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**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

Special Permit

***Peter and Suzanne Billante, owners
180 Laurel Drive
Map 203, Parcel 83***

August 10, 2022

180 Laurel Drive –Peter and Suzanne Billante, owners, applied to the Board of Appeals for a Special Permit under Sections 1.4.6, 6.1.2, and any other applicable Sections of the By-Law to allow the construction of an attached two-car garage and to alter and maintain a pre-existing legal non-conforming garage. The property is located at 180 Laurel Drive, Needham, MA in the Single Residence B(SR-B) District. A public hearing was held remotely on Zoom, on Wednesday, August 10, 2022 at 7:30p.m.

Documents of Record:

- Application for Hearing, Clerk stamped July 18, 2022.
- Existing Condition Plot Plan, prepared and stamped by Christopher C. Charlton, Professional Land Surveyor, dated April 15, 2022.
- Proposed Additions Plot Plan, prepared and stamped by Christopher C. Charlton, Professional Land Surveyor, dated June 30, 2022.
- Plans 1-7, prepared by Scott Melching, AIA, dated July 1, 2022.
- Letter from Dave Roche, Building Commissioner, dated July 25, 2022.
- Email from Chief Tom Conroy, Fire Department, dated August 2, 2022.
- Email from Tara Gurge, Assistant Public Health Director, July 26, 2022.
- Email from Thomas Ryder, Town Engineer dated August 2, 2022.
- Letter from Mark Hoffman dated August 8, 2022.
- Letter from Tom and Julie Kelleher dated August 5, 2022.
- Letter from Pam and John Barker dated July 28, 2022.
- Letter from Tara and Mark Warren dated August 7, 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 7:30 p.m. by reading the public notice.

Scott Melching, architect representing the owners, reported that a new attached two garage was being proposed that would face Laurel Drive. This garage was being built for convenience and safety. Currently there is an existing detached garage built in 1928 that faces Warren Street. The Warren Street garage is a non-conforming structure which sits on the property line where the By-Law requires five feet. The existing garage's dimension can only accommodate one car. The owner's intent is to use the existing garage for one car. Mr. Melching noted that he had a discussion with the Building Commissioner who concurred that the existing garage cannot reasonably accommodate more than one car.

Mr. Tamkin was satisfied with allowing the existing garage to remain if only one car is allowed to park in it.

Mr. Goldman inquired about the proposed lighting as that the By-Law requires that the lighting be downward and without glare observable beyond the lot lines. Mr. Melching said the lighting will comply with the By-Law.

Comments received:

- Engineering Department noted that the plans should be revised to show the calculations that the infiltration system is sized to contain a minimum of one inch of the total impervious area of the site for infiltration.
- Fire Department had no issue.
- Health Department had no comment.
- Police Department has no issue.
- Building Department had no comment.
- Letters of Support were received from the following neighbors: Mark Hoffman, 172 Laurel Drive; Tom and Julie Kelleher, 401 Warren Street; Pam and John Barker, 145 Laurel Drive; and Tara and Mark Warren, 175 Laurel Drive.

There were no comments from the public.

Mr. Tamkin moved to grant a Special Permit under Sections 1.4.6, and 6.1.2 to allow the addition of a new two car garage in accordance with the plans submitted conditioned that the existing garage be used for only one car; no exterior light spill over to the adjacent properties and the plans be revised to comply with stormwater drainage as requested by the Engineering Department. Mr. Goldman seconded the motion. The motion was unanimously approved.

The meeting adjourned at 7:40 p.m.

Findings:

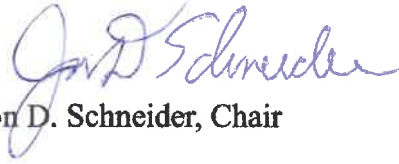
Based on the evidence presented at the hearing, the Board makes the following findings:

1. The premises is located in a Single Residence B District and the Applicant has proposed to construct a new attached two-car garage and to maintain a pre-existing legal non-conforming garage. A Special Permit authorizing a third garage bay is required in this zoning district.
2. The new attached two-car garage, and the existing legal non-conforming garage, are shown on Proposed Additions Plot Plan, prepared and stamped by Christopher C. Charlton, Professional Land Surveyor, dated June 30, 2022, and plans prepared by Scott Melching, AIA, dated July 1, 2022, all as presented at the hearing (collectively the “Plans”).
3. The new attached two-car garage and continued use of the existing garage will not alter the character of the premises, will not have a material adverse effect on the value of the land and buildings and structures in the neighborhood, or the amenities thereof and will not produce noise, odors or glare observable at the lot lines in amounts clearly detrimental to the normal use of adjacent property.

Decision:

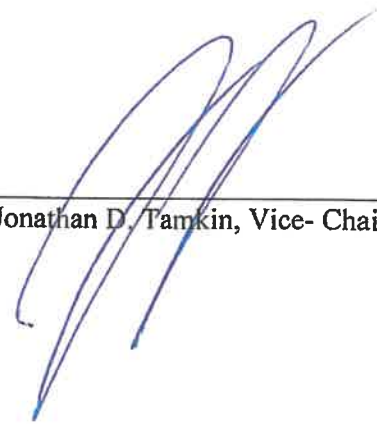
On the basis of the foregoing findings, following motion duly made and seconded, after due and open deliberation, the Board by unanimous vote grants the Applicant a special permit under 6.1.2 of the Zoning By-law to construct a new attached two-car garage and to maintain the pre-existing legal non-conforming garage so as to allow third car garage bay on the property, all in accordance with the Plans presented at the hearing and expressly conditioned on only one car being parked in the existing garage, that there be no exterior light spill over to the adjacent properties, and that the Plans be revised to comply with stormwater drainage as may be required by the Engineering Department.

SIGNATORY PAGE -180 LAUREL DRIVE

A handwritten signature in blue ink, appearing to read "Jon D. Schneider". The signature is fluid and cursive, with the first name "Jon" and last name "Schneider" clearly distinguishable.

Jon D. Schneider, Chair

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Jonathan D. Tamkin, Vice- Chair

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Howard S. Goldman, Member