

NEEDHAM
ZONING BOARD OF APPEALS
AGENDA
THURSDAY, October 17, 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/82093528479
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Minutes Review and approve Minutes from September 19, 2024 meeting.

7:30 PM **37 Moseley Avenue -** *(Continued from September 19, 2024)* Saybrook Construction, LLC, applied for a Variance pursuant to Sections 7.5.3, and MGL40A, Section 10, from the following provisions of Section 4.2.3 and any other applicable sections of the By-Law to permit the demolition of a deteriorated single family residential dwelling with detached garage and shed and to allow the construction of a new single-family residential dwelling with a side setback of 13.8 feet where 25 feet are required and a front yard setback of 20 feet where 30 feet are required. The lot contains 35,726 square feet, less than the required 43,560 square feet. The property is located at 37 Moseley Avenue, Needham, MA in the Single Residence A (SRA) Zoning District.

7:30 PM **1132 Highland Avenue** – Total Eclipse Dance Studio, LLC. applied for a Special Permit to allow a private school use under Section 3.2.1 and to waive strict adherence to the number of required parking and the parking plan and design requirements under Sections 5.1.1.5, 5.1.2, 5.1.3 and any other applicable sections of the By-Law to allow the operation of a private dance school in the Christ Episcopal Church. The property is located in the Single Residence B (SRB) zoning district.

7:45PM **858 Great Plain Avenue** – Arrais Ballet, LLC applied for a Special Permit to allow a private school use under Section 3.2.1 and to waive strict adherence to the number of required parking and the parking plan and design requirements under Sections 5.1.1.5, 5.1.2, 5.1.3 and any other applicable sections of the By-Law to allow the operation of a private dance school in the First Baptist Church. The property is located in the Single Residence B (SRB) zoning district.

8:00PM **378 Manning Street** – *(Request for a Continuance)* Driftwood Landing, LLC applied for a Special Permit under Sections 1.4.7.4, and any other

Next ZBA Meeting – November 20, 2024

applicable Sections of the By-Law to permit the demolition, extension, alteration, enlargement and reconstruction of the lawful, pre-existing, non-conforming two-family dwelling and its replacement with a new two-family residence. The property is located in the Single Residential B District.

Informal Matter

1101 Highland Avenue – Norfolk Lodge A.F. & A.M. request a continuation of the ZBA Special Permit granted on October 16, 1997 to allow the sale and storage of Christmas trees and related items in the parking lot located at 1101 Highland Avenue.

**NEEDHAM
ZONING BOARD OF APPEALS
MINUTES
THURSDAY, September 19, 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 Charles River Room, Public Services Administration Building, 500 Dedham Avenue, Needham, MA 02492 on Thursday, September 19, 2024 at 7:30 p.m.

BOARD MEMBERS PRESENT: Jonathan D. Tamkin, Chair; Howard Goldman, Vice-Chair, Nikolaos Ligris, Member,

BOARD MEMBER(S) ABSENT: Valentina Elzon and Peter Friedenber

STAFF PRESENT: Daphne M. Collins, Zoning Specialist

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

1. MINUTES OF AUGUST 15, 2024

Mr. Goldman moved to approve the minutes of August 15, 2024. Mr. Elzon seconded the motion. The motion was unanimously approved.

2. 37 MOSELEY AVENUE

VARIANCE

PUBLIC HEARING CONTINUED TO OCTOBER 17, 2024

The public hearing was conducted, the Applicant presented its application and members of the public provided comments, The Applicant requested that the hearing be continued until October and so that the Applicant could meet with the neighbors.

Mr. Goldman moved to continue the Public Hearing to October 17, 2024 at 7:30 p.m., Charles River Room, PSAB, 500 Highland Ave., Needham, MA 02492. Mr. Ligris seconded the motion. The motion was unanimously approved.

The meeting adjourned at 8:35 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>

GEORGE GIUNTA, JR.
ATTORNEY AT LAW*
281 CHESTNUT STREET
NEEDHAM, MASSACHUSETTS 02492
*Also admitted in Maryland

TELEPHONE (781) 449-4520

FAX (781) 465-6059

October 8, 2024

Town of Needham
Zoning Board of Appeals
Needham, Massachusetts 02492

Attn: Daphne M. Collins, Zoning Specialist

Re: Saybrook Construction, LLC
37 Moseley Avenue, Needham, MA

Dear Ms. Collins,

In connection with the pending application of Saybrook Construction, LLC (hereinafter the Applicant and "Saybrook") concerning the property known and numbered 37 Moseley Avenue, Needham, MA (hereinafter the "Premises"), submitted herewith, please find the following revised plans:

1. Architectural plans prepared by RAV & Assoc., 21 Highland Avenue, Needham, MA 02494, consisting of five (5) sheets, as follows: i. First Floor Plan; ii. Second Floor and Attic Plans; iii. Basement Plan; iv. Front and Rear Elevations; and v. Side Elevations;
2. Proposed Plot Plan, dated September 21, 2024, stamped September 29, 2024; and
3. Existing Conditions Plan, dated September 21, 2024, stamped September 29, 2024.

Please note that the house depicted in these plans matches the house approved by the Conservation Commission in connection with Order of Conditions, DEP No. 234-896, except that the garage portion, to the rear of the house, has been shifted to the west / southwest three feet, to move it farther away from an existing tree that is being preserved.

If they have not already, hard copies will be delivered to your office today. If you have any comments, questions or concerns, or if you require any further information, please contact me so that I may be of assistance.

Sincerely,



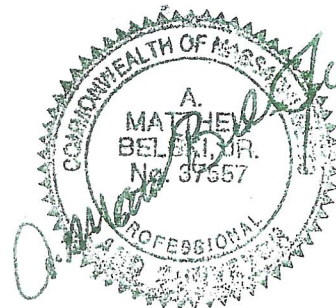
George Giunta, Jr.

TOWN OF NEEDHAM, MASSACHUSETTS

Building Inspection Department

Assessor's Map & Parcel Number: 213 LOT 60
 Building Permit No. _____ Zoning District: SRA
 Lot Area 35,726 S.F. Address: 37 MOSELEY AVENUE
 Owner SAYBROOK CONSTRUCTION LLC Builder MIKHAIL DEYCHMAN

DEMO/PROPOSED PLOT PLAN/FOUNDATION AS-BUILT/FINAL AS-BUILT
 40' Scale



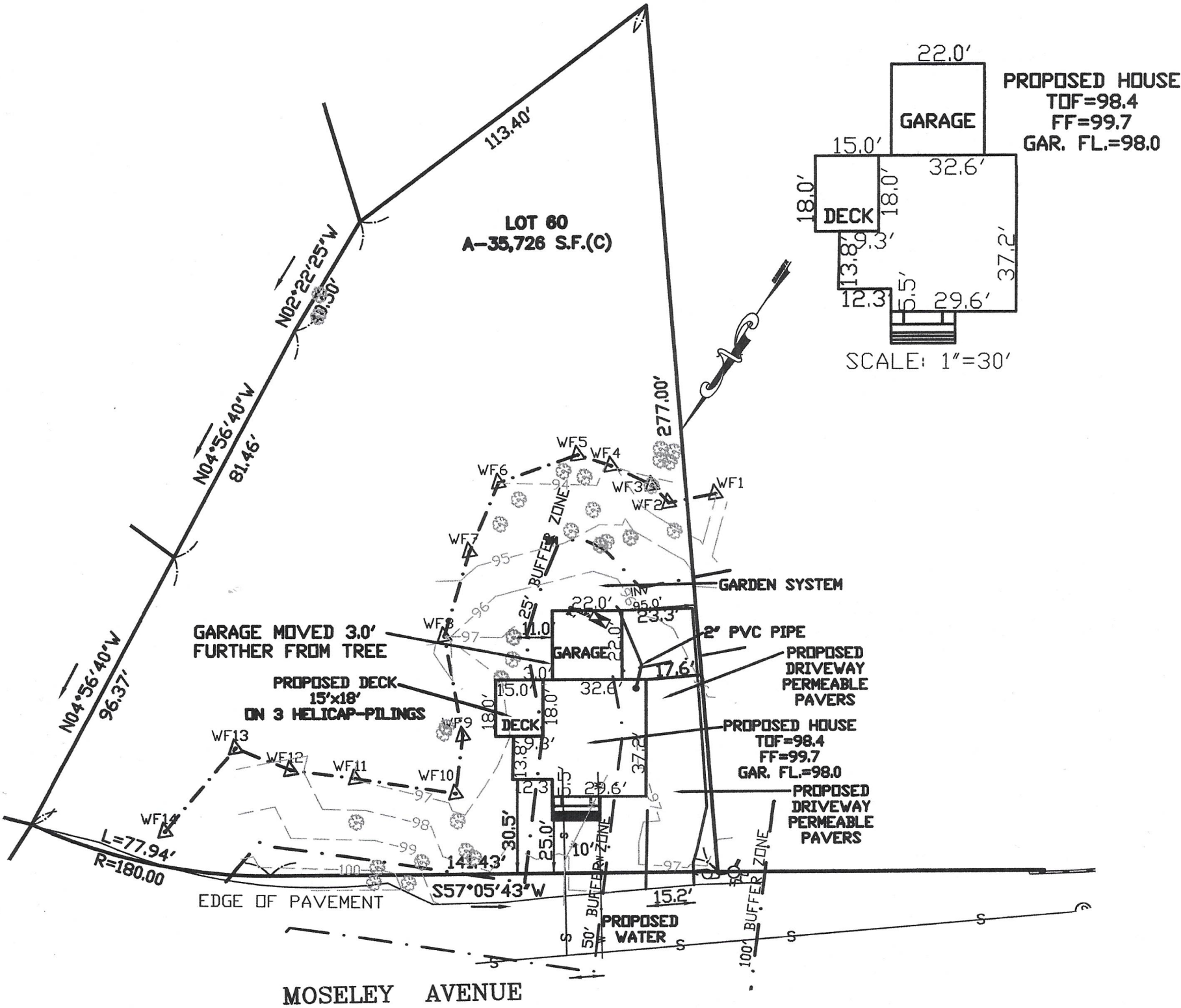
Note: Plot Plans shall be drawn in accordance with Sections 7.2.1 and 7.2.2 of the Zoning By-Laws for the town of Needham. All plot plans shall show existing structures and public utilities, including water mains, sewers, drains, gaslines, etc.; driveways, Flood Plain and Wetland Areas, lot dimensions, dimensions of proposed structures, sideline offsets and setback distances, (allowing for overhangs) and elevation of top of foundations and garage floor. For new construction, elevation of lot corners at streetline and existing and approved street grades shall be shown for grading along lot line bordering streetline. 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 unsewered area.
 (*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 21 day of SEPTEMBER 2024.
 Name A. MATTHEW BELISKI, JR. Registered Land Surveyor No. 37557
 Address 35 MAPLE ST. City W. NEWBURY State MA Zip _____ Tel. No. (978) 363-8130
 Approved _____ Director of Public Works Date _____
 Approved _____ Building Inspector Date _____

TOWN OF NEEDHAM, MASSACHUSETTS
Building Inspection Department

Assessor's Map & Parcel Number: 213 LOT 60
Building Permit No. _____ Zoning District: SRA
Lot Area 35,726 S.F. Address: 37 MOSELEY AVENUE
Owner SAYBROOK CONSTRUCTION LLC Builder: MIKHAIL DEYCHMAN

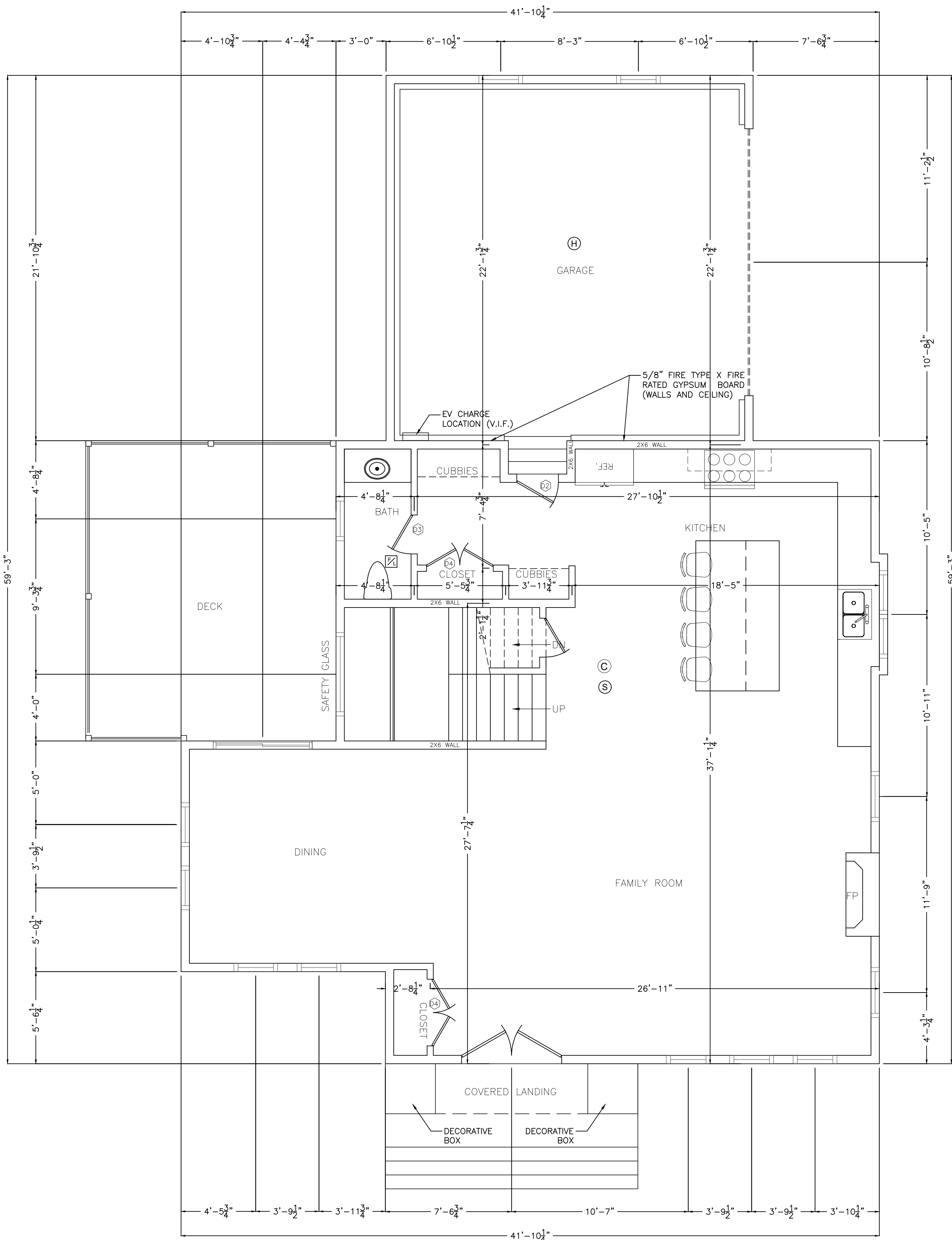
DEMO/PROPOSED PLOT PLAN FOUNDATION AS-BUILT/FINAL AS-BUILT
40' Scale



COMMONWEALTH OF MASSACHUSETTS
A. MATTHEW BELSKI, JR.
No. 37557
PROFESSIONAL
9/29/24

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(*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 21 day of SEPTEMBER 20 24.
Name A. MATTHEW BELSKI, JR. Registered Land Surveyor No. 37557
Address 35 MAPLE ST. City W. NEWBURY State MA Zip Tel. No. (978) 363-8130
Approved _____ Director of Public Works Date _____
Approved _____ Building Inspector Date _____



FIRST FLOOR PLAN

GENERAL NOTES

- ALL WORK SHALL CONFORM TO MASSACHUSETTS BUILDING CODE AND ALL FEDERAL, STATE AND TOWN OF NEEDHAM LAWS, CODES AND REGULATIONS AS EACH MAY APPLY.
- ALL EXISTING CONDITIONS MUST BE VERIFIED IN FIELD. IF DISCREPANCIES ARE FOUND, THEY HAVE TO BE REPORTED TO THE ENGINEER PRIOR TO START OF WORK. OMISSIONS OR CONFLICTS BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND/OR THE SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE START OF SUCH WORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE SCHEDULING AND WORK OF ALL TRADES AND SHALL CHECK ALL DIMENSIONS. ALL DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE ENGINEER AND SHALL BE RESOLVED PRIOR TO PROCEEDING WITH THE WORK.
- THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK AND SHALL BE SOLELY RESPONSIBLE FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES, INCLUDING BUT NOT LIMITED TO BRACING AND SHORING.
- THE CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY, AND THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
- ALL WORK SHALL BE PERFORMED IN A FIRST CLASS AND WORKMANLIKE MANNER IN CONFORMITY WITH THE PLANS AND SPECIFICATIONS, AND SHALL BE IN GOOD USABLE CONDITION AT THE COMPLETION OF THE PROJECT.
- THE CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS, UTILITY LOCATIONS AND STRUCTURE PLACEMENT, PRIOR TO START OF THE WORK. THE CONTRACTOR WILL OBSERVE ALL POSSIBLE PRECAUTIONS TO AVOID DAMAGE TO SAME. ANY DAMAGE TO EXISTING STRUCTURES AND UTILITIES, WHETHER SHOWN OR NOT ON THE DRAWINGS, SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE.
- PRIOR TO BIDDING THE WORK THE CONTRACTOR SHALL VISIT THE SITE AND THOROUGHLY SATISFY HIMSELF AS TO THE ACTUAL CONDITIONS AND QUANTITIES, IF ANY. NO CLAIM AGAINST THE OWNER OR ENGINEER WILL BE ALLOWED FOR ANY EXCESS OR DEFICIENCY THEREIN, ACTUAL OR RELATIVE.
- CONTRACTOR IS RESPONSIBLE FOR ALL DEMOLITION AND RELOCATION WORKS, IF ANY.

PROPOSED GFA (GROSS FLOOR AREA) CALCULATION:

ZONING DISTRICT: SR-A

PROPOSED FLOOR AREA OF THE BUILDING:

- 1ST FLOOR: 1,322 SF
- GARAGE 489 SF
- 2ND FLOOR: 1,810 SF
- ATTIC: 709 SF (WITHIN 5' WALL)

TOTAL PROPOSED FLOOR AREA OF THE BUILDING:

$1,322 \text{ (1ST FL.)} + 1,810 \text{ (2ND FL.)} = 3,132 \text{ SF}$

INTERIOR DOORS SCHEDULE:

- 2'-6" X 8'-0"
- 2'-6" X 8'-0" FIRE RATED, 20M MIN
- 2'-4" X 8'-0"
- 4'-0" X 8'-0"
- 5'-0" X 7'-0" UTILITY CLOSET

FOR EXTERIOR DOORS AND WINDOWS SEE WINDOW SCHEDULE AND BUILDING ELEVATIONS

DOOR HEIGHT TO BE VERIFIED WITH OWNER PRIOR TO DOOR ORDERING AND FRAMING

NOTE:
ALL FIRST FLOOR DOORS ARE 8' HEIGHT.
ALL SECOND FLOOR DOORS ARE 7' HEIGHT.
ALL BASEMENT DOORS ARE 7' HEIGHT.

NOTES:

- ALL EXTERIOR WALLS ARE 2"x6" @ 16" O.C. UNLESS NOTED OTHERWISE.
- ALL INTERIOR WALLS ARE 2"x4" @ 16" O.C. UNLESS NOTED OTHERWISE.
- INTERIOR (DEMISING) WALL BETWEEN THE GARAGE AND THE BUILDING IS 2"x6" @ 16" O.C.
- DIMENSIONS TO THE OUTSIDE (PERIMETER) WALLS ARE TO FACE OF STUDS OR EXTERIOR FACE OF THE FOUNDATION WALL.
- INTERIOR DIMENSIONS SHOWN BETWEEN CENTERS OF THE INTERIOR WALLS.

PHOTO ELECTRIC HARD WIRED SMOKE DETECTOR WITH SECONDARY (STANDBY) POWER SUPPLIED FROM MONITORED BATTERIES

FAN/LIGHT TO BE VENTED DIRECTLY TO OUTSIDE

CARBON MONOXIDE DETECTOR

HARD WIRED HEAT DETECTOR WITH SECONDARY (STANDBY) POWER SUPPLIED FROM MONITORED BATTERIES

10/07/24 FOOTPRINT REVISED, GARAGE SHIFTED BY 3', FAR REVISED

05/30/24 LAYOUT REVISED

05/06/24 STAIRCASE REVISED

DATE	REVISION
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FIRST FLOOR PLAN

37 MOSELEY AVENUE,
NEEDHAM, MASSACHUSETTS

RAV & Assoc., Inc.

21 HIGHLAND AVENUE
NEEDHAM, MASSACHUSETTS 02494
TELEPHONE: (781) 449-8200 FAX: (781) 449-8205

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

APPROVED: R.A.V.

DATE: 11/30/2023

DESIGNED BY: I.B.

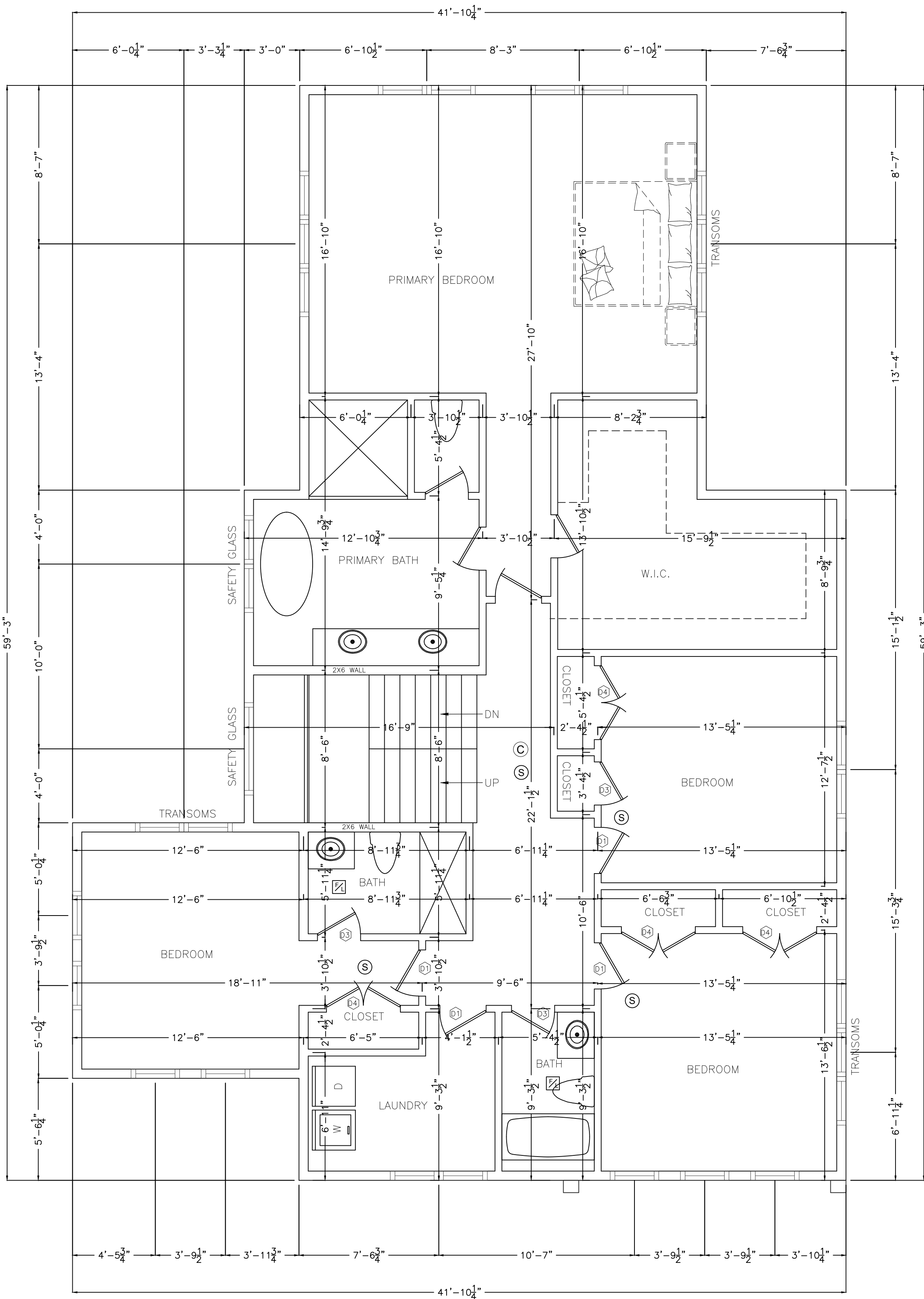
DRAWN BY: I.B.

CHECKED BY: R.A.V.

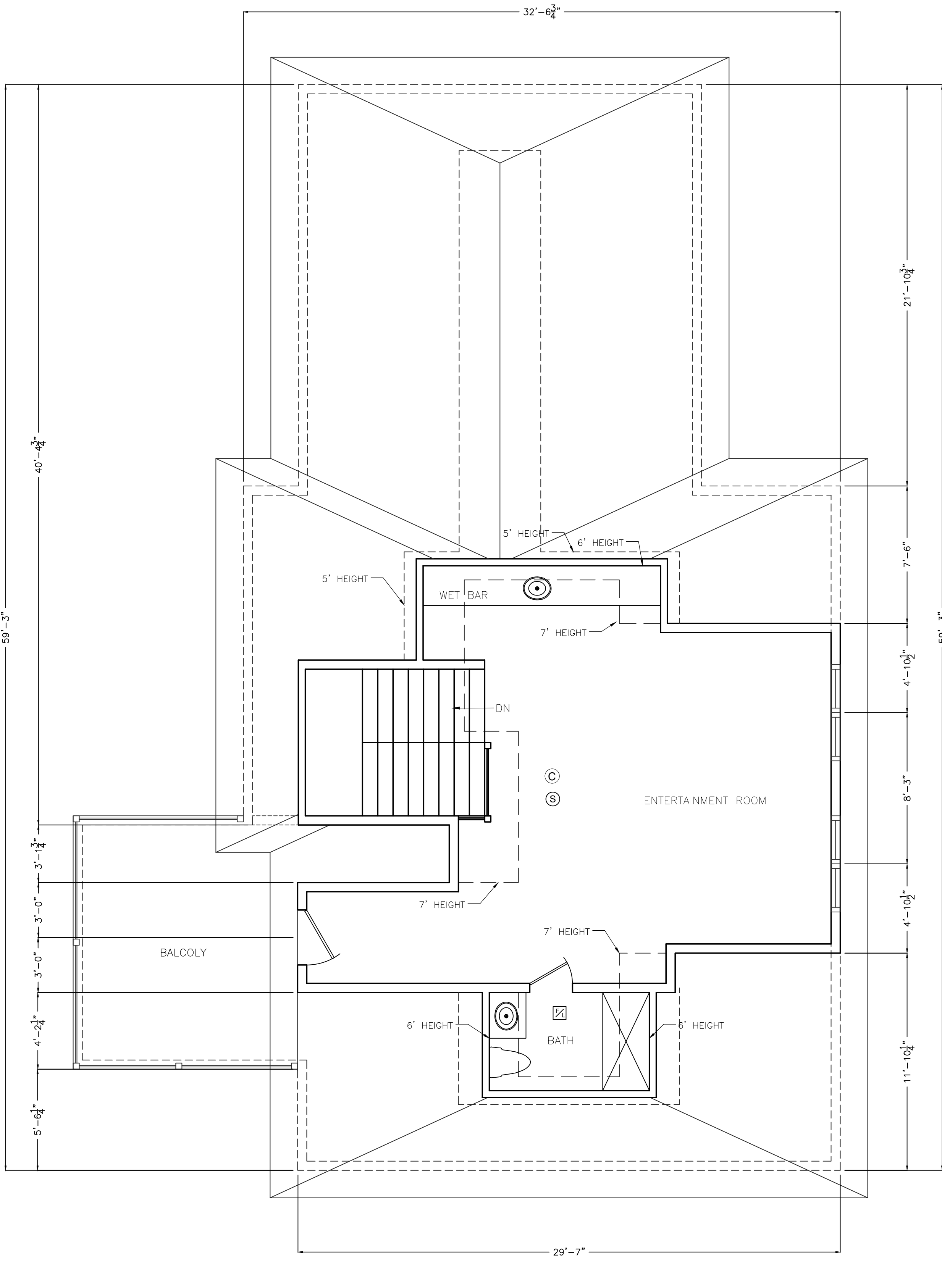
DRAWING No.

A-1





SECOND FLOOR PLAN



ATTIC PLAN

INTERIOR DOORS SCHEDULE:

- 2'-6" x 8'-0"
- 2'-6" x 8'-0" FIRE RATED, 20M MIN
- 2'-4" x 8'-0"
- 4'-0" x 8'-0"
- 5'-0" x 7'-0" UTILITY CLOSET

FOR EXTERIOR DOORS AND WINDOWS SEE WINDOW SCHEDULE AND BUILDING ELEVATIONS

DOOR HEIGHT TO BE VERIFIED WITH OWNER PRIOR TO DOOR ORDERING AND FRAMING

NOTE:

ALL FIRST FLOOR DOORS ARE 8' HEIGHT.

ALL SECOND FLOOR DOORS ARE 7' HEIGHT.

ALL BASEMENT DOORS ARE 7' HEIGHT.

- PHOTO ELECTRIC HARD WIRED SMOKE DETECTOR WITH SECONDARY (STANDBY) POWER SUPPLIED FROM MONITORED BATTERIES
- FAN/LIGHT TO BE VENTED DIRECTLY TO OUTSIDE
- CARBON MONOXIDE DETECTOR
- HARD WIRED HEAT DETECTOR WITH SECONDARY (STANDBY) POWER SUPPLIED FROM MONITORED BATTERIES

NOTE:

ALL ATTIC FLOOR WINDOWS TO BE EQUIPPED WITH CHILD-PROOF LOCK

10/07/24	FOOTPRINT REVISED, GARAGE SHIFTED BY 3'
05/30/24	LAYOUT REVISED
05/06/24	STAIRCASE REVISED, ATTIC REVISED BASED ON NEW ROOF
DATE	REVISION
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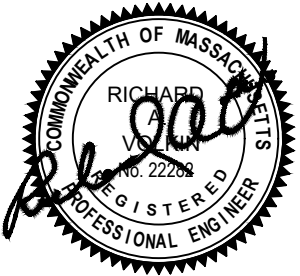
SECOND FLOOR AND ATTIC PLANS

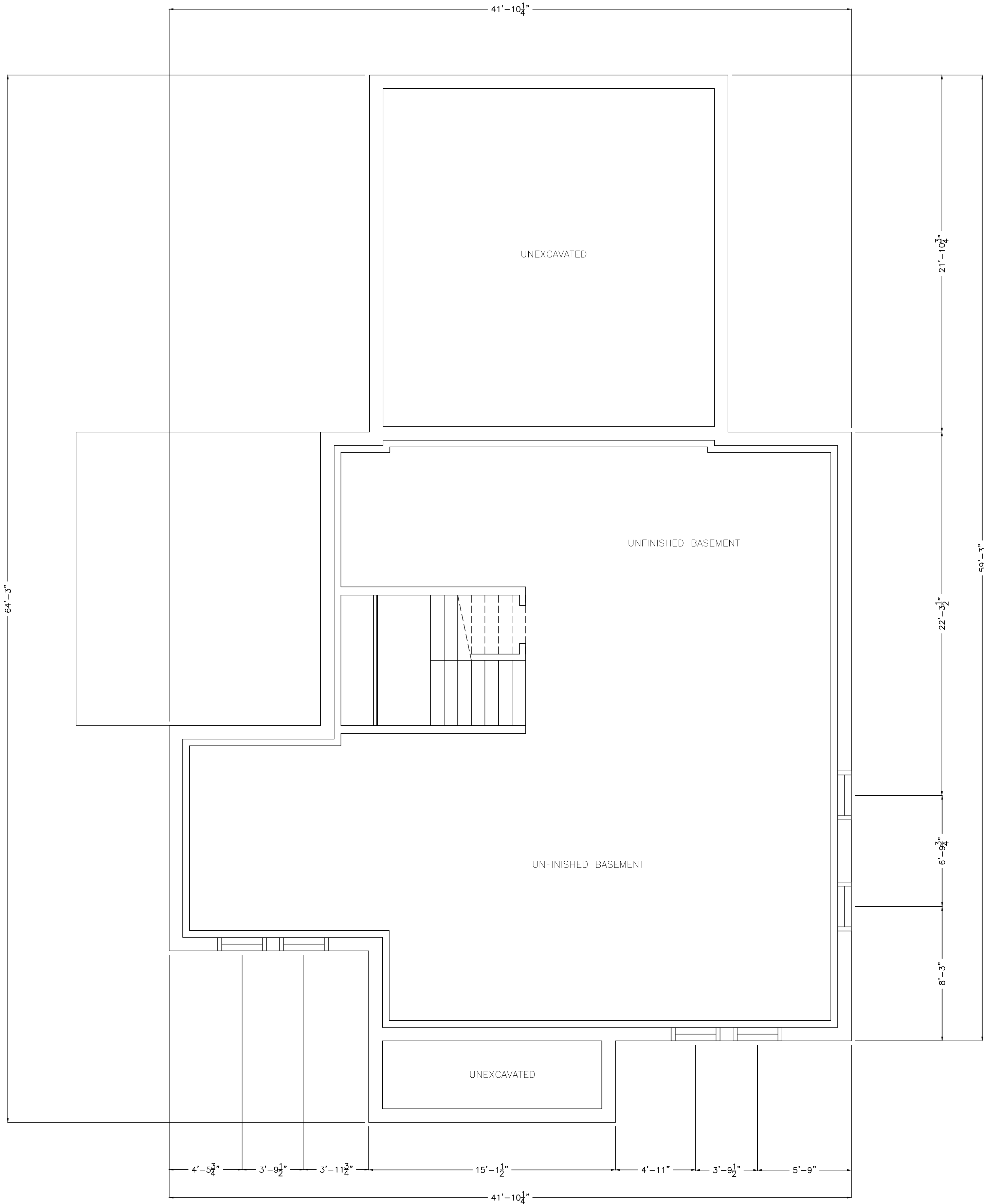
37 MOSELEY AVENUE, NEEDHAM, MASSACHUSETTS

RAV & Assoc., Inc.

21 HIGHLAND AVENUE
 NEEDHAM, MASSACHUSETTS 02494
 TELEPHONE: (781) 449-8200 FAX: (781) 449-8205

SCALE: 1/4"=1'-0"	APPROVED: R.A.V.	DESIGNED BY: I.B.	DRAWING No. A-2
DATE: 11/30/2023	CHECKED BY: R.A.V.	DRAWN BY: I.B.	





