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**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

Special Permit

***Jonathan Trahan, applicant
54 Pheasant Landing Road
Map 221, Parcel 199***

August 10, 2022

Jonathan Trahan 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 the construction of a detached single-car garage. The property is located at 54 Pheasant Landing Road, Needham, MA in the Single Residence A (SR-A) District. A public hearing was held remotely on Zoom, on Wednesday, August 10, 2022 at 7:45p.m

Documents of Record:

- Application for Hearing, Clerk stamped July 25, 2022.
- Building Permit Plan (Garage), prepared by GPR (Goldsmith, Prest & Ringwall, Inc.) and stamped by David J. DeBay, Professional Land Surveyor, dated May 25, 2022.
- Plans 1-1, prepared by GPR (Goldsmith, Prest & Ringwall, Inc.) and stamped by Nicholas M. Pauling, Registered Professional Engineer dated July 25, 2022.
- Plans SP1.00; A1.10 prepared by Carpenter and MacNeille Architects and Builders, stamped by Robert S. MacNeillee, Registered Architect, dated March 20, 2022.
- Letter from Dave Roche, Building Commissioner, dated July 25, 2022.
- Email from Chief Tom Conroy, Fire Department, dated August 2, 2022.
- Email from Thomas Ryder, Town Engineer dated August 2, 2022.
- Memo from Clay Hutchinson, Conservation Specialist dated July 27, 2022.
- Email from Chief John Schlittler, Police Department dated August 2, 2022.

August 10, 2022

The Board included Jon D. Schneider, Chair; Jonathan D. Tamkin, Vice-Chair; and Howard S. Goldman, Member. Also participating was Peter Friedenberg, Associate Member. Mr. Schneider opened the hearing at 8:02p.m. by reading the public notice.

Bruce Ringwall, engineer representing the applicant, reported that the house was built in 1909 and the property was subdivided in 1986 into the Pheasant Landing development. The current three-acre lot property is located in the SRA district. The property has an attached 608 square foot three-car garage with three bays doors. Currently two of the bays are used for cars and the third bay for lawn equipment and children's bikes. The garage is accessible by a circular driveway and there is a wetland to the east of the property.

The applicant is proposing a single free standing 16 foot by 24-foot detached garage on the north end of the circular driveway with an 8.4' setback from the property line. The garage will be used to store an heirloom car.

Mr. Ringwall noted that the project is scheduled to go before the Conservation Commission on August 11, 2022 for a Request for Determination Applicability (RDA). There will be no new impervious area associated with the garage addition. However, because there will be the removal of asphalt associated with the project, an RDA is required.

Comments received:

- Engineering Department noted that the plans should be revised to show the required erosion control measures prior to receiving a building permit.
- Fire Department had no issue.
- Police Department has no issue.
- Building Department had no comment.
- Conservation Department has an RDA before the Conservation Commission on August 11, 2022.

There were no comments from the public.

Mr. Schneider stated that the Board's approval will be conditional to approval from the Conservation Commission and compliance with the Engineering Department's requirements.

Mr. Goldman thought the presentation was thorough. Mr. Tamkin thought the proposal was attractive.

Mr. Tamkin moved to grant a Special Permit under Sections 6.1.2 to allow the addition of a detached single car garage as presented in the submitted plans subject to the following: that there be no exterior light spill over to the adjacent properties; Conservation Commission approval; and compliance with the Engineering Department's requirements. Mr. Goldman seconded the motion. The motion was unanimously approved.

The meeting adjourned at 8:18 p.m.

Findings:

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

1. The premises is comprised of a 3.22-acre lot property, located in the SRA district, with an existing single-family house, and an attached 608 square foot three-car garage with three bays doors. Currently two of the garage bays are used for cars and the third bay for lawn equipment and children's bikes. The existing garage is accessible by a circular driveway and there is are wetlands to the east of the premises.
2. The applicant proposes to construct a single free standing 16 foot by 24-foot detached garage on the north end of the circular driveway with an 8.4' setback from the property line. The garage will be used to store an antique car.
3. The applicant has applied to the Conservation Commission for a determination that they may build the proposed detached garage and the Town Department of Public Works has requested compliance with the Stormwater Bylaw regarding erosion control as no new impervious area associated with the garage addition may be created.
4. The applicant is entitled to a three-car garage as of right, and a fourth car garage, in this SRA district, if the Board grants a Special Permit under Section 6.1.2 based upon sufficient facts.
5. Based upon the evidence presented, the proposed fourth 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 set forth in Section 7.5.2 of the Zoning By-Laws.

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 to build a single free standing 16 foot by 24 foot detached garage on the north end of the circular driveway in accordance with the plans presented at the hearing, subject to the conditions that (a) exterior lighting will be downward facing and will not spill over to adjacent properties; (b) all stormwater and erosion controls measures and plans requested by the Department of Public Works shall be provided prior to submitting the building permit application; and (c) the Conservation Commission shall have approved the applicant's request to construct the garage.

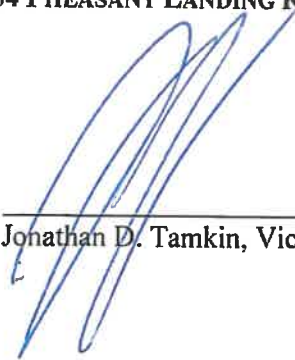
SIGNATORY PAGE – 54 PHEASANT LANDING



ROAD Jon D. Schneider,

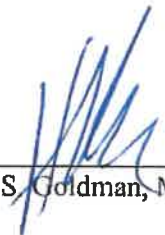
Chair

SIGNATORY PAGE – 54 PHEASANT LANDING ROAD



Jonathan D. Tamkin, Vice- Chair

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Howard S. Goldman, Member