

NEEDHAM PLANNING BOARD

Tuesday, June 18, 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. Major Project Site Plan Special Permit No. 2024-02: WR Noodle Group, Inc., 247 Newbury Street, Boston, MA, 02116, Petitioner (Property is located at 998 Great Plain Avenue, Needham, Massachusetts). Regarding the request to renovate the former retail space for use as a full-service noodle restaurant with 36 seats and a takeout station.

2. Public Hearing:

7:20 p.m. Amendment to Major Project Site Plan Review No. 2005-08, Yeat, Inc. d/b/a Sweet Basil, Dave Becker, President, 942 Great Plain Avenue, Needham, Massachusetts, Petitioner, (Property located at 936-942 Great Plain Avenue, Needham, MA.) Regarding the request to permit the addition of 11 year-round outdoor seats by Sweet Basil adjacent to the building along with the associated parking waiver, as well as parking waiver for additional parklet seats to be subsequently requested of Select Board.

3. Public Hearing:

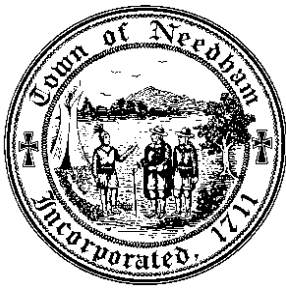
7:40 p.m. Amendment to Major Project Site Plan Special Permit No. 2005-05: Blue on Highland Restaurant LLC, 882-886 Highland Avenue, Needham, Massachusetts Petitioner (Property is located at 882-886 and 890 Highland Avenue, Needham, Massachusetts). Regarding the request to expand the existing restaurant (located at 882-886 Highland Avenue) by 650 square feet into the adjoining commercial space, formerly a nail salon, located at 890 Highland Avenue. *Note: This hearing has been continued from the Planning Board meeting of June 4, 2024 and will be further continued to July 11, 2024.*

4. Appointment:

8:00 p.m. Discussion of HONE recommended MBTA Communities Act Compliance Zoning at 100 West, Needham. Timothy Sullivan, Goulston & Storrs, Attorney for Property Owner.

5. ANR Plan – Majorie A. Pine, Petitioner, (Property located at 321 Cartwright Road, Needham, MA).
6. Request to review and approve Landscaping Plan and Subdivision documents: 920 South Street Definitive Subdivision: Brian Connaughton, 920 South Street, Needham, MA, Petitioner, (Property located at 920 South Street, Needham, MA).
7. Deliberation: Major Project Site Plan Special Permit No. 2004-01: Town of Needham, 1471 Highland Avenue, Needham, MA, Petitioner. (Property located at 609 Webster Street, Needham, Massachusetts). Regarding the request to renovate 4 existing tennis courts, add 4 new tennis courts, install stormwater management improvements, ADA accessible walkways, and landscape improvements.
8. Discussion of & Vote to Adopt Code of Conduct.
9. Discussion and Comment on Select Board Goals for FY2025 and FY2026.
10. Design Review Board – reappointment of Steve Dornbusch.
11. Minutes.
12. Report from Planning Director and Board members.
13. 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, and the Needham Zoning By-Laws, Sections 3.2.2, 1.4.6, 5.1.1.6, 5.1.2, 5.1.3 and 7.4, the Needham Planning Board will hold a public hearing on Tuesday, June 18, 2024, at 7:00 PM in the Public Services Administration Building, Charles River Room, 500 Dedham Ave, Needham, Massachusetts, as well as by Zoom Web ID Number 880 4672 5264 (further instructions for accessing by zoom are below), regarding the application of WR Noodle Group, Inc., 247 Newbury Street, Boston, MA, 02116, for a Special Permit under Site Plan Review, Section 7.4 of the Needham Zoning By-Law.

The subject property is located at 998 Great Plain Avenue, Needham, Massachusetts, shown on Assessor's Map 47, Parcel 66 containing 3,654 square feet. The requested Major Project Site Plan Special Permit would, if granted, permit the Petitioner to renovate the former retail space for use as a full-service noodle restaurant with 36 seats and a takeout station.

In accordance with the Zoning By-Law, Section 3.2.2, a Special Permit is required for a restaurant serving meals for consumption on the premises and at tables with service provided by waitress or waiter in the Center Business District. In accordance with the Zoning By-Law, Section 3.2.2, a Special Permit is required for a take-out operation accessory to the restaurant. In accordance with the Zoning By-Law, Section 3.2.2, a Special Permit is required for more than one non-residential use on a lot. In accordance with the Zoning By-Law, Section 1.4.6, a Special Permit is required for the alteration of a non-conforming structure. In accordance with the Zoning By-Law, Section 5.1.1.6, a Special Permit is required to waive strict adherence with the requirements of Sections 5.1.2 and 5.1.3 of the Zoning By-Law (Off Street Parking Requirements) In accordance with the Zoning By-Law, Section 7.4, a Major Project Site Plan Review 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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Copies of the plan are available upon request in the office of the Planning Board. 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

Hometown Weekly, May 23, 2024 and May 30, 2024.

RECEIVED TOWN CLERK
NEEDHAM, MA 02492

2024 MAY -9 PM 4: 53

**TOWN OF NEEDHAM
MASSACHUSETTS**



Room 20, Town Hall
Needham, MA 02492
781-455-7526

PLANNING BOARD

APPLICATION FOR SITE PLAN REVIEW

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 998 Great Plain Avenue, Needham, MA 02492
Name of Applicant WR Noodle Group, Inc.
Applicant's Address 247 Newbury Street, Boston, MA 02116
Phone Number 781-605-9889

Applicant is: Owner _____ Tenant X
Agent/Attorney _____ Purchaser _____

Property Owner's Name AJ Realty Trust
Property Owner's Address PO Box 920206
Telephone Number 781-248-8939 Retail (part of former Harvey's Hardware)
and Personal Fitness Establishment

Characteristics of Property: Lot Area 3,654 SF Present Use (Barre3)
Map # 47 Parcel # 66 Zoning District Center Business (CBD)
*adjacent space on Property currently used and occupied by Barre3

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

Renovation of former retail space for use as full service noodle restaurant with 36 seats and take-out.

WR Noodle Group, Inc.

Signature of Applicant (or representative)

Address if not applicant _____

Telephone # _____

Owner's permission if other than applicant See authorization letter provided herewith.

By its attorney, George Giunta, Jr., Esq.

SUMMARY OF PLANNING BOARD ACTION

Received by Planning Board [Signature] Date 5/9/24

Hearing Date _____ Parties of Interest Notified of Public Hearing _____

Decision Required by _____ Decision/Notices of Decision sent _____

Granted _____

Denied _____

Withdrawn _____

Fee Paid _____ Fee Waived _____

NOTE: Reports on Minor Projects must be issued within 35 days of filing date.

ADDENDUM A
TO
APPLICATION FOR SITE PLAN REVIEW
OF

WR Noodle Group, Inc.
998 Great Plain Avenue
Needham, Massachusetts

RECEIVED TOWN CLERK
NEEDHAM MA 02432
2024 MAY -9 PM 4: 53

The following relief is or may be required, and is hereby requested:

1. Special Permit pursuant to Section 7.4 of the Zoning By-Law for Major Project Site Plan Review;
2. Special Permit pursuant to Section 3.2.2 for more than one non-residential use on the property of which the Premises are a part;
3. Special Permit pursuant to Section 3.2.2 for a restaurant serving meals for consumption on the premises and at table with service provided by waitress or waiter;
4. Special Permit pursuant to Section 3.2.2 for a take-out operation accessory to the restaurant;
5. Special Permit pursuant to Section 5.1.1.6 waiving strict adherence with the off-street parking requirements of Sections 5.1.2 and 5.1.3;
6. Waiver, pursuant to Section 7.4.4 of the Zoning By-Law for the submission of any information not provided in these materials or otherwise submitted herewith;
7. If, as and only to the extent necessary and applicable, Special Permit pursuant to Section 1.4.6 for the change and extension of a lawful, pre-existing, non-confirming use or building; and
8. Any and all additional relief required or appropriate for the renovation, redevelopment and use of the Premises for restaurant purposes with accessory take-out, catering and retail sales of prepared food items, as detailed in the plans and materials submitted herewith.

Notwithstanding any of the above or anything in these materials to the contrary, the Applicant reserves and requests the right to revise the interior layout as depicted on the plans submitted herewith, without the need for further review, provided, in all cases, that the building footprint is not increased or expanded and that the total number of dining seats shall not exceed the total permitted.

RECEIVED TOWN CLERK
NEEDHAM, MA 02492

AJ Realty Trust
PO Box 920206
Needham, MA 02492

2024 MAY -9 PM 4: 53

April 17, 2024

Town of Needham
Planning Board
Needham, Massachusetts 02492

Attn: Lee Newman, Planning Director

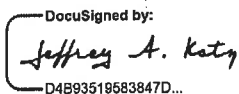
Re: 998 Great Plain Avenue, Needham, MA
Application for Zoning Relief

Dear Mrs. Newman,

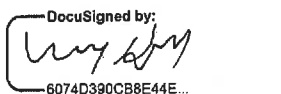
Please accept this letter as confirmation that AJ Realty Trust, owner of the property known and numbered 998 Great Plain Avenue, Needham, MA (the "Premises"), has authorized WR Noodle Group, Inc., its affiliates and subsidiaries, acting by and through attorney George Giunta, Jr., Esquire, to make application for special permits and any and all other zoning, planning, general by-law and other relief that may be required or appropriate in connection with the conversion and use of the commercial space known and numbered 998 Great Plain Avenue for use as a restaurant with eat-in and take-out. In connection therewith, Attorney Giunta is specifically authorized to execute, sign, deliver and receive all necessary documentation related thereto, including, without limitation, Application for Hearing.

Sincerely,

AJ Realty Trust

DocuSigned by:

D4B93519583847D...

Jeffrey A. Katz, Trustee

DocuSigned by:

6074D390CB8E44E...
Gary M. Katz, Trustee

GEORGE GIUNTA, Jr.
ATTORNEY AT LAW*
281 Chestnut Street
Needham, MASSACHUSETTS 02492
*Also admitted in Maryland

TELEPHONE (781) 449-4520

FAX (781) 449-8475

May 2, 2024

Lee Newman
Planning Director
Town of Needham
500 Dedham Avenue
Needham, MA 02492

Re: Major Project Site Plan Review
WR Noodle Group, Inc.
998 Great Plain Avenue, Needham, MA

Dear Lee,

Please be advised that this office represents WR Noodle Group, Inc., a Massachusetts corporation with an address of 247 Newbury Street, Boston, MA 02116 (hereinafter, and in the materials submitted herewith, the "Applicant") relative to the commercial space known and numbered 998 Great Plain Avenue, Needham, MA (the "Premises"). In connection therewith, submitted herewith pursuant to M.G.L. Chapter 40A and the Town of Needham Zoning By-Law (the "By-Law"), please find the following materials. Same are submitted both electronically and in paper format.

1. Completed Application for Site Plan Review with Addendum A;
2. Two copies of plan set titled "Permit Drawing Set, Project: Interior Tenant Fit-Out Work – Noddle Restaurant", prepared by UP Design & Build, LLC, consisting of eleven sheets as follows: A000, Project Cover Sheet, A001, General Notes, A101, First Floor – Existing Floor Plan, A102, First Floor – Proposed Floor Plan, A201, Basement – Existing Plan, A202, Basement – Proposed Plan, A301, Existing RCP – 1st Ceiling Plan, A302, Proposed RCP - 1st Ceiling Plan, A401, Enlarged Plans and Interior Elevations, A402, Interior Elevations & Entry, A601, Life Safety Plan;
3. Check No. 4580 in the amount of \$1,000 for the requisite filing fee; and
4. Authorization letter of AJ Realty Trust, owner of the Premises.

The Premises is located in the Center Business Zoning District, on the south side of Great Plain Avenue. It is a part of the property identified as Parcel 66 on Town of Needham Assessor's Map No. 47.¹ The Premises consists of 1,387 square feet of commercial space on the first floor and 1,404 square feet of space in the basement. It was most recently used for retail purposes in connection with the former Harvey's Hardware.² Before that it was used for a variety of different purposes, including as a delicatessen and a Brigham's Ice Cream store.

The Applicant currently owns and operates two noodle restaurants in Boston; one at 247 Newbury Street, which opened in 2016, and another at 144 Tremont Street, which opened in 2018. It now plans to open a third location in Needham at the Premises. The Needham location will include a total of 36 seats and will include accessory take-out / catering. The menu will feature noodle soups, ramen, and a variety of side dishes as well as various beverages, generally consistent with the items offered at the existing two locations. Hours of operation are anticipated to be 11 AM through 9:30 PM, seven days a week, subject to demand.

Analysis

I. Use

Pursuant to Section 3.2.2 of the By-Law, the use of property in the Center Business District for a restaurant serving meals for consumption on the premises and at table with service provided by waitress or waiter presently requires a special permit, as does a take-out operation accessory to same. Furthermore, whereas the building and property of which the Premises are a part contain multiple non-residential uses, a special permit pursuant to Section 3.2.2 for more than non-residential use on a lot is also required.³

Provided the afore-mentioned special permits are issued, the proposed restaurant with accessory take-out, catering and food retail uses will comply with the applicable use related provisions of the By-Law.

II. Parking

Pursuant to Section 5.1.2 of the By-Law, the parking demand for the proposed restaurant is a total of 22 spaces, calculated as follows:

36 Seats @ 1 space / 3 seats = 12 spaces
1 Take-Out Station = 10 spaces
12 + 10 = 22 Total Spaces Required

¹ The Premises is contained within a building consisting of mixed uses, including office use on the upper floors and Barre3 personal fitness establishment on the first floor. Barre3 was the subject of Major Project Site Plan Special Permit Application No. 2014-05, dated June 10, 2014, filed with the Town Clerk on June 11, 2014, issued to Breath, Balance, Barre, LLC.

² The Premises was located directly adjacent to the main, original Harvey's space, and was accessed through an opening in the wall which has since been closed in connection with the Union Pharmacy renovation.

³ Such special permit was issued in connection with the Barre3 Decision, referenced above.

The prior use of the Premises for retail purposes required a total of 7 spaces, calculated as follows:

1,387 SF first floor retail space @ 1 space / 300 SF = 4.62 = 5 spaces (rounded up)
1,404 SF basement storage space @ 1 space / 850 SF = 1.65 = 2 spaces (rounded up)
5 + 2 = 7 Total Spaces Required

Whereas the proposed restaurant will result in an increase in parking demand of 15 spaces, pursuant to Section 5.1.1.3 of the By-Law, either full compliance or a waiver is required. Whereas there is no off-street parking on the property whatsoever, full compliance is impossible. Therefore, a waiver is required and has been requested.

As grounds therefor, the building and the property that contain the Premises are both fully developed and have been pre-existing for many years, without room for any off-street parking. Furthermore, the Lincoln Street and School Street municipal parking lot, containing numerous off-street parking spaces, is located within close walking distance. In addition, there are numerous off-street parking spaces located on both sides of Great Plain Avenue in the vicinity of the Premises.

III. Site Plan Analysis

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

Excepting only exterior signage, no changes to the exterior of the Premises, the building or the property are anticipated or proposed. Therefore, no material impacts are anticipated to surface water drainage, sound and sight, views, light and air.

(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, compliance with other regulations for the handicapped, minors and the elderly.

Adequacy of the arrangement of parking and loading spaces in relation to the proposed use of the premises has been assured. The building and property in which the Premises is located are fully developed without any walkways or driveways. And while there is no parking available on site, the Premises is located in close proximity to the municipal parking area and to numerous on-street parking spaces.

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

The building and property containing the Premises are currently fully developed and bounded by existing established ways, and, other than signage, the Applicant is proposing only internal renovations. The Premises is located in Needham Center in close proximity to the municipal parking lot located behind Great Plain Avenue and Chestnut Street and numerous on-street parking spaces. Whereas the Premises has previously been used for other food service uses, including a delicatessen and ice cream store, the existing arrangement of parking and loading spaces is anticipated to be fully adequate for the proposed use.

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

Adequate methods for disposal of refuse and waste will be provided. The site is already developed with infrastructure in place. All waste and refuse will be disposed of in a timely fashion and in conformance with all applicable Federal, State and local regulations.

(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 the By-Law.

The building and property containing the Premises are fully developed and located within a long-standing commercial area. Therefore, the relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area, and compliance with other requirements of the By-Law will be met, as no material change to the footprint or layout of the building or property is proposed or contemplated. Furthermore, the Applicant is not aware of any significant community assets in the area immediately adjoining the premises with the sole exception of the Town Hall and the Town Common, which are not anticipated to be materially affected by the proposed restaurant.

(f) Mitigation of 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.

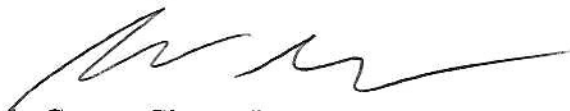
The building and property containing the Premises are presently fully developed and fully connected to Town infrastructure. Moreover, with the exception only of exterior signage, the Applicant is proposing only interior changes. Therefore, the Applicant does not anticipate any significant or material change, or any adverse impacts to any Town resource.

Conclusion

Based on the foregoing, the Applicant asserts that the proposed renovation, redevelopment and use of the Premises for a small restaurant with accessory take out, as set forth above and in the materials submitted herewith, is both proper and appropriate. The building and property containing the Premises are fully and completely developed and have been pre-existing for many years. The Premises is located within a commercial district wherein food service uses are desirable and appropriate, and in a space that has previously been used for food service purposes. Therefore, the Applicant does not anticipate any material adverse impact and requests that the relief be granted.

Your courtesy and attention are appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "George Giunta, Jr.", with a long horizontal flourish extending to the right.

George Giunta, Jr

ISSUED FOR PERMIT APPLICATION ONLY.
NOT FOR CONSTRUCTION. ARCH PLANS ONLY. MEP NOT IN SCOPE.

Architectural Design for Permitting Only. MEP& Fire Protection Design by Others.

PROJECT ADDRESS : 998 GREAT PLAIN AVE, NEEDHAM,MA

1. NEW KITCHEN FOR NOODLE RESTAURANT.
2. NEW SEATING AREA IN THE FRONT.
3. NEW FLOORING.

WR Noodle Group
Tom - 617 637 5298

KYLE XUE
617 902 8926
14 EMERALD ST, NEWTON, MA, 02458

BUILDING AREA
1ST FLOOR 1387 SF GROSS
BASEMENT 1404 SF GROSS

Project Name: NOODLE RESTAURANT
Address:

Code Review: SEE A001 FOR APPLICABLE CODES

Building Use Existing:	First Floor:	Group A-2 Assembly - RESTAURANT
Building Use Proposed:	First Floor:	Group A-2 Assembly - RESTAURANT
Area of Building:		1,387 SF approx. (FIRST FLOOR ONLY)
Total Number of Stories:		3
Height:		45 FT approx.

Construction Type:	Type IIIB, Not Sprinklered, 200 per fire code
Allowable Area: (E) Use	14,500 s.f. per floor
Allowable Height:	55' in height
Exterior Wall Fire Resistance Rating	Type IIIB = 2 hours (Existing)
Corridor Fire Resistance Rating	1 hour
Interior Wall / Ceiling Finishes	Class A in Exits and Exit Access, Class B in other areas
Interior Floor Finishes	Class I or II

Egress		
Occupancy	Load Calculation	
First Floor		36 Guests 3 Staff
Total		39 Total
Common Path of Travel	75 feet allowable	35 feet
Exit Access Travel Distance	150 feet allowable	35 feet
Dead End Corridor	20 feet allowable	22 ft in front of restrooms
Two exit stairs N/A		Not required, only one story, 1 hour for stair connecting 2 stories (including basement)
Stair Enclosure N/A		Not required, second exit opens at grade
Stair separation N/A		Not required, second exit opens at grade
Emergency lighting		Emergency lighting to be provided per NFPA 101 Section 7.9 and 16.2.9
Fire Alarm	NFPA 72	Municipally Connected fire alarm system



PRELIMINARY CONCEPT,
NOT VALID WITHOUT STAMP

**998 Great Plain
Ave, Needham, MA**

PERMIT SET

04/12/2024

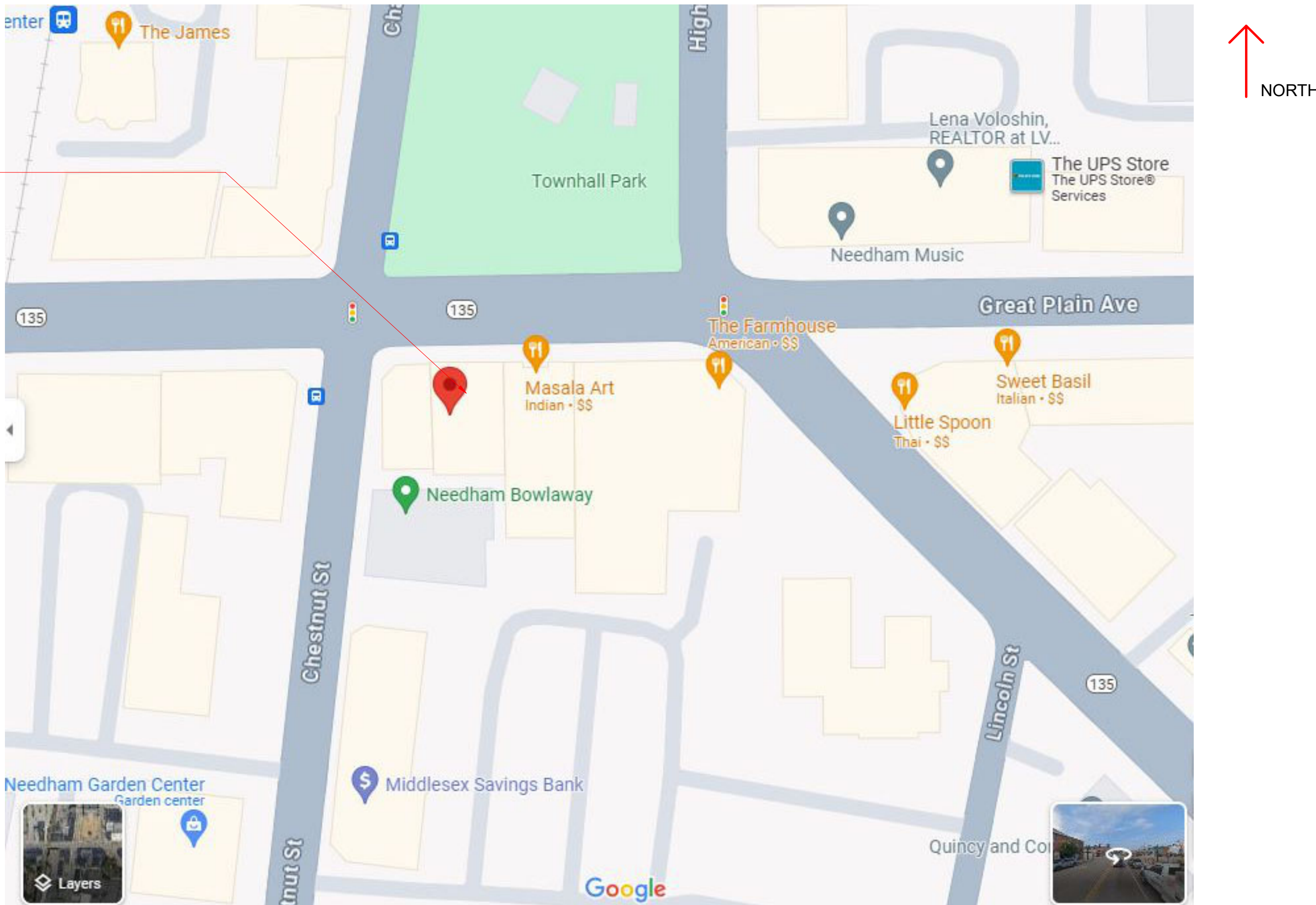
PROJECT NUMBER 0.08

NO.	DESCRIPTION	DATE
KEY PLAN		

SHEET NAME
PROJECT COVER
SHEET

A000

future noodle restaurant



GENERAL NOTES

CODE COMPLIANCE

THE CONTRACTOR SHALL CONSTRUCT THE PROJECT IN STRICT COMPLIANCE TO CURRENT EDITION OF THE MASSACHUSETTS BUILDING CODE & ALL APPLICABLE REGULATING AGENCIES. THE CONTRACTOR SHALL VERIFY ALL ACCESSIBLE COMPONENTS WITH THE 521CMR ARCHITECTURAL BOARD HANDBOOK.

0. GENERAL TERMS

CONTRACTOR SHALL FIELD VERIFY ALL CONDITIONS SHOWN ON THE DRAWINGS, AND PROVIDE WRITTEN REPORT TO OWNER IF FIND ANY ISSUES AND DISCREPENCIES. OWNER AND CONTRACTOR AGREE TO INDEMNIFY, HOLD HARMLESS ARCHITECT FROM ANY ISSUES WHATSOEVER. OWNER AND CONTRACTOR TO RELEASE ARCHITECT FROM ALL LIABILITIES AND CLAIMS RELATED TO THIS PROJECT.

1. PROTECTION OF EXISTING TO REMAIN

THE CONTRACTOR SHALL PROVIDE PROTECTIVE COVERING FOR CARPET, FURNISHINGS, AND FINISHES IN EXISTING AREAS NOT DESIGNATED FOR DEMOLITION OR NEW CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF ANY DAMAGE CAUSED BY HIS WORK OR ANY SUBCONTRACTOR. IN PARTICULAR, THE CONTRACTOR SHALL MAINTAIN A DUST-FREE ENVIRONMENT WITHIN THE MAGNET VAULT.

2. SCHEDULING

THE CONTRACTOR SHALL MEET WITH THE OWNER'S AUTHORIZED REPRESENTATIVE WELL IN ADVANCE OF CONSTRUCTION COMMENCEMENT TO:
A. SCHEDULE, SEQUENCE AND COORDINATE ALL WORK
B. MAINTAIN EXITS AND EGRESS WIDTHS REQUIRED BY CODES DURING ALL PHASES OF CONSTRUCTION

3. CLEARANCES

THE CONTRACTOR SHALL VERIFY THAT NEW CEILINGS CAN BE INSTALLED IN EXISTING SPACES TO CLEAR DUCTWORK AND OTHER CONSTRUCTED ITEMS AND MAINTAIN FLOOR TO CEILING HEIGHTS INDICATED ON DRAWINGS. IF DISCREPANCIES OCCUR DUE TO EXISTING CONDITIONS, CONSULT WITH THE ARCHITECT BEFORE PROCEEDING.

4. MATERIAL ALIGNMENT

THE FINISH FACE OF MATERIAL OF NEW PARTITIONS SHALL ALIGN ON BOTH SIDES OF THE PARTITION WITH THE FACE OF THE MATERIALS ON EXISTING COLUMNS, WALLS, OR PARTITIONS, UNLESS NOTED OTHERWISE.

5. AS BUILT VERIFICATION

THE CONTRACTOR SHALL VERIFY DIMENSIONS OF AS-BUILT CONDITIONS, AND NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES. ALL INFORMATION SHOWN ON THE CONSTRUCTION DOCUMENTS IS BASED ON FIELD OBSERVATIONS AND/OR THE ORIGINAL CONSTRUCTION DOCUMENTS OF THE FACILITY.

6. REMOVAL SURVEY

THE CONTRACTOR SHALL SURVEY AND DETERMINE THE REMOVAL OF EXISTING CONSTRUCTION, EITHER WHOLE OR IN PART, AS REQUIRED FOR THE INSTALLATION OF THE NEW MECHANICAL, PLUMBING AND ELECTRICAL WORK.

7. CONSTRUCTION DEFECTS

THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IN WRITING OF ANY CONSTRUCTION DEFECTS FOUND IN UNCOVERING WORK IN THE EXISTING CONSTRUCTION.

8. CORRECTING DEFECTIVE WORK

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTING DEFECTIVE WORK IN EXISTING CONSTRUCTION WITHIN THE LIMITS OF THE CONSTRUCTION AREA. THIS INCLUDES, BUT IS NOT LIMITED TO, UNEVEN SURFACES AND FINISHES AT PLASTER OR GYPSUM BOARD. THE CONTRACTOR SHALL PATCH AND REPAIR SURFACES TO MATCH NEW ADJACENT SURFACES.

9. PIPING

ALL PIPING ABOVE GRADE AND INSIDE THE BUILDING REQUIRED BY THE CONSTRUCTION DOCUMENTS SHALL BE INSTALLED IN AREAS WHERE IT WILL BE CONCEALED. THE CONTRACTOR SHALL CONSULT WITH THE ARCHITECT AND COORDINATE WITH OTHER TRADES TO PROVIDE FURRING FOR PIPING INSTALLED IN FINISH AREAS.

10. FIXTURE REMOVAL

REMOVE MECHANICAL AND ELECTRICAL FIXTURES AND CAP OR REMOVE EXISTING BRANCH LINES AS INDICATED IN THE MECHANICAL AND ELECTRICAL DOCUMENTS.

11. COORDINATION

COORDINATE PLANS FOR NEW CONSTRUCTION W/ DEMOLITION PLANS FOR EXTENT OF REMOVAL. REMOVE ONLY THOSE PORTIONS OF WALLS, FLOORS, CEILINGS, ETC. NECESSARY TO ACCOMMODATE NEW CONSTRUCTION.

CODE SUMMARY

APPLICABLE CODES AND STANDARDS

BUILDING CODE:
780 CMR THE MASSACHUSETTS STATE BUILDING CODE – NINTH EDITION

STUCTURAL CODE:
780 CMR THE MASSACHUSETTS STATE BUILDING CODE – NINTH EDITION

FIRE CODE:
527 CMR 1.00: MASSACHUSETTS COMPREHENSIVE FIRE SAFETY CODE

MECHANICAL CODE:
INTERNATIONAL MECHANICAL CODE – 2015 EDITION

PLUMBING CODE:
248 CMR MASSACHUSETTS STATE PLUMBING CODE

ELECTRICAL CODE:
NFPA 70-2020 WITH 527 CMR CHAPTER 12 MASSACHUSETTS ELECTRICAL CODE AMENDMENTS

ENERGY CODE:
2021 ICC ENERGY CODE W/ MASS AMENDMENTS
780 CMR THE MASSACHUSETTS STATE BUILDING CODE – NINTH EDITION, CHAPTER 13, 2021 INTERNATIONAL ENERGY CONSERVATION CODE WITH MASSACHUSETTS AMENDMENTS OR ASHRAE 90.1-2016 WITH MASSACHUSETTS AMENDMENTS.

ACCESSIBILITY:
521 CMR ARCHITECTURAL ACCESS BOARD RULES AND REGULATIONS

DEMOLITION NOTES

* NO DEMOLITION IN THIS PROJECT.

1.DRAWINGS SHOW THE INTENT OF THE ARCHITECTURAL DEMOLITION BASED ON PRELIMINARY FIELD INVESTIGATIONS. ADDITIONAL DEMOLITON MAY BE REQUIRED BASED ON THE DISCOVERY OF UNFORESEEN EXISTING CONDITIONS IN FIELD. NOTIFY THE ARCHITECT OF ANY UNEXPECTED FIELD CONDITIONS BEFORE PROCEEDING.

2. SHORE, BRACE, UNDERPIN OR OTHERWISE SUPPORT STRUCTURE WHICH MAY BE TEMPORARILY WEAKENED BY DEMO WORK. DO NOT MODIFY, ALTER STRUCTURAL FRAMING OR STRUCTURAL MEMBERS WITHOUT THE APPROVAL OF THE ARCHITECT AND STRUCTURAL ENGINEER.

3. IN THE EVENT THAT HAZARDOUS MATERIALS ARE UNCOVERED DURING DEMOLITION, DO NOT PROCEED AND NOTIFY THE OWNER. HAZARDOUS MATERIALS SHALL BE REMOVED BY THE OWNER.

4. ALL UNUSED UTILITIES SHALL BE CAPPED AND SHUT OFF PER CITY AND STATE REQUIREMENTS.

5. NO JACK HAMMERS ARE ALLOWED AT MASONRY OR CONCRETE WORK AREA WITHOUT THE APPROVAL OF THE ARCHITECT.

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8. PROTECT ALL EXISTING FLOORS, WALLS, PARTITIONS, AND CEILINGS TO REMAIN.

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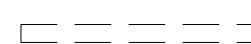
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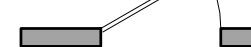
LEGENDS

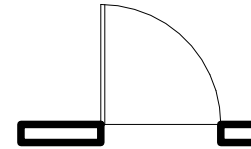
 1 HOUR RATED WALL

 NEW WALL

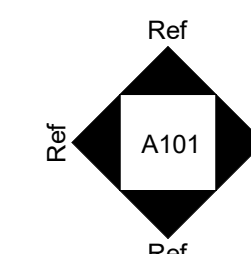
 EXISTING WALL

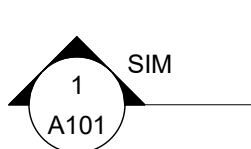
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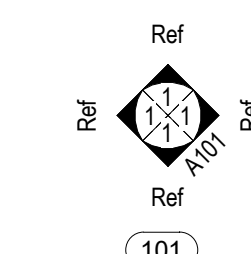
 EXISTING DOOR

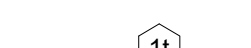
 NEW DOOR

GRAPHIC SYMBOLS

 BUILDING ELEVATION TAG

 SECTION TAG

 INTERIOR ELEVATION TAG

 DOOR TAG

 WINDOW TAG

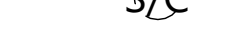
 REVISION & NUMBER

 SPOT ELEVATION

 CENTER LINE

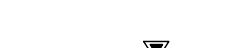
 SMOKE DETECTOR

 SMOKE AND CARBON MONOXIDE DETECTOR

 EXIT SIGN

 EMERGENCY LIGHT

 FIRE EXTINGUISHER

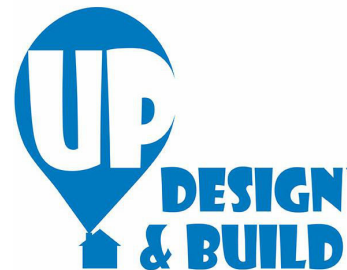
 FIRE EXTINGUISHER

DRAWING LIST

SHEET NUMBER	SHEET NAME
A000	PROJECT COVER SHEET
A001	GENERAL NOTES
A101	FIRST FLOOR - EXISTING FLOOR PLAN
A102	FIRST FLOOR - PROPOSED FLOOR PLAN
A201	BASEMENT - EXISTING PLAN
A202	BASEMENT - PROPOSED PLAN
A301	EXISTING RCP - 1ST CEILING PLAN
A302	PROPOSED RCP - 1ST CEILING PLAN
A401	ENLARGED PLANS AND INTERIOR ELEVATIONS
A402	INTERIOR ELEVATIONS & ENTRY
A601	LIFE SAFTY PLAN

ABBREVIATIONS

#	Pound OR Number
&	And
@	At
ACT	Acoustic Ceiling Tile
AD	Area Drain
AFF	Above Finished Floor
ALUM	Aluminum
ANOD	Anodized
BSMT	Basement
BYND	Beyond
BOT	Bottom
CIP	Cast In Place
CHNL	Channel
CJ	Control Joint
CL	Center Line
CLG	Ceiling
CLR	Clear
CMU	Concrete Masonry Unit
COL	Column
COMPR	Compressible
CONC	Concrete
CONT	Continuous
CPT	Carpet
CT	Ceramic Tile
CTYD	Courtyard
DBL	Double
DEMO	Demolish or Demolition
DIA	Diameter
DIM	Dimension
DIMS	Dimensions
DN	Down
DR	Door
DWG	Drawing
EA	Each
EJ	Expansion Joint
EL	Elevation
ELEC	Electrical
ELEV	Elevator or Elevation
EPDM	Ethylene Propylene Diene M-Class (Roofing)
EQ	Equal
ETR	Existing To Remain
EXIST	Existing
EXP JT	Expansion Joint
EXT	Exterior
FD	Floor Drain or Fire Department
FEC	Fire Extinguisher Cabinet
FF	Finished Face or Finished Floor
FFL	Finished Floor Level
FIXT	Fixture
FLR	Floor
FM	Filled Metal
FO	Face Of
FND	Foundation
GA	Gauge
GALV	Galvanized
GWB	Gypsum Wall Board
HC	Hollow Core
HI	High
HM	Hollow Metal
HP	High Point
HR	Hour
HVAC	Heating, Ventilating, And Air Conditioning
IRGWB	Impact Resistant Gypsum Wall Board
ILO	In Lieu Of
INSUL	Insulated or Insulation
INT	Interior
LO	Low
MAX	Maximum
MO	Masonry Opening
MECH	Mechanical
MEMBR	Membrane
MIN	Minimum
MRGWB	Moisture-Resistant Gypsum Wall Board
MTL	Metal
NIC	Not In Contract
NO	Number
NOM	Nominal
OC	On Center
OH	Overhang or Opposite Hand
OPP	Opposite or Opposite Hand
OZ	Ounce
PCC	Pre-Cast Concrete
PLUMB	Plumbing
PLYD	Plywood
PT	Pressure Treated
PNT	Paint or Painted
PVC	Polyvinyl Chloride
RBR	Rubber
RCP	Reflected Ceiling Plan
RD	Roof Drain
REQD	Required
RM	Room
SIM	Similar
SD	Smoke Detector
SPEC	Specified OR Specification
SPK	Sprinkler or Speaker
SSTL	Stainless Steel
STC	Sound Transmission Coefficient
STL	Steel
STRUCT	Structure or Structural
T&G	Tongue And Groove
TELE	Telephone
TLT	Toilet
TME	To Match Existing
TO	Top Of
TOC	Top Of Concrete
TOS	Top Of Steel
TPD	Toilet Paper Dispenser
TD	Telephone/Data
TYP	Typical
UNO	Unless Noted Otherwise
U/S	Underside
VIF	Verify In Field
VP	Vision Panel
W/	With
WD	Wood



ARCHITECT:
UP DESIGN & BUILD, LLC

EMAIL:
INFO@UpDesignBuild.COM

PHONE:
617 902 8626



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04/12/2024

PROJECT
NUMBER

NO. DESCRIPTION DATE

KEY PLAN

SHEET NAME
GENERAL NOTES

A001

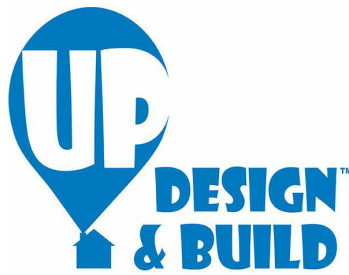
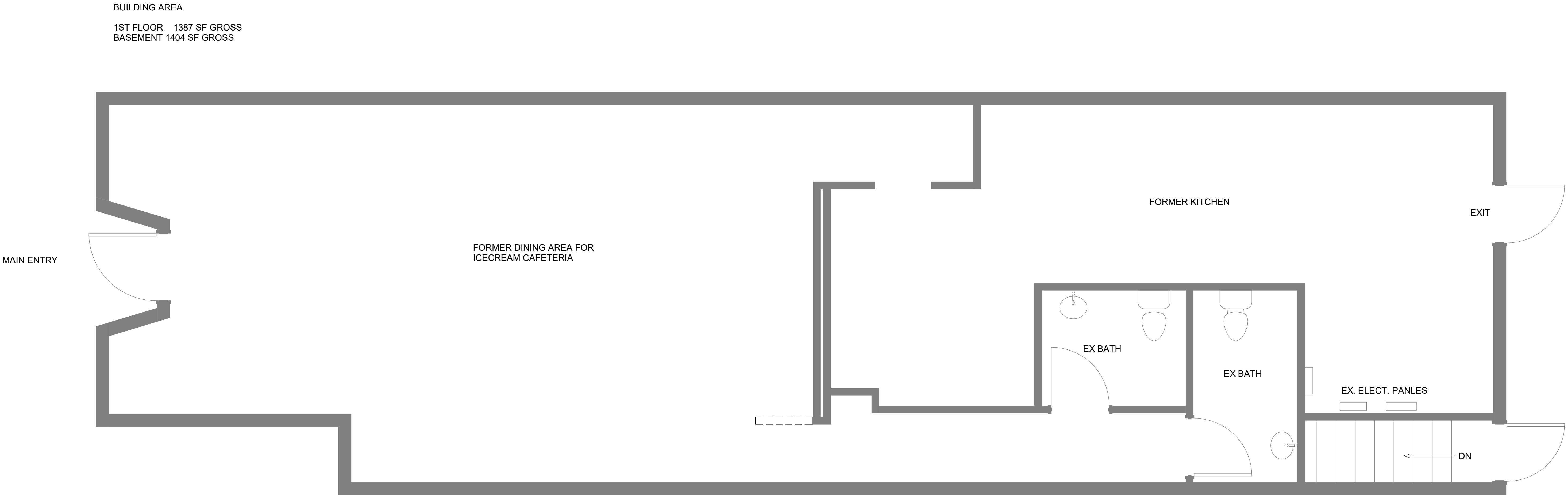
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DEMOLITION LEGEND

- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- CREATE OPENING IN EXISTING WALL
- EXISTING DOOR AND FRAME TO BE REMOVED
- EXISTING DOOR AND/OR FRAME TO BE SALVAGED FOR REUSE. SEE DOOR SCHEDULE FOR DETAILS.
- EXISTING FRAME TO REMAIN, PROTECT; EXISTING DOOR TO BE REMOVED
- EXISTING DOOR AND FRAME TO REMAIN, PROTECT; MODIFY HARDWARE AS SCHEDULED
- REMOVE CONCRETE SLAB TO INSTALL PIPING. COORDINATE WITH PLUMBING DRAWINGS. REFER TO STRUCTURAL DRAWINGS FOR REPAIR DETAIL
- REMOVE EIFS DOWN TO SHEATHING. RECLAD W/ METAL PANEL. REFER TO A3-SERIES DRAWINGS.
- AREA NOT IN SCOPE OF ELV ARCHITECTURAL RENOVATIONS.REFER TO MEP-FP, FA, AND TEL-DATA DRAWINGS FOR ADDITIONAL SCOPE OF SYSTEMS UPGRADES.



ARCHITECT:
UP DESIGN & BUILD, LLC

EMAIL:
INFO@UpDesignBuild.COM

PHONE:
617 902 8626



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04/12/2024

PROJECT
NUMBER 0.08

NO.	DESCRIPTION	DATE
KEY PLAN		

SHEET NAME
FIRST FLOOR -
EXISTING FLOOR
PLAN

A101

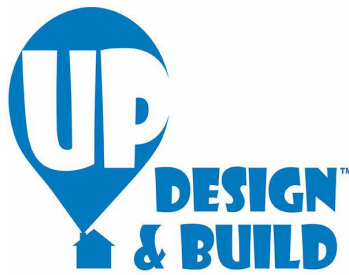
GENERAL NOTES

- CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD, BOTH PRIOR TO DEMOLITION AND UPON COMPLETION OF DEMOLITION, AND NOTIFY ARCHITECT OF ANY DISCREPANCIES.
- PROTECT THE EXISTING BUILDING ELEMENTS TO REMAIN. REFER TO THE SPECIFICATIONS, FOR ADDITIONAL PROTECTION REQUIREMENTS. THE CONSTRUCTION MANAGER IS RESPONSIBLE FOR REPAIR OR REPLACEMENT OF ANY DAMAGE TO EXISTING MATERIALS DURING DEMOLITION OR CONSTRUCTION TO MATCH ORIGINAL CONDITIONS AT NO ADDITIONAL COST TO THE OWNER.
- SEE A001 FOR ABBREVIATIONS AND SYMBOLS.
- DEFICIENCIES IN EXISTING FIRE RATED WALL SYSTEMS SHOULD BE FIRE STOPPED AS NEEDED TO PROVIDE REQUIRED SEPARATION.

ALL DIMENSIONS ARE TO FACE OF FINISH UNLESS NOTED OTHERWISE.
- PROVIDE BLOCKING AS REQUIRED TO MOUNT ALL NEW WALL MOUNTED EQUIPMENT INCLUDING BUT NOT LIMITED TO MONITORS, SCREENS, WHITEBOARDS, BRACKETS, ACOUSTIC PANELS.ETC. LOCATION AND EXTENT OF BLOCKING VARIES, CONTRACTOR TO VERIFY.
- CONTRACTOR TO PROTECT ALL EXISTING IT CABLING/WIRING UNLESS NOTED OTHERWISE.

PLAN LEGEND

- EXISTING WALL TO REMAIN
- NEW PARTITION
- DOOR IN NEW PARTITION
- NEW DOOR IN EXISTING WALL
- EXISTING DOOR TO REMAIN, MODIFY AS NOTED IN DOOR SCHEDULE
- AREA NOT IN ARCH. RENOVATION SCOPE- REFER TO MEP/FP/TEL- DATA DRAWINGS FOR ADDITIONAL INFRASTRUCTURE AND SYSTEMS UPGRADES.



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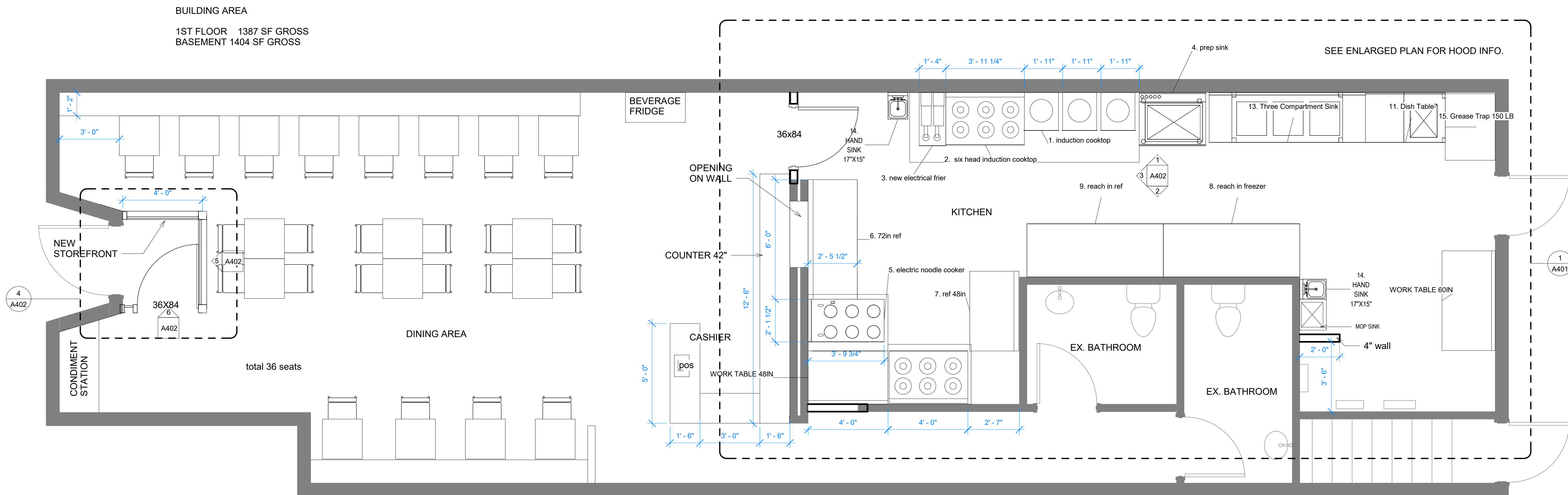
04/12/2024

PROJECT
NUMBER 0.08

NO.	DESCRIPTION	DATE
1	KEY PLAN	

SHEET NAME
FIRST FLOOR -
PROPOSED
FLOOR PLAN

A102



2 LEVEL 1 FLOOR PLAN
A102 Scale: 3/8" = 1'-0" Ref: A7

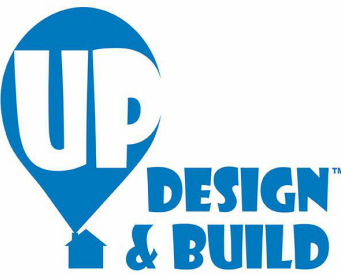
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DEMOLITION LEGEND

- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- CREATE OPENING IN EXISTING WALL
- EXISTING DOOR AND FRAME TO BE REMOVED
- EXISTING DOOR AND/OR FRAME TO BE SALVAGED FOR REUSE. SEE DOOR SCHEDULE FOR DETAILS.
- EXISTING FRAME TO REMAIN, PROTECT; EXISTING DOOR TO BE REMOVED
- EXISTING DOOR AND FRAME TO REMAIN, PROTECT; MODIFY HARDWARE AS SCHEDULED
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BUILDING AREA
1ST FLOOR 1387 SF GROSS
BASEMENT 1404 SF GROSS



ARCHITECT:
UP DESIGN & BUILD, LLC

EMAIL:
INFO@UpDesignBuild.COM

PHONE:
617 902 8626



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04/12/2024

PROJECT
NUMBER 0.08

NO.	DESCRIPTION	DATE
KEY PLAN		

SHEET NAME
BASEMENT -
EXISTING PLAN

GENERAL NOTES

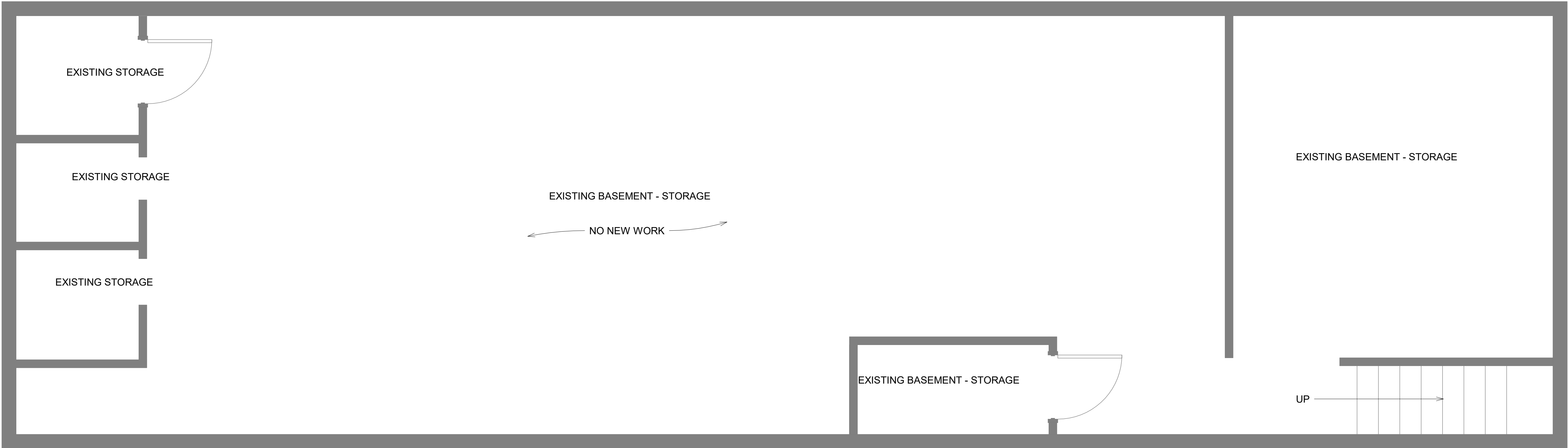
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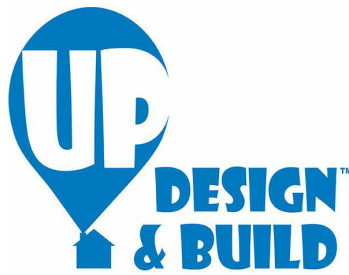
PLAN LEGEND

- EXISTING WALL TO REMAIN
- NEW PARTITION
- DOOR IN NEW PARTITION
- NEW DOOR IN EXISTING WALL
- EXISTING DOOR TO REMAIN, MODIFY AS NOTED IN DOOR SCHEDULE
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BUILDING AREA
1ST FLOOR 1387 SF GROSS
BASEMENT 1404 SF GROSS



1 BASEMENT - PROPOSED
A202 Not to Scale



ARCHITECT:
UP DESIGN & BUILD, LLC

EMAIL:
INFO@UpDesignBuild.COM

PHONE:
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SHEET NAME
BASEMENT -
PROPOSED PLAN

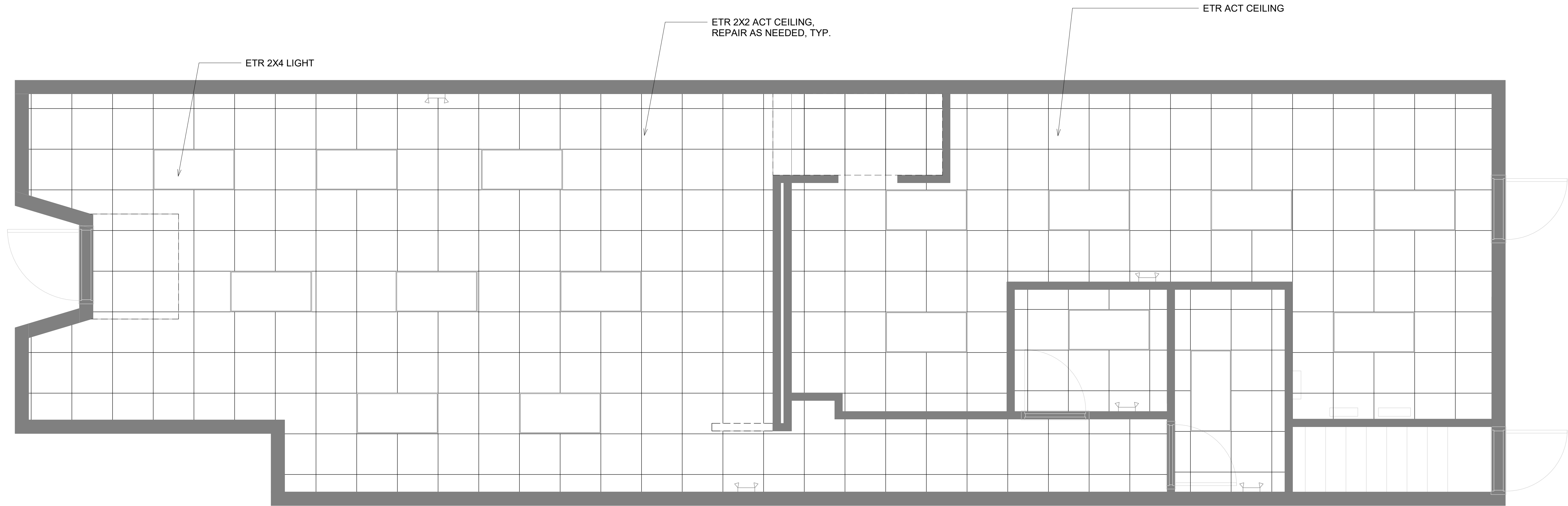
A202

DEMOLITION NOTES:

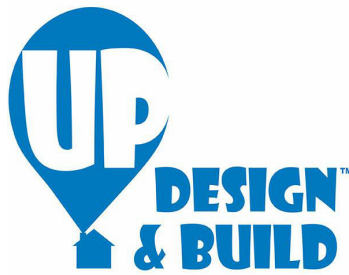
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8. PROTECT ALL EXISTING FLOORS, WALLS, PARTITIONS, AND CEILINGS TO REMAIN.
9. REMOVE FROM THE SITE AND LEGALLY DISPOSE OF ALL RUBBISH, DEMOLITION MATERIALS AND DEBRIS CAUSED BY DEMOLITION.
10. REMOVE TEMPORARY PARTITIONS DOORS AND FRAMES AT THE CONCLUSION OF THE PROJECT. PATCH AND OR REPLACE ADJACENT SURFACES.
11. DEMOLISH AND REMOVE PARTITIONS, FINISHES, EQUIPMENT AND MATERIALS WHICH ARE INDICATED FOR DEMOLITION OR REQUIRED TO BE REMOVED IN ORDER TO PERMIT CONSTRUCTION.
12. FLOORS THAT ARE TO ACCEPT NEW FLOOR FINISHES SHALL BE GROUND, SCARIFIED, AND/OR ETCHED AS NECESSARY TO COMPLETELY REMOVE OLD FINISHES AND ADHESIVES. DO NOT DAMAGE GWB ABOVE BASE IN AREAS TO REMAIN.
13. DIMENSIONED AREAS OF PARTITIONS TO BE REMOVED ARE FOR FUTURE OPENINGS. ACTUAL OPENING SIZE MAY VARY DEPENDING ON EXISTING PARTITION FRAMING. THE OPENING IS ASSUMED TO BE AS LARGE AS REQUIRED TO MEET THE NEW OPENING FRAME OR OPENING SIZE.
14. VERIFY IN FIELD ALL EXISTING CONDITIONS AND DIMENSIONS, TYPICAL.
15. THESE DOCUMENTS INTEND TO ILLUSTRATE THE SCOPE OF DEMOLITION. ANY ITEM FOUND ON THE SITE IN AN AREA TO BE DEMOLISHED OR CONNECTED TO AN ITEM TO BE REMOVED IS ALSO TO BE REMOVED UNLESS IT EITHER A) SUPPORTS AN EXISTING ITEM OR B) WILL SUPPORT A PROPOSED ITEM.