BASEMENT PLAN



DATE	REVISION
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BASEMENT PLAN	
37 MOSELEY AVENUE, NEEDHAM, MASSACHUSETTS	
RAV & Assoc., Inc. 21 HIGHLAND AVENUE NEEDHAM, MASSACHUSETTS 02494 TELEPHONE: (781) 449-8200 FAX: (781) 449-8205	
SCALE: 1/4"=1'-0"	
APPROVED: R.A.V.	DESIGNED BY: I.B.
DATE: 10/07/2024	CHECKED BY: R.A.V.
DRAWING No. A-3	

EXTERIOR DOORS AND WINDOWS SCHEDULE				
400-SERIES CASEMENT WINDOWS BY ANDERSEN WITH LOW-E INSULATING GLASS, UNLESS NOTED OTHERWISE				
No.	UNIT DIMENSIONS	MODEL		REMARKS
①	6'-0" x 8'-0"	CUSTOM		ENTRY DOOR
②	2'-7 1/2" x 5'-11 7/8"	CX16	*	
③	2'-7 1/2" x 5'-4 13/16"	CX155	*	
④	2'-7 1/2" x 1'-8 1/2"	AN281		TRANSOM WINDOW
④A	2'-7 1/2" x 1'-8 1/2"	AN281		TRANSOM WINDOW, SAFETY GLASS
⑤	2'-7 1/2" x 4'-11 7/8"	CX15	*	
⑤A	2'-7 1/2" x 4'-11 7/8"	CX15	*	SAFETY GLASS
⑥	2'-7 1/2" x 4'-0"	CX14	*	
⑦	2'-7 1/2" x 4'-4 13/16"	CX145	*	
⑧	16'-0" x 9'-0"	CUSTOM		GARAGE DOOR
⑨	5'-11 1/4" x 7'-11 1/2"	FWG6080		SLIDING DOOR
⑩	2'-11 15/16" x 1'-8 1/2"	AN51		TRANSOM WINDOW, SAFETY GLASS
⑪	4'-11 7/8" x 4'-11 7/8"	P5050		PICTURE WINDOW, SAFETY GLASS

* EGRESS WINDOW MEETS OR EXCEEDS CLEAR OPENING OF 5.7 SF, CLEAR WIDTH 20" AND CLEAR HEIGHT 24"

Δ MEET CLEAR OPENING WIDTH OF 20" USING SILL HINGE CONTROL BRACKET W/ SPLIT-ARM OPERATOR SPECIFIED (BRACKET CAN BE PIVOTED FOR CLEANING POSITION) & MEET CLEAR OPENING WIDTH OF 22" WITH STRAIGHT-ARM OPERATOR SPECIFIED.



NOTES:

CONTRACTOR MUST VERIFY ALL SIZES AND ROUGH OPENINGS PRIOR TO ORDERING WINDOWS.
CONTACT WINDOW MANUFACTURER FOR DETAILS. CONTACT THE OWNER FOR FINAL SELECTION OF DOORS AND WINDOWS PRIOR TO ORDERING AND PRIOR TO FRAMING DOOR AND WINDOW OPENINGS.
VERIFY CLEAR OPENINGS IN ALL BEDROOMS. MINIMUM CLEAR OPENING MUST BE 20 IN (W) x 24 IN (H) AND HAVE MINIMUM OF 5.7 S.F. OF CLEAR OPEN AREA FOR ANY WINDOW EXCEPT OF DOUBLE HUNG WINDOW (3.3 S.F. OF CLEAR OPEN AREA FOR DOUBLE HUNG WINDOW).
VERIFY LOCATIONS OF SAFETY GLASS WINDOWS AND DOORS PRIOR TO ORDERING WINDOWS AND DOORS.

SPECIFIC LOCATIONS:

1. GLAZING IN INGRESS AND MEANS OF EGRESS DOORS;
2. GLAZING IN FIXED AND SLIDING PANELS OF SLIDING DOORS AND SWINGING DOORS;
3. GLAZING IN STORM DOORS;
4. GLAZING IN UNFRAMED SWINGING DOORS;
5. GLAZING IN DOORS AND ENCLOSURES FOR BATHTUBS, STEAM ROOMS AND SHOWERS. GLAZING IN ANY PORTION OF A BUILDING WALL ENCLOSING THESE COMPONENTS WHERE THE BOTTOM EXPOSED EDGE OF THE GLAZING IS LESS THAN 60 INCHES ABOVE A STANDING SURFACE.
6. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL ADJACENT TO A DOOR WHERE THE NEAREST EXPOSED EDGE OF THE GLAZING IS WITHIN A 24-INCH ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND WHERE THE BOTTOM EXPOSED EDGE OF THE GLAZING IS LESS THAN 60 INCHES ABOVE THE WALKING SURFACE.
7. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL WHICH MEETS THE FOLLOWING CONDITIONS:
 - a) EXPOSED AREA OF AN INDIVIDUAL PANE GREATER THAN 9 S.F.;
 - b) EXPOSED BOTTOM EDGE LESS THAN 18 INCHES ABOVE THE FLOOR;
 - c) EXPOSED TOP EDGE GREATER THAN 36" ABOVE THE FLOOR;
 - d) ONE OR MORE WALKING SURFACES WITHIN 36 INCHES HORIZONTALLY OF THE PLANE OF THE GLAZING.

NOTE:
ALL ATTIC FLOOR WINDOWS
TO BE EQUIPPED WITH
CHILD-PROOF LOCK

10/07/24	FOOTPRINT REVISED, GARAGE SHIFTED BY 3'
05/30/24	ELEVATIONS REVISED BASED ON NEW ROOF
05/06/24	ELEVATIONS REVISED BASED ON NEW ROOF

DATE	REVISION
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FRONT AND REAR ELEVATIONS

37 MOSELEY AVENUE,
NEEDHAM, MASSACHUSETTS

RAV & Assoc., Inc.

21 HIGHLAND AVENUE
NEEDHAM, MASSACHUSETTS 02494
TELEPHONE: (781) 449-8200 FAX: (781) 449-8205

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

APPROVED: R.A.V.

DATE: 11/30/2023

DESIGNED BY: I.B.

DRAWN BY: I.B.

CHECKED BY: R.A.V.

DRAWING No.

A-4



TOP OF THE ROOF 130.96

ATTIC FLOOR
2nd FL. CEILING

2nd FLOOR
1st FL. CEILING

1ST FLOOR

BASMENT FLOOR 89.98

BASMENT FLOOR 89.98



LEFT SIDE ELEVATION

TOP OF THE ROOF 130.96

ATTIC FLOOR
2nd FL. CEILING

2nd FLOOR
1st FL. CEILING

1ST FLOOR

BASMENT FLOOR 89.98

BASMENT FLOOR 89.98



RIGHT SIDE ELEVATION

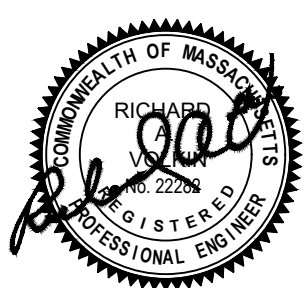
10/07/24	FOOTPRINT REVISED, GARAGE SHIFTED BY 3'
05/30/24	ELEVATIONS REVISED BASED ON NEW ROOF
05/06/24	ELEVATIONS REVISED BASED ON NEW ROOF
DATE	REVISION

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SIDE ELEVATIONS
37 MOSELEY AVENUE,
NEEDHAM, MASSACHUSETTS

RAV & Assoc., Inc.
21 HIGHLAND AVENUE
NEEDHAM, MASSACHUSETTS 02494
TELEPHONE: (781) 449-8200 FAX: (781) 449-8205

SCALE: 1/4"=1'-0"	APPROVED: R.A.V.	DESIGNED BY: I.B.	DRAWING No. A-5
DATE: 11/30/2023	CHECKED BY: R.A.V.	DRAWN BY: I.B.	



GEORGE GIUNTA, JR.
ATTORNEY AT LAW*
281 CHESTNUT STREET
NEEDHAM, MASSACHUSETTS 02492
*Also admitted in Maryland

TELEPHONE (781) 449-4520

FAX (781) 465-6059

September 20, 2024

Town of Needham
Zoning Board of Appeals
Needham, Massachusetts 02492

Attn: Daphne M. Collins, Zoning Specialist

Re: Total Eclipse Dance Studio, LLC
1132 Highland Avenue, Needham, MA

Dear Ms. Collins,

Please be advised this office represents Total Eclipse Dance Studio, LLC (hereinafter the Applicant and "Total Eclipse") in connection with its operation of a dance school in the Christ Episcopal Church at the property known and numbered 1132 Highland Avenue, Needham, MA (hereinafter the "Premises"). In connection therewith, submitted herewith, please find the following:

1. Seven copies of a Completed Application for Hearing;
2. Seven copies of Memorandum in Support of Application of Total Eclipse Dance Studio, LLC; and
4. Check in the amount of \$500 for the applicable filing fee.

For several years, Total Eclipse has operated a dance school in a portion of the Premises, which is in the Single Residence B Zoning District (SRB). Recently, it came to the attention of Total Eclipse that zoning relief is required for their operation. As a result, they are now making application for the requisite special permits.

In particular, a special permit for the use is required pursuant to Section 3.2.1 and a special permit pursuant to Section 5.1.1.5 waiving strict adherence with the off-street parking requirements of Sections 5.1.2 and 5.1.3 is also required.

Kindly schedule this matter for the next hearing of the Board of Appeals. If you have any comments, questions or concerns, or if you require any further information in the meantime, please contact me so that I may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Giunta", with a stylized flourish at the end.

George Giunta, Jr.



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	Total Eclipse Dance Studio, LLC			Date:	9/20/24
Applicant Address	1132 Highland Avenue, Needham, MA 02492				
Phone	781-405-6198	email	totaleclipsedance@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	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	1132 Highland Avenue, Needham, MA 02492		
Map/Parcel Number	Type text here Map 226 / Parcel 44-01	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 (Occupied by Dover Amendment structure)			
If residential renovation, will renovation constitute "new construction"? ☐ Yes ☐ No N/A			
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 Christ Episcopal Church facility with multiple tenants and uses.

Statement of Relief Sought:

1. Special permit pursuant to Section 3.2.1 for a private school, namely, a dance school;
2. Special permit pursuant to Section 5.1.1.5 waiving strict adherence to the requirements of Section 5.1.2 (Required Parking) and Section 5.1.3 (Parking Plan and Design Requirements)
3. All other relief as may be necessary for the operation of a private dance school in the Christ Episcopal Church at 1132 Great Plain Avenue.

Applicable Section(s) of the Zoning 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 <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.

the Applicant has previously
I certify that ~~I have~~ consulted with the Building Inspector _____
date of consult

Date: September 20, 2024 Applicant Signature George Giunta Jr
Total Eclipse Dance Studio, 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*

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

September 20, 2024

MEMORANDUM IN SUPPORT OF
APPLICATION OF
TOTAL ECLIPSE DANCE STUDIO, LLC
1132 Highland Avenue, Needham, MA

The applicant, Total Eclipse Dance Studio, LLC (hereinafter, interchangeably, the “Applicant” and “Total Eclipse”), seeks a Special Permit pursuant to Section 3.2.1 of the Needham Zoning By-Law for a private school, a Special Permit pursuant to Section 5.1.1.5, waiving strict adherence with the off-street parking requirements of Section 5.1.2 (Required Parking) and Section 5.1.3 (Parking Plan and Design Requirements), and all other relief as may be necessary and appropriate in connection with the continued operation of a dance school in the Christ Episcopal Church at the property known and numbered 1132 Highland Avenue (the “Premises”).

PRESENT USE / EXISTING CONDITIONS

The Premises is shown as parcel 44-01 on sheet 226 of the Assessor’s Map for the Town of Needham and is located within the Single Residence B Zoning District. It consists of approximately 48,616 square feet of land with over 313 feet of frontage on Highland Avenue and 209 feet of frontage on Rosemary Street. The Premises is currently occupied by a primarily one-story church building, and a small associated off-street parking area. According to the records of the Assessor’s Department, the building was built in 1937. The building, which is used for worship services and other church related activities by the Christ Episcopal Church (the “Church”), is also used for other, additional activities, and has been the subject of at least one prior Board of Appeals Decision.¹

¹ In particular, Decision dated January 20, 2022, issued to Needham ACE for use of a portion of the Premises for an afterschool enrichment program for children in kindergarten through 5th grade. A copy of such decision is provided herewith.

PROPOSED USE / ACTIVITY

Total Eclipse, founded by former students of Radio City Music Hall, offers dance classes for toddlers through adults of all levels. Recreational and performance arts classes are taught across various styles, including ballet, jazz, tap, hip-hop, pointe, lyrical, modern, contemporary, and acro. Private lessons are available and dancers in the 11-18 age group have the opportunity to join Company 1 (advanced) or Company 2 (intermediate). Students are invited to join the Company when they have demonstrated proficient technique, musicality, range, and knowledge of dance.

Total Eclipse has operated its program of dance instruction at the Premises since 2018, without realization or understanding that a special permit was required. This appears to have arisen, at least in part, out of the exemption afforded to churches and other places of worship under the Dover Amendment. Both the Church and Total Eclipse seem to have been under the misunderstanding that all activities occurring inside a church building benefit from the protection afforded by the Dover Amendment. However, such is not the case, as it is only religious activities that are protected. This was discovered when Total Eclipse recently approached the Building Department relative to a small, contemplated expansion inside the Church. At that time, Total Eclipse learned not only that there was no record of their use, but that zoning relief was required. As a result, Total Eclipse now understands that a special permit pursuant to Section 3.2.1 of the Needham Zoning By-Law is required for their private dance school.

The program consists of multiple classes on weekday afternoons and Saturdays in a portion of the church building consisting of approximately 5,609 square feet of floor area on the lower level.² While the exact schedule varies by day, in general, during the school year (generally September through May / June, based on the Needham public schools calendar), classes are offered between 3 PM and 9:30 PM weekdays and 9 AM and 4:45 PM Saturdays. No classes are held on Sundays. Summer classes vary, but generally are held one evening per week, with a maximum of 20 students and one teacher, or two week-long morning sessions for preschoolers, with a maximum of 10 children and two staff.

At any given time, there are a maximum of three classes provided, with a total maximum of 40 students distributed throughout those classes. In addition, at any given time there are a

maximum of four staff on site.³ While a limited number of classes are open to adults, the vast majority of students are children. In connection therewith, nearly all students are dropped off and picked up, with only a small handful using parking during their classes.

PARKING

Section 5.1.1.1 of the Zoning By-Law provides that any change of a structure or use from a use or uses as described in the categories of Section 5.1.2 to another such category that requires additional off-street parking requires compliance with Sections 5.1.2 and 5.1.3 for the entire use of structure. In addition, Section 5.1.1.3 of the By-Law provides that any change or conversion of a use in a mixed-use structure, to a use which requires additional off-street parking requires compliance with Sections 5.1.2 and 5.1.3 for the entire structure.

Section 5.1.2 of the By-Law, Required Parking, sets forth various categories of uses and their associated parking demand. The closest category in the that section is “Colleges, vocational and high schools excluding boarding and office facilities which shall be computed separately in accordance with this section”. However, based on the plain language of the By-Law, and the fact that nearly all students are dropped off and picked up, that category does not seem directly applicable.

An alternative and more appropriate standard would be that for after school programs, as applied to Code Whiz, Needham ACE and other private school / after school operations. That standard, for enrollments fewer than 45, is one space for every five students, plus one space for each employee. Applying that standard, Total Eclipse requires a total of 12 spaces, calculated as follows:

Maximum enrollment of $40 \div 5 = 8$ spaces
Maximum 4 staff at any given time = 4 spaces
 $8 + 4 = 12$ spaces required

Because the Church is a mixed use building, the parking associated with Total Eclipse would be in addition to the base parking required by the Church for worship services, administration and associated programming, as well as the parking demand associated with the Needham ACE

² The space consists of the Fellowship Hall and renovated kitchen space, which provide room for 3 Dance Studios, as well as the stage area in the Fellowship Hall, used for storage, 2 restrooms and adjacent hallways. See Exhibit A attached hereto for rough floor plan of the space.

³ Three dance instructors and one administrative / desk staff.

afterschool program that also operates at the Premises.⁴ Considering just Total Eclipse and Needham ACE, the parking demand associated with the building is 19, just under the total available parking (as discussed below). However, when the parking demand associated with worship service and Sunday School is added, total parking demand is likely to increase substantially, in excess of available parking.⁵

There is a parking lot across Highland Avenue with a total of 85 parking spaces owned by the Church. However, 65 of those spaces are leased to the Town, leaving just 20 spaces available for use by Total Eclipse, Needham ACE and the Church. In addition, there is a small parking area to the north side of the church building, containing four parking spaces, and a driveway to the south side, off Rosemary Street, with no marked spaces, but room for approximately 2 vehicles. Both small areas adjacent to the Church building are for use solely by the Church and its staff, leaving only the 20 spaces on the other side of Highland Avenue available to serve the public. As a result, it appears that the total parking demand for the building exceeds the available parking, necessitating a parking waiver. Finally, because all three parking areas are long pre-existing, from before the adoption of off-street parking design requirements in the middle 1980s, they do not comply with all the requirements of Section 5.1.3 of the By-Law, and a design waiver is also required.

Notwithstanding the foregoing, the Applicant is of the opinion that there is adequate off-street parking to support its continued use of the Premises. When the Total Eclipse parking demand is added to the Needham ACE demand, the total is within the number of available spaces in the parking lot. Moreover, while the addition of worship service parking demand exceeds the available parking, services are currently offered only on Sundays, when both Total Eclipse and Needham ACE are closed. Finally, there is on-street, two-hour parking available in proximity to the Premises, along one side of Rosemary Street, as well as additional on-street parking further down Highland Avenue on both sides in front of Sudbury Farms.

⁴ That parking demand established pursuant to the Board's Decision, referenced in footnote 1 above, was 7 parking spaces.

⁵ The parking standard for places of public assembly with seating facilities is 1 space per 3 seats of capacity. Thus, assuming Church attendance of 60 parishioners, the associated parking demand would be 20 spaces.

LAW

Massachusetts General Laws, Chapter 40A, Section 9 states as follows: “Special Permits may be issued only for uses that are in harmony with the general purpose and intent of the ordinances of the by-law, and shall be subject to general or specific provisions set forth therein; and that such permits may also impose conditions, safeguards, and limitations on time and use.”

Section 3.2.1 of the Town of Needham Zoning By-Laws (Schedule of Use Regulations) requires the issuance of a Special Permit for the operation of “other private school, nursery, or kindergarten” in the Single Residence B Zoning District.

Section 7.5.2.1 of the By-Laws (Finding and Determination), as applicable to the application of Total Eclipse, requires that prior to granting a special permit, the Board of Appeals must make a finding and determination that the proposed use of the Premises for a dance studio:

- (a) complies with the criteria or standards of section 3.2. of the By-Law which refers to the granting of the requested special permit;
- (b) is consistent with 1) the general purposes of the By-Law as set forth in paragraph 1.1,⁶ and 2) the more specific objectives and purposes applicable to the requested special permit which may be set forth elsewhere in the By-Laws; and
- (c) 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.

Section 5.1.1.5 authorizes and allows the Board to waive strict adherence with the requirements of Sections 5.1.2 and 5.1.3 where a particular use, structure or lot, owing to special circumstances, does not warrant the application of the parking requirements of Section 5.1.2 or the design requirements contained in Section 5.1.3. In addition, pursuant to Section 5.1.1.5 the Board is directed to consider whether the issuance of the special permit would be detrimental to the Town or to the general character and visual appearance of the surrounding neighborhood and abutting uses and is further consistent with the intent of the Zoning By-Law.

⁶ Section 1.1 states that it is “The purpose of [the] By-Law [to] promote the health, safety, convenience, morals or welfare of the inhabitants of Needham; to lessen congestion in the streets; to conserve health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to conserve the value of land and buildings; to encourage the most appropriate use of land and buildings; to encourage the most appropriate use of land throughout the Town and to preserve and increase amenities under the provisions of General Laws, Chapter 40A. The use, construction, alteration, height, area and location of buildings and structures and the use of premises in the town of Needham are regulated as [provided by the By-Laws]”

DISCUSSION / ANALYSIS

The applicant contends that the proposed use of a portion of the Premises for dance instruction complies with the requirements of Section 3.2.1 of the By-Laws and is further in harmony with the general purpose and intent of the Zoning By-Law. The proposed use is compatible with current uses in the area, the other uses within the building, and further does not interfere with the character of the neighborhood.

Section 3.2.1 requires a Special Permit for “Other private school, nursery, or kindergarten” in the Single Residence B Zoning District. However, no additional requirement is imposed. Therefore, the proposed use will comply with the criteria and standards of Section 3.2.1 upon the issuance of the requisite Special Permit. Furthermore, the proposed use of the subject premises is consistent with the requirements of Section 1.1, as the continued provision of dance instruction will promote the convenience and welfare of the inhabitants of the Town of Needham, especially the children of the Town, without creating any hazard or unwanted condition.

The proposed use of a portion of the Premises for dance instruction does not warrant the application of the parking requirements of Section 5.1.2, and the issuance of the requested parking waiver will not be detrimental to the Town or to the general character and visual appearance of the surrounding neighborhood and abutting uses and will further be consistent with the intent of the Zoning By-Law. As mentioned above, the various activities at the Premises do not all occur simultaneously. As a result, actual parking demand is substantially less than the sum of all the uses computed together. Considering the two main uses in operation at the Premises on weekday afternoons, the calculated parking demand will be 19 spaces.⁷ This is one less than the total number of spaces available in the parking lot across Highland Avenue.⁸

In addition, the calculated parking demand is not reflective of parking demand in practice. Both Total Eclipse and Needham ACE primarily serve children who are dropped off and picked up. As a result, the vast majority of the available spaces are only temporarily occupied, and only for a very short period. Therefore, practical demand will be substantially less than calculated on paper.

⁷ 12 spaces for Total Eclipse + 7 spaces for Needham ACE = 19 total spaces required.

⁸ Both Needham ACE and Total Eclipse are allowed and required to use this lot pursuant the terms of their respective leases.

Since Total Eclipse first began to provide dance instruction at the Premises in 2018, it has not experienced or been aware of any significant incident or issue with parking related to its activities. To minimize any issues, Total Eclipse engages in regular communication with parents, students and staff and keeps a mindful watch relative to parking.⁹ These efforts will continue going forward.

CONCLUSION

Based on the facts and discussion set forth above, Total Eclipse asserts that its continued use of a portion of the Christ Episcopal Church will not affect the neighborhood, surrounding area or the Town in any adverse material or significant way. Since its opening in 2018, Total Eclipse has been a good and considerate neighbor and has operated without significant issue or incident. The operational details are not proposed or anticipated to change in any material way, and will allow for the continuation of quality dance instruction.

Moreover, while parking waivers are necessary due to the calculation required by the By-Law and the nature of the parking areas, the actual parking demand at the Premises during weekday afternoons is less than the total number of available spaces. And neither Total Eclipse nor Needham ACE operate on Sundays when worship services occur. Moreover, there is additional on and off-street parking available in the vicinity of the Premises. Therefore, in practice, the available parking is adequate to support the uses at the Premises.

The use of a portion of the Premises for dance instruction is in harmony with the general purpose and intent of the By-Law, and there are special circumstances that warrant the granting of a parking waiver. Therefore, Total Eclipse asserts that the issuance of the requested special permits is both proper and appropriate and should be granted.

Respectfully submitted,
Total Eclipse Dance Studio, LLC
by its attorney,



George Giunta, Jr., Esq.
281 Chestnut Street
Needham, Massachusetts 02492
781-449-4520

⁹ See, for example, the letter provided to parents and students, attached hereto as Exhibit B.

Christ Episcopal Church Needham Space Available for Lease

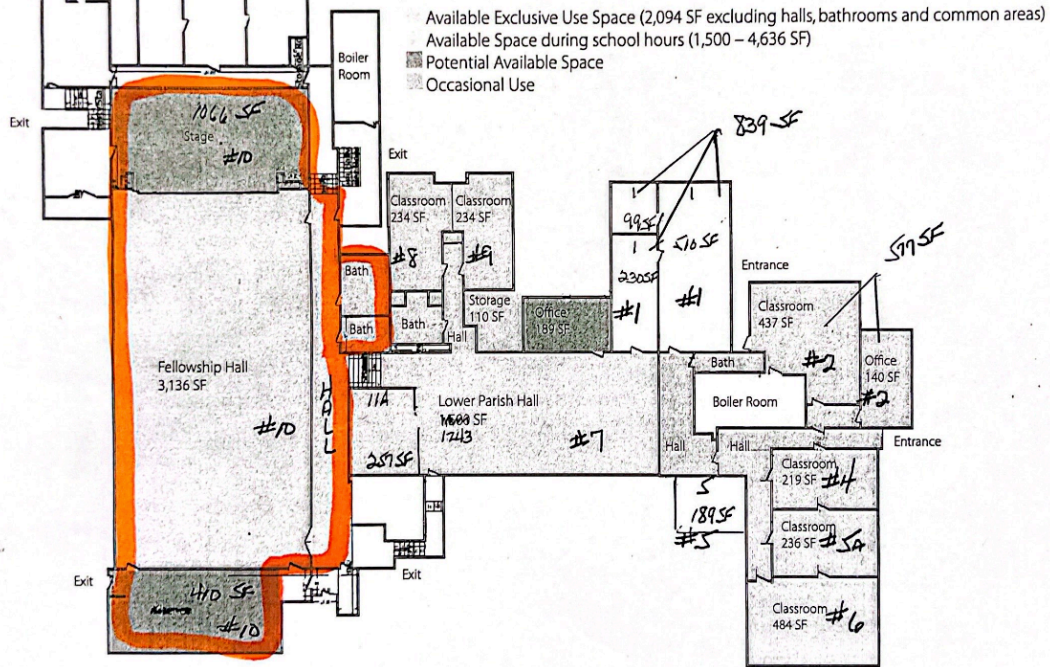


EXHIBIT B
Sample Letter to Parents and Students

Dear Students & Parents,

Our staff and instructors are excited ... and ready! ... to start Season 7 with all of you. A few protocols to refresh your memory:

OUR LOCATION & ENTRANCE:

We are located in the lower level of the Christ Episcopal Church in Needham. Our studio entrance is on ROSEMARY STREET, directly across from 80 Rosemary St.

STUDIO DROP-OFF/PICK-UP PROCEDURE:

Dancers should be dropped off 10 minutes before the start of class and picked up 10 minutes after class. Children under the age of 10 should be escorted in/out by a caregiver. We will not send young children out of the building without assurance that a responsible caregiver is present.

PARKING:

Our parking guidelines prioritize your safety. We are located at a busy intersection, which seems to get busier all the time. Punctuality is important, but not at the expense of safety. Take the time to park as indicated below and cross the streets carefully!

Needham Public Library, 1139 Highland Avenue, directly across the street from the Church. The church owns multiple free spaces toward the Needham Heights side of the parking lot, which you are welcome to use. Please use the controlled crossing at the intersection of Rosemary/Highland when walking to the studio. Do not jaywalk across Highland and discourage your children from ever doing so themselves.

Memorial Field Parking Lot, corner of Rosemary/Highland. These spaces have good/free availability during the afternoon and weekend hours.

Rosemary Street parking is available but limited. PLEASE be considerate of our neighbors and NEVER park or idle at the end of their driveways, even for just a few seconds. This IS a pain point for them, and we are committed to honoring their privacy. Please assist us with our commitment, and in upholding TEDS' reputation as polite, respectful neighbors. Thank you!

PROPER COVER-UPS:

Dancers should wear proper cover-ups when coming to and from the studio. It is inappropriate, particularly for our older students, to appear in leotards/tights alone in public, on church grounds, etc. We will reinforce this guideline with our students directly when we see them in class.

We so look forward to meeting you all this week, Gemma, Alicia and Staff at TEDS!



September 11, 2024

Needham Board of Appeals
Needham Town Hall
1492 Highland Avenue
Needham, MA 02492

Dear Members,

Please be advised that Total Eclipse Dance Studio has the permission of Christ Episcopal Church, 1132 Highland Avenue, Needham, Massachusetts, to apply for a ZBA Special Permit in association with the program and to use the parking lot owned by the Church for staff parking and customer pick-up/drop-off as indicated in the parking plan.

The parking lot is located on Highland Avenue, Needham, Massachusetts, directly opposite the church and situated between 1111 Highland Avenue and the Needham Public Library.

Sincerely,

Woody Hughes
Facilities Manager



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

Tel. 781-455-7550 x 308

October 3, 2024

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

Re: 1132 Highland Ave.

Dear Board Members,

I have reviewed the application for this project and agree that Attorney Guinta has captured the applicable sections of the Zoning Bylaw that apply to this use. Those being Section 3.2.1, requiring a Special Permit for a private school in an SRB district and Section 5.1.1.5 which provides for a Special Permit waiving the parking requirements of Sections 5.1.2 and 5.1.3.

This office has no additional comments or concerns for this proposal. It is noted that this use has existed for several years and there are no complaints on file with this office relative to this use.

Sincerely,

Joe Prondak
Building Commissioner

Daphne Collins

From: Justin Savignano
Sent: Tuesday, October 8, 2024 4:58 PM
To: Daphne Collins
Cc: Thomas Ryder
Subject: RE: 1132 Highland Ave - ZBA Administrative Review - Due October 8, 2024

Good Afternoon,

I have no comment or objection to the proposal.

Thanks,

Justin

Justin Savignano
Assistant Town Engineer

Department of Public Works
Town of Needham
500 Dedham Ave Needham, MA
Tel: 781-455-7538 x362
Cell: 781-801-5937
Email: jsavignano@needhamma.gov
Website: www.needhamma.gov

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Wednesday, September 25, 2024 4:00 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: 1132 Highland Ave - ZBA Administrative Review - Due October 8, 2024

Good Afternoon-

1132 Highland Avenue – Total Eclipse Dance Studio LLC is seeking a Special Permit to allow the use for a private school and waivers of the parking number and parking plan and design for the operation of a dance school in the Christ Episcopal Church.

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

I appreciate your comments no later than **October 8, 2024** to allow time for the applicant to respond prior to the hearing.

If you have any questions, feel free to contact me.

Daphne Collins

From: Tom Conroy
Sent: Thursday, September 26, 2024 12:08 PM
To: Daphne Collins
Subject: RE: 1132 Highland Ave - ZBA Administrative Review - Due October 8, 2024

Hi Daphne,
No issues with fire.



From: Daphne Collins <dcollins@needhamma.gov>
Sent: Wednesday, September 25, 2024 4:00 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: 1132 Highland Ave - ZBA Administrative Review - Due October 8, 2024

Good Afternoon-

1132 Highland Avenue – Total Eclipse Dance Studio LLC is seeking a Special Permit to allow the use for a private school and waivers of the parking number and parking plan and design for the operation of a dance school in the Christ Episcopal Church.

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I appreciate your comments no later than **October 8, 2024** to allow time for the applicant to respond prior to the hearing.

If you have any questions, feel free to contact me.

Daphne

Daphne M. Collins

Zoning Specialist

Phone 781-455-7550, x 261

Web <https://www.needhamma.gov/>

<https://needhamma.gov/1101/Board-of-Appeals>

www.needhamma.gov/NeedhamYouTube

Town of Needham
Planning and Community Development
500 Dedham Avenue
Needham, MA 02492

Regular Office Hours: Mon-Wed 8:00am – 5:00pm

Remote Hours: Thurs 8:00am-3:00pm

Daphne Collins

From: Tara Gurge
Sent: Tuesday, October 8, 2024 1:59 PM
To: Daphne Collins
Subject: RE: 1132 Highland Ave - ZBA Administrative Review - Due October 8, 2024- Public Health comments

Daphne –

The Public Health Division conducted the Zoning Board Special Permit review for the Total Eclipse Dance Studio LLC for use of the property located at **#1132 Highland Ave.** 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



 please consider the environment before printing this email

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From: Daphne Collins <dcollins@needhamma.gov>
Sent: Wednesday, September 25, 2024 4:00 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: 1132 Highland Ave - ZBA Administrative Review - Due October 8, 2024

Good Afternoon-

Daphne Collins

From: John Schlittler
Sent: Thursday, September 26, 2024 12:20 PM
To: Daphne Collins
Subject: RE: 1132 Highland Ave - ZBA Administrative Review - Due October 8, 2024

Police has no issues

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Wednesday, September 25, 2024 4:00 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: 1132 Highland Ave - ZBA Administrative Review - Due October 8, 2024

Good Afternoon-

1132 Highland Avenue – Total Eclipse Dance Studio LLC is seeking a Special Permit to allow the use for a private school and waivers of the parking number and parking plan and design for the operation of a dance school in the Christ Episcopal Church.

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

I appreciate your comments no later than **October 8, 2024** to allow time for the applicant to respond prior to the hearing.

If you have any questions, feel free to contact me.

Daphne

Daphne M. Collins

Zoning Specialist

Phone 781-455-7550, x 261

Web <https://www.needhamma.gov/>

<https://needhamma.gov/1101/Board-of-Appeals>

www.needhamma.gov/NeedhamYouTube

Town of Needham

Planning and Community Development

500 Dedham Avenue

Needham, MA 02492

Regular Office Hours: Mon-Wed 8:00am – 5:00pm

Remote Hours: Thurs 8:00am-3:00pm

GEORGE GIUNTA, JR.
ATTORNEY AT LAW*
281 CHESTNUT STREET
NEEDHAM, MASSACHUSETTS 02492
*Also admitted in Maryland

TELEPHONE (781) 449-4520

FAX (781) 465-6059

September 20, 2024

Town of Needham
Zoning Board of Appeals
Needham, Massachusetts 02492

Attn: Daphne M. Collins, Zoning Specialist

Re: Arrais Ballet, LLC
858 Great Plain Avenue, Needham, MA

Dear Ms. Collins,

Please be advised this office represents Arrais Ballet, LLC (hereinafter the Applicant and “Arrais”) in connection with its operation of a dance school in the First Baptist Church at the property known and numbered 858 Great Plain Avenue, Needham, MA (hereinafter the “Premises”). In connection therewith, submitted herewith, please find the following:

1. Seven copies of a Completed Application for Hearing;
2. Seven copies of Memorandum in Support of Application of Arrais Ballet, LLC; and
4. Check in the amount of \$500 for the applicable filing fee.

For the past year Arrais has operated a dance school in a portion of the Premises, which is in the Single Residence B Zoning District (SRB). Recently, it came to the attention of Arrais that zoning relief is required for their operation. As a result, they are now making application for the requisite special permits.

In particular, a special permit for the use is required pursuant to Section 3.2.1 and a special permit pursuant to Section 5.1.1.5 waiving strict adherence with the off-street parking requirements of Sections 5.1.2 and 5.1.3 is also required.

Kindly schedule this matter for the next hearing of the Board of Appeals. If you have any comments, questions or concerns, or if you require any further information in the meantime, please contact me so that I may be of assistance.

Sincerely,

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

George Giunta, Jr.



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	Arrais Ballet, LLC	Date:	9/20/24
Applicant Address	176 Marked Tree Road, Needham, MA 02492		
Phone		email	admin@arraisballet.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 Chesnut 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			
Map/Parcel Number	Map 40 / Parcel 61	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 N/A			
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 First Baptist Church building, with multiple tenants and uses.

Statement of Relief Sought:

1. Special permit pursuant to Section 3.2.1 for a private school, namely, a dance school
2. Special permit pursuant to Section 5.1.1.5 waiving strict adherence to the requirements of Section 5.1.2 (Required Parking); and
3. All other relief as may be necessary for the operation of a private dance school in the First Baptist Church at 858 Great Plain Avenue

Applicable Section(s) of the Zoning 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 <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.

the Applicant has previously
I certify that ~~I have~~ consulted with the Building Inspector _____
date of consult

Arrais Ballet, LLC
Date: September 20, 2024 Applicant Signature George Giunta Jr
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*

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

September 20, 2024

MEMORANDUM IN SUPPORT OF
APPLICATION OF
ARRAIS BALLET, LLC
858 Great Plain Avenue, Needham, MA

The applicant, Arrais Ballet, LLC (hereinafter, interchangeably, the “Applicant” and “Arrais”), seeks a Special Permit pursuant to Section 3.2.1 of the Needham Zoning By-Law for a private school, a Special Permit pursuant to Section 5.1.1.5, waiving strict adherence with the off-street parking requirements of Section 5.1.2 (Required Parking) and all other relief as may be necessary and appropriate in connection with the continued operation of a dance school in the First Baptist Church at the property known and numbered 858 Great Plain Avenue (the “Premises”).

