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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

Amendment

July 22, 2025

Wingate Development, LLC

Application No. 93-3

(Original Decision dated July 27, 1993, as amended August 9, 1994, August 8, 1995,
November 21, 1995, June 3, 1997, and March 15, 2011,
Insignificant Change on April 18, 2013,
and further amended on December 17, 2013, and March 15, 2022, and May 16, 2023)

DECISION of the Planning Board (hereinafter referred to as the Board) on the petition of Wingate Development, LLC, 57 Wells Ave, Suite 20, Newton, MA 02459, (hereinafter referred to as the Petitioner), for property located at 589 Highland Avenue, Needham, Massachusetts. The property is shown on Assessor's Map 77 as Parcel 1 containing 110,490 square feet in the Elder Services Zoning District.

This Decision is in response to an application submitted to the Board on May 9, 2025, by the Petitioner for an Amendment to Major Project Site Plan Review Special Permit issued by the Needham Planning Board on July 27, 1993, under Section 7.4 of the Needham Zoning By-Law and Section 4.2 of Major Project Special Permit No. 1993-03, dated July 27, 1993. The July 27, 1993, decision was further amended on August 9, 1994, August 8, 1995, November 21, 1995, June 3, 1997, March 15, 2011, Insignificant Change on April 18, 2013, and further amended on December 17, 2013, March 15, 2022, and May 16, 2023.

By Decision dated March 15, 2022, the Planning Board approved an application for an amendment to permit the conversion of the then-current Nursing Home to 50 Independent Living (IL) Units. The Nursing Home was officially closed on or about April 21, 2022. The Petitioner intends to proceed with the work and the change of use authorized by that permit. By Decision dated May 16, 2023, the Planning Board approved the expansion of that project by adding a third floor to the building, adding an additional 22 IL units, for a total of 72 IL units, of which 12.5%, or 9 units, will be affordable, as defined in the Elder Services district By-Law. The requested Major Project Site Plan Review Special Permit Amendment would permit the modification of the approved site plan to add 2 EV changers, a Bocce court, Dog Run, extended sidewalk and 3 parking spaces. There is no change proposed to the building square footage or elevations, nor to any other conditions in the earlier Decisions.

In accordance with the By-Law, Section 7.4, a Major Project Site Plan Review Amendment is required.

After causing notice of the time and place of the public hearing and of the subject matter hereof 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, Artie Crocker on Tuesday, June 3, 2025 at 7:00 PM 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. Board members Artie Crocker, Justin McCullen, Adam Block and Natasha Espada 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.

EVIDENCE

Submitted for the Board's review were the following exhibits:

- Exhibit 1 - Application for an Amendment to the Major Project Special Permit No. 93-3, dated May 9, 2025.
- Exhibit 2 - Cover Letter from David Feldman, Wingate Development LLC, dated April 24, 2025.
- Exhibit 3 - Plans entitled "Site Development Plans for Wingate at Needham, inc., 589 Highland Avenue, Needham, MA," prepared by Kelly Engineering Group, Inc., 0 Campanelli Drive, Braintree, MA 02062, R.E. Cameron & Associates, Inc., 681 Washington Street, Norwood MA, consisting of 3 sheets: Sheet 1, C1, dated February 3, 2023; Sheet 2, entitled "Existing Conditions Plan," dated February 3, 2023; Sheet 3, entitled "Layout Plan," dated February 3, 2023, revised March 26, 2025.
- Exhibit 4 - Landscape Plans, entitled "Wingate at Needham Renovation / Expansion," prepared by Hawk Design Inc., Sagamore, MA, consisting of 3 sheets: Sheet 1, Sheet L1, entitled "Site Landscaping Plan," dated February 3, 2023, revised March 26, 2025; Sheet 2, Sheet L2, entitled "Entry Landscape Plan," dated February 3, 2023, revised March 26, 2025; Sheet 3, Sheet L3, entitled "Parking / Plan Landscape Plan," dated February 3, 2023, revised March 26, 2025.
- Exhibit 5 - Design Review Board memorandum and approval, dated May 19, 2025.
- Exhibit 6 - Email from David Feldman, replying to Health Department Comments, dated May 25, 2025.
- Exhibit 20 - Interdepartmental Communication (IDC) to the Board from Thomas Ryder, Town Engineer, dated May 29, 2025; IDC to the Board from Tara Gurge, Assistant Public Health Director, Health Department, dated May 28, 2025; IDC to the Board from Joe Prondak, Building Commissioner, dated May 13, 2025; IDC to the Board from Chief John Schlittler, Police Department, dated May 29, 2025; and IDC to the Board from Chief Tom Conroy, Fire Department, dated May 29, 2025.

Exhibits 1, 2, 3, 4 and 6 are referred to hereafter as the Plan.

FINDINGS AND CONCLUSIONS

The findings and conclusions made in Major Project Site Plan Special Permit No. 93-3, dated July 27, 1993, as amended August 9, 1994, August 8, 1995, November 21, 1995, June 3, 1997, March 15, 2011, Insignificant Change on April 18, 2013, and further amended on December 17, 2013, March 15, 2022, and May 16, 2023, were ratified and confirmed except as follows:

- 1.1 The subject property is located at 589 Highland Avenue, Needham, Massachusetts, at the corner of Highland Avenue and Gould Street in the Elder Services Zoning District. The property is shown on Assessor's Map No. 77 as Parcel 1 containing a total of 110,490 square feet. The

property is presently owned by Wingate Development, LLC, 57 Wells Ave, Suite 20, Newton, MA 02459.

- 1.2 The property has been the subject of several site plan special permit decisions and amendments thereto. The original decision was dated July 27, 1993, and was amended as follows: August 9, 1994, August 8, 1995, November 21, 1995, June 3, 1997, March 15, 2011, Insignificant Change on April 18, 2013, and further amended on December 17, 2013, March 15, 2022, and May 16, 2023.
- 1.3 By Decision dated March 15, 2022, the Planning Board approved an application for an amendment to permit the conversion of the then-current Nursing Home to 50 Independent Living (IL) Units. The Nursing Home was officially closed on or about April 21, 2022. The Petitioner intends to proceed with the work and the change of use authorized by that permit. By Decision dated May 16, 2023, the Planning Board approved the expansion of that project by adding a third floor to the building, adding an additional 22 IL units, for a total of 72 IL units, of which 12.5%, or 9 units, will be affordable, as defined in the Elder Services district By-Law. The requested Major Project Site Plan Review Special Permit Amendment would permit the modification of the approved site plan to add 2 EV changers, a Bocce court, Dog Run, extended sidewalk and 3 parking spaces. There is no change proposed to the building square footage or elevations, nor to any other conditions in the earlier Decisions.
- 1.4 The existing 2 story building will remain. The existing footprint of the building will not change, and a third story will be added to create another 22 IL units, above the 50 approved under the 2022 Amendment, for a total of 72 IL units. The building will contain approximately 81,995 square feet at completion.
- 1.5 As shown on the site layout and landscaping plans submitted, a total of 84 parking spaces are proposed to be on site. The Petitioner proposes adding 4 additional EV parking spaces to the most recently approved site plan.
- 1.6 A Dog Run is proposed along the westerly property line of the site at Putnam Street. There will also be a dog waste station located outside the fenced Dog Run area. The Dog Run area is currently shaded and will remain shaded, so the dogs have a place to cool off. The Petitioner has agreed to include in the resident's "house rules" for the property the following measures as relates the Dog Run facility: (1) residents shall pick up after their pets; and (2) potential noise produced on site, due to this new Dog Run area, shall be minimal, and not cause a potential public health nuisance concern to residents or to other neighboring properties. Maintenance staff at the facility will police the Dog Run area daily as part of their daily grounds check to pick up papers and debris and remove the bags from the waste station.
- 1.7 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 Elder Services Zoning District namely, front, side and rear setback, maximum building height, maximum number of stories, and floor area ratio. As indicated in the Zoning Table shown on the Plan, the proposed parking lot currently already complies with all the Design Guidelines under Section 5.1.3 of the Zoning By-Law.
- 1.8 Pursuant to Section 3.12.9 of the By-Law, the parking requirement for independent living units is .5 spaces per unit, resulting in a required parking supply for this proposed redevelopment of 36 spaces. The Petitioner also anticipates 6 full-time employees which would require an additional 3 spaces (1 space per 2 employees). The additional parking requirement would bring the total

required parking spaces to 39 spaces. As the proposed number of spaces on this site is 84, there is more than sufficient parking to satisfy the requirement.

