

**NEEDHAM PLANNING BOARD**

**Tuesday September 21, 2021**

**7:15 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](http://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](http://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. Public Hearing:

7:20 p.m. Major Project Site Plan Special Permit 2021-03: Needham Nutrition LLC, 915 Great Plain Avenue, Needham, MA, Petitioner. (Property located at 915 Great Plain Avenue, Needham, MA). Regarding proposal to occupy approximately 864 square feet of existing first floor commercial space to operate a business selling Smoothies, Protein Shakes, Energy Drinks, Immune Booster Drinks, Collagen Drinks, Fitness Drinks, and similar items for consumption on and off the premises.

2. Bonnie Shuer – Request to discuss Development in Needham and Preserving Trees.

3. Planning Board Recommendation on zoning articles for the October 2021 Special Tow Meeting: Article 1: Amend Zoning By-Law – Outdoor Seating.

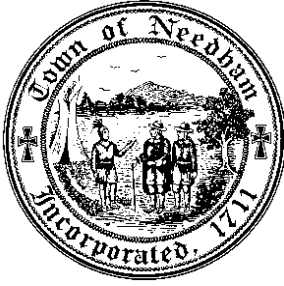
4. Review of applications received for two at-large appointments for the Housing Plan 2021 and vote to appoint.

5. Minutes.

6. Correspondence.

7. Report from Planning Director and Board members.

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



PLANNING & COMMUNITY DEVELOPMENT  
PLANNING DIVISION

**LEGAL NOTICE**  
**Planning Board**  
**TOWN OF NEEDHAM**  
**NOTICE OF HEARING**

In accordance with the provisions of M.G.L., Chapter 40A, S.11; the Needham Zoning By-Laws, Sections 7.4, 3.2.2, 5.1.1.6, 5.1.2 and 5.1.3, the Needham Planning Board will hold a public hearing on Tuesday, September 21, 2021 at 7:20 p.m. by Zoom Web ID Number 826-5899-3198 (further instructions for accessing are below), regarding the application of Needham Nutrition LLC, 915 Great Plain Avenue, Needham, MA, for a Special Permit under Site Plan Review, Section 7.4 of the Needham Zoning By-Law.

The subject property is located at 915 Great Plain Avenue, Needham, MA, located in the Center Business Zoning District. The property is shown on Assessors Plan No. 50 as Parcel 30 containing a total of 6,602. The requested Major Project Site Plan Special Permit, would, if granted, permit the Petitioner to occupy approximately 864 square feet of existing first floor commercial space, in an existing three-unit commercial building of approximately 4,578 square feet. The Petitioner proposes to operate a business selling high nutrition, low calorie Smoothies, Protein Shakes, Energy Drinks, Immune Booster Drinks, Collagen Drinks, Fitness Drinks, and similar items for consumption on and off the premises. The business will also have a small retail component, selling items such as nutritional ingredients for some of its drinks.

In accordance with the Zoning By-Law, Section 3.2.2, a Special Permit is required for retail sales of ice cream, frozen yogurt and similar products for consumption on or off the premises in the Center Business District. In accordance with the Zoning By-Law, Section 3.2.2, a Special Permit is required for more than one non-residential use on a lot in the Center Business District. In accordance with the Zoning By-Law, Section 5.1.1.6, a Special Permit is required to waive strict adherence with the requirements of Sections 5.1.2 (Required Parking) and 5.1.3 (Parking Plan and Design Requirement) of the Zoning By-Law. In accordance with the Zoning By-Law, Section 7.4, a Major Project Site Plan Review is required.

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

The application may be viewed at this link:

<https://www.needhamma.gov/Archive.aspx?AMID=146&Type=&ADID=> . Interested persons are encouraged to attend the public hearing and make their views known to the Planning Board. This legal notice is also posted on the Massachusetts Newspaper Publishers Association's (MNPA) website at (<http://masspublicnotices.org/>).

NEEDHAM PLANNING BOARD

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Needham Times, September 2, 2021 and September 9, 2021.

**TOWN OF NEEDHAM**  
MASSACHUSETTS



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

**PLANNING BOARD**

**APPLICATION FOR SITE PLAN REVIEW**

Project Determination: (circle one) Major Project Minor Project

This application must be completed, signed, and submitted with the filing fee by the applicant or his representative in accordance with the Planning Board's Rules as adopted under its jurisdiction as a Special Permit Granting Authority. Section 7.4 of the By-Laws.

Location of Property 915 Great Plain Ave., Needham  
Name of Applicant Needham Nutrition LLC  
Applicant's Address 915 Great Plain Ave., Needham  
Phone Number 617-980-1837

Applicant is: Owner \_\_\_\_\_ Tenant X  
Agent/Attorney \_\_\_\_\_ Purchaser \_\_\_\_\_

Property Owner's Name 905 Great Plain Avenue LLC  
Property Owner's Address 7 Harvard Street, Brookline, MA  
Telephone Number \_\_\_\_\_

Characteristics of Property: Lot Area 6602 s.f. Present Use Business  
Map # 50 Parcel # 30 Zoning District center business

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

Tenant will be occupying approximately 864 s.f. of space to operate a business serving nutrition and fruit drinks, and similar items. Site Plan Review and a special permit is required because this property is located in the center business district, and there is more than one business on the property. In addition, parking waivers are required.

Signature of Applicant (or representative) *Adilson Proes*  
Address if not applicant \_\_\_\_\_  
Telephone # \_\_\_\_\_  
Owner's permission if other than applicant *Manager*  
*Kenneth MacLean*

**SUMMARY OF PLANNING BOARD ACTION**

Received by Planning Board \_\_\_\_\_ Date \_\_\_\_\_  
Hearing Date \_\_\_\_\_ Parties of Interest Notified of Public Hearing \_\_\_\_\_  
Decision Required by \_\_\_\_\_ Decision/Notices of Decision sent \_\_\_\_\_  
Granted \_\_\_\_\_  
Denied \_\_\_\_\_ Fee Paid \_\_\_\_\_ Fee Waived \_\_\_\_\_  
Withdrawn \_\_\_\_\_

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

FRIEZE CRAMER ROSEN & HUBER LLP  
C O U N S E L L O R S   A T   L A W

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

EVANS HUBER

781-943-4043  
EH@128LAW.COM

August 20, 2021

Members of the  
Needham Planning Board

And

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

Re: 915 Great Plain Ave, Needham

Dear Planning Board Members and Ms. Newman:

Pursuant to Chapter 40A of the Massachusetts General Laws, the Needham Zoning By-Law, and the Needham Planning Board Rules, I am submitting the enclosed application for Major Project Site Plan Review and Special Permits, and accompanying documents, on behalf of Needham Nutrition LLC.

The entire property is a small parcel of approximately 6602 s.f. located at 915 Great Plain Avenue, at the corner of Great Plain Avenue and Pickering Street. The Property is located in the Center Business District, and is improved with a three-unit, one-story building of approximately 4,578 square feet. There are three parking spaces on site.

The applicant will be occupying the smallest of the three units, approximately 864 s.f. in size, to operate a business selling high nutrition, low calorie Smoothies, Protein Shakes, Energy Drinks, Immune Booster Drinks, Collagen Drinks, Fitness Drinks, and similar items for consumption on and off the premises. The business will also have a small retail component, selling items such as nutritional ingredients for some of its drinks. Needham Nutrition will be using and selling Herbalife Nutrition products; the owner, Adilson Pires, has been a Herbalife Nutrition Independent Distributor for many years, although to date virtually all of his sales activity has been on-line.

Needham Planning Board Members  
Lee Newman  
August 20, 2021  
Page 2

The expected hours of operation are Monday through Friday, 10 a.m.-6pm; Saturday 10 a.m -2 pm; Sunday closed. Needham Nutrition expects to start out with 2 to 3 staff persons.

As shown in the architect's drawing of the floor layout filed herewith the space will primarily be occupied by the area where the drinks are prepared, delivered to customers at a bar-height stand-up counter. By the front entrance, there will be a bar-height counter and seven bar-height seats where customers can wait for their orders and/or consume their drinks.

No change to the façade of the building is proposed. The applicant understands that he must obtain approval of the Design Review Board prior to the installation of any signage.

Although this is a small space that will be occupied by the Applicant, it qualifies as a "major project" pursuant to Section 7.4.2 of the Bylaw because of the increase in calculated parking demand for this proposed use compared to the prior use. The calculated parking demand for this use is 10 spaces for the take-out stand; 3 spaces for the seven seats inside the premises, and 3 spaces for the (minor) retail aspect of the business, for a total of 16 spaces. The prior use was retail, which had a calculated parking requirement of 3 spaces. Thus, the increase in parking demand is 13 spaces, which exceeds the threshold for a project being considered a "major project" in the Center Business district.

The other two tenants in the building are a dental office and a martial arts studio. In July, 2015, this Board issued a Special Permit for the martial arts studio, which included waivers for the parking requirements contained in Sections 5.1.2 and 5.1.3 of the Zoning Bylaw. In December of 2015, the dental office obtained a special permit from the Zoning Board of Appeals. As reflected in the issuance by this Board of the special permit for the martial arts studio, there is adequate off-street parking nearby for customers. The Applicant intends to purchase parking stickers from the Town of Needham for himself and his staff for use in the Town's municipal lots.

The Applicant respectfully submits that this proposed use is not detrimental to the other uses in the building; will be an asset to the Center Business district, and will be in harmony with the general purposes and intent of the Bylaw.

The Applicant certifies pursuant to the Zoning By-Law, Section 7.4 that the project can be constructed and/or that the proposed uses thereof can be commenced without need for the issuance of any variance from any provisions of the Zoning By-Law by the Zoning Board of Appeals.

The zoning relief required for the Project is the following:

1. Special Permit for Further Site Plan Review of a Major Project, pursuant to Zoning By-Law Section 7.4, and Article 2 of the Planning Board Rules.

Needham Planning Board Members

Lee Newman

August 20, 2021

Page 3

2. Special Permit pursuant to Section 3.2.2 of the Zoning By-Law to allow a business in the Center Business District most closely described in the Zoning Bylaw as “retail sales of ice cream, frozen yogurt, or similar products for consumption on or off the premises.”

3. Special Permit pursuant to Section 3.2.2 of the Zoning By-Law to allow more than one use on a lot.

4. Special Permit pursuant to Sections 5.1.1.1 and 5.1.1.6 of the Zoning By-Law to waive strict adherence to the off-street parking requirements of Section 5.1.2 of the Zoning By-Law.

Please note that, as discussed above, waivers with respect to parking requirements (with respect to the martial arts studio), and Special Permits allowing more than one use on a lot, have previously been granted by prior decisions of this Board and the Zoning Board of Appeals for the other two current occupants of the property.

This Application for Special Permit include the following documents:

1. Application Form signed by the Applicant, Adilson Pires, and the Owner, Kenneth Mackin.
2. Certified Plot Plan Dated July 22, 2021, prepared by Boston Survey, Inc.
3. Stamped Drawing of the proposed layout of the premises prepared by SDP Architects.
4. Filing fee to the Town of Needham in the amount of \$1,000.

Pursuant to the Board’s Covid-19 procedures, these documents are being submitted electronically; additionally two (2) hard copies of the application (1 with original signatures) and all supporting materials, including wet-stamped plans, are being mailed to the Planning Department along with the application fee; and, lastly, one hard copy of (a) the Application for Further Site Plan Review and Special Permits, (b) this letter, and (c) all the plans (no smaller than 11 x 17), is being mailed to each Board member, and to Lee Newman.

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

FRIEZE CRAMER ROSEN & HUBER LLP

Needham Planning Board Members

Lee Newman

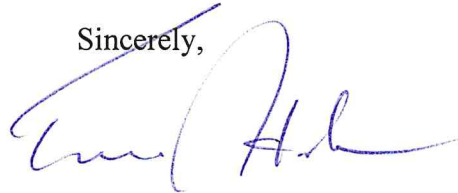
August 20, 2021

Page 4

I would appreciate your scheduling this matter for hearing at the Board's September 21, 2021 meeting.

Thank you for your cooperation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Evans Huber", with a large, stylized initial "E" and "H".

Evans Huber

Cc: Adilson Pires  
Ken Mackin

# FRIEZE CRAMER ROSEN & HUBER LLP

C O U N S E L L O R S   A T   L A W

60 WALNUT STREET, WELLESLEY, MASSACHUSETTS 02481

781-943-4000 • FAX 781-943-4040

EVANS HUBER

781-943-4043

EH@I28LAW.COM

September 13, 2021

Members of the  
Needham Planning Board

And

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

Re: 915 Great Plain Avenue, Needham

Dear Planning Board Members and Ms. Newman:

I am writing on behalf of Needham Nutrition LLC, with respect to the Application for Site Plan Review and Special Permits submitted by the Applicant for its anticipated tenancy at 915 Great Plain Avenue. The purpose of this letter is to provide the Planning Board with a list of the criteria that the Planning Board considers during the site plan review process pursuant to Section 7.4.6 of the Zoning By-Law, and a discussion of how the Applicant's tenancy will meet those criteria.

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

The site is presently fully developed and apart from future signage (which has not yet been planned or submitted for approval), only internal renovations are proposed. Therefore, no material impact is anticipated to surface water drainage, sound and site views, light and air. The application was reviewed by the Engineering Department, which had no comment.

*(b) Convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets, the location of driveway openings in relation to traffic or to adjacent streets and, when necessary, compliance with other regulations for the handicapped, minors and the elderly;*

The proposed project will ensure the convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets. The site is presently fully

Needham Planning Board  
September 13, 2021  
Page 2

developed and the Petitioner is proposing only internal renovations in the building, other than the signage. The premises are located in Needham Center and there is on-street parking available, in addition to the municipal parking lot located behind Great Plain Avenue and Chestnut Street. The municipal parking lot is within easy walking distance of the property.

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

Adequacy of the arrangement of parking and loading spaces in relation to the proposed use of the premises has been assured. As with other businesses in the vicinity, there is no on-site parking but there is street parking and a municipal lot nearby.

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

Adequate methods for disposal of refuse and waste will be provided. The site is already developed with infrastructure in place. Relatively little refuse will be generated by the operation. All waste and refuse will be disposed of in a timely fashion and in conformance with all applicable regulations.

*(e) Relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area and compliance with other requirements of this By-Law; and*

The relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area and compliance with other requirements of the By-Law will be met as the site is presently fully developed and the footprint of the building will not change. The only significant community assets in the area are the Town Hall and the Town Common; and it is hoped and expected that the Applicant's proposed business will enhance the experience of town residents who wish to come to the Applicant's business, purchase a nutrition drink to take away, and in good weather, walk to the Town Common to enjoy it.

*(f) Mitigation of adverse impacts on the Town's resources including the effect on the Town's water supply and distribution system, sewer collection and treatment, fire protection, and streets; and may require when acting as the Special Permit Granting Authority or recommend in the case of minor projects, when the Board of Appeals is acting as the Special Permit Granting Authority, such appropriate conditions, limitations, and safeguards necessary to assure the project meets the criteria of a through f.*

Mitigation of adverse impacts on the Town's resources including the effect on the Town's water supply and distribution system, sewer collection and treatment, fire protection, and streets will be met as there will be no adverse impact on the Town's resources. The site is

Needham Planning Board  
September 13, 2021  
Page 3

fully developed and the Applicant is only proposing internal renovations of an existing space, other potential future new signage. As noted above, the Engineering Department has no comment on this application.

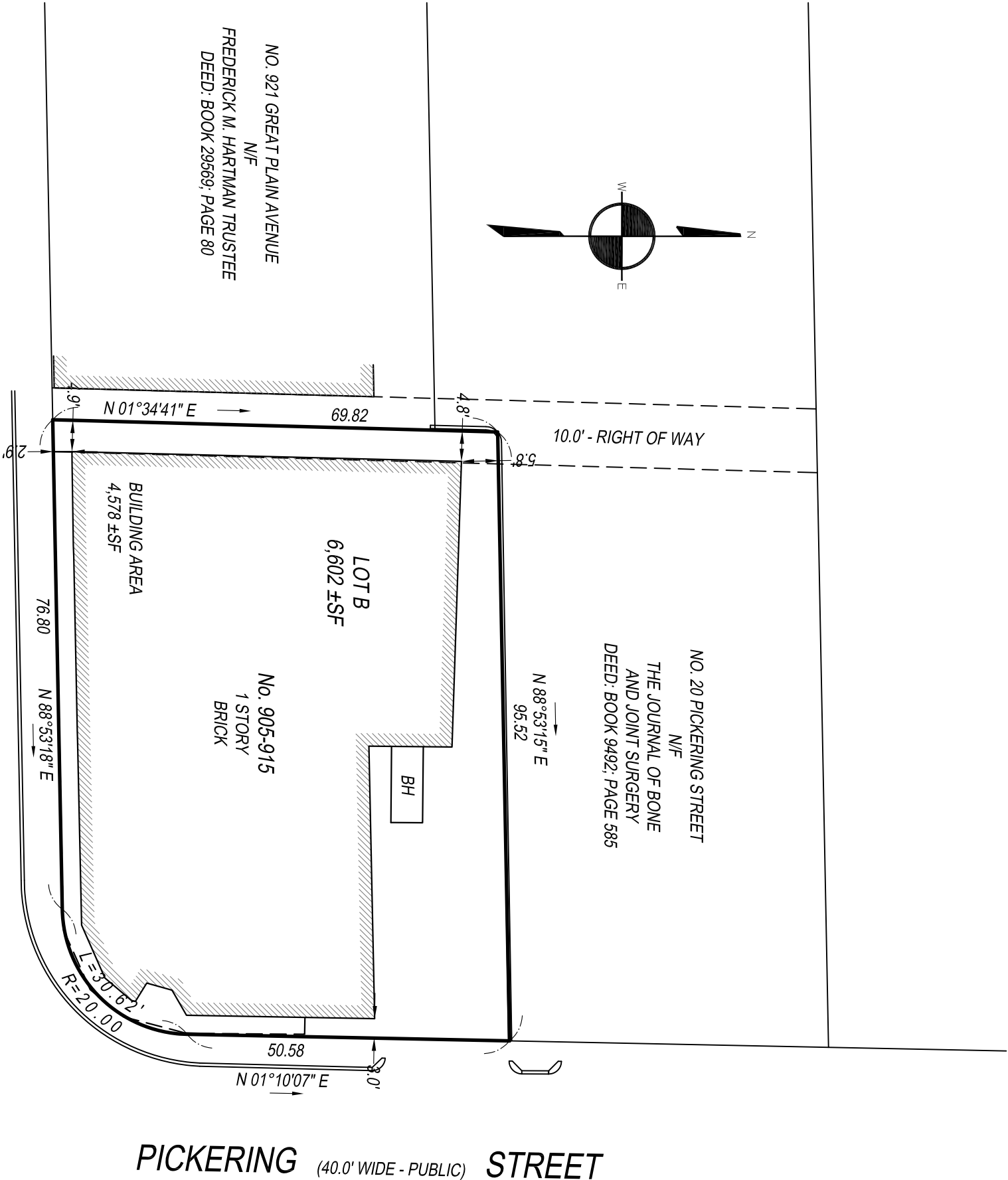
If you have any questions, please do not hesitate to contact me.

Sincerely,

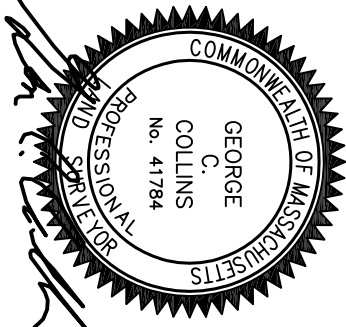


Evans Huber

EH:sfc



**REFERENCES:**  
DEED: BK 23113; PG 78  
ABANDONMENT:  
BK 9492; PG 581  
PLAN: NO. 310 OF 1993  
NO. 467 OF 1995  
BK 1842; PG 461  
PL BK 625; PL 98  
NO. 645 OF 1951



| FIELD BOOK | PAGE | INSP. BY | DRAFT. BY | CHECKED BY |
|------------|------|----------|-----------|------------|
| M21        | 2    | MO       | NPP       | GCC        |

I CERTIFY THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND ON THE DATE OF APRIL 22, 2014 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

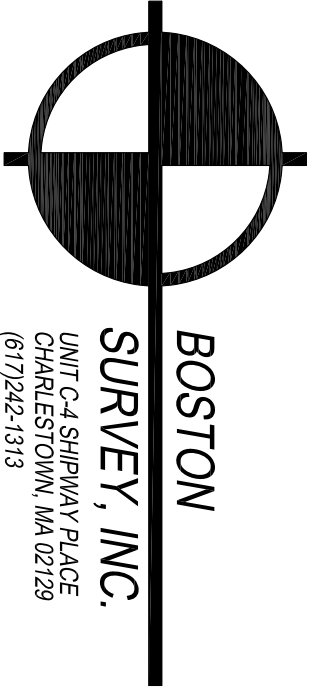
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) MAPS, THE MAJOR IMPROVEMENTS ON THIS PROPERTY FALL IN AN AREA DESIGNATED AS ZONE "X" (AREA DETERMINED TO BE OUTSIDE 0.2 % ANNUAL CHANCE FLOODPLAIN).  
COMMUNITY-PANEL # 25021C0038E  
EFFECTIVE DATE: JUL Y 17, 2012

**PREPARED FOR:**  
905 GREAT PLAIN AVE LLC  
7 HARVARD STREET  
BROOKLINE, MA 02445

**NOTES:**  
PARCEL ID: 50-30

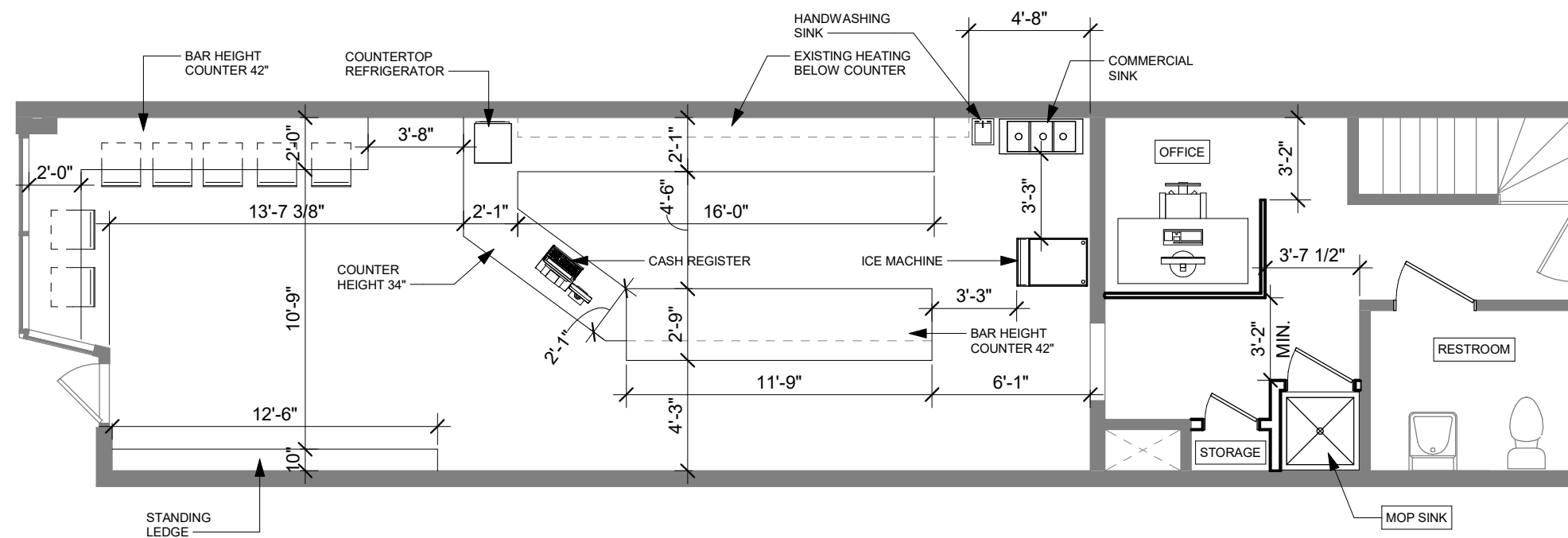
**CERTIFIED PLOT PLAN**  
LOCATED AT  
**905-915 GREAT PLAIN AVENUE**  
**NEEDHAM, MA**

SCALE: 1 INCH = 20 FEET      DATE: JUL Y 22, 2021



UNIT C-4 SHIPWAY PLACE  
CHARLESTOWN, MA 02129  
(617)242-1313

ARCHITECT



## FLOOR PLAN

$$3/16'' = 1'-0''$$

| DATE | DESCRIPTION |
|------|-------------|
|------|-------------|

## SMOOTHIE BAR FLOOR PLAN

# A-100

**From:** [Dennis Condon](#)  
**To:** [Alexandra Clee](#)  
**Subject:** RE: Request for comment - 905-915 Great Plain Avenue  
**Date:** Tuesday, August 31, 2021 9:39:37 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Hi Alex,  
The Fire dept. has no issues with this project.

