

NEEDHAM PLANNING BOARD

Tuesday, April 27, 2021

8:00 p.m.

Virtual Meeting using Zoom

Meeting ID: **826-5899-3198**

(Instructions for accessing below)

To view and participate in this virtual meeting on your phone, download the “Zoom Cloud Meetings” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the following Meeting ID: **826-5899-3198**

To view and participate in this virtual meeting on your computer, at the above date and time, go to www.zoom.us click “Join a Meeting” and enter the following ID: **826-5899-3198**

Or to Listen by Telephone: Dial (for higher quality, dial a number based on your current location):
US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 Then enter ID: **826-5899-3198**

Direct Link to meeting: <https://us02web.zoom.us/j/82658993198>

1. Discussion of Town Meeting articles, including possible amendments.
2. Correspondence.
3. Report from Planning Director and Board members.

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

ARTICLE 5: AMEND ZONING BY-LAW – HIGHWAY COMMERCIAL 1 ZONING DISTRICT

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

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

“HC-1 -- Highway Commercial 1”

2. Amend Section 3.2, Schedule of Use Regulations, by adding a new Section 3.2.7 as follows:

“3.2.7 Uses in the Highway Commercial 1 District

3.2.7.1 Permitted Uses

The following uses are permitted within the Highway Commercial 1 District as a matter of right:

- (a) Uses exempt from local zoning control pursuant to M.G.L. Chapter 40A, Section 3.
- (b) Public parks and playgrounds, municipal buildings or uses.
- (c) Retail establishment (not including grocery stores) or combination of retail establishments serving the general public where each establishment contains 5,750 square feet or less of floor area and where all items for sale or rent are kept inside a building.
- (d) Manufacturing clearly incidental and accessory to a retail use on the same premises and the product is customarily sold on the premises.
- (e) Craft, consumer or commercial service establishment dealing directly with the general public.
- (f) Laundry or dry-cleaning pick-up station with processing done elsewhere.
- (g) Professional, business or administrative office, but not including any of the following: a medical clinic or Medical Services Building or medical, surgical, psychiatric, dental, orthodontic, or psychologist group practices comprised of three or more such professionals (hereinafter “Group Practices”) or physical therapy, alternative medicine practices, wellness treatments, including but not limited to, acupuncture, yoga, chiropractic and/or nutrition services. “Professional” shall include professional medical, surgical, psychiatric, dental, orthodontic or psychologist practice by a group of two or fewer such professionals (“Non-group Practice”).
- (h) Bank or Credit Union.
- (i) Medical Laboratory or laboratory engaged in scientific research and development and/or experimental and testing activities including, but not limited to, the fields of biology, genetics, chemistry, electronics, engineering, geology, medicine and physics, which may include the development of mock-ups and prototypes.
- (j) Radio or television studio.
- (k) Light non-nuisance manufacturing, including, but not limited to, the manufacture of electronics, pharmaceutical, bio-pharmaceutical, medical, robotic, and micro-biotic products, provided that all resulting cinders, dust, flashing, fumes, gases, odors, smoke, noise, vibration, refuse matter, vapor, and heat are effectively confined in a building or are disposed of in a manner so as not to create a nuisance or hazard to safety or health.

(l) Telecommunications facility housed within a building.

(m) Other customary and proper accessory uses incidental to lawful principal uses. Further provided, accessory uses for seasonal temporary outdoor seating for restaurants serving meals for consumption on the premises and at tables with service provided by waitress or waiter shall be allowed upon minor project site plan review with waiver of all requirements of Section 7.4.4 and 7.4.6 except as are necessary to demonstrate compliance with Section 6.9 by the Planning Board or Select Board in accordance with Section 6.9.

(n) More than one building on a lot.

(o) More than one use on a lot.

3.2.7.2 Uses Permitted by Special Permit

The following uses are permitted within the Highway Commercial 1 District upon the issuance of a Special Permit by the Special Permit Granting Authority under such conditions as it may require:

(a) Light-rail train station.

(b) Adult day care facility.

(c) Private school, nursery, or kindergarten not otherwise classified under Section 3.2.7.1 (a).

(d) Retail establishment (not including grocery stores) or combination of retail establishments serving the general public where any establishment contains more than 5,750 but less than 10,000 square feet of floor area and where all items for sale or rent are kept inside a building.

(e) Equipment rental service but not including any business that uses outside storage.

(f) Grocery store provided it does not exceed 10,000 square feet of floor area.

(g) Eat-in or take-out restaurant or other eating establishment except that a lunch counter incidental to a primary use shall be permissible by right.

(h) Veterinary office and/or treatment facility and/or animal care facility, including but not limited to, the care, training, sitting and/or boarding of animals.

(i) Indoor athletic or exercise facility or personal fitness service establishment, which may include outdoor pool(s) associated with such facilities.

(j) External automatic teller machine, drive-up window or auto-oriented branch bank accessory to a bank or credit union permitted under Section 3.2.7.1(h) hereof.

(k) Group Practices as defined in Section 3.2.7.1(g) and alternative medicine practices, physical therapy, and wellness treatments facilities including, but not limited to, acupuncture, yoga, chiropractic and/or nutrition services. Such uses may have customary and proper accessory uses incidental to the lawful principal uses, including but not limited to, pharmacies.

(l) Live performance theater, bowling alley, skating rink, billiard room, and similar commercial amusement or entertainment places.

(m) Apartment or multi-family dwelling provided that (1) the proposed apartment or multi-family dwelling complies with the lot area per unit requirements for apartments in the A-1 district as detailed in Section 4.3, (2) no more than 240 dwelling units shall be permitted in the Highway Commercial 1 District, (3) at least 40% but not more than 70% of all dwelling units within any project shall be one-

bedroom units, and (4) at least 12.5% of all dwelling units shall be Affordable Units as regulated in Section 6.12.”

3. Amend Section 4.7.1, Specific Front Setbacks, by deleting the following provisions:

“(b) On the easterly side of Gould Street from Highland Avenue northerly to land of the New York, New Haven and Hartford Railroad Company, there shall be a fifty (50) foot building setback line;

(c) On the northerly side of Highland Avenue from Gould Street northeasterly to the property of the Commonwealth of Massachusetts, there shall be a fifty (50) foot building setback line.”

4. Amend Section 4.10, Dimensional Regulations for Industrial-1 District, by deleting Section 4.10.4, which refers to Section 4.7.1 (b) and (c).

5. Amend Section 4, Dimensional Regulations, by adding a new Section 4.11 Dimensional Regulations for Highway Commercial Districts as follows:

“4.11 Dimensional Regulations for Highway Commercial Districts

4.11.1 Highway Commercial 1

Minimum Lot Area (Sq. Ft.)	Minimum Lot Frontage (Ft.)	Front Setback (Ft.)	Side Setback (Ft.)	Rear Setback (Ft.)	Maximum Height (Ft.)	Maximum Stories	Maximum Lot Coverage	Floor Area Ratio
		(1)	(1) (3)	(1) (3)	(1)	(1)	(2) (4)	(5) (6)
20,000	100	5	10	10	56	4	65%	0.70

- (1) a. All buildings shall be limited to a height of 56 feet and four stories, except that buildings within 200 feet of Highland Avenue or the extension of the right-of-way line as described below in paragraph c. and buildings within 200 feet of Gould Street shall be limited to a height of 35 feet and 2 ½ stories as-of-right. If the height of a building is increased above the height of 35 feet, the front setback shall be increased to 15 feet and the side and rear setbacks to 20 feet except that, along the MBTA right-of-way the side and rear yard setbacks shall be 10 feet.

b. By Special Permit from the Planning Board, the maximum height of a building may be increased to 3 stories and 42 feet within 200 feet of Highland Avenue or the extension of the right-of-way line as described below in paragraph c. and within 200 feet of Gould Street. By Special Permit from the Board, the maximum height of a building may be further increased to the following limits: 5 stories and 70 feet provided the building is not located within 200 feet of Highland Avenue or the extension of the right-of-way line as described below in paragraph c. or within 200 feet of Gould Street.

c. (i) The line from which the 200-foot setback from Highland Avenue referred to in paragraphs a. and b. above shall be measured is that line which starts at the point of curvature on Highland Avenue at Gould Street marked by a stone bound/drill hole (SB/DH) and runs northeasterly N63°56'51"E by the Highland Avenue 1980 State Highway Alteration 361.46 feet to a stone bond/drill hole, then continues on the same northeasterly course an additional 330.54 feet for a total distance from the first mentioned bound of 700 feet. Reference is made to a plan entitled “Plan of Land Gould Street, Needham, MA”, prepared by Andover Engineering, Inc., dated July 27, 2000,

last revised September 20, 2001, recorded in the Norfolk County Registry of Deeds as Plan No. 564 of 2001, Plan Book 489. (ii) The line from which the 50-foot landscaped setback from Highland Avenue referred to in paragraph d. below shall be measured is that line which starts at the point of curvature on Highland Avenue at Gould Street marked by a stone bound/drill hole (SB/DH) and runs northeasterly N63°56'51"E by the Highland Avenue 1980 State Highway Alteration 361.46 feet to a stone bound/drill hole. If the 1980 State Highway Alteration along Highland Avenue is superseded by a subsequent State Highway Alteration, the 50-foot landscaped setback from Highland Avenue shall be measured from the newly-established street line.

d. Buildings and structures abutting Highland Avenue for the distance described in subsection (1) c. (ii) above and/or abutting Highland Avenue as it continues southwesterly to the intersection with Gould Street and/or abutting Gould Street shall be set back at least 50 feet from said streets. Buildings and structures abutting the layout of Route 128/95 beyond said Highland Avenue distance from stone bound to stone bound shall be set back at least 20 feet from said Route 128/95 layout. Notwithstanding the location or height of any building and structures, the required 50-foot or 20-foot setback shall be a landscaped, vegetative buffer area, which shall be required along the aforementioned street frontages and said layout in order to screen the development. Driveway openings, sidewalks, walkways and screened mechanical equipment shall be permitted in the buffer area.

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

f. For purposes of clarity, the required building setbacks and allowed envelopes (including setbacks) for allowance of additional height above 35 feet for the as-of right circumstance and 42 feet for the special permit circumstance are shown on figures 1 and 2 below.

Figure 1:

AS OF RIGHT ZONING SETBACKS

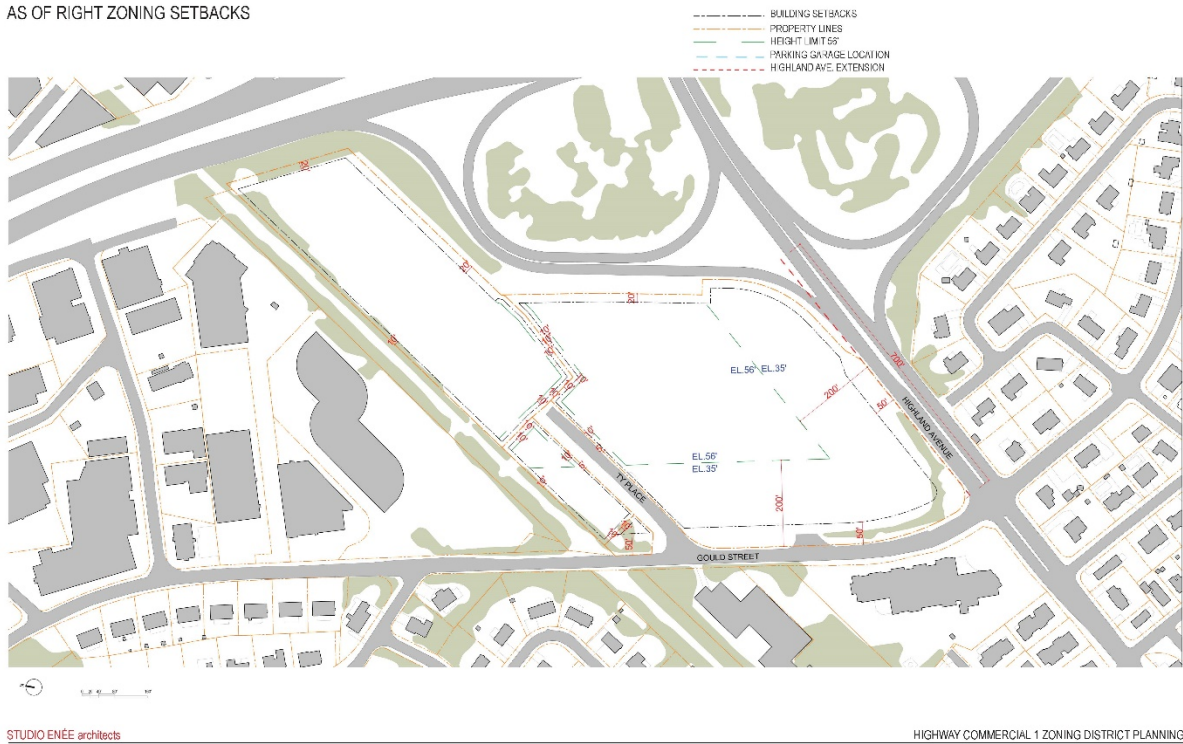
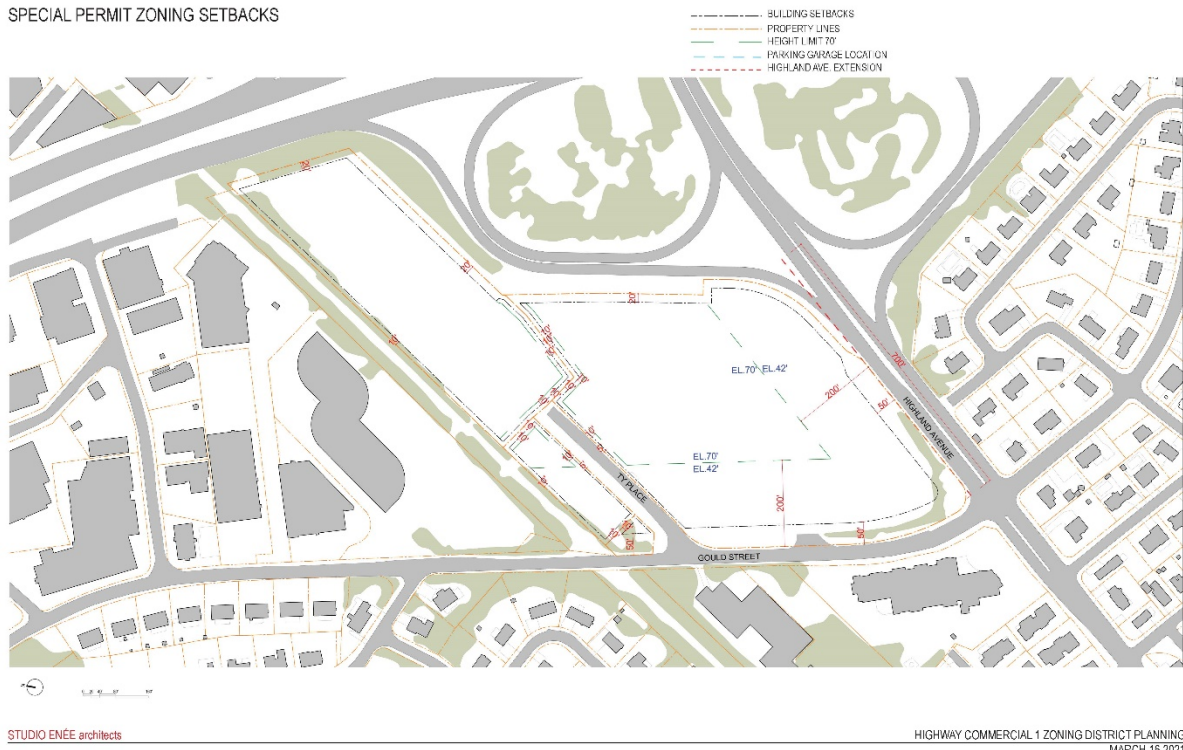


