

NEEDHAM
ZONING BOARD OF APPEALS
AGENDA

Thursday, MARCH 16, 2023 - 7:30PM
Zoom Meeting ID Number: 869-6475-7241

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 Meeting ID: 869-6475-7241
Or join the meeting at link: <https://us02web.zoom.us/j/86964757241>

AGENDA

- | | |
|------------------|--|
| Minutes | Review and approve Minutes from February 16, 2023 meeting. |
| Case #1 – 7:30PM | 246 Forest Street - 246 Forest Street, LLC has applied for a Special Permit under Sections 1.4.6, 4.2 and any other applicable Sections of the By-Law to permit the demolition, extension, alteration, enlargement and reconstruction of the lawful, pre-existing, non-conforming single family. The property is located at 246 Forest Street, Needham, MA in the Single Residence A (SRA) District. |
| Case #2 – 7:30PM | 238 Highland Avenue - Allen Douglass and Christine Lachkey, applicants, have applied for a Special Permit Amendment under Sections 5.1.1.5, 5.1.2, 5.1.3 and any other applicable Sections of the Zoning By-Law to expand the Needham Montessori School to allow up to 154 children and 15 staff members. As part of this expansion, waivers of parking number and parking design are required. The subject property is located at 238 Highland Avenue, Needham MA in the Highland Commercial -128 District. |
| Case #3 – 7:30PM | 73 Highland Avenue - Nezahualcoyotl Leon has applied for a Special Permit under Sections 3.2.5, 3.2.5.2, 5.1.1.1, 5.1.1.5, 5.1.2, 5.1.3, and any other applicable Sections of the By-Law for a restaurant serving meals on the premises and take-out operation accessory to the restaurant and to waive strict adherence to the parking requirements. The request is associated with the establishment of a second location of The Hungry Coyote, a Mexican style restaurant, take out and catering services. The property is located at 73 Highland Avenue, Needham, MA in the Highland Commercial 128 District. |
| Case #4 – 8:00PM | 1584 Great Plain Avenue - Enterprise Rent-A-Car Company of Boston LLC, has applied for a Special Permit under Sections 1.4.6, 1.4.10, 5.1, 5.1.1.1, 5.1.1.5, 5.1.1.7, 5.1.2, 5.1.3, 6.4 and any other applicable Sections of the By-Law to permit the replacement/substitution of a non-conforming use (automobile repair garage) to an automobile rental agency with associated improvements to the parking lot and building; and to waive the |

Next ZBA Meeting – April 27, 2023

parking plan and design requirements. The property is located at 1584 Great Plain Avenue, Needham, MA in the Single Residence A (SRA) District.

Case #5 – 8:30PM

470 Dedham Avenue - The Town of Needham (Department of Public Works) Park and Recreation Commission has applied under Sections 4.1.6, 4.1.6.2, 4.1.6.3, 4.1.6.4 and any other applicable Sections of the By-Law to permit the installation of field lights. This request is associated with the renovation and conversion of the McLeod baseball field into a premier softball field with dugout, foul pole and batting cage and 4 field lights. The property is located at 470 Dedham Avenue, Needham, MA in the Single Residence B (SRB) District

NEEDHAM
ZONING BOARD OF APPEALS
MINUTES
THURSDAY, February 16, 2023– 7:30 PM
Zoom Meeting ID Number: 876-1480-7841

Pursuant to notice published at least 48 hours prior to this date, a meeting of the Needham Board of Appeals was held remotely on Zoom on Thursday, February 16, 2023 at 7:30 p.m. Jon D. Schneider, Chair, presided and the following members were present: Jonathan D. Tamkin, Howard S. Goldman, and Nik Ligris. Absent: Peter Freidenberg, Associate Member; Daphne M. Collins, Zoning Specialist. Mr. Schneider opened the meeting at 7:30 p.m.

Minutes - Mr. Tamkin motioned to approve the minutes of January 19, 2023. Mr. Goldman seconded the motion. The Board unanimously approved the minutes.

Case #1	28 Tudor Road	Approved
Case #2	50 Morningside Road	Approved

A summary of the discussions on each subject, a list of the documents and other exhibits used at the meeting, the decisions made, and the actions taken at each meeting, including a record of all votes, are set forth in a detailed decision signed by the members voting on the subject and filed with the Town Clerk. The hearings can be viewed at <http://www.needhamchannel.org/watch-programs/> or at <https://www.youtube.com/user/TownofNeedhamMA/playlists>

The meeting adjourned at 7:58 p.m.

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

TELEPHONE (781) 449-4520

FAX (781) 465-6059

February 21, 2023

Town of Needham
Zoning Board of Appeals
Needham, Massachusetts 02492

Attn: Daphne M. Collins, Administrative Specialist

Re: 246 Forest Street, LLC
246 Forest Street, Needham, MA

Dear Ms. Collins,

Please be advised this office represents 246 Forest Street, LLC (hereinafter the "246 Forest") with respect to the property known and numbered 246 Forest Street, Needham, MA (hereinafter the "Premises"). In connection therewith, submitted herewith, please find the following:

1. Seven copies of a Completed Application for Hearing;
2. Seven copies of architectural plans, including floor plans and elevations;
3. Seven copies of certified plot plans depicting existing and proposed conditions, respectively;
4. Seven copies of Site Plan, titled "Height Calculation Plan of Lane", with "Stormtech Chamber Detail"; and
5. Check in the amount of \$200 for the applicable filing fee.

The Premises is situated in the Single Residence A (SRA) Zoning District and is occupied by an existing single-family residential dwelling that was built in 1950. Although the Premises is currently located in the SRA Zoning District, it does not meet SRA requirements, just like the vast majority of other properties in the surrounding area. Moreover, the existing dwelling is pre-existing non-conforming as to current side yard setbacks on both sides.

Due to the age and condition of the existing dwelling, 246 Forest is requesting permission to tear it down and replace it with a wholly new house, as shown on the plans submitted herewith. Because the proposed replacement dwelling will also not comply with current, applicable setback requirements, a special permit pursuant to Section 1.4.6 is required for the proposed reconstruction.

Kindly schedule this matter for the next hearing of the Board of Appeals. If you have any comments, questions or concerns, or if you require any further information in the meantime, please contact me so that I may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "George Giunta, Jr.", with a stylized, cursive script.

George Giunta, Jr.



ZBA Application For Hearing

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

Applicant Information

Applicant Name	246 Forest Street, LLC			Date:	2/21/23
Applicant Address	36 Walsh Road, Newton, MA 02459				
Phone	617-650-2387	email	rlinkova@yahoo.com		
Applicant is ☒ Owner; ☐ Tenant; ☐ Purchaser; ☐ Other					
If not the owner, a letter from the owner certifying authorization to apply must be included					
Representative Name	George Giunta, Jr., Esq.				
Address	281 Chestnut Street, Needham, MA 02492				
Phone	617-840-3570	email	george.giuntajr@needhamlaw.net		
Representative is ☒ Attorney; ☐ Contractor; ☐ Architect; ☐ Other _____					
Contact ☒ Me and ☒ Representative in connection with this application.					

Subject Property Information

Property Address	246 Forest Street, Needham, MA 02494		
Map/Parcel Number	Map 110 / Parcel 15	Zone of Property	Single Residence A (SRA)
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☐ Yes ☒ No			
Is property ☒ Residential or ☐ Commercial			
If residential renovation, will renovation constitute "new construction"? ☒ Yes ☐ No			
If commercial, does the number of parking spaces meet the By-Law requirement? ☐ Yes ☐ No			
Do the spaces meet design requirements? ☐ Yes ☐ No			



ZBA Application For Hearing

Application Type (*select one*): ☒ Special Permit ☐ Variance ☐ Comprehensive Permit ☐ Amendment ☐ Appeal Building Inspector Decision

Existing Conditions:

Lawful, pre-existing, non-conforming single-family residential structure, which is non-conforming as to side-yard setbacks, on a lawful, pre-existing, non-conforming lot which is non-conforming as to area and frontage requirements.

Statement of Relief Sought:

Special Permit pursuant to Section 1.4.6 of the Needham Zoning By-Law, and a finding pursuant to Section 6 of M.G.L. Chapter 40A, to permit the demolition, extension, alteration, enlargement and reconstruction of the lawful, pre-existing, non-conforming single-family dwelling known and numbered 246 Forest Street, as shown on the plans submitted herewith, and all other relief as may be necessary and appropriate therefor.

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

1.4.6, 4.2, 7.5.2 and any other applicable Section or By-Law

If application under Zoning Section 1.4 above, list non-conformities:

	Existing Conditions	Proposed Conditions
Use		
# Dwelling Units	1	1
Lot Area (<i>square feet</i>)	16,308	16,308
Front Setback (<i>feet</i>)	48.9'	30.5'
Rear Setback (<i>feet</i>)	94.8'	85.1
Left Setback (<i>feet</i>)	10.9	17.2
Right Setback (<i>feet</i>)	14.8	16.4
Frontage (<i>feet</i>)	107.93	107.93
Lot Coverage (%)	N/A	N/A
FAR (<i>Floor area divided by the lot area</i>)	N/A	N/A

Numbers must match those on the certified plot plan and supporting materials



ZBA Application For Hearing

Date Structure Constructed including additions: June 21, 1950	Date Lot was created: January, 1950

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

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



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

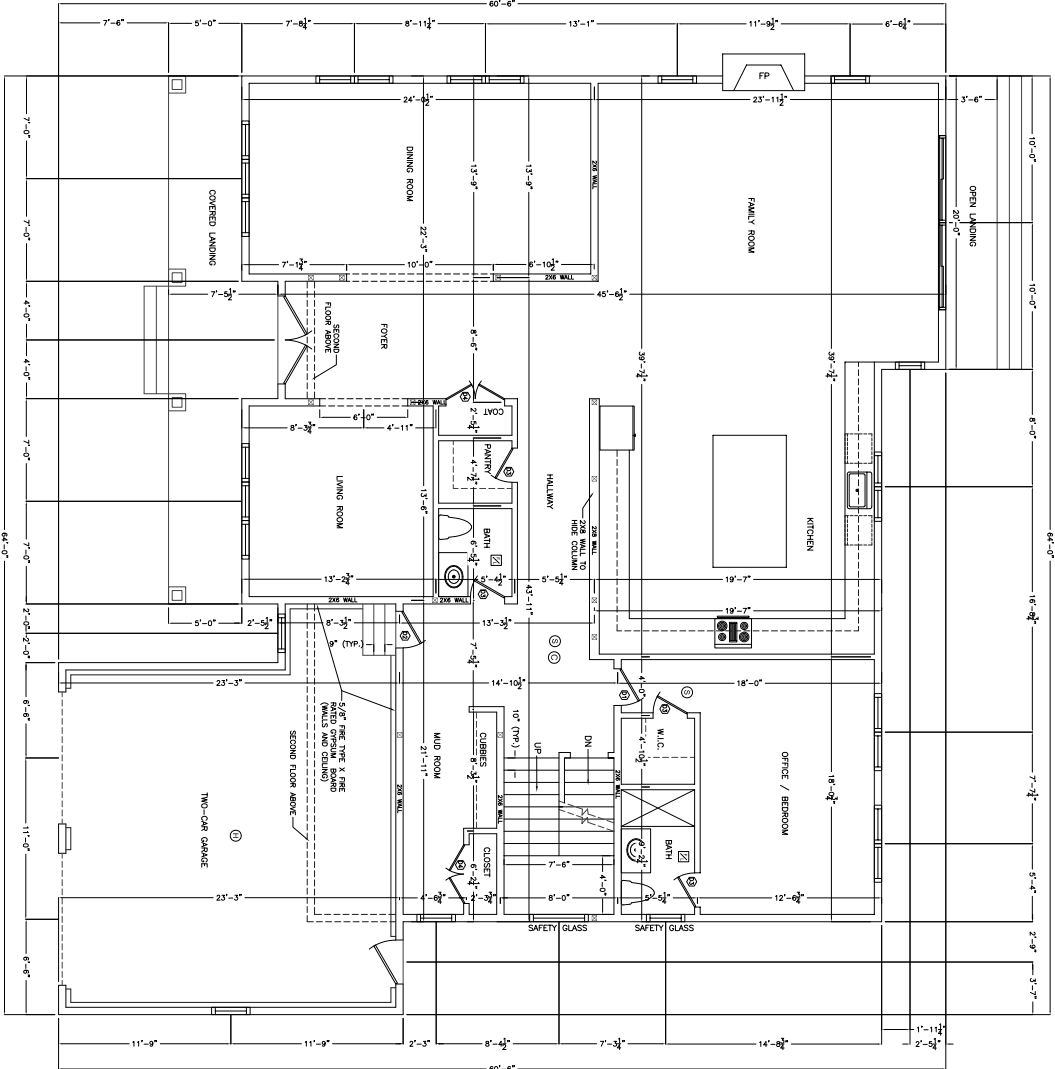
I certify that I have consulted with the Building Inspector.

Date: February 21, 2023 Applicant Signature

246 Forest Street, LLC

By its attorney, George Giunta, Jr., Esq.

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



FIRST FLOOR PLAN

- GENERAL NOTES
1. ALL WORK SHALL CONFORM TO MASSACHUSETTS BUILDING CODE AND ALL FEDERAL, STATE AND TOWN OF NEEDHAM LAWS, CODES AND REGULATIONS AS EACH MAY APPLY.
 2. ALL EXISTING CONDITIONS MUST BE VERIFIED IN FIELD. IF DISCREPANCIES ARE FOUND, THEY HAVE TO BE REPORTED TO THE ENGINEER PRIOR TO START OF WORK. DISCREPANCIES BETWEEN THE VARIOUS ELEVATIONS OF THE WORKING DRAWINGS AND/OR THE SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE START OF SUCH WORK.
 3. ALL DIMENSIONS SHALL BE RESPONSIBLE FOR COORDINATING THE FIELD CONDITIONS AND WORK. THE CONTRACTOR SHALL CHECK ALL DIMENSIONS OF THE EXISTING WORK AND SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS AND SHALL BE RESPONSIBLE FOR THE WORK.
 4. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK AND SHALL BE SOLELY RESPONSIBLE FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES, INCLUDING BUT NOT LIMITED TO BRACING AND SHORING.
 5. THE CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL PERSONS AND PROPERTY, AND THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
 6. ALL WORK SHALL BE PERFORMED IN A FIRST CLASS AND WORKMANLIKE MANNER IN CONFORMITY WITH THE PLANS AND SPECIFICATIONS, AND SHALL BE IN GOOD USABLE CONDITION AT THE COMPLETION OF THE PROJECT.
 7. THE CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS, UTILITY LOCATIONS AND STRUCTURE PLACEMENT, PRIOR TO START OF WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL PERSONS AND PROPERTY, AND THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
 8. PRIOR TO BEGINNING THE WORK, THE CONTRACTOR SHALL VISIT THE SITE AND THOROUGHLY SATISFY HIMSELF AS TO THE EXISTING CONDITIONS, UTILITY LOCATIONS AND STRUCTURE PLACEMENT, PRIOR TO START OF WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL PERSONS AND PROPERTY, AND THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
 9. CONTRACTOR IS RESPONSIBLE FOR ALL DEMOLITION AND RELOCATION WORKS, IF ANY.

PROPOSED GFA (GROSS FLOOR AREA) CALCULATION:

- ZONING DISTRICT: SP-A
LOT AREA: 10,500 SF
PROPOSED FLOOR AREA OF THE BUILDING:
1. 1ST FLOOR: 2,586 SF (NOT INCLUDING GARAGE 587 SF)
 2. 2ND FLOOR: 2,787 SF (INCLUDING ATTIC OVER GARAGE)
 3. BASEMENT: NA
- TOTAL PROPOSED FLOOR AREA OF THE BUILDING:
2,586 (1ST FL) + 2,787 (2ND FL) = 5,373 SF
- PHOTO ELECTRIC HARD WIRED SMOKE DETECTOR FROM MONITORED BATTERIES
☒ FAN/LIGHT TO BE VENTED DIRECTLY TO OUTSIDE
☐ CARBON MONOXIDE DETECTOR
☐ HARD WIRED HEAT DETECTOR WITH SECONDARY (STANDBY) POWER SUPPLIED FROM MONITORED BATTERIES

DATE	REVISION
02-07-2023	1. ALL EXTERIOR WALLS ARE 2'x6" @ 16" O.C. UNLESS NOTED OTHERWISE.
02-07-2023	2. ALL INTERIOR WALLS ARE 2'x4" @ 16" O.C. UNLESS NOTED OTHERWISE.
02-07-2023	3. INTERIOR (POSSIBLE) WALL BETWEEN THE GARAGE AND THE BUILDING IS 2'x6" @ 16" O.C.
02-07-2023	4. DIMENSIONS TO THE OUTSIDE (PERIMETER) WALLS ARE TO FACE OF STUDS OR EXTERIOR FACE OF THE FOUNDATION WALL.
02-07-2023	5. INTERIOR DIMENSIONS SHOWN BETWEEN CENTERS OF THE INTERIOR WALLS.

- INTERIOR DOORS SCHEDULE:
- | | |
|-----------------|--|
| ② 2'-6" x 8'-0" | NOTE: ALL FIRST FLOOR DOORS ARE 7' HEIGHT. |
| ③ 2'-6" x 8'-0" | ALL SECOND FLOOR DOORS ARE 7' HEIGHT. |
| ④ 2'-6" x 8'-0" | ALL BASEMENT DOORS ARE 7' HEIGHT. |
| ⑤ 3'-0" x 6'-8" | UTILITY ROOM |
| ⑥ 6'-0" x 7'-0" | |
- FOR EXTERIOR DOORS AND WINDOWS SEE WINDOW SCHEDULE AND BUILDING ELEVATIONS
- DOOR HEIGHT TO BE VERIFIED WITH OWNER PRIOR TO DOOR ORDERING AND FRAMING

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

FIRST FLOOR PLAN

246 FOREST STREET,
NEEDHAM, MASSACHUSETTS 02461

RAV & ASSOC., INC.

TELEPHONE: (781) 468-8200 FAX: (781) 468-8205

SCALE: 1/4"=1'-0"

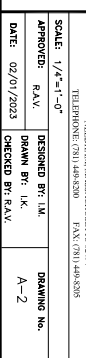
APPROVED BY: RAY

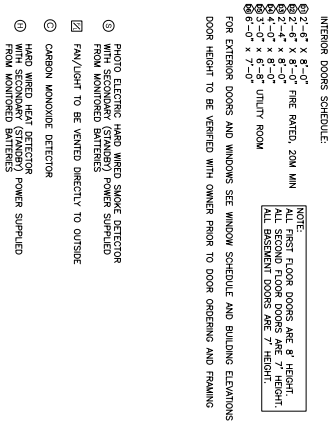
DATE: 02/07/2023



CHECKED BY: RAY

DRAWING No. A-1

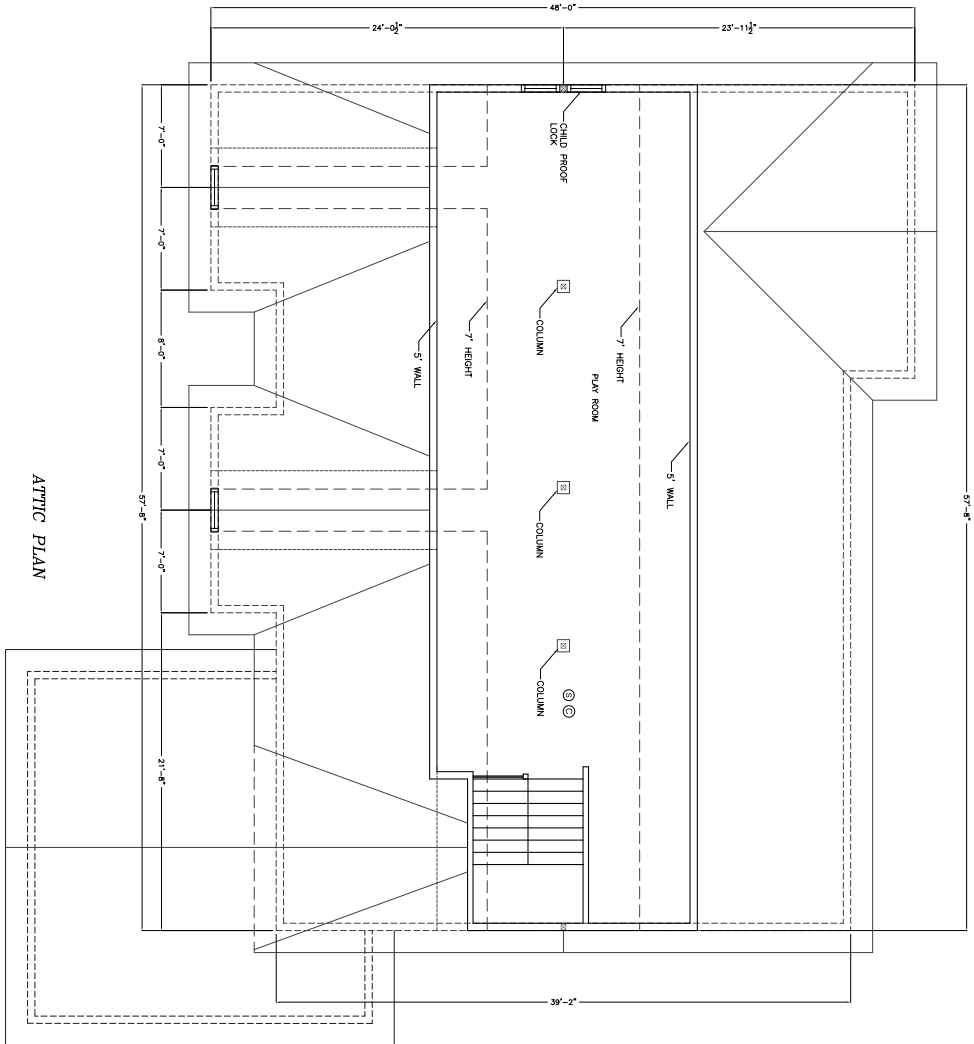




FROM MONITORED BAT

FOR EXTERIOR DOORS AND WINDOWS SEE WINDOW SCHEDULE AND BUILDING ELEVATIONS
DOOR HEIGHT TO BE VERIFIED WITH OWNER PRIOR TO DOOR ORDERING AND FRAMING

DATE	REVISION
THIS DRAWING IS THE PROPERTY OF BAYVIEW, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BAYVIEW, INC. ANY UNAUTHORIZED REPRODUCTION OR TRANSMISSION OF THIS DRAWING IS PROHIBITED AND IS SUBJECT TO LEGAL ACTION. THIS DRAWING IS THE PROPERTY OF BAYVIEW, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BAYVIEW, INC. ANY UNAUTHORIZED REPRODUCTION OR TRANSMISSION OF THIS DRAWING IS PROHIBITED AND IS SUBJECT TO LEGAL ACTION.	
BASEMENT PLAN	
246 FOREST STREET, NEEDHAM, MASSACHUSETTS	
RAY & ASSOC., INC.	
TELEPHONE: (781) 449-2220 FAX: (781) 444-2635	
NEEDHAM MASSACHUSETTS 02464	
APPROVED: R.A.Y.	DRAWN BY: T.M.
DATE: 02/01/2023	CHECKED BY: J.K.
CHECKED BY: R.A.Y.	DRAWING NO. A-3



ATTIC PLAN

INTERIOR DOORS SCHEDULE:

② 2'-6" x 8'-0" FIRE RATED, 20M MIN
 ③ 2'-6" x 8'-0" FIRE RATED, 20M MIN
 ④ 4'-0" x 8'-0" FIRE RATED, 20M MIN
 ⑤ 3'-0" x 6'-0" UTILITY ROOM
 ⑥ 3'-0" x 6'-0" UTILITY ROOM

FOR EXTERIOR DOORS AND WINDOWS SEE WINDOW SCHEDULE AND BUILDING ELEVATIONS
DOOR HEIGHT TO BE VERIFIED WITH OWNER PRIOR TO DOOR ORDERING AND FRAMING

NOTE:
ALL FIRST FLOOR DOORS ARE 8' HEIGHT.
ALL SECOND FLOOR DOORS ARE 7' HEIGHT.
ALL BASEMENT DOORS ARE 7' HEIGHT.

- ③ PHOTO ELECTRIC (HARD WIRED) SMOKE DETECTOR WITH SECONDARY (STANDBY) POWER SUPPLIED
- ☑ FAN/LIGHT TO BE VENTED DIRECTLY TO OUTSIDE
- ③ CARBON MONOXIDE DETECTOR
- ③ HARD WIRED HEAT DETECTOR POWER SUPPLIED FROM MONITORED BATTERIES

DATE	REVISION

ATTIC PLAN

246 FOREST STREET,
NEEDHAM, MASSACHUSETTS

RAV & ASSOC., INC.

NEEDHAM, MASSACHUSETTS 02464

TELEPHONE: (781) 449-8300 FAX: (781) 449-8305

SCALE: 1/4"=1'-0"

APPROVED: RAY.

DESIGNED BY: LK.

DRAWN BY: LK.

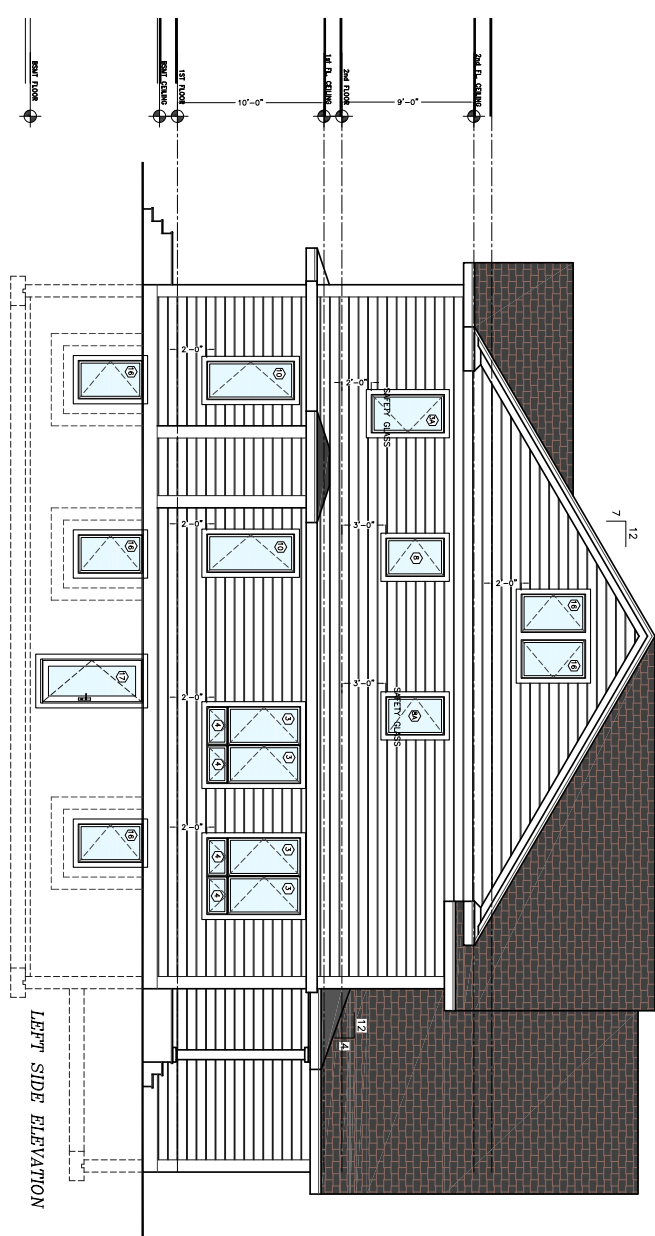
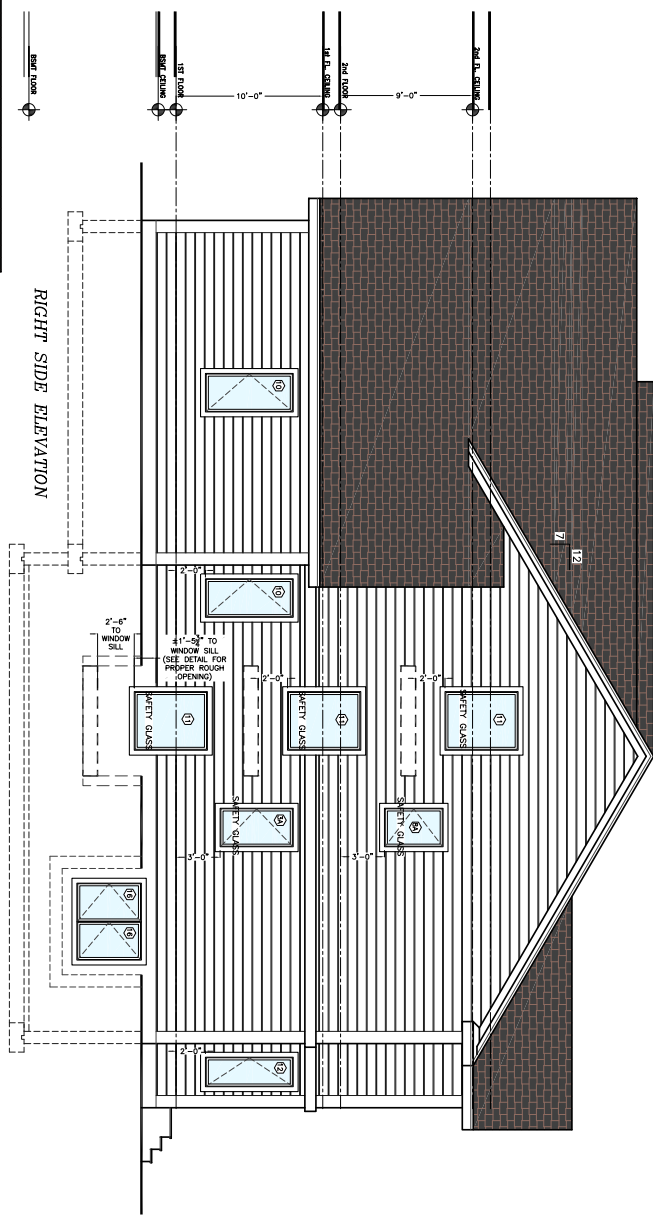
DATE: 02/01/2023

CHECKED BY: RAY.

DRAWING No.

A-4





DATE	REVISION
	All legal rights including, but not limited to, copyright and design patent rights, in the designs, drawings, and/or software created by the Contractor for the Project, shall be assigned to the Employer. Any and all rights in the designs, drawings, and/or software created by the Contractor for the Project shall not be used or retained in whole or in part, except in connection with this project, without the Project Owner's written consent. The Contractor shall retain the right to use the designs, drawings, and/or software created for the Project in other projects, but shall not use the designs, drawings, and/or software for other related dimensions. Contractors shall verify and be responsible for all dimensions and conditions on this project, and Milwaukee, Inc. must be notified of any variation from the designs, drawings, and conditions shown by these drawings.

SIDE ELEVATIONS

246 FOREST STREET,
NEEDHAM, MASSACHUSETTS

RAV & Assoc., Inc.
21 HIGHLAND AVENUE

NEEDHAM, MASSACHUSETTS 02494
TELEPHONE: (781) 449-8200 FAX: (781) 449-8205

SCALE: 1/4"=1'-0"

APPROVED: R.A.V.

DATE: 02/01/2023

DESIGNED BY: I.M.	DRAWING No.
RAWN BY: I.K.	A-6

DRAWING No. A-6



TOWN OF NEEDHAM, MASSACHUSETTS

Building Inspection Department

Assessor's Map & Parcel No. 110 LOT 15

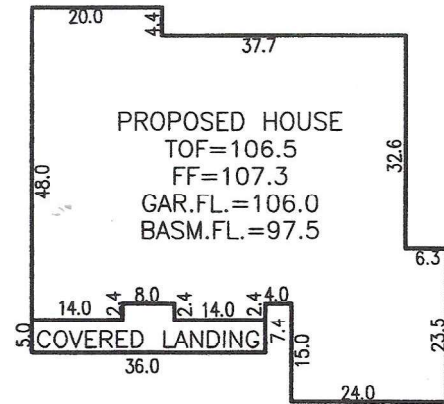
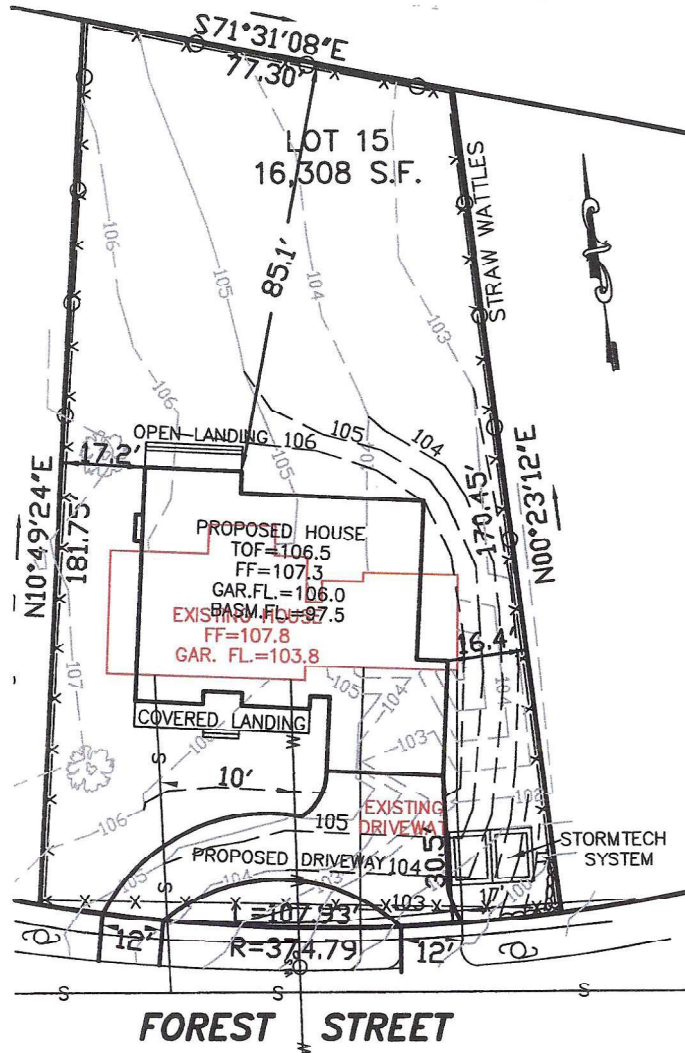
Building Permit No. _____ At No. 246 FOREST STREET

Lot Area 16,308 S.F. Zoning District SRB

Owner 246 FOREST STREET LLC Builder MIKHAIL DEYCHMAN

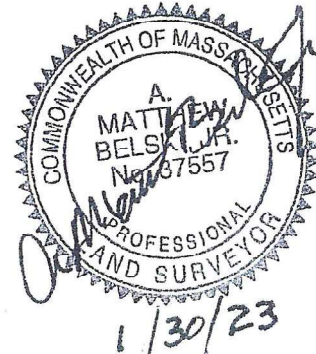
DEMO/PROPOSED PLOT PLAN/FOUNDATION ASBUILT/FINAL ASBUILT

40' Scale



SCALE: 1"=30'

HEIGHT OF EXISTING
DWELLING 34.5'
FROM AVERAGE GRADE
TO THE RIDGE OF ROOF



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 21 day of JANUARY 20 23.

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

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

Approved _____ Director of Public Works Date _____

Approved _____ Building Inspector Date _____

TOWN OF NEEDHAM, MASSACHUSETTS

Building Inspection Department

Assessor's Map & Parcel No. 110 LOT 15

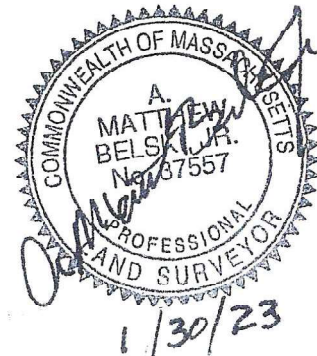
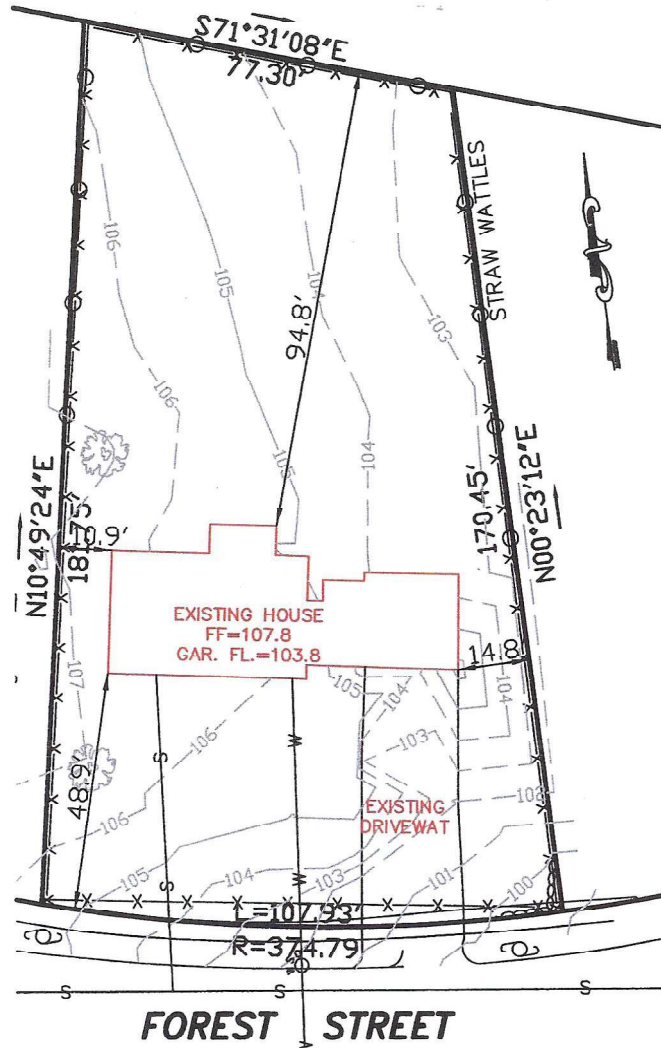
Building Permit No. _____ At No. 246 FOREST STREET

Lot Area 16,308 S.F. Zoning District SRB

Owner 246 FOREST STREET LLC Builder MIKHAIL DEYCHMAN

DEMO/PROPOSED PLOT PLAN/FOUNDATION ASBUILT/FINAL ASBUILT

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.

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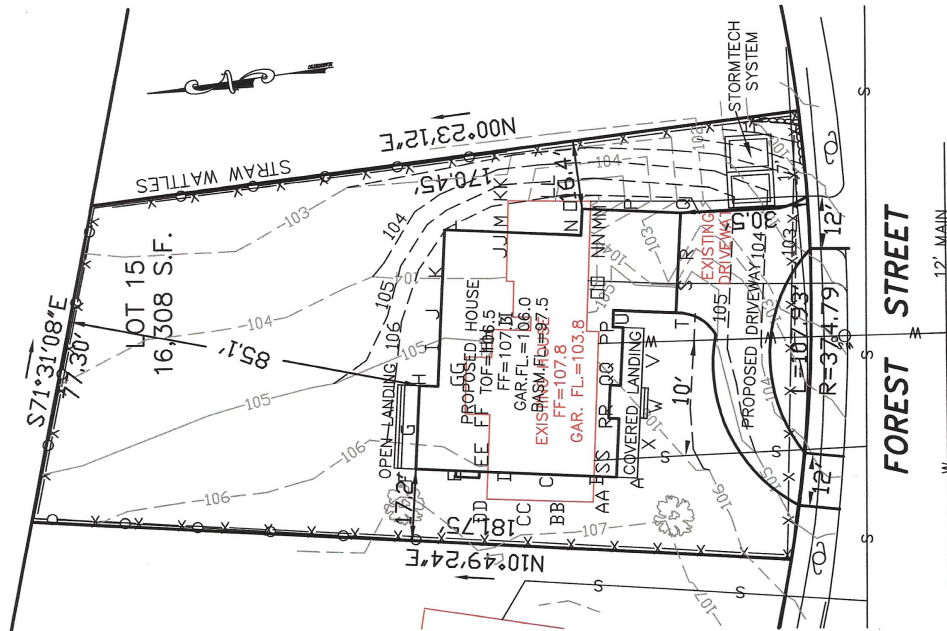
Name A. MATTHEW BELSKI, JR. Registered Land Surveyor No. 37557

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

Approved _____ Director of Public Works Date _____

Approved _____ Building Inspector Date _____

PROPOSED:
 FOOTPRINT OF PROPOSED HOUSE 3,143 S.F.
 FOOTPRINT DRIVEWAY 1,197 S.F.
 TOTAL IMPERVIOUS AREA 4,340 S.F.
 1" OF STORM EVENT (1"/12"=0.083')
 VOLUME TO BE STORED BY INFILTRATION
 SYSTEM=4,340x0.083=360.2 C.F.T.
 CAPACITY STORMTECH SYSTEM
 CAPACITY OF SINGLE STORMTECH UNIT=49 CF
 CAPACITY OF 2 UNITS=98 C.F.T.
 THE STORAGE VOLUME PROVIDED BY THE CRUSHED STONE
 SURROUNDING THE STORMTECH CHAMBERS IS CALCULATED BY
 TAKING THE TOTAL VOLUME OF THE INFILTRATION SYSTEM AND
 REMOVING THE STORMTECH STORAGE VOLUME TO GET THE TOTAL
 VOLUME OF CRUSHED STONE. MULTIPLYING THE VOLUME OF CRUSHED
 STONE BY THE CRUSHED STONE'S VOID OF 0.4 WILL PROVIDE THE
 INFILTRATION STORAGE VOLUME WITHIN THE CRUSHED STONE.
 CRUSHED STONE BELOW SYSTEM VOLUME (11'x17'x1.5')=280.5 C.F.T.
 CRUSHED STONE AROUND SYSTEM
 VOLUME(11'x17'x2.7')-98=504.9-98=406.9.FT.
 TOTAL STORAGE VOLUME IN CRUSHED STONE
 280.5+406.9=687.4 C.F.T.x0.4=275.0 C.F.T.
 TOTAL STORAGE VOLUME PROVIDED BY INFILTRATION SYSTEM
 98+275.0=373.0 C.F.T.
 RAINFALL-1"
 373 C.F.T.>360.2 C.F.T.
 IT'S OK



ZONING INFORMATION: SINGLE RESIDENCE A (SRA)

	REQUIRED:	PROPOSED:
MINIMUM LOT AREA	43,560 S.F.	16,308 S.F.
MINIMUM LOT FRONTAGE	150.0'	107.93'
MINIMUM FRONT SETBACK	30'	30.5'
MINIMUM SIDE YARD	25'	16.4'/17.2'
MINIMUM REAR YARD	15'	85.1'
MAXIMUM BUILDING COVERAGE	N/A	N/A
MAXIMUM BUILDING HEIGHT	35'	34.5'
MAXIMUM BUILDING HEIGHT	2 1/2 STORIES	2 1/2

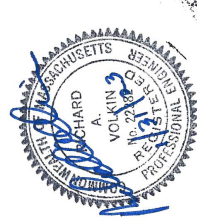
SCALE: 1"=30'

POINT #	PROPOSED ELEVATION
A	106.0
B	106.0
C	106.0
D	106.0
E	106.0
F	106.0
G	106.2
H	106.2
I	106.2
J	106.2
K	106.2
L	106.2
M	106.2
N	106.2
O	106.2
P	106.2
Q	106.2
R	105.8
S	105.8
T	105.8
U	105.8
V	105.8
W	105.8
X	105.8

POINT #	EXISTING ELEVATION
AA	106.6
BB	106.6
CC	106.6
DD	106.5
EE	106.1
FF	105.5
GG	105.3
HH	104.9
II	104.6
JJ	103.8
KK	103.2
LL	104.9
MM	105.4
NN	103.7
OO	104.7
PP	105.8
QQ	106.0
RR	106.2
SS	106.4

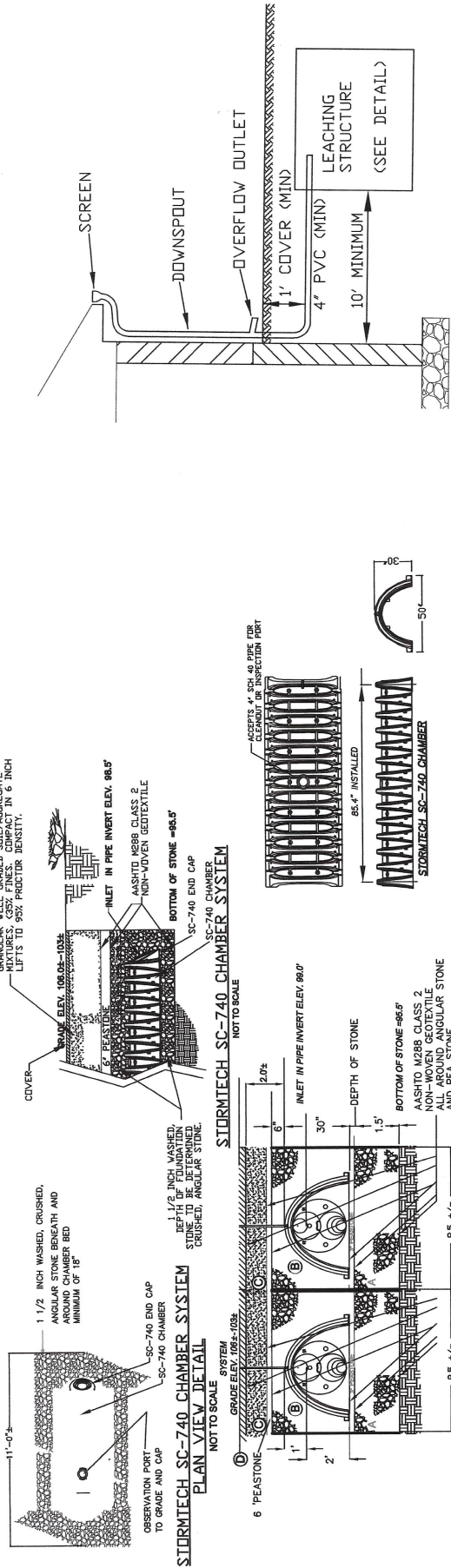
HEIGHT CALCULATION PLAN OF LAND 246 FOREST STREET NEEDHAM, MA.

JANUARY 21, 2023
 DESIGN BY:
 MIKHAIL DEYCHMAN
 (857) 498-0951
 EMAIL: MDEYCH@YAHOO.COM



EXISTING:
 GRADE PLANE = 2,002.8/19=105.41
 TOC TO GRADE =106.4-105.41=1.0
 ALLOWABLE BUILDING = 35.0-1.0=34.00
 PROPOSED:
 GRADE PLANE = 2,544.5/24=106.0
 TOC TO GRADE = 106.5-106.0=0.5
 ALLOWABLE BUILDING = 35.0-0.5=34.5'
 BASED UPON COMPARATIVE ANALYSIS THE
 EXISTING GRADE PLANE PROVIDES MORE
 RESTRICTIVE ENVIRONMENT FOR THE
 BUILDING HEIGHT THE MAXIMUM ALLOWABLE
 STRUCTURE ABOVE THE TOP OF CONCRETE
 IS 34.0'

THE PROPOSED STRUCTURE FROM TOP OF
 CONCRETE TO RIDGE IS 34.0'
 MAKING THE PROPOSED HEIGHT 35.0' FROM
 THE EXISTING GRADE PLANE.



STORMTECH GENERAL NOTES

- STORMTECH LLC (STORMTECH) REQUIRES INSTALLING CONTRACTOR TO FOLLOW THE LATEST INSTALLATION INSTRUCTIONS PRIOR TO BEGINNING SYSTEM INSTALLATION.
- STORMTECH'S REQUIREMENTS FOR SYSTEMS WITH PAVEMENT DESIGN (ASPHALT OR CONCRETE) ARE: MAXIMUM COVER IS 96" INCHES INCLUDING PAVEMENT. FOR UNPAVED INSTALLATIONS THAT DO NOT INCLUDE PAVEMENT, WHERE COVER IS 24" INCHES, MAXIMUM COVER IS 96" INCHES.
- THE CONTRACTOR MUST REPORT ANY DISCREPANCIES WITH CHAMBER FOUNDATION MATERIALS BEARING CAPACITIES TO THE DESIGN ENGINEER.
- AASHTO M288 CLASS 2 NON-WOVEN GEOTEXTILE (FILTER FABRIC) MUST BE USED AS INDICATED IN THE PROJECT PLANS.
- STONE PLACEMENT BETWEEN CHAMBERS EDGES AND AROUND PERIMETER MUST FOLLOW INSTRUCTIONS AS INDICATED IN THE MOST CURRENT VERSION OF STORMTECH'S INSTALLATION INSTRUCTIONS.
- BACKFILLING OVER THE CHAMBERS MUST FOLLOW REQUIREMENTS AS INDICATED IN THE MOST CURRENT VERSION OF STORMTECH'S INSTALLATION INSTRUCTIONS.
- THE CONTRACTOR MUST REFER TO STORMTECH'S INSTALLATION INSTRUCTIONS FOR THE MOST CURRENT ACCEPTABLE VEHICLE LOADS AT VARIOUS DEPTHS OF COVER. THIS INFORMATION IS ALSO AVAILABLE AT www.stormtech.com. THE CONTRACTOR IS RESPONSIBLE FOR PREVENTING VEHICLES THAT EXCEED STORMTECH'S REQUIREMENTS FROM ENTERING SENSITIVE CONSTRUCTION AREAS. STORMTECH'S REQUIREMENTS FOR PREVENTING VEHICLES FROM ENTERING SENSITIVE CONSTRUCTION AREAS ARE COMMONLY USED TO PREVENT OVERSIZED VEHICLES FROM ENTERING SENSITIVE CONSTRUCTION AREAS.

TYPICAL DOWNSPOUT DETAIL NOT TO SCALE



STORMTECH CHAMBER DETAIL

246 FOREST STREET
NEEDHAM, MA.
JANUARY 21, 2023
DESIGN BY:
MIKHAIL DEYCHMAN
(857) 498-0951
EMAIL: MDEYCH@YAHOO.COM

MATERIAL LOCATION	DESCRIPTION	AASHTO M43 DESIGNATION	AASHTO M145 DESIGNATION	COMPACTION/DENSITY REQUIREMENT
① FILL MATERIAL FROM 18" TO GRADE ABOVE CHAMBERS	ANY SOIL/ROCK MATERIALS, NATIVE SOILS OR PER ENGINEER'S PLANS. CHECK PLANS FOR PAVEMENT SUBGRADE REQUIREMENTS.	N/A	N/A	PREPARE PER ENGINEER'S PLANS. PAVED INSTALLATIONS MAY HAVE STRINGENT MATERIAL AND PREPARATION REQUIREMENTS.
② FILL MATERIAL FOR 6" TO 18" ELEVATION ABOVE CHAMBERS (24" FOR UNPAVED INSTALLATIONS)	GRANULAR WELL-GRADED SOIL/AGGREGATE MIXTURES, (35% FINES).	3, 357, 4, 467, 5, 56, 57, 6, 67, 68, 7, 78, 8, 89, 9, 10	A-1 A-2 A-3	COMPACT IN 6" LIFTS TO A MINIMUM 95 STANDARD PROCTOR DENSITY. ROLLER GROSS VEHICLE WEIGHT NOT TO EXCEED 12,000 LBS. DYNAMIC FORCE NOT TO EXCEED 20,000 LBS.
③ EMBEDMENT STONE SURROUNDING AND TO A 6" ELEVATION ABOVE CHAMBERS	WASHED ANGULAR STONE WITH THE MAJORITY OF PARTICLES BETWEEN 3/4- 2 INCH	3, 357, 4, 467, 5, 56, 57	N/A	NO COMPACTION REQUIRED
④ FOUNDATION STONE BELOW CHAMBERS	WASHED ANGULAR STONE WITH THE MAJORITY OF PARTICLES BETWEEN 3/4- 2 INCH	3, 357, 4, 467, 5, 56, 57	N/A	PLATE COMPACT OR ROLL TO ACHIEVE A 95% STANDARD PROCTOR DENSITY

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

March 7, 2023

MEMORANDUM IN SUPPORT OF
APPLICATION OF
246 FOREST STREET, LLC
246 Forest Street, Needham, MA

The applicant, 246 Forest Street, LLC (hereinafter, the “Applicant” and “246 Forest”), seeks a Special Permit pursuant to Section 1.4.6 of the Needham Zoning By-Law and a finding pursuant to Section 6 of M.G.L. Chapter 40A, to permit the demolition and reconstruction of the lawful, pre-existing, non-conforming single-family dwelling known and numbered 246 Forest Street, as shown on the submitted plans, and all other relief as may be necessary and appropriate therefor.

PRESENT USE / HISTORY

The Premises is shown as parcel 15 on sheet 110 of the Assessor’s Map for the Town of Needham and consists of approximately 16,308 square feet of land with 107.93 feet of frontage on Forest Street. The Premises is currently occupied by a one and one story, single-family residential dwelling which is nonconforming as to side yard setback on both sides.¹ According to the records of the Assessor’s Department, the existing dwelling was originally constructed in 1950. It is built on a concrete foundation and consists of approximately 1,531 square feet of interior finished living area on the first floor. There are 6 rooms, 3 bedrooms and 1 full bath, as well as a one-car, attached garage.²

The records of the Building Department corroborate the date of construction, as both the initial building permit, No. 8441³, and the Building Department “Field Card”⁴ are dated June 21, 1950. At that time, the Premises was located in a Single-Residence B Zoning District with

¹ The current setbacks are 10.9 feet on the left side and 14.8 feet on the right side, at the closest points, as opposed to 15 feet required for existing structure pursuant to the table at Section 4.2.1 of the Zoning By-Law.

² See Exhibit A, provided herewith.

³ See Exhibit B, provided herewith.

⁴ See Exhibit C, provided herewith.

applicable area and frontage requirements of 10,000 square feet and 80 feet, respectively. In addition, while there was a minimum front yard setback requirement of 20 feet, there were no applicable side yard setback requirements.

As a result, the Premises and the existing house conformed and were lawful when created and built. However, several years later, the entire area in the vicinity of the Premises was placed in the Single Residence A Zoning District, where it has remained since. As a result, the current applicable area and frontage requirements are 43,560 square feet and 150 feet, respectively, and the current required side-yard setback is 15 feet for existing structures and 25 feet for newly constructed homes. This has rendered the Premises and the existing house as lawful, pre-existing, non-conforming.

PROPOSED ALTERATION

As indicated in the application and the materials submitted herewith, 246 Forest is seeking to demolish the existing house at the Premises and replace it with a new single-family dwelling. Because the proposed replacement dwelling will continue the side-yard setback non-conformity, albeit to a lesser extent, a special permit pursuant to Section 1.4.6 and a finding pursuant to M.G.L. Chapter 40A, Section 6 are required. If the new house were to comply with the applicable side-yard setback requirement, it would be allowed as of right, without any need for zoning relief. With the exception only of the aforesaid side yard setback requirement, the proposed new, replacement house complies with all applicable dimensional and density requirements.

As indicated above, the new house will continue the side-yard setback non-conformity, as it will be set back 17.2 feet on the left side and 16.4 feet on the right side, at the closest points.⁵ However, while the new house will not comply with the applicable side-yard setback, the proposed setbacks are consistent with the setback requirement applicable to existing structures, and therefore consistent with the neighborhood. Moreover, the proposed setbacks are also consistent with the setbacks generally applicable to new construction on 80 foot wide lots. Therefore, the Applicant is of the opinion that the proposed setbacks are appropriate and reasonable.

⁵ Pursuant to the table at Section 4.2.3 of the Zoning By-Law, because the house qualifies as “new construction”, the applicable side yard setback is 25 feet instead of the 15 feet applicable to existing dwellings.

