TOWN OF NEEDHAM MASSACHUSETTS

PLANNING BOARD

Project Determination:

500 Dedham Ave Needham, MA 02192 781-455-7550 March 11, 2021

APPLICATION FOR SITE PLAN REVIEW

Major Project

	Min	or Project		
This application must be completed, signed, as representative in accordance with the Planning Special Permit Granting Authority pursuant to	g Board	's Rules as adopted under its		
Location of Property: 1688 Central Avenue	, Needh	am, MA 02492		
Name of Applicant: Needham Enterprises	, LLC			
Address: 105 Chestnut Street, Suite 28,	Needh	am, MA 02492	Tel.#: (<u>781) 4</u>	44-8060
Applicant is Owner X Tenant				
Property Owner's Name: Needham Ent	terprises	s, LLC		
Address: 105 Chestnut Street, Suite 28,	Needh	am, MA 02492	Tel.#: <u>(781)</u>	<u>144-8060</u>
Characteristics of Property: Lot Area: 3.352	acres I	Present Use: <u>Vacant Building</u>	<u> </u>	
Map #: 199 Parcel #: 213 Zoning District	: SRA			
Description of Project for Site Plan Review un	nder Sec	etion 7.4. of the Zoning By-la	aw:	
See Exhibit A attached hereto.			1	
. Signature of Applicant (or his represen	ntative)	Roy A. Cramer, Esq. Evans Huber, Esq.		
Address if not Applica	ınt	Frieze Cramer Rosen & Hu		
Tel. #	‡	60 Walnut Street, Wellesley 781 943 4030	<u>, MA 02481</u>	
Owner's permission if other than appli	icant	<u>N/A</u>		
		By:		
SUMMARY OF I	PLANN	IING BOARD ACTION		
Received by Planning Board		Date		
Hearing Date				
Decision Required by(90 days after hearing for special permit)	(date)	Parties in Interest Notifie of Public Hearing		_(date)
Granted	(date)	Decision and Notices of		71.45
Denied	(date)	Decision sent		
Withdrawn	_(date)	Fee Paid Fee Waived		

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

Exhibit A Application for Minor Project Site Plan Review Needham Enterprises LLC Property at 1688 Central Avenue, Needham, MA

Description of Project for Minor Project Site Plan Review Under Section 7.4 of the Zoning By-Law

The proposed project is to demolish the existing house and garage at the property, but to leave the existing barn. A new building of 9,966 square feet of gross floor area will be constructed, to house a child care facility. A new parking area that includes 24 parking spaces will also be constructed.

All of the foregoing is more particularly shown on the plans filed herewith.

FRIEZE CRAMER ROSEN & HUBER LLP

COUNSELLORS AT LAW

60 Walnut Street, Wellesley, Massachusetts 02481 781-943-4000 • FAX 781-943-4040

EVANS HUBER 781-943-4043 EH@128LAW.COM

March 11, 2021

Members of the Needham Planning Board

And

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

Re: 1688 Central Ave, Needham

Dear Planning Board Members and Ms. Newman:

Pursuant to Needham Zoning ByLaw Section 7.4, I hereby submit, on behalf of Needham Enterprises, LLC (the "Applicant"), the accompanying application and supporting documents for Minor Project Site Plan Review of the proposed project at 1688 Central Avenue, located in an SRA district, for the construction of a child care facility. Pursuant to Section 7.4.2 of the Bylaw, this project qualifies as a "Minor Project" because it involves the construction of more than 5,000 but less than 10,000 square feet of gross floor area, and because it involves the creation of fewer than 25 new off-street parking spaces. Pursuant to Needham Zoning Bylaw Section 3.2.1, the proposed use as a child care facility is allowed by right in this district, meaning that no Special Permit is required for this use. Therefore, Minor Project Site Plan Review is appropriate.

1688 Central Avenue is a 3.352 Acre Parcel located adjacent to Temple Aliyah. Prior to the purchase of 1688 Central Avenue by the Applicant, the property was used as an active contractor's yard for stockpiling and delivering materials as well as for the storage of mechanical equipment. The existing house and garage will be demolished, and the large barn will be kept as will most of the existing trees on the lot. The proposed plan is to create a new child care facility that will house an existing Needham child-care business, Needham Children's Center (NCC). This will allow them to expand and have the necessary room for children post COVID-19.

FRIEZE CRAMER ROSEN & HUBERLLP

Needham Planning Board Members Lee Newman March 11, 2021 Page 2

The Applicant certifies pursuant to the Zoning By-Law, Section 7.4 that the project can be constructed and that the proposed uses thereof can be commenced without need for the issuance of any variance from any provisions of the Zoning By-Law by the Zoning Board of Appeals. As noted above, no Special Permit is required for this use. The proposed construction and parking area comply with all Bylaw requirements.

This Application for Minor Project Site Plan Review includes the following documents:

- 1. Stormwater Management Report, prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA 02032, dated June 22, 2020 and stamped on January 26, 2021.
- 2. Site Development Plans, prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA 02032, dated June 22, 2020 and stamped on January 26, 2021, including:
 - a. Zoning and Parking Design Tables
 - b. Existing Conditions Plan
 - c. Site Plan including proposed parking layout
 - d. Grading and Utilities Plan
 - e. Landscape Plan
 - f. Sewer Plan and profile
 - g. Construction Period Plan
- 3. Traffic Impact Assessment, prepared by Gillon Associates, 111 River Street, Weymouth, MA 02191.
- 4. Architectural Plans and elevations, prepared by Mark Gleusing Architect, 48 Mackintosh Avenue, Needham, MA 02492, dated March 8, 2021.
- 5. Photometric/Lighting plan prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA 02032, dated June 22, 2020 and stamped on January 26, 2021, and related documents.
- 6. Letter from this office dated March 12, 2021, discussing compliance with the criteria for Minor Site Plan Review.
- 7. Filing fee to the Town of Needham in the amount of \$ 100.00.

The Applicant hereby requests, pursuant to Zoning By-Law Section 7.4.4, that the Planning Board waive the submission by Applicant of any of the required information not submitted herewith.

FRIEZE CRAMER ROSEN & HUBERLLP

Needham Planning Board Members Lee Newman March 11, 2021 Page 3

Pursuant to the Board's Covid-19 procedures, these documents are being submitted electronically; additionally two (2) hard copies of the application (1 with original signatures) and all supporting materials, including wet-stamped plans, are being delivered to the Planning Department along with the application fee; and, lastly, one hard copy of (a) the Application for Minor Site Plan Review, (b) this letter, and the other letter from this office referred to in item 6, above, (c) the Glossa Engineering Stormwater Management Report, (d) the Gillon Associates Traffic Impact Assessment, and (e) all the plans and elevations (no smaller than 11 x 17), is being mailed to each Board member, and to Lee Newman.

The Applicant will also be submitting a copy of these plans and elevations to the Design Review Board ("DRB") in time to meet with the Design Review Board on March 22, 2021.

I would appreciate your scheduling this matter for review at the Board's April 6, 2021 meeting. Thank you for your cooperation.

Sincerely,

Evans Huber

FRIEZE CRAMER ROSEN & HUBER LLP

COUNSELLORS AT LAW

60 WALNUT STREET, WELLESLEY, MASSACHUSETTS 02481 781-943-4000 • FAX 781-943-4040

EVANS HUBER
781-943-4043
EH@128LAW.COM

March 12, 2021

Members of the Needham Planning Board

And

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

Re: 1688 Central Avenue, Needham

Dear Planning Board Members and Ms. Newman:

I am writing on behalf of Needham Enterprises LLC, with respect to the Application for Minor Project Site Plan Review for the Project at 1688 Central Avenue. The purpose of this letter is to provide the Planning Board with additional information in connection with this Project and, in particular, to discuss how the project will conform to the Review Criteria for Site Plan Review, as set forth in Section 7.4.6 of the Zoning By-Law.

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

(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;

The proposed project has been designed to protect adjoining premises from detrimental impacts by provision for surface water drainage, sound and sight buffers, and preservation of views, light and air, as follows:

As noted in the stormwater management report prepared by Glossa Engineering, the drainage plan will capture all of the runoff from the building rooftops and most of the runoff from the paved areas, and direct the runoff into an underground infiltration basin. The design and analysis of the system is based on MA DEP stormwater management regulations.

Needham Planning Board March 12, 2021 Page 2

A landscape plan has been developed for screening and enhancing the existing site.

The lighting system for the project parking areas has been designed to comply with the Town of Needham lighting requirements. The parking area is on the side of the property adjacent to Temple Aliyah, and is not close to the residential properties abutting the southern boundary of the property. No light "spillage" onto neighboring residential properties is anticipated.

(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;

As shown on the plans filed with this application, the project has been designed to ensure that there will be safe vehicular and pedestrian circulation on site. The parking area has been designed with an "island" that vehicles can circulate around so that vehicles dropping off and picking up children can continuously move forward upon entry, following dropoff and pickup, and when exiting the site.

The access to and egress from the property will be via the existing driveway opening onto Central Avenue, where there are adequate sight lines up and down Central Avenue.

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

Adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the premises has been achieved. The proposed parking area complies with the Town of Needham Bylaw requirements for number of spaces, illumination, loading, parking space size, location, design and number of handicap spaces, width of maneuvering aisles, setbacks, and landscaping.

The parking area includes 24 spaces, which is the required number of spaces for the proposed use and the anticipated number of children and staff members. The required parking calculation is based on a formula the Town uses for this type of use, which is 8 spaces, plus 1 space for each 40 children, plus one space per staff member. Applying this formula leads to a calculated parking requirement of 24 spaces.

Please see the Layout and Zoning Plan for additional details of the parking layout.

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

The site has been designed such that adequate methods of disposal of refuse resulting from the proposed use has been assured. A dumpster will be located at the far (eastern) end of

Needham Planning Board March 12, 2021 Page 3

the parking area and will be enclosed with fencing. Refuse will be removed from the site by a licensed hauler.

(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; and

The matters to be considered by this Board in connection with relationship of structures and open spaces to the natural landscape, existing buildings, and other community assets in the area, have been addressed, and the project complies with all other requirements of the Town Bylaw.

The proposed building was designed to fit into the existing surroundings with a façade that measures 84' 6", which is comparable to large homes in the surrounding neighborhood and streets. The building is also designed to architecturally blend in with the surroundings by including design elements to look like a single-family home. There is no proposed signage for the building and there will be no light trespass.

The gross floor area of the building is 9966 square feet on one floor, which, even including the barn that will remain, is far smaller than what would be allowed by the applicable maximum lot coverage (15%) and the applicable FAR (.30) for this Zoning District. In addition, this building is considerably smaller than the abutting Temple Aliyah. Further, the parking will be in the rear of the building, and the Applicant is open to allowing, by agreement, overflow parking for the benefit of Temple Aliyah at certain times that will not conflict with the requirements of NCC.

(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, limitations, and safeguards necessary to assure the project meets the criteria of a through f.

The project has been designed to limit adverse impacts to the Town resources as follows:

The Applicant will connect to the Town's sewer system by running, at the Applicant's expense, a sewer main from its current closest point on Country Way, up Central Avenue to the site. Neighboring properties will have the option of connecting, at their expense, to this sewer line. The Applicant has met with Sean Harrington, the Superintendent of Water, Sewer, and Drains, who is in favor of and has approved the plans to do this. The project will connect to the Town's water supply.

The Applicant has engaged a traffic engineer to study this site. As set forth in the

Needham Planning Board March 12, 2021 Page 4

Traffic Impact Assessment, drop-off and pick-up will continue to be staggered, as is NCC's current practice. The facility will be closed on Federal holidays, Patriots Day, the day after Thanksgiving, the week between Christmas and New Years and a week before Needham Public Schools open. There will be no buses to the site. Additionally, the drop-off and pick-up numbers include siblings, meaning that there will be fewer cars than the number of children being dropped off and picked up.

As shown in the Traffic Impact Assessment submitted with this Application, all through traffic on Central Avenue in each direction will continue to enjoy an "A" level of service with little or no delay during the weekday morning commuting peak hour. The Central Avenue southbound left-turn lane utilized for left turns into the site will operate at an "A" level resulting in no turbulence on Central Avenue during the morning peak hour. The site driveway itself will have an acceptable "C" level of service, with average delays, during the morning peak hour.

Based on the projected arrivals and departures, the evening peak hour is expected to generate fewer vehicle trips than the morning peak hour.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Zer Huber

FRIEZE CRAMER ROSEN & HUBER LLP

COUNSELLORS AT LAW

60 Walnut Street, Wellesley, Massachusetts 02481 781-943-4000 • FAX 781-943-4040

EVANS HUBER
781-943-4043
EH@128LAW.COM

March 16, 2021

Members of the Needham Planning Board

And

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

Re: 1688 Central Ave, Needham; Minor Project Site Plan Review

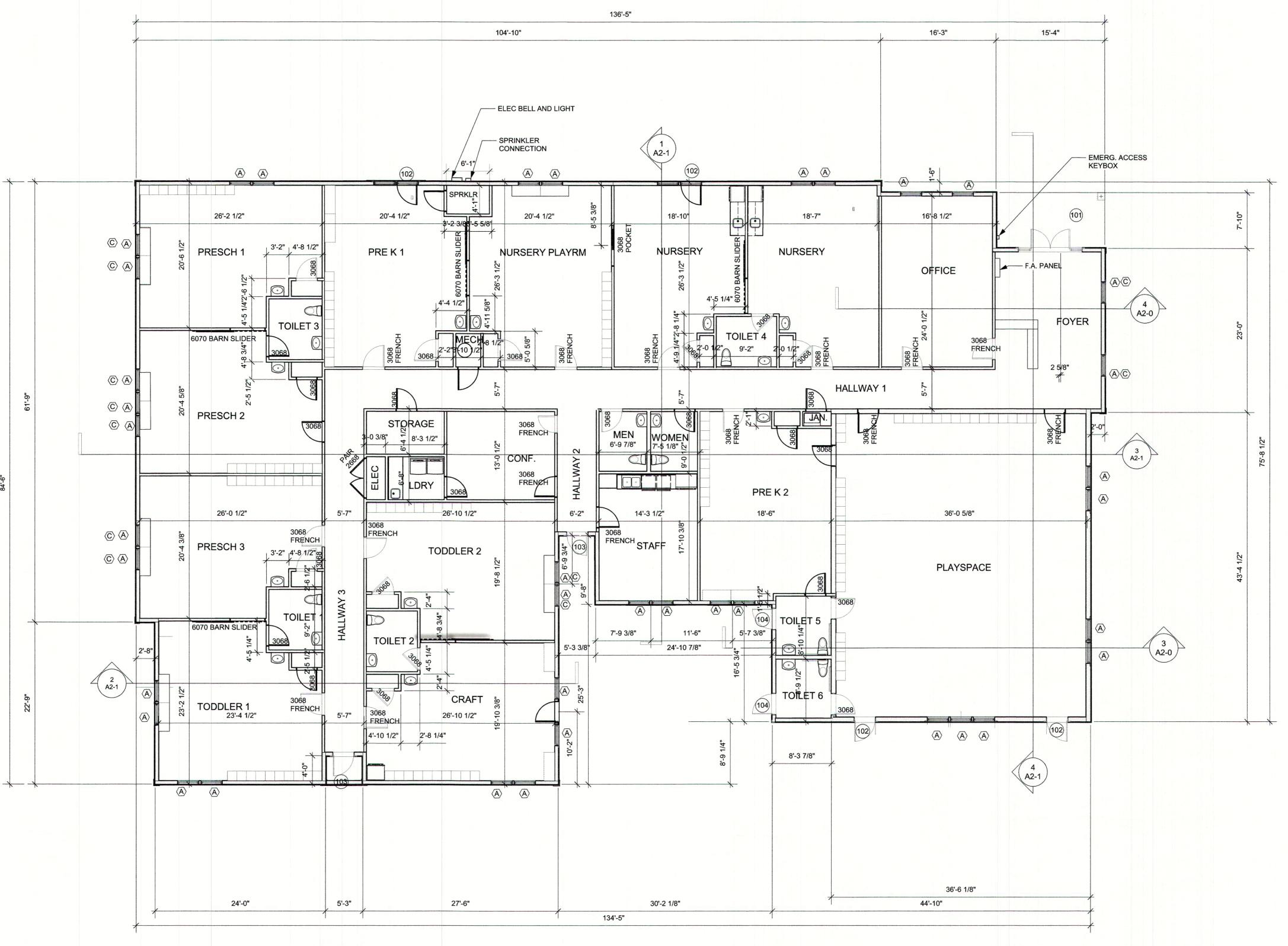
Dear Planning Board Members and Ms. Newman:

As requested by the Planning Department, this letter is submitted as a supplement to my prior letters dated March 11 and 12 in support of the application for Minor Project Site Plan Review for the proposed project at this address.

The anticipated maximum number of children at the site is 100, and the anticipated maximum number of staff is 13. This information can also be found on Sheet A 1-0 of the Architectural Plans and elevations, prepared by Mark Gleusing Architect, 48 Mackintosh Avenue, Needham, MA 02492, dated March 8, 2021, which were submitted with the application.

Please let me know if you need anything else.

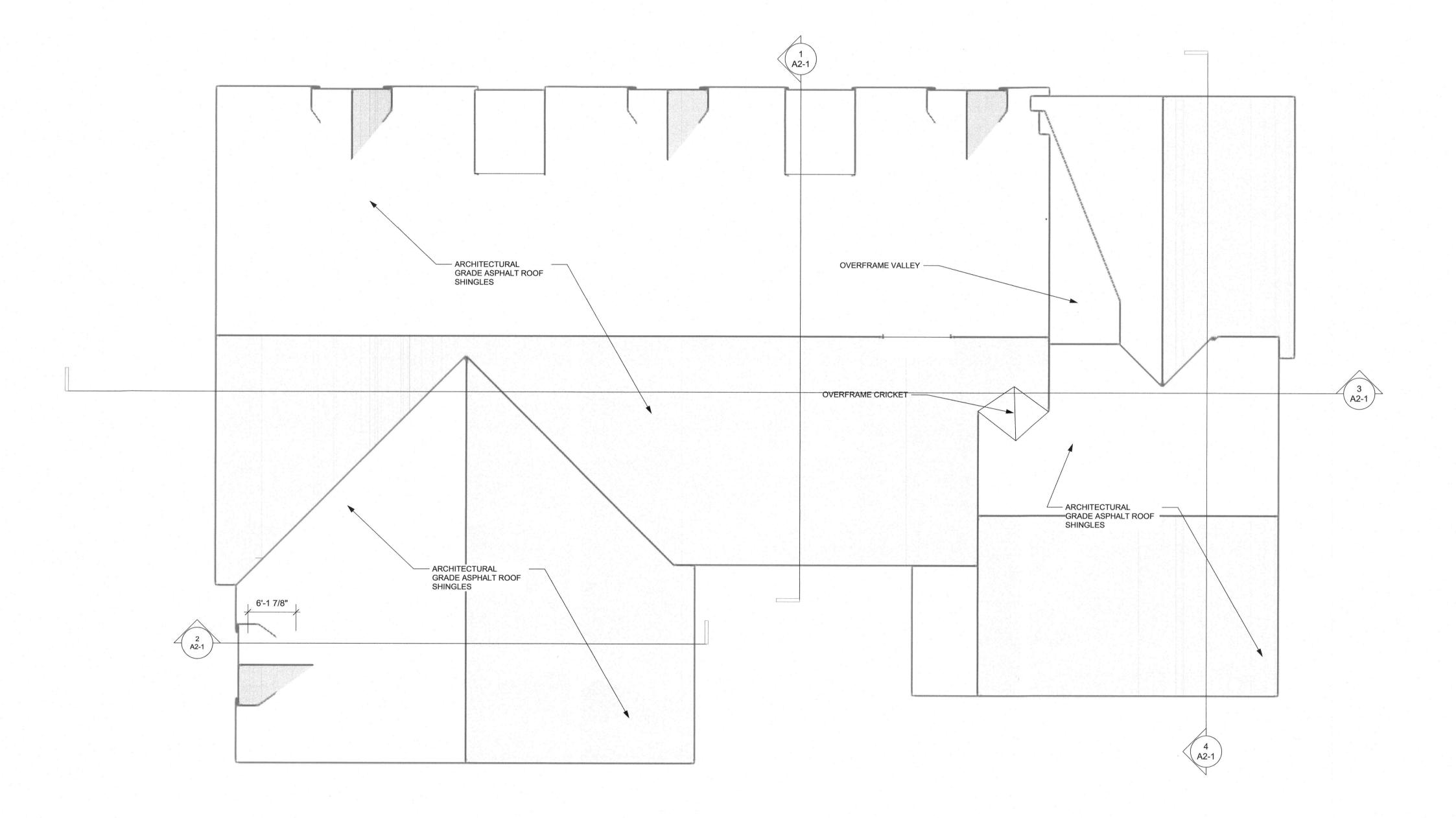
Evans Huber



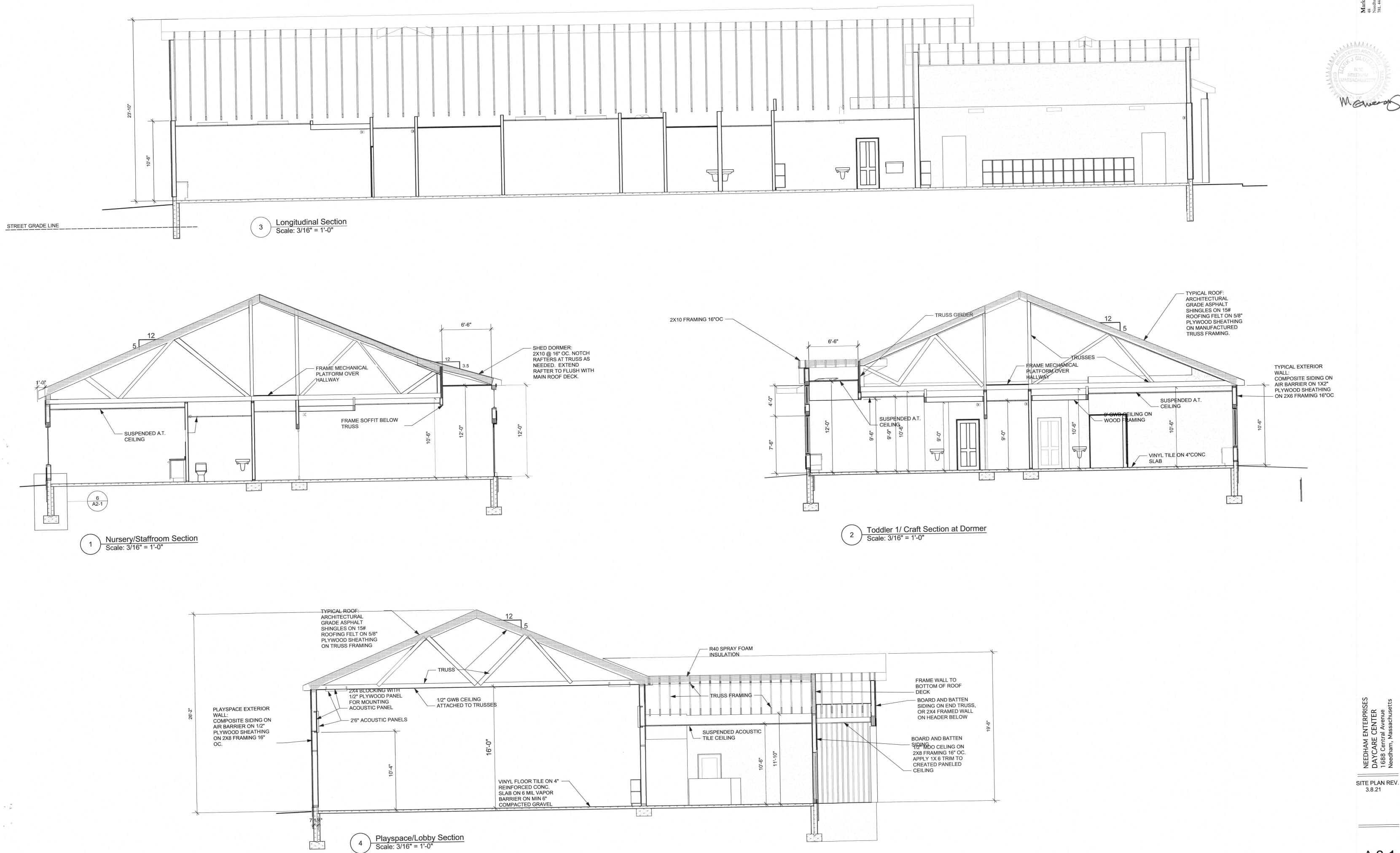
1 1st Floor Plan Scale: 1/8" = 1'-0"

