

NEEDHAM
ZONING BOARD OF APPEALS
AGENDA
THURSDAY, June 15, 2023 - 7:30PM

Charles River Room Public Service Administration Building 500 Dedham Avenue Needham, MA 02492	Also livestreamed on Zoom Meeting ID: 869-6475-7241 To join the meeting click this link: https://us02web.zoom.us/j/86964757241
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Public Services Administration Building, Charles River Room
500 Dedham Avenue, Needham, MA

Minutes	Review and approve Minutes from May 18, 2023 meeting.
Case #1 – 7:30PM	72 School Street –72 School Street, LLC, applicant, applied to the Board of Appeals for a Special Permit Amendment under Sections 5.1.3(i) (j) and any other applicable Sections of the By-Law to waive strict adherence to parking plan and design requirements. This request is associated with an addition of a second floor of approximately 1,500 square feet containing a play area for children, administrative offices and a 500 square foot apartment.
Discussion	ZBA Decision Process 2023 ZBA Meeting Schedule

Next ZBA Meeting – July 20, 2023

NEEDHAM
ZONING BOARD OF APPEALS
MINUTES
THURSDAY, May 18, 2023– 7:30 PM
Zoom Meeting ID Number: 869-6475-7241

Pursuant to notice published at least 48 hours prior to this date, a meeting of the Needham Board of Appeals was held remotely on Zoom on Thursday, May 18, 2023 at 7:30 p.m. Jonathan D. Tamkin, Vice-Chair, presided and the following members were present: Peter Friedenberg, and Nik Ligris. Absent: Jon Schneider; and Howard Goldman. Mr. Tamkin opened the meeting at 7:30 p.m.

Minutes - Mr. Ligris motioned to approve the minutes of April 27, 2023. Mr. Friedenberg seconded the motion. The motion was unanimously approved.

Case #1	145 Rosemary Street	Approved
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The meeting adjourned at 7:52 p.m.

FRIEZE CRAMER ROSEN & HUBER LLP
C O U N S E L L O R S A T L A W

62 WALNUT STREET, SUITE 6, WELLESLEY, MASSACHUSETTS 02481
781-943-4000 • FAX 781-943-4040

May 22, 2023

BY HAND DELIVERY

Board of Appeals Members
Town of Needham
Administration Building
500 Dedham Avenue
Needham, MA 02492
Attn: Daphne Collins

Re: Application for Amendment to Special Permit
 72 School Street, Needham, MA

Dear Members of the Board of Appeals:

On behalf of 72 School Street LLC, enclosed please find the following:

- 1) Application for Amendment to Special Permit (7 copies)
- 2) Certified site plans prepared by a registered surveyor (7 copies)
- 3) Signed and stamped floor plans and elevations prepared by the project Architect.
- 4) Letter to the Board describing the parking waivers requested from Section 5.1.3 of the Zoning By-Law (Parking Plan and Design Requirements). (7 copies). The waiver sections listed are identical to those requested and granted by the Board in connection with the Decision dated October 16, 1997. The letter also discusses certain other issues relating to the Application.
- 5) Filing fee in the amount of \$200.00 payable to the Town of Needham.

Board of Appeals Members

May 22, 2023

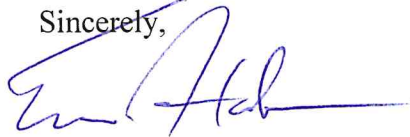
Page 2

Copies of these documents have also been submitted electronically.

I would appreciate your placing this matter on the next available Board of Appeals meeting agenda for hearing.

If there is any additional information you require, or if you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Evans Huber", with a long horizontal flourish extending to the right.

Evans Huber

Enclosures

FRIEZE CRAMER ROSEN & HUBER LLP

C O U N S E L L O R S A T L A W

62 WALNUT STREET, SUITE 6, WELLESLEY, MASSACHUSETTS 02481
781-943-4000 • FAX 781-943-4040

May 22, 2023

BY HAND DELIVERY

Board of Appeals Members
Town of Needham
Administration Building
500 Dedham Avenue
Needham, MA 02492
Attn: Daphne Collins

Re: Application for Amendment to Special Permit
 72 School Street, Needham, MA

Dear Members of the Board of Appeals:

In connection with the application of 72 School Street LLC for an amendment to its existing special permit, I am writing to provide the Board with certain information that may be of use to it in considering this application. In order to move this project forward, the applicant has sought to be placed on the Board's agenda for June 15. Due to family commitments, I will not be able to attend that hearing, so the applicant and other members of the applicant's team will be present without me. Accordingly, this letter is intended to provide the Board with some background, as well as information that I would provide if I were present at the hearing.

72 School Street is located at the corner of School Street and Lincoln Street in the single Residence B Zoning District. The lot is comprised of 15,000 square feet and contains a one-story child care facility, a lawn area, and a parking area for 16 vehicles. The Board of Appeals issued a Special Permit on October 16, 1997, granting a Special Permit under Section 5.1.1.5 to waive strict adherence to certain parking design requirements contained in Section 5.1.3 (i) and (j) of the Zoning By-Law. The zoning relief was granted to provide for a 12-foot wide maneuvering aisle to accommodate the installation of a ramp to enter the facility and to allow one parking space to be located within five feet of the building line. The construction of the ramp was required to comply with the requirements of the Architectural Access Board. The one space in question was less than 5 feet from the building due to an existing bulkhead.

Board of Appeals Members

May 22, 2023

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On June 21, 2001, the Board amended its 1997 Decision by substituting a new site plan that added two new parking spaces and an 850 square foot addition to the building. The additional spaces and expansion of the building were proposed in connection with an increase in enrollment to 66 children. With the additional parking spaces, the property remained in compliance with the required number of parking spaces, notwithstanding the increase in enrollment.

On April 26, 2012, the Board further amended the Special Permit to modify and/or clarify some of the conditions contained in the 1997 Decision. No change to the structure, nor increase in enrollment, was requested.

Since 1997 the property and the child care facility operated there have always remained under the ownership and control of members of the Tobin family, through various entities. Applicant, the entity which currently owns the property, is now proposing to add a second story to a portion of the building, which addition will comprise approximately 1500 square feet. The purposes of the addition are to provide an indoor play and movement area for the children, administrative offices, and a small apartment of approximately 500 square feet. The apartment will be used solely by members of the Tobin family on those occasions when it is more convenient to stay there overnight rather than drive home. It will not be rented to members of the public.

Both of these uses (single-family residential and child care facility) are allowed by right in this zoning district, as is the mixed use, provided that one of the uses is residential, as is the case here. *See* table of use regulations found at Section 3.2.1 of the Bylaw. The structure is, and will remain following the proposed addition of a partial second floor, compliant with all dimensional regulations in the bylaw.

No increase in enrollment is proposed, so the property remains compliant with the required number of parking spaces. On May 12, 2023, I spoke with Building Commissioner Roche about this proposal. He agreed that there was no issue with the proposed uses from a zoning perspective. With respect to parking, I told him that the proposed small apartment would be used only by Tobin family members only intermittently, who would be on the property anyway as part of the staff. Mr. Roche stated that the proposed apartment would not increase the required parking supply above and beyond what the bylaw requires for the child care facility, which this project meets and will continue to meet.

The applicant is requesting that the Special Permit be amended to permit the proposed expansion.

The Applicant is also requesting relief from Section 5.1.3 of the Zoning By-Law (parking plan and design requirements), which relief has also been granted by this Board as part of prior amendments. The following is a list of the specific subsections of Section 5.1.3 for which relief is requested, with respect to existing spaces:

Board of Appeals Members

May 22, 2023

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1) Section 5.1.3(i) Width of Maneuvering Aisle

The maneuvering aisle is 12 feet rather than the required 18. Waiver of strict compliance with this requirement was requested and approved in the 1997 Decision in order to permit the installation of a handicapped ramp, and 4.5 feet of grassy area on the property line, for the length of the drive.

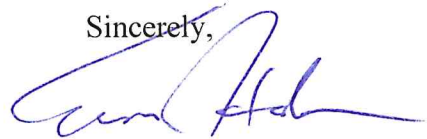
3) Section 5.1.3(j) Parking Setbacks

There is one parking space that is within 5 feet of the building. Waiver of strict compliance with this requirement was requested and granted in the 1997 Decision.

Parking waivers are again requested from the above-described subsections of Section 5.1.3.

Thank you for your consideration of these points.

Sincerely,

A handwritten signature in blue ink, appearing to read "Evans Huber", is written over the word "Sincerely,".

Evans Huber



ZBA Application For Hearing

Applicants must consult with the Building Inspector prior to filing this Application. Failure to do so will delay the scheduling of the hearing.

Applicant Information

Applicant Name	72 School Street LLC			Date:	05/22/23
Applicant Address	PP.O. Box 59, Natick MA				
Phone	781-704-4028	email	Mbctobin@thetobinschool.org		
Applicant is ☒ Owner; ☐ Tenant; ☐ Purchaser; ☐ Other _____					
If not the owner, a letter from the owner certifying authorization to apply must be included					
Representative Name	Evans Huber, Esq.				
Address	Frieze Cramer Rosen & Huber LLP, 62 Walnut Street, Suite 6, Wellesley, MA 02481				
Phone	781-943-4000	email	eh@128Law.com		
Representative is ☒ Attorney; ☐ Contractor; ☐ Architect; ☐ Other _____					
Contact ☐ Me ☒ Representative in connection with this application.					

Subject Property Information

Property Address	72 School Street		
Map/Parcel Number	Type text here Map 47 Parcel 31	Zone of Property	SRB
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☐ Yes ☒ No			
Is property ☒ Residential or ☒ Commercial (note: property currently child care; proposal includes residential apt.)			
If residential renovation, will renovation constitute "new construction"? ☐ Yes ☒ No			
If commercial, does the number of parking spaces meet the By-Law requirement? ☒ Yes ☐ No			
Do the spaces meet design requirements? ☐ Yes ☒ No			
Application Type (select one): ☐ Special Permit ☐ Variance ☐ Comprehensive Permit ☒ Amendment ☐ Appeal Building Inspector Decision			



ZBA Application For Hearing

Existing Conditions: The property is located at the corner of School and Lincoln Streets in the SRB zoning district. The lot is 15,000 s.f. and contains a one-story child care facility, a lawn area, and parking for 16 vehicles. The Board of Appeals issued a Special permit on 10-16-97 waiving the requirement of strict adherence with sections 5.1.3(i) (width of maneuvering aisle 12 feet instead of 16; and 5.1.3(j)(one space within 5 feet of building). By Amendment to Special Permit on 06-21-01, maximum enrollment is 66 children.

Statement of Relief Sought: Amendment to Special Permit to allow addition of a second floor of approximately 1,500 s.f., to house a play area for the children, administrative offices, and a small apartment of approximately 500 s.f. solely for the use of members of the Tobin family. Both uses are allowed by right in this district; no increase in enrollment is proposed, and, per conversation with David Roche, the addition of the small apartment does not increase the parking requirement. Please see accompanying letter for a more detailed discussion.

