

**Town of Westwood
Zoning Board of Appeals
Carby Street Municipal Office Building
Meeting Minutes – November 16, 2016**

Members Present: John F. Lally, Chairman, David M. Belcher, Danielle Button

Staff Members Present: Nora Loughnane, Director of Community & Economic Development and Sarah Bouchard, Housing & Zoning Agent

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

Applications

Address: 42 Bayley Street

Petitioner: Susan E. Riley

Project: Special Permit under Section 4.5.6 and 4.5.8.3

Mr. Lally read the legal notice pertaining to this application.

Susan Riley, the property owner and her son, Michael Riley, acting as construction manager, distributed plans with updated square footage figures. Ms. Riley stated that she bought the property for renovation, aiming to increase the square footage of the home and add a garage, but to do so tastefully and in a way that adds to the neighborhood. She stated that she had talked to neighbors before going forward with the project, shown plans and measured with tapes to show where the structure would be located on the property. Ms. Riley stated that the neighbors had been supportive.

Mr. Lally inquired about the current height of the building. Mr. Riley stated that the existing home is 19 feet, and Ms. Riley added that her plan now proposes an average height of 25 feet. She explained that the original plan had included a third floor with an average height of 27.5 feet. She explained that she made this revision after receiving feedback from Joe Doyle, the building commissioner, and from her neighbors.

Mr. Belcher questioned whether the driveway was being shifted closer to the setback; Ms. Riley confirmed. Mr. Belcher questioned increases in nonconformity in rear, side and front setbacks by deck and garage. Mr. Belcher inquired if the driveway would be paved to the fence, to which Ms. Riley said not to the fence, but nearly to the property line.

Contractor Todd Sullivan spoke out in favor of the project. He confirmed that he would be supervising Mr. Riley and assisting with the buildout. He believed that the proposed home encroached less on front, side and height setbacks than various other properties in the neighborhood.

Mr. Belcher asked the applicant to clarify how big the garage was. Ms. Riley stated that it was only large enough for one car, barrels, and storage needed since they were demolishing the existing shed.

Mr. Belcher addressed comments submitted by the building commissioner regarding the existing foundation. Ms. Riley asserted that a structural engineer had reviewed the foundation and confirmed it could handle what was proposed. Mr. Sullivan explained that demolition would be conducted by hand, reducing risk of damage to the foundation.

Ms. Button expressed concern about the driveway being so close to the property line. Ms. Riley responded that this is very common practice in the neighborhood.

Mr. Belcher stated concerns about the rear setback and proposed reducing the deck as a means of reducing nonconformity in the rear setback. Ms. Riley, Mr. Riley and Mr. Sullivan agreed to reduce the deck to 12'x30'.

Mr. Belcher stated that the proposed project increases the appeal of the neighborhood and recognizes that the applicant has demonstrated effort to mitigate the setbacks.

Ms. Button stated that she believes the proposed project is an improvement, and believes the applicant's alterations to the building height and deck indicate an effort to maintain modesty and fit into the neighborhood.

No one else spoke either in favor of or in opposition to the project.

On a motion by Mr. Belcher which was seconded by Ms. Button, it was voted unanimously to grant the Special Permit under Section 4.5.6 with the following conditions:

- 1. Applicant must submit a stamped plot plan to the building commissioner that reflects revised deck dimensions of 12 feet by 30 feet.*
- 2. The average height of the project must not exceed 25 feet.*
- 3. The memorandum from the Board of Health to the Board of Appeals dated November 8, 2016 shall be made part of this decision and the conditions of said letter shall be carried out as specified.*

Discussion of December Meeting Dates

Ms. Bouchard confirmed one application request was received for December 21, 2016: a modification to an existing Special Permit for an accessory apartment. Ms. Loughnane explained the process to amend a Special Permit.

Ms. Bouchard further stated that the ZBA had been approached with an additional application by a resident requesting a special hearing in December. The application is for rooftop installation of a large scale solar array on a residential property, requiring a Special Permit. The resident and his contractor are under a tight timeline to install the array before state tax incentives expire in January. Ms. Bouchard explained that while she and Ms. Loughnane had warned the resident and his contractor that although ZBA cannot guarantee work completion by that deadline, that ZBA could do its best to accommodate the timeline by offering an earlier special hearing on December 12, which could satisfy its requirement to duly post and advertise the hearing. ZBA members confirmed availability for December 12. Ms. Bouchard stated that she was able to submit the legal notice for that hearing in time for 11/25 publication.

Vote to Approve 2017 Meeting Schedule

On a motion by Mr. Lally which was seconded by Ms. Button, it was voted 3-0 to approve the 2017 Meeting Schedule proposed by Ms. Bouchard.

Vote to Approve Minutes

On a motion by Mr. Lally which was seconded by Mr. Belcher, it was voted 3-0 to approve the minutes for the meeting held on October 19, 2016.

The hearing adjourned at 8:04 PM.

List of Documents:

42 Bayley Street

- Zoning Board application; plans and associated attachments
- Building Commissioner's comments
- Board of Health comments, memo dated 11/8/16