Figure 2:

SPECIAL PERMIT ZONING SETBACKS



- (2) Maximum lot coverage shall be 65% for all projects. However, if a project is designed such that at least 65% of the required landscaped area immediately abuts at least 65% of the required landscaped area of an adjoining project for a distance of at least 50 feet, the maximum lot coverage may be increased to 75%.
- (3) No side or rear yard setback is required for shared parking structures between adjoining properties, but only on one side of each lot, leaving the other side or rear yards open to provide access to the interior of the lot.
- (4) A minimum of 25% of total lot area must be open space. The open space area shall be landscaped and may not be covered with buildings or structures of any kind, access streets, ways, parking areas, driveways, aisles, walkways, or other constructed approaches or service areas. Notwithstanding the preceding sentence, open space may include pervious surfaces used for walkways and patios. (Pervious surfaces shall not preclude porous pavement, porous concrete, and/or other permeable pavers.)
- (5) A floor area ratio of up to 1.35 may be allowed by a special permit from the Planning Board. In granting such special permit, the Planning Board shall consider the following factors: the ability of the existing or proposed infrastructure to adequately service the proposed facility without negatively impacting existing uses or infrastructure, including but not limited to, water supply, drainage, sewage, natural gas, and electric services; impact on traffic conditions at the site, on adjacent streets, and in nearby neighborhoods, including, but not limited to, the adequacy of the roads and intersections to safely and effectively provide access and egress; the environmental impacts of the proposal; and the fiscal implications of the proposal to the Town. In granting a special permit, the Planning Board shall also consider any proposed mitigation measures and whether the proposed project's benefits to the Town outweigh the costs and adverse impacts, if any, to the Town.
- (6) The calculation of floor area in determining floor area ratio shall not include parking areas or structures but shall include such active ground floor uses, such as retail, office, institutional, or display as are allowed by Section 4.11.2 (2).

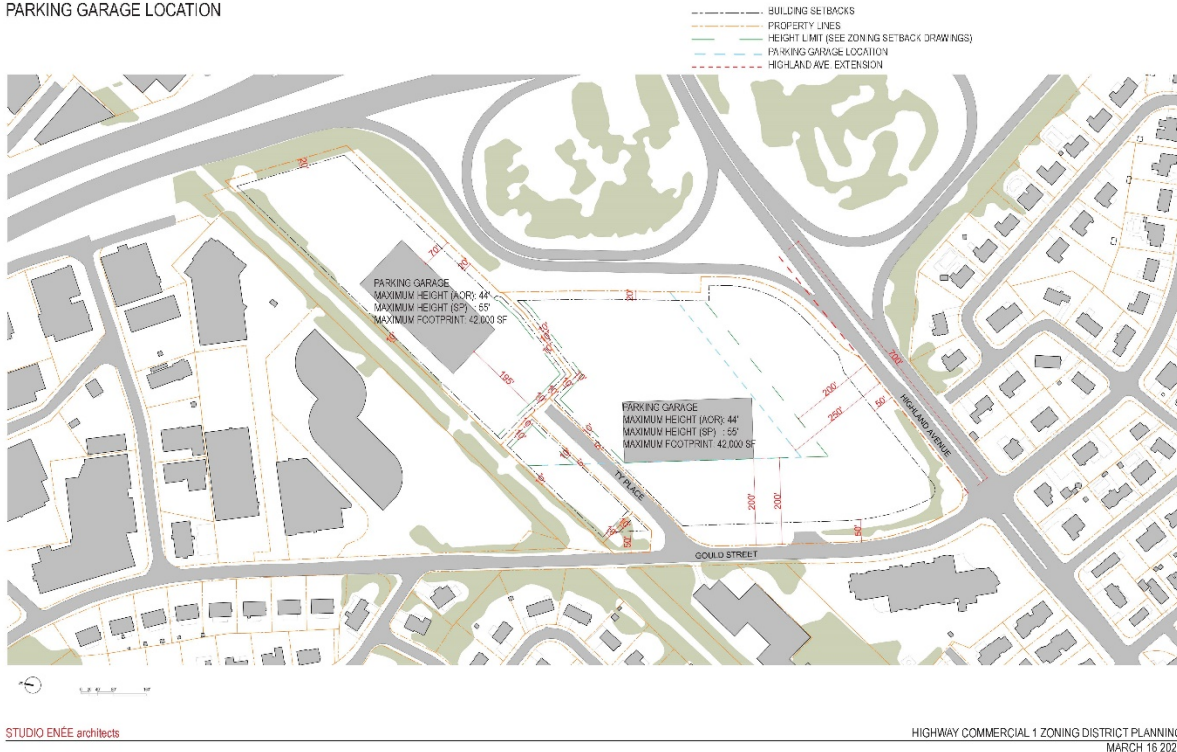
4.11.2 Supplemental Dimensional Regulations

- (1) Notwithstanding Section 3.2.7.1(m) and any other provision of this Section 4.11 to the contrary, a parking garage, even if it is for an as-of-right development, may not exceed 44 feet in height, may not have a building footprint in excess of 42,000 square feet and may not be located within 250 feet of Highland Avenue or the extension of the right-of-way line described in Section 4.11.1 (1) c. (i) or within 200 feet of Gould Street. Notwithstanding the above, the maximum height of a parking garage may be increased to 55 feet by Special Permit from the Planning Board. For purposes of clarity the height, coverage and location requirements for the as-of-right and special permit parking garage circumstance are shown on figure 3 below.
- (2) Parking structures may have an active ground floor use, such as retail, office, institutional, or display. Structured parking must be located at least 20 feet from adjacent buildings but may be attached to the building it is servicing if all fire and safety requirements are met.
- (3) Maximum uninterrupted facade length shall be 200 feet.

- (4) All setback, height, and bulk requirements applicable to this Section 4.11 are contained in this Section and no additional requirements occasioned by this district abutting Route 128/95's SRB district shall apply.

Figure 3

PARKING GARAGE LOCATION



4.11.3 Special Permit Requirements

In approving any special permit under Section 3.2.7.2 and/or Section 4.11, or for any project proceeding under the Highway Commercial 1 district provisions which constitute a Major Project under Section 7.4.2, the Planning Board shall consider the following design guidelines for development: (a) The proposed development should provide or contribute to providing pedestrian and neighborhood connections to surrounding properties, e.g., by creating inviting buildings or street edge, by creating shared publicly accessible green spaces, and/or by any other methods deemed appropriate by the Planning Board; (b) Any parking structure should have a scale, finish and architectural design that is compatible with the new buildings and which blunts the impact of such structures on the site and on the neighborhood; (c) The proposed development should encourage creative design and mix of uses which create an appropriate aesthetic for this gateway to Needham, including but not limited to, possible use of multiple buildings to enhance the corner of Highland Avenue and Gould Street, possible development of a landscape feature or park on Gould Street or Highland Avenue, varied façade treatments, streetscape design, integrated physical design, and/or other elements deemed appropriate by the Planning Board; (d) The proposed development should promote site features and a layout which is conducive to the uses proposed; (e) The proposed development should incorporate as many green building standards as practical, given the type of building and proposed uses; (f) The proposed development should be designed and conditioned to reduce or mitigate adverse impacts on adjacent properties or the surrounding area such as those resulting from excessive traffic congestion or excessive demand for parking; and (g) The proposed development shall include participation in a transportation

demand management program to be approved by the Planning Board as a traffic mitigation measure, including but not limited to, membership and participation in an integrated or coordinated shuttle program.”

6. Amend Section 5.1.3, Parking Plan and Design Requirements, by adding at the end of the second sentence of subsection (j) which reads “Such parking setback shall also be twenty (20) feet in an Industrial-1 District” the words “and Highway Commercial 1 District unless a deeper parking setback is required by Section 4.11.”
7. Amend Section 6.5.1 of Section 6.5 Limited Heliports, by adding after the words “Industrial Districts,” in the first sentence, the words “and in the Highway Commercial 1 District,”.
8. Amend Section 6.12, Affordable Housing, by revising the first paragraph to read as follows:

“Any mixed-use building in the Neighborhood Business District (NB) with six or more dwelling units shall include affordable housing units as defined in Section 1.3 of this By-law. Any building in the Highway Commercial 1 District with six or more dwelling units shall include affordable housing units as defined in Section 1.3 of this By-law. The requirements detailed in paragraphs (a) thru (i) below shall apply to a development that includes affordable units in the Neighborhood Business District. The requirements detailed in paragraphs (a), (c), (d), (e), (f), (g), and (h) below shall apply to a development that includes affordable units in the Highway Commercial 1 District.”
9. Amend Section 7.2.5 of Section 7.2 Building or Use Permit, by adding after the words “Industrial-1 District,” in the first sentence, the words “Highway Commercial 1 District,”.
10. Amend Section 7.4.2 of Section 7.4 Site Plan Review, by adding in the first sentence of the last paragraph, the words “Highway Commercial 1 District,” after the words “Highland Commercial-128,”.
11. Amend Section 7.7.2.2, Authority and Specific Powers (of Design Review Board) by adding after the words “Industrial-1 District,” in the first sentence of the second paragraph, the words “Highway Commercial 1 District,”.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article 5 Information: The Council of Economic Advisors (CEA), which was created by the Select Board to evaluate Town-wide economic conditions and make recommendations to promote and encourage new and existing businesses, undertook a review of all Industrial Zoning Districts in late 2013, and, after focusing its efforts on three different areas along Route 128, held public meetings with residents, neighbors, public officials, businesses and landowners in 2014 about potential zoning initiatives. As requested during those discussions, the CEA obtained a build-out analysis, a traffic impact report based on that analysis, and elevation drawings to better understand the impact of any proposed development. After examining the results of those reports, the CEA in 2017 reached out again to the various stakeholder groups and presented its preliminary recommendations to upgrade the zoning adjacent to Route 128 in order to make these areas more economically competitive. The CEA then presented its recommendations to the Select Board in January 2018. The Planning Board and Select Board, having reviewed the proposals from the CEA, determined in 2018 to move forward on only one area; the area circumscribed by Route 128, Highland Avenue, Gould Street, and the MBTA right-of-way. A land use study was completed and a rezoning plan for the noted area was then developed and presented to the October 2019 Special Town Meeting where it received a majority vote but fell short of the 2/3 vote required for passage. Concerns with the overall density

profile, traffic impact, use profile and lack of sustainable development principles were noted by Town Meeting members.

In response to input received at the October 2019 Special Town Meeting, a Town-wide Community meeting was held in January 2020 with residents, neighbors, public officials, businesses and landowners to further develop and refine the Town's overall land use goals and strategy for the district. Additionally, a working group comprising representatives from the Planning Board, Select Board, Finance Committee, and Council of Economic Advisors was established to review the policy objectives of the district and to offer strategies to address the concerns raised at both the October 2019 Special Town Meeting and the January 2020 Community meeting. The working group commissioned an updated traffic study of the district to determine the capacity of the Town's traffic infrastructure to accommodate development at variable density and use profiles. 3D modeling and an updated fiscal impact analysis of the district were completed once the density and use profile of the district were finalized consistent with the capacity of the Town's traffic infrastructure to accommodate development at variable density and use profiles. A revised zoning and land use plan were then prepared which initiative is now expressed in the regulatory framework detailed in this article.

Briefly, the following six modifications have been made from the 2019 rezoning proposal to the current 2021 proposal as follows: (1) The overall density of development within the district has been reduced. Specifically, the as-of-right floor area ratio (FAR) has been reduced from 1.0 to .70 and the special permit FAR has been reduced from 1.75 to 1.35. (2) The maximum building height within the district has been reduced by one story for both the as-of-right and special permit condition. (3) The building setback distance along Gould Street and Highland Avenue has been increased from 20 feet to 50 feet. The noted 50-foot setback area is required to be a landscaped buffer area designed to screen the development from the street. (4) The required open space on the lot has been increased from 20 percent to 25 percent. (5) Permitted uses within the district have been expanded to include multi-family dwellings with an affordable housing requirement of 12.5 percent. (6) The special permit criteria for permit issuance has been expanded to include green building standards. The proposed use and dimensional changes to this area, to be rezoned Highway Commercial 1 ("HC1"), are detailed below.

The amendments to Section 3.2 detail the uses allowed by right and those by special permit. In addition, by listing the uses rather than using the current table of uses, the uses can be clarified and brought up to date. Key changes to the use listing include allowing up to 240 units of multi family dwelling units; allowing greater retail by special permit for more than 5,750 sq. ft. and less than 10,000 sq. ft. (current limit 5700 sq. ft.); allowing grocery stores of up to 10,000 square feet by special permit; clarifying medical services allowed by right and by special permit (as was done in the Needham Crossing zoning); standardizing the medical laboratory and research and development defined uses; allowing by right more than one use and more than one building on a lot; changing theaters, bowling alleys, skating rinks, billiard rooms and similar commercial amusement or entertainment places from by right to special permit; deleting indoor movie theaters from allowed uses; precluding single family detached dwellings from allowed uses; and precluding certain industrial uses in the district including, inter alia, commercial garages, contractor's yards, lumber or fuel establishments, medical clinics, and previously allowed warehousing, manufacturing and industrial services. The purpose of the use changes are: (1) to ensure that uses allowed by right or by special permit will maximize the economic value of redevelopment to the Town; (2) to ensure that the permitted uses within the district are consistent with the Town's land use goals for this gateway location and the Highland Avenue Corridor; and (3) to subject certain uses presently allowed by right to the special permit process so that they may be properly vetted by the permit granting authority as to impacts and mitigation.

The amendments to Section 4 would create the dimensional requirements for the new Highway Commercial 1 zone. The proposal under the new Section 4.11 establishes height restrictions for the district based upon measured distance from Gould Street and Highland Avenue. For the as-of-right circumstance development within 200 feet of Gould Street and 200 feet of Highland Avenue would be limited to a maximum height of 35 feet and 2 ½ stories and beyond 200 feet to a maximum height of 56 feet and 4 stories. For the special permit circumstance development within 200 feet of Gould Street and 200 feet of Highland Avenue would

be limited to a maximum height of 42 feet and 3 stories and beyond 200 feet to a maximum height of 70 feet and 5 stories. (The current zoning allows 30 feet or two stories.) The proposal would change the front setback to 5 feet for all roadways internal to the site such as TV Place. This 5-foot front setback is applicable across the district unless the building height exceeds 35 feet, in which case the front setback increases to 15 feet, or the building sits on Highland Avenue or Gould Street, where a 50-foot landscaped vegetative buffer is proposed or along the layout of Route 95/128 where a 20-foot landscaped vegetative buffer is proposed. (Current front setback is 20 feet except along Gould and Highland where a 50-foot building setback and landscape buffer is imposed.) The side and rear setback would change to 10 feet unless the building height exceeds 35 feet, in which case the setback is increased to 20 feet for all side and rear setbacks not abutting the MBTA right-of-way. (The current side setback is 20 feet and the current rear setback is 10 feet). For informational purposes, the required building setbacks and allowed envelopes (including setbacks) for additional height above 35 feet are shown as Figure 1 for the as-of-right condition and as Figure 2 for the special permit condition in the zoning article.

The new zoning creates a maximum lot coverage requirement of 65% and an open space requirement of a minimum of 25%. (The current zoning contains no such requirements.) Changes are also proposed to the maximum FAR; a maximum FAR by right would be .70; the FAR may be increased up to 1.35 by special permit provided certain findings are made. The amendment clearly sets out the specific factors which will allow the exercise of the Board's special permit granting authority. The proposed zoning also sets out the maximum uninterrupted façade length that is allowed—200'. (The current zoning allows a FAR of only 0.5 and in very limited special circumstances 0.65-0.75.)

Finally, the new zoning restricts the bulk, height and location of a parking garage, even if it is for an as-of-right development. A parking garage may not exceed 44 feet in height, may not have a building footprint in excess of 42,000 square feet nor may it be located within 250 feet of Highland Avenue or within 200 feet of Gould Street. Notwithstanding the above, the maximum height of a parking garage may be increased to 55 feet by Special Permit from the Planning Board. For informational purposes, the required bulk, height and location requirements of a parking garage under both the as-of-right and special permit condition are shown as figure 3 in the zoning article.

Based on the build-out analysis, traffic report, dimensional analysis, consultant findings and information, and meeting testimony, the Planning Board confirmed that certain dimensional requirements, including front setback, height, floor area ratio, and side setbacks, and use requirements were constraining development under the current zoning rules and, given the properties' regionally prime commercial location along Route 128, is significantly underperforming economically, to the detriment of the Town. Further the Board found that the current industrial district zoning at the property was not reflective of the Town's land use policy goals for this gateway location and that a conversion to a mixed-use district consistent with the land use profile of the remainder of the Highland Avenue corridor was warranted. With rezoning, in time, this area should attract significant high value redevelopment consistent with the Town's land use objectives, which will be overseen by the Planning Board under its site plan review and special permit obligations.

ARTICLE 6: AMEND ZONING BY-LAW – MAP CHANGE TO HIGHWAY COMMERCIAL 1

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

Place in the Highway Commercial 1 District all that land now zoned Industrial-1 and lying between the Circumferential Highway, known as Route 128/95 and Gould Street and between the Massachusetts Bay Transit Authority (M.B.T.A.) right-of-way and Highland Avenue. Said land is bounded and described as follows:

Beginning at a stone bound on the northerly layout line of Highland Avenue at the intersection of Gould Street as shown on a plan recorded at the Norfolk County Registry of Deeds, Plan No. 564 of 2001, Plan Book 489; thence turning and running southwesterly, westerly and northwesterly along a radius of 44.00 feet a distance of 80.06 feet to a stone bound on the easterly sideline of Gould Street; thence running northwesterly, northerly, and northeasterly along a curve of radius of 505.00 feet of said sideline of Gould Street a distance of 254.17 feet to a point on the said easterly sideline of Gould Street; thence running N10°49'50"E a distance of 284.29 feet to a point on the said easterly sideline of Gould Street at the intersection of TV Place, a privately owned Right of Way; thence continuing N10°49'50"E a distance of 160.00 feet more or less to a stone bound as shown on a plan recorded at the Norfolk County Registry of Deeds Land Court Case No. 18430I; thence continuing N10°49'50"E a distance of 84.82 feet to a stone bound located at the intersection of the easterly sideline of Gould Street and the southerly sideline of the M.B.T.A. Right of Way as shown on a plan recorded at the Norfolk County Registry of Deeds Land Court Case No. 18430I; thence turning and running along said southerly M.B.T.A. Right of Way line northeasterly a distance of 1,219.55 feet as shown on a plan recorded at the Norfolk County Registry of Deeds Land Court Case No. 18430I, 18430J and 18430H to a point at the intersection of the westerly sideline of the Route 128 Right of Way and said southerly sideline of the M.B.T.A. Right of Way; thence turning and running S4°25'46"E a distance of 292.00 feet to a stone bound as shown on a plan recorded at the Norfolk County Registry of Deeds Land Court Case No. 18430H; then turning and running southwesterly along the Route 128 Right of Way a distance of 484.61 feet to a point; thence turning and running S13°34'58"W a distance of 451.02 feet as shown on a plan recorded at the Norfolk County Registry of Deeds, Plan No. 564 of 2001, Plan Book 489 to a point; thence turning and running S76°26'41"E a distance of 35.56 feet to a point; thence turning and running S13°34'58"W a distance of 67.34 feet to a point; thence running southwesterly along a curve of radius 245.45 feet a distance of 136.59 feet to a point; thence running southwesterly along a curve of radius 248.02 feet a distance of 38.04 feet to a point; thence running southwesterly along a curve of radius 1180.00 feet a distance of 140.09 feet to a point; thence turning and running S42°43'47"W a distance of 42.52 feet to a stone bound located in the westerly sideline of the Route 128 Right of Way; thence turning and running S63°56'51"W a distance of 361.46 feet to the point of beginning.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Article 6 describes the geographical area proposed to be placed in the new Highway Commercial 1 zoning district. The affected area is generally bounded on the north by the Massachusetts Bay Transit Authority (M.B.T.A.) commuter railroad right-of-way, on the east by the Circumferential Highway, known as Route 128/95, on the south by Highland Avenue and on the west by Gould Street. The subject land is currently located in the Industrial-1 zoning district.

From: [Lee Newman](#)
To: [Stephen Frail](#); [Christopher Heep](#)
Cc: [Alexandra Clee](#); [Elisa Litchman](#)
Subject: RE: Article 5 Amendment
Date: Wednesday, April 21, 2021 4:48:00 PM

Mr. Frail,

I have received your suggested amendment and Town Counsel's opinion and will share it with the Planning Board at their meeting today at 5:30 p.m.

Thank you,

Lee

From: Stephen Frail <sfrail2001@yahoo.com>
Sent: Wednesday, April 21, 2021 4:38 PM
To: Christopher Heep <cheep@miyares-harrington.com>
Cc: Alexandra Clee <aclee@needhamma.gov>; Lee Newman <LNewman@needhamma.gov>; Elisa Litchman <elitchman@needhamma.gov>
Subject: Re: Article 5 Amendment

Thank you, Chris.

With your input I submit the following amendment to the planning board:

DELETE

e) The proposed development should incorporate as many green building standards as practical, given the type of building and proposed use.

INSERT

(e) The proposed development should be built to the most energy efficient building standards (e.g., stretch building codes) approved by the State of Massachusetts at the time the special permit is requested, regardless of whether the Town of Needham has adopted those standards for townwide use.

I understand that this might be challenged if adopted, but would still like to offer it at TM for consideration.

Stephen Frail

On Apr 21, 2021, at 3:12 PM, Christopher Heep <cheep@miyares-harrington.com> wrote:

Good afternoon Mr. Frail:

I would suggest that you avoid the use of “greenest building standards.” As a practical matter, I think we all have a good understanding of what “green” means, but it strikes me as something that you might nonetheless want to define as used in a bylaw. An alternative might be “most energy efficient,” or something similar.

In addition, I’m concerned that someone might argue that this is an impermissible work-around of the standard method of adopting the stretch building code. Where the manner of adoption is already set, it might be argued that the Town cannot adopt the stretch code in a different way.

I don’t know that this concern would be enough to cause the Attorney General to disapprove it, however. In the ordinary course, we might be able to get an informal opinion ahead of time, but I’m afraid that won’t be possible for the Planning Board meets tonight. The most I can do is flag this issue as grounds for a possible challenge, by either the AG or a developer that is not inclined to follow the stretch code.

Thanks,
Chris

Christopher H. Heep

MiyaresHarrington - Local options at work

Miyares and Harrington LLP
40 Grove Street • Suite 190
Wellesley, MA 02482
Direct: 617.804.2422 | Main: 617.489.1600
www.miyares-harrington.com

From: Stephen Frail <sfrail2001@yahoo.com>
Date: Wednesday, April 21, 2021 at 1:08 PM
To: Alexandra Clee <aclee@needhamma.gov>, Christopher Heep
<cheep@miyares-harrington.com>
Cc: Lee Newman <newman@needhamma.gov>, Elisa Litchman
<elitchman@needhamma.gov>
Subject: Re: Article 5 Amendment

Chris -

Just following up on this since the Planning Board is meeting tonight. Here's an alternative wording, which I hope would be permissible:

DELETE

e) The proposed development should incorporate as many green building standards as

practical, given the type of building and proposed use.

INSERT

(e) The proposed development should be built to the greenest building standards (e.g., stretch building codes) approved by the State of Massachusetts at the time the special permit is requested, regardless of whether the Town of Needham has adopted those standards for townwide use.

On Tuesday, April 20, 2021, 04:15:07 PM EDT, Stephen Frail <sfrail2001@yahoo.com> wrote:

Thank you for that information, Chris. I suspected Home Rule limits would apply.

Would it pass muster if the subsection (e) specifically required the development to meet the State's Stretch Building Code, regardless of whether Needham itself has adopted the Stretch Building Code?

Needham has adopted the Stretch Building Code as of 2019, but should that Stretch code be updated in the future, and Needham Town Meeting not vote to adopt the updated Stretch Building Code at that time, would it be allowable for HC-1 to still be held to the higher Stretch standard?

Thank you again, in advance.

Stephen

On Tuesday, April 20, 2021, 03:30:09 PM EDT, Christopher Heep <cheep@miyares-harrington.com> wrote:

Hello Mr. Frail. Every zoning bylaw that is adopted or amended by Town Meeting must be sent to the Attorney General for review and approval. I believe your proposed amendment would likely be disapproved by the Attorney General, on the ground that it impermissibly regulates matters that are covered by the State Building Code.

