

NEEDHAM PLANNING BOARD

Tuesday, February 27, 2024

7:00 p.m.

Charles River Room

Public Services Administration Building, 500 Dedham Avenue

AND

Virtual Meeting using Zoom

Meeting ID: **880 4672 5264**

(Instructions for accessing below)

To view and participate in this virtual meeting on your phone, download the “Zoom Cloud Meetings” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the following Meeting ID: **880 4672 5264**

To view and participate in this virtual meeting on your computer, at the above date and time, go to www.zoom.us click “Join a Meeting” and enter the following ID: **880 4672 5264**

Or to Listen by Telephone: Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 Then enter ID: **880 4672 5264**

Direct Link to meeting: <https://us02web.zoom.us/j/88046725264>

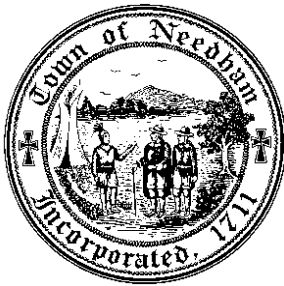
1. Public Hearing:

7:00 p.m. Amendment to Major Project Site Plan Special Permit No. 2009-06: Needham Farmer’s Market, Inc., 227 Eliot Street, Ashland, MA, 01721 and Town of Needham, 1471 Highland Avenue, Needham, MA, Petitioners. (Property located at 1471 Highland Avenue, Needham, Massachusetts). Regarding request to permit the operation of a farmers market on a small portion of the Town Common and Garrity’s Way.

7:30 p.m. Article 1: Amend Zoning By-Law – Affordable Housing District
Article 2: Amend Zoning By-Law – Map Change For Affordable Housing District

2. ANR Plan – Rocket Holdings, LLC, Petitioner, (Property located at 46 Heather Lane, Needham, MA).
3. ANR Plan – Brendon-Silva, LLC, Petitioner, (Property located at 543 Greendale Avenue, Needham, MA).
4. Decision: De Minimus Change: Major Project Site Plan Special Permit No. 97-12: Four Forty-Four Group, Inc., 444 Hillside Avenue, Petitioner. (Property located at 442 and 444 Hillside Avenue, Needham, MA).
5. Minutes.
6. Report from Planning Director and Board members.
7. Correspondence.

(Items for which a specific time has not been assigned may be taken out of order.)



PLANNING & COMMUNITY DEVELOPMENT
PLANNING DIVISION

LEGAL NOTICE
Planning Board
TOWN OF NEEDHAM
NOTICE OF HEARING

In accordance with the provisions of M.G.L., Chapter 40A, S.11; the Needham Zoning By-Law, Sections 7.4, 3.2.2, 5.1.1.6, 5.1.2, 5.1.3, and Special Permit No. 2009-06, Section 4.2, the Needham Planning Board will hold a public hearing on Tuesday, February 27, 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 (further instructions for accessing are below), regarding the application of Needham Farmer's Market, Inc., 227 Eliot Street, Ashland, MA, 01721 and the Town of Needham, 1471 Highland Avenue, Needham, MA for a Special Permit Amendment under Site Plan Review, Section 7.4 of the Needham Zoning By-Law.

The subject property is located at 1471 Highland Avenue, Needham, Massachusetts, shown on Assessor's Map No. 51 as Parcel 1 containing 1.36 acres and is located in the Center Business Zoning District. The requested Major Project Site Plan Review Special Permit Amendment would, if granted, permit the operation of a farmers market on a small portion of the Town Common and Garrity's Way. Needham Farmers Market (NFM) operated on the Town Common and Garrity's Way during the seasons of 2017 to 2021; however, in 2022 NFM was required to relocate due to a planned renovation of the Town Common in 2022, with Garrity's Way planned to be used for staging materials. NFM subsequently used Greene's Field for two seasons: 2022 and 2023. Now that the Town Common renovations have been completed, NFM seeks permission to return. NFM is applying to make the following changes and amendments to the earlier Special Permits (2017-22) for use of the Site: (1) In 2024, NFM proposes to be open from June 16th to October 27th, inclusive; (2) NFM's hours of operation to the public are proposed to be 11 a.m. to 3 p.m. Setup of the Market is proposed to be 9 a.m. to 11 a.m. and breakdown is proposed to be 3 p.m. to 4 p.m.; (3) NFM proposes to have a maximum of seventeen (17) food vendors per market; (4) NFM proposes to have a maximum of four (4) artists per market; (5) NFM will have a Market Manager and a Community Table; (6) At least seventy-five percent (75%) of all vendors are proposed to sell fresh produce and other food products from booths, tables, or other temporary structures, as previously required at Greene's Field in 2022-23.

In accordance with the Zoning By-Law, Section 7.4, a Major Project Site Plan Review Special Permit Amendment is required. In accordance with Special Permit No. 2009-06, Section 4.2, further site plan approval is required.

To view and participate in this virtual meeting on your phone, download the "Zoom Cloud Meetings" app in any app store or at www.zoom.us. At the above date and time, click on "Join a Meeting" and enter the following Meeting ID: 880 4672 5264

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Direct Link to meeting: <https://us02web.zoom.us/j/88046725264>

The application may be viewed at this link:

<https://www.needhamma.gov/Archive.aspx?AMID=146&Type=&ADID=> . Interested persons are encouraged to attend the public hearing and make their views known to the Planning Board. This legal notice is also posted on the Massachusetts Newspaper Publishers Association’s (MNPA) website at (<http://masspublicnotices.org/>).

NEEDHAM PLANNING BOARD

Needham Hometown Weekly, February 1, 2024 and February 8, 2024.

TOWN OF NEEDHAM
MASSACHUSETTS



500 Dedham Avenue
Needham, MA 02492

PLANNING BOARD

APPLICATION TO AMEND SITE PLAN REVIEW SPECIAL PERMIT

APPLICATION NO. 2009-06 (APRIL 25, 2017)

Project Determination: (circle one) Major Project Minor Project

This application must be completed, signed, and submitted with the filing fee by the applicant or his representative in accordance with the Planning Board's Rules as adopted under its jurisdiction as a Special Permit Granting Authority. Section 7.4 of the By-Laws.

Location of Property: Garrity's Way and part of Town Common, 1471 Great Plain Avenue, Needham, MA 02492

Applicant's' names, addresses, phone numbers:

Needham Farmers Markert, Inc. ("NFM"), 227 Eliot Street, Ashland, MA, 01721; 781.241.2037

Applicants are: Owner Tenant
Agent/Attorney x Purchaser

Property Owners' Names, Addresses, Telephone Numbers:

Town of Needham, 1471 Highland Avenue, Needham, MA 02492, tel. 781.455.7500

Characteristics of Property: Lot Area 59,221 sq. ft. Present Use: Driveway & parking, Town Common
Map # 51 Parcel #1
Zoning District: Center Business

Description of Project for Site Plan Review under Section 7.4 of the Zoning By-Law:

1. NFM will be located on a small portion of the Town Common and Garrity's Way.
2. NFM will be open on Sundays, June 16, 2024 to October 27, 2024 inclusive from 11 a.m. to 3 p.m. Setup is 9 a.m. to 11 a.m. and breakdown is 3 p.m. to 4 p.m.

3. NFM will have a maximum of seventeen (17) food vendors per market.
4. NFM will have a maximum of four (4) artists per market.
5. The Special Permit will be indefinite for NFM's future use of the Site and will incorporate License Agreements for renewals.

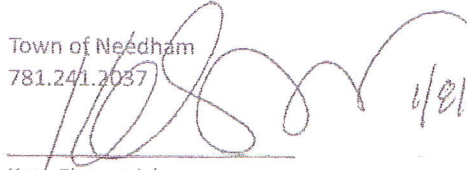
Signature of Applicant (or representative)

Needham Farmers Market


Jeffrey Friedman, President
781.241.2037

4/8/24

Town of Needham
781.241.2037


Kate Fitzpatrick
Town Manager

4/8/24

SUMMARY OF PLANNING BOARD ACTION

Received by Planning Board _____ Date _____
Hearing Date _____ Parties of Interest Notified of Public Hearing _____
Decision Required by _____ Decision/Notices of Decision sent _____
Granted _____
Denied _____ Fee Paid _____ Fee Waived _____
Withdrawn _____ NOTE: Reports on Minor Projects must be issues within 35 days of filing date

License Agreement
Between
Needham Farmers Market, Inc.
and
The Town of Needham

This License Agreement is made this 10th day of January 2024, by and between the Needham Farmers Market, Inc., a not for profit corporation, with its principal place of business at 227 Eliot Street, Ashland MA 01721 (LICENSEE), and the Town of Needham, Massachusetts, a municipal corporation with its usual place of business at 1471 Highland Ave., Needham, MA 02492 (LICENSOR) (collectively, the "Parties").

1. USES

a. In consideration of the full and faithful performance by LICENSEE of all covenants and agreements contained herein and subject to the following terms and conditions, the LICENSOR grants to LICENSEE and LICENSEE takes from the LICENSOR the nonexclusive right to use the Needham Town Common, a Town of Needham Facility, (the "Licensed Area") bounded by Great Plain Avenue, Chapel St, Garrity Way, and Highland Avenue, for the purpose of operating a farmers market (the "Market") for four (4) hours every Sunday, opening at 11:00 a.m. and closing at 3:00 p.m., from June 16th, 2024 through October 27th, 2024. The LICENSEE will be further allowed up to three (3) hours before opening to allow its vendors to set up and up to two (2) hours after closing to break down and clean up.

b. A maximum of seventeen (17) vendors will use booths, tables, canopies or other temporary structures on the Licensed Area. In addition to the vendors there shall be allowed up to five (5) tables, booths or canopies for the Needham Community Farm and/or other Needham-based not for profit organizations, artists, artisans, musicians and the LICENSEE which are to be located solely in the Licensed Area.

c. All trash and waste will be confined to the Licensed Area, and the LICENSEE will be responsible for its removal and cleaning of the Licensed Area before the end of the breakdown time.

d. LICENSEE is responsible to see that the physical layout of the Market is kept within the Licensed Area.

e. LICENSEE will ensure that no public vehicular access to the Licensed Area is allowed during Market hours.

f. LICENSEE is responsible to see that the Licensed Area is used in a lawful manner and in compliance with all laws, by-laws, rules, regulations, permit requirements, orders and directives of any government official, agency or entity of competent jurisdiction.

g. LICENSEE will not engage in or allow any of its vendors or invitees to engage in any unlawful or dangerous activities that may cause personal injury or physical damage to the Licensed Area.

h. LICENSEE agrees to suspend Market activities in the event that the LICENSOR requires use of the Licensed Area. The LICENSOR will endeavor to provide as much prior notice as possible to the LICENSEE. Except in extraordinary circumstances, the LICENSOR will provide the LICENSEE two weeks' notice of the need for Market activity suspension. The LICENSOR will work with the LICENSEE to attempt to locate an alternative site for the Market during any period of such suspension.

2. PLANS

The Licensee's Market Layout Plan for the Licensed Area is attached as Exhibit "A".

3. TERM OF AGREEMENT

The term of this License Agreement shall be June 16th, 2024, through October 27th, 2024.

4. FEE

LICENSEE shall pay the LICENSOR the sum of \$25.00 per market day, for each day, payable in advance. LICENSEE shall make payments to LICENSOR via check made out to "TOWN OF NEEDHAM" by hand-delivery or registered mail to "TOWN OF NEEDHAM, 1471 HIGHLAND AVENUE, NEEDHAM, MASSACHUSETTS 02492". LICENSOR reserves the right to terminate this License Agreement if LICENSEE'S payment becomes more than five (5) days overdue.

5. TERMINATION

In addition to the LICENSOR'S right in Paragraph 4 above to terminate for cause, either Party may terminate this License Agreement without cause, effective at the end of each month, upon 30 days written notice to the other Party of its intention and election to terminate.

6. MAINTENANCE

It is agreed the LICENSOR will patch, plow and sweep the Licensed Area as needed and at reasonable times. The LICENSEE shall not permit the Licensed Area to be overloaded, damaged, stripped or defaced, nor suffer any waste. The LICENSEE shall not allow any holes to be made in the Licensed Area.

7. OWNERSHIP OF PROPERTY

It is agreed that the Licensed Area is and shall remain the property of the LICENSOR and the LICENSEE shall not make any improvements on, alter or remove any part of the Licensed Area without the LICENSOR'S express prior written consent.

8. CONDITION OF LICENSED AREA

LICENSEE acknowledges that: a) it has inspected the Licensed Area; b) the Licensed Area shall be available under this License Agreement to LICENSEE and its vendors in an "as is" condition; and c) the LICENSOR makes no representations or warranties as to the condition of the Licensed Area.

9. RISK OF LOSS

LICENSEE agrees to use the Licensed Area at its sole risk. All merchandise, property and effects of the LICENSEE, its vendors, and of all persons claiming by, through or under LICENSEE, which may be on the Licensed Area during the Term of this License

Agreement shall be at the sole risk and hazard of the LICENSEE, its vendors, or its invitees. LICENSEE further agrees that the LICENSOR shall not be responsible or liable to LICENSEE, its vendors, or to those claiming by, through or under LICENSEE, for any loss or damage resulting to LICENSEE, its vendors, or those claiming by, through or under LICENSEE or its or their property, that may be occasioned by or through the acts or omissions of persons for whose conduct the LICENSOR is not responsible. The LICENSEE shall be responsible for any damage done to the Licensed Area resulting from the activities allowed by this License Agreement.

10. INSURANCE

LICENSEE and its vendors shall, at their own expense, obtain and maintain general liability and motor vehicle liability insurance policies protecting the LICENSOR and shall have the LICENSOR as an additional named insured on the policies. General liability coverage shall be in the amount of at least \$1,000,000 per occurrence, and \$2,000,000 aggregate for bodily injury liability and property damage liability. Motor vehicle coverage shall include coverage for owned, hired and non-owned vehicles and shall be in the amount of at least \$1,000,000 single limit. The LICENSEE shall provide the LICENSOR with a copy of aforementioned insurance policies by hand-delivery or registered mail to "TOWN OF NEEDHAM, 1471 HIGHLAND AVENUE, NEEDHAM, MASSACHUSETTS 02492" prior to commencing operations on June 16th, 2024.

11. INDEMNIFICATION

LICENSEE shall pay, protect, indemnify and save harmless the LICENSOR from and against all liabilities, losses, damages, costs, expenses (including reasonable attorneys' expenses and fees), causes of action, suits, claims, demands or judgments of any nature whatsoever that may be imposed upon or incurred by or asserted against the LICENSOR by reason of any of the following acts occurring or arising during the term of this License Agreement:

- a. Any accident, injury to, or death of any person or damage to property occurring on the Licensed Area or any part thereof in which the negligence of LICENSEE, its employees, any of its employees, vendors or any person acting under color of this license is a causative factor and in which the negligence of the LICENSOR, its employees and agents is not a causative factor; or
- b. Any failure by LICENSEE, its vendors, its employees, or anyone acting under color of this License Agreement to perform or comply with any of the terms hereof or any contracts, agreement, or restrictions, statutes, laws, ordinances or regulations affecting the Licensed Area or any part thereof or the ownership, occupancy or use thereof.

The LICENSEE shall notify the LICENSOR of any accident, injury to, or death of any person or damage to property occurring on the Licensed Area during a period of Licensed Use within three business days of said accident, injury, death, or damage in writing by hand-delivery or registered mail to "TOWN OF NEEDHAM, 1471 HIGHLAND AVENUE, NEEDHAM, MASSACHUSETTS 02492".

12. NON-ASSIGNABLE

LICENSEE shall not assign this License Agreement or any rights hereunder without the prior written consent of the LICENSOR.

13. LICENSE ONLY

LICENSEE acknowledges that this is a License Agreement and the rights to use of the licensed area hereunder shall be deemed to be a license only and shall not be construed to be a lease, joint venture, partnership or as evidencing any relationship between LICENSEE and the LICENSOR other than as LICENSEE and LICENSOR. No interest in real property is hereby conveyed by the LICENSOR to the LICENSEE.

14. ENTIRE AGREEMENT

This document, inclusive of Attachment A, forms the entire agreement between the Parties and supersedes all prior arrangements and understandings. Any amendment or modification to this License Agreement must be in writing and signed by an official with the authority to bind the LICENSOR.

