

TOWN OF NEEDHAM



SPECIAL TOWN MEETING WARRANT

MONDAY, MAY 14, 2018

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

Additional information on particular warrant articles will be made available from time to time at www.needhamma.gov/townmeeting during the weeks leading up to the Special Town Meeting.

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To either of the constables in the Town of Needham in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify the qualified Town Meeting Members of the Town of Needham to meet in the Needham Town Hall on:

MONDAY, THE FOURTEENTH DAY OF MAY, 2018

At 7:30 in the afternoon, then and there to act upon the following articles:

FINANCE ARTICLES

ARTICLE 1: APPROPRIATE FOR PROJECT MANAGEMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$203,300 for the purpose of funding project management for various Town building construction projects, said sum to be spent under the direction of the Town Manager and raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Town Manager’s recommended budget for FY2019 included the addition of a full-time project manager for the Public Facilities Department based on the number and complexity of design and construction projects in the planning stages and underway. After discussion, the Finance Committee recommended that two years of funding for this position be provided in a warrant article as a temporary measure to meet current demands.

ARTICLE 2: APPROPRIATE FOR BUILDING MAINTENANCE STUDY

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$100,000 for the purpose of funding a building maintenance study, said sum to be spent under the direction of the Town Manager and raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Last fall Town Meeting appropriated \$50,000 to the Public Facilities expense budget to hire an outside consultant to review the Town’s maintenance program for its public buildings. The Town was not able to secure a company to complete the work within the set time period and the allocated funding amount. This article will provide \$100,000 (the \$50,000 that was appropriated to the operating budget will not be spent and will be returned) and allows flexibility in timing (not restricted to one fiscal year) for the work to be done, reviewed, and presented. An outside assessment of the Town’s practices and assumptions will assist the Town in planning and maintaining capital investment in its buildings to help ensure that expected life cycles and best practices are met.

ARTICLE 3: APPROPRIATE FOR PEDESTRIAN SAFETY INITIATIVE

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$100,000 for the purpose of funding a pedestrian safety audit and improvements, said sum to be spent under the direction of the Town Manager and raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This article will fund a pedestrian safety audit. A consultant will be hired to evaluate areas of concern that have been identified by the public and by Town officials, and to review existing infrastructure in high traffic pedestrian areas, business districts, and schools. The intent of the audit is to develop a list of projects in priority order for funding consideration, and will be used to help the Town access State funds for pedestrian safety improvements. Funding in this article may also be used for identified measures that can be implemented in the short term.

ARTICLE 4: AMEND THE FY2018 RTS ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2018 RTS Enterprise Fund Budget adopted under Article 16 of the May 2017 Annual Town Meeting, and subsequently amended under Article 3 of the October 2, 2017 Special Town Meeting, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

Line Item	Appropriation	Changing From	Changing To
101B	Expenses	\$1,369,612	\$1,401,612

said sum to be raised from RTS Enterprise Fund Retained Earnings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This article seeks to amend the current fiscal year operating budget by \$32,000 for the Recycling Center and Transfer Station due to the higher cost of processing recyclables. There have been some significant changes in the recycling industry over past year that have had a negative impact on the RTS, both from a revenue and expense perspective. The market rates for corrugated cardboard, mixed paper, commingle containers, and single stream recycling have all become more expensive and/or generate less revenue. There have been several drivers which have made recycling more expensive, most notable is the regulatory change by China to reduce the amount of recyclables coming from outside of the country. China has been one of the largest importers of many types of recyclable materials. With China's actions to require higher quality materials, recyclers in the US and many other countries have an excess supply of materials with limited immediate options. Consequently, the value of the recycling materials has declined, and the cost to the Town has increased. However, even though recycling expenses have increased, recycling is still less costly than disposal.

CAPITAL ARTICLES

ARTICLE 5: APPROPRIATE FOR MITCHELL SCHOOL LOCKER REPLACEMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$70,000 for the purchase and installation of replacement lockers at the Mitchell School, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that \$51,450 be transferred from Article 20 of the November 2013 Special Town Meeting, and that \$18,550 be transferred from Article 37 of the 2014 Annual Town Meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The current lockers at the Mitchell School are in need of repair. They are not appropriately sized for the school age population at the Mitchell and are broken. This request is to replace the existing lockers with lockers that are better suited for elementary school children. The Mitchell School is not scheduled to be renovated for at least ten years and this appropriation would help to improve the appearance and functionality of the school. This project will allow each student to have his or her own locker.

ARTICLE 6: APPROPRIATE FOR MITCHELL SCHOOL MODULAR CLASSROOMS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$210,000 for engineering and design for modular classrooms at the Mitchell Elementary School, said sum to be spent under the direction of the Permanent Public Building Committee and Town Manager and raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: To prepare for the anticipated implementation of full-day kindergarten in September 2019, the Needham Public Schools commissioned a space study to determine how best to implement the new program, given the District's existing inventory of classroom spaces. Based on the results of that study, the School Committee recommends that two additional modular classrooms be erected at the Mitchell Elementary School. The modular classrooms would supplement the School's 22 existing classroom spaces to provide the 24 classroom spaces deemed necessary in the first year of full-day kindergarten.

ARTICLE 7: APPROPRIATE FOR HIGH SCHOOL EXPANSION CONSTRUCTION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$431,000 for the reconstruction and expansion of Needham High School, including costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The October 2, 2017 Special Town Meeting appropriated \$13,188,000 for the reconstruction and expansion of Needham High School. Due to unanticipated increases in the cost of materials and labor, the project needs an additional \$431,000 to complete the scope of work. This request would provide the additional funds needed to complete the project scope.

ARTICLE 8: AUTHORIZATION FOR ACQUISITION OF REAL PROPERTY

To see if the Town will vote to authorize the Board of Selectmen to purchase on behalf of the Town the real property known as 43 Lincoln Street (Assessors Map 47, Lot 46); or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This article requests Town Meeting approval for purchase of the house and land at 43 Lincoln Street at a maximum price of \$1,475,000. This purchase will complete a series of land acquisitions in connection with the proposed construction of a new Police and Fire Public Safety Facility at School and Chestnut Streets, and give the Town ownership of the entire block bordered by School Street, Chestnut Street, Lincoln Street, and the Chestnut/Lincoln Parking Lot.

This subject was previously before Town Meeting in October, 2017 as Article 7, which after discussion was referred back to the Board of Selectmen for further study.

Since October, the Board of Selectmen has engaged in further review and evaluation, public discussion and input, consultation with Town boards and committees, negotiations, and progress with the design and planning for the Public Safety project. The Board of Selectmen now presents this renewed request for approval of the purchase.

The recommended purchase price is substantially the same as presented in October (which at that time was \$1,495,000). As part of the review process, the Board has confirmed that under current zoning and ZBA decisions affecting comparable properties, the property can be reconstructed to a three unit condominium. The Selectmen obtained a new independent appraisal that determined a fair market value of \$1.3 million for the property. The Selectmen recommend payment of the negotiated purchase price above the \$1.3 million amount as a necessary premium for what in this context is a one-of-a kind parcel.

Over the past several years, the Town has acquired other properties in this area in order to increase and improve municipal parking, and to allow for the expansion and reconstruction of the Public Safety Building. This final acquisition will both improve the design of the project and also avoid the need to eliminate parking currently dedicated for public use.

Town ownership of the property will improve vehicle circulation, operations, and perimeter security for the new facility, and overall parking in the downtown. The architectural and construction plan for the Public Safety building utilizes construction phasing that will allow contained use of the current Police and Fire stations until the Fire portion of the new station is complete, achieving significant savings.

Without the purchase of 43 Lincoln Street, the new building will be very close to the property line, with a net vehicular clearance of less than 15 feet. This impacts perimeter security, internal traffic circulation, and police vehicle access. Changing the design to materially increase the building distance from a

privately-owned 43 Lincoln Street to address these issues would require earlier demolition of the current Fire station and increase the overall project cost by more than the entire 43 Lincoln Street purchase price.

Acquisition of 43 Lincoln Street will provide necessary parking for the Public Safety facility and mitigate impact on exiting parking management issues in the area between Downtown and Needham Junction.

Peak overall parking demand already exceeds capacity throughout this zone, and is increasing. The lack of commuter rail parking in Downtown at present and insufficient commuter rail parking at the Junction contributes further to these parking issues. Businesses in the downtown must rely on permit parking for employees for this reason, and the permit parking system helps manage demand for spaces available to the general public.

The new public safety station requires more parking to accommodate Police and Fire employees and visitors than is currently available on the site. Without 43 Lincoln Street, the best option would be to utilize a portion of the Chestnut/Lincoln parking lot for public safety parking, resulting in a loss of 34 permit parking spaces. If the Town acquires 43 Lincoln Street, it will be possible to provide a net increase of 30 spaces in the public safety area, without any change to the Chestnut/Lincoln lot, thus continuing the 34 permit parking spaces and other public uses of the Chestnut/Lincoln lot as at present.

Town Meeting approval is required for the purchase; however, no appropriation is required, as the purchase would be paid from mitigation payments negotiated during the approval process for apartment housing in Needham Crossing now known as The Kendrick. Those funds, totaling \$2,250,000, are earmarked for public safety equipment and facilities, and infiltration and inflow removal. This use is consistent with that agreement and using mitigation funds for this purpose reduces the total cost of the Public Safety project to the taxpayers.

The purchase will also allow the Town to achieve savings in the cost of the project by increasing available laydown and swing space, using the house as a construction office, and eliminating the need for a retaining wall and other elements that would be needed if 43 Lincoln Street remains in private ownership. These savings are estimated at \$573,000, which exceeds the negotiated purchase premium.

The proposed purchase is a carefully considered recommendation to complete a multi-year land acquisition process. It will benefit the Town, lower costs within the Public Safety project, help address parking needs in the Downtown and Junction areas, and provide flexibility to the Town with long-term land use planning going forward.

ARTICLE 9: RESCIND DEBT AUTHORIZATION

To see if the Town will vote to rescind a portion of certain authorizations to borrow, which were approved at prior town meetings, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the full authorization:

Project	Town Meeting	Article	Authorized	Rescind
Sewer System Rehabilitation Work	2007 ATM	45	\$1,806,800	\$59,139
Total				\$59,139

or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: When a project is financed by borrowing, the project has been completed, and the bills have been paid, the balance of the authorization that was not borrowed and not reserved for other project obligations may be rescinded. A Town Meeting vote to rescind prevents the Town from borrowing the amount rescinded, and frees up borrowing capacity. In some cases, the full appropriation for a project is not required, due to changes in scope, cost-saving measures, and/or favorable bids.

GENERAL ARTICLES

ARTICLE 10: AMEND GENERAL BY-LAW – DEPARTMENT REVOLVING FUNDS

To see if the Town will vote to amend the Town's General By-Laws by adding the following new section:

2.2.5.11 Aging Services Programs Revolving Fund

Fund Name There shall be a separate fund called the Aging Services Programs Revolving Fund authorized for use by the Health and Human Services Department.

Revenues The Town Accountant shall establish the Aging Services Programs Revolving Fund as a separate account and credit to the fund all of the program receipts charged and received by the Health and Human Services Department in connection with the related fee based programs.

Purposes and Expenditures During each fiscal year, the Health and Human Services Department may incur liabilities against and spend monies from the Aging Services Programs Revolving Fund for costs related to educational, entertainment, and programmatic activities offered through the Department.

Fiscal Years The Aging Services Programs Revolving Fund shall operate for fiscal years that begin on or after July 1, 2018.

or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: With passage of the Municipal Modernization Act, the Town must adopt a local by-law to establish revolving fund accounts typically established on an annual basis by Town Meeting. This by-law amendment establishes and authorizes a departmental revolving fund for use by Health and Human Service Department Aging Services division in connection with programs and activities that generate fees, charges for services, or other receipts to support all or some of the expenses of those programs and activities. The revolving funds will be governed by Massachusetts General Laws Chapter 44, Section 53E½. Town Meeting will vote on the spending limit associated with the revolving fund annually. The purpose of this revolving fund is to support a range of programs offered for Needham's seniors at the Center at the Heights. The programs cover an array of subjects and fall into categories including educational, entertainment, exercise, nutrition, mental health and wellness, and social.

Participants are charged a modest fee which covers the cost of the instructors' time and any required materials or supplies for the program.

ARTICLE 11: SET THE ANNUAL DEPARTMENT REVOLVING SPENDING LIMIT

To see if the Town will vote to fix the maximum amount that may be spent during fiscal year 2019 beginning on July 1, 2018 for the revolving funds established in the Town's General By-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½, or take any other action relative thereto.

Revolving Fund	Department, Board, Committee, Agency or Officer	FY2019 Spending Limit
Aging Services Programs	Health and Human Services Department	\$90,000

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The purpose of this article is to set the FY2019 spending limit for the proposed new Aging Services Programs revolving fund (the subject matter in the previous article).