The current subsection (e) gives the property owner some flexibility ("as many green building standards as practical...") without actually mandating any particular building materials or energy standards. I'm concerned that your proposal, by actually requiring the developer to meet the definition of a Zero Energy Campus, is imposing a requirement that gets into matters already regulated by the state code.

For reference, I have attached [a recent SJC case](#) that notes the State Building Code preempts local bylaws that address the same subject. In addition, I am aware that the Attorney General recently disapproved a bylaw, adopted by the Brookline Town Meeting, that prohibited the use of fossil fuels in new construction.

Sorry to raise this concern, and I'd be happy to discuss if it would be helpful.

Chris

Christopher H. Heep

MiyaresHarrington - Local options at work

Miyares and Harrington LLP

40 Grove Street • Suite 190

Wellesley, MA 02482

Direct: 617.804.2422 | Main: 617.489.1600

www.miyares-harrington.com

From: Stephen Frail <sfrail2001@yahoo.com>
Date: Tuesday, April 20, 2021 at 2:01 PM
To: Alexandra Clee <aclee@needhamma.gov>
Cc: Lee Newman <LNewman@needhamma.gov>, Elisa Litchman <elitchman@needhamma.gov>, Christopher Heep <cheep@miyares-harrington.com>
Subject: Re: Article 5 Amendment

Thank you, Alexandra.

Chris and Lee, I am proposing the following amendment to the Warrant 5 (HC-1), 4.11.3 Special Permit Requirements:

DELETE

e) The proposed development should incorporate as many green building standards as practical, given the type of building and proposed use.

INSERT

(e) The proposed development should meet the definition of a Zero Energy Campus, where a Zero Energy Campus is defined as an energy-efficient campus where, on a source energy basis, the actual annual delivered energy is less than or equal to the on-site renewable exported energy.

It would be helpful to have Town Counsel's view on whether such a clause is consistent with MA State Law and/or federal law. I've read through this document, but am uncertain about legality.

<http://clinics.law.harvard.edu/environment/files/2020/05/Strategies-for-Massachusetts-Municipalities-to-Implement-Net-Zero-Building-Mandates-July-2019.pdf>

Thank you in advance.

Stephen

On Tuesday, April 20, 2021, 11:28:23 AM EDT, Alexandra Clee <aclee@needhamma.gov> wrote:

Hi Mr. Frail,

You should send any proposed amendment to our Town Counsel, Chris Heep and Copy Lee Newman, Director of Planning and Community Development. Both are CC'ed on this email. The Planning Board is going to be reviewing proposed amendments at its meeting tomorrow evening, so if you can provide the proposed amendment, that would enable them to review it with others at the meeting tomorrow.

Thanks, alex.

Alexandra Clee

Assistant Town Planner

Needham, MA

www.needhamma.gov

-----Original Message-----

From: noreply@civicplus.com <noreply@civicplus.com>

Sent: Tuesday, April 20, 2021 10:37 AM

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

Subject: Online Form Submittal: Contact Planning Board

The following form was submitted via your website: Contact Planning Board

Full Name:: Stephen Frail

Email Address:: sfrail2001@yahoo.com

Address:: 29 Powers Street

City/Town:: Needham

State:: MA

Zip Code:: 02492

Telephone Number:: 6172830047

Comments / Questions: I am a TMM and am preparing for the TMM. I would like to propose an amendment to Article 5, specifically 4.11.3 Special permit Requirements. Can you please let me know who to send proposed amended language to, and how to have the language vetted by Town Council? Thank you in advance.

Additional Information:

Form submitted on: 4/20/2021 10:36:51 AM

Submitted from IP Address: 173.76.244.49

Referrer Page: [https://linkprotect.cudasvc.com/url?
a=https%3a%2f%2fneedhamma.gov%2f1114%2fPlanning-Board&c=E.1.oJ5Tj8UOSCupuH-
PKLdtrUzdw-
prvJ03R3Wg8ySjV7rtDoKJhbFgG6T8uJgO_zw1B4cm7bSTlVPGPa38ctkT7gvGxufhTJbEokKojct5
p_tuMLJ72ifPzzCP0Xi&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fneedhamma.gov%2f1114%2fPlanning-Board&c=E.1.oJ5Tj8UOSCupuH-PKLdtrUzdw-prvJ03R3Wg8ySjV7rtDoKJhbFgG6T8uJgO_zw1B4cm7bSTlVPGPa38ctkT7gvGxufhTJbEokKojct5p_tuMLJ72ifPzzCP0Xi&typo=1)

Form Address: [https://linkprotect.cudasvc.com/url?
a=http%3a%2f%2fneedhamma.gov%2fForms.aspx%3fFID%3d229&c=E.1.HOO8oHLrbIq0oyKvR
0oPYxErUzyS_D2sVKwa6Ju7WV31HrWoSi_0jl2zFCa-
XlBgAB3KjNS4rCTBTfwTnTCyFnIVyO1nJuyY8rlLC4En8j0O4mhjcDI-K8.&typo=1](https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fneedhamma.gov%2fForms.aspx%3fFID%3d229&c=E.1.HOO8oHLrbIq0oyKvR0oPYxErUzyS_D2sVKwa6Ju7WV31HrWoSi_0jl2zFCa-XlBgAB3KjNS4rCTBTfwTnTCyFnIVyO1nJuyY8rlLC4En8j0O4mhjcDI-K8.&typo=1)

**Annual Town Meeting
May 2021**



**Planning Board
Warrant Articles 5 + 6**

Highway Commercial 1

Please review additional supporting materials:

- Frequently Asked Questions document
- March 16, 21 – Planning Board Public Hearing materials
- March 20, 21 – Fiscal Impact Analysis

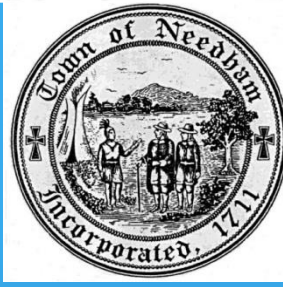
Available at:

<https://www.needhamma.gov/4981/Spring-Town-Meeting-2021>



Highway
Commercial
1

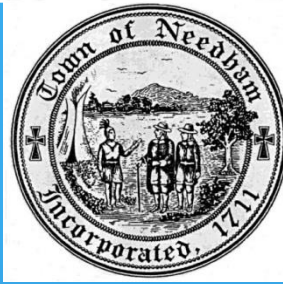




Purpose

- Improve the Gateway into Needham
- Enhance public control over development
- Unlock economic benefits for the Town
 - Net Revenue range:
 - \$3.2M-\$4.5M - by right
 - \$6M-\$8.3M - by special permit
 - Create 100s of high paying jobs

Annual Town Meeting
May 2021



Planning Board
Warrant Articles 5 + 6

Process

- Began over 7 years ago
- Includes over 45 public meetings
- Process resulted in substantial changes to proposal
 - ✓ Reduced density
 - ✓ Reduced heights
 - ✓ No destination retail
 - ✓ Increased setback
 - ✓ Increased open space
 - ✓ Added multi-fam housing

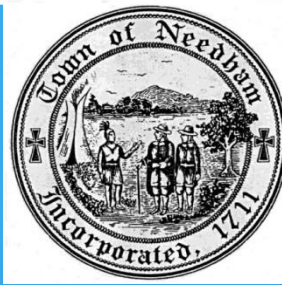
Use Table



Use Table

Zoning Element	Existing By-law		2019 Proposal		2021 Proposal	
	By Right	Special Permit	By Right	Special Permit	By Right	Special Permit
Uses	Chapter 40A exempt uses, lib/mus , muni water tower, park, passenger station, single family, boarding house, dormitory , retail up to 5750 sf , accessory manufacturing, offices, banks, various services, theaters, movie houses , indoor athletic/exercise facilities, entertainment buildings, distribution warehouse, storage, machine shop, bottling plant , equipment rental, garment manufacturing , laboratory, radio/TV studio, light manufacturing, municipal building, accessory use for home office or small repairs	Farmers market, nursing home, private club , private school, retail over 5750 sf, fitness, trucking terminal, gas station, vehicle repair, laundry, junk yard, lumber establishment, hotel , restaurant, veterinary, medical clinic, medical marijuana treatment, car sales and parking, welding, stone cutting, autobody, food processing , genetic research, medical lab, more than one municipal building or use on a lot, off-street parking	Chapter 40A exempt uses, public parks, municipal buildings or uses, retail up to 10,000sf, accessory manufacturing, various services, offices, banks, medical laboratory or laboratory engaged in research and development, radio/TV studio, light manufacturing, telecommunications facility, laundry pickup/dropoff, more than one building or use on a lot	Light-rail train station, adult day care, private school or nursery, retail establishment from 10,000 to 25,000sf, equipment rental service, grocery store up to 25,000sf, restaurant, veterinary office, indoor athletic or exercise facility, drive-up window, medical group practice, live performance theater, bowling alley, and similar commercial amusement or entertainment places	Chapter 40A exempt uses, public parks, municipal buildings or uses, retail up to 5,750sf , accessory manufacturing, various services, offices, banks, medical laboratory or laboratory engaged in research and development, radio/TV studio, light manufacturing, telecommunications facility, laundry pickup/dropoff , more than one building or use on a lot	Up to 240 multi family dwelling units** , light-rail train station, adult day care , private school or nursery, retail establishment from 5750sf to 10,000sf , equipment rental service, grocery store up to 10,000sf , restaurant, veterinary office, indoor athletic or exercise facility, drive-up ATM/teller , medical group practice, live performance theater, bowling alley, and similar commercial amusement or entertainment places
	discontinued uses					
	uses new in 2019					
	uses new in 2021					
** Residential units are restricted in the following ways:						
- min of 40% and max of 70% 1 bedroom units						
- min of 12.5% of all units will be "affordable"						

Annual Town Meeting
May 2021

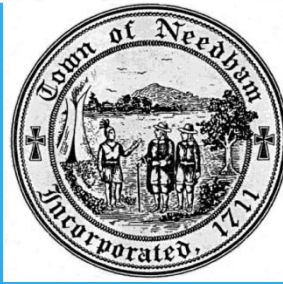


Planning Board
Warrant Articles 5 + 6

Dimensional Requirements

Zoning Element	Proposal Within 200 ft. Gould + Highland		Proposal Beyond 200 ft. Gould + Highland	
	By Right	Special Permit	By Right	Special Permit
FAR	0.70	1.35	0.70	1.35
Height	2 1/2 stories (35')	3 stories (42')	4 stories (56')	5 stories (70')
Front Setback	50' ¹	50' ²	50' ²	50' ²
Side Setback	10'	20' ³	20' ³	20' ³
Rear Setback	10'	20' ³	20' ³	20' ³
Min Lot Area (SF)	20,000	20,000	20,000	20,000
Min Lot Frontage (Ft)	100	100	100	100
Max Lot Coverage	65%	65%	65%	65%
Min Open Space	25%	25%	25%	25%
Parking Garage Setback	250' Highland/200' Gould	250' Highland/200' Gould	250' Highland/200' Gould	250' Highland/200' Gould
Max façade length	200'	200'	200'	200'
Traffic Mitigation	\$ by Developer	\$ by Developer	\$ by Developer	\$ by Developer
Footnotes				
1 Front setback is 5' from any internal road such as TV Place.				
2 Front setback is 15' from any internal road such TV Place.				
3 Except along the MBTA right of way where the setback is 10'.				

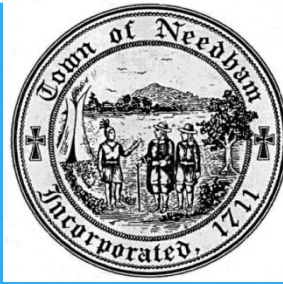
**Annual Town Meeting
May 2021**



**Planning Board
Warrant Articles 5 + 6**

Enhance Public Control Over Development

- Induce development through special permit
- Public process
- Broad discretionary powers to alter or deny development
- Maximize town leverage



Public Control Over Development

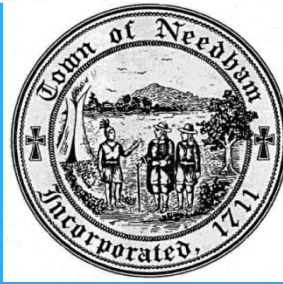
Zoning by Developer

- o miss the market
- o negotiating against ourselves
- o negotiating from weakness

VS

Zoning by Town

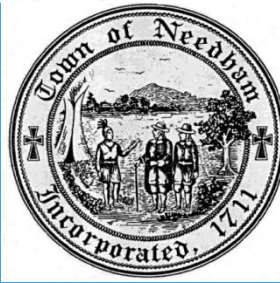
- ✓ Town controls the market
- ✓ Not beholden to developer
- ✓ Town benefits
- ✓ Negotiate from strength



Traffic Impact

- Roadways can handle increased volume from development
- Takings required – **only** on developed property
- Easement from Wingate for new traffic signal box
- **No takings on Hunting**
 - Hunting left turn onto Highlight remains low volume
 - Does **not** require separate left turn lane

**Annual Town Meeting
May 2020**

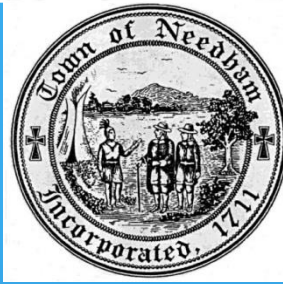


**Planning Board
Warrant Articles 5 + 6**

Fiscal Impact

	Existing Zoning			Final Planning Board Proposal			
				By Right		Special Permit	
Scenario	Current Use	Warehouse	Lab/Retail	FAR 0.7 w Housing	FAR 0.7 - No Housing	FAR 1.35 w Housing	FAR 1.35 - No Housing
Gross Revenue	\$ 490,500	\$ 923,000	\$ 2,699,726	\$ 4,005,451	\$ 4,713,181	\$ 7,509,000	\$ 8,844,000
Municipal Costs		\$ 179,000	\$ 152,766	\$ 813,094	\$ 266,700	\$ 1,480,000	\$ 502,000
Net Revenue		\$ 744,000	\$ 2,546,960	\$ 3,192,357	\$ 4,446,481	\$ 6,029,000	\$ 8,342,000

**Annual Town Meeting
May 2021**



**Planning Board
Warrant Articles 5 + 6**

Conclusion

- Improves the Gateway
- Maximizes Town control of development
- Infrastructure can support development
- Contributes \$60M-\$70M in 10 years
- We ask for your affirmative vote on Articles 5 + 6

Memorandum

To: Carol Smith-Fachetti, Chair, Needham Finance Committee

From: Lee Newman, Director of Planning and Community Development

cc: Kate Fitzpatrick, Town Manager
Katie King, Assistant Town Manager
Jeanne McKnight, Chair, Needham Planning Board

Date: March 29, 2021

Re: Planning Consulting Assistance

I am writing this memo as a supplement to the Planning and Community Development Fiscal Year 2022 Supplemental Financial Warrant Article Request (DSR5 Form). The purpose of the memo is to provide greater clarity on the anticipated use of the requested sixty-thousand-dollar appropriation for Planning Consulting Assistance. Briefly, the appropriation would provide support to the Department in two functional areas as further detailed below.