DEMOLITION LEGEND

- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- CREATE OPENING IN EXISTING WALL
- EXISTING DOOR AND FRAME TO BE REMOVED
- EXISTING DOOR AND/OR FRAME TO BE SALVAGED FOR REUSE. SEE DOOR SCHEDULE FOR DETAILS.
- EXISTING FRAME TO REMAIN, PROTECT; EXISTING DOOR TO BE REMOVED
- EXISTING DOOR AND FRAME TO REMAIN, PROTECT; MODIFY HARDWARE AS SCHEDULED
- REMOVE CONCRETE SLAB TO INSTALL PIPING. COORDINATE WITH PLUMBING DRAWINGS. REFER TO STRUCTURAL DRAWINGS FOR REPAIR DETAIL
- REMOVE EIFS DOWN TO SHEATHING. RECLAD W/ METAL PANEL. REFER TO A3-SERIES DRAWINGS.
- AREA NOT IN SCOPE OF ELV ARCHITECTURAL RENOVATIONS.REFER TO MEP-FP, FA, AND TEL-DATA DRAWINGS FOR ADDITIONAL SCOPE OF SYSTEMS UPGRADES.



1 LEVEL 1 REFLECTED CEILING PLAN- EXISTING
Scale: 3/8" = 1'-0"



ARCHITECT:
UP DESIGN & BUILD, LLC

EMAIL:
INFO@UpDesignBuild.COM

PHONE:
617 902 8626



PRELIMINARY CONCEPT,
NOT VALID WITHOUT STAMP

998 Great Plain
Ave,Needham,MA

PERMIT SET

04/12/2024

PROJECT
NUMBER 0.08

NO.	DESCRIPTION	DATE
KEY PLAN		

SHEET NAME
EXISTING RCP -
1ST CEILING
PLAN

A301

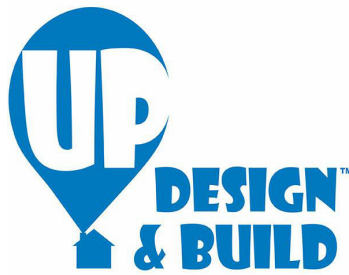
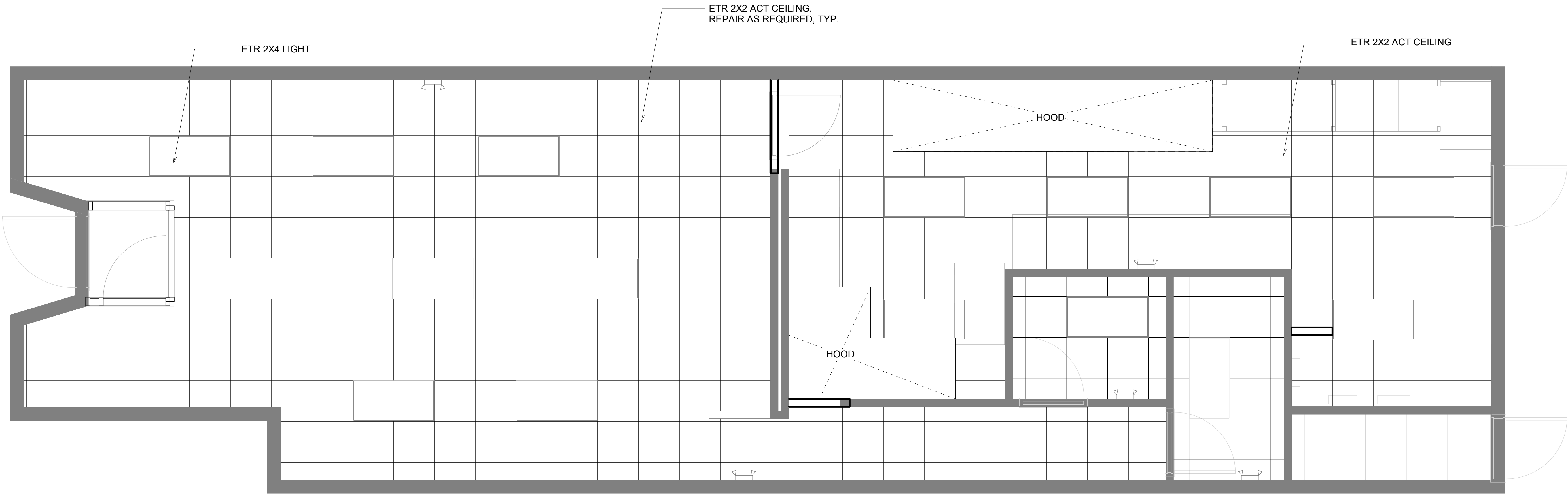
GENERAL NOTES

1. CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD, BOTH PRIOR TO DEMOLITION AND UPON COMPLETION OF DEMOLITION, AND NOTIFY ARCHITECT OF ANY DISCREPANCIES.
2. PROTECT THE EXISTING BUILDING ELEMENTS TO REMAIN. REFER TO THE SPECIFICATIONS, FOR ADDITIONAL PROTECTION REQUIREMENTS. THE CONSTRUCTION MANAGER IS RESPONSIBLE FOR REPAIR OR REPLACEMENT OF ANY DAMAGE TO EXISTING MATERIALS DURING DEMOLITION OR CONSTRUCTION TO MATCH ORIGINAL CONDITIONS AT NO ADDITIONAL COST TO THE OWNER.
3. SEE A001 FOR ABBREVIATIONS AND SYMBOLS.
4. DEFICIENCIES IN EXISTING FIRE RATED WALL SYSTEMS SHOULD BE FIRE STOPPED AS NEEDED TO PROVIDE REQUIRED SEPARATION.

ALL DIMENSIONS ARE TO FACE OF FINISH UNLESS NOTED OTHERWISE.
5. PROVIDE BLOCKING AS REQUIRED TO MOUNT ALL NEW WALL MOUNTED EQUIPMENT INCLUDING BUT NOT LIMITED TO MONITORS, SCREENS, WHITEBOARDS, BRACKETS, ACOUSTIC PANELS.ETC. LOCATION AND EXTENT OF BLOCKING VARIES, CONTRACTOR TO VERIFY.
6. CONTRACTOR TO PROTECT ALL EXISTING IT CABLING/WIRING UNLESS NOTED OTHERWISE.

PLAN LEGEND

- EXISTING WALL TO REMAIN
- NEW PARTITION
- DOOR IN NEW PARTITION
- NEW DOOR IN EXISTING WALL
- EXISTING DOOR TO REMAIN, MODIFY AS NOTED IN DOOR SCHEDULE
- AREA NOT IN ARCH. RENOVATION SCOPE- REFER TO MEP/FP/TEL- DATA DRAWINGS FOR ADDITIONAL INFRASTRUCTURE AND SYSTEMS UPGRADES.



ARCHITECT:
UP DESIGN & BUILD, LLC

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PROJECT
NUMBER

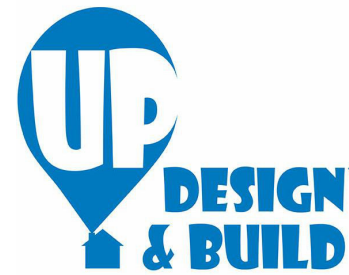
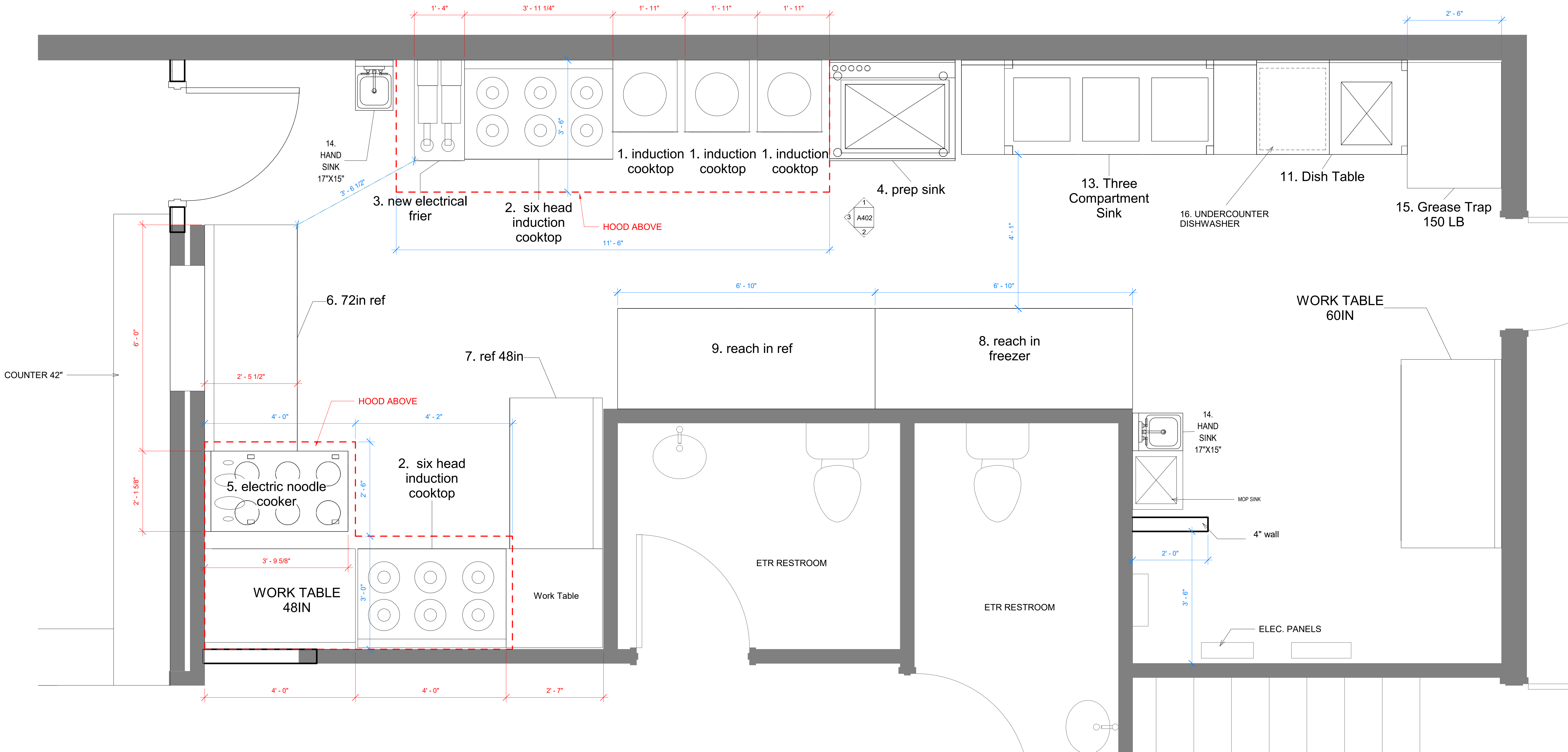
0.08

NO.	DESCRIPTION	DATE
1	KEY PLAN	

SHEET NAME
PROPOSED RCP -
1ST CEILING
PLAN

KITCHEN EQUIPMENT LIST:

1. Floor Standing Induction Cooker.
2. 6 head Induction Cooker.
3. Frier.
4. Prep Sink.
5. Noodle Cooker.
6. 72" Worktop Refrigerator.
7. 48" Worktop Refrigerator.
8. 82" Reach in Freezer.
9. 82" Reach in Refrigerator.
10. Work table 32" X 60"
11. Dish table 48" X 30"
12. Work table 32" X 32"
13. 3 compartment sink 94" X 30"
14. Hand Sink 17" X 15"
15. Grease Trap 150Lb
16. Undercounter Dishwasher



ARCHITECT:
UP DESIGN & BUILD, LLC

EMAIL:
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Ave, Needham, MA

PERMIT SET

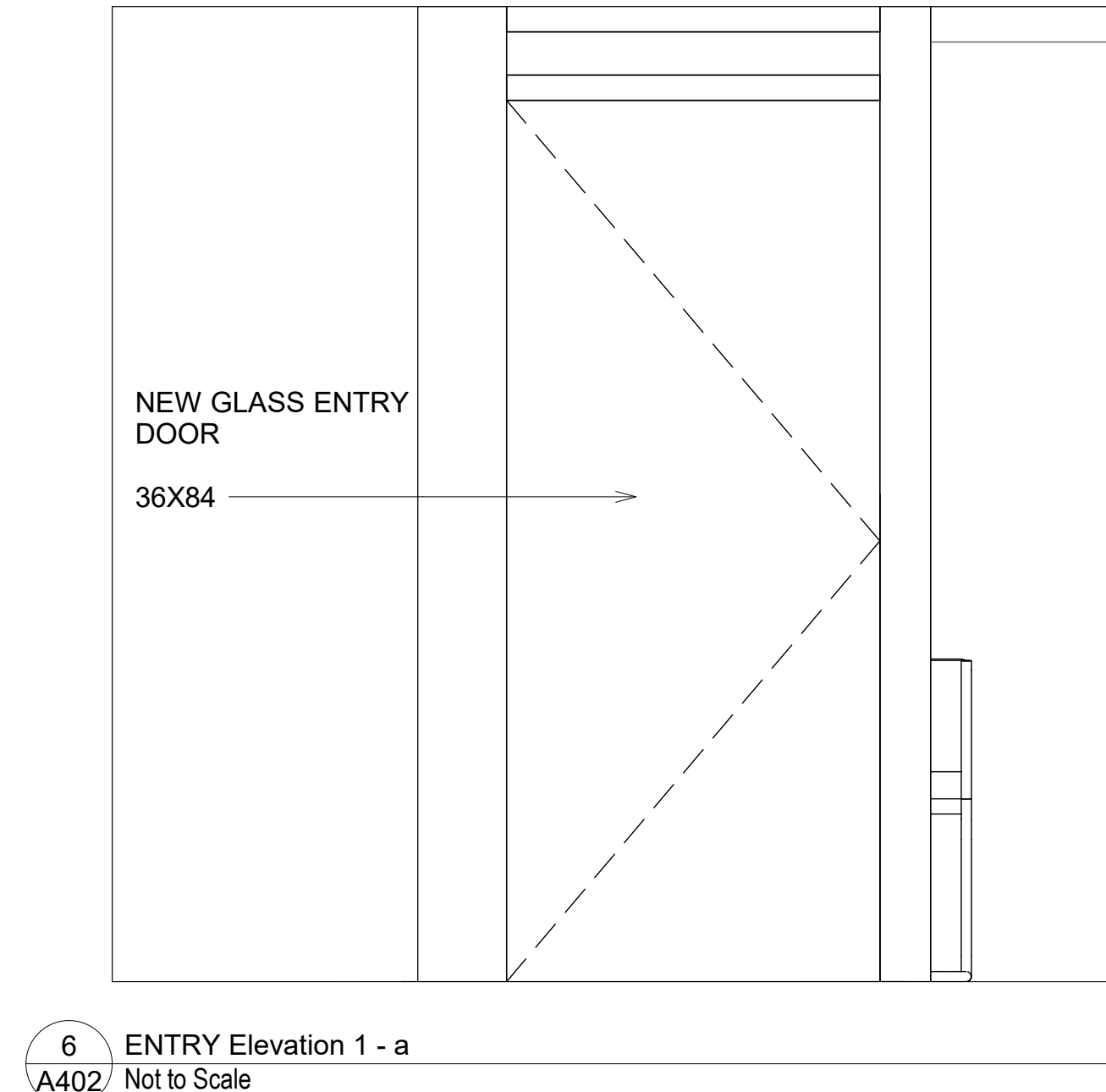
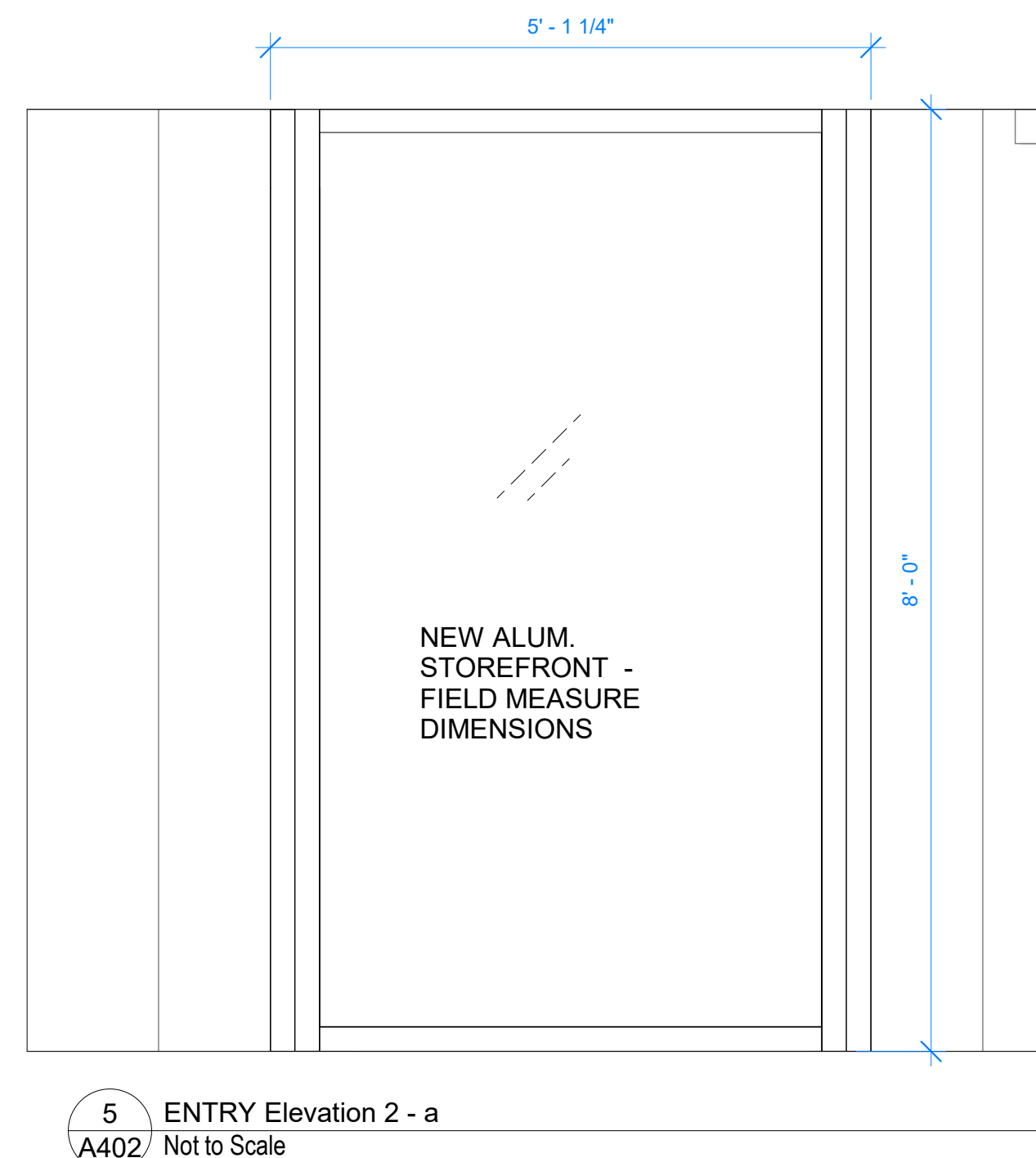
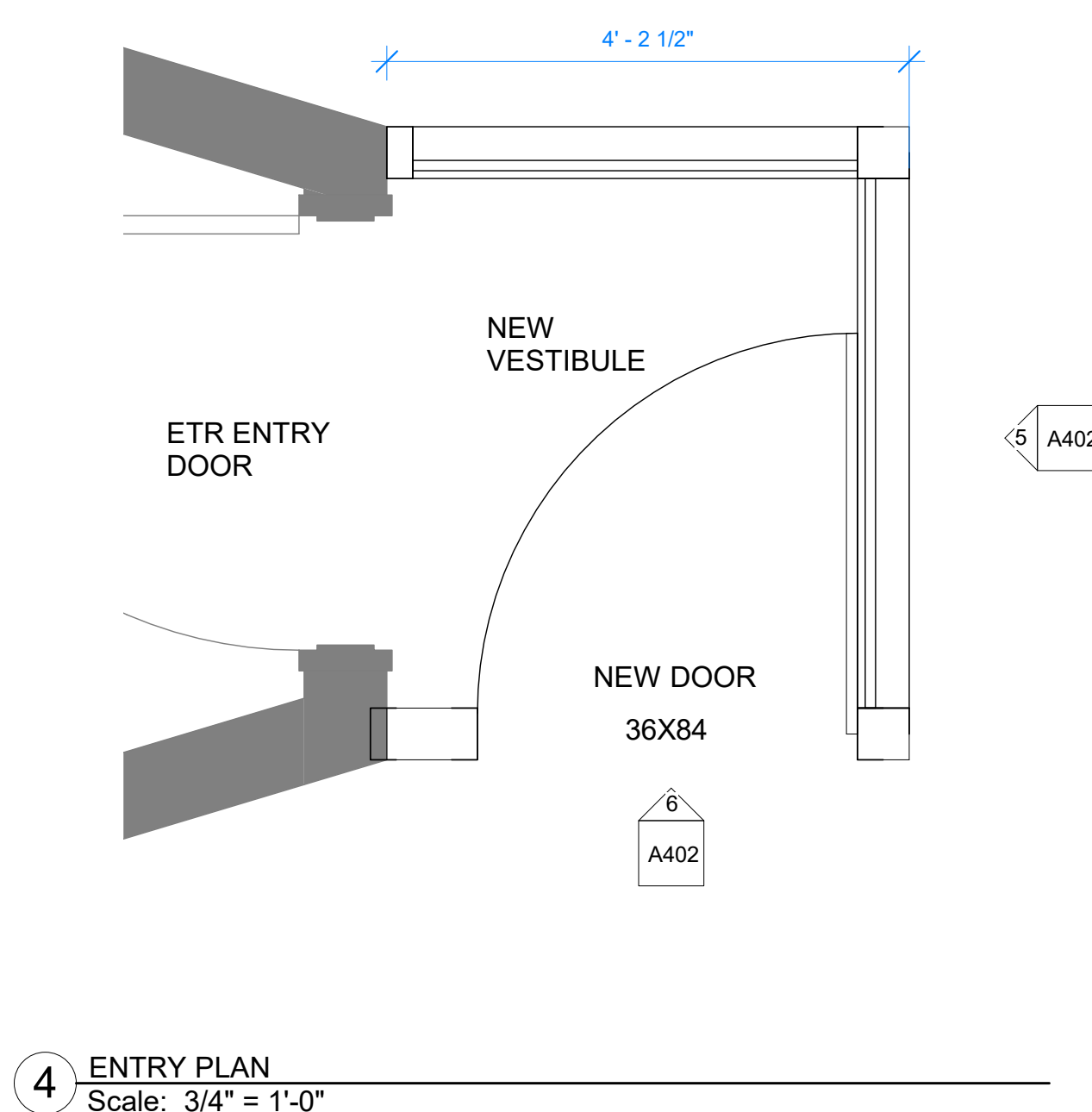
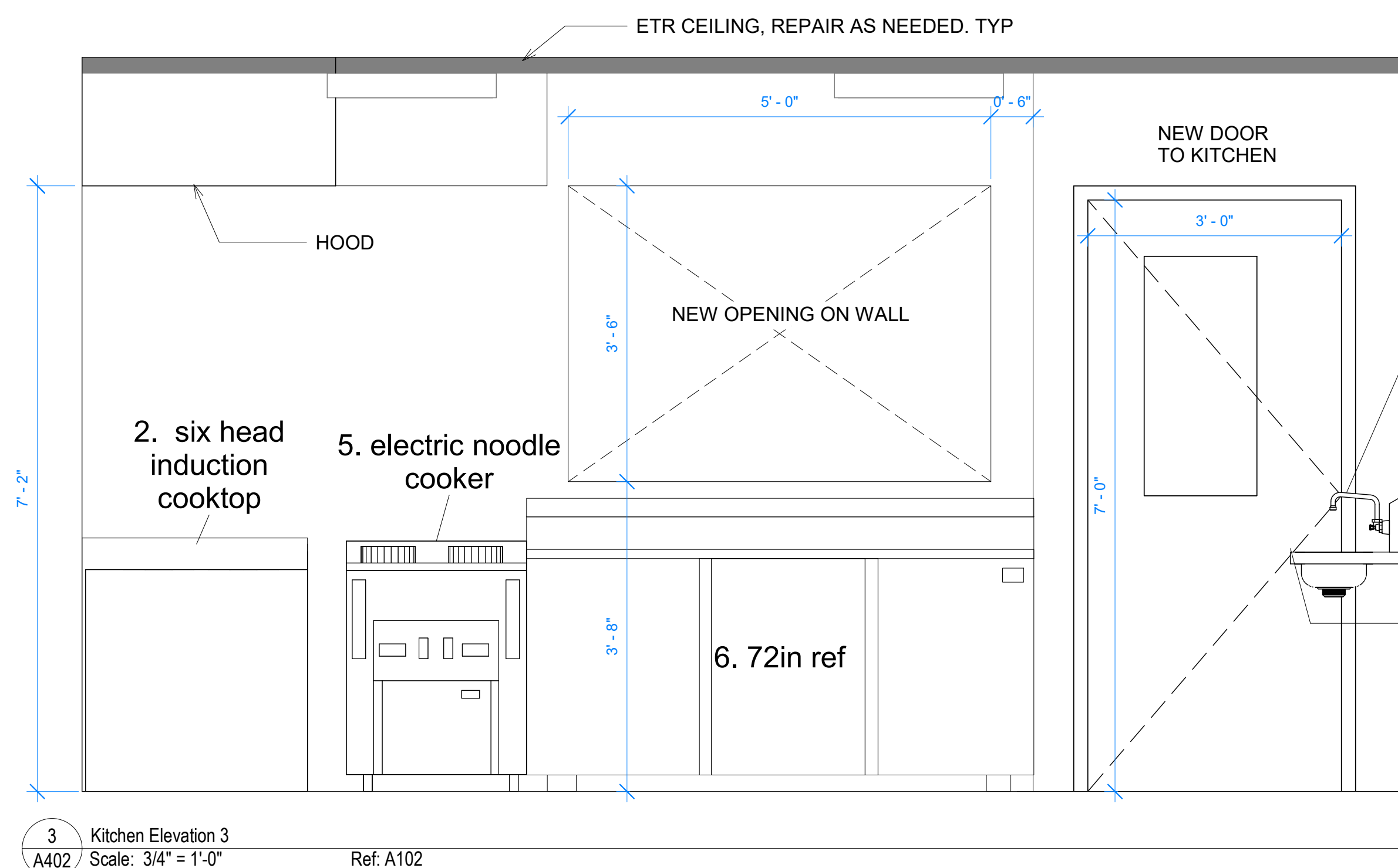
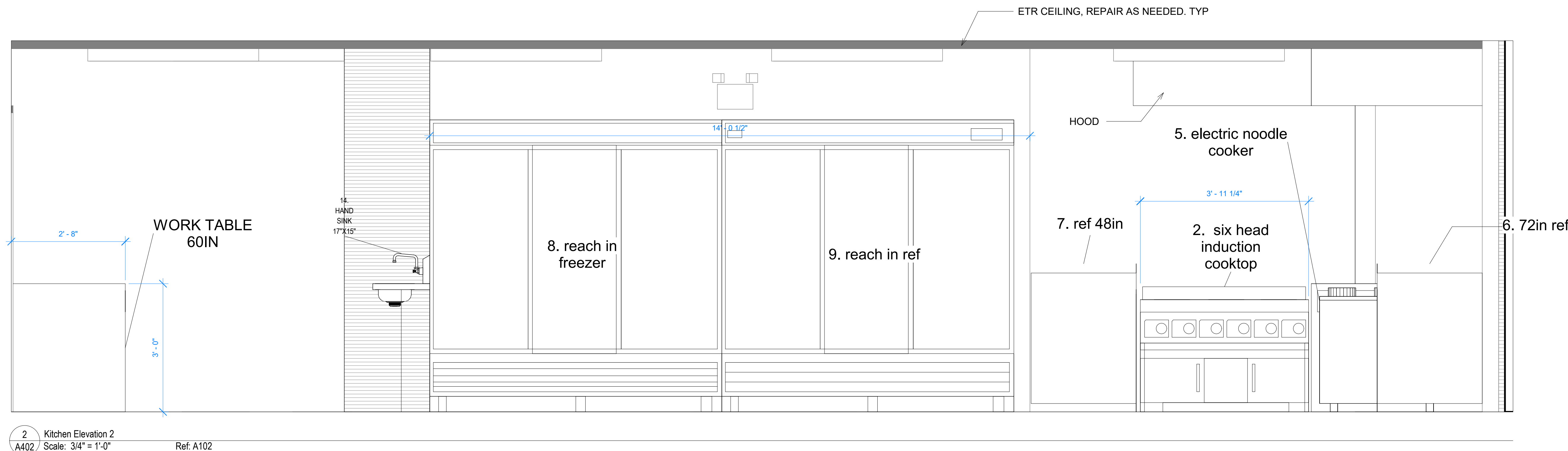
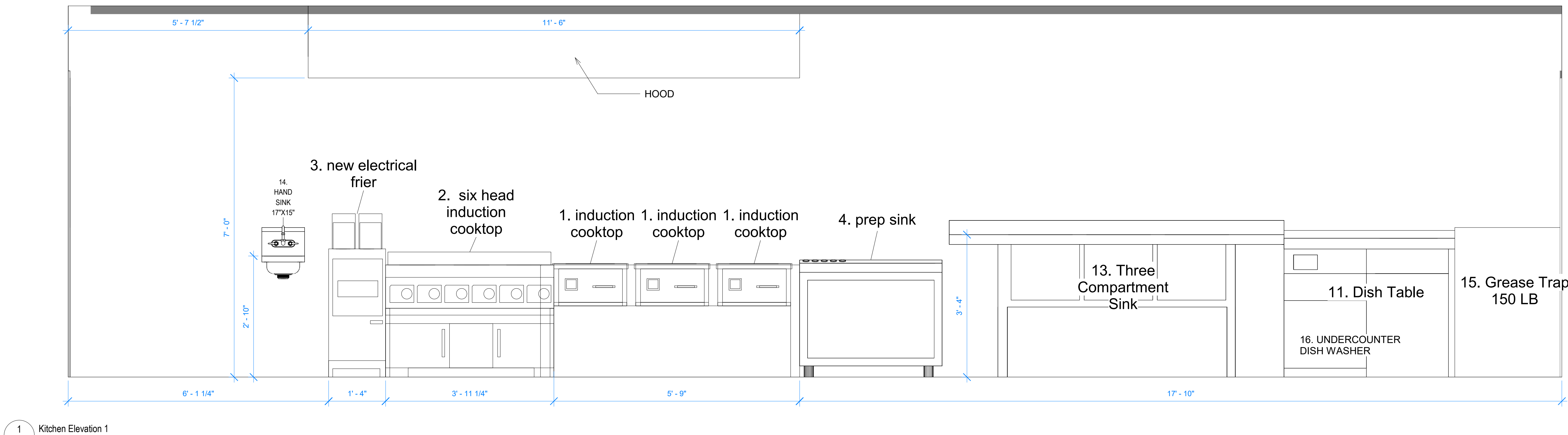
04/12/2024

PROJECT
NUMBER 0.08

NO.	DESCRIPTION	DATE
1	KEY PLAN	

SHEET NAME
ENLARGED
PLANS AND
INTERIOR
ELEVATIONS

A401

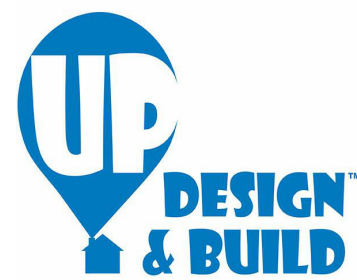
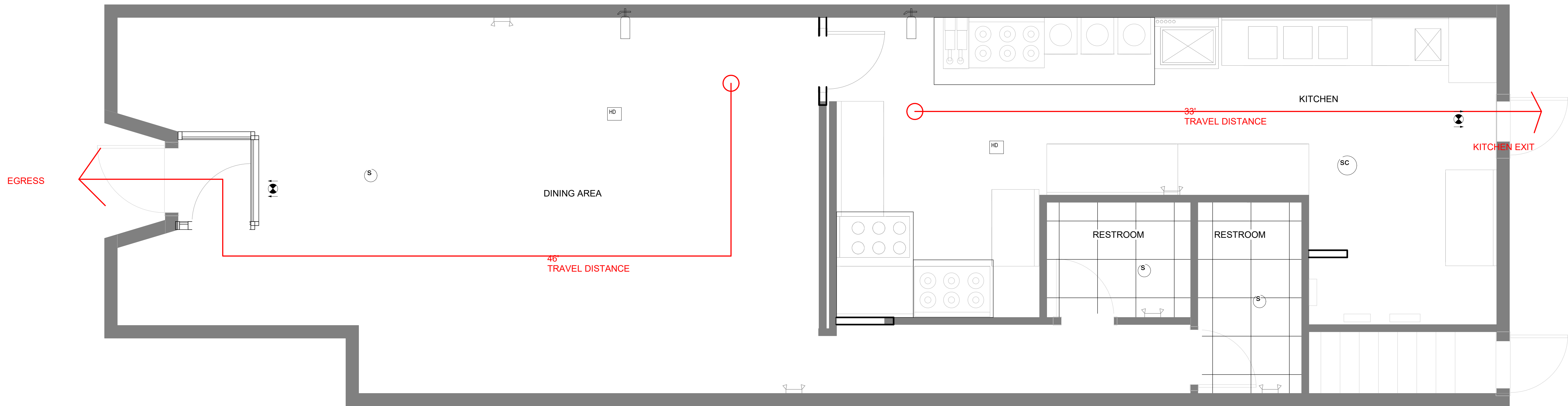


FIRE ALARM LEGEND

A NEW COMPLETE COVERAGE FIRE ALARM SYSTEM SHALL BE INSTALLED ACCORDING TO CHAPTER 9 OF THE RI STATE FIRE CODE. ALARM SHALL INCLUDE EMERGENCY FORCES NOTIFICATION (MUNICIPALLY CONNECTED).

OWNER / CONTRACTOR SHALL ENGAGE A LICENSED FIRE ALARM COMPANY TO PROVIDE ALL NECESSARY DRAWINGS, CALCULATIONS AND SUBMITTALS REQUIRED BY THE FIRE DEPARTMENT.

FACP	FIRE ALARM CONTROL PANEL		INTERNALLY ILLUMINATED EXIT SIGN W/ DUAL EMERGENCY LIGHTS
MB	MASTER BOX		EMERGENCY LIGHT
PS	DOUBLE ACTION PULL STATION		HEAT DETECTOR
HS	HORN STROBE -MOUNT AT 80" AF.		FIRE EXTINGUISHER
KB	KNOX BOX		
S	SMOKE DETECTOR/ HARD WIRED		
SC	SMOKE DETECTOR & CO COMBO		



ARCHITECT:
UP DESIGN & BUILD, LLC

EMAIL:
INFO@UpDesignBuild.COM

PHONE:
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PRELIMINARY CONCEPT,
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**998 Great Plain
Ave,Needham,MA**

PERMIT SET

04/12/2024

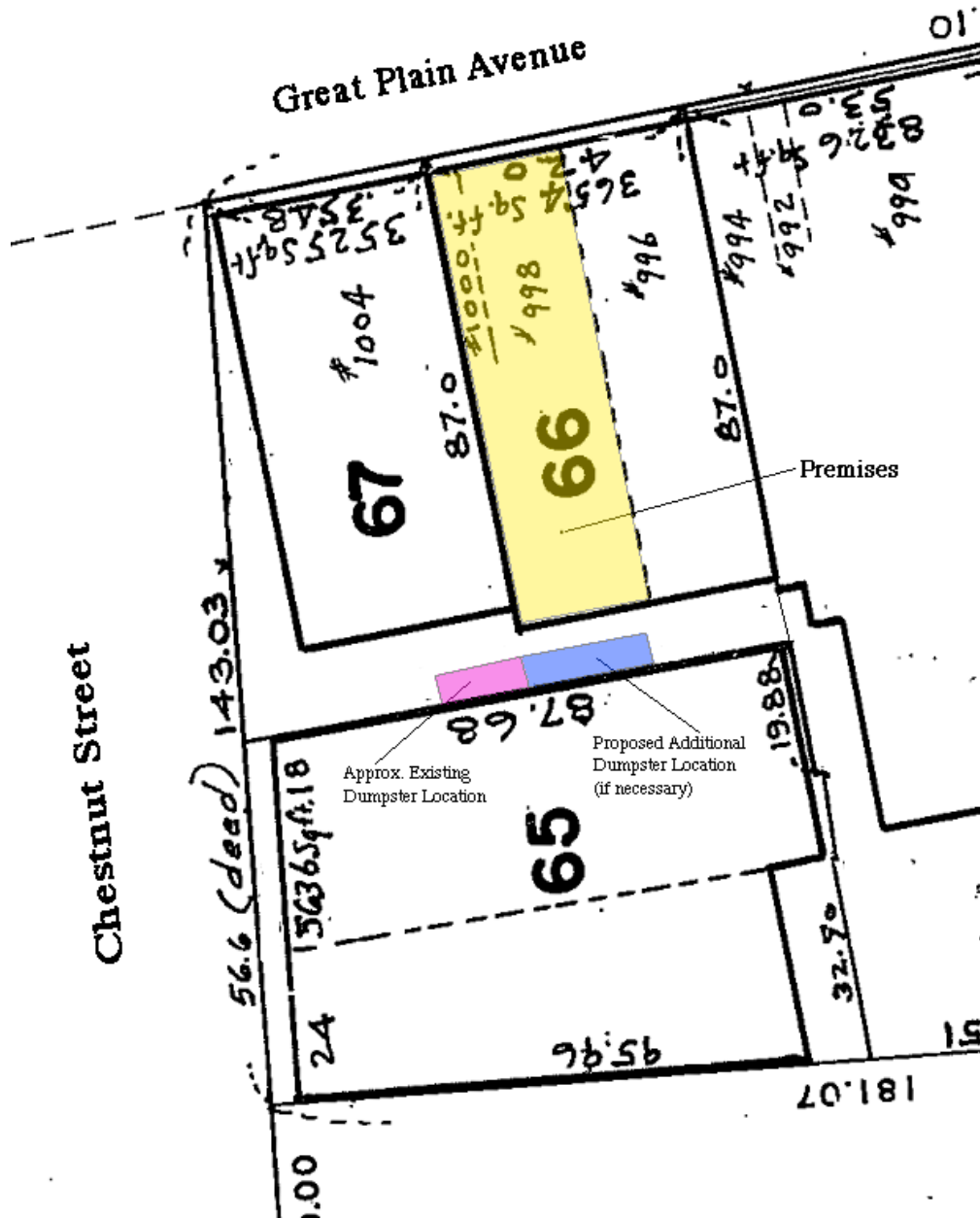
PROJECT
NUMBER 0.08

NO.	DESCRIPTION	DATE
KEY PLAN		

SHEET NAME
LIFE SAFTY PLAN

Dumpster Location Information
WR Noodle Group, Inc.
998 Great Plain Avenue
Needham, Massachusetts

I. Sketch of Approximate Existing Dumpster Location
and
Proposed Additional Location (if necessary)



II. Google Images Photos of Alley Viewed from Chestnut Street

A. October, 2023



B. July, 2022



From: [John Schlittler](#)
To: [Alexandra Clee](#)
Subject: RE: Request for comment - new restaurant - WR Noodles 998 Great Plain Ave
Date: Thursday, May 16, 2024 2:48:33 PM

Police has no issue thanks

From: Alexandra Clee <aclee@needhamma.gov>
Sent: Thursday, May 16, 2024 10:42 AM
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 - new restaurant - WR Noodles 998 Great Plain Ave

Dear all,

We have received the attached application materials for the proposal to the Petitioner to allow for a new restaurant at 998 Great Plain Avenue. More information can be found in the attachments.

The Planning Board has scheduled this matter for June 18, 2024. Please send your comments **by Wednesday June 12, 2024**, at the latest.

The documents attached for your review are as follows:

1. Application for Major Project Special Permit No. 2024-02, with Addendum A.
2. Authorization Letter from Jeffrey A. Katz and Gary M. Katz, Trustees, AJ Realty Trust, dated April 17, 2024.
3. Letters from Attorney George Giunta Jr., dated May 2, 2024.
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“Existing RCP – 1st Ceiling Plan,” dated April 12, 2024; Sheet 8, Sheet A302, entitled “Proposed RCP – 1st Ceiling Plan,” dated April 12, 2024; Sheet 9, Sheet A401, entitled “Enlarged Plans and Interior Elevations,” dated April 12, 2024; Sheet 10, Sheet A402, entitled “Interior Elevations & Entry,” dated April 12, 2024; Sheet 11, Sheet A601, entitled “Life Safety Plan,” dated April 12, 2024.

Thank you, alex.

Alexandra Clee

Assistant Town Planner

Needham, MA

781-455-7550 ext. 271

www.needhamma.gov/planning

<< File: Full Application for website_WR Noodles.pdf >>

From: [Joseph Prondak](#)
To: [Alexandra Clee](#); [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](#); [Edward Olsen](#)
Subject: RE: Request for comment - new restaurant - WR Noodles 998 Great Plain Ave
Date: Friday, May 17, 2024 11:04:01 AM

Hi Alex,

I have reviewed the attached application and plans. I agree with Attorney Guinta's analyses of the required Zoning relief and believe that all applicable sections of the bylaw have been considered.

The Building Department has no Zoning concerns with the restaurant use or its proposed layout. If they are successful in this application, we will need further information on the plans to ensure Building Code compliance, including but not limited to further dimensioning of the new front entry vestibule for accessibility compliance and details on the kitchen hood, exhaust and fire suppression system at certain cooking appliances, at the time of their application for a Building Permit. It is also noted that this facility will likely require a new food service dumpster. I would like the ability to comment on its proposed location as that is not shown herein.

Sincerely,

Joe Prondak

Needham Building Commissioner

781-455-7550 x308

From: Alexandra Clee <aclee@needhamma.gov>

Sent: Thursday, May 16, 2024 10:42 AM

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 - new restaurant - WR Noodles 998 Great Plain Ave

Dear all,

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Thank you, alex.

Alexandra Clee

Assistant Town Planner

Needham, MA

781-455-7550 ext. 271

www.needhamma.gov/planning

<< File: Full Application for website_WR Noodles.pdf >>

From: [Tara Gurge](#)
To: [Alexandra Clee](#)
Subject: RE: Request for comment - new restaurant - WR Noodles 998 Great Plain Ave
Date: Wednesday, June 12, 2024 4:16:59 PM

Hello Alex –

Here are the Public Health Divisions comments for the proposed Planning Board project coming up for discussion for WR Noodle Group, Inc., located at **998 Great Plain Ave.** See below:

- The new food establishment owner must fill out and submit an online Public Health Division Food Permit Plan Review packet for review and approval, which includes a food permit application, through the Towns new ViewPoint Cloud online permitting system. Here is the direct link to the permit application and plan review - <https://needhamma.viewpointcloud.com/categories/1073/record-types/1006516> . The relevant documents must be uploaded online for review and approval, including a copy of a food service equipment layout plan, and copies of new equipment spec sheets and copies of staff Servsafe food training certifications must be uploaded for your review and approval. Once the online permit fees are paid, pre-operation inspections must be conducted prior to issuance of a food permit, which must be issued prior to operation. Please keep in mind – Detailed interior and exterior (if applicable) seating plans will also need to be submitted as part of this plan review process.
- As part of this food permit approval process, please keep in mind that sufficient parking lot spaces must also be made available for two full-size dumpsters, one designated for trash and the other designated for recycling only, along with waste oil/grease containment (if applicable). These dumpsters must be placed in an easily accessible area, on a concrete pad, outside of the new facility. An exterior grease interceptor may also need to be installed. These dumpsters must be on approved waste hauler pick-up/service schedules to accommodate sufficient proper trash and recycling containment and disposal, to prevent the risk of attracting pests and unsanitary conditions.
- On-going pest control by a certified pest control operator must be conducted prior to the start of these new restaurant renovations and throughout construction.

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!](#)

From: Alexandra Clee <aclee@needhamma.gov>

Sent: Thursday, May 16, 2024 10:42 AM

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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Subject: Request for comment - new restaurant - WR Noodles 998 Great Plain Ave

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Thank you, alex.

Alexandra Clee

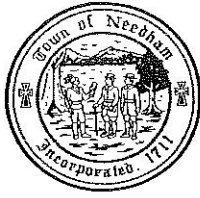
Assistant Town Planner

Needham, MA

781-455-7550 ext. 271

www.needhamma.gov/planning

<< File: Full Application for website_WR Noodles.pdf >>



**TOWN OF NEEDHAM, MASSACHUSETTS
PUBLIC WORKS DEPARTMENT
500 Dedham Avenue, Needham, MA 02492
Telephone (781) 455-7550 FAX (781) 449-9023**

June 14, 2024

Needham Planning Board
Needham Public Service Administration Building
Needham, MA 02492

RE: Amendment Major Project Site Plan Special Permit No. 2024-02
998 Great Plain Avenue – Noodle Group, Inc

Dear Members of the Board,

The Department of Public Works has completed its review of the above referenced a Major Project Site Plan Special Permit. The applicant proposes to renovate former retail space to a 36-seat Noodle restaurant with take out service.

The review was conducted in accordance with the Planning Board's regulations and standard engineering practice. The documents submitted for review are as follows:

The documents attached for your review are as follows:

1. Application for Major Project Special Permit No. 2024-02, with Addendum A.
2. Authorization Letter from Jeffrey A. Katz and Gary M. Katz, Trustees, AJ Realty Trust, dated April 17, 2024.
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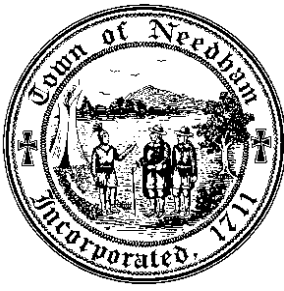
Our comments and recommendations are as follows:

We have no comment or objection to the proposed plans

If you have any questions regarding the above, please contact our office at 781-455-7538.

Truly yours,

Thomas Ryder
Town Engineer



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-Laws, Sections 7.4, 5.1.1.6, 5.1.2 and 5.1.3, and Section 4.2 of Major Project Special Permit No. 2005-08, dated December 6, 2005, amended January 4, 2011, the Needham Planning Board will hold a public hearing on Tuesday, June 18, 2024 at 7:20 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 the Yeat, Inc. d/b/a Sweet Basil, 942 Great Plain Avenue, Needham, MA 02492.

The subject property is located at 936-942 Great Plain Avenue, Needham, Massachusetts. Said property is shown on Needham Town Assessors Plan, No. 47 as Parcel 4, containing 10,968 square feet in the Center Business District. The requested amendment would permit the addition of 17 year-round outdoor seats by Sweet Basil adjacent to the building along with the associated parking waiver. The seating would be located primarily on the private portion of the sidewalk immediately abutting the front façade of the building. The Petitioner further intends to request permission for 32 seats within a “parklet” within the right of way of Great plain Avenue. Although this request itself is not within the Planning Board’s jurisdiction, the Petitioner is requesting a parking waiver for those seats as part of the subject application, so that if approved by the Select Board, the waiver already will be issued.

In accordance with the Zoning By-Law, Section 5.1.1.6, a Special Permit is required to waive strict adherence with the requirements of Sections 5.1.2 (Required Parking) and 5.1.3 (Parking Plan and Design Requirement) of the Zoning By-Law. In accordance with the Zoning By-Law, Section 7.4, and Section 4.2 of Major Project Special Permit No. 2005-08, dated December 6, 2005, amended January 4, 2011, a Major Project Site Plan Review Amendment 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

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>

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, May 30, 2024 and June 6, 2024.

2024 JUN 13 AM 9:50



TOWN of NEEDHAM
MASSACHUSETTS
APPLICATION FOR OUTDOOR SEATING
UNDER SECTION 6.9 OF THE ZONING BY-LAW

LOCATION:

Property Address: 942 GREAT PLAIN AVE
Name of Establishment: SWEET BASIL

APPLICANT:

Name (must be business owner, manager, or lessee): DAVID BECKER

Address: 300 LAGRANGE STREET WEST ROXBURY MA
02132

Telephone Number: (508) 221-8856

Email Address: David.B.Becker@gmail.com

Do you own or rent property? RENT

PROPERTY OWNER:

Complete this section if applicant is not the property owner

Name (must be owner): FIRST CAMBRIDGE REIT CORPORATION

Address: 907 MASSACHUSETTS AVENUE #2
CAMBRIDGE, MA 02139

Telephone Number: 617-547-6559

Email Address: RBARONE@FCRCORP.COM

APPLICATION REQUEST:

Are you requesting to have outdoor dining on PRIVATE parking spaces? Yes ___ No ✓

If yes, how many private parking spaces?

Are you requesting to have outdoor dining on PUBLIC parking spaces (on-street or in a public parking lot)? Yes ✓ No ___

If yes, how many public parking spaces do you intend to use in each category? *Note: there is a maximum of 3 parking spaces allowed per applicant.*

2 # on-street public parking spots. Please note, required concrete barriers will take up 1 parking spot and should be added to the total number of spots you are applying to use.

0 # of off-street public parking spots (in a public parking lot)

Are any of the spaces you are requesting to use designated for handicap parking? NO

Are you requesting to have outdoor dining on a sidewalk? yes

SEATING: FACILITIES/EQUIPMENT:

Total number of seats approved under existing Special Permit 60
Total number of seats existing inside 60 (may be same as above or fewer)

Number of restrooms provided 3

Total number of seats proposed outside 39 Size of Grease Trap _____

Number of chairs 39 Air Curtains (if opening is off kitchen) N/A

Number of tables 12 Screens (if opening is off kitchen) _____

Outdoor Seating Area dimensions 27' x 8'

Type of Barrier or Enclosure to Define Seating Area

(mandatory if alcohol is proposed to be served):

CONCRETE BARRIERS (STREET)

RETRACTABLE RAIL (SIDEWALK)

DATES AND HOURS OF OPERATION

The standard outdoor dining season in the Town of Needham is April 1 - November 30. The Town will consider applications that extend beyond that timeframe on an individual basis.

Are you requesting to serve food & beverage outdoors earlier than April 1 or later than November 30? Yes no

If yes, what are your proposed opening and closing dates?

N/A

What days of the week and hours do you plan to serve food & beverage outdoors?

MON-FRI 5-10pm, Sat 4-10pm, Sun 4-10pm

BRIEF DESCRIPTION OF:

Seating Arrangement, Type of Furniture, Type of Barrier or Enclosure to Define Seating Area

(mandatory if alcohol is proposed to be served), Ingress/Egress from the Inside to the Outside.

