



TOWN OF NEEDHAM, MA

PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

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

PLANNING

Major Project Site Plan Special Permit No. 2024-01

November 6, 2024

Needham Housing Authority

0 Linden Street and 5 Chambers Street, Needham, Massachusetts

DECISION of the Planning Board (hereinafter referred to as the Board) on the petition of Needham Housing Authority (NHA), 21 Highland Circle, Suite 10, Needham, MA, for property located at 0 Linden Street and 5 Chambers Street. The property is located in the Affordable Housing District pursuant to the amendments of the Zoning By-Law voted at the May 2024 Annual Town Meeting, which amendments remain subject to review and approval by the Massachusetts Attorney General. The property is shown on Assessors Plan No. 133 as Parcels 23 and 24, as well as Assessors Plan No. 134 as Parcel 41, containing a total of 478,540 square feet (10.9858 acres). The property is also shown on a lot consolidation plan titled "Plan of Land in Needham, MA", dated 12/21/2023, by Hancock Associates, recorded at the Norfolk Registry of Deeds on July 23, 2024, in Plan Book 730, Page 7.

This decision is in response to an application submitted to the Board on September 3, 2024, by the Petitioner for a Major Project Site Plan Review Special Permit under Section 7.4 of the Needham Zoning By-Law (hereinafter the By-Law).

The requested Major Project Site Plan Review Special Permit, would, if granted, permit the Petitioner to redevelop its Linden-Chambers property. The redevelopment would result in an increase in the number of affordable housing units on the Property from the current 152 units to 216 units, an increase of 64 units. The project will also include 70 surface parking spaces together with associated landscaping, driveways, and other improvements.

The NHA proposes to redevelop the Property in two Phases. Phase I involves the Linden Street buildings on the Property, and it is divided into Phases 1A and 1B. The subject of this site plan review application is Phase I. Phase II involves the five Chambers Street buildings on the Property, the redevelopment of which is not part of this application.

During Phase 1A, the NHA will demolish 10 existing buildings at 138, 140, 144, 146, 150, 152, 156, 158, 166, and 168 Linden Street. The 40 residents living in those units will be temporarily relocated, at no cost to them, to comparable or better dwelling units until they can be moved back into new units. Phase 1A of the redevelopment, providing 76 units (north wing) and the common facilities for the proposed new Linden Street building, will be constructed. Then the original residents of the 10 buildings will be allowed to move into the Phase 1A units of the north wing.

During Phase 1B, the NHA will demolish the 8 remaining buildings at 170, 172, 174, 180, 182, 184, 186, and 188 Linden Street. The 32 residents of those buildings will be moved into the new building which was constructed during Phase 1A. The construction of the second, southerly wing of the new Linden Street building, with 60 new units, will proceed.

After causing notice of the time and place of the public hearing and of the subject matter thereof to be published, posted and mailed to the Petitioner, abutters and other parties in interest as

required by law, the hearing was called to order by the Chairperson, Natasha Espada on Tuesday, September 24, 2024 at 7:00 p.m. in the Charles River Room, Needham Public Services Administration Building, 500 Dedham Avenue, Needham, MA, as well as by Zoom Web ID Number 880 4672 5264. The hearing was continued to October 15, 2024 at 7:00 p.m., in the Charles River Room, Needham Public Services Administration Building, 500 Dedham Avenue, Needham, MA and by Zoom ID 880 4672 5264. Board members Natasha Espada, Artie Crocker, Paul S. Alpert, Adam Block and Justin McCullen were present throughout the proceedings. The record of the proceedings and the submission upon which this decision is based may be referred to in the office of the Town Clerk or the office of the Board.

Submitted for the Board's deliberation prior to the close of the public hearing were the following exhibits:

- Exhibit 1 - Application submitted by Needham Housing Authority (NHA), 21 Highland Circle, Suite 10, Needham, MA, dated August 29, 2024, filed with the Town Clerk, September 3, 2024.
- Exhibit 2 - Cover Letter from Attorney Robert Smart, dated August 23, 2024.
- Exhibit 3 - Letter from Attorney Robert Smart, dated August 23, 2024, with attached zoning table.
- Exhibit 4 - Plan of Land in Needham, MA, entitled "#5 Chambers Street and #0 Linden Street, Needham, MA," prepared by Hancock Associates, 185 Centre Street, Danvers, MA, dated December 21, 2023 (the lot consolidation plan).
- Exhibit 5 - Plan entitled "Site Plan Review for Linden Street Redevelopment, Needham Housing Authority", prepared by Bargmann Hendrie + Archetype Inc., 9 Channe; Center Street, Suite 300, Boston, MA, 02210, Hancock Associates, 121 East Berkely Street, 4th Floor, Boston, MA, 02118, Ground Landscape Inc., 285 Washington Street, Unit G, Somerville, MA, 02143, consisting of 33 sheets: Sheet 1, Sheet 000 - Cover / List of Drawings/Zoning Table, dated August 23, 2024; Sheet 2, entitled "Existing Conditions Plan of Land in Needham, MA," dated May 11, 2023; Sheet 3, Sheet C1, entitled "Phasing Plan," dated August 23, 2024; Sheet 4, Sheet C2.0, entitled "Demolition, Soil Erosion, and Sediment Control," dated August 23, 2024; Sheet 5, Sheet C3.0, entitled "Site Layout and Materials Plan," dated August 23, 2024; Sheet 6, Sheet C4.0, entitled "Grading and Drainage," dated August 23, 2024; Sheet 7, Sheet C5.0, entitled "Utility Plan," dated August 23, 2024; Sheet 8, Sheet C6.0, entitled "Construction Details I," dated August 23, 2024; Sheet 9, Sheet C6.1, entitled "Construction Details II," dated August 23, 2024; Sheet 10, Sheet L099 , entitled "Tree Protection Plan," dated August 23, 2024; Sheet 11, Sheet L102A, entitled "Materials Plan," dated August 23, 2024; Sheet 12, Sheet L102B, entitled "Materials Plan," dated August 23, 2024; Sheet 13, Sheet L104, entitled "Planting Plan," dated August 23, 2024; Sheet 14, Sheet L105, entitled "Site Lighting Plan," dated August 23, 2024; Sheet 15, Sheet L501, entitled "Details," dated August 23, 2024; Sheet 16, Sheet L503, entitled "Details," dated August 23, 2024; Sheet 17, Sheet L504, entitled "Details," dated August 2, 2024; Sheet 18, Sheet L505, entitled "Details," dated August 23, 2024; Sheet 19, Sheet L506, entitled "Details," dated August 23, 2024; Sheet 20, Sheet L510, entitled "Details," dated August 23, 2024; Sheet 21, Sheet A100, entitled "Phase 1 Plans," dated August 23, 2024; Sheet 22, Sheet A101, entitled "Phase 1A First Floor Plans," dated August 23, 2024; Sheet 23, Sheet A102, entitled "Phase 1A - Typical Floor Plan- Floors 2-

