

NEEDHAM
ZONING BOARD OF APPEALS
AGENDA
Thursday, September 18, 2025 - 7:30PM

Charles River Room Public Service Administration Building 500 Dedham Avenue Needham, MA 02492	Also livestreamed on Zoom Meeting ID:820-9352-8479 To join the meeting click this link: https://us02web.zoom.us/j/82093528479
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Minutes Review and approve Minutes from August 13, 2025 meeting.

7:30 PM **43 Fremont Street** – KGK Group Inc, applied for a Special Permit under Section 1.4.6, 1.4.10, 5.1.2, 5.1.3, 5.1.1.5 and any other section of the Zoning By-Law to continue a nonconforming use to allow the repair, refurbish and resell of used motor vehicles. The property is located at 43 Fremont Street, Needham, MA in the Mixed-Use 128 (MU-128) zoning district.

**NEEDHAM
ZONING BOARD OF APPEALS
MINUTES
WEDNESDAY, AUGUST 13, 2025 - 7:30 PM**

Charles River Room Public Services Administration Bldg. 500 Highland Avenue Needham, MA 02492	Also livestreamed on Zoom Meeting ID: 820-9352-8479
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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 Wednesday, August 13, 2025 at 7:30 p.m.

BOARD MEMBERS PRESENT: Jonathan Tamkin, Chair; Nikolaos Ligris, Member; Valentina Elzon, Associate Member.

BOARD MEMBERS ABSENT: Howard Goldman, Vice-Chair; Peter Friedenberg, Associate Member.

STAFF PRESENT: Daphne Collins, Zoning Specialist

ATTENDANCE: See attached Sign-In Form

Mr. Tamkin, Chair, presided and opened the meeting at 730 p.m.

1. MINUTES OF JULY 17, 2025

Mr. Ligris moved to approve the Minutes of July 17, 2025. Ms. Elzon seconded the motion. The motion was unanimously approved.

**2. 62 KIMBALL STREET
SPECIAL PERMIT**

APPROVED

Mr. Ligris moved to allow for one additional enclosed garage space under Section 6.1.2 of the By-Law according to the plans submitted as part of the Special Permit application. Ms. Elzon seconded the motion. The motion was unanimously approved. A written decision will be prepared.

3. 136-140 HILLSIDE AVENUE

SPECIAL PERMIT

APPROVED

Mr. Ligris moved to grant a Special Permit pursuant to Sections 1.4.7.4, and 4.2.3 of the By-Law to permit the demolition and reconstruction of a non-conforming two-family according to the plans filed with the application. Ms. Elzon seconded the motion. The motion was unanimously approved. A written decision will be prepared.

4. 10 Riverside Street

SPECIAL PERMIT

APPROVED

Ms. Elzon moved to grant 1) a Special Permit to allow the operation of an art school under Sections 3.2.1; and 2) a Special Permit to waive the parking plan and design requirements under Sections 5.1.1.5 and 5.1.3. Mr. Ligris seconded the motion. The motion was unanimously approved. A written decision will be prepared.

The meeting adjourned at 8:45 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. 72261.

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

JAMES J. MCKENZIE
ATTORNEY AT LAW

19 BELKNAP ROAD
MEDFIELD, MASSACHUSETTS 02052
TELEPHONE (508) 359-2622
TELECOPIER (508) 359-5137
MCKENZIELAW@VERIZON.NET
August 25, 2025

BY HAND

Louise L. Miller, JD
Town Clerk
Needham Town Hall
1471 Highland Avenue
Needham, MA 02492

Re: Zoning Board of Appeals Application for Hearing

Dear Ms. Miller:

I represent KGK Group Inc. which is seeking to obtain a special permit from the Zoning Board of Appeals to conduct an automobile repair business at 42 Fremont Street in Needham. In that connection, you will find enclosed herewith 7 copies of certain documents required in connection with this Application.

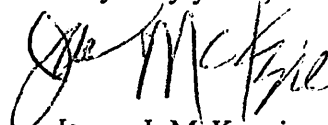
The enclosed documents include:

1. the Zoning Board of Appeals Application for Hearing;
2. a letter of authorization from the current property owner, Brian Mushnik;
3. a Building Inspection Plan dated March 26, 2007;
4. a proposed Site Plan dated May 18, 2007;
5. my Memorandum in Support of the Application;
6. a copy of the 2007 Zoning Board of Appeals Decision for the same property;
7. a check in the amount of \$500.00 as the required application fee.

My understanding is that this matter will be scheduled for hearing at the September 18, 2025 Board of Appeals Meeting at 7:30 p.m. in the town hall.

