# <u>Monday, Mar. 28, 2022</u> 6:45 p.m.

### **Virtual Meeting using Zoom**

Meeting ID: 845-1987-6965

(Instructions for accessing below)

Under Governor Baker's Act "Extending Certain COVID-10 Measures Adopted During the State of Emergency", extending the "Executive Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20,", issued June 16, 2021, and in effect until April 1, 2022, meeting of public bodies may be conducted virtually provided that adequate access is provided to the public. Recently the Governor signed into law (Chapter 22 of the Acts of 2022) an extension to the temporary provisions that allow for remote public meetings to continue through July 15, 2022.

To view and participate in this virtual meeting on your phone, download the "Zoom Cloud Meetings" app in any app store or at <a href="www.zoom.us">www.zoom.us</a>. At the above date and time, click on "Join a Meeting" and enter the following Meeting ID: 845-1987-6965 Link: <a href="https://us02web.zoom.us/j/84519876965">https://us02web.zoom.us/j/84519876965</a>

To view and participate in this virtual meeting on your computer, at the above date and time, go to <a href="www.zoom.us">www.zoom.us</a> click "Join a Meeting" and enter the following ID: 845-1987-6965

#### **APPLICANTS:**

Review of Applications for Outdoor Seating:

Latin-A Kitchen and Bar, 30 Dedham Avenue – Antonio De Trizio

Farmhouse, 970 Great Plain Avenue – Dora Tavel-Sanchez Luz

Hearth Pizzeria, 974 Great Plain Avenue – Ivan Millan Pulecio

The James, 1025 Great Plain Avenue – Stuart Henry

Jeff Sarra, Batten Brothers Signs representing Beth Israel Lahey Health located at 310 Chestnut Street and applying for signage.

Jeff Sarra, Batten Brothers Signs representing Beth Israel Lahey Health located at 817 Highland Avenue and applying for signage.

#### **REVIEW**

No minutes to review till April 25 meeting.

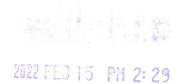
Next Public Meeting – April 25, 2022 at 7:30pm via Zoom Webinar

# Request for DRB comment - Latina Outdoor dining

4. Photographs.

Thank you, alex.

Alexandra Clee Assistant Town Planner Needham, MA



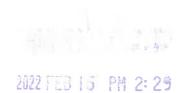
# TOWN OF NEEDHAM MASSACHUSETTS



500 Dedham Avenue Needham, MA 02492 781-455-7550

PLANNING BOARD
APPLICATION FOR SITE PLAN REVIEW
Project Determination: (circle one)  Amels d ment 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. Section 7.4 of the By-Laws.
Location of Property Name of Applicant Applicant's Address Phone Number  30 Dedham Ave Antonio De Trizio 218 Hillside Ave 781 654 6049
Applicant is: Owner Tenant _X Agent/Attorney Purchaser
Property Owner's Name First Cambridge Realty Corporation Property Owner's Address 907 Massachusetts Ave #2, Camgridge, MA 02139 Telephone Number 617 547 6559
Characteristics of Property: Lot Area Present Use Map # Parcel # Zoning District
Description of Project for Site Plan Review under Section 7.4 of the Zoning By-Law:
Requesting to amend special permit to allow 10 tables/ 28 outdoor seats.  Requesting all deliveries to be by the street (Dedham Ave) instead of the back of building.
Signature of Applicant (or representative)  Address if not applicant  Telephone #  Owner's permission if other than applicant  as manager 934 948 Great Plain Ave LLC
Received by Planning Board Hearing Date Decision Required by Granted  SUMMARY OF PLANNING BOARD ACTION Date Date Date Date Date Date Date Date
Denied Fee Paid Fee Waived Withdrawn NOTE: Reports on Minor Projects must be issues within 35 days of filing date.





# TOWN of NEEDHAM MASSACHUSETTS

# APPLICATION FOR OUTDOOR SEATING UNDER SECTION 6.9 OF THE ZONING BY-LAW

LOCATION:	-	
Property Address:	30 Dedham Ave  Latina Kitchen and Bar	E.
Name of Establishment:	Latina Kitchen and Bar	
APPLICANT: Name (must be business owned Address: 218 Hillside Ave	er, manager, or lessee): Antonio De Triz	io
		<del>-</del> .
Telephone Number: 781 6	654 6049 mail.com	
Eman Address. Sumziowy	Tiali.com	EC
Do you own or rent property?	)	
PROPERTY OWNER:		
	cant is not the property owner	
	st Cambridge Realty Corporation	
Address: 907 Massachuset	tts Ave #2, Camgridge, MA 02139	
Telephone Number: (617)	547 6559	
Email Address:		3
APPLICATION REQUEST:		
Are you requesting to have ou	utdoor dining on PRIVATE parking spaces	? Yes_*_No
If yes, how many private park	king spaces? Alley	
Are you requesting to have outparking lot)? Yes No	utdoor dining on PUBLIC parking spaces (	on-street or in a public
If yes, how many public parking maximum of 3 parking spaces	ing spaces do you intend to use in each cate allowed per applicant.	egory? Note: there is a
# on-street publing 1 parking spot and use.	olic parking spots. Please note, required con should be added to the total number of spo	acrete barriers will take ots you are applying to
	public parking spots (in a public parking lot	t)
Are any of the spaces you are Are you requesting to have ou	e requesting to use designated for handicap utdoor dining on a sidewalk?	parking?

SEATING: FACILITIES/EQUIPMENT:
Total number of seats approved under existing Special Permit99
Total number of seats existing inside99 (may be same as above or fewer)
Number of restrooms provided4
Total number of seats proposed outside 29 Size of Grease Trap 2 x 450 G each
Number of chairs 29 Air Curtains (if opening is off kitchen) Text
Number of tables Screens (if opening is off kitchen)
Outdoor Seating Area dimensions 14' x 50' = 700 sq feet
Type of Barrier or Enclosure to Define Seating Area
(mandatory if alcohol is proposed to be served):
Jersey barriers provided by Town
16 N
DATES AND HOURS OF OPERATION
The standard outdoor dining season in the Town of Needham is April 1 - November 30. The
Town will consider applications that extend beyond that timeframe on an individual basis.
Are you requesting to serve food & beverage outdoors earlier than April 1 or later than
November 30? Yes no
If yes, what are your proposed opening and closing dates?
What days of the week and hours do you plan to serve food & beverage outdoors?
Manday Cunday 11 am 10 nm
Monday - Sunday 11am - 10pm
BRIEF DESCRIPTION OF:
Seating Arrangement, Type of Furniture, Type of Barrier or Enclosure to Define Seating Area
(mandatory if alcohol is proposed to be served), Ingress/Egress from the Inside to the Outside,
Location of Outdoor Exit Area in the case of an emergency, Written Description of Colors and
Materials Used
Low top tables / Aluminum dining outdoor commercial grade
Orange Jersey barriers provided by Needham Town
Area is enclose by red brick wall (30 Dedham Ave), Jersey barriers and planters alon
carport at 50 Dedham Ave.

Town of Needham Application for Outdoor Seating under Section 6.9 of the Zoning By-Law rev. Nov. 2021

Access to patio from Dedham Ave or walking through the restaurant

Exit to sidewalk at Dedham Ave or walking inside the restaurant

#### PLAN REQUIREMENTS

Submit a Plan of the Outside Seating Area, showing precise dimensions and locations of:

- (1) Seating arrangement, including the arrangement of the furniture
- (2) Enclosure of dining area (this is required if service of alcohol is proposed)
- (3) Location of ingress/egress from inside to outside
- (4) Location of outside emergency exit(s)
- (5) Separation distances to building, curbing, sidewalks, streets, trees, planters, rubbish containers, equipment, and any other obstacles in pedestrian walkway or access aisles Said Plan must be certified by a Registered Architect or Engineer with certifications that the restaurant with the outdoor seating complies with egress and access requirements, that the seating configuration complies with safety requirements, and that the restaurant has adequate restroom facilities for the number of seats. (If the total indoor and outdoor seating exceeds the number allowed for the existing restroom facilities, you may reduce the number of indoor seats being used, so that the total number of restaurant seats does not trigger additional restroom facilities.)
- (6) For parking spaces located on a parking lot (public or private), provide a site plan showing parking areas to be utilized for outdoor seating. Said plan can be an existing approved Site Plan, in which applicant delineates proposed seating location.

#### FURNITURE SPECIFICATIONS SHEET

A detailed specifications sheet illustrating the appearance, materials, colors, and size of selected outdoor seating furniture and equipment including chairs, benches, tables, umbrellas, fences, and other items. Photographs of furniture and equipment may be substituted for specification sheets as along as a sheet listing the dimensions of the furniture and equipment accompanies the photographs.

Are you proposing to have: (please check all that apply)?

- A tent or canopy? A permit from the Building Department may be required (link).
- Outdoor lighting? An electrical permit is required (link).

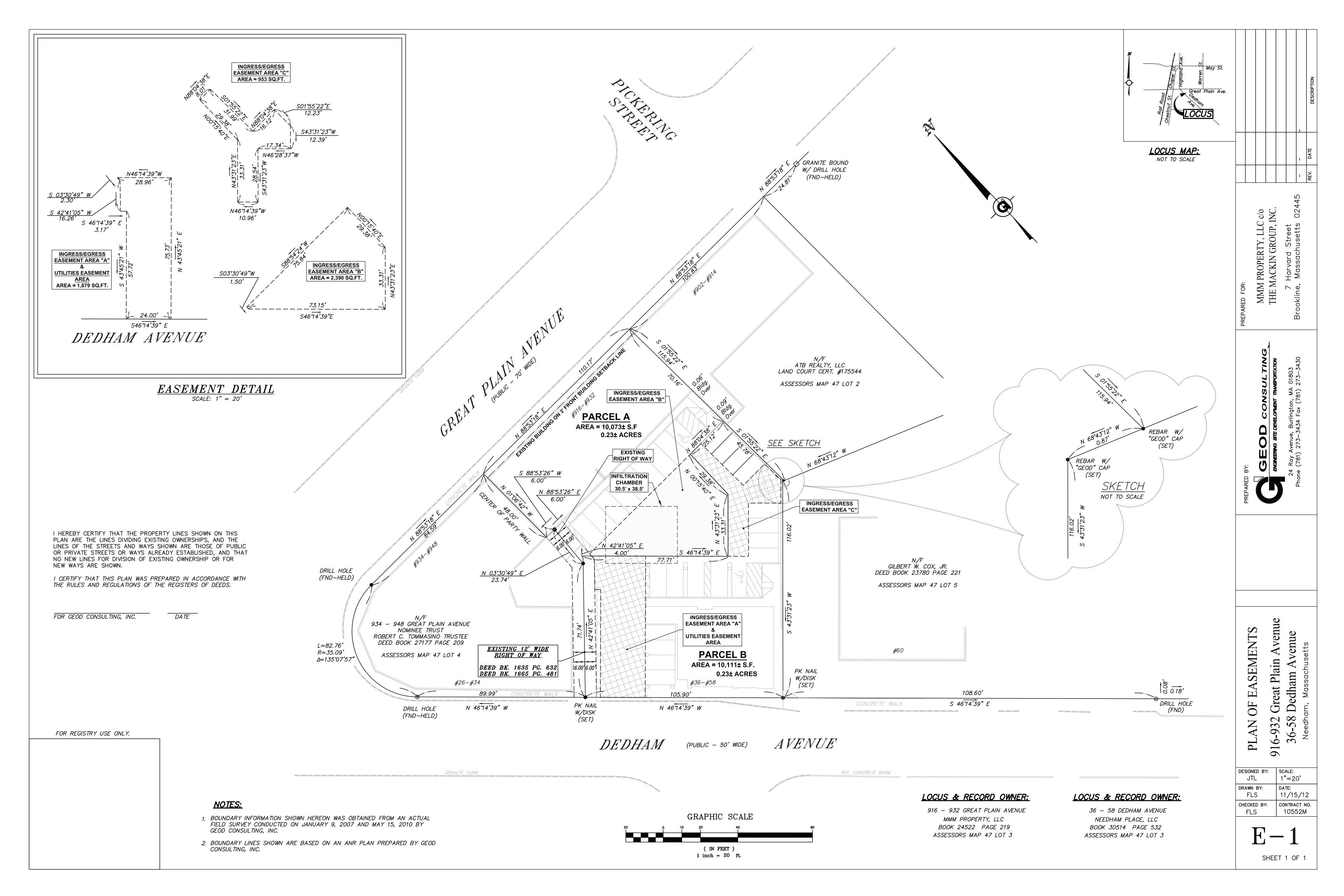
Outdoor Heating? A permit from the Fire Department is required (link).

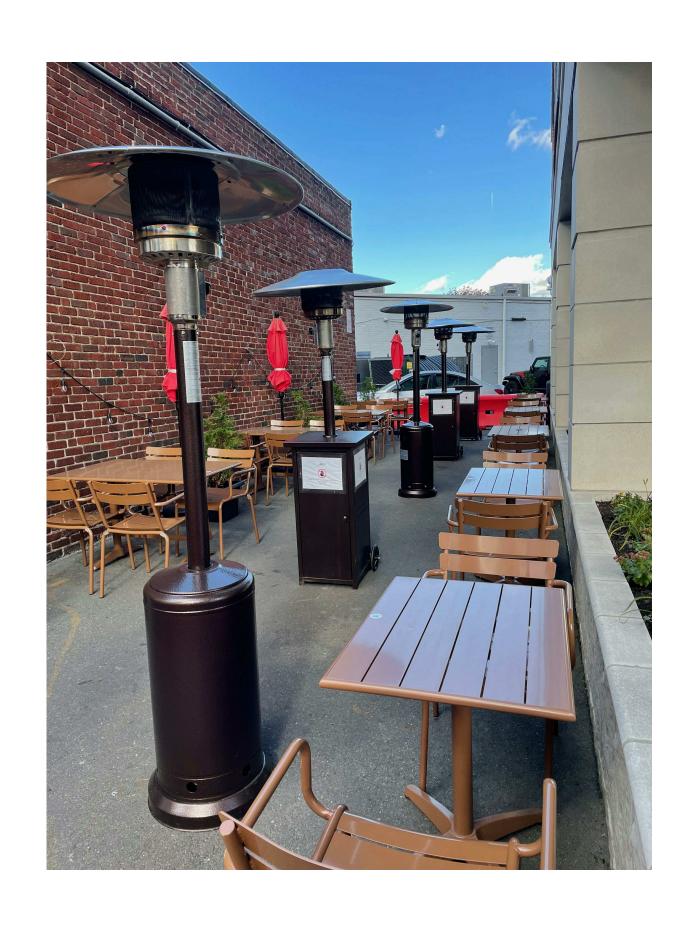
#### **PHOTOGRAPHS**

Submit photographs of the proposed outdoor dining location (front and side views) if available.

ALCOHOL SERVICE
NO
* YES
If you are seeking permission to serve alcohol outside (i.e., to extend your existing license to a patio or other outdoor seating areas), you must get approval from the Select Board by filing an Alteration of Licensed Premises, which is available on the Alcoholic Beverages Control Commission (ABCC) website at <a href="https://www.mass.gov/how-to/amend-your-alcoholic-beverages-retail-license-alteration-of-premises-or-location-change-abcc">https://www.mass.gov/how-to/amend-your-alcoholic-beverages-retail-license-alteration-of-premises-or-location-change-abcc</a> .
Please select one. Expansion area must be either:
1. Contiguous to the licensee's premise with a clear view of the area from inside the
premises; or
2. The Licensee may commit to providing management personnel dedicated to the area.
FEES AND TERM
Outdoor seating licenses are issued for a term of one year, unless stated otherwise, and can be renewed annually. The annual application fee is \$25, which will be credited toward the annual
licensing fee if the application is approved
For outdoor dining approved on public property, there is an annual licensing fee for the sole use of public space for outdoor dining at the rate of \$250 per public parking space and \$100 for the
use of the sidewalk. If an applicant is approved for the use of public parking space(s) and the
sidewalk, the \$100 sidewalk licensing fee will be
waived.
CERTIFICATION
I/we the undersigned certify that I am the owner of record of the named property or that the
owner of record authorizes the proposed work and that the above information which I/we
provided is correct.
I/we have read and fully understand the procedures as established by the Town of Needham and
further understand that failure to comply with said procedures may result in revocation of this
permit. Signature of Applicant(s):  Date:  Date:
Date:
THE CHARLES OF CHARLES OF CHERCIAL LIGHTONIA
THIS SECTION BELOW IS FOR OFFICIAL USE ONLY Major Project Site Plan Review Special Permit (Planning Board) yes no
Zoning Board of Appeals Special Permit yesno
Select Board Licensing Approval
Contificate of Incurance covering outdoor area:
Departmental Approval (Health Building Fire Police Public
Works
License Agreement (if seating is on sidewalk or other public property):  Alteration of Licensed Premises (for alcohol service in outdoor area):
AILLIANDH OI LICCHSCU I ICHIISCS (101 alcohol service in outdoor area).

Comments:





TABLES: (4) at 32"w x 48"l x 30"h (6) at 32"w x 24"l x 30"h

**CHAIRS** (28) at 16"w x 17"l x 32.5"h



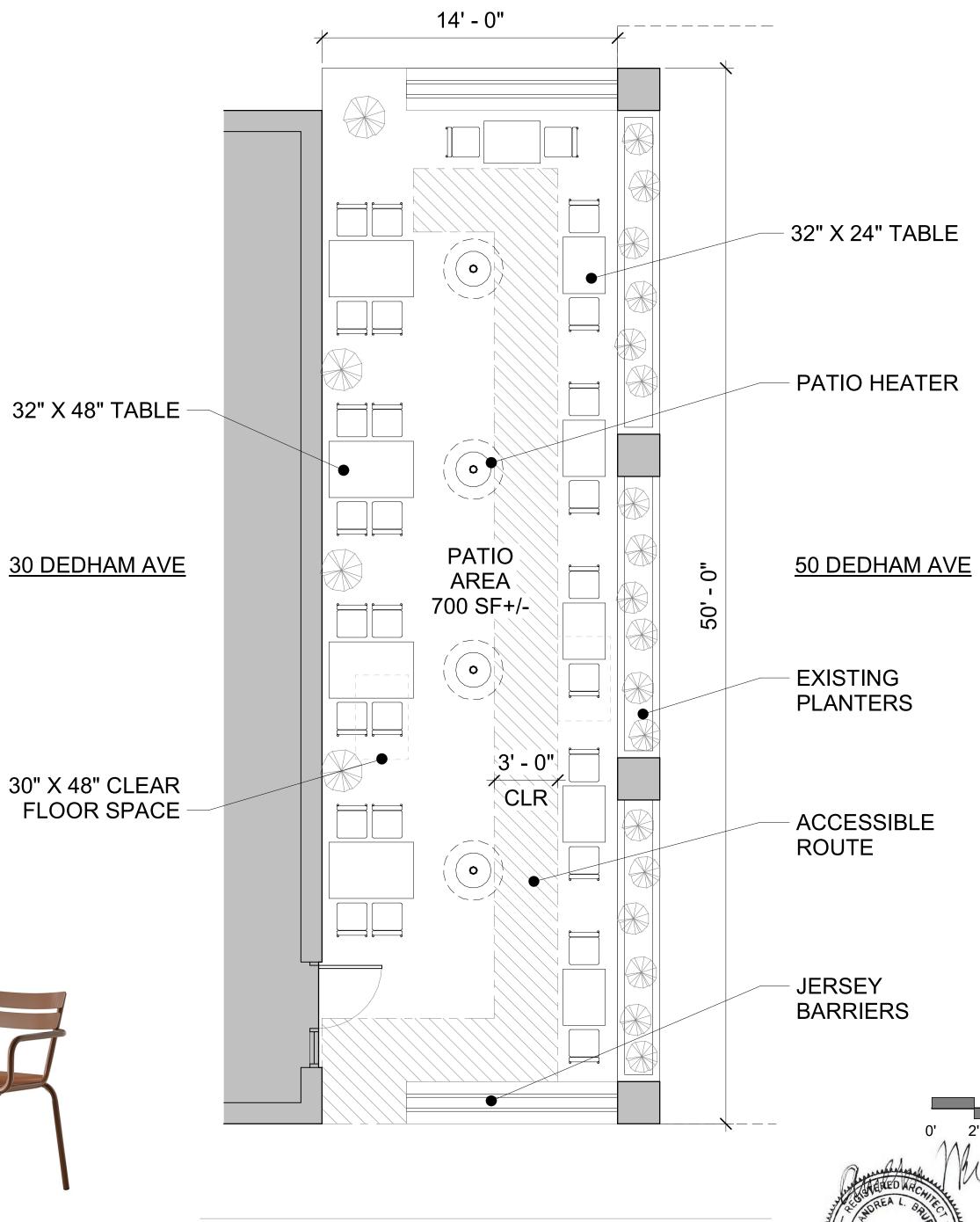
**OUTDOOR SEATING PLAN** 











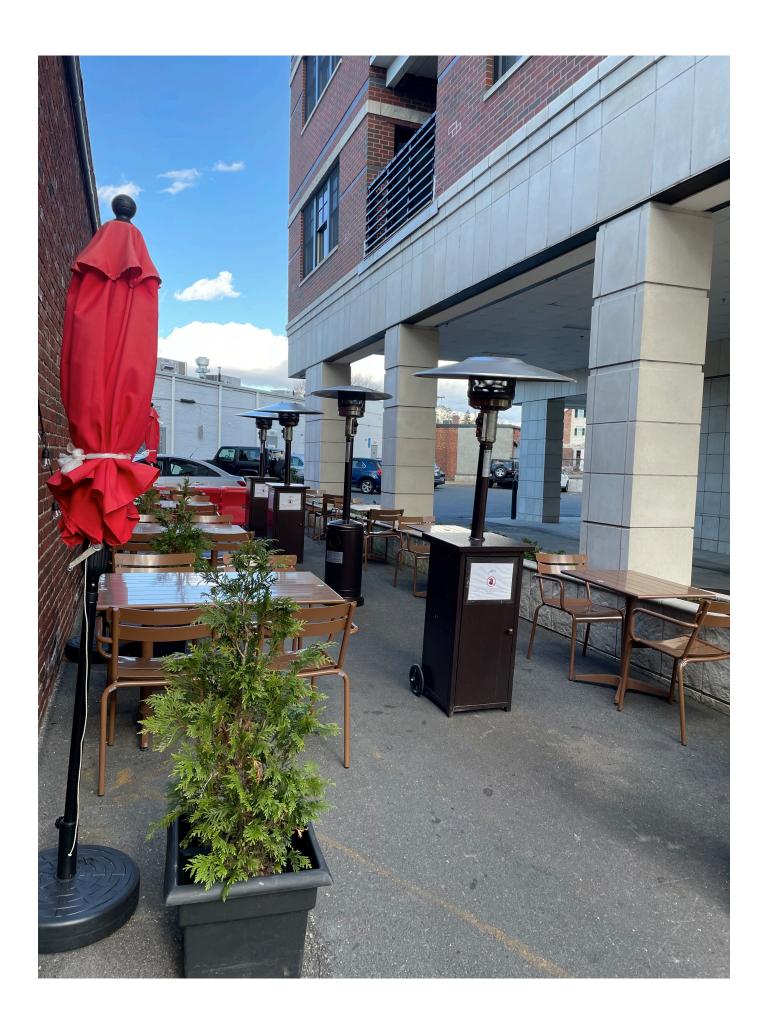
DEDHAM AVE.





LATINA KITCHEN + BAR / 30 DEDHAM AVE, NEEDHAM MA

reMake Design







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Lancaster Table & Seating 32" x 48" Brown Powder-Coated Aluminum Dining Height Outdoor Table with Umbrella Hole and 4 Arm Chairs

Item #: 4273248DUA4N













Note: Support cross bar shown lower

You last purchased this on Jun 16 2021 at 03:14PM EST

Discounted shipping with

1

## Add to Cart



# Earn up to \$19.47 back (1,947 points) with a Webstaurant Rewards Visa® Credit Card

Wish List ▼

Rapid Reorder

#### Other Available Colors:













- ✓ Made for use on outdoor patios and bar areas
- ✔ Powder-coated aluminum construction is lightweight, durable, and resistant to corrosion
- ✓ Smooth surface with brown color creates a bright and lively outdoor atmosphere
- ✓ UV-resistant finished so that color will not fade over time
- ✓ Chair has a seating capacity of 300 lb.





View all Lancaster Table & Seating Outdoor Restaurant Tables and Sets



### You May Also Need ?



Allow your guests to enjoy the breezy summer weather with this Lancaster Table & Seating 32" x 48" brown powder-coated aluminum dining height outdoor table with umbrella hole and 4 arm chairs

Designed specifically for outdoor use, this combo makes an excellent addition to restaurants, bar patios, and other outdoor entertainment areas such as banquets and luaus. Its lightweight construction allows you to easily move it around your outdoor setting for the best possible view. The 30" dining height allows guests to sit comfortably during their meal, while the chair's armrests provide additional support. Your guests will love the



opportunity to enjoy the temperate weather with the convenience and comfort of this table set!



#### Seating Capacity: 4

Four people can comfortably sit at this table.

#### **UV-Resistant Finish**

The smooth surfaces of the table and chairs feature a brown color that's sure to induce a lively atmosphere and complement the warm summer sky. Thanks to its UV-resistant finish, the color won't fade over time when left in the sun for longer periods.





#### **Durable Construction**

Both this table and its chairs are made of powder-coated aluminum, which is tough enough to resist weather and corrosion. The chairs also feature a durable 300 lb. capacity. Place them on your patio and let your guests enjoy!



#### Sturdy Pedestal Base

This table features a pedestal base that allows it to stand firm on your patio. Its black glides make it easy to maneuver and protect the surface it stands on from scratching.



#### Built-In Umbrella Hole

A built-in umbrella hole allows the table to be paired with a compatible umbrella (sold separately) to add shade at your restaurant or cafe.



#### Slotted Design

The slotted design of the chair allows for excellent airflow to keep guests cool while they dine and prevents the table from overheating.

# **Compare to Other Products**



ITEM #: 4273232DUS4N

Lancaster Table & Seating 32" x 32" Brown Powder-Coated Aluminum Dining Height Outdoor Table with Umbrella Hole and 4 Side Chairs



ITEM #: 4273232DUA4N

Lancaster Table & Seating 32" x 32" Brown Powder-Coated Aluminum Dining Height Outdoor Table with Umbrella Hole and 4 Arm Chairs



ITEM #: 4273636DUA4N

Lancaster Table & Seating 36" x 36" Brown Powder-Coated Aluminum Dining Height Outdoor Table with Umbrella Hole and 4 Arm Chairs

PRICE

\$539.00/Each

\$569.00/Each

PRICE \$599.00/Each

LENGTH

32 Inches

LENGTH 32 Inches LENGTH
36 Inches

WIDTH

32 Inches

WIDTH 32 Inches

WIDTH 36 Inches

HEIGHT

30 Inches

HEIGHT 30 Inches HEIGHT 30 Inches

CAPACITY

300 lb., 4 Chairs

CAPACITY

300 lb., 4 Chairs

CAPACITY 300 lb., 4 Chairs

COLOR

Brown

color Brown COLOR Brown

WITH ARMS

WITH ARMS
Yes

WITH ARMS
Yes

#### **Table Dimensions:**

Length: 48 Inches

Width: 32 Inches

Height: 30 Inches

#### **Chair Dimensions:**

Length:

17 Inches

Width:

16 Inches

Height:

32 1/2 Inches

Seat Height:

19 Inches

Capacity:

300 lb.

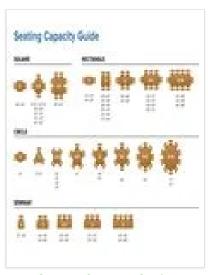
Due to manufacturer production variations, check the Compatibility resource to ensure this part is suitable for your application.

**Need Parts & Accessories?** 

own ght d 4

## **Resources and Downloads**







Warranty

Seating Capacity Guide

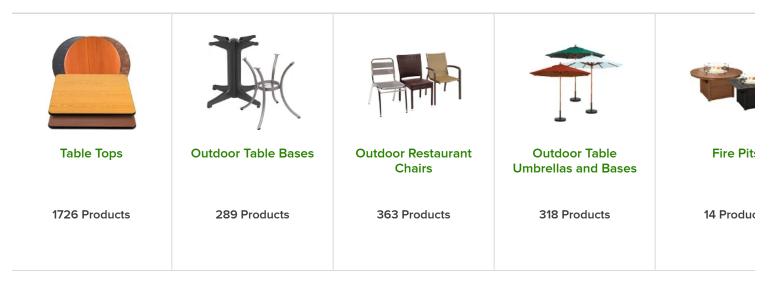
Compatibility

A PDF viewer is required to view this product's information. Download Adobe Acrobat software

SPECS	
Length	48 Inches
Width	32 Inches
Height	30 Inches
Seat Length	17 Inches
Seat Width	16 Inches
Height Style	Standard Height
Seat Height	19 Inches
Umbrella Hole Diameter	2 Inches
Capacity	300 lb.
Capacity	4 Chairs
Color	Brown
Features	Umbrella Hole
Finish	UV-finished
Frame Material	Aluminum

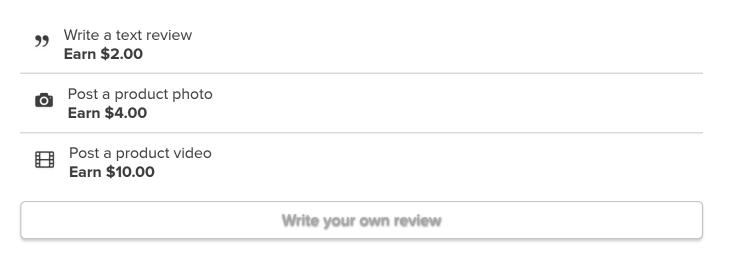
SPECS	
Shape	Rectangle
Tabletop Material	Aluminum
Туре	Table / Chair Sets
Usage	Outdoor
With Arms	Yes

#### **Related Items**



## Leave a review of this product!

If you've used this product, leave a review to tell us and other customers what you thought about it. Get paid up to \$16 for submitting one of the first text, photo, or video reviews for this item. View your account for details.



#### **Find Related Products**

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60 inch round table

bar height table bases

blue gingham table cover rolls

cast iron table bases

cutting board table















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CILVE	1115	Some	Teedback	

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01101100000011		4.7 <del>****</del>
his form is protected by	reCAPTCHA and the Google	Google Customer Reviews

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# **Request for DRB comment - Farmhouse Outdoor dining**

From:	Alexandra Clee aclee@needhamma.gov
To:	Elisa Litchman elitchman@needhamma.gov
Cc:	Lee Newman@needhamma.gov
Date:	Thu, Mar 17, 2022, 4:17 PM
	The Farmhouse - Outdoor Seating Application.pdf 896 KB
	Farmhouse application, date stamped.pdf 330 KB
	FARMHOUSE PATIO_Stamped 020222.pdf 2.7 MB

Dear Elisa,

For the review of the Design Review Board, I have attached application materials for the proposal to for Farmhouse Restaurant to utilize the parking lot behind the building for seasonal outdoor dining. More information can be found in the attachments.

The Planning Board has scheduled this matter for March 28, 2022. Please send your comments by Wednesday March 23, 2022, if possible.

The documents attached for your review are as follows:

- Application for Amendment to Major Project Special Permit No. 2007-04, and an application under Section 6.9 of the Zoning by-Law for outdoor dining.
- 2. Photographs
- 3. Plan entitled "Proposed Patio Layout Plan," prepared by Spalding Tougias Architects, Inc., dated February 8, 2022, and a second Sheet entitled "Rendering" dated February 8, 2022. (please note, the same two pages repeat in the attachment).

Thank you, alex.

