS NEEDED
 3. DRAINAGE BASIN AS SHOWN SHALL NOT BECOME OPERATIONAL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



STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE



8\"/>



1688 CENTRAL AVENUE
CONSTRUCTION PERIOD PLAN
IN
NEEDHAM MA

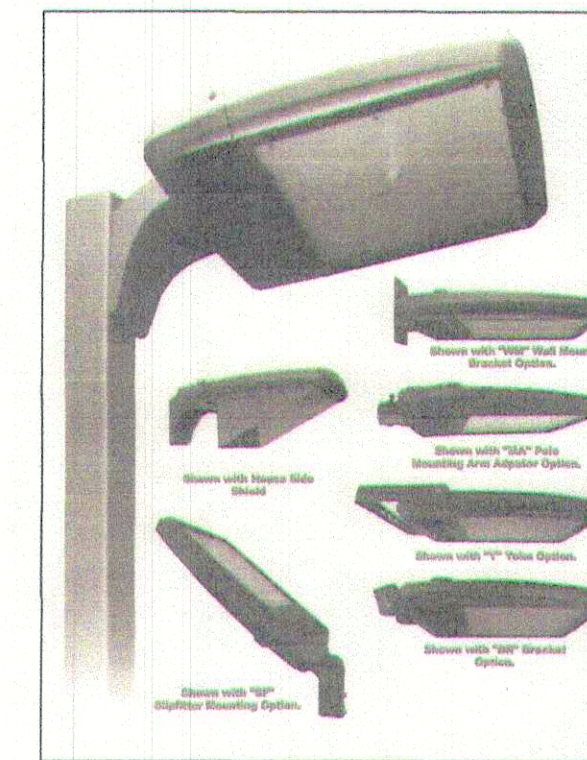
SCALE: 1"=30' JUNE 22, 2020
GLOSSA ENGINEERING INC.
46 EAST STREET
EAST WALPOLE, MA
508-668-4401



Calculation Summary								
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Grid Z
CalcPts_1	Illuminance	Fc	1.10	7.8	0.0	N.A.	N.A.	0
Parking - Roadway Calcs	Illuminance	Fc	3.16	7.8	0.5	6.32	15.60	

Luminaire Schedule							
Symbol	Qty	Label	Arrangement	Description	LLF	Lum. Lumens	Lum. Watts
	4	A	SINGLE	EG45QD1X136U4KC	1.000	21455	148.3

NOTE: LIGHT POLES ARE 20' HIGH



LIGHT FIXTURE MODEL NUMBER
EG45QD1X136U4KC
AS MANUFACTURED BY PEMCO LIGHTING PRODUCTS

20' POLE HEIGHT
BY WJM, SERIES SS NON TAPERED STEEL POLE

S70°24'31"E

LOT AREA
146,003 SF

CENTRAL AVENUE

EXIST. SIDEWALK

EXIST. SIDEWALK

EXIST. SIDEWALK

5' WIDE SIDEWALK

ENTRY

5' WIDE SIDEWALK

PROP.
HP SIGN

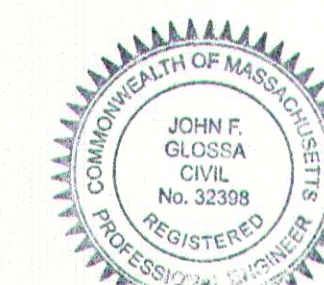
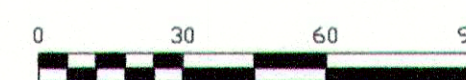
EXISTING BUILDING

5' WIDE SIDEWALK

N/F
MATHEW W. AND NICOLE K.
HEIDMAN

N/F
NICOLE M. O'CONNOR

ELLIOT B. AND KIMBERLY
HERMAN



John F. Glossa
1/26/21

APPENDIX
PHOTOMETRIC AND SITE LIGHTING
PLAN
1688 CENTRAL AVENUE
IN
NEEDHAM MA
SCALE 1"=30' JUNE 22, 2020

Traffic Impact Assessment

For:

Child Care Facility

On:

Central Avenue

In:

Needham, Massachusetts

Prepared For:

Glossa Engineering, Inc.
Walpole, Mass.

Prepared By:



March 2021

Child Care Facility

*1688 Central Avenue
Needham, Massachusetts*



J. T. Gillon
2/11/21

Gillon Associates Co.
111 River Street, Weymouth, MA 02191-2104
Telephone (781) 762-8856
E-mail: jt.gillon@comcast.net

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EXECUTIVE SUMMARY

- **Central Avenue carries approximately 9,000 vehicles per day in the vicinity of the site. About nine percent of this daily volume occurs during the morning peak hour.**
- **Based on the proponent's projected arrivals and departures, the morning peak hour will have more site generated trips than the evening peak hour. This project is expected to generate approximately 104 new morning peak hour trips with 55 inbound and 49 outbound.**

The proponent will have staff assist children both arriving and leaving the day care to ensure the drop-off/pick-up circulation line of vehicles keep moving and do not stack back down the 200-foot long driveway.

- **All through traffic on Central Avenue in each direction will continue to enjoy an "A" level of service with little or no delay during the weekday morning commuting peak hour. The Central Avenue southbound left-turn through lane utilized into the Site Driveway, will continue to operate at an "A" level resulting in no turbulence on Central Avenue during the morning peak hour. The Site Driveway itself will have an acceptable "C" level with average delay during the morning peak hour.**
- **The required stopping sight distance at the Central Avenue / Site Driveway intersection is provided.**

INTRODUCTION

Gillon Associates has evaluated the anticipated traffic impacts resulting from the proposed development of a Child Care Facility. The site is located on Central Avenue, just north of Charles River Street in Needham, Massachusetts (Figure 1).

The purpose of this report is to evaluate potential traffic impacts, which may be created by the expected addition of vehicular traffic either originating from or destined to the site. Specifically, this report assesses traffic operational characteristics of the Central Avenue intersection at the site access roadway due to any additional traffic. Based on the proponent's projected arrivals and departures, the morning peak hour will have more site generated trips than the evening peak hour and, thus, was chosen for analysis purposes.

This report provides an identification of the expected traffic generated by the project along with an assessment of projected traffic operating characteristics. Existing traffic volumes were obtained by manually observing and recording Central Avenue traffic volumes in fifteen-minute increments during the morning peak hour.

PROJECT DESCRIPTION

The project site area is 146,003 square feet or just over three acres and includes constructing a 9,941 square-foot child care facility building. An out-building currently used as a barn will be retained for storage and ancillary purposes. The project will have a total of approximately 24 off-street surface parking spaces. The access to this school at #1688 Central Avenue uses a 200 foot-long, 24-foot wide access drive to Central Avenue (Figure 2).

EXISTING TRAFFIC CONDITIONS

Regional Roadway Network

Central Avenue will continue to serve the site and provide access to both local and regional roadway facilities. To the south, Central Avenue provides linkage between the site and Charles River Street and Dover as well as other points to the south. Central Avenue also provides access to the north with linkage to Route 135 and easterly to Needham Center.

Traffic Setting

The project is situated on the easterly side of Central Avenue. This roadway is a two-lane roadway with one lane in each direction. Central Avenue has a roadway pavement width of approximately 25 feet with a bituminous concrete sidewalk on the easterly side of the roadway.

Existing Traffic Volumes

Existing traffic volumes were obtained by manually observing and recording Central Avenue traffic volumes in fifteen-minute increments during the morning peak hour. Morning peak hour traffic volumes on Central Avenue at the site driveway are provided on Figure 3.

FUTURE TRAFFIC CONDITIONS

Trip Generation and Distribution

It is expected that the proposed child care facility will exhibit the same general trip generating characteristics as in other urban and suburban residential communities. In addition to local rates observed and compiled by this firm, the Institute of Transportation Engineers (ITE) provides data on a variety of land uses and there is a considerable amount of empirical data available. In addition, the proponent has found by assigning pick-up and drop-off windows for parents, there is less congestion within the site and they will employ that technique at this site as well. Figure 4 provides a trip generation summary listing the ITE equations along with the resulting trip generation values for the school.

Based on the proponent's projected arrivals and departures, the morning peak hour will have more site generated trips than the evening peak hour. This project is expected to generate approximately 104 new morning peak hour trips with 55 inbound and 49 outbound. This project is also expected to generate approximately 94 new evening peak hour trips with 44 inbound and 50 outbound.

Moreover, the Proponent has researched various Child Care locations to gain a higher level of confidence in our projected drop-off/pick-up vehicle trips. Over time, this location could accommodate between 80 and 100 students although 120 children appears to be allowed.

Observations at the Goddard School Day Care Facility in Medfield revealed 59 students arrived during the weekday morning peak hour.

Goddard School - Medfield MA

Morning Arrival time 3-20-18

Time	Arrive
7:00-7:15	11
7:15-7:30	10
7:30-7:45	11
7:45-8:00	15
8:00-8:15	15
8:15-8:30	18
8:30-8:45	6
8:45-9:00	10

In September 0f 2019, at a day care with 87 children there was a total of 51 vehicles during the morning peak hour. At the same location this winter there were 60 children in 30 cars on Monday and Friday and 76 children in 45 to 48 cars between Tuesdays and Thursdays.

In essence, all of these observations indicate there will be about 55 vehicles entering the site during the morning peak hour based on 80 children. This data also suggests this child care facility could quite easily accommodate over 100 children without creating on-site grid lock providing staff is available to assist children into the building where other staff members get that child settled and the initial staff member return to bring in the next vehicle's child.

If a parent insists on entering the facility they will be directed to park in an un-occupied parking stall or enter the site all the way to the end by the playground to block a staff member's car who is parked for the day. This operation will keep the drop-off / pick-up line circulating without disruption.

Directional distribution reflects the existing Central Avenue directional split as adjusted to account for residential local attributes during the morning and peak hour as shown on Figure 5. Site generated traffic volumes at the Central Avenue / Site Driveway intersection during the morning peak commuting hour is provided on Figure 6.

TRAFFIC OPERATIONAL ANALYSIS

This section of the report provides a quantitative analysis of anticipated traffic operational characteristics for the build scenarios. These series of capacity analyses were conducted for the weekday morning peak hour to determine the potential impact of the proposed day care facility project.

Analysis Methodology and Findings

The analysis is based on the "Highway Capacity Manual" for non-signalized intersections. This manual has been published by the Transportation Board of the National Research Council and approved by the National Academy of Sciences, National Academy of Engineering, and the Institute of Medicine. The most recent Synchro Software version 10.1 was utilized in the assessment.

At un-signalized intersections and driveways the manual assumes that the through and right-turn movements along any main street will operate unrestricted but conflicting movements will be subjected to various periods of delay depending primarily on the frequency of adequate safe gaps to complete these movements. These periods of delay are generally categorized in "Levels of Service" (LOS) ranging from "A" for very short or no delays through "F" for extensive delays. The Massachusetts Highway Design Manual indicates that a "D" Level of Service is acceptable on roadways such as those in the study area. A table comparing levels of service and seconds of delay is provided in the Appendix of this report.

As can be seen on Figure 7, all through traffic on Central Avenue in each direction will continue to enjoy an "A" level of service with little or no delay during the weekday commuting peak hour. As can be seen in the capacity calculations included in the Appendix of this report, the Central Avenue southbound left-turn through-lane utilized into the Site Driveway will also operate at an "A" level resulting in no turbulence on Central Avenue during this peak hour. The Site Driveway itself will have an acceptable "C" level with average delay during the morning peak hour.

SIGHT DISTANCE EVALUATION

The approaching vehicle on Central Avenue must be able to stop in time to avoid making contact with a vehicle emerging from the reconfigured site driveway. The required stopping sight distance from either a minor street or driveway is obtained from "A Policy on Geometric Design of Highways and Streets" as published by the American Association of State Highway and Transportation Officials (AASHTO) 6th Edition published in 2011.

Unlike the minimum safe stopping distance (MSSD) along a section of roadway, stopping sight distance at a driveway is not measured along either the center line or gutter line of a roadway. On page 9-29 of the American Association of State Highway and Transportation Officials (AASHTO) manual, it is stated "If the available sight distance for an entering or crossing vehicle (at an intersection corner) is at least equal to the appropriate stopping sight distance for the major road, then drivers have sufficient sight distance to anticipate and avoid collisions."

The motorist leaving the minor roadway or driveway has an eye height of 3.5 feet and he must be able to see another object (approaching vehicle) with a height of 3.5 feet from a point 14.5 feet back from the travel way. This dimension is based on most motorists stopping 6.5 feet or less from the intersecting roadway plus the eighty-fifth percentile distance of 8.0 feet from a front bumper of a vehicle to the motorist eye, thus, totaling 14.5 feet. The required stopping distance for each minor roadway is based on the formula on the following page:

$$d = 1.47 Vt + 1.075 \frac{V^2}{a}$$

Where: V = Speed (mph)

t = perception & Reaction time (2.5 seconds)

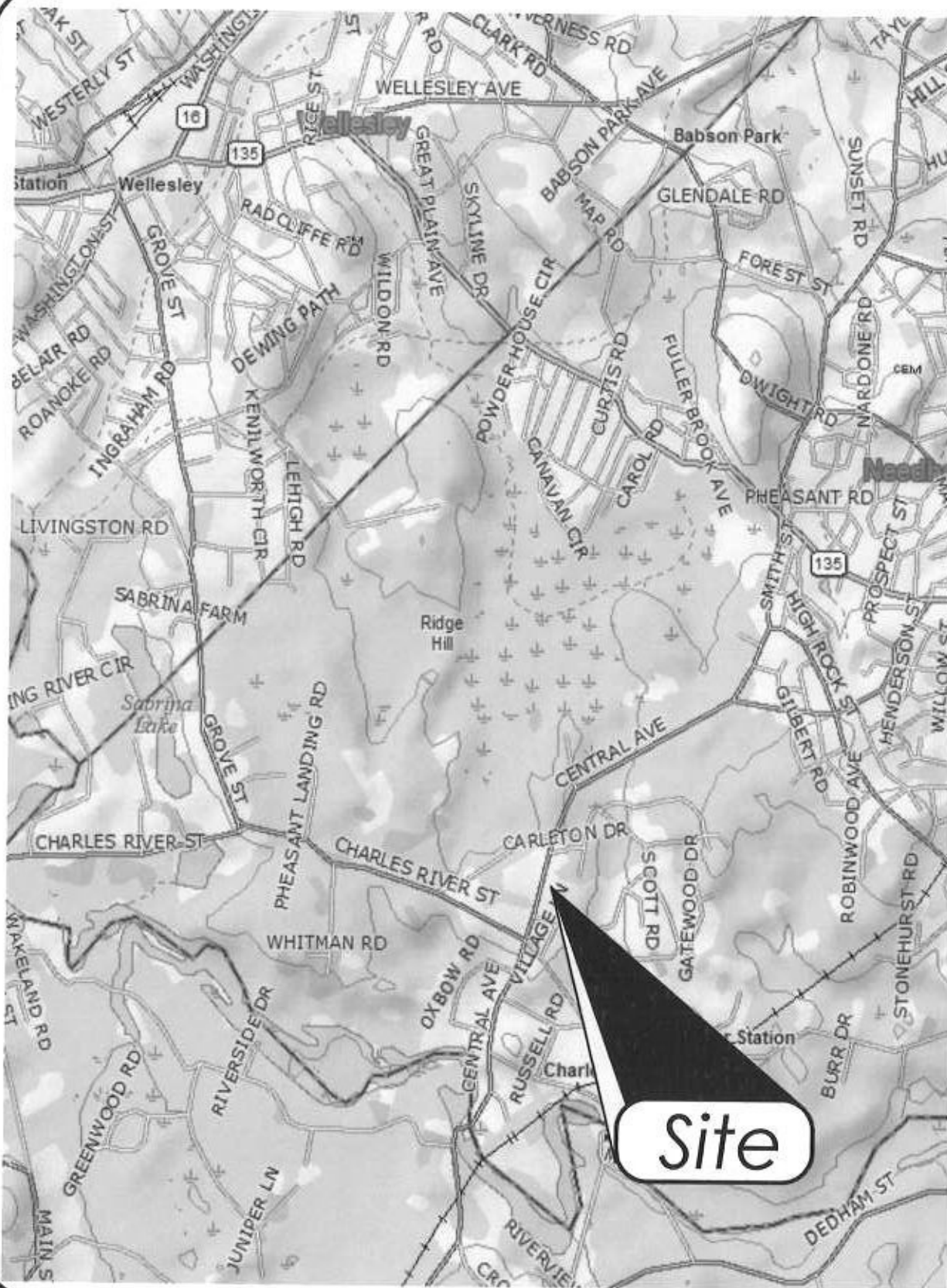
a = deceleration of vehicle (11.2 ft/sec.²)

A speed survey revealed the 85th percentile speed on Central Avenue was 39 mph southbound and 37 mph northbound at the site driveway (Figure 8). Therefore, the required stopping sight distance for Central Avenue at the driveway is computed as shown below:

$$d = 1.47 * 39 * 2.5 + 1.075 * \frac{(39)^2}{11.2}$$

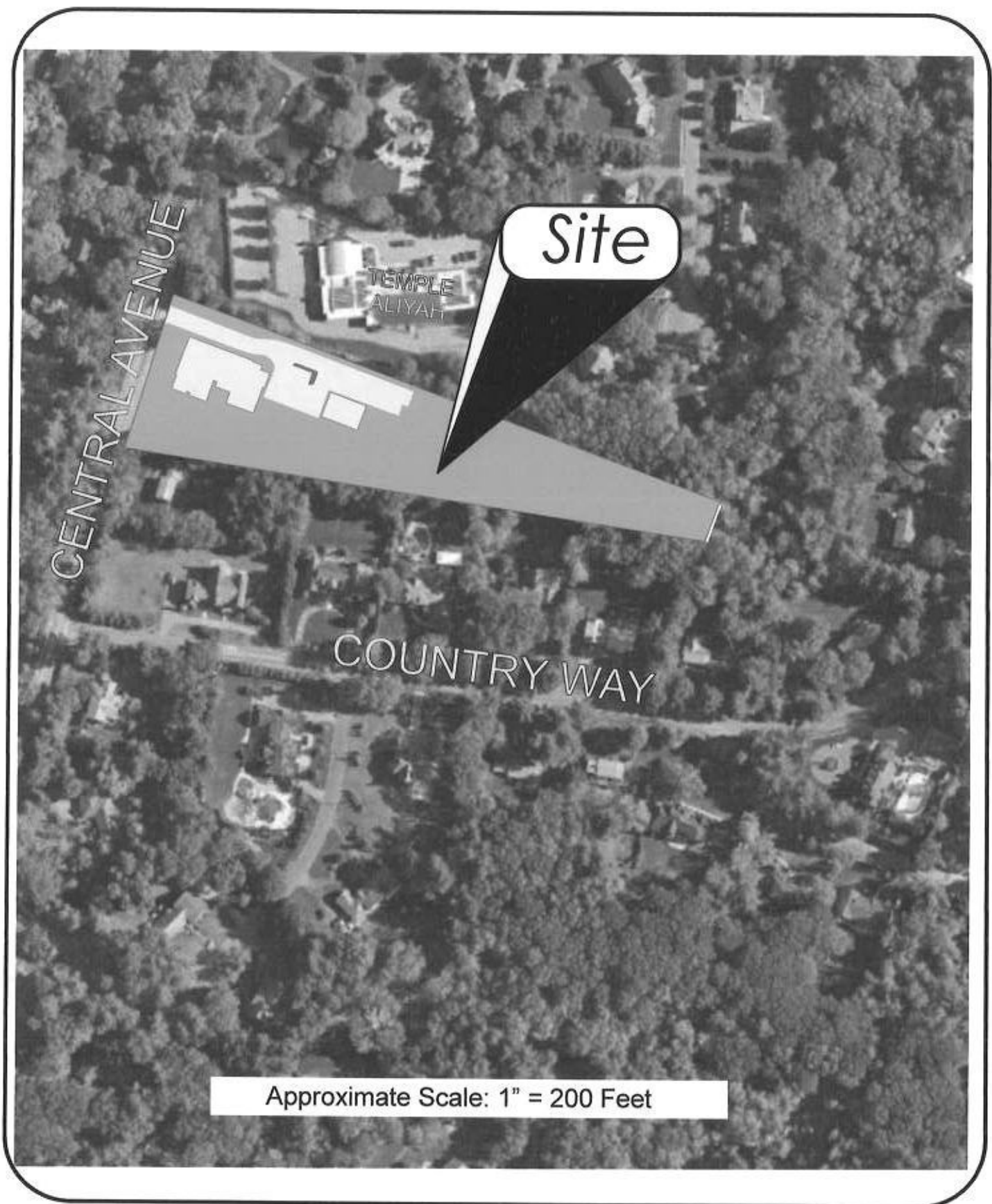
$$d = 143 + 146 = 289 \text{ feet}$$

A field review showed that this section of Central Avenue is both straight and flat. As can be seen on Figure 9, there is well over 350 feet of stopping sight distance in both directions on Central Avenue and the stopping sight distance and is safe.



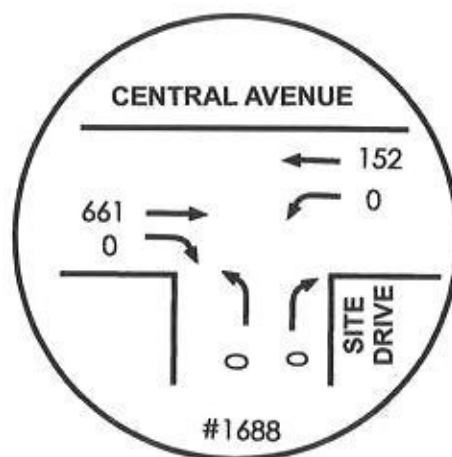
General Location Map

Figure 1



Locus Map

Figure 2



MORNING PEAK HOUR

Source of Data
 ITE Report (10th Edition)
 Land Use Code: 565
 Volume 2, Pages 224 - 245
 Day Care Center

Trips Based On Building Size	AM			PM		
	IN	OUT	TOTAL	IN	OUT	TOTAL
Peak Hour Trips						
Trips per Unit	T = 11.00 (x)			T = 11.12 (x)		
Directional Split	53% 47%			47% 53%		
Trips Based on 9,941 KGSF	58	51	109	52	58	110
Trips Based On Students	AM			PM		
	IN	OUT	TOTAL	IN	OUT	TOTAL
Peak Hour Trips						
Trips per Unit	T = 0.66 (x) + 8.42			Ln(T) = 0.87 Ln(x) + 0.29		
Directional Split	53% 47%			47% 53%		
Trips Based on 80 Students	32	29	61	28	32	60
AVERAGE	45	40	85	40	45	85

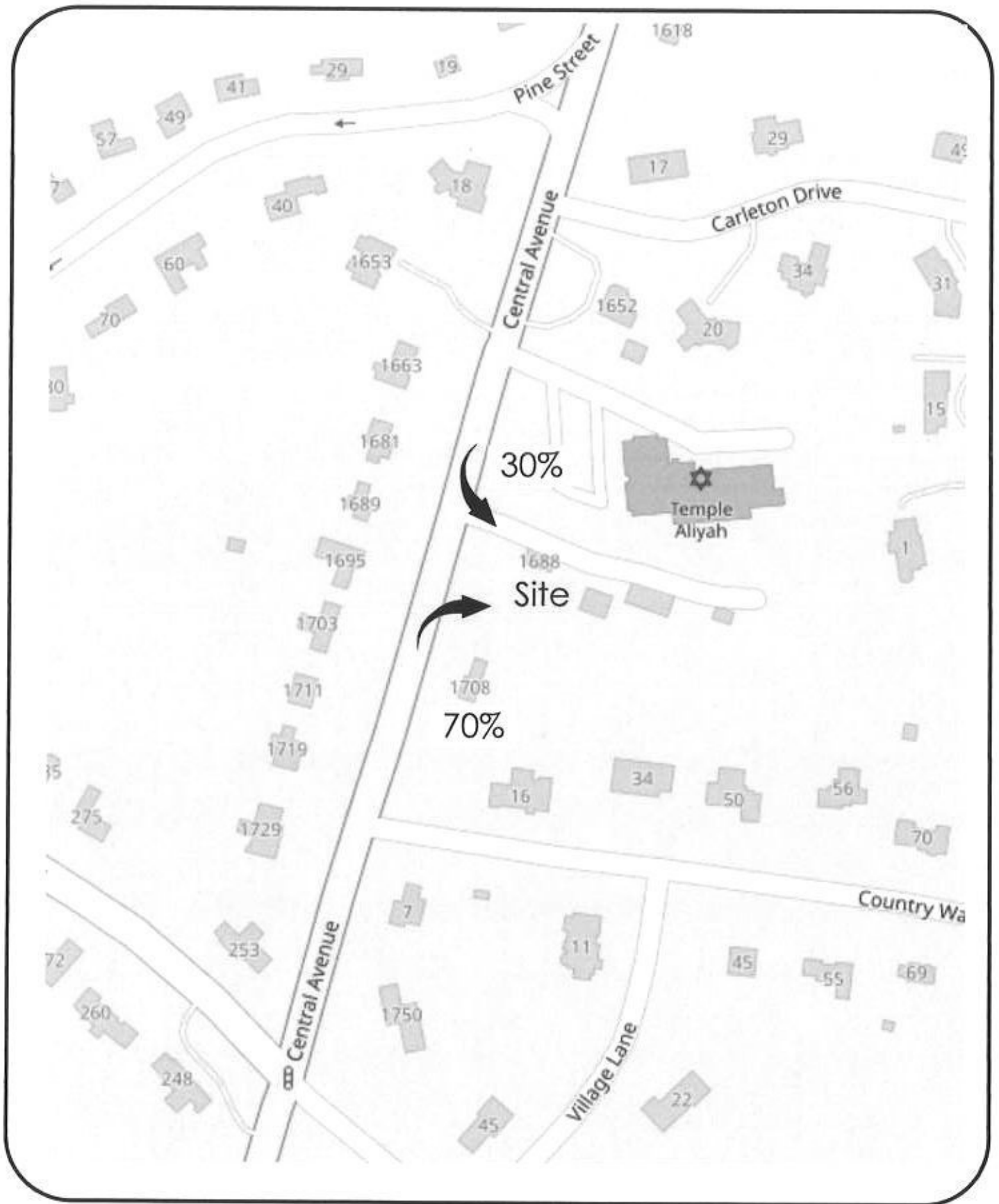
Trips per Weekday
 Trips per Student ITE
 $T = 47.62 (x)$ Trips Based on 9,941 KGSF = 473 Trips per Weekday
 $T = 4.09 (x)$ Trips Based on 80 Students = 327 Trips per Weekday
 Average = 400 Trips / Weekday (= 200 Inbound & 200 Outbound)

Based on Proponent's Student Drop-off & Pick-up Program

AM	7:30-8:00	16	PM	2:45-3:00	10
	8:00-8:15	9		4:00-4:30	10
	8:15-8:30	10		4:45-5:15	25
	8:30-8:45	16		5:15-5:45	25
	8:45-9:00	19		5:54 +	10
	9:00-9:15	10			

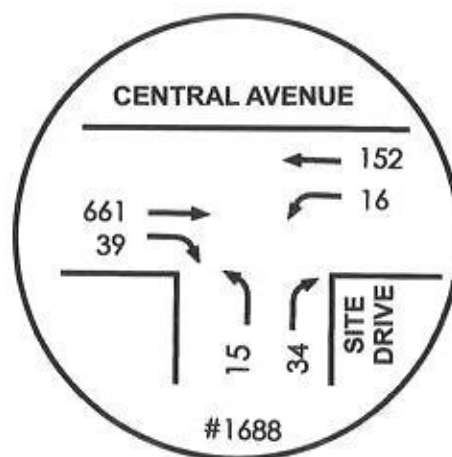
Peak Hr. = 50
 Peak Hr. = 55

Trips Based On Student Groups	AM			PM		
	IN	OUT	TOTAL	IN	OUT	TOTAL
Peak Hour Trips						
Directional Split	53% 47%			47% 53%		
Trips Based on 80 Students	55	49	104	44	50	94



Directional Distribution

Figure 5



MORNING PEAK HOUR

Central Avenue at Site Driveway

Projected LOS
AM

Stop Sign Controlled

Central Ave. Northbound
(All Moves)

A

Central Ave. Southbound
Through Movement
Left-Turn Movement

A

A

Site Drive West Bound
(All Moves)

C

Speed Data							
	26-30	31-35	36-40	41-45	Total	Speed	Cum. %
						26-30	2.33
Northbound	1	16	8	0	25	31-35	58.14
Southbound	0	8	9	1	18	36-40	97.67
	1	24	17	1	43	41-45	100.00



Speed

SPEED	Percent	Cum %
31	4.73%	4.73%
33	5.03%	9.76%
34	5.18%	14.94%
35	5.34%	20.27%
35	5.34%	25.61%
35	5.34%	30.95%
35	5.34%	36.28%
35	5.34%	41.62%
36	5.49%	47.10%
36	5.49%	52.59%
37	5.64%	58.23%
37	5.64%	63.87%
38	5.79%	69.66%
39	5.95%	75.61%
39	5.95%	81.55%
39	5.95%	87.50%
40	6.10%	93.60%
42	6.40%	100.00%

36

Avg. =

34

85th % = 37 mph

Gillon Associates
Traffic & Parking Specialists



From Site Driveway Looking South (Left)



From Site Driveway Looking North (Right)

Central Avenue Stopping Sight Distance

Figure 9

Gillon Associates
Traffic & Parking Specialists

APPENDIX

Signalized Intersections

LGS	Control Delay per Vehicle (s/Veh)
A	≤ 10
B	> 10–20
C	> 20–35
D	> 35–55
E	> 55–80
F	> 80

Un-Signalized Intersections

Level of Service	Average Control Delay (s/Veh)
A	0–10
B	> 10–15
C	> 15–25
D	> 25–35
E	> 35–50
F	> 50

Intersection Levels of Service

Needham
Central Ave. at Site drive

Projected
Morning Peak Hour

Intersection						
Int Delay, s/veh	1.1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	W		T			T
Traffic Vol, veh/h	15	34	661	39	16	152
Future Vol, veh/h	15	34	661	39	16	152
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	0	0	2	0	0	2
Mvmt Flow	17	38	743	44	18	171

Major/Minor	Minor1	Major1	Major2		
Conflicting Flow All	972	765	0	0	787
Stage 1	765	-	-	-	-
Stage 2	207	-	-	-	-
Critical Hdwy	6.4	6.2	-	-	4.1
Critical Hdwy Stg 1	5.4	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-
Follow-up Hdwy	3.5	3.3	-	-	2.2
Pot Cap-1 Maneuver	282	406	-	-	841
Stage 1	463	-	-	-	-
Stage 2	832	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	275	406	-	-	841
Mov Cap-2 Maneuver	275	-	-	-	-
Stage 1	463	-	-	-	-
Stage 2	812	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	17	0	0.9
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	354	841
HCM Lane V/C Ratio	-	-	0.156	0.021
HCM Control Delay (s)	-	-	17	9.4
HCM Lane LOS	-	-	C	A
HCM 95th %ile Q(veh)	-	-	0.5	0.1

STORM WATER REPORT
PROPOSED DAYCARE BUILDING
1688 CENTRAL AVENUE
NEEDHAM, MA
JUNE 22, 2020



Jan 24/2021

OWNER/APPLICANT
NEEDHAM ENTERPRISES
105 CHESTNUT STREET SUITE 28
NEEDHAM, MA 02492

ENGINEER: GLOSSA ENGINEERING INC
46 EAST STREET
EAST WALPOLE, MA 02032

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NARRATIVE

APPENDIX I

NARRATIVE SUMMARY

GLOSSA ENGINEERING INC
46 EAST STREET
EAST WALPOLE, MA 02032
PHONE 508-668-4401
FAX 508-668-4406
EMAIL glossaeng@AOL.com

June 22, 2020

1688 Central Avenue
Nedham, MA

STORM WATER REPPORT NARRATIVE

The applicant would like to remove the existing buildings and replace those buildings with a Child Daycare center building at 1688 central Avenue in Needham, MA. One building will remain and will be used in conjunction with the Daycare operation. The existing and proposed conditions are shown on the attached plans.

Currently there is no formal storm water management system at the site. The storm water runs off onto abutting properties and to Central Avenue.

The proposal is to capture all of the runoff from the building rooftops and most of the runoff from the proposed paved area and direct the runoff to an underground infiltration basin. The design and analysis is patterned after the MA DEP Storm Water Management regulations. The design includes mitigation of the rates of runoff, TSS removal, recharge calculation, drawdown calculation, an O and M plan, a Construction Period plan, a Long Term Pollution plan and hydrocad analysis.

STANDARD #2 – PEAK RATE ATTENUATION:**EXISTING CONDITIONS:**

	Stormwater Runoff Summary			
Subarea	Storm Event			
Pre-development.	2-yr	10-yr	25-yr	100-yr
E1 (cfs)	0.14	0.66	1.03	1.78
E1 (ac-ft.)	0.020	0.055	0.081	0.133
E2 (cfs)	0.01	0.25	0.55	1.33
E2 (ac-ft.)	0.009	0.047	0.079	0.150
E3 (cfs)	0.0	0.0	0.01	0.04
E3 (ac-ft.)	0.0	0.0	0.004	0.027
Total Area 146,012 sf 3.352 ac				
Total to Central Ave (cfs)	0.0	0.0	0.0	0.22
Total to Central Ave (ac-ft)	0.0	0.0	0.0	0.010
Low Area Northwest				
Qout (cfs)	0.0	0.0	0.0	0.22
Vout (ac-ft.)	0.0	0.0	0.0	0.010
Qout infiltrated (cfs)	0.05	0.11	0.15	0.19
Vout infiltrated (ac-ft.)	0.020	0.055	0.081	0.123
Peak Elevation (ft.)	199.87	200.30	200.53	200.82
Low Area Southwest				
Qout (cfs)*	0.0	0.0	0.0	0.0
Vout (ac-ft.)*	0.0	0.0	0.0	0.0
Qout infiltrated (cfs)	0.01	0.15	0.26	0.44
Vout infiltrated (ac-ft.)	0.009	0.047	0.079	0.15
Peak Elevation (ft.)	198.62	198.75	198.84	199.01
* No discharge from low area southwest to Central Ave				

PROPOSED CONDITIONS:

Subarea	Stormwater Runoff Summary			
	Storm Event			
Post-development.	2-yr	10-yr	25-yr	100-yr
CB1 (cfs)	0.65	0.98	1.17	1.50
CB1 (ac-ft.)	0.050	0.077	0.093	0.121
CB2 (cfs)	0.33	0.65	0.84	1.19
CB2 (ac-ft.)	0.025	0.047	0.061	0.087
CB3 (cfs)	0.22	0.32	0.38	0.49
CB3 (ac-ft.)	0.018	0.027	0.032	0.041
Existing Building (cfs)	0.17	.25	0.29	0.37
Existing Building (ac-ft)	0.014	0.020	0.024	0.031
Proposed Building (cfs)	0.70	1.02	1.21	1.55
Proposed Building (ac-ft)	0.057	0.085	0.101	0.130
P1 (cfs)	0.16	0.48	0.70	1.12
P1 (ac-ft.)	0.015	0.037	0.052	0.082
P1A (cfs)	0.0	0.0	0.01	0.06
P1A (ac-ft.)	0.0	0.002	0.004	0.009
P2 (cfs)	0.0	0.01	0.05	0.26
P2 (ac-ft.)	0.0	0.007	0.018	0.047
P3 (cfs)	0.0	0.0	0.01	0.04
P3 (ac-ft.)	0.0	0.0	0.004	0.027
Total Area 156,483 sf, 3.592 ac				
Total to Central Ave (cfs)	0.0	0.0	0.01	0.11
Total to Central Ave (ac-ft)	0.0	0.002	0.004	0.011
Low Area Northwest				
Qout (cfs)	0.0	0.0	0.0	0.09
Vout (ac-ft.)	0.0	0.0	0.0	0.002
Qout infiltrated (cfs)	0.04	0.08	0.11	0.14
Vout infiltrated (ac-ft.)	0.015	0.037	0.052	0.080
Peak Elevation (ft.)	199.99	200.34	200.52	200.77
Subsurface System				
Qout infiltrated (cfs)*	0.49	0.57	0.62	0.74
Vout infiltrated (ac-ft.)*	0.164	0.256	0.311	0.410
Peak Elevation (ft.)	186.69	187.70	188.37	190.02
Low Area Southwest				
Qout infiltrated (cfs)*	0.0	0.01	0.04	0.14
Vout infiltrated (ac-ft.)*	0.0	0.007	0.018	0.047
Peak Elevation (ft.)	198.74	198.76	198.79	198.93
* No discharge from low area southwest to Central Ave or from Subsurface system				

APPENDIX II

**CONSTRUCTION PERIOD PLAN
OPERATION AND MAINTENANCE PLAN
TSS REMOVAL WORKSHEET
RECHARGE CALCULATION
DRAINAGE WORKS INSPECTION FORM**

CONSTRUCTION PERIOD POLLUTION PLAN

Given the proximity of a drainage catch basins and other drain inlets, care shall be taken to assure that eroded soil will not be deposited into the drain system.

The entity for the construction period pollution prevention and erosion and sedimentation control plan is Needham Enterprises, their successors and assigns, 105 Chestnut Street, Needham, MA 02492. Construction period pollution control measures shall include a siltation barrier (compost filled sock and orange colored construction fence). A designated materials stockpile area and a construction staging area has also been depicted on the plans. Construction sequencing shall be as follows:

- 1) Installation of silt barriers as shown on the plans
- 2) Installation of stabilized construction entrance
- 3) Establishment of a construction staging area
- 4) Establishment of a materials stockpile area
- 5) Clearing and grubbing
- 6) Removal and stockpiling of top and subsoils.
- 7) Removal of sand and gravel to bring the site to subgrade
- 8) Establishing and stabilizing with loam and seed all cut and fill side slopes
- 9) Install gravel driveway in the location of the final asphalt driveway
- 10) Construction of the building
- 11) Installation of underground detention basin
- 12) Installation of underground utilities, drainage, water, electric, CATV and telephone
- 13) Installation of sewer lines
- 14) Installation of binder course for driveway, landscaping and planting of grass areas
- 15) Final course of asphalt for driveways
- 16) Cleanup and demobilize

VEGETATION PLANNING

Vegetation shall be installed per the approved plans in accordance with the construction sequencing plan

EROSION AND SEDIMENTATION CONTROLS

The operation and maintenance of the erosion and sedimentation controls shall be the responsibility of the site contractor, who will report to Needham Enterprises their successors and assigns. The erosion and sedimentation controls shall be inspected daily by the site contractor. Repairs as needed shall be made immediately. The inspection of erosion and sedimentation controls shall also be done weekly and after every 1" or more rain event by an independent person trained in erosion control practices at construction sites. This independent person shall file weekly reports with Needham Enterprises, their successors and assigns. These reports shall be made available to the Needham Director of Public Works, Mass DEP and the EPA.

**PROPOSED DAYCARE BUILDING
1688 CENTRAL AVENUE
NEEDHAM, MA**

OPERATION AND MAINTENANCE PLAN

STORM WATER CONTROL AND MITIGATION SYSTEM

The entity responsible for the implementation of the operation and maintenance plan for the storm water management system is:

Needham Enterprises
Their successors and assigns
105 Chestnut Street, Suite 28
Needham, MA 02492

The storm water system is shown on an as built plan on file with the with the Needham Building Inspector. The system consists of the following components:

- 1) Drainage catch basins (3)
- 2) Drainage piping
- 3) Drainage manholes (2)
- 4) Stormceptor (1)
- 5) Below ground infiltration basin (1)
- 6) Rooftop drainage piping

INSPECTIONS

1) Storm water system components shall be inspected every three months during the first year of operation. Inspection reports shall be submitted to the Planning Board within 30 days of the inspection. These inspections shall be conducted Needham Enterprises, their successors and assigns.

2) The drainage infiltration basins shall be inspected twice per year by the property owner. Any repairs shall be made within 30 days of the inspection. The property owner shall consult with a Registered Professional Engineer regarding any anticipated repairs. The owner shall notify the Needham Director of Public Works prior to the undertaking of any repairs.

3) The drainage infiltration basins shall be inspected every five years by a Massachusetts Registered Professional Engineer. Inspection reports shall be submitted to the Needham Director of Public Works within 30 days of the inspection

4) Any repairs deemed to be critical shall be made immediately. Any other repairs shall be made within 30 days of the inspection.

5) Any proposed changes to the drainage system shall be approved in writing by the Needham Director of Public Works.

6) Needham Enterprises shall have on hand at all times \$1,000 (2020 dollar value) for inspections and emergency repairs.

MAINTENANCE

1) Driveways and parking areas shall be swept twice per year, once in the Spring and once in the Fall by Needham Enterprises, their successors and assigns.

2) Catch basins shall be cleaned by Needham Enterprises their successors and assigns once per year in the Spring.

3) Mowing of the grass and care of any planned shrubs within the site shall be routinely done by Needham Enterprises, their successors and assigns.

4) Needham Enterprises their successors and assigns shall have a revolving fund with money on hand at all times to perform their required tasks.

REPLACEMENT

1) Needham Enterprises their successors and assigns shall create and maintain a replacement fund for the infiltration basin and infiltration trenches. The amount of money needs to be \$8,000 (in 2020 value) within 50 years of the start of construction.

LONG TERM POLLUTION PLAN

The use of the property and the responsibility of the owners to implement and carry out a Long Term Pollution Prevention Plan will be subject to this document and shall include the following provisions:

1) Good housekeeping practices shall be implemented at all times.

2) Storage of materials shall be done in a manner that will prevent the migration of loose soil, silt or clay or other unwanted material, in order to prevent such material from entering the storm water management system. There shall be no outdoor storage of waste products at that site at any time.

3) Routine inspections and maintenance of Storm water best management practices shall be carried out in compliance with the Operation and Maintenance plan.

4) There may be heating oil deliveries to the site. Spill prevention and response plans shall be the responsibility of the delivery companies. Spill prevention and response plans for other hazardous materials shall be the responsibility of those individual handlers.

5) Lawns, gardens and other landscaped areas within the site shall be maintained by the owner at the expense of the owner.

6) There shall be no outdoor storage of fertilizers, herbicides, and/or pesticides at the site. Indoor storage of fertilizers, herbicides and/or pesticides shall be done in a safe and dry location. Any spill

of these materials shall be cleaned up immediately. The use of fertilizers, herbicides, and pesticides at the site shall be limited to amounts allowed by regulations issued by the Needham Director of Public Works and / or other governing bodies. Pet waste deposited at the site shall be immediately picked up and removed. Pet waste to be disposed of through solid waste containers.

8) There shall be no on site septic systems installed at the site unless allowed by other governing bodies.

9) Solid waste shall be stored in closed containers and removed by a licensed hauler at least once per week. Any solid waste not in closed containers found at that site shall be removed immediately by the owner.

10) Snow shall be plowed in to wind rows at the edge of the paved areas. Excess snow shall be removed from the site and deposited in approved snow farms.

11) Road salt and sand shall be used in accordance with rules, regulations and laws in force at that time. There shall be no storage of sand or salt at the site.

12) There shall be no illicit discharges to the storm water system.

13) The owners shall become familiar with the rules and regulations and restrictions of this document.

14) In case of an emergency, the owner shall notify the following organizations

- 1) Needham Fire Dept.
- 2) Needham Board of Health
- 3) Needham Conservation Commission
- 4) Needham Building Department
- 5) Needham Dept. Of Public Works
- 6) Massachusetts DEP

Traffic Impact Assessment

For:

Child Care Facility

At:

1688 Central Avenue

In:

Needham, Massachusetts

Prepared For:

Glossa Engineering, Inc.
Walpole, Mass.

Prepared By:



Revised March 2021

Child Care Facility

*1688 Central Avenue
Needham, Massachusetts*

Gillon Associates Co.
111 River Street, Weymouth, MA 02191-2104
Telephone (781) 762-8856
E-mail: jt.gillon@comcast.net

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Site Distance Evaluation

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EXECUTIVE SUMMARY

- **Central Avenue carried approximately 16,000 vehicles per day in the vicinity of the site in 2016. About eight percent of this daily volume occurs during the morning peak hour.**
- **Based on the proponent's projected arrivals and departures, the morning peak hour will have more site generated trips than the evening peak hour. This project is expected to generate approximately 76 new morning peak hour trips with 40 inbound and 36 outbound.**

The proponent will have staff assist children both arriving and leaving the day care to ensure the drop-off/pick-up circulation line of vehicles keep moving and do not stack back down the 200-foot long driveway.

- **All through traffic on Central Avenue in each direction will continue to experience a calculated "A" level of service with little delay during the weekday morning commuting peak hour. The Central Avenue southbound left-turn through lane utilized into the Site Driveway, will operate at a "B" level resulting in no turbulence on Central Avenue during the morning peak hour. The Site Driveway itself will have an acceptable "D" level with longer delay during the morning peak hour.**
- **The required stopping sight distance at the Central Avenue / Site Driveway intersection is provided.**

INTRODUCTION

Gillon Associates has evaluated the anticipated traffic impacts resulting from the proposed development of a Child Care Facility. The site is located on Central Avenue, just north of Charles River Street in Needham, Massachusetts (Figure 1).

The purpose of this report is to evaluate potential traffic impacts, which may be created by the expected addition of vehicular traffic either originating from or destined to the site. Specifically, this report assesses traffic operational characteristics of the Central Avenue intersection at the site access roadway due to any additional traffic. Based on the proponent's projected arrivals and departures, the morning peak hour will have more site generated trips than the evening peak hour and, thus, was chosen for analysis purposes.

This report provides an identification of the expected traffic generated by the project along with an assessment of projected traffic operating characteristics. Existing traffic volumes were obtained by manually observing and recording Central Avenue traffic volumes in fifteen-minute increments during the morning peak hour. In addition, historical counts were requested and supplied by the Town of Needham.

PROJECT DESCRIPTION

The project site area is 146,003 square feet or just over three acres and includes constructing a 9,941 square-foot child care facility building. An out-building currently used as a barn will be retained for storage and ancillary purposes. The project will have a total of approximately 24 off-street surface parking spaces. The access to this school at #1688 Central Avenue uses a 200 foot-long, 24-foot wide access drive to Central Avenue (Figure 2).

EXISTING TRAFFIC CONDITIONS

Regional Roadway Network

Central Avenue will continue to serve the site and provide access to both local and regional roadway facilities. To the south, Central Avenue provides linkage between the site and Charles River Street and Dover as well as other points to the south. Central Avenue also provides access to the north with linkage to Route 135 and easterly to Needham Center.

Traffic Setting

The project is situated on the easterly side of Central Avenue. This roadway is a two-lane roadway with one lane in each direction. Central Avenue has a roadway pavement width of approximately 25 feet with a bituminous concrete sidewalk on the easterly side of the roadway.

Existing Traffic Volumes

Existing traffic volumes were obtained by manually observing and recording Central Avenue traffic volumes in fifteen-minute increments during the morning peak hour. Morning peak hour traffic volumes on Central Avenue at the site driveway as collected on February 4th are provided on Figure 3.

With considerable feedback from the neighborhood, historical and pre-covid traffic volumes were subsequently obtained from the Town of Needham Engineering Division. Of the various forms of counts provided, an Automatic Traffic Recorder (ATR) count obtained in 2016 just south of the Needham Recycling and Transfer Station proved to be the most useful. However, other counts indicated that Central Avenue experienced a normal, or annual, growth rate of 1.6% per year. Therefore, Central Avenue morning peak hour volumes obtained in 2016 from the Town were increased by 1.6% per year over five years to bring the 2016 traffic volumes to 2021, had the Covid-19 pandemic not influenced daily operation. These extrapolated morning peak hour traffic volumes are provided on Figure 4.