If there is any additional documentation needed by the Zoning Board of Appeals, please let me know at the earliest possible time. Your cooperation in this matter is appreciated.

Very truly yours,



James J. McKenzie

JJM;st
Encls.
Cc: Mr. Erray Karakas



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	KGK Group Inc.	Date:	8/25/2025
Applicant Address	435 East Center Street, West Bridgewater, MA 02379		
Phone	978-587-5859	email	erayk@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	James J. McKenzie, Esq.		
Address	19 Belknap Road, Medfield, MA 02052		
Phone	(508) 359-2622	email	mckenzielaw@verizon.net
Representative is ☒ Attorney; ☐ Contractor; ☐ Architect; ☐ Other _____			
Contact ☐ Me ☒ Representative in connection with this application.			

Subject Property Information

Property Address	43 Fremont Street, Needham, MA 02494		
Map/Parcel Number	No. 75-11	Zone of Property	Mixed use 128 Zoning District
Is property within 100 feet of wetlands, 200 feet of stream or in flood Plain? ☐ Yes ☒ No			
Is property ☐ Residential or ☒ Commercial			
If residential renovation, will renovation constitute "new construction"? ☐ Yes ☐ No			
If commercial, does the number of parking spaces meet the By-Law requirement? ☒ Yes ☐ No			
Do the spaces meet design requirements? ☒ Yes ☐ No			
Application Type (select one): ☒ Special Permit ☐ Variance ☐ Comprehensive Permit ☐ Amendment ☐ Appeal Building Inspector Decision			



ZBA Application For Hearing

Existing Conditions: A commercial building Used for the service and repair of automobiles, a non-conforming use allowed by a Special Permit issued on May 31, 2007, to Brian's Garage.

Statement of Relief Sought: Transfer of Special Permit issued on May 31, 2007 to Brian Mushnick, d/b/a Brian's Garage

Applicable Section(s) of the Zoning By-Law:
1.4.6, 3.2.6, 3.2.61(c), 5.12, 5.13, 4.9, 4.2, 5.1.2(15)

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

	Existing Conditions	Proposed Conditions
Use		Auto Shop
# Dwelling Units	NA	
Lot Area (square feet)	8,740 square ft	
Front Setback (feet)	Less than 100"	
Rear Setback (feet)		
Left Setback (feet)		
Right Setback (feet)		
Frontage (feet)	80.30 feet	
Lot Coverage (%)	47.1%	
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:

1951 Addition constructed 1967

Date Lot was created:

1896

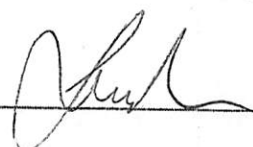
Submission Materials	Provided
Certified Signed Plot Plan of Existing and Proposed Conditions (Required)	
Application Fee, check made payable to the Town of Needham Check holders name, address, and phone number to appear on check and in the Memo line state: "ZBA Fee – Address of Subject Property" (Required)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

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



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

I certify that I have consulted with the Building Inspector May 19, 2025
date of consult