Location of Outdoor Exit Area in the case of an emergency, Written Description of Colors and Materials Used

WE WILL USE 11 OUTDOOR TABLES (PATIO) WITH 3-4 MATCHING CHAIRS PER TABLE. CONCRETE BARRIERS IN THE STREET, ALONG WITH RETRACTABLE RAILS ON THE SIDEWALK. FRONT DOOR WILL BE USED FOR ACCESS. THERE ARE 2 OTHER AVAILABLE EGRESS, ONE IN THE FRONT OF THE BUILDING AND ONE IN THE BACK. COLOR SCHEME IS CHARCOAL GREY. WE WILL USE METAL

Outdoor Furniture.

PLAN REQUIREMENTS

Submit a Plan of the Outside Seating Area, showing precise dimensions and locations of:

- (1) Seating arrangement, including the arrangement of the furniture
 - (2) Enclosure of dining area (this is required if service of alcohol is proposed)
 - (3) Location of ingress/egress from inside to outside
 - (4) Location of outside emergency exit(s)
 - (5) Separation distances to building, curbing, sidewalks, streets, trees, planters, rubbish containers, equipment, and any other obstacles in pedestrian walkway or access aisles
- Said Plan must be certified by a Registered Architect or Engineer with certifications that the restaurant with the outdoor seating complies with egress and access requirements, that the seating configuration complies with safety requirements, and that the restaurant has adequate restroom facilities for the number of seats. (If the total indoor and outdoor seating exceeds the number allowed for the existing restroom facilities, you may reduce the number of indoor seats being used, so that the total number of restaurant seats does not trigger additional restroom facilities.)
- (6) For parking spaces located on a parking lot (public or private), provide a site plan showing parking areas to be utilized for outdoor seating. Said plan can be an existing approved Site Plan, in which applicant delineates proposed seating location.

FURNITURE SPECIFICATIONS SHEET

A detailed specifications sheet illustrating the appearance, materials, colors, and size of selected outdoor seating furniture and equipment including chairs, benches, tables, umbrellas, fences, and other items. Photographs of furniture and equipment may be substituted for specification sheets as long as a sheet listing the dimensions of the furniture and equipment accompanies the photographs.

Are you proposing to have: (please check all that apply)?

- A tent or canopy? A permit from the Building Department may be required ([link](#)).
- Outdoor lighting? An electrical permit is required ([link](#)).

Outdoor Heating? A permit from the Fire Department is required ([link](#)).

PHOTOGRAPHS

Submit photographs of the proposed outdoor dining location (front and side views) if available.

ALCOHOL SERVICE

☐ NO
☒ YES

If you are seeking permission to serve alcohol outside (i.e., to extend your existing license to a patio or other outdoor seating areas), you must get approval from the Select Board by filing an Alteration of Licensed Premises, which is available on the Alcoholic Beverages Control Commission (ABCC) website at <https://www.mass.gov/how-to/amend-your-alcoholic-beverages-retail-license-alteration-of-premises-or-location-change-abcc>.

Please select one. Expansion area must be either:

1. ☒ Contiguous to the licensee's premise with a clear view of the area from inside the premises; or
2. The Licensee may commit to providing management personnel dedicated to the area.

FEES AND TERM

Outdoor seating licenses are issued for a term of one year, unless stated otherwise, and can be renewed annually. The annual application fee is \$25, which will be credited toward the annual licensing fee if the application is approved.

For outdoor dining approved on public property, there is an annual licensing fee for the sole use of public space for outdoor dining at the rate of \$250 per public parking space and \$100 for the use of the sidewalk. If an applicant is approved for the use of public parking space(s) and the sidewalk, the \$100 sidewalk licensing fee will be waived.

CERTIFICATION

I/we the undersigned certify that I am the owner of record of the named property or that the owner of record authorizes the proposed work and that the above information which I/we provided is correct.

I/we have read and fully understand the procedures as established by the Town of Needham and further understand that failure to comply with said procedures may result in revocation of this permit.

Signature of Applicant(s): *R. B. B. B.* Date: 6/10/24
Date: _____

THIS SECTION BELOW IS FOR OFFICIAL USE ONLY

Major Project Site Plan Review Special Permit (Planning Board) yes _____ no _____

Zoning Board of Appeals Special Permit yes _____ no _____

Select Board Licensing Approval _____

Certificate of Insurance covering outdoor area: _____

Departmental Approval (Health _____ Building _____ Fire _____ Police _____ Public Works _____)

License Agreement (if seating is on sidewalk or other public property): _____

Alteration of Licensed Premises (for alcohol service in outdoor area): _____

Comments: _____

RECEIVED TOWN CLERK
NEEDHAM 02492

TOWN OF NEEDHAM
2024 MAY 28 PM 3:45 MASSACHUSETTS



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

PLANNING BOARD

APPLICATION FOR SITE PLAN REVIEW

Project Determination: (circle one)

Amendment
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
Name of Applicant
Applicant's Address
Phone Number

Sweet Basil 942 GREAT PLAIN AVE
DAVE BECKER 200 LAGRANGE STREET WEST. ROXBURY
508-228-8866

Applicant is: Owner _____
Agent/Attorney _____

Tenant ☒
Purchaser _____

Property Owner's Name
Property Owner's Address
Telephone Number

Great Plain Avenue Nominee Trust
907 Massachusetts Avenue, Cambridge MA
(617) 547-6559 02136

Characteristics of Property:

Lot Area 10,968 SF Present Use restaurant
Map # 47 Parcel # 4 Zoning District Center Business

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

Amendment to existing special permit to add outdoor seats (an increase of above 30% of indoor seats) and any associated parking waivers.

Signature of Applicant (or representative)

Ra Becker

Address if not applicant

Telephone # 617-304-1820

Owner's permission if other than applicant

Steve MERLINO / Comptroller

SUMMARY OF PLANNING BOARD ACTION

Received by Planning Board

Date 5/23/24

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 issued within 35 days of filing date.



TOWN of NEEDHAM
MASSACHUSETTS
APPLICATION FOR OUTDOOR SEATING
UNDER SECTION 6.9 OF THE ZONING BY-LAW

LOCATION:

Property Address: 942 GREAT PLAIN AVE
Name of Establishment: SWEET BASIL

APPLICANT:

Name (must be business owner, manager, or lessee): DAVID BECKER
Address: 200 LAGRANGE STREET WEST ROXBURY MA
02132
Telephone Number: (508)-221-8856
Email Address: david.b.becker@gmail.com

Do you own or rent property? RENT

PROPERTY OWNER:

Complete this section if applicant is not the property owner

Name (must be owner): FIRST CAMBRIDGE RENT CORPORATION
Address: 907 MASSACHUSETTS AVENUE #2
CAMBRIDGE, MA 02139
Telephone Number: 617-547-6559
Email Address: RBARON@FCRCORP.COM

APPLICATION REQUEST:

Are you requesting to have outdoor dining on PRIVATE parking spaces? Yes ___ No ☒

If yes, how many private parking spaces?

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2 # on-street public parking spots. Please note, required concrete barriers will take up 1 parking spot and should be added to the total number of spots you are applying to use.

0 # of off-street public parking spots (in a public parking lot)

Are any of the spaces you are requesting to use designated for handicap parking? No

Are you requesting to have outdoor dining on a sidewalk? yes

SEATING: FACILITIES/EQUIPMENT:

Total number of seats approved under existing Special Permit 60
Total number of seats existing inside 60 (may be same as above or fewer)
Number of restrooms provided 3
Total number of seats proposed outside 39 Size of Grease Trap _____
Number of chairs 39 Air Curtains (if opening is off kitchen) N/A
Number of tables 12 Screens (if opening is off kitchen) _____
Outdoor Seating Area dimensions 27' x 8'

Type of Barrier or Enclosure to Define Seating Area

(mandatory if alcohol is proposed to be served):

CONCRETE BARRIERS (STREET)
RETRACTABLE RAIL (SIDEWALK)

DATES AND HOURS OF OPERATION

The standard outdoor dining season in the Town of Needham is April 1 - November 30. The Town will consider applications that extend beyond that timeframe on an individual basis.

Are you requesting to serve food & beverage outdoors earlier than April 1 or later than November 30? Yes (no)

If yes, what are your proposed opening and closing dates?

N/A

What days of the week and hours do you plan to serve food & beverage outdoors?

MON-FRI 5-10pm, Sat 4-10pm, Sun 4-10pm

BRIEF DESCRIPTION OF:

Seating Arrangement, Type of Furniture, Type of Barrier or Enclosure to Define Seating Area (mandatory if alcohol is proposed to be served), Ingress/Egress from the Inside to the Outside, Location of Outdoor Exit Area in the case of an emergency, Written Description of Colors and Materials Used

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PLAN REQUIREMENTS

Submit a Plan of the Outside Seating Area, showing precise dimensions and locations of:

- (1) Seating arrangement, including the arrangement of the furniture
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- (3) Location of ingress/egress from inside to outside
- (4) Location of outside emergency exit(s)
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Said Plan must be certified by a Registered Architect or Engineer with certifications that the restaurant with the outdoor seating complies with egress and access requirements, that the seating configuration complies with safety requirements, and that the restaurant has adequate restroom facilities for the number of seats. (If the total indoor and outdoor seating exceeds the number allowed for the existing restroom facilities, you may reduce the number of indoor seats being used, so that the total number of restaurant seats does not trigger additional restroom facilities.)

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Are you proposing to have: (please check all that apply)?

- A tent or canopy? A permit from the Building Department may be required ([link](#)).
- Outdoor lighting? An electrical permit is required ([link](#)).

Outdoor Heating? A permit from the Fire Department is required ([link](#)).

PHOTOGRAPHS

Submit photographs of the proposed outdoor dining location (front and side views) if available.

ALCOHOL SERVICE

☐ NO
☒ YES

If you are seeking permission to serve alcohol outside (i.e., to extend your existing license to a patio or other outdoor seating areas), you must get approval from the Select Board by filing an Alteration of Licensed Premises, which is available on the Alcoholic Beverages Control Commission (ABCC) website at <https://www.mass.gov/how-to/amend-your-alcoholic-beverages-retail-license-alteration-of-premises-or-location-change-abcc>.

Please select one. Expansion area must be either:

1. ☒ Contiguous to the licensee's premise with a clear view of the area from inside the premises; or
2. The Licensee may commit to providing management personnel dedicated to the area.

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For outdoor dining approved on public property, there is an annual licensing fee for the sole use of public space for outdoor dining at the rate of \$250 per public parking space and \$100 for the use of the sidewalk. If an applicant is approved for the use of public parking space(s) and the sidewalk, the \$100 sidewalk licensing fee will be waived.

CERTIFICATION

I/we the undersigned certify that I am the owner of record of the named property or that the owner of record authorizes the proposed work and that the above information which I/we provided is correct.

I/we have read and fully understand the procedures as established by the Town of Needham and further understand that failure to comply with said procedures may result in revocation of this permit.

Signature of Applicant(s): *Ralph B. Belfer* Date: 6/10/24
Date: _____

THIS SECTION BELOW IS FOR OFFICIAL USE ONLY

Major Project Site Plan Review Special Permit (Planning Board) yes _____ no _____

Zoning Board of Appeals Special Permit yes _____ no _____

Select Board Licensing Approval _____

Certificate of Insurance covering outdoor area: _____

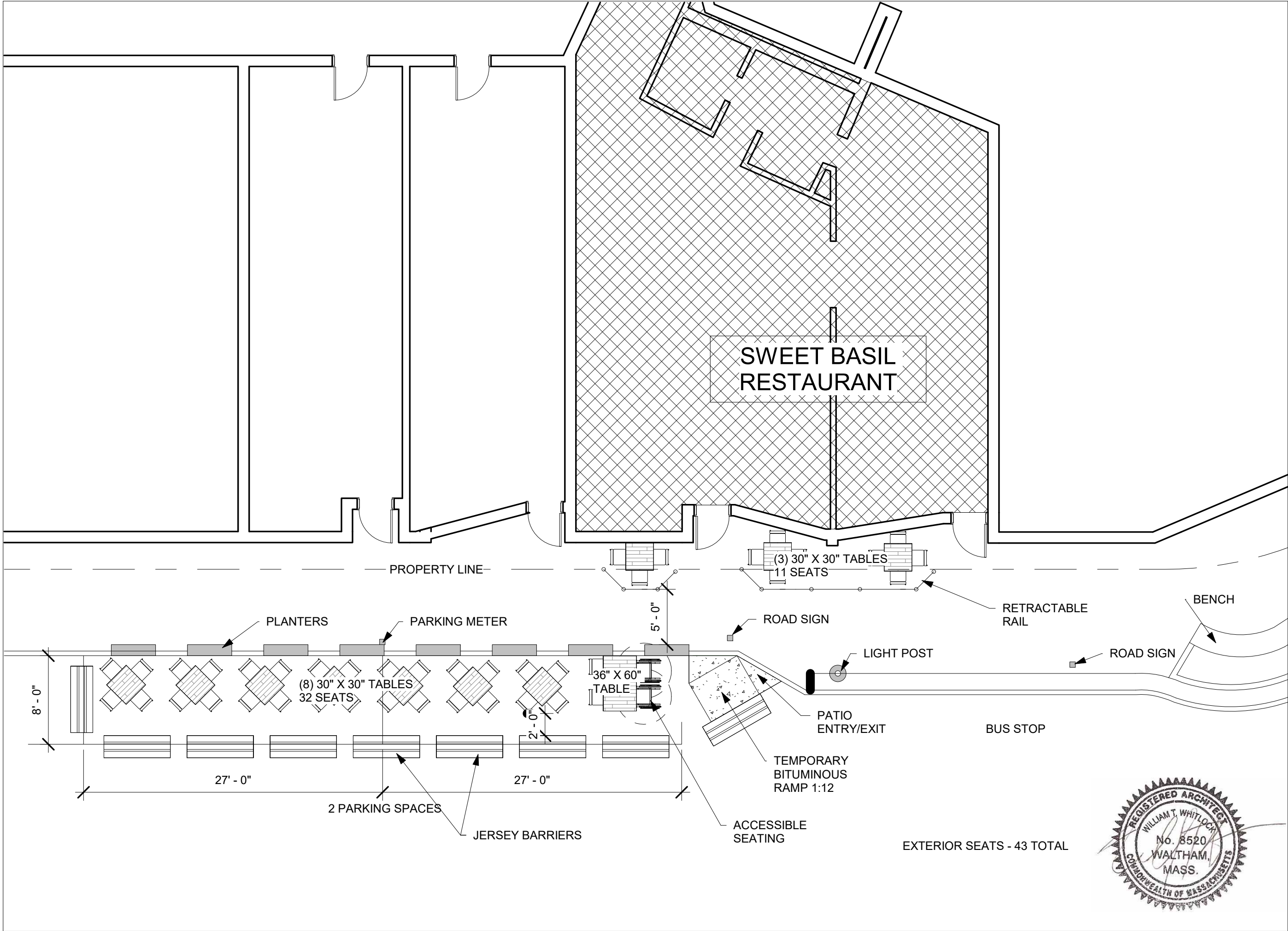
Departmental Approval (Health _____ Building _____ Fire _____ Police _____ Public Works _____)

License Agreement (if seating is on sidewalk or other public property): _____

Alteration of Licensed Premises (for alcohol service in outdoor area): _____

Comments: _____

\\Milstein\milstein\Sweet Basil\SweetBasil.rvt
PARKING SPACE PATIO SK-1.0
Printed: 6/6/2024 5:14:24 PM





760 Main Street, Suite 2-4
Waltham, MA 02451
781.647.8008
www.whitlockdesigns.com

ISSUED

06/06/2024

PROJECT NAME

SWEET BASIL

ADDRESS

942 GREAT PLAIN AVE.
NEEDHAM, MA 02492

SEAL

DRAWING TITLE

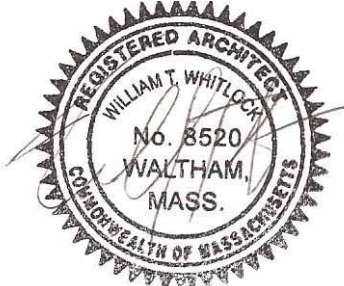
PARKING SPACE PATIO

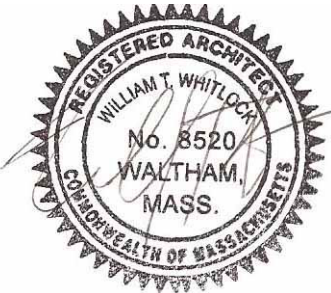
SCALE

1/8" = 1'-0"

SHEET NUMBER

SK-1.0





Whitlock
DESIGN GROUP
681 Main Street, Suite 3-31
Waltham, MA 02451
781.647.8008
www.whitlockdesigns.com

ISSUED

03/10/2023

PROJECT NAME

SWEET
BASIL

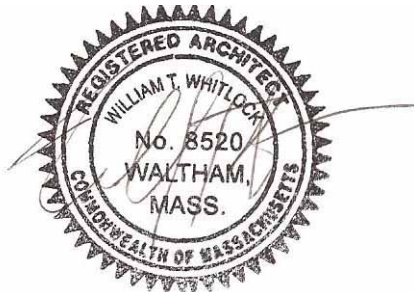
ADDRESS
942 GREAT PLAIN
AVE.
NEEDHAM, MA 02492

SEAL

DRAWING TITLE
PHOTOS

SCALE

SHEET NUMBER
SK-0.0



Whitlock
DESIGN GROUP
681 Main Street, Suite 3-31
Waltham, MA 02451
781.647.8008
www.whitlockdesigns.com

ISSUED

03/10/2023

PROJECT NAME

**SWEET
BASIL**

ADDRESS
942 GREAT PLAIN
AVE.
NEEDHAM, MA 02492

SEAL

DRAWING TITLE
FURNITURE

SCALE

SHEET NUMBER
SK-1.1

Alexandra Clee

From: Joseph Prondak
Sent: Monday, May 20, 2024 3:33 PM
To: Alexandra Clee
Subject: RE: Sweet Basil Patio Application

Looks reasonable. Should be able to tweak it if needed after set-up.

Joe

From: Alexandra Clee <aclee@needhamma.gov>
Sent: Monday, May 20, 2024 1:00 PM
To: Joseph Prondak <jprondak@needhamma.gov>
Cc: Lee Newman <LNewman@needhamma.gov>
Subject: Fw: Sweet Basil Patio Application

Hi Joe,

Are you able to confirm whether the seating plan meets the accessibility requirements. (The plan is in the body of the email...)

Thank you. Alex

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

From: david.b.becker@gmail.com <david.b.becker@gmail.com>
Sent: Friday, May 17, 2024 4:23 PM
To: Alexandra Clee <aclee@needhamma.gov>
Subject: Sweet Basil Patio Application

From: [Tom Conroy](#)
To: [Alexandra Clee](#)
Subject: RE: Request for comment - Sweet Basil Outdoor Dining
Date: Wednesday, May 29, 2024 2:01:17 PM

Hi Alex,

No issues with Fire Dept.

Thank you,

From: Alexandra Clee <aclee@needhamma.gov>
Sent: Wednesday, May 29, 2024 12:27 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>; Myles Tucker <mtucker@needhamma.gov>
Subject: Request for comment - Sweet Basil Outdoor Dining

Dear all, << File: Sweet Basil_Outdoor Dining_Full application.pdf >>

We have received the attached application materials for the proposal to the Petitioner to allow for seasonal outdoor dining for Sweet Basil. More information can be found in the attachments.

The Planning Board has scheduled this matter for June 18, 2024. Please send your comments **by Wednesday June 12, 2024**, at the latest.

The documents attached for your review are as follows:

1. Application for Amendment to Major Project Special Permit No. 2005-08.
2. Application for Outdoor Dining.

3. Plans prepared by Whitlock Design Group, consisting of 3 sheets: Sheet 1, Sheet SK-1.0, entitled "Parking Space Patio," dated May 28, 2024; Sheet 2, Sheet SK-0.0, entitled "Photos," dated March 10, 2023; Sheet 3, Sheet SK-1.1, entitled "Furniture," dated March 10, 2023.

Thank you, alex.

Alexandra Clee

Assistant Town Planner

Needham, MA

781-455-7550 ext. 271

www.needhamma.gov/planning

<< File: Full Application for website_WR Noodles.pdf >>

From: [John Schlittler](#)
To: [Alexandra Clee](#)
Subject: RE: Request for comment - Sweet Basil Outdoor Dining
Date: Tuesday, June 11, 2024 5:41:19 PM

The police has no issue

From: Alexandra Clee <aclee@needhamma.gov>
Sent: Tuesday, June 11, 2024 3:00 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>; Carys Lustig <clustig@needhamma.gov>; Tom Conroy <TConroy@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>; Myles Tucker <mtucker@needhamma.gov>
Subject: RE: Request for comment - Sweet Basil Outdoor Dining

This is a reminder to get me your comments by the end of tomorrow (I already have Fire).

I have also attached here the update seating plan which shows the correct number of proposed seats.

<< File: SweetBasil 06062024rev.pdf >>

Alexandra Clee

Assistant Town Planner

Needham, MA

781-455-7550 ext. 271

www.needhamma.gov

From: Alexandra Clee
Sent: Wednesday, May 29, 2024 12:27 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>; Myles Tucker <mtucker@needhamma.gov>
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Thank you, alex.

Alexandra Clee

Assistant Town Planner

Needham, MA

781-455-7550 ext. 271

www.needhamma.gov/planning

<< File: Full Application for website_WR Noodles.pdf >>

From: [Tara Gurge](#)
To: [Alexandra Clee](#)
Subject: RE: Request for comment - Sweet Basil Outdoor Dining
Date: Wednesday, June 12, 2024 4:59:29 PM

Hello Alex –

Here are the Public Health Divisions comments for the proposed Planning Board request coming up for discussion, specifically the expansion of Sweet Basils outdoor seating, located at **942 Great Plain Ave.** See below:

- Sweet Basils Restaurant must continue to maintain the exterior outdoor seating area in a clean and sanitary condition at all times, as not to attract the risk of pests. All outdoor seating areas must be kept clean and maintained, and areas under the tables must be swept of and all food and/or trash debris removed after each customer, and debris must not be allowed to accumulate that may pose a risk of attracting pests. Routine power washing of the areas under the tables in this seating area must be conducted.
- Sweet Basils must continue to maintain a shared clean and sanitary trash/dumpster area (both trash and recycling) and maintain their routine trash and recycling pick-up/service schedules and increase those schedules if any overflow issues are observed, as to not pose a risk of attracting pests and unsanitary conditions. The exterior spent grease barrel storage area must also be kept clean and maintained and serviced on a routine schedule and must not pose a risk of attracting pests. This area must also be power washed on a frequent cleaning schedule.
- Sweet Basils must continue to have a routine certified pest control service schedule, which includes both interior and exterior (including outdoor seating area) service, which must be on a minimum monthly service schedule. And the frequency of this pest control service schedule may need to be bumped up to a weekly service schedule if any increase in pest issues arise.
- If any exterior trash containers are present in this outdoor seating area, they must be covered and put on a frequent schedule to be emptied when full, and all trash debris removed each day (or more often as necessary) and must not pose a potential risk of attracting pests.
- The annual food permit is based on the total number of seats (interior and exterior), so this increase in seating may increase the annual food permit fee.
- A copy of Sweet Basils exterior seating daily cleaning and sanitation protocols must be submitted to the Public Health Division for our review and will be kept in our files.
- Storage of umbrellas, tables and chairs, must be stored off-site during the off season, due to Public Health documentation of existing items being stored in the basement that promote

the risk of potential pest harborage.

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!](#)

From: Alexandra Clee <aclee@needhamma.gov>

Sent: Wednesday, May 29, 2024 12:27 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>; Myles Tucker <mtucker@needhamma.gov>

Subject: Request for comment - Sweet Basil Outdoor Dining

Dear all, << File: Sweet Basil_Outdoor Dining_Full application.pdf >>

We have received the attached application materials for the proposal to the Petitioner to allow for seasonal outdoor dining for Sweet Basil. More information can be found in the attachments.

The Planning Board has scheduled this matter for June 18, 2024. Please send your comments **by Wednesday June 12, 2024**, at the latest.

The documents attached for your review are as follows:

1. Application for Amendment to Major Project Special Permit No. 2005-08.
2. Application for Outdoor Dining.
3. Plans prepared by Whitlock Design Group, consisting of 3 sheets: Sheet 1, Sheet SK-1.0, entitled "Parking Space Patio," dated May 28, 2024; Sheet 2, Sheet SK-0.0, entitled "Photos," dated March 10, 2023; Sheet 3, Sheet SK-1.1, entitled "Furniture," dated March 10, 2023.

Thank you, alex.

Alexandra Clee

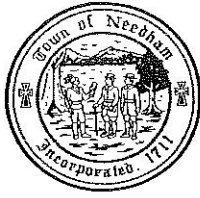
Assistant Town Planner

Needham, MA

781-455-7550 ext. 271

www.needhamma.gov/planning

<< File: Full Application for website_WR Noodles.pdf >>



**TOWN OF NEEDHAM, MASSACHUSETTS
PUBLIC WORKS DEPARTMENT
500 Dedham Avenue, Needham, MA 02492
Telephone (781) 455-7550 FAX (781) 449-9023**

June 13, 2024

Needham Planning Board
Needham Public Service Administration Building
Needham, MA 02492

RE: Amendment Major Project Site Plan Special Permit No. 2005-08
942 Great Plain Avenue – Sweet Basils

Dear Members of the Board,

The Department of Public Works has completed its review of the above referenced amendment to the Major Project Site Plan Special Permit. The applicant proposes to include existing outdoor seating in the road adjacent to the sidewalk enclosed with concrete jersey barriers.

The review was conducted in accordance with the Planning Board's regulations and standard engineering practice. The documents submitted for review are as follows:

The documents attached for your review are as follows:

1. Application for Amendment to Major Project Special Permit No. 2005-08.
2. Application for Outdoor Dining.
3. Plans prepared by Whitlock Design Group, consisting of 3 sheets: Sheet 1, Sheet SK-1.0, entitled "Parking Space Patio," dated June 6, 2024; Sheet 2, Sheet SK-0.0, entitled "Photos," dated March 10, 2023; Sheet 3, Sheet SK-1.1, entitled "Furniture," dated March 10, 2023.

Our comments and recommendations are as follows:

The DPW requests that the applicant ensure that a minimum of 5-foot unobstructed sidewalk path is maintained.

If you have any questions regarding the above, please contact our office at 781-455-7538.

Truly yours,

Thomas Ryder
Town Engineer



TOWN OF NEEDHAM

DESIGN REVIEW BOARD

Public Service Administration Building
500 Dedham Avenue
Needham, MA 02492

Application and Report

Property Location: SWEET BASIL Restaurant Date: 5/31/24

Owner: DAVE BECKER

Address: 942 GREAT PLAIN AVE NEEDHAM MA 02492
Street City State Zip

Telephone: 781-444-9600

Applicant: DAVE BECKER

Address: 200 LAGRANGE WEST REXBURY MA 02132
Street City State Zip

Telephone: 508-221-8856

Designer/Installer: MYSELF and the Town of NEEDHAM

Address: _____
Street

Telephone: _____

NEEDHAM	
City	State Zip
DESIGN REVIEW BOARD	
• RECOMMENDED ACTION •	
APPROVAL <u>per Dave Becker</u>	
APPROVAL WITH CONDITIONS: _____	
Type of Application	
☐ Sign	
☐ Minor Project	
☒ Exterior Alterations	
Major Project (Site Plan Review)	
☐ - preliminary	
☐ - final	
☐ Flexible Subdivision	
☐ Planned Residential Development	
☐ Residential Compound	
DISAPPROVAL: _____	
DATE: <u>6/10/2024</u>	

Brief description of sign or project:

WE ARE Hoping to have outdoor seating again, during
the summer months. Using 2 parking spaces, and
3 table directly in front of the restaurant

Please email completed application to elitchman@needhamma.gov



NEEDHAM

DESIGN REVIEW BOARD

RECOMMENDED ACTION

APPROVAL: per S. Dornbusch
APPROVAL WITH CONDITIONS: acting chair

TOWN OF NEEDHAM

MASSACHUSETTS

APPLICATION FOR OUTDOOR SEATING

UNDER SECTION 6.9 OF THE ZONING BY-LAW

LOCATION:

Property Address: 942 GREAT PLAIN AVE

Name of Establishment: SWEET BASIL

DISAPPROVAL:

DATE: 6/10/2024

APPLICANT:

Name (must be business owner, manager, or lessee): DAVID BECKER

Address: 300 AGRANDE STREET WEST ROXBURY MA

02132

Telephone Number: (508) 221-8858

Email Address: David.B.Becker@gmail.com

Do you own or rent property? RENT

PROPERTY OWNER:

Complete this section if applicant is not the property owner

Name (must be owner): FIRST CAMBRIDGE REAL CORPORATION

Address: 907 MASSACHUSETTS AVENUE #2

CAMBRIDGE MA 02139

Telephone Number: 617-547-6559

Email Address: RBARON@FCACORP.COM

APPLICATION REQUEST:

Are you requesting to have outdoor dining on PRIVATE parking spaces? Yes No ✓

If yes, how many private parking spaces?

Are you requesting to have outdoor dining on PUBLIC parking spaces (on-street or in a public parking lot)? Yes ✓ No

If yes, how many public parking spaces do you intend to use in each category? Note: there is a maximum of 3 parking spaces allowed per applicant.

2 # on-street public parking spots. Please note, required concrete barriers will take up 1 parking spot and should be added to the total number of spots you are applying to use.

0 # of off-street public parking spots (in a public parking lot)

Are any of the spaces you are requesting to use designated for handicap parking? No

Are you requesting to have outdoor dining on a sidewalk? yes



681 Main Street, Suite 3-31
 Waltham, MA 02451
 781.647.8008
 www.whitlockdesigns.com

ISSUED

03/10/2023

PROJECT NAME

SWEET BASIL

ADDRESS

942 GREAT PLAIN AVE.
NEEDHAM, MA 02492

SEAL

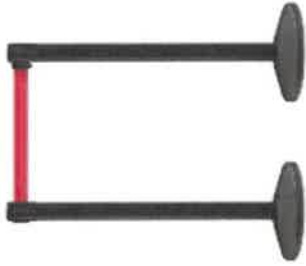
DRAWING TITLE

FURNITURE

SCALE

SHEET NUMBER

SK-1.1



NEEDHAM

DESIGN REVIEW BOARD

- RECOMMENDED ACTION

APPROVAL: *per S. Dornblausch acting client*

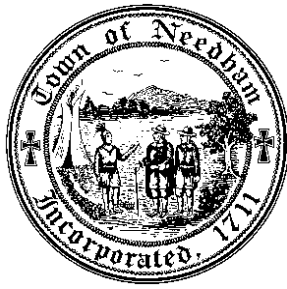
APPROVAL WITH CONDITIONS:

DISAPPROVAL

DATE: *6/10/2024*



"very wide color scheme"



PLANNING DIVISION
Planning & Community Development

**MAJOR PROJECT SITE PLAN REVIEW SPECIAL PERMIT
AMENDMENT TO DECISION
June 18, 2024**

**Yeat, Inc. d/b/a Sweet Basil
936-942 Great Plain Avenue
Application No. 2005-08
(Original Decision dated December 6, 2005, amended January 4, 2011)**

DECISION of the Planning Board (hereinafter referred to as the Board) on the petition of Yeat, Inc. d/b/a Sweet Basil, 942 Great Plain Avenue, Needham, MA 02492, (hereinafter referred to as the Petitioner) for property located at 936-942 Great Plain Avenue, Needham, MA. Said property is shown on Needham Town Assessors Plan, No. 47 as Parcel 4, containing 10,968 square feet in the Center Business District.

This decision is in response to an application submitted to the Board on May 28, 2024, by the Petitioner to amend the decision by the Board dated December 6, 2005, amended January 4, 2024. The Petitioner seeks: (1) a Major Project Site Plan Review Special Permit Amendment under Section 7.4 of the Needham Zoning By-Law (hereinafter the By-Law), (2) a Special Permit Amendment to Major Project Site Plan Review Special Permit No. 2005-08, Section 4.2, and (3) a Special Permit Amendment under Section 5.1.1.6, to waive strict adherence with the requirements of Sections 5.1.2 and 5.1.3 of the By-Law (required parking and parking plan and design requirements, respectively).

The requested amendment would permit the addition of 11 year-round outdoor seats by Sweet Basil adjacent to the building. The seating would be located primarily on the private portion of the sidewalk immediately abutting the front façade of the building. The Petitioner further intends to request permission for 28 seats within a “parklet” within the right of way of Great Plain Avenue. Although this request itself is not within the Planning Board’s jurisdiction, the Petitioner is requesting a parking waiver for those seats as part of the subject application, so that if approved by the Select Board, the waiver already will be issued.

After causing notice of the time and place of the public hearing and of the subject matter thereof to be published, posted and mailed to the Petitioner, abutters and other parties in interest as required by law, the hearing was called to order by the Chairperson, Natasha Espada on Tuesday, June 18, 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. Board members Natasha Espada, Artie Crocker, Adam Block, Paul S. Alpert, and Justin McCullen were present throughout the June 18, 2024 proceedings. The record of the proceedings and the submission upon which this Decision is based may be referred to in the office of the Town Clerk or the office of the Board.

EVIDENCE

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

- Exhibit 1- Application for the Amendment to 2005-08 , dated May 28, 2024.
- Exhibit 2 - Application under Section 6.9 of the Zoning By-Law, dated May 28, 2024, revised June 13, 2024.
- Exhibit 3 - Plans prepared by Whitlock Design Group, consisting of 3 sheets: Sheet 1, Sheet SK-1.0, entitled “Parking Space Patio,” dated June 6, 2024; Sheet 2, Sheet SK-0.0, entitled “Photos,” dated March 10, 2023; Sheet 3, Sheet SK-1.1, entitled “Furniture,” dated March 10, 2023.
- Exhibit 4 - Inter-Departmental Communication (IDC) to the Board from Tara Gurge, Health Division, dated June 12, 2024; IDC to the Board from Tom Ryder, Town Engineer, dated June 13, 2024 ~~XXXXXXXX~~; IDC to the Board from Chief Tom Conroy, Fire Department, dated May 29, 2024; IDC to the Board from Chief John Schlittler, dated June 11, 2024; IDC to the Board from Joe Prondak, Building Commissioner, dated May 20, 2024.

Exhibits 1, 2 and 3 are referred to hereinafter as the Plan.

FINDINGS AND CONCLUSIONS

The findings and conclusions made in Major Project Site Plan Special Permit No. 2005-08, dated December 6, 2005, amended January 4, 2011, were ratified and confirmed except as follows:

- 1.1 The Petitioner is requesting that Major Project Site Plan Review Special Permit No. 2005-08, dated December 6, 2005, amended January 4, 2011 be amended to permit the addition of 11 year-round outdoor seats by Yeat, Inc. d/b/a Sweet Basil. The sidewalk seating would be located primarily on the private portion of the sidewalk immediately abutting the front façade of the building.
- 1.2 By Decision dated January 4, 2011, 52 seats were permitted to be utilized during both lunch and dinner service inside the restaurant.
- 1.3 The Petitioner intends to request permission for 28 seats within a “parklet” within the right of way of Great Plain Avenue. Although this request itself is not within the Planning Board’s jurisdiction, the Petitioner is requesting a parking waiver for those seats as part of the subject application, so that if approved by the Select Board, the waiver already will be issued.
- 1.4 The Petitioner has requested a Special Permit pursuant to Section 5.1.1.6 of the By-Law to waive strict adherence with the requirements of Section 5.1.2 (number of parking spaces) Required Parking. Under the By-Law, the parking requirement for a 52-seat restaurant with one take-out station is 28 (1 parking space per 3 seats = 17.33 = 18, plus 10 parking spaces for one take-out station). The noted waiver was granted in the January 4, 2011 Decision. Section 6.9 of the Zoning By-Law permits up to 30% of the approved indoor seating to be utilized outdoors without authorization from the Special Permit Granting Authority and the provision of additional parking. 30% of 52~~28~~ seats = 17.33 or 18 seats. As the Petitioner is requesting an end total of 39 outdoor seats, the Petitioner is requesting more than 30% of the approved indoor seats and is therefore requesting approval for such, as allowed by Section 6.9, as well as an additional parking waiver under Section 5.1.1.6. Eighteen (18) seasonal outdoor seats are permitted through Section 6.9 without additional parking being added or a waiver granted; therefore, tThe Petitioner is requesting a parking waiver with respect to the 39~~other 21~~ outdoor seats. Eleven (11) of the total seats are requested to be year-round, for a total parking waiver of 4 spaces year-round (1 parking space per 3 seats = 3.6666 = 4). Twenty-eight (28) of the seats are proposed to be outdoor seasonally; however, 18 seats are granted under Section 6.9, so a waiver is requested for the remaining 10 outdoor seasonal seats for a total seasonal parking waiver of 4~~10~~ spaces for the 28~~remaining 10~~ seats located in the parklet (1 parking space per 3 seats = 93.3333 = 4~~10~~). Accordingly two parking waivers have been requested as follows: (1) a waiver of an

additional 4 parking spaces has been requested on a year-round basis to accommodate the 11 outdoor seats located adjacent to the building; and (2) a waiver of an additional ~~10-4~~ parking spaces has been requested seasonally, from April 1 through November to accommodate ~~the 28-10 of the~~ outdoor seats located at the parklet for a ~~total-new~~ waiver of ~~thirteen-eight (328)~~ parking spaces at the subject location (and a total parking waiver, including the previously approved indoor spaces, of 36). No parking is provided on-site.

- 1.5 Pursuant to Section 5.1.1.3 of the By-Law, no change or conversion of a use in a mixed-use structure to a use which requires additional parking shall be permitted unless off-street parking is provided in accordance with Section 5.1.3 for the entire structure or a waiver is granted pursuant to the provisions of Section 5.1.1.6. As there is no parking associated with the property, a waiver under the provisions of Section 5.1.1.6, Section 5.1.3 is not required.
- 1.6 The Petitioner appeared before the Design Review Board on June 10, 2024, and obtained approval for the project.
- 1.7 No changes to the interior of the restaurant are proposed by this application.
- 1.8 Per the comments of the Town Engineer, the Petitioner has agreed to remove the seating that extends beyond the private property during snow events, so as to maintain a 5-foot unobstructed sidewalk path to not impede snow removal efforts.
- 1.9 Under Section 7.4 of the By-Law, a Major Project Site Plan Special Permit may be granted within the Center Business District provided the Board finds that the proposed development will be in compliance with the goals and objectives of the Master Plan, the Town of Needham Design Guidelines for the Center Business District, and the provisions of the By-Law. On the basis of the above findings and conclusions, the Board finds the proposed Plan, as conditioned and limited herein, for the site plan review, to be in harmony with the purposes and intent of the By-Law and Town Master plans, to comply with all applicable By-Law requirements, to have minimized adverse impact, and to have promoted a development which is harmonious with the surrounding area.
- 1.10 Under Section 5.1.1.6 of the By-Law, a Special Permit to waive strict adherence with the requirements of Section 5.1.2 (Required Parking) and Section 5.1.3 of the By-Law (Off-Street Parking Requirements) may be granted provided the Board finds that owing to special circumstances, the particular use, structure or lot does not warrant the application of certain design requirements, but that a reduction in the number of spaces and certain design requirements is warranted. On the basis of the above findings and conclusions, the Board finds that there are special circumstances for a reduction in the number of required parking spaces and design requirements, as conditioned and limited herein, which will also be consistent with the intent of the By-Law and which will not increase the detriment to the Town's and neighborhood's inherent use.

DECISION

THEREFORE, the Board voted 5-0 to GRANT: (1) the requested Major Project Site Plan Review Special Permit Amendment under Section 7.4 of the By-law; (2) the requested Special Permit Amendment to Major Project Site Plan Review Special Permit No. 2005-08, Section 4.2., and (3) the requested Special Permit Amendment under Section 5.1.1.6, to waive strict adherence with the requirements of Sections 5.1.2 and 5.1.3 of the By-Law (required parking and parking plan and design requirements, respectively) , subject to and with the benefit of the following Plan modifications, conditions and limitations.

PLAN MODIFICATIONS

Prior to the issuance of a building permit or the start of any construction on the site, the Petitioner shall cause the

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

2.0 No Plan modifications are required.

CONDITIONS AND LIMITATIONS

The conditions and limitations contained in Major Project Site Plan Special Permit No. 2005-08, dated December 6, 2005, amended January 4, 2011, are ratified and confirmed except as modified herein.

- 3.1 A total of 11 outdoor dining seats as shown in the plans as detailed in Exhibit 3 of the Decision are hereby approved for use year-round. A parking waiver for the total number of seats as eventually envisioned by the Petitioner as shown on said plan is hereby approved.
- 3.2 Pursuant to the comments from the Engineering Division of the Department of Public Works, a 5-foot unobstructed sidewalk path shall be maintained during snow removal events. The Petitioner shall accomplish this by relocating the furniture that otherwise extends beyond the private property line during snow events that require snow removal operations.
- 3.3 The outdoor dining area shall be kept clear of trash and food scraps that might attract rodents.
- 3.4 In addition to the provisions of this approval, the Petitioner must comply with all requirements of all state, federal, and local boards, commissions or other agencies, including, but not limited to, the Select Board, Building Commissioner, Fire Department, Department of Public Works, Conservation Commission, Police Department, and Board of Health.
- 3.5 No other changes were requested nor are permitted through this amendment.

This Site Plan Special Permit Amendment shall lapse on June 18, 2026, if substantial use thereof has not sooner commenced, except for good cause. Any requests for an extension of the time limits set forth herein must be in writing to the Board at least 30 days prior to June 18, 2026. The Board herein reserves its rights and powers to grant or deny such extension without a public hearing. The Board, however, shall not grant an extension as herein provided unless it finds that the use of the property in question has not begun, except for good cause.

This approval shall be recorded in the Norfolk District Registry of Deeds. This Special Permit shall not take effect until a copy of this Decision bearing the certification of the Town Clerk that twenty (20) days have elapsed after the Decision has been filed in the Town Clerk's office or that if such appeal has been filed, that it has been dismissed or denied is recorded with Norfolk District Registry of Deeds and until the Petitioner has delivered a certified copy of the recorded document to the Board.

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

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

Witness our hands this 18th day of June, 2024.

NEEDHAM PLANNING BOARD

Natasha Espada, Chairperson

Artie Crocker

Adam Block

Paul S. Alpert

Justin McCullen

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 proceeding or attached document, and acknowledged the foregoing to be the free act and deed of said Board before me.

Notary Public name:

My Commission Expires: _____

TO WHOM IT MAY CONCERN: This is to certify that the 20-day appeal period on the approval of the Project proposed by of Yeat, Inc. d/b/a Sweet Basil, 942 Great Plain Avenue, Needham, MA 02492 , for Property located at 936-942 Great Plain Avenue, Needham, MA , has passed,

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

Date

Louise Miller, Town Clerk

Copy sent to:

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

Board of Selectmen
Engineering
Fire Department
Police Department
Dave Becker, Yeat, Inc. d/b/a Sweet Basil

Board of Health
Director, PWD
Design Review Board

ARTICLE 1: AMEND ZONING BY-LAW – MULTI-FAMILY OVERLAY DISTRICT (BASE PLAN OPTION)

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

1. By amending Section 1.3, Definitions by adding the following terms:

Applicant – A person, business, or organization that applies for a building permit, Site Plan Review, or Special Permit.

Multi-family housing – A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building.

2. By amending Section 2.1, Classes of Districts by adding the following after ASOD Avery Square Overlay District:

MFOD – Multi-family Overlay District

3. By inserting a new Section 3.17 Multi-family Overlay District:

3.17 Multi-family Overlay District

3.17.1 Purposes of District

The purposes of the Multi-family Overlay District include, but are not limited to, the following:

- (a) Providing Multi-family housing in Needham, consistent with the requirements of M.G.L. Chapter 40A (the Zoning Act), Section 3A;
- (b) Supporting vibrant neighborhoods by encouraging Multi-family housing within a half-mile of a Massachusetts Bay Transit Authority (MBTA) commuter rail station; and
- (c) Establishing controls which will facilitate responsible development and minimize potential adverse impacts upon nearby residential and other properties.

Toward these ends, Multi-family housing in the Multi-family Overlay District is permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the requirements of this Section 3.17.

3.17.2 Scope of Authority

In the Multi-family Overlay District, all requirements of the underlying district shall remain in effect except where the provisions of Section 3.17 provide an alternative to such requirements, in which case these provisions shall supersede. If an Applicant elects to develop Multi-family housing in accordance with Section 3.17, the provisions of the Multi-family Overlay District shall apply to such development.

Notwithstanding anything contained herein to the contrary, where the provisions of the underlying district are in conflict or inconsistent with the provisions of the Multi-family Housing Overlay District, the terms of the Multi-family Overlay District shall apply.

If the applicant elects to proceed under the zoning provisions of the underlying district (meaning the applicable zoning absent any zoning overlay) or another overlay district, as applicable, the zoning bylaws

applicable in such district shall control and the provisions of the Multi-family Overlay District shall not apply.

3.17.2.1 Subdistricts

The Multi-family Overlay District contains the following sub-districts, all of which are shown on the MFOD Boundary Map and indicated by the name of the sub-district:

- (a) A-1
- (b) B
- (c) ASB-MF
- (d) CSB
- (e) HAB
- (f) IND

3.17.3 Definitions

For purposes of this Section 3.17, the following definitions shall apply.

Affordable housing – Housing that contains one or more Affordable Housing Units as defined by Section 1.3 of this By-Law. Where applicable, Affordable Housing shall include Workforce Housing Units, as defined in this Subsection 3.17.3 Definitions.

As of right – Development that may proceed under the zoning in place at time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.

Compliance Guidelines – *Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act* as further revised or amended from time to time.

EOHLC – The Massachusetts Executive Office of Housing and Livable Communities, or EOHLC's successor agency.

Open space – Contiguous undeveloped land within a parcel boundary.

Parking, structured – A structure in which Parking Spaces are accommodated on multiple stories; a Parking Space area that is underneath all or part of any story of a structure; or a Parking Space area that is not underneath a structure, but is entirely covered, and has a parking surface at least eight feet below grade. Structured Parking does not include surface parking or carports, including solar carports.

Parking, surface – One or more Parking Spaces without a built structure above the space. A solar panel designed to be installed above a surface Parking Space does not count as a built structure for the purposes of this definition.

Residential dwelling unit – A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Section 3A – Section 3A of the Zoning Act.

Site plan review authority – The Town of Needham Planning Board

Special permit granting authority – The Town of Needham Planning Board.

Sub-district – An area within the MFOD that is geographically smaller than the MFOD district and differentiated from the rest of the district by use, dimensional standards, or development standards.

Subsidized Housing Inventory (SHI) – A list of qualified Affordable Housing Units maintained by EOHLC used to measure a community's stock of low-or moderate-income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.

Workforce housing unit – Affordable Housing Unit as defined by Section 1.3 of this By-Law but said Workforce Housing Unit shall be affordable to a household with an income of between eighty (80) percent and 120 percent of the area median income as defined.

3.17.4 Use Regulations

3.17.4.1 Permitted Uses

The following uses are permitted in the Multi-family Overlay District as a matter of right:

- (a) Multi-family housing.

3.17.4.2 Accessory Uses.

The following uses are considered accessory as of right to any of the permitted uses in Subsection 3.17.4.1:

- (a) Parking, including surface parking and structured parking on the same lot as the principal use.
- (b) Any uses customarily and ordinarily incident to Multi-family housing, including, without limitation, residential amenities such as bike storage/parking, a swimming pool, fitness facilities and similar amenity uses.

3.17.5 Dimensional Regulations

3.17.5.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply in the Multi-family Overlay District sub-districts listed below. Buildings developed under the regulations of the Multi-family Overlay District shall not be further subject to the maximum lot area, frontage, and setback requirements of the underlying districts, as contained in Subsection 4.3.1 Table of Regulations, Subsection 4.4.1 Minimum Lot Area and Frontage, Subsection 4.4.4 Front Setback, Subsection 4.6.1 Basic Requirements, and Subsection 4.6.2 Front and Side Setbacks.

	A-1	B	ASB-MF	CSB	HAB	IND
Minimum Lot Area (square feet)	20,000	10,000	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	120	80	80	80	80	80
Minimum Front Setback (feet) from the front property line	25	10	Minimum 10 Maximum 15	20 feet for buildings with frontage on Chestnut Street 10 feet for all other buildings	20	25
Minimum Side and Rear Setback (feet)	20	10 ^{a, b}	10 ^{a, d}	20 (side) ^{a, b, e}	20 ^{a, b}	20 ^{a, b}

- (a) The requirement of an additional 50-foot side or rear setback from a residential district as described in Subsection 4.4.8 Side and Rear Setbacks Adjoining Residential Districts or Subsection 4.6.5 Side and Rear Setbacks Adjoining Residential Districts shall not apply.
- (b) Any surface parking, within such setback, shall be set back 10 feet from an abutting residential district and such buffer shall be suitably landscaped.
- (c) An underground parking structure shall be located entirely below the grade of the existing lot and set back at least ten (10) feet from the lot line and the surface of the garage structure shall be suitably landscaped in accordance with Subsection 4.4.8.5 Landscaping Specifications.
- (d) The rear and side setbacks are 20 feet along the MBTA right-of-way. With respect to any lot partially within an underlying residential district, (i) no building or structure for a multi-family residential use shall be placed or constructed within 110 feet of the lot line of an abutting lot containing an existing single family residential structure and (ii) except for access driveways and sidewalks, which are permitted, any portion of the lot within said residential district shall be kept open with landscaped areas, hardscaped areas, outdoor recreation areas (e.g., swimming pool) and/or similar open areas.
- (e) On the west side of Chestnut Street, the rear setback shall be 20 feet. On the east side of Chestnut Street, the rear setback shall be 30 feet.

3.17.5.2 Building Height Requirements

The maximum building height in the Multi-family Overlay District sub-districts shall be as shown below. Buildings developed under the Multi-family Overlay District shall not be further subject to the maximum height regulations of the underlying district, as contained in Subsection 4.3.1 Table of Regulations, Subsection 4.4.2 Maximum Building Bulk, Subsection 4.4.3 Height Limitation, Subsection 4.6.1 Basic Requirements, and Subsection 4.6.4 Height Limitation.

	A-1	B	ASB-MF	CSB	HAB	IND
Maximum Building Height (stories)	3.0	3.0	3.0 ^c	3.0	3.0	3.0
Maximum Building Height (feet)	40	40	40 ^c	40	40	40

- (a) Exceptions. The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not occupy more than 25% of the gross floor area of the building.
- (b) Exceptions: Renewable Energy Installations. The Site Plan Review Authority may waive the height and setbacks in Subsection 3.17.5.2 Building Height Requirements and Subsection 3.17.5.1 Lot Area, Frontage and Setback Requirements to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall be appropriately screened, consistent with the requirements of the underlying district; shall not create a significant detriment to abutters in terms of noise or shadow; and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.
- (c) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit for a height of four stories and 50 feet, provided that the fourth story is contained under a pitched roof, having a maximum roof pitch of 45 degrees, or is recessed from the face of the building (street-facing)by a minimum of 12 feet as shown in the Design Guidelines adopted for the Needham Center Overlay District under Subsection 3.8.8 Design Guidelines.

3.17.5.3 Building Bulk and Other Requirements

The maximum floor area ratio or building coverage and the maximum number of dwelling units per acre, as applicable, in the Multi-family Overlay District sub-districts shall be as shown below, except that the area of a building devoted to underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio or building coverage, as applicable. Buildings developed under the regulations of the Multi-family Overlay District shall not be subject to any other limitations on floor area ratio or building bulk in Subsection 4.3.1 Table of Regulations, Subsection 4.4.2 Maximum Building Bulk, and Subsection 4.6.3 Maximum Lot Coverage.

	A-1	B	ASB-MF	CSB	HAB	IND
Floor Area Ratio (FAR)	0.50	N/A	1.00 ^b	0.70	0.70	0.50
Maximum Building Coverage (%)	N/A	25%	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre ^a	18	N/A	N/A	18	N/A	N/A

(a) The total land area used in calculating density shall be the total acreage of the lot on which the development is located.

(b) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit for an FAR of 1.4.

3.17.5.4 Multiple Buildings on a Lot

In the Multi-family Overlay District, more than one building devoted to Multi-family housing may be located on a lot, provided that each building complies with the requirements of Section 3.17 of this By-Law.

3.17.6 Off-Street Parking

- (a) The minimum number of off-street parking spaces shall be one space per dwelling unit for all subdistricts within the Multi-family Overlay District.
- (b) Parking areas shall be designed and constructed in accordance with Subsection 5.1.3 Parking Plan and Design Requirements. The remaining provisions of Section 5.1 Off Street Parking Regulations shall not apply to projects within the Multi-family Overlay District.
- (c) Enclosed parking areas shall comply with Subsection 4.4.6 Enclosed Parking.
- (d) No parking shall be allowed within the front setback. Parking shall be on the side or to the rear of the building, or below grade.
- (e) The minimum number of bicycle parking spaces shall be one space per dwelling unit.
- (f) Bicycle storage. For a multi-family development of 25 units or more, no less than 25% of the required number of bicycle parking spaces shall be integrated into the structure of the building(s) as covered spaces.

3.17.7 Development Standards

- (a) Notwithstanding anything in the Zoning By-Laws outside of this Section 3.17 to the contrary, Multi-family housing in the Multi-family Overlay District shall not be subject to any special permit requirement.
- (b) Building entrances shall be available from one or more streets on which the building fronts and, if the building fronts Chestnut Street, Garden Street, Highland Avenue, Hillside Avenue, Rosemary Street, or West Street, the primary building entrance must be located on at least one such street.
- (c) Site arrangement and driveway layout shall provide sufficient access for emergency and service vehicles, including fire, police, and rubbish removal.
- (d) Plantings shall be provided and include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, are prohibited.
- (e) All construction shall be subject to the current town storm water bylaws, regulations, and policies along with any current regulations or policies from DEP, state, and federal agencies.
- (f) Control measures shall be employed to mitigate any substantial threat to water quality or soil stability, both during and after construction.
- (g) Off-site glare from headlights shall be controlled through arrangement, grading, fences, and planting. Off-site light over-spill from exterior lighting shall be controlled through luminaries selection, positioning, and mounting height so as to not add more than one foot candle to illumination levels at any point off-site.
- (h) Pedestrian and vehicular movement shall be protected, both within the site and egressing from it, through selection of egress points and provisions for adequate sight distances.
- (i) Site arrangements and grading shall minimize to the extent practicable the number of removed trees 8" trunk diameter or larger, and the volume of earth cut and fill.
- (j) No retaining wall shall be built within the required yard setback except a retaining wall with a face not greater than four (4) feet in height at any point and a length that does not exceed forty (40) percent of the lot's perimeter. Notwithstanding the foregoing, retaining walls may graduate in height from four (4) to seven (7) feet in height when providing access to a garage or egress entry doors at the basement level, measured from the basement or garage floor to the top of the wall. In such cases, the wall is limited to seven (7) feet in height for not more than 25% of the length of the wall.
- (k) Retaining walls with a face greater than twelve (12) feet in height are prohibited unless the Applicant's engineer certifies writing to the Building Commissioner that the retaining wall will not cause an increase in water flow off the property and will not adversely impact adjacent property or the public.

