RECEIVED TOWN CLERN NEEDHAM, MA 02492

# TOWN OF NEEDHAM 2020 JUN -4 AM 10: 29



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

PLANNING BOARD	
APPLICATION FOR SITE I	LAN REVIEW
Project Determination: (circle one) Major Project	Minor Project
This application must be completed, signed, and submitted his representative in accordance with the Planning Board as a Special Permit Granting Authority. Section 7.4 of the section of t	's Rules as adopted under its jurisdiction
Name of Applicant CARBER Projection	wellering MA. 02481
Applicant is: Owneryes Tenant Agent/Attorney Purchase	The state of the s
Characteristics of Property: Lot Area 1.3 Acres Map #25 Parcel # 19 Z	FORMATION SCOTIC TERMELSO  FORMATIVE OF NOW  Present Use <u>petall by vacant</u> oning District <u>INDUSTRIAL</u> NER DESCRIBED IN the ACCOMPANYING  17.4 of the Zoning By-Law: Apple by a majoring  1860 in the SUBMINER ILEMAN
Core By 17 Man Signature of Applicant (or representative) Address if not applicant 12 Core ST W Telephone # 781 718 2340 Owner's permission if other than applicant NA	
SUMMARY OF PLANNING BOARD ACTION Received by Planning Board	
Hearing Date Parties of Interest Notifi	ed of Public Hearing
Received by Planning Board Hearing Date Parties of Interest Notifi Decision Required by Decision/Notice	s of Decision sent
Granted	
Denied Fee Paid	Fee Waived
Withdrawn	
NOTE: Reports on Minor Projects must be issues within	5 days of filing date

## Corben Properties LLC 22 Comeau Street, Wellesley, Ma.02481 781 718 2340

June 03 2020

BY MAIL:

Planning Board Members
Town of Needham Planning Board
500 Dedham Avenue
Needham, MA 02492
Attn: Ms. Lee Newman, Planning Director

Re: Star Fencing Academy LLC
Application for Major Project Site Plan Review
330 Reservoir Street, Needham, MA 02494

**Dear Planning Board Members:** 

Pursuant to Chapter 40A of the Massachusetts General Laws, the Needham Zoning By-Law and the Needham Planning Board Rules, I hereby submit Applications for Site Plan Review and Special Permits on behalf of my tenant, Star Fencing Academy LLC of which this letter is a part.

The Applicant proposes to occupy Unit # 1, approximately 4963 sq ft located at 330 Reservoir Street, Needham, which is presently leased to Advanced Auto Parts, a retail store whose lease terminates on 10/31/20. The Applicant proposes to operate a private school teaching fencing.

The Lease with Landlord states that the maximum number of students allowed at the facility at any given time will be Thirty (30). The Fencing School will be open for business between the hours of 3:00 pm and 9:00 pm on weekdays and from 10am-6pm Saturdays and Sundays with peak parking demand limited to the hours of 5:00- 7:00 pm on weekdays, and during the day on Saturday and Sunday.

Said Tenant use will be limited from 3pm-5pm weekdays to private classes (one coach per one student) with the maximum of 3 coaches teaching 3 students at any one time. Starting at 5pm weekdays the maximum number of students allowed at one time will be 30 with 3 coaches (one coach per 10 students). Said maximum number of students allowed at one time is 30 students on Saturdays and Sundays (one coach to 10 students)

Needham Planning Board June 03, 2020 Page 2

The Application addresses the following relief, which is or may be, required:

- 1. Special Permit pursuant to Section 3.2.1of the Zoning By-Law for a private school.
- 2 Special Permit under Section 3.2.1 of the Zoning By-Law for more than one non-residential use on a lot.
- 3 Special Permit for Site Plan Review of a Major Project, pursuant to Zoning By-Law Section 7.4 and Article 2 of the Planning Board Rules

No external changes are proposed other than signage.

With respect to parking, the parking requirement for a private school per the Needham Zoning By-law is the following:

"one half of the design or expected enrollment"

The Lease restricts the maximum number of students allowed at the facility at any given time to Thirty (30). Therefore the parking demand with conversion from retail use to this private school use is not increased therefore parking waivers are not triggered.

The Lease Parking Clause states:

Parking: Tenant will have the exclusive use of a total of Eight(8) onsite parking spaces "Tenant Exclusive Parking" will be limited to eight (8) exclusive parking spaces from 2:30 pm — 10.00pm on weekdays and on weekends as shown in yellow on the attached Parking Plan dated 05/30/20. The parking spaces as described herein and as shown on the attached "Parking Plan" are considered part of the Premises and subject to all terms of the Lease. Notwithstanding anything herein, Tenant, its employees, agents, customers and visitor parking is limited total maximum up to thirteen (13) total at any one time consisting of Tenant's eight (8) exclusive onsite parking spaces plus (5) legal on street parking (allowed only after 5pm weekdays and on weekends.)

Needham Planning Board June 03,2020 Page 3

These Applications for Site Plan Review and Special Permits include the following information:

- 1. Application for Major Site Plan Review
- 2. Floor Plan
- 3. Certification of Tenant Occupancy with total Parking Demand
- 4. Site Plan
- 5. Scanned Copy of Check payable to Town of Needham in the amount of \$ 1000, representing the filing fee for Site Plan Review of a Major Project.

The Petitioner hereby requests, pursuant to Zoning By-Law Section 7.44 that the Planning Board waive the submission by Applicant of any of the required information not submitted herewith.

I would appreciate your scheduling this matter for hearing as soon as possible

Thank you for your cooperation.

Very truly yours,

Corben Properties LLC by Manager

Scott C. Ravelson

### 05/28/2020

## Certification of Tenant Occupancy

For Star Fencing Academy LLC.

330 Reservoir St. Needham, Ma.

Lee Newman

**Planning Director** 

Town of Needham

### I certify the following:

Advanced Auto Parts will vacate the premises Unit #1 (4,963 sq ft) as of 10/31/2020 and we hope to lease said Unit #1 (4963 sq ft). of the building at 330 Reservoir Street, Needham herein called the Premises to Star Fencing Academy LLC.

The tenants remaining other than Star Fencing Academy LLC. (herein referred to as SFA); will be Rangine Corp, Belmont Landscaping and Gary Fialkosky Sprinklers.

The total Building at 330 Reservoir st is 26,624 sq ft allocated as follows:, Unit # 1 , 4,963 sq ft is presently leased to Advanced Auto Parts whose lease terminates on 10/31/20, Unit # 2 which consists of 16,701 sq ft is leased to Rangine Corp., and Unit # 3 which consists of 4960 sq ft is split with 2,770 sq ft leased to Gary Fialkowsky Sprinklers and with 2190 sq ft leased to Belmont Landscaping. Additionally as per a Planning Board Decision Dated 01/20/15 8 parking spaces are assigned and Deeded from 330 Reservoir st to 322 Reservoir st for exclusive use by Waterstone Retail Development Inc. a tenant at 322 Reservoir.

"The Town of Needham issued an "Amendment to Decision" dated January 20, 2015 on Application No. 2003-2 amending the "Major site Plan Special Permit" (Original Decision November 10, 2003, as amended (the "Special Permit") permitting the occupancy by Waterstone under the Lease, provided that eight (8) parking spaces shall be available to Waterstone on Grantor's Land;..."

Tenant Certification 05/28/20 Page 2

330 Reservoir St. Needham Ma.

## Zoning Parking Requirements 26,624 sq feet total

### Unit#1

If Leased to Star Fencing Academy LLC.

The maximum number of parking spaces that can be utilized by the Tenant under the terms of the Lease will be Thirteen (13). The copy of the Lease conditions mandating Tenant, employee and visitor parking to on-site parking locations and legal on-street parking is attached herein.

Star Fencing Academy Use is considered a private school. The Lease with Landlord states that the maximum number of students allowed at any one time is 30 students along with a maximum of 3 instructors. Needham Zoning By law requires ½ parking space for each student therefore 15 parking spaces will be required for this use.

