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**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

Special Permit

***Nick Landry, Applicant
Elizabeth and Kevin Grimes, Owners
12 Clarke Road
Map 113, Parcel 13***

November 17, 2022

Nick Landry, applicant, applied to the Board of Appeals for a Special Permit under Sections 6.1.2, and any other applicable Sections of the By-Law to allow one additional garage space on the lot. This request is associated with the new construction of a four-bay garage with parking and fitness on the first floor, and storage on the second floor. The property is located at 12 Clarke Road, Needham, MA in the Single Residence A (SR-A) District. A public hearing was held remotely on Zoom, on Thursday, November 17, 2022 at 7:30 p.m.

Documents of Record:

- Application for Hearing, Clerk stamped October 19, 2022.
- Letter from Elizabeth and Kevin Grimes dated October 6, 2022.
- Demo Plan, prepared and stamped by Claudio Sala, Professional Land Surveyor, dated October 5, 2022.
- Proposed Plans, prepared and stamped by Claudio Sala, Professional Land Surveyor, dated October 5, 2022.
- Plans A000, A002-003, A010, A101-105, A200-201, A300, A500 prepared by drt Architects, stamped by Nicholas Landry, registered architect, dated September 27, 2022.
- Revised Plans, prepared by drt Architects, stamped by Nicholas Landry, registered architect, dated November 9, 2022.
- Revised Plans prepared by drt Architects, stamped by Nicholas Landry, registered architect, dated November 16, 2022.
- Letter from Dave Roche, Building Commissioner, dated November 9, 2022.
- Email from Tara Gurge, Assistant Public Health Director, November 8, 2022.

- Letter from Lee Newman, Director of Planning and Community Development, dated November 2, 2022.
- Letter from Thomas Ryder, Town Engineer dated November 7, 2022.
- Email from Rick Lederman and Heidi Fisher dated November 11, 2022.
- Email from Patricia and Gordon Barret dated November 11, 2022.
- Email from Ginny Keator dated November 12, 2022.

November 17, 2022

The Board included Jon D. Schneider, Chair; Jonathan D. Tamkin, Vice-Chair; and Howard S. Goldman, Member. Also participating were Peter Friedenberg, Associate Member, and Nik Ligris, Associated Member. Mr. Schneider opened the hearing at 7:30 p.m. by reading the public notice.

Nick Landry, architect representing the Owners, reported that the existing three-bay garage with storage on the second floor would be demolished and replaced by a two-story, four-bay garage of the same design. The garage will not be visible from the street and will be shielded by trees and vegetation. The new garage will be illuminated by dark-sky sconces between the doors. The new garage will be connected to the existing shed. The first floor will contain the four-bay garage plus a fitness area. The second floor is available for storage and will contain a bathroom. The peak of the garage will be lower than the house peak.

Comments received:

- Engineering Department noted that the plans should be revised to show the calculations that the infiltration system is sized to contain a minimum of one inch of the total impervious area of the site for infiltration.
- Health Department noted that prior to demolition an online Demolition Review was required with the appropriate pest control and asbestos sampling reports.
- Building Department noted that the garage connection to the shed eliminated the 10' distance requirement between structures and met all dimensional requirements of an accessory building. He had no issue with the Special Permit.
- Planning Board had no comment.
- Emails in support were received from the following neighbors: Rick Lederman and Heidi Fisher, 5 Clarke Road; Patti and Gordon Barrett, 21 Clarke Road; and Ginny Keator, 28 Clarke Road.

There was no further public comment.

Mr. Goldman moved to grant a Special Permit under Section 6.1.2 to allow the additional garage space on the lot for a four-car detached garage with a fitness area on the first floor, and storage and a bathroom in the second floor in accordance with the plans submitted conditioned that there be no exterior light spill over to the adjacent properties; and the plans be revised to comply with stormwater drainage as requested by the Engineering Department. Mr. Tamkin seconded the motion. The motion was unanimously approved.

The meeting adjourned at 7:40 p.m.

Findings:

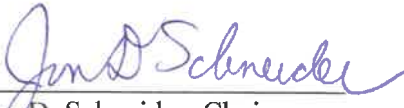
On the basis of the evidence presented at the hearing, the Board makes the following findings:

1. The premises is a 43,560 square foot lot improved with a single family home with an existing detached three bay garage, with storage on the second floor, and also a detached shed, located at 12 Clarke Road, Needham, MA in the Single Residence A (SR-A) District
2. The applicant has proposed to demolish the existing two-story three-bay garage with storage on the second floor and to construct a new two-story, four-bay garage of the same design. The new garage will be connected to the existing shed located on the property. The first floor of the new structure will contain the four-bay garage plus a fitness area. The second floor is available for storage and will contain a bathroom. The peak of the new structure will be lower than the house peak.
3. The existing garage is pre-existing and non-conforming as it was constructed within 10' of a detached shed. To eliminate the non-conformity, the applicant has proposed to attach the new structure to the shed.
4. The applicant may have three garages of right and a fourth garage bay upon issuance a Special Permit under Section 6.1.2.
5. There were no objections as to the proposed new structure, connecting the structure to the existing shed, or to the fourth garage bay. Several neighbors wrote to the Board with their support of the application.
6. The proposed fourth garage bay will not alter the character of the premises, have a material adverse effect on the value of the land and buildings or structures in the neighborhood or amenities thereof or produce noise, odors or glare observable at the lot lines.

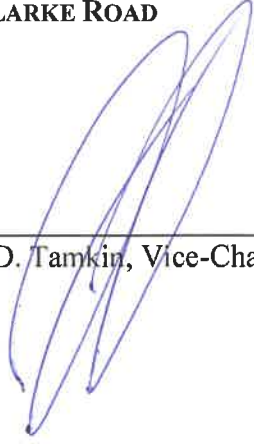
Decision:

On the basis of the foregoing findings, following due and open deliberation, upon motion duly made and seconded, the Board by unanimous vote, grants the Applicant a Special Permit under Sections 6.1.2 for a fourth garage in accordance with the plans filed with the application, subject to the conditions that no exterior light spill over to the adjacent properties and that the applicant's plans be revised and filed with the Board to comply with storm water drainage as requested by the Town's Engineering Department.

SIGNATORY PAGE –12 CLARKE ROAD


Jon D. Schneider, Chair

SIGNATORY PAGE –12 CLARKE ROAD



Jonathan D. Tamkin, Vice-Chair

SIGNATORY PAGE – 12 CLARKE ROAD



Howard S. Goldman, Member