Special Development Standards for the A-1 Subdistrict

The following requirements apply to all development projects within the A-1 subdistrict of the Multi-family Overlay District:

- (a) 4.3.2 Driveway Openings
- (b) 4.3.3 Open Space
- (c) 4.3.4 Building Location, with the substitution of "Multifamily Dwelling" for "apartment house."

Special Development Standards for the B and IND Subdistricts of the Multi-Family Overlay District:

- (a) The requirements of the first paragraph of 4.4.5 Driveway Openings shall apply to all development projects within the Multi-family Overlay District within the B and IND subdistricts.

3.17.8 Affordable Housing

Any multi-family building with six or more dwelling units shall include Affordable Housing Units as defined in Section 1.3 of this By-Law and the requirements below shall apply.

3.17.8.1 Provision of Affordable Housing.

Not fewer than 12.5% of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of Affordable Housing Units required in a proposed development, any fractional unit shall be rounded up to the nearest whole number and shall be deemed to constitute a whole unit.

In the event that the Executive Office of Housing and Livable Communities (EOHLC) determines that the calculation detailed above does not comply with the provisions of Section 3A of MGL c.40A, the following standard shall apply:

Not fewer than 10% of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of Affordable Housing Units required in a proposed development, any fractional unit shall be rounded up to the nearest whole number and shall be deemed to constitute a whole unit.

3.17.8.2 Development Standards.

Affordable Units shall be:

- (a) Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
- (b) Dispersed throughout the development;
- (c) Located such that the units have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or Electric Vehicle charging stations) within the development;
- (d) Located such that the units have equal avoidance of any potential nuisances as market-rate units within the development;
- (e) Distributed proportionately among unit sizes; and
- (f) Distributed proportionately across each phase of a phased development.
- (g) Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis.

3.17.9 Site Plan Review.

3.17.9.1 Applicability.

Site Plan Review is required for all projects within the Multi-Family Overlay District.

3.17.9.2 Submission Requirements.

The Applicant shall submit the following site plan and supporting documentation as its application for Site Plan Review, unless waived in writing by the Planning and Community Development Director:

- (a) Locus plan;
- (b) Location of off-site structures within 100 feet of the property line;
- (c) All existing and all proposed building(s) showing setback(s) from the property lines;
- (d) Building elevation, to include penthouses, parapet walls and roof structures; floor plans of each floor; cross and longitudinal views of the proposed structure(s) in relation to the proposed site layout, together with an elevation line to show the relationship to the center of the street;
- (e) Existing and proposed contour elevations in one-foot increments;
- (f) Parking areas, including the type of space, dimensions of typical spaces, and width of maneuvering aisles and landscaped setbacks;
- (g) Driveways and access to site, including width of driveways and driveway openings;
- (h) Facilities for vehicular and pedestrian movement;
- (i) Drainage;
- (j) Utilities;
- (k) Landscaping including trees to be retained and removed;
- (l) Lighting;
- (m) Loading and unloading facilities;
- (n) Provisions for refuse removal; and
- (o) Projected traffic volumes in relation to existing and reasonably anticipated conditions based on standards from the Institute of Transportation Engineers and prepared by a licensed traffic engineer.

3.17.9.3 Timeline.

Upon receipt of an application for Site Plan Review for a project in the MFOD, the Site Plan Review Authority shall transmit a set of application materials to the Department of Public Works, Town Engineer, Police Department, Fire Department, Design Review Board, and to any other Town agency it deems appropriate, which shall each have thirty five (35) days to provide any written comment. Upon receipt of an application, the Site Plan Review Authority shall also notice a public hearing in accordance with the notice provisions contained in M.G.L. c.40A, §11. Site plan review shall be completed, with a decision rendered and filed with the Town Clerk, no later than 6 months after the date of submission of the application.

3.17.9.4 Site Plan Approval.

Site Plan approval for uses listed in Subsection 3.17.3 Permitted Uses shall be granted upon determination by the Site Plan Review Authority that the following criteria have been satisfied. The Site Plan Review Authority may impose reasonable conditions, at the expense of the applicant, to ensure that these criteria have been satisfied.

- (a) the Applicant has submitted the information as set forth in Subsection 3.17.8.2 Development Standards; and
- (b) the project as described in the application meets the dimensional and density requirements contained in Subsection 3.17.5 Dimensional Regulations, the parking requirements contained in Subsection 3.17.6 Off-Street Parking, and the development standards contained in Subsection 3.17.7 Development Standards.

3.17.9.5 Waivers

When performing site plan review, the Planning Board may waive the requirements of Subsection 3.17.6 hereof and/or Subsection 5.1.3 Parking Plan and Design Requirements, or particular submission requirements.

When performing site plan review for a Multi-family Housing project that involves preservation of a structure listed in the National Register of Historic Places, the Massachusetts Register of Historical Places, the Inventory of Historic Assets for the Town of Needham, or is in pending for inclusion in any such register or inventory, the Planning Board as part of site plan review may reduce the applicable front, side or rear setbacks in this Section 3.17 by up to 40%.

3.17.9.6 Project Phasing.

An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Site Plan Review Authority, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased solely to avoid the provisions of Subsection 3.17.7 Affordable Housing.

3.17.10 Design Guidelines

The Planning Board may adopt and amend, by simple majority vote, Design Standards which shall be applicable to all rehabilitation, redevelopment, or new construction within the Multi-family Overlay District. Such Design Guidelines must be objective and not subjective and may contain graphics illustrating a particular standard or definition to make such standard or definition clear and understandable. The Design Guidelines for the Multi-family Overlay District shall be as adopted by the Planning Board and shall be available on file in the Needham Planning Department.

ARTICLE 3: AMEND ZONING BY-LAW – MULTI-FAMILY OVERLAY DISTRICT (NEIGHNORHOOD PLAN OPTION)

To see if the Town will vote to amend the Needham Zoning By-Law, inclusive of those amendments adopted under Article 1 and Article 2, as follows, and to act on anything related thereto:

1. Amending Section 3.17 Multi-family Overlay District by revising Subsection 3.17.2.1 Subdistricts to read as follows:

The Multi-family Overlay District contains the following sub-districts, all of which are shown on the MFOD Boundary Map and indicated by the name of the sub-district:

- (a) A-1
- (b) B
- (c) ASB-MF
- (d) CSB-E (Chestnut Street Business – East)
- (e) CSB-W (Chestnut Street Business – West)
- (f) CSB-GS
- (g) HAB
- (h) IND
- (i) IND-C (Industrial – Crescent)

2. Amending Subsection 3.17.1 Purposes of District by amending the last paragraph to read as follows:

Toward these ends, Multi-family housing and mixed-use development (where allowed) in the Multi-family Overlay District is permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the requirements of this Section 3.17.

3. Amending Subsection 3.17.4. Use Regulations, by adding the following paragraph (b) to Subsection 3.17.4.1 Permitted Uses:

3.17.4.1 Permitted Uses

- (b) In the B and CSB subdistricts: Ground floor commercial uses as a component of a mixed-use building with Multi-family Housing on the upper floors are permitted as of right. Commercial uses are limited to the uses, listed below:
- i. Retail establishments serving the general public containing less than 5,750 gross square feet of floor area. In multi-tenanted structures the provisions of the section will individually apply to each tenant or use and not to the aggregate total of the structure.
 - ii. Retail trade or shop for custom work or the making of articles to be sold at retail on the premises.
 - iii. Offices and banks.
 - iv. Craft, consumer, professional or commercial service established dealing directly with the public and not enumerated elsewhere in this section.
 - v. Personal fitness service establishment. If there is insufficient off-street parking on-site to serve all land uses located thereon in adherence with the requirements of Subsection 5.1.2 Required Parking but it can be demonstrated that the hours, or days, of peak parking for the uses are sufficiently different that a lower total will provide adequately for all uses or activities served by the parking lot.
 - vi. Manufacturing clearly incidental and accessory to retail use on the same premises and the product is customarily sold on the premises.
 - vii. Laundry; coin operated or self-service laundry or dry-cleaning establishment.

4. Amending Subsection 3.17.4. Use Regulations, by adding the following after Subsection 3.17.4.1 Permitted Uses and renumbering Subsection 3.17.4.2 Accessory Uses to 3.17.4.3:

3.17.4.2 Special Permit Uses in the B and CSB Subdistricts.

The following uses are permitted by Special Permit from the Planning Board in the B and CSB sub-districts of the Multi-family Overlay District:

- (a) Ground floor commercial uses as a component of a mixed-use building with Multi-family Housing on the upper floors. Commercial uses are limited to the uses listed below:
 - i. Restaurant serving meals for consumption on the premises and at tables with service provided by a server.
 - ii. Take-out operation accessory to the above.
 - iii. Take-out food counter as an accessory to a food retail or other non- consumptive retail establishment.
 - iv. Retail sales of ice cream, frozen yogurt, and similar products for consumption on or off the premises.
 - v. Take-out establishment primarily engaged in the dispensing of prepared foods to persons carrying food and beverage away for preparation and consumption elsewhere.

5. Amending Section 3.17 Multi-family Overlay District by replacing the tables in Subsection 3.17.5 Dimensional Requirements with the tables below, with all other text, including footnotes, contained in Subsection 3.17.5 to remain unamended unless noted below:

3.17.5. Dimensional Requirements

Replace the table in 3.17.5.1 Subsection Lot Area, Frontage and Setback Requirements with the tables below:

Table 1A. Lot Area, Frontage and Setback Requirements

	A-1	B	ASB-MF	HAB	IND
Minimum Lot Area (square feet)	20,000	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	120	80	80	80	80
Minimum Front Setback (feet) from the front property line	25	10	Minimum 10 Maximum 15	20	25
Minimum Side and Rear Setback (feet)	20	20 ^{a, b}	10 ^{a, d}	20 ^{a, b}	20 ^{a, b}

Table 1B. Lot Area, Frontage and Setback Requirements

	CSB-E	CSB-W	CSB-GS	IND - C
Minimum Lot Area (square feet)	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	80	80	80	80
Minimum Front Setback (feet) from the front property line	Minimum of 5 feet or average of setbacks within 100 feet, whichever is smaller	Minimum of 5 feet or average of setbacks within 100 feet, whichever is smaller	Minimum of 10 feet or average of setbacks within 100 feet, whichever is smaller	25
Minimum Side and Rear Setback (feet)	20 (side) 30 (rear) a, b	20 ^{a, b}	20 ^{a, b}	20 ^{a, b}

And delete footnote (e).

Replace the table in Subsection 3.17.5.2 Building Height Requirements with the tables below:

Table 2A. Building Height Requirements

	A-1	B	ASB-MF	HAB	IND
Maximum Building Height (stories) ^d	4.0	4.0 4.5 with commercial ground floor or see 3.17.8.1	3.0 ^c	3.0	3.0
Maximum Building Height (feet) ^d	50	50 55 with commercial ground floor or see 3.17.8.1	40 ^c	40	40

Table 2B. Building Height Requirements

	<u>CSB-E</u>	<u>CSB-W</u>	<u>CSB-GS</u>	<u>IND - C</u>
Maximum Building Height (stories) ^d	3.0 3.5 with commercial ground floor or see 3.17.8.1	4.0 4.5 with commercial ground floor or see 3.17.8.1	3.0 3.5 with commercial ground floor or see 3.17.8.1	3.0
Maximum Building Height (feet) ^d	40 45 with commercial ground floor or see 3.17.8.1	50 55 with commercial ground floor or see 3.17.8.1	40 45 with commercial ground floor or see 3.17.8.1	40

And add new footnote (d):

(d) The requirements of Subsection 4.4.7 Business Use in Other Districts are not applicable to commercial ground floor uses in the MFOD.

Replace the table in Subsection 3.17.5.3 **Building Bulk and Other Requirements** with the tables below:

Table 3A. Building Bulk and Other Requirements

	A-1	B	ASB-MF	HAB	IND
Floor Area Ratio (FAR)	1.00	2.00	1.00 ^b	1.00	1.0
Maximum Building Coverage (%)	N/A	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre ^a	36	N/A	N/A	24	24

Table 3B. Building Bulk and Other Requirements

	CSB-E	CSB-W	CSB-GS	IND - C
Floor Area Ratio (FAR)	2.00	2.00	2.00	0.75
Maximum Building Coverage (%)	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre ^a	N/A	N/A	N/A	24

6. Amending Section 3.17 Multi-family Overlay District by adding the following to Subsection 3.17.7 Development Standards, to read as follows:

- (l) For a mixed-use building, entrances to ground-floor dwelling units shall be located on the side or rear of the building, not from any side facing the street, or the entrances may be from a first-floor lobby serving other uses in the building.
- (m) For a mixed-use building, the ground floor of the front façade shall contain only retail, restaurant or office uses allowed by right or by special permit.

7. Amending Section 3.17 Multi-family Overlay District by adding a new paragraph to Subsection 3.17.8.1 Provision of Affordable Housing, immediately following the first paragraph, to read as follows:

3.17.8.1 Provision of Affordable Housing.

In the B and CSB subdistricts, an Applicant may provide an additional 7.5% of units as Workforce Housing Units in place of the requirement for a commercial ground floor to achieve the additional allowable height listed in Tables 2A and 2B under Subsection 3.17.5.2 Building Height Requirements.

8. Amending Section 3.17 Multi-family Overlay District by modifying the first line of Subsection 3.17.8.2 Development Standards to read as follows:

Affordable Units, including Workforce Housing Units, shall be:

June 10, 2024

BY ELECTRONIC MAIL

Town of Needham Planning Board
Needham Town Hall
1471 Highland Avenue
Needham, MA 02492
Email: planning@needhamma.gov

Re: 100 West Street, Needham, Massachusetts (the "Property") – MBTA
Communities Act Compliance

Dear Members of the Planning Board:

We are counsel to Welltower Inc., which owns the Property by and through an affiliate ("Property Owner"). We have been closely following the Housing Needham Advisory Group's ("HONE"), and the Town of Needham's ("Town") efforts generally, to comply with M.G.L. c. 40A § 3A, also known as the "MBTA Communities Act". We are appreciative of the Town's efforts to comply and the progress that has been made over the past several months. We are writing this letter to offer further comment on the proposed MBTA Communities Act zoning amendments in the context of a potential redevelopment of the Property.

Following HONE's final meeting on April 30, 2024, the Property Owner requested one of its regular architects evaluate the proposed MBTA Communities Act re-zoning language in relation to a typical multi-family residential building layout for the Property.

This exercise demonstrated that a multi-family residential redevelopment of the Property would comply with nearly all of the parameters set forth in the draft zoning (e.g., height, setback, open area, etc.), meaning such redevelopment could theoretically proceed as-of-right. However, in this as-of-right scenario, the redevelopment of the Property would yield less than 150 units because the 1.0 maximum FAR in the draft zoning does not sufficiently account for structured parking (above and below grade) or the inefficiencies of the building (e.g., hallways, elevators, amenity space, bike parking, etc.). As you know, this yield is well below HONE's MBTA compliance assumption of 187 units for the Property and less than what would be financially feasible for redevelopment of the Property (approximately 185).

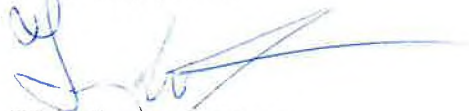
In order to yield the MBTA compliance target of 187 units and achieve the financial viability threshold, the FAR for the as-of-right, base-case compliance scenario would need to be 1.3 (excluding any structured parking from the FAR calculation). Stated another way: a 3 story/187-unit multi-family development of the Property could be constructed in compliance with all of the other proposed parameters in the draft zoning (e.g., height, setback, open area,

etc.) if the FAR was increased to at least 1.3 (exclusive of any parking structures). Relatedly, the special permit FAR should also be correspondingly increased to 1.7 to allow a fourth story.

Finally, we request that the final MBTA Communities Act re-zoning language allow a fourth story by special permit, without a mandated peaked roof or step back in order to allow the Town to have flexibility in evaluating future design. We suggest a modification to add a design or performance standard for special permit projects that requires an applicant to soften the massing of the fourth story through architectural means. This change provides the Town the authority and flexibility to address massing without mandating a method before a building has been designed.

We look forward to discussing this with the Planning Board at its next meeting on June 18th.

Very truly yours,



Timothy W. Sullivan
Attorney for Property Owner

cc:

Lee Newman, Director of Planning & Community Development (lnewman@needhamma.gov)
Katie Hogan

LETTERS OF AUTHORITY FOR PERSONAL REPRESENTATIVE	Docket No. NO21P1203EA	Commonwealth of Massachusetts The Trial Court Probate and Family Court
Estate of: Phillip W. Thiessen Date of Death: <u>01/09/2021</u>	Norfolk Probate and Family Court 35 Shawmut Road Canton, MA 02021 (781)830-1200	

To:

Marjorie A. Pine
18 Basin Street
Newburyport, MA 01950

You have been appointed and qualified as Personal Representative in ☐ Supervised ☒ Unsupervised
administration of this estate on August 18, 2021
(date)

These letters are proof of your authority to act pursuant to G. L. c. 190B, except for the following restrictions if any:

☐ Pursuant to G. L. c. 190B, § 3-108(4), the Personal Representative shall have no right to possess estate assets as
provided in § 3-709 beyond that necessary to confirm title thereto in the successors to the estate and claims, other than
expenses of administration, if any, shall not be paid.

☐ The Personal Representative was appointed before March 31, 2012 as Executor or Administrator of the estate.

(Do Not Write Below This Line-For Court Use Only)

CERTIFICATION

I certify that it appears by the records of this Court that said appointment remains in full force and effect. IN TESTIMONY
WHEREOF I have hereunto set my hand and affixed the seal of said Court.

Date October 28, 2022

Colleen M. Brierley
Colleen M Brierley, Register of Probate

TOWN OF NEEDHAM
MASSACHUSETTS

2024 JUN -4 PM 12:53



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 Marjorie A. Pine, Personal Rep
Address 18 Basin St., Newburyport, MA 01950
2. Name of Engineer or Surveyor Field Resources, Inc
Address 281 Chestnut Street, Needham, MA
3. Deed of property recorded in Norfolk County Registry,
Book 1673, Page 439
4. Location and description of property 321 Cartwright Road
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)

Signature of Applicant

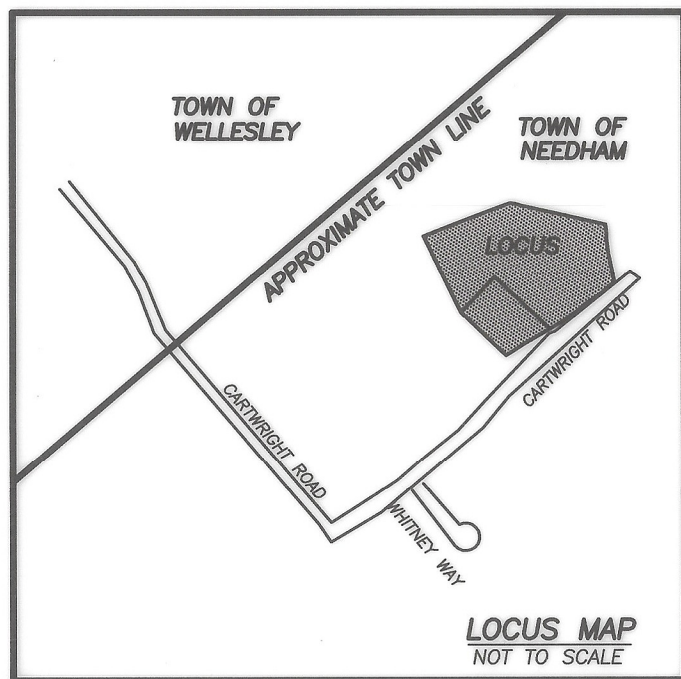
Address

By

(agent)

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

By _____



ZONING INFORMATION: SINGLE RESIDENCE A (SRA)			
	REQUIRED	LOT 100	LOT 101
MINIMUM LOT AREA	43,560 SF	63,797 SF	243,000± SF
MAXIMUM BUILD FACTOR	20	11.3	3.4
MINIMUM LOT FRONTAGE	150 FEET	232.85 FEET	302.64 FEET
MINIMUM FRONT SETBACK	30 FEET	14.7 FEET	
MINIMUM SIDE YARD	25 FEET	5.6 FEET	
MINIMUM REAR YARD	15 FEET	25.0 FEET	205.0 FEET

ZONING INFORMATION: SINGLE RESIDENCE A (SRA)

FOR REGISTRY USE ONLY
APPROVAL UNDER THE SUBDIVISION
CONTROL LAW NOT REQUIRED
NEEDHAM PLANNING BOARD

DATE:

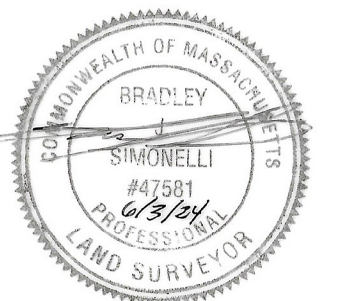
NO DETERMINATION AS TO COMPLIANCE
WITH ZONING REQUIREMENTS IS MADE
OR INTENDED.

THE PURPOSE OF THIS PLAN IS TO
DIVIDE 321 CARTWRIGHT ROAD INTO LOT
100 WITH THE EXISTING STRUCTURES
AND LOT 101 WITH THE VACANT
REMAINING LAND

TOWN OF NEEDHAM
MAP 219 PARCEL 07

NORFOLK COUNTY
REGISTRY OF DEEDS
BOOK 41576 PAGE 186
PLAN BOOK 725 PLAN 67

OWNER/APPLICANT:
MARJORIE A. PINE
18 BASIN ROAD
NEWBURYPORT, MA



APPROVAL NOT REQUIRED
SUBDIVISION PLAN OF LAND
321 CARTWRIGHT ROAD
NEEDHAM, MASS.

Field Resources, Inc.
LAND SURVEYORS

JUNE 3, 2024 SCALE 1"=50'
P.O. BOX 324 281 CHESTNUT ST.
AUBURN, MA NEEDHAM, MA.
508 832 4332 781 444 5936
fieldresources@hotmail.com

JOB NO. 102-22

REVISED

From: [Lee Newman](#)
To: office@fieldresources.net
Cc: [Alexandra Clee](#)
Subject: FW: 321 Cartwright Rd ANR Plan
Date: Thursday, June 13, 2024 4:35:21 PM
Attachments: [Outlook-bfuoytlq.png](#)
[321 Cartwright Rd ANR Plan 102-22.pdf](#)
[Cartwright Rd ANR applicaiton.pdf](#)
[321 Cartwright Road - Approximate Wetland Areas.pdf](#)

Paul,

We are in receipt of the ANR plan for 321 Cartwright Road which you filed with the Town Clerk on June 4, 2024. This item has been placed on the Planning Board meeting agenda of June 18, 2024.

We have reviewed the ANR plan for compliance with the Town's Subdivision Rules and Regulations and note the following revisions detailed below which will need to be made. I will need the revised plan by close of business (5PM) on Monday, June 17 for it to be considered as part of the subject ANR application which the Planning Board considers at its meeting of June 18.

1. A North arrow should be added to the Plan.
2. The 50-foot Easement to Algonquin Gas which crosses the property should be added to the plan.
3. The abutter information should be added to the Plan.
4. Dash the line for the survey tie to monuments across the street on the southwest corner of the property.
5. Dash the line going across the street at the southeast corner of the property.
6. Add a Legend to the Plan for DH(FND), SB, LC.CB/CAP(FND), SB/DH(FND).
7. The Locus Map is showing a strip of land between Lot 100 and the street which is not correct. This should be corrected.
8. The Norfolk County Registry of Deeds Plan Reference provided on the Plan is not accurate and needs to be corrected.
9. For Lot 100 the zoning table shows a maximum build factor of 11.3 while the lotting plan shows 12.9. A correct consistent value needs to be provided.
10. For Lot 100 the zoning table shows a minimum front yard setback of 14.7 feet while the lotting plan shows 14.5 feet. A correct consistent value needs to be provided.
11. For Lot 101 the zoning table shows a maximum build factor of 3.4 while the lotting plan shows 0.8. A correct consistent value needs to be provided.
12. For Lot 101 the zoning table shows total frontage of 302.64 feet while the lotting plan shows 302.42. A correct consistent value needs to be provided.
13. Check the size of letters.

Finally, the Towns GIS maps shows wetlands on the subject locus. I have attached a PDF from the Town GIS mapping depicting the approximate wetland areas on and adjacent to 321 Cartwright Road. Based on the imagery, I wouldn't be surprised if the wetland soils expanded into the mowed/maintained areas, but at the very least, the contouring supports the shaded blue boundaries. The wetlands line will need to be

added to the plan and the Lot Area Calculation detailed in Section 4.2.6 of the Needham Zoning By-law provided.

Your formal filing and this email have been included in the Planning Board meeting packet for the meeting of June 18 and is available online.

Let me know if you have any questions.

Thanks,

Lee

Lee Newman
Director of Planning and Community Development
Town of Needham
500 Dedham Avenue
Needham, MA 02492
781-455-7550 ext.270
<https://www.needhamma.gov/>
<https://www.needhamma.gov/1114/Planning-Board>
www.needhamma.gov/NeedhamYouTube

From: office <office@fieldresources.net>

Sent: Tuesday, June 4, 2024 2:10 PM

To: Alexandra Clee <aclee@needhamma.gov>; Lee Newman <LNewman@needhamma.gov>

Subject: 321 Cartwright Rd ANR Plan

Alex,

As discussed, I have attached the ANR Plan and application for 321 Cartwright Rd.

Best,

Diane

Field Resources, Inc.

Field Resources, Inc.

281 Chestnut Street
Needham, MA
(P) 781-444-5936

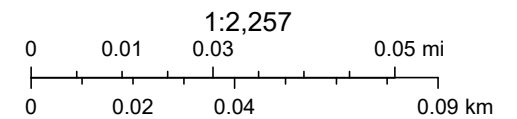
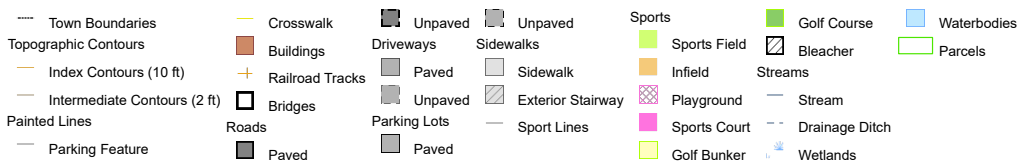
P.O. Box 324
Auburn, MA



Town of Needham



6/13/2024, 3:22:05 PM



Marjorie A. Pine
18 Basin St.
Newburyport, MA 01950

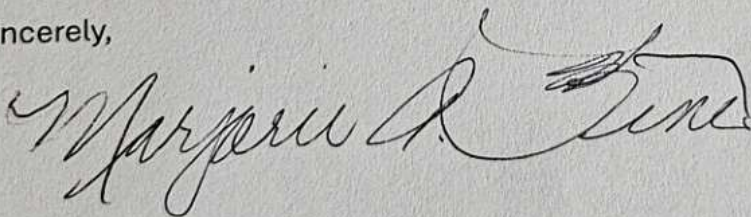
June 18, 2024

Town Planner
Lee Newman
Public Services Administration Building
500 Dedham Avenue
Needham, MA 02492

I hereby request you to withdraw without prejudice the ANR plan for 321 Cartwright Road in Needham filed with the Town Clerk on June 4, 2024, that was on the Planning Board agenda for tonight, June 18, 2024.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marjorie A. Pine". The signature is written in dark ink and is positioned above the printed name.

Marjorie A. Pine

Personal Rep of the Estate of Phillip W. Theissen



RECEIVED TOWN CLERK
NEEDHAM, MA 02452
2023 APR 27 AM 10:59

PLANNING & COMMUNITY DEVELOPMENT
PLANNING DIVISION

DEFINITIVE SUBDIVISION DECISION

920 South Street

Brian Connaughton

April 25, 2023

DECISION of the Planning Board of the Town of Needham, Massachusetts, (hereinafter together with any entity succeeding to the powers of said Planning Board referred to as the Board) on the petition of Brian Connaughton, 920 South Street, Needham, MA (to be referred to hereinafter as the Petitioner) for property located at and known as 920 South Street, Needham, Norfolk County, Massachusetts. Said property is shown on Assessors Plan No. 205 as Parcel 6, and bounded and described as follows:

Said parcel is shown as Lot numbered 16 on a plan drawn by Cheney Engineering Co., Inc., Surveyors, dated March 1987, as approved by the Land Court, filed in the Land Court Registration Office as No. 2417R, a copy of a portion of which is filed with the Norfolk County Registry District of the Land Court with Certificate No. 130654 in Book 654.

The above-described land is subject to the sewer easements as set forth in Document Nos. 6159, 8953, 146331 and shown on said plan as Sewer Easement (30.00 Wide).

The above-described land is also subject to Sewer Easement (20.00 Wide) shown on said plan.

Being the same premises conveyed to Brian Connaughton by deed of VNA Care Hospice, Inc., dated April 8, 2022, filed with the Norfolk County Registry District of the Land Court as Document No. 1501178 and noted on Certificate of Title No. 207299, to which deed reference is made for title.

This decision is in response to an application for approval by the Petitioner of a Definitive Subdivision Plan submitted to the Board on November 8, 2022, under Massachusetts General Laws, Chapter 41, Sections 81-K through 81-GG, inclusive.

If approved, the Plan would create two (2) building lots; all would have frontage and access on the new road.

After causing notice of the time and place of its public hearing and of the subject matter thereof to be published, posted and mailed to the Petitioner, abutters and other parties in interest, as required by law, Adam Block, Chairperson of the Board, called the hearing to order on Monday, December 19, 2022, at 8:00 p.m. in the Charles River Room, first floor, Public Services Administration Building, 500 Dedham Avenue, Needham, Massachusetts, as well as by Zoom Web ID Number 880 4672 526 . The hearing was continued to Tuesday, February 7, 2023 at 7:10 p.m. in the Charles River Room of the Public Services Administration Building, 500 Dedham Avenue, Needham, MA as well as by Zoom Web ID Number 880 4672 5264. The hearing was further continued to Tuesday March 8, 2023 at 7:05 p.m. in the Charles River Room of the Public Services Administration Building, 500 Dedham Avenue, Needham, MA as well as

by Zoom Web ID Number 880 4672 5264. The hearing was further continued to Tuesday, April 4, 2023 at 7:10 p.m. in the Charles River Room of the Public Services Administration Building, 500 Dedham Avenue, Needham, Massachusetts as well as by Zoom Web ID Number 880 4672 5264. Board members Adam Block, Jeanne S. McKnight, Paul S. Alpert, Natasha Espada and Artie Crocker were present throughout the proceedings. The deadline for action on the application was extended by the Board upon the request of the Petitioner until May 19, 2023. The record of the proceedings and submissions upon which this approval is based may be referred to in the office of the Town Clerk or the Planning Board Office.

The Board met on April 25, 2023 to deliberate on the proceedings and to consider the evidence. Submitted for their deliberations prior to the close of the public hearing were the following exhibits.

- Exhibit 1 - Application for a Definitive Subdivision, with Exhibit A (List of Waivers) and Exhibit B (Description).
- Exhibit 2 - Letter from Brian Connaughton, dated September 30, 2022.
- Exhibit 3 - Letter directed to Lee Newman, Director of Planning and Community Development, from George Giunta Jr., dated September 30, 2022.
- Exhibit 4 - Plan set consisting of 9 sheets, prepared by Verne T. Porter, 354 Elliot Street, Newton, MA: Sheet 1, Title Sheet, dated September 9, 2022; Sheet 2, entitled "Existing Conditions Site Plan," dated September 9, 2022; Sheet 3, entitled "By Right Subdivision Plan of Land," dated September 9, 2022; Sheet 4, entitled "Proposed Lotting Plan," dated September 9, 2022; Sheet 5, entitled "Proposed Grading Plan," dated September 9, 2022; Sheet 6, entitled "Proposed Utilities Plan," dated September 9, 2022; Sheet 7, entitled "Plan, Profile & Detail Sheet," dated September 9, 2022; Sheet 8, entitled "Detail Sheet," dated September 9, 2022; Sheet 9, entitled "Detail Sheet," dated September 9, 2022.
- Exhibit 5 - Drainage Summary, Proposed Two Lot Residential Subdivision, 920 South Street, Needham, MA, prepared by Verne T. Porter, 354 Elliot Street, Newton, MA, dated September 28, 2022.
- Exhibit 6 - Letter from George Giunta Jr., Attorney, dated March 7, 2023.
- Exhibit 7 - Plan set consisting of 9 sheets, prepared by Verne T. Porter, 354 Elliot Street, Newton, MA: Sheet 1, Title Sheet, dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 2, entitled "Existing Conditions Site Plan," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 3, entitled "By Right Subdivision Plan of Land," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 4, entitled "Proposed Lotting Plan," dated September 9, 2022, revised October 5, 2022, January 19, 2023 and February 23, 2023; Sheet 5, entitled "Proposed Grading Plan," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 6, entitled "Proposed Utilities Plan," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 7, entitled "Plan, Profile & Detail Sheet," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 8, entitled "Detail Sheet," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 9, entitled "Detail Sheet," dated September 9, 2022, revised January 19, 2023 and February 23, 2023.

Exhibit 8 - Interdepartmental Communication (IDC) to the Board from Debbie Anderson, Director, Conservation Department, dated December 15, 2022; IDC to the Board from Thomas Ryder, Town Engineer, dated March 23, 2023; IDC to the Board from Tom Conroy, Fire Chief, Needham Fire Department, dated March 29, 2023; IDC to the Board from Chief John Schlittler, Needham Police Department, dated March 29, 2023; and IDC to the Board from Tara Gurge, Assistant Director of Public Health, dated October 20, 2022.

Exhibits 1, 2, 5 and 7 are referred to hereinafter as the Plan.

The Board hereby APPROVES the Subdivision, as shown on the Plan, located in Needham, Norfolk County, Massachusetts, to be recorded herewith, for the reasons and subject to the plan modifications, conditions and waivers herein set forth. The approval herein granted is based on the Plan set consisting of 9 sheets, prepared by Verne T. Porter, 354 Elliot Street, Newton, MA: Sheet 1, Title Sheet, dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 2, entitled "Existing Conditions Site Plan," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 3, entitled "By Right Subdivision Plan of Land," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 4, entitled "Proposed Lotting Plan," dated September 9, 2022, revised October 5, 2022, January 19, 2023 and February 23, 2023; Sheet 5, entitled "Proposed Grading Plan," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 6, entitled "Proposed Utilities Plan," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 7, entitled "Plan, Profile & Detail Sheet," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 8, entitled "Detail Sheet," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 9, entitled "Detail Sheet," dated September 9, 2022, revised January 19, 2023 and February 23, 2023.

1. The Board has waived compliance with the following requirements of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board, having found that such action is in the public interest and is not inconsistent with the intent and purposes of the Subdivision Control Law.

- a) The Board hereby waives the requirements of Section 3.3.1 of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board, which would otherwise require that all streets be laid out to a width of 50 feet and approves instead a 20-foot wide right-of-way, as shown on the Plan, as modified by this decision. The above-named waiver is subject to the provisions of paragraphs 3 through 12 of this decision. The Board found a right-of-way width of 20 feet to be sufficient to accommodate the 2 lot residential subdivision. In the granting of this waiver, the Board considered the Plan as referred to in Exhibits 1, 3, 5 and 7 hereof.
- b) The Board hereby waives the requirements of Section 3.3.1 of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board, which would otherwise require that all streets contain a pavement width of twenty-four feet, and approves instead a 18-foot wide pavement width, as shown on the Plan, as modified by this decision. The above-named waiver is subject to the provisions of paragraphs 3 through 12 of this decision. The Board found a pavement width of 18 feet to be sufficient to accommodate the 2 lot residential subdivision. In the granting of this waiver, the Board considered the Plan as referred to in Exhibits 1, 3, 5 and 7 hereof.

- c) The Board hereby waives the requirements of Section 3.3.5 of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board, which would otherwise require that the pavement within the cul-de-sac have a minimum radius of 60 feet and approves instead a radius of 50 feet for the pavement within the cul-de-sac, as shown on the Plan, as modified by this decision. The above-named waiver is subject to the provisions of paragraphs 3 through 12 of this decision. In the granting of this waiver, the Board considered the Plan as referred to in Exhibits 1, 3, 5 and 7 and 8 hereof and the specific goal of minimizing regrading and impervious surface on the site which would otherwise have been required if a 60 foot radius paved circle was to be required.
 - d) The Board hereby waives the requirements of Section 3.3.6 of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board, which would otherwise require granite or reinforced concrete curbing in accordance with Town specifications at the edge of all streets, and approves instead no curbing, as shown on the Plan, as modified by this decision. The above-named waiver is subject to the provisions of paragraphs 3 through 12 of this decision. In the granting of this waiver, the Board considered the number of homes served by this subdivision, the dead end nature of the proposed street, and the affirmative recommendation of the Town Engineer for this roadway design program.
 - e) The Board hereby waives the requirements of Section 3.3.16 of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board, which would otherwise require the construction of a sidewalk in accordance with the "Standard Specifications" of the Town of Needham along both sides of the proposed roadway and approves instead no walkways, as shown on the Plan, as modified by this decision. The above-named waiver is subject to the provisions of paragraphs 3 through 12 of this decision. In the granting of this waiver, the Board considered the number of homes served by this subdivision, the projected traffic volume for the new Private Way, the dead end nature of the proposed street and the lack of a sidewalk on South Street.
2. Petitioner shall cause the Plan to be revised to show the following additional or revised information which modifications shall be subject to review and approval of the Board prior to endorsement of the Plan:
- a) The plan shall be revised to show a cul de sac landscaping plan.
 - b) The plan shall be revised to show a landscaping plan for the 10 foot Raised / Buffer Planting Strip, located along a portion of the westerly boundary, as shown on the plan.

3. The waiver of street construction requirements, as fully set forth in paragraphs 1.a, 1.b, 1.c, 1.d and 1.e is expressly conditioned upon and subject to the restriction that neither the owner nor any successor owner or owners of Lot 1 or Lot 2 as shown on the Plan (hereinafter referred to individually as a Lot or collectively as the Lots) shall use the Lots for any purpose other than single-family residential use or Lot owner home occupations as allowed under the Zoning By-Law, as shown on the Plan, as approved by the Board and recorded herewith, and there shall be no further division of the Lots as shown thereon without the prior written approval of the Planning Board.

4. Each and every owner or owners of any Lot shall be jointly and severally responsible and liable, and shall fulfill all lot owners' obligations under a Homeowners Trust Agreement, for the costs of the maintenance, repair and reconstruction of the Private Way shown on the Plan and designated thereon and all services, (whether the services are located within the Private Way or in areas shown partially on the Private Way and partially on a Lot), the installation of which are required in connection with this approval, or which may be installed at any time, including,

without limitation, maintenance, repair and reconstruction of roadways, water, sewer and drainage facilities and other utilities and related equipment, curbs, monuments, walkways, landscaping and street signs, as and whenever necessary, and including all actions of any kind or nature necessary or appropriate in order to maintain the Private Way in a good, safe and passable condition, including snow plowing, providing access from each Lot to a public way, as shown on the Plan, and providing adequate services to each Lot, all in accordance with these conditions.

5. Each and every owner or owners of any Lot shall be jointly and severally responsible and liable, and shall fulfill all Lot owners' obligations under the Homeowners Trust Agreement, for all maintenance, repairs and reconstruction required for or on the Private Way in compliance with and in conformity with requirements of the Town of Needham and other requirements imposed by law or governmental authority.

6. The Trustees under the Homeowners Trust Agreement and each owner of a Lot shall not use or permit use of the Private Way for any purpose other than ingress and egress from the Lots by the residents of the Lots and their guests and invitees, such use to be limited to pedestrian and private-passenger vehicular traffic, and such other vehicular traffic as is necessary from time to time in cases of emergency, delivery of customary and usual household services and equipment or in connection with the maintenance, repair or reconstruction of the Private Way, the Lot, and any structures thereon and services installed thereon, or hereunder.

7. Neither the Lot owners nor the Trustees under the Homeowners Trust Agreement shall perform, nor shall they permit changes to be made to any Lot, which would impact the functionality or design of the drainage improvements as shown on the Plan.

8. Any and all maintenance, repair or reconstruction work performed on or to the Private Way or in connection with services installed thereon or hereunder by or at the direction of any owner or owners of any Lot or the Trustees under the Homeowners Trust Agreement as provided herein shall be carried out so as to ensure that no fill material nor any products or excavation or erosion resulting from or arising in connection with such work shall be discharged into any storm drainage system, and soil and other material or debris shall be removed from the site only if such removal will not impact the functionality or design of the drainage improvements shown on the Plan, and only to the extent necessary in connection with such work.

9. No Lot owner nor the Trustees under the Homeowners Trust Agreement shall at any time request that the Private Way be laid out or accepted as a public way in the Town of Needham unless such owner or owners or Trustees at its or their sole expense, perform and complete such work as is necessary to cause the Private Way to comply with all standards and regulations of the Town of Needham without waiver, and obtain all permits and approvals required by law in connection therewith. If the Private Way is accepted by the Town of Needham as a public way at any time, then the provisions hereof applicable to ownership and maintenance of the Private Way shall thereupon terminate.

10. No Lot owner nor the Trustees under the Homeowners Trust Agreement, shall at any time request or petition that any drainage system, water pipes, sewer pipes or related equipment or any other improvement within the subdivision for which design or improvement requirements have been waived by the Board as provided herein, be accepted or maintained by the Town of Needham.

11. The Town of Needham and its designees shall have the right to enter upon the Private Way for all purposes for which public ways are used in the Town of Needham.

12. In any sale or transfer by the owner or any successor owner of any of the Lots, the deed or other instrument shall refer to and incorporate conditions 3 through 11 inclusive and a) any conveyance shall include transfer of a fee interest or the perpetual right and easement to use the Private Way in common with others lawfully entitled thereto for all purposes for which public ways in the Town of Needham may now or hereafter be used consistent with the provisions hereof, and the b) subsurface areas, equipment and facilities used and maintained in connection with the provision of water, sewer, drainage and other utility services provided to the conveyed premises. Any deed or other instrument purporting to transfer or convey any interest in any Lot or Lots which does not expressly refer to and incorporate these conditions shall nevertheless be deemed to contain the same and in all events shall be subject thereto.

13. The Petitioner shall deliver to the Board a Restrictive Covenant incorporating conditions 3 through 11 inclusive of this decision in a form suitable for recording in the Registry of Deeds that shall run with the land and shall be enforceable by the Town. Such restriction shall be referenced on the Plan and shall be recorded therewith. Said covenant shall be enforceable in perpetuity or for the longest period permitted by law and in any event for 100 years.

14. Lots 1 and 2 inclusive as shown on the Plan shall be accessed solely from the new Private Way with no vehicular access for said lots provided directly to South Street. Vehicular access to the new Private Way shall be limited to said Lots 1 and 2 as shown on the Plan.

15. The island in the center of the Private Way cul-de-sac shall be landscaped. The island landscaping shall be maintained by the Lot owners, and each Lot owner shall fulfill all Lot owner obligations relating thereto under the Homeowners Trust Agreement.

16. There shall be no alteration or change to a Lot so as to affect the drainage system for any Lot, or the drainage systems running across a Lot, as shown on the Plan, as modified by this decision, without the prior written approval of the Planning Board or Town Engineer as noted below. Any Lot owner who proposes to make a change from the approved Plan shall first file a copy of a plan depicting the proposed changes with the Needham Town Engineer, with a request for a determination as to whether the changes affect the drainage system. If the Town Engineer determines that the changes affect the drainage system, or if the Town Engineer fails to respond to the request for a determination within 45 days, the Lot owner may file the plan with the Planning Board for its review. In such event, the Lot owner shall file with the Planning Board such information as the Planning Board determines necessary for its review. The Planning Board shall hold a public hearing within 60 days of receiving a complete filing. After said public hearing, the Board may, in its sole discretion, find that the proposed changes do not appear to negatively impact down gradient property owners or interfere with the functioning of the drainage system(s) of the Lot or subdivision. In such event the Lot owner, only upon receipt of a written decision from the Planning Board, may implement the changes as shown on the new plan.

17. Off-street drainage surety in the amount of \$7,000.00 shall be posted (\$3,500.00 per lot) prior to the release of Lots 1-2 inclusive as shown on the Plan for purposes of building or conveyance. As recommended in the memo of the Board of Health dated October 20, 2023, all lots shall be graded to the limits of construction so as to have no standing water and/or otherwise create a public health nuisance. Grading shall not improperly shed or illegally increase drainage onto adjacent properties. All subsequent developers or builders shall be notified of the off-street drainage bond and the specific off-street drainage requirements. If required by the Board of Health, an as-built certified grading plan(s) of all or any of the lots shall be submitted prior to release of the drainage surety.

18. Each record owner, whether one or more persons or entities, of title to Lots 1 and 2, as shown on the Plan, shall maintain and keep operational their respective roof drainage system in accordance with the Plan, as approved by this decision and as further described in the Drainage Summary, Proposed Two Lot Residential Subdivision, 920 South Street, Needham, MA, prepared by Verne T. Porter, 354 Elliot Street, Newton, MA, dated September 28, 2022.

19. Prior to plan endorsement and in keeping with Phase II NPDES, Town of Needham as filed July 30, 2003, the Petitioner shall select a BMP topic under “Public Education and Outreach” and “Public Participation/Involvement” and shall implement said selected topic prior to the release of the subdivision lots.

20. The following safeguards shall be implemented during construction:

a. The hours of construction and construction related activities shall be limited to 7:30 a.m. to 6:00 p.m. Monday through Saturday.

b. The Petitioner’s contractor shall designate a person who shall be responsible for the construction process. That person shall be identified to the Police Department, the Department of Public Works, the Building Commissioner and the abutters and shall be contacted if problems arise during the construction process. The designee shall also be responsible for assuring that truck traffic and the delivery of construction material does not interfere with or endanger traffic flow on South Street. The designee shall supply a phone number where the designee can be reached 24 hours per day.

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

21. Prior to site alteration the Petitioner shall mark in the field those trees which the landscape plan indicates will be retained. Such trees identified to be preserved shall be distinguished with appropriate markings, which may include surrounding fences or stakes. Any such trees removed which were identified for retention shall be replaced with trees of similar quality and caliper or as otherwise approved by the Board.

22. A Department of Environmental Protection sewer extension and connection permit may be required to service the subdivision and abutting lots. If required, approval of this subdivision is subject to the granting by the Select Board and the Department of Environmental Protection of a Sewer Extension and Connection Permit.

23. Any and all special permits required by the Massachusetts Water Resources Authority shall be obtained at the expense of the Petitioner.

24. A special sewer connection permit program fee shall be provided for all lots within the subdivision.

25. Grade adjustment rings are not permitted to adjust gate boxes and/or other castings. The Petitioner shall use appropriately sized castings.

26. All catch basins shall remain functional at all times. Rims shall be set at binder elevation and shall be adjusted to finish course elevation prior to placement of the top course of pavement.

27. If the binder course of pavement is exposed to one winter season, it shall be chipsealed prior to September 1 of the following winter season. If the roadway work is not completed prior to the third winter season, road reconstruction may be required by the Highway Superintendent.
28. No openings in the pavement shall be made after the chipseal has been laid between September 1 and April 1.
29. The construction, operation and maintenance of the subdivision shall be conducted in accordance with the EPA's Memorandum of Understanding signed by the Board of Selectmen.
30. "As-built" construction plans of the sewer, water and drainage utilities shall be submitted to the Department of Public Works and the Board for review and approval prior to release of the respective performance bond amounts.
31. All future sewer tie-ins to properties located outside of this subdivision shall be accomplished in a manner consistent with the "Town of Needham Master Plan of Connection to the MWRA Sewer" dated January 8, 1988, (as revised) and prepared by the Needham Public Works, Sewer Division.
32. Prior to the commencement of any street construction within the subdivision, the location of future street lighting, location of fire alarm circuits and outlets, and the location of underground power to serve these, as applicable, shall be shown on an amended version of the definitive utility plan to be filed with the Board and Public Works Department.
33. The provisions of M.G.L., Chapter 131, Section 40 and 40A and the Needham Wetlands Protection By-Law shall be satisfied.
34. All construction staging and parking shall be on-site. No construction parking shall be permitted on South Street or on any other public street.
35. All areas where utilities are proposed shall be compacted to the satisfaction of the Public Works Department.
36. In the absence of any details or waivers set forth herein, the current Subdivision Regulations and Procedural Rules of the Planning Board shall govern and are hereby made a part of this decision. All construction details not specifically shown on the approved Plan shall conform to Department of Public Works specifications.
37. The developer is directed to submit the Subdivision Inspection Form during all phases of construction as required, in accordance with Appendix E of the Subdivision Regulations and Procedural Rules of the Planning Board.
38. Notwithstanding the provisions of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board, the Petitioner shall have two years from the date of endorsement of the Plan to complete the installation and construction of the new Private Way, and the services provided therein, in accordance with the applicable Subdivision Regulations and Procedural Rules of the Planning Board. Failure to so complete shall automatically rescind approval of the Subdivision Plan.
39. The Petitioner shall enter a written agreement to guarantee completion, once commenced, of the required improvements for all lots in the Subdivision, as shown on the Plan, with such

construction and installation to be additionally secured by one of the methods delineated under the provisions of Section 3.5.1. Such agreement shall be subject to review and approval of the Board prior to endorsement of the Plan.

40. The Petitioner shall deliver to the Board for its approval a duly executed easement deed to the Town of Needham granting to the Town the right to pass on foot or by vehicle over the Private Way and access rights over the "Drain Easement" and "Sewer and Drain Easement" on each of the Lots, a Subdivision Covenant, a Buffer Planting Strip Covenant and Restriction, a Restrictive Covenant and Homeowners Trust Agreement, all as may be required and as shown on the Plan ("the Documents"). The Documents shall be subject to review and approval of the Board prior to endorsement of the Plan. The Documents shall be referenced on the Plan and all documents shall be recorded with the Plan.

41. Prior to the release of any lots for building or sale, copies of the recorded instruments described in paragraphs 13 and 40 of this decision and copies of the recorded plan shall be provided to the Director of Planning and Community Development.

42. The Petitioner shall present the Plan to the Board for proper endorsement within ninety (90) days of the date this decision is executed unless such time period is extended, in writing, by the Board. The Board reserves the right to rescind its approval if said Plan is not presented to the Board for endorsement within the time period herein specified. Further, the Petitioner or his authorized representative shall submit the Plan to the Director of Planning and Community Development fourteen (14) days in advance of its presentation to the Board to allow adequate time to review the revised Plan for compliance with the Conditions of this decision.

The foregoing have been stated for the purpose of emphasizing their importance and are not intended to be all inclusive or to negate any provision of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board.

Under the provisions of the Town of Needham, Subdivision Regulations and Procedural Rules of the Planning Board and Massachusetts General Laws, Chapter 41, Sections 81-K through 81-GG, inclusive, the Board shall have the power to modify or amend the terms and conditions of this approval after due notice on the application of the owner, lessee or mortgagee of the premises or upon its own motion. All the provisions of the Subdivision Control Law applicable to approval shall, where appropriate, be applicable to such modification or amendment. Such power is hereby reserved. Appeals, if any, shall be made pursuant to Section 81-BB of the Massachusetts General Laws, Chapter 41, and shall be filed within twenty (20) days after the date of filing this decision with the Town Clerk.

The provisions of this Approval and Conditions shall be binding upon every owner or owners of each of the lots, as shown on the Plan, and the executors, administrators, heirs, successors and assigns of such owners, and the obligations and restrictions herein set forth shall run with said land in full force and effect for the benefit of and enforceable by the Town of Needham. Reference to this Approval shall be entered upon the Plan and this Approval shall be recorded in the Norfolk Registry of Deeds with the Plan.

Witness our hands this 25th day of April, 2023

NEEDHAM PLANNING BOARD

Adam Block
Adam Block, Chair

Jeanne S. McKnight
Jeanne S. McKnight

Natasha Espada

Paul S. Alpert

Artie Crocker

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

April 25, 2023

On this 25 day of April, 2023, before me, the undersigned notary public, personally appeared Adam Block, one of the members of the Planning Board of the Town of Needham, Massachusetts, proved to me through satisfactory evidence of identification, which was personally known, to be the person whose name is signed on the proceeding or attached document, and acknowledged the foregoing to be the free act and deed of said Board before me.

