

**Town of Westwood
Zoning Board of Appeals
Carby Street Municipal Office Building
Meeting Minutes – October 18, 2017**

Members Present: David Krumsiek, Chairman, John Lally, Gregory Donovan

Staff Members Present Sarah Bouchard, Housing & Zoning Agent

Mr. Krumsiek gave a brief description of the proceedings. All those present for the meeting who anticipated giving testimony were sworn in.

Applications

Address: 256 Washington Street

Petitioner: **Petruziello Properties, Inc. & Matt's Barbers Unlimited Inc. d/b/a Islington Barbers**

Project: Application for Special Permit under §4.5.2.2

Mr. Krumsiek read the legal notice into the record.

Mr. Peter Zahka, attorney for the applicants, introduced his clients Giorgio Petruziello and Matthew Paturzo. Mr. Zahka described the applicant's plan for the property. The Islington Barber Shop is currently operating in Islington Center but is looking to relocate to 256 Washington, which was formerly occupied by the Ski Stop retail business. Mr. Zahka described the location as surrounded by commercial uses on all sides, despite being in the General Residential zoning district. Mr. Zahka stated that the building has been utilized as a mixed-use property since it was erected and presently contains residential units on the second floor. Mr. Zahka described the property as preexisting nonconforming on lot size and frontage and requiring zoning relief for personal services use on the first floor. Mr. Zahka stated that no changes are proposed for the exterior of the site and the grounds, parking, and upper floor residential uses are to remain as they are presently.

Mr. Zahka stated that the square footage not utilized by the Barber Shop on the first floor will be used as retail or a small office. Within the Barber's new location, operation will remain the same as in the previous location. The new space will benefit the Barber Shop as it is bigger and has its own dedicated bathroom space.

Mr. Zahka stated that the Board can alter or extend a nonconforming use if it determines that the new use is not substantially less beneficial. He stated that the proposed change from retail to personal services will be minimal, with both being commercial uses in nature, and requiring the same amount of parking. He stated that the hours could potentially be more limited with a personal services use versus retail. Mr. Zahka stated that the proposal is unrelated to larger projects pending in Islington Center, since the current Barber Shop location requires significant rehabilitation or renovation which would be disruptive to the business.

Mr. Krumsiek asked where parking is located for the shop. Mr. Petruziello stated that the parking is located in the rear of the building.

Mr. Lally asked if a back entrance would be available. Mr. Petruziello responded that there will be only one entrance at the front of the building.

Ms. Bouchard stated that the proposal is currently subject to Planning Board's Environmental Impact and Design Review, which will include a comprehensive review of parking requirements.

Mr. Lally asked about interior changes. Mr. Zahka reviewed the floor plan.

Mr. Donovan asked about the potential use of the unused first floor square footage.

Ms. Bouchard stated that if a particular use was proposed for that space at a later, the proposed use would receive a separate review by the Building Department. If zoning relief were to be required, the proposed use would go before the Board at a later date.

Mr. Krumsiek opened the hearing to the public for comment. Hearing none, the Board moved to a vote.

On a motion by Mr. Lally which was seconded by Mr. Donovan, it was voted unanimously to approve the special permit for 256 Washington Street under Section 4.5.2.2 upon successful completion of any conditions set forth by the Planning Board and/or Town Planner in its EIDR review.

Address: 195 Woodland Road

Petitioner: Kirk & Kimberly McKinney

Project: Application for Special Permit under §8.5

Mr. Krumsiek read the legal notice into the record.

Kimberly McKinney, homeowner, introduced the proposal. She stated that due to a house flood and consequent hidden mold, multiple rooms within the home were in need of renovation, including a previously existing accessory apartment on the ground floor.

Mr. Krumsiek asked about the total acreage of the property. Ms. McKinney stated that the property is 1.27 acres.

Mr. Krumsiek asked about neighbor support. Ms. McKinney described the abutters as supportive.

Mr. Krumsiek recalled the comments submitted by the Building Commissioner and stated it appeared the proposal met all requirements of the Bylaw.

Mr. Lally reminded the applicants of the Building Commissioner's comment that due to lack of an egress window, the utility/storage room could not be used as a bedroom. Mr. Lally asked if the property served as the applicants' primary residence. Ms. McKinney confirmed that it does. Mr. Lally asked if there is sufficient parking. Ms. McKinney confirmed that there is.

Mr. Krumsiek opened the hearing to the public for comment. Hearing none, the Board moved to a vote.

On a motion by Mr. Lally which was seconded by Mr. Donovan, it was voted unanimously to approve the special permit for 195 Woodland Road under Section 8.5 upon successful completion of any conditions set forth by the Board of Health in its memo submitted to the Board.

Address: 90 Canton Street

Petitioner: Steven Tseglin

Project: Application for Special Permit under §8.5

Mr. Steven Tseglin and Ms. Simona Tseglin, homeowners and applicants, introduced the proposal to bring existing space in their home into compliance as an accessory apartment. They stated that the home serves as their primary residence

and the plan for the apartment was determined by the Building Department to meet the size requirements established in the Bylaw. They stated the accessory apartment is designed to accommodate living space for a parent and will impose no change to the exterior of the house. Mr. Tseglin stated that the proposed accessory apartment will maintain the appearance of a single family house, fit the look and feel of neighborhood homes, and provide adequate off street parking for occupants.

Mr. Krumsiek and Mr. Donovan asked for clarification on the proposed plan's total measurements and the Bylaw's size requirements.

Ms. Bouchard described the procedural history of the application and confirmed that the last submitted plan on October 3, 2017 was confirmed by the Building Department to have a total square footage of 874 sq. ft., within the 900 sq. ft. maximum specified by the Bylaw. Mr. Tseglin confirmed this fact.

Mr. Krumsiek opened the hearing to the public for comment. Hearing none, the Board moved to a vote.

On a motion by Mr. Lally which was seconded by Mr. Donovan, it was voted unanimously to approve the special permit for 90 Canton Street under Section 8.5 upon successful completion of any conditions set forth by the Board of Health in its memo submitted to the Board.

Vote to Approve Minutes

On a motion by Mr. Lally which was seconded by Mr. Donovan, it was voted unanimously to approve the minutes for the meeting held on September 20, 2017.

On a motion by Mr. Lally which was seconded by Mr. Donovan, it was voted unanimously to approve the minutes for the meeting held on September 27, 2017.

Vote to Adjourn

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

The hearing adjourned at 7:41 PM.

List of Documents:

256 Washington Street

- Zoning Board application; plans and associated attachments

195 Woodland Road

- Zoning Board applications; plans and associated attachments

90 Canton Street

- Zoning Board applications; plans and associated attachments