

NEEDHAM
ZONING BOARD OF APPEALS
AGENDA
THURSDAY, July 18, 2024 - 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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Minutes Review and approve Minutes from June 20, 2024 meeting.

7:30PM **20 Alder Brook Lane** – Amit Schwartz and Neta Levin Schwartz, owners, applied for a Special Permit under section 1.4.6 and any other section of the Zoning By-Law to allow the change, extension, alteration and enlargement of a lawful, pre-existing, non-conforming structure for relief of a right setback from 9.6 feet to 9.1 feet; and the left setback from 11 feet to 9.9 feet. This request is associated with the addition and alterations to an existing single-family home. The property is located at 20 Alder Brook Lane, Needham, MA in the Single Residence B (SRB) zoning district.

7:45PM **277 Brookline Avenue** – Needham Enterprise, LLC, owner, applied to the Board of Appeals for a Variance under 3.2.1 and any other applicable section of the Needham By-Law to seek a Plan Substitution and or further relief pursuant to a Variance issued January 18, 1951 for two-family use and any and all other relief necessary and appropriate to permit the demolition of an existing two-family dwelling and replacement to a new two-family structure. The property is located in the Single Residence B (SRB) zoning district.

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**NEEDHAM
ZONING BOARD OF APPEALS
MINUTES
THURSDAY, June 20, 2024 - 7:30PM**

Charles River Room Public Services Administration Bldg. 500 Highland Avenue Needham, MA 02492	Also livestreamed on Zoom Meeting ID: 869-6475-7241
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Pursuant to notice published at least 48 hours prior to this date, a meeting of the Needham Board of Appeals was held in the Select Board Chambers, Needham Town Hall, 1471 Highland Avenue, Needham, MA 02492 on Thursday, June 20, 2024 at 7:30 p.m.

BOARD MEMBERS PRESENT: Jonathan D. Tamkin, Chair; Nik Ligris, Member; and Peter Friedenber, Associate Member

BOARD MEMBER(S) ABSENT: Howard Goldman, Valentina Elzon

STAFF PRESENT: Daphne M. Collins, Zoning Specialist

Mr. Tamkin, Chair presided and opened the meeting at 7:30 p.m.

1. MINUTES OF MAY 16, 2024

Mr. Ligris moved to approve the minutes of May 16, 2024. Ms. Friedenberg seconded the motion. The motion was unanimously approved.

2. 37 MOSELEY AVENUE

REQUEST TO WITHDRAW WITHOUT PREJUDICE

APPROVED

Mr. Friedenberg moved to approve the request to withdraw without prejudice the application for a Variance for 37 Moseley Avenue. Mr. Ligris seconded the motion. The motion was unanimously approved.

3. 45 FOURTH AVENUE

SPECIAL PERMIT AMENDMENT

APPROVED

Mr. Ligris moved to amend the existing Special Permit dated September 18, 2014 and amended October 16, 2024 pursuant to Sections 3.2.4.2 of the By-Law to permit a private school to adjust hours of operation to 7:00 a.m. to 9:00 p.m. seven days a week, increase limit on number of students to 50, increase limit on number of staff to 28, and allow “family swims” of no more than 50 people and birthday parties of no more than 50 people as a form of open swim without direct instruction or

class and accessory to the main use; and to amend the existing Special Permit pursuant to Sections 5.1.1.5, 5.1.2., 5.1.3 waiving strict adherence to the number of required parking conditioned on the submission of an annual report to the BOH, the Building Inspector and the Fire Department regarding staff, number of lifeguards, students, open swim/birthday party data. Mr. Friedenbergs seconded the motion. The motion was unanimously approved.

**4. 315 CHESTNUT STREET
SPECIAL PERMIT**

APPROVED

Mr. Friedenbergs moved to grant a Special Permit at 315 Chestnut Street (i) under Section 3.2.2 of the By-Law to permit the use of the second floor space for a private school tutoring children in the third to eighth grades, and to permit more than one non-residential use on a lot, and (ii) under Sections 5.1.1.5, 5.1.2 and 5.1.3 of the By-Law waiving strict adherence to the number of parking spaces (of the 24 required spaces, 16 spaces are waived) and parking plan and design requirements. Mr. Ligris seconded the motion. The motion was unanimously approved.

**5. 1257 HIGHLAND AVENUE
SPECIAL PERMIT**

APPROVED

Mr. Ligris moved to grant a special permit under Section 3.2.2. for a restaurant serving meals for consumption on the premises and at tables with service provided by waitress or waiter; under Section 3.2.2 for a take-out operation accessory to a restaurant use; Section 3.2.2 for more than one non-residential use on a lot; and Section 5.1.1.5 for the waiving strict adherence with the requirements of Section 5.1.2 (required parking) and 5.1.3 (parking plan and design requirements) of the By-Law. Mr. Friedenbergs seconded the motion. The motion was unanimously approved.

The meeting adjourned at 9:56 p.m.

A summary of the discussions on each subject, a list of the documents and other exhibits used at the meeting, the decisions made, and the actions taken at each meeting, including a record of all votes, are set forth in a detailed decision signed by the members voting on the subject and filed with the Town Clerk. Copies of the Decisions are filed at the Board website linked here: <https://needhamma.gov/Archive.aspx?AMID=141&Type=&ADID=> or by contacting Daphne Collins, Zoning Specialist, dcollins@needhamma.gov or 781-455-7550, ext. 261.

The hearings can be viewed at <http://www.needhamchannel.org/watch-programs/> and <https://www.youtube.com/@TownofNeedhamMA/videos>



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	Amit Schwartz			Date:	06/24/2024
Applicant Address	20 Alder Brook Lane Needham, Massachusetts 02492				
Phone	(617) 678-9101	email	amit.schwartz@gmail.com		
Applicant is ☒ Owner; ☐ Tenant; ☐ Purchaser; ☐ Other _____					
If not the owner, a letter from the owner certifying authorization to apply must be included					
Representative Name	Benyamin Ber				
Address	2001 Beacon Street , Boston, Massachusetts 02135				
Phone	617-285 1985	email	bber@nehkoodah.com		
Representative is ☐ Attorney; ☐ Contractor; ☒ Architect; ☐ Other _____					
Contact ☒ Me ☒ Representative in connection with this application.					

Subject Property Information

Property Address	20 Alder Brook Lane, Needham , MA 02492		
Map/Parcel Number	199/202.0-0016-0000.0	Zone of Property	SR - B
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☒ Yes ☐ No			
Is property ☒ Residential or ☐ Commercial			
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 (<i>select one</i>): ☒ Special Permit ☐ Variance ☐ Comprehensive Permit ☐ Amendment ☐ Appeal Building Inspector Decision			



ZBA Application For Hearing

Existing Conditions:

One story wood frame single family residence over a basement with a preexisting nonconforming side yard setback, with an unusual shape lot for SR-B District, with wetlands and riverfront restrictions.

Statement of Relief Sought:

Special Permit sought for changing and extending existing nonconforming side yard setbacks.

Applicable Section(s) of the Zoning By-Law:

1.4.6 Alterations.

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

	Existing Conditions	Proposed Conditions
Use	Single Family Residence	No Change
# Dwelling Units	One	No Change
Lot Area (square feet)	±10,280 SF	No Change
Front Setback (feet)	29.5'	No Change
Rear Setback (feet)	NA	No Change
Left Setback (feet)	11'	9.9'
Right Setback (feet)	9.6'	9.1'
Frontage (feet)	72.61'+24.64'+30.88'=128.13'	No Change
Lot Coverage (%)	20.3%	24.0%
FAR (Floor area divided by the lot area)	0.20	24.6%
Numbers must match those on the certified plot plan and supporting materials		



ZBA Application For Hearing

Date Structure Constructed including additions:

1929

Date Lot was created:

1952

Submission Materials	Provided
Certified Signed Plot Plan of Existing and Proposed Conditions <i>(Required)</i>	
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" <i>(Required)</i>	
If applicant is tenant, letter of authorization from owner <i>(Required)</i>	
Electronic submission of the complete application with attachments <i>(Required)</i>	
Elevations of Proposed Conditions <i>(when necessary)</i>	
Floor Plans of Proposed Conditions <i>(when necessary)</i>	

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 29 May 2024
date of consult

Date: June 24 2024 Applicant Signature 

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

Addition and Alterations

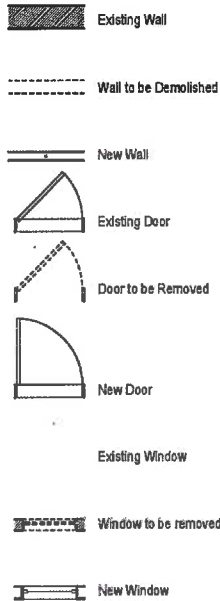
20 Alder Brook Lane

Needham

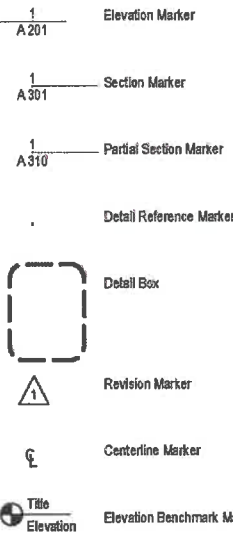
Addition and Alterations
to 20 Alder Brook Lane.
Needham

NEH-KOO-DAH

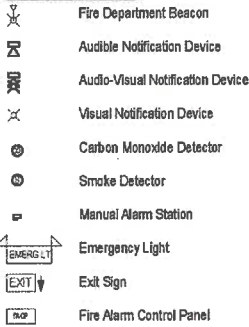
ARCHITECTURAL LEGEND



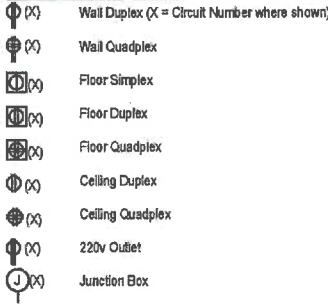
DRAWING SYMBOL LEGEND



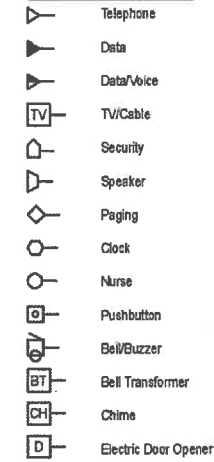
LIFE SAFETY LEGEND



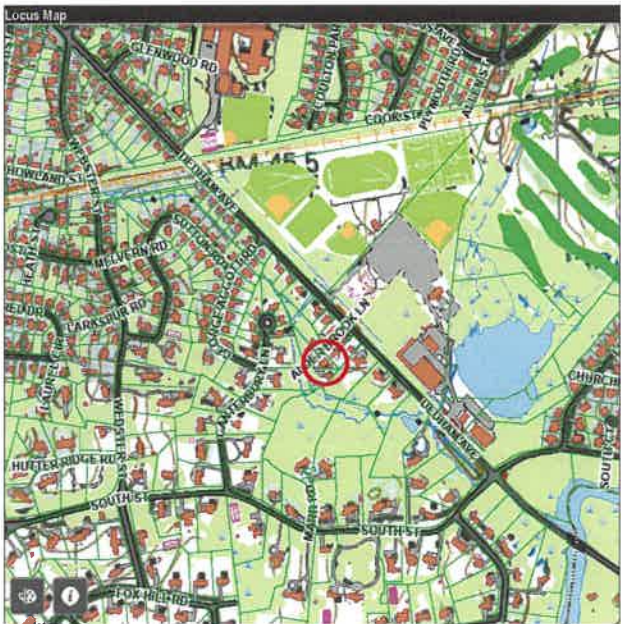
ELECTRICAL POWER LEGEND



COMMUNICATIONS LEGEND



Contacts	
Owner	Builder
Neta & Amit Schwartz	Builder
20 Alder Brook Lane	Address
Needham, Massachusetts 02492	Town, Massachusetts Zip
y (617) 678 9191	y (617) 000 6000
Contact: Mr. Amit	Contact: Mr. Contact
amit.schwartz@gmail.com	e-mail
Architect	Consultant 1
Neh-Koo-Dah	Consultant
2001 Beacon Street #211	Address
Boston, Massachusetts 02135	Town, Massachusetts Zip
(617) 285-1985	y (617) 000 6000
Contact: Mr. Bennie Ber	Contact: Mr. Contact
bber@nehkoodah.com	e-mail
Consultant 2	Consultant 3
Consultant	Consultant
Address	Address
Town, Massachusetts Zip	Town, Massachusetts Zip
y (617) 000 6000	y (617) 000 6000
Contact: Mr. Contact	Contact: Mr. Contact
e-mail	e-mail



Drawing List

G 001	Cover Sheet
G 002	Zoning Information
G 003	Code Information
S 101	Foundation Plan
AS 101	Architectural Site Plan
AS 101-Temp	Architectural Site Plan
AS 102	Zoning Information
AS 103	Zoning Information
AS 112	Site Details
AD 101	Demolition Plans
AD 102	Demolition Plans
A 101	Floor Plan - Basement
A 102	Floor Plan - First Floor
A 103	Floor Plan - Upper Level
A 104	Roof Plan
A 151	Reflected Ceiling Basement
A 152	Reflected Ceiling Plan First
A 153	Reflected Ceiling Plan Second
A 201	Elevations
A 202	Elevations
A 203	Elevations
A 204	Elevations
A 301	Building Sections
A 302	Building Sections
A 303	Section through : Entry, Living Room, Garage & Rooms
A 304	Building Sections
A 305	Section Through Garage Stairs
A 306	Section Through Garage Stairs
A 307	Section Through Garage Door
A 308	Building Sections
A 401	Stair Plans
A 402	Stair Plan and Section
A 411	Stair Sections
A 412	Stair Sections
A 451	Enlarged Plans, Interior Elevations
A 501	Details
A 601	Partition Types
A 611	Door Schedule
A 612	Door Graphic Legend - Lower Floor
A 613	Door Graphic Legend - Upper Floor
A 621	Window Schedule
A 622	Window Graphic Legend
A-1 Vert	A-1 Vert
A-1 Horiz	A-1 Horiz
V-1	V-1
V-1-E	V-1
V-1-2	V-1-2
V-1-2E	V-1-2
V-2	V-2
V-2E	V-2
V-2-2	V-2-2
V-2-2E	V-2-2
V-3	V-2-2
V-4	V-2-2
B-1 Vert	B-1 Vert
B-1 Pres Horiz	B-1 Pres Horiz
B-1 Pres Horiz-2	Sheet Title
B-0	Site Plan
B-1	Existing Conditions - Basement
B-2	Existing Conditions - First Floor
B-3	Existing Conditions - Second Floor
B-4	Existing Conditions - Second Floor
B-21	Preexisting Nonconforming
B-22	Proposed Nonconforming
B-23	Existing Conditions View
B-24	Proposed Conditions View
B-25	Elevation - Front - Existing
B-26	Elevation - Front - Proposed
B-27	Elevation - Right - Existing
B-28	Elevation - Right - Proposed
G 006	Excluded Isometric View

No.	Date	Appr	Revision Notes
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No.	Date	Issue Notes

Design Firm:	Neh-Koo-Dah 2001 Beacon Street #211 Boston, Massachusetts 02135
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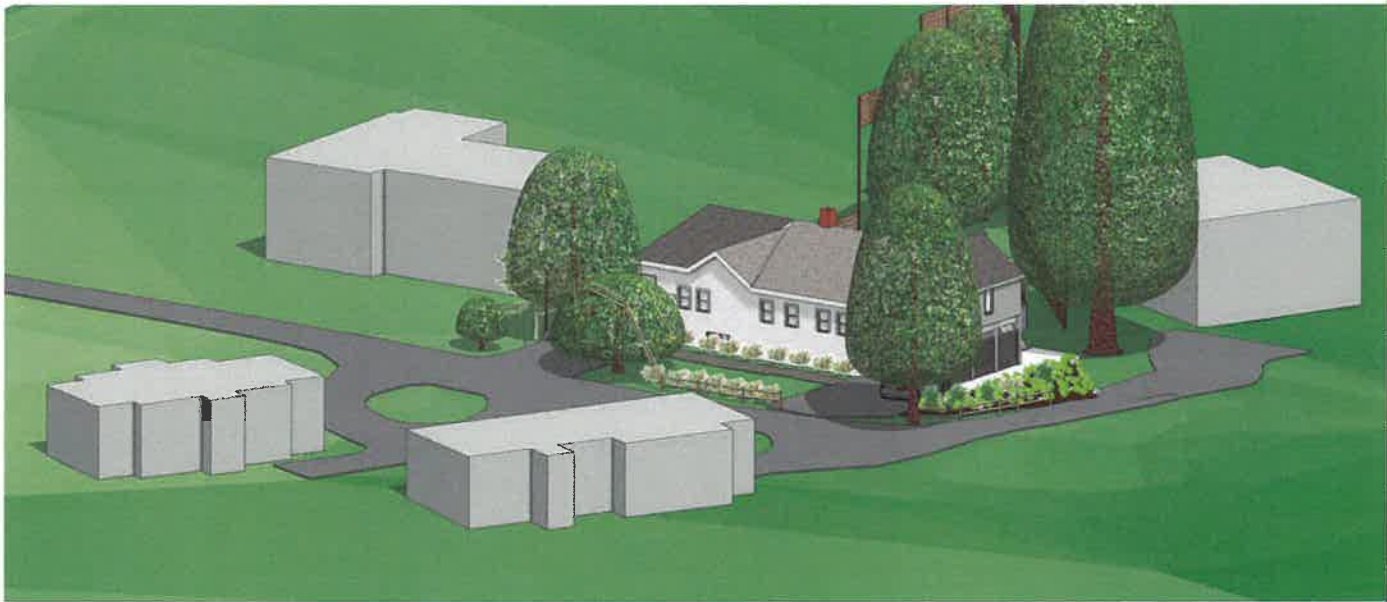
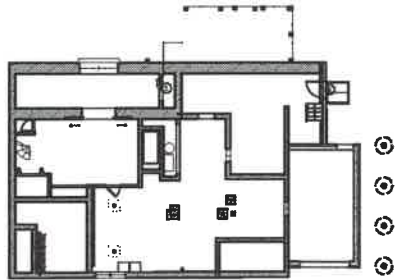
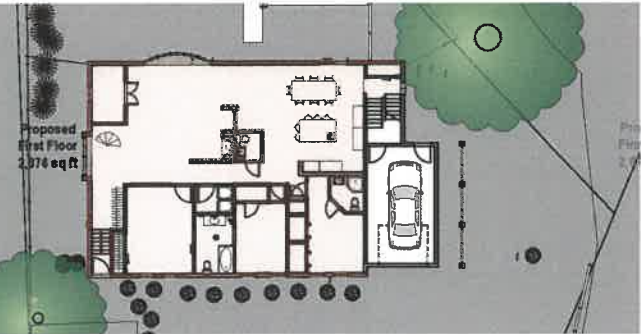
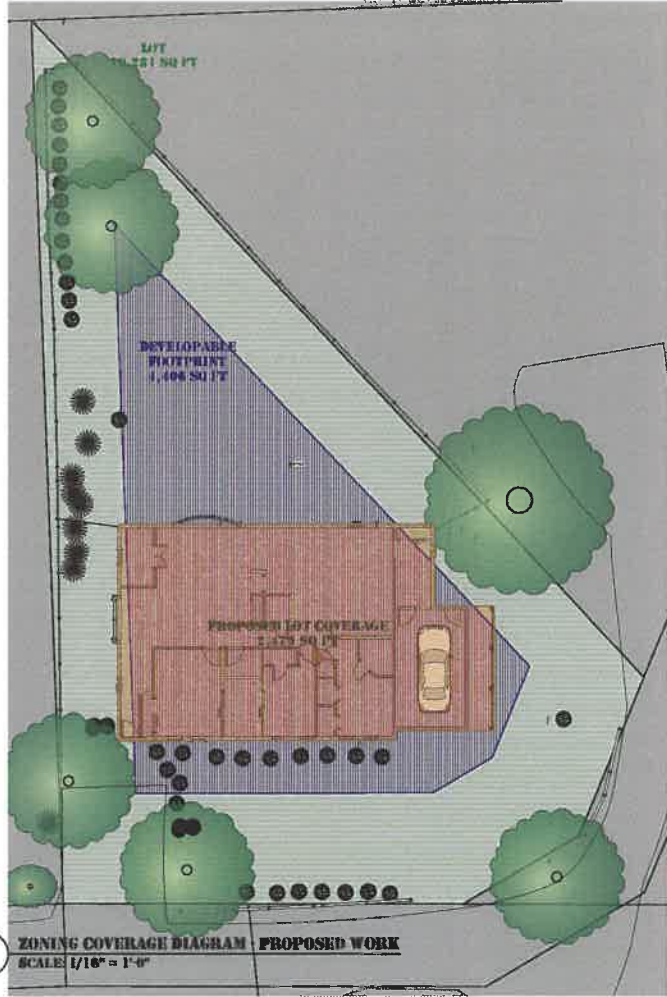
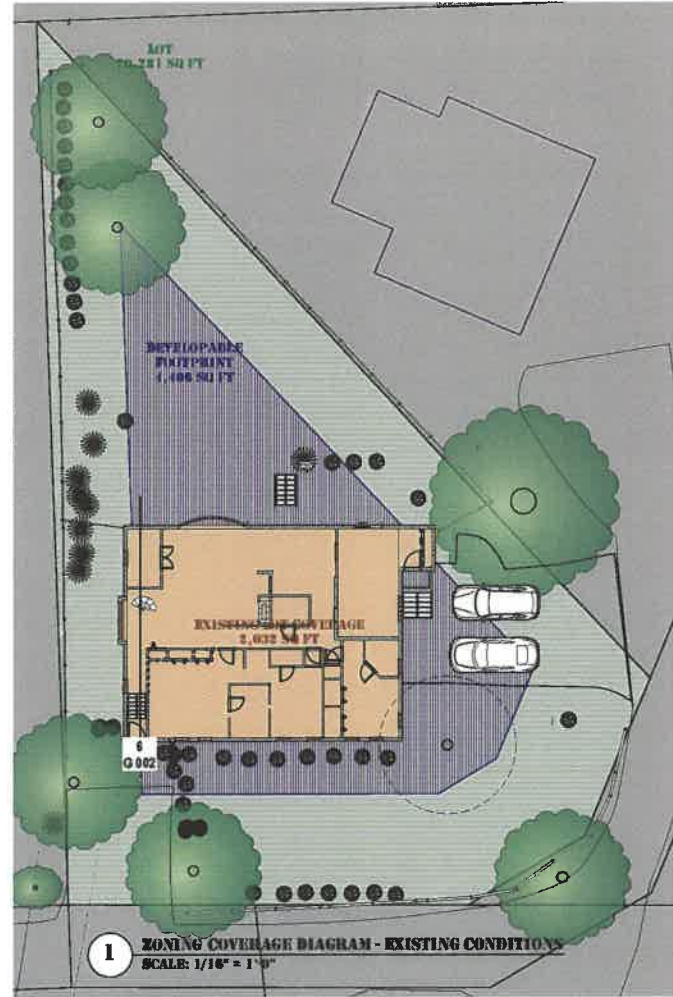
Consultant:	
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Project Title:	Addition and Alterations to 20 Alder Brook Lane. Needham
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Drawing Title:	Cover Sheet
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Project Manager:	Project #:	20032
Drawn By:	Scale:	Sheet Scale
Revised By:	Drawn By:	
Date:		24 June 2024
Old File Name:		20032
		G 001
		of

Addition and Alterations
to 20 Alder Brook Lane.
Needham



7 ISOMETRIC VIEW
SCALE: 1/16" = 1'-0"



6 EXISTING SITE SECTION THROUGH ENTRY DOOR
SCALE: 1/16" = 1'-0"



8 VIEW FROM STREET
SCALE: 1/4" = 1'-0"

NEH-KOOD-DAH

No.	Date	Appr.	Revision Notes
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No.	Date	Appr.	Revision Notes

No.	Date	Appr.	Revision Notes

A 23 JUN 2024 Zoning relief issue

REGISTERED ARCHITECT
No. 30023
BOSTON
MASS.
Digitally signed
by Bernice Ber
Date: 2024.06.23
18:07:50 -04'00'

Design Firm
Neh-Kood-Dah
2001 Beacon Street #211
Boston, Massachusetts 02135

Project Title
Addition and Alterations
to 20 Alder Brook Lane,
Needham

Drawing Title
Zoning Information

Project Manager
Project ID
20032

Drawn By
VCL/BB
Sheet Scale

Reviewed By
Date
24 June 2024
G 002
of



TOWN OF NEEDHAM, MASSACHUSETTS

BUILDING INSPECTION DEPARTMENT

Building Permit No.: _____

Lot Area: 10,280 ± S.F.

Owner: AMIT SCHWARTZ & NETA LEVIN SCHWARTZ

Assessor's Map & Parcel Number: 202-0016

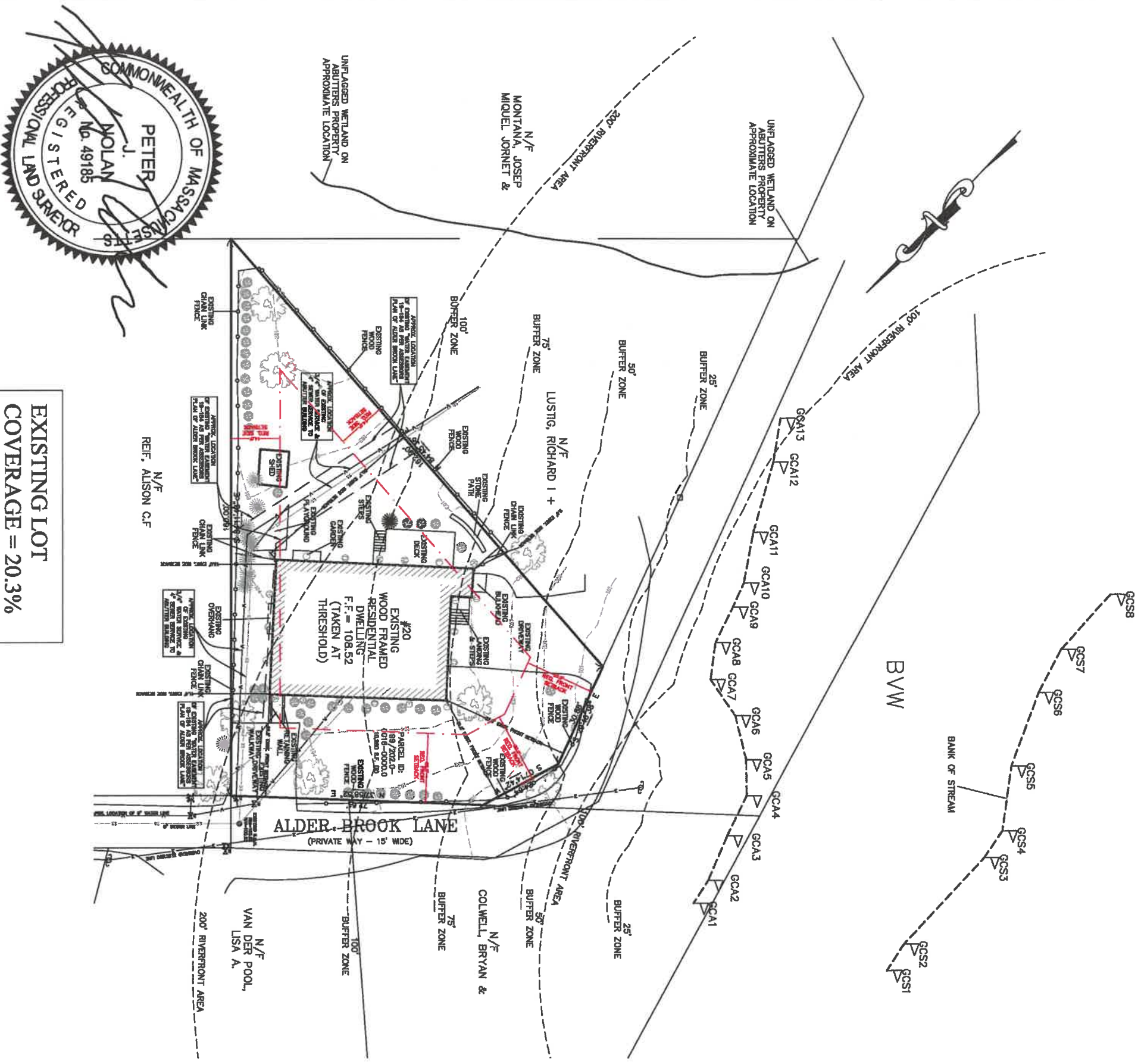
Zoning District: SR-B, SINGLE RESIDENCE B

Address: NO. 20 ALDER BROOK LANE

Builder: _____

EXISTING CONDITION

SCALE: 1"= 40'



EXISTING LOT
COVERAGE = 20.3%

Note: Plot Plans shall be drawn in accordance with Sections 7.2.1 and 7.2.2 of the Zoning By-Laws for the Town of Needham. All plot plans shall show existing structures and public & private utilities, including water mains, sewers, drains, gas lines, etc.; driveways, septic systems, wells, Flood Plain and Wetland Areas, lot dimensions, lot size, dimensions of proposed structures, sideline, front and rear offsets and setback distances (measured to the face of structure) and elevation of top of foundations and garage floor. For new construction, lot coverage, building height calculations, proposed grading and drainage of recharge structures. For pool permits, plot plans shall also show fence surrounding pool with a gate, proposed pool and any accessory structures*, offsets from all structures and property lines, existing elevations at nearest house corners and pool corners, nearest storm drain catch basin (if any) and sewage disposal system location in areas with no public sewer.

I hereby certify that the information provided on this plan is accurately shown and correct as indicated.

The above is subscribed to and executed by me this: 26TH day of: JUNE 2023

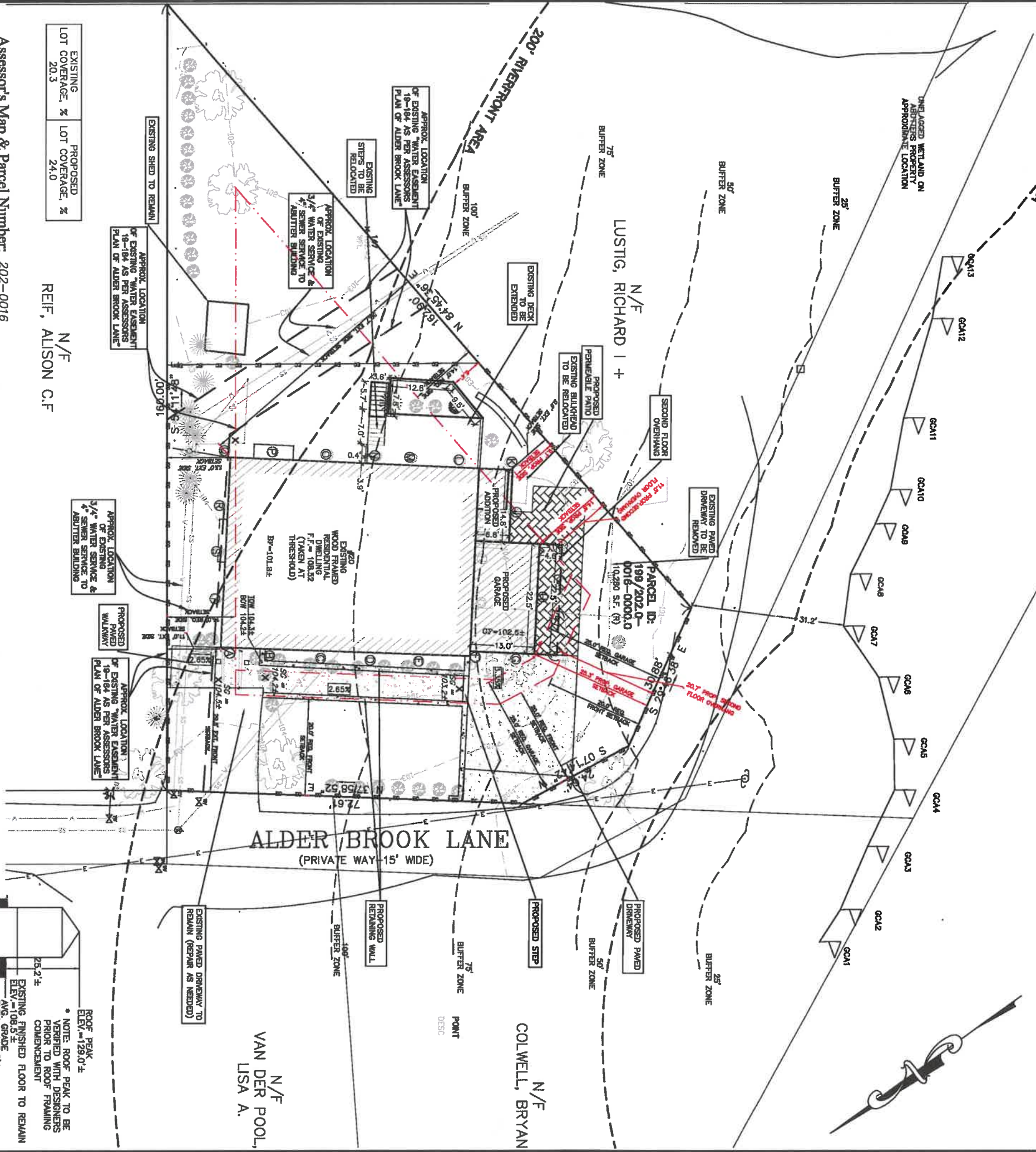
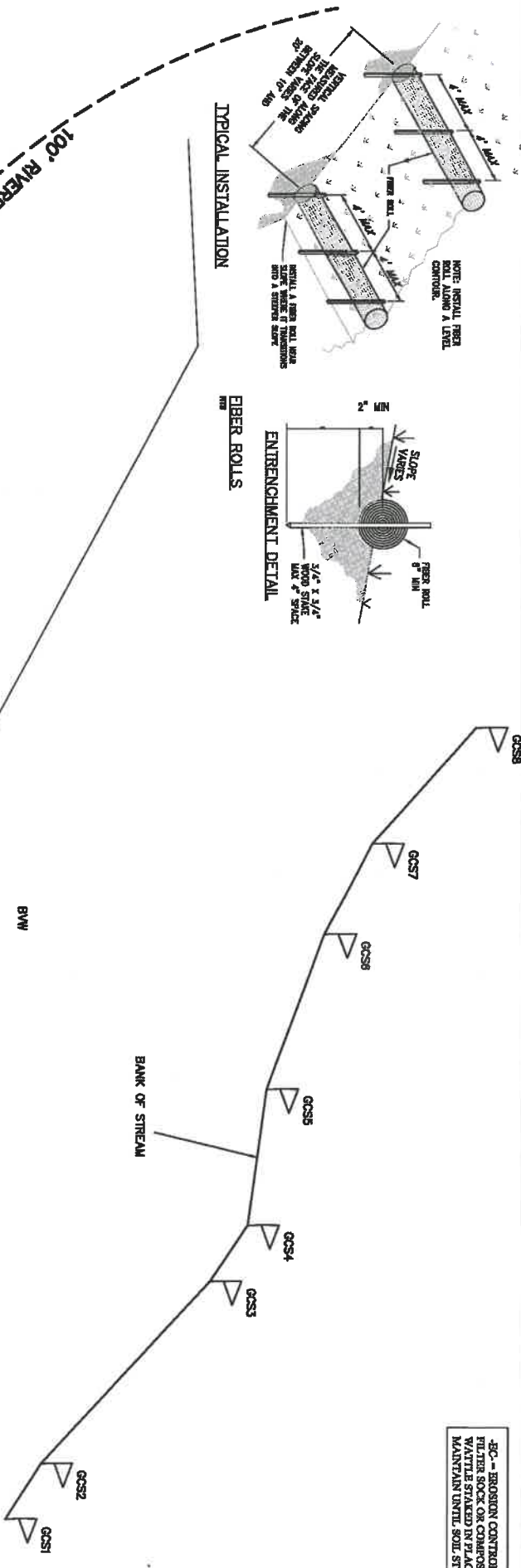
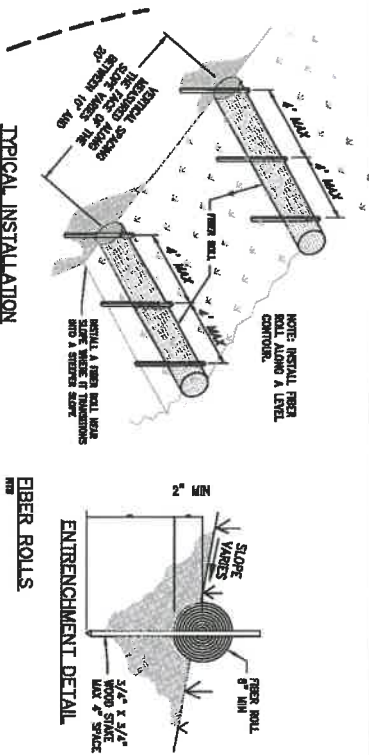
Name: PETER J. NOLAN Registered Land Surveyor #: 49185

Address: 80 JEWETT STREET (SUITE 1) City: NEWTON State: MA Zip: _____ Tel. No.: (857) 891 7478

Approved: _____ Director of Public Works: _____ Date _____

Approved: _____ Building Inspector: _____ Date _____

**-EG- EROSION CONTROL:
FILTER SOCK OR COMPOST/STRAW
W/ATILE STAKED IN PLACE.
MAINTAIN UNTIL SOIL STABLE**



Assessor's Map & Parcel Number: 202-0016
Building Permit No.: _____
Lot Area: 10,280 ± S.F.

Zoning District: SR-B, SINGLE RESIDENCE B
Address: NO. 20 ALDER BROOK LANE

[illegible]

DIMENSIONS. All legal rights including, but not limited to, copyright and design patent rights, in the designs, arrangements and plans shown on this document are the property of Peter Nolen & Associates, LLC, or Sprutman Engineering, P.C. They may not be used or reused in whole or in part, except in connection with this project, without the prior written consent of Sprutman Engineering, P.C.. Written dimensions on these drawings shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on this project, and Sprutman Engineering, P.C., must be notified of any variation from the dimensions and conditions shown by these drawings.

20 ALDER BROOK LANE,
NEEDHAM, MA



**PETER NOLAN &
ASSOCIATES, LLC**
LAND SURVEYORS/CIVIL
ENGINEERING CONSULTANTS
80 JENNETT ST., (SUITE 1)
MELTON, MA 02550
Tel: 857-893-7478
Fax: 857-893-7533
E-mail: pna@earthlink.net

**SPRUHAN
ENGINEERING, P.C.**
60 JENNETT ST., (SUITE 1)
NEWTON, MA 02459
Tel: 617-816-0722
Email: arndong@spruhaneng.com



SEM • KOO • DAI

No.	Date	Appr	Revision Notes
A	29 JUN 2024	Zoning relief issue	
No.	Date	Issue Notes	
 Digitally signed by Bennie B Date: 2024.06.18 17:32 -04			
Design Firm: Neh-Koo-Dah 2001 Beacon Street #211 Boston, Massachusetts 02135 Project Title: Addition and Alterations to 20 Alder Brook Lane. Needham			
Drawing Title: Zoning Information Project Manager: KLBB Project ID: 20032			
Drawn By: KLBB Sheet: Sheet Scale			
Reviewed By: KLBB Drawing No.: AS 102			
Date: 24 June 2024 of			
CAD File Name: 20032			



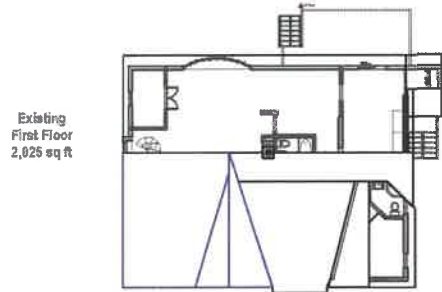
Existing	Level	Floor Area
	First Floor	2025 SF
	Total	2025 SF
Proposed	Level	Floor Area
	First Floor	2076 SF
	Second Floor	456 SF
	Total	2532 SF
	Lot Area	10,281 SF
	Existing FAR	0.20
	Proposed FAR	0.246



6 EXPANDED DECK VIEW
SCALE: 1/8" = 1'-0"

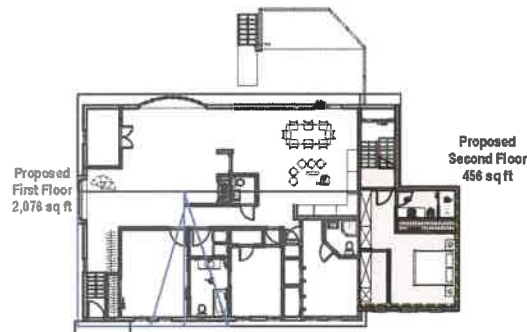


7 EXISTING DECK VIEW
SCALE: 1/8" = 1'-0"



Existing
First Floor
2,025 sq ft

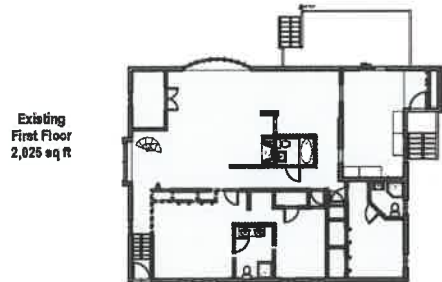
3 FAR DIAGRAM - SECOND FLOOR - EXISTING
SCALE: 1/16" = 1'-0"



Proposed
First Floor
2,076 sq ft

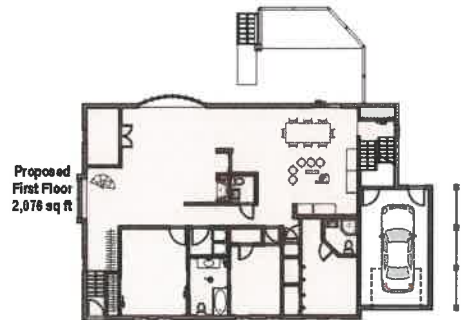
Proposed
Second Floor
456 sq ft

5 FAR DIAGRAM - SECOND FLOOR - PROPOSED
SCALE: 1/16" = 1'-0"



Existing
First Floor
2,025 sq ft

2 FAR DIAGRAM - FIRST FLOOR - EXISTING
SCALE: 1/16" = 1'-0"



Proposed
First Floor
2,076 sq ft

4 FAR DIAGRAM - FIRST FLOOR - PROPOSED
SCALE: 1/16" = 1'-0"



1 NEIGHBORHOOD CONTEXT PLAN
SCALE: 1" = 20'-0"

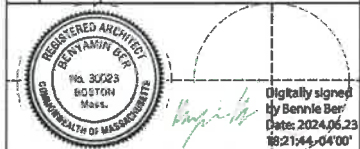
Addition and Alterations to 20 Alder Brook Lane. Needham

NEH-KOO-DAH

No.	Date	Appr.	Revision Notes
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A 23 JUN 2024 Zoning relief issue

No.	Date	Issue Notes
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Neh-Koo-Dah
2001 Beacon Street #211
Boston, Massachusetts 02135

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Addition and Alterations
to 20 Alder Brook Lane.
Needham

Zoning Information

Project ID: 20032

Drawn By: VKLGB

Scale: Sheet Scale

Date: 24 June 2024

20032

AS 103
of

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A	13 JUN 2024	Zoning relief issue
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No.	Date	Issue Notes
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Design Firm
Neh-Koo-Dah
2001 Beacon Street #211
Boston, Massachusetts 02135

Checked by
©Neh-Koo-Dah 2020-2023

Project Title
Addition and Alterations
to 20 Alder Brook Lane.
Needham

Drawing Title
Demolition Plans

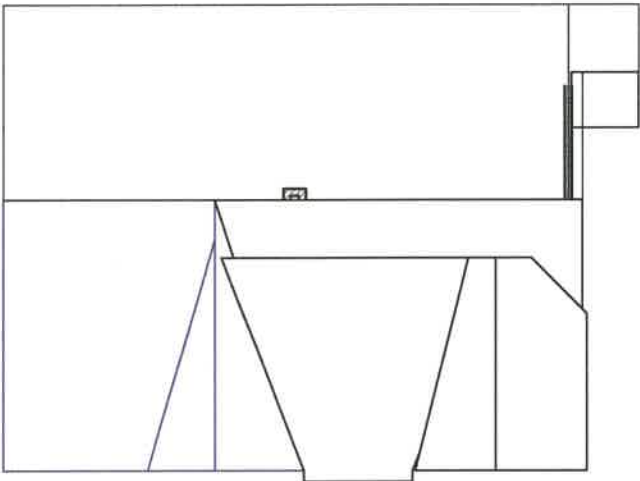
Project Number
20032

Drawn by
VK/BB

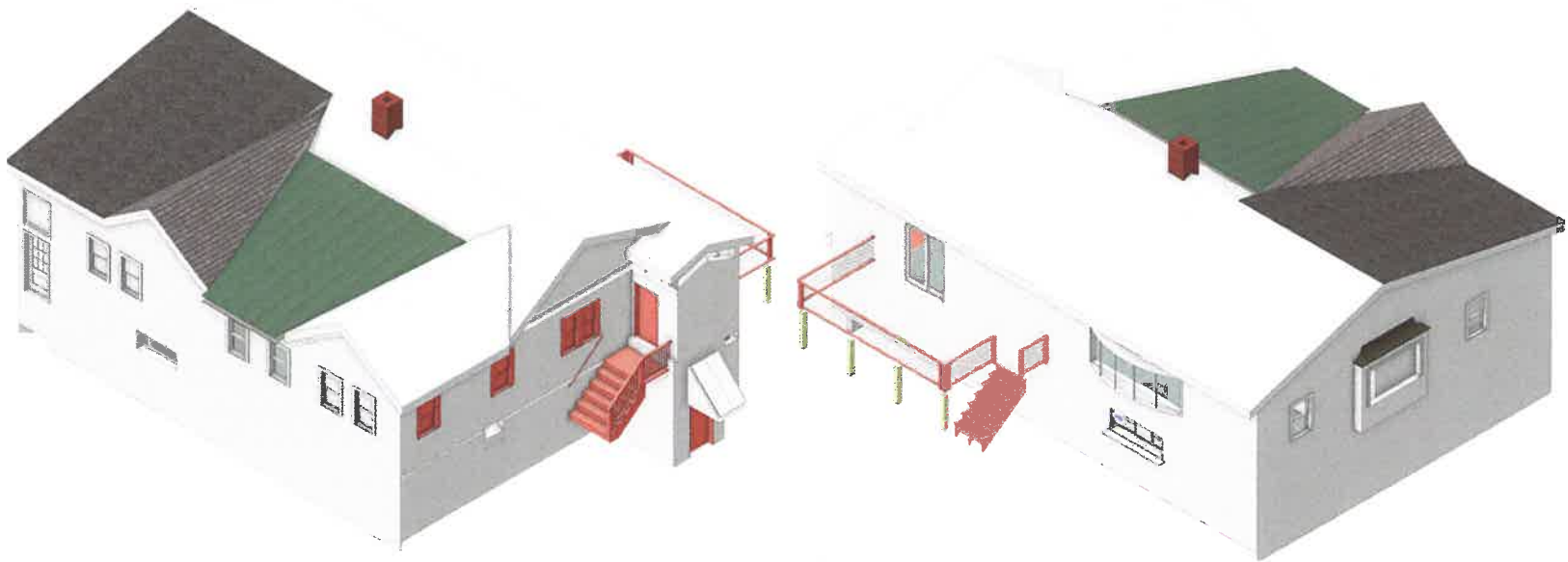
Scale
Sheet Scale

Date
24 June 2024

Sheet Number
AD 101
of



3 DEMOLITION PLAN - SECOND FLOOR/ROOF
SCALE: 1/8" = 1'-0"



4 DEMOLITION - ISOMETRIC VIEW 01
SCALE: 1/8" = 1'-0"

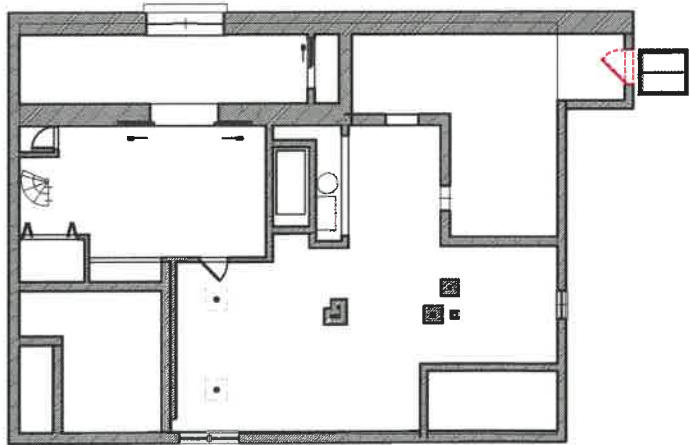
NKD - Demolition 01

<All Objects>

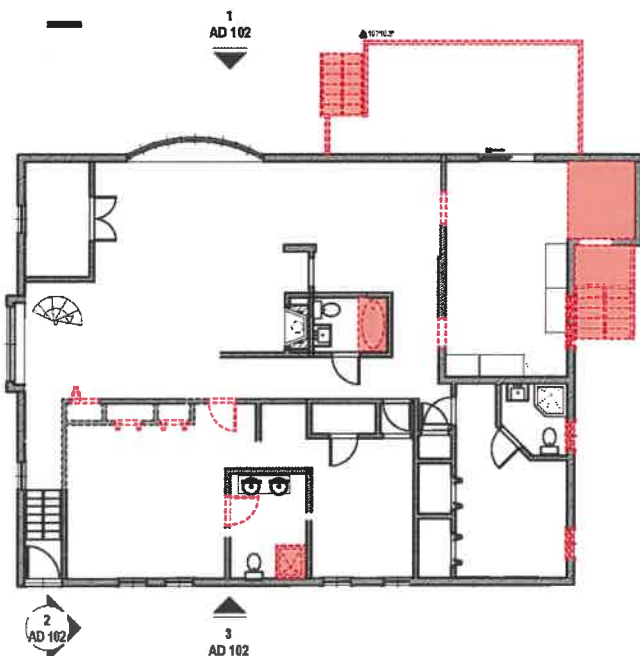
5 DEMOLITION ISOMETRIC VIEW 02
SCALE: 1/8" = 1'-0"

NKD - Demolition 01

<All Objects>



1 DEMOLITION PLAN - BASEMENT
SCALE: 1/8" = 1'-0"



2 DEMOLITION PLAN - FIRST FLOOR
SCALE: 1/8" = 1'-0"

Addition and Alterations
to 20 Alder Brook Lane.
Needham

NEH-KOO'DAH

No.	Date	Appr.	Revision Notes
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25' Wetlands Buffer

A	13 JUN 2024	Zoning relief issue
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No.	Date	Issue Notes
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Digitally signed
by Benjie Ber
Date: 2024.06.23
183807-0400

Design Firm
Neh-Koo'Dah
2001 Beacon Street #211
Boston, Massachusetts 02135

License/Title

Project Title
Addition and Alterations
to 20 Alder Brook Lane.
Needham

Drawing Title
Floor Plan - Basement

Project Manager
Project ID
20032

Drawn By
Scale
Street Scale

Reviewed By
Drawing No.
A 101

Date
24 June 2024

Sheet No.
20032

1 FLOOR PLAN - BASEMENT - OPTION 1
SCALE: 1/4" = 1'-0"

1 A 302
2 A 301

1 A 306

1 A 307

1 A 308

1 A 309

1 A 310

1 A 311

1 A 312

1 A 313

1 A 314

1 A 315

1 A 316

1 A 317

Addition and Alterations
to 20 Alder Brook Lane.
Needham

NEH-KOO-DAH

No.	Date	Appr.	Revision Notes
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No.	Date	Appr.	Revision Notes

No.	Date	Appr.	Revision Notes

No.	Date	Appr.	Revision Notes
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Digitally signed
by Benne Berne
Date: 2024.06.23
16:40:03 -04'00'

Design Title
Neh-Koo-Dah
2001 Beacon Street #211
Boston, Massachusetts 02135

Consultant
©Neh-Koo-Dah 2025-2025

Project Title
Addition and Alterations
to 20 Alder Brook Lane.
Needham

Drawing Title
Floor Plan - First Floor

Project Manager	Project ID
Drawn By	Scale
Reviewed By	Drawing No.
Date	
QCD File Name	

1 FLOOR PLAN - FIRST FLOOR
SCALE: 1/4" = 1'-0"



Addition and Alterations
to 20 Alder Brook Lane.
Needham



No.	Date	Appr	Revision Notes
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A	23 JUN 2024		Zoning relief issue
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No.	Date	Issue Notes
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Digitally signed
by Bernice Ber
Date: 2024.06.23
16:41:50 -04'00'

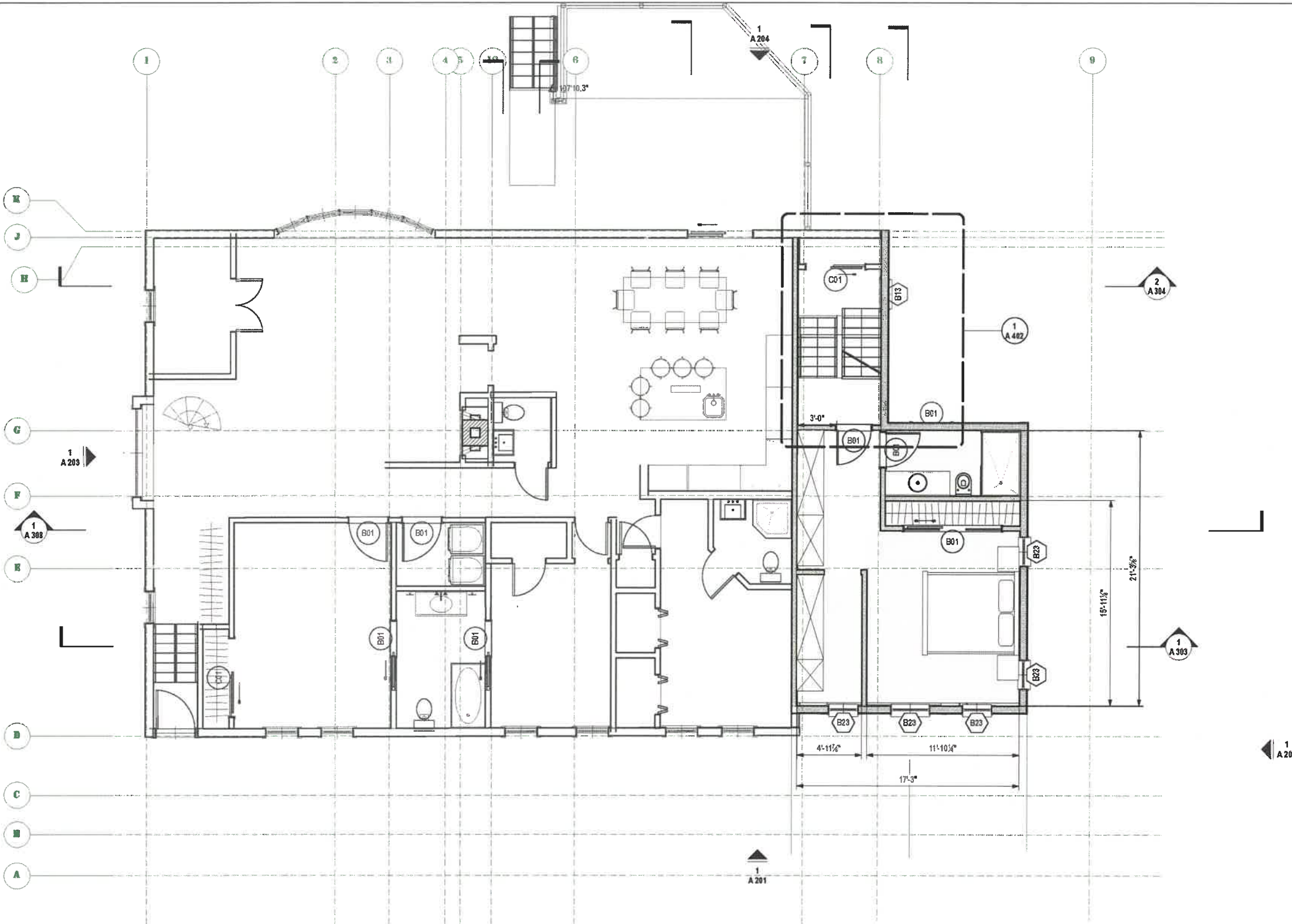
Design Firm
Neh-Koo-Dah
2001 Beacon Street #211
Boston, Massachusetts 02135

Consultant
©1984-Neh-Koo-Dah 1005-2023

Project Title
Addition and Alterations
to 20 Alder Brook Lane.
Needham

Drawing Title
Floor Plan - Upper Level

Project Manager	Project ID	20032
Drawn By	Scale	Sheet Scale
Reviewed By	Drawing No.	A 103
Date		24 June 2024
Client Name		20032

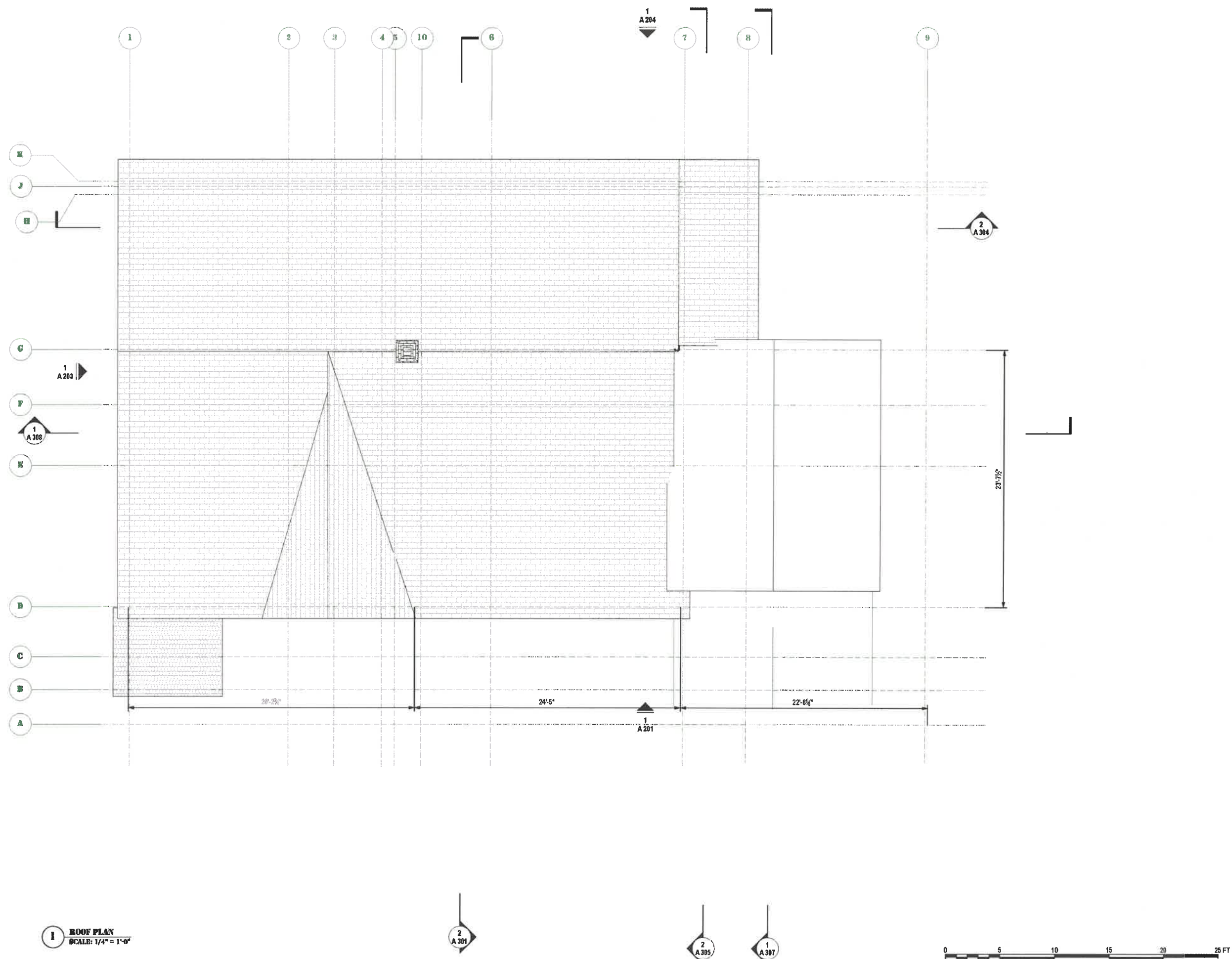


1 FLOOR PLAN - UPPER FLOOR
SCALE: 1/4" = 1'-0"



YEH • KOO • DAM

No.	Date	Appr	Revision Notes
A	23 JUN 2024	Zoning relief issue	
No.	Date	Issue Notes	
  Digitally signed by Benjamin B. B. Date: 2024.06.23 13:33:49			
Design Firm: Neh+Koo+Dah 2001 Beacon Street #211 Boston, Massachusetts 02135			
Contracted By: _____			0104-Koo Co. 01.25
Project Title: Addition and Alterations to 20 Alder Brook Lane, Needham			
Drawing Title: Roof Plan			
Project File Name: _____		Project ID: 20032	
Drawing By: VCJ/GB		Scale: Sheet Scale	
Reviewed By: _____		Drawing Date: _____	
Date: 24 June 2024		A 104	
CD File Name: 20032		_____ of _____	



Addition and Alterations
to 20 Alder Brook Lane.
Needham

NEH-KOO-DAH

No.	Date	Appr	Revision Notes

A	23 JUN 2024		Zoning relief issue
---	-------------	--	---------------------

No.	Date	Issue Notes

DESIGNED ARCHITECT BENNY BER No. 30063 BOSTON Mass. COMMONWEALTH OF MASSACHUSETTS	Digitally signed by Benny Ber Date: 2024.06.23 18:46:10 -04'00'
--	--

Designer: Fm	Neh-Koo-Dah 2001 Beacon Street #211 Boston, Massachusetts 02135
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Project Title	Addition and Alterations to 20 Alder Brook Lane. Needham
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Drawing Title	Elevations
---------------	------------

Project Manager	Project No.	20032
Drawn By	Scale	Sheet Scale
Reviewed By	Drawing No.	A 201
Date		24 June 2024
Old File Name		20032



1 ELEVATION - FRONT (NORTH)
SCALE: 1/4" = 1'-0"



MEMORANDUM

No.	Date	Issue Notes
		Digitally signed by by Bennie B. Date: 2024.04. 18:48:11 -04

© 2004 Blackwell Publishing Ltd

Drawing Title	Elevation
---------------	-----------

	2012
Grain (kg)	8000

☐ Paid for by _____ Drawing No. _____
☐ _____
A 202

Out File Name

	ΔΔΔΔ	
--	------	--

A horizontal scale bar with markings at 0, 5, 10, 15, 20, and 25 feet.

Addition and Alterations
to 20 Alder Brook Lane.
Needham

NEH-KOOR-DAH

No.	Date	Appr	Revision Notes

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A	23 JUN 2024	Zoning relief issue
---	-------------	---------------------

No.	Date	Issue Notes

REGISTERED ARCHITECT
BENJAMIN BEP
No. 30023
BOSTON
Mass.
COMMONWEALTH OF MASSACHUSETTS

Digitally signed
by Benjamin Be
Date: 2024.06.23
18:50:53 -0400

Design Firm	Neh-Koor-Dah 2001 Beacon Street #211 Boston, Massachusetts 02135
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Drawn By	
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Project Title	Addition and Alterations to 20 Alder Brook Lane. Needham
---------------	--

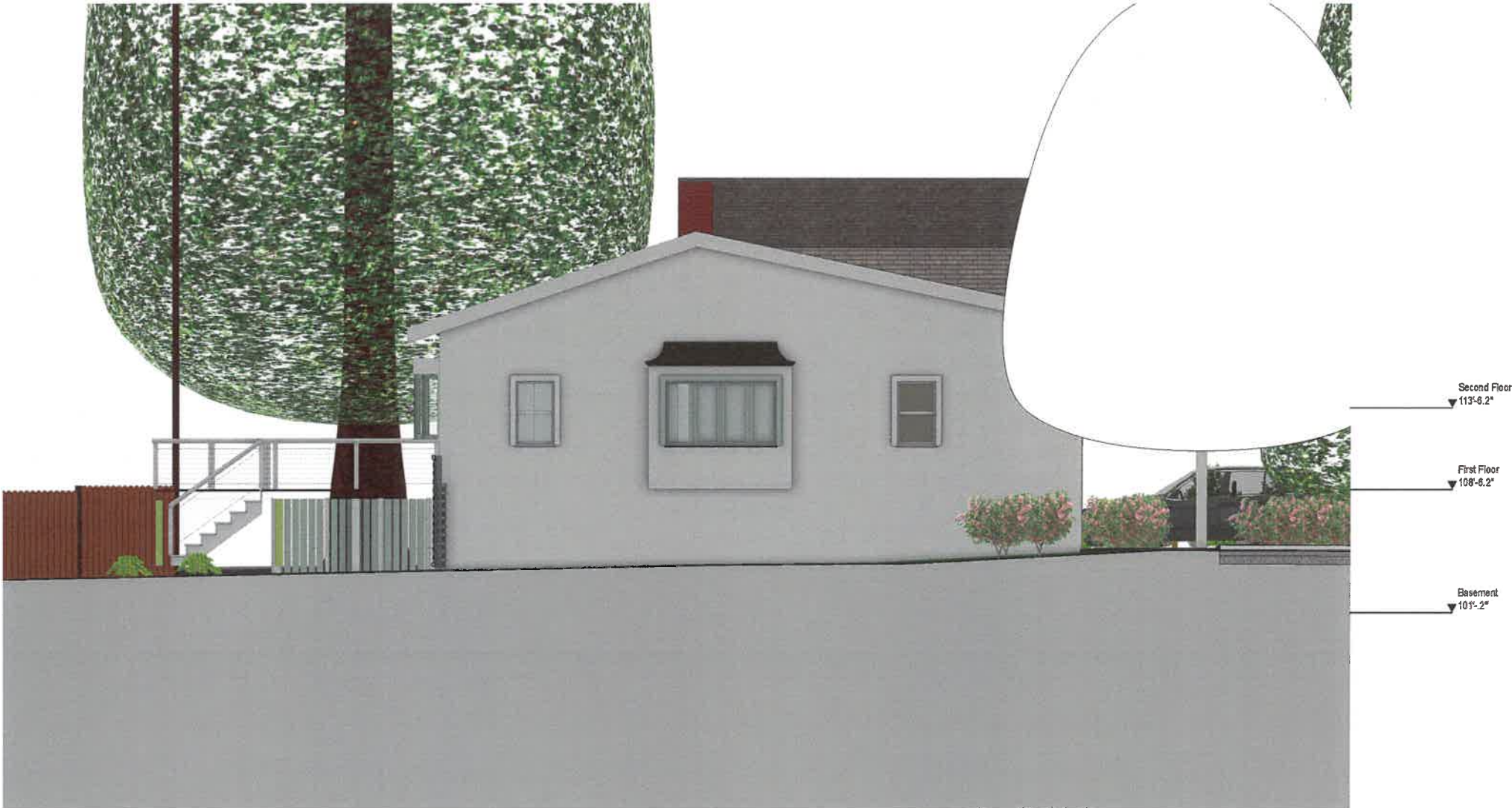
Drawing Title	Elevations
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Project Manager	Project ID	20032
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Drawn By	Unit	Sheet Scale
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Reviewed By	Drawing No.	A 203
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Date	24 June 2024	
Old File Name	20032	



1 ELEVATION - EAST (LEFT)
SCALE: 1/4" = 1'-0"

Addition and Alterations
to 20 Alder Brook Lane,
Needham

NEH-KOO-DAH

No.	Date	Appr.	Revision Notes

A 23 JUN 2024 Zoning relief issue

No.	Date	Issue Notes
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REGISTERED ARCHITECT
No. 30023
BOSTON
Mass.
COMMONWEALTH OF MASSACHUSETTS


Digitally signed
by Bennie Ber
Date: 2024.06.23
16:53:01 -04'00'

Design Title
Neh-Koo-Dah
2001 Beacon Street #211
Boston, Massachusetts 02135
©Neh-Koo-Dah 2020-2023

Project Title
Addition and Alterations
to 20 Alder Brook Lane,
Needham

Drawing Title
Elevations

Project # Manager
20032

Drawn By
VKL/B9

Revised By
24 June 2024

Check By Name
20032

Sheet Scale
A 204
of



Second Floor
▼ 113'-6.2"

First Floor
▼ 108'-6.2"

Basement
▼ 101'-6.2"

1 ELEVATION - REAR
SCALE: 1/4" = 1'-0"

0 5 10 15 20 25 FT

Addition and Alterations
to 20 Alder Brook Lane.
Needham

NEH-KOO-DAH

No.	Date	Appr	Revision Notes

A 23 JUN 2024 Zoning relief issue

No.	Date	Issue Notes
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Designer: Neh-Koo-Dah
2001 Beacon Street #211
Boston, Massachusetts 02135

Consultant: ©Neh-Koo-Dah 2020-2023

Project Title: Addition and Alterations
to 20 Alder Brook Lane.
Needham

Section through: Entry, Living Room, Garage & Rooms

Project Manager: 20032

Drawn By: VKLBB

Scale: Sheet Scale

Reviewed By:

Date: 24 June 2024

Client Name: 20032

A303

of



1 LONGITUDINAL SECTION : ENTRY ; LIVING ROOM; GARAGE
SCALE: 1/4" = 1'-0"

Addition and Alterations
to 20 Alder Brook Lane.
Needham



No.	Date	Appr.	Revision Notes

A 23 JUN 2024 Zoning relief issue

No.	Date	Issue Notes

Digitally signed
by Benjamin Ber
Date: 2024.06.23
18:56:13 -04'00'

Design Firm
Neh-Koo-Dah
2001 Beacon Street #211
Boston, Massachusetts 02135

© Neh-Koo-Dah 2024-2025

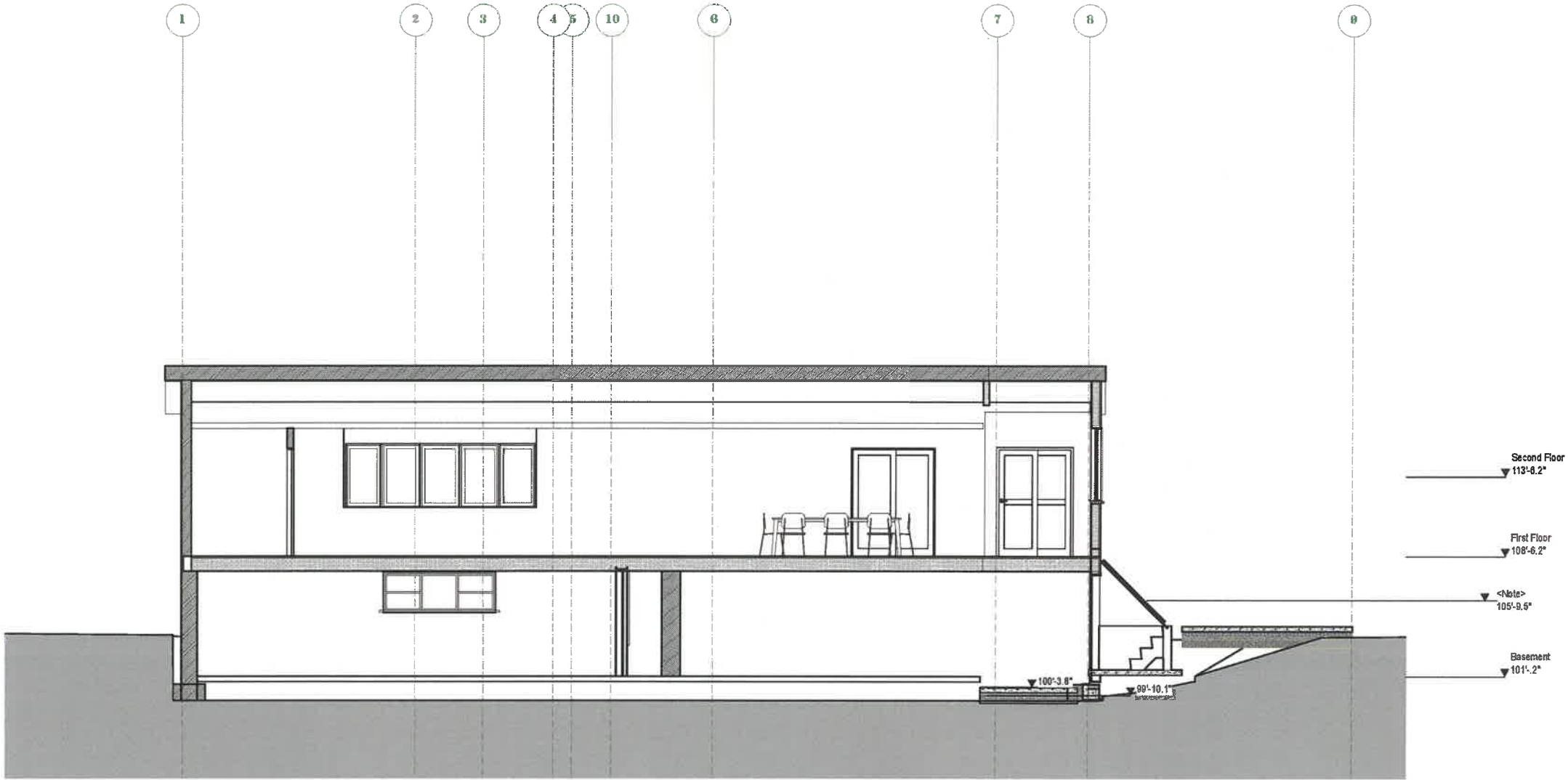
Project Title
Addition and Alterations
to 20 Alder Brook Lane.
Needham

Drawing Title
Building Sections

Project Manager	Project #
Drawn By	20032
Reviewed By	Scale
Date	Sheet Scale
200 The Huber	
20032	

A304

of

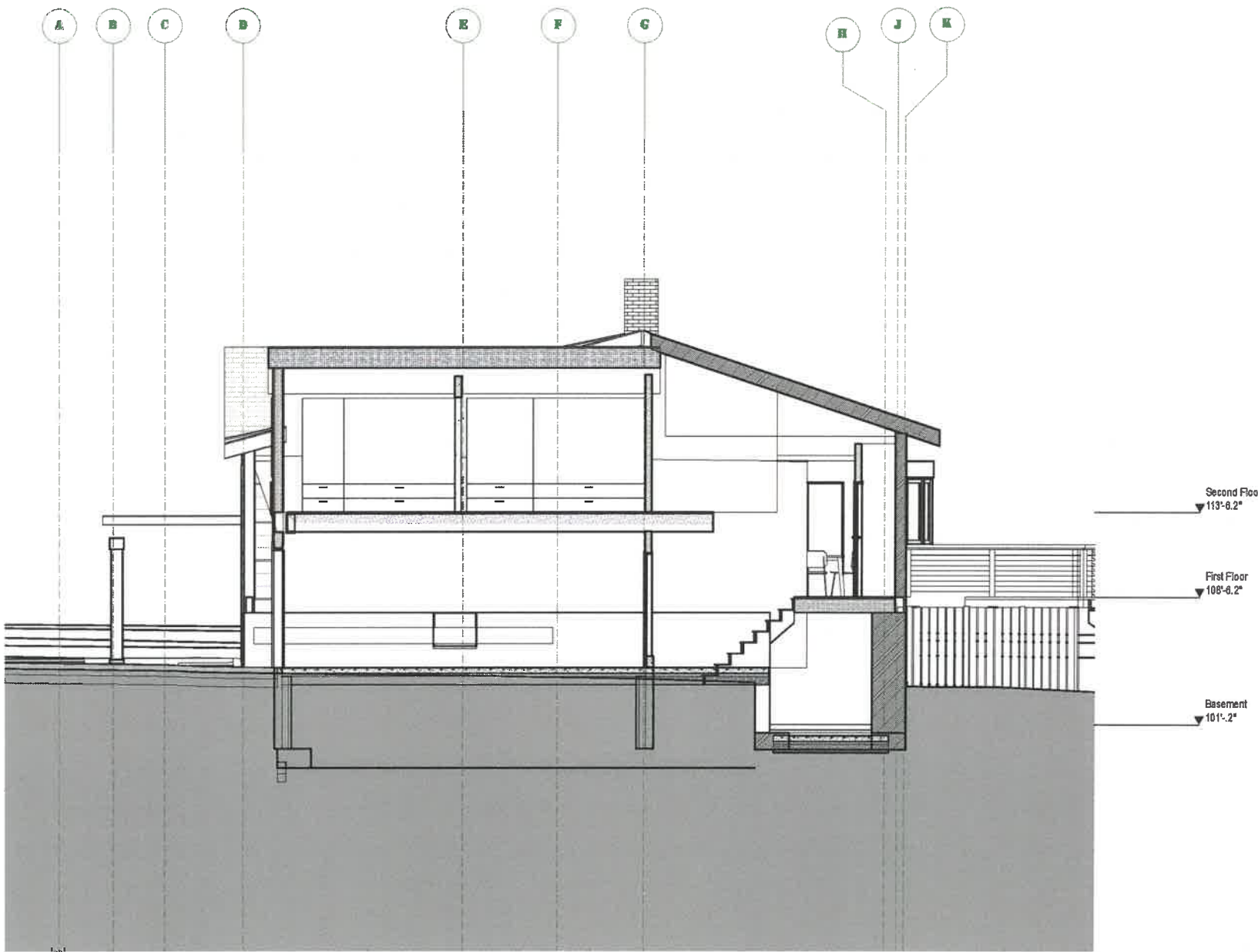


2 SECTION THROUGH LIVING ROOM KITCHEN AND PRIMARY BEDROOM
SCALE: 1/4" = 1'-0"

Addition and Alterations
to 20 Alder Brook Lane.
Needham



No.	Date	Appr	Revision Notes
A	23 JUN 2024	Zoning relief issue	
No.	Date	Issue Notes	
 REGISTERED ARCHITECT BENYAMIN BEN No. 30023 BOSTON, MASS. Digitally signed by Benny Ben Date: 2024.06.23 18:56:37 -04'00' De Sign Firm Neh-Koo-Dah 2001 Beacon Street #211 Boston, Massachusetts 02135 Consulted Project Title Addition and Alterations to 20 Alder Brook Lane. Needham Drawing Title Section Through Garage Stairs Project ID 20032 Drawn By VKL/BB Scale Sheet Scale Reviewed By Drawing No. A 305 of Date 24 June 2024 CDT File Name 20032			



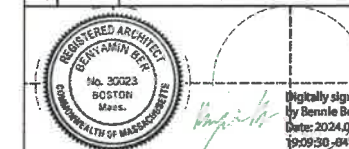
2 SECTION THROUGH GARAGE & MASTER SUIT STAIRS
SCALE: 1/4" = 1'-0"



NET-KOODA

No.	Date	Appr	Revision Notes

A	23 JUN 2024	Zoning relief issue
No.	Date	Issue Notes



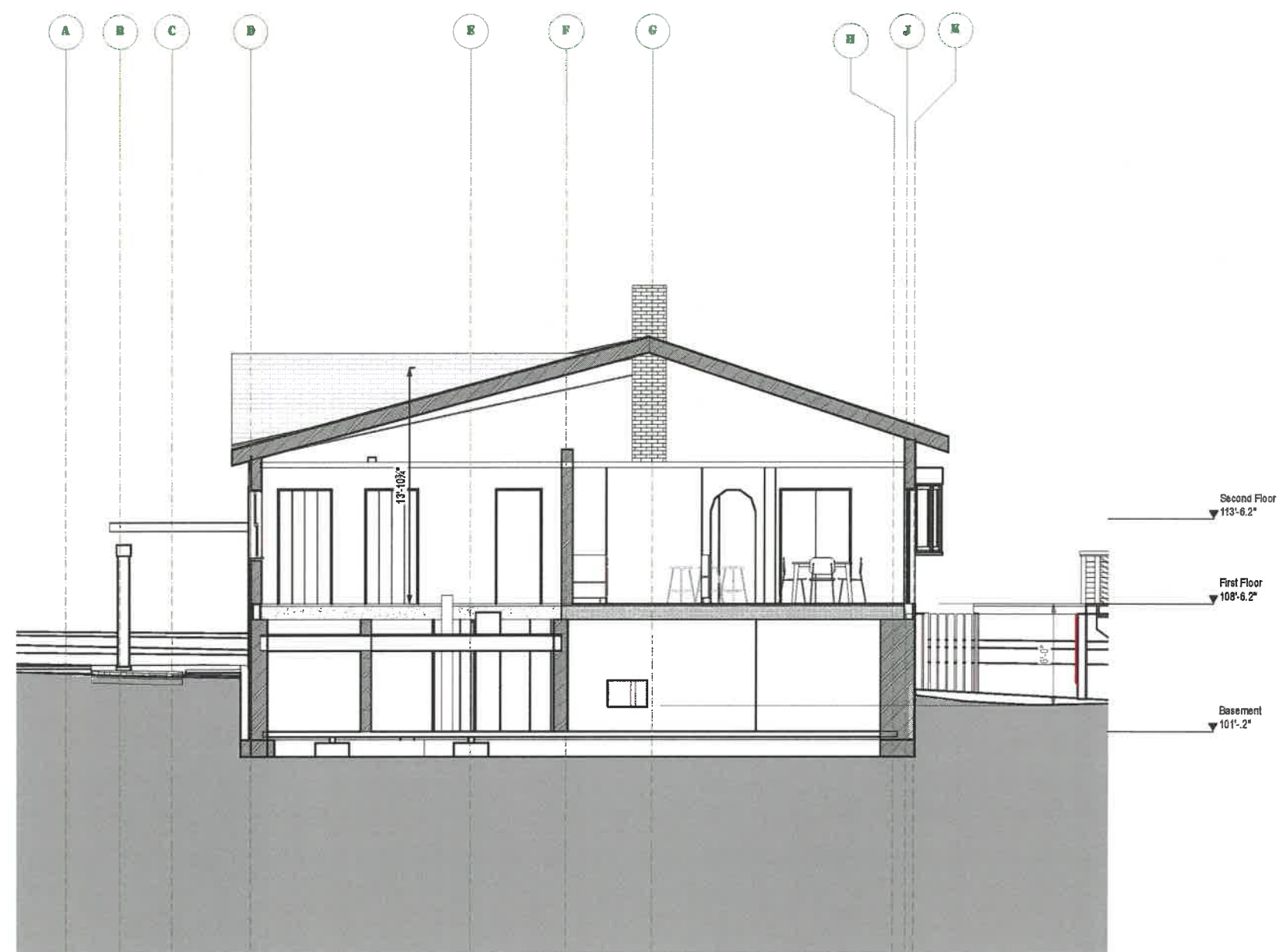
Design Firm:
Neh-Koo-Dah
2001 Beacon Street #211
Boston, Massachusetts 02135

© 2004 Blackwell Publishing Ltd *Journal of Internal Medicine* 255: 103–110

Project Title: **Addition and Alterations
to 20 Alder Brook Lane.
Needham**

Draining Title Section Through Garage Stairs

Project file name	Project ID
Screening	Scale
Reviewed By	Drawing No.
Date	
Old File Name	



1 SECTION THROUGH LIVING ROOM
SCALE: 1/4" = 1'-0"



Y B I K U D A I

[illegible]A 23 APR 2024 Zoning relief item 4

REGISTERED ARCHITECT
BENJAMIN R. F.
No. 30023
BOSTON
Mass.
COMMONWEALTH OF MASSACHUSETTS

Digitally signed by Benjie B. Date: 2024.09.19 12:52:04

[illegible]

Consultant	
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Project 1106 Addition and Alterations

to 20 Alder Brook Lane.

Needham

Drawing Title **Section Through Garage Door**

[illegible]

Project Manager	Project ID
	20032

Drawn By VKUBB	Scale Sheet Scale
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Received By	Drawing No.
-------------	-------------

Date: 24 June 2024

ET UNIT 1	01
OLD File Name	00000

	2003	
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Memorandum

To: Zoning Board of Appeals
Town of Needham

Proj.#: 20032

From: Bennie Ber

Proj. Name Addition and Alteration to
20 Alder Brook Lane, Needham

The applicants, Amit Schwartz & Neta Levin Schwartz ("Applicant" or "Petitioner"), seek zoning relief for an addition and alterations to a single-family residential dwelling located at 20 Alder Brook Lane. Specifically, Applicant requests a Special Permit, pursuant to Section 1.4.6 of the By-Law.

Existing Conditions Descriptions

The lot Area is ±10,280 square feet.

The existing house was constructed ca. 1929, according to Town of Needham Assessors' Database. The lot was created ca. 1952, according to Town of Needham Engineering Division. Both the construction of the structure and the creation of the lot predated the current dimensional regulations of Town of Needham Zoning By-Law.

The structure was relocated ca. 1951-1952.

An addition was constructed ca. 1976.

Currently, the residence is three bedroom and two bathrooms, with a total of 2,025 square feet.

There exists a water easement on the property per Assessors' map; it is documented on Existing Conditions Plan prepared by Peter Nolan & Associates LLC.

The property is located in proximity to vegetated wetlands; the project team is preparing materials for review and approval by the Town of Needham Conservation Commission.

The lot is a corner lot with a highly unusual shape. it has a front yard and two side yards.

There are two paved driveways for open-air parking of vehicles in the front yard; one in front of the entry door, and another on the right side of the house.

The structure is a lawful pre-existing non-conforming use. It is non-conforming in regards to required side yard setbacks on both right and left sides.

June 24, 2024

The existing house has no garage. Members of the household usually park their cars on the right side of the house, near the side door to the kitchen. The existing driveway is paved and positioned in a way that in entering and exiting the driveway, cars must drive over land owned by the abutter at 34 Alder Brook Lane.

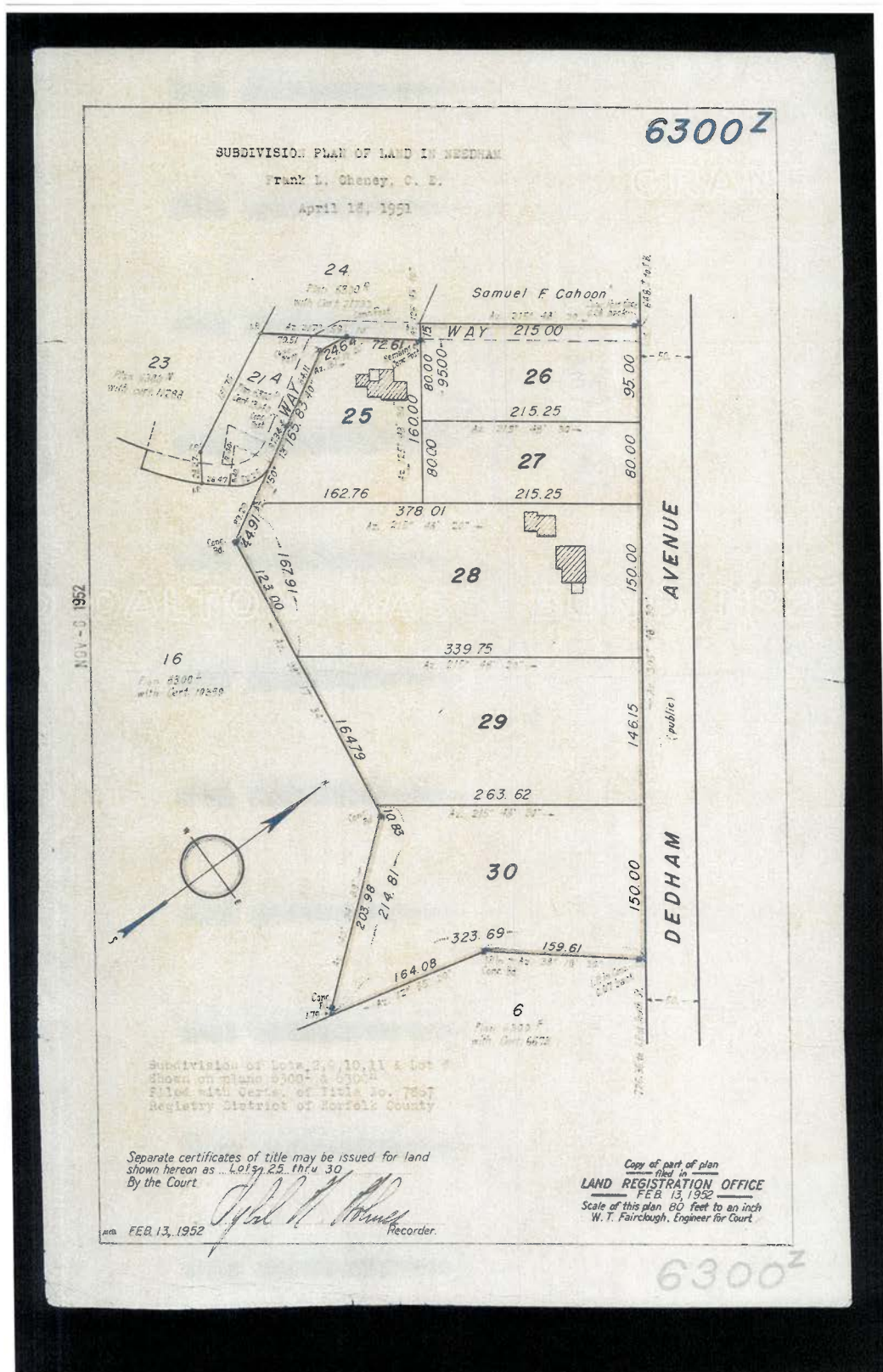
TOWN OF NEEDHAM, MASS.
Building Inspection Department
"Note" (Formerly House #419)
This House being moved from Lot 2

Building Permit No. 8777 No. 407 Dedham Road Street
Avenue

Area 9634 sq. ft. Setback of adjacent buildings None
Owner E.W. Enman Builder _____
Sewer No Water Yes Drain No

(Cellar floor should be high enough to provide ample drainage for sewer and storm-water drain.)
Plot plans to be made at 40' scale. #201
Ho. #399
Lot #11
Lot #10
Lot #2
Ho. #423
Ho. #403
DEDHAM AVE.
I hereby certify that the lot corners, dimensions and offsets to the proposed building are accurately shown on this plan and will conform with the completed construction.
Signed: C. Grazzetta
Civil Engineer
Approved in accordance with Art. 37 of 1940
Date 2/19/51
Town Engineer
Supt. of Public Works
FILE
12-9-2015
Plan 169

Building Permit dated 2/19/51 Indicating Structure being Moved



Subdivision Plan recorded Feb 13, 1952

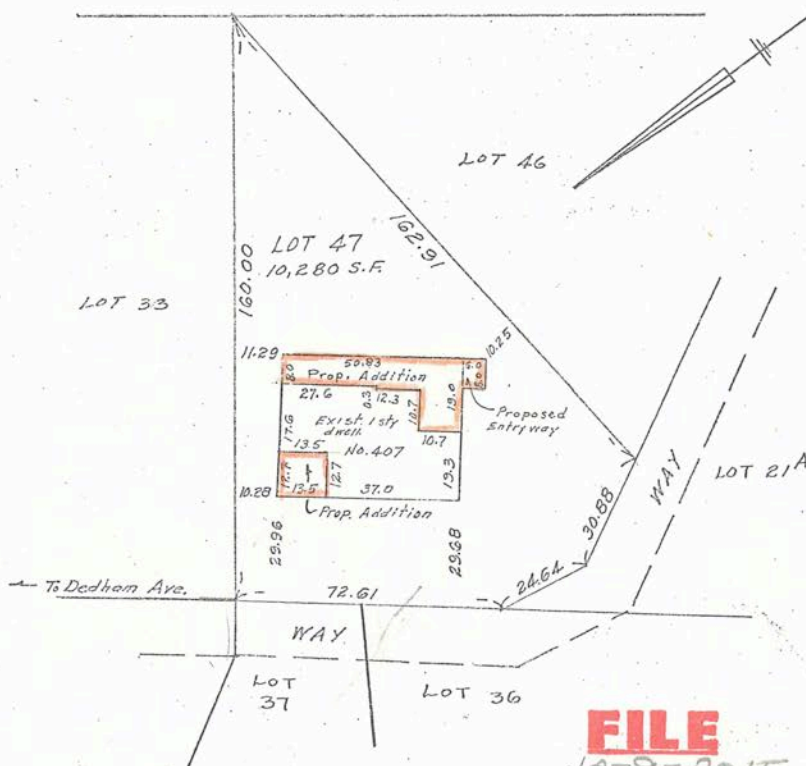
Engineer
TOWN OF NEEDHAM, MASS.
Building Inspection Department

Sewer ☒
 Water ☒
 Drain ☐

Building Permit No. 4173 At No. 407 DEDHAM AVE.
 Lot Area 10,280 S.F. Zone Setback ADDITION
 Owner Bernard P. Manzoli Builder _____

PLOT PLAN
 40' Scale 6.2

To be drawn according to specifications set forth in Section 12.2, Zoning By-Laws of the Town of Needham.



I hereby certify that the existing and approved street grades, existing sewers, drains, gas lines, water mains and other Public Utilities are accurately shown on this plan and that the dimensions, side line offsets and setback distances (allowing for overhangs), elevation of the top of the foundation and garage floor, and elevations at lot corners on street line for grading along lot line bordering the street are correct as indicated on this plan.

The above is subscribed to and executed by me this 6th day of March 1976.

Approved George N. Guinta *George N. Guinta* Civil Engineer or Surveyor
 Approved George N. Guinta Supt. of Public Works Date 4/20/76
 Approved George N. Guinta Building Inspector Date 4/20/76

Occupancy permit will not be issued until the conditions as to lines and grades and drainage facilities have been fully complied with.

Building Permit dated March 6, 1976 (Addition); Shape of Lot has Changed (further subdivided)

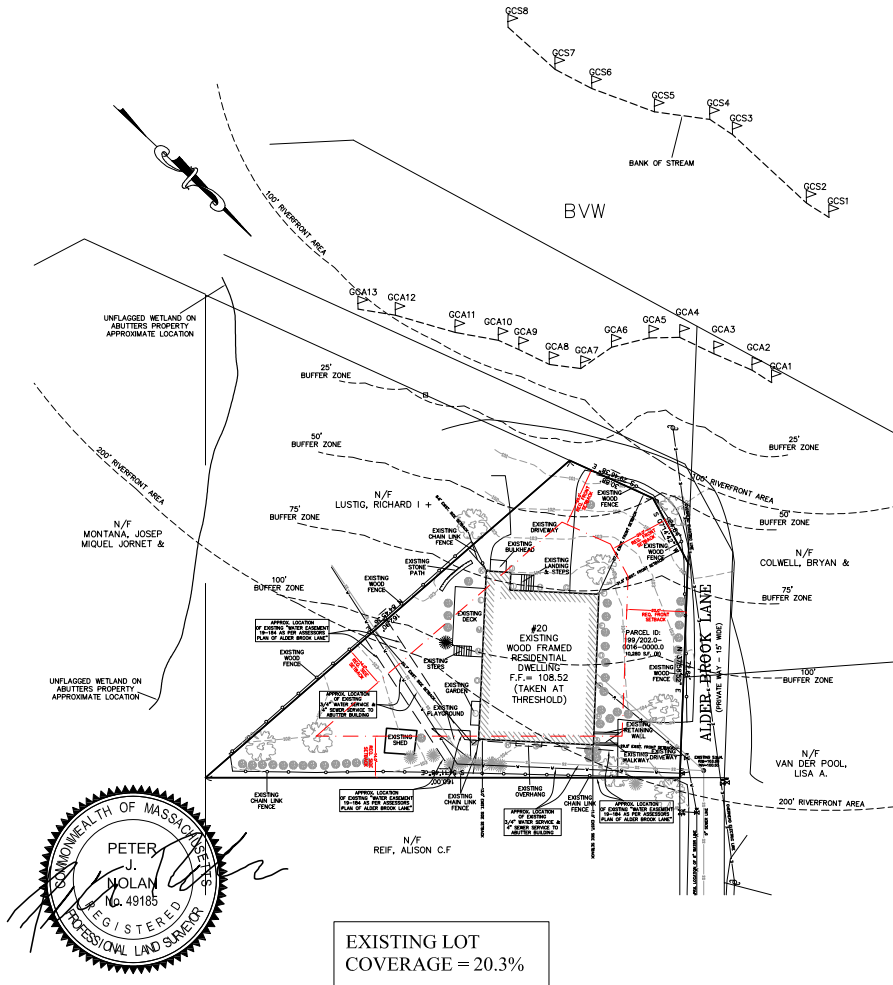
TOWN OF NEEDHAM, MASSACHUSETTS

BUILDING INSPECTION DEPARTMENT

Building Permit No.: _____ Assessor's Map & Parcel Number: 202-0016
 Lot Area: 10,280 ± S.F. Zoning District: SR-B, SINGLE RESIDENCE B
 Owner: AMIT SCHWARTZ & NETA LEVIN SCHWARTZ Address: NO. 20 ALDER BROOK LANE
 Builder: _____

EXISTING CONDITION

SCALE: 1"= 40'



Note: Plot Plans shall be drawn in accordance with Sections 7.2.1 and 7.2.2 of the Zoning By-Laws for the Town of Needham. All plot plans shall show existing structures and public & private utilities, including water mains, sewers, drains, gas lines, etc.; driveways, septic systems, wells, Flood Plain and Wetland Areas, lot dimensions, lot size, dimensions of proposed structures, sideline, front and rear offsets and setback distances (measured to the face of structure) and elevation of top of foundations and garage floor. For new construction, lot coverage, building height calculations, proposed grading and drainage of recharge structures. For pool permits, plot plans shall also show fence surrounding pool with a gate, proposed pool and any accessory structures*, offsets from all structures and property lines, existing elevations at nearest house corners and pool corners, nearest storm drain catch basin (if any) and sewage disposal system location in areas with no public sewer.
 *Accessory structures may require a separate building permit - See Building Code.

I hereby certify that the information provided on this plan is accurately shown and correct as indicated.

The above is subscribed to and executed by me this: 26TH day of: JUNE 2023
 Name: PETER J. NOLAN Registered Land Surveyer #: 49185
 Address: 80 JEWETT STREET (SUITE 1) City: NEWTON State: MA Zip: _____ Tel. No.: (857) 891 7478
 Approved: _____ Director of Public Works: _____ Date _____
 Approved: _____ Building Inspector: _____ Date _____

Existing Conditions Plan



View of 20 Alder Brook Lane from corner of lot, September 2020



View of 20 Alder Brook Lane, showing driveway proposed to be removed

Proposed Work

Applicant proposes to construct an addition consisting of an attached One-car garage at grade and a primary bedroom suite above it, half a story above the existing first floor.

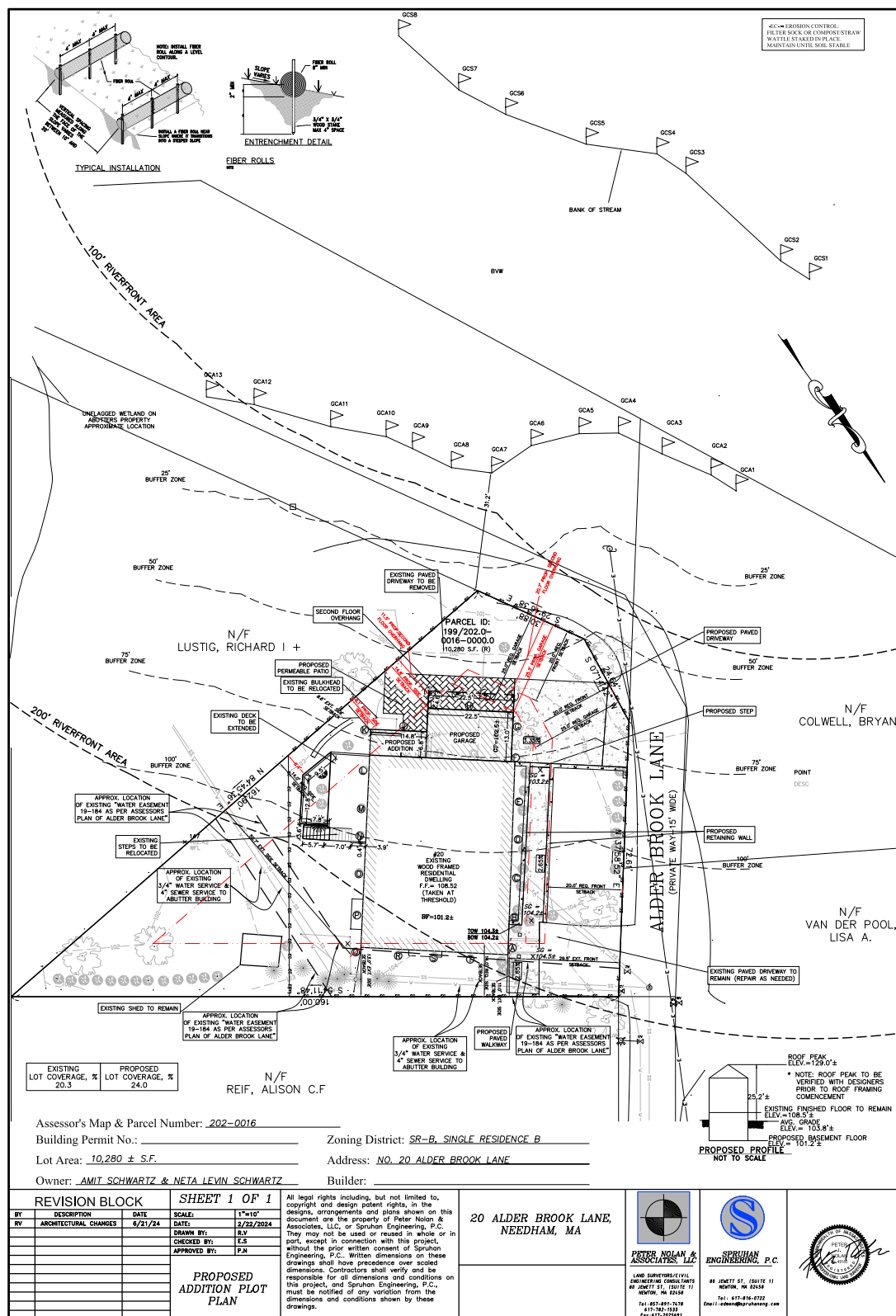
The proposed project is subject to review and approval by the Town of Needham Conservation Commission, due to its proximity to vegetated wetlands and riverfront. It has been designed with sensitivity to resource areas on site.



Existing Conditions



Proposed Addition



Proposed Site Plan



Front Elevation - Existing Conditions



Front Elevation - Proposed Addition



Right Elevation - Existing Conditions

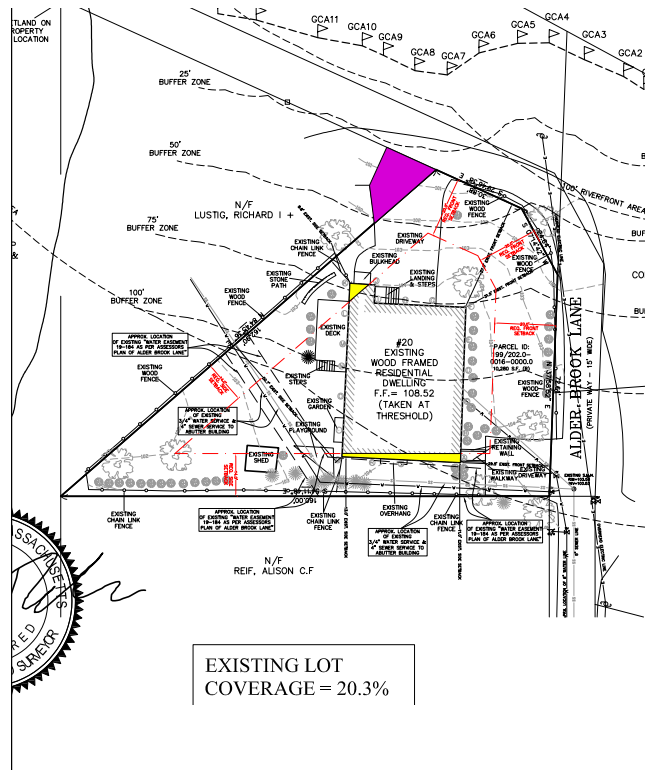


Right Elevation - Proposed Addition

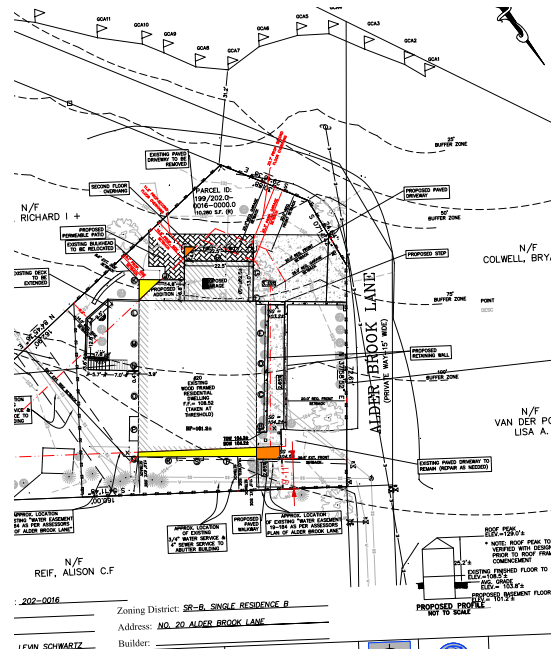
Zoning Relief Sought

Special Permit for extension of pre-existing non-conforming side yard setback per Section 1.4.6 of the Town of Needham Zoning By-Law:
Existing Right Side Yard setback is 9.6'; proposed 9.1'.

Existing Left Side Yard setback is 11.0'; proposed 9.9'



*Pre-existing non-conforming side yards (Yellow);
Driveway access encroachment shown in
Magenta*



*Proposed extension of non-conforming side yard
(Orange).*

Argument for Special Permit

20 Alder Brook Lane is a lawful, pre-existing use. The proposed work would change and extend the non-conforming use, and it would structurally alter and enlarge it.

The proposed work:

1. Is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area.
2. Would not be substantially more detrimental than the existing non-conforming use to the neighborhood.
3. will not result in conditions that unnecessarily add to traffic congestion or the potential for traffic accidents on the site or in the surrounding area.
4. The proposed work would not adversely impact the surrounding area resulting from:
 - a. excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area,
 - b. emission or discharge of noxious or hazardous materials or substances, or
 - c. pollution of waterways or groundwater. The proposed work would remove existing driveway paving in portions of the site nearest to identified wetland and to (perennial) Alder Brook, and replace it with native vegetation.



ZBA Application For Hearing

Revised
7/8/24

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	Amit Schwartz			Date:	07/08/2024
Applicant Address	20 Alder Brook Lane Needham, Massachusetts 02492				
Phone	(617) 678-9101	email	amit.schwartz@gmail.com		
Applicant is ☒ Owner; ☐ Tenant; ☐ Purchaser; ☐ Other _____					
If not the owner, a letter from the owner certifying authorization to apply must be included					
Representative Name	Benyamin Ber				
Address	2001 Beacon Street , Boston, Massachusetts 02135				
Phone	617-285 1985	email	bber@nehkoodah.com		
Representative is ☐ Attorney; ☐ Contractor; ☒ Architect; ☐ Other _____					
Contact ☒ Me ☒ Representative in connection with this application.					

Subject Property Information

Property Address	20 Alder Brook Lane, Needham , MA 02492		
Map/Parcel Number	199/202.0-0016-0000.0	Zone of Property	SR - B
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☒ Yes ☐ No			
Is property ☒ Residential or ☐ Commercial			
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:

One story wood frame single family residence over a basement with a preexisting nonconforming side yard setback, with an unusual shape lot for SR-B District, with wetlands and riverfront restrictions.

Statement of Relief Sought:

Special Permit sought for changing and extending existing nonconforming side yard setbacks.

Applicable Section(s) of the Zoning By-Law:

1.4.6 Alterations.

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

	Existing Conditions	Proposed Conditions
Use	Single Family Residence	No Change
# Dwelling Units	One	No Change
Lot Area (square feet)	±10,280 SF	No Change
Front Setback (feet)	29.5'	No Change
Rear Setback (feet)	NA	No Change
Left Setback (feet)	11'	9.9'
Right Setback (feet)	6.4'	6.4'
Frontage (feet)	$72.61' + 24.64' + 30.88' = 128.13$	No Change
Lot Coverage (%)	20.3%	24.0%
FAR (Floor area divided by the lot area)	0.20	24.6%
Numbers must match those on the certified plot plan and supporting materials		



ZBA Application For Hearing

Date Structure Constructed including additions:

1929

Date Lot was created:

1952

Submission Materials	Provided
Certified Signed Plot Plan of Existing and Proposed Conditions <i>(Required)</i>	
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" <i>(Required)</i>	
If applicant is tenant, letter of authorization from owner <i>(Required)</i>	
Electronic submission of the complete application with attachments <i>(Required)</i>	
Elevations of Proposed Conditions <i>(when necessary)</i>	
Floor Plans of Proposed Conditions <i>(when necessary)</i>	

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 29 May 2024
date of consult

Date: June 24 2024 Applicant Signature 

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

July 8, 2024

Memorandum

To: Zoning Board of Appeals
Town of Needham

Proj.#: 20032

From: Bennie Ber

Proj. Name Addition and Alteration to
20 Alder Brook Lane, Needham

The applicants, Amit Schwartz & Neta Levin Schwartz ("Applicant" or "Petitioner"), seek zoning relief for an addition and alterations to a single-family residential dwelling located at 20 Alder Brook Lane. Specifically, Applicant requests a Special Permit, pursuant to Section 1.4.6 of the By-Law.

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The lot Area is ±10,280 square feet.

The existing house was constructed ca. 1929, according to Town of Needham Assessors' Database. The lot was created ca. 1952, according to Town of Needham Engineering Division. Both the construction of the structure and the creation of the lot predated the current dimensional regulations of Town of Needham Zoning By-Law.

The structure was relocated ca. 1951-1952.

An addition was constructed ca. 1976.

Currently, the residence is three bedroom and two bathrooms, with a total of 2,025 square feet.

There exists a water easement on the property per Assessors' map; it is documented on Existing Conditions Plan prepared by Peter Nolan & Associates LLC.

The property is located in proximity to vegetated wetlands; the project team is preparing materials for review and approval by the Town of Needham Conservation Commission.

The lot is a corner lot with a highly unusual shape. it has a front yard and two side yards.

There are two paved driveways for open-air parking of vehicles in the front yard; one in front of the entry door, and another on the right side of the house.

The structure is a lawful pre-existing non-conforming use. It is non-conforming in regards to required side yard setbacks on both right and left sides.

July 8, 2024

The existing house has no garage. Members of the household usually park their cars on the right side of the house, near the side door to the kitchen. The existing driveway is paved and positioned in a way that in entering and exiting the driveway, cars must drive over land owned by the abutter at 34 Alder Brook Lane.

July 8, 2024

TOWN OF NEEDHAM, MASS.

Building Inspection Department

"Note (Family House #419)
This House being moved from Lot 2

Building Permit No. 8757 No. 407 Dedham Road
Street
Avenue

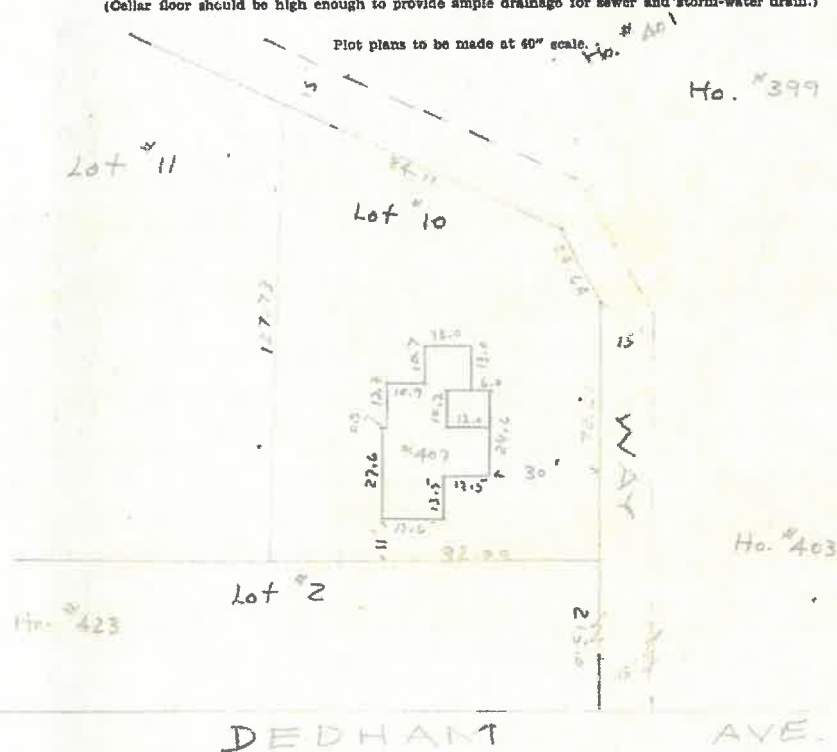
Area 9634 sq. ft. Setback of adjacent buildings None

Owner F. W. Edman Builder _____

Sewer No Water Yes Drain Yes

(Cellar floor should be high enough to provide ample drainage for sewer and storm-water drain.)

Plot plans to be made at 60" scale.



I hereby certify that the lot corners, dimensions and offsets to the proposed building are accurately shown on this plan and will conform with the completed construction.

Signed:

Civil Engineer
Approved in accordance with Art. 37 of 1940

Date _____

2/19/5

FILE

12-9-2015

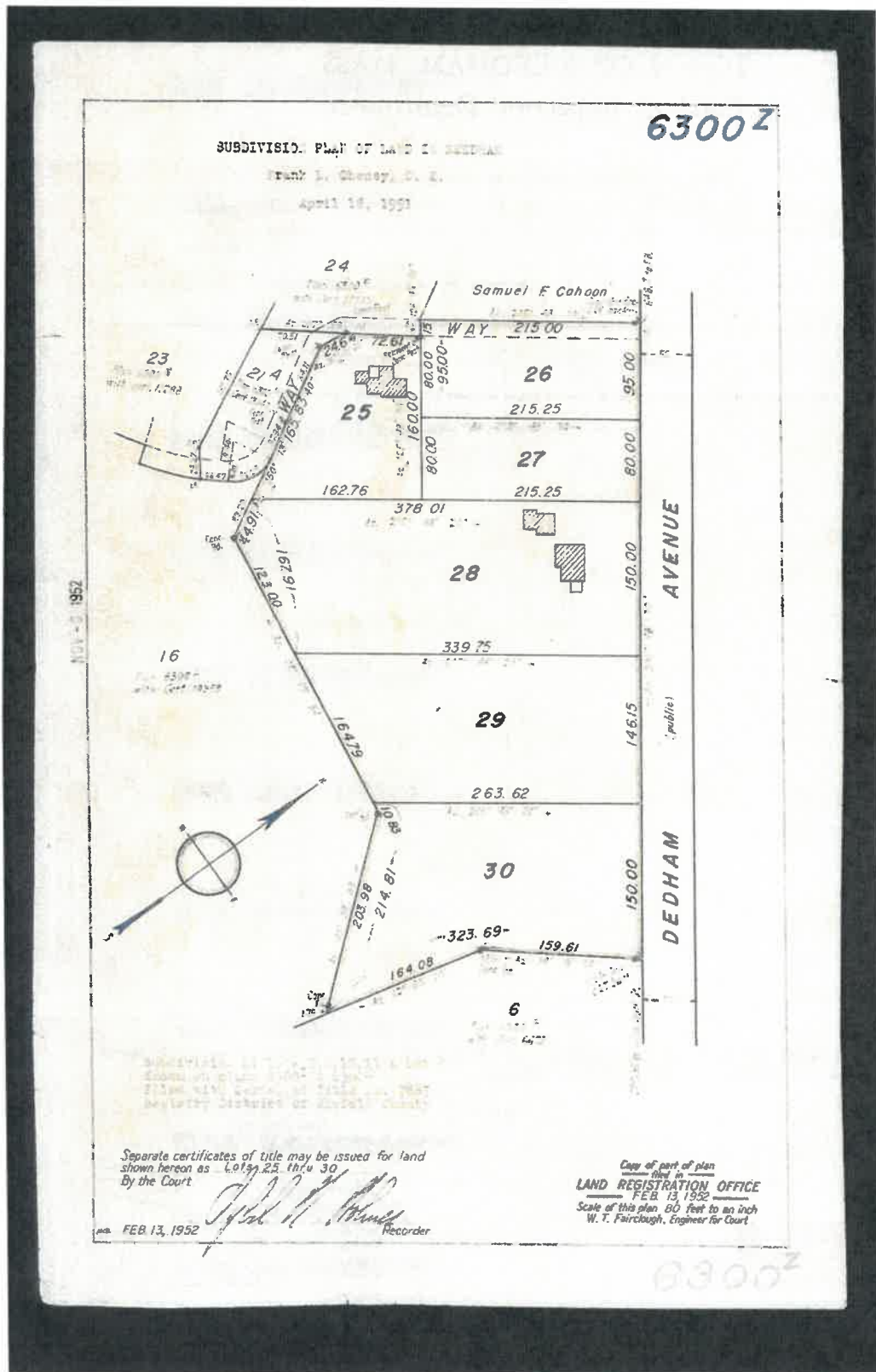
~~Town Equipment~~

Supt. of Public Works

Plan 169

Building Permit dated 2/19/51 Indicating Structure being Moved

July 8, 2024



Subdivision Plan recorded Feb 13, 1952

July 8, 2024

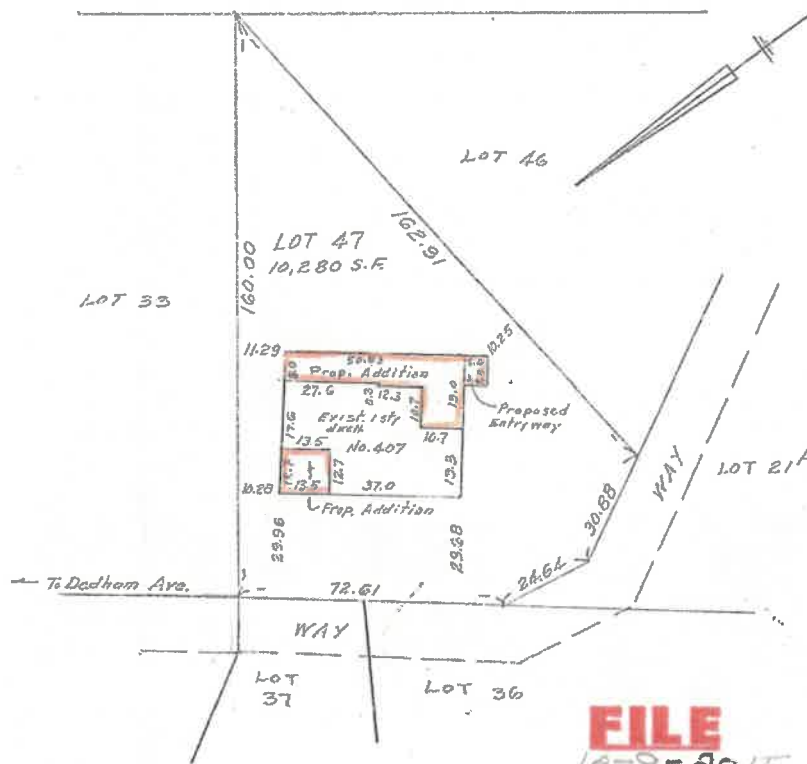
Engineer
TOWN OF NEEDHAM, MASS.
Building Inspection Department

Sewer ☒
Water ☒
Drain ☐

Building Permit No. 4173 At No. 407 DEDHAM AVE.
Lot Area 10,280 S.F. Zone Setback ADDITION
Owner Bernard P. Manzoli Builder _____

PLOT PLAN
40' Scale 6.2

To be drawn according to specifications set forth in Section ~~42B~~, Zoning By-Laws of the Town of Needham.



I hereby certify that the existing and approved street grades, existing sewers, drains, gas lines, water mains and other Public Utilities are accurately shown on this plan and that the dimensions, side line offsets and setback distances following for overhangs, elevation of the top of the foundation and garage floor, and elevations at lot corners on street line for grading along lot line bordering the street are correct as indicated on this plan.

The above is subscribed to and executed by me this 6th day of March 1976.

Approved George N. Gunta ~~Civil Engineer~~ Surveyor
Supt. of Public Works Date 4/20/76
Approved James P. Manzoli Building Inspector Date 4/20/76

Occupancy permit will not be issued until the conditions as to lines and grades and drainage facilities have been fully complied with.

Building Permit dated March 6, 1976 (Addition); Shape of Lot has Changed (further subdivided)

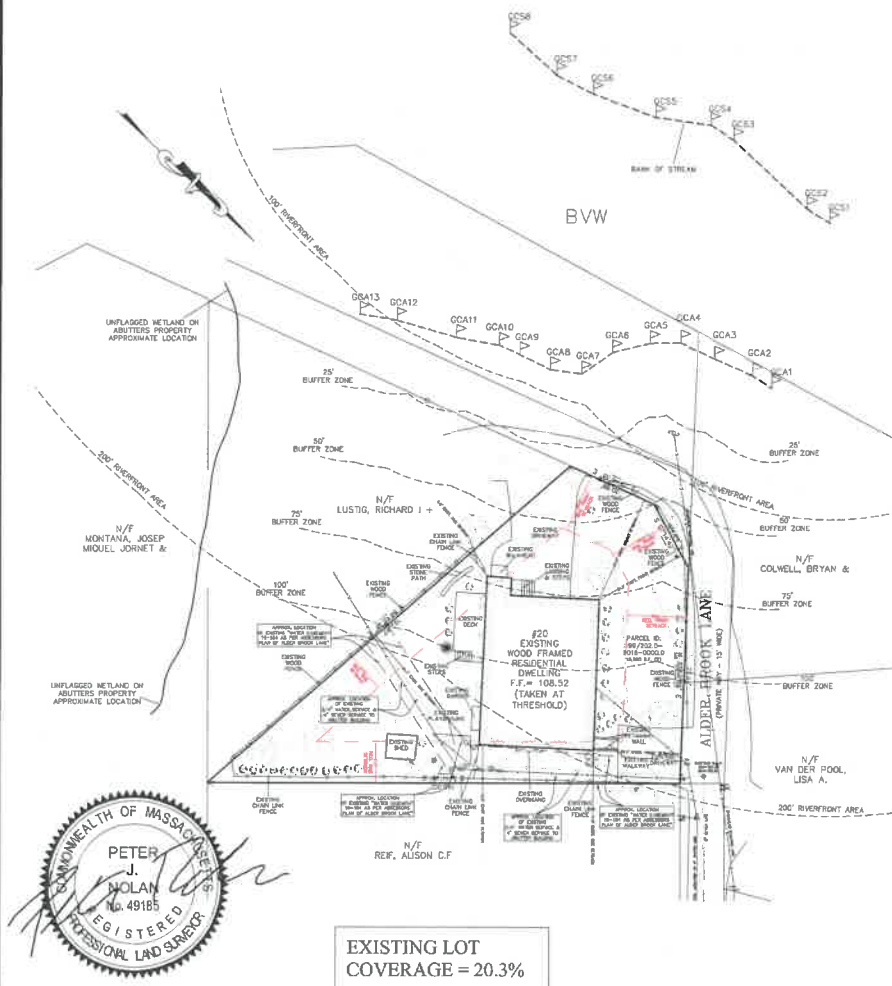
July 8, 2024

TOWN OF NEEDHAM, MASSACHUSETTS
BUILDING INSPECTION DEPARTMENT

Building Permit No.: _____ Assessor's Map & Parcel Number: 202-0016
Lot Area: 10,280 ± S.F. Zoning District: SR-B, SINGLE RESIDENCE B
Owner: AMIT SCHWARTZ & NETA LEVIN SCHWARTZ Address: NO. 20 ALDER BROOK LANE
Builder: _____

EXISTING CONDITION

SCALE: 1"=40'



Note: Plot Plans shall be drawn in accordance with Sections 7.2.1 and 7.2.2 of the Zoning By-Laws for the Town of Needham. All plot plans shall show existing structures and public & private utilities, including water mains, sewers, drains, gas lines, etc.; driveways, septic systems, wells, Flood Plain and Wetland Areas, lot dimensions, lot size, dimensions of proposed structures, sideline, front and rear offsets and setback distances (measured to the face of structure) and elevation of top of foundations and garage floor. For new construction, lot coverage, building height calculations, proposed grading and drainage of recharge structures. For pool permits, plot plans shall also show fence surrounding pool with a gate, proposed pool and any accessory structures*, offsets from all structures and property lines, existing elevations at nearest house corners and pool corners, nearest storm drain catch basin (if any) and sewage disposal system location in areas with no public sewer.
*Accessory structures may require a separate building permit - See Building Code.

I hereby certify that the information provided on this plan is accurately shown and correct as indicated.

The above is subscribed to and executed by me this: 26TH day of: JUNE 2023

Name: PETER J. NOLAN

Registered Land Surveyer #: 49185

Address: 80 JEWETT STREET (SUITE 1)

City: NEWTON

State: MA

Zip: _____

Tel. No: (857) 891 7478

Approved: _____

Director of Public Works: _____

Date _____

Approved: _____

Building Inspector: _____

Date _____

Existing Conditions Plan

July 8, 2024



View of 20 Alder Brook Lane from corner of lot, September 2020



View of 20 Alder Brook Lane, showing driveway proposed to be removed

Proposed Work

Applicant proposes to construct the following:

Attached One-car garage at grade, conforming to required 25 foot front yard setback, extending existing nonconforming side yard setback (Existing 9.6', Proposed 9.1').

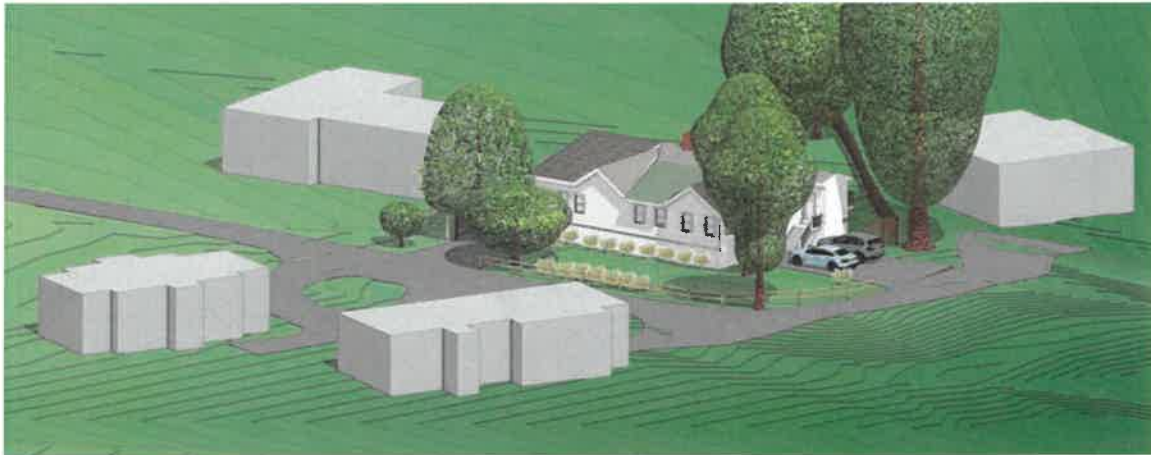
Primary bedroom suite above the garage, half a story above the existing first floor;

Entry canopy in front of the existing main entry, conforming to required 20 foot front yard setback, extending existing nonconforming side yard (Existing 11.0', Proposed 9.9').

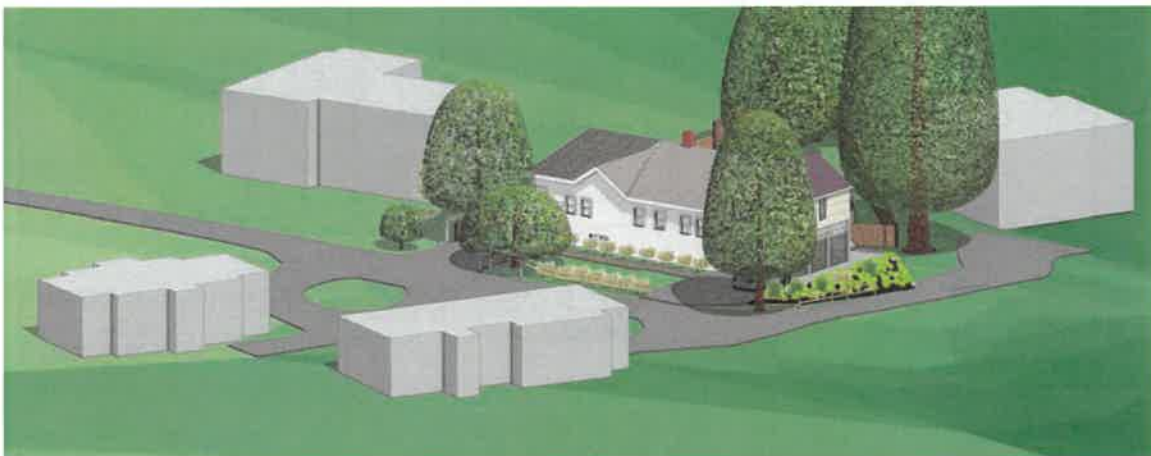
and an extension to an existing deck, extending existing nonconforming side yard. (Existing 6.4', Proposed 6.4')

The proposed project is subject to review and approval by the Town of Needham Conservation Commission, due to its proximity to vegetated wetlands and riverfront. It has been designed with sensitivity to resource areas on site.

July 8, 2024

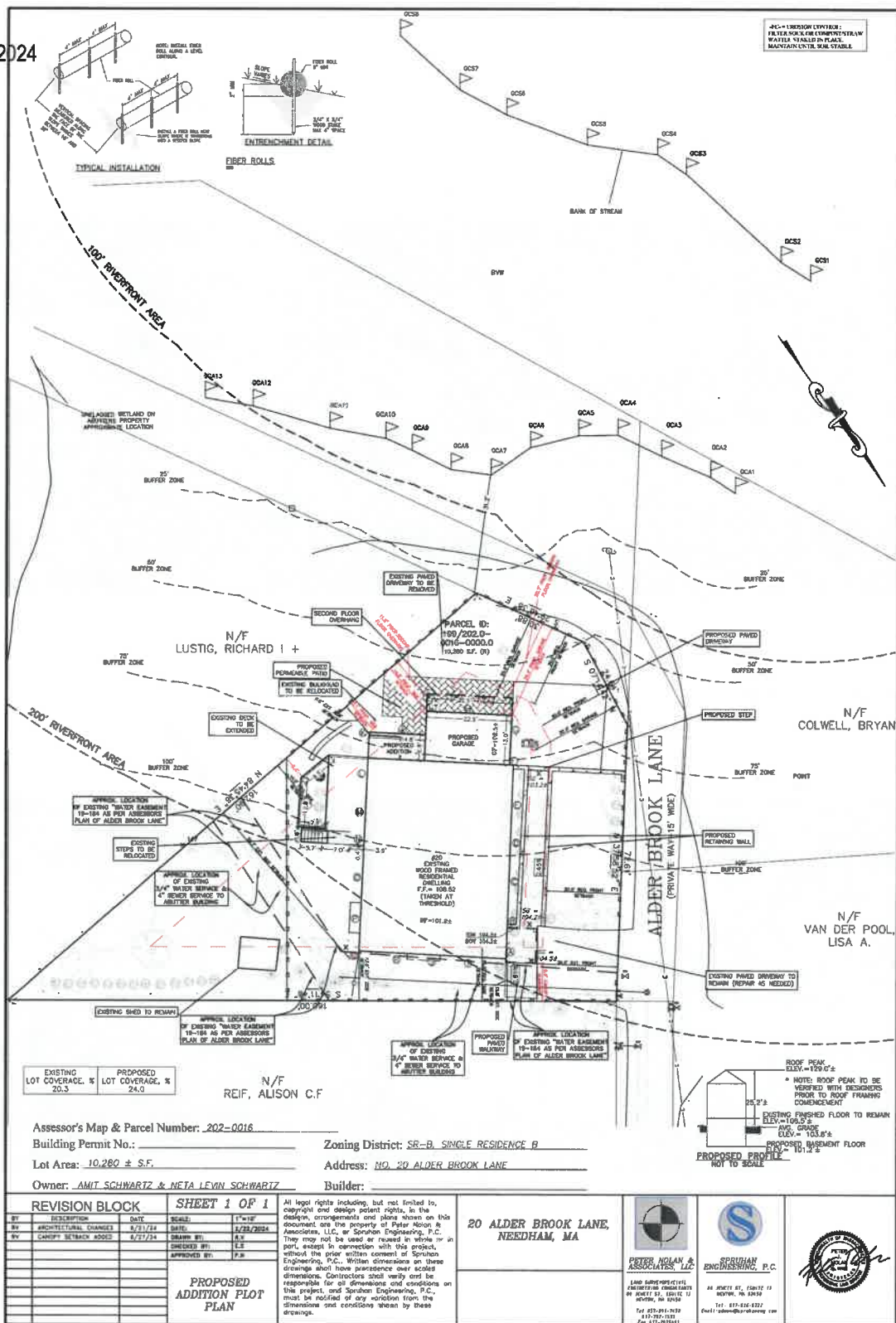


Existing Conditions



Proposed Addition

July 8, 2024



Proposed Site Plan

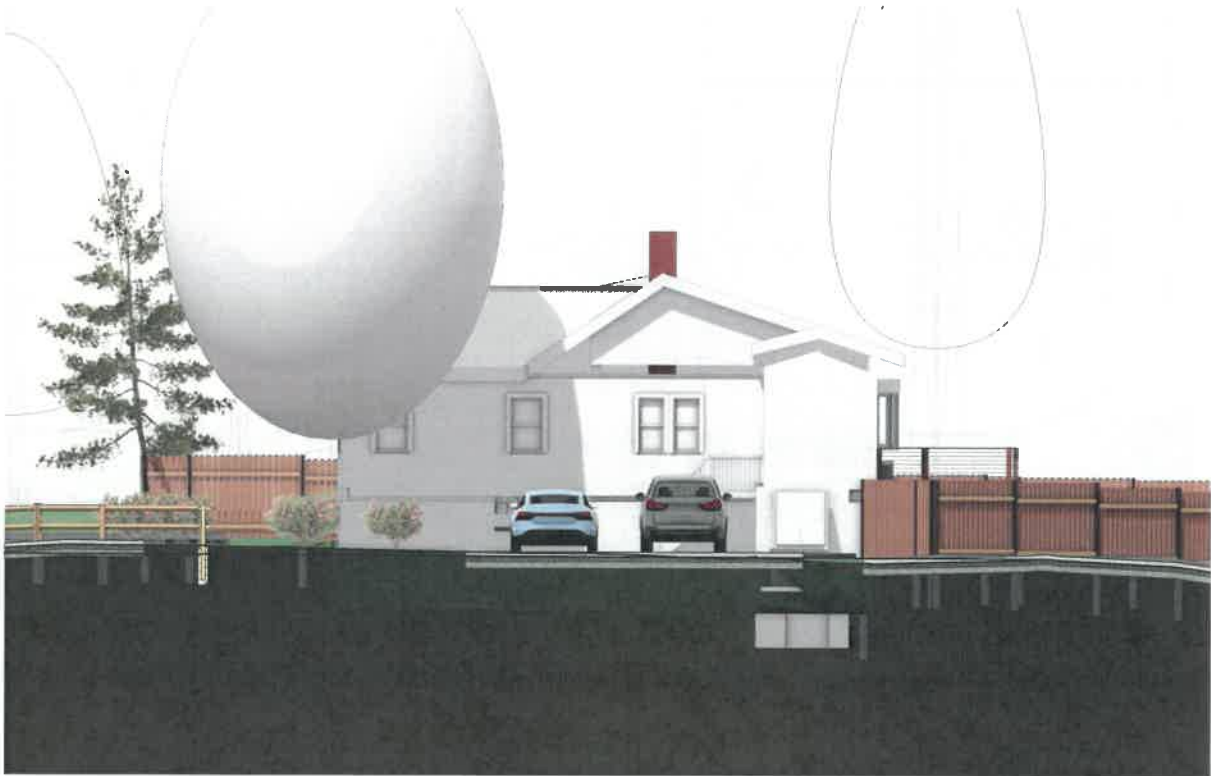


Front Elevation - Existing Conditions



Front Elevation - Proposed Addition

July 8, 2024



Right Elevation - Existing Conditions



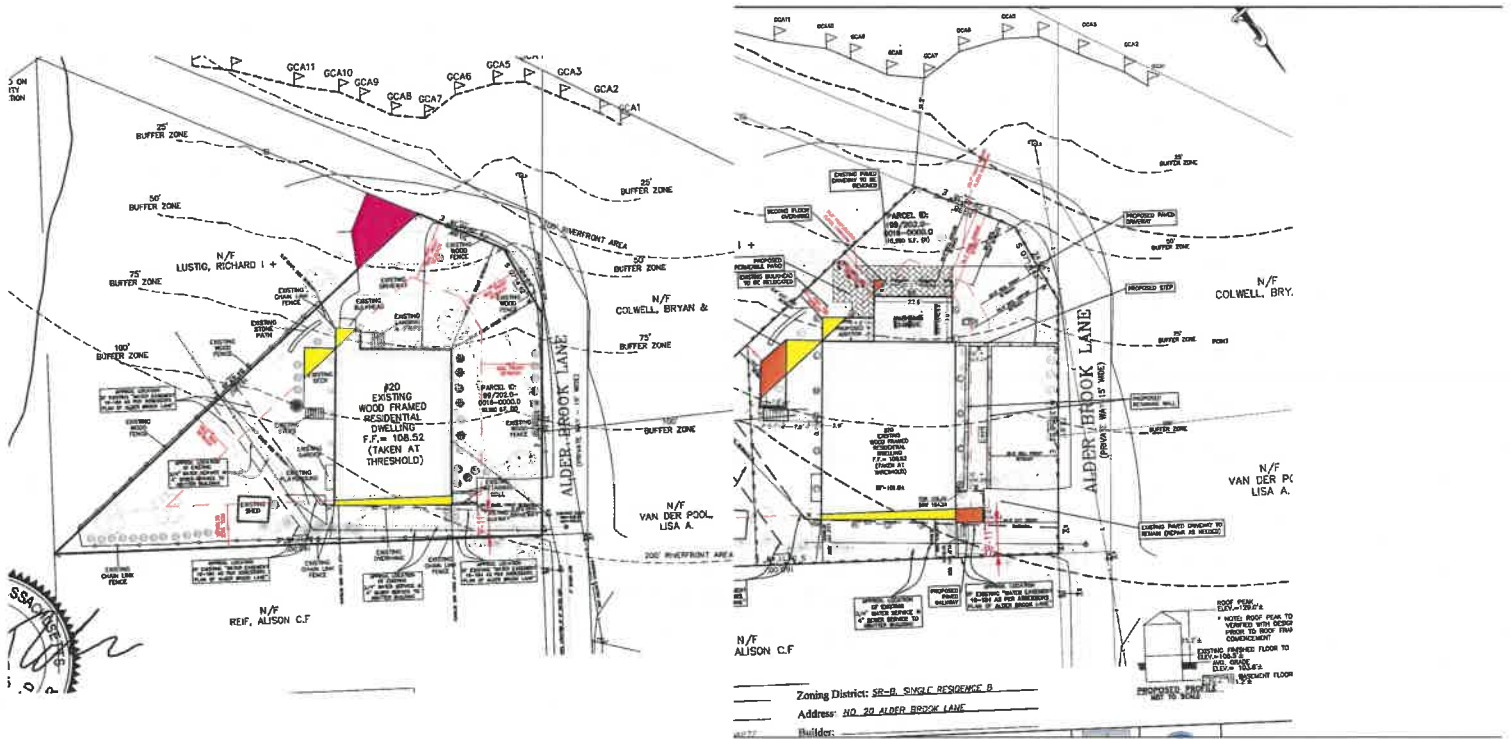
Right Elevation - Proposed Addition

July 8, 2024

Zoning Relief Sought

Special Permit for extension of pre-existing non-conforming side yard setback per Section 1.4.6 of the Town of Needham Zoning By-Law:
Existing Right Side Yard setback is 9.6'; proposed 9.1'.

Existing Left Side Yard setback is 11.0'; proposed 9.9'



Argument for Special Permit

20 Alder Brook Lane is a lawful, pre-existing use. The proposed work would change and extend the non-conforming use, and it would structurally alter and enlarge it.

The proposed work:

1. Is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area.
2. Would not be substantially more detrimental than the existing non-conforming use to the neighborhood.
3. will not result in conditions that unnecessarily add to traffic congestion or the potential for traffic accidents on the site or in the surrounding area.
4. The proposed work would not adversely impact the surrounding area resulting from:
 - a. excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area,
 - b. emission or discharge of noxious or hazardous materials or substances, or
 - c. pollution of waterways or groundwater. The proposed work would remove existing driveway paving in portions of the site nearest to identified wetland and to (perennial) Alder Brook, and replace it with native vegetation.

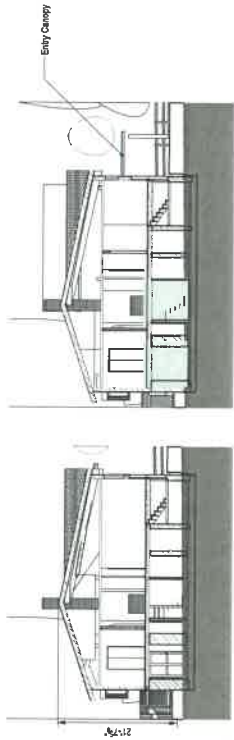
**Addition and Alterations
to 20 Alder Brook Lane.
Needham**

[illegible]

Green List	Category	Item
A 101	General	General
A 102	General	General
A 103	General	General
A 104	General	General
A 105	General	General
A 106	General	General
A 107	General	General
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A 198	General	General
A 199	General	General
A 200	General	General



Architectural section drawing of the building, showing the internal structure, including the entrance canopy, stairs, and various rooms. The drawing is oriented vertically on the page.



6 EXISTING SITE SECTION THROUGH ENTRY DOOR
SCALE: 3/32" = 1'-0"



8 VIEW FROM STREET
SCALE: 1/4" = 1'-0"



7 **ISOMETRIC VIEW**
SCALE: 1/16" = 1'-0"



2 ZONING COVERAGE DIAGRAM PROPOSED WORK



5 ZONING MAP DIAGRAM - UPPER LEVEL PROPOSED WORK
SHEET: 1/15" = 1'-0"



G 002



3 ZONING MAP DIAGRAM - BASEMENT PROPOSED WORK
SCALE: 1/16" = 1'-0"

File	Date	Page	Form Number

A. 7/20/2002		Zoning of old estate	
File	Date	Title	



Notar Public
 2901 Beacon Street #211
 Boston, Massachusetts 02135

Page 001		Page 002	
Addition and Alterations to 65 Alder Brook Lane Needham		Zoning Information	
Page No. 21	Page 15	Page 16	Page 20
County	WCT	City	Needham
Locality		Section	
Date	8/2/2002	Sheet	G 002
City	Needham	Sheet	002

Lot Characteristics	
Lot Number	10,381 SF
Lot Area	2,032 SF
Developable Footprint	2,778 SF
Proposed Lot Coverage	24%

Addition and Alterations to 20 Alder Brook Lane, Needham

NEEDHAM

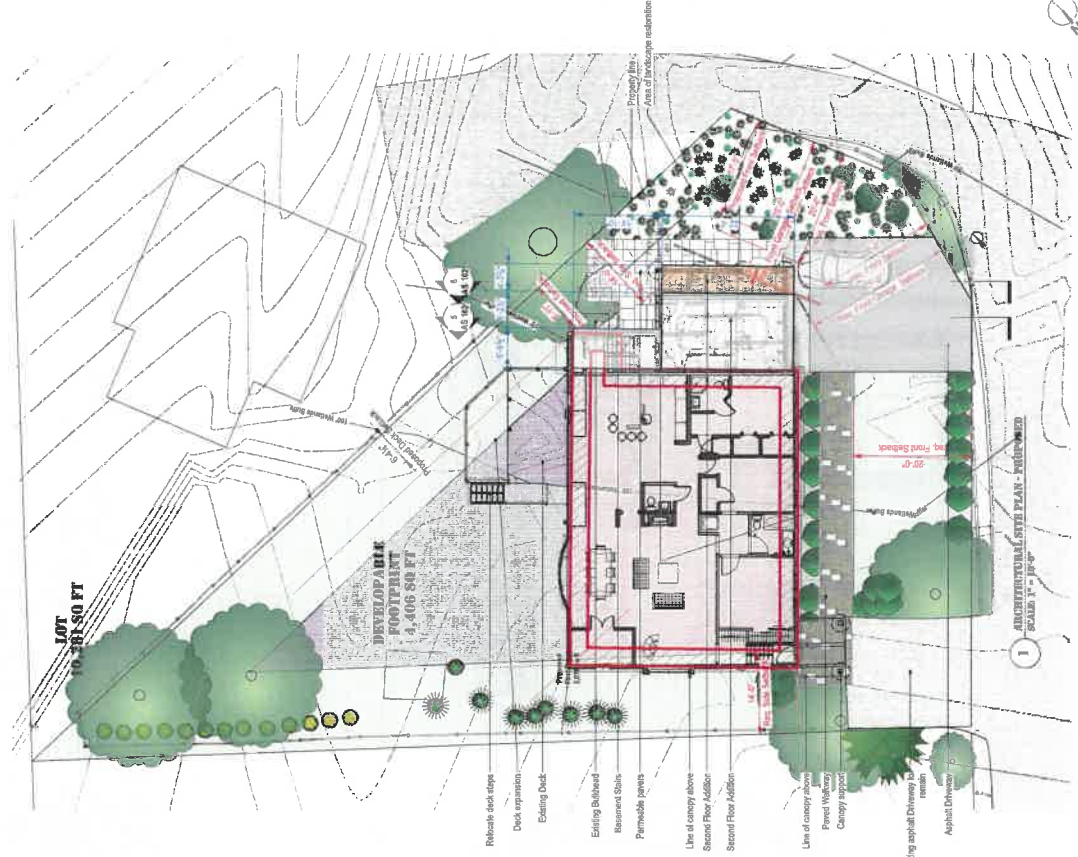
No.	Date	Appr.	Revision Notes

Seal of the City of Needham
Official Seal
Notary Public
Notary Seal
Notary Signature
Notary Commission Expires 12/31/2023

Neuhoff-Doherty
2001 Beacon Street #211
Boston, Massachusetts 02115

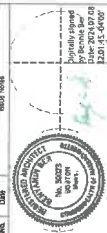
Addition and Alterations
to 20 Alder Brook Lane,
Needham
Architectural Site Plan

Project No.	2023
Client	Shelley Gable
Design No.	AS 101
Date	8/17/2023
Scale	1/8" = 1'-0"



STRENGTH

No.	Date	Type	Preliminary Notes
A	JAN 2024	Zoning map of course	



Neh-Koo-Dah
2001 Beacon Street #211
Boston, Massachusetts 02135

Addition and Alterations to 20 Alder Brook Lane, Needham	Zoning Information
--	----------------------------------

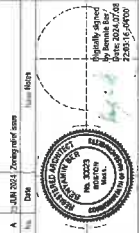
Page No. 28	Page ID	200312
Name	Sex	Sheet Score
Roll No.	Phone No.	AS 102
Date		_____ of _____
8 July 2024		
07/07/2024		200312



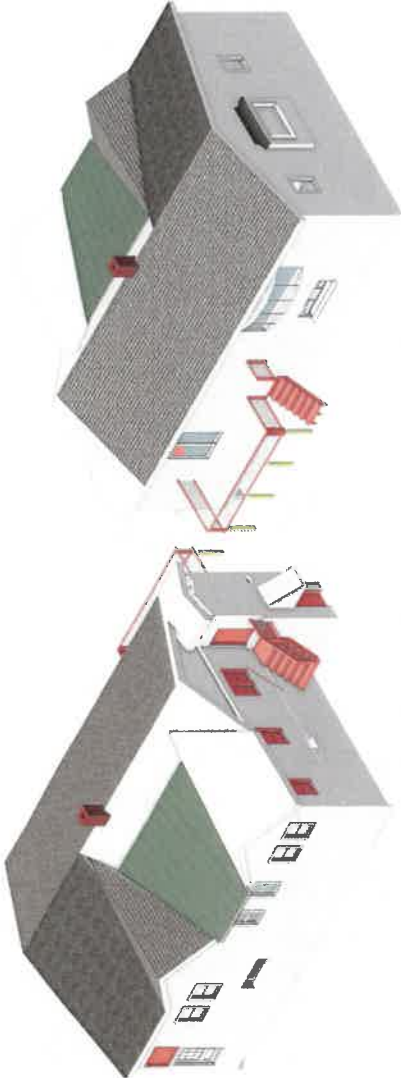
Addition and Alterations
to 20 Alder Brook Lane,
Needham



No.	Date	Appr.	Revised Notes

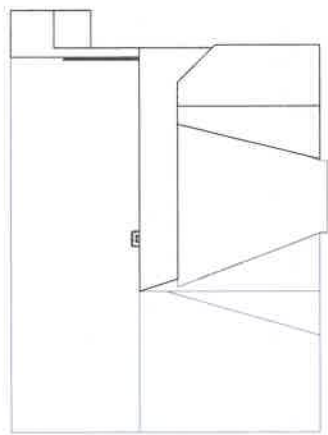


Project Name	2001 Beacon Street #211 Boston, Massachusetts 02115
Client	Neighborhood Addition and Alterations to 20 Alder Brook Lane, Needham
Design No.	Demolition Plans
Project No.	20032
Drawn By	WLB
Check By	WLB
Date	8/27/2014
Scale	As Shown
Sheet No.	AD 101
Sheet Total	1 of 1



5 DEMOLITION ISOMETRIC VIEW 02
SCALE: 1/8" = 1'-0"
NFO - Demolition 01
- All Objects -

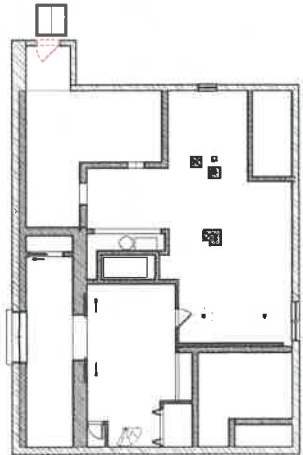
4 DEMOLITION - ISOMETRIC VIEW 01
SCALE: 1/8" = 1'-0"
NFO - Demolition 01
- All Objects -



3 DEMOLITION PLAN - SECOND FLOOR (100%)
SCALE: 1/8" = 1'-0"



2 DEMOLITION PLAN - FIRST FLOOR
SCALE: 1/8" = 1'-0"



1 DEMOLITION PLAN - BASEMENT
SCALE: 1/8" = 1'-0"

Addition and Alterations to 20 Alder Brook Lane, Needham

UNRECORDED

No.	Date	Appr.	Revision Notes
1	13 JUL 2021	Zhang, David	Issue Notes
2	13 JUL 2021	Zhang, David	Issue Notes
3	13 JUL 2021	Zhang, David	Issue Notes
4	13 JUL 2021	Zhang, David	Issue Notes
5	13 JUL 2021	Zhang, David	Issue Notes
6	13 JUL 2021	Zhang, David	Issue Notes
7	13 JUL 2021	Zhang, David	Issue Notes
8	13 JUL 2021	Zhang, David	Issue Notes
9	13 JUL 2021	Zhang, David	Issue Notes
10	13 JUL 2021	Zhang, David	Issue Notes
11	13 JUL 2021	Zhang, David	Issue Notes
12	13 JUL 2021	Zhang, David	Issue Notes
13	13 JUL 2021	Zhang, David	Issue Notes
14	13 JUL 2021	Zhang, David	Issue Notes
15	13 JUL 2021	Zhang, David	Issue Notes
16	13 JUL 2021	Zhang, David	Issue Notes
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18	13 JUL 2021	Zhang, David	Issue Notes
19	13 JUL 2021	Zhang, David	Issue Notes
20	13 JUL 2021	Zhang, David	Issue Notes

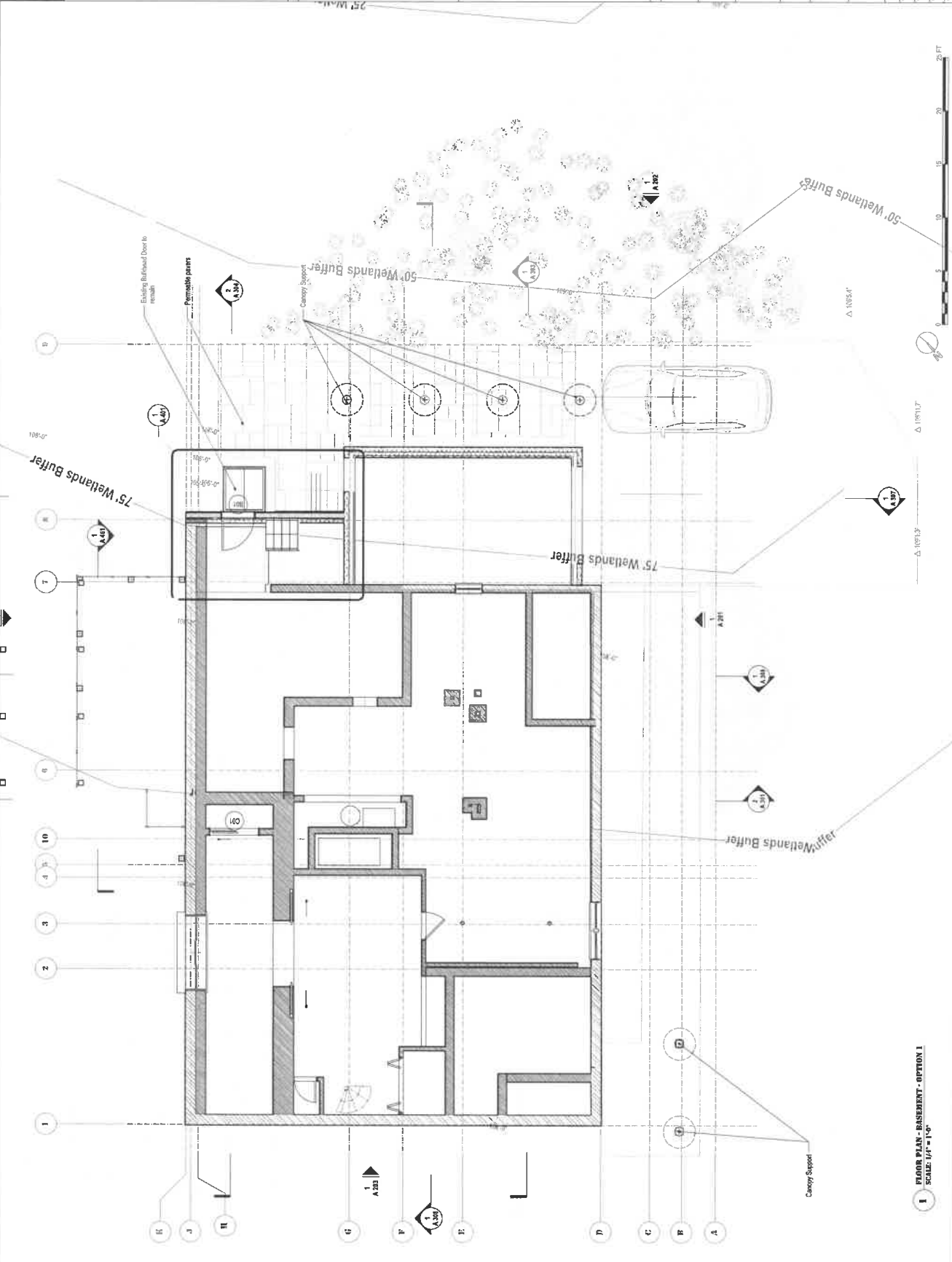


David Zhang
2001 Beacon Street #211
Boston, Massachusetts 02135

Project Name: Addition and Alterations to 20 Alder Brook Lane, Needham
Project No.: 202102
Sheet No.: A101

Project No.: 202102
Sheet No.: A101

Project No.: 202102
Sheet No.: A101

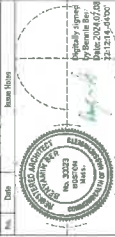


1 FLOOR PLAN - BASEMENT - OPTION 1
SCALE: 1/4" = 1'-0"

**Addition and Alterations
to 20 Alder Brook Lane,
Needham**

NEH-KOORDAH

No.	Date	Appr.	Revision Notes
1	7/20/2021	Zorngyager, James	Issue Notes

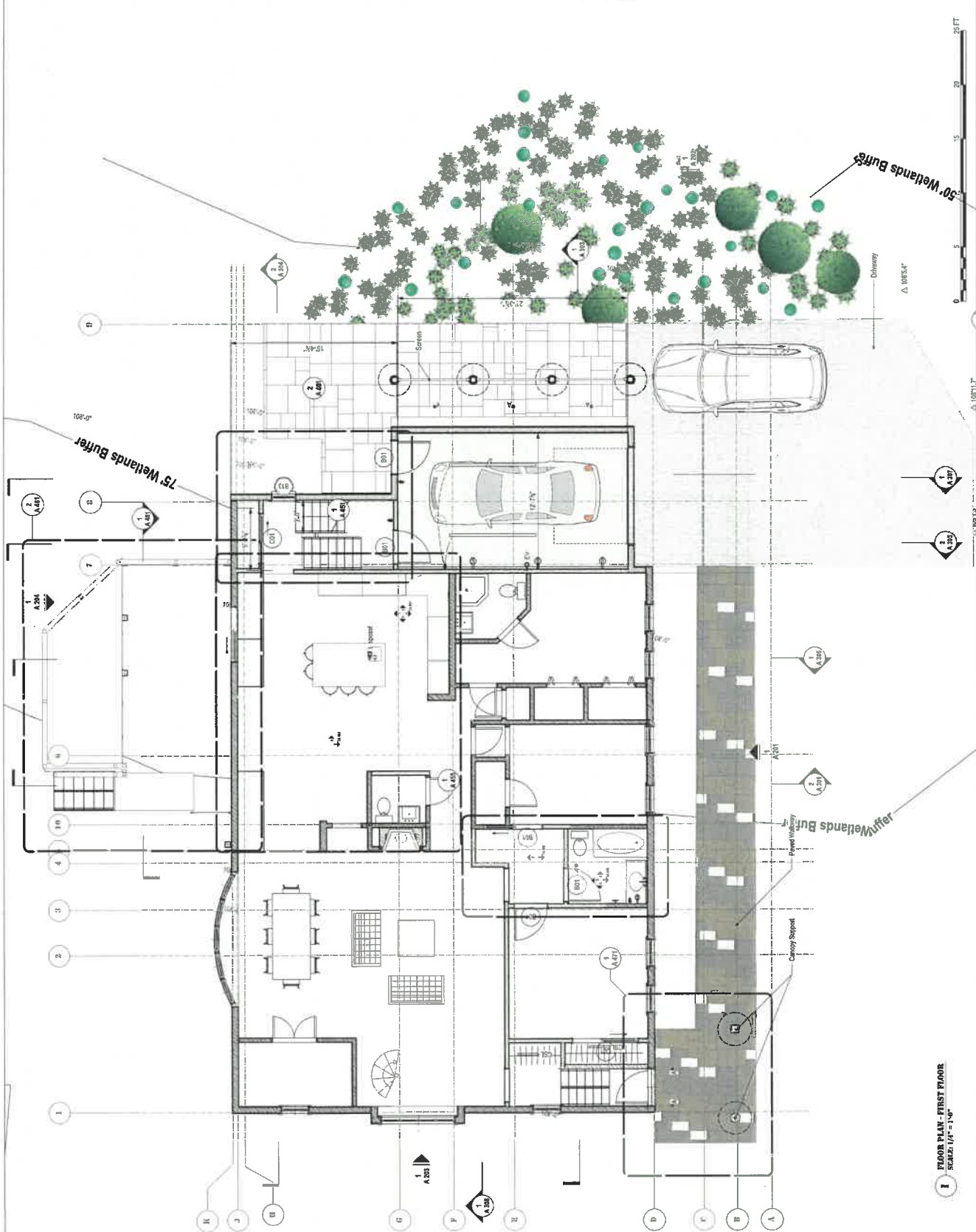


NEH-KOORDAH
2001 Beacon Street #211
Boston, Massachusetts 02115
Phone: 617.467.2800
Fax: 617.467.2801
www.neh-kordah.com

Project Name:
Addition and Alterations
to 20 Alder Brook Lane,
Needham

Project No.:
Floor Plan - First Floor

Project No.	20023
Scale	Sheet Scale
Drawn by	James Zorngyager
Check by	James Zorngyager
Date	7/20/2021
Project Name	20023



FLOOR PLAN - FIRST FLOOR
SCALE: 1/4" = 1'-0"

Addition and Alterations to 20 Alder Brook Lane, Needham

20 ALDER BROOK LANE

No. Date Appr. Revision Notes

A 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

1 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

2 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

3 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

4 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

5 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

6 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

7 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

8 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

9 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

10 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

11 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

12 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

13 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

14 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

15 2/28/2021 James J. Reddy

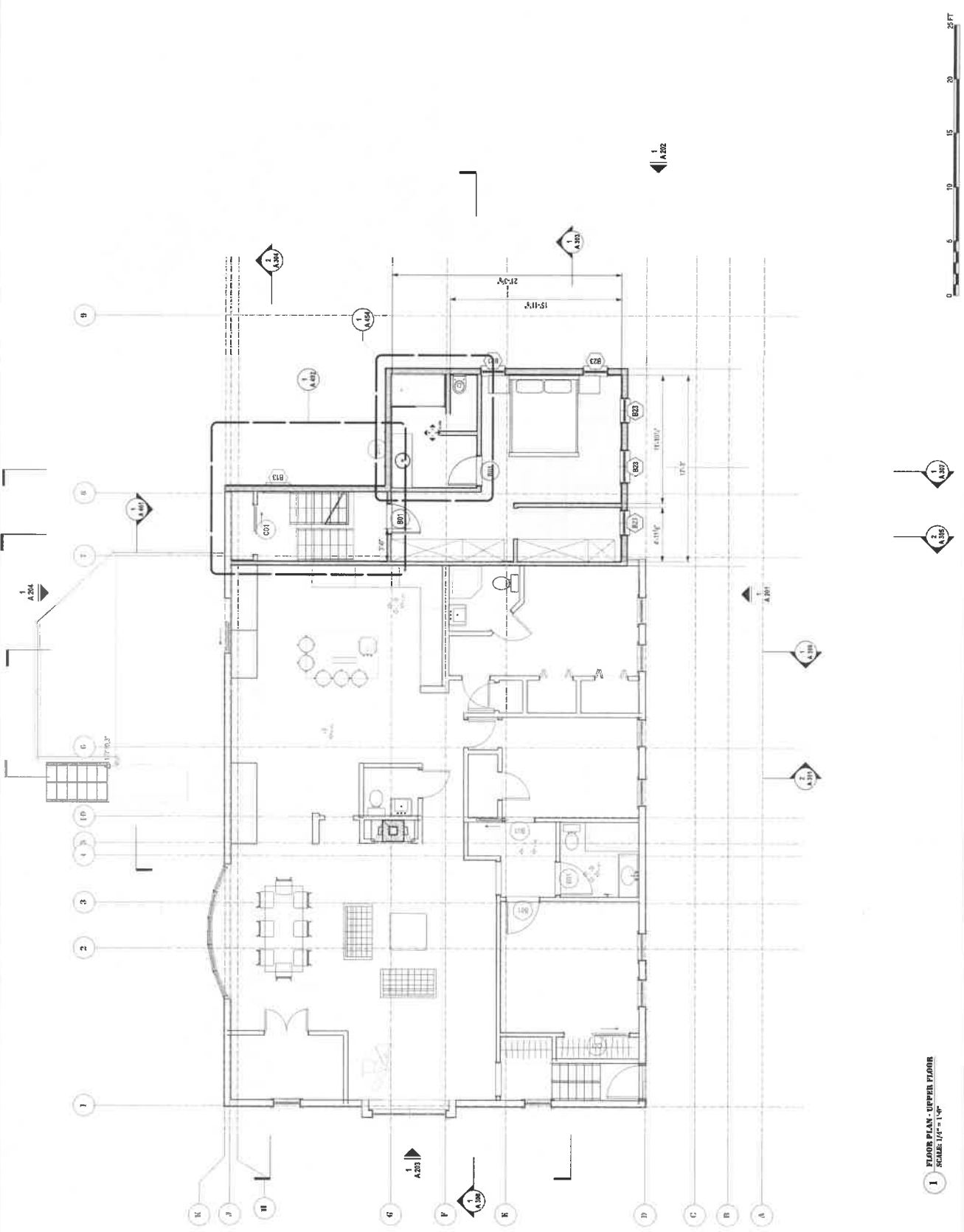
No. Date Appr. Revision Notes

16 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes

17 2/28/2021 James J. Reddy

No. Date Appr. Revision Notes



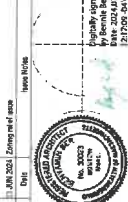
1 FLOOR PLAN - UPPER FLOOR
SCALE: 1/4" = 1'-0"



Addition and Alterations
to 20 Alder Brook Lane,
Needham



Rev. Date Appr. Revision Notes



John K. O'Day
2001 Beacon Street #211
Boston, Massachusetts 02115

Project No. 20032
Drawing No. 100-030
Sheet Name
Elevation

Project Name
Addition and Alterations
to 20 Alder Brook Lane,
Needham
Drawing No. 100-030
Sheet Name
Elevation
Date: 8 July 2003
Drawing No. 100-030

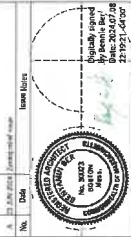


1 ELEVATION - FRONT (NORTH)
SCALE: 1/8" = 1'-0"



THE COMPANY

Site	
Date	
Appr	
Platbook Value	



Neh-Koo-Dah
2001 Beacon Street #211
Boston, Massachusetts 02135

[illegible]

Addison and Alterations
to 20 Alder Brook Lane,
Needham

January 1989

[illegible]

Project Name	200312
Drawn By	Sheet Scale

Drawn By	Checked By	Project No.
		A 202
Drawn By	Checked By	Project No.

2002
FBI Records
8 July 2024



1 ELEVATION - WEST
SCALE: 1/4" = 1'-0"



Addition and Alterations
to 20 Alder Brook Lane,
Needham



1 ELEVATION - EAST (LEFT)
SCALE: 1/4" = 1'-0"



No.	Date	Appr.	Revision Notes
1	8/27/2021		Issued for Review
2	8/27/2021		Revised for Review
3	8/27/2021		Revised for Review
4	8/27/2021		Revised for Review
5	8/27/2021		Revised for Review
6	8/27/2021		Revised for Review
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47	8/27/2021		Revised for Review
48	8/27/2021		Revised for Review
49	8/27/2021		Revised for Review
50	8/27/2021		Revised for Review
51	8/27/2021		Revised for Review
52	8/27/2021		Revised for Review
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94	8/27/2021		Revised for Review
95	8/27/2021		Revised for Review
96	8/27/2021		Revised for Review
97	8/27/2021		Revised for Review
98	8/27/2021		Revised for Review
99	8/27/2021		Revised for Review
100	8/27/2021		Revised for Review

BUILDING INSPECTION DEPARTMENT

Assessor's Map & Parcel Number: 202-0016

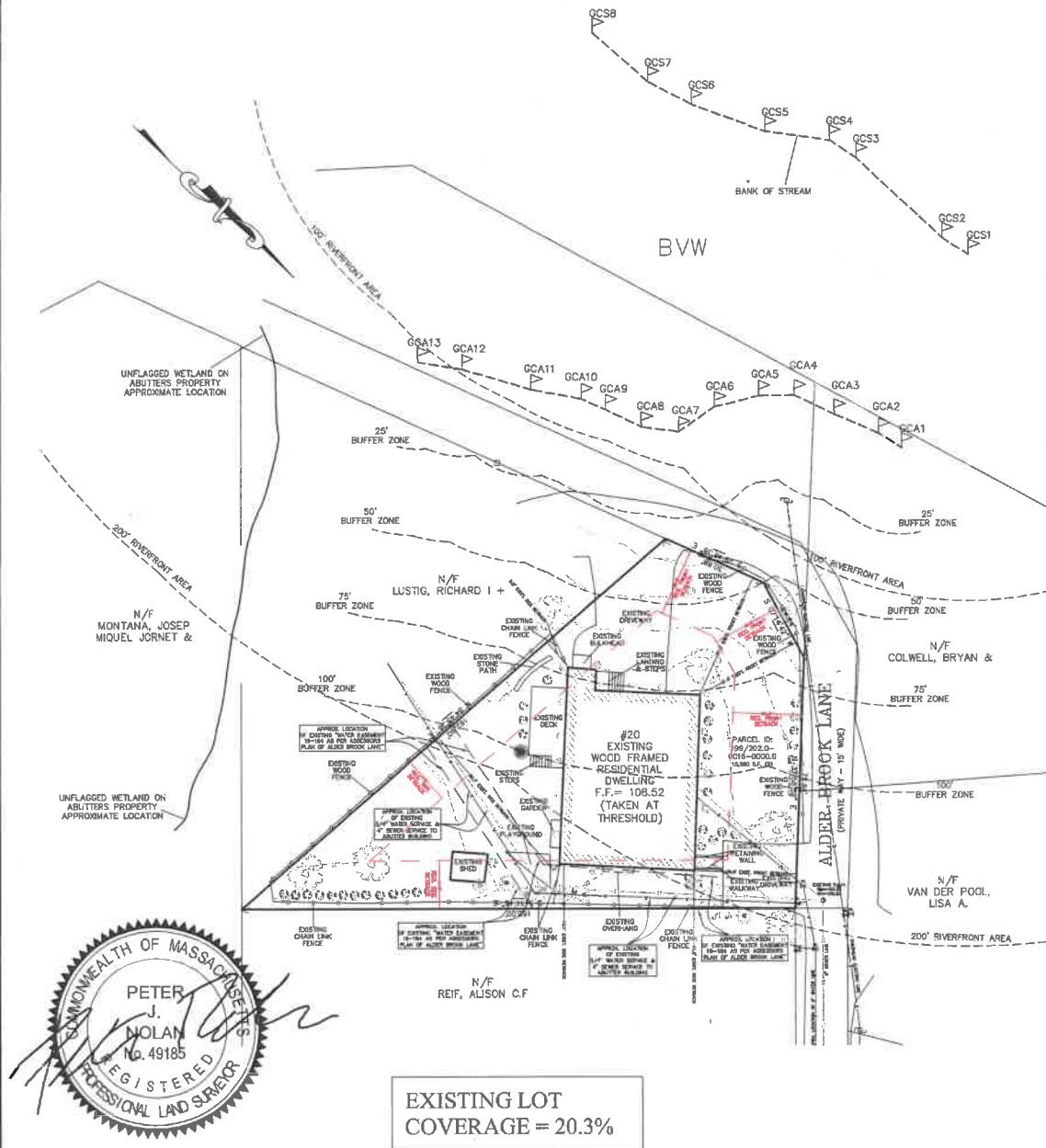
Zoning District: SR-B, SINGLE RESIDENCE B

Address: NO. 20 ALDER BROOK LANE

Builder: _____

EXISTING CONDITION

SCALE: 1"= 40'



Note: Plot Plans shall be drawn in accordance with Sections 7.2.1 and 7.2.2 of the Zoning By-Laws for the Town of Needham. All plot plans shall show existing structures and public & private utilities, including water mains, sewers, drains, gas lines, etc.; driveways, septic systems, wells. Flood Plain and Wetland Areas, lot dimensions, lot size, dimensions of proposed structures, sidewalk, front and rear offsets and setback distances (measured to the face of structure) and elevation of top of foundations and garage floor. For new construction, lot coverage, building height calculations, proposed grading and drainage of recharge structures. For pool permits, plot plans shall also show fence surrounding pool with a gate, proposed pool and any accessory structures*, offsets from all structures and property lines, existing elevations at nearest house corners and pool corners, nearest storm drain catch basin (if any) and sewage disposal system location in areas with no public sewer.

I hereby certify that the information provided on this plan is accurately shown and correct as indicated.

The above is subscribed to and executed by me this: 26TH day of: JUNE 2023

Registered Land Surveyer #: 49185

Address: 80 JEWETT STREET (SUITE 1) City: NEWTON State: MA Zip: Tel. No: (857) 891 7478

Approved: _____ Director of Public Works: _____ Date _____

Approved: _____ Building Inspector: _____ Date _____



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

Tel. 781-455-7550 x 308

July 9, 2024

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

Re: 20 Alder Brook Rd.

Dear Board Members,

This application proposes 2-story addition on the right side of the dwelling comprised of a first floor attached garage and a second-floor bedroom along with an expansion of the 1-story mudroom. The rear deck is also being expanded further along the right-side property line and, on the left side, an 8' x 10' unenclosed entry canopy is proposed.

The existing home enjoys existing setback non-conformities along both the left and right-side property lines, 6.4 feet and 9.9' respectively, when 14' are normally required.

The second-floor cantilever has a small portion of the cantilever that will be set back from the right-side line 11.5'. The expanded mudroom will be setback 9.5'. The deck will be expanded along its current setback of 6.4'.

The unenclosed entry canopy extends along the existing 9.9' left -side setback.

None of these proposed additions extend into the required front or rear setbacks.

This proposal does increase the non-conforming nature of the premises and can only be permitted upon the issuance of a Special Permit by the Zoning Board of Appeals pursuant to section 1.4.6 of the Zoning Bylaw.

Sincerely,

Joseph Prondak
Building Commissioner

Daphne Collins

From: Clayton Hutchinson
Sent: Wednesday, July 10, 2024 10:35 AM
To: Daphne Collins
Cc: Deb Anderson
Subject: RE: 20 Alder Brook Lane - ZBA Administrative Review - Due July 9, 2024

Hi Daphne,

Our primary comments still stand. The Applicant has an Order of Conditions for the work. The new layout may require them to come back to the Commission to revise their calculations on the permit, but the changes do not appear to be substantial enough to warrant new commentary on the project or it's suitability under the Wetlands Protection regulations.

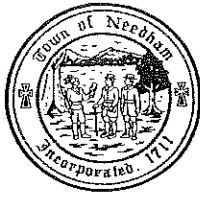
Thanks,
Clay

Clay Hutchinson
Conservation Specialist
Conservation Department
Town of Needham
500 Dedham Avenue
Needham, MA 02492
781-455-7550 Ext. 272

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Tuesday, July 9, 2024 4:41 PM
To: Justin Savignano <jsavignano@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Clayton Hutchinson <chutchinson@needhamma.gov>; Deb Anderson <andersond@needhamma.gov>
Subject: FW: 20 Alder Brook Lane - ZBA Administrative Review - Due July 9, 2024

Due today please!
Thank you,
Daphne

Daphne M. Collins
Zoning Specialist
Zoning Board of Appeals
Planning and Community Development Department
Town of Needham – Public Services Administration Building
500 Dedham Street
Needham, MA 02492
781-455-7550, ext 261
dcollins@needhamma.gov
www.needhamma.gov



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

July 9, 2024

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

RE: Case Review-Special Permit
20 Alder Brook Lane

Dear Members of the Board,

The Department of Public Works has completed its review of the above referenced Special Permit for the proposed garage addition with permission sought for changing and extending existing nonconforming side lot setbacks.

The documents submitted for review are as follows:

- Application for Special Permit dated 06/24/24.
- Cover letter Memorandum by Bennie Ber dated 3/1/24.
- Building Permit plan dated 2/19/1951, Indicating structure being moved.
- Subdivision Plan recorded 2/13/1952.
- Proposed building permit plot plan dated 3/6/1976.
- Certified Existing Conditions plan dated 6/26/23 by Peter J Nolan
- Pictures of Existing Home dated September 2020
- Existing and Proposed Renderings of project
- Proposed Plot Plan by Peter J Nolan dated 2/22/24 rev 6/27/24.
- Architectural Elevation Views of Existing and Proposed Addition by Neh-Koo-Dah dated 6/23/2024

Our comments and recommendations are as follows:

- We have no comment or objection to the relief.

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

Truly yours,

Thomas A Ryder
Town Engineer

Daphne Collins

From: Tom Conroy
Sent: Monday, July 1, 2024 1:41 PM
To: Daphne Collins
Cc: Donald Anastasi; Jay Steeves; Ronnie Gavel
Subject: RE: 20 Alder Brook Lane - ZBA Administrative Review - Due July 9, 2024

Hi Daphne,
No issues with the Fire dept.
Thank you,
Tom



Thomas M. Conroy

Fire Chief - Needham Fire Department

tconroy@needhamma.gov

Ph (781) 455-7580

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Monday, July 1, 2024 1:06 PM
To: Donald Anastasi <Danastasi@needhamma.gov>; Jay Steeves <steevesj@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Joseph Prondak <jprondak@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Ronnie Gavel <rgavel@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Deb Anderson <andersond@needhamma.gov>; Clayton Hutchinson <chutchinson@needhamma.gov>
Subject: RE: 20 Alder Brook Lane - ZBA Administrative Review - Due July 9, 2024

Hi Folks,
It appears I did not attach the appropriate documents.
Here they are.
My apologies.
Daphne

Daphne M. Collins
Zoning Specialist
Zoning Board of Appeals
Planning and Community Development Department
Town of Needham – Public Services Administration Building
500 Dedham Street
Needham, MA 02492
781-455-7550, ext 261
dcollins@needhamma.gov
www.needhamma.gov

*In- Person Staff Hours are Monday – Wednesday 8:30 am – 5:00pm
Remote Hours – Thursday 8:30 am – 5:00pm*

Daphne Collins

From: Tara Gurge
Sent: Tuesday, July 9, 2024 10:28 AM
To: Daphne Collins
Subject: RE: 20 Alder Brook Lane - ZBA Administrative Review - Due July 9, 2024/ Public Health comments

Daphne –

The Public Health Division conducted the Zoning Board review for the proposal for the property located at **#20 Alder Brook Lane**. The Public Health Division has no comments to share at this time.

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



Prevent. Promote. Protect.



please consider the environment before printing this email

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[Follow Needham Public Health on Twitter!](#)

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Monday, July 1, 2024 1:06 PM
To: Donald Anastasi <DAnastasi@needhamma.gov>; Jay Steeves <steevesj@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Joseph Prondak <jprondak@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Ronnie Gavel <rgavel@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Deb Anderson

Daphne Collins

From: John Schlittler
Sent: Tuesday, July 9, 2024 6:27 PM
To: Daphne Collins
Subject: Re: 20 Alder Brook Lane - ZBA Administrative Review - Due July 9, 2024
Attachments: 20 Alder Brook Ln - Authorization Ltr.pdf

Police have no issues

Sent from my iPhone

On Jul 9, 2024, at 4:41 PM, Daphne Collins <dcollins@needhamma.gov> wrote:

Due today please!
Thank you,
Daphne

Daphne M. Collins
Zoning Specialist
Zoning Board of Appeals
Planning and Community Development Department
Town of Needham – Public Services Administration Building
500 Dedham Street
Needham, MA 02492
781-455-7550, ext 261
dcollins@needhamma.gov
www.needhamma.gov

In- Person Staff Hours are Monday – Wednesday 8:30 am – 5:00pm
Remote Hours – Thursday 8:30 am – 5:00pm

From: Daphne Collins
Sent: Wednesday, June 26, 2024 3:39 PM
To: Donald Anastasi <DAnastasi@needhamma.gov>; Jay Steeves <steevesj@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Joseph Prondak <jprondak@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Ronnie Gavel <rgavel@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Deb Anderson <andersond@needhamma.gov>; Clayton Hutchinson <chutchinson@needhamma.gov>
Subject: 20 Alder Brook Lane - ZBA Administrative Review - Due July 9, 2024

Good Afternoon All-

20 Alder Brook Lane – Amit Swartz and Neta Levin Schwartz, owners, are proposing to extend and add to a single-family pre-existing non-conforming structure and are seeking a Special Permit under 1.4.6 to

GEORGE GIUNTA, JR.
ATTORNEY AT LAW*
281 Chestnut Street
Needham, MASSACHUSETTS 02492
*Also admitted in Maryland

TELEPHONE (781) 449-4520

FAX (781) 465-6059

June 24, 2024

Town of Needham
Zoning Board of Appeals
Needham, Massachusetts 02492

Attn: Daphne M. Collins, Zoning Specialist

Re: Needham Enterprises, LLC
277 Brookline Avenue, Needham, MA

Dear Mrs. Collins,

Please be advised this office represents Needham Enterprises, LLC (hereinafter, the “Applicant”) with respect to its property at 277 Brookline Avenue, Needham, MA 02492 (hereinafter the “Premises”). In connection therewith, submitted herewith please find:

1. Seven copies of a completed Application for Hearing
2. Seven copies of architectural plans, prepared by Scott Melching Architect, LLC, consisting of seven (7) sheets as follows: Sheet A-1, Foundation Plan, dated June 21, 2024, Sheet A-2 Ground Floor Plan, dated June 21, 2024, Sheet A-3, Second Floor Plan, dated June 21, 2024, Sheet A-4, Attic Floor Plan, dated June 21, 2024, Sheet A-5, Roof Plan, dated June 21, 2024, Sheet A-6, Front & Right Exterior Elevations, dated June 21, 2024, and Sheet A-7, Rear & Left Exterior Elevations, dated June 21, 2024;
3. Seven copies of “Zoning Board of Appeals Plan of Land, 277 Brookline Street” Dated June 21, 2024, prepared by Field Resources, Inc.; and
4. Check no. 9157 in the amount of \$200 for the applicable filing fee.

The Premises is currently occupied by a two-family house, authorized by variance dated January 18, 1951, issued to Rally and Jospehone Pandlof. The original house appears to have been built in 1915, with an addition added in 1951, when it was converted to two family use, pursuant to the said variance. The Applicant now desires to demolish the existing two-family dwelling and

replace it with a new two-family house, conforming in all respects to dimensional and density requirements. In as much as the use was authorized by a variance, interpretation of same by the Board of Appeals is required for the Applicant to proceed, consistent with other, prior, similar cases.¹

Please schedule this matter for the next available hearing of the Board, If you have any questions, comments or concerns relative to the foregoing, please do not hesitate to contact me so that I may be of assistance.

Your courtesy and attention are appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read "George Giunta, Jr.", with a stylized, cursive script.

George Giunta, Jr.

¹ See for example, prior decisions of the Board concerning 460 Central Avenue, 114 Hillside Avenue, and 70-72 Marshall Street.



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	Needham Enterprises, LLC			Date:	6/24/24
Applicant Address	105 Chestnut Street, Suite 28, Needham, MA 02492				
Phone	617-435-1090	email	mborrelli@borrellilegal.com		
Applicant is ☒ Owner; ☐ Tenant; ☐ Purchaser; ☐ Other _____					
If not the owner, a letter from the owner certifying authorization to apply must be included					
Representative Name	George Giunta, Jr., Esq.				
Address	281 Chestnut Street, Needham, MA 02492				
Phone	617-840-3570	email	george.giuntajr@needhamlaw.net		
Representative is ☒ Attorney; ☐ Contractor; ☐ Architect; ☐ Other _____					
Contact ☐ Me ☒ Representative in connection with this application.					

Subject Property Information

Property Address	277 Brookline Street, Needham, MA 02492		
Map/Parcel Number	Map 55 / Parcel 4	Zone of Property	Single Residence B (SRB)
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☐ Yes ☒ No			
Is property ☒ Residential or ☐ Commercial			
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: Existing two and one-half story, two-family dwelling, originally built approximately 1915 and expanded and converted to two-family use pursuant to Variance issued by Zoning Board of Appeals in 1951.

Statement of Relief Sought:

Plan substitution and/or further relief pursuant to Variance dated January 18, 1951, issued to Rally and Josephine Pandolf, authorizing use of the Premises for two-family purposes; and any and all other relief necessary and appropriate to permit the demolition of the existing two family dwelling and replacement thereof with a new two family structure.

Applicable Section(s) of the Zoning By-Law:

3.2.1, 7.5.3 and any other applicable Section or By-Law

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

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



ZBA Application For Hearing

Date Structure Constructed including additions:

Date Lot was created:

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)	
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.



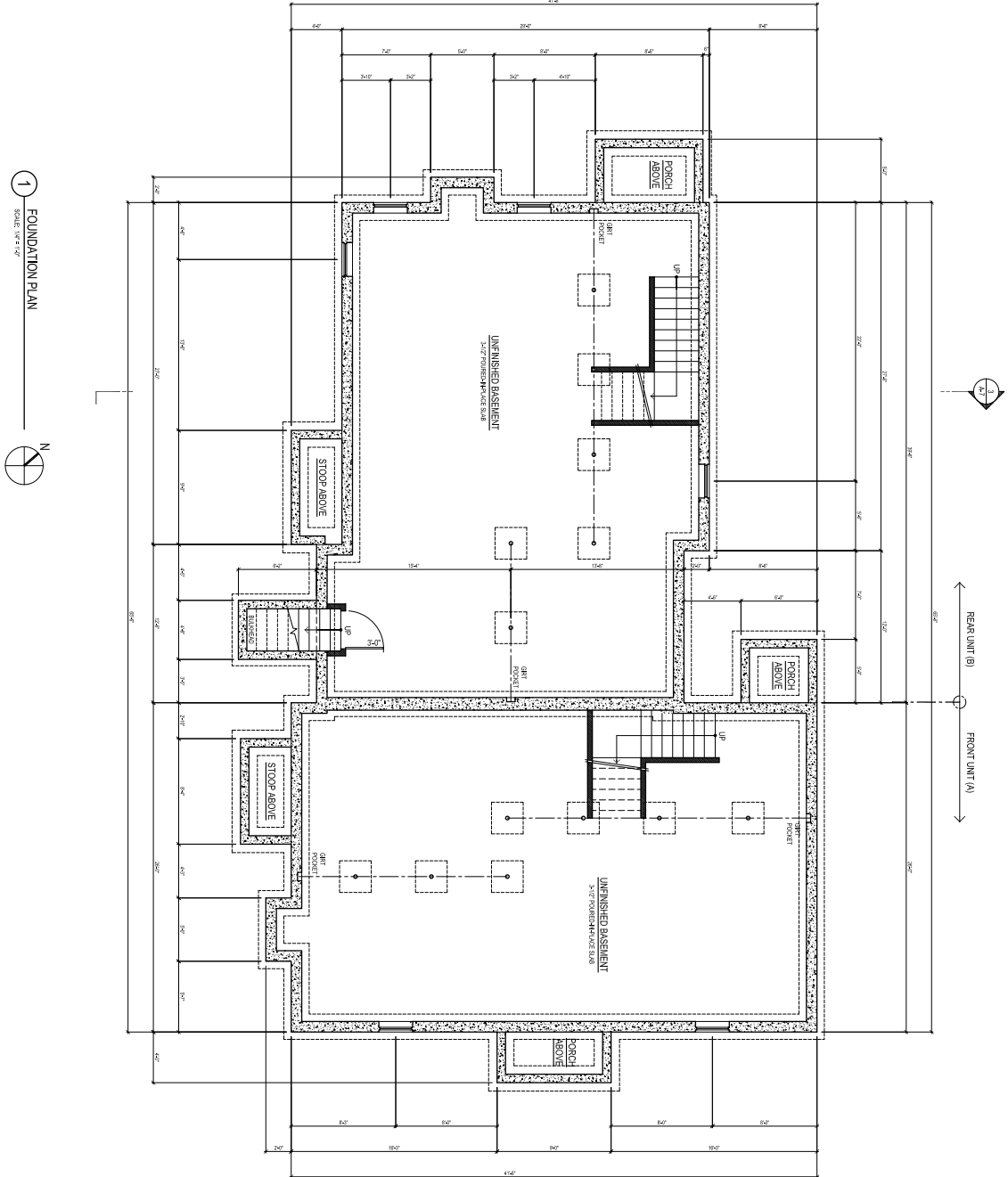
I hereby request a hearing before the Needham Zoning Board of Appeals. I have
reviewed the Board Rules and instructions.

the Applicant has

I certify that I have consulted with the Building Inspector on 6/24/24
date of consult

Date: 6/24/24 Applicant Signature George Giunta Jr
Needham Enterprises, LLC
by Its Attorney, George Giunta, Jr., Esq.

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



FOR DESIGN INTENT ONLY
NOT FOR CONSTRUCTION

REVISIONS | SUBMISSIONS

DATE

ISSUED FOR BUILDER REVIEW	2024-06-24
ISSUED FOR BUILDER REVIEW	2024-06-27
ISSUED FOR BUILDER REVIEW	2024-06-27
ISSUED FOR BUILDER REVIEW	2024-05-24

PROJECT: 2277 BROOKLINE STREET
NEEDHAM | MA | 0249
DRAWING TITLE:
FOUNDATION PLAN

A-1
OF 7



1 GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

FOR DESIGN INTENT ONLY
NOT FOR CONSTRUCTION
INFERRED DIMENSIONS

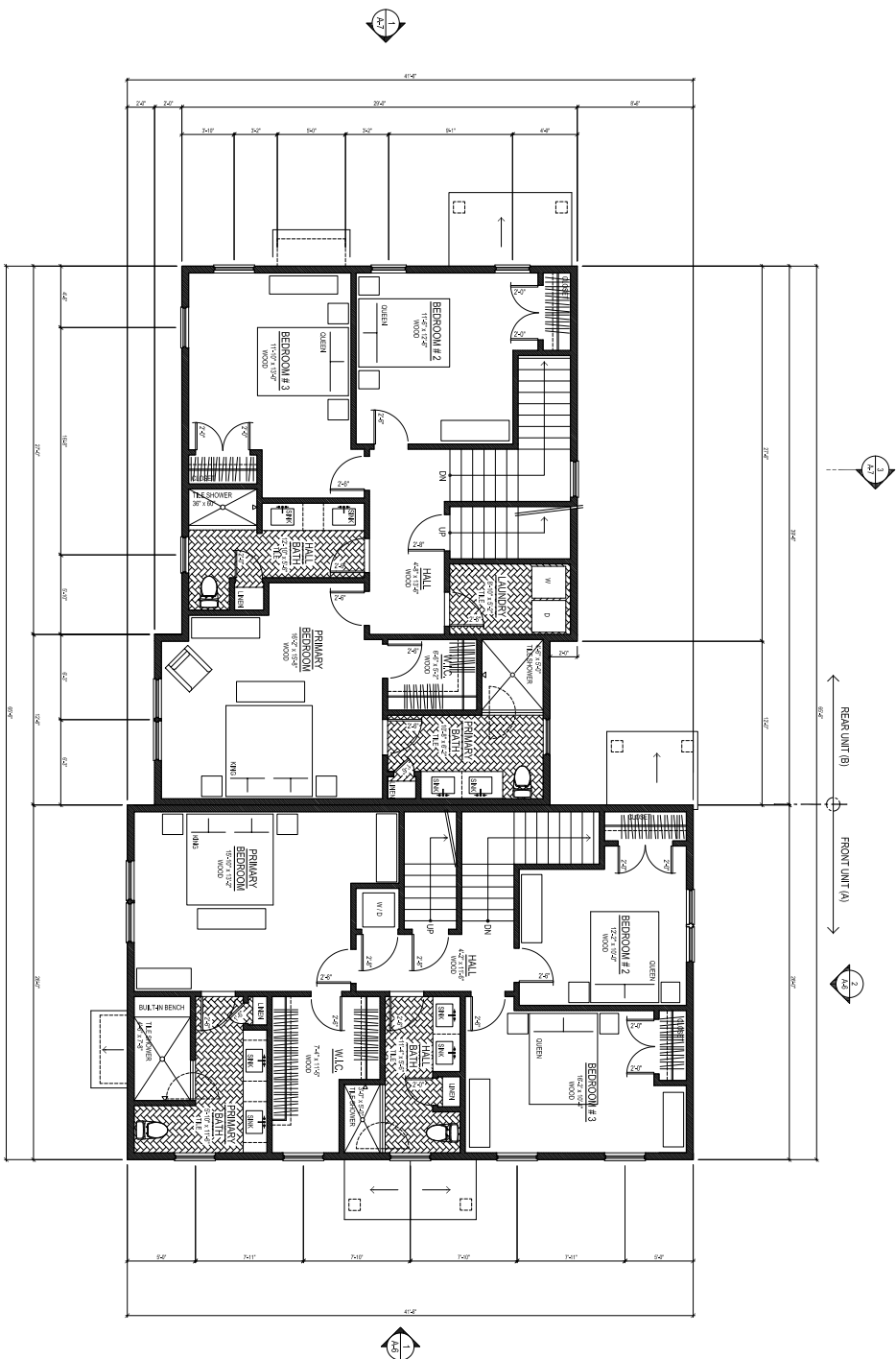
DATE	REVISION
2001/06/01	BASED ON BALDWIN REVIEW
2001/06/09	BASED ON BALDWIN REVIEW
2001/06/12	BASED ON BALDWIN REVIEW
2001/05/04	BASED ON BALDWIN REVIEW

SCOTT W. CAMPBELL ARCHITECT LLC
ARCHITECT
SCOTT W. CAMPBELL ARCHITECT LLC

PROJECT:
277 BROOKLINE STREET
NEEDHAM | MA | 02492
DRAWING TITLE:
GROUND FLOOR PLAN

SHEET NUMBER:
A-2
2 OF 7

DATE: 2024.10.21
SCALE: 1/8" = 1'-0"
DRAWN BY: J. W. CAMPBELL
CHECKED BY: J. W. CAMPBELL
© 2024 SCOTT W. CAMPBELL ARCHITECT LLC. ALL RIGHTS RESERVED.



1 SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



1 ATTIC FLOOR PLAN (HALF STORY)
SCALE: 1/8" = 1'-0"





FOR DESIGN INTENT ONLY
NOT FOR CONSTRUCTION
INFERRED DIMENSIONS

DESIGNED FOR BALDWIN REVIEW	2021.06.01
DESIGNED FOR BALDWIN REVIEW	2021.06.09
DESIGNED FOR BALDWIN REVIEW	2021.06.12
DESIGNED FOR BALDWIN REVIEW	2021.05.08

SCOTT HANCOCK ARCHITECT LLC
ARCHITECT
SCOTT HANCOCK ARCHITECT LLC
SCOTT HANCOCK ARCHITECT LLC

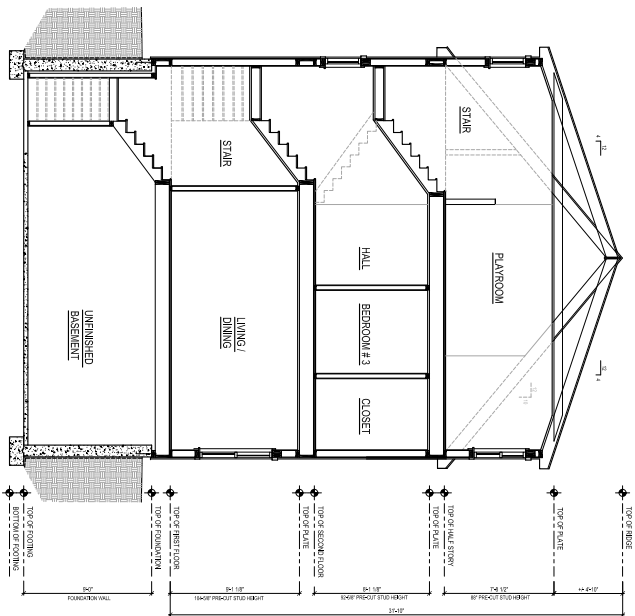
PROJECT:
277 BROOKLINE STREET
NEEDHAM | MA | 02492
DRAWN BY:
FRONT & RIGHT
EXTERIOR ELEVATIONS

SHEET NUMBER:
A-6
6 OF 7

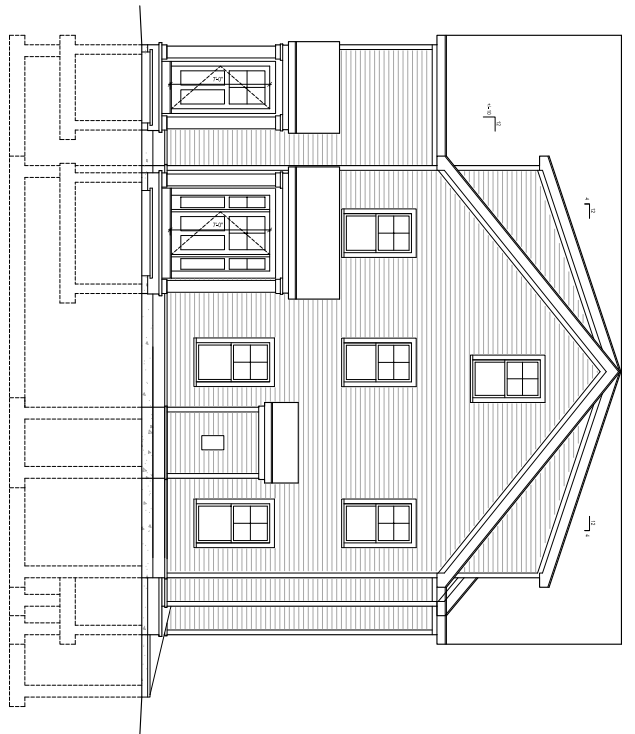
DATE: 2024.10.21
SCALE: 1/8" = 1'-0"
DRAWN BY: SCOTT HANCOCK ARCHITECT LLC
© 2024 SCOTT HANCOCK ARCHITECT LLC. ALL RIGHTS RESERVED.

NEEDHAM
ENTERPRISES
NEEDHAM MA 02492

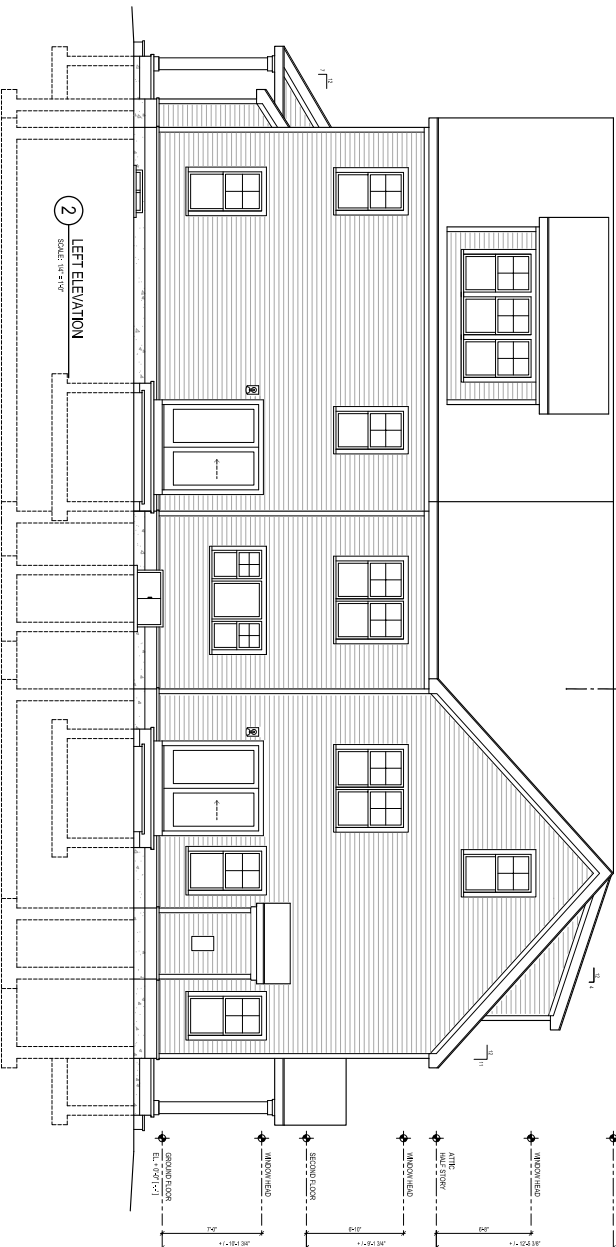
SCALE: 1/4" = 1'-0"



SCALE: 1/8" = 1'



SCALE: 100 = 3700S



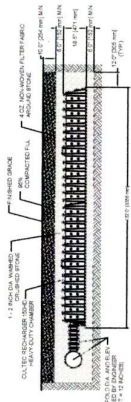
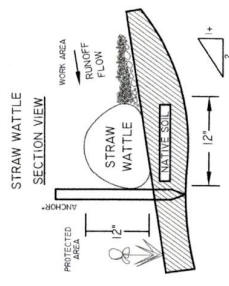
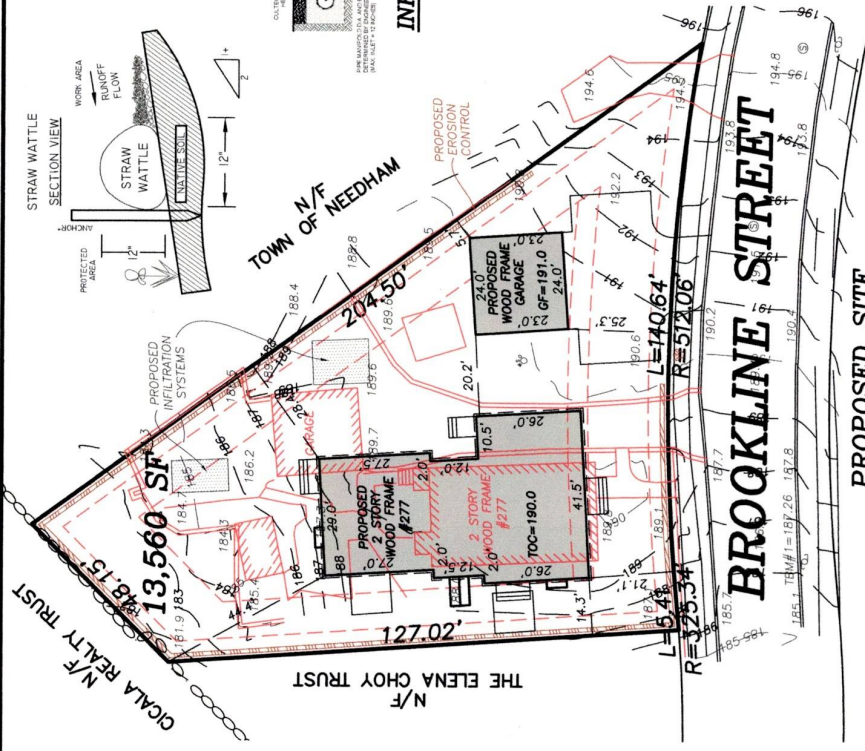
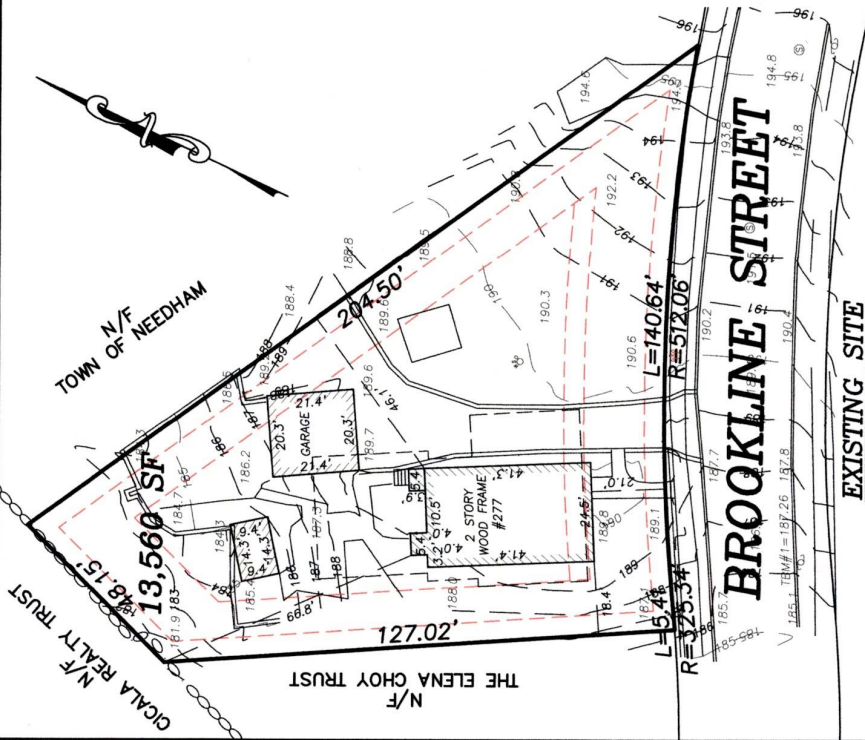
REVIEWS / SUBMISSIONS	DATE
-----------------------	------

ISSUED FOR BLINDER REVIEW	2004-06-29
ISSUED FOR BLINDER REVIEW	2004-06-29
ISSUED FOR BLINDER REVIEW	2004-06-29

277 BROOKLINE STREET
NEEDHAM | MA | 02494
DRAWING TITLE:
REAR & LEFT
EXTERIOR ELEVATIONS

OF 7

DATE: 2024-06-21
 ISSUE: ISSUED FOR BUILDER REVIEW
 © 2024 SCOTT MELCHING LLC | ALL RIGHTS RESERVED



INFILTRATION SYSTEM DETAILS
NOT TO SCALE

PROPOSED BUILDING FOOTPRINT = 2,777 SF
TOTAL PROPOSED IMPERVIOUS = 3966 SF
 $(2,777 \text{ S.F.} \times 1") / 12 = 231.4 \text{ Cu. Ft.}$
MITIGATED WITH 5 CULTCOT CONTRACTOR 150 HDXL
RECHARGER DRYWELL CHAMBERS (OR SUITABLE
REPLACEMENT)
CAPACITY OF 53.79 CU FT EACH (11 x 4.89 CU FT)
RECHARGE WILL MITIGATE COMPLETELY FOR A 1" STORM
FOR
THE PROPOSED FOOTPRINT
SEE DRYWELL DETAIL FOR SPECIFICATIONS
AND PLAN FOR LOCATIONS. LOCATIONS AS SHOWN.

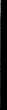
ZONING BOARD OF APPEALS
PLAN OF LAND
277 BROOKLINE STREET
NEEDHAM, MASS.

Field Resources, Inc.
LAND SURVEYORS

JUNE 21, 2024 SCALE 1"=30'
P.O. BOX 324 281 CHESTNUT ST.
AUBURN, MA NEEDHAM, MA.
508 832 4332 781 444 5936
fieldresources@hotmail.com

Copyright © by Field Resources, Inc. All rights reserved.

GRAPHIC SCALE



ZONING INFORMATION: SINGLE RESIDENCE B (SRB)			
	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	10,000 SF	13,560 SF	13,560 SF
MINIMUM LOT FRONTAGE	80 FEET	146.05 FEET	146.05 FEET
MINIMUM FRONT SETBACK	20 FEET	21.0 FEET	21.1 FEET
MINIMUM SIDE YARD	12 FEET	18.4 FEET	14.3 FEET
		22.4 FEET	22.4 FEET
MINIMUM REAR YARD	20 FEET	66.5 FEET	42.4 FEET
MINIMUM BUILDING COVERAGE	25% (3,900 SF)	12.0% (1,605 SF)	20.5% (2,777 SF)
MAXIMUM BUILDING COVERAGE	1.7 - 18% (2,440 SF)	139.3 SF	17.45% (2,355 SF)
MINIMUM BUILDING HEIGHT	35 FEET	34 FEET	34.05 FEET
MAXIMUM BUILDING HEIGHT	2 1/2 STORIES	2 1/2 STORIES	2 1/2 STORIES

024-24

REVISÉ:

TO: THE MEMBERS OF THE BOARD OF APPEALS
TOWN OF NEEDHAM, MA

June 24, 2024

MEMORANDUM IN SUPPORT OF
APPLICATION OF
NEEDHAM ENTERPRISES, LLC
277 Brookline Street, Needham, MA

The applicant, Needham Enterprises, LLC (hereinafter, interchangeably, the “Applicant” and “Enterprises”), has made application for Plan substitution and/or further relief pursuant to Variance dated January 18, 1951, issued to Rally and Josephine Pandolf, authorizing use of the property at 277 Brookline Street (hereinafter the “Premises”) for two1-family purposes, as well as any and all other relief necessary and appropriate to permit the demolition of the existing two family dwelling and replacement thereof with a new two family structure.

FACTS / HISTORICAL USE

The Premises is shown as parcel 4 on sheet 55 of the Assessor’s Map for the Town of Needham. It consists of approximately 13,560 square feet of land, with approximately 146.04 feet of total frontage on Brookline Street. The Premises is currently occupied by a two and one-half story, two-family residential dwelling, which is nonconforming as to use. The house, which appears to have been built in 1915 and expanded in 1951, consists of approximately 2,460 square feet of interior finished living area on the first and second floor. It contains a total of 10 rooms, including 5 bedrooms and 2 full baths.¹

The use of the Premises for two-family purposes was first authorized by variance, dated January 18, 1951, issued to Rally and Josephone Pandolf (hereinafter, the “Decision”).² Following such Decision, pursuant to Building Permit No. 8828, dated March 23, 1951, the existing house was enlarged and converted to two-family use.³ Thereafter, only somewhat

¹ See Exhibit A, Assessor’s information, attached hereto.

² See Exhibit B, Decision, attached hereto.

³ See Exhibit C, Building Permit, attached hereto.

limited work was done to the house, the most substantive change being enclosure of the two existing porches.⁴

Enterprises is now proposing to demolish the existing structure and replace it with a new two and one-half story, two-family dwelling. The proposed replacement dwelling will conform in all material respects with applicable density and dimensional regulations. Moreover, while not technically applicable, the proposed new two-family also complies with the density and dimensional requirements of Section 1.4.7, applicable to non-conforming two-family dwellings. In particular, the replacement house is setback 21.1 feet from Brookline v. 20' minimum required; 14.3 and 28.4 feet from the sides v. 12 feet required, and 44.4 feet from the rear lot line v. 20 feet required. It has a lot coverage of 2,355, or 17.4% pursuant to Section 1.4.7 and 2,777, or 20.5%, pursuant to Section 4.2.3, v. 18% and 25%, respectively.⁵ The height is 2 ½ stories and 32.42 feet v. 2 ½ stories and 35'.

ANALYSIS / ARGUMENT

The use of the Premises for two-family purposes has been authorized by variance, which, by law, runs with the land in perpetuity. Notwithstanding such perpetual application, the use authorized by the variance technically does not constitute a lawful, pre-existing, non-conforming use, as defined by the By-Law. As a result, the standard test of whether the proposed replacement structure is substantially more detrimental to the neighborhood than the existing structure would not apply. However, in three nearly identical prior applications, the Board applied essentially that same standard to whether or not plan substitution was appropriate.⁶ In particular, in all those cases, the Board found that the new construction would be “less detrimental to the neighborhood than the existing two family dwelling and use and the reconstruction is consistent with the use Variance that runs with the land, will not overburden the Variance and is in harmony with the general purposes and intent of the By-law”.

Enterprises asserts both that the same test should be applied in this case and that the proposed replacement two-family meets the test. The new structure meets or exceeds all

⁴ See Exhibit D, Building Department Field Card, attached hereto.

⁵ Note that lot coverage is calculated different pursuant to the two sections and that Section 1.4.7.4 excepts the detached two car garage from the calculation.

⁶ Namely, 460 Central Avenue (2021), 114 Hillside Avenue (2016) and 70-72 Marshall Street (2008) – copies of the decisions provided herewith.

applicable dimensional and density regulations, including those applicable to lawful, pre-existing, non-conforming two-family dwellings. Moreover, if a single-family dwelling were to be constructed at the Premises, it could easily be materially larger than the house the Applicant is proposing. And, given that the Premises contains more than the minimum lot size, Enterprises asserts that the proposed replacement dwelling is appropriate in scale and mass for the neighborhood.

Therefore, based on all the above, Enterprises asserts that the further relied pursuant to the Decision, to allow for the reconstruction of the two-family dwelling at 277 Brookline Avenue is both appropriate and proper, and should be granted.

Respectfully submitted,
Needham Enterprises, LLC
by its attorney,

A handwritten signature in black ink, appearing to read "G. Giunta, Jr.", written in a cursive style.

George Giunta, Jr., Esq.
281 Chestnut Street
Needham, Massachusetts 02492
617-840-3570
george.giuntajr@needhamlaw.net

EXHIBIT A
Assessor Information
P1 of 2

PARID: 1990550000400000
FABBRI, PAULINE &

MUNICIPALITY: NEEDHAM
277 BROOKLINE ST

LUC: 104
PARCEL YEAR: 2024

Property Information

Property Location: 277 BROOKLINE ST

Class:	R-RESIDENTIAL
Use Code (LUC):	104-TWO-FAMILY
District:	MA199 - NEEDHAM
Deeded Acres:	.2910
Square Feet:	12,676

Owner

Owner	Co-Owner	City	Address	State	Zip Code	Deed Book/Page
FABBRI, PAULINE &	FABBRI, LEE	NEEDHAM	105 CHESTNUT ST, SUITE 28	MA	02492	11317/224

Sales

Sale Date (D/M/Y)	Book/Page	Sale Price	Grantee:	Grantor:	Cert Doc #
29-03-1971	11317-224	\$1	FABBRI, PAULINE &	HYDREN	

Owner History

1 of 23

Tax Year	2024
Owner:	FABBRI, PAULINE &
Co-Owner:	FABBRI, LEE
Sale Care Of	NEEDHAM ENTERPRISES, INC
State:	MA
City	NEEDHAM
Address:	105 CHESTNUT ST, SUITE 28
Zip Code:	02492
Deed Book/Page	11317/224

Land

[illegible]

Assessor Information
P2 of 2

PARID: 1990550000400000
FABBRI, PAULINE &

MUNICIPALITY: NEEDHAM
277 BROOKLINE ST

LUC: 104
PARCEL YEAR: 2024

Residential Card Summary

Card/Building:	1
Stories:	2.5
Condition:	3 - GOOD
Grade:	B- - AVERAGE/GOOD
CDU:	GD - GOOD
Exterior Wall:	ST - STUCCO
Style:	2F - 2 FAMILY
Year Built:	1915
Effective Year:	1998
Square Feet of Living Area:	2460
Total Rooms:	10
Bedrooms:	5
Full Baths:	2
Half Baths:	0
Additional Fixtures:	2
Roofing Material:	AS - ASPHALT-SHNG
Heating:	D - HOT WATER
Fuel Type:	G - GAS
Dwelling Value:	\$239,600

Sections

Card #	Addition #	Lower	First	Second	Third	Area	RCNLD
1	0					984	0

EXHIBIT B
Decision

**TOWN OF NEEDHAM
MASSACHUSETTS**

BOARD OF APPEALS

JANUARY 18, 1951

RALLY AND JOSEPHINE PANDOLPH

Upon the application of Rally and Josephine Pandolf of 277 Brookline Street for variance of the zoning by-laws to permit them to convert their one-family house at the above location in a single residence district to a two-family dwelling, a public hearing was held at the Town Hall on Thursday, January 18, 1951, in the evening, pursuant to notice mailed to all interested parties and published in a local newspaper.

At the hearing Mr. and Mrs. Pandolf, together with their daughter and son-in-law, submitted a set of very clear drawings to show how they propose to extend their dwelling house eight feet to the rear, so as to enable them to add a rear stairway, a downstairs bathroom, and an upstairs kitchen, without changing the front or sides of the house, except for lengthening the sides. They pointed out, and the members of the board agreed unanimously, that the proposed changes would improve the general appearance of the house. The daughter and son-in-law, who now live with Mr. and Mrs. Pandolf, would occupy the newly created other suite.

The evidence tended to prove, also, that there are several other two-family dwellings in this locality, and that the proposed changes to the house in question would not affect detrimentally either the interests of the town or the interests of the property owners in the area. There were no opponents to the application.

The board voted unanimously to grant the variance and hereby directs the building inspector to issue the necessary permit.

TOWN OF NEEDHAM
Massachusetts



BOARD OF APPEALS

Public notice is hereby given that Rally and Josephine Pandolf, Needham, Massachusetts, have made application for variance of the Zoning By-Laws, Section 3, to permit them to convert a one-family house at 277 Brookline Street, a single residence district, to a two family dwelling.

Upon said application a public hearing will be held at the Needham Town Hall on Thursday, January 18, 1951 at 7:00 P. M., at which time and place all interested persons may appear and be heard.

Francis L. Guertin,
Chairman
Enos G. Nickerson
Roger W. Nutt
Herbert L. Moore
Board of Appeals.

(N) ja4

Francis L. Guertin
Francis L. Guertin, Chairman

Enos G. Nickerson
Enos G. Nickerson, Member

Roger W. Nutt
Roger W. Nutt, Member

Herbert L. Moore
Herbert L. Moore, Special Member

EXHIBIT C
Building Permit

PLOT AND BUILDING

Plans must be submitted and approved by this Department before a permit for erection will be granted. Separate application required for every building

APPLICATION

Needham, Mass., March 23 1951

No. 0008

TO THE INSPECTOR OF BUILDINGS:

The undersigned hereby applies for permit to build, according to the following specifications:

1. Purpose of Building Dwelling, Conversion from single to double
2. First-class _____ Second-class _____ Third-class ☒
3. Zoning District _____
4. Location, St. and No. 277 Brookline St Nearest St. Melrose
5. Owner Rally Pandolf Address 277 Brookline St Tel. Dec 3-2660
6. Builder Peter Ricciardelli Address 283 Brookline St Tel. Dec-3-0479W
7. Architect _____ Address _____ Tel. _____
8. Size of Building—Front 24 FT Rear 24 FT Depth 33 FT
9. No. of Feet Level of Ground to Highest Point of Roof 30 FT
10. Set Back from Street 25 FT Right Side 12 FT Left Side 80 FT
11. Area of Lot 12,000 FT No. of Rooms 8
12. Material of Foundation CEMENT BLOCKS Material of Underpinning IRON column
13. Size of Girder 6 X 8 Kind HARD PINE
14. Size of Sills 4 X 6 Posts 4 X 6
15. First Floor Timbers 2 X 8 Second 2 X 8 Third 2 X 8
16. Size of Corner Braces 3 X 4 Outside Window and Door Studs 3 X 4
17. Size of Bridging 1 X 3 Rafters 2 X 6
18. Roof Covering ASPHALT SHINGLES Exterior Wall Covering STUCCO
19. Is the Roof to be Flat, Pitch, Mansard or Hip PITCH
20. Heated by Steam, Furnace, Hot Water, Air Conditioned HOT WATER
21. Oil Burner YES Gas Fired _____ Coal _____
22. Plumbing 2 BATHROOMS Wiring _____
23. Estimated Value \$5000.00
24. Plans Submitted _____

In addition to the foregoing statement this building will be constructed under the Building and Zoning By-Laws of the Town of Needham. Permit card to be displayed until work is completed.

Fee, \$ 5.00

Sign Here Rally Pandolf
Address 277 Brookline St

[Signature]

EXHIBIT D

Building Department Field Card

Front

PT. NO.	FEE	DATE
LOCUS	277 Brookline Street	By A 1/18/51
BLDG.	NO. RMS	
OWNER	VALUE	
BLDR.		FEE
ELECT.	PT. NO.	
PLBR.	PT. NO.	
GAS FTR.	PT. NO.	
SEPTIC TANK	SEWER	
HEAT	GRADES	
COMPLETE		
OCC. PT		
TOWN OF NEEDHAM INSPECTION DEPARTMENT		WHOLE CEN 0104

Back

#8828 3/23/51 Peter Ricciardelli, bldr. Fee \$5.00 Convert single family dwelling to two Est. Val. \$5,000 Owner: Rally Pandolph

#5455 Ateo Ricciardelli, elect. Fee \$5.00

#5033 L. Pirro, plbr. Fee \$6.00

#3059 3/13/59 Rally Pandolf, alt. bldr. Fee \$3.00 Enclosing two existing porches, up and downstairs. Est. Val. \$1800. Owner: Rally Pandolf

#2073 8/10/59 Ateo Ricciardelli, elect. Fee \$4.50 Relocating 8 outlets, Installing 15 new outlets Owner: Rally Pandolf

#2436 9/2/80 Blake Munson, Gasfitter Fee \$8.00
2 heating boilers, 2 dom. water heaters Owner: Liberio Fabbri

#5287 9/2/80 Blake Munson, Plumber Fee \$8.00
2 hot water tanks, 2 water piping Owner: Liberio Fabbri

277 Brookline St.

#2436 9/2/80 Blake Munson, Gasfitter f.g-y-40 Fee \$8.00
2 heating boilers, 2 dom. water heaters Owner: Liberio Fabbri

#9349

#4464 6/19/89 Blake Munson, Plumber Fee: \$20.00 Owner: Fabbri

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**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS
KEVIN DELANEY**

February 28, 2008

2008 APR -2 PM 4:02

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

Upon the application of Kevin Delaney, 57 Marked Tree Road, Needham, MA, prospective purchaser, to the Board of Appeals for a Variance amendment or plan substitution for two family dwelling reconstruction, under 3.2, 7.5.3, or applicable By-Law Sections in Single Residence B District at 70-72 Marshall Street, a public hearing was held at the Broadmeadow School, 120 Broad Meadow Road, Needham, MA, on Thursday, January 24, 2008, in the evening, pursuant to notice thereof published in a local newspaper and mailed to all parties in interest.

The Planning Board letter of January 24, 2008 was read into the record. Mr. Giunta, Jr. presented the Board with a copy of the variance from March 15, 1955, which granted a conversion of the single family dwelling to a two-family dwelling. Mr. Giunta, Jr. stated that the variance is attached to the land. He stated that Kevin Delaney (the "Applicant") is seeking to reconstruct the two-family dwelling, as shown on the plot plan prepared by Field Resources, 281 Chestnut Street, Needham, MA, dated December 13, 2007, plus two pages of renderings "Proposed Two Family Home" prepared by Architectural Services, 8 Charles Street, Natick, MA. Each unit will have a single car detached garage.

Mr. Giunta, Jr. stated that the proposal is designed to match the neighborhood. The existing lot coverage of the dwelling is 19.3%; the proposed is 24.11%. The lot coverage of the dwelling with the garages is 22.3%; the proposed is 30.21%. This lot comprises 7,216 square feet. Mr. Giunta, Jr. stated that the existing dwelling is in a state of substantial disrepair, and that the reconstruction would not be a significant derogation or deviation from what was originally approved.

Mr. Giunta, Jr. stated that the existing dwelling has a footprint of 1396 square feet, plus a detached garage comprising 216 square feet. Mr. Giunta, Jr. stated that the new footprint will be 1740 square feet. Each garage will comprise 220 square feet each, or a total of 440 square feet. Mr. Giunta, Jr. stated that the proposal is for 3480 square feet of living area. The basement and attic are unfinished.

Michael Niden of 24 Gage Street, stated he is pleased with the proposition for the replacement dwelling, but requested additional time to review the proposal. Rob and Mary Rutter, 69 Marshall Street, concurred with Mr. Niden. The hearing closed at 9:50 p.m., and a continuation was announced for February 28, 2008. Notice thereof was

NOT NOT
posted at the Town Clerk's office and on the Town website
O F F I C I A L O F F I C I A L
C O P Y February 28, 2008 C O P Y

Received and entered into the record was a plot plan prepared by Field Resources, 281 Chestnut Street, Needham, MA dated February 21, 2008.

Appearing before the Board was George Giunta, Jr., who reported that the neighbors are in favor of the proposal. Mr. Giunta, Jr. stated that the new plot remains unchanged, the percent lot coverage has been included. The proposed lot coverage is 24.11% for the dwelling, or 30.21% including the garages.

Mr. Giunta, Jr. stated that the footprint will be 1,800 square feet. The detached garages are not more than 540 square feet, which complies with the two-family reconstruction. The previous dwelling contained just a single car detached garage, comprising 216 square feet. The two-family reconstruction exempts garages, in order to promote detached versus attached garages. Mr. Giunta, Jr. also stated that the Applicant is before the Board due to the variance on the lot.

Michael Niden, 24 Gage Street, stated that he and the abutters listed on the document submitted to the Board, referencing a meeting on February 25, 2008, are pleased with the proposal. The comments in the document were read into the record, and will be included, by reference in the decision. The Board noted that unfinished interior space may be finished in the future in accordance with the building code. The hearing closed at 8:00 p.m., and the Board proceeded to deliberate.

DECISION:

Upon the application of Kevin Delaney, 57 Marked Tree Road, Needham, MA, ("Applicant"), prospective purchaser, for a Variance amendment or plan substitution for two family dwelling reconstruction, under sections 3.2 and 7.5.3 of the Zoning By-law in a Single Residence B District at 70-72 Marshall Street, The Board makes the following findings:

1. The locus is in the Single Residence B Zoning District and currently has a two family dwelling at the premises. The current use of the dwelling as a two family use was allowed by Variance dated March 15, 1955.
2. The Applicant intends to demolish the existing structure and construct a new two-family dwelling at the premises.
3. The new structure will comply with all current dimensional and set back requirements of the Zoning By-law including the provisions of the "new Construction" By-law, except that when the garages are included, it will exceed current lot coverage requirements of the By-law. However the garages would comply with the new provisions of two-family tear down/reconstruction should that By-law have been applicable.

N O T

N O T

Furthermore, the Board finds that the garages are an important part of the development.

O F F I C I A L

O F F I C I A L

4. The Applicant has worked with the neighbors to design a structure that is compatible to the neighborhood, and has agreed to certain restrictions that will run with the land for the benefit of the abutters.

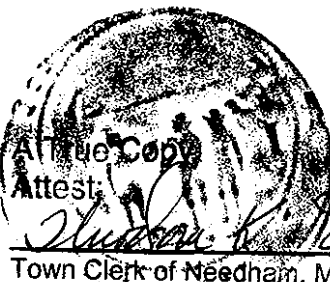
5. The Applicant's proposed new construction will be less detrimental to the neighborhood than the existing two family dwelling and use and the reconstruction is consistent with the use Variance that runs with the land, will not overburden the Variance and is in harmony with the general purposes and intent of the Zoning By-law.

On the basis of the foregoing findings, following due and open deliberation, after motion duly made and seconded, the Board, by unanimous vote, grants the Applicant permission to demolish the existing dwelling and reconstruct a new two-family dwelling at 70-72 Marshall Street, substantially in accordance with the revised plans submitted to the Board, prepared by Architectural Services, 8 Charles Street, Natick, MA, dated March 26, 2008, and the plot plan prepared by Field Resources, Inc., dated February 21, 2008, subject to the following conditions:

- 1 Any future conversion of non finished space, within the envelope of the structure into finished living space, shall be allowable without further permission of the Board, subject to obtaining proper and necessary building permits.
- 2 No future changes (from the approved plans mentioned above) to the exterior of the dwelling shall be allowed without first obtaining the written approval of the Board, after such notice and hearing as the Board, in its sole discretion, shall deem appropriate.
- 3 The Applicant agrees that the dwelling units will be initially marketed and sold as condominium units and not held as a two family rental property.

This is to certify that the appeal has been filed within the 20-day statutory appeal period.

Date May 5, 2008 Shirley K. Eaton
Town Clerk



Attest:

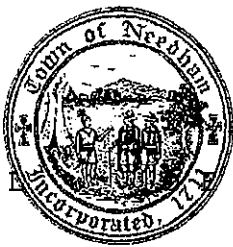
Shirley K. Eaton
Town Clerk of Needham, MA

Michael A. Crowe, Chairman

Jonathan D. Tankin, Member

Howard S. Goldman, Associate Member

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RECEIVED TOWN CLERK
NEEDHAM, MA 02492

2016 APR 14 AM 10:10

**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

*North Shore Residential Development, Inc.
Record owner: Mary A. Weiner, Tr.
114 Hillside Avenue, Map 95, Parcel 30*

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

March 23, 2016

North Shore Residential Development, Inc., prospective purchaser, applied to the Board of Appeals under Sections 3.2, 7.5.3 and any other applicable Sections of the By-law for a plan substitution and/or further relief pursuant to a prior variance dated October 11, 1955 to demolish a pre-existing two-family dwelling and reconstruct a new two-family dwelling. The property is located at 114 Hillside Avenue, Needham, MA in the Single Residential B District. A public hearing was held on March 23, 2016 pursuant to notice thereof, published in a local newspaper and mailed to all parties of interest.

Documents of Record:

- Application Packet for Special Permit stamped February 22, 2016, containing:
 1. Cover letter from George Giunta, Jr., dated February 19, 2016.
 2. Application dated February 19, 2015.
 3. Zoning Board of Appeals Decision dated October 11, 1955.
 4. Zoning Board of Appeals Decision dated February 28, 2008.
 5. Zoning Board of Appeals Amendment dated September 18, 2008.
 6. Zoning Board of Appeals Decision dated January 23, 2003.
 7. Zoning Board of Appeals Substitution of Plans dated March 4, 2003.
 8. Zoning Board of Appeals Substitution of Plans dated July 11, 2003.
 9. Set of Plans, prepared by Sullivan Engineering Group, Woburn, MA 01888 signed and stamped by John Sullivan III, RPE no. 41586 and Paul Finocchio, RLS no. 36115 with sheets titled "Special Permit Plan of Land" dated February 10, 2016; "Proposed Elevations" dated January 25, 2016; "Proposed Elevations" dated January 25, 2016; "Proposed Foundation Plans" dated December 25, 2015; "Proposed First Floor Plans", "Proposed Second Floor Plans".
- Materials received on or before the March 23, 2016 hearing:
 10. Letter from the Planning Board dated March 17, 2016.
 11. "Special Permit Plan of Land" prepared by Sullivan Engineering Group, Woburn, MA 01888 signed and stamped John Sullivan III, RPE no. 41586 and Paul Finocchio, RLS no. 36115 dated February 10, 2016, revised March 21, 2016.

March 23, 2016

The Board included Jonathan D. Tamkin, Vice-Chairman; Howard S. Goldman, Member; and Kathy Lind Berardi, Associate Member. Also participating was Peter Friedenberg, Associate Member. Mr. Tamkin opened the hearing at 9:42 p.m. by reading the public notice.

Mr. George Giunta, Jr., the attorney representing the applicant, introduced Ron Lopez, the principal of North Shore Residential Development and Jack Sullivan the project surveyor and engineer. They are seeking relief to rebuild an existing two-family dwelling because the existing structure is in need of repair. The property is located in the Single Residence B District in a neighborhood of many two and three family homes. Most are grandfathered pre-existing non-conforming. This one is different because the two-family use is authorized by a variance issued in October 1955. The use variance converted the single-family dwelling to a two-family dwelling. The house was built in 1936 and has been kept as two-family since the variance was issued. Variances run with the land. The applicant is asking to substitute plans to allow a rebuild of the existing two-family dwelling and detached garage. Mr. Lopez has built several two-families in town. Although, they do not think that the limitations of Section 1.4.7.4 of the Zoning By-law apply, they have used them as guidelines. The proposed project meets those requirements. The proposed footprint is 2466 square feet and the lot coverage is 13.8%. The structures meet all the applicable setbacks. This 17,619 square foot lot is a large lot and warrants this type of use. There is one garage space per unit: one is attached and the other detached. There is additional parking outside. Each unit has four bedrooms. From Hillside Avenue, the structure appears to be a single-family house.

Mr. Tamkin read the Planning Board comments:

The Planning Board recommends that the subject application be denied. The Board notes that a variance cannot be amended under the statute. The applicant would need to apply for a new variance and to provide evidence that the statutory prerequisites had been met in order for the requested relief to be granted.

Mr. Giunta said that he respectfully disagrees. This application is technically not amending a variance as the use variance remains the same. There is no change proposed to the relief granted in the 1955 variance. Mr. Giunta cited 70-72 Marshall Street and the Highland Animal Hospital as precedents. Like this project, Marshall Street was granted a use variance to convert a single-family to a two-family and then later was reconstructed. The Highland Animal Hospital use was approved as a variance and then later demolished and reconstructed.

Mr. Tamkin noted that the Highland Animal Hospital decision amended the variance, but the Marshall Street decision stated that the reconstruction is "consistent with use of variance and will not over burden the variance".

Mr. Friedenberg said the use variance was not tied to a set of plans. He was not sure if relief was needed from this Board because the project met all the dimensional requirements.

Mr. Giunta said that he had spoken to the Building Commissioner and he felt there was sufficient enough change that the project needed to obtain relief from the Board.

Mr. Tamkin asked for public comment.

Matthew Katz, 106 Hillside Avenue, asked if the two units could be detached as he prefers them to be detached. Mr. Giunta explained that the variance is for a two-family and in Needham two-families need to be attached. Mr. Katz said he is supportive of the project and he requests that the developer plant evergreens along the back near his property. He said the builder seems amenable to his request.

Heinz Brinkhaus, 120 Hillside Avenue, asked the Board if the applicant can move the detached garage ten feet from the property line. He also asks if the attached garage could be pushed back because he is concerned that the resident will hit his fence when backing out of the garage. Finally, he asks that no spotlights shine onto his property. He supports the project, but he wants to avoid problems ahead of time.

The applicant agreed to move the detached garage to ten feet off the property line and that no spot lights will shine onto the neighboring property. The applicant said that there is 35 feet between the attached garage and the property line; enough room for a car to back out of the garage. There is not enough room to push the garage back because it will cause issues with the setback on the other side.

C O P Y

C O P Y

Mr. Tamkin read the Town Engineer's comments:

I did receive revised plans last night for 114 Hillside Ave increasing the drywells to 1,000 gallons each. The applicant will have to submit a letter complying with the NPDES Public Education/Outreach and Public Participation/Involvement control measures by a date prior to occupancy and will also have to indicate that they will comply with the Town's O&M plan in our NPDES permit.

Mr. Giunta said they would comply as that was a standard request.

Mr. Tamkin closed the hearing and the Board deliberated.

The Board agreed that the plan was attractive. It is helpful that the applicant is staying within the requirements of Section 1.4.7.4 and that the neighbors support it. They also agreed that this is not an amendment to the use variance.

Ms. Berardi moved to grant permission to the applicant to demolish a pre-existing two-family dwelling and reconstruct a new two-family dwelling for the property located at 114 Hillside Avenue, Needham, MA with the following conditions: the detached garage be located 10 feet from the side property line; no lighting shine on 120 Hillside Avenue; and evergreens be planted in the rear of the new house.

Mr. Goldman seconded the motion. The Board unanimously voted in favor.

The hearing closed at 10:12 p.m.

Decision:

Upon the application of North Shore Residential Development, Inc., prospective purchaser, for plan substitution and/or further relief pursuant to a prior variance dated October 11, 1955 for the proposed two family dwelling reconstruction of the property located at 114 Hillside Avenue, Needham, MA in the Single Residential B District, under Sections 3.2, 7.5.3 and any other applicable Sections of the By-law, the Board makes the following findings:

1. The property is currently used as a two family dwelling located in the Single Residence B Zoning District on a 17,619 square foot lot. The current use of the dwelling as a two family use was allowed by Variance issued by the Board dated October 11, 1955.
2. The Applicant intends to demolish the existing dwelling structure and detached garage and construct a new two family dwelling and a new detached garage at the premises.
3. The Applicant has designed a structure that is compatible to the neighborhood, and has agreed to certain restrictions that will run with the land for the benefit of the abutters.
4. The new two family dwelling and detached garage will comply with all current density and dimensional requirements of the Zoning By-law and with the new two family reconstruction limitations of the By-law although the Applicant contends the limitations do not technically apply.
5. The Applicant's proposed new construction will be less detrimental to the neighborhood

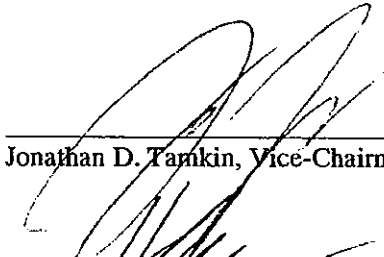
than the existing two family dwelling and the reconstruction is consistent with the use Variance that runs with the land, will not overburden the Variance and is in harmony with the general purposes and intent of the Zoning By-law.

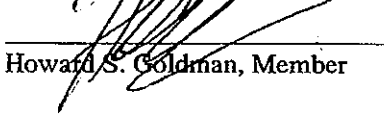
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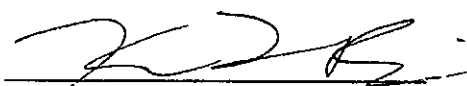
O F F I C I A L O F F I C I A L

On the basis of the foregoing findings, following due and open deliberation, after motion duly made and seconded, the Board, by unanimous vote, grants the Applicant permission to demolish the existing dwelling and detached garage and reconstruct a new two-family dwelling and detached garage at the property located at 114 Hillside Avenue, Needham, MA, substantially in accordance with the plans submitted to the Board, prepared by prepared by Sullivan Engineering Group, Woburn, MA 01888 signed and stamped John Sullivan III, Registered Professional Engineer no. 41586 and Paul Finocchio, Registered Land Surveyor no. 36115 with sheets titled "Special Permit Plan of Land" dated February 10, 2016; "Proposed Elevations" dated January 25, 2016; "Proposed Elevations" dated January 25, 2016; "Proposed Foundation Plans" dated December 25, 2015; "Proposed First Floor Plans", "Proposed Second Floor Plans" and the "Special Permit Plan of Land" prepared by Sullivan Engineering Group, Woburn, MA 01888 signed and stamped John Sullivan III, Registered Professional Engineer no. 41586 and Paul Finocchio, Registered Land Surveyor no. 36115 dated February 10, 2016, revised March 21, 2016, subject to the following conditions:

1. The new detached garage shall be located at least 10 feet from the side property line;
2. No outdoor lights from the Premises may shine onto the property located at 120 Hillside Avenue;
3. New evergreens shall be planted to the rear of the new structure.
4. No future changes (from the approved plans referred to above) to the exterior of the structure and detached garage shall be allowed, and no new accessory structures can be built, without first obtaining the written approval of the Board, after such notice and hearing, as the Board, in its sole discretion, shall deem appropriate.

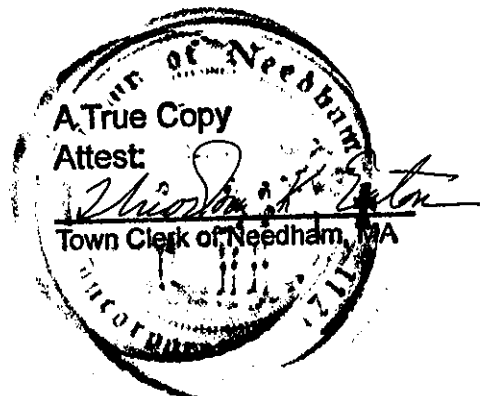
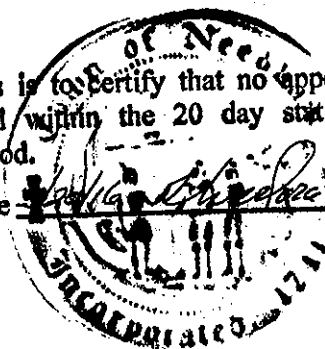

Jonathan D. Tamkin, Vice-Chairman


Howard S. Goldman, Member


Kathy Lind Berardi, Associate Member

This is to certify that no appeal has been filed within the 20 day statutory appeal period.

Date  K. Eaton
Town Clerk





RECEIVED TOWN CLERK
NEEDHAM, MA 02492

2021 FEB -9 AM 11:57

**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS**

Interpretation of Variance

***Needham Enterprises, LLC
460 Central Avenue
Map 96, Parcel 20***

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

January 21, 2021

Needham Enterprises, LLC, applicant, applied to the Board of Appeals for a Variance Amendment under Sections 3.2.1, 7.5.3 and any other applicable Sections of the By-Law to allow the Plan Substitution and/or further relief pursuant to a *ZBA Variance, 460 Central Avenue, July 9, 1963* authorizing use of the Premises for two-family purposes; and any and all other relief necessary for the demolition of the existing two-family dwelling and replace it with a new two-family dwelling. The property is located at 460 Central Avenue, Needham, MA in the Single Residential B District. A public hearing was held remotely on Zoom Meeting ID Number 869-6475-7241, on Thursday, January 21, 2021 at 7:30 p.m.

Documents of Record:

- Application for Hearing, Clerk stamped December 14, 2020.
- Letter from George Giunta, Jr., Esq., dated December 14, 2020.
- Proposed Plot Plan prepared and stamped by Bradley J. Simonelli, Professional Land Surveyor, dated November 23, 2020.
- Design Plans, G1-0, A1-0-3, A-2-0, A-3-0, prepared and stamped by Mark Gluesing Registered Architect; dated November 12, 2020.
- Memorandum of Support, Exhibits A-E, prepared by George Giunta, Jr., Esq., dated January 12, 2021.
- Email from Dave Roche, Building Commissioner, dated January 12, 2021.
- Email from Tara Gurge, Assistant Public Health Director, dated January 12, 2021.
- Email from Dennis Condon, Chief of Department, Needham Fire Department, dated December 18, 2020.
- Letter from Thomas A. Ryder, Assistant Town Engineer, dated January 21, 2021.
- Letter from Lee Newman, Director of Planning and Community Development, dated January 4, 2021.

January 21, 2021

The Board held this meeting virtually as allowed under “Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20.”

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

George Giunta, Jr., attorney representing the applicant, reported that the property consisted of 11,498 square feet of land with 80 feet of frontage. The premises is currently occupied by a two-story, two-family residential house that is nonconforming as to use, with a detached garage. Built in 1840, the house contains nine rooms, including 4 bedrooms and two full baths. There was an addition in 1950.

The use of the premises as a two-family was authorized by a Variance dated July 9, 1963 (“1963 Variance”). In November of 1963 there was a building permit to add a fire escape and a door. Since 1960 very little work on the house has been done.

The applicant is proposing to demolish the existing house and replacing it with a new two-family structure. The new two-family will comply with all the density and dimension requirements of the By-Law. The lot coverage has been calculated at 17.9% under Section 1.4.7.4 (b) and 22.5% under 4.2.2 (h), below the maximum allowable lot coverage of 18% and 25%, respectively.

Mr. Giunta said that the 1963 Variance granting the two-family use runs with the land there were no conditions to the 1963 Variance limiting the two-family use. The two-family use for the proposed project is consistent with the use granted under the variance.

Mr. Giunta argued that the new two-family house will be less detrimental to the neighborhood, complying with the limits set in Sections 1.4.7.4 of the By-Law. The two-family results in a smaller footprint than what would be allowed for a single-family structure.

Mr. Schneider noted that the key issue is whether the Variance is limited to a specific structure. Reading from the 1963 Variance: “The Building Inspector is authorized to issue a building permit to authorize the alteration of the one-family house located in a single family zone, for two-family use, subject however, to all other applicable regulations pertaining to a two-family use. Mr. Schneider concluded that there were no limitations on the structure.

Comments received were:

- The Building Commissioner made no comment.
- The Engineering Department had no comment or objection.
- The Planning Board had no comment.
- The Fire Department had no comment.
- The Health Department required a Demolition Review and on-going pest control process during construction.

The hearing was open to public comments.

Michael DiMaio, 442 Central Avenue, asked why the lot density was 22.5% when the maximum was 18%. Mr. Giunta responded that there were two different lot coverage calculation. One excludes the garage and, resulting in a coverage of 17.9% which is below the required 18%. The other calculation includes the garage where the coverage is 22.5% below the 25% maximum allowable.

Mr. DiMeo inquired about the side setbacks, particularly the garage. Mark Gluesing, architect, responded that a garage under 15 feet in height must be setback five feet from the side line. The proposed garage has a six-foot side setback. The minimum side setback for structures is 14 feet. The proposed two-family has minimum side setbacks at 14.5'.

Mr. DiMeo asked why the applicant was seeking a Variance instead of a Special Permit. Mr. Giunta responded that Sylvia Hall was granted a variance in 1963 to allow for the single-family house to be used as a two-family. Since the use is pursuant to a variance, it is not non-conforming. If it were non-conforming, relief would be through a special permit.

Maureen DiMeo, 422 Central Avenue, was concerned about the close proximity of the garage to their house.

Michael Goulde, 468 Central Avenue, wondered whether the new two-family house will continue as a rental or will be townhouses. Mr. Giunta responded that the developer will be selling the units as condominiums, but that the owner of a condominium could rent the unit.

Mr. Goulde was not concerned about the proximity of the garage to their property as they have no windows on that side of their house.

Mr. Tamkin inquired if the garage could be shifted. Paul Beaulieu, surveyor, responded that the garage was sited to accommodate the DiMeo's concerns and had a 9.3' setback on their side. The other side setback has a six-foot setback.

Mr. Friedenberg found the 1963 Variance noteworthy for its lack of conditions. Mr. Friedenberg asked if variances can lapse. Mr. Giunta responded that a variance had to be affirmatively abandoned. There is no expiration period.

Mr. Schneider inquired whether Mr. Giunta had considered Chapter 40A, Section 7 which says that a property in existence for 10 years should be treated as non-conforming. Mr. Giunta thought, since the use was established in a variance, it is not the type of situation contemplated by Section 7.

Mr. Tamkin noted that the form of a variance was rare for Needham but not necessarily in other communities. He concurred that the two-family use was not tied to a structure or by a set of plans. He was supportive of the proposal because of the improvement of the property; it was not a detriment to the neighborhood; the proposal conformed to the By-Law; the applicant addressed the concerns by the neighbors regarding the garage proximity; the Building Commissioner didn't have any concerns; and there were no objections from the neighbors.

Mr. Goldman asked if a vegetative screening could be provided to buffer the garage for the

DiMeos. The DiMeos were supportive of a screening. Mr. Giunta said a buffer is being provided for the neighbor to the back and the DiMeos could be included. He agreed that something like arborvitaes could be planted to provide a thick, green natural fence.

Rena Freedman, 468 Central Avenue, asked how far the garage was from their property. Mr. Beaulieu shared the proposed plot plan and showed that the two-car garage will be located in the back of the property, six feet from their property. He highlighted all the setbacks of the proposal.

Mr. Schneider understood that the Board was not amending the variance but was making a finding that the proposed new house is consistent with two-family use established in the variance. Mr. Giunta concurred that a plan substitution was consistent with the variance. Mr. Schneider didn't think it should be a plan substitution as there is no plan associated with the variance.

Mr. Tamkin moved to find that the plans submitted for the demolition of an existing two-family dwelling and its replacement with a new two-family dwelling with a detached two-family garage was consistent with the Board's 1963 Variance, conditioned on appropriate vegetative screening along the garage adjacent to 442 Central Avenue and the rear of the property. Mr. Goldman seconded the motion. The motion was unanimously approved.

Mr. Schneider asked that the applicant be sensitive to the neighbors regarding hours of construction and employee parking, and to discuss with the DeMeos the details of the screening.

The meeting adjourned at 8:10 p.m.

Findings:

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

1. The premises is an 11,498 square foot lot improved with a two family house and detached garage located in the Single Residence B District. Two family use is not permitted in the District.
2. The current house has approximately 2,280 square feet of finished living area on two floors and 900 square feet in an unfinished basement. There are 9 rooms including 4 bedrooms and 2 full baths. The house appears to have been built around 1840.
3. The present two-family use is allowed pursuant to 1963 Variance. The 1963 Variance did not specify or apply nor any particular structure. The variance authorized the "alteration of the one-family house in a single-family zone, for two family-use, subject however, to all other applicable regulations pertaining to two-family use."
4. The applicant proposes to demolish the existing house and replace it with a new two family house as shown on the plans filed with the application, and that complies with all density and dimensional requirements of the current By-Law.
5. If the two family house were legally non-conforming, the reconstruction would be

governed by Section 1.4.7 of the By-law. Since the two-family use is authorized by a variance, the use is not non-conforming. However, Section 1.4.7 provides guidance to the Board. The proposed new two-family will meet the dimensional requirements of Section 1.4.7 including the lot coverage ratio of 18%. The new two-family house will be appropriate in scale and mass for the neighborhood and the proposed reconstruction and enlargement will not be substantially more detrimental than the existing building.

6. One of the neighbors has requested plantings to screen the garage and the applicant has agreed.

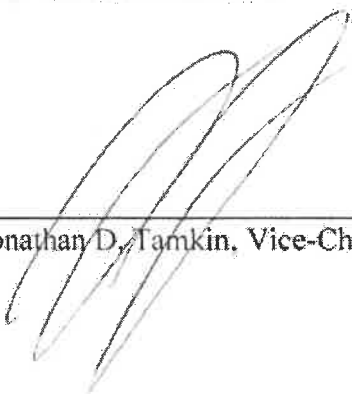
Decision:

On the basis of the foregoing findings, following due and open deliberation, upon motion duly made and seconded, the Board by unanimous vote, determines that the two-family house and detached garage proposed in the plans submitted with the application may be constructed under the existing 1963 Variance, subject to the condition that the applicant will plant evergreen bushes or trees to the rear and north side of the new detached garage to screen the garage from the neighbors.

SIGNATORY PAGE – 460 CENTRAL AVENUE


Jon D. Schneider, Chair

SIGNATORY PAGE – 460 CENTRAL AVENUE



Jonathan D. Tamkin, Vice-Chair

SIGNATORY PAGE – 460 CENTRAL AVENUE


Howard S. Goldman, Member

GEORGE GIUNTA, JR.
ATTORNEY AT LAW*
281 Chestnut Street
Needham, MASSACHUSETTS 02492
*Also admitted in Maryland

TELEPHONE (781) 449-4520

FAX (781) 465-6059

June 26, 2024

Town of Needham
Zoning Board of Appeals
Needham, Massachusetts 02492

Attn: Daphne M. Collins, Zoning Specialist

Re: Needham Enterprises, LLC
277 Brookline Avenue, Needham, MA

Dear Mrs. Collins,

In connection with the application of Needham Enterprises, LLC (hereinafter, the "Applicant") with respect to its property at 277 Brookline Avenue, Needham, MA 02492 (hereinafter the "Premises"), submitted herewith please find letter dated June 21, 2024 of Scott H. Melching AIA, LLED AP, GRP, of Scott Melching Architect, LLC. Said letter sets forth the calculation of floor area for the proposed replacement two-family dwelling at the Premises, as well as the floor areas for each floor of each unit. Same is provided to supplement the materials previously submitted.

Please let me know if you have any questions, comments or concerns.

Sincerely,



George Giunta, Jr.

Scott Melching Architect llc

AIA LEED GRP

21 June 2024

Matt Borrelli
Needham Enterprises
1175 Great Plain Avenue
Needham, MA 02492

RE : 277 Brookline – Floor Area Calculation

Dear Mr Borrelli,

Below is a summary of the floor area for the two-family structure located at 277 Brookline Street in Needham Massachusetts.

Floor Area Calculation

Lot Area = 13,560 SF * .36 = 4,881.6 SF

Front Unit (A)

Second Floor	1,079 SF
Ground Floor	1,089 SF
Total	2,168 SF
Half Story (Attic)	(574 SF)

Rear Unit (B)

Second Floor	1,147 SF
Ground Floor	1,157 SF
Total	2,304 SF
Half Story (Attic)	(650 SF)

Free Standing Shared Two Car Garage

24'-0" * 23'-6" = 564 SF < 575 SF
not included in floor area calculation

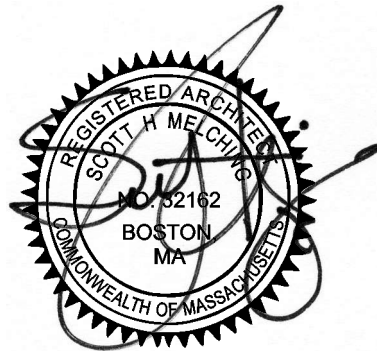
Floor Area Calculation

2,168 SF + 2,304 SF = 4,472 SF < 4,881.6 SF (DELTA = 409.6 SF)

Regards,



Scott H Melching AIA, LEED AP, GRP
116 Arch Street
Needham MA 02492





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

Tel. 781-455-7550 x 308

April 2, 2024

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

Re: 277 Brookline Ave.

Dear Board Members,

Needham Enterprises, LLC, through its attorney, George Guinta, seeks to demolish an existing 2-family dwelling and rebuild a new 2-family dwelling.

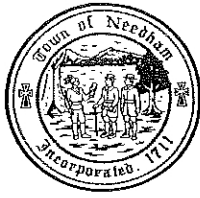
For the following reasons, I am of the opinion that **no** Zoning relief is required for this proposal:

1. This property was granted a Use Variance in 1951, allowing the conversion of a single-family dwelling to a 2-family dwelling in a Single Residence Zoning District where, at that time, 2-family dwellings were not normally allowed (Use Regulations, Section 3, at that time. The current Zoning District is now known as SRB).
2. This Use Variance effectively varied the terms of the Zoning Bylaw, thereby allowing a 2-family use in the Single Residence Zoning District, specific only to this property.
3. Variances are considered to run with the land/ property.
4. The variance contained no conditions which further limited the disposition of the structure.
5. The proposal shows that the new structure will comply, dimensionally, with the terms of the current Zoning Bylaw.

I do believe the Board can take no action on this application and the applicant can proceed to the normal Building Permit process. However, I will consider any opinions of the Board members that differ from this opinion.

Sincerely,

Joe Prondak
Building Commissioner



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

July 9, 2024

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

RE: Case Review-Special Permit
277 Brookline Street

Dear Members of the Board,

The Department of Public Works has completed its review of the above referenced Special Permit for the proposed demolition of the existing and new construction of a two-family house pursuant of the variance dated 1/18/1951.

The documents submitted for review are as follows:

- Application for Special Permit dated 06/24/24.
- Cover Letter by George Giunta dated 6/24/24
- Letter by George Giunta dated 6/26/24 with FAR calculation by Scott Melching 6/24/24
- Memorandum of support of application by Needham Enterprises dated 6/24/24
- Existing & Proposed building permit plot plan dated 6/21/2024.
- Building Department Plan 3/23/51
- Architectural Plans by Scott Melching Architects dated 6/21/24 consisting of 7 sheets

Our comments and recommendations are as follows:

- We have no comment or objection to the relief.

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

Truly yours,

Thomas A Ryder
Town Engineer

Daphne Collins

From: Tom Conroy
Sent: Monday, July 1, 2024 1:41 PM
To: Daphne Collins
Cc: Donald Anastasi; Jay Steeves; Ronnie Gavel
Subject: RE: 20 Alder Brook Lane - ZBA Administrative Review - Due July 9, 2024

Hi Daphne,
No issues with the Fire dept.
Thank you,
Tom



Thomas M. Conroy

Fire Chief - Needham Fire Department

tconroy@needhamma.gov

Ph (781) 455-7580

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Monday, July 1, 2024 1:06 PM
To: Donald Anastasi <Danastasi@needhamma.gov>; Jay Steeves <steevesj@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Joseph Prondak <jprondak@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Ronnie Gavel <rgavel@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>; Deb Anderson <andersond@needhamma.gov>; Clayton Hutchinson <chutchinson@needhamma.gov>
Subject: RE: 20 Alder Brook Lane - ZBA Administrative Review - Due July 9, 2024

Hi Folks,
It appears I did not attach the appropriate documents.
Here they are.
My apologies.
Daphne

Daphne M. Collins
Zoning Specialist
Zoning Board of Appeals
Planning and Community Development Department
Town of Needham – Public Services Administration Building
500 Dedham Street
Needham, MA 02492
781-455-7550, ext 261
dcollins@needhamma.gov
www.needhamma.gov

*In- Person Staff Hours are Monday – Wednesday 8:30 am – 5:00pm
Remote Hours – Thursday 8:30 am – 5:00pm*

Daphne Collins

From: Tara Gurge
Sent: Tuesday, July 9, 2024 10:23 AM
To: Daphne Collins
Subject: FW: 277 Brookline Ave - ZBA Administrative Review - Due July 9th/ Public Health comments
Attachments: 277 Brookline Ave - Application AR.pdf

Daphne –

The Public Health Division conducted the Zoning Board review for the proposed demolition and rebuild of the property located at **#277 Brookline Avenue**. See comments noted below:

- Prior to these proposed demolition, the owner must apply for this Demolition review online, via the Towns ViewPoint Cloud online permitting system through Public Health Division. See direct link to this permit review application- <https://needhamma.viewpointcloud.com/categories/1073/record-types/1006508>. This form will need to be completed along with the uploading of the required supplemental report documents for our review and approval (as noted on the form.) **PLEASE NOTE:** Pest control reports, along with the asbestos sampling reports, etc., must be uploaded to our online system for review and approval, prior to the issuance of a Demolition permit by the Building Department.
- On-going pest control must be conducted during demolition AND on-going pest control must be conducted throughout construction of the new two-family structure.

Please let us know if you have any follow-up questions or if you need any additional information from us on those 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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Daphne Collins

From: John Schlittler
Sent: Friday, June 28, 2024 10:45 AM
To: Daphne Collins
Subject: RE: 277 Brookline Ave - ZBA Administrative Review - Due July 9th

Police has no issue with this. Thanks

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Wednesday, June 26, 2024 3:13 PM
To: Donald Anastasi <DAnastasi@needhamma.gov>; Jay Steeves <steevesj@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Joseph Prondak <jprondak@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Ronnie Gavel <rgavel@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>
Subject: RE: 277 Brookline Ave - ZBA Administrative Review - Due July 9th

I'm enclosing a just received additional information on the FAR calculations for 277 Brookline Avenue
Daphne

Daphne M. Collins
Zoning Specialist
Zoning Board of Appeals
Planning and Community Development Department
Town of Needham – Public Services Administration Building
500 Dedham Street
Needham, MA 02492
781-455-7550, ext 261
dcollins@needhamma.gov
www.needhamma.gov

In- Person Staff Hours are Monday – Wednesday 8:30 am – 5:00pm
Remote Hours – Thursday 8:30 am – 5:00pm

From: Daphne Collins
Sent: Wednesday, June 26, 2024 2:17 PM
To: Donald Anastasi <DAnastasi@needhamma.gov>; Jay Steeves <steevesj@needhamma.gov>; John Schlittler <JSchlittler@needhamma.gov>; Joseph Prondak <jprondak@needhamma.gov>; Justin Savignano <jsavignano@needhamma.gov>; Ronnie Gavel <rgavel@needhamma.gov>; Tara Gurge <TGurge@needhamma.gov>; Thomas Ryder <tryder@needhamma.gov>; Tom Conroy <TConroy@needhamma.gov>
Subject: 277 Brookline Ave - ZBA Administrative Review - Due July 9th

Good Afternoon-

277 Brookline Avenue –Needham Enterprise, LLC is seeking a Variance Amendment and/or Plan Substitution to allow the demolition of a two-family pursuant to a Variance issued by the Board in 1951 and to replace it with a new two-family structure.

Attached please find the application with its associated back-up documents for your information and review.

**TOWN OF NEEDHAM
MASSACHUSETTS**

BOARD OF APPEALS

JANUARY 18, 1951

RALLY AND JOSEPHINE PANDOLPH

Upon the application of Rally and Josephine Pandolf of 277 Brookline Street for variance of the zoning by-laws to permit them to convert their one-family house at the above location in a single residence district to a two-family dwelling, a public hearing was held at the Town Hall on Thursday, January 18, 1951, in the evening, pursuant to notice mailed to all interested parties and published in a local newspaper.

At the hearing Mr. and Mrs. Pandolf, together with their daughter and son-in-law, submitted a set of very clear drawings to show how they propose to extend their dwelling house eight feet to the rear, so as to enable them to add a rear stairway, a downstairs bathroom, and an upstairs kitchen, without changing the front or sides of the house, except for lengthening the sides. They pointed out, and the members of the board agreed unanimously, that the proposed changes would improve the general appearance of the house. The daughter and son-in-law, who now live with Mr. and Mrs. Pandolf, would occupy the newly created other suite.

The evidence tended to prove, also, that there are several other two-family dwellings in this locality, and that the proposed changes to the house in question would not affect detrimentally either the interests of the town or the interests of the property owners in the area. There were no opponents to the application.

The board voted unanimously to grant the variance and hereby directs the building inspector to issue the necessary permit.

Francis L. Guertin
Francis L. Guertin, Chairman

Enos G. Nickerson
Enos G. Nickerson, Member

Roger W. Nutt
Roger W. Nutt, Member

Herbert L. Moore
Herbert L. Moore, Special Member

**TOWN OF NEEDHAM
Massachusetts**



BOARD OF APPEALS

Public notice is hereby given that Rally and Josephine Pandolf, Needham, Massachusetts, have made application for variance of the Zoning By-Laws, Section 3, to permit them to convert a one-family house at 277 Brookline Street, a single residence district, to a two family dwelling.

Upon said application a public hearing will be held at the Needham Town Hall on Thursday, January 18, 1951 at 7:00 P. M., at which time and place all interested persons may appear and be heard.

Francis L. Guertin,
Chairman

Enos G. Nickerson

Roger W. Nutt

Herbert L. Moore

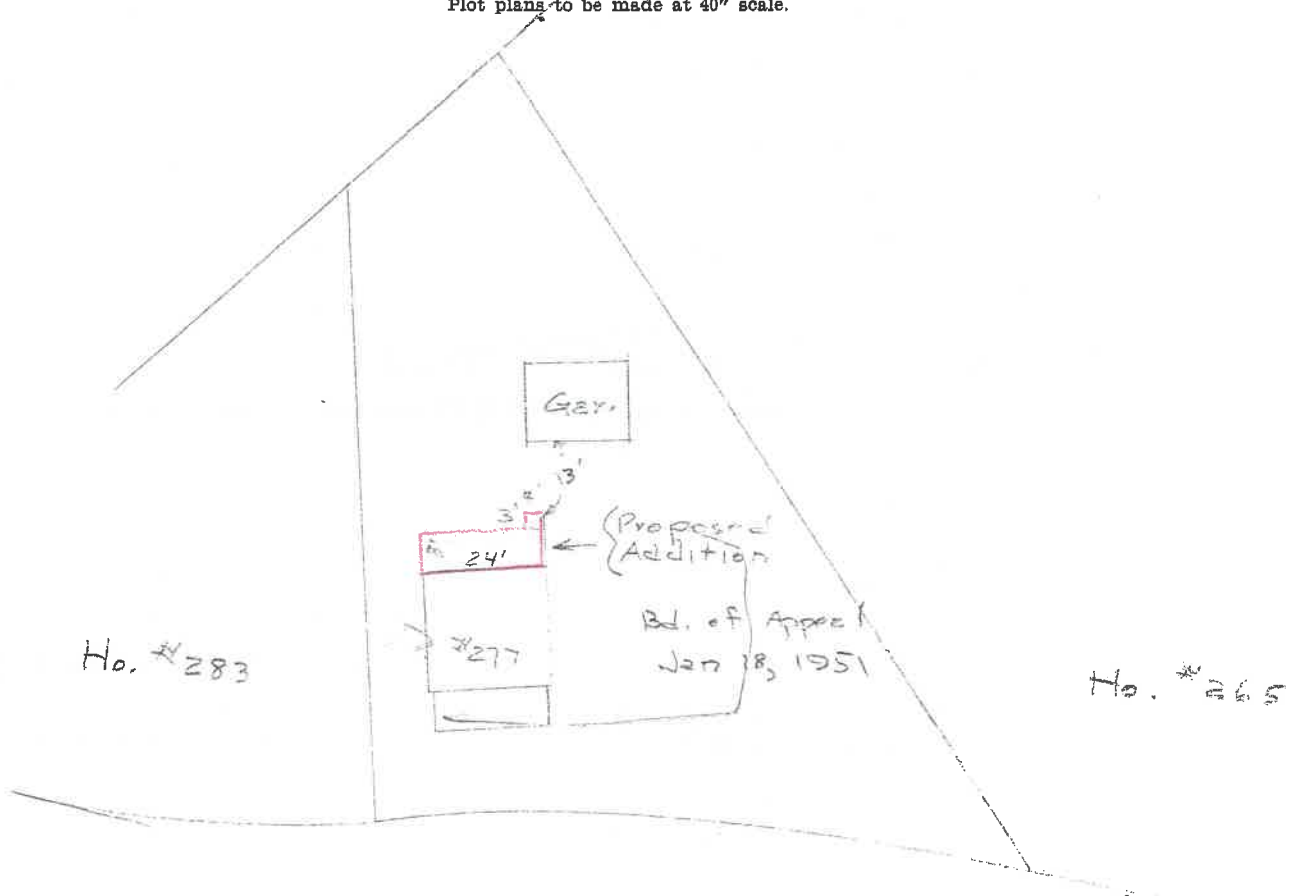
Board of Appeals.

TOWN OF NEEDHAM, MASS.
Building Inspection Department

Building Permit No. 88-25 No. 277 Brookline ~~Road~~
~~Street~~
~~Avenue~~
Area Addition Setback of adjacent buildings
Owner Rally Pandolf Builder P. Ricciardeili
Sewer Water Drain

(Cellar floor should be high enough to provide ample drainage for sewer and storm-water drain.)

Plot plans to be made at 40" scale.



I hereby certify that the lot corners, dimensions and offsets to the proposed building are accurately shown on this plan and will conform with the completed construction.

Signed: C. Grazzetti
Civil Engineer
Approved in accordance with Art. 37 of 1940

Date 3/23/51

J. R. [Signature]
Town Engineer
[Signature]
Supt. of Public Works