Thanks,  
Dennis

Dennis Condon  
Chief of Department  
Needham Fire Department  
Town of Needham  
(W) 781-455-7580  
(C) 508-813-5107  
[Dcondon@needhamma.gov](mailto:Dcondon@needhamma.gov)



**Follow on Twitter: Chief Condon@NeedhamFire**



**Watch Needham Fire Related Videos on YouTube @ Chief Condon**



---

**From:** Alexandra Clee <aclee@needhamma.gov>  
**Sent:** Monday, August 30, 2021 8:55 AM  
**To:** David Roche <droche@needhamma.gov>; Anthony DelGaizo <ADelgaizo@needhamma.gov>; Timothy McDonald <tmcdonald@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Dennis Condon <DCondon@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>  
**Cc:** Lee Newman <LNewman@needhamma.gov>; Elisa Litchman <elitchman@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>  
**Subject:** Request for comment - 905-915 Great Plain Avenue

Dear all,

The Planning Board will be hearing about a proposal for a proposed smoothie place at 915 Great Plain Avenue on September 21, 2021. More information is included in the submitted documents, detailed below, which are attached to this email.  
(some of you will receive a hard copy in the inter-office mail as well).

The documents attached for your review are:

1. Application submitted by Needham Nutrition LLC. *attached*
2. Letter from Evans Huber, Attorney, dated August 20, 2021. *Attached.*
3. Plan Sheet A-100, entitled "Smoothie Bar Floor Plan," prepared by SDP Architects, undated. *Attached.*
4. Certified Plot Plan, prepared by Boston Survey Inc., dated July 22, 2021. *Attached.*

The Planning Board has scheduled this hearing for September 21, 2021. Please submit your comment by Wednesday September 15, 2021 (at the latest), so that the Petitioner has time to address any concerns or questions in advance of the hearing.

Thanks, alex.

---

Alexandra Clee  
Assistant Town Planner  
Town of Needham  
500 Dedham Avenue  
Needham, MA 02492  
781-455-7550 Ext 271  
Needhamma.gov

**From:** [John Schlittler](#)  
**To:** [Alexandra Clee](#)  
**Subject:** RE: Request for comment - 905-915 Great Plain Avenue  
**Date:** Tuesday, August 31, 2021 5:11:27 PM

---

Police has no issues with this.

---

**From:** Alexandra Clee <aclee@needhamma.gov>  
**Sent:** Monday, August 30, 2021 8:55 AM  
**To:** David Roche <droche@needhamma.gov>; Anthony DelGaizo <ADelgaizo@needhamma.gov>; Timothy McDonald <tmcDonald@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Dennis Condon <DCondon@needhamma.gov>; Carys Lustig <clustig@needhamma.gov>  
**Cc:** Lee Newman <LNewman@needhamma.gov>; Elisa Litchman <elitchman@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>  
**Subject:** Request for comment - 905-915 Great Plain Avenue

Dear all,

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(some of you will receive a hard copy in the inter-office mail as well).

The documents attached for your review are:

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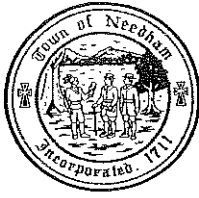
The Planning Board has scheduled this hearing for September 21, 2021. Please submit your comment by Wednesday September 15, 2021 (at the latest), so that the Petitioner has time to address any concerns or questions in advance of the hearing.

Thanks, alex.

---

Alexandra Clee  
Assistant Town Planner

Town of Needham  
500 Dedham Avenue  
Needham, MA 02492  
781-455-7550 Ext 271  
[Needhamma.gov](http://Needhamma.gov)



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

September 7, 2021

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

RE: Amendment to Major Project Site Plan Special Permit No. 2015-03  
905-915 Great Plain Avenue- Needham Nutrition, LLC

Dear Members of the Board,

The Department of Public Works has completed its review of the above referenced request for an amendment to Major Project Site Plan Special Permit. The applicant requests to renovate approximately 864 square feet in space at the above referenced property for a business serving nutrition drinks and other similar retail. This establishment location will replace a previous retail business in the building, parking waivers are requested by the applicant.

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

1. Application submitted by Needham Nutrition LLC.
2. Letter from Evans Huber, Attorney, dated August 20, 2021.
3. Plan Sheet A-100, entitled "Smoothie Bar Floor Plan," prepared by SDP Architects, undated.
4. Certified Plot Plan, prepared by Boston Survey Inc., dated July 22, 2021.

Our comments and recommendations are as follows:

- We have no comment or objection to the proposed project

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

Truly yours,

Thomas Ryder  
Assistant Town Engineer

**From:** [Tara Gurge](#)  
**To:** [Alexandra Clee](#)  
**Cc:** [Lee Newman](#)  
**Subject:** RE: Request for comment - 905-915 Great Plain Avenue  
**Date:** Thursday, September 16, 2021 11:14:43 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Hello Alex –

Here are the Public Health Division comments for the proposed Smoothie Bar to be located at 905-915 Great Plain Avenue. See Below:

- Any retail/food prep areas proposed in this newly renovated facility would need a food permit and an online Food Permit Plan Review Application, along with a proposed food prep area design plan, will need to be submitted and reviewed and approved by the Public Health Division prior to start of construction.
- Please keep in mind, if a food service permit is issued, sufficient space must be made available in the parking lot for both a solid waste (trash) dumpster and a separate recycling dumpster, along with waste oil/grease containment (if applicable.) These dumpsters must be placed in an easily accessible area outside the facility, close to the food prep areas.

Please let us know if you need additional information or have any follow-up questions on those requirements.

Thanks,



**TARA E. GURGE, R.S., C.E.H.T., M.S. (she/her/hers)**  
**ASSISTANT PUBLIC HEALTH DIRECTOR**  
**Needham Public Health Division**  
**Health and Human Services Department**  
**178 Rosemary Street**  
**Needham, MA 02494**  
**Ph- (781) 455-7940; Ext. 211/Fax- (781) 455-7922**  
**Mobile- (781) 883-0127**  
**Email - [tgurge@needhamma.gov](mailto:tgurge@needhamma.gov)**  
**Web- [www.needhamma.gov/health](http://www.needhamma.gov/health)**



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**From:** Alexandra Clee <aclee@needhamma.gov>  
**Sent:** Thursday, September 16, 2021 10:35 AM  
**To:** Tara Gurge <TGurge@needhamma.gov>  
**Cc:** Lee Newman <LNewman@needhamma.gov>  
**Subject:** FW: Request for comment - 905-915 Great Plain Avenue

Hi Tara,

I don't believe I received comments on this from you (you were on vacation when I initially sent the request). I will be sending out the packets to the planning Board today, so if you are able to provide comments today, that would be awesome.

Thanks!

Alexandra Clee  
Assistant Town Planner  
Needham, MA  
[www.needhamma.gov](http://www.needhamma.gov)

---

**From:** Alexandra Clee  
**Sent:** Monday, August 30, 2021 8:55 AM  
**To:** David Roche <[droche@needhamma.gov](mailto:droche@needhamma.gov)>; Anthony DelGaizo <[ADelgaizo@needhamma.gov](mailto:ADelgaizo@needhamma.gov)>; Timothy McDonald <[tmcdonald@needhamma.gov](mailto:tmcdonald@needhamma.gov)>; John Schlittler <[JSchlittler@needhamma.gov](mailto:JSchlittler@needhamma.gov)>; Dennis Condon <[DCondon@needhamma.gov](mailto:DCondon@needhamma.gov)>; Carys Lustig <[clustig@needhamma.gov](mailto:clustig@needhamma.gov)>  
**Cc:** Lee Newman <[LNewman@needhamma.gov](mailto:LNewman@needhamma.gov)>; Elisa Litchman <[elitchman@needhamma.gov](mailto:elitchman@needhamma.gov)>; Thomas Ryder <[tryder@needhamma.gov](mailto:tryder@needhamma.gov)>; Tara Gurge <[TGurge@needhamma.gov](mailto:TGurge@needhamma.gov)>  
**Subject:** Request for comment - 905-915 Great Plain Avenue

Dear all,

The Planning Board will be hearing about a proposal for a proposed smoothie place at 915 Great Plain Avenue on September 21, 2021. More information is included in the submitted documents, detailed below, which are attached to this email.  
(some of you will receive a hard copy in the inter-office mail as well).

The documents attached for your review are:

1. Application submitted by Needham Nutrition LLC. *attached*
2. Letter from Evans Huber, Attorney, dated August 20, 2021. *Attached.*

3. Plan Sheet A-100, entitled "Smoothie Bar Floor Plan," prepared by SDP Architects, undated. *Attached.*
4. Certified Plot Plan, prepared by Boston Survey Inc., dated July 22, 2021. *Attached.*

The Planning Board has scheduled this hearing for September 21, 2021. Please submit your comment by Wednesday September 15, 2021 (at the latest), so that the Petitioner has time to address any concerns or questions in advance of the hearing.

Thanks, alex.

---

Alexandra Clee  
Assistant Town Planner  
Town of Needham  
500 Dedham Avenue  
Needham, MA 02492  
781-455-7550 Ext 271  
Needhamma.gov

**From:** [Bonnie Shuer](#)  
**To:** [Alexandra Clee](#)  
**Subject:** Re: Online Form Submittal: Contact Planning Board  
**Date:** Monday, August 9, 2021 3:36:44 PM

---

Thank you for getting right back to me. Richard Rd. "lived" through the development of the ext. of Rockwood Ln. and the problems that the 9 new homes presented for the houses on Tudor and Richard Rd., especially water issues. A bylaw is now in place that protects from roof and downspout water. Builders also have to put up barriers to protect homes near a work site from water and debris damage. The Pinewood Builders took 2 houses down on Tudor and caused great damage on Richard Rd. to our neighbors. They did not properly put barriers in place. I have spoken to the Public Works Dept. and Tom Ryder is making sure that Paul Seslick will require the builder to protect our home at 37 Richard Rd. and our neighbor at 27 from debris and water during construction. The building is being done at 145 Tudor Rd. In addition, Needham needs to get a bylaw in place concerning cutting down trees on property by builders. 145 Tudor has pretty much been clear cut, 38 trees taken out I believe. We have great worries about water and mud and the weakening of the few remaining trees. Pinewood has decimated our privacy, green space and environment. There need to be requirements about what builders can do. There was no reason to take many of the trees out. He will not be putting up a house near our fence. I encourage you to go over to 145 Tudor Rd. now and take a look. Laws are needed and probably an Arborist on the Needham payroll like Wellesley and Newton have who are now protecting there green spaces from bad builders. Needham's reputation and future depends on good decisions now. So, I've let you know what I want to speak to and included this more detailed letter. Thank you.

On 8/9/2021 1:56 PM, Alexandra Clee wrote:

> Hi Ms. Shuer,  
>  
> Could you kindly let me know a bit more about the topic of your proposed discussion with the Planning Board? I can talk to the Director of Planning & Community Development and the Planning Board Chair regarding which meeting would have space for the given topic.  
>  
> Also, We would ask that you write a brief letter describing what you would like to discuss for inclusion in the Board's packet for the relevant meeting. That also gives us an opportunity to do any research in our files of pertinent information to share with the Board as well, so the conversation can be most effective.  
>  
> Thanks so much, alex.  
>  
>  
>  
>  
> Alexandra Clee  
> Assistant Town Planner  
> Needham, MA  
> [https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.needhamma.gov&c=E.1.bmnWSMW9Cb9v9cvmTdbQ3cuXA15-ln5Jb6hFIOR5Chn3HpmsF8i\\_Q5Yuj6Ny-QRCYqfEiuSR\\_ARxNGdT-kmWNR-plpzlwW-bm3CbW2YHmZx8YKbgMUU0QErD&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.needhamma.gov&c=E.1.bmnWSMW9Cb9v9cvmTdbQ3cuXA15-ln5Jb6hFIOR5Chn3HpmsF8i_Q5Yuj6Ny-QRCYqfEiuSR_ARxNGdT-kmWNR-plpzlwW-bm3CbW2YHmZx8YKbgMUU0QErD&typo=1)  
>  
> -----Original Message-----  
> From: [noreply@civicplus.com](mailto:noreply@civicplus.com) <noreply@civicplus.com>  
> Sent: Monday, August 9, 2021 1:08 PM  
> To: Alexandra Clee <[aclee@needhamma.gov](mailto:aclee@needhamma.gov)>; Lee Newman <[LNewman@needhamma.gov](mailto:LNewman@needhamma.gov)>; Elisa Litchman <[elitchman@needhamma.gov](mailto:elitchman@needhamma.gov)>  
> Subject: Online Form Submittal: Contact Planning Board  
>  
> The following form was submitted via your website: Contact Planning Board  
>  
> Full Name:: Bonnie Shuer  
>  
> Email Address:: [Bonniems23@comcast.net](mailto:Bonniems23@comcast.net)  
>  
> Address:: 37 Richard Rd  
>  
> City/Town:: Needham  
>  
> State:: MA  
>  
> Zip Code:: 02492  
>  
> Telephone Number:: 781-449-5060  
>  
> Comments / Questions: Would like to know if I could speak at the Sept. 8th meeting. Have a question about building in Needham and a request. As a home owner for almost 41 years, I'd appreciate this opportunity. Thank you, Bonnie  
>  
>  
>  
> Additional Information:

>  
> Form submitted on: 8/9/2021 1:07:54 PM  
>  
> Submitted from IP Address: 73.126.74.116  
>  
> Referrer Page: [https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.needhamma.gov%2f114%2fPlanning-Board&c=E.1.Hwl3IKTzP7\\_8br1S32\\_If7YpBoLZx48g4MhpW8FiViiSkRCaX-uk2zG7a4Rsn05iENTDMHj\\_F23aAt-KIVcXETwGlxmPsa1yWV\\_unyavXjoneHHrbw.,&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.needhamma.gov%2f114%2fPlanning-Board&c=E.1.Hwl3IKTzP7_8br1S32_If7YpBoLZx48g4MhpW8FiViiSkRCaX-uk2zG7a4Rsn05iENTDMHj_F23aAt-KIVcXETwGlxmPsa1yWV_unyavXjoneHHrbw.,&typo=1)  
>  
> Form Address: [https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fwww.needhamma.gov%2fForms.aspx%3fFID%3d229&c=E.1.NFeUShWxpn8tHYIqOmVe3YLdqKppxFTsvotyMJrxJwawqWzhJardw6LmLUB2Ur-00OPxwcHEWKuAqQc21c9g\\_Yxa\\_Hp\\_N2y802pnJxwNoE.&typo=1](https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fwww.needhamma.gov%2fForms.aspx%3fFID%3d229&c=E.1.NFeUShWxpn8tHYIqOmVe3YLdqKppxFTsvotyMJrxJwawqWzhJardw6LmLUB2Ur-00OPxwcHEWKuAqQc21c9g_Yxa_Hp_N2y802pnJxwNoE.&typo=1)  
>  
>  
>

**From:** [Jenny Small](#)  
**To:** [Alexandra Clee](#)  
**Subject:** Request to address Planning Board meeting  
**Date:** Thursday, August 12, 2021 4:42:24 PM

---

Dear Ms. Clee,

I'm writing in support of Bonnie Shuer's request to address the Planning Board at one of its September meetings. As a homeowner at 27 Richard Road, I am also a direct abutter to the property at 145 Tudor Road where Pinewood Custom Homes recently removed over 3 dozen mature trees in advance of the construction beginning there next week. I understand that many of the consequences of Pinewood's actions can be considered subjective, quality-of-life issues, such as the loss of shade, the removal of all privacy between the two adjacent properties, and the damage to a known coyote habitat. However, objectively, one property owner should not be allowed to cause physical damage to the property of another, and that is what is likely to occur without the necessary trees to hold back the hillside and contain the water that flows down the hill from Tudor to Richard. These water problems are already known to the Planning Board, due to the mitigating work that was done during the construction of the new subdivision on Rockwood Lane, which falls between Tudor and Richard. The owner of Pinewood has made it abundantly clear to several homeowners on Richard, including my husband Joshua Small, that he does not consider himself responsible for any damage done to our properties. In fact, on August 2, he warned my husband away from contacting the town, telling him that after extensive damage was caused to 19 Richard Road after two abutting properties were constructed up the hill, the town told the owners of 19 Richard that there was nothing they could do to help. It is clear that this builder cannot be relied upon to prevent further damage without the town requiring him to do so.

Therefore, before the damage inevitably occurs to more homeowners' properties, I support Ms. Shuer's request to address the Planning Board about the following three needs:

1. Requiring Pinewood to replant several trees on the hillside at 145 Tudor, to begin addressing the water problems before they cause damage. Due to the shape of the hillside, there is ample space for trees to be planted on the property that is well away from where any foundation would be built.
2. Creating a by-law that prevents property owners from removing mature trees without any oversight by the town. We respectfully point out that the Planning Board has already developed such language and implemented it. This is available in paragraph 38 of the Definitive Subdivision Decision regarding Rockwood Lane, dated on February 10, 2015.
3. Hiring an arborist to work with the town and developers to ensure that trees offering erosion-prevention, shade, privacy, and/or animal habitats be protected to the best of the town's ability.

Thank you very much for your consideration of our concerns.

Sincerely,  
Jenny Small  
27 Richard Road

**From:** [Stacy Blasberg](#)  
**To:** [Alexandra Clee](#); [Lee Newman](#)  
**Subject:** Letter to Planning Board for Tuesday, Sept. 21 in support of Tree Preservation Agenda Item (Bonnie Shuer)  
**Date:** Saturday, September 18, 2021 11:23:25 AM

---

Hello Lee and Alex - please read this letter into the Planning Board's meeting minutes on Tuesday, Sept. 21.

Dear Members of the Planning Board,

I have lived in Needham for 10+ years, and at least once, every single month, there is a new residential lot in our town that has been cleared by a builder of all trees to start the development of a new house. Developers cut all of the trees here because there is no town bylaw that tells them that they can't or that they shouldn't. Very often, developers also "accidentally" cut the trees of abutting properties. It is no secret that this happens. This topic comes up repeatedly at these Planning Board meetings. Most towns surrounding Needham have put into place Tree Bylaws that value, protect, and enhance the physical beauty and natural resources of those towns.\* Why doesn't Needham have a Tree Preservation Bylaw?

A Tree Preservation Bylaw can be quite simple. It can apply only during major construction projects, such as demolition, building a new house, or building an addition that increases the house footprint by a certain percent. It would not affect a homeowner's right to remove trees on their private property under any other circumstance. A bylaw would require a developer, prior to any site work, to obtain the Town's approval of a Tree Plan which identifies every mature tree of a diameter of, for example, 10" or more located within a property's legal setback, and explains whether the tree will be kept or removed. The builder would be required to mitigate removal of a mature tree in the setback by either replacing the tree on the property (e.g., minimum 2.5" caliper, native species able to obtain height of 50') or by paying a replacement fee (e.g., \$500 per tree) into the Town's tree fund to be used to plant a tree in the vicinity of the removal or elsewhere in Town. And the bylaw should impose a fine (e.g., \$1500 per tree) for starting site work without obtaining the Town's approval of the Tree Plan.

Trees provide many benefits like improving air quality, mitigating stormwater, enhancing aesthetic beauty, reducing energy consumption, and improving property value. Needham considers itself a progressive town yet we either can't seem to get this done, or we don't care enough to. Please consider enacting a Tree Preservation Bylaw for Needham as soon as possible to protect what is left of our town's natural resources.

Sincerely,  
Stacy Blasberg  
59 Richard Road

\*Several examples of Tree Bylaws can be found here

Wellesley:  
<https://wellesleyma.gov/166/Tree-Bylaw-Information>

Newton:  
<https://www.newtonma.gov/government/parks-recreation-culture/urban-forestry/tree-preservation-ordinance#:~:text=Exterior%20construction%20work%20near%20trees,of%20trees%20under%20certain%20circumstances.>

Sherborn:  
[https://www.sherbornma.org/sites/g/files/vyhlif1201/f/uploads/tree\\_policy.pdf](https://www.sherbornma.org/sites/g/files/vyhlif1201/f/uploads/tree_policy.pdf)

Arlington:  
<https://www.arlingtonma.gov/town-governance/laws-and-regulations/town-bylaws/title-v-regulations-upon-the-use-of-private-property#A16>

Concord:  
<https://concordma.gov/2038/Tree-Preservation-Bylaw>

Lexington:  
[https://www.lexingtonma.gov/sites/g/files/vyhlif7101/f/uploads/lex\\_tree\\_manual\\_11\\_29\\_12final\\_small.pdf](https://www.lexingtonma.gov/sites/g/files/vyhlif7101/f/uploads/lex_tree_manual_11_29_12final_small.pdf)

**From:** [Beverly Schwartz](#)  
**To:** [Alexandra Clee](#)  
**Subject:** Letter to Needham Times  
**Date:** Monday, September 20, 2021 12:03:15 PM  
**Attachments:** [Needham Times.docx](#)

---

Dear Ms. Clee,

Attached please find a letter that I submitted to the Needham Times in August 2021 on the issue of the excessive removal of trees by developers. It appeared both in print and online. I would appreciate your including this letter in documents you give to the Planning Board for the meeting tomorrow evening.

Beverly Schwartz  
67 Richard Rd.  
Needham 02492  
781 405-2441

## The Deforestation of Needham

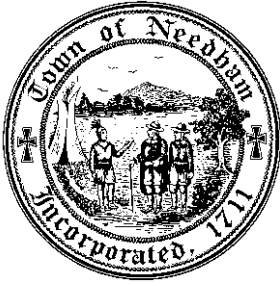
"I think that I shall never see a poem lovely as a tree." Do you remember that first line from Joyce Kilmer's poem "Trees"? I, too, agree that trees are wonderful. They provide oxygen to clean the air and they remove tons of harmful carbon dioxide. According to the U.S. Department of Agriculture, "One acre of forest absorbs six tons of carbon dioxide and puts out four tons of oxygen." Trees preserve soil to prevent erosion, provide much needed shade, lowering the ambient temperature. They conserve water and bring wildlife into our lives.