Professional services on an as-needed basis to support the regulatory functions of the Department

Departmental demand over the course of the last decade has triggered this need. The use of contracted services, including consulting services for professional assistance in matters related to development applications, land use regulations, and other activities related to day-to-day operations of the Department, is requested. We anticipate that professional services in such areas as traffic/transportation engineering and fiscal impact analysis to complement the expertise of Town staff would be procured. Having access to professional expertise across multiple land use disciplines in a complex regulatory environment has proven essential to allowing the Department to effectively address the permitting issues coming before it. In addition, the funds would be used to help the Department research and advise other appropriate regulatory Boards when presented with complex development projects.

Professional services in support of Land Use and Planning Initiatives

The use of contracted services to support the Department's planning initiatives is also sought. This is anticipated to support preliminary planning and zoning initiatives, and if deemed necessary, to inform comprehensive planning initiatives on which independent funding would be requested. Below is a brief list of projects on the horizon which the Board is considering.

- *Conduct a review of the goals articulated in the 2009 Needham Center Plan and steps completed to date to meet those goals to determine if adjustments are warranted.* This effort will include a workshop to present accomplishments to date and to identify any constraints to redevelopment not anticipated in the 2009 Needham Center Plan. In 2009, the Town of Needham completed the Needham Center Development Plan for the purpose of providing a cohesive vision and comprehensive plan for Needham Center and to unlock the area's potential. The revitalization of Needham Center and the Lower Chestnut Street area—namely the Chestnut Street corridor south of Great Plain Avenue and north of the MBTA Junction Station—constitute the overall Needham

Center vision. The Plan detailed the Village Concept that called for “diverse, mixed-use districts combining residential, commercial and civic uses in a compact area” and proposed new zoning regulations to “encourage massing that helps define the street edge and that serves as a backdrop to the streetscape.” With notable exceptions—including the mixed-use building at 50 Dedham Avenue, the Beth Israel Deaconess Hospital’s new facilities, the new Needham Public Safety building, and a new mixed-use building at 15-17 Oak Street—most of the under-developed areas identified in the Plan have yet to fulfill their full potential in the decade that followed the plan’s adoption. The purpose of this review would be to examine current impediments to redevelopment and to make the warranted adjustments. The recently completed Needham 2025 plan for example noted that redevelopment prospects could be improved with off-street parking standard adjustments. Specifically, reducing the parking requirement for 1-bedroom units to 1 parking space (currently 1.5 per unit) and permitting shared parking considerations for 30% of residential spaces to be counted for joint use by commercial users will reduce the fee in-lieu of parking by \$105,000 (\$30,000 instead of \$135,000). These suggestions from the Needham 2025 plan will be examined along with other identified constraints. It is anticipated that this effort would provide a framework for informing adjustments to both the zoning and implementation plan for Needham Center and the Chestnut Street corridor moving forward.

- *Review the land use and policy goals of the Business District located along Highland Avenue between May and Rosemary Street as currently expressed in the regulatory framework of the Zoning Bylaw.* The land use and dimensional regulations for this district have not been updated for over 50 years and are not currently reflective of the policy goals which the Town holds for this length of the Highland Avenue corridor. Prior to 1989, all the Town’s commercial areas were zoned under a single “Business District” designation. Recognizing that each commercial area had unique attributes and land use objectives, beginning in 1989 the Town began the process of studying each area to establish a more tailored regulatory framework for the studied area consistent with the Town’s land use objectives. This subsequently led to the creation of the Needham Center Business District, Chestnut Street Business District, Avery Square Business District, Commercial 128 Business District, and the Neighborhood Business District. The Business District located along Highland Avenue between May and Rosemary Street is the only remaining district on which the land use and regulatory profile has not yet been updated.
- *Review Town-wide Inclusionary Zoning.* The Town has incorporated inclusionary zoning mandates into its Zoning Bylaw for a number of Overlay Districts, including the independent living units in the Elder Services Zoning District, as well as zoning for the Needham Center, Lower Chestnut Street, and Garden Street Overlay Districts. In these areas at least 10% of the units must be affordable to those earning at or below 80% of area median income and meet all other state requirements for inclusion in the Subsidized Housing Inventory. More recent zoning as part of the Mixed Use Overlay District, in the Highland Avenue/128 area, as well as changes to the Neighborhood Business District increased the affordability requirement to 12.5% with the option of a payment in-lieu of units provision in the case of the Neighborhood Business zoning. New zoning for the Carter Mill development also included a 12.5% affordability requirement. More than one-third of the municipalities in the state have such inclusionary zoning in place with affordability requirements typically ranging between 10% and 15% or even up to 20% of the units in a development. Not having this town-wide zoning in place is causing the Town to miss opportunities for new affordable units as part of recent subdivisions and a new residential project on Hunnewell Street for example.

I have provided above an overview of potential areas of planning initiatives in which professional services might be required. In closing, I would note that the decision had been reached in 2015 to fund the above-noted type of planning consulting service under a single article appropriation and not within the

Departmental budget itself. The thought at the time was that by utilizing a single article appropriation the constraints of funding a project across multiple fiscal years would be eliminated. In practice I have found this flexibility to be helpful in administering the consulting services the Department procures. The Covid crisis is an example of a situation that can and did affect a planned research project's schedule; for example, this past fiscal year we had planned a research project which required spending time at the Building Department reviewing plans. With access to the Building Department for this purpose not possible the project was postponed from Fiscal Year 2020 to Fiscal Year 2022. I would prefer to continue with the current practice and the flexibility it provides. That said, if the Finance Committee prefers to have this type of funding placed within the Departmental budget itself, we can begin a process beginning in Fiscal Year 2023 of gradually increasing the professional services line item to accomplish this objective.

Thank you for your consideration of this departmental funding request. Please feel free to contact me directly with any questions or requests for additional information.

cc: SB
→ KFC

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

RECEIVED
TOWN OF NEEDHAM
SELECT BOARD

2020 JAN 30 P 3:43

TELEPHONE (781) 449-4520

FAX (781) 465-6059

January 30, 2020

Kate Fitzpatrick
Town Manager
Town of Needham
1471 Highland Avenue
Needham, Massachusetts 02492

COMPLETED
1/31/2020

Re: Bruno DiFazio
Hunting Road
Petition for Zoning Map Change

Dear Ms. Fitzpatrick,

Please be advised that this office represents Bruno and Linda J. DiFazio, individually and as Trustees of the Bruno DiFazio Living Trust, owners of the property at 176 Hunting Road, Needham, MA, relative to their desire, pursuant to M.G.L. c. 40A, Section 5, to petition the Town of Needham Town Meeting for a Zoning Map Change. Their property, and all those located generally along the easterly side of Hunting Road, are currently situated in the SRA Zoning District. However, their lot, and all the other properties south of them, down to Cheney Street, do not meet applicable requirements for SRA. Moreover, because of their smaller size, these lots are unduly restricted by the SRA setback requirements.

Therefore, the DiFazios are seeking to rezone the following properties located generally along the easterly side of Hunting Road, being all the properties in the SRA Zoning District between their property and Cheney Street to the south and between Hunting Road and Route 128 to the east (see also portions of Assessor's Map provided herewith as Exhibit A for reference):

Address	Map	Parcel
176 Hunting Road	60	73
190 Hunting Road	60	72
200 Hunting Road	60	71
210 Hunting Road	60	70
220 Hunting Road	60	69
228 Hunting Road	60	68
236 Hunting Road	60	67
244 Hunting Road	60	66
250 Hunting Road	60	65
260 Hunting Road	58	27
259 Kendrick Street	58	26
249 Kendrick Street	58	25
252 Kendrick Street	58	23

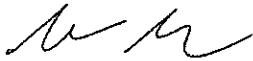
254 Kendrick Street	58	24
258 Kendrick Street	58	22
286 Hunting Road	58	21
290 Hunting Road	58	20
296 Hunting Road	58	19
304 Hunting Road	58	18
342 Greendale Avenue	58	4
35 Cheney Street	58	3
29 Cheney Street	58	2
23 Cheney Street	58	1

The DiFazios have already obtained signatures of support from most of the affected properties, including a land owner affected by the proposed change and 10 or more registered voters (see signature sheets and letters provided herewith as Exhibit B), and pursuant to M.G.L. C.40A, Section 5, and M.G.L. C. 39, Section 10, requests that the matter be brought before the upcoming Annual Town Meeting. A proposed draft warrant is provided herewith as Exhibit C.

If you or the Board of Selectmen have any questions comments or concerns relative to the foregoing, or if you require any further information, please do not hesitate to contact me.

Your attention and cooperation are appreciated.

Sincerely,



George Giunta, Jr

SEE PLAN 300

STATE CIRCUMFERENTIAL (RTE. 128) HIGHWAY (1953 L.O.) SOUTHBOUND LANE

HUNTING

ROAD

LAND COURT

HTE 128 DISCONTINUED 1938 L.O. 17000 1938 3

24608 68

65 66 67 68 69 70 71 72 73

12

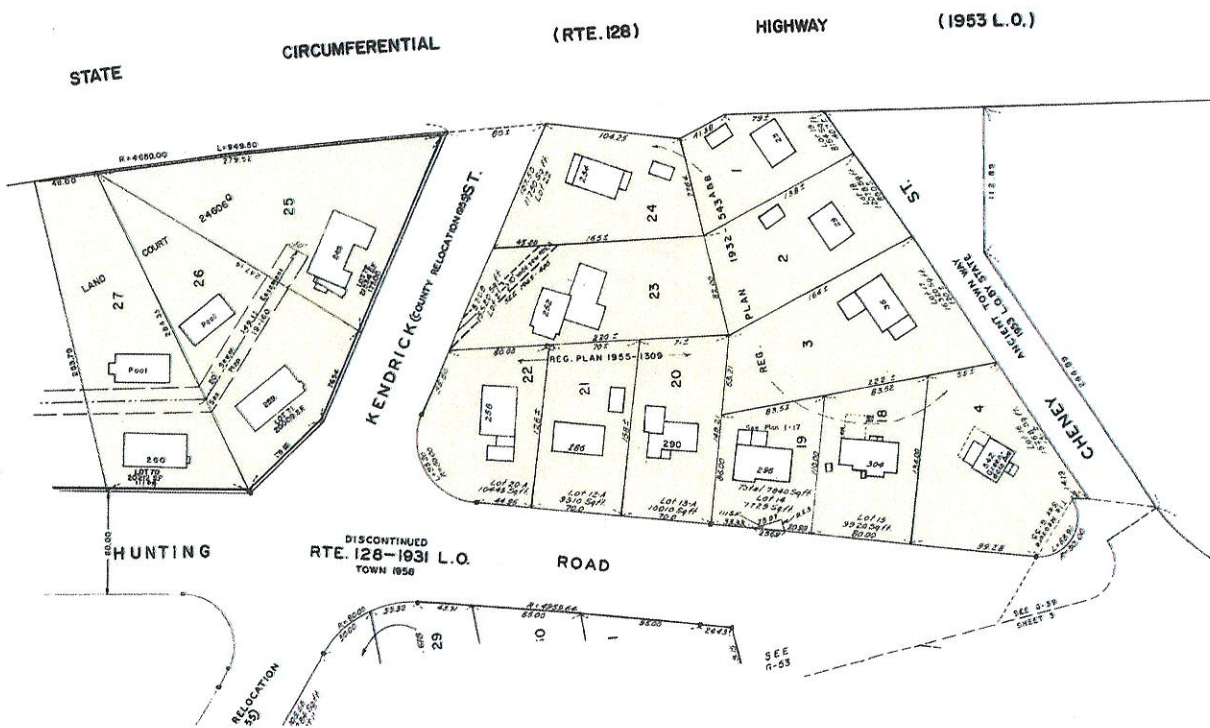


EXHIBIT B
Signatures of Support

Swapan Rahman and Lynda B. Furash
1001 Marina Dr., U703E
Quincy, MA 02171

November 8, 2019

To the Needham Zoning Board:

We are the owners of record of the property located at 228 Hunting Road, Needham, MA 02494.