15. GOVERNING LAW

This License Agreement and performance hereunder are governed in all respects by the laws of the Commonwealth of Massachusetts and all other applicable by-laws and administrative rules, regulations and orders.

16. CONSENT TO VENUE

The Parties hereto agree that all actions or proceedings arising in connection with this Agreement shall be tried and litigated exclusively in the Dedham District Court located in the County of Norfolk, State of Massachusetts, subject to the Transfer rules of the Norfolk Superior Court. The aforementioned choice of venue is intended by the Parties to be mandatory and not permissive in nature, thereby precluding the possibility of litigation between the Parties with respect to or arising out of this Agreement in any court or forum other than that specified in this paragraph. It is further agreed that the Parties to this Agreement hereby waive their rights to a jury trial.

17. SEVERABILITY

If any term or condition of this Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable by the court of competent jurisdiction, such term or condition shall be stricken, and the legality and enforceability of the remaining terms and conditions shall remain in full force and effect.

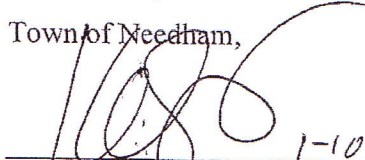
18. EXECUTION IN DUPLICATE

This Agreement may be executed in duplicate, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument which shall represent the agreement of the Parties.

IN WITNESS WHEREOF the Parties hereto have executed two copies of this License Agreement as of the date first above written.

LICENSOR,

Town of Needham,


1-10-24
Town Manager

LICENSEE,

Needham Farmers Market, Inc.

 1/10/24
By: President

Needham Farmers Market Layout 2024

Layout is approximate and subject to refinement.

V.02

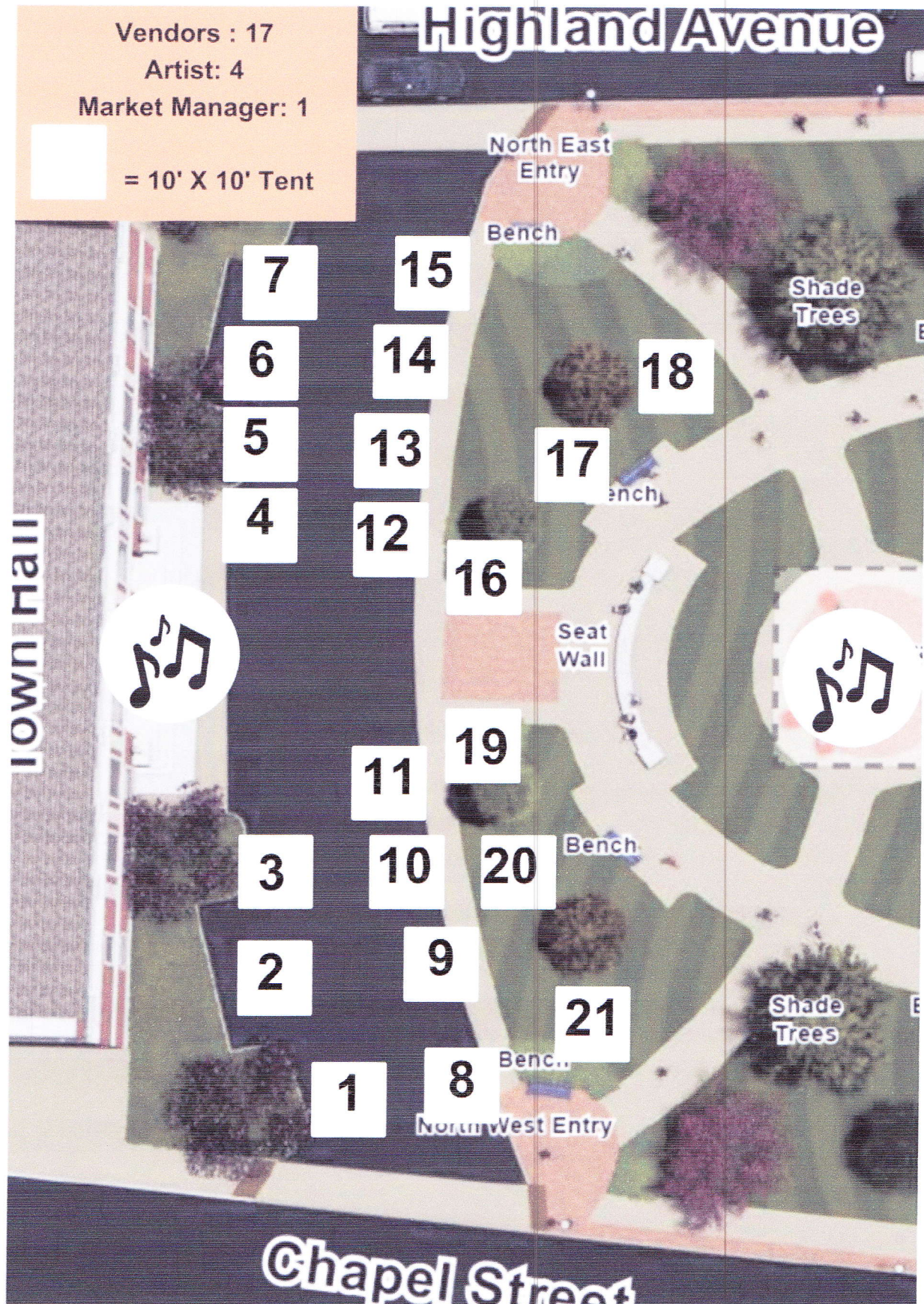


EXHIBIT "A"

January 12, 2024

Needham Planning Board
500 Dedham Avenue
PSAB Bldg.
Needham, MA 02492

Re: Application for Site Plan Review Permit by Needham Farmers Market

This letter is in support of the Application for Petitioner Needham Farmers Market, Inc. ("NFM" or the "Market") for Site plan review, which amends Special Permit Decision (Application No. 2009-06) dated April 25, 2017, May 1, 2018, May 20, 2020, and March 2, 2021. NFM will operate for its 13th season on a small portion of the Town Common and Garrity's Way (the "Site") for 2024 and thereafter proposes to incorporate subsequent License Agreements for renewals. See attached "Needham Farmers Market Layout 2024" (Exhibit "A"). NFM's new License Agreement with the Town of Needham, dated January 10, 2024, to use the Site is filed herewith and is consistent with this Application.

NFM operated on the Town Common and Garrity's Way from 2017-21 until the Town began renovating the Town Common from 2022-23. Now that the renovation is completed, NFM is applying to return to and use the Site that it operated under previous Special Permits and License Agreements.

NFM is a 501c3 nonprofit corporation and civic organization. It is Needham based with the purpose of promoting healthy food, fresh and local, and healthy lifestyle with advancing community values. The Needham Board of Health and the Needham Public Health Division support the Market's functions.

Prior to renovation of the Town Common in 2022-23 when NFM operated on Greene's Field, NFM was located on the Town Common and Garrity's Way for five years, 2017 -21. NFM has operated for a total of 10 years on Town land to date, pursuant to License Agreements with the Town, including the Eaton Square Municipal Lot during 2014-16. At its inception, NFM operated on the front lawn of First Parish in Needham Unitarian Universalist for two years, 2012-13. Since its inception to date, NFM and its vendors have never damaged any property and never caused or been involved with injuries to any person.

The Application addresses the following relief:

1. Needham Farmers Market Site Plan Special Permit with Town of Needham, pursuant to Zoning By-Law Section 7.4 and Article 2 of the Planning Board Rules.
2. Special Permit pursuant Section 3.2.1 of the Zoning By-Law to operate a farmers market.
3. Special Permit pursuant to Section 5.1.

NFM is applying to make the following changes and amendments to the earlier Special Permits (2017-22) for use of the Site:

1. In 2024, NFM will be open from June 16th to October 27th, inclusive.
2. NFM's hours of operation to the public are 11 a.m. to 3 p.m. Setup of the Market is 9 a.m. to 11 a.m. and breakdown is 3 p.m. to 4 p.m.
3. NFM will have a maximum of seventeen (17) food vendors per market.
4. NFM will have a maximum of four (4) artists per market.

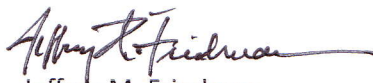
5. NFM will have a Market Manager and a Community Table.
6. At least seventy-five percent (75%) of all vendors shall sell fresh produce and other food products from booths, tables, or other temporary structures, as previously required at Greene's Field in 2022-23.

NFM requests that the Special Permit be indefinite and incorporate License Agreements for its renewal to use the Site. For the last 10 years, NFM has annually applied for a Special Permit based on a License Agreement with the Town. This is a repetitious and inefficient use of the Town's resources, which is time consuming and expensive for NFM, the Planning Board, the Department Planning and Community Development, the Town Manager's Office, and other Town Departments that are involved.

About a month ago, NFM proposed to the Town a three year License Agreement for use of the Site to avoid this repetitious process stated above. At a recent meeting to discuss NFM's proposal, Shane Mark, Needham's Assistant Director of Public Works, stated that he would only agree a one year License Agreement with NFM for annual use of the Site, and not for three years. An indefinite Special Permit for NFM's future use of the same Site that incorporate future License Agreements with the Town for renewals, will achieve the same important goals and administrative savings described above.

NFM requests waiver of the Application fee as being fair and equitable, where NFM is returning to the same Site used before for five years prior to the two year renovation of the Town Common. The Planning Board has previously waived the \$1,000 Application fee. NFM has limited financial resources and will incur considerable expenses to apply for the Special Permit.

Sincerely,



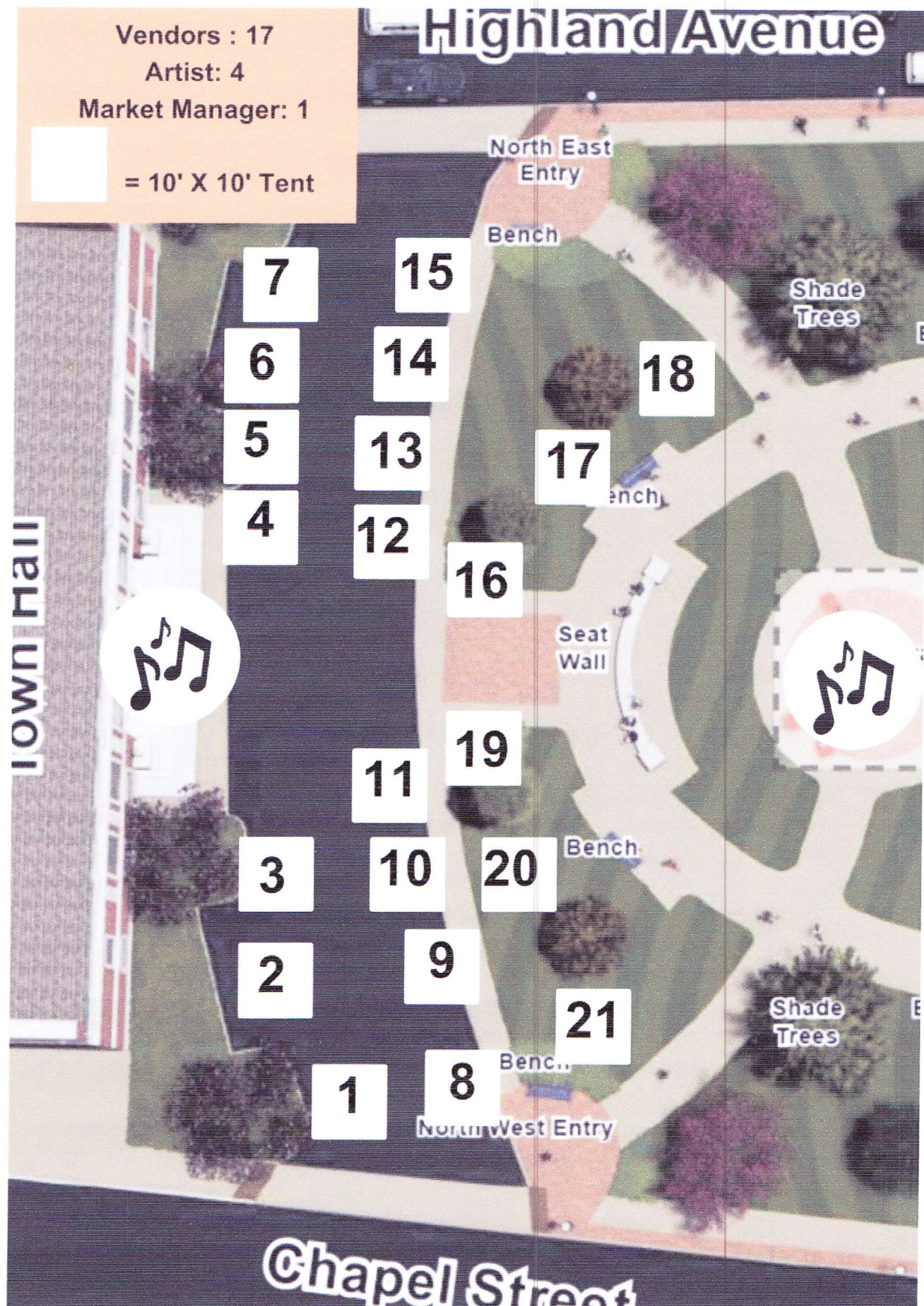
Jeffrey M. Friedman

President, Needham Farmers Market

Needham Farmers Market Layout 2024

Layout is approximate and subject to refinement.

V.02



January 12, 2024

Needham Planning Board
500 Dedham Avenue
PSAB Bldg.
Needham, MA 02492

Re: Application for Site Plan Review Special Permit by Needham Farmers Market

Dear Planning Board Members:

The purpose of this letter is to provide the Planning Board with additional information for the Application by Needham Farmers Market ("NFM" or the "Market") for a Special Permit to operate on a small portion of the Town Common and Garrity's Way, the (the "Site"), in 2024 and thereafter under NFM's License Agreements with the Town. This letter conforms to the review criteria for site plan review, as set forth in Section 7.4.6 of the Zoning By-Law.

The Market will be open on Sundays, June 16th through October 27, 2024 from 11 a.m. to 3 p.m. Setup of the Market is 9 a.m. to 11 a.m. and breakdown is 3 p.m. to 4 p.m. NFM has signed a License Agreement with the Town for use of the Site (dated January 10, 2024), filed herewith.

I. Site Plan Review Criteria.

The following are the criteria for site plan review process pursuant to Section 7.4.6 of the Zoning By-Law, and the description of how the Application meets those criteria.

a) "Protection of adjoining premises against seriously detrimental uses by provision for surface water drainage, sound and sight suffers and preservation of views, light and air."

NFM will not cause any detrimental uses when it operates on the Site on Sunday afternoons. It did not create any detriments when it operated on the Site for five previous years, 2017-21. The public may travel to the Market by auto, bicycle or by foot.

The Market will not cause any water drainage issues, and it will have no effect on views and air.

NFM will have free, live musical entertainment from individuals or a small group, e.g. flute, fiddle, guitar. Sound volume from musicians playing at the site will be reasonable, and not loud or disruptive to any businesses or houses of worship. There are no residential areas near the Site. First Parish in Needham Unitarian Universalist, located at 23 Dedham Avenue, is over 100 yards away. NFM's musicians performed on First Parish's front lawn for two years, 2012-13, and NFM's live music did not disrupt its Sunday services during that time period with no complaints from anyone about sound levels. I have been a member of First Parish during that time period and now.

b). "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, with other regulations for the handicapped, minors and the elderly."

During the operation of the Market, parking for the vehicles of shoppers will be at the Dedham Avenue, Chestnut St./Lincoln St., Chapel St., and the Eaton Square Municipal Lots. These are all within five

minutes walking distance from the Market. The vendors will park at the Chapel Street or Chestnut St./Lincoln St. lots. Any additional traffic due to the Market on surrounding streets during Sunday afternoons will be marginally increased, with no traffic congestion. There were no traffic or parking problems when NFM was previously located at the Site during the period 2017-21.

Safety of pedestrians and of vehicular movement have been a continuing and paramount concern of previously during its 12 years of operation, and this will continue for 2024. NFM's Market Manager prevents accidents from occurring with safety practices and procedures.

c) "Adequacy of the arrangement of parking and loading spaces in relation to the proposed used of the premises."