BUILDING DATA

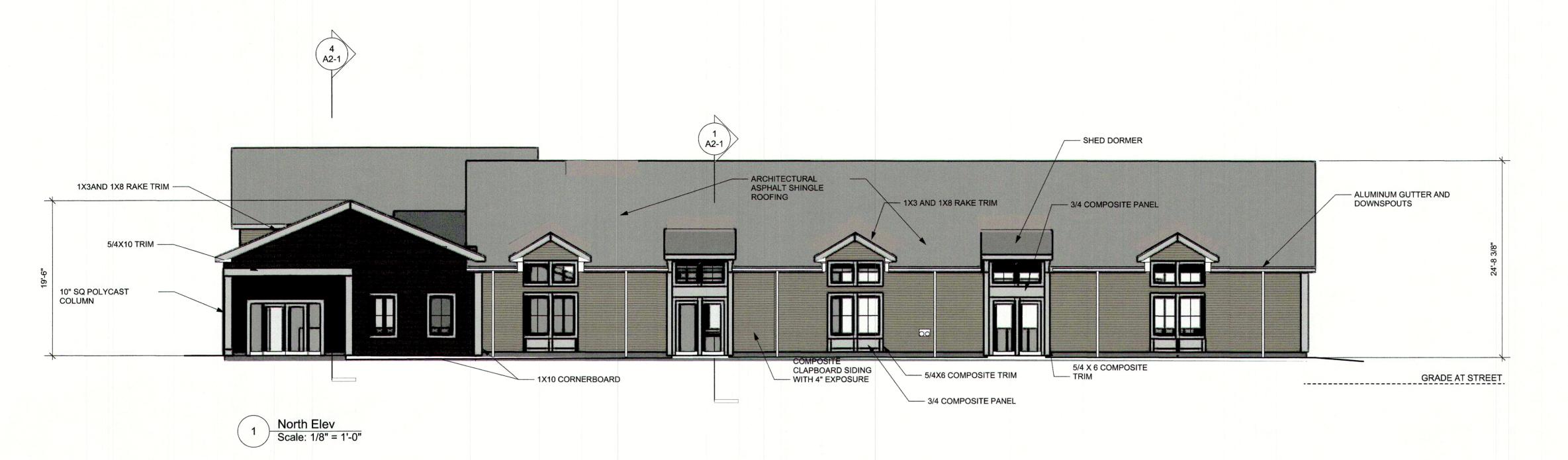
LOT SIZE	146,003 SF
NEW BUILDING SIZE	9,966 SF
PARKING SPACES: OPERATIONAL OCCUPANCY 100 CHILDREN: 8 SPACES+1/40 13 STAFF TOTAL	(3)= 11 13 24

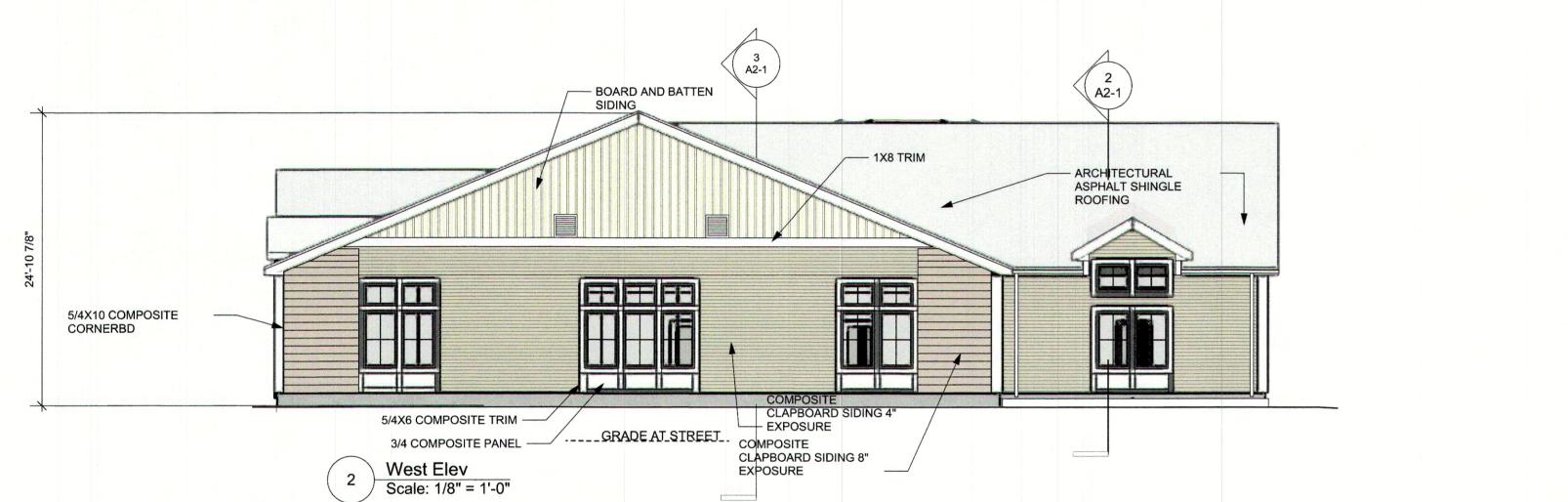


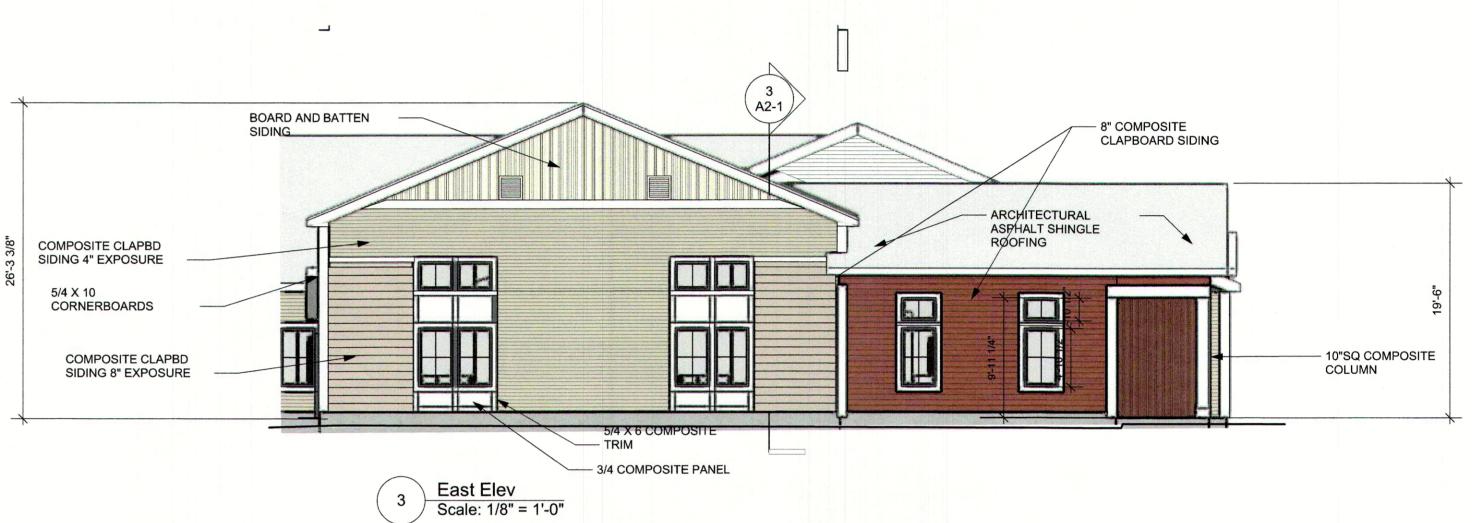
1 Roof Plan
Scale: 1/8" = 1'-0"

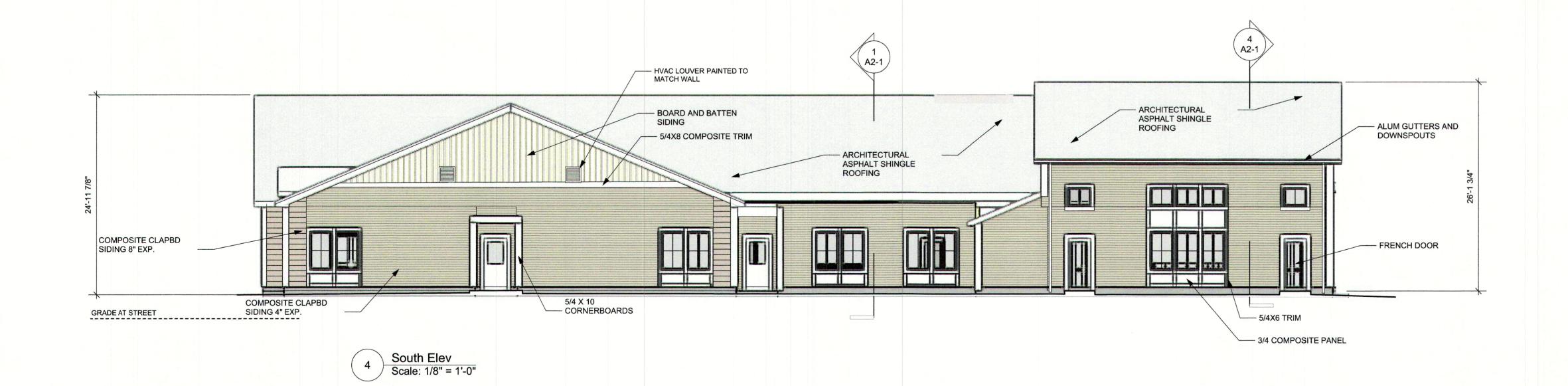


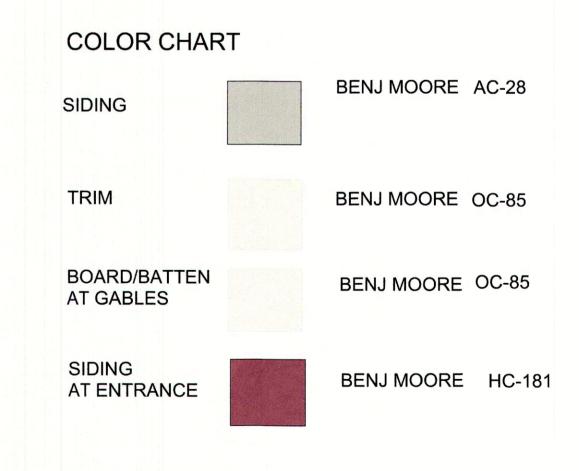
A 2-1











ZONING LEDGEND:				
SINGLE RESIDENCE A	REQUIRED/ALLOWED	EXISTING	PROPOSED	COMPLIANCE
MIN. AREA	43,560 S.F.	146,003 S.F.	146,003 S.F.	YES
MIN. FRONTAGE	150'	250.05	250.05	YES
MIN. SETBACK FRONT	30'	*105.0' **211.2' ***30'	40.6	YES
MIN. SETBACK SIDE	25'	*67.5' **65.0' ***54.2'	52.4'	YES
MIN. SETBACK REAR	15'	*864.9' **763.4' ***677.0'	835.9'	YES
MAXIMUM STORIES	2-1/2	*2 **1 ***2	1	YES
MAXIMUM HEIGHT	35'	*30.7' **15.3' ***31.2'	20'	YES
BUILDING COVERAGE	NR	NR	NR	YES
FLOOR AREA RATIO	NR	NR	NR	YES
DRIVEWAY OPENINGS	18' - 25'	19'	24'	YES

*EXISTING HOUSE (TO BE DEMOLISHED)

**OUT BUILDING -1 (TO BE DEMOLISHED)

***OUT BUILDING -2 (TO REMAIN)

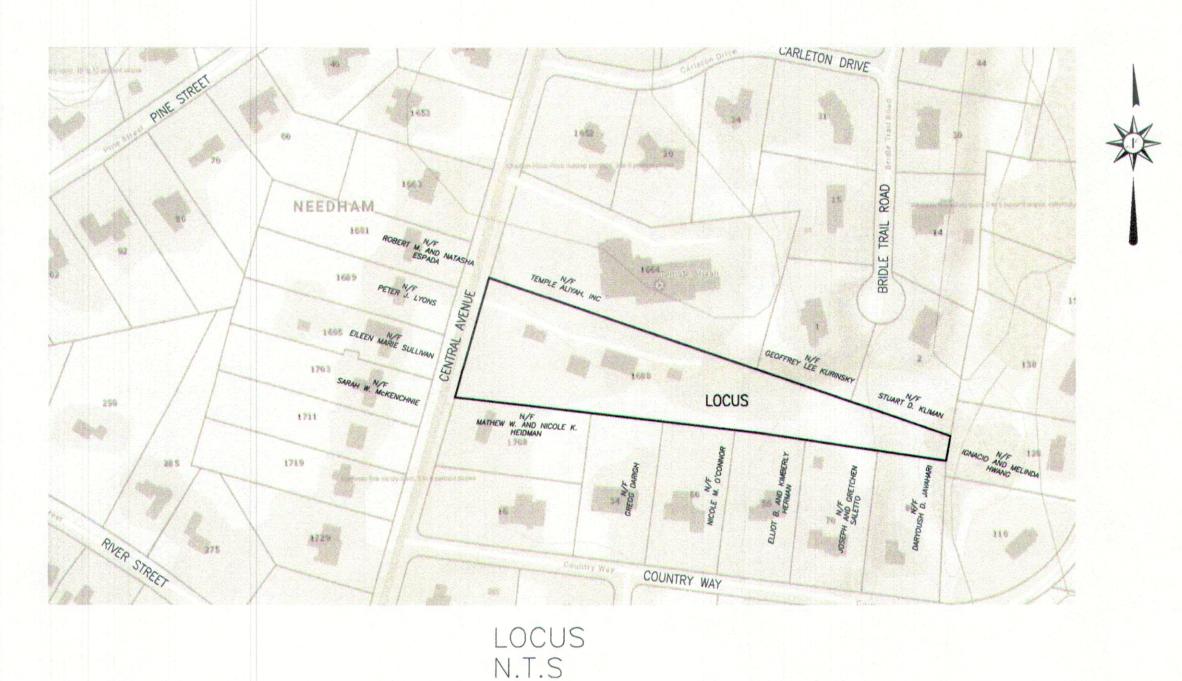
ZONING BYLAW 6.1.3 PARKING PLAN AND DESIGN REQUIREMENTS

	REQUIRED/ALLOWED	EXISTING	PROPOSED	COMPLIANCE
A) PARKING ILLUMINATION	AVG. 1 FOOT CANDLE	N/A	AVG. 1 FOOT CANDLE	YES
B) LOADING REQUIREMENTS	N/A	N/A	N/A	YES
C) HANDICAPPED REQUIREMENTS	2	N/A	2	YES
D) DRIVEWAY OPENINGS	1	1	1	YES
E) COMPACT CARS	50% (8'X16')	N/A	N/A	YES
F) PARKING SPACE SIZE	9'X18.5'	N/A	9'X18.5'	YES
G) BUMPER OVERHANG	1' OVERHANG	N/A	NONE REQUIRED	YES
H) PARKING SPACE LAYOUT	N/A	N/A	N/A	YES
I) WIDTH OF MANEUVERING AISLE	24' (90° STALL)	N/A	24' (90° STALL)	YES
J) PARKING SETBACK				
-FRONT	10'	N/A	181.2'	YES
-SIDE	4'	N/A	42.5'	YES
-REAR	4'	N/A	625.1	YES
-BUILDING	5'	N/A	5'	YES
K) LANDSCAPE AREA	10%	N/A	10%	YES
L) TREES	1 PER 10 SPACES (3)	N/A	3	YES
M) LOCATION	WITHIN LOT	N/A	WITHIN LOT	YES
N) BICYCLE RACKS	NONE REQUIRED	N/A	NONE REQUIRED	YES

REQUIRED PARKING TO BE DETERMINED BY BUILDING INSPECTOR PARKING PROVIDED SPACES INCLUDING 2 HANDICAP SPACES

LANDSCAPE AREA REQUIREMENT IS 10% OF REQUIRED SET BACK AREA. SET BACK AREA IS 3,939 S.F. 10% OF 3,939 IS 394 S.F. OF MAINTAINED LANDSCAPE AREA REQUIRED 25% OF THAT OR 98 S.F. TO BE LOCATED WITHIN THE INTERIOR OF THE PARKING AREA. 365 S.F. PROVIDED WITHIN PARKING AREA

SITE DEVELOPMENT PLANS DAYCARE 1688 CENTRAL AVENUE NEEDHAM, MA JUNE 22, 2020



PLAN INDEX

SHEET	1:	COVER SHEET EXISTING CONDITIONS PLAN
SHEET	3:	SITE PLAN
SHEET	4:	GRADING AND UTILITIES PLAN
SHEET	5:	LANDSCAPE PLAN
SHEET	6 & 7:	DETAILS
SHEET	8:	SEWER PLAN AND PROFILE
SHEET	9:	CONSTRUCTION PERIOD PLAN
APPENDIX		PHOTOMETRIC AND SITE LIGHTING PLAN

OWNER:

NEEDHAM ENTERPRISES LLC 105 CHESTNUT STREET SUITE 28 NEEDHAM, MA 02492

APPLICANT:

NEEDHAM ENTERPRISES LLC 105 CHESTNUT STREET SUITE 28 NEEDHAM, MA 02492

ASSESSORS PARCELS:

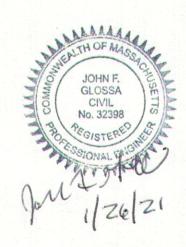
MAP 199, LOT 213

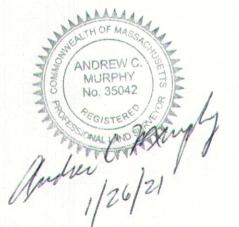
DEED REFERENCE:

BOOK 37770 PAGE 308

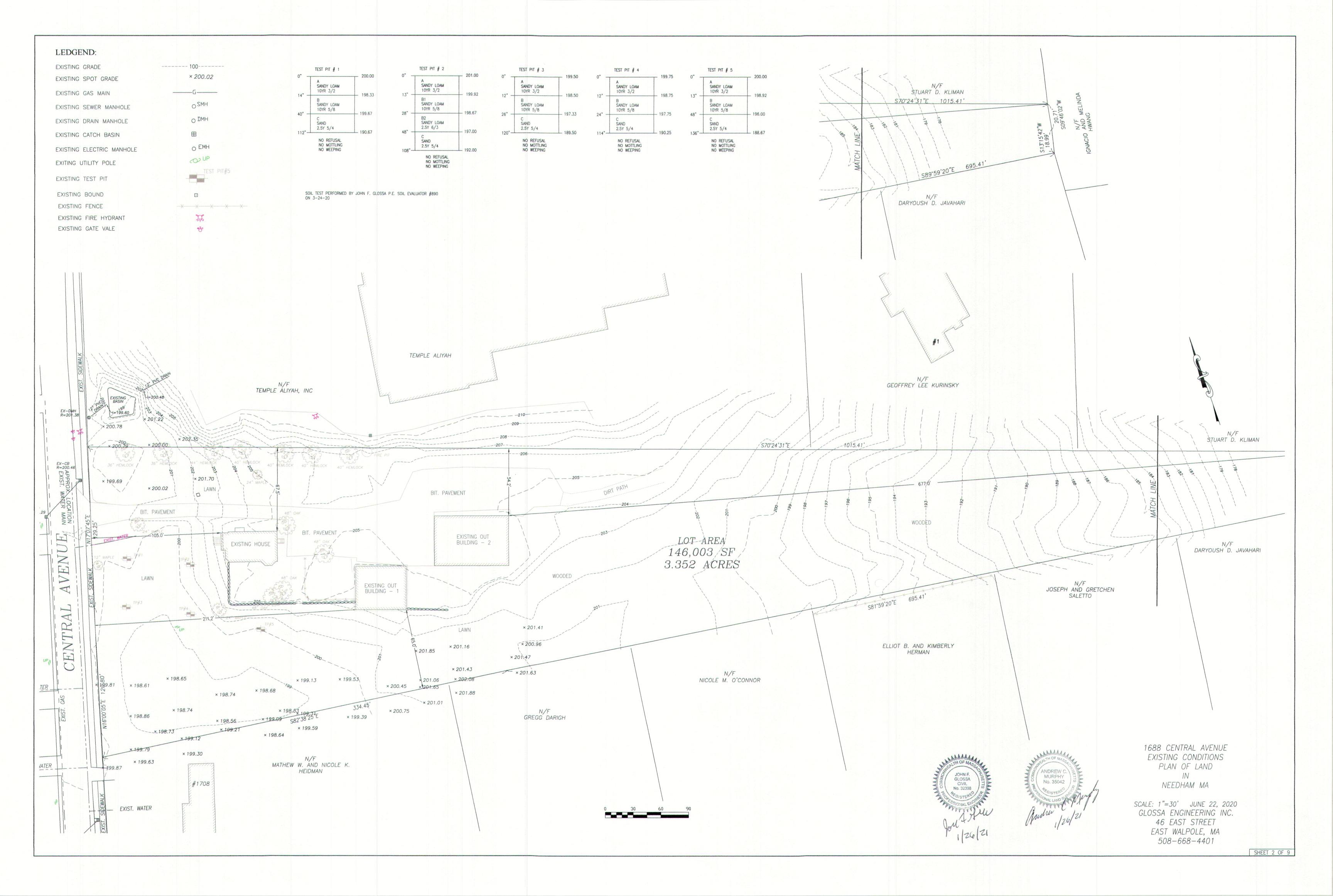
PLAN REFERENCE:

