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**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS
SPECIAL PERMIT**

***Zhe Zhu and Fang Guo, Applicants
60 Ellicott Street
Map 30, Parcel 70
July 17, 2025***

Zhe Zhu and Fang Guo, Applicants, (“Applicants”) applied for a Special Permit to allow the extension, alteration, and enlargement of the lawful, pre-existing non-conforming single-family house pursuant to Sections 1.4.6 and 4.2.1(e) of the Zoning By-Law (“By-Law”). The relief is associated with adding a second floor the total length of the non-conforming left side wall of the first floor which is 35 feet in length. The property is located at 60 Ellicott Street (“Premises”) in the Single-Residence B (SRB) zoning district. A public hearing was held in the Charles River Room, Public Services Administration Building, 500 Dedham Avenue on Thursday, July 17, 2025 at 7:30 p.m.

Documents of Record:

- Application for Hearing dated June 18, 2025, Clerk stamped June 20, 2025.
- Plot Plan Existing Conditions, prepared, signed and stamped by Scott Cerrato, Professional Land Surveyor, March 13, 2025.
- Proposed Plot Plan, prepared, signed and stamped by Scott Cerrato, Professional Land Surveyor, March 13, 2025.
- Architectural Plans A000-A002; A100-103, A201-202, A204, A301-A304, A401-402; A700-A701, prepared, stamped and signed by Qi Yang, Registered Architect, May 7, 2025.
- Letter from Lee Newman, Director of Planning and Community Development, July 11, 2025.
- Letter from Justin Savignano, Assistant Town Engineer, July 9, 2025.
- Email from Tara Gurge, Assistant Public Health Director, June 24, 2025.
- Email from John Schlittler, Chief of Police, Police Department, July 8, 2025.
- Email from Thomas M. Conroy, Fire Chief, Fire Department, July 1, 2025.
- Email from Joe Prondak, Building Commissioner, July 8, 2025.

- 60 Ellicott Street, Existing and Historic Information: Pre-existing Non-Conformity, July 22, 2025.
 - Exhibit A – Residential Card Summary
 - Exhibit B – Property Sketch
 - Exhibit C – Building Permit No. 18012, May 21, 1993.

July 17, 2025

The Board included Jonathan Tamkin, Chair; Peter Friedenberg, Associate Member; and Valentina Elzon, Associate Member. Mr. Tamkin opened the hearing at 7:35 p.m. by reading public notice.

Zhe Zhu and Fang Guo, owners and applicants, were in attendance, as well as their son Owen Zhu.

Ms. Guo reported that they are proposing to add a bedroom suite to the second floor above the existing first floor. The first floor has a pre-existing, non-conforming left side wall that is currently 35 feet long. The Applicants propose the second floor to extend to the full length of the current first floor. This is longer than the maximum 32 feet without a two-foot offset currently allowed pursuant to Section 4.2.1 footnote (e) – Table of Regulations of the By-Law; and requires a Special Permit from the Board pursuant to Section 1.4.6 – Alteration of the By-Law.

Ms. Guo noted that the house was built in 1929, and the first floor was extended with an addition in 1993. This was before the adoption of the Zoning Amendment in 2017 which established the maximum 32 feet length of side wall without a two-foot offset, thereby rendering the left side wall legally pre-existing non-conforming per Section 4.2.1 footnote (e) of the By-Law.

Mr. Tamkin asked for evidence establishing the age of the house and the 1994 addition to determine the pre-existing non-conformity. The Applicants did not have any evidence of the history of the structure and its non-conformity. They assured the Board that the information existed in record files of the Building and Assessing Departments and asked if it could be submitted later.

Mr. Friedenberg suggested that approval could be granted contingent on the submission of historic evidence of the pre-existing non-conformity. Ms. Elzon concurred.

Comments received:

- The Building Commissioner had no comment or concerns.
- The Engineering Department had no comment or objections.
- The Fire Department had no issues.
- The Police Department had no concerns.
- The Health Department had no comments.
- The Planning Board was not able to review the application as they did not meet before the public hearing.

There were no comments from the public.

Ms. Elzon was supportive of the project and thought that a Special Permit could be granted contingent on evidence of the pre-existing non-conformity. Mr. Friedenbergr concurred.

Mr. Elzon moved to grant a Special Permit pursuant to Section 1.4.6 – Alteration of the By-Law to allow the total length of the left side wall on the second floor to be extended to 35 feet as presented in the plans submitted, contingent on the submission by the Applicants of evidence of the pre-existing non-conformity. Mr. Friedenbergr second the motion. The motion was unanimously approved.