Now wouldn't you think that every community would value trees? It appears to me and my neighbors that our town leaders in Needham certainly do not. There seems to be no supervision of how developers treat lots they buy. Builders take down as many living trees of any size and value as they want. The Planning Board appears to be unwilling or unable to intervene with developers and prevent further unnecessary environmental damage. When I questioned a developer about why he violated the requirement of the Planning Board to not remove any trees over 6 inches in diameter, he said that he could do whatever he wanted. No one could or would stop him.

This week my neighbors and I watched in horror as one house lot was clear-cut of **38** trees, as counted by a neighbor, 38 **living** trees, many of which had been here for decades. The builder did this so he could build **one** new house. Yes, 38 trees were ripped out of the ground by a mammoth crane and sent through the wood-chipper. Hour after hour that chipper devoured those wonderful gifts that nature had given all of us. Thirty-eight trees. Many of these were stately old trees that had provided our neighborhood with all those benefits I cited above, including preventing erosion and flooding, which is a serious issue on my street. Almost every house on my side of the street has to run sump pumps after we have rain.

Just a few years ago, our street lost 7 acres of trees to build 9 new houses.

It is very sad how little attention is paid to these quality-of-life matters. I get the sense that the people charged with ensuring that we continue to enjoy living here only care about building more houses and taking in more taxes. Do I really want to live in a community with these values?



PLANNING & COMMUNITY  
DEVELOPMENT  
PLANNING DIVISION

**LEGAL NOTICE**  
**Planning Board,**  
**TOWN OF NEEDHAM**  
**NOTICE OF HEARING**

In accordance with the provisions of M.G.L., Chapter 40A, S.5, the Needham Planning Board will hold a public hearing on Wednesday, September 8, 2021 at 7:30 p.m. by Zoom Web ID Number 826-5899-3198 (further instructions for accessing are below), regarding certain proposed amendments to the Needham Zoning By-Law to be considered by the Fall 2021 Special Town Meeting.

**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](http://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](http://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>**

Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment through Zoom or through calling in.

Persons interested are encouraged to call the Planning Board office (781-455-7550) for more information. A copy of the complete text of the proposed article is detailed below. The article designation given has been assigned by the Planning Board for identification purposes only. An article number will subsequently be established by the Select Board for the Warrant.

**ARTICLE 1:      AMEND ZONING BY-LAW – OUTDOOR SEATING**

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

- (a) Amend Section 6.9. Outdoor Seating, Subsection 6.9.1, Applicability, by (i) adding the word “eat-in” before the word “restaurants”; (ii) deleting the words “serving meals for consumption on the premises and at tables with service provided by waitress or waiter is” before the words “permitted under”; and (iii) adding the word “are” before the words “permitted under”; so that it reads as follows:

“Section 6.9.2 shall apply in any business district in which eat-in restaurants are permitted under Section 3.2.2 of this By-Law.”

- (b) Amend the first sentence of Section 6.9. Outdoor Seating, Subsection 6.9.2, Basic Requirements Seasonal Outdoor Seating, by (i) adding the word “eat-in” before the word “restaurants”; (ii) deleting the words “serving meals for consumption on the premises and at tables with service provided by waitress or waiter” before the words “is permitted during; (iii) replacing the words “Section 7.4.4 and 7.4.6” with the words “Sections 7.4.4 and 7.4.6”; and (iv) replacing the words “Board of Selectmen” with the words “Select Board”; so that it reads as follows:

“Seasonal temporary (i.e. April through October) outdoor seating, including but not limited to tables, chairs, serving equipment, planters, and umbrellas, for eat-in restaurants is permitted during normal hours of operation, subject to minor project site plan review with waiver of all requirements of Sections 7.4.4 and 7.4.6 except as are necessary to demonstrate compliance with Section 6.9 by the Planning Board in the case of (a) below and the Select Board in the case of (b) below, provided that:”

- (c) Amend Section 6.9. Outdoor Seating, Subsection 6.9.2, Basic Requirements Seasonal Outdoor Seating, Subparagraph (a) by deleting the words “, licensed,” so that it reads as follows:

“(a) It is within the front yard, rear yard, or side yard of the restaurant’s owned or leased property, but only if said yard abuts a public right-of-way, public property, or other public uses, provided that:”

- (d) Amend Section 6.9. Outdoor Seating, Subsection 6.9.2, Basic Requirements Seasonal Outdoor Seating, Subparagraph (b) by (i) deleting the words “so long as there remains no less than forty-eight inches (48”)”, or as otherwise permitted by law, of unencumbered sidewalk width remaining”; (ii) deleting the word “alternatively” before the words “on a public way”; and (iii) adding the word “on” before the words “other public property”; so that it reads as follows:

“(b) It is within the public sidewalk abutting the front, rear, or side yard of the restaurant’s owned or leased property or on a public way or on other public property abutting the front, rear, or side yard of the restaurant’s owned or leased property, provided that:”

- (e) Amend Section 6.9. Outdoor Seating, Subsection 6.9.2, Basic Requirements Seasonal Outdoor Seating, Subparagraph (b) (i) by replacing the words “Board of Selectmen” with the words “Select Board”, so that it reads as follows:

“(i) No temporary outdoor restaurant seating shall be permitted, unless the Select Board authorizes the placement of temporary outdoor seating within the public right-of-way, public sidewalks and/or on public property;”

- (f) Amend Section 6.9. Outdoor Seating, Subsection 6.9.2, Basic Requirements Seasonal Outdoor Seating, Subparagraph (b) (iii) by replacing the words “Board of Selectmen” with the words “Select Board”, so that it reads as follows:

“(iii) A minimum width of forty-eight inches (48”)”, or as otherwise permitted by law, shall be continuously maintained and unobstructed for the sidewalk or entrance into the principal building, or any other designated sidewalks or pedestrian paths, as shown on the plan provided to the Select Board;”

- (g) Amend Section 6.9. Outdoor Seating, Subsection 6.9.2, Basic Requirements Seasonal Outdoor Seating, Subparagraph (b) (iv) by (i) adding the words “shall not be authorized” after the words “Outdoor seating”; (ii) deleting the words “is prohibited” before the words “in designated or required landscape areas”; and (iii) by adding the words “, or in parking spaces located within a public way, except for good cause, and where the Select Board finds, after holding a public hearing, that pedestrian and vehicular circulation, the safety of restaurant patrons and the public, and parking

for patrons of restaurants, retail establishments and service establishments in the vicinity of the outdoor seating, shall be adequately provided for;” at the end of the subparagraph so that it reads as follows:

“(iv) Outdoor seating shall not be authorized in designated or required landscaped areas, parking lots or drive aisles, or in parking spaces located within a public way, except for good cause, and where the Select Board finds, after holding a public hearing, that pedestrian and vehicular circulation, the safety of restaurant patrons and the public, and parking for patrons of restaurants, retail establishments and service establishments in the vicinity of the outdoor seating, shall be adequately provided for;”

- (h) Amend Section 6.9. Outdoor Seating, Subsection 6.9.2, Basic Requirements Seasonal Outdoor Seating, Subparagraph (b), by adding the following sentence at the end of the section:

“The Select Board may authorize seasonal temporary outdoor seating under this Section 6.9.2 (b) earlier than April 1 and later than October 31 of each year.”

- (i) Amend Section 6.9. Outdoor Seating, Subsection 6.9.2, Basic Requirements Seasonal Outdoor Seating, by replacing the words “Board of Selectmen” with the words “Select Board”, in the second paragraph of the section so that it reads as follows:

“Items (a)(i), (a)(iii), (a)(v) and (b)(ii), (b)(iv), and (b)(vi) shall not apply during special town-wide festivals or events during the year as designated by the Select Board.”

- (j) Amend Section 6.9. Outdoor Seating, Subsection 6.9.2, Basic Requirements Seasonal Outdoor Seating, by deleting the last paragraph of the section and replacing it with the following paragraph to read as follows:

“Where there is authorization for the placement of seasonal temporary outdoor restaurant seating and where such seating could be interpreted to be an increase in the number of seats serving a restaurant, such seating shall not be counted toward the off-street parking or loading requirements, provided that (1) such seating remains seasonal and temporary; and (2) such seating does not increase capacity by more than thirty percent (30%) unless such increase is authorized by the Special Permit Granting Authority that granted the special permit allowing the use of the premises as a restaurant, with or without a hearing, as said Special Permit Granting Authority shall determine.”

Interested persons are encouraged to attend the public hearing and make their views known to the Planning Board. This legal notice is also posted on the Massachusetts Newspaper Publishers Association’s (MNPA) website at (<http://masspublicnotices.org/>).

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Needham Times, August 5, 2021 and August 12, 2021.

## **NEEDHAM HOUSING PLAN WORK PLAN**

The Town of Needham has not had an approved Housing Plan in place since 2007, although it has made considerable progress in producing affordable housing since then, adding 894 new affordable units<sup>1</sup> and surpassing the state affordability goal of 10%. Despite reaching this threshold, the Town recognizes that significant unmet housing needs remain in the community, particularly in the context of unprecedented housing prices and the pandemic. Consequently, the Town has determined that it should revisit its housing agenda by obtaining updated documentation on the local housing dynamic and preparing a Housing Plan to strategically address identified priority housing needs.

The preparation of this Housing Plan would use a similar process established for the 2007 Affordable Housing Plan. First, the Planning Board would appoint a Working Group of representatives from appropriate boards and committees to work with staff from the Planning and Community Development Department in overseeing community outreach and preparing the document. The composition of the Working Group for the 2007 Plan included 2 representatives of the Planning Board, 2 from the Needham Housing Authority, 2 from the Select Board, 2 at-large members, as well as a representative from the Board of Health, Council on Aging, Finance Committee and Parks and Recreation Commission. For the 2021 Plan the composition of the Working Group will included 2 representatives of the Planning Board, 2 from the Select Board, 2 at-large members, as well as a representative from the Housing Authority, Board of Health, School Committee, Community Preservation Committee, Council on Aging, Finance Committee and Parks and Recreation Commission.

Second, the planning process would incorporate an inclusive public process to engage local leaders and residents in the process of establishing local housing priorities. This process would include the following major components:

- Interviews with housing stakeholders including representatives of the Needham Housing Authority, Council on Aging, League of Women Voters, Equal Justice Needham, etc.
- Community workshops that include small breakout group activities that engage participants in a local visioning process on housing, allowing residents to weigh-in on key questions related to housing challenges, goals, and priority actions.
- A community housing survey to obtain input on local needs and key approaches to address these needs. This activity was not incorporated in the 2007 planning process, however, might be considered as part of this initiative with support from the Town's Public Information Officer and the Information Technology Department.
- A final community-wide meeting to present the Plan and obtain further input.

Key components of the Plan would include the following:

- An Executive Summary that highlights the key takeaways from the Plan.
- A list of community housing goals that would include the results of the visioning process as part of the first community housing workshop.

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<sup>1</sup> A total of 894 units were added to the Subsidized Housing Inventory (SHI) although 238 were actually affordable to those with incomes at or below 80% of area median income.

- A Housing Needs Assessment that provides documentation on key indicators of need.
- A Strategic Action Plan that includes the actions that the Town will pursue to promote greater housing diversity and affordability including the timeline for implementation and responsible entities.
- A list of local and regional housing organizations and entities.
- A glossary of housing terms.
- A summary of housing-related regulations and resources.

The following section lists the various tasks involved in the project accompanied by a projected timetable:

*Task 1: Hold Initial Meeting*

Conduct an initial meeting of the Working Group to discuss the planning process and timetable.

*Timeframe for Completion:* Within two (2) weeks of the appointment of the Working Group.

*Task 2: Conduct Background Research and Information Gathering*

Collect and analyze information from a wide variety of data sources, including but not limited to the following:

- Updated demographic, economic and housing data from the U.S. Census including the American Community Survey Five-Year estimates, 2015-2019 (hopefully the 2020 census figures might be available in time for this project).
- Updated population figures from Town Clerk records.
- Population projections from several sources.
- Information from the Town Assessor on the current value of residential property by type of property to analyze the range of housing values by housing type.
- Building permit information on the numbers of new dwellings by type.
- Updated school enrollment data and capacity issues.
- Current work force and wage information.
- Data regarding wait lists and wait times for affordable units in town.
- Types of housing inquiries and issues from the Council on Aging.
- Data on foreclosures.
- Multiple Listing Service data for properties that have sold within the last year and whether they involved teardown activity.
- More recent median house and condo prices.
- Home and apartment listings in local and regional papers and Internet (such as Craigslist, Zillow.com, trulia.com, apartments.com, etc.) as well as Chapter 40B market rents.
- Data on cost burdens by tenure, income, and type of household from HUD.

The task will also involve interviews with key local and regional stakeholders as well as a potential community housing survey.

*Timeframe for Completion:* Within two (2) months following the start date with another month or so required if a survey is conducted.

*Task 3: Draft Housing Needs Assessment*

Analyze and summarize key demographic, economic and housing trends and characteristics to identify priority housing needs. The Working Group will convene to discuss the draft. It will also be able to

review a draft PowerPoint presentation, agenda, and breakout group instructions for the upcoming community workshop.

*Timeframe for Completion:* Within three (3) months of the start date.

*Task 4: Conduct Community Housing Workshop*

Conduct a community workshop that highlights the key takeaways from the Housing Needs Assessment followed by breakout group discussions to engage participants in a local housing visioning process and enable local leaders, housing stakeholders, and residents to weigh-in on key questions related to housing challenges, goals, and priority actions. This input would provide important guidance in the preparation of the Strategic Action Plan.

*Timeframe for Completion:* Within four (4) months of the start date.

*Task 5: Draft Strategic Action Plan*

Prepare the Strategic Action Plan which summarizes the key short-term and longer-term strategies that the Town will consider implementing to promote greater housing diversity and affordability. Each strategy will include an estimated timeframe for implementation, next steps, required resources, and responsible entities. The Working Group will meet to discuss the draft as well as the PowerPoint presentation and other materials for the community-wide meeting under Task 6.

*Timeframe for Completion:* Within five (5) months of the start date.

*Task 6: Conduct Community-wide Meeting*

Conduct a community-wide meeting to present the draft Plan and obtain feedback. The Working Group will reconvene to discuss the results of the community meeting and determine what changes should be made in the final Plan.

*Timeframe for Completion:* Within six (6) months of the start date.

*Task 7: Finalize Plan*

Finalize the Housing Plan based on comments.

*Timeframe for Completion:* Changes to the draft will be made within two (2) weeks following the Task 6 community meeting.

## **Citizens At Large**

| <b>Name</b>      | <b>Address</b>               |
|------------------|------------------------------|
| Amanda Berman    | 689 Great Plain Avenue       |
| Kristin Carter   | 39 Captain Robert Cook Drive |
| Andrew Cohen     | 75 Peacedale Road            |
| Emily Cooper     | 56 Lee Road                  |
| Paula Dickerman  | 20 Burnside Road             |
| Laura W. Dorfman | 66 Jarvis Circle             |
| Stephen Frail    | 29 Powers Street             |
| Rachel Green     | 55 Sargent Street            |
| Katie McGrath    | 31 Willow Street             |
| Oscar Mertz      | 67 Rybury Hillway            |
| Wes Soper        | 32 Mark Lee Road             |
| Rhonda Spector   | 79 Sunnyside Road            |
| Laura Surdel     | 199 Tudor Road               |
| Peter Vergados   | 5 Crestview Road             |

## **Board/Committee Appointments**

| <b>Name</b>     | <b>Board</b>        |
|-----------------|---------------------|
| Ed Cosgrove     | Board of Health     |
| Helen Gregory   | Council On Aging    |
| Carol Fachetti  | Finance             |
|                 | Housing Authority   |
|                 | Park and Recreation |
| Dan Matthews    | Select Board        |
| Marcus Nelson   | Select Board        |
| Jeanne McKnight | Planning Board      |
| Natasha Espada  | Planning Board      |
| Laura Dorfman   | CPC                 |
| Mike O'Brien    | School Committee    |

August 27, 2021

Needham Planning Board  
Public Services Administration Bldg.  
500 Dedham Avenue  
Needham, MA 02492

Dear Needham Planning Board:

I am delighted to submit my letter of interest and resume for the Affordable Housing Study Committee and so pleased to see that the town is taking this much-needed step towards promoting greater housing diversity and affordability. As my attached resume illustrates, I have considerable experience working on housing needs assessments and strategies across the Commonwealth – from the Cities of Newton and Chelsea to the towns of Weymouth, Lenox, Brewster, and the island of Martha's Vineyard. I have intimate experience working with developers, municipalities and other government agencies on real estate planning and the development of mixed-income and affordable housing projects. I have also been involved in the development of zoning updates, new complete street corridors and public spaces.

I am extremely passionate about affordable housing and have been looking for a productive way to engage with efforts in my own town. In my current capacity as the Director of Housing & Community Development for the City of Newton, the regular assessment of the affordable housing landscape throughout the city and surrounding region is a critical and constant piece of my job. The identification of housing needs based off current data, market research and community outreach and engagement help to shape the City's housing strategy and goals in the short and long-term. I would be excited and honored to bring my robust experience in this area to support the Planning Board's work to develop a comprehensive Housing Plan for Needham.

I hope to hear from you soon to learn about next steps in this process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amanda Berman', with a stylized, flowing script.

Amanda Berman

## **AMANDA BERMAN**

689 Great Plain Avenue • Needham, MA 02492  
323-605-2266 • amandaeberman@me.com

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Dynamic and passionate urban planner who specializes in affordable housing planning and development, developing and managing innovative urban initiatives, and community development activities. Creative and self-motivated manager and mentor with outstanding ability to collaborate across multiple departments. Persuasive communicator with exceptional written, verbal and presentation skills. A proactive problem solver and strong strategic planner with the capacity to manage multiple projects in a fast-paced environment.

### **AREAS OF EXPERTISE**

Affordable Housing Policy & Development  
Urban Planning • Community Development  
Placemaking • Public Space Activation  
Project Development & Management  
Partner Development & Relations • Marketing & Outreach Strategies  
Team Leadership • Entrepreneurial Drive

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### **EDUCATION**

#### **Master of Urban Planning (MPL) & Master of Public Art Studies (MPAS)**

University of Southern California, School of Policy, Planning and Development & School of Fine Arts  
Los Angeles, California • 2009

#### **Bachelor of Arts in Communications and Business**

The Pennsylvania State University • University Park, Pennsylvania • 2003

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### **PROFESSIONAL EXPERIENCE**

#### **CITY OF NEWTON PLANNING & DEVELOPMENT DEPT. • Newton, Massachusetts      2017-PRESENT**

<http://www.newtonma.gov/gov/planning/default.asp>

*The Department is committed to community-based planning that guides the future of the City while promoting equity, healthful lifestyles, diverse housing options, a resilient economy, varied transportation options, and preservation of the built and natural environment.*

#### **Director of Housing & Community Development:**

**2018-PRESENT**

- Manage the Housing & Community Development Division (8 staff members) which is responsible for over \$3 million in federal HUD grants annually, including the Community Development Block Grant (CDBG), HOME Investment Partnerships Program, and the Emergency Solutions Grant (ESG).
- The Housing & Community Development Division's programs are focused on the development, rehabilitation and preservation of affordable housing; human services for low- and moderate-income residents; homelessness prevention and support services; and the removal of architectural barriers for people with disabilities. The Division also acts as the lead entity for the 13-community WestMetro HOME Consortium, supporting member communities in their efforts to develop affordable housing and to provide direct rental assistance to low-income households.
- As one of the Department's senior staff, advise the Mayor and City Council on issues related to affordable housing and community development and provide input on the Department's goals and priorities.
- Manage the Newton Housing Partnership, a 9-member affordable housing advisory committee appointed by the Mayor to support the creation and preservation of affordable housing throughout the city.

- Oversee and support the realization of City-funded affordable housing projects, including two large affordable senior housing projects recently awarded Low Income Housing Tax Credits; the redevelopment of a historic single-family home into three units of affordable housing and a five-bedroom congregate home for severely disabled adults; and the possible redevelopment of the West Newton Armory into affordable housing.
- Manage the City's Inclusionary Housing program, from the review of multifamily and mixed-use proposals subject to the affordability requirements to ensuring a project's continued compliance throughout the pre-development, construction, marketing and occupancy processes.
- Led the update of the City's Inclusionary Zoning Ordinance over the course of two years (adopted August 2020), working with political leadership, community stakeholders, developers and consultants to identify an appropriate requirement that would increase the number of affordable units, while not disincentivizing multifamily housing projects across the city.
- Assist in the evaluation of 40B Comprehensive Permit projects, including project eligibility, drafting of Board Orders, project compliance, and post-completion cost certification reviews.
- Develop necessary guidelines and policies related to existing and new housing and community development programs within the Department.

**Housing Development Planner:**

**2017-2018**

- Provided management, support, and direction towards implementation of affordable housing and mixed-income projects throughout Newton, including review of housing projects seeking City funding.
- Assisted in the evaluation of 40B Comprehensive Permit applications, Inclusionary Housing project proposals, and other residential and mixed-use projects subject to affordable housing requirements.
- Assisted in the update of the City's Inclusionary Zoning Ordinance, providing support through research, writing, strategic direction, community outreach, and political engagement with City Council committees.
- Monitored compliance of affordable housing projects throughout the city in relation to DHCD and Newton guidelines and policies, including the development of affordable housing deed restrictions.
- Co-managed the City's First-Time Homebuyer Assistance Program (approx. 50 units in portfolio) through the oversight of unit resales and annual monitoring.
- Managed the City's Affordable Housing Master Database, including all SHI updates, and assisted in the research, calculations and determination of the City's 10% and 1.5% safe harbor thresholds.

**RKG ASSOCIATES, INC. • Boston, Massachusetts**

**2016-2017**

<http://www.rkgassociates.com>

*Provides private, public and institutional clients, nationwide, a comprehensive range of advisory, planning, and strategic consulting services related to real estate, land use and economic development.*

**Senior Planner:**

- Provided research, writing, community engagement, and project management assistance for the development of Housing Production Plans, zoning by-law updates, and master plans for various regional municipalities throughout Massachusetts, including Chelsea, Weymouth, Lenox, and Littleton.

**JM GOLDSON COMMUNITY PRESERVATION + PLANNING • Boston, Massachusetts**

**2016-2017**

<http://jmgoldson.com>

*Assists communities with community preservation and affordable housing planning and implementation, as well as innovative community outreach and interactive public engagement.*

**Senior Community Preservation Planner:**

- Provided research, writing and community engagement assistance for the development of Housing Production Plans, zoning by-law updates, and visioning plans for various regional municipalities, including Martha's Vineyard, Brewster, Sherborn, and Williamstown.
- Assisted the Town of Middleborough's Community Preservation Committee in the oversight and management of CPA funded projects. Tasks included project coordination, contractor oversight, budget and status report development, and grant writing.