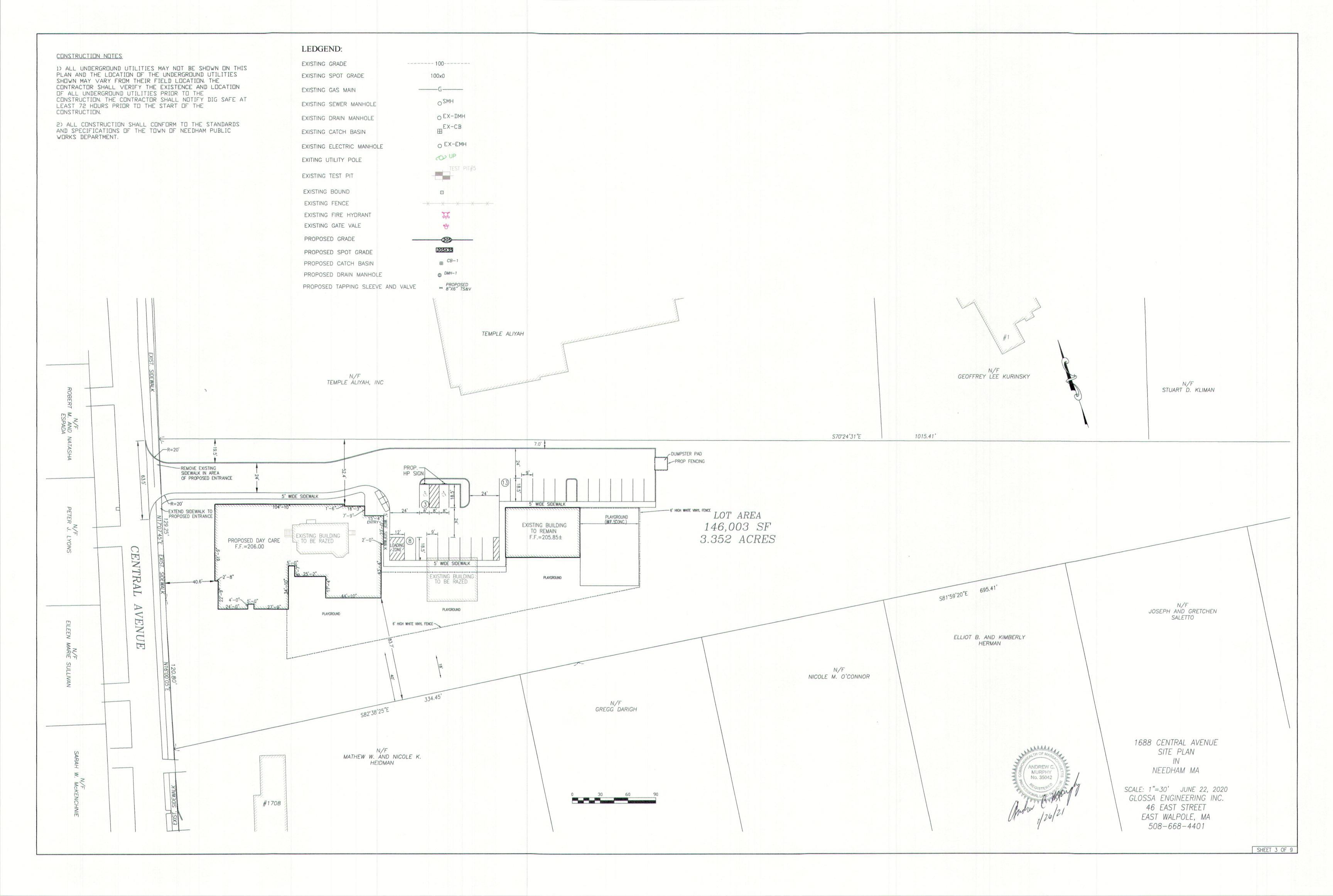
PLAN OF LAND DATED SEPTEMBER 28, 1933 BY P.D.G. HAMILTON, CIVIL ENGINEER

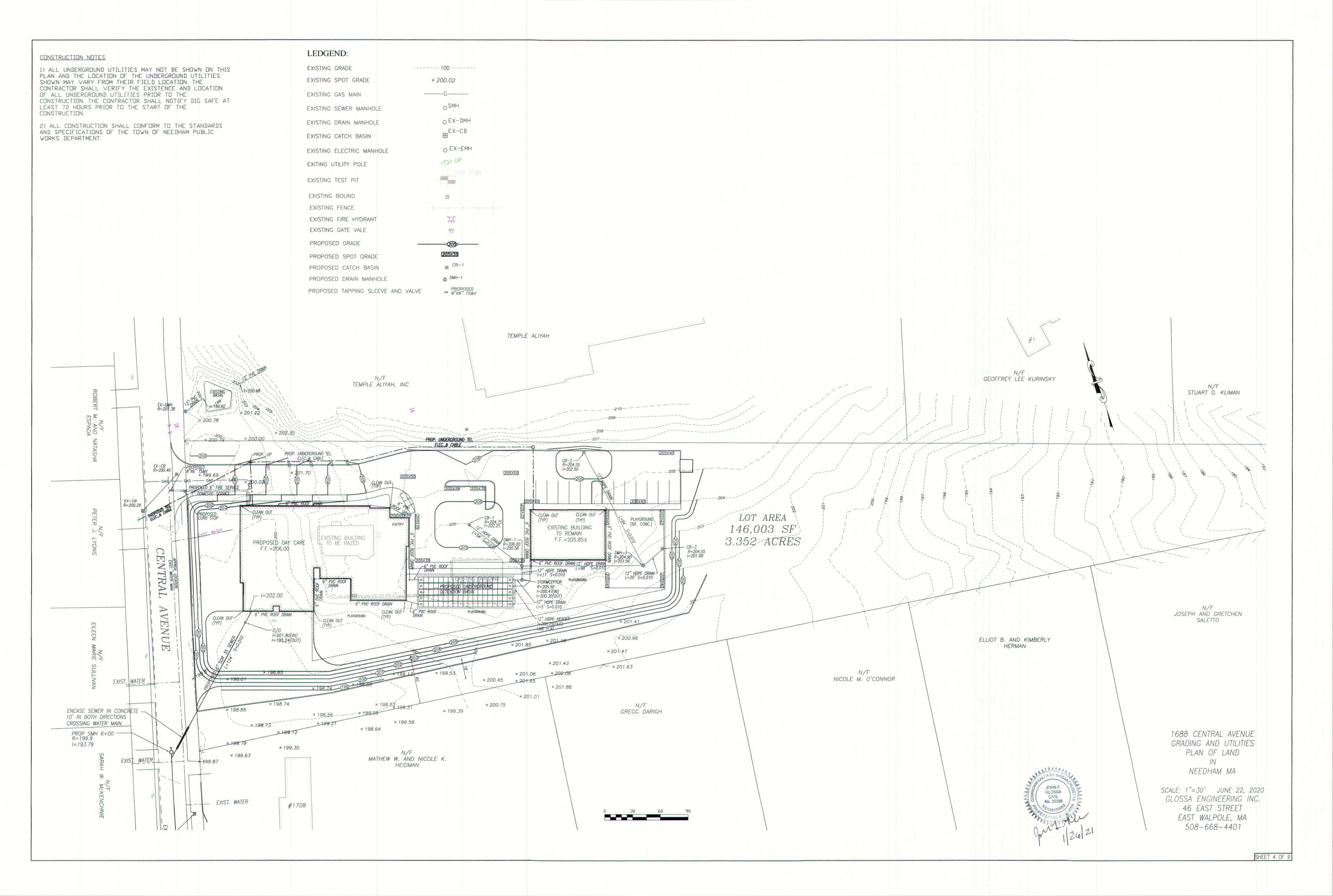


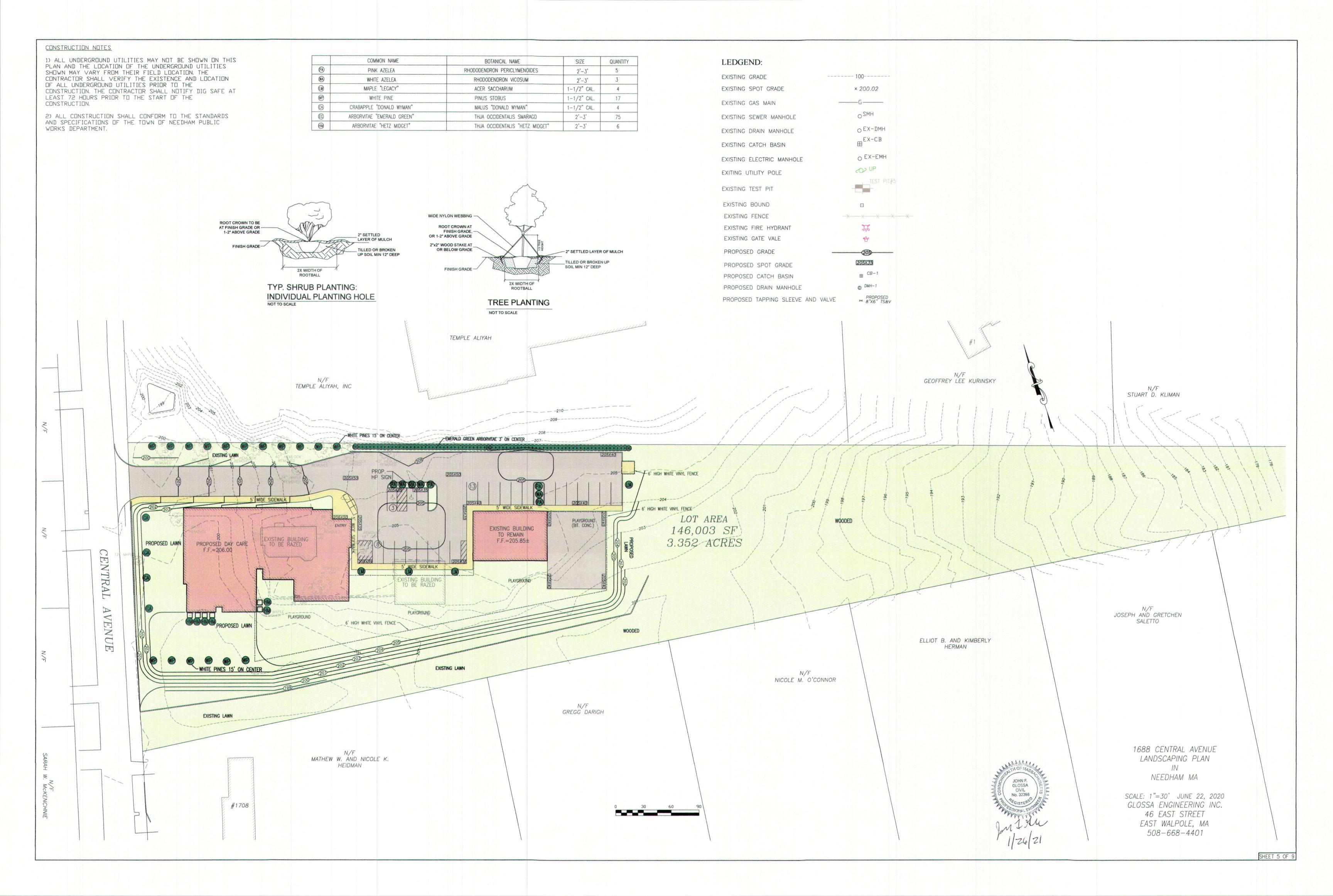


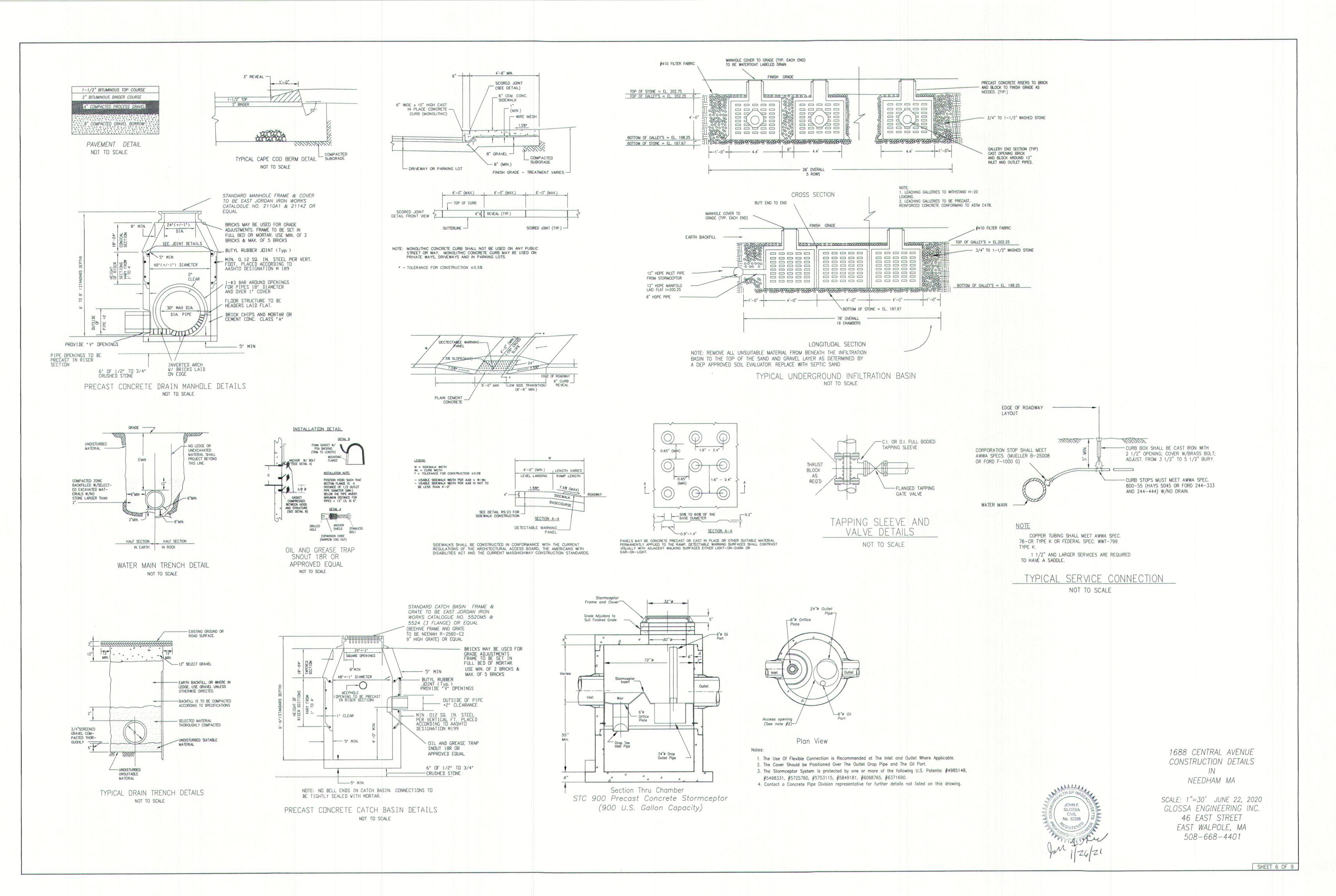
PREPARED BY
GLOSSA ENGINEERING, INC.
46 EAST ST
EAST WALPOLE, MA 02032
(508) 668-4401

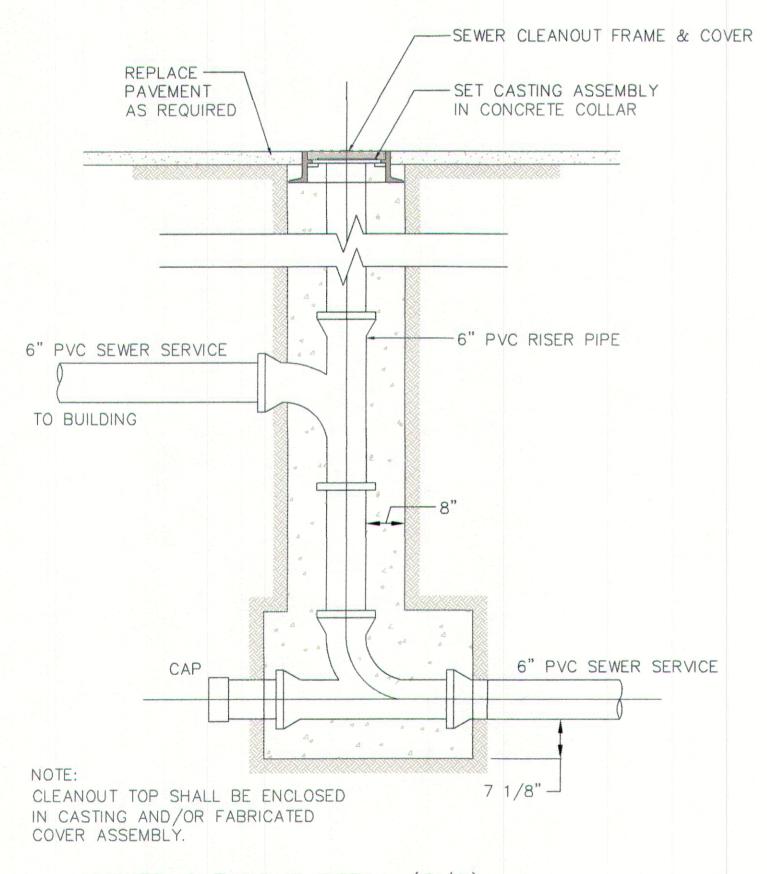






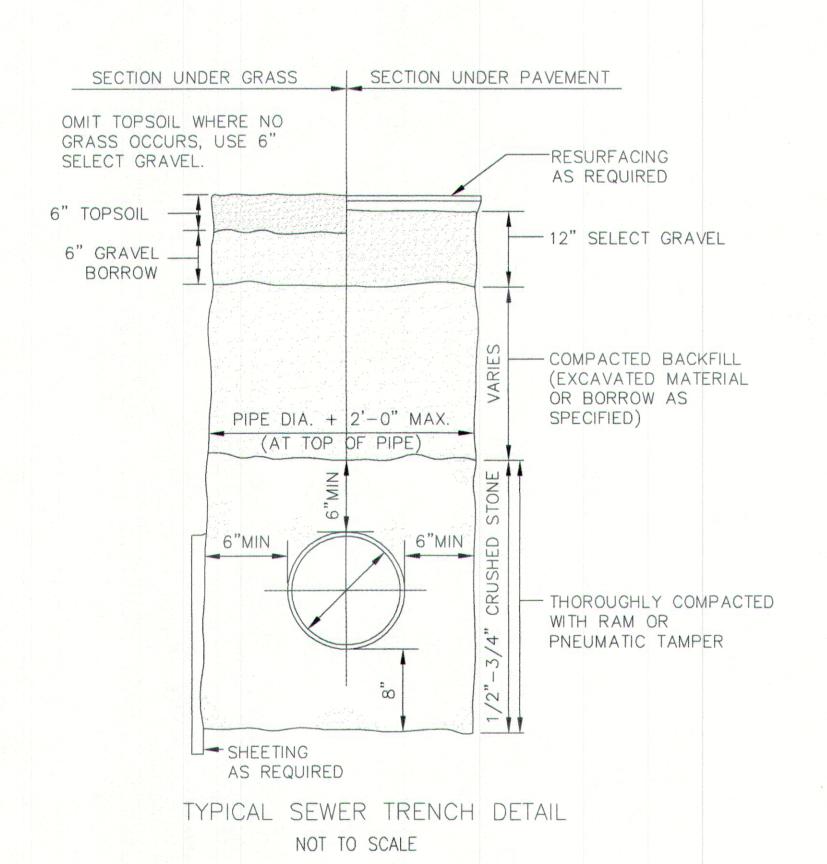


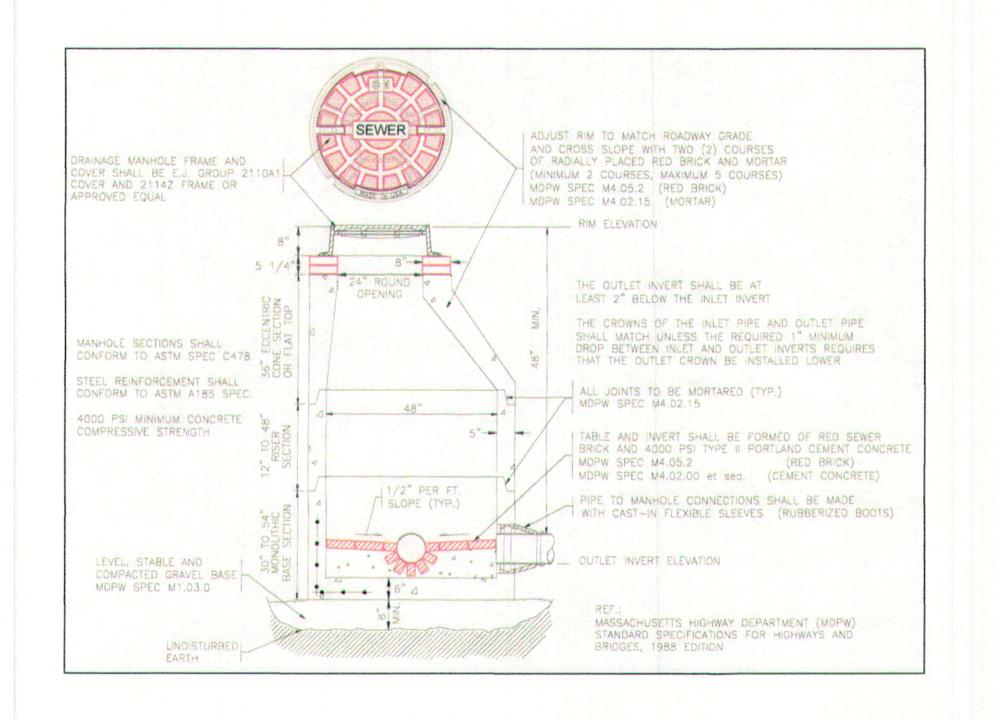




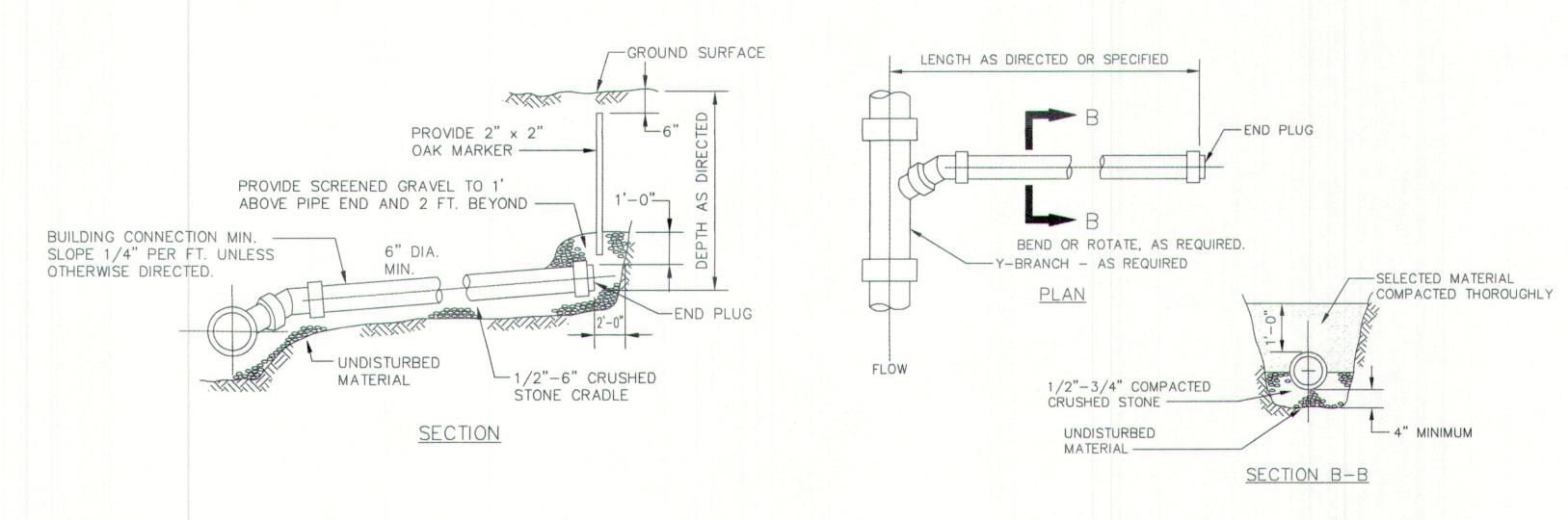
SEWER CLEANOUT DETAIL (C/O)

NOT TO SCALE





TYPICAL SEWER MANHOLE DETAIL NOT TO SCALE



TYPICAL BUILDING CONNECTION NOT TO SCALE

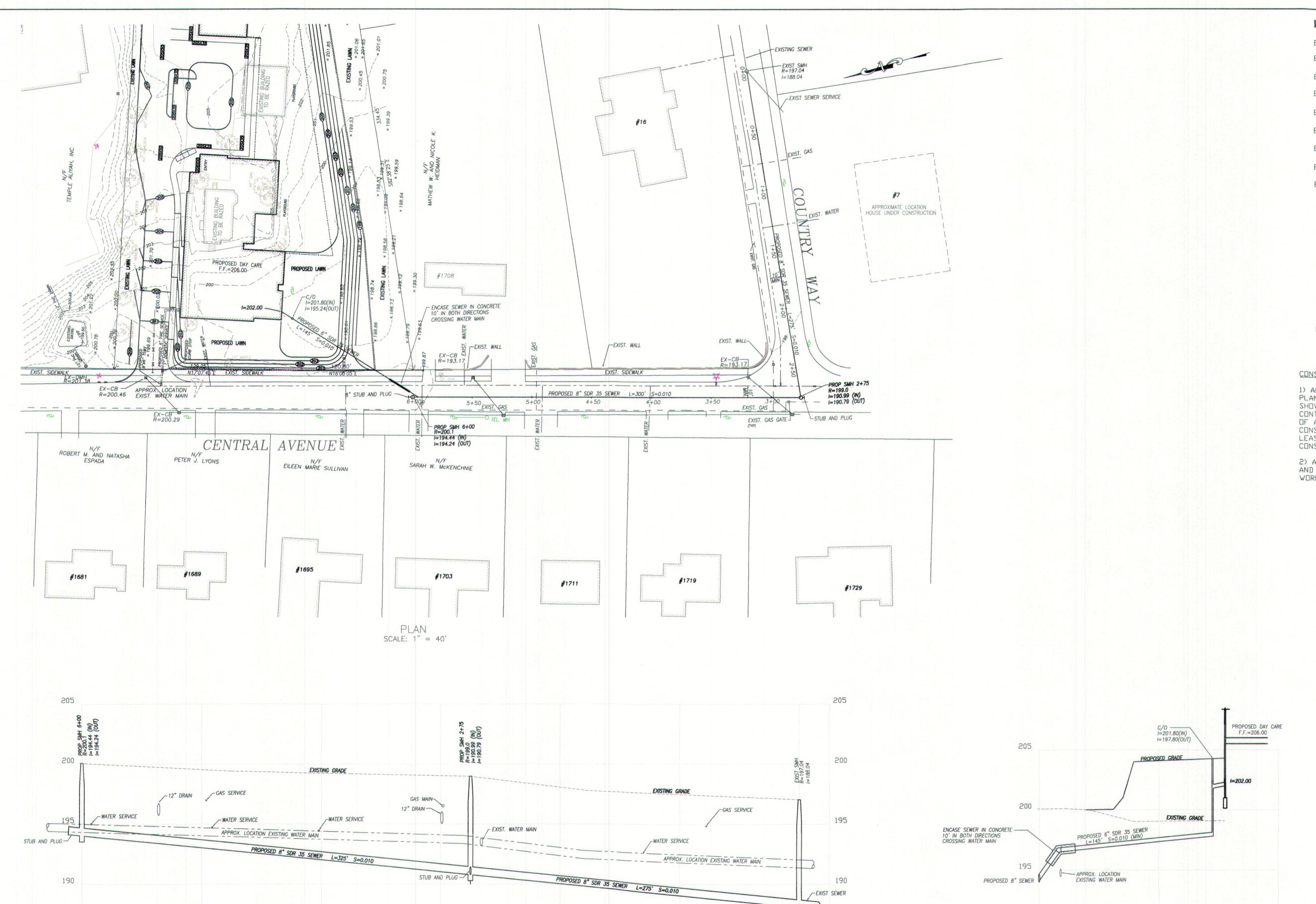
1688 CENTRAL AVENUE CONSTRUCTION DETAILS IN

JOHN F.
GLOSSA
CIVIL
No. 32398
PEGISTERED
1176/21

SCALE: 1"=30' JUNE 22, 2020 GLOSSA ENGINEERING INC. 46 EAST STREET EAST WALPOLE, MA 508-668-4401

NEEDHAM MA

SHEET 7 OF 9



3+00

PROFILE SCALE: HOR. 1" = 40' VERT. 1" = 4'

2+00

1+00

185

0+00

185

LEDGEND:

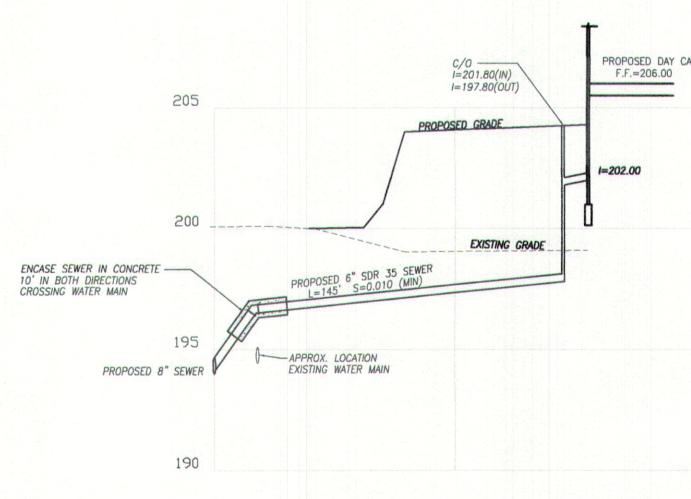
EXISTING GRADE ----- 100-----EXISTING SPOT GRADE × 200.02 EXISTING GAS MAIN ----EXISTING GAS GATE OEXIST. SMH EXISTING SEWER MANHOLE O EX-DMH EXISTING DRAIN MANHOLE EX-CB EXISTING CATCH BASIN O EX-EMH EXISTING ELECTRIC MANHOLE 0 EXITING UTILITY POLE EXISTING FENCE XXXX EXISTING FIRE HYDRANT EXISTING GATE VALE PROPOSED GRADE PROPOSED SPOT GRADE OPROP. SMH PROPOSED SEWER MANHOLE ⊞ CB-1 PROPOSED CATCH BASIN DMH-1 PROPOSED DRAIN MANHOLE PROPOSED

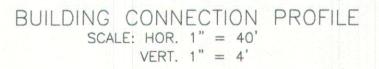
№ 8"X6" TS&V PROPOSED TAPPING SLEEVE AND VALVE

CONSTRUCTION NOTES

1) ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN ON THIS PLAN AND THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN MAY VARY FROM THEIR FIELD LOCATION. THE CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO THE CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY DIG SAFE AT LEAST 72 HOURS PRIOR TO THE START OF THE CONSTRUCTION.