LAW

As applicable, Section 1.4.6 of the Needham Zoning By-Law authorizes the Board of Appeals to issue special permits for the change, extension, alteration, enlargement and reconstruction of lawful, pre-existing, non-conforming structures, provided the Board determines that the proposed new structure would not be *substantially* more detrimental to the neighborhood than the existing non-conforming structure. Furthermore, while a special permit pursuant to Section 1.4.6 may not authorize the violation of any *new* dimensional, parking or intensity regulation, it does not prohibit the issuance of a special permit that maintains an existing non-conformity.

Similar, Massachusetts General Laws, Chapter 40A, Section 6 requires a finding by the special permit granting authority that the proposed change, extension or alteration shall not be *substantially* more detrimental than the existing nonconforming use to the neighborhood.

And Massachusetts General Laws, Chapter 40A, Section 9 states as follows: “Special Permits may be issued only for uses that are in harmony with the general purpose and intent of the ordinances of the by-law, and shall be subject to general or specific provisions set forth therein; and that such permits may also impose conditions, safeguards, and limitations on time and use.”

ANALYSIS / ARGUMENT

The Applicant asserts that the proposed new house is not **substantially** more detrimental to the neighborhood than the existing dwelling, notwithstanding the continued side yard setback nonconformity. The new structure is set back further from the side lot lines on both sides than the existing dwelling, and is set at a distance that would comply with the requirement applicable to existing structures. Furthermore, when the lot and surrounding area were first developed they were laid out in accordance with the requirements for the SRB Zoning District, namely, minimum 10,000 square foot area and minimum 80 foot frontage. Whereas the proposed new house is set back at a distance that is consistent with than the setbacks applicable to such lots, it is not substantially more detrimental than the existing structure. Finally, whereas there are no significant existing natural features of the site, and given that practically every lot in the surrounding neighborhood is similarly non-conforming, the Applicant asserts that the proposed new house is in harmony with the site and the surrounding area.

Therefore, the Applicant asserts that the issuance of a Special Permit under Section 1.4.6 of the By-Law and a finding under Section 6 of M.G.L. Chapter 40A, to allow for the reconstruction of the lawful, pre-existing, nonconforming single-family dwelling at 246 Forest Street is both appropriate and proper, and should be granted.

Respectfully submitted,
246 Forest Street, LLC
by its attorney,

A handwritten signature in dark ink, appearing to read "G. Giunta", is written over a light gray rectangular background.

George Giunta, Jr., Esq.
281 Chestnut Street
Needham, Massachusetts 02492
781-449-4520

Exhibit A
Assessor's Field Card
(front)

No. 246 Street FOREST STREET 110-015 246 FOREST ST Card No.

PLAN 142C SEC. BLOCK LOT 7

REAL PROPERTY RECORD

BOARD OF ASSESSORS

CLASS ZONING TOWN OF NEEDHAM

AGE ACT. 1922 EST.

CONDITION GOOD W/OUT FAIR POOR

PERMIT No. DATE

DIAGRAM OF STRUCTURES DIVISIONS FEET

STREET

ROOMS

REMARKS: PROPERTY DATA ON THIS CARD NOT UPDATED SINCE 1993. COMPUTER LISTING IS CORRECT

(back)

LAND VALUE FACTORS

ST. ASSESSOR DATE

RECORDED OWNER

REGISTER

CONSIDERATION

REMARKS

LAND COMPUTATIONS

AMOUNT

RENTAL INFORMATION

GENERAL INFORMATION

LOT DIAGRAM

ASSESSMENT RECORD

REMARKS:

Exhibit B
Building Permit No. 8441

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 21, 1950

No. 8441

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 - 2 car garage attached
2. First-class Second-class Third-class First
3. Zoning District single
4. Location, St. and No. Barnstable, Lot 7 Nearest St. _____
5. Owner Hedges Realty Trust Address _____ Tel. _____
6. Builder " " Address _____ Tel. _____
7. Architect " " Address _____ Tel. _____
8. Size of Building—Front 71' Rear _____ Depth 30'
9. No. of Feet Level of Ground to Highest Point of Roof 19'
10. Set Back from Street 50' Right Side 10' Left Side 13'
11. Area of Lot 16,610 No. of Rooms _____
12. Material of Foundation Found Concrete Material of Underpinning _____
13. Size of Girder 6x8 Kind hard pine ?
14. Size of Sills 4x6 Posts _____
15. First Floor Timbers 2x8 Second 2x6 Third _____
16. Size of Corner Braces 2x2x4 Outside Window and Door Studs _____
17. Size of Bridging 2-1x3 Rafters 2x6
18. Roof Covering asphalt shingles Exterior Wall Covering horizontal siding
19. Is the Roof to be Flat, Pitch, Mansard or Hip pitch
20. Heated by Steam, Furnace, Hot Water, Air Conditioned forced hot air
21. Oil Burner ☒ Gas Fired _____ Coal _____
22. Plumbing ☒ Wiring ☒
23. Estimated Value 10,000.
24. Plans Submitted yes

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.

Fee, \$ 10.00

Sign Here

Address

Robert R. Runt
attn: J. R. Runt
1000

Exhibit C
Building Department Field Card

(front)

PT. NO.	8441	FEE	\$10.00	DATE	June 21, 1950
LOCUS	246 Forest Street, Lot 7				
BLDG.	S. F. - 2 car garage			NO. RMS	5, 1 b
OWNER	Hodges Realty Trust			VALUE	\$10,000.
BLDR.	Willard J. Hodges			FEE	
ELECT.	Reynolds Electric			PT. NO.	4780 \$7.00
PLBR.	Stagg & Dwyer			PT. NO.	4507 3.75
GAS FTR.				PT. NO.	
SEPTIC TANK	Cesspool			SEWER	
HEAT				GRADES	
COMPLETE					
OCC. PT	#888				

TOWN OF NEEDHAM
INSPECTION DEPARTMENT

WNHX C68-0106



Town of Needham
Building Department

500 Dedham Ave.
Needham, MA 02492

Tel. 781-455-7550 x 308

March 7, 2023

Town of Needham / Zoning Board of Appeals
500 Dedham Ave.
Needham, MA. 02492

Re: Application reviews for the March 2023 Hearing

Dear Board Members,

I have reviewed the applications for the March hearing and have the following comments.

246 Forest Street

The applicant is seeking a Special Permit under By-Law section 1.4.6 to demolish a lawful pre-existing non-conforming single-family home and replace it with a new home. This lot is located in an SRA District where most of the lots in this area of town do not conform to the SRA District requirements. The applicant is proposing side setbacks that would be consistent with the SRB District but are no closer than the existing structure, the applicant will be compliant on the front and rear setbacks. The Board has approved similar setback proposals on Rolling Lane which is the abutting street that runs parallel to Forest Street. I am not opposed to this Special Permit if the Board finds it appropriate to approve.

1584 Great Plain Ave.

The applicant Future Plan Investment is seeking Special Permits under By-law sections 1.4.6 and 1.4.10 to replace an existing lawful pre-existing non-conforming vehicle repair facility with an Enterprise car rental business. The existing parking lot will be cleaned, sealed and restriped consistent with the original parking layout. Renovations will be done to the existing building including minor facade changes and new signage. In looking at the site I believe that this will be a better non-conforming use for this location in town, however the landscaping trucks and equipment will need to be removed and the rental business operating on the property only. This property consists of two lots which appear to be owned by the same owner according to the deed, therefore I am considering both lots as 1584 Great Plain Ave. when speaking about the property.

I have checked our files and this property has a long history of complaints and violations including the parking of commercial vehicles, vehicle sales and illegal signage. I can only support this proposal if the commercial vehicles, trailers and equipment not associated to the car rental business are removed from the property this includes both lots. If the Board decides to approve the proposal, please include the following conditions that this use be limited to the operation of the Car Rental business only (including both lots) vehicle sales and the parking of vehicles, equipment or storage of any kind shall not be permitted. Signage on the property will be limited to signs approved by the DRB and sign permits issued by the Building Department only.

238 Highland Ave.

The applicant the Montessori School is seeking an amendment to their Special Permit to allow the school's enrollment to increase from 114 to 154 it is unclear from the application if the 15 teachers will also be increased. The school has tripled in size since it has opened and, in each expansion, picks up additional parking for tenant spaces that it has replaced. I remember commenting on this use when they first opened about concerns with the traffic on Highland Ave and the pickup and drop-off of the students, to date I am not aware of any complaints or concerns reported to any town Department. I believe that the school would not be asking for an increase unless they could manage the extra students, I have no issues with this proposal.

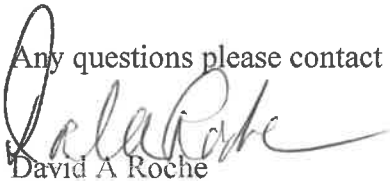
73 Highland Ave.

The applicant Mr. Nezquhualcoyotl Leon the owner of the Hungry Coyote Restaurant is seeking a Special Permit to operate the restaurant located at 73 Highland Ave. previously occupied by Chief Mike's. This will be Mr. Leon's second location in town, he successfully operates his original Highland Ave. business and hopes to expand into this new location. The applicant is planning on using the original floor plan and kitchen setup, he is also proposing the same amount of seating that was used in the previous Special Permit. The applicant has provided a floor plan, but it needs to have more details added, showing the actual seating and tables bathrooms with fixtures and a kitchen layout, showing all equipment. The parking will not change except for the lost parking space from the State taking on Highland Ave. As noted on the previous Special Permit the site shows 14 parking spaces but most of the parking on the site is non-compliant with the By-Law therefore, they are asking for relief from By-Law sections 5.1.2 and 5.1.3. The previous tenant had outdoor seating during the pandemic, but this applicant is not proposing any outdoor seating at this time. I am not opposed to this application, and if the Board had previous conditions, It seems that the business model is similar so the conditions if any should be the same.

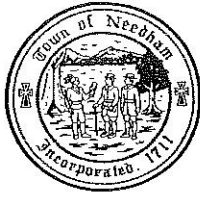
470 Dedham Ave.

The applicant Mr. Ed Olsen representing the Needham Park and Recreation Department is seeking a Special Permit amendment to add four field lights to the towns Defazio recreation complex. Specifically, the area of the complex known as Mcleod field is going to be completely renovated and rebuilt including realignment, drainage, fencing, new sod and dugouts. This project also includes the installation of four light poles which will be controlled separately from the track and field lighting. I have reviewed the lighting plan and appears to be compliant with the By-Laws, this lighting will be directed on this field only, the lighting will be used only if the field is in use, otherwise it will remain off. I am not opposed to this project if the Board votes approve the proposed plan.

Any questions please contact my office.

A handwritten signature in dark ink, appearing to read "D. Roche", is written over the printed name "David A Roche".

David A Roche
Building Commissioner
Town of Needham



**TOWN OF NEEDHAM, MASSACHUSETTS
PUBLIC WORKS DEPARTMENT
500 Dedham Avenue, Needham, MA 02492
Telephone (781) 455-7550 FAX (781) 449-9023**

March 3, 2023

Needham Zoning Board of Appeals
Needham Public Safety Administration Building
Needham, MA 02492

RE: Case Review-Special Permit
246 Forest Street- Special Permit

Dear Members of the Board,

The Department of Public Works has completed its review of the above referenced Special Permit to remove the existing house at 246 Forest Street and construct a new single family residential structure.

The documents submitted for review are as follows:

- Cover Letter Prepared by George Giunta Jr. dated 2/21/23
- Application for Special Permit dated 2/21/23
- Architectural Plans Prepared by RAV & Assoc. dated 2/1/23 consisting of 6 sheets.
- Certified Proposed Plan Prepared by Matthew Belski Jr. dated 1/30/23
- Existing Site Demo Plan Prepared by Matthew Belski Jr. dated 1/30/23
- Storm Water Plans Prepared by Richard Volkin PE dated 1/31/23 consisting of 2 sheets.

Our comments and recommendations are as follows:

- We have no comment or objection to the Special Permit

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

Truly yours,

Thomas A Ryder
Town Engineer
tryder

Daphne Collins

From: Tom Conroy
Sent: Friday, March 3, 2023 2:32 PM
To: Daphne Collins
Subject: RE: 246 Forest Street - ZBA Administrative Review - Due March 6, 2023

Ok with Fire.



Thomas M. Conroy

Fire Chief - Needham Fire Department

tconroy@needhamma.gov

Ph (781) 455-7580

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Monday, February 27, 2023 2:54 PM
To: David Roche <droche@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>
Subject: 246 Forest Street - ZBA Administrative Review - Due March 6, 2023

Good Afternoon-

246 Forest Street- 246 Forest Street, LLC, applicant, is seeking a Special Permit to allow the demolition, extension, alteration, enlargement and reconstruction of the lawful pre-existing, non-conforming single family.

Attached please find the application with its associated back-up documents for your information and review.

I appreciate your comments no later than **March 6, 2023** to allow time for the applicant to respond prior to the hearing.

If you have any questions, feel free to contact me.

Thank you,
Daphne

Daphne M. Collins

Zoning Specialist

Phone 781-455-7550, x 261

Web <https://www.needhamma.gov/>

<https://needhamma.gov/1101/Board-of-Appeals>

www.needhamma.gov/NeedhamYouTube

Town of Needham
Planning and Community Development
500 Dedham Avenue
Needham, MA 02492

Regular Office Hours: Mon-Wed 8:30am – 5:00pm

Daphne Collins

From: Tara Gurge
Sent: Friday, March 3, 2023 7:47 PM
To: Daphne Collins
Subject: RE: 246 Forest Street - ZBA Administrative Review - Due March 6, 2023

Daphne –

The Public Health Division conducted our Zoning Board review for the property located at **#246 Forest St.** See below:

- Prior to demolition, the owner must apply for this Demolition review online, via the Towns ViewPoint Cloud online permitting system through Public Health Division. See direct link to this permit review application- <https://needhamma.viewpointcloud.com/categories/1073/record-types/1006508>. This form will need to be completed along with the uploading of the required supplemental report documents for our review and approval (as noted on the form.) **PLEASE NOTE:** Pest control reports, along with the asbestos sampling reports, etc., must be uploaded to our online system for review and approval, prior to the issuance of a Demolition permit by the Building Department.
- On-going pest control must be conducted during demolition AND on-going pest control must be conducted throughout construction.

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

Thanks,



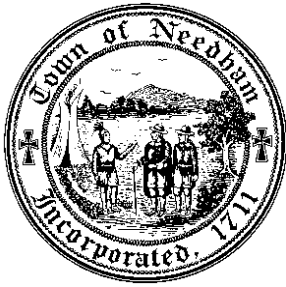
TARA E. GURGE, R.S., C.E.H.T., M.S. (she/her/hers)
ASSISTANT PUBLIC HEALTH DIRECTOR
Needham Public Health Division
Health and Human Services Department
178 Rosemary Street
Needham, MA 02494
Ph- (781) 455-7940; Ext. 211/Fax- (781) 455-7922
Mobile- (781) 883-0127
Email - tgurge@needhamma.gov
Web- www.needhamma.gov/health



 please consider the environment before printing this email

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PLANNING & COMMUNITY DEVELOPMENT
PLANNING DIVISION

March 7, 2023

Mr. Jon Schneider, Chairman and Members
Zoning Board of Appeals
Public Services Administration Building
500 Dedham Avenue
Needham, MA 02492

Dear Mr. Schneider and Members of the Zoning Board of Appeals:

At its meeting of March 7, 2023, the Planning Board reviewed the applications to be heard by the Board of Appeals on March 16, 2023, and made the following recommendations:

1. **246 Forest Street** - 246 Forest Street, LLC has applied for a Special Permit under Sections 1.4.6, 4.2 and any other applicable Sections of the By-Law to permit the demolition, extension, alteration, enlargement and reconstruction of the lawful, pre-existing, non-conforming single family. The property is located at 246 Forest Street, Needham, MA in the Single Residence A (SRA) District.

The Planning Board makes NO COMMENT.

2. **238 Highland Avenue** - Allen Douglass and Christine Lachkey, applicants, have applied for a Special Permit Amendment under Sections 5.1.1.5, 5.1.2, 5.1.3 and any other applicable Sections of the Zoning By-Law to expand the Needham Montessori School to allow up to 154 children and 15 staff members. As part of this expansion, waivers of parking number and parking design are required. The subject property is located at 238 Highland Avenue, Needham MA in the Highland Commercial -128 District.

The Planning Board requests that the Zoning Board of Appeals consider the safety issue of this many cars entering and existing the site and whether the Petitioner's traffic study is adequate to address and alleviate such concerns.

3. **73 Highland Avenue** - Nezhualcoyotl Leon has applied for a Special Permit under Sections 3.2.5, 3.2.5.2, 5.1.1.1, 5.1.1.5, 5.1.2, 5.1.3, and any other applicable Sections of the By-Law for a restaurant serving meals on the premises and take-out operation accessory to the restaurant and to waive strict adherence to the parking requirements. The request is associated with the establishment of a second location of The Hungry Coyote, a Mexican style restaurant, take out and catering services. The property is located at 73 Highland Avenue, Needham, MA in the Highland Commercial 128 District.

The Planning Board makes NO COMMENT.

4. **1584 Great Plain Avenue** - Enterprise Rent-A-Car Company of Boston LLC, has applied for a Special Permit under Sections 1.4.6, 1.4.10, 5.1, 5.1.1.1, 5.1.1.5, 5.1.1.7, 5.1.2, 5.1.3, 6.4 and any other applicable Sections of the By-Law to permit the replacement/substitution of a non-conforming use (automobile repair garage) to an automobile rental agency with associated improvements to the parking lot and building; and to waive the parking plan and design requirements. The property is located at 1584 Great Plain Avenue, Needham, MA in the Single Residence A (SRA) District.

The Planning Board requests that the Zoning Board of Appeals clarify the nature of the pre-existing non-conforming use, confirm that it was legally established, and lastly that it has been continued without interruption and abandonment.

5. **470 Dedham Avenue** - The Town of Needham (Department of Public Works) Park and Recreation Commission has applied under Sections 4.1.6.3, 4.1.6.4 and any other applicable Sections of the By-Law to permit the installation of field lights. This request is associated with the renovation and conversion of the McLeod baseball field into a premier softball field with dugout, foul pole and batting cage and 4 field lights. The property is located at 470 Dedham Avenue, Needham, MA in the Single Residence B (SRB) District.

The Planning Board makes NO COMMENT.

NEEDHAM PLANNING BOARD

Lee Newman

Lee Newman
Director of Planning and Community Development

Daphne Collins

From: John Schlittler
Sent: Monday, February 27, 2023 4:16 PM
To: Daphne Collins
Subject: RE: 246 Forest Street - ZBA Administrative Review - Due March 6, 2023

Police has no issue with this

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Monday, February 27, 2023 2:54 PM
To: David Roche <droche@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>
Subject: 246 Forest Street - ZBA Administrative Review - Due March 6, 2023

Good Afternoon-

246 Forest Street- 246 Forest Street, LLC, applicant, is seeking a Special Permit to allow the demolition, extension, alteration, enlargement and reconstruction of the lawful pre-existing, non-conforming single family.

Attached please find the application with its associated back-up documents for your information and review.

I appreciate your comments no later than **March 6, 2023** to allow time for the applicant to respond prior to the hearing.

If you have any questions, feel free to contact me.

Thank you,
Daphne

Daphne M. Collins

Zoning Specialist

Phone 781-455-7550, x 261

Web <https://www.needhamma.gov/>

<https://needhamma.gov/1101/Board-of-Appeals>

www.needhamma.gov/NeedhamYouTube

Town of Needham

Planning and Community Development

500 Dedham Avenue

Needham, MA 02492

Regular Office Hours: Mon-Wed 8:30am – 5:00pm

Remote Hours: Thurs 8:30am-5:00pm



Michael R. Spillane, Esq.
mspillane@oarlawyers.com

February 21, 2023

DELIVERED IN HAND

Theodora K. Eaton, Town Clerk
Needham Town Clerk's Office
1471 Highland Avenue
Needham, MA 02492

Re: Application for Amendment to Special Permit for property locate at 238 Highland Avenue, Needham, MA

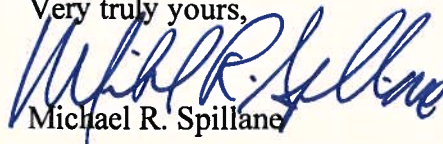
Dear Ms. Eaton:

Please find enclosed herewith seven (7) hard copies of an Application for Amendment to Special Permit requesting an increase in the permissible enrollment at the Needham Montessori School, together with a memorandum in support of the application and a check in the amount of \$200 made payable to the Town of Mansfield representing the filing fee.

I represent the Applicant we respectfully request that the enclosed Application be added to the Board's meeting agenda for March 16, 2023.

Should you have any questions or concerns, please do not hesitate to contact me. We look forward to meeting with the Board.

Very truly yours,



Michael R. Spillane



ZBA Application For Hearing

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

Applicant Information

Applicant Name	Allen Douglass and Christine Lachkey Needham Montessori, Inc.			Date:	2/21/23
Applicant Address	238 Highland Avenue, Needham				
Phone	781-664-3473	email	needhammontessoriallen@gmail.com		
Applicant is ☐ Owner; ☒ Tenant; ☐ Purchaser; ☐ Other _____					
If not the owner, a letter from the owner certifying authorization to apply must be included					
Representative Name	Michael R. Spillane, Esq.				
Address	160 Gould Street, Suite 320, Needham, MA 02494				
Phone	781-239-8900	email	mspillane@oarlawyers.com		
Representative is ☒ Attorney; ☐ Contractor; ☐ Architect; ☐ Other _____					
Contact ☐ Me ☒ Representative in connection with this application.					

Subject Property Information

Property Address	238 Highland Avenue, Needham, MA		
Map/Parcel Number	199/300.0-0059	Zone of Property	HC-128
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☐ Yes ☒ No			
Is property ☐ Residential or ☒ Commercial			
If residential renovation, will renovation constitute "new construction"? ☐ Yes ☐ No			
If commercial, does the number of parking spaces meet the By-Law requirement? ☐ Yes ☒ No			
Do the spaces meet design requirements? ☐ Yes ☒ No			
Application Type (<i>select one</i>): ☐ Special Permit ☐ Variance ☐ Comprehensive Permit ☒ Amendment ☐ Appeal Building Inspector Decision			



ZBA Application For Hearing

Existing Conditions:

Petitioners have a Special Permit from the Needham Zoning Board of Appeals granted on July 21, 2016 and most recently amended on March 18, 2021 to allow the operation of a Montessori School with 114 students and 15 staff members.

Statement of Relief Sought:

To increase the number of permissible students from 114 to 154.

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

5.1.3, 5.1.1.5, 5.1.2, and 7.5.2

If application under Zoning Section 1.4 above, list non-conformities:

	Existing Conditions	Proposed Conditions
Use		
# Dwelling Units		
Lot Area (square feet)		
Front Setback (feet)		
Rear Setback (feet)		
Left Setback (feet)		
Right Setback (feet)		
Frontage (feet)		
Lot Coverage (%)		
FAR (Floor area divided by the lot area)		
<i>Numbers must match those on the certified plot plan and supporting materials</i>		



ZBA Application For Hearing

Date Structure Constructed including additions:

Date Lot was created:

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

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



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

I certify that I have consulted with the Building Inspector _____
date of consult

Date: 2/21/2023 Applicant Signature 

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

**Memorandum in Support of Application for Amendment to Special Permit for
Property Located at 238 Highland Avenue, Needham, MA
Needham Map and Parcel Number: 199/300.0-0059**

I. INTRODUCTION

Allen Douglas and Christine Lachkey, as owners and operators of Needham Montessori, Inc. (collectively herein the “Applicant”) hereby submit this memorandum in support of their application for an amendment to their existing special permit, as previously amended (the “Special Permit”) for the operation of a Montessori School (the “School”) located at 238 Highland Avenue, Needham, Massachusetts (the “Property”), which Property is identified in the Needham Assessor’s records as Map 199, Parcel 300.0-0059. The Applicant is requesting that Special Permit be amended by the Needham Zoning Board of Appeals (the “Board”) to allow for an increase in the number of permissible students at the School from 114 to a maximum of 154 pursuant to Needham Zoning By-Law Sections 5.1.1.5, 5.1.2, 5.1.3 and 7.5.2. For the reasons set forth herein and as shall be presented at the hearing on this Application, the Applicants respectfully request that the amendment to the Special Permit be granted.

II. FACTUAL BACKGROUND

1. The Special Permit was originally granted by the Board by decision dated July 21, 2016, was thereafter amended by decision of this Board in 2018 and was most recently amended by decision of the Board dated March 18, 2021 (the “2021 Amendment”), which 2021 Amendment allowed the Applicant to increase the number of students allowed to attend to School to its current number of 114, together with an increase in staff from 5 to 15. A copy of the 2021 Amendment is attached hereto as **Exhibit A**.
2. The Board’s decision for the 2021 Amendment provided that the increase in permissible students and staff was predicated upon a reconfigured parking area, which the Applicant completed and is shown on the updated site plan dated February 15, 2023 and prepared by VTP Associates Inc. (the “Site Plan”). A copy of the Site Plan is attached hereto as **Exhibit B**.
3. The Property located in the C-128 zoning district and contains approximately 45,800 square feet of land area and a single-story building comprised of approximately 15,400 square feet of space. The Property is owned by R.K. Highland Avenue, LLC (the “Owner”) pursuant to Quitclaim Deed dated December 17, 2019 and filed with the Land Court Department of the Norfolk County Registry of Deeds on December 19, 2019 at Document No. 1436956, a copy of which Quitclaim Deed is attached hereto as **Exhibit C**. The Owner has also provided a letter of consent in support of this Application (the “Consent Letter”), a copy of which Consent Letter is attached hereto as **Exhibit D**.

4. The Needham Montessori School has been in operation at the Property since the Special Permit was originally granted in 2016, occupying 4,155 square feet of space at the Property. Following approval of the 2021 Amendment, the School expanded and is currently occupying 11,400 square feet. The Mandarin Cuisine Restaurant (the “Restaurant”) is the only other tenant of the building, occupying approximately 4,155 square feet. As presented in the application for the 2021 Amendment and at the hearing for the same, the Restaurant indicated that its use of the parking at the Property is in compliance with the Bylaw requirements and it primarily utilizes the available parking at night, when the School is not in session. Specifically, the Restaurant utilizes no parking during the School’s drop-off hours and utilizes very few spaces during the peak pick-up time window between 2:15 p.m. and 3:00 p.m. As the Board may recall, the parking for Mighty Subs is situated in a separate lot, owned by a separate entity and, therefore, does not impact the availability of parking on the Property.
5. The School does not utilize a majority of the parking at the Property throughout the day as it is primarily used for short-term parking during pick-up and drop-off times. In order to alleviate the burden on the parking located on the Property, the School entered into a separate parking agreement with Restaurant Depot, pursuant to which the School’s staff members park off-site and walk a short distance to the School.
6. In order to address and alleviate any potential issues with parking and/or traffic buildup on Highland Avenue during pick-up and drop-off of students, the School implemented the pick-up and drop-off schedule set forth in its memorandum submitted with its application of the 2021 Amendment. The plan has worked very well and has prevented the need for any additional parking. Generally, each parking space is used for no more than 2 to 4 minutes for each drop-off and pick-up. Furthermore, there have been no issues with traffic attempting to enter upon the Property backing up onto Highland Avenue.

III. AUTHORITY AND JURISDICTION

Section 5.1.1.5 of the Needham Bylaws provides, in part:

The Board of Appeals may grant in all zoning districts, except the Center Business District, a special permit to waive strict adherence to the requirements of Section 5.1.2 and/or 5.1.3 where it can be demonstrated by an applicant with a parking plan prepared and reviewed in accordance with the provisions of Section 5.1.3 that a particular use, structure or lot, owing to special circumstances, does not warrant the number of parking spaces required by Section 5.1.2 and/or the application of certain design requirements contained in Section 5.1.3.

Such a special permit waiving strict adherence to the minimum number of required parking spaces may be granted only after it is demonstrated by an application that either:

- (i) Special circumstances in a particular use of structure does not warrant the minimum number of spaces required under Section 5.1.2; or
- (ii) The extent of existing building coverage on a particular lot is such that in laying out parking spaces in accordance with the design requirements of Section 5.1.3, the requirement for minimum number of spaces under Section 5.1.2 cannot be met.

The issue before the Board is whether to grant an amendment to the Special Permit to allow for an increase in the number of permissible students at the School, which would otherwise create the need for additional parking.

Based upon the foregoing, the Board has the authority to grant the requested amendment to the Special Permit without a corresponding increase in the number of parking spaces available at the Property.

IV. ARGUMENT

The proposed additional enrollment will have a negligible impact on the use of the existing parking and the traffic along Highland Avenue. In further support the Applicant states as follows:

1. Although the Bylaws do not specifically state the parking requirements for schools, the formula that the Town has implemented for similar uses for many years is for enrollments in excess of 45 students, the parking requirement would be eight (8) space, plus one (1) additional space for each forty (40) students. Using this formula based upon Applicant's request for an increase to 154 permissible students, the parking requirement would be for a total twenty-seven (27) spaces: 8 spaces plus 1 for every 40 students (for a total of 4 additional spaces) plus 15 employee spaces. As such, there is ample parking on the Property to accommodate this requirement.
2. Specifically regarding traffic, there have been no issues of traffic buildup on Highland Avenue, even during the peak hours for drop-off or pick-up, and there is no expectation that an increase of forty (40) additional students would create any such traffic issues. As has been previously presented to the Board, many of the students of the School are siblings and/or carpool with other students, so there are far fewer cars dropping off and picking up students than the number of students enrolled in the School.

3. The Applicant has long had an excellent relationship with the Town, the Owner and the Restaurant. If the Applicant was overburdening the parking or causing traffic issues on Highland Avenue, the Town and/or the Restaurant would have expressed concern or required the Applicant to address any concerns. The Applicant has never been made aware of any issues regarding parking or traffic. As previously stated, an additional forty (40) students will result in very little, if any, noticeable change to the current use.
4. The Applicant's increased enrollment will not negatively impact the Town's water supply or sewer.
5. There will be no adverse impact to the neighborhood or community character should the Board grant the requested amendment. The School enjoys a very positive relationship with the Town and the requested increase in the enrollment is reflective of the demand created by the School's excellent reputation.
6. The School further states if the Board grants this amendment, the School will essentially be maxed out on the enrollment allowed by the size of its premises. As such, the School does not anticipate making any further requests for enlargement of its enrollment.

V. CONCLUSION

Based upon the foregoing, the Applicant requests that the Board grant the relief requested and allow for an increase in the total enrollment at the School to a total of 154 students, with such conditions as the Board may reasonably impose.

Respectfully submitted,
Allen Douglass and Christine Lachkey,
Applicants, by their attorney,

A handwritten signature in blue ink, appearing to read "Michael R. Spillane".

Michael R. Spillane, Esq.

BBO# 640775

Orsi Arone Rothenberg Turner LLP
160 Gould Street, Suite 320
Needham, MA 02494

Dated: February 21, 2023

EXHIBIT A

NOT
AN
OFFICIAL
COPY

NOT
AN
OFFICIAL
COPY



2021 APR 16 AM 12:40

**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

Special Permit Amendment

Allen Douglass and Christine Lachkey, Applicants

R.K. Highland Avenue, LLC, Owner

238 Highland Avenue

Map 300, Parcel 59

(Filed during the Municipal Relief Legislation, Chapter 53 of the Acts 2020)

March 18, 2021

Allen Douglass and Christine Lachkey, Applicants, applied to the Board of Appeals for a Special Permit Amendment under Sections 5.1.1.5, 5.1.2, 5.1.3(j), 5.1.3(k), 5.1.3(l), 5.1.3(n), 7.5.2 and any other applicable Sections of the Zoning By-Law to expand the Needham Montessori School to allow up to 114 children. As part of this expansion, the parking area is proposed to be redesigned to meet design criteria and improved safety. The subject property is located at 238 Highland Avenue, Needham MA in the Highland Commercial -128 District. A public hearing was held remotely on Zoom on Thursday, March 18, 2021 at 7:30 p.m.

Documents of Record:

- Application for Hearing, Clerk stamped February 22, 2021.
- Memorandum of Support prepared by Evans Huber, Esquire, dated February 22, 2021.
 - Exhibit 1- Site Plan prepared by VTP Associates, stamped by Joseph Porter, Land Surveyor, dated January 27, 2021, revised February 17, 2021.
 - Exhibit 2 – Letter from David Katz, Manager, RK Centers, dated February 11, 2021.
 - Exhibit 3 – Design Plans A-01-04 prepared by Design Group Architects, stamped, dated November 1, 2021.
 - Exhibit 4 – Parking Plan prepared by GPI dated January 25, 2021.
 - Exhibit 5 – Email from Joan Low, Mandarin Cuisine dated February 1, 2021.
 - Exhibit 6 – Letter from Joan Low, Low & Zhang, Inc., dated February 17, 2021.
 - Exhibit 7– Email from Steven Keenan, Restaurant Depot 550, dated January 8, 2021.
- Email from Chief John Schlittler dated March 9, 2021.
- Letter from Dave Roche, Building Commissioner, dated February 16, 2021.
- Email from Dave Roche, Building Commissioner, dated March 17, 2021.
- Email from Tara Gurge, Assistant Public Health Director, dated March 9, 2021.

(201809)
1436957

- Email from Dennis O'Condon, Chief of Department, Needham Fire Department, dated March 5, 2021.
- Letter from Thomas A. Ryder, Assistant Town Engineer, dated March 10, 2021.
- Letter from Lee Newman, Director of Planning and Community Development, dated March 16, 2021.

March 18, 2021

The Board held this meeting virtually as allowed under "Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20."

The Board included Jon D. Schneider, Chair; Jonathan D. Tamkin, Vice-Chair and Howard S. Goldman, Member. Also participating were Kathy Lind Berardi and Peter Friedenberg, Associate Members. Mr. Schneider opened the hearing at 7:30 p.m. by reading the public notice.

Evans Huber, attorney representing the Applicants, stated that the Applicants have been operating the Needham Montessori School ("School") under a Special Permit allowing a maximum of 50 students and five staff in their current space. They are seeking to expand into the adjoining vacant space which will double their size. Once expanded, the only remaining tenant in the complex will be the Mandarin Cuisine restaurant.

There are two parking lots at the site – the larger east parking lot in front of the Mandarin Cuisine restaurant and a smaller west parking lot behind Mighty Subs that they currently use.

The proposal is to increase the School to 114 children and 15 staff members. To accommodate the expanded operation, the east parking lot needs to be redesigned which will decrease the number of available parking spaces from 55 to 50 spaces. The east parking lot will have two major improvements – a six-foot-long walkway along the eastern side of the building to the new front entrance for the School and a reconfiguration of some spaces. The current parking lot does not meet the dimensional size for spaces or maneuvering aisle required in the By-Law nor are the handicapped spaces appropriately located. The new parking lot will have appropriate size spaces and a proper location for handicapped spaces. Dave Roche, the Building Commissioner, was consulted and was satisfied with the redesign.

The schedule for drop-off and pick-up has been organized so that there is no conflict with the peak hours of the Mandarin Cuisine restaurant and to insure parents' arrival are staggered. Children will be divided by age groups and their parents will be assigned a parking lot and time slots when they may use the parking lot. The east lot will have a drop-off between 8:00 a.m. – 8:20 a.m. for a group with approximately 38 students; and between 8:20 a.m. to 8:50 a.m. for a group with 58 students. The west lot will have a drop-off time of 8:00 a.m. to 8:30 a.m. for 20 children.

Pick-up is more spread out than the drop-off period. It begins at 11:30 a.m. and ends at 6:00 p.m. On the east lot 20 children will be picked up between 2:00 p.m. to 2:20 p.m., 30 from 2:20 p.m. to 2:50 p.m., with the remaining children being picked up between 3:00 p.m. to 6:00 p.m. The west lot will have 12 children picked-up between 2:00 p.m. to 2:30 p.m. and 8 children between

3:00 p.m. to 6:00 p.m. N O T
A N

N O T
A N

None of these hours conflict with the Mandarin Cuisine Restaurant's peak parking usage hours which are from 11:30 a.m. to 1:30 p.m. and 5:30 p.m. to 9:30 p.m. The pick-up and drop-off plan were designed to minimize the conflict between the tenants.

The required parking under the By-Law for the School is 26 spaces. Mr. Huber noted that 15 parking spaces for the School's staff have been secured at the nearby Restaurant Depot. Staff will not be parking in the two on-site parking lots.

A number of the children attending the School are siblings which reduces the demand for parking. The design of the walkway was a significant aspect of the parking plan. Parents will be instructed to pull-in and park in the furthest space in the lot away from Highland Avenue and walk their children safely to the front door. Staff will be available to insure proper parking and circulation. No stalling or parking will be allowed by the front door near Highland Avenue.

The owner of the Mandarin Cuisine restaurant submitted a letter stating that she is aware of the proposed parking circulation plan and is in support of the Applicants' expansion.

Mr. Huber highlighted the non-compliant parking design requiring waivers which included insufficient setback from the street and edge of the property for some of the spaces as well as landscaping and bike racks.

Mr. Schneider inquired if there will be any vacant spaces in the complex after the Applicants expand. Mr. Huber said the building will be fully occupied and there are no other vacant spaces.

Mr. Schneider asked about the status of state licensing. Mr. Douglass responded that, once the project is approved, the State is notified to conduct an inspection.

Mr. Schneider questioned if there will be interior work. David Shahin, architect, said that most of the work has been completed. Moving furniture is what remains to be done.

Mr. Goldman asked that the parking circulation plan be clarified. Mr. Huber replied that the parking plan will be explained to the parents prior to the beginning of the year. Reminders will be sent as necessary. The protocol will be to pull in to the furthest available space in the lot, park, and walk the child to the door or to the meeting staff. There will be no queueing or live parking.

Mr. Goldman questioned if there will be a formal written lease from the Restaurant Depot for staff parking. Mr. Huber said there is no lease, but there is an email agreeing and confirming the usage.

Mr. Schneider inquired if the parking plan protocol is similar to the one in place currently where parents park and the students are walked into the school by the parent or staff. Mr. Douglass and Ms. Lachkey affirmed that it was the case. Mr. Huber said that what is different from the current protocol is that parents cannot select the closest available parking spot. The new protocol will

require them to take the furthest available space from Highland Avenue. Mr. Schneider warned the school that there can be no back up of cars on Highland Avenue.

O F F I C I A L

O F F I C I A L

Ms. Berardi asked if the instructors would be increased over the four instructors and one administrator allowed under the current permit. Mr. Huber responded that the state requires 15 instructors for 114 students. The proposal is for 15 staff.

Mr. Friedenberg wanted to know if the queueing referred in the parking plan report was on the street or within the parking lot. John Diaz, Traffic Engineer, said that there will be no queueing on Highland Avenue. The queueing will be one or two cars exiting the parking lot. Mr. Friedenberg was puzzled over the By-Law calculations requiring nine spaces for 45 students and only eleven spaces for 114 students. Mr. Huber thought that might be because school age children are chauffeured by their parents who only need short term parking.

Comments received:

- Planning Board had no comment.
- Building Department submitted a parking determination for the proposal of 26 spaces.
- Fire Department had no issue with the changes.
- Health Department noted that the Applicants must fill out and submit an online Public Health Division Food Permit Plan if food is served or prepared; and all Covid19 spacing for seating, HVAC/ventilation, face covering, and occupancy limits must be met.
- Engineering had no comment.
- Police Chief was concerned about the number of available parking spaces, and the use of parking spaces allocated to a restaurant. He was concerned that spaces won't be available for future businesses occupants of current vacant space.

Mr. Tamkin wanted the Applicants to address the comment made by the Chief of Police.

Mr. Huber responded that the School is occupying the only available vacant space. There is no other vacant space in the building. The School has one of the lowest parking demands when compared to commercial use. Based on the one space per 300 square feet, the parking requirement for the building fully occupied by commercial use would be 38 spaces. Mr. Huber said the real concern is not available parking spaces as chauffeuring parents do not need them. The real concern is the safe drop-off and pick-up of the children and the efficient circulation within the lot without creating a back-up on Highland Avenue. He thought the Parking Circulation plan address those concerns.

Mr. Tamkin thought that the proposed parking with the School and the restaurant worked. A future use, however, with a higher parking demand may be a conflict and not such a good fit. He wanted to be sure that the Police Chief's concerns are fully vetted.

There were no comments from the public.

Mr. Goldman wondered if a more substantial agreement from Restaurant Depot for the staff parking should be submitted. Mr. Tamkin thought that the existing condition limiting staff from parking in the lot and the email agreement from the Restaurant Depot would be sufficient.

However, he was flexible ^Nif ^Aa more formal agreement was ^Ndesired ^Tby the Board.
A N A N

Ms. Berardi's original concerns were dispelled with the successful implementation of the pick-up and drop-up plan for the 50 students under the current enrollment. She was less concerned now that there was only one other tenant. She thought the proposal was a more efficient and safer circulation plan even considering the larger enrollment. She congratulated the School on their current success and their proposed expansion.

Mr. Goldman asked about the Covid19 protocols. Mr. Douglass said they have been open since April 2020 and have had no Covid19 incidents. He attributed the prevention success to the school's community of which 80% to 95% are from the Needham and Newton community.

Mr. Tamkin moved to grant Allen Douglass and Christine Lachkey, Applicants, a Special Permit Amendment under Sections 5.1.1.5, 5.1.2, 5.1.3(j), 5.1.3(k), 5.1.3(l), 5.1.3(n), 7.5.2 and any other applicable Sections of the Zoning By-Law to expand the Needham Montessori School to allow up to 114 children and 15 staff; and to approve the parking redesign and circulation plan and to waive the parking design restrictions as shown in the plans submitted with the same staff parking restriction as conditioned in all previous decisions. Mr. Goldman seconded the motion.

The meeting adjourned at 8:08 p.m.

Findings:

On the basis of the evidence presented at the hearing, the Board makes the following findings:

1. The Property is located at the intersection of Highland Avenue and First Avenue, in the Highland Commercial-128 District. The size of the property is approximately 45,800 s.f., and it contains a single-story building of approximately 15,400 s.f.
2. The Applicants presently operate a Montessori school in a portion of the building occupying approximately 4,155 s.f. and proposes an expansion of the operation of the School by amending a Special Permit first issued by the Board on July 21, 2016, as previously amended by two Amendments to the Special Permit dated September 19, 2017 and April 26, 2018.
3. At present, slightly less than half of the building, 7,265 s.f., is vacant and the Applicants proposes to occupy all the vacant space. After the expansion, there will be only two tenants, the Mandarin Cuisine restaurant and the School.
4. There are two parking lots on the site with a total of 55 parking spaces, the larger east parking lot in front of the Mandarin Cuisine restaurant and a smaller west parking lot behind Mighty Subs that the Applicants currently use.
5. Presently the School's hours of operation are from 7:00 a.m. to 6:00 a.m. weekdays and they serve up to 50 children and have 5 staff members.

1. The Applicants ^{N O T} propose that the School expand ^{N O T} into the 7,265 s.f. vacant space to occupy a total of 41,400 s.f. of the building and to ^{A N} increase the capacity of the School to 114 children with 65 staff members. O F F I C I A L

C O P Y

C O P Y

2. The required parking under the By-Law for the School is 26 spaces and 45 for the restaurant. resulting in a total requirement of 71 spaces.
3. Under the Applicants' plan, the east parking lot will need to be redesigned which will decrease the number of available parking spaces on site from 55 to 50 spaces, 37 in the east parking lot, and 13 spaces in the west parking lot.
4. No employee or staff parking shall be permitted on site and the Applicants has arranged for parking for all 15 employees and staff off site at the nearby Restaurant Depot building. In effect, the Applicants have 65 available parking spaces against a By-law requirement of 71 spaces. The peak periods for the restaurant parking are 11:30 am to 1:30 pm when there will be no drop off or pick up for the school and 5:30 pm to 9:30 pm when there is minimal pick up at the school. With the off- site parking for employees and staggered parking demand, the 50 on-site spaces provide adequate parking.
5. The parking lot and traffic flow improvements planned for the property, as presented by the Applicants at the hearing, will aid in the continued safe drop off and pick up of children at the school.
6. The Applicants propose to redesign the main (east) parking area and restripe the smaller (west) parking area. A portion of the west parking lot will be used as a play area.
7. As proposed, the main entrance to the School will face the main (east) parking area and is close to Highland Avenue. The Applicants intend to require parents or caregivers to pull as far into the parking lots as possible, park, and walk their children to and from the School's entrance.
8. At present, there is limited space between the parking spaces adjacent to the east side of the building and the building itself, which would require that parents and children on that side of the building walk through the parking lot to get to the main entrance. The proposed redesign of this parking lot will create a six-foot wide sidewalk along the edge of the eastern side of the building. This will allow pedestrians who have parked in the east parking lot to safely walk to the front entrance on that side of the building.
9. As shown on the plan of existing conditions filed with the Application, the east parking lot presently does not meet By-Law requirements as to setback from building, length of spaces, width of maneuvering aisles, landscaping, lighting, bike racks and location of handicapped spaces. The proposed redesign of the east parking area will eliminate some of these nonconformities although the other existing non-conformities will remain.

will take measures to eliminate any backup, such as to assign employees or staff to monitor traffic flow. ~~Student drop off or pick up or adjustment of the periods of drop off/pick up.~~

OFFICIAL

OFFICIAL

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COPY

5. The Applicants will obtain all licenses required for its operation of the School.
6. No employee or staff parking shall be permitted on site and all employee and staff parking will be off site at the Restaurant Depot.
7. As provided in the Board's decision of August 17, 2011 and again in the Special Permit dated July 21, 2016, the owner of the property shall be required to appear before the Board to apply for a Special Permit relating to any new or additional tenant operating thereon, and any change in the number and design of parking spaces and before any future vacancy in the building or on the property can be filled.

This is to certify that no appeal has been filed within the 20 day statutory appeal period.

Date May 10, 2021

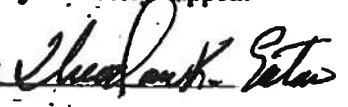
Theresa K. Suter
Town Clerk

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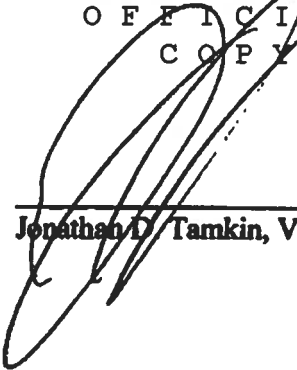
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Jon D. Schneider, Chair

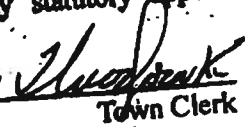
This is to certify that no appeal has been
filed within the 20 day statutory appeal
period.

Date May 10, 2021 

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Jonathan D. Tamkin, Vice-Chair

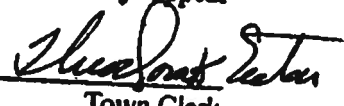
This is to certify that no appeal has been
filed within the 20 day statutory appeal
period.

Date May 10, 2021 
Town Clerk

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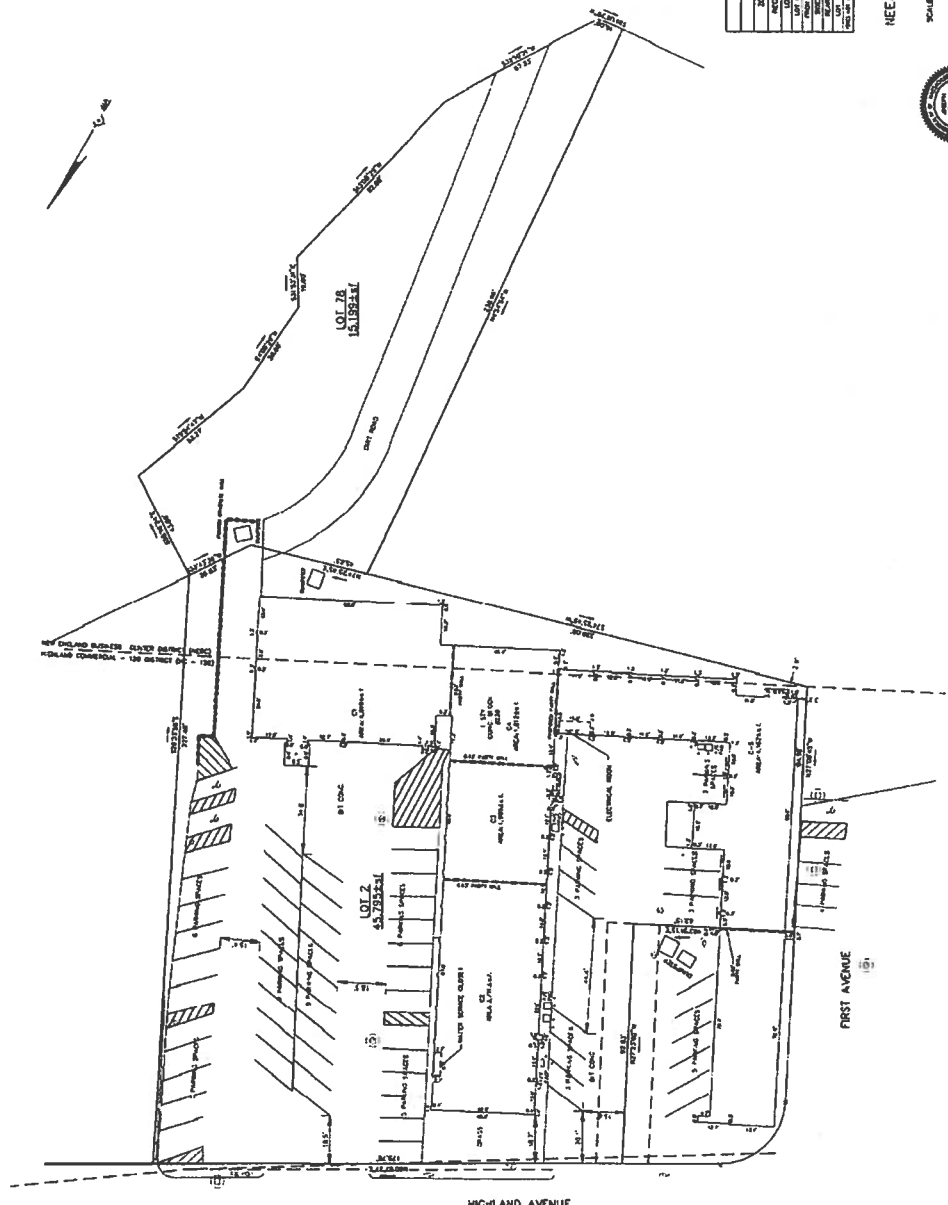

Howard S. Goldman, Member

This is to certify that no appeal has been
filed within the 20 day statutory appeal
period.

Date May 10, 2021 
Town Clerk

LEGEND

SYMBOL	DESCRIPTION
—	EXISTING LOT LINES
- - -	PROPOSED LOT LINES
+	EXISTING CORNER MARKERS
x	PROPOSED CORNER MARKERS
o	EXISTING EASEMENTS
o	PROPOSED EASEMENTS
o	EXISTING ENCROACHMENTS
o	PROPOSED ENCROACHMENTS
o	EXISTING UTILITIES
o	PROPOSED UTILITIES



ZONING CHART	
ZONE	PERMITTED USES
RM-1	Single-Family Detached
RM-2	Single-Family Detached, Two-Family Detached
RM-3	Single-Family Detached, Two-Family Detached, Small Office
RM-4	Single-Family Detached, Two-Family Detached, Small Office, Retail
RM-5	Single-Family Detached, Two-Family Detached, Small Office, Retail, Restaurant
RM-6	Single-Family Detached, Two-Family Detached, Small Office, Retail, Restaurant, Office
RM-7	Single-Family Detached, Two-Family Detached, Small Office, Retail, Restaurant, Office, Professional Office
RM-8	Single-Family Detached, Two-Family Detached, Small Office, Retail, Restaurant, Office, Professional Office, Medium Office
RM-9	Single-Family Detached, Two-Family Detached, Small Office, Retail, Restaurant, Office, Professional Office, Medium Office, Large Office
RM-10	Single-Family Detached, Two-Family Detached, Small Office, Retail, Restaurant, Office, Professional Office, Medium Office, Large Office, Industrial

SITE PLAN
REEDHAM, MASSACHUSETTS
 PROJECT NO. 2021-01
 DATE: JANUARY 17, 2021
 SCALE: 1/4" = 20'
 PROJECT: 2021-01
 SHEET: 1 OF 1

VTP ASSOCIATES
 INC.
 120 MAIN STREET, SUITE 200
 REEDHAM, MA 01868
 (508) 947-1011

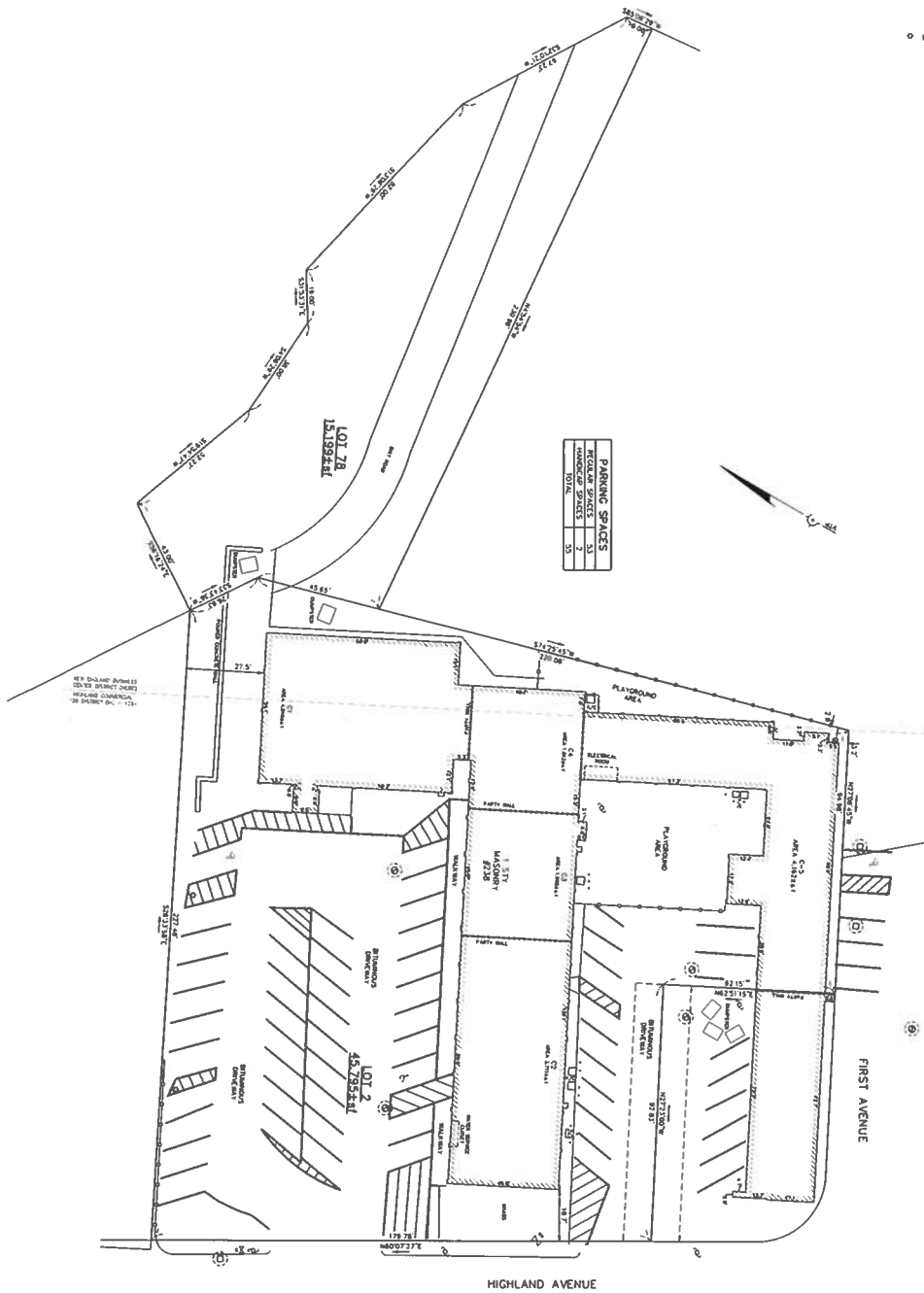


EXHIBIT B

LEGEND

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PROPERTY LINE	---
ADJACENT STREET	---
CONTOUR	---
STREET FRONT	---
CONCRETE DRIVE	---
POCKET FRONT	---
GRASS WALK	---
WATER VALVE	---
GRASS WALK	---
SEWER MANHOLE	---
CATCH BASIN	---
UTILITY POLE	---
LIGHT POLE	---

PARKING SPACES	
EXISTING	1
PROPOSED	2
TOTAL	3



SCALE 1" = 20'



LAND SUBDIVISION
112 Adams Street and Room 201
Boston, MA 02126
(617) 237-4271
SHEET 1 OF 1

48001111's
VTP

SITE PLAN
NEEDHAM, MASSACHUSETTS
PROJECT 216166
DATE: FEBRUARY 15, 2023
SCALE: 1" = 20'

ZONING CHART	
NEEDHAM, MASSACHUSETTS	
ZONE: R-128	RESIDENTIAL LIGHT
LOT AREA	15,000 sq ft
LOT FRONTAGE	100 ft
LOT DEPTH	150 ft
LOT COVERAGE	80%
LOT AREA	15,000 sq ft
LOT FRONTAGE	100 ft
LOT DEPTH	150 ft
LOT COVERAGE	80%

EXHIBIT C

N O T
A N
O F F I C I A L
C O P Y

N O T
A N
O F F I C
C O P
MASSACHUSETTS STATE EXCISE TAX
Norfolk County Land Court
Date: 12-19-2019 @ 01:43pm
Gt1#: 767 Doc#: 1436956
Fee: \$11,799.00 Cons: \$5,175,000.00

~~Ken Smoller, Esq.~~

Ken Smoller, Esq.
RK Centers
50 Cabot Street, Suite 200
Needham, Massachusetts 02494

QUITCLAIM DEED

We, Annette Churchill, Anna Maria Terrazzino, Linda M. Belsanti and Sharon Ellis, as the Trustees of the Terrazzino Investment Trust, under Declaration of Trust dated July 27, 1970 filed with the Norfolk County Registry District of the Land Court as Document No. 340177, having an address in care of Day Pitney LLP, One International Place, Boston, MA 02110

for consideration paid, and in full consideration of Five Million One Hundred Seventy-Five Thousand and No/100 (\$5,175,000.00) Dollars

grant to R.K. Highland Avenue, LLC, a Massachusetts limited liability company with an address of c/o RK Centers, 50 Cabot Street, Suite 200, Needham, MA 02494

WITH QUITCLAIM COVENANTS

Certain land situated in said Needham and further described on Exhibit A attached hereto and made a part hereof.