4,” dated August 23, 2024; Sheet 24, Sheet A104, entitled “Phase 1B - First Floor Plan,” dated August 23, 2024; Sheet 25, Sheet A105, entitled “Phase 1B - Typical Floor Plan- Floors 2-4,” dated August 23, 2024; Sheet 26, Sheet A200, entitled “Phase 1 Elevations,” dated August 23, 2024; Sheet 27, Sheet A201, entitled “Phase 1A Elevations,” dated August 23, 2024; Sheet 28, Sheet A202, entitled “Phase 1B Elevations,” dated August 23, 2024; Sheet 29, Sheet A203, entitled “Phase 1B – Elevations,” dated August 23, 2024; Sheet 30, Sheet A300, entitled “Building Sections,” dated August 23, 2024; Sheet 31, Sheet E000, entitled “Electrical Legend, Notes and Abbreviations,” dated August 23, 2024; Sheet 32, Sheet E100, entitled “Electrical Site Plan,” dated August 23, 2024; Sheet 33, Sheet E101, entitled “Electrical Site Plan Photometric,” dated August 23, 2024.

- Exhibit 6 - Traffic Impact Analysis, entitled “Linden Street Redevelopment Needham, Massachusetts”, prepared by Pare Corporation, 8 Blackstone Valley Place, Lincoln, RI, 02865, dated April, 2024.
- Exhibit 7 - Stormwater Report, entitled “Stormwater Report In Support of Notice of Intent for Linden Street Redevelopment (Map 133, Lots 23 and 24) Needham MA”, prepared by Hancock Associates, submitted August 29, 2024;
- Exhibit 8 - Memorandum from Design Review Board, dated August 19, 2024.
- Exhibit 9 - Letter from Reginald C. Foster, Chair, Board of Commissioners, Needham Housing Authority, dated October 8, 2024.
- Exhibit 10 - Letter from Anthony Donato, Hancock Associates, dated October 8, 2024, with 2 attached stormwater system infiltration run-off volume and peak flow rate calculations.
- Exhibit 11 - Stormwater Report, entitled “Stormwater Report In Support of Notice of Intent for Linden Street Redevelopment (Map 133, Lots 23 and 24) Needham MA”, prepared by Hancock Associates, Site Plan Review revisions to 8/29/24 report for expanded infiltration system: 10/8/24.
- Exhibit 12 - Revised Plan Sheets entitled “Site Plan Review for Linden Street Redevelopment, Needham Housing Authority”, prepared by Bargmann Hendrie + Archetype Inc., 9 Channe; Center Street, Suite 300, Boston, MA, 02210, Hancock Associates, 121 East Berkely Street, 4th Floor, Boston, MA, 02118, Ground Landscape Inc., 285 Washington Street, Unit G, Somerville, MA, 02143, consisting of:
 - a. Sheet 6, Sheet C4.0, entitled “Grading and Drainage,” dated September 6, 2024, revised October 8, 2024.
 - b. Sheet 11, Sheet L102A, entitled “Materials Plan,” dated September 6, 2024, revised October 8, 2024.
 - c. Sheet 27, Sheet A201, entitled “Phase 1A Elevations,” dated August 23, 2024, revised October 8, 2024.
- Exhibit 13 - Letter from Reginald C. Foster, Chair, Board of Commissioners, Needham Housing Authority, dated October 11, 2024.
- Exhibit 14 - Letter from Attorney Robert Smart, dated October 15, 2024.

- Exhibit 15 - Plan entitled "Site Plan Review for Linden Street Redevelopment, Needham Housing Authority", prepared by Bargmann Hendrie + Archetype Inc., 9 Channe; Center Street, Suite 300, Boston, MA, 02210, Hancock Associates, 121 East Berkely Street, 4th Floor, Boston, MA, 02118, Ground Landscape Inc., 285 Washington Street, Unit G, Somerville, MA, 02143, consisting of 33 sheets: Sheet 1, Sheet 000 - Cover / List of Drawings/Zoning Table, dated August 23, 2024, revised October 8, 2024 and October 11, 2024; Sheet 2, entitled "Existing Conditions Plan of Land in Needham, MA," dated May 11, 2023; Sheet 3, Sheet C1, entitled "Phasing Plan," dated August 23, 2024, revised October 8, 2024 and October 11, 2024; Sheet 4, Sheet C2.0, entitled "Demolition, Soil Erosion, and Sediment Control," dated August 23, 2024; Sheet 5, Sheet C3.0, entitled "Site Layout and Materials Plan," dated August 23, 2024, revised October 8, 2024 and October 11, 2024; Sheet 6, Sheet C4.0, entitled "Grading and Drainage," dated August 23, 2024, revised October 8, 2024 and October 11, 2024; Sheet 7, Sheet C5.0, entitled "Utility Plan," dated August 23, 2024, revised October 8, 2024 and October 11, 2024; Sheet 8, Sheet C6.0, entitled "Construction Details I," dated August 23, 2024, revised October 8, 2024 and October 11, 2024; Sheet 9, Sheet C6.1, entitled "Construction Details II," dated August 23, 2024, revised October 8, 2024 and October 11, 2024; Sheet 10, Sheet L099, entitled "Tree Protection Plan," dated August 23, 2024; Sheet 11, Sheet L102A, entitled "Materials Plan," dated August 23, 2024, revised October 8, 2024 and October 11, 2024; Sheet 12, Sheet L102B, entitled "Materials Plan," dated August 23, 2024, revised October 8, 2024 and October 11, 2024; Sheet 13, Sheet L104, entitled "Planting Plan," dated August 23, 2024, revised October 8, 2024 and October 11, 2024; Sheet 14, Sheet L105, entitled "Site Lighting Plan," dated August 23, 2024, revised October 8, 2024 and October 11, 2024; Sheet 15, Sheet L501, entitled "Details," dated August 23, 2024; Sheet 16, Sheet L503, entitled "Details," dated August 23, 2024; Sheet 17, Sheet L504, entitled "Details," dated August 2, 2024; Sheet 18, Sheet L505, entitled "Details," dated August 23, 2024; Sheet 19, Sheet L506, entitled "Details," dated August 23, 2024; Sheet 20, Sheet L510, entitled "Details," dated August 23, 2024; Sheet 21, Sheet A100, entitled "Phase 1 Plans," dated August 23, 2024; Sheet 22, Sheet A101, entitled "Phase 1A First Floor Plans," dated August 23, 2024; Sheet 23, Sheet A102, entitled "Phase 1A - Typical Floor Plan- Floors 2-4," dated August 23, 2024; Sheet 24, Sheet A104, entitled "Phase 1B - First Floor Plan," dated August 23, 2024; Sheet 25, Sheet A105, entitled "Phase 1B - Typical Floor Plan- Floors 2-4," dated August 23, 2024; Sheet 26, Sheet A200, entitled "Phase 1 Elevations," dated August 23, 2024; Sheet 27, Sheet A201, entitled "Phase 1A Elevations," dated August 23, 2024; Sheet 28, Sheet A202, entitled "Phase 1B Elevations," dated August 23, 2024; Sheet 29, Sheet A203, entitled "Phase 1B - Elevations," dated August 23, 2024; Sheet 30, Sheet A300, entitled "Building Sections," dated August 23, 2024; Sheet 31, Sheet E000, entitled "Electrical Legend, Notes and Abbreviations," dated August 23, 2024; Sheet 32, Sheet E100, entitled "Electrical Site Plan," dated August 23, 2024; Sheet 33, Sheet E101, entitled "Electrical Site Plan Photometric," dated August 23, 2024.
- Exhibit 16 - Stormwater Report, entitled "Stormwater Report In Support of Notice of Intent for Linden Street Redevelopment (Map 133, Lots 23 and 24) Needham MA", prepared by Hancock Associates, dated August 23, 2024, revision 2 October 11, 2024.
- Exhibit 17 - Email from Kaleigh Moriarty, 39 Chambers St Apt B, dated October 15, 2024.

Exhibit 18 - Letter from Attorney Robert Smart, dated October 29, 2024.

Exhibit 19 - Interdepartmental Communication (IDC) to the Board from Chief John Schlittler, Needham Police Department, dated September 5, 2024, October 4, 2024 and October 9, 2024; IDC to the Board from Joe Prondak, Building Commissioner, dated August 30, 2024 and October 9, 2024; IDC to the Board from Tom Conroy, Chief, Needham Fire Department, dated September 3, 2024 and October 24, 2024; IDC to the Board from Thomas Ryder, Town Engineer, dated September 19, 2024, October 15, 2024 and October 24, 2024; IDC to the Board from Deb Anderson, dated September 20, 2024; and IDC to the Board from Tara Gurge, Health Department, dated September 18, 2024.

Exhibits 1, 2, 3, 4, 6, 15, 16, and 18 are referred to hereinafter as the Plan.

FINDINGS AND CONCLUSIONS

Based upon its review of the exhibits and the record of the proceedings, the Board found and concluded that:

- 1.1 The property is located in the Affordable Housing District pursuant to the amendments of the By-Law voted at the May 2024 Annual Town Meeting, which amendments remain subject to review and approval by the Massachusetts Attorney General. The property is shown on Assessors Plan No. 133 as Parcels 23 and 24, as well as Assessors Plan No. 134 as Parcel 41, containing a total of 478,540 square feet (10.9858 acres).
- 1.2 The site is presently fully developed, occupied by the Linden and Chambers communities at 0 Linden Street and 5 Chambers Street. The Needham Housing Authority (NHA) was established by the Town in 1948, for the purpose of constructing, managing and operating multifamily residential buildings that are affordable for persons of low income. Pursuant to several votes of the Needham Town Meeting, the Town conveyed the land which comprises the current property to the NHA, between 1957 to 1970. The NHA subsequently constructed the current buildings on the property, and it has managed the development for the benefit of its low-income residents and the Town since that time. Linden Street consists of 72 one-bedroom units, in 18 single story buildings. Chambers consists of 80 one-bedroom units, in two-story buildings. The five Chambers property buildings and the existing community room and maintenance facility are not part of this application.
- 1.3 The Petitioner proposes to redevelop its Linden-Chambers property. The redevelopment would result in an increase in the number of affordable housing units on the property from the current 152 units to 216 units, an increase of 64 units. The Petitioner proposes to construct one hundred thirty-six (136) units, as proposed in Phases 1A and 1B by this application. Of those 136 units, zero (0) to eight (8) may be two-bedroom units, and the rest will be one-bedroom units.
- 1.4 The Petitioner proposes to redevelop the property in two Phases. Phase I involves the Linden Street buildings on the Property, and it is divided into Phases 1A and 1B. The subject of this site plan review application is Phase I. Phase II involves the five Chambers Street buildings and the existing community center and maintenance building on the Property, the redevelopment of which is not part of this application.

- 1.5 During Phase IA, the NHA will demolish 10 existing buildings at 138, 140, 144, 146, 150, 152, 156, 158, 166, and 168 Linden Street. The 40 residents living in those units will be temporarily relocated, at no cost to them, to comparable or better dwelling units until they can be moved back into new units. Phase 1A of the redevelopment, providing 76 units (north wing) and the common facilities for the proposed new Linden Street building, will be constructed. Then the original residents of the 10 buildings will be allowed to move into the Phase 1A units of the north wing. The Petitioner proposes to construct seventy-six (76) units in Phase 1A. Of these units, zero (0) to four (4) may be two-bedroom units, and the rest will be one bedroom units. Forty-one (41) parking spaces will be constructed with Phase 1A.
- 1.6 During Phase IB, the NHA will demolish the 8 remaining buildings at 170, 172, 174, 180, 182, 184, 186, and 188 Linden Street. The 32 residents of those buildings will be moved into the new building which was constructed during Phase 1A. The construction of the second, southerly wing of the new Linden Street building, with 60 new units, will proceed in Phase 1B. Of these units, zero (0) to four (4) may be two-bedroom units, and the rest will be one bedroom units. Twenty-nine (29) parking spaces would be constructed with Phase 1B.
- 1.7 The proposed new building is proposed to be an Affordable Housing District (AHD) Project, which is defined as multi-family housing development of affordable housing units, as defined in Section 1.3 of the By-Law. All units will be affordable to and occupied by households with incomes at or below eighty (80) percent of the area median income. Pursuant to Section 3.16.4 of the By-Law, use of property in the Affordable Housing District for an AHD Project is allowed after completion of a Major Project Site Plan Review. Therefore, provided the Board approves the requested Major Project Site Plan Review Special Permit, the proposed use of the premises will comply with the By-Law.
- 1.8 As indicated in the Zoning Table shown on the Plan, the lot conforms to zoning requirements as to area and frontage. As indicated in the Zoning Table shown on the Plan, the proposed building will comply with all applicable dimensional and density requirements of the Affordable Housing District for an affordable housing use namely, front, side and rear setback, maximum building height, maximum number of stories, and floor area ratio.
- 1.9 The By-Law, Section 3.16.6, requires that the minimum lot area be 20,000 square feet and the minimum lot frontage be 150 feet. The proposed development, having a lot with an area of approximately 478,540 square feet (10.9858 acres) and 740 feet of frontage, complies with the minimum frontage and the minimum area requirements of the By-Law.
- 1.10 The By-Law, Section 3.16.6 requires a minimum front setback of 40 feet. The proposed building is to have a front setback of 88 feet from Linden Street at its closest point. Therefore, the proposed new building complies with the applicable minimum front setback requirement of the By-Law.
- 1.11 The By-Law, Section 3.16.6 allows a maximum floor area ratio (FAR) of 0.5. The proposed new building will contain an FAR of 0.36 for total of 172,274.4 square feet; less than the maximum permitted. There will be no basement level. The proposed new building will comply with the applicable FAR requirement of the By-Law.
- 1.12 Pursuant to Section 3.16.6 the maximum height allowed as-of-right in the Affordable Housing District is four (4) stories, not to exceed 58 feet (with the exception of structures

erected on a building and not used for human occupancy, limited to a horizontal coverage of 25%). Whereas the proposed new building is 4 stories with a height of 53 feet, the proposed new building will comply with the height limitations of the By-Law.