**COMMUNITY ARTS RESOURCES • Los Angeles, California • [www.carsla.net](http://www.carsla.net)**

**2007-2015**

*Develops urban-focused cultural and community planning initiatives and produces large-scale cultural events in public space.*

**Director of Community Development & Planning:**

- Managed urban and cultural planning projects and events for clients, including government agencies, developers, architectural and planning firms, nonprofits, foundations and cultural institutions. Projects included CicLAvia, the nation's largest open-streets event; Go Little Tokyo, a community-led marketing and branding effort aimed at highlighting the neighborhood's unique cultural programs, community events, and dining and shopping experiences; the Durfee Foundation's Gentrification / Involuntary Displacement in Los Angeles report; the Southern California Association of Government's "Go Human" Tactical Urbanism Active Transportation Safety & Encouragement Campaign; the public outreach and engagement efforts for the Metro Gold Line Eastside Access Bicycle and Pedestrian Improvements Project in East L.A.; a business and programmatic plan for the new Grand Park in downtown Los Angeles; and the annual Chinatown Summer Nights event series.
- Oversaw client and partner relations, developing appropriate internal workflows to ensure expected results were delivered on time and under budget. Clients included LA Metro, the Southern California Association of Governments, the City of Santa Monica, CicLAvia, the Little Tokyo Community Council, the Jewish Community Foundation, the Los Angeles County Arts Commission and the City of Garden Grove.
- Authored cultural planning reports and publications, grounded in primary and secondary research.
- Developed new marketing and business development materials to strengthen company's visibility, particularly in the fields of urban planning and community outreach.
- Led the rebranding of the organization's digital identity, including the development of a new company website.

**CICLAVIA • Los Angeles, California • [www.ciclavia.org](http://www.ciclavia.org)**

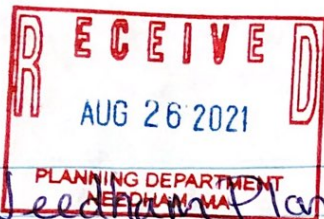
**2009-2013**

*Nonprofit organization, incubated within Community Arts Resources, that implements a series of car-free, open streets events to promote a healthier and more sustainable Los Angeles. Average per event attendance: 50,000 participants.*

**Co-Founder and Director of Development / Director of Strategic Planning:**

- Co-founded organization in 2009 and successfully executed pilot event in partnership with the City of Los Angeles in October 2010, which attracted upwards of 25,000 participants.
- Developed and implemented original fundraising strategy, targeting corporate, local business, government, foundation and individual donors and partners. Notable donors included The California Endowment, the Goldhirsh Foundation, Google, Sony Pictures Entertainment, Blue Shield of California, Kaiser Permanente, the City of Los Angeles, LA Metro and KCRW.
- Assisted in the creation and implementation of the marketing and outreach strategy to introduce this new event and organization to the Los Angeles region.
- Assisted executive director in the management of a team of five staff members representing the areas of development, communications, outreach, marketing and production.

*Additional Experience and References Available Upon Request*



8/19/2021

Dear: Needham Planning Board

Hello, my name is Kristin Carter. I've been a resident of The Needham Housing Authority going on 14 years this next March.

This is my letter of interest regarding the article in Needham's Hometown Weekly. If you may, please excuse that I've no desire to do a resume.

Sincerely,  
Miss Kristin Carter

Kristin Carter  
39 Captain Robert Cook Dr.  
Needham, Ma. 02494

**From:** [Andrew Cohen](#)  
**To:** [Planning](#)  
**Subject:** Housing Study Committee  
**Date:** Wednesday, September 1, 2021 5:01:58 PM  
**Attachments:** [resume 4-2021.doc](#)

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September 1, 2021

Dear Needham Planning Board:

I am interested in serving on a Study Committee on affordable housing for the Needham Planning Board. I served for six years as a Commissioner of the Needham Housing Authority (a five-year term following a one-year "replacement" appointment), and I am very committed to affordable housing in Needham. I work well in a team, I take my public responsibilities seriously (I have worked for the Commonwealth for 26 years), and I will ensure that the Planning Board receives the comprehensive Housing Plan that it seeks from the Study Committee. My resume is attached.

Thank you for your serious consideration. Please feel free to contact me if you have any questions.

*Andrew Cohen*

Andrew Cohen  
75 Peacedale Rd.  
Needham, MA 02492  
cell: (617) 504-7362

## ANDREW L. COHEN

75 Peacedale Road  
Needham, Massachusetts 02492  
(781) 444-0729  
acohen@publiccounsel.net (work)  
cohenesq@hotmail.com (home)

### EMPLOYMENT EXPERIENCE

**Director of Appellate Panel, Committee for Public Counsel Services**  
**Children and Family Law Division**, Boston, Massachusetts  
July 2006 to Present

- Oversee 150-member panel of child welfare appellate attorneys, including review of briefs and critique of oral arguments.
- Represent agency in *amicus curiae* briefs to the Massachusetts Supreme Judicial Court.
- Design trainings and lecture regularly to experienced and newly-certified attorneys on all facets of child welfare law and trial and appellate practice.
- Supervise law student internship, co-op, and summer clerkship programs.
- Assist Trial Panel Director with oversight of 1000-member panel of child welfare trial attorneys.
- Supervise appellate litigation and administrative tasks of staff counsel and work of support personnel.

**Staff Counsel, Committee for Public Counsel Services**  
**Children and Family Law Program**, Boston, Massachusetts  
July 1997 to July 2006

- Assisted directors with oversight of child welfare appellate and trial attorneys.
- Managed mentor program for child welfare trial and appellate programs.
- Collaborated in the drafting and implementation of (a) performance standards governing child welfare trial and appellate practice, and (b) agency complaint investigation and prosecution procedures.
- Created and implemented agency-wide system for monitoring compliance with malpractice insurance requirement.
- Maintained active child welfare appellate and trial caseload.

**Staff Attorney, Committee for Public Counsel Services**  
**Children and Family Law Program**, Salem, Massachusetts  
September 1995 to July 1997

- Represented indigent parents and children in litigation brought by the Massachusetts Department of Social Services in the Juvenile, District and Probate & Family Courts, including adoption, custody, guardianship, care and protection, and termination of parental rights proceedings.

**Associate**  
**Choate, Hall & Stewart**, Boston, Massachusetts  
August 1994 to August 1995

- Represented creditors, debtors, and trustees in hearings before the United States Bankruptcy Court.
- Conducted trials and drafted motions, legal memoranda, settlement agreements, disclosure statements and plans of reorganization.
- Responsible for case management and primary client contact on most matters.

ANDREW L. COHEN

**Associate**

**Goodwin, Procter & Hoar**, Boston, Massachusetts

September 1990 to July 1991; September 1992 to July 1994

- Represented creditors, debtors, bondholders' committees and trustees in pre-trial, trial, post-trial and appellate proceedings.
- Drafted reasoned opinion letters for REIT transactions and asset securitizations regarding substantive consolidation and bankruptcy remoteness issues.
- Conducted discovery and extensive research in patent, trademark and copyright litigation.

**Law Clerk to the Honorable Carolyn Dineen King**

**United States Court of Appeals, Fifth Circuit**, Houston, Texas

August 1991 to August 1992

- Drafted approximately sixty opinions (twenty published) for Judge King on a broad range of civil and criminal issues; prepared Judge King for oral argument; attended Fifth Circuit panel and *en banc* proceedings in New Orleans.

**Clayton R. Louderbeck Memorial Legal Writing Instructor**

**University of Pennsylvania Law School**, Philadelphia, Pennsylvania

September 1989 to May 1990

- As third-year law student, taught first-year class to draft legal memoranda, perform legal research using library and computer database resources, and present appellate arguments; facilitated group discussions; and lectured on various research and writing topics.

**PUBLICATION**

- *Due Process*, in Amy Karp, et al., Child Welfare Practice in Massachusetts, ch. 8 (MCLE 2006, Supp. 2012, Supp. 2021, forthcoming).
- *Child Welfare Appeals*, 41 Appellate Procedure, Massachusetts Practice (4<sup>th</sup> ed. 2020) (cite??) (authorship of chapter noted on acknowledgment page)
- *Influencing and Challenging Judges and their Decisions in Child Welfare Cases*, ABA Child Law Practice Today (September 11, 2019), available at: [https://www.americanbar.org/groups/public\\_interest/child\\_law/resources/child\\_law\\_practice\\_online/january---december-2019/influencing-and-challenging-judges-and-their-decisions-in-child-/](https://www.americanbar.org/groups/public_interest/child_law/resources/child_law_practice_online/january---december-2019/influencing-and-challenging-judges-and-their-decisions-in-child-/).
- *Representing Parents on Appeal*, in Martin Guggenheim & Vivek S. Sankaran, Representing Parents in Child Welfare Cases: Advice and Guidance for Family Defenders, 327-388 (ABA 2015).
- *Representing Nonresident Fathers in Dependency Cases*, 27(10) ABA Child Law Practice 145 (Dec. 2008), reprinted in Claire S. Chiamulera, Ed., Advocating for Nonresident Fathers in Child Welfare Court Cases, ch. 4, 49-65 (ABA 2009).
- *Addressing Special Advocacy Issues*, in Claire S. Chiamulera, Ed., Advocating for Nonresident Fathers in Child Welfare Court Cases, ch. 6, 101-124 (ABA 2009).
- *Evidence in Care and Protection and Termination of Parental Rights Cases*, in Amy Karp, et al., Child Welfare Practice in Massachusetts, ch. 8 (MCLE 2006, Supp. 2012, Supp. 2021, forthcoming).
- *Special Considerations in Representing Parents*, in Amy Karp, et al., Child Welfare Practice in Massachusetts, ch. 22 (MCLE 2006 & Supp. 2012).
- *Child Welfare Proceedings in the Probate and Family Court*, in Amy Karp, et al., Child Welfare Practice in Massachusetts, ch. 16 (MCLE 2006 & Supp. 2012), with M. Winchester.

## PUBLISHED DECISIONS

- Adoption of Luc, 484 Mass. 189 (2019) (*amicus curiae* brief to Supreme Judicial Court on behalf of Committee)
- L.B. v. Chief Justice of Prob. & Fam. Ct. Dep't, 474 Mass. 231 (2016) (*amicus curiae* brief to Supreme Judicial Court on behalf of Committee)
- Adoption of Douglas, 473 Mass. 1024 (2016) (*amicus curiae* brief to Supreme Judicial Court on behalf of Committee, with Jaime Prince)
- Guardianship of V.V., 470 Mass. 590 (2015) (*amicus curiae* brief to Supreme Judicial Court on behalf of Committee)
- Adoption of Olivette, 79 Mass. App. Ct. 141 (2011).
- Adoption of Ilona, 459 Mass. 53 (2011) (*amicus curiae* brief to Supreme Judicial Court on behalf of Committee).
- Adoption of Torrence, 454 Mass. 1010 (2009).
- Care and Protection of Rico, 453 Mass. 749 (2009) (*amicus curiae* brief to Supreme Judicial Court on behalf of Committee).
- Care and Protection of Sophie, 449 Mass. 100 (2007).
- Custody of Lori, 444 Mass. 316 (2005) (*amici curiae* brief to Supreme Judicial Court on behalf of Committee and Greater Boston Legal Services).
- Adoption of Ramona, 61 Mass. App. Ct. 260 (2004).
- Adoption of Galvin, 55 Mass. App. Ct. 912 (2002).
- Adoption of Sherry, 435 Mass. 331 (2001) (*amicus curiae* brief to Supreme Judicial Court on behalf of Committee, with Susan Dillard).
- Adoption of Holly, 432 Mass. 680 (2000) (*amicus curiae* brief to Supreme Judicial Court on behalf of Committee, with Susan Dillard).
- Adoption of Vito, 47 Mass. App. Ct. 349 (1999), S.C., 431 Mass. 550 (2000).
- Adoption of Lars, 46 Mass. App. Ct. 30 (1998), S.C., 431 Mass. 1151 (2000) (*amicus curiae* brief to Supreme Judicial Court on behalf of Committee).
- Adoption of Helen, 429 Mass. 856 (1999).
- Adoption of Hugo, 44 Mass. App. Ct. 863, S.C., 428 Mass. 219 (1998), *cert. denied sub nom.* Hugo P. v. George P., 119 S.Ct. 1286 (1999) (with Susan Dillard).

## BOARDS AND ORGANIZATIONS

- *National Alliance for Parent Representation*, a division of the ABA Center on Children and the Law, Steering Committee (2006 – present)
- *Needham Housing Authority*, Commissioner (2012 – 2018)
- *Boston Bar Association*
  - Board of Editors, *Boston Bar Journal* (2005 – 2008)
  - Family Law Section Steering Committee (2000 - present), Co-Chair (2003 – 2005), Vice-Chair (2001 – 2003); co-chair of several subcommittees (2000 – 2008)

## BAR ADMISSIONS •

- Massachusetts, December 1990
- First Circuit Court of Appeals, January 1995
- United States Supreme Court, August 2002

## EDUCATION

**University of Pennsylvania Law School**, Philadelphia, Pennsylvania  
J.D., June 1990, *Cum Laude*  
Law Review, Senior Editor

**Harvard College**, Cambridge, Massachusetts  
B.A., English and American Literature and Language, June 1987  
*Magna cum Laude* with Highest Honors in Concentration  
Thomas Hoopes Prize for Senior Thesis

*Emily R. Cooper*

56 Lee Road  
Needham, MA 02494

[emilymillercooper@gmail.com](mailto:emilymillercooper@gmail.com)  
617/794-6964(m) 781/449-1814(h)

August 27, 2021

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

Re: Affordable Housing Study Committee

Dear Ms. Newman,

I am writing to express my interest in volunteering for the new Affordable Housing Study Committee in the Town of Needham. I believe that my background and experience would be a good fit for this Committee and I am eager to participate.

As an experienced housing professional, I am aware of the challenges and opportunities that municipalities face in meeting the varied housing needs of the residents. I am knowledgeable of the vast array of public affordable housing resources – from the broad policies and parameters to the detailed ‘nuts and bolts’ of regulations and requirements. My current work at the Massachusetts Executive Office of Elder Affairs and MassHealth (the State Medicaid Agency) has helped me better understand the macro level issues intrinsic to creating housing within Massachusetts as well as the individual issues that families and individuals face when trying to locate and maintain housing.

Prior to my work at the Commonwealth, I was employed at a private nonprofit consulting firm. Many of my consulting engagements seem similar to the duties of the Affordable Housing Study Committee. Specifically, I assisted states and local governments in developing strategies to address the housing needs of very low-income families and individuals. These strategic planning activities including conducting needs assessments, interviewing key informants, researching relevant documents, soliciting stakeholder input, and crafting customized recommendations that were realistic and achievable for the community.

Every project I have worked on during my tenure as a professional has involved partnering with stakeholders from various backgrounds. To reach consensus, I have had to learn to juggle personalities, agency missions, and financial incentives. Although this partnership-building can be difficult, I feel it is critically important since it is these relationships that ultimately impact success.

More important than my professional expertise in this area is my knowledge of the community. I have lived in Needham for 17 years, have children in the school system, am an active Town Meeting member, and am involved in numerous community activities and groups. All of these things combined help me have a greater understanding of the community’s needs and concerns.

Sincerely,

*Emily Cooper*

## Emily R. Cooper

56 Lee Road  
Needham, MA 02494

[emilymillercooper@gmail.com](mailto:emilymillercooper@gmail.com)  
617/794-6964(m) 781/449-1814(h)

Nationally recognized expert with over 25 years experience helping organizations and governments access and better utilize affordable housing programs to assist homeless people, people who are unstably housed, and people with special needs. Expertise includes scattered-site and site-based models and approaches to expand permanent supportive housing linked with evidenced-based supportive services for very low-income individuals and families with disabilities, who are homeless or most at-risk of homelessness.

### Expertise

**Subject matter expert** in homeless and affordable housing programs, including the Continuum of Care Program, and mainstream housing programs as well as all relevant statutes, regulations, and policies, with an emphasis on combining resources to expand affordable housing options for households with incomes below 50% of the area median.

**Committed problem solver** able to work across various agencies, often with competing agendas, to achieve consensus around a mutual goal.

**Experienced facilitator** of planning processes to expand housing options for people with disabilities, veterans, and people who are homeless or unstably housed, focused on building partnerships, right-sizing strategies, and achieving measureable outcomes.

**Skilled trainer** for housing and services providers and agencies, homeless organizations, Public Housing Authorities, and state and local government on topics related to affordable housing, homelessness, local planning, fair housing, intersection of housing and healthcare, grant administration, reporting, and financial management.

**Accomplished author** of numerous publications regarding the affordable housing delivery system and how to increase access to permanent housing and supportive services resources by people with disabilities and people who are homeless.

**Professional project manager** able to manage multiple concurrent projects with competing deadlines, including proposal development, staff allocation, timetables, product development, budget tracking, and contract compliance.

### Experience

#### MassHealth

2019-present *Special Advisor on Housing*

- Serve as subject matter expert to MassHealth on issues related to housing and homelessness.
- Ensure alignment across and within MassHealth with regards to implementing clear housing strategies and policies.
- Assist in identifying areas where MassHealth can streamline or enhance operations as it relates to homeless/housing unstable members and their benefits.
- Work with key leadership and programmatic MassHealth staff to conceive, design, and implement innovative programs and policies that will better serve members in the community and incentivize the creation of additional affordable housing.
- Provide technical assistance, training, and support around housing to MassHealth staff and contractors.

### **Massachusetts Executive Office of Elder Affairs**

2016-present                      *Chief Housing Officer*

- Lead statewide Interagency Council on Housing and Homelessness efforts to develop strategies to address homelessness among elders and chronically homeless individuals including the development of a statewide Homeless Data Warehouse.
- Craft strategies to deploy MassHealth resources for chronically homeless individuals including hosting multiple "surge" events with the City of Boston that resulted in over 100 chronically homeless elders receiving housing and support services.
- Cultivate local partnerships between local elder support agencies and affordable housing providers to enhance the ability of older adults to age in the place and delay or prevent unnecessary hospitalization and or homelessness.

### **Technical Assistance Collaborative, Inc., Boston, MA**

2014-2016                      *Director, Housing Practice*

2009-2014                      *Senior Associate*

1999-2009                      *Associate*

- Consulted with communities in long-range planning and partnership building to expand housing and services for vulnerable populations, including facilitating strategy development with over 30 Continuums of Care, and seven states and localities working to better utilize and allocate their existing resources.
- Provided HUD-funded technical assistance to homeless providers in over 20 states in partnership with 15 HUD Field Offices and 8 separate TA firms, including supportive services financing, eligible costs, eligible participants, service delivery approaches, and grant administration
- Managed complex national technical assistance initiatives including handling multiple clients, creating comprehensive work plans, developing realistic budgets, tracking expenditures, establishing timelines and meeting deadlines, and producing high-quality on-time deliverables.
- Prepared and delivered public presentations for a wide array of audiences, including large groups of housing and urban planning professionals, community-based practitioners, and nonprofit advocates, including keynote addresses.
- Provided day-to-day leadership, supervision and direction of ten interdisciplinary staff in completing project work – ensuring that staff receive high-quality supervision, coaching and mentoring from project start to finish – and provide input into business development opportunities and future direction of the agency.

### **Massachusetts Department of Housing and Community Development**

1997-1999                      *Supportive Housing Specialist, Bureau of Federal Rental Assistance*

- Responsible for a portfolio of federally-funded rental assistance programs for targeted special populations including ten HUD Shelter Plus Care grants and seven Section 8/HCV initiatives serving persons with special needs.
- Created structure from program onset including overseeing implementation, creating administrative plans, documenting program rules and policies, and developing necessary interagency documents to clarify roles and responsibilities.
- Successfully competed for over \$10 million in HUD funding for new vouchers and other federal housing resources.

### ***Tenderloin Housing Clinic, San Francisco, CA***

1994-1995                      *Support Services Coordinator*

- Designed and implemented a new 100-unit McKinney-Vento sponsor-based Shelter Plus Care grant for individuals who were homeless and had co-occurring mental illness and substance use issues.
- Responsible for overall grant administration and management of companion supportive services, including responsibility for the budget and the supervision of support staff.

### ***Marin Housing Center, San Rafael, CA***

1992-1994                      *Family Advocate*

- Provided direct case management and support to homeless families in a transitional shelter. Conducted needs assessments, identified and coordinated resources, and provided onsite overnight support.
- Designed and implemented a new ten-bed emergency shelter including the development of policies, protocol, and procedures and the physical site design.

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## ***Education, Activities, and Acknowledgements***

Masters of Public Health, University of North Carolina Chapel Hill

Bachelor of Arts, Cornell University

Town Meeting Member (*elected*) – 2015-present

Expert Panel, Morgan Institute Health Policy Center: *Addressing Future Home-Based Health and Personal Care Needs for a Growing and Diverse Population* – 2018

Advisory Group, Brookings Institute: [\*Housing as a Hub for Health, Community Services, and Upward Mobility\*](#) – 2018

AIDS Housing Corporation Board Member – 2003-2005

MassHousing Community Service Partnership Award – 2018

Commonwealth of Massachusetts Performance Recognition Citation – 2017

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## ***Select Publications***

- [\*Establishing and Operating a Continuum of Care\*](#)
- [\*Overview of CoC Program Components and Eligible Costs Online Module\*](#)
- [\*Continuum of Care Program Start Up Training for FY2013 Funds\*](#)
- [\*Section 8 Made Simple\*](#)
- [\*Examples of Housing Choice Voucher Waiting List Preferences \(prezi\)\*](#)
- [\*Housing Choice Vouchers Targeted to Non-Elderly Persons with Disabilities – Another Tool to Help End Homelessness\*](#)
- [\*Strategies to Help People with Disabilities Be Successful in the Housing Choice Voucher Program\*](#)
- [\*Non-Elderly Disabled Vouchers – Category 2 Lessons Learned from Implementation 2011-2013\*](#)
- [\*The Olmstead Decision & Housing: Opportunity Knocks\*](#)
- [\*Priced Out series \(biennial report\)\*](#)

**From:** [Paula Dickerman](#)  
**To:** [Planning](#)  
**Subject:** Application: Affordable Housing Study Committee  
**Date:** Saturday, August 28, 2021 10:43:57 AM  
**Attachments:** [P.Dickerman Resume.docx](#)

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To the Needham Planning Board,

I am applying for one of the two citizen-at-large positions on the new Affordable Housing Study Committee. The fact that this Committee is being formed under the direction of Town leadership is an exciting development, and a great opportunity to advance the Town's affordable housing goals.

Having been able to see the comprehensive report that was developed by a similar committee in 2007, I can understand the immense amount of work that lies ahead for this new Committee. I was particularly struck with the changes that have occurred in the past 14 years, including achieving the 40B affordable housing threshold, the new and updated NHA units, new ADU regulations, and the Planning Board's current commitment to inclusionary zoning and a new zoning study, all while we are experiencing yet another escalation of housing prices. I was also impressed by the support for affordable housing that one can see in the Community Workshop results, while also understanding the challenge of getting truly broad-based backing from Town residents. At the same time, it is true that not all of the goals set forth in the 2007 report have been met - and that's what makes this endeavor so exciting.

My interest in affordable housing is strong. As you can see from my resume, I have been working with the Housing Working Group of Equal Justice in Needham, perhaps the only local citizen group working on this important issue. As part of this group, I have been working with the NHA Resident Services Coordinator on volunteer opportunities for Needham residents; we also had a discussion about the possibility of offering IDAs to the NHA tenants. Also, I've been working closely with the producer of EJN's TV program, *Moving Forward Together*. This program, aired on the Needham Channel and on YouTube, has focused 4 of its first 6 shows on local housing-related issues. Working with the EJN Housing Working Group on such issues as ADU regulations, zoning for the Muzi site, and NHA funding, I've been introduced to some of the important challenges that the Affordable Housing Study Committee will be addressing.