For Grantors' title see: (i) Deed from Gorham W. Humphrey, Trustee of Starkweather Realty Trust (under Declaration of Trust dated October 1, 1954, filed with the Norfolk County Registry District of the Land Court as Document No. 22178) dated January 3, 1973, filed with the Norfolk County Registry District of the Land Court as Document No. 340176 creating Certificate of Title No. 97138; and (ii) Deed from Gerald Blakeley, Jr., Robert C. Linnell and Alexander C. Forbes, dated September 10, 1979, filed with the Norfolk County Registry District of the Land Court as Document No. 395884 creating Certificate of Title No. 109753.

The Grantor hereby certifies that the above described property is not homestead property, and states that no other persons are entitled to claim the benefit of an existing estate of homestead.

[Signature Page to Follow.]

Property Address: 238 Highland Avenue, Needham, Massachusetts,
and 0 Cabot Street, Needham, Massachusetts

340176
395884
103786380.3

NOT
AN
OFFICIAL
Executed as a sealed instrument this 17TH day of DECEMBER 2019
NOT
OFFICIAL
Executed as a sealed instrument this 15TH day of NOV 2019

Terrazzino Investment Trust

By Annette Churchill
Annette Churchill, Trustee Trustee

State of Georgia
~~THE COMMONWEALTH OF MASSACHUSETTS~~

HALL, ss.

On this 15 day of November 2019, before me, the undersigned notary public, personally appeared Annette Churchill, as Trustee of the Terrazzino Investment Trust, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document(s), and acknowledged to me that she signed it voluntarily for its stated purpose as Trustee of the Terrazzino Investment Trust as the voluntary act of the trust.

DEBORAH D. TITMUS
NOTARY PUBLIC
Hall County
State of Georgia
My Comm. Expires March 14, 2021

Deborah D. Titmus
Notary Public

My commission expires: March 14, 2021

[Signature Pages Continue.]

Terrazzino Investment Trust

NOT
A N
O F F I C I
C O P Y

By: Anna Maria Terrazzino
Name: Anna Maria Terrazzino, Trustee L
NOT
C O P Y

THE COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

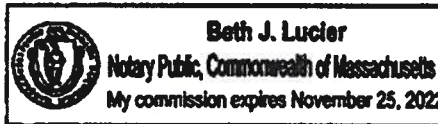
On this 30 day of November, 2019, before me, the undersigned notary public, Anna Maria Terrazzino, as Trustee of the Terrazzino Investment Trust, personally appeared, proved to me through satisfactory evidence of identification, which were MA DRIVERS LIC, to be the person who signed the preceding or attached document in my presence and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

(official seal)

Beth J. Lucier

Notary Public

My commission expires:



[Signature Pages Continue.]

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Terrazzino Investment Trust L
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By: Linda M. Belsanti, Trustee
Name: Linda M. Belsanti, Trustee

Maine
THE COMMONWEALTH OF MASSACHUSETTS

Oxford County, ss.

On this 6th day of December, 2019, before me, the undersigned notary public, Linda M. Belsanti, as Trustee of the Terrazzino Investment Trust, personally appeared, proved to me through satisfactory evidence of identification, which were Drivers License, to be the person who signed the preceding or attached document in my presence and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

Kelly D. Scott (official seal)
Notary Public
My commission expires:

KELLY D. SCOTT
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES OCTOBER 13, 2019
2026

[Signature Pages Continue.]

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By: Sharon Ellis
Name: Sharon Ellis, Trustee

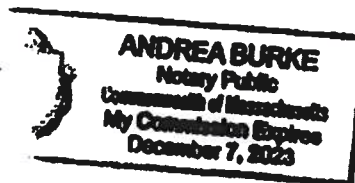
THE COMMONWEALTH OF MASSACHUSETTS

County of Middlesex, ss.

On this 23rd day of November, 2019, before me, the undersigned notary public, Sharon Ellis, as Trustee of the Terrazzino Investment Trust, personally appeared, proved to me through satisfactory evidence of identification, which were Massachusetts Driver's License ID and being personally known by notary, to be the person who signed the preceding or attached document in my presence and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

(official seal)

Andrea Burke
Notary Public
My commission expires:



That certain parcel of land situated in Needham, in the County of Norfolk and said Commonwealth of Massachusetts, bounded and described as follows:

The owners do not have any title, either expressly or by implication to the fee of any part of First Avenue, or to any private rights or easements in said First Avenue.

There are appurtenant to the above-described land rights in that part of said way extending across said lot numbered 1 and the right to use the sewer line, pipes and other facilities, all as set fort in the grant made by Linnell E. Studley, et al, Trustees to the Norfolk County Trust Company, dated May 16, 1958, duly recorded in Book 3638, Page 132.

0 CABOT AVENUE (LOT 79 ON LAND COURT PLAN NO. 24606-U)

Said parcel is shown as lot numbered 79 on Plan No. 24606-U.

The above-described land is subject to and has the benefit of the rights as set forth in said Document No. 220666.

The above-described land is subject also to and has the benefit of the rights, etc., as set forth or referred to in said Document No. 242913.

The above-described land is subject also to the restrictions, as set forth in said Document No. 242913.

The above-described land is subject also to and has the benefit of the Covenants as set forth in Document No. 395884.

EXHIBIT D



February 21, 2023

Mr. David A. Roche, CBO
Building Commissioner
Town of Needham
500 Dedham Avenue
Needham, MA 02492

RE: *Montessori School – Special Permit*
238 Highland Avenue
Needham, MA 02494

Dear Commissioner Roche:

This is notification that R.K. Highland Avenue, LLC, as the owner of the above-referenced property, is aware that our tenant, The Montessori School are applying for a special permit to increase the number of their students from 114 to 154.

Please feel free to contact me at 781-320-0001 if you have any questions.

Sincerely,
RK Centers

David R. Baker

cc: Tenant Lease File



Town of Needham
Building Department

500 Dedham Ave.
Needham, MA 02492

Tel. 781-455-7550 x 308

March 7, 2023

Town of Needham / Zoning Board of Appeals
500 Dedham Ave.
Needham, MA. 02492

Re: Application reviews for the March 2023 Hearing

Dear Board Members,

I have reviewed the applications for the March hearing and have the following comments.

246 Forest Street

The applicant is seeking a Special Permit under By-Law section 1.4.6 to demolish a lawful pre-existing non-conforming single-family home and replace it with a new home. This lot is located in an SRA District where most of the lots in this area of town do not conform to the SRA District requirements. The applicant is proposing side setbacks that would be consistent with the SRB District but are no closer than the existing structure, the applicant will be compliant on the front and rear setbacks. The Board has approved similar setback proposals on Rolling Lane which is the abutting street that runs parallel to Forest Street. I am not opposed to this Special Permit if the Board finds it appropriate to approve.

1584 Great Plain Ave.

The applicant Future Plan Investment is seeking Special Permits under By-law sections 1.4.6 and 1.4.10 to replace an existing lawful pre-existing non-conforming vehicle repair facility with an Enterprise car rental business. The existing parking lot will be cleaned, sealed and restriped consistent with the original parking layout. Renovations will be done to the existing building including minor facade changes and new signage. In looking at the site I believe that this will be a better non-conforming use for this location in town, however the landscaping trucks and equipment will need to be removed and the rental business operating on the property only. This property consists of two lots which appear to be owned by the same owner according to the deed, therefore I am considering both lots as 1584 Great Plain Ave. when speaking about the property.

I have checked our files and this property has a long history of complaints and violations including the parking of commercial vehicles, vehicle sales and illegal signage. I can only support this proposal if the commercial vehicles, trailers and equipment not associated to the car rental business are removed from the property this includes both lots. If the Board decides to approve the proposal, please include the following conditions that this use be limited to the operation of the Car Rental business only (including both lots) vehicle sales and the parking of vehicles, equipment or storage of any kind shall not be permitted. Signage on the property will be limited to signs approved by the DRB and sign permits issued by the Building Department only.

238 Highland Ave.

The applicant the Montessori School is seeking an amendment to their Special Permit to allow the school's enrollment to increase from 114 to 154 it is unclear from the application if the 15 teachers will also be increased. The school has tripled in size since it has opened and, in each expansion, picks up additional parking for tenant spaces that it has replaced. I remember commenting on this use when they first opened about concerns with the traffic on Highland Ave and the pickup and drop-off of the students, to date I am not aware of any complaints or concerns reported to any town Department. I believe that the school would not be asking for an increase unless they could manage the extra students, I have no issues with this proposal.

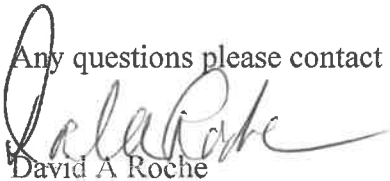
73 Highland Ave.

The applicant Mr. Nezquhualcoyotl Leon the owner of the Hungry Coyote Restaurant is seeking a Special Permit to operate the restaurant located at 73 Highland Ave. previously occupied by Chief Mike's. This will be Mr. Leon's second location in town, he successfully operates his original Highland Ave. business and hopes to expand into this new location. The applicant is planning on using the original floor plan and kitchen setup, he is also proposing the same amount of seating that was used in the previous Special Permit. The applicant has provided a floor plan, but it needs to have more details added, showing the actual seating and tables bathrooms with fixtures and a kitchen layout, showing all equipment. The parking will not change except for the lost parking space from the State taking on Highland Ave. As noted on the previous Special Permit the site shows 14 parking spaces but most of the parking on the site is non-compliant with the By-Law therefore, they are asking for relief from By-Law sections 5.1.2 and 5.1.3. The previous tenant had outdoor seating during the pandemic, but this applicant is not proposing any outdoor seating at this time. I am not opposed to this application, and if the Board had previous conditions, It seems that the business model is similar so the conditions if any should be the same.

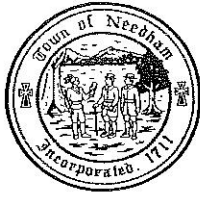
470 Dedham Ave.

The applicant Mr. Ed Olsen representing the Needham Park and Recreation Department is seeking a Special Permit amendment to add four field lights to the towns Defazio recreation complex. Specifically, the area of the complex known as Mcleod field is going to be completely renovated and rebuilt including realignment, drainage, fencing, new sod and dugouts. This project also includes the installation of four light poles which will be controlled separately from the track and field lighting. I have reviewed the lighting plan and appears to be compliant with the By-Laws, this lighting will be directed on this field only, the lighting will be used only if the field is in use, otherwise it will remain off. I am not opposed to this project if the Board votes approve the proposed plan.

Any questions please contact my office.

A handwritten signature in dark ink, appearing to read "D. Roche", is written over the printed name "David A Roche".

David A Roche
Building Commissioner
Town of Needham



**TOWN OF NEEDHAM, MASSACHUSETTS
PUBLIC WORKS DEPARTMENT
500 Dedham Avenue, Needham, MA 02492
Telephone (781) 455-7550 FAX (781) 449-9023**

March 3, 2023

Needham Zoning Board of Appeals
Needham Public Safety Administration Building
Needham, MA 02492

RE: Case Review-Special Permit
238 Highland Ave- Special Permit

Dear Members of the Board,

The Department of Public Works has completed its review of the above referenced Special Permit to allow the increase of permissible students from 114 to 154 at the current location.

The documents submitted for review are as follows:

- Cover Letter Prepared by Michael R Spillane dated 2/21/23
- Application for Special Permit dated 2/21/23
- Memorandum in Support of the Special Permit Prepared by Michael R Spillane dated 2/21/2023
- Exhibit A: Special Permit Amendment dated 3/18/21
- Survey Plan Prepared by VTP Associates dated 2/17/21
- Exhibit B: Site Plan by VTP Associates dated 2/15/23
- Exhibit C: Quitclaim Deed dated 11/25/19

Our comments and recommendations are as follows:

- Please show the proposed parking on a current plan of the property to be attached with this permit.

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

Truly yours,

Thomas A Ryder
Town Engineer

tryder

Daphne Collins

From: Tom Conroy
Sent: Friday, March 3, 2023 2:28 PM
To: Daphne Collins
Subject: RE: 238 Highland Avenue - ZBA Administrative Review - Due March 6, 2023

Hi Daphne. Good with Fire.



Thomas M. Conroy

Fire Chief - Needham Fire Department

tconroy@needhamma.gov

Ph (781) 455-7580

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Monday, February 27, 2023 2:38 PM
To: David Roche <droche@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>
Subject: 238 Highland Avenue - ZBA Administrative Review - Due March 6, 2023

Good Afternoon-

238 Highland Avenue, Allen Douglass and Christine Lachkey, applicants, are seeking a Special Permit Amendment to waive strict adherence to parking and parking design associated with increasing the operation of the Needham Montessori School to 114 students and 15 staff.

Attached please find the application with its associated back-up documents for your information and review.

I appreciate your comments no later than **March 6, 2023** to allow time for the applicant to respond prior to the hearing.

If you have any questions, feel free to contact me.

Thank you,
Daphne

Daphne M. Collins

Zoning Specialist

Phone 781-455-7550, x 261

Web <https://www.needhamma.gov/>

<https://needhamma.gov/1101/Board-of-Appeals>

www.needhamma.gov/NeedhamYouTube

Town of Needham
Planning and Community Development

Daphne Collins

From: Tara Gurge
Sent: Friday, March 3, 2023 7:21 PM
To: Daphne Collins
Subject: RE: 238 Highland Avenue - ZBA Administrative Review - Due March 6, 2023

Daphne –

In reference to the ZBA Plan review for **#238 Highland Ave.**, the proposal for the expansion, we have the following comments. See below:

- If this expansion triggers the addition of any food to be served or prepped on site, the owner must fill out and submit an online Public Health Division Food Permit Plan Review packet for review and approval, which includes a food permit application through the Town's new ViewPoint Cloud online permitting system. Here is the direct link to the permit application and plan review - <https://needhamma.viewpointcloud.com/categories/1073/record-types/1006516> . Sufficient parking lot spaces must be made available for proper trash and recycling disposal.

Please let us know if you have any questions on these requirements.

Thanks,



TARA E. GURGE, R.S., C.E.H.T., M.S. (she/her/hers)
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
Mobile- (781) 883-0127
Email - tgurge@needhamma.gov
Web- www.needhamma.gov/health



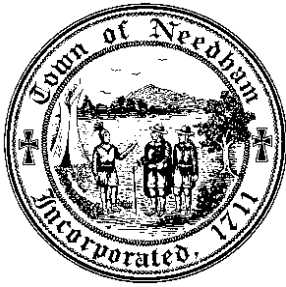
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[Follow Needham Public Health on Twitter!](#)



PLANNING & COMMUNITY DEVELOPMENT
PLANNING DIVISION

March 7, 2023

Mr. Jon Schneider, Chairman and Members
Zoning Board of Appeals
Public Services Administration Building
500 Dedham Avenue
Needham, MA 02492

Dear Mr. Schneider and Members of the Zoning Board of Appeals:

At its meeting of March 7, 2023, the Planning Board reviewed the applications to be heard by the Board of Appeals on March 16, 2023, and made the following recommendations:

1. **246 Forest Street** - 246 Forest Street, LLC has applied for a Special Permit under Sections 1.4.6, 4.2 and any other applicable Sections of the By-Law to permit the demolition, extension, alteration, enlargement and reconstruction of the lawful, pre-existing, non-conforming single family. The property is located at 246 Forest Street, Needham, MA in the Single Residence A (SRA) District.

The Planning Board makes NO COMMENT.

2. **238 Highland Avenue** - Allen Douglass and Christine Lachkey, applicants, have applied for a Special Permit Amendment under Sections 5.1.1.5, 5.1.2, 5.1.3 and any other applicable Sections of the Zoning By-Law to expand the Needham Montessori School to allow up to 154 children and 15 staff members. As part of this expansion, waivers of parking number and parking design are required. The subject property is located at 238 Highland Avenue, Needham MA in the Highland Commercial -128 District.

The Planning Board requests that the Zoning Board of Appeals consider the safety issue of this many cars entering and existing the site and whether the Petitioner's traffic study is adequate to address and alleviate such concerns.

3. **73 Highland Avenue** - Nezhualcoyotl Leon has applied for a Special Permit under Sections 3.2.5, 3.2.5.2, 5.1.1.1, 5.1.1.5, 5.1.2, 5.1.3, and any other applicable Sections of the By-Law for a restaurant serving meals on the premises and take-out operation accessory to the restaurant and to waive strict adherence to the parking requirements. The request is associated with the establishment of a second location of The Hungry Coyote, a Mexican style restaurant, take out and catering services. The property is located at 73 Highland Avenue, Needham, MA in the Highland Commercial 128 District.

The Planning Board makes NO COMMENT.

4. **1584 Great Plain Avenue** - Enterprise Rent-A-Car Company of Boston LLC, has applied for a Special Permit under Sections 1.4.6, 1.4.10, 5.1, 5.1.1.1, 5.1.1.5, 5.1.1.7, 5.1.2, 5.1.3, 6.4 and any other applicable Sections of the By-Law to permit the replacement/substitution of a non-conforming use (automobile repair garage) to an automobile rental agency with associated improvements to the parking lot and building; and to waive the parking plan and design requirements. The property is located at 1584 Great Plain Avenue, Needham, MA in the Single Residence A (SRA) District.

The Planning Board requests that the Zoning Board of Appeals clarify the nature of the pre-existing non-conforming use, confirm that it was legally established, and lastly that it has been continued without interruption and abandonment.

5. **470 Dedham Avenue** - The Town of Needham (Department of Public Works) Park and Recreation Commission has applied under Sections 4.1.6.3, 4.1.6.4 and any other applicable Sections of the By-Law to permit the installation of field lights. This request is associated with the renovation and conversion of the McLeod baseball field into a premier softball field with dugout, foul pole and batting cage and 4 field lights. The property is located at 470 Dedham Avenue, Needham, MA in the Single Residence B (SRB) District.

The Planning Board makes NO COMMENT.

NEEDHAM PLANNING BOARD

Lee Newman

Lee Newman
Director of Planning and Community Development

February 21, 2023

Ms. Collins
Administrative Specialist
Town of Needham - Zoning Board of Appeals
500 Dedham Avenue
Needham, MA 02492

RE: APPLICATION FOR HEARING
73 HIGHLAND AVENUE

Dear Ms. Collins,

On behalf of Ross Realty Trust, owner of the property at 73 Highland Avenue in Needham, MA, and the applicant, Nezhualcoyotl Leon, we respectfully submit the attached Application for Hearing, requesting that a Special Permit be granted to Mr. Leon to operate a restaurant on the premises at 73 Highland Avenue. In addition to the Application for Hearing, we are also submitting a Boundary and Topographic Survey of the property, a revised Site Plan, and the required application fee. As required by the ZBA Application Process, we have consulted with the Building Inspector prior to submitting this application.

A Special Permit under Section 3.2.5.2 of the town's Zoning By-Law was granted to Michael J. Fucci on May 16, 2019 to operate a restaurant with take-out and catering as an accessory use at the 73 Highland Avenue property. Mr. Fucci vacated the property in January, 2023 and his lease of the premises has been terminated. As was documented during the process leading to the granting of the Special Permit to Mr. Fucci in 2019, the property has been continually operated as a restaurant since 1972, and we respectfully request that a Special Permit be granted to allow that use to continue on the property.

If a Special Permit is granted to Mr. Mendez, he intends to operate a second location of his Mexican style restaurant, the Hungry Coyote and currently operating at 1185 Highland Avenue in Needham, on the premises. Mr. Mendez does not plan any changes to the exterior or interior of the building with the exception of cosmetic improvements (painting, window treatments, etc.). The existing canopy sign structure will be reused but changed for the new business.

Mr. Leon plans to operate the business Monday-Sunday, from 6:00 am to 9:00 pm. There will be no more than 4 employees on the premises at any one time. Trash, recycling and a grease barrel will be located at the same locations as was approved by the Board in 2019 special permit granted to Mr. Fucci.

We note that subsequent to the granting of the Special Permit in 2019, the Commonwealth of Massachusetts has taken approximately 621 square feet of the property by eminent domain, which resulted in the loss of one parking space at the front of the property so that there are now a total of fourteen parking spaces including one accessible space. No other changes to the parking space configuration or design on the property are proposed. With fourteen parking spaces, 12 seats in the

building would be allowed per the By-Law's parking requirements under Section 5.1.2. (ten spaces for use as a take out restaurant plus one space per three seats).

Prior to the ZBA hearing on March 16th, we intend to meet with our abutters to discuss this application. In the interim, please email me at frankholmes2007@yahoo.com or call me at 781-264-3874 to discuss any questions you may have. We look forward to discussing our request at the ZBA hearing on March 16th.

Sincerely,
Frank Holmes

A handwritten signature in blue ink that reads "Frank Holmes". The signature is written in a cursive, flowing style.

cc Fran Ross
Nezahualcoyotl Leon

Attachments: ZBA Application for Hearing (seven copies)
Boundary and Topographic Survey (seven copies)
Site Plan updated 2023-02-18 (seven copies)
Application Fee



ZBA Application For Hearing

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

Applicant Information

Applicant Name	Nezahualcoyotl Leon			Date:
Applicant Address	47 Marsh Street, Needham, MA 02492			
Phone	617-992-1492	email	francisco@poet-king.com	
Applicant is ☐ Owner; ☒ Tenant; ☐ Purchaser; ☐ Other_____				
If not the owner, a letter from the owner certifying authorization to apply must be included				
Representative Name	Frank Holmes			
Address	26 Clark Hill Drive, Easton, MA 02356			
Phone	781-264-3874	email	frankholmes2007@yahoo.com	
Representative is ☐ Attorney; ☐ Contractor; ☐ Architect; ☒ Other <u>Owner</u>				
Contact ☒ Me ☒ Representative in connection with this application.				

Subject Property Information

Property Address	73 Highland Avenue		
Map/Parcel Number	74/5	Zone of Property	Highway Commercial 128
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☐ Yes ☒ No			
Is property ☐ Residential or ☒ Commercial			
If residential renovation, will renovation constitute "new construction"? ☐ Yes ☐ No			
If commercial, does the number of parking spaces meet the By-Law requirement? ☒ Yes ☐ No			
Do the spaces meet design requirements? ☐ Yes ☒ No			
Application Type (<i>select one</i>): ☒ Special Permit ☐ Variance ☐ Comprehensive Permit ☐ Amendment ☐ Appeal Building Inspector Decision			



ZBA Application For Hearing

Existing Conditions:

The property is improved with a 1,899 square foot single story building and paved parking area that has been operated as a restaurant since about 1972.

Statement of Relief Sought:

Special Permit to operate a restaurant on site and to waive strict adherence to parking requirements.

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

3.2.5, 3.2.5.2, 5.1.1.1, 5.1.1.5, 5.1.2, 5.1.3, 7.5.2

If application under Zoning Section 1.4 above, list non-conformities:

	Existing Conditions	Proposed Conditions
Use		
# Dwelling Units		
Lot Area (square feet)		
Front Setback (feet)		
Rear Setback (feet)		
Left Setback (feet)		
Right Setback (feet)		
Frontage (feet)		
Lot Coverage (%)		
FAR (Floor area divided by the lot area)		
Numbers must match those on the certified plot plan and supporting materials		



ZBA Application For Hearing

Date Structure Constructed including additions:

1930

Date Lot was created:

unknown

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

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

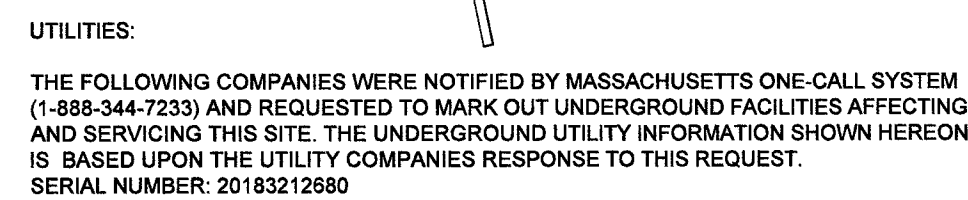


I hereby request a hearing before the Needham Zoning Board of Appeals. I have
reviewed the Board Rules and instructions.

I certify that I have consulted with the Building Inspector 2/13/2023
(Consultation by owner, Frank Holmes) date of consult

Date: 2-13-2023 Applicant Signature NEHA LEON

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



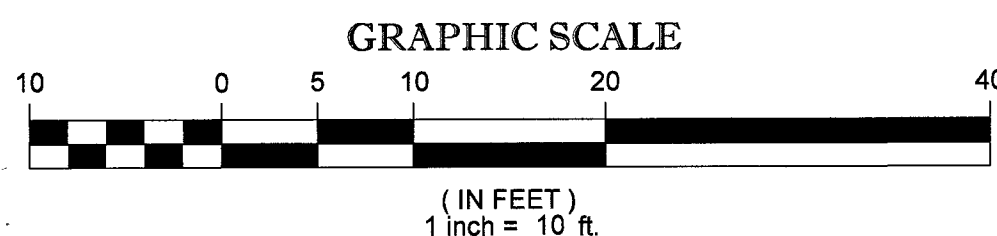
<u>UTILITY COMPANY</u>	<u>PHONE NUMBER</u>
AT&T TRANSMISSION	800-331-0500
NSTAR GAS	800-592-2000
COMCAST - PEMBROKE	800-934-6489
LIGHTOWER	855-913-4237
VERIZON	800-922-0204
EVERSOURCE - ELECTRIC	800-592-2000
NATIONAL GRID GAS - BOSTON	800-233-5325
WELLESLEY MUNICIPAL LIGHTING PLT	781-235-7600
ON QUEST LOCATING	508-429-1022

PHONE NUMBER
800-331-0500
800-592-2000
800-934-6489
855-913-4237
800-922-0204
800-592-2000
800-233-5325
781-235-7600
508-429-1022



THE COMMONWEALTH OF MASSACHUSETTS REQUIRES NOTIFICATION
BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO
DISTURB THE EARTH'S SURFACE ANYWHERE IN THE COMMONWEALTH

(PUBLIC-60' WIDE)
(PER REF #4)
↔ TWO WAY
TRAFFIC
(ASPHALT ROADWAY)



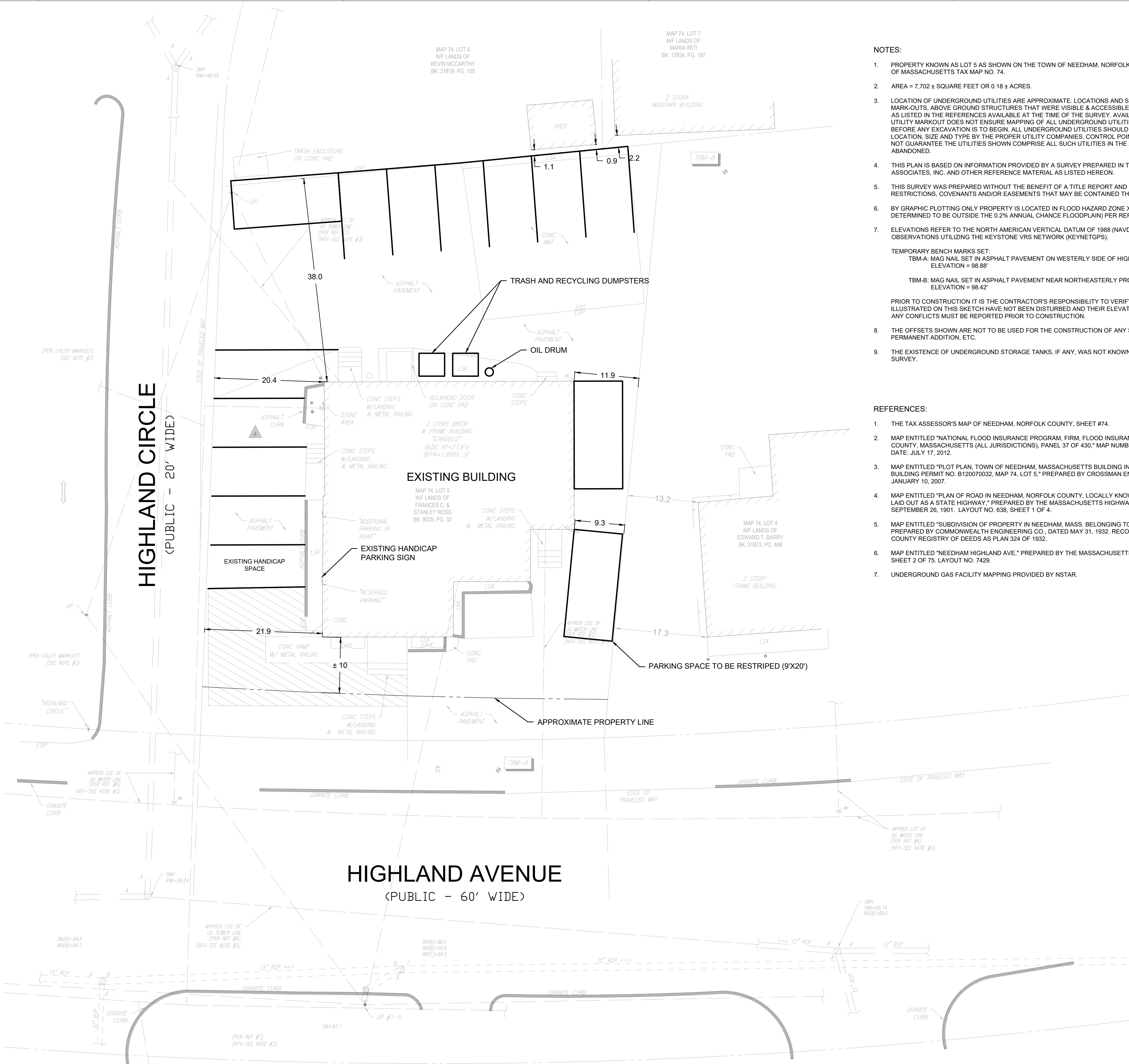
COMMONWEALTH OF MASSACHUSETTS
 GERRY L. HOLDRIGHT
 NO. 49211
 REGISTERED
 PROFESSIONAL LAND SURVEYOR

8-23-18
DATE

FIELD DATE 8-15-18	BOUNDARY & TOPOGRAPHIC SURVEY					
FIELD BOOK NO. 18-08MA	STANTEC CONSULTING SERVICES, INC.					
FIELD BOOK PG. 157-158	73 HIGHLAND AVENUE LOT 5, MAP 74 TOWN OF NEEDHAM, NORFOLK COUNTY COMMONWEALTH OF MASSACHUSETTS					
FIELD CREW B.S.B.		CONTROL POINT ASSOCIATES, INC.		ALBANY, NY 5183175010 CHALFONT, PA 2151728800		
DRAWN: R.J.K.		352 TURNPIKE ROAD SOUTHBROOKVILLE MA 01772 508.948.3000 - 508.948.3003 FAX		616.780.0041 MT LAUREL, NJ 0805872009 WARREN, NJ 9086660099		
REVIEWED: J.R.Z.		APPROVED: G.L.H.	DATE 8-23-18	SCALE 1"=10'	FILE NO. 06-180081	DWG. NO. 1 OF 1

LEGEND	
	EXISTING CONTOUR
	EXISTING SPOT ELEVATION
	EXISTING TOP OF CURB ELEVATION
	EXISTING GUTTER ELEVATION
	EXISTING TOP OF WALL ELEVATION
	EXISTING BOTTOM OF WALL ELEVATION
	EXISTING FINISHED FLOOR ELEVATION
	WATER VALVE
	GAS METER
	OVERHEAD WIRES
	APPROX. LOC. UNDERGROUND GAS LINE
	APPROX. LOC. UNDERGROUND SANITARY / SEWER LINE
	APPROX. LOC. UNDERGROUND WATER LINE
	UTILITY POLE
	AREA LIGHT
	SIGN
	BOLLARD
	METAL GUIDE RAIL
	EDGE OF CONCRETE
	EDGE OF PAVEMENT
	LANDSCAPED AREA
	RAILROAD TIE WALL
	TYPICAL
	DRAINAGE/STORM MANHOLE
	SANITARY/SEWER MANHOLE
	CATCH BASIN OR INLET
	PARKING SPACE COUNT
	SOLID YELLOW LINE
	BUILDING
	BUILDING FOOTPRINT AREA
	UNABLE TO OPEN
	REINFORCED CONCRETE PIPE
	BUILDING DIMENSIONS
	INVERT
	GRATE
	NOT FIELD VERIFIED
	METAL GUIDE RAIL
	POINT OF BEGINNING

ZONING TABLE				
	MINIMUM / REQUIRED	EXISTING	PROPOSED	NOTES
MIN. LOT AREA (SF)	15,000	7,702	7,702	PRE-EXISTING NONCONFORMING
MINIMUM LOT FRONTAGE (FT)	100	177 ±	177 ±	
FRONT SETBACK (FT)	5	10 ±	10 ±	
SIDE SETBACK (FT)	10	9.30	9.30	PRE-EXISTING NONCONFORMING
REAR SETBACK (FT)	10	38.00	38.00	
MAXIMUM HEGIHT (FT.)	54	27.90	27.90	
MAXIMUM LOT COVERAGE (%)	80	> 90	> 90	PRE-EXISTING NONCONFORMING
FLOOR AREA RATIO (F.A.R.)	0.3	0.25	0.25	
PARKING (NO. OF SPACES)		14	14	10 SPACES FOR USE AS TAKOUT RESTAURANT +1 SPACE PER THREE SEATS (12 SEATS PROPOSED)



- NOTES:
- PROPERTY KNOWN AS LOT 5 AS SHOWN ON THE TOWN OF NEEDHAM, NORFOLK COUNTY, COMMONWEALTH OF MASSACHUSETTS TAX MAP NO. 74.
 - AREA = 7,702 ± SQUARE FEET OR 0.18 ± ACRES.
 - LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE AS-BUILT PLANS AND UTILITY MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES. CONTROL POINT ASSOCIATES, INC. DOES NOT GUARANTEE THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED.
 - THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD BY CONTROL POINT ASSOCIATES, INC. AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
 - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE RESTRICTIONS, COVENANTS AND/OR EASEMENTS THAT MAY BE CONTAINED THEREIN.
 - BY GRAPHIC PLOTTING ONLY PROPERTY IS LOCATED IN FLOOD HAZARD ZONE X-UNSHADED (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER REF. #2
 - ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), BASED ON GPS OBSERVATIONS UTILIZING THE KEYSTONE VRS NETWORK (KEYNETGPS).
- TEMPORARY BENCH MARKS SET:
TBM-A: MAG NAIL SET IN ASPHALT PAVEMENT ON WESTERLY SIDE OF HIGHLAND AVENUE.
ELEVATION = 98.68
TBM-B: MAG NAIL SET IN ASPHALT PAVEMENT NEAR NORTHEASTERLY PROPERTY CORNER.
ELEVATION = 98.42
- PRIOR TO CONSTRUCTION IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT THE BENCHMARKS ILLUSTRATED ON THIS SKETCH HAVE NOT BEEN DISTURBED AND THEIR ELEVATIONS HAVE BEEN CONFIRMED. ANY CONFLICTS MUST BE REPORTED PRIOR TO CONSTRUCTION.
- THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT ADDITION, ETC.
 - THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY.

- REFERENCES:
- THE TAX ASSESSOR'S MAP OF NEEDHAM, NORFOLK COUNTY, SHEET #74.
 - MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, NORFOLK COUNTY, MASSACHUSETTS (ALL JURISDICTIONS), PANEL 37 OF 430," MAP NUMBER 25021C0037E, EFFECTIVE DATE: JULY 17, 2012.
 - MAP ENTITLED "PLOT PLAN, TOWN OF NEEDHAM, MASSACHUSETTS BUILDING INSPECTION DEPARTMENT, BUILDING PERMIT NO. B120070032, MAP 74, LOT 5," PREPARED BY CROSSMAN ENGINEERING, INC., DATED JANUARY 10, 2007.
 - MAP ENTITLED "PLAN OF ROAD IN NEEDHAM, NORFOLK COUNTY, LOCALLY KNOWN AS HIGHLAND STREET, LAID OUT AS A STATE HIGHWAY," PREPARED BY THE MASSACHUSETTS HIGHWAY COMMISSION, DATED SEPTEMBER 26, 1901. LAYOUT NO. 638, SHEET 1 OF 4.
 - MAP ENTITLED "SUBDIVISION OF PROPERTY IN NEEDHAM, MASS. BELONGING TO SACO-LOWELL SHOPS," PREPARED BY COMMONWEALTH ENGINEERING CO., DATED MAY 31, 1932. RECORDED WITH THE NORFOLK COUNTY REGISTRY OF DEEDS AS PLAN 324 OF 1932.
 - MAP ENTITLED "NEEDHAM HIGHLAND AVE.," PREPARED BY THE MASSACHUSETTS HIGHWAY COMMISSION, SHEET 2 OF 75. LAYOUT NO. 7429.
 - UNDERGROUND GAS FACILITY MAPPING PROVIDED BY NSTAR.

PLAN UPDATE	JW	FH	2023.02.18
PLAN CLARIFICATIONS	JEL	FH	2019.05.14
Revision	By	Appd	YYYY.MM.DD

Issued	By	Appd	YYYY.MM.DD
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Permit/Seal



Consultant

Client/Project Logo

Client/Project

Title
SITE PLAN
73 HIGHLAND AVENUE

Project No.	Scale 1" = 10'
Revision	Sheet 1 of 1
	Drawing No. C-100

March 7, 2023

Ms. Collins
Administrative Specialist
Town of Needham - Zoning Board of Appeals
500 Dedham Avenue
Needham, MA 02492

RE: APPLICATION FOR HEARING
73 HIGHLAND AVENUE

Dear Ms. Collins,

This letter responds to questions received from you via email regarding the Application for Hearing for the property at 73 Highland Avenue in Needham, MA relative to the proposed operation of the Hungry Coyote restaurant on the premises.

1. Three tables are proposed for the twelve seats that are allowed, based on the number of parking spaces on the premises.
2. Two cash registers will be on the premises.
3. The restaurant will primarily be a take-out operation with sit down as an option. Catering would be an option, but is not the focus of operation.
4. Attached is a plan of the interior of the restaurant that represents the existing condition. The applicant does not plan changes to the interior layout.

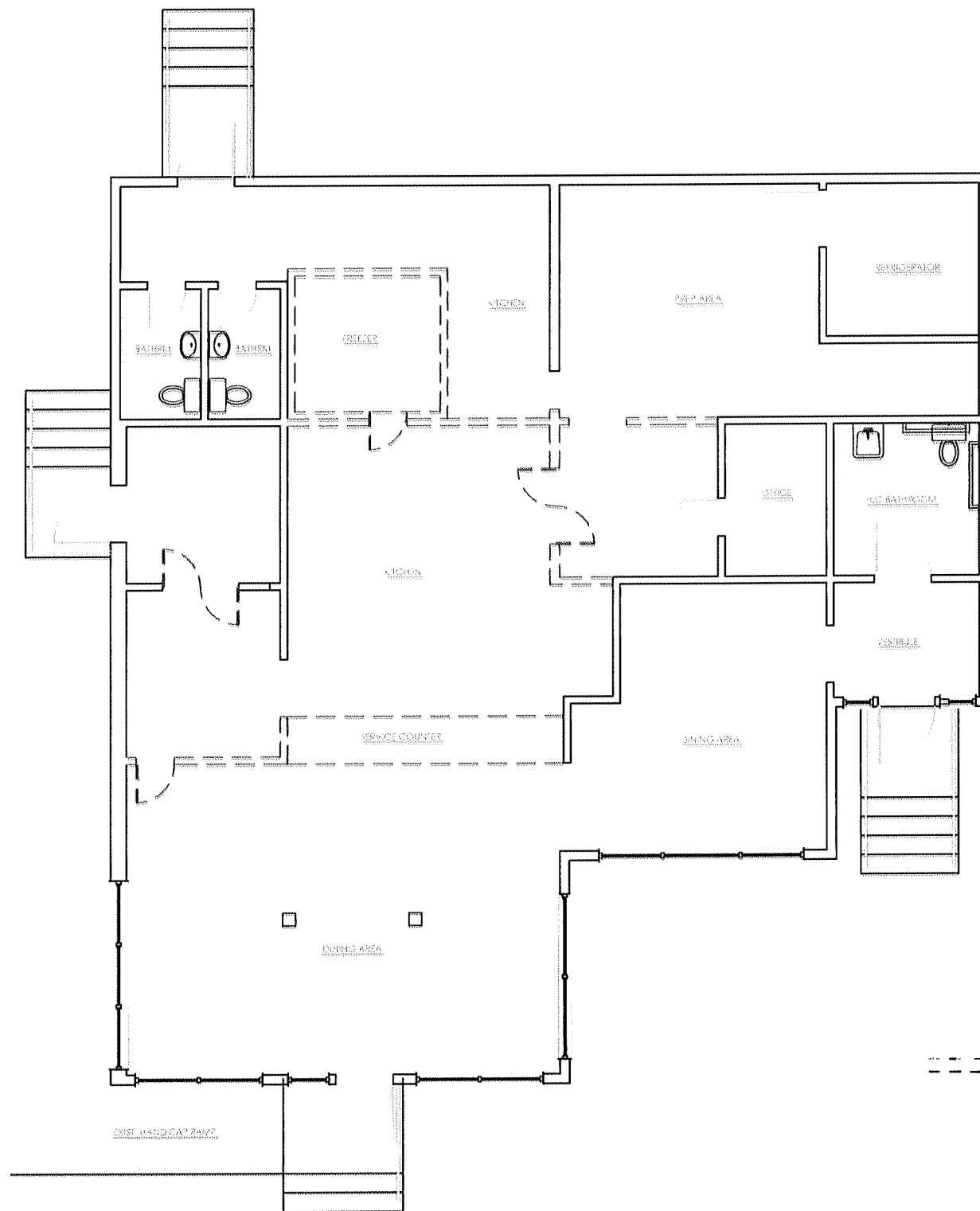
Please let me know if you have any additional questions or concerns.

Sincerely,
Frank Holmes

A handwritten signature in blue ink that reads "Frank Holmes". The signature is written in a cursive, slightly stylized font.

cc Fran Ross
Nezahualcoyotl Leon

Attachments: Drawing EX-1, Existing Floor Plan



EXISTING FLOOR PLAN
SCALE: 1/8" = 1'-0"

----- EXIST. WALL TO BE REMOVED

Proposed to Renovate
an Existing Restaurant
73 Highland Ave
Needham, MA

DATE: 04-22-2019

SCALE: 1/8" = 1'-0"

DRAWN BY: MP
CHECKED BY:

Phung Porzio, Inc.
Phung/Porzio, Inc.
204 Adams St # 5
Dorchester, MA 02122
617/382-6000 Phone
617/382-6066 Fax
phungporzioinc@gmail.com

REVISION:	DATE:

DRAWING TITLE:

Exist. Floor Plan

SHEET NUMBER:

EX-1

March 7, 2023

Ms. Collins
Administrative Specialist
Town of Needham - Zoning Board of Appeals
500 Dedham Avenue
Needham, MA 02492

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73 HIGHLAND AVENUE

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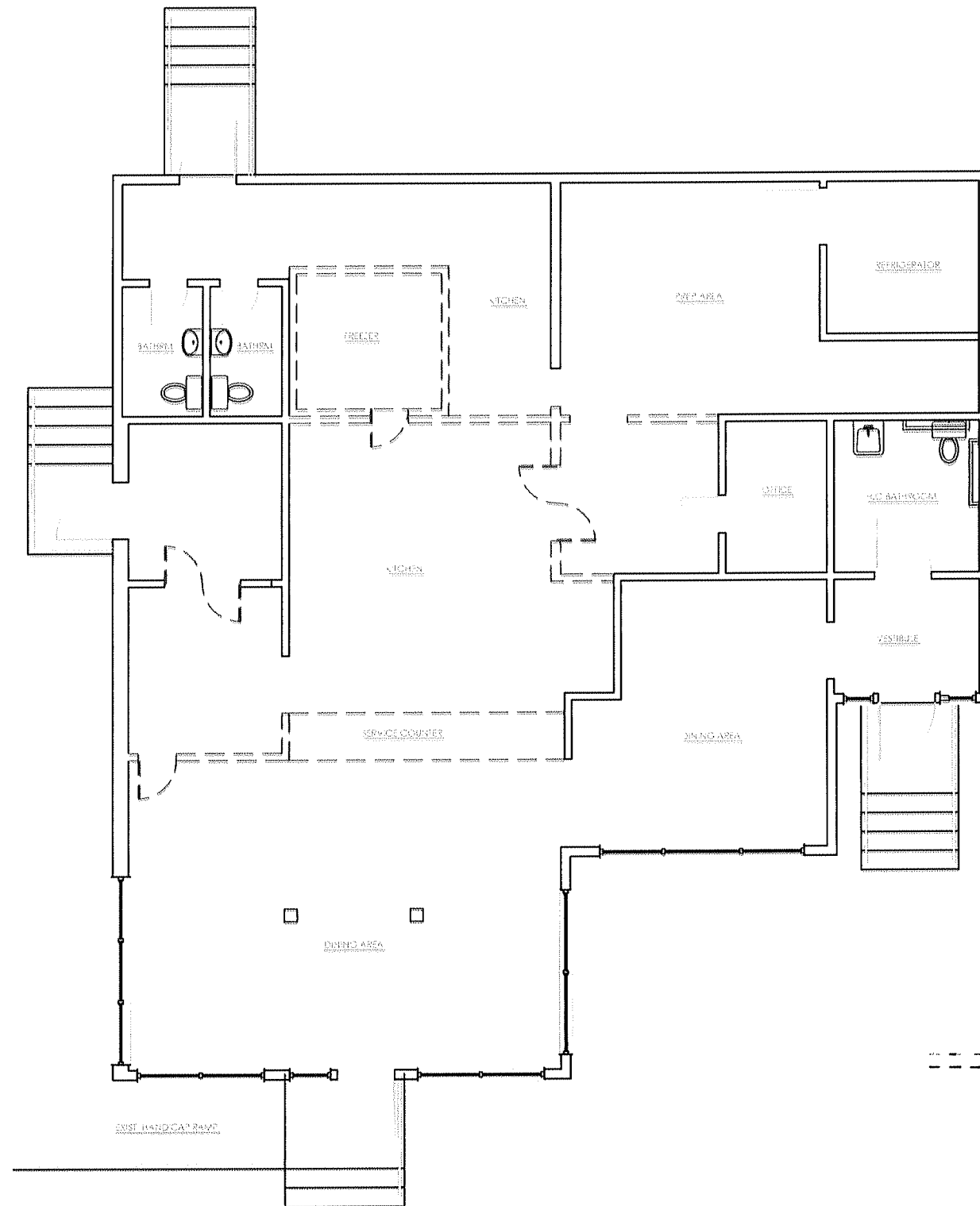
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Nezahualcoyotl Leon

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EXISTING FLOOR PLAN
SCALE: 1/8" = 1'-0"

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Proposed to Renovate
an Existing Restaurant
73 Highland Ave
Needham, MA

DATE: 04-22-2019

SCALE: 1/8" = 1'-0"

DRAWN BY: MP
CHECKED BY:

Phung Porzio, Inc.
Phung/Porzio, Inc.
204 Adams St # 5
Dorchester, MA 02122
617/382-6000 Phone
617/382-6066 Fax
phungporzioinc@gmail.com

REVISION:	DATE:

DRAWING TITLE:

Exist. Floor Plan

SHEET NUMBER:

EX-1



Town of Needham Building Department

500 Dedham Ave.
Needham, MA 02492

Tel. 781-455-7550 x 308

March 7, 2023

Town of Needham / Zoning Board of Appeals
500 Dedham Ave.
Needham, MA. 02492

Re: Application reviews for the March 2023 Hearing

Dear Board Members,

I have reviewed the applications for the March hearing and have the following comments.

246 Forest Street

The applicant is seeking a Special Permit under By-Law section 1.4.6 to demolish a lawful pre-existing non-conforming single-family home and replace it with a new home. This lot is located in an SRA District where most of the lots in this area of town do not conform to the SRA District requirements. The applicant is proposing side setbacks that would be consistent with the SRB District but are no closer than the existing structure, the applicant will be compliant on the front and rear setbacks. The Board has approved similar setback proposals on Rolling Lane which is the abutting street that runs parallel to Forest Street. I am not opposed to this Special Permit if the Board finds it appropriate to approve.

1584 Great Plain Ave.

The applicant Future Plan Investment is seeking Special Permits under By-law sections 1.4.6 and 1.4.10 to replace an existing lawful pre-existing non-conforming vehicle repair facility with an Enterprise car rental business. The existing parking lot will be cleaned, sealed and restriped consistent with the original parking layout. Renovations will be done to the existing building including minor facade changes and new signage. In looking at the site I believe that this will be a better non-conforming use for this location in town, however the landscaping trucks and equipment will need to be removed and the rental business operating on the property only. This property consists of two lots which appear to be owned by the same owner according to the deed, therefore I am considering both lots as 1584 Great Plain Ave. when speaking about the property.

I have checked our files and this property has a long history of complaints and violations including the parking of commercial vehicles, vehicle sales and illegal signage. I can only support this proposal if the commercial vehicles, trailers and equipment not associated to the car rental business are removed from the property this includes both lots. If the Board decides to approve the proposal, please include the following conditions that this use be limited to the operation of the Car Rental business only (including both lots) vehicle sales and the parking of vehicles, equipment or storage of any kind shall not be permitted. Signage on the property will be limited to signs approved by the DRB and sign permits issued by the Building Department only.

238 Highland Ave.

The applicant the Montessori School is seeking an amendment to their Special Permit to allow the school's enrollment to increase from 114 to 154 it is unclear from the application if the 15 teachers will also be increased. The school has tripled in size since it has opened and, in each expansion, picks up additional parking for tenant spaces that it has replaced. I remember commenting on this use when they first opened about concerns with the traffic on Highland Ave and the pickup and drop-off of the students, to date I am not aware of any complaints or concerns reported to any town Department. I believe that the school would not be asking for an increase unless they could manage the extra students, I have no issues with this proposal.

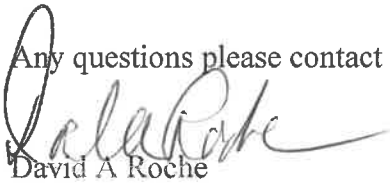
73 Highland Ave.

The applicant Mr. Nezquhualcoyotl Leon the owner of the Hungry Coyote Restaurant is seeking a Special Permit to operate the restaurant located at 73 Highland Ave. previously occupied by Chief Mike's. This will be Mr. Leon's second location in town, he successfully operates his original Highland Ave. business and hopes to expand into this new location. The applicant is planning on using the original floor plan and kitchen setup, he is also proposing the same amount of seating that was used in the previous Special Permit. The applicant has provided a floor plan, but it needs to have more details added, showing the actual seating and tables bathrooms with fixtures and a kitchen layout, showing all equipment. The parking will not change except for the lost parking space from the State taking on Highland Ave. As noted on the previous Special Permit the site shows 14 parking spaces but most of the parking on the site is non-compliant with the By-Law therefore, they are asking for relief from By-Law sections 5.1.2 and 5.1.3. The previous tenant had outdoor seating during the pandemic, but this applicant is not proposing any outdoor seating at this time. I am not opposed to this application, and if the Board had previous conditions, It seems that the business model is similar so the conditions if any should be the same.

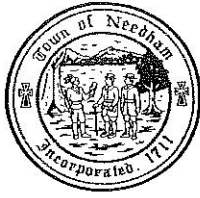
470 Dedham Ave.

The applicant Mr. Ed Olsen representing the Needham Park and Recreation Department is seeking a Special Permit amendment to add four field lights to the towns Defazio recreation complex. Specifically, the area of the complex known as Mcleod field is going to be completely renovated and rebuilt including realignment, drainage, fencing, new sod and dugouts. This project also includes the installation of four light poles which will be controlled separately from the track and field lighting. I have reviewed the lighting plan and appears to be compliant with the By-Laws, this lighting will be directed on this field only, the lighting will be used only if the field is in use, otherwise it will remain off. I am not opposed to this project if the Board votes approve the proposed plan.

Any questions please contact my office.

A handwritten signature in cursive script, appearing to read "D. Roche", written over the printed name "David A Roche".

David A Roche
Building Commissioner
Town of Needham



**TOWN OF NEEDHAM, MASSACHUSETTS
PUBLIC WORKS DEPARTMENT
500 Dedham Avenue, Needham, MA 02492
Telephone (781) 455-7550 FAX (781) 449-9023**

March 3, 2023

Needham Zoning Board of Appeals
Needham Public Safety Administration Building
Needham, MA 02492

RE: Case Review-Special Permit
73 Highland Ave- Special Permit

Dear Members of the Board,

The Department of Public Works has completed its review of the above referenced Special Permit to allow the continued use of the previous Special Permit the property to operate as a takeout restaurant and relief to the parking requirements.

The documents submitted for review are as follows:

- Cover Letter Prepared by Frank Holmes PE dated 2/21/23
- Application for Special Permit dated 2/13/23
- Survey Plan Prepared by Jerry L Holdright PLS. dated 8/23/18
- Site Plan Prepared by Frank Holmes PE dated 4/22/22

Our comments and recommendations are as follows:

- We have no comment or objection to the Special Permit

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

Truly yours,

Thomas A Ryder
Town Engineer

tryder

Daphne Collins

From: Tara Gurge
Sent: Friday, March 3, 2023 7:07 PM
To: Daphne Collins
Subject: RE: 73 Highland Avenue - ZBA Administrative Review - Due March 6, 2023

Daphne –

In reference to the ZBA Plan review for **#73 Highland Ave.** the Public Health Division has the following comments. See below:

- The proposed food establishment owner must fill out and submit an online Public Health Division Food Permit Plan Review application for our review and approval, for the proposed new food establishment, which includes a food establishment permit application, and completion and upload of plan review documents, through the Towns ViewPoint Cloud online permitting system. Here is the direct link to the permit application and plan review - <https://needhamma.viewpointcloud.com/categories/1073/record-types/1006516> . The relevant documents must be uploaded online for review and approval. Once approved, pre-operation inspections must be conducted prior to issuance of a food establishment permit, which must be issued prior to operation.
- Please ensure that this proposed food establishment has sufficient parking lot spaces available to allow for accessible separate trash and recycling dumpsters located on site for proper trash and recycling containment, which must be put on a sufficient service schedule, with a licensed Town of Needham waste hauler, to prevent the risk of pests.
- Please ensure that this proposed food establishment has sufficient parking lot space for a waste grease barrel for proper waste grease disposal. This must also be on a sufficient service schedule to prevent the risk of attracting pests.
- If the new food establishment owner wishes to offer catering at this food establishment, the Public Health Division will need to review and approve the new owners equipment and catering protocols.

Please let us know if you have any questions on these requirements, or feel free to have the applicant contact me directly on these requirements.

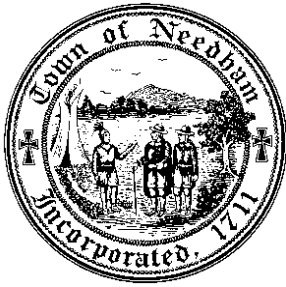
Thanks,



TARA E. GURGE, R.S., C.E.H.T., M.S. (she/her/hers)
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
Mobile- (781) 883-0127
Email - tgurge@needhamma.gov
Web- www.needhamma.gov/health



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PLANNING & COMMUNITY DEVELOPMENT
PLANNING DIVISION

March 7, 2023

Mr. Jon Schneider, Chairman and Members
Zoning Board of Appeals
Public Services Administration Building
500 Dedham Avenue
Needham, MA 02492

Dear Mr. Schneider and Members of the Zoning Board of Appeals:

At its meeting of March 7, 2023, the Planning Board reviewed the applications to be heard by the Board of Appeals on March 16, 2023, and made the following recommendations:

1. **246 Forest Street** - 246 Forest Street, LLC has applied for a Special Permit under Sections 1.4.6, 4.2 and any other applicable Sections of the By-Law to permit the demolition, extension, alteration, enlargement and reconstruction of the lawful, pre-existing, non-conforming single family. The property is located at 246 Forest Street, Needham, MA in the Single Residence A (SRA) District.

The Planning Board makes NO COMMENT.

2. **238 Highland Avenue** - Allen Douglass and Christine Lachkey, applicants, have applied for a Special Permit Amendment under Sections 5.1.1.5, 5.1.2, 5.1.3 and any other applicable Sections of the Zoning By-Law to expand the Needham Montessori School to allow up to 154 children and 15 staff members. As part of this expansion, waivers of parking number and parking design are required. The subject property is located at 238 Highland Avenue, Needham MA in the Highland Commercial -128 District.

The Planning Board requests that the Zoning Board of Appeals consider the safety issue of this many cars entering and existing the site and whether the Petitioner's traffic study is adequate to address and alleviate such concerns.

3. **73 Highland Avenue** - Nezhualcoyotl Leon has applied for a Special Permit under Sections 3.2.5, 3.2.5.2, 5.1.1.1, 5.1.1.5, 5.1.2, 5.1.3, and any other applicable Sections of the By-Law for a restaurant serving meals on the premises and take-out operation accessory to the restaurant and to waive strict adherence to the parking requirements. The request is associated with the establishment of a second location of The Hungry Coyote, a Mexican style restaurant, take out and catering services. The property is located at 73 Highland Avenue, Needham, MA in the Highland Commercial 128 District.

The Planning Board makes NO COMMENT.

4. **1584 Great Plain Avenue** - Enterprise Rent-A-Car Company of Boston LLC, has applied for a Special Permit under Sections 1.4.6, 1.4.10, 5.1, 5.1.1.1, 5.1.1.5, 5.1.1.7, 5.1.2, 5.1.3, 6.4 and any other applicable Sections of the By-Law to permit the replacement/substitution of a non-conforming use (automobile repair garage) to an automobile rental agency with associated improvements to the parking lot and building; and to waive the parking plan and design requirements. The property is located at 1584 Great Plain Avenue, Needham, MA in the Single Residence A (SRA) District.

The Planning Board requests that the Zoning Board of Appeals clarify the nature of the pre-existing non-conforming use, confirm that it was legally established, and lastly that it has been continued without interruption and abandonment.

5. **470 Dedham Avenue** - The Town of Needham (Department of Public Works) Park and Recreation Commission has applied under Sections 4.1.6.3, 4.1.6.4 and any other applicable Sections of the By-Law to permit the installation of field lights. This request is associated with the renovation and conversion of the McLeod baseball field into a premier softball field with dugout, foul pole and batting cage and 4 field lights. The property is located at 470 Dedham Avenue, Needham, MA in the Single Residence B (SRB) District.

The Planning Board makes NO COMMENT.

NEEDHAM PLANNING BOARD

Lee Newman

Lee Newman
Director of Planning and Community Development



Law Offices of
PETER A. ZAHKA, II, P.C.

**12 School Street
Dedham Square
Dedham, MA 02026**

**Tel. 781/329-2601
Fax 781/326-0617
Peter@ZahkaLaw.com**

February 21, 2023

Needham Zoning Board of Appeals
c/o Needham Town Clerk
Needham Town Hall
1471 Highland Street
Needham, MA 02492

Re: Applicant: Enterprise Rent-A-Car Company of Boston, LLC
 Property Owner: Future Plan Investment, Inc.
 Property Address: 1584 Great Plain Avenue, Needham, MA

Dear Honorable Board:

This office represents Enterprise Rent-A-Car Company of Boston, LLC, (the "Applicant") relative to a special permit for the proposed replacement/substitution of a nonconforming use at the above property (from an automobile repair garage to an automobile rental agency). In connection therewith, enclosed herewith please find seven (7) copies of the following:

1. ZBA Application for Hearing (with attached Project Narrative)
2. Owner's Authorization
3. Existing Conditions Pictures
4. Plan set entitled "Proposed Facility Upgrade Plan, 1584 Great Plain Avenue, Needham, Norfolk County, Massachusetts, for Enterprise", dated February 16, 2023, prepared by J.K. Holmgren Engineering, LLC, consisting of the following sheets:
 - a. Cover-General Notes-Legend Sheet (Sheet C-1)
 - b. Existing Conditions Plan (Sheet C-2)
 - c. Layout & Materials Plan (Sheet C-3)
 - d. Utility Plan (Sheet C-4)
 - e. Landscape Development Plan (Sheet C-5)
 - f. Details (Sheet C-6)
 - g. Details (Sheet C-7)

Needham Zoning Board of Appeals
February 21, 20223
Page 2.

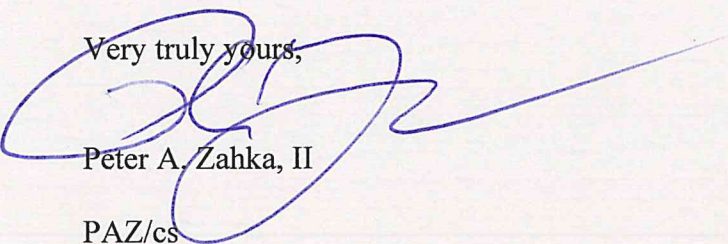
5. Drawing entitled "Proposed Floor Plan & Elevations", dated February 2, 2023, prepared by J. Ferrerra Associates, Inc.
6. Sign Renderings

Also enclosed herewith is a check for the filing fee in the amount of \$200.00.

Note that on this same date an electronic copy of this letter and all enclosed materials is being submitted to Zoning Specialist Daphne M. Collins.

Thank you for your attention to this matter.

Very truly yours,



Peter A. Zahka, II

PAZ/cs

Enc.

cc: Zoning Specialist Daphne M. Collins (via email only)
Build Commissioner David A. Roche (via email only)
Client (via email only)



ZBA Application Process

Prior to submitting an application, please contact: Daphne Collins, Zoning Specialist, dcollins@needhamma.gov 781-455-7550, x261;

To apply for a ZBA Special Permit, Comprehensive Permit, Variance, Appeal of a Building Inspector's Decision or Amendment you will need to do and submit the following:

- ☒ certify that the Building Inspector was consulted prior to submitting an application;
- ☒ complete a ZBA Application;
- ☒ plot plan of the existing conditions and proposed conditions, stamped and dated by a certified land surveyor or engineer;
- ☒ plans and elevations stamped and dated by a certified architect or engineer;
- ☒ stormwater mitigation plans stamped and dated by a certified engineer, when applicable;
- ☒ any required backup documentation pertaining to the zoning relief sought;
- ☒ if the applicant is not the owner of record, a letter from the owner certifying authorization.
- ☒ application fee, check made payable to the Town of Needham. Check holder's name, address, and phone number to appear on the check. In the check memo line write: "ZBA fee" and the address of the project.
- ☒ 7 copies of the ZBA Application with back-up documentation along with the application fee to the Town Clerk's Office, Needham Town Hall, 1471 Highland Avenue, Needham, MA 02492. (Additional copies may be required determined by the ZBA on a case by case basis)
- ☒ an electronic copy of the application and all submitted materials to dcollins@needhamma.gov.

The ZBA will:

- prepare a Legal Notice to run twice in the Hometown Weekly. The Hometown Weekly will bill you directly. Make sure you identify the individual, billing address, email and phone number to be billed;
- place a Notice on the Town Calendar and will notify by mail your abutters. On a case by case basis, the ZBA may determine and task the applicant with notifying the abutters. If tasked, instructions and notice will be provided.



ZBA Application For Hearing

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

Applicant Information

Applicant Name	Enterprise Rent-A-Car Company of Boston LLC	Date:	2/17/23
Applicant Address	10 Second Avenue, Burlington, MA 01803		
Phone	508-494-5986	email	Katelyn.ONeil@ehi.com
Applicant is ☐ Owner; ☒ Tenant; ☐ Purchaser; ☐ Other_____			
If not the owner, a letter from the owner certifying authorization to apply must be included			
Representative Name	Peter A. Zahka, II, Esq Law Offices of Peter A. Zahka, II, P.C.		
Address	12 School Street, Dedham, MA 02026		
Phone	781-329-2601	email	Peter@Zahkalaw.com
Representative is ☒ Attorney; ☐ Contractor; ☐ Architect; ☐ Other_____			
Contact ☐ Me ☒ Representative in connection with this application.			

Subject Property Information

Property Address	1584 Great Plain Avenue		
Map/Parcel Number	216/17	Zone of Property	SRA
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☒ Yes ☐ No			
Is property ☐ Residential or ☒ Commercial Commercial building in residential zone			
If residential renovation, will renovation constitute "new construction"? ☐ Yes ☐ No			
If commercial, does the number of parking spaces meet the By-Law requirement? ☒ Yes ☐ No			
Do the spaces meet design requirements? ☒ Yes ☐ No			
Application Type (select one): ☒ Special Permit ☐ Variance ☐ Comprehensive Permit ☐ Amendment ☐ Appeal Building Inspector Decision			



ZBA Application For Hearing

Existing Conditions: Subject Property contains approximately 29,011 sf of land and is occupied by an approximate 45' x 29 1-story commercial building utilized as an automobile repair garage. Since this use is not allowed in a residential property, the use and building are pre-existing nonconforming.

Statement of Relief Sought: For a special permit for the replacement/substitution of a non-conforming use (automobile repair garage) of a building and land to an automobile rental agency with associated improvements to the parking lot and building with any special permit and/or waivers, if required, to maintain preexisting non-conformities to the parking plan and design requirements including landscaping and parking setbacks. See attached Project Narrative.

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

1.4.6; 1.4.10; 5.1; 5.1.1.1; 5.1.1.5; 5.1.1.7; 5.1.2; 5.1.3; 6.4; 7.5; 7.5.2

If application under Zoning Section 1.4 above, list non-conformities:

	Existing Conditions	Proposed Conditions
Use	auto repair garage	auto rental agency
# Dwelling Units	0	0
Lot Area (square feet)	29,011 sf	29,011 sf
Front Setback (feet)	46.8 feet	46.8 feet
Rear Setback (feet)	89.5 feet	89.5 feet
Left Setback (feet)	27.9 feet	27.9 feet
Right Setback (feet)	86.8 feet	86.8 feet
Frontage (feet)	156.5 feet	156.5 feet
Lot Coverage (%)	44.2%	44.2%
FAR (Floor area divided by the lot area)	.05	.05

Numbers must match those on the certified plot plan and supporting materials



ZBA Application For Hearing

Date Structure Constructed including additions:

1942 (Effective year built: 1980)

Date Lot was created:

1987

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

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



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

I certify that I have consulted with the Building Inspector January 26, 2023
date of consult

Date: 2/16/2023 Applicant Signature Thomas J Walling

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

PROJECT NARRATIVE

APPLICANT:	Enterprise Rent-A-Car Company of Boston LLC
OWNER:	Future Plan Investment, Inc.
PROPERTY:	1584 Great Plain Avenue, Needham, MA

Enterprise Rent-A-Car Company of Boston, LLC (the “Applicant”) has entered into an agreement with Future Plan Investment, Inc. (the “Owner”) to lease the real estate known and numbered as 1584 Great Plain, Dedham, MA (the “Subject Property”). The Subject Property is further described in a deed recorded with the Norfolk Registry of Deeds Book 11600, Page 677, and shown as Lot 17-A on a plan filed with the Norfolk Registry as Plan No. 747 in Plan Book 355. (Said deed and plan are attached hereto as Exhibit 1 and Exhibit 2, respectively.) The Subject Property, shown on the Needham Board of Assessors Map 216, Lot 17, (Parcel ID 1992160001700000) contains approximately 29,011 square feet of land¹ and has approximately 156.5 feet of frontage on Great Plain Avenue². The Subject Property is occupied by an existing 1-story commercial building with approximately 1,450 square feet of floor area utilized as an automobile repair garage. According to the Zoning Map for the Town of Westwood, the Subject Property is located in the Single Residence A (SRA) Zoning District (and a portion is located in the Flood Plain District).

Applicant currently operates an automobile rental agency on Wexford Street, Needham, Massachusetts, and proposes to relocate said facility to the Subject Property. In connection therewith, Applicant intends to undertake significant improvements to the Subject Property and the existing building including the following:

¹ The recorded plan indicates that the Subject Property contains 29,004 square feet of land. However, the Needham Assessors’ records and the plan submitted with this Application indicate a land area of 29,011 square feet of land. For purposes of this Memorandum and Application, a land area of 29,011 square feet is utilized. It should be noted that the analysis provided herein is not impacted by this small discrepancy in land area.

² The Owner also holds title to the adjoining real estate known and numbered as 0 Great Plain Avenue, Needham, MA, and shown on Needham Board of Assessors Map 216, Lot 41 (Parcel ID 1992160004100000). According to the recorded plan, this parcel contains 10,622 square feet of land. It should be noted that Applicant is only leasing 1584 Great Plain Avenue and this Application applies only to that parcel.

1. The entirety of the interior of the building will be renovated and adapted to (without enlargement of the footprint) for re-use for an automobile rental agency.
2. Applicant's proposed use including office/car rental area and two (2) wash bays (to allow Applicant to wash and clean vehicle inside the building).
3. Exterior improvements will include a new roof, new siding, new windows, and new doors including the garage doors.
4. The existing limits of the paved parking lot will remain (i.e., no new paved areas will be introduced and none of the existing pavement will be removed). However, Applicant will seal coat the entirety of the existing pavement and will restripe the same with 26 parking spaces (inclusive of ADA compliant spaces) in accordance with the Needham Zoning By-Law requirements.
5. Applicant will enhance and improve the existing landscaped areas.
6. Existing signs for the automobile garage will be removed. Applicant proposes a new 2' x 10' (20 sf) illuminated pylon sign which will be 15 feet in height, a new 2' x 9' (18 sf) wall sign, and 12" high window swipe on the main entrance door. Applicant understands that the proposed signs will require relief from the Design Review Board.

Applicant anticipates that the automobile rental agency will (on average) have a maximum of five (5) employees working at any one time. The projected hours of operation will be 7:00 am – 6:00 pm, Monday – Friday, 9 am – 12:00 pm, Saturday, and closed on Sunday. There will be no maintenance or repairs of automobiles conducted at the Subject Property. Washing and cleaning of vehicles will be conducted inside the buildings wash bays.

As shown on the following table, the Subject Property and the building thereon comply with the dimensional requirements for the SRA Zoning District set forth in Sections 4.2.1 and 4.2.2 of the Needham Zoning By-Law:

	Required	Provided
Min Lot Area	43, 560 S.F.	29, 011 S.F.
Frontage	150'	156.50'
Front Setback	30.0'	46.80'
Side Setback	15.0'	27.90'
Rear Setback	15.0'	89.5'
Max. BLDG. Height	35'	25'
Floor Area Ratio	N/A	.05
Max. Lot Coverage	N/A	44.2%

Except as noted below, the parking lot proposed by Applicant satisfies the “Required Parking” set forth in Section 5.1.2 of the Needham Zoning By-Law, the “Parking Plan and Design Requirements” set forth in Section 5.1.3 of the Needham Zoning By-Law, and the requirements for “Outdoor Parking of Vehicles as set forth in Section 6.4 of the Needham Zoning By-Law. Specifically, Applicant notes the following:

1. The Needham Zoning By-Law does not have a specific parking requirement for “automobile rental agencies or facilities”. However, the Needham Zoning By-Law requires 1 parking space per 300 sf of floor area for “retail services” and 1 parking space for employees and guests per 250 sf of floor area for “automobile and truck sales and leases”. Utilizing the most conservative requirement, Applicant would require 6 parking spaces. As shown on the submitted plan, Applicant is proposing 26 parking spaces. It is anticipated that 8 parking spaces will be utilized by employees and customers and the remaining parking spaces will be used to park the rental automobiles.
2. Applicant is providing ADA compliant spaces in compliance with Section 5.1.3(c) of the Needham Zoning By-Law.
3. The driveway openings have been designed to minimize conflict with traffic on the street and to provide good visibility and sight distances in compliance with Section 5.1.3(d) of the Needham Zoning By-Law.
4. Parking spaces measure 9’ x 18.5’ in compliance with Section 5.1.3(f) of the Needham Zoning By-Law.
5. Parking areas have been designed so that each motor vehicle may proceed to and from its parking space without requiring the movement of any other vehicle and to avoid vehicles from backing or maneuvering onto the sidewalk or into a public or private way upon entering or leaving the space in compliance with Section 5.1.3(g) of the Needham Zoning By-Law.
6. Aisle widths are in excess of 24 feet in width in compliance with Sections 5.1.3(i) and 6.4.1(c) of the Needham Zoning By-Law.
7. The lot area is in excess of 15,000 square feet in compliance with Section 6.4.1(a) of the Needham Zoning By-Law.
8. The minimum distance of driveways complies with Section 6.4.1(d) of the Needham Zoning By-Law.
9. There will be no outdoor repair work of any kind in compliance with Section 6.4.1(g) of the Needham Zoning By-Law.

Applicant acknowledges that the proposed parking area does not comply with Section 5.1.3(j) (Parking Setbacks), Section 5.1.3(k) (Landscaped Area), or Section 5.1.3(l) (Trees) of the Needham Zoning By-Law. With respect to the same, Applicant submits that the existing parking area is pre-existing nonconforming and that Applicant is bringing the same into compliance to the extent feasible. Accordingly, (if required) Applicant requests that Zoning Board of Appeals waive said requirements via special permit if required.

A review of the Section 3.2 (Schedule of Use Regulations) of the Needham Zoning By-Law indicates that a garage for the repair of automobiles is a prohibited use in the SRA District. Therefore, the current use of the Subject Property as an automobile repair garage is a “non-conforming use” as the same is defined in Section 1.3 (Definitions) of the Needham Zoning By-Law. Applicant’s proposed use as an automobile rental agency is not identified on the Schedule of Use Regulations as a use in the SRA Zoning District. Relative to Applicant’s proposal to change the current use (automobile repair garage) to an automobile rental agency, Applicant respectfully requests a special permit pursuant to Sections 1.4.6 and 1.4.7 of the Needham Zoning By-Law provide as follows:

1.4.6 Alteration

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

1.4.10 Substitution

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

objectionable and detrimental to the neighborhood or any property in the neighborhood.

In reviewing requests for special permits, the ZBA is guided by Section 7.5.2 and 7.5.2.1 of the Needham Zoning By-Law:

7.5.2 Special Permits

To hear and decide an application for a special permit for a use, building, structure, off street parking or loading, modification of dimensional standards, screening or landscaping, or other activity where it would not otherwise be permitted but only in those cases where this By-Law specifically refers to a change from the provisions of this By-Law by the granting of a special permit and only in those cases where the Board of Appeals makes the finding and determination set forth in subparagraph 7.5.2.1. An applicant is not entitled to a special permit and the Board of Appeals, in its discretion, may decline to grant a special permit if it is unable to make a positive finding and determination as required in subparagraph 7.5.2.1.

7.5.2.1 Finding and Determination

Prior to granting a special permit, the Board of Appeals shall make a finding and determination that the proposed use, building, structure, off-street parking or loading, modification of dimensional standards, screening or landscaping, or other activity, which is the subject of the application for the special permit: (a) complies with such criteria or standards as may be set forth in the section of this By-Law which refers to the granting of the requested special permit; (b) is consistent with: 1) the general purposes of this By-Law as set forth in subparagraph 1.1, and 2) the more specific objectives and purposes applicable to the requested special permit which may be set forth elsewhere in this By-Law, such as, but not limited to, those at the beginning of the various sections; (c) is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area. Where the Board of Appeals determines that one or more of the following objectives are applicable to the particular application for a special permit, the Board of Appeals shall make a finding and determination that the objective will be met: (d) the circulation patterns for motor vehicles and pedestrians which would result from the use or structure which is the subject of the special permit will not result in conditions that unnecessarily add to traffic congestion or the potential for traffic accidents on the site or in the surrounding area; and (e) the proposed use, structure or activity will not constitute a demonstrable adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now

experienced from uses permitted in the surrounding area, 2) emission or discharge of noxious or hazardous materials or substances, or 3) pollution of water ways or ground water.

Applicant respectfully submits that it satisfies the requirements for the requested special permits. Specifically, Applicant's proposed use is less objectionable and detrimental to the neighborhood or any property in the neighborhood. As described above, the current use is an automobile repair garage. Compared to such use Applicant's proposed automobile rental facility produces less noise and odors. As previously noted, Applicant has minimum employees and does not operate into the late evening hours. The automobiles involved in Applicant's operation are in good condition. No repairs will be made to the vehicles at the Subject Property and any washing or cleaning of the vehicles will be done inside of the building. Given the nature of the use, traffic should be minimal as most customers will be dropped off at the facility (since they will be renting an automobile). As described above, Applicant is bringing the parking lot into compliance to the extent feasible. In addition, the improvements that Applicant is proposing to the building and parking lot will be a significant aesthetic improvement to the Subject Property.

Respectfully Submitted,
Enterprise Rent-A-Car Company of Boston, LLC
By Its Attorney,

Peter A. Zahka, II, Esq.
Law Offices of Peter A. Zahka, II, P.C.
12 School Street
Dedham, MA 02026
781-329-2601

25

BK 11600PG677

RECORDED
NORFOLK COUNTY REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

Barry T. Hannon

BARRY T. HANNON, REGISTER

122693

N O T QUITCLAIM DEED N O T
A N A N

Donna Castagna of 1579 Great Plain Avenue, Needham, Norfolk County, Massachusetts 02192, Trustee of the 1584 Real Estate Trust under a Declaration of Trust, dated November 21, 1995, and recorded with the Norfolk County Registry of Deeds, Book 11125, Page 045, by the power conferred by said Declaration of Trust and every other power,

in consideration of THREE HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS (\$380,000.00) paid grant(s) with QUITCLAIM COVENANTS to Future Plan Investment, Inc., a Massachusetts corporation, whose address is 1960 Washington Street, Newton, MA 02162,

the following described premises situate in Needham in the County of Norfolk and the Commonwealth of Massachusetts, bounded and described as set forth in Exhibit A attached hereto and incorporated herein.

PROPERTY ADDRESS: 1584 Great Plain Avenue, Needham, Norfolk County, Massachusetts 02192

Being the same premises conveyed to the grantor by deed of Kenneth E. Nowak dated November 21, 1995, and recorded with Norfolk County Registry of Deeds in Book 11125, Page 054.

The within conveyance is subject to and with the benefit of all existing rights of way and other rights and restrictions of record, if any, and is subject to outstanding mortgages of record.

Witness my hand and seal this 22 day of November, 1996

Donna Castagna, Trustee
Donna Castagna, Trustee of the
1584 Real Estate Trust

COMMONWEALTH OF MASSACHUSETTS

Suffolk
County of ~~Norfolk~~, ss.

On this 22nd day of November, 1996, before me personally appeared the above named grantor, Donna Castagna, and acknowledged the foregoing instrument to be her free act and deed.

Paul F. Cavanaugh
Name: PAUL F. CAVANAUGH
My commission expires: 11-22-02

RECEIVED RECORDED
NORFOLK COUNTY

96 NOV 22 PM 12:01

CANCELLED

DEEDS REG 17
NORFOLK
11/22/96

TAX 1732.80
CHCK 1732.80
25724017 11:59
EXCISE TAX

BK 11600PG678

NOT EXHIBIT A NOT
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Parcel I OFFICIAL OFFICIAL

COPY COPY
All that certain parcel of land, together with the buildings and improvements thereon, situated on the southerly side of Great Plain Avenue in the Town of Needham, County of Norfolk, and Commonwealth of Massachusetts, shown as Lot 17-A, 29,004 square feet, on a plan entitled "Plan of Land in Needham, Massachusetts, May 19, 1987, Cheney Engineering Co., Inc." recorded with Norfolk Deeds as Plan No. 747 of 1987 in Plan Book No. 355 recorded July 1, 1987 to which Plan reference may be had for a more particular description.

Subject to all covenants, conditions, restrictions, easements, provisions, exceptions and reservations, if any, contained in former instruments of record, but only to the extent that same may not be in force and applicable.

Together with all the right, title, and interest, if any, in and to all land lying in the streets and highways abutting on or appurtenant to said premises.

Parcel II

The land in Needham, Norfolk County, Massachusetts, being shown as Lot B-1 on a plan entitled "Plan of Land in Needham, Massachusetts, May 19, 1987, Cheney Engineering Co. Inc.", recorded with Norfolk Deeds as Plan No. 747 of 1987, in Plan Book 355 recorded July 1, 1987 to which Plan reference may be had for a more particular description.

Containing 10,622 square feet of land according to said plan.

NOTE : FLOOD PLAIN SHOWN PER ORIGINAL SURVEY
NOTEBOOK 78 PAGE 78 JULY 22, 1964
SEE PLAN BOOK 222, 1967

PLAN RECORDED AS NO. 690 OF 1981 BOOK 5901.
PAGE 435, REFERS TO, BUT DISAGREES WITH PLAN
#31 OF 1972, BOOK 4836 PAGE 486 BY "11' 20" 25"
ON THE EASTERLY SIDE LINE. DOES NOT SHOW
THE EXACT PLAN CONTOUR 140 THAT DEFINES THE
200' LINE SEPARATING ACRE / 10,000 SQ. FT
DISTRICTS. THAT PLAN CONSOLIDATES 16159, SQ. FT.
OF GAS STATION LOT WITH 23462 SQ. FT. OF
SINGLE RESIDENCE LOT WITHOUT REGARD TO USE.



GREAT
PLAIN
COUNTY LAYOUT OF 1888
AVENUE

COUNTY LAYOUT OF 1888
50.00 FT. WIDE

PLAN OF LAND

NEEDHAM, MASS.

SCALE: 1 INCH = 20 FT.
MAY 19, 1987



THIS SURVEY AND PLAN WERE PREPARED IN ACCORDANCE WITH THE PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

I CERTIFY THIS PLAN
CONFORMS TO THE RULES
AND REGULATIONS OF
THE REGISTERS OF DEEDS

Mr. Sidney R. Vayghan

APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
NOT REQUIRED

**Norfolk Registry of Deeds
Dedham, Mass.**

Received July 1, 19 87
With _____
Deunani, Mass.

Filed as No. 747 19 87

NEEDHAM PLANNING BOARD

DATE 6/13/87

OWNER'S AUTHORIZATION

The undersigned, as the record title owner of the real estate known and numbered as 1584 Great Plain Avenue, Needham, Massachusetts, (the "Real Estate") hereby consent and authorize Enterprise Rent-A-Car Company of Boston LLC, and its agents and attorneys, to submit applications to municipal boards and agencies of the Town of Needham, including but not limited to Needham Zoning Board of Appeals, Conservation Commission, and Design Review Board, as proper, necessary, and required relative to a proposed automobile rental agency at said Real Estate.

Sam Hurwitz

Future Plan Investment, Inc.

By: Sam Hurwitz

Google Maps 1579 MA-135

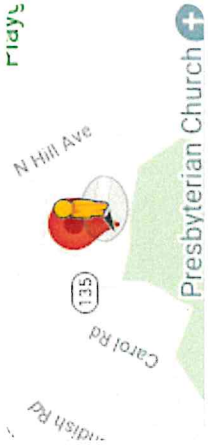
Needham, Massachusetts

 Google Street View

Jul 2022 See more dates



Image capture: Jul 2022 © 2023 Google



Google Maps 1584 MA-135

Needham, Massachusetts

 Google Street View

Jul 2022 See more dates

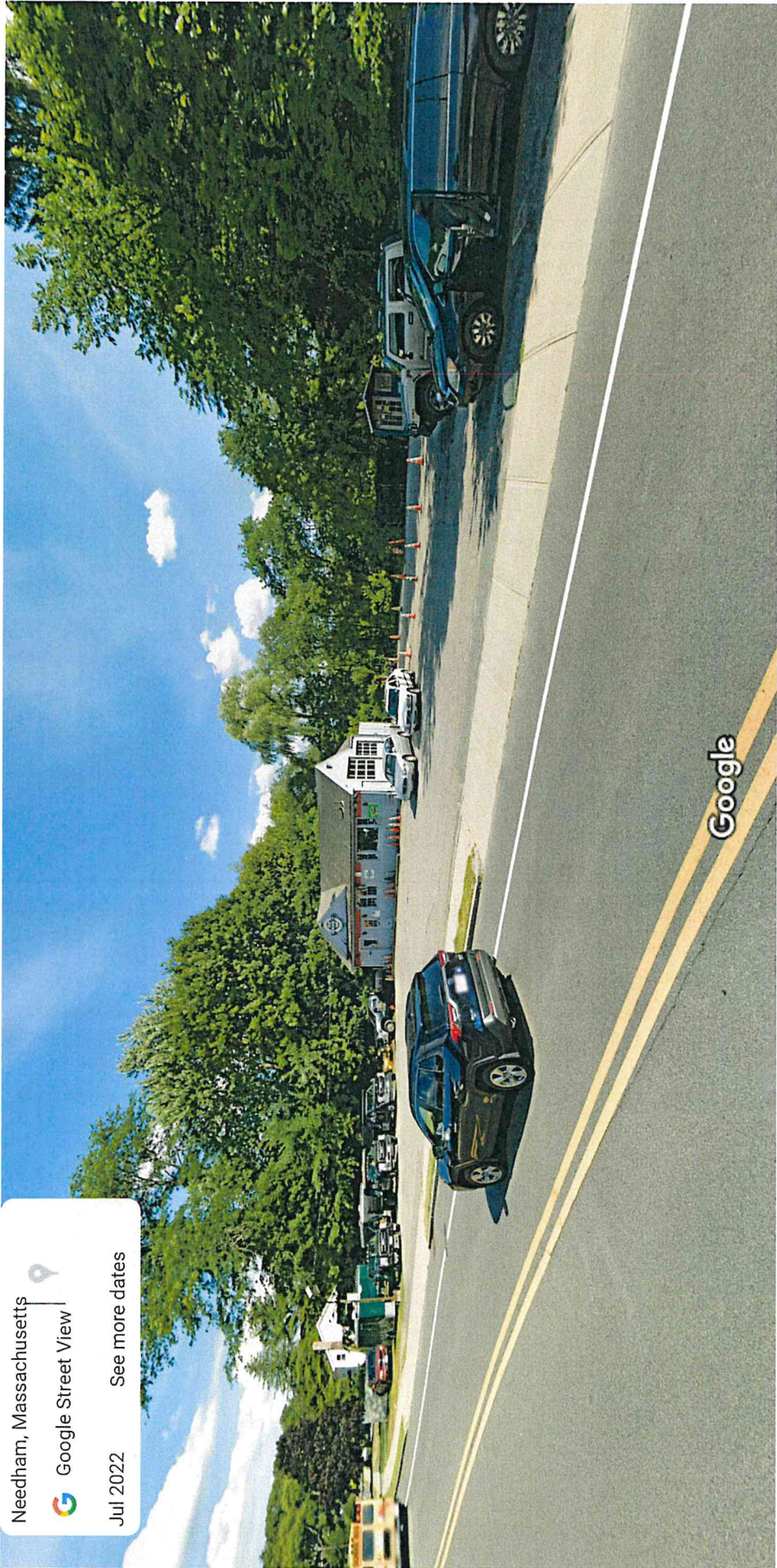


Image capture: Jul 2022 © 2023 Google

 N Hill Ave

 135

 Carol Rd

 Presbyrian Church

Site Development Plans

COVER - GENERAL NOTES - LEGEND SHEET

Issued for : Site Plan Review / Zoning Board of Appeals

Date Issued - February 16, 2023 Revised -

Job Number - 2023-003

Index

No.	Drawing Title	Date
C-1	Cover-General Notes-Legend Sheet	02-16-2023
C-2	Existing Conditions Plan	02-16-2023
C-3	Layout & Materials Plan	02-16-2023
C-4	Utility Plan	02-16-2023
C-5	Landscape Development Plan	02-16-2023
C-6	Details	02-16-2023
C-7	Details	02-16-2023

Architectural Plans (by others)
Sign Plan (by others)

ABBREVIATION LEGEND

EOP	EDGE OF PAVEMENT
VGC	VERTICAL GRANITE CURB
CB	CATCH BASIN
DMH	DRAIN MANHOLE
SMH	SEWER MANHOLE
UP	UTILITY POLE
CCB	CAPE COD BERM
WG	WATER GATE
GS	GAS GATE
BC	BOTTOM OF CURB
TC	TOP OF CURB
LSA	LANDSCAPED AREA
BW	BOTTOM OF WALL
TW	TOP OF WALL
CC	CONCRETE CURB
EMH	ELECTRIC MANHOLE
DS	DOWN SPOUT
CO	CLEAN OUT



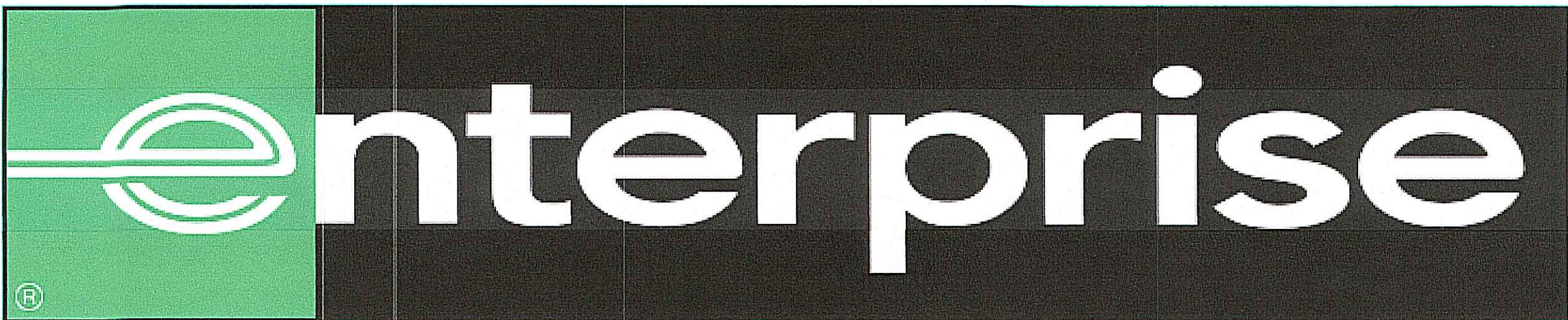
GENERAL NOTES

- ALL PROPOSED WALKWAYS WILL BE HANDICAPPED ACCESSIBLE. ALL PROPOSED SLOPES ON WALKWAYS TO BE LESS THAN 5%.
- WHEREAN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR, AND THE INFORMATION FURNISHED TO J K HOLMGREN ENGINEERING. CONTRACTOR WILL REFER TO J K HOLMGREN ENGINEERING FOR ALL TECHNICAL COMMENTS FOR RESOLUTION OF THE CONFLICT.
- AREAS OUTSIDE THE LIMITS OF PROPOSED WORK DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE.
- THE TERM "PROPOSED" (PROP) MEANS WORK TO BE CONSTRUCTED USING NEW MATERIALS OR, WHERE APPLICABLE, RE-USING EXISTING MATERIALS IDENTIFIED AS "REMOVE AND RESET". (R&R)
- JOINTS BETWEEN NEW BITUMINOUS CONCRETE ROADWAY PAVEMENT AND SAWCUT EXISTING PAVEMENT SHALL BE SEALED WITH BITUMEN AND BACKSANDS.
- THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE THE START OF ANY WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO LOCATE THE UTILITIES EXACTLY. THE CONTRACTOR SHALL PRESERVE ALL UNDERGROUND UTILITIES. THE CONTRACTOR MUST CALL "DIG SAFE" (AT 1-888-DIG-SAFE) AND THE CITY OF FRAMINGHAM UTILITY DIVISION AT LEAST 72 HOURS TO MARK APPROPRIATE UTILITIES BEFORE THE START OF CONSTRUCTION.
- WHEREAN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR, AND THE INFORMATION FURNISHED TO J K HOLMGREN ENGINEERING. CONTRACTOR WILL REFER TO J K HOLMGREN ENGINEERING FOR ALL TECHNICAL COMMENTS FOR RESOLUTION OF THE CONFLICT.
- ALL AREAS DISTURBED DURING CONSTRUCTION SHALL BE REPLACED IN KIND. LAWN AREAS SHALL HAVE A MODIFIED LOAM BORROW PLACED AND SEEDED. THE MODIFIED LOAM BORROW SHALL HAVE A MINIMUM DEPTH OF 4" AND SHALL BE PLACED FLUSH WITH THE TOP OF ADJACENT CURB, EDGING, BERM, OR OTHER SURFACE.
- THE CONTRACTOR SHALL WATER, MOW, AND FERTILIZE LAWN AREAS UNTIL SATISFACTORY GRASS STANDS, AND/OR THE OWNER OR ITS REPRESENTATIVE IS SATISFIED.
- THE CONTRACTOR SHALL PROTECT ALL UNDERGROUND DRAINAGE, SEWER, AND UTILITY FACILITIES FROM EXCESSIVE VEHICULAR LOADS DURING CONSTRUCTION. ANY FACILITIES DAMAGED BY CONSTRUCTION LOADS SHALL BE REPAIRED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE.
- UPON AWARD OF CONTRACT, CONTRACTOR SHALL MAKE ALL NECESSARY CONSTRUCTION NOTIFICATIONS AND APPLY FOR AND OBTAIN ALL NECESSARY PERMITS, PAY ALL FEES AND POST ALL BONDS ASSOCIATED WITH SAME, AND COORDINATE WITH THE ENGINEER AS REQUIRED.
- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR JOB SITE SAFETY AND ALL CONSTRUCTION MEANS AND METHODS.
- PRIOR TO THE START OF CONSTRUCTION THE CONTRACTOR SHALL SUBMIT A SCHEDULE OF OPERATIONS TO THE OWNER AND ITS REPRESENTATIVE. THE CONTRACTOR SHALL NOTIFY AND COORDINATE WITH THE OWNER, ITS ENGINEER OR REPRESENTATIVE.
- FINAL LAYOUT AND STAKING OF ALL PROPOSED FEATURES AND GRADING SHALL BE AS DESIGNED, REVIEWED AND APPROVED BY THE ZONING BOARD OF APPEALS.
- THE CONTRACTOR SHALL REMOVE ALL STUMPS, RUBBISH, AND DEBRIS FROM THE PROJECT SITE. STORAGE OF THESE ITEMS WILL NOT BE PERMITTED ON THE PROJECT SITE. THE CONTRACTOR SHALL LEAVE THE SITE IN A SAFE, CLEAN, AND LEVEL CONDITION AT THE COMPLETION OF THE SITE CLEARANCE WORK.
- ALL ELECTRICAL, TELEPHONE, AND LOCAL FIRE DEPARTMENT CONDUITS ARE TO BE INSTALLED BY THE ELECTRICAL CONTRACTOR. TRENCHING, BACKFILLING AND CONCRETE AND STREET REPAIR SHALL BE PERFORMED BY THE GENERAL CONTRACTOR. MUST COMPLY WITH NFPA 72 & 527 CMR 1.00.
- PROPOSED MANHOLE RIMS & GRATES ARE TO BE SET FLUSH AND CONSISTENT WITH GRADING PLANS. ADJUST ALL OTHER RIM ELEVATIONS OF MANHOLES, GAS GATES, WATER GATES AND OTHER UTILITIES TO FINISHED GRADE WITHIN THE LIMITS OF THE SITE WORK. IF ANY CONFLICTS ARE DISCOVERED NOTIFY OWNERS REPRESENTATIVE.
- THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS WITH THE APPROPRIATE UTILITY COMPANIES FOR POLE RELOCATION, AND FOR THE ALTERATION AND ADJUSTMENT OF GAS, ELECTRIC, TELEPHONE, FIRE ALARM, AND ANY OTHER PRIVATE UTILITIES, AS REQUIRED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A TOWN OF NEEDHAM PUBLIC WORKS CONSTRUCTION LICENSE.
- A STABILIZED CONSTRUCTION EXIT TO BE PUT IN PLACE PRIOR TO THE START OF CONSTRUCTION.
- REMOVE SNOW FROM SITE AS NECESSARY AND DO NOT PLACE ON TOWN PROPERTY.
- THE MAINTENANCE OF THE DRAINAGE SYSTEM IS THE OWNERS RESPONSIBILITY (POST-CONSTRUCTION). THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE DRAINAGE SYSTEM DURING CONSTRUCTION.
- ANY HYDRANT, FIRE PROTECTION WATER SUPPLY LINE AND ASSOCIATED DEVICES ON SUBJECT PROPERTY SHALL BE MAINTAINED TO THE REQUIREMENTS OF NFPA25. MUST COMPLY WITH 527 CMR 1.00, CH. 13, 16 & 18 AND NFPA 25.
- THE SITE IS NOT LOCATED IN A DEP WELL HEAD PROTECTION DISTRICT.
- THE SITE IS NOT LOCATED IN A NHESP ESTIMATED OR PRIORITY HABITAT OF RARE SPECIES.

Proposed Facility Upgrade Plan

1584 Great Plain Avenue, Needham,
Norfolk County, Massachusetts

For :



Applicant :

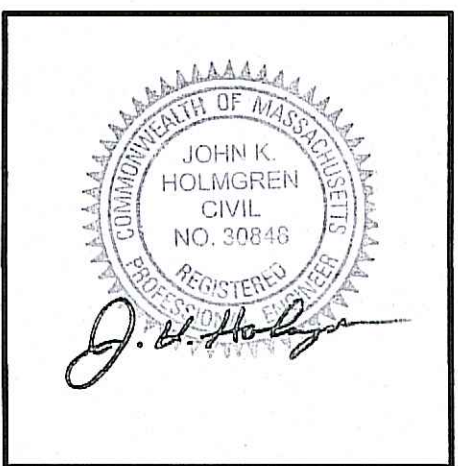
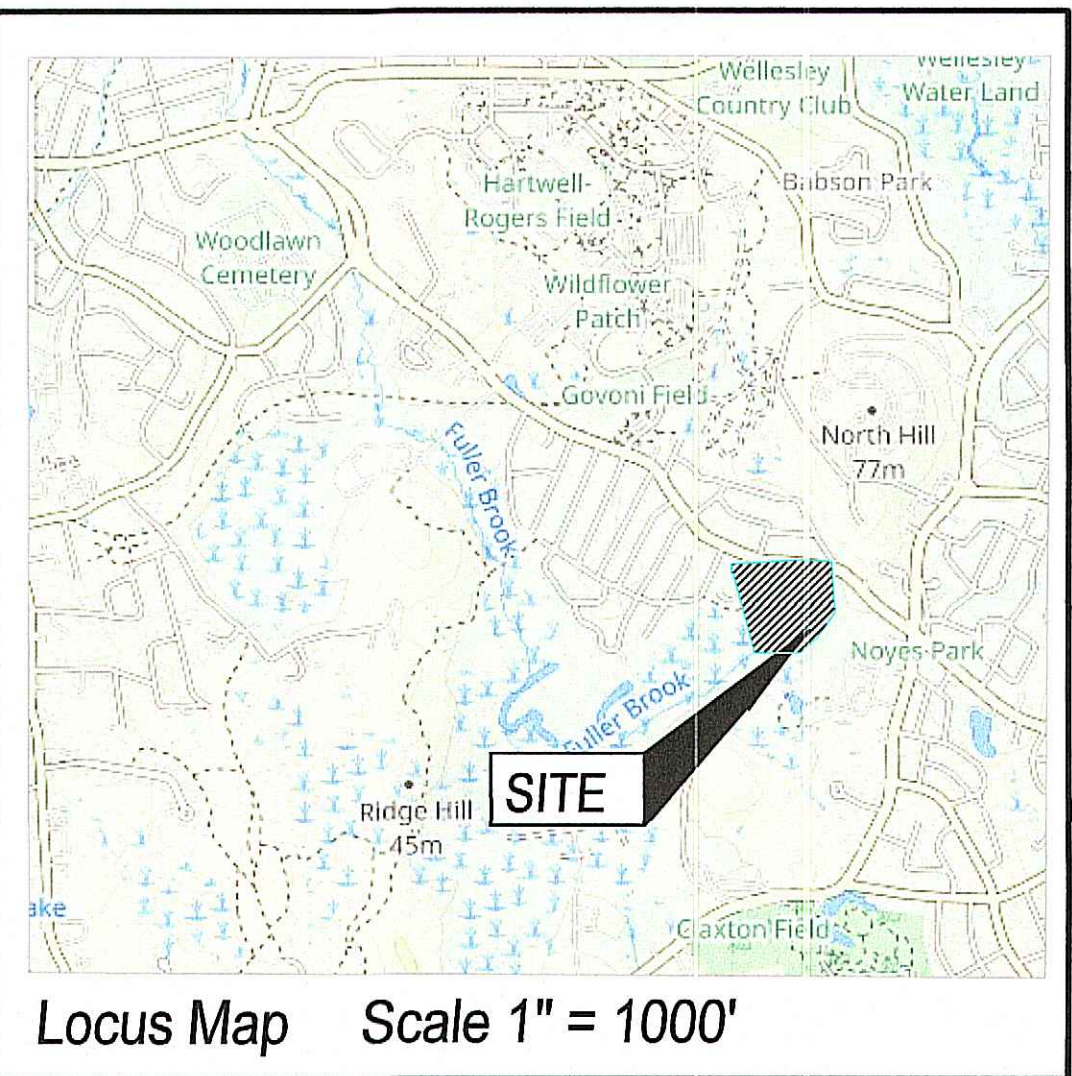
Enterprise Rent -A- Car Company of Boston
405 West Street
W. Bridgewater, MA 02379
Phone - (508) 427-1009

Owner :

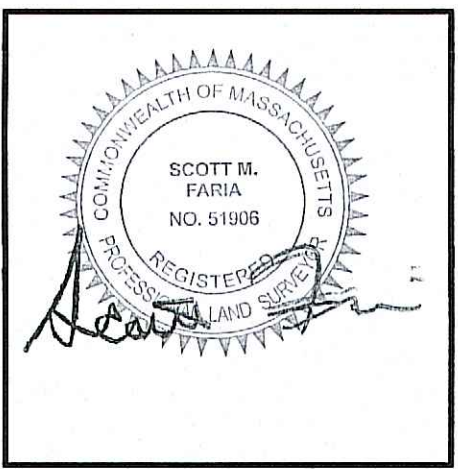
Future Plan Investment, Inc.
1960 Washington Street
Newton, MA 02462

Design Engineer/Surveyor :

J.K. HOLMGREN ENGINEERING, LLC
Registered Professional Engineers and Land Surveyors
1024 Pearl Street, Brockton, MA. 02301
Phone - (508) 583-2595
Email: sfaria@jkholmgren.com



ENGINEER:
JOHN K. HOLMGREN
MASSACHUSETTS REGISTERED
PROFESSIONAL ENGINEER REG# 30848



SURVEYOR:
SCOTT M. FARIA
MASSACHUSETTS REGISTERED
PROFESSIONAL LAND SURVEYOR REG# 51908

JKE J.K. Holmgren Engineering
Registered Professional
Engineers & Land Surveyors

- = Construction Revision
- Blank = Submittal Action
- △ = Plan Revision

REV.	BY:	DATE:	REMARKS

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2023-033

DATE: 02/16/2023

C-1

DRAWING NUMBER



ZONING : SINGLE RESIDENCE -A (& FLOOD PLAIN DISTRICT)

NO. 452 OF 1952
NO. 170 OF 1954

OWNER :
FUTURE PLAN INVESTMENT, INC.
1960 WASHINGTON STREET
NEWTON, MA 02462

OF THE PROJECT SITE IS LOCATED OUTSIDE OF ANY FLOOD ZONES (ZONE X)
AS PER FEMA - FIRM MAP COMMUNITY PANEL 25021C0017E, DATED
7/17/2012.

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE THE START OF ANY WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO LOCATE THE UTILITIES EXACTLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO ANY UNDERGROUND UTILITY LOCATED BY THE "DIG SAFE" (AT 1-888-DIG-SAFE) AND THE TOWN OF NEEDHAM UTILITY DIVISION AT LEAST 72 HOURS BEFORE MARK APPROPRIATE UTILITIES BEFORE THE START OF CONSTRUCTION.



PREPARED FOR

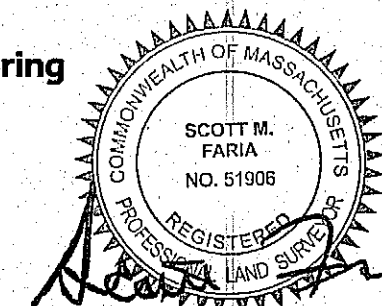
ENTERPRISE RENT-A-CAR

TITLE

EXISTING CONDITIONS PLAN

J.K. HOLMGREN ENGINEERING, LLC

Email : sfaria@jkhholmgren.com



20 0 20 40
SCALE IN FEET

SCALE: 1" = 20'

DATE: 02/16/2023

C-2

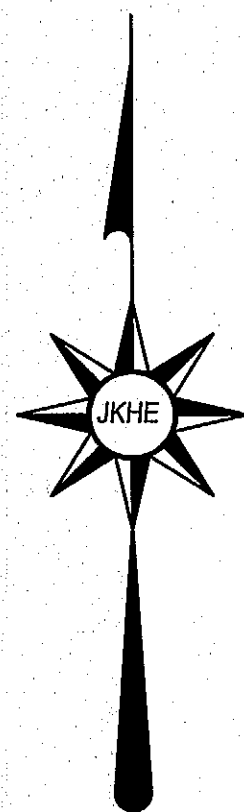
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2023-003



- | | |
|---|-------------------------|
|  | = UTILITY POLE/GUY WIRE |
|  | = WATER GATE/SHUT-OFF |
|  | = CATCH BASIN |
|  | = DRAIN MANHOLE |
|  | = SEWER MANHOLE |
|  | = HYDRANT |
|  | = TRANSFORMER |
|  | = ELECTRIC BOX |
|  | = CHAIN LINK FENCE |
|  | = GAS GATE |
|  | = CONTOURS |
|  | = SPOT GRADE |
|  | = LIGHT POLE |
|  | = WETLAND FLAG |
|  | = TREES , BUSHES |
|  | = OVERHEAD ELECTRIC |
|  | = UNDERGROUND ELECTRIC |
|  | = SEWER LINE |
|  | = WATER LINE |
|  | = GAS LINE |
|  | = WETLANDS |
|  | = SIGN |
|  | = TEST PIT |
|  | = BLDG LIGHT |



A
B
C
D
E
F
G
H
I
J
K
L
M
N
O

SITE LEGEND
TRAFFIC FLOW ARROWS (SEE DETAILS)
6" WIDE LINE STRIPE
12" STOP BAR
STOP SIGN (RS-8)
ACCESSIBLE PARKING SIGN
ACCESSIBLE PARKING SYMBOL
CONC. WHEEL STOPS (SEE DETAIL)
SNOW STORAGE AREA
TACTILE WARNING DEVICE (SEE DETAILS)
PROPOSED ADA RAMP
UNUSED
LANDSCAPED AREA
CONCRETE APRON
LIGHT POLE
IDENTIFICATION SIGN (SEE PLANS BY OTHERS)

ZONING TABLE		
ZONE: SINGLE RESIDENCE -A (EX. NON-CONFORMING)		
PROPOSED USE: AUTOMOBILE RENTAL FACILITY		
	REQUIRED	PROVIDED
MIN. LOT AREA	43,560 S.F.	29,011 S.F.**
FRONTAGE	150'	156.50'
FRONT SETBACK	30.0'	46.80'
SIDE SETBACK	15.0'	27.90'
REAR SETBACK	15.0'	89.5'
MAX. BLDG. HEIGHT(STORIES)	35'	25'
FLOOR AREA RATIO	N/A	.05
MAX. LOT COVERAGE	N/A	44.2%
PARKING SCHEDULE: OFFICE : 1 SP./250 SF AUTO LEASING : 2 EMPLOYEES	1,450/250 = 5.8 OR 6 SPACES 2 SPACES	
TOTAL PARKING	8 SPACES	26 SPACES

GENERAL NOTES :

ASSESSORS MAP : 216 BLOCK: 17
LOCUS DEED REFERENCE : BOOK 11600, PAGE 677
ZONING : SINGLE RESIDENCE -A (& FLOOD PLAIN DISTRICT)
PLAN REFERENCE:
NO. 432 OF 1952
NO. 747 OF 1987
NO. 479 OF 1980
NO. 1159 OF 1948
NO. 325 OF 1952
NO. 452 OF 1952
NO. 170 OF 1954
APPLICANT : ENTERPRISE RENT-A-CAR
405 WEST STREET
W. BRIDGEWATER, MA 02379
OWNER : FUTURE PLAN INVESTMENT, INC.
1960 WASHINGTON STREET
NEWTON, MA 02462

THE PROJECT SITE IS NOT LOCATED WITHIN AN AREA MAPPED AS PRIORITY HABITAT & ESTIMATED HABITAT FOR RARE SPECIES ACCORDING TO THE MASSACHUSETTS NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM.

THE PROJECT SITE IS NOT LOCATED WITHIN A ZONE II WELLHEAD PROTECTION ZONE.

THE PROJECT SITE IS LOCATED OUTSIDE OF ANY FLOOD ZONES (ZONE X) AS PER FEMA - FIRM MAP COMMUNITY PANEL 25021C0017E, DATED 7/17/2012.