Applicable Section(s) of the Zoning By-Law: 5.1.3(i); 5.1.3(j) ; 7.5.2

If application under Zoning Section 1.4 above, list non-conformities:

	Existing Conditions	Proposed Conditions
Use	N/A	N/A
# Dwelling Units	N/A	N/A
Lot Area (<i>square feet</i>)	N/A	N/A
Front Setback (<i>feet</i>)	N/A	N/A
Rear Setback (<i>feet</i>)	N/A	N/A
Left Setback (<i>feet</i>)	N/A	N/A
Right Setback (<i>feet</i>)	N/A	N/A
Frontage (<i>feet</i>)	N/A	N/A
Lot Coverage (%)	N/A	N/A
FAR (<i>Floor area divided by the lot area</i>)	N/A	N/A
<i>Numbers must match those on the certified plot plan and supporting materials</i>		



ZBA Application For Hearing

Date Structure Constructed including additions:
1927; several subsequent conforming additions

Date Lot was created:
1874

Submission Materials	Provided
Certified Signed Plot Plan of Existing and Proposed Conditions (Required)	✓
Application Fee, check made payable to the Town of Needham Check holders name, address, and phone number to appear on check and in the Memo line state: "ZBA Fee – Address of Subject Property" (Required)	✓
If applicant is tenant, letter of authorization from owner (Required)	N/A
Electronic submission of the complete application with attachments (Required)	✓
Elevations of Proposed Conditions (when necessary)	✓
Floor Plans of Proposed Conditions (when necessary)	✓

Feel free to attach any additional information relative to the application.
Additional information may be requested by the Board at any time during the
application or hearing process.



I hereby request a hearing before the Needham Zoning Board of Appeals. I have
reviewed the Board Rules and instructions.

I certify that I have consulted with the Building Inspector 04-11-23 AND 05-12-23
date of consult

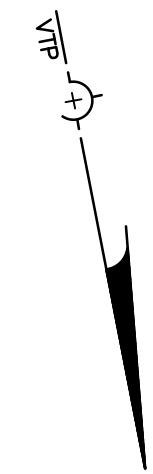
Date: 05-22-23 Applicant Signature [Signature]

*An application must be submitted to the Town Clerk's Office at
townclerk@needhamma.gov and the ZBA Office at dcollins@needhamma.gov*

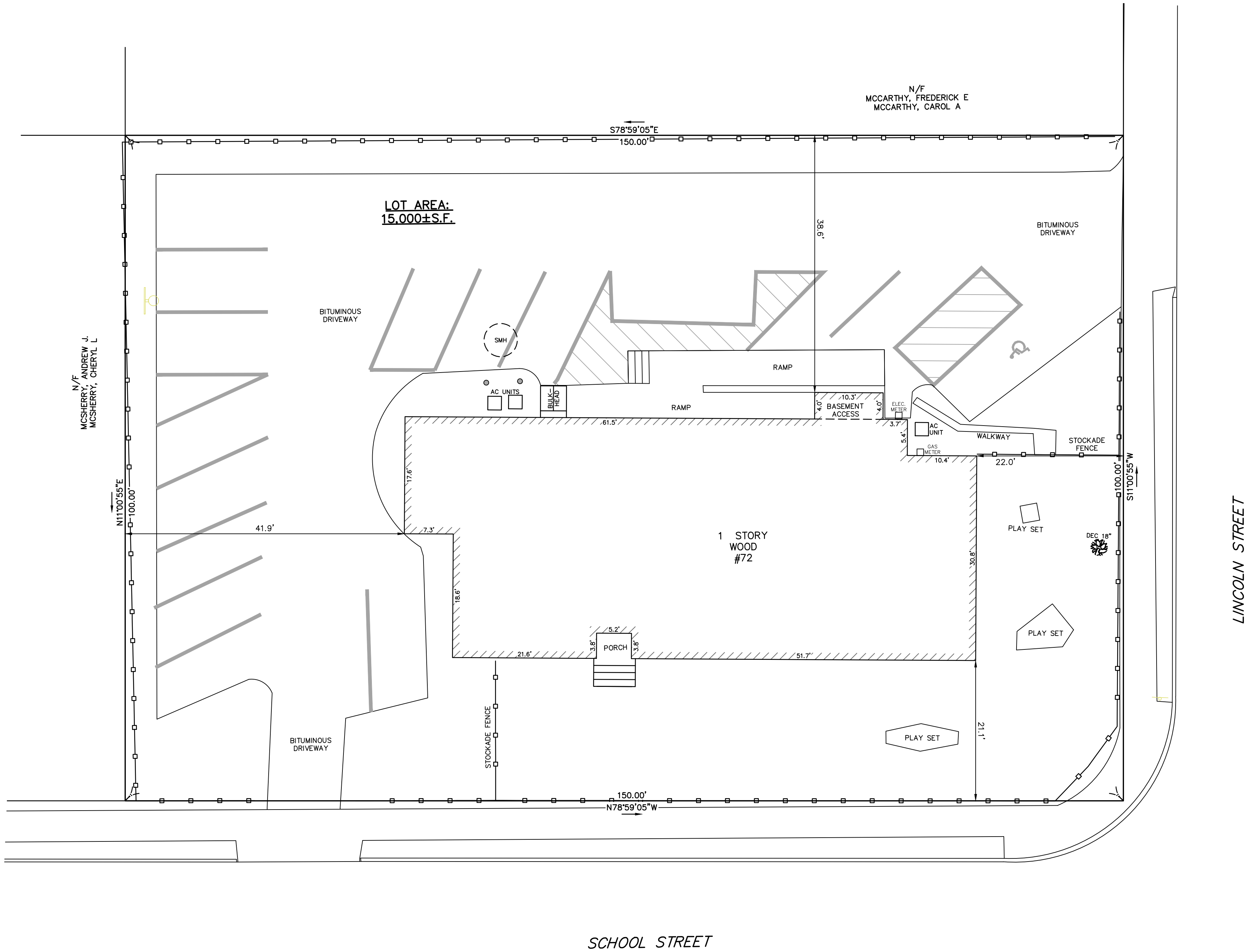
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LEGEND

- BUILDING
PROPERTY LINE W/
BEARING DISTANCE
CONTOUR
STOCKADE FENCE
CHAINLINK FENCE
PICKET FENCE
DECIDUOUS TREE
CONIFEROUS TREE



PARKING SPACES	
STANDARD	15
HANDICAP	1
TOTAL	16

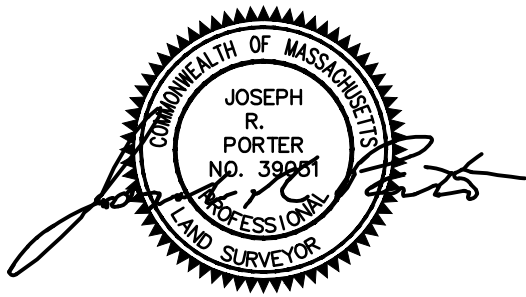


ZONING CHART		
NEEDHAM, MASSACHUSETTS		
ZONE: SRB		SUBMISSION: EXISTING
REGULATION	REQUIRED	EXISTING
LOT AREA	10,000±s.f.	15,000±s.f.
LOT FRONTAGE	80.0'	150.0'
FRONT SETBACK	20.0'	21.1'
SIDE SETBACK	14.0'	22.0'
REAR SETBACK	10.0'	38.6'
LOT COVERAGE	30.0%	19.8%

CERTIFIED PLOT PLAN
NEEDHAM, MASSACHUSETTS
SHOWING EXISTING CONDITIONS AT
#72 SCHOOL STREET

SCALE: 1in.=10ft. DATE: MAY 17, 2023

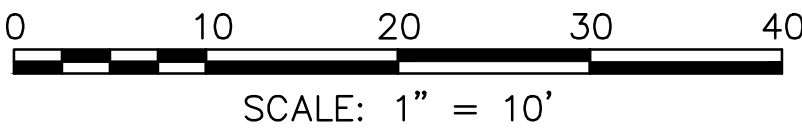
PROJECT: 223125



VTP
ASSOCIATES
INC.

LAND SURVEYORS - CIVIL ENGINEERS.
132 ADAMS STREET 2ND FLOOR SUITE 3
NEWTON, MA 02458
(617) 332-8271

SHEET 1 OF 1

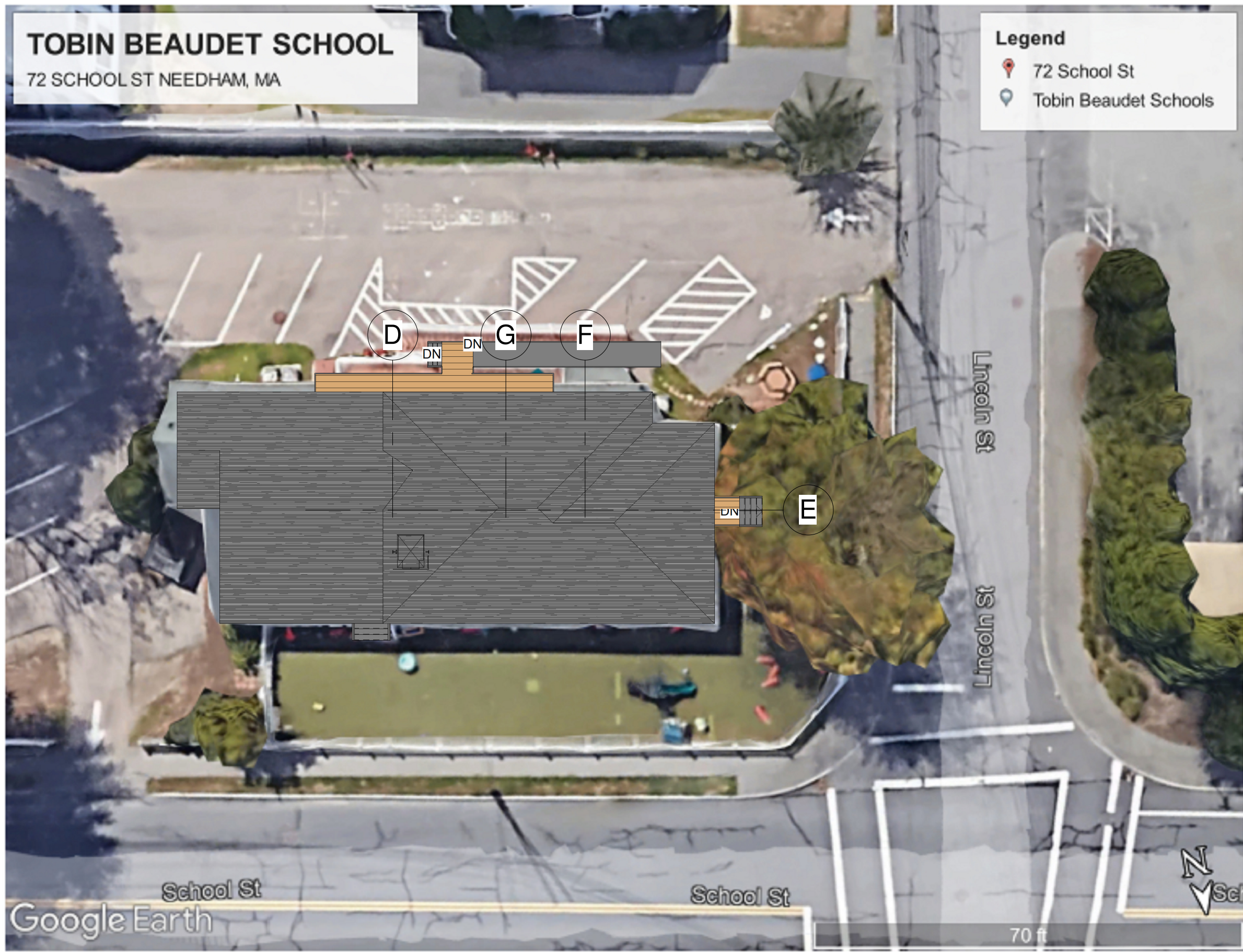


TOBIN BEAUDET SCHOOL ADDITION AND ALTERATION

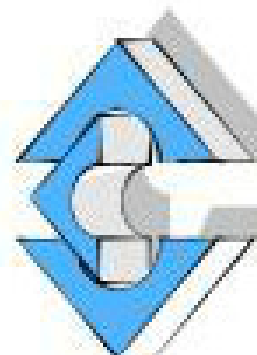
72 SCHOOL STREET NEEDHAM, MA



② 3D View 2



① Site
1/16" = 1'-0"



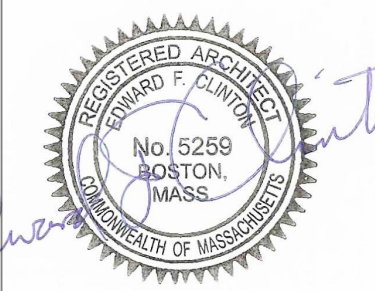
CLINTON
DESIGN
ARCHITECTS

P.O. Box 6587
Holliston, MA 01746
V 774-233-0176
www.clintondesign.com

TOBIN BEAUDET SCHOOL

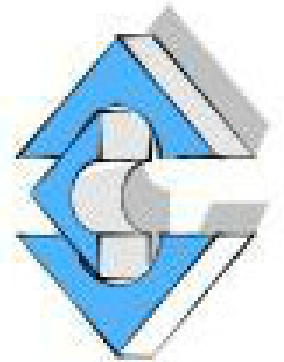
72 SCHOOL ST
NEEDHAM MA

Drawn By	EFC
Checked	CD
Project	APRIL 19, 2022
Revisions	



COVER SHEET
Scale: 1/16" = 1'-0"
AO

5/12/2022 7:56:55 AM



**CLINTON
DESIGN
ARCHITECTS**

P.O. Box 6587
Holliston, MA 01746
V 774-233-0176
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TOBIN BEAUDET SCHOOL

72 SCHOOL ST
NEEDHAM MA

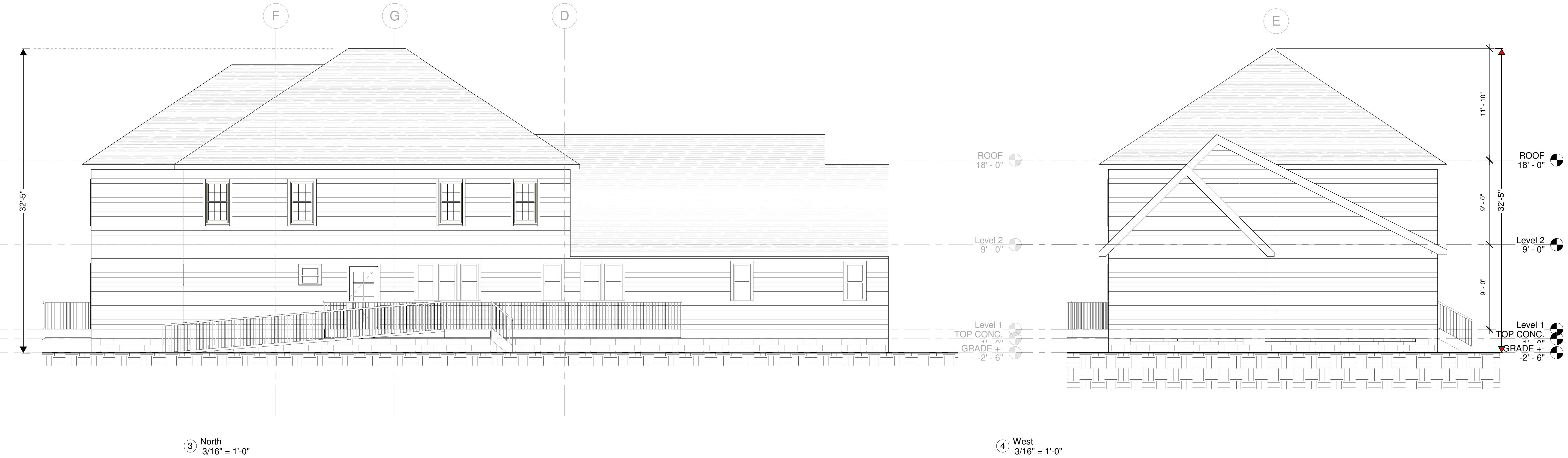
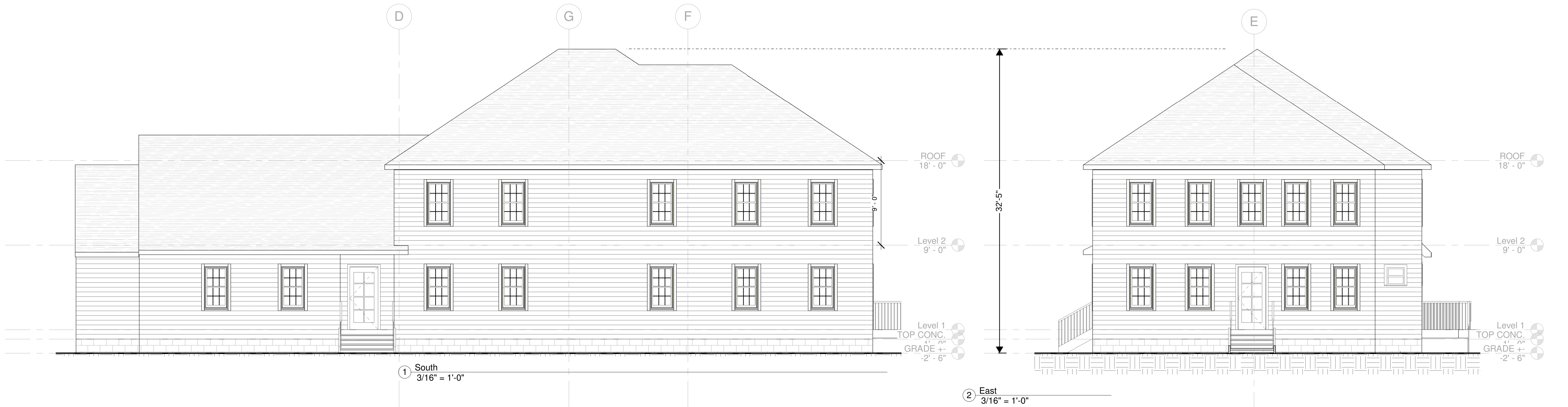
Drawn By	Author
Checked	Checker
Project	APRIL 19, 2022
Revisions	



FLOOR PLANS

Scale: 1/4" = 1'-0"

AI



Drawn By	Author
Checked	Checker
Project	W/FIL 19
Revisions	2022





Town of Needham
Building Department
500 Dedham Ave.
Needham, MA 02492

Tel. 781-455-7550 x 308

June 6, 2023

Town of Needham / Zoning Board of Appeals
500 Dedham Ave.
Needham, MA. 02492

Re: Application review for the June Hearing

72 School Street

Dear Board Members,

Please be advised that I have reviewed the application for 72 School Street and have the following comments. The Tobin School located in the Residential B Zoning District is a freestanding one-story commercial structure with an Child-Care use built on a 15,000 Sq. Ft. lot.

The applicant is seeking to amend previous Special Permits that were issued in 1997, 2001 and 2012. The applicant (The Tobin Family) is proposing to add a second-floor addition to the building approximately 1,500 Sq. Ft. including a 500 sq. ft. apartment, administrative offices and play area for the children.

The apartment will be for the use of the Tobin Family Members only, these members are also employees for the school operation therefore no additional parking would be required. The apartment would be permitted By-Right in the District as a Single-Family Dwelling Unit, the Child Care Facility is also permitted By-Right therefore no additional Special Permits would be required for the use. The applicant will not be increasing the enrollment of students, or adding staff, therefore they will not be asking for waivers beyond the Zoning relief granted in the 1997 decision.

The applicant is proposing accessibility and building code upgrades to the facility if the Special Permit is granted, these upgrades include an elevator, fire alarm and sprinkler systems. I do not have any issues with the proposal with two conditions, the apartment is not rented, and the enrollment is not increased.

David A Roche
Building Commissioner
Town of Needham

Daphne Collins

From: Tara Gurge
Sent: Tuesday, June 6, 2023 12:08 PM
To: Daphne Collins
Subject: FW: 72 School Street - ZBA Review - Due June 6, 2023
Attachments: 72 School St - Application packet.pdf

Daphne –

In reference to the ZBA Plan review for **#72 School St.** the proposal for the existing Daycare expansion, the Public Health Division has the following comments. See below:

- If this second-floor expansion triggers the addition of any food to be served or prepped on site for the existing Daycare, the owner must fill out and submit an online Public Health Division Food Permit Plan Review packet for review and approval, which includes a food permit application through the Towns new ViewPoint Cloud online permitting system. Here is the direct link to the permit application and plan review - <https://needhamma.viewpointcloud.com/categories/1073/record-types/1006516> . As part of this permit approval process, please keep in mind that sufficient parking lot spaces must also be made available for two dumpsters, to accommodate proper trash and recycling disposal.
- The proposed apartment to be built on site **MUST NOT** be used for conducting food prep for the Daycare Business.

Please let us know if you have any questions on these requirements.

Thanks,



TARA E. GURGE, R.S., C.E.H.T., M.S. (she/her/hers)
ASSISTANT PUBLIC HEALTH DIRECTOR
Needham Public Health Division
Health and Human Services Department
178 Rosemary Street
Needham, MA 02494
Ph- (781) 455-7940; Ext. 211/Fax- (781) 455-7922
Mobile- (781) 883-0127
Email - tgurge@needhamma.gov
Web- www.needhamma.gov/health



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**TOWN OF NEEDHAM, MASSACHUSETTS
PUBLIC WORKS DEPARTMENT
500 Dedham Avenue, Needham, MA 02492
Telephone (781) 455-7550 FAX (781) 449-9023**

June 6th, 2023

Needham Zoning Board of Appeals
Needham Public Safety Administration Building
Needham, MA 02492

RE: Case Review-Special Permit
72 School Street- Special Permit

Dear Members of the Board,

The Department of Public Works has completed its review of the above referenced Special Permit to allow the addition of a second story to the current building, a 500SF apartment and relief on zoning bylaws 5.1.3(i) 5.1.3(j) and 7.5.2.

The documents submitted for review are as follows:

- Cover Letter Prepared by Evans Huber dated 5/22/23
- Application for Special Permit dated 5/22/23
- Letter to Planning board prepared by Frieze Cramer Rosen & Hubber LLP dated 5/22/23
- Site Plan by VTP Associates dated 5/15/23
- Architectural Plan Set prepared by Clinton Design Architects dated 4/19/23

Our comments and recommendations are as follows:

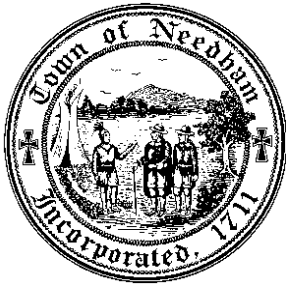
- The engineering department has no comment or objection to the plan or relief to the parking bylaws.

If you have any questions regarding the above, please contact our office at 781-455-7538.

Truly yours,

Thomas A Ryder
Town Engineer

tryder



PLANNING & COMMUNITY DEVELOPMENT
PLANNING DIVISION

June 6, 2023

Mr. Jon Schneider, Chairman and Members
Zoning Board of Appeals
Public Services Administration Building
500 Dedham Avenue
Needham, MA 02492

Dear Mr. Schneider and Members of the Zoning Board of Appeals:

At its meeting of June 6, 2023, the Planning Board reviewed the applications to be heard by the Board of Appeals on June 15, 2023, and made the following recommendations:

1. **72 School Street** –72 School Street, LLC, applicant, applied to the Board of Appeals for a Special Permit Amendment under Sections 5.1.3(i) (j) and any other applicable Sections of the By-Law to waive strict adherence to parking plan and design requirements. This request is associated with an addition of a second floor of approximately 1,500 square feet containing a play area for children, administrative offices and a 500 square foot apartment.

The Planning Board makes NO COMMENT.

NEEDHAM PLANNING BOARD

Lee Newman

Lee Newman
Director of Planning and Community Development



RECEIVED TOWN CLERK
NEEDHAM, MA 02492

2012 MAY 24 AM 9:49

**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

Race Point II Venture, LLC

Record owner: Race Point II Ventures, LLC
72 School Street, Map 47, Parcel 31

April 26, 2012

Upon the application of Race Point II Ventures, LLC, 71 Cottage Street, Natick, MA 01760, owner, to the Board of Appeals for an amendment to a special permit, under Section 7.5.1, 7.5.2 and any other applicable Sections of the By-Law to modify and/or clarify some of the conditions contained in the special permit issued by the Board of Appeals on October 16, 1997 as amended by decision dated June 21, 2001; and to appeal the decision of the Building Inspector dated January 20, 2012; and/or any other such relief as may be deemed appropriate regarding the childcare facility at 72 School Street, Needham, MA in the Single Residence B District, a public hearing was held at the Needham Free Public Library, 1139 Highland Avenue, Needham, MA 02494, on Thursday, April 26, 2012, at 7:30 PM pursuant to notice thereof, published in a local newspaper and mailed to all parties of interest.

Documents of Record:

- Application Packet, received February 21, 2012, containing:
 1. Cover letter from Roy A. Cramer, attorney for the applicant, dated February 15, 2012;
 2. Application form, dated February 16, 2012, signed by Roy A. Cramer, attorney for the applicant;
 3. Exhibit A, submitted to the Needham Board of Appeals by Race Point II Ventures, LLC;
 4. Letter from Daniel Walsh, Building Inspector, to Mr. and Mrs. Tobin, dated January 20, 2012;
 5. Letter to Daniel Walsh, Building Inspector from Roy A. Cramer, attorney for the applicant, dated February 14, 2012;
 6. Copy of Special Permit issued to Mark Tobin and Mary Beth Claus Tobin, Trustees of Race Point II Realty Trust, by the Zoning Board of Appeals, October 27, 1997;
 7. Copy of Amendment to Special Permit issued July 10, 2001, by the Zoning Board of Appeals to Mark & Mary Beth Claus Tobin;
 8. Site Plan of Land dated August 20, 1997, revised March 28, 2001 and May 1, 2001 stamped and signed by George N. Giunta, RLS.

- Documents received before the April 27, 2012 hearing:
 1. Certified abutter list;
 2. Site Plan of 72 School Street dated April 4, 2012, signed and stamped by Bradley J. Simonelli, PLS;
 3. Letter from Sarah Bassett, 36 Laurel Drive, in support of the facility;
 4. Letter from Steve and Kara Chmielewski, 80 Mann Avenue, in support of the facility;
 5. Letter from Alan J. Canzano on behalf of Dr. Sarah Nikiforow, Dana Farber Cancer Institute in support of the facility;
 6. Letter from Qing Zhai and Rushan Jiang, 68 Melrose Avenue, in support of the facility;
 7. Letter from Martha E. I. Leibbrandt, 41 Laurel Drive, in support of the facility.
- Documents received after the April 27, 2012 hearing:
 1. Copy of a Letter from Mrs. Carol McCarthy, 78 Lincoln Street, to Daniel Walsh, Building Inspector regarding Tobin Afterschool, dated January 7th, 2012.

April 27th, 2012

The Board included Jonathan D. Tamkin, Vice-Chairman; Howard S. Goldman, Member; and Kathy Lind Berardi, Associate Member. Peter Friedenberg, Associate Member, was present as a non-voting member. Appearing before the Board were Roy Cramer; attorney for the applicant; and Mary Beth Tobin and Stephanie Beaudet, principals for the applicant.

Mr. Cramer presented his case. Race Point II Ventures LLC owns the property located at 72 School Street, Needham, MA and operates a childcare facility (“**facility**”) on the premises. The applicant came before the Board previously in 1997 for a parking waiver and the Board issued a special permit (“**1997 special permit**”). The applicant came before the Board again in 2001 to request a substitution of plans in order to provide two additional parking spaces, which resulted in an amendment to the previous special permit (“**2001 Amendment**”).

In early January 2012, the applicant received a letter from the Building Inspector alleging non-compliance with certain conditions of the 2001 Amendment. Mr. Cramer wrote a reply letter, but did not receive any further communication from the Building Inspector.

The applicant is requesting relief to amend the 2001 Decision by modifying paragraph 3 of the conditions of the 2001 Decision, which prohibited children from playing outside the facility prior to 2:30 PM on school days and before 1:00 PM on non-school days. Mr. Cramer also requests relief on behalf of the applicant by amending the 2001 Decision to add a finding clarifying that transportation of the children by school bus is permissible. In the Application, Mr. Cramer further requested relief by an appeal of the letter from the Building Inspector dated January 20, 2012.

Mr. Cramer stated that the condition that the children not be permitted to play outside prior to

2:30 PM on school days and 1:00 PM on non-school days is a violation of M.G.L. Chapter 40A, Section 3, which allows regulation with respect to a child care facility only of "the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements." The hours which children can be outside does not fall under those categories, and Mr. Cramer does not believe that the restriction should have been applied in the first place. Mr. Cramer stated that at the time, however, the applicant agreed to these restrictions as an accommodation to a specific neighbor who worked the night shift. The applicant now believes that this restriction is a hardship to the facility that the applicant feels is unreasonable and is inconsistent with the operation of a childcare facility, which use is allowed as a matter of right. Mr. Cramer stated that a reasonable restriction would be to allow children to be outside starting at 9:00 AM.

Ms. Berardi asked for clarification of where the children play. Mr. Cramer stated that the children play both on the front lawn area near School Street and in the parking area that abuts the neighboring properties. The parking area is separated from all abutting residential properties by a 6-foot high wooden stockade fence. The lawn areas adjacent to School Street and Lincoln Street are currently separated from those streets by a rail fence that is approximately 3-4 feet high.

With respect to the use of school buses or vans, Mr. Cramer stated that at the time of the 2001 hearing the applicant anticipated using vans, not buses, to transport the children, however due to increased enrollment, the facility currently uses school buses. Mr. Cramer stated that the use of only vans was not a condition of either the special permit or the amendment. Mr. Cramer stated that buses require fewer trips and, when installed with seat belts, are considered safer than vans according to a report Mr. Cramer cited by the National Conference of State Legislatures. Mr. Cramer stated that the buses used by the facility have seatbelts. Mr. Cramer stated that the facility arranged to use a company that hires off duty fire fighters and police officers as bus drivers in order to add to the children's safety. The applicant is requesting that the Board make a clarification that either the distinction between buses and vans is immaterial, or that buses are permitted.

Mr. Tamkin asked if the Building Inspector had in fact taken enforcement action against the applicant. Mr. Cramer replied that he did not. There was no representative of the Building Department present at the hearing. Mr. Cramer agreed during the hearing to proceed with only the relief requested pertaining to the two requested amendments to the 2001 Amendment and to not proceed with the relief requested pertaining to the reversal of the letter from the Building Inspector.

Mr. Tamkin read the Planning Board's comments into the record.

Mr. Tamkin called for any interested members of the public to come forward.

- Fred McCarthy, 78 Lincoln Street, abutter, came forward. He stated that he almost hit a child who was coming down his driveway after retrieving a ball, and that this is a serious safety concern. He also stated that balls continually go over the fence to his yard, that he is willing to throw balls back over the fence, but he does not want anyone on his property. Mr. McCarthy stated that he is not home during the day, but has no objection to

the children playing outside after 10:00 AM.

- Carol McCarthy, 78 Lincoln Street, abutter, came forward. She read her notes from the 1997 hearing. Mrs. McCarthy stated that the 6-foot fence along the parking lot behind the building is the property line between the facility and her property. She stated that at the current time, with 66 children, there is insurmountable noise. She feels that 10:00 AM is a fair time for children to come out. She is concerned with the balls going over the fence. She does not want either the students or the employees coming into her yard. She is also concerned about the noise level associated with the children throwing/bouncing balls against the fence that is along her property line. She would like a decision that states that bouncing balls against the fence is not permitted.

Mrs. McCarthy is concerned about the use of school buses at the facility due to the narrow driveway. Mrs. McCarthy stated that the school bus idles, resulting in noise and exhaust coming in through her windows. She stated that she has no objection to buses coming to the facility if they drop the children off on the street on the School Street side of the property. Mr. Cramer stated that it is a condition of the amended special permit that the pick up and drop off take place in the parking lot. Mr. Cramer stated that the applicant would agree to tell the bus driver to turn off the bus and not idle. Mrs. McCarthy asked if the applicant would look into some kind of netting to prevent balls from going over the fence. Ms. Tobin said that she will not commit to that, but the children will stop throwing balls against the fence.

- Barbara Levitov, of 82 Lincoln Street, abutter, came forward. Ms. Levitov says she has spoken to Ms. Beaudet and the teachers a number of times. She has returned balls from her yard to the facility. She is concerned about the level of noise.
- Carl Leguia, of 92 Lincoln Street, came forward. He is concerned that the parents drop their children off in the same area where the children play. He is concerned that there are too many children at this facility, and that the intersection is busy.

Mr. Tamkin read into the record the names of the people who wrote to the Zoning Board of Appeals in support of the facility.

The following parents of children from the Tobin Afterschool came forward to speak in favor of the facility and the application:

- Gida Bernard;
- Christine Mawhinney, 44 Jarvis Circle;
- Scott Katz, 11 Ware Road;
- Eric Wool, Highgate Street;
- Daniel Dane, 77 Grosvenor Road;
- Sarah Bassett, 36 Laurel Drive.

Mr. Tamkin asked if the applicants would be amenable to a prohibition against allowing buses to idle, and if 10:00 AM would be a reasonable time to allow the children outdoors. Mr. Cramer agreed that the prohibition against idling is acceptable, however the applicant felt that 9:00 AM

would be a more a reasonable time for outside play. The applicant then stated that they would be amenable to a compromise of 9:30 AM. Mrs. McCarthy agreed. Mr. Tamkin asked whether the applicant would be agreeable to making reasonable attempts to keep balls from going over the fence, and that no staff or children trespass. Mr. Cramer agreed. Mr. Goldman asked if the applicant would be agreeable to maintain the 6-foot fence and the 3-4 foot fence at their current heights. Mr. Cramer agreed.

The Board Members all stated that they believed that the relief requested pertaining to the children playing outside prior to 2:30 PM and that the use of school buses was reasonable and appropriate, and that the applicant agreed during the hearing to some additional reasonable accommodations to the neighbors. At 9:17 PM, Mr. Tamkin closed the public hearing. Mr. Goldman moved to approve the application. Mr. Tamkin amended the motion. Ms. Berardi seconded the amended motion. The vote was unanimously in favor.

Decision:

On the basis of the evidence presented at the hearing on the Application to amend the 1997 special permit as previously amended by the 2001 Amendment, the Board makes the following findings:

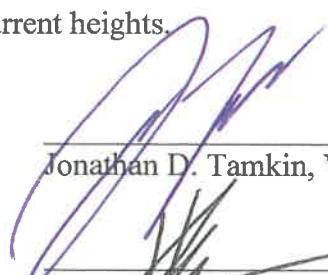
1. On June 21, 2001, the applicant was granted an amendment to the special permit dated October 16, 1997 to add two new parking spaces and an 850 square foot addition to accommodate increased enrollment of 66 children. The 2001 Amendment was granted subject to 5 conditions.
2. Condition #3 of the 2001 Amendment states "No children will be allowed to play outside before 2:30 PM on school days and before 1:00 PM on non-school days." The applicant requests that condition #3 be modified by permitting the children at the facility to play outside after 9:30 AM. The time of 9:30 AM was agreed to by the applicant and by the abutters, who had voiced concern about an earlier outside play time due to the resulting loud noise.
3. The use of school buses, in addition to or in lieu of vans, to transport the children to and from the facility was not prohibited by either the 1997 special permit or the 2001 Amendment. Due to the increased enrollment at the facility, the use of school buses is practical as it will reduce the number of vehicle trips to and from the facility. The applicant has represented and assured the Board that the school buses and vans are equipped with seat belts.
4. Due to the noise and exhaust associated with idling buses and vans, the applicant agreed to instruct the bus or van drivers not to idle while on the facility.
5. There is a 6-foot fence along the property line between the facility and abutting properties. There is also currently a fence that is approximately 3-4 feet high along the property lines adjacent to School Street and Lincoln Street. The applicant agreed to maintain and preserve the fences at their current heights.
6. The abutters to the facility believe that there is a noise problem resulting from children bouncing and/or throwing balls at the 6-foot high fence. The applicant agreed to instruct

the staff not to allow children to throw, bounce or otherwise hit the 6-foot high fence with balls and to oversee this restriction

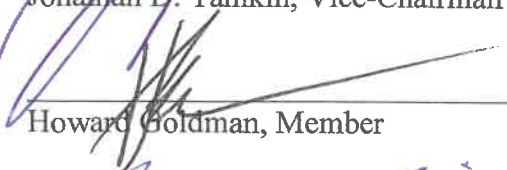
7. There is a safety concern pertaining to children or staff of the facility going onto abutters' property for any reason. The applicant agreed that staff and children at the facility will be prohibited from going onto any abutters' property and the applicant shall use reasonable efforts to keep balls on the facility's property.
8. The applicant agreed not to proceed with its request to appeal the Building Inspector's position described in his letter dated January 20, 2012.
9. The issuance of the requested further amendment to the special permit will not be detrimental to the Town or to the general character of the surrounding and abutting uses and is consistent with the intent of the By-Law.

On the basis of the foregoing findings, following motion duly made and seconded, after open deliberation, the Board, by unanimous vote, does grant the applicant a further amendment to the 2001 Amendment to the 1997 special permit, by: (a) permitting the use of either school buses or vans to transport the children to and from the facility, and (b) permitting children at the facility to play in the facility's outside areas after 9:30 am on school days; subject to the following conditions:

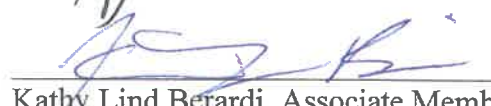
1. Except as expressly amended hereby, all five conditions of the Amended Special Permit granted June 21, 2001, and all six conditions of the 1997 Special Permit shall remain in full force and effect.
2. School buses or vans may be used to transport children to and from the facility, but such buses and vans shall not idle while at the facility.
3. The facility will not permit balls to be bounced, thrown or otherwise hit the 6-foot fence located along the property lines between the facility and its abutters.
4. The facility will use reasonable efforts to prevent balls from going over the fence onto the property of abutters.
5. The facility will not permit staff or students to go onto the property of abutters for any reason.
6. The facility will maintain and preserve the existing 6-foot fence and the 3-4 foot fence, along its property lines, at their current heights.



Jonathan D. Tamkin, Vice-Chairman



Howard Goldman, Member



Kathy Lind Berardi, Associate Member

TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS
JUNE 21, 2001

RECEIVED
TOWN CLERK
NEEDHAM

'01 JUL 10 A7:51

MARK & MARY BETH CLAUS TOBIN

Upon the application of Mark and Mary Beth Claus Tobin, Trustees of Race Point II Realty Trust, 71 Althea Road, Needham, MA, owner, to the Board of Appeals to amend the special permit granted by the BOA on 10/16/97 by substituting the Plan with a site plan dated 8/20/97, revised 3/28/2001 and 5/1/2001, adding two new parking spaces for property located at 72 School Street and for a proposed increase in enrollment to 66 children, a public hearing was held at the Stephen Palmer Senior Center, 83 Pickering Street, Needham, Mass. on Thursday, June 21, 2001, in the evening pursuant to notice thereof published in a local newspaper and mailed to all parties in interest.

Appearing with Ms. Tobin was her attorney, Roy A. Cramer, Frieze Cramer Cygelman Rosen & Huber, 60 Walnut Street, Wellesley, MA. Previous to the hearing Mr. Cramer submitted a *Memorandum in Support of Application to Amend Special Permit Issued on October 16, 1997, 72 School Street, Needham, Massachusetts* as well as one letter in support of the application dated May 10, 2001, from Frederick & Carol McCarthy, 78 Lincoln Street, Needham, MA.

Mr. Cramer stated that the applicant is returning to the Board for approval to increase the parking by two spaces both of which comply with the parking and design requirements; the total number now will be 16 spaces. Mr. Cramer asked that the new revised Plan be substituted for the Plan presented in 1997. In addition, the applicant is requesting that the enrollment be increased to 66 children from 45 children. Ms. Tobin has agreed to five conditions in the event that the Board grants her request for an increase to 66 children; these were presented to the Board.

Appearing with concerns was Mrs. McCarthy, 78 Lincoln Street, who stated that living next to the School has been difficult since the children play in the parking lot adjacent to her backyard and because both she and her husband work nights, they try to sleep during the day. She spoke to the problem of cars arriving when the children are outside playing and that the cars need to back out onto Lincoln Street. The cars cannot drive through because the children are playing in the driveway. Some cars also use their driveway for turning.

LEGAL NOTICE
TOWN OF NEEDHAM
BOARD OF APPEALS
NOTICE OF HEARING

Public notice is hereby given that Mark and Mary Beth Claus Tobin, Trustees of Race Point II Realty Trust, 71 Althea Road, Needham, MA, owner, has made application to the Board of Appeals to amend the special permit granted by the BOA on 10/16/97 by substituting the Plan with a site plan dated 8/20/97, revised 3/28/2001 and 5/1/2001, adding two new parking spaces for property located at 72 School Street and for a proposed increase in enrollment to 66 children.

Upon said notice, a public hearing will be held at the Stephen Palmer Senior Center, 83 Pickering Street, Needham, Mass. on Thursday, June 21, 2001, in the evening at 7:50 p.m., at which place and time all persons interested may appear and be heard.

Ms. Tobin stated that at 5:00 p.m., the children are inside the school.

Mr. Cramer pointed out that there is no change of use, but that the proposed addition will provide 850 square feet of additional space.

Also speaking with concerns was abutter Victoria Delbono, 59 Lincoln Street, who pointed out that with additional children, there will be additional traffic and that the locus is near the Town hospital and police station; she thought the School should have a larger area to work with. Speaking in favor was Amy Weil who informed the Board that she has a daughter in the program and that siblings of the attending children want to enroll at the school and without the increase to 66 students, this would not be possible. The Planning Board in its letter of June 21, 2001, stated that it makes no comment. The hearing closed at 8:25 p.m. and the Board proceeded to deliberate.

Decision

On the basis of the evidence presented at the hearing on the application by Mark and Mary Beth Claus Tobin, Trustees of Race Point II Realty Trust, (the "applicant") to amend the special permit granted by the Board of Appeals on 10/16/97 by substituting the Plan with a site Plan dated 8/20/97, revised 3/28/2001 and 5/1/2001, adding two new parking spaces for property located at 72 School Street and for a proposed increase in enrollment to 66 children, the Board makes the following findings:

1. The applicant received a special permit on 10/16/97 under Section 5.1.1.5 of the Zoning By-law to waive strict adherence to certain parking design requirements in connection with the operation of a child care facility at the premises.
2. The applicant now desires to expand the school enrollment from 45 to 66 children, add on to the building, and add two parking spaces, all as shown on the plan submitted with the application.
3. Condition No. 1 of the 1997 special permit stated that "Parking spaces and landscape areas shall be maintained as shown on the Plan," the "Plan" being the 8/20/97 plan prepared by Needham Survey.
4. The applicant requests that the Board amend condition No. 1 by substituting the amended plan that would allow the expansion and creation of the two new parking spaces.
5. The issuance of the amendment to the special permit will not be detrimental to the Town or the general character of the surrounding neighborhood and abutting uses and is consistent with the intent of the Zoning By-law.

On the basis of the forgoing findings, in open session, and by unanimous vote, after motion duly made and seconded, the Board grants the applicant permission to amend the special permit granted 10/16/97 by substituting the Plan by Needham Survey last revised May 1, 2001, for the original plan dated August 20, 1997, subject to the following conditions:

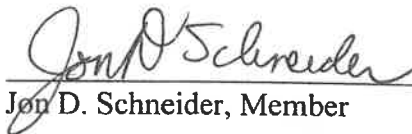
1. Conditions 1-6 of the special permit granted 10/16/97 shall remain in full force and effect, except that the Plan referred to in condition No. 1 shall now refer to the Plan submitted with the application, last revised May 1, 2001.
2. No more than 25 children will be allowed outside to play at any given time.
3. No children will be allowed to play outside before 2:30 p.m. on school days and before 1:00 p.m. on non-school days.
4. There will be no further expansion of the day care center.
5. Violation of any of the foregoing conditions may result in revocation of the special permit upon such notice as the Board shall deem appropriate under the circumstances.



William J. Tedoldi, Chairman



Michael A. Crowe, Member



Jon D. Schneider, Member

TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS
OCTOBER 16, 1997

RECEIVED
TOWN CLERK
NEEDHAM

'97 OCT 27 A9:24

MARK TOBIN AND MARY BETH CLAUS TOBIN
TRUSTEES OF RACE POINT II REALTY TRUST

Upon the application of Mark Tobin and Mary Beth Claus Tobin, Trustees of Race Point II Realty Trust, 71 Aletha Road, Needham, Mass., owner, to the Board of Appeals for a special permit under Section 5.1.1.5 of the Zoning By-law to waive strict adherence to certain parking design requirements contained in Section 5.1.3.i and 5.1.3.j for premises located at 72 School Street, a public hearing was held at the Stephen Palmer Senior Center, 83 Pickering Street, Needham, Mass. on Thursday, October 16, 1997, in the evening pursuant to notice thereof published in a local newspaper and mailed to all persons in interest.

Appearing with the applicant was Roy A. Cramer, Esq., Kassler & Feuer, 101 Arch Street, Boston, Mass. who prepared a "Memorandum in Support of Application for the Issuance of Special Permits, 72 School Street, Needham, Massachusetts" which he reviewed with the Board.

Mr. Cramer stated that the applicant is opening an Afterschool, Inc. business on the subject premises which is a before and after school program. This is one of five programs offered in several nearby communities. Parents drop off their child in the morning, a registered van is used to transport children to and from school (e.g. kindergarten children), and parents pick up their child in the evening. The school use is allowed in this zoning district.

Mr. Cramer continued that because there is a change in use from a medical building, the parking area must meet current Zoning By-law requirements. Due to the fact that the school must have handicapped accessibility, a ramp must be installed to the rear of the property. All children will enter from the rear of the property; a sidewalk has been removed in the front and the front is all in lawn. The rear portion of the lot is all asphalt. A one way maneuvering aisle will be provided entering on Lincoln Street and exiting on School Street. One way signs will be installed to indicate this traffic pattern. The applicant is requesting a reduction in this maneuvering aisle from the required 18 feet to 12 feet in order to accommodate the installation of the ramp and a 4.5 feet grassy area the length of the drive on the property line. Thirteen parking spaces are required by the By-law and the property will have 14 spaces. The second part of the request for the special permit is for a waiver for one parking space to be allowed within 5 feet of a building line.

Mr. Cramer pointed out that there is very low intensity of traffic use and that the school is closed on weekends. The business is licensed for 45 children. Pick-up for the

**TOWN OF NEEDHAM
BOARD OF APPEALS
NOTICE OF HEARING**

Public notice is hereby given that **Mark Tobin and Mary Beth Claus Tobin, Trustees of Race Point II Realty Trust, 71 Aletha Road, Needham, Mass., owner**, has made application to the Board of Appeals for a special permit under Section 5.1.1.5 of the Zoning By-law to waive strict adherence to certain parking design requirements contained in Section 5.1.3.i and 5.1.3.j for premises located at **72 School Street**.

Upon said application, a public hearing will be held at the **Stephen Palmer Senior Center, 83 Pickering Street, Needham, Mass. on Thursday, October 16, 1997**, in the evening at 9:00 p.m. at which place and time all persons interested may appear and be heard.

Needham Times
10/2, 10/9/97

children is between 4:45 p.m. and 6:30 p.m. There will be 4-5 staff at the school who will park to the side of the building.

Mr. Cramer submitted a letter of support from Andrew McSherry, 39 Grant Street as well as four other letters in favor of the grant of the special permit. Appearing with concerns was Helen Jursek, 45 Grant Street who asked that the applicant not add to the existing parking on the street in front of the building; also appearing was Carol McCarthy, 78 Lincoln Street, a direct abutter. A letter from the Planning Board stated that it makes no comment on the application. The hearing closed at 10:15 p.m. and the Board proceeded to deliberate.

Decision

On the basis of the evidence presented at the hearing on the application by Mark Tobin and Mary Beth Claus Tobin, Trustees of Race Point II Realty Trust (the "applicant") for a special permit under Section 5.1.1.5 of the Zoning By-law to waive strict adherence to certain parking design requirements in connection with the operation of a child care facility at 72 School Street, the Board makes the following findings:

1. The locus is in the Single Residence B District where a child care facility is a permitted use.
2. For many years the locus has been operated as a medical office building pursuant to a variance granted by the Board in 1971. The operation of the property as a child care facility will bring the use in conformity with the Zoning By-law.
3. The proposed configuration of the property will contain 14 parking spaces as shown on a site plan dated August 20, 1997, prepared by Needham Survey Associates, Inc. (the "Plan") presented with the application.
4. Section 5.1.3 (j) of the Zoning By-law requires that a parking space cannot be located within 5 feet of the building line at the first floor. Parking space #10 is located within 5 feet of a bulkhead and may not be in compliance with this requirement.
5. Section 5.1.3 (i) of the Zoning By-law requires that maneuvering aisles have a minimum width of 18 feet when parking spaces are at a 60 degree angle as shown on the Plan. Section 5.1.3 (j) also requires that any maneuvering aisle be set back a minimum of 4 feet from the rear and side lot lines. It is unclear whether the applicant could comply with the design requirements for the maneuvering aisles and provide the necessary number of parking spaces. Compliance would involve elimination of lawn and landscaped areas which are desirable in a residential zone.
6. The applicant proposes to maintain one way traffic entering from Lincoln Street and exiting on School Street. The one way traffic flow is desirable as a safety measure

since there will be many drop offs and pickups of children who are making use of the child care facilities. With one way traffic flow, a 12 foot maneuvering aisle provides sufficient room for automobile traffic.

7. As a result of the proximity to the Glover Deaconess Hospital, there is a large amount of on street parking in the neighborhood. While the applicant might have sought a reduction in the number of off street spaces, the applicant seeks to maintain off street parking spaces and obtain a reduction in the width of the maneuvering aisle.

8. The issuance of a special permit will not be detrimental to the Town or the general character and visual appearance of the surrounding neighborhood and abutting uses and is consistent with the intent of the Zoning By-law.

On the basis of the foregoing findings, in open session, and by unanimous vote, after motion duly made and seconded, the Board grants the applicant a special permit under Section 5.1.1.5 of the Zoning By-law to permit parking space #10 as shown on the Plan to be located within 5 feet of a bulkhead and to maintain a maneuvering aisle 12 feet in width, subject to the following conditions:

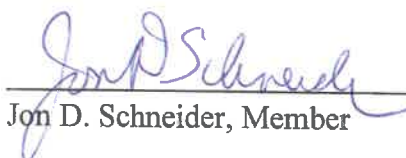
1. Parking spaces and landscape areas shall be maintained as shown on the Plan.
2. Traffic flow shall be one way entering from Lincoln Street and exiting by School Street.
3. The applicant shall maintain signs that clearly mark the entrance and exit.
4. Drop off and pickup of children shall be made within the off street parking area.
5. All employees shall be required to park off street.
6. Violation of any of the foregoing conditions may result in revocation of the special permit upon such notice as the Board shall deem appropriate under the circumstances.



Michael A. Crowe, Member



William J. Tedoldi, Chairman



Jon D. Schneider, Member

TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS
MARCH 10, 1981

RECEIVED
TOWN CLERK
NEEDHAM

'81 MAR 24 PM 2:16

ARTHUR E. SPILLER, M.D.

Upon the application of Arthur E. Spiller, M.D., 165 Fair Oaks Park, Needham, Mass., owner, to the Board of Appeals under Section 3.2 of the Zoning By-law for a modification of conditions contained in a variance dated January 28, 1971 to allow for a 32.5' by 20' addition to premises located at 72 School Street to be used for a third office, a public hearing was held at the Senior Adult Center, 83 Pickering Street, Needham, Mass. on Tuesday, March 10, 1981, in the evening pursuant to notice thereof published in a local newspaper and mailed to all persons interested.

Dr. Spiller appeared and stated that the Board of Appeals in 1971 granted him a variance to convert an existing one-story residence at 72 School Street into an office to accommodate three doctors. However, because of certain circumstances, he did not enlarge the building up to the full depth as shown on the plan filed with the application, but only remodeled for two offices leaving 557 square feet unused. Dr. Spiller explained the circumstances influencing his decision not to remodel to the full extent of the 1971 variance.

He continued that there is at the present time a serious need for office space near Glover Memorial Hospital and he would like to have the 1971 variance modified so that he could attach an addition measuring 32.5 by 20 feet, or 650 square feet, to the School Street end of the building to be used as an office for a third doctor. It was originally planned to extend the building forward but by building on the end it would provide better appearance and better layout. Dr. Spiller stated that this new wing would provide a needed office for a doctor near the hospital, bring more revenue to the Town and in no way increase expenses for the Town. He continued that he has parking spaces for 15 cars to the rear and side of the building on the premises.

He presented a signed affirmative statement from Stephen Barrett, administrator of Glover Memorial Hospital and a sketch of the proposed addition.

Mr. Downe asked the applicant if the plan the Board had was the plan filed with the application in 1971 and he responded that it was.

Dr. Asha Wallace appeared and stated that there was need for more space for doctors' offices in Needham.

Opposed to the application were Kenneth Siegel, 27 Grant Street and Jane McKnight, 78 Lincoln Street, who were concerned with increased volume of traffic. Charlotte Sidell, 40 Grant Street, stated more people will now be parking on the street and something should be done to encourage patients to use the parking lot provided on the premises. Roy Pedersen, 54 Lincoln Street, pointed out that there are many accidents at the intersection of Lincoln and School Streets even with a two-way stop.

Mr. Downe asked the applicant to elaborate on the parking facilities available. Dr. Spiller replied that the parking lot is seldom full because the people who visit the offices don't always

TOWN OF NEEDHAM
BOARD OF APPEALS
NOTICE OF HEARING

Public notice is hereby given that Arthur E. Spiller, M.D., 165 Fair Oaks Park, Needham, MA, owner, has made application to the Board of Appeals under Section 3.2 of the Zoning By-law for a modification of conditions contained in a variance dated 1/28/71 to allow for a 32.5' x 20' addition to premises located at 72 School St. to be used for a third office.

Upon said application, a public hearing will be held at the Senior Adult Center, 83 Pickering Street, Needham, MA on Tuesday, March 10, 1981, in the evening at 8:00 p.m. at which time and place all persons interested may appear and be heard.

(DT) Feb 23, Mar 2

use the lot. He stated that there are from 2 to 8 cars parked in the lot at any one time; after the third office is complete, however, there will be 6 employees using the lot, 3 doctors and 3 secretaries.

Chairman Downe read into the record a letter from the Planning Board dated February 27, 1981 which stated: "After reviewing the variance of January 28, 1971, the Planning Board is opposed to allowing the construction of an additional medical office at 72 School Street for the following reasons: a) Condition 3 of the variance dated January 28, 1971 allowed three offices on the premises. It appears that what is being requested is a fourth office. Given the single family zoning district in which this lot is located, the proposed additional office represents an overly intensive use of the land; b) The proposed medical office represents a further encroachment into a single family residential neighborhood; c) Assuming additional parking and paving would be required for the proposed office use, a further departure from the residential character of the neighborhood would occur."

The hearing concluded at 9:00 p.m.

Decision

The Board has carefully considered the applicant's request for modification of two previous Board decisions which granted a use variance to allow professional use of the subject premises at 72 School Street in Needham. The applicant proposes to construct an addition to the right side of the building instead of to the front as originally authorized; said addition to contain approximately 650 square feet.

As the result of the public hearing and evidence presented thereat and a view of the premises by the Board members, the Board makes the following findings:

1. The original use variance granted by the Board and effective January 28, 1971 and a modification thereof as at March 29, 1971 are still in full force and effect.
2. The original decision limited the use of the premises to three doctors. This was reaffirmed in the subsequent modification.
3. During the period since March 29, 1971 the subject premises has only been used by two doctors; therefore, one more doctor may legally utilize the premises without any further action by this Board.
4. The original decision permitted alterations and construction of a medical office building of a size 35 feet by 55 feet (1925 sq. ft.); however, a smaller building was actually constructed resulting in a size of approximately 1368 sq. ft. which is approximately 557 sq. ft. less than the total area authorized by the decision.
5. The proposed addition to the right-hand end of the existing building can be made within the originally-authorized area of 1925 sq. ft. in accordance with a sketch plan prepared by Joseph L. Paley, Engineer, dated February 4, 1981 and furnished with the application.

Therefore, the Board, by unanimous vote, amends the decision of January 28, 1971 by: (1) striking the Condition #1 in its entirety and substituting the following in place thereof:

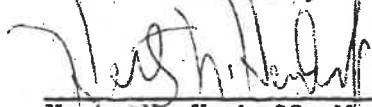
"1. That the variance is to be granted to Arthur Spiller, M.D., for the alterations and construction of a Medical Office Building of the size shown on Plan by Joseph L. Paley, Engineer, dated February 4, 1981, submitted to the Board at the hearing on March 10, 1981; said building to approximate 1925 sq. ft. in size (35 ft. x 55 ft.) with the proposed addition limited to approximately 560 sq. ft. (20 ft. x 28 ft.)."

and (2) adding to Condition #2 the following:

"; said parking spaces to be clearly identified and entrances and exits thereto to be designated by appropriate signs."



Charles E. Downe, Chairman



Hertz N. Henkoff, Member



Warren J. MacDonald, Member

TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS
MARCH 9, 1971

RECEIVED
TOWN CLERK
NEEDHAM

1971 MAR 29 PM 1 36

ARTHUR E. SPILLER, M.D.

Upon the application of Arthur E. Spiller, M.D., 165 Fair Oaks Park, Needham, Massachusetts, prospective purchaser, to the Board of Appeals to consider amendments to the conditions (page 3) of its decision of January 28, 1971, to enable the applicant to mortgage the premises at 72 School Street, Needham, Massachusetts, for the purpose of financing the proposed alterations, and to otherwise convey said premises to any prospective purchaser for any purchase consistent with zoning by-laws of the Town of Needham and uses specifically set forth by the Board of Appeals in its said decision, a public hearing was held in the Town Hall, Needham, Massachusetts, on Tuesday, March 9, 1971, in the evening, pursuant to notice thereof published in a local newspaper and mailed to all persons interested.

Atty. John V. Phelan, Jr., of Hardy, Phelan & Cox, 60 Dedham Avenue, Needham, represented the petitioner and thanked the Board for its January 28, 1971 decision granting the variance requested by Dr. Spiller on the property at 72 School Street, Needham, but stated that a problem had arisen, particularly with Condition 4 on Page 3 of the decision. Mr. Phelan said that Dr. Spiller is obligated under the terms of a conditional purchase and sale agreement to purchase the property at 72 School Street upon receipt of a "favorable determination" by the Board as defined by the purchase and sale agreement. Although the decision of the Board appears to be favorable to Dr. Spiller, Mr. Phelan continued, he is unable to obtain mortgage financing because of the terms of condition 4 of the decision.

TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS
NOTICE OF HEARING

Public notice is hereby given that ARTHUR E. SPILLER, M.D., 165 Fair Oaks Park, Needham, Massachusetts, prospective purchaser, has made application to the Board of Appeals to consider amendments to the conditions (page 3) of its decision of January 28, 1971, to enable the applicant to mortgage the premises at 72 SCHOOL STREET, NEEDHAM, MASSACHUSETTS, for the purpose of financing the proposed alterations, and to otherwise convey said premises to any prospective purchaser for any purchase consistent with the zoning by-laws of the Town of Needham and uses specifically set forth by the Board of Appeals in its said decision.

Upon said application, a public hearing will be held at the TOWN HALL, NEEDHAM, MASSACHUSETTS, ON TUESDAY, MARCH 9, 1971, in the evening at 7:30 P.M., at which time and place all persons interested may appear and be heard.

Edward F. O'Brien, Chairman
Alexander Prohowski
William J. Mullen
Stanley R. Tippet
Paul Dunn
Board of Appeals
(20) 2/18 - 25/71

Mr. Phelan then presented a letter to Dr. Spiller, dated March 9, 1971, from Robert E. Kettlety, president of the Needham National Bank, which was read into the record: "Your recent application for a mortgage on property located at #72 School Street, Needham, Massachusetts, has been reviewed by our Real Estate Committee. However, we will be unable to grant this mortgage because of the restriction contained in Paragraph 4, Page 3 of the report of the Board of Appeals dated January 28, 1971 - i.e. "That no further construction be allowed on this lot of land and no future transfer of ownership be effected without a further hearing before the Board of Appeals." If this restriction is removed, our decision will be favorable and your mortgage will be granted."

Atty. Phelan continued that the above letter presents a question as to whether or not the January 28, 1971 decision is a favorable determination, in that it presents a problem with respect to Condition 4, which states, "That no further construction be allowed on this lot of land and no future transfer of ownership be effected without a further hearing before the Board of Appeals." Mr. Phelan added that this same Condition 4 would present a problem if, at any time, it became necessary for Dr. Spiller's estate to sell the property.

David Lombard, 71 School Street, stated he would prefer to have the wording of Condition 4 be not too liberal, as his home is directly across the street from the site; if the condition is changed to allow no restriction on the height of the building, he would be in total objection to it.

Alan Hertl, 27 Grant Street, stated he supported Mr. Lombard's comments, in general, and wondered if the wording of Condition 4 were changed, would a new buyer be able to vary the building greatly from the original.

Dr. Spiller then thanked the Board for its favorable decision and went on to reply to the previous two gentlemen, saying he plans to remodel the building according to the plans presented with the original application.

Chairman O'Brien read into the record a letter to the Board, dated March 5, 1971, from The Planning Board: "Please be advised that in considering the application made by Arthur E. Spiller, M.D., for the purpose of amending the conditions (page 3) of its decision of January 28, 1971 for the reasons of financing and otherwise conveying ownership, the Planning Board recommends the following:

- 1) That conditions #1 and #2 (page 3), as set forth in the decision of January 28, 1971, remain unchanged in their entirety;
- 2) That condition #3 (page 3) as set forth in the decision of January 28, 1971, may be changed to read as follows:

3. Occupancy be restricted to use by three doctors.
- 3) That condition #4 (page 3), as set forth in the decision of January 28, 1971, may be changed to read as follows:

4. That no further construction be allowed on this lot without a further hearing before the Board of Appeals."

In reply to the above letter from The Planning Board, Atty. Phelan stated his client contemplates no construction except that set forth in Condition 1 of the January 28, 1971 decision.

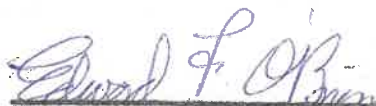
The hearing adjourned at 7:50 P.M.

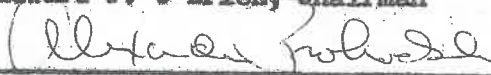
The Board, having duly considered all the arguments in this case, have unanimously agreed to amend the conditions in their decision of January 28, 1971, to read as follows:

Condition 1 and Condition 2 stand in their entirety.

Condition 3 is hereby changed to read, "That occupancy be restricted to use by three doctors."

Condition 4 is hereby changed to read, "That no further construction be allowed on this lot of land, other than that originally requested and granted in paragraph 1 above, without further authorization by the Board of Appeals."


Edward F. O'Brien, Chairman


Alexander Prohowski, Member


William J. Miller, Member

TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS
JANUARY 12, 1971

RECEIVED
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NEEDHAM

1971 JAN 28 PM 1 45

ARTHUR E. SPILLER, M. D.

Upon the application of Arthur E. Spiller, M.D., 165 Fair Oaks Park, Needham, Massachusetts, prospective purchaser, to the Board of Appeals for a variance from Part III-A 1, and/or any other applicable sections of the Zoning By-Laws, to permit the use of the house and property at 72 School Street, Needham, by the applicant and not more than two other members of the medical profession as medical offices, site lying in a Single Residence B district, a public hearing was held at the Town Hall, Needham, Massachusetts, on Tuesday, January 12, 1971, in the evening, pursuant to notice thereof published in a local newspaper and mailed to all persons interested.

Dr. Arthur E. Spiller, speaking in his own behalf, stated that he has been practicing eye, ear, nose and throat medicine in Needham since 1954, when he took over the practice of the late Dr. Chester Mills on the second floor at 945 Great Plain Avenue, and that he now finds the high flight of steps to be quite a hardship, especially to some of his older, post-operative cataract patients. He went on that he is petitioning specifically for a variance: 1. To use the property of the late

TOWN OF NEEDHAM
MASSACHUSETTS



BOARD OF APPEALS
NOTICE OF HEARING

Public notice is hereby given that Arthur E. Spiller, M.D., 165 Fair Oaks Park, Needham, Massachusetts, prospective purchaser, has made application to the Board of Appeals for a variance from Part III-A 1, and/or any other applicable sections of the Zoning By-Laws, to permit the use of the house and property at 72 School Street, Needham, by the applicant and not more than two other members of the medical profession as medical offices, site lying in a Single Residence B district.

Upon said application, a public hearing will be held at the Town Hall, Needham, Massachusetts, on Tuesday, January 12, 1971, in the evening at 7:50 P.M., at which time and place all persons interested may appear and be heard.

Edward F. O'Brien, Chrm.
Alexander Prohodski
William J. Mullen
Stanley R. Tippet
Paul Dunn
Board of Appeals

(C)D.24.31.

Mrs. Laura Fullerton at 72 School Street as a medical building for himself and two other doctors, which would provide him with a ground floor office near the hospital, where he is often summoned in emergencies, such as tonsil bleeders; 2. To enlarge the usable floor space 600' with an addition at the front of the building; 3. To be permitted to use the parking space most efficiently, with entrance and egress both on School Street and Lincoln Street. Dr. Spiller presented the Board with a copy of a Purchase and Sale Agreement, which entitles him and binds him to buy the site if the requested variance is permitted.

Dr. Spiller read into the record a memorandum dated January 11, 1971, to the Board of Appeals from Robert J. Morse, president, Needham Realty, "In regard to the property located at 72 School Street, Needham, in my opinion the fair market value of subject property is decreased due to the general character of the neighborhood. This neighborhood is not a typical Needham one family residential section. This street and immediate streets are a combination of municipal, social welfare, professional and two family properties with various non-conforming uses. The future pattern for this area has already been set and the introduction of an additional nonconforming use will not in my opinion alter or decrease the value of the remaining properties any more than they have already been effected. The subject building represents nominal value due to the age, type of construction and lack of maintenance. If subject property is sold strictly as a one family residence it will be greatly penalized due to the previously mentioned influences."

A letter to the Board from Stephen L. Barrett, administrator, Glover Memorial Hospital, dated January 7, 1971, was read into the record, "... The hospital has no objection from its point of view other than to suggest that any such building have adequate parking facilities. Also in keeping with the position of the trustees on previous similar situations, we would like to ask that individuals establishing medical buildings not duplicate

"hospital facilities. We would appreciate, if a variance is granted, that the following statement be placed in the body of the variance:

"The owners of said Medical Building at 72 School Street will not house, cause or allow to have operated or provided on the premises, equipment or services other than those generally or usually provided and operated for medical and dental purposes by other physicians and dentists, in their offices, in the Town of Needham and specifically will not provide for commercial laboratories, radiologists, physiatrists, and such other medical services commonly provided by hospital-based physicians and which ordinarily are not performed in a doctor's office."

Dr. Spiller responded that he and his colleagues have no projected uses such as those mentioned.

Dr. Spiller placed in the record letters of endorsement from abutters Herbert E. Blaisdell, 69 School Street; Marguerite M. Kunze, Edward C. Nazzaro, and Rose O. Nazzaro, 86 School Street. Present and speaking in favor were William F. Valdina, 39 Grant Street; Marguerite M. Kunze, 86 School Street; Joseph P. Walsh, 92 School Street; Adam DeBono, 59 Lincoln Street; Atty. Richard H. Jensen, 1328 Great Plain Avenue, representing Edward H. Kneale, Jr., and Natalie W. Kneale, 78-82 Lincoln Street; and Dr. Edward Broderick, 811 Great Plain Avenue, president, Charles River Medical Association, and vice-president, Massachusetts Medical Association, speaking as a physician and also as one who is greatly interested in the future of Glover Hospital.

Joseph Paley, Richmond-Paley Associates, architects and engineers, 363 Walden Street, Cambridge, presented a site plan, showing the proposed addition to the front of the existing building, and the fifteen planned parking spaces.

Chairman O'Brien read into the record a letter to the Board dated January 12, 1971, from the Planning Board, "Please be advised that the Planning Board is opposed to the application of Arthur E. Spiller, M. D., 165 Fair Oaks Park, as a prospective purchaser, to permit the use of the property at 72 School Street as a medical office building. It is apparent to the Planning Board that this building, as proposed, will contain three medical offices. We find no provisions for proper off-street parking along School and Lincoln Streets to alleviate, in our opinion, two heavily-traveled ways. This area is a residential neighborhood, and we question the change of character of the neighborhood by the introduction of a medical office building. In the interest of health and safety of the public, we note that such a building use is covered in the Needham Building By-Laws, Section 106.11, Group E, Business Buildings, and as such, a wooden frame dwelling, i. e. Type 4a, 4b, as defined in the Building By-Law, is not a permitted use for such a frame building. Furthermore this area is now contained in the First Fire District and in accordance with Section 135, frame buildings are excluded from the First Fire District. We also question the amount of alterations and repairs, which may be covered by 101.03 of the Building By-Laws."

Emery S. Doane, Building Inspector, was present and stated he believed the medical building to be a normal use in that area.

The hearing adjourned at 8:50 P.M.

The Board, having heard all the arguments in this case and having viewed the house and lot in question, feels that this is not an unreasonable request and will substantially be an improvement to the area. The Board, in its judgment, feels that

a variance is justified, with the following conditions:

1. That the variance is to be granted to Arthur Spiller, M. D., for the alterations and construction of a Medical Office Building of the size shown on Plan by Richmond & Paley, dated 11 January, 1971, submitted to the Board at this hearing. This building is to be approximately 35' x 55'.
2. That a minimum of 15 parking spaces be provided for off-street parking.
3. That occupancy be restricted to Dr. Arthur Spiller and two other doctors of his choosing.
4. That no further construction be allowed on this lot of land and no future transfer of ownership be effected without a further hearing before the Board of Appeals.

By unanimous vote, the Board requests the Building Inspector to issue the necessary permits consistent with all provisions of the Building By-Laws of the Town of Needham.



Edward F. O'Brien, Chairman



Alexander Prohodski, Member



William J. Mullen, Member

Daphne Collins

From: Jon Schneider <jonschneider@gmail.com>
Sent: Monday, May 29, 2023 8:50 AM
To: Jonathan D. Tamkin Esq.; Howard S. Goldman Esq.; Peter Friedenberg; Nik Ligris
Cc: Christopher Heep; Daphne Collins
Subject: Decision Writing

Here is how I propose that we handle decision writing in light of the recent legal advice:

1. As we have done in the past, Daphne will draft a summary of the evidence - hopefully within a week of the hearing. She will send the draft to me for editing. The edited version will be sent to the person writing the decision.
2. When the first draft of the decision is ready (hopefully within a week), the author will send the draft to Daphne without sending it to other members. Daphne will post the draft on the ZBA website (presumably Daphne will create a new category on the website for "Draft Opinions"). After the draft is posted, Daphne will circulate the draft to other members.
3. Members will review the draft - hopefully within a week of receiving the draft- and provide comments to Daphne by email without sharing the comments with other members.
4. Daphne will exercise editorial discretion over the comments and produce a second draft. She cannot convey the comments to me or get my input on the edits. She will prepare a copy marked to show any changes. She will post the second draft with marked changes on the website, then circulate the marked versions to all members with whatever explanation she feels is appropriate relating to any substantive change.
5. Members will review the second draft (hopefully within 48 hours), then indicate to Daphne if they are ready to sign or communicate further changes to Daphne without a copy to other members. If the further changes are mechanical (e.g. typos or format), Daphne can edit and prepare a third draft with a marked version. She will post the marked version of the third draft on the website, then send the decision to the members with an indication that there were no substantive comments and the decision is ready for signature. If the comments on the second draft are more than mechanical, the decision will be held for discussion at the next public hearing. If there is significant time pressure like an appeal from the Building Commissioner, we will schedule a special public hearing to discuss the decision.
6. Once we have resolved a decision at a public hearing, Daphne will prepare a new draft with a marked version. She will post the marked version on the website and send the revised decision to the Board members. If we receive no comments within 24 hours, we will presume the decision is ready for signature. If all the signatories cannot make the public hearing (in person or by zoom), the decision will be held for discussion at the next public hearing.
7. Once the decision is ready for signature, I will go to the Zoning Office to proofread. Then, I will sign the decision and cover letter. If we are more than a week from the next public hearing, I will deliver the decision that I have signed to another member for his signature and circulation to the third member for his signature. If we are within a week of the next hearing, we will hold the decision to be

signed by the other members at the hearing. If any necessary signatory is not in attendance, he will come to the Zoning Office to sign or make other arrangements with Daphne.

8. We will return to the pre-covid practice of everyone manually signing on one page. We are doing this due to a request from the Town Clerk and because I have never been comfortable with letting someone attach signature pages to a document (I have seen many cases where there was a mistake as to what was attached or there were missing pages or exhibits). Moreover, the purpose of having manual signatures from those voting on the matter (rather than just having the Chairman sign) is to provide a last chance for each member to review what we are writing in a decision and to avoid having anyone claim that the decision was not what they had approved.

If Chris Heep can get advice from the Attorney General that posting a draft on-line allows the Board to have another round of comments through Daphne, we can try to resolve the decision before the public hearing - although I expect there will not be enough time for a third draft.

Hopefully. members will limit their comments to substantive changes and typos, rather than asking to have language changed that says the same thing in another way. Hopefully, members will respond more quickly than what has happened in the past.. We need to be patient remembering that Daphne works only three days per week (normally Mon-Wed). Members need to send comments on Monday or Tuesday or it is likely to take 5 days or more days to get a turn around on a draft.. Whatever happens the process will be elongated.

As I have discussed, it is my intention to hold the June 15 hearing in person and to resume in person meetings. If a member cannot attend in person, he can join by video and fully participate. We expect that these meetings will be hybrids where members and the public can participate through video or audio connections.

Please let me know if I have missed something or you have suggested changes. Now that we have solicited advice from the new Town Counsel, we must follow his advice.

Thanks

Jon D. Schneider
210 South Street
Needham, MA 02492
Home: (781) 449-2513
Cell: (617) 233-3070

Daphne Collins

From: Jonathan Tamkin <jtamkin@tamkinhochberg.com>
Sent: Saturday, June 3, 2023 1:20 PM
To: Jon Schneider
Cc: Howard S. Goldman Esq.; Peter Friedenberg; Nik Ligris; Daphne Collins
Subject: RE: Daft Decisions

See below for my thoughts on applicant/attorney drafted decisions.

Everyone should weigh in and provide their perspectives and we can discuss in June, I guess along with the new open meeting changes.

Jonathan D. Tamkin
Tamkin & Hochberg, LLP

From: Jon Schneider <jondschneider@gmail.com>
Sent: Thursday, June 1, 2023 8:52 AM
To: Jonathan Tamkin <jtamkin@tamkinhochberg.com>
Cc: Howard S. Goldman Esq. <hgoldman@goldmanpease.com>; Peter Friedenberg <pf7780@gmail.com>; Nik Ligris <nligris@ligris.com>; Daphne Collins <dcollins@needhamma.gov>
Subject: Daft Decisions

Here are my questions:

1. Do we ask attorneys if they want to write a draft decision or make it mandatory? Can we make it mandatory for applicants with attorneys, but not for others? **I would not make mandatory to start but at some point yes.**
2. If we are inviting a draft decision, when and how? Do we put it on the application form ? Do we have Daphne send an email ahead of the hearing? Do we ask at the conclusion of the hearing? **On web site, in rules and perhaps on application**
3. What incentive do the attorneys have to submit a draft if it is not mandatory ? Can we can credibly say that it will speed up the time frame for issuing the decision? Is there any benefit to the applicant? **Yes I do on timing it should speed things up as most lawyers who handle municipal permitting have an incentive to get the decision issued and recorded. We shall see for sure if we roll this out. Perhaps it works perhaps it doesn't but think I would like to be more like most other communities.**
4. Do we involve the attorney in revisions to the draft decision or just issue a decision on our own as we have in the past? **No, probably not, personally I would handle internally once a decision is submitted and we will issue like all other decisions.**
5. How much of our "Decision" are we asking to be included in the draft? Summary of testimony (Which cannot be done until after the hearing) , Findings (Hard to do in advance without knowing the testimony and comments from the public and the Board). Ruling(which takes 60 seconds when there

are no conditions and impossible to write until after the hearing when there are conditions). **If you want to continue to draft and edit the facts that fine, I don't and would let the attorney for the applicant handle as well. If so then just findings, with requested relief and decision. Most attorneys who handle municipal permitting (including the 2 or 3 who appear before us regularly) will know how to write a decision from A to Z, and its required by any applicant, not just ones with counsel, in many if not most cities and towns. We are very different.**

6. When is the attorney required to file the draft decision? With the application? Prior to the hearing? Some number of days after the hearing? If it is anything other than suggested findings and rulings, it has to be after the hearing. **After the hearing. I would make it a week if you still want to push for 30 days. If not then 14 days seems fine. Again, I personally see no reason to be rigid on the 30 day decision timeline but if that's your goal that fine by me. Others can weigh in.**

7. If applicants are allowed to make suggestions for the Decision, do opponents have the same right? How long do they have to submit suggestions for the opinion ? Do they get to see the applicant's draft decision? **I would only offer an attorney of record the right to draft a decision. Chris can weigh in on that being exclusive to counsel, but I do know other communities require from all applicants. I would suggest Daphne speak to other towns and see how they handle all of this. I have friends who serve on Waltham (they have everyone submit decisions attorneys and individuals and Newton uses staff, Boston has applicants prepare the decisions.**

As I said yesterday, please make a proposal about what we require or request in a draft decision and when it must be filed.

Thanks.

Jon D. Schneider
210 South Street
Needham, MA 02492
Home: (781) 449-2513
Cell: (617) 233-3070



2023 ZBA Meeting Schedule & Deadlines

The ZBA Meets on the 3rd Thursday of each Month*
at 7:30pm

on

Zoom Link: <https://us02web.zoom.us/j/86964757241>

Alternate Zoom Link##: <https://us02web.zoom.us/j/87614087841>

Meeting Date	Location	Deadline
Thursday, January 19, 2023	Zoom	Monday, December 19, 2022
Thursday, February 16, 2023	Zoom	Monday, January 23, 2023
Thursday, March 16, 2023	Zoom	Tuesday, February 21, 2023
Thursday, April 27, 2023*	Zoom##	Monday, April 3, 2023
Thursday, May 18, 2023	Zoom	Monday, April 24, 2023
Thursday, June 15, 2023	CRR/Zoom	Monday, May 22, 2023
Thursday, July 20, 2023	CRR/Zoom	Monday, June 26, 2023
Thursday, August 17, 2023	CRR/Zoom	Monday, July 24, 2023
Thursday, September 21, 2023	CRR/Zoom	Monday, August 28, 2023
Thursday, October 19, 2023	CRR/Zoom	Monday, September 25, 2023
Thursday, November 16, 2023	CRR/Zoom	Monday, October 23, 2023
Thursday, December 14, 2023*	CRR/Zoom	Monday, November 27, 2023

*unless there is a holiday and/or scheduling conflict.

Location:

as allowed until March 31, 2025 the ZBA may meet exclusively on Zoom or may convene in person for a selective meeting determined by the Board when necessary with continued Zoom public connection.

In-Person Location:

Charles River Room (CRR)
Public Services Administration Building
500 Dedham Avenue, Needham, MA 02492