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

***Robert C. Martin and Yasodhara, owners
16 Pleasant Street (formerly known 173 Dedham Avenue)
Map 40, Parcel 22***

September 19, 2019

Robert C. Martin and Yasodhara Paruchurru, owners, made application to the Board of Appeals for a Special Permit under Sections 6.1.2, 7.5.2, and any other applicable Sections of the By-Law to permit an additional garage space. The relief sought is associated with the demolition of a single house and detached garage and the reconstruction of a new single family residence with three attached garages. The one-car garage will face Pleasant Street and the two-car garage will face the south side of the property. The property is located at 16 Pleasant Street (173 Dedham Avenue), Needham, MA in the Single Residential B District. A public hearing was held in the Charles River Room, Public Services Administration Building, 500 Dedham Avenue, Needham, MA, on Thursday, September 19, 2019 at 7:30 p.m.

Documents of Record:

- Application for Hearing, dated August 26, 2019, Clerk stamped June 14, 2019.
- Plot Plan prepared by Riverdale Realty Trust, stamped by Paul J. Tyrell, Land Surveyor, June 26, 2019.
- Architectural Plans SKD-0.0-0.2, SKD-1.0-1.4, SKD-2.1-2.5, SKD-3.1-3.7 prepared by Derek Rubinoff Architect, stamped by Derek A. Rubinoff, Architect, August 26, 2019.
- Letter from Lee Newman, Director of Planning and Community Development, September 3, 2019.
- Letter from Thomas A. Ryder, Assistant Town Engineer, Department of Public Works, September 10, 2019.
- Letter from David A. Roche, Building Commissioner, Building Department, September 10, 2019.
- E-mail from Phillip Brandish, 44 Pleasant Street, September 18, 2019.
- Letter from Kevin and Amanda Francis, 37 Pleasant Street, August 10, 2019.
- Letter from Robert and Bridget Smyser, 210 Fair Oaks Park, July 10, 2019.
- Letter from Darryl Cohen, 11 Pleasant Street, August 10, 2019.
- E-mail from Susan Mirageas, August 8, 2019.

September 19, 2019

The Board included Jon D. Schneider, Chairman; Jonathan D. Tamkin, Member; and Howard S. Goldman, Member. Also participating was Kathy Lind Berardi, Associate Member. Mr. Schneider opened the hearing at 7:32 p.m. by reading the public notice.

Robert Martin and Yasodhara Paruchurru, owners, presented. They propose to demolish the single-family house and detached barn/garage located at 173 Dedham Avenue to be replaced with a new single-family house with three attached garages. The new house will front Pleasant Street. The property has been renumbered to 16 Pleasant Street.

The design of the one-car garage facing Pleasant Street and the two -car garage located to the side facing south was created to accommodate concerns raised by the neighbors who did not want a three-car garage facing the street. The garages are not connected, but there is access to both from the interior. Ms. Parachurru noted that her mother lives with them and the separate garage was for her use and to provide privacy and separation.

Mr. Martin noted that all direct abutters had submitted letters supporting the third garage.

Comments received:

- The Planning Board had no comment.
- The Building Department had no comment.
- The Engineering Department identified the need to recharge stormwater and to collect roof runoff, per the Town's Stormwater Bylaw, and that revised plans, certified by an Engineer, identify the stormwater mitigation measures. The proposed driveway and grading, and erosion controls and stormwater management plan shall be submitted in accordance to the Stormwater Bylaw prior to receiving the building permit. The owner noted that civil engineered plans addressed stormwater concerns raised by the Engineering Department.
- Susan Mirageas, 179 Dedham Avenue, was in support of a third car garage.
- Kevin and Amada Francis, 37 Pleasant Avenue, was in support of a third car garage.
- Robert and Bridget Smyser, 210 Fair Oaks Park, supported a third car garage.
- Darryl Cohen, 11 Pleasant Street, supported a third car garage.
- Peter Brandish, 44 Pleasant Street, was unhappy with the design of the single garage in the center of the house is unappealing, makes it look like a two family with 2 separated garages and is not consistent with the form and fit of the neighborhood

Mr. Schneider expressed the view that the design of the house is not one of the criteria set forth in the By-Law for consideration in connection with a third garage. Mr. Tamkin responded that Board had reviewed design issues in connection with third garages in the past.

Mr. Schneider reminded the applicants that no exterior light may spill over onto the neighbor's property. The owners stated that the exterior front light will shine downward. There will be a motion detector light, but it will not spill over.

Mr. Tamkin thought that the house massing, the garage bay in the middle, and the design does make the home look like a two-family.

Ms. Paruchuruu offered that they would use a single color across the front so that the garage would blend into the structure as a whole.

No comments were made from the public present.

Mr. Goldman moved to grant the owners an additional garage space under Sections 6.1.2 associated with the demolition of an existing single-family home and accessory building and the reconstruction of a new single-family house with two attached garages as presented in the submitted plans conditioned that

- exterior lighting will be downward and that it not spill over to adjacent properties;
- all stormwater and erosion controls measures and plans requested by the Engineering Department shall be provided prior to submitting the building permit application.

The meeting adjourned at 7:45p.m.

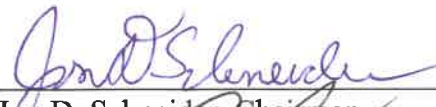
Findings:

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

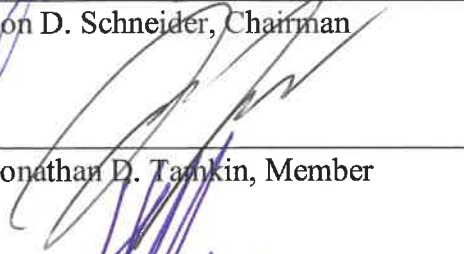
1. The premises is an 18, 208 square foot lot with 132.7 feet of frontage on Dedham Avenue and 172.91 feet of frontage on Pleasant Street located in the Single Residence B District. The lot is improved with a single-family house and detached garage.
2. The applicant proposes to demolish the existing structures and to build a new single-family home with a two-car garage on the side and a single car garage in the front. The new house will comply with all dimensional requirements for the District. The applicant has arranged to have the street address changed from 173 Dedham Avenue to 16 Pleasant Street.
3. The applicant is entitled to a two-car garage as of right and a third car garage if the Board issues a Special Permit under Section 6.1.2.
4. The proposed third garage (a) will not alter the character of the premises in which it is located, (b) will not have a material adverse effect on the value of the land and buildings or structures in the neighborhood or the amenities thereof, and (c) will not produce noise, odors or glare observable at the lot lines in amounts clearly detrimental to the normal use of the adjacent property. The granting of a Special permit is consistent with the criteria of Section 7.5.2.

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 Section 6.1.2 and 7.5.2 to build three garages in accordance with the plans presented at the hearing, subject to the conditions that (a) exterior lighting will be downward and will not spill over to adjacent properties; and (b) all stormwater and erosion controls measures and plans requested by the Engineering Department shall be provided prior to submitting the building permit application.



Jon D. Schneider, Chairman



Jonathan D. Tankin, Member



Howard S. Goldman, Member