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Assessors Map: 216 Block: 17
1584 Great Plain Avenue, Needham, Massachusetts

PREPARED FOR

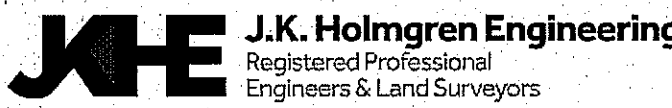
ENTERPRISE RENT-A-CAR

TITLE

LAYOUT & MATERIALS PLAN

J.K. HOLMGREN ENGINEERING, LLC

Registered Professional Engineers and Land Surveyors
1024 Pearl Street, Brockton, MA. 02301
Phone - (508) 583-2595
Email : sfaria@jkholmgren.com



20 0 20 40
SCALE IN FEET

SCALE: 1" = 20'

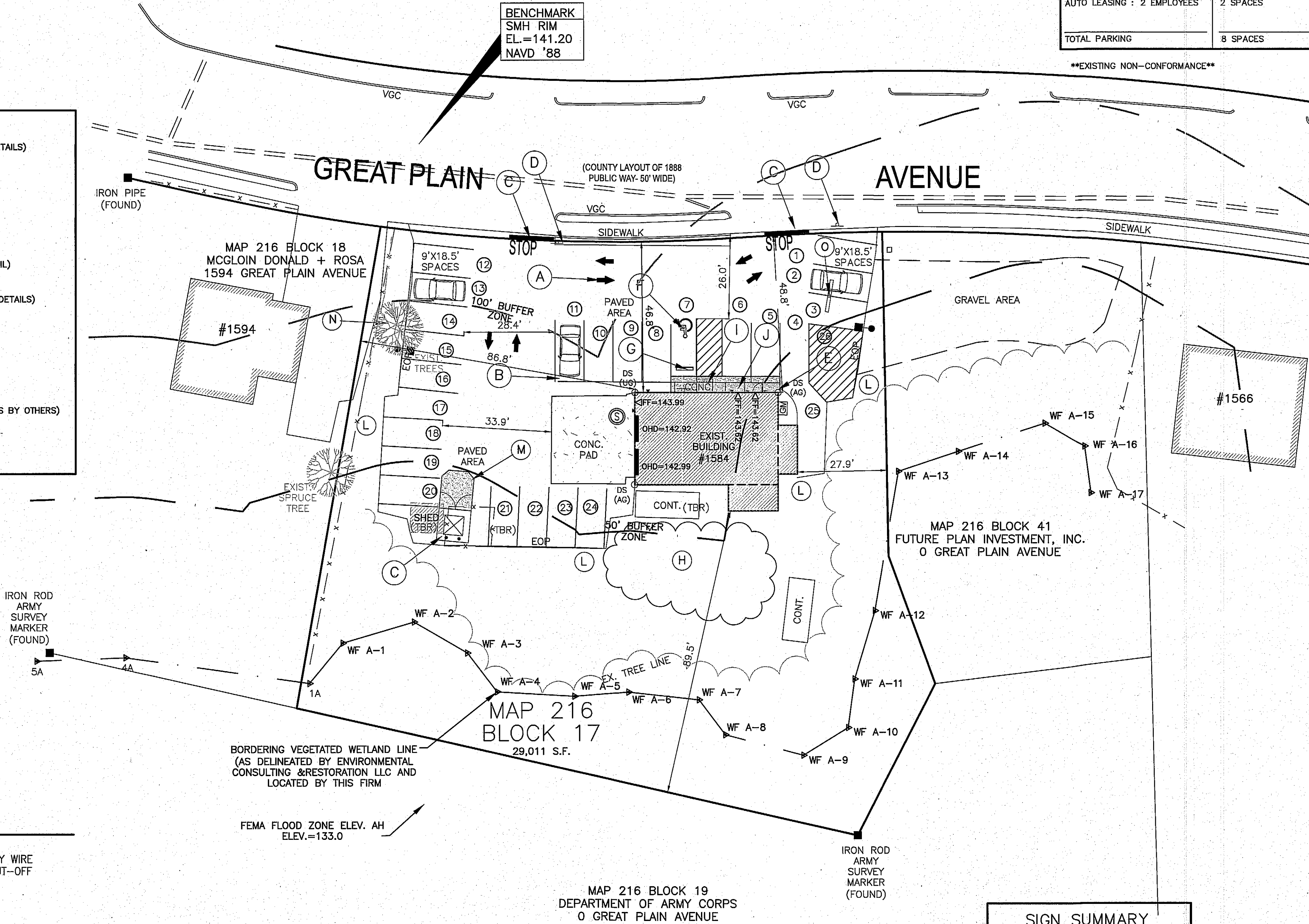
DATE: 02/16/2023

C-3

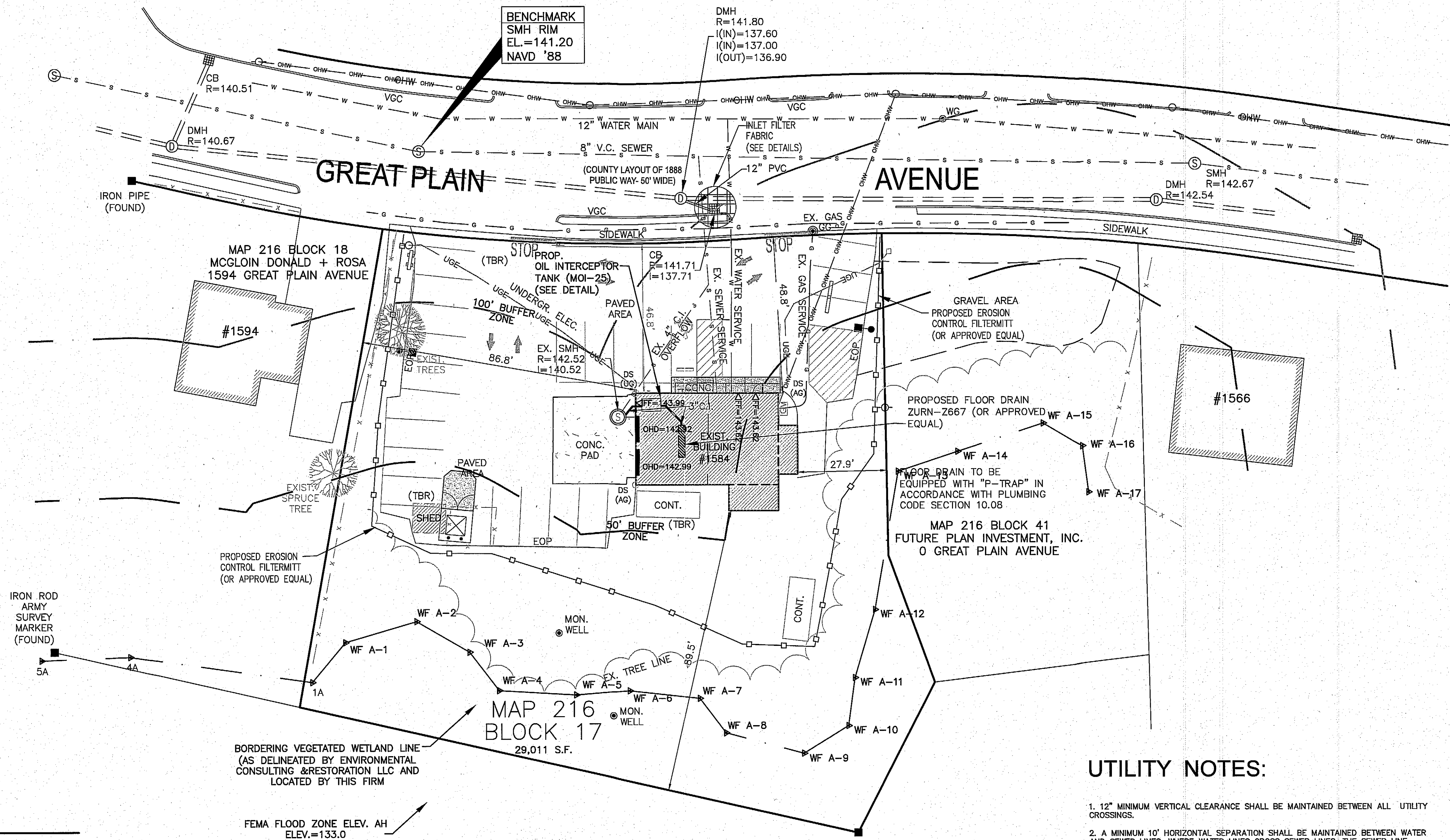
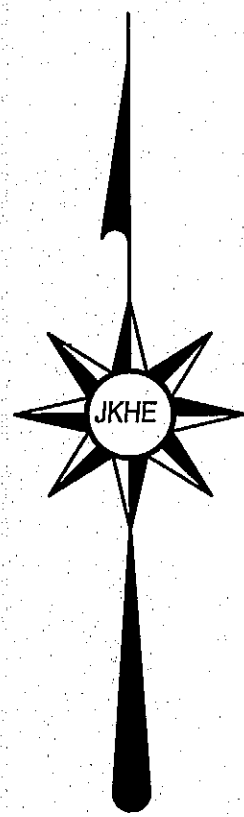
DRAWING NUMBER

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2023-003

UTILITY POLE/GUY WIRE
WATER GATE/SHUT-OFF
CATCH BASIN
DRAIN MANHOLE
SEWER MANHOLE
HYDRANT
TRANSFORMER
ELECTRIC BOX
CHAIN LINK FENCE
GAS GATE
CONTOURS
SPOT GRADE
LIGHT POLE
WETLAND FLAG
TREES, BUSHES
OVERHEAD ELECTRIC
UNDERGROUND ELECTRIC
SEWER LINE
WATER LINE
GAS LINE
WETLANDS
SIGN
TEST PIT
BLDG LIGHT



SIGN SUMMARY			
M.U.T.C.D. NUMBER	SPECIFICATION	TEXT	
	WIDTH	HEIGHT	
R5-1	12"	18"	DO NOT ENTER
R1-1	24"	24"	STOP
R7-8*	12"	18"	



LEGEND

- UTILITY POLE/GUY WIRE
- WATER GATE/SHUT-OFF
- CATCH BASIN
- DRAIN MANHOLE
- SEWER MANHOLE
- HYDRANT
- TRANSFORMER
- ELECTRIC BOX
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- OVERHEAD ELECTRIC
- UNDERGROUND ELECTRIC
- SEWER LINE
- WATER LINE
- GAS LINE
- WETLANDS
- SIGN
- TEST PIT
- BLDG LIGHT

UTILITY NOTES:

- 12" MINIMUM VERTICAL CLEARANCE SHALL BE MAINTAINED BETWEEN ALL UTILITY CROSSINGS.
- A MINIMUM 10' HORIZONTAL SEPARATION SHALL BE MAINTAINED BETWEEN WATER AND SEWER LINES. WHERE WATER LINES CROSS SEWER LINES, THE SEWER LINE SHALL BE LOCATED WITH A MINIMUM VERTICAL CLEARANCE OF 18" BELOW THE WATER LINE. THE SEWER LINE JOINTS SHALL BE LOCATED EQUIDISTANT AND AS FAR AWAY FROM THE WATER LINE AS POSSIBLE. WHEN IT IS IMPOSSIBLE TO ACHIEVE HORIZONTAL AND/OR VERTICAL SEPARATION AS STIPULATED ABOVE, BOTH THE WATER LINE AND SEWER LINE AT THE CROSSING LOCATION SHALL BE CONSTRUCTED OF MECHANICAL JOINT CEMENT-LINED DUCTILE IRON PIPE FOR ONE FULL 20' PIPE LENGTH OR ANOTHER EQUIVALENT THAT IS WATERTIGHT AND STRUCTURALLY SOUND. THE JOINTS FOR BOTH PIPES SHALL BE LOCATED AS FAR AWAY FROM THE CROSSING AS POSSIBLE. BOTH PIPES SHOULD BE PRESSURE TESTED TO 150 PSI TO ENSURE THAT THEY ARE WATERTIGHT.
- SEWER BUILDING CONNECTIONS SHALL BE 6" MIN. SDR 35 PVC, U.O.N., AT A SLOPE OF 1/2" MINIMUM FROM MAINLINE TO BUILDING UNIT WITH A CLEAN OUT SET AT A DISTANCE OF 10' (U.O.N.) OFF EACH UNIT FOUNDATION.
- TYPICAL COVER OVER WATER LINE SHALL BE 5', IF LESS THAN 4' OF COVER IS PROVIDED, INSULATE WATER LINE AGAINST FREEZING.
- GAS, ELECTRIC, DATA/COM IS SHOWN SCHEMATICALLY HEREON. THESE UTILITIES SHALL BE INSTALLED WITH A MINIMUM COVER OF 3 FEET U.O.N. OR OTHERWISE DIRECTED BY THE CONTROLLING UTILITY COMPANY. CONTRACTOR SHALL COORDINATE FINAL LAYOUT WITH APPLICABLE UTILITY COMPANY.
- ALL COMMERCIAL LIGHTING SHALL DIRECT ALL LIGHT SO AS TO KEEP ALL LIGHTING WITHIN SUBJECT LOT.
- ALL UTILITY CUTS THROUGH EXISTING CONCRETE OR BITUMINOUS CONCRETE PAVED SURFACES SHALL BE SAW CUT. BACK FILLING OF TRENCH SHALL INCLUDE 12" IN DEPTH FLOWABLE FILL TO BE THE BASE COURSE OF THE SURFACE TREATMENT. THE SURFACE TREATMENT SHALL THEN BE REPLACED IN KIND. IF THE BITUMINOUS CONCRETE SURFACE IS WITHIN THE ROADWAY THE BITUMINOUS CONCRETE TOP COURSE SHALL BE FINISHED WITH INFRARED TREATMENT TO BLEND EXISTING & NEWLY PAVED SURFACES.

GENERAL NOTES :

ASSESSORS MAP : 216 BLOCK: 17
LOCUS DEED REFERENCE : BOOK 11600, PAGE 677
ZONING : SINGLE RESIDENCE -A (& FLOOD PLAIN DISTRICT)
PLAN REFERENCE:
NO. 432 OF 1952
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OWNER : FUTURE PLAN INVESTMENT, INC.
1960 WASHINGTON STREET
NEWTON, MA 02452

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THE PROJECT SITE IS NOT LOCATED WITHIN A ZONE II WELLHEAD PROTECTION ZONE.

THE PROJECT SITE IS LOCATED OUTSIDE OF ANY FLOOD ZONES (ZONE X) AS PER FEMA - FIRM MAP COMMUNITY PANEL 25021C0017E, DATED 7/17/2012.

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE THE START OF ANY WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO LOCATE THE UTILITIES EXACTLY. THE CONTRACTOR SHALL PRESERVE ALL UNDERGROUND UTILITIES. THE CONTRACTOR MUST CALL "DIG SAFE" (AT 1-888-DIG-SAFE) AND THE TOWN OF NEEDHAM UTILITY DIVISION AT LEAST 72 HOURS TO MARK APPROPRIATE UTILITIES BEFORE THE START OF CONSTRUCTION.



Assessors Map: 216 Block: 17
1584 Great Plain Avenue, Needham, Massachusetts

PREPARED FOR

ENTERPRISE RENT-A-CAR

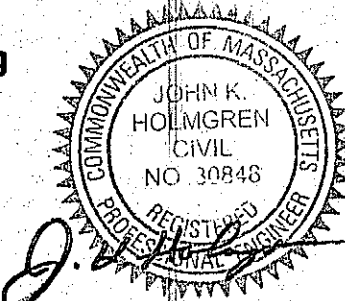
TITLE

UTILITY PLAN

J.K. HOLMGREN ENGINEERING, LLC

Registered Professional Engineers and Land Surveyors
1024 Pearl Street, Brockton, MA. 02301
Phone - (508) 583-2595
Email : sfaria@jkholmgren.com

J.K. Holmgren Engineering
Registered Professional
Engineers & Land Surveyors



20 0 20 40
SCALE IN FEET

SCALE: 1" = 20'

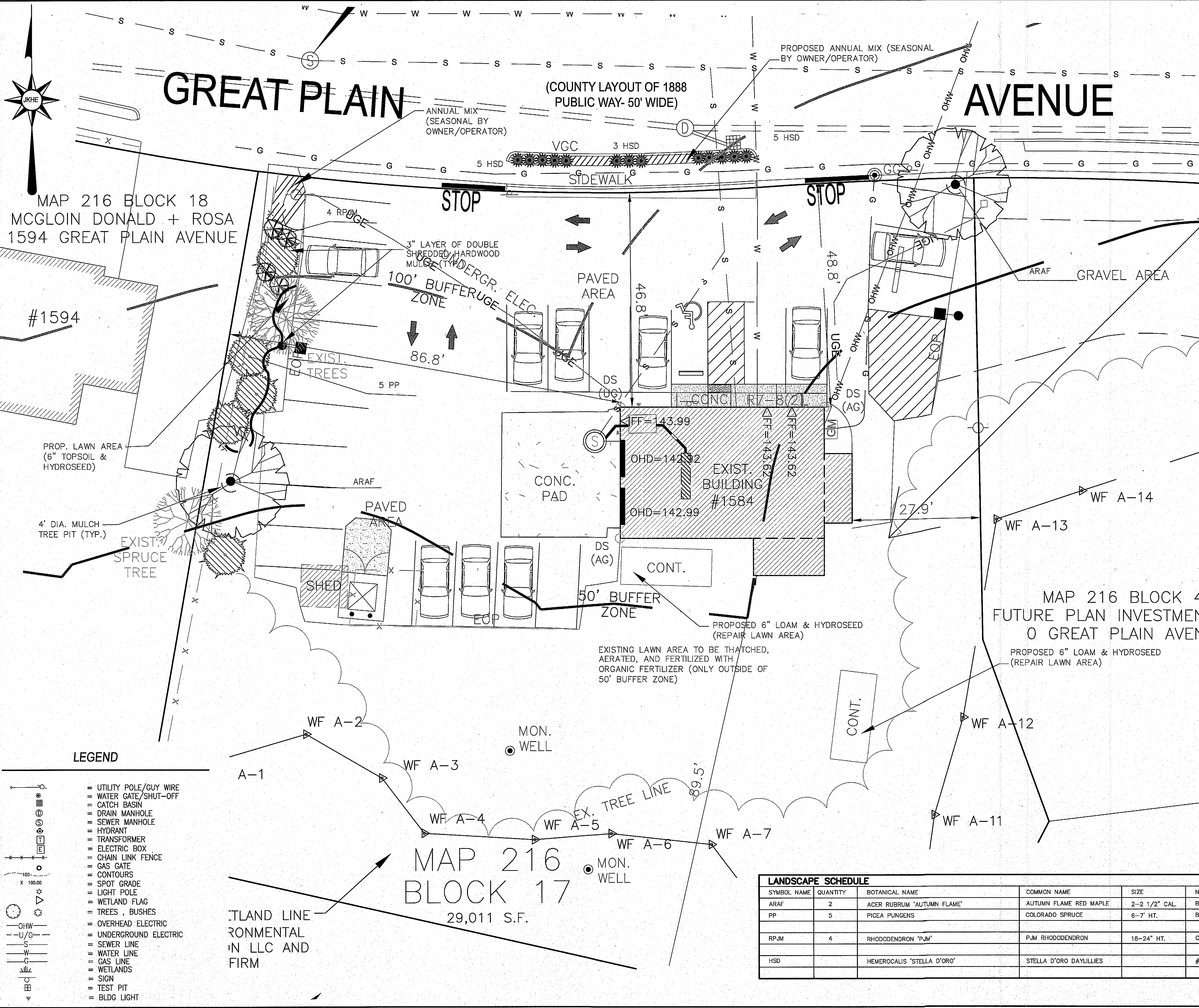
DATE: 02/16/2023

NO.	BY	DATE	REMARKS

C-4

DRAWING NUMBER

H:\2023\2023-003 Enterprise, 1584 Great Plain Ave., Needham\SURVEY\2023-003EC1.dwg
2023-003



- LANDSCAPE NOTES:**
1. CONTRACTOR SHALL SUPPLY ALL LABOR, MATERIALS AND EQUIPMENT IN ORDER TO COMPLETE THE WORK.
 2. ALL SEEDED AND / OR SOD AREAS SHALL RECEIVE 6" OF LOAM OR TOPSOIL.
 3. ALL MULCH AREAS SHALL RECEIVE A 3" LAYER OF DOUBLE SHREDDED HARDWOOD MULCH.
 4. PLANTING SOIL MIX SHALL CONSIST OF 1/3 SPHAGNUM PEAT MOSS AND 2/3 FERTILE FIELD LOAM BY VOLUME.
 5. ALL PLANTINGS AT DRIVEWAY ENTRANCES WILL BE MAINTAINED TO A HEIGHT OF THREE FEET OR LESS AS TO NOT OBSCURE TRAFFIC VISIBILITY.
 6. ALL PLANT MATERIAL SHALL CONFORM TO THE LATEST VERSION OF THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1).
 7. ALL PLANT MATERIAL SHALL BE GUARANTEED FOR A MINIMUM PERIOD OF ONE YEAR FROM THE DATE OF ACCEPTANCE. REPLACEMENTS SHALL BE MADE AT THE BEGINNING OF THE FIRST SUCCEEDING GROWING SEASON.
 8. REFERENCE IS MADE TO THE "MULCH LAW", THE REVISED REGULATION, 827 CMR 1 - 10.14.10.4, PROHIBITS THE NEW APPLICATION OF MULCH WITHIN 18 INCHES AROUND COMBUSTIBLE EXTERIORS OF BUILDINGS, SUCH AS WOOD OR VINYL BUT NOT BRICK OR CONCRETE. AN 18" STRIP OF 1 1/2" - 2 1/2" STONE SHALL BE PLACED AT A DEPTH OF 6" AROUND EXISTING WOOD AND VINYL BUILDINGS.

SEEDING SPECIFICATIONS:	
TEMPORARY SEEDING: SEED MIXTURE: RYEGRASS	APPLICATION RATE: 1 LB/1000 SF
PERMANENT SEEDING IN LANDSCAPED AREAS: SEED MIXTURE: PERENNIAL RYEGRASS CREEPING RED FESCUE REDTOP	APPLICATION RATE: 85 LBS/1000 SF 52 LBS/1000 SF 7 LBS/1000 SF
PERMANENT SEEDING IN SLOPED AREAS: SEED MIXTURE: PERENNIAL RYEGRASS CREEPING RED FESCUE REDTOP ALSEE CLOVER BIRDFOOT TREFOIL	APPLICATION RATE: 30 LBS/1000 SF 35 LBS/1000 SF 5 LBS/1000 SF 5 LBS/1000 SF 5 LBS/1000 SF

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE THE START OF ANY WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO LOCATE THE UTILITIES EXACTLY. THE CONTRACTOR SHALL PRESERVE ALL UNDERGROUND UTILITIES. THE CONTRACTOR MUST CALL "DIG SAFE" (AT 1-888-DIG-SAFE) AND THE TOWN OF NEEDHAM UTILITY DIVISION AT LEAST 72 HOURS TO MARK APPROPRIATE UTILITIES BEFORE THE START OF CONSTRUCTION.



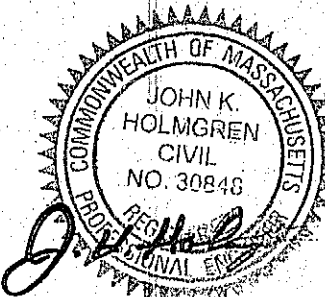
Assessors Map: 216 Block: 17
1584 Great Plain Avenue, Needham, Massachusetts

PREPARED FOR
ENTERPRISE RENT-A-CAR

TITLE
LANDSCAPE DEVELOPMENT PLAN

J.K. HOLMGREN ENGINEERING, LLC
Registered Professional Engineers and Land Surveyors
1024 Pearl Street, Brockton, MA, 02301
Phone - (508) 583-2595
Email : sfaria@jkholmgren.com

JKE J.K. Holmgren Engineering
Registered Professional
Engineers & Land Surveyors



10 0 10 20
SCALE IN FEET

SCALE: 1" = 10'

DATE: 02/16/2023

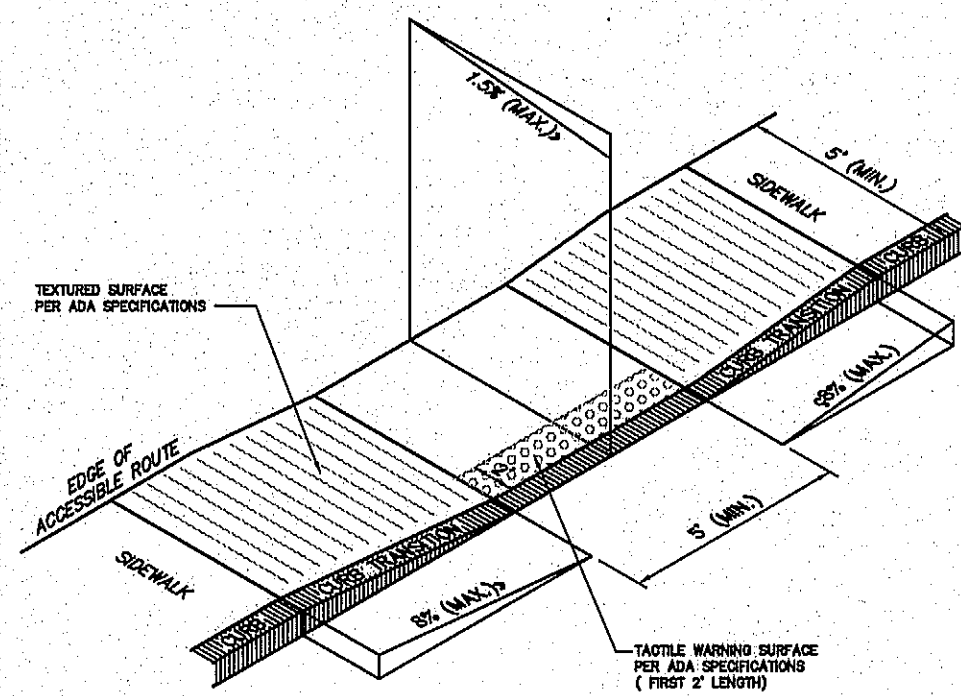
NO.	BY	DATE	REMARKS

C-5

DRAWING NUMBER

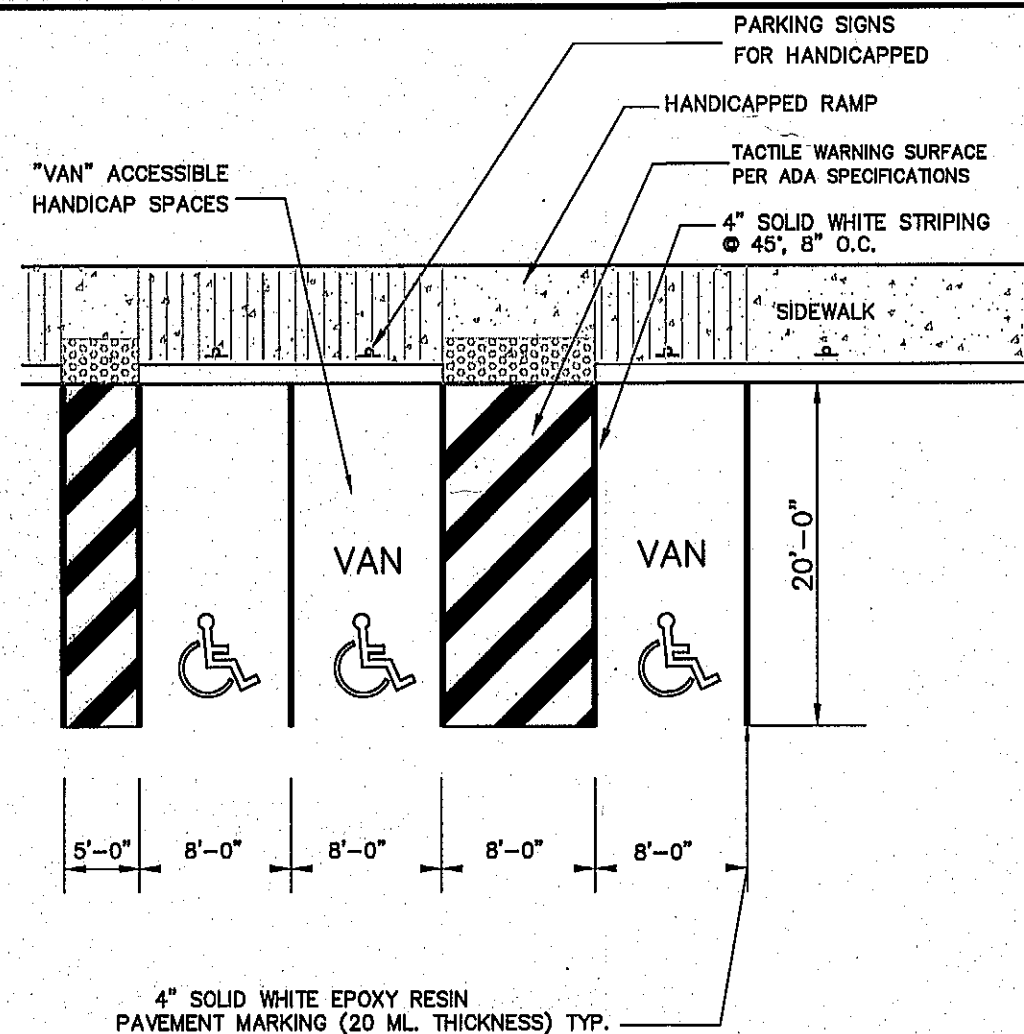
H:\2023\2023-003 Enterprise, 1584 Great Plain Ave., Needham\SURVEY\2023-003EC1.dwg
2023-003

LANDSCAPE SCHEDULE					
SYMBOL NAME	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
ARAF	2	ACER RUBRUM 'AUTUMN FLAME'	AUTUMN FLAME RED MAPLE	2-2 1/2" CAL.	B & B
PP	5	PICEA PUNGENS	COLORADO SPRUCE	6-7" HT.	B & B
RPJM	4	RHODODENDRON 'PJM'	PJM RHODODENDRON	18-24" HT.	CONTAINER
HSD		HEMEROCAULIS 'STELLA D'ORO'	STELLA D'ORO DAYLILLIES		#2 POT

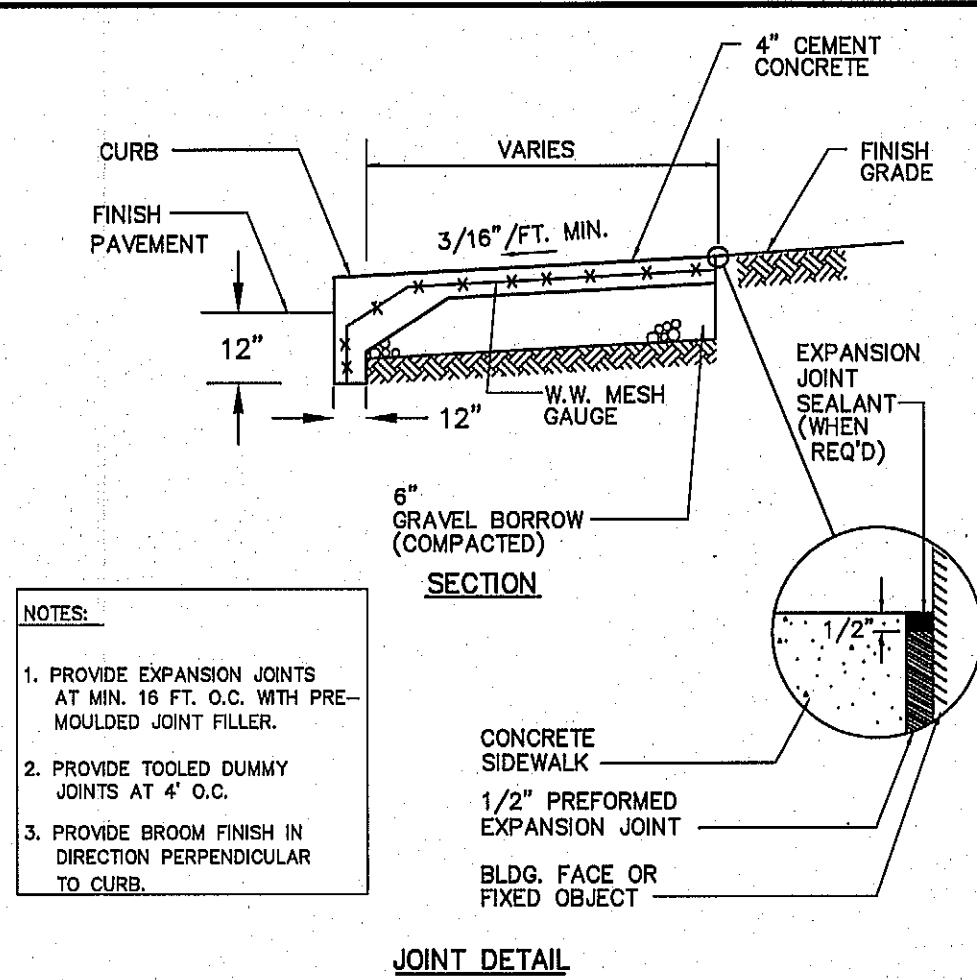


- NOTES:
1. THE MAXIMUM ALLOWABLE ROUTE (SIDEWALK) AND CURB RAMP CROSS SLOPES SHALL BE 1.0%.
 2. THE MAXIMUM ALLOWABLE SLOPE OF ACCESSIBLE ROUTE EXCLUDING CURB RAMP SHALL BE 0.8%.
 3. THE MAXIMUM ALLOWABLE SLOPE OF ACCESSIBLE ROUTE CURB RAMP SHALL BE 0.8%.
 4. A MINIMUM OF 4 FEET CLEAR SHALL BE MAINTAINED AT ANY PERMANENT OBSTACLE IN ACCESSIBLE ROUTE (I.E. HYDRANTS, UTILITY POLES, TREE WELLS, SIGNS, ETC.).
 5. CURB TREATMENT VARIES, SEE PLANS FOR CURB TYPE.
 6. BASE OF RAMP SHALL BE GRADED TO PREVENT PONDING.
 7. SEE TYPICAL SIDEWALK SECTION FOR RAMP CONSTRUCTION.

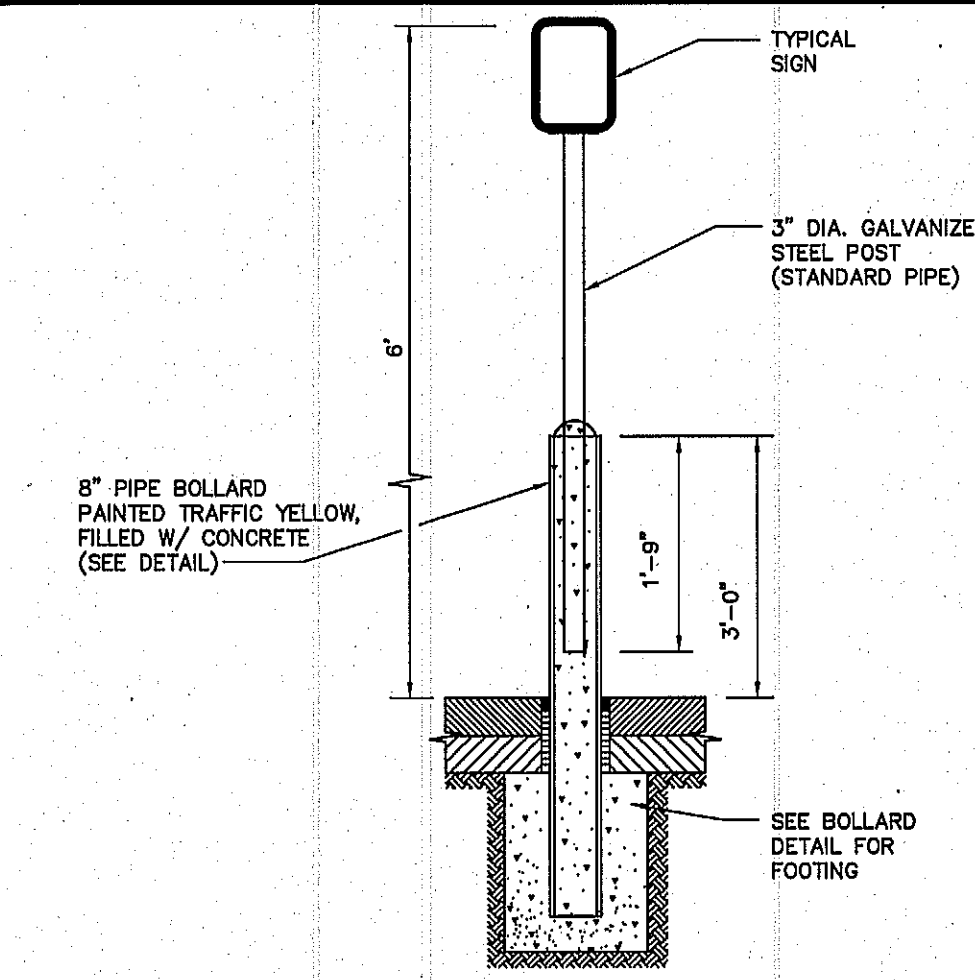
C-1 ACCESSIBLE CURB RAMP - TYPE 'A' N.T.S. DETAIL



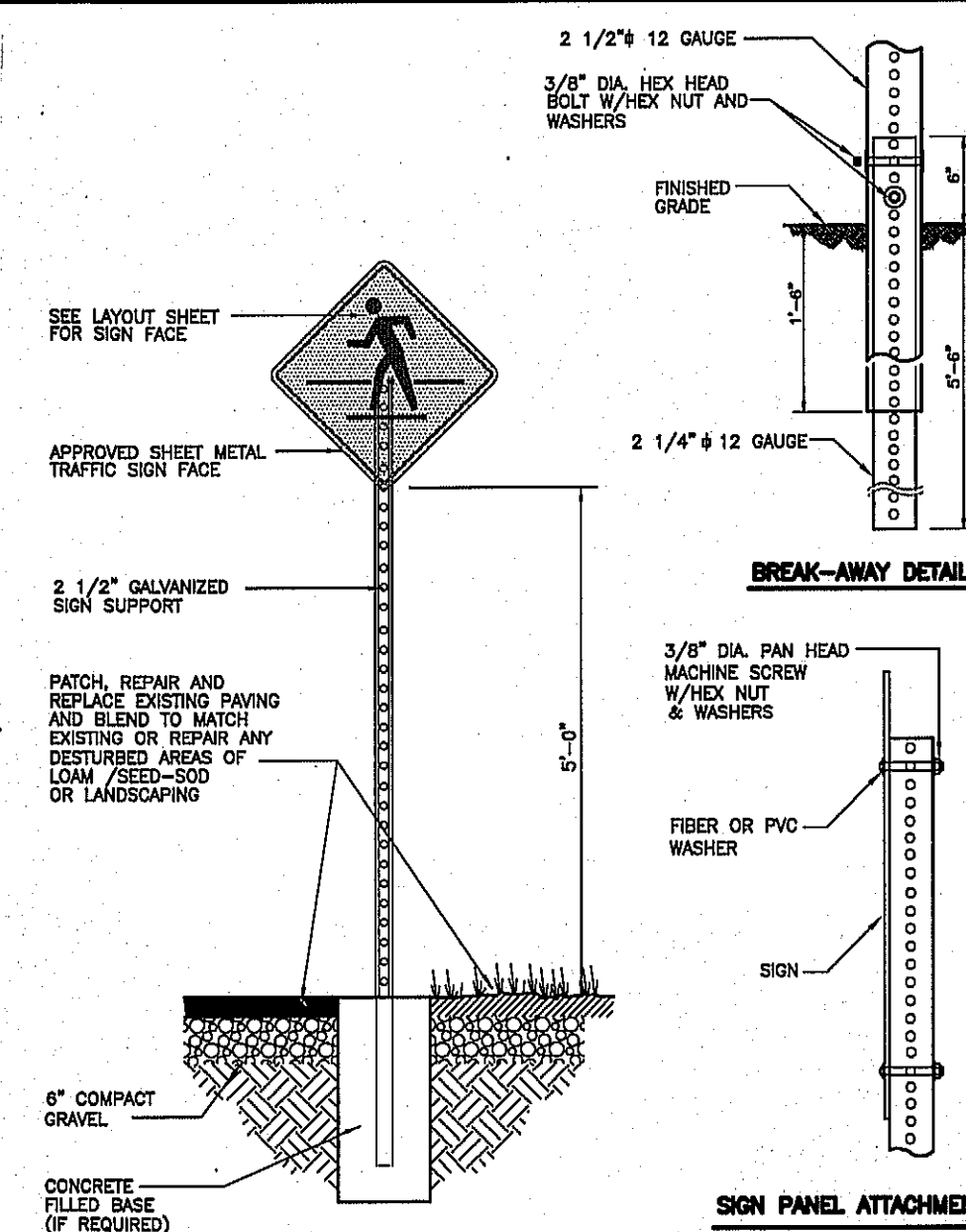
C-2 HANDICAP PARKING STALL LAYOUT N.T.S. DETAIL



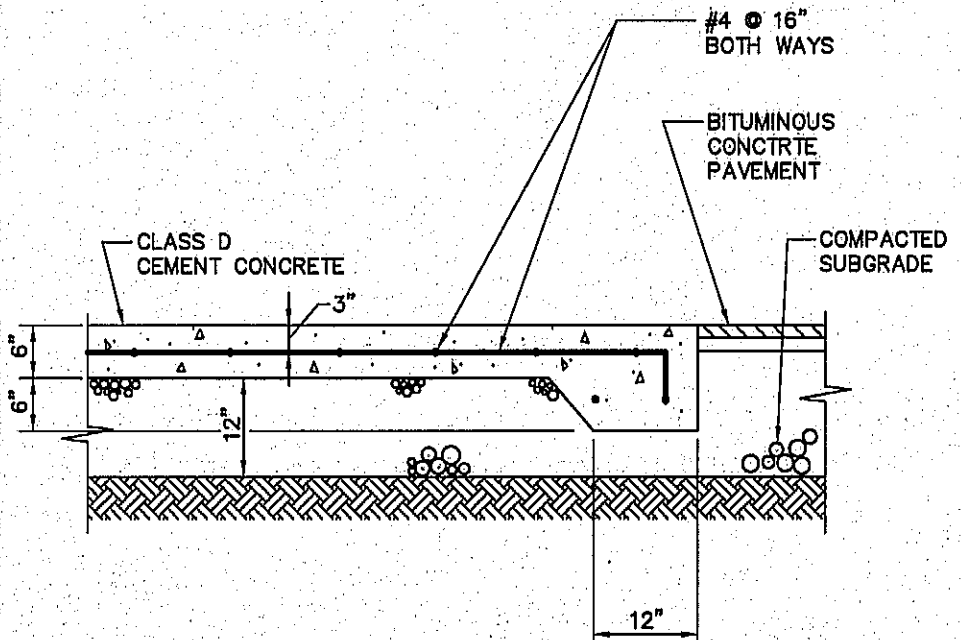
C-3 MONOLITHIC CONCRETE SIDEWALK AND CURB N.T.S. DETAIL



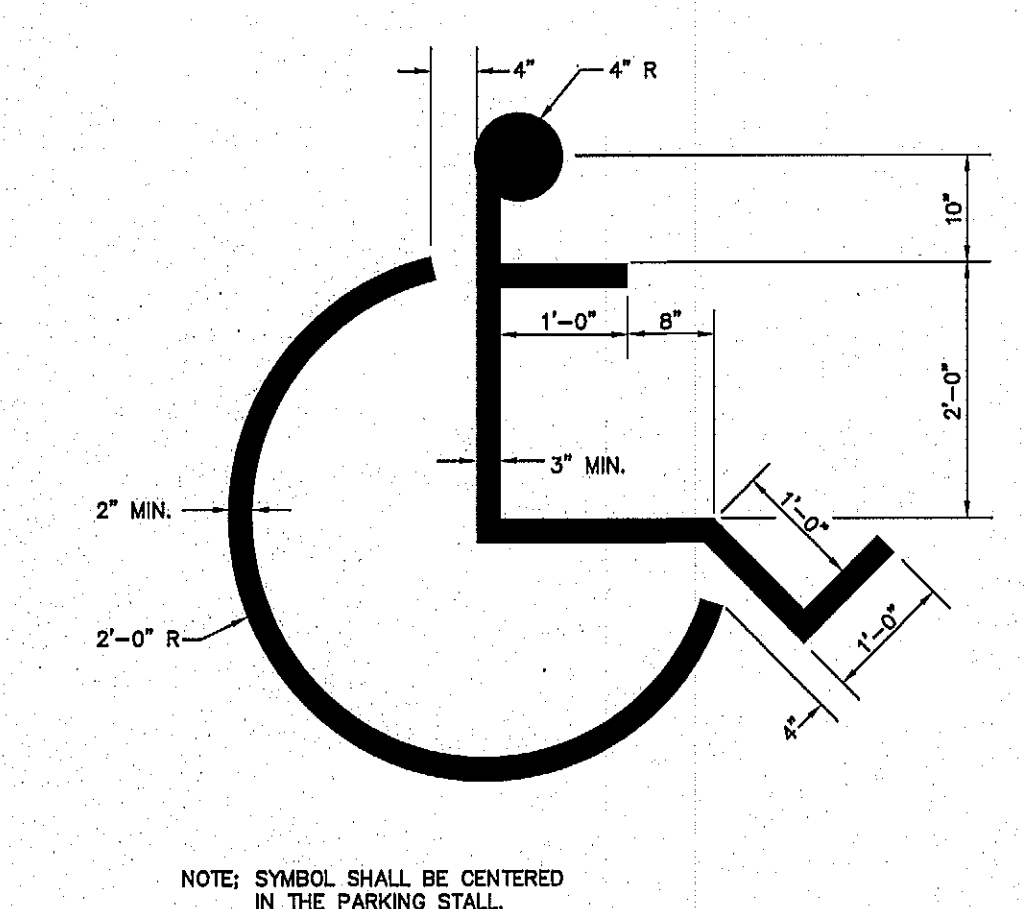
C-4 HANDICAP PARKING SIGN BASE (in paved area) N.T.S. DETAIL



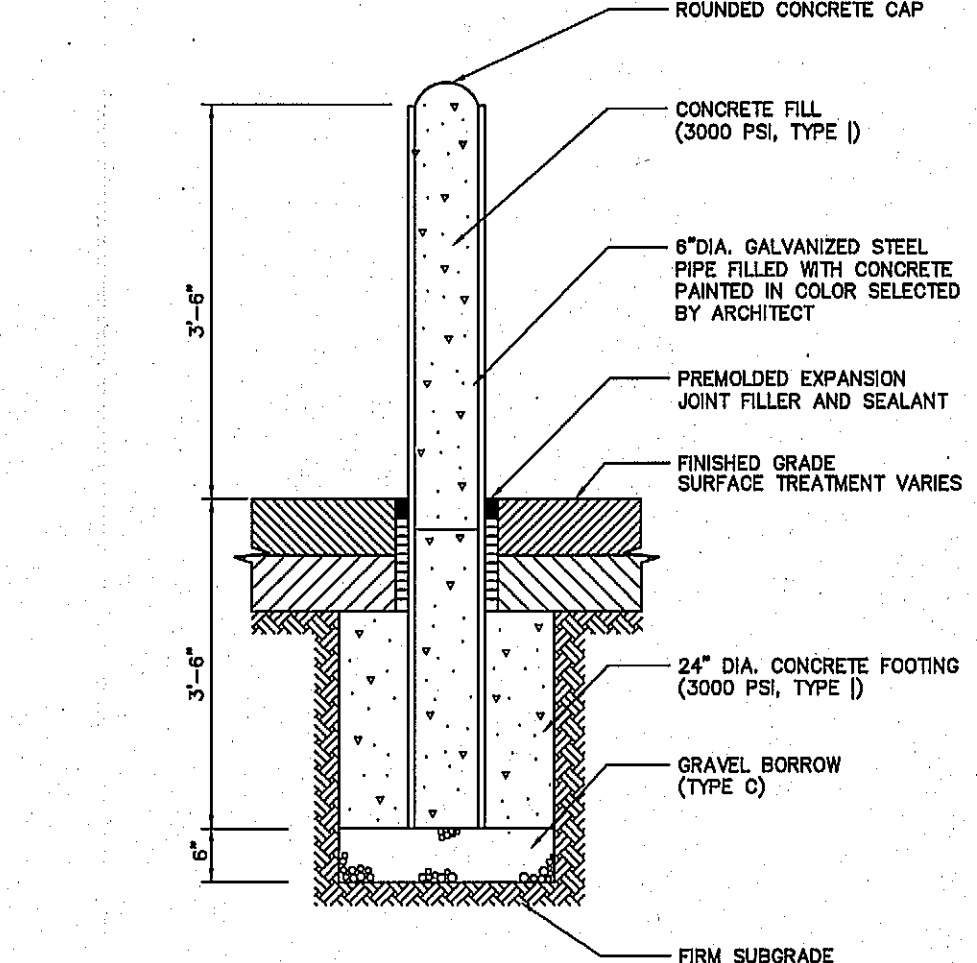
C-5 TRAFFIC SIGN POST N.T.S. DETAIL



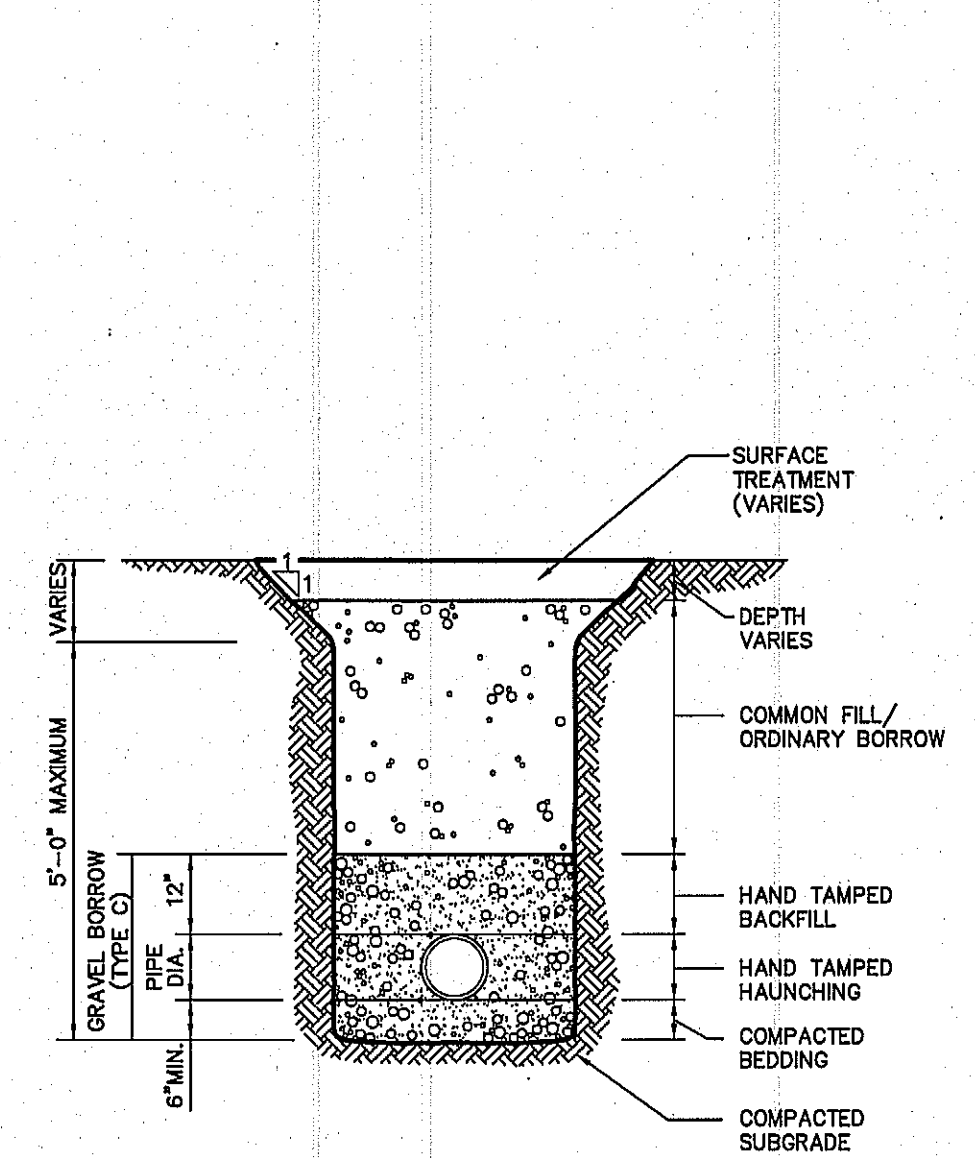
C-6 DUMPSTER PAD N.T.S. DETAIL



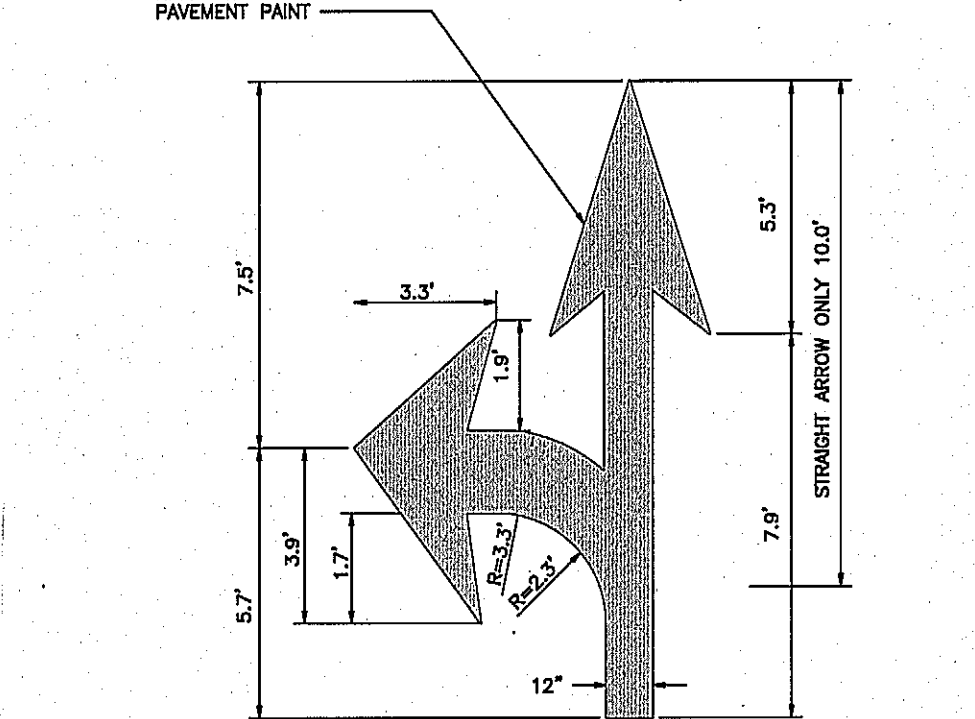
C-7 HANDICAPPED PARKING STALL SYMBOL N.T.S. DETAIL



