



Minutes for Meeting

Zoning Board of Appeals, Weston Town Hall

September 5, 2019 at 6:15 PM

Members present: Stephen Larocque, Sujit Sitole, Natalie B. Sawyer, Winifred I. Li

12 Gowell Lane: an application by Simon Bellemare requesting a special permit for an addition.

Pursuant to the foregoing notice, the Board held a public hearing on Thursday, September 5, 2019 at 6:15 pm, at the Weston Town Hall. The following members were present:

- Stephen Larocque, Acting Chair and Acting Secretary
- Natalie B. Sawyer
- Sujit Sitole

Documents in the record include:

- “Site Plan 12 Gowell Lane, Weston, Massachusetts”, prepared by John Hamel, dated June 26, 2019
- Architectural drawings for Bellemare Residence, 12 Gowell Lane, A.T.1, A.E.1, A.1.1, A.1.2, A.2.1, A.2.2, prepared by Marshall McLean Architect, Concord, MA, dated June 26, 2019.
- RGFA Calculations, prepared by Marshall McLean Architect, Concord, MA, dated June 25, 2019.
- RGFA Calculations, prepared by Marshall McLean Architect, Concord, MA, dated September 4, 2019
- Letters of support from neighbors
- Photographs of the site showing screening between the Premises and neighboring properties

Stephen Larocque opened the hearing and Marshall McLean, architect for the Petitioner presented the revised RGFA calculations that include the garage area. The new total proposed RGFA is 3,476 sf, which results in a RFGA ratio of 16%. Although the 16% exceeds the 10% max ratio, Mr. Bellemare presented a spreadsheet of homes in their neighborhood with RGFA ratios. It was noted that four properties within the immediate proximity had RGFA ratios between 12 & 16 percent. Mr. Bellemare also presented letters from 4 neighbors supporting the proposal and photographs for the Board to review.

Following due and open deliberation, the Board determined, unanimously, to issue the special permit without any conditions for additions as shown in the drawings submitted in the hearing application and as shown in the amended documents.

The proposed addition is located completely within the building envelope and does not make any of the existing non-conformities worse. Although the proposed RGFA ratio is above the 10% maximum, the Board determined that it is comparable to other homes in the neighborhood and that the proposal is not substantially more detrimental to the neighborhood than the existing conditions.

10 Irving Road: an application by Dianne and Timothy O'Connor requesting a special permit to build a pool.

Pursuant to the foregoing notice, the Board held a public hearing on September 5, 2019 at 6:30 pm, at the Weston Town Hall. The following members were present:

- Winifred I. Li, Chair and Acting Secretary
- Natalie B. Sawyer
- Sujit Sitole

Documents in the record include:

- Site Plan prepared by Snelling & Hamel Associates, Inc., Lincoln, MA, dated July 1, 2019
- Site Plan prepared by Snelling & Hamel Associates, Inc., Lincoln, MA, dated May 3, 2019
- 4 sheets titled "O'Connor Poolhouse", and respectively "Exterior Elevations", "Plans", "RGFA Calculations", and "Pergola", each prepared by MGA, Marcus Gleysteen Architects, Boston, MA, and dated May 21, 2019
- "Petition for Special Permit for Pool, Pool House and Pergola, 10 Irving Road", prepared by Wilchins, Cosentino & Novins LLP, Wellesley, MA
- Handwritten note from abutter S. Polednak
- Email dated 9/5/19 from Jonathan White to Valerie Geary requesting the application be withdrawn without prejudice.

The hearing's continuation opened at 6:30 PM as previously scheduled and announced. The ZBA Chair then noted that a written request had been received via email earlier on September 5, 2019 from Petitioner's attorney requesting that the Petitioner be allowed to withdraw the application without prejudice because the Petitioner's revised plans were not finished.

The Board wondered about the Petitioner's future plans to file an application with a new design and whether any such new proposal would include only conforming new structures as was previously discussed. In any event, it was agreed that if the Premises appears before the Board within two years, it would be advantageous for reasons of continuity and efficiency for the same Board members to hear the subsequent application.

Following due and open deliberation, the Board voted unanimously to permit the Petitioner to withdraw the application, without prejudice.

300 Meadowbrook Road: an application by Patrick Murphy requesting a special permit for an addition.

Pursuant to the foregoing notice the Board held a public hearing on Thursday, September 5, 2019 at 6:45 pm, at the Weston Town Hall. The following members were present:

- Stephen Larocque, Acting Chair and Acting Secretary
- Natalie B. Sawyer
- Sujit Sitole

Documents in the record include:

- "Plan of Land at 56 Wellesley Street", prepared by R. Wilson and Associates, Acton, MA, dated May 24, 2019.
- "Plan for the Board of Appeals Showing a Proposed Dwelling at 56 Wellesley Street", prepared by R. Wilson and Associates, Acton, MA dated May 24, 2019.
- Existing Architectural Drawings, 300 Meadowbrook Rd, EX1, EC1, EC2, EC3, EC4, EC5, prepared by Adrienne A. Giske, Architect, Weston, MA dated March 1, 2019.
- Proposed Architectural Drawings, 300 Meadowbrook Rd, A2, A2a, A3, A4, A5, A6, prepared by Adrienne A. Giske, Architect, Weston, MA dated March 24, 2019.
- Letter from the Town of Weston Historical Commission dated May 27, 2019 approving design.
- Packet of neighbor emails in support of project, received by Town July 25, 2019.
- "Plan for the Board of Appeals at 300 Meadowbrook Road", prepared by R. Wilson and Associates, Acton, MA, dated July 19, 2019.

- RGFA calculations and area comparisons, prepared by Adrenne A. Giske, R.A., dated August 26, 2109
- 16 letters of support from neighbors

Stephen Larocque continued the meeting and Adrienne Giske, architect for the Petitioner, presented the 16 letters of support for the project and reminded the Board that the Historical Commission has already approved the plans. She calculated that the proposed addition's RGFA ratio is at 14.9%, exceeding the 10% max. Ms. Giske presented data showing that neighboring properties have similar ratios and stated that the proposed addition fits in with the neighborhood and is well hidden with natural screening.

Ms. Giske informed the Board that the updated Site Plan, dated 7/19/19, now has the correct dimensions and correct street address in the title block.

Following due and open deliberation, the Board determined, unanimously, to issue the special permit without any conditions for additions as shown in the drawings submitted in the hearing application and as shown in the amended documents.

The proposed addition does not extend into any of the property's setbacks. The lot is non-conforming due to its size and street frontage. Although the proposed RGFA ratio is above the 10% maximum, the Board determined that it is comparable to other homes in the neighborhood and that the proposal is not substantially more detrimental to the neighborhood than the existing conditions.

35 Hubbard Road: an application by Sean Stuber requesting a special permit for an addition.

Pursuant to the foregoing notice the Board held a public hearing on Thursday, September 5, 2019 at 7:00 pm, at the Weston Town Hall. The following members were present:

- Winifred I. Li, Chair
- Stephen LaRocque
- Natalie B. Sawyer, Acting Secretary
- "Certified Site Plan, 35 Hubbard Road, Weston, MA", prepared by Ron Natoli PLS, Biddeford, ME dated February 2, 2019
- "Site Plan", "Basement, First & Second Floor plans", "Elevations", "Framing Plans", "House Sections", "Door, Window Schedules, General Notes", "Existing Site Plan", "Existing Basement, First & Second Floor plans", "Existing Elevations", and "Existing House Sections", prepared by Aniello & Associates, Upton, MA dated February 20, 2019
- Email from David Kulow dated 5/30/19, subject "Abutter concerns about 35 Hubbard Road Special Permit request"

- “Screen Planting Plan”, prepared by Harris & Company Landscaping, Peter Guy

The hearing’s continuation opened at 7:00 PM as previously scheduled and announced. The ZBA Chair then noted that a written request had been received via email on September 2, 2019 from the Petitioner requesting that the Petitioner be allowed to withdraw the application without prejudice.

In light of the disputed nature of this Petition, and the concerns expressed by the Board, the Board determined that, if this Property appears before the Board within two years of the date of this decision, it would be advantageous for reasons of continuity and efficiency for the same Board members to hear the subsequent application.

Following due and open deliberation, the Board determined, unanimously to grant the Petitioner a withdrawal without prejudice.