Since the total area of the Site in use by NFM is 7,154 square feet, the parking demand is 21 parking spaces ($7154/1000 \times 3 = 21$). The parking demand is based on a formula used in Special Permit applications and Decisions.

NFM will be open on Sunday afternoons from 11 a.m. to 3 p.m. Four municipal parking lots near the site are more than adequate for the parking needs of vendors and shoppers at the Market. The Dedham Avenue Lot has 87 parking spaces, the Chestnut St./Lincoln St. Lot has 231 parking spaces, the Chapel St. Lot has 127 parking spaces, and the Eaton Square Lot has 126 parking spaces.

d) "Adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site."

All trash and waste on the Site will be confined and removed by NFM and its vendors, as required by the License Agreement. Vendors will be able to use the bathrooms at Bagels Best, Walgreens, CVS, or the YMCA. The waste water system for these businesses is connected to the municipal sewer system.

e) "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."

Any canopies, tables and equipment brought to the Site by NFM, vendors, and artists will be removed by them after NFM closes. NFM will not permit the Site area to be overloaded, damaged, stripped or defaced, or suffer any waste. NFM will not make any holes in the Site. NFM, its vendors, and artists will carefully protect from damage the bushes, trees, grass, and other plantings on or near the Town Common and Garrity's Way. During NFM's use of Town land for the last 10 years, no detrimental actions to property occurred.

f) Mitigation or adverse impacts 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."

NFM's use of the Site will not have any adverse impact on the Town's resources, including the Town's water supply and distribution system, sewer collection and treatment, fire protection and streets.

Conclusion.

Needham Farmers Market is an important community event. It will continue to be a source of fresh and locally grown, baked, and prepared food for Needham residents and nonresidents (adults, children, and seniors) on the Site. The Market is also an important opportunity for Needham residents to meet friends and neighbors, which is a source of positive community values for Needham. Needham residents, retail businesses and restaurants will benefit from the central location of the Market. Needham's Select Board, Town Manager, Board of Health, and Public Health Division all support NFM and many of their members attend the Market. For NFM's previous 12 seasons, Needham High School students have volunteered at NFM, which fulfilled their Community Service requirements at NHS.

Needham musicians will entertain shoppers, including young children, including Needham's own Plugged In Teen Band Program. As in past years, adults and children sometimes dance to the music, all having fun and a positive experience at the Market. Artists and artisans will display their art work. During the prior 12 years that NFM has been in operation (10 years on Town land), many nonprofits, including the YMCA, Needham Community Council, the Needham Public Library, BID-Needham Hospital, and other community nonprofits have had the opportunity to meet the public at NFM's Community Table without paying any fee for its use. NFM hosted the Indian Community of Needham (ICON) on August 15, 2021, at the request of the Town Manager, in the celebration of India Independence Day. This was a Town community event. NFM helps other nonprofits and community organizations as well.

NFM has been an active member of the Charles River Regional Chamber and its Needham Business Alliance and of the previous Needham Business Association for a total of 12 years. In fall of 2023, as in prior years, NFM participated in the Chamber's Harvest Fair, which is a community event attended by many Needham residents.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeffrey M. Friedman", written in a cursive style.

Jeffrey M Friedman

President, Needham Farmers Market

February 11, 2024

Needham Planning Board
500 Dedham Avenue
PSAB Building
Needham, MA 02492

Re: Needham Farmers Market – Special Permit

Dear Planning Board:

This letter provides additional information on temporary parking for vendors at NFM's location at Garrity's Way and a small portion of the Town Common (the "Site") in 2024. This letter at the bottom also requests that the Board allow breakdown time from 3 – 5 p.m.

During NFM setup and breakdown, vendors will access the Site to offload their product at temporarily parking on Chapel Street and Highland Avenue next to Garrity's Way. The Town previously approved temporary parking in NFM's 2017-21 seasons. In the 2017 Special Permit Decision, the Board approved temporary parking for NFM vendors on Chapel Street next to the Site. See paragraphs 1.10, 1.21, and 3.4.

In the 2020 Decision, the Board approved temporary parking areas for vendors on Highland Avenue next to Garrity's Way. This is shown in NFM layout diagram (attached hereto) as P1 and P2 in Exhibit 4 to the 2020 Special Permit Decision. On page 2 paragraph of 1 of the 2020 Decision, the Board approved "temporary parking of two vehicles on Highland Avenue next to Garrity's Way during setup and breakdown, all described in Exhibits 1,2, and 4."

There were no problems or complaints about temporary parking for vendors on Chapel St. and Highland Avenue during NFM's previous 2017-2021 years at the Site.

For 2024, NFM will place red cones at both ends of Garrity's Way so that vehicles cannot enter it during operating hours. NFM vendors will park in the Chapel Street Parking Lot or at other municipal lots during operating hours. Vendor motor vehicles, e.g. farmers, entering Garrity's Way during setup to offload product, tents, and tables, must obtain motor vehicle insurance as required in the License Agreement.

NFM's Application states that breakdown is from 3 – 4 p.m., which was an oversight error because breakdown has always lasted for two hours in previous seasons. See paragraph 3.12 of the 2017 Decision. It takes farm vendors two hours during breakdown to reload unsold produce, tents, tables and to clean up. The License Agreement for 2024 on page 1 paragraph 1a states that breakdown is for: "(2) hours after closing to break down and clean up". NFM requests that the Board allow breakdown at the Site from 3 – 5 p.m.

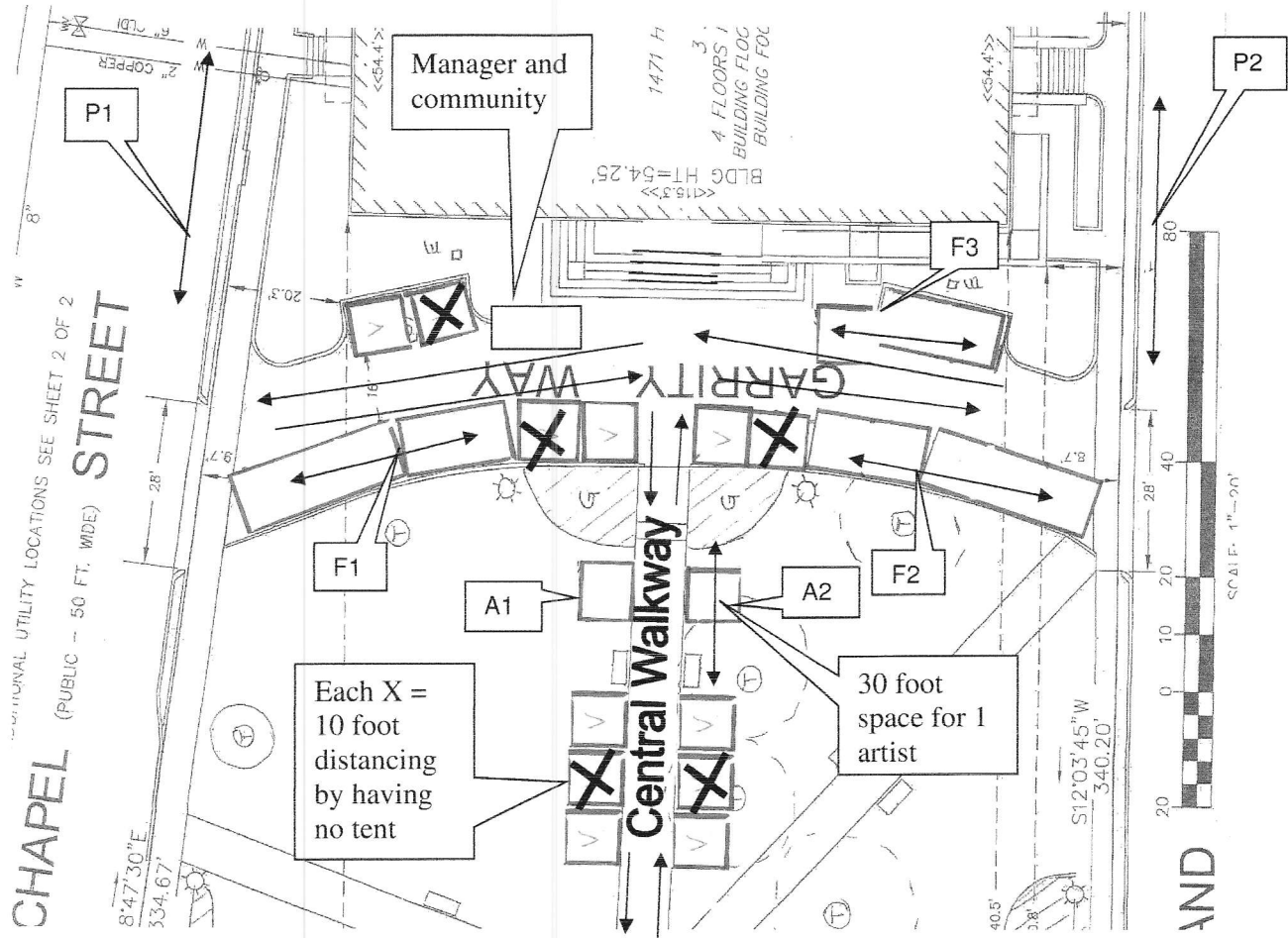
Sincerely,



Jeffrey M. Friedman
President, Needham Farmers Market

Needham Farmers Market 2020

Configuration shown based on current requirements



F1 – MacArthur Farm (produce) F2 – Neighborhood Farm (produce)

F3 – Chestnut Farm (meat) V – Food Vendors

A1 – Artists (1)

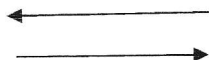
A2 - Artists (1)

Note for A1, A2, we will follow the governor’s designation of vendors for farmers markets and not allow non-essential vendors as pertaining to farmers markets such as in the case of artists.

P1 - Proposed temporary parking on Chapel Street for vendors and artists during setup and breakdown

P2 - Proposed temporary parking on Highland Avenue for vendors and artists during setup and breakdown

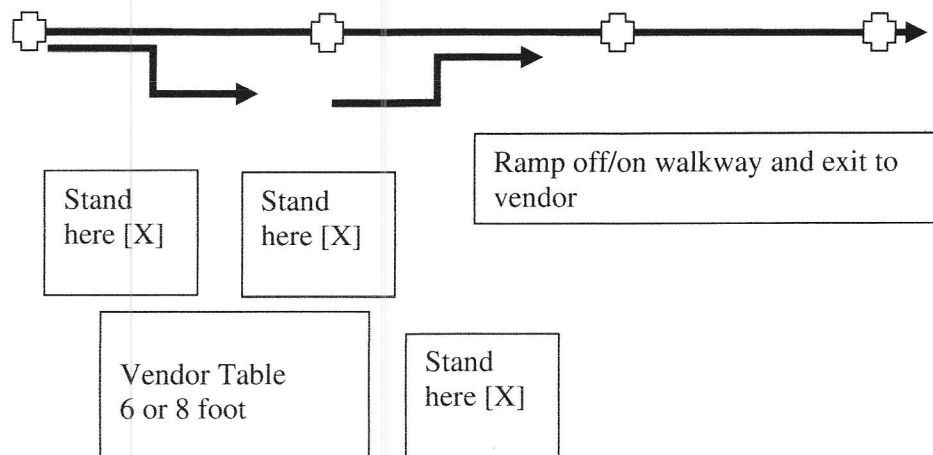
Directional walkways



The Needham Farmers Market will configure to meet the health and safety requirements in effect on the market day.

Detailed Description:

Concept of Directional Walkway Flow, Marked with Social Distancing Indicators



Contactless order fulfillment will be:

1. Vendors will be strongly encouraged to offer online payment such as PayPal, Venmo, square, etc and prepaid ordering.
2. Vendors will have prepaid order pickup at tableside with distancing markers.
3. Vendors will fill orders at table side with customer distancing markers, sanitized card handling, and sanitary cash handling.
4. Vendors will be strongly encouraged to price in whole dollars and eliminate making change as much as possible.

To maintain distancing and density these practices will be in effect

1. The vendors will be arranged to place a 10-foot distance between tents.
2. NFM staff people will monitor the shoppers and advise on distancing and safety.
3. Movement of the shoppers through the market will be organized into walkways and vendor exit ramps. This will be marked by caution tape and signs.

Safety requirements for shoppers will be:

1. Facemasks required on all.
2. No reusable bags
3. 6-foot social distancing.
4. Do not enter the market if sick
5. Adults only.
6. No pets

Safety requirements on vendors will be:

1. Agreement for safe employee behavior such as don't work if sick
2. Employees are masked and gloved.
3. Sanitizer and wipes will be available at all sales tables and equipment kept sanitized.
4. No tablecloths, only hard surface tables that can be cleaned with sanitizer.

Setup Time proposed 9 AM to noon, instead of the prior year's 10 AM - noon

1. Needed to manage the times for safe operation of farm trucks in Garrity way.
2. Needed to place markers and guide signs in the market space for health and safety purposes.

Customer Management

1. Needham Farmers Market staff will help customers move along so as not to linger in groups.
2. Needham Farmers Market staff will monitor density of people in the market and control entry of customers so as to maintain social distancing.

From: [Edward Olsen](#)
To: [Alexandra Clee](#); [Joseph Prondak](#); [Thomas Ryder](#); [John Schlittler](#); [Tara Gurge](#); [Timothy McDonald](#); [Tom Conroy](#); [Carys Lustig](#)
Cc: [Elisa Litchman](#); [Lee Newman](#); [Justin Savignano](#); [Donald Anastasi](#); [Jay Steeves](#); [Ronnie Gavel](#)
Subject: RE: Request for comment - Needham Farmers Market at Garrity's Way & Town Common
Date: Thursday, January 25, 2024 6:48:28 PM

Hi Alex,

I have reviewed the attached documents. The Parks & Forestry Division has no issues with this requested use of the Town Common.

Thank you.

Eddie

From: Alexandra Clee <aclee@needhamma.gov>
Sent: Thursday, January 25, 2024 12:22 PM
To: Joseph Prondak <jprondak@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Timothy McDonald <tmcDonald@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>
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Dear all,

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The Planning Board has scheduled this matter for February 27, 2024. Please send your comments by Wednesday February 21, 2024 at the latest.

The documents attached for your review are as follows:

1. Application for the Amendment to Major Project Special Permit No. 2022-01.
2. License Agreement between the Needham Farmers Market and the Town of Needham, dated January 10, 2024.
3. Plan entitled "Needham Farmers Market Layout - 2024."
4. Two letters from Jeffery M. Friedman, President, Needham Farmers Market, both dated

January 12, 2024.

Thank you, alex.

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov

From: [John Schlittler](#)
To: [Alexandra Clee](#)
Subject: Re: Request for comment - Needham Farmers Market at Garrity's Way & Town Common
Date: Friday, January 26, 2024 11:16:05 AM
Attachments: [Town Common NFM SP 2024 App.pdf](#)

Only issue would be parking I.e. bus lane, variety way and along Highland next to common. It will be enforced thanks

Sent from my iPhone

On Jan 25, 2024, at 12:22 PM, Alexandra Clee <aclee@needhamma.gov> wrote:

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Thank you, alex.

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov<<http://www.needhamma.gov/>>

From: [Joseph Prondak](#)
To: [Alexandra Clee](#); [Thomas Ryder](#); [Tara Gurge](#); [Timothy McDonald](#); [Tom Conroy](#); [Carys Lustig](#)
Cc: [Elisa Litchman](#); [Lee Newman](#); [Justin Savignano](#); [Donald Anastasi](#); [Jay Steeves](#); [Ronnie Gavel](#)
Subject: RE: Request for comment - Needham Farmers Market at Garrity's Way & Town Common
Date: Wednesday, February 21, 2024 1:03:20 PM

Hi Alex,

My only comment would be that if any portable toilets are proposed for the sites, at least one, at each site, must be accessible for persons with ability challenges and it must be placed in an accessible location, per CMR 521.

Thanks,

Joe P.

From: Alexandra Clee <aclee@needhamma.gov>
Sent: Tuesday, February 20, 2024 2:56 PM
To: Joseph Prondak <jprondak@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>
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Subject: RE: Request for comment - Needham Farmers Market at Garrity's Way & Town Common

If you wish to comment, just sending a reminder to please send comments by tomorrow, end of day.

Thanks, alex.

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov

From: Alexandra Clee
Sent: Thursday, January 25, 2024 12:22 PM
To: Joseph Prondak <jprondak@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>
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Thank you, alex.

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov

From: friedmanesq@aol.com
To: [Alexandra Clee](#)
Cc: [Lee Newman](#); [Phu Vo](#)
Subject: Re: Request for comment - Needham Farmers Market at Garrity's Way & Town Common
Date: Wednesday, February 21, 2024 4:12:34 PM

Hi Alex,

NFM will have no portable toilets at the Site or at anywhere else.

Best,
Jeff

Jeff Friedman
President, Needham Farmers Market

[Sent from the all new AOL app for iOS](#)

On Wednesday, February 21, 2024, 3:58 PM, Alexandra Clee <aclee@needhamma.gov> wrote:

FYI.

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov

From: Joseph Prondak <jprondak@needhamma.gov>
Sent: Wednesday, February 21, 2024 1:03 PM
To: Alexandra Clee <aclee@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>
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Thanks,

Joe P.

From: Alexandra Clee <aclee@needhamma.gov>
Sent: Tuesday, February 20, 2024 2:56 PM
To: Joseph Prondak <jprondak@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>
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Subject: RE: Request for comment - Needham Farmers Market at Garrity's Way & Town Common

If you wish to comment, just sending a reminder to please send comments by tomorrow, end of day.

Thanks, alex.

Alexandra Clee
Assistant Town Planner
Needham, MA
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Thank you, alex.

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Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov

From: [Tom Conroy](#)
To: [Alexandra Clee](#)
Subject: RE: Request for comment - Needham Farmers Market at Garrity's Way & Town Common
Date: Wednesday, February 21, 2024 1:31:01 PM
Attachments: [image001.png](#)

Hi Alex,
No issues with Fire.
Thank you.



Thomas M. Conroy

Fire Chief - Needham Fire Department

tconroy@needhamma.gov

Ph (781) 455-7580

From: Alexandra Clee <aclee@needhamma.gov>
Sent: Tuesday, February 20, 2024 2:56 PM
To: Joseph Prondak <jprondak@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>
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Thanks, alex.

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Thank you, alex.

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov

From: [Tara Gurge](#)
To: [Alexandra Clee](#)
Cc: [Lee Newman](#); [Timothy McDonald](#); [Sainath Palani](#)
Subject: Request for comment - Needham Farmers Market at Garrity's Way & Town Common
Date: Wednesday, February 21, 2024 5:00:52 PM
Attachments: [image002.png](#)
[image003.png](#)

Hello Alex –

Here are the Public Health Divisions comments for the Needham Farmers Market at Garrity's Way & Town Common. See comments below:

- Any market vendors that want to sell or distribute food or beverage items to the public will need to fill out our online food establishment permit application. Here is the direct link to the permit application for your reference - <https://needhamma.viewpointcloud.com/categories/1073/record-types/1006516> .
- The Market Manager must provide signed/dated written agreements from adjacent facilities stating that food vendors will have access to bathrooms from their neighboring establishments, which must be accessible for persons with ability challenges, during all hours that the market is open to the public, especially if Town Hall will not be open to the public or to the market vendors. The Market Manager must at least provide two options and must verify that these establishments are open and available before each market starts and throughout the duration of the market. If establishments with access to bathrooms are closed and an alternative nearby public bathroom cannot be identified, it may result in the restriction of certain market vendors that serve food from operating. (Please Note: The only exception will be if supplied portable toilets are brought on site, which will also need to be accessible.)
- It must made known to Needham Public Health Division staff whether electricity (or other utilities) will made available to all food vendors. If electricity is made available to a vendor, then they may be able to plug in electrical cold holding units and/or hot holding units. Vendors that need to plug in units must arrive well ahead of time to set up and ensure equipment reaches appropriate temperatures before use.
- All vendors that serve food and are permitted by the Public Health Division must be set up at least 30 minutes prior to the start of the market and be ready for inspections or check ins especially during the first week they work at the market. This will hopefully allow time for corrective actions to be taken without disrupting market and the vendors. We would like the Market Manager to assist with check-ins and oversee general operations throughout the market season and consult with the Public Health Division to address any situations that may result in harm to the public.
- The Market Manager must oversee and set up a main market hand wash sink to ensure that they are maintained and supplied with water, soap, paper towels, a waste receptacle and a hand wash sign, if they would like to accommodate vendors with will allow the preparation and direct handling of prepared foods for onsite consumption. The Public Health Division will also separately enforce requirements for each vendor that conducts food preparation to have their own hand washing stations and to bring approved food grade sanitizing wipes/products.

Each vendor should be responsible for cleanup of their general area and the Market Manager should ensure that areas are clean before, during and just after the market. There should be the appropriate number of trash barrels in the area to prevent littering. This is all in the effort reduce the chance for the attraction of pests to the area and onto the Town Common. These town trash barrels must be serviced at the conclusion of each market and area should be cleaned after the conclusion of each market.

- In the event of inclement weather, food preparations and storage must be done underneath a canopy/tent to provide overhead cover and to protect the food.
- No food trucks, trailers, hot dog carts or anything on wheels that is independently mobile will be allowed at the market, unless the Needham Select Board approves of this independently. Follow-up approvals will also need to be granted after a vehicle inspection is conducted by the Public Health Division.
- Food booths must comply with Food and Fire Code requirements and be permitted with the Public Health Division. Food permits must be printed off and displayed at the food vendor booths and re-displayed at each market. If there are conditions present that may cause immediate harm to the public and a corrective action cannot be taken, then our office reserves the right to suspend a vendor's permit to operate and have them cease operations.
- Our office will separately discuss and work with the Market Manager and vendors about what type of foods and types of activities will be safely allowed at the market. Each vendor is different with unique circumstances, and each will need to be assessed. More intense food preparation will not be allowed on premises due to the lack of plumbing and other natural restrictions that are present. All non-exempt food vendors must comply with the Food Code and these requirements will be reviewed with the Market Manager and each applying vendor.
- Food samples, if allowed, will also need to be assessed on a case-by-case basis, and only allowed if a food sampling protocol is submitted and approved by the Public Health Division.
- Needham Health Division is supportive of the Needham Farmer's Market and the ongoing efforts to create a community space around fresh and/or healthy foods that are locally sourced.

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

Thanks,



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

Email - tgurge@needhamma.gov
Web- www.needhamma.gov/health



please consider the environment before printing this email

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

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Subject: RE: Request for comment - Needham Farmers Market at Garrity's Way & Town Common

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Sent: Thursday, January 25, 2024 12:22 PM

To: Joseph Prondak <jprondak@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>

Cc: Elisa Litchman <elitchman@needhamma.gov>; Lee Newman <LNewman@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Donald Anastasi <DAnastasi@needhamma.gov>; Jay Steeves <steevesj@needhamma.gov>; Ronnie Gavel <rgavel@needhamma.gov>; Edward Olsen <eolsen@needhamma.gov>

Subject: Request for comment - Needham Farmers Market at Garrity's Way & Town Common

Dear all,

We have received the attached application materials for the proposal to hold the Needham Farmers Market to return to Garrity's Way and a portion of the Town Common. More information can be found in the attachments.

The Planning Board has scheduled this matter for February 27, 2024. Please send your comments by Wednesday February 21, 2024 at the latest.

The documents attached for your review are as follows:

1. Application for the Amendment to Major Project Special Permit No. 2022-01.
2. License Agreement between the Needham Farmers Market and the Town of Needham, dated January 10, 2024.
3. Plan entitled "Needham Farmers Market Layout - 2024."
4. Two letters from Jeffery M. Friedman, President, Needham Farmers Market, both dated January 12, 2024.

Thank you, alex.

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov

From: [Justin Savignano](#)
To: [Alexandra Clee](#)
Cc: [Thomas Ryder](#)
Subject: RE: Request for comment - Needham Farmers Market at Garrity's Way & Town Common
Date: Wednesday, February 21, 2024 5:33:43 PM

Hi Alex,

Engineering has no comment or objection to the set up for the town farmer's market. I will follow up with a letter.

Thanks,

Justin

From: Alexandra Clee <aclee@needhamma.gov>
Sent: Thursday, January 25, 2024 12:22 PM
To: Joseph Prondak <jprondak@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>
Cc: Elisa Litchman <elitchman@needhamma.gov>; Lee Newman <LNewman@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Donald Anastasi <DAnastasi@needhamma.gov>; Jay Steeves <steevesj@needhamma.gov>; Ronnie Gavel <rgavel@needhamma.gov>; Edward Olsen <eolsen@needhamma.gov>
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Thank you, alex.

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov

February 23, 2024

Needham Health Department
179 Rosemary St.
Needham, MA 02494

Dear Needham Health Department,

The vendors and shoppers at Needham Farmers Market are welcome to use our bathroom facilities on Sundays. We are open from 6 am to 3 pm on Sundays this year. The Market will be located at Garrity's Way and the Town Common.

Sincerely,

Bagels Best
113 Chapel St.
Needham, MA

A handwritten signature in cursive script, appearing to read "Mila G.", followed by a long horizontal flourish.



February 23, 2024

To: Tara Gurge, Assistant Director, Needham Department of Public Health
Alex Clee, Assistant Town Planner
Lee Newman, Director of Planning and Community Development
Jeff Friedman, President, Needham Farmers Market

Re: NFM Support for Use of YMCA Restrooms
Permit for Needham Farmers Market

Please accept this letter of support for the Needham Farmers Market, allowing shoppers and vendors access to the restroom facilities at the Charles River YMCA at 863 Great Plain Ave. on Sundays during the NFM's season, June 16th through October 27th, 2024, from 11 am to 3 pm.

Sincerely,

Paula Jacobson

Paula Jacobson
Executive Director
Charles River YMCA
863 Great Plain Ave.
Needham, MA. 02492
Direct 781-465-2584
Mobile 617-877-8228
pjacobson@ymcaboston.org

The Charles River YMCA is a branch of the YMCA of Greater Boston. We are dedicated to improving the health of mind, body, and spirit of individuals and families in our communities. We provide welcoming, belonging, and opportunity for all.

Established: 1953 (the original YMCA in Needham was founded in 1880)
The YMCA is a registered 501(c) 3 organization. Tax ID# 04-2103551

From: [Tara Gurge](#)
To: [Alexandra Clee](#)
Cc: [Lee Newman](#)
Subject: RE: Needham FarmeMarket - Special Permit
Date: Monday, February 26, 2024 11:51:43 AM

Alex -

So, after meeting with Sai, our inspector, and reviewing those restroom agreements, he feels that we should have a closer back up establishment. Have we checked with Walgreens, Cook or Masala Art yet by chance? We'd like to exhaust those additional closer options and have an adjacent restroom for the Farmer's Market food vendors to be able to use.

Wasn't Walgreens a participant before? Would they be willing to be a back-up again for this season's market?

Please let me know.

Thanks,
Tara

From: Alexandra Clee <aclee@needhamma.gov>
Sent: Monday, February 26, 2024 10:59 AM
To: Tara Gurge <TGurge@needhamma.gov>
Cc: Lee Newman <LNewman@needhamma.gov>
Subject: RE: Needham FarmeMarket - Special Permit

Thank you. Does the bathroom requirement seem to met from the BoH perspective?

THanks, alex.

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov

From: Tara Gurge <TGurge@needhamma.gov>
Sent: Monday, February 26, 2024 10:52 AM
To: Alexandra Clee <aclee@needhamma.gov>
Cc: Lee Newman <LNewman@needhamma.gov>
Subject: RE: Needham FarmeMarket - Special Permit

Thanks for sending. I will also provide to Sai, our Health Agent/inspector, to include with this upcoming season's Farmers Market permit review items. Will be sure to let you know if we need anything else re: those agreements.

Thanks,
Tara

From: Alexandra Clee <aclee@needhamma.gov>
Sent: Monday, February 26, 2024 10:24 AM
To: Tara Gurge <TGurge@needhamma.gov>
Cc: Lee Newman <LNewman@needhamma.gov>
Subject: FW: Needham FarmeMarket - Special Permit

Hi Tara,
Please see second letter regarding bathrooms attached. Please let us know if you have any comments or questions.

Thanks, alex.

Alexandra Clee
Assistant Town Planner
Needham, MA
781-455-7550 ext. 271
www.needhamma.gov/planning

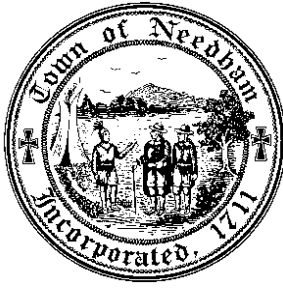
From: friedmanesq@aol.com <friedmanesq@aol.com>
Sent: Monday, February 26, 2024 10:15 AM
To: Alexandra Clee <aclee@needhamma.gov>
Cc: Lee Newman <LNewman@needhamma.gov>
Subject: Needham FarmeMarket - Special Permit

Hi Alex,

Attached is a letter from Paula Jacobson, Executive Director of the YMCA, to Tara Gurge on allowing vendors and shoppers access to its restroom facilities for 2024. Can this letter be added to the record before the Planning Board on Tuesday?

Best,
Jeff

Jeff Friedman
President, Needham Farmers Market



PLANNING & COMMUNITY DEVELOPMENT
PLANNING DIVISION

LEGAL NOTICE
Planning Board,
TOWN OF NEEDHAM
NOTICE OF HEARING

In accordance with the provisions of M.G.L., Chapter 40A, S.5, the Needham Planning Board will hold a public hearing on Tuesday, February 27, 2024 at 7:30 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 (further instructions for accessing by zoom are below), regarding certain proposed amendments to the Needham Zoning By-Law to be considered by the 2024 Annual Town Meeting.

To view and participate in this virtual meeting on your phone, download the “Zoom Cloud Meetings” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the following Meeting ID: 880 4672 5264

To view and participate in this virtual meeting on your computer, at the above date and time, go to www.zoom.us click “Join a Meeting” and enter the following ID: 880 4672 5264

**Or to Listen by Telephone: Dial (for higher quality, dial a number based on your current location):
US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or
+1 253 215 8782 Then enter ID: 880 4672 5264**

Direct Link to meeting: <https://us02web.zoom.us/j/88046725264>

Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment through Zoom or through calling in, or by attending the in-person meeting.

Persons interested are encouraged to call the Planning Board office (781-455-7550) for more information. A copy of the complete text of the proposed articles are detailed below. The article designations given have been assigned by the Planning Board for identification purposes only. An article number will subsequently be established by the Select Board for the Warrant.

ARTICLE 1: AMEND ZONING BY-LAW – AFFORDABLE HOUSING DISTRICT

To see if the Town will vote to amend the Zoning By-Law as follows:

1. In Section 2.1, Classes of Districts, by adding the following term and abbreviation under the subsection Residential:

“AHD – Affordable Housing District”

2. In Section 3, Use Regulations, by inserting a new Subsection 3.16, Affordable Housing District, to read as follows:

“3.16 Affordable Housing District

3.16.1 Purpose of District

The purpose of the Affordable Housing District (hereinafter referred to as AHD) is to promote the health, safety, and general welfare of the community by encouraging the establishment of affordable housing units, while minimizing potential adverse impacts upon nearby residential and other properties.

3.16.2 Scope of Authority

The regulations of the Affordable Housing District shall govern all new construction, reconstruction, or expansion of new or existing buildings, and new or expanded uses. Provisions of Section 3.16 shall supersede those of Section 3.2 (Schedule of Use Regulations), Section 4.1.5 (Minimum Required Lot Width), Sections 4.2 through 4.11 (Dimensional Regulations) and Section 5.1.2 (Required Parking), except as otherwise specifically provided herein. The Planning Board shall be the permitting authority for any multi-family housing development in the AHD.

3.16.3 Definitions

For the purposes of this section and the Needham Zoning By-Law, the following words and phrases shall have the following meanings:

- a. AHD Project – a multi-family housing development of affordable housing units, as defined in Section 1.3 of this By-Law.
- b. Multi-family housing- a building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building.
- c. Site Plan Review – the Site Plan Review process as provided in Section 7.4 that an applicant must obtain for any AHD project.