Alexandra Clee
Assistant Town Planner

2022 FEB 15 PH 2: 30

#### TOWN OF NEEDHAM **MASSACHUSETTS**



500 Dedham Avenue Needham, MA 02492 781-455-7550

C. Carrier	/81-455-7550	
Serate .	amendment	
PLANNING BOARD	amena	
PLAINNING BOARD	APPLICATION FOR SITE PLAN REVIEW	
	ATTEMERITOR OF THE TENT AND THE	
Project Determination: (		
his representative in acc	e completed, signed, and submitted with the filing fee by the applicant ordance with the Planning Board's Rules as adopted under its jurisdiction at the Authority. Section 7.4 of the By-Laws.	or on
Location of Property	970 Great Plain Ave Needham	
Name of Applicant	Eat Farmhouse, LLC	
Applicant's Address	Same As Above	
Phone Number	617 360 1797	
Applicant is: Owner	<del></del>	
Agent/A	Attorney Purchaser	
Property Owner's Name Property Owner's Addre Telephone Number		
Characteristics of Prope	rty: Lot Area Present Use Commercial	
Characteristics of Frope	Map # Parcel # Zoning District	
Description of Project for	or Site Plan Review under Section 7.4 of the Zoning By-Law:	
Private parking area b	ehind restaurant becomes patio. The same as we had during Covid.	
St A	(an managantativa)	Our De
Signature of Applicant Address if not applicant		
	60 1797	
Owner's permission if	other than applicant Matthew Simon 1/26/2022	
SUMMARY OF PLA	NNING BOARD ACTION	
Received by Planning I	Board Alludurelle Date 2/10/22	
Hearing Date	Parties of Interest Notified of Public Hearing	
Decision Required by	Decision/Notices of Decision sent	
Granted	Fee Paid Fee Waived	
Denied	Fee Paid Fee Waived	

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



# TOWN of NEEDHAM MASSACHUSETTS APPLICATION FOR OUTDOOR SEATING UNDER SECTION 6.9 OF THE ZONING BY-LAW

,
Property Address: 970 Great Plain Ave Name of Establishment: The Famhouse
APPLICANT: Name (must be business owner, manager, or lessee):  DovA (Avel-Savdez Luz Address:
Telephone Number: 917 612 4680 Email Address: RATFAMHOUSE@ SMATL.COM
Do you own or rem property?
PROPERTY OWNER:  Complete this section if applicant is not the property owner  Name (must be owner):  Address:
Telephone Number: 781-449-6200 Email Address: CATFAIM LOVSE @ GMATC-COM
APPLICATION REQUEST:
Are you requesting to have outdoor dining on PRIVATE parking spaces? Yes No
If yes, how many private parking spaces?
Are you requesting to have outdoor dining on PUBLIC parking spaces (on-street or in a public parking lot)? Yes No
If yes, how many public parking spaces do you intend to use in each category? Note: there is a maximum of 3 parking spaces allowed per applicant.
# on-street public parking spots. Please note, required concrete barriers will take up 1 parking spot and should be added to the total number of spots you are applying to
use.  # of off-street public parking spots (in a public parking lot)
Are any of the spaces you are requesting to use designated for handicap parking?  Are you requesting to have outdoor dining on a sidewalk?
Town of Needham (in the organism Orlander) Something for South 1981 of the Ferior, Bod 1981

SEATING: FACILITIES/EQUIPMENT: Total number of seats approved under existing Special Permit  Total number of seats existing inside /0 D (may be same as above or fewer)  Number of restrooms provided 3  Total number of seats proposed outside 6 4 Size of Grease Trap  Number of chairs 6 4 Air Curtains (if opening is off kitchen)  Number of tables 32 Screens (if opening is off kitchen)  Outdoor Seating Area dimensions  Type of Barrier or Enclosure to Define Seating Area  (mandatory if alcohol is proposed to be served):  Metal 1 - November 30, The  Town will consider applications that extend beyond that timeframe on an individual basis.  Are you requesting to serve food & beverage outdoors earlier than April 1 or later than  November 30? Yes no  If yes, what are your proposed opening and closing dates?  What days of the week and hours do you plan to serve food & beverage outdoors?  The form of the days of the week and hours do you plan to serve food & beverage outdoors?  The form of the days of the week and hours do you plan to serve food & beverage outdoors?  The form of form of the form of the form of the linside to the Outside, Location of Outdoor Exit Area in the case of an emergency, Written Description of Colors and Materials Used
MARKATINE COM

ALCOHOL SERVICENO
If you are seeking permission to serve alcohol outside (i.e., to extend your existing license to a patio or other outdoor seating areas), you must get approval from the Select Board by filing an Alteration of Licensed Premises, which is available on the Alcoholic Beverages Control Commission (ABCC) website at <a href="https://www.mass.gov/how-to/amend-your-alcoholic-beverages-retail-license-alteration-of-premises-or-location-change-abcc">https://www.mass.gov/how-to/amend-your-alcoholic-beverages-retail-license-alteration-of-premises-or-location-change-abcc</a> .
Please select one. Expansion area must be either:  1. Contiguous to the licensee's premise with a clear view of the area from inside the premises; or
2. The Licensee may commit to providing management personnel dedicated to the area.
FEES AND TERM Outdoor seating licenses are issued for a term of one year, unless stated otherwise, and can be
renewed annually. The annual application fee is \$25, which will be created toward the annual
licensing fee if the application is approved For outdoor dining approved on public property, there is an annual licensing fee for the sole use of public space for outdoor dining at the rate of \$250 per public parking space and \$100 for the use of the sidewalk. If an applicant is approved for the use of public parking space(s) and the sidewalk, the \$100 sidewalk licensing fee will be waived.
CERTIFICATION  I/we the undersigned certify that I am the owner of record of the named property or that the owner of record authorizes the proposed work and that the above information which I/we
provided is correct.  I/we have read and fully understand the procedures as established by the Town of Needham and
further understand that failure to comply with said procedures may result in revocation of this permit.  Signature of Applicant(s):  Date:
THIS SECTION BELOW IS FOR OFFICIAL USE ONLY Major Project Site Plan Review Special Permit (Planning Board) yesno
Zoning Board of Appeals Special Permit yesno
Select Board Licensing Approval
Certificate of Insurance covering outdoor area:  Departmental Approval (Health Building Fire Police Public
Works
License Agreement (if seating is on sidewalk or other public property):
Alteration of Licensed Premises (for alcohol service in outdoor area):
Comments:

**Town** of the shift **Application for**  $\frac{\partial u}{\partial x} h u = \frac{\partial u}{\partial x} h u = 0$  for all  $x \in \mathbb{R}^n$  and  $x \in \mathbb{R}^n$  and  $x \in \mathbb{R}^n$ 

PLAN REQUIREMENTS

Submit a Plan of the Outside Seating Area, showing precise dimensions and locations of:

(1) Seating arrangement, including the arrangement of the furniture

- (2) Enclosure of dining area (this is required if service of alcohol is proposed)
- (3) Location of ingress/egress from inside to outside

(4) Location of outside emergency exit(s)

- (5) Separation distances to building, curbing, sidewalks, streets, trees, planters, rubbish containers, equipment, and any other obstacles in pedestrian walkway or access aisles Said Plan must be certified by a Registered Architect or Engineer with certifications that the restaurant with the outdoor seating complies with egress and access requirements, that the seating configuration complies with safety requirements, and that the restaurant has adequate restroom facilities for the number of seats. (If the total indoor and outdoor seating exceeds the number allowed for the existing restroom facilities, you may reduce the number of indoor seats being used, so that the total number of restaurant seats does not trigger additional restroom facilities.)
- (6) For parking spaces located on a parking lot (public or private), provide a site plan showing parking areas to be utilized for outdoor seating. Said plan can be an existing approved Site Plan, in which applicant delineates proposed seating location.

#### FURNITURE SPECIFICATIONS SHEET

A detailed specifications sheet illustrating the appearance, materials, colors, and size of selected outdoor seating furniture and equipment including chairs, benches, tables, umbrellas, fences, and other items. Photographs of furniture and equipment may be substituted for specification sheets as along as a sheet listing the dimensions of the furniture and equipment accompanies the photographs.

Are you proposing to have: (please check all that apply)?

A tent or canopy? A permit from the Building Department may be required (link)

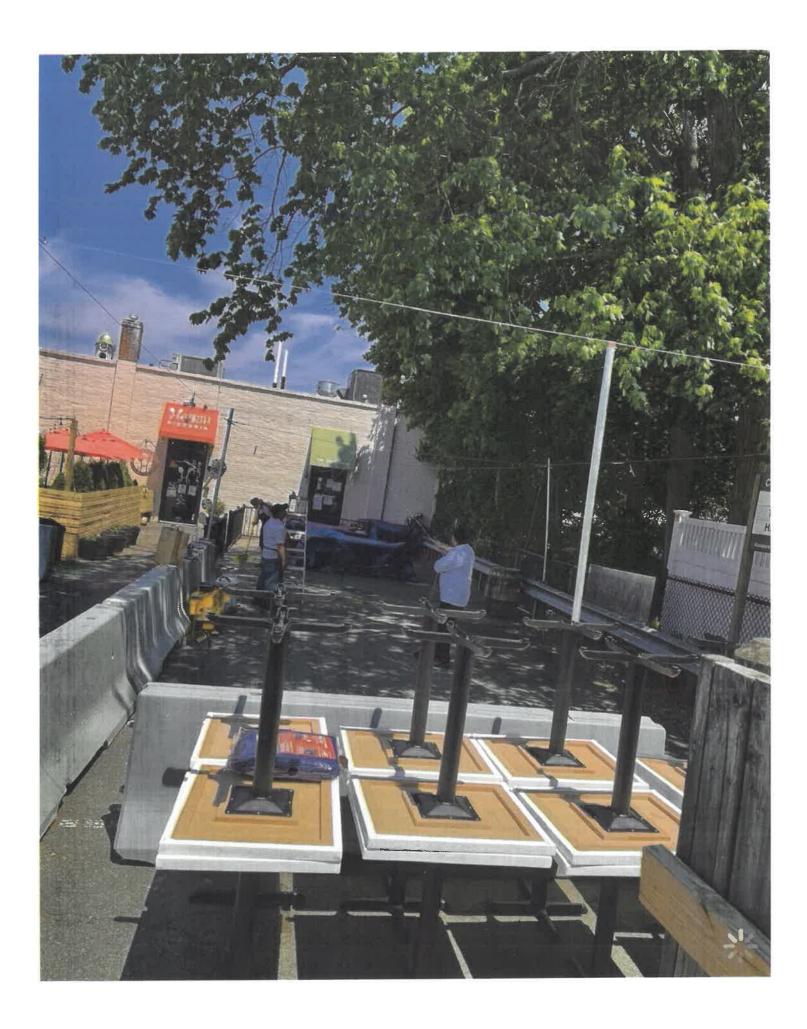
Outdoor lighting? An electrical permit is required (link).

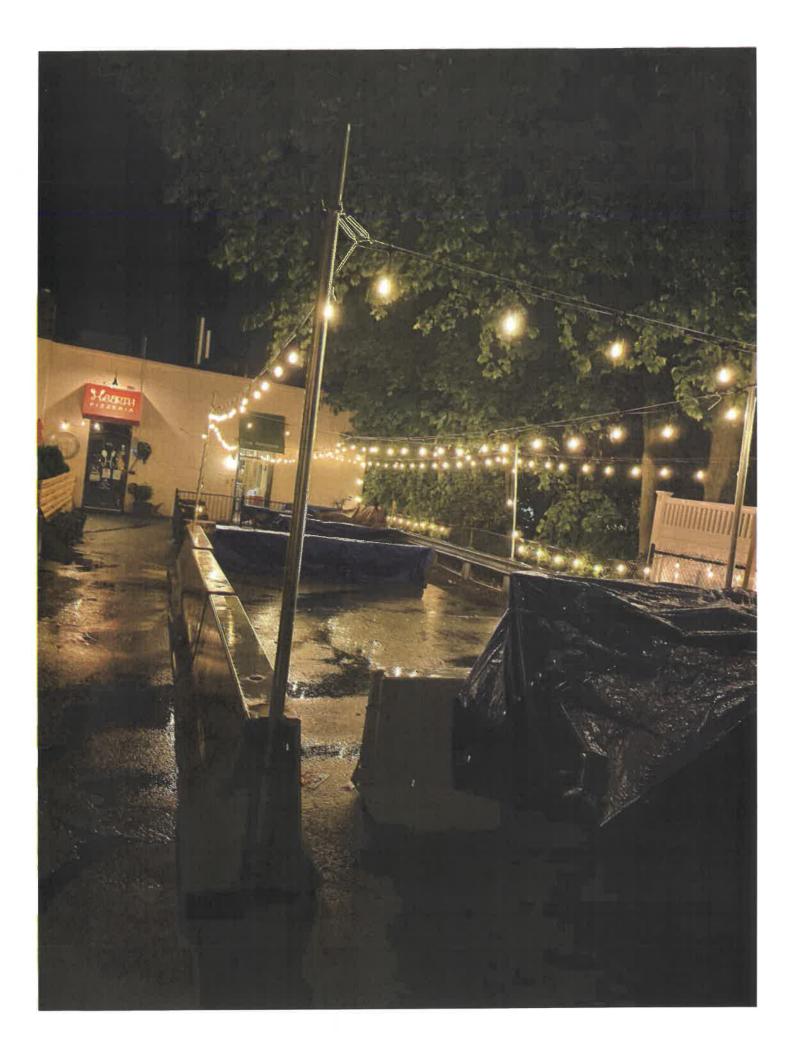
Outdoor Heating? A permit from the Fire Department is required (link).

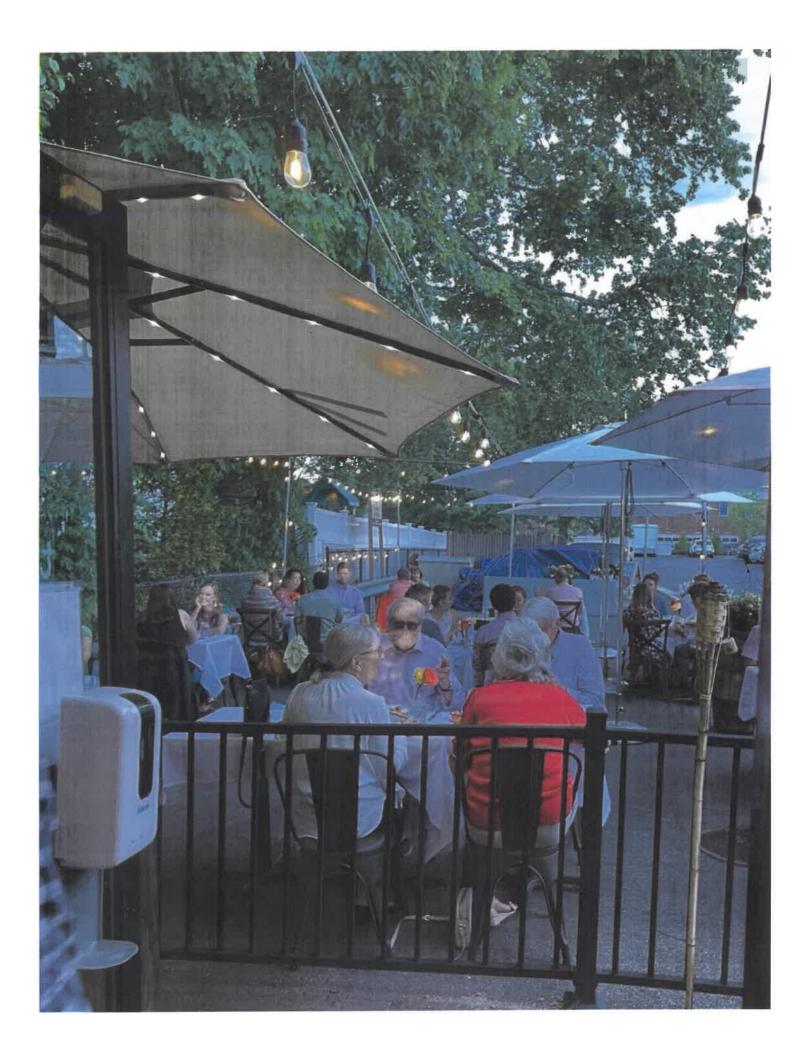
**PHOTOGRAPHS** 

Submit photographs of the proposed outdoor dining location (front and side views) if available.