Date: August 21, 2025 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

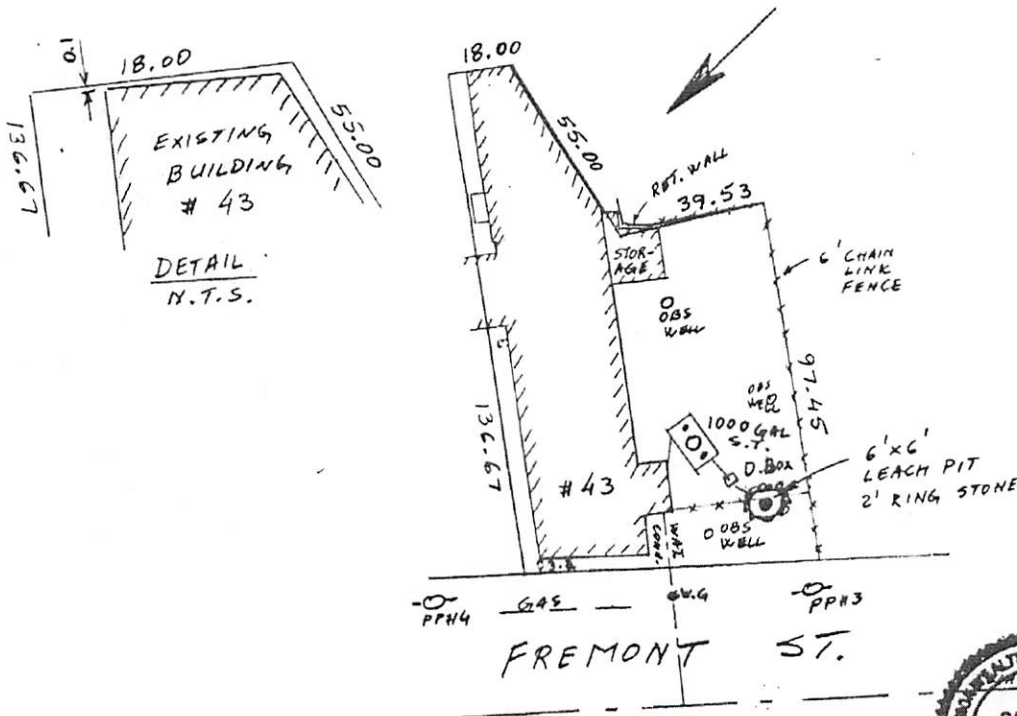
Building Inspection Department

Assessor's Map & Parcel No. 75-11
 Building Permit No. _____ At No. 43 FREMONT ST
 Lot Area 8740 S.F. Zoning District INDUSTRIAL
 Owner 43 FREMONT CORP. Builder _____

Plot Plan

40' scale
 3198
 273 132

LOT COVERAGE
 EXIST = 4.71%

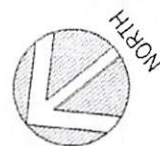


Utilities shown per record plans and documents. Locations to be verified prior to construction.
 Note: Plot Plans shall be drawn in accordance with Sections 7.2.1 and 7.2.2 of the Zoning By-Laws for the Town of Needham. All plot plans shall show existing structures and public utilities, including water mains, sewers, drains, gaslines, etc.; driveways, Flood Plain and Wetland Areas, lot dimensions, setbacks, structures, sideline offsets and setback distances, (allowing for overhangs), and elevation of top of foundations and garage floor. For new construction, plot plans shall show corners at street line and existing and approved street grades shall be shown for grading along lot line bordering streetline. For pool permits, plot plans shall show fence surrounding pool with a gate, proposed pool and 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 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 26TH day of MARCH 2007
 Name Carmelo Frazzetti Registered Land Surveyor No. 8673
 Address Cheney Engineering Co., 4 Walpole St., PO Box 723, Dover, MA 02030 Phone 508-785-2100
 Approved _____ Director of Public Works Date _____
 Approved _____ Building Inspector Date _____

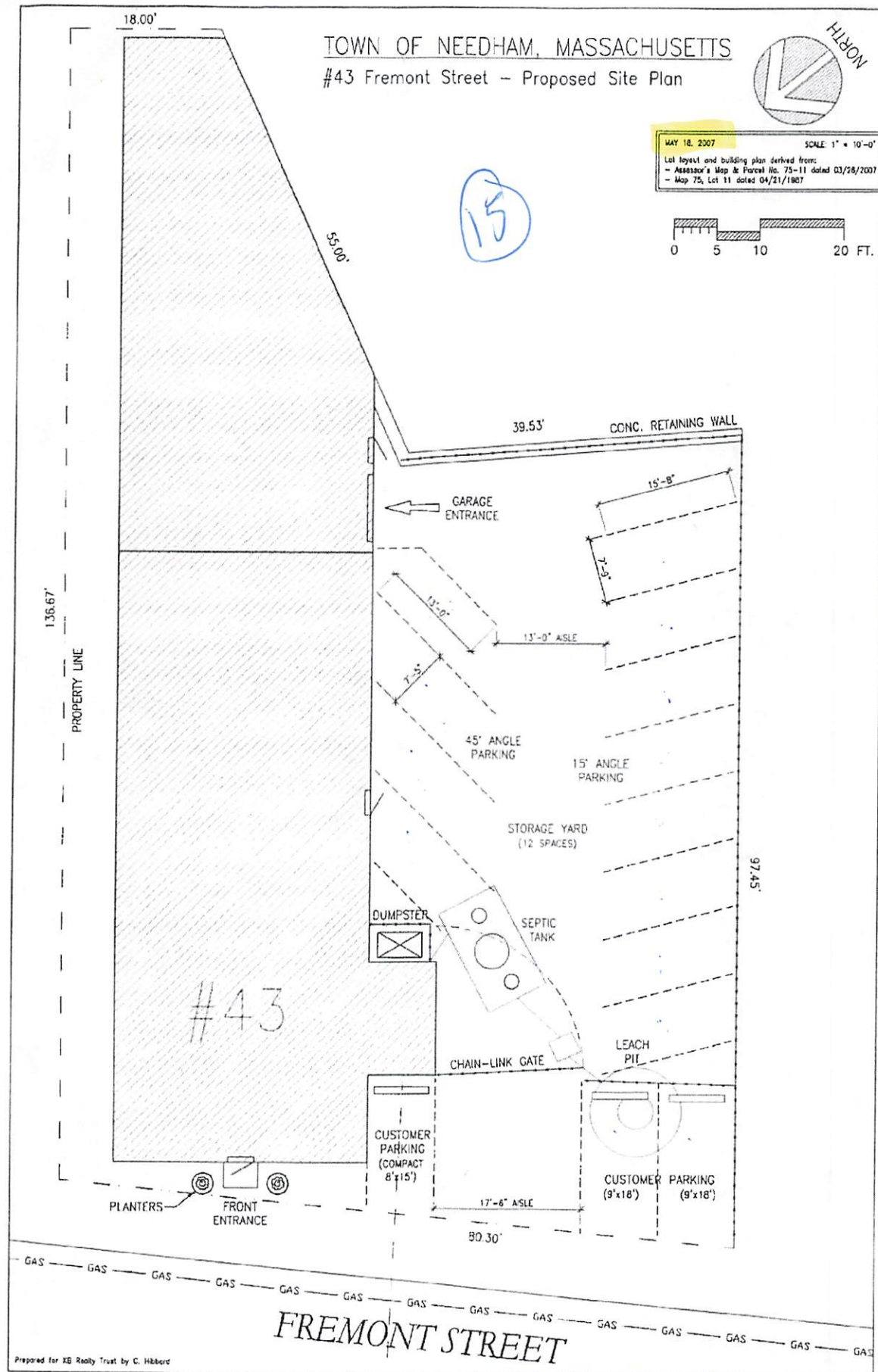
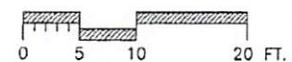
#43 Fremont Street – Proposed Site Plan



MAY 18, 2007

SCALE: 1" = 10'-0"

Lot layout and building plan derived from:
- Assessor's Map & Parcel No. 75-11 dated 03/28/2007
- Map 75, Lot 11 dated 04/21/1987



JAMES J. MCKENZIE

ATTORNEY AT LAW

19 BELKNAP ROAD
MEDFIELD, MASSACHUSETTS 02052
TELEPHONE (508) 359-2622
TELECOPIER (508) 359-5137
MCKENZIELAW@VERIZON.NET

August 25, 2025

Needham Zoning Board of Appeals
Town of Needham
1471 Highland Avenue
Needham, Massachusetts 02482

Re: Application of KGK Group Inc. for Special Permit to Operate at
43 Fremont Street, Needham, Massachusetts

Dear Members of the Needham Zoning Board of Appeals:

I represent Mr. Eray Karakas and KGK Group Inc. who is currently leasing the above-referenced property at 43 Fremont Street from Mr. Brian Mushnik. Mr. Mushnik had previously operated an automobile repair shop on these premises pursuant to a Special Permit issued by your Board on May 31, 2007. KGK Group Inc. also proposes to operate an auto repair shop at that same location.

The property in question is in the mixed use/128 zoning district and is a non-conforming lot comprised of approximately 8,740 square feet with 80 feet of frontage on Fremont Street as evidenced by the attached plans. The current by-law requires a 10,000 square foot lot and at least one hundred feet of frontage.

Historically, prior to the re-zoning of this area in 2002 to the Mixed Use/128 Zoning District, an automotive repair shop such as what my client wishes to do was allowed by Special Permit and, as indicated above, a Special Permit was issued for a similar type of business in 2007..

Pursuant to Section 1.4.10 of the By-Law, the Zoning Board of Appeals may "grant a Special Permit for the replacement of a non-conforming use of a building structure or land by another specified use not conforming to this By-Law, provided the replacement is less objectionable and detrimental to the neighborhood or any property in the neighborhood." The applicant's business will not employ more than three employees at any one time and would operate five days each week from 9:00 a.m. to 5:00 p.m. Their business is to repair, refurbish and resell used motor vehicles which they own which is similar to the prior use. Sales of the vast majority of the vehicles repaired, however, would take place at a different location in Bridgewater, Massachusetts owned by the applicant. All cars being repaired will be those belonging to the applicant. There will be no private vehicles being dropped off and picked up on a daily basis by members of the public. This will result in less traffic in the area of the premises than the prior

operation. This applicant's operation will have no more employees than the prior applicant, will operate only five days per week instead of six for fewer hours each day and will have many fewer visitors coming to the premises. You as a Board are being asked to substitute one non-conforming use for another non-conforming use which is smaller in terms of its days and hours of operation and will entail fewer visitors and motor vehicle traffic coming to the site on a daily basis.