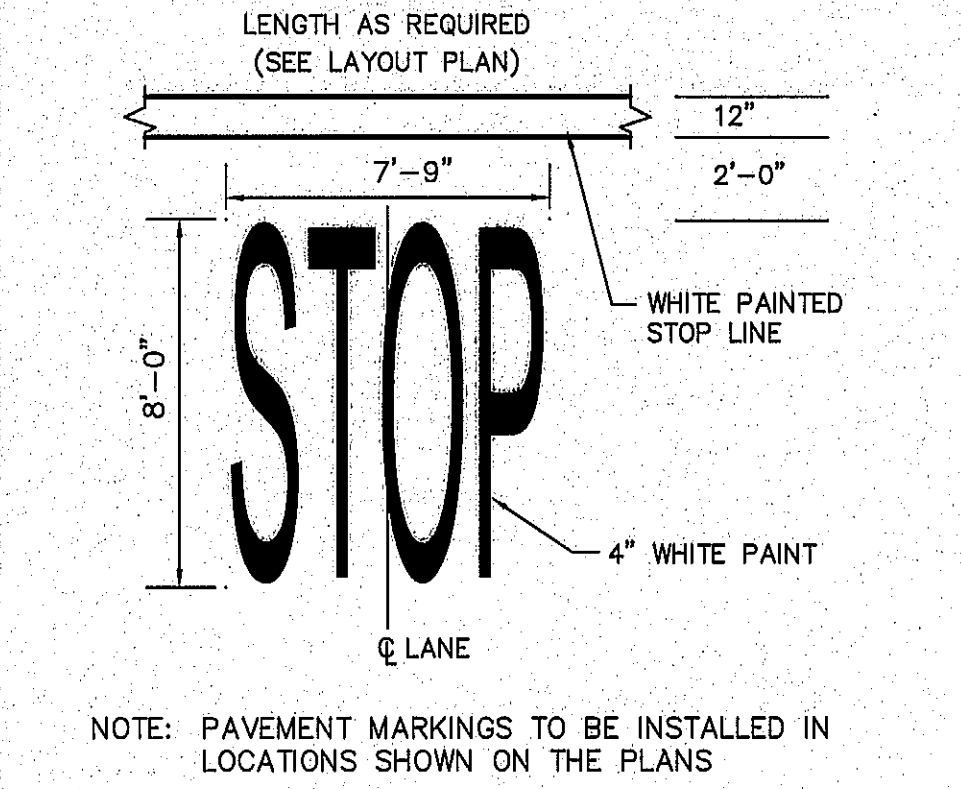
C-8 BOLLARD N.T.S. DETAIL



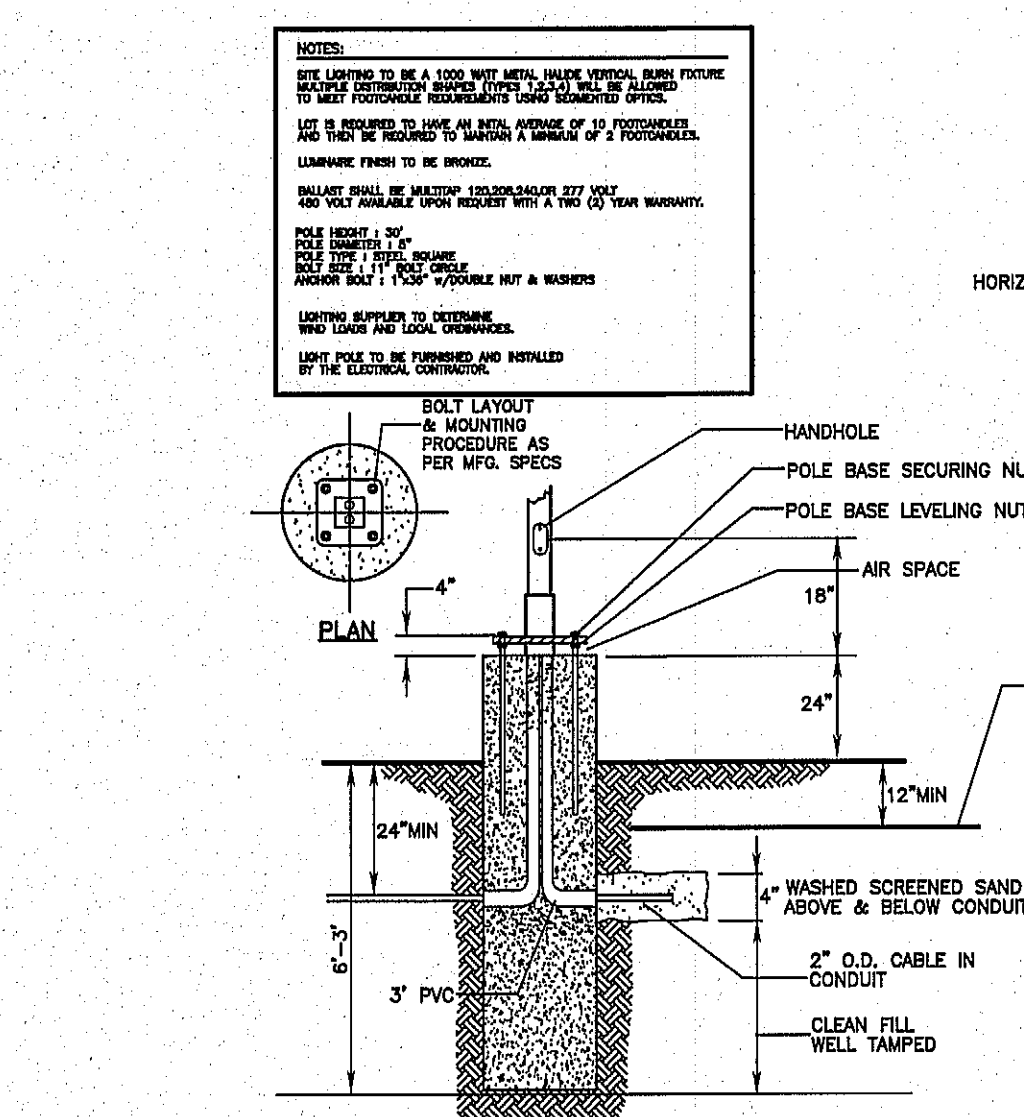
C-9 UTILITY TRENCH N.T.S. DETAIL



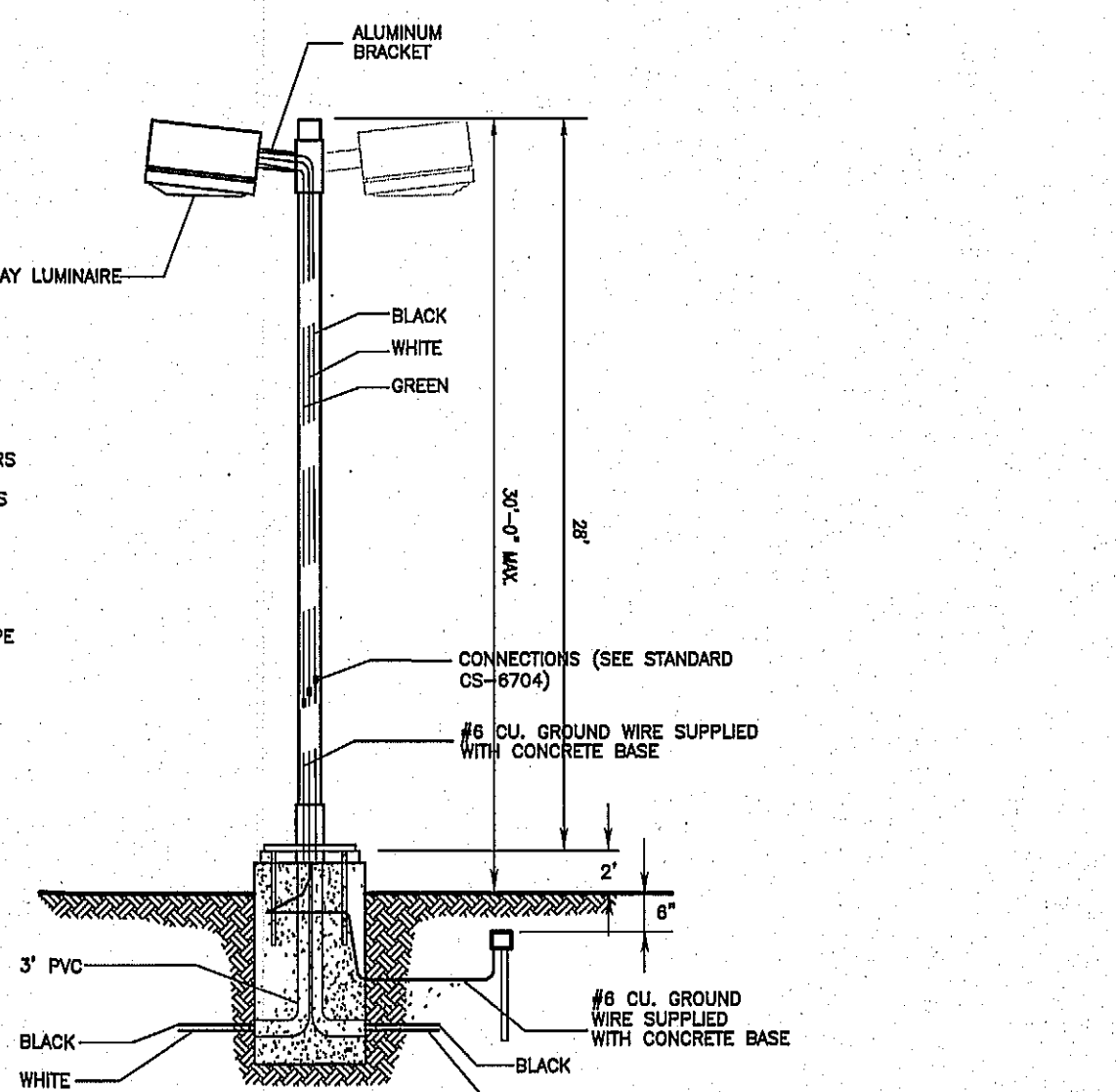
C-10 TURN AND ARROW TRAFFIC MARKING N.T.S. DETAIL



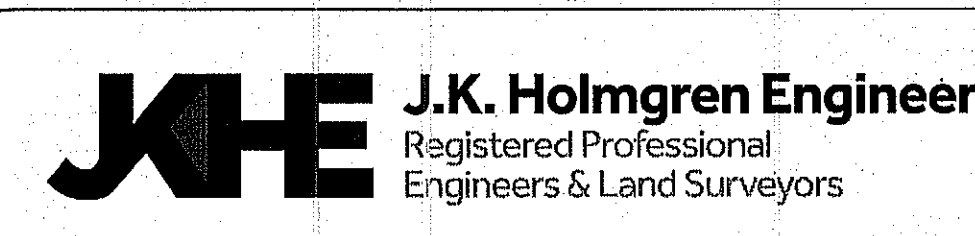
C-11 PAINTED PAVEMENT MARKING N.T.S. DETAIL



C-12 FOOT BASE MOUNTED LIGHT POLE N.T.S. DETAIL



C-13 HORIZONTAL ROADWAY LUMINAIRE N.T.S. DETAIL



Assessors Map: 216 Block: 17
1584 Great Plain Avenue, Needham, Massachusetts
PREPARED FOR

Enterprise Rent-A-Car

TITLE

DETAIL SHEET

J.K. HOLMGREN ENGINEERING, LLC

Registered Professional Engineers and Land Surveyors
1024 Pearl Street, Brockton, MA. 02301
Phone - (508) 583-2595
Email : sfaria@jkholmgren.com



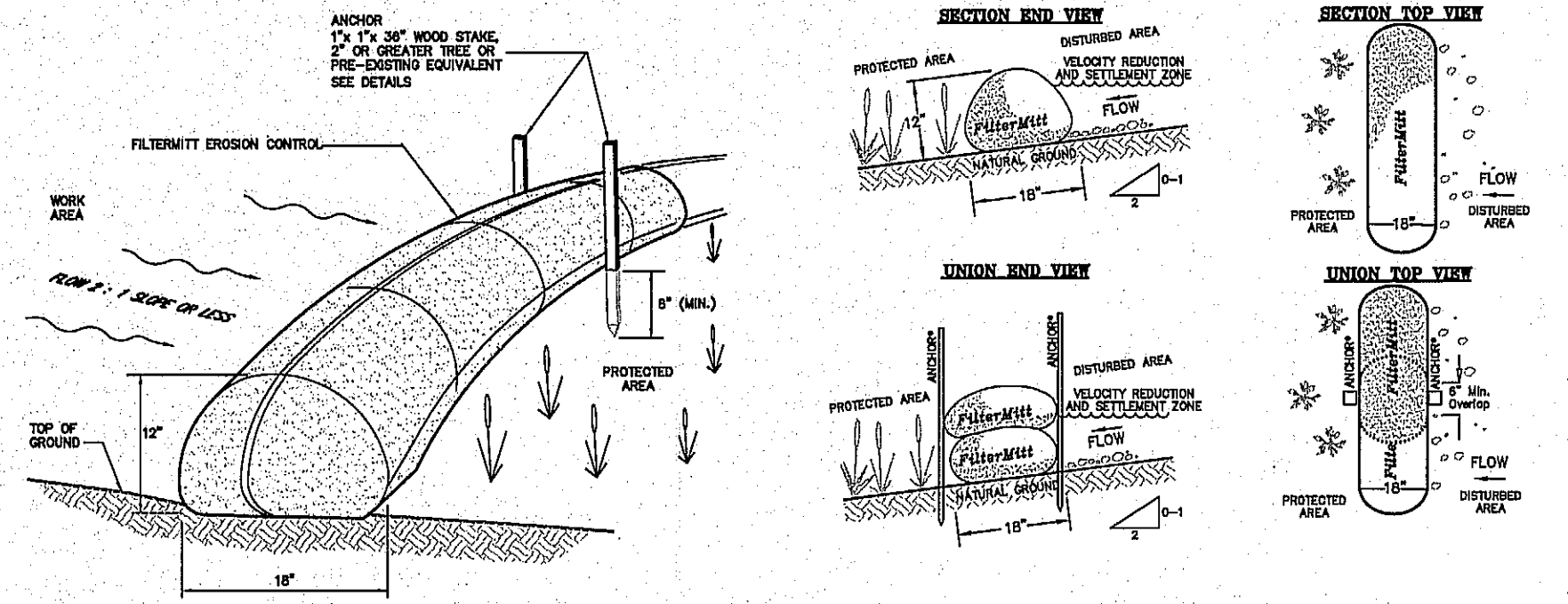
DATE: 02/16/2023

NO.	BY	DATE	REMARKS

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2023-003

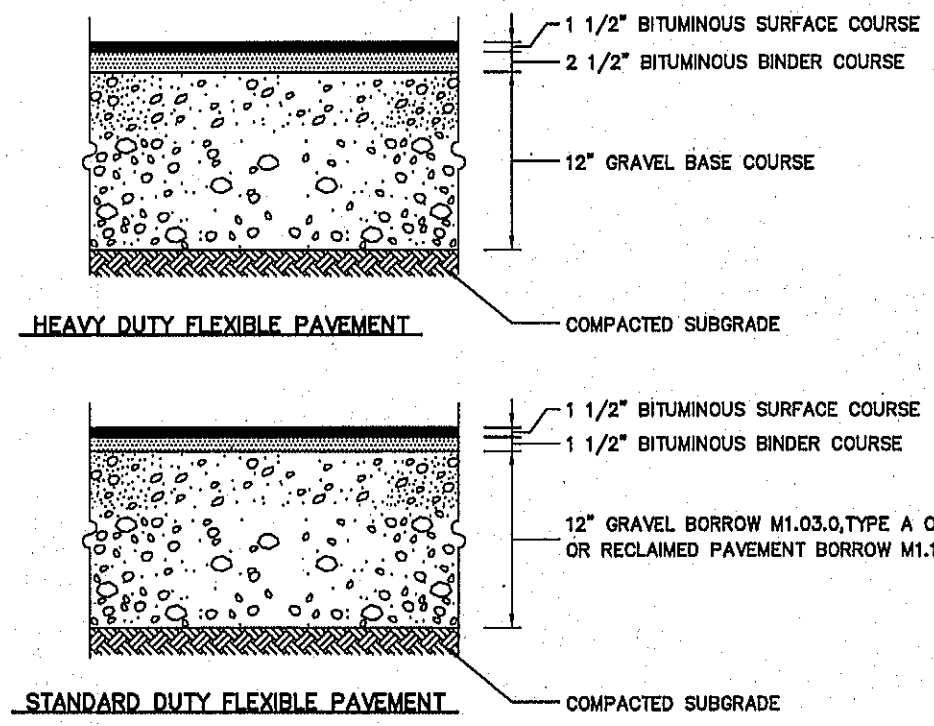
DATE: 02/16/2023

C-6
DRAWING NUMBER



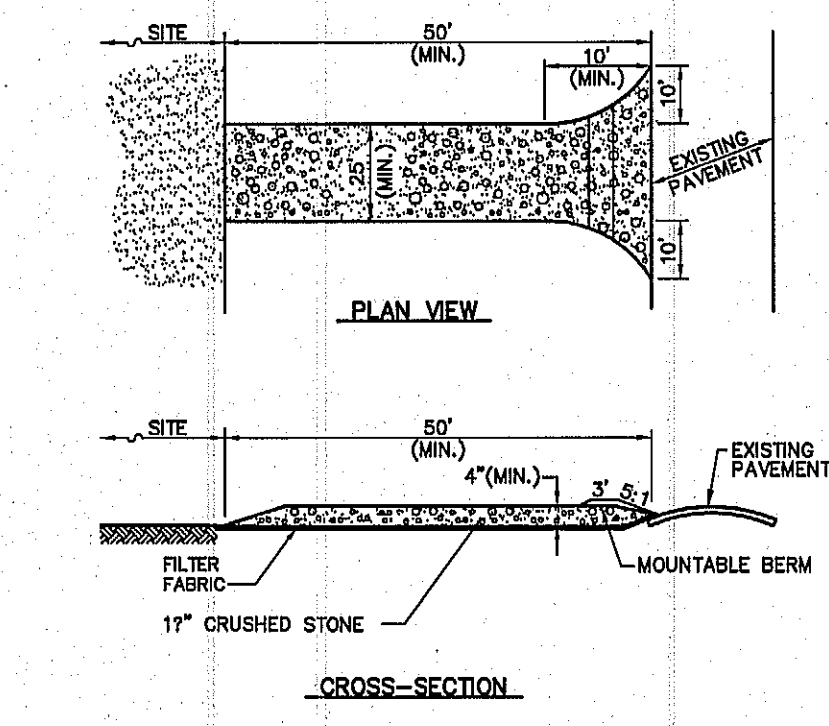
Filtermitt Components:
 Filtermitt is a 100% organic fiber, made of a blend of cotton and fine compost and mulch.
 Filtermitt is 100% compost and mulch, made of a blend of cotton and fine compost and mulch.
 Filtermitt is 100% compost and mulch, made of a blend of cotton and fine compost and mulch.

Filtermitt Erosion Control Detail
 N.T.S.



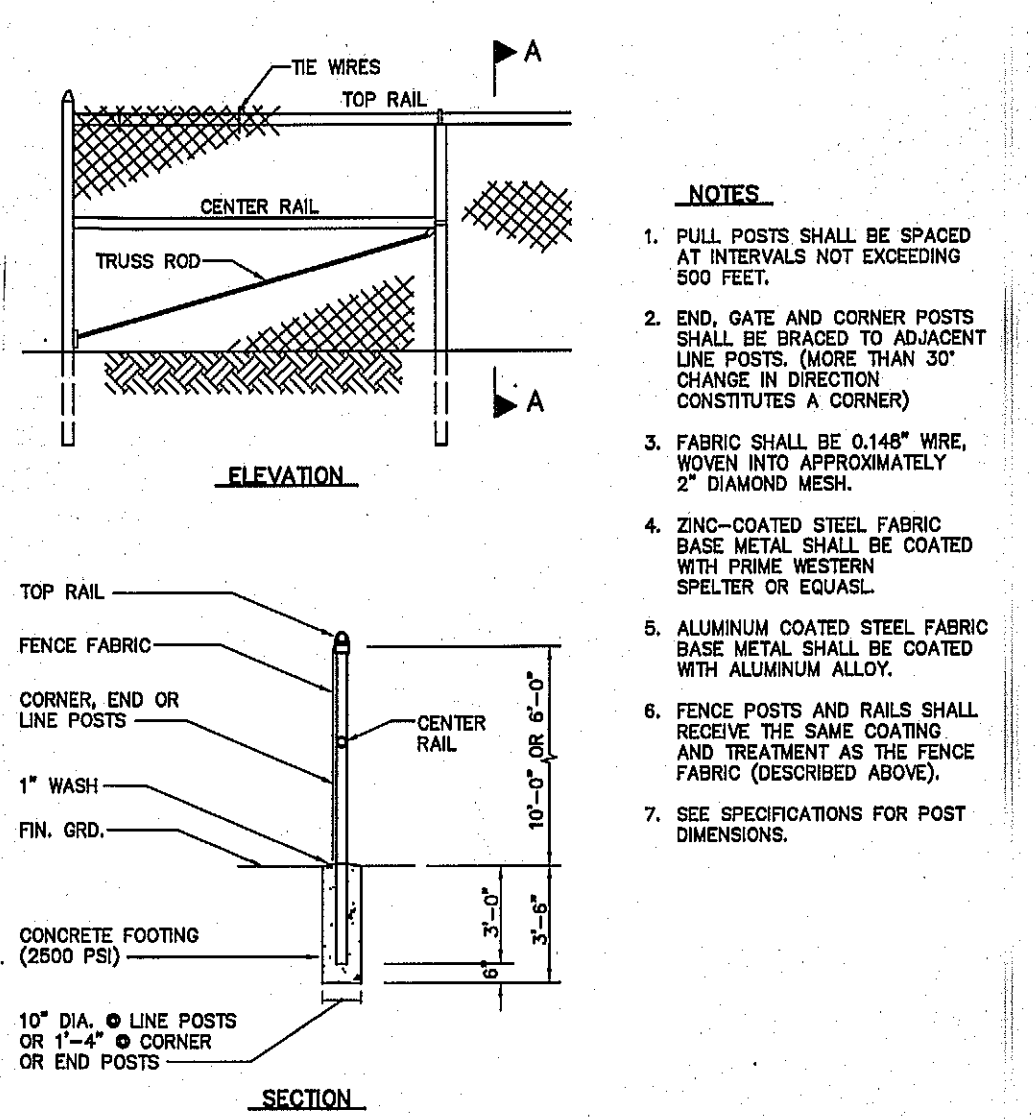
COMPOSITION AND COMPACTION ACCEPTANCE TESTS
 1. OBTAIN SAMPLES FROM PLANT TO INDICATE CONFORMANCE WITH M3.11.09
 2. PAVEMENT DENSITY AS OUTLINED IN M3.11.09
 3. ALL SAMPLES TO BE TAKEN IN ACCORDANCE WITH AASHTO T230
 4. MATERIALS SHALL MEET OR EXCEED THE REQUIREMENTS SPECIFIED IN SECTION M3.11.00 DIVISION III, MATERIALS AND THE FOLLOWING SUBSECTIONS
 MINERAL AGGREGATE: M3.11.04
 MINERAL FILLER: M3.11.05
 BITUMINOUS MATERIALS: M3.11.09
 COMPOSITION OF BASE COURSE: M3.11.02
 5. THE BITUMINOUS CONCRETE BASE COURSE SHALL BE CONSTRUCTED IN ACCORDANCE WITH RELEVANT SECTIONS/PROVISIONS OF SECTION 480 FOR CLASS I BITUMINOUS CONCRETE PAVEMENT, TYPE I-1
 6. CLASS I BITUMINOUS PAVEMENT, TYPE I-1 REQUIRED THE SAME TESTING AS BASE COURSE AND SHALL HAVE A MINIMUM OF 95% COMPACTION, TESTING TO BE COMPLETED BY METHODS OUTLINED IN M3.11.00

Bituminous Concrete Pavement Sections Detail
 N.T.S.

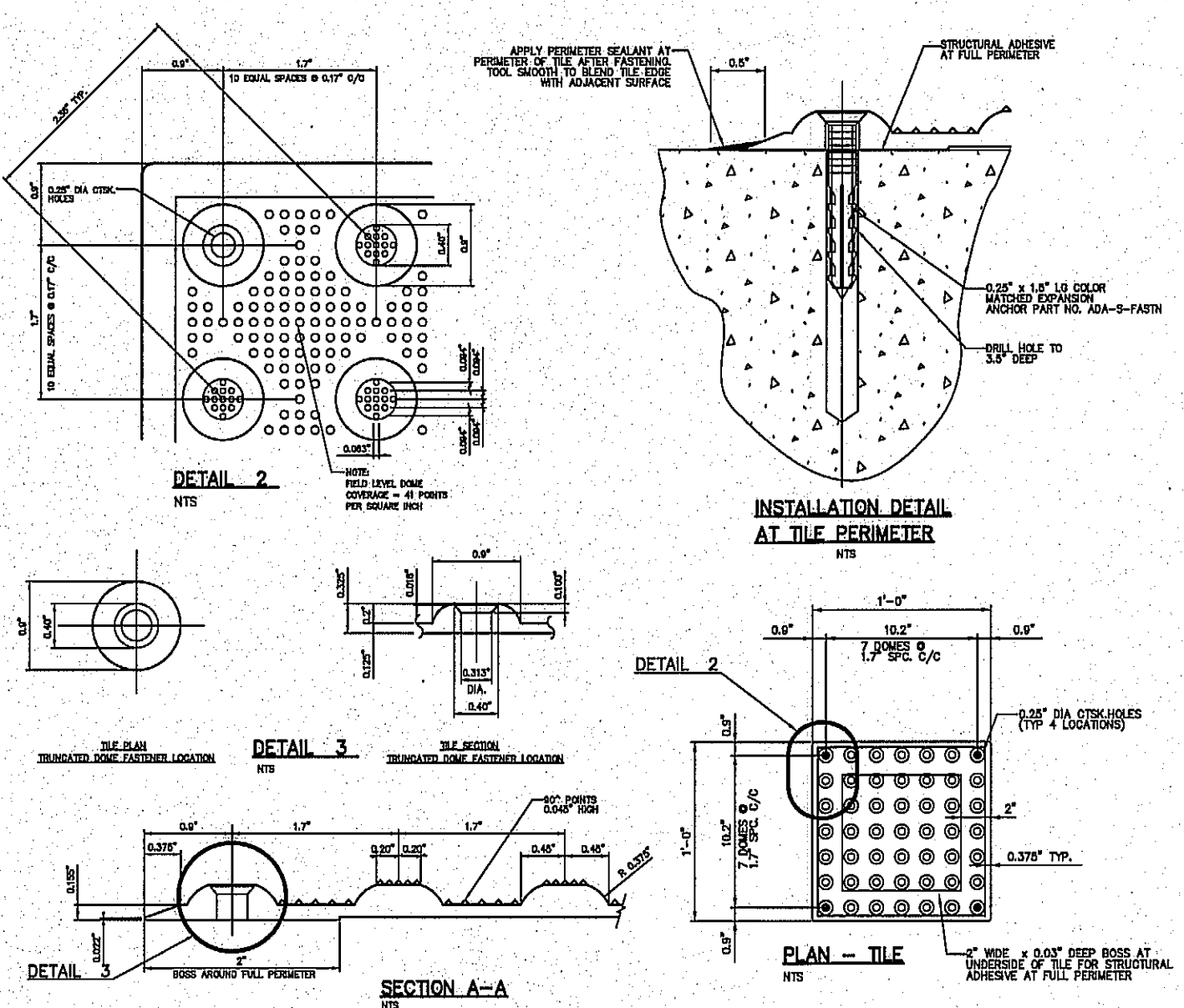


NOTES:
 1. ENTRANCE WIDTH SHALL BE A TWENTY-FIVE (25) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
 2. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH SHALL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY. BERM SHALL BE PERMITTED. PERIODIC INSPECTION AND MAINTENANCE SHALL BE PROVIDED AS NEEDED.

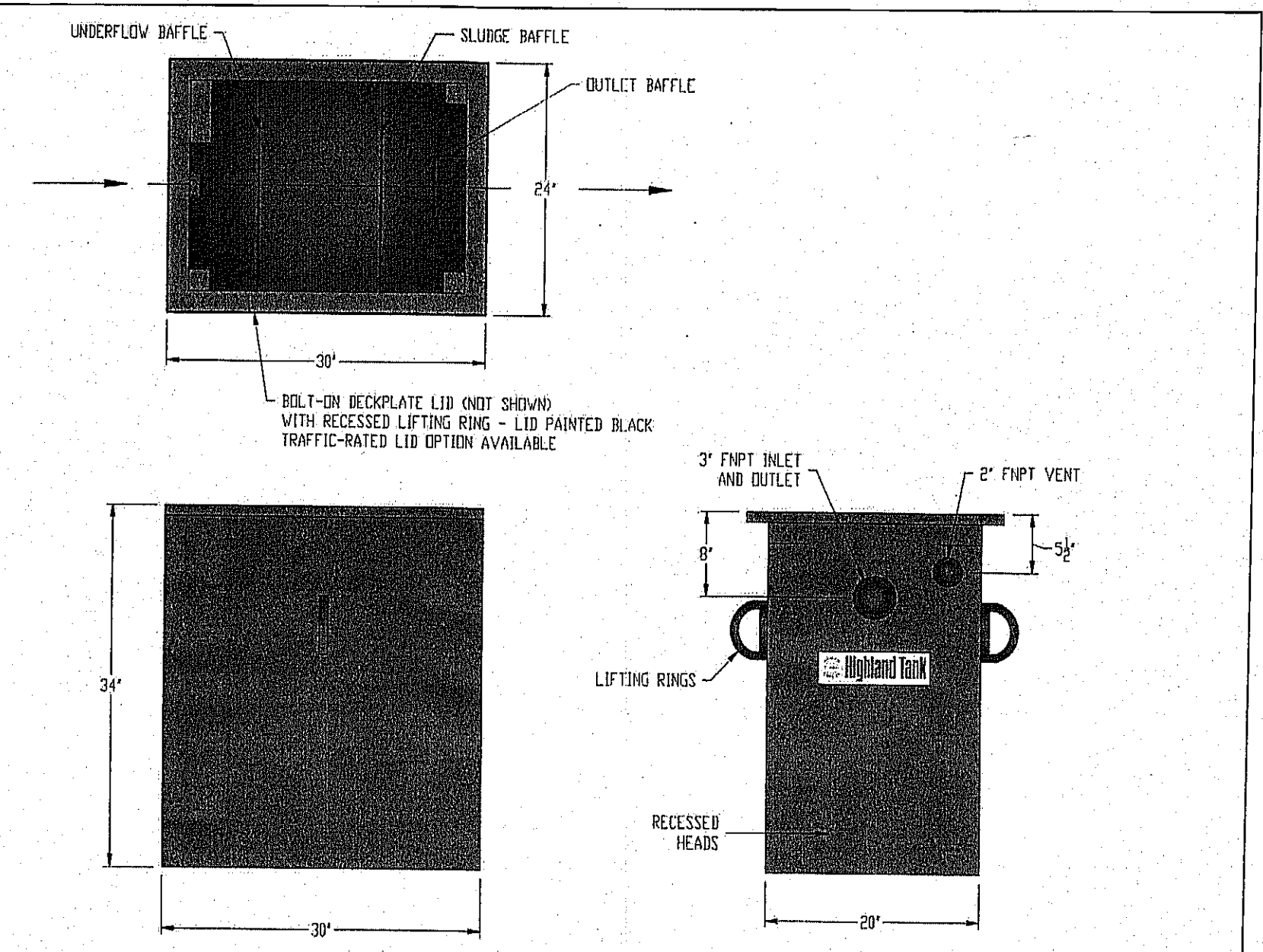
Stabilized Construction Exit Detail
 N.T.S.



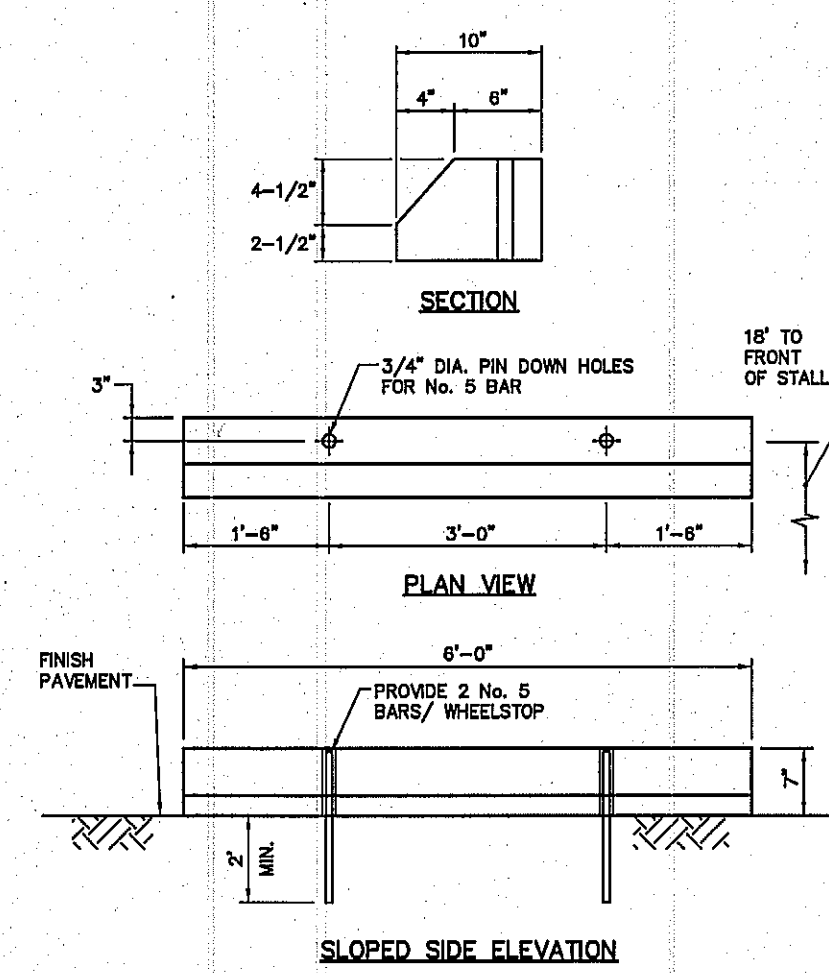
Chain Link Fence Detail
 N.T.S.



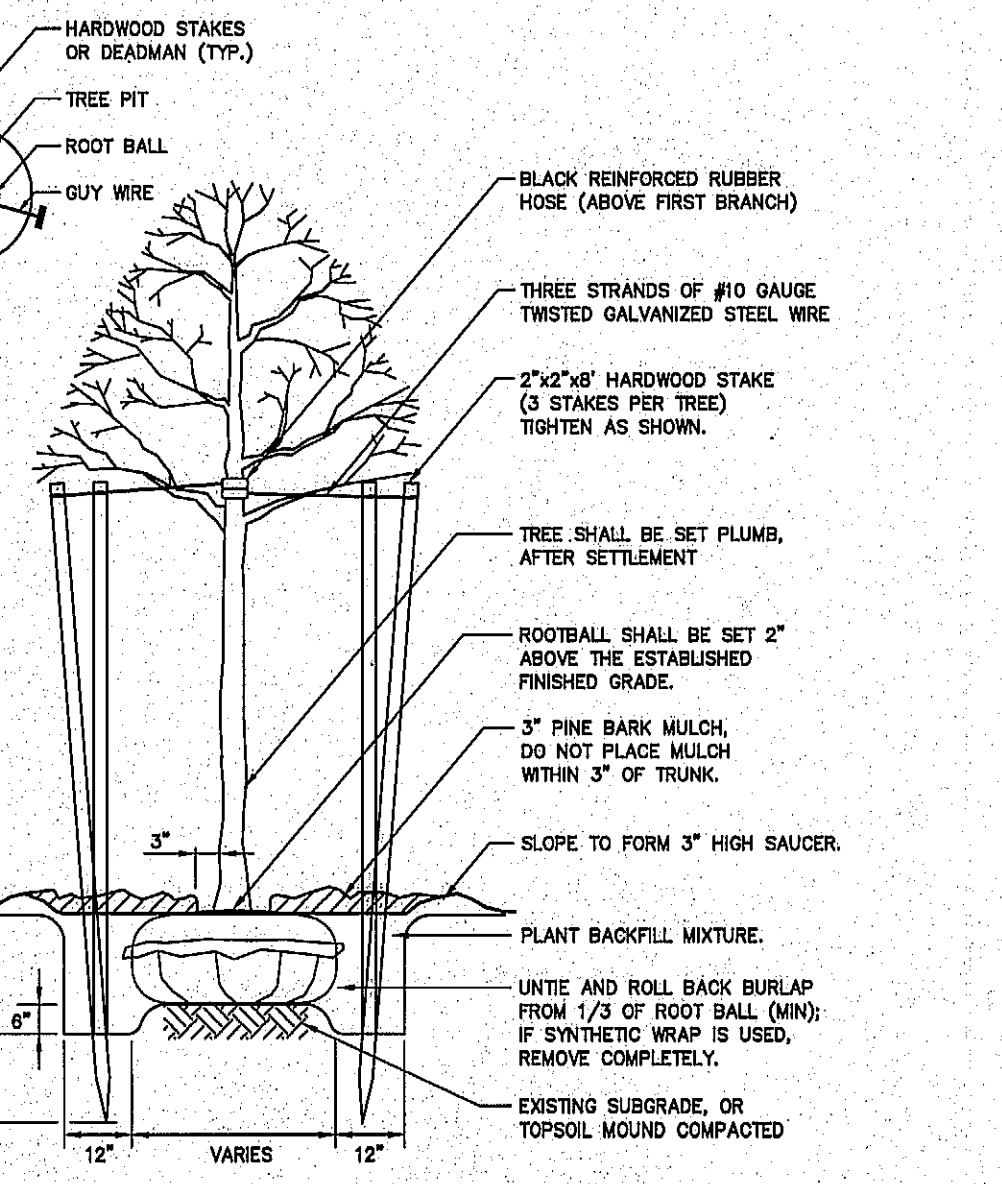
Handicapped Tactile Warning Tile Surface Detail
 N.T.S.



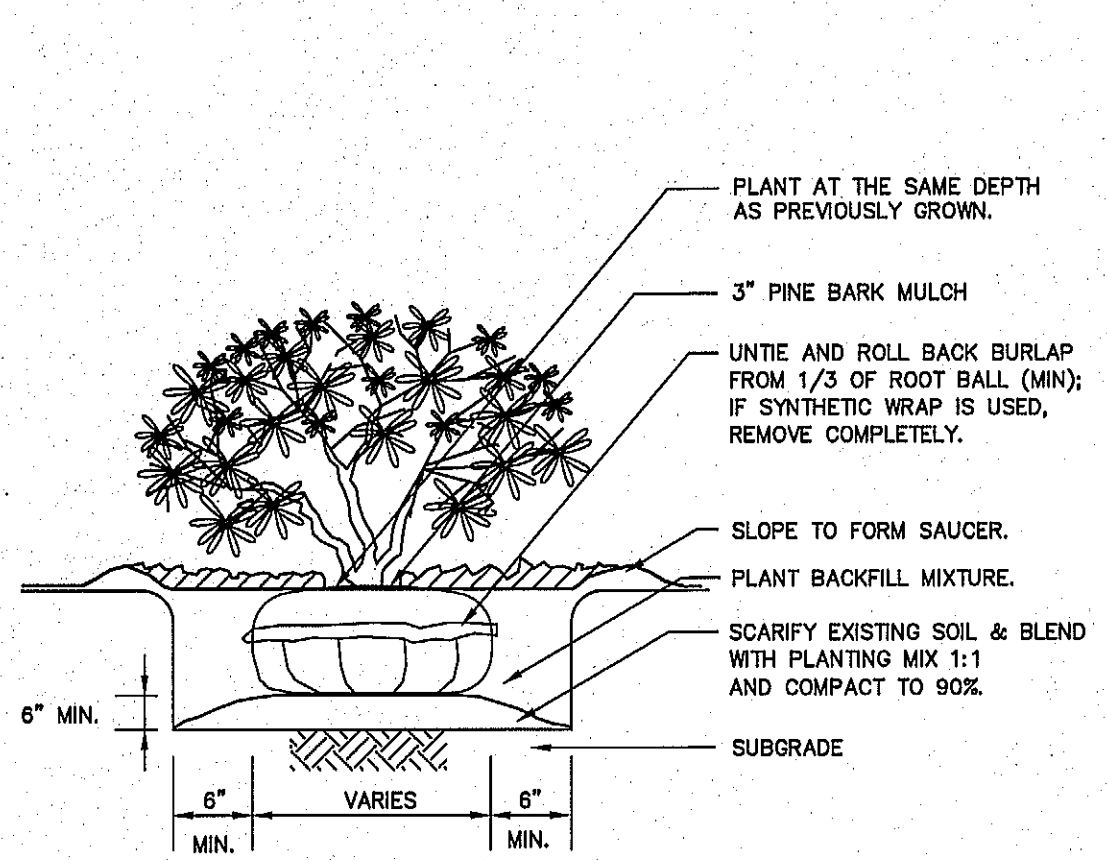
Oil Interceptor Tank - (Model MOI-25)



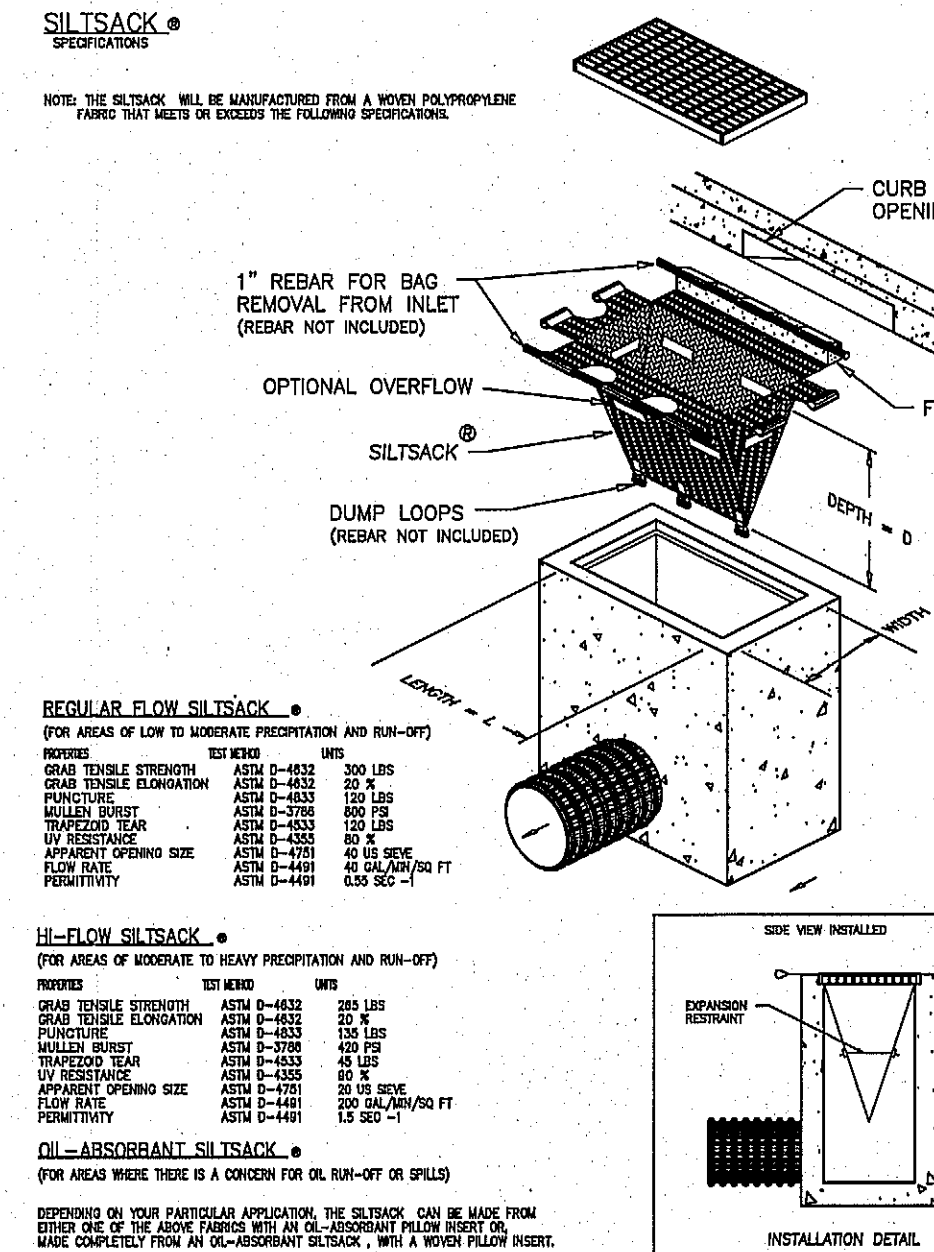
Concrete Bumper Detail
 N.T.S.



Tree Planting (For Trees under 4" caliper)
 N.T.S.



Shrub Planting Detail
 N.T.S.



Inlet Protection Silt Sack Detail
 N.T.S.

J.K. Holmgren Engineering
 Registered Professional
 Engineers & Land Surveyors

Assessors Map: 216 Block: 17
 1584 Great Plain Avenue, Needham, Massachusetts
 PREPARED FOR

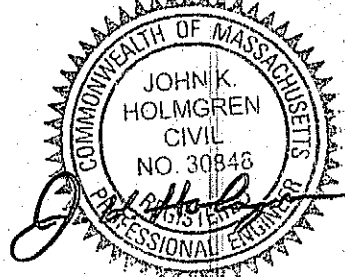
Enterprise Rent-A-Car

TITLE

DETAIL SHEET

J.K. HOLMGREN ENGINEERING, LLC

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 1024 Pearl Street, Brockton, MA. 02301
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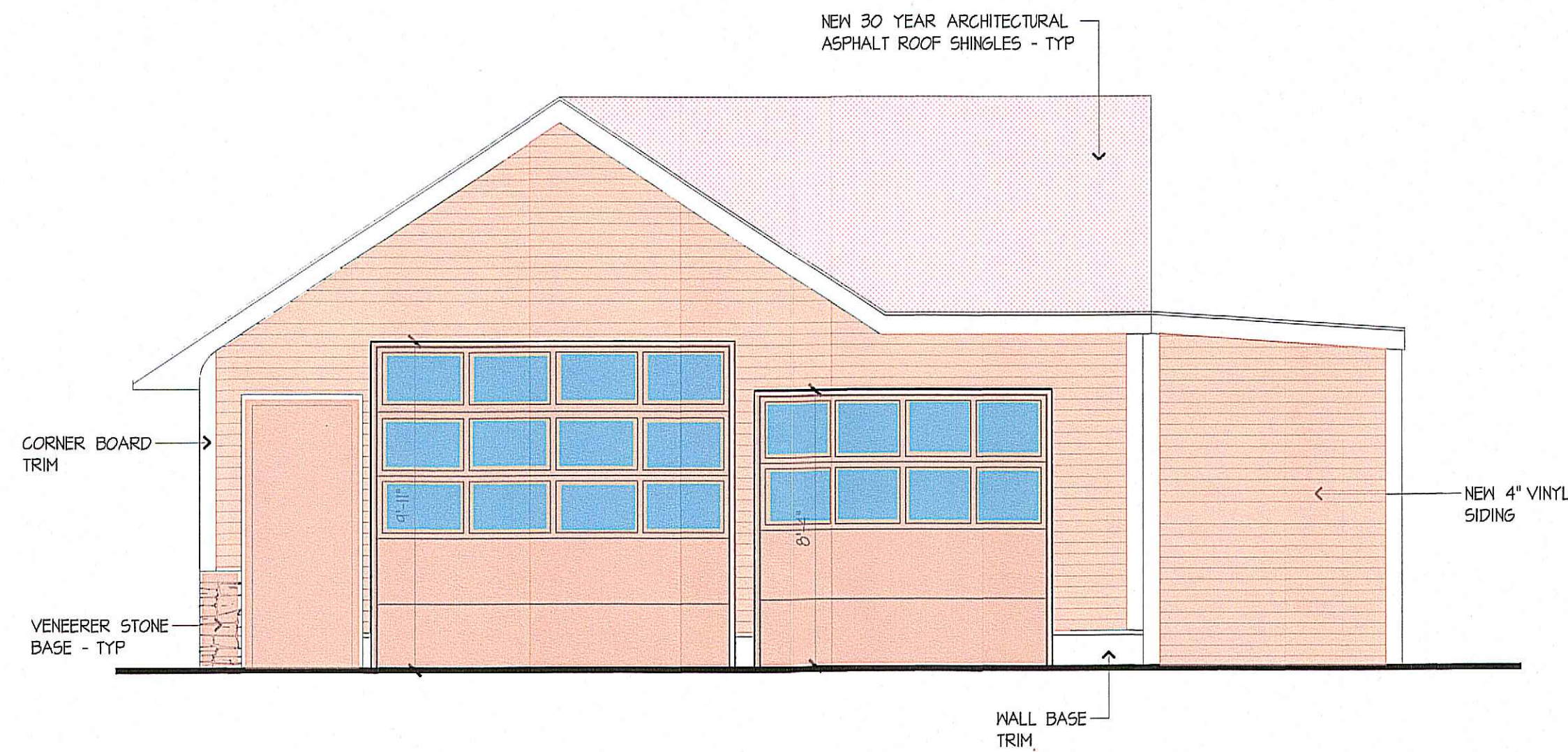
NO.	BY	DATE	REMARKS

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 2023-003

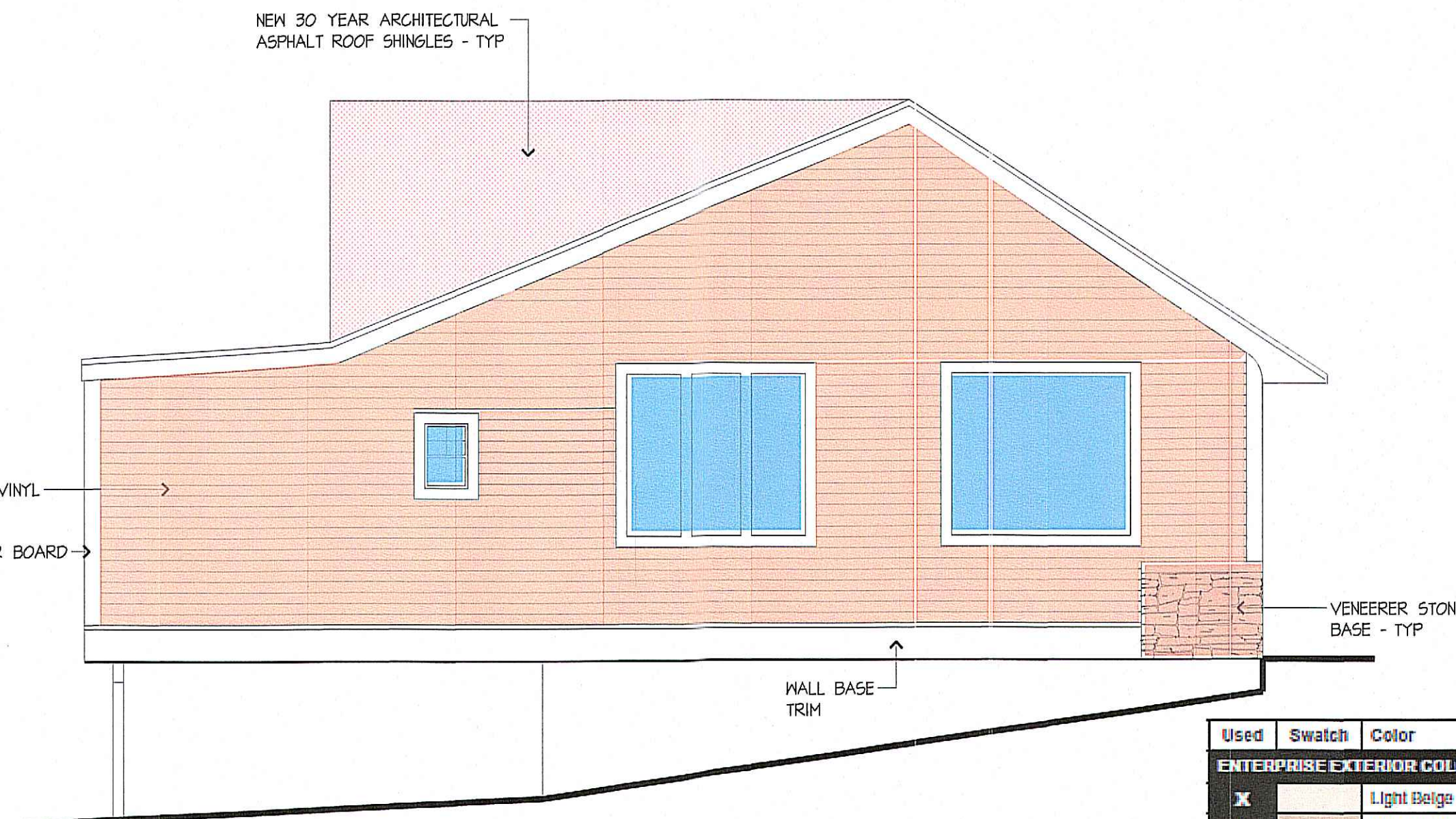
DATE: 02/16/2023

C-7

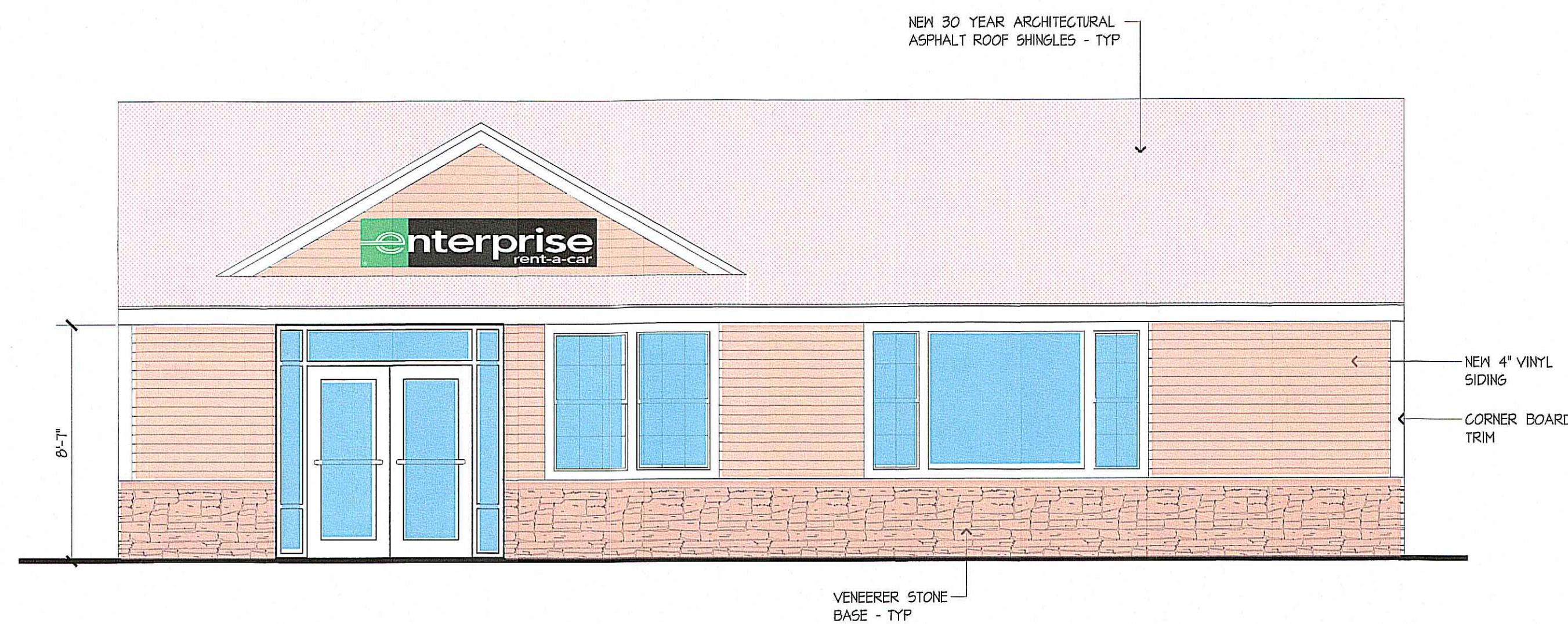
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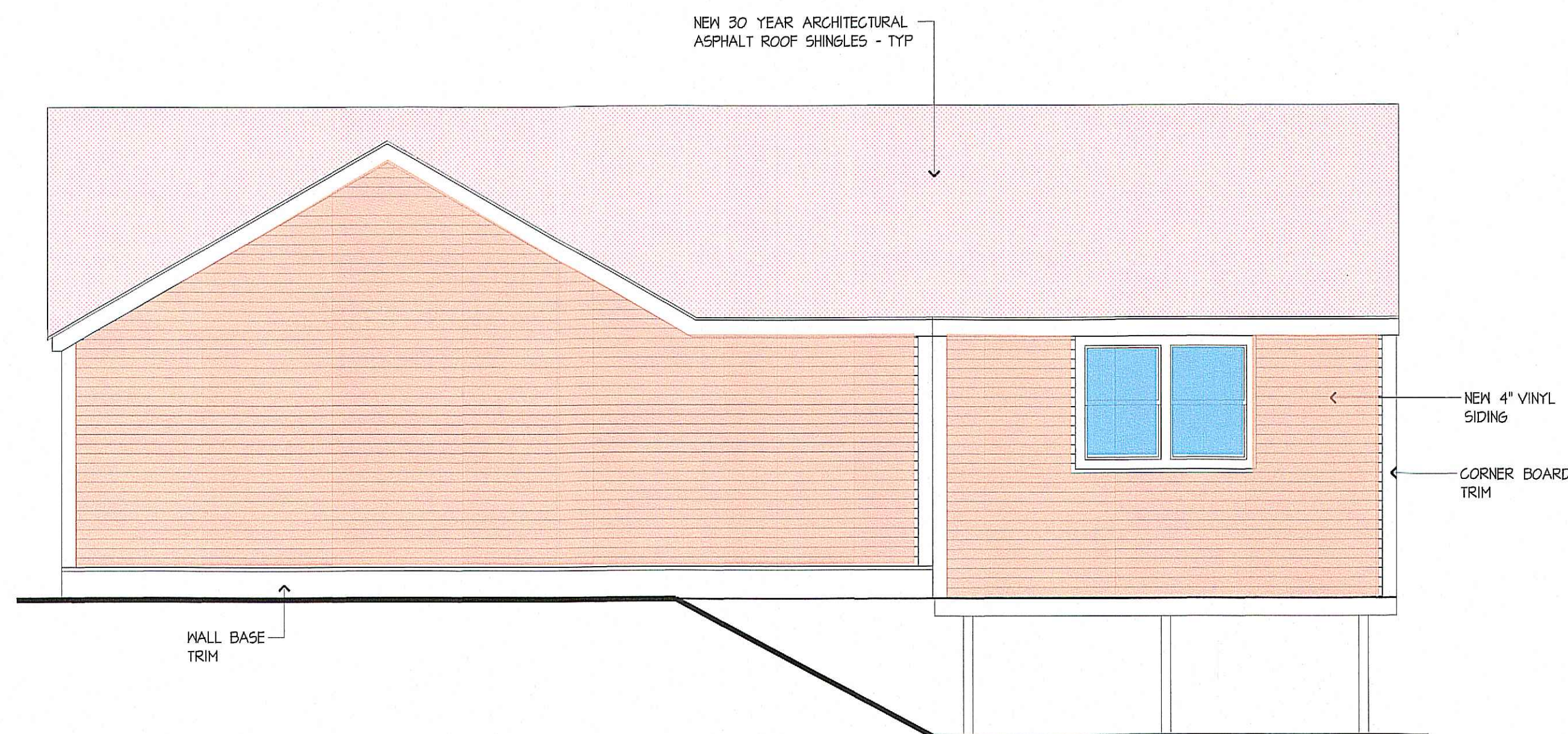
4 RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



5 LEFT SIDE ELEVATIONS
SCALE: 1/4" = 1'-0"



3 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

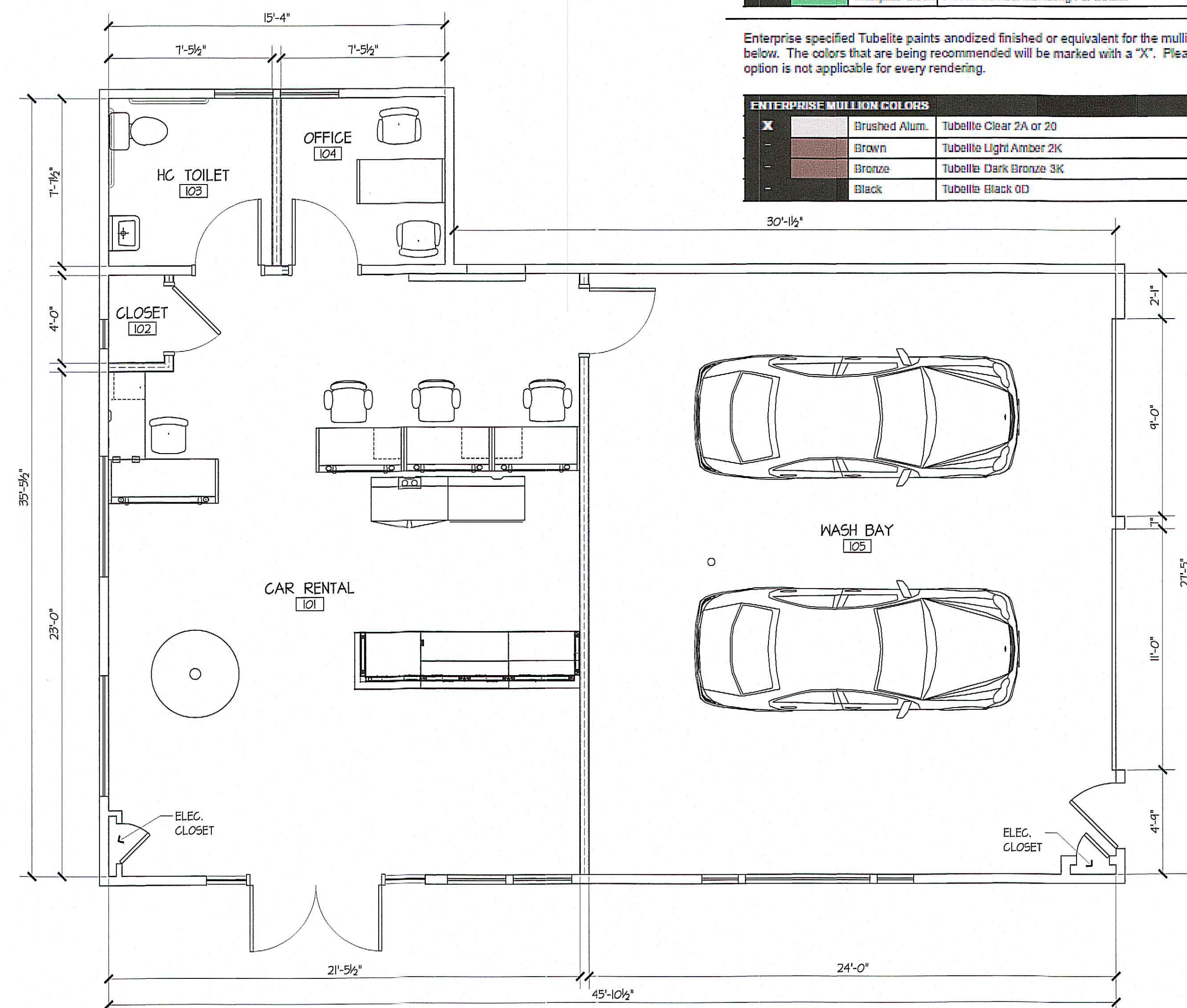


2 REAR ELEVATION
SCALE: 1/4" = 1'-0"

Used	Swatch	Color	Sherwin Williams Color Name
ENTERPRISE EXTERIOR COLORS			
X		Light Beige	SW 6140 - Moderate White (Satin)
X		Dark Beige	SW 7036 - Tony Taupe (Satin)
		Pure White	SW 7005 - Pure White (Satin)
		Bright White	BGGW300 Series, SherCryl Gloss Ultra White
		Black	SW 0258 - Tricorn Black (building accents)
		Black	BGG300 - Black (sign poles)
ENTERPRISE INTERIOR COLORS			
		Light Beige	SW 6140 - Moderate White (Eggshell or Satin)
		Light Blue	SW 6595 - Atmospheric (Eggshell or Satin)
		Light Green	SW 1428 - Uphill (Eggshell or Satin)
		Medium Brown	SW 7039 - Virtual Taupe (Eggshell or Satin)
		Enterprise Green	Please Contact Marketing For Details

Enterprise specified Tubelite paints anodized finished or equivalent for the mullions are listed below. The colors that are being recommended will be marked with a "X". Please note that this option is not applicable for every rendering.