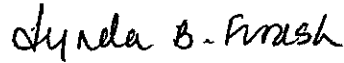
We are in favor of changing the zoning classification for Hunting Road from Single Residence A back to Single Residence B.

Thank you for your consideration.

Sincerely,



Swapan Rahman, f/k/a Mahmud Swapan Rahman



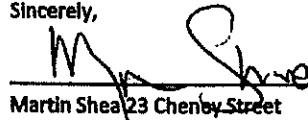
Lynda B. Furash

Town Of Needham, Ma.

To whom it may concern,

I am in favor of rezoning all the existing properties on the east side of Hunting Road, Cheney Street and Kendrick Street from *Single residence A* back to *Single residence B*.

Sincerely,


Martin Shea 23 Cheney Street

Date 10/16/19

Town Of Needham, Ma.

To whom it may concern,

I am in favor of rezoning all the existing properties on the east side of Hunting Road, Cheney Street and Kendrick Street from *Single residence A* back to *Single residence B*.

Sincerely,

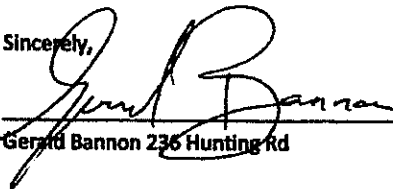
 Date 10/28/19
Audrey Cooper 234 Kendrick st

Town Of Needham, Ma.

To whom it may concern,

I am in favor of rezoning all the existing properties on the east side of Hunting Road, Cheney Street and Kendrick Street from *Single residence A* back to *Single residence B*.

Sincerely,

 Date Oct-12-2019
Gerald Bannon 236 Hunting Rd

Town Of Needham, Ma.

To whom it may concern,

I am in favor of rezoning all the existing properties on the east side of Hunting Road, Cheney Street and Kendrick Street from *Single residence A* back to *Single residence B*.

Sincerely,

 Date 10/29/19
Donald McHugh 29 Cheney Street
Ronald

Jason Kraetz & Jayne Rd Needham MA 02494 *J. Kraetz*

Ed live 281 Hunting Rd

Robert King 197 Hunting

Ronnie Jones 209 Hunting

183 Hunting Rd.

Robert King 189 Hunting Rd

203 Hunting Rd

NR Jones 235 Hunting Rd

Name

Address

176 Bruno DiFazio 176 Hunting Rd

190 Kevin O'Connor 190 Hunting Rd

200 Fred Bowen 200 Hunting Rd.

210 Katherine Quan Thomas 210 Hunting Rd

220 Ivo Rufo 220 Hunting Rd

225 Mahmad Rahman

254 Gerald Bannon

254 John Hest 254 Hunting Rd

250 Lawrence Milesky 250 HUNTING RD

260 Irina Ratskovskaya 260 Hunting Rd
Needham MA 02494

259 Bonnie Arbel 259 Kendrick St. WASHINGTON

259 Bonnie Arbel

K 234 Audrey Couper Don't Care

K 252 Donna Mahoney 252 Kendrick St.

K 258 Elaine Sweet 258 Kendrick St.

K 258 Elaine Sweet

K 286 Gerald Bannon

K 280 Alon Ludwig 286 Hunting Rd.

K 290 Susan Griffin

K 296 Raveen Purushotham 296 Hunting Road.

K 304 Clair Immediato 304 Hunting Rd

K 342 Kristopher Getez 342 Greendale Ave

EXHIBIT C
Proposed Warrant Article

AMEND ZONING BY-LAW
MAP CHANGE TO GENERAL RESIDENCE B ZONING DISTRICT

To see if the Town will vote to amend the Needham Zoning Bylaw by amending the Zoning Map as follows:

Place in the Single Residence B Zoning District (i) all that land now zoned Single Residence A bounded generally to the northwest by a point at the northwesterly end of Parcel 73 on Needham Assessor's Map No. 66, to the northeast by the State Circumferential Highway, to the southeast by Kendrick Street, and to the northwest by Hunting Road; said land comprising Parcels 65, 66, 67, 68, 69, 70, 71, 72 and 73 on said Map No. 66 and Parcels 25, 26 and 27 on Needham Assessor's Map No. 58; as well as (ii) all that land now zoned Single Residence A bounded generally to the northwest by Kendrick Street, to the northeast by the State Circumferential Highway, to the southeast by Cheney Street, and to the southwest by Hunting Road, said land comprising Parcels 1, 2, 3, 4, 18, 19, 20, 21, 22, 23 and 24 on said Map No. 58.

So much of said land comprising Parcels 65, 66, 67, 68, 69, 70, 71, 72 and 73 on said Map No. 66 and Parcels 25, 26 and 27 on Needham Assessor's Map No. 58 being bounded and described as follows: Beginning at a point on the northeasterly side of Hunting Road at the northwesterly end of Parcel 73 on Needham Assessor's Map No. 66; thence running southeasterly along the southwesterly side of the State Circumferential Highway a distance of 1,792.15 feet to Kendrick Street; thence running westerly and northwesterly along the northerly side of Kendrick Street, 328.72 feet to Hunting Road; thence running northwesterly along the northeasterly line of Hunting Road, 1,359.60 feet, to the point of beginning.

And so much of said land comprising Parcels 1, 2, 3, 4, 18, 19, 20, 21, 22, 23 and 24 on Needham Assessor's Map No. 58 being bounded and described as follows: Beginning at a point on the southerly side of Kendrick Street, at the intersection with Hunting Road, thence running westerly 250.08 feet to the southwesterly side of the State Circumferential Highway; thence running generally southeasterly along the southwesterly side of the State Circumferential Highway a distance of 224.63 feet to Cheney Street; thence running southerly along the westerly line of Cheney Street a distance of 371.7 feet to the intersection with Hunting Road; thence running northwesterly along Hunting Road, a distance of 14.19 feet; thence running southerly by Hunting Road, along a curved line, a distance of 68.91 feet; thence running northwesterly along the northeasterly side of Hunting Road 444.24 feet; thence running along a curved line at the intersection of Hunting Road and Kendrick Street a distance of 95.20 to the point of beginning.

Be any or all of said measurements, more or less.

Or take any other action relative thereto.

ATM ARTICLE 7

Proposed Zoning Map Change
SRA to SRB

TOWN OF NEEDHAM MASSACHUSETTS ZONING MAP

NEEDHAM PLANNING BOARD

Martin Jacobs, Chairperson
Jeanne S. McKnight, Vice Chairperson
Paul S. Ajferl, Member
Bruce T. Eisenhut, Member
Elizabeth J. Grimes, Member

Lee Newman - Planning Director
Anthony L. Del Gallo, P.E., Town Engineer

Updated As Of - MAY 2015
Revised - April 1, 2018

USE DISTRICTS		OVERLAY DISTRICTS	
[Symbol]	SINGLE RESIDENCE - A	[Symbol]	WHEELER COMMUNICATIONS FACILITIES TOWERS OVERLAY DISTRICT
[Symbol]	SINGLE RESIDENCE - B	[Symbol]	ADULT USE OVERLAY DISTRICT
[Symbol]	GENERAL RESIDENCE	[Symbol]	MEDICAL OVERLAY DISTRICT
[Symbol]	APARTMENTS A-1	[Symbol]	AQUIFER PROTECTION DISTRICT
[Symbol]	APARTMENTS B-2	[Symbol]	NEEDHAM CENTER OVERLAY DISTRICT A
[Symbol]	RURAL RESIDENCE - CONSERVATION	[Symbol]	NEEDHAM CENTER OVERLAY DISTRICT B
[Symbol]	INSTITUTIONAL	[Symbol]	LOWER CHESTNUT STREET OVERLAY DISTRICT
[Symbol]	BUSINESS	[Symbol]	GARDEN STREET OVERLAY DISTRICT
[Symbol]	INDUSTRIAL	[Symbol]	LARGE SCALE GROUND MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION OVERLAY DISTRICT
[Symbol]	INDUSTRIAL - 1	[Symbol]	TEMPORARY METEOROLOGICAL TOWERS OVERLAY DISTRICT
[Symbol]	AVERY SQUARE BUSINESS	[Symbol]	JULY 17, 2012 FLOOD PLAIN DISTRICT (ALL ELEVATIONS REFER TO 10.0 & 5.0 MEAN SEA LEVEL DATUM)
[Symbol]	CENTER BUSINESS		
[Symbol]	ONEWAY STREET BUSINESS		
[Symbol]	HIGHLAND COMMERCIAL - 128		
[Symbol]	HILLSIDE AVENUE BUSINESS		
[Symbol]	MIXED USE - 128		
[Symbol]	NEIGHBORHOOD BUSINESS		
[Symbol]	NEW ENGLAND BUSINESS CENTER		
[Symbol]	ELDER SERVICES ZONING DISTRICT		
[Symbol]	TOWN BOUNDARY		
[Symbol]	PARCEL		
[Symbol]	TOWN HALL		

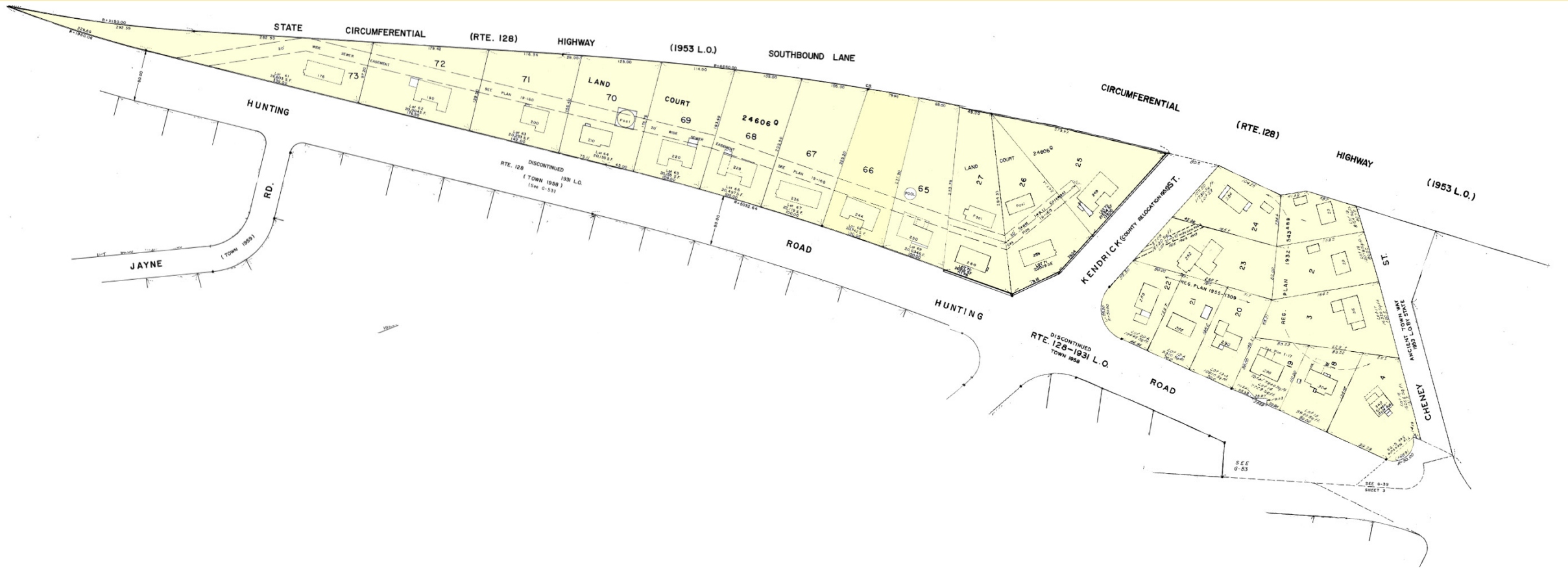
SCALE
1" = 110'

NOTE:
Zoning information was constructed from articles provided by the Town of Needham Planning Board.
All data is for display purposes only and should not be considered accurate, current or complete.
The Town of Needham assumes no liability for misuse or alteration of this data.
This road map portrays roads that have been constructed and are in general use for vehicular traffic.
Road data was updated based on April 2009 aerial photographs and includes data from the Town of Needham Department of Public Works and Engineering Division.

Overview

- 23 Parcels currently in SRA Zoning District
- Located between existing SRB District and Route 128
- Located along Hunting Road, Kendrick Street, Cheney Street and Greendale Avenue

Affected Parcels



Current SRA Requirements

- At least One Acre of land area
- At least 150 feet of frontage
- Minimum 30 foot front setback
- Minimum 15 foot rear setback
- Minimum 15 foot side setback for existing structures; 25 feet for new construction

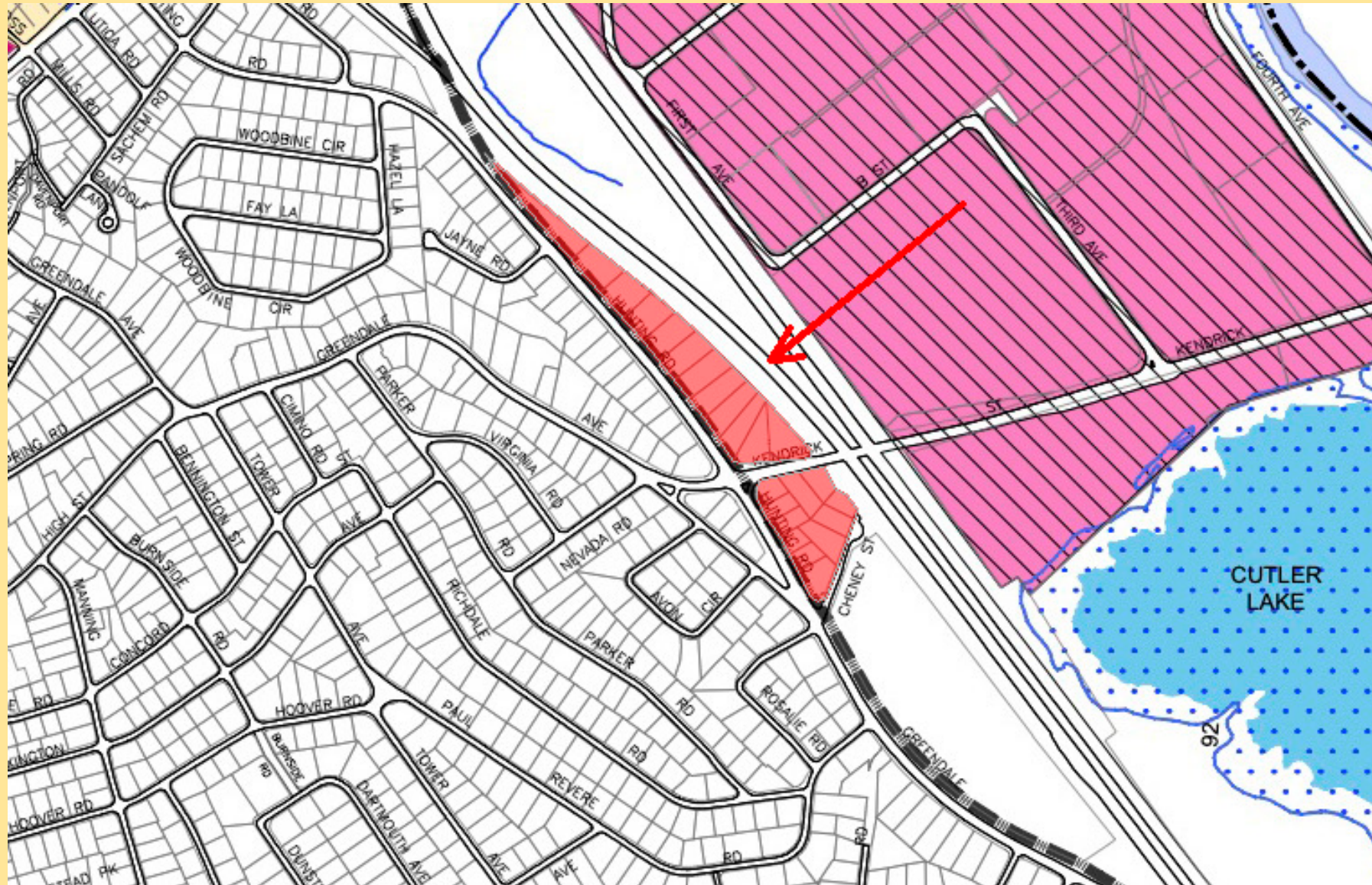
All of the 23 Lots Are Currently Non-Conforming

- *None* of the 23 lots meet the SRA land area requirement
- *Only 4* of the 23 lots meet the SRA frontage requirement
 - 3 of the 23 Parcels have less than 80 frontage
 - 3 of the 23 have just 80 feet of frontage
 - 1 of the 23 has more than 80 but less than 100 feet of frontage
 - 4 of the 23 Parcels have 100 feet of frontage
 - 8 of the 23 Parcels have more than 100 but less than 150 feet of frontage
 - 4 of the 23 Parcels have 150 feet or more of frontage
- Several don't meet SRA front setback requirement

Rationale

- All 23 parcels are currently non-conforming, but if placed in SRB, only 5 will remain non-conforming
- All 23 parcels are fully developed at present, but limited in terms of both additions and reconstructions because of setbacks
- Opposite side of Hunting Road and Greendale Avenue is SRB
- Most likely original planning objective (to create buffer from highway and former industrial district) no longer relevant due to changes in New England Business Center and installation of highway barrier.
- No clear current planning objective

Zoning Map – Subject Area (Affected Parcels Shaded in Red)



Wide Support

- 20 of the 23 affected parcels have indicated their support:
 - 176, 190, 200, 210, 220, 228, 236, 244, 250, 260, 286, 296, 304 Hunting Road
 - 234, 259, 252, 258 Kendrick Street
 - 23, 29 Cheney Street
 - 342 Greendale Ave
- None of the remaining 3 were opposed
 - 290 Hunting didn't care to get involved
 - 35 Cheney couldn't be contacted
 - 249 Kendrick owned by Commonwealth of MA
- Several nearby properties have expressed support as well:
 - 8 Jayne Rd
 - 183, 189, 197, 203, 209, 235, 281 Hunting Road

What You Need To Know About The New Mass. Climate Law

07:40 ↻ </>

March 26, 2021

By [Miriam Wasser](#) 



Solar panels in a field at Knowlton Farm, Grafton, Mass. (Robin Lubbock/WBUR)

Gov. Charlie Baker [signed](#) a sweeping climate bill into law on Friday, signaling a new era in Massachusetts' plans to cut greenhouse gas emissions, build a greener economy and prioritize equity and environmental justice.

The new law, "An Act Creating a Next Generation Roadmap for Massachusetts Climate Policy," represents the most significant update to

climate policy in the Commonwealth since the landmark 2008 [Global Warming Solutions Act](#). And with hundreds of statutory updates and changes, it tackles a lot — everything from solar panels and offshore wind to new building codes and regulatory priorities for state agencies.

Get up to speed on the local coronavirus outbreak and other news Boston is talking about. Add our daily newsletter to your morning routine. [Sign up now](#).

Climate and energy policy can be confusing and full of jargon, but here — in simple English — is what you need to know about what's in the new law:

1. Sets Ambitious Statewide Goals For Greenhouse Gas Emissions

Under the new law, the state must achieve what's known as “net zero” emissions by 2050. This means the total amount of greenhouse gases we put into the atmosphere must be balanced by what we can remove. In practice, however, because we don't have many ways to remove atmospheric carbon, this mandate means we need to drastically cut emissions by electrifying everything and cleaning up the power sector.

In addition to this 2050 target, the law also stipulates two interim benchmarks: by 2030, emissions must be 50% lower than they were in the state in 1990, and by 2040, they need to be 75% lower.

2. Requires Emission Reduction Targets For Six Sectors

As the legislature and governor negotiated this final law, one big sticking point was whether there should be specific five-year emission reduction goals for each of six so-called “high-priority” sectors: electricity,

transportation, commercial and industrial buildings, residential buildings, industrial processes, and natural gas distribution.

While most legislators felt these targets were important for transparency and accountability, Baker said they were too prescriptive and could subject the administration to unnecessary legal challenges should it fail to meet one of these goals. He also argued that because some sectors are a lot harder and more expensive to decarbonize than others, mandating these sector targets could hamper flexibility and distract from the main goal of reducing statewide greenhouse gas emissions.

There was a lot of debate about whether the sublimits should be legally binding, and in the final version of the law, they are. That said, there is a narrow exception: if the state meets its overall targets during a given five-year period, it won't be punished for underperforming in one or two sectors.

“We felt it was very important to use those sectors for planning purposes,” Energy and Environmental Affairs Secretary Kathleen Theoharides said. “But you really do want to chase the most cost-effective emission reductions first so that the impact that residents and businesses and communities feel across the Commonwealth is as as low as possible.”



The transportation sector accounts for about 40% of Massachusetts' greenhouse gas emissions. (Jesse Costa/WBUR)

3. Codifies Environmental Justice Language Into Law

Up until now, environmental justice (EJ) policy in Massachusetts has been created through executive orders, meaning it has been subject to change with every new administration. Now, for the first time, the state has written a number of important definitions and processes into law.

We have a new definition of what constitutes an EJ community that's based on race, income, and English language-proficiency criteria — a definition that [reduces](#) the overall number of census blocks in the state classified as EJ neighborhoods and allows the state to put more focus on, and resources towards, overburdened communities.

The climate law also attempts to remedy some long-standing criticisms about the way the state reviews and approves new development, infrastructure and energy projects in EJ neighborhoods. It creates new standards for meaningful public participation in the decision-making process and establishes a new environmental justice advisory council that will work closely with the state's Energy and Environmental Affairs secretary.

Another important change has to do with how the state calculates the environmental impacts of any given project proposal. In the past, agencies have taken a narrow view of “environmental burdens,” assessing only whether the emissions associated with a project exceed air, water or soil pollution limits. Under the new law, agencies will be required to look at total or “cumulative impacts” — how any pollution from a proposed project adds to already-existing pollution. The goal is prevent environmental and industrial burdens from piling up in certain neighborhoods.



Brianna O'Brien protests at the Climate Strike in City Hall Plaza in 2019. (Robin Lubbock/WBUR)

4. Legislates New Opt-In Municipal Stretch Code

In Massachusetts, we have state-wide building codes that include a certain set of energy efficiency standards. A number of years ago, some cities and towns said that they wanted to go further and require more efficient buildings. To allow this, the legislature created the so-called “stretch code,” a new, optional set of higher efficiency standards. Fast forward to today, and the climate law is taking this a step further and creating an even more efficient stretch code – this time for buildings with net-zero emissions.

The stretch code provisions were a sticking point between the legislature and governor early on, but through negotiations, both sides have come to an agreement. As stipulated in the new law, the Department of Energy

Resources will take some time to study and come up with definitions for “net zero buildings” and “net zero building performance standards.” The public will have the opportunity to weigh in on this process, and after 18 months, the agency is supposed to announce the new stretch code provisions.

It remains to be seen exactly what the stretch code will allow, but it seems unlikely that it will enable cities and towns to outright ban [natural gas hookups](#) in new buildings.

5. Updates Priorities For The Department Of Public Utilities.

The Department of Public Utilities (DPU) regulates and oversees the state's electric and natural gas utilities; it's the sort of agency that often doesn't get a ton of public attention, but is central to whether we meet our climate goals. In the past, the DPU's main priorities have been safety, reliability and affordability. But now, security, equity and reducing greenhouse gas emissions have been added to the list. (“Equity” in this context means that the cost of upgrading infrastructure won't fall disproportionately on those least able to afford it.)

“It's disturbing to think that the most important agency in Massachusetts state government affecting climate policy did not have climate [considerations] within its set of responsibilities,” said state Sen. Michael Barrett, one of the chief architects of the new law. “Getting those six co-equal priorities in balance with one another is going to be real work, but it has to start.”



A wind turbine in Hull, Mass. (Stephan Savoia/AP)

6. Increases Demand For Renewable Energy

Under the new law, utilities like National Grid, Eversource and Unitil will have to purchase ever-increasing amounts of renewable energy. Starting in 2025, they'll need to increase their "renewable energy portfolio" by at least 3% every year. This means that in the future, when you turn on your air conditioner or charge your smartphone, more of that power will be clean and fossil-free.

The new law also provides a boost to offshore wind. It requires that utilities secure an additional 2,400 megawatts of wind power, raising the state's total procurement level to 5,600 megawatts. (For perspective, the two offshore wind projects near Martha's Vineyard that are likely to come online in the next few years are each about 800 megawatts.)

7. Encourages Utilities To Get Creative

As Massachusetts raises the bar for clean energy, natural gas utilities are going to have to follow suit. A lot of the future technology we'll need exists, but it's often expensive and challenging to install. The climate law aims to reduce regulatory burdens and financial risk for utilities willing to experiment with innovative clean energy technologies – a pilot program to install [geothermal heat pumps](#), for example.

8. Establishes Renewable Energy Goals For Municipal Light Plants

While most electricity in Massachusetts is distributed by investor-owned utilities like National Grid and Eversource, about 14% of the market is operated by municipal light plants — sometimes called MLPs or “MUNIs.” There are 40 MLPs in the state, and they are essentially mini utilities that serve a specific city or town.

Unlike the investor-owned utilities, however, MLPs have never had requirements about purchasing renewable energy. The climate law changes that. It requires MLPs purchase 50% of their power from “non-carbon emitting” sources by 2030, and get to net-zero emissions by 2050.

(Earlier this year, there was some confusion about whether these new renewable energy targets for MLPs would kill a proposed wood-burning biomass plant in Springfield. It will not. Check out [our explainer](#) to see why.)



Finch Cambridge is a 98-unit affordable housing development being built to "passive house" standards for energy efficiency. (Robin Lubbock/WBUR)

9. Changes MassSave's Priorities

You may be familiar with MassSave – it's the state energy efficiency

program that sends auditors to your home to assess the quality of your windows and insulation, and give you more efficient light bulbs. Traditionally, MassSave's prime focus has been energy efficiency, but moving forward, the program will need to put more emphasis on reducing emissions as well.

Here's a real life example of what that could look like: Let's say your home is heated with natural gas and it's time to replace your furnace. Instead of just incentivizing you to buy a more efficient, new gas furnace, MassSave might point you toward an emission-free option, such as a ground-source heat pump.

10. Sets New Energy Efficiency Standards for Appliances

To help meet our climate goals, Massachusetts will adopt California's strongest-in-the-nation energy efficiency standards for household appliances. The new law doesn't mean you have to get rid of your current washing machine or microwave, but when the time comes to buy new ones, you'll have to purchase higher efficiency models.