Lower of Needham to a second of the second to the second of the second by-Law

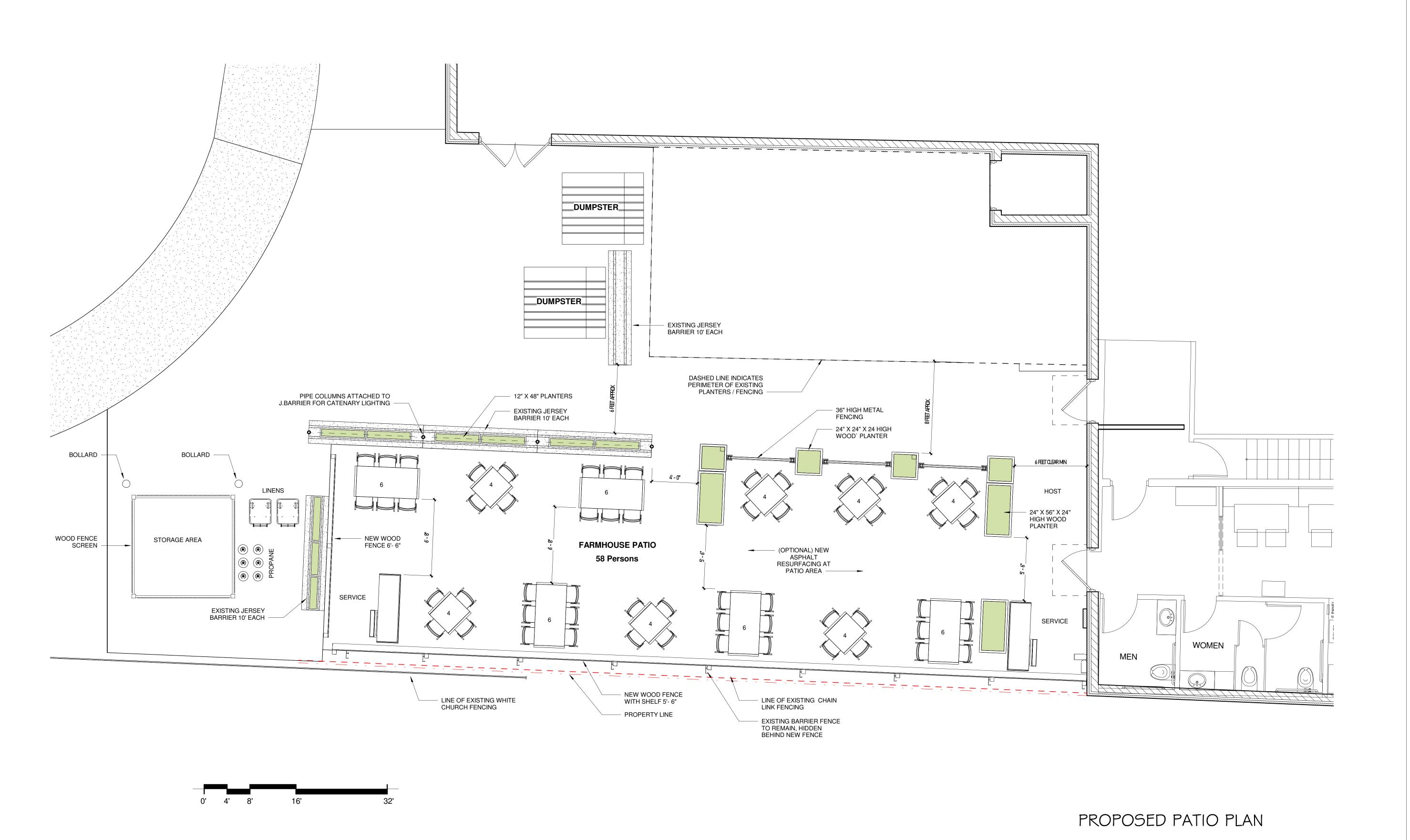














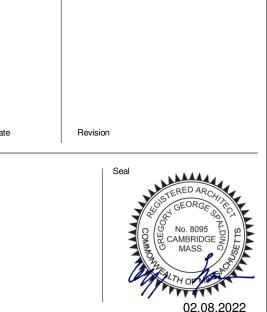
# Gabriel / Dora **FARMHOUSE** PATIO

970 Great Plain Road Needham, MA



CONSULTANTS:

David MIller Landscape Architecture + Planning



PROPOSED PATIO LAYOUT PLAN

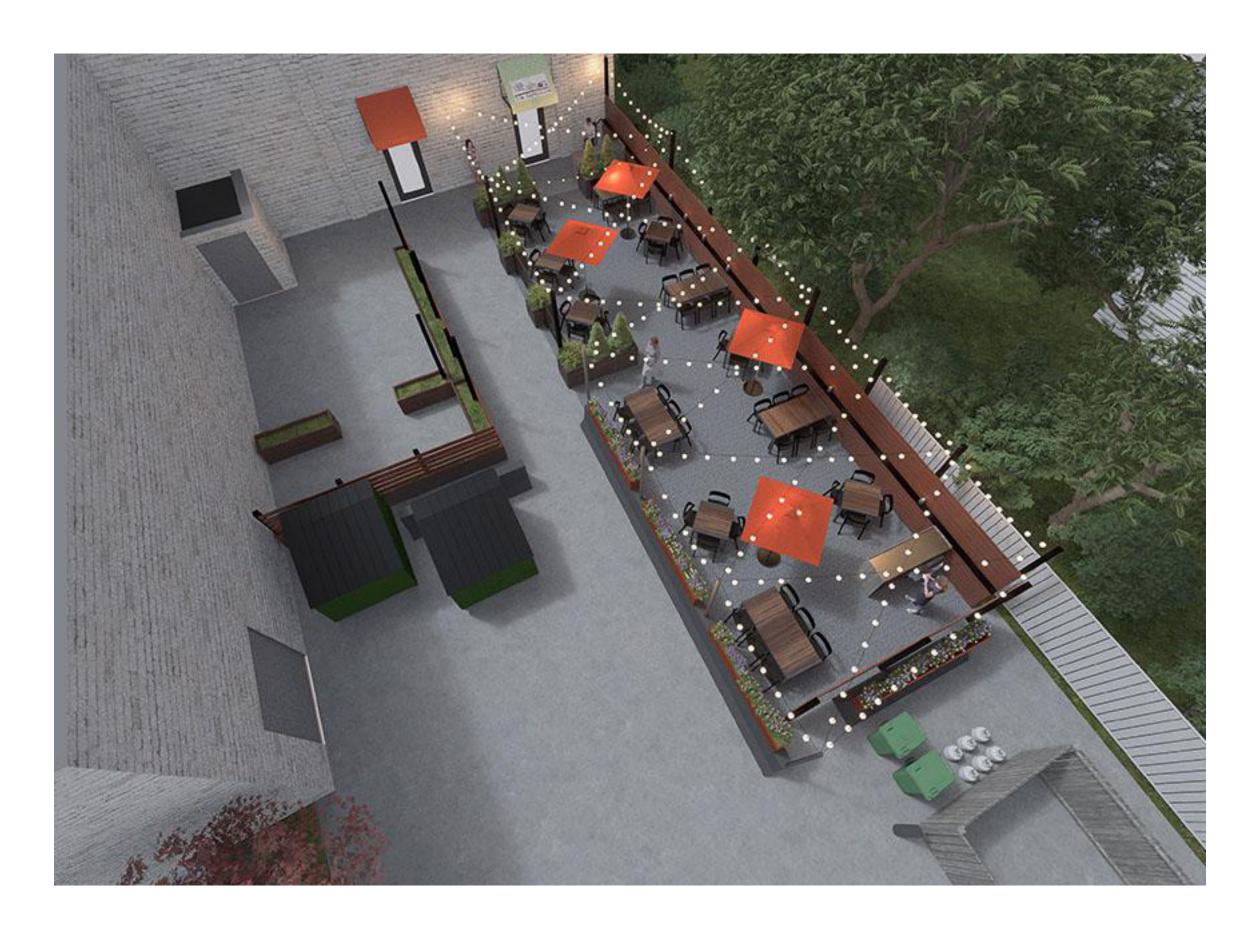
Project Number

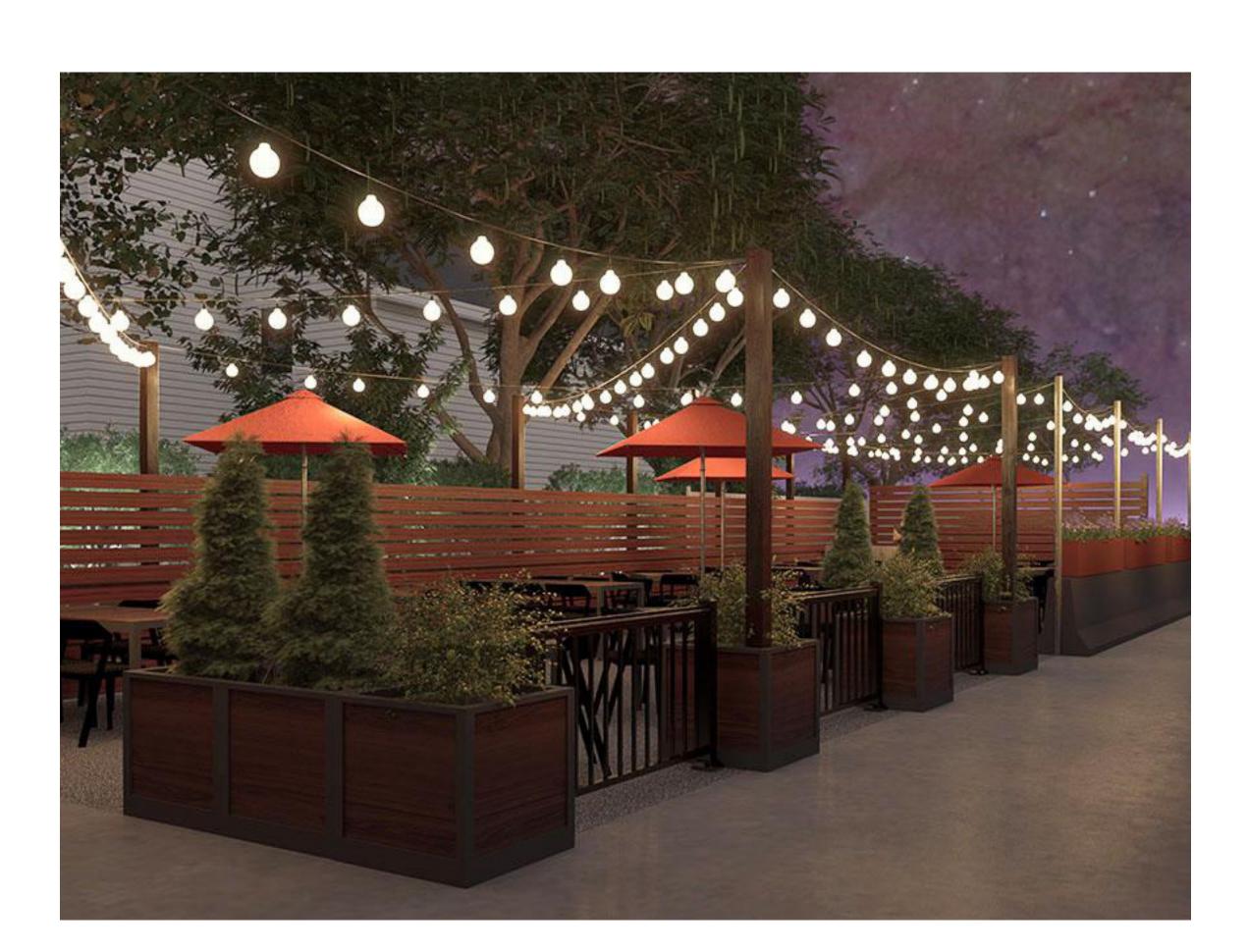
A100 1/4" = 1'-0"

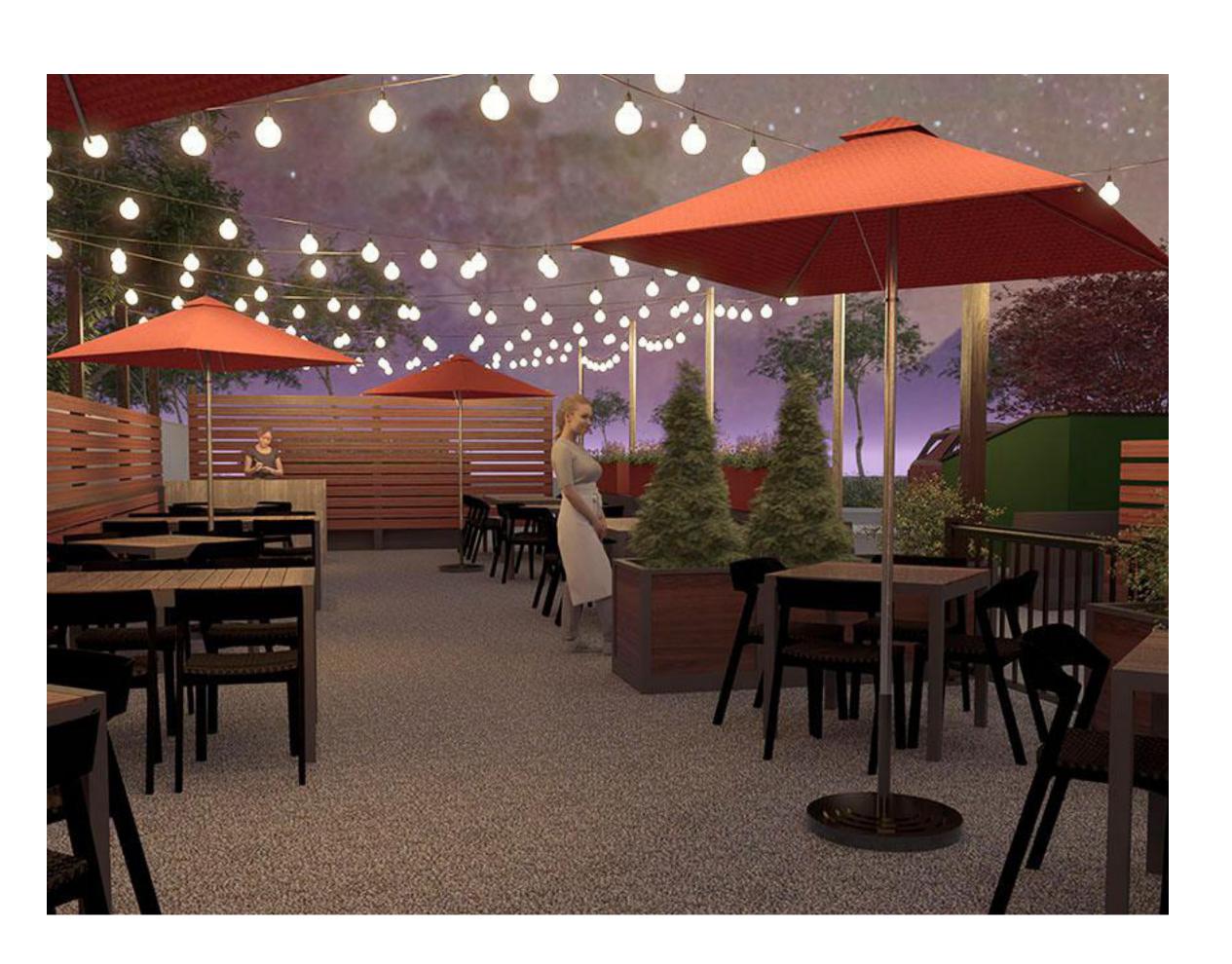
Author Checker

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# Gabriel / Dora FARMHOUSE PATIO

970 Great Plain Road Needham, MA



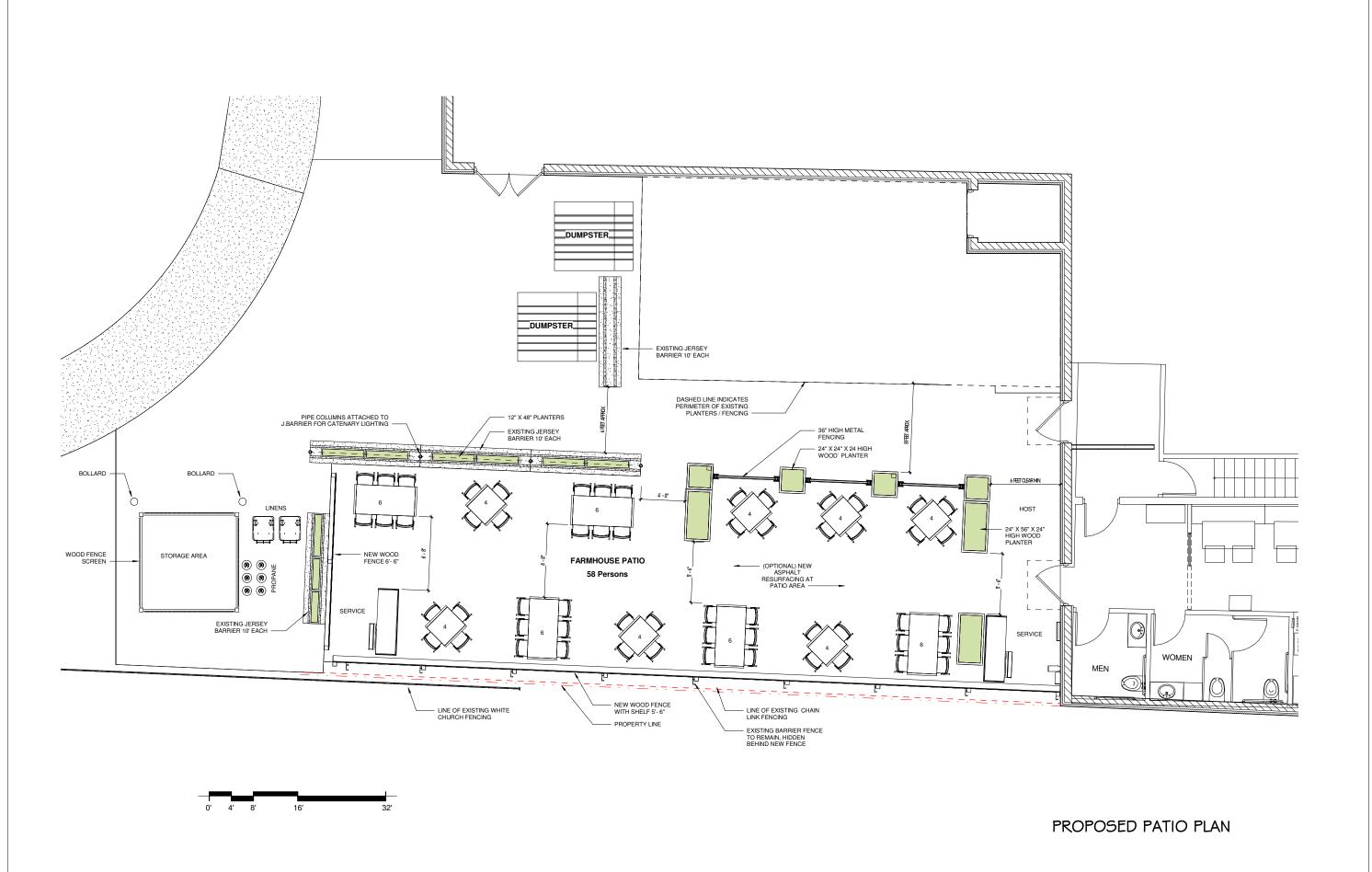
CONSULTANTS:

