

**Town of Westwood
Zoning Board of Appeals
Selectmen's Meeting Room, Town Hall, 588 High Street
Meeting Minutes – April 25, 2018**

Members Present: David Krumsiek, Chairman, John Lally, David Belcher

Staff Members Present: Nora Loughnane, Director of Community & Economic Development

Chairman Krumsiek called the meeting to order and gave a brief description of the proceedings. All those present for the meeting who anticipated giving testimony were sworn in.

Applications

Address: 27 Oak Street

Petitioner: Mark Palmstrom

Project: Application for Special Permit pursuant to § 4.5.3.2.3

Chairman Krumsiek read the public hearing notice and opened the hearing. The Petitioner, Mr. Palmstrom, explained that he filed a building permit last year for renovations to his house and during the construction there was a deviation from the submitted plans to include a portico roof overhang the front landing over the front door which extends into the front setback.

Mr. Lally believed the portico was a minor change and was a decorative element that was an overall improvement.

Chairman Krumsiek opened the hearing to the public and asked if there were any questions or comments to which there was none.

On a motion by Mr. Lally, which was seconded by Mr. Belcher, the Board unanimously voted to close the hearing and grant the special permit under Zoning Bylaw Section 4.5.3.2.3 to allow the portico in the front setback upon a finding that the portico is decorative and minor in nature.

Address: 314 Grove Street

Petitioner: Aimee Cardwell

Project: Application for Special Permit pursuant to § 4.1.5.8

Chairman Krumsiek read the legal notice into the record. He explained that the Petitioner has requested a special permit for a garage for more than three cars.

Mr. and Mrs. Cardwell explained that they collect classic cars and are looking to store them on their property. They currently have a two car garage and are proposing a barn style accessory structure to house the cars that will have three bays. It is expected that they'll have a total of five cars stored on the premises. The Applicant stated that they are not planning to remove any trees with the construction of the barn.

Mr. Lally asked the Applicant if they were removing any trees in the street's right of way and if they were importing or exporting earth. The Applicant responded that they were not.

Chairman Krumsiek opened the hearing up to public comment.

Karen Manor Metzold, Director of Westwood Land Trust, asked if there was any work such as digging in the vista pruning area which is an area restricted by an existing covenant. She also asked about the total size because the covenant restricts the aggregate size for all buildings to be no more than 8,000 sq. ft.

The Applicant responded that all work associated with the construction of the barn is proposed within the fenced area and will not impede on the vista pruning area and that the size of all buildings is not over the 8,000 sq. ft.

On a motion by Mr. Lally, which was seconded by Mr. Belcher, the Board unanimously voted to close the public hearing and grant the Special Permit pursuant to Section 4.3.3.2.

Address: 56 Fairview Street

Petitioner: Christopher Boger

Project: Application for Special Permit pursuant to § 4.5.3.2.2

Chairman Krumsiek read the legal notice into the record. He explained that the Petitioners wish to construct a second story addition that would vertically extend existing walls which are within a side yard setback.

Chris and Kristen Boger explained that they were proposing a second floor addition that will be within one of the side yard setbacks (the right/west side). They are also proposing an addition on the east side of the house and a deck but those additions are within the required setbacks. The Applicant also submitted into the record a list of neighbors that supported the proposal.

Mr. Lally noted there was a memorandum from the Board of Health with suggested standard conditions.

Chairman Krumsiek opened the hearing up to public comments to which there were none.

On a motion by Mr. Lally, which was seconded by Mr. Belcher, it was voted unanimously to close the hearing and grant the Special Permit pursuant to Section 4.5.3.2.2 with the conditions listed in the April 10th letter from the Board of Health as part of the conditions of approval.

Address: 231 Farm Lane

Petitioner: Martha Burk

Project: Application for Special Permit pursuant to § 8.5 and § 4.3.3.12

Chairman Krumsiek read the public hearing notice into the record.

Martha Burk and her daughter and son in-law were present. Ms. Burk explained that she currently has a single-family home that has a lower level bathroom and kitchen that was previously created and an area of the basement was converted into a basement over time. She is requesting a special permit for an accessory apartment because she would like to create a separation from downstairs to the rest of the dwelling by constructing a new wall and door. She was informed that this creates a separate unit. Ms. Burk added that she plans to continue to live in the house and there is a garage to accommodate the vehicles.

Chairman Krumsiek explained that the application as submitted exceeds the maximum size of 900 sq. ft. required by the Zoning Bylaw and triggers a variance request. He explained accessory apartments are allowed by special permit but to go over the size limit requires a variance and a variance is a much harder grant with stricter requirements for approval. The Board was concerned with the size and suggested the plans be revised to reduce the overall size to be under the 900 sq. ft. allowable size. The Board suggested relocating the proposed door and wall to reduce the size or revise the plans to get an updated and accurate size measurement. The Board did not specifically have concern over the accessory apartment request but wants to confirm the size meets the bylaw.

On a motion by Mr. Lally, which was seconded by Mr. Belcher, it was voted unanimously to continue the public hearing to Wednesday, June 20 at 7:00 pm at 50 Carby Street to allow time for the Applicant to revisit the plans and revise the plans to meet the size restriction.

Address: 247 Station Drive

Petitioner: Eversource, Brightfields Development

Project: Minor Modification to 2017 Special Permit Approval for ground mounted solar canopies in parking lot

Brian Tracey of Brightfields Development, LLC was present on behalf of Eversource to explain that last fall in 2017 the Board granted approval for eighteen (18) total solar canopies over the parking areas. They are now requesting to only install four (4) of the canopies as the project scope has been reduced due to restrictions and limitations under the Green Communities Act and they have had to reduce the size of this project because of changes to the state Department of Public Utilities. Therefore, they are requesting they only construct four canopies. All other aspects of the project are the same and they will continue to plan the landscaping that was approved in the fall and no longer need to remove the trees in the areas that will no longer have the solar canopies.

Ms. McCabe reported that the Planning Board approved a minor modification for this on April 23 with a condition that an additional 18-20 trees be planted along the easterly edge of the parking lot and all the trees planted by November 15, 2018.

On a motion by Mr. Lally, which was seconded by Mr. Belcher, the Board voted unanimously to approve this minor modification to the special permit and hereby accepts the modified plan as submitted.

Public Hearing for Rules and Regulations Update, Continued Hearing

Petitioner: Zoning Board of Appeals

On a motion by Mr. Lally which was seconded by Mr. Belcher, it was voted to continue the public hearing to 7:00 pm on Wednesday, May 16 at 50 Carby Street.

Vote to Approve Minutes

On a motion by Mr. Belcher which was seconded by Mr. Lally, it was voted unanimously to approve the minutes for the meetings held on March 21 and March 28, 2018 as written.

Vote to Adjourn

On a motion by Mr. Belcher which was seconded by Mr. Lally, it was voted unanimously to adjourn the meeting.

The hearing adjourned at 7:46 PM.

List of Documents:

27 Oak Street

- Zoning Board application; plans, photographs and associated attachments

314 Grove Street

- Zoning Board application; plans, photographs and associated attachments

56 Fairview

- Zoning Board application; plans, photographs and associated attachments
- Memorandum from Linda Shea, Health Director, Subject: 56 Fairview Street-Special Permit-Section 4.5.3.2.2, dated April 10, 2018.

231 Farm Lane

- Zoning Board application; plans, photographs and associated attachments

247 Station Drive

- Letter from Eversource Energy dated April 10, 2018, proposed plans, revised landscape and demolition plan, 2017 special permit approval

ZBA Rules & Regulations

- Draft document; associated attachments

Memorandum from Town Planner Abby McCabe to Zoning Board of Appeals, Re: Planning Comments on April ZBA Applications, dated April 25, 2018

Comments from Building Commissioner Joe Doyle to the Zoning Board of Appeals entitled "Building Inspector Comments, Wednesday, April 25, 2018".