- 1.13 The By-Law, Section 3.16.6, requires a maximum lot coverage of 20% in the Affordable Housing District. The proposed project is proposed to have a lot coverage of 12.4%. Therefore, the proposed project complies with the applicable lot coverage requirement of the By-Law.
- 1.14 The By-Law, Section 3.16.6, requires a maximum units per acre in the Affordable Housing District of 25. The proposed project is proposed to have 19.7 units per acre. Therefore, the proposed project complies with the applicable units per acre requirement of the By-Law.
- 1.15 Under the By-Law, Section 3.16.7, a parking requirement of 0.5 parking spaces per each residential unit is required for an AHD Project in the Affordable Housing District. Accordingly, for the 136 units of Phase 1A and Phase 1B units, a total of 68 parking spaces are required. The Petitioner is proposing to install a total of 70 spaces. As a result, more than sufficient parking is provided, and the redevelopment complies with the off-street parking requirements of the By-Law relative to the number of spaces.
- 1.16 Sections 1.8 through 1.15 are subject to change should the Massachusetts Attorney General require changes to the By-law that affect those sections.
- 1.17 The spaces as designed comply with all aspects of the Parking Plan and Design Requirements set forth at Section 5.1.3 of the By-Law.
- 1.18 Site amenities include 3 small patios, one with a small park-like atmosphere, as well as a community garden on the southern side of the site.
- 1.19 24 trees are proposed to be removed; 8 will be retained. 80 new trees will be planted on the site.
- 1.20 Pare Corporation conducted a traffic analysis of the potential impacts of the redevelopment of the senior and disabled housing development located on Linden Street and Chambers Street in Needham, Massachusetts, as detailed in Exhibit 6. The Needham Housing Authority (NHA) aims to redevelop the housing from the current 152 units to a maximum of 275 units. (This proposal is only for 216 units). The existing access driveways for the developments are anticipated to remain, with layout changes within the site only.

A safety review was conducted for the study of roadways and intersections. Crash data extracted from the MassDOT online crash data portal showed most of the crashes within the study area occurred along Great Plain Avenue. The crash data indicates that there are more sideswipe and angle crashes along this corridor than expected, but the rate of personal injuries was quite low and there were no fatalities. MassDOT has not identified any crash clusters anywhere along Great Plain Avenue. In addition, sight distances reviewed for the site driveways indicate more than adequate sight distances allowing vehicles exiting the driveways ample time to safely enter Linden Street.

Capacity analyses conducted at three signalized intersections and six unsignalized intersections indicate generally minor increases in delay at surrounding intersections. Signalized intersections are anticipated to have an LOS D or better for both morning and

afternoon peak hours. Unsignalized intersections are anticipated to operate at an LOS B or better except for the intersection of Great Plain Avenue at Linden Street and Washburn Avenue. The stop-controlled northbound and southbound approaches of this intersection are anticipated to operate at an LOS E or F condition during both the no-build and build scenarios. The proposed housing expansion is anticipated to add less than 30 vehicles to the northbound approach during the morning peak hour and less than 20 vehicles during the afternoon peak hour to the northbound approach at this intersection, assuming none of these motorists utilize other available options to get to Great Plain Avenue. The proposed expansion is not anticipated to add any trips to the southbound approach. Accordingly, the proposed development can be safely accommodated on the roadways and through the intersections within the study area.

- 1.21 The Project has been approved by the Design Review Board by letter dated August 19, 2024.
- 1.22 As a contingency plan, if Phase 1B is not immediately funded, between Phases 1A and 1B, the façade of the building that connects the two phases will contain architectural elements as shown on Plan Sheet A201, such that the wall will not contain a blank façade in the interim period.
- 1.23 An emergency generator is proposed to be installed to serve the development during power outages. The new emergency generator can be expected to generate noise on the intermittent occasions when its operation is necessary, but it has been strategically placed at a location to minimize any impact to residents, neighboring residential properties and the surrounding area. The emergency generator is proposed to be located at the northern end of the property top the rear, next to the dumpster enclosure.
- 1.24 To provide additional sound protection, the generator will also be constructed within a sound attenuation jacket. To fully ensure that the emergency generator operates within the applicable limits of MassDEP's noise policy, the Petitioner will submit a sound study prior to the issuance of a building permit as well as after installation to demonstrate compliance with the policy, and to implement appropriate mitigation measures in the event the study shows the applicable limits are exceeded.
- 1.25 The exact make and model of the emergency generator to be installed is not known at the present time and will be determined by the Petitioner after the conclusion of permitting.
- 1.26 Protection of adjoining premises against seriously detrimental uses by provision for surface water drainage, sound and sight buffers and preservation of views, light and air has been assured. The Board finds that the use of the premises for residential purposes for an Affordable Housing District Project does not constitute a "seriously detrimental use." The site's stormwater management system has been designed to prevent adverse impacts to offsite areas. At the Town's request, the system has been designed to exceed Needham's requirements and the MassDEP Stormwater Standards, including no increase in peak runoff rates from the site between the existing and proposed conditions for the requisite storm events. The stormwater management system utilizes Best Management Practices, including emphasis on stormwater infiltration, so as to remove potential pollutants such as TSS and phosphorus, provide improved groundwater recharge, and manage stormwater runoff to protect onsite facilities as well as adjacent properties. Proposed layout plans, grading, construction details, and long and short-term operations and management plans are included as part of the Major Project Site Plan Review Special Permit Submittal. Most deliveries will be made at the main entry. Trash removal will be made from the rear of the building to a trash enclosure and accessed from the north

access drive. The trash and generator areas will be attractively screened. Sound attenuation will be provided for the generator. Lighting is being kept to a minimum, with downward-facing, full cutoff light sources and zero light spill to neighboring properties. A photometric plan is included in the Major Project Site Plan Review Special Permit submittal. The proposed site plan provides substantial landscape screening. Generous setbacks on Linden Street provide green space for shade trees, ornamental trees and landscape planting. Although approximately 24 existing trees must be removed to achieve the redevelopment or for poor health, the proposed plan will add over eighty (80) trees to the site, the majority of these between the building and adjacent properties, improving views for abutters. Further, the northern portion of the site has been set aside for a mini-park for NHA tenants and neighborhood residents to use.

- 1.27 Convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets has been assured. The project has been designed to ensure that there will be safe vehicular and pedestrian circulation throughout the site. The main access to the property will be via one (1) single driveway from Linden Street, roughly at the mid-point of the property. A circular drop off is provided at the main entry to the building, which will give safe and efficient access to the two parking lots on either side. The two access drives from Linden Street to the north and south of the building will be open only to emergency vehicles. Trash collection will utilize the northern access drive. Available sight distances at the site driveways will exceed required sight distances for safe operation. Limiting most vehicle trips to the center drive reduces confusion and impact on traffic flowing through Linden Street. New sidewalks will be constructed along the east side of Linden Street as a part of the project. ADA improvements will be made for crossing driveways. A sidewalk will be provided which links the proposed building to the sidewalk along Linden Street. Additional sidewalks and pedestrian paths within the project site will provide access for pedestrians to the building entrances and through the landscape. Handicap access and parking are provided in both surface parking lots. EV charging stations are provided for the future convenience of the residents. Sheltered parking for bicycles is provided at both the north and south building entrances. The stair exits are also sheltered.
- 1.28 The arrangement of parking and loading spaces is adequate, based on the layout and use of the site. Parking is arranged to the front of the building and is readily accessible. The proposed parking areas comply with all Town design requirements, including those for lighting, landscaping, handicapped spaces, loading, layout, driveway openings, parking space size, aisle maneuvering width, setbacks, bumper overhangs, and bicycle racks. The parking areas include seventy (70) spaces, which meets the requirement of .5 parking spaces per unit for this proposed 136-unit affordable housing facility. Parking is distributed in two lots, which are accessed from a single main entry drop off circle. The layout of parking and building access will provide convenience for employees and visitors.
- 1.29 Adequate methods of disposal of refuse and other waste resulting from the uses of the site have been provided. The site has been designed to provide adequate methods of refuse disposal and recycling. Convenient access to trash chutes is provided on each floor. Each floor has a trash room with adequate space to collect recyclable materials. Trash containers are located at the rear of the building, and so will be out-of-sight of neighbors and Linden Street pedestrians. The dumpster enclosure is located at the rear, northeast corner of the site and is shielded with screen walls on three sides, and a gate at the fourth. Refuse and recycling will be removed from the site by a licensed hauler.

- 1.30 The relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area are in compliance with other requirements of this By-law and have been adequately addressed by this project. The proposed building will be set well back from Linden Street with parking and landscaped lawn between the proposed building and street, which will allow for extensive perimeter landscaping and mitigation of the visual impact to neighboring properties. Side and rear setbacks from adjacent buildings will be maximized whenever possible. The development plan dramatically increases greenspace on the property, and it reduces impervious surfaces. The project provides natural landscape, open space and walking paths that do not currently exist on the property. The relationship of the proposed building to Linden Street will greatly improve the landscape opportunities on the site. The building will be set back from the street curb between ninety-six (96) feet at the north end and one-hundred-forty (140) feet at the south end, allowing for generous open space. A pedestrian sidewalk and row of canopy shade trees will provide a buffer between the street and parking areas. At the north end of the site a small park-like garden will provide lawn with a sweeping path, benches, a pergola for covered seating, canopy trees, and ornamental flowering trees and shrubs. Along the eastern edge of the site a meandering path will run parallel to a wetlands buffer that connects the north end of the site with the adjacent Chambers neighbors to the south. An outdoor plaza/patio will be provided near the middle of the building for use by residents. Invasive plant species along the buffer zone will be replaced with all native plants including evergreen trees to help buffer the new development from the Maple Street neighbors to the east. The southern end of the site will consist of a community garden. At the request of the Town, a rain garden has been added to the site. Relative to the existing development and its encroachment into the bordering vegetative wetlands (BVW), the project achieves substantial improvements.
- 1.31 The Project will not have an adverse effect on the Town's resources, including the Town's water supply and distribution system, sewer collection and treatment, fire protection and streets. The proposed utility design focuses on connecting services to existing utility infrastructure and minimizing impacts along Linden Street. The project proposes to connect domestic and fire water services to the Town's existing water system located in Linden Street. The proposed water service layout and design has been provided to the Engineering Department to demonstrate that there are no concerns regarding water pressure and flow for this area. The project proposes to connect to an existing sewer service to route wastewater to the Town's sewer system via a sewer main located in Linden Street. As part of the Major Project Site Plan Review Special Permit process, the site plans have been submitted to the Fire Department to demonstrate the adequacy of the proposed fire truck access and hydrant coverage. The existing access driveway will remain, with layout changes within the site only. All sight distances exceed both minimum and desirable intersection sight distance standards. The addition of 64 housing units is anticipated to add less than 30 vehicles to the northbound approach during the morning peak hour and less than 20 vehicles during the afternoon peak hour to northbound approach. It is not anticipated to add any trips to the southbound approach. The analysis conducted at signalized intersections indicated only minor increases in delays. The proposed development can be safely accommodated on the roadways and through the intersections within the study area. These findings are more fully described in the Transportation Impact Assessment (TIA) prepared by Pare Corporation under Exhibit 6.
- 1.32 Under Section 7.4 of the By-Law, a Major Project Site Plan Review Special Permit may be granted in the Affordable Housing District, if the Board finds that the proposed development complies with the standards and criteria set forth in the provisions of the By-Law. On the basis of the above findings and conclusions, the Board finds that the

proposed development Plan, as conditioned and limited herein for the site plan review, to be in harmony with the purposes and intent of the By-Law, to comply with all applicable By-Law requirements, to have minimal adverse impact and to have promoted a development which is harmonious with the surrounding area.

THEREFORE, the Board voted 4-0 to GRANT: (1) the requested Major Project Site Plan Review Special Permit under Section 7.4 of the Needham Zoning By-Law; subject to and with the benefit of the following Plan modifications, conditions and limitations.

PLAN MODIFICATIONS

Prior to the issuance of a building permit or the start of any construction on the site, the Petitioner shall cause the Plan to be revised to show the following additional, corrected, or modified information. The Building Inspector shall not issue any building permit nor shall he permit any construction activity on the site to begin on the site until and unless he finds that the Plan is revised to include the following additional corrected, or modified information. Except where otherwise provided, all such information shall be subject to the approval of the Building Commissioner. Where approvals are required from persons other than the Building Commissioner, the Petitioner shall be responsible for providing a written copy of such approvals to the Building Commissioner before the Commissioner shall issue any building permit or permit for any construction on the site. The Petitioner shall submit nine copies of the final Plans as approved for construction by the Building Commissioner to the Board prior to the issuance of a Building Permit.

- 2.0 The Plans shall be modified to include the requirements and recommendations of the Board as set forth below. The modified plans shall be submitted to the Board for approval and endorsement.
 - a) The Plan shall be modified to include a note detailing the total number of units proposed along with a breakout showing the total number of one-bedroom units and total number of 2-bedroom units. The noted information should also be provided by project phase.

CONDITIONS

- 3.0 The following conditions of this approval shall be strictly adhered to. Failure to adhere to these conditions or to comply with all applicable laws and permit conditions shall give the Board the rights and remedies set forth in Section 3.38 hereof.
- 3.1 This permit is issued for a multi-family housing development of 136 affordable housing units, as defined in Section 1.3 of the By-Law. Of those 136 units, zero to eight (8) may be two-bedroom units, and the rest shall be one-bedroom units. All units shall be affordable to and occupied by households with incomes at or below eighty (80) percent of the area median income, and the affordability levels of the project as a whole shall be consistent with Condition 3.1.2 below.
 - 3.1.2 The project will be constructed in two phases – Phase 1A and Phase 1B. It is understood that a building permit will be issued for each of these phases. But, prior to issuance of a certificate of occupancy for each of Phase 1A and Phase 1B of the project, NHA shall record an affordable housing restriction for that specific phase, which will be held by or inure to the benefit of the Town and which shall secure an affordability level for such phase consistent with the funding requirements of the Community Preservation Committee, in a manner consistent with affordability requirements of NHA's other project lenders and equity providers.

- 3.2 The building, parking areas, driveways, walkways, landscape areas, and other site and off-site features shall be constructed in accordance with the Plan, as modified by this decision. Any changes, revisions or modifications to the Plan, as modified by this decision, except those allowable under Section 3.3, below, shall require approval by the Board.
- 3.3 The proposed building and support services shall contain the dimensions and shall be located on that portion of the locus exactly as shown on the Plan, as modified by this decision, and in accordance with the applicable dimensional requirements of the By-Law. Notwithstanding the above, the Petitioner may revise the floor plans without the need for additional hearings or approvals, provided that the total square footage of the building does not increase and the total number of units does not exceed 136 units. The Petitioner may revise the allocation of units between one-bedroom and two-bedroom units, without the need for additional hearings or approvals, provided that the total number of two-bedroom units do not exceed the maximums in sections 1.3, 1.5, 1.6 and 3.1 hereof.
- 3.4 The building shall be used exclusively for residential purposes, specifically for an Affordable Housing District Project, as defined in the By-Law. Any changes, revisions or modifications to the Plan, as modified by this decision, shall require approval by the Board.
- 3.5 Sufficient parking shall be provided on the locus at all times in accordance with the Plan, as modified by this Decision, and there shall be no parking of motor vehicles off the locus at any time.
- 3.6 A total of 41 parking spaces shall be provided at the completion of Phase 1A on the site at all times in accordance with the Plan, as modified by this Decision. A total of 136 parking spaces shall be provided at the completion of Phase 1A and Phase 1B on the site at all times in accordance with the Plan, as modified by this Decision. All off-street parking shall comply with the requirements of Section 5.1.3 of the By-Law, except as otherwise waived by this Decision.
- 3.7 All required handicapped parking spaces shall be provided including above-grade signs at each space that include the international symbol of accessibility on a blue background with the words "Handicapped Parking Special Plate Required Unauthorized Vehicles May Be Removed At Owners Expense". The quantity & design of spaces, as well as the required signage shall comply with the M.S.B.C. 521 CMR Architectural Access Board Regulation and the Town of Needham General By-Laws, both as may be amended from time to time.
- 3.8 The emergency generator to be installed shall be designed and operated to comply with MassDEP noise policy to protect adjoining properties and the nearest inhabited residence from excessive noise, as defined in said regulations. The mechanical equipment and emergency generator shall also be installed and screened as far as practical to minimize the visibility of the mechanical equipment and emergency generator from Linden Street. Prior to the issuance of the building permit, the Petitioner shall deliver to the Building Commissioner for review and approval plans and specifications of said mechanical equipment and emergency generator, including sound attenuation components, if necessary, together with Petitioner's certification to the Building Commissioner that said mechanical equipment and emergency generator have been designed such that when they are operated they will be in compliance with the regulations described above with respect to noise, and screened in accordance with the requirements described above.

- 3.9 Prior to project occupancy, an as-built plan of the mechanical equipment and emergency generator together with a sound level analysis prepared by an acoustical engineer shall be submitted to the Building Commissioner and Planning Department. The sound analysis shall demonstrate compliance with the MassDEP noise policy addressing sound attenuation to protect adjoining properties and the nearest inhabited residence from excessive noise, as defined in said regulations.
- 3.10 The emergency generator shall be operated (a) for normal maintenance and testing on an interval consistent with manufacturer's specifications or otherwise as needed, provided that such maintenance and testing shall only between weekday hours of 9:00 a.m. and 5:00 p.m. and (b) in cases of power outage or emergency.
- 3.11 The emergency generator shall not: (a) increase the broad band sound level by more than 10 dBA; or (b) produce a "pure tone" condition- where any octave band center frequency sound pressure level exceeds the two adjacent center frequency levels by 3 decibels or more. These criteria are to be measured consistent with MassDEP noise policy. For purposes of this section, ambient is defined as the background A-weighted sound level that is exceeded 90% of the time measured during equipment operating hours.
- 3.12 This Special Permit to operate a multi-family housing development of 136 affordable housing units as described in this decision is issued to the Needham Housing Authority, 21 Highland Circle, Suite 10, Needham, MA. The Needham Housing Authority, in order to secure financing and regulatory approval, is authorized to enter into ground leases with tax credit ownership LLC entities, which may then enter into development and management agreements, all subject to the terms and conditions of this Decision.
- 3.13 All utilities, including telephone and electrical service, shall be installed underground from the street line.
- 3.14 The Petitioner shall secure from the Needham Department of Public Works a Sewer Connection Permit or impact fee, if and to the extent applicable.
- 3.15 The Petitioner shall secure from the Needham Department of Public Works a Street Opening Permit, if and to the extent applicable.
- 3.16 The Petitioner shall secure from the Needham Department of Public Works a Water Main and Water Service Connection Permit per Town requirements.
- 3.17 The Petitioner shall seal all abandoned drainage connections and other drainage connections where the developer cannot identify the sources of the discharges. The Petitioner shall connect the sanitary sewer line only to known sources. All sources that cannot be identified shall be disconnected and properly sealed.
- 3.18 The construction, operation and maintenance of the subsurface infiltration facility, on-site catch basins and pavement areas, shall conform to the requirements outlined in the EPA's Memorandum of Understanding signed by the Needham Select Board.
- 3.19 The Petitioner shall implement the following maintenance plan:
- a. Parking lot sweeping - sweep twice per year; once in spring after snowmelt, and early fall.