FUTURE TRAFFIC CONDITIONS

Trip Generation and Distribution

It is expected that the proposed child care facility will exhibit the same general trip generating characteristics as in other urban and suburban residential communities. In addition to local rates observed and compiled by this firm, the Institute of Transportation Engineers (ITE) provides data on a variety of land uses and there is a considerable amount of empirical data available. In addition, the proponent has found by assigning pick-up and drop-off windows for parents, there is less congestion within the site and they will employ that technique at this site as well. Figure 5 provides a trip generation summary listing the ITE equations along with the resulting trip generation values for the school.

Based on the proponent's projected arrivals and departures as shown in the Appendix of this report, the morning peak hour will have more site generated trips than the evening peak hour. This project is expected to generate approximately 76 new morning peak hour trips with 40 inbound and 36 outbound. This project is also expected to generate approximately 72 new evening peak hour trips with 34 inbound and 38 outbound.

Moreover, the Proponent has researched various Child Care locations to gain a higher level of confidence in our projected drop-off/pick-up vehicle trips. Over time, this location could accommodate between 80 and 100 students.

In September Of 2019, at a day care with 87 children there was a total of 51 vehicles during the morning peak hour. At the same location this winter there were 60 children in 30 cars on Monday and Friday and 76 children in 45 to 48 cars between Tuesdays and Thursdays.

This data also suggests this child care facility could quite easily accommodate 100 children without creating on-site grid lock providing staff is available to assist children into the building where other staff members get that child settled and the initial staff member return to bring in the next vehicle's child.

If a parent insists on entering the facility they will be directed to park in an un-occupied parking stall or enter the site all the way to the end by the playground to block a staff member's car who is parked for the day. This operation will keep the drop-off / pick-up line circulating without disruption.

Directional distribution reflects the existing Central Avenue directional split as adjusted to account for residential local attributes during the morning and peak hour as shown on Figure 6. Site generated and projected traffic volumes at the Central Avenue / Site Driveway intersection during the morning peak commuting hour is provided on Figure 7.

TRAFFIC OPERATIONAL ANALYSIS

This section of the report provides a quantitative analysis of anticipated traffic operational characteristics for the build scenario. These series of capacity analyses were conducted for the weekday morning peak hour to determine the potential impact of the proposed day care facility project.

Analysis Methodology and Findings

The analysis is based on the "Highway Capacity Manual" for non-signalized intersections. This manual has been published by the Transportation Board of the National Research Council and approved by the National Academy of Sciences, National Academy of Engineering, and the Institute of Medicine. The most recent Synchro Software version 10.1 was utilized in the assessment.

At un-signalized intersections and driveways the manual assumes that the through and right-turn movements along any main street will operate unrestricted but conflicting movements will be subjected to various periods of delay depending primarily on the frequency of adequate safe gaps to complete these movements. These periods of delay are generally categorized in "Levels of Service" (LOS) ranging from "A" for very short or no delays through "F" for extensive delays. The Massachusetts Highway Design Manual indicates that a "D" Level of Service is acceptable on roadways such as those in the study area. A table comparing levels of service and seconds of delay is provided in the Appendix of this report.

As can be seen on Figure 8, all through traffic on Central Avenue in each direction will continue to experience a calculated "A" level of service with little delay during the weekday commuting peak hour. As can be seen in the capacity calculations included in the Appendix of this report, the Central Avenue southbound left-turn through-lane utilized into the Site Driveway will operate at a "B" level with about 11 seconds of delay due to opposing traffic resulting in no turbulence on Central Avenue during this peak hour. The Site Driveway itself will have an acceptable "D" level with average delay during the morning peak hour.

SIGHT DISTANCE EVALUATION

The approaching vehicle on Central Avenue must be able to stop in time to avoid making contact with a vehicle emerging from the reconfigured site driveway. The required stopping sight distance from either a minor street or driveway is obtained from "A Policy on Geometric Design of Highways and Streets" as published by the American Association of State Highway and Transportation Officials (AASHTO) 6th Edition published in 2011.

Unlike the minimum safe stopping distance (MSSD) along a section of roadway, stopping sight distance at a driveway is not measured along either the center line or gutter line of a roadway. On page 9-29 of the American Association of State Highway and Transportation Officials (AASHTO) manual, it is stated "If the available sight distance for an entering or crossing vehicle (at an intersection corner) is at least equal to the appropriate stopping sight distance for the major road, then drivers have sufficient sight distance to anticipate and avoid collisions."

The motorist leaving the minor roadway or driveway has an eye height of 3.5 feet and he must be able to see another object (approaching vehicle) with a height of 3.5 feet from a point 14.5 feet back from the travel way. This dimension is based on most motorists stopping 6.5 feet or less from the intersecting roadway plus the eighty-fifth percentile distance of 8.0 feet from a front bumper of a vehicle to the motorist eye, thus, totaling 14.5 feet. The required stopping distance for each minor roadway is based on the formula on the following page:

$$d = 1.47 Vt + 1.075 \frac{V^2}{a}$$

Where: V = Speed (mph)

t = perception & Reaction time (2.5 seconds)

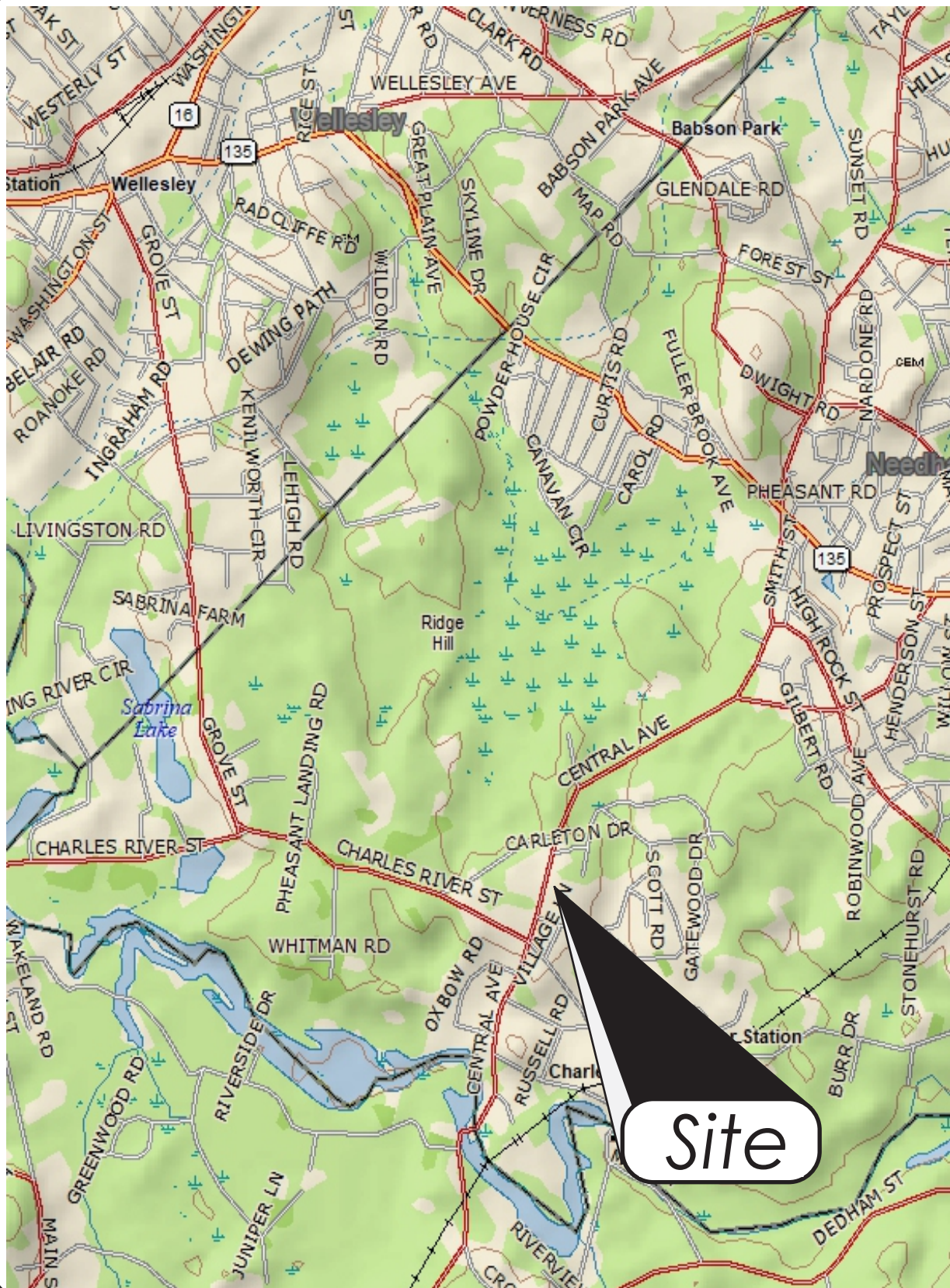
a = deceleration of vehicle (11.2 ft/sec.2)

A speed survey revealed the 85th percentile speed on Central Avenue was 39 mph southbound and 37 mph northbound at the site driveway (Figure 9). Therefore, the required stopping sight distance for Central Avenue at the driveway is computed as shown below:

$$d = 1.47 * 39 * 2.5 + 1.075 * \frac{(39)^2}{11.2}$$

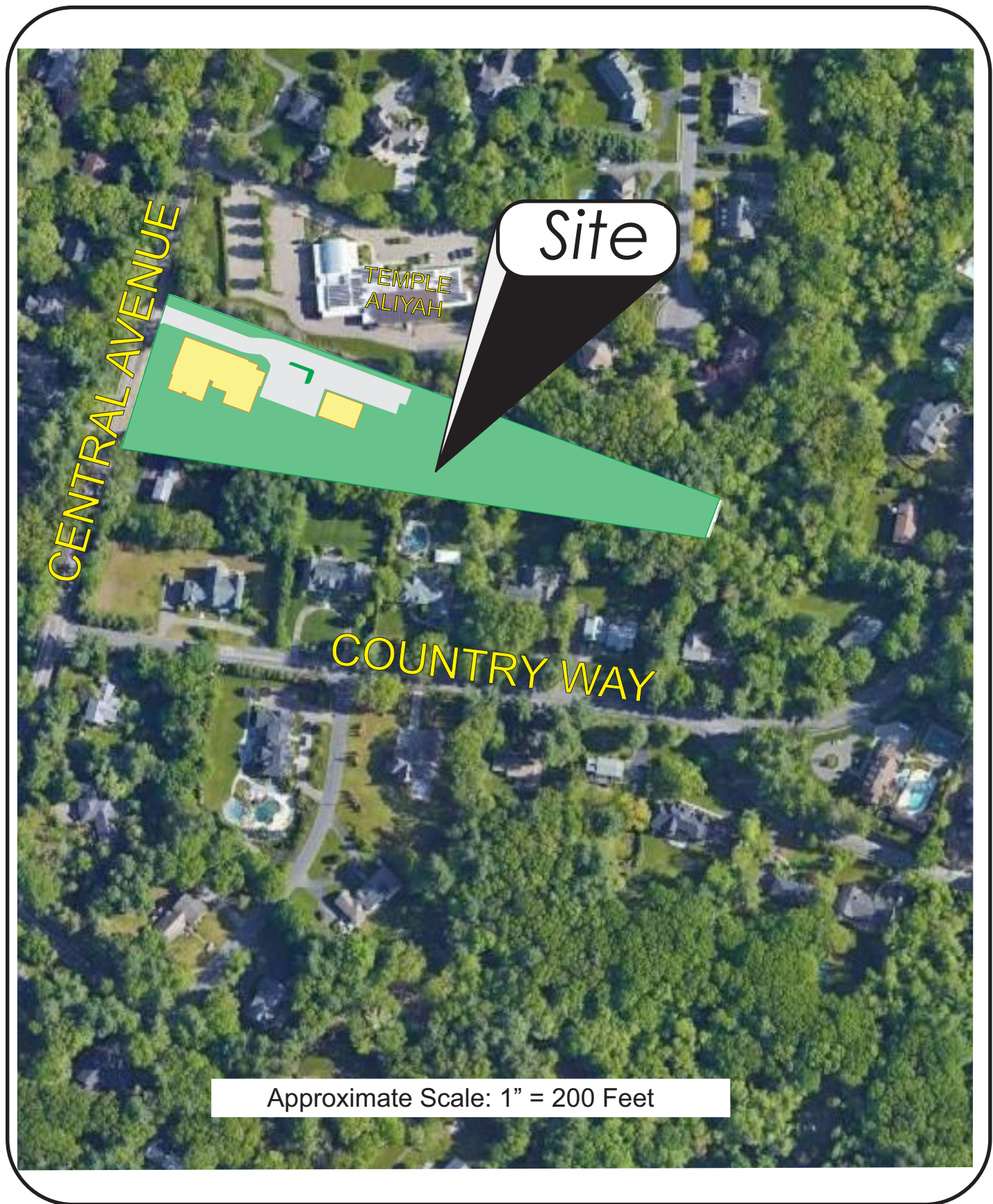
$$d = 143 + 146 = 289 \text{ feet}$$

A field review showed that this section of Central Avenue is both straight and flat. As can be seen on Figure 10, there is well over 350 feet of stopping sight distance in both directions on Central Avenue and the stopping sight distance and is safe.



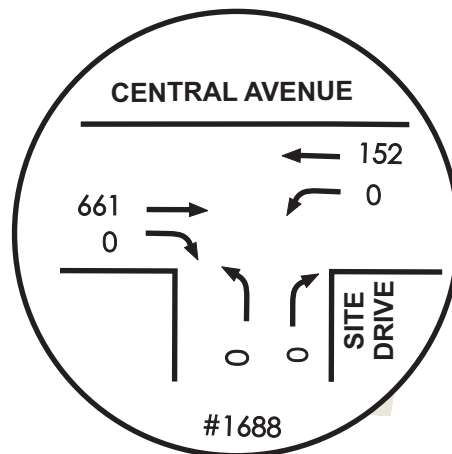
General Location Map

Figure 1



Locus Map

Figure 2



2021 MORNING PEAK HOUR As Counted February 4th

Existing (2021) Peak Hour Traffic Volumes

Figure 3

Gillon Associates
Traffic & Parking Specialists

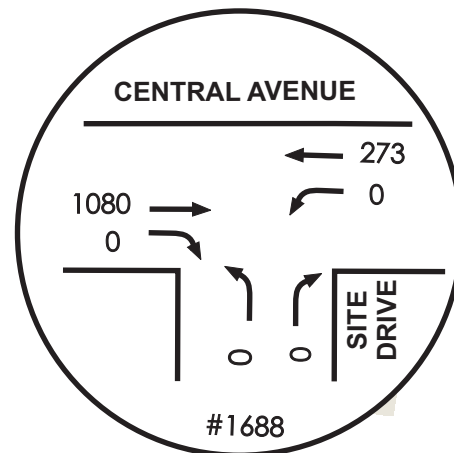
2016 Town of Needham MORNING PEAK HOUR

Town 2006 South of RTS Entrance

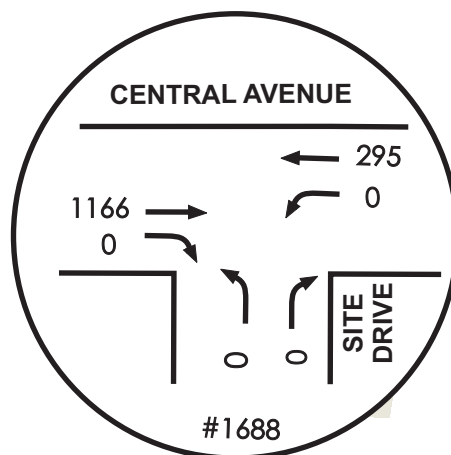
5/10/2016	06:00 AM	118	8	
5/10/2016	06:15 AM	167	11	
5/10/2016	06:30 AM	227	23	
5/10/2016	06:45 AM	261	27	
5/10/2016	07:00 AM	278	47	
5/10/2016	07:15 AM	265	48	313
5/10/2016	07:30 AM	292	71	363
5/10/2016	07:45 AM	279	59	338
5/10/2016	08:00 AM	232	79	311
5/10/2016	08:15 AM	277	64	341
5/10/2016	08:30 AM	175	61	
5/10/2016	08:45 AM	244	73	

Morning Peak Hour 1080 NB 273 SB 1353
TOTAL

PM Peak Hour	
Central Ave North Bd	336
Central Ave South Bd	696
TOTAL	1032



2016 MORNING PEAK HOUR



EXPANDED MORNING PEAK HOUR FROM 2016 to 2021
WITHOUT DISCOUNTING FOR COVID MORNING PEAK HOUR
Assumes INCREASE BY 1.6% PER YEAR over five years

Existing (Adjusted from Town of Needham)
Morning Peak Hour Traffic Volumes

Figure 4

Gillon Associates
Traffic & Parking Specialists

Source of Data
 ITE Report (10th Edition)
 Land Use Code: 565
 Volume 2, Pages 224 - 245
 Day Care Center

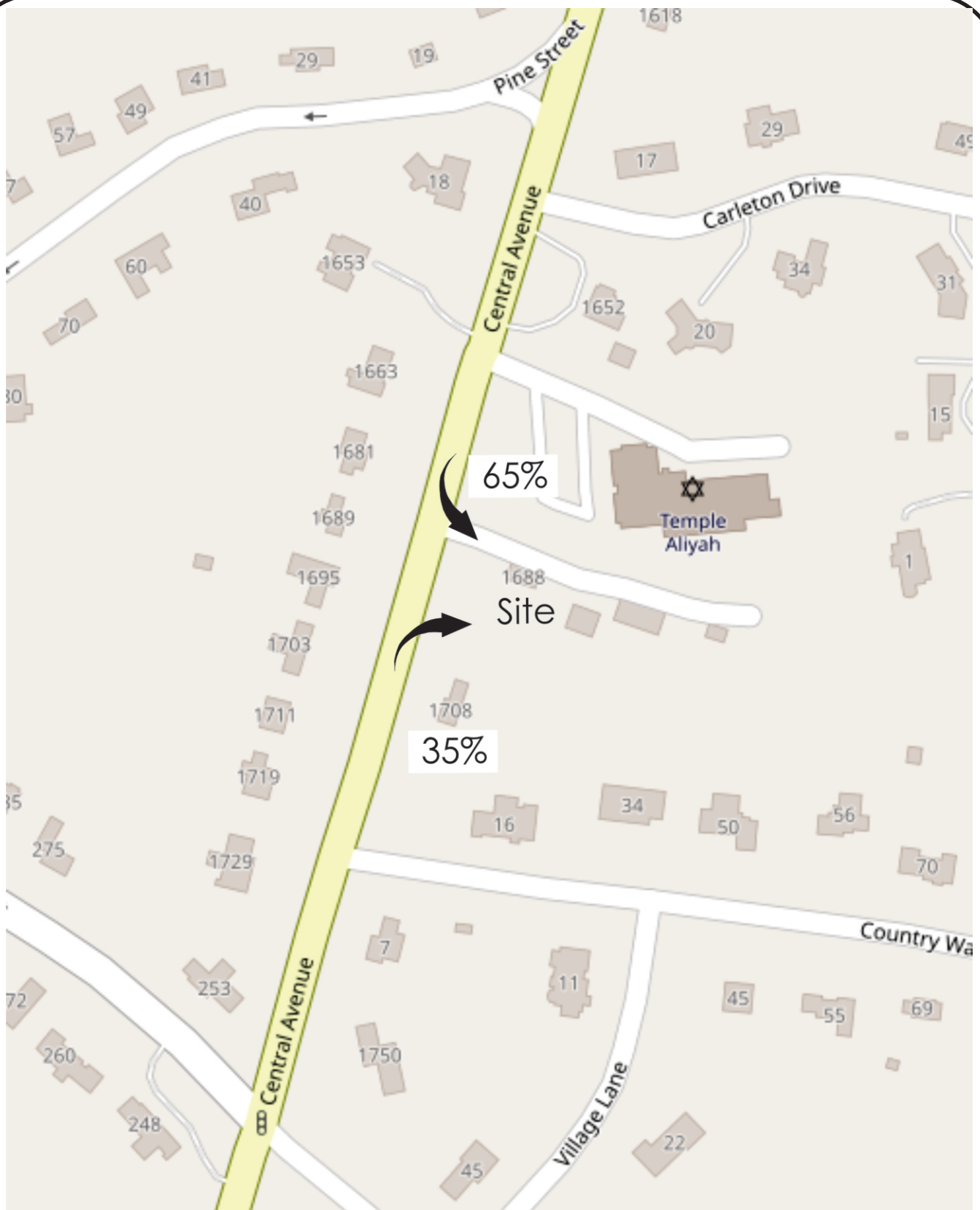
Trips Based On Students	AM			PM		
	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
Peak Hour Trips	$T = 0.66(x) + 8.42$			$\ln(T) = 0.87 \ln(x) + 0.29$		
Trips per Unit	53% 47%			47% 53%		
Directional Split						
Trips Based on 97 Students	38	34	72	34	38	72

Trips per Weekday
 Trips per Child ITE
 $T = 4.09(x)$ Trips Based on 97 Students = 397 Trips per Weekday
 (= 218 Inbound & 218 Outbound)

Based on Proponent's Child Drop-off & Pick-up Program on Tuesdays thru Thursdays 68 cars

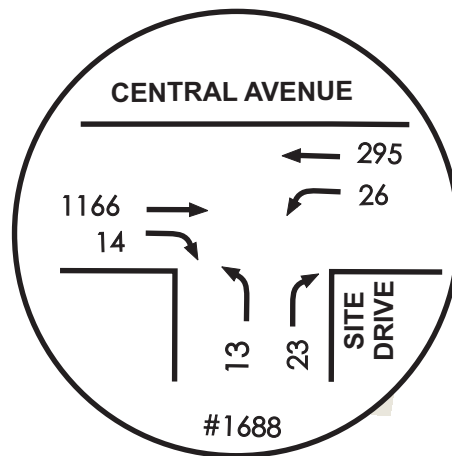
AM	7:30-8:00	10 cars	PM	2:30-2:50	10 cars
	8:00-8:30	15 cars		4:15-5:00	10 cars
	8:30-8:50	15 cars		5:00-5:30	20 cars
	8:50-9:00	10 cars		5:30-5:50	10 cars
	AM Peak Hr. = call	40 cars		PM Peak Hr. = call	34 cars

Trips Based On Child Groups Or Families	AM			PM		
	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
Peak Hour Trips	53% 47%			47% 53%		
Directional Split						
Trips Based on 97 Children	40	36	76	34	38	72



Directional Distribution

Figure 6



IN	OUT	TOTAL
40	36	76

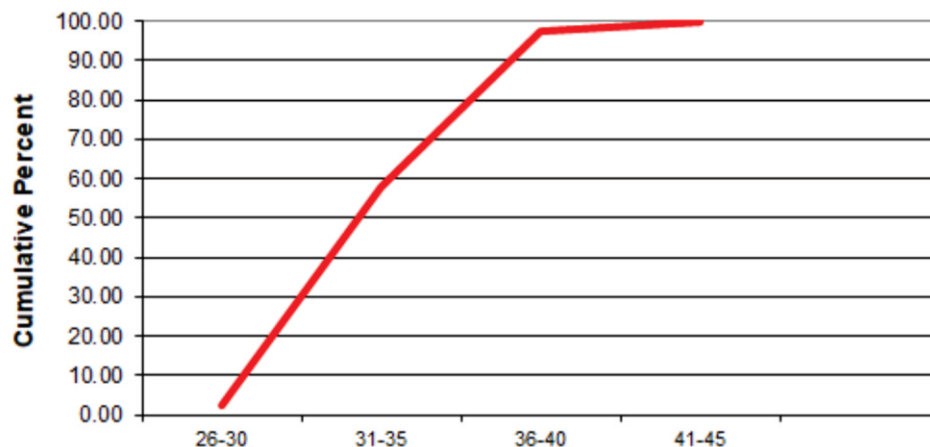
MORNING PEAK HOUR

<u>Central Avenue at Site Driveway</u>	
Stop Sign Controlled	
Central Ave. Northbound (All Moves)	A
Central Ave. Southbound Through Movement	A
Left-Turn Movement	B
Site Drive West Bound (All Moves)	D

Speed Data

	26-30	31-35	36-40	41-45	Total
Northbound	1	16	8	0	25
Southbound	0	8	9	1	18
	1	24	17	1	43

Speed	Cum. %
26-30	2.33
31-35	58.14
36-40	97.67
41-45	100.00



Northbound				Speed	Southbound			
SPEED	Percent	Cum %			SPEED	Percent	Cum %	
28	3.26%	3.26%			31	4.73%	4.73%	
31	3.61%	6.87%			33	5.03%	9.76%	
32	3.73%	10.59%			34	5.18%	14.94%	
32	3.73%	14.32%			35	5.34%	20.27%	
33	3.84%	18.16%			35	5.34%	25.61%	
33	3.84%	22.00%			35	5.34%	30.95%	
33	3.84%	25.84%			35	5.34%	36.28%	
33	3.84%	29.69%			35	5.34%	41.62%	
34	3.96%	33.64%			36	5.49%	47.10%	
34	3.96%	37.60%			36	5.49%	52.59%	
34	3.96%	41.56%			37	5.64%	58.23%	
34	3.96%	45.52%			37	5.64%	63.87%	
34	3.96%	49.48%			38	5.79%	69.66%	
35	4.07%	53.55%			39	5.95%	75.61%	
35	4.07%	57.63%			39	5.95%	81.55%	
35	4.07%	61.70%			39	5.95%	87.50%	
35	4.07%	65.77%			40	6.10%	93.60%	
36	4.19%	69.97%			42	6.40%	100.00%	
36	4.19%	74.16%						
36	4.19%	78.35%						
37	4.31%	82.65%		Avg. =	36		85th % = 39 mph	
37	4.31%	86.96%						
37	4.31%	91.27%						
37	4.31%	95.58%						
38	4.42%	100.00%						
Avg. =	34		85th % = 37 mph					



From Site Driveway Looking South (Left)



From Site Driveway Looking North (Right)

APPENDIX

Signalized Intersections

LOS	Control Delay per Vehicle (s/veh)
A	≤ 10
B	> 10–20
C	> 20–35
D	> 35–55
E	> 55–80
F	> 80

Un-Signalized Intersections

Level of Service	Average Control Delay (s/veh)
A	0–10
B	> 10–15
C	> 15–25
D	> 25–35
E	> 35–50
F	> 50

Intersection Levels of Service

Needham
Central Ave. at Site drive

Projected
Morning Peak Hour

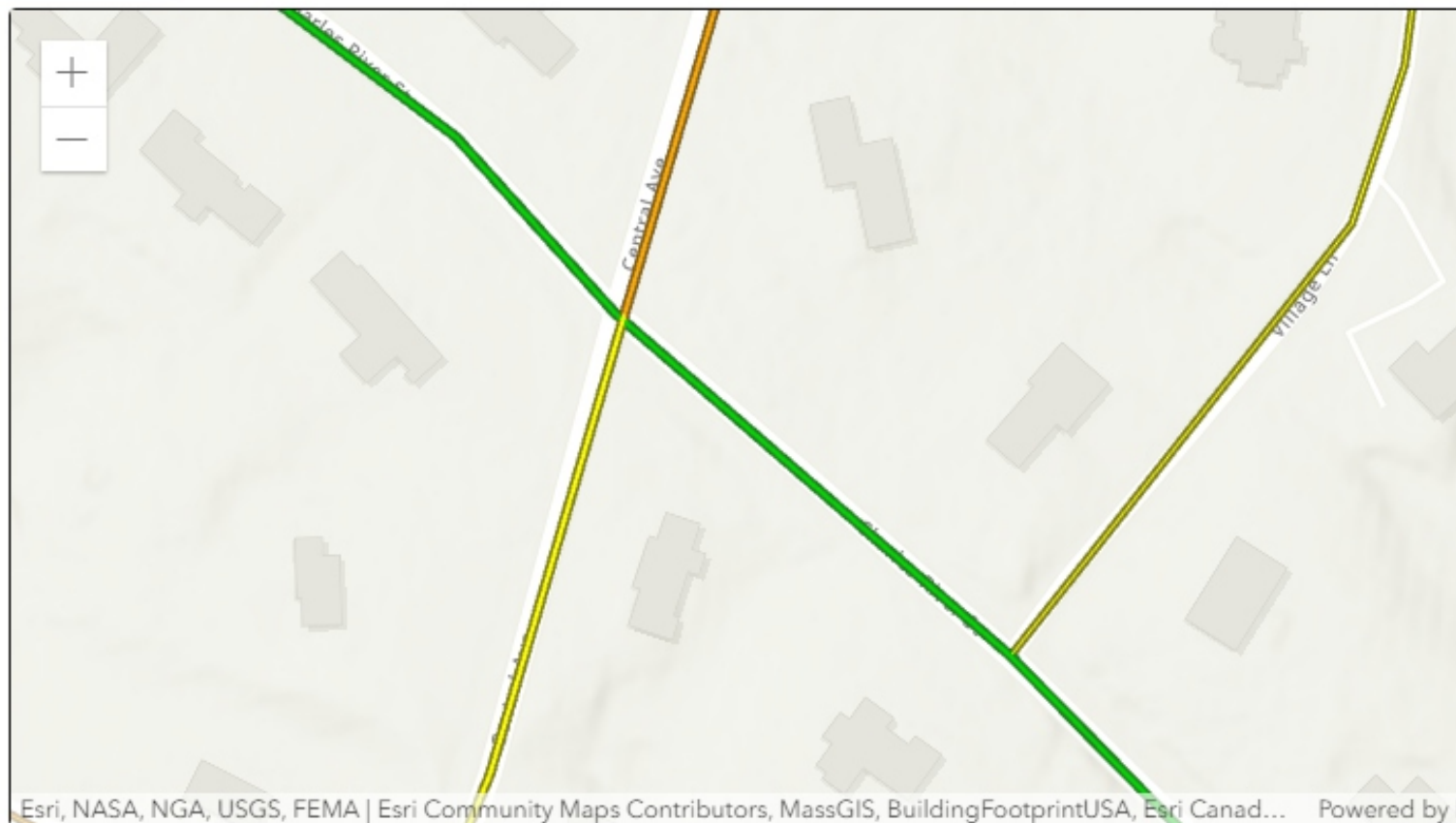
Intersection						
Int Delay, s/veh	1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	7		1			4
Traffic Vol, veh/h	13	23	1166	14	26	295
Future Vol, veh/h	13	23	1166	14	26	295
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	0	0	2	0	0	2
Mvmt Flow	14	24	1227	15	27	311

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	1600	1235	0
Stage 1	1235	-	-
Stage 2	365	-	-
Critical Hdwy	6.4	6.2	-
Critical Hdwy Stg 1	5.4	-	-
Critical Hdwy Stg 2	5.4	-	-
Follow-up Hdwy	3.5	3.3	-
Pot Cap-1 Maneuver	118	217	-
Stage 1	277	-	-
Stage 2	707	-	-
Platoon blocked, %		-	-
Mov Cap-1 Maneuver	111	217	-
Mov Cap-2 Maneuver	111	-	-
Stage 1	277	-	-
Stage 2	667	-	-

Approach	WB	NB	SB
HCM Control Delay, s	34.1	0	0.9
HCM LOS	D		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	161	568
HCM Lane V/C Ratio	-	-	0.235	0.048
HCM Control Delay (s)	-	-	34.1	11.7
HCM Lane LOS	-	-	D	B
HCM 95th %tile Q(veh)	-	-	0.9	0.2

Needham Traffic Map

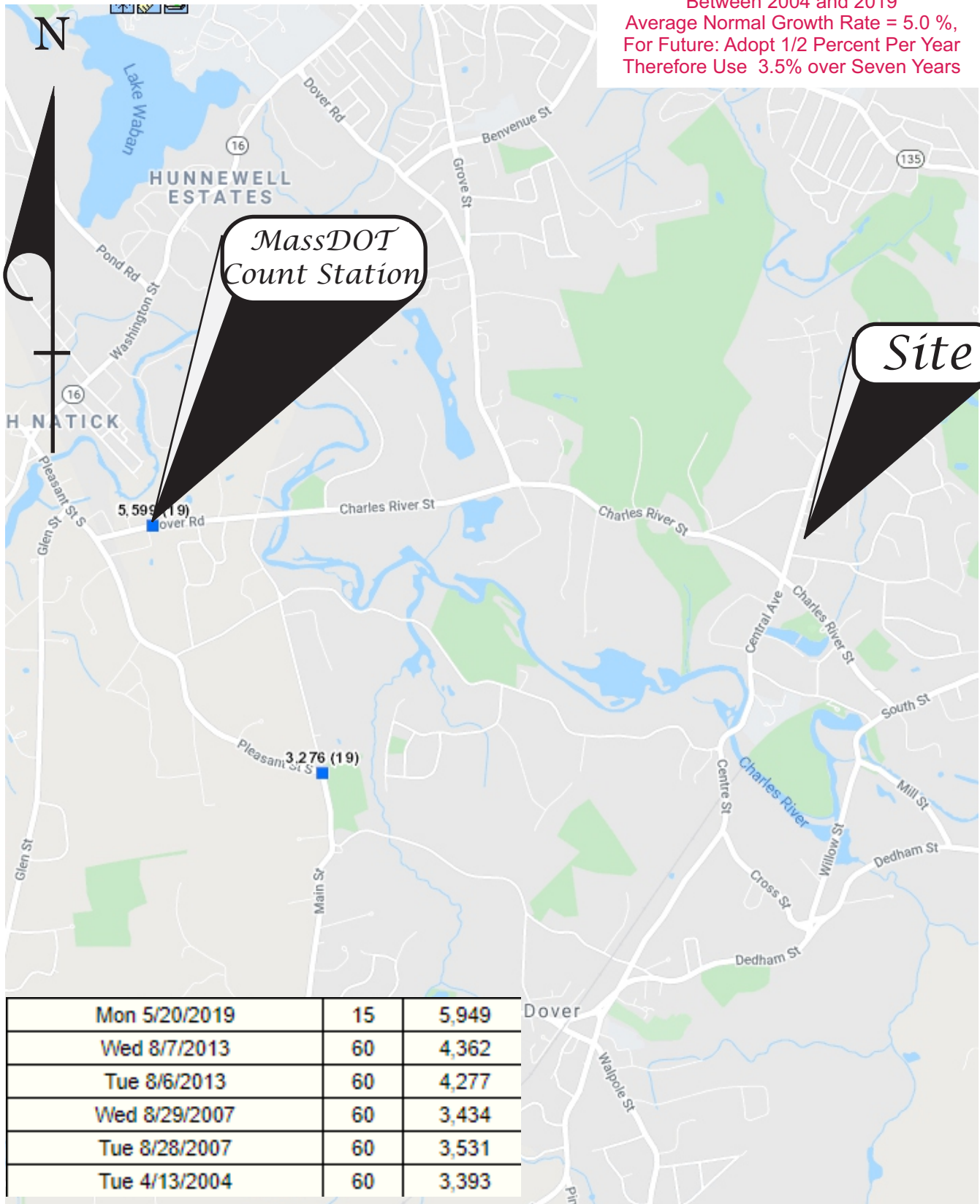


No Traffic Flow? Zoom in Closer or Refresh

How to use the Needham Traffic Map

Traffic flow lines: **Red** lines = Heavy traffic flow, **Yellow/Orange** lines = Medium flow and **Green** = normal traffic. Black lines or No traffic flow lines could indicate a closed road, but in most cases it means that either there is not enough vehicle flow to register or traffic isn't monitored. Also, If you do not see traffic flow, you can zoom in closer to reveal localized data. If you are unable to pan the map, **press here** (to focus off of the map) and try again.

Between 2004 and 2019
 Average Normal Growth Rate = 5.0 %,
 For Future: Adopt 1/2 Percent Per Year
 Therefore Use 3.5% over Seven Years



MassDOT Normal Growth Rate (Location ID # 4026)

Appendix

Gillon Associates
 Traffic & Parking Specialists

Charles River Street West of Central Avenue
CHARLES RIVER STREET WEST OF CENTRAL AVENUE
11/2-11/6/2006 TRAFFIC COUNT SUMMARY TOWN OF NEEDHAM

ADT

WESTBOUND	1656
EASTBOUND	<u>2811</u>
TOTAL	4467

Charles River Street West of Central Avenue
MassDOT 2019 ID# 4026

ADT

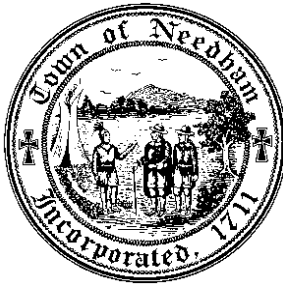
WESTBOUND	3007
EASTBOUND	<u>2593</u>
TOTAL	5600

Central Avenue Town of Needham

CENTRAL AVENUE NORTH OF CHARLES RIVER STREET Town
11/2-11/6/2006
TRAFFIC COUNT SUMMARY

ADT

NORTHBOUND	5831
SOUTHBOUND	<u>4450</u>
TOTAL	10,281



PLANNING & COMMUNITY DEVELOPMENT
PLANNING DIVISION

March 17, 2021

To Abutters:

On April 6, 2021, the Planning Board will review a proposal by Needham Enterprises, LLC, for property located at 1688 Central Avenue, for minor site plan review of the construction of a child care facility. Under the proposal, the existing house and garage will be demolished, and the large barn will be kept. The proposed plan is to build a new child care facility that will house an existing Needham child-care business, Needham Children's Center (NCC). This will allow NCC to expand and have the necessary room for children post COVID-19. The gross floor area of the building is proposed to be 9,966 square feet on one floor, and 24 parking spaces are proposed.

Interested persons may attend the Planning Board meeting to learn more about the proposal, to ask questions and/or to share your opinion with the Planning Board. **The Planning Board has scheduled this matter for Tuesday, April 6, 2021 at 7:50 p.m.** by Zoom Web ID Number 826-5899-3198 (further instructions for accessing are below).

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

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

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

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

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

Very truly yours,

NEEDHAM PLANNING BOARD

Lee Newman

Lee Newman
Director of Planning and Community Development

Neighborhood Petition Regarding Development of 1688 Central Avenue in Needham

This letter sets forth some of the concerns of the surrounding neighbors and neighborhoods to the proposed project at 1688 Central Avenue, Needham MA.

We learned in mid-January 2021 that Needham Town Selectman and Developer Mr. Matt Borrelli plans to build a 9,960 sq ft. building to use as a day care facility at 1688 Central Avenue. We have several concerns regarding the impact this will have on Central Avenue and the surrounding neighborhoods.

As the Town undertakes the required reviews, we ask that these serious safety and other issues be considered and addressed.

***This is a "Major Project." ***

First, we believe this project should be treated as a "Major Project" and undergo the full review required of Major Projects under Section 7.4.3 of the Needham Zoning ByLaws (NZBL).

That section requires that Major Projects receive a special permit and undergo the notice and hearing requirements of Chapter 40A.

The NZBL defines as a Major Project "[a]ny construction project which involves: the construction of 10,000 or more square feet gross floor area; or an increase in gross floor area by 5,000 or more square feet; or any project which results in the creation of 25 or more new off-street parking spaces."

The proponent obviously tried to design the project to fall outside the Major Project category by claiming to fall just short of these thresholds (9960 sq ft and 24 parking spaces). However, in reality, more than the threshold 25 parking spaces are likely to be needed.

The proponent's March 12, 2021 letter to the Planning Board notes that the Town's formula requires "8 spaces plus 1 space for each 40 children, plus one space for each staff member." The facility plans for the possibility of increasing to 120 children (according to its traffic study). With a staff of 13, the proponent claims its parking needs fall just under the 25-space threshold. We believe the Planning Board should conclude that the parking needs are, in fact, likely to be at least 25 spaces for several reasons.

First, with the traffic congestion in exiting the facility during morning rush hour, it is likely more parking spaces will be needed to accommodate drop offs, particularly if the facility is open to larger numbers of children.

Second, we do not believe that the childcare facility can effectively operate with only 13 staff members (to include administrative staff) with 120 children and the adult to children ratios required. The proponent must, at the very least, explain how 13 staff were arrived at.

Third, other childcare facilities in the area of similar sizes operate with more than 25 parking spaces (e.g., the Goddard School in Medfield, mentioned in the proponents traffic study, had 36 spaces per satellite imaging.

The Medfield Children's Center has 40 (smaller building but bigger student population)).

Finally, the significant change in use and impact of the proposal over existing use strongly suggests that the Planning Board treat the proposal with the full level of review.

Traffic Concerns

We are deeply concerned about the impact the project will have on safety and traffic on Central Avenue and the surrounding streets.

In normal, non-COVID, times, morning weekday traffic along Central Avenue in this area is extremely heavy and backed up. The morning rush hour extends from approximately 6:30 to 8:30 AM and regularly causes solid backups from the RTS to Temple Aliyah, and often from Newman School back to Temple Aliyah.

To be blunt, during the weekday morning commute, Central Avenue is often an intermittent parking lot all the way to Cedar Street. Evening traffic congestion begins with the release of school and extends through approximately 6:30. Adding the additional vehicles in and out of the facility parking lot --whether coming from the south and joining the backed up traffic before entering the facility's driveway or coming from the north and needing to make a left turn across the backed up northbound traffic and exiting the facility to again add to the backed up traffic -- will make a bad situation much worse and severely impact the ability of neighboring residents to get into and out of their homes and as pedestrians attempt to safely try and cross Central Avenue at Charles River Street and elsewhere.

In addition, Carleton Drive, Pine Street, Country Way, Charles River Street, Fisher Street, Village Lane, Russell Road, Walker Lane, and South Street will all be negatively impacted by the proposed facility, either trying to maneuver into an even denser traffic line on Central Avenue or trying to escape the traffic by cutting through roads not designed to handle heavy commuter traffic.

The ability of the fire department, ambulances and police to respond in a timely manner to an emergency in the neighborhood, especially during rush hours, could also well be impacted by traffic in and out of the facility.

Afterschool programming and mid-day drop offs, which may include the use of busses, must also be accounted for.

The current schedule of activities at Temple Aliyah includes preschool and after school programs, and the existing traffic patterns connected to these programs should be considered as the day care facility is reviewed.

With all of these concerns, we would have hoped to see a realistic, thorough traffic study by the proponents. Instead, we are deeply disappointed to see a wholly inadequate study which fails to address any of these concerns in a realistic manner.

- Unlike typical traffic studies, this one does not identify when the field work was done. We are told the study was conducted in February, 2021, during the Covid pandemic, when traffic on Central Avenue is a fraction of what it was before and will be after. So too, Needham public schools are remote-only on Wednesday -- if the study was done on a Wednesday it is entirely unreliable.

The Massachusetts Department of Transportation stated last April that “[t]raffic counts are currently at historic lows and may underrepresent a realistic existing condition” and issued guidance on how to correct for undercounting. <https://www.mass.gov/doc/massdot-guidance-on-traffic-count-data/download>. As far as we can tell, the proponent’s study takes none of this into consideration and instead reaches a conclusion that every resident and morning rush hour traveler on Central Avenue knows to be wrong -- that Central Avenue currently enjoys an “A” level of service.

- Given the traffic line that occurs during normal weekday rush hour, the level of service for a turn into or out of the facility driveway and along Central Avenue itself, is likely an “E” or “F” without the childcare facility and will be made even worse with it. We are not traffic experts, but a short google search of conditions defining different roadway levels of service, seems instructive: (Graphic source: https://policymanual.mdot.maryland.gov/mediawiki/index.php?title=Roadways:_Facility_Selection).

The illustration of Levels of Service E and F are what typifies the morning rush hour on Central Avenue in the vicinity of the facility during normal times.

We note also that the field work seems to consist of a single morning’s observation. No analysis has been offered of afternoon and evening traffic impact and no attempt has been made to provide the date or day of the week (or school schedule that day) when this data was obtained.

- The report assumes a traffic distribution of 70% from the south and 30% from the north without any explanation of this assumption. We understand the building will be occupied by a childcare operation currently operating in the center of Needham which would suggest that the traffic percentages should be reversed, with more users coming into the facility from the north, requiring more traffic to cut across the northbound lane to enter the driveway. However, It is important to note that each car will both enter and exit the driveway, doubling the number of trips impacting the neighborhood.

- The report relies on the proponent's description of the drop off and pick up practices of the facility used at its current location. There is no provision for what happens if the facility finds that the new location requires adjustments in its drop off procedure, nor is there any provision for changes should a different entity operate the facility. No explanation is given for the queuing this process will involve, especially if cars are delayed in returning to Central Avenue.
- The report wholly fails to examine the impact of the project on the adjacent streets or intersections (or, for that matter, traffic along Central Avenue itself). It focuses solely on the driveway entrance and exit from the proposed building.
- It does not consider the safety ramifications of the proposed increase in traffic. While traffic studies usually reference recent accidents in the area, this report does not. Just last week, a four car accident which happened at Pine Street and Central Avenue, approximately 350 feet from the site. Over the years, neighbors have repeatedly sought to increase the safety of Central Avenue.

Recently, residents of Oxbow Road asked for the installation of crosswalks to enable children to safely cross the street. Adding a commercial project to the area heightens these concerns. Pedestrian, as well as vehicular safety, is a critical issue and must be addressed (including the lack of sidewalks and how that impacts pedestrian options). Residents previously requested the Town provide sidewalks in the area and the dangers to pedestrians in this area have long been a topic of discussion. The town's Traffic Management Advisory Committee (TMAC) recently held a meeting with three community agenda items -- and all three related to this neighborhood. TMAC recommended a pedestrian system, including crosswalk, be added at the intersection of Charles River Street and Central Avenue (where none exists now) be added to the community plan but given other projects on the list in town, it is unlikely the project will be authorized or take place for decades.

The Planning Board's site review process must include consideration of "[c]onvenience and safety of vehicular movement within the site and on adjacent streets...." A real traffic study, using realistic traffic counts and addressing all the relevant issues should be completed and analyzed before allowing the project to proceed.

Setback Concerns

The proponent acknowledges that the site review process must address "[t]he relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area...." The proposal is for the main building to have a setback from Central Avenue of only 35 feet. The immediate south side abutter, at 1708 Central Avenue, has a set back of approximately 70 feet, Temple Aliyah is set back approximately 200 feet from to the front corner of the building, and 1652 Central Avenue is set back approximately 109 feet. Every other home on this section of Central Avenue has a setback of at least 90 feet. At 35 feet from the road, this building will be completely inconsistent with the neighborhood.

There is no sound reason why the setback cannot be in accord with the existing buildings in the neighborhood. It is a commercial building proposed for a residential zone, and assuring that it is in harmony with the surrounding area is required by Section 7.4.1 of the Needham by laws. This may limit any potential further development of the other parts of the property (the proponent has not revealed whether that is his intention), but that is irrelevant to the requirements of site review.

Lighting Concerns

The proponent recognizes that the site review process must include “protection of adjoining premises against seriously detrimental uses by ... sound and sight buffers....” We request that the proposed plan include sound and sight buffers, as well as lighting measures which will limit the impact of the building and its operation on the surrounding homes.

The proponent notes that the lighting will be adjacent to Temple Aliyah, but does not address lighting impacts on the abutter at 1652 Central Ave, on the other side of the Temple parking lot and with a clear line of site to the project parking lot and anticipated light poles, nor does the proponent address concerns of those across from the project. This lighting impact must be mitigated for all of the neighbors.

Road Reconstruction After Sewer Installation

We have been informed town sewer service will be extended from the tie in at Country Way down to 1688 Central Ave. Based upon what Needham has experienced with the South Street project, we ask that should the project be allowed to proceed, road repairs return the streets to the safest and most drivable condition in a timely manner.