3.16.4 Allowed Uses

The following uses may be constructed, maintained, and operated by right:

- a. AHD Projects, after completion of Site Plan Review as provided in Section 7.4.
- b. Accessory buildings and uses to the use allowed by right.

3.16.5 Multiple Buildings in the Affordable Housing District

More than one building may be located on a lot in the AHD as a matter of right, provided that each building and its uses complies with the requirements of Section 3.16 of this By-Law.

3.16.6 Dimensional Regulations for AHD Projects in the Affordable Housing District

- a. Minimum Lot Area (Sq. Ft.): 20,000 SF
- b. Minimum Lot Frontage (Ft.): 150 FT
- c. Minimum Front Setback¹ (Ft.): 40 FT

¹ The front setback shall be a landscaped, vegetative buffer area, except that driveway openings, sidewalks, walkways and screened mechanical equipment may be located in the buffer area. Additionally, parking areas may be located in

- d. Minimum Side Setback² (Ft.): 25 FT
- e. Minimum Rear Setback³ (Ft.): 25 FT
- f. Maximum Floor Area Ratio: .5
- g. Maximum Dwelling Units Per Acre: 25
- h. Maximum Lot Coverage: 20%
- i. Maximum Height⁴: 58 FT
- j. Maximum Number of Stories: 4

3.16.7 Parking Requirements

- a. Notwithstanding anything in the By-Law to the contrary, for AHD Projects in the Affordable Housing District, the off-street parking requirement shall be .5 parking spaces per dwelling unit.
- b. For AHD Projects in the Affordable Housing District, the requirements of By-Law Section 5.1.3, Parking Plan and Design Requirements, shall apply.

3.16.8 Site Plan Review

- a. Site plan review under Section 7.4 of the By-Law shall be completed by the Planning Board for any AHD Project prior to the filing of an application for a building permit.
- b. For AHD Projects the site plan review filing requirements shall be those set forth in the By-Law for Major Projects as defined in Section 7.4.2.
- c. The procedure for the conduct of site plan review for an AHD project shall be as set forth in Section 7.4.4 of the By-Law.
- d. In conducting site plan review of an AHD project, the Planning Board shall consider the review criteria set forth in Section 7.4.6 of the By-Law.

3. In Section 7.4 Site Plan Review, Subsection 7.4.2 Definitions, by adding a new paragraph after the paragraph defining MAJOR PROJECT, to read as follows:

the buffer area, but must be set back at least 10 feet from the front lot line, which setback shall provide a landscaped buffer.

² Parking areas must be set back at least 5 feet from a side lot line.

³ Parking areas must be set back at least 5 feet from a rear lot line

⁴ Structures erected on a building and not used for human occupancy, such as chimneys, heating-ventilation or air conditioning equipment, solar or photovoltaic panels, elevator housings, skylights, cupolas, spires and the like may exceed the maximum building height provided that no part of such structure shall project more than 15 feet above the maximum allowable building height, the total horizontal coverage of all such structures, except roof-mounted solar energy systems, on the building does not exceed 25 percent, and all such structures are set back from the roof edge by a distance no less than their height. The Planning Board may require screening for such structures as it deems necessary. Notwithstanding the above height limitations, cornices and parapets may exceed the maximum building height provided they do not extend more than 5 feet above the highest point of the roof.

“In the Affordable Housing District, a MAJOR PROJECT shall be defined as any construction project which involves the construction of 10,000 or more square feet of gross floor area; or increase in gross floor area by 5,000 or more square feet; or any project which results in the creation of 25 or more off-street parking spaces; or any project that results in any new curb- or driveway-cut.”

4. In Section 7.4 Site Plan Review, Subsection 7.4.2 Definitions, by adding a new paragraph after the paragraph defining MINOR PROJECT, to read as follows:

“In the Affordable Housing District, a MINOR PROJECT shall be defined as any construction project which involves the construction of more than 5,000 but less than 10,000 square feet gross floor area; or an increase in gross floor area such that the total gross floor area after the increase is 5,000 or more square feet – and the project cannot be defined as a MAJOR PROJECT.”

ARTICLE 2: AMEND ZONING BY-LAW – MAP CHANGE FOR AFFORDABLE HOUSING DISTRICT

To see if the Town will vote to amend the Zoning By-Law by amending the Zoning Map as follows:

Place in the Affordable Housing District all that land now zoned Single Residence B and General Residence lying east of Linden Street, comprising parcels 23 and 24, on Assessors Map No. 133, parcel 41 on Assessors Map No. 134, and parcel 13 on Assessors Plan No. 45. Said land is bounded and described as follows:

Beginning at a concrete bound at the northwesterly corner of the property, on the easterly side of Linden Street; Thence, S 83° 26' 20" E for a distance of 107.02 feet to an iron rod; Thence, S 82° 15' 50" E for a distance of 87.89 feet to a concrete bound; Thence, S 08° 56' 11" W for a distance of 328.80 feet to a point; Thence, S 42° 44' 39" E for a distance of 159.58 feet to a point; Thence, S 23° 11' 00" W for a distance of 275.88 feet to a point; Thence, S 14° 57' 44" W for a distance of 199.48 feet to a point; Thence, S 86° 04' 45" E for a distance of 59.86 feet to a point; Thence, S 88° 37' 00" E for a distance of 37.49 feet to a point; Thence, S 86° 19' 44" E for a distance of 140.96 feet to a point; Thence, S 86° 19' 44" E for a distance of 26.25 feet to a point; Thence, along a curve turning to the right, having a radius of 2817.93 feet, a distance of 716.25 feet to a point; Thence, S 37° 38' 40" W for a distance of 530.86 feet to a point; Thence, N 52° 24' 02" W for a distance of 175.47 feet to a point; Thence, N 74° 08' 46" W for a distance of 39.96 feet to a point; Thence, N 21° 18' 16" E for a distance of 70.00 feet to a point; Thence, N 72° 56' 42" E for a distance of 165.00 feet to a point; Thence, N 59° 35' 49" E for a distance of 116.66 feet to a point; Thence, N 40° 49' 41" E for a distance of 118.66 feet to a point; Thence, N 21° 56' 08" E for a distance of 118.67 feet to a point; Thence, N 02° 41' 11" E for a distance of 122.65 feet to a point; Thence, N 09° 25' 32" W for a distance of 271.23 feet to a point; Thence, N 43° 37' 54" E for a distance of 103.44 feet to a point; Thence, N 20° 01' 11" E for a distance of 112.07 feet to a point; Thence, N 86° 04' 45" W for a distance of 22.72 feet to a point; Thence, N 78° 30' 10" W for a distance of 108.86 feet to a point; Thence, N 10° 27' 40" E for a distance of 823.79 feet to a point; Thence N 08° 57' 40" E a distance of 71.55 feet to the point of beginning.

Said parcel contains four hundred seventy-nine thousand two hundred fifty-four square feet more or less (479,254± S.F.)

Or take any other action relative thereto.

Interested persons are encouraged to attend the public hearing and make their views known to the Planning Board. This legal notice is also posted on the Massachusetts Newspaper Publishers Association's (MNPA) website at (<http://masspublicnotices.org/>).

Needham Hometown Weekly, February 1, 2024 and February 8, 2024.

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

TELEPHONE (781) 449-4520

FAX (781) 465-6095

February 12, 2024

Lee Newman, Planning Director
Town of Needham
1471 Highland Avenue
Needham, MA 02492

Re: 46 Heather Lane – ANR Plan

Dear Lee,

As you are aware, I represent Rocket Holdings, LLC, a Massachusetts limited liability company with an address of 725 Canton Street, Norwood, MA 02026 (hereinafter “Rocket” and the “Applicant”), owner, relative to the property at 46 Heather Lane, Needham, MA 02492 (the “Premises”). In connection therewith, submitted herewith please find the following:

1. One original mylar and three hard copies of plan entitled “Plan of Land, Needham, Massachusetts, prepared for Rocket Holdings, LLC”, dated January 29, 2024, prepared by Haley Ward, Inc., 510 Mechanic Street, Leominster, MA 01453 (the “Plan”),
2. One completed Application for Endorsement of Plan Believed not to Require Approval, signed by Rocket, being the current owner of the Premises (the “Application”); and
3. Check in the amount of \$200 for the applicable filing fee.

As indicated in the Application, every lot shown on the Plan has the area and frontage required by the Zoning By-Law on a way, as defined by Section 81-L of Chapter 41 of the General Laws. As a result, endorsement of the Plan as “Approval Not Required” is both proper and appropriate and is hereby requested at the first available opportunity.

Please let me know if you have any questions or require anything in connection with this request. As always, your courtesy and assistance are appreciated.

Sincerely,



George Giunta, Jr.

**TOWN OF NEEDHAM
MASSACHUSETTS**



PLANNING BOARD

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

APPLICATION FOR ENDORSEMENT OF PLAN
BELIEVED NOT TO REQUIRE APPROVAL

Submit three (3) copies. One copy to be filed with the Planning Board and one with the Town Clerk as required by Section 81-P, Chapter 41 of the General Laws. This application must be accompanied by the **Original Tracing** and **three (3) copies of the plan**.

To the Planning Board:

~~The undersigned~~, believing that the accompanying plan of land in the Town of Needham does not constitute a subdivision within the meaning of the Subdivision Control Law, for the reasons outlined below, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant Rocket Holdings, LLC
Address 725 Canton Street, Norwood, MA 02062
2. Name of Engineer or Surveyor Haley Ward, Inc.
Address 510 Mechanic Street, Leominster, MA 01453
3. Deed of property recorded in Norfolk County Registry,
Book 41355, Page 345
4. Location and description of property 46 Heather Lane, Needham, MA
5. Reasons approval is not required (check as applicable):

- ☒ a) Every lot shown has the area and frontage required by the Zoning By-Law on a way, as defined by Section 81-L, Chapter 41 of the General Laws.
- b) Land designated _____ shall not be used as separate building lot(s) but only together with adjacent lots having the required area and frontage.
- ~~c) Lot(s) having less than required frontage or area resulted from a taking for public purpose or have been recorded prior to 3/26/1925, no land is available to make up the deficiency and the frontage and land area of such lots are not being reduced by the plan.~~
- d) _____

(If the applicant is not the owner, written authorization to act as agent must be attached)

Rocket Holdings, LLC

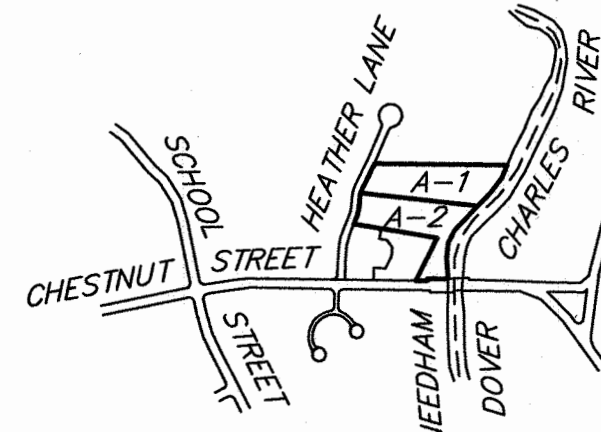
Signature of Applicant _____

Address 725 Canton Street, Norwood, MA 02062

By Steven Sands, Manager (agent)

Application accepted this _____ day of _____ 20____
as duly submitted under the rules and regulations of the Planning Board.

By _____



LOCUS
1" = 1000'

LOTS SHOWN ON
PLAN BOOK 698 PAGE 56
SEE NOTE 8

N/F WILLIAM J. PIERIAK
TRUSTEE OF THE WILLIAM J. PIERIAK TRUST
#67 HEATHER LANE
BOOK 40211 PAGE 447
(LOT 3)

N/F 766 CHESTNUT LLC
#53 HEATHER LANE
BOOK 36038 PAGE 67

LOTS SHOWN ON
PLAN BOOK 698 PAGE 56
SEE NOTE 8

N/F WILLIAM JOHN PIERIAK
#15 HEATHER LANE
BOOK 39912 PAGE 21
(LOT 1)

N/F KEVIN R. JAY
AND
SARA M. JAY
#776 CHESTNUT STREET
BOOK 21516 PAGE 380
LOT 1A, PLAN BOOK 527 PAGE 5

LOT 6 SHOWN ON
PLAN BOOK 698 PAGE 56
SEE NOTE 8

N/F WILLIAM J. PIERIAK
TRUSTEE OF THE WILLIAM J. PIERIAK TRUST
#50 HEATHER LANE
BOOK 40211 PAGE 451

**LOT A-1
2.87 ACRES ±**
97,200 ± SQ. FT. UPLAND
28,000 ± SQ. FT. WETLANDS/FLOOD PLAIN
125,200 ± SQ. FT. TOTAL
BUILD FACTOR: 8.11
TOTAL FRONTAGE: 169.69'

**LOT A-2
2.79 ACRES ±**
89,900 ± SQ. FT. UPLAND
31,600 ± SQ. FT. WETLANDS/FLOOD PLAIN
121,500 ± SQ. FT. TOTAL
BUILD FACTOR: 12.75
TOTAL FRONTAGE: 169.09'

OTHER LAND OF
ROCKET HOLDINGS, LLC
BOOK 41355 PAGE 345
LOT 2A, PLAN BOOK 527 PAGE 5
55,277 SQUARE FEET

LEGEND

FLOOD HAZARD ZONES	--- 98 ---
RIVERFRONT RIPARIAN ZONES	---
WETLANDS BOUNDARIES	---
CONCRETE BOUND TO BE SET BY OTHERS FOR HEATHER LANE SUBDIVISION	□

NEEDHAM PLANNING BOARD

APPROVAL UNDER THE SUBDIVISION CONTROL

DATE: _____ LAW NOT REQUIRED

NO DETERMINATION OF COMPLIANCE WITH
ZONING REQUIREMENTS IS EITHER MADE
OR INTENDED BY ENDORSEMENT OF THIS PLAN.

I CERTIFY THAT THIS PLAN IS BASED ON
AN ACTUAL FIELD SURVEY AND THE
LATEST PLANS AND DEEDS OF RECORD.