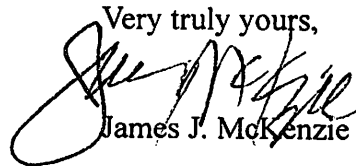
With regard to traffic as indicated above, the general public will not be bringing their private vehicles to the property for repair or rehabilitation. Accordingly, the traffic burden would be significantly lower than it was under the prior usage. When vehicles are brought or removed from the premises from my client's business, they will be operated by his employees which would not be a high volume situation.

My review of the current zoning By-Law Section 5.1.2(15) indicates that one parking space per 250 square feet of floor area would be required. The total floor area of this building is 3,738 square feet which, per the by-law, would require 15 parking spaces to be available. At the present time, based upon the May 18, 2007 site plan provided to this Board with the prior applicant's application, there are 15 spaces for this parcel, so there is no issue with regard to the zoning by-law regarding parking.

Enclosed for filing are several copies of the following documents:

1. Zoning Board Application for Hearing and cover letter;
2. Proposed Site Plan for 43 Fremont Street dated May 18, 2007;
3. Building Inspection Plan dated March 26, 2007
4. The 2007 Zoning Board of Appeals Decision for the prior Special Permit
5. Filing fee check in the amount of \$500.00;
6. Owner Certifying Authorization to Apply signed by the current property owner.

Your attention to this matter is very much appreciated.

Very truly yours,

James J. McKenzie

JJM;st
cc: Mr. Eray Karakas



2007 JUN 22 PM 3:46

**TOWN OF NEEDHAM
MASSACHUSETTS
BOARD OF APPEALS
BRIAN MUSHNICK D/B/A BRIAN'S GARAGE
MAY 31, 2007**

Upon the application of Brian Mushnick, d/b/a Brian's Garage, 43 Wexford Street, Needham, MA prospective purchaser, to the Board of Appeals for a Special Permit to substitute nonconforming use for auto repair, under By-law Sections 5.1.2, 5.1.3, 5.1.1.5, 1.4.6, 1.4.9, and 7.5.2, in Mixed Use-128 District at 43 Fremont Street, a public hearing was held at the Broadmeadow School, 126 Broadmeadow Road, on May 31, 2007 in the evening, pursuant to notice thereof published in a local newspaper and mailed to all parties in interest.

Filed with the application was a packet of information with a letter from Roy A. Cramer, dated April 30, 2007. The Planning Board letter from May 30, 2007 was read into the record. Roy A. Cramer, 61 Walnut Street, Wellesley, MA appeared with Brian Mushnick, 43 Wexford Street, Needham, MA (the "Applicant"). Mr. Cramer stated that the application is to substitute one nonconforming use for another. The Applicant has been in the auto repair business for thirteen years repairing Volkswagens and Audis, and is interested in utilizing 43 Wexford Street.

Mr. Cramer stated that the locus was zoned as an Industrial area, where auto service and repair was allowed. In 2002, the area was divided into H-128 Business and MU-128. The use for auto repair is now not allowed.

Mr. Cramer presented the Board with an affidavit from Robert Lee Tilton, President of Williamson Electrical Company, Inc., signed March 7, 2007. Mr. Tilton has occupied the Premises since 1951. He has had 20-25 employees on the site, plus 10 service trucks. They have provided 24-hour emergency service, operated out of the Premises. Due to the success of the business, they are moving to another location with more space. Mr. Tilton also appeared at the hearing.

Mr. Cramer stated that Brian Mushnick employs a staff of three. The operating hours are 7:00 a.m. to 8:00 p.m., Monday through Saturday. This is a less intensive use, where it is not operating 24 hours. There will also be fewer vehicle trips, with cars primarily dropped off in the morning and picked up in the evening. There will be no change in the footprint of the building.

Mr. Cramer stated that the parking requirement is one space per 250 square feet. The total number of spaces required would be 15 spaces. A parking plan prepared by C. Hibbard, entitled "Town of Needham, Massachusetts, #43 Fremont Street-Proposed Site

Plan", dated May 18, 2007 was submitted into the record. Mr. Mushnick plans to use three front spaces for customers, and other space in the back of the chain link gate for storage of cars to be worked on. The inside of the building can store five cars. Seventeen spaces are proposed. The application requires a parking design waiver.