2) ALL CONSTRUCTION SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE TOWN OF NEEDHAM PUBLIC WORKS DEPARTMENT

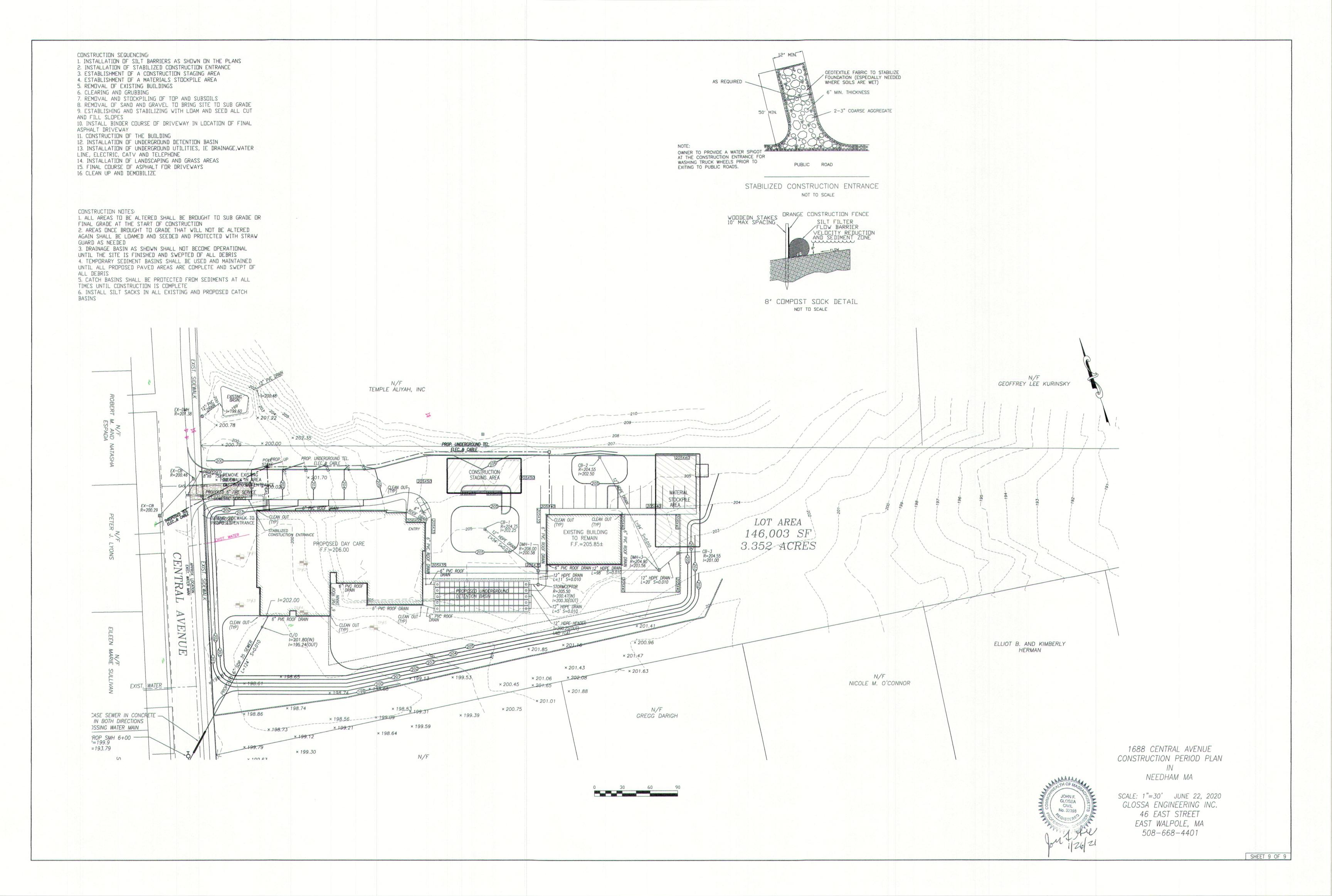


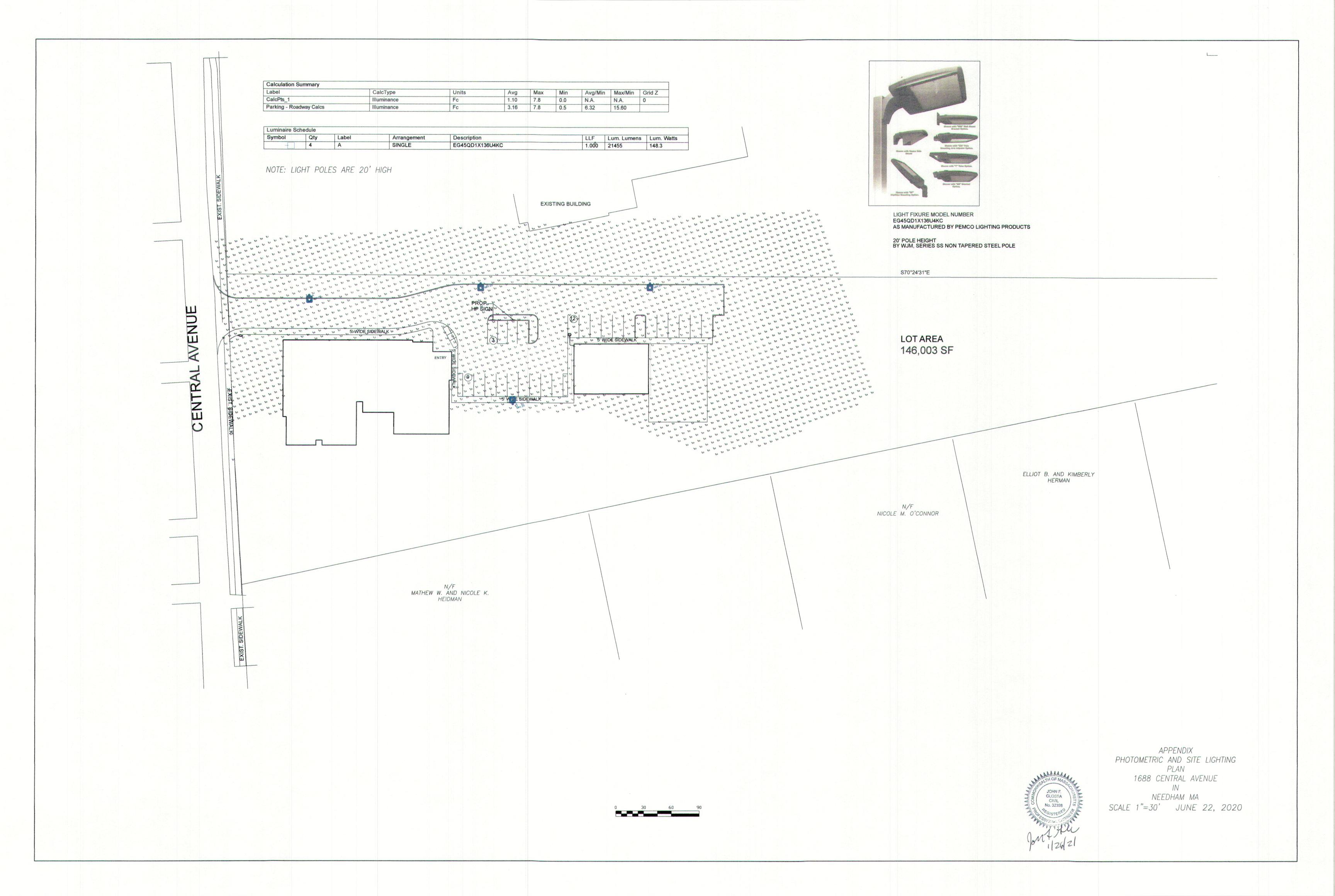




1688 CENTRAL AVENUE SEWER EXTENTION PLAN AND PROFILE IN NEEDHAM MA

SCALE: AS NOTED NOVEMBER 19, 2020 GLOSSA ENGINEERING INC. 46 EAST STREET EAST WALPOLE, MA 508-668-4401





Traffic Impact Assessment

For:

Child Care Facility

On:

Central Avenue

In:

Needham, Massachusetts

Prepared For:

Glossa Engineering, Inc. Walpole, Mass.

Prepared By:



March 2021

Child Care Facility

1688 Central Avenue Needham, Massachusetts



Gillon Associates Co. 111 River Street, Weymouth, MA 02191-2104 Telephone (781) 762-8856 E-mail: jt.gillon@comcast.net

TABLE OF CONTENTS

LIST OF FIGURES

Title	Figure Number	
General Location Map	1	
Locus Map	2	
Existing Peak Hour Traffic Volume	3	
Trip Generation Summary	4	
Directional Distribution	5	
Projected Peak Hour Traffic Volumes	6	
Intersection Levels of Service	7	
Central Avenue Speed Characteristics	8	
Central Avenue Stopping Sight Distance	9	

EXECUTIVE SUMMARY

- Central Avenue carries approximately 9,000 vehicles per day in the vicinity of the site. About nine percent of this daily volume occurs during the morning peak hour.
- . Based on the proponent's projected arrivals and departures, the morning peak hour will have more site generated trips than the evening peak hour. This project is expected to generate approximately 104 new morning peak hour trips with 55 inbound and 49 outbound.

The proponent will have staff assist children both arriving and leaving the day care to ensure the drop-off/pick-up circulation line of vehicles keep moving and do not stack back down the 200-foot long driveway.

- All through traffic on Central Avenue in each direction will continue to enjoy an "A" level of service with little or no delay during the weekday morning commuting peak hour. The Central Avenue southbound left-turn through lane utilized into the Site Driveway, will continue to operate at an "A" level resulting in no turbulence on Central Avenue during the morning peak hour. The Site Driveway itself will have an acceptable "C" level with average delay during the morning peak hour.
- The required stopping sight distance at the Central Avenue / Site Driveway intersection is provided.

INTRODUCTION

Gillon Associates has evaluated the anticipated traffic impacts resulting from the proposed development of a Child Care Facility. The site is located on Central Avenue, just north of Charles River Street in Needham, Massachusetts (Figure 1).

The purpose of this report is to evaluate potential traffic impacts, which may be created by the expected addition of vehicular traffic either originating from or destined to the site. Specifically, this report assesses traffic operational characteristics of the Central Avenue intersection at the site access roadway due to any additional traffic. Based on the proponent's projected arrivals and departures, the morning peak hour will have more site generated trips than the evening peak hour and, thus, was chosen for analysis purposes.

This report provides an identification of the expected traffic generated by the project along with an assessment of projected traffic operating characteristics. Existing traffic volumes were obtained by manually observing and recording Central Avenue traffic volumes in fifteen-minute increments during the morning peak hour.

PROJECT DESCRIPTION

The project site area is 146,003 square feet or just over three acres and includes constructing a 9,941 square-foot child care facility building. An out-building currently used as a barn will be retained for storage and ancillary purposes. The project will have a total of approximately 24 off-street surface parking spaces. The access to this school at #1688 Central Avenue uses a 200 foot-long, 24-foot wide access drive to Central Avenue (Figure 2).

EXISTING TRAFFIC CONDITIONS

Regional Roadway Network

Central Avenue will continue to serve the site and provide access to both local and regional roadway facilities. To the south, Central Avenue provides linkage between the site and Charles River Street and Dover as well as other points to the south. Central Avenue also provides access to the north with linkage to Route 135 and easterly to Needham Center.

Traffic Setting

The project is situated on the easterly side of Central Avenue. This roadway is a two-lane roadway with one lane in each direction. Central Avenue has a roadway pavement width of approximately 25 feet with a bituminous concrete sidewalk on the easterly side of the roadway.

Existing Traffic Volumes

Existing traffic volumes were obtained by manually observing and recording Central Avenue traffic volumes in fifteen-minute increments during the morning peak hour. Morning peak hour traffic volumes on Central Avenue at the site driveway are provided on Figure 3.

FUTURE TRAFFIC CONDITIONS

Trip Generation and Distribution

It is expected that the proposed child care facility will exhibit the same general trip generating characteristics as in other urban and suburban residential communities. In addition to local rates observed and compiled by this firm, the Institute of Transportation Engineers (ITE) provides data on a variety of land uses and there is a considerable amount of empirical data available. In addition, the proponent has found by assigning pick-up and drop-off windows for parents, there is less congestion within the site and they will employ that technique at this site as well. Figure 4 provides a trip generation summary listing the ITE equations along with the resulting trip generation values for the school.

Based on the proponent's projected arrivals and departures, the morning peak hour will have more site generated trips than the evening peak hour. This project is expected to generate approximately 104 new morning peak hour trips with 55 inbound and 49 outbound. This project is also expected to generate approximately 94 new evening peak hour trips with 44 inbound and 50 outbound.

Moreover, the Proponent has researched various Child Care locations to gain a higher level of confidence in our projected drop-off/pick-up vehicle trips. Over time, this location could accommodate between 80 and 100 students although 120 children appears to be allowed.

Observations at the Goddard School Day Care Facility in Medfield revealed 59 students arrived during the weekday morning peak hour.

Time	Arrive	
7:00-7:15	11	
7:15-7:30	10	
7:30-7:45	11	
7:45-8:00	15	
8:00-8:15	15	
8:15-8:30	18	59
8:30-8:45	6	
8:45-9:00	10	

In September 0f 2019, at a day care with 87 children there was a total of 51 vehicles during the morning peak hour. At the same location this winter there were 60 children in 30 cars on Monday and Friday and 76 children in 45 to 48 cars between Tuesdays and Thursdays.

In essence, all of these observations indicate there will be about 55 vehicles entering the site during the morning peak hour based on 80 children. This data also suggests this child care facility could quite easily accommodate over 100 children without creating on-site grid lock providing staff is available to assist children into the building where other staff members get that child settled and the initial staff member return to bring in the next vehicle's child.

If a parent insists on entering the facility they will be directed to park in an un-occupied parking stall or enter the site all the way to the end by the playground to block a staff member's car who is parked for the day. This operation will keep the drop-off / pick-up line circulating without disruption.

Directional distribution reflects the existing Central Avenue directional split as adjusted to account for residential local attributes during the morning and peak hour as shown on Figure 5. Site generated traffic volumes at the Central Avenue / Site Driveway intersection during the morning peak commuting hour is provided on Figure 6.

TRAFFIC OPERATIONAL ANALYSIS

This section of the report provides a quantitative analysis of anticipated traffic operational characteristics for the build scenarios. These series of capacity analyses were conducted for the weekday morning peak hour to determine the potential impact of the proposed day care facility project.

Analysis Methodology and Findings

The analysis is based on the "Highway Capacity Manual" for non-signalized intersections. This manual has been published by the Transportation Board of the National Research Council and approved by the National Academy of Sciences, National Academy of Engineering, and the Institute of Medicine. The most recent Synchro Software version 10.1 was utilized in the assessment.

At un-signalized intersections and driveways the manual assumes that the through and right-turn movements along any main street will operate unrestricted but conflicting movements will be subjected to various periods of delay depending primarily on the frequency of adequate safe gaps to complete these movements. These periods of delay are generally categorized in "Levels of Service" (LOS) ranging from "A" for very short or no delays through "F" for extensive delays. The Massachusetts Highway Design Manual indicates that a "D" Level of Service is acceptable on roadways such as those in the study area. A table comparing levels of service and seconds of delay is provided in the Appendix of this report.

As can be seen on Figure 7, all through traffic on Central Avenue in each direction will continue to enjoy an "A" level of service with little or no delay during the weekday commuting peak hour. As can be seen in the capacity calculations included in the Appendix of this report, the Central Avenue southbound left-turn through-lane utilized into the Site Driveway will also operate at an "A" level resulting in no turbulence on Central Avenue during this peak hour. The Site Driveway itself will have an acceptable "C" level with average delay during the morning peak hour.

SIGHT DISTANCE EVALUATION

The approaching vehicle on Central Avenue must be able to stop in time to avoid making contact with a vehicle emerging from the reconfigured site driveway. The required stopping sight distance from either a minor street or driveway is obtained from "A Policy on Geometric Design of Highways and Streets" as published by the American Association of State Highway and Transportation Officials (AASHTO) 6th Edition published in 2011.

Unlike the minimum safe stopping distance (MSSD) along a section of roadway, stopping sight distance at a driveway is not measured along either the center line or gutter line of a roadway. On page 9-29 of the American Association of State Highway and Transportation Officials (AASHTO) manual, it is stated "If the available sight distance for an entering or crossing vehicle (at an intersection corner) is at least equal to the appropriate stopping sight distance for the major road, then drivers have sufficient sight distance to anticipate and avoid collisions."

The motorist leaving the minor roadway or driveway has an eye height of 3.5 feet and he must be able to see another object (approaching vehicle) with a height of 3.5 feet from a point 14.5 feet back from the travel way. This dimension is based on most motorists stopping 6.5 feet or less from the intersecting roadway plus the eighty-fifth percentile distance of 8.0 feet from a front bumper of a vehicle to the motorist eye, thus, totaling 14.5 feet. The required stopping distance for each minor roadway is based on the formula on the following page:

$$d = 1.47 \text{ Vt} + 1.075 \frac{\text{V}^2}{a}$$

Where: V = Speed (mph)

t = perception & Reaction time (2.5 seconds)

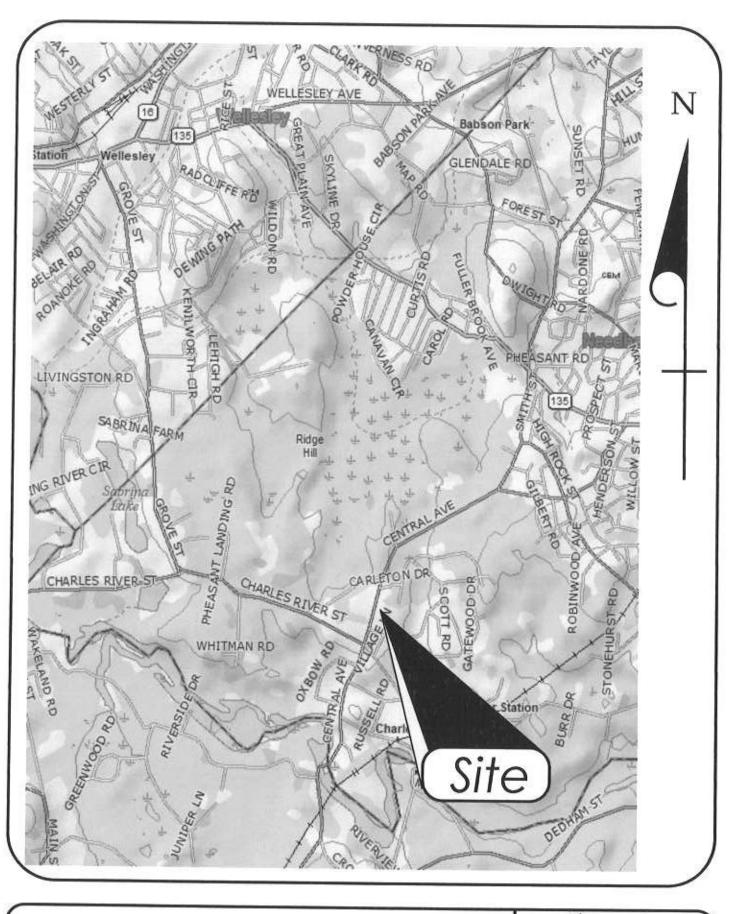
a = deceleration of vehicle (11.2 ft/sec.2)

A speed survey revealed the 85th percentile speed on Central Avenue was 39 mph southbound and 37 mph northbound at the site driveway (Figure 8). Therefore, the required stopping sight distance for Central Avenue at the driveway is computed as shown below:

$$d=1.47*39*2.5+1.075*\frac{(39)^2}{11.2}$$

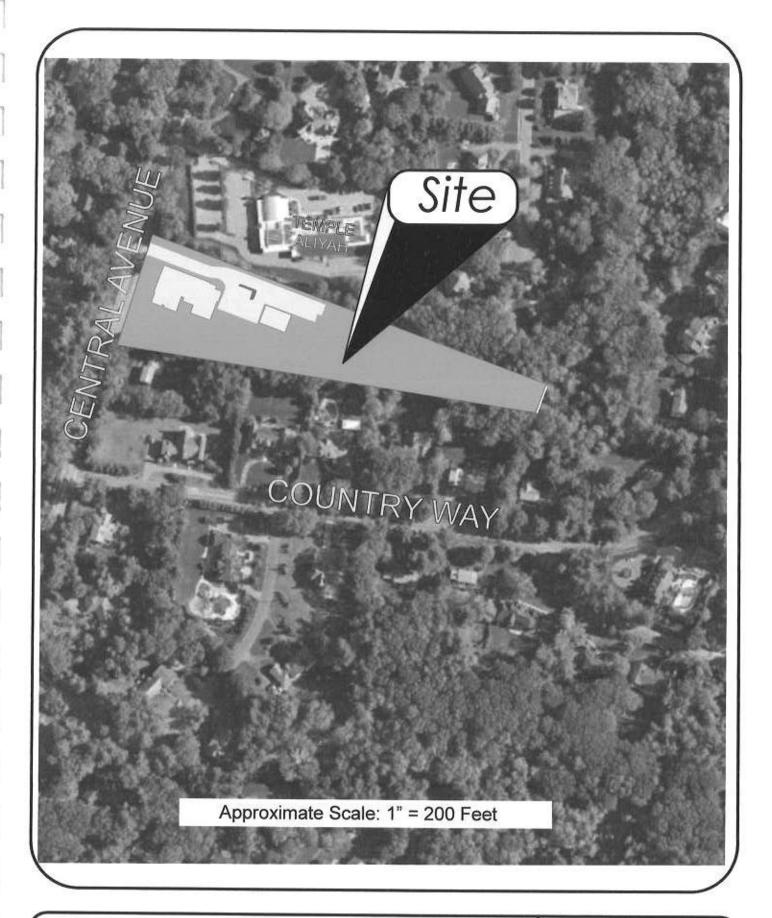
$$d = 143 + 146 = 289$$
 feet

A field review showed that this section of Central Avenue is both straight and flat. As can be seen on Figure 9, there is well over 350 feet of stopping sight distance in both directions on Central Avenue and the stopping sight distance and is safe.



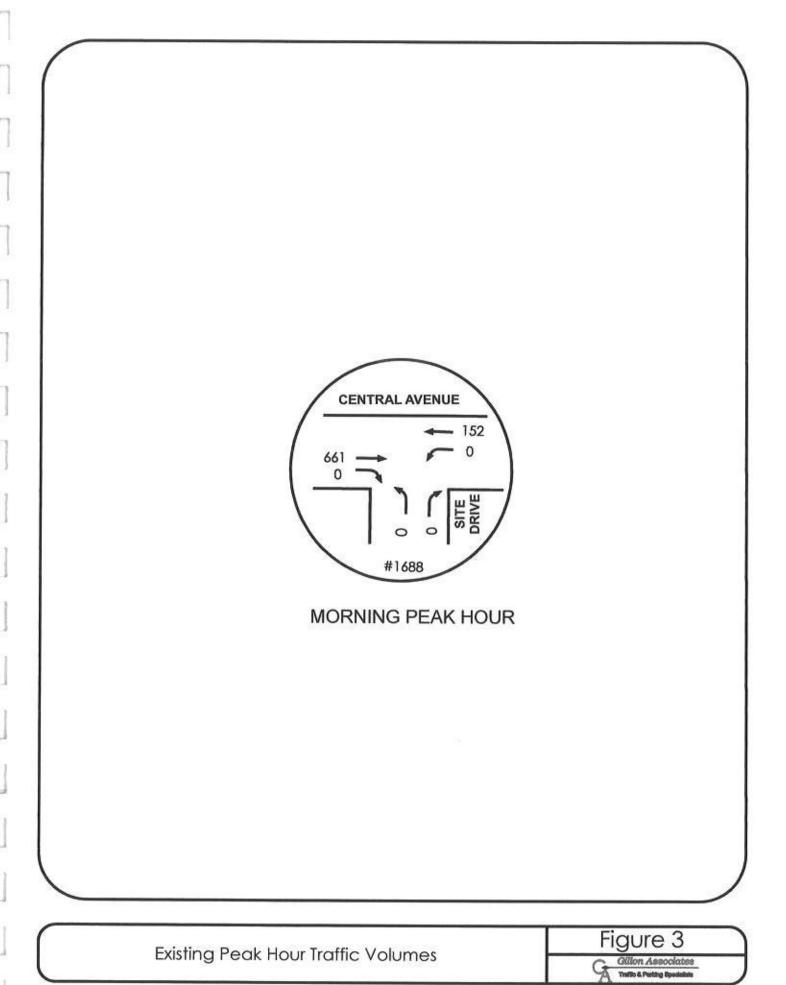
General Location Map





Locus Map

Figure 2



Source of Data ITE Report (10th Edition) Land Use Code: 565 Volume 2, Pages 224 - 245 Day Care Center Trips Based On Building Size AM PM IN OUT TOTAL Peak Hour Trips INOUTTOTAL Trips per Unit T = 11.00(x)T = 11.12(x)Directional Split 53% 47% 47% 53% Trips Based on 9.941 KGSF 58 51 109 52 58 110 Trips Based On Students AM PM Peak Hour Trips IN OUT TOTAL INOUT TOTAL Trips per Unit T = 0.66(x) + 8.42Ln(T) = 0.87 Ln(x) + 0.29Directional Split 53% 47% 47% 53% Trips Based on 80 Students 29 32 61 28 32 60 AVERAGE 45 40 40 45 85 Trips per Weekday Trips per Student ITE T = 47.62 (x) Trips Based on 9.941 KGSF = 473 Trips per Weekday T = 4.09 (x) Trips Based on 80 Students = 327 Trips per Weekday Average = 400 Trips / Weekday (= 200 Inbound & 200 Outbound) Based on Proponent's Student Drop-off & Pick-up Program AM 7:30-8:00 16 PM 2:45-3:00 10 8:00-8:15 9 4:00-4:30 10 8:15-8:30 10 4:45-5:15 25 8:30-8:45 16 5:15-5:45 25 Peak Hr. = 50 8:45-9:00 19 5:54+ 10 9:00-9:15 10 Peak Hr. = 55 Trips Based On Student Groups AM PM

IN OUT TOTAL

53% 47%

Trips Based on 80 Students 55 49 104

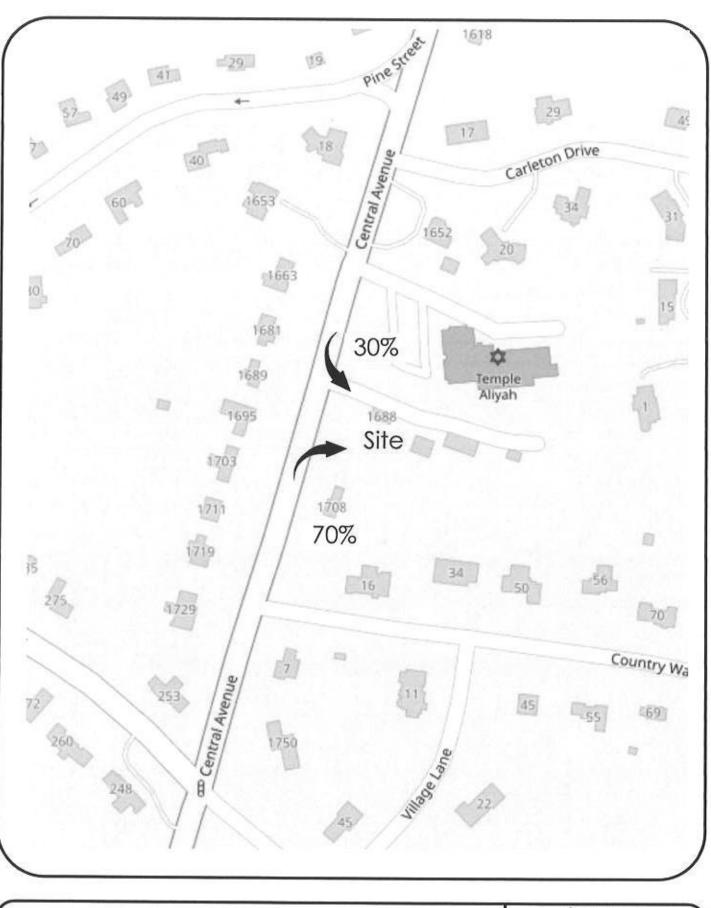
IN OUT TOTAL

47% 53%

44 50 94

Peak Hour Trips

Directional Split



Directional Distribution



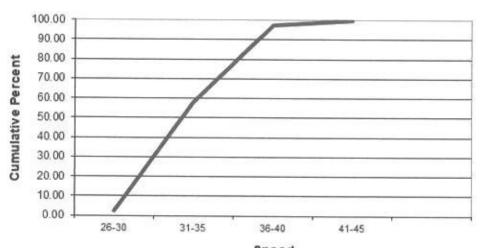


Central Avenue at Site Driveway Stop Sign Controlled Central Ave. Northbound (All Moves) Central Ave. Southbound Through Movement A Left-Turn Movement A Site Drive West Bound (All Moves)

Intersection Levels of Service



Speed Da	ta						
	26-30	31-35	36-40	41-45	Total	Speed	Cum. %
						26-30	2.33
Northbound	1	16	8	0	25	31-35	58.14
Southbound	0	8	9	1	18	36-40	97.67
	1	24	17	1	43	41-45	100.00



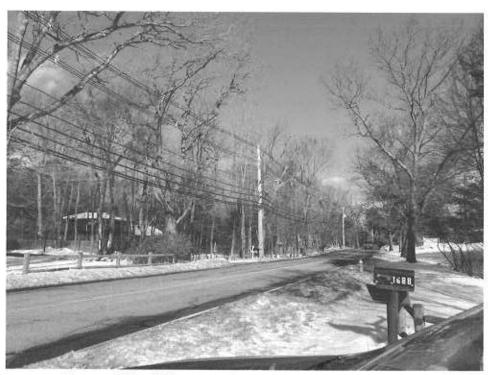
	N	orthbou	ınd		Speed	So	uthbour	nd	
	SPEED	Percent	Cum %			SPEED	Percent	Cum %	
	28	3.26%	3.26%			31	4.73%	4.73%	
	31	3.61%	6.87%			33	5.03%	9.76%	
	32	3.73%	10.59%			34	5.18%	14.94%	
	32	3.73%	14.32%			35	5.34%	20.27%	
	33	3.84%	18.16%			35	5.34%	25.61%	
	33	3.84%	22.00%			35	5.34%	30.95%	
	33	3.84%	25.84%			35	5.34%	36.28%	
	33	3.84%	29.69%			35	5.34%	41.62%	
	34	3.96%	33.64%			36	5.49%	47.10%	
	34	3.96%	37.60%			36	5.49%	52.59%	
	34	3.96%	41.56%			37	5.64%	58.23%	
	34	3.96%	45.52%			37	5.64%	63.87%	
	34	3.96%	49.48%			38	5.79%	69.66%	
	35	4.07%	53.55%			39	5.95%	75.61%	
	35	4.07%	57.63%			39	5.95%	81.55%	
	35	4.07%	61.70%			39	5.95%	87.50%	
	35	4.07%	65.77%			40	6.10%	93.60%	
	36	4.19%	69.97%			42	6.40%	100.00%	
	36	4.19%	74.16%						
	36	4.19%	78.35%						
	37	4.31%	82.65%		Avg.=	36		85th % =	39 mph
	37	4.31%	86.96%		100				part the same Realist
	37	4.31%	91.27%						
	37	4.31%	95.58%						
	38	4.42%	100.00%						
Avg.=	34		85th % =	37 mph					

Central Avenue Speed Characteristics

Figure 8



From Site Driveway Looking South (Left)



From Site Driveway Looking North (Right)

APPENDIX

Signalized Intersections

LOS	Control Delay per Vehicle (s/veh)
Α.	≤ 10
8	> 10-20
c	> 20-35
D	> 35-65
Ē	> 55-80
F	>80

Un-Signalized Intersections

Level of Service	Average Control Delay (s/veh)
A	0-10
B	> 10-15
C	> 15-25
D	> 25-35
E	> 35-60
F	> 50

Intersection Levels of Service

Intersection		7557	STATE	1000	NI TOTAL	(SAID)		100	CHARLES	
Int Delay, s/veh	1.1									f
Movement	WBL	WBR	NBT	NBR	SBL	SBT	500		VICTOR I	
Lane Configurations	W		Pa			व		-		
Traffic Vol, veh/h	15	34	661	39	16	152				
Future Vol, veh/h	15	34	661	39	16	152				
Conflicting Peds, #/hr	0	0	0	0	0	0				
Sign Control	Stop	Stop	Free	Free	Free	Free				
RT Channelized		None		None		None				
Storage Length	0	-	-			-				
Veh in Median Storage,	# 0		0	-		0				
Grade, %	0		0	-		0				
Peak Hour Factor	89	89	89	89	89	89				
Heavy Vehicles, %	0	0	2	0	0	2				
Mvmt Flow	17	38	743	44	18	171				
Major/Minor N	finor1	E	Major1		Major2	0.00				
Conflicting Flow All	972	765	0	0	787	0				
Stage 1	765									
Stage 2	207	-	-							
Critical Hdwy	6.4	6.2	-		4.1					
Critical Hdwy Stg 1	5.4									
Critical Hdwy Stg 2	5.4									
Follow-up Hdwy	3.5	3.3			2.2					
Pot Cap-1 Maneuver	282	406			841					
Stage 1	463	-	-							
Stage 2	832									
Platoon blocked, %	3.00			12		-				
Mov Cap-1 Maneuver	275	406			841					
Mov Cap-2 Maneuver	275									
Stage 1	463	+				-				
Stage 2	812					*	201			
Approach	WB		NB		SB	A THE			200	02300
HCM Control Delay, s	17	V. C.	0		0.9					
HCM LOS	C				0.0					
CANAL STATE OF THE										
Minor Lane/Major Mymt		NBT	NBRI	WBLn1	SBL	SBT			130000	QU.S
Capacity (veh/h)	1511			354	841		1100			
HCM Lane V/C Ratio				0.156	100000000000000000000000000000000000000					
HCM Control Delay (s)				17	9.4	0				
HCM Lane LOS				C	A	A				
HCM 95th %tile Q(veh)				0.5	0.1	,				
				0.0	Uil	1.70				

STORM WATER REPORT PROPOSED DAYCARE BUILDING 1688 CENTRAL AVENUE NEEDHAM, MA JUNE 22, 2020



OWNER/APPLICANT
NEEDHAM ENTERPRISES
105 CHESTNUT STREET SUITE 28
NEEDHAM, MA 02492

ENGINEER: GLOSSA ENGINEERING INC 46 EAST STREET EAST WALPOLE, MA 02032

TABLE OF CONTENTS

NARRATIVE / SUMMARY	APPENDIX I
CONSTRUCTTION PERIOD PLAN	APPENDIX II
OPERATION AND MAINTENANCE PLAN	APPENDIX II
LONG TERM POLLUTION PLAN	APPENDIX II
TSS REMOVAL WORKSHEETS	APPENDIX II
DRAINAGE WORKS INSPECTION FORM	APPENDIX II
RECHARGE CALCULATIONS	APPENDIX II
DRAWNDOWN CALCULATIONS	APPENDIX II
EXISTING CONDITIONS HYDROCAD	APPENDIX III
PROPOSED CONDITIONS HYDROCAD	APPENDIX IV

APPENDIX I

NARRATIVE SUMMARY

GLOSSA ENGINEERING INC 46 EAST STREET EAST WALPOLE,MA 02032 PHONE 508-668-4401 FAX 508-668-4406 EMAIL glossaeng@AOL.com

June 22, 2020

1688 Central Avenue Nedham, MA

STORM WATER REPPORT NARRATIVE

The applicant would like to remove the existing buildings and replace those buildings with a Child Daycare center building at 1688 central Avenue in Needham, MA. One building will remain and will be used in conjunction with the Daycare operation. The existing and proposed conditions are shown on the attached plans.

Currently there is no formal storm water management system at the site. The storm water runs off onto abutting properties and to Central Avenue.

The proposal is to capture all of the runoff from the building rooftops and most of the runoff from the proposed paved area and direct the runoff to an underground infiltration basin. The design and analysis is patterned after the MA DEP Storm Water Management regulations. The design includes mitigation of the rates of runoff, TSS removal, recharge calculation, drawdown calculation, an O and M plan, a Construction Period plan, a Long Term Pollution plan and hydrocad analysis.

STANDARD #2 – PEAK RATE ATTENUATION:

EXISTING CONDITIONS:

	Stormwater Runoff Summary					
Subarea		Storr	n Event			
Pre-development.	2-yr	10-yr	25-yr	100-yr		
E1 (cfs)	0.14	0.66	1.03	1.78		
E1 (ac-ft.)	0.020	0.055	0.081	0.133		
E2 (cfs)	0.01	0.25	0.55	1.33		
E2 (ac-ft.)	0.009	0.047	0.079	0.150		
E3 (cfs)	0.0	0.0	0.01	0.04		
E3 (ac-ft.)	0.0	0.0	0.004	0.027		
Total Area 146,012 sf 3.352 ac						
Total to Central Ave (cfs)	0.0	0.0	0.0	0.22		
Total to Central Ave (ac-ft)	0.0	0.0	0.0	0.010		
Low Area Northwest						
Qout (cfs)	0.0	0.0	0.0	0.22		
Vout (ac-ft.)	0.0	0.0	0.0	0.010		
Qout infiltrated (cfs)	0.05	0.11	0.15	0.19		
Vout infiltrated (ac-ft.)	0.020	0.055	0.081	0.123		
Peak Elevation (ft.)	199.87	200.30	200.53	200.82		
Low Area Southwest						
Qout (cfs)*	0.0	0.0	0.0	0.0		
Vout (ac-ft.)*	0.0	0.0	0.0	0.0		
Qout infiltrated (cfs)	0.01	0.15	0.26	0.44		
Vout infiltrated (ac-ft.)	0.009	0.047	0.079	0.15		
Peak Elevation (ft.)	198.62	198.75	198.84	199.01		
* No discharge from low area sou	thwest to C	entral Ave				

PROPOSED CONDITIONS:

	Stormwater Runoff Summary						
Subarea		Sto	rm Event				
Post-development.	2-yr	10-yr	25-yr	100-yr			
CB1 (cfs)	0.65	0.98	1.17	1.50			
CB1 (ac-ft.)	0.050	0.077	0.093	0.121			
CB2 (cfs)	0.33	0.65	0.84	1.19			
CB2 (ac-ft.)	0.025	0.047	0.061	0.087			
CB3 (cfs)	0.22	0.32	0.38	0.49			
CB3 (ac-ft.)	0.018	0.027	0.032	0.041			
Existing Building (cfs)	0.17	.25	0.29	0.37			
Existing Building (ac-ft)	0.014	0.020	0.024	0.031			
Proposed Building (cfs)	0.70	1.02	1.21	1.55			
Proposed Building (ac-ft)	0.057	0.085	0.101	0.130			
P1 (cfs)	0.16	0.48	0.70	1.12			
P1 (ac-ft.)	0.015	0.037	0.052	0.082			
P1A (cfs)	0.0	0.0	0.01	0.06			
P1A (ac-ft.)	0.0	0.002	0.004	0.009			
P2 (cfs)	0.0	0.01	0.05	0.26			
P2 (ac-ft.)	0.0	0.007	0.018	0.047			
P3 (cfs)	0.0	0.0	0.01	0.04			
P3 (ac-ft.)	0.0	0.0	0.004	0.027			
Total Area 156,483 sf, 3.592 ac							
Total to Central Ave (cfs)	0.0	0.0	0.01	0.11			
Total to Central Ave (ac-ft)	0.0	0.002	0.004	0.011			
<u> </u>							
Low Area Northwest							
Qout (cfs)	0.0	0.0	0.0	0.09			
Vout (ac-ft.)	0.0	0.0	0.0	0.002			
Qout infiltrated (cfs)	0.04	0.08	0.11	0.14			
Vout infiltrated (ac-ft.)	0.015	0.037	0.052	0.080			
Peak Elevation (ft.)	199.99	200.34	200.52	200.77			
Subsurface System			200.52	200177			
Qout infiltrated (cfs)*	0.49	0.57	0.62	0.74			
Vout infiltrated (ac-ft.)*	0.164	0.256	0.311	0.410			
Peak Elevation (ft.)	186.69	187.70	188.37	190.02			
Low Area Southwest	130107	237.70	100.57	170.02			
Qout infiltrated (cfs)*	0.0	0.01	0.04	0.14			
Vout infiltrated (ac-ft.)*	0.0	0.007	0.018	0.047			
Peak Elevation (ft.)	198.74	198.76	198.79	198.93			
* No discharge from low area sou		-					

^{*} No discharge from low area southwest to Central Ave or from Subsurface system

APPENDIX II

CONSTRUCTION PERIOD PLAN
OPERATION AND MAINTENANCE PLAN
TSS REMOVAL WORKSHEET
RECHARGE CALCULATION
DRAINAGE WORKS INSPECTION FORM

CONSTRUCTION PERIOD POLLUTION PLAN

Given the proximity of a drainage catch basins and other drain inlets, care shall be taken to assure that eroded soil will not be deposited into the drain system.

The entity for the construction period pollution prevention and erosion and sedimentation control plan is Needham Enterprises, their successors and assigns, 105 Chestnut Street, Needham, MA 02492. Construction period pollution control measures shall include a siltation barrier (compost filled sock and orange colored construction fence). A designated materials stockpile area and a construction staging area has also been depicted on the plans. Construction sequencing shall be as follows:

- 1) Installation of silt barriers as shown on the plans
- 2) Installation of stabilized construction entrance
- 3) Establishment of a construction staging area
- 4) Establishment of a materials stockpile area
- 5) Clearing and grubbing
- 6) Removal and stockpiling of top and subsoils.
- 7) Removal of sand and gravel to bring the site to subgrade
- 8) Establishing and stabilizing with loam and seed all cut and fill side slopes
- 9) Install gravel driveway in the location of the final asphalt driveway
- 10) Construction of the building
- 11) Installation of underground detention basin
- 12) Installation of underground utilities, drainage, water, electric, CATV and telephone
- 13) Installation of sewer lines
- 14) Installation of binder course for driveway, landscaping and planting of grass areas
- 15) Final course of asphalt for driveways
- 16) Cleanup and demobilize

VEGETATION PLANNING

Vegetation shall be installed per the approved plans in accordance with the construction sequencing plan

EROSION AND SEDIMENTATION CONTROLS

The operation and maintenance of the erosion and sedimentation controls shall be the responsibility of the site contractor, who will report to Needham Enterprises their successors and assigns. The erosion and sedimentation controls shall be inspected daily by the site contractor. Repairs as needed shall be made immediately. The inspection of erosion and sedimentation controls shall also be done weekly and after every 1" or more rain event by an independent person trained in erosion control practices at construction sites. This independent person shall file weekly reports with Needham Enterprises, their successors and assigns. These reports shall be made available to the Needham Director of Public Works, Mass DEP and the EPA.

PROPOSED DAYCARE BUILDING 1688 CENTRAL AVENUE NEEDHAM, MA

OPERATION AND MAINTENANCE PLAN

STORM WATER CONTROL AND MITIGATION SYSTEM

The entity responsible for the implementation of the operation and maintenance plan for the storm water management system is:

Needham Enterprises Their successors and assigns 105 Chestnut Street, Suite 28 Needham, MA 02492

The storm water system is shown on an as built plan on file with the with the Needham Building Inspector. The system consists of the following components:

- 1) Drainage catch basins (3)
- 2) Drainage piping
- 3) Drainage manholes (2)
- 4) Stormceptor (1)
- 5) Below ground infiltration basin (1)
- 6) Rooftop drainage piping

INSPECTIONS

- 1) Storm water system components shall be inspected every three months during the first year of operation. Inspection reports shall be submitted to the Planning Board within 30 days of the inspection. These inspections shall be conducted Needham Enterprises, their successors and assigns.
- 2) The drainage infiltration basins shall be inspected twice per year by the property owner. Any repairs shall be made within 30 days of the inspection. The property owner shall consult with a Registered Professional Engineer regarding any anticipated repairs. The owner shall notify the Needham Director of Public Works prior to the undertaking of any repairs.
- 3) The drainage infiltration basins shall be inspected every five years by a Massachusetts Registered Professional Engineer. Inspection reports shall be submitted to the Needham Director of Public Works within 30 days of the inspection
- 4) Any repairs deemed to be critical shall be made immediately. Any other repairs shall be made within 30 days of the inspection.
- 5) Any proposed changes to the drainage system shall be approved in writing by the Needham Director of Public Works.

6) Needham Enterprises shall have on hand at all times \$1,000 (2020 dollar value) for inspections and emergency repairs.

MAINTENANCE

- 1) Driveways and parking areas shall be swept twice per year, once in the Spring and once in the Fall by Needham Enterprises, their successors and assigns.
- 2) Catch basins shall be cleaned by Needham Enterprises their successors and assigns once per year in the Spring.
- 3) Mowing of the grass and care of any planned shrubs within the site shall be routinely done by Needham Enterprises, their successors and assigns.
- 4) Needham Enterprises their successors and assigns shall have a revolving fund with money on hand at all times to perform their required tasks.

REPLACEMENT

1) Needham Enterprises their successors and assigns shall create and maintain a replacement fund for the infiltration basin and infiltration trenches. The amount of money needs to be \$8,000 (in 2020 value) within 50 years of the start of construction.

LONG TERM POLLUTION PLAN

The use of the property and the responsibility of the owners to implement and carry out a Long Term Pollution Prevention Plan will be subject to this document and shall include the following provisions:

- 1) Good housekeeping practices shall be implemented at all times.
- 2) Storage of materials shall be done in a manner that will prevent the migration of loose soil, silt or clay or other unwanted material, in order to prevent such material from entering the storm water management system. The shall be no outdoor storage of waste products at that site at any time.
- 3) Routine inspections and maintenance of Storm water best management practices shall be carried out in compliance with the Operation and Maintenance plan.
- 4) There may be heating oil deliveries to the site. Spill prevention and response plans shall be the responsibility of the delivery companies. Spill prevention and response plans for other hazardous materials shall be the responsibility of those individual handlers.
- 5) Lawns, gardens and other landscaped areas within the site shall be maintained by the owner at the expense of the owner.
- 6) There shall be no outdoor storage of fertilizers, herbicides, and/or pesticides at the site. Indoor storage of fertilizers, herbicides and/or pesticides shall be done in a safe and dry location. Any spill

of these materials shall be cleaned up immediately. The use of fertilizers, herbicides, and pesticides at the site shall be limited to amounts allowed by regulations issued by the Needham Director of Public Works and / or other governing bodies. Pet waste deposited at the site shall be immediately picked up and removed. Pet waste to be disposed of through solid waste containers.

- 8) There shall be no on site septic systems installed at the site unless allowed by other governing bodies.
- 9) Solid waste shall be stored in closed containers and removed by a licensed hauler at least once per week. Any solid waste not in closed containers found at that site shall be removed immediately by the owner.
- 10) Snow shall be plowed in to wind rows at the edge of the paved areas. Excess snow shall be removed from the site and deposited in approved snow farms.
- 11) Road salt and sand shall be used in accordance with rules, regulations and laws in force at that time. There shall be no storage of sand or salt at the site.
- 12) There shall be no illicit discharges to the storm water system.
- 13) The owners shall become familiar with the rules and regulations and restrictions of this document.
- 14) In case of an emergency, the owner shall notify the following organizations
 - 1) Needham Fire Dept.
 - 2) Needham Board of Health
 - 3) Needham Conservation Commission
 - 4) Needham Building Department
 - 5) Needham Dept. Of Public Works
 - 6) Massachusetts DEP

FRIEZE CRAMER ROSEN & HUBER LLP

COUNSELLORS AT LAW

60 WALNUT STREET, WELLESLEY, MASSACHUSETTS 02481 781-943-4000 • FAX 781-943-4040

> EVANS HUBER 781-943-4043 EH@128LAW.COM

April 16, 2021

Members of the Needham Planning Board

And

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

Re: 1688 Central Ave, Needham

Dear Planning Board Members and Ms. Newman:

I am writing on behalf of Needham Enterprises, LLC for two purposes. The first is to address the question of whether this proposed building and associated parking is, or should be, subject to major project Site Plan Review as described in section 7.4 of the Bylaw. The second is to submit some revised plans that have been prepared on behalf of Needham Enterprises in what we believe is a substantial and good-faith effort to address some of the concerns that have been raised by Town residents, most recently in an attachment to a letter submitted by Holly Clarke.

I. Whether the proposed building and parking area is subject to major project Site Plan Review:

We disagree that the building and parking areas, as proposed in the application for minor project Site Plan Review, are subject to major project site plan review, as argued by Ms. Clarke and others. The starting point for analyzing this question is Massachusetts General Laws c. 40A, s. 3, third par., which provides:

"No zoning ordinance or bylaw in any city or town shall prohibit, or require a special permit for, the use of land or structures, or the expansion of existing structures, for the primary, accessory or incidental purpose of operating a child care facility; provided, however, that such land or structures may be subject to

FRIEZE CRAMER ROSEN & HUBERILP
Lee Newman and
Needham Planning Board Members
April 16, 2021
Page 2

reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements. As used in this paragraph, the term 'child care facility' shall mean a day care center or a school age child care program, as those terms are defined in section nine of chapter twenty-eight A." (emphasis added).

This statute is perfectly clear that the project that Needham Enterprises is proposing -- a building "for the primary purpose of operating a child care facility" -- cannot be required to be approved through the Town's special permit process as outlined in section 7.4 of the Bylaw for major project site plan review. In view of the highlighted language quoted above, it is not correct, as some have argued, that the Town must allow the use, but, as to the building and parking areas, can nevertheless require the applicant to obtain a special permit through major project site plan review. Indeed, an analogous argument was expressly rejected in *Petrucci v. Board of Appeals of Westwood*, 45 Mass. App Ct. 818 (1998), citing *Watros v. Greater Lynn Mental Health & Retardation Assn., Inc.*, 421 Mass. 106 (1995):

The "constrictive result" flowing from the abutters' reading of the statute was "neither required by the language of the statute nor consistent with its purpose," which was "to prevent local interference with the use of real property" - whether of land or of structures thereon for the exempt purposes identified in the statute. Here, also, the plain language of the statute (which, as in Watros, speaks not once but twice of "land or structures") and its manifest intent - to broaden, rather than narrow, the opportunities for establishing child care facilities in the Commonwealth - overwhelm the board's constrictive effort to parse any substantial child care facility on a residential property out of the statute.

Petrucci, 45 Mass. App. Ct. at 822 (internal citations omitted). See also *Trustees of Tufts Coll. v. City of Medford*, 415 Mass. 753, 765, (1993)("A local zoning law that improperly restricts an educational use by invalid means, such as by special permit process, may be challenged as invalid in all circumstances. In this case, for example, the Land Court judge properly declared invalid the site plan and special permit requirements of the ordinance as to present *and* future, unspecified projects on the Tufts campus. [citation omitted] The Appeals Court correctly did not disturb this aspect of the judgment.").

We also disagree that the proposed square footage of the new construction makes this a "major project;" the analysis and interpretation of the Bylaw set forth in the attachment to the Clarke letter would mean that the only time new construction between 5,000 and 9,999 s.f. would qualify as a "minor project" is if it is being done on entirely vacant land. Under the interpretation argued in the Clarke letter, any lot with any structure on it would mean, for example that a 6,000 s.f. new and unrelated structure would be a "major project," since that would represent more than 5,000 s.f. of increased square footage "on the lot." Although this argument does point out an ambiguity in the Bylaw, the only legitimate way to resolve that ambiguity is with reference to the Town's interpretation and application of that Bylaw in the past. As the Planning Department is no doubt aware, the Town has consistently interpreted the

FRIEZE CRAMER ROSEN & HUBERLLP

Lee Newman and Needham Planning Board Members April 16, 2021 Page 3

Bylaw provision in question to mean that new construction of more than 5,000 but less than 10,000 s.f. is a "major project" only if it consists of the expansion of an existing building.

In addition, we disagree that the design of the parking area and the proposed number of spaces will be inadequate for the proposed use, but to eliminate any dispute over this issue, as describe in greater detail, below, and as shown on the drawing submitted herewith, Needham Enterprises has redesigned the parking area to include 30 spaces. This new layout and increased number of parking spaces should eliminate any argument that the number of parking spaces is insufficient, or that the queue of cars dropping off or picking up children will back up onto Central Ave.

If this building and parking area were being proposed for some use not governed by Massachusetts General Laws c. 40A, s. 3, the creation of 30 new parking spaces would subject the project to major project Site Plan Review, including the requirement of a special permit. But, for the reasons stated above, in this case, and for this use, the major project special permit/site plan review requirement of section 7.4.3 of the Bylaw cannot be imposed by the Town. For this reason, the question of whether this is a "major project" or a "minor project" as defined in section 7.4 of the Bylaw is moot.

M. G. L. c. 40A, section 3 does state that the project can be subject "<u>reasonable</u> regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements." (emphasis added). Although some of these topics overlap with the site plan review criteria set forth in section 7.4.6 of the Bylaw, it is clear that the allowable subjects of "reasonable regulation" set forth in c. 40A, section 3 are not the same as the Section 7.4.6 Site Plan Review criteria. And it is the criteria enumerated in c. 40A, not section 7.4.6 of the Bylaw, that control the Planning Board's authority in this instance. The hearing on May 18 for this project is thus neither minor nor major project plan review under section 7.4 of the Bylaw. It is simply site plan review pursuant to c. 40A, section 3, during which process the Board may consider "reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements."

Exactly what constitutes "reasonable regulation" of these aspects of this project remains to be determined, but among the factors that could demonstrate *unreasonableness* are (1) that a particular restriction "would substantially diminish or detract from the usefulness of a proposed structure, or impair the character of the . . . [applicant's property], without appreciably advancing the municipality's legitimate concerns," and (2) excessive cost of compliance without significant

¹ It is worth noting that while Needham does not have a Bylaw provision specifically addressing site plan review for projects falling under M.G.L. c. 40A, section 3, the relevant section of Framingham's Bylaw, for example, provides that for "any new structure or alteration of an existing structure or change of use in any structure for an entity claiming exception under G.L. c. 40A, § 3, site plan review shall be limited . . . to the imposition of reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements."

FRIEZE CRAMER ROSEN & HUBERLLP

Lee Newman and Needham Planning Board Members April 16, 2021 Page 4

gain in terms of municipal concerns . . ." Trustees of Tufts College, supra, 415 Mass. at 759-760. See also, Radcliffe College v. Cambridge, 350 Mass. 613, 619 (1966)(local zoning provision that requires an educational institution to adapt plans for the use of its land may be enforced, so long as the provision is shown to be related to a legitimate municipal concern, and its application bears a rational relationship to the perceived concern, but a zoning requirement that results in something less than nullification of a proposed educational use may be unreasonable within the meaning of the Dover Amendment.); Jewish Cemetery Ass'n of Mass. v. Bd. of Appeals of Wayland, 18 LCR 428 (Massachusetts Land Court) (August 13, 2010) citing The Bible Speaks v. Bd. of Appeals of Lenox, 8 Mass. App. Ct. 19, 31, 391 N.E.2d 279 (1979) ("towns may not, through the guise of regulating bulk and dimensional requirements under the [Dover Amendment], proceed to 'nullify' the use exemption permitted. . . . ").

We would also note that the project as shown in the revised drawings submitted herewith is already set further back from Central Ave than Section 4.2.4 of the Bylaw requires; is well under the maximum allowable height, side and rear setbacks, number of stories, lot coverage and FAR set forth in Section 4.2.4; has more parking spaces than the formula used by the Town requires; and has a parking and circulation design that, in conjunction with the tenant's staggered drop-off and pick up schedule, will insure that cars do not back up from the property out onto Central Ave. The parking area has also been designed to have a drop-off/pick-up area and (as required) handicapped parking close to the main entrance. Thus, to the extent that the Planning Board considers what *reasonable* restrictions, if any, would be appropriate that are more stringent than what the Bylaw requires,² in many respects this project has already been designed with those legal principles in mind.

II. Revised Plans:

As noted above, in response to the concerns expressed by some of the neighbors, submitted herewith are revised plans in which the building has been moved 10 feet further back from Central Ave, so that the setback is now 50 feet (as compared to the 35-foot setback required by section 4.2.4 of the Bylaw). In addition, as noted above, the parking area has been redesigned to increase the number of parking spaces to 30, and to provide additional room for picking up and dropping off children (although this revised layout will need to be reviewed by the Fire Department). The landscaping plan has been enhanced in response to the recommendations of the Design Review Board, and the façade of the building facing Central Ave has been changed as suggested by the DRB.

² Ms. Carke's letter cites *Muldoon v. Planning Bd. of Marblehead*, 72 Mass. App. Ct. 372 (2008), for the proposition that a town may impose restrictions greater than those set forth in the town's Bylaws. *Muldoon* does not involve a use or structure covered by M.G.L. c. 40A, and thus provides no guidance as to the extent, if any, to which a town may impose restrictions greater than those already imposed by its Bylaws in the context of G.L. c. 40A section 3, nor does it provide guidance as to whether any such "more stringent" restriction(s) would be deemed "reasonable" under *Trustees of Tufts College v. Medford, supra*.

FRIEZE CRAMER ROSEN & HUBERLLP

Lee Newman and Needham Planning Board Members April 16, 2021 Page 5

Thank you for your consideration of the matters raised in this letter. We look forward to meeting with you on May 18.

,

Evans Huber

MEMORANDUM

To: Needham Planning Department

From: Evans Huber, Esq.

Date: May 5, 2021

Subject: Summary of Changes to Proposed Project at 1688 Central Avenue

As requested by email from Alex Clee dated April 29, the following is a summary of the changes that Needham Enterprises has made to the proposed project, following the submission of a plan set on March 12, review and comment by the DRB at its meeting on March 22, and neighborhood feedback.

Building

- The building has been moved further back from Central Ave, so that the setback is now 50 feet, rather than 40 feet as previously submitted. Please note that the setback required by Section 4.2.4 of the Bylaw is 35 feet.
- Bayed windows have been added to the building façade facing Central Avenue.

Parking:

- The increased setback from Central Ave resulted in a corresponding decrease in the distance between the building and the existing barn, requiring a redesign of the parking area between the barn and the main entrance to the building.
- In response to neighborhood concerns that there will be insufficient parking for the required staffing, the number of parking spaces has been increased from 24 to 30.
- In addition, in response to the concern that vehicles queueing for drop-off and pick-up may create a back-up on Central Avenue, a parking area has been added behind the existing barn.

Landscaping:

- Both side lot line screen plantings have been changed from all white pine to mix of white pine, red cedar, blue spruce, and Norway spruce
- Both groups of side line screen plantings have been reconfigured so that they are no longer in a straight line
- On the north sideline adjacent to Temple Aliyah, the number of trees has been increased from 11 to 17
- On the south side of the property, the number of trees has been increased from 6 to 21 and the length of the planting screen has been increased to fully screen the building from the neighbor at 1708 Central Ave.
- Foundation plantings have been added along the Central Avenue building façade, as well as cherry trees at each end of that façade.
- Shrubs have been added between the proposed flowering crabapple trees along Central Avenue at the top of the new proposed grade.
- Maple trees adjacent to the walkway along parking area between the building and existing barn have been moved further from the walkway.

ZONING LEDGEND:				
SINGLE RESIDENCE A	REQUIRED/ALLOWED	EXISTING	PROPOSED	COMPLIANCE
MIN. AREA	43,560 S.F.	146,003 S.F.	146,003 S.F.	YES
MIN. FRONTAGE	150'	250.05	250.05'	YES
MIN. SETBACK FRONT	30'	*105.0' **211.2' ***30'	50.0'	YES
MIN. SETBACK SIDE	25'	*67.5' **65.0' ***54.2'	52.3'	YES
MIN. SETBACK REAR	15'	*864.9' **763.4' ***677.0'	826.5'	YES
MAXIMUM STORIES	2-1/2	*2 **1 ***2	1	YES
MAXIMUM HEIGHT	35'	*30.7' **15.3' ***31.2'	20'	YES
BUILDING COVERAGE	NR	NR	NR	YES
FLOOR AREA RATIO	NR	NR	NR	YES
DRIVEWAY OPENINGS	18' - 25'	19'	24'	YES

*EXISTING HOUSE (TO BE DEMOLISHED)

**OUT BUILDING -1 (TO BE DEMOLISHED

***OUT BUILDING -2 (TO REMAIN)

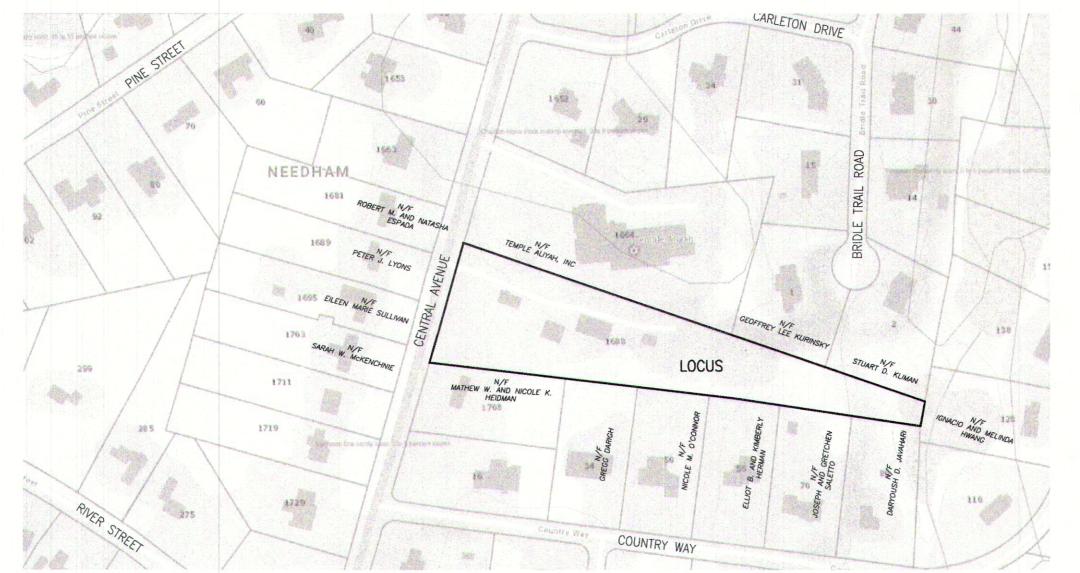
ZONING BYLAW 6.1.3 PARKING PLAN AND DESIGN REQUIREMENTS

	REQUIRED/ALLOWED	EXISTING	PROPOSED	COMPLIANCE
A) PARKING ILLUMINATION	AVG. 1 FOOT CANDLE	N/A	AVG. 1 FOOT CANDLE	YES
B) LOADING REQUIREMENTS	N/A	N/A	N/A	YES
C) HANDICAPPED REQUIREMENTS	2	N/A	2	YES
D) DRIVEWAY OPENINGS	1	1	1	YES
E) COMPACT CARS	50% (8'X16')	N/A	N/A	YES
F) PARKING SPACE SIZE	9'X18.5'	N/A	9'X18.5'	YES
G) BUMPER OVERHANG	1' OVERHANG	N/A	NONE REQUIRED	YES
H) PARKING SPACE LAYOUT	N/A	N/A	N/A	YES
I) WIDTH OF MANEUVERING AISLE	24' (90° STALL)	N/A	24' (90° STALL)	YES
J) PARKING SETBACK				
-FRONT	10'	N/A	181.2'	YES
-SIDE	4'	N/A	31.0'	YES
-REAR	4'	N/A	625.1'	YES
-BUILDING	5'	N/A	5'	YES
K) LANDSCAPE AREA	10%	N/A	10%	YES
L) TREES	1 PER 10 SPACES (3)	N/A	3	YES
M) LOCATION	WITHIN LOT	N/A	WITHIN LOT	YES
N) BICYCLE RACKS	NONE REQUIRED	N/A	NONE REQUIRED	YES

REQUIRED PARKING TO BE DETERMINED BY BUILDING INSPECTOR PARKING PROVIDED SPACES INCLUDING 2 HANDICAP SPACES

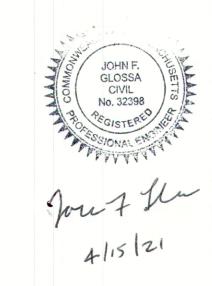
LANDSCAPE AREA REQUIREMENT IS 10% OF REQUIRED SET BACK AREA. SET BACK AREA IS 3,939 S.F. 10% OF 3,939 IS 394 S.F. OF MAINTAINED LANDSCAPE AREA REQUIRED 25% OF THAT OR 98 S.F. TO BE LOCATED WITHIN THE INTERIOR OF THE PARKING AREA. 365 S.F. PROVIDED WITHIN PARKING AREA

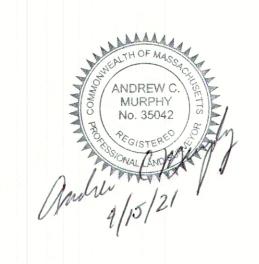
SITE DEVELOPMENT PLANS DAYCARE 1688 CENTRAL AVENUE NEEDHAM, MA JUNE 22, 2020



LOCUS N.T.S

PLAN INDEX





PREPARED BY
GLOSSA ENGINEERING, INC.
46 EAST ST
EAST WALPOLE, MA 02032
(508) 668-4401

OWNER:

NEEDHAM ENTERPRISES LLC 105 CHESTNUT STREET SUITE 28 NEEDHAM, MA 02492

APPLICANT:

NEEDHAM ENTERPRISES LLC 105 CHESTNUT STREET SUITE 28 NEEDHAM, MA 02492

ASSESSORS PARCELS:

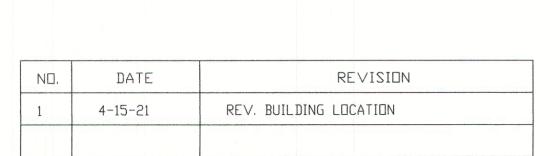
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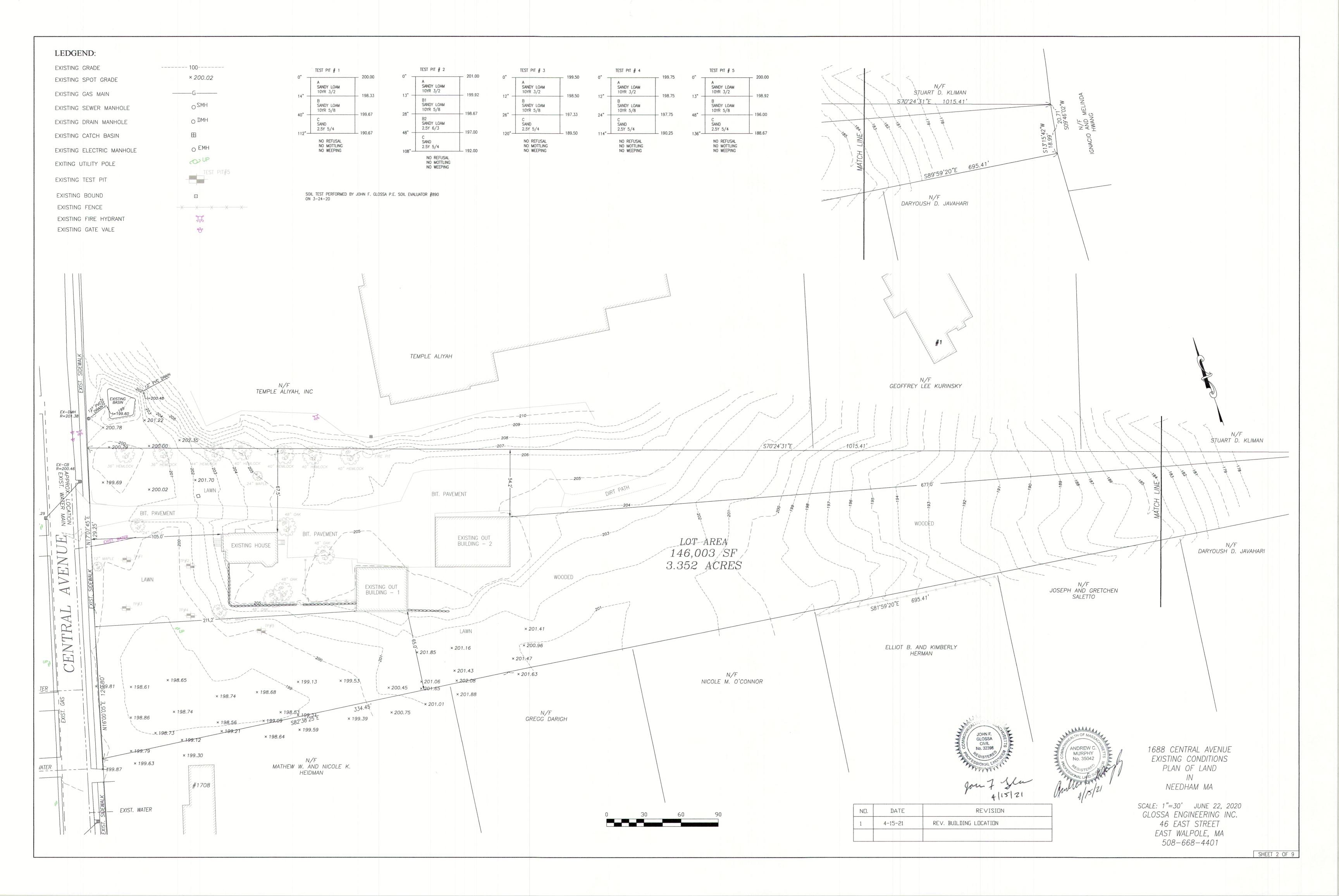
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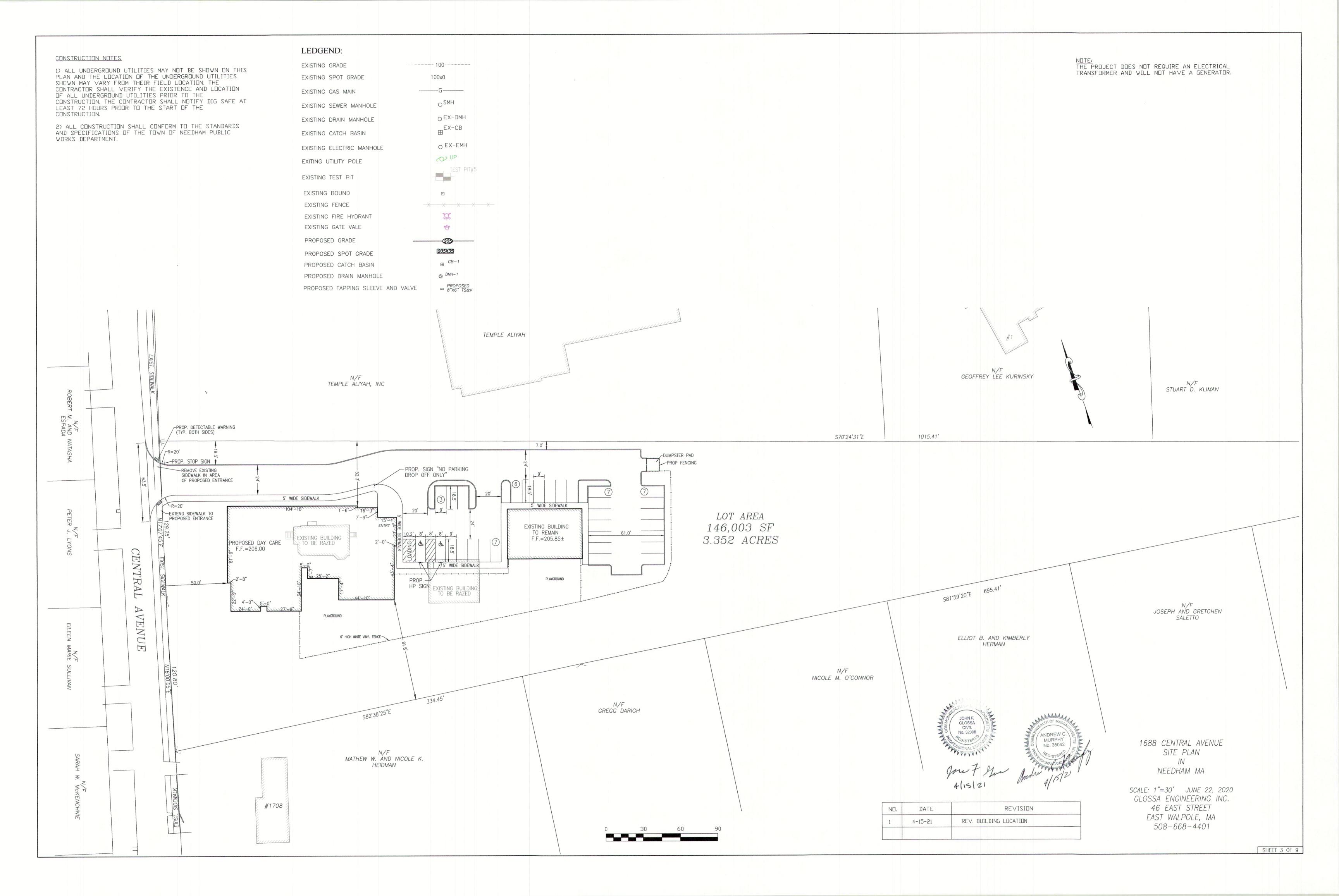
BOOK 37770 PAGE 308

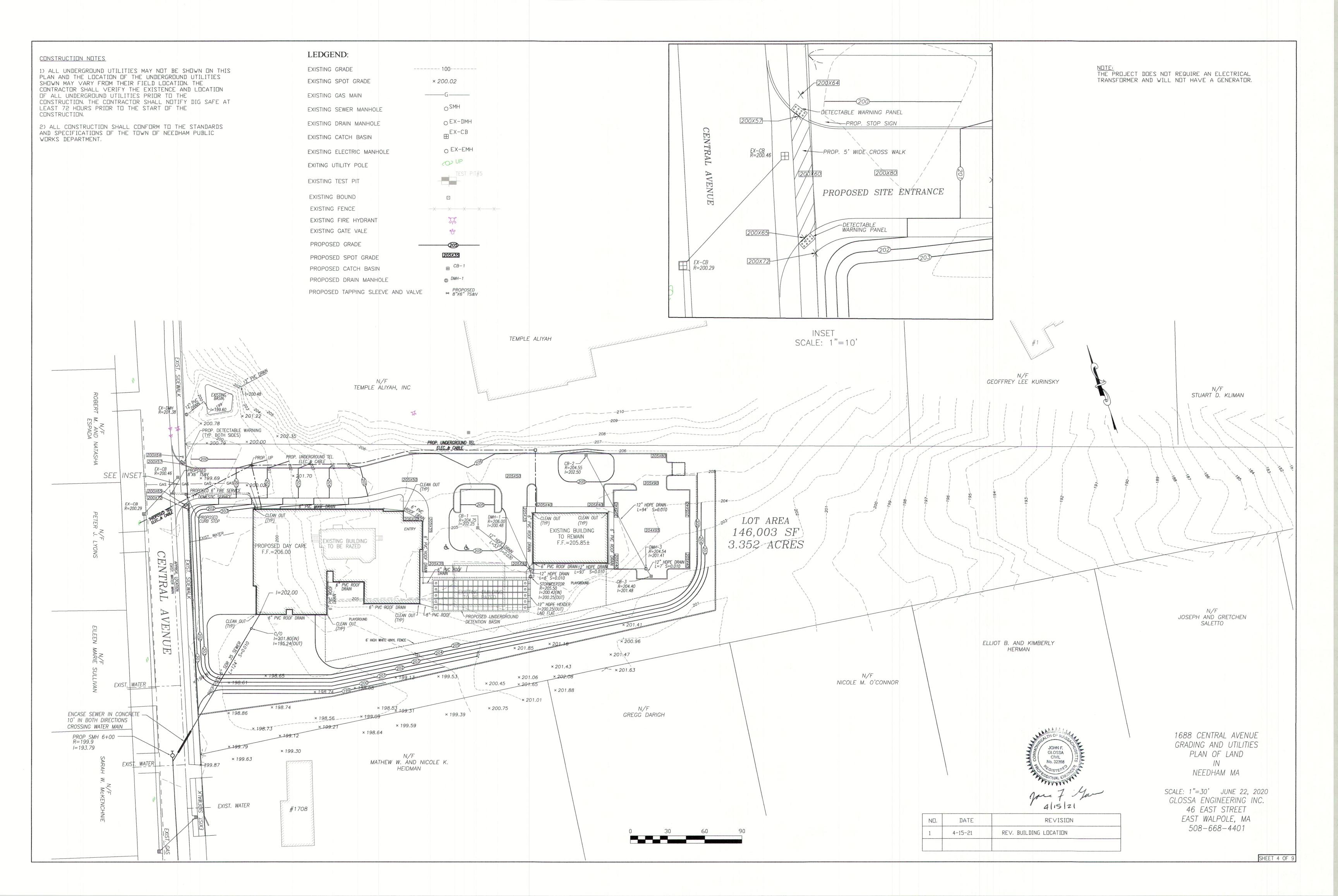
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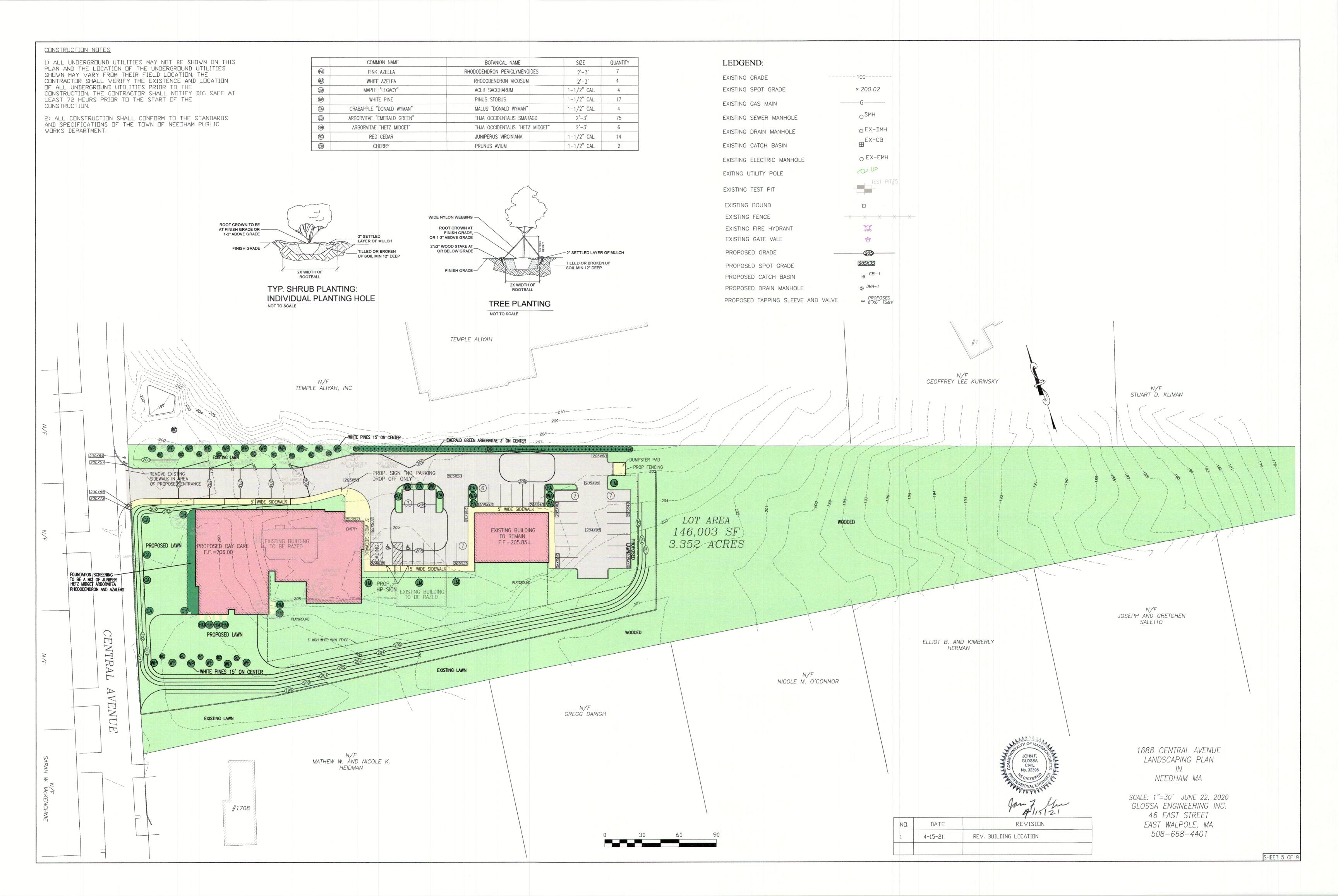
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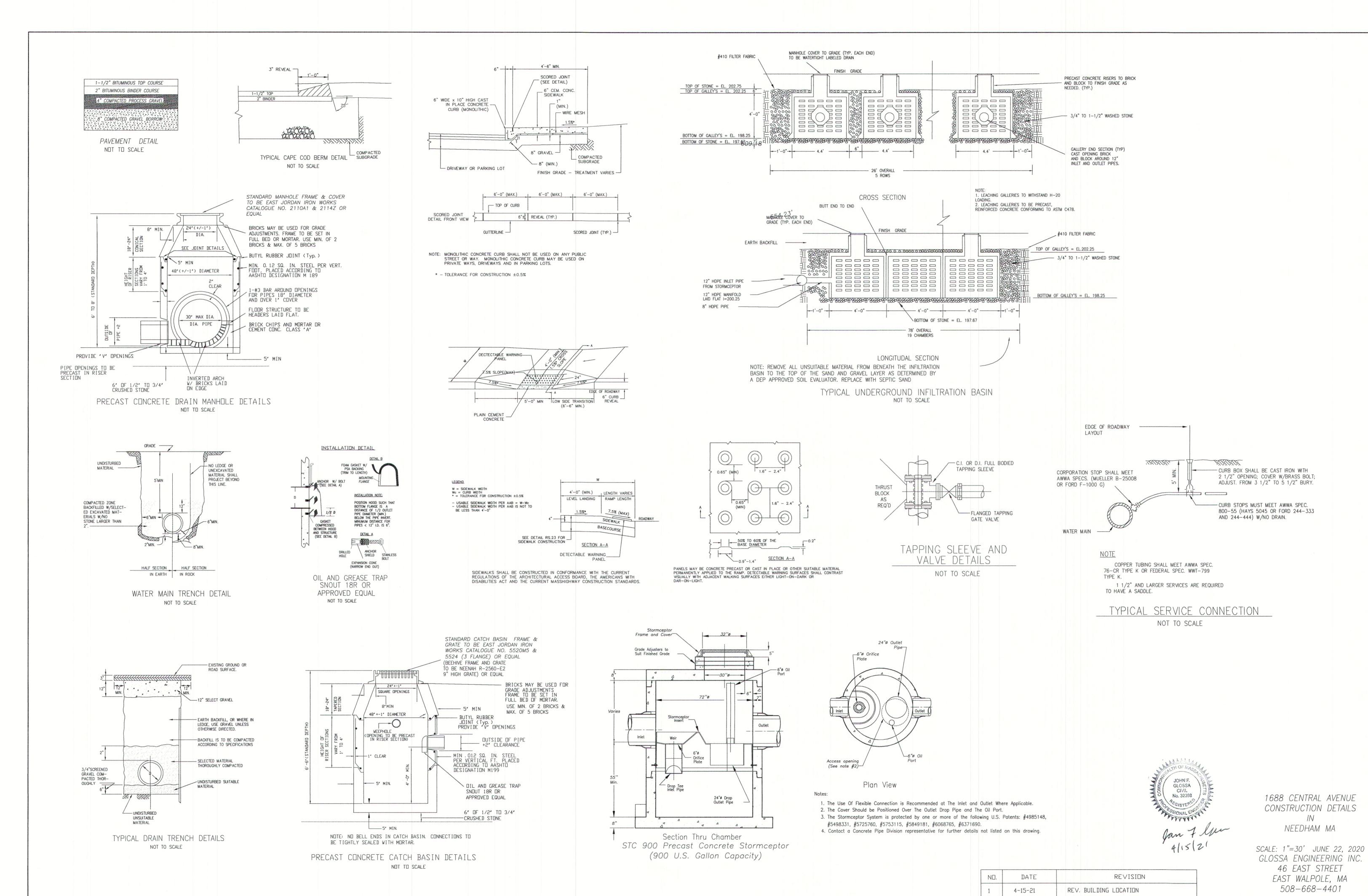






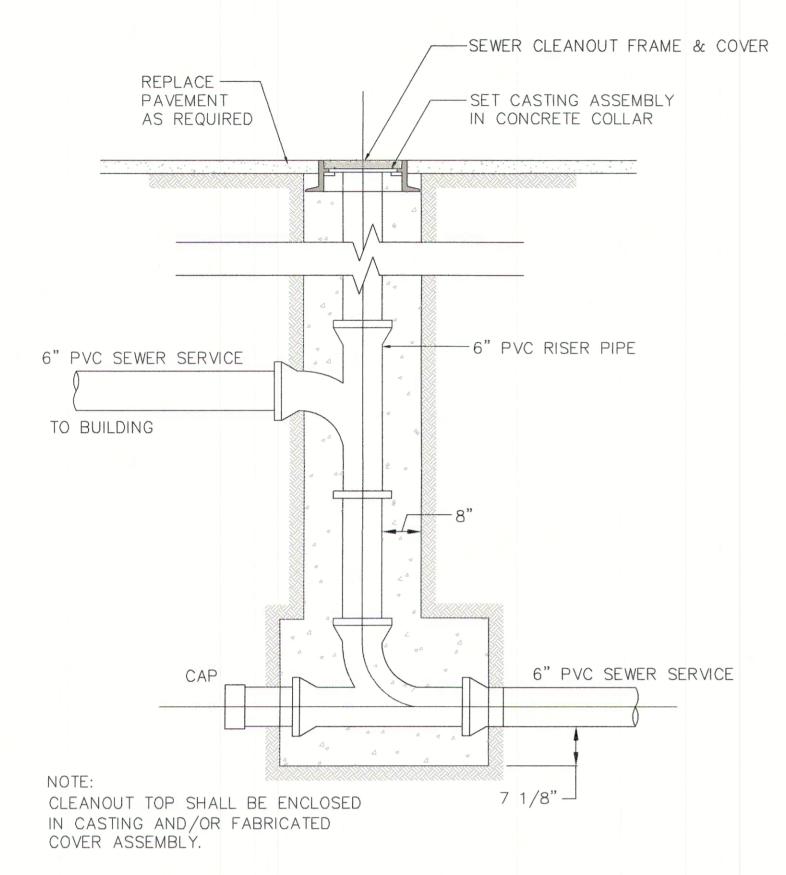






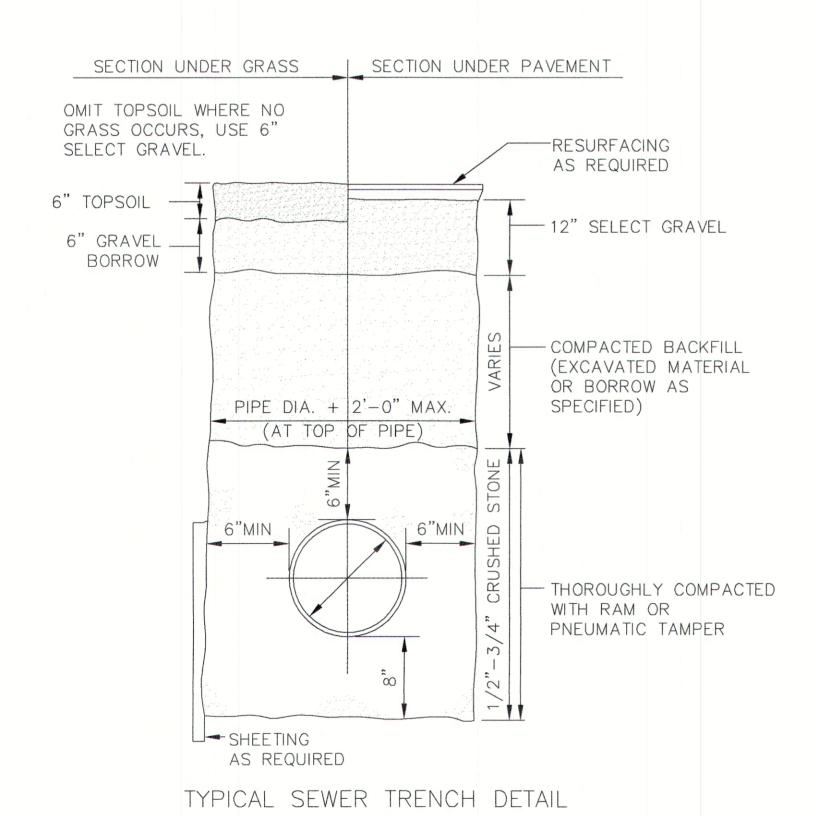
SHEET 6 OF 9

IN



SEWER CLEANOUT DETAIL (C/O)

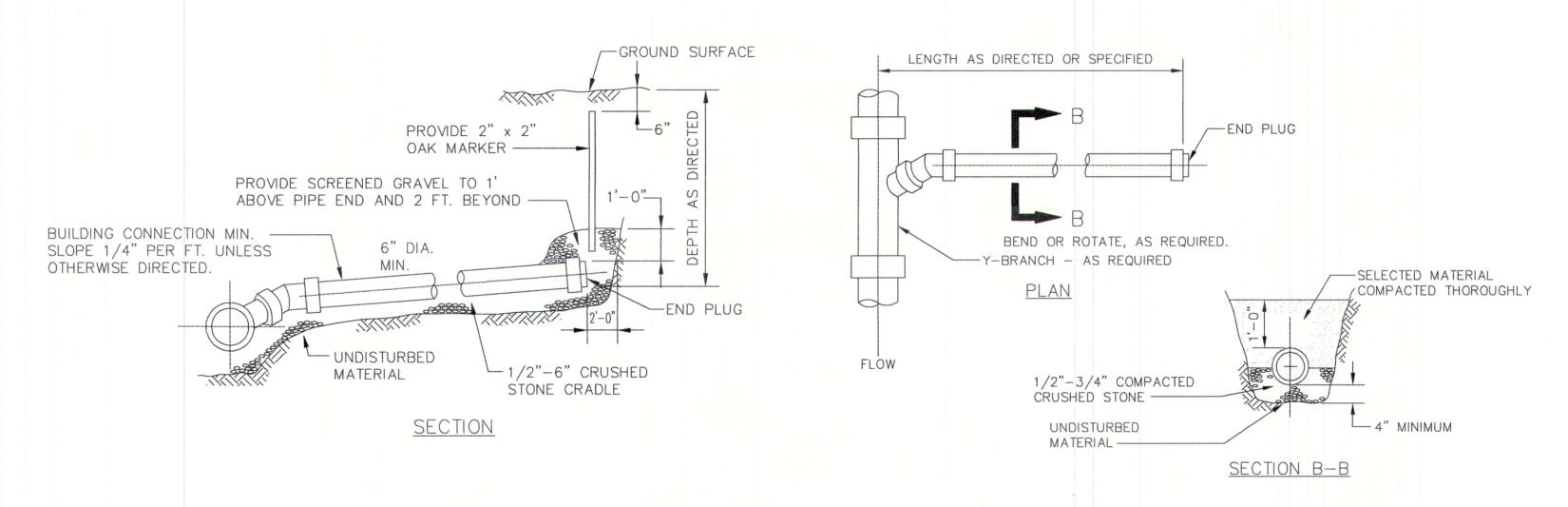
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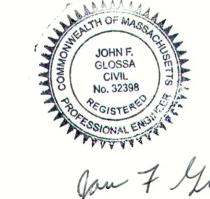
NOT TO SCALE

SEWER ADJUST RIM TO MATCH ROADWAY GRADE AND CROSS SLOPE WITH TWO (2) COURSES PRAINAGE MANHOLE FRAME AND OF RADIALLY PLACED RED BRICK AND MORTAR COVER SHALL BE E.J. GROUP 2110A COVER AND 2114Z FRAME OR APPROVED EQUAL (MINIMUM 2 COURSES, MAXIMUM 5 COURSES) MDPW SPEC M4.05.2 (RED BRICK) MDPW SPEC M4.02.15 (MORTAR) RIM ELEVATION THE OUTLET INVERT SHALL BE AT LEAST 2" BELOW THE INLET INVERT THE CROWNS OF THE INLET PIPE AND OUTLET PIPE SHALL MATCH UNLESS THE REQUIRED 1" MINIMUM DROP BETWEEN INLET AND OUTLET INVERTS REQUIRES THAT THE OUTLET CROWN BE INSTALLED LOWER MANHOLE SECTIONS SHALL CONFORM TO ASTM SPEC C478 STEEL REINFORCEMENT SHALL CONFORM TO ASTM A185 SPEC. ALL JOINTS TO BE MORTARED (TYP.) MDPW SPEC M4.02.15 4000 PSI MINIMUM CONCRETE COMPRESSIVE STRENGTH TABLE AND INVERT SHALL BE FORMED OF RED SEWER BRICK AND 4000 PSI TYPE II PORTLAND CEMENT CONCRETE MDPW SPEC M4.05.2 (RED BRICK) MDPW SPEC M4.02.00 et seq. (CEMENT CONCRETE) 1/2" PER FT. SLOPE (TYP.) PIPE TO MANHOLE CONNECTIONS SHALL BE MADE WITH CAST-IN FLEXIBLE SLEEVES (RUBBERIZED BOOTS) OUTLET INVERT ELEVATION LEVEL, STABLE AND COMPACTED GRAVEL BASE MDPW SPEC M1.03.0 MASSACHUSETTS HIGHWAY DEPARTMENT (MDPW) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, 1988 EDITION

TYPICAL SEWER MANHOLE DETAIL NOT TO SCALE



TYPICAL BUILDING CONNECTION NOT TO SCALE



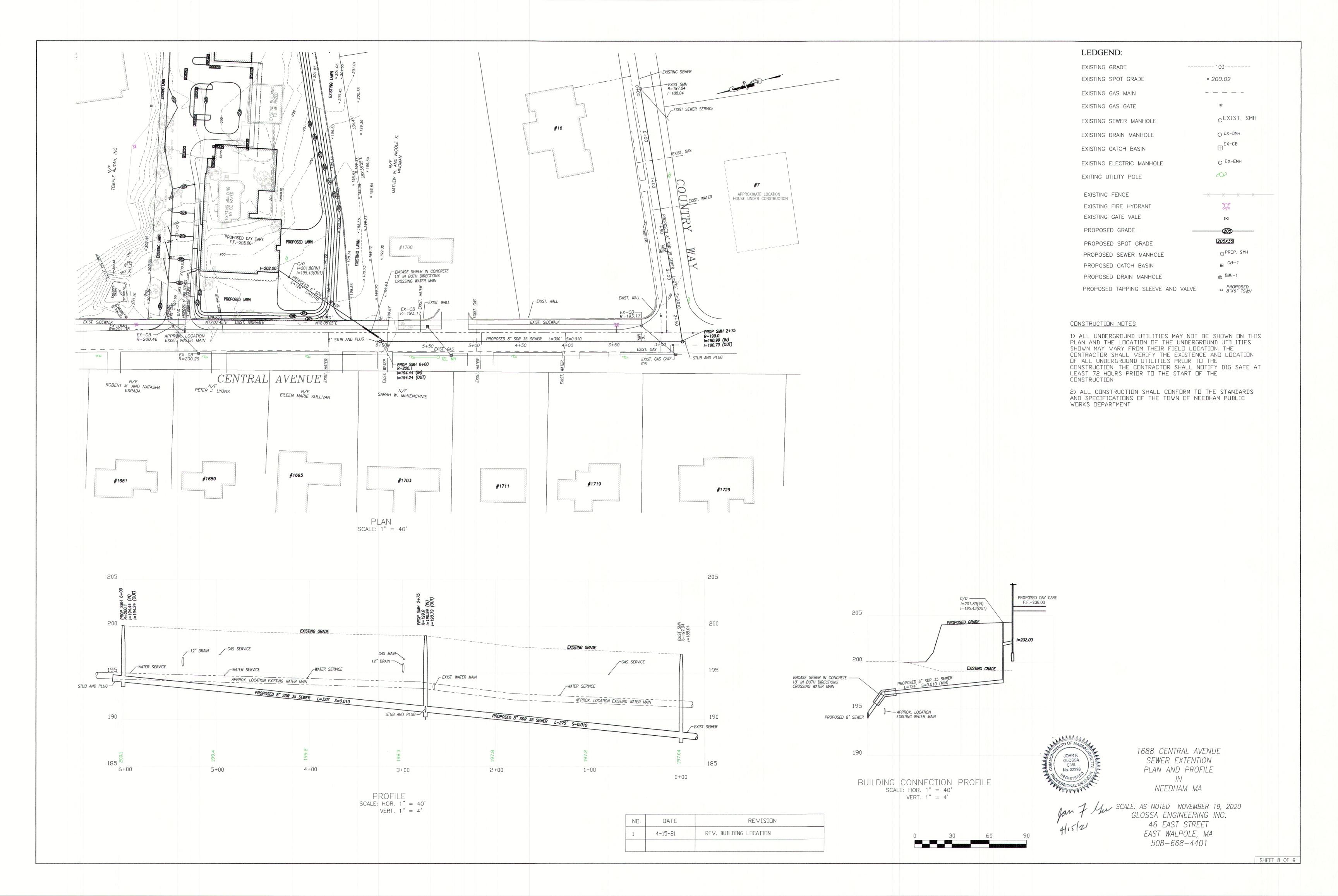
1688 CENTRAL AVENUE CONSTRUCTION DETAILS IN NEEDHAM MA