- 1.9 The Petitioner appeared before the Design Review Board on May 19, 2025, and obtained approval of the project.
- 1.10 Adjoining premises will be protected against detrimental uses on the site by provision of surface water drainage, sound and site buffers and preservation of views, light and air. The site has been designed to ensure that there will be no off-site drainage impacts. A drainage system exists on site.
- 1.11 A landscape plan has been developed for screening and enhancing the proposed revisions to the site. The proposed EV parking spaces will be located next to already existing spaces. Noise and visual impacts have been minimized, and noise regulations will be part of the “house rules”. Abutting properties will be protected by means of the existing solid fence and mature trees. Shade trees already exist in the proposed new Dog Run area. There is no new lighting proposed.
- 1.12 Convenience and safety of vehicle and pedestrian movement within the site and on adjacent streets and the location of driveway openings in relation to traffic or to adjacent streets has been assured. The only changes proposed to the parking area are the 4 new EV spaces. No changes to circulation are proposed.
- 1.13 Adequate parking has been provided for staff, deliveries, visiting professionals, family and friends of residents.
- 1.14 Adequate methods of disposal of refuse and other waste resulting from the uses permitted on the site have been provided. There will be a dog waste station inside the Dog Run area.
- 1.15 The proposed project will not have any adverse impact on the Town’s resources, including the effect on the Town’s water supply and distribution system, sewer collection and treatment, fire protection and streets. No changes are proposed to the utilities and circulation.
- 1.16 Relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area and compliance with other requirements of the By-Law has been met. No changes are proposed to the existing structures. The site is being revised to allow for amenities for residents; the existing stockade fence between properties will remain.
- 1.17 Under Section 7.4 of the By-Law and Section 4.2 of Major Project Site Plan Special Permit No. 93-3, dated July 27, 1993, as amended August 9, 1994, August 8, 1995, November 21, 1995, June 3, 1997, March 15, 2011, Insignificant Change on April 18, 2013 and further amended on December 17, 2013, March 15, 2022 and May 16, 2023, a Major Project Site Plan Special Permit Amendment may be granted in the Elder Services Zoning District, if the Board finds that the proposed project complies with the standards and criteria set forth in the provisions of the By-Law. Based on the above findings and criteria, the Board finds that the Approved Plan Set, as conditioned and limited herein for 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 proposed a development which is harmonious with the surrounding area.

THEREFORE, the Board voted 4-0 to GRANT (1) a Major Project Site Plan Review Special Permit Amendment under Section 7.4 of the Zoning By-Law and Section 4.2 of Major Project Site Plan Special Permit No. 93-3, dated July 27, 1993, as amended August 9, 1994, August 8, 1995, November 21, 1995,

June 3, 1997, March 15, 2011, Insignificant Change on April 18, 2013 and further amended on December 17, 2013, March 15, 2022 and May 16, 2023; subject to the following plan modifications, conditions and limitations.

PLAN MODIFICATIONS

Prior to the issuance of a building permit or the start of any construction pertaining to this Decision, the Petitioner shall cause the Plan to be revised to show the following additional, corrected, or modified information. The Building Commissioner shall not issue any building permit for the work proposed in this Decision nor shall he permit any construction activity pertaining to this Decision 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 four 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) No Plan Modifications required.

CONDITIONS AND LIMITATIONS

The plan modifications, conditions and limitations contained in Major Project Site Plan Special Permit No. 93-3, dated July 27, 1993, as amended August 9, 1994, August 8, 1995, November 21, 1995, June 3, 1997, March 15, 2011, Insignificant Change on April 18, 2013, and further amended on December 17, 2013, March 15, 2022 and May 16, 2023, are ratified and confirmed except as modified herein.

- 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 3.20 hereof.
- 3.1 The plan modifications, conditions and limitations contained in Major Project Site Plan Special Permit No. 93-3, dated July 27, 1993, as amended August 9, 1994, August 8, 1995, November 21, 1995, June 3, 1997, March 15, 2011, Insignificant Change on April 18, 2013, and further amended on December 17, 2013, March 15, 2022 and May 16, 2023, are ratified and confirmed, except as follows:
- 3.2 At least 84 paved parking spaces, including 48 full sized spaces, 33 compact spaces, and 4 EV spaces shall be provided on-site.
- 3.3 The Petitioner's maintenance staff shall police the Dog Run area daily as part of their daily grounds check to pick up paper and debris and remove the bags from the waste station.
- 3.4 The Petitioner shall include in the resident's "house rules" the following conditions as relates the Dog Run facility: (1) residents shall pick up after their pets; and (2) potential noise produced on site, due to the new Dog Run area, shall be minimal, and shall not cause a potential public health nuisance concern to residents or to other neighboring properties.
- 3.5 The Dog Run area is currently shaded and shall remain shaded, so the dogs have a place to cool off.

- 3.6 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, shall require approval by the Board.
- 3.7 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, and in accordance with the applicable dimensional requirements of the By-Law.
- 3.8 All buildings and land constituting the premises shall remain under a single ownership.
- 3.9 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 Board of Selectmen, Building Commissioner, Fire Department, Department of Public Works, Conservation Commission, Police Department, and Board of Health.
- 3.10 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.
- 3.11 This Special Permit Amendment as described in this Decision is issued to Wingate Development, LLC, 57 Wells Ave, Suite 20, Newton, MA 02459. Prior to any change in the entity operating the facility (other than a change to an affiliated entity under common control with Wingate Development, LLC), Petitioner shall provide written notice of the anticipated change to the Board, and the new operating entity shall provide a written statement to the Board, signed by a person who will be responsible for the operations of the facility, that they have read this Decision and acknowledge that the terms hereof are binding on the new entity.
- 3.12 The final set of plans for the project site are as follows (**sheets revised by this decision are in bold**):
- 1) Architectural Plans, entitled "Wingate at Needham Renovation / Expansion," prepared by The Architectural Team, Inc., 50 Commander's Way at Admiral's Hill, Chelsea, MA 02150, consisting of 10 sheets: Sheet 1, Sheet T0.01, entitled "Project Cover," dated February 3, 2023; Sheet 2, Sheet D1.00, entitled "Existing/Demolition overall Plan – Basement," dated February 3, 2023; Sheet 3, Sheet D1.01, entitled "Existing/Demolition Overall Plans (Schematic)," dated February 3, 2023; Sheet 4, Sheet A1.00, entitled "Proposed Overall Plan – Basement," dated February 3, 2023, revised April 4, 2023; Sheet 5, Sheet A1.01, entitled "Proposed Overall Plans (Schematic)," dated February 3, 2023, revised April 4, 2023; Sheet 6, Sheet A1.02, entitled "Proposed Overall Plan Level 3 & Roof (Schematic)," dated February 3, 2023, revised April 4, 2023; Sheet 7, Sheet A4.01, "Exterior Elevations," dated February 3, 2023; Sheet 8, Sheet A4.02, entitled "Exterior Elevations," dated February 3, 2023; Sheet 9, Sheet A4.03, entitled "Exterior Elevations," dated February 3, 2023; Sheet 10, Sheet A5.01, entitled "Wall Sections," dated February 3, 2023.
 - 2) Landscape Plans, entitled "Wingate at Needham Renovation / Expansion," prepared by Hawk Design Inc., Sagamore, MA, consisting of 7 sheets: Sheet 1, Cover Sheet, dated February 3, 2023; **Sheet 2, Sheet L1, entitled "Site Landscaping Plan," dated February 3, 2023, revised March 26, 2025**; Sheet 3, Sheet L1.1, entitled "Illustrative Site Plan Rendering," dated February 3, 2023;

Sheet 4, Sheet L2, entitled “Entry Landscape Plan,” dated February 3, 2023, revised March 26, 2025; Sheet 5, Sheet L3, entitled “Parking / Plan Landscape Plan,” dated February 3, 2023, revised March 26, 2025; Sheet 6, Sheet D1, entitled “Planting Details,” dated February 3, 2023; Sheet 7, Sheet D2, entitled “Planting Notes,” dated February 3, 2023.