Along with what I hope comes through as sincere passion for local affordable housing, I would bring to the table financial skills from my commercial banking experience, as well as organizational and management skills from my years in leadership positions at commercial banks, should I be given the opportunity to join this Committee.

If it would be useful to have a conversation about this opportunity, I would be more than happy to do that. Or, if you would like any additional information, please let me know. Otherwise, I'll await your decision. Whether I am a part of this Committee or not, as a 20+ year resident of our Town who wants to see progress on the issue of affordable housing, I applaud this effort and appreciate your forming this Committee.

Sincerely,

Paula Dickerman

My resume is attached

# Paula Dickerman

20 Burnside Road  
Needham, MA 02494

Email: pauladickerman@gmail.com  
Cell & Text: 617.694.8852

## WORK EXPERIENCE

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**Cambridge Savings Bank**, Cambridge, MA 1994 - 2016  
Vice President, Learning & Development

- Managed the training department of a \$2B community bank with 300+ employees
- Designed and facilitated curriculum in management, sales, customer service, and communication skills
- Facilitated meetings

**Recoll Management Company**, Boston, MA 1991-1994  
Director of Training

- Developed from scratch and managed a training department for a short-term real estate workout company
- Managed a staff of trainers to provide management and communication skills for professional staff

**Bank of New England**, Boston, MA 1983-1991  
Assistant Vice President, Commercial Lending

- Responsible for acquiring, analyzing, and managing a commercial loan portfolio of small businesses, including 1 year of real estate lending

**Parker Hill Hospital, Greater Boston Legal Services,  
Liberty Mutual Insurance Company**, Boston, MA 1972-1981

- Various administrative and customer service positions

## EDUCATION

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**Yale School of Management**, New Haven, CT, MBA 1983

**Emerson College**, Boston, MA, B.S. 1972

## AFFILIATIONS

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- *EJN* (Equal Justice in Needham) Housing Working Group, volunteer 2020 - present
- *C4RJ* (Communities for Restorative Justice), volunteer 2018 - present
- *JVS* (Jewish Vocational Services), volunteer 2016 - 2020
- *Central Reform Temple of Boston*: Cantorial Soloist, Music Director, board member 2005 - 2020
- *Cantata Singers*: Member, former president, board member 1983 - 2017

66 Jarvis Circle  
Needham, MA 02492

August 27, 2021

Needham Planning Board,  
Public Services Administration Building  
500 Dedham Avenue  
Needham, MA 02492  
Affordable Housing Study Committee

To Whom It May Concern,

Please accept this as a letter of interest for a position on the Affordable Housing Study Committee.

I currently serve as a Town Meeting Member as well as a member of both the Historical Commission and the Community Preservation Committee.

My professional experience has been in the area of residential mortgage and construction lending for the past thirty years.

As you will see upon review of my resume which is attached, I have extensive experience in residential lending, real estate, and the many consumer housing regulations.

I have learned a lot during the past two years as a member of both the Historical Commission and the Community Preservation Committee and would welcome the opportunity to participate in this initiative to better understand and address affordable housing needs in Needham. I am sure that the increase in home prices during the past two years has precluded many families from being able to live in desirable communities such as Needham and surrounding areas and I would like to be part of the solution to that problem. I would also like to meet and work with other people involved in town government so that I can learn more about how things work in Needham's town government.

In my capacity as the person in charge of residential lending at the bank, I have a very important responsibility to ensure that the bank is meeting the needs of the communities it serves by complying with the "Community Reinvestment Act" and with "Fair Lending" guidelines. These regulations focus on making

homeownership possible for low and moderate-income and/or minority homebuyers. In order to address this issue, we have created both first-time homebuyer loan programs with reduced down payment requirements as well as down payment and closing cost assistance programs specifically designed for these potential home buyers. I am happy to say that the bank has received satisfactory ratings in this area from its regulators as a result of these efforts.

In addition, in my capacity as a member of the Community Preservation Committee, I put forward the idea for a Warrant Article (Article 10), for emergency rental assistance which was voted at the October 4, 2020, Special Town Meeting.

I would welcome the opportunity to be considered for a position on this committee.

Thank you for your consideration.

*Laura W. Dorfman*

Very truly yours,

Laura W. Dorfman  
781-690-7051  
[ldorf@verizon.net](mailto:ldorf@verizon.net)

# Laura W. Dorfman

ldorf@verizon.net • 66 Jarvis Circle, Needham, MA • 781-690-7051

## **EMPLOYMENT HISTORY:**

**June 2018 to Present:**

**DEDHAM INSTITUTION FOR SAVINGS**

**Executive Vice President, Residential & Consumer Lending**

Reporting to the CEO, responsible for all aspects of residential mortgage, owner-occupied construction, and consumer lending, including processing, underwriting, closing, secondary marketing, management of 25-person sales and support staff for a \$2 billion community bank. Other responsibilities include development and monitoring of loan and compliance policies and procedures, management of investor relationships and new product development, supervision of all secondary market activities, implementation and oversight of loan origination software and related mortgage banking & consumer lending software applications and maintaining satisfactory compliance ratings. Member of Executive Management, Risk Committee, Loan Quality Control Committees, CRA Committees, Compliance Council and ALCO.

**May 2012 to June 2018**

**NEEDHAM BANK, NEEDHAM, MA**

**Executive Vice President, Residential & Consumer Lending:**

Reporting to the CEO, responsible for all aspects of residential mortgage, owner-occupied construction, and consumer lending, including processing, underwriting, closing, secondary marketing, management of 25-person sales and support staff for a \$2 billion community bank. Other responsibilities include development and monitoring of loan and compliance policies and procedures, management of investor relationships and new product development, supervision of all secondary market activities, implementation and oversight of loan origination software and related mortgage banking & consumer lending software applications and maintaining satisfactory compliance ratings. Also responsible for development of new consumer lending division offering credit cards, student loans, and installment loans. Member of Executive Management, Strategic Planning, Rate, Finance, Credit, and CRA Committees and ALCO.

**December 2002 to April 2012:**

**EAST BOSTON SAVINGS BANK, PEABODY, MA**

**(Mt. Washington Bank was acquired by East Boston Savings Bank in January of 2010)**

**Senior Vice President, Residential Lending:**

Responsible for all aspects of residential mortgage and consumer lending, including processing, underwriting, closing, secondary marketing, and management of 35-person operations/sales staff. Other responsibilities included development and monitoring of loan and compliance policies and procedures, management of investor relationships and new product development, supervision of all secondary market activities, implementation and oversight of loan origination software and related mortgage banking software application and maintaining satisfactory compliance ratings. Member of Senior Management committee.

**June 2001 to December 2002 (Acquisition by Citizens Bank):**

**MEDFORD BANK, MEDFORD, MA**

**(Medford Bank was acquired by Citizens Bank in October of 2002)**

**Senior Vice President, Residential Lending:**

Responsible for all aspects of residential mortgage and consumer lending including processing, underwriting, closing, secondary marketing, and management of 20-person operations/sales staff.

**October 2000 to June 2001:**

**EAGLE BANK, Everett, MA**

**Vice President, Residential Lending:**

Responsible for all aspects of residential mortgage lending including origination, closing, shipping, servicing, secondary marketing, and new product development.

**November 1986 to March 2000**

**CITIZENS BANK/USTRUST, Boston, MA**

**LEXINGTON SAVINGS BANK, Lexington, MA**

**(Lexington Savings Bank was acquired by USTrust in November of 1998/USTrust was acquired by Citizens Bank in March of 2000)**

**Senior Vice President, Residential Lending:**

Reporting to Vice Chairman of Bank. Responsible for all aspects of residential mortgage origination including eighteen-person origination staff and management of processing, underwriting, closing, secondary market, and shipping departments with staff of 43 full-time equivalents. Other responsibilities included preparation and monitoring of departmental budget, new product development, and monitoring of bank's residential mortgage CRA activities.

Laura W. Dorfman

• • •

**June 1983 to. November 1986**

**BAYBANK MIDDLESEX, Burlington, MA**

Community Banking Management Trainee/Customer Service Manager

**EDUCATION:**

**M.B.A. (May 1990), Bentley College, Waltham, MA**

**B.A. (May 1982), Providence College, Providence, RI**

**PROFESSIONAL AFFILIATIONS:**

**TOWN OF NEEDHAM, MA**

- **Town Meeting Member**
- **Member of Historical Commission**
- **Member of Community Preservation Committee**

August 5, 2021

Lee Newman  
Needham Planning Board  
Public Services Administration Building  
500 Dedham Avenue  
Needham, MA 02492

Ms. Newman:

Please accept my application for the Affordable Housing Study Committee to develop a comprehensive Housing Plan for Needham. I am a 17-year resident and homeowner and am concerned about the availability of affordable housing in Needham. I am also a Treasurer of Green Needham, a grassroots organization in Needham focused on helping the Town, its businesses, organizations, and residents to move to a greener future.

My interest in this committee is driven both for my concern that Needham continue to develop affordable housing and by my work as a climate activist, where I've become especially concerned about issues around equity. Disadvantaged populations, including seniors, individuals with low incomes, and people of color, have historically borne the brunt of climate change, and have systematically been left out of the solutions to climate change. For example, disadvantaged populations often live closer to fossil fuel pollution, live in areas that are more prone to flooding or heat islands, and face other environmental hazards in their lived environment. At the same time, those populations are often unable to take advantage of home solar incentives, home efficiency improvement programs, and other opportunities to participate in the green economy.

Needham should be a leader in ensuring that affordable housing brings the green revolution to its residents. In my view, we should be aiming for affordable housing that has a zero-carbon footprint, which means more efficient units and renewable energy production such as solar panels or ground source heat pumps. Better heating and cooling efficiency translates directly into lower energy bills, something that would provide significant benefits to people who are seeking out affordable housing. Net Zero affordable housing units are already being built in Massachusetts, so this is a highly achievable goal.

Besides my volunteer work as a climate activist, I bring strong quantitative skills, with an MBA in Finance. I am currently employed at MathWorks in Natick where I develop pricing and licensing models for the company's software business.

Thank you for considering my application. I have also included a resume.

Regards,

Stephen Frail

# Stephen Anthony Frail

29 Powers Street, Needham, MA 02492 · 617-283-0047 · safrail@gmail.com

## PROFESSIONAL EXPERIENCE

### MathWorks

Natick, MA

*Principal, Product Management, Education License Portfolio*

May '16 – Present

- Oversea entire life cycle for education market license portfolio with over \$100M in annual revenue.
- Develop and launch new pricing and licensing models, and work with cross-functional teams to develop marketing, customer onboarding, sales, and support models.

### Pearson Education

Boston, MA

*Director, Product Marketing & Strategy, Higher Education Technology Products*

Apr '13– April '16

- Lead global strategy for new courseware product, REVEL, Pearson's Product Team of the Year (2014).
- Lead global market analysis and market intelligence efforts, market sizing and segmentation, market trends, competitive intelligence, and customer engagement, propose new products to address portfolio gaps.
- Developed pricing models and go-to-market plans and launched to the market in January 2014.

*Editor / Product Manager, Psychology*

Dec '05 – Apr '13

- Owned P&L for \$40M list and lead the industry in revenue growth three consecutive years.
- Named Editor-of-the Year (2008) and led Product Team of the Year (2009).

*Marketing Manager, Economics and Finance*

Nov '02 – Dec '05

- Directed and implemented marketing strategy for \$27M list.
- Increased sales on revision of flagship product by 131%.

### Heinle & Heinle Publishers/Thomson Learning

Boston, MA

*Marketing Manager, College Foreign Language*

July '98 – Jun '00

- Increased net sales on \$10M list by 37.8% and overall market share by 3% over two years.
- Named Marketing Manager of the Year (1999).

*Developmental Editor, College Spanish & Italian*

July '97 – July '98

- Project managed and developed college Spanish and Italian language textbooks and supplements.
- Increased sales by 126% on flagship product through effective development campaign.

*Sales Representative*

June '95 – July '97

- Increased territory annual sales by 44% over two years and exceeded goal by 25% in 1997.

## EDUCATION

### Thunderbird, School of Global Management

Glendale, AZ

Master of Business Administration, International Management  
Specialization: Corporate Finance; Regional Focus: Latin America

May '02

### Wesleyan University

Middletown, CT

Bachelor of Arts  
Specializations: Spanish Literature, Latin American Studies

May '94

## ADDITIONAL ACTIVITIES

- Pan Mass Challenge rider (fundraised > \$80,000) 2016 - present
- Boston Marathon Jumpstart charity runner (fundraised > \$10,000) 2011
- Boston Marathon Beth Israel Deaconess charity runner (fundraised > \$5000) 2000
- Green Needham Steering Committee, Treasurer 2019 - present
- Climate Reality Project Leader, Public Speaker and Mentor 2018 - present
- Baseball Coach, Needham Little League 2013 – 2014
- Ironman 70.3 Timberman Finisher 2013
- Board Member for New England Over the Hill Soccer League 2010 – 2012
- Languages: English (native), Spanish (fluent)

Dear Members of the Planning Board,

My name is Rachel Green, I am twenty-three years old, a resident of Needham, and I am interested in filling one of the slots available for a citizen on the Needham Affordable Housing Study Committee. After the racial reckoning that many people experienced in the Summer of 2020, I spent some time very distraught and confused about my place in the world. My mind was opening up to painful truths that I turned a blind eye to in the past, and I was conflicted about what to do with the information that was not new, just newly accepted. After spending months sheltering in place in quarantine, I did not have a good sense of the physical town surrounding me; the place where I grew up, went to school, moved away from, and moved back into.

I attended the Needham Diversity summit where I learned about Equal Justice in Needham and was acquainted with the housing crisis of the Greater Boston Area. This was not the first time, but a critical time, to make a connection between the physical place I live in, and the racial inequity that shapes it. I started to transfer my confusion and internal conflict to tangible actions and connections. I have not had experience with advocacy in this way before, and saw for the first time how to connect with others, collaborate on ideas, and push through tasks of change. I discovered that the Equal Justice in Needham Housing Working Group that I had joined works through a strong sense of direction and a common goal, decides tasks based on these values, and motivates ourselves and others from the inside. It just took saying yes to be part of actions I had never done before, and now it has been almost a year of advocacy.

The group has looked into many different options for achieving more housing choice. From long term actions like looking into applying to the DHCD to create 40r zones around the many transit areas in town, or analyzing and comparing Needham to Newton's initiative to rezone their town; to short term actions like putting forth a warrant article at town meeting to change regulations around ADU's and make them by-right instead of special permit. Our successes come from getting these ideas out to the public, and garnering interest and support in the process. Even when articles don't get passed at town meeting, it plants a seed for boards and committees in town to continue working on the issues.

My work with Moving Forward Together with Equal Justice in Needham, researching the history of discrimination in zoning and restrictive covenants on houses built in the 20th century, and related court cases and Supreme Court rulings, has reminded me of the power of knowledge and research. Also, the connections I've made with town officials and town historians for the sake of advocating for policy change, and learning about affordable housing, has created a strong interest in public service that I would not have known to pursue otherwise. When I go back to school this Fall at Massbay Community College, I will pursue Law and Government classes to expand this interest.

When I have heard arguments against affordable housing, they have shed light on the way some want to maintain the character of the town - the status quo - , and have been scared of change. Most of the arguments are a little un-founded or misguided, and come up in a pattern across multiple towns. (My friend has noticed arguments about school numbers and traffic in Medfield that are extremely similar to ones heard here). But I understand why these arguments are supported by those who feel their property value will diminish, or the character of the town they grew up in or bought into will change with more affordable housing. This conflict also poses a great opportunity to present the incentives of a more diverse town. Children being taught in

environments where only their race is represented, and growing up in neighborhoods of large single-family houses with little exposure to people of different socioeconomic backgrounds, creates a harrowing, warped sense of superiority. I can personally say that growing up in that setting; mostly seeing myself when I looked at fellow students and neighbors, did not set me up to be a universal person outside of Needham when I had the opportunity to be in more diverse, varied settings. It made me feel confused, entitled, and defensive. This dynamic can start to be addressed in the younger generations of Needham through achieving more housing choice.

In the middle of a pandemic, I was able to find a sense of community in my own town through joining an advocacy group. Despite my privilege of being able to live in the town in the first place, I had chosen for years to ignore the opportunity to do so. Imagine the opportunities being denied to those who do not even have the chance to be a part of this affluent, thriving community in the first place due to restrictive and discriminatory policies. Needham has been my home and safe haven. Advocating for affordable housing in Needham has given me a sense of home, and now I am committed to creating a home for those who have been denied a place in Needham due to race or socioeconomic status. Being on the Needham Affordable Housing Study Committee would be an opportunity I would cherish to be a part of an authority in town which is working on creating more affordable housing, to gain experience with local government entities and processes, and help me expand my knowledge of how policy change happens where I live and beyond. I would be honored to represent the opinion of so many in Needham, and my own personal views on affordable housing. I appreciate your considering me for the position.

Thank you, Rachel Green

# Rachel Green

55 Sargent st.  
Needham, MA 02492  
(781) 752-8408  
rachelgreen981@gmail.com

## EXPERIENCE

### **Hazel's Bakery, Needham, MA — Bakery Salesperson**

July 2019 - March 2020

I worked at this quintessential Needham business making sandwiches, frosting cookies, and packing orders.

### **Plugged in Band Program, Needham, MA — Music Teacher**

September 2019 - December 2019

I had been a student at Plugged In for many years before I became an intern, and then a music teacher to a rock band of teenagers at the same time I was working at Hazel's.

### **Tide Mill Organic Farm, Edmunds, Maine — Apprentice**

November 2017 - March 2019

This small, family owned organic farm produces milk, meat and vegetables. I was involved in many parts of production from milking cows, to feeding livestock, processing meat, and selling at farmer's markets.

## EDUCATION

### **Sarah Lawrence College, Bronxville, NY — One year**

September 2016- May 2017

Sarah Lawrence is a small liberal arts college focused on self-directed study through conference projects. I completed one year there and plan to start college at Massbay Community College in the Fall 2021 semester.

### **Needham High School, Needham, MA — Diploma**

September 2012- May 2016

I graduated in 2016 from Needham High school.

## SKILLS

Networking with officials for the purpose of gathering data, insight, and information about housing

Note-taking

Collaborating in a virtual volunteer housing advocacy group

Farm work

Customer Service, and juggling tasks in foodservice

Teaching Music

## LANGUAGES

English

## Volunteering

### **Equal Justice in Needham Housing Working Group, Needham, MA — Housing advocate**

November 2020 – Present

The goal of the Equal Justice in Needham Housing Working Group is to harbor racial and economic diversity and equity through more affordable housing and housing choice in Needham. We advocate by building coalitions, research and education, being involved in local and state politics, and advocating for the NHA. I specifically participate by researching housing data, updating the EJNI website, note-taking, communicating with town officials, and talking to NHA residents.

### **Needham Community Farm, Needham, MA — Farm volunteer**

2016 – Present

I have volunteered at the Needham Community Farm for the past couple of years. Needham Community Farm is an organization who holds values of social justice and responsibility to the town. They provide free produce at mobile markets to the Needham Housing Authority every week during the season.

## PROJECTS

### **Moving Forward Together TV show episode — Collaborator for TV show episode**

I worked with Jeanne McKnight, former chair of the Planning Board, to search the Norfolk County Registry of Deeds to find examples of racially restrictive covenants in the 20th century in Needham. It was an opportunity to provide insight to the Needham community into the necessity of more affordable housing today.

Link: [EJNI TV show episode 5; History of Housing Discrimination](#)

Lee Newman  
Needham Planning Board  
Public Services Administration Building  
500 Dedham Avenue  
Needham, MA 02492

September 1, 2021

Dear Ms. Newman:

I am writing to express my interest in serving on the Affordable Housing Study Committee. I have been a Needham resident since 2007, living here with my husband and two sons, ages 12 and 14. I am interested in serving on the committee as I believe a diverse community will benefit all Needham residents. My children have greatly benefitted from the schools and community events Needham has to offer, and I believe children of all income levels should have these same opportunities.

While I do not have any experience with local planning, I have read the mission statement from the Housing Department on the Needham town page and have done some of my own independent research on the issue of affordability and Chapter 40b. I am eager to learn how I could be of service to Needham.

In my day job, I serve as a Professor of English at MassBay Community College where I have worked for the past 14 years. Prior to living in Needham, I lived in New York City. Attached please find my resume, which contains other pertinent information.

Thank you for your time and consideration.

Sincerely,

Katie McGrath

31 Willow Street  
Needham, MA 02492  
Cell: 718-755-7635

# KATHRYN J. M<sup>C</sup>GRATH

31 Willow Street  
Needham, MA 02492

(718) 755-7635  
kmcgrath@massbay.edu

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## EDUCATION

**M.A. Language and Literacy.** City College of the City University of New York. New York, NY. July 2007.

**M.A. English.** Northeastern University. Boston, MA. May 1999.

**B.A. English.** Indiana University. Bloomington, IN. May 1992.

## PROFESSIONAL EXPERIENCE

**MassBay Community College. Wellesley Hills and Framingham, MA.**

**9/07-present**

### **Professor of English**

**9/07—8/12 and 7/13--present**

Instruct English, ESL, and literature courses including Accelerated English, English Composition I and II, ESL III and IV, American Literature I, Introduction to Film, Film and Literature, and British Literature I and II. Advise students, participate in departmental, divisional, and faculty meetings, and participate actively in a variety of initiatives. Past and ongoing projects include leading the Accelerated English expansion (2011-present), Early Alert (2013-2014), ePortfolio project (2009-2012), Equity Faculty Learning Community (2021), and chairing the English Faculty Search (2021).

### **Developmental English Coordinator**

**9/15-present**

Lead professional development workshops for developmental English faculty and advise new Accelerated English faculty. Provide new developmental English faculty with syllabi, text recommendations, and Accelerate English Curriculum Guide. Collaborate with Interim Dean of Humanities and Social Sciences, English Department Chair and Title III Grant administrators to provide ongoing support to developmental English students and faculty. Collaborate with ESL Coordinator to provide Summer Conversation Groups to ESL and developmental English students. Collaborate with Office of Institutional Research to gather and assess course completion data for developmental English classes. Collaborate with English faculty and learning specialists to improve portfolio assessment, update English course descriptions, and analyze placement practices, including the upcoming 2.7 GPA Waiver initiative. Participate in AAC meetings with learning specialists to review best practices for responding to student writing. Update and disseminate marketing material for Fundamentals of Composition II and Accelerated English. Presented to Board of Trustees Student Success Subcommittee on overview of Development English courses and progress of Developmental English students in English course sequences. Contributed to the writing of the Title III grant application. Lead the PEEPS (Program for Embedded English PartnerS) Project.

### **Co-Chair of Teaching and Learning Resources Committee**

**2014-2016**

Serve as advocate for faculty and staff in improving teaching and learning resources at the College. Collaborate with facilities and IT to improve classroom conditions and IT services.

### **Faculty Lead. Accelerated English Pilot**

**2011-2012**

Conducted research on accelerated developmental English models nationally. Worked collaboratively with fellow developmental English instructors to design Accelerated English course and place students appropriately. Created marketing materials. Worked with Advising to explain and promote course.

### **Chair. Professional Development Committee**

**2010-2012**

Led college-wide, inter-disciplinary professional development luncheons monthly. Collaborated with HR to create program for Professional Days. Evaluated applications for all summer faculty professional development grants.

### **ESL Coordinator**

**2008-2012**

Led ESL Program meetings. Led ESL Program Review (2009-2010). Established ESL Advisory Board (2012). Developed and revised ESL courses. Advised ESL instructors about curriculum. Collaborated with marketing to develop ESL web page and brochures. Led ESL II Exit Assessment.

**Interim Dean of Humanities**

**9/12-6/13**

Provided leadership to uphold academic excellence and foster student success across all divisional department. Led the revision of the Associate in Arts Liberal Arts degree to ensure program acceptance at MassTransfer institutions. Provided leadership in establishing course outcomes and course content summaries for all divisional courses. Promoted the professional development of faculty, including training in teaching reading. Oversaw the implementation of the Accelerated English pilot. Led the recruitment and integration of 7 new adjunct faculty members. Led the transition to Accuplacer in placing students in English courses. Scheduled all humanities courses and faculty assignments. Supervised the program review for the General Studies and Liberal Arts: Communication degrees. Operated the 2012-2013 divisional budget and prepared the 2013-2014 divisional budget.

**Bergen Community College, Paramus, NJ**

**9/04 – 6/07**

**English Basic Skills Instructor (Tenure Track)**

Instructed developmental and college-level English courses to diverse student body, fostering a student-centered, active learning environment. Collaborated with English Department faculty to create program outcomes, determine student placement, update course curricula, and assess student writing. Led Faculty Seminar on Diversity Studies for the Center of the Study of Intercultural Understanding. Served on the Admissions and Faculty Development Committees. Led Faculty and Student Seminar for Women's History Month. Collaborated with the Center for Collegiate Deaf Education to ensure student access to and familiarity with assistive technology and support services. Advised students.

**Developmental Courses** (EBS 014/015, EBS 016/017, EBS 023/024): Designed and instructed developmental English curriculum to improve students' reading and writing practices; focused on meeting the needs of specific populations including ESL students and students with disabilities. Collaborated with English faculty to develop course outcomes. Assisted students in improving reading comprehension by engaging them in pre-reading strategies, annotation, and problem solving in small groups. Guided students in developing college-level writing skills through frequent writing assignments such as reading journals, peer reviews, multi-draft essays, genre writing, self-assessments, and a literacy narrative. Scaffolded assignments with graphic organizers and in-class pre-writing. Conferred individually with students on multiple drafts of papers.

**College-Level Course** (WRT 101): Designed and instructed college-level English curriculum to improve students' academic reading and writing practices. Promoted critical thinking skills by engaging students in close reading practices and scaffolding reading assignments. Used a process-approach to the teaching of writing and guided students in developing meta-cognitive skills through the use of double-entry journals, multi-draft papers, and self-assessments. Assisted students in improving digital literacy practices by engaging web-based resources and creating web-based writing such as discussion boards, op-ed comments on online newspapers and blogs. Guided students in all stages of writing an ethnographic or autoethnographic research paper.

**Baruch College of the City University of New York. New York, NY**

**8/01 – 6/04**

**English Lecturer (Adjunct)**

Instructed two 3-credit English courses per semester to urban student body. Engaged students in critical analysis of multiple genres of literature and in developing rhetorical skills in writing. Facilitated interactive classroom activities including group work, peer tutoring, & guided discussion. Assisted students in writing literary and social issue research papers. Courses taught included Eng 2100: Introduction to Composition and Eng 2150: Introduction to Literature.

**Kaplan International Centers. New York, NY**

**8/01 – 6/04**

**Master Teacher**

**5/04—6/04**

Trained all new Academic English teachers in program pedagogy, cultural competencies, and the Lexical Approach. Collaborated with teachers and Center Director for ongoing program development.

**ESL Teacher**

**8/01—6/04**

Instructed beginner through advanced ESL classes to international students from over 35 countries. Courses taught included General Intensive English, TOEFL & Academic English, and Advanced Business English.

**Mountbatten Internship Programme. Academic Director. New York, NY**

**6/00 – 8/01**

Administered and awarded University of Cambridge Certificate in International Business Practice to successful candidates among 150 European interns. Updated curriculum in all courses: Public Speaking, US Business Practice, US History, American Literature, and Career Development. Taught Public Speaking course. Hired and supervised all instructors. Facilitated University of Cambridge accreditation visits. Oversaw final assessment of interns' end-of-year performance improvement project. Conducted exit interviews and exit assessments of all interns. Collaborated with colleagues in the United Kingdom to develop curriculum for US internship program in London.

**Kingsborough Community College. English Lecturer (Adjunct). Brooklyn, NY**

**8/99 – 6/00**

- Instructed one 8-hour developmental English course per semester, English 92: Developing Competence in Reading and Writing.
- Participated in Writing Program Portfolio Assessment.

**Long Island University. English Lecturer (Adjunct). Brooklyn, NY**

**8/99—6/00**

- Instructed one 6-hour developmental reading and writing course per semester: English 14
- Participated in English 14 exit assessment and collaborated with English faculty to update Brooklyn-themed writing curriculum.

**Northeastern University. Graduate Student Teaching Assistant. Boston, MA**

**8/97—5/99**

- Independently developed curriculum and taught two English courses per trimester to undergraduates. Courses included Engl 1111: College Writing and Engl 1102: College Writing SOL (for Speakers of Other Languages).
- Participated in weekly professional development seminars on composition pedagogy.

**Kaplan International. Part-Time ESL Instructor. Boston, MA.**

**8/96—8/99**

- Taught all levels of academic English courses, including TOEFL and film courses, for college-bound students.
- Tutored students one-on-one in writing and TOEFL test preparation.

**Boston Center for Adult Education. Part-Time ESL Instructor. Boston, MA.**

**8/96---8/97**

- Taught beginner-level ESL courses to diverse immigrant and refugee populations.

**Cambridge Center for Adult Education. Part-Time ESL Instructor. Cambridge, MA. 8/96—8/97**

- Taught intermediate-level ESL courses to diverse immigrant and refugee populations.

**Masconomet Regional High School. English Teacher. Boxford, MA.**

**9/94 – 9/96**

- Instructed 11<sup>th</sup> grade American Literature, 10<sup>th</sup> grade British Literature, and Oral Communication courses.
- Led various Education Reform Workshops as member of Education Reform Steering Committee.
- Coached Freshman Girls' Field Hockey Team.

**The Caledonian School. ESL Instructor. Prague, The Czech Republic**

1/93 – 7/94

- Instructed ESL to Czech professionals of all proficiency levels in corporations and private classes.
- Instructed ESL to Czech youth at the Caledonian Camp for Juniors. Horni Bradlo, the Czech Republic.
- Tutored ESL to Czech professionals and youth.

**Holy Cross College. English Graduate Student-Teacher. Kenmare, Ireland**

10/92 – 12/92

- Instructed Irish and American literature to 1<sup>st</sup> and 3<sup>rd</sup> year students; served as substitute French teacher.
- Assisted in coaching the Holy Cross College Debate Team.

**SELECTED PRESENTATIONS**

“What Does Acceleration Mean for English Language Learners in a Community College?” presented at Massachusetts Association of Teachers of Speakers of Other Languages Community College ESL Conference. October 27, 2017.

“Retention through Empathy in Literature Classes.” Sophomore Literature “Vision Project” Symposium. April 11, 2014 and May 20, 2014. UMass Boston. Boston, MA.

“Welcome Address on the Humanities Today” delivered at the Community College Humanities Association Eastern Division Conference. Boston, MA. November 15-17, 2012.

“Helping Multilingual Students Succeed at MassBay” presented as part of Professional Development Spring Series. March 2011.

Served on panel discussion for “The Trauma Narrative in the Writing Classroom.” Presented with Jon Edwards, Marjorie Saunders, Matt Walsh, and Jeanie Tietjen at the 14th Annual Teaching, Learning, & Student Development Conference. MassBay Community College. Wellesley Hills, MA. April 2011.

“The Promise of ePortfolio” presented at MassBay Professional Day with Barbara-Anne Kearney and Matt Walsh. MassBay Community College. Wellesley Hills, MA. January 2011.

“Can Money Buy Happiness? Collaboration and Hands-on Learning in Documentation” presented at The Role of Textual Evidence in Student Reading and Writing, A Faculty Forum for Community Colleges and the Boston Public Schools. Roxbury Community College. Boston, MA. November 1 and December 6, 2011.

Participated in Roundtable Discussion on “Responding to Representations of Trauma in College Writing”. Two Year College English Association (TYCA). Boston, MA. Nov. 6, 2009.

“MassBay’s OneBook Project” presented with Matthew Walsh at Massasoit Community College. Canton, MA. May 2009.

“The Space Between: Bergen Community College’s Campus Diversity Initiative.” New Jersey Campus Diversity Initiative. Bergen Community College. Paramus, New Jersey. May 2007.

“On Prisons and Cell Phones: Using Role Play and Debate to Teach Argumentative Writing.” New Jersey Association of Developmental Education. Brookdale Community College. Lincroft, NJ. May 2006.

## AWARDS

- Received the Marilyn Sternglass Award of City College's Graduate Department of English for paper, "When Mom Goes to School: One Student Mother's First Year Experience of College." May 2006.
- Awarded Northeastern University English Department Medal for earning highest score among all examinees on M.A. Comprehensive Examination. May 1999.
- Awarded one of three graduate fellowships for Northeastern University's Institute on Writing and Teaching. Martha's Vineyard, MA. Summer 1998.
- Received Honorable Mention for paper "Women and the Working Classes in Elizabeth Gaskell's *North and South*" in Northeastern University's Graduate Student Essay Competition. May 1999.

## LANGUAGE SKILLS

Proficient in written and spoken French; beginner-level Spanish.

## VOLUNTEER EXPERIENCE

### **Jewish Family and Children's Service. Waltham, MA.**

**2015 - present**

Serve as a Family Table volunteer packing and serving food to residents of MetroWest who are experiencing food insecurity

### **High Rock-Pollard PTC Volunteer. Needham, MA.**

**2019-2021**

### **Chair, ParentTalk Career Moms. Needham, MA.**

**2010-2011**

### **Needham Babysitting Coop. Needham, MA.**

**Member**

**2008-2018**

**President**

**2015-2016**

### **Volunteer Docent. Morris-Jumel Mansion. New York, New York**

**2004-2006**

**Oscar E. Mertz III**  
67 Rybury Hillway  
Needham, MA 02492

Date: August 31, 2021

Re: Application for Citizen-At-Large representative  
on the Affordable Housing Study Committee

Dear Needham Planning Board:

I am very excited by the timely establishment of this committee by the Needham Planning Board, and Planning Director, to address the critical issue of affordable housing in Needham. Over the past six months, I have become a volunteer with Equal Justice in Needham, joining a group of residents to focus on understanding Needham's challenges and opportunities for expanding housing choice. As the Planning Board has noted, there are several economic factors at play, and it is clear that Needham must address the inequities in our housing offerings. Rising housing prices and limited affordable options reflect a trend that threatens the overall economic viability and social fabric of the town if it continues without our attention to possible solutions.

The attached resume reflects my career as an architect and planner with involvement in building and planning projects across the country. Master planning of urban and suburban communities is of particular interest, as I can apply accumulated experience designing multiple building types to craft a variety of master plans, all with different contexts and socioeconomic forces to consider. Working with a range of clients and municipalities has provided valuable exposure to diverse zoning strategies. The goal has always been to balance the complex interrelationships of building uses, analyze the appropriate density, strive for dynamic placemaking, and prepare a project to be a catalytic influence and an economic success.

Thank you for your consideration for the citizen-at-large position. If selected, I would be an active, passionate representative, committed to the goals of the committee.

Sincerely,

A handwritten signature in black ink, appearing to read 'Oscar Mertz', with a stylized, cursive script.

Oscar Mertz

*Attachment: OEM3 resume*



#### EDUCATION

MASTER OF ARCHITECTURE  
YALE UNIVERSITY SCHOOL OF  
ARCHITECTURE, 1988

BACHELOR OF ARCHITECTURE  
PRINCETON UNIVERSITY, 1982

#### LICENSURE

REGISTERED ARCHITECT  
MASSACHUSETTS #7893

#### AFFILIATIONS

AMERICAN INSTITUTE OF ARCHITECTS

BOSTON SOCIETY OF ARCHITECTS

LEED ACCREDITED PROFESSIONAL

#### FIRM TENURE

30 YEARS

#### ELKUS MANFREDI ARCHITECTS

### Oscar Mertz III AIA, LEED AP

SENIOR ASSOCIATE, ARCHITECT

#### RELEVANT EXPERIENCE

**10 CITYPOINT**  
WALTHAM, MASSACHUSETTS

**74 MIDDLESEX AVENUE LAB/OFFICE**  
SOMERVILLE, MASSACHUSETTS

**195 FIRST STREET – 77 LINSKEY WAY**  
CAMBRIDGE, MASSACHUSETTS

**ANACOSTIA WATERFRONT – BALLPARK DISTRICT**  
WASHINGTON, DC

**ASBURY PARK MASTER PLAN**  
ASBURY PARK, NEW JERSEY

**ATHENAEUM BUILDING**  
CAMBRIDGE, MASSACHUSETTS

**BAYOUTECH PARK**  
HOUSTON, TEXAS

**BERTUCCI'S**  
VARIOUS LOCATIONS NATIONWIDE

**BIRMINGHAM CITY CENTER**  
BIRMINGHAM, MICHIGAN

**BLOOMFIELD PARK**  
PONTIAC, MICHIGAN

**BUTTONVILLE MASTER PLAN**  
MARKHAM, ONTARIO, CANADA

**CASINO MASTER PLAN**  
LOCATION CONFIDENTIAL

**CITYPLACE**  
WEST PALM BEACH, FLORIDA

*Award for Excellence, (Large-scale Mixed-use),  
Urban Land Institute, 2002*

*Superior Achievement in Design and Innovation,  
Retail Traffic Magazine, 2002*

**COPLEY PAVILION**  
BOSTON, MASSACHUSETTS

**OSCAR MERTZ III AIA, LEED AP****CRYSTAL PALACE**

BEIJING, CHINA

**ONE DAYTONA MIXED-USE**

DAYTONA BEACH, FLORIDA

**DOWNTOWN SAN JOSÉ**

SAN JOSÉ, CALIFORNIA

**EASTON TOWN CENTER**

COLUMBUS, OHIO

**FAIRVIEW POINT CLAIRE MASTER PLAN**

MONTRÉAL, CANADA

**THE FRANKLIN MINT**

MIDDLETOWN TOWNSHIP, PENNSYLVANIA

**FRONT STREET**

HARTFORD, CONNECTICUT

**GRAND AVENUE MASTER PLAN**

LOS ANGELES, CALIFORNIA

**THE HARBOR MERIDA**

MERIDA, MEXICO

**HARVARD UNIVERSITY GRADUATE SCHOOL OF BUSINESS  
ADMINISTRATION – KRESGE HALL**

BOSTON, MASSACHUSETTS

**HEART OF ISRAEL MASTER PLAN**

TEL AVIV, ISRAEL

**HEARTLAND TOWN CENTER**

ISLIP, NEW YORK

**HIGH STREET MASTER PLAN**

ATLANTA, GEORGIA

**HMV RECORD STORE – ROCK AND ROLL HALL OF FAME**

CLEVELAND, OHIO

**INDEPENDENCE HARBOR**

PENN'S LANDING, PENNSYLVANIA

**LAGUARDIA AIRPORT CENTRAL TERMINAL BUILDING**

FLUSHING, NEW YORK

**LIVE! RESORTS POMPANO**

POMPANO BEACH, FLORIDA

**MIXED-USE RESIDENCES**

LOMAS VERDES, MEXICO

**MOYNIHAN EAST**

NEW YORK, NEW YORK

**NATIONAL LANDING**

ARLINGTON, VIRGINIA

**NEW ENGLAND SPORTS AUTHORITY – LIBERTY TREE MALL**

DANVERS, MASSACHUSETTS

**THE PARK SAN LUIS POTOSI**

SAN LUIS POTOSI, MEXICO

**PALAMANUI**

NORTH KONA, HAWAII

**PHILADELPHIA INTERNATIONAL AIRPORT**

PHILADELPHIA, PENNSYLVANIA

**PIER 40 COMPETITION**

NEW YORK, NEW YORK

**PORT COVINGTON MASTER PLAN**

BALTIMORE, MARYLAND

**PUTNAM INVESTMENTS – CUSTOMER SERVICE CENTER**

NORWOOD, MASSACHUSETTS

**RELATED SANTA CLARA**

SANTA CLARA, CALIFORNIA

**RESTON TOWN CENTER EXPANSION**

RESTON, VIRGINIA

**RETAIL TOWN CENTER**

SAN LUIS POTOSI, MEXICO

**RIVIERA BEACH MASTER PLAN**

RIVIERA BEACH, FLORIDA

**SCOTTSDALE WATERFRONT**

SCOTTSDALE, ARIZONA

**THE SHOPS AND RESTAURANTS AT HUDSON YARDS**

NEW YORK, NEW YORK

**ST. PAUL CROSSING**

BROOKLINE, MASSACHUSETTS

**STREETS OF WOODFIELD**

SCHAUMBURG, ILLINOIS

**THE MANSION RESIDENCES AT TURNER HILL**

IPSWICH, MASSACHUSETTS

**THE RESIDENCES AT THE COLONNADE**

BOSTON, MASSACHUSETTS

**THE SHOPS AT SAKS FIFTH AVENUE**

WHITE PLAINS, NEW YORK

**OSCAR MERTZ III AIA, LEED AP**

**TOWN SQUARE METEPEC**  
METEPEC, MEXICO

**UNION PARK MASTER PLAN**  
LAS VEGAS, NEVADA

**UNION POINT MASTER PLAN**  
WEYMOUTH, MASSACHUSETTS

**UNIVERSITY OF PENNSYLVANIA – UNIVERSITY SQUARE**  
PHILADELPHIA, PENNSYLVANIA

**UPTOWN CHARLOTTE**  
CHARLOTTE, NORTH CAROLINA

**URBAN DEVELOPMENT PROJECT**  
STAMFORD, CONNECTICUT

**VAIL LIONSHEAD PARKING STRUCTURE REDEVELOPMENT**  
VAIL, COLORADO

**VICTORY PARK**  
DALLAS, TEXAS

**THE HOUSE RESIDENCES AT VICTORY PARK**  
DALLAS, TEXAS

**WEST AVENUE**  
NORWALK, CONNECTICUT

**WHITE FLINT MASTER PLAN**  
ROCKVILLE, MARYLAND

**PREVIOUS EXPERIENCE**

**DONHAM & SWEENEY, INC**

**POLICE HEADQUARTERS**  
FRAMINGHAM, MASSACHUSETTS

**KALLMANN, MCKINNELL & WOOD**

**COLUMBIA UNIVERSITY SCHOOL OF LAW**  
NEW YORK, NEW YORK

**WASHINGTON UNIVERSITY IN ST LOUIS – NATURAL  
SCIENCES BUILDING**  
ST LOUIS, MISSOURI

**YALE UNIVERSITY – BIOCHEMISTRY/BIOPHYSICS  
LABORATORY**  
NEW HAVEN, CONNECTICUT

**PETER KURT WOERNER & ASSOCIATES**

**HERBERT S NEWMAN, ARCHITECT**

**ALLEN GREENBERG, ARCHITECT**

**SHORT & FORD ARCHITECTS**

**FOUR PRIVATE RESIDENCES**  
CONNECTICUT AND NEW JERSEY

**From:** [wes soper](#)  
**To:** [Planning](#)  
**Subject:** application - Affordable Housing Study Committee  
**Date:** Tuesday, August 17, 2021 10:49:13 AM  
**Attachments:** [Wes Soper resume 8.13.2021.pdf](#)

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Dear Planning Board,

I am writing to express my interest in joining the Affordable Housing Study Committee which I recently learned about in *Needham Hometown Weekly*. As a Needham resident and young professional working in the affordable housing industry I believe I am qualified to serve in this role and would be excited to contribute to delivering a comprehensive Housing Plan for the town.

I currently work for TCAM (Tax Credit Asset Management), we are a Boston-based organization that works with variety of clients across the country in the affordable housing industry. TCAM started off focused on LIHTC deals but has evolved to now engage in all types of affordable housing including Section 8, public housing, as well as state and local housing programs. As part of the Advisory Team at TCAM, our group provides a wide range of consulting services for state and municipal housing agencies, housing authorities, and affordable housing developers. In my two years with the organization I have worked on many engagements, please see my resume (attached) for specific experience.

On a less-tangible level - I am particularly excited about the prospect of serving my community and collaborating with others who share my enthusiasm about this issue. While it is my belief that Needham is actually doing quite well in terms of providing adequate affordable housing (especially relative to other areas in the US, but also compared to other MA towns), I do believe there is potential for improvement. I would welcome the opportunity to contribute to this effort.

I am attaching my resume and am available to discuss my qualifications in further detail. Thank you and I look forward to your response.

Regards,  
Wes

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**Wes Soper**

207.653.9658

[wessoper20@gmail.com](mailto:wessoper20@gmail.com)

# Wes Soper, MBA

Boston, MA | 207.653.9658  
wessoper20@gmail.com | LinkedIn.com/in/wessoper

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## PROFESSIONAL EXPERIENCE

**Tax Credit Asset Management - Boston, MA** 2019 – Present

### Advisory Associate

Member of Advisory Team who provides a wide range consulting services for state and municipal housing agencies, housing authorities, and affordable housing developers. Specific experience includes:

- **Asset Management Services** – Financial reporting and compliance monitoring on a portfolio of 16 client properties.
- **Deal Underwriting** – Provided underwriting consulting on eight deals for which client was a lender.
- **Y15 Consulting** – Built model for forecasting scenarios and valuations for client engaged in three Y15 negotiations.
- **Transactional Services** – Cash flow calculations for a client portfolio of 28 properties.
- **Additional Consulting** – 1. Analyst on two engagements where tasked to assess client processes and deliver recommendations; 2. Wrote two memos to industry members that benchmarked AM task distribution and how PM groups fit within organizational structure; 3. Delivered year-end exposure report to client who acts as guarantor on a portfolio of 37 properties.

**Boston University - Boston, MA** 2012 – 2019

### Department Administrator

Responsible for efficiently running all day-to-day operations of Political Science Department while also supporting leadership in the creation and implementation of initiatives aiming to advance organizational goals. Specific areas and initiatives included:

- Senior management (Chair) communications; effectively communicate all important developments to Chair ('CEO'); disseminate information outward to all relevant parties.
- Managed all departmental finances, including a \$2M annual operating budget.
- Supervised a team of Executive Office Associates (between 5-7 direct reports)
- Improved brand awareness through alumni outreach, website redevelopment, and appointment of visiting scholars.

**Grantham, Mayo, Van Otterloo, LLC - Boston, MA** 2010 – 2011

### Client Service Associate

- Effectively managed communications through proper channels, including portfolio managers, relationship managers, and transfer agents.

**Blackrock Investments, Inc. - Boston, MA** 2007 – 2010

### Investment Services Representative

- Provided shareholders and financial advisors with service and market information on over 200 investment vehicles.

## EDUCATION

**Boston University, Questrom School of Business - Boston, MA**

MBA (5/17)

**Wheaton College, Norton, MA**

Bachelor of Science (5/07)

## VOLUNTEER INITIATIVES

**Safe Passage – Guatemala City, Guatemala** 2009 – 2015

### Treasurer and Event Coordinator, Boston Friends Group (2010-2015)

- Provided leadership in the organization of fundraising events and the expansion of programmatic awareness.

### Classroom Volunteer (2009)

- Provided educational reinforcement and helped build self-esteem in underserved youth in Guatemala City.

**From:** [Rhonda Spector](#)  
**To:** [Planning](#)  
**Subject:** Affordable Housing Study Committee  
**Date:** Thursday, August 12, 2021 2:27:32 PM  
**Attachments:** [Rhonda Spector Resume 2021 .docx](#)

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Dear Lee,

I am interested in being a member of the Affordable Housing Study Committee Needham is forming to revisit the town's housing agenda.

I have worked in economic development for most of my career and specifically worked on affordable housing development first in Holyoke when I worked at MassDevelopment, and then for the past six years as the Director of Development for 2Life Communities. At 2Life, I worked on both renovation and new construction of multifamily affordable housing for seniors. In my work at Massport and Massdevelopment I managed many planning and feasibility studies for a variety of types of projects.

I am currently working with Affirmative Investments part-time as a development consultant. Affirmative is an affordable housing developer working on small and medium sized community projects.

My resume is attached. I look forward to hearing from you about working on the Committee.

Sincerely,  
Rhonda Spector

**Rhonda Spector**  
Needham, Massachusetts  
617-447-0799 | [Rhonda@Spectortm.com](mailto:Rhonda@Spectortm.com)

Senior level professional with leadership experience in real estate development as well at regulatory agencies at both state and local levels. Demonstrated success development, planning, permitting, community engagement and in leading sustainable projects.

## **EXPERIENCE**

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### **Director of Real Estate Development**

2Life Communities

Boston

2015 – 2021

Leading the LEED-certifiable development of a \$10 million headquarters for 2Life Communities.

- Managed \$77 million refinance and rehabilitation of a 209-unit affordable housing community, including financing, design, construction, sustainability, and resident relocation. Project included renovation of all units, common areas, and \$2 million courtyard with fitness equipment and community gardens. Awarded an Enterprise Green Community designation.
- Spearheaded *Aging in Community* initiative for moderate-income seniors that modeled a new type of community. Negotiated a Purchase and Sale Agreement for a 4-acre site in Newton, and directed a multi-faceted finance, operations, design and marketing team.
- Site selection work - analyzed potential sites across Greater Boston for redevelopment opportunities including zoning and feasibility analyses.

### **Vice President, Planning and Development**

MassDevelopment

Boston

2005 - 2013

- Led partnership between the Holyoke Housing Authority, City of Holyoke, Massachusetts Housing Partnership and MassDevelopment to create a plan for redeveloping Lyman Terrace, a public housing community in Holyoke. Supervised team, consultants, community process and negotiations with government agencies, business leaders, neighbors and residents. Project led to a RFP and successful community redevelopment.
- Managed all aspects of the rollout of sustainability practices for MassDevelopment. Member of Governor Deval Patrick's Zero Net Energy Task Force, and oversaw the first two Zero Net Energy housing developments in Devens.
- Provided technical assistance to cities and towns across the Commonwealth, including a Canal District master plan, Lawrence; Urban renewal plan, Gardner; Downtown plan, Worcester; and Garage feasibility and parking management plans, Medford and Natick. Sponsor and panelist for Urban Land Institute Technical Assistance Panels in Lawrence, Framingham and Haverhill.
- Managed regional economic development academies to formulate and implement educational forums for municipal leaders. Held regional conferences with public policy leaders and 50 to 85 participants on topics ranging from urban housing policy to the creative economy.

### **Senior Project Manager**

National Development

Newton

2004

- Oversaw all aspects of permitting and pre-development for a 180-unit new construction development at Woodland Station, Newton, and a 425-unit development on a 70-acre site in Burlington. Prepared a 40B Comprehensive Permit application and negotiated a 99-year ground lease with the MBTA. Supervised all consultants and produced financial analyses for both projects.

**Economic Development Officer**  
Town of Brookline

Brookline  
2002 - 2003

- Acquired approval of a Town Meeting district re-zoning for a 229,000 square foot office building at 2 Brookline Place.
- Led Board of Selectmen committee for development of a town-owned 5-acre site for affordable housing.

**Senior Project Manager**  
Carpenter and Company

Cambridge  
1998 – 2001

- Produced a winning proposal in response to a Town Request for Proposals for a \$30 million Marriott Courtyard Hotel in Brookline. Supervised project team and extensive community and design review process. Won Town Meeting approval and completed permitting. Negotiated and executed a long-term ground lease with the Town.

**Senior Project Manager**  
Massachusetts Port Authority

Boston  
1988 - 1997

- Managed rehabilitation of a \$7.2 million conference center on the Boston Fish Pier. Supervised design, construction, installation of state-of-the-art communication technology, exhibits, furnishings and oversaw commencement of operations.
- Negotiated development options and ground leases with the World Trade Center Boston for the Seaport Hotel and East Office Building. Supervised planning, design review and permitting for both properties.
- Executed Development Agreement with Carpenter and Company for the \$100 million Hilton Hotel at Logan International Airport. Secured all hotel approvals from Massport Board of Directors.

## **EDUCATION**

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**Boston University Graduate School of Management**  
Master's of Business Administration, Finance

**University of Massachusetts, Amherst**  
Bachelor of Arts, Economics, Phi Beta Kappa, *Cum Laude*

**From:** [Laura Surdel](#)  
**To:** [Planning](#)  
**Subject:** Affordable Housing Study Committee  
**Date:** Sunday, August 29, 2021 10:40:45 AM  
**Attachments:** [Laura Surdel Resume 2020 Town.pdf](#)

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Good morning,

I am writing to express interest in a position on the town's Affordable Housing Study Committee. I have spent my career in the affordable housing space, providing equity financing for affordable housing developments across the country. It is always extra special to be involved in the development of affordable housing more locally, and I have worked on several projects in Massachusetts, including a large renovation of affordable housing in Salem, MA in June. I am interested in bringing my experience to my home town to help study Needham's affordable housing, and provide ideas and insight into best practices that I have seen result in exceptional developments in affordable housing throughout Massachusetts and the country.

Thanks for your consideration and I look forward to hearing from you.

Laura Surdel  
199 Tudor Road  
781-223-8397

# Laura A. Surdel

199 Tudor Road, Needham, MA  
(781)223-8397 • [lsurdel@yahoo.com](mailto:lsurdel@yahoo.com)

LIHTC Originator with personal brand | Creative and solutions-oriented problem solver | Proven expert and trusted partner | Extensive affordable housing knowledge

## PROFESSIONAL EXPERIENCE

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### **Boston Financial Investment Management, Boston, MA**

*Senior Vice President, Production*

(12/20-Present)

- Originate, Evaluate, Structure, Underwrite, and Close Low Income Housing Tax Credit ("LIHTC") transactions.

### **Boston Capital, Boston, MA**

*Vice President, Acquisitions*

(12/2010-12/2020)

- Top producer at Boston Capital for 10 years. Closed in excess of \$1.3 billion in LIHTC equity across 140+ properties. Contribute, on average, 20% of the annual Acquisitions revenue.
- Acquire and develop multiple high profile and strategic developer relationships for investments in CA, CO, MA, ME, ID, WY, MT, FL, AK, UT, VA, NC, NV, ND, SD, NY, TN, MD and IL. Originate new relationships, driven by investor footprints and needs.
- Manage and implement creative solutions to highly complex and large scale (\$50MM) transactions.
- Negotiate legal documents, deal terms with developers while maintaining investor requirements.
- Coordinate, as needed, both internally across departments and externally with direct investor communication to manage and strategically place equity for high volume clients. Lead team discussions on high profile and high volume clients. Create strategic alliances to support large scale clients. Strong relationships with many Lenders across the industry.
- Effectuate upper tier closings with multiple investors, including most major banks. Create pipelines for new investors and participate in strategic meetings with new and existing investor clients.
- Manage, train and develop long-term internal Analyst talent.

*Acquisitions Associate*

(12/2005-12/2010)

- Originated a book of repeat developer clients, created new relationships for Boston Capital, as well as maintained and expanded existing relationships with developers.
- Modeled and structured LIHTC investments, issue LOIs.
- Coordinated and completed real estate transaction closings. Collaborated with attorneys, in-house underwriting and Acquisitions teams. Funded equity at closing through Line of Credit.

*Acquisitions Analyst*

(12/2002-12/2005)

- Maintained financial model, Investment Summary, Investor required summaries and market analyses. Managed Due Diligence Process of closing LIHTC transactions.
- Assisted VP with underwriting, sponsor analysis, credit analysis, tax issues.

## EDUCATION

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MBA, Babson College, Wellesley, MA  
BA, Economics and Math, Bowdoin College, Brunswick, ME

September 1, 2021

Peter J. Vergados  
5 Crestview Road  
Needham, MA 02492

Ms. Lee Newman  
Director  
Planning and Community Development  
500 Dedham Avenue  
Needham, MA 02492

Dear Ms Newman:

I am writing in response to The Needham Planning Board establishing a study committee to develop a comprehensive Housing Plan for Needham.

Having been a Real Estate Appraiser for over 40 years and observed first hand major demographic shifts in population, lends credibility to serving on this study committee.

I have lived in Needham for over 15 years. My community involvement includes coaching youth baseball and Pop Warner Football for 10 years.

Although my resume leans toward the management and appraisal of commercial properties, my first position in real estate was the management and leasing of a two residential apartment complexes in Norwood, MA which were eventually converted to condominiums and cooperative apartments. I am also a licensed Real Estate Broker.

Thank you again for your kind consideration. I look forward to discussing this opportunity with you further.

Sincerely,

*Peter J. Vergados*

**PETER J. VERGADOS**  
**5 Crestview Road**  
**Needham, MA. 02492**  
**E-Mail: Delhipjv@aol.com**

**781-453-8949 (Home)**  
**617-964-0077 (Cell)**

**Statement of Qualifications Peter J. Vergados, MBA, SPA**

Practice involves the valuation of real estate to include, single family, multi-family, condominium, land, mixed use properties and various commercial type properties including, gas stations, retail stores, shopping plazas and small apartment complexes.

**Formal Education and Specialized Training**

Boston University, BS in Aeronautical Engineering and Management, Babson College, MBA. Specialized Education included Appraisal Institute II Urban Real Estate Properties, IB Capitalization Theory, and IA Principles of Real Estate Appraisal, and various courses and seminars to maintain license currency.

**Professional Associations**

National Association of Professional Appraisers, Senior Professional Appraiser (SPA) designation Expert Witness Experience. Middlesex & Essex County Superior Courts

**Professional Experience**

2007-Durkin Valuation Consultants, Senior Real Property Appraiser. From 1980, P. J. Vergados Associates: Real Estate Appraisal, Property Management and consulting activities including Market Value appraisals, Construction Cost estimates, general consulting on real estate matters. 1979 to 1980 Alpha Development Corporation. Project Management proposed commercial buildings. Management of existing commercial properties. Negotiated lease agreements and leasehold improvements with prospective tenants. 1978 to 1979 GTE Sylvania Real Estate Administrator Undertook and performed assignments in specific areas of real estate activity. Analyzed alternative solutions including costs, negotiated terms and conditions of real estate contracts. Prepared feasibility studies, evaluated real estate taxes, maintained data on real estate markets and trends. 1976 to 1978 IDS Realty Trust, Boston, Ma: Management and leasing of two 60,000+ square foot shopping centers in Raynham and Swansea, Massachusetts, 1970 to 1974 Marlboro Investment Corporation Commercial Division leased and managed office buildings and existing shopping centers. Finance Division Prepared projected financials and market surveys for planned projects.

Retired Major, U.S. Air Force 6 years active duty. 16.5 years MA Air National Guard. Rated Pilot, various duties included Flight Safety, Air Operations and Training. Decorations: Distinguished Flying Cross, 15 Air Medals, Vietnam Cross of Gallantry with

## NEEDHAM PLANNING BOARD MINUTES

June 29, 2021

The Needham Planning Board Virtual Meeting using Zoom was remotely called to order by Paul Alpert, Chairman, on Tuesday June 29, 2021, at 7:15 p.m. with Messrs. Jacobs and Block and Mmes. McKnight and Espada, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Mr. Alpert took a roll call attendance of the Board members and staff. He noted this is an open meeting that is being held remotely because of Governor Baker's executive order on March 12, 2020 due to the COVID Virus. All attendees are present by video conference. He reviewed the rules of conduct for zoom meetings. He noted this meeting does include a public hearing and there will be public comment allowed. If any votes are taken at the meeting the vote will be conducted by roll call. All supporting materials are posted on the town's website.

### **ANR Plan – Pinewood Landholdings, Inc., Petitioner (Property located at 107 Thornton Road, Needham, MA).**

Matt Hughes, applicant, noted this is a single-family, existing dwelling that will be demolished, and 2 lots will be made. 107 Thornton Road is a good size lot, then there is a smaller lot. The 2 lots will be combined. Parcel A was gifted to the family at 121 Thornton Road. Mr. Block asked if a house will be built on each lot and was informed yes. Both houses are under the FAR requirement. Ms. Newman noted the staff and engineering have reviewed and are fine with this. Both lots have required minimum square footage and frontage. Mr. Jacobs stated the plan bears a comment that does not bless this zoning-wise. Mr. Block noted Lot 2 says there is 70.45 feet of frontage. Mr. Hughes clarified 9.55 feet have been added due to the bend in the road.

Upon a motion made by Mr. Block, and seconded by Mr. Jacobs, it was by a roll call vote of the five members present unanimously:

VOTED: to accept the ANR as presented for the property at 107 Thornton Street and endorse the plan as ANR.

### **Public Hearing:**

### **7:30 p.m. – Amendment to Major Project Site Plan Review No. 2005-07: Needham Gateway LLC, 66 Cranberry Lane, Needham, MA, Petitioner (Property located at 100 and 120 Highland Avenue, Needham, MA). Regarding request to amend the Decision to allow in the existing development all of the uses allowed by right or by special permit in the zoning district.**

Upon a motion made by Mr. Jacobs, and seconded by Ms. McKnight, it was by a roll call vote of the five members present unanimously:

VOTED: to waive the reading of the public hearing notice.

Rick Mann, representative for Needham Gateway LLC, noted this is the Panera Bread Mall. It consists of 2 buildings with 23,448 square feet with 97 parking spaces. 120 Highland Avenue houses Panera Bread and others, and 100 Highland Avenue has 10,628 square feet with Frank W Webb. He noted 55% of the leases will end in 2022. The applicant would like to amend the 2006 special permit, which restricts uses at 100 and 120 Highland Avenue. Section 3.3 expressly prohibits many uses in that area. There have been many changes in the retail world since 2006 and it has been worse since Covid. The prohibitions have placed an unfair competitive advantage among the competitors in the area and on Needham Street in Newton. The abutters are concerned with another restaurant. He stated no restaurant is planned as long as Panera remains. He requests the restrictions be removed, Section 3.3 be removed in its entirety and language added that all uses allowed in the Highland Commercial Zoning District shall be allowed by right.

Mr. Alpert asked why Section 3.3 had been included. Ms. Newman gave the historical perspective. There were a lot of concerns raised about parking and traffic at that time. The applicant requested a parking waiver of 30 spaces and stated Panera generated less parking than required. The Board wanted to limit higher traffic uses on the site.

Mr. Block stated he went to the site. He is glad to hear there are lease prohibitions and that they intend to follow all special permit requirements. He asked when Panera Bread's lease is up. Mike Moskowitz, Manager of Needham Gateway LLC, stated there are a number of options. It is a ~~long-term~~ long-term lease. Frank W. Webb is moving. Omaha Steak and Super Cuts have no options to renew their leases. Both indicated they do not want to negotiate a new lease. Mr. Block asked if there were any inquiries from any brokers. Some had looked at it but there are no letters of intent. Mr. Block asked if there has been any discussion regarding a standalone ATM. Mr. Moskowitz stated there has not been as there is no room for it. Mr. Block noted there is concern with people parking on Highland Terrace. Mr. Moskowitz stated "no parking" signs have been put up.

Ms. McKnight stated the permit called for landscaping. She asked if there is reasonable landscaping. Mr. Block stated there were several landscaped islands and trees. Nothing is unkempt. It is colorful and clean. Ms. McKnight stated she would not support what is being proposed unless the usual "no change in use without Planning Board approval" is included. Mr. Jacobs stated his partner, when he practiced law, represented Mr. Moskowitz. He does not feel he needs to recuse himself. There were no issues from other members. Mr. Jacobs stated he agrees with Ms. McKnight. He would not go another way. Ms. Espada asked if anything has changed in the Zoning By-Law in that district since this was awarded. Ms. Newman noted there have been no changes. Ms. Espada asked for clarification as to whether the uses they are asking to change would be by special permit and not by right. That is correct. Mr. Alpert stated below 10,000 square feet is by right and above by special permit up to 25,000 square feet.

Ms. Espada asked if there is a way to create a special permit for the prohibited use to look at independently. Ms. Newman would think about it. Something could probably be done through the site plan special permit ~~process~~ process, and it may be possible to do as an amendment through the site plan special permit process. Mr. Alpert noted the following correspondence for the record: a memo from Fire Chief Dennis Condon with no comments or objections; an email from Police Chief John Schlittler with no comments or objections and multiple emails opposed to applications due to restaurants and Highland Terrace parking from Joe and Eileen Manning of 68 Riverside Street, Ryan and Tonya McKee of 18 Highview Street, Diane Abbott of 69 Highland Terrace, Robert Deutsch of 14 Highview Street and Melanie Prescott of Riverside Street.

Mr. Alpert stated he understands the concerns of the neighbors to some extent. There are no restaurants in town with live music, and he understands the concerns with parking. He noted there is no safe parking on Second Avenue. He stated right now a restaurant would be by special permit and a fitness center would be by special permit. Mr. Mann stated he is not sure that is correct with regard to a restaurant as long as Panera is there. Mr. Block noted Section 3.3 has prohibited all sports clubs and athletic merchandise stores. Mr. Jacobs stated there is no definition of a sports club. Michael Ruddy, of 69 Melrose Avenue, spoke in opposition. He agrees with Ms. McKnight and Mr. Jacobs. The applicant should not have a blanket right of use based on vague uses. This abuts existing residential, and the conditions imposed were for specific reasons. He is troubled with assurances there would be no other restaurants as long as Panera is there. He is concerned with Mr. Block's testimony of the abutters. There should be more transparency on who the tenants are.

Mr. Alpert stated the property straddles 2 zones and there is a difference in what is allowed in the 2 zones. If there is no provision, how do we decide? Ms. Newman stated the building is located in Highway Commercial 1. She would need to look at the site plan to see where the line is. Liz Kaponya, of 27 Highland Terrace, is against a restaurant, bar, grill, take-out only and convenience store. The dumpsters for Frank W Webb are right next to the houses. Panera Bread's dumpster is in the middle of the lot. The Frank W Webb building should not have been allowed. There are 2 or 3 horrible trees that are pouring over into their yards. They are cotton trees with pods that fall all over their yards. The trees are right at the corner of the parking lot. Patricia Baker, of 33 Highland Terrace, stated the Frank W Webb sign shines right into her window. Mr. Block asked when the lease is up for Panera Bread and there was no clear answer. She would like an answer. Any restaurant will bring rats, noise and smells. She would like to know the duration of the long-term lease for Panera as she feels that is key. Mr. Moskowitz noted the dumpster in the middle of the parking lot is for tenant's trash and is picked up 2 times a week. The dumpster at Webb is for cardboard only. All other trash goes into the compactor in the middle of the lot. Webb's lease is up in March 2022 and is moving to the tile store next door. Panera has options for the next 25 to 30 years and have exercised renewal until 2026.

Ms. Espada stated the Board needs to look at zoning globally because things happen and not based on leases. The Planning Board could control by special permit what goes in there. Mr. Jacobs stated it is very important they write the decision with standards and it not be dependent upon the identity of the party. The applicant must meet the conditions set in the permit

and not focus on the identity. Mr. Mann agreed with Mr. Jacobs. Here is a prohibition that others do not have. The language offered was offered in good faith. Derek Wade, of 41 Riverside Street, stated his opposition for a restaurant. He moved to Needham in March 2020. The owner wants to maximize profit. There has been an unverified anecdotal reference to people in the neighborhood supporting this. It should be clear to the Planning Board there is a lot of opposition especially from the abutters. He feels it is absurd a restaurant could go in the Frank W Webb building. No high traffic use should go in there. It would disrupt the neighborhood.

Janice Epstein, of 75 Highland Terrace and a Town Meeting member, has been here for 75 years. She was here when they built the 2 new buildings and made it a gateway. They received a variance from 50 feet to 24 feet to get the Webb building and a variance on the parking from 127 to 97 spaces. A lot was put in to protect the neighbors such as lights, noise, dumpster locations. She is surprised to see a second dumpster. There is nothing in the permit. What has changed that would allow any other uses? She has talked to a majority of the neighbors, and all are opposed to this. It is too close to the neighborhood and should stay the way it is. Ashley Walsh, of 45 Riverside Street, stated this is a great neighborhood to live in but it is isolated from other parts of Needham. She wants to reiterate this is a neighborhood with kids and families. She feels this area is overlooked by the rest of Needham. She wants the Board to keep their best interest at heart.

Mr. Mann thanked the Board and staff and the abutters who took their time. There are no plans or desire to put a restaurant in that space. They tried to make uses not ~~prohibited but~~ prohibited but make them special permit. He would take out the reference to Panera. It is true it is a different age after Covid. It is a very different time, and they are moving toward no brick and mortar. He does not think it is fair they are treated differently, and he feels they are. He would ~~proposed~~ propose the Board agree this request be appropriate for some of these uses. Mr. Alpert stated any use requiring a special permit would need to come to the Board. To the extent a convenience market is less than 10,000 square feet, it could go in as of right, and a sports store less than 10,000 square feet could go in. This is unusual circumstances with the property abutting a residential area. He would hate to see a late night, noisy use in the Frank W Webb building. He is glad Mr. Mann mentioned banks. He would agree take-out and video rental stores. He would be inclined to leave this alone but would support removing banks, video stores and maybe pharmacies from the list and leave a prohibition for the restaurants, sports clubs, athletic merchandise stores and convenience markets.

Mr. Block stated he does not consider sports clubs as athletics but more retail. Mr. Jacobs stated he is open to defining sports clubs and convenience stores. He would go along with Mr. Alpert's proposal as he feels it is reasonable. Ms. McKnight asked if a bank could go into the Frank W Webb building without any application to the Board and was informed it could.

Upon a motion made by Mr. Block, and seconded by Mr. Jacobs, it was by a roll call vote of the five members present unanimously:

VOTED: to close the hearing.

A motion was made to deny the relief requested and replace that with revisions to Section 3.3 that eliminate the prohibition against banks, video rental stores, pharmacies, convenience stores and athletic merchandise stores – subsections 3, 5, 6 and 7. Mr. Mann stated he does not want convenience stores removed as that is too controversial. Mr. Alpert stated he would ~~not~~ remove convenience stores.

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Upon a motion made by Mr. Block, and seconded by Mr. Jacobs, it was by a roll call vote of the five members present unanimously:

VOTED: to deny the relief requested and replace that with revisions to Section 3.3 that eliminate the prohibition against banks, video rental stores, pharmacies, convenience stores and athletic merchandise stores – subsections 3, 5, 6 and 7.