Mr. Mushnick specified that he does not do body work, nor painting. There is one door in the back with an overhang that will come down. Planters will be added in the front. No additional doors needed. Letters in support of the application were presented from

- Ted Pidcock of Chillybears
- Robert D. Mintz of HaML Clinical Associates, dated May 23, 2007
- Jeff Zorzal of Center for Health Resources, Inc., dated May 25, 2007
- Lynne Maimon
- John I Akar, Needham Body Shop
- Christopher Lane of Kerivan-Lane, Inc., dated May 31, 2007
- 55 Charles Street, Realty Trust & Suburban Auto Body Inc
- David Chen, Chenco Automotive, 70 Fremont Street

Leandra McLellan, Alberta Jacobs and David Fontecchio appeared and expressed support for the application. The hearing closed at 8:50 p.m., and the Board proceeded to deliberate.

DECISION:

On the basis of the evidence presented at the hearing upon the application of Brian Mushnick, d/b/a Brian's Garage, 43 Wexford Street, Needham, MA prospective purchaser ("Applicant"), to the Board of Appeals for a Special Permit to substitute nonconforming use for auto repair, under By-law Sections 5.1.2, 5.1.3, 5.1.1.5, 1.4.6, 1.4.9, and 7.5.2, in Mixed Use-128 District at 43 Fremont Street, the Board makes the following findings:

1. The Applicant proposes both interior and exterior modifications to the existing structure although there will be no change in the footprint of the building. The building is a non conforming structure and a Special Permit for the alteration of a non conforming structure is required.
2. The parking requirements for the proposed auto repair use requires one space per 250 square feet. The gross floor area of the structure is 3,738 square feet and thus the total number of spaces required would be fifteen spaces. A parking plan prepared by C. Hibbard, entitled "Town of Needham, Massachusetts, #43 Fremont Street-Proposed Site Plan", dated May 18, 2007 was filed with the application (the "Parking Plan").
3. The Applicant plans to use three front spaces for customers, and other space in the back of the chain link gate for storage of cars to be worked on. The inside of the building can store five cars. Seventeen spaces are proposed per the Parking Plan. A parking design waiver from the off-street parking requirements of Sections 5.1.1.5, 5.1.2 and 5.1.3 is required.
4. The substitution of Williamson Electrical Company's current non-

conforming industrial services use, for the operation of Applicant's auto repair business, which is also non-conforming, requires a Special Permit under Section 1.4.9 for substitution of a non-conforming use with another non-conforming use.

5. With respect to the proposed parking waiver, the Board finds that the extent of the existing building coverage is such that the parking design requirements cannot be met without the substantial and inappropriate reduction in the number of spaces. The Applicant's proposed use is a use that does not warrant strict compliance with the design requirements pursuant to Section 5.1.3. The issuance of a Special Permit waiving the design requirements will not be detrimental to the Town, or of the general character, or visual appearance of the surrounding neighborhood and abutting uses and is consistent with the intent of the Zoning By-law. Parking on the Premises shall be maintained substantially in accordance with the Parking Plan.
6. The use of the Premises for the operation of Applicant's auto repair business is consistent with the general intent and purpose of the By-law and is compatible with the existing natural features of the site and with the characteristics of the surrounding neighborhood.
7. The use of the Premises for the operation of Applicant's auto repair business is widely supported by the neighborhood and will not be substantially more detrimental to the neighborhood.
8. The use of the Premises for the operation of Applicant's auto repair business with more limited hours and only 3 employees in substitution for Williamson Electrical Company's current industrial services use of the Premises, which has 20-25 employees on the site, 10 service trucks and 24-hour emergency service, is far less objectionable and detrimental to the neighborhood.
9. Operating hours shall be 7:00 a.m. to 8:00 p.m, Monday through Saturday.
10. No body work will be performed on the Premises.
11. A door to the rear of the structure with an overhang will be removed. Planters will be added in the front. No additional doors or garage bay doors will be added
12. This special permit is issued to the Applicant only, and may not be transferred, set over or assigned by the Applicant to any other person or entity (except an entity wherein more than 50% control is held by the Applicant), without the prior written approval of the Board of Appeals following such hearing and notice, if any, as the Board, in its sole and exclusive discretion, shall deem due and sufficient.
13. Failure to comply with each and any of the foregoing conditions at any time may constitute cause for the revocation of the Special Permit by the Board, after hearing, with notice to the Applicant, and with such other notice as the Board, in its sole and exclusive discretion shall deem due and sufficient.