ZONING ARTICLES

ARTICLE 12: AMEND ZONING BY-LAW – DIMENSIONAL AND USE REGULATIONS IN THE LOWER CHESTNUT STREET OVERLAY DISTRICT

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

- (a) Amend Section 3.9.3.2, Special Permit Uses, by adding the following language: “(e) Multi-Family Dwelling development with dwelling units on the ground floor.”
- (b) By replacing Section 3.9.4.1, Lot Area, Frontage and Setback Requirements, so that the entire section shall read now as follows:

“The following lot area, frontage, and setback requirements shall apply to development in the Lower Chestnut Street Overlay District:

- (a) Minimum Lot Area: 15,000 square feet. For buildings with a residential component, the Planning Board may grant a Special Permit to waive the minimum lot area requirement by finding that the proposed density creates a beneficial living environment for residents, does not adversely affect the traffic on roads in the vicinity, and better achieves the purposes of the Lower Chestnut Street Overlay District than strict compliance with these standards.
- (b) Minimum Lot Frontage: 50 feet. For Non-Multi-Family Dwelling-Only Developments, a minimum of 75 percent (75%) of the frontage of the lot facing a public way shall contain a building or buildings, the first floor façade of which is set back between zero (0) and ten (10)

feet from the lot line. The Planning Board may grant a Special Permit to waive the foregoing frontage requirements by finding that the proposed plan can better protect the surrounding community from shadows and blocked views, support pedestrian vitality, and encourage the purposes of the Lower Chestnut Street Overlay District.

- (c) **Minimum Front Setback:** The lesser of 5 feet from the front property line or the average setback of abutting buildings within 100 feet on the same side of the street as the proposed development. The Planning Board may grant a Special Permit to waive the foregoing front setback requirement by finding that the proposed plan can better protect the surrounding community from shadows and blocked views, support pedestrian vitality, and encourage the purposes of the Lower Chestnut Street Overlay District.
- (d) **Maximum Front Setback.** 150 feet from the front property line. The Planning Board may grant a Special Permit to waive the foregoing front setback requirement by finding that the proposed plan can better protect the surrounding community from shadows and blocked views, support pedestrian vitality, and encourage the purposes of the Lower Chestnut Street Overlay District.
- (e) **Minimum Side and Rear Setback for Non-Multi-Family Dwelling-Only Developments:**
 - (1) For lots abutting a residential district, fifty (50) feet from the lot line abutting the residential district; for all other lots, no minimum yard setback shall apply. Where side and rear yard setbacks of fifty (50) feet are required, the twenty-five (25) feet closest to the district boundary and all other requirements of Sections 4.4.8.2 and 4.4.8.5 shall apply. The remaining twenty-five (25) feet may be used for an accessory use, not including a building or structure. By special permit from the Planning Board, however, an underground parking structure may be permitted within the fifty (50) foot side and rear yard setbacks provided that the garage structure shall be located entirely below the grade of the existing lot and set back at least ten (10) feet from the district boundary or ten (10) feet from the lot line, whichever is greater, and the twenty-five (25) feet closest to the district boundary shall be suitably landscaped over the surface of the garage structure in accordance with Section 4.4.8.5.
 - (2) For lots adjacent to the MBTA right-of-way, there shall be a minimum yard setback of twenty-five (25) feet from the lot line abutting the MBTA right-of-way, and the first ten (10) feet of the setback shall be suitably landscaped and not used for any other purpose, including an accessory use, except that within said ten (10) feet the Planning Board may grant a special permit for surface parking, provided that the parking area is suitably landscaped. The remaining fifteen (15) feet may be used for an accessory use, not including a building or structure, except that within said fifteen (15) feet an underground parking structure is permitted if located entirely below the grade of the existing lot.
 - (3) The Planning Board may grant a Special Permit to waive the foregoing setback requirements by finding that the proposed plan can better protect the surrounding community from shadows and blocked views, support pedestrian vitality, and encourage the purposes of the Lower Chestnut Street Overlay District.
- (f) **Multi-Family Dwelling-Only Development – Minimum Side and Rear Setback:**

- (1) For Multi-Family Dwelling-only development on lots abutting a residential district, five (5) feet from the lot line abutting the residential district; for all other lots, no minimum yard setback shall apply.
- (2) For Multi-Family Dwelling-only development on lots adjacent to the MBTA right-of-way, there shall be a minimum yard setback of five (5) feet from the lot line abutting the MBTA right-of-way, which area shall be suitably landscaped and not used for any other purpose.

The Planning Board may grant a Special Permit to waive the foregoing setback requirements by finding that the proposed plan can better protect the surrounding community from shadows and blocked views, support pedestrian vitality, and encourage the purposes of the Lower Chestnut Street Overlay District.”

- (c) By replacing Section 3.9.4.2, Building Height Requirements, so that the entire section shall read now as follows:

“Buildings in the Lower Chestnut Street Overlay District shall be a minimum of two (2) stories. The maximum building height in the Lower Chestnut Street Overlay District shall be four stories and forty-eight (48) feet as of right. The Planning Board may grant a Special Permit to allow a maximum building height of six (6) stories and eighty (80) feet by finding that the proposed structure is compatible in visual scale to its surroundings, does not adversely affect its surroundings by creating shadows or blocking views, and advances the purposes of the Lower Chestnut Street Overlay District.

Buildings in the Lower Chestnut Street Overlay District shall not be further subject to the maximum height regulations of the underlying district, as contained in Section 4.4.3.”

- (d) By replacing Section 3.9.4.3, Building Bulk and Other Requirements, so that the entire section shall now read as follows:

“The maximum floor area ratio in the Lower Chestnut Street Overlay District shall be as set forth below:

- (1) For two-story buildings, the maximum floor area ratio shall be 0.7
- (2) For three-story buildings, the maximum floor area ratio shall be 1.0.
- (3) For four-story buildings, the maximum floor area ratio shall be 1.5.
- (4) For buildings five stories and above, the maximum floor area ratio shall be 2.0.”

- (e) Amend Section 3.9.5, Off-Street Parking, by:

Adding a new subsection (a)(3), which shall read as follows:

“(a)(3) For dwelling units in a Multi-Family Dwelling-only development, the minimum number of off-street parking spaces shall be one space per bedroom.”; and

By replacing Section 3.9.5(b), so that the entire subsection shall now read as follows:

“In addition to the requirement for bicycle racks under Section 5.1.3(n) for a mixed use building, mixed-use development, or a Multi-Family Dwelling-only development, bicycle racks facilitating locking shall be provided to accommodate one bicycle for every two (2) dwelling units.”

- (f) By replacing Section 3.9.6, Affordable Housing, so that the entire section shall now read as follows:

“Mixed-use buildings, mixed-use developments, and Multi-Family Dwelling-only developments with six or more dwelling units shall include affordable housing units as defined in Section 1.3 of the By-Law. The following requirements shall apply to a development that includes affordable units:

- (a) The floor area of the affordable units shall not be counted for purposes of determining the maximum floor area permitted under Section 3.9.4.3.
- (b) All other requirements of Section 3.8.6 shall apply.”

- (g) By adding a new Section 3.9.9, Drive Aisle Requirements, which shall read as follows:

“Notwithstanding the provisions of Section 5.1.3(i), within the Lower Chestnut Street Overlay District, the minimum width of aisles within parking areas providing access to parking spaces for one-way traffic for a Multi-Family-only Dwelling shall be 20 feet, with a 25-foot turning radius throughout in order to accommodate fire truck movements.”

- (h) By adding a new Section 3.9.10, Transparency and Entrances, which shall read as follows:

“Commercial uses in the Lower Chestnut Street Overlay District must meet the requirements set forth in this Section 3.9.10. The Planning Board may grant a Special Permit to waive these requirements by finding the proposed design better enables appropriate use of the site, supports pedestrian vitality, and achieves the purposes of the Lower Chestnut Street Overlay District than strict compliance with the following requirements.

- (1) There shall be at least one entrance every fifty (50) feet of building frontage facing a public way.
- (2) A minimum of sixty percent (60%) of the street-facing building height above the façade between two (2) feet and eight (8) feet in height above the street-level floor must consist of clear windows that allow views of indoor space or display areas.
- (3) Display windows used to satisfy these requirements shall be changed and maintained to create an active window display; any illumination of the display shall be internal to the building.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Planning Board seeks to rezone the Lower Chestnut Street Overlay District. The Planning Board's intention is to modify the zoning in this district in a way that will encourage re-development of Lower Chestnut Street, between Great Plain Avenue and the railroad tracks, into a

pedestrian friendly New England village with multi-use development. Multi-use would include retail, restaurants, offices and residential buildings.

Specifically, this proposal seeks to expand the use in the Lower Chestnut Street Overlay District to allow multi-family dwelling units by special permit. It also establishes waivers to dimensional requirements. The Lot Area, Frontage and Setback Requirements would change by allowing the Planning Board to waive minimum lot area, minimum front setback, minimum lot frontage, and maximum front setbacks. In addition, this article allows for multi-family dwelling buildings only a 5 foot setback on lots abutting residential districts and the MBTA right-of-way. This article also proposes to increase the current foundational height requirements to an as-of-right 4 stories and 48 feet in height. It further allows the Planning Board to grant a special permit for height of up to 6 stories and 80 feet. This article allows for an increased FAR depending on the number of stories as-of-right instead of by special permit. Lastly, this article allows for multi-family dwelling only to have a minimum of one off-street parking space requirement per bedroom by right.

ARTICLE 13: AMEND ZONING BY-LAW – MAP CHANGE TO LOWER CHESTNUT STREET OVERLAY DISTRICT

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

Place in the Lower Chestnut Street Overlay District a portion of land now zoned Single Residence B and located directly to the south and the west of Parcel 6 as shown on Needham Assessor's Map No. 45 known as 433 Chestnut Street and bounded and described as follows:

A certain parcel of land situated in the Commonwealth of Massachusetts, County of Norfolk, Town of Needham, being a portion of property owned by the Massachusetts Bay Transportation Authority and located westerly of Chestnut Street and being shown as PARCEL 1 on a plan entitled "RE-ZONING PLAN OF LAND IN NEEDHAM, MA (NORFOLK COUNTY)..." dated April 3, 2018, prepared by Beals and Thomas, Inc., being more particularly bounded and described as follows: Beginning at a point at the most northeasterly corner of Parcel 1 opposite station 473+05.40 of the monumented railroad base line of the Charles River Branch as shown on said plan thence running; SOUTHWESTERLY by a curve to the right having a radius of 2900.93 feet and a length of 875.40 feet to a point, said course being in part by land now or formerly of Castanea Dentata, LLC, thence turning and running; N 55° 58' 21" W 83.00 feet to a point, thence turning and running; NORTHEASTERLY by a curve to the left having a radius of 2817.93 feet and a length of 850.35 feet a point, said course being by the existing northwesterly boundary of the Massachusetts Bay Transportation Authority, thence turning and running; S 73° 15' 44" E 83.00 feet to the point of beginning. Containing 71,619 square feet more or less, or 1.644 acres, more or less.

A certain parcel of land situated in the Commonwealth of Massachusetts, County of Norfolk, Town of Needham, being a portion of property owned by the Massachusetts Bay Transportation Authority and located westerly of Chestnut Street and being shown as PARCEL 2 on a plan entitled "RE-ZONING PLAN OF LAND IN NEEDHAM, MA (NORFOLK COUNTY)..." dated April 3, 2018, prepared by Beals and Thomas, Inc., being more particularly bounded and described as follows: Beginning at a point at the most southwesterly corner of Parcel 2 opposite station 481+69.94 of the monumented railroad base line of the Charles River Branch as shown on said plan thence running; NORTHEASTERLY by a curve to the left having a radius of 2900.93 feet and a length of 500.56 feet to a point at the northwesterly corner of land now or formerly of Castanea Dentata, LLC, thence turning and running; S 65° 51' 32" E 110.10

feet to a point, thence turning and running; S 28° 33' 01" E 136.06 feet to a point, said last two courses being by land now or formerly of Castanea Dentata, LLC, thence turning and running; SOUTHWESTERLY by a curve to the left having a radius of 2900.13 feet and a length of 491.57 feet to the point of beginning. Containing 53,681 square feet more or less, or 1.232 acres, more or less.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This article describes the geographical area located directly to the south and the west of 433 Chestnut Street proposed to be placed in the Lower Chestnut Street Overlay District. Portions of both parcel 051-084 and the MBTA right-of-way shown on Assessors' Plan Number 45 are affected by this rezoning. The subject land is owned by the Massachusetts Bay Transportation Authority and is located within the Single Residence B zoning district. A total area of 2.876 acres, more or less, would be affected by this map revision.

And you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least fourteen (14) days before said meeting.

Hereof fail not and make due return of this warrant with your doings thereon unto our Town Clerk on or after said day and hour.

Given into our hands at Needham aforesaid this 11th day of April, 2018.

Daniel P. Matthews, Chair
John A. Bulian, Vice Chair
Maurice P. Handel, Clerk
Matthew D. Borrelli, Member
Marianne B. Cooley, Member

Selectmen of Needham

A TRUE COPY

Attest:

Constable: