

**Town of Westwood
Zoning Board of Appeals
Carby Street Municipal Office Building
Meeting Minutes – July 20, 2016**

Members Present: David W. Krumsiek, Chairman, John F. Lally, Douglas C. Stebbins

Staff Member Present: Louise C. Rossi - Administrator

Mr. Krumsiek gave a brief description of the proceedings and all were sworn in who anticipated giving testimony.

Applications

94 Washington Street

Applicant: Mr. & Mrs. Haralambos Kariotis

Project: Special Permit under Section 4.5.6

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

Josh Napper, the designer for the project informed the Board that the existing house is too small for the family and they would like to add a second floor. It is a pre-existing non-conforming structure. They will be using the existing footprint and the addition will only go over the main portion of the house and not over two small ells that were added at one time. The bungalow style house will be converted to a craftsman style colonial. The height of the addition will be under the 25' maximum for such additions.

Mr. Lally inquired as to the screening in the rear of the house and was told that it consisted of fencing.

Mr. Kariotis – property owner - stated that the building will rest on pilings 3'-4' above the ground.

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

On a motion by Mr. Lally which was seconded by Mr. Stebbins, it was voted unanimously to grant the Special Permit under Section 4.5.6 with the condition that the memorandum from the Board of Health to the Board of Appeals dated July 20, 2016 relative to construction conditions be made a part of this decision.

17 Alpena Avenue

Applicant: Brian Donegan

Project: Special Permit 4.5.3

Mr. Krumsiek read the legal notice pertaining to this application and explained that while a variance had originally been sought, it was determined that a Special Permit only was required under Section 4.5.3.

Mr. Donegan explained to the Board that the rough winter of 2015 had destroyed his detached garage which was subsequently demolished due to safety considerations. He would like to rebuild the structure, using a slab foundation on grade as the original building had. The height of the building will approximate 18' and there will be no heat or water hook-ups at this time. The structure will be used mainly as a garage and storage area with a workshop. The property is adjacent to Route 128 and there are woods bordering the area lots.

Jessica Nokes – 17 Vincent Road, Dedham requested that no flood lighting be allowed on the rear of the building to avoid spillage into her yard which is to the rear of the site.

On a motion by Mr. Lally which was seconded by Mr. Stebbins, it was voted unanimously to grant a Special Permit under Section 4.5.3 for the rebuilding of the garage/workshop with the condition that no lighting be attached to the rear of the

structure and that the memorandum from the Board of Health to the Board of Appeals dated July 20, 2016 be made part of this decision.

29 Colby Way

Applicant: Gee Tso

Project: Special Permit under Section 4.5.6 and/or Variance from Section 5.2.1

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

Mr. Tso informed the Board that he would like to add a bedroom over the garage and distributed to the Board an updated plot plan from that which he originally filed. Additional space is needed for the growing family. The design calls for two dormers on the proposed addition and three dormers across the main roof of the house for appearance sake. The three dormers are for decorative purposes only and will not be used as living space.

Mr. Krumsiek mentioned that the house was built under a Comprehensive Permit which allowed building to the dimensions of Zone A while this parcel of property was in Zone C. In accordance with the Permit, these houses were conforming when built.

The Board considered the main roof dormers separately from the addition dormers and Mr. Krumsiek opined that he did not believe a case could be made for the three dormers to allow a variance.

Mr. Tso indicated that the bedroom addition would not exceed 25' in height.

It was mentioned that the front portico proposed as part of the plan could be built as of right.

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

On a motion by Mr. Lally which was seconded by Mr. Stebbins, it was voted unanimously to grant the Special Permit under Section 4.5.6 to allow the construction of a bedroom over the garage with two dormer windows and it was voted unanimously to deny a Variance to build three decorative dormers over the front main roof and it was voted that the memorandum from the Board of Health to the Board of Appeals dated July 20, 2016 be made part of this decision.

17 Aran Road

Applicant: Khalil Laham

Project: Special Permit under Section 4.3.3.12

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

Christopher Kirby spoke on behalf of Khalil Laham, the owner of the property. He stated that Mr. Laham lives in a ground floor unit which they would like to make into an accessory apartment. They will need to build a second means of egress from the space. Mr. Laham's son and his family reside in the main portion of the house.

Mr. George Laham, Mr. Laham's son explained that approximately one year ago, they applied for a special permit for an accessory apartment, however due to inadequate plans; they withdrew the request and built what could be built as of right. The existing space is 695 SF and a second driveway was built on the left side accessible to the addition along with the original driveway on the right side of the house, making two separate and distinct driveways. The Lahams expect to landscape the property to soften the appearance of the addition.

Mr. Krumsiek stated that he would not approve a special permit with the two driveways contributing to the appearance of a two family house. Mr. Stebbins inquired about the extent of proposed plantings and stressed that the Bylaw requires a house which contains an accessory apartment to maintain the appearance of a single family house.

Mark Dacey – 34 Spellman Road – stated that he lived behind the subject property and he objects to the incremental steps he believes are being taken to create a multi-family house.

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

On a motion by Mr. Lally which was seconded by Mr. Stebbins, it was voted unanimously to continue the hearing until September 21, at 8:00PM in the Champagne Meeting Room, 50 Carby Street in order to allow the Applicant to have plans drawn up to improve the appearance of the house and maintain the appearance of a single family home.

375-411 Providence Highway

Applicant: AMR Real Estate Holdings – Westwood LLC

Project: Special Permit under Section 4.3.3.12

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

David Mackwell of Kelly Engineering Group spoke on behalf of the property owner. He stated that a sign package had been put together for the property which consists of one lot with three separate dealerships on the premises. The Town Bylaw allows for a commercial building to have two signs for the entire property consisting of one 100 SF sign and a second sign not to exceed 30 SF. Due to the branding of each dealership and the number of exits accessing the property, more than two signs are necessary and relief is sought.

Mr. Mackwell described the Audi dealership's eight signs, the Acura dealership four signs and the Porsche dealership's six signs. They are a combination of pylon signs, brand signs and directional signs. All signs will have interior lit letters only. Mr. Lally inquired if the signage will interfere with the sight lines onto Route One and was told this was not anticipated. There will be no spotlights on any of the pylon signs.

Paul Kelly – 107 Willard Circle - inquired about the lateness of the special permit request as the building had been approved and construction started some months ago.

Mr. Mackwell explained the design process and that this is not an unusual situation.

Mr. Krumsiek mentioned that the Planning Board would be discussing the request at their August 2nd meeting and that the Applicant will be subject to conditions as may be placed on them.

Paul Ayoub – counsel for AMR Real Estate Holdings – Westwood LLC inquired as to the length of time within which the Planning Board could make decisions. He was informed that it would have to be at the August 2nd Planning Board hearing.

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

On a motion by Mr. Lally which was seconded by Mr. Stebbins, it was voted unanimously to grant the special permits as requested in a letter dated July 14, 2016 to the Board of Appeals outlining the specific requirements and that this decision is subject to the request by the Planning Board in their memorandum to the Board of Appeals dated July 20, 2016 REVISED be taken into consideration and become a part of this decision.

Vote to Approve Minutes

On a motion by Mr. Lally which was seconded by Mr. Stebbins, it was voted unanimously to approve the Minutes for the meeting held on May 18, 2016.

Housekeeping Items

Ms. Rossi informed the Board that the matter of triple fees for after the fact special permit requests will be tabled.

The Appointed Committee Handbooks were given out to attending members.

The hearing adjourned at 9:00 PM.

List of Documents:

94 Washington Street

- Zoning Board application filed 6-13-16 with attached plot plan and photographs of building
- Building Inspector comments for July 20, 2016
- Planning Board comments dated July 20, 2016
- Board of Health comments dated July 20, 2016
- Staff photographs of site

17 Alpena Avenue

- Zoning Board application filed 6-13-16 with attached plot plan and building plans
- Building Inspector revised comments for July 20, 2016
- Board of Health memorandum dated July 20, 2016
- Planning Board comments dated July 20, 2016
- Staff photographs of site

29 Colby Way

- Zoning Board application filed 6-15-16 with attached plot plan and building plans
- Building Inspector comments for July 20, 2016
- Board of Health comments dated July 20, 2016
- Planning Board comments dated July 20, 2016
- Building Inspector memorandum dated July 18, 2016 with attached height calculation
- Updated Plot Plan dated July 8, 2016 delivered by Mr. Yso at the hearing
- Staff photographs of site

17 Aran Road

- Zoning Board application filed 6-15-16 with attached plot plan and building plans
- Building Inspector comments for July 20, 2016
- Board of Health comments dated July 20, 2016
- Planning Board comments dated July 20, 2016
- Staff photographs of site

375-411 Providence Highway

- Zoning Board application filed 6-15-16 with attached plot plan and building plans
- Building Inspector comments for July 20, 2016
- Board of Health comments dated July 20, 2016
- Planning Board comments dated July 20, 2016 as REVISED
- Letter dated July 14, 2016 from Kelly Engineering Group, Inc. updating the request for relief and with updated Acura signage package attached