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

***Duc T. Nguyen and Vy D. Hoang, owners
153 Central Avenue
Map 84, Parcel 46***

(Filed during the Municipal Relief Legislation, Chapter 53 of the Acts 2020)

April 30, 2020

Duc T. Nguyen & Vy D. Hoang, owners, made application to the Board of Appeals for a Special Permit under Sections 3.1.5, 7.5.2, and any other applicable Sections of the By-Law to permit an Accessory Dwelling Unit containing 850 square feet, located on the first floor of single family residence located at 153 Central Avenue, Needham, MA in the Single Residential B District. A public hearing was held remotely on Zoom, Meeting ID Number 307290361, on Thursday, April 3, 2020 at 7:45 p.m.

Documents of Record:

- Application for Hearing, Clerk stamped April 2, 2020.
- ADU-ZBA Special Permit Application
- Letter from Duc Nguyen, April 1, 2020
- Proposed Plot Plan prepared by Cheney Engineering Company, Inc., stamped by professional land surveyor Stephen E. Davis; dated November 5, 2019.
- Floor Plans Primary and Accessory units, 4 pages, prepared by Duc T. Nguyen.
- Exterior photographs of Property, 3 photos.
- Email from Dennis Condon, Chief of Fire Department, April 14, 2020.
- Email from Tara Gurge, Assistant Public Health Director, April 14, 2020.
- Email from Chief John Schlittler, Needham Police Department, April 27, 2020.
- Email from David A. Roche, Building Commissioner, April 14, 2020.
- Letter from Lee Newman, Director of Planning and Community Development, April 22, 2020.
- Letter from Thomas A. Ryder, Assistant Town Engineer, April 23, 2020.
- Email from Karen Sunnaborg, Community Housing Specialist, April 22, 2020.

March 30, 2020

The Board held this meeting virtually on Zoom as allowed under "Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20". Notice of the hearing was posted on

- there be adequate water, sewer and drainage.

Mr. Nguyen reported that his in-laws do not drive and that there is enough parking for four cars.

Mr. Nguyen said that he drew the plans for the ADU and he believed that the unit was 850 square feet. Mr. Schneider informed Mr. Nguyen that the Building Commissioner would impose changes if the unit was larger than 850 square feet.

It appeared that the proposed ADU meet the requirements of the By-Law.

Mr. Schneider stated that the Board would be imposing a condition that if at any time the Building Commissioner has concerns, he may request evidence of who is living in the unit. Verification shall be provided to the Building Commissioner within 30 days. The Building Commissioner may revoke the Special Permit if he does not receive evidence of compliance. The Special Permit holder can appeal any revocation to the Board.

Mr. Goldman moved to grant a Special Permit to permit an Accessory Dwelling Unit containing 850 square feet, located on the first floor of single-family residence located at 153 Central Avenue with the condition that

the Building Commissioner may request evidence of who is living in the Accessory Dwelling Unit. Verification shall be provided to the Building Commissioner within 30 days. If there is a failure to provide satisfactory evidence, the Building Commissioner may revoke the Special Permit. The Special Permit holder can appeal the Building Commissioner's decision before the Board.

Mr. Tamkin seconded the motion. The motion was unanimously approved.

The meeting adjourned at 8:40 p.m.

Findings:

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

1. The premises is a lot containing 20,271 square feet improved with a single-family house and located in the Single Residence B District.
2. The applicant is renovating the house to include an apartment on the first floor with a living room, dining room, kitchen, bathroom and a bedroom with a private bath. The apartment unit will have two means of egress and an interior door with access to the primary unit. The primary unit will be on the second and third floor and contain four bedrooms and three bathrooms as well as a living room/kitchen. There will be a laundry, storage space and office in the basement. The property is served by Town water and sewer.
3. The owners will occupy the primary unit and the first floor apartment will be occupied by the parents of one of the owners. The owners seek a Special Permit under Section 3.15 of the By-law for an Accessory Dwelling Unit ("ADU").

SIGNATORY PAGE –153 CENTRAL AVENUE



Jon D. Schneider, Chair

SIGNATORY PAGE – 15 CENTRAL AVENUE



Howard S. Goldman, Member