I CERTIFY THAT THIS PLAN CONFORMS TO
REGULATIONS OF REGISTERS OF DEEDS

NOTES:

- THE LAND SHOWN HEREON IS GRAPHICALLY SITUATED IN THE RURAL RESIDENCE-CONSERVATION ZONING DISTRICT, WITH THE FOLLOWING MINIMUM DIMENSIONAL REQUIREMENTS:
MINIMUM LOT AREA 43,560 SQ. FT. (1.00 ACRE)
MINIMUM LOT FRONTAGE 150 FEET
MINIMUM LOT WIDTH 150 FEET
MINIMUM FRONT SETBACK 50 FEET
MINIMUM SIDE SETBACK 25 FEET
MINIMUM REAR SETBACK 25 FEET
MINIMUM LOT COVERAGE 15 PERCENT
MAXIMUM HEIGHT 35 FEET/2.5 STORIES
- A PORTION OF THE LAND SHOWN HEREON IS GRAPHICALLY SITUATED IN A SPECIAL FLOOD HAZARD AREA (1 PERCENT ANNUAL CHANCE OF FLOOD) PER FLOOD INSURANCE RATE MAP 25021C0038E, DATED JULY 17, 2012. THE CURRENT FLOOD INSURANCE RATE MAP SHOWS THE FLOOD ELEVATION TO BE 96 FEET (NAVD 1988). THE ZONING MAP OF THE TOWN OF NEEDHAM SHOWS THE FLOOD ELEVATION TO BE 98 FEET. BOTH FLOOD HAZARD ZONE BOUNDARIES ARE SHOWN HEREON, BASED ON DIRECT MEASUREMENT OF GROUND ELEVATIONS.
- DEED REFERENCE: BOOK 41355 PAGE 345
ROCKET HOLDINGS, LLC
THE REFERENCED DEED INCLUDES:
PARCEL 1 (NEEDHAM) - LOT A (LESS EXCEPTION) SHOWN ON PLAN BOOK 76 PLAN NO. 3664 (INCLUDES LOT A-1 LOT A-2 AS SHOWN HEREON);
PARCEL 2 (DOVER) - LOT D SHOWN ON PLAN BOOK 2939 PAGE 13 (NOT INCLUDED IN THIS SURVEY); AND
PARCEL 3 (NEEDHAM) - LOT 2A SHOWN ON PLAN BOOK 527 PAGE 5 (NOT INCLUDED IN THIS SURVEY).
- PLAN REFERENCES:
PLAN BOOK 76 NO. 3664 (LOCUS)
PLAN BOOK 527 PAGE 5 (LOCUS)
PLAN BOOK 1575 PAGE 91 (HIGHWAY)
PLAN BOOK 1577 PAGE 94 (HIGHWAY)
PLAN BOOK 259 PAGE 201 (HIGHWAY)
PLAN BOOK 584 PAGE 53 (HIGHWAY)
PLAN BOOK 1823 PAGE 212 (ABUTTER)
PLAN BOOK 2297 PAGE 501 (NO. 589) (ABUTTER)
PLAN BOOK 410 PAGE 828 (ABUTTER)
PLAN BOOK 478 PAGE 511 (ABUTTER)
PLAN BOOK 189 PAGE 1094 (SEWER)
PLAN BOOK 378 PAGE 214 (SEWER)
PLAN BOOK 2939 PAGE 13 (NO. 1002) (DOVER)
PLAN BOOK 696 PAGES 56, 57, 58 (HEATHER LANE SUBDIVISION)
- OWNER:
ROCKET HOLDINGS, LLC
130 PROSPECT STREET
CAMBRIDGE MA 02139
- ADDRESS OF SUBJECT PREMISES:
#46 HEATHER LANE (PRIOR TO LOT DIVISION)
- ASSESSORS' PARCEL ID: 199/204.0-0057.0000.0
- HEATHER LANE AND ADJOINING BUILDING LOTS 1, 2, 3 AND 6 ARE ADOPTED HEREON FROM DEFINITIVE SUBDIVISION PLAN OF HEATHER LANE RECORDED IN PLAN BOOK 698 PAGES 56, 57 AND 58, DATED MARCH 3, 2020, MOST RECENTLY REVISED ON SEPTEMBER 1, 2020. MINOR MATHEMATICAL DISCREPANCIES DISCOVERED IN THIS PLAN REGARDING THE LAYOUT OF HEATHER LANE HAVE BEEN ADDRESSED HEREON BY HOLDING THE REPORTED CENTRAL ANGLES (Δ) OF THE LAYOUT SIDELINE CURVES.
- ON PLAN BOOK 698 PAGE 56, THE FRONTAGE OF LOT 6, ADJOINING HEATHER LANE AND ABUTTING LOT A-1, IS NOT FULLY DIMENSIONED. THE LOT 6 FRONTAGE IS REPORTED ELSEWHERE ON THE PLAN AS 162 FEET, WHICH DIMENSION IS ADOPTED HEREON.
- THE LAND WITHIN THE BOUNDS OF HEATHER LANE IS ASSESSED TO JOHN PIERIAK, TRUSTEE OF THE HEATHER LANE HOMEOWNERS ASSOCIATION, BOOK 39035 PAGE 321.
- BOTH PROPOSED LOTS A-1 AND A-2, SHOWN HEREON, HAVE FRONTAGE ON HEATHER LANE.
- THE PURPOSE OF THIS PLAN IS TO DIVIDE #46 HEATHER LANE INTO LOT A-1 AND LOT A-2.
- THE DEFINITIVE SUBDIVISION PLAN OF HEATHER LANE, RECORDED IN PLAN BOOK 698 PAGES 56, 57 AND 58, DATED MARCH 3, 2020 AND MOST RECENTLY REVISED ON SEPTEMBER 1, 2020, DEPICTS ADJOINING LAND OF 770 CHESTNUT STREET LLC, NOW ROCKET HOLDINGS, LLC, AS A SINGLE TRACT OF LAND, INCLUDING LOT 2A AS SHOWN ON PLAN BOOK 527 PAGE 5. SINCE THE HEATHER LANE SUBDIVISION DOES NOT ENCOMPASS THE LAND OF ROCKET HOLDINGS, LLC, THE IMPLIED MERGER OF LOT 2A WITH THE ADJACENT LAND OF ROCKET HOLDINGS, INC. (DIVIDED HEREON INTO LOT A-1 AND LOT A-2) HAS NO EFFECT. LOT 2A REMAINS A SEPARATE LOT, PER PLAN BOOK 527 PAGE 5, AND IS NOT ENCOMPASSED BY THE CURRENT PLAN OF JANUARY 29, 2024.

PLAN OF LAND IN NEEDHAM, MASS.

PREPARED FOR

ROCKET HOLDINGS, LLC

JANUARY 29, 2024

40 0 40 80

HALEY WARD, INC.

ENGINEERING - ENVIRONMENTAL - SURVEYING
510 MECHANIC STREET - LEOMINSTER, MASSACHUSETTS 01453

PLAN 6-G-193

TOWN OF NEEDHAM
MASSACHUSETTS



PLANNING BOARD

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

APPLICATION FOR ENDORSEMENT OF PLAN
BELIEVED NOT TO REQUIRE APPROVAL

Submit three (3) copies. One copy to be filed with the Planning Board and one with the Town Clerk as required by Section 81-P, Chapter 41 of the General Laws. This application must be accompanied by the **Original Tracing** and **three (3) copies of the plan**.

To the Planning Board:

The undersigned, believing that the accompanying plan of land in the Town of Needham does not constitute a subdivision within the meaning of the Subdivision Control Law, for the reasons outlined below, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant Brendon-Silva, LLC (formerly known as Brendon-Mota, LLC)
Address 259 Turnpike Road, Suite 110, Southborough, MA 01772
2. Name of Engineer or Surveyor Field Resources
Address 281 Chestnut Street, Needham, MA 02492
3. Deed of property recorded in Norfolk County Registry,
Book 269, Page 577-1978
4. Location and description of property 543 Grindale Ave
5. Reasons approval is not required (check as applicable):
 - ☒ a) Every lot shown has the area and frontage required by the Zoning By-Law on a way, as defined by Section 81-L, Chapter 41 of the General Laws.
 - b) Land designated _____ shall not be used as separate building lot(s) but only together with adjacent lots having the required area and frontage.
 - c) Lot(s) having less than required frontage or area resulted from a taking for public purpose or have been recorded prior to 3/26/1925, no land is available to make up the deficiency and the frontage and land area of such lots are not being reduced by the plan.
 - d) _____

(If the applicant is not the owner, written authorization to act as agent must be attached)

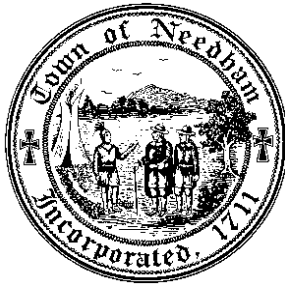
Signature of Applicant [Signature]

Address c/o Brendon Properties Inc (as stated above)

By _____ (agent)

Application accepted this _____ day of _____ 20____
as duly submitted under the rules and regulations of the Planning Board.

By _____



PLANNING & COMMUNITY DEVELOPMENT
PLANNING DIVISION

**AMENDMENT TO DECISION
February 27, 2024**

**MAJOR PROJECT SITE PLAN SPECIAL PERMIT
Center Automotive, Inc.
Application No. 97-12
(Original Decision December 2, 1997, amended October 10, 2000)**

Decision of the Planning Board (hereinafter referred to as the “Board”) on the petition of Center Automotive, Inc., 444 Hillside Avenue, Needham, MA (hereinafter referred to as the “Premises”). Said property is shown on Needham Town Assessors Plan, No. 100 as Parcel 61, and part of Parcel 7 containing 33,274 square feet.

This Decision is in response to an application submitted to the Board on January 25, 2024, filed with the Town Clerk on January 29, 2024, by the Petitioner for a Major Project Site Plan Special Permit Amendment under Section 7.4 of the Needham Zoning By-Law (hereinafter the By-Law) and Section 3.2 of Major Project Special Permit No. 97-12, dated December 2, 1997, amended October 10, 2000. The Petitioner has requested recognition from the Planning Board that the site incorporates a portion of the adjacent property that the Petitioner acquired at 422 Hillside to use for accessory parking.

The changes requested are deemed minor in nature and extent and do not require public notice or public hearing. Testimony and documentary evidence were presented to the Board on February 5, 2024, in the Charles River Room of the Public Services Administration Building, 500 Dedham Avenue, Needham, Massachusetts. Board members Adam Block, Jeanne S. McKnight, Paul S. Alpert, Natasha Espada and Artie Crocker were present throughout the proceedings. After testimony and documentary evidence were presented the Board took action on the matter.

EVIDENCE

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

- Exhibit 1 - Application Form for Site Plan Review completed by the applicant’s representative dated January 29, 2024.
- Exhibit 2 - Letter from George Giunta Jr., Attorney, dated January 24, 2024.
- Exhibit 3 - Plan of Land in Needham, Mass., prepared by Needham Survey Associates, Inc., 281 Chestnut Street, Needham, MA, dated May 27, 1997.
- Exhibit 4 - Plan of Land in Needham MA, prepared by Hancock Associates, 185 Centre Street, Danvers, MA, dated June 15, 2022.

Exhibit 5 - Inter Departmental Communication (IDC) to the Needham Planning Board from the Needham Fire Department, Chief Tom Conroy, dated February 1, 2024; IDC to the Needham Planning Board from the Needham Police Department, Chief John Schlittler, dated February 1, 2024; and IDC to the Needham Planning Board from Tara Gurge, Needham Health Division, dated January 29, 2024.

Exhibits 1, 2, 3 and 4 shall constitute the Plan.

FINDINGS AND CONCLUSIONS

The findings and conclusions made in Major Project Site Plan Special Permit No. 97-12, dated December 2, 1997, amended October 10, 2000 were ratified and confirmed except as follows:

1. A portion of the Premises is the subject of Major Project Site Plan Decision, Application #97-12, filed with the Town Clerk on December 4, 1997 (the “Decision”), which permitted the demolition of a prior existing building and the construction of a new building to be used as a commercial garage for the storage and repair of vehicles, with accessory sales of vehicle related products.
2. The Decision was later amended by Amendment dated October 11, 2000, filed with the Town Clerk on October 20, 2000 (the “Amendment”), which permitted the sale, storage, and display of used vehicles.
3. At the time of the Decision and the Amendment, the subject locus consisted of a parcel of land at the corner of Hillside Avenue and Easy Street (a private Right of Way) consisting of approximately 25,283 square feet of land, with 166.25 feet of frontage on Hillside Avenue and 200.68 feet of frontage on Easy Street the “Original Locus”). At the time of the Decision, that parcel was shown as Lot 6J on the 1997 Plan (Exhibit 3) and was bounded to the North by Lot 6H and to the East by Lot 6G, on said plan.
4. In 1999, a commercial building was constructed on said Lots 6H and 6G as shown on the 1997 Plan (Exhibit 3). That building was used and occupied for many years by Gentle Giant Moving and Storage for warehouse and distribution purposes. It was also used for several years by a gymnastics school before Gentle Giant returned to the building.
5. In 2007, a portion of said Lot 6G as shown on the 1997 Plan (Exhibit 3), situated behind the building at 444 Hillside Avenue, was put into service as accessory parking for the benefit of the automotive repair business on the Original Locus. Such use has continued to the present day, including when both Gentle Giant and the gymnastics school used the building at 422 Hillside Avenue.
6. Somewhat recently, in 2022, Lots 6G, 6H and 6J were reconfigured into two new lots, Lots 6L and 6M, pursuant to the 2022 ANR Plan (Exhibit 4). Lot 6L was conveyed and has continued to be used by Gentle Giant while the accessory parking behind the building at 444 Hillside Avenue has become a part of the Original Locus. The Decision included the following condition (emphasis added):

“3.1 That the building, parking areas, driveways, walkways, landscape areas, and other 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.*”
7. By virtue of the 2022 ANR Plan (Exhibit 4), the site, and consequently, the Plan, have been modified

to incorporate the accessory parking. As a result, further approval is necessary to comply with the requirements of the Decision. Whereas (a) the accessory parking is not required in connection with the automotive repair use, but rather, is a convenience only, (b) no changes to any existing conditions are proposed or contemplated, (c) the existing conditions were shown on the 2022 ANR plan endorsed by the Board; (d) no change to the use or operation of the automotive repair business is proposed or contemplated, and (e) the accessory parking has been in use since 2007, the request is appropriate as a de minimus change.

8. The proposed changes are deemed minor in nature and do not require public notice or hearing.

DECISION

NOW THEREFORE, by unanimous vote of the Planning Board, the Board votes that:

1. The proposed changes are minor in nature and do not require a public notice or a public hearing. No 20-day appeal period from this Amendment of Decision is required.
2. That the requested modifications are granted consistent with the Plan, subject to and with the benefit of the following conditions and limitations.

CONDITIONS AND LIMITATIONS

The plan modifications, conditions and limitations contained in Major Project Site Plan Special Permit No. 97-12, dated December 2, 1997, amended October 10, 2000 are ratified and confirmed except as modified herein.

1. The Planning Board recognizes and acknowledges that the Premises incorporates a portion of the adjacent property that the Petitioner acquired at 422 Hillside to use for accessory parking, as shown on the Plan.
2. This approval shall be recorded in the Norfolk District Registry of Deeds. This Major Site Plan Special Permit amendment shall not take effect until the Petitioner has delivered written evidence of recording to the Board.

Witness our hands this 27th day of February, 2024.

NEEDHAM PLANNING BOARD

Adam Block, Chairperson

Natasha Espada

Paul S. Alpert

Artie Crocker

Jeanne S. McKnight

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss _____, 2024

On this ____ day of _____, 2024, before me, the undersigned notary public, personally appeared _____, one of the members of the Planning Board of the Town of Needham, Massachusetts, proved to me through satisfactory evidence of identification, which was _____, 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:

My Commission Expires:_____

Copy sent to:

Petitioner
Town Clerk
Building Inspector
Director, PWD
Board of Health
Conservation Commission
Board of Selectmen
Engineering
Fire Department
Police Department
George Giunta, Jr.

NEEDHAM PLANNING BOARD MINUTES

December 5, 2023

The Needham Planning Board meeting, held in the Charles River Room of the Public Services Administration Building and virtually using Zoom, was called to order by Adam Block, Chairman, on Tuesday, December 5, 2023, at 7:00 p.m. with Messrs. Crocker and Alpert, Mmes. McKnight and Espada, Planner, Ms. Newman and Assistant Planner, Ms. Clee.

Mr. Block noted this is an open meeting that is being held in a hybrid manner per state guidelines. He reviewed the rules of conduct for all meetings. This meeting does not include any public hearings and public comment will not be allowed. If any votes are taken at the meeting the vote will be conducted by roll call. All supporting materials, including the agenda, are posted on the town's website.

ANR Plan – Judson Garrett Parker Jr. and Helen Frame Peters, Petitioners (Property located at 133 South Street, Needham, MA).

Ms. Newman stated the plan is compliant.

Upon a motion made by Mr. Alpert, and seconded by Ms. McKnight, it was by a vote of the five members present unanimously:

VOTED: to endorse the plan ANR (subdivision approval not required).

De Minimus Change: Major Project Site Plan Review Special Permit No. 1998-11: 117 Kendrick DE, LLC, 116 Huntington Ave., #600, Boston, MA 02116, Petitioner (Property located at 117 Kendrick Street, Needham, MA).

Mr. Block noted, for the record, he and Mike Wilcox are both members of the Council of Economic Advisors (CEA). He stated this subject has not been discussed ~~by~~ the CEA.

Mr. Block noted the following correspondence for the record: a memo from the Design Review Board (DRB), dated 11/12/23, approving the change; an email from Building Commissioner Joseph Prondak, dated 11/16/23, noting no concerns; an email from Fire Chief Thomas Conroy, dated 11/16/23, noting the project looks good; an email from Police Chief John Schlittler, dated 11/28/23, with a question; an email from Attorney Timothy Sullivan, dated 11/30/23; with a response to Chief Schlittler's question; an email from Police Chief John Schlittler, dated 12/4/23, noting he is ok with the project; and an email from Town Engineer Thomas Ryder, dated 12/4/23, with comments.

Timothy Sullivan, Attorney for the proponent, noted this is a limited-service loading bay for special deliveries. The deliveries will be one to 2 times per week for life science deliveries. There is no building footprint change. At the last meeting the Board's direction was this was a minor modification. DRB has approved and he has filed the application. He briefly went through the presentation to highlight what was being done. This fronts on the corner of Third Avenue and Kendrick Street. The applicant wants to make the space attractive to life sciences. This bay would avoid having to go through the entire building for deliveries. This cuts into an area that already has pavement there. Mr. Sullivan noted there would be the typical delivery vehicles, which would be vans and small trucks. Mr. Sullivan showed the existing and proposed exterior elevations and discussed traffic movement and the gap study. He noted this does not change the traffic.

Ms. Espada stated she wants to make sure the pedestrian experience adjacent to the highroadway is safe. She commented the applicant talked about putting bollards in or something like that. Mr. Sullivan stated the doorway is there, but it is not the main entrance. Ms. Espada asked if there is a delineated walkway. Mr. Sullivan noted trucks would back in, but people can continue to walk along the sidewalk on Third Avenue. Mr. Wilcox stated they looked

at the lack of activity and deliveries are about once per week. He does not feel there will be a problem. Ms. Espada asked if there would be bollards, so the trucks do not hit the building. Mr. Wilcox feels that would not be a bad idea. Sean Manning, of VHB, noted there are 2 small building bumpers there and bump mats on the sidewalk. Mr. Alpert questioned how much pedestrian traffic really is at this site. Is it anticipated the cars would be ~~parking on~~ Third Avenue or parking on the other side of the building and pedestrians walking to this space? Is there parking on Third Avenue? Mr. Wilcox stated this is just for service only. People will enter at one of the 3 main access points. Mr. Alpert asked for clarification as to whether all parking is on the other side and people will park there. This was confirmed.

Upon a motion made by Mr. Alpert, and seconded by Mr. Crocker, it was by a vote of the five members present unanimously:

VOTED: to accept this as a minor modification.

The Board will vote on the decision in 2 weeks.

Board of Appeals – December 14, 2023.

Mr. Block noted 30 Wilshire Park and 1699 Central Avenue have already been dealt with.

460 Hillside Avenue – Dish Wireless, LLC, applicant

Ms. McKnight noted this is across from the Rosemary Ridge Condominiums and she is on the Board of Trustees. She recused herself but noted she did not get a notice of hearing as a unit owner ~~tenant~~. She left the room. Mr. Block asked if Ms. McKnight should have received notice as an abutter. Ms. Newman is not sure who the notice was sent to. She will check but noted it is not a Planning Board issue. There were no comments or questions from the Board members.

Upon a motion made by Mr. Alpert, and seconded by Ms. Espada, it was by a vote of the four members present unanimously:

VOTED: “No comment.”

320 Grove Street – Corbin Petro and Jessica Gelman, owners

Mr. Block stated this is a request to demolish the existing single family house and rebuild due to flooding issues. Mr. Crocker ~~said he is~~ was not clear on what they are trying to do. Mr. Alpert noted the minimum required setback was 15 feet when the house was built but the minimum setback was extended to 25 feet when the setbacks were revised in 2017. The applicant is saying it would be a hardship to build it at a 25-foot setback. It appears the applicant is trying to get the house to higher ground. Mr. Crocker wants to make sure anything the applicant does ~~does-will~~ not have water going toward the neighbor's lot. Mr. Block stated the builder has an obligation to make sure that does not happen. Mr. Alpert noted there have been issues with that.

Ms. McKnight stated she does not have substantive comments, as she would leave that to the Board of Appeals, but under the circumstance of a prior non-conforming structure and rebuilding in a different part of the lot would the appropriate process be under 40A Section 6 for a finding under the Board of Appeals that it is not more detrimental? Ms. Newman noted once the house is demolished, they would be starting with a clean slate. Mr. Crocker stated the applicant is not rebuilding their house but a house that is 50% larger and they want it closer to the property line. More of it is closer to the property line and a lot more of the house is non-conforming. Mr. Alpert noted, presently it is 15 feet from the property line. The new construction will be 17 ½ feet away so it would be 2 ½ feet further way from the property line. This is just because the Board changed zoning from 15 feet to 25 feet. Mr. Crocker feels the Board should make a comment. Mr. Alpert commented it was interesting the Conservation Commission is allowing the applicant to build ~~ing~~ in the 25-foot buffer zone.

Upon a motion made by Mr. Alpert, and seconded by Ms. Espada, it was by a vote of the five members present unanimously:

VOTED: "No comment."

Minutes

Mr. Block noted on page one of the 9/19/23 minutes, Mr. Crocker's comment "think about the noise with closing off an open restaurant" is unclear. Mr. Crocker stated he was suggesting closing off the kitchen and creating a narrower portion of the dining area. Mr. Block noted on page 2, under 888 Great Plain Avenue, it mentions the 4th floor pushed back. He was curious what the setback from the 4th floor was and not the 3rd floor. It should be set back from the front façade of the 4th story. All agreed. Mr. Alpert noted on page 3, 2nd to last paragraph, he wants to make sure when cars come out of the driveway there is enough line of sight. It was agreed there should be a safe sight line for exiting vehicles with cars parked on Great Plain Avenue. Mr. Block noted on page 3, trade routes, he was referring to movement on Great Plain Avenue. Ms. Espada stated pedestrian routes need to be planned more efficiently. Mr. Block noted the sentence should be deleted.

Mr. Block noted on page 5, Ms. Espada was talking about solar energy. He feels something should be added. He noted the Board was discussing charging stations. He suggested deleting the sentence in yellow. Ms. Espada agreed something should be added about electric charging stations. Ms. McKnight asked if large scale was by special permit or by right. Ms. Newman noted the Board did say large scale ground mounted would be in the overlay. Mr. Block noted small scale by right and medium scale would be by right with site plan review, not a special permit. Mr. Block stated on page 6, add "Medical" to "Highland Avenue Building."

Upon a motion made by Ms. McKnight, and seconded by Mr. Crocker, it was by a vote of the five members present unanimously:

VOTED: to accept the minutes of 9/19/23 as red lined with changes discussed at this meeting.

Report from Planning Director and Board members

Ms. Newman noted the Planning Department budget has been submitted to the Town Manager. She will meet with John Connelly and John Colletti for any questions they have. She will be in front of the Finance Committee 1/24/24 to answer any questions. She has asked for the replenishment of the \$60,000 study money. There will be questions of how the money has been spent. She is putting that together. She has also asked for the replenishment of the small repair grant fund and there will be questions on where that was spent. She has added a planner and is asking the administrative staff be increased from part-time to full-time. The cost is \$60,000 for a planner and \$12,000 for the administrative staff. The Board discussed replacing Karen Sunnarborg, who has resigned.

Ms. Newman noted she is hoping to have the solar zoning and Housing Authority zoning ready to go for the 2nd week in February. She hopes to have the solar draft done for the next meeting. Mr. Block stated there are a couple of areas of clarification on solar he and Mr. Crocker will discuss Thursday and it will be finalized at the next meeting. Mr. Block asked if the HONE Committee has discussed how to modify the overlay to the Center Business District. Ms. Newman noted that has not been discussed yet. HONE has decided to include a portion of the Center Business District in their initial modeling of it. They are looking at a loop that might grab the municipal parking lot behind CVS, across the street to the car dealership and grab the industrial district there. Ms. McKnight stated it would go down Garden Street, which would be the connector.

Mr. Block asked what the density would be. Ms. Newman noted initially it would be modeled under the existing zoning of 18 units per acre. The overlay does not have a density limit. Mr. Block asked how 50 Dedham Avenue got 12 units. Ms. Newman stated the overlay does not have that restriction and that is what the applicant proposed. Mr. Block feels they need to increase the number of units to make it more transit oriented. He wants to achieve getting more cars off the streets. Ms. Newman stated it could be done under the overlay. Mr. Block would like to encourage the HONE Committee to think carefully about Mixed-Use allowed not by special permit but by right in the overlay district.

Correspondence

Mr. Block noted an email from Stephen Frail, dated 11/28/23, regarding the pending Solar By-Law. He has asked that it be put in the next packet for when they are talking about solar. There is also a notice from the City of Newton regarding 307 apartments dated 10/27/23 with comments due 11/17/23 and the Town Managers Office received correspondence, ~~dated 12~~dated 12/4/23, from Scott Schwartz regarding the redevelopment of the Linden Chambers apartments. This was forwarded to the Planning Board and the Housing Authority.

Executive Session pursuant to M.G.L. c30A, §21 purpose 7 (to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements): Review and approve minutes of prior executive sessions.

Mr. Block noted the Board will go into Executive Session. Mr. Alpert and Ms. Espada are recused and will leave for the Executive Session.

Upon a motion made by Ms. McKnight, and seconded by Ms. Espada, it was by a vote of the five members present unanimously:

VOTED: to go to Executive Session pursuant to M.G.L. c30A, §21 purpose 7 and adjourn this meeting directly from the Executive Session without returning to the meeting at 8:13 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Natasha Espada, Vice-Chairman and Clerk

NEEDHAM PLANNING BOARD MINUTES

December 6, 2023

The Needham Planning Board and Needham Housing Authority joint meeting, held in the Performance Center of the Broadmeadow School and virtually using Zoom, was called to order by Adam Block, Planning Board Chairman, and Reg Foster, Housing Authority Chairman, on Wednesday, December 6, 2023, at 7:00 p.m. with Messrs. Crocker, Alpert and Scheideler, Mmes. McKnight, Espada and Penny Kirk, as well as Planner, Ms. Newman and Assistant Planner, Ms. Clee.

Mr. Block noted this is an open meeting that is being held in a hybrid manner per state guidelines. He reviewed the rules of conduct for all meetings. This is a special joint ~~meeting is meeting~~ to discuss the redevelopment of the Linden/Chambers site. It does not include any public hearings ~~and but~~ public comment will be allowed. If any votes are taken at the meeting, the vote will be conducted by roll call. All supporting materials, including the agenda, are posted on the town's website.

Welcome and Introduction (Adam Block, Chair, Needham Planning Board and Reg Foster, Chair, Needham Housing Authority).

Mr. Block stated the Housing Authority is looking to redevelop the Linden/Chambers site. This would require a zoning amendment. The meeting tonight is to provide an overview of the existing conditions and the framework for the zoning. Dan Chen, of BH+A, will discuss the specific project. Then it will be opened for public comment.

Linden/Chambers – Review of existing conditions (Reg Foster, Chair, Needham Housing Authority).

Mr. Foster stated he has been on the Housing Authority Board since 2009. The Board was formed in 1948. The Housing Authority added 360 units from the 1960s to the 1980s on 43 acres of land. There is a 50/50 split between family ~~housing unitsies~~ and elderly ~~housing units~~. This is deeply affordable housing, and the Authority ~~also~~ administers 123 Section 8 vouchers. The Needham Housing Authority provides almost 50% of affordable housing in Needham but they are falling short of their mission. He noted 50% of the buildings are in need of rehabilitation.

Mr. Foster reviewed the existing conditions. It is a difficult site with only one half ~~of the land area~~ buildable. The original project included 18 buildings on the north side each with 4 units, then there are 80 units in 5 2-story buildings. The buildings are 60 years old, worn out and in need of complete reconstruction. The studio ~~units~~ are cramped with 420 square feet. He noted the other major problem is the buildings are not energy efficient and are non-compliant with ADA requirements. The laundry is on the 2nd floor of the buildings. This housing was the top town priority in the 2004, the 2007 and the current housing plans. The Needham Housing Authority is proposing the redevelopment of the Linden/Chambers site, starting construction within 2 years.

Mr. Foster stated the project will replace 152 existing units with 152 larger, one-bed~~room~~ units and will create 100 new units of deeply affordable housing. The building setbacks have been moved ~~back from lot lines~~ as much as possible. More green space is being created for more recreational use from Spring to Fall. The critical objectives are attractive landscaping, a design that fits in the neighborhood while preventing encroachment to the existing wetlands on all 3 sides and to fix tenant accessibility problems with elevators and designs while preserving and improving amenities now. They want aging in place as much as possible and ~~want to~~ ensure fundability from state and federal resources. The Needham Housing Authority has come up with a building design, but it does not comply with ~~current~~ zoning, which is Single Residence and General Residence.

Proposed zoning (Adam Block, Chair, Needham Planning Board).

Mr. Block stated the Planning Board is considering a Zoning By-Law amendment provided by the Counsel for the Housing Authority. This would enable multi-family by right with a site plan review process. He explained the

process. He noted financing sources require stability in the permitting process. By-right is more stable. He discussed the dimensional requirements, current and proposed. He noted the proposed **required** frontage is going from 80 feet to 250 feet, front yard setback from 20 feet to 40 feet, side yard setback from 14 feet to 25 feet and rear setback from 20 feet to 25 feet. The heights have different elements. He noted a sloped roof is going from 35 feet to 58 feet, a flat roof from 35 feet to 43 feet, mechanicals currently have no requirements, but the height will be 15 feet and mechanical coverage will be 33%. The maximum stories will go from 2½ stories to 4 stories and FAR will go from 0.36 to 0.5. Currently there are no requirements for units per acre but that will be limited to 25 and lot coverage will go from 25-35% to 20%. There are no regulations now for number of units and it will be set at 247. He noted the spreadsheet is available online at the Planning Board or Housing Authority websites.

Linden/Chambers – Proposed project design (Dan Chen, BH+A).

Dan Chen, Architect with BH+A, stated he has been working on this for 11 months. They have come up with a general design that fits in the **proposed** zoning. He showed the site plan. There will be 247 units in 2 buildings. There will be 3 phases to minimize the disruption and cost. There will be 130 parking spaces with about half in Phase 1A and 1B and 60 in Phase 2. There will be 136 units built in Phase 1A and 1B. **The setbacks will be 87 to 88 feet in Phase 1A and varies from 133 feet to 87 feet.** **[in Phase 1B?]** The project is 91 feet to 33 feet from Maple Street. A lot of thought went into the phasing. The side setback is 158 feet. In Phase 2 the front setback is 118 feet, and it is 32 feet to the side yard. Fire lanes are required. The core of the building has an elevator, stairs, and amenity spaces.

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Mr. Chen noted his firm specializes in elderly development and housing. Green space has been proposed and is programmed with **R**ecreation. There will be outdoor seating, walking trails and a community garden. Drop off will be in front. He noted with the other option in Phase 1B the building is pushed forward, **and** there is an additional setback and parking in back. The 136 units in Phase 1A will have 578 square feet compared to the current 420 square feet. There will be 4 2-bed**room** units in Phase 1A and 4 2-bed**room** units in Phase 1B. Mr. Chen spoke of the elevations. There will be 4 stories, 53 feet in height with 10 feet between floors and 8 foot ceilings. He showed aerial views of the area.

Comments and Questions (Adam Block, Chair, Needham Planning Board, and Reg Foster, Chair, Needham Housing Authority).

Mr. Block gave the projected timelines. The draft By-Law will be voted in mid-January, there will be a public hearing in February, there will be final changes, a vote for the final draft in March and the By-Law will go to Town Meeting in May for a vote. He reviewed the ground rules for public comments and the process. He noted the following correspondence for the record: an email from Ross Donald, dated 11/22/23, regarding questions about public hearing code of conduct and an email from Scott Schwartz, dated 12/2/23, with questions regarding **Housing Authority** Board meetings.

Bruce Eisenhut, of Mark**ed** Tree Road, feels this is a fantastic project and he is in support. He noted there are 2 proposals -- A and B with parking in the back in B. He asked if the **zoning** proposal would **accommodate** ~~include~~ both plans and if the final decision could wait until site plan review. Mr. Block stated it would not be both but either **plan**. The final decision could wait until site plan review.

Nancy Potts, of 135 Linden Street, is concerned with a 4½ story redevelopment project 53 feet high. She feels it will ruin the appearance of the neighborhood and will be like living across from the projects. It will tower over her one-story home. The significant increase in the number of units in Plan 1A and 1B will bring more problems. She lives in a low spot on Linden Street and her yard floods. The water runs down from both ends of Linden Street, the High Rock School and Blake Street. She takes pride in her property and works hard to keep it nice. It is frustrating to see her plants and mulch float away. She showed pictures of the flooding. In the last rainstorm water surrounded her foundation. She is concerned that when trees are removed it will increase the water. Another concern is traffic. Linden Street already has speeding cars and is a pass-through street. There are constant issues with people parking across her driveway. There is an issue for emergency vehicles. Traffic is hazardous. She is concerned with density

and the size of the building. This will be built on a high-water table. She requests the Planning Board not allow the change of zoning.

Laura stated she is a long-time resident of Linden Street. She has questions and concerns. She looked at the plans and noted they are saving \$10 million by adding one more floor and one more staircase. The rooms will be smaller and shorter. They talked about storage, but she has heard nothing about that. The handicapped people on the ends will have an issue getting to the community/laundry rooms and back. Now the rooms are scattered around. She asked if the community room would be bigger as there will be more people and will there be twice as much laundry because there are more people? She heard the windows only open 4 inches which is a concern. Mr. Block noted those relate to the program of the building. This meeting is for focusing on the zoning but her comments and questions will be noted and the Housing Authority will respond. Mr. Foster stated there will be a Frequently Asked Question website. He will note all the questions and will respond. He can attest that he went to Ms. Potts house on the rainy day and it was not a happy day.

Helen Giragosian, of Chambers Street, is the former president of the Linden/Chambers residents association. One concern she has is the distance walking from the vehicles to the building. There is only one main entrance. She asked if there will be optional doors. She commented that she appreciates the roof over her head. This is very much needed. She stated housing is a crisis everywhere. She liked seeing the other building. It would be nice to have public housing in one area and affordable rents for grandparents and kids in the other with Mixed-Use in the Chambers area. That would be a win-win for both sides. Crisis to her means emergency.

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Jeremy Chao, of 96 Maple Street, stated the Maple Street residents are concerned with drainage issues and the design. It should be made clear that clarified there is water between Maple Street and the Linden Street project. He asked if there was going to be an access path to the rail trail and if there is common land to develop a path. Mr. Block stated he spoke with the Planning Director, Town Engineer and Director of Public Works about drainage. He understands there is still flooding on a regular basis. There is a lot of impervious space at this site and it drains onto the street. The site was developed prior to the Storm Water By-Law. He noted any new development would be required to meet the requirements of the Storm Water By-Law. Regulations will reduce the impact on the storm water system. This development reduces the amount of impervious surface and increases the amount of pervious surface. Even without the Storm Water Management By-Law it would reduce the impact on the storm water management system. The Town is also embarking on examining some bottle-necks of this site and Town staff have met with a number of residents to discuss this. The Town will be going through the approval process. It is illegal to adversely impact the neighbor's property. The Board can impose a condition that would mitigate these types of impacts if the zoning is passed.

Mr. Chen noted the current roof area is 133,000 square feet on a 480,000 square foot site. The proposed will be 124,000 to 126,000 square feet. That is a 6,000 to 8,000 square foot reduction of impervious surface. Jim Burke, of 188 C Linden Street, has been there since 2007. He has 3 major concerns. He asked why a catch basin? How many gallons does a catch basin hold and where does the water go? This is built on sand. With the weight of the building can the land support this? Is there an alternate site in Needham or could Linden/Chambers be restored? What will be done with all the bricks? There are many trees that will be knocked down. How will it effect/affect the environment and water flow? Mr. Block stated, as part of development, engineering studies will be done, and storm water management will be required. The concept is to modernize the facilities. This meeting will focus on those elements. Other concerns will be addressed in a subsequent process if the zoning is approved. Mr. Burke stated environmental impacts should be a major consideration.

Joe Leghorn, of 40 Linden Street and a Town Meeting member, thinks about the common good. Nothing is perfect. He has visited Linden/Chambers and those units need to be replaced. He worked with former Building Inspector David Roche on the existing storm water management plan. The town needs to provide habitable modern spaces. There will be an elevator. A lot of careful thought has gone into this. The Planning Board has come up with a reasonable solution. The storm water is the critical issue, and the current storm water plan should deal with that. There is a Town traffic committee for traffic issues. He stated the town needs to see how this can be achieved and what is the best for everybody. This needs to be done.

Ross Donald, of 25 H Chambers Street, noted he has been here 13 years. There is a hydrology study scheduled in 2025. He is not sure if that would be incorporated. He thinks there were no notices provided to residents in Chinese or Russian. He expressed gratitude to have a roof over his head. The Executive Director obtained a new router and a new WIFI system was installed. He hopes to make this part of the community space now as people still live there. Maintenance is lacking. He stated the Town of Needham is separate from the Housing Authority. The Housing Authority is not a public Town body and not operating within the Town government except when Needham wants to fund housing. The density numbers need to be looked at. With all the wetlands the density numbers should be lower. There should be an information clearing house where information should be available such as the zoning study and the building condition reports. There is already a clear path through zoning. He feels keeping the cluster housing is worth it and the Town should retrofit the brick buildings.

Kalpana Shah, of 168 Linden Street, is confused with people's comments. She does not understand the zoning amendment. She feels it is appropriate to give a brief explanation as it would be helpful. Mr. Block noted the zoning is online. Ms. Shah commented on the traffic on Linden Street in the morning with 12 wheelers and 16 wheelers. She asked how that will be managed with construction. She noted 90% of the children are in the playground morning to night, walking and biking, there are school buses and disabled adults picked up and dropped off. How will these be managed? Mr. Block stated such issues will be managed by the project itself. If approved at Town Meeting, this project will include a traffic study with a study of existing and future conditions. Then the Planning Board will discuss and may engage a Peer Traffic Reviewer if needed. Safety is a priority for everyone and will be factored in. Mr. Foster stated a traffic study has been completed and there is a whole report already. That report will be made available to the Planning Board and any consultants.

Danielle Rodriguez, of 160 Maple Street, noted water management and flooding should be tied to zoning. She is not sure anything should have been constructed there to begin with. She asked if alternate sites have been considered. She wants to mitigate flooding as flooding does happen. Mr. Block stated the previous speaker had photographic evidence of flooding on the street. Lionel Desrosiers, of 117 Linden Street, is an 11-year resident. This development needed upgrading when he moved here. He asked if this zoning is also tying into the MBTA Communities law. Mr. Block stated they are talking about zoning for the Linden/Chambers redevelopment. This is a separate path for zoning. Zoning is still being considered for the MBTA Communities law. That will go through next year and be presented in October 2024. Mr. Desrosiers commented on the proposed 20% coverage of the lot. He asked if that is just structure or does it include the parking lot. Mr. Block noted all of it. Mr. Desrosiers asked if the rest would be green space and was informed it would be. Mr. Desrosiers stated at a previous meeting Mr. Foster mentioned adding more deeply affordable housing for elderly and disabled. The MBTA law does not count age-restricted housing as no age restriction. When the town complies with the becomes an MBTA eCommunity law, will Linden-Chambers that still be for all ages and not just elderly and disabled. Mr. Block stated one question before the Planning Board is whether to remove the current deed restriction to limit to seniors and disabled. The Town is looking into that. There is a way to do base zoning without age restrictions. The HONE Advisory Group Committed is working on that. Ms. Espada stated there are community meetings for HONE and she encouraged all to attend. They are looking for ways to create contiguous pieces of land near the commuter rail stations. This piece is being looked at separately to not be a part of the contiguous area for MBTA Communities law compliance right now. It needs to be left open to see what the HONE consultant is finding doing and see how each station area is working. She cannot answer the question at this moment. This will stay separate for the time being.

Mr. Block stated he was wrong in his response to Mr. Desrosiers as to with the lot coverage question. #The proposed development does not increase the impervious space. The lot coverage, however, is for the building only. Mr. Desrosiers stated he spent thousands of dollars on drainage for his yard and sloping his driveway differently. Mr. Block noted this project will maintain its their own storm water. Mr. Desrosiers feels for this amount of money, they should be fixing the problem in the neighborhood and not just keeping it status quo. Joni Schokett stated with all the rezoning going on here since 1978 she has seen a lot of rezoning. She asked if these rezonings apply only to the one property. Mr. Block stated this will create a new affordable housing district for this parcel. It is a benefit to the community and is not considered spot zoning as it is in the public interest. Ms. Schokett asked if this sets a precedent for other projects. Mr. Block stated that was an important question. This is a unique situation. They are talking about supporting community housing. This is being looked at as a benefit and is not precedent setting. Ms.

Schokett completely supports this. She hopes however this is built they are sensitive to the neighbors and keep the trees. She knows how much it needs to be repaired and upgraded.

Cynthia Conturie, of 96 Robinwood Avenue, has been there since 1982. She spoke of the history of the area. She noted the school was built for the low-income veteran housing. Then housing for the elderly, facing the playground so they could see the children playing, was built. Amazing trees were put in. Since then, quite a few trees have been cut down. High Rock was a wonderful school, then they closed it and put all the kids in the Newman School. That is a long walking distance. She worked hard on the committee to not make people pay for busing. She fought with the Town to not close the school. The Town rented the school but did not get enough rent so discontinued the rental. Then it was a 6th grade school and there are buses all the time. The safety of the children in the neighborhood has been ignored. High Rock should have been made back into an elementary school for the area. This area is very politically charged in Town. The town ignores the needs of the people who live there. This area cannot accommodate a 4-story city building and cannot accommodate the number of buses that come down the streets. Normally 4 story buildings are put on main roads. She will never let the Town forget about the boy who walked out of Newman and was hit ~~beby~~ by a car and the Town kept it quiet and did not put it in the police log. She feels this is spot districting.

Janice Bennett, Tenant Commissioner for the Housing Authority, noted the drainage problem. She feels the Town may want to intervene. Rain barrels could be used for community gardens. Mr. Block noted there will be landscape plans and that is project specific. The focus is on zoning right now, but he will note her comments. Marianne Cooley, of 95 High Street, is pleased to see Option B. It moves a portion of the building forward and puts parking behind. It softens the project. She has no issue with the height and all the zoning, for taking restrictions off and letting the Housing Authority clear the back log. Jeanne Strassburger, of 175 Maple Street, is concerned with flooding issues and increase in occupancy. How will that be managed and how will cut-throughs from Linden Street to Maple Street be managed. She has a steady stream of people now and has a path through her yard. Has any thought been given to managing foot traffic?

Doug Fox, of 43 Marked Tree Road, attended High Rock School and was born and raised on High Rock Street. This is a great complex, and he fully supports adding 95 units. He stated there is a loneliness issue particularly with seniors. He would love if balconies could be added on these units, but there may be a money issue. He fully supports this zoning and the complex. Emily Cooper, of 56 Lee Road, is in support of this. She was a member of the Housing Plan Working Group. They kept hearing there was not enough housing, particularly elderly and disabled. She has been in the Housing Authority building and heard from residents. Once there were a lot of walkers and wheelchairs at the bottom of the stairs. We owe it to the current residents to make it better. She thinks the plan is trying to balance a variety of things such as the need for more housing, what can be built on this space including the wetlands and the ability to keep the neighborhood feel. She heard a real attempt to not make this a skyscraper. She supports this. It is a great balance of trying to meet a variety of people's needs and is a good compromise. It addresses the needs people have communicated.

Morris Singer, of 60 Sylvan Road, stated he is one of the closest homes to the development and the closest on the south side. He supports having affordable housing and the redevelopment of Linden/Chambers. He is concerned, however, that the development as currently planned may change the character of the neighborhood. The density going from 152 to 247 units is a 163% change in density. 336 is the current number of units which is a 128% increase in that site. inconsistency in numbers – delete sentence? This much cannot be added without changes to the neighborhood. There are 35 houses on Maple Street. This is the same as adding 3 streets. There will be another 47 cars that will cover the stretch of street in front of the development. He noted the height compared to High Rock School. The 2 are similar in size. He lives across from High Rock and can barely see it from his house. There is a 100-foot setback from Sylvan Road and a 200 foot setback from Linden Street. The school is basically one story even though it is 3 stories because it was built on a hill. He wanted to call that out. He mentioned residency restrictions and how to pave the way for this development. The restrictive covenants need to be modified for disabled for funding. Currently they only say elderly. The restrictions for elderly and disabled should not be removed. He would like to see the Planning Board press the Housing Authority for a stronger statement on how they would build and fund this project. Imposing frugality usually creates a better result and a more optimal result. He would encourage the Housing Authority to be a little frugal.

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Beth Bandes, of 158 Marked Tree Road, has been here for 24 years. She walks all over the neighborhood and Linden Street. It looks from the outside like the buildings need to be redone. She thinks the design looks nice and would offer more ~~dignity~~ ~~dignity~~, including green space. She likes some parking in back. She supports this and feels a lot of thought has gone into it. Jim Flanagan, of 863 Webster Street and a Town Meeting member, is on the Needham Housing Coalition. He is in support of this amendment. Funding has been talked about. He commends the Housing Authority for bringing in the Cambridge Housing Authority to partner with them. He feels shrinking one element could cause the whole thing to collapse. His fear is this will be delayed and miss state and federal guidelines. He fears there will be no change when he drives down Linden Street in 2027 and the waiting list continues to grow.

Oscar Mertz, of 67 Rybury Hillway, is in support of the project. There is a good balance between financially feasible and being a good neighbor. He would love to see this High Rock neighborhood remain for the people of this community and would like to see the High Rock School go back to a neighborhood walking school. There is a tremendous need for this. He commented he appreciated the history of the High Rock School. Georgina A. Ruetenik, of 236 Greendale Avenue and a Town Meeting member, wanted to thank the Planning Board and Housing Authority for having this ~~quorum~~ ~~forum~~. She feels strongly that the housing issue is important and she supports this. She asked if access to transportation could be incorporated in and noted this was a very informative meeting. Ms. Giragosian stated they should not be afraid of cars. There are people who no longer use their cars. She noted there are raised garden beds that can be moved and concerning the drainage issue, there are no bathtubs, only walk-~~in~~ showers. She wants to keep their community a community.

Mr. Block recapped the comments made tonight. He noted the process will continue. They are not minimizing the history or public safety. He is mindful of public safety and the impacts of the infrastructure. He takes comments seriously and finds them helpful. He would like to hear from the neighbors also. Mr. Foster thanked all for coming. He wants to do this on a transparent basis. He stated he will get all the comments addressed.

Upon a motion made by Mr. Crocker, and seconded by Mr. Alpert, it was by a vote of the five members present unanimously:

VOTED: to adjourn the Planning Board meeting at 9:20 p.m.

Upon a motion made by Ms. Kirk and seconded by Mr. Scheideler, it was by a vote of the three members present unanimously:

VOTED: to adjourn the Housing Authority meeting at 9:20 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Natasha Espada, Vice-Chairman and Clerk

DRAFT

From: [Dennis Lonigro](#)
To: [Planning](#)
Subject: HONE
Date: Monday, January 29, 2024 3:04:13 PM

Dear Planning Department Members,

I'm writing to express my concern over a Needham MBTA area rezoning issue that has recently come to my attention. I am concerned (and surprised) that such a major impactful issue to the town's look, feel, and quality of life (ALL kinds of municipal services, capacity, wear and tear and access, school systems, safety, funding, etc.) has little to NO awareness, education, or knowledge among Needham citizens. Most/all people I know or meet have no knowledge of this issue, its potential impact on their neighborhoods/town, and its rush to pass legislation.

I'm surprised that there is not (or has not been to my knowledge) more information/notices on a subject (pros and cons, maps, studies, etc.) published in something like the HomeTown Weekly newspaper or elsewhere. I believe that **widespread** education and analysis like this should take place and a concerted effort made to gather real citizen input before rushing to enact.

Respectfully submitted,
Dennis Lonigro

From: [William Lenahan](#)
To: [Planning](#)
Subject: Zoning changes for MBTA
Date: Thursday, February 22, 2024 8:43:00 AM

To whom it may concern: Please be advised that I am opposed to any rezoning that would increase the density of residences in Needham. If each additional housing unit does not come with a corresponding real estate tax bill, then the occupants of that housing unit are not paying their share of the cost of living in Needham. The real estate taxes paid by their landlords is not enough to match the cost of additional residents in Needham who will expect to receive all the benefits of living here that the tax payers are entitled to in consideration for their tax payment. The Town can not afford an increase in density that will necessitate an increase in Town services.

Nor do I see the actual need for as much train service as we suffer with today. Most trains come in empty after 7pm. That is a huge waste of money serving no one. What statistical proof do we have that the occupants of apartments in Needham will actually use the train service to commute to work. This is a false proposition.

Thanks

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