**De Minimus Change: Major Project Site Plan Special Permit No. 2014-11: French Press, LLC, 45 Chapel Street, Needham, MA, Petitioner (Property located at 74 & 78 Chapel Street, Needham, MA).**

Jay Spencer, owner, noted there are 1,500 square feet at 74 Chapel Street. He wants to expand to 78 Chapel Street for a kitchen space only. He has extended the benches and landscaping in front of the building and that will remain. Mr. Alpert stated he could expand the outdoor seating in front of that property also. Ms. McKnight asked why the plan does not show

the seating. Mr. Spencer stated there are no changes to the existing area. Due to Covid there is no indoor ~~seating~~seating, and it will be added back when they are able. This is just new space. Ms. McKnight stated the bar is not on the original plan. Mr. Spencer stated it was added due to Covid and approved by the Board of Health and the Building Department. It is an accessory take out station.

Ms. McKnight stated they should have a plan that shows exactly what the applicant will be doing in the future with seating and a bar. Ms. Newman noted the Board could ask for a plan modification. Mr. Alpert noted the draft is just the plans as relate to 78 Chapel Street and not changes to the existing. Mr. Block approves the change. He noted it would not make sense to require a plan based in reality as no seating is currently allowed. Ms. Espada commented this is a great addition to the streetscape and she highly endorses it.

Upon a motion made by Mr. Block, and seconded by Ms. Espada, it was by a roll call vote of the five members present unanimously:

VOTED: to treat this as a minor modification.

Upon a motion made by Mr. Block, and seconded by Mr. Jacobs, it was by a roll call vote of the five members present unanimously:

VOTED: to provide the relief requested with minor changes in the language of the decision to reflect the plans listed in ~~Exhibit~~Exhibits 1 and 3 are not being changed and Exhibit 5 is only reflecting changes to the new space.

Upon a motion made by Mr. Block, and seconded by Mr. Jacobs, it was by a roll call vote of the five members present unanimously:

VOTED: to accept the decision with the changes discussed.

The Board took a short recess.

**Request to Release Lots and Establish Subdivision Surety: Heather Lane Definitive Subdivision: William John Piersiak, William John Piersiak, Trustee of the 768B Chestnut Street Realty Trust, Evelyn Soule Maloomian and Kobv Kemple, Manager of the 766 Chestnut LLC, Petitioners (Property located at 764, 766,768-768A, and 768B Chestnut Street, Needham, Norfolk County, MA).**

**Request to Release Lots and Establish Subdivision Surety: Heather Lane Extension Definitive Subdivision and Residential Compound: William John Piersiak, Petitioner (Property located at 768-768A Chestnut Street, Needham, Norfolk County, MA).**

Robert Smart, attorney for the applicant, stated a lot of roadwork has been done. It is appropriate to release lots for sale. The applicant will post a cash bond per the 6/24/21 letter from the DPW. He is also ready to post the requested drainage bonds. He is asking for relief for all Heather Lane Lots 1–6 and the residential compound lots in Heather Lane Extension Lots 1–5. Ms. Newman stated all documents for the subdivision went on record and have been signed by Town Counsel and the Select Board. The documents have not yet been signed by the state. When the state accepts the conservation restriction it would convert the restriction from 30 years to perpetual in nature.

Mr. Alpert noted the following correspondence for the record: 2 letters from Assistant Town Engineer Thomas Ryder, both dated 6/24/21, one for off Chestnut Street release of lots for \$122,500 and the 2<sup>nd</sup> letter for 768 & 768A Chestnut Street request for bond for \$34,500. Mr. Jacobs asked if any title problems were anticipated due to the lack of documentation. Mr. Smart does not think there will be an issue with the anticipated buyers. It should wrap up quickly with the state. Mr. Alpert clarified ~~that~~, without state approval, the conservation restriction only last 30 years; ~~With~~ with state approval it becomes perpetual. Ms. McKnight asked if there was any reason to think any changes would be wanted by the Executive Office of Environmental Affairs. Mr. Smart ~~has not seen it yet, said~~ it has been held up by the Acting Town Counsel, but he said he would take care of it. He noted this only affects 3 lots – Residential Compound Lots 3, 4 and 5.

Upon a motion made by Mr. Block, and seconded by Mr. Jacobs, it was by a roll call vote of the five members present unanimously:

VOTED: for Heather Lane, to grant a release of Lots 1-6 contingent upon receipt of \$122,500 surety for the Street Bond and \$14,000 for the Off-Street Drainage Bond for a total bond of \$136,500 and signing of an agreement the funds can be used in the event of a default.

Upon a motion made by Mr. Block, and seconded by Mr. Jacobs, it was by a roll call vote of the five members present unanimously:

VOTED: for Heather Lane Extension, to authorize the release of Lots 1-5 of the Heather Lane Extension Subdivision contingent upon receipt of \$34,500 for the Performance Bond for the Subdivision and \$17,500 Off-Street Drainage Bond for a total of \$52,000 upon receipt of funds and satisfactory agreement accompanying those funds.

**Decision: Amendment to Major Project Site Plan Review No. 2018-05: Town of Needham, 1471 Highland Avenue, Needham, MA, Petitioner (Property located at 28 Glen Gary Road, Needham, MA).**

The Board discussed the decision. Mr. Block suggested at the end of paragraph 1.1, it should say the Town “currently” has no other concrete plans to use the property for another purpose and paragraph 1.4 should be “police” and not “policy.” Ms. McKnight noted some clarifications and typos and noted under Section 3.2 it says “Plan.” “Plan” is not defined anywhere. Ms. Newman stated the decision does not need to be referenced. The decision should be recorded at the registry.

Upon a motion made by Mr. Block, and seconded by Mr. Jacobs, it was by a roll call vote of the five members present unanimously:

VOTED: to accept the decision as drafted with the modifications made by Mr. Block and Ms. McKnight.

**Review of zoning initiatives for the upcoming fiscal year.**

Ms. Newman stated this could be deferred to the next meeting, but the Board needs to speak about outdoor seating. There was a meeting of the working group working on outdoor seating. They wanted an additional change for the Select Board to have the same discretion as the Planning Board to grant waivers for outdoor seating standards when outdoor seating is on parking spaces. They also wanted authority of when ~~they can grant~~ permits can be granted. Currently it is April through October. The group wants flexibility. The decision needs to be modified more for seasonality. She had imbedded the zoning process the Select Board would follow if they deviate. There was talk about removing that language. Ms. Newman noted the Planning Board should have a morning meeting the week of 7/12. After discussion, a meeting was set for 7/14, 8:00 a.m. to 9:00 a.m., to discuss zoning initiatives, outdoor seating and gun shops similar to what Newton did.

**Review and Discussion: Needham Unite Against Racism Initiative (NUARI) Vision Statement, Guiding Principles and Intentional Practices Created by NUARI Working Group, March 22, 2021.**

Ms. Espada stated she has been part of Needham Unite Against Racism Initiative (NUARI) for over one year now. The biggest issue is to set a tone for the Town that ~~is wa s~~ appropriate for the way we want the Town to move forward regarding racism and social injustice. The vision will differ with different Boards so they can be aligned with the mission of NUARI. There will be some structural changes in the ~~€~~Town. She feels the Board should set some roles and accountability of how we want to proceed. Boards should look at equity when appointing people. Mr. Block noted that is a function of who stands up to run. There are not a lot of people lining up for the positions. Ms. Espada stated the people may not know of the opportunity. There is a need to get the word out for gender and age. Boards need to be diverse. She noted it takes work to make change. They need to spread the net wider to let people know of the opportunities. She showed the “Racial Equity Statement for the Town of Needham” and the “Guiding Principles” and stated this is just the beginning.

Ms. Espada stated action items and accountability need to be created and this takes effort to do. There is no support in ~~€~~Town and no accountability. There needs to be systems for support, action and accountability. Mr. Block stated he sees utilizing the public information office, but he asked if there is anything the Planning Board could specifically do. Ms. Espada stated it appears each Board has a different way of doing things. There needs to be one independent group. NUARI is about including people and not excluding people. Ms. McKnight stated the Town has initiatives on communicating going on now, and part of the statement ~~as~~-relates to the work of the Planning Board. She stated if the Board embraces the NUARI statement they need to take the wording of the statement seriously and realize it is their role. Mr. Alpert stated everything

presented with the overall vision is something all need to keep in mind. They all need to keep the spirit of the vision in the forefront of their minds.

A motion was made to adopt and support the NUARI Vision Statement, Guiding Principles and Intentional Practices as written and approved by the NUARI group. A discussion ensued. Mr. Block feels, as they roll out the affordable housing goals and policy, the Chair and Vice-Chair of the NUARI working group and Needham Human rights group should be invited to attend. Ms. Espada stated the Board needs to figure out, and review, the process, and it is critical to include the community. Mr. Jacobs commented part of the problem is there are laws and statutes that need to be followed. A lot of people are ignorant of the legal process that needs to be followed. People are not taking notice of the notices out there. It is a multi-layered problem. He is all for this, but they have to have action items. Mr. Alpert stated the emails from the 1688 Central Avenue abutters have been extremely helpful and well thought out. The process for that is going well. The neighbors showed up for 100 Highland Avenue, told the Board their concerns and the Board heard them. The Board would not have thought of those concerns unless the abutters came to the meeting. The Muzi project had community meetings. The process works.

Ms. Espada stated the Planning Board website does not give the process or how things are reviewed. It is very ambiguous. There should be a simple explanation of the process. She showed an example of Boston's website with guidelines of the process. She stated there is clarity to their process. Mr. Alpert commented that sometimes a phone call to a Planning Board member is better. Mr. Block would like to see where each applicant is in the process throughout the year. This motion is a start and should be approved.

Upon a motion made by Mr. Block, and seconded by Ms. Espada, it was by a roll call vote of the five members present unanimously:

VOTED: to adopt and support the NUARI Vision Statement, Guiding Principles and Intentional Practices as written and approved by the NUARI group.

#### **Board of Appeals – July 15, 2021**

Noreen Capraro, applicant – 78 Jayne Road.

Upon a motion made by Mr. Block, and seconded by Ms. McKnight, it was by a roll call vote of the five members present unanimously:

VOTED: “No comment.”

Joseph Audette, MA, MD and Allison Bailey, MD, applicants – 920 South Street.

Mr. Alpert stated this application is for living space on the top floor of the house with a school downstairs. That would be 2 uses on a lot. He raised the question if living on the third floor is in violation of the restriction of more than one use. They have not allowed that. It is reasonable under the Dover Amendment. A discussion ensued regarding the Dover Amendment. Mr. Block suggested the Board rely on the Zoning Board of Appeals (ZBA) to investigate and make sure this is allowed and accurate. The vast majority of space appears to be living space. The ZBA should make sure it fits within the Dover Amendment. Ms. McKnight asked why this does not require a major or minor site plan as it is a change in use.

Upon a motion made by Mr. Block, and seconded by Ms. McKnight, it was by a roll call vote of the five members present unanimously:

VOTED: to ask the ZBA to be sure they are satisfied this is truly an educational use within the meaning of the Dover Amendment, to question whether the residential use combined with the educational use is in violation of our By-Law requirement that there not be more than one use on a lot and would prohibiting the 2 uses on the lot be a reasonable regulation under the Dover Amendment.

#### **Minutes**

The minutes will be discussed at the 7/14/21 meeting.

### **Correspondence**

Mr. Alpert noted the following correspondence for the record: letter from the Planning Director to the appropriate parties, a check from Matt Borelli for the [1688 Central Avenue](#) traffic peer review study, and a letter from Dr. Alex Bejian. Mr. Jacobs stated he read that letter as a request for help. Mr. Alpert noted he had a lengthy conversation with Mr. Bejian and told him to hire a lawyer. Mr. Block also spoke with him and suggested he file a Citizen's Petition at Town Meeting to prevent that use or first floor retail.

### **Report from Planning Director and Board members**

There was no report.

Upon a motion made by Mr. Block, and seconded by Ms. McKnight, it was by a roll call vote of the five members present unanimously:

VOTED:           to adjourn the meeting at 11:30 p.m.

Respectfully submitted,  
Donna J. Kalinowski, Notetaker

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Adam Block, Vice-Chairman and Clerk

## NEEDHAM PLANNING BOARD MINUTES

July 14, 2021

The Needham Planning Board Virtual Meeting using Zoom was remotely called to order by Paul Alpert, Chairman, on Wednesday, July 14, 2021, at 8:00 a.m. with Messrs. Jacobs and Block and Ms. McKnight, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Mr. Alpert took a roll call attendance of the Board members and staff. He noted this is an open meeting that is being held remotely because of Governor Baker's executive order on March 12, 2020 due to the COVID Virus. All attendees are present by video conference. He reviewed the rules of conduct for ~~z~~Zoom meetings. He noted this meeting does not include any public hearings and there will not be any public comment allowed. If any votes are taken at the meeting the vote will be conducted by roll call. All supporting materials are posted on the town's website.

### **Review of zoning initiatives for the upcoming fiscal year.**

Mr. Alpert noted this is to amend the By-Law for outdoor seating. The proposal is in the packet, and he noted an amendment arrived late yesterday afternoon. Ms. Newman reviewed the changes. She noted the changes are just word tinkering and Ms. McKnight's suggestions. She missed a reference to the Board of Selectmen and changed it to the Select Board and just cleaned up language of the zoning text to make the intent of the Board clear. Mr. Block asked if the Select Board had reviewed the revisions. Ms. Newman showed the revised draft to Katie King, who shared it with the Select Board. She did not hear of any issues. She noted this is to amend the zoning to codify the outdoor seating allowed during Covid. Outdoor seating on parking spaces is through the Planning Board and through the Select Board on public property. This will also allow an extended timeline beyond April through November and extend beyond the total seats of 30%.

Mr. Block noted in Section 6.9.2 (a) 3, it says "prohibited in parking lots." Ms. Newman noted there are 2 processes – as of right the Planning Board cannot do outdoor seating in parking lots but in another section, it can be done through a special permit. This creates ~~parity~~~~parity~~ across the ~~B~~board's. The Select Board would hold a hearing and give a license to occupy a public space. Mr. Alpert stated any proposed By-Law amendment goes first to the Select Board so they can review it. Then it is sent to the Planning Board with comments, the Planning Board reviews it and has a public hearing. If the Select Board has issues, they can bring the issues up then. The Planning Board then finalizes and brings to Town Meeting.

Mr. Jacobs stated the process in front of the Select Board used the word "license." He asked what it is they are issuing. Ms. Newman stated it is a license with permission to occupy public space. Mr. Jacobs noted his concern is a license is revocable and the Select Board could revoke it whenever they want. Ms. Newman stated the license would be for a specific period of time, but if something comes up the Select Board could revoke it. Mr. Jacobs feels the applicant would want some certainty of what they are getting. Mr. Alpert noted this is a procedure that is already in place and has been done. He feels it should be approved as it ~~reads~~~~reads~~, and the Board should take Mr. Jacobs concern under advisement and discuss the concern during the hearing process. Mr. Jacobs stated he is not opposed to that but feels there is a lack of clarity here. Ms. McKnight noted subsection I (b), first paragraph, says unless the Select Board "authorizes." The mechanism the Select Board would use to authorize is a license. That is what the Select Board issues to applicants.

Mr. Alpert noted in Section 6.9.2 (a) seasonal temporary is April through October. What if the applicant wants to use parking spaces and we want May through September? Also, in 6.92 (b) IV, what is good cause? Does the Select Board really want that phrase in there. He is willing to take it out. It opens an avenue for the public to contest the license. He would like the Planning Director to point that out to the Select Board to see what they think and if they want it left in.

Upon a motion made by Mr. Block, and seconded by Ms. McKnight, it was by a roll call vote of the four members present unanimously:

VOTED: to refer the most recent draft to the Select Board for the purposes of the Planning Board holding a public hearing under the statute on this proposed zoning amendment.

Mr. Alpert noted a citizen's request that the Planning Board consider doing something similar to Newton to limit gun shops and sales of firearms. Gun shops now are retail establishments and can be anywhere retail is allowed. Newton limited locations that gun shops can be. Needham has been in existence for 300 years and never had an issue. He noted regulating gun shops is a politically charged issue. He feels they should consult with the Select Board if they want to regulate. There is a Chair/Vice-Chair meeting on 7/29/21. He would like to bring it up then if all agree. Mr. Jacobs is in favor of running

it by the Select Board. He would be in favor of something along the lines of what Newton has done. It should be limited to particular zones with appropriate buffers. Mr. Block agreed.

Mr. Alpert stated he heard loud and clear the abutters down by the Needham Gateway who feel they are second class citizens and feel the town keeps putting undesirable zoning down there. He will keep that in mind. Ms. McKnight stated that area is zoned for multi-family housing. The Board needs to be sensitive to that. She would be distressed to find a gun shop in town, and she agrees it is a politically charged issue. She noted the Supreme Court is protective of gun rights. Mr. Alpert understands they are having the debate in Newton. He would not be surprised if guns could not be banned altogether. Mr. Block noted that is an argument to be proactive. Mr. Alpert asked Ms. Newman to add this agenda item to the Chair/Vice-Chair meeting.

Mr. Alpert noted this is a Citizen's Petition to restrict treatment of child-care facilities in Needham. The proposal would affect a client of his ~~who~~and he sits on the Board of Trustees of the Needham Children's Center. He will recuse himself and turned the discussion over to Mr. Block. Mr. Block noted there are 3 options: 1) the Board could examine this at another time because of substantial agenda items the Chair has already set out; 2) propose for October Town Meeting or May Town Meeting something along the lines of what has been represented to us by the Citizen; or 3) pursue it now. Do we want to undergo a thorough and comprehensive study? He noted this originated in Wellesley and Norwood and limits the size of daycare/childcare facilities to 2,500 square feet. That figure may be arbitrary. He would like to understand the impact of what 2,500 square feet would be. He asked if it was known to what extent Wellesley and Norwood's By-Laws have been upheld. The deficiency in our By-Law is how we treat child-care, and it would be reasonable to modify the By-Law. He proposes they engage in a public hearing and community meetings that would be well publicized. He would also like comments from all Town Boards and would like to speak with child-care operators. He would also like to speak to other Planning Board Directors.

Ms. McKnight commented the Board should consider what changes are needed to the By-Law. There are deficiencies in our By-Law. It should be made consistent with state law. She does not want to simply copy other towns. She feels it is a good idea to put it on the schedule for study in the next year for possibly the Spring Town Meeting. Mr. Jacobs stated he feels the same way as Ms. McKnight. Mr. Block agreed the Board should modify the By-Law for the May Town Meeting at the earliest.

Upon a motion made by Mr. Jacobs, and seconded by Ms. McKnight, it was by a roll call vote of the four members present unanimously:

VOTED: to pursue a By-Law change for treatment of childcare facilities in town.

Mr. Block asked what process the Planning Director would recommend to pursue this. Ms. Newman will have conversations with some towns that have adopted this change and put together a schedule of what it would look like. She feels the citizens have a right to put forth a By-Law change. Mr. Block stated he would also speak with the public information office to see the best way to get the information out. Mr. Jacobs stated the fact that citizens have the right should not delay the Planning Board's study. Mr. Alpert returned to the meeting.

## **Correspondence**

Mr. Alpert noted an email from Jeff Friedman regarding the Farmer's Market. Ms. Newman stated she wanted to get some direction. Mr. Friedman wants to increase the artists from 2 to 4. He asked if the Planning Board would be amenable to the change. She would put it on the agenda for the next meeting if amenable. Mr. Alpert stated the reason it was limited was due to Covid concerns by the Board of Health. Ms. Newman noted a further email from the Board of Health notes no issues. After discussion it was decided to put on the agenda for 7/20/21 and begin the meeting at 7:00 p.m. Mr. Jacobs stated he has no issue taking this up as a de-minimus matter. Ms. McKnight agreed.

## **Minutes**

Ms. McKnight noted the minutes of 3/16/21, the Highway Commercial 1 hearing, regarding takings, ~~where it says~~says, "and would not push the setbacks into the site." She does not know what that means. Mr. Alpert stated there was speculation there would be an easement required on Gould Street but the only taking would be on the site itself. The minutes should reflect a taking on this site "would push the setbacks further into the site." The word "not" will be removed. On the 3/23/21 minutes, Ms. McKnight noted "the CEA looked at individual zoning districts across all zoning districts." Mr. Block noted it should be "all industrial districts" and not "individual districts" and the word "looked" should be replaced with "studied."

Upon a motion made by Ms. McKnight, and seconded by Mr. Block, it was by a roll call vote of the four members present unanimously:

VOTED: to accept the minutes of 3/16/21 with the changes discussed and the red line changes.

Ms. McKnight noted on the minutes of 3/23/21, top of the second page, she thinks it means that a 50-foot setback is required but actually the present setback is 20 to 23 feet and 35 feet where the cars are. Ms. Newman noted it should say “~~actual~~“actual 23-foot23-foot setback where the cars are.”

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by a roll call vote of the four members present unanimously:

VOTED: to accept the minutes of 3/23/21 with the changes discussed and the red line changes.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by a roll call vote of the four members present unanimously:

VOTED: to accept the minutes of 4/6/21 with the red line changes.

Upon a motion made by Ms. McKnight, and seconded by Mr. Block, it was by a roll call vote of the four members present unanimously:

VOTED: to accept the minutes of 4/21/21 with the red line changes.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by a roll call vote of the four members present unanimously:

VOTED: to accept the minutes of 4/27/21 with the red line changes.

### **Report from Planning Director and Board members**

Ms. McKnight noted the review of zoning initiatives for the upcoming year. She wants it made clear to the public there will be a focus on sustainable development and inclusionary zoning. Mr. Alpert noted affordable housing is on the agenda for the Chair/Vice-Chair meeting. Ms. Newman is working with Karen Sunnarborg on the housing plan. Mr. Alpert asked if the Environmental By-Law change was on the Chair/Vice-Chair agenda and was informed it was not. He feels it may be a simple change to include in the By-Law across the town.

Mr. Block recommended bringing in the Building Inspector to see how the By-Law is applied. The Council of Economic Advisors (CEA) has not had any discussions on sustainable developmentthis. They have focused on 3 major priorities – cluster based economic development, improving small business in town and a review of some zone districts. It would be impossible to take that up. Mr. Alpert stated the town did adopt a statutory provision, thatand the Commonwealth passed, that towns could adopt the Stretch Code. Mr. Stephen Frail, a Town Meeting Member, proposed further requirements that go beyond the Stretch Code as of right. There is no vision to considering that. He does not see how that change can be made for as ofright uses.

Ms. McKnight commented that she is active with Equal Justice Needham. There are no plans for the Planning Board to restudy accessory dwellings in this coming year but will be in the next few years. She requested, when meeting with the Chair/Vice-Chairs, they see if this is something the Select Board would like to see studied sooner rather than later. Mr. Alpert asked the legal status of Equal Justice Needham. Ms. McKnight noted it is an unincorporated associationcorporation and not a non-profit corporation. It is an ad hoc group. Mr. Alpert stated he is thinking of putting together a study group for housing changes. It could include a member of Equal Justice Needham, but he is reluctant to put a representative of a committee that does not legally exist.

Ms. Newman stated she is working with Greenman Peterson Inc. (GPI). There is a draft peer review traffic study for 1688 Central Avenue. They are meeting with the applicant tomorrow and will finalize the report. It will be in an agenda packet, and she will share the final copy with all.

Upon a motion made by Mr. Block, and seconded by Mr. Jacobs, it was by a roll call vote of the four members present unanimously:

VOTED: to adjourn the meeting at 9:25 a.m.

Respectfully submitted,  
Donna J. Kalinowski, Notetaker

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Adam Block, Vice-Chairman and Clerk