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OF COUNSEL
ROBIN GORENBERG

June 27, 2014

Jane Santosuosso
Chief Zoning Code Official
City of Newton
1000 Commonwealth Ave.
Newton, MA 02459

Re: Bright Horizons Children's Center - 320 Needham Street Newton

Dear Jane;

Enclosed please find an application for zoning review including:

1. General Permit Application;
2. Application for Zoning Review;
3. 1981 Deed creating the parcel. Since this was prior to 1988 the property was then in the Manufacturing District which did not have a minimum lot size;
4. Three sheets of plans being (i) site plan, (ii) floor plan and (iii) landscaping plan
5. Original building permit information

The proposal is to use up to 11,060 square feet on the lower level of this 41,780 square foot office building for a child care center for up to 122 children. The designers and the operator went to the Development Review Team this past winter, and I was subsequently advised to file with you for the zoning review.

I am aware that the application for construction of the outside play area will require action of the Conservation Commission, and we will make a separate filing for that.

I understand that the use of the property as a child care center is allowed by G.L. c. 40A Section 3 and Revised Ordinances Section 30-5 (a)(3) and subject to the provisions of that section. Section 30-5 mandates an administrative site plan review, but I believe it is the Department's view that if a special permit site plan review is required then the site plan review of the Aldermen fulfills that requirement.

Jane Santosuosso
June 27, 2014

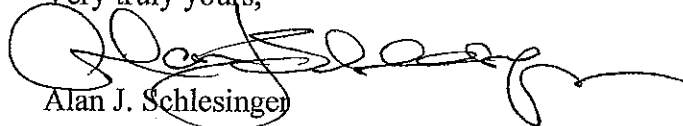
Attached is a parking calculation for the project. The current use as an office building has an ordinance requirement of 146 parking spaces for 41,780 square feet. In fact the property provides 166 parking spaces, a sufficient number, but the parking lot is non-conforming in many respects including aisle widths, dimensions, landscaping, lighting and most other design elements of Section 30-19.

The Zoning Ordinance requirements for child care centers are established for staff in Section 30-19 (d) (16) and for drop-off in Section 30-5 (3) d) iii). Based on our calculation the child care center requirement will be 25 for staff and 25 for drop-off, or a total of 50, and the remaining 30,720 square feet of office will require 113 spaces, for a total combined ordinance requirement of $50 + 113 = 163$ spaces.

The major site plan modification is the introduction of a play area on the site. The play area is shown on the plan and is regulated by Section 30-5 (3) d) i). The architect believes that the play area shown complies with those requirements. However, installation of the play area will remove 23 existing parking spaces, so the aggregate parking shown on the finished site plan is 143 spaces. We are showing in the table that the office space retains its required allocation of 113 spaces but that the child care center is allocated 30 spaces instead of the 50 required, and those are allocated as 17 to the staff instead of 25 required and 13 for drop off instead of 25 required.

I believe that the requested parking reduction will require a waiver of 20 parking spaces from the Board of Aldermen and a modification of the existing non-conformities on the site.

Very truly yours,



Alan J. Schlesinger

AJS:sjk

6-27-14 Parking calculation

Use	Parking Required By Ordinance	Existing Parking	Proposed Parking
Office – Existing	41,780 s.f. total 20,000 s.f. @ 1/250 = 80 spaces plus 21,780 s.f. @1/333 = 66 spaces Total 146 spaces	166	N/A
Office – Proposed	41,780 s.f. – 11,060 daycare = 30,720 s.f. 20,000 s.f. = 80 plus 10,720 s.f. @1/333 = 33 Total 113 spaces	N/A	113
Bright Horizons Family Solutions	122 children 1 drop-off/ 5 children = 25 drop-off	N/A	13
	24 Teachers 1 Director Total 25 Staff required 25 Staff parking plus 25 Drop-off = 50 total	N/A	17
Total	Office 113 Day Care 50 Total Required: 163	Total Current: 166	Total Proposed: 143