The Lease Use Clause as well as the Parking Clause are shown below

16.701 sq ft

31.18 parking required for Unit # 2

Tenant Certification 05/28/20 page 3

Unit #3 Occupied by Gary Fialkosky and Belmont Landscaping

Office......1140 sf / 300 sf per parking space = 3.80

4,960 sq ft

8.29 required for Unit #3

Parking Spaces Deeded to 322 Reservoir street

8 required for 322 Reservoir st

Unit # 1 = 15.00

Unit #2 = 31.18

Unit #3 = 8.29

Deeded = 8.00

## 62. 47 TOTAL PARKING SPACES REQUIRED as of 05/28/20

FOR ENTIRE 26,624 sq ft. if Leased to Star Fencing Academy Per Zoning By Law

ACTUAL PARKING AS PER Certified Plot Plan dated 11/07/14 102.00

62.47

Surplus Parking 39.53

## Tenant Certification 05/28/20 page 4

## Total Building Parking Demand equals 62.47

see attached 330 Reservoir Certified Plot Plan/Parking Plans dated 11/07/14, Building Plans updated 05/28/20, Star Fencing Academy Lease Clauses

I have a signed Lease with Star Fencing Academy LLC. at the "Building" subject to Zoning Approval with these Clauses and Lease provisions, pertaining to use limitations, parking space allocation.

#### Lease Use Clause states:

Use Private Fencing School. The proposed maximum number of students allowed at the facility at any given time on weekdays (Monday-Friday) will be Thirty (30). The Fencing School will be open for business between the hours of 3:00 pm and 9:00 pm on weekdays and from 10am-6pm Saturdays and Sundays with peak parking demand limited to the hours of 5:00-7:00 pm on weekdays, and during the day on Saturday and Sunday. Said Tenant use will be limited from 3pm-5pm weekdays to private classes (one coach per one student) with the maximum of 3 coaches teaching 3 students at any one time. Starting at 5pm weekdays the maximum number of students allowed at one time will be 30 with 3 coaches (one coach per 10 students). Said maximum number of students allowed at one time is 30 students on Saturdays and Sundays (one coach to 10 students)

#### Lease Parking Clause states:

Parking: Tenant will have the exclusive use of a total of Eight (8) onsite parking spaces "Tenant Exclusive Parking" will be limited to eight (8) exclusive parking spaces from 2:30 pm – 10.00pm on weekdays and on weekends as shown in yellow on the attached Parking Plan dated 05/30/20. The parking spaces as described herein and as shown on the attached "Parking Plan" are considered part of the Premises and subject to all terms of the Lease. Notwithstanding anything herein, Tenant, its employees, agents, customers and visitor parking is limited total maximum up to thirteen (13) total at any one time consisting of Tenant's eight (8) exclusive onsite parking spaces plus (5) legal on street parking (allowed only after 5pm weekdays and on weekends.)

## Tenant Certification 05/28/20 page 5

Tenant is aware that Tenant, its agents, customers, visitors or employees must only park in it's eight (8) Exclusive Parking Spaces plus in a maximum of five (5) legal on street (allowed only after 5pm weekdays and weekends) and under no circumstances park even temporarily) anywhere else on the property (such as but not limited to travel lanes or in on-site no subletting or assignment allowed of the "Tenant Parking except if connected to the subletting or assignment of the interior Premises and only if the same is a proved in by Landlord in writing and subject to all terms of the Lease. There is no storage of anything in said parking spaces or anywhere on the property and no overnight parking of any vehicles.

Request is hereby made for the Board or Planning Director to review and approve in writing, the foregoing, and to notify the Needham Building Department so that a Building Permit and future Building permit, Occupancy permit and Sign permits if required, can be issued under this condition, with respect to the Star Fencing Academy LLC. occupancy.

If you have any additional questions do not hesitate to contact me at 781 718 2340.

Sincerely,

Corben Properties LLC

By Scott C. Ravelson (LLC managing Member)