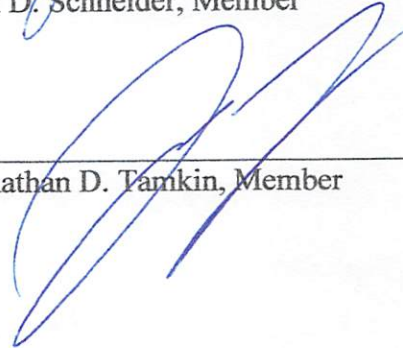
On the basis of the foregoing findings, in open session, and by unanimous vote after motion duly made and seconded, the Board grants the Applicant a special permit under Section 5.1.1.5 of the Zoning By-law to waive the design requirements of Section 5.1.3 and a special permit under Sections 5.1.2, 1.4.6, 1.4.9, and 7.5.2 of the By-laws to operate an auto repair business in the Mixed Use-128 District at 43 Fremont Street as substantially as shown the parking plan prepared by C. Hibbard, entitled "Town of Needham, Massachusetts, #43 Fremont Street-Proposed Site Plan", dated May 18, 2007, filed with the application subject to the conditions set forth in this decision.



Michael A. Crowe, Chairman



Jon D. Schneider, Member



Jonathan D. Tamkin, Member

Daphne Collins

From: Justin Savignano
Sent: Wednesday, September 10, 2025 12:08 PM
To: Daphne Collins
Cc: Thomas Ryder
Subject: RE: 43 Fremont Street - ZBA Administrative Review- Due September 9th

Hi Daphne,

Engineering has no comment or objection to the transfer of the special permit, regarding 43 Fremont Street. I can follow up with a cover letter.

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 10, 2025 9:21 AM
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: FW: 43 Fremont Street - ZBA Administrative Review- Due September 9th

Hi Folks-
I need your reviews for 43 Fremont Street. They were due yesterday.

Daphne Collins

From: Tara Gurge
Sent: Wednesday, September 10, 2025 1:24 PM
To: Daphne Collins
Subject: RE: 43 Fremont Street - ZBA Administrative Review- Due September 9th / Public Health Division comments

Hello Daphne -

Here are the Public Health Division's comments for the proposed Zoning Board project at the property located at **#43 Fremont St.**, below.

- Please have the existing septic system inspected by a certified Title 5 inspector and a report needs to be submitted to the Public Health Division for review. (NOTE: If this system is found to be noncompliant with the MassDEP Title 5 Code requirements, we will be requiring the owner to upgrade the existing septic system or tie into the municipal sewer line if found to be feasible to do so.
- Please verify that proper sufficient and approved mechanism(s) are currently installed for this existing auto repair garage to prevent the discharge of oil, gasoline, grease, sand, and other substances that are harmful or hazardous to building drainage systems and/or the private septic system, per 248 CMR, § 10.09 - Interceptors, Separators and Holding Tanks. [State Regulations](#). Per MA Dept. of Environmental Protection (MassDEP) and MA Wellhead Protection Regulation 310 CMR 22.21(2)(a)(8) guidance, no floor drain shall be allowed to discharge into the environment. All existing floor drains need to have a mechanism installed to capture these wastes.
- If any new exterior lighting is installed, the lights shall not cause a public health nuisance and should be directed down towards the ground in order to prevent the risk of bright light migrating into other neighboring residential properties.
- Please confirm that no painting of vehicles will be conducted on site by the new occupant of this garage.
- Please have the applicant apply for a dumpster permit through the Public Health Division. See direct link to this online permit application -- <https://needhamma.portal.opengov.com/categories/1073/record-types/1006346>.

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

Thank you,



Tara Gurge, MS, RS ([she/her](#))
Assistant Director of Environmental &
Community Health
Needham Public Health Division
Rosemary Recreational Complex
178 Rosemary Street
Needham, MA 02494
Office: (781) 455-7940 ext 211
Fax: (781) 455-7922
Mobile: (781) 883-0127
www.needhamma.gov



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Daphne Collins

From: Tom Conroy
Sent: Wednesday, September 10, 2025 11:24 AM
To: Daphne Collins; Donald Anastasi; Jay Steeves; John Schlittler; Joseph Prondak; Justin Savignano; Ronnie Gavel; Tara Gurge; Thomas Ryder
Subject: Re: 43 Fremont Street - ZBA Administrative Review- Due September 9th

No issues with fire

Get [Outlook for iOS](#)

From: Daphne Collins <dcollins@needhamma.gov>
Sent: Wednesday, September 10, 2025 9:21:13 AM
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: FW: 43 Fremont Street - ZBA Administrative Review- Due September 9th

Hi Folks-

I need your reviews for 43 Fremont Street. They were due yesterday.

Could you get them in by noon today?

