

MINUTES
Zoning Board of Appeals
THURSDAY, May 20, 2021 – 7:30 PM

Zoom Meeting ID: 869-6475-7241

As a result of the COVID19 pandemic, on March 12, 2020 Governor Baker issued an emergency “*Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20*”, allowing meeting of public bodies to be conducted virtually provided that adequate access is provided to the public.

Pursuant to notice published at least 48 hours prior to this date, a meeting of the Needham Board of Appeals was held remotely on Zoom on Thursday, May 20, 2021 at 7:30pm. Jon D. Schneider, Chair, presided and the following members were present: Jonathan D. Tamkin, Howard S. Goldman, Kathy Lind Berardi, and Peter Friedenberg. Mr. Schneider opened the meeting at 7:30 p.m.

Mr. Goldman motioned to approve the minutes of April 15, 2021. Mr. Tamkin seconded the motion. The Board unanimously approved the minutes.

Case #1	33 Fenton Road	Approved
Administrative Matter	Amendment to ZBA Application Process – Building Commissioner consultation requirement & Update of ZBA Application for Public Hearing	

Mr. Schneider submitted a revised *Article III, Section 1* of the *ZBA Rules and Regulations* which would require applicants to consult with the Building Inspector prior to submitting a Application for Public Hearing. The proposed updated Section 1. Application Form reads as follows:

Every petition and application for action by the Board shall be made on an official application form, entitled “Board of Appeals - Application for Hearing,” which shall be furnished by the clerk upon request. Any communication, purporting to be an appeal, a petition or an application, shall be treated as mere notice of intention to seek Board action, until such time as it is made on the a complete official application form and payment of the applicable filing fee is paid. To be a complete form, the applicant must consult with the Building Inspector and all information called for by the form shall must be furnished by the applicant in the manner therein prescribed and in with precise language identifying the applicable provisions of the Zoning By-Laws and the specific nature of the appeal, petition or application. The form to be used is hereby made a part of these Rules.

To capture this proposed requirement, Ms. Collins took the opportunity to update the *ZBA Application for Hearing* and walked the Board through all the updates from the current

application form (see attached *Draft ZBA Application for Hearing*).

The Board discussed and made the following changes to the proposed draft:

1. That the Building Commissioner be changed to Building Inspector;
2. That a date line of consultation with the Building Commissioner be included;
3. That boxes identifying the applicant point of contact be included on the first page; and
4. To eliminate who is representing the application on the last page.

Mr. Tamkin moved to accept the updated ZBA Application for Hearing subject to the proposed changes above and to approve the changes to Article III, Section 1 of the ZBA Rules and Regulations as presented. Mr. Goldman seconded the motion. The motion was unanimously approved.

Mr. Schneider requested that staff look into fees schedule of abutting communities for possible update.

The meeting adjourned at 8:15 pm.

A summary of the discussions on each matter , 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. The hearings can be viewed at <http://www.needhamchannel.org/watch-programs/> or at <https://www.youtube.com/user/TownofNeedhamMA/playlists>

Attachments – Draft ZBA Application for Hearing

Daphne M. Collins
Administrative Specialist
Adopted June 17, 2021



ZBA Application For Hearing

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

Applicant Information

Applicant Name				Date:
Applicant Address				
Phone		email		
Applicant is ☐ Owner; ☐ Tenant; ☐ Purchaser; ☐ Other_____				
If not the owner, a letter from the owner certifying authorization to apply must be included				
Representative Name				
Address				
Phone		email		
Representative is ☐ Attorney; ☐ Contractor; ☐ Architect; ☐ Other_____				

Subject Property Information

Property Address			
Map/Parcel Number		Zone of Property	
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:

Statement of Relief Sought:

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

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

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



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 <i>(Required)</i>	
If applicant is tenant, letter of authorization from owner <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 Commissioner.

☐ I will represent myself; or

☐ Name _____ will represent me in connection with the application.

Date: _____ 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