- 3) Plans entitled “Site Development Plans for Wingate at Needham, inc., 589 Highland Avenue, Needham, MA,” prepared by Kelly Engineering Group, Inc., 0 Campanelli Drive, Braintree, MA 02062, R.E. Cameron & Associates, Inc., 681 Washington Street, Norwood MA, consisting of 3 sheets: **Sheet 1, Cover 1, dated February 3, 2023, revised March 26, 2025;** Sheet 2, entitled “Existing Conditions Plan,” dated February 3, 2023; **Sheet 3, entitled “Layout Plan,” dated February 3, 2023, revised March 26, 2025.**
- 4) Renderings, entitled “Wingate at Needham Renovation / Expansion,” prepared by The Architectural Team, Inc., 50 Commander’s Way at Admiral’s Hill, Chelsea, MA 02150, consisting of 4 sheets: Sheet 1 entitled “Rendered View from Intersection of Gould Street and Highland Avenue,” dated March 30, 2023; Sheet 2, entitled “Rendered View from Gould Street Looking South,” dated March 30, 2023; Sheet 3, entitled “Rendered View from Rear parking,” dated March 30, 2023; Sheet 4, entitled “Rendered View from Side Entrance,” dated March 30, 2023.
- 3.13 All utilities, including telephone and electrical service, shall be installed underground from the street line.
- 3.14 The maintenance of site and parking lot landscaping shall be the responsibility of the Petitioner, and the site and parking lot landscaping shall be maintained in good condition.
- 3.15 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 Saturday not at all on Sundays and holidays.
 - 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 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 Highland Avenue, Gould Street or surrounding streets.
- 3.16 No building permit shall be issued for the proposed project 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 Commissioner.
 - b. 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.

- 3.17 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 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. Notwithstanding the provisions of Sections a, b, and d hereof, the Building Commissioner 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 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.
- 3.18 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.
- 3.19 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.
- 3.20 Violation of any of the conditions of this Approval 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 Approval, 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 Commissioner 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 Approval 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 Approval 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 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 government boards, agencies or bodies having jurisdiction shall not be assumed or implied by this Decision.
- 4.4 No approval of any indicated signs or advertising devices is implied by this Decision.
- 4.5 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.
- 4.6 This Site Plan Special Permit Amendment shall lapse on June 17, 2027, if substantial use thereof has not sooner commenced, except for good cause. Any requests for an extension of the time limits set forth herein must be in writing to the Board at least 30 days prior to June 17, 2027. The Board herein reserves its rights and powers to grant or deny such extension without a public hearing. The Board, however, shall not grant an extension as herein provided unless it finds that the use of the property in question or the construction of the site has not begun, except for good cause.

This approval shall be recorded in the Norfolk District Registry of Deeds. This Special Permit Amendment 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 Town Clerk's office or that if such appeal has been filed, that it has been dismissed or denied is recorded with Norfolk District Registry Deeds and until the Petitioner has delivered a certified copy of the recorded document to the Board.

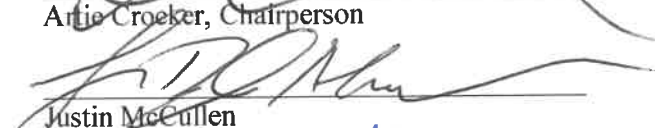
The provisions of this Special Permit Amendment shall be binding upon every owner or owner of the lots and the executors, administrators, heirs, successors and assigns of such owners, and the obligations and restrictions herein set forth shall run with the land, as shown on the Plan, in full force and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

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

Witness our hands this 22nd day of July, 2025.

NEEDHAM PLANNING BOARD


Artie Crocker, Chairperson


Justin McCullen


Adam Block

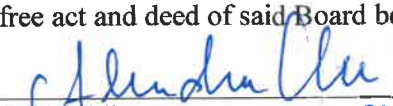

Natasha Espada

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

July 22, 2025

On this 22 day of July, 2025, 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 be the person whose name is signed on the preceding 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 Amendment to Decision of the project proposed by Wingate Development, LLC, 57 Wells Ave, Suite 20, Newton, MA 02459, for property located at the 589 Highland Avenue, 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 # _____
Design Review Board
Building Commissioner
Conservation Commission
David Feldman, Wingate

Select Board
Engineering
Fire Department
Police Department

Board of Health
Town Clerk
Director, PWD
Parties in Interest