- b. Catch basin cleaning - inspect basins twice per year; in late spring and fall. Clean basins in spring.
 - c. Oil/grit separators - inspect bi-monthly and clean four times per year of all oil and grit.
- 3.20 The Storm Water Management Policy form shall be submitted to the Town of Needham signed and stamped and shall include construction mitigation and an operation and maintenance plan as described in the policy. A copy of the inspection reports for the Operations and Maintenance Program of the Stormwater Management Report shall be provided to the Planning Board on an annual basis.
 - 3.21 The Petitioner shall comply with the Public Outreach & Education and Public Participation & Involvement control measures required under NPDES. The Petitioner shall submit a letter to the DPW identifying the measures selected and dates by which the measures will be completed.
 - 3.22 All solid waste shall be removed from the site by a private contractor, as and when necessary. Snow shall also be removed or plowed by private contractor, as and when necessary. All snow shall be removed or plowed such that the total number and size of parking spaces are not reduced.
 - 3.23 All commercial deliveries and trash pick-up shall occur only between the hours of 8:30 a.m. and 6:00 p.m., Monday through Saturday, not at all on Sundays and holidays. Trash shall be removed from the building as necessary. The dumpster shall be screened with a wooden fence, which shall be maintained in good condition. The dumpster shall be emptied, cleaned and maintained to meet Board of Health standards.
 - 3.24 All lights shall be shielded and adjusted during the evening hours to prevent any annoyance to the neighbors. The Petitioner shall adjust its parking lights during the night and early morning. Between the hours of 10:00 p.m. and 11:00 p.m., the Petitioner shall shut off most of the parking lot lights, except those required to provide basic security and safety of residents. The building lights shall be set at a low light level to prevent any annoyance to the neighbors.
 - 3.25 The maintenance of site and parking lot landscaping, as shown on the Plan, as modified by this decision, shall be the responsibility of the Petitioner and the site and parking lot landscaping shall be maintained in good condition.
 - 3.26 Any portions of the sidewalks located on Linden Street shall be built to Town of Needham Specifications.
 - 3.27 In constructing and operating the proposed building on the locus pursuant to this Site Plan, due diligence be exercised and reasonable efforts be made at all times to avoid damage to the surrounding areas or adverse impact on the environment.
 - 3.28 Excavation material and debris, other than rock used for walls and ornamental purposes and fill suitable for placement elsewhere on the site, shall be removed from the site.
 - 3.29 All construction staging shall be on-site. No construction parking shall be on public streets. Construction parking shall be all on site or a combination of on-site and off-site parking at locations in which the Petitioner can make suitable arrangements. Construction staging plans shall be included in the final construction documents prior to

the filing of a Building Permit and shall be subject to the review and approval of the Building Commissioner.

3.31 The following interim safeguards shall be implemented during construction:

a. The hours of construction shall be 7:00 a.m. to 5:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday.

b. The Petitioner's contractor shall provide temporary security chain-link or similar type fencing around the portions of the project site, which require excavation or otherwise pose a danger to public safety.

c. The Petitioner's contractor shall designate a person who shall be responsible for the construction process. That person shall be identified to the Police Department, the Department of Public Works, the Building Commissioner and the abutters and residents and shall be contacted if problems arise during the construction process. The designee shall also be responsible for assuring that truck traffic and the delivery of construction material does not interfere with or endanger traffic flow on Hunnewell Street.

d. The Petitioner shall take appropriate steps to minimize, to the maximum extent feasible, dust generated by the construction including, but not limited to, requiring subcontractors to place covers over open trucks transporting construction debris and keeping Linden Street clean of dirt and debris and watering appropriate portions of the construction site from time to time as may be required.

3.32 No building permit shall be issued in pursuance of the Special Permit and Site Plan Approval until:

a. The final plans shall be in conformity with those approved by the Board, and a statement certifying such approval shall have been filed by this Board with the Building Inspector.

b. A construction management and staging plan shall have been submitted to the Police Chief and Building Commissioner for their review and approval.

c. The Petitioner shall have submitted a letter to the DPW identifying the measures selected and dates by which the NPDES requirements outlined in Section 3.21 of this decision will be completed.

d. The Petitioner shall have delivered to the Building Commissioner for review and approval specifications for the emergency generator, including a sound study showing the ambient sound and sound attenuation components as described in Section 3.8 of this Decision.

e. The Petitioner shall have recorded with the Norfolk County Registry of Deeds a certified copy of this decision granting this Special Permit and Site Plan Approval with the appropriate reference to the book and page number of the recording of the Petitioner's title deed or notice endorsed thereon.

3.33 No building or structure, or portion thereof, subject to this Special Permit and Site Plan Approval shall be occupied until:

- a. An as-built plan, supplied by the engineer of record certifying that the on-site and off-site project improvements were built according to the approved documents, has been submitted to the Board and Department of Public Works. The as-built plan shall show the building, all finished grades and final construction details of the driveways, parking areas, drainage systems, utility installations, and sidewalk and curbing improvements on-site and off-site, in their true relationship to the lot lines. In addition to the engineer of record, said plan shall be certified by a Massachusetts Registered Land Surveyor.
- b. There shall be filed with the Building Commissioner and Board a statement by the Department of Public Works certifying that the finished grades and final construction details of the driveways, parking areas, drainage systems, utility installations, and sidewalks and curbing improvements on-site and off-site, have been constructed to the standards of the Town of Needham Department of Public Works and in accordance with the approved Plan.
- c. There shall be filed with the Board and Building Commissioner a Final Construction Control Document signed by a registered architect upon completion of construction.
- d. There shall be filed with the Board and Building Commissioner an as-built Landscaping Plan and As-Built Lighting Plan showing the final location, number and type of plant material, final landscape features, parking areas, and lighting installations. Said plan shall be prepared by the landscape architect of record and shall include a certification that such improvements were completed according to the approved documents.
- e. There shall be filed with the Board a statement by the Engineering Division of DPW that the Petitioner has met the NPDES requirement as detailed in Section 3.21.
- f. There shall be filed with the Board and Building Commissioner a copy of the recorded affordable housing restriction as detailed in Section 3.1.2.
- g. An as-built plan, supplied by the engineer of record certifying that the on-site project improvements were built according to the approved documents, has been submitted to the Board and Department of Public Works. The as-built plan shall show the location and final construction details of the mechanical equipment and emergency generator, in their true relationship to the lot lines.
- h. There shall be filed with the Board and Building Commissioner an as-built plan of the mechanical equipment and emergency generator and a sound level analysis prepared by an acoustical engineer as described in paragraph 3.9 of this Decision.
- i. Notwithstanding the provisions of Sections a, b, and d hereof, the Building Inspector may issue one or more certificates for temporary occupancy of all or portions of the buildings prior to the installation of final landscaping and other site features, provided that the Petitioner shall have first filed with the Board surety in an amount not less than 135% of the value of the aforementioned remaining landscaping or other work to secure installation of such landscaping and other site and construction features.