The meeting adjourned at 8:00 p.m.

On July 22, 2025, the Applicant submitted a report *60 Ellicott Street, Existing and Historic Information: Pre-existing Non-Conformity* with supporting historic records substantiating the pre-existing non-conformity of the structure. The historic record materials indicated that the property consisted of an existing two-story house originally built in 1929. This original house had a footprint measuring 24' wide by 23' in length with a small right-side extension measuring 8' x 12'. The original structure was altered and expanded in 1993 pursuant to Building Permit No.18012 dated May 21, 1993 which added a 12 feet x 26 feet single-story family room to the rear. This resulted in a total 35' linear feet in structure on the left side.

This evidence was forwarded to the Board members.

Findings:

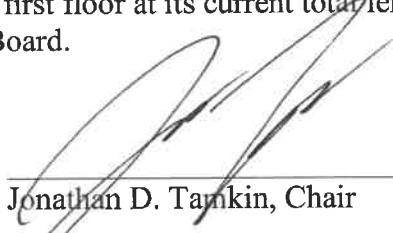
On the basis of the evidence presented at the hearing, the Board makes the following findings:

1. The Premises is a 7,200 square foot lot with 60 feet of frontage at 60 Ellicott Street in the Single-Residence B (SR-B) District. The property is non-conforming as to lot size and frontage as the minimum required for lot size is 10,000 square feet and 80 feet of frontage per Section 4.2.1 of the By-Law. The premises is improved by a two-story, single-family residence built in 1929 with a detached garage.
2. The original residential structure was expanded pursuant to Building Permit No.18012 issued May 21, 1993 where a 12 feet by 26 feet single story family room was added to the rear. This resulted in the current structure having a total 35 linear feet in structure on the left side. However, Section 4.2.1 footnote (e) – Table of Regulations of the By-Law only allows a maximum 32 feet linear feet of structure without a two-foot offset.
3. As requested by the Board, the Applicant submitted historic documentation (Assessor's Residential Card Summary and Property Sketch; and Building Permit No. 18012, May 21, 1993) that the non-conforming left side structure existed prior to the adoption of Article 27 of the 2017 Annual Town Meeting rendering the left side structure lawfully pre-existing.

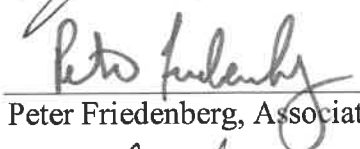
4. The application includes a proposal to add a master bedroom suite which includes a bathroom and walk in closet to the second floor above the 1993 first floor extending the second floor left side structure from 23 feet to 35 feet.
5. Pursuant to Section 1.4.6 – Alterations of the By-Law, a lawful pre-existing non-conforming building may be structurally altered, enlarged or reconstructed by Special Permit issued by the Board.
6. Based on the evidence submitted to the Board during the hearing, and further provided as requested, the Board finds that the existing structure is a lawful, pre-existing non-conforming structure and that the proposed addition will not exceed the current limits of the first floor. The proposed addition will not result in a structure that is substantially more detrimental to the neighborhood than the existing non-conforming structure and is compatible with the characteristics of the surrounding area. A Special Permit can be granted in accordance with the criteria set forth at Section 7.5.2 of the By-Law.

Decision:

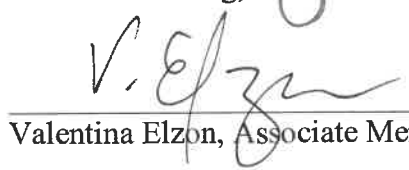
On the basis of the foregoing findings, following due and open deliberation, upon motion duly made and seconded, the Board, by unanimous vote, grants the Applicants a Special Permit under Section 1.4.6 and 7.5.2 of the Zoning By-Law to allow the proposed addition to 60 Ellicott Street to the second story left wall to run along the first floor at its current total length of 35 feet in accordance with the plans submitted to the Board.



Jonathan D. Tankin, Chair



Peter Friedenberg, Associate Member



Valentina Elzon, Associate Member

Appeals from this Decision, if any, shall be made pursuant to Massachusetts General Laws, Chapter 40A, §17, and shall be filed within twenty days after the date of filing of this Decision in the Office of the Town Clerk.

Twenty-Day Appeal Certification

I certify that the 20-day statutory appeal period for this Decision by the Needham Zoning Board of Appeals has passed,

☐ *and there have been no appeals filed in the Office of the Needham Town Clerk or*

☐ *there has been an appeal filed.*

Date

Louise Miller, Town Clerk