Environmental and Conservation Concerns

Several neighbors have concerns about the potential of soil contamination at the site due to the previous uses of the property. We seek to make sure the property is safe for the proposed use and that any necessary mitigation measures be taken.

Conclusion

In sum, we request the following steps be taken:

- This letter be distributed to all Town bodies and officials who will consider this project. We ask that distribution include the Traffic Management Committee, which may have expertise to offer concerning the traffic conditions on Central Avenue.
- The project be treated as a Major Project, with the full review process required.
- The public be afforded a public and transparent process, including the ability to comment and be heard.

- A new traffic study be done, and full consideration be given to whether the traffic degradation and safety issues can be mitigated and, if so, how.
- If the project proceeds, the setback be increased.
- If the project proceeds, the lighting, road construction, sidewalk, crosswalk, landscape, and environmental concerns be mitigated.
- Finally, the Developer is a member of the Needham Select Board, which raises concerns about conflict of interest and ensuring that the process is without improper influence. For transparency sake, we ask that all project-related communications between the Developer and the Planning Board and the Developer and other members of the Select Board be fully disclosed.

Sincerely,

Neighbors & Neighborhoods of 1688 Central Avenue

(submitted electronically due to dangers due to COVID-19 of door-to-door canvassing)

				Do you live on Belle Lane, Bridle Trail Road, Carleton Drive, Central Avenue between the town transfer station and Dover, Charles River Street, Country Way, Cranberry Lane, Cutler Road, Fisher Street, Gatewood Drive, Moseley Ave., Oxbow Road, Pheasant Landing Road, Pine Street, Russell Road, Scott Road, Stratford Road, South Street between the Dover-line and Chestnut Street Starr Ridge, Village Lane, Walker Lane, Whitman Road, Windsor Road, White Pine Road, Wilson Lane or Woods End?				Are you registered to vote in Needham (useful information for town meeting Warrant requirement purposes)?
Timestamp	Email Address	Name (please submit a separate form for each adult responding)	Street Name and Town	Do you join in the above-letter regarding the Development of 1688 Central Avenue?	Do you live in 02492?			
3/19/2021 9:44:10	david.lazarus@gmail.com	David Lazarus	Oxbow Road, Needham	Yes	Yes	Yes	Yes	
3/19/2021 9:50:15	mbmcfarland4@icloud.com	Marybeth McFarland	99 Oxbow Road Needham	Yes	Yes	Yes	Yes	
3/19/2021 9:52:15	bernie.j.mcf@gmail.com	Bernard McFarland	99 Oxbow Rd Needham	Yes	Yes	Yes	Yes	
3/19/2021 9:56:32	sjfjohnson@gmail.com	Suzette Johnson	65 Oxbow Road, Needham	Yes	Yes	Yes	Yes	
3/19/2021 9:57:19	Dave.Johnson@bain.com	Dave Johnson	65 Oxbow Road, Needham	Yes	Yes	Yes	Yes	
3/19/2021 9:58:12	debby@catslystdg.com	Debby chaoman	1843 Central Ave Needham	Yes	Yes	Yes	Yes	
3/19/2021 10:03:19	julielazarus@yahoo.com	Julie Lazarus	Oxbow Rd. Needham	Yes	Yes	Yes	Yes	
3/19/2021 10:08:26	carrieclosuit@gmail.com	Caroline Closuit	120 Oxbow Road, Needham	Yes	Yes	Yes	Yes	
3/19/2021 10:15:39	rhammer622@rcn.com	Randy B. Hammer	Needham	Yes	Yes	Yes	Yes	
3/19/2021 10:15:51	KrissyWolff@gmail.com	Krissy Wolff	76 oxbow road, needham	Yes	Yes	Yes	Yes	
3/19/2021 10:22:28	eytan.shamash@gmail.com	Eytan Shamash	Oxbow Road, Needham	Yes	Yes	Yes	Yes	
3/19/2021 10:29:18	debspielman@comcast.net	Deborah Spielman	Oxbow Road Needham	Yes	Yes	Yes	Yes	

3/19/2021 10:38:02	lynch.katie23@gmail.com	Katie Lynch	Mayflower Road, Needham	Yes	Yes	No	Yes
3/19/2021 10:39:13	jenmren@gmail.com	Jennifer Reynolds	159 Marked Tree Road, Needham	Yes	Yes	No	Yes
3/19/2021 10:43:55	dashisolis@gmail.com	Dagmar Solis	82 Charles River Street	Yes	Yes	Yes	Not Sure
3/19/2021 10:49:57	nvborisov@gmail.com	Natasha Kuper	Pheasant Landing rd, Needham	Yes	Yes	Yes	Yes
3/19/2021 11:00:46	annsherman50@gmail.com	Ann Sherman	53 Oxbow Rd	Yes	Yes	Yes	Yes
3/19/2021 11:15:33	bernie.j.mcf@gmail.com	Bernard McFarland	99 Oxbow Rd Needham	Yes	Yes	Yes	Yes
3/19/2021 11:17:06	abmabardy@yahoo.com	Anita Mabardy	1663 Central Avenue, Needham	Yes	Yes	Yes	Yes
3/19/2021 11:20:10	philmabardy@yahoo.com	Philip Mabardy	1663 Central Avenue, Needham	Yes	Yes	Yes	Yes
3/19/2021 11:24:55	abmabardy@yahoo.com	Anita Mabardy	1663 Central Avenue, Needham	Yes	Yes	Yes	Yes
3/19/2021 12:11:21	lindasiegal@aol.com	Linda Seigal	Oxbow st Needham	Yes	Yes	Yes	Yes
3/19/2021 12:18:16	lindsay614@gmail.com	Lindsay Jabbawy	40 Windsor road needham	Yes	Yes	Yes	Yes
3/19/2021 12:41:49	Dave.Johnson@bain.com	Dave Johnson	65 Oxbow Road, Needham	Yes	Yes	Yes	Yes
3/19/2021 12:41:49	sjfjohnson@gmail.com	Suzette Johnson	65 Oxbow Road, Needham	Yes	Yes	Yes	Yes
3/19/2021 12:48:46	abbeasen@gmail.com	Abbe Asen	Stratford Rd, Needham	Yes	Yes	Yes	Yes
3/19/2021 12:53:52	mjabrawy@gmail.com	Mike Jabbawy	40 Windsor Rd Needham	Yes	Yes	Yes	Yes
3/19/2021 12:56:54	kmaranca@yahoo.com	Koren	White pine road Needham	Yes	Yes	Yes	Yes
3/19/2021 13:11:28	patty08818@yahoo.com	Patty O'Neill	Charles River Street Needham	Yes	Yes	Yes	Yes
3/19/2021 13:15:26	oconnor0604@yahoo.com	Nicole O'Connor	50 Country Way Needham	Yes	Yes	Yes	Yes
3/19/2021 13:17:01	joconnor@ocventures.net	Jeremy OConnor	50 Country Way Needham	Yes	Yes	Yes	Yes
3/19/2021 13:33:05	toriconstantino@gmail.com	Tori Constantino	Beard Way, Needham	Yes	Yes	No	Yes
3/19/2021 13:33:11	samanthafeisenberg@gmail.com	Samantha Eisenberg	88 Stratford road. Needham	Yes	Yes	Yes	Yes
3/19/2021 13:34:11	sandyjordan@comcast.net	Sandra Jordan	Stratford Road, Needham	Yes	Yes	Yes	Yes
3/19/2021 13:35:47	jason.freedman@yahoo.com	Jason Freedman	218 Bridle Trail Rd Needham	Yes	Yes	Yes	Yes
3/19/2021 13:36:09	lbrodsky04@yahoo.com	Lauren Brodsky	Pheasant Landing Rd, Needham	Yes	Yes	Yes	Yes
3/19/2021 13:37:22	kblangsner@gmail.com	Karen Langsner	30 Windsor Road needham	Yes	Yes	Yes	Yes
3/19/2021 13:42:05	michaela.mendelsohn@gmail.com	Michaela Mendelsohn	210 Charles River St., Needham	Yes	Yes	Yes	Yes
3/19/2021 13:49:00	rmsoble@aol.com	Risa Carp	169 fairfield St. Needham	Yes	Yes	No	Yes
3/19/2021 14:04:26	emilydaughters@yahoo.com	Emily Hunsicker	Charles River Needham	Yes	Yes	Yes	Yes
3/19/2021 14:05:34	stephanie.walt@gmail.com	Stephanie Walt	Pheasant landing road needham	Yes	Yes	Yes	Yes
3/19/2021 14:10:33	abigail.wilk@gmail.com	Abigail Wilk	100 Windsor Road, Needham	Yes	Yes	Yes	Yes
3/19/2021 14:13:26	niffer33@gmail.com	Jennifer Peterson-Eacott	157 Stratford Road	Yes	Yes	Yes	Yes
3/19/2021 14:17:27	joconnor@ocventures.net	Jeremy OConnor	50 Country Way Needham	Yes	Yes	Yes	Yes
3/19/2021 14:18:14	jcohen527@gmail.com	Jenna	Virginia Road, Needham	Yes	No, but I regularly	No	Yes

3/19/2021 14:48:35	dubin.emma@gmail.com	Emma Dubin	Lantern lane, Medfield	Yes	No, but I regular	No	No
3/19/2021 14:55:02	khristy17078@yahoo.com	Khristy Thompson	Windsor Road Needham	Yes	Yes	Yes	Yes
3/19/2021 14:57:09	micstein@gmail.com	Michelle Murray	Eliot Road needham	Yes	No, but as a con	No	Yes
3/19/2021 15:11:16	jessica.kritzman@gmail.cc	Jessica Kritzman	Bridle Trail Needham	Yes	Yes	Yes	Yes
3/19/2021 15:15:45	joditraub@comcast.net	Jodi Traub	232 Bridle Trail Road Neer	Yes	Yes	Yes	Yes
3/19/2021 15:18:17	abutmi@gmail.com	Alexandra Gordon	Bridle Trail Needham	Yes	Yes	Yes	Yes
3/19/2021 15:23:03	ledric@mac.com	Ricki Nickel	Stratford Rd, Needham	Yes	Yes	Yes	Yes
3/19/2021 15:29:22	jskoler@comcast.net	Jennifer skoler	165 Bridle Trail Road	Yes	Yes	Yes	Yes
3/19/2021 15:46:37	sally@tyrie.com	Sally Tyrie	Bridle Trail Rd, Needham	Yes	Yes	Yes	Yes
3/19/2021 15:48:54	imichelow@lifespan.org	Ian Michelow	Charles River St	Yes	Yes	Yes	Yes
3/19/2021 15:58:35	aesouliere@aol.com	Adam Souliere	Pheasant Landing Rd, Neer	Yes	Yes	Yes	Not Sure
3/19/2021 16:02:58	jzelfand@gmail.com	jessica zelfand	80 country way needham	Yes	Yes	Yes	Not Sure
3/19/2021 16:07:44	zacharypdubin@gmail.com	Zach Dubin	Lantern ln, Medfield	Yes	No, but I regular	No	No
3/19/2021 16:24:41	john@dwel360.com	John Lynch	Mayflower needham	Yes	Yes	No	Yes
3/19/2021 16:25:01	stacyjhill@gmail.com	Stacy Hill	157 Bridle Trail Rd Needh	Yes	Yes	Yes	Yes
3/19/2021 16:47:50	ardim@comcast.net	Andrew DiMatteo	290 Bridle Trail Road Neer	Yes	Yes	Yes	Yes
3/19/2021 16:48:38	adimatteo@comcast.net	Debi DiMatteo	290 Bridle Trail Road Neer	Yes	Yes	Yes	Yes
3/19/2021 16:53:55	kmaranca@yahoo.com	Koren	White pine road Needham	Yes	Yes	Yes	Yes
3/19/2021 17:18:38	ardim@comcast.net	Andrew DiMatteo	290 Bridle Trail Road Neer	Yes	Yes	Yes	Yes
3/19/2021 17:48:10	asyellin@gmail.com	Adam Yellin	109 Henderson St	Yes	Yes	No	Yes
3/19/2021 18:12:24	jconlon01@gmail.com	Joshua Co lon	22 Oakhurst Circle Needh	Yes	Yes	No	Yes
3/19/2021 18:19:46	jrgreenfield1@gmail.com	Josh Greenfield	Moseley needham	Yes	Yes	No	Yes
3/19/2021 19:41:40	michaela.mendelsohn@gr	Michaela Mendelsohn	210 Charles River St., Neer	Yes	Yes	Yes	Yes
3/19/2021 19:44:55	jbmorris@gmail.com	Julian B Morris	112 Birds Hill Ave	Yes	Yes	No	Yes
3/19/2021 19:51:34	toriconstantino@gmail.con	Tori Constantino	Beard Way, Needham	Yes	Yes	No	Yes
3/19/2021 19:59:22	dianelunder@comcast.net	Diane LUNDER	189 Bridle Trail Rd	Yes	Yes	Yes	Yes
3/19/2021 20:01:34	bourds@gmail.com	Stephen Bourdeau	Sylvan Rd	Yes	Yes	No	Yes
3/19/2021 21:00:30	susanabraham135@gmail	Susan Abraham	Country Way, Needham, N	Yes	Yes	Yes	Yes
3/19/2021 21:01:52	aabraham@kexheslaw.co	Andrew Abraham	Country Way, Needham, N	Yes	Yes	Yes	Yes
3/19/2021 21:06:49	nheideman328@gmail.cor	Nicole Heideman	1708 Central Avenue Neer	Yes	Yes	Yes	Yes
3/19/2021 21:15:08	jonasclarke@verizon.net	Holly Clarke	1652 Central Ave	Yes	Yes	Yes	Yes
3/19/2021 21:55:03	famhaus@comcast.net	Barbara Hauschka	105 Walker Lane, Needha	Yes	Yes	Yes	Yes
3/19/2021 22:04:30	lionel.desrosiers@gmail.cc	Lionel Desrosiers	117 Linden St, Needham,	Yes	Yes	No	Yes
3/19/2021 22:08:05	martin.tomjr@gmail.com	Thomas Martin	138 sylvan road, Needhar	Yes	Yes	No	Yes
3/19/2021 22:23:32	rpkamani@gmail.com	Rushit Kamani	Hillside Ave needham	Yes	No, but as a con	No	Yes
3/19/2021 22:41:46	jberkowitz@gmail.com	Joshua Davidson	73 Linden St Needham, M	Yes	Yes	No	Yes
3/19/2021 22:50:13	pwrenn201@gmail.com	Patrick Wrenn	Blacksmith Dr, Needham	Yes	Yes	No	Yes
3/19/2021 22:57:38	jconlon01@gmail.com	Joshua Co lon	22 Oakhurst Circle Needh	Yes	Yes	No	Yes
3/19/2021 23:17:56	brent.poliquin@gmail.com	Brent Poliquin	148 Sylvan Rd, Needham	Yes	Yes	No	Yes

3/20/2021 6:43:30	martin.tomjr@gmail.com	Thomas Martin	138 sylvan road, Needham	Yes	Yes	No	Yes
3/20/2021 7:19:48	amyskolnick15@gmail.com	Amy Skolnick	Oxbow rd needham	Yes	Yes	Yes	Yes
3/20/2021 7:32:59	adsaide@gmail.com	Amy Saide	99 Richardson Drive, Needham	Yes	Yes	No	Yes
3/20/2021 7:42:52	chjoncorp@verizon.net	Carl H Jonasson	1729 CENTRAL AVENUE	Yes	Yes	Yes	Yes
3/20/2021 8:28:15	jberkowitz@gmail.com	Joshua Davidson	73 Linden St Needham, MA	Yes	Yes	No	Yes
3/20/2021 8:53:25	matthew.heideman@gmail.com	Matthew Heideman	1708 Central Ave, Needham	Yes	Yes	Yes	Yes
3/20/2021 9:09:09	etj98@yahoo.com	Everette Jordan	219 Stratford Road Needham	Yes	Yes	Yes	Yes
3/20/2021 9:23:42	grcavanagh@gmail.com	Greg Cavanagh	17 Carleton Dr Needham, MA	Yes	Yes	Yes	Not Sure
3/20/2021 9:34:55	lgere@hotmail.com	Laura Gere	Stratford road needham	Yes	Yes	Yes	Yes
3/20/2021 9:37:12	rob.dimase@verizon.net	Robert DiMase	1681 Central Avenue Needham	Yes	Yes	Yes	Yes
3/20/2021 9:50:40	bridgettedinicola@gmail.com	Brigitte DiNicola	South Street, Needham	Yes	Yes	Yes	Yes
3/20/2021 10:02:48	egazmui@comcast.net	Elizabeth Gazmuri	245 Stratford Rd., Needham	Yes	Yes	Yes	Yes
3/20/2021 10:08:03	khristy17078@yahoo.com	Khristy Thompson	Windsor Road, Needham	Yes	Yes	Yes	Yes
3/20/2021 10:15:39	khristy17078@yahoo.com	Khristy Thompson	Windsor Road Needham	Yes	Yes	Yes	Yes
3/20/2021 10:26:22	nathansonmichaelj@gmail.com	Michael Nathanson	Country Way, Needham	Yes	Yes	Yes	Yes
3/20/2021 10:32:24	zchjonas@gmail.com	Zach Jonas	1652 Central Ave, Needham	Yes	Yes	Yes	Yes
3/20/2021 10:33:13	jack.dinicola@dinicolalaw.com	John W DiNicola II	1115 South St, Needham, MA	Yes	Yes	Yes	Yes
3/20/2021 10:33:16	stephenjonas@wilmerhale.com	Stephen Jonas	1652 Central Ave	Yes	Yes	Yes	Yes
3/20/2021 10:58:07	nccavanagh@gmail.com	Nikki Cavanagh	Carleton Drive, Needham	Yes	Yes	Yes	Yes
3/20/2021 11:07:39	sallymck@mac.com	Sarah (Sally) McKechnie	1703 Central Ave	Yes	Yes	Yes	Yes
3/20/2021 11:09:22	mariejon13@verizon.net	Carl H Jonasson	1729 CENTRAL AVENUE	Yes	Yes	Yes	No
3/20/2021 11:21:14	jturk@tqlawfirm.com	Jeffrey Turk	312 Country way	Yes	Yes	Yes	Yes
3/20/2021 11:30:44	andee614@me.com	Andrea K. Shuman	Belle Lane; Needham, MA	Yes	Yes	Yes	Yes
3/20/2021 11:31:54	nccavanagh@gmail.com	Nikki Cavanagh	Carleton Drive, Needham	Yes	Yes	Yes	Yes
3/20/2021 11:33:49	dryicemarc1@aol.com	Marc Savenor	27 belle ln	Yes	Yes	Yes	Yes
3/20/2021 12:30:27	msgillespie@comcast.net	Sharon Gillespie	210 Stratford Road	Yes	Yes	Yes	Yes
3/20/2021 12:51:32	clairecdavison@gmail.com	Claire Davison	1011 South Street	Yes	Yes	Yes	Yes
3/20/2021 12:52:39	tkdavison@gmail.com	Timothy Davison	1011 South Street needham	Yes	Yes	Yes	Yes
3/20/2021 13:06:06	turkbj@yahoo.com	Barbara Turk	Country way Needham	Yes	Yes	Yes	Yes
3/20/2021 13:12:52	ccthompson.hms@gmail.com	Christopher Thompson	Windsor Road, Needham	Yes	Yes	Yes	Yes
3/20/2021 13:13:57	thompson3.1415@gmail.com	Andrew Thompson	Windsor Road, Needham	Yes	Yes	Yes	Yes
3/20/2021 13:17:22	thompson3.1415@gmail.com	Andrew Thompson	Windsor Road, Needham	Yes	Yes	Yes	Yes
3/20/2021 13:17:27	thompson3.1415@gmail.com	Andrew Thompson	Windsor Road, Needham	Yes	Yes	Yes	Yes
3/20/2021 13:24:02	macleod41@aol.com	Norman MacLeod	41 Pine St, Needham, MA	0	Yes	Yes	Yes
3/20/2021 13:27:49	macleod41@aol.com	Janet MacLeod	41 Pine Street, Needham	Yes	Yes	Yes	Yes
3/20/2021 13:40:42	briano1055@yahoo.com	Brian O'Neill	149 Charles River St	Yes	Yes	Yes	Yes
3/20/2021 13:46:42	jturk@tqlawfirm.com	Jeffrey Turk	312 Country way	Yes	Yes	Yes	Yes
3/20/2021 13:47:27	kevinpkilleen@yahoo.com	Kevin Killeen	339 Country Way	Yes	Yes	Yes	Yes
3/20/2021 14:08:54	tkdavison@gmail.com	Timothy Davison	1011 South Street needham	Yes	Yes	Yes	Yes
3/20/2021 14:11:17	stanley.keller@lockelord.com	stanley keller	Country Way, Needham	Yes	Yes	Yes	Yes

3/20/2021 14:12:17	sandykell@aol.com	Sandra Keller	Country Way, Needham	Yes	Yes	Yes	Yes
3/20/2021 14:24:14	danielledarish@gmail.com	Danielle Darish	Country Way, Needham	Yes	Yes	Yes	Yes
3/20/2021 15:35:11	tkdavison@gmail.com	Timothy Davison	1011 South Street needha	Yes	Yes	Yes	Yes
3/20/2021 15:45:24	annlyons24@yahoo.com	Ann Lyons	Central Avenue, Needham	Yes	Yes	Yes	Yes
3/20/2021 16:41:59	annlyons24@yahoo.com	Ann Lyons	Central Avenue, Needham	Yes	Yes	Yes	Yes
3/20/2021 17:29:35	rachnjim@gmail.com	Rachel Flanagan	863 Webster Street	Yes	Yes	No	Yes
3/20/2021 18:01:34	jabruzese@yahoo.com	Joseph Abruzese	30 Bridle Trail Road, Need	Yes	Yes	Yes	Yes
3/20/2021 18:25:45	turkbj@yahoo.com	Barbara Turk	Country way Needham	Yes	Yes	Yes	Yes
3/20/2021 19:45:33	thompson3.1415@gmail.c	Andrew Thompson	Windsor Road, Needham	Yes	Yes	Yes	Yes
3/20/2021 20:08:19	ericsockol@gmail.com	Eric Sockol	324 Country Way, Needha	Yes	Yes	Yes	Yes
3/20/2021 20:09:25	judysockol@gmail.com	Judy Sockol	324 Country Way, Needha	Yes	Yes	Yes	Yes
3/20/2021 20:31:47	seaniemo22@yahoo.com	Sean Morris	48 Scott Rd, Needham	Yes	Yes	Yes	Not Sure
3/20/2021 20:32:26	marinazmorris@gmail.com	Marina Morris	48 Scott Rd, Needham	Yes	Yes	Yes	Not Sure
3/20/2021 21:12:51	mshillback@aol.com	Marjorie S Hillback	34 Wilson Ln	Yes	Yes	No	Yes
3/20/2021 21:52:39	adampatti@gmail.com	Adam Patti	257 Country Way	Yes	Yes	Yes	Yes
3/20/2021 21:53:22	stephpos@gmail.com	Stephanie Patti	257 Country Way needhar	Yes	Yes	Yes	Yes
3/20/2021 22:06:35	33hila@gmail.com	Hila Krikov	Fisher St. Needham	Yes	Yes	Yes	Yes
3/20/2021 22:09:17	nkrikov@gmail.com	Niv Krikov	Fisher St. Needham	Yes	Yes	Yes	Yes
3/20/2021 22:22:45	sjavaheri@mac.com	Stephaniejavaheri	1886 Central Ave	Yes	Yes	Yes	Yes
3/21/2021 0:21:05	stephpos@gmail.com	Stephanie Patti	257 Country Way needhar	Yes	Yes	Yes	Yes
3/21/2021 0:27:17	stephpos@gmail.com	Stephanie Patti	257 Country Way needhar	Yes	Yes	Yes	Yes
3/21/2021 6:27:56	petelyons28@gmail.com	Pete Lyons	1689 Central Ave, Needha	Yes	Yes	Yes	Yes
3/21/2021 7:51:22	brosen@thenorfolkcompa	Benjamin David Rosen	20 Stratford Rd.	Yes	Yes	Yes	Yes
3/21/2021 9:58:59	sbentsman@gmail.com	Sophia Bentsman	Country Way, Needham	Yes	Yes	Yes	Yes
3/21/2021 10:01:16	lbentsman@gmail.com	Lev Bentsman	Country Way, Needham	Yes	Yes	Yes	Yes
3/21/2021 10:10:31	turkbj@yahoo.com	Barbara Turk	Country way Needham	Yes	Yes	Yes	Yes
3/21/2021 10:40:37	mikeg80pc@yahoo.com	Michael Gillespie	210 Stratford Road, Needl	Yes	Yes	Yes	Yes
3/21/2021 11:41:21	crlintz22@gmail.com	Carol R Lintz	49 Carleton Dr	Yes	Yes	Yes	Yes
3/21/2021 13:07:54	elwallack@gmail.com	edward wallack	8 stratford road	Yes	Yes	Yes	Yes
3/21/2021 13:38:17	arvedon@verizon.net	ANDREW ARVEDON	29 PINE STREET	Yes	Yes	Yes	Yes
3/21/2021 14:01:17	alangsner70@gmail.com	Alan Langsner	30 Windsor Road	Yes	Yes	Yes	Yes
3/21/2021 14:55:04	mhwallack@comcast.net	Margo Wallack	8 Stratford Rd	Yes	Yes	Yes	Yes
3/21/2021 17:05:32	taraleekilleen@yahoo.com	Tara Killeen	339 Country Way Needhar	Yes	Yes	Yes	Yes
3/21/2021 17:30:36	ashleybrosen@gmail.com	Ashley Rosen	Stratford Road, Needham	Yes	Yes	Yes	Yes
3/21/2021 21:30:12	sallymck@mac.com	Sarah (Sally) McKechnie	1703 Central Ave	Yes	Yes	Yes	Yes
3/21/2021 21:51:49	sarahcbracken@gmail.cor	Sarah Bracken	South street needham	Yes	Yes	Yes	Yes
3/21/2021 21:58:02	jonathanbracken@hotmail	Jonathan Bracken	South street, Needham	Yes	Yes	Yes	Yes
3/21/2021 22:20:01	sandyjordan@comcast.net	Sandra Jordan	Stratford Road, Needham	Yes	Yes	Yes	Yes
3/22/2021 6:37:00	sarahcbracken@gmail.cor	Sarah Bracken	South street needham	Yes	Yes	Yes	Yes

1652 Central Avenue
Needham, MA 02492

April 3, 2021

Jeanne McKnight
Chair of Needham Planning Board,

Members of the Needham Planning Board,

Lee Newman
Director of Planning and Community Development
500 Dedham Avenue
Public Services Administration Building
Suite 118
Needham, MA 02492

RE: Site Review of Proposed Project at 1688 Central Avenue

Dear Chair McKnight and All Planning Board Members,

Attached please find detailed comments regarding the proposed project at 1688 Central Avenue associated with the Neighborhood Petition submitted to you on March 22, 2021. As of this writing, 418 abutters, neighbors, and other impacted residents have signed.

We submit these comments for consideration during the Planning Board's site review process of the proposed project. We ask that you give careful consideration to these comments and enter them, along with their attachments, into the formal record of your meeting should there need to be further proceedings on the matter. Thank you for your consideration.

Yours truly,

Holly Clarke

Comments of Neighbors of 1688 Central Avenue for Consideration During the Planning Board's Site Review Process for that Location

The following comments are submitted for the Planning Board and other town departments to consider while conducting the site review process for the proposed development of 1688 Central Avenue. The proponent, Matt Borrelli, asks to build and own a large commercial building in a residential zoned area building that he will lease to the operator of a child care facility. The proposal will impact the neighbors of Central Avenue and the town as a whole forever. While daycare facilities are permitted as of right in all Needham zoning districts, the town regulates any proposed project, including those whose use is allowed as of right, to ensure that it fits within the town's development plans and guidelines. In this case:

- The project fits the Needham Zoning By-Laws' definition of a "Major Project" and, therefore, the Board should treat it as such and reject the proponent's submission of the project as only a "Minor Project."
- The proponent does not present the accurate information necessary to assess the project's impact on traffic in the area as required by Needham Zoning By-Law 7.4.5.
- The relationship between the proposed design and structures and open spaces in the natural landscape, existing buildings and other community assets is out of harmony with the surrounding area.

I. While Needham allows the use of residential parcels for child care facilities as of right, the town retains the authority to regulate proposed projects through site review.

Massachusetts state law Ch 40a s.3 provides:

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

In keeping with state law, Needham's By-Laws permit the use of parcels in residential districts for child care facilities. Under both state law and the town's By-Laws, such facilities are subject to the town's regulations concerning the building's characteristics and its impact on the surrounding area. In this case, the proposed building at 1688 is subject to site review under Needham's By-Laws. Section 7.4.1 states:

The purpose of this Section is to provide a comprehensive review procedure for construction projects, herein defined, to insure compliance with the goals and objectives of the Master Plan, and the provisions of the Zoning By-Law, to minimize adverse

impacts of such development, and to promote development which is harmonious with surrounding areas.

Section 7.4.6 lays out the Planning Board's responsibilities and authority when conducting a site review:

In conducting the Site Plan Review, the Planning Board shall consider the following matters:

- (a) Protection of adjoining premises against seriously detrimental uses by provision for surface water drainage, sound and sight buffers and preservation of views, light, and air;
- (b) Convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets, the location of driveway openings in relation to traffic or to adjacent streets and, when necessary, compliance with other regulations for the handicapped, minors and the elderly;
- (c) Adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the premises;
- (d) Adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site;
- (e) Relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area and compliance with other requirements of this By-Law; and
- (f) Mitigation of adverse impacts on the Town's resources including the effect on the Town's water supply and distribution system, sewer collection and treatment, fire protection, and streets; and may require when acting as the Special Permit Granting Authority or recommend in the case of minor projects, when the Board of Appeals is acting as the Special Permit Granting Authority, such appropriate conditions, limitations, and safeguards necessary to assure the project meets the criteria of a through f.

Massachusetts Courts have made clear that town authorities tasked with administering site plan reviews have the authority to impose stricter requirements than those otherwise required by town by-laws as a condition of site plan approval. *Muldoon v. Planning Bd. of Marblehead*, 72 Mass. App. Ct. 372 (2008).

II. The Planning Board should reject the current site review request and require the proponents to apply for site review as a Major Project.

The Needham Zoning By-Laws provide two levels of site plan review, Major and Minor Projects. In this district, the By-Laws define a Major Project as, "Any construction project which involves: the construction of 10,000 or more square feet gross floor area; or an increase in gross floor area by 5,000 or more square feet; or any project which results in the creation of 25 or more new off-street parking spaces." A Minor Project is, "... Any construction project which involves: the construction of more than 5,000 but less than 10,000 square feet gross floor area; or an increase in gross floor area such that the total gross floor area, after the increase, is 5,000 or more square feet – and the project cannot be defined as a Major Project." (S. 7.4.2). Section 1 of the By-Laws defines gross floor area as, "the sum of the areas of the several floors of each building on a lot including areas used for human occupancy in

basements, attics, and penthouses, as measured from the exterior faces of the walls, but excluding cellars, unenclosed porches, balconies, attics, or any floor space in accessory buildings or in main buildings intended and designed for the parking of automobiles or for accessory heating and ventilating equipment, laundry, or accessory storage.”

A. The proposed project is a Major Project because it requires the creation of 25 or more new off-street parking spaces.

The proponent asserts that the project requires only 24 parking spaces for its operation of a day care facility for 100 children. Citing the metric Needham has used in the past to determine parking requirements for day care centers, the plans include only 11 spaces for children and 13 spaces for staff. The proponents offer no explanation for the program's actual staffing plans to justify this part of the design. In its March 11 letter accompanying the submission of its request for site review, the proponents write that the new building, “will allow (the operators) to expand and have the necessary room for children.”

The By-Laws require the Planning Board to assess, “the adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the premises” s.7.4.6(c). In this case, the proposed plan should be found inadequate and the plan rejected.

There are six distinct reasons why the proponent’s claim of 13 staff parking spaces is erroneous and should be rejected by the Board:

- The state mandated staff: child ratios require more than 13 staff for the operator’s current licensed capacity.
- The state mandated staff: child ratios require more than 13 staff to operate a program for 100 or more children in the designed building.
- The amount of parking required by neighboring towns for the proposed project exceeds the proposed 13.
- Similarly sized programs in Needham have more than 24 spaces.
- The proponent’s own submissions indicated the planned parking is insufficient.
- The Needham Fire Department has commented that spaces near the building will need to be marked, “No parking- drop off area only” meaning that the facility will need more than even the 24 spaces it proposes.

1. The EEC required staff: child ratio and the current licensed capacity of the proposed operator establishes this project requires more than 13 parking spaces for staff.

The Department of Early Education and Care (EEC) minimum staff: child ratios are found at 606 CMR 7.10 (Attachment 1). The number of staff required changes with the ages of the children served, with younger children requiring more staff. The EEC also reports providers’ program capacity on the EEC website. The Needham Children’s Center at 858 Great Plain Avenue (the operator proposed for 1688 Central Ave.) is licensed as a large group care facility and is currently listed with the capacity to serve 113 children. The program’s 23 Dedham Avenue location also operates as a large child care facility, with the capacity to serve an additional 30 children (Attachment 2). Table 1 below presents the age groups as set by EEC, the mandated staff:child ratio, the number of children in each age group for which the proposed operator is currently licensed at 858 Great Plain Avenue, and the minimum number of staff required to

be on site for the permitted number of children. The table includes the one full time administrator EEC requires to be on site at all times. This analysis indicates that the program for 113 children in the age groups for which the proposed operator is currently licensed requires a minimum of 16 staff. These numbers do not include interns or volunteers the program may utilize, nor does it include any additional staff members needed for coverage during lunch or break times. Using this analysis, the proposal requires 27 parking spaces and is a Major Project.

Table 1: Staff Required Using EEC Staff:Child Ratios and NCC Current Program

Age Group	Staff: Child Ratio	NCC Capacity	Minimum Staff
Infant	1:3, one additional staff for 4-7 children	7 children	2 staff
Toddler	1:4, one additional for 5-9	18	4
Preschool	1:10	52	6
Kindergarten	1:12	0	0
School Age	1:15	36	3
Infant toddler		0	
Toddler Preschool		0	
Preschool 15mo-k		0	
Preschool SA 33mo-8 yr		0	
MultiAge Group		0	
State Required Administrator			1
TOTALS		113 children	16 staff

- 2. A comparison of the EEC required minimum staff: child ratios to the age designations on classrooms in the proponent's drawings also suggests this project requires more than 13 parking spaces for staff.**

The proponent's drawings designate rooms for specific age groups and indicate that the operator intends to enroll a larger number of younger children than in the current program. The submission shows two rooms marked as "nursery," two as "toddler," three as "preschool" and two as "pre-k." None are marked as kindergarten or school aged, and the rooms designated as craft, play space and nursery playroom have not been included in this analysis. A younger population of children requires additional staff. Table 2 below lists the room designation, staff: child ratio, the number of children in each room and the minimum number of staff required for this distribution. Under this analysis, a program for 100 children would require a minimum of 19 parking spaces for classroom staff and the required administrator. This number makes no allowance for volunteers, interns or staff coverage during lunch or

breaks, yet still brings the total minimum number of parking spaces required to 30. The proposal is a Major Project.

Table 2 Staff Required Using EEC Staff:Child Ratios and Proposed Building Design

Room Title	Staff: Child Ratio	Children	Minimum Staff
2 Nurseries	1:3, one additional staff for 4-7 children	7 children/room maximum = 14 children	4 staff
2 Toddler Rooms	1:4, one additional for 5-9	9 children/room maximum = 18 children	4 staff
3 Preschool Rooms	1:10	20 children/room maximum children proportion*	6
2 pre Kindergarten	1:10	20 children/room maximum*	4
Administrator			1
TOTALS		100 children	19 staff

*The number of children in the preschool and prekindergarten rooms for this analysis was 68 and was distributed evenly. (100 overall capacity - (14 + 18 in the nursery and toddler rooms) = 68).

3. An analysis of the amount of parking neighboring towns would require for this project strongly suggests that the proposal requires more parking than included in the current design and should be reviewed as a Major Project.

An analysis of the parking other towns require for a project this size is instructive in considering the necessary number of parking spaces. Table 3 presents the number of parking spaces 14 nearby communities would require for a child care facility with 13 staff members and 100 children. It includes the standards each town uses in determining the necessary number of parking spaces. Some towns use the square footage of the building to determine parking requirements, others use the program size. The towns using child and staff information all require more than 11 spaces to be allotted for 100 children.

Eight towns would require the proposed project to have more than the requested 24 spaces. The average number of spaces required would be 33. Norwood requires the fewest spaces at 30 and Medfield requires the most at 42. Four towns leave the determination of the number of spaces required to the building inspector. Two towns, Lexington and Sherborn, set a minimum number of spaces and require the submission and approval of parking plans by the permitting authority. Wellesley is included in the first group of eight towns, as it would require 32 parking spaces for a project of this size. However, Wellesley limits the construction of child care facilities in residential districts to 2,500 sf, which would

prevent the construction of this proposed project.¹ This data supports the conclusion that this proposal requires more than 24 parking spaces and is a Major Project.

Table 3: Child Care Parking Requirements For Neighboring Towns

Town	Regulation	Requirement	Result for Proposal as Drafted	
Belmont	Zoning By-Law S. 5.1	discretion of building inspector		
Brookline	Zoning By-Law S. 6.01, 4 a.	minimum set by the building inspector		
Concord	Zoning By-Law 7.7.2.1	1 space for every teacher and employee +1 space for visitors +1 space for every six children based on the largest enrollment on site at any given time	31 (13+1+17)	Planning Board may reduce number required, May require and retain control of a Parking and Traffic and Management Plan
Dedham	Zoning By-Laws 7.6.7	1 space for every teacher & employee +1 space for visitors +1 space for every 6 children based on the largest enrollment on site at any given time	31 (13 + 1 + 17)	

¹ To be clear, this analysis used the proponent's staff numbers. Using an increased number of staff would raise the number of parking spaces required in these towns. In its original Traffic Impact Report, the proponent writes, "Over time, the location could accommodate 80 to 100 students although 120 appears to be allowed"(p.2). If the proponent's intention is to actually allow the operation of a program for 120 children, the number of parking spaces required by this larger program would be even larger in towns basing spaces on enrollment.

Lexington	Zoning By-Law S.135-5.1.4 And S.135-5.5.2	1 per 500 sq.ft. minimum +5 feet rows for snow storage during plowing	20 minimum*	*Town requires submission of parking plan and traffic study for any permit
Medfield	General By-Laws S. 300-8.1	1 space per each full- time employee + 1 space per each shared part time position +1 per 300 sq ft of classroom space	42 (13 + 28.3) 8500sf/300)*	*Estimated classroom space
Newton	Zoning Ordinance C. 30, S. 5.1.4.	1 space per employee plus 1 space for every 5 children	33 (13 +20)	
Norwood	Zoning By-Law 6.1.3	1 space per employees on largest shift +1 space per every six children enrolled	30 13 + 17	
Sherborn	Zoning By-Law S.5.1.1 and 5.1.3	Minimum of 10 parking spaces and approval of a parking plan by the Planning Board	Minimum of 10	

Walpole	Zoning By-Law S. 8	Discretion of the Building Inspector or applicable Special Permit Granting Authority.		"Adequate parking for occupants, employees, members, customers, clients and visitors"
Wayland	By-Law S 198-506, 506.1.9	1 for every 4 persons of the facility's licensed capacity * + 3 designed for the safe and convenient loading and unloading of persons.	32* (100 students+13 staff)= $113/4=28.25 + 3$)	The licensed capacity of the building is likely higher than the 113 staff + children number used.
Wellesley*	Zoning By-Law S. 21	1 for each 150 sq. ft.* occupied by buildings but not less than 3.2 spaces per 1,000 sq. ft. of floor area of buildings.	32	*Rule only applies to Educational Districts A, Business Districts A, Industrial Districts A *Wellesley limits child care facility size in residential districts to 2,500 sq.ft. size in residential districts to 2,500 sq.ft.
Weston	By-Law VIII C. 1	Sufficient spaces to prevent any parking off site or on public way determined by inspector of buildings or Board with authority		
Westwood	By-Law 6.1.4.3	1 space per employee +2 spaces per classroom	31 $13 + (2 \times 9)$	

4. All similarly sized child care facilities in Needham have more than 24 parking spaces available.

The need for more than the 24 spaces planned by the proponents is also demonstrated by the fact that the similarly sized child care programs in Needham operate with more than 24 parking spaces. The EEC lists six Needham programs licensed for between 85 and 149 children, and Needham's GIS mapping shows that all six operate at sites with access to more than 24 parking spaces. Table 4 below presents the name of each program, the number of children it may enroll according to the ECC, and the number of parking spaces.

Table 4 Parking Availability at Similarly Sized Needham Child Care Programs

Program	Number of Children	Number of spaces	
Kindercare 1000 Highland Ave	93 children	49 parking spaces	
Tobin Boulder Schools dba Club 1458 1250 Great Plain Ave	85	Lot at Newman School	
Carter Center for Children & Carter Nursery School 800 Highland Ave	119 total: Two groups: 59 & 60	33 spaces	One-way lot with separate entrance and exit
Chestnut Children's Center 167 Chestnut St	149	31 spaces + 13 spaces in next lot	One way with separate entrance and exit
Knowledge Beginnings 206 A St	117	31 spaces Next to another lot	Separate entrance and exit
Needham Children's Center 858 Great Plain Ave	113	3 next to building 30 in lot Second lot available	

5. The proponent's submissions indicate the plan requires more parking.

The "Traffic Impact Assessment" submitted by the proponent affirms that the plan requires more parking. Starting with an analysis based on 80 children rather than the 100 children listed on the building plans, the report goes on to state, "The parking could easily accommodate over 100 children without creating on site grid lock provided staff is available to assist children into the building where the staff members get that child settled and the initial staff member returns. If a parent insists on entering the facility, they will be directed to park in an unoccupied parking stall or enter the site all the way to the end... to block a staff member's car who is parked for the day" (p.2). The initial traffic impact study also writes that, "Over time, the location could accommodate 80 to 100 students although 120 appears to be allowed" (p.2). This statement raises questions about the actual intended size of the program, making even more concerning the submission's undercounting of necessary parking spaces.

Further, the Storm Water Report provides that, "Snow shall be plowed into wind rows at the edge of the paved areas. Excess snow shall be removed from the site and deposited in approved snow farms" (p.11.) The possibility of losing parking spaces to banked snow during the winter requires additional parking spaces in the plan, further confirming that this is a Major Project.

6. The Needham Fire Department commented that parking near the building will need to be designated. "No parking- drop-off only".

After reviewing the proposed plans, the Needham Fire Department commented that the spaces nearest the building will need to be designated as "no parking- drop off only." Chief Condon wrote that this would be necessary to insure access for ambulances or other fire department apparatus in case of any emergency. Designating these spaces as "drop off only" requires the addition of more spaces in order to provide the necessary capacity to allow families, visitors, deliveries and guests to park on site, and provides yet another reason why this project must be reviewed as a Major Project.

B. The proposed project is a Major Project because it involves an increase in gross floor area by 5,000 or more square feet.

As noted above, the Zoning By-Law defines a Major Project to include "[a]ny construction project which involves: the construction of 10,000 or more square feet gross floor area; **or** an increase in gross floor area by 5,000 or more square feet...."(emphasis added). The by-laws' definition of gross floor area the sum of the areas of the several floors of each building on a lot...". The definition of gross floor area makes clear that this determination is calculated using all of the buildings at a site. Currently, three buildings stand at 1688 Central Avenue: a single family home, a detached garage and a barn. According to the multiple listing service for the property, the house is 1661 sf. Using the Needham town GIS, the garage is approximately 1,200 sf and the barn is 2,320 sf, for a total of 5,181 sf on site, and a gross floor area of 3,981 sf (*i.e.*, the garage is not included in gross floor area). The proponents plan to demolish the house and garage, and build a 9,966 sf building, parking areas, playgrounds and landscaped areas. The barn will be kept and used for "ancillary and storage purposes" (See Proponent's Traffic Impact Study, p.1). If built as designed, the project will increase the gross floor area on the lot by 8,305 sf, (the increase in square footage over the existing home). The proposal, therefore, meets the bylaw's definition of a Major Project because it involves an increase in the gross floor area **at the site** by more than 5,000 sf.

The proponent states that, "[p]ursuant to Section 7.4.2 of the Bylaw, this project qualifies as a "Minor Project" because it involves the construction of more than 5,000 but less than 10,000 square feet of gross floor area, and because it involves the creation of fewer than 25 new off-street parking spaces." (Mar 11, 2021 letter to Planning Board). Not only is this wrong because of the parking issue described above, it is wrong because it completely ignores the operative square footage language — regarding increases in gross floor area of 5000 sf or greater. To the extent the proponent contends that the project does not constitute a Major Project because it does not involve an increase in gross floor area **of an existing building** of more than 5000 sf, that contention would be based on a misreading of the language of the By-Law. The wording used in this section of the By-Law does not limit Major Projects to proposals for the expansion **of existing buildings** by more than 5,000 sf. The section uses more expansive language, as it includes any construction project that "involves...an increase in gross floor area by 5,000 or more square feet." If the intention was to limit this section to additions of existing buildings, the By-

Laws could simply have said so. In fact, the By-Laws do just that by defining a Major Project in a Business, Avery Square Business, or Hillside Avenue Business Districts as, “any construction project which involves a new building; or an addition which increases gross floor area *of an existing building* by 1,000 or more square feet.” (Emphasis added). The difference in language makes clear that the relevant section of the By-Law here classifies projects such as this one, which increase the gross floor area *on the site* by 5,000 or more square feet, as Major Projects, rather than just applying to additions to existing buildings.²

This plain reading of the By-Law fits its purpose: to provide for a comprehensive review process for construction projects which assures compliance with the goals of the Master Plan and the Zoning By-Laws, to minimize adverse impacts of such development, and to promote development which is harmonious with surrounding areas. In this case, the proposed development project would construct a very large commercial project in a residential neighborhood which already has extreme traffic challenges and safety concerns. The By-Law recognizes the potential impact of large projects which expand the square footage on a site by more than 5,000 sf of gross floor area and classifies them as Major Projects. Any other reading leads to the anomalous conclusion that a smaller project, such as adding 5,000 sf of gross floor area to a 1,000 sf building, would be classified as a Major Project, while a project such as this one, which constructs a 9,966 sf building, stands next to another 2,320 sf two story building, and increases the gross floor area on the site by 8,305 sf, would receive the more limited review process of a Minor Project.

Larger projects merit the procedural safeguards included in the Major Project site review process, including the public notice requirements, written reports by reviewing departments, the right to a hearing by impacted residents and the issuance of a special permit to formally safeguard the interests protected by the By-Laws and to make representations enforceable. As proposed, this project would build a commercial building on a residential lot, with a footprint an order of magnitude larger than any other home on this section of Central Avenue. It proposes only a 35 foot setback from the street, far less than any other building on this part of Central Avenue. It increases the lot’s grade by six feet. It has already cut down mature trees on the property and proposes to cut others. It will impact traffic and pedestrian safety for neighbors, Central Avenue and surrounding streets. The business will bring traffic into and out of the site throughout the day, as well as increase noise and light. This development fits the By-Law’s definition of a Major Project and should be treated as such, with the appropriate safeguards to protect the interests of the neighbors and the town.

I. The Planning Board should reject the site plan because it does not present the accurate information necessary to assess the project’s impact on traffic in the area as required by Needham Zoning By-Law 7.4.5.

² The By-Law defines a minor project as, “.. Any construction project which involves: the construction of more than 5,000 but less than 10,000 square feet gross floor area; or an increase in gross floor area such that the total gross floor area, after the increase, is 5,000 or more square feet – and the project cannot be defined as a Major Project.” The Proponent gets no help from this provision, because it explicitly carves out projects “defined as a Major Project” and, as we point out above, this project *does* qualify as a Major Project.

Needham Zoning By-Law 7.4.5 requires an applicant to submit information concerning, “projected traffic volume in relation to existing and reasonably anticipated conditions; and... other information as may be necessary to determine compliance with the provisions of the Zoning By-Law.” Section 7.4.6 establishes the review criteria, “In conducting the Site Plan Review, the Planning Board **shall** consider the following matters: ... (b) Convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets, the location of driveway openings in relation to traffic or to adjacent streets”(emphasis added). One of the most serious consequences of the proposed development that the Planning Board must evaluate is its impact on traffic on Central Avenue and the adjacent streets. Yet, the traffic impact statements submitted by the proponent are incorrect, contradictory, and incomplete.

A. Central Avenue is heavily traveled and congested in non-Covid 19 times and does not operate at anywhere near an “A” level of service.

The impact of this project on the surrounding neighbors on Central Avenue, adjacent streets and all users of this arterial road cannot be overstated. The proponent begins with the assumption that Central Avenue currently functions at an “A” level of service during peak hours, “with little or no delay during the weekday commuting peak hour”(Original Traffic Report, p.2, Revised Report Executive Summary). This is simply untrue. It is contradicted by the actual lived experience of town residents that use the road as well as by traffic studies done by the town. As the neighbors write in their letter to the Planning Board and Town Departments:

We are deeply concerned about the impact the project will have on safety and traffic on Central Avenue and the surrounding streets.

In normal, non-COVID, times, morning weekday traffic along Central Avenue in this area is extremely heavy and backed up. The morning rush hour extends from approximately 6:30 to 8:30 AM and regularly causes solid backups from the RTS to Temple Aliyah, and often from Newman School back to Temple Aliyah.

To be blunt, during the weekday morning commute, Central Avenue is often an intermittent parking lot all the way to Cedar Street. Evening traffic congestion begins with the release of school and extends through approximately 6:30. Adding the additional vehicles in and out of the facility parking lot –whether coming from the south and joining the backed up traffic before entering the facility’s driveway or coming from the north and needing to make a left turn across the backed up northbound traffic and exiting the facility to again add to the backed up traffic -- will make a bad situation much worse and severely impact the ability of neighboring residents to get into and out of their homes and as pedestrians attempt to safely try and cross Central Avenue at Charles River Street and elsewhere.

In addition, Carleton Drive, Pine Street, Country Way, Charles River Street, Fisher Street, Village Lane, Russell Road, Walker Lane, and South Street will all be negatively impacted by the proposed facility, either trying to maneuver into an even denser traffic line on

Central Avenue or trying to escape the traffic by cutting through roads not designed to handle heavy commuter traffic...

Given the traffic line that occurs during normal weekday rush hour, the level of service for a turn into or out of the facility driveway and along Central Avenue itself, is likely an “E” or “F” without the childcare facility and will be made even worse with it. We are not traffic experts, but a short google search of conditions defining different roadway levels of service, seems instructive: (Graphic source: https://policymanual.mdot.maryland.gov/mediawiki/index.php?title=Roadways:_Facility_Selection_).

The illustration of Levels of Service E and F are what typifies the morning rush hour on Central Avenue in the vicinity of the facility during normal times.

As of this writing, more than 400 people have signed the letter.

The reality of the traffic issues on Central Avenue in general and on this section of Central Avenue in particular are well known in town. In 2014, the town commissioned Pare Corporation to analyze the likely impact of placing the Department of Public Works on Central Avenue at the site of the RTS. The report documents the impact of the operation of both the RTS and the Newman School on traffic. Pare wrote,

The RTS currently has operating hours of 7:30 to 4:00pm Tuesday- Saturday. Based on correspondence with the town, the heaviest periods can be observed in the early morning, just after the RTS opens, and in the afternoon, just prior to closing. Tuesday and Fridays are typically busy days...Additionally, the Newman School is located approximately one-half mile north of the proposed site on Central Avenue. The Newman School is a heavy traffic generator in the hour surrounding the a.m. drop off period and the p.m. dismissal period.

<https://www.needhamma.gov/DocumentCenter/View/10910/015-Volume-3-Facilities-Master-Plan-2014-Traffic-Study?bidId=>

At the time, vehicles exiting the site experienced “D” and “E” levels of service. Ultimately, the town opted not to place the DPW at the RTS due to concerns about the impact of traffic on the ability of town vehicles to enter and leave the site, as well as the impact the additional DPW traffic would have on the traffic. When the town added the John Cogswell Building to the DPW site, it was with the express representation that the new building would store seasonal equipment only and would not add to traffic on Central Avenue. The concerns of 2014 have not only not been alleviated, they have been exacerbated. The RTS and the Newman School both impact traffic in the neighborhood surrounding 1688 Central Avenue. Traffic to the RTS contributes to the area’s backups. The neighborhood is in the Newman School district, and many cars headed to and from the school originate here. The town’s fleet of school buses leave Newman onto Central Avenue early in the morning rush hour and then stop at individual houses along Central Avenue for safety reasons, all contributing to traffic delays. The Planning Board must address the impact of building a large daycare facility in a residential area facing these realities and an accurate traffic impact statement should be the starting point.

B. Other information shows that the proponent's updated traffic analysis undercounts traffic on Central Avenue.

The proponent's based their original report on observations made on February 4, 2021. That report stated 661 vehicles were observed traveling north on Central Avenue and 152 were traveling south between the morning peak hour of 7:30 to 8:30 am. (Figure 3 of proponent's Traffic Study p.12 and Projected Peak Hour Chart p.20). After being told that the observations during Covid would not be valid as they would severely undercount the true traffic, the proponent submitted a revised report which included pre-Covid traffic volumes from the Needham Engineering Division. Without explanation, the report states a 2016 count obtained just south of the RTS was the most useful. The report does not indicate when the count was taken. The report then uses a growth rate of 1.6% to extrapolate a morning peak hour of 1166 cars headed northbound and 295 headed south bound.

A traffic count conducted by Needham in 2006 at the intersection of Central Avenue and Charles River Street in preparation for the installation of a traffic signal suggests that this extrapolation may still undercount the traffic on Central Avenue. On October 11, 2006 the vehicle counts for the morning peak hour in front of 1688 Central Avenue were 974 headed North and 138 headed south.³ Applying the proponent's growth rate of 1.6% annually would estimate the number of vehicles passing 1688 Central Avenue in 2021 during the morning peak hour would be 1236 vehicles traveling northbound and 176 southbound. This projection makes no allowances for any specific traffic generating activities or development that have occurred during the past 15 years. Changes in the operating hours of the Newman School and the elimination of free school bus transportation for much of the neighborhood have greatly increased peak hour traffic.

C. The proponents present, without explanation, different numbers of expected site generated trips in its two reports.

The Proponent's first report states, "that the project is expected to generate approximately 104 new morning peak trips with 55 inbound and 49 outbound " (p.2). In contrast, the second report states, "This project is expected to generate 76 new morning peak trips with 40 in bound and 36 outbound" (p 2). No explanation is offered for this change, which has nothing to do with the impact of the pandemic on Central Avenue traffic, and the Planning Board should press the Proponent on this point to ensure that it is not changing traffic numbers to artificially appear that its project will have a minimal impact traffic.

Under both scenarios, the trip generated during the peak hour will have a significant impact on the immediate neighbors and the traffic on Central Avenue. With 104 trips in the peak hour, 1.7 cars will

³ The total number of cars headed north past 1688 Central is reached by adding the number of vehicles which went through the intersection on Central Avenue northbound, the number turning left from Charles River Street eastbound and the number turning right from Charles River Street westbound. The total number of cars headed southbound past 1688 Central Avenue is reached by using the number of cars on Central Avenue southbound that reached the intersection during the peak hour. (Central Avenue at Charles River Street Turning Movement Count (7:00-9:00 AM), attachment 3.)

be trying to enter or leave the center each minute. If the site generates 76 trips, 1.2 cars will try each minute.

D. The proponent's submission is incomplete because it provides no information about the project's impact on traffic flow on the neighbors.

The By-Laws require the consideration of any project's impact on traffic flow both on the site and on surrounding streets. The importance of traffic to this particular project was explicitly made known to the developer. Yet, the information submitted concerning traffic is incomplete. In its April 2 comments submitted on the proposal, the Department of Public Works noted the submitted traffic report does not include data about evening peak hour traffic conditions, accident data and details about the driveway opening and sidewalk improvements in front of the property.

In addition, the proponent's Traffic Impact Report fails to compare future expected traffic growth with and without the proposed building, and does not include a discussion of expected nearby off-site developments. The reports present no discussion of the increase in the number of daily trips generated by a building of this size and use compared to maintaining the parcel's current use as a residence. Using standard ITE formulas included in the proponent's report, a child care facility at 9,966 square feet generates 475 trips, a facility for 100 children generates 409, and a facility for 120 children generates 491 trips. In comparison, the ITE estimates a single family dwelling to generate 10 trips. These numbers present the increased level of traffic abutters and the neighborhood will endure throughout the day if the project is allowed to proceed at its proposed size. The By-Laws require the Planning Board to review the true impact of a proposed development on the area. The proponent has not done so; the Board must.

The site review application also omits any information about the impact of the placement of the driveway on surrounding homes and Temple Aliyah. While the DPW was particularly interested in the impact of the driveway design on the catch basin, the placement of the driveway is critical to the traffic flow and the ability of neighbors to enter and leave their own property safely. The By-Law specifically requires the Planning Board to review the placement of driveways in relation to traffic and adjacent streets. The proponents should demonstrate how the addition of a daycare center with 100 children and staff will allow neighbors to safely enter and leave their homes at all times. The operation of the day care center brings traffic into and out of the site during the highest traffic periods. The most recent report states the majority of site bound traffic will have to cross the heavier northbound traffic lane to enter the site in the morning. Simultaneously, other cars will be seeking leave, some trying to turn right and increasing the heavier northbound traffic, and others needing to cross the busier lane to turn left.

The impact of the driveway on neighbors is not a theoretical concern. Table 5 lists the placement of neighborhood driveways in relation to the proponent's design. This data makes clear that the family at 1681 will be blocked from entering Central Avenue each time a single car waits to enter the daycare center. The family at 1689 will be blocked if two cars headed south wait to turn into the center. The other homes on the street and the Temple will also be impacted by cars waiting to turn into the daycare's driveway, as well as by cars exiting the driveway and adding to the already existing backup along Central Avenue traveling north. The delay as cars wait to enter the facility will create a ripple effect in traffic that will impact the adjacent homes and streets. Moving the driveway simply shifts the brunt of the problem to different homes. Yet, the proponent's site review offers no information about the issue.

Further, the placement of the driveway impacts the light glare created by headlights onto neighboring properties. By-Law s. 5.3.4 requires off-site glare from headlights to be controlled by the

proponents. It is essential that screening be designed to shield all neighboring buildings from the impact of traffic coming onto and off site, including neighbors on the north side of the site and across the street. The submission does not address the impact of headlight glare.

The plan also gives no consideration to the activities which are conducted at Temple Aliyah, which will hopefully return to its normal activities once the pandemic ends. For example, how will the addition of the daycare center impact the traffic during after-school activities? The proponent also ignores the impact of the operation on pedestrian safety near the site. The proponents do not mention these issues in either of its Traffic Impact Reports, or in its March 11 letter to this Board. The site review should be rejected.

Table 5: Distance from Proposed Driveway to Existing Driveways

Address	Distance to Driveway	Direction from site	Number of Cars 16' length** 3 ft spacing	Number of Cars 17' length 3 ft spacing
1663 Central	Opposite		-	-
1681 Central	49.5'	North	2	2
1695	117	South	6	5
1703	157	South	8	7
1708 Central	172	South	9	8
1664 Central (Temple)	208'	North	10	10
1653 Central	246'	North	12	12
1652 Central	273'	North	14	13

*Standard length for a car: 15-16 feet

<https://anewwayforward.org/average-car-length/>

** Standard length for an Odyssey Minivan: 17'

<https://owners.honda.com/vehicles/information/2020/Odyssey/specs#mid^RL6H9LKXW>

Car numbers are rounded down to the lowest full car number.

The distance of the neighbors' driveways from that of the proposed project was measured using Needham's NSIS mapping.

E. The proponent's offer no information about the plan's impact on the adjacent streets.

The By-Laws require the proponent to provide the Planning Board with information concerning "reasonable anticipated conditions," but no information has been offered about the impact of the increased traffic and the increase in delays on the intersections of Central Avenue and Marked Tree, Pine

Street, Carleton Drive, Country Way and Charles River Drive. In the absence of this information the site review should be rejected.⁴

F. The Board should enlist the assistance of the Traffic Management Advisory Committee.

Finally, the By-Laws permit the Planning Board to send copies of any proposed building project to any town agency deemed appropriate. (s.7.4.4). The neighbors ask the Planning Board to enlist the comments of the town's Traffic Management Advisory Committee, which may offer information and perspective about the actual traffic conditions on Central Avenue and what, if any measures could be used to address the impact of the proposed project.

II. The Planning Board's review of the proposed design should find that the relationship of structures and open spaces to the natural landscape, existing buildings and other community assets is out of harmony with the surrounding area.

The building as proposed is out of harmony with the surrounding area. It is significantly larger than surrounding homes; it is closer to the street than any other building on this section of Central Avenue; and its grade is higher. Table 6 below reflects the footprints and setbacks of the proposed building, the nearby homes and the Temple as measured using the town's GIS map. The facts are that residences in this area have a smaller footprint than the proposed project and all buildings are set much further back than the design proposes. The general rule here is that larger buildings, including the Temple, are set further back from the street. In referring to its size, the proponent's March 12 letter to this board states that it is smaller than Temple Aliyah and that it is within the guidelines for residential homes in the area. Needham's zones this area residential, and it is important to consider the impact on the residential nature of the area of putting two large non-conforming buildings next to each other.

TABLE 6: Comparison of Footprint Size and Setback of 1688 Central Avenue to Neighboring Homes and Temple Aliyah

Address	Approximate Footprint	Proposed Footprint Is % Larger	Approximate Setback
1688 Central	9960 + 2835(existing Barn)= 12,795 sf	-	40'
1708 Central	1612 sf	794%	65'

⁴ Any request by the proponent to waive submission of additional information should be denied, and the site plan as submitted should be rejected. *See Prudential Insurance Co. of America v. Board of Appeals of Westwood*, 23 Mass. App. Ct. 278, 283-284 n.9 (1986), which clearly states it is within the power of site plan review boards to reject a site plan that fails to furnish adequate information on the various considerations imposed by the by-law as conditions of the approval of the plan.

1652 Central	2714 (house) +830 (garage)= 3544 sf	361%	109'
1729 Central	3350 sf	382%	103'
1719 Central	2280 sf	561%	102'
1711 Central	2400 sf	533%	109'
1703 Central	2774 sf	461%	110'
1695 Central	2976 sf	430%	101'
1689 Central	2901 sf	441%	117'
1681 Central	2820 sf	454%	115'
1663 Central	2295 sf	557%	116'
1653 Central	3550 sf	360%	114'
1664 Central Temple Aliyah	20,844 sf	61%	213'

Furthermore, the entire project is front loaded on the site. From the street to the end of the proposed building and fenced playground is approximately 385 feet. The lot extends another 594 feet. The lot has the square footage to permit any building to be set further back on the property. The Design Review Board's comments call for the building to be re-situated, either by reconfiguring it or removing the barn. Moving the building back will also be in keeping with the requirements of By-Law s. 5.3.6, which states "Site arrangements and grading shall minimize the number of removed trees 8" trunk diameter or larger." Requiring the building to be set back further could preserve a large tree currently destined to be removed, which is especially important given the number of trees that have already been cut. No reason has been offered for the designed placement of the building. Only a smaller, more appropriately sited building could come closer to the requirement of consistency with the residential neighborhood, while potentially reducing traffic impact. It is fully within the authority of the Planning Board and Building Officials to control both the size of the proposed building and its placement on the lot.

Conclusion

The Board should reject the proposed site review as a Minor Project, treat the proposal as a Major Project as required under the By-Law, follow that process to ensure full input from and protections of the neighbors, and carefully consider what changes in the plan and special permitting is necessary to preserve the interests of the residents of Central Avenue and the entire town.

ATTACHMENT 1

606 CMR: DEPARTMENT OF EARLY EDUCATION AND CARE

606 CMR 7.00: STANDARDS FOR THE LICENSURE OR APPROVAL OF FAMILY CHILD CARE; SMALL GROUP AND SCHOOL AGE AND LARGE GROUP AND SCHOOL AGE CHILD CARE PROGRAMS

610 CMR 7.10(9)(b)

(b) Fixed Age Groups. Children may be assigned to groups with others within their same age range, as specified by the Department provided the requirements of 606 CMR 7.10(9)(b)1. through 6. are met. The fixed age group ratios and groupings below may be used by large group and school age child care programs.

Regulation Number	Age Group/Full or Half Day Program	Maximum Group Size	Educator/Child Ratio	Educator Qualifications
606 CMR 7.10(9)(b)1.	Infants (up to 15 months old) (Full or Half Day)	7	1: 3, one additional educator for four – seven infants	At least one Infant/Toddler Teacher, per 606 CMR 7.09(18)(c)2.
606 CMR 7.10(9)(b)2.	Toddlers (15 to 33 months) (Full or Half Day)	9	1:4, one additional educator for five – nine toddlers	At least one Infant/Toddler Teacher, per 606 CMR 7.09(18)(c)2.
606 CMR 7.10(9)(b)3.	Preschoolers 33 months to school age (Full Day)	20	1:10	At least one Preschool Teacher, per 606 CMR 7.09(18)(c)2.
606 CMR 7.10(9)(b)	Preschoolers 33 months to school age (Half Day)	24	1:12	At least one Preschool Teacher, per 606 CMR 7.09(18)(c)2.
606 CMR 7.10(9)(b)5.	Kindergarten (attending first grade the following year)	30	1:15	At least one Preschool Teacher, per 606 CMR 7.09(18)(c)2.
606 CMR 7.10(9)(b)6.	School Age	26	1:13	At least one Group Leader, per 606 CMR 7.09(19)(a)2.

ATTACHMENT 2

Needham Children's Center, Inc.

858 GREAT PLAIN AVE Needham , MA 02492-3030

Program Information

Name: Carole Sullivan,Susanne Teachout

Provider Number: P-170073

Capacity: 113

Type of Care: Large Group

First Licensed On: 01/01/1981

Provider Status: Current

Most Recently Renewed: 08/03/2020

Umbrella: ⓘ Needham Children's Center, Inc.

EEC Licenser: Karen Lessard

EEC Regional Office Address:

324-R Clark Street , Worcester , MA 01606

Full Year Schedule



Temp/Emergency:

Open Holidays: ⓘ

Accepts Children: ⓘ

Drop In Care Available: ⓘ

Extended Day option available: ⓘ

	HOURLY		DAILY		WEEKLY		MONTHLY		OTHER	
Age Group	Part	Full	Part	Full	Part	Full	Part	Full	Part	Full
Toddler Age Group				\$135.00		\$520.00				
Kindergarten Age Group				\$47.00		\$160.00				
Preschool Age Group				\$120.00		\$454.00				
School Age Group				\$62.00		\$561.00				

Day	Start Time	End Time
Friday	07:30:00 AM	06:00:00 PM
Monday	07:30:00 AM	06:00:00 PM
Thursday	07:30:00 AM	06:00:00 PM
Tuesday	07:30:00 AM	06:00:00 PM
Wednesday	07:30:00 AM	06:00:00 PM

Ages Served and Capacity

Infant (birth - 15 mo) ?	7
Toddler (15 mo - 33 mo) ?	18
Preschool (33 mo - K) ?	52
Kindergarten ?	0
School Age (5 yr - 14 yr) ?	36
Infant Toddler (birth - 33 month) ?	0
Toddler Preschool 15 mo - k ?	0
Preschool SA 33 mo - 8 yr ?	0
Multi-Age Group (birth - 14 yr) ?	0

Needham Children's Center Inc.

23 Dedham Ave Needham , MA 02492-3007

Program Information

Name: Susanne Teachout

Provider Number: P-170074

Capacity: 30

Type of Care: Large Group

First Licensed On: 01/31/1989

Provider Status: Current

Most Recently Renewed: 08/03/2020

Umbrella: ⓘ Needham Children's Center, Inc.

EEC Licenser: Karen Lessard

EEC Regional Office Address:

[324-R Clark Street , Worcester , MA 01606](#)

Full Year Schedule



Temp/Emergency:

Open Holidays: ⓘ

Accepts Children: ⓘ

Drop In Care Available: ⓘ

Extended Day option available: ⓘ

	HOURLY		DAILY		WEEKLY		MONTHLY		OTHER	
Age Group	Part	Full	Part	Full	Part	Full	Part	Full	Part	Full
Preschool Age Group						\$445.00				

Day	Start Time	End Time
Friday	07:30:00 AM	06:00:00 PM
Monday	07:30:00 AM	06:00:00 PM
Thursday	07:30:00 AM	06:00:00 PM
Tuesday	07:30:00 AM	06:00:00 PM
Wednesday	07:30:00 AM	06:00:00 PM

Ages Served and Capacity

Infant (birth - 15 mo) ?	0
Toddler (15 mo - 33 mo) ?	0
Preschool (33 mo - K) ?	30
Kindergarten ?	0
School Age (5 yr - 14 yr) ?	0
Infant Toddler (birth - 33 month) ?	0
Toddler Preschool 15 mo - k ?	0
Preschool SA 33 mo - 8 yr ?	0
Multi-Age Group (birth - 14 yr) ?	0

Source: https://eeclead.force.com/apex/eec_childcaresearchproviderdetail?id=001j000000qhjokAAA

Attachment 3
Traffic Count Conducted by the Needham Engineering Division
October 11, 2006

CENTRAL AVENUE AT CHARLES RIVER STREET TURNING MOVEMENT COUNT (7:00-9:00 AM)												
DATE	APPROACH	MOVEMENT	7:00-7:15	7:15-7:30	7:30-7:45	7:45-8:00	8:00-8:15	8:15-8:30	8:30-8:45	8:45-9:00		
10/11/06											AM PEAK HOUR	
	CENTRAL AVENUE SOUTHBOUND										7:30-8:30 (1487 VEHICLES)	
		LEFT	3		5	2		1	1	3		
		THRU	21	37	25	36	42	35	41	46	% H.V./BUS = 5.4%	
		RIGHT	3	4	4	4	4	5	3	8		
	CENTRAL AVENUE NORTHBOUND											
		LEFT	6	22	28	19	22	33	18	12		
		THRU	111	188	194	194	198	180	157	106		
		RIGHT		1	3	2	1	2	3	4		
	CHARLES RIVER STREET EASTBOUND											
		LEFT	21	53	53	57	42	45	42	37		
		THRU	10	27	27	37	29	30	31	34		
		RIGHT	7	8	3	11	6	7	6	11		
	CHARLES RIVER STREET WESTBOUND											
		LEFT					1		2	1		
		THRU	10	5	22	21	27	19	19	18		
		RIGHT	4		5	3	1	2	2	5		
			196	345	369	386	373	359	325	285		

From: [Meredith Fried](#)
To: [Selectboard](#); [Planning](#)
Subject: 1688 Central Project
Date: Sunday, April 4, 2021 1:51:57 PM

To the Select Board and Planning Board of Needham –

My name is Meredith Fried and I live at 136 Stratford Road in Needham. First, thank you all for your service to our town. I understand you deal with myriad projects and issues and appreciate your attention to making good choices for our town and our residents. I have lived in Needham for more than 18 years and am grateful to those who have worked to make this a wonderful town for our families.

I am writing to join friends and neighbors in our concern around the proposed project at 1688 Central Avenue. I was part of a call with the day care center owners recently and they certainly seem like lovely people. I think the idea of having a child care center nearby – especially one that sounds like it is run with wisdom and heart – is a nice one. However I have concerns about the way the project has been proposed and the potential challenges it will pose for people in neighborhoods on this side of town.

At the outset, my understanding is that this project has been designed so that it doesn't require the scrutiny of a "major project." However it seems to fall only slightly below that on several levels and makes me very concerned that once it is created it will then be ripe to ask for variances for additions, building renovations and parking spaces that would make it a much bigger center than it's being sold as at the moment. I think if the builders and day care center owners would be willing to somehow codify that this center would never get beyond the size that's being discussed, I would have many fewer concerns. However, without that I am left to imagine that my current concerns would only increase once this becomes a larger child care facility.

My main concern is based on the increase in traffic along Central Avenue. The developer has provided traffic studies but they seem rather disingenuous, as they were done during our current pandemic. In the past year since the pandemic began, traffic has decreased SIGNIFICANTLY. Though it has started to rise up from zero, as it was last spring, it is certainly nowhere near the level it was at pre-pandemic. If for no other reason, there is only half the population attending Newman on any given day. However, I know it's also significantly reduced by people (like my husband) working from home and not driving down Central Ave.

I have concerns about adding to the traffic on Central not just from a convenience standpoint but from a safety standpoint as well. One concern is the ability for emergency vehicles to safely pass with significantly increased traffic. I also have concerns about having many people trying to turn left from Central into the proposed daycare as well as concerns about the safety of children/families walking or biking down Central on their way to Newman, Pollard or the High School. While eliminating that left hand turn and forcing people to loop around to Charles River may help the Central Ave traffic, it seems like that option simply pushes the problem elsewhere into the surrounding neighborhoods and will cause traffic and safety issues there.

I know there is more to learn about this proposed project and as concerned neighbors and town residents we are very willing to discuss the potential issues and come up with creative solutions that serve everyone's needs. I look forward to the planning board giving this true consideration and recognizing that this is not a small project but a major one, and one that deserves the attention of and collaboration with all parties involved to ensure the safety of residents throughout the town.

Thank you very much for taking a detailed look at this project and hearing the voices and concerns of all those impacted.

Regards,

Meredith Fried

Michaela A. Fanning
853 Great Plain Avenue
Needham, MA 02492
617-947-9474 (Cell)

April 5, 2021

Via email at aclee@needham.ma.gov
Needham Planning Board
Lee Newman, Director
Planning And Community Development
1471 Highland Avenue
Needham, MA 02492

Re: Parking/Traffic at Needham Children's Center

To Whom It May Concern:

I write the letter at the request of Needham Children's Center, Inc. ("NCC" hereafter) in connection with its proposed new location at 1688 Central Avenue, Needham, Massachusetts. As a parent of a child who attended NCC for many years and a resident of the property directly across the street from the NCC facility, I write this letter without reservation and am happy to do so to support NCC. Joining me in support of NCC are my neighbors, Matt Gore (whose children also attended NCC) and Gregg Starr. We share the building located at 853-855 Great Plain Avenue directly across the street from NCC.

My daughter attended several NCC programs from preschool through the afterschool program and summer camps. NCC is an efficient, well-run program on all levels including car and foot traffic as well as parking. There was never a time when I dropped my daughter off in the morning or picked her up in the afternoon when there was a rush of parents all picking up at the same time. Drop off and pick up was naturally staggered based on the myriad of work situation(s) and schedule(s) of the respective parents.

On a typical day, there would be 3-4, perhaps sometimes 5 parents picking up when I collected my daughter at the end of the day. As far as the morning drop off, I was usually 1 of 3-4 parents dropping off at the same time as we all caught the same train into Boston.

Lee Newman, Director
Planning And Community Development
April 5, 2021
Page Two

I have lived across the street from NCC for 21 years. Neither my neighbors nor I have ever witnessed a traffic flow problem and/or back up and/or parking issue caused by parents either dropping off at or picking up their children from NCC.

I spend as much time as possible on my front porch when weather permits. The only time I have ever witnessed a traffic problem is when the YMCA runs its soccer program on Saturdays in the fall and spring. But as far as NCC is concerned, its program has never created a traffic issue. I suspect that will be even more true now because of the pandemic since more parents will be working from home and will have more flexible work schedules. Presumably, that will result in an even more staggered flow of car and foot traffic at the beginning and end of the day especially since fewer parents will be beholden to train schedules and/or traffic congestion when commuting to Needham for pick up.

We urge you to grant NCC whatever permits it needs to operate its business at its new proposed location. Frankly, I will miss seeing the children playing games outside and hearing their laughter when they do. The neighbors in the Central Avenue area will not regret allowing this business to become their neighbors. The staff has always been respectful and responsive to its surrounding neighbors. Gregg, Matt and I have enjoyed having them as neighbors for all these years.

I wish NCC the best of luck in the new location.

Sincerely,


Michaela A. Fanning

Cc: Matthew Gore
Gregg Starr

From: [Maggie Abruzese](#)
To: [Selectboard](#); [Planning](#); [Lee Newman](#); [Alexandra Clee](#); jabruzese@yahoo.com
Subject: 1688 Central Avenue
Date: Monday, April 5, 2021 3:52:05 PM

Dear Planning Board and Select Board of Needham, Ms. Newman and Ms. Clee,

We are writing to request that you designate 1688 Central Avenue as a Major Project and that it receives the review required as such. This project meets the threshold of Major Project for two separate reasons, each of which is sufficient to classify it as a Major Project: (1) it increases gross floor area by more than 5000 square feet and (2) it will require the creation of 25 or more new off street parking spaces.

Section 7.4.2 of the Needham Town bylaws define Major Project:

MAJOR PROJECT – Any construction project which involves: the construction of 10,000 or more square feet gross floor area; or an increase in gross floor area by 5,000 or more square feet; or any project which results in the creation of 25 or more new off-street parking spaces.

The current gross floor area of 1688 Central is 7,463 according to Needham Assessors Records (1663 sq.ft house, 4800 sq ft barn, 400 sq. ft detached garage, 600 sq. ft. detached garage). The plan submitted by Mr. Borelli proposes replacing the house and garages with a building of 9966 gross floor area in addition to keeping the existing barn. This brings the gross floor area up to 14,766 sq. ft., an increase of 7,303 sq. ft. Therefore this project involves “an increase in gross floor area by 5000 or more square feet” which makes it a Major Project.

The proposal submitted by Mr. Borelli indicates that there will be 24 parking spaces at the new building. However, the building as designed is sufficient to hold 120 children. The parking attendant to a 120 child daycare center (with the required teachers, administrators, maintenance staff, parent parking, etc.) is more than 24 parking spaces. The Board must consider full building capacity and ensure that the project is designed to meet the needs of full building capacity. It is not sufficient for the developer to suggest that they don’t intend to utilize the space to full capacity in order to classify the project as minor. That would be as silly as allowing a homeowner to claim that they are not planning to use certain portions of a home in order to escape zoning review triggered by those portions. If the project is big enough to have the space for 120 children, they must comply with regulations for 120 children which would mean space for the necessary staff and parent parking.

Because this project adds more than 5000 sq. ft., and independently because this project must have more than 24 parking spaces, it is a Major Project subject to increase scrutiny. For this reason, we request that you reject Mr. Borelli’s attempt to classify it as a minor project.

Sincerely,

Margaret Abruzese
Joseph Abruzese
30 Bridle Trail Rd.
Needham, MA 02492
(617) 429-2264

**253 Charles River Street
Needham, MA 02492**

April 5, 2021

selectboard@needhamma.gov
Needham Select Board

planning@needhamma.gov
Needham Planning Board

Re: Comments on Proposed 9,960 Square Foot Daycare Facility at 1688 Central Avenue

We believe that this project should be treated as a “Major Project” and undergo the full review required of Major Projects under Section 7.4.3 of the Needham Zoning By Laws (NZBL). This project will have major implications on the neighborhood so it needs to undergo a full and proper review.

Traffic Congestion

We have lived on Charles River Street since 1994. The traffic on Central Avenue has increased a great deal in the years we have lived on Charles River Street. When we first moved to Charles River Street, it felt like living in the country. As building increased in Needham and the surrounding towns, the traffic on Central Avenue has increased greatly each year. In fact, people from as far away as Franklin use Central Avenue as a traffic route to Boston. There is no way that traffic on Central Avenue deserves an “A” rating.

It is important to look at the traffic patterns pre-Covid since traffic will return as the pandemic subsides. Pre-Covid, leaving the house around 7:30 to 8:00 am, it would take multiple cycles of the traffic light at the corner of Central Avenue and Charles River Street before there would be a break in traffic and we could exit our driveway on to Charles River Street. The problem was that cars were not able to make the left turn from Charles River Street on to Central Avenue because Central Avenue would be backed up to at least Temple Aliyah and sometimes to Charles River Street.

The issue of access to the neighborhood by the fire department, ambulances and police is a real issue. Last May 2020, we had a major fire at our house which caused substantial damage (we are living out of our house for at least 15 months). The fire occurred in the evening so the fire trucks, which came from many towns, could get to our house fairly quickly. What would have happened if the fire had occurred during the day? How would the fire trucks have been able to deal with the Central Avenue traffic to get to our house?

Lack of Sidewalks and Crosswalks

Walking around the neighborhood is dangerous due to the lack of sidewalks and crosswalks. We live a short walk to Temple Aliyah and would like to walk to the Temple for various events. However, it is quite dangerous to walk along Central Avenue with the amount of traffic, even on weekends and holidays. In addition, we would like to take advantage of the entrance to the Rail Trail on Charles River Street, but it is even more dangerous to walk to the Rail Trail since there are no sidewalks on Charles River Street and the road is narrower on that end of the street.

It would have been nice if our son could have walked to Newman School when he attended it. However, given the lack of sidewalks and crosswalks on Charles River Street and Central Avenue, and the congested traffic on Central Avenue, it was never safe for him to do so. This is another benefit (walking to school), of which the neighborhood cannot take advantage.

Lack of Transparency Regarding this Proposal

We are troubled by the lack of transparency regarding this proposal and the appearance that it is receiving treatment not in keeping with Needham Zoning By Laws. A project of this magnitude will have a large impact on the surrounding neighborhood so it should be treated with the highest care. In addition, since the Developer is a member of the Needham Select Board, this raises concerns about conflict of interest and ensuring that the process is without improper influence.

In addition, we were amazed to read that town sewer service will be extended from the tie in at Country Way down to 1688 Central Avenue, and would like to understand how this is possible. We do not have town sewer service or gas lines and have always been told by the town that such services would never be extended to our neighborhood. How is it that the benefit of having town sewer service is being extended to this proposed development?

We would appreciate answers to the questions raised by this proposed development.

We would be happy to discuss our experiences in further detail.

Sharon Cohen Gold
617.610.1020

Evan Gold
617.974.1219

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

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

EVANS HUBER

781-943-4043
EH@I28LAW.COM

April 6, 2021

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

Re: 1688 Central Ave, Needham; Minor Project Site Plan Review

Dear Ms. Newman:

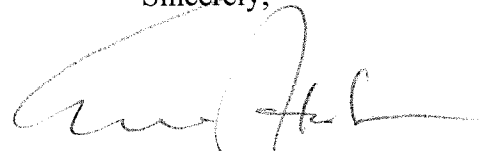
Pursuant to our conversation yesterday, Needham Enterprises is requesting that the hearing on its application for minor project Site Plan Review be taken off the agenda for the meeting of the Planning Board tonight. You have advised me that the earliest date that is available to reschedule the matter is May 18; accordingly, we are requesting that the hearing be moved to May 18. You have also advised me that the Board is requesting that the applicant agree that the Board may have an additional 30 days after the May 18 hearing to issue a decision (or recommendations) in the matter. The applicant agrees to this as well.

We are obviously aware that the question of whether this proposed project is subject to the requirements for major project Site Plan Review has been raised with the Board. We are considering that issue. In the meantime, it remains the position of the applicant that the project qualifies for minor project site plan review.

Please confirm that the matter is on the Board's agenda for May 18.

Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Evans Huber', written over a light blue horizontal line.

Evans Huber

EH:sfc

From: noreply@civicplus.com
To: [Alexandra Clee](#); [Lee Newman](#); [Elisa Litchman](#)
Subject: Online Form Submittal: Contact Planning Board
Date: Friday, March 26, 2021 8:03:20 PM

The following form was submitted via your website: Contact Planning Board

Full Name:: Robert J Onofrey

Email Address:: robert.onofrey@gmail.com

Address:: 49 Pine Street

City/Town:: Needham

State:: MA

Zip Code:: 02492

Telephone Number:: 3392250436

Comments / Questions: I'm writing to oppose the planned Daycare Development at 1688 Central Avenue. Central Avenue is a heavily traveled roadway and the additional traffic of parents dropping off their kids during the rush hours is problematic. Central Avenue isn't wide enough to create a left turn lane if traveling towards Dover and attempting to enter the proposed Daycare site. Cars existing the site will also encounter problems if they attempt to turn left and head towards Dover.

The best use for this site is Residential. With over 3 acres of land - this property could easily accommodate two residences - sharing a common entrance drive.

Additional Daycare facilities are needed in Needham - but this is not the right location. I ask that you deny this use at this site.

Additional Information:

Form submitted on: 3/26/2021 8:03:12 PM

Submitted from IP Address: 73.119.205.56

Referrer Page: No Referrer - Direct Link

Form Address: <https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fneedhamma.gov%2fForms.aspx%3fFID%3d229&c=E,1,9uhaH8qGV-aObnIGKK63o7VWiSSxakH8bz7Pied9i0TyeNgbch4zHbjojL6SqL1REeGn-dJpDESiB-yKPt0RjCgQP7PIG4cAQQfdKPGcYw..&typo=1>

From: noreply@civicplus.com
To: [Alexandra Clee](#); [Lee Newman](#); [Elisa Litchman](#)
Subject: Online Form Submittal: Contact Planning Board
Date: Wednesday, March 31, 2021 12:10:28 PM

The following form was submitted via your website: Contact Planning Board

Full Name:: Norman MacLeod

Email Address:: macleod@aol.com

Address:: Pine Street

City/Town:: Needham

State:: MA

Zip Code:: 02492

Telephone Number:: 781-444-7525

Comments / Questions: I am writing to express my concern with proposed development of 1688 by Matt Borelli, sitting member of the Needham Select Board, with a Day Care facility for 80-120 children.

The traffic flow on Central Avenue in this area during the morning and evening commute is already awful. It was not uncommon during the pre-Covid period to have morning traffic backed up beyond Pine Street on the north bound side and evening traffic was often backed up to Marked Tree Road on the south bound side. The additional traffic created by parent drop offs and pick-ups during peak traffic periods with (80-120 trips IN and OUT each morning and (80-120 trips IN and OUT in the evening) would further severely impact the traffic flow on Central Avenue. Virtual all of these vehicles will need to cross this congested traffic either going into or exiting the proposed Day Care site both morning and evening commute creating further congestion a serious safety issue.

The traffic study presented to the neighborhood by Matt Borelli and his team was a Joke. It gave this area of Central Avenue an "A" rating. Study was conducted on February 4, 2021 (Covid-19). The traffic engineer said he had compared this flow with that of Goddard School of Medfield stating the 1688 site compared favorably with that of the Goddard School. He failed note Goddard School (Medfield) has two INS and two OUTS to access their site (one on N. Meadow Rd -- Rt27 and one on Main Street). The Rt 27 entrance to Goddard also has a turn off lane to access the site. He also failed to note Goddard has (36) parking spaces on site and there is very ample space for vehicles to cue on site while awaiting pick-up or drop off children (Google Earth arial view of Goddard will support these comments). The proposed site at 1688 is totally lacking in all of these areas. The inability to have vehicles cue on site at 1688, coupled with no turn-off lane on Central Avenue (single lane road in both directions) will back this traffic onto Central Avenue will further disrupt the flow on Central avenue and potentially impede Needham Police and Fire from carrying out the mission to Walker School and residence in this area of Town.

Vehicles unable to access the Day Care center coming from the south will likely attempt to cue on the "unapproved" sidewalk making this unsafe for walkers, joggers and children on their way to school or play. Dover, Sherborn and other communities south of Needham frequently use Central Avenue on their route to BIDLH and Newton Wellesley Hospital. This additional congestion during peak traffic periods will further impact their response time and mission.

Also, there is a question of conflict of interest with Matt Borelli being the owner and developer of this property while a sitting member of the Needham Select Board. Needham does not want or need the negative publicity and expense Weston recently experienced with a sitting member of their Select Board and a project where he was deeply involved.

In short -- The proposed use of 1688 Central Ave as a Day Care Center is very inappropriate on many counts. I have focused mainly on traffic, impact and safety. There are many other reasons this site is not appropriate for a (80-100-120) child Day Care Center as is currently proposed.

The development of this site with one or two residential properties on would be very appropriate. This would fit in with surrounding homes in the immediate area well as the surrounding neighborhoods. It would have no impact to an already serious traffic issue on Central Avenue.

Additional Information:

Form submitted on: 3/31/2021 12:10:18 PM

Submitted from IP Address: 108.7.69.11

Referrer Page: https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.needhamma.gov%2f1114%2fPlanning-Board&c=E,1.Pm-HV8Es6LgWq6XFDKM_mbsvnu2BTUVpunuG_PDYQQHrD9V2u0f7v08uOgkYI2NwMoIV7pRE1JPJTkFhg6lhWaRo_v9Owpc8Y7ifO0WrvVL4e8kyZSnBv0SOYBA.&typo=1

Form Address: https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fwww.needhamma.gov%2fForms.aspx%3fFID%3d229&c=E,1.D1cWprQDJrx1KW93sM199a4BkV_C0EGteB0ILLSVw-16gM7K3sAxpZtlzgozp8yOehzB7ekOzJzaN82XwmFyMgx_V2IDSCZhduB7MqEmqSdwh3Jx9WlZrJ&typo=1

From: [Tara Gurge](#)
To: [Alexandra Clee](#)
Cc: [Lee Newman](#)
Subject: Public Health Division's reply to Planning Boards Request for comment - 1688 Central Avenue
Date: Wednesday, March 24, 2021 2:12:41 PM
Attachments: [ALL APPLICATION materials minus Stormwater_reduced.pdf](#)
[Neighborhood Petition Regarding Development of 1688 Central Avenue in Needham.docx](#)
[image002.png](#)
[image003.png](#)
Importance: High

Alex –

Here are the Public Health Division comments for the **Project Site Plan Special Permit proposal at 1688 Central Avenue**. See below:

- Prior to demolition, we will need to ensure that the applicant fills out the online Demolition permit form, through the Building Dept., via ViewPoint Cloud online permitting system, and submits the Demolition review fee along with uploading the required supplemental demolition report documents online, including septic system abandonment form and final pump report, for our review and approval (as noted on the form.)
- Ensure that a licensed pest control service company is contracted and will conduct routine site visits to the site, first initially to bait the interior/exterior of each structure to be raised prior to demolition, and also continue to make routine site visits (to re-bait/set traps) throughout the duration of the construction project. Pest reports must be submitted to the Health Division on an on-going basis for our review.
- If this proposal triggers the addition of any food to be served or prepped on site at this new facility, the owner must fill out and submit an online application for a Food Permit Plan Review packet. As part of this plan review, a food establishment permit will need to be applied for through the Public Health Division via the Town's ViewPoint Cloud online permitting system, which will require a review of the proposed kitchen layout plans, with equipment and hand sinks noted, along with any proposed seating layout plans where applicable.
- Please ensure that sufficient exterior space is provided to accommodate an easily accessible Trash Dumpster and a separate Recycling Dumpster, per Needham Board of Health Waste Hauler regulation requirements. These covered waste containers must be kept clean and maintained, and be placed on a sufficient service schedule in order to contain all waste produced on site. These containers may not cause any potential public health and safety concerns with attraction of pest activity due to improper cleaning and maintenance.
- As noted in the proposal, the applicant will be required to connect to the municipal sewer line, once it's brought up to the property, prior to building occupancy. A copy of the completed signed/dated Sewer Connection application, which shows that sewer connection fee was paid, must be forwarded to the Public Health Division for our record.
- No public health nuisance issues (i.e. odors, noise, light migration, standing water/improper on site drainage, etc.), to neighboring properties, shall develop on site during or after construction. We are in support of an extensive landscaping plan be developed on site to screen and enhance the site, and to ensure that noise and visual impacts are minimized for the benefit of the neighboring residential properties in this location. Additional buffering, by the addition of new vegetation, along with new plantings, is strongly encouraged.

- Proposed lighting on site shall not cause a public health nuisance, with lighting being allowed to migrate on to other abutting properties. If complaints are received, lighting may need to be adjusted so it will not cause a public health nuisance.
- The applicant must meet current interior/exterior COVID-19 Federal, state and local requirements for spacing of seating, HVAC/ventilation, face covering requirements, sanitation requirements and occupancy limit requirements, etc. Please ensure that proper occupancy limits are met in order to accommodate the most updated state COVID-19 requirements for this proposed facility to ensure the health and safety for the number of proposed students and staff on site.
- The Public Health Division is also in support of the comments and concerns noted in the letter entitled, 'Neighborhood Petition Regarding Development of 1688 Central Avenue in Needham,' that was received and distributed by the Planning Board, including the excerpt on the neighboring abutters' concerns regarding the previous uses of the property with reference to potential soil contamination that may be present. We conducted a file check for this property address and we support the neighbors request for a soil test based on a concern that was investigated by the Fire Dept. that was filed back on June 24, 2003. The applicant must ensure that the property is safe, which includes conducting proper soil testing of the site prior to construction, and also follow through with any necessary mitigation measures as found to be necessary, as part of this project approval.

Please let us know if you need additional information or have any follow-up questions on those requirements.

Thanks,



TARA E. GURGE, R.S., C.E.H.T., M.S.
ASSISTANT PUBLIC HEALTH DIRECTOR
Needham Public Health Division
Health and Human Services Department
178 Rosemary Street
Needham, MA 02494
Ph- (781) 455-7940; Ext. 211/Fax- (781) 455-7922
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Web- www.needhamma.gov/health



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STATEMENT OF CONFIDENTIALITY

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[Follow Needham Public Health on Twitter!](#)

From: Alexandra Clee <aclee@needhamma.gov>

Sent: Monday, March 22, 2021 2:50 PM

To: David Roche <droche@needhamma.gov>; Anthony DelGaizo <ADelgaizo@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Dennis Condon <DCondon@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>

Cc: Lee Newman <LNewman@needhamma.gov>; Elisa Litchman <elitchman@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>

Subject: Request for comment - 1688 Central Avenue

Dear all,

The Planning Board will be hearing about a proposal for a new daycare at 1688 Central Avenue on April 6, 2021. More information is included in the submitted documents, detailed below, which can be attached to this email (with the exception of the Stormwater Report) and can also be found at this location K:\Planning Board Applications\Planning_1688 Central Avenue_2021. Some of the application documents are attached, as noted, but not all, as the files were too large to include all. (some of you will receive a hard copy in the inter-office mail as well).

The documents attached for your review are:

1. Application submitted by Needham Enterprises, LLC with Exhibit A. *attached*
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3. Letter from Evans Huber Attorney, dated March 12, 2021. *attached*
4. Letter from Evans Huber Attorney, dated March 16, 2021. *attached*
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6. Plan set entitled "Site Development Plans, Daycare, 1688 Central Avenue, Needham MA," prepared by Glossa Engineering Inc., 46 East Street, East Walpole, MA, consisting of 10 sheets: Sheet 1, Cover Sheet, dated June 22, 2020; Sheet 2, entitled "Existing Conditions Plan of Land in Needham, MA," dated June 22, 2020; Sheet 3, entitled "Site Plan," dated June 22, 2020; Sheet 4, entitled "Grading and Utilities," dated June 22, 2020; Sheet 5, entitled "Landscaping Plan," dated June 22, 2020; Sheet 6, entitled "Construction Details," dated June 22, 2020; Sheet 7, entitled "Construction Details," dated June 22, 2020; Sheet 8, entitled "Sewer Extension Plan and Profile," dated "as noted November 19, 2020"; Sheet 9, entitled

“Construction Period Plan,” dated June 22, 2020; Sheet 10, entitled “Appendix, Photometric and Site Lighting Plan,” dated June 22, 2020.

7. Traffic Impact Study, dated March, 2021. *Attached*

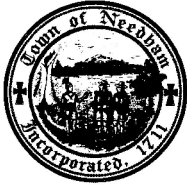
8. Stormwater Report, dated June 22, 2020.

I also have attached a letter from Abutters that we received today that I am sharing in case you wish to note the neighborhood concerns while you conduct your review.

The meeting where this topic will be presented to the Planning Board is April 6, 2021. If you wish to comment, please submit your comment by Wednesday March 31, 2021, so that the Petitioner has time to address any concerns or questions in advance of the hearing.

Thanks, alex.

Alexandra Clee
Assistant Town Planner
Town of Needham
500 Dedham Avenue
Needham, MA 02492
781-455-7550 Ext 271
Needhamma.gov



TOWN OF NEEDHAM

TOWN HALL
1471 Highland Avenue
Needham, MA 02492-2669

Design Review Board

Memo: Project Site Plan Review, 1688 Central Ave., Needham Enterprises LLC

Meeting Date: March 22, 2021

The Board reviewed the design drawings for the new building proposed for this site. Representing and presenting for the Applicant was Evans Huber, the attorney for the project. Present for the Design Review board were Deborah Robinson (vice-chair), Nelson Hammer, Steve Tanner, Bob Dermody and Len Karan. Mark Gluesing (chair) recused himself due to his involvement as architect for the project.

The proposed building is a day care facility of 9,966 SF to be located on a 146,003 SF lot in a residential neighborhood. The proposed one-story building would be set back 35 FT from the street. The site would include 24 parking spaces. While the existing residential building on the site and smaller out-building (garage) would be demolished, the barn structure is shown to remain. The project application indicates that the new building will be “designed to look like a large single-family home...”.

The Design Review Board’s comments to the Planning Board are as follows:

Site Plan

The Board has concerns regarding the siting of the building so close to the street. This is not in keeping with the character of Central Ave. We understand the parking and building access requirements, but those could be retained while adjusting the building away from central avenue, either by reconfiguring the building footprint or by demolishing the barn and moving the proposed building and parking further to the east. There is unused area to the east.

Building Design

The Board has concerns regarding the building exterior. The building is not residential in appearance. The west façade is the most important façade, and is too institutional in design. It is very flat. A residential-looking building would have more modulation of the massing, possibly including more three-dimensional window areas, a porch or overhang, etc. While the Applicant responded to this by indicating that the truss system for the roof structure is a limiting factor for the massing, we do not agree that that is a driving force for the architecture.

The Applicant’s screenshare presentation included a 3-D drawing of the building that was not in the package submitted to the Design Review Board.

Barn

The applicant’s representative stated that the barn would be retained without any renovation, there is no intended use for the time being, and that it is being retained because it is “historic”.

As noted above, the Board questioned whether keeping the barn is the best solution given the site plan issues. The Applicant did not know if the barn has any local or other historic designation that might affect a decision to retain or not retain the barn.

Lighting

The 24' high lights at the north side of the proposed driveway have a long distance between them, which would result in bright and dim spots. Better would be four rather than three pole lights at the north side, with 20' high poles. Lower fixtures would create less light trespass onto Temple property.

The site plan presented did not show lighting at the entry, as required by code. The applicant did clarify that there would be lighting at the entry canopy.

Fence

The fence at the south of the building is intended to be white vinyl. The Board comment was that this is very bright relative to the rest of the built elements, and another color would be preferable so as to not be as visible. Vinyl is also available in tan and gray, or another material could be used.

Trees

The north edge of the site, at the Temple Aliyah side, will indeed benefit from trees to screen the site, but the 15' spacing of white pines will not be satisfactory to form a true screen for several (5-10) years. The Board's recommendation is that additional species be added in this area, located in groupings of different species and staggered. The front (west) of the site would benefit from foundation plantings/trees at the building as well.

The sidewalk at the south of the building shows some trees very close to the walk. These would be too low and conflict with people. Either provide bigger/taller trees or move them away from the sidewalk.

Arborvitae are an acceptable selection as shown to the north of the parking.

The white pines shown to the south of the proposed building would also benefit from the same treatment as commented on for the north.

Parking

The dumpster enclosure at the east end of the parking limits the ability of the user of the end parking space to easily back out. Moving the dumpster enclosure to the east could easily provide more turning space for that vehicle.

There was some confusion due to the presented documents not matching what the DRB had received. This parking item is another example of a discrepancy.

The Board presents these comments for Planning Board consideration. These comments summarize and are limited to the comments made at the meeting, and are intended to relay the Board's thoughts in seeing this project for the first time. This is not intended to be minutes of the meeting. These comments do not document comments and explanations made by the Applicant in response to the Board's comments and questions. Any lack of comment on the Board's part in response to the Applicant's justifications or in response to comments made by the public does not constitute agreement.

End of Notes

From: [Dennis Condon](#)
To: [Alexandra Clee](#)
Subject: RE: Request for comment - 1688 Central Avenue
Date: Monday, March 29, 2021 10:39:09 AM
Attachments: [image001.png](#)
[image002.png](#)

Hi Alex,

We would want the drop off area be lettered to read "no parking drop off area only" so that we would have access with our ambulance and apparatus if needed. Otherwise our interior fire protection will be required to meet the fire and building codes.

Thanks,
Dennis

Dennis Condon
Chief of Department
Needham Fire Department
Town of Needham
(W) 781-455-7580
(C) 508-813-5107
Dcondon@needhamma.gov



Follow on Twitter: Chief Condon@NeedhamFire



Watch Needham Fire Related Videos on YouTube @ Chief Condon



From: Alexandra Clee <aclee@needhamma.gov>
Sent: Monday, March 22, 2021 2:50 PM
To: David Roche <droche@needhamma.gov>; Anthony DelGaizo <ADelgaizo@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Dennis Condon <DCondon@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>
Cc: Lee Newman <LNewman@needhamma.gov>; Elisa Litchman <elitchman@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>
Subject: Request for comment - 1688 Central Avenue

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The meeting where this topic will be presented to the Planning Board is April 6, 2021. If you wish to comment, please submit your comment by Wednesday March 31, 2021, so that the Petitioner has time to address any concerns or questions in advance of the hearing.

Thanks, alex.

Alexandra Clee
Assistant Town Planner
Town of Needham
500 Dedham Avenue
Needham, MA 02492
781-455-7550 Ext 271
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**TOWN OF NEEDHAM, MASSACHUSETTS
PUBLIC WORKS DEPARTMENT
500 Dedham Avenue, Needham, MA 02492
Telephone (781) 455-7550 FAX (781) 449-9023**

March 31, 2021

Needham Planning Board
Public Service Administration Building
Needham, MA 02492

RE: Minor Project Site Plan Review
Needham Enterprises Childcare Facility-1688 Central Avenue

Dear Members of the Board,

The Department of Public Works has completed its review of the above referenced site Planning Board plan minor permit review. The applicant proposes to demolish an existing house and garage on the property and construct a new 9,966 square foot building as a childcare facility. The existing barn on the property will remain. The childcare facility will have a maximum of 100-children. The support staff will be 13-employees and there will be 24-parking spaces to service the facility.

The review was conducted in accordance with the Planning Board's regulations and standard engineering practice. The documents submitted for review are as follows:

- 1- Completed Application for Minor Project Plan Review, with Exhibit A.
- 2- A letter from Attorney Evans Huber to members of the Needham Planning Board dated March 11, 2021.
- 3- A letter from Attorney Evans Huber to members of the Needham Planning Board dated March 12, 2021.
- 4- A Supplemental letter from Attorney Evans Huber to members of the Needham Planning Board dated March 16, 2021.
- 5- Plans entitled, "Needham Enterprises Daycare Center", 1688 Central Avenue, Needham, Massachusetts 02492 prepared by Mark Gluesing Architect revised March 8, 2021, and consisting of 4 sheets.
- 6- Plans entitled, "Site Development Plans Daycare", 1688 Central Avenue, Needham, MA prepared by Glossa Engineering, Inc. dated June 22, 2020, signed 1/26/21, and consisting of 10 sheets.
- 7- Traffic Impact Assessment Report prepared by Gillion Associates dated March 2021
- 8- Stormwater Report Dated January 26, 2021, provided by Glossa Engineering consisting of 131-pages
- 9- Document entitled, "Neighborhood Petition Regarding Development of 1688 Central Avenue in Needham" submitted by Neighbors and Neighborhoods of 1688 Central Avenue.
- 10- Updated Traffic Report submitted by Gillion Associates dated Revised March 2021

Our comments and recommendations are as follows:

- The updated traffic report submitted only provides information of the peak weekday morning traffic conditions. Although the report indicates that the morning peak hours will have more site generated trips, the report should provide the evening data and those finding as well.
- The accident data on Central Avenue in the area is absent for the traffic study. The applicant should provide this information for review.
- The applicant should provide details of the driveway opening, and sidewalk improvements in front of the property. Specifically, to ensure that the existing catch basin that will be now located in the driveway apron will collect stormwater off the road and that the sidewalk will meet accessibility standards.
- The plans show that the facility's proposed lighting will not trespass onto the neighboring properties. However, the shields proposed should minimize visual glare to the closest neighboring properties.
- The project does not indicate if a generator, or if an electrical transformer is required. If found to be required, the applicant will need to provide a sound study and demonstrate sound attenuation measures for the generator, and visual screening measures for the generator or transformer.
- The plans call for collecting stormwater and mitigating the post construction storm events through onsite infiltration systems. As part of the NPDES requirements, the applicant will also need to comply with the Public Outreach & Education and Public Participation & Involvement control measures. The applicant shall submit a letter to the DPW identifying the measures selected for Public Outreach, and for Public Participation and Involvement and provide dates by which the measures will be completed.

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

Truly yours,

Thomas Ryder
Assistant Town Engineer

ARTICLE 5: AMEND ZONING BY-LAW – HIGHWAY COMMERCIAL 1 ZONING DISTRICT

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

1. Amend Section 2.1, Classes of Districts, by adding the following term and abbreviation under the subsection Industrial:

“HC-1 -- Highway Commercial 1”

2. Amend Section 3.2, Schedule of Use Regulations, by adding a new Section 3.2.7 as follows:

“3.2.7 Uses in the Highway Commercial 1 District

3.2.7.1 Permitted Uses

The following uses are permitted within the Highway Commercial 1 District as a matter of right:

- (a) Uses exempt from local zoning control pursuant to M.G.L. Chapter 40A, Section 3.
- (b) Public parks and playgrounds, municipal buildings or uses.
- (c) Retail establishment (not including grocery stores) or combination of retail establishments serving the general public where each establishment contains 5,750 square feet or less of floor area and where all items for sale or rent are kept inside a building.
- (d) Manufacturing clearly incidental and accessory to a retail use on the same premises and the product is customarily sold on the premises.
- (e) Craft, consumer or commercial service establishment dealing directly with the general public.
- (f) Laundry or dry-cleaning pick-up station with processing done elsewhere.
- (g) Professional, business or administrative office, but not including any of the following: a medical clinic or Medical Services Building or medical, surgical, psychiatric, dental, orthodontic, or psychologist group practices comprised of three or more such professionals (hereinafter “Group Practices”) or physical therapy, alternative medicine practices, wellness treatments, including but not limited to, acupuncture, yoga, chiropractic and/or nutrition services. “Professional” shall include professional medical, surgical, psychiatric, dental, orthodontic or psychologist practice by a group of two or fewer such professionals (“Non-group Practice”).
- (h) Bank or Credit Union.
- (i) Medical Laboratory or laboratory engaged in scientific research and development and/or experimental and testing activities including, but not limited to, the fields of biology, genetics, chemistry, electronics, engineering, geology, medicine and physics, which may include the development of mock-ups and prototypes.
- (j) Radio or television studio.
- (k) Light non-nuisance manufacturing, including, but not limited to, the manufacture of electronics, pharmaceutical, bio-pharmaceutical, medical, robotic, and micro-biotic products, provided that all resulting cinders, dust, flashing, fuses, gases, odors, smoke, noise, vibration, refuse matter, vapor, and heat are effectively confined in a building or are disposed of in a manner so as not to create a nuisance or hazard to safety or health.

(l) Telecommunications facility housed within a building.

(m) Other customary and proper accessory uses incidental to lawful principal uses. Further provided, accessory uses for seasonal temporary outdoor seating for restaurants serving meals for consumption on the premises and at tables with service provided by waitress or waiter shall be allowed upon minor project site plan review with waiver of all requirements of Section 7.4.4 and 7.4.6 except as are necessary to demonstrate compliance with Section 6.9 by the Planning Board or Select Board in accordance with Section 6.9.

(n) More than one building on a lot.

(o) More than one use on a lot.

3.2.7.2 Uses Permitted by Special Permit

The following uses are permitted within the Highway Commercial 1 District upon the issuance of a Special Permit by the Special Permit Granting Authority under such conditions as it may require:

(a) Light-rail train station.

(b) Adult day care facility.

(c) Private school, nursery, or kindergarten not otherwise classified under Section 3.2.7.1 (a).

(d) Retail establishment (not including grocery stores) or combination of retail establishments serving the general public where any establishment contains more than 5,750 but less than 10,000 square feet of floor area and where all items for sale or rent are kept inside a building.

(e) Equipment rental service but not including any business that uses outside storage.

(f) Grocery store provided it does not exceed 10,000 square feet of floor area.

(g) Eat-in or take-out restaurant or other eating establishment except that a lunch counter incidental to a primary use shall be permissible by right.

(h) Veterinary office and/or treatment facility and/or animal care facility, including but not limited to, the care, training, sitting and/or boarding of animals.

(i) Indoor athletic or exercise facility or personal fitness service establishment, which may include outdoor pool(s) associated with such facilities.

(j) External automatic teller machine, drive-up window or auto-oriented branch bank accessory to a bank or credit union permitted under Section 3.2.7.1(h) hereof.

(k) Group Practices as defined in Section 3.2.7.1(g) and alternative medicine practices, physical therapy, and wellness treatments facilities including, but not limited to, acupuncture, yoga, chiropractic and/or nutrition services. Such uses may have customary and proper accessory uses incidental to the lawful principal uses, including but not limited to, pharmacies.

(l) Live performance theater, bowling alley, skating rink, billiard room, and similar commercial amusement or entertainment places.

(m) Apartment or multi-family dwelling provided that (1) the proposed apartment or multi-family dwelling complies with the lot area per unit requirements for apartments in the A-1 district as detailed in Section 4.3, (2) no more than 240 dwelling units shall be permitted in the Highway Commercial 1 District, (3) at least 40% but not more than 70% of all dwelling units within any project shall be one-

bedroom units, and (4) at least 12.5% of all dwelling units shall be Affordable Units as regulated in Section 6.12.”

3. Amend Section 4.7.1, Specific Front Setbacks, by deleting the following provisions:

“(b) On the easterly side of Gould Street from Highland Avenue northerly to land of the New York, New Haven and Hartford Railroad Company, there shall be a fifty (50) foot building setback line;

(c) On the northerly side of Highland Avenue from Gould Street northeasterly to the property of the Commonwealth of Massachusetts, there shall be a fifty (50) foot building setback line.”

4. Amend Section 4.10, Dimensional Regulations for Industrial-1 District, by deleting Section 4.10.4, which refers to Section 4.7.1 (b) and (c).

5. Amend Section 4, Dimensional Regulations, by adding a new Section 4.11 Dimensional Regulations for Highway Commercial Districts as follows:

“4.11 Dimensional Regulations for Highway Commercial Districts

4.11.1 Highway Commercial 1

Minimum Lot Area (Sq. Ft.)	Minimum Lot Frontage (Ft.)	Front Setback (Ft.)	Side Setback (Ft.)	Rear Setback (Ft.)	Maximum Height (Ft.)	Maximum Stories	Maximum Lot Coverage	Floor Area Ratio
		(1)	(1) (3)	(1) (3)	(1)	(1)	(2) (4)	(5) (6)
20,000	100	5	10	10	56	4	65%	0.70

- (1) a. All buildings shall be limited to a height of 56 feet and four stories, except that buildings within 200 feet of Highland Avenue or the extension of the right-of-way line as described below in paragraph c. and buildings within 200 feet of Gould Street shall be limited to a height of 35 feet and 2 ½ stories as-of-right. If the height of a building is increased above the height of 35 feet, the front setback shall be increased to 15 feet and the side and rear setbacks to 20 feet except that, along the MBTA right-of-way the side and rear yard setbacks shall be 10 feet.

b. By Special Permit from the Planning Board, the maximum height of a building may be increased to 3 stories and 42 feet within 200 feet of Highland Avenue or the extension of the right-of-way line as described below in paragraph c. and within 200 feet of Gould Street. By Special Permit from the Board, the maximum height of a building may be further increased to the following limits: 5 stories and 70 feet provided the building is not located within 200 feet of Highland Avenue or the extension of the right-of-way line as described below in paragraph c. or within 200 feet of Gould Street.

c. (i) The line from which the 200-foot setback from Highland Avenue referred to in paragraphs a. and b. above shall be measured is that line which starts at the point of curvature on Highland Avenue at Gould Street marked by a stone bound/drill hole (SB/DH) and runs northeasterly N63°56'51"E by the Highland Avenue 1980 State Highway Alteration 361.46 feet to a stone bond/drill hole, then continues on the same northeasterly course an additional 330.54 feet for a total distance from the first mentioned bound of 700 feet. Reference is made to a plan entitled “Plan of Land Gould Street, Needham, MA”, prepared by Andover Engineering, Inc., dated July 27, 2000,

last revised September 20, 2001, recorded in the Norfolk County Registry of Deeds as Plan No. 564 of 2001, Plan Book 489. (ii) The line from which the 50-foot landscaped setback from Highland Avenue referred to in paragraph d. below shall be measured is that line which starts at the point of curvature on Highland Avenue at Gould Street marked by a stone bound/drill hole (SB/DH) and runs northeasterly N63°56'51"E by the Highland Avenue 1980 State Highway Alteration 361.46 feet to a stone bound/drill hole. If the 1980 State Highway Alteration along Highland Avenue is superseded by a subsequent State Highway Alteration, the 50-foot landscaped setback from Highland Avenue shall be measured from the newly-established street line.

d. Buildings and structures abutting Highland Avenue for the distance described in subsection (1) c. (ii) above and/or abutting Highland Avenue as it continues southwesterly to the intersection with Gould Street and/or abutting Gould Street shall be set back at least 50 feet from said streets. Buildings and structures abutting the layout of Route 128/95 beyond said Highland Avenue distance from stone bound to stone bound shall be set back at least 20 feet from said Route 128/95 layout. Notwithstanding the location or height of any building and structures, the required 50-foot or 20-foot setback shall be a landscaped, vegetative buffer area, which shall be required along the aforementioned street frontages and said layout in order to screen the development. Driveway openings, sidewalks, walkways and screened mechanical equipment shall be permitted in the buffer area.

e. Structures erected on a building and not used for human occupancy, such as chimneys, heating-ventilating or air conditioning equipment, solar or photovoltaic panels, elevator housings, skylights, cupolas, spires and the like may exceed the maximum building height provided that no part of such structure shall project more than 15 feet above the maximum allowable building height, the total horizontal coverage of all of such structures on the building does not exceed 25 percent, and all of such structures are set back from the roof edge by a distance no less than their height. The Planning Board may require screening for such structures as it deems necessary. Notwithstanding the above height limitations, cornices and parapets may exceed the maximum building height provided they do not extend more than 5 feet above the highest point of the roof.

f. For purposes of clarity, the required building setbacks and allowed envelopes (including setbacks) for allowance of additional height above 35 feet for the as-of right circumstance and 42 feet for the special permit circumstance are shown on figures 1 and 2 below.

Figure 1:

AS OF RIGHT ZONING SETBACKS

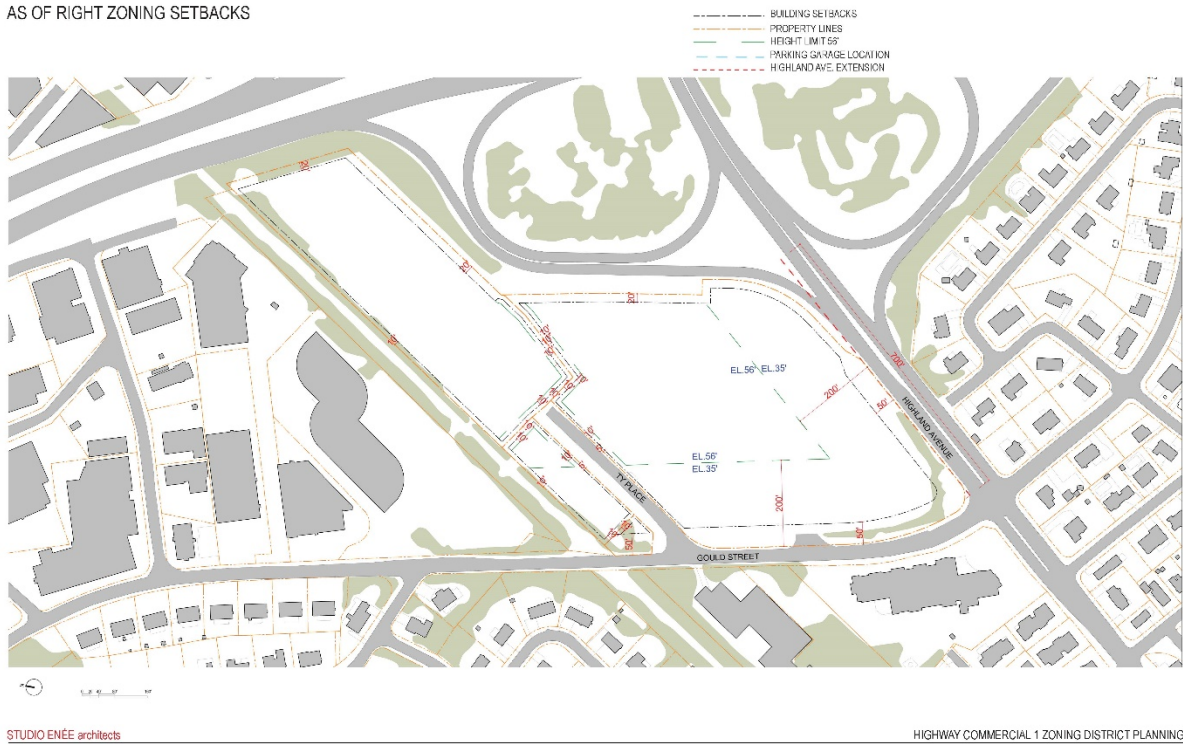
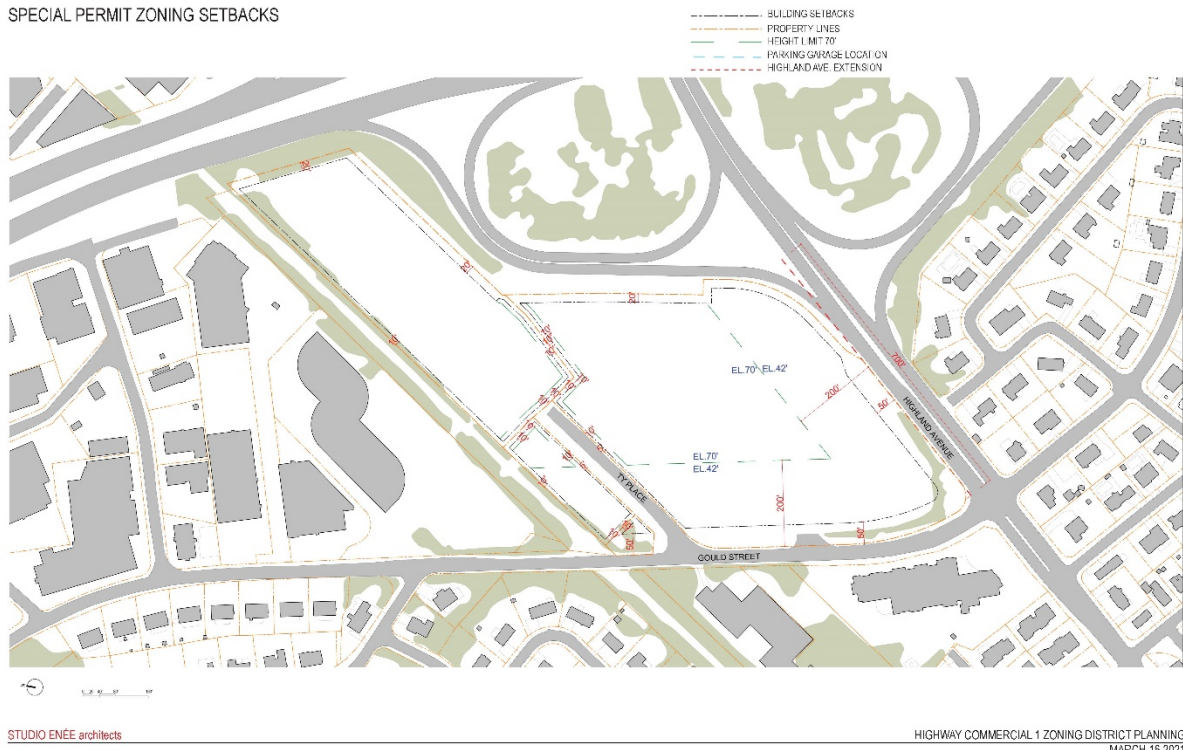


Figure 2:

SPECIAL PERMIT ZONING SETBACKS



- (2) Maximum lot coverage shall be 65% for all projects. However, if a project is designed such that at least 65% of the required landscaped area immediately abuts at least 65% of the required landscaped area of an adjoining project for a distance of at least 50 feet, the maximum lot coverage may be increased to 75%.
- (3) No side or rear yard setback is required for shared parking structures between adjoining properties, but only on one side of each lot, leaving the other side or rear yards open to provide access to the interior of the lot.
- (4) A minimum of 25% of total lot area must be open space. The open space area shall be landscaped and may not be covered with buildings or structures of any kind, access streets, ways, parking areas, driveways, aisles, walkways, or other constructed approaches or service areas. Notwithstanding the preceding sentence, open space may include pervious surfaces used for walkways and patios. (Pervious surfaces shall not preclude porous pavement, porous concrete, and/or other permeable pavers.)
- (5) A floor area ratio of up to 1.35 may be allowed by a special permit from the Planning Board. In granting such special permit, the Planning Board shall consider the following factors: the ability of the existing or proposed infrastructure to adequately service the proposed facility without negatively impacting existing uses or infrastructure, including but not limited to, water supply, drainage, sewage, natural gas, and electric services; impact on traffic conditions at the site, on adjacent streets, and in nearby neighborhoods, including, but not limited to, the adequacy of the roads and intersections to safely and effectively provide access and egress; the environmental impacts of the proposal; and the fiscal implications of the proposal to the Town. In granting a special permit, the Planning Board shall also consider any proposed mitigation measures and whether the proposed project's benefits to the Town outweigh the costs and adverse impacts, if any, to the Town.
- (6) The calculation of floor area in determining floor area ratio shall not include parking areas or structures but shall include such active ground floor uses, such as retail, office, institutional, or display as are allowed by Section 4.11.2 (2).

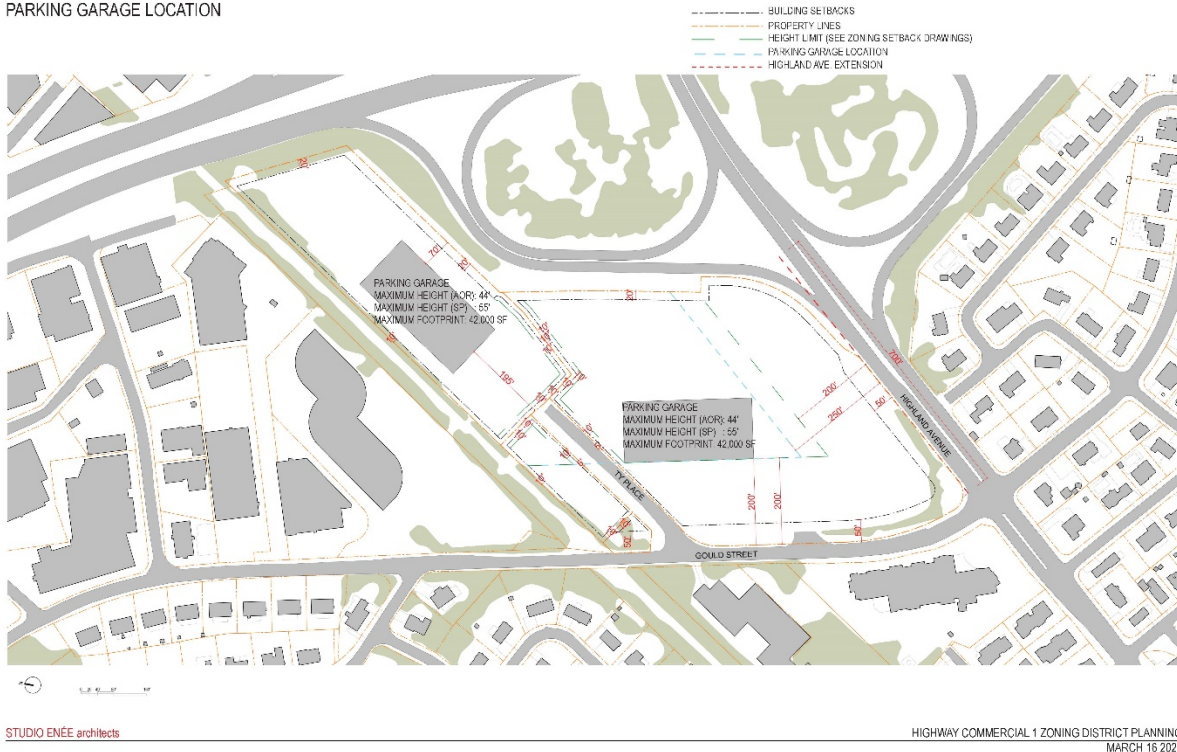
4.11.2 Supplemental Dimensional Regulations

- (1) Notwithstanding Section 3.2.7.1(m) and any other provision of this Section 4.11 to the contrary, a parking garage, even if it is for an as-of-right development, may not exceed 44 feet in height, may not have a building footprint in excess of 42,000 square feet and may not be located within 250 feet of Highland Avenue or the extension of the right-of-way line described in Section 4.11.1 (1) c. (i) or within 200 feet of Gould Street. Notwithstanding the above, the maximum height of a parking garage may be increased to 55 feet by Special Permit from the Planning Board. For purposes of clarity the height, coverage and location requirements for the as-of-right and special permit parking garage circumstance are shown on figure 3 below.
- (2) Parking structures may have an active ground floor use, such as retail, office, institutional, or display. Structured parking must be located at least 20 feet from adjacent buildings but may be attached to the building it is servicing if all fire and safety requirements are met.
- (3) Maximum uninterrupted facade length shall be 200 feet.

- (4) All setback, height, and bulk requirements applicable to this Section 4.11 are contained in this Section and no additional requirements occasioned by this district abutting Route 128/95's SRB district shall apply.

Figure 3

PARKING GARAGE LOCATION



4.11.3 Special Permit Requirements

In approving any special permit under Section 3.2.7.2 and/or Section 4.11, or for any project proceeding under the Highway Commercial 1 district provisions which constitute a Major Project under Section 7.4.2, the Planning Board shall consider the following design guidelines for development: (a) The proposed development should provide or contribute to providing pedestrian and neighborhood connections to surrounding properties, e.g., by creating inviting buildings or street edge, by creating shared publicly accessible green spaces, and/or by any other methods deemed appropriate by the Planning Board; (b) Any parking structure should have a scale, finish and architectural design that is compatible with the new buildings and which blunts the impact of such structures on the site and on the neighborhood; (c) The proposed development should encourage creative design and mix of uses which create an appropriate aesthetic for this gateway to Needham, including but not limited to, possible use of multiple buildings to enhance the corner of Highland Avenue and Gould Street, possible development of a landscape feature or park on Gould Street or Highland Avenue, varied façade treatments, streetscape design, integrated physical design, and/or other elements deemed appropriate by the Planning Board; (d) The proposed development should promote site features and a layout which is conducive to the uses proposed; (e) The proposed development should incorporate as many green building standards as practical, given the type of building and proposed uses; (f) The proposed development should be designed and conditioned to reduce or mitigate adverse impacts on adjacent properties or the surrounding area such as those resulting from excessive traffic congestion or excessive demand for parking; and (g) The proposed development shall include participation in a transportation

demand management program to be approved by the Planning Board as a traffic mitigation measure, including but not limited to, membership and participation in an integrated or coordinated shuttle program.”

6. Amend Section 5.1.3, Parking Plan and Design Requirements, by adding at the end of the second sentence of subsection (j) which reads “Such parking setback shall also be twenty (20) feet in an Industrial-1 District” the words “and Highway Commercial 1 District unless a deeper parking setback is required by Section 4.11.”
7. Amend Section 6.5.1 of Section 6.5 Limited Heliports, by adding after the words “Industrial Districts,” in the first sentence, the words “and in the Highway Commercial 1 District,”.
8. Amend Section 6.12, Affordable Housing, by revising the first paragraph to read as follows:

“Any mixed-use building in the Neighborhood Business District (NB) with six or more dwelling units shall include affordable housing units as defined in Section 1.3 of this By-law. Any building in the Highway Commercial 1 District with six or more dwelling units shall include affordable housing units as defined in Section 1.3 of this By-law. The requirements detailed in paragraphs (a) thru (i) below shall apply to a development that includes affordable units in the Neighborhood Business District. The requirements detailed in paragraphs (a), (c), (d), (e), (f), (g), and (h) below shall apply to a development that includes affordable units in the Highway Commercial 1 District.”
9. Amend Section 7.2.5 of Section 7.2 Building or Use Permit, by adding after the words “Industrial-1 District,” in the first sentence, the words “Highway Commercial 1 District,”.
10. Amend Section 7.4.2 of Section 7.4 Site Plan Review, by adding in the first sentence of the last paragraph, the words “Highway Commercial 1 District,” after the words “Highland Commercial-128,”.
11. Amend Section 7.7.2.2, Authority and Specific Powers (of Design Review Board) by adding after the words “Industrial-1 District,” in the first sentence of the second paragraph, the words “Highway Commercial 1 District,”.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article 5 Information: The Council of Economic Advisors (CEA), which was created by the Select Board to evaluate Town-wide economic conditions and make recommendations to promote and encourage new and existing businesses, undertook a review of all Industrial Zoning Districts in late 2013, and, after focusing its efforts on three different areas along Route 128, held public meetings with residents, neighbors, public officials, businesses and landowners in 2014 about potential zoning initiatives. As requested during those discussions, the CEA obtained a build-out analysis, a traffic impact report based on that analysis, and elevation drawings to better understand the impact of any proposed development. After examining the results of those reports, the CEA in 2017 reached out again to the various stakeholder groups and presented its preliminary recommendations to upgrade the zoning adjacent to Route 128 in order to make these areas more economically competitive. The CEA then presented its recommendations to the Select Board in January 2018. The Planning Board and Select Board, having reviewed the proposals from the CEA, determined in 2018 to move forward on only one area; the area circumscribed by Route 128, Highland Avenue, Gould Street, and the MBTA right-of-way. A land use study was completed and a rezoning plan for the noted area was then developed and presented to the October 2019 Special Town Meeting where it received a majority vote but fell short of the 2/3 vote required for passage. Concerns with the overall density

profile, traffic impact, use profile and lack of sustainable development principles were noted by Town Meeting members.

In response to input received at the October 2019 Special Town Meeting, a Town-wide Community meeting was held in January 2020 with residents, neighbors, public officials, businesses and landowners to further develop and refine the Town's overall land use goals and strategy for the district. Additionally, a working group comprising representatives from the Planning Board, Select Board, Finance Committee, and Council of Economic Advisors was established to review the policy objectives of the district and to offer strategies to address the concerns raised at both the October 2019 Special Town Meeting and the January 2020 Community meeting. The working group commissioned an updated traffic study of the district to determine the capacity of the Town's traffic infrastructure to accommodate development at variable density and use profiles. 3D modeling and an updated fiscal impact analysis of the district were completed once the density and use profile of the district were finalized consistent with the capacity of the Town's traffic infrastructure to accommodate development at variable density and use profiles. A revised zoning and land use plan were then prepared which initiative is now expressed in the regulatory framework detailed in this article.

Briefly, the following six modifications have been made from the 2019 rezoning proposal to the current 2021 proposal as follows: (1) The overall density of development within the district has been reduced. Specifically, the as-of-right floor area ratio (FAR) has been reduced from 1.0 to .70 and the special permit FAR has been reduced from 1.75 to 1.35. (2) The maximum building height within the district has been reduced by one story for both the as-of-right and special permit condition. (3) The building setback distance along Gould Street and Highland Avenue has been increased from 20 feet to 50 feet. The noted 50-foot setback area is required to be a landscaped buffer area designed to screen the development from the street. (4) The required open space on the lot has been increased from 20 percent to 25 percent. (5) Permitted uses within the district have been expanded to include multi-family dwellings with an affordable housing requirement of 12.5 percent. (6) The special permit criteria for permit issuance has been expanded to include green building standards. The proposed use and dimensional changes to this area, to be rezoned Highway Commercial 1 ("HC1"), are detailed below.

The amendments to Section 3.2 detail the uses allowed by right and those by special permit. In addition, by listing the uses rather than using the current table of uses, the uses can be clarified and brought up to date. Key changes to the use listing include allowing up to 240 units of multi family dwelling units; allowing greater retail by special permit for more than 5,750 sq. ft. and less than 10,000 sq. ft. (current limit 5700 sq. ft.); allowing grocery stores of up to 10,000 square feet by special permit; clarifying medical services allowed by right and by special permit (as was done in the Needham Crossing zoning); standardizing the medical laboratory and research and development defined uses; allowing by right more than one use and more than one building on a lot; changing theaters, bowling alleys, skating rinks, billiard rooms and similar commercial amusement or entertainment places from by right to special permit; deleting indoor movie theaters from allowed uses; precluding single family detached dwellings from allowed uses; and precluding certain industrial uses in the district including, inter alia, commercial garages, contractor's yards, lumber or fuel establishments, medical clinics, and previously allowed warehousing, manufacturing and industrial services. The purpose of the use changes are: (1) to ensure that uses allowed by right or by special permit will maximize the economic value of redevelopment to the Town; (2) to ensure that the permitted uses within the district are consistent with the Town's land use goals for this gateway location and the Highland Avenue Corridor; and (3) to subject certain uses presently allowed by right to the special permit process so that they may be properly vetted by the permit granting authority as to impacts and mitigation.

The amendments to Section 4 would create the dimensional requirements for the new Highway Commercial 1 zone. The proposal under the new Section 4.11 establishes height restrictions for the district based upon measured distance from Gould Street and Highland Avenue. For the as-of-right circumstance development within 200 feet of Gould Street and 200 feet of Highland Avenue would be limited to a maximum height of 35 feet and 2 ½ stories and beyond 200 feet to a maximum height of 56 feet and 4 stories. For the special permit circumstance development within 200 feet of Gould Street and 200 feet of Highland Avenue would

be limited to a maximum height of 42 feet and 3 stories and beyond 200 feet to a maximum height of 70 feet and 5 stories. (The current zoning allows 30 feet or two stories.) The proposal would change the front setback to 5 feet for all roadways internal to the site such as TV Place. This 5-foot front setback is applicable across the district unless the building height exceeds 35 feet, in which case the front setback increases to 15 feet, or the building sits on Highland Avenue or Gould Street, where a 50-foot landscaped vegetative buffer is proposed or along the layout of Route 95/128 where a 20-foot landscaped vegetative buffer is proposed. (Current front setback is 20 feet except along Gould and Highland where a 50-foot building setback and landscape buffer is imposed.) The side and rear setback would change to 10 feet unless the building height exceeds 35 feet, in which case the setback is increased to 20 feet for all side and rear setbacks not abutting the MBTA right-of-way. (The current side setback is 20 feet and the current rear setback is 10 feet). For informational purposes, the required building setbacks and allowed envelopes (including setbacks) for additional height above 35 feet are shown as Figure 1 for the as-of-right condition and as Figure 2 for the special permit condition in the zoning article.

The new zoning creates a maximum lot coverage requirement of 65% and an open space requirement of a minimum of 25%. (The current zoning contains no such requirements.) Changes are also proposed to the maximum FAR; a maximum FAR by right would be .70; the FAR may be increased up to 1.35 by special permit provided certain findings are made. The amendment clearly sets out the specific factors which will allow the exercise of the Board's special permit granting authority. The proposed zoning also sets out the maximum uninterrupted façade length that is allowed—200'. (The current zoning allows a FAR of only 0.5 and in very limited special circumstances 0.65-0.75.)

Finally, the new zoning restricts the bulk, height and location of a parking garage, even if it is for an as-of-right development. A parking garage may not exceed 44 feet in height, may not have a building footprint in excess of 42,000 square feet nor may it be located within 250 feet of Highland Avenue or within 200 feet of Gould Street. Notwithstanding the above, the maximum height of a parking garage may be increased to 55 feet by Special Permit from the Planning Board. For informational purposes, the required bulk, height and location requirements of a parking garage under both the as-of-right and special permit condition are shown as figure 3 in the zoning article.

Based on the build-out analysis, traffic report, dimensional analysis, consultant findings and information, and meeting testimony, the Planning Board confirmed that certain dimensional requirements, including front setback, height, floor area ratio, and side setbacks, and use requirements were constraining development under the current zoning rules and, given the properties' regionally prime commercial location along Route 128, is significantly underperforming economically, to the detriment of the Town. Further the Board found that the current industrial district zoning at the property was not reflective of the Town's land use policy goals for this gateway location and that a conversion to a mixed-use district consistent with the land use profile of the remainder of the Highland Avenue corridor was warranted. With rezoning, in time, this area should attract significant high value redevelopment consistent with the Town's land use objectives, which will be overseen by the Planning Board under its site plan review and special permit obligations.

ARTICLE 6: AMEND ZONING BY-LAW – MAP CHANGE TO HIGHWAY COMMERCIAL 1

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

Place in the Highway Commercial 1 District all that land now zoned Industrial-1 and lying between the Circumferential Highway, known as Route 128/95 and Gould Street and between the Massachusetts Bay Transit Authority (M.B.T.A.) right-of-way and Highland Avenue. Said land is bounded and described as follows:

Beginning at a stone bound on the northerly layout line of Highland Avenue at the intersection of Gould Street as shown on a plan recorded at the Norfolk County Registry of Deeds, Plan No. 564 of 2001, Plan Book 489; thence turning and running southwesterly, westerly and northwesterly along a radius of 44.00 feet a distance of 80.06 feet to a stone bound on the easterly sideline of Gould Street; thence running northwesterly, northerly, and northeasterly along a curve of radius of 505.00 feet of said sideline of Gould Street a distance of 254.17 feet to a point on the said easterly sideline of Gould Street; thence running N10°49'50"E a distance of 284.29 feet to a point on the said easterly sideline of Gould Street at the intersection of TV Place, a privately owned Right of Way; thence continuing N10°49'50"E a distance of 160.00 feet more or less to a stone bound as shown on a plan recorded at the Norfolk County Registry of Deeds Land Court Case No. 18430I; thence continuing N10°49'50"E a distance of 84.82 feet to a stone bound located at the intersection of the easterly sideline of Gould Street and the southerly sideline of the M.B.T.A. Right of Way as shown on a plan recorded at the Norfolk County Registry of Deeds Land Court Case No. 18430I; thence turning and running along said southerly M.B.T.A. Right of Way line northeasterly a distance of 1,219.55 feet as shown on a plan recorded at the Norfolk County Registry of Deeds Land Court Case No. 18430I, 18430J and 18430H to a point at the intersection of the westerly sideline of the Route 128 Right of Way and said southerly sideline of the M.B.T.A. Right of Way; thence turning and running S4°25'46"E a distance of 292.00 feet to a stone bound as shown on a plan recorded at the Norfolk County Registry of Deeds Land Court Case No. 18430H; then turning and running southwesterly along the Route 128 Right of Way a distance of 484.61 feet to a point; thence turning and running S13°34'58"W a distance of 451.02 feet as shown on a plan recorded at the Norfolk County Registry of Deeds, Plan No. 564 of 2001, Plan Book 489 to a point; thence turning and running S76°26'41"E a distance of 35.56 feet to a point; thence turning and running S13°34'58"W a distance of 67.34 feet to a point; thence running southwesterly along a curve of radius 245.45 feet a distance of 136.59 feet to a point; thence running southwesterly along a curve of radius 248.02 feet a distance of 38.04 feet to a point; thence running southwesterly along a curve of radius 1180.00 feet a distance of 140.09 feet to a point; thence turning and running S42°43'47"W a distance of 42.52 feet to a stone bound located in the westerly sideline of the Route 128 Right of Way; thence turning and running S63°56'51"W a distance of 361.46 feet to the point of beginning.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Article 6 describes the geographical area proposed to be placed in the new Highway Commercial 1 zoning district. The affected area is generally bounded on the north by the Massachusetts Bay Transit Authority (M.B.T.A.) commuter railroad right-of-way, on the east by the Circumferential Highway, known as Route 128/95, on the south by Highland Avenue and on the west by Gould Street. The subject land is currently located in the Industrial-1 zoning district.

From: [Barten, Deborah](#)
To: [Planning](#)
Cc: [Deb Barten](#)
Subject: RE: Objection to Muzi Ford Proposal!
Date: Wednesday, March 31, 2021 8:40:53 AM
Importance: High

I object to the proposed rezoning for Muzi because it allows the possible development of 5-story buildings that are unprecedented on this side of Route 128 and too big with insufficient setbacks, not enough green space, and has resulted from an unreliable process while leading to **too much traffic** without understanding the incremental value to the town over a reasonably scaled-down project." Filling the Planning Board's mailbox with such objections, in these or your own words, can only help us.

I grew up on Central Ave, across from Gould Street; where my parents still reside. Traffic is already bad enough in that area and can't even imagine the impact this would have!

