

TOWN OF NEEDHAM
MASSACHUSETTS



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 300 Hillside Avenue, 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 1.64 acres Present Use Senior Center
Map # 99 Parcel # 14 Zoning District Business

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 No. 2011-04 to allow for installation of a permanent emergency generator to serve the Center at the Heights building.

Signature of Applicant (or representative) /s/Christopher H. Heep
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 _____ Date _____
Hearing Date _____ Parties of Interest Notified of Public Hearing _____
Decision Required by _____ Decision/Notices of Decision sent _____
Granted _____

Denied _____ Fee Paid _____ Fee Waived _____
Withdrawn _____

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

June 26, 2024

BY EMAIL

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. 2011-04
The Center at the Heights**

Dear Planning Board Members:

This is an application for an amendment of Major Project Site Plan Special Permit No. 2011-04 on behalf of the Town of Needham, acting through its Building Maintenance Division. This permit was originally issued on October 18, 2011, and it authorized construction and use of The Center at the Heights (“CATH”) at 300 Hillside Avenue.¹ The Applicant requests that the permit be amended to authorize placement of a permanent emergency generator on the site, and to authorize a temporary reduction of three (3) parking spaces on site to accommodate the placement of the emergency generator.

Description of Relief

When the CATH was originally permitted with the Planning Board, a generator was not included in the design or shown on the approved plans. A generator was not required at that time, in part because the CATH had not been designated by the Town for use as a shelter in the event of an emergency. That has changed; the Town’s emergency management planning now provides for the CATH to serve as a shelter in the event of an emergency (for example, as a cooling center in an extreme heatwave). To fully serve as an emergency shelter, a permanent on-site emergency generator is needed to support the building and its occupants. A temporary emergency generator has previously been placed at the property, but this temporary generator is not capable of supporting the entire electrical load for the building and an upgrade to a more permanent solution is necessary at this time. The applicant is therefore requesting that the permit be amended to reflect this new site improvement, which was not previously shown on the plans or referred to in the permit.

¹ MPSP 2011-04 has been amended by the Amendments to Decision dated February 21, 2012 (authorizing minor site modifications), September 3, 2013 (authorizing minor site modifications) and December 2, 2014 (modifying parking arrangements for Senior Center employees and volunteers).

The emergency generator is not intended to be used except (a) in event of power outage and (b) during routine maintenance, testing, and exercise of the generator consistent with the manufacturer's specifications. The applicant would expect the Planning Board to include a condition to this effect in its permit amendment, and would be willing to work with the Planning Board to prepare appropriate language for such a condition. In particular, the applicant suggests that the permit include a condition that limits maintenance and testing to an interval consistent with the manufacturer's recommendation, to be conducted on a schedule within weekday hours of 9:00 a.m. and 5:00 p.m. only.

The new emergency generator can be expected to generate noise on the intermittent occasions when its operation is necessary, but it has been strategically placed at a location recommended by the applicant's acoustic engineer to minimize any impact to residential properties and the surrounding area. The emergency generator is proposed to be located along the eastern property line, as shown on Exhibit A attached hereto. This generator location immediately abuts the MBTA commuter rail line. On the opposite side of the commuter rail line, the nearest abutting private properties are 17 Avery Square, a commercial office building, 875 Highland Avenue, a commercial automobile service station, 855 Highland Avenue, a commercial retail store, and 845 Highland Avenue, another commercial retail location. There are no residential abutters in the immediate area to the east side of the CATH property line, nearest to where the proposed emergency generator will be located. The abutting property to the north of the CATH site is 280 Hillside, which is also an office building.

There are residential properties located to the west of the CATH, across Hillside Avenue. The CATH building itself sits between the emergency generator location and the nearest residences across Hillside, and the building will provide a structural sound barrier between the generator and those residences. The proposed location was strategically selected by the applicant's acoustic consultant so that the CATH building will obstruct the path of sound travelling in the direction of the residences on the opposite side of Hillside Avenue.

To provide additional sound protection, the generator will also be constructed within a sound attenuation jacket. In order to fully ensure that the emergency generator operates within the applicable limits of MassDEP's noise policy, the applicant proposes that the Planning Board include a condition in its decision requiring the applicant to submit a sound study after installation to demonstrate compliance with the policy, and to implement appropriate mitigation measures in the event the study shows the applicable limits are exceeded.

The exact make and model of the emergency generator to be installed is not known at the present time, and will be determined during the public procurement process after the conclusion of permitting. Accordingly, the applicant proposes that it submit, as a condition of any permit amendment, specification sheets for the exact make and model to the Planning Board prior to commencement of construction.

In addition to the relief noted above, the applicant requests a temporary amendment of the permit relative to parking. As previously permitted, the project involves 65 on-site parking spaces for the CATH, plus an additional 85 parking spaces used by the MBTA for its Needham Heights commuter rail station. In the original permit issued on October 18, 2011, the Planning Board noted that the recommended number of on-site parking spaces for the CATH was 108, and it granted a special permit pursuant to Section 5.1.1.6 of the Zoning By-Law to waive strict adherence to the requirements of Section 5.1.2 (number of parking spaces) to authorize a waiver of 43 parking spaces (from 108 to 65). The applicant respectfully requests that this special permit be amended to allow for a temporary reduction of 3 additional spaces, from 65 to 62.

Although the proposed emergency generator will result in the loss of 3 parking spaces on site, this situation is expected to be temporary: The Town is presently working with the MBTA, which holds an easement allowing operation of the Needham Heights MBTA Parking Lot, to lease back 12 parking spaces (10 regular parking spaces and 2 accessible parking spaces) for use in connection with the CATH. Therefore, while it is possible depending on construction timing that the emergency generator may temporarily result in a reduction of 3 parking spaces, the applicant expects to be able to report back to the Planning Board in short order that 12 additional spaces have been added to the available CATH parking total, for an increase to the available spaces overall.

Based on the foregoing, the applicant respectfully requests that the Planning Board amend MPSP 2011-04 to authorize placement of a permanent emergency generator at the eastern property line, and to modify the special permit previously granted pursuant to Section 5.1.1.6 of the Zoning By-Law to waive strict adherence to the requirements of Section 5.1.2 (number of parking spaces) by temporarily reducing the number of on-site parking spaces by three (3) spaces, from 65 to 62.

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 the need for the issuance of any variance from any provision of the By-Law by the Zoning Board of Appeals.

Thank you very much for your consideration of this application. I look forward to discussing it with the Planning Board, and if there is any additional information I can provide in advance of the hearing please let me know.

Sincerely,

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

Christopher H. Heep

cc: K. Fitzpatrick
B. Dulong

EXHIBIT A