ENTERPRISE MULLION COLORS			
X		Brushed Alum.	Tubelite Clear 2A or 20
		Brown	Tubelite Light Amber 2K
		Bronze	Tubelite Dark Bronze 3K
		Black	Tubelite Black 0D



1 FLOOR PLAN
SCALE: 1/4" = 1'-0"

Enterprise Holdings, Inc.

1584 Great Plain Avenue
Needham, MA

Renovations

JFA
J FERRERA ASSOCIATES INC.

2 Fern Lane - Sterling, MA 01564
tel: (978) 407-8848
email: jaferrera@comcast.net



ISSUED FOR PERMIT

NO.	DATE	DESCRIPTION
1	02-16-23	ISSUED FOR PERMIT

SHEET TITLE:

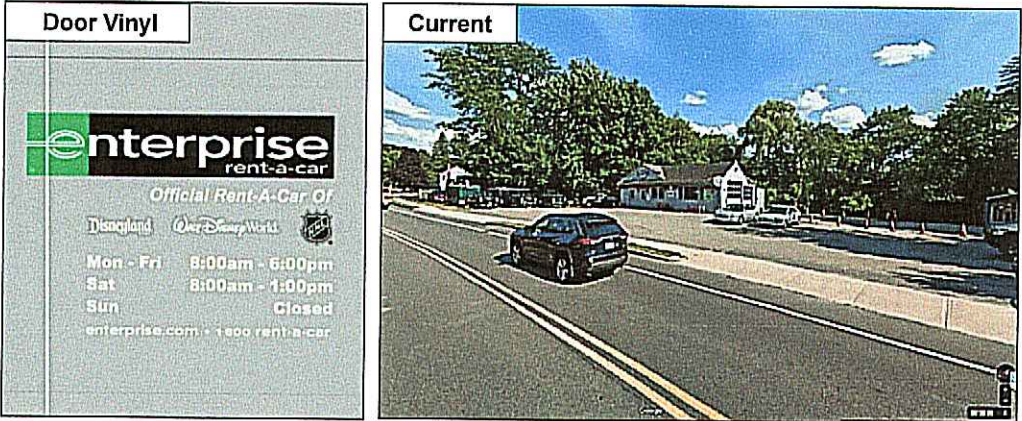
PROPOSED
FLOOR PLAN
&
ELEVATIONS

Job No.:	22031
FILE:	
DRAWN:	
SCALE:	1/4" = 1'-0"
DATE:	02/02/2023

SHEET IDENTIFICATION:

A-201

Exterior | Approach



Proposed Rendering



Illuminated Pylon Sign 2'-0" h
x 10'-0" w (20sqft)

15' 0" Tall

12" h Full Color Window Swipe

Tradedress Rendering

Date:

2/17/23

Group:

10

Branch #s:

K4

Location:

Needham, MA

Artist:

Allen

Specialist:

Corner

Job #:

BI2261

Type:

HC

Attention: These renderings are intended to be used for conceptual Tradedress sign and site planning. They are not to be considered as construction drawings. Verification of dimensions, field conditions and local building codes is required.

In order to maintain brand consistency and integrity, for all significant tradedress upgrades please refer to the Facility and Vehicle Identification Manuals on the Operations Intranet or AdShop.

Corporate Resources are also available to help guide you on significant tradedress updates as necessary. For airport facilities consult with the Airport Facilities/Construction team or for home city locations consult your Corporate Operations team.

Specified Sherwin Williams® paints are listed below. The colors that are being recommended to complete the above rendering will be marked with a 'X'. Contact your local Sherwin Williams Representative for specific paint specifications and applications at 1-800-4SHERWIN.

Used	Swatch	Color	Sherwin Williams Color Name
ENTERPRISE EXTERIOR COLORS			
X		Light Beige	SW 6140 - Moderate White (Satin)
X		Dark Beige	SW 7038 -Tony Taupe (Satin)
-		Pure White	SW 7005 - Pure White (Satin)
-		Bright White	B66W300 Series, SherCryl Gloss Ultra White
-		Black	SW 6258 -Tricorn Black (building accents)
-		Black	B66B300 - Black (sign poles)
ENTERPRISE INTERIOR COLORS			
-		Light Beige	SW 6140 - Moderate White (Eggshell or Satin)
-		Light Blue	SW 6505 - Atmospheric (Eggshell or Satin)
-		Light Green	SW 1428 - Uphill (Eggshell or Satin)
-		Medium Brown	SW 7039 - Virtual Taupe (Eggshell or Satin)
-		Enterprise Green	Please Contact Marketing For Details

Enterprise specified Tubelite paints anodized finished or equivalent for the mullions are listed below. The colors that are being recommended will be marked with a "X". Please note that this option is not applicable for every rendering.

ENTERPRISE MULLION COLORS			
X		Brushed Alum.	Tubelite Clear 2A or 20
-		Brown	Tubelite Light Amber 2K
-		Bronze	Tubelite Dark Bronze 3K
-		Black	Tubelite Black 0D

Site Location:
1584 Great Plain Ave, Needham, MA

Signage Restrictions:
Building Signage: Each sign shall not exceed 2 sq ft for every linear foot of projected area up to a maximum of 32 sq ft

Proposed Signage
Building Signage:



Town of Needham Building Department

500 Dedham Ave.
Needham, MA 02492

Tel. 781-455-7550 x 308

March 7, 2023

Town of Needham / Zoning Board of Appeals
500 Dedham Ave.
Needham, MA. 02492

Re: Application reviews for the March 2023 Hearing

Dear Board Members,

I have reviewed the applications for the March hearing and have the following comments.

246 Forest Street

The applicant is seeking a Special Permit under By-Law section 1.4.6 to demolish a lawful pre-existing non-conforming single-family home and replace it with a new home. This lot is located in an SRA District where most of the lots in this area of town do not conform to the SRA District requirements. The applicant is proposing side setbacks that would be consistent with the SRB District but are no closer than the existing structure, the applicant will be compliant on the front and rear setbacks. The Board has approved similar setback proposals on Rolling Lane which is the abutting street that runs parallel to Forest Street. I am not opposed to this Special Permit if the Board finds it appropriate to approve.

1584 Great Plain Ave.

The applicant Future Plan Investment is seeking Special Permits under By-law sections 1.4.6 and 1.4.10 to replace an existing lawful pre-existing non-conforming vehicle repair facility with an Enterprise car rental business. The existing parking lot will be cleaned, sealed and restriped consistent with the original parking layout. Renovations will be done to the existing building including minor facade changes and new signage. In looking at the site I believe that this will be a better non-conforming use for this location in town, however the landscaping trucks and equipment will need to be removed and the rental business operating on the property only. This property consists of two lots which appear to be owned by the same owner according to the deed, therefore I am considering both lots as 1584 Great Plain Ave. when speaking about the property.

I have checked our files and this property has a long history of complaints and violations including the parking of commercial vehicles, vehicle sales and illegal signage. I can only support this proposal if the commercial vehicles, trailers and equipment not associated to the car rental business are removed from the property this includes both lots. If the Board decides to approve the proposal, please include the following conditions that this use be limited to the operation of the Car Rental business only (including both lots) vehicle sales and the parking of vehicles, equipment or storage of any kind shall not be permitted. Signage on the property will be limited to signs approved by the DRB and sign permits issued by the Building Department only.

238 Highland Ave.

The applicant the Montessori School is seeking an amendment to their Special Permit to allow the school's enrollment to increase from 114 to 154 it is unclear from the application if the 15 teachers will also be increased. The school has tripled in size since it has opened and, in each expansion, picks up additional parking for tenant spaces that it has replaced. I remember commenting on this use when they first opened about concerns with the traffic on Highland Ave and the pickup and drop-off of the students, to date I am not aware of any complaints or concerns reported to any town Department. I believe that the school would not be asking for an increase unless they could manage the extra students, I have no issues with this proposal.

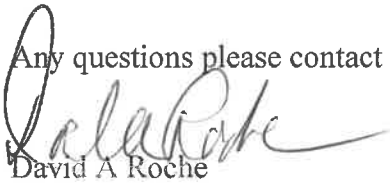
73 Highland Ave.

The applicant Mr. Nezquhualcoyotl Leon the owner of the Hungry Coyote Restaurant is seeking a Special Permit to operate the restaurant located at 73 Highland Ave. previously occupied by Chief Mike's. This will be Mr. Leon's second location in town, he successfully operates his original Highland Ave. business and hopes to expand into this new location. The applicant is planning on using the original floor plan and kitchen setup, he is also proposing the same amount of seating that was used in the previous Special Permit. The applicant has provided a floor plan, but it needs to have more details added, showing the actual seating and tables bathrooms with fixtures and a kitchen layout, showing all equipment. The parking will not change except for the lost parking space from the State taking on Highland Ave. As noted on the previous Special Permit the site shows 14 parking spaces but most of the parking on the site is non-compliant with the By-Law therefore, they are asking for relief from By-Law sections 5.1.2 and 5.1.3. The previous tenant had outdoor seating during the pandemic, but this applicant is not proposing any outdoor seating at this time. I am not opposed to this application, and if the Board had previous conditions, It seems that the business model is similar so the conditions if any should be the same.

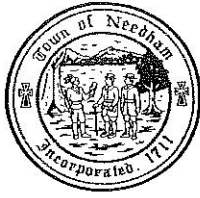
470 Dedham Ave.

The applicant Mr. Ed Olsen representing the Needham Park and Recreation Department is seeking a Special Permit amendment to add four field lights to the towns Defazio recreation complex. Specifically, the area of the complex known as Mcleod field is going to be completely renovated and rebuilt including realignment, drainage, fencing, new sod and dugouts. This project also includes the installation of four light poles which will be controlled separately from the track and field lighting. I have reviewed the lighting plan and appears to be compliant with the By-Laws, this lighting will be directed on this field only, the lighting will be used only if the field is in use, otherwise it will remain off. I am not opposed to this project if the Board votes approve the proposed plan.

Any questions please contact my office.

A handwritten signature in dark ink, appearing to read "D. Roche", is written over the printed name "David A Roche".

David A Roche
Building Commissioner
Town of Needham



**TOWN OF NEEDHAM, MASSACHUSETTS
PUBLIC WORKS DEPARTMENT
500 Dedham Avenue, Needham, MA 02492
Telephone (781) 455-7550 FAX (781) 449-9023**

March 3, 2023

Needham Zoning Board of Appeals
Needham Public Safety Administration Building
Needham, MA 02492

RE: Case Review-Special Permit
1584 Great Plain Ave- Special Permit

Dear Members of the Board,

The Department of Public Works has completed its review of the above referenced Special Permit for the replacement/ substitution of a non-conforming use automobile garage into an automobile rental agency with associated improvements to the parking lot and building. The applicant is also looking for waivers if required to maintain the non-conformities to the parking plan and design requirements including landscaping and parking setbacks.

The documents submitted for review are as follows:

- Cover Letter Prepared by Peter A Zahka PC dated 2/21/23
- Application for Special Permit dated 2/16/23
- Project Narrative Prepared by Peter A Zahka PC
- Quitclaim Deed dated 11/22/96
- Certified Plot Plan by Sidney Vaughan LS dated 5/19/87
- Owner Authorization Form by Sam Hurwitz
- Two Existing Street View Photos from July 2022
- Project Civil Plan Set Prepared by J.K. Holmgren Engineering 2/16/23 consisting of 7 sheets.
- Architectural Plan Prepared by J Ferrera Associates Inc. dated 2/2/23
- Project Rendering by Enterprise Holdings dated 2/17/23

Our comments and recommendations are as follows:

- We have no comment or objection to the Special Permit

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

Truly yours,
Thomas A Ryder
Town Engineer

Daphne Collins

From: Tom Conroy
Sent: Friday, March 3, 2023 2:30 PM
To: Daphne Collins
Subject: RE: 1584 Great Plain Avenue - ZBA Administrative Review - Due March 6, 2023

Ok with Fire.



Thomas M. Conroy

Fire Chief - Needham Fire Department
tconroy@needhamma.gov
Ph (781) 455-7580

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Monday, February 27, 2023 2:44 PM
To: David Roche <droche@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>
Cc: Amy Haelsen <ahaelsen@needhamma.gov>
Subject: 1584 Great Plain Avenue - ZBA Administrative Review - Due March 6, 2023

Good Afternoon-

1584 Great Plain Avenue – Enterprise Rent-A-Car Company of Boston, LLC, applicant, is seeking a Special Permit to allow the replacement/substitution of one existing non-conforming use (automobile repair garage) with another non-conforming use (an automobile rental agency).

Attached please find the application with its associated back-up documents for your information and review.

I appreciate your comments no later than **March 6, 2023** to allow time for the applicant to respond prior to the hearing.

If you have any questions, feel free to contact me.

Thank you,
Daphne

Daphne M. Collins

Zoning Specialist

Phone 781-455-7550, x 261

Web <https://www.needhamma.gov/>

<https://needhamma.gov/1101/Board-of-Appeals>

www.needhamma.gov/NeedhamYouTube

Town of Needham
Planning and Community Development
500 Dedham Avenue

Daphne Collins

From: Tara Gurge
Sent: Friday, March 3, 2023 7:34 PM
To: Daphne Collins
Subject: RE: 1584 Great Plain Avenue - ZBA Administrative Review - Due March 6, 2023

Daphne –

The Public Health Division conducted our Zoning Board review for the property located at **#1584 Great Plain Ave.** and have no comments to share at this time.

Thanks,



TARA E. GURGE, R.S., C.E.H.T., M.S. (she/her/hers)
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
Mobile- (781) 883-0127
Email - tgurge@needhamma.gov
Web- www.needhamma.gov/health



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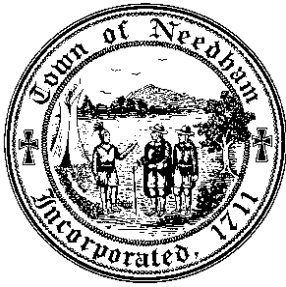
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[Follow Needham Public Health on Twitter!](#)

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Monday, February 27, 2023 2:44 PM
To: David Roche <droche@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>
Cc: Amy Haelsen <ahaelsen@needhamma.gov>
Subject: 1584 Great Plain Avenue - ZBA Administrative Review - Due March 6, 2023



PLANNING & COMMUNITY DEVELOPMENT
PLANNING DIVISION

March 7, 2023

Mr. Jon Schneider, Chairman and Members
Zoning Board of Appeals
Public Services Administration Building
500 Dedham Avenue
Needham, MA 02492

Dear Mr. Schneider and Members of the Zoning Board of Appeals:

At its meeting of March 7, 2023, the Planning Board reviewed the applications to be heard by the Board of Appeals on March 16, 2023, and made the following recommendations:

1. **246 Forest Street** - 246 Forest Street, LLC has applied for a Special Permit under Sections 1.4.6, 4.2 and any other applicable Sections of the By-Law to permit the demolition, extension, alteration, enlargement and reconstruction of the lawful, pre-existing, non-conforming single family. The property is located at 246 Forest Street, Needham, MA in the Single Residence A (SRA) District.

The Planning Board makes NO COMMENT.

2. **238 Highland Avenue** - Allen Douglass and Christine Lachkey, applicants, have applied for a Special Permit Amendment under Sections 5.1.1.5, 5.1.2, 5.1.3 and any other applicable Sections of the Zoning By-Law to expand the Needham Montessori School to allow up to 154 children and 15 staff members. As part of this expansion, waivers of parking number and parking design are required. The subject property is located at 238 Highland Avenue, Needham MA in the Highland Commercial -128 District.

The Planning Board requests that the Zoning Board of Appeals consider the safety issue of this many cars entering and existing the site and whether the Petitioner's traffic study is adequate to address and alleviate such concerns.

3. **73 Highland Avenue** - Nezhualcoyotl Leon has applied for a Special Permit under Sections 3.2.5, 3.2.5.2, 5.1.1.1, 5.1.1.5, 5.1.2, 5.1.3, and any other applicable Sections of the By-Law for a restaurant serving meals on the premises and take-out operation accessory to the restaurant and to waive strict adherence to the parking requirements. The request is associated with the establishment of a second location of The Hungry Coyote, a Mexican style restaurant, take out and catering services. The property is located at 73 Highland Avenue, Needham, MA in the Highland Commercial 128 District.

The Planning Board makes NO COMMENT.

4. **1584 Great Plain Avenue** - Enterprise Rent-A-Car Company of Boston LLC, has applied for a Special Permit under Sections 1.4.6, 1.4.10, 5.1, 5.1.1.1, 5.1.1.5, 5.1.1.7, 5.1.2, 5.1.3, 6.4 and any other applicable Sections of the By-Law to permit the replacement/substitution of a non-conforming use (automobile repair garage) to an automobile rental agency with associated improvements to the parking lot and building; and to waive the parking plan and design requirements. The property is located at 1584 Great Plain Avenue, Needham, MA in the Single Residence A (SRA) District.

The Planning Board requests that the Zoning Board of Appeals clarify the nature of the pre-existing non-conforming use, confirm that it was legally established, and lastly that it has been continued without interruption and abandonment.

5. **470 Dedham Avenue** - The Town of Needham (Department of Public Works) Park and Recreation Commission has applied under Sections 4.1.6.3, 4.1.6.4 and any other applicable Sections of the By-Law to permit the installation of field lights. This request is associated with the renovation and conversion of the McLeod baseball field into a premier softball field with dugout, foul pole and batting cage and 4 field lights. The property is located at 470 Dedham Avenue, Needham, MA in the Single Residence B (SRB) District.

The Planning Board makes NO COMMENT.

NEEDHAM PLANNING BOARD

Lee Newman

Lee Newman
Director of Planning and Community Development



ZBA Application For Hearing

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

Applicant Information

Applicant Name	Town of Needham DPW, on behalf of the Park and Recreation Commission	Date:	2/21/23
Applicant Address	500 Dedham Ave., Needham MA 02492		
Phone	781 455 7550	email	eolsen@needhamma.gov
Applicant is ☒ Owner; ☐ Tenant; ☐ Purchaser; ☐ Other _____			
If not the owner, a letter from the owner certifying authorization to apply must be included			
Representative Name	Edward Olsen, Superintendent of Parks and Forestry		
Address	500 Dedham Ave., Needham MA 02492		
Phone	781 455 7550 ext. 316	email	eolsen@needhamma.gov
Representative is ☐ Attorney; ☐ Contractor; ☐ Architect; ☒ Other Superintendent of Parks & Forestry, Town of Needham _____			
Contact ☒ Me ☐ Representative in connection with this application.			

Subject Property Information

Property Address	470 Dedham Avenue, DeFazio Park		
Map/Parcel Number	Map 302, Parcel 5, 9, 18	Zone of Property	SRB
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? Yes			
Is property Residential or Commercial: N/A Town Park Recreational Field			
If residential renovation, will renovation constitute "new construction"? ☐ Yes ☐ No			
If commercial, does the number of parking spaces meet the By-Law requirement? ☐ Yes ☒ No			
Do the spaces meet design requirements? ☐ Yes ☒ No			



ZBA Application For Hearing

Application Type (*select one*): Special Permit ☐ Variance ☐ Comprehensive Permit ☒ Amendment ☐ Appeal Building Inspector Decision

Existing Conditions: McLeod field is a 90' baseball field located in the Northeast corner of the DeFazio Athletic complex.

Statement of Relief Sought:

The Town seeks to amend the Special Permit Amendment of May 21, 2009, and the original Decision of dated April 17, 2008 to included the renovation and conversion of the McLeod baseball field into a premier softball field, with dugout, foul pole and batting cage. The renovations will include the installation of 4 field lights – 2 - 60' high TLC LED-900 light poles; and 2-70' high TLC-LED-1200 light poles as permitted under a special permit application. All previous conditions regarding hours of operation shall remain in full force.

Applicable Section(s) of the Zoning By-Law: 4.1.6, 4.1.6.2, 4.1.6.3, 4.1.6.4 and any other applicable section of the by-law.

If application under Zoning Section 1.4 above, list non-conformities:

	Existing Conditions	Proposed Conditions
Use		
# Dwelling Units		
Lot Area (<i>square feet</i>)		
Front Setback (<i>feet</i>)		



ZBA Application For Hearing

Front Setback (feet)		
Rear Setback (feet)		
Left Setback (feet)		
Right Setback (feet)		
Frontage (feet)		
Lot Coverage (%)		
FAR (Floor area divided by the lot area)		
<i>Numbers must match those on the certified plot plan and supporting materials</i>		
Date Structure Constructed including additions:	Date Lot was created:	

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

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





ZBA Application For Hearing

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

I certify that I have consulted with the Building Inspector 2/21/23
date of consult

Date: 2/21/23 Applicant Signature 

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

LIGHTING SPECIFICATION
PREPARED FOR

McLeod Field

Lighting Project
Needham, MA
February 16, 2023

Project # 220378

SUBMITTED BY:

Musco Sports Lighting, LLC

2107 Stewart Road
PO Box 260
Muscatine, Iowa 52761
Local Phone: 563/263-2281
Toll Free: 800/756-1205
Fax: 800/374-6402



We Make It Happen.

SECTION 26 56 68 – EXTERIOR ATHLETIC LIGHTING

Lighting System with LED Light Source

PART 1 – GENERAL

1.1 SUMMARY

- A. Work covered by this section of the specifications shall conform to the contract documents, engineering plans as well as state and local codes.
- B. The purpose of these specifications is to define the lighting system performance and design standards for the McLeod Field lighting project using an LED Lighting source. The manufacturer / contractor shall supply lighting equipment to meet or exceed the standards set forth in these specifications.
- C. The sports lighting will be for the following venues:
 - 1. Softball Field
- D. The primary goals of this sports lighting project are:
 - 1. **Guaranteed Light Levels:** Selection of appropriate light levels impact the safety of the players and the enjoyment of spectators. Therefore light levels are guaranteed to not drop below specified target values for a period of 25 years.
 - 2. **Environmental Light Control:** It is the primary goal of this project to minimize spill light to adjoining properties and glare to the players, spectators and neighbors.
 - 3. **Control and Monitoring:** To allow for optimized use of labor resources and avoid unneeded operation of the facility, customer requires a remote on/off control system for the lighting system. Fields should be proactively monitored to detect luminaire outages over a 25-year life cycle. All communication and monitoring costs for 25-year period shall be included in the bid.

1.2 LIGHTING PERFORMANCE

- A. **Illumination Levels and Design Factors:** Playing surfaces shall be lit to an average target illumination level and uniformity as specified in the chart below. Lighting calculations shall be developed and field measurements taken on the grid spacing with the minimum number of grid points specified below. Appropriate light loss factors shall be applied and submitted for the basis of design. Average illumination level shall be measured in accordance with the IESNA LM-5-04 (IESNA Guide for Photometric Measurements of Area and Sports Lighting Installations). Illumination levels shall not to drop below desired target values in accordance to IES RP-6-15, Page 2, Maintained Average Illuminance and shall be guaranteed for the full warranty period.

Area of Lighting	Average Target Illumination Levels	Maximum to Minimum Uniformity Ratio	Grid Points	Grid Spacing
Softball Field	50fc Infield 30fc Outfield	2:1 Infield 2.5:1 Outfield	25 Infield 65 Outfield	20' x 20'

- B. **Color:** The lighting system shall have a minimum color temperature of 5700K and a CRI of 75.
- C. **Mounting Heights:** To ensure proper aiming angles for reduced glare and to provide better playability, minimum mounting heights shall be as described below. Higher mounting heights may be required based on photometric report and ability to ensure the top of the field angle is a minimum of 10 degrees below horizontal.

# of Poles	Pole Designation	Pole Height
2	A1-A2	60'
2	B1-B2	70'

1.3 **ENVIRONMENTAL LIGHT CONTROL**

- A. Light Control Luminaires: All luminaires shall utilize spill light and glare control devices including, but not limited to, internal shields, louvers and external shields. No symmetrical beam patterns are accepted.
- B. Spill Light and Glare Control: To minimize impact on adjacent properties, spill light and candela values must not exceed the following levels taken at 3 feet above grade.

Specified Spill Line	Maximum
Horizontal Footcandles	.1 FC
Vertical Footcandles	.2 FC
Candela	5470 CD

- C. Spill Scans: Spill scans must be submitted indicating the amount of horizontal and vertical footcandles along the specified lines. Light levels shall be taken at 30-foot intervals along the boundary line. Readings shall be taken with the meter orientation at both horizontal and aimed towards the most intense bank of lights. Illumination level shall be measured in accordance with the IESNA LM-5-04 after 1 hour warm up.
- D. The first page of a photometric report for all luminaire types proposed showing horizontal and vertical axial candle power shall be provided to demonstrate the capability of achieving the specified performance. Reports shall be certified by a qualified testing laboratory with a minimum of five years experience or by a manufacturer's laboratory with a current accreditation under the National Voluntary Laboratory Accreditation Program for Energy Efficient Lighting Products. A summary of the horizontal and vertical aiming angles for each luminaire shall be included with the photometric report.

PART 2 – PRODUCT

2.1 **SPORTS LIGHTING SYSTEM CONSTRUCTION**

- A. Manufacturing Requirements: All components shall be designed and manufactured as a system. All luminaires, wire harnesses, drivers and other enclosures shall be factory assembled, aimed, wired and tested.
- B. Durability: All exposed components shall be constructed of corrosion resistant material and/or coated to help prevent corrosion. All exposed carbon steel shall be hot dip galvanized per ASTM A123. All exposed aluminum shall be powder coated with high performance polyester or anodized. All exterior reflective inserts shall be anodized, coated, and protected from direct environmental exposure to prevent reflective degradation or corrosion. All exposed hardware and fasteners shall be stainless steel of 18-8 grade or better, passivated and coated with aluminum-based thermosetting epoxy resin for protection against corrosion and stress corrosion cracking. Structural fasteners may be carbon steel and galvanized meeting ASTM A153 and ISO/EN 1461 (for hot dipped galvanizing), or ASTM B695 (for mechanical galvanizing). All wiring shall be enclosed within the cross-arms, pole, or electrical components enclosure.
- C. System Description: Lighting system shall consist of the following:
 - 1. Galvanized steel poles and cross-arm assembly.
 - 2. Non-approved pole technology:
 - a. Square static cast concrete poles will not be accepted.
 - b. Direct bury steel poles which utilize the extended portion of the steel shaft for their foundation will not be accepted due to potential for internal and external corrosive reaction to the soils and long term performance concerns.
 - 3. Lighting systems shall use concrete foundations. See Section 2.4 for details.
 - a. For a foundation using a pre-stressed concrete base embedded in concrete backfill the concrete shall be air-entrained and have a minimum compressive design strength at 28

days of 3,000 PSI. 3,000 PSI concrete specified for early pole erection, actual required minimum allowable concrete strength is 1,000 PSI. All piers and concrete backfill must bear on and against firm undisturbed soil.

- b. For anchor bolt foundations or foundations using a pre-stressed concrete base in a suspended pier or re-inforced pier design pole erection may occur after 7 days. Or after a concrete sample from the same batch achieves a certain strength.
- 4. Manufacturer will supply all drivers and supporting electrical equipment
 - a. Remote drivers and supporting electrical equipment shall be mounted approximately 10 feet above grade in aluminum enclosures. The enclosures shall be touch-safe and include drivers and fusing with indicator lights on fuses to notify when a fuse is to be replaced for each luminaire. Disconnect per circuit for each pole structure will be located in the enclosure. Integral drivers are not allowed.
 - b. Manufacturer shall provide surge protection at the pole equal to or greater than 40 kA for each line to ground (Common Mode) as recommended by IEEE C62.41.2_2002.
- 5. Wire harness complete with an abrasion protection sleeve, strain relief and plug-in connections for fast, trouble-free installation.
- 6. All luminaires, visors, and cross-arm assemblies shall withstand 150 mph winds and maintain luminaire aiming alignment.
- 7. Control cabinet to provide remote on-off control, monitoring of the lighting system. See Section 2.3 for further details.
- 8. Manufacturer shall provide lightning grounding as defined by NFPA 780 and be UL Listed per UL 96 and UL 96A.
 - a. Integrated grounding via concrete encased electrode grounding system.
 - b. If grounding is not integrated into the structure, the manufacturer shall supply grounding electrodes, copper down conductors, and exothermic weld kits. Electrodes and conductors shall be sized as required by NFPA 780. The grounding electrode shall be minimum size of 5/8 inch diameter and 8 feet long, with a minimum of 10 feet embedment. Grounding electrode shall be connected to the structure by a grounding electrode conductor with a minimum size of 2 AWG for poles with 75 feet mounting height or less, and 2/0 AWG for poles with more than 75 feet mounting height.
- D. Safety: All system components shall be UL listed for the appropriate application.

2.2 ELECTRICAL

- A. Electric Power Requirements for the Sports Lighting Equipment:
 - 1. Electric power: 480 Volt, 3 Phase
 - 2. Maximum total voltage drop: Voltage drop to the disconnect switch located on the poles shall not exceed three (3) percent of the rated voltage.
- B. Energy Consumption: The kW consumption for the field lighting system shall be 18kW, or less.

2.3 CONTROL

- A. Instant On/Off Capabilities: System shall provide for instant on/off of luminaires.
- B. Lighting contactor cabinet(s) constructed of NEMA Type 4 aluminum, designed for easy installation with contactors, labeled to match field diagrams and electrical design. Manual off-on-auto selector switches shall be provided.
- C. Dimming: System shall provide for 3-stage dimming (high-medium-low). Dimming will be set via scheduling options (Website, app, phone, fax, email)
- D. Remote Lighting Control System: System shall allow owner and users with a security code to schedule on/off system operation via a web site, phone, fax or email up to ten years in advance. Manufacturer shall provide and maintain a two-way TCP/IP communication link. Trained staff shall be available 24/7 to provide scheduling support and assist with reporting needs.

The owner may assign various security levels to schedulers by function and/or fields. This function must be flexible to allow a range of privileges such as full scheduling capabilities for all fields to only having permission to execute "early off" commands by phone. Scheduling tool shall be capable of setting curfew limits.

Controller shall accept and store 7-day schedules, be protected against memory loss during power outages, and shall reboot once power is regained and execute any commands that would have occurred during outage.

- E. Remote Monitoring System: System shall monitor lighting performance and notify manufacturer if individual luminaire outage is detected so that appropriate maintenance can be scheduled. The controller shall determine switch position (manual or auto) and contactor status (open or closed).
- F. Management Tools: Manufacturer shall provide a web-based database and dashboard tool of actual field usage and provide reports by facility and user group. Dashboard shall also show current status of luminaire outages, control operation and service. Mobile application will be provided suitable for IOS, Android and Blackberry devices.

Hours of Usage: Manufacturer shall provide a means of tracking actual hours of usage for the field lighting system that is readily accessible to the owner.

 - 1. Cumulative hours: shall be tracked to show the total hours used by the facility
 - 2. Report hours saved by using early off and push buttons by users.
- G. Communication Costs: Manufacturer shall include communication costs for operating the control and monitoring system for a period of 25 years.
- H. Communication with luminaire drivers: Control system shall interface with drivers in electrical components enclosures by means of powerline communication.

2.4 STRUCTURAL PARAMETERS

- A. Wind Loads: Wind loads shall be based on the 2015 International Building Code. Wind loads to be calculated using ASCE 7-10, an ultimate design wind speed of 130 and exposure category C.
- B. Pole Structural Design: The stress analysis and safety factor of the poles shall conform to 2013 AASHTO Standard Specification for Structural Supports for Highway Signs, Luminaires, and Traffic Signals (LTS-6).
- C. Foundation Design: The foundation design shall be based on soil parameters as outlined in the geotechnical report. If no geotechnical report is available, the foundation design shall be based on soils that meet or exceed those of a Class 5 material as defined by 2015 IBC Table 1806.2.
- D. Foundation Drawings: Project specific foundation drawings stamped by a registered engineer in the state where the project is located are required. The foundation drawings must list the moment, shear (horizontal) force, and axial (vertical) force at ground level for each pole. These drawings must be submitted at time of bid to allow for accurate pricing.

PART 3 – EXECUTION

3.1 SOIL QUALITY CONTROL

- A. It shall be the Contractor's responsibility to notify the Owner if soil conditions exist other than those on which the foundation design is based, or if the soil cannot be readily excavated. Contractor may issue a change order request / estimate for the Owner's approval / payment for additional costs associated with:

1. Providing engineered foundation embedment design by a registered engineer in the State of Massachusetts for soils other than specified soil conditions;
2. Additional materials required to achieve alternate foundation;
3. Excavation and removal of materials other than normal soils, such as rock, caliche, etc.

3.2 DELIVERY TIMING

- A. Delivery Timing Equipment On-Site: The equipment must be on-site 10-12 weeks from receipt of approved submittals and receipt of complete order information.

3.3 FIELD QUALITY CONTROL

- A. Illumination Measurements: Upon substantial completion of the project and in the presence of the Contractor, Project Engineer, Owner's Representative, and Manufacturer's Representative, illumination measurements shall be taken and verified. The illumination measurements shall be conducted in accordance with IESNA LM-5-04.
- B. Field Light Level Accountability
 1. Light levels are guaranteed not to fall below the target maintained light levels for the entire warranty period of 25 years. These levels will be specifically stated as "guaranteed" on the illumination summary provided by the manufacturer.
 2. The contractor/manufacturer shall be responsible for conducting initial light level testing and an additional inspection of the system, in the presence of the owner, one year from the date of commissioning of the lighting.
 3. The contractor/manufacturer will be held responsible for any and all changes needed to bring these fields back to compliance for light levels and uniformities. Contractor/Manufacturer will be held responsible for any damage to the fields during these repairs.
- C. Correcting Non-Conformance: If, in the opinion of the Owner or his appointed Representative, the actual performance levels including footcandles and uniformity ratios are not in conformance with the requirements of the performance specifications and submitted information, the Manufacturer shall be required to make adjustments to meet specifications and satisfy Owner.

3.4 WARRANTY AND GUARANTEE

- A. 25-Year Warranty: Each manufacturer shall supply a signed warranty covering the entire system for 25 years from the date of shipment. Warranty shall guarantee specified light levels. Manufacturer shall maintain specifically-funded financial reserves to assure fulfillment of the warranty for the full term. Warranty does not cover weather conditions events such as lightning or hail damage, improper installation, vandalism or abuse, unauthorized repairs or alterations, or product made by other manufacturers.
- B. Maintenance: Manufacturer shall monitor the performance of the lighting system, including on/off status, hours of usage and luminaire outage for 25 years from the date of equipment shipment. Parts and labor shall be covered such that individual luminaire outages will be repaired when the usage of any field is materially impacted. Manufacturer is responsible for removal and replacement of failed luminaires, including all parts, labor, shipping, and equipment rental associated with maintenance. Owner agrees to check fuses in the event of a luminaire outage.

PART 4 – DESIGN APPROVAL

4.0 PRE-BID SUBMITTAL REQUIREMENTS (Non-Musco)

- A. Design Approval: The owner / engineer will review pre-bid submittals per section 4.0.B from all the manufacturers to ensure compliance to the specification 10 days prior to bid. If the design meets the design requirements of the specifications, a letter and/or addendum will be issued to the manufacturer indicating approval for the specific design submitted.
- B. Approved Product: Musco's Light-Structure System™ with TLC for LED™ is the approved product. All substitutions must provide a complete submittal package for approval as outlined in Submittal Information at the end of this section at least 10 days prior to bid. Special manufacturing to meet the

standards of this specification may be required. An addendum will be issued prior to bid listing any other approved lighting manufacturers and designs.

- C. All listed manufacturers not pre-approved shall submit the information at the end of this section at least 10 days prior to bid. An addendum will be issued prior to bid; listing approved lighting manufacturers and the design method to be used.
- D. Bidders are required to bid only products that have been approved by this specification or addendum by the owner or owner's representative. Bids received that do not utilize an approved system/design, will be rejected.

**REQUIRED SUBMITTAL INFORMATION FOR ALL MANUFACTURERS (NOT PRE-APPROVED) 10 DAYS
PRIOR TO BID**

*All items listed below are mandatory, shall comply with the specification and be submitted according to pre-bid submittal requirements. Complete the Yes/No column to indicate compliance (Y) or noncompliance (N) for each item. **Submit checklist below with submittal.***

Yes/ No	Tab	Item	Description
	A	Letter/ Checklist	Listing of all information being submitted must be included on the table of contents. List the name of the manufacturer's local representative and his/her phone number. Signed submittal checklist to be included.
	B	Equipment Layout	Drawing(s) showing field layouts with pole locations
	C	On Field Lighting Design	Lighting design drawing(s) showing: a. Field Name, date, file number, prepared by b. Outline of field(s) being lighted, as well as pole locations referenced to the center of the field (x & y), Illuminance levels at grid spacing specified c. Pole height, number of fixtures per pole, horizontal and vertical aiming angles, as well as luminaire information including wattage, lumens and optics d. Height of light test meter above field surface. e. Summary table showing the number and spacing of grid points; average, minimum and maximum illuminance levels in foot candles (fc); uniformity including maximum to minimum ratio, coefficient of variance (CV), coefficient of utilization (CU) uniformity gradient; number of luminaires, total kilowatts, average tilt factor; light loss factor.
	D	Off Field Lighting Design	Lighting design drawing showing initial spill light levels along the boundary line (defined on bid drawings) in footcandles. Lighting design showing glare along the boundary line in candela. Light levels shall be taken at 30-foot intervals along the boundary line. Readings shall be taken with the meter orientation at both horizontal and aimed towards the most intense bank of lights.
	E	Photometric Report	Provide first page of photometric report for all luminaire types being proposed showing candela tabulations as defined by IESNA Publication LM-35-02. Photometric data shall be certified by laboratory with current National Voluntary Laboratory Accreditation Program or an independent testing facility with over 5 years experience.
	F	Performance Guarantee	Provide performance guarantee including a written commitment to undertake all corrections required to meet the performance requirements noted in these specifications at no expense to the owner. Light levels must be guaranteed to not fall below target levels for warranty period.
	G	Structural Calculations	Pole structural calculations and foundation design showing foundation shape, depth backfill requirements, rebar and anchor bolts (if required). Pole base reaction forces shall be shown on the foundation drawing along with soil bearing pressures. Design must be stamped by a structural engineer in the state of Massachusetts, if required by owner. (May be supplied upon award).
	H	Control & Monitoring System	Manufacturer of the control and monitoring system shall provide written definition and schematics for automated control system. They will also provide ten (10) references of customers currently using proposed system in the state of Massachusetts.
	J	Warranty	Provide written warranty information including all terms and conditions. Provide ten (10) references of customers currently under specified warranty in the state of Massachusetts.
	K	Project References	Manufacturer to provide a list of ten (10) projects where the technology and specific fixture proposed for this project has been installed in the state of Massachusetts. Reference list will include project name, project city, installation date, and if requested, contact name and contact phone number.
	L	Product Information	Complete bill of material and current brochures/cut sheets for all product being provided.
	M	Delivery	Manufacturer shall supply an expected delivery timeframe from receipt of approved submittals and complete order information.
	N	Non- Compliance	Manufacturer shall list all items that do not comply with the specifications. If in full compliance, tab may be omitted.

The information supplied herein shall be used for the purpose of complying with the specifications for the McLeod Field lighting project. By signing below I agree that all requirements of the specifications have been met and that the manufacturer will be responsible for any future costs incurred to bring their equipment into compliance for all items not meeting specifications and not listed in the Non-Compliance section.

Manufacturer: _____ **Signature:** _____

Contact Name: _____ **Date:** ____/____/____

Contractor: _____ **Signature:** _____

Lighting System

Pole / Fixture Summary					
Pole ID	Pole Height	Mtg Height	Fixture Qty	Luminaire Type	Load
A1-A2	60'	60'	3	TLC-LED-900	2.67 kW
		16'	1	TLC-BT-575	0.58 kW
B1-B2	70'	70'	5	TLC-LED-1200	5.85 kW
		16'	1	TLC-BT-575	0.58 kW
4			20		19.34 kW

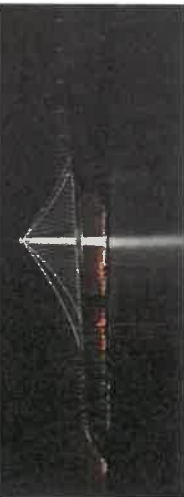
Circuit Summary			
Circuit	Description	Load	Fixture Qty
A	Little League	19.34 kW	20

Fixture Type Summary						
Type	Source	Wattage	Lumens	L90	L80	Quantity
TLC-LED-1200	LED 5700K - 75 CRI	1170W	136,000	>120,000	>120,000	10
TLC-BT-575	LED 5700K - 75 CRI	575W	52,000	>120,000	>120,000	4
TLC-LED-900	LED 5700K - 75 CRI	890W	89,600	>120,000	>120,000	6

Light Level Summary

Calculation Grid Summary							
Grid Name	Calculation Metric	Illumination			Circuits		
		Ave	Min	Max	Ave/Min		Fixture Qty
150' Spill (Cd)	Max Candela (by Fixture)	1779	8.95	4974	198.77	A	20
150' Spill	Horizontal Illuminance	0.03	0	0.09	0.00	A	20
150' Spill	Max Vertical Illuminance Metric	0.08	0	0.26	2513.69	A	20
Softball (Infield)	Horizontal Illuminance	50	38	59	1.57	A	20
Softball (Outfield)	Horizontal Illuminance	32.4	22	41	1.47	A	20

From Hometown to Professional



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PROJECT NAME (EDIT)

PROJECT LOCATION (EDIT)

GRID SUMMARY

Name:	Softball
Size:	200' / 200' / 200' - basepath 60'
Spacing:	20.0' x 20.0'
Height:	3.0' above grade

ILLUMINATION SUMMARY

MAINTAINED HORIZONTAL FOOTCANDLES			
	Infield	Outfield	
Guaranteed Average:	50	30	
Scan Average:	50.02	32.40	
Maximum:	59	41	
Minimum:	38	22	
Avg / Min:	1.32	1.46	
Guaranteed Max / Min:	2	2.5	
Max / Min:	1.57	1.86	
UG (adjacent pts):	1.21	1.53	
CU:	0.69		
No. of Points:	25	71	
LUMINAIRE INFORMATION			
Applied Circuits:	A		
No. of Luminaires:	20		
Total Load:	19.34 kW		

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



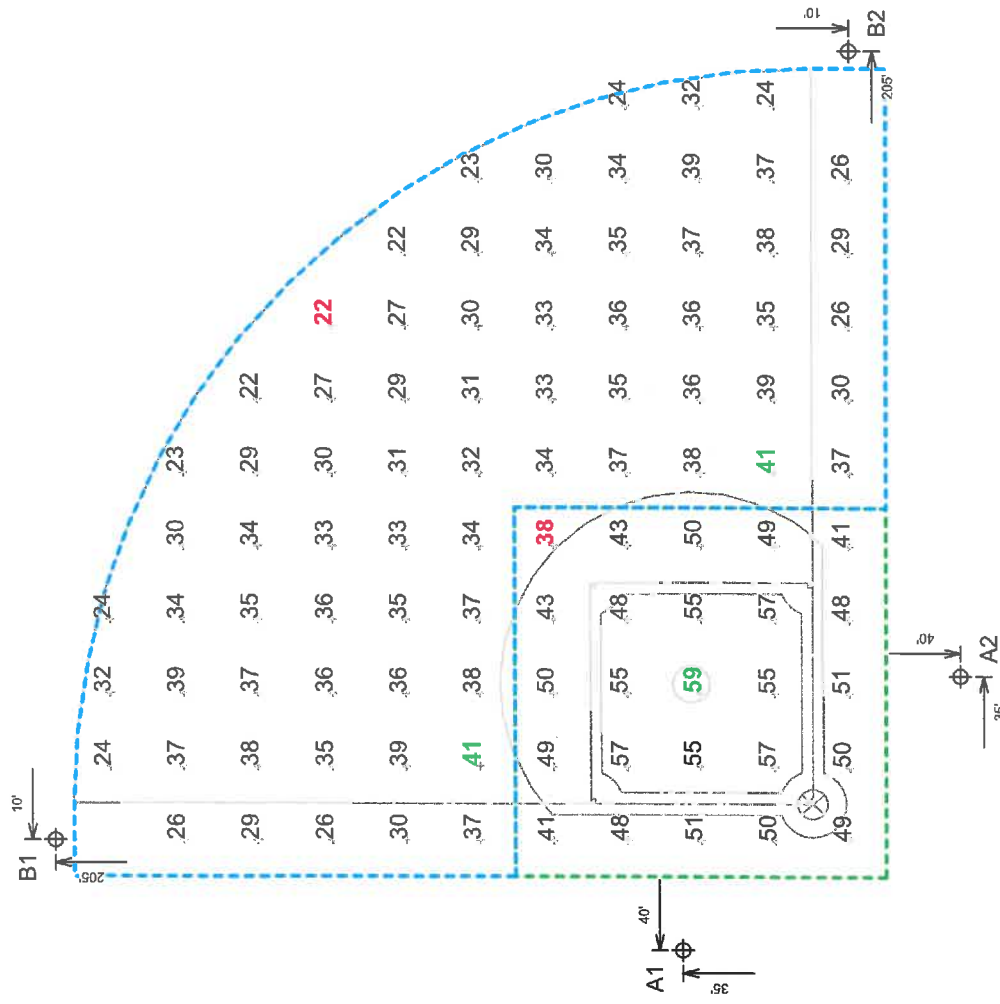
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ILLUMINATION SUMMARY

EQUIPMENT LIST FOR AREAS SHOWN

Pole		Luminaires			
QTY	LOCATION	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE
2	A1-A2	-	15.5'	TLC-BT-575	1
2	B1-B2	-	60'	TLC-LED-900	3
2		-	15.5'	TLC-BT-575	1
2		-	70'	TLC-LED-1200	5
4				TOTALS	20
					20
					0



Pole location(s) Φ dimensions are relative to 0,0 reference point(s) $\otimes$

SCALE IN FEET 1 : 50

ENGINEERED DESIGN By: File #5B53-202020-12-4P_D 11-Aug-21

PROJECT NAME (EDIT)
PROJECT LOCATION (EDIT)

GRID SUMMARY

Name: 150' Spill
Spacing: 30.0'
Height: 3.0' above grade

ILLUMINATION SUMMARY

HORIZONTAL FOOTCANDLES

Entire Grid
Scan Average: 0.0283
Maximum: 0.09
Minimum: 0.00
No. of Points: 56

LUMINAIRE INFORMATION

Applied Circuits: A
No. of Luminaires: 20
Total Load: 19.34 kW

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

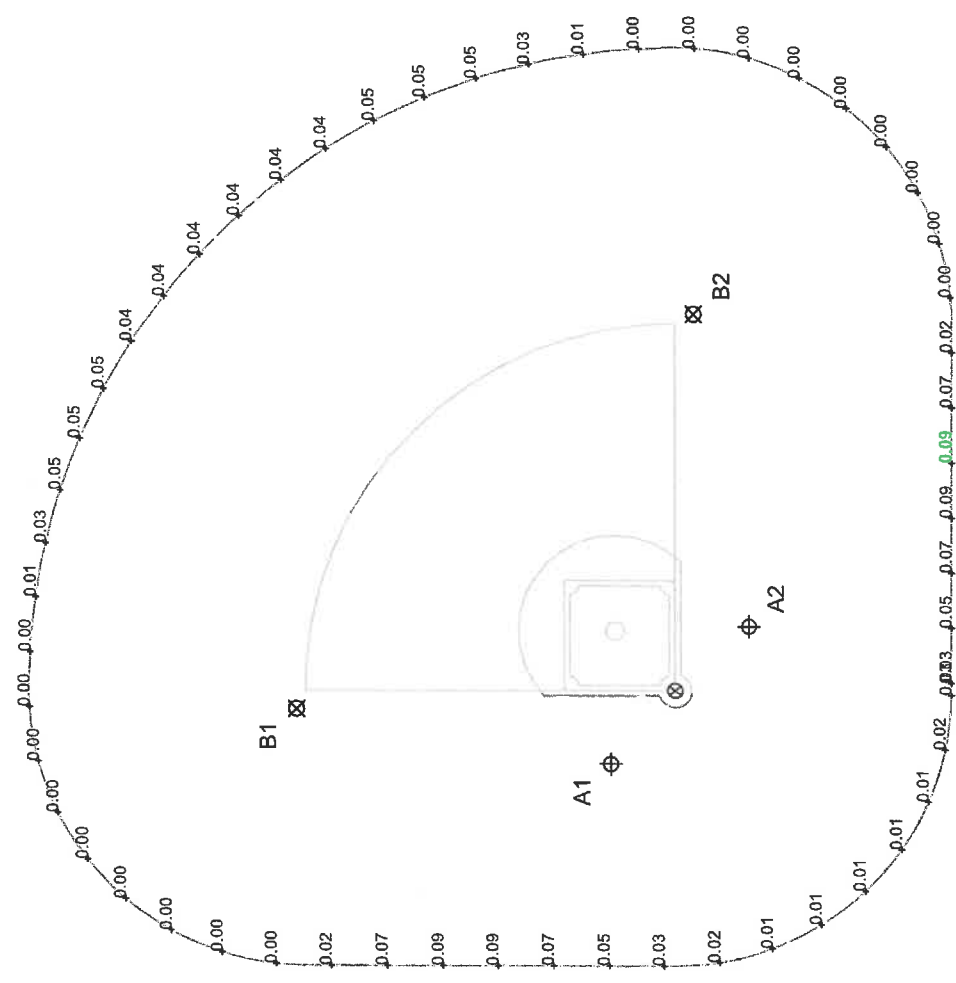


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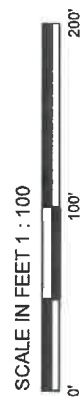
ILLUMINATION SUMMARY

EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	Pole		Luminaires			
		GRADE ELEVATION	SIZE	HEIGHT	LUMINAIRE TYPE	QTY / POLE	THIS GRID / OTHER GRIDS
2	A1-A2	-	60'	15.5'	TLC-BT-575	1	1 0
				60'	TLC-LED-900	3	3 0
2	B1-B2	-	70'	15.5'	TLC-BT-575	1	1 0
				70'	TLC-LED-1200	5	5 0
4	TOTALS					20	20 0



Pole location(s) ⦿ dimensions are relative to 0,0 reference point(s) ⊗



SCALE IN FEET 1 : 100

PROJECT NAME (EDIT)

PROJECT LOCATION (EDIT)

GRID SUMMARY

Name: 150' Spill
Spacing: 30.0'
Height: 3.0' above grade

ILLUMINATION SUMMARY

MAX VERTICAL FOOTCANDLES

Entire Grid

Scan Average: 0.0842

Maximum: 0.26

Minimum: 0.00

No. of Points: 56

LUMINAIRE INFORMATION

Applied Circuits: A

No. of Luminaires: 20

Total Load: 19.34 kW

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume $\pm 3\%$ nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



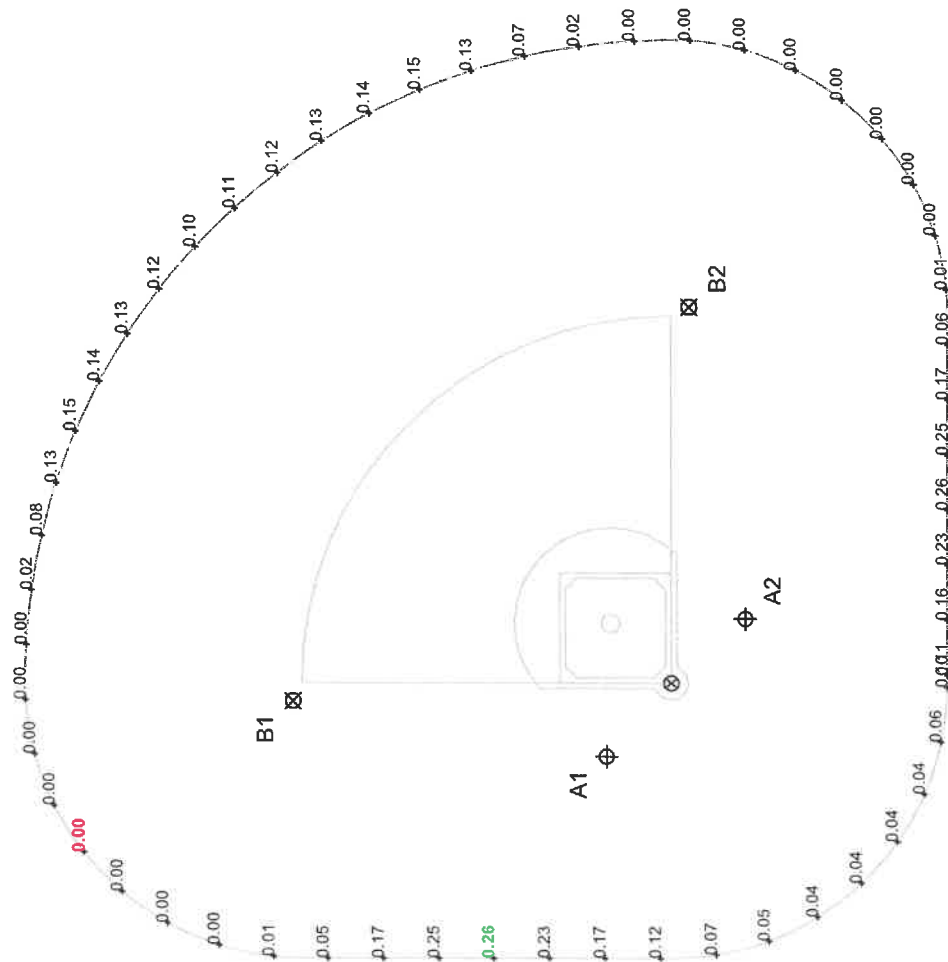
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ILLUMINATION SUMMARY

EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	Pole	GRADE ELEVATION	MOUNTING HEIGHT	Luminaires			
					LUMINAIRE TYPE	QTY / POLE	THIS GRID	OTHER GRIDS
2	A1-A2	60'	-	15.5'	TLC-BT-575	1	1	0
		60'	-	60'	TLC-LED-500	3	3	0
2	B1-B2	70'	-	15.5'	TLC-BT-575	1	1	0
		70'	-	70'	TLC-LED-1200	5	5	0
4	TOTALS					20	20	0



ENGINEERED DESIGN By: · File #SB53-202020-12-4P_D · 11-Aug-21

EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	Pole		Luminaires			
		SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE	THIS GRID / OTHER GRIDS
2	A1-A2	60'	-	15.5'	TLC-BT-575	1	1
				60'	TLC-LED-900	3	3
2	B1-B2	70'	-	15.5'	TLC-BT-575	1	1
				70'	TLC-LED-1200	5	5
4	TOTALS					20	20

PROJECT NAME (EDIT)

PROJECT LOCATION (EDIT)

GRID SUMMARY

Name: 150' Spill (Cd)
Spacing: 30.0'
Height: 5.0' above grade

ILLUMINATION SUMMARY

CANDELA (PER FIXTURE)

Entire Grid
Scan Average: 1779.0258
Maximum: 4974.19
Minimum: 8.95
No. of Points: 56

LUMINAIRE INFORMATION

Applied Circuits: A

No. of Luminaires: 20

Total Load: 19.34 kW

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

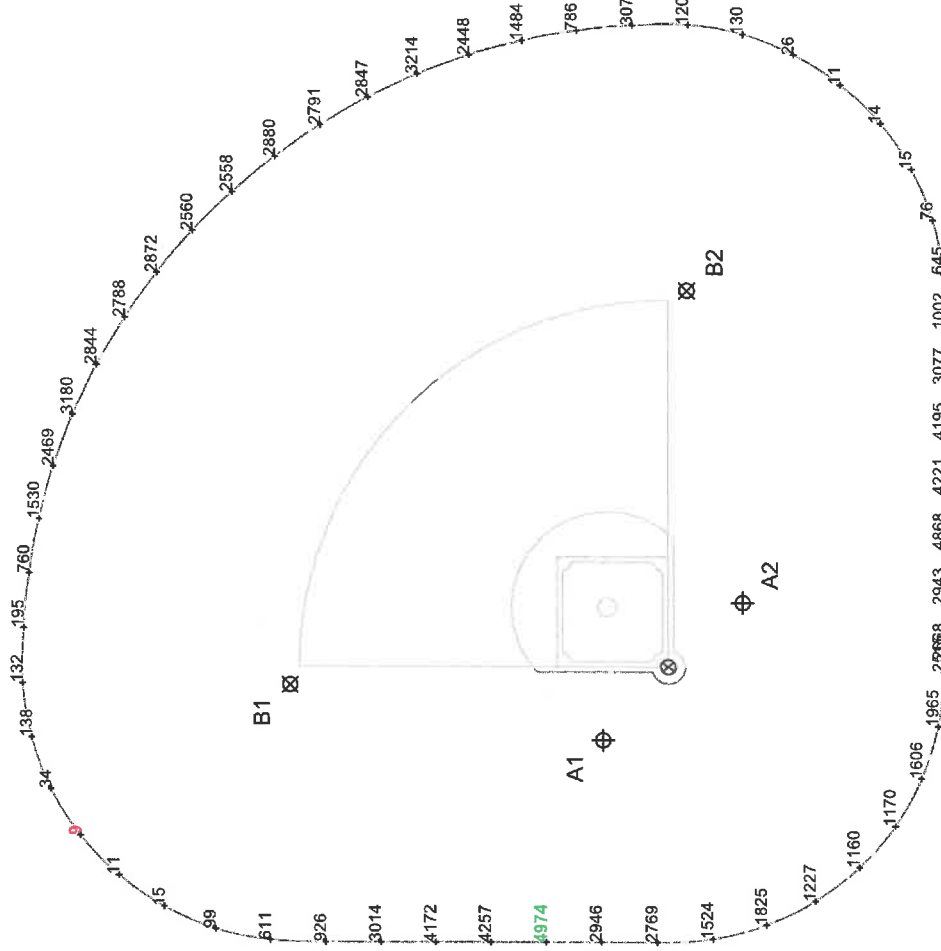
Installation Requirements: Results assume $\pm 3\%$ nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



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ILLUMINATION SUMMARY



Pole location(s) Φ dimensions are relative to 0,0 reference point(s) $\otimes$

SCALE IN FEET 1 : 100



ENGINEERED DESIGN By: File #SB53-202020-12-4P_D 11-Aug-21

PROJECT NAME (EDIT)

PROJECT LOCATION (EDIT)

EQUIPMENT LAYOUT

INCLUDES:

• Softball

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

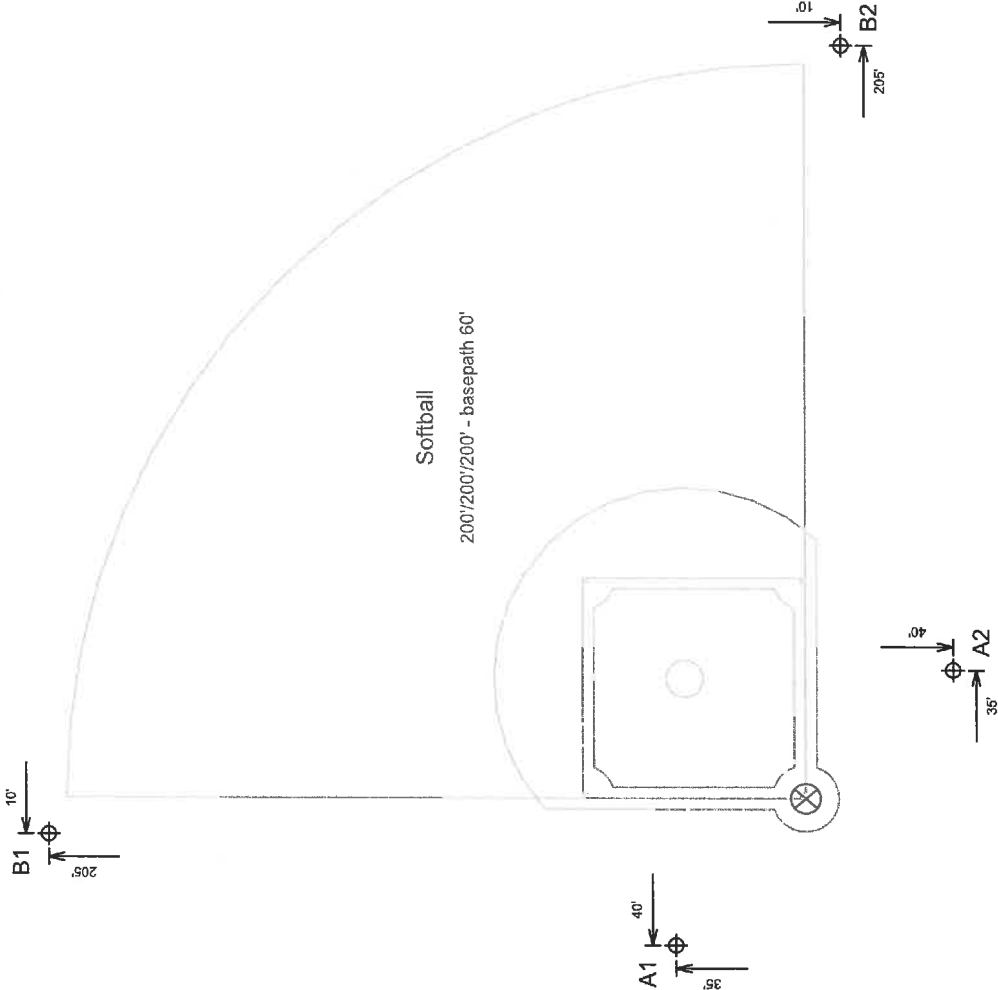
Installation Requirements: Results assume $\pm 3\%$ nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	Pole SIZE	GRADE ELEVATION	MOUNTING HEIGHT	Luminaires	
					LUMINAIRE TYPE	QTY / POLE
2	A1-A2	60'	-	15.5'	TLC-BT-575	1
				60'	TLC-LED-900	3
2	B1-B2	70'	-	15.5'	TLC-BT-575	1
				70'	TLC-LED-1200	5
4	TOTALS					20

SINGLE LUMINAIRE AMPERAGE DRAW CHART

Ballast Specifications (.90 min power factor)		Line Amperage Per Luminaire (max draw)					
Single Phase Voltage		208	220	240	277	347	480
		(60)	(60)	(60)	(60)	(60)	(60)
TLC-LED-1200		7.0	6.6	6.1	5.2	4.2	4.0
TLC-BT-575		3.4	3.2	2.9	2.5	2.0	1.8
TLC-LED-900		5.3	5.0	4.6	4.0	3.2	2.9



SCALE IN FEET 1 : 50



Pole location(s) Φ dimensions are relative to 0,0 reference point(s) $\otimes$

ENGINEERED DESIGN By: • File #SB53-202020-12-4P_D • 11-Aug-21



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TOWN OF NEEDHAM, MASSACHUSETTS

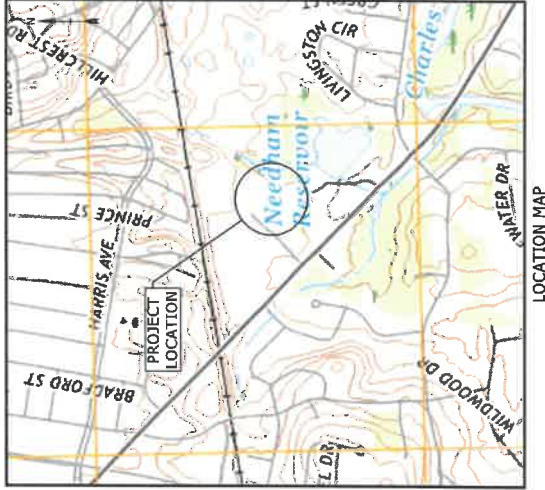
MCLEOD FIELD RENOVATIONS PROJECT

DEFAZIO PARK - 380 DEDHAM AVE

NEEDHAM, MA

SEPTEMBER 14, 2022

LIST OF DRAWINGS	
SHEET NO.	SHEET TITLE
C.100	COVER SHEET
C.101	EXISTING CONDITIONS & DEMO PLAN
C.102	SITE PLAN
C.103	GRADING, DRAINAGE & EROSION CONTROL PLAN
C.104	UTILITIES PLAN
C.501	EROSION CONTROL NOTES & DETAILS SHEET
C.502	DETAILS SHEET
C.503	DETAILS SHEET
C.504	DETAILS SHEET
C.505	DETAILS SHEET



PREPARED BY:
Tighe & Bond
177 Corporate Drive
Portsmouth, NH 02801
(603) 433-8818

PREPARED FOR:
TOWN OF NEEDHAM, MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS
500 DEDHAM AVENUE
NEEDHAM, MASSACHUSETTS 02492

T & B PROJECT NO: N-5001-008

COMPLETE SET 10 SHEETS

**DRAFT SET -
NOT FOR
CONSTRUCTION**

McLeod Field Renovation

**Town of
Needham, MA**

Needham, MA

[illegible]

C-101



- [illegible]

SITE NOTES:

LEGEND

PROPOSED PROTECTIVE NETTING
PROPOSED CHAIN LINK FENCE
PROPOSED TURF ANCHOR
PROPOSED CONCRETE DUGOUT
AND
PROPOSED BITUMINOUS WALK
PROPOSED SYNTHETIC TURF
PROPOSED SOFTBALL INFIELD
PROPOSED PACKING CLAY

TYPICAL

McLeod Field Renovation

**Town of
Needham, MA**

Needham, MA

WORK	DATE	DESCRIPTION
NO:	NO:	NO:001-008
DATE:	DATE:	9/14/2012
BY:	BY:	MS001-008-DS-CHILD
SIGNED/CHECKED BY:	SIGNED/CHECKED BY:	CMK/mw
APPROVED BY:	APPROVED BY:	NAH
		SLH

SITE PLAN

SCALE:	AS SHOWN
--------	----------

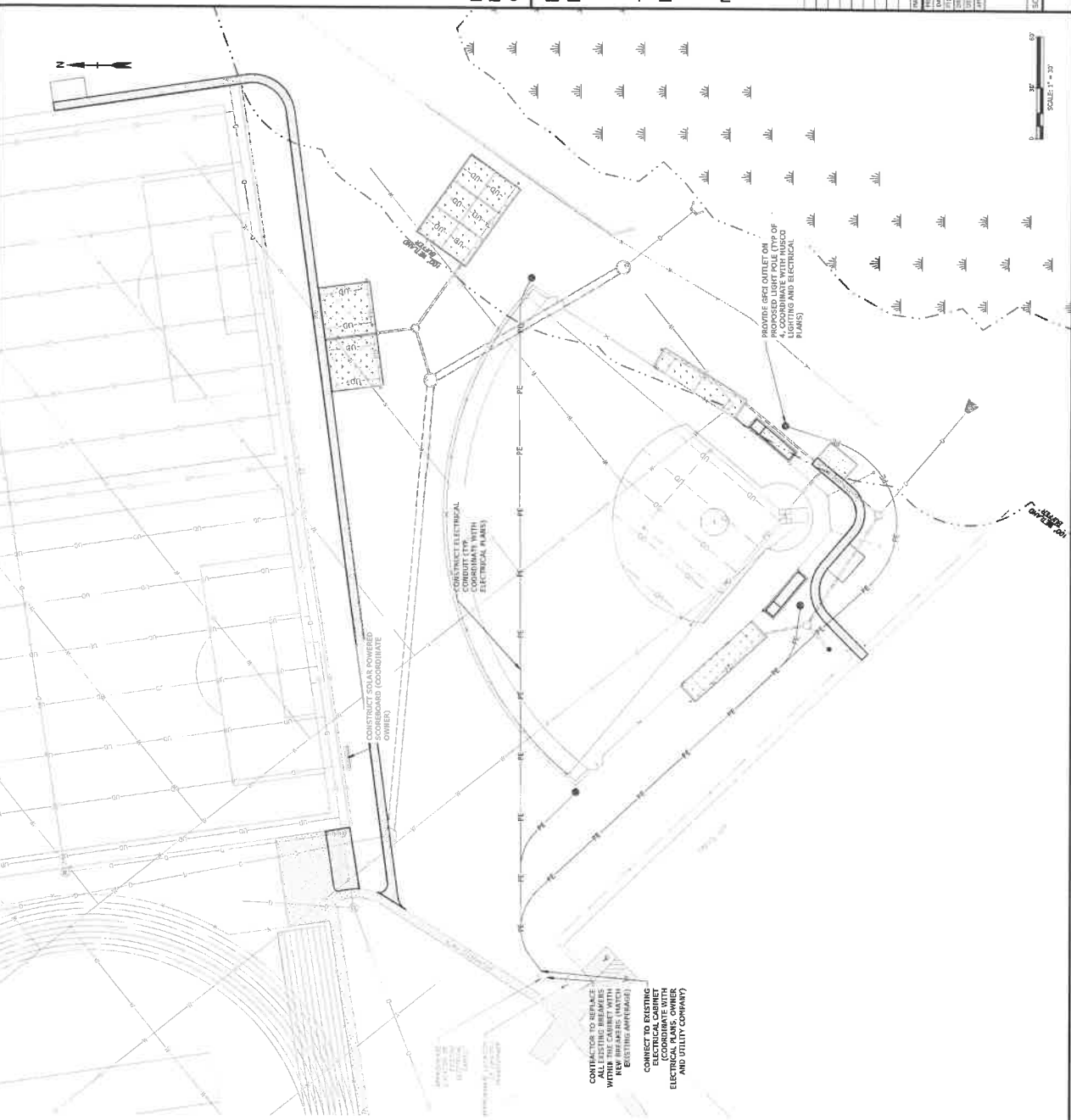
C-102





- PROPOSED MAJOR CONTOUR LINE
PROPOSED MINOR CONTOUR LINE
PROPOSED DRAIN LINE
PROPOSED PERFORATED DRAIN LINE
PROPOSED UNDERDRAIN
PROPOSED SILT SOCK
PROPOSED DRAIN MANHOLE
PROPOSED WARD DRAIN
PROPOSED CATCH BASIN
INLET PROTECTION BARRIER
PROPOSED CLEANOUT
TYPICAL

CONTRACTOR SHALL INSTALL 48" RCP PIPE ONLY WHEN EXISTING UNDISTURBED SOILS AND BEDDING MATERIALS ARE DRY. DEWATERING OF THE EXCAVATIONS SHOULD BE ANTICIPATED. THE CONTRACTOR SHALL DETERMINE THE METHOD OF DEWATERING PRIOR TO EXCAVATING AND COORDINATE METHOD WITH DPM FOR FINAL APPROVAL.



- UTILITY NOTES:**
1. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE APPROXIMATE AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL AFFECTED UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND FOR REPAIRING ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL AFFECTED UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND FOR REPAIRING ANY DAMAGE TO EXISTING UTILITIES.
 2. *ELECTRIC - NETA
 3. SEE GRADING, DRAINAGE & EROSION CONTROL PLAN FOR PROPOSED GRADING AND CONSTRUCTION.
 4. CONTRACTOR SHALL MAINTAIN UTILITY SERVICES TO PROPERTY THROUGHOUT CONSTRUCTION.
 5. ALL UTILITIES SHALL BE DEEPENED TO THE NATIONAL ELECTRIC CODE, LATEST EDITION, AND ALL APPLICABLE STATE AND LOCAL CODES.
 6. THE EXACT LOCATION OF NEW UTILITY SERVICES AND CONNECTIONS SHALL BE DETERMINED BY THE CONTRACTOR AND SHALL BE SHOWN ON THE CONSTRUCTION DOCUMENTS.
 7. ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OF WORK TO FINISH GRADE.
 8. ALL CONDUITS SHALL HAVE WYCON FULL ROYES TO FACILITATE PULLING CABLES.
 9. THE CONTRACTOR SHALL OBTAIN, PAY FOR, AND COMPLY WITH ALL REQUIRED PERMITS AND CERTIFICATES TO THE OWNER PRIOR TO THE COMMENCEMENT OF THIS PROJECT.
 10. THE CONTRACTOR SHALL PROVIDE AND INSTALL ALL MANHOLES, BOXES, FITTINGS, AND OTHER ACCESSORIES AS REQUIRED BY THE NATIONAL ELECTRIC CODE, LATEST EDITION, AND ALL APPLICABLE STATE AND LOCAL CODES.
 11. THE CONTRACTOR SHALL CONTACT "DIG-CAVE" 72 HOURS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL HAVE THE "DIG-CAVE" NUMBER ON SITE AT ALL TIMES.
 12. CONTRACTOR SHALL COORDINATE ALL ELECTRIC WORK INCLUDING BUT NOT LIMITED TO: CONDUIT, OVERHEAD WIRE RELOCATION, AND TRANSFORMER CONSTRUCTION WITH ALL OTHER CONSTRUCTION, CONDUIT LAYOUT AND CIRCUITRY FOR PROPOSED SITE LIGHTING AND SIGN ILLUMINATION SHALL BE PROVIDED BY THE PROJECT ELECTRICAL ENGINEER.
 13. THE CONTRACTOR SHALL COORDINATE ALL ELECTRIC WORK INCLUDING BUT NOT LIMITED TO: CONDUIT, OVERHEAD WIRE RELOCATION, AND TRANSFORMER CONSTRUCTION WITH ALL OTHER CONSTRUCTION, CONDUIT LAYOUT AND CIRCUITRY FOR PROPOSED SITE LIGHTING AND SIGN ILLUMINATION SHALL BE PROVIDED BY THE PROJECT ELECTRICAL ENGINEER.
 14. THE CONTRACTOR SHALL COORDINATE ALL ELECTRIC WORK INCLUDING BUT NOT LIMITED TO: CONDUIT, OVERHEAD WIRE RELOCATION, AND TRANSFORMER CONSTRUCTION WITH ALL OTHER CONSTRUCTION, CONDUIT LAYOUT AND CIRCUITRY FOR PROPOSED SITE LIGHTING AND SIGN ILLUMINATION SHALL BE PROVIDED BY THE PROJECT ELECTRICAL ENGINEER.

LEGEND

— PE — PROPOSED ELECTRICAL LINE

**DRAFT SET -
NOT FOR
CONSTRUCTION**

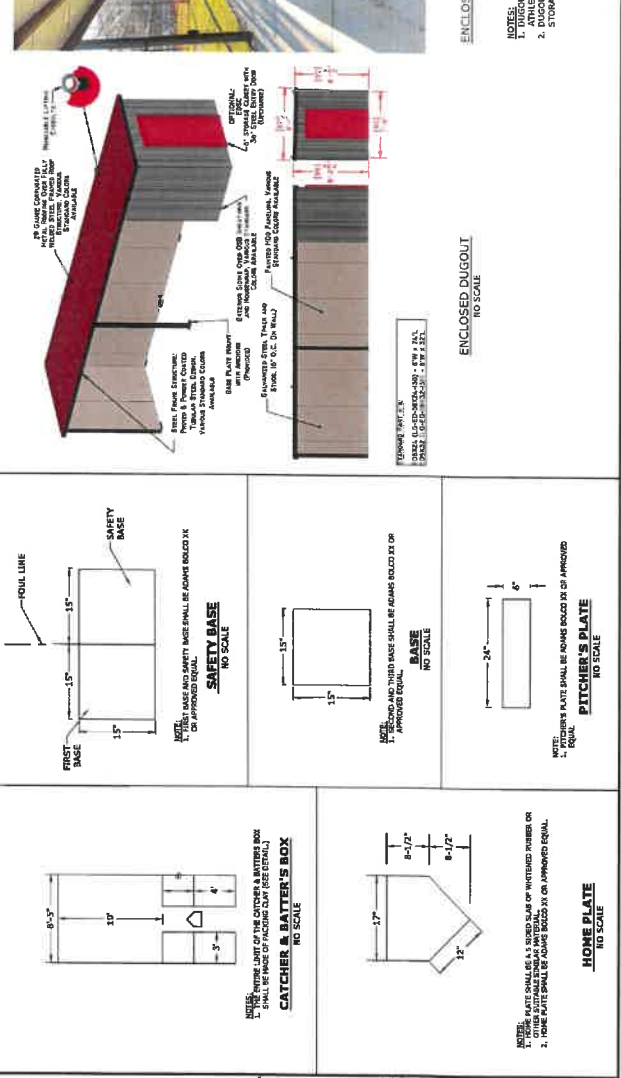
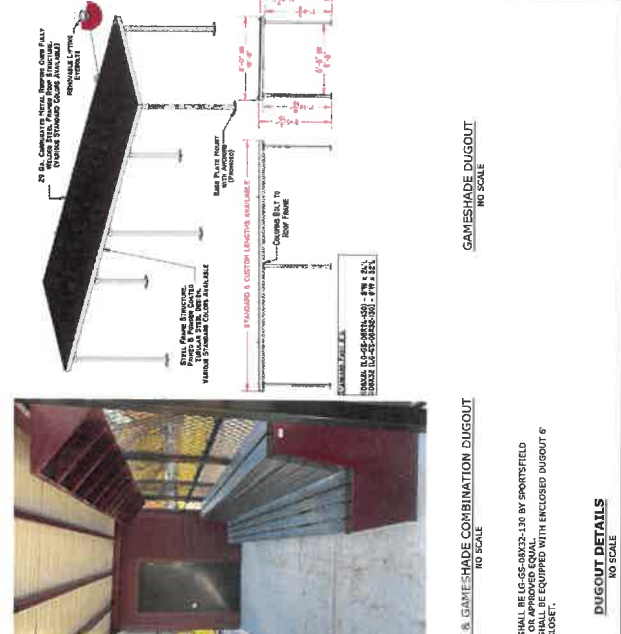
**McLeod Field
Renovation**

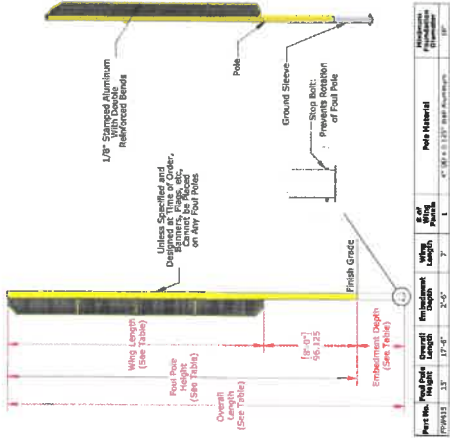
**Town of
Needham, MA**

Needham, MA

NO.	DATE	DESCRIPTION
1	01/11/2022	ISSUED FOR PERMIT
2	01/11/2022	ISSUED FOR PERMIT
3	01/11/2022	ISSUED FOR PERMIT
4	01/11/2022	ISSUED FOR PERMIT
5	01/11/2022	ISSUED FOR PERMIT
6	01/11/2022	ISSUED FOR PERMIT
7	01/11/2022	ISSUED FOR PERMIT
8	01/11/2022	ISSUED FOR PERMIT
9	01/11/2022	ISSUED FOR PERMIT
10	01/11/2022	ISSUED FOR PERMIT
11	01/11/2022	ISSUED FOR PERMIT
12	01/11/2022	ISSUED FOR PERMIT
13	01/11/2022	ISSUED FOR PERMIT
14	01/11/2022	ISSUED FOR PERMIT
15	01/11/2022	ISSUED FOR PERMIT
16	01/11/2022	ISSUED FOR PERMIT
17	01/11/2022	ISSUED FOR PERMIT
18	01/11/2022	ISSUED FOR PERMIT
19	01/11/2022	ISSUED FOR PERMIT
20	01/11/2022	ISSUED FOR PERMIT

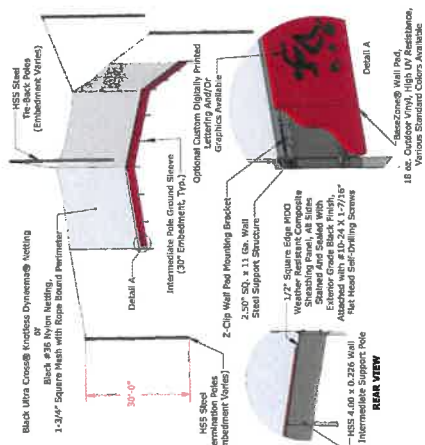
UTILITY PLAN	
SCALE	AS SHOWN
C-104	





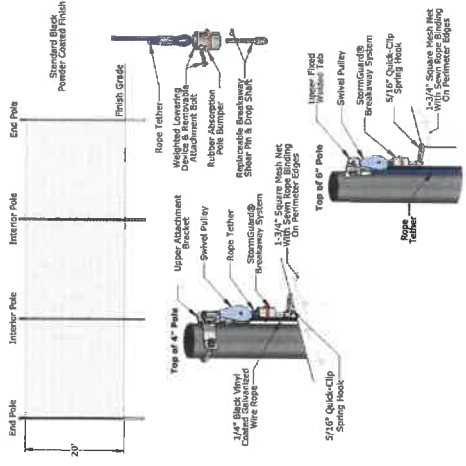
FOUL POLE DETAIL
NO SCALE

NOTES:
1. FOUL POLE SHALL BE FINALS BY SPORTSFIELD ATHLETICS OR APPROVED EQUAL.



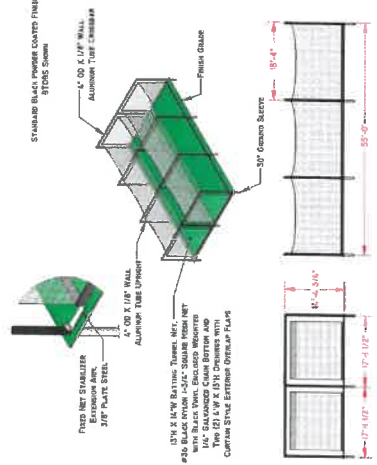
TENSION NETTING BACKSTOP DETAIL
NO SCALE

NOTES:
1. BACKSTOP SHALL BE FINALS BY SPORTSFIELD ATHLETICS OR APPROVED EQUAL.
2. WALL PAD SHALL BE MARY AND GOLD COLOR, COORDINATE FINAL COLOR WITH UNIFORM.



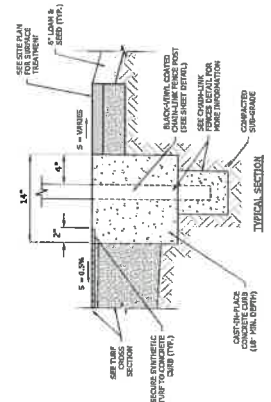
PROTECTIVE NETTING DETAIL
NO SCALE

NOTES:
1. SAFETY NETTING SHALL BE BS5420 WITH A WALL HEIGHT OF 20' BY SPORTSFIELD ATHLETICS OR APPROVED EQUAL.

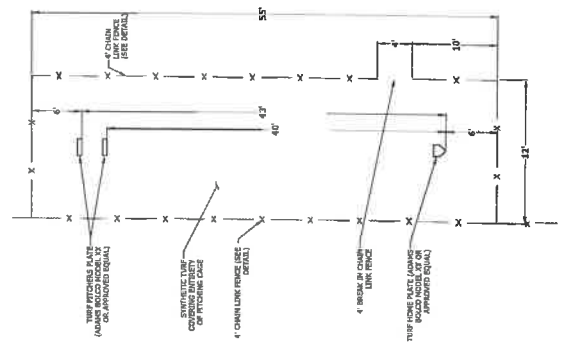


BATTING CAGE DETAIL
NO SCALE

NOTES:
1. BATTING CAGE SHALL BE STODS BY SPORTSFIELD ATHLETICS OR APPROVED EQUAL.



EXTENDED SYNTHETIC TURF ANCHOR
NO SCALE



PITCHING CAGE LAYOUT DETAIL
NO SCALE



**DRAFT SET -
NOT FOR
CONSTRUCTION**

McLeod Field Renovation

**Town of
Needham, MA**

Needham, MA

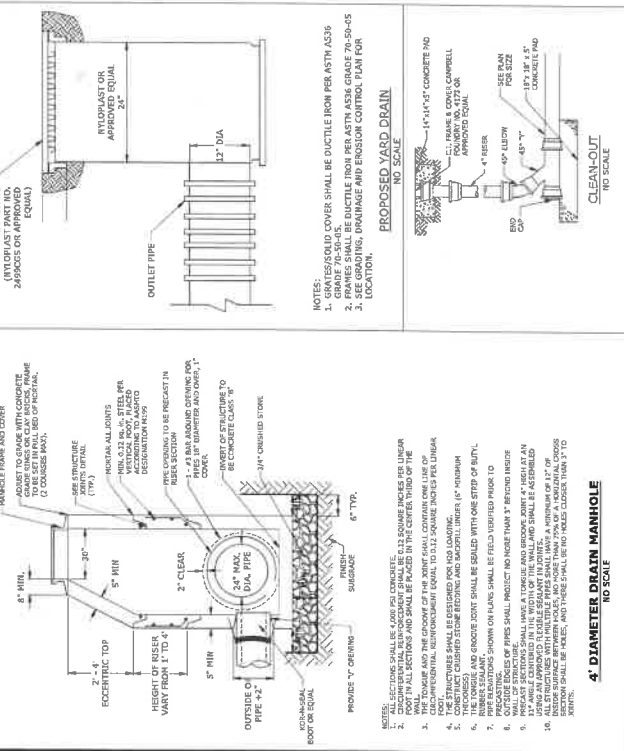
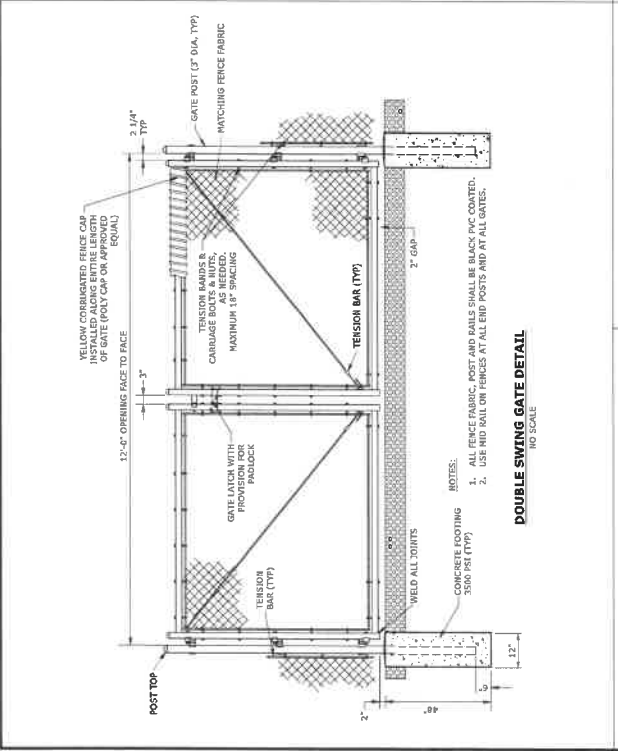
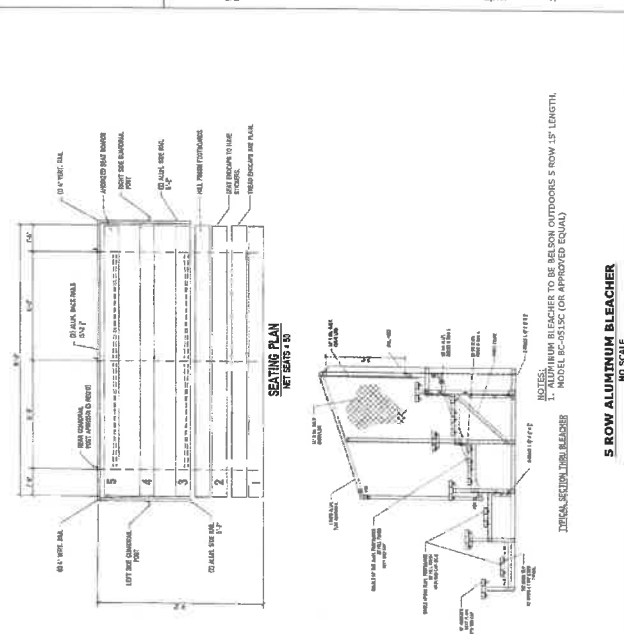
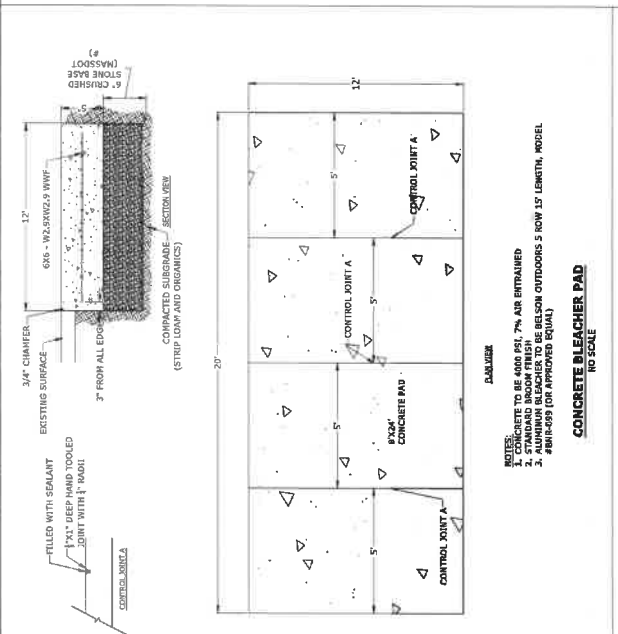
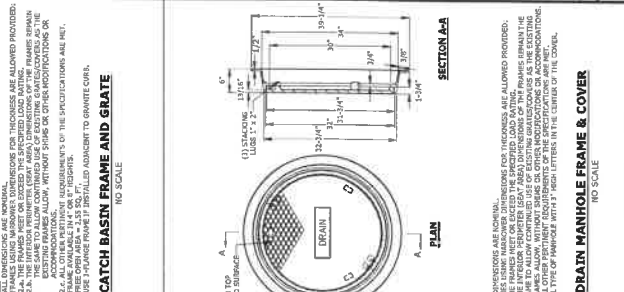
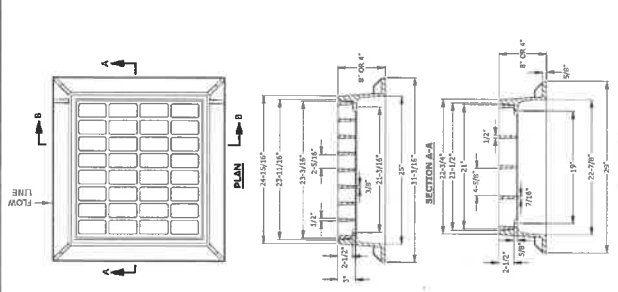
DATE	DESCRIPTION
N2001-008	
917-420702	
N2001-008-DTLG-Eng	
CXCHRW	
NMP	
SLH	

DETAILS SHEET

DRAIN MANHOLE FRAME & COVER

NO SCALE

C-505





Town of Needham
Building Department

500 Dedham Ave.
Needham, MA 02492

Tel. 781-455-7550 x 308

March 7, 2023

Town of Needham / Zoning Board of Appeals
500 Dedham Ave.
Needham, MA. 02492

Re: Application reviews for the March 2023 Hearing

Dear Board Members,

I have reviewed the applications for the March hearing and have the following comments.

246 Forest Street

The applicant is seeking a Special Permit under By-Law section 1.4.6 to demolish a lawful pre-existing non-conforming single-family home and replace it with a new home. This lot is located in an SRA District where most of the lots in this area of town do not conform to the SRA District requirements. The applicant is proposing side setbacks that would be consistent with the SRB District but are no closer than the existing structure, the applicant will be compliant on the front and rear setbacks. The Board has approved similar setback proposals on Rolling Lane which is the abutting street that runs parallel to Forest Street. I am not opposed to this Special Permit if the Board finds it appropriate to approve.

1584 Great Plain Ave.

The applicant Future Plan Investment is seeking Special Permits under By-law sections 1.4.6 and 1.4.10 to replace an existing lawful pre-existing non-conforming vehicle repair facility with an Enterprise car rental business. The existing parking lot will be cleaned, sealed and restriped consistent with the original parking layout. Renovations will be done to the existing building including minor facade changes and new signage. In looking at the site I believe that this will be a better non-conforming use for this location in town, however the landscaping trucks and equipment will need to be removed and the rental business operating on the property only. This property consists of two lots which appear to be owned by the same owner according to the deed, therefore I am considering both lots as 1584 Great Plain Ave. when speaking about the property.

I have checked our files and this property has a long history of complaints and violations including the parking of commercial vehicles, vehicle sales and illegal signage. I can only support this proposal if the commercial vehicles, trailers and equipment not associated to the car rental business are removed from the property this includes both lots. If the Board decides to approve the proposal, please include the following conditions that this use be limited to the operation of the Car Rental business only (including both lots) vehicle sales and the parking of vehicles, equipment or storage of any kind shall not be permitted. Signage on the property will be limited to signs approved by the DRB and sign permits issued by the Building Department only.

238 Highland Ave.

The applicant the Montessori School is seeking an amendment to their Special Permit to allow the school's enrollment to increase from 114 to 154 it is unclear from the application if the 15 teachers will also be increased. The school has tripled in size since it has opened and, in each expansion, picks up additional parking for tenant spaces that it has replaced. I remember commenting on this use when they first opened about concerns with the traffic on Highland Ave and the pickup and drop-off of the students, to date I am not aware of any complaints or concerns reported to any town Department. I believe that the school would not be asking for an increase unless they could manage the extra students, I have no issues with this proposal.

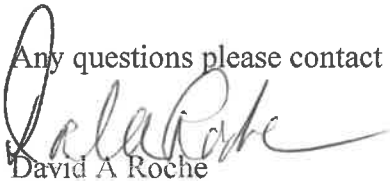
73 Highland Ave.

The applicant Mr. Nezqhualcoyotl Leon the owner of the Hungry Coyote Restaurant is seeking a Special Permit to operate the restaurant located at 73 Highland Ave. previously occupied by Chief Mike's. This will be Mr. Leon's second location in town, he successfully operates his original Highland Ave. business and hopes to expand into this new location. The applicant is planning on using the original floor plan and kitchen setup, he is also proposing the same amount of seating that was used in the previous Special Permit. The applicant has provided a floor plan, but it needs to have more details added, showing the actual seating and tables bathrooms with fixtures and a kitchen layout, showing all equipment. The parking will not change except for the lost parking space from the State taking on Highland Ave. As noted on the previous Special Permit the site shows 14 parking spaces but most of the parking on the site is non-compliant with the By-Law therefore, they are asking for relief from By-Law sections 5.1.2 and 5.1.3. The previous tenant had outdoor seating during the pandemic, but this applicant is not proposing any outdoor seating at this time. I am not opposed to this application, and if the Board had previous conditions, It seems that the business model is similar so the conditions if any should be the same.

470 Dedham Ave.

The applicant Mr. Ed Olsen representing the Needham Park and Recreation Department is seeking a Special Permit amendment to add four field lights to the towns Defazio recreation complex. Specifically, the area of the complex known as Mcleod field is going to be completely renovated and rebuilt including realignment, drainage, fencing, new sod and dugouts. This project also includes the installation of four light poles which will be controlled separately from the track and field lighting. I have reviewed the lighting plan and appears to be compliant with the By-Laws, this lighting will be directed on this field only, the lighting will be used only if the field is in use, otherwise it will remain off. I am not opposed to this project if the Board votes approve the proposed plan.

Any questions please contact my office.

A handwritten signature in dark ink, appearing to read "D. Roche", is written over the printed name "David A Roche".

David A Roche
Building Commissioner
Town of Needham



TOWN OF NEEDHAM
CONSERVATION DEPARTMENT
Public Services Administration Building
500 Dedham Avenue
Needham, MA 02492

TEL: (781) 455-7550 x272
conservation@needhamma.gov

TO: Zoning Board of Appeals

FROM: Clay Hutchinson, Conservation Specialist

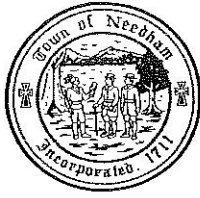
DATE: February 28, 2023

SUBJECT: Special Permit Amendment Request
Map 302, Lots 5, 9, and 18
470 Dedham Avenue, DeFazio Park

At the request of Daphne Collins, the Conservation Department has conducted a preliminary review of the Special Permit Amendment Request for 470 Dedham Avenue, DeFazio Park ("subject property"), as it relates to the jurisdiction of the Needham Conservation Commission (NCC). The NCC's jurisdiction is established under the Massachusetts Wetlands Protection Act ("WPA"; MGL Ch. 131 S. 40) and the Town of Needham Wetlands Protection Bylaw ("Bylaw"; Needham General Bylaws Section 6).

Review of the application and plan set was conducted. Based on the Town GIS mapping, it appears there is a Bordering Vegetated Wetland within 100 feet of the proposed work. The Applicant submitted a *Notice of Intent* permit application that was reviewed by the NCC. The hearing occurred on February 23, 2023, and was approved by the Commission. We are anticipating the issuance of an *Order of Conditions* at our upcoming meeting on March 9, 2023.

Should you have any questions, please do not hesitate to contact myself, Clay Hutchinson, in the Conservation Department.



**TOWN OF NEEDHAM, MASSACHUSETTS
PUBLIC WORKS DEPARTMENT
500 Dedham Avenue, Needham, MA 02492
Telephone (781) 455-7550 FAX (781) 449-9023**

March 3, 2023

Needham Zoning Board of Appeals
Needham Public Safety Administration Building
Needham, MA 02492

RE: Case Review-Special Permit
470 Dedham Ave- Special Permit

Dear Members of the Board,

The Department of Public Works has completed its review of the above referenced Special Permit to amend the special Permit on May 21, 2009 and the original decision dated April 17, 2008 to include the renovation and conversion of the McLeod baseball field into a new softball field with dugout, foul pole, and batting cage.

The documents submitted for review are as follows:

- Application for Special Permit dated 2/21/23
- Lighting Specification for McLeod field by Musco lighting dated 2/16/23
- Musco Lighting Plans dated 8/11/21 consisting of 6 sheets
- Project Plans Prepared by Tighe & Bond dated 9/14/22 consisting of 10 sheets.

Our comments and recommendations are as follows:

- We have no comment or objection to the Special Permit

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

Truly yours,

Thomas A Ryder
Town Engineer
tryder

Daphne Collins

From: Tara Gurge
Sent: Friday, March 3, 2023 6:46 PM
To: Daphne Collins
Subject: RE: 470 Dedham Avenue - ZBA Administrative Review - Due March 6, 2023

Daphne –

The Public Health Division conducted our Zoning Board review for the property located at #470 Dedham Avenue. and have no comments to share at this time.

Thanks,



TARA E. GURGE, R.S., C.E.H.T., M.S. (she/her/hers)
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
Mobile- (781) 883-0127
Email - tgurge@needhamma.gov
Web- www.needhamma.gov/health



Prevent. Promote. Protect.



please consider the environment before printing this email

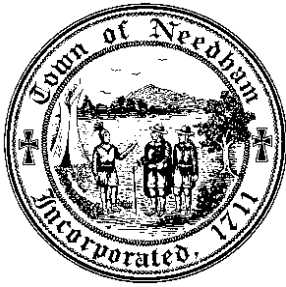
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[Follow Needham Public Health on Twitter!](#)

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Monday, February 27, 2023 2:12 PM
To: David Roche <droche@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Deb Anderson <andersond@needhamma.gov>; Clayton Hutchinson <chutchinson@needhamma.gov>
Subject: 470 Dedham Avenue - ZBA Administrative Review - Due March 6, 2023



PLANNING & COMMUNITY DEVELOPMENT
PLANNING DIVISION

March 7, 2023

Mr. Jon Schneider, Chairman and Members
Zoning Board of Appeals
Public Services Administration Building
500 Dedham Avenue
Needham, MA 02492

Dear Mr. Schneider and Members of the Zoning Board of Appeals:

At its meeting of March 7, 2023, the Planning Board reviewed the applications to be heard by the Board of Appeals on March 16, 2023, and made the following recommendations:

1. **246 Forest Street** - 246 Forest Street, LLC has applied for a Special Permit under Sections 1.4.6, 4.2 and any other applicable Sections of the By-Law to permit the demolition, extension, alteration, enlargement and reconstruction of the lawful, pre-existing, non-conforming single family. The property is located at 246 Forest Street, Needham, MA in the Single Residence A (SRA) District.

The Planning Board makes NO COMMENT.

2. **238 Highland Avenue** - Allen Douglass and Christine Lachkey, applicants, have applied for a Special Permit Amendment under Sections 5.1.1.5, 5.1.2, 5.1.3 and any other applicable Sections of the Zoning By-Law to expand the Needham Montessori School to allow up to 154 children and 15 staff members. As part of this expansion, waivers of parking number and parking design are required. The subject property is located at 238 Highland Avenue, Needham MA in the Highland Commercial -128 District.

The Planning Board requests that the Zoning Board of Appeals consider the safety issue of this many cars entering and existing the site and whether the Petitioner's traffic study is adequate to address and alleviate such concerns.

3. **73 Highland Avenue** - Nezhualcoyotl Leon has applied for a Special Permit under Sections 3.2.5, 3.2.5.2, 5.1.1.1, 5.1.1.5, 5.1.2, 5.1.3, and any other applicable Sections of the By-Law for a restaurant serving meals on the premises and take-out operation accessory to the restaurant and to waive strict adherence to the parking requirements. The request is associated with the establishment of a second location of The Hungry Coyote, a Mexican style restaurant, take out and catering services. The property is located at 73 Highland Avenue, Needham, MA in the Highland Commercial 128 District.

The Planning Board makes NO COMMENT.

4. **1584 Great Plain Avenue** - Enterprise Rent-A-Car Company of Boston LLC, has applied for a Special Permit under Sections 1.4.6, 1.4.10, 5.1, 5.1.1.1, 5.1.1.5, 5.1.1.7, 5.1.2, 5.1.3, 6.4 and any other applicable Sections of the By-Law to permit the replacement/substitution of a non-conforming use (automobile repair garage) to an automobile rental agency with associated improvements to the parking lot and building; and to waive the parking plan and design requirements. The property is located at 1584 Great Plain Avenue, Needham, MA in the Single Residence A (SRA) District.

The Planning Board requests that the Zoning Board of Appeals clarify the nature of the pre-existing non-conforming use, confirm that it was legally established, and lastly that it has been continued without interruption and abandonment.

5. **470 Dedham Avenue** - The Town of Needham (Department of Public Works) Park and Recreation Commission has applied under Sections 4.1.6.3, 4.1.6.4 and any other applicable Sections of the By-Law to permit the installation of field lights. This request is associated with the renovation and conversion of the McLeod baseball field into a premier softball field with dugout, foul pole and batting cage and 4 field lights. The property is located at 470 Dedham Avenue, Needham, MA in the Single Residence B (SRB) District.

The Planning Board makes NO COMMENT.

NEEDHAM PLANNING BOARD

Lee Newman

Lee Newman
Director of Planning and Community Development

Daphne Collins

From: John Schlittler
Sent: Monday, February 27, 2023 4:24 PM
To: Daphne Collins
Subject: RE: 470 Dedham Avenue - ZBA Administrative Review - Due March 6, 2023

Police is ok with this.

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Monday, February 27, 2023 2:12 PM
To: David Roche <droche@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Deb Anderson <andersond@needhamma.gov>; Clayton Hutchinson <chutchinson@needhamma.gov>
Subject: 470 Dedham Avenue - ZBA Administrative Review - Due March 6, 2023

Good Afternoon-

470 Dedham Avenue, the Town of Needham's Park and Recreation Commission (Town of Needham owners), is seeking a Special Permit Amendment to allow the installation of four field lights. This request is associated with the renovation and conversion of the McLeod baseball field into a premier softball field with dugout, foul pole and batting cage and 4 field lights.

Attached please find the application with its associated back-up documents for your information and review.

I appreciate your comments no later than **March 6, 2023** to allow time for the applicant to respond prior to the hearing.

If you have any questions, feel free to contact me.

Thank you,
Daphne

Daphne M. Collins

Zoning Specialist

Phone 781-455-7550, x 261

Web <https://www.needhamma.gov/>

<https://needhamma.gov/1101/Board-of-Appeals>

www.needhamma.gov/NeedhamYouTube

Town of Needham
Planning and Community Development
500 Dedham Avenue
Needham, MA 02492

Regular Office Hours: Mon-Wed 8:30am – 5:00pm

Remote Hours: Thurs 8:30am-5:00pm