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**MAJOR PROJECT SITE PLAN REVIEW SPECIAL PERMIT  
AMENDMENT TO DECISION  
Application No. 2009-06**

**Town of Needham  
December 21, 2021**

(Original Decision dated November 17, 2009,  
amended March 2, 2010, November 16, 2010, November 16, 2010, June 21, 2011, May 1, 2012,  
April 25, 2017, May 1, 2018, May 20, 2020 and March 2, 2021)

DECISION of the Planning Board (hereinafter referred to as the Board) on the petition of Town of Needham, 1471 Highland Avenue, Needham, MA, (hereinafter referred to as the Petitioner) for property located at 1471 Highland Avenue, Needham, Massachusetts. Said property is shown on Assessors Plan No. 51 as Parcel 1 containing 59,221 square feet in the Center Business District.

This Decision is in response to an application submitted to the Board on October 5, 2021 by the Petitioner for: a Major Project Site Plan Review Special Permit amendment under Section 7.4 of the Needham Zoning By-Law (hereinafter the By-Law) and Section 4.2 of Major Project Site Plan Review Special Permit No. 2009-06, dated November 17, 2009.

The requested Major Project Site Plan Review Special Permit Amendment would permit the comprehensive redesign and renovation of the Town Common at 1471 Highland Avenue. The complete redesign includes replacement of the lawn, landscaping, pedestrian pathways, seating areas, lighting, and other amenities as discussed in the application materials and shown on the submitted plans. The property is the subject of Major Project Site Plan Special Permit No. 2009-06, issued to Town of Needham, 1471 Highland Avenue, Needham, Massachusetts, dated November 17, 2009 and amended March 2, 2010, November 16, 2010, November 16, 2010, June 21, 2011, May 1, 2012, April 25, 2017, May 1, 2018, May 20, 2020 and March 2, 2021.

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 Chair, Paul S. Alpert, on Tuesday, November 2, 2021 at 7:20 p.m. by Zoom Web ID Number 826-5899-3198. The hearing was continued to November 16, 2021 with no testimony taken on November 2, 2021. Board members Paul S. Alpert, Adam Block, Jeanne S. McKnight, Martin Jacobs and Natasha Espada were present throughout the November 16, 2021 proceedings. The hearing was continued to December 8, 2021. Board members Paul S. Alpert, Adam Block, Jeanne S. McKnight and Martin Jacobs were present throughout the December 8, 2021 proceedings. Pursuant to Massachusetts General Laws Chapter 39, Section 23D, Adjudicatory Hearing, adopted by the Town of Needham in May of 2009, Ms. Espada examined all evidence received at the missed session and listened to an audio recording of the meeting. 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 for the Amendment to Major Project Site Plan Review Special Permit No. 2009-06, dated November 17, 2009 to allow the renovation of the Town Common, dated October 5, 2021.
- Exhibit 2**      Memorandums from Attorney Christopher Heep, dated September 30, 2021, October 28, 2021, November 5, 2021, and December 2, 2021.
- Exhibit 3**      Plan set entitled "Town of Needham, Massachusetts, Department of Public Works, Needham Town Common Renovation, August 2021" prepared by BETA-Inc., consisting of 16 sheets: Sheet 1, Cover Sheet, dated September 2, 2021; Sheet 2, entitled "General notes," dated August, 2021; Sheet 3, entitled "Existing Conditions & Site Preparation Plan," dated August, 2021; Sheet 4, entitled "Layout and Materials Plan," dated August, 2021; Sheet 5, entitled "Grading and Drainage Plan," dated August, 2021; Sheet 6, entitled "Electrical Plan," dated August, 2021; Sheet 7, entitled "Planting Plan," dated August, 2021; Sheet 8, entitled "Details," dated August, 2021; Sheet 9, entitled "Details," dated August, 2021; Sheet 10, entitled "Details," dated August, 2021; Sheet 11, entitled "Electrical Details," dated August, 2021; Sheet 12, entitled "Electrical Details," dated August, 2021; Sheet 13, entitled "Electrical Details," dated August, 2021; Sheet 14, entitled "Electrical Details," dated August, 2021; Sheet 15, entitled "Details," dated August, 2021; and Sheet 16, entitled "Details," dated August, 2021.
- Exhibit 4**      Plan set entitled "Town of Needham, Massachusetts, Department of Public Works, Needham Town Common Renovation, October 2021, Rev. November, 2021" prepared by BETA-Inc., consisting of 18 sheets: Sheet 1, Cover Sheet, dated November 4, 2021; Sheet 2, entitled "General notes," dated November 4, 2021; Sheet 3, entitled "Existing Conditions & Site Preparation Plan," dated November 4, 2021; Sheet 4, entitled "Layout and Materials Plan," dated November 4, 2021; Sheet 5, entitled "Grading and Drainage Plan," dated November 4, 2021; Sheet 6, entitled "Electrical Plan," dated November 4, 2021; Sheet 7, entitled "Irrigation Layout Plan," dated August, 2021; Sheet 8, entitled "Irrigation Details," dated August, 2021; Sheet 9, entitled "Planting Plan," dated November 4, 2021; Sheet 10, entitled "Details," dated November 4, 2021; Sheet 11, entitled "Details," dated November 4, 2021; Sheet 12, entitled "Details," dated November 4, 2021; Sheet 13, entitled "Electrical Details," dated November 4, 2021; Sheet 14, entitled "Electrical Details," dated November 4, 2021; Sheet 15, entitled "Electrical Details," dated November 4, 2021; Sheet 16, entitled "Electrical Details," dated November 4, 2021; Sheet 17, entitled "Details," dated November 4, 2021; and Sheet 18, entitled "Details," dated November 4, 2021.
- Exhibit 5**      Email from Attorney Christopher Heep, dated November 16, 2021.
- Exhibit 6**      Email from Michael Ruddy, 69 Melrose Ave, dated November 13, 2021.
- Exhibit 7**      Email from Nancy Louca, dated November 20, 2021.

- Exhibit 8** Email from Lisa Cherbuliez, dated November 28, 2021.
- Exhibit 9** Conceptual Plans, prepared by BETA, consisting of 15 sheets, dated December, 2021.
- Exhibit 10** Email from Heather Kortenkaemper, 275 Broad Meadow Rd, dated December 4, 2021.
- Exhibit 11** Email from Oscar Mertz, dated December 6, 2021 with attached revisions to plans to show possible location and capacity of persons accommodated at public gatherings.
- Exhibit 12** Email from Rosie King, 50 Laurel Drive, dated December 8, 2021.
- Exhibit 13** Interdepartmental Communication (IDC) to the Board from Chief Dennis Condon, Needham Fire Department, dated October 8, 2021; IDC to the Board from Chief John Schlittler, Police Department, dated October 7, 2021; IDC to the Board from Tara Gurge, Needham Health Department, dated October 26, 2021; and IDC to the Board from Thomas Ryder, Assistant Town Engineer, dated November 9, 2021.

EXHIBITS 1, 2, 4 and 5 are referred to hereinafter as the Plan.

#### FINDINGS AND CONCLUSIONS

- 1.1 The subject property is located in the Center Business zoning district at 1471 Highland Avenue, Needham, MA, 02492, owned by Town of Needham. Said property is shown on Needham Town Assessors Plan No. 51 as Parcel 1 containing 1.23 acres.
- 1.2 The property is the subject of Major Project Site Plan Special Permit No. 2009-06, issued to Town of Needham, 1471 Highland Avenue, Needham, Massachusetts, dated November 17, 2009 and amended March 2, 2010, November 16, 2010, November 16, 2010, June 21, 2011, May 1, 2012, April 25, 2017, May 1, 2018, May 20, 2020 and March 2, 2021.
- 1.3 On November 17, 2009, under Major Project Site Plan Review Special Permit No. 2009-06, dated November 17, 2009, issued to the Town of Needham, the Board approved the expansion of the existing Town Hall by approximately 13,836 square feet, and the renovation of approximately 20,989 square feet of the existing facility for a total of 34,825 square feet.
- 1.4 The Town of Needham now proposes a comprehensive redesign and renovation of the Town Common at 1471 Highland Avenue. The complete redesign includes replacement of the lawn, landscaping, pedestrian pathways, seating areas, lighting, and other amenities as discussed in the application materials and shown on the submitted plans. The proposal does not include any new buildings, does not involve any structural changes to Town Hall, and does not alter the established vehicular circulation or parking spaces that the Planning Board has previously approved.
- 1.5 The key features of the proposed new Common include the following:
  - a) Based on the health and long-term viability of the trees and accumulated wear and tear on the existing Common, all existing trees, except the new 'Blue Tree', so called, and lawn areas will be removed. Existing topsoil will be excavated and stockpiled onsite for reuse. Landscaping installed as part of the Phase 1 Streetscape project will be retained. A planting plan for the new Common is included in the plan set.

- b) The Common as proposed will feature a large, oval-shaped lawn area within the center of the site. Within this center lawn area, nearer to the Town Hall side, there will be a circular area constructed of pavers. This area will be covered by a tent seasonally, with in-ground tent supports built in to allow for ready installation and removal. This tent area was regarded as a key feature of the new Town Common during the Petitioner's design work, based on the popularity of the temporary tent that the Town installed at the beginning of the COVID-19 pandemic to encourage outdoor dining and patronage of surrounding restaurants.
  - c) The site will feature wood and metal shade structures with picnic tables and bench swings along both Highland Avenue and Chapel Street. There will also be additional picnic tables installed near the southeast and southwest corners of the Common along Great Plain Avenue. Details of these structures and improvements are shown on the Plan.
  - d) The site will feature a new walkway across from the front entrance of Town Hall into the Common, and a new masonry wall, similar in style to those along Great Plain Avenue at this location that will double as a seating area.
  - e) The existing MBTA bus stop on Chapel Street will be replaced with a new one, which will be located in the same spot as the existing one. Details of the new bus stop are shown on the Plan.
  - f) The existing Circle of Peace sculpture featuring dancing children and the sculpture of the children on the bench will be preserved and relocated slightly, as shown on the Plan. The existing dedication plaque will similarly be preserved and moved within the Common.
  - g) The project will include upgrading the existing globe-top lights to LED and painting, installing flush-mounted up lighting within the main pedestrian pathway, and decorative catenary lights suspended on cables between the two shade structures, over the central lawn area. Power and connections for a public address system will also be provided at the shade structures and at the masonry wall.
- 1.6 Adjoining premises will be protected against seriously detrimental uses on the site by provision of surface water drainage, sound and site buffers, and preservation of views, light and air. The redesigned Town Common will have no detrimental impacts on adjoining premises. The site is already in use as the Town Common, and the redesign of the site does not create any detrimental impacts on the surrounding area. The Planning Board previously found, with respect to the renovation of Town Hall, that no sound and light buffers are required (see Major Project Site Plan Review Special Permit No. 2009-06, dated November 17, 2009 at p. 5, Finding 1.15). The site had been designed to enhance this property's role as the cornerstone of the vibrant downtown Needham Center.
- 1.7 Convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets, the location of driveway openings in relation to traffic or to adjacent streets and, when necessary, compliance with other regulations for the handicapped, minors and the elderly has been assured. There will be no vehicular movement within the Town Common, and there will be no new driveway openings or changes to established traffic circulation on the streets surrounding the site. Garrity's Way will be used as a material laydown area during construction and the existing curb will be reset, but the existing traffic flow will not be altered in any way and the existing parking spaces contained within Garrity's Way will remain in their current, previously-approved configuration. The Planning Board has previously found

- that “the design of the proposed driveways and location and design of the parking areas are adequate, safe and convenient for vehicular movement.” See Major Project Site Plan Review Special Permit No. 2009-06, dated November 17, 2009 at p.6, Finding 1.18. In addition, the pedestrian movement within the Town Common has been redesigned in a manner that will encourage its use. The new design features pedestrian entries at the northeast, southeast, southwest and northwest corners of the Common and will allow for pedestrians to travel safely and conveniently throughout the site.
- 1.8 As noted above, the use of the Property is not being changed, and no new parking spaces are required as a result of the proposed renovation of the Common. Accordingly, the Petitioner is not proposing any changes to the existing parking spaces associated with the Town Hall, which have previously been reviewed and approved by the Planning Board in the original Decision. As noted above, the Planning Board has previously found that “the design of the proposed driveways and location and design of the parking areas are adequate, safe and convenient for vehicular movement.” See Major Project Site Plan Review Special Permit No. 2009-06, dated November 17, 2009 at p.6, Finding 1.18.
- 1.9 Adequate methods for disposal of refuse and waste will be provided. The site plans include solar powered waste and recycling receptacles spaced throughout the Common. The volume of refuse generated is not anticipated to increase relative to the current use of the Common. The proposed receptacles will provide for enough disposal for the users of the Common, and the Department of Public Works will continue to be attend to the receptacles, as it has historically done in the ordinary course of operation.
- 1.10 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 this By-law has been assured. The Town Common was redesigned with careful consideration of existing structures and open space. In particular, the new Common features an improved relationship with the Town Hall, including a wider pedestrian entrance into the Common directly accessible from Garrity’s Way, and a decorative masonry wall that also serves as a seating area directly in front of that entrance to Town Hall. The open space within the Common has been redesigned to encourage use by those who visit the Common, with a large oval-shaped lawn area in the center of the Common and picnic tables and benches placed throughout the entire site.
- 1.11 The proposed project will not have any adverse impacts on the Town’s resources, including the Town’s water supply and distribution system, sewer collection and treatment, fire protection and streets. The site is already in use as the Town Common, and the interior redesign and renovation of the space will not create any new impacts, and includes a new and improved drainage system.
- 1.12 Under Section 7.4 of the By-Law, a Major Project Site Plan Special Permit amendment may be granted within the Center Business District provided the Board finds that the proposed development will be in compliance with the goals and objectives of the Master Plan, and the provisions of the By-Law. On the basis of the above findings and conclusions, the Board finds 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 and Town Master plans, to comply with all applicable By-Law requirements, to have minimized adverse impact, and to have promoted a development which is harmonious with the surrounding area.

THEREFORE, the Board voted 5-0 to GRANT: the requested Major Project Site Plan Special Permit amendment under Section 7.4 of the By-Law and Section 4.2 of Major Project Site Plan Special

Permit No. 2009-06, dated November 17, 2009, 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 Inspector. Where approvals are required from persons other than the Building Inspector, the Petitioner shall be responsible for providing a written copy of such approvals to the Building Inspector before the Inspector 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 Inspector to the Board prior to the issuance of a Building Permit.

##### 2.1 No Plan Modifications.

#### 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 3.17 hereof.
- 3.1 The conditions and limitations set forth in Major Project Site Plan Special Permit No. 2009-06, issued to Town of Needham, 1471 Highland Avenue, Needham, Massachusetts, dated November 17, 2009 and amended March 2, 2010, November 16, 2010, November 16, 2010, June 21, 2011, May 1, 2012, April 25, 2017, May 1, 2018, May 20, 2020 and March 2, 2021, as further amended by this Amendment are ratified and confirmed.
- 3.2 The Board approves the redesign and renovation by the Town of Needham of the Town Common as shown on the Plan. The design of the Town Common shall be as described in Section 1.5 of this Decision and as further described under the support materials provided under Exhibits 1, 2, 4 and 5 of this Decision. Any changes, revision or modifications to the Plan shall require approval by the Board.
- 3.3 The catenary lights shall be on timers such that the lights turn off at 11 p.m. Sunday through Thursday and at midnight Friday and Saturday nights, or as late as two-hours after the end of any event taking place in the Town Common. The catenary lights may also be removed and reinstalled by the Petitioner without further Planning Board review if the Petitioner so chooses.
- 3.4 All new utilities, including telephone and electrical service, shall be installed underground from the street line.
- 3.5 The maintenance of the site and associated infrastructure and landscaping shall be the responsibility of the Petitioner and the site, infrastructure and landscaping shall be maintained in good condition.

- 3.6 A signed and stamped Storm Water Management Policy form shall be submitted to the Town of Needham, together with a construction mitigation and an operation and maintenance plan as described in the policy.
- 3.7 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.
- 3.8 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. If required by the Building Inspector, 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 Inspector.
- 3.9 The Petitioner shall seal all abandoned drainage connections and other drainage connections where the developer cannot identify the sources of the discharges.
- 3.10 The Petitioner shall secure from the Needham Department of Public Works a Street Opening Permit, if applicable.
- 3.11 In constructing and operating the proposed Town Common on the locus pursuant to this Special Permit, due diligence shall be exercised, and reasonable efforts be made at all times to avoid damage to the surrounding areas or adverse impact on the environment.
- 3.12 The following interim safeguards shall be implemented during construction:
- a. The hours of construction shall be 7:00 a.m. to 8:00 p.m. Monday through Saturday unless otherwise authorized by approval of the Board of Selectmen pursuant to the Needham General By-Laws, Section 3.8.1.
  - 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 Inspector, 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, Great Plain Avenue, Chapel Street or the adjacent roads.
  - d. The Petitioner shall take the 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 Highland Avenue, Great Plain Avenue and Chapel Street clean of dirt and debris.
- 3.13 No portion of the newly renovated Town Common shall be constructed until:
- a. The final plans are 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 has been submitted to the Police Chief and Building Inspector for their review and approval.
  - c. The Petitioner has 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.
- 3.14 No portion of the newly renovated Town Common shall be made available for public use until the following conditions are met:
- 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 is filed with the Building Inspector 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, have been constructed to the standards of the Town of Needham Department of Public Works and in accordance with the approved Plan.
  - c. There is filed with the Board and Building Inspector 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.
- 3.15 In addition to the provisions of this approval, the Petitioner must comply with all requirements of all state, federal, and local boards, commission or other agencies, including, but not limited to the Building Inspector, Fire Department, Department of Public Works, Conservation Commission, Police Department, and Board of Health.
- 3.16 The Petitioner, by accepting this Approval, warrants that the Petitioner has included all relevant documentation, reports, and information available to the Petitioner in the application submitted, and that this information is true and valid to the best of the Petitioner's knowledge.
- 3.17 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 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 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 improvements, which are the subject of this petition. All construction to be conducted on 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, Section 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 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 shall lapse on December 21, 2023 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 December 21, 2023. 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.
- 4.7 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 M.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 on 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 the General Laws, Chapter 40A, Section 17, within twenty (20) days after filing of this decision with the Needham Town Clerk.

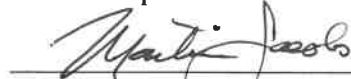
Witness our hands this 21<sup>st</sup> day of December 2021.

NEEDHAM PLANNING BOARD

  
Paul S. Alpert, Chairman

  
Adam Block, Vice Chairman

\_\_\_\_\_  
Natasha Espada

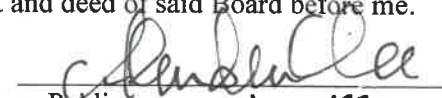
  
Martin Jacobs

  
Jeanne S. McKnight

COMMONWEALTH OF MASSACHUSETTS

Dec. 23 2021

On this 23 day of December, 2021, before me, the undersigned notary public, personally appeared Martin Jacobs, 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 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 18, 2022

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 Town of Needham, 1471 Highland Avenue, Needham, Massachusetts, for property located at 1471 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

\_\_\_\_\_  
Theodora K. Eaton, Town Clerk

Copy sent to:

Petitioner - Certified Mail #  
Town Clerk  
Building Inspector  
Director, PWD  
Board of Health  
Conservation Commission

Board of Selectmen  
Engineering  
Fire Department  
Police Department  
Christopher Heep  
Parties in Interest