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**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

Special Permit

***Andrew P. Feldman, applicant
68 Garden Street
Map 52, Parcel 24***

May 19, 2022

68 Garden Street –Andrew P. Feldman, 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. This request is associated with the construction of a new single-family home with an attached two-car garage. The property is located at 68 Garden Street, Needham, MA in the Single Residence B (SRB) District. A public hearing was held remotely on Zoom, on Thursday, May 19, 2022 at 7:30 p.m.

Documents of Record:

- Application for Hearing, Clerk stamped April 26, 2022.
- Rendering of proposed.
- Plans A-0-3, A-10-12, A20-25, A-30, A-40-41, E-1-3, prepared by Steven Baczek, dated February 1, 2022.
- Plan of Land prepared by Field Resources, Inc and stamped by Bradley Simonelli, Professional Land Surveyor and dated March 7, 2022.
- Proposed Plot Plan prepared by Field Resources, Inc and stamped by Bradley Simonelli, Professional Land Surveyor and dated February 10, 2022.
- Certified Plot Plan prepared by Field Resources, Inc and stamped by Bradley Simonelli, Professional Land Surveyor and dated February 11, 2022.
- Letter from Lee Newman, Director of Planning and Community Development, dated May 18, 2022.
- Letter from Dave Roche, Building Commissioner, dated May 6, 2022.
- Email from Chief Dennis Condon, Fire Department, dated April 29, 2022.
- Email from Chief John Schlittler, Police Department, dated April 28, 2022.
- Email from Tara Gurge, Assistant Public Health Director, May 10, 2022.

- Email from Thomas Ryder, Town Engineer dated May 11, 2022.

May 19, 2022

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

Mr. Feldman reported that he was building a new home permitted by the Building Department. He would like the new home to include a third bay garage. Originally this space was planned as living space with two windows. He wants to modify the space to have a single garage door instead. This is a small space located between the front door and the two-car garage.

Mr. Schneider asked if the house was fully constructed. Mr. Feldman responded that only the foundation was in.

Comments received:

- Planning Board had no comment.
- Engineering Department had no comment or objection.
- Fire Department had no issue.
- Health Department had no comment.
- Police Department has no issue.
- Building Department had no comment.

There were no comments from the public.

Mr. Goldman inquired about the proposed lighting. Mr. Feldman said that there have been no discussions yet with the architect about the lighting. Mr. Goldman noted that the By-Law requires that the lighting be downward and without glare observable beyond the lot lines.

Mr. Ligris suggested that there be no more than four exterior lights. There was general agreement that conditioning the number was not necessary.

Mr. Goldman moved to grant a Special Permit under Sections 6.1.2 to allow one additional garage space in accordance with the plans submitted conditioned that no exterior light spill over to the adjacent properties. Mr. Tamkin seconded the motion. The motion was unanimously approved.

The meeting adjourned at 7:40 p.m.

Findings:

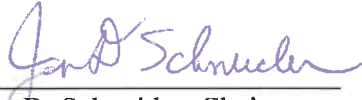
On the basis of the evidence presented at the hearing, the Board makes the following findings:

1. The premises are an 17,189 square foot lot with 84.89 feet of frontage on Garden Street, located in the Single Residence B District.
2. The applicant has demolished the previous single-family home and garage and proposes to build a new single-family home with a garage. The applicant has a building permit for the new house with a two-car garage and has built the foundation. The applicant proposes to change some of the space in the new house into a third garage. The new structure will comply with all dimensional requirements for the District.
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 Sections 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 exterior lighting will be downward and will not spill over to adjacent properties.

SIGNATORY PAGE – 68 GARDEN STREET



Jon D. Schneider, Chair

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Jonathan D. Tamkin, Vice- Chair

SIGNATORY PAGE – 68 GARDEN STREET



Howard S. Goldman, Member