The industry trend nation-wide is toward more energy efficient appliances, so it's unclear whether the energy-saving dishwasher you might buy in the future will actually cost a lot more upfront, but it will certainly lower your energy bills in the long run. In fact, according to [a study](#) from the nonprofit Environment Massachusetts, these new standards will save Massachusetts residents \$282 million in electricity bills a year by 2035.

11. Creates Electric Vehicle And Charging Station Targets

While the law doesn't explicitly make it easier or cheaper for you to get an

electric vehicle (EV), it sets the stage for a more EV-friendly future. The law says the governor must set numerical benchmarks for the number of EVs we need to have on the road by a given year, and then establish rebate or other incentive programs so we can meet it.

Importantly, the bill also requires that the governor set charging stations targets. Right now, many people suffer from "range anxiety" – a fear that they won't be able to charge their car's battery on a long drive. By building more charging stations throughout the state, the law aims to make EVs more practical and desirable for residents.



An array of 366 solar tracking devices stand in a field Oct. 31, 2014 in South Burlington, Vermont. (Robert Nickelsberg/Getty Images)

12. Encourages More Solar Power

When it comes to solar power, the new law covers a lot of ground. It makes it easier for people to participate in community solar projects, sets up a new grant program to help nonprofits afford solar panels and changes state rules so that businesses or buildings with a lot of solar panels can more easily sell their excess energy back to the grid.

To date, lower income and minority neighborhoods have fewer solar panels than wealthier white neighborhoods – this is true even after adjusting for home ownership levels and income. The architects of the climate law wanted to fix this disparity, so they wrote new rules for the state's solar incentive program, SMART. Now, the Department of Energy Resources, which oversees the SMART program, is statutorily required to prioritize solar installation on the roofs of low-income households, and it must make the SMART program — or any future solar incentive program — easier to sign up for.

13. Strengthens Clean Energy Job Training Programs

As Massachusetts works to build a new green economy, we're going to need to teach a lot of people how to build and operate wind turbines, install solar panels, weatherize buildings, or do any other number of necessary jobs. To that end, the law increases the annual budget for the Massachusetts Clean Energy Center (MassCEC), the quasi-public economic development agency.

MassCEC is supposed to spend \$12 million more each year on clean energy workforce development. This should mean creating more job training opportunities for minority groups, residents of environmental justice communities and fossil fuel workers, and awarding more grants to minority and women-owned small businesses.

Related:

- [Massachusetts Gov. Baker Signs Sweeping Climate Change Bill](#)
- [8 Ways The New Climate Bill Affects You, Your Washing Machine And Our Climate Goals](#)
- [The New Climate Bill Won't Make Or Break A Proposed Biomass Plant In Springfield. But Another State Plan Will](#)



Miriam Wasser [Twitter](#) Reporter, EarthWhile

Miriam Wasser is a reporter for WBUR's environmental vertical.

[More...](#)

[\(https://www.mapc.org/\)](https://www.mapc.org/)

SEARCH

SEARCH

Search GO

Search

GO

RECENT POSTS

- [Earth Week at MAPC: Events and Project Highlights \(https://www.mapc.org/pl-week-at-mapc-events-and-project-highlights/\)](https://www.mapc.org/pl-week-at-mapc-events-and-project-highlights/)
- [Action Alert: FY22 House Ways and Means Budget \(https://www.mapc.org/pl-hwm-budget/\)](https://www.mapc.org/pl-hwm-budget/)
- [Watch: Community Safety Day 2021 \(https://www.mapc.org/pl-safety-day-2021/\)](https://www.mapc.org/pl-safety-day-2021/)
- [MAPC, MyRWA Launch Second Round of COVID-Safe Cooling Program \(https://www.mapc.org/pl-myrwa-launch-second-round-of-covid-safe-cooling-program/\)](https://www.mapc.org/pl-myrwa-launch-second-round-of-covid-safe-cooling-program/)
- [Video: Federal Economic Development](#)

METROPOLITAN AREA PLANNING COUNCIL

[JOBS \(HTTPS://WWW.GOVERNMENTJOBS.COM/CAREERS/MAPC/\)](https://www.governmentjobs.com/careers/mapc/)

[METROCOMMON 2050 \(HTTPS://METROCOMMON.MAPC.ORG/\)](https://metrocommon.mapc.org/)

[CALENDAR \(/CALENDAR/\)](#)

[PRESS ROOM \(/PRESS-ROOM/\)](#)

[BLOG \(/PLANNING101/\)](#)

[LEARN](#)

[OUR WORK](#)

[GET INVOLVED](#)

[ABOUT MAPC](#)

Next-Generation Roadmap Bill: What You Need to Know

On Friday, Governor Charlie Baker signed the historic “Act creating a next-generation roadmap for Massachusetts climate policy.” This is the culmination of years of efforts by climate advocates, including MAPC, and will help Massachusetts stay at the forefront of US climate policy.

The road to this moment has been a little rocky and could be confusing. A brief summary:

- The Legislature first sent the Governor a version of the bill last December at the very end of its

legislative session after a deliberative review by a conference committee, which negotiated differences between House and Senate proposals.

- Governor Baker [vetoed this version of the bill in early January](https://www.mapc.org/news/mapcs-statement-on-governors-veto-of-s-2995/) (<https://www.mapc.org/news/mapcs-statement-on-governors-veto-of-s-2995/>). Soon afterwards, Senate President Karen Spilka and Speaker Ron Mariano announced that they would bring the bill back, unchanged, in the new session.
- In the first weeks of this legislative session, both the House and Senate passed the bill again.
- This time, the Governor returned the legislation with amendments.
- Last week, the legislature made revisions to the Governor's amended bill, voted on it again, and sent it back.
- On Friday, March 26, the Governor signed it into law!

MAPC believes the Next Generation Climate Roadmap bill is a big win. It will help shape a stronger climate future that can improve the lives of all Commonwealth residents and accelerate the reduction of greenhouse gas emissions. Below, we're outlining the aspects of the bill that we're especially excited about:

NET ZERO ROADMAP

- Codifies the target of net zero greenhouse gas emissions by 2050, revising the 2008 Global Warming Solutions Act emissions targets to match what scientists say we need to do.
- Raises the target for emissions reductions by 2030 from 45% to 50%, and requires emissions

[Funding](#)

[Opportunities](#)

[Webinar](#)

[\(https://www.mapc.org/pl-federal-economic-development-funding-opportunities-webinar/\)](https://www.mapc.org/pl-federal-economic-development-funding-opportunities-webinar/)

CATEGORIES

- [Uncategorized](https://www.mapc.org/pl-uncategorized/) (<https://www.mapc.org/pl-uncategorized/>)
- [Government Affairs](https://www.mapc.org/pl-government-affairs/) (<https://www.mapc.org/pl-government-affairs/>)
- [Community Planning](https://www.mapc.org/pl-community-planning/) (<https://www.mapc.org/pl-community-planning/>)
- [Transportation](https://www.mapc.org/pl-transportation/) (<https://www.mapc.org/pl-transportation/>)
- [Planning](https://www.mapc.org/pl-planning/) (<https://www.mapc.org/pl-planning/>)
- [Policy](https://www.mapc.org/pl-policy/) (<https://www.mapc.org/pl-policy/>)
- [Equity](https://www.mapc.org/pl-equity/) (<https://www.mapc.org/pl-equity/>)
- [Data](https://www.mapc.org/pl-data/) (<https://www.mapc.org/pl-data/>)
- [Environment](https://www.mapc.org/pl-environment/) (<https://www.mapc.org/pl-environment/>)
- [Clean Energy](https://www.mapc.org/pl-clean-energy/) (<https://www.mapc.org/pl-clean-energy/>)
- [What We Do](#)

limits set at five-year increments.

BETTER BUILDINGS

- Requires DOER to establish a new opt-in net zero stretch building code within 18 months. Net zero buildings maximize efficiency, electrification, and renewable energy, addressing a major source of greenhouse gas emissions in Massachusetts and making buildings healthier and more resilient. The new code will include net zero building performance standards and a definition for what a “net zero building” is.
- Makes DOER responsible for updating the existing stretch energy code, which has already been adopted by over 80% of Massachusetts communities.
- Adds DOER and energy experts to the board that implements building codes (the Board of Building Regulations and Standards) and sets term limits for board members.
- Requires that the cost of climate change on society (i.e. the social cost of carbon) be part of the Mass Save Three-Year Energy Efficiency Plan cost-benefit analysis.
- Establishes appliance efficiency standards for 17 residential and commercial products, saving consumer costs on energy and water bills while cutting emissions

ENVIRONMENTAL JUSTICE

- For the first time, defines Environmental Justice populations in state statute. The definition of “environmental burden” for key permit reviews

[\(https://www.mapc.org/planning-we-do/\)](https://www.mapc.org/planning-we-do/)

- [Public Health](https://www.mapc.org/planning-health/)
(https://www.mapc.org/planning-health/)
- [Arts](https://www.mapc.org/planning-arts/)
(https://www.mapc.org/planning-arts/)
- [Community Engagement](https://www.mapc.org/planning-community-engagement-2/)
(https://www.mapc.org/planning-community-engagement-2/)
- [Housing](https://www.mapc.org/planning-housing/)
(https://www.mapc.org/planning-housing/)
- [Arts & Culture](https://www.mapc.org/planning-arts-culture/)
(https://www.mapc.org/planning-arts-culture/)
- [Municipal Collaboration](https://www.mapc.org/planning-municipal-collaboration/)
(https://www.mapc.org/planning-municipal-collaboration/)
- [Technical Data Services](https://www.mapc.org/planning-technical-data-services/)
(https://www.mapc.org/planning-technical-data-services/)
- [Economic Development](https://www.mapc.org/planning-economic-development/)
(https://www.mapc.org/planning-economic-development/)

includes climate change for the first time.

- Ensures increased outreach to Environmental Justice populations and requires more engagement from state agencies as they carry out their duties.

RENEWABLE ENERGY ACCESS

- Increases the required percentage of Massachusetts electricity that comes from renewable sources. The Renewable Portfolio Standard (RPS) will increase 3% annually from 2025 to 2029 to reach 40% by 2030.
- Requires an additional 2,400 megawatts of offshore wind, bringing the state's total target to 5,600 MW.
- Improves access to solar through a low-income services solar program trust.

JOB CREATION

- Requires \$12 million in annual funding be given to the Massachusetts Clean Energy Center to help Environmental Justice populations, minority-owned and women-owned businesses, and employees from the fossil fuel industry advance in the clean energy industry.

GAS SAFETY

- Improves gas pipeline safety, including increased fines for safety violations.
- Establishes a pilot program to deploy geothermal heat pump microdistricts, an innovative clean energy technology.
- Reshapes the Department of Public Utilities

(DPU) by amending its mission. The DPU will now need to balance equity and reductions in greenhouse gas emissions with its existing priorities of system safety, system security, reliability, and affordability.

RENEWABLE ENERGY GOALS FOR MUNICIPAL LIGHT PLANTS

- Requires municipal light plants, which serve specific cities or towns, to purchase 50% of their power from non-carbon sources by 2030 and get to net zero emissions by 2050.
- Before this, municipal light plants didn't have renewable energy requirements

Categorized under: [Government Affairs](#)

(<https://www.mapc.org/planning101/category/government-affairs/>), [Policy](#) (<https://www.mapc.org/planning101/category/policy/>), [Clean Energy](#) (<https://www.mapc.org/planning101/category/clean-energy/>)

Tagged as: [climate](#) (<https://www.mapc.org/planning101/tag/climate/>), [climate roadmap bill](#) (<https://www.mapc.org/planning101/tag/climate-roadmap-bill/>), [next-generation roadmap](#) (<https://www.mapc.org/planning101/tag/next-generation-roadmap/>), [climate policy](#) (<https://www.mapc.org/planning101/tag/climate-policy/>)

The Metropolitan Area Planning Council (MAPC) is the regional planning agency serving the people who live and work in the 101 cities and towns of Metropolitan Boston. Our mission is to promote smart growth and regional collaboration. Our regional plan, MetroFuture, guides our work as we engage the public in responsible stewardship of our region's future.

» [READ MORE \(/ABOUT-MAPC\)](#)

SIGN UP FOR OUR E-NEWSLETTER

Enter your email address

SIGN
UP

MEET OUR

Staff ([/about-mapc/staff/](#)),
Board & Council ([/about-mapc/board-council/](#))

DISCOVER OPPORTUNITIES

Employment ([/about-mapc/employment-opportunities/](#)), Funding, RFPs, Grants ([/about-mapc/funding-opportunities/](#))

CONNECT WITH US



(<https://www.facebook.com/page/Area-Planning-Council-MAPC/127159693987749>)



(<http://twitter.com/#!/mapcmc>)



(<http://www.youtube.com/user/mapcmc>)



(<http://www.flickr.com/photos/mapcmc/>)

**60 Temple Place
Boston, MA 02111**

Phone: **617.933.0700**
(tel:6179330700)
Fax: **617.482.7185**

[\(https://www.mapc.org/\)](https://www.mapc.org/)

SEARCH

GO

METROPOLITAN AREA PLANNING COUNCIL

[JOBS \(HTTPS://WWW.GOVERNMENTJOBS.COM/CAREERS/MAPC\)](https://www.governmentjobs.com/careers/mapc)

[METROCOMMON 2050 \(HTTPS://METROCOMMON.MAPC.ORG/\)](https://metrocommon.mapc.org/)

[CALENDAR \(/CALENDAR/\)](#)

[PRESS ROOM \(/PRESS-ROOM/\)](#)

[BLOG \(/PLANNING101/\)](#)

LEARN

OUR WORK

GET INVOLVED

ABOUT MAPC