PRESENT USE / EXISTING CONDITIONS

The Premises is shown as parcel 61 on sheet 40 of the Assessor’s Map for the Town of Needham and is located within the Single Residence B Zoning District. It consists of approximately 51,979 square feet of land with over 143 feet of frontage on Great Plain Avenue and over 263 feet of frontage on Warren Street. The Premises is currently occupied by a mostly two-story church building, and a small associated off-street parking area with approximately 13 parking spaces. According to the records of the Assessor’s Department, the building was built in 1928. The building, which was previously used for worship services and other church related activities by the First Baptist Church (the “Church”), is currently used for childcare, nursery school and dance school purposes. It has also been the subject of prior Board of Appeals Decisions relative to wireless facilities contained therein.

PROPOSED USE / ACTIVITY

Arrais Ballet was founded in 2023 by Paulo Arrais, after he retired as a Principal Dancer from Boston Ballet. He trained at prestigious schools like Paris Opera Ballet and London's Royal Ballet and was a Principal Dancer with the Norwegian National Ballet, Alonzo King's Lines Ballet in addition to the Boston Ballet. Paulo's story and ballet journey embody the essence of the school's vision. Paulo not only showcases unparalleled precision and artistry in his craft, but also a deep passion and commitment to guiding and teaching the next generation of young dancers, welcoming students from diverse backgrounds and beginnings.

Arrais Ballet offers dance instruction primarily to children, but also to adults. Age-appropriate curriculum and Pilates workouts cater to individuals of all levels, promoting core strength, flexibility, and a healthy body image. The training philosophy of Arrais Ballet is that rigorous training should be paired with artistic expression, creativity, individuality and risk taking in a supportive environment.

Arrais has operated its program of dance instruction at the Premises for approximately the past year, without awareness that any zoning relief was required. However, as a result of recent communications with the Building Department, Arrais has come to understand that a special permit pursuant to Section 3.2.1 of the Needham Zoning By-Law is required for their private dance school, and they are now seeking such relief.

Arrais uses approximately 4,716 square feet within the building.¹ Classes are currently divided into fundamentals, intermediate, intermediate advanced and advanced. Class size varies based on the nature of the instruction, with the largest class size at present being 23 students. Generally, only one class is offered at a time, although during the summer, two classes may be offered at once.² The maximum number of staff on site at any given time is three: two instructors and one administrative staff, although at times may be less. Classes are offered at different times throughout the week, as well as on Saturdays and Sundays, between the hours of 9 AM and 9 PM.³

¹ The space is located in the Ballet Room, the Rock Room, an upstairs Office on the 2nd Floor and the basement of the building (not including the kitchen).

² Even when two classes are offered, the maximum number of students will be 20, divided between the two classes.

³ The current schedule of classes, along with current class size information is attached hereto as Exhibit A.

PARKING

Section 5.1.2 of the By-Law, Required Parking, sets forth various categories of uses and their associated parking demand. The closest category in that section is “Colleges, vocational and high schools excluding boarding and office facilities which shall be computed separately in accordance with this section”. However, based on the plain language of the By-Law, and the fact that most students are dropped off and picked up, that category does not seem directly applicable.⁴

An alternative and more appropriate standard would be that for after school programs, as applied to Code Whiz, Needham ACE and other private school / after school operations. That standard, for enrollments fewer than 45, is one space for every five students, plus one space for each employee. Applying that standard, Arrais requires a total of 8 spaces, calculated as follows:

Maximum enrollment of 25⁵ ÷ 5 = 5 spaces
Maximum 3 staff at any given time = 3 spaces
5 + 3 = 8 spaces required

While there are a handful of parking spaces on site, Arrais does not have the right to use them. Therefore, there is no off-street parking available to Arrais, and a parking waiver is required.

Notwithstanding the lack of on-site parking, there is ample parking in the area. Arrais is located within easy walking distance from the municipal parking lot on Dedham Avenue. In addition, there is on street parking in proximity to the Premises, along both sides of Great Plain Avenue and on one side of Pickering Street.

Between the availability of on-street and municipal parking, and the fact that most students are children that are dropped off and picked up, the Applicant is of the opinion that there is adequate parking available to support its continued use of the Premises.

LAW

Massachusetts General Laws, Chapter 40A, Section 9 states as follows: “Special Permits may be issued only for uses that are in harmony with the general purpose and intent of the

⁴ As indicated in the current class schedule, referenced above, only two classes are currently offered for adults; Wednesday midday and Saturday midday.

⁵ While the largest current class is 23, this has been increased to 25 for the purpose of parking calculation as a maximum size.

ordinances of the by-law, and shall be subject to general or specific provisions set forth therein; and that such permits may also impose conditions, safeguards, and limitations on time and use.”

Section 3.2.1 of the Town of Needham Zoning By-Laws (Schedule of Use Regulations) requires the issuance of a Special Permit for the operation of “other private school, nursery, or kindergarten” in the Single Residence B Zoning District.

Section 7.5.2.1 of the By-Laws (Finding and Determination), as applicable to the application of Arrais, requires that prior to granting a special permit, the Board of Appeals must make a finding and determination that the proposed use of the Premises for a dance studio:

(a) complies with the criteria or standards of section 3.2. of the By-Law which refers to the granting of the requested special permit;

(b) is consistent with 1) the general purposes of the By-Law as set forth in paragraph 1.1,⁶ and 2) the more specific objectives and purposes applicable to the requested special permit which may be set forth elsewhere in the By-Laws; and

(c) 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.

Section 5.1.1.5 authorizes and allows the Board to waive strict adherence with the requirements of Sections 5.1.2 and 5.1.3 where a particular use, structure or lot, owing to special circumstances, does not warrant the application of the parking requirements of Section 5.1.2. In addition, pursuant to Section 5.1.1.5 the Board is directed to consider whether the issuance of the special permit would be detrimental to the Town or to the general character and visual appearance of the surrounding neighborhood and abutting uses and is further consistent with the intent of the Zoning By-Law.

DISCUSSION / ANALYSIS

The applicant contends that the proposed use of a portion of the Premises for continued dance instruction complies with the requirements of Section 3.2.1 of the By-Laws and is further

⁶ Section 1.1 states that it is “The purpose of [the] By-Law [to] promote the health, safety, convenience, morals or welfare of the inhabitants of Needham; to lessen congestion in the streets; to conserve health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to conserve the value of land and buildings; to encourage the most appropriate use of land and buildings; to encourage the most appropriate use of land throughout the Town and to preserve and increase amenities under the provisions of General Laws, Chapter 40A. The use, construction, alteration, height, area and location of buildings and structures and the use of premises in the town of Needham are regulated as [provided by the By-Laws]”

in harmony with the general purpose and intent of the Zoning By-Law. The proposed use is compatible with current uses in the area, the other uses within the building, and further does not interfere with the character of the neighborhood.

Section 3.2.1 requires a Special Permit for “Other private school, nursery, or kindergarten” in the Single Residence B Zoning District. However, no additional requirement is imposed. Therefore, the proposed use will comply with the criteria and standards of Section 3.2.1 upon the issuance of the requisite Special Permit. Furthermore, the proposed use of the subject premises is consistent with the requirements of Section 1.1, as the continued provision of dance instruction will promote the convenience and welfare of the inhabitants of the Town of Needham, especially the children of the Town, without creating any hazard or unwanted condition.

The continued use of a portion of the Premises for dance instruction does not warrant the application of the parking requirements of Section 5.1.2, and the issuance of the requested parking waiver will not be detrimental to the Town or to the general character and visual appearance of the surrounding neighborhood and abutting uses and will further be consistent with the intent of the Zoning By-Law. As mentioned above, the vast majority of students are children that are dropped off and picked up. As a result, applicable parking is mostly short term only. Furthermore, there is ample parking available in the vicinity of the Premises. Finally, since Arrais first began to provide dance instruction at the Premises a year ago, it has not experienced or been aware of any significant incident or issue with parking related to its activities.

CONCLUSION

Based on the facts and discussion set forth above, Arrais asserts that its continued use of a portion of the First Baptist Church will not affect the neighborhood, surrounding area or the Town in any adverse material or significant way. Since its opening approximately one year ago, Arrais has been a good and considerate neighbor and has operated without significant issue or incident. The operational details are not proposed or anticipated to change in any material way, and will allow for the continuation of quality dance instruction.

Moreover, while a parking waiver is necessary due to the lack of on-site parking, the most of the parking demand is short term only, driven by drop off and pick up, and there is

ample on and off-street parking available in the vicinity of the Premises. As a result, the available parking is adequate to support the uses at the Premises.

The use of a portion of the Premises for dance instruction is in harmony with the general purpose and intent of the By-Law, and there are special circumstances that warrant the granting of a parking waiver. Therefore, Arrais asserts that the issuance of the requested special permits is both proper and appropriate and should be granted.

Respectfully submitted,
Arrais Ballet, LLC
by its attorney,



George Giunta, Jr., Esq.
281 Chestnut Street
Needham, Massachusetts 02492
781-449-4520

EXHIBIT A
Current Class Schedule

Day/Time	Number of Students
Monday, 5-8pm	23 – Advanced (5), Intermediate Advanced + Intermediate (18)
Tuesday, 9-12pm	5 - Day Students
Tuesday, 5:30-7:30pm	4 - Intermediate
Tuesday, 6-7:30pm	10 - Fundamentals 2
Wednesday, 11-12:30pm	4 to 8 - Adults
Wednesday, 5-8pm	10 - Intermediate Advanced
Thursday, 9-12pm	5 - Day Students
Thursday, 5:30-8pm	8 - Intermediate
Thursday, 5-8pm	12 - Advanced (5) + Intermediate Advanced (7)
Friday, 9-12pm	5 - Day Students
Friday, 5-8pm	6 - Advanced
Saturday, 11-12:30pm	4 to 8 - Adults
Saturday, 1-2:30pm	7 - Intermediate
Saturday, 2:30-3:30pm	13 - F1 (5) + F2 (8)
Saturday, 3:30-6:30pm	10 - Intermediate Advanced
Saturday, 3:30-7:30pm	10 - Advanced
Sunday, 10-12pm	22 - Intermediate (8) + F2 (14)
Sunday, 9-3pm	20 - Intermediate (9) + Advanced (11)

First Baptist Church
858 Great Plain Avenue
Needham, MA 02492

September 17, 2024

Town of Needham
Zoning Board of Appeals
Needham, Massachusetts 02492

Attn: Daphne M. Collins, Zoning Specialist

Re: 858 Great Plain Avenue, Needham, MA
Application for Zoning Relief

Dear Mrs. Collins,

Please accept this letter as confirmation that the First Baptist Church, owner of the property known and numbered 858 Great Plain Avenue, Needham, MA (the "Premises"), has authorized Arrais Ballet, LLC, tenant, acting on its own or through its attorney, George Giunta, Jr., Esquire, to make application for special permits and any and all other zoning, planning, general by-law and other relief that may be required or appropriate in connection with the use of a portion of the Premises for a school of dance instruction. In connection therewith, Arrais Ballet, LLC and Attorney Giunta are specifically authorized to execute, sign, deliver and receive all necessary documentation related thereto, including, without limitation, Application for Hearing.

Sincerely,

First Baptist Church

By

Nancy Chamberlain
Moderator FBCTP



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

Tel. 781-455-7550 x 308

October 3, 2024

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

Re: 858 Great Plain Ave.

Dear Board Members,

I have reviewed the application for this project and agree that Attorney Guinta has captured the applicable sections of the Zoning Bylaw that apply to this use. Those being Section 3.2.1, requiring a Special Permit for a private school in an SRB district and Section 5.1.1.5 which provides for a Special Permit waiving the parking requirements of Sections 5.1.2 and 5.1.3.

This office has no additional comments or concerns for this proposal. It is noted that this use has existed for approximately one year and there are no complaints on file with this office relative to this use.

Sincerely,

Joe Prondak
Building Commissioner



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

Tel. 781-455-7550 x 308

October 3, 2024

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

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This office has no additional comments or concerns for this proposal. It is noted that this use has existed for approximately one year and there are no complaints on file with this office relative to this use.

Sincerely,

Joe Prondak
Building Commissioner



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

Tel. 781-455-7550 x 308

October 3, 2024

Town of Needham / Zoning Board of Appeals
500 Dedham Ave.
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This office has no additional comments or concerns for this proposal. It is noted that this use has existed for approximately one year and there are no complaints on file with this office relative to this use.

Sincerely,

Joe Prondak
Building Commissioner



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

Tel. 781-455-7550 x 308

October 3, 2024

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

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This office has no additional comments or concerns for this proposal. It is noted that this use has existed for approximately one year and there are no complaints on file with this office relative to this use.

Sincerely,

Joe Prondak
Building Commissioner



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

Tel. 781-455-7550 x 308

October 3, 2024

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

Re: 858 Great Plain Ave.

Dear Board Members,

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This office has no additional comments or concerns for this proposal. It is noted that this use has existed for approximately one year and there are no complaints on file with this office relative to this use.

Sincerely,

Joe Prondak
Building Commissioner



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

Tel. 781-455-7550 x 308

October 3, 2024

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

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This office has no additional comments or concerns for this proposal. It is noted that this use has existed for approximately one year and there are no complaints on file with this office relative to this use.

Sincerely,

Joe Prondak
Building Commissioner

Daphne Collins

From: Justin Savignano
Sent: Tuesday, October 8, 2024 4:59 PM
To: Daphne Collins
Cc: Thomas Ryder
Subject: RE: 858 Great Plain Avenue - ZBA Administrative Review due October 8, 2024

Good Afternoon,

I have no comment or objection to the proposal.

Thanks,

Justin

Justin Savignano
Assistant Town Engineer

Department of Public Works
Town of Needham
500 Dedham Ave Needham, MA
Tel: 781-455-7538 x362
Cell: 781-801-5937
Email: jsavignano@needhamma.gov
Website: www.needhamma.gov

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Wednesday, September 25, 2024 4:02 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: 858 Great Plain Avenue - ZBA Administrative Review due October 8, 2024

Good Afternoon-

858 Great Plain Avenue – Arrais Ballet, LLC is seeking a Special Permit to allow the use for a private school and waivers of the parking number and parking plan and design for the operation of a dance school in the First Baptist Church.

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

I appreciate your comments no later than **October 8, 2024** to allow time for the applicant to respond prior to the hearing.

If you have any questions, feel free to contact me.

Daphne Collins

From: Tom Conroy
Sent: Thursday, September 26, 2024 12:48 PM
To: Daphne Collins
Subject: RE: 858 Great Plain Avenue - ZBA Administrative Review due October 8, 2024

Hi Daphne,
No issues with Fire.



Thomas M. Conroy

Fire Chief - Needham Fire Department

tconroy@needhamma.gov

Ph (781) 455-7580

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Wednesday, September 25, 2024 4:02 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>
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If you have any questions, feel free to contact me.

Thank you,

Daphne

Daphne M. Collins

Zoning Specialist

Phone 781-455-7550, x 261

Web <https://www.needhamma.gov/>

<https://needhamma.gov/1101/Board-of-Appeals>

www.needhamma.gov/NeedhamYouTube

Daphne Collins

From: John Schlittler
Sent: Thursday, September 26, 2024 12:18 PM
To: Daphne Collins
Subject: RE: 858 Great Plain Avenue - ZBA Administrative Review due October 8, 2024

Police has no issues

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Wednesday, September 25, 2024 4:02 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>
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If you have any questions, feel free to contact me.

Thank you,

Daphne

Daphne M. Collins

Zoning Specialist

Phone 781-455-7550, x 261

Web <https://www.needhamma.gov/>

<https://needhamma.gov/1101/Board-of-Appeals>

www.needhamma.gov/NeedhamYouTube

Town of Needham

Planning and Community Development

500 Dedham Avenue

Needham, MA 02492

Regular Office Hours: Mon-Wed 8:00am – 5:00pm

Remote Hours: Thurs 8:00am-3:00pm

Arthur Elzon
Managing Partner
Driftwood Landing, LLC
127 Hanson Rd
Newton, MA 02459
617-209-9297

09/18/2024

Town of Needham
Zoning Board of Appeals
Needham, Massachusetts 02492

Attn: Daphne M. Collins, Administrative Specialist

Re: Driftwood Landing, LLC
378 Manning St, Needham, MA
Special Permit Request

Dear Ms. Collins,

We are requesting a Zoning Board of Appeals meeting for October 28, 2024 in connection to 378 Manning St, Needham, MA, submitted herewith, please find the following:

1. A Completed Application for Hearing
2. One copy of architectural plans titled "378 Manning Street Townhouses, Needham, MA", prepared by McKay Architects, consisting of six sheets: Sheet A-1.1, "Basement Plan", dated 08/07/24, Sheet A-1.2 "First Floor Plan", dated 08/07/24, Sheet A-1.3 "Second Floor Plan", dated 08/07/2024, Sheet A-2.1 "Front Elevation", dated 08/07/24, Sheet A-2.2 "Side Elevations", dated 08/07/24, and A-2.3 "Rear Elevation" dated 08/07/24;
3. One copy of Needham Assessors database records dating back to July 1929, showing the property to be listed as a two family home;
4. One copy of "Zoning Board of Appeals, Plan of Land of Existing and Proposed Conditions for 378 Manning Street, Needham, Mass.", prepared by RAV & Associates, Inc., dated August 26, 2024,
5. Check in the amount of \$500 for the applicable filing fee.