Thanks,

Deb

Deb Barten

Application Developer

A: 162 Middle Street, Pawtucket, RI 02860

T: 401.642.4534

W: www.collette.com



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**NEEDHAM
ZONING BOARD OF APPEALS
AGENDA**

**THURSDAY, April 15, 2021 - 7:30PM
Zoom Meeting ID Number: 869-6475-7241**

FOR PLANNING BOARD USAGE ONLY

To join the meeting link at: https://us02web.zoom.us/j/86964757241

Minutes	Review and approve Minutes from March 18, 2021 meeting.
---------	---

Case #1 – 7:30PM	5 TV Place - Public notice is hereby given that Hearst Stations Inc. dba WCVB-TV, applicant, has made application to the Board of Appeals for an Amendment under Sections 6.5, 7.5.2 and any other applicable Sections of the Zoning By-Law to a Special Permit dated July 30, 1985 authorizing the operation of a helicopter at 5 TV Place in order to change the helicopter model from a Bell Jet Ranger 206 to an Eurocopter-Airbus AS350. The property is located at 5 TV Place, Needham, MA in the Industrial-1 zoning district.
------------------	--

Case #2 – 7:30 PM	40 Morton Street - Public notice is hereby given that Glenn and Deborah Mulno, applicants, have made application to the Board of Appeals for a Special Permit under Sections 1.4.6, 4.2.1, 7.5.2 and any other applicable Sections of the Zoning By-Law to allow the building of a studio sunroom within the side setback of a non-conforming lot. The property is located at 40 Morton Street, Needham, MA in the Single Residence B zoning district. Upon said notice, a public hearing will be held remotely on Zoom on Thursday, April 15, 2021 at 7:30 p.m.
-------------------	---

Case #3 – 7:45PM	20 Coolidge Avenue - Public notice is hereby given that Rachel Bright, applicant, has made application to the Board of Appeals for a Special Permit under Sections 4.2, 4.2.1, 7.5.2 and any other applicable Sections of the Zoning By-Law to allow a second-story addition exceeding the maximum FAR to a legally non-conforming lot. The property is located at 20 Coolidge Avenue, Needham, MA in the Single Residence B zoning district.
------------------	--

Next Meeting: **May 20, 2021, 7:30pm**



**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

RECEIVED TOWN CLERK
NEEDHAM, MA 02492
2021 MAR 22 PM 3:36

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: March 16, 2021

Name of Applicant or Appellant: WCVB-TV (Kyle Grimes, President & General Manager)

Address: 5 TV Place, Needham, MA 02494

E-mail address: kgrimes@hearst.com

Daytime telephone: 781-433-4000

Cell phone: 717-847-4013

Additional contact information, (ie: contractor ☐, architect ☐, builder ☐, attorney ☐):

Address/Location of Property 5 TV Place, Needham, MA 02494

Assessor map/parcel number 076-010-000

Zone of property: Industrial - 1

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: WCVB-TV has a Special Permit, first issued in 1985, and later amended in 2005 and 2011, to operate a rooftop heliport at 5 TV Place. Since the 2011 amendment, WCVB-TV has flown a Bell 206 Jet Ranger. Prior to that amendment, the station flew a Eurocopter-Airbus AS350 helicopter. The change to the AS350 was the purpose of the 2005 amendment.

Statement of relief sought: WCVB-TV is seeking an amendment for returning to the AS350. As noted in the 2011 amendment, the two helicopters are substantially similar in all ways including noise levels. The helipad is used infrequently, approximately 3-4 times annually. However, it's existence is operationally necessary for when certain electronic newsgathering maintenance is required. Attached to this application is the sound chart showing the noise levels of both helicopters and a specifications sheet on the AS350. We are also enclosing the 2005 and 2011 amendments for ease of reference. The station will continue to abide by all other items referenced in the Special Permit.

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: N/A

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

Date lot created: _____

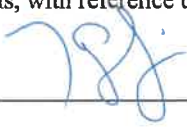
A certified plot plan, prepared by a registered surveyor, must be attached to this application at time of filing. An application will be returned if a copy of the plot plan is not attached to the application.

•Applications for Comprehensive permits under M.G.L. Ch. 40B require a copy of plot plan.

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 

Title WCVB-TV President & General Manager

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



Make: Airbus
Engine: Arriel 1B

Model: AS-350BA Astar

Conversion: Base Model

Specification pages detail the performance and physical specifications in English and metric forms of measurement and contain over 100 "facts" about each helicopter. This data has been developed from a variety of sources. While we believe this information to be as accurate and correct as possible, we cannot assume responsibility or liability for any business transaction based on the use of this data. Any technical data presented is subject to change and it is not intended to substitute for any regulatory agency's or helicopter manufacturer's appropriately authorized flight or maintenance manuals.

Engine		Transmission		Fuel Capacity		
Model	Arriel 1B	Takeoff, shp	531		Vol.(gal)	Wt.(lbs)
Manufacturer	Safran	Max, Continuous, shp	531	Standard Tank	143.00	939.00
Length, in	47.70	OEI, Continuous, shp	531	Aux or Ferry Tank	125.00	827.00
Width, in	17.30					
Height, in	23.50	External Dimensions		Range		
Weight, lbs	253.00					

Power Rating	
Takeoff, Shp	641
Max, Continuous, Shp	590

Performance	
HIGE, ft	9,150
HIGE, ISA+20C°, ft	4,500
HOG E, ft	6,500
HOG E, ISA+20C°, ft	1,200
ROC, Oblique, ft/min	1,500
Econ Cruise, S/L, kts	123
Vne, kts	155

	Main	Tail
# of Blades	3.00	2
Construction	Composite	Composite
Normal RPM	386.00	2,043.00
Diameter, ft	35.07	35.07
Chord, ft ²	1.15	0.61
Disc Area, ft ²	965.97	29.22
Disc Loading, lbs/ft ²	4.80	
Power Loading, lbs/shp	7.22	

External Dimensions		Range	
Length, Fuselage, ft	35.86	Max Fuel, nm	396
Length, T/R Turning, ft	35.86	Max, Payload, nm	370
Length, Both Turning, ft	42.45	Aux Fuel, No Res, nm	747
Width, Fuselage, ft	6.14	Endurance, Std Fuel, No Res	4.55 Hours
Width, Widest Point, ft	8.30	Type Certificate Data Sheets FAA-Airframe FAA-Arriel 1B Engine FAA-LTS101 Engine	
Width, Landing Gear, ft	7.12		
Height, Top, Rotor Hub, ft	10.30		
Height, Top, T/R Arc, ft	8.40		
Ground Clearance, Fuselage, ft	1.28		
Ground Clearance, T/R Guard, ft	2.30		

Internal Dimensions		
Length, ft	6.56	4.42
Width, ft	5.41	2.62
Volume, Fuselage, ft ³	105.94	35.29

Accommodations	
Standard Seating	2+4
High Density Seating	3+4

Weights	
Max Gross, lbs	4,630
Empty, Std Aircraft, lbs	2,550
Useful Load, lbs	2,080
Useful Load, with Full Fuel, lbs	1,141
External Load, lbs	2,000
Gross, w/External Load, lbs	4,960

Range	
Max Fuel, nm	396
Max, Payload, nm	370
Aux Fuel, No Res, nm	747
Endurance, Std Fuel, No Res	4.55 Hours

Type Certificate Data Sheets

- FAA-Airframe
- FAA-Arriel 1B Engine
- FAA-LTS101 Engine
- EASA-Airframe
- EASA-Arriel 1B Engine
- EASA-LTS101 Engine

Milestones	
Initial Development	April 1973
First Flight (prototype)	14 Feb 1975
FAA VFR	9 Nov 1979
FAA IFR	N/A

Summary

Common Use:

Corporate, Electronic News Gathering, Emergency Medical Service, External Lift, Forest Firefighting & Logging, Offshore, Photography, Sightseeing, Utility

Nearest Competitive Model:

B206, SA-315, SA-319, MD 500

Most Recent Variants:

AS-350B3e

Differences from Previous Model:

TwinStar type main rotor blades, increased gross weight



AS-350B2 Astar



Make: Airbus

Model: AS-350B2 Astar

Conversion: Base Model

Engine: Arriel 1D1

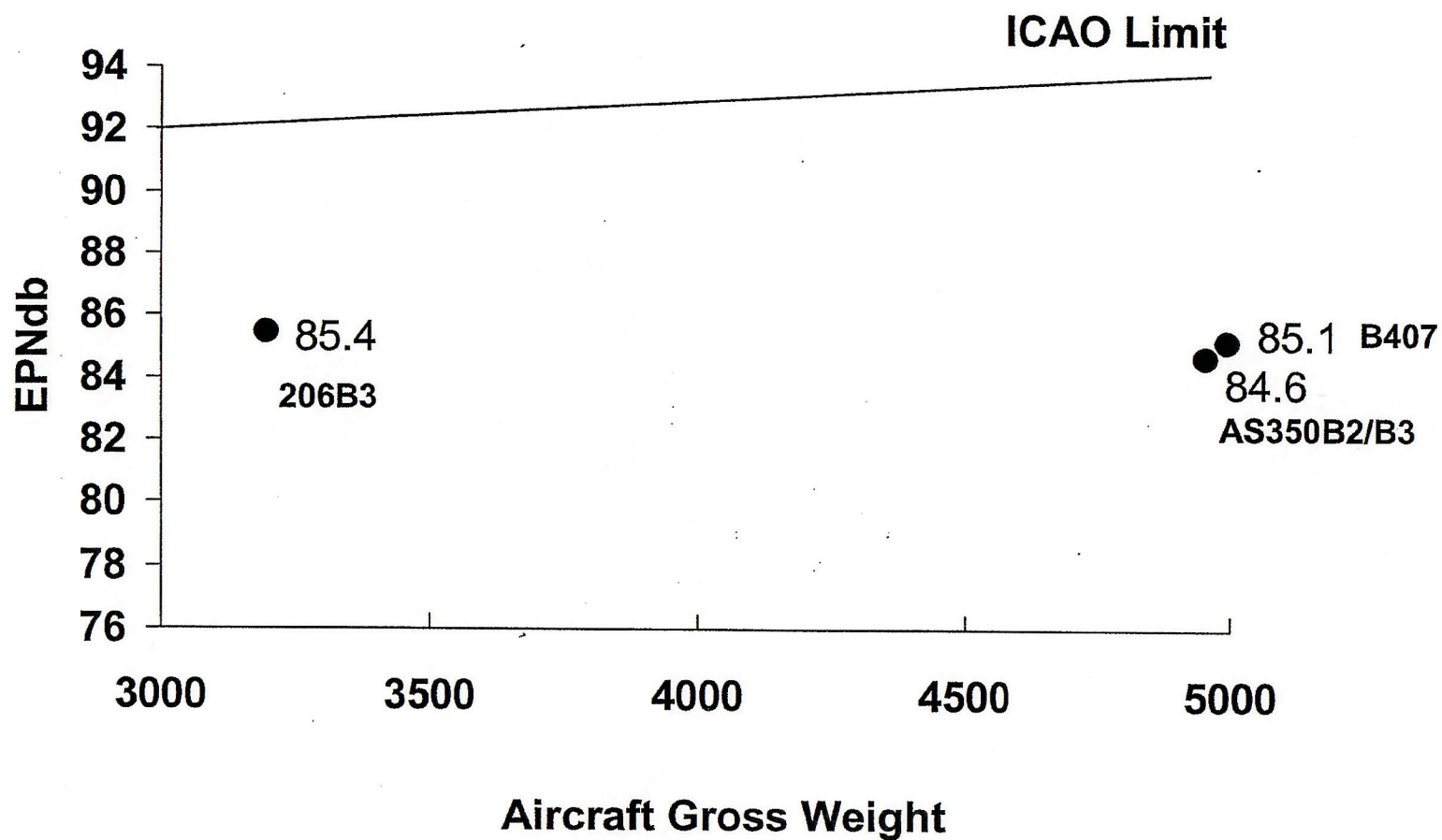
Specification pages detail the performance and physical specifications in English and metric forms of measurement and contain over 100 "facts" about each helicopter. This data has been developed from a variety of sources. While we believe this information to be as accurate and correct as possible, we cannot assume responsibility or liability for any business transaction based on the use of this data. Any technical data presented is subject to change and it is not intended to substitute for any regulatory agency's or helicopter manufacturer's appropriately authorized flight or maintenance manuals.

Engine			Transmission		Fuel Capacity	
Model	Arriel 1D1		Takeoff, shp	590	Vol.(gal)	Wt.(lbs)
Manufacturer	Safran		Max, Continuous, shp	590	Standard Tank	143.00 939.00
Length, in	47.30		OEL, Continuous, shp	590	Aux or Ferry Tank	125.00 827.00
Width, in	18.30		External Dimensions		Range	
Height, in	24.10					
Weight, lbs	269.00		Length, Fuselage, ft	35.86	Max Fuel, nm	362
Power Rating			Length, T/R Turning, ft	35.86	Max, Payload, nm	362
			Length, Both Turning, ft	42.45	Aux Fuel, No Res, nm	683
Takeoff, Shp	712		Width, Fuselage, ft	6.14	Endurance, Std Fuel, No Res	4.5 Hours
Max, Continuous, Shp	625		Width, Widest Point, ft	8.30	Type Certificate Data Sheets	
Performance			Width, Landing Gear, ft	7.12		
			Height, Top, Rotor Hub, ft	10.30	FAA-Airframe	
HIGE, ft	9,850		Height, Top, T/R Arc, ft	8.40	FAA-Arriel 1D1 Engine	
HIGE, ISA+20C° , ft	7,050		Ground Clearance, Fuselage, ft	1.28	FAA-LTS101-700D-2 Engine	
HOGF, ft	7,550		Ground Clearance, T/R Guard, ft	2.30	EASA-Airframe	
HOGF, ISA+20C° , ft	4,270		Internal Dimensions		EASA-Arriel 1D1 Engine	
ROC, Oblique, ft/min	1,670				EASA-LTS101-700D-2 Engine	
Econ Cruise, S/L, kts	122		Length, ft	6.56 4.42	Milestones	
Vne, kts	155		Width, ft	5.41 2.62		
Rotor			Volume, Fuselage, ft³	105.94 35.29	Initial Development	April 1973
			Accomodations		First Flight (prototype)	14 Feb 1975
# of Blades	Main 3.00 Tail 2	Standard Seating			2+4	FAA VFR
Construction	Composite Composite	High Density Seating	3+4	FAA IFR	N/A	
Normal RPM	386.00 2,043.00	Weights		Summary		
Diameter, ft	35.07 35.07					
Chord, ft²	1.15 0.61	Max Gross, lbs	4,960	Common Use:		
Disc Area, ft²	965.97 29.22	Empty, Std Aircraft, lbs	2,561	Corporate, Electronic News Gathering, Emergency		
Disc Loading, lbs/ft²	5.14	Useful Load, lbs	2,270	Medical Service, External Lift, Forest Firefighting &		
Power Loading, lbs/shp	6.97	Useful Load, with Full Fuel, lbs	1,460	Logging, Offshore, Photography, Sightseeing, Utility		
		External Load, lbs	2,557	Nearest Competitive Model:		
		Gross, w/External Load, lbs	5,512	B206, SA-315, SA-319, MD 500		
				Most Recent Variants:		
				AS-350B-3		

Differences from Previous Model:
Installation of higher horsepower Arriel 1D1 engine,
increased capacity main transmission, higher gross weight

SOUND LEVEL - FLYOVER

Single Engine



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NEEDHAM

TOWN OF NEEDHAM
MASSACHUSETTS
JULY 30, 1985

SEP 26 A8 25

METROMEDIA RADIO & TELEVISION, INC.

Upon the application of Metromedia Radio & Television, Inc., 5 TV Place, Needham, MA, tenant, to the Board of Appeals for a special permit under Section 3.2 of the Zoning By-Law to operate a heliport at 5 TV Place, a public hearing was held at the Senior Adult Center, 83 Pickering Street, Needham, MA on Tuesday, July 30, 1985, in the evening pursuant to notice thereof published in a local newspaper and mailed to all persons interested.

Present on behalf of the applicant were Janine A. Petit, Esquire, Assistant General Counsel, WCVB-TV; Steven Comen, Esquire, Snyder, Tepper & Comen, One Boston Place, Boston, MA; Mr. Thomas Bringola, Vice President, WCVB-TV; Mr. Philip S. Balboni, Vice President, WCVB-TV; and Mr. Ross Kauffman, Vice President, WCVB-TV.

Ms. Petit first pointed out that this application was governed by the Schedule of Use Regulations which was part of the Zoning By-Law on February 1, 1985. On that date the applicant filed a plan of the locus at 5 TV Place in Needham with the Needham Town Clerk and with the Needham Planning Board pursuant to General Laws, Chapter 41 Section 81P. On February 15, 1985, the Planning Board endorsed the plan as, "Approval Under The Subdivision Control Law Not Required". As a result, by virtue of Massachusetts General Law 40A Section 6, for a period of three (3) years from the date of that endorsement by the Planning Board the use of the locus shown on the plan is governed by the applicable provisions of the Zoning By-Law in effect at the time of the submission of the plan. Accordingly, the application to use the locus as a heliport which on February 1, 1985, was a permitted use subject to the issuance of a special permit by the Board of Appeals is not affected by the amendment of the Zoning By-Law voted by the May 1985 town meeting to prohibit the use of any premises in the Town of Needham for the landing or taking off of aircraft including helicopters.

LEGAL NOTICE
TOWN OF NEEDHAM
BOARD OF APPEALS

Public notice is hereby given that Metromedia Radio & Television, Inc., 5 TV Place, Needham, MA, tenant, has made application to the Board of Appeals for a special permit under Section 3.2 of the Zoning By-law to operate a heliport at 5 TV Place.

Upon said application a public hearing will be held at the Senior Adult Center, 83 Pickering Street, Needham, MA on Tuesday, July 30, 1985 in the evening at 7:45 p.m. at which time and place all persons may appear and be heard.

Needham Times
7/11/85, 7/18/85

Ms. Petit then presented information to the Board concerning the safety of the proposed use of the locus for a heliport. She referred to a large rendering of the locus and the surrounding areas. She also showed a narrated videotape which demonstrated how helicopters would approach and depart from the proposed heliport by flying over Route 128 to the east of the locus and not over any portion of the Town of Needham. On the

basis of this presentation, Ms. Petit concluded that the proposed use of the subject locus for a heliport would be safe.

The applicant called Mr. David W. Graham, Chief Aeronautical Inspector, Aeronautics Commission, Commonwealth of Massachusetts. Mr. Graham stated that, in his opinion, the use of the locus as a heliport with an approach and departure pattern limited to the easterly or Route 128 side of the locus would be safe. Mr. Graham responded to specific questions from the Board regarding the safety of the proposed use. Questions raised by persons in attendance at the hearing were also put to Mr. Graham by the Board for his response.

Gerald Katz, Esquire, 1330 Boylston Street, Chestnut Hill, MA, an attorney representing the Needham Heights Neighborhood Association spoke in opposition to the granting of the application for a special permit to use the premises as a heliport. Mr. Katz expressed the opinion that the proposed use would be a threat to the safety of persons and property in the business, industrial and residential districts in the area surrounding the subject locus. Mr. Katz also expressed the opinion that a helicopter landing and taking off from the subject premises would create an unacceptable level of noise. Mr. Katz pointed out that the Zoning By-Law did not establish a standard of noise level acceptability on the basis of which a Board of Appeals could judge whether or not a proposed use generated an impermissible amount of noise.

Sidney Randall of 62 Noanett Road presented the Board with a petition containing signatures of citizens of the Town of Needham who were opposed to the granting of the special permit in question and stated that the proposed heliport would not be safe.

Because the hearing room at the Adult Center could not be used after 10:00 p.m., it was necessary that the hearing be suspended at this point to be resumed on August 5, 1985, at 7:00 p.m., at the Newman Middle School Auditorium.

As scheduled, the hearing resumed at 7:00 p.m. on August 5, 1985, at the Newman Middle School Auditorium with all parties present.

Mr. David Owen, Executive Secretary, Board of Selectmen, read a letter from H. Phillip Garrity, Chairman, Board of Selectmen in opposition to the granting of the special permit. Mr. Sydney Randall read a letter from State Representative Ellen Canavan in opposition to the application. Mr. Charles Sahagian, 49 Hunting Road spoke in opposition and furnished the Board with 11 pages of newspaper clippings of helicopter crashes. He concluded that the risk of a helicopter accident was too great to allow the special permit to be granted.

Also speaking in opposition were: Andrew Picariello, 590 Highland Avenue; Edward Bleiler, 15-19 Crawford Street; Elsie Robinson, 127 Noanett Road who presented a large scale rendering

of the Assessors' Map of the area surrounding the locus to demonstrate how congested the vicinity of the proposed heliport is; Herman Brown, 33 Cynthia Road; Terry McGuire, 711 Webster Street; Ken Monteith, 14 Meadow Land; Doris Waldstein, 23 Wayne Road; Leah Golden, 141 Noanett Road; George M. Watson, Jr., 30B Chambers Street; Richard Lempitski, 23 River Park Street; Elliot B. Ravech, 160 Gould Street; and Blanche Randall, 62 Noanett Road.

Mr. James H. Powers, 263 Nehoiden Street of the Legislature Research Bureau of the Massachusetts General Court raised the question of whether nonuniform local regulations of a helicopter used in the news gathering activities of a television station would conflict with the constitutional guarantees of freedom of the press.

Mr. Norman A. Homsy, Vice Chairman of the Planning Board, read a letter from the Planning Board to the Board of Appeals which recommended denial of the application.

Mr. Comen on behalf of the applicant responded to comments and questions concerning safety raised by interested parties in attendance. In addition, Mr. Comen made reference to a letter dated August 1, 1985, from Mr. David W. Graham to the Board of Appeals in which Mr. Graham amplified and reiterated his opinion that the proposed use of the premises for a heliport would be safe.

The applicant next called Mr. Paul Powers, Director of Safety and Certification, Bell Helicopters, Arlington, Texas. Mr. Powers discussed the Bell Helicopter model which the applicant would utilize in using the proposed heliport at the subject locus and stated that this model had an excellent safety record. Mr. Powers referred to statistics compiled by the National Transportation Safety Board pertaining to rotocraft accidents. He expressed the opinion that very few mishaps involving helicopters occur near the pad for the reason that the safest time in the operation of helicopters is during landing and takeoff. Mr. Powers also expressed the opinion that the heliport site as proposed by the applicant with the limited takeoff and landing pattern over Route 128 would be safe.

The applicant next called Mr. Richard Hodgkins who is an experienced helicopter pilot. In the opinion of Mr. Hodgkins, the proposed heliport site would be safe and would not constitute a hazard to persons using nearby property for residential or commercial purposes. The applicant next called Mr. Carl Towle, President, New England Helicopter Pilots' Association. Mr. Towle is the pilot who flies the Bell Helicopter which the applicant presently leases from Wiggins Airway and which is presently operated from a heliport at Norwood Airport but would be operated from the subject locus if the special permit were granted. Mr. Towle testified that, in his opinion, the proposed heliport would be safe.

Mr. Powers, Mr. Hodgkins and Mr. Towle responded to specific questions from the Board concerning safety. Questions from the

Board and questions which originated from interested parties in attendance were predicated upon worst case scenarios involving helicopter mishaps. Each witness each remained steadfast in his opinion that the proposed heliport operation would be safe.

The final witness called by the applicant was Cathy Abbott of Harris Miller Miller & Hanson, Inc., 429 Marrett Road, Lexington, MA, the acoustical engineers who prepared the report entitled "Noise Assessment of Helicopter Operations at the Proposed WCVB-TV Helipad, Needham, Massachusetts", which report was submitted with the application. Ms. Abbott amplified and explained the report which concluded that noise generated by the proposed heliport would not exceed established acceptable standards. Ms. Abbott concluded, as is stated in the report, that the operation of a helipad would be within the guidelines of acceptability established by the FAA. Ms. Abbott responded to specific questions posed by the Board and to comments and questions put to the Board concerning noise by interested parties in attendance. Ms. Abbott concluded that there are well established guidelines dealing with the level at which noise is not acceptable and that the noise which would emanate from the proposed heliport on the subject premises would be below accepted levels of acceptability.

Edward McCarren, 17 Roscoe Street and William Newcomb, 14 River Park Street, expressed the opinion that the noise generated by the proposed heliport would be excessive. Attorney Gerald Katz once again pointed out that the Zoning By-Law did not establish any standards of noise levels to guide the Board and declined to comment on whether the standards referred to in the report prepared by Ms. Abbott were either acceptable or not acceptable. Mr. Katz and Mr. Arthur Bloom, President of the Needham Heights Neighborhood Association declined to receive copies of the report prepared and submitted by Ms. Abbott. Because of the lateness of the hour, 11:30 p.m., the hearing was once again suspended to resume on Wednesday, September 4, 1985, at 7:30 p.m., at Newman Middle School.

On September 4, 1985, at 7:30 p.m., the hearing resumed at Newman Middle School with all parties present.

The hearing opened with citizens from the town asking questions and speaking against the application. Those speaking were Herman Brown, 33 Cynthia Road; Geoffrey Larkin, 162 Woodbine Circle; Sydney and Blanche Randall, 62 Noanett Road.

State Representative Ellen Canavan was present.

Mr. Katz on behalf of the Needham Heights Neighborhood Association produced Gene A. Weibel, Esquire, 66 Harvard Road, Stow, MA, a member of the Massachusetts Bar, who is an experienced airline transport pilot with a total of 23,000 hours of flight time and who specializes in aviation trial litigation. Mr. Weibel

expressed the opinion that the subject locus was a hazardous area for helicopter landing and takeoff because of obstructions in the area. Although Mr. Weibel did not have any personal experience with helicopter operations, he expressed the opinion contrary to the opinion of the helicopter experts produced by the applicant, that a helicopter just like a fixed wing aircraft was most vulnerable during taking off and landing. Mr. Weibel responded to questions from the Board concerning safety of the proposed heliport.

Speaking in opposition were Terry Crook, 3 Thorpe Road; Leah Golden, 121 Noanett Road; Virginia Crowley, 53 Livingston Circle; Dennis Miller, 20 Lee Road; Ken Monteith, 14 Meadow Lane; Geoffrey Larkin, 162 Woodbine Circle; and Pauline Hovsepian, 13 Hillside Avenue. Mrs. Blanche Randall presented a second collection of signatures in opposition to the application as well as a letter of opposition from State Senator David Locke.

Cathy Abbott, Harris Miller Miller & Hanson, Inc. spoke again to expand on two issues involving noise which were touched on at the August 5 hearing.

In addition, Joyce Rockmore, 84 Sylvan Road presented to the Board a clipping from New York Times re helicopter flights.

Attorney Katz and Attorney Comen each made closing remarks. The hearing closed at 10:15 p.m.

Decision

In the matter of the application by Metromedia Radio & Television, Inc. for a special permit to use the premises at 5 TV Place, Needham, MA for the operation of a heliport on the basis of the evidence presented to the Board at the hearing on the application by the applicant in support of the application and by the Needham Heights Neighborhood Association and others in opposition to the application, the Board after due and open deliberation in public session makes the following findings:

1. The applicant, Metromedia Radio & Television, Inc., operates television station WCVB-TV from the subject locus situated at 5 TV Place in Needham. The applicant occupies the subject locus as a tenant. On February 1, 1985, the record owner of the subject locus filed with the Planning Board and with the Town Clerk a plan of the locus together with an application entitled Application for Endorsement of Plan Believed Not to Require Approval. The plan of the locus was duly endorsed by the Planning Board on February 15, 1985, with the legend "Approval Under The Subdivision Control Law Not Required". The application and plan were filed pursuant to Massachusetts General Laws, Chapter 41 Section 81P.

Massachusetts General Laws, Chapter 40A Section 6, provides that when a plan has been submitted to a planning board under Section 81P of Chapter 41 and written notice has been given to the Town Clerk, "...the use of the land shown on such plan shall be governed by applicable provisions of the zoning ordinance or by-law in effect at the time of the submission of such plan...for a period of three (3) years from the date of endorsement by the planning board that approval under the Subdivision Control Law is not required, or words of similar input". The Schedule of Use Regulations contained in Section 3.2 of the Needham Zoning By-Law on February 1, 1985, permitted the premises located in a Business District, in an Industrial District or in an Industrial Park District to be used for an, "airport, heliport, landing strip or area for any type of aircraft" pursuant to a special permit issued by the Board of Appeals. Although following notice which was published for the first time subsequent to February 1, 1985, the above quoted section was in effect stricken by action taken by the May 1985 Town Meeting and replaced with a section which prohibited the "use of any premises in any district for landing or taking off of aircraft, including helicopters,...", the subject locus for a period of three (3) years from February 1, 1985, is exempt from any change in use requirements pursuant to Massachusetts General Laws, Chapter 40 A Section 6. As a result, the Board must hear and decide this application on the basis of the Zoning By-Law provision which was in effect on February 1, 1985, without regard to the action taken by the May 1985 Town Meeting to prohibit the use of any premises in the Town of Needham for a heliport.

2. The subject locus at 5 TV Place is situated within an Industrial District. Accordingly, in accordance with the Zoning By-Law provision in effect on February 1, 1985, the subject locus may be used as a heliport pursuant to a special permit granted by the Board of Appeals.

3. The applicant does not propose or seek a special permit to operate a public heliport. The heliport which the applicant proposes and seeks a special permit to operate would function on a limited basis, as follows:

a. The proposed heliport would be utilized exclusively to support the news gathering operations of television station WCVB-TV and would be utilized only in connection with the pick-up and delivery of news gathering personnel, equipment and videotape.

b. The proposed heliport would not at any time under any circumstances or conditions involve any commercial operations or the transportation of passengers or freight.

c. The proposed heliport would not at any time under any circumstances or conditions be accessible to the general public at large.

d. The proposed heliport would not at any time under any circumstances or conditions be available for use by any helicopter other than the news gathering helicopter leased by the applicant for use pursuant to this special permit.

4. The helicopter which the applicant would use at the proposed heliport pursuant to this special permit is a Bell Jet Ranger 206. This particular helicopter model is one of the safest and most reliable helicopters available.

5. The likelihood of a helicopter accident occurring during takeoff or landing at the proposed heliport on the subject locus is remote. The large majority of helicopter accidents do not occur at or near a heliport. The use of the heliport as proposed by the applicant will not constitute a safety hazard to the adjacent neighborhood, the inhabitants of the Town of Needham or the general public.

6. The scientific noise study conducted by the firm of Harris Miller Miller & Hanson & Inc., which stated "...at residences closest to the facility, the proposed operations would have a negligible effect on ambient noise levels." is consistent with the findings made by the Board of Appeals in approving a prior special permit for the use of the subject locus as a heliport in 1980. With the takeoff and landing paths restricted to the area over Route 128 to the east of the subject locus, the limited duration of noise produced by each landing and takeoff and the operating hour restrictions which will be imposed below, the noise of the helicopter operations would not have any detrimental effect on surrounding business and residential property owners. Existing noise sources such as heavy truck traffic have a greater noise impact than the proposed helicopter flights.

7. The use of the subject locus for a limited heliport is in harmony with the general purpose and intent of the Needham Zoning By-Law. The proposed limited heliport use of the subject premises would not adversely affect the health, safety, convenience, morals or welfare of the inhabitants of the Town of Needham.

Therefore, in accordance with and on the basis of the foregoing findings, the Board of Appeals by unanimous vote, after motion duly made and seconded, grants the applicant a special permit to use the premises at 5 TV Place for a heliport to be constructed, established and maintained on the roof of the building on the subject locus as shown in the plan of August 26, 1983 prepared by Schofield Brothers, Inc., revised May 26, 1985, submitted with the application, subject to the following conditions:

1. The heliport shall be constructed and shall be maintained at all times in total compliance with each and every condition imposed at any time or from time to time by the Needham Building Inspector and by the Needham Fire Chief and in total compliance

at all times and from time to time with each and every federal, state and local statute by-law administrative rule or regulation which may at any time or from time to time be or become applicable. The heliport may be used only for the landing and takeoff of a Bell Jet Ranger 206 helicopter leased to or owned by the applicant. The helicopter using the heliport pursuant to this special permit must at all times be clearly marked with the identifying logo of the applicant. If a substitute helicopter is used temporarily while the regular helicopter is undergoing maintenance or repairs for more than one day, the substitute helicopter shall be clearly marked with a substitute identifying logo of the applicant.

2. The heliport may be used only between the hours of 6:00 a.m. and 11:00 p.m. There shall not be any helicopter operations of any kind at the heliport between the hours of 11:00 p.m. and 6:00 a.m. The heliport may be used only in connection with the transportation by helicopter of personnel, equipment and videotape involved in the news gathering operations of the applicant. The heliport may not be used at any time under any circumstances or conditions for any other public or commercial purposes or to transport passengers or freight.

3. The helicopter using the heliport pursuant to this special permit may only use an approach and departure flight pattern confined to an area which lies to the southeast of the heliport and extends generally along the center line of Route 128. The immediate approach and departure from the heliport shall be over and in the direction of the Route 128 - Highland Avenue interchange. The helicopter using the heliport pursuant to this special permit shall not at any time under any circumstances or conditions fly over any other part or parts of Needham during an approach to or departure from the heliport.

4. At times when weather, wind or atmospheric conditions or any other conditions prevent the helicopter from using the heliport pursuant to this special permit in complete compliance with the approach and departure pattern as set forth in condition 3 above, the helicopter may not use the heliport. Under such circumstances all helicopter operations at the heliport shall cease and shall not be resumed unless and until it becomes possible to comply fully with condition 3.

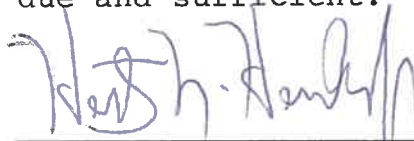
5. Unless the helicopter is unable to fly due to weather conditions or mechanical breakdown, the helicopter using the heliport pursuant to this special permit shall not be stored at the heliport overnight and shall not be serviced or routinely repaired at the heliport.

6. There shall not be any storage of any fuel or other petroleum or combustible materials at the heliport. Adequate means shall be provided and be available at all times to dispose of and to deal safely with any accidental spillage of combustible materials.

7. The heliport shall not be marked, recorded, advertised or publicly designated as being available for use for any purpose other than the limited use by applicant which is authorized by this special permit. This condition does not prevent the applicant from marking or recording the heliport to the extent required by any applicable federal or state law or regulation.

8. This special permit may be transferred and assigned by the applicant to any person or entity which acquires the license to operate the television station designated as WCVB-TV Channel 5 and which operates from the location of 5 TV Place in Needham, subject to all the terms and conditions of this special permit, otherwise this special permit may not be transferred or assigned by the applicant without the prior written consent of the Board of Appeals following such notice and hearing, if any, as the Board in its exclusive discretion shall determine to be due and sufficient.

9. This special permit shall only be used in complete compliance with each of the foregoing conditions. The failure of the applicant to comply with each of the foregoing conditions at any time may constitute cause for the revocation of this special permit by the Board of Appeals after a hearing following notice to the applicant and such other notice as the Board in its exclusive discretion shall determine to be due and sufficient.



Hertz N. Henkoff, Chairman



Warren J. MacDonald, Member



Alexander V. Zaleski, Member

**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS
NOVEMBER 17, 2005**

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NEEDHAM, MA 02492

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**HEARST-ARGYLE TELEVISION, INC. d/b/a WCVB-TV
Amendment**

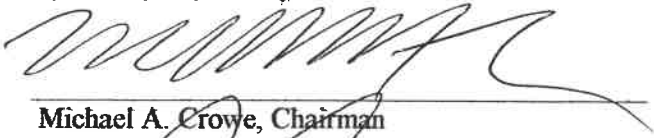
By a letter dated November 14, 2005, Steven J. Comen Esquire, of Goodwin Procter, Exchange Place, Boston, MA 02109 attorney for Hearst-Argyle Television, Inc. d/b/a WCVB-TV, 5 TV Place, Needham, MA (the "Applicant"), requested that the Board of Appeals allow an amendment to the Special Permit issued to Applicant by decision dated July 30, 1985, as modified and confirmed by the Norfolk Superior Court Judgement entered August 28, 1986, for the following reasons:

WCVB has been utilizing the same helicopter for almost 20 years: a Bell 206 Jet Ranger. They request permission to update that helicopter with a Eurocopter AS350B Astar series helicopter. The Astar is a light single engine turbine helicopter (as is the Jet Ranger) but offers a wider safety margin and is even quieter than the Bell Jet Ranger. Particularly, the Astar has a 3-bladed rotor system that will provide more stability in windy conditions, compared with the Jet Ranger, which has only two blades.

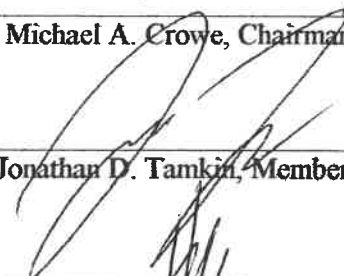
Submitted with the letter was a graph depicting the sound level for a flyover for the current helicopter and the proposed helicopter, entitled "Sound level - Flyover", dated 11-14-05, and specification sheets for the Jet Ranger III and the Eurocopter AS350 Series helicopters.

The Board, acting within its authority, finds that, due to the nature of the request, it was not necessary to require a public notice and hearing.

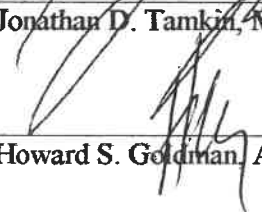
The Board finds that the requested change falls within the scope of the July 30, 1985 Decision and the Norfolk Superior Court Judgement entered August 28, 1986, and unanimously votes to amend the 1985 decision by inserting "a Eurocopter AS350 Series" in place of the original "Bell Jet Ranger 206" helicopter in condition 1 of the 1985 Decision. The Applicant continues to be bound by all previous conditions stated in the 1985 Decision and Judgement referenced, and all other safety and reporting requirements imposed by any other jurisdictional bodies.



Michael A. Crowe, Chairman



Jonathan D. Tamkin, Member



Howard S. Goldman, Associate Member



RECEIVED TOWN CLERK
NEEDHAM, MA 02492

2011 FEB 22 AM 10:52

**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

January 20, 2011

Hearst Television, Inc. d/b/a WCVB-TV

Amendment

By a letter dated January 4, 2011, Steven J. Comen, Esquire, Goodwin Procter LLP, Exchange Place, Boston, MA 02109, attorney for Hearst Television Inc., d/b/a WCVB-TV, 5 TV Place, Needham, MA (the "Applicant"), requested that the Board of Appeals allow an amendment to the Special Permit issued to the Applicant by the Decision dated July 30, 1985, as modified and confirmed by the Norfolk Superior Court Judgment entered August 28, 1986, and amended November 17, 2005.

Mr. Comen appeared informally before the Board at the January 20, 2011 Zoning Board of Appeals Meeting. He stated that having used the Eurocopter make of helicopter for 5 years, as approved in the 2005 Amendment, the company wishes to return to the Bell 206 as it is the safest and most reliable single engine aircraft. Mr. Comen stated the noise levels of the Bell series helicopters are not distinguishably different from those of the Eurocopter series.

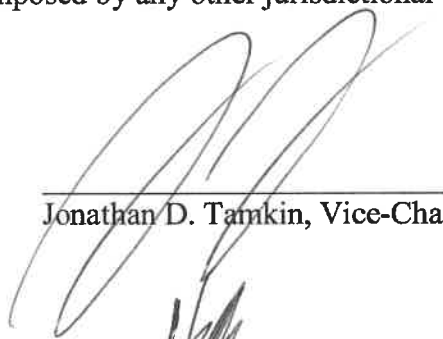
Bill DeReamer, Director of Safety, Helicopters, Inc., submitted the document "Explanation of Helicopter External Noise Levels: Publish Appendix H Certification Noise Levels," showing the noise levels of the Bell 206 to be comparable to those of the Eurocopter.

Mr. Comen suggested that the language of the requested amendment prescribe "a single engine helicopter" rather than a specific brand. The Board stated a noticed public hearing would be required to do so, however simply changing the brand back to the original would be in compliance with a de minimis change.

The Board, acting within its authority, finds that, due to the nature of the request, it was not necessary to require a public notice and hearing.

The Board finds that the requested change falls within the scope of the July 30, 1985 Decision and the Norfolk Superior Court Judgment entered August 28, 1986 and unanimously votes to amend the 1985 Decision back to the original language by inserting

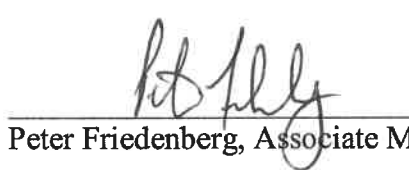
“Bell Jet Ranger 206” in place of the 2005 amended “a Eurocopter AS350 Series” helicopter in Condition 1 of the 1985 Decision. The Applicant continued to be bound by all previous conditions stated in the 1985 Decision and Judgment referenced, and all other safety and reporting requirements imposed by any other jurisdictional bodies.



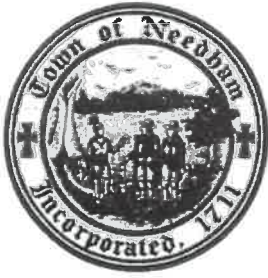
Jonathan D. Tamkin, Vice-Chairman



Howard Goldman, Member



Peter Friedenberg, Associate Member



**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

RECEIVED TOWN OF
NEEDHAM, MA 02494
2021 MAR 22 PM 3:38

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: March 10, 2021

Name of Applicant or Appellant: Glenn & Deborah Mulno

Address: 40 Morton Street
Needham, MA 02494

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

Daytime telephone: 339-225-8684

(Optional) Cell phone: 339-225-8684

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

Sean Noonan - Central Mass Sunrooms

482 Southbridge Street, Suite 268, Auburn, MA 01501

Address/Location of Property 40 Morton Street, Needham, MA 02494

Assessor map/parcel number Map No 62, Parcel 75

Zone of property: SR-B

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: Existing non conforming deck attached to rear of non conforming house. Edge of deck is 5 feet 4 inches from side property line.

Side wall of kitchen expansion is 4 feet 3 inches

Statement of relief sought: Build studio sunroom on existing foot print of deck
Deck would be reconstructed on same foot print, lower to the ground, Sunroom built on top
Sunroom would still be further from property line than side of kitchen wall.

Applicable Section(s) of Zoning By-Law: Chapter 1, section 1.4.6, alteration; Chapter 4 section 4.2.1, Table of setbacks.

If application under Zoning Section 1.4, listed immediately above:

List nonconformities related to lot/structure(s) in application: Side setback no longer in conformance, was in conformance when built.

Date structure(s) on lot constructed (including any additions): 1950 (initial construction), 1982 (kitchen expansion)

Date lot created:

1950

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.

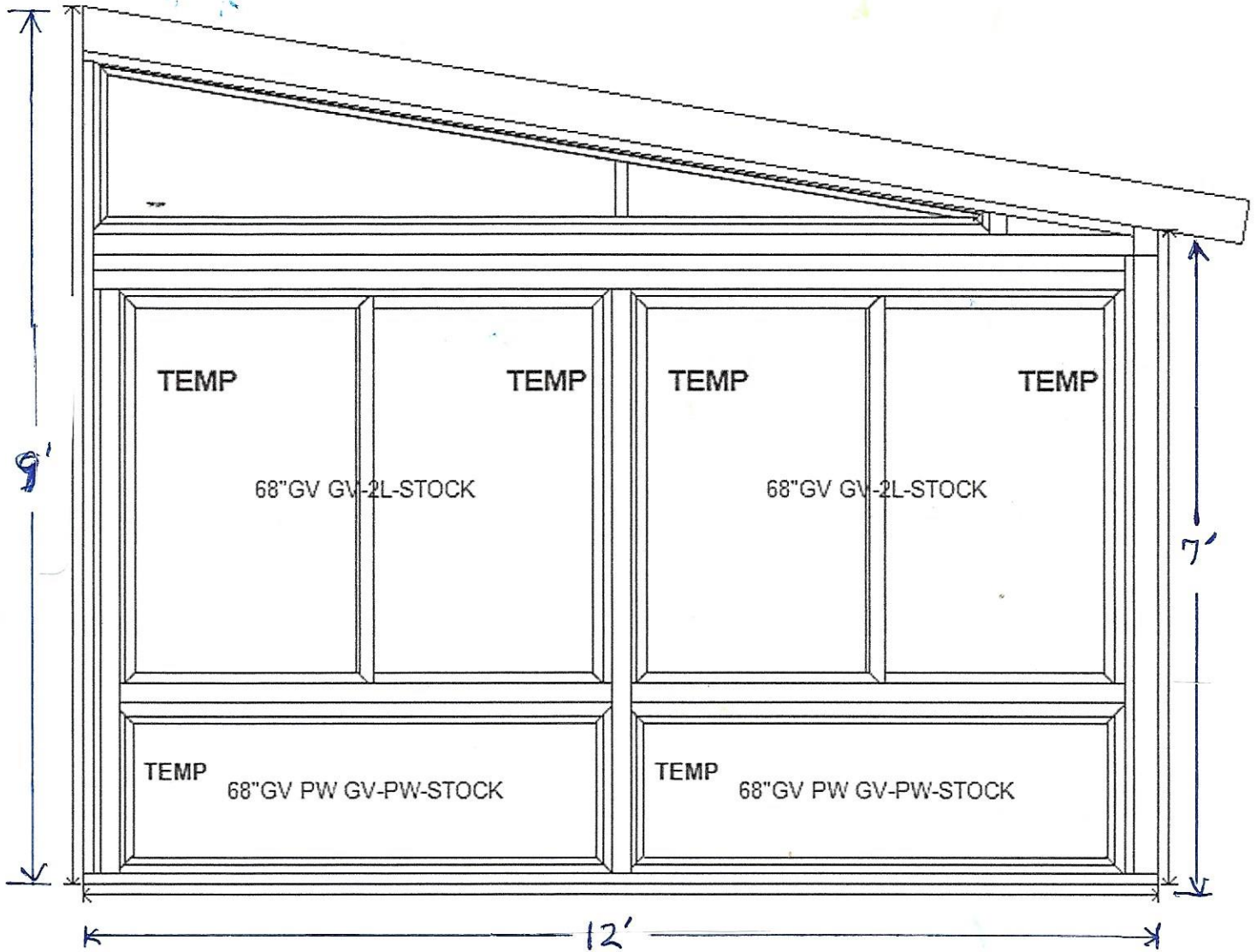
A hearing before the Board of Appeals, with reference to the above noted application or appeal, is requested by

Signed Glenn A. Foubert Deborah A. Madro

Title Property owners

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

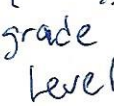
A Wall



	Dealer Name:		CMSR Services, LLC	
	Job Name:		Mulno	
	Site Address:			
	Wind Load:	92 MPH	Snow Load:	40 PSF

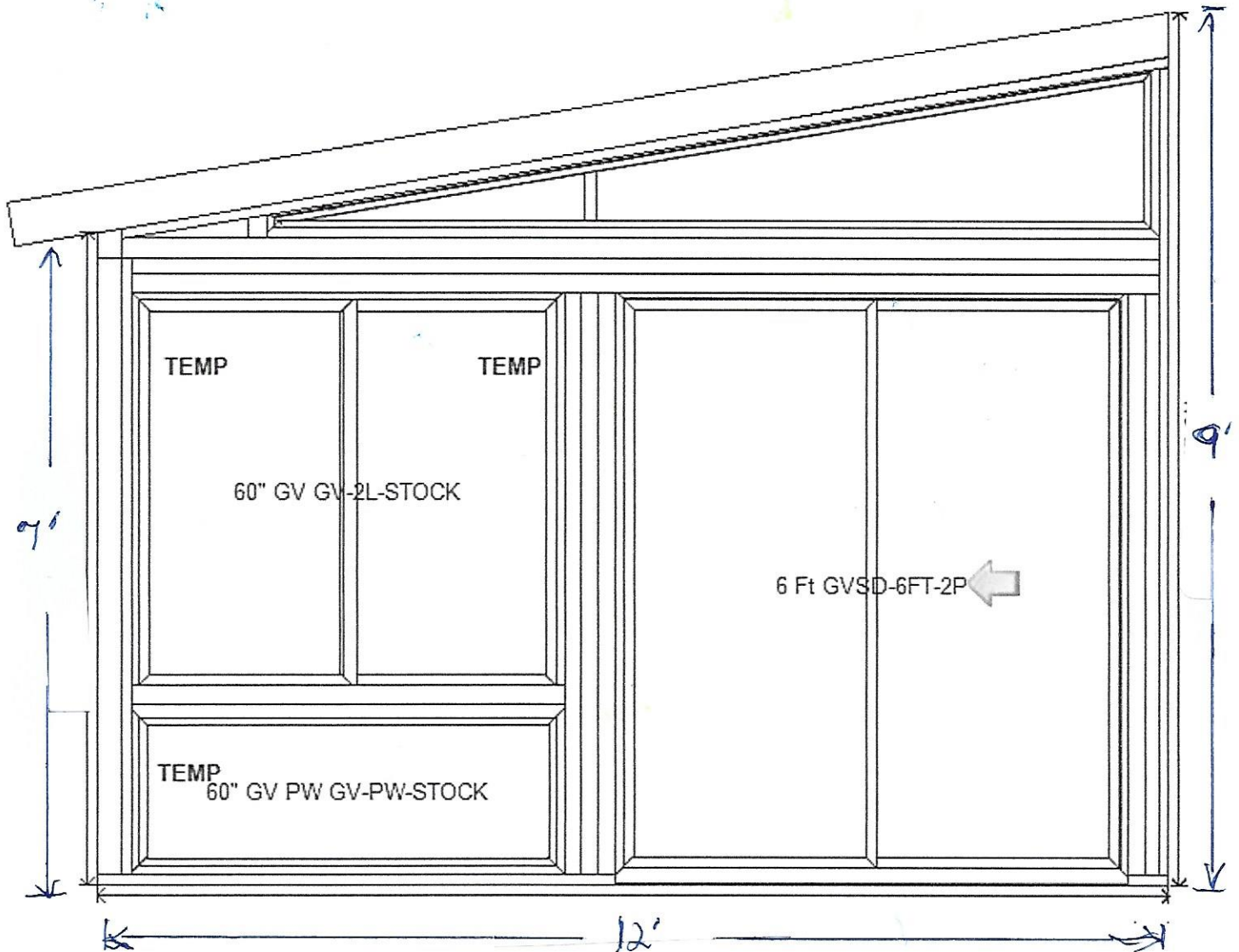
DATE: 10/30/2020

B Wall



Dealer Name:		CMSR Services, LLC	
Job Name:		Mulno	
Site Address:			
Wind Load:	92 MPH	Snow Load:	40 PSF

C Wall



	Dealer Name:	CMSR Services, LLC		
	Job Name:	Mulno		
	Site Address:			
	Wind Load:	92 MPH	Snow Load:	40 PSF





TOWN OF NEEDHAM, MASSACHUSETTS

Building Inspection Department

Assessor's Map & Parcel No. MAP NO. 62, PARCEL 75

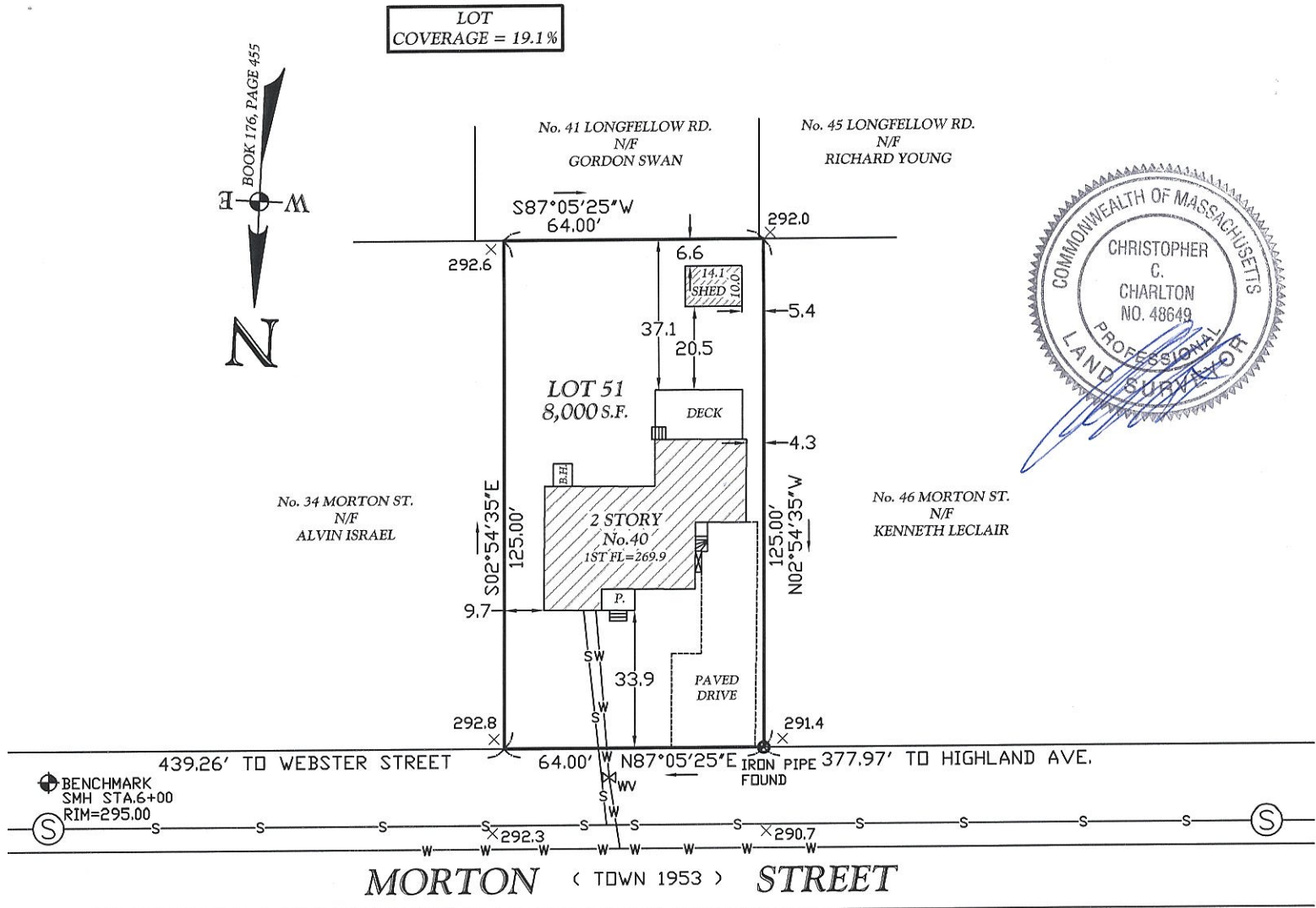
Building Permit No. B120120473 At No. 40 MORTON STREET

Lot Area 8,000 S.F. Zoning District SR-B

Owner GLENN MULNO Builder _____

SHED AS-BUILT PLAN

40' Scale



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

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

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

The above is subscribed to and executed by me this 14 th day of MAY 20 12.

Name CHRISTOPHER C. CHARLTON Registered Land Surveyor No. 48649

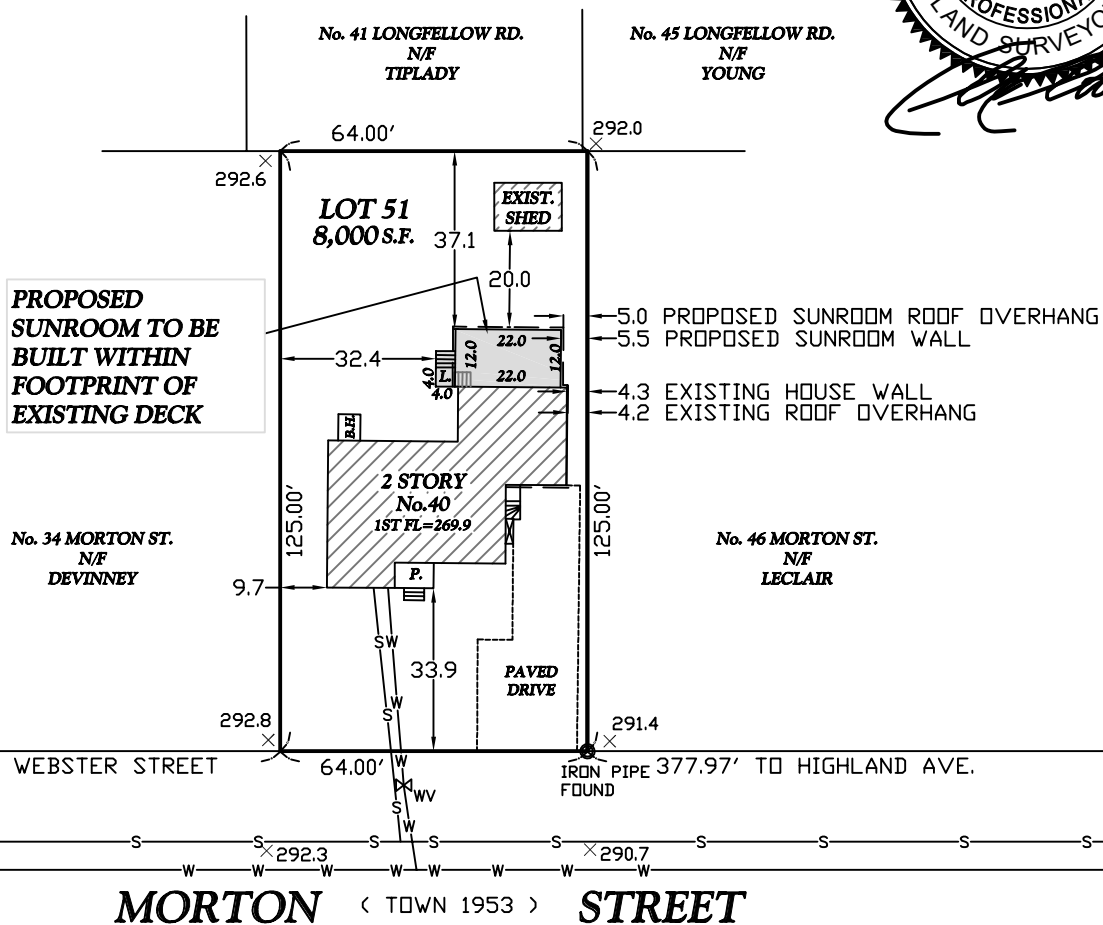
Address 105 BEAVER STREET City FRANKLIN State MA Zip 02038 Tel. No. (508) 528-2528

Approved R. P. Merson Director of Public Works Date 5/18/12

Approved _____ Building Inspector Date _____

Building Inspection Department

Building Permit No. _____ At No. **40 MORTON STREET**
 Lot Area **8,000 S.F.** Zoning District **SR-B**
 Owner **GLENN MULNO** Builder _____

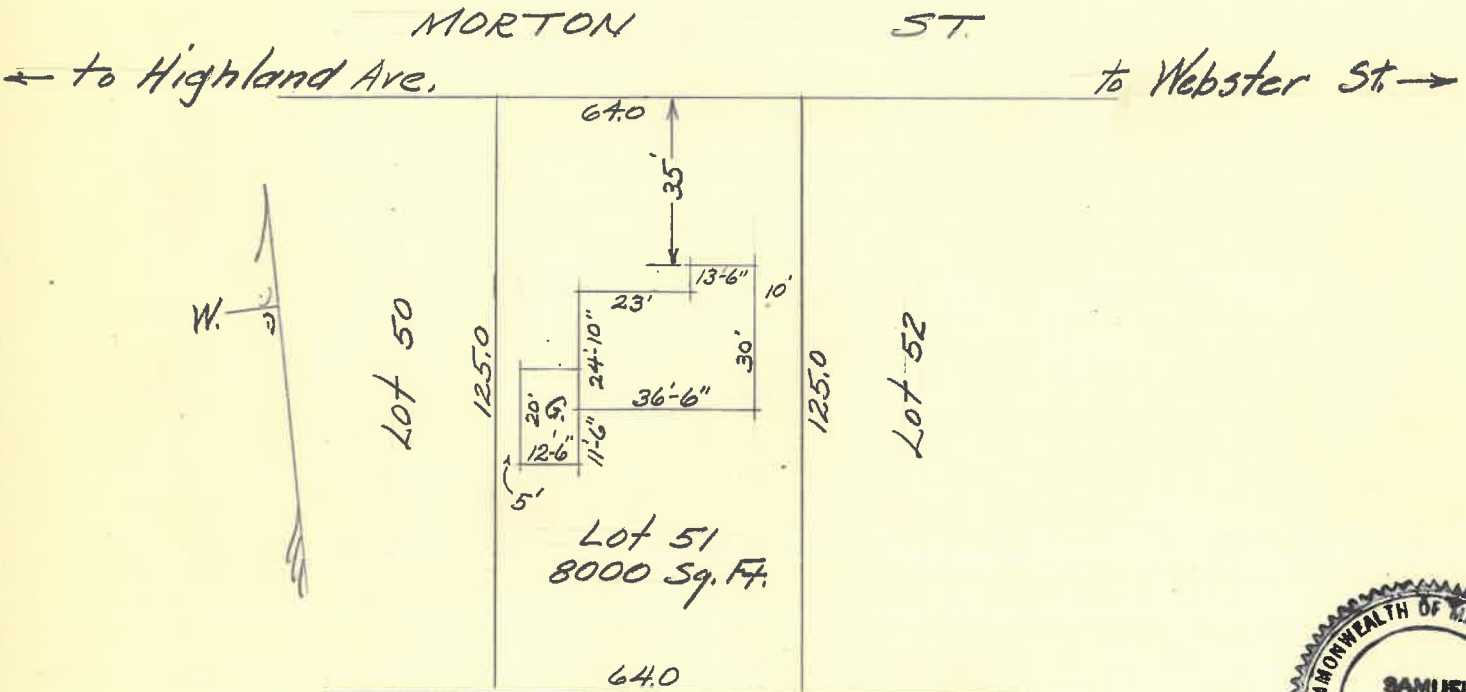


Approved _____ Building Inspector Date _____

TOWN OF NEEDHAM, MASS.
Building Inspection Department

Building Permit No. **8428** No. #40 MORTON ST. Road
Street
Avenue
Area 8000 sq ft. Setback of adjacent buildings 35'
Owner Robert D. Davidson Builder Rivers + Maloney
Sewer yes Water yes Drain yes
(Cellar floor should be high enough to provide ample drainage for sewer and storm-water drain.)

Plot plans to be made at 40" scale.



I hereby certify that the lot corners, dimensions and offsets to the proposed building are accurately shown on this plan and will conform with the completed construction.

Signed:

Samuel Slater
Civil Engineer

Approved in accordance with Art. 37 of 1940

Date

June 13, 1950

F. J. Cheney
Town Engineer

R. D. Hall
Supt. of Public Works

PLOT AND BUILDING

Plans must be submitted and approved by this Department before a permit for erection will be granted. Separate application required for every building

APPLICATION

Needham, Mass., June 13, 1950

No. 8428

TO THE INSPECTOR OF BUILDINGS:

The undersigned hereby applies for permit to build, according to the following specifications:

1. Purpose of Building single family dwelling, one car garage attached
2. First-class _____ Second-class _____ Third-class ☒
3. Zoning District single
4. Location, St. and No. Morton St., Lot 51 Nearest St. _____
5. Owner Robert A. Davidson Address 24 Mitchell St. Brighton Tel. _____
6. Builder Rivers & Maloney Address 1131 Salem St. Needham Tel. _____
7. Architect _____ Address _____ Tel. _____
8. Size of Building—Front 49 Rear _____ Depth 31'6"
9. No. of Feet Level of Ground to Highest Point of Roof 20'
10. Set Back from Street 35' Right Side 5' Left Side 10'
11. Area of Lot 8,000 No. of Rooms 5 + bath
12. Material of Foundation poured concrete Material of Underpinning _____
13. Size of Girder 6x10 Kind fir
14. Size of Sills 4x6 Posts 4x6
15. First Floor Timbers 2x8 Second 2x8 Third _____
16. Size of Corner Braces 2-2x4 Outside Window and Door Studs 2-2x4
17. Size of Bridging 2-1x3 Rafters 2x6
18. Roof Covering _____ Exterior Wall Covering _____
19. Is the Roof to be Flat, Pitch, Mansard or Hip pitch
20. Heated by Steam, Furnace, Hot Water, Air Conditioned steam
21. Oil Burner ☒ Gas Fired _____ Coal _____
22. Plumbing ☒ Wiring ☒
23. Estimated Value \$10,000 -
24. Plans Submitted _____

In addition to the foregoing statement this building will be constructed under the Building and Zoning By-Laws of the Town of Needham. Permit card to be displayed until work is completed.



**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

2021 MAR 22 PM 3:38
TOWN OF NEEDHAM, MA 02492

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: 3-22-21

Name of Applicant or Appellant: RACHEL BRIGHT

Address: 20 COOLIDGE AVE

NEEDHAM, MA 02492

E-mail address: racheljbright@yahoo.com

Daytime telephone: 617-966-2900

Cell phone: 617-966-2900

Additional contact information, (ie: contractor ☐, architect ☒, builder ☐, attorney ☐):

TOM TIMKO - COPPER BEETH DESIGN

66 WOODHURST DR, WESTON MA 02453 617-308-8099

Address/Location of Property 20 COOLIDGE AVENUE

Assessor map/parcel number MAP 33 PARCEL 43

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: THE OWNERS OF 20 COOLIDGE ARE WORKING TO EXPAND THEIR EXISTING 2700 SF HOME TO ADD A FAMILY ROOM EXTENSION AND OFFICE SPACE. THE EXISTING LOT SIZE IS NON-CONFORMING, 30% LESS THAN REQUIRED AMOUNT.

Statement of relief sought: THE OWNERS ARE REQUESTING RELIEF WITH RESPECT TO THE FAR LIMIT, WHICH DUE TO THE SUB-STANDARD LOT SIZE IS QUITE SMALL. THEY ARE PROPOSING TO ADD 8K SF OVER THE EXISTING LIMIT. ALL OTHER DIMENSIONAL CONSTRAINTS AND CONFORMING

Applicable Section(s) of Zoning By-Law: SECTION 4.2, TABLE 4.2.1
SECTION 1.4.7.2

If application under Zoning Section 1.4, listed immediately above:

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

EXISTING LOT AREA IS NON-CONFORMING; PROPOSED FAR EXCEEDS MAXIMUM.

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

BUILT 1925; RENOVATED 2009, 2015

Date lot created: _____

< 1925

A certified plot plan, prepared by a registered surveyor, must be attached to this application at time of filing. An application will be returned if a copy of the plot plan is not attached to the application.

•Applications for Comprehensive permits under M.G.L. Ch. 40B require a copy of plot plan.

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 Rachel Braghet

Title Owner

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

Existing Conditions Photos



Existing Elevation – Front



Existing Elevation – Rear



Existing Elevation – Right



Existing Elevation – Left

Bright Residence Additions and Extensions

20 Coolidge Avenue
Needham, MA 02492



Copper Beech Design

66 Woodchester Drive
Weston MA 02493
617-308-8099

Project Overview

Created	03-16-21
Revision Date	Description
1.	
2.	
3.	
4.	

Copper Beech Design
66 Woodchester Drive Weston MA 02493
617-308-8099
info@copperbeechdesign.com
www.copperbeechdesign.com



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**Bright Residence
Additions and Extensions**
20 Coolidge Avenue
Needham, MA 02492

20 Coolidge Avenue
Project Information/Context

Project Information
PROPOSED PROJECT
The owners of 20 Coolidge Avenue are proposing to expand their home by extending their First Floor Family Room and by adding a second story section over their existing Garage and Mudroom. All of the proposed work is fully conforming from a dimensional standpoint.
This is the second phase of an expansion that began in 2015, PRIOR to the changes in the Zoning Code that added the FAR requirement to the SRB district.

- NON-CONFORMING COMPONENTS AND RELIEF REQUESTED**
- EXISTING NON-CONFORMITIES**
- The Lot Area is 7,044 SF, which is below the 10,000 SF minimum.
- RELIEF REQUESTED**
- The existing structure and all of the proposed changes are fully compliant with the standard SR3 yard dimensions.
 - The proposed FAR EXCEEDS the 0.38 maximum, as the Lot Area for this property is substantially below the 10,000 SF requirement. It should be noted that the entire neighborhood was developed in the 1920's and earlier, well before the 10,000 SF limit was conceived. The lot sizes throughout this area are commonly well below that limit.
 - The owners are looking for relief from the 0.38 FAR limit, which is poorly suited for this area.

Property Overview
PROPERTY HISTORY AND OVERVIEW

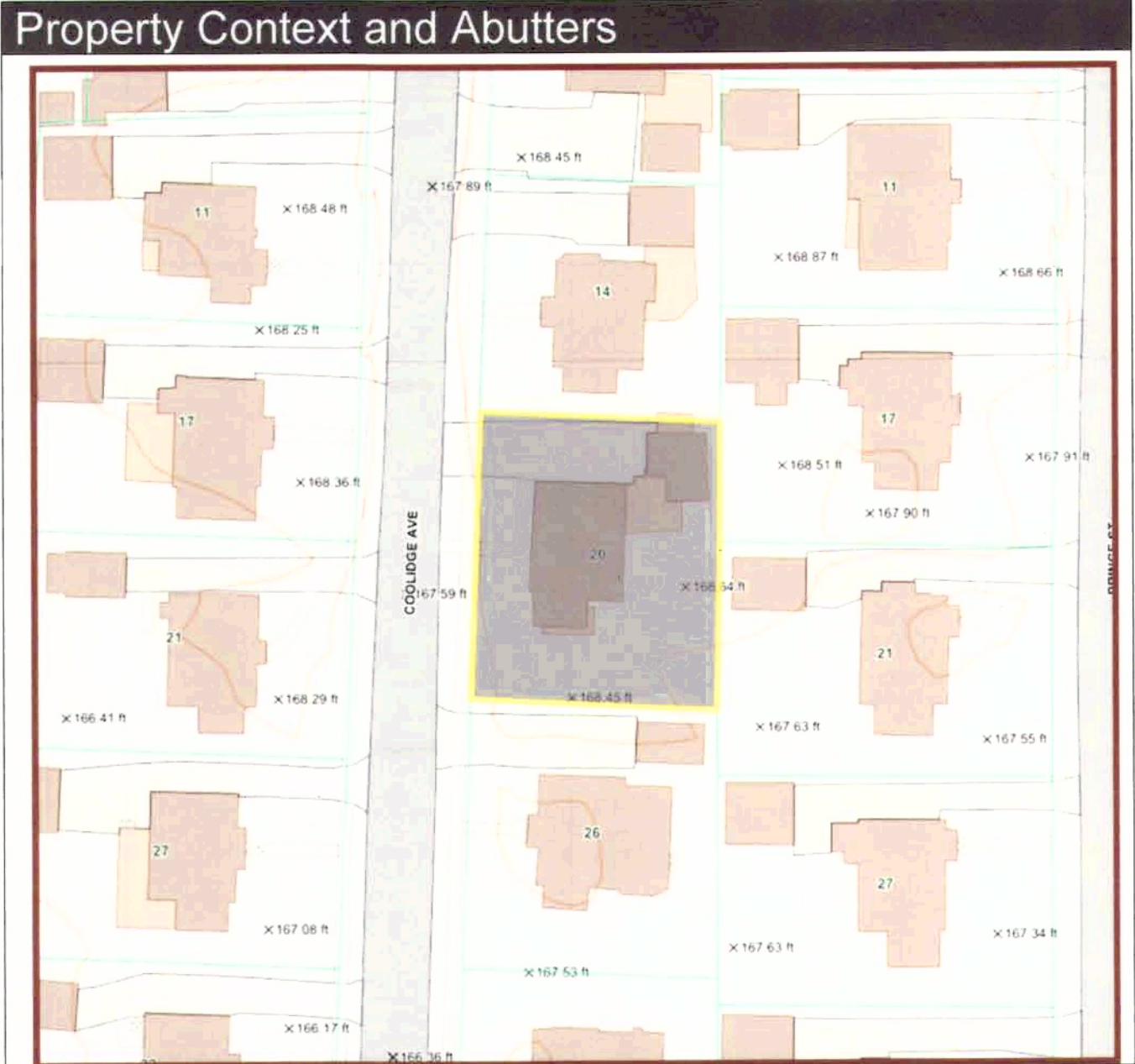
Property Class	Single Family
Zoning	SRB
Land Area	7,044 SF
Style	Colonial
Year Built	1925 -- Renovated 2009, 2015
Number of Stories	2.0 (Existing)
Rooms/Bedrooms	8 / 4 (Existing)
Full Baths/Half Baths	2 / 1 (Existing)

Zoning and Dimensional Compliance Information

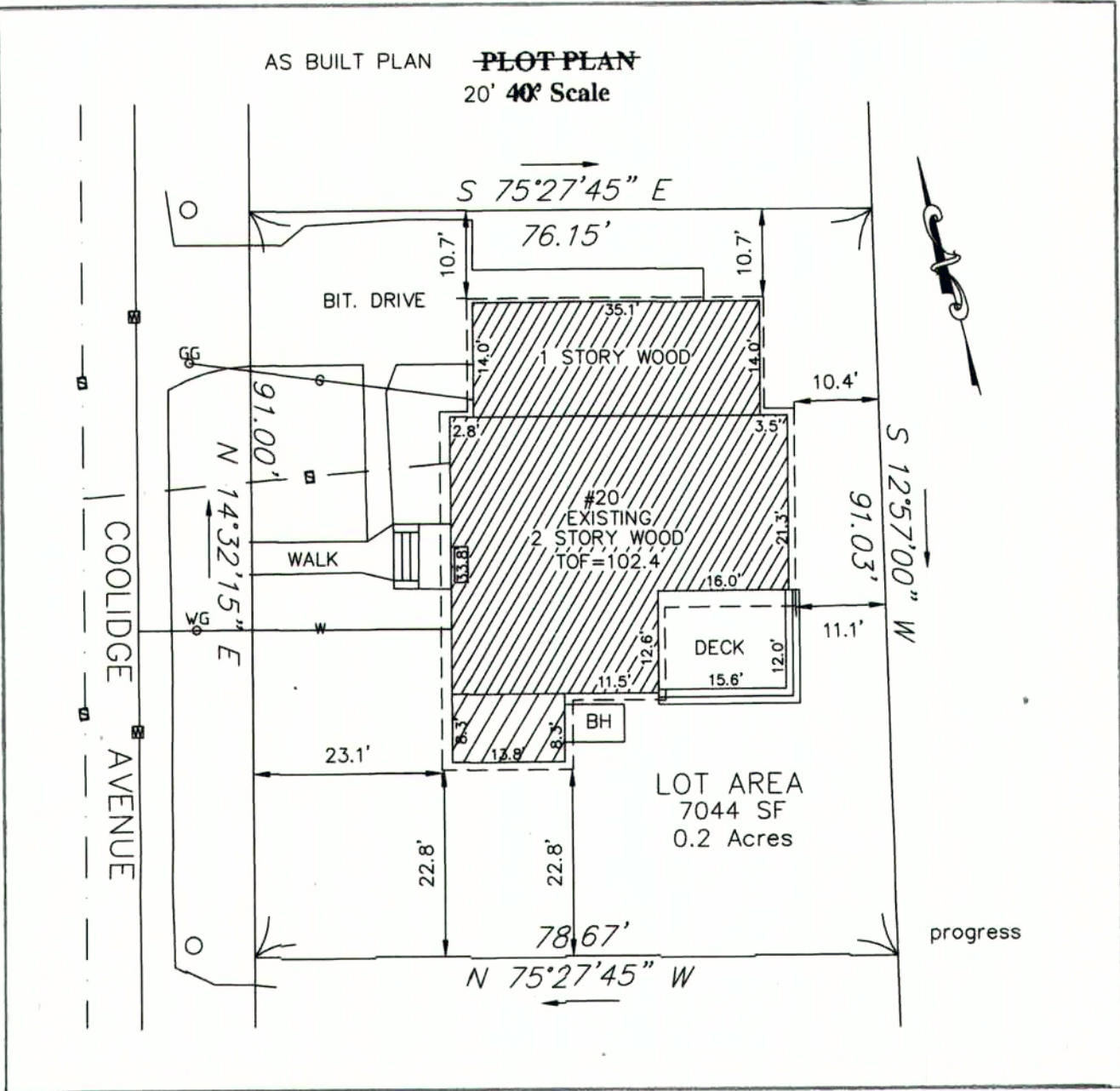
District SRB Dimensional Requirements	Required	Actual/Proposed	Compliance Status
Lot Size	10,000 SF	7,044 SF	EXISTING NONCONFORMING
Minimum Frontage	80.0 LF	91.0 FT	CONFORMS
Minimum Setback - Front	20.0 FT	23.1 FT -- EXISTING NO CHANGE PROPOSED	CONFORMS
Minimum Side Yard -- LEFT	12.0 LF	10.7 FT -- EXISTING NO CHANGE PROPOSED	CONFORMS
Minimum Side Yard -- RIGHT	12.0 LF	22.8 FT -- EXISTING NO CHANGE PROPOSED	CONFORMS
Minimum Rear Yard	10.0 LF	10.4 FT -- EXISTING NO CHANGE PROPOSED	CONFORMS
Height	35.0 FT 2.5 ST	NO CHANGE PROPOSED	CONFORMS
FAR	0.38	0.37 -- EXISTING 0.49 -- PROPOSED	PROPOSED CHANGE NON-CONFORMING

Drawing Index

PAGE	DRAWING
1	Cover and Overview
2	Site and Zoning Compliance Information
4	Existing Conditions -- First Floor
5	Existing Conditions -- Second Floor
9	Proposed -- First Floor
10	Proposed -- Second Floor
12	Proposed -- Front Elevation
13	Proposed -- Right Elevation
14	Proposed -- Rear Elevation
15	Proposed -- Left Elevation



Codes and Standards
All wall, floor, and roof framing as per MA Building Code 780 CMR, 2015 IBC One and Two Family Code, and AWC Wood Frame Construction Manual.
All new foundation walls, footings, and floor slabs as per MA Building Code 780 CMR, 2015 IBC One and Two Family Code.
Energy conservation elements as per 2015 International Energy Conservation Code (IECC) as amended by MA BBRS, OR MA "Stretch" Code.



2

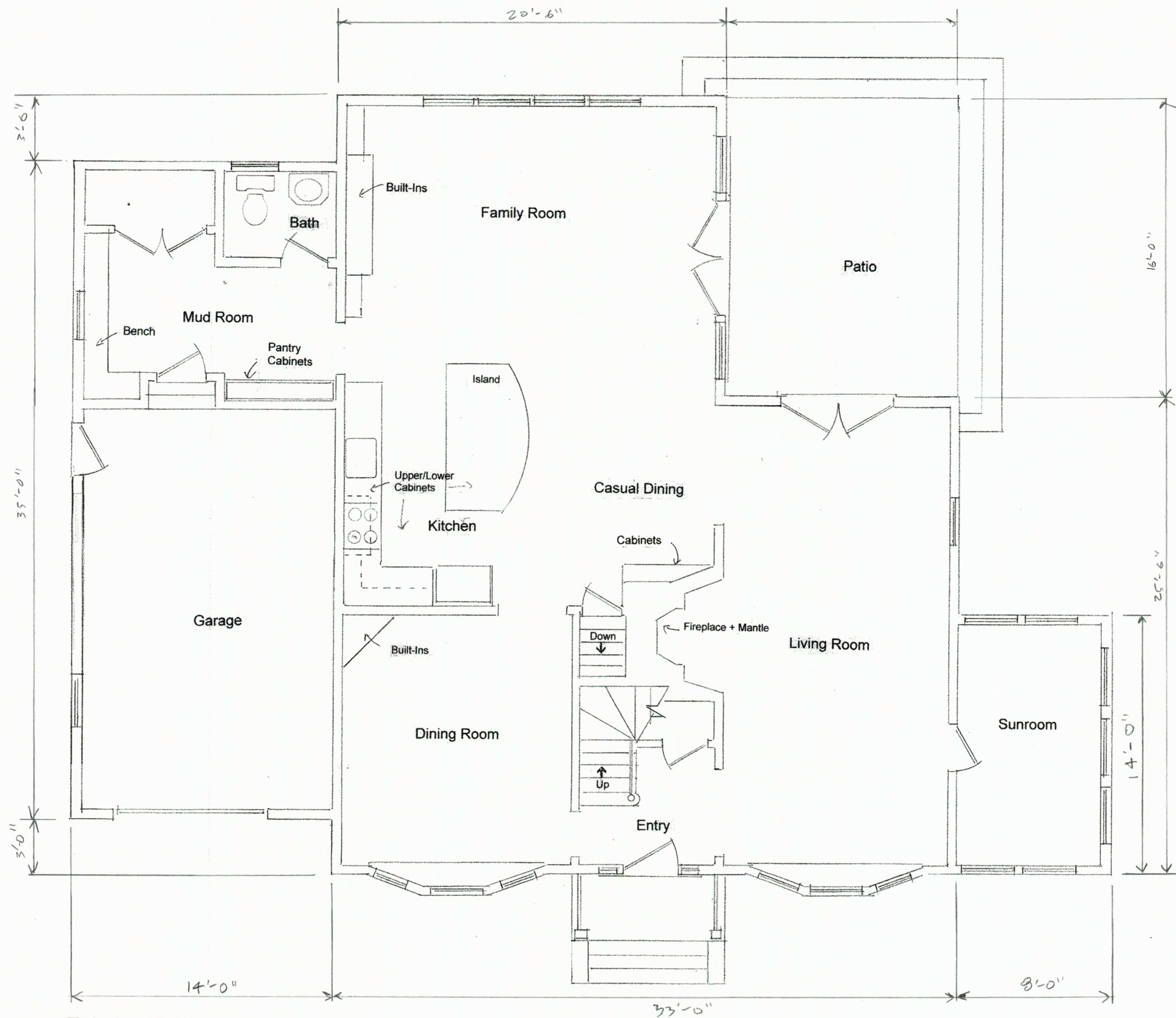
Project Information
Site, Context

Created	03-18-21
Revision Date	Description
1.	
2.	
3.	
4.	

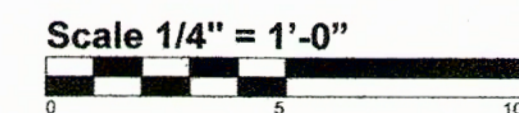
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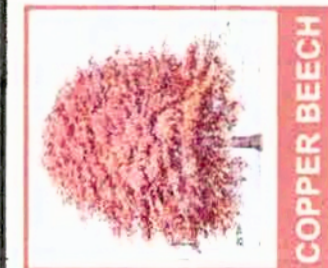
Bright Residence
Additions and Extensions
20 Coolidge Avenue
Needham, MA 02492



Existing Conditions
First Floor



Bright Residence
Additions and Extensions
20 Coolidge Avenue
Needham, MA 02492

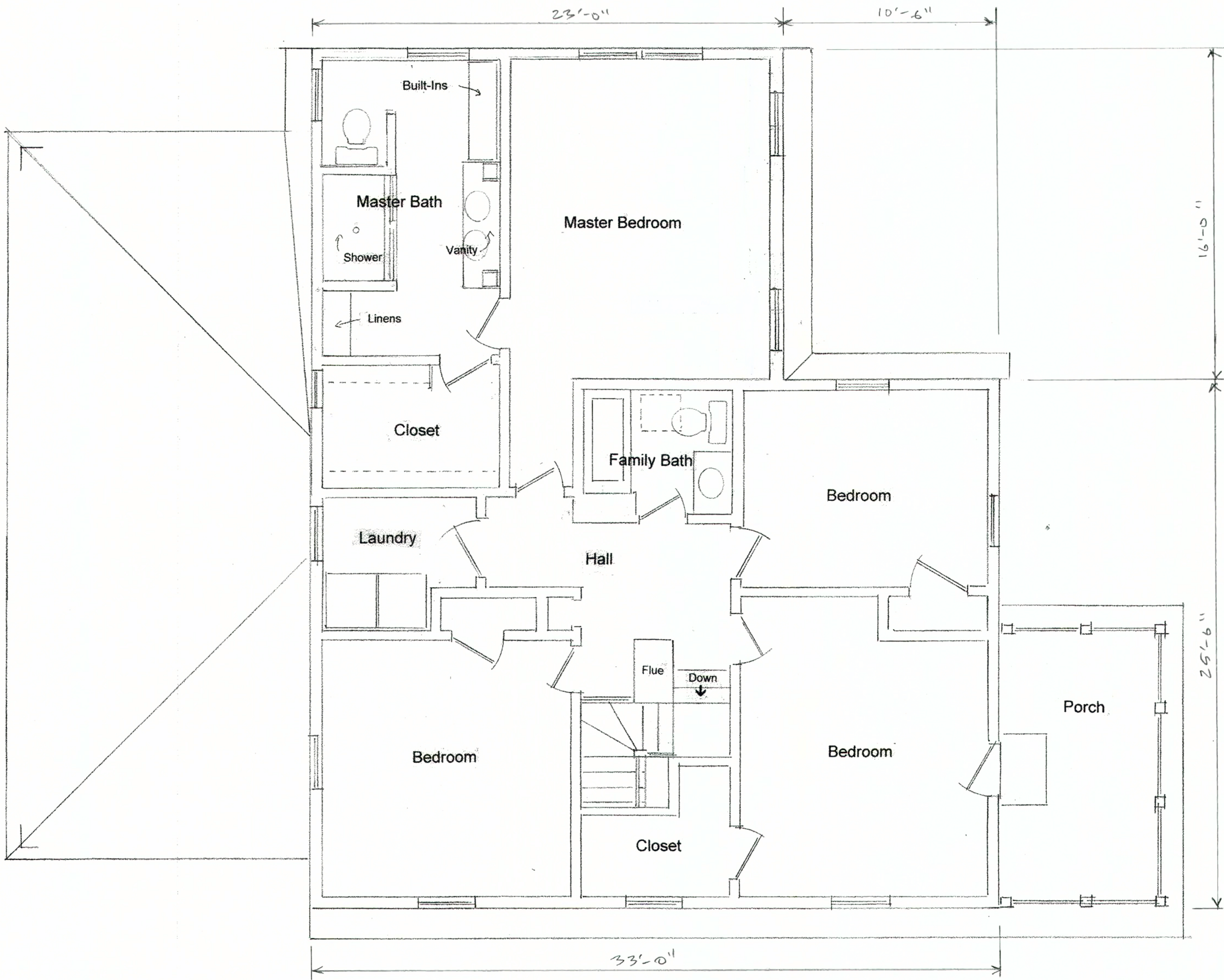


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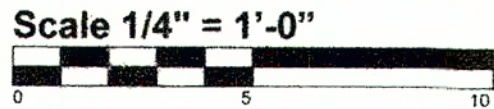
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**Existing Conditions
First Floor**

Created	03-04-21
Revision Date	Description
1.	
2.	
3.	
4.	



Existing Conditions
Second Floor



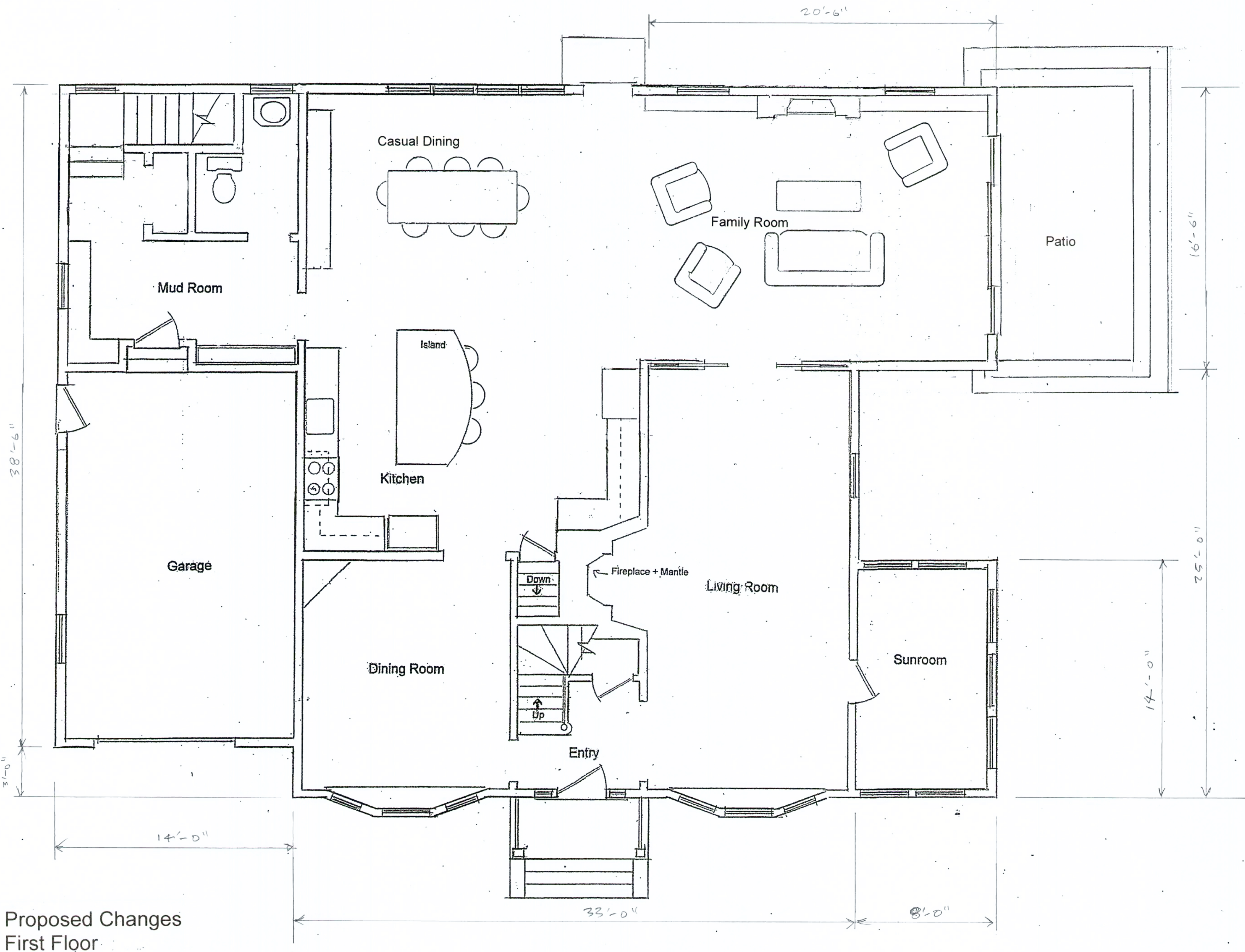
Bright Residence
Additions and Extensions
20 Coolidge Avenue
Needham, MA 02492



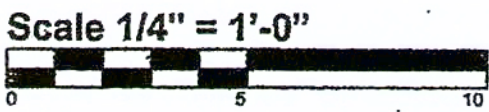
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**Existing Conditions
Second Floor**

Created	03-04-21
Revision Date	Description
1.	
2.	
3.	
4.	



Proposed Changes
First Floor



Project Metrics	
EXISTING	
GROSS FLOOR AREA	
FIRST FLOOR =	1,457.0 SF
GARAGE =	315.0 SF
SECOND FLOOR =	1,170.0 SF
GROSS FLOOR AREA = 2,942.0 SF (WITH GARAGE)	
FAR FLOOR AREA	
FIRST FLOOR =	1,772.0 SF
SECOND FLOOR =	1,170.0 SF
LESS GARAGE CREDIT =	(315.0 SF)
GROSS FLOOR AREA = 2,627.0 SF (WITH GARAGE CREDIT)	
PROPOSED	
GROSS FLOOR AREA	
FIRST FLOOR =	1,845.0 SF
GARAGE =	315.0 SF
SECOND FLOOR =	1,646.0 SF
GROSS FLOOR AREA = 3,806.0 SF (WITH GARAGE)	
FAR FLOOR AREA	
FIRST FLOOR =	2,160.0 SF
SECOND FLOOR =	1,646.0 SF
LESS GARAGE CREDIT =	(315.0 SF)
GROSS FLOOR AREA = 3,491.0 SF (WITH GARAGE CREDIT)	

Proposed Changes
First Floor

Created	03-18-21	
Revision	Date	Description
1.		
2.		
3.		
4.		

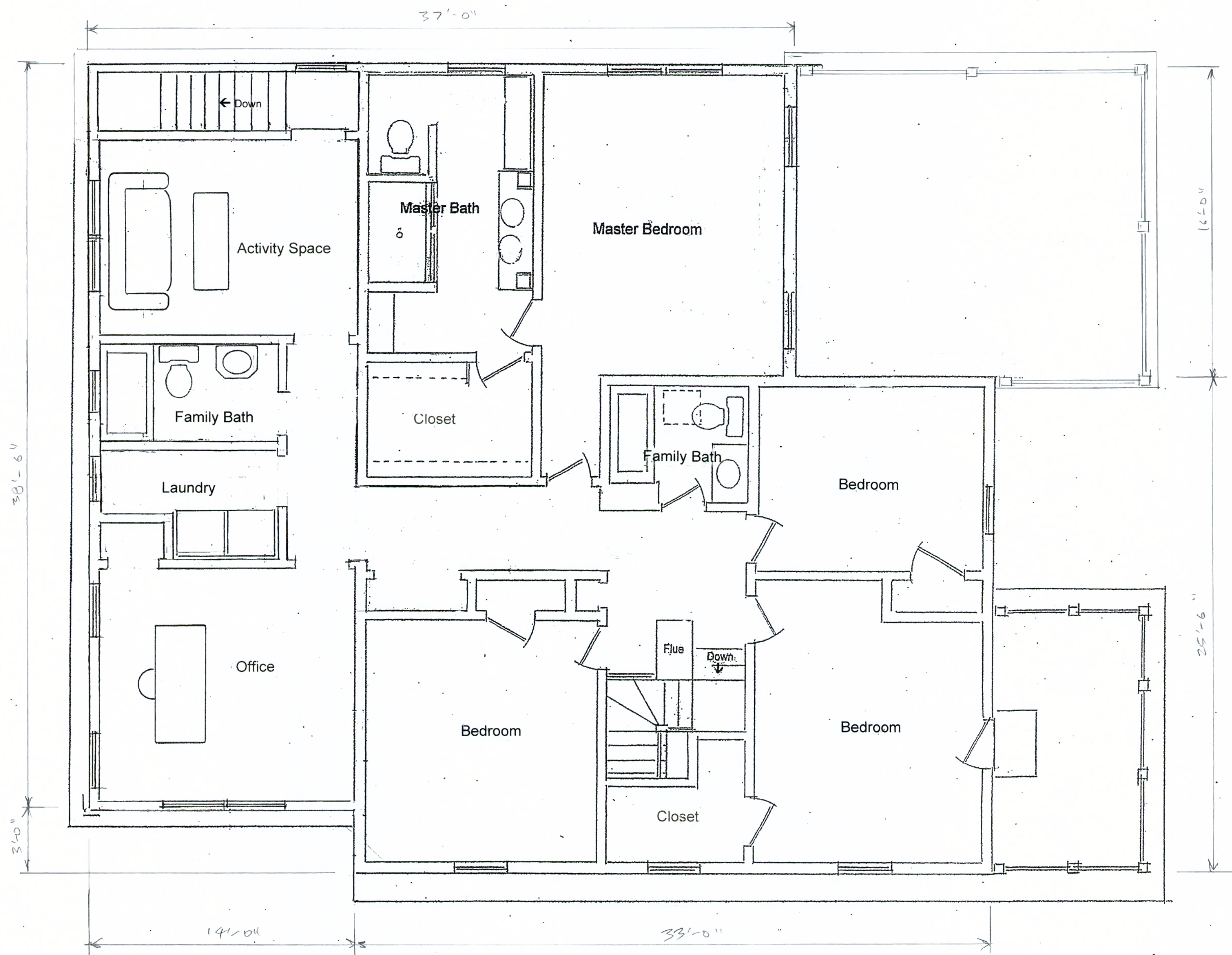
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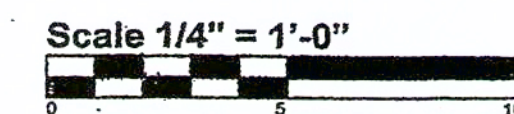


Bright Residence
Additions and Extensions

20 Coolidge Avenue
Needham, MA 02492



Proposed Changes
Second Floor



Project Metrics	
EXISTING	
GROSS FLOOR AREA	
FIRST FLOOR =	1,457.0 SF
GARAGE =	315.0 SF
SECOND FLOOR =	1,170.0 SF
GROSS FLOOR AREA = 2,942.0 SF (WITH GARAGE)	
FAR FLOOR AREA	
FIRST FLOOR =	1,772.0 SF
SECOND FLOOR =	1,170.0 SF
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PROPOSED	
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FAR FLOOR AREA	
FIRST FLOOR =	2,160.0 SF
SECOND FLOOR =	1,646.0 SF
LESS GARAGE CREDIT =	(315.0 SF)
GROSS FLOOR AREA = 3,491.0 SF (WITH GARAGE CREDIT)	

10

Proposed Changes
Second Floor

Copper Beech Design

66 Woodchester Drive Weston MA 02493
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info@copperbeechdesign.com
www.copperbeechdesign.com

COPPER BEECH

Bright Residence
Additions and Extensions

20 Coolidge Avenue
Needham, MA 02492



Proposed Changes
Front Elevation

Scale 1/4" = 1'-0"

GENERAL CODES AND COMPLIANCE REQUIREMENTS	
GENERAL CONDITIONS	
Codes and Standards	- All wall, floor, and roof framing as per Mass Building Code 780 CMR, 2009 IBC One + Two Family Code, and AWC Wood Frame Construction Manual. - All new foundation walls, footings, and floor slabs as per Mass Code 780 CMR, 2009 IBC One + Two Family Code. - Energy conservation elements as per 2009 International Energy Conservation Code (IECC) as amended by MA BBRS, OR as per MA "Stretch" Code where applicable.
General Conditions	- Any existing, sub-standard wall, roof, and/or floor framing exposed during the renovation will be brought up to code as part of the construction process. - At points of intersection with existing framing, remove and replace any rotted, damaged, or otherwise inadequate floor joists, rafters, supports, or blocking. - New interior wall framing will be 2" x 4's @ 16" o.c. - New exterior wall framing will be 2" x 6's @ 16" o.c. - All lumber will have a grade of "#1" or "Select", unless otherwise noted. - Re-confirm all dimensions in the field. - Dimensions not shown may be determined by scaling.

DIMENSIONS, CONTRACTOR NOTES AND SPECIFICATIONS	
EXTERIOR	
Siding	SURFACE FINISHES
	- PRIMARY SIDING – Cedar Shingles - Match existing 8 IN reveal
Corner Stock	TRIM COMPONENTS
	No Corner Trim
Door and Window Casing	- Match Existing (approximately) edge banded frame style - Approx. 4-5 IN wide
Soffit and Fascia	REAR ADDITION SECTION - Match existing wide Gambrel skirt where appropriate GARAGE HIPPED ROOF AREA - Shallow soffit/fascia combination. - NOTE: OUTER EDGE OF OVERHANG MUST BE NO MORE THAN 6 IN FROM FOUNDATION FACE.
Rear Gable Rake	- Match existing Rake style - Approximately 12 IN deep shallow thickness.

Bright Residence
Additions and Extensions
20 Coolidge Street
Needham, MA 02492

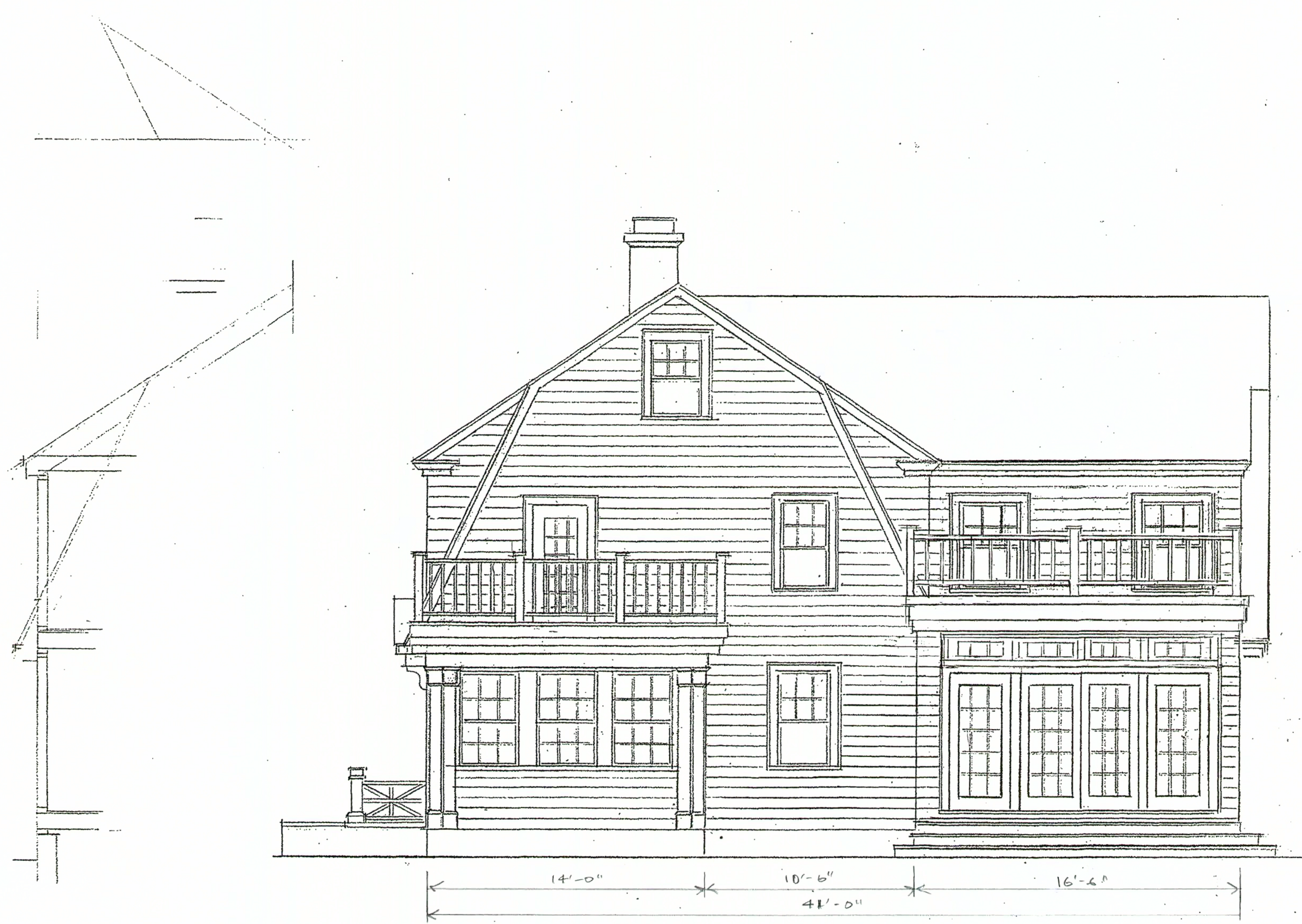


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Proposed Changes
Front Elevation

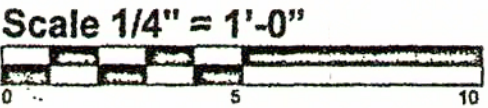
Created	03-15-21
Revision Date	Description
1.	
2.	
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4.	



Proposed Changes
Right Elevation

GENERAL CODES AND COMPLIANCE REQUIREMENTS	
GENERAL CONDITIONS	
Codes and Standards	- All wall, floor, and roof framing as per Mass Building Code 780 CMR, 2009 IBC One + Two Family Code, and AWC Wood Frame Construction Manual. - All new foundation walls, footings, and floor slabs as per Mass Code 780 CMR, 2009 IBC One + Two Family Code. - Energy conservation elements as per 2009 International Energy Conservation Code (IECC) as amended by MA BBRS, OR as per MA "Stretch" Code where applicable.
General Conditions	- Any existing, sub-standard wall, roof, and/or floor framing exposed during the renovation will be brought up to code as part of the construction process. - At points of intersection with existing framing, remove and replace any rotted, damaged, or otherwise inadequate floor joists, rafters, supports, or blocking. - New interior wall framing will be 2" x 4"s @ 16" o.c. - New exterior wall framing will be 2" x 6"s @ 16" o.c. - All lumber will have a grade of "#1" or "Select", unless otherwise noted. - Re-confirm all dimensions in the field. - Dimensions not shown may be determined by scaling.

DIMENSIONS, CONTRACTOR NOTES AND SPECIFICATIONS	
EXTERIOR	
Siding	SURFACE FINISHES - PRIMARY SIDING - Cedar Shingles - Match existing 8 IN reveal
Corner Stock	TRIM COMPONENTS No Corner Trim
Door and Window Casing	- Match Existing (approximately) edge banded frame style - Approx. 4-5 IN wide
Soffit and Fascia	REAR ADDITION SECTION - Match existing wide Gambrel skirt where appropriate GARAGE HIPPED ROOF AREA - Shallow soffit/fascia combination. - NOTE: OUTER EDGE OF OVERHANG MUST BE NO MORE THAN 6 IN FROM FOUNDATION FACE.
Rear Gable Rake	- Match existing Rake style - Approximately 12 IN deep shallow thickness.



Proposed Changes
Right Elevation

Created	03-15-21
Revision	Date
Description	
1.	
2.	
3.	
4.	

Copper Beech Design

66 Woodchester Drive Weston MA 02493

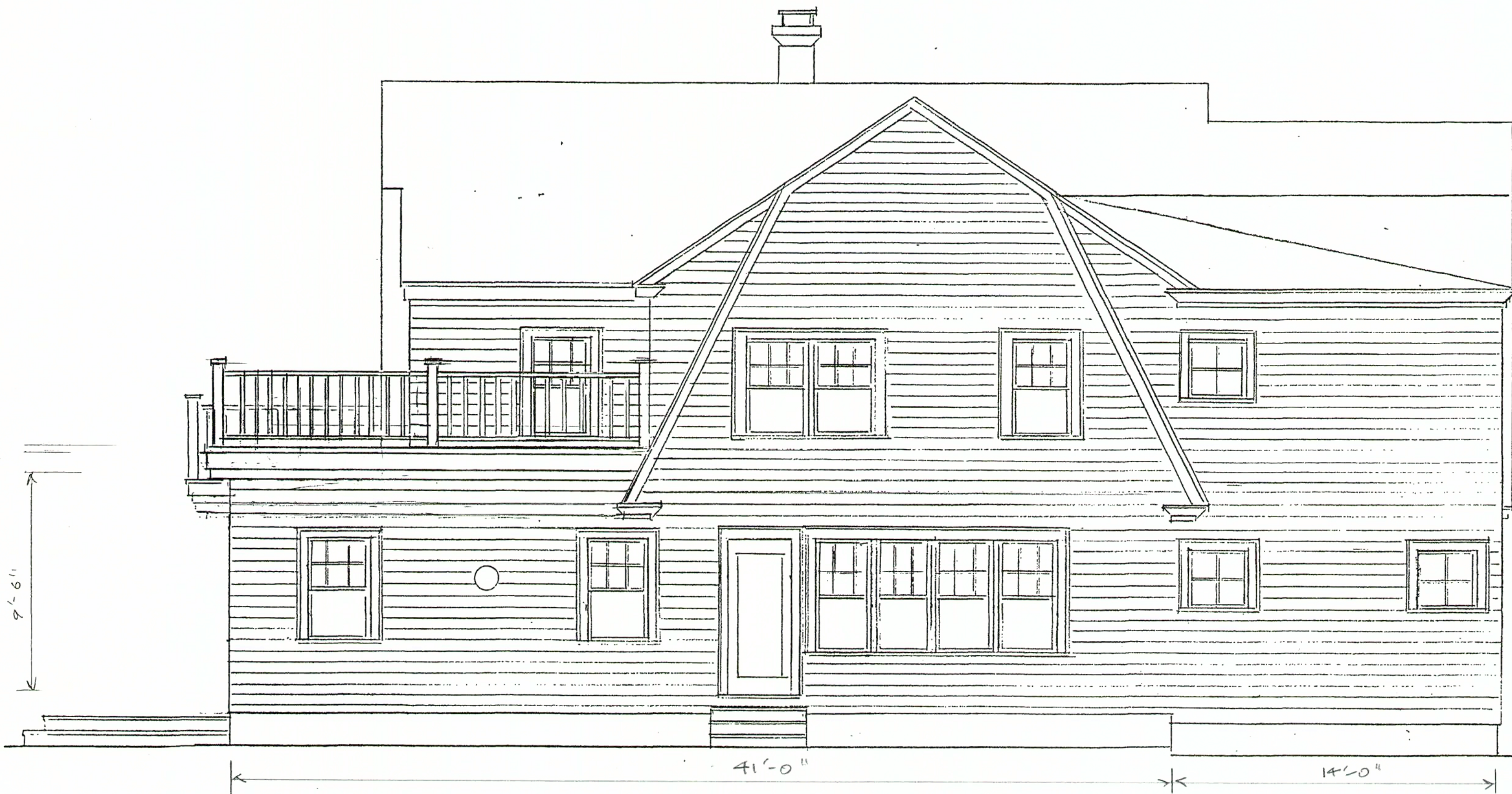
617-308-8099
info@copperbeechdesign.com
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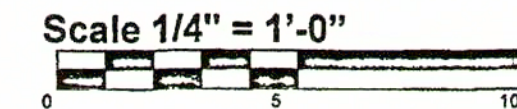
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Bright Residence
Additions and Extensions

20 Coolidge Street
Needham, MA 02492



Proposed Changes
Rear Elevation



Bright Residence
Additions and Extensions
20 Coolidge Street
Needham, MA 02492



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**Proposed Changes
Left Elevation**

Created	03-15-21
Revision Date	Description
1.	
2.	
3.	
4.	

Proposed Changes
Left Elevation



Scale 1/4" = 1'-0"

Bright Residence
Additions and Extensions
20 Coolidge Avenue
Needham, MA 02492

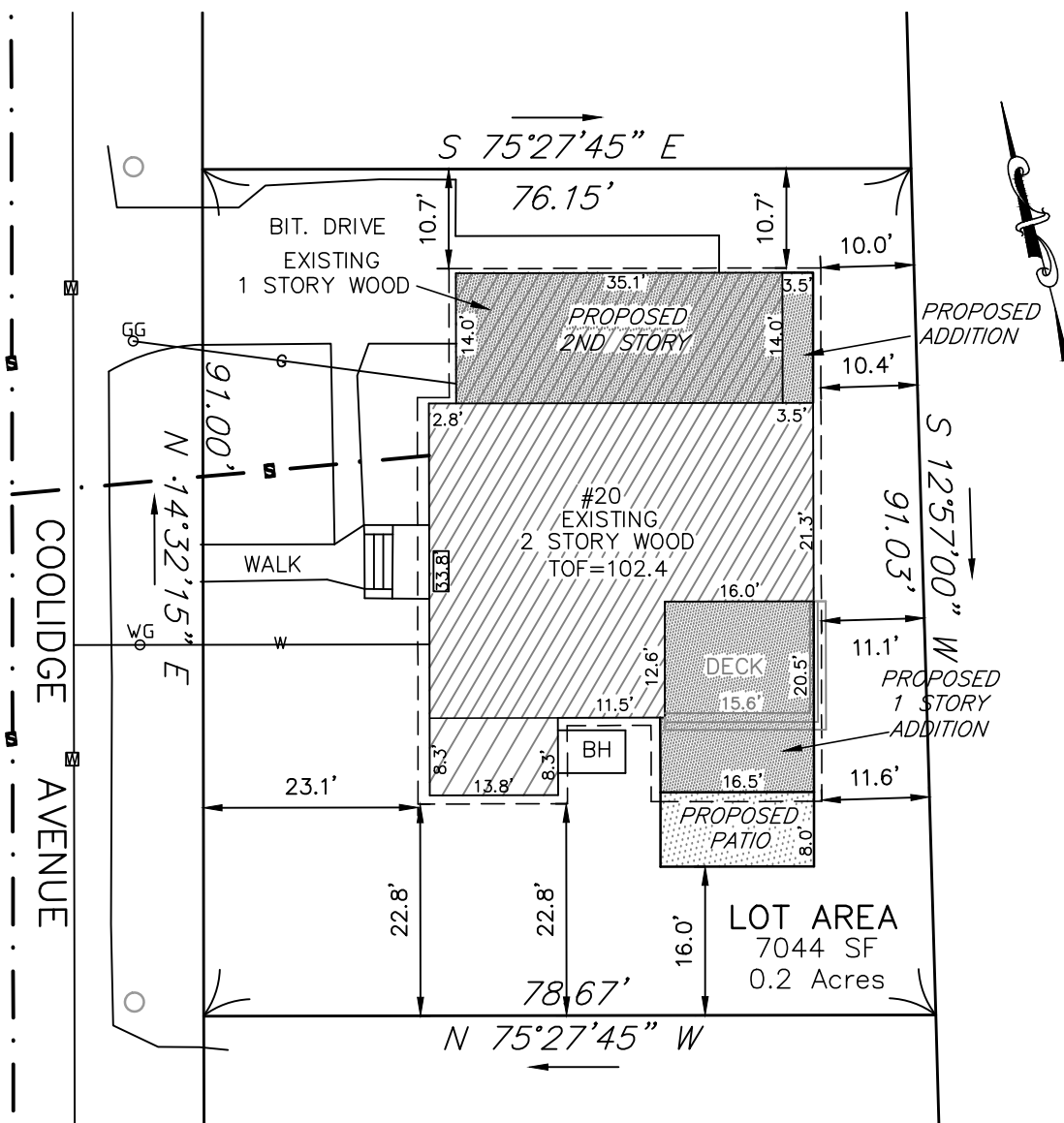


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**Proposed Changes
Left Elevation**

Created	03-13-21
Revision Date	Description
1.	
2.	
3.	
4.	



PLOT PLAN
FOR
20 COOLIDGE AVENUE
IN
NEEDHAM, MA.

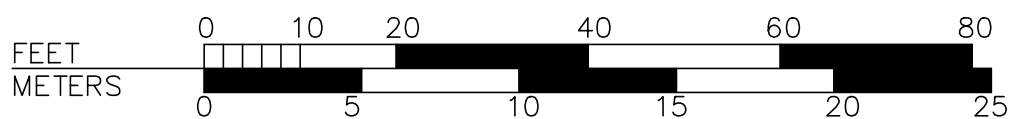
SCALE: 1"=20' SEPTEMBER 2, 2015

C & G SURVEY COMPANY
37 JACKSON ROAD
SCITUATE, MA. 02066
1-877-302-8440

REVISED NEW ADDITIONS 3-21-21

NOTES:

1. ZONING CLASSIFICATION - SRB
2. LOCUS DEED:
NORFOLK COUNTY REGISTRY OF DEEDS BOOK 28968 PAGE 410
3. PLAN REFERENCES:
NORFOLK COUNTY REGISTRY OF DEEDS PLAN 373 OF 1926
4. ASSESSORS PARCEL ID: 33-43

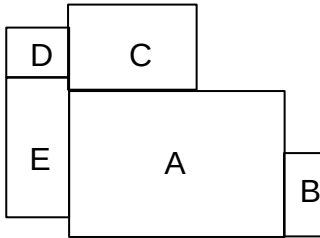


FAR Compliance Documentation

20 Coolidge Avenue

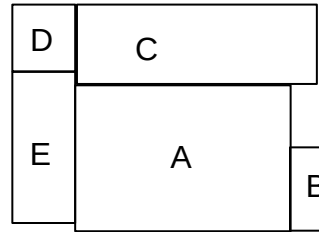
FAR Requirement Calculations

FIRST FLOOR



FIRST FLOOR EXISTING FAR AREA CALCULATION

Area A:	33.0 x 25.0 =	825.0 SF
Area B:	8.0 x 14.0 =	112.0 SF
Area C:	16.5 x 20.5 =	338.0 SF
Area D:	14.0 x 13.0 =	182.0 SF
Area E:	14.0 x 22.5 =	315.0 SF
TOTAL of Areas A - E =		1,772.0 SF

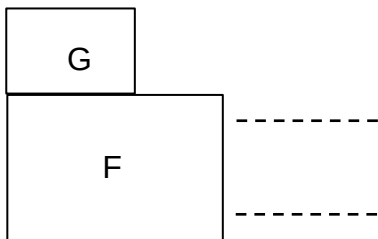


FIRST FLOOR PROPOSED FAR AREA CALCULATION

Area A:	33.0 x 25.0 =	825.0 SF
Area B:	8.0 x 14.0 =	112.0 SF
Area C:	41.0 x 16.5 =	677.0 SF
Area D:	16.5 x 14.0 =	231.0 SF
Area E:	22.5 x 14.0 =	315.0 SF
TOTAL of Areas A - E =		2,160.0 SF
INCREASE = 388.0 SF		

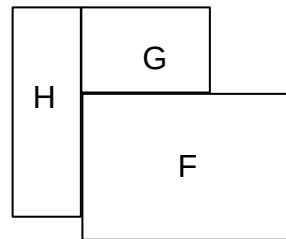
FAR Requirement Calculations

SECOND FLOOR



SECOND FLOOR EXISTING FAR AREA CALCULATION

Area F:	33.0 x 25.5 =	842.0 SF
Area G:	16.0 x 23.0 =	368.0 SF
TOTAL of Areas F+G =		1,210.0 SF



SECOND FLOOR PROPOSED FAR AREA CALCULATION

Area F:	33.0 x 25.5 =	842.0 SF
Area G:	16.0 x 23.0 =	368.0 SF
Area H:	14.0 x 34.0 =	476.0 SF
TOTAL of Areas F - H =		1,686.0 SF
INCREASE = 476.0 SF		

FAR Requirement Calculations SUMMARY	
LOT SIZE = 7,044.0 SF FAR PERCENTAGE = 0.38 MAX FAR = 7,044.0 x 0.38 = 2,677.0 SF	
Gross Floor Area Change Calculations SUMMARY	
EXISTING FIRST FLOOR AREA = 1,772.0 SF SECOND FLOOR AREA = 1,210.0 SF <i>SUBTOTAL TOTAL FAR AREA = 2,982.0 SF</i> GARAGE CREDIT = 315.0 SF LESS GARAGE CREDIT = 2,667.0 SF <i>TOTAL FAR AREA = 2,667.0 SF</i> 2,677.0 SF MAX FAR > 2,627.0 SF 38% FAR <i>FAR COMPLIES</i> 	PROPOSED FIRST FLOOR AREA = 2,160.0 SF SECOND FLOOR AREA = 1,686.0 SF <i>SUBTOTAL TOTAL FAR AREA = 3,846.0 SF</i> GARAGE CREDIT = 315.0 SF LESS GARAGE CREDIT = 3,531.0 SF <i>TOTAL FAR AREA = 3,531.0 SF</i> 3,531.0 SF > 2,677.0 SF MAX FAR 50% FAR 814.0 SF OVER <i>FAR EXCEEDS MAXIMUM</i>

20 Coolidge Avenue, Needham

Special Permit Application – Supplemental Information

Project Information

PROPOSED PROJECT

The owners of 20 Coolidge Avenue are proposing to expand their home by extending their First Floor Family Room and by adding a second story section over their existing Garage and Mudroom. All of the proposed work is fully conforming from a dimensional standpoint.

This is the second phase of an expansion that began in 2015, PRIOR to the changes in the Zoning Code that added the FAR requirement to the SRB district.

NON-CONFORMING COMPONENTS AND RELIEF REQUESTED

EXISTING NON-CONFORMITIES

- The Lot Area is 7,044 SF, which is below the 10,000 SF minimum.

RELIEF REQUESTED

- The existing structure and all of the proposed changes are fully compliant with the standard SR3 yard dimensions.
- The proposed FAR EXCEEDS the 0.38 maximum, as the Lot Area for this property is substantially below the 10,000 SF requirement. It should be noted that the entire neighborhood was developed in the 1920's and earlier, well before the 10,000 SF limit was conceived. The lot sizes throughout this area are commonly well below that limit.
- The owners are looking for relief from the 0.38 FAR limit, which is poorly suited for this area.

Property Overview

PROPERTY HISTORY AND OVERVIEW

Property Class	Single Family
Zoning	SRB
Land Area	7,044 SF
Style	Colonial
Year Built	1925 -- Renovated 2009, 2015
Number of Stories	2.0 (Existing)
Rooms/Bedrooms	8 / 4 (Existing)
Full Baths/Half Baths	2 / 1 (Existing)

Zoning and Dimensional Compliance Information

District SRB Dimensional Requirements	Required	Actual/Proposed	Compliance Status
Lot Size	10,000 SF	7,044 SF	EXISTING NONCONFORMING
Minimum Frontage	80.0 LF	91.0 FT	CONFORMS
Minimum Setback - Front	20.0 FT	23.1 FT -- EXISTING NO CHANGE PROPOSED	CONFORMS
Minimum Side Yard -- LEFT	12.0 LF	10.7 FT -- EXISTING NO CHANGE PROPOSED	CONFORMS
Minimum Side Yard -- RIGHT	12.0 LF	22.8 FT -- EXISTING NO CHANGE PROPOSED	CONFORMS
Minimum Rear Yard	10.0 LF	10.4 FT -- EXISTING NO CHANGE PROPOSED	CONFORMS
Height	35.0 FT 2.5 ST	NO CHANGE PROPOSED	CONFORMS
FAR	0.38	0.37 -- EXISTING 0.50 -- PROPOSED	PROPOSED CHANGE NON-CONFORMING

Justification for Special Permit Relief

BASIC CRITERIA: IS THE IMPROVEMENT A DETRIMENT TO THE NEIGHBORHOOD

The core principle for the granting of zoning relief via a Special Permit is that the relief requested is not detrimental to the neighborhood.

We assert that the proposed changes to 20 Coolidge are NOT DETRIMENTAL to the neighborhood from any perspective.

All of the proposed construction will be conforming with respect to the standard SRB dimensional setback constraints.

DESIGN CONSIDERATIONS WITH RESPECT TO THE NEIGHBORHOOD

The owners of 20 Coolidge have been careful to keep the size of the proposed addition modest in size and massing, especially with respect to visible site lines from the street. The quality and nature of the neighborhood is especially important to them. Their self-imposed design constraints are a reaction to the tear downs and new construction, which, although constructed by-right, seem much more massive and imposing than the existing types of housing on the nearby streets. The proposed modifications will be detailed and finished with that sense of restrained scale in mind.

Additionally, it should be noted that as one of the older neighborhoods in Needham, the average lot sizes are much smaller than in many other SRB neighborhoods. Within a roughly 500 FT radius from 20 Coolidge, less than 30 percent of the lots meet the 10,000 SF minimum. With a blanket 0.36 – 0.38 FAR limit in all SRB neighborhoods, the Great Plain district is at a significant disadvantage due to Lot Size.

We believe that the addition and the related updates to the exterior of the house will actually be an aesthetic improvement to the neighborhood. We also propose that the strategy being proposed is much more measured and respectful than many of the recent/current teardown/new home projects in the neighborhood.

FAR CONSTRAINTS IN THE GREAT PLAIN NEIGHBORHOOD

Additionally, it should be noted that as one of the older neighborhoods in Needham, the average lot sizes in this area are much smaller than in many other SRB neighborhoods. Within a roughly 500 FT radius from 20 Coolidge, fewer than 30 percent of the lots meet the 10,000 SF minimum. With a blanket 0.36 – 0.38 FAR limit in all SRB neighborhoods, the Great Plain district is at a significant disadvantage due to Lot Size, which is then reflected in the allowable FAR value.

In many areas in Needham a proposed addition adding about 800 SF in order to increase an older approximately 2,700 SF home to a more contemporary 3,500 SF size would be straightforward and would be allowed by right. We believe that this is a reasonable request in this neighborhood as well.

AFFECTED ABUTTERS

On Coolidge the only abutter affected in a measurable manner is to the left of the property. The proposed second floor addition would be partially visible to them over an existing 6 FT fence and through a border with fairly tall evergreen screening.

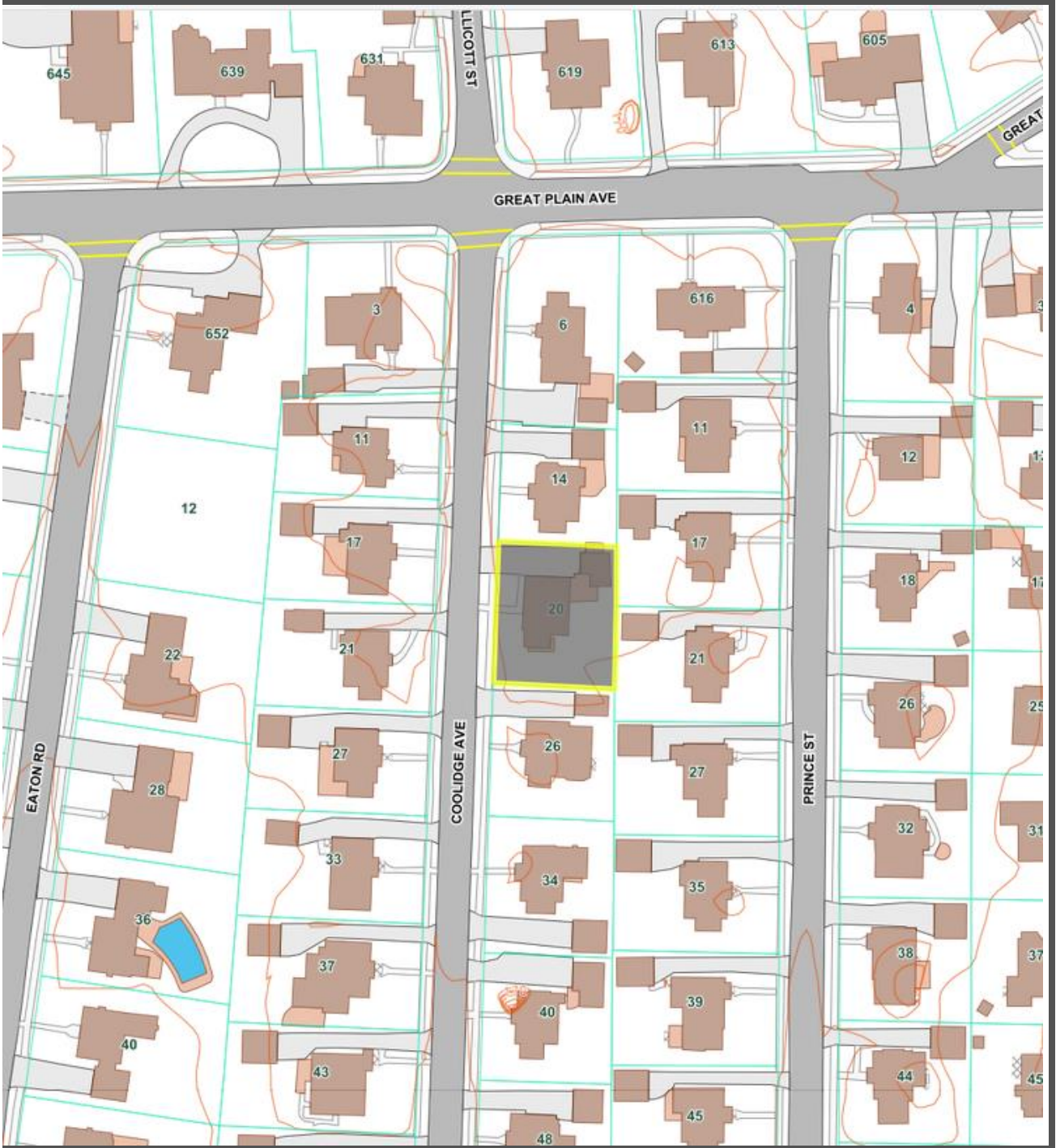
At the rear, the primary abutter is at 21 Prince Street. The existing view from 21 Prince is currently obscured by a 1.5 story garage and various plantings. There would be little perceptible change to this situation. 17 Prince Street also partially abuts the rear of 20 Coolidge. The first-floor addition at 20 Coolidge would not be visible from 17 Prince because of the existing garage at 21 Prince. The second-floor addition would be partially visible, screened again by the existing 6 FT fence and vegetation.

SUMMARY

We believe that the proposed relief request is reasonable and appropriate with respect to the defining Special Permit criteria, i.e., that the changes are not detrimental to the neighborhood.

The physical changes visible from the street are clearly minor and do not alter the look and feel of the home in any substantive manner. They are restrained in scale and location and are primarily hidden from view. The changes do not modify the streetscape perception of massing, do not impact the amount of light as perceived from the street, and have no impact on existing vegetation or shade.

Property Context and Abutters



Existing Conditions Photos



Existing Elevation – Front



Existing Elevation – Rear



Existing Elevation – Right



Existing Elevation – Left



Aerial View – Showing Proposed Location of Work

Street Context -- Photos



Proceeding South on Coolidge Avenue



Proceeding North on Coolidge Avenue



BOSTON NEW YORK
www.psdfirm.com

POLLACK SOLOMON DUFFY LLP
101 Huntington Avenue . Suite 530 . Boston, MA 02199
(617) 439-9800

April 5, 2021

By First-Class Mail and Email louise.fincom@gmail.com

Carol A. Smith-Fachetti
Chair
Needham Finance Committee
1471 Highland Avenue
Needham, MA 02492

Re: Objections to Proposal for Highway Commercial-1 Zoning Change for Muzi

Dear Chair Fachetti and Members of the Finance Committee:

We represent Ben Daniels of 5 Sachem Road in Needham, Massachusetts, and Barry and Nicole Pollack of 15 Pandolf Lane in Needham, Massachusetts, in connection with the objections set forth herein (the “Objections”) to the Planning Board’s proposed change in zoning that would create a new Highway Commercial-1 District for Muzi (the “Proposal”). Please circulate this letter to the members of the Finance Committee.

For the Finance Committee’s review, the Objections focus on three grounds: (1) a failure by the Planning Board to provide adequate and accurate financial analyses and traffic data; (2) the misapplication of funds allotted for a new traffic study; and, (3) transparency issues that have deprived residents of adequate information and opportunities to provide input and raise objections. As you know, in the fall of 2019, the Planning Board proposed an extremely similar proposal to change the same exact property to allow and encourage an unusually dense development of office buildings in the area. The Planning Board continues to refer to its recent efforts as part of an ongoing, multi-year plan. At Town Meeting in November 2019, the substantially similar proposal to the one now pending failed to gather the requisite vote of Town Meeting Members. For both that failed proposal and the present one, the Planning Board has expressed the same two goals: (1) to eliminate the possibility of a warehouse or other industrial uses; and (2) to generate more tax revenue than that actually experienced as a result of the present operations at the site. When viewed in its full context, the Planning Board’s goals have caused it to seek certain maximum development at virtually any cost to our residents, rather than to use proper comparators based on reliable information and to make transparent presentations when interacting with other town officials and residents, as described below.

I. Inadequate and Misleading Financial Analyses and Traffic Data

When presenting to the community and the Finance Committee, the Planning Board has compared apples to oranges, and either withheld data concerning the appropriate comparators or failed to compile such data. For example, at the March 31, 2021, Finance Committee meeting, the Planning Board compared approximately \$500,000 in actual tax revenue under the *present sub-optimal use by right* within existing zoning limits to some \$8 million or so in projected tax revenue *if the property is developed to the maximum* of proposed FAR (floor area ratio) limits *with a Special Permit*. The present operations are, however, limited by right to a 0.5 FAR or a 0.75 FAR by Special Permit. As we understand it, the present use operates within the 0.5 FAR by right for a suboptimal use. A proper analysis by the Planning Board would have used genuine comparators, such as *probable* by right uses under both existing limits and proposed zoning changes, or as an alternative, using as comparators the *maximum* development for both existing and proposed scenarios *by right*, or even could have used as comparators the *maximum* of both existing and proposed scenarios *by Special Permit*. Instead, in the Planning Board's zeal to persuade reluctant Town Meeting Members and the public, it compared an existing suboptimal *by right* use (not even maximized by right), to the maximum use allowed by the proposed changes through a *Special Permit*. These imbalanced assumptions have offered an unreliable comparison for public assessments.

In addition to these problematic financial comparisons, the underlying traffic data creates unreliable information for the assessment of traffic burdens and traffic mitigation costs to which the town and residents will be exposed. In an email dated January 10, 2020 (obtained by public records requests and previously submitted to the Finance Committee), the Town Manager wrote to the Planning Director that existing traffic data from 2015 was even then (months before the 2020 Town Meeting) already "falling outside the limits of accepted professional practice (4.6 years at Town Meeting 2020)," that the data failed to account for changes along Route 128 since 2015, and "that the counts are very close to the end of their useful life." The January 10, 2020 email expressed concerns even then about the data at "the Finance Committee" level, "that the counts should have been updated" and those promoting the rezoning for Muzi "may be setting ourselves up for failure if we do not update this information." Accordingly, those promoting the change sought funds for a new traffic study within accepted standards of practice. Then the Pandemic hit, complicating the new traffic study. In an email at that time (previously submitted to the Finance Committee), a Select Board member blamed "fincom" for a Pandemic-caused "pickle" complicating or delaying the commencement of a new study.

Rather than wait for conditions that would allow an adequate traffic study or instead reduce the aggressive maximum FAR that could cause such significant traffic burdens, the Planning Board found an "expert" willing to rely on the same data that had already been deemed too outdated. The expert pointed to the Mass DOT's guidance directed at ongoing DOT projects and on safety or maintenance issues, where projects needed to continue. For those settings, the DOT warned against using new studies during artificially light traffic and instead provided guidelines for the use of the best data available. Extensive research has revealed *no* direction by the Mass DOT that towns should rush into the use of outdated traffic data for elective rezoning plans that were not addressing immediate safety and maintenance issues. At any rate, even when

using the outdated data, the retained traffic engineer found that a buildout at the proposed 1.35 FAR (which would be allowable by Special Permit) would increase traffic by a remarkable multiple of more than 7-fold, going from under 1,500 vehicle visits each weekday to approximately 10,000, through intersections already scoring D's, E's and F's for traffic.

The Planning Board's proposal underestimates the tremendous costs and burdens to the town and residents associated with the 7-fold increase in traffic, merely by claiming that developers could cover mitigation costs. Compounding the problems underlying this speculation, the Planning Board took the position in community meetings that it would simply focus traffic mitigation by performing takings on the Muzi property itself. When doing so, the Planning Board omitted important aspects of the report by the traffic engineer at the joint meeting of the Select Board, Planning Board and Finance Committee held on November 18, 2020. The following excerpts from the February 3, 2021 community meeting and the November 18, 2020 joint town board meeting (with time markers on public recordings) provide examples of the Planning Board's ongoing failure to address adequately real traffic burdens and costs:

1. February 3, 2021 Community Meeting Excerpt from Video Recording

at 1 hr, 35 second mark, Town Meeting Member question: "Last quick question, just **there was a reference to a land taking for the traffic mitigation, might be in or for someone in my precinct, where or what intersection would that be at?**"

Planning Board member (Adam Block) answer: "So, so any land taking I think is uh specifically was y'know uh is speculative at this point, the uh **the aim would be uh as a function of making the uh improvements to traffic at the corner of Highland and Gould uh that the uh developer would effectively use their own land to widen that strip** that would make the most sense and they would effectively be doing their own takings, **that would not be something that the town would do (...pause) necessarily**, but it all it all would depend on whatever type of uh development goes in. So it's undetermined at this point."

2. November 18, 2020 Joint Meeting of Planning Board, Select Board and Finance Committee:

at 42 minutes 22 seconds, Committee member question: "I'm wondering, um, so even with the proposed modifications in traffic, y'know we still have a few areas that are D and F, so **what would it take, uh, to rectify that situation so the level of service is more acceptable, like what would it take in terms of costs or takings of land**, what else would need to be done?"

Answer of traffic engineer: "Yep, um, so yeah **one of those is obviously the Gould Street at Central Avenue intersection** where I mentioned in the morning that's at a level of service E still. So **to be able to rectify that it would require construction of an additional lane on Gould Street so that you would have separate left and right hand turn lanes there. And that would require a property taking on one or potentially both of those corners**"

at 45 minutes 32 seconds, answer of Traffic engineer: “Where **the greatest need is on the Hunting Road northbound approach where right now that approach has a shared left turn and through lane and dedicated right turn lane and that really should be three lanes on that approach ... and that would require some, some widening and property takings**” involving partial “property takings on each side” or “**more substantial takings** on one side of the road to be able to get rid of those service Es and bring the entire intersection back down to a level of D...”

at 46 minutes 20 seconds, Committee member question: “**Those property takings are not reflected on your schematics?**”

Answer by traffic engineer (about presentations used for community): “They are not, correct.”

at 49 minutes 9 seconds, Board member (John Bulian): “I think **we may be underestimating the amount of traffic that Hunting Road will need to take northbound going straight across to the new Muzi built out site... I do believe it will be necessary to do what you just indicated with a right turn, a straight and a left turn lane dedicated on Hunting Road in order to be able to manage the traffic** that we will have in the morning rush hour coming up northbound on Hunting Road from Greendale.”

at 52 minutes 25 seconds, Board member (Maurice Handel) responding to traffic engineer: “I have a particular bias which says to me that to the extent that you can make traffic conditions more efficient, you invite more traffic” .. ; 52 minutes 52 seconds: “we are in the middle of an inflection point in terms of traffic, and working habits and coming out of this uh pandemic, I think work patterns and hour patterns in terms of when people work and or commute or don't commute and work from home are very very different than what we think they are going to be ... **so I would be very cautious about sinking a lot of resource into optimizing traffic flow and focus more on how this property is going to be used.**”

Clearly by focusing incompletely in public presentations on takings only from the Muzi property itself, the Planning Board has not properly analyzed the reasonably expectable traffic burdens and costs predicted by its retained traffic engineer for the intersection of Gould Street and Central Avenue and the intersection of Hunting Road and Highland Avenue. There is simply no credible basis on which to find that developers would definitely proceed by Special Permit AND cover the costs of mitigation along non-adjacent parcels such as those along Gould Street by Central Avenue and those along Hunting Road off of Highland Avenue, let alone bear the burden of measures needed to address cut-through traffic on side streets. The speculation about imposing solutions on developers is unfair, unreliable and impractical in light of problems that will reach non-adjacent parcels and homes.

Unless the Planning Board somehow supplements its proposal with fair, complete and accurate descriptions of these issues to the public along with probable and non-speculative cures, or reach a reasonable compromise that satisfies objections to the 1.35 FAR that would allow nothing but office buildings with concentrated rush hour traffic, the Finance Committee should reject the Planning Board's proposal.

II. Misuse of Town Funds

Based on the town's productions in response to public records requests, there is a disconnect between, as discussed above, the purposes for a request for public funds to conduct a new traffic study, and the actual use of the funds to compare outdated information from 2015 to incomplete and inconsistent data from 2019, in order to portray the 2015 data as viable and useful. Obviously if the 2019 data was sufficiently complete and accurate, it could be used here, but it is not, so the traffic engineer did not directly use 2019 data for projections. In fact, internal town emails (previously submitted to the Finance Committee) reflect a recognition that the limited 2019 data from three pertinent intersections revealed inconsistencies in traffic, with a substantial *increase* in traffic in one of the three intersections, though the Planning Board has mischaracterized the data as reflecting consistent decreases. None of these comparisons even begins to take into account certain developments in office capacity surrounding Kendrick Street since 2015 or the imminent and massive Northland project on Needham Street in Newton. In other words, public funds were used to justify a result, rather than to ensure a proper means of collecting and assessing data to help inform important decision-making processes. The Finance Committee should take appropriate action to understand the disconnect in the Planning Board's use of town funds for an unreliable traffic report in order to prevent further misuse of funds.

III. Lack of Transparency

In addition to the lack of transparency underlying, as described above, presentations on traffic mitigation, transparency in town processes has been lost through officials holding multiple positions in both the public and non-profit sector, with competing missions. The Planning Board, the Select Board, the Council of Economic Advisors (CEA) and what used to function as the Needham Heights Neighborhood Association, have overlapping leaders and members that have functioned with conflicts of interest that have deprived the residents of Needham Heights of an informed opportunity to be heard. The Needham Heights Neighborhood Association (NHNA) continues to hold itself out on a website as having a primary mission "to enhance and protect the residential character and livability of the area." The NHNA is not functioning, however, as an independent community organization to fulfill that mission. Adam Block serves as the Chair of the CEA and sits on the Planning Board, while acting as the President of the NHNA. Maurice Handel of the Select Board sits on the CEA while also serving as a board member of the NHNA. Under Mr. Block's watch, until recent written demands, the NHNA had not made any requisite state filings that would have disclosed its leadership and the fact that he lives on High Rock Street across town, well outside of Needham Heights. As President of the NHNA, Mr. Block is charged with protection of the "residential character" of the neighborhood, but as Chair of the CEA, Mr. Block is charged with promoting "new and existing industry, business, and commerce," as well as advising the town on zoning matters for the growth of businesses, which

are hardly resident-centric functions. In other words, Needham Heights residents could not rely on the NHNA to advocate, as they were induced to believe, for “the residential character and livability” on which it was founded. Recently, Mr. Block and Mr. Handel rejected in writing a written request by a member and former board member to poll members of the NHNA about their views of the proposed zoning changes to help formulate a position by the organization. Just two business days before the Planning Board’s hearing, the NHNA sent out an email informing its membership that the organization would no longer take positions on zoning matters, while not even informing the membership of the date of the public hearing or the deadline for objections. Essentially, the NHNA became an email list through which certain town boards could control the information flow to those residents who have expressed a special interest in the community. These overlapping and conflicting roles and actions undermined transparency, turned the NHNA into an arm of public boards, and limited the educated voices of our residents.

These conflicts are compounded by the representation of Muzi on the CEA. While CEA minutes reflect that Muzi’s representative has at times recused himself from CEA discussions about the proposed rezoning for Muzi, at the January 2021 CEA meeting, he did not recuse himself, as confirmed in the minutes and on a video recording of the meeting. Furthermore, the results of a recent public records request reflect private meetings, texts, emails and conversations by a Select Board member with the Muzi representative. Such communications can at times be appropriate by a town official and residents. Here, however, a news article reported that the pertinent Select Board member has refused to describe the discussions with the Muzi representative, though there has been no official non-disclosure agreement reached between the town and Muzi constituents. Even more significantly, at the January 27, 2020 community meeting concerning a potential second bite at the rezoning apple, that same Select Board member sat next to another town board member as he provided inaccurate or misleading information to the public in response to a direct question. Specifically, at the 2 hour, 3 minute and 8 second mark of the public video recording of that meeting, the following question and answer occurred:

Resident: So Muzi Ford and Channel 5 have never given any input or anything?”

Board Member answer: “No.”

The text messages and emails received in response to a public records request confirm that answer was demonstrably false. The resident had preceded his particular question with the comment, “Be honest,” calling attention to the need for transparency, but the town officials did not oblige. Such transparency problems present further grounds on which to require the Planning Board to do more for the residents of the town before presenting its proposal at Town Meeting. The Finance Committee should therefore **not** support the proposal in its present form.

Conclusion

Based on the foregoing, the Finance Committee should not support the Planning Board’s proposal to rezone Muzi. Doing so would sanction the use of unreliable financial and traffic data, as well as presentations of improper comparisons that use contradictory assumptions. The Finance Committee is essentially the final safeguard by which to educate Town Meeting Members that the Planning Board’s persistence is not itself a reliable indicator of merit for its

proposal. Any actual financial benefits of the rezoning cannot be gleaned from the unreliable financial comparisons performed by the Planning Board. The actual burdens and costs of traffic problems flowing from the proposal cannot be gleaned from the unreliable traffic data and incomplete considerations of traffic at nearby but not adjacent locations. Undoubtedly, some zoning changes can be made at the site, but particularly to the extent so many objections still exist to the maximum FAR, any zoning changes should await reliable information and transparent presentations, rather than being rushed.

Sincerely,



Peter J. Duffy

cc: Ben Daniels

Barry Pollack

Jeanne McKnight, Planning Board Chair