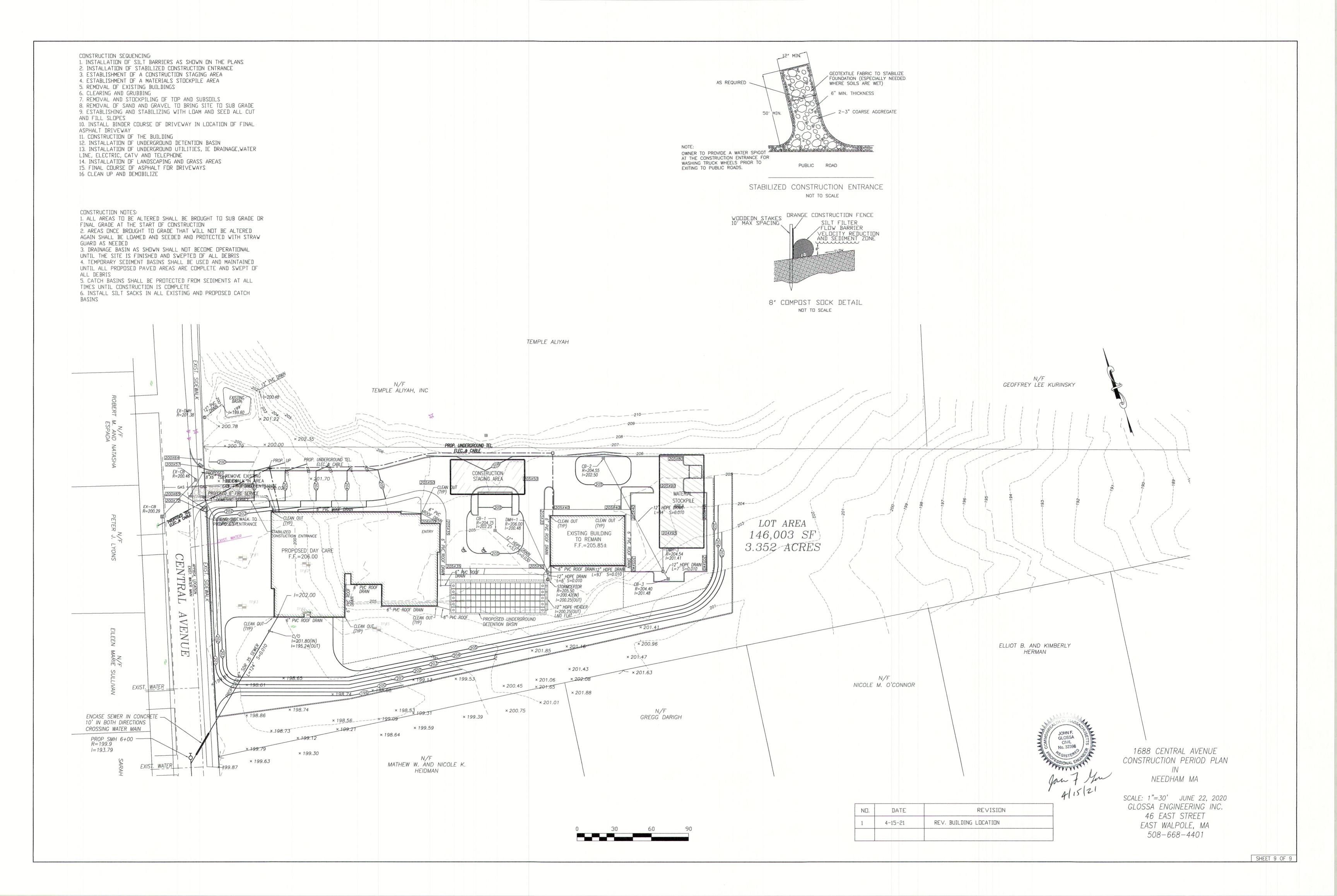
Jan 7 Gur 4/15/21

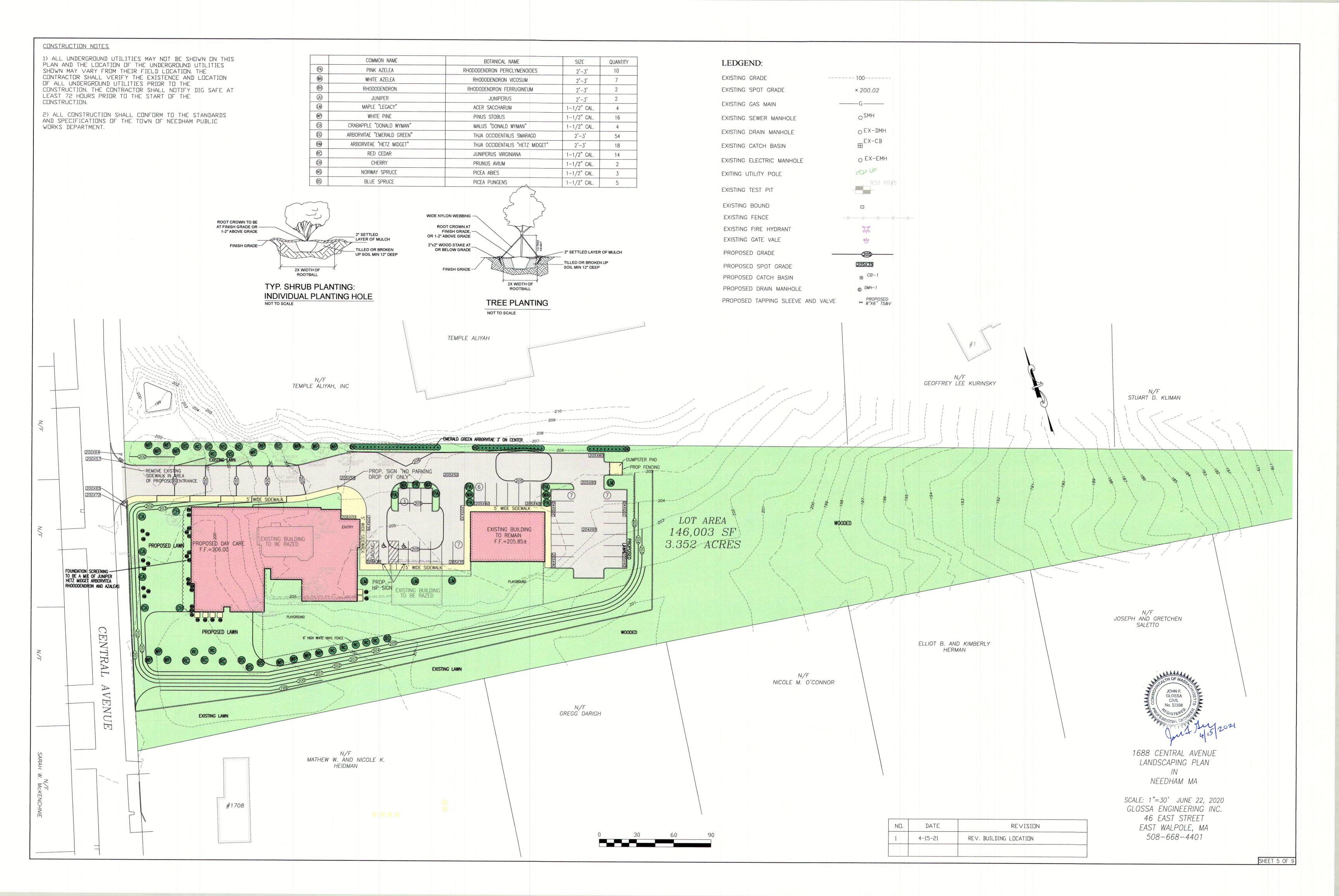
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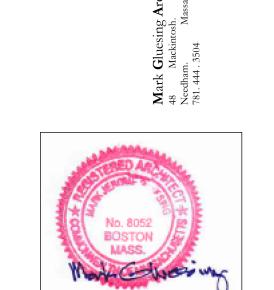
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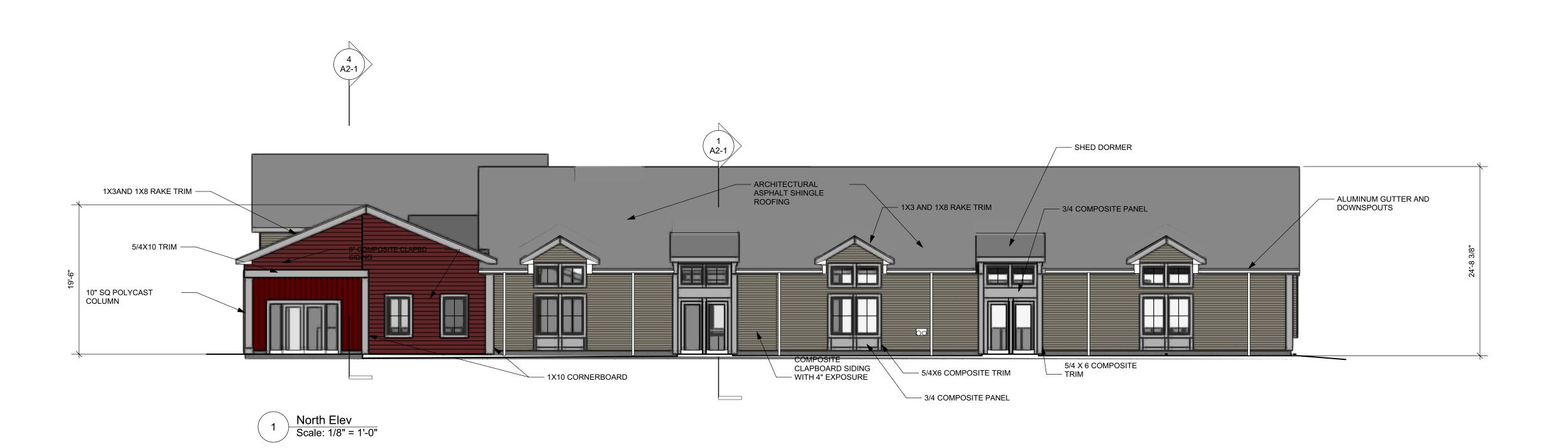
1 4-15-21 REV. BUILDING LOCATION

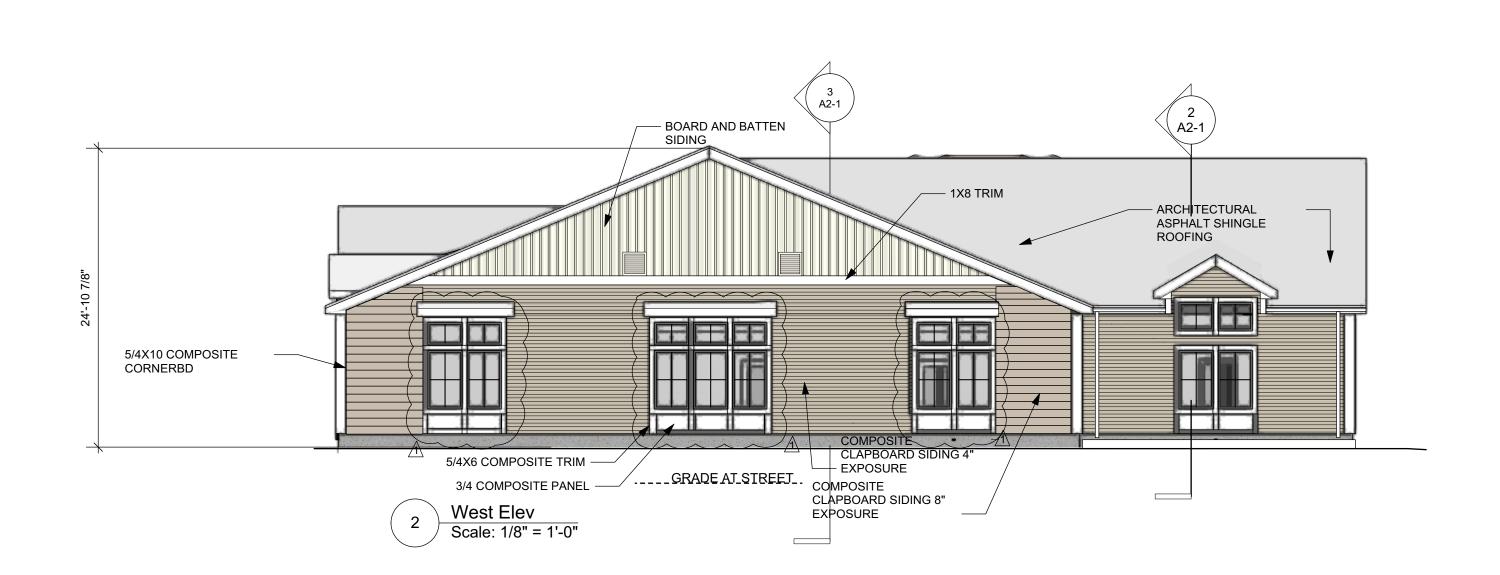


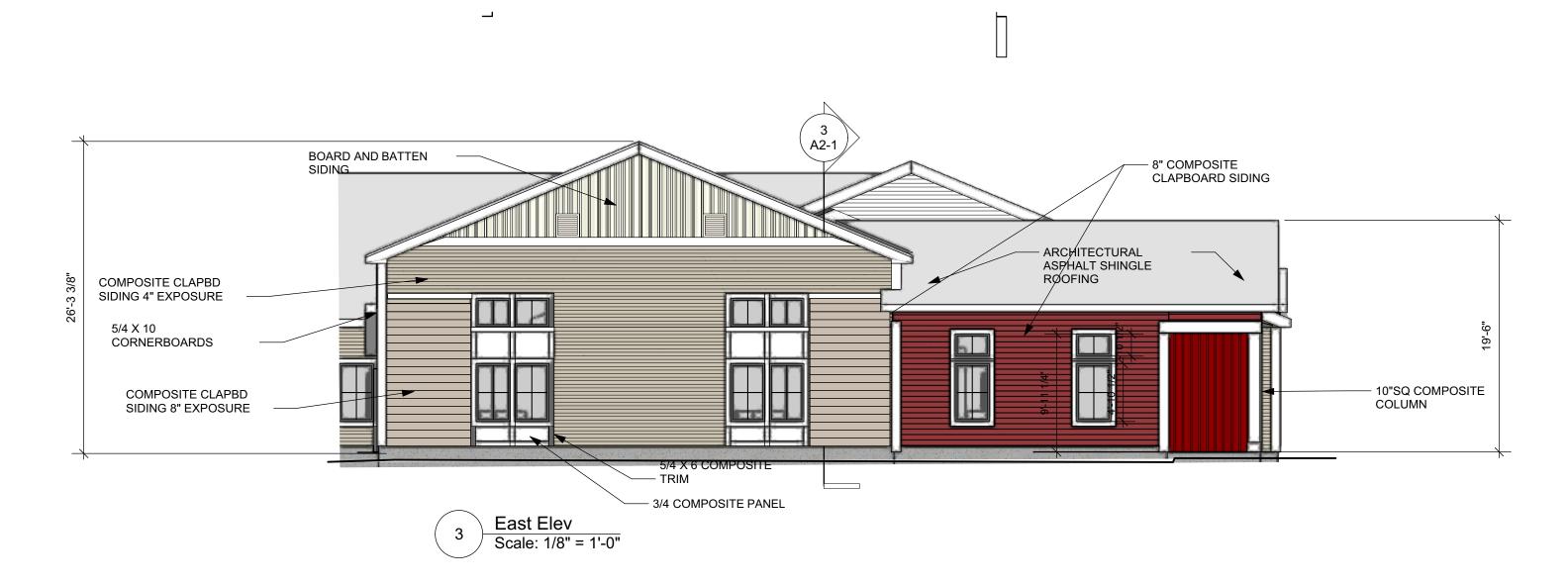


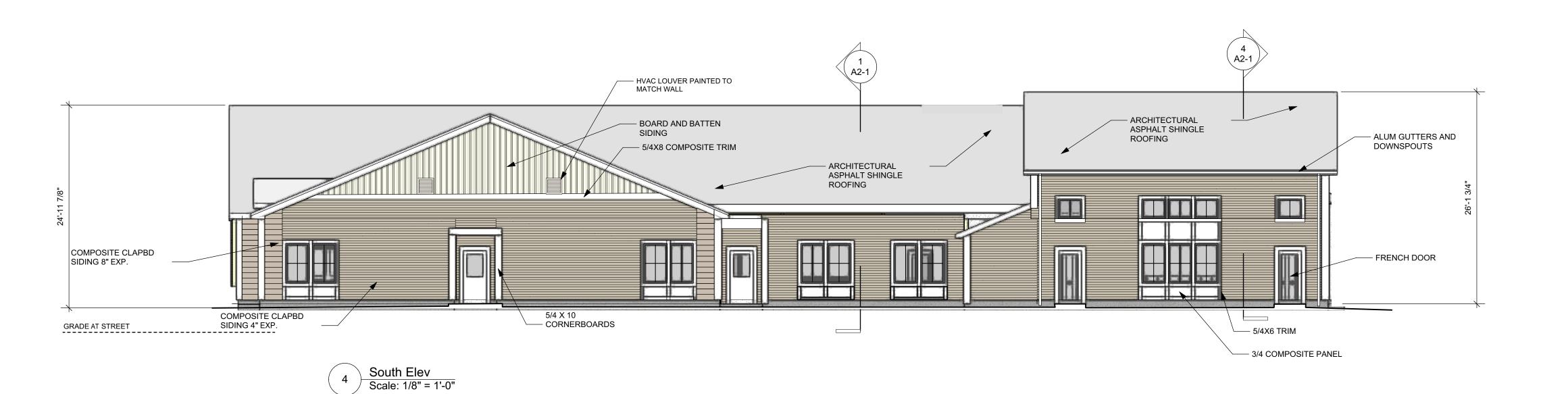


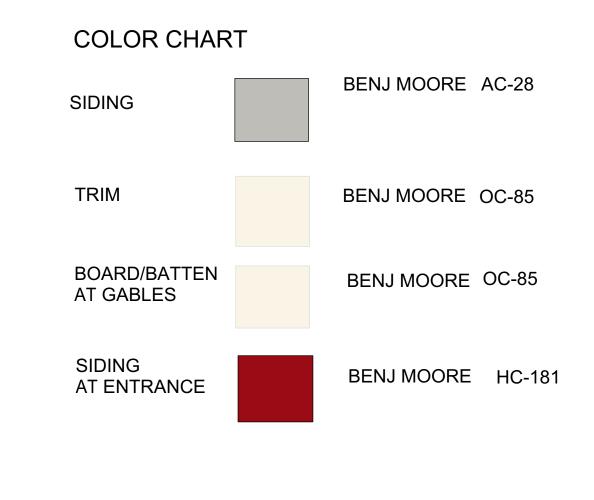


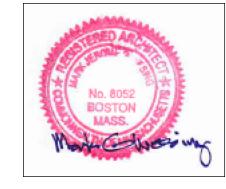


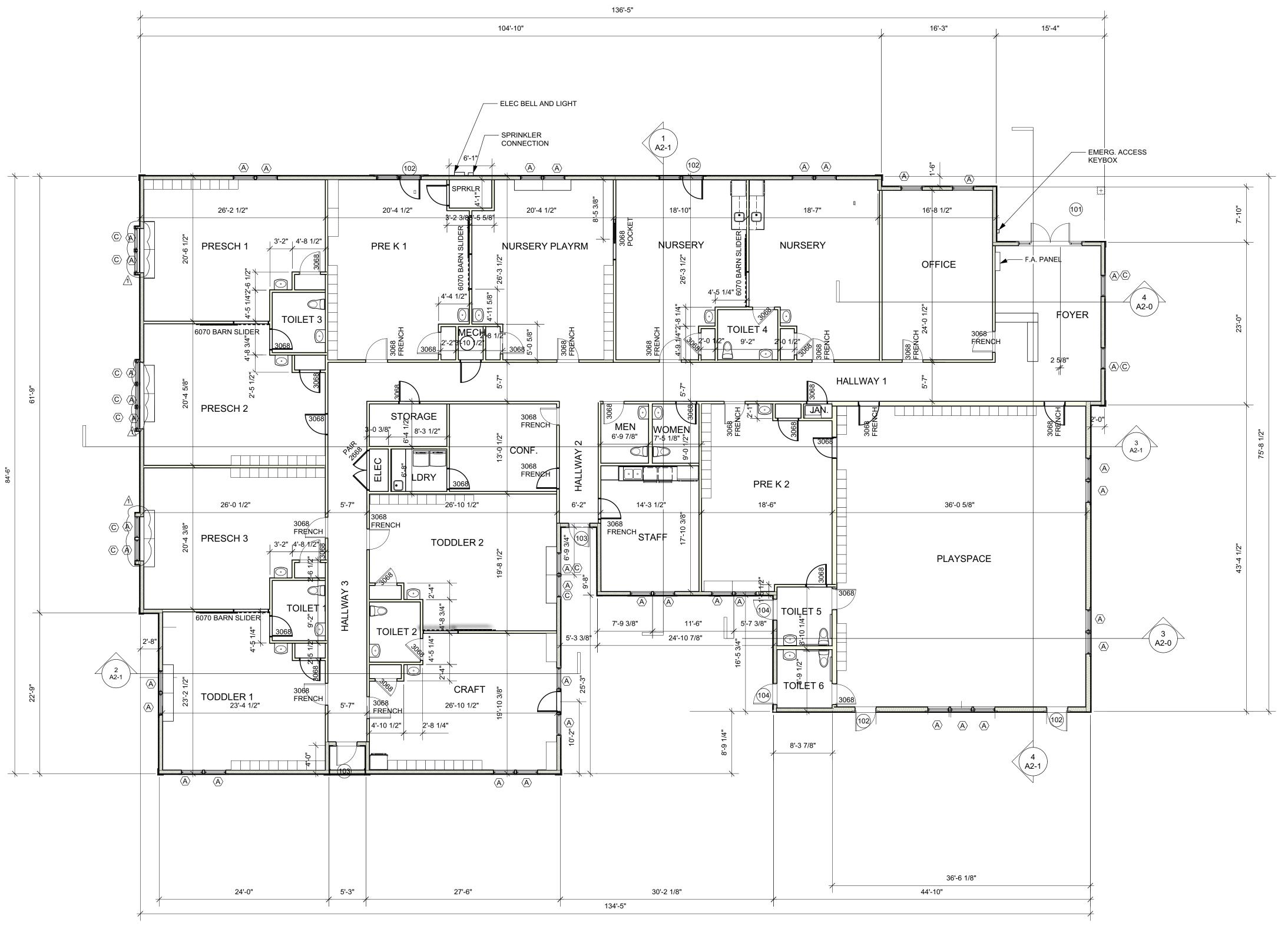












1 1st Floor Plan Scale: 1/8" = 1'-0"

BUILDING DATA

LOT SIZE	146,003 SF
NEW BUILDING SIZE	9,966 SF
PARKING SPACES: OPERATIONAL OCCUPANCY 100 CHILDREN: 8 SPACES+1, 13 STAFF TOTAL	/40 (3)= 11 13 24