David MIller Landscape Architecture + Planning

A101

RENDERING

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## Gabriel / Dora FARMHOUSE PATIO

970 Great Plain Road Needham, MA



CONSULTANTS:

David Miller Landscape Architecture + Planning





Drawing Title

PROPOSED PATIO LAYOUT PLAN

Project No.
Project Number

Date

Scale

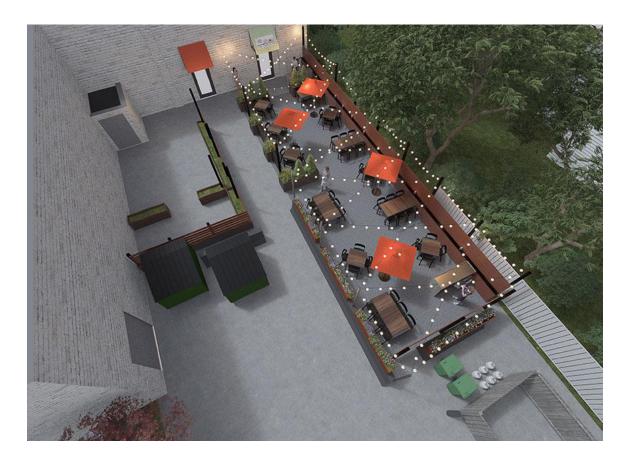
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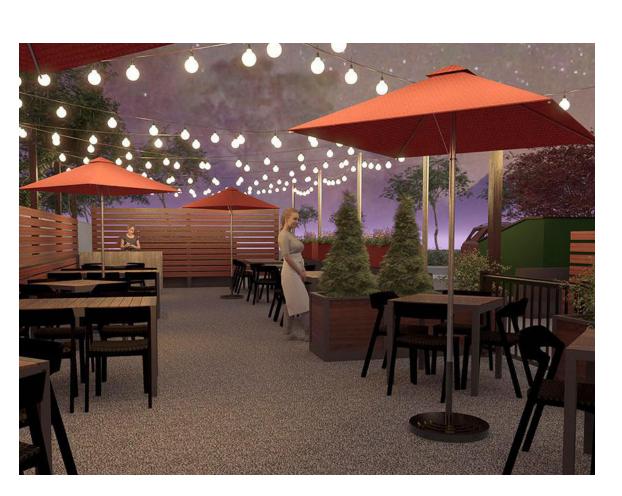
Drawn By
Author
Checker

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### Gabriel / Dora FARMHOUSE PATIO

970 Great Plain Road Needham, MA



CONSULTANTS:

David Miller Landscape Architecture + Planning

RENDERING

Project Number

A101

Author Checked By Checker

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### Request for DRB comment - amendment to Hearth Pizzeria - outdoor dining

To: Cc:	Alexandra Clee aclee@needhamma.gov Elisa Litchman elitchman@needhamma.gov Lee Newman LNewman@needhamma.gov Thu, Mar 17, 2022, 4:13 PM
	Date Stamped app for outdoor seating 1_4_2022.PDF 139 KB 974 Great Plain Ave Hearth Outdoor Seating App 12_23_2021.pdf 120 KB Hearth - Exterior Patio Plan - 2021 12-09 LR.pdf 2.3 MB
Dear Eli	sa.

I have received the attached application materials for a proposed Amendment to the existing Special Permit Hearth Pizzeria at 974 Great Plain Avenue for the review of the Design Review Board. The requested amendment would permit year-round 33 outdoor seats by Hearth Pizzeria abutting the municipal parking lot and within the maneuvering space of the private parking lot.

Please note: This application has already been approved by Planning and Select Boards. Unless there is an glaring issue, I am hoping this one is a-okay!

The documents attached for your review are as follows:

- 1. Application for the Amendment to 2006-04 and application under Section 6.9 of the Zoning By-Law.
- 2. 2 sheets prepared by Scott Melching Architect, page 1, showing "Photos of Exterior Seating," dated December 9, 2021; page 2, showing "Exterior Seating Plan," dated December 9, 2021

Thank you, alex.

Alexandra Clee Assistant Town Planner Needham, MA 781-455-7550 ext. 271 www.needhamma.gov

## TOWN OF NEEDHAM MASSACHUSETTS

2022 JAH -4 AM 9: 19



500 Dedham Avenue Needham, MA 02492 781-455-7550

### PLANNING BOARD

### APPLICATION FOR SITE PLAN REVIEW

Project Determination: (circ	le one) M	lajor Project	Minor Project
This application must be conhis representative in accordance as a Special Permit Granting	ance with the I g Authority.  S	Planning Board's Rules section 7.4 of the By-La	
Applicant's Address	74 Great Ian Milla 578 707 8	n-1012610.	Nealham, MA,02492
Applicant is: OwnerAgent/Atto		Tenant — Purchaser	_
Property Owner's Name Property Owner's Address Telephone Number		nvestments wound at 1	305 ton, 1997, 0016
Characteristics of Property	: Lot Area Map # _	Present Present Zoning I	t Use District
Description of Project for S	Site Plan Revie	ew under Section 7.4 of	the Zoning By-Law:
Signature of Applicant (or Address if not applicant	101 800	8762.	
SUMMARY OF PLANN Received by Planning Boa Hearing Date	_	T-1	atePublic Hearingecision sent
Granted Denied Withdrawn		Fee Paid	Fee Waived
NOTE: Reports on Minor	rrojects must	מט כב וווווווא בסווכבו סח	ya or aning unio.

2021 DEC 23 AM 11: 36

# TOWN OF NEEDHAM MASSACHUSETTS



500 Dedham Avenue Needham, MA 02492 781-455-7550

### PLANNING BOARD

### APPLICATION FOR SITE PLAN REVIEW

Project Determination: (circle one)	Major Project (amendment)	Minor Project	
This application must be completed, s his representative in accordance with as a Special Permit Granting Authorit	the Planning Board's Rules as adopte		
Name of Applicant Sol Soul Fam	ain Avenue, Needham, MA nily Foods LLC d/b/a Hearth Pizzeria ain Avenue, Needham, MA 2		
Applicant is: OwnerAgent/Attorney	Tenant X Purchaser		
	ewbury Street, Boston, MA 02116,		
Property Owner's Address Telephone Number 617-267		Jay F	feifer
	Area <u>45 acres</u> Present Uso re # <u>47</u> Parcel # <u>63</u> Zoning District	staurant Center Business Distr	rict
Description of Project for Site Plan R WE REQUESTING AN SEATS.			DOP
THANK YOU.	A+ai1		
Signature of Applicant (or representate Address if not applicant 59 M Telephone # 781-248-5 Owner's permission if other than app	J. VERNON AUE NEEDIT	m m 02412	Robert Craig Sol Soul Family Foods LLC
SUMMARY OF PLANNING BOA		422/21	Manager.
Received by Planning Board Hearing Date Parti	es of Interest Notified of Public Hea	ring	
Decision Required by	Decision/Notices of Decision ser	11	
Granted Denied	Fee Paid Fee Wa	ived	
Withdrawn NOTE: Reports on Minor Projects m	ust be issues within 35 days of filing	date.	
MATE! Rebord on tamor trology in	mer n'a manaa aliming na melinika sa jamba	,	



2022 JAJ-4 AM 9: 11

# TOWN of NEEDHAM MASSACHUSETTS APPLICATION FOR OUTDOOR SEATING UNDER SECTION 6.9 OF THE ZONING BY-LAW

Property Address: 974 GREAT PLAIN AVE NEEDHAM, MA, 02492 Name of Establishment: HEARTH PRZERIA
APPLICANT: Name (must be business owner, manager, or lessee): VAN MILAN PULECIO Address: 974 GREAT PLDIN AVE NEPOHAM, MA, OQUQQ
Telephone Number: 508-208-8762 Email Address: IVON @ WONTH PIZZEVICI. COM.
Do you own or rent property?
PROPERTY OWNER:  Complete this section if applicant is not the property owner  Name (must be owner): Copies Investments  Address: 10 Newburn St. Boston, MA, 08116
Telephone Number: 617-867-6828 Email Address: Joy C Copley-Investments. com
APPLICATION REQUEST:
Are you requesting to have outdoor dining on PRIVATE parking spaces? Yes No
If yes, how many private parking spaces? HEARTH WILL NOT TAKE DAY SPACES
Are you requesting to have outdoor dining on PUBLIC parking spaces (on-street or in a public parking lot)? Yes No
If yes, how many public parking spaces do you intend to use in each category? Note: there is a maximum of 3 parking spaces allowed per applicant.
# on-street public parking spots. Please note, required concrete barriers will take up 1 parking spot and should be added to the total number of spots you are applying to
use.  # of off-street public parking spots (in a public parking lot)
Are any of the spaces you are requesting to use designated for handicap parking?

Town of Needham Application for Outdoor Seating under Section 6.9 of the Zoning By-Law rev. New, 2021

Are you requesting to have outdoor dining on a sidewalk?

SEATING: FACILITIES/EQUIPMENT:
Total number of seats approved under existing Special Permit 33-38  The seat of seats approved under existing Special Permit 33-38  The seat of seats approved under existing Special Permit 33-38
Total number of seats existing inside 30 (may be same as above of fewer)
Number of restrooms provided 3
Total number of seats proposed outside 34 Size of Grease Trap
Number of chairs 34 Air Curtains (if opening is off kitchen) —
Number of tables Screens (if opening is off kitchen)
Outdoor Seating Area dimensions
Type of Barrier or Enclosure to Define Seating Area
(mandatory if alcohol is proposed to be served):  WE HOME A SUPPONDING PLANTAR WITH TREES, QUITRANE AND REDCE
WE HOVE IT SOLED TO THE TOTAL OF THE TOTAL O
DATES AND HOURS OF OPERATION
The standard outdoor dining season in the Town of Needham is April 1 - November 30. The
Towns will consider amplications that extend beyond that timetrame on an inalylaudi pusis.
WE WOULD LIKE TO HAVE IT OPEN YE ROCKED WENTHER DEPONITING.
Are you requesting to serve food & beverage outdoors earlier than April 1 or later than PERMITTING.
November 30? (Yes/no
If yes, what are your proposed opening and closing dates?  IT WOULD BE WEATHER DERMITTING SINE WE DRE NOT OF TOWNS PARKING.
37012.
THE M-SUNDAY.
BRIEF DESCRIPTION OF:
Seating Arrangement, Type of Furniture, Type of Barrier or Enclosure to Define Seating Area  Seating Arrangement, Type of Furniture, Type of Barrier or Enclosure to Define Seating Area
1
Location of Outdoor Exit Area in the case of an emergency, Written Description of Colors and
Materials Used HEDETH'S PATIO IS LOCATED IN THE DACK OF 974 GREAT PLAND DUE.
WE WILL NOT TAKE ANY PARKING SPOTS AG IT WAS DN
IT IS ENGLOSED BY A PLANTAR WALL WITH TREES AROLD AND
HAS 10 TOBLES AND 32 SEAT AS WELL AS A SERVER
STATION.
WDWN DN
Building
Man n n n n n n n n n n n n n n n n n n
TABLE
Clare Street
PROVIDE BACK ENTRANTE
FENCE Leever stution
and the control of t
ENTENDE .

Town of Needham Application for Outdoor Seating under Section 6.9 of the Zoning By-Law rev. Nov. 2021

ALCOHOL SERVICE	
✓ NO ✓ YES	
If you are seeking permission to serve alcohol outside (i.e., to patio or other outdoor seating areas), you must not a serve alcohol outside (i.e., to patio or other outdoor seating areas).	o extend your existing license to a
patio or other outdoor seating areas), you must get approval	from the Select Board by filing an
Alteration of Licensed Premises, which is available on the A	Icoholic Beverages Control
Commission (ABCC) website at https://www.mass.gov/how beverages-retail-license-alteration-of-premises-or-location-c	/-to/amend-your-alcoholic-
	•
Please select one. Expansion area must be either:	<b>- 数条条线线</b>
1. Contiguous to the licensee's premise with a clear vie	w of the area from inside the
premises; or	TAMEN TOTAL S
<ol><li>The Licensee may commit to providing management</li></ol>	personnel dedicated to the area.
	Large Agreement of the property of
rees and term	
Outdoor seating licenses are issued for a term of one year, un	less stated otherwise, and can be
renewed annually. The annual application fee is \$25, which we have a supplication fee is \$25.	vill be credited toward the annual
needsing fee if the application is approved	•
For outdoor dining approved on public property, there is an a	nnual licensing fee for the sole use
of public space for outdoor dining at the rate of \$250 per pub	lic parking space and \$100 for the
use of the sidewalk. If an applicant is approved for the use of sidewalk, the \$100 sidewalk.	public parking space(s) and the
sidewalk, the \$100 sidewalk licensing fee will be waived.	
waiyou.	
CERTIFICATION	
I/we the undersigned certify that I am the owner of record of	the named aronauty on that the
owner of record authorizes the proposed work and that the ab	Ove information which I/we
provided is correct.	240 modification which has
I/we have read and fully understand the procedures as established	shed by the Town of Needham and
further understand that failure to comply with said procedures	may result in revocation of this
permit.	•
Signature of Applicant(s):	Date: 12/1/2021
——Date:	-
•	
THIS SECTION BELOW IS FOR OFFICIAL USE ONL	v.
Major Project Site Plan Review Special Permit (Planning Box	
Zoning Board of Appeals Special Permit yesno	ard) yes no
Select Board Licensing Approval	در <del>ما</del>
Certificate of Insurance covering outdoor area:	
Departmental Approval (Health Building Fir	ePolice Public
Works	- I dono
License Agreement (if scating is on sidewalk or other public property):	
Alteration of Licensed Premises (for alcohol service in outdoor area):	X X X
	A Programme Comment
w No.	

