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TOWN OF NEEDHAM, MA

PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

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

PLANNING

AMENDMENT DECISION MAJOR SITE PLAN SPECIAL PERMIT The Children's Hospital Corporation

Application No. 2012-07
July 22, 2025

(Original Decision dated October 16, 2012, amended and restated April 2, 2013,
amended September 17, 2013, January 6, 2015, April 28, 2015, November 10, 2015,
April 25, 2016, November 4, 2020 and January 4, 2021)

Decision (this "Decision") of the Planning Board (hereinafter referred to as the Board) on the petition of The Children's Hospital Corporation, 300 Longwood Avenue, Boston, MA (hereinafter referred to as the Petitioner) for property located at 360 First Avenue, 410 First Avenue, 2B Street, 66 B Street and 37 A Street, Needham, MA 02494 (hereinafter referred to as the Property), shown on Assessor's Map No. 300 as Parcel 28 containing 13.68 acres in the New England Business Center Zoning District. The Property is owned by CHB Properties, Inc. (hereinafter referred to as the Property Owner). On October 16, 2012, the Board issued Major Site Plan Special Permit No. 2012-07 (the "Original Decision"). The Original Decision was then Restated and Amended on April 2, 2013. It was further amended on September 17, 2013, January 6, 2015, April 28, 2015, November 10, 2015, April 25, 2016, November 4, 2020, and January 4, 2021.

This Decision is in response to an application submitted to the Board on May 19, 2025 by the Petitioner for: a Special Permit amendment under Section 7.4 of the Needham Zoning By-Law (hereinafter the By-Law) and Section 4.2 of Special Permit No. 2012-07, dated October 16, 2012, amended and restated April 2, 2013, amended September 17, 2013, January 6, 2015, April 28, 2015, November 10, 2015, April 25, 2016, November 4, 2020 and January 4, 2021.

The requested Special Permit Amendment, would, if granted, permit certain modifications to the conditions in the 2021 Amendment as follows: (1) Amend Section 1.11 and Condition 3.3 to allow the Town to utilize \$30,000 (currently held by the Town of Needham) on traffic operations improvements at a Town intersection other than the intersection of 3rd Avenue and Kendrick Street as is currently written. (2) Amend Condition 3.4 so that the traffic monitoring program commences three years following receipt of the final Certificate of Occupancy for the Pediatric Medical Facility building located at 360 First Avenue, rather than one year as is currently written. (3) Amend Section 1.8 and Condition 3.5 to clarify that the Applicant will fulfill its obligations thereunder by providing the Town with \$25,000 to fund the Traffic Signal Warranty Analysis and Roadway Safety Audit of the Kendrick Street and 4th Avenue intersection. There is no change proposed to the building square footage or elevations, nor to any other conditions in the earlier Decisions.

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, Artie Crocker, on Tuesday, June 17, 2025 at 7:15 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, Natasha Espada and Eric Greenberg were present throughout the June 17, 2025 proceedings. The record of the proceedings and the submissions upon which the 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 Properly executed Application for (1) a Major Project Site Plan Review Amendment under Section 7.4 of the By-Law and Further Site Plan Review under Section 4.2 of Major Project Site Plan Special Permit No. 2012-07, dated October 16, 2012, amended and restated April 2, 2013, amended September 17, 2013, January 6, 2015, April 28, 2015, November 10, 2015, April 25, 2016, November 4, 2020 and January 4, 2021.

Exhibit 2 Cover Letter from Timothy W. Sullivan, Goulston Storrs, dated May 12, 2025.

Exhibit 3 Interdepartmental Communications (IDC) to the Board from Chief John Schlittler, Police Department, dated May 22, 2025; IDC to the Board from Joe Prondak, Building Commissioner, dated May 27, 2025; IDC to the Board from Tara Gurge, Assistant Public Health Director, Health Department, dated June 9, 2025; IDC to the Board from Chief Tom Conroy, Fire Department, dated June 12, 2025; and IDC to the Board from Thomas Ryder, Town Engineer, dated June 11, 2025.

FINDINGS AND CONCLUSIONS

Based upon its review of the Exhibits and the record of the proceedings, the Board found and concluded that the plan modifications and finding and conclusions contained in Major Project Site Plan Special Permit No. 2012-07, dated October 16, 2012, amended and restated April 2, 2013, amended September 17, 2013, January 6, 2015, April 28, 2015, November 10, 2015, April 25, 2016, November 4, 2020, and January 4, 2021, are ratified and confirmed except as modified herein.

- 1.1 Paragraph 1.8 of the January 4, 2021 Decision issued to The Children's Hospital Corporation is deleted and replaced with a new paragraph 1.8 that reads as follows (new language underlined):

Safety and operational issues have been identified at the intersection of Kendrick Street at Fourth Avenue. A limited signal warrant analysis has been conducted for the intersection of Kendrick Street at Fourth Avenue based on the limited peak period traffic count data collected in October 2019. Note that only Warrant 2 – Four-Hour Vehicular Volume and Warrant 3 – Peak Hour were able to be assessed at this time. The other warrant conditions were unable to be reviewed due to the limited count data available. Based on this limited assessment, criteria was met on both Warrants 2 and 3, which relates to the amount of peak period volume wanting to turn from the side street (Fourth Ave) to the primary corridor (Kendrick Street). Note that due to the ongoing Covid-19 Pandemic, it would not be prudent to conduct the very detailed array of traffic counts that are necessary to support a proper, complete signal warrant analysis at this time or into the immediate future as traffic conditions are measurably lower than what one would expect under typical conditions. A full signal warrant will be conducted in the future when counts can be collected representing more typical weekday traffic conditions. The Petitioner has committed to providing the Town with \$25,000 to fund the Traffic Signal Warrant Analysis and Roadway Safety Audit of the Kendrick Street and 4th Avenue intersection. Said contribution shall be made prior to the issuance of the final certificate of occupancy for Building 1.

- 1.2 Paragraph 1.11 of the January 4, 2021 Decision issued to The Children’s Hospital Corporation is deleted and replaced with a new paragraph 1.11 that reads as follows (new language underlined):

The 2026 Boston Children’s Hospital proposed analysis, detailed in Exhibit 4, shows that the traffic operations at the intersection of 3rd Avenue and Kendrick Street would be impacted by the Project. The Petitioner has committed to contributing \$30,000 for improvements on traffic operation improvements in the Town, as determined by the Town. The Petitioner has agreed to contribute this amount within six months after the issuance of the Building Permit for Building 1.

CONDITIONS AND LIMITATIONS

Based upon its review of the Exhibits and the record of the proceedings, the Board found and concluded that the conditions and limitations contained in Major Project Site Plan Special Permit No. 2012-07, dated October 16, 2012, amended and restated April 2, 2013, amended September 17, 2013, January 6, 2015, April 28, 2015, November 10, 2015, April 25, 2016, November 4, 2020, and January 4, 2021, are ratified and confirmed except as modified herein.

- 1.3 Paragraph 3.3 of the January 4, 2021 Decision issued to The Children’s Hospital Corporation is deleted and replaced with a new paragraph 3.3 that reads as follows (new language underlined):

As detailed in Section 1.11 of this Decision, the Petitioner shall pay the Town \$30,000 to be spent for traffic operation improvements in the Town, as determined by the Town. The Petitioner shall make the payment within six months of the issuance of Building Permit for the Pediatric Medical Facility building located at 380 First Avenue (Building 1).

- 1.4 Paragraph 3.4 of the January 4, 2021 Decision issued to The Children’s Hospital Corporation is deleted and replaced with a new paragraph 3.4 that reads as follows (new language underlined):

As detailed in Section 1.7 of this Decision, a future traffic and parking monitoring program shall be implemented at the Property as part of the mitigation program for this Project. The Petitioner shall also compile the information necessary for the Property, which information shall be included in the post occupancy monitoring study of the key project affected intersections within the larger Founders Park site mitigation commitments as more fully set forth in the MEPA Section 61 Findings to determine the realized impacts of the development. The study shall include the following seven intersections: Highland Avenue at 1st Avenue, Highland Avenue at 2nd Avenue, Kendrick Street at 3rd Avenue, Kendrick Street at 4th Avenue, 2nd Avenue at A Street, 1st Avenue at A Street, and 1st Avenue at B Street. Additionally, a post occupancy review of the parking supply and utilization at the Property shall be performed. The monitoring programs shall commence three years after receipt of a final Certificate of Occupancy for Building 1 and shall be conducted annually thereafter, as mutually agreed to by both Boston Children’s Hospital and the Town of Needham.

- 1.5 Paragraph 3.5 of the January 4, 2021 Decision issued to The Children’s Hospital Corporation is deleted and replaced with a new paragraph 3.5 that reads as follows (new language underlined):

As detailed in Section 1.8 of this Decision, the Petitioner shall provide the Town with \$25,000 to fund the Traffic Signal Warranty Analysis and Roadway Safety Audit of the Kendrick Street and 4th Avenue intersection. Said contribution shall be made prior to the issuance of the final certificate of occupancy for Building 1. Those studies are to be conducted at an appropriate time in the future in a way that is mutually agreeable to the Town, MassDOT and the Petitioner but in any event no later than one year after receipt of a Certificate of Occupancy for the Pediatric Medical Facility building located at 380 First Avenue (Building 1) unless otherwise extended by the Board,

following such notice and hearing, if any, as the Board, in its sole and exclusive discretion, shall deem due and sufficient.

DECISION

On the basis of the above findings and conclusions, the Board finds the Project and the Plan, as conditioned and limited herein, to meet these requirements, to be in harmony with the general purposes and intent of the By-Law, to comply with all applicable By-Law requirements, and will not be a detriment to the Town's and neighborhood's inherent use of the surrounding area. THEREFORE, the Board voted 5-0 to GRANT 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. 2012-07, dated October 16, 2012, amended and restated April 2, 2013, amended September 17, 2013, January 6, 2015, April 28, 2015, November 10, 2015, April 25, 2016, November 4, 2020 and January 4, 2021 as detailed above.

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

Any person aggrieved by this Amendment may appeal pursuant to the General Laws, Chapter 40A, Section 17, within twenty (20) days after filing of this First Amendment 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

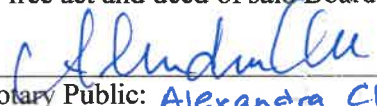

Eric Greenberg

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 The Children's Hospital Corporation, 300 Longwood Avenue, Boston, MA, for property located at the 380 First Avenue, 410 First Avenue, 2B Street, 66 B Street and 37 A Street, Needham, MA 02494, 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
Tim Sullivan, Attorney

Select Board
Engineering
Fire Department
Police Department

Board of Health
Town Clerk
Director, PWD
Parties in Interest