Driftwood Landing, LLC is requesting permission to demolish the existing two- family dwelling and garage at the Premises and replace with a new two-family dwelling as shown on the plans submitted. The existing dwelling, which by the registry of deeds shows to have been built around 1909, is non-conforming by use. The lot and setbacks are conforming, and will continue to conform with the new dimensional requirements. Whereas both the use of the existing dwelling for two-family purposes and the creation of the lot pre-date the adoption of Zoning in 1925, the aforesaid non-conformities are lawfully pre-existing. And, because the proposed replacement dwelling will also contain two units, a special permit pursuant to Section 1.4.7.4 is required.

Sincerely,

Arthur Elzon



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	Driftwood Landing, LLC			Date:	09/18/2024
Applicant Address	127 Hanson Rd, Newton, MA 02459				
Phone	617-209-9297	email	Builder@sagagc.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	Arthur Elzon				
Address	164 Broadmeadow Rd, Needham, MA 02492				
Phone	617-209-9297	email	Arthur@sagagc.com		
Representative is ☐ Attorney; ☒ Contractor; ☐ Architect; ☐ Other _____					
Contact ☒ Me ☐ Representative in connection with this application.					

Subject Property Information

Property Address	378 Manning St, Needham, MA 02492		
Map/Parcel Number	048 0123	Zone of Property	SRB
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☐ Yes ☒ No			
Is property ☒ Residential or ☐ Commercial			
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:

Pre-existing, lawful non-conforming two family home, with a 2 car detached garage

Statement of Relief Sought:

Special permit pursuant to Section 1.4.7.4 of the Needham Zoning By-Law and a finding pursuant to Section 6 of M.G.L. c.40A, to permit the demolition, extension, alteration, enlargement, and reconstruction of the lawful, pre-existing, non-conforming, two-family dwelling as shown on the plans submitted with this application, and all other relief as may be necessary and appropriate in connection therewith.

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

1.4.7.4 and 7.5.2

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

	Existing Conditions	Proposed Conditions
Use		
# Dwelling Units	2	2
Lot Area (square feet)	10,414	10,414
Front Setback (feet)	41.6'	22'
Rear Setback (feet)	46'	25.5'
Left Setback (feet)	34.4'	16'
Right Setback (feet)	11.2'	26'
Frontage (feet)	135.42'	135.42'
Lot Coverage (%)	19%	24%
FAR (Floor area divided by the lot area)	-	.38
Numbers must match those on the certified plot plan and supporting materials		



ZBA Application For Hearing

Date Structure Constructed including additions:

Approximately 1909

Date Lot was created:

1909

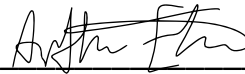
Submission Materials	Provided
Certified Signed Plot Plan of Existing and Proposed Conditions <i>(Required)</i>	
Application Fee, check made payable to the Town of Needham Check holders name, address, and phone number to appear on check and in the Memo line state: "ZBA Fee – Address of Subject Property" <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 _____
08/05/2024
date of consult

Date: 09/18/2024 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*

TOWN OF NEEDHAM, MASSACHUSETTS

Building Inspection Department

Building Permit No. _____

Assessor's Map & Parcel Number: 48 LOT 123

Lot Area 10,414 S.F.

Zoning District: SRB 2 FAMILY

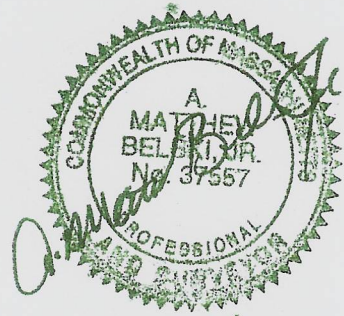
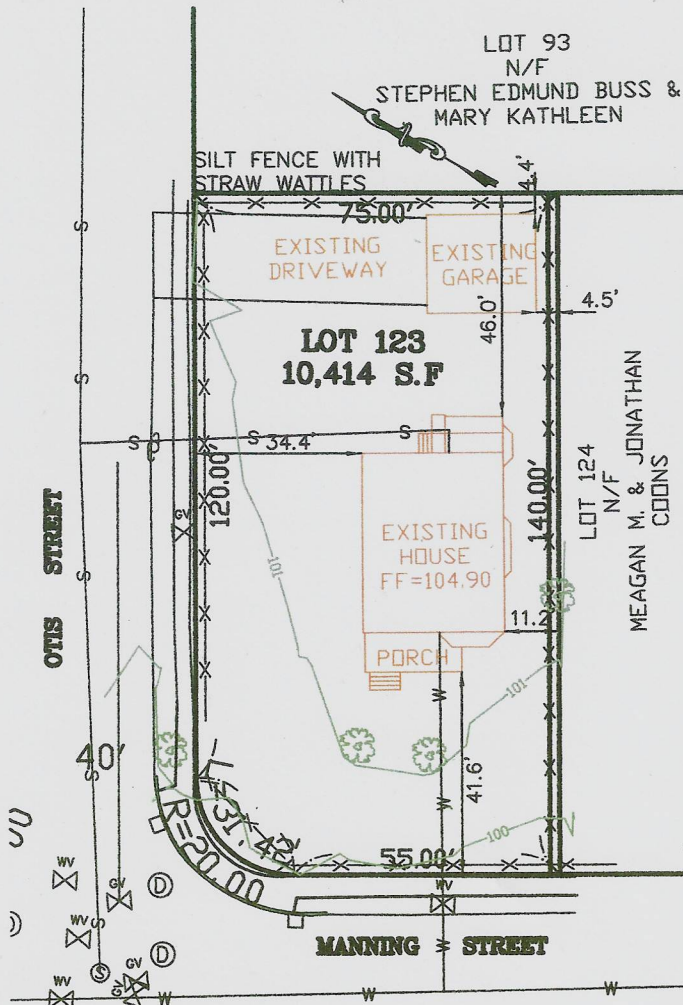
Owner _____

Address: 378 MANNING STREET

Builder: _____

DEMO/PROPOSED PLOT PLAN/FOUNDATION AS-BUILT/FINAL AS-BUILT

40' Scale



8/26/24

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 utilities, including water mains, sewers, drains, gaslines, etc.; driveways, Flood Plain and Wetland Areas, lot dimensions, dimensions of proposed structures, sideline offsets and setback distances, (allowing for overhangs) and elevation of top of foundations and garage floor. For new construction, elevation of lot corners at streetline and existing and approved street grades shall be shown for grading along lot line bordering streetline. 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 unsewered area.

(*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 26 day of AUGUST 2024.

Name A. MATTHEW BELISKI, JR.

Registered Land Surveyor No. 37557

Address 35 MAPLE ST.

City W. NEWBURY State MA Zip _____

Tel. No. (978) 363-8130

Approved _____

Director of Public Works

Date _____

Approved _____

Building Inspector

Date _____

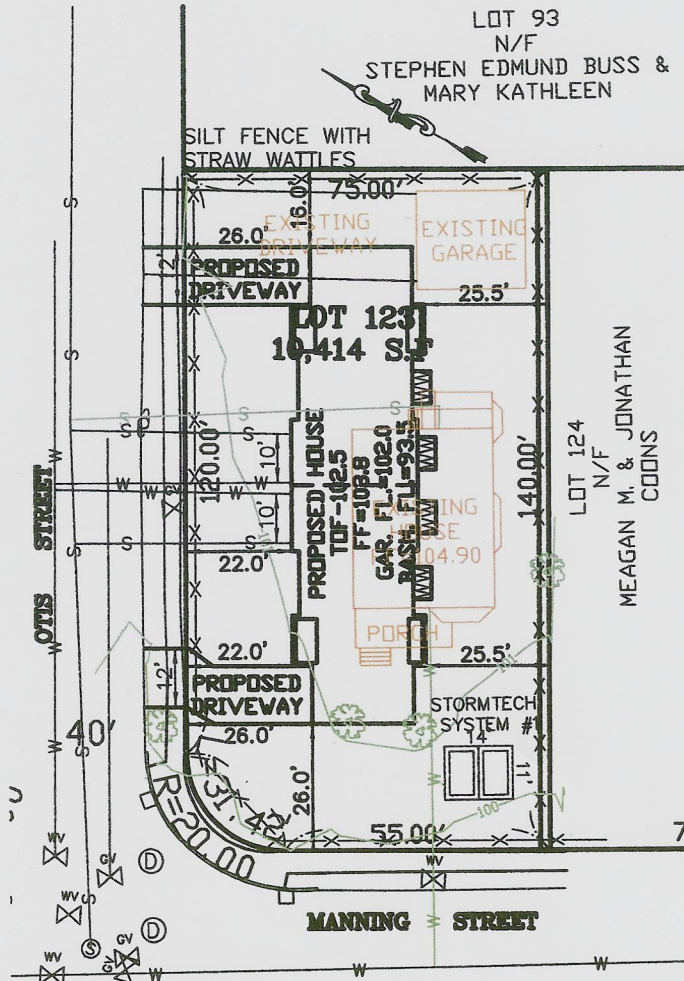
TOWN OF NEEDHAM, MASSACHUSETTS

Building Inspection Department

Assessor's Map & Parcel Number: 66 LOT 32
 Building Permit No. _____ Zoning District: SRB 2 FAMILY
 Lot Area 10,414 S.F. Address: 378 MANNING STREET
 Owner _____ Builder: _____

DEMO/PROPOSED PLOT PLAN FOUNDATION AS-BUILT/FINAL AS-BUILT

40' Scale



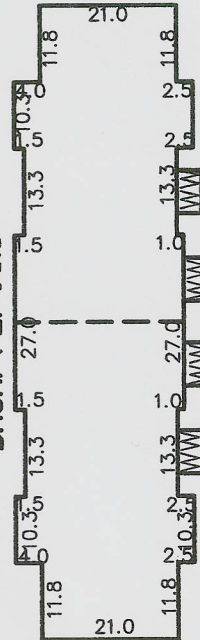
PROPOSED HOUSE

TDF-102.5

FF=103.8

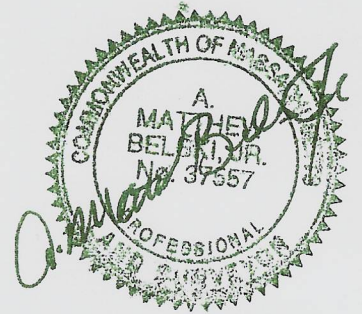
GAR. FL.=102.0

BASM. FL.=93.5



SCALE: 1"=30'

LOT COVERAGE= 24.0%
 HEIGHT OF DWELLING 34.3'
 FROM AVERAGE GRADE
 TO THE RIDGE OF ROOF



8/26/24

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 utilities, including water mains, sewers, drains, gaslines, etc.; driveways, Flood Plain and Wetland Areas, lot dimensions, dimensions of proposed structures, sideline offsets and setback distances, (allowing for overhangs) and elevation of top of foundations and garage floor. For new construction, elevation of lot corners at streetline and existing and approved street grades shall be shown for grading along lot line bordering streetline. 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 unsewered area.

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Address 35 MAPLE ST. City W. NEWBURY State MA Zip _____ Tel. No. (978) 363-8130

Approved _____ Director of Public Works Date _____

Approved _____ Building Inspector Date _____



New Residences
378 Manning Street
Needham, MA

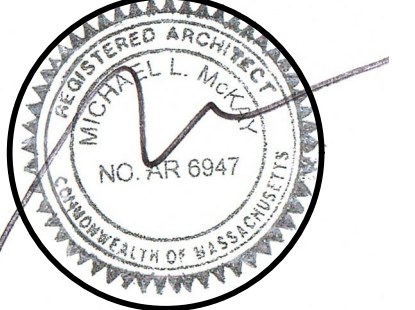
DESIGN SET 8.07.2024

New Residences

378
Manning Street
Needham, Ma

OWNER

35 Bryant Street
Dedham, MA 02026
ph: 781.326.5400
www.mckayarchitects.net

[illegible]

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Contractor to verify all information and dimensions in the field prior to start of construction and is to notify McKay Architects of any discrepancies

Title Sheet

JOB NO

DATE _____

08.07.2024

DWG BY

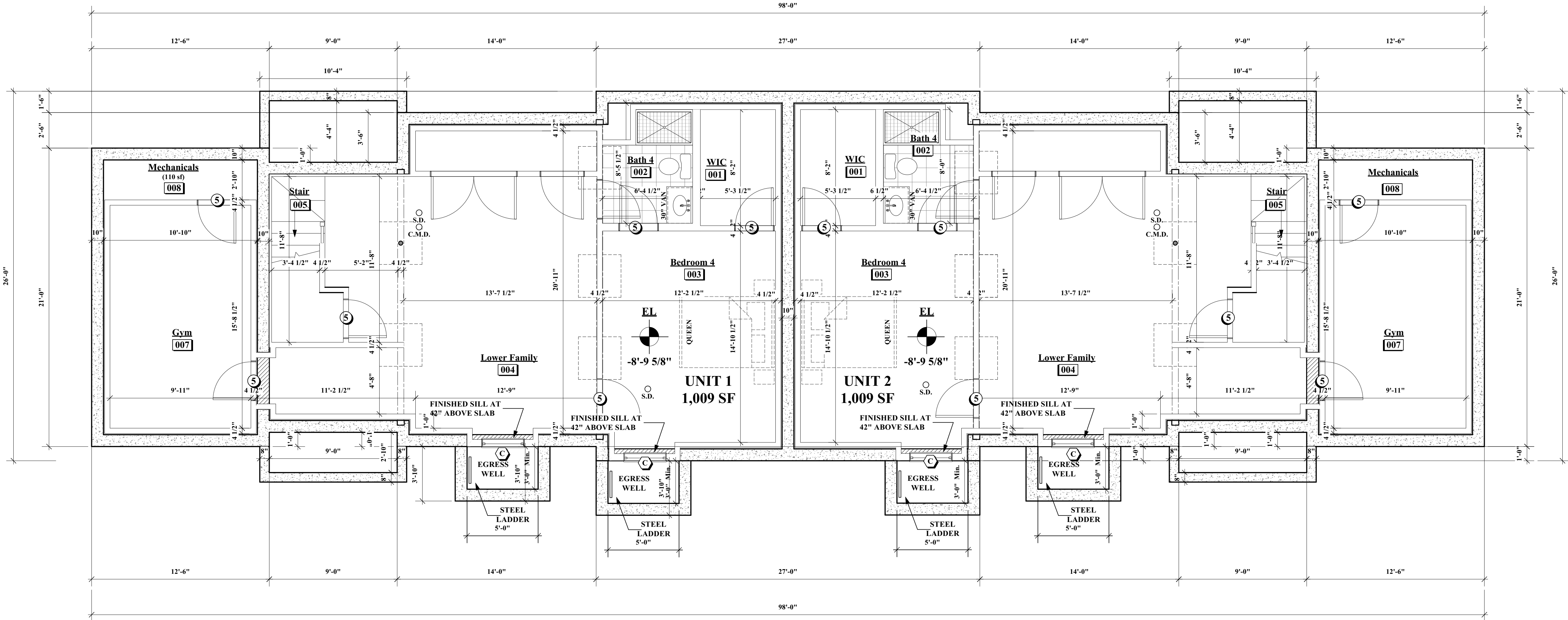
CKD BY

SCALE

AS NOTED

		GENERAL NOTES				CODE			
		1. THE GENERAL CONTRACTOR SHALL NOTIFY THE ARCHITECTS OF ALL DISCREPANCIES BETWEEN CONSTRUCTION DOCUMENTS AND EXISTING CONDITIONS. 2. THE GENERAL CONTRACTOR SHALL COMPLY WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS THAT MAY APPLY TO THE CONSTRUCTION OF THE PROJECT. 3. ALL WORK OF THIS PROJECT SHALL COMPLY WITH ACCEPTED BUILDING PRACTICES AND ALL CODE HAVING JURISDICTION OVER THIS PROJECT. 4. REFER TO LIMITS OF WORK DRAWINGS FOR OVERALL DESCRIPTION OF WORK AREAS. 5. THE GENERAL CONTRACTOR SHALL LEAVE THE PROJECT SITE AND ALL SURROUNDING AREAS IN FINAL CLEAR CONDITION INCLUDING THE REMOVAL OF ALL DEBRIS RESULTING FROM CONSTRUCTION. 6. THE CONTRACTOR SHALL AT ALL TIMES DURING THE PROGRESS OF THE WORK REMOVE ALL CONSTRUCTION DEBRIS AND MAINTAIN A DUST FREE ENVIRONMENT FOR ALL ADJACENT AREAS. 7. THE CONTRACTOR SHALL COORDINATE THE WORK OF ALL TRADES AND VERIFY THAT ALL CUTTING AND PATCHING REQUIRED FOR THE INSTALLATION OF ALL MATERIALS BY ALL TRADES IS PROPERLY EXECUTED. 8. THE CONTRACTOR SHALL UTILIZE THE AREAS WITHIN THE SCOPE OF WORK FOR STORAGE OF MATERIALS AND TOOLS. 9. ALL WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER ALL OTHERS. DO NOT SCALE DRAWINGS. IF THERE IS A QUESTION OR CONFLICT IN DIMENSIONS, NOTIFY THE ARCHITECT FOR CLARIFICATION.		10. VERIFY FIELD CONDITIONS PRIOR TO COMMENCEMENT OF EACH PORTION OF THE WORK. THE CONTRACT DRAWINGS ARE COMPLIMENTARY AND WHAT IS REQUIRED BY ONE SHALL BE BINDING AS IF REQUIRED BY ALL. THE CONTRACTOR SHALL COORDINATE ALL PORTIONS OF THE WORK. 11. DIMENSIONS ARE TO CENTER LINES, EXISTING BUILDING GRID LINES OR TO FACE OF FINISHED SURFACE UNLESS OTHERWISE NOTED. 12. ALL GYPSUM WALL BOARD CONSTRUCTION SHALL CONFORM TO RECOMMENDATIONS, PRACTICES, STANDARDS AND INSTRUCTIONS PUBLISHED BY U.S. GYPSUM COMPANY IN THE GYPSUM CONSTRUCTION HANDBOOK. 13. ALL FINISHED WORK SHALL BE FREE OF DEFECTS. THE OWNER RESERVES THE RIGHT TO REJECT ANY MATERIALS AND WORKMANSHIP WHICH ARE NOT CONSIDERED TO BE AT THE HIGHEST STANDARDS OF THE VARIOUS TRADES INVOLVED. 14. NO CHANGES OR SUBSTATIONS ARE ALLOWED UNLESS APPROVED BY THE OWNER. 15. ALL DATA OUTLETS MUST BE ON A DEDICATED, ISOLATED CIRCUIT. 16. THE MECHANICAL PORTION OF THIS PROJECT ISSUE AS A DESIGN BUILD PACKAGE. THE GENERAL CONTRACT IS TO SUBMIT TO THE ARCHITECT FOR APPROVAL A SET OF STAMPED MECHANICAL DRAWINGS OUTLINING THE PROPOSED SLOPE OF WORK.		GOVERNMENT BUILDING CODE THE MASSACHUSETTS BUILDING CODE, 9TH EDITION			
		GRAPHIC SYMBOLS		MATERIAL SYMBOLS		ABBREVIATIONS			
T-1.1 Title Sheet T-1.2 Zoning F-1.1 Fire Protection A-1.1 Basment Floor Plan A-1.2 First Floor Plan A-1.3 Second Floor Plan A-1.4 Attic Floor Plan A-1.5 Roof Plan A-2.1 Front Elevation A-2.2 Side Elevations A-2.3 Rear Elevation A-3.1 Finish, Door & Window Schedules & Specifications S-1.1 Foundation Plan S-1.2 First Floor Framing Plan S-1.3 Second Floor Framing Plan S-1.4 Attic Floor Framing Plan S-1.5 Roof Framing Plan		3 A-3.1 BUILDING CROSS SECTION NEW CONSTRUCTION 5 DOOR NUMBER EXISTING CONSTRUCTION 102 ROOM NUMBER B WINDOW NUMBER ELEVATION DESIGNATION 5 A-3.3 SECTION REFERENCE NEW DOOR TO BE INSTALLED EXISTING DOOR TO REMAIN PARTITION TYPE		BLOCKING CONCRETE EARTH BATT INSULATION GRAVEL WOOD DRYWALL TILE		@ AT AFF ABOVE FINISH FLOOR ATTEN ATTENUATING BLDG BUILDING CH CEILING HEIGHT CL CENTER LINE CLR CLEAR COL COLUMN CONC CONCRETE CONT CONTINUOUS CPT CARPET CT CERAMIC TILE DIM DIMENSION DWG(S) DRAWING(S) EA EACH EIFS EXT INSUL. FINISH SYSTEM ELEC ELECTRICAL ELEV ELEVATION EQ EQUAL EW ELECTRICAL WATER COOLER EXT EXTERIOR FC FIRE CODE / FIRE CORE FD FLOOR DRAIN FEC FIRE EXTINGUISHER CABINET FF FINISHED FLOOR FFE FINISHED FLOOR ELEVATION FIN FINISH FFL FLUORESCENT LIGHTING FOF FACE OF FINISH FOC FACE OF CONCRETE FOS FACE OF STUD FRT FIRE RETARDANT TREATED GC GENERAL CONTRACTOR GL GLASS OR GLAZING GW GYPSUM WALL BOARD HC HOLLOW CORE HDWR HARDWARE HM HOLLOW METAL HOR HORIZONTAL HT HEIGHT HVAC HEATING, VENT, A/C HWH HOT WATER HEATER INSUL INSULATION INT INTERIOR L LENGTH LAV LAVATORY LH LEFT HAND(ED) MAX MAXIMUM MECH MECHANICAL MFR MANUFACTURER MD MEDIUM DENSITY MIN MINIMUM MO MASONARY OPENING MTL METAL NIC NOT IN CONTRACT NL NIGHT LIGHT NOM NOMINAL NTS NOT TO SCALE OC ON CENTER OD OUTSIDE DIAMETER OH OPPOSITE HANDED		P LAM PLASTIC LAMINATE PLYWD PLYWOOD PT PRESSURE TREATED PR PAIR PT PAINTED QT QUARRY TILE R RISER RAD RADIUS REQ REQUIRED REF REFERENCE REV REVISION(S) RH RIGHT HAND(ED) RO ROUGH OPENING RTU ROOF TOP UNIT SA SOUND ATTENTION BATTS SD SMOKE DETECTORS SIM SIMILAR SPEC SPECIFICATION SQ SQUARE SQ FT SQUARE FEET SS STAINLESS STEEL STL STEEL STN STAIN SV SHEET VINYL T TREAD THK THICKNESS TP TOILET PAPER DISPENSER TYP TYPICAL UNO UNLESS NOTED OTHERWISE VCT VINYL COMPOSITION TILE VIF VERIFY IN FIELD VTR VENT THROUGH ROOF W/ WITH WC WATER CLOSET WD WOOD X-REF CROSS REFERENCE	

Otis Street



1
A-1.1
Basement Plan
1/4" = 1'-0"

LOT COVERAGE: LOT SIZE: 10,400 SF **
LOT COVERAGE ALLOWED: 2600 SF
LOT COVERAGE PROPOSED: 2227 SF

FAR SQUARE FOOTAGE SUMMARY
MAX. ALLOWED: 10400 X .38 = 3952 SF
FINISHED BASEMENT: 2018 SF (NOT INCLUDED IN FAR)
FIRST FLOOR LIVING: 1701 SF (NOT INCLUDING 524 SF GARAGE)
SECOND FLOOR LIVING: 2240 SF
TOTAL PROPOSED: 3941 SF
**** LOT SIZE AND LOT COVERAGE TO BE VERIFIED SURVEYOR**

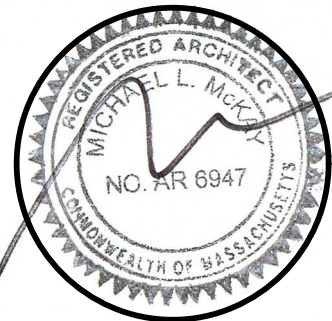
New Residences

378
Manning Street
Needham, Ma

OWNER

mckay architects

35 Bryant Street
Dorham, MA 02026
ph:781.326.5400
www.mckayarchitects.net



REV # DATE ISSUANCE

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Contractor to verify all information and dimensions in the field prior to start of construction and is to notify McKay Architects of any discrepancies

Basement
Floor Plan

JOB NO

DATE

08.07.2024

DWG BY

JB

CKD BY

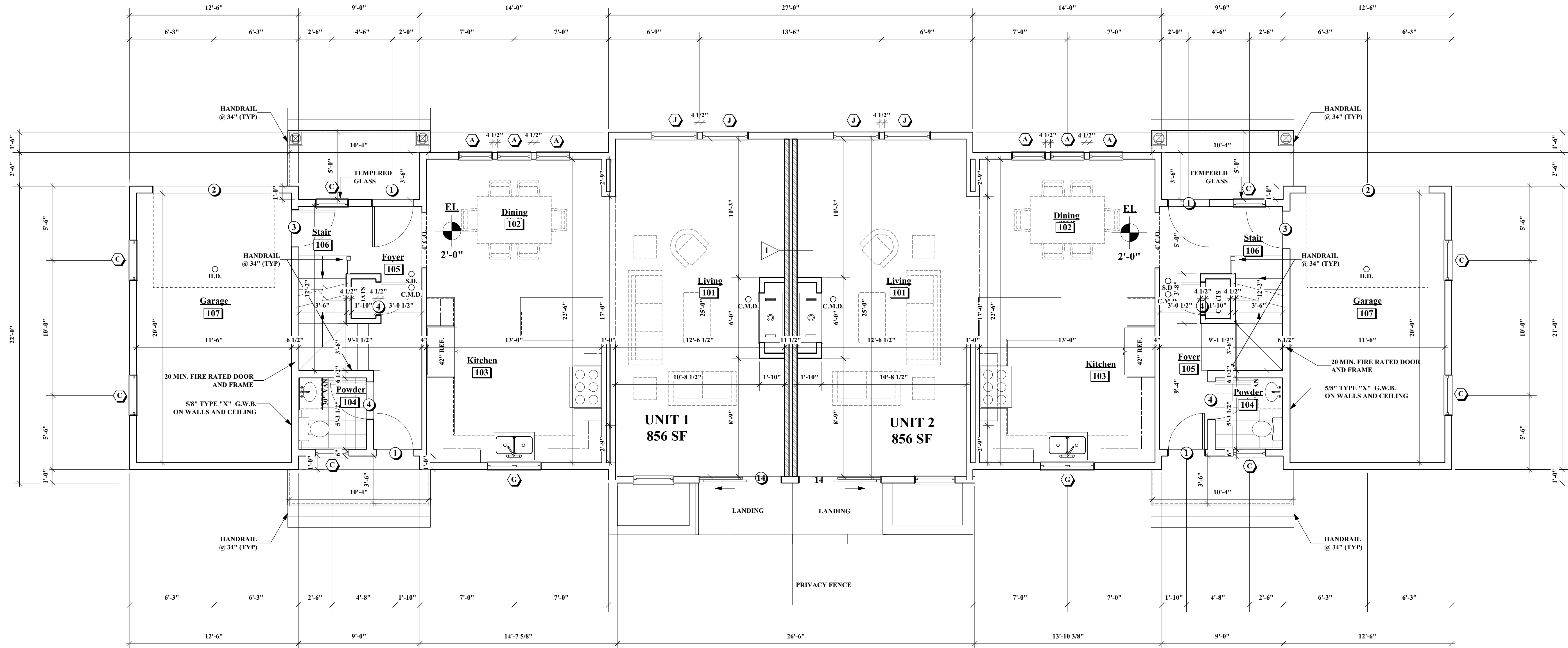
MLM

SCALE

AS NOTED

A-1.1

Otis Street



1 First Floor Plan
A-1.2
1/4" = 1'-0"

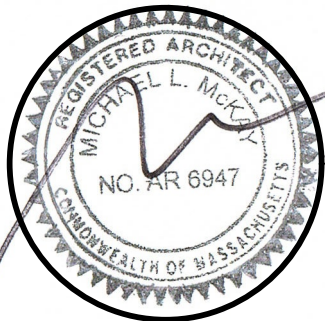
New Residences

378
Manning Street
Needham, Ma

OWNER

architects
mckay

35 Bryant Street
Dedham, MA 02026
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First Floor Plan

JOB NO

DATE

DWG BY

CKD BY

SCALE

08.07.2024

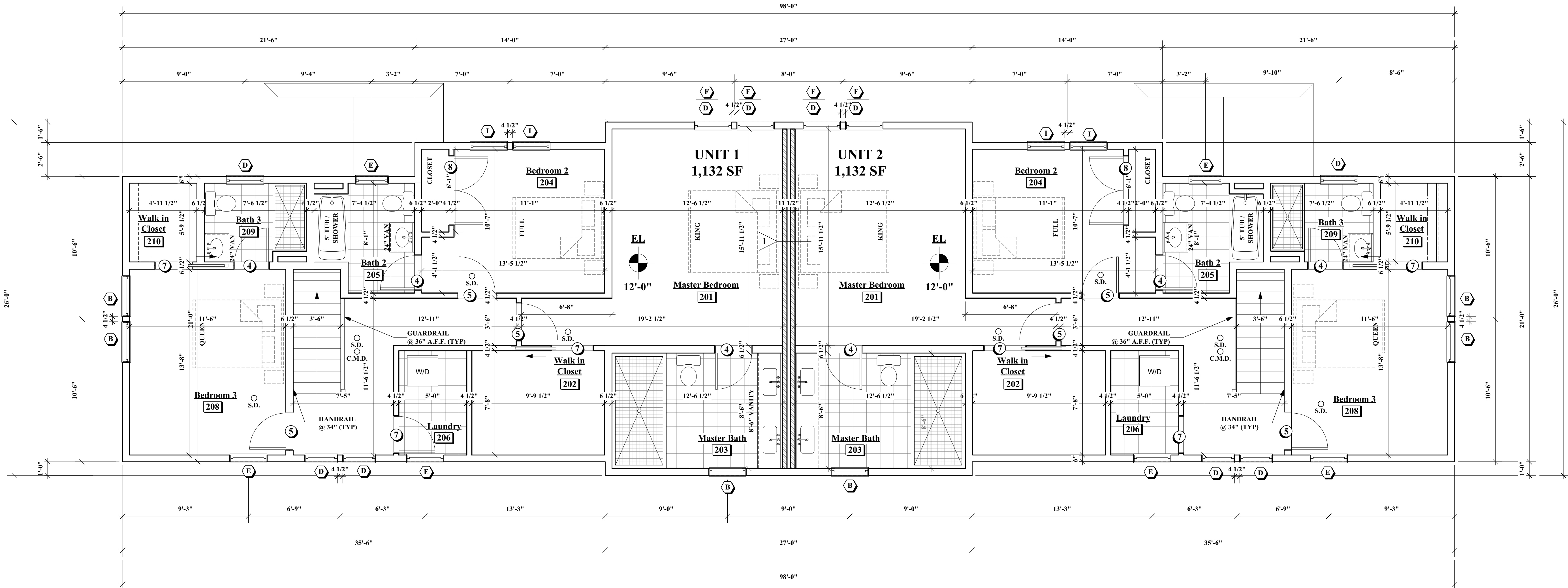
JB

MLM

AS NOTED

A-1.2

Otis Street



1
A-1.3
Second Floor Plan
1/4" = 1'-0"

New Residences

378
Manning Street
Needham, Ma

OWNER

architects
mckay

35 Bryant Street
Dedham, MA 02026
ph:781.326.5400
www.mckayarchitects.net



REV # DATE ISSUANCE

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Second Floor Plan

JOB NO

DATE

08.07.2024

DWG BY

JB

CKD BY

MLM

SCALE

AS NOTED

A-1.3

[illegible]

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Contractor to verify all information and dimensions in the field prior to start of construction and is to notify McKay Architects of any discrepancies

Harvard Street Elevation

JOB NO	
DATE	08.07.2024
DWG BY	JB
CCKD BY	MLM
SCALE	AS NOTED

A-2.1



1 Manning Street Elevation
A-2.1 1/4" = 1'-0"

mckay architects

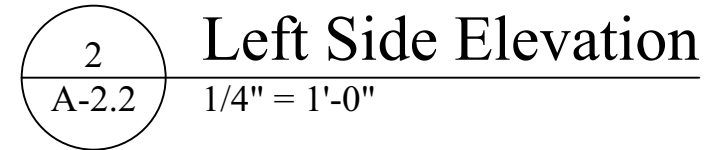
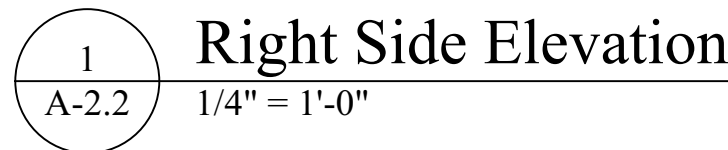
[illegible]

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JOB NO	
DATE	08.07.2024
DWG BY	JB
CKD BY	MLM
SCALE	AS NOTED

A-2.2



[illegible]

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JOB NO	
DATE	08.07.2024
DWG BY	JB
CCKD BY	MLM
SCALE	AS NOTED

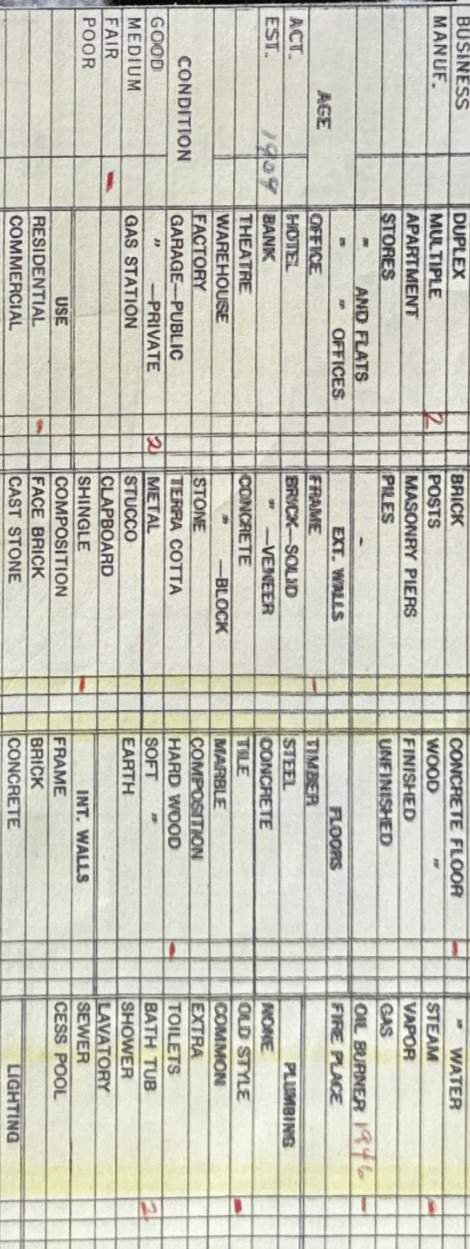
A-2.3



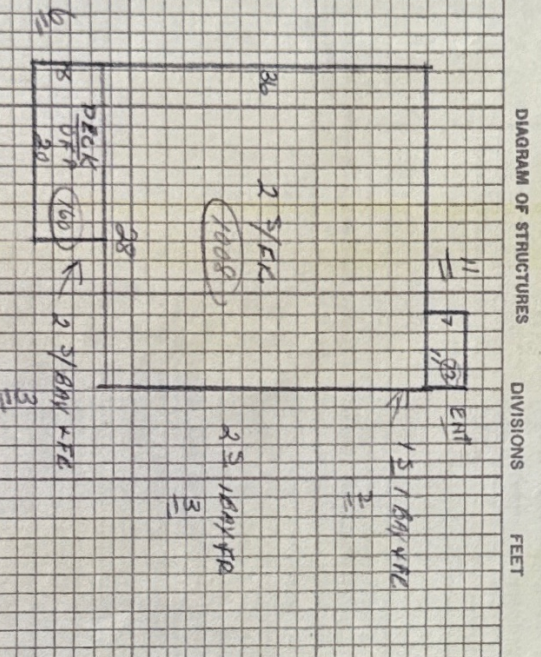
1
A-2.3

Card No.

ZONING		TOWN OF NEEDHAM						REAL PROPERTY RECORD						BOARD OF ASSESSORS									
CLASS		CLASS	1	2	3	FOUNDATIONS			1	2	3	BASEMENT			1	2	3	HEATING			1	2	3
SINGLE	-	COTTAGE				STONE						NONE						STOVE					
GENERAL		BUNGALOW				CONCRETE						PART						PIPELESS					
INST.		SINGLE DWLS				" BLOCKS						FULL						HOT AIR					
BUSINESS		DUPLEX				BRICK						CONCRETE FLOOR						" WATER					
MANUF.		MULTIPLE				POSTS						WOOD						STEAM					
		APARTMENT				MASONRY PIERS						FINISHED						VAPOR					
		STORES				PILES						UNFINISHED						GAS					
		" AND FLATS																					
		" OFFICES				EXT. WALLS						FLOORS						OIL BURNER					
AGE		OFFICE				FRAME						TIMBER						FIRE PLACE					
ACT.		HOTEL				BRICK—SOLID						STEEL						PLUMBING					
EST.	1904	BANK				" —VENETIAN						CONCRETE						ACOVE					
		THEATRE				CONCRETE						TILE						GOLD STYLE					
		WAREHOUSE				" —BLOCK						MARBLE						COMMON					
CONDITION		FACTORY				STONE						COMPOSITION						EXTRA					
GOOD		GARAGE—PUBLIC				TERRA COTTA						HARD WOOD						TOILETS					
MEDIUM		" —PRIVATE	21			METAL						SOFT "						BATH TUB					
FAIR	-	GAS STATION				STUCCO						EARTH						SHOWER					
POOR						CLAPBOARD												LAVATORY					
		USE				SHINGLE						INT. WALLS						SEWER					
		RESIDENTIAL				COMPOSITION						FRAME						CESS POOL					
		COMMERCIAL				FACE BRICK						BRICK											
		CAST STONE				CAST STONE						CONCRETE						LIGHTING					
		BUSINESS										TILE											



Date _____



TOWN OF NEEDHAM

REAL PROPERTY RECORD

BOARD OF ASSESSORS

CLASS	1	2	3	FOUNDATIONS	1	2	3	BASEMENT	1	2	3	HEATING	1	2	3
COTTAGE				STONE				NONE				STOVE			
BUNGALOW				CONCRETE				PIPELESS				PIPELESS			
SINGLE DWLS				" BLOCKS				FULL				HOT AIR			
DUPLEX				BRICK				CONCRETE FLOOR				" WATER			
MULTIPLE	2			POSTS				WOOD				STEAM			
APARTMENT				MASONRY PIERS				FINISHED				VAPOR			
STORES				PILES				UNFINISHED				GAS			
" AND FLATS												OIL BURNER 1946			
" OFFICES				EXT. WALLS				FLOORS				FIRE PLACE			
OFFICE				FRAME				TIMBER							
HOTEL				BRICK-SOLID				STEEL				PLUMBING			
BANK				" VENEER				CONCRETE				ACOME			
THEATRE				CONCRETE				TILE				OLD STYLE			
WAREHOUSE				" -BLOCK				MARBLE				COMMON			
FACTORY				STONE				COMPOSITION				EXTRA			
GARAGE-PUBLIC				TERRA COTTA				HARD WOOD				TOILETS			
" -PRIVATE	2			METAL				SOFT "				BATH TUB			
GAS STATION				STUCCO				EARTH				SHOWER			
				CLAPBOARD								LAVATORY			
				SHINGLE				INT. WALLS				SEWER			
USE				COMPOSITION				FRAME				CESS POOL			
RESIDENTIAL				FACE BRICK				BRICK							
COMMERCIAL				CAST STONE				CONCRETE							
BUSINESS								TILE				LIGHTING			
INDUSTRIAL				ROOF				METAL				ELECTRIC			
UTILITY				FLAT				UNFINISHED				GAS COOKING			
TRANSPORTATION				HIP				PLASTERED							
BENEVOLENT				GABLE				WALL BOARD				MISC. AND EXTRAS			
RECREATIONAL				MANSARD								ELEVATOR			
				MONITOR				INT. TRIM				FIRE ESCAPE			
CONSTRUCTION				WOOD				HARD WOOD				SPRINKLERS			
FRAME				STEEL				SOFT "				AIR CONDITION			
BRICK AND FRAME				CONCRETE				METAL				INSULATION			
BRICK-S.F.P.				SHINGLE								INCINERATOR			
CONCRETE				ASBESTOS				CEILINGS				SPECIAL FRONT			
BLOCK				COMPOSITION				PLASTER				PORCH OPEN			
METAL				SLATE				WALL BOARD				" CLOSED			
FIREPROOF				TILE				METAL				SUN PARLOR			
				TAR AND GRAVEL				UNFINISHED				BSMT. RECREATION			

[illegible]

REMARKS: *ENVIIT # 5391* *Feldman 2-ear sweaters*

PROPERTY DATA ON THIS CARD
NOT UPDATED SINCE 1993.

COMPUTER LISTING IS CORRECT.

Daphne Collins

From: Arthur Elzon <arthur@sagagc.com>
Sent: Wednesday, October 9, 2024 9:53 AM
To: Daphne Collins
Subject: Re: 378 Manning Street

This is my formal request for a continuance for this matter.

Thank you

On Wed, Oct 9, 2024 at 7:54 AM Arthur Elzon <arthur@sagagc.com> wrote:

Good morning Daphne, I tried to call you yesterday, but couldn't connect. Please call me at your earliest convenience on my cell 617-869-7777.

Thank you

Arthur Elzon
Managing Partner - Saga Partners MA, LLC
Custom Home Builders
617-869-7777

www.sagagc.com



On Mon, Oct 7, 2024 at 4:52 PM Daphne Collins <dcollins@needhamma.gov> wrote:

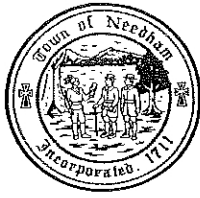
Good Afternoon Arthur-

Joe Prondak, the Building Commissioner, has informed me that the application for a Special Permit for 378 Manning Street is not allowed under Section 1.4.7.4 (c) of the By-Law. The proposed project has a lot coverage of 24%, the By-Law limits the lot coverage to no more than 18%.

As a filed application for a Special Permit your application must meet the requirements of the By-Law, please contact me to discuss the possible option steps for this application.

Daphne

Daphne M. Collins



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

October 9, 2024

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

RE: Case Review-Special Permit
378 Manning Street- Special Permit Plan Review

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 two-family residential home and new construction of a two-family townhouse.

The documents submitted for review are as follows:

- Application for Special Permit dated 9/18/24.
- Architectural Plans by McKay Architects dated 08/07/24 consisting of 6 sheets.
- Needham Assessors database Dating back to 1929 identifying property as a two family
- Existing and Proposed Plot Plans by Mathew Belski Dated 8/26/24

Our comments and recommendations are as follows:

- In accordance with the Town of Needham Stormwater Bylaw, the proposed new structure requires a minimum combined volumetric capacity of 1 inch over the entire impervious area of the addition to be recharged. The plans should be revised, prior to receiving a building permit, showing the calculations that the infiltration system is sized to contain a minimum of 1-inch of the total impervious area of the addition for infiltration.
- The final location of storm drainage field should be reviewed for approval prior to field installation.

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: Thursday, September 26, 2024 1:29 PM
To: Daphne Collins
Subject: RE: 378 Manning Street - ZBA Administrative Review due October 8, 2024

Hi Daphne,
No issues with Fire.
Thank you,



Thomas M. Conroy

Fire Chief - Needham Fire Department
tconroy@needhamma.gov
Ph (781) 455-7580

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Wednesday, September 25, 2024 4:06 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>
Subject: 378 Manning Street - ZBA Administrative Review due October 8, 2024

Good Afternoon-

378 Manning Street – Driftwood Landing, LLC is seeking a Special Permit to permit the demolition, extension, alteration, enlargement and reconstruction of the lawful, pre-existing, non-conforming two-family dwelling and its replacement with a new two-family residence.

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

I appreciate your comments no later than **October 8, 2024** to allow time for the applicant to respond prior to the hearing.

If you have any questions, feel free to contact me.

Thank you,

Daphne

Daphne M. Collins

Zoning Specialist

Phone 781-455-7550, x 261

Web <https://www.needhamma.gov/>

<https://needhamma.gov/1101/Board-of-Appeals>

www.needhamma.gov/NeedhamYouTube

Town of Needham
Planning and Community Development
500 Dedham Avenue
Needham, MA 02492

Regular Office Hours: Mon-Wed 8:00am – 5:00pm

Remote Hours: Thurs 8:00am-3:00pm

Daphne Collins

From: Tara Gurge
Sent: Tuesday, October 8, 2024 1:44 PM
To: Daphne Collins
Subject: RE: 378 Manning Street - ZBA Administrative Review due October 8, 2024- Public Health comments

Daphne –

The Public Health Division conducted the Zoning Board review for the proposed demolition and rebuild of the property located at **#378 Manning Street**. 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



 please consider the environment before printing this email

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Daphne Collins

From: John Schlittler
Sent: Wednesday, October 9, 2024 3:21 PM
To: Daphne Collins
Subject: RE: 378 Manning Street - ZBA Administrative Review due October 8, 2024

Police has no issue with this

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Wednesday, October 9, 2024 3:15 PM
To: John Schlittler <JSchlittler@needhamma.gov>
Subject: FW: 378 Manning Street - ZBA Administrative Review due October 8, 2024

Hi Chief-
Will you be submitting comments for 378 Manning Street?
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, September 25, 2024 4:06 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>
Subject: 378 Manning Street - ZBA Administrative Review due October 8, 2024

Good Afternoon-

378 Manning Street – Driftwood Landing, LLC is seeking a Special Permit to permit the demolition, extension, alteration, enlargement and reconstruction of the lawful, pre-existing, non-conforming two-family dwelling and its replacement with a new two-family residence.

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

Norfolk Lodge A.F. & A.M.
1101 Highland Avenue
Needham, MA 02494

September 16, 2024

Needham Board of Appeals
500 Dedham Avenue
Needham, MA 02492

Dear Members:

On behalf of Norfolk Lodge A.F. & A. M. Annual Christmas tree sale, I am writing to you for the purpose of renewing the special permit your board granted under section 3.2.1. of the Zoning By-Laws, granted to us on October 16, 1997 for the storage and sale of Christmas trees and related items.

Condition #5 listed on your decision required that in order to renew the permit we must show evidence of the continued permission to use the parking lot owned by Christ Episcopal Church, which is situated between our sales lot and Highland Avenue. Enclosed is a letter from Christ Episcopal Church granting permission to use the lot in question.

This period will be seven days a week from November 16 through December 24, 2024. Hours are as follows: Monday through Friday 3:00 PM to 9:00 PM, Saturday 9:00 AM to 6:00 PM, and Sunday 12:00 PM to 6:00 PM.

We will obtain the necessary permit from the Needham Fire Department for the storage of the trees, wreaths, and trimmings.

If you have any questions I can be reached at 781 444-8964. Please forward a copy of the hearing results to 12 Morley Street, Needham, MA 02492.

Thank you in advance for your help and consideration.

Sincerely,



Brian R. Sewall
Christmas Tree Committee



September 24, 2024

Needham Board of Appeals
Needham Town Hall
500 Dedham Avenue
Needham, MA 02492

Dear Members,

Please be advised that the Norfolk Lodge A.F. & A.M. has the permission of Christ Episcopal Church, 1132 Highland Avenue, Needham, Massachusetts, to use the parking lot owned by the Church for customer parking when viewing and purchasing Christmas trees during the 2024 Christmas Tree & Wreath sale.

The time period of use will be seven days a week from November 16 through December 24, 2024. Hours are Monday through Friday 3:00-9:00 p.m., Saturday 9:00 a.m.-6:00 p.m., and Sunday 12:00 p.m.-6:00 p.m.

The parking lot is located on Highland Ave, Needham, Massachusetts, directly opposite the church, and situated between 1111 Highland Avenue and the Needham Public Library.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Alison Heard', with a long, sweeping underline.

Alison Heard
Manager of Parish Operations

cc: Brian Sewall, Norfolk Lodge

TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS
OCTOBER 16, 1997

'97 OCT 30 A8:15

NORFOLK LODGE AF & AM
NEHOIDEN LODGE AF & AM

Upon the application of Norfolk Lodge AF & AM and Nehoiden Lodge AF & AM, 1101 Highland Avenue, Needham, Mass., tenant, to the Board of Appeals for a special permit under Section 3.2.1 of the Zoning By-law to allow the sale and storage of Christmas trees and related items from November 30 to December 23 in the parking lot at 1101 Highland Avenue, a public hearing was held at the Stephen Palmer Senior Center, 83 Pickering Street, Needham, Mass. on Thursday, October 16, 1997 in the evening pursuant to notice thereof published in a local newspaper and mailed to all persons in interest.

Appearing on behalf of the applicant was Ken Morrison, Norfolk Lodge, and Gary Parks, Nehoiden Lodge. They requested a special permit to continue the sale of Christmas trees, etc. from the end of November to December 23. The Order of DeMolay was granted a variance in 1978 to sell Christmas trees at this property and has done so each year. Mr. Morrison stated they had contacted the abutters and have their permission. Letters were submitted from the Rector and Clerk, Christ Episcopal Church; owner, 3 Masonic Way; Charles River Workshop for Retarded Citizens, 1111 Highland Ave.; and, Needham Masonic Corporation.

No one appeared in opposition. A letter from the Planning Board dated October 14, 1997 stated that it makes no comment on the application. The hearing closed at 9:50 p.m. and the Board proceeded to deliberate.

Decision

On the basis of the evidence presented at the hearing on the application of the Norfolk Lodge AF & AM and Nehoiden Lodge AF & AM (the "applicant") for a special permit under Section 3.2.1 of the Zoning By-law to allow the sale and storage of Christmas trees and related items from November 30 to December 23 in the parking lot at 1101 Highland Avenue, the Board makes the following findings:

1. The applicant is a non-profit corporation engaged in various charitable endeavors and has sold Christmas trees and other related products from the site in the past under the temporary use variance granted to the Needham DeMolay in 1978.

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

Public notice is hereby given that **Norfolk Lodge AF & AM and Nehoiden Lodge AF & AM, 1101 Highland Avenue, Needham, Mass.,** tenant, has made application to the Board of Appeals for a special permit under Section 3.2.1 of the Zoning By-law to allow the sale and storage of Christmas trees and related items from November 30 to December 23 in the parking lot at **1101 Highland Avenue.**

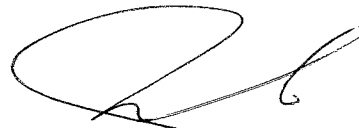
Upon said application, a public hearing will be held at the **Stephen Palmer Senior Center, 83 Pickering Street, Needham, Mass. on Thursday, October 16, 1997,** in the evening at 8:45 p.m. at which place and time all persons interested may appear and be heard.

2. The Christ Episcopal Church by letter dated September 23, 1997 has granted permission to the applicant to use its parking lot at the site for customer parking, viewing and purchasing of Christmas trees and related products, and supports the applicant's request for a special permit.

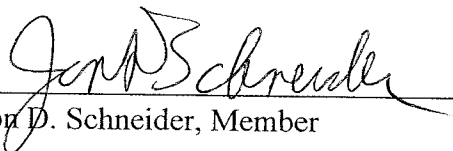
3. Adequate parking and loading space is available at the site as required by the By-law.
4. The issuance of the special permit will not be detrimental to the Town or to the general character of the surrounding neighborhood, and is consistent with the intent of the Zoning By-law.

On the basis of the foregoing findings, following motion duly made and seconded, after due and open deliberation, the Board by unanimous vote grants the applicant a special permit under Section 3.2.1 of the Zoning By-law to allow the sale and storage of Christmas trees and related items from November 30 to December 23 at 1101 Highland Avenue (located behind the Christ Episcopal Church parking lot), Needham, subject to the following conditions:

1. Christmas trees and related items may be stored, offered for sale and sold on the subject lot during the period commencing November 30, 1997 and ending at the close of business on December 23, 1997.
2. Hours of operation will be Monday through Friday 4:00 p.m. to 9:00 p.m., Saturday 9:00 a.m. to 9:00 p.m. and Sunday noon to 6:00 p.m.
3. Any illumination which may be installed must be temporary, must be erected and removed each year, and must be positioned at all times so as not to interfere with the normal use of any adjoining property.
4. Due diligence must be exercised at all times to avoid excessive off-site parking traffic, tie-ups and unnecessary noise and congestion.
5. This special permit is subject to renewal by the Board of Appeals on a year to year basis upon letter request to the Board with adequate proof of continued permission from the Christ Episcopal Church for the continued use of its parking lot and applicant's request for specific dates and times of operation at the site.



William J. Tedoldi, Chairman



Jon D. Schneider, Member



Michael A. Crowe, Member