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

TO WHOM IT MAY CONCERN: This is to certify that the 20-day appeal period on the approval of the Project proposed by Brian Connaughton, 920 South Street, Needham, MA, for Property located at 920 South Street, Needham, Norfolk County, Massachusetts, has passed,

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

Date

Theodora K. Eaton, Town Clerk

Copy sent to:

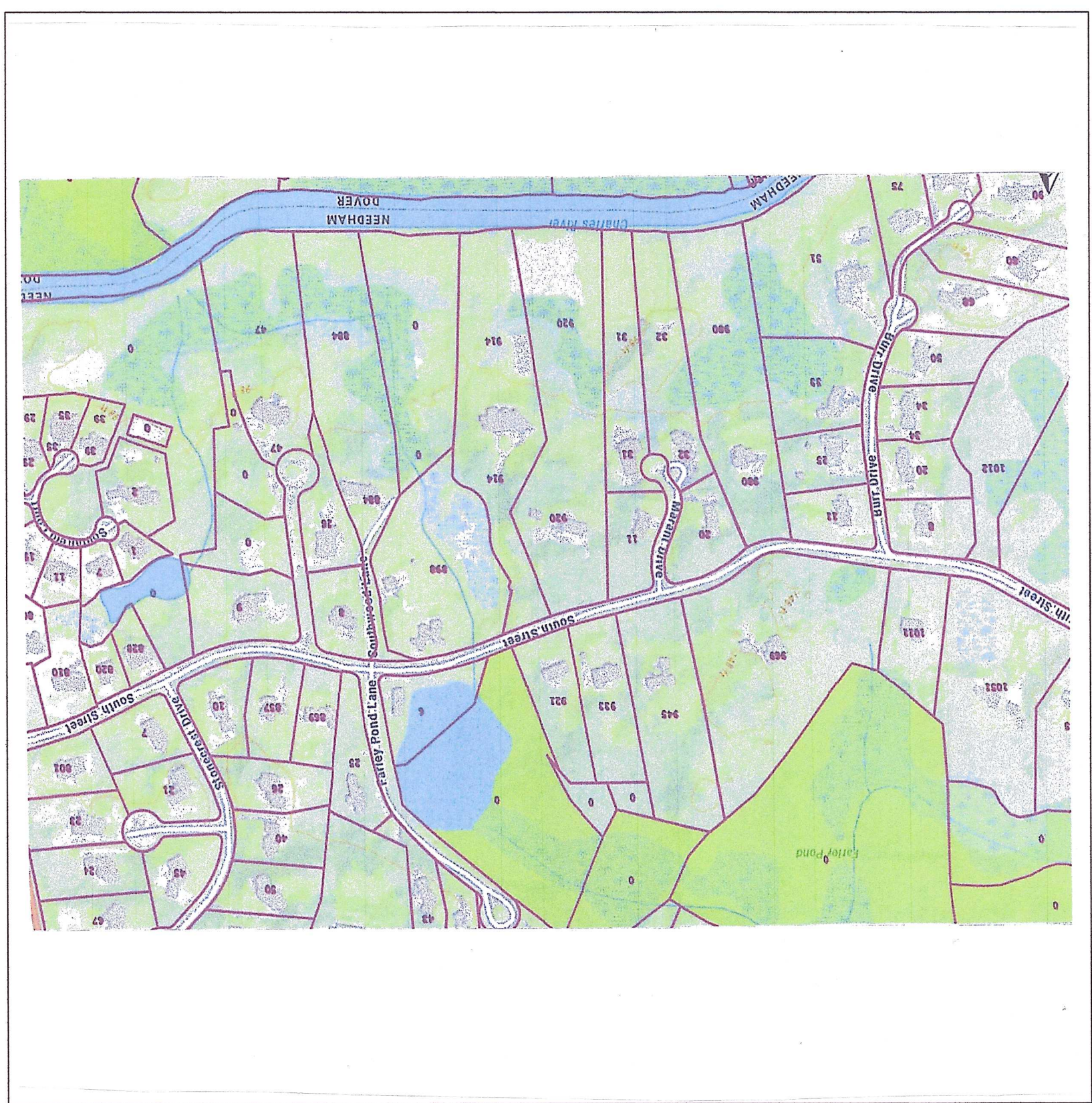
Petitioner-Certified Mail #
Town Clerk
Building Commissioner
Conservation Commission
Parties in Interest

Board of Selectmen
Engineering
Fire Department
Police Department
George Giunta Jr., Attorney

Board of Health
Director, PWD
Design Review Board

Definitive Subdivision Plan
~920 South Street~
Needham, Massachusetts

FOR REGISTRY USE ONLY



Locus Map

Scale 1"=400'

1. THIS PLAN WAS MADE FROM AN ACTUAL ON THE GROUND SURVEY BY THIS OFFICE
2. THE SUBJECT PROPERTY IS LOCATED IN THE RURAL RESIDENTIAL ZONE
3. ASSESSORS MAP 205 PARCEL 7
4. UTILITIES SHOWN WHERE COMPILED FROM BEST AVAILABLE INFORMATION AND ACTUAL FIELD LOCATIONS. THEY MAY OR MAY NOT BE COMPLETE OR CORRECT. CONTRACTOR TO FIELD VERIFY ALL LOCATIONS AND DEPTHS PRIOR TO ANY EXCAVATION.
5. THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT, VISIBLE USES OF THE LAND. HOWEVER, THIS DOES NOT CONSTITUTE A GUARANTEE THAT NO SUCH EASEMENTS EXIST.
6. WETLANDS DELINEATIONS PERFORMED BY ECOTEC INC.
7. LOCUS IS LOCATED IN THE FOLLOWING FLOOD ZONE PER FEMA FLOOD INSURANCE RATE MAP NUMBER 25021C0038E DATED 7-17-2012

Zone Rural Residence Conservation
43,560s.f. Minimum
150' Lot Frontage
50' Front Setback
25' Side Setback
25' Rear Setback
FAR Not Applicable
Max. Lot Coverage 15%
Max. Stories 2 1/2
Max. Height 35'

Owner/Applicant:
Brian Connaughton
920 South Street
Needham, Ma. 02492
Cert. #207299

DIRECTOR OF PUBLIC WORKS	
DATE APPROVED	
TOWN ENGINEER	
DATE APPROVED	
I, TOWN CLERK OF THE TOWN OF NEEDHAM, HEREBY CERTIFY THAT THE NOTICE OF THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE	
DATE	TOWN CLERK

APPROVAL IN ACCORDANCE WITH SECTION 91-U OF CHAPTER 41 OF THE GENERAL LAWS AS AMENDED	
TOWN OF NEEDHAM PLANNING BOARD	
BY:	
APPROVED:	

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY THE SUBDIVISION REGULATIONS AND PROCEDURAL RULES OF THE NEEDHAM PLANNING BOARD.

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS

Verne T. Porter Jr. 2-23-23

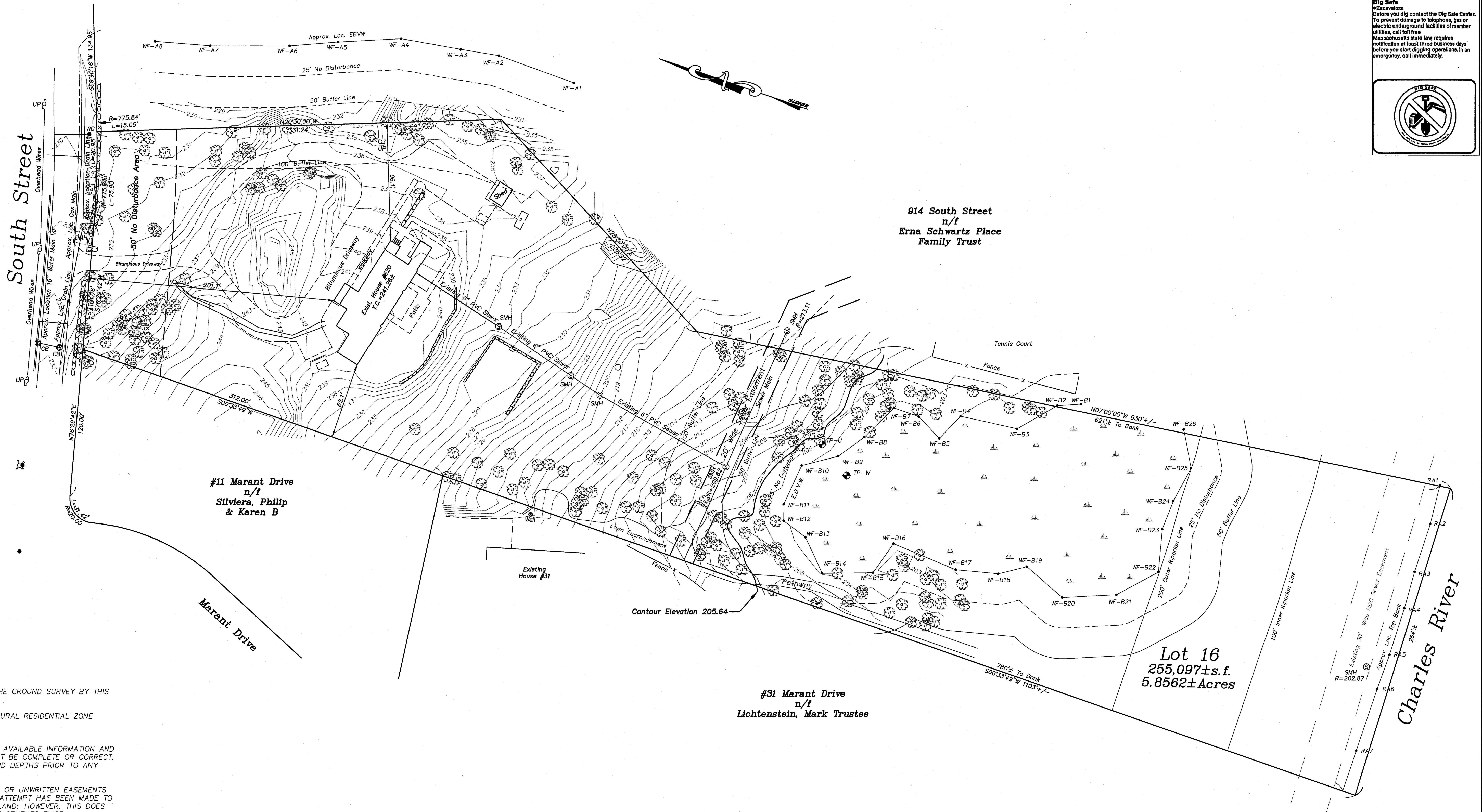
REVISIONS	
DATE	DESCRIPTION
1-19-23	ADDED HOUSE FOOTPRINTS & GRADING
2-23-23	GRADING, EASEMENTS, BUFFER STRIP, ETC.



~Title Sheet~	
920 South Street	
Needham, Massachusetts	
Scale: As Noted	September 9, 2022
VERNE T. PORTER Jr., PLS	
Land Surveyors - Civil Engineers	
354 Elliot Street Newton, Massachusetts 02464	
	Design By:
Cover Sheet	Checked By:
#22019	Drawn By:

Legend

- =Erosion Control
- =Trench Drain
- (H) =Catch Basin
- (D) =Drain ManHole
- (S) =Sewer ManHole
- ⊕ =Hydrant
- =Gas Gate
- =Water Gate
- ⊗ =Gas Gate
- ⊗ =Water Gate
- ⊕ =Utility Pole
- ☆ =Light Pole
- ⊕ =Test Pit
- =Wetland Flag
- WF-B16
- ⊕ =Vegetated Wetland
- ⊕ =Tree To Remain
- ⊕ =Tree To Be Removed
- R=100.00 =Rim Elevation
- I=90.00 =Invert Elevation
- T.C.=103.00 =Top of Concrete Elevation
- 63x3 =Proposed Spot Elevation
- 63x3 =Proposed Contour Line
- 64 =Existing Contour Line
- 63x3 =Existing Spot Elevation
- x =Existing Fence
- ⊕ =Proposed D-Stone
- S8519°54'E 102.45' =Property Line W/Bearing & Distance



Dig Safe
 Before you dig contact the Dig Safe Center. To prevent damage to telephone, gas or electric underground facilities of member utilities, call toll free 1-800-4-A-DIG.
 Massachusetts state law requires notification at least three business days before you start digging operations. In an emergency, call immediately.



1. THIS PLAN WAS MADE FROM AN ACTUAL ON THE GROUND SURVEY BY THIS OFFICE
2. THE SUBJECT PROPERTY IS LOCATED IN THE RURAL RESIDENTIAL ZONE
3. ASSESSORS MAP 205 PARCEL 7
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6. WETLANDS DELINEATIONS PERFORMED BY ECOTEC INC.
7. LOCUS IS LOCATED IN THE FOLLOWING FLOOD ZONE PER FEMA FLOOD INSURANCE RATE MAP NUMBER 25021C0038E DATED 7-17-2012

DIRECTOR OF PUBLIC WORKS	
DATE APPROVED	
TOWN ENGINEER	
DATE APPROVED	
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DATE	TOWN CLERK

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TOWN OF NEEDHAM PLANNING BOARD	
BY:	
APPROVED:	

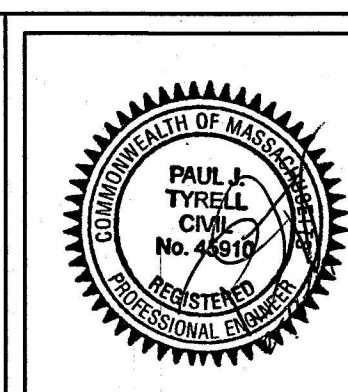
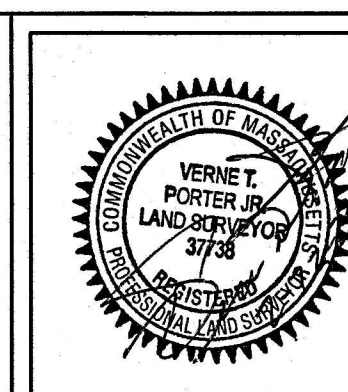
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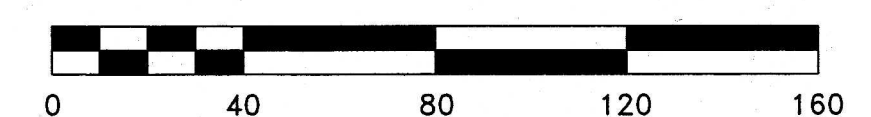
Verne T. Porter Jr. 2-23-23

Owner/Applicant:
 Brian Connaughton
 920 South Street
 Needham, Ma. 02492
 Cert. #207299

REVISIONS	
DATE	DESCRIPTION
1-19-23	NO REVISIONS MADE
2-23-23	NO REVISIONS MADE

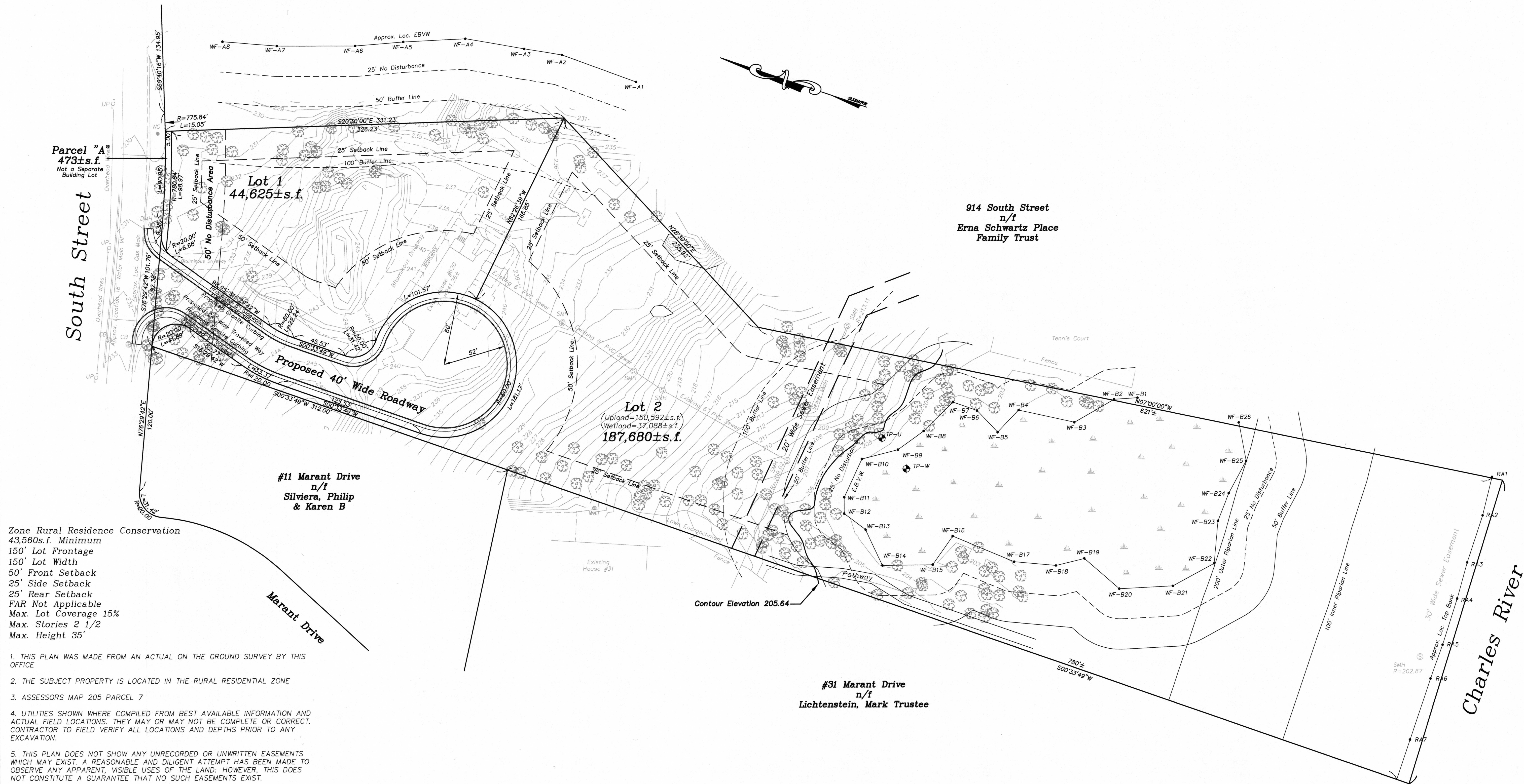


~Existing Conditions Site Plan~	
920 South Street	
Needham, Massachusetts	
Scale: 1"=40'	September 9, 2022
VERNE T. PORTER Jr, PLS	
Land Surveyors - Civil Engineers	
354 Elliot Street, Newton, Ma. 02464	
Project:22019	
Desinged By:	
Drawn By:	
Checked By:	



Sheet 1 of 8

Dig Safe
Excavators
Before you dig, contact the Dig Safe Center.
To prevent damage to telephone, gas or
electric underground facilities of member
utilities, call toll free
Massachusetts state law requires
notification at least three business days
before you start digging operations. In an
emergency, call immediately.



Zone Rural Residence Conservation
43,560s.f. Minimum
150' Lot Frontage
150' Lot Width
50' Front Setback
25' Side Setback
25' Rear Setback
FAR Not Applicable
Max. Lot Coverage 15%
Max. Stories 2 1/2
Max. Height 35'

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DIRECTOR OF PUBLIC WORKS	
DATE APPROVED	
TOWN ENGINEER	
DATE APPROVED	
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BY:	
APPROVED:	

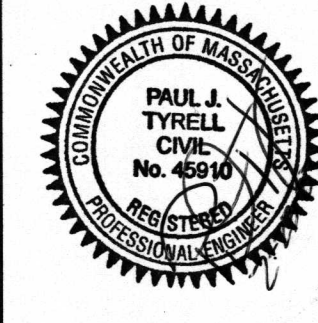
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Verne T. Porter Jr.
2-23-23

Owner/Applicant:
Brian Connaughton
920 South Street
Needham, Ma. 02492
Cert. #207299

REVISIONS	
DATE	DESCRIPTION
1-19-23	NO REVISIONS MADE
2-23-23	NO REVISIONS MADE



~By Right Subdivision Plan of Land~	
920 South Street	
Needham, Massachusetts	
Scale: 1"=40'	September 9, 2022
VERNE T. PORTER Jr, PLS	
Land Surveyors - Civil Engineers	
354 Elliot Street, Newton, Ma. 02464	
Project:22019	
Desinged By:	
Drawn By:	
Checked By:	

0 40 80 120 160
Sheet 2 of 8

South Street

Parcel "A"
517±s.f.
Not A Separate
Building Lot

Lot 1
43,617±s.f.
B.F.=19.08

914 South Street
n/f
Erna Schwartz Place
Family Trust

Lot 2
(Upland=157,803±s.f.
Wetland=37,089±s.f.)
194,892±s.f.
4.4741 Acres
B.F.=9.08

#11 Marant Drive
n/f
Silviera, Philip
& Karen B

#31 Marant Drive
n/f
Lichtenstein, Mark Trustee

Zone Rural Residence Conservation
43,560s.f. Minimum
150' Lot Frontage
50' Front Setback
25' Side Setback
25' Rear Setback
FAR Not Applicable
Max. Lot Coverage 15%
Max. Stories 2 1/2
Max. Height 35'

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7. LOCUS IS LOCATED IN THE FOLLOWING FLOOD ZONE PER FEMA FLOOD INSURANCE RATE MAP NUMBER 25021C0038E DATED 7-17-2012

Total Lot Area=255,097±s.f.
Roadway Area=16,071±s.f.

APPROVAL IN ACCORDANCE WITH SECTION 91-U OF CHAPTER 41 OF THE GENERAL LAWS AS AMENDED	
TOWN OF NEEDHAM PLANNING BOARD	
BY:	
APPROVED:	

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY THE SUBDIVISION REGULATIONS AND PROCEDURAL RULES OF THE NEEDHAM PLANNING BOARD.

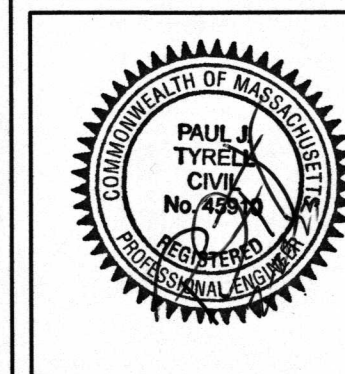
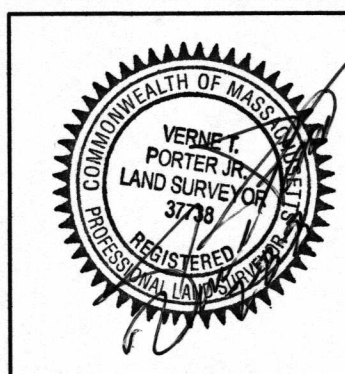
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Verne T. Porter Jr.

2-23-23

Owner/Applicant:
Brian Connaughton
920 South Street
Needham, Ma. 02492
Cert. #207299

REVISIONS	
DATE	DESCRIPTION
10-5-22	LOT WIDTHS ADDED
1-19-23	NO REVISIONS MADE
2-23-23	REVISED DRAIN EASEMENTS



~Proposed Lotting Plan of Land~

920 South Street

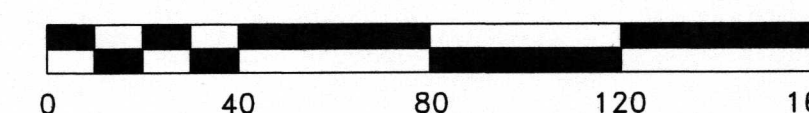
Needham, Massachusetts

Scale: 1"=40' September 9, 2022

VERNE T. PORTER Jr, PLS

Land Surveyors - Civil Engineers

354 Elliot Street, Newton, Ma. 02464



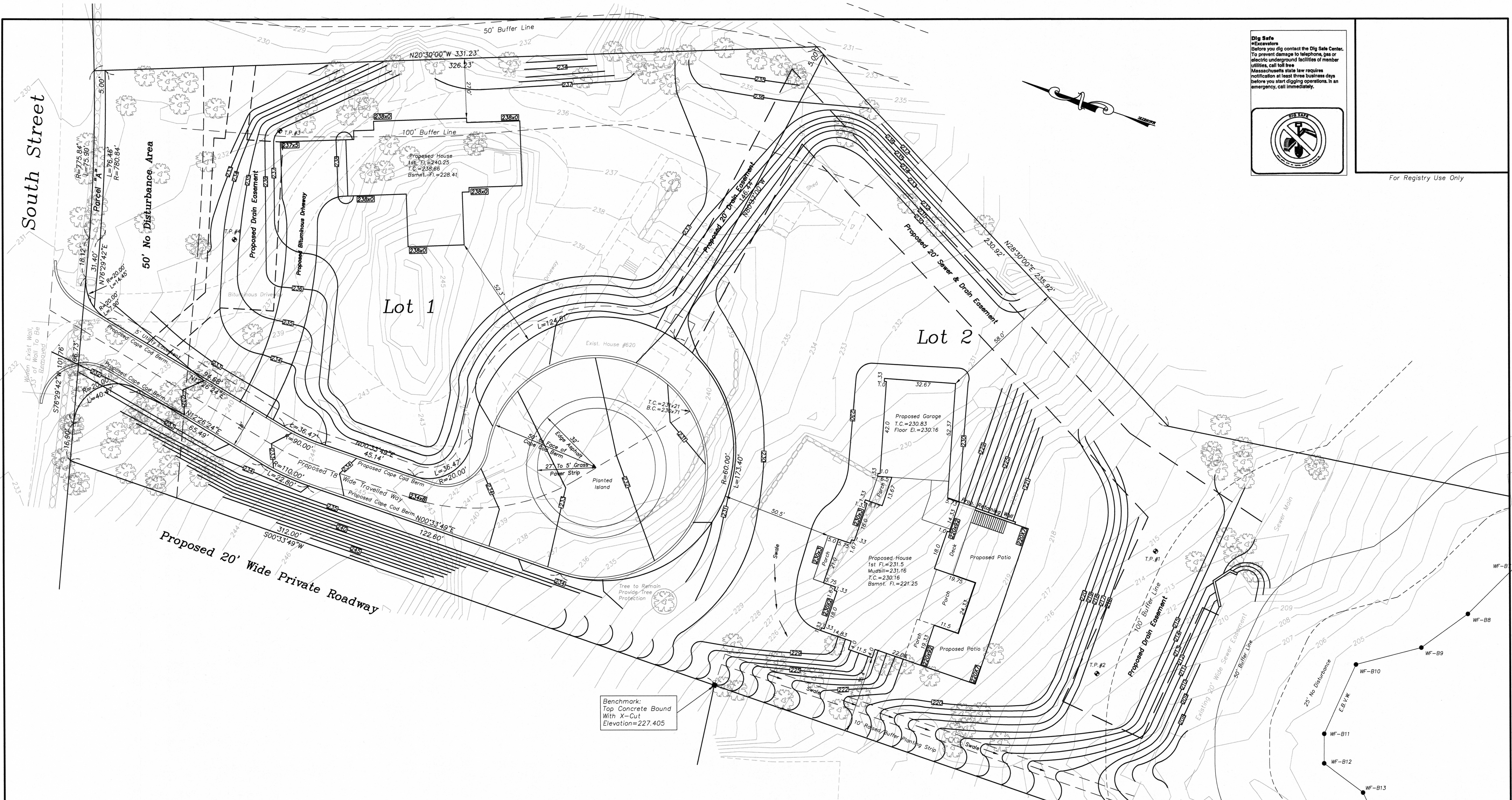
Sheet 3 of 8

Project:22019

Desinged By:

Drawn By:

Checked By:



Dig Safe
Excavators
Before you dig contact the Dig Safe Center.
To prevent damage to telephone, gas or
electric underground facilities of member
utilities, call toll free
Massachusetts state law requires
notification at least three business days
before you start digging operations. In an
emergency, call immediately.

For Registry Use Only

DIRECTOR OF PUBLIC WORKS	
DATE APPROVED	
TOWN ENGINEER	
DATE APPROVED	
I, TOWN CLERK OF THE TOWN OF NEEDHAM, HEREBY CERTIFY THAT THE NOTICE OF THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE	
DATE	TOWN CLERK

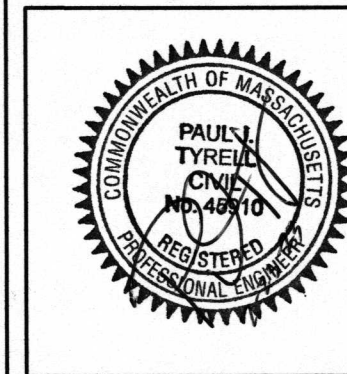
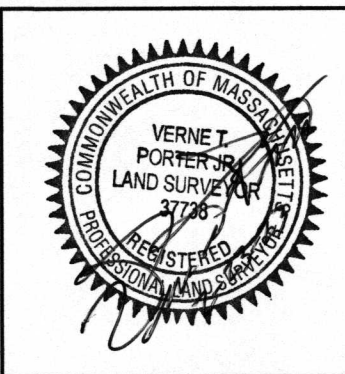
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Brian Connaughton 2-23-23

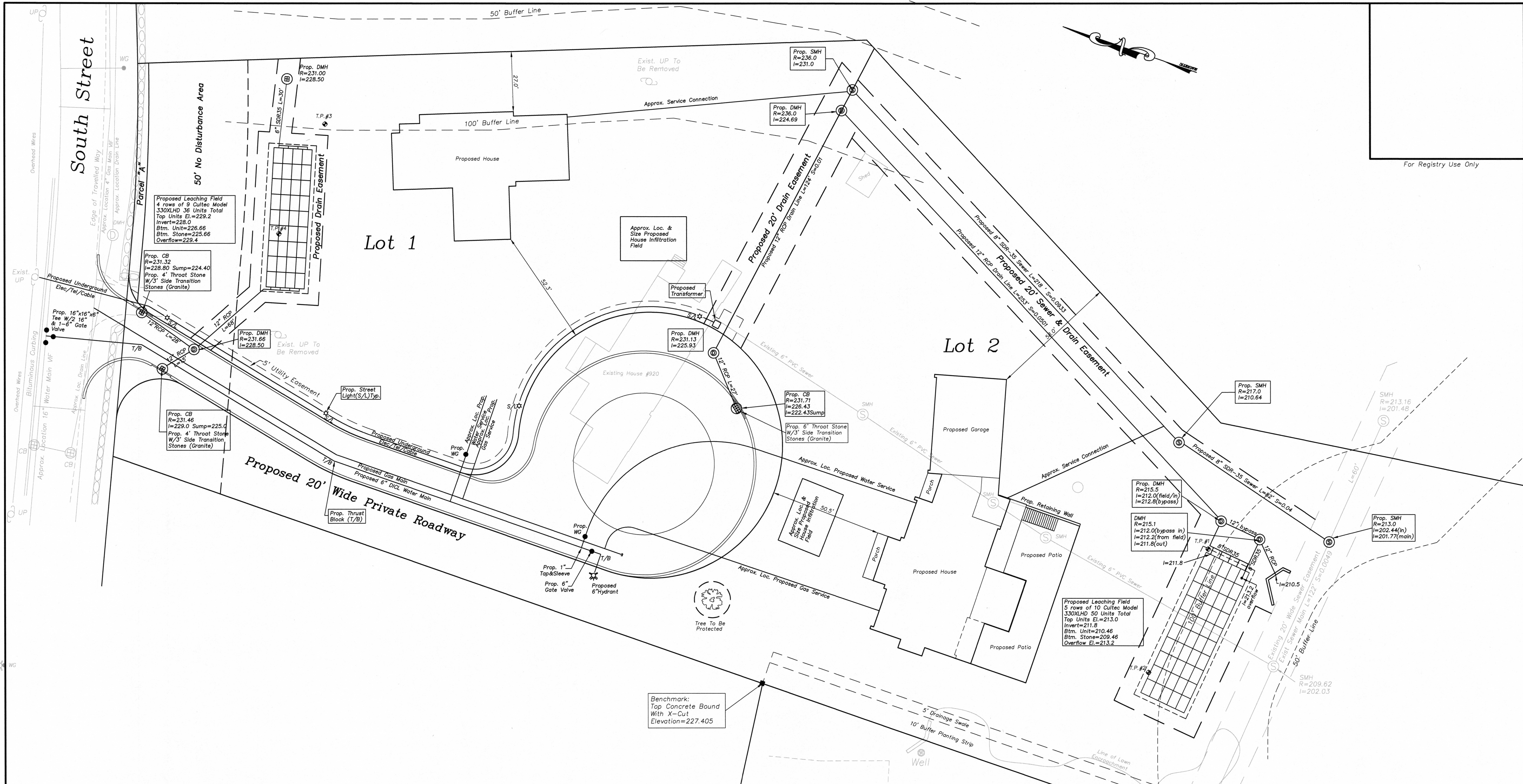
Owner/Applicant:
Brian Connaughton
920 South Street
Needham, Ma. 02492
Cert. #207299

REVISIONS	
DATE	DESCRIPTION
1-19-23	ADDED HOUSE FOOTPRINTS & GRADING
2-23-23	LOT & ROAD GRADING, ELEVATIONS, SWALE



~Proposed Grading Plan~	
920 South Street	
Needham, Massachusetts	
Scale: 1"=20' September 9, 2022	
VERNE T. PORTER Jr, PLS	
Land Surveyors - Civil Engineers	
354 Elliot Street, Newton, Ma. 02464	
Project:22019	
Desinged By:	
Drawn By:	
Checked By:	

Sheet 4 of 8



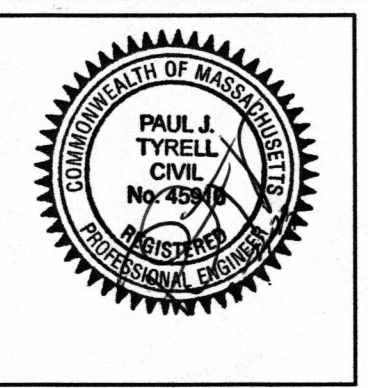
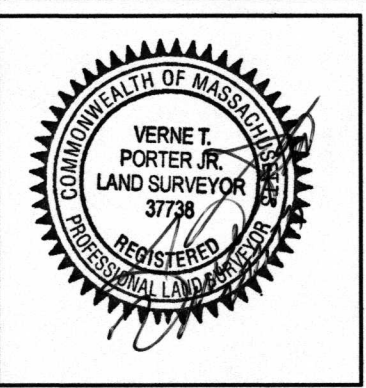
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Donna P. P... 2-23-23

REVISIONS	
DATE	DESCRIPTION
1-19-23	ADDED HOUSE FOOTPRINTS & GRADING
2-23-23	EASEMENTS, BUFFER STRIP, SWALE



~Proposed Utilities Plan~

920 South Street

Needham, Massachusetts

Scale: 1"=20' September 9, 2022

VERNE T. PORTER Jr, PLS

Land Surveyors - Civil Engineers

354 Elliot Street, Newton, Ma. 02464

Project:22019

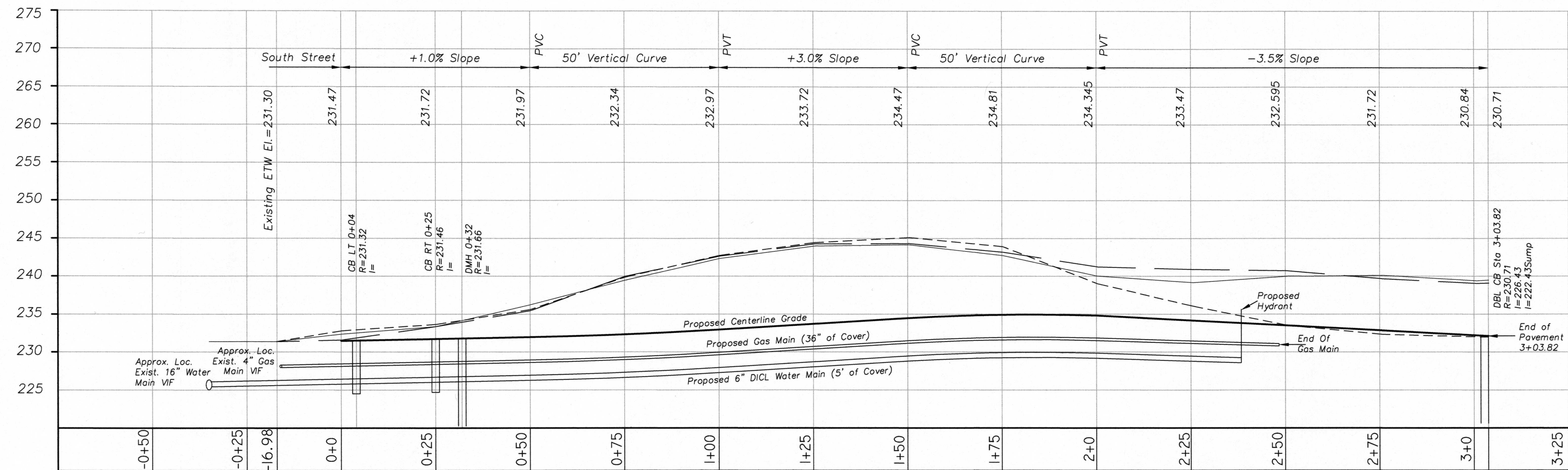
Designed By:

Drawn By:

Checked By:

Sheet 5 of 8

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Excavators
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Massachusetts state law requires notification at least three business days before you start digging operations. In an emergency, call immediately.



Proposed Roadway Profile
Scale: Ver-1"=10'
Hor-1"=20'

Proposed Centerline Grade
Existing Left Side Grade
Existing Centerline Grade
Existing Right Side Grade

DIRECTOR OF PUBLIC WORKS	
DATE APPROVED	
TOWN ENGINEER	
DATE APPROVED	
I, TOWN CLERK OF THE TOWN OF NEEDHAM, HEREBY CERTIFY THAT THE NOTICE OF THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE	
DATE	TOWN CLERK

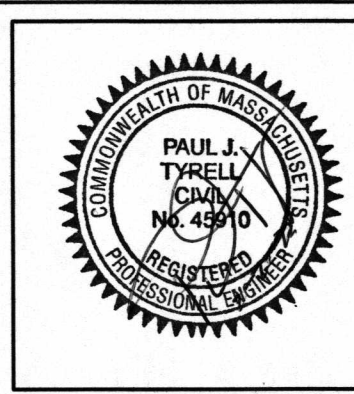
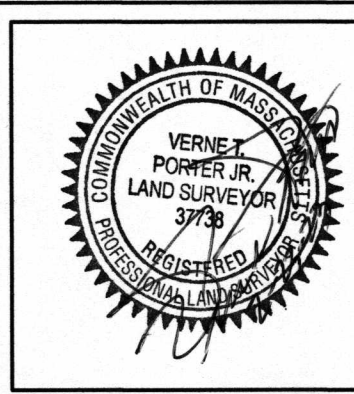
APPROVAL IN ACCORDANCE WITH SECTION 91-U OF CHAPTER 41 OF THE GENERAL LAWS AS AMENDED	
TOWN OF NEEDHAM PLANNING BOARD	
BY:	
APPROVED:	

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY THE SUBDIVISION REGULATIONS AND PROCEDURAL RULES OF THE NEEDHAM PLANNING BOARD.

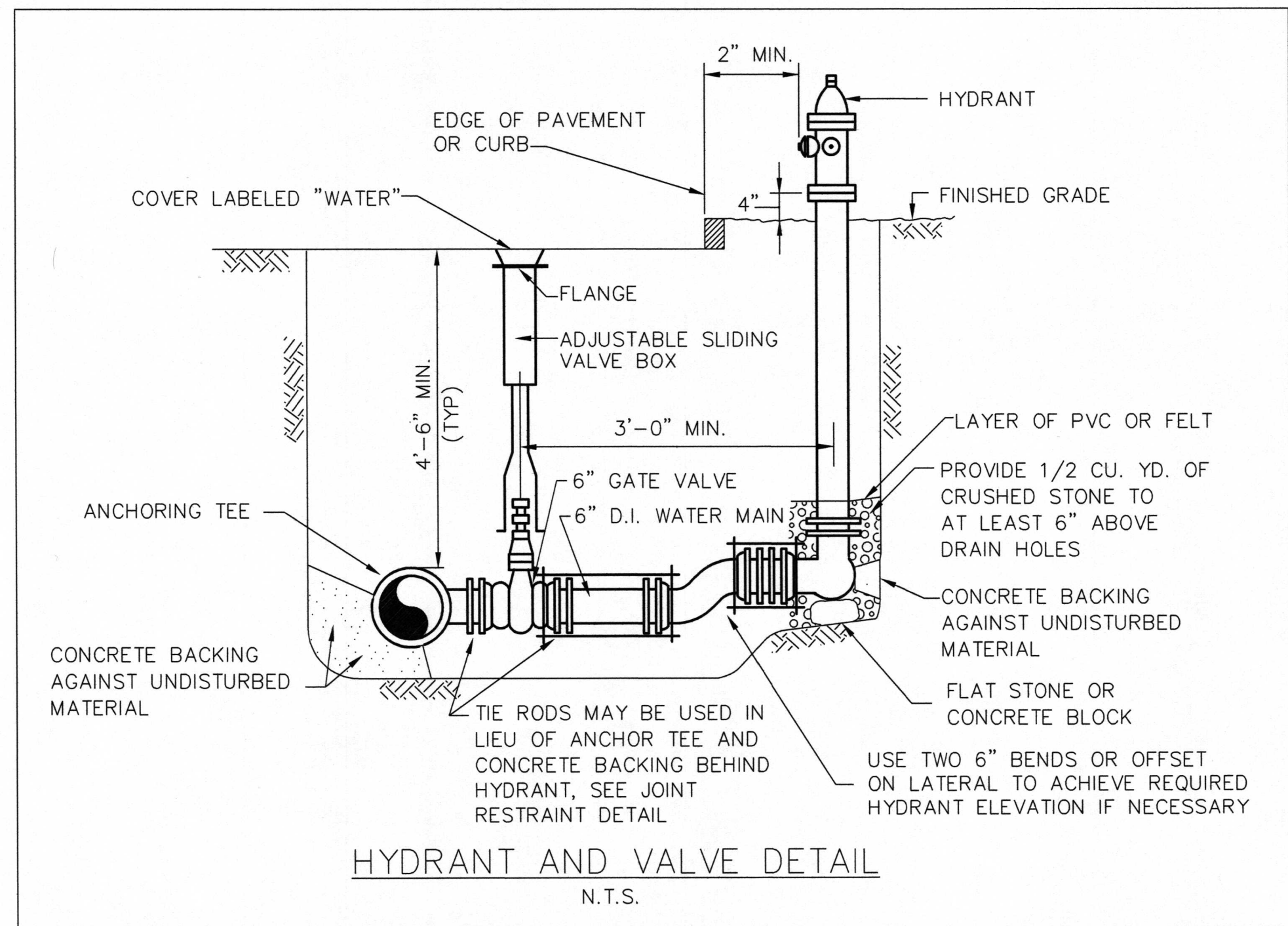
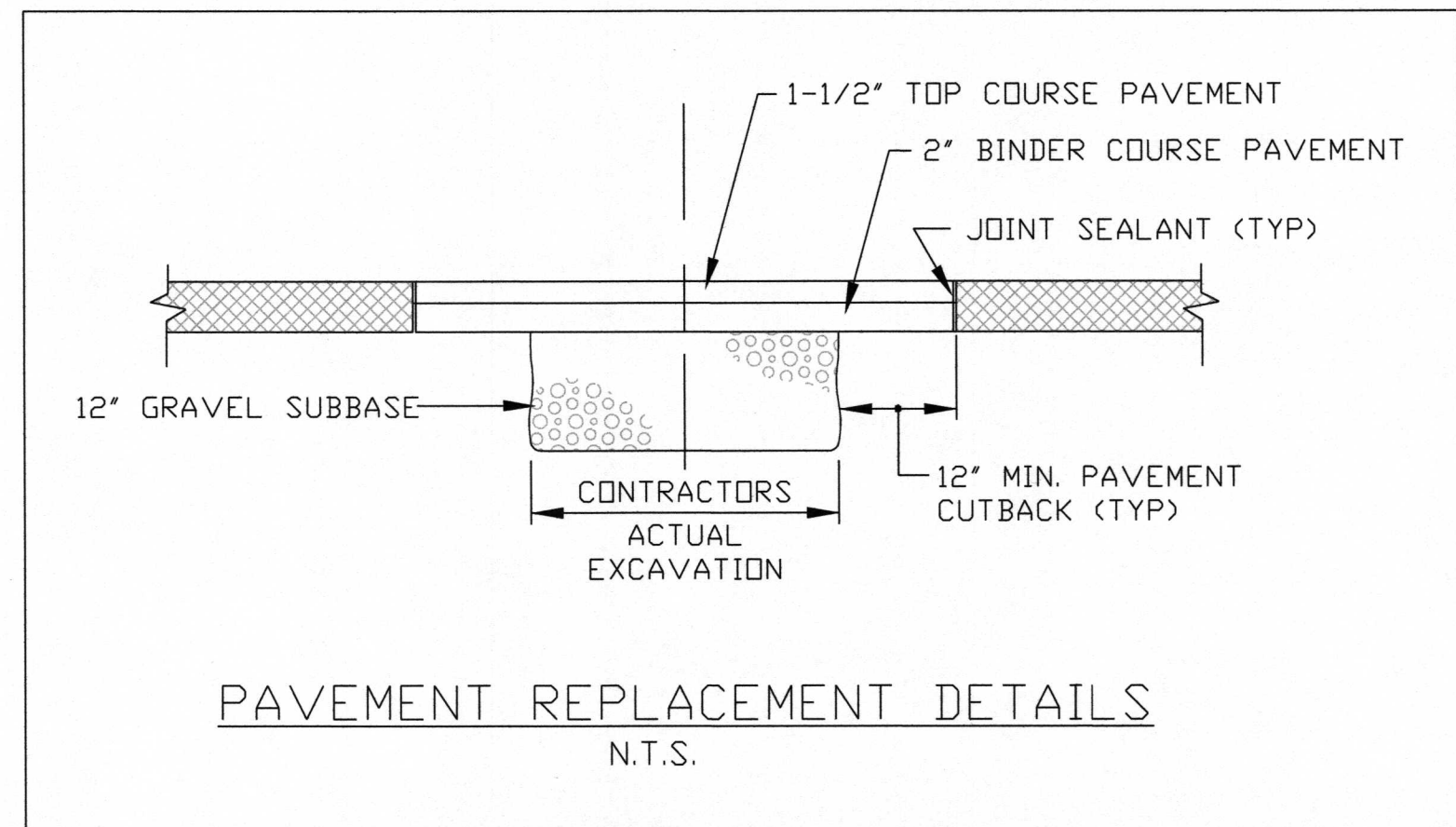
Verne T. Porter Jr. 2-23-23

Owner/Applicant:
Brian Connaughton
920 South Street
Needham, Ma. 02492
Cert. #207299

REVISIONS	
DATE	DESCRIPTION
1-19-23	NO REVISIONS MADE
2-23-23	ROAD GRADING



~Plan, Profile & Detail Sheet~	
920 South Street	
Needham, Massachusetts	
Scale: As Noted	September 9, 2022
VERNE T. PORTER Jr, PLS	
Land Surveyors - Civil Engineers	
354 Elliot Street, Newton, Ma. 02464	
Project:22019	Desinged By:
Drawn By:	Checked By:
Sheet 6 of 8	



DIRECTOR OF PUBLIC WORKS	
DATE APPROVED	
TOWN ENGINEER	
DATE APPROVED	
I, TOWN CLERK OF THE TOWN OF NEEDHAM, HEREBY CERTIFY THAT THE NOTICE OF THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE	
DATE	TOWN CLERK

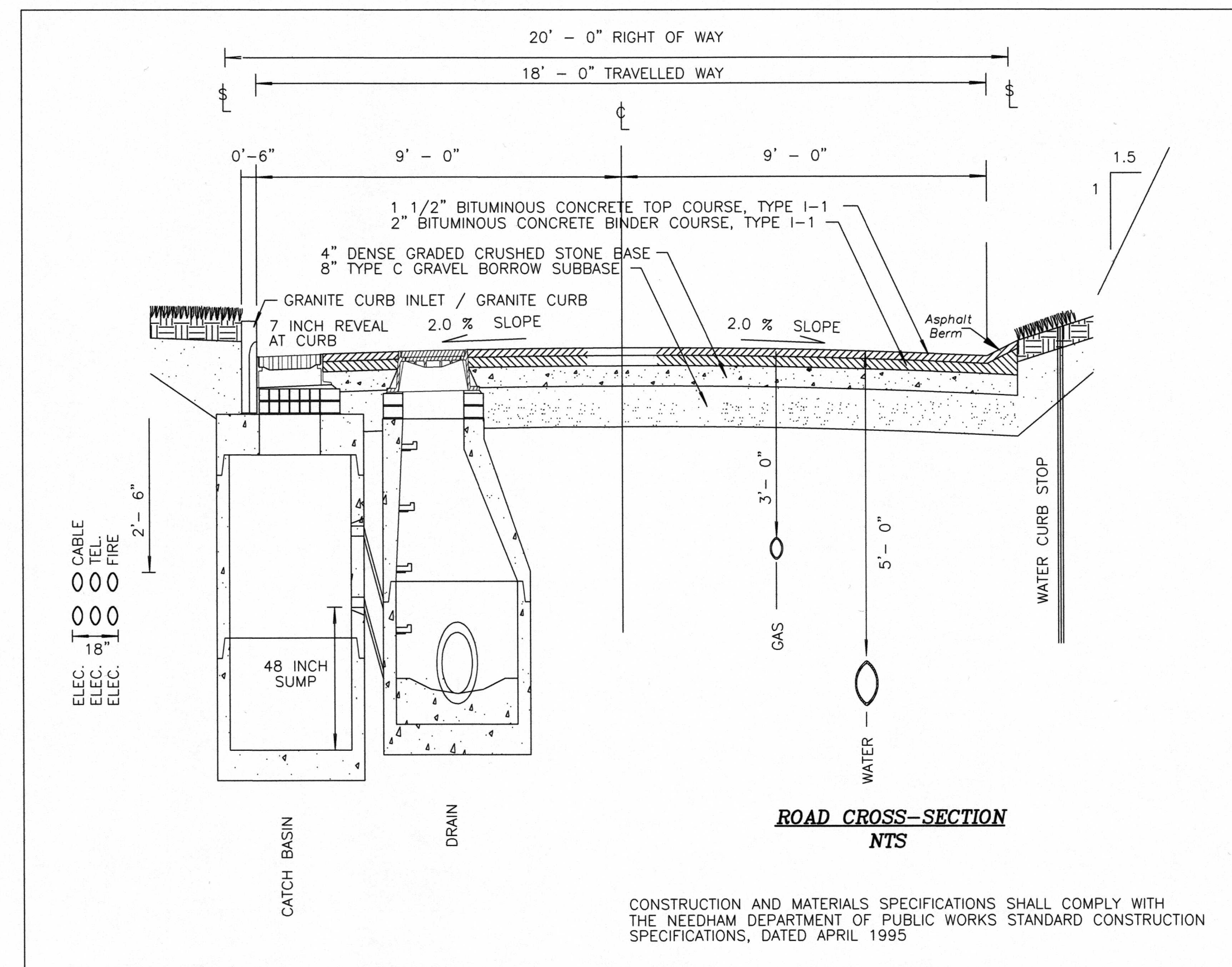
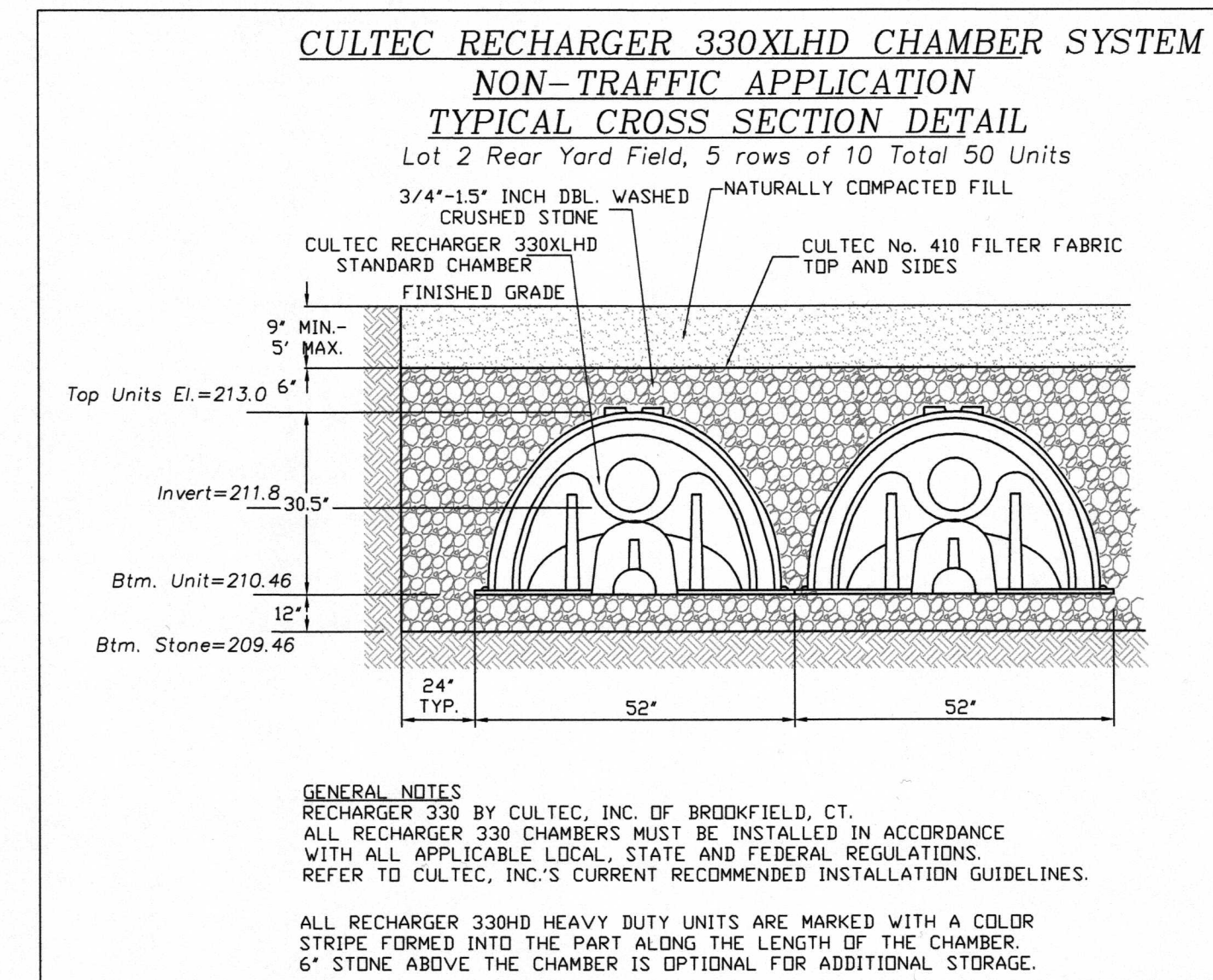
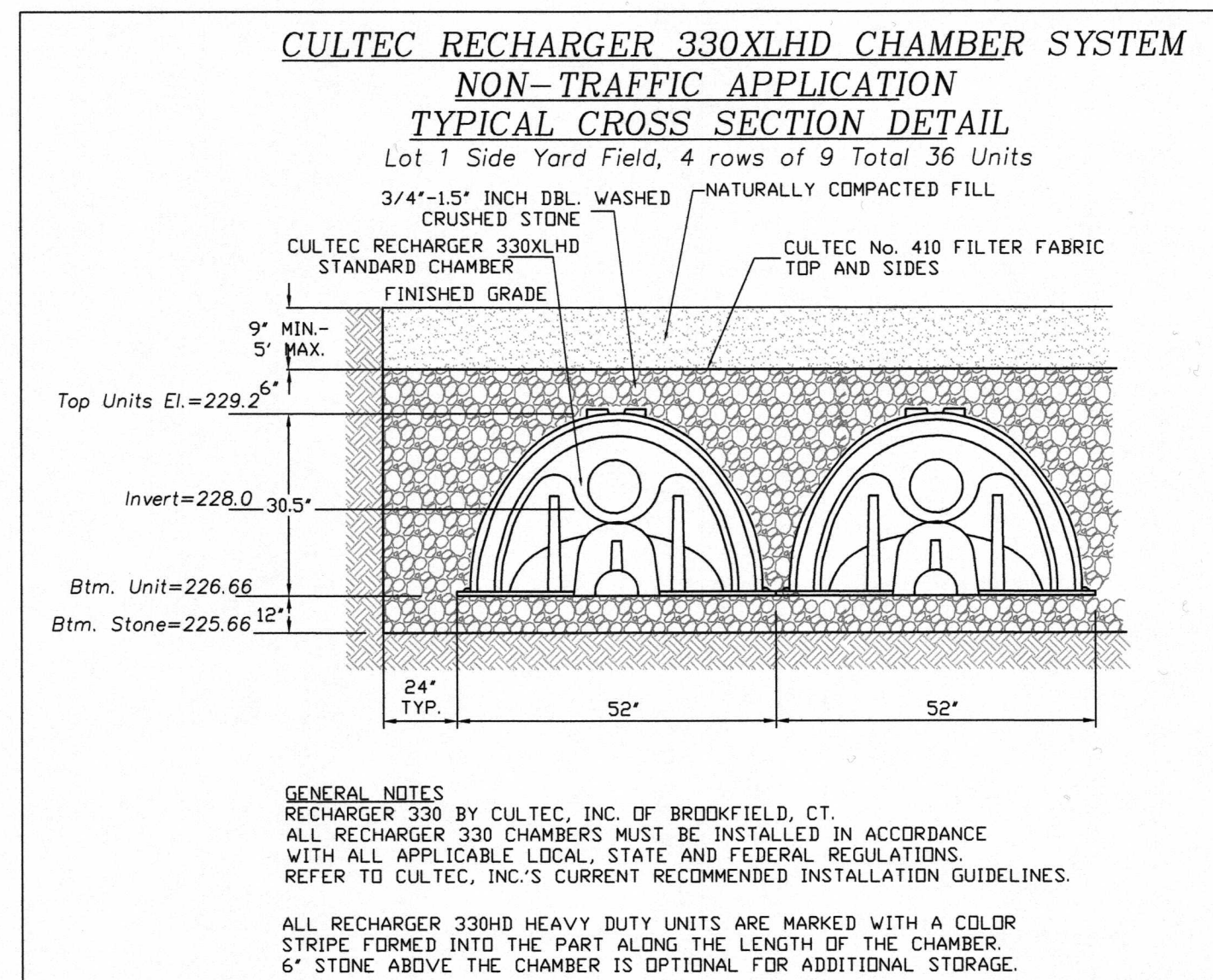
APPROVAL IN ACCORDANCE WITH SECTION 91-U OF CHAPTER 41 OF THE GENERAL LAWS AS AMENDED	
TOWN OF NEEDHAM PLANNING BOARD	
BY:	
APPROVED:	