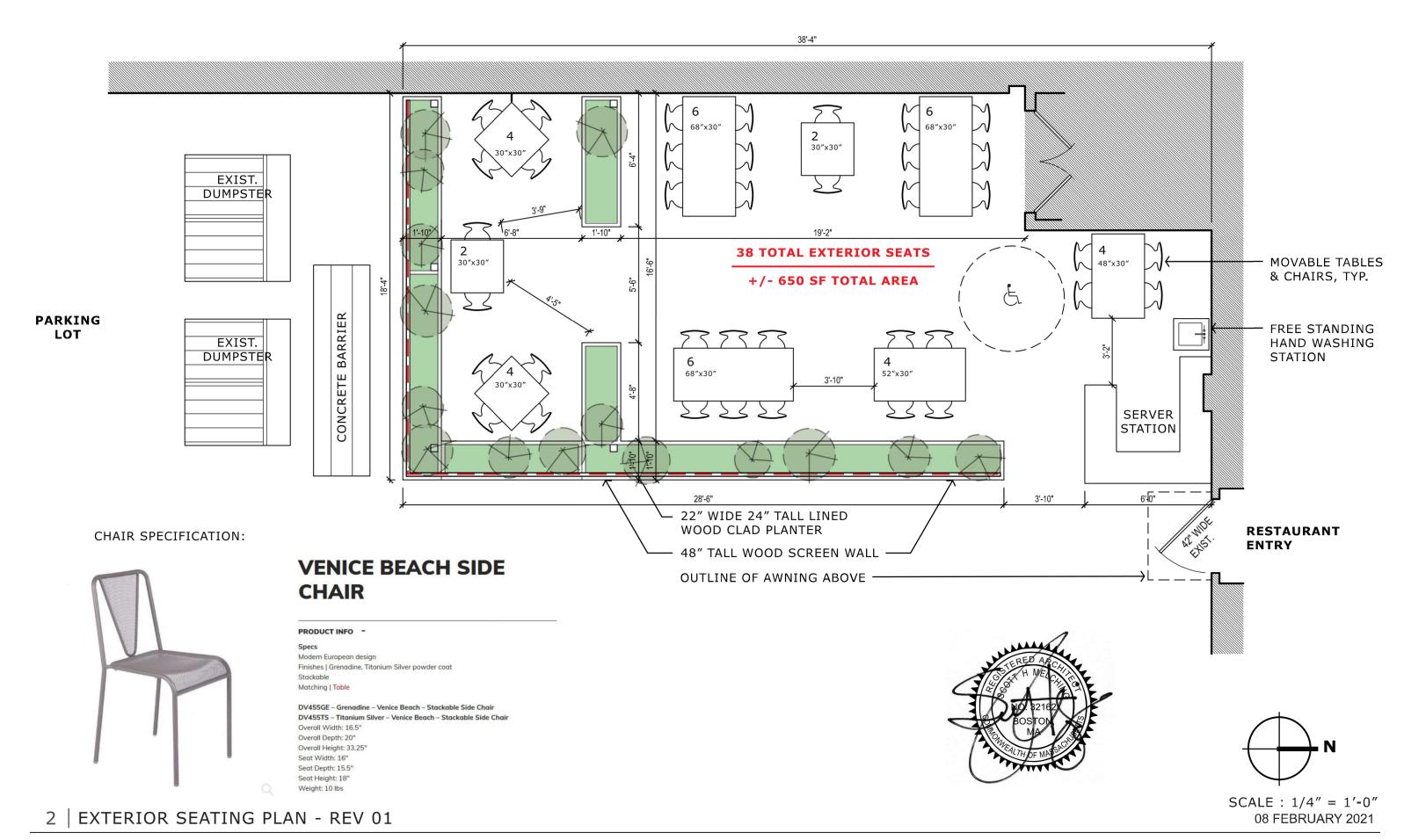
Town of Needham Application for Outdoor Seating under Section 6.9 of the Zoning By-Law rev. Nov. 2021







1 PHOTOS OF EXTERIOR SEATING 08 FEBRUARY 2021



### Request for DRB comment - The James outdoor dining

To: Elisa Litchman elitchman@needhamma.gov

Co: Lee Newman LNewman@needhamma.gov

Date: Thu, Mar 17, 2022, 4:16 PM

Outdoor Dining Application FINAL 030422.pdf 131 KB

The James - EXT Photos - 2021 12-23.pdf 6.7 MB

The James - EXT Floor Plan PLATFORM - 2021 12-23.pdf 656 KB

Chapel St Lot Licence #2 - Fully Executed.pdf 112 KB

email\_Patio Plans.pdf 6.4 MB

site plan showing outdoor diing location Chapel St.pdf 4.4 MB

IMG-3579.jpg 5.3 MB

Application Amendment.pdf 1.8 MB

Dear Elisa.

I am seeking comment from the DRB on for the Planning Board meeting of April 5.

The requested amendment would permit up to 69 outdoor seats by the James Pub on 5 on-site parking spaces located on the eastern edge of the restaurant building which the Petitioner had previously made available for public use in the municipal parking lot on Chapel Street and on private property which the Petitioner controls along the southern edge of the restaurant building.

The Planning Board has scheduled this matter for April 5, 2022. Please send your by Wednesday March 30 if possible.

The documents attached for your review are as follows:

- Application for Amendment to Major Project Special Permit No. 2007-04, and an application under Section 6.9 of the Zoning by-Law for outdoor dining.
- 2. Plan prepared by Scott Melching Architect, entitled "Exterior Seating Plan," dated December 23, 2021.
- 3. Photographs.
- 4. License Agreement between the Town and the Heffernan Associates Nominee Trust, dated March 2, 2022.
- 5. Email from Stuart Henry, Petitioner, with two attachments: 1) plan with sketch on it showing proposed location of outdoor dining; and 2) photograph.

### TOWN OF NEEDHAM

**MASSACHUSETTS** 



500 Dedham Avenue Needham, MA 02492 781-455-7550

### PLANNING BOARD

### **APPLICATION FOR SITE PLAN REVIEW**

Project Determination: (circle one) 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. Section 7.4 of the By-Laws.
Location of Property Name of Applicant Applicant's Address Phone Number  1027Great_Plain_Ave_Needham_MA_02492Stuart_Henry_(The_James) 18 Cliftondale ST, Roslindale MA 02131 8578917928
Applicant is: Owner TenantX Agent/Attorney Purchaser
Property Owner's NameTriantos Thomas
Characteristics of Property: Lot Area 14800 Present Use RESTAURANT Map #51 Parcel # 11 Zoning District CENTER BUSINESS
Description of Project for Site Plan Review under Section 7.4 of the Zoning By-Law:  REQUESTING AN AMENDMENT TO ADD 69 OUTDOOR  SEATS. WE WOULD BE USING 3 PUBLIC PARKING SPACE
Signature of Applicant (or representative)  Address if not applicant  Telephone #  Owner's permission if other than applicant  Triangly to Thomas
SUMMARY OF PLANNING BOARD ACTION Received by Planning Board Date
Hearing Date Parties of Interest Notified of Public Hearing
Decision Required by Decision/Notices of Decision sent
Granted
Denied Fee Paid Fee Waived
Withdrawn
NOTE: Reports on Minor Projects must be issues within 35 days of filing date.
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# TOWN of NEEDHAM MASSACHUSETTS

# APPLICATION FOR OUTDOOR SEATING UNDER SECTION 6.9 OF THE ZONING BY-LAW

LOCATION:
Property Address: _1027 Great Plain Ave, Needham MA 02492
Name of Establishment:The James
APPLICANT:
Name (must be business owner, manager, or lessee):Stuart Henry Address: 18 Cliftondale St, Roslindale , MA 02131
Telephone Number: 8578917928
Email Address: stuart@thejamespub.com
Do you own or rent property? Rent
PROPERTY OWNER:
Complete this section if applicant is not the property owner
Name (must be owner): Triantos Thomas
Address: 198 Curve St, Dedham MA 02026
Telephone Number: 7813295894
Email Address:
APPLICATION REQUEST:
Are you requesting to have outdoor dining on PRIVATE parking spaces? Yes Nox_
If yes, how many private parking spaces?
Are you requesting to have outdoor dining on PUBLIC parking spaces (on-street or in a public parking lot)? Yes_x No
If yes, how many public parking spaces do you intend to use in each category? <i>Note: there is a maximum of 3 parking spaces allowed per applicant.</i>
# on-street public parking spots. Please note, required concrete barriers will take up 1 parking spot and should be added to the total number of spots you are applying to use.
3 # of off-street public parking spots (in a public parking lot)
Are any of the spaces you are requesting to use designated for handicap parking? yes Are you requesting to have outdoor dining on a sidewalk?

SEATING: FACILITIES/EQUIPMENT:  Total number of seats approved under existing Special Permit100  Total number of seats existing inside56 (may be same as above or fewer)  Number of restrooms provided2  Total number of seats proposed outside69 Size of Grease Trap100lbs Number of chairs121 Air Curtains (if opening is off kitchen)  Number of tables16 Screens (if opening is off kitchen)  Outdoor Seating Area dimensions1430 sf  Type of Barrier or Enclosure to Define Seating Area (mandatory if alcohol is proposed to be served): Jersey Barriers
DATES AND HOURS OF OPERATION  The standard outdoor dining season in the Town of Needham is April 1 - November 30. The Town will consider applications that extend beyond that timeframe on an individual basis.  Are you requesting to serve food & beverage outdoors earlier than April 1 or later than
November 30? Yes x no If yes, what are your proposed opening and closing dates? Year Round
What days of the week and hours do you plan to serve food & beverage outdoors? Seven Days 4pm-11pm
BRIEF DESCRIPTION OF: Seating Arrangement, Type of Furniture, Type of Barrier or Enclosure to Define Seating Area (mandatory if alcohol is proposed to be served), Ingress/Egress from the Inside to the Outside, Location of Outdoor Exit Area in the case of an emergency, Written Description of Colors and Materials Used
We have built a deck around the patio with treks decking and wooden built in benches. We painted the benches a light green colour and the decking brown. We have built flower boxes and dividers between tables. The town kindly provided jersey barriers around the patio enclosure we built a fence 4 ft above that to enclose the area. The Patio has two entry/exits on either end of the patio and one entrance into the building, the building itself has 3 exits.

### PLAN REQUIREMENTS

Submit a Plan of the Outside Seating Area, showing precise dimensions and locations of:

- (1) Seating arrangement, including the arrangement of the furniture
- (2) Enclosure of dining area (this is required if service of alcohol is proposed)
- (3) Location of ingress/egress from inside to outside
- (4) Location of outside emergency exit(s)
- (5) Separation distances to building, curbing, sidewalks, streets, trees, planters, rubbish containers, equipment, and any other obstacles in pedestrian walkway or access aisles Said Plan must be certified by a Registered Architect or Engineer with certifications that the restaurant with the outdoor seating complies with egress and access requirements, that the seating configuration complies with safety requirements, and that the restaurant has adequate restroom facilities for the number of seats. (If the total indoor and outdoor seating exceeds the number allowed for the existing restroom facilities, you may reduce the number of indoor seats being used, so that the total number of restaurant seats does not trigger additional restroom facilities.)
- (6) For parking spaces located on a parking lot (public or private), provide a site plan showing parking areas to be utilized for outdoor seating. Said plan can be an existing approved Site Plan, in which applicant delineates proposed seating location.

### FURNITURE SPECIFICATIONS SHEET

A detailed specifications sheet illustrating the appearance, materials, colors, and size of selected outdoor seating furniture and equipment including chairs, benches, tables, umbrellas, fences, and other items. Photographs of furniture and equipment may be substituted for specification sheets as along as a sheet listing the dimensions of the furniture and equipment accompanies the photographs.

Are you proposing to have: (please check all that apply)?

- A tent or canopy? Yes
- Outdoor lighting?Yes

Outdoor Heating? A permit from the Fire Department is required (link).

### **PHOTOGRAPHS**

Submit photographs of the proposed outdoor dining location (front and side views) if available.

ALCOHOL SERVICENOx_YES
If you are seeking permission to serve alcohol outside (i.e., to extend your existing license to a patio or other outdoor seating areas), you must get approval from the Select Board by filing an Alteration of Licensed Premises, which is available on the Alcoholic Beverages Control Commission (ABCC) website at <a href="https://www.mass.gov/how-to/amend-your-alcoholic-beverages-retail-license-alteration-of-premises-or-location-change-abcc">https://www.mass.gov/how-to/amend-your-alcoholic-beverages-retail-license-alteration-of-premises-or-location-change-abcc</a> .
Please select one. Expansion area must be either:  1. Contiguous to the licensee's premise with a clear view of the area from inside the premises; or
2. The Licensee may commit to providing management personnel dedicated to the area.
FEES AND TERM Outdoor seating licenses are issued for a term of one year, unless stated otherwise, and can be
renewed annually. The annual application fee is \$25, which will be credited toward the annual licensing fee if the application is approved  For outdoor dining approved on public property, there is an annual licensing fee for the sole use of public space for outdoor dining at the rate of \$250 per public parking space and \$100 for the use of the sidewalk. If an applicant is approved for the use of public parking space(s) and the sidewalk, the \$100 sidewalk licensing fee will be waived.
CERTIFICATION  I/we the undersigned certify that I am the owner of record of the named property or that the owner of record authorizes the proposed work and that the above information which I/we provided is correct.  I/we have read and fully understand the procedures as established by the Town of Needham and
further understand that failure to comply with said procedures may result in revocation of this
permit. Signature of Applicant(s):
THIS SECTION BELOW IS FOR OFFICIAL USE ONLY  Major Project Site Plan Review Special Permit (Planning Board) yes no  Zoning Board of Appeals Special Permit yes no  Select Board Licensing Approval  Certificate of Insurance covering outdoor area:  Departmental Approval (Health Building Fire Police Public
Works)
License Agreement (if seating is on sidewalk or other public property):  Alteration of Licensed Premises (for alcohol service in outdoor area):

Comments:

### SECOND LICENSE AND MEMORANDUM OF UNDERSTANDING

WHEREAS Elizabeth Heffernan, Trustee of the Heffernan Associates Nominee Trust (hereinafter "Heffernan"), are the owners of 1013 Great Plain Avenue, Needham, MA; and

WHEREAS Triantos and Dina Thomas (hereinafter "Thomas") are the owners of 1027 Great Plain Avenue, Needham, MA; and

WHEREAS Heffernan, Thomas and the Town of Needham, a municipal corporation with a principal place of business at 1471 Highland Avenue, Needham, MA (hereinafter referred to as "the Town") previously entered into a License and Memorandum of Understanding dated October 6, 2015; and

WHEREAS this License and Memorandum of Understanding established, among other things, that the Town would make space available within the Chapel Street parking lot for a consolidated dumpster enclosure available for use by Heffernan and Thomas' restaurant tenants, and that in return Thomas would allow use of five (5) private parking spaces located on 1027 Great Plain Avenue by the Town and the general public as part of the Chapel Street parking lot; and

WHEREAS Henry Hospitality, Inc. d/b/a The James ("The James") operates the restaurant located at 1027 Great Plain Avenue, Needham, MA; and

WHEREAS this License and Memorandum of Understanding provided that it would be effective for a term of five (5) years commencing on the date of its execution by all parties; and

WHEREAS notwithstanding the foregoing, the parties wish to continue the arrangement memorialized in the License and Memorandum of Understanding, whereby the Town makes space available to Heffernan, Thomas, and their respective tenants for use as a consolidated dumpster, and Thomas grants to the Town a license to use the five (5) spaces behind The James located at 1027 Great Plain Avenue as part of the Chapel Street parking lot, except as otherwise expressly provided for herein.

NOW THEREFORE, this Second License and Memorandum of Understanding sets forth the respective rights and responsibilities of the parties.

- 1. The Town grants a license to Heffernan and Thomas to maintain and use the existing consolidated dumpster enclosure, in its existing location within the Chapel Street Parking Lot, as shown on Exhibit A.
- 2. Heffernan and Thomas will have their tenants commit to using the consolidated dumpster enclosure exclusively, rather than using separate dumpsters of their own.
- 3. Heffernan and Thomas will be responsible for maintaining the enclosure. Heffernan and Thomas further agree to remove any snow and/or ice in front of the dumpster enclosure so as to assure access.

- 4. The dumpsters will be two 8-yard containers. One will be for cardboard and the other one for mixed trash.
- 5. Heffernan, Thomas, and The James will continue to contact businesses in other buildings abutting the Chapel Street lot to encourage their participation in the consolidation project.
- 6. In exchange for this second license to use public parking spaces for the consolidated dumpster enclosure, Thomas agrees that the owners of two of his tenants, The James and the Rice Barn, or succeeding tenants in their space, will park up to six cars buddy-style between the two businesses—the dumpsters of the restaurants having been removed from the area under the dumpster consolidation arranged for under the initial License and Memorandum of Understanding.
- 7. Thomas grants to the Town a license that the five (5) spaces behind The James may be used by the public and marked for two-hour public parking in a manner agreeable to the parties for so long as this agreement is in effect.
- 8. The Town may, in its discretion, authorize The James to use the five (5) licensed parking spaces for seasonal outdoor seating for such period or periods of time as the Town may specify. Such use shall be subject to all necessary permitting and licensing requirements from the Town and the Commonwealth, and shall be subject to payment of the Town's standard licensing fees for use of public parking spaces. Such authorization, if granted, shall not waive or otherwise affect the Town's license to use the five (5) parking spaces, and the Town may reinstate its use of those spaces pursuant to this license at any time that it has not authorized seasonal outdoor seating to occur.
- 9. The James will work with other restaurants to try to consolidate the pickup of recycled oil.
- 10. The term of this license shall be for five (5) years commencing on the day of its execution by all parties, and it shall automatically renew for successive five (5) year terms unless a party provides written notice of non-renewal prior to the expiration of the current term.
- 11. Heffernan and Thomas, either directly or through their participating tenants, shall procure and maintain, during the term of this License Agreement, comprehensive general liability insurance naming the other and the Town as additional named insureds, subject to limits of at least \$1,000,000 each occurrence and \$2,000,000 in the aggregate for bodily injury and \$1,000,000 property damage. The Town shall procure and maintain, during the term of this License Agreement, comprehensive general liability coverage of \$100,000 each occurrence and \$200,000 in the aggregate for bodily injury and \$100,000 for property damage. The parties shall provide the other with a certificate of insurance.
- 12. This License is subject to termination by the parties to this agreement for a breach of the terms of this license that has not been corrected within ninety (90) days of written notice of the breach and demand to remedy it, delivered to the Licensee. Notice is delivered by leaving a copy thereof with the Town Manager, 1471 Highland Avenue, Needham MA

and to Thomas at 198 Curve Street, Dedham MA and to Heffernan at 99 Whitman Road, Needham MA.

- 13. Upon termination of this agreement, Heffernan and Thomas shall remove the dumpsters and enclosure from the licensed premises if requested to do so by the Town.
- 14. It is agreed that the licensed areas are and shall remain the property of the licensor and the licensee shall not make any improvements on, alter or remove any part of the premises without the licensors express prior written consent.
- 15. The parties shall not assign the License Agreement or any rights hereunder without the prior written consent of the others.
- 16. This document forms the entire agreement between the parties and there are no other agreements between the parties. Any amendment or modification to this License Agreement must be in writing and signed by a person with the authority to bind the party.
- 17. The parties agree that any action or proceedings arising in connection with this Agreement shall be tried and litigated exclusively in the District Court of Northern Norfolk or Norfolk Division or the Superior Court Department of the Massachusetts Trial Court and no other court or forum, subject to appeals to the Massachusetts Appeals Court and the Massachusetts Supreme Judicial Court. It is further agreed that the parties to this contract hereby waive their rights to a jury trial.
- 18. <u>LICENSE ONLY</u>: The parties acknowledge that this is a License Agreement and the rights to use of the Parking Area hereunder shall be deemed to be a license only and shall not be construed to be a lease, joint venture, partnership or as evidencing any relationship between the parties other than as Licensee and Licensor. No interest in real property is hereby conveyed by the parties.

WITNESS OUR HANDS AND SEALS THIS Z DAY OF EEBRUARY, 2022:

3-10-22

Elizabeth Hefferran

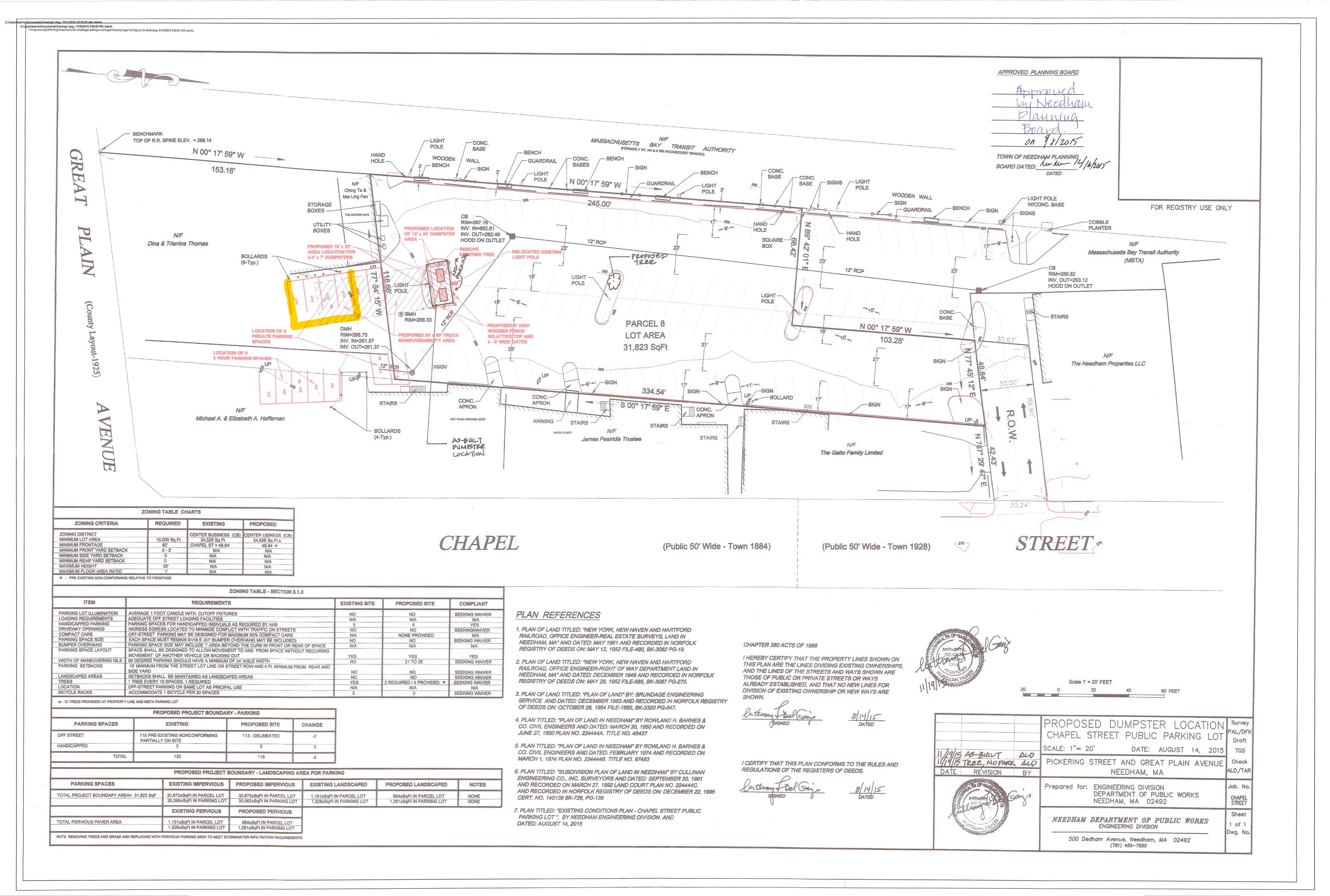
Triantos and Dina Thomas

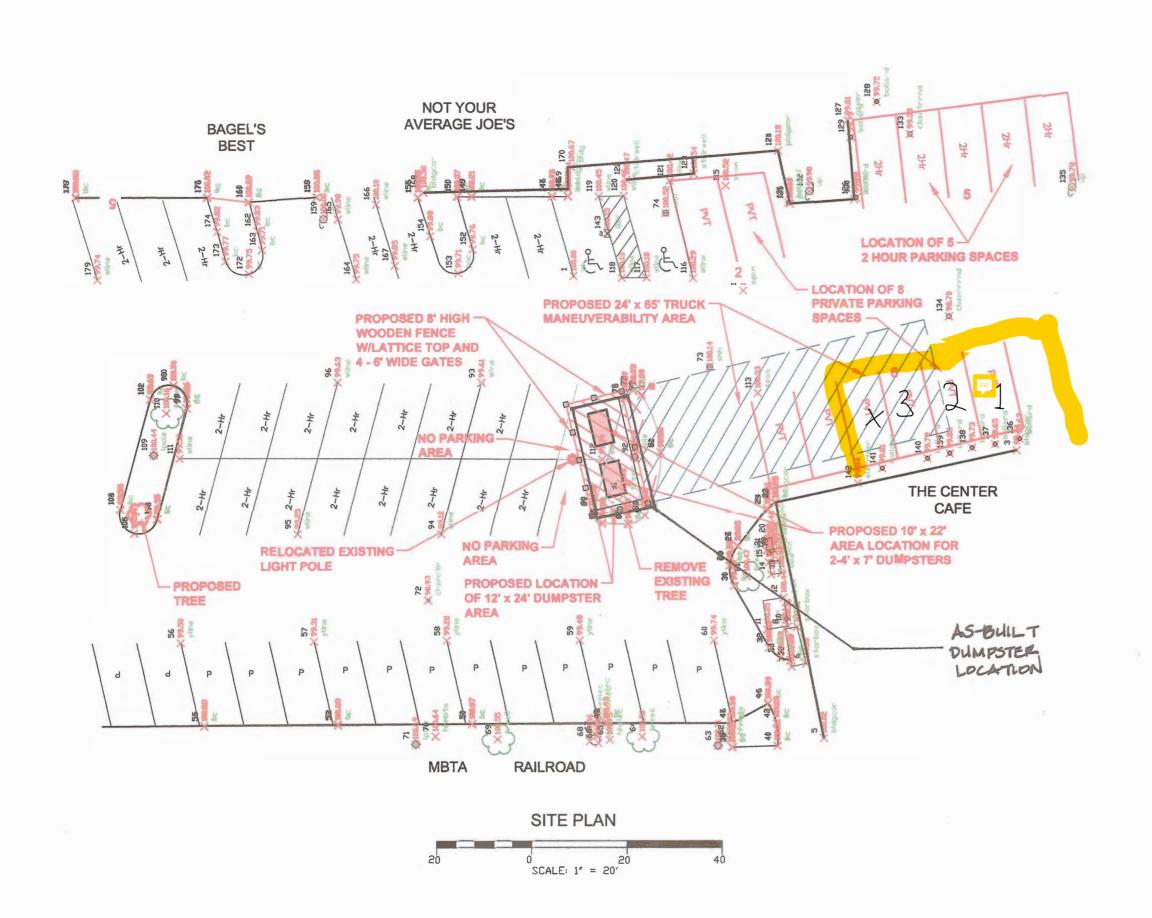
3-11-22

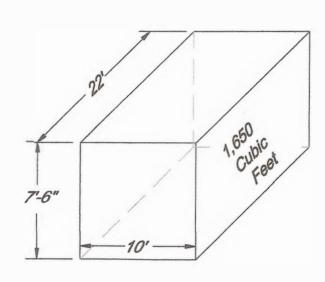
Henry Hospitality, Inc.
By/Stuart Henry, President

Town of North

By: Kate Fitzbatrick, Town Manager



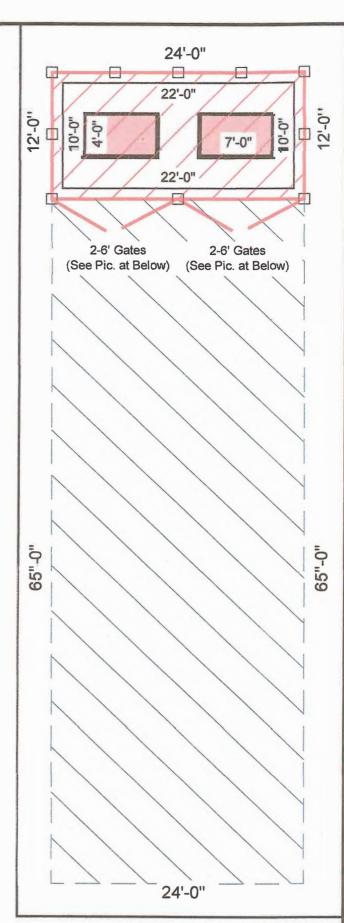




OF

DUMPSTER AREA

NOT TO SCALE



DUMPSTER AND MANEUVERABILITY
AREA DETAIL
NOT TO SCALE

APPROVED BY NEEDHAM
PLANNING BOARD

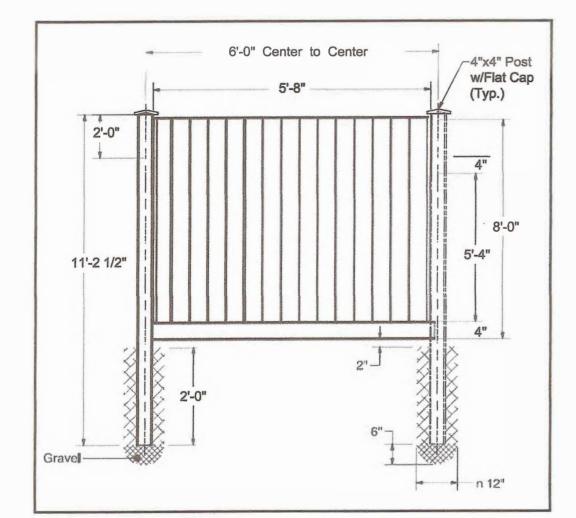
Approved

Lay Needham
Planning

Board

on 9/8/2015

Lu Au



CEDAR STOCKADE FENCE
NOT TO SCALE



CEDAR GATE with STEEL FRAME
NOT TO SCALE

11/19/15 ADDED PROPOSED THEE LOCATION TGS
8/6/15 Added Fence Details TGS
DATE REVISION BY

ANTHORY

AN

MUNICIPAL PARKING LOT	Survey DFK/PDC Draft TGS	
SCALE: 1"=20 DATE: AUGUST 14, 2015	Check TAR/ALD	
Prepared for: NEEDHAM ENGINEERING DEPARTMENT	Job. No.	
PSA BUILDING NEEDHAM, MA 02492	CHAPEL STREET	

NEEDHAM DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION	Sheet 1 OF 1 Dwg. No.
500 Dedham Avenue, Needham, MA 02492 (781) 455–7550	J 90 0

From: Stuart Henry
To: Alexandra Clee
Subject: Patio Plans

**Date:** Friday, March 11, 2022 3:07:17 PM

Attachments: Approved and As Builts Chapel St Dumpster Plans.pdf

### Hi Alexandra,

Sorry about the delay I was having difficulty printing those plans. I marked where the patio would be and the parking spaces we would be using. It shows 6 spaces at the back of our building and Fanns tailor next door. There was only 5 in actuality and a disabled pathway from our back door (I marked with an X). There are still 2 parking spots behind Fanns That are used very day (I have attached a Photo)

I resent the application with the landlords signature on a separate email.

Thank you so much for all your help.

### Regards

\_\_

Stuart Henry The James Pub and Provisions 1027 Great Plain Ave. Needham, MA 02492 T: 781-455-8800

T: 781-455-8800 C: 857-891-7928





### INTERNATIONAL BUILDING CODE

### **TOTAL SEAT COUNT**

EXTERIOR SEATS = 69 SEATS INTERIOR SEATS = 56 SEATS

### TOTAL

= 125 SEATS

PER IBC 1004.4 FIXED SEATING BOOTH SEATING DETERMINED BY 24" OF BACKREST

FIXED SEATING WITHOUT DIVIDING ARMS DETERMINED BY 18" OF SEATING LENGTH ( 21'-6" / 18" = 14.33)

### ACCESSIBLE SEATING

PER IBC 1108.2.9.1 DINING SURFACES 5% OF SEATING IS REQUIRED TO BE ACCESSIBLE

69 EXT. SEATS \* 5% = 3.5 ACCESSIBLE SEATS REQ'D

6 ACCESSIBLE SEATS ARE PROVIDED.

### 6 > 3.5 COMPLIANT

### PLUMBING FIXTURE REQUIREMENT

PER TABLE 2902.1

MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES

### **A-2 RESTAURANTS**

- WATER CLOSETS - 1 PER 75 (MEN & WOMEN)

- LAVATORY - 1 PER 200 - DRINKING FOUNTAIN - 1 PER 500 - SERVICE SINK - 1 REQUIRED

### 125 OCCUPANTS = 2 WATER CLOSETS & 1 LAVATORY

THE JAMES CURRENTLY HAS

- 2 UNISEX RESTROOMS EACH WITH ONE WATER CLOSET & ONE SINK FOR A TOTAL OF 2 WATER CLOSETS & 2 LAVATORIES.