Thank you,

Daphne

Daphne M. Collins
Zoning Specialist
Zoning Board of Appeals
Planning and Community Development Department
Town of Needham – Public Services Administration Building
500 Dedham Street
Needham, MA 02492
781-455-7550, ext 72261
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: Tuesday, September 9, 2025 9:59 AM
To: ZBA - AR Group <ZBA-ARGroup@needham1711.onmicrosoft.com>
Subject: FW: 43 Fremont Street - ZBA Administrative Review- Due September 9th

Good Morning All-

Friendly reminder – ZBA Administrative Review is due today.

Thank you,

Daphne Collins

From: John Schlittler
Sent: Wednesday, September 10, 2025 9:26 AM
To: Daphne Collins
Subject: RE: 43 Fremont Street - ZBA Administrative Review- Due September 9th

Police has no issues

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**Town of Needham
Building Department
500 Dedham Avenue
Needham, MA 02492
Tel: 781-455-7550**

September 17, 2025

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

Re: 43 Fremont St.

Dear Board Members,

This office has reviewed this proposal to transfer an existing Special Permit for the continued operation of a Motor Vehicle Repair Shop.

This operation came to my attention in June of 2024 when these applicants were seeking an automobile sales license from the Select Board. This license has not yet been granted as it is not an allowed use in the district except that, as a limited accessory use to a repair shop (1 or 2 cars), some minor sales could be allowed.

Prior to the initial hearing at the Select Board, I inspected the premises from the public way and noticed that this business was in full operation. I also noted that there were numerous cars, registered and unregistered and in various forms of disrepair parked both on the site and on both sides of the public way on Fremont St.

After the initial hearing by the Select Board, which I attended, I discussed the need for a new (or transferred) Special Permit in order for this repair shop to operate with Attorney McKenzie, further noting that his clients are operating in violation of the existing Special Permit.

Several months passed. The owners continued to operate their business, and they were formally cited by this office in April of 2025 (copy enclosed).

I have also enclosed pictures from March of 2025 and today, September 17, 2025. Today's pictures do show a marked improvement in the condition of the premises.

Should this applicant be successful in obtaining a new or transferred Special permit, I would ask that the following conditions be included:

1. A limited number of total vehicles in for repair to be stored on the lot at any time.
2. No vehicles in for repair be parked or stored on the public way or any adjacent private property.
3. Any storage of new or dismantled car parts be stored neatly and not allowed to unreasonably accumulate on the exterior.
4. Provide a current survey plat by a Registered Land Surveyor clearly showing the property lines and limits of the public way.

Sincerely,

Joe Prondak
Building Commissioner



**Town of Needham
Building Department
500 Dedham Avenue
Needham, MA 02492
Tel: 781-455-7550**

April 17, 2025

KNB Realty
PO Box 324
Norfolk MA 02056

RE: 43 Fremont Street, Non-Permitted Use of Premises, Cease and Desist

Dear Property Owner,

An automotive repair business known as Check Engine Auto Repair Shop is operating at the premises owned by you at 43 Fremont Street. Needham, without the benefit of a required Special Permit from the Zoning Board of Appeals.

This property lies in a Mixed Use-128 Zoning District. An automotive repair business is NOT an allowable use within this district.

The prior automotive business, Brian's Garage, operated under a duly issued Special Permit from the Zoning Board of Appeals, dated May 31, 2007. However, Condition 12 of that document states that it is NOT transferable without approval from the Zoning Board. Several communications with Attorney James McKenzie, representing Check Engine Auto Repair Shop, in late summer and fall of 2024 regarding this matter have failed to complete this required process.

Therefore, the operation of an automotive repair shop at 43 Fremont St., violates Needham Zoning Bylaw, section 3.2.6, Uses in the Mixed-Use -128 Zoning District.

Upon receipt of this notice, you must cause the operation of an automotive repair business at 43 Fremont St. to cease and desist.

Failure to comply with this directive or to file an appeal in accordance with Section 7.5.1 Appeals or 7.5.2 Special Permits, within 30 days of receipt of this notice, will cause this office to seek compliance through a Court of competent jurisdiction.

Please contact me at 781-455-7550 x72308 to discuss your intention toward this matter.

Sincerely,

Joseph Prondak
Needham Building Commissioner

Certified Mail #9589-0710-5270-2129-1942-92

CC: Attorney James McKenzie
M. Tucker
D. Collins



43 Fremont Street – Photos March 2025



43 Fremont Street – Photos March 2025



43 Fremont Street – Photos March 2025



43 Fremont Street – Photos March 2025



43 Fremont Street – Photos September 2025



43 Fremont Street – Photos September 2025



43 Fremont Street – Photos September 2025



43 Fremont Street – Photos September 2025