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY THE SUBDIVISION REGULATIONS AND PROCEDURAL RULES OF THE NEEDHAM PLANNING BOARD

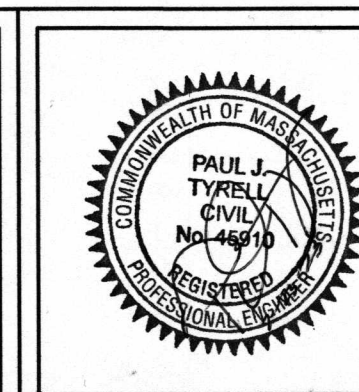
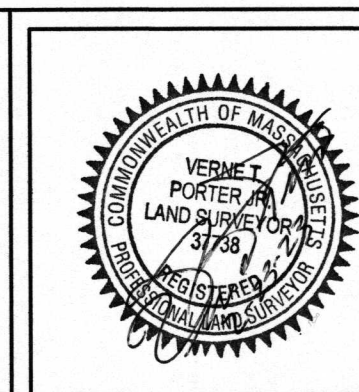
Verne T. Porter Jr. 2-23-23

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS

Verne T. Porter Jr. 2-23-23



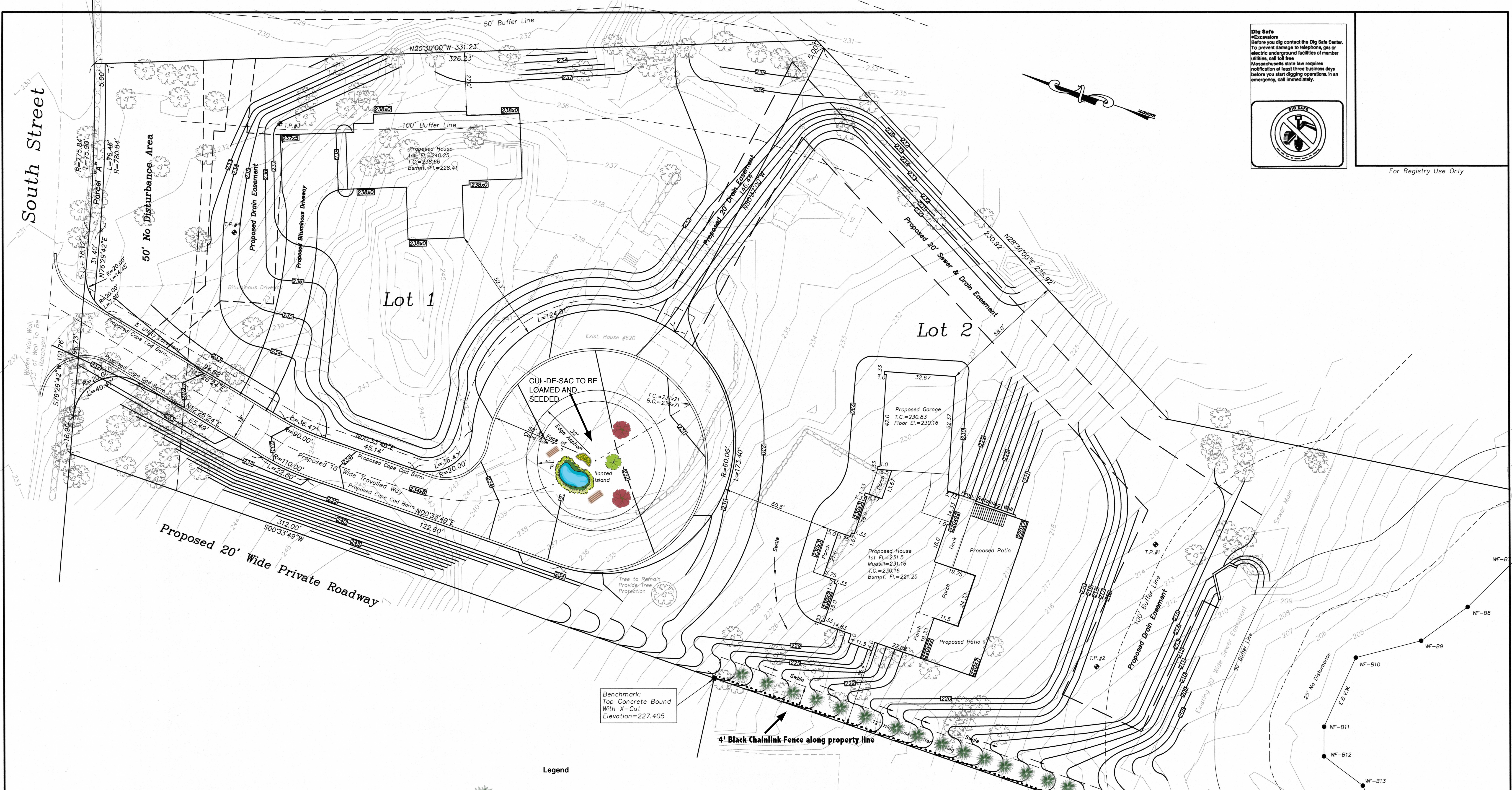
REVISIONS	
DATE	DESCRIPTION
1-19-23	NO REVISIONS MADE
2-23-23	DRAINAGE DETAILS ADDED



~Detail Sheet~	
920 South Street	
Needham, Massachusetts	
Scale: As Noted	September 9, 2022
VERNE T. PORTER Jr, PLS	
Land Surveyors - Civil Engineers	
354 Elliot Street, Newton, Ma. 02464	
Project: 22019	
Designed By:	
Drawn By:	
Checked By:	

Dig Safe
 •Excavators
 Before you dig contact the Dig Safe Center.
 To prevent damage to telephone, gas or electric underground facilities of member utilities, call toll free
 Massachusetts state law requires notification at least three business days before you start digging operations. In an emergency, call immediately.





Dig Safe
Before you dig contact the Dig Safe Center.
To prevent damage to telephone, gas or electric underground facilities of member utilities, call toll free
Massachusetts state law requires notification at least three business days before you start digging operations. In an emergency, call immediately.



For Registry Use Only

DIRECTOR OF PUBLIC WORKS	
DATE APPROVED	
TOWN ENGINEER	
DATE APPROVED	
I, TOWN CLERK OF THE TOWN OF NEEDHAM, HEREBY CERTIFY THAT THE NOTICE OF THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE	
DATE	TOWN CLERK

APPROVAL IN ACCORDANCE WITH SECTION 91-U OF CHAPTER 41 OF THE GENERAL LAWS AS AMENDED	
TOWN OF NEEDHAM PLANNING BOARD	
BY:	
APPROVED:	

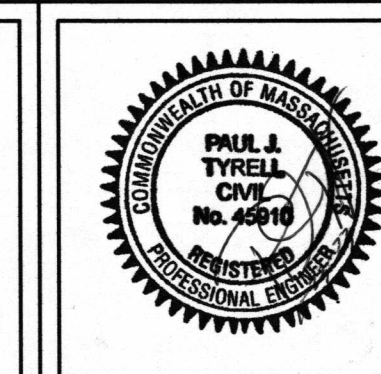
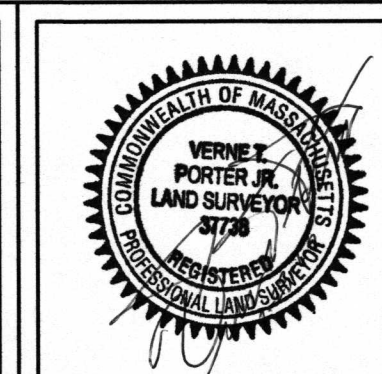
- Legend**
-  Picea abies 'Cupressina' B&B 7-8'
 -  Pinus parviflora 'Tempelhof' B&B 8-10'
 -  Cercis canadensis 'Forest Pansy' 2.5-3'
 -  Annual Bed

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY THE SUBDIVISION REGULATIONS AND PROCEDURAL RULES OF THE NEEDHAM PLANNING BOARD.

Brian Connaughton

Owner/Applicant:
Brian Connaughton
920 South Street
Needham, Ma. 02492
Cert. #207299

REVISIONS	
DATE	DESCRIPTION
1-19-23	ADDED HOUSE FOOTPRINTS & GRADING
2-23-23	LOT & ROAD GRADING, ELEVATIONS, SWALE



~Proposed Grading Plan~	
920 South Street	
Needham, Massachusetts	
Scale: 1"=20'	September 9, 2022
VERNE T. PORTER Jr, PLS	
Land Surveyors - Civil Engineers	
354 Elliot Street, Newton, Ma. 02464	
Project:22019	
Desinged By:	
Drawn By:	
Checked By:	

0 20 40 60 80

Sheet 4 of 8



View from Marant
Drive_6.4.2024



View from South
Street_6.4.2024

KEEGAN WERLIN LLP

ATTORNEYS AT LAW
99 HIGH STREET, SUITE 2900
BOSTON, MASSACHUSETTS 02110

— — —
(617) 951-1400

TELECOPIER:
(617) 951- 1354

May 6, 2024

BY ELECTRONIC MAIL

aclee@needhamma.gov

Town of Needham Planning Board
c/o Alexandra Clee
1471 Highland Avenue
Needham, MA 02492

Re: 920 South Street Definitive Subdivision

Dear Planning Board Members:

This letter is sent on behalf of Serguei Aliev, owner of the property at 31 Marant Drive, regarding the Planning Board's review of a new landscaping plan for the referenced subdivision. Dr. Aliev received a copy of the latest landscaping plan submitted to the Planning Board. As set forth below, Dr. Aliev has objections to this plan and is concerned that this plan also is not in compliance with the conditions of the Planning Board's decision dated April 25, 2023 (the "Decision").

The new plan consists of the Proposed Grading Plan for the subdivision, originally dated September 9, 2022, and last revised September 23, 2023, modified to include a plant "Legend" and icons for plantings on the cul-de-sac and on the buffer strip along Dr. Aliev's property. For the latter, the plan shows 15 specimens of *Picea abies* 'Cupressina' (Norway spruce), seven to eight feet in height, along a distance of ~150 feet on the property boundary. The plan also shows a proposed 4-foot black chain-link fence placed on the property line for that same distance.

First, Condition #40 of the Decision requires the following:

#40. The Petitioner shall deliver to the Board for its approval ... a Buffer Planting Strip Covenant and Restriction. The Documents shall be subject to review and approval of the Board prior to endorsement of the Plan. The Documents shall be referenced on the Plan and all documents shall be recorded with the Plan.

It appears the applicant still has not submitted a *Buffer Planting Strip Covenant and Restriction*. In addition, the Plan as submitted does not include a reference to a *Covenant and Restriction*.

Letter to Needham Planning Board
Re: 920 South Street Definitive Subdivision
May 6, 2024
Page 2 of 2

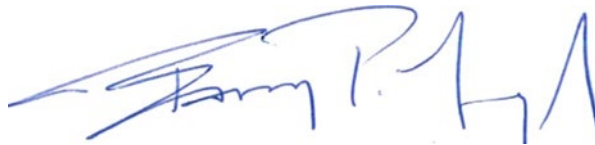
Second, although the number of Norway spruce has been increased from eleven to 15, the density of the trees has been reduced. The prior plan showed eleven plants within a distance of 60 feet, while the new plan shows 15 plants located over a distance of 150 feet. Dr. Aliev believes the number of trees should be increased to 25 and planted six-feet on center (and staggered in two rows) so they will provide a true visual barrier when the trees grow to full size. In addition, the Board should require that planting of these trees is supervised by an arborist who can ensure proper planting techniques are followed.

Third, the proposal to place a chain-link fence on the boundary line serves no purpose. It is not necessary and the proposal to place it there is offensive.

In summary, Dr. Aliev is requesting that the Planning Board require the applicant to modify this plan to increase the number of trees on the boundary, to remove the proposal to place a fence on the boundary, to establish the "Buffer Planting Strip Covenant and Restriction" that ensures in perpetuity the maintenance of the plantings and replacement of any tree that dies or becomes diseased. This should be required as soon as possible so there is some chance for the planting in the buffer strip to be done before the end of the 2024 spring planting season.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Barry P. Fogel", with a stylized flourish at the end.

Barry P. Fogel

cc: Dr. Serguei Aliev
George Giunta, Jr., Esq.

BUFFER PLANTING STRIP COVENANT AND RESTRICTION
River Run Road

This Declaration is made this day of October, 2023, by Brian Connaughton of 19 Walsingham St, Newton MA 02462 (hereinafter, the “Declarant”).

WHEREAS the Declarant is the fee owner of a portion of the private way known and designated as River Run Road (the “Private Way”), shown as “Proposed 20’ Wide Private Roadway”, and certain land situated in Needham, Norfolk County, Massachusetts, shown as Lots 1 and 2, inclusive, on plan set consisting of 9 sheets, prepared by Verne T. Porter, 354 Elliot Street, Newton, MA: Sheet 1, Title Sheet, dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 2, entitled "Existing Conditions Site Plan," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 3, entitled "By Right Subdivision Plan of Land," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 4, entitled "Proposed Lotting Plan," dated September 9, 2022, revised October 5, 2022, January 19, 2023 and February 23, 2023; Sheet 5, entitled "Proposed Grading Plan," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 6, entitled "Proposed Utilities Plan," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 7, entitled "Plan, Profile & Detail Sheet," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 8, entitled "Detail Sheet," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 9, entitled "Detail Sheet," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; which Sheet 4 shall be recorded herewith, and all of which Sheets are hereinafter referred to as the “Plan”;

WHEREAS the Town of Needham Planning Board approved the Plan subject to certain conditions and waivers as set forth in the Board’s decision dated April 25, 2023, entitled “Definitive Subdivision Decision, 920 South Street” (hereinafter the “Decision”), said Decision recorded herewith;

WHEREAS pursuant to Paragraph 40 of the “Decision”, the Planning Board required, in pertinent part, that the Owner deliver to the Board, a certain Buffer Planting Strip Covenant and Restriction,

WHEREAS, the within by the Owner is intended to comply with the aforesaid requirement of the Planning Board, as stated in Paragraph 40 of the Decision;

NOW THEREFORE, the Declarant hereby declares that Lot 2, as shown on the Plan, shall be held, sold and conveyed subject to the following covenants, restrictions and conditions, for the benefit of the Town of Needham, its successors and assigns, said restrictions and conditions to run with the Lot and to be binding on all parties having any right, title or interest in the Lots or any part thereof, their heirs, successors and assigns, in perpetuity.

1. That portion of Lot 2 shown on the Plan as “10’ Raised Buffer / Planting Strip”, and “Swale”, situated along a portion of the Westerly boundary of said Lot 2, shall be graded and landscaped in accordance with the Plan;

2. Following completion of grading and installation of landscaping as set forth above, neither the owner(s) of Lot 2 nor the Trustees of the River Run Road Homeowner’s Trust shall cause, permit or allow any changes to be made to such grading and landscaping.

3. Any deed or other instrument purporting to transfer or convey any interest in Lot 2 which does not expressly refer to and incorporate these conditions shall nevertheless be deemed to contain the same and in all events shall be subject thereto.

16. This Buffer Planting Strip Covenant and Restriction shall be recorded in the Registry of Deeds and shall run with the land and shall be enforceable by the Town of Needham. This Buffer Planting Strip Covenant and Restriction shall be referenced on the Plan and shall be recorded therewith. This Restrictive Covenant shall be enforceable in perpetuity or for the longest period permitted by law and in any event for 100 years.

For Declarant’s title see Deed filed with the Norfolk County Registry District of the Land Court as Document No. 1501178 and Certificate of Title No. 207299.

- BALANCE OF PAGE INTENTIONALLY LEFT BLANK --

IN WITNESS WHEREOF, the said Brian Connaughton has hereunto set his hand and seal this day of October, 2023.

Brian Connaughton

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS

October , 2023

Then personally appeared before me the above named Brian Connaughton, personally known to me or proved to me through the production of sufficient evidence to be the person whose signature is affixed above, and acknowledged that he signed the foregoing document freely for its stated purpose.

Notary Public
My commission expires:

Approved as to Form:

David Tobin
Town Counsel

ACCEPTANCE BY THE TOWN OF NEEDHAM

The foregoing Declaration of Restrictive Covenants hereby is accepted by the Town of Needham, subject to the terms and conditions set forth therein.

TOWN OF NEEDHAM
By Its Selectboard

By: _____
Name: _____
Title: _____

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS _____ October _____, 2023

On this ____ day of October, 2023, before me, the undersigned notary public, personally appeared _____, Selectperson of the Town of Needham, 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 to me that he signed it voluntarily for its stated purpose.

Notary Public
My commission expires:

BUFFER PLANTING STRIP COVENANT AND RESTRICTION
River Run Road

This Declaration is made this day of ~~October,~~ 2023DATE, by Brian Connaughton of 19 Walsingham St, Newton MA 02462 (hereinafter, the “Declarant” or “Owner”).

WHEREAS the Declarant is the fee owner of a portion of the private way known and designated as River Run Road (the “Private Way”), shown as “Proposed 20’ Wide Private Roadway”, and certain land situated in Needham, Norfolk County, Massachusetts, shown as Lots 1 and 2, inclusive, on plan set consisting of 9 sheets, prepared by Verne T. Porter, 354 Elliot Street, Newton, MA: Sheet 1, Title Sheet, dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 2, entitled "Existing Conditions Site Plan," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 3, entitled "By Right Subdivision Plan of Land," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 4, entitled "Proposed Lotting Plan," dated September 9, 2022, revised October 5, 2022, January 19, 2023 and February 23, 2023; Sheet 5, entitled "Proposed Grading Plan," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 6, entitled "Proposed Utilities Plan," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 7, entitled "Plan, Profile & Detail Sheet," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 8, entitled "Detail Sheet," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; Sheet 9, entitled "Detail Sheet," dated September 9, 2022, revised January 19, 2023 and February 23, 2023; which Sheet 4 shall be recorded herewith, and all of which Sheets are hereinafter referred to as the “Plan”;

WHEREAS, the Town of Needham Planning Board (the “Board”) approved the Plan subject to certain conditions and waivers as set forth in the Board’s decision dated April 25, 2023, entitled “Definitive Subdivision Decision, 920 South Street” (hereinafter the “Decision”), said Decision recorded herewith;

WHEREAS, pursuant to Paragraph 2 of the “Decision”, the Planning Board required, in pertinent part, that the Owner to cause the Plan to be revised to show the following additional or revised information subject to review and approval of the Board prior to endorsement of the Plan: (2) a landscaping plan for the 10 foot Raised / Buffer Planting Strip, located along a portion of the westerly boundary, as shown on the Plan;

WHEREAS, pursuant to Paragraph 40 of the “Decision”, the Planning Board required, in pertinent part, that the Owner deliver to the Board, a certain Buffer Planting Strip Covenant and Restriction;

WHEREAS, on [DATE, 2024,] the Owner submitted to the Board a revision to the Proposed Grading Plan showing, in pertinent part, proposed landscaping for the 10 foot Raised / Buffer Planting Strip located along a portion of the westerly boundary of Lot 2;

WHEREAS, on [DATE, 2024,] the Board approved the revision to the Proposed Grading Plan showing, in pertinent part, proposed landscaping for the 10 foot Raised / Buffer Planting Strip located along a portion of the westerly boundary of Lot 2;

WHEREAS, the declarations set forth herein ~~within~~ by the Owner ~~are~~ intended to comply with the aforesaid requirement of the Planning Board, as stated in Paragraph 40 of the Decision;

NOW THEREFORE, the Declarant hereby declares that Lot 2, as shown on the Plan, shall be held, sold and conveyed subject to the following covenants, restrictions and conditions, for the benefit of the Town of Needham, its successors and assigns, said restrictions and conditions to run with the Lot 2 and to be binding on all parties having any right, title or interest in ~~the~~ Lots 2 or any part thereof, their heirs, successors and assigns, in perpetuity.

1. That portion of Lot 2 shown on the Plan as “10’ Raised Buffer / Planting Strip”, and “Swale”, situated along a portion of the Westerly boundary of said Lot 2, shall be graded and landscaped in accordance with the Plan approved by the Board;
2. Following completion of grading and installation of landscaping as set forth above and as shown on the approved Plan, neither the owner(s) of Lot 2 nor the Trustees of the River Run Road Homeowner’s Trust shall cause, permit or allow any changes to be made to such grading and landscaping, except in connection with maintenance of the condition of the area as shown on the approved Plan.
- 2.3. The Owner and all future owners of Lot 2 shall be obligated to maintain the condition of the grading and landscaping of the area shown on the approved Plan as “10’ Raised Buffer / Planting Strip” so that it provides a reasonable physical and visual buffer to the adjacent property, including by protecting and restoring the condition and stability of the grading and landscaping, such as promptly replacing any dead or diseased plants with the same species.
- 3.4. Any deed or other instrument purporting to transfer or convey any interest in Lot 2 which does not expressly refer to and incorporate these conditions shall nevertheless be deemed to contain the same and in all events shall be subject thereto.
- 4.5. ~~16~~ This Buffer Planting Strip Covenant and Restriction shall be recorded in the Registry of Deeds and shall run with the land and shall be enforceable by the Town of Needham. This Buffer Planting Strip Covenant and Restriction shall be referenced on the Plan and shall be recorded therewith. This Restrictive Covenant shall be enforceable in perpetuity or for the longest period permitted by law and in any event for 100 years.

For Declarant’s title see Deed filed with the Norfolk County Registry District of the Land Court as Document No. 1501178 and Certificate of Title No. 207299.

IN WITNESS WHEREOF, the said Brian Connaughton has hereunto set his hand and seal this
day of ~~October, 2023~~DATE.

Brian Connaughton

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS

~~October~~, 2023DATE

Then personally appeared before me the above named Brian Connaughton,
personally known to me or proved to me through the production of sufficient evidence to be the
person whose signature is affixed above, and acknowledged that he signed the foregoing
document freely for its stated purpose.

Notary Public
My commission expires:

Approved as to Form:

David Tobin
Town Counsel

ACCEPTANCE BY THE TOWN OF NEEDHAM

The foregoing Declaration of Restrictive Covenants hereby is accepted by the Town of Needham, subject to the terms and conditions set forth therein.

TOWN OF NEEDHAM
By Its Selectboard

By: _____
Name: _____
Title: _____

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS

~~October~~ _____, 2023 DATE

On this ____ day of October, 2023, before me, the undersigned notary public, personally appeared _____, Selectperson of the Town of Needham, 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 to me that he signed it voluntarily for its stated purpose.

Notary Public
My commission expires:

From: [algran13](#)
To: [Alexandra Clee](#); [Lee Newman](#)
Cc: [Barry Fogel](#)
Subject: 920 South street, Needham
Date: Wednesday, May 29, 2024 1:21:06 PM

Hi Alex,

Hope you had a good long weekend.

My wife for many years has been struggling with allergies to dust and this her condition is properly reflected in her medical records for many years.

With hot summer weather and recent high winds dust from 920 South street construction site started to affect my wife health tremendously. She is on one medication now and most likely will need to add another one. She is seeing her doctor next week again for this matter. However, it is also harmful for her to take these medications for a long time.

I do not see that the developer doing any site mitigation or is protecting the site in any way. The developer excavated tons of soil creating sand mountains on the site which are in many cases within very close proximity to our house. The developer did not make any attempts to remove excessive soil, debris from the site or grade the site. Not only it is an eye sore, but now it is started to affect my wife's health.

Creation of the vegetation buffer zone between our properties, as it was required by the Definitive Subdivision Decision by the Planning Board would have helped somewhat, but the developer is in no rush to comply with this requirement either. However, appropriate site mitigation is a must. I believe the Developer also required to do so by the Definitive Subdivision Decision (pp.17, 20 section C).

I kindly ask you to distribute this note to the Board members for their review and if possible make it a permanent record in 920 South street file.

If I need to approach other departments in the Town regarding this issue please let me know.

Probably, I need to send the note to the Town Health Department as well.

Best regards,

Serguei Aliev,
31 Marant Drive, Needham

From: [algran13](#)
To: [Health Division](#)
Cc: [Lee Newman](#); [Alexandra Clee](#)
Subject: Re: 920 South street development and health issues
Date: Friday, June 14, 2024 9:06:40 PM

Dear Mr. Timothy McDonald,

In follow up to my email sent to you on May 30, 2024 it is my understanding that you visited the construction site at 920 South street several days ago and spoke to my neighbor at 914 South street.

That day my wife was home, but I was absent. It is unfortunate that we were not able to speak to you and express our concerns personally.

We are not sure what was your determination of the dust condition after visiting the site, but I can assure you that unhealthy dust conditions continue to exist and my wife continues to suffer.

She is on second medication right now. The dust condition was very obvious today at around 1.30 p.m. when we experienced strong gusts of wind right before the thunderstorm. Big truck was being loaded at that moment and clouds of dust, sand were visible high in the air. Good thing that rain came right after and the condition improved. This construction site needs to be watered at all times to prevent dust from blowing everywhere. Coincidentally my wife's condition started to become worse in October 2023 when the developer cut down all the trees, dug up the site and left it not properly graded and without any mitigation procedures. This time frame can be easily traced by looking at my wife's medical records. Needless to say that we paid thousands of dollars out of pocket in deductibles for her medical plan, since she was seeing a specialist.

These conditions can not go any longer and appropriate measures must be taken.

Sincerely,

Serguei Aliev,

31 Marant Drive, Needham



On Thu, May 30, 2024 at 9:20 AM algran13 <algran13@gmail.com> wrote:

Dear Mr. Timothy McDonald,

Below is the note I sent yesterday to Alexandra Clee at the Planning Board.

I sincerely hope that you can look into this matter as well.

Regards,

Serguei Aliev, Ph.D
31 Marant drive, Needham
Cell phone: 617-834-9063

"Hi Alex,

Hope you had a good long weekend.

My wife for many years has been struggling with allergies to dust and this her condition is properly reflected in her medical records for many years.

With hot summer weather and recent high winds dust from 920 South street construction site started to affect my wife health tremendously. She is on one medication now and most likely will need to add another one. She is seeing her doctor next week again for this matter. However, it is also harmful for her to take these medications for a long time.

"

I do not see that the developer is doing any site mitigation or is protecting the site in any way. The developer excavated tons of soil creating sand mountains on the site which are in many cases within very close proximity to our house. The developer did not make any attempts to remove excessive soil, debris from the site or grade the site. Not only is it an eye sore, but now it is starting to affect my wife's health.

Creation of the vegetation buffer zone between our properties, as it was required by the Definitive Subdivision Decision by the Planning Board would have helped somewhat, but the developer is in no rush to comply with this requirement either.

However, appropriate site mitigation is a must. I believe the Developer is also required to do so by the Definitive Subdivision Decision (pp.17, 20 section C).

I kindly ask you to distribute this note to the Board members for their review and if possible make it a permanent record in 920 South street file.

If I need to approach other departments in the Town regarding this issue please let me know.

Probably, I need to send the note to the Town Health Department as well.

Best regards,

Serguei Aliev,
31 Marant Drive, Needham"



June 14, 2024

Mr. Adam Block
Chairman
Needham Planning Board
500 Dedham Avenue
Needham, MA. 02492

Re: Planning Board Meeting of June 18, 2024. Request to review and approve Landscaping Plan and Subdivision documents: 920 South Street Definitive Subdivision: Brian Connaughton, 920 South Street, Needham, MA, Petitioner, (Property located at 920 South Street, Needham, MA).

Dear Mr. Block:

We live at 914 South Street and are a direct abutter to the property next door at 920 South Street. After the Applicant cut down all the trees on his lot to the property line it has become a waste land where we can see the house, deck and activity of our neighbors across on Marant Drive. A robust planting plan that has more year around vegetative cover is necessary to provide a modicum of privacy to our Marant neighbors. The large number, size and types of deer resistant evergreens in nurseries available to Needham residents provides evidence that the claims made by Applicant in the last Planning Board meeting for this planting plan are factually not correct. The plan submitted by the Applicant is insufficient both in terms of the type and size of evergreens being proposed and the number and positioning and should be denied on its lack of merit.

In addition, I believe it is necessary for the Planning Board to have a broader discussion about the lack of compliance by the Applicant on the conditions of the Decision in the fourteen months since the initial approval. The conditions that have not been met include:

1. Paragraph 2 – Revision of the plan to show a cul de sac landscaping plan and 10 foot raised/buffer planting strip located along a portion of the westerly boundary. Plan not yet approved.
2. Paragraph 17 – lots should be graded to the limits of construction to have no standing water and/or otherwise create a public health nuisance. There at least five large piles of dirt, stone and/or stumps on the site and a large quantity of soil (8000 yards plus) that have not been removed to meet the grading plan for the site. There are also several large fallen trees on the property near South Street that have not been removed.
3. Paragraph 20 (c) – take steps to minimize dust control at the site. This was not done. There was a tremendous amount of dust generated during the installation of the drainage and storage areas that was not controlled. Dust control continues to be a problem if we have more than two days of dry weather and when large trucks are on the site. Since the grading and hydroseeding of the water storage areas has not

been completed we continue to have dust and particulate in the air at the lower end of the cleared area even if there is no truck traffic.

4. Paragraph 21 – mark trees which landscape plan indicates will be retained. This should have been done prior to any site alterations. The Plan incorporated by reference in the Decision shows a large number of trees that have subsequently been cut down. What trees were marked and then cut down? How does that reconcile with the Plan? Who approved the lack of marking of trees that were in the Plan and their subsequent destruction? I understand the Town does not have a tree ordinance but the Commission approved a Plan and a process that appears to have been violated.
5. Paragraph 38 – The Applicant has two years from the date of Endorsement to complete the installation and completion of the new Private Way and services provided therein. What parts of the Decision have been endorsed? Water and other utilities have not been connected. Removal of soil and rocks to meet the grade have not been completed. Grading and hydroseeding of the water storage areas have not been completed. Large piles of material have been generated and the site looks like a disaster zone. Since the construction pace has been slow it is very uncertain that the work required in the time remaining can be done if the two year clock started when the initial Decision was approved.
6. Paragraph 41 – all requirements described in Paragraphs 13-40 must be completed before the lots can be released for building. What happens if only the work for lot one is completed and lot 2 remains a pile of rock and rubble and is way above grade?
7. Paragraph 42 – applicant had 90 days from April 2023 to submit all required documents for approval by the Board. That condition has not been met and yet substantial demolition and civil work has commenced. The Applicant has been treating the development as the equivalent of a single residence construction site. Why approve a subdivision plan if there is no control on the Applicant's behavior?

Given the above litany of non-performance I think it is also noteworthy to mention that we did not intervene in the original hearing because the Applicant had promised in the hearings and in private conversation that he would protect and maintain a buffer zone between our lots by not cutting down trees on his property along our property border. He then went ahead and cut down everything that was not protected by the Conservation Commission decision. Shame on me for trusting him.

I respectfully request that the Commission consider reopening its Subdivision Decision for this Applicant for additional public comment or consider the non-performance of the Applicant and rescind its Decision. As a minimum, I would request that you take no additional action on the Landscaping Plan submitted until I have time to research the filings in more detail and provide further evidence of the Applicant's malfeasance.

Sincerely yours,

Robert Place
914 South Street
Needham, MA. 02492
brawah@gmail.com

cc: David Rich, Esq
Todd & Weld

June 18, 2024

Needham Planning Board

500 Dedham Avenue

Needham, MA 02492

Dear Planning Board Members,

I wanted to bring your attention to the Applicant's testimony last meeting on June 4th where he proposed to put trees 10 ft. apart on the buffer strip in order to allow them to fill empty spaces when they mature.

This explanation is not correct. The Applicant proposed to plant on 10ft. wide and approximately 150 ft. long buffer strip 15 Norway Spruce " Cupressina " (Please see attached plan submitted by the applicant, see legend). Cupressina is a columnar tree with the width at maturity of approximately 4 ft. (Please see attached specs for Norway Spruce Cupressina).

This type of tree together with other similar trees was recommended by certified arborist and several professional landscape designers who visited the property several times since October 2023, observed the buffer strip, submitted their proposals in writing and the applicant met with at least one landscape designer personally on two occasions. The Applicant has all the proposals and I had multiple discussions with him and exchange many emails on the subject. The applicant is well aware about the recommendations of certified arborist who followed the applicant's requests and desired goals to stay within 10ft. width of the buffer. The applicant shall be very familiar with the trees and I do not know why he presented the plan the way he did on the last meeting on June 4. He probably confused Norway Spruce Cupressina with the regular Norway Spruce (see attached specs) which is much larger tree with the spread of 25-35 ft. plus and is not suitable on this 10 ft. wide buffer strip.

The Applicant shall correct his statement and that is why in my letter to the Board on 1/30/2024 I suggested to require the Applicant to use professional tree contractor for the work. In my opinion the applicant himself does not have this expertise. I also request that the Planning Board require the applicant to plant on the strip 8-10ft. high trees which will be more suitable for the screening purposes and not 7-8ft. trees proposed by the applicant. Number of Norway Spruce Cupressina proposed by the applicant. on the buffer strip shall be increased accordingly at least to 25 trees, if not more to create a reasonable screening buffer. Mixing at least couple other varieties of trees with similar specs would be more desirable and appealing as well.

On the other hand I wanted to state that by his actions/inactions with the development the applicant was able to upset all neighbors, did not stand by his words, did not fulfill many promises he made. It might be a good idea for the applicant to have a meeting with all the neighbors and clearly identify his plans with the firm time frame for the work.

The development site continues to be a mess, creates significant nuisance and generates hazardous health conditions. The site needs to be graded.

Because of the actions of the applicant who did not fulfill his obligations in accordance with the Definitive Subdivision Decision issued in April 2023 we have been incurring significant expenses by planting trees on our side in an attempt to protect our property and to a degree to stop spread of dust which tremendously affects my wife's health.

I have been developing properties myself for many years and have been involved in construction and maintenance of buildings and I can say that I am very much familiar with the subject.

I am surprised by the lack of a supervision of the site by any authority and especially by a financial institution who supposedly provided a construction loan for this development and does not monitor the progress of this construction unless they are fine with it, the time frame and compliance. Based on public information the applicant has significant mortgage on the property.

The situation is very different just across the street on 969 South street development by Keystone Corporation. The significant progress on 969 South Street is very apparent, though the development there started at least 6 month later than 920 South Street.

It does not appear that the applicant has a firm business plan.

I am asking the Members of The Planning Board to review closely one more time activities of the applicant, his compliance with the Definitive Subdivision Decision and establish real time frame for the applicant's performance on the site.

Sincerely,

Serguei Aliev,

31 Marant Drive, Needham, MA

Cc: Barry Fogel, Esq

DATE APPROVED	DIRECTOR OF PUBLIC WORKS
DATE APPROVED	TOWN ENGINEER
DATE APPROVED	TOWN CLERK

APPROVED	IN ACCORDANCE WITH SECTION 91-11 OF CHAPTER 41A OF THE GENERAL LAWS AS AMENDED
APPROVED	TOWN OF NEEDHAM PLANNING BOARD
APPROVED	BY:

I HEREBY CERTIFY THAT THE TOWN OF NEEDHAM, MASSACHUSETTS HAS RECEIVED AND RECORDED A PLANNING BOARD HAS AFTER SUCH REVIEW AND RECORDING OF SUCH NOTICE

[Signature]

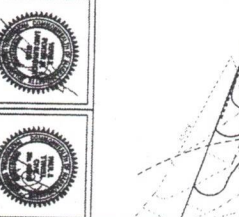
DATE: 2/23/23

354 Elliot Street, Newton, MA 02464

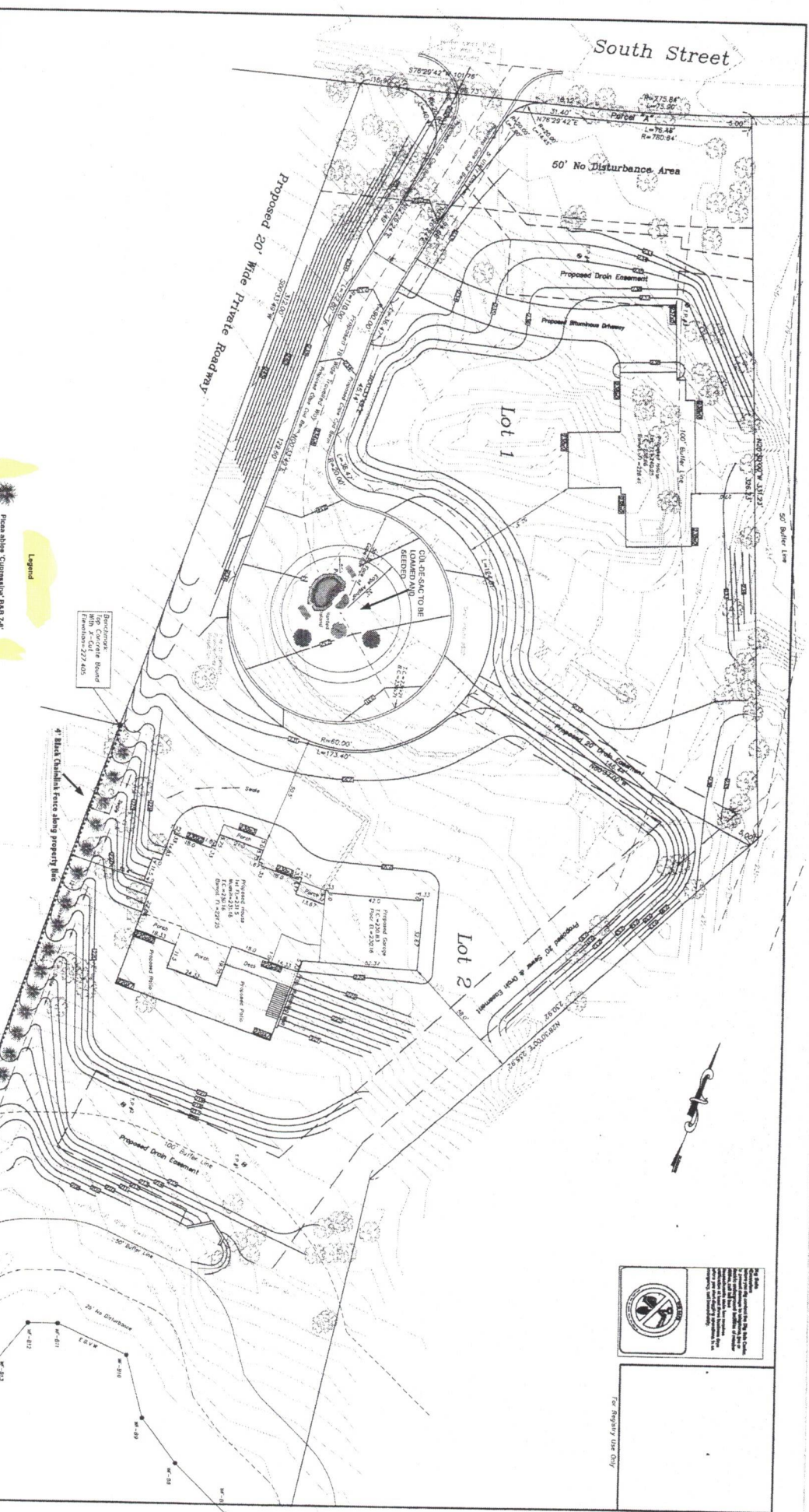
320 South Street

Cell: 201-729-15492

DATE	REVISIONS
2-23-23	1.01: 1. ROAD LAYOUT, ELEVATION, SHADE



~Proposed Grading Plan~	
920 South Street	
Needham, Massachusetts	
Scale: 1"=20'	September 9, 2022
YERNE T. PORTER JR., PLS	
Land Surveyors - Civil Engineers	
354 Elliot Street, Newton, MA 02464	
Project: 2019	Drawn By:
Checked By:	



For Regular Use Only



Landscape Plants

Picea abies 'Cupressina'

Common name: Cupressina Norway Spruce

Pronunciation: Pl-see-a A-beez

Family: Pinacea

Genus: *Picea*

Type: Conifer

Native to (or naturalized in) Oregon: No

- › Conifer, evergreen, narrow columnar habit, may grow about 1 ft (30 cm) per year to mature height of 30 ft (9 m) tall but only 4 ft (1.2 m) wide at the base, branches densely arranged, ascending steeply. Leaves (needles) 12-14 mm long, dark green, somewhat bluish green in winter. Cones 8-10 mm long, about 2.5 cm wide.
- › Sun
- › Hardy to USDA Zone 3 Found in the Thuringian Forest of Germany before 1904
- › Silverton, Oregon: The Oregon Garden - Conifer Garden

[Click image to enlarge](#)

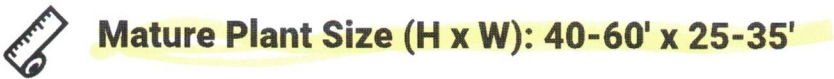
Add to Cart

Product Description

^

Sun Exposure	Sun
Soil Conditions	Normal, Sandy
Fruit Color	Cones
Mature Plant Size (H x W)	40-60' x 25-35'

Norway Spruce is a rapid grower with drooping, pendulous secondary branches. It has bright-green foliage when young that changes to a glossy dark-green color. The best Spruce choice for screens and windbreaks since it has vigorous growth.



Key features

- Attracts Birds
- Deer Resistant
- Winter Interest
- Stone Mulch
- Hedges & Screens

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From: [Edward Olsen](#)
To: [Lee Newman](#); [Alexandra Clee](#)
Subject: 920 South St. tree buffer
Date: Tuesday, June 18, 2024 5:58:24 PM

Good evening,

Over the past week I have had several phone call conversations and emails with both Serguei Aliev, resident of 31 Marant Drive as well as Brian, owner and Developer of the 2 lot subdivision located at 920 subdivision. There has been a lot of discussions, for many months regarding the required tree planting buffer area. Brian and Serguei seemingly were working together on a mutually agreeable solution. However recently these continued talks and agreements regarding a tree buffer broke down and I was asked to intervene. The good thing is that much of the prep work had already been done. Serguei had really taken the lead on designing and planning for a mutually beneficial tree buffer that both could enjoy for the future together coming forward as neighbors. I commend them both for their efforts and know that these conversations, especially regarding change and new construction can be very difficult as well as emotional at times. At the most recent Planning Board meeting a plan was presented and returned for further amendments. The main argument was that the one species presented in a single row would not suffice, for the proposed spacing would not fully enclose this open space as a true and total screen. As mentioned, since that meeting this plan was had some refinements suggested. Including adding one additional tree species. This not only adds in the aesthetics but also by adding some diversity this will increase the value of this screen for many different reasons. One particular and very important reason is for future pest considerations. Monostands or stands of 1 variety of tree, or plant material can be devastated if attacked by a specific pest. Adding some diversity is a smart thing and one that was discussed apparently in earlier conversations. Therefore, I am in support of the most recent recommendation from Serguei as presented. This being a single row of trees consisting of alternating two specific varieties of Pine and Spruce trees. My final recommendation after listening to both sides of this ongoing case would be the following:

- 1 single row of trees
- Alternate two varieties of Pinus Strobus "Fastigata" and Picea Albies "Cupressina"
- Spacing of 6 feet on center
- Total amount of trees: 13 Pine and 12 Norway Spruce, the pine will flank either end of the buffer strip and spacing would allow for each to maximize their full growth potential
- Requiring a certified arborist to ensure that planting of trees is done following BMPs

I understand again that these matters are difficult. I do not enjoy having to get involved with these matters for reasons aforementioned. However the world is full of problems and fortunately I am in the business of finding solutions. I hope that this matter can be resolved tonight for the mutual benefit of both parties.

Sincerely,

Eddie

TOWN OF NEEDHAM
MASSACHUSETTS

RECEIVED TOWN CLERK
NEEDHAM, MA 02492

2024 FEB 27 AM 11:17



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

PLANNING BOARD

APPLICATION FOR SITE PLAN REVIEW

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 609 Webster Street, Needham MA
Name of Applicant Town of Needham
Applicant's Address 1471 Highland Avenue, Needham MA
Phone Number (781) 455-7500

Applicant is: Owner _____ Tenant _____
Agent/Attorney X Purchaser _____

Property Owner's Name Town of Needham
Property Owner's Address 1471 Highland Avenue, Needham MA 02492
Telephone Number (781) 455-7500

Characteristics of Property: Lot Area 14.15 acres Present Use Educational
Map # 226 Parcel # 10 Zoning District Single Residence B

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

The Town of Needham seeks an amendment of the Major Project Site Plan Special Permit applicable to the Needham High School, 609 Webster Street, to allow for the renovation of four (4) existing tennis courts, the addition of four (4) new tennis courts, and installation of stormwater management improvements and ADA accessible walkways.

Signature of Applicant (or representative) [Signature]
Address if not applicant Christopher Heep, 40 Grove Street-Suite 190, Wellesley MA 02482
Telephone # (617) 804-2422
Owner's permission if other than applicant _____

SUMMARY OF PLANNING BOARD ACTION

Received by Planning Board [Signature] Date 2/27/24
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.

February 26, 2024

BY EMAIL (lnewman@needhamma.gov)

Planning Board
Town of Needham
Public Services Administration Building
500 Dedham Avenue
Needham, MA 02492

**Re: Request to Amend Major Project Site Plan Special Permit No. 2004-01
High School Tennis Court Renovation**

Dear Planning Board Members:

I am pleased to submit this application for an amendment of Major Project Site Plan Special Permit No. 2004-01 on behalf of the Town of Needham (the “Applicant”) to authorize the comprehensive redesign and renovation of the Needham High School tennis courts. The new tennis courts and associated site improvements are shown on the plans submitted herewith, and includes a complete redesign, replacement, and expansion of the existing tennis courts.

The Major Project Site Plan Special Permit applicable to this property is dated April 6, 2004 (the “Decision”) and has previously been amended multiple times.¹ The Decision covers the High School property located at 609 Webster Street, which is located in the Single Residence B zoning district, is shown on Needham Town Assessors' Plan No. 226 as Parcel No. 10, and contains a total of 14.15 acres. The Decision and subsequent amendments allowed for renovations and improvements to the High School but did not authorize any particular work to expand the tennis courts (none was proposed at the time). Accordingly, this application now seeks an amendment of the Decision to authorize renovation of the four (4) existing on-site tennis courts and installation of four (4) additional tennis courts as shown on the site plans. This application does not propose any new buildings, does not involve any changes to the existing parking or vehicular circulation, and does not involve any structural changes to the High School building itself.

The Project

The proposed tennis courts redesign is shown on the plan set entitled “Town of Needham Needham High School Tennis Court Renovation Needham, Massachusetts 02492,” dated February 6, 2024 and prepared by Activitas of 70 Milton Street, Dedham, MA, that is submitted along with this application. The key features of the new tennis courts include the following:

¹ The Planning Board has issued Amendments to the Decision dated January 5, 2010, December 6, 2011, October 27, 2015, July 19, 2016, August 9, 2016, November 28, 2017 and August 7, 2018.

- The High School will be adding four new tennis courts bringing the total number of courts from four (4) to eight (8). The existing four tennis courts will also be renovated and upgraded to match the newly installed courts.
- The site will feature new concrete sidewalks and a set of granite stairs leading to the new court area that will provide pedestrian access from the parking lot to all eight courts. A centrally located patio will be installed between the original and new courts that will be covered by a raised shade.
- The courts will be secured by typical 4-foot and 12-foot chain link fences that enclose four sets of courts (two courts in each fenced in set) that provide entry through gates accessible from the new walkways.

Compliance with MPSP Review Criteria

The proposed renovation of the High School is consistent with all the approval criteria for a Major Project Site Plan Special Permit under Section 7.4.6 of the Zoning Bylaw. Each criterion is discussed below.

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

The redesigned tennis courts will have no detrimental impacts on adjoining premises. The portion of the site is already in use as tennis courts, and the redesign of the site does not create any detrimental impacts on the surrounding area. The High School is not proposing any lighting associated with the tennis courts and the site will be improved with an underground drain line, area drains, and a new infiltration system within the parking lot area designed to keep water on the Property with no negative impact on neighboring lands. See Sheet L2.1 of the Plan Set and Stormwater Management and Erosion Control Report.

(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, compliance with other regulations for the handicapped, minors and the elderly.

Convenience and safety of vehicular and pedestrian movement within the site has been adequately provided for. The project does not alter the parking lot other than installing new granite curbing in the areas adjacent to where the walkways will be installed. The new sidewalks will improve pedestrian movement at the site and will provide safe and convenient access to all courts and court entrances.

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

The plans do not propose adding to or altering the High School parking lot in any way other than providing access to the site by way of the new sidewalks, and the temporary disturbance for the installation of the subsurface infiltration system.

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

Disposal of refuse and other waste will be adequately provided for. The project is not a major generator of refuse and other wastes, and the volume of refuse generated is not anticipated to increase relative to the current use of the tennis courts. Disposal will be in accordance with applicable law and established practice for this site.

(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.

The tennis courts are designed with careful consideration of existing structures and open space, and will fit within the general character of the High School property. In particular, the four (4) renovated courts will be in the same location on the High School property as the existing courts. The four (4) new courts will be located outside of the 25-foot side and rear setback required in the Single Residence B zoning district, thus there will be no encroachment or crowding of adjoining property owners' land. The land surrounding the tennis courts will be improved with new walkways, benches, and a patio to encourage use of the tennis courts and to provide convenient access and an enjoyable environment to the students and spectators.

(f) Mitigation of 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; and may require when acting as the Special Permit Granting Authority or recommend in the case of minor projects, when the Board of Appeals is acting as the Special Permit Granting authority, such appropriate conditions, limitation, and safeguards necessary to assure the project meets the criteria of a through f.

The project will have no adverse impacts on the Town's resources. The site is already in use as the High School's tennis courts, and the redesign and renovation of the space will not create any new impacts on the Town's water supply and distribution system, sewer, fire protection or streets. The Stormwater Management and Erosion Controls Report submitted with this application details the mitigation provided to address the construction of the new tennis courts.

Based on the foregoing, the proposed development complies with all standards and criteria set forth in the provisions of the Zoning By-Law, and the requested amendment is in harmony with the purposes and intent of the By-Law and will have minimal adverse impacts on the surrounding area. The Applicant respectfully requests that the Decision be amended to incorporate the plan set submitted herewith showing the renovated tennis courts and associated site improvements.

Application Materials

This application includes the following materials:

- a. Plans entitled “Town of Needham Needham High School Tennis Court Renovation Needham, Massachusetts 02492,” dated February 6, 2024 and prepared by Activitas of 70 Milton Street, Dedham, MA.

Title Sheet & Index
Sheet EX1.1 – Existing Conditions Plan
Sheet SP1.1 – Site Preparation Plan
Sheet SP1.2 – Site Preparation Detail Sheet
Sheet L1.1 – Layout and Materials Plan
Sheet L2.1 – Grading and Utility Plan
Sheet L3.1 – Detail Sheet I
Sheet L3.2 – Detail Sheet II
Sheet L3.3 – Detail Sheet III

- b. Stormwater Management and Erosion Control Report dated February 6, 2024 prepared by Activitas.

Pursuant to Section 7.4.4, the Applicant requests that the Planning Board waive the submission of any of the required information that is not submitted herewith. The Applicant also requests a waiver of the Planning Board’s application fee on the ground that this is a Town project.

In addition, pursuant to Section 7.4.4 the Applicant hereby certifies that the project can be constructed, and the proposed use commenced without need for the issuance of any variance or other zoning relief from any provision of the By-Law by the Zoning Board of Appeals.

Thank you very much for your consideration of this application, and please let me know if I can provide any additional information prior to the Board's meeting on this request for an amendment of Major Project Site Plan Special Permit No. 2004-01.

Sincerely,



Christopher H. Heep

cc: K. Fitzpatrick
D. Gutekanst
T. Ryder
A. Rrapi

May 28, 2024

BY EMAIL

Lee Newman, Director of Planning and Community Development
Town of Needham
Public Services Administration Building
500 Dedham Avenue
Needham, MA 02492

**Re: Request to Amend Major Project Site Plan Special Permit No. 2004-01
High School Tennis Court Renovation**

Dear Lee:

In advance of the Planning Board's upcoming meeting on June 4, enclosed is the revised plan set for the Needham High School Tennis Court Renovation Project. The Applicant has made several material changes to the plans that were presented during the April 24 session of the public hearing, which include the following:

- The Applicant has added a wall of 5' – 8' evergreen plantings along the northerly property line to provide a visual buffer between the tennis courts and the residential properties on that side. A new planting plan (Sheet L3.1) has been added to the plan set to show the location and spacing of the proposed plantings.
- The westernmost set of two (2) new tennis courts has been moved 6' closer to the parking lot, while maintaining the alignment of those courts with the six (6) adjacent courts included in this project. This results in these two (2) new courts being placed a distance of 35' from the property line at the nearest point.
- The other set of two (2) new tennis courts (those located adjacent to the replacement courts) are now 38' feet from the property line at the nearest point; these courts cannot be moved closer to the parking lot because a portion of the proposed drainage system will be installed and maintained within the intervening lawn area. See Sheet L2.1 Grading and Utility Plan. In order to allow for long term maintenance, these subsurface drainage improvements must be placed outside the footprint of the tennis courts.
- The chain link fence along the easterly side of the four (4) replacement tennis courts has been raised from 12' to 14' to provide for greater shielding of abutting properties from errant tennis balls.

Lee Newman, Director of Planning and Community Development

May 28, 2024

Page 2 of 2

The project team looks forward to discussing this revised plan set with the Planning Board at its June 4 meeting. If I can provide any additional information in advance of the meeting, please let me know.

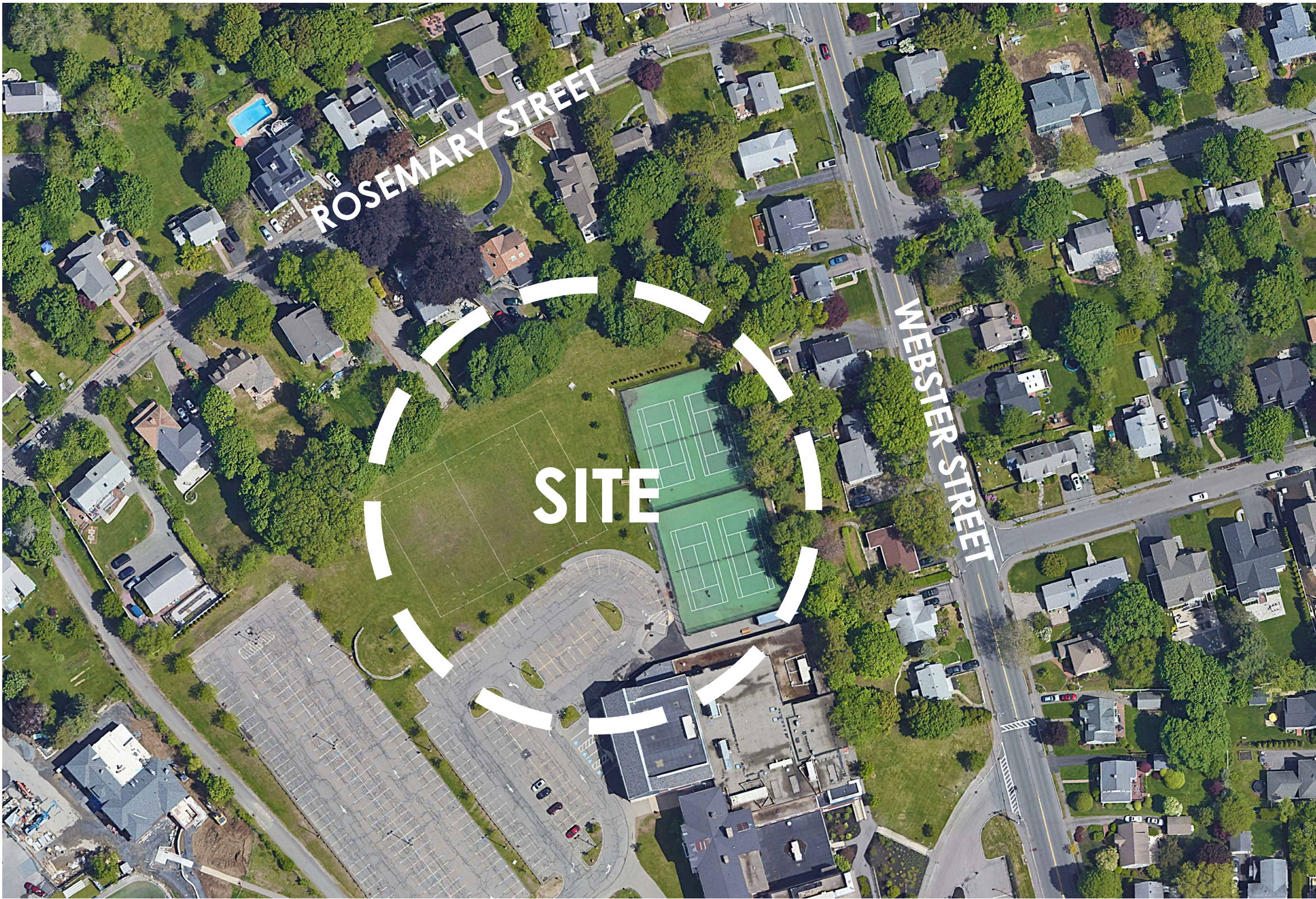
Sincerely,

A handwritten signature in blue ink, appearing to read "Christopher H. Heep", with a stylized flourish at the end.

Christopher H. Heep

Encl.

cc: J. Charwick
S. Mulroy
A. Rrapi
T. Ryder



LOCUS MAP



LIST OF DRAWINGS

EX1.1	EXISTING CONDITIONS PLAN (BY TOWN OF NEEDHAM)
SP1.1	SITE PREPARATION PLAN
SP1.2	SITE PREPARATION DETAIL SHEET
L1.1	LAYOUT AND MATERIALS PLAN
L2.1	GRADING AND UTILITY PLAN
L3.1	PLANTING PLAN
L4.1	DETAIL SHEET I
L4.2	DETAIL SHEET II
L4.3	DETAIL SHEET III
L4.4	DETAIL SHEET IV

MAJOR PROJECT SITE PLAN APPROVAL | FEBRUARY 6, 2024
REVISED MAY 22, 2024

TOWN OF NEEDHAM
NEEDHAM HIGH SCHOOL
TENNIS COURT RENOVATION
NEEDHAM, MASSACHUSETTS 02492

LOT AREA: 14.55 ACRES | MAP# 226 | PARCEL# 199 | ZONING DISTRICT: SINGLE RESIDENCE B

OWNER

Town of Needham
1471 Highland Avenue
Needham, MA 02492
(781) 455-7940

LANDSCAPE ARCHITECT/CIVIL ENGINEER

Activitas
70 Milton Street
Dedham, MA 02026
(781) 326-2600

TOWN OF NEEDHAM
NEEDHAM HIGH SCHOOL TENNIS COURT RENOVATION

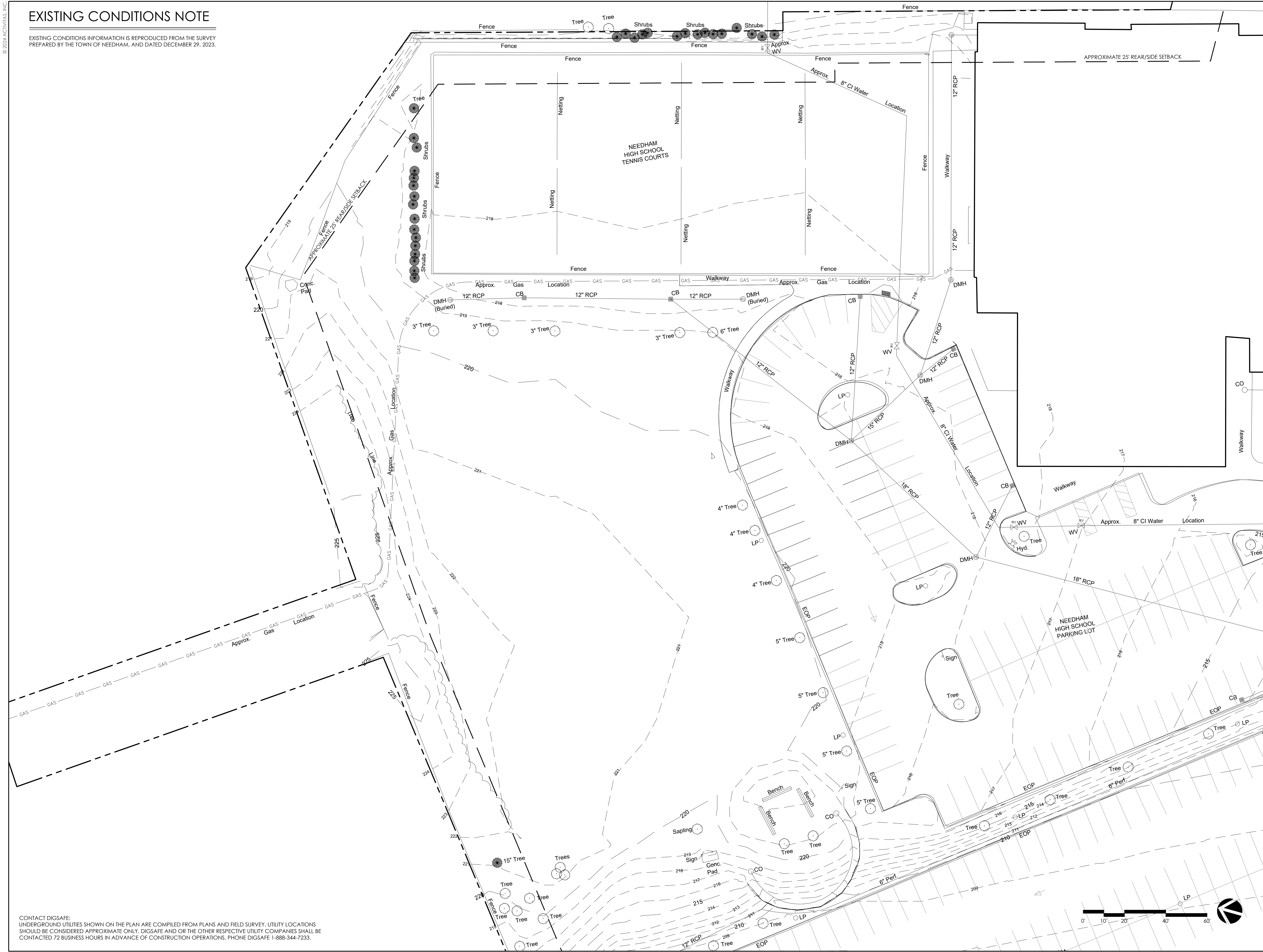
MAJOR PROJECT SITE PLAN APPROVAL | FEBRUARY 6, 2024
REVISED MAY 22, 2024

REVISIONS:				PROJECT NO. 23016.00
NO.	DATE	SHEETS REVISED	NOTES	
1	5/22/24	ENTIRE DRAWING SET	DESIGN REVISIONS	

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EXISTING CONDITIONS NOTE

EXISTING CONDITIONS INFORMATION IS REPRODUCED FROM THE SURVEY PREPARED BY THE TOWN OF NEEDHAM, AND DATED DECEMBER 29, 2023.



CONTACT DIGSAFE:
UNDERGROUND UTILITIES SHOWN ON THE PLAN ARE COMPILED FROM PLANS AND FIELD SURVEY. UTILITY LOCATIONS SHOULD BE CONSIDERED APPROXIMATE ONLY. DIGSAFE AND OR THE OTHER RESPECTIVE UTILITY COMPANIES SHALL BE CONTACTED 72 BUSINESS HOURS IN ADVANCE OF CONSTRUCTION OPERATIONS. PHONE DIGSAFE 1-888-344-7233.

ACTIVITAS

landscape architecture | civil engineering

70 Milton Street | Dedham, MA 02026-2915
(781) 326-2600 | activitas.com

CONSULTANTS

TOWN OF NEEDHAM

NEEDHAM, MA

NEEDHAM HIGH SCHOOL TENNIS COURT RENOVATION

Major Project Site Plan Approval
February 6, 2024

REVISIONS:		
NO.	DATE	DESCRIPTION
1	5/22/24	DESIGN REVISIONS

SCALE:	1"=20'-0"
PROJECT NO.:	23016.00
FILE:	23016.00-EX1.1-EX_COND_PLAN.dwg
DRAWN:	BJM
CHECKED:	JC

SEAL:

SHEET TITLE:
EXISTING
CONDITIONS PLAN

SHEET NO:
EX1.1

SITE PREPARATION LEGEND

APPROXIMATE PROPERTY LINE	
APPROXIMATE 25' REAR/SIDE SETBACK	
APPROXIMATE LIMIT OF WORK	
CONSTRUCTION FENCE	
STRAW WATTLE	
REMOVE AND DISPOSE	
CLEAN SAWCUT	
EXISTING GAS LINE	
EXISTING WATER LINE	
REMOVE AND DISPOSE	
REMOVE AND RELOCATE EXISTING TREE	
TREE PROTECTION	
LIGHT POLE PROTECTION	
SILT SACK	
REMOVE AND DISPOSE OF ASPHALT PAVEMENT	
PULVERIZE-IN-PLACE EXISTING ASPHALT	

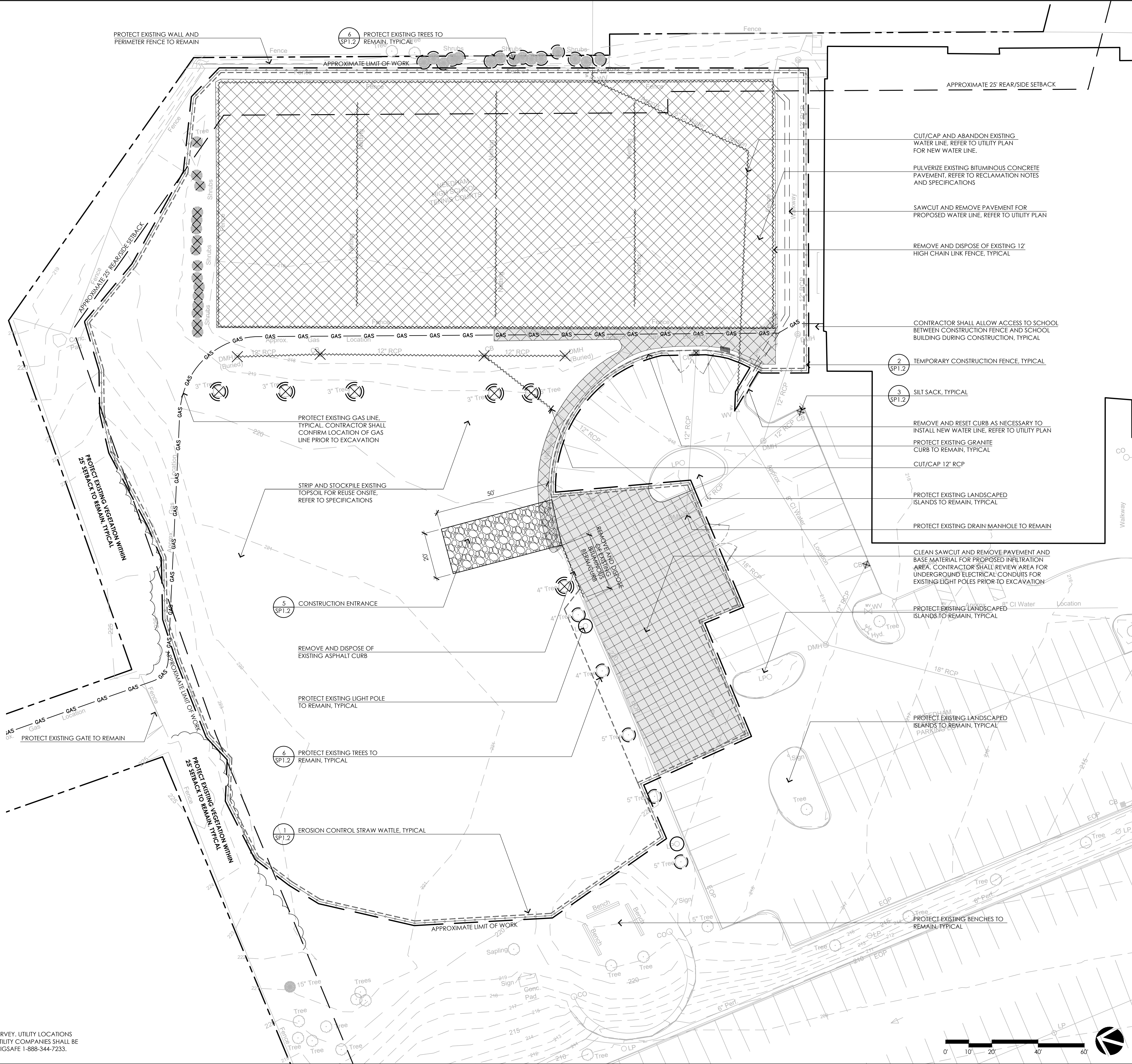
SITE PREPARATION NOTES

- EXISTING CONDITIONS INFORMATION IS REPRODUCED FROM THE SURVEY PREPARED BY THE TOWN OF NEEDHAM, DATED DECEMBER 29, 2023.
- THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS IN THE FIELD AND REPORT ANY DISCREPANCIES BETWEEN PLANS, SPECIFICATIONS, AND ACTUAL CONDITIONS TO THE LANDSCAPE ARCHITECT/CIVIL ENGINEER FOR CLARIFICATION AND RESOLUTION PRIOR TO STARTING WORK.
- THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING CONDITIONS TO REMAIN THAT ARE DUE TO CONTRACTOR OPERATIONS.
- ALL ITEMS TO BE REMOVED THAT ARE NOT STOCKPILED FOR LATER REUSE ON THE PROJECT OR FOR DELIVERY TO THE OWNER SHALL BE LEGALLY DISPOSED OF OFF SITE BY THE CONTRACTOR.
- THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE SURVEY REFERENCED. THE CONTRACTOR SHALL CONTACT DIGSAFE AND THE PROPER LOCAL AUTHORITIES OR RESPECTIVE UTILITY COMPANIES TO CONFIRM THE LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. ANY DAMAGE DUE TO FAILURE OF THE CONTRACTOR TO CONTACT THE PROPER AUTHORITIES SHALL BE BORNE BY THE CONTRACTOR.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING HIS EFFORTS OF THE DEMOLITION WITH ALL TRADES.
- THE CONTRACTOR SHALL COORDINATE ALL ADJUSTMENTS OR ABANDONMENT OF UTILITIES WITH THE RESPECTIVE UTILITY COMPANY.
- THE CONTRACTOR SHALL MAINTAIN OR ADJUST TO NEW FINISH GRADE (AS NECESSARY) ALL UTILITY AND SITE STRUCTURES SUCH AS MANHOLES, CATCH BASINS, ETC. FROM MAINTAINED UTILITY AND SITE SYSTEMS UNLESS OTHERWISE NOTED OR DIRECTED BY THE LANDSCAPE ARCHITECT.
- THE CONTRACTOR SHALL INSTALL CONSTRUCTION FENCING PER THE PLANS AND SPECIFICATIONS. CONTRACTOR MUST TAKE APPROPRIATE MEASURES TO MAINTAIN A SECURE SITE THROUGHOUT THE PROJECT.
- CONTRACTOR SHALL INSTALL ALL EROSION CONTROL MEASURES AROUND THE OUTSIDE PERIMETER (LIMIT OF WORK) PRIOR TO COMMENCING DEMOLITION AND EARTHWORK OPERATIONS.
- CONTRACTOR SHALL CONFIRM BENCHMARKS AND NORTHINGS AND EASTINGS IN FIELD PRIOR TO DEMOLITION.
- EXISTING DRAINAGE SYSTEM BASINS SHALL REMAIN OPERATIONAL AS LONG AS POSSIBLE. UPON REMOVAL OF EXISTING BASINS, CONTRACTOR SHALL PROVIDE TEMPORARY INFILTRATION AREAS TO INFILTRATE CONSTRUCTION RUNOFF. CONTRACTOR SHALL FOCUS ON GETTING PROPOSED DRAINAGE SYSTEMS OPERATIONAL AS SOON AS POSSIBLE. CONTRACTOR SHALL ENSURE ALL STORMWATER FLOWING TO NEW BASINS IS TREATED STORMWATER THAT WILL NOT NEGATIVELY AFFECT THE FINAL SYSTEMS.

PAVEMENT RECLAMATION NOTES

- RECLAIM THE EXISTING ASPHALT COURTS BY SCARIFYING AND PULVERIZING THE IN-PLACE ASPHALT AND UNDERLYING MATERIAL. IT IS RECOMMENDED THAT THE RECLAIMED ASPHALT AND UNDERLYING MATERIAL BE MIXED TO A MINIMUM DEPTH OF 12" AND RESULT IN A HOMOGENOUS MATERIAL WITH A MAXIMUM PARTICLE SIZE OF 3" AND NOT AN EXCESSIVE AMOUNT OF MATERIAL PASSING THE NO. 200 SIEVE.
- FOLLOWING RECLAIMING OF ASPHALT, SUBGRADE PREPARATION SHOULD INCLUDE RE-GRADING AND COMPACTION OF THE MATERIAL TO A DRY DENSITY OF AT LEAST 95% OF THE MATERIAL'S DRY DENSITY AS DETERMINED IN ACCORDANCE WITH ASTM TEST DESIGNATION D1557. AS A MINIMUM, THE FILL SHOULD RECEIVE FOUR COMPLETE COVERAGES WITH SUITABLE COMPACTION EQUIPMENT.
- FOR BACKFILL MATERIAL PLACED TO RAISE SITE GRADES TO DESIGN SUBGRADE ELEVATION, SOIL LIFTS OF 8" THICK LAYERS OF GRANULAR FILL IS RECOMMENDED (DENSE GRADE PER MASS DOT). BACKFILL PLACED TO RAISE SITE GRADES TO DESIGN ELEVATION SHALL BE COMPACTED TO 95% OF THE MATERIAL'S DRY UNIT WEIGHT IN ACCORDANCE WITH ASTM D1557. AS A MINIMUM, EACH LAYER OF FILL SHOULD RECEIVE FOUR COMPLETE COVERAGES WITH SUITABLE COMPACTION EQUIPMENT.
- EXCESS RECLAIMED ASPHALT THAT IS NOT NEEDED TO MEET PROPOSED FINISHED GRADES SHALL BE DELIVERED TO THE TOWN OF NEEDHAM. LOCATION TO DELIVER RECLAIMED ASPHALT SHALL BE COORDINATED WITH THE TOWN OF NEEDHAM.

CONTACT DIGSAFE:
UNDERGROUND UTILITIES SHOWN ON THE PLAN ARE COMPILED FROM PLANS AND FIELD SURVEY. UTILITY LOCATIONS SHOULD BE CONSIDERED APPROXIMATE ONLY. DIGSAFE AND OR THE OTHER RESPECTIVE UTILITY COMPANIES SHALL BE CONTACTED 72 BUSINESS HOURS IN ADVANCE OF CONSTRUCTION OPERATIONS. PHONE DIGSAFE 1-888-344-7233.



CONSULTANTS

TOWN OF NEEDHAM

NEEDHAM, MA

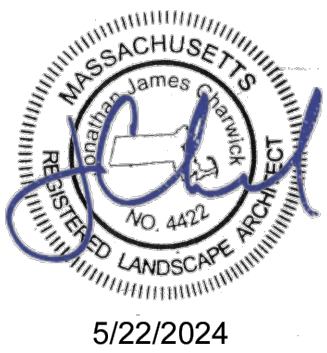
NEEDHAM HIGH SCHOOL TENNIS COURT RENOVATION

Major Project Site Plan Approval
February 6, 2024

REVISIONS:		
NO.	DATE	DESCRIPTION
1	5/22/24	DESIGN REVISIONS

SCALE:	1"=20'-0"
PROJECT NO.:	23016.00
FILE:	23016.00-SP1.1-SP_PLAN.dwg
DRAWN:	BJM
CHECKED:	JC

SEAL:



SHEET TITLE:

SITE PREPARATION
PLAN

SHEET NO:

SP1.1

CONSULTANTS

TOWN OF NEEDHAM
NEEDHAM, MA
NEEDHAM HIGH SCHOOL TENNIS COURT RENOVATION

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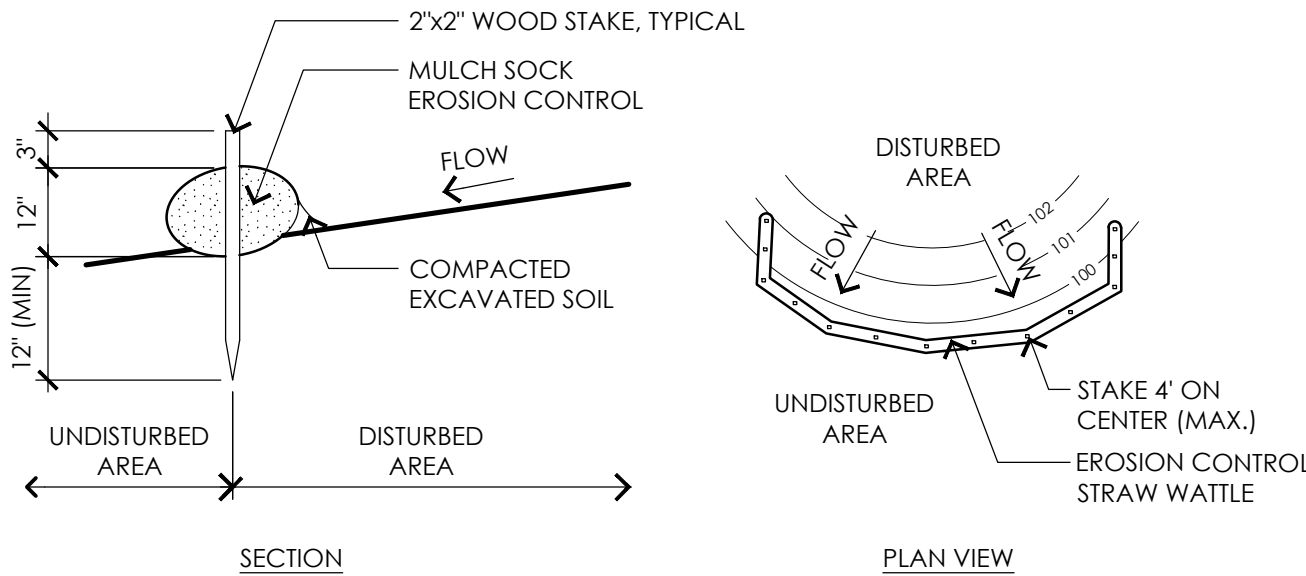
5/22/2024

SHEET TITLE:
SITE PREPARATION
DETAIL SHEET

SHEET NO:
SP1.2

NOTES:

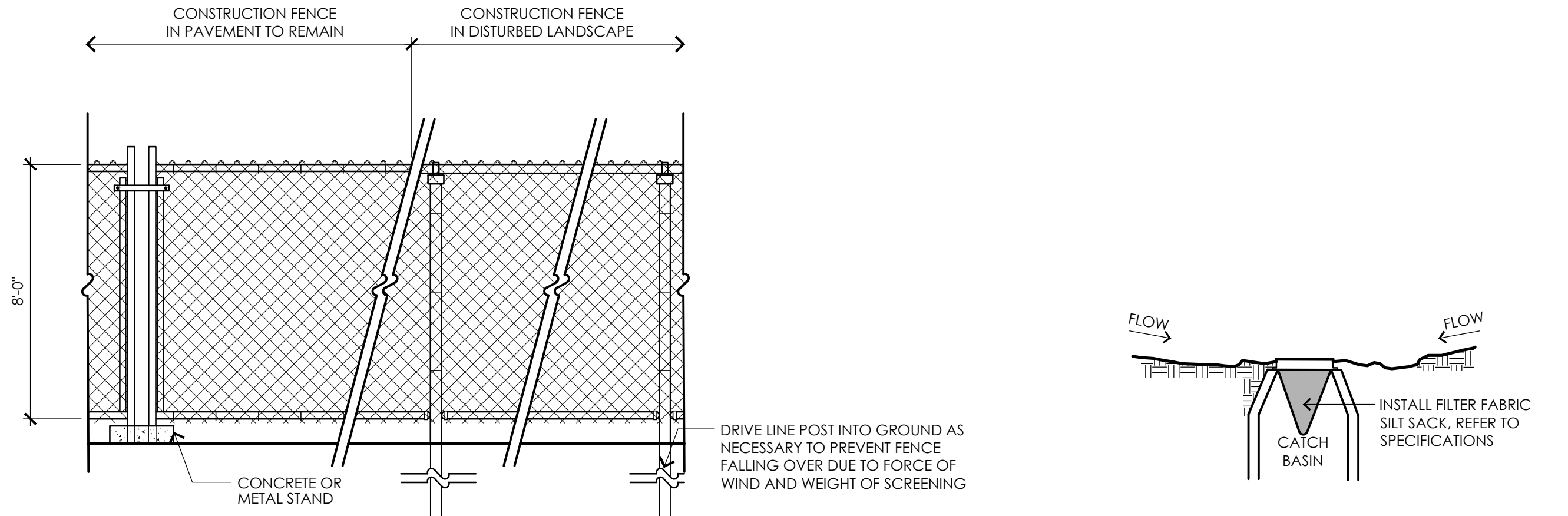
- PLACE EROSION CONTROL MULCH SOCK ON LEVEL GRADE. EXTEND BOTH ENDS OF THE TUBE AT LEAST 8'-0" UPSLOPE AT 45 DEGREES TO THE MAIN ALIGNMENT.
- REMOVE DEPOSITS WHEN SEDIMENT ACCUMULATION IS ONE THIRD THE HEIGHT OF THE EXPOSED EROSION CONTROL MULCH SOCK.
- EROSION CONTROL STRAW WATTLE SHALL REMAIN IN WORKING ORDER UNTIL THE SITE IS STABILIZED. ADDITIONAL EROSION CONTROLS SHALL BE INSTALLED AS NEEDED TO PREVENT SILT FROM LEAVING THE SITE AT NO ADDITIONAL COST TO THE OWNER.
- ALL CONTROLS SHALL BE SET 5' FROM BOTTOM TOE OF SLOPE



1 EROSION CONTROL STRAW WATTLE
NOT TO SCALE

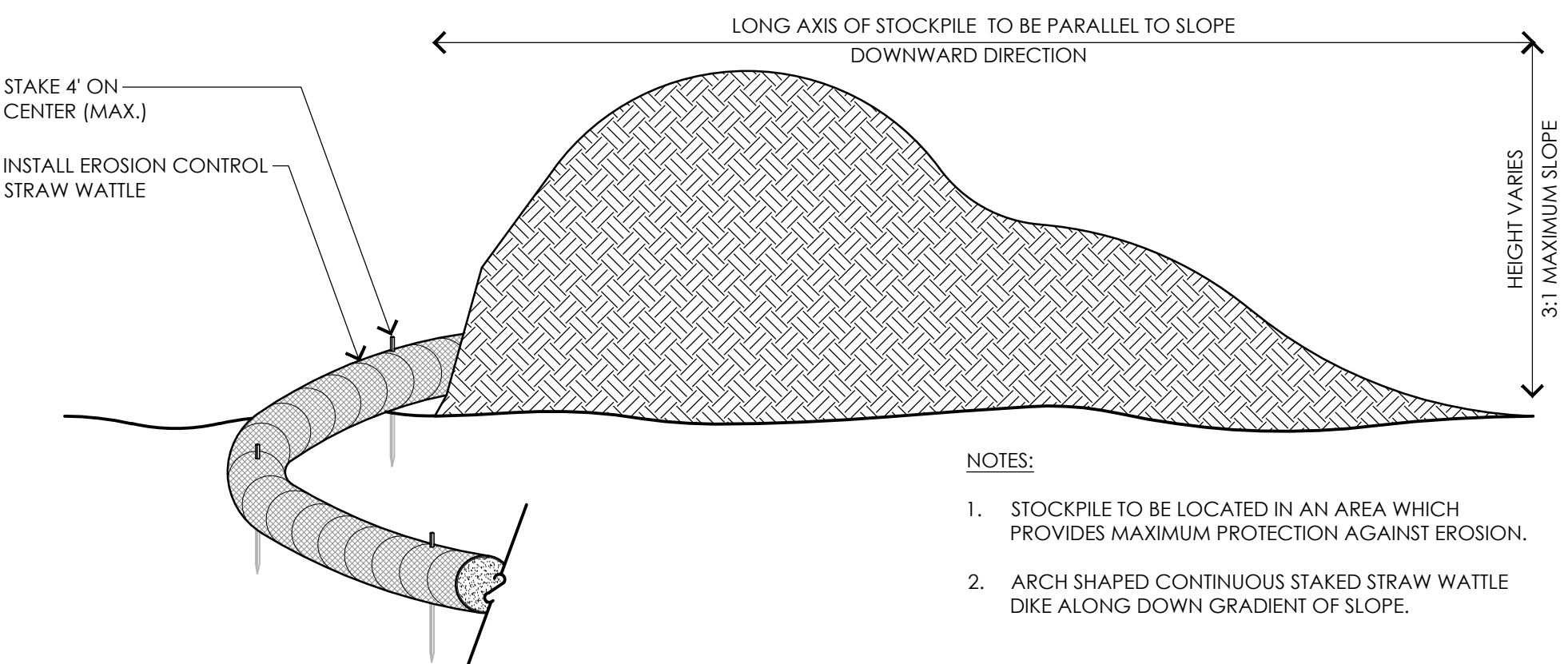
NOTES:

- TEMPORARY CONSTRUCTION FENCE SHALL BE PROVIDED AT PROJECT LIMITS AS SHOWN AND SPECIFIED.

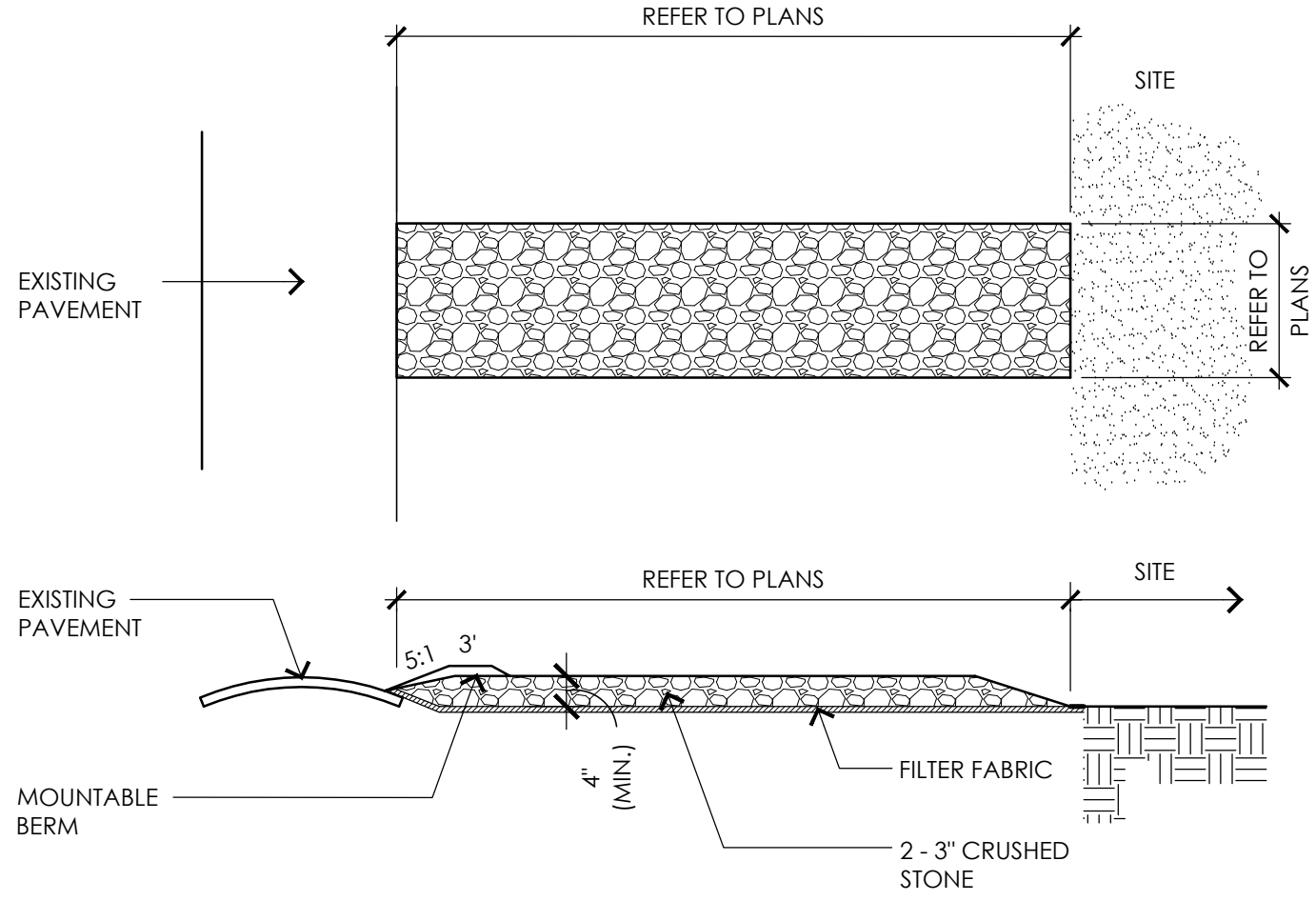


2 TEMPORARY CONSTRUCTION FENCE
NOT TO SCALE

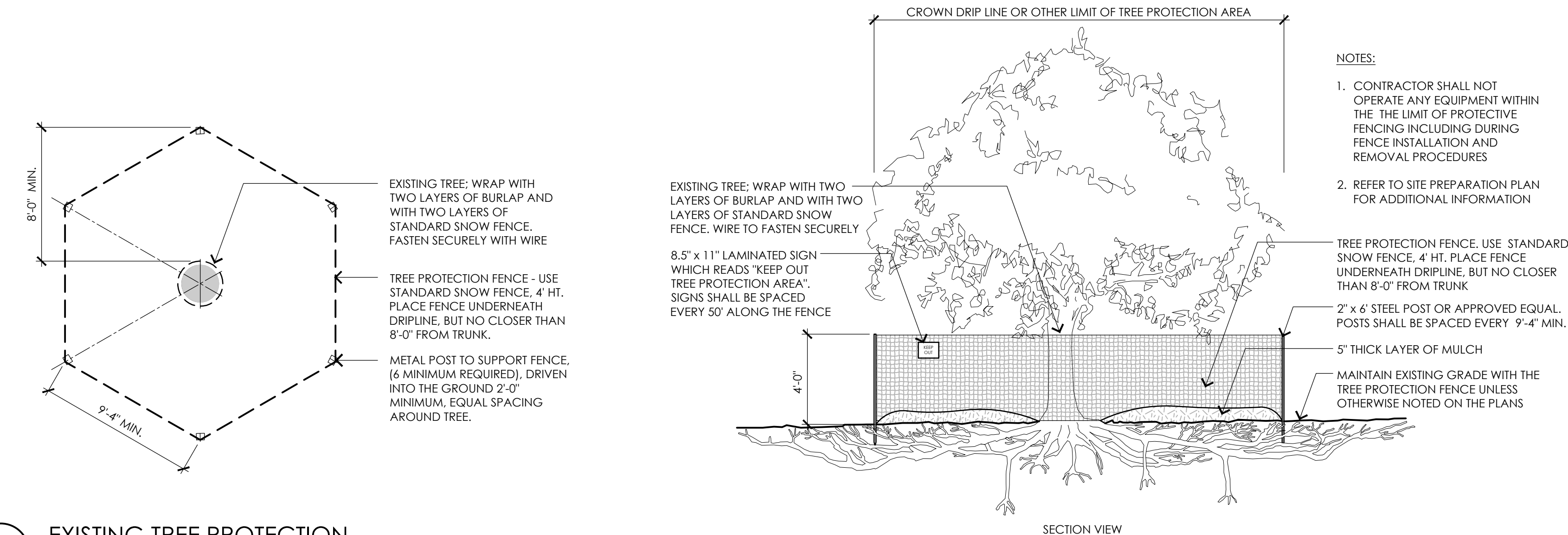
3 SILT SACK
NOT TO SCALE



4 TEMPORARY MATERIAL STOCKPILE
NOT TO SCALE



5 CONSTRUCTION ENTRANCE
NOT TO SCALE



6 EXISTING TREE PROTECTION
NOT TO SCALE

LAYOUT AND MATERIALS LEGEND

APPROXIMATE PROPERTY LINE	
APPROXIMATE 25' REAR/SIDE SETBACK	
APPROXIMATE LIMIT OF WORK	
CHAIN LINK FENCE	
CHANNEL DRAIN	
BITUMINOUS CONCRETE PAVEMENT	
CEMENT CONCRETE PAVEMENT	
4' CHAIN LINK FENCE DIMENSION	
12' CHAIN LINK FENCE DIMENSION	
CHANNEL DRAIN	
VERTICAL GRANITE CURB	

LAYOUT AND MATERIALS NOTES

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- CONTRACTOR(S) SHALL THOROUGHLY FAMILIARIZE THEMSELVES WITH ALL CONSTRUCTION DOCUMENTS, SPECIFICATIONS, AND SITE CONDITIONS PRIOR TO BIDDING AND PRIOR TO CONSTRUCTION.
- ANY DISCREPANCIES BETWEEN DRAWINGS, SPECIFICATIONS, AND SITE CONDITIONS SHALL BE REPORTED IMMEDIATELY TO THE OWNER'S REPRESENTATIVE FOR CLARIFICATION AND RESOLUTION PRIOR TO BIDDING OR CONSTRUCTION.
- WHILE THE CONTRACTOR MAY USE THE ELECTRONIC DRAWINGS FOR LAYOUT PURPOSES, IT IS HIS RESPONSIBILITY TO CHECK ALL LAYOUT IN THE FIELD TO CONFIRM CONFORMITY WITH THE PROJECT DRAWINGS, SPECIFICATIONS, AND APPROVED SHOP DRAWINGS AND SUBMITTALS. USE OF ONLY THE ELECTRONIC DRAWINGS WITHOUT A SITE CHECK OF LAYOUT IS NOT ACCEPTABLE.



CONTACT DIGSAFE:
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CONSULTANTS

TOWN OF NEEDHAM
NEEDHAM, MA

NEEDHAM HIGH SCHOOL TENNIS COURT RENOVATION

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DRAWN:	BJM
CHECKED:	JC

SEAL:

5/22/2024

SHEET TITLE:
LAYOUT AND MATERIALS PLAN

SHEET NO:
L1.1

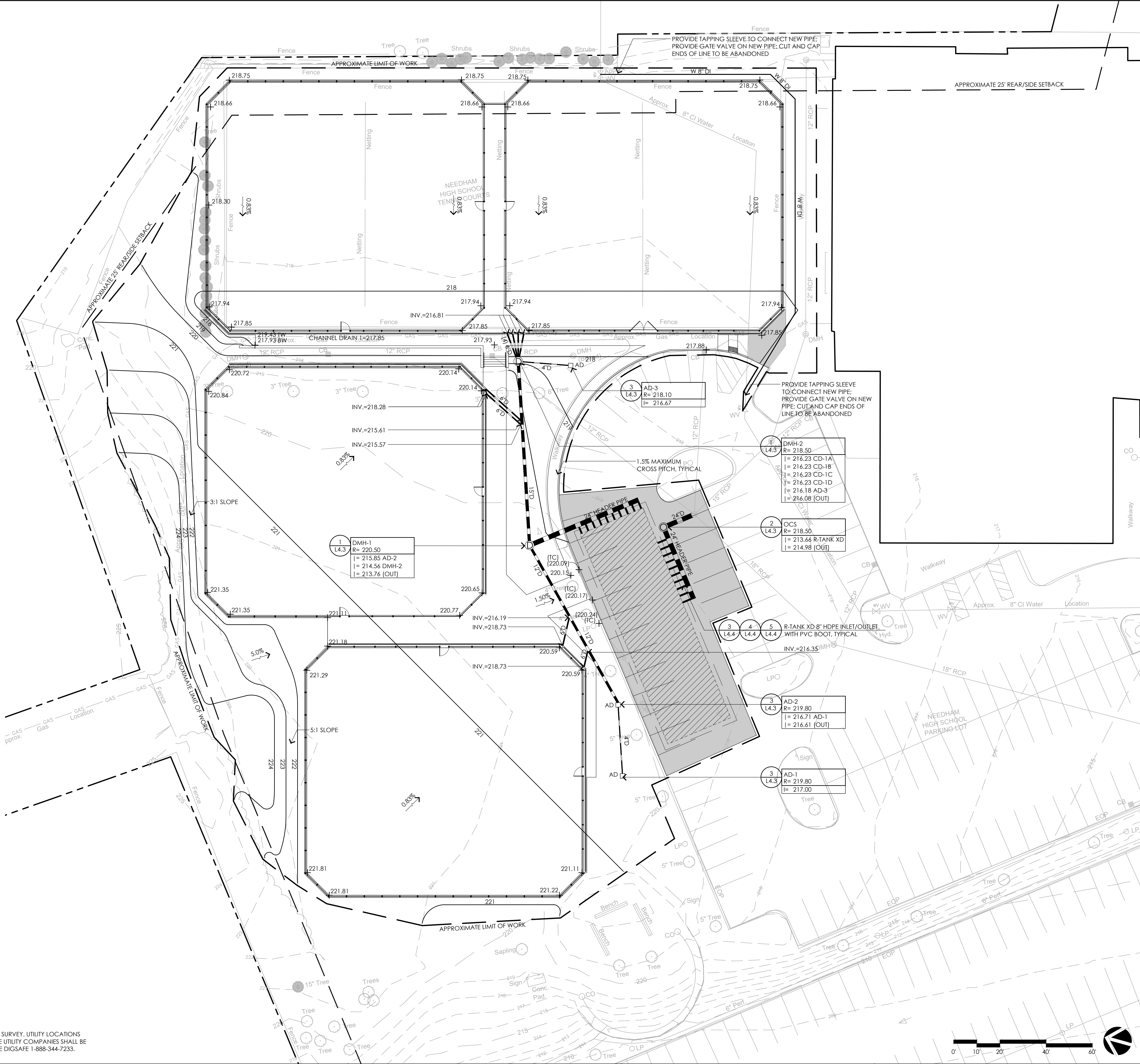
GRADING AND UTILITY LEGEND

APPROXIMATE PROPERTY LINE	---
APPROXIMATE 25' REAR/SIDE SETBACK	- - - - -
APPROXIMATE LIMIT OF WORK	- - - - -
EXISTING 1" CONTOUR	- - - - - 279
PROPOSED 1" CONTOUR	XXX
EXISTING SPOT GRADE	x 278.6
PROPOSED SPOT GRADE	+ 217.93
PROPOSED SLOPE DIRECTION	X.X% →
HDPE SOLID DRAIN LINE	=====
WATER LINE	=====
DRAIN MANHOLE	⊙
OUTLET CONTROL STRUCTURE	⊙
AREA DRAIN	AD □

GRADING AND UTILITY NOTES

- EXISTING CONDITIONS INFORMATION IS REPRODUCED FROM THE SURVEY PREPARED BY THE TOWN OF NEEDHAM, DATED DECEMBER 29, 2023.
- PRIOR TO THE START OF ANY EXCAVATION FOR THE PROJECT, BOTH ON AND OFF THE SITE, THE CONTRACTOR SHALL NOTIFY DIGSAFE AND BE PROVIDED WITH A DIGSAFE NUMBER INDICATING THAT ALL EXISTING UTILITIES HAVE BEEN LOCATED AND MARKED.
- THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MAY BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ALL UNDERGROUND UTILITIES.
- CONTRACTOR(S) SHALL THOROUGHLY FAMILIARIZE THEMSELVES WITH ALL CONSTRUCTION DOCUMENTS, SPECIFICATIONS, AND SITE CONDITIONS PRIOR TO BIDDING AND PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL VERIFY EXISTING GRADES AND NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES.
- WHERE PROPOSED GRADES MEET EXISTING GRADES, CONTRACTOR SHALL BLEND GRADES TO PROVIDE A SMOOTH TRANSITION BETWEEN EXISTING AND NEW WORK. PONDING AT TRANSITION AREAS WILL NOT BE ALLOWED.
- CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE AWAY FROM ALL BUILDING FOUNDATIONS, STRUCTURES AND PLANTING BEDS.
- WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION, AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR, AND THE INFORMATION FURNISHED TO THE OWNER'S REPRESENTATIVE FOR RESOLUTION OF THE CONFLICT.
- THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS FOR THE ALTERATION AND ADJUSTMENT OF ALL GAS, ELECTRIC, TELEPHONE, AND ANY OTHER PRIVATE UTILITIES BY THE UTILITY COMPANIES.
- CONTRACTOR SHALL MAINTAIN, OR ADJUST TO NEW FINISH GRADE, AS NECESSARY ALL UTILITY AND SITE STRUCTURES SUCH AS: TRAFFIC SIGN POLES, ETC., FROM MAINTAINED UTILITY AND SITE SYSTEMS, UNLESS OTHERWISE NOTED OR DIRECTED BY THE OWNER'S REPRESENTATIVE.
- AREAS OUTSIDE THE LIMITS OF PROPOSED WORK DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION, AT THE CONTRACTOR'S EXPENSE.
- THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS FOR THE ALTERATION AND ADJUSTMENT OF ALL GAS, ELECTRIC, TELEPHONE AND OTHER PRIVATE UTILITIES BY THE UTILITY COMPANIES PRIOR TO ANY CONSTRUCTION.
- PROTECT AND MAINTAIN EXISTING ON-SITE DRAINAGE STRUCTURES AND PIPES UNLESS OTHERWISE NOTED.
- BITUMINOUS CONCRETE ELEVATIONS AT CATCH BASINS TO BE 1/4 INCH ABOVE RIM ELEVATION SHOWN FOR CATCH.

CONTACT DIGSAFE:
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CONSULTANTS

TOWN OF NEEDHAM

NEEDHAM, MA

NEEDHAM HIGH SCHOOL TENNIS COURT RENOVATION

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FILE: 23016.00-L2.1-G_PLAN.dwg
DRAWN: BJM
CHECKED: JC

SEAL:

M. Buczynski
5/22/2024

SHEET TITLE:
GRADING AND
UTILITY PLAN

SHEET NO:
L2.1

SUGGESTED PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
EVERGREEN TREES :			
	ABIES CONCOLOR	WHITE FIR	6 - 7' HT.
	PICEA ABIES	NORWAY SPRUCE	5 - 8' HT.
	PICEA GLAUCOA	WHITE SPRUCE	7 - 8' HT.
	PINUS NIGRA	AUSTRIAN PINE	5 - 6' HT.
	PINUS STROBUS	WHITE PINE	5 - 6' HT.
SHRUBS :			
	AZALEA 'BLAAUW'S PINK'	BLAAUW'S PINK AZALEA	18" - 24" HT.
	CLETHRA ALNIFOLIA	SUMMERSWEET CLETHRA	2 1/2' - 3' HT.
	FOTHERGILLA GARDENII	DWARF FOTHERGILLA	#5 POT
	ILEX GLABRA 'COMPACTA'	COMPACT INKBERRY	#3 POT
	ITEA VIRGINICA 'HENRY'S GARNET'	SWEETSPIRE	18" - 24" HT.
	KALMIA LATIFOLIA	MOUNTAIN LAUREL	#5 POT
	TAXUS CUSPIDATA 'GREENWAVE'	GREENWAVE YEW	#3 POT
	VIBURNUM CARLESII	KOREAN SPICE VIBURNUM	3 - 4' HT.

PLANTING LEGEND

APPROXIMATE PROPERTY LINE	---
APPROXIMATE 25' REAR/SIDE SETBACK	---
APPROXIMATE LIMIT OF WORK	---
LOAM AND SEED	[Pattern]
EVERGREEN PLANTING	[Symbol]

PLANTING NOTES

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- CONTRACTOR SHALL BEGIN MAINTENANCE IMMEDIATELY AFTER PLANTING AND WILL CONTINUE UNTIL FINAL WRITTEN ACCEPTANCE OF PLANT MATERIAL.
- CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE AWAY FROM PROPOSED BUILDING, STRUCTURES, AND PLANTING BEDS.
- THE LANDSCAPE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE ALL PLANTINGS SHOWN ON THIS DRAWING.
- ALL MATERIALS SHALL CONFORM TO THE GUIDELINES ESTABLISHED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION.
- ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISH GRADE AS TO ORIGINAL GRADES BEFORE DIGGING.
- FINAL LAYOUT OF PLANTINGS WILL BE IN THE FIELD PER THE DIRECTION OF THE LANDSCAPE ARCHITECT. PROVIDE A MINIMUM FORTY-EIGHT (48) HOURS NOTICE PRIOR TO BEGINNING FINAL LAYOUT AND PLANTING OPERATIONS.
- ALL PLANTS TO BE BALLED IN BURLAP OR CONTAINERIZED.
- ALL PLANTED AREAS TO BE EDGED AND MULCHED WITH AGED PINE BARK: PARTIALLY DECOMPOSED, JET BLACK IN COLOR AND FREE OF WOOD CHIPS THICKER THAN 1/4 INCH.
- LANDSCAPE ISLAND PLANTING SOIL MIX: UTILIZE EXISTING SITE LOAM FROM STOCKPILES, THOROUGHLY INCORPORATE WITH COMPOST AS NEEDED PER SOILS ANALYSIS. FERTILIZE PER RECOMMENDED RATES IN SOIL ANALYSIS.
- TREE PIT PLANTING SOIL MIX: REFER TO SPECIFICATIONS FOR CU STRUCTURAL SOIL.
- THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIALS FOR ONE (1) FULL YEAR FROM DATE OF ACCEPTANCE.
- ALL PLANT MATERIALS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT, AT THE NURSERY, AND AT THE SITE.
- ALL AREAS OF THE SITE WHICH HAVE BEEN DISTURBED AND NOT OTHERWISE DEVELOPED SHALL BE LOAMED AND SEEDED WITH A MINIMUM DEPTH OF 12" DEPTH TOPSOIL UNLESS OTHERWISE NOTED.
- SLOPES 3:1 AND GREATER SHALL RECEIVE STRAW BLANKET PRIOR TO SEEDING.

CONTACT DIGSAFE:
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CONSULTANTS

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NEEDHAM, MA

NEEDHAM HIGH SCHOOL TENNIS COURT RENOVATION

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CHECKED:	JC

SEAL:



SHEET TITLE:

PLANTING PLAN

SHEET NO:

L3.1

CONSULTANTS

TOWN OF NEEDHAM
NEEDHAM, MA
NEEDHAM HIGH SCHOOL TENNIS COURT RENOVATION

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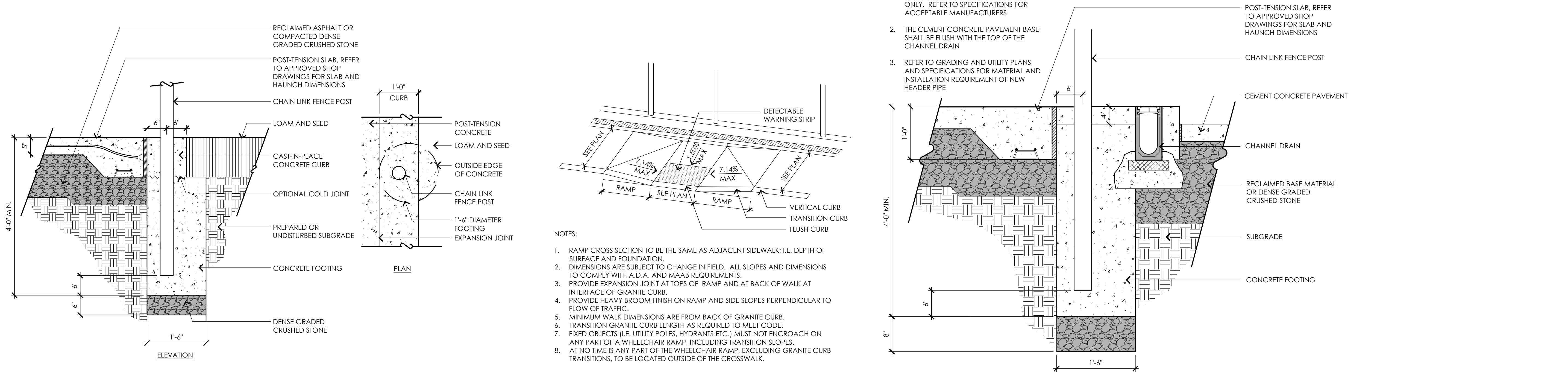
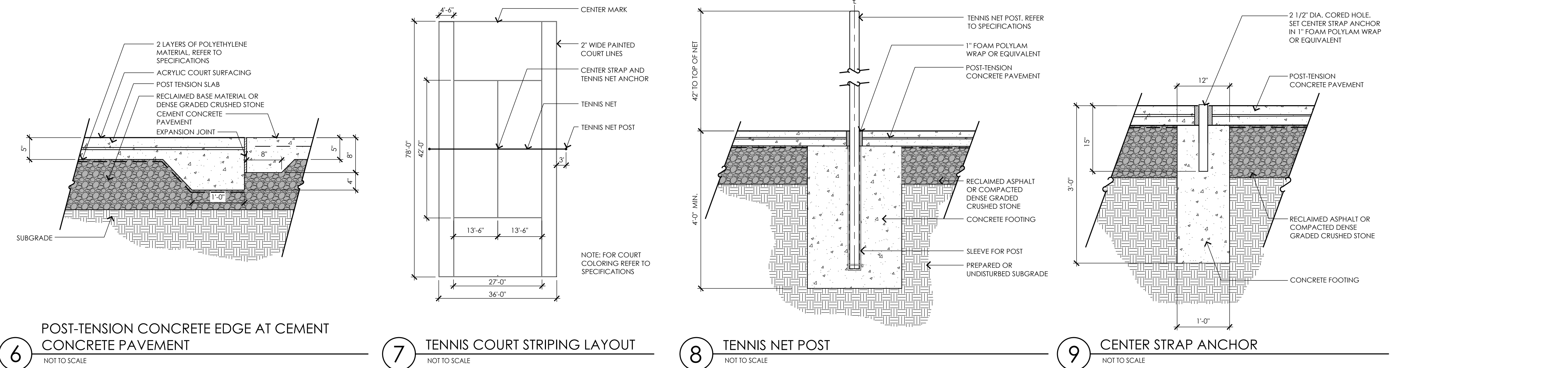
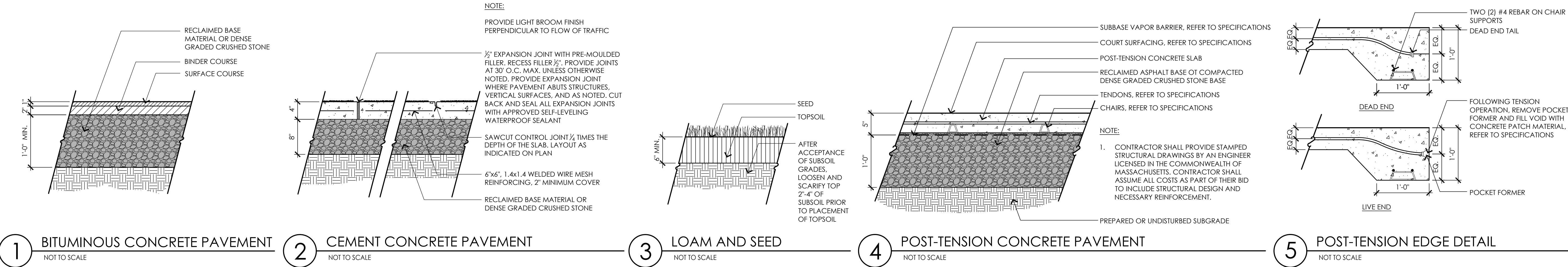
SCALE: AS NOTED
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FILE: 23016.00-L4.1-DET_1.dwg
DRAWN: BJM
CHECKED: JC

SEAL:

5/22/2024

SHEET TITLE:
DETAIL SHEET I

SHEET NO:
L4.1



TOWN OF NEEDHAM
NEEDHAM, MA
NEEDHAM HIGH SCHOOL TENNIS COURT RENOVATION

[illegible]

SEAL:



M. Buczynski

5/22/2024

L4.3

4 UTILITY TRENCH

THRUST BLOCK SCHEDULE												
SQUARE FEET OF CONCRETE THRUST												
BLOCKING BEARING ON UNDISTURBED MATERIAL												
REACTION TYPE	PIPE SIZE											
	4"	6"	8"	10"	12"	14"	16"	18"	20"	24"	30"	36"
Ⓐ	1.78	4.38	7.84	11.14	16.52	21.82	30.82	36.04	48.12	69.28	107.66	154.78
Ⓑ	1.30	3.10	5.52	8.38	12.18	16.74	21.78	27.74	34.02	48.98	76.12	109.44
Ⓒ	0.96	2.38	4.24	6.02	9.32	11.82	16.68	19.42	26.04	37.50	58.26	83.76
Ⓓ	0.50	1.2	2.16	3.08	4.74	6.02	8.50	9.94	13.28	19.12	29.70	42.70
Ⓔ	0.26	0.60	1.08	1.54	2.38	3.04	4.24	5.02	6.66	9.58	14.90	21.42
OTHER TEST PRESSURES FOR THE ABOVE REACTIONS	ABOVE DIMENSIONS ARE MINIMUM THRUST BLOCK SIZES. THEY HAVE BEEN CALCULATED USING A PRESSURE OF 200 PSI.											
	TEST PRESSURE TO BE 150 PSI MIN. OR AS REQUIRED BY BWSO.											
	SQUARE FEET OF CONCRETE THRUST BLOCKING FOR OTHER TEST PRESSURES IS DIRECTLY PROPORTION TO THE ABOVE TABLE. FOR INSTANCE, AT 225 PSI TEST PRESSURE ABOVE NUMBERS SHOULD BE MULTIPLIED BY 1.125 (225 PSI / 200 PSI = 1.125).											

5 THRUST BLOCKS
NOT TO SCALE



Town of Needham Planning Board Code of Conduct Adopted: Month, Day, 2024

In its role as a planning body for the Town of Needham, the Planning Board establishes the following Code of Conduct. This self-enforcing set of guidelines is designed to supplement all relevant state laws and regulations governing ~~to~~ conduct of public bodies and elected officials, to include (but not limited to) the Open Meeting Law ([G.L. c.30A, §§18-25](#)), the Public Records Law ([G.L. c.66](#)), the Campaign Finance Law ([G.L. c.55](#)), and the Conflict of Interest Law ([G.L. c.268A](#)). Members are expected to familiarize themselves with and adhere to both the above listed laws and other relevant statutes. The purpose of this Code of Conduct is to set forth the Board's expectations of member conduct and responsibilities, as well as to maintain public trust in the Planning Board and Town government.

Commented [AB1]: Should we also reference state statutes that regulate our own authority and acknowledge that in the event of a conflict between this code and those statutes, those statutes prevail?

1. General

1.1 Planning Board members will act honestly, conscientiously, reasonably, and in good faith at all times having regard to their responsibilities, the interests of the Town, and the welfare of its residents.

1.2 Planning Board members will conduct themselves in a manner that cultivates an environment of dignity and mutual respect, in which every person feels welcomed, safe, and valued.

1.3 All members of the Planning Board will fully comply with all applicable Town personnel policies, to include (but not limited to) Policies #202 ([Sexual Harassment](#)), #205 ([Harassment of Individuals in Protected Classes](#)), and #426 ([Workplace Violence Policy](#)).

2. Preparation for Meetings

2.1 All members of the Planning Board will arrive for meetings having prepared themselves for discussion on any and all items scheduled to be discussed on the agenda.

2.2 Pursuant to the Open Meeting Law, members will limit discussion of agenda items and matters within the Planning Board's jurisdiction outside of posted public meetings. This includes, for example, refraining from discussion of agenda topics and matters within the Planning Board's jurisdiction with more than one other member outside of a public

~~Date~~ [June 4, 2024](#)

meeting. This includes discourse and deliberation on such topics in person, via email, using messaging tools, or posting on social media.

2.3 In preparation for public meetings, members will refrain from taking public stances on pending agenda items and are encouraged to enter each meeting open-minded, ready to hear new information.

2.4 Members will notify the Chair and Office of the Planning Board as soon as possible if they anticipate being late and/or if they are unable to attend a scheduled meeting or require remote participation, if permitted by Planning Board Member Remote Participation in Public Meetings Policy (SB-ADMIN-008), Office of the Attorney General regulations governing remote participation in public meetings (940 CMR 29.10), the Open Meeting Law (G.L. c.30A, §§18-25), and any other applicable regulation or law governing remote participation.

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3. Conduct at Meetings

3.1 The Planning Board seeks to be a deliberative body in which various opinions may be shared in an environment of dignity and respect. The Board understands that there is space for disagreement amongst its members, but that dissent and debate will take place in a civil manner with a focus on policy over personality. No member shall disparage or impugn another member during a meeting.

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3.2 Board members will refrain from comments on the individual personality or character of a fellow Board member, other Town elected or appointed official, and Town staff.

3.3. Board members will refrain from disparaging and impugning petitioners, their representatives and the public whether in a hearing or otherwise. Board members will refrain from comments on the individual personality or character of petitioners, their representatives and the members of the public whether during a hearing other otherwise and shall show due deference to petitioners, their representatives and the public.

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3.4 Board members shall refrain from raising their voice at other members, petitioners, their representatives and members of the public at all times.

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3.5 Board members shall respect the Chair by waiting to be recognized to speak by the Chair and by not talking over the Chair or each other, whether the Chair uses the gavel to call for order or otherwise.

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3.6 In the event a Board member violates such conduct, the Chair shall themselves or at the request of another member, immediately recess the meeting for a period of 5 (five)

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~~Date~~ June 4, 2024

minutes and invite the member(s) found in violation of this Code of Conduct to recompose themselves and to remind such member(s) to uphold this Code of Conduct.

3.3 Members will not use messaging apps or other media to communicate with each other, or the public, in private during Planning Board meetings.

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3.4 In accordance with the purpose of G.L. c.30A, §22(f), following all Executive Sessions, members will keep the contents of discussions privileged and confidential unless and until the minutes of said session are released to the public.

3.5 Further, in accordance with G.L. c.268A, §23(c)(1) and (2), members will refrain from disclosing confidential information gained by reason of their official position or duties.

I don't think we should delete former 3.6 relating to language. I think we should spell out specific remedies including gaveling order, inviting the speaker to refrain from such demeaning or otherwise inappropriate conduct or language, enforcing the speaker's time limit and recessing the meeting. I don't know of anything in the Court's decision that prohibits this positive acts to restore order. 3.6 — The Chair or individual Board members are expected to immediately address conduct or language by invited participants and members of the public who are disrespectful, demeaning, inappropriate, or otherwise in violation of community standards.

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~~3.67~~ The Board affirms that its members will act in good faith to share all relevant information they may have to contribute to a discussion and will disclose to other members and the public any conflicts of interest, either actual or perceived, in matters before the Board.

~~3.78~~ In response to a self-identified determined or perceived conflict of interest by a Board member, it is incumbent upon said Board member to seek advice from the State Ethics Commission and/or Town Counsel before participating in the particular matter. Further, a Board member is always welcome to obtain a written opinion from the State Ethics Commission and/or Town Counsel before participating in a matter when they believe a written opinion would be beneficial to their potential participation in the matter.

~~3.89~~ Should a Board member believe a colleague may be in jeopardy of violating State Ethics Law, they should inform that member before the Board discusses the agenda item in question as both a courtesy and opportunity for education.

~~Date~~ June 4, 2024

3.910 Should a Board member believe that a colleague has violated this Code of Conduct, they may request that the Chair place an item on a Planning Board agenda so that the Board may discuss the member's concern and take any actions deemed necessary.

4. Conduct Outside of Meetings

4.1 No member shall disparage or impugn another member in public, online or on social media platforms and shall refrain from casting aspersions and promoting unfounded claims of misconduct, conflict of interest or corruption against another member.

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4.1 Members of the Planning Board are always permitted to voice their opinions on issues at hand in their capacity as a private citizen or candidate for office. In these capacities, members may participate in partisan political events, take positions on candidates for office or ballot measure, and other related actions, but must exercise care to ensure that they are speaking on behalf of themselves in their private capacity, and not as a member or representative of the Planning Board. Members are encouraged to seek advice from Town Counsel or the State Ethics Commission if they have questions.

4.2 When acting in their capacity as members of the Planning Board, members should speak on behalf of the Board's decisions and actions, even when their personal position was not in the majority opinion. (How do we enforce this?) If a member is attending an event as a private citizen, members of the public still may address them in their official capacity – in this circumstance, members should take care to represent the Board in their official capacity.

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4.3 At times, the Planning Board may be asked to attend community events. The Planning Board Chair will designate a member (or members) to attend. Some of these events may involve a cost to the attending member(s). The member's annual stipend is expected to cover the cost of such events. In other cases, members may attend events for which they are offered free admission to events in exchange for providing a service (e.g. moderating a panel or acting as master of ceremonies). Without limiting the foregoing expectations, members should consult Town Counsel or the State Ethics Commission before accepting payment for, or waiver of, fees for admission to an event from outside persons or organizations.

4.4 When the Board as a body is asked questions by the public (through email, mail, or other means), the Chair will either respond directly or designate a Board member to respond. If the question is related to the operations of Town government, the Chair may place the question on an agenda of a Board meeting or ask the Director of Planning and Community Development to respond on behalf of the Board.

Date June 4, 2024

5. Policymaking versus Administration of Policy

5.1 The Planning Board is a policymaking body. The Director of Planning and Community Development oversees administration of the Planning and Community Development department. Members will generally direct questions or concerns relative to department administration and operations to the Director of Planning and Community Development.

6. Use of Town Counsel

6.1 Members of the Planning Board will engage with Town Counsel to resolve any questions they may have relating to potential or perceived conflicts of interest, and regarding rules and requirements of the Board as a public body subject to relevant state law.

7. Public Records

7.1 Members will archive and provide upon request any documents, texts, emails, or other communications contained or stored by the member on their premises, private devices, or private accounts that constitute public records in accordance with relevant law and regulation, to include (but not limited to) the Public Records Law ([G.L. c.66](#)); Statutes ([G.L. c.4](#)); and Office of the Secretary of the Commonwealth regulations governing public records access ([950 CMR 32](#)).

7.2 Members shall not delete such documents, texts, emails, or other communications, whether stored on Town-issued or private email systems or devices, unless it is in accordance with the [Municipal Records Retention Schedule](#).

8. Trainings and Acknowledgements

8.1 All members are required to complete the initial and bi-annual Conflict of Interest Law education requirements as mandated by the State Ethics Commission. Members are encouraged to take advantage of the confidential phone advice provided by the State Ethics Commission (617-371-9500) and to periodically review "The Summary of the Conflict of Interest Law for Municipal Employees" and "The Municipal Officials Guide to Avoiding Conflicts of Interest" to be cognizant of any potential ethical issue.

8.2 All new members are required to complete the Certificate of Receipt of Open Meeting Law materials as required by the Office of the Attorney General.

AGREED TO BY:

Date: _____

~~Date~~ June 4, 2024

Member, Needham Planning Board

~~Date~~ June 4, 2024

Select Board Goals FY 2024-25 September 26, 2023

FY 2024-2025 Goals

Goal #1: Healthy and Socially Thriving

Needham residents enjoy plentiful recreational, cultural, and educational opportunities in an environment that upholds human rights, celebrates diversity, and fosters a sense of connection among neighbors, thus strengthening their bond to the community they proudly call home. Needham:

- Cultivates a wide range of recreational, cultural, educational, civic, and social opportunities for all socioeconomic and age groups;
- Supports the physical and mental well-being of its community members;
- Fosters inclusion, diversity, and equity in order to become a culturally responsive, anti-racist, and anti-biased community; and
- Values public art.

Goal #2: Economically Vital

Needham welcomes investment in local businesses and has a thriving local economy that contributes to a growing local tax base to support desirable community amenities and programs. Needham:

- Has a growth mindset and encourages business development and redevelopment;
- Supports an environment for creativity, innovation, and entrepreneurship;
- Promotes a well-educated, skilled, and diverse work force that meets employers' needs;
- Fosters a collaborative and resource-rich regional business climate;
- Attracts, sustains, and retains a diverse mix of businesses, entrepreneurs and jobs that support the needs of all community members; and
- Supports financial security and economic opportunity.

Goal #3: Livable

Needham values diversity and a broad spectrum of housing options. The community is supported by well-maintained public infrastructure and desirable amenities that accommodate a variety of community needs. Needham:

- Promotes and sustains a secure, clean, and attractive place to live, work and play;
- Supports an increase of housing, including a variety of types and price points;
- Provides high-performing, reliable, affordable public infrastructure and Town services;

- Encourages and appropriately regulates sustainable development; and
- Supports and enhances neighborhood livability and accessibility for all members of the community.

Goal #4: Accessible and Connected

In Needham, people can easily and affordably travel to their desired destinations without relying solely on cars. Needham:

- Supports a balanced transportation system that reflects effective land use, manages congestion, and facilitates strong regional multimodal connections;
- Offers and encourages a variety of safe, comfortable, affordable, reliable, convenient, and clean mobility options;
- Applies Complete Street principles to evaluate and prioritize bicycle and pedestrian safety;
- Coordinates with state and federal leaders to ensure access to safe, reliable, and efficient public transit;
- Provides effective infrastructure and services that enables people to connect with the natural and built environment; and
- Promotes transportation options to remain an age-friendly community.

Goal #5: Safe

Needham is a welcoming and inclusive community that fosters personal and community safety. Needham:

- Provides public safety in a manner consistent with community values;
- Provides comprehensive advanced life support level care;
- Plans for and provides equitable, timely and effective services and responses to emergencies and natural disasters;
- Fosters a climate of safety in homes, businesses, neighborhoods, streets, sidewalks, bike lanes, schools, and public places; and
- Encourages shared responsibility, provides education on personal and community safety, and fosters an environment that is welcoming and inclusive.

Goal #6: Responsibly Governed

Needham has an open and accessible Town government that fosters community engagement and trust while providing excellent municipal services. Needham:

- Models stewardship and sustainability of the Town's financial, human, information, and physical assets;
- Invests in making Town-owned buildings safe and functional;
- Supports strategic decision-making with opportunities for engagement and timely, reliable, and accurate data and analysis;

- Enhances and facilitates transparency, accuracy, efficiency, effectiveness, and quality service in all municipal business;
- Supports, develops, and enhances relationships between the Town and community and regional partners;
- Proactively reviews and updates Town policies and regulations and ensures compliance;
- Promotes collaboration between boards and committees;
- Values the local government workforce;
- Identifies and implements strategies to hire, support and retain diverse staff at every level of the organization; and
- Prioritizes acquisition of strategic parcels.

Goal #7: Environmentally Sustainable

Needham is a sustainable, thriving, and equitable community that benefits from and supports clean energy; preserves and responsibly uses the earth's resources; and cares for ecosystems. Needham:

- Combats the climate crisis;
- Prioritizes sustainability, including transitioning from fossil fuels to clean, renewable energy;
- Encourages the efficient use of natural resources; and
- Protects and enhances the biodiversity and vitality of ecological systems.

FY2024-2025 Initiatives

Initiatives to Begin: Now (0-18 months)

- Healthy and Socially Thriving
 - Identify ways to institutionalize community conversation around race, diversity, equity, and inclusion, to build relationships and a stronger understanding of different perspectives and lived experiences.
 - Make intentional efforts and identify creative ideas for community outreach to diversify the candidate pool for all appointed Boards and Committees; measure progress.
 - Complete the Equity Audit, clarify objectives, and determine next steps.
 - Provide support to other Boards and Committees on how to apply NUARI principles to their work, including training opportunities and sample goals.
 - NUARI: Conduct Board and Committee member orientation sessions to include the Town's race equity vision statement.
 - Hold a public hearing and determine if the Town will change Columbus Day to Indigenous People's Day.
 - Invite various identity network groups to meet with the Select Board and introduce the work they do and the community they serve.
- Livable
 - Work with the Planning Board on next steps related to the MBTA Community Housing Guidelines and the update to the Town's Affordable Housing Plan. Review updated demographics and impact on anticipated transit-oriented development and schools.
 - Identify funding for School Master Plan projects and participate in the planning process.
 - Evaluate RTS Service Delivery Model to guide long-term investment and review operational efficiencies in the short-term.
 - Evaluate next steps for use of the Stephen Palmer Building.
 - Evaluate expansion of off-leash dog areas.
 - Support for the Needham Housing Authority redevelopment project.
- Accessible and Connected
 - Implement the Parking Study
 - Parking:
 - Update parking payment technologies to allow for credit card and/or app-based payments
 - Ask the Planning Board to update parking requirements in zoning
 - Pilot converting some on-street parking spaces for more active curb use (e.g., short customer visits, active loading areas)
 - Update the Town's parking regulations and permit program (including permit rules, time/day regulations, and pricing)
 - Seek funding for noise reduction/Quiet Zone feasibility, design, and construction.

- Evaluate and make a final determination of the appropriate plan for Downtown Redesign Phase 2.
- Responsibly Governed
 - Evaluate the need for a flag policy.
 - Evaluate the possibility of developing a Community Master Plan. Develop an inventory of Town long-range plans and identify overlaps and conflicts, including other Boards of jurisdictions.
 - Establish process to do regular by-law charter review updates.
 - DPW phased renovation/construction.
 - Capital Facilities:
 - CATH upgrades (including additional parking)
 - Library phased renovations.
 - Evaluate ways to increase minority and women-owned business participation in construction, building maintenance projects, and other Town programs.
- Environmentally Sustainable
 - Prioritize and implement the Climate Action Plan.
 - Identify parcel acquisition to comply with Land and Water Conservation Fund requirements.
 - Evaluate adoption of net-zero building code; specialized opt-in code.
 - Sponsor a tree summit.

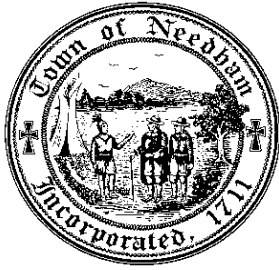
Initiatives to Begin: Next (18-36 months)

- Healthy and Socially Thriving
 - Develop a plan for a community observance of Juneteenth.
- Livable
 - Evaluate the role of the Affordable Housing Trust.
- Environmentally Sustainable
 - Explore development of a Town Electric Vehicle (EV) policy, i.e., the default position for fleet replacement should be EVs unless there is a compelling reason to use an alternative.

Initiatives to Begin: Near (36+ months)

- Economically Vital
 - Evaluate Chestnut Street redevelopment.
- Livable

- Begin the Ridge Hill/Nike Assessment Phase 2 Project, including working with the Community Farm to decide on the long-term plan for the farm at the site as well as considering potential future uses of the site.
- Accessible and Connected
 - Evaluate funding options for the Rail Trail extension from High Rock Street to Needham Junction.
 - Evaluate future use of the rail corridor between Dover and Newton.
 - Evaluate the feasibility of a shared use way between Needham Heights and the City of Newton.



PLANNING & COMMUNITY
DEVELOPMENT
PLANNING DIVISION

December 6, 2022

Steve Dornbusch
51 Damon Road
Needham, MA 02494

Dear Mr. Dornbusch:

On behalf of the Planning Board, I am pleased to advise you of your appointment to the Design Review Board. This appointment was voted at the Planning Board's meeting of December 5, 2022 and extends until June 30, 2024 (which completes the prior member's term who has resigned).

Your appointment will become official when the Town Clerk swears you in as a member.

Please also note that any Town staff or Board/Committee member must complete a Conflict of Interest training, which consist of two parts. Please access them at these websites:

<http://www.needhamma.gov/2431/Summary-of-the-Conflict-of-Interest-Law>

<http://www.muniprogram.state.ma.us/>

We will separately share the full memorandum from the Town Clerk with instructions.

Your interest in serving on the Design Review Board is very much appreciated.

Very truly yours,

Lee Newman

Lee Newman
Director of Planning and Community Development

cc: Town Clerk

NEEDHAM PLANNING BOARD MINUTES

May 14, 2024

The Needham Planning Board meeting, held in person in the Charles River Room at the Public Services Administration Building and virtually using Zoom, was called to order by Adam Block, Chairman, on Tuesday, May 14, 2024, at 7:00 p.m. with Messrs. Alpert, Crocker and McCullen, Ms. 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 includes two public hearings and public comment will be allowed. If any votes are taken at the meeting the vote will be conducted by roll call.

Public Hearing:

7:00 p.m. – Amendment to Major Project Site Plan Special Permit No. 2007-10: Beth Israel Deaconess Hospital-Needham, Inc., 148 Chestnut Street, Needham, MA, Petitioner (Property is located at 148 Chestnut Street, Needham, MA 02492). Regarding request to construct a temporary addition to the Hospital at the former emergency room entrance on Lincoln Street to house medical imaging services during the renovation of the nuclear medicine suite.

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 waive the reading of the public hearing notice.

Mr. Block noted the following correspondence for the record: a memo, dated 4/8/24, from the Design Review Board with approval; an email dated 4/16/24 from Tree Warden Edward Olsen noting the hospital has not completed landscape improvements from several years ago and asking the hospital to revisit the landscaping; an email, dated 4/17/24, from Building Commissioner with comments; an email, dated 4/18/24, from Fire Chief Tom Conroy noting no issues; an email, dated 5/6/24, from Assistant Public Health Director Tara Gurge with comments and an email, dated 5/8/24, from Town Engineer Thomas Ryder with no comments or objections. There is nothing from the Police Chief.

Justin Mosca, of Vanasse Hangen Brustlin (VHB), stated the imaging suite at the hospital is being renovated. A trailer will be brought in to continue doing imaging during the renovation and will then be removed. There are a few minor site modifications needed to get the trailer in then they will bring it back to what it was. Dr. Gregory McSweeney, Healthcare Administrator/Internist, stated the hospital has experienced growth especially since Covid. There are 10,000 additional annual visits in the Emergency Department. It has been quite dramatic. There is a lot of demand for services from the community and a full-service hospital for in patients. The demand for radiology is high. There has been one camera identified that needs to be replaced. The least impact to the department would be to get the trailer.

Mr. Mosca noted the former Emergency Room entrance is on the Lincoln Street side. The canopy will come down temporarily and stored and the concrete wall will go away. The wall will be cut below grade and removed. The corner concrete walls along the side will get cut down then the trailer will come in. Most landscaping will be put in at this time to provide some coverage. The plantings will be dug up to remove the trailer and then replanted. The geometric walls will remain on either side and the landscaping will be cleaned up. John Fowler, of Margulies Perruzzi, showed the existing condition with the canopy and walls to be taken out and an image of the trailer to be used. The trailer has stairs and a lift for patients in wheelchairs. There will be a connector from the building to the trailer. There will be doors with egress out of the space between the building and the trailer and also exit stairs adjacent to get out of the building. The new enclosure will not obstruct the exit from the hospital.

Mr. Mosca noted the enclosure is rigid, affixed to the pavement and attached to the building. Mr. Block asked the timeframe. Mr. Fowler noted 6 months of construction will start once the trailer is in place for patients to use. Mr. Crocker asked how

patients in beds will get to the imaging center and, once there, how are they moved to the imaging machine? Mr. Fowler believes the patients would be put on stretchers, which the lift can accommodate, then moved around to the imaging platform. The lift can accommodate a stretcher and a person. He will verify this information. Ms. Espada asked if the stairs have handrails and was informed they do. She asked if patients would come out from the hospital, have the test and go back in the hospital? Mr. Fowler stated they would. Ms. Espada asked if there would be push bar egress. Mr. Mosca will have to check and will confirm how it is being locked. Mr. Fowler stated it is only being used as an emergency exit for people in the trailer.

Mr. Crocker asked if the egress being planned from the hospital is wide enough for everything. Mr. Fowler stated the egress will be wide enough and he showed conceptual views with landscaping and the walls removed. He also showed the final condition with the canopy back up and the trailer removed. Mr. Crocker asked what the need for the canopy was. Mr. Mosca noted it was an existing structure and has zero function. Ms. Newman noted removing the canopy is what allows the trailer to be brought in. Will Bradford, Director of Finance, stated, financially, it hurts him to put it back up. Mr. Block asked if there will be a generator, lighting plan and sprinkler system. Mr. Fowler noted there will not be a generator and there is no exterior lighting. They are hoping to install fire extinguishers. The code requirements are ambiguous, but it depends on what the Building Commissioner wants as it is his jurisdiction. There will be a dry pipe type of system. Mr. Alpert stated the Building Commissioner commented it needs to have a fire protection system. Ms. Newman noted that will be a condition. Mr. Block noted fire suppression measures need to be taken to the satisfaction of the Building Commissioner or Fire Department.

Mr. Block asked if there was a plan to come into compliance with the full previous landscape plan. Ms. Newman stated the Building Commissioner was talking about the parking lot on Chestnut Street. The Hospital had committed to do a revised landscape plan for the employee lot across the street. Mr. Block wants to see an updated landscape plan for the hospital to commit to. Mr. Crocker asked if there would be heating in the vestibule area. There will be heat in the trailer but not the vestibule. Mr. Block asked for the timeline. Mr. Fowler stated they will begin as soon as possible. The landscaping will be put in in the Fall with the full project completed by Spring.

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 close the hearing.

Decision: Amendment to Major Project Site Plan Special Permit No. 2001-02: Finitumus Associates Limited Partnership c/o Petrini Corporation, 187 Rosemary Street, Needham, MA, Petitioner (Property located at 464 Hillside Avenue, Needham, MA). Regarding request to convert approximately 815 square feet of general office space to medical office.

Mr. Alpert noted in Section 3.2 of the Conditions, last sentence, "The Petitioners request to convert approximately 815 square feet of general office space to medical office space is granted." He feels the sentence should come out as the Board is only granting a parking waiver. Ms. Newman noted the original decision granted based on the distribution of use and the applicant has asked for an additional 815 square feet to convert to medical. Mr. Alpert noted the first sentence covers that. Also, in the first sentence, square "foot" should be changed to "feet." All agreed.

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

VOTED: to Grant: (1) an amendment to a Major Project Site Plan Review Special Permit No. 01-02 issued by the Needham Planning Board on June 5, 2001, amended October 21, 2003, May 10, 2004 and February 9, 2010, under Section 7.4 of the Needham Zoning By-Law and Major Project Site Plan Review Special Permit No. 01-02, Section 4.2; and (2) a Special Permit under Section 5.1.1.5 of the By-Law to waive strict adherence with the requirements of Section 5.1.2 (Required Parking) and Section 5.1.3 (Off-Street Parking Requirements); subject to the following plan modifications, conditions and limitations.

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

VOTED: to accept the decision with the 2 changes discussed.

Public Hearing:

7:45 p.m. – Amendment to Major Project Site Plan Special Permit No. 2004-01: Town of Needham, 1471 Highland Avenue, Needham, MA, Petitioner (Property located at 609 Webster Street, Needham, Massachusetts). Regarding request to renovate 4 existing tennis courts, add 4 new tennis courts, install stormwater management improvements, ADA accessible walkways and landscape improvements. Note: This hearing has been continued from the Planning Board meetings of March 19, 2024 and April 2, 2024, and will be further continued to June 4, 2024.

Mr. Block noted a request from Town Counsel to continue the hearing to June 4, 2024 at 7:30 p.m.

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 continue the hearing to 6/4/24 at 7:30 p.m.

ANR Plan – Haven Development, LLC, Petitioner (Property located at 103 Lawton Road and 133 South Street, Needham, MA).

Paul Beaulieu, of Field Resources, noted this is 3 lots becoming 4 lots. Originally this was 103 Lawton Road and what remained of 133 South Street and a lot on South that was previously subdivided. That lot could tie into Lawton Road for better access for an egress rather than egress on South Street. Ms. Newman noted this has been reviewed by staff. All lots have required frontage on a way.

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 approve and endorse the ANR Plan as presented tonight.

Request to extend Belle Lane Subdivision Tripartite Agreement.

Ms. Newman noted the subdivision is done. This is the Off-Street Drainage bond. There is one house being constructed but it needs to set for a season.

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

VOTED: to extend the agreement as per the packet.

Appointment to Climate Action Committee.

Mr. Block stated there is a new charge now. Ms. Espada and Mr. Crocker were previously appointed.

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

VOTED: to nominate and appoint Mr. Crocker as the Planning Board appointee to the Climate Action Committee.

Minutes

Mr. Block noted on the minutes of 3/5/24, page 3, second paragraph under Reports, “that would meet the MBTAs easily” should be “that will meet MBTA compliance.” All agreed.

Upon a motion made by Ms. Espada, and seconded by Mr. Alpert, it was by a vote of four of the five members present (Mr. McCullen abstained):

VOTED: to approve the minutes of 3/5/24 as written in the packet with the change tonight.

Upon a motion made by Mr. Alpert, and seconded by Ms. Espada, it was by a vote of four of the five members present (Mr. McCullen abstained):

VOTED: to approve the minutes of 3/14/24 as presented.

Mr. Block noted on the minutes of 3/19/24, page 3, the paragraph regarding solar, “The proposed would expand the definition of solar to reduce any confusion” should say “The By-Law amendment would expand the definition of solar” and take out “to reduce any confusion.” In the next paragraph replace “ground mounted and parking canopies with “energy systems and their applications.”

Upon a motion made by Ms. Espada, and seconded by Mr. Alpert, it was by a vote of four of the five members present (Mr. McCullen abstained):

VOTED: to approve the minutes of 3/19/24 as in the packet and revised tonight.

Mr. Block revisited the 3/5/24 minutes. On page 1, 3rd paragraph, 2nd sentence, should be “property’s,” “he stated there were “issues” should be “questions” and the last sentence “at full build out” should be added after “95 cars” as it relates to a specific development. The last sentence should be “function of the site plan process” not “land.”

Summer Schedule

Ms. Newman stated the MBTA Communities zoning needs to get done as there is a timeline. On 6/18/24 the zoning will be reviewed and she will invite the people from 100 West Street in to discuss what their goals are, what they need and if changes need to be made. She feels comfortable with the zoning as sent to the state. She will hear back from the state on August 1 and will make any necessary changes. The Board discussed priorities going forward. After discussion the Board set 7/11/24 as a meeting date with a hold on 7/22/24 and 8/14/24 with a hold on 8/27/24 will be firmed up later.

Mr. Block noted there will not be detached ADUs. The Committee for the Large House Review will be brought back. It may be a 9-member Committee. Ms. Newman stated the structure should be discussed. Mr. Block would like it resolved and brought to Town Meeting by October 25. He would like to have a committee by the end of summer and have the first meeting after Town Meeting. Mr. Alpert stated Town Meeting wants a report from the Planning Board and the Board needs to show them a lot of progress. He stated the Board needs to work on the structure of the Committee in the next month by the end of June. Previously there were 2 Planning Board members, 2 Select Board members, 1 or 2 developers, Finance Committee, Zoning Board of Appeals, a Realtor, Architect and Historic Commission member. Mr. Block stated that will be discussed later. There was confusion on what the goals were and he wants to laser focus the goals. Mr. Alpert noted the MBTA is statutory and a priority. The make-up of the last housing committee seems reasonable to him. They should be ready to talk about this at the July meeting.

Report from Planning Director and Board members.

Ms. Newman discussed the MBTA Communities and the timeline. GPI is doing the traffic work with impacts on major intersections. They are hiring a consultant to come up with design guidelines that the Planning Board will ultimately adopt and are beginning to think through what it would look like. They will get back to the Board at the next meeting. Mr. Block stated, at Town Meeting, it was clear there was a conflict. Mr. Alpert and Ms. Espada disagreed. Mr. Block commented the Board needs to improve their conduct and respect each other. He feels there is a disfunction with the Board. Ms. Espada handed out NUARI paperwork. She feels this should be used as a guide for the Planning Board and be the mission of the Board. They looked at it a year ago and it went nowhere. The Board should set standards. Mr. Alpert suggested putting it on the agenda for 6/4/24. Mr. Crocker stated the Board has to look at the perception of what is going on. They need to be careful with everything they do.

Correspondence

Mr. Block noted correspondence from Jennifer Leonardschaffstein of 15 Abbott Street, dated 4/29/24, and Paula Dickerman, dated 5/9/24.

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

VOTED: to adjourn the meeting at 9:00 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

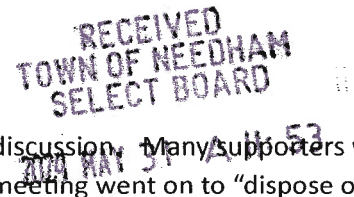
Natasha Espada, Vice-Chairman and Clerk

Date: 05/29/2024

RE: **MBTA Re-Zoning Independent 3rd party engineering study**

To: Town Manager, and Town Planning Board,

In the late hours of Monday May 13th (well after midnight), Article #46 came up for discussion. Many supporters were unable to attend, some TM members left and others had their eyes closed, but the meeting went on to "dispose of" article 46.



Despite the coordinated opposition by Town Leaders, led by Ms. Frail (Select Board Housing Co-Chair), Ms. Fachetti (Finance Committee & Housing Working Group Member), Mr. Matthews (influential MBTA compliance proponent), Mr. Block (Chair of the Planning Board and local realtor), and Ms. Lee (School Board Chair), the article received a strong 25-30% level of support.

Our elected Select Board Representative Ms. Frail opposed the article as "**redundant and unnecessary**", and characterized our request as a "**re-do study**."

To be clear, this article simply asks (**and now we ask again**) our Town Manager and Planning Board to perform an independent, 3rd party engineering study to determine the capital infrastructure costs required to support the proposed rezoning of 1868 housing units or 3294 housing units **within the areas designated for rezoning**, specifically; water, sewer, storm water, and schools.

This factual information must be made available to Town Meeting Members in advance of when they will be asked to vote on the two proposed rezoning plans, and also in advance of the Town's planned infrastructure studies which are one to three years out.

Town staff discussed the potential 'impact' with town department heads asking for their 'opinion' of impact. Those discussions were summarized in the Assistant Town Manager's memorandum to HONE of 4/26/24 entitled "**Capital Impacts Assessment on Proposed MBTA Communities Act Zoning**."

Our Article 46 group studied that memo exhaustively, and with all due respect, **this memo is not an engineering study and does not address the conflicting school enrollment numbers** as to which projection is accurate. Town departments have based their infrastructure conclusions and additional student population on the HONE "assumption-based-propensity-models" generated by the RKG Urban Rezoning and Compliance consultant. These assumptions are not facts and may not be accurate. The Town memo communicates the message of "don't worry, no problem here." For example:

Water Conclusion (page 6): "At this time, DPW does not anticipate any new capital projects resulting from the proposed zoning, but may adjust the scope of projects (e.g., replace with a larger diameter pipe) to factor in any anticipated population growth." (in other words, "let's deal with it later!")

Sewer Conclusion (page 7): "At this time, DPW does not anticipate any new sewer capital projects resulting from the proposed zoning, but may adjust the scope of priority projects identified in the I/I assessment if they fall in the area of the proposed rezoning." (in other words, "let's deal with it later!")

Schools Conclusion (page 3): "Over the next several years, the Needham Public Schools and Town will assess the impact of the MBTA Communities Act on school enrollment as developments materialize. In the short term, if enrollment increases at individual schools need to be accommodated, the district could consider temporary classrooms, redistricting and/or higher-class sizes, as needed. In the long term, the School Department can adjust its plans for a renovated Mitchell school." (page 13 (7.) ref below) (in other words, "let's deal with it later!")

We are simply asking that the town deals with it now! Based upon these available facts we ask again: "Can the town's infrastructure support the proposed rezoning plan of 1868 or 3294 units? What capital projects may be required to enlarge the towns infrastructure, and what is the estimated capital cost and projected escalation to each taxpayer over the short and long term? This is important to understand regardless of the actualized development timeline, be it fast or be it slow. Either way, taxpayers deserve to know the capital costs and impact on their taxes.

Further, Ms. Frail needs to explain how any infrastructure deficiencies will be addressed within the "untested and conflicting" EOHLC guidelines for site plan review. Example:

"The applicant [developer] cannot be required to fund major off-site public infrastructure improvements as a condition of approval"¹

"The Town is under no obligation to make investments in public infrastructure to make an individual project viable."² [here, the town may choose to expend public funds to do so]

"EOHLC may rescind a determination of district compliance, or require changes to a multi-family zoning district to remain in compliance, if EOHLC determines that: (iv) A board, authority or official in the MBTA community does not issue permits."³ [here, the town may be forced to expend public finds to make a project viable]

MBTA Communities Act (*along with the EOHLC'S guidelines*) is new and untested. Needham's Town Meeting Members should be as fully informed as possible and must be prepared for much more development than the HONE RKG propensity-assumption suggests.

Mr. Matthews stated "...Town Meeting has voted an additional \$80k, that is available to them for additional studies..."

The need for clarity is there, the funds are available to the Town/ Planning Board, and the voters of Needham require these facts before voting as per 1.8, Needham Town Bylaw.

We now ask that you utilize the \$80k or (portion thereof) to conduct the needed technical studies, in fulfillment of your sworn oath to Needham voters. Our group is willing to work with town departments in clearly defining the specific goals, process, timeline, and what the output report would look like.

We look forward to your prompt reply as time is of the essence.

Sincerely,



Gary A. Jamian, TMM "F" & Ken Buckley, Article 46 co-signers, (plus many, many more.....)

47 Meetinghouse Circle, Needham, MA 02492;

<https://www.mass.gov/doc/compliance-guidelines-for-multi-family-zoning-districts-under-section-3a-of-the-zoning-act/download>
page 13 (7.) "such multi-family housing shall be without age restrictions and shall be suitable for families with children." EOHLC will deem a multi-family zoning district to comply with these requirements as long as the zoning does not require multi-family uses to include units with age restrictions, and does not limit or restrict the size of the units, cap the number of bedrooms, the size of bedrooms, or the number of occupants, or impose a minimum age of occupants

¹ As noted in the 4.30.24 HONE final report (page 28)

² As noted in the 4.30.24 HONE final report (page 28)

³ page 17 (10.) EOHLC may rescind a determination of district compliance, or require changes to a multi-family zoning district to remain in compliance, if EOHLC determines that: (iv) A board, authority or official in the MBTA community does not issue permits, or otherwise acts or fails to act, to allow construction of a multi-family housing project that is allowed as of right in the multi-family zoning district

From: [Julie Dananberg](#)
To: [Alexandra Clee](#)
Subject: Final comments - tennis renovation
Date: Tuesday, June 11, 2024 7:50:35 PM
Attachments: [IMG_0515.MOV](#)
[IMG_0395.MOV](#)

Hello Alex,

Can you please pass along these videos as well as my comments below to the planning board.
Thank you .

Hello Planning Board Members ,

Thank you for meeting with us once again to discuss the tennis court plans. I loved what Adam said about making a compromise. The current plan with 8 courts is exactly what parks and rec proposed from the beginning. They just eliminated obvious problems and errors that they were legally responsible for accounting for (such as sound and sight considerations). A compromise would entail increasing the amount of courts to improve the tennis program, while also leaving half the field space to accommodate the dozens of other student and athletic activities that occur on the field daily. Attached you'll find 2 recent videos . One is an afternoon physical education class . This includes ALL students , not just one group. The second is a sports awards ceremony for all student athletes and their families. It is a beautiful ceremony that can take place on the beautiful green space. As I watch these events daily in my backyard, I am truly saddened to think of their displacement with such a huge concrete structure . This is a simple way to make a compromise and include as many students , athletes , community members and neighbors as possible. Otherwise we exclude them all for one sport that is one season. Please consider this irreversible decision and reject the current proposal, asking the applicant to make the exact plan with 6 courts .

Best

Julie dananberg
36 rosemary St

From: noreply@civicplus.com
To: [Alexandra Clee](#); [Lee Newman](#); [Elisa Litchman](#)
Subject: Online Form Submittal: Contact Planning Board
Date: Wednesday, June 12, 2024 8:10:12 PM

Contact Planning Board

Please use this form to contact the Planning Board. Thank you.

Contact Information

Full Name:	Barbara J FitzGerald
Email Address:	Fitzstaging@gmail.com
Address:	28 - 30 Rosemary Street
City/Town:	Needham
State:	MA
Zip Code:	02494
Telephone Number:	6177381000

Comments / Questions

Hi there! Barb FitzGerald of 28-30 Rosemary Street with a quick follow up to the June 4 meeting regarding the High School tennis court expansion. As a group, we appreciate the time and effort the Planning Board has made in hearing our concerns and asking for changes in the original plan. However during the June 4 meeting I noted that Mr Block pointed out that the Planning Board's job is to "navigate an accommodating balance between competing interests".

It has been made abundantly clear that 8 courts is what Park and Rec WANTS, however it is equally clear that it is not what they need in order to host high school tournaments. I personally see no reason for 8 courts other than to accommodate public use and this is not a public facility – it is a high school facility. The installation of 8 courts services one sport and bumps many other high school sports. I have heard no definitive response to where those other sports will be relocated to once the grassy area they practice on is paved over. As Ross Danenberg so aptly pointed out – once the grass is gone it never comes back.

Despite Artie Crocker's stern request that the town come back with a definitive reason as to why the town "needs" 8 courts and a revised plan showing 6 at the original meeting – I have seen neither, and I have attended all of the meetings. What happened there?

This group of neighbors does not and has never objected to the tennis court rehabilitation and to a degree – it's expansion. What

we respectfully object to is how much is being needlessly sacrificed when the “accommodating balance” is right there.
Thank you for your time

Email not displaying correctly? [View it in your browser.](#)

The Zoning Board of Appeals voted to approve the following petition on May 8, 2024 and a decision was filed in the office of the City Clerk on May 28, 2024:

1. **#04-23** Toll Bros. Inc., requesting a Comprehensive Permit, pursuant to M.G.L. Chapter 40B, to construct a six-story all-residential development with 244 residential units on 5.82 acres of land located at 528 Boylston Street; 0, 502-504, 516 Boylston Street; 0 Hagan Road; and 24-26, 32-34 Hurley Place in the SR1, SR2 Zoning Districts. The proposal includes 61 affordable units and 385 parking stalls.

Appeal, if any, shall be made pursuant to §17 of MGL Chapter 40A within twenty days after the date of the filing of such decision in the office of the City Clerk.



City of Newton

Legal Notice

Monday, June 10, 2024

A Public Hearing will be held on Monday, June 10, 2024, at 7:00PM in Room 207 (City Council Chambers), Newton City Hall, 1000 Commonwealth Ave, Newton, MA, before the PLANNING & DEVELOPMENT BOARD AND ZONING & PLANNING COMMITTEE of the Newton City Council for the purpose of hearing the following petition at which time all parties interested in this item shall be heard. Notice will be published Monday, May 27, 2024, and Monday, June 3, 2024 in The Boston Herald, with a copy posted online and in a conspicuous place at Newton City Hall.

Please Note: This is a hybrid meeting that the public may access in-person or virtually via Zoom with the following link: <https://newtonma.gov.zoom.us/j/81237409400>, or call 1-646-558-8656 and use the Meeting ID: 812 3740 9400. The final agenda will be posted online on Thursday, June 6, 2024 at: <https://www.newtonma.gov/government/city-clerk/city-council/friday-packet>. Please call the Clerk's Office at 617-796-1210 for more information.

Copies of the proposed changes, maps, and accompanying materials are available at the City Clerk's office or can be found online at <https://www.newtonma.gov/government/city-clerk/city-council/council-standing-committees/zoning-planning-committee>

- #76-24(3) Discussion and possible amendments to change how building height is measured**
ZONING & PLANNING COMMITTEE requesting amendments to Chapter 30, Zoning, to the way the height of a building is measured, including requiring that building height is measured from original grade instead of finished grade.



City of Newton

Legal Notice

Thursday, June 27, 2024

A Public Hearing will be held on Thursday, June 27, 2024, at 7:00PM in Room 207 (City Council Chambers), Newton City Hall, 1000 Commonwealth Ave, Newton, MA, before the PLANNING & DEVELOPMENT BOARD AND ZONING & PLANNING COMMITTEE of the Newton City Council for the purpose of hearing the following petition at which time all parties interested in this item shall be heard. Notice will be published Thursday, June 13, 2024, and Thursday, June 20, 2024 in The Boston Herald, with a copy posted online and in a conspicuous place at Newton City Hall.

Please Note: This is a hybrid meeting that the public may access in-person or virtually via Zoom with the following link: <https://newtonma.gov.zoom.us/j/83814687307>, or call 1-646-558-8656 and use the Meeting ID: 838 1468 7307. The final agenda will be posted online on Friday, June 21, 2024 at: <https://www.newtonma.gov/government/city-clerk/city-council/friday-packet>. Please call the Clerk's Office at 617-796-1210 for more information.

Copies of the proposed changes, maps, and accompanying materials are available at the City Clerk's office or can be found online at <https://www.newtonma.gov/government/city-clerk/city-council/council-standing-committees/zoning-planning-committee>

- #24-24(2) Requesting discussion and possible ordinance amendments relative to aiding small businesses impacted by development**
- ZONING & PLANNING COMMITTEE requesting amendments to Chapter 30, Zoning, to delete the "Fast Food Establishment" use contained in Section 6.4.14, require a special permit for any Restaurant use with a drive-thru component, add a new definition of "Business Incubator" and standards for such use, and define a "Place of Amusement" contained in Section 6.4.27, and allow such use either by right subject to listed standards or upon the granting of a special permit.