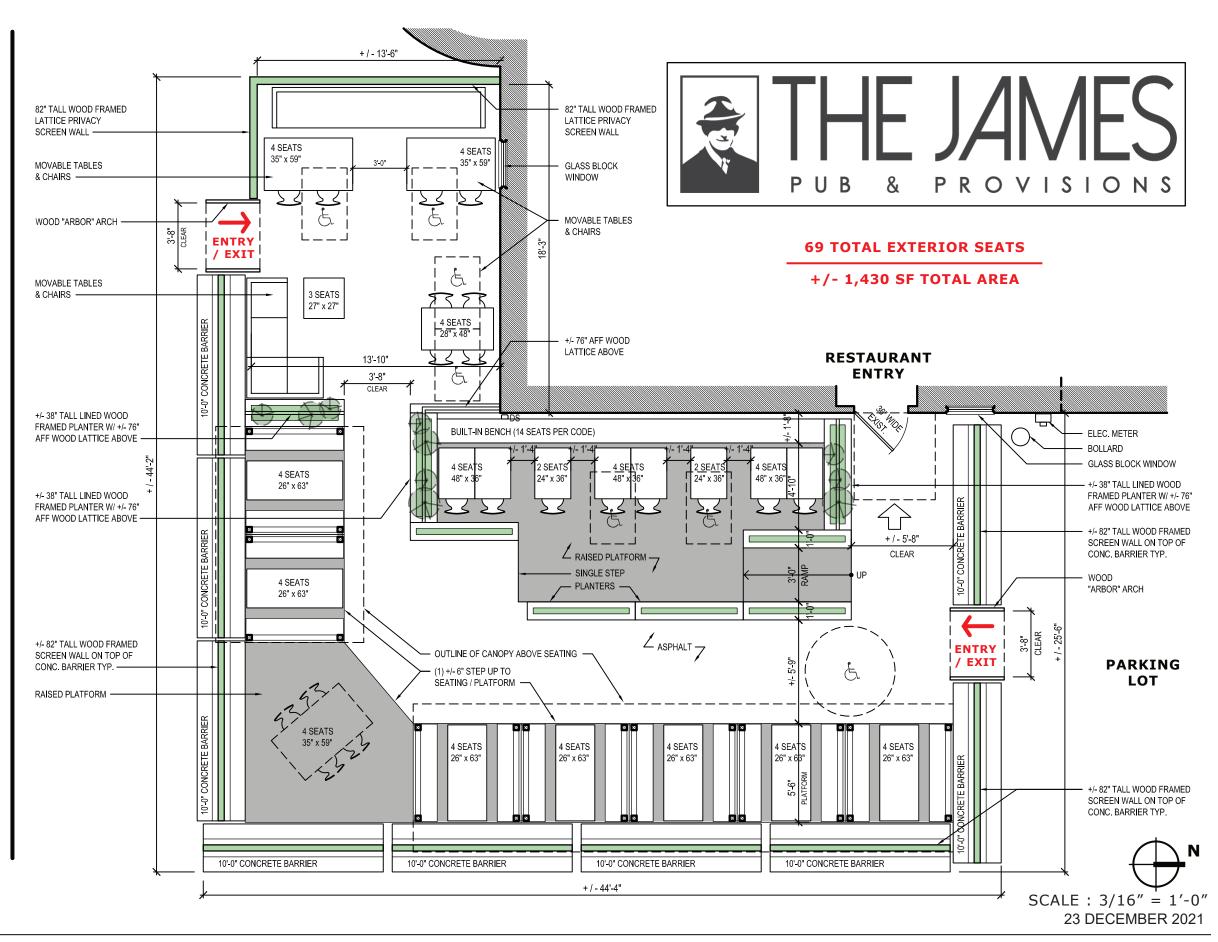
- ONE TOILET ROOMS IS FULLY ACCESSIBLE.

### 2 = 2 REQUIRED WATER CLOSETS

2 > 1 REQUIRED LAVATORIES

### **LEGEND**

RAISED PLATFORM COMPOSITE DECKING



3 EXTERIOR SEATING PLAN











1 | PHOTOS OF EXTERIOR SEATING



### TOWN OF NEEDHAM

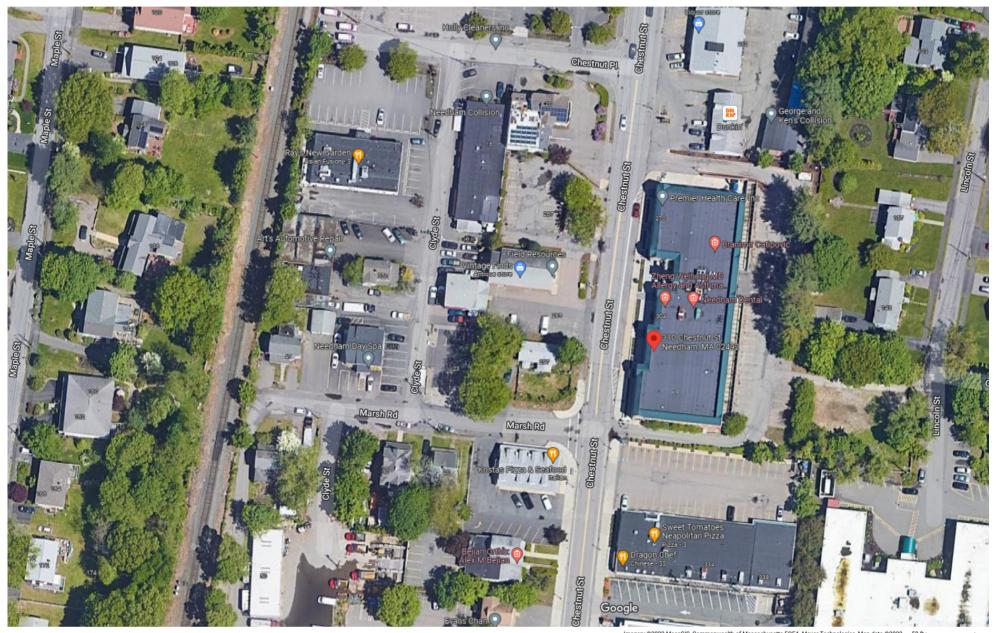
### DESIGN REVIEW BOARD

Public Service Administration Building
500 Dedham Avenue
Needham, MA 02492
Application and Report

Property Location: 310 Chestnut St (Beth Israel)		Date: <u>3/16/22</u>		
Owner:	Robert Hentschel			
Address:	266 Chestnut St. Needham MA			
Telephone	Street 781-444-1963	City	State	Zip
Applicant	. Beth Israel Lahey Health			
Address:	310 Chestnut St.			
Telephone	Street ,. 781-245-4800	City	State	Zip
Telephone	Street 781-245-4800	City	State	Zip
- suprione	•			
	<ul><li>□ - preliminary</li><li>□ - final</li><li>□ Flexible Subd</li></ul>	rations t (Site Plan Review) ivision lential Development		

Please email completed application to elitchman@needhamma.gov

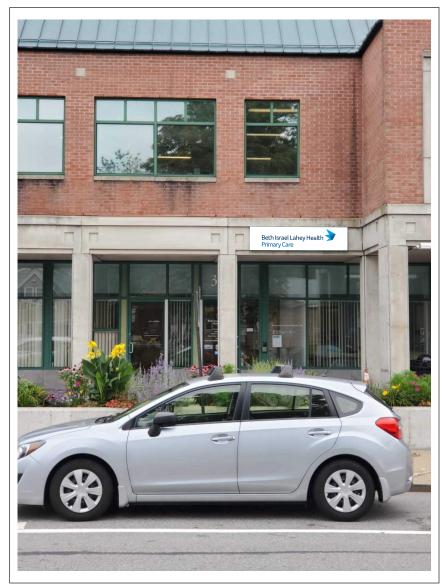
Google Maps 310 Chestnut St



Imagery ©2022 MassGIS, Commonwealth of Massachusetts EOEA, Maxar Technologies, Map data ©2022

# Existing

Remove This Sign



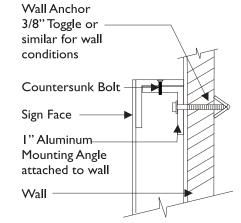
Proposed

# Beth Israel Lahey Health Primary Care

# LANDLORD APPROVAL/ PERMITTING TECHNICAL SURVEY REQUIRED

### Non-Illuminated Wall Sign Scale: I" = I'-0"

- I"x I" Welded Aluminum Angle Frame
- .125" Aluminum Face Epoxied To Frame
- Spray Background White With Acrylic Polyurethane
- 3M High Performance Vinyl Graphics
- Digitally Printed Logo With Gloss Laminate
- Install With Internal Aluminum Angle Wall Frame Secured To Wall With Masonry Expansion anchors And Counter-Sunk PTM Screws



Wall Attachment

### Customer

Beth Israel Lahey Health Primary Care

### Location:

310 Chestnut St Needham, MA

### **Job Description:**

Exterior ID Sign

**Date** 02.07.22

**Revisions** 

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<u>Scale</u> Noted

File Name

Sketch #:

Account J. Sarra

Since 1946



### Batten Bros. Signs & Awnings

893 Main Street Wakefield, MA 01880

781.245.4800

Google Maps 285 Chestnut St



Image capture: Aug 2019 © 2022 Google

Needham, Massachusetts

Google

Street View - Aug 2019

Google Maps 297 Chestnut St



Image capture: Aug 2019 © 2022 Google

Needham, Massachusetts

Google

Street View - Aug 2019

Google Maps 313 Chestnut St



Needham, Massachusetts

Google

Street View - Aug 2019



### TOWN OF NEEDHAM

### DESIGN REVIEW BOARD

Public Service Administration Building 500 Dedham Avenue Needham, MA 02492 Application and Report

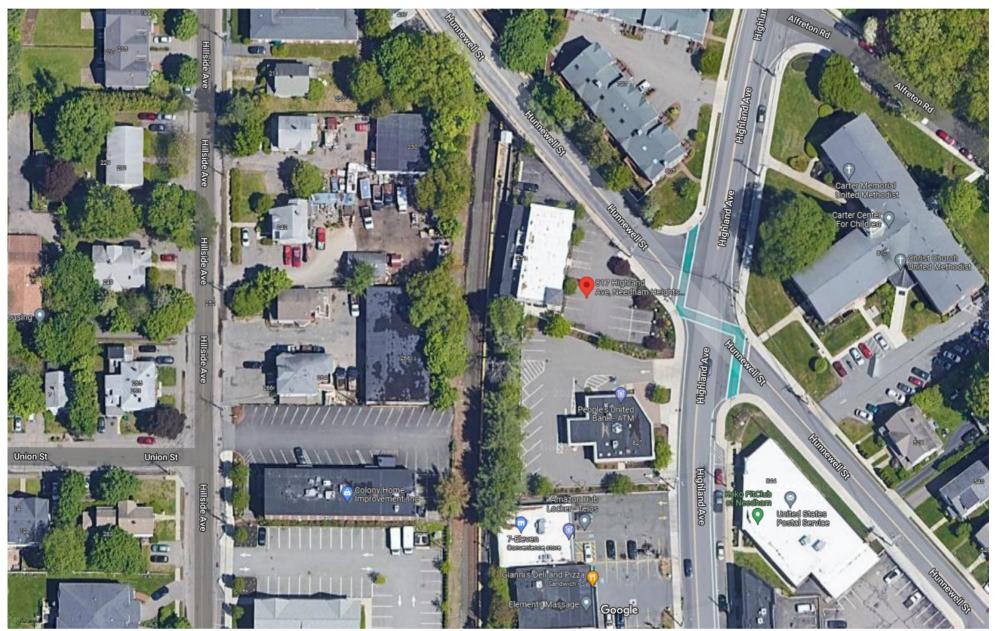
Property Location: 817 Highland Ave (Beth Israel) Date: 3/16/22 57 Dedham Ave LLC (Mike Tedoldi) Owner: PO Box 920298 Needham MA Address: State Street City Zip 781-760-7461 Telephone: Applicant: Beth Israel Lahey Health 817 Highland Ave Address: Zip City State 781-245-4800 Telephone: \_ Designer/Installer: \_\_\_Batten Bros. Signs 893 Main ST. Wakefield MA Address: City State Zip Type of Application Sign Minor Project ☐ Exterior Alterations Major Project (Site Plan Review) □ - preliminary ☐ - final ☐ Flexible Subdivision ☐ Planned Residential Development ☐ Residential Compound Brief description of sign or project:

Remove two (2) 24" H x 96" W signs. Install one (1) 24" H x 96" W non-illuminated sign to read

"Beth Israel Lahey Health, Primary Care"

Please email completed application to elitchman@needhamma.gov

Google Maps 817 Highland Ave



Imagery @2022 MassGIS, Commonwealth of Massachusetts EOEA, Maxar Technologies, Map data @2022 50 ft

Google Maps 471 Hunnewell St



Image capture: Nov 2020 © 2022 Google

Needham, Massachusetts

Google

# Beth Israel Deaconess Family Medicine



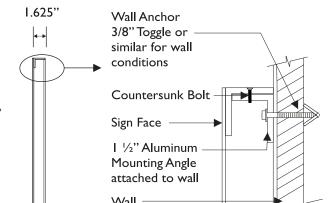


Existing

### LANDLORD APPROVAL/ PERMITTING **TECHNICAL SURVEY REQUIRED**

Non-Illuminated Wall Sign Scale: I" = I'-0"

- 1.50"x1.50" Welded Aluminum Angle Frame
- .125" Aluminum Face Epoxied To Frame
- Spray Finish Background White With Acrylic Polyurethane
- 3M High Performance Vinyl Graphics
- Digitally Printed Logo With Gloss Laminate
- Install With Internal Aluminum Angle Wall Frame Secured To Wall With #12 Screws Into Framing And Counter-Sunk PTM Screws



### **Customer**

Beth Israel Lahey Health Primary Care

### **Location:**

817 Highland Ave Needham, MA

### **Job Description:**

Exterior ID Sign

**Date** 02.07.22

**Revisions** 

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**S**cale Noted

File Name

Sketch #:

**Account** J. Sarra

Since 1946



### Batten Bros. Signs & Awnings

893 Main Street Wakefield, MA 01880

781.245.4800





Remove Sign

# LANDLORD APPROVAL/ PERMITTING TECHNICAL SURVEY REQUIRED

Customer

Beth Israel Lahey Health Primary Care

### **Location:**

317 Highland Ave Needham, MA

### Job Description:

Exterior ID Sign

<u>Date</u> 02.07.22

**Revisions** 

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<u>Scale</u> Noted

File Name

Sketch #:

Account J. Sarra

Since 1946



# Batten Bros. Signs & Awnings

893 Main Street Wakefield, MA 01880

781.245.4800

Google Maps 817 Highland Ave



Image capture: Nov 2020 © 2022 Google

Needham, Massachusetts

Google

Google Maps 826 Highland Ave

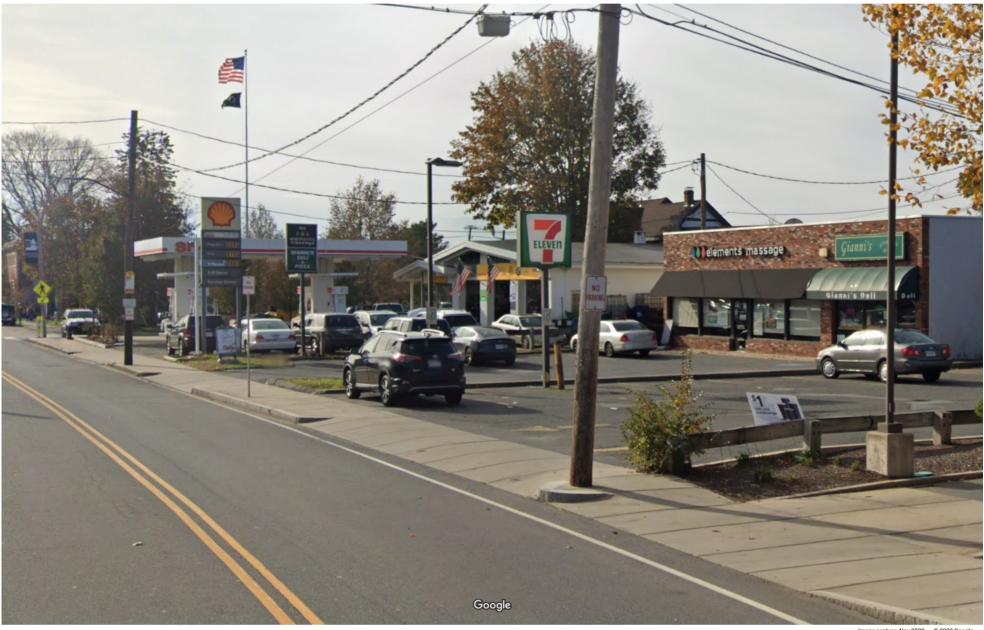


Image capture: Nov 2020 © 2022 Google

Needham, Massachusetts

Google

Google Maps 850 Highland Ave



Image capture: Nov 2020 © 2022 Google

Needham, Massachusetts

Google