3.34 In addition to the provisions of this approval, the Petitioner must comply with all requirements of all state, federal, and local boards, commissions or other agencies, including, but not limited to, the Select Board, Building Commissioner, Fire Department, Department of Public Works, Conservation Commission, Police Department, Community Preservation Committee, and Board of Health.

- 3.35 Any blasting conducted at the property shall require approval by the Needham Fire Department in accordance with Massachusetts Comprehensive Fire Safety Code, 527 CMR 1.00.
- 3.36 The building or structure authorized for construction by this permit shall not be occupied or used, and no activity except the construction activity authorized by this permit shall be conducted within said area until a Certificate of Occupancy and Use or a Certificate of Temporary Occupancy and Use has been issued by the Building Commissioner. This Decision authorizes issuance of a permanent Certificate of Occupancy for Building 1A once the Phase 1A work is completed.
- 3.37 The Petitioner, by accepting this permit decision, warrants that the Petitioner has included all relevant documentation, reports, and information available to the Petitioner in the application submitted, that this information is true and valid to the best of the Petitioner's knowledge.
- 3.38 Violation of any of the conditions of this decision shall be grounds for revocation of any building permit or certificate of occupancy granted hereunder as follows: In the case of violation of any conditions of this decision, the Town will notify the owner of such violation and give the owner reasonable time, not to exceed thirty (30) days, to cure the violation. If, at the end of said thirty (30) day period, the Petitioner has not cured the violation, or in the case of violations requiring more than thirty (30) days to cure, has not commenced the cure and prosecuted the cure continuously, the permit granting authority may, after notice to the Petitioner, conduct a hearing in order to determine whether the failure to abide by the conditions contained herein should result in a recommendation to the Building Inspector to revoke any building permit or certificate of occupancy granted hereunder. This provision is not intended to limit or curtail the Town's other remedies to enforce compliance with the conditions of this decision including, without limitation, by an action for injunctive relief before any court of competent jurisdiction. The Petitioner agrees to reimburse the Town for its reasonable costs in connection with the enforcement of the conditions of this decision if the Town prevails in such enforcement action.

LIMITATIONS

- 4.0 The authority granted to the Petitioner by this permit is limited as follows:
- 4.1 This permit applies only to the site and off-site improvements, which are the subject of this petition. All construction to be conducted on-site and off-site shall be conducted in accordance with the terms of this permit and shall be limited to the improvements on the Plan, as modified by this decision.
- 4.2 Beyond the Phase IA and Phase IB development authorized by this Decision, there shall be no further development of this site without further site plan approval as required under Section 7.4 of the By-Law. The Board, in accordance with M.G.L., Ch. 40A, S.9 and said Section 7.4, hereby retains jurisdiction to (after hearing) modify and/or amend the conditions to, or otherwise modify, amend or supplement, this decision and to take other action necessary to determine and ensure compliance with the decision.
- 4.3 This decision applies only to the requested Special Permits and Site Plan Review. Other permits or approvals required by the By-Law, other governmental boards, agencies or bodies having jurisdiction shall not be assumed or implied by this decision.

- 4.4 The conditions contained within this decision are limited to this specific application and are made without prejudice for any further modification or amendment.
- 4.5 No approval of any indicated signs or advertising devices is implied by this decision.
- 4.6 The foregoing restrictions are stated for the purpose of emphasizing their importance but are not intended to be all-inclusive or to negate the remainder of the By-Law.
- 4.7 The relief granted under this Decision shall lapse after two (2) years, which shall not include such time required to pursue or await the determination of any appeal, after the grant hereof, if construction has not begun except for good cause. The Board understands and acknowledges that two (2) years is likely to be insufficient time for the NHA to secure state approvals, obtain financing, obtain demolition and building permits, and begin construction. NHA has estimated that it may need a term of approximately six (6) years from issuance of this permit to begin construction. Accordingly, the Board states that good cause for extensions will be presumed to exist, provided that the NHA provides written requests to the Planning Board for extensions, each for extension periods of up to two years, at least three months prior to the applicable date of a lapse of this permit as provided for above, and demonstrates in its request that it has made, and is continuing to make, reasonable progress towards securing financing, any necessary non-Town permits and authorizations, and any other necessary antecedents to commencement of construction.
- 4.8 This decision shall be recorded in the Norfolk District Registry of Deeds and shall not become effective until the Petitioner has delivered a certified copy of the document to the Board. In accordance with G.L. Chapter 40A, Section 11, this Major Site Plan Special Permit shall not take effect until a copy of this decision bearing the certification of the Town Clerk that twenty (20) days have elapsed after the decision has been filed in the office of the Town Clerk and either that no appeal has been filed or the appeal has been filed within such time is recorded in the Norfolk District Registry of Deeds and is indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed Special Permit does so at the risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The provisions of this Special Permit shall be binding upon every owner or owner of the lots and the executors, administrators, heirs, successors and assigns of such owners, and the obligations and restrictions herein set forth shall run with the land, as shown of the Plan, as modified by this decision, in full force and effect for the benefit of and enforceable by the Town of Needham.

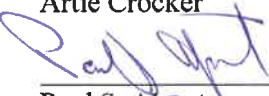
Any person aggrieved by this decision may appeal pursuant to General Laws, Chapter 40A, Section 17, within twenty (20) days after filing of this decision with the Needham Town Clerk.

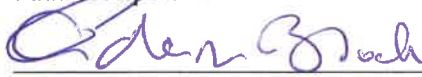
Witness our hands this 6th day of November, 2024

NEEDHAM PLANNING BOARD


Natasha Espada, Chairman


Artie Crocker


Paul S. Alpert


Adam Block

Justin McCullen

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

Nov. 6 2024

On this 6 day of November, 2024, before me, the undersigned notary public, personally appeared Natasha Espada, one of the members of the Planning Board of the Town of Needham, Massachusetts, proved to me through satisfactory evidence of identification, which was personally known to me, to be the person whose name is signed on the proceeding or attached document, and acknowledged the foregoing to be the free act and deed of said Board before me.


Notary Public Alexandra Clee
My Commission Expires: March 9, 2029

TO WHOM IT MAY CONCERN: This is to certify that the 20-day appeal period on the approval of the Project proposed by Needham Housing Authority (NHA), 21 Highland Circle, Suite 10, Needham, MA, for Property located at 0 Linden Street and 5 Chambers Street, Needham, Massachusetts, has passed,

_____ and there have been no appeals filed in the Office of the Town Clerk or
_____ there has been an appeal filed.

Date

Louise Miller, Town Clerk

Copy sent to:

Petitioner-Certified Mail # _____
Town Clerk
Building Inspector
Conservation Commission
Parties in Interest

Board of Selectmen
Engineering
Fire Department
Police Department

Board of Health
Director, PWD
Design Review Board
Robert Smart, Attorney