

**Town of Westwood  
Zoning Board of Appeals  
Remote Participation, Zoom Video Conference Call  
Meeting Minutes – January 21, 2021**

**Members Present:** Jack Lally, Doug Stebbins, Dave Belcher

**Staff Members Present:** Sarah Bouchard, Housing & Zoning Agent

Mr. Lally gave a brief description of the proceedings, including a description of instruction for remote participation by the public. All those present for the meeting who anticipated giving testimony were sworn in.

**Applications**

**Address: 29 Pear Tree Drive**

**Petitioner: Matthew Fermino**

**Project: Application for Special Permit Under §4.3.3.12 and 8.5**

Mr. Lally read the legal notice into the record.

Matthew Fermino, homeowner, introduced the application to construct an accessory apartment for his mother as an addition to the existing single family home. The proposed space will include a bedroom, kitchen, living space and the addition will be 400 additional square feet to existing finished space.

Mr. Lally sought to confirm square footage. Ms. Bouchard clarified that no variance was identified by the Building Commissioner for square footage.

Mr. Lally asked if this property was the homeowner's principal residence. Mr. Fermino confirmed that it is.

Mr. Lally asked if the accessory apartment would be connected to water/sewer. Mr. Fermino replied yes.

Mr. Lally confirmed compliance to the other requirements of bylaw (egress, visual appearance of single family home, parking). Mr. Fermino stated that the proposal satisfies all requirements.

Mr. Stebbins asked about the current finished space. Mr. Fermino replied that finished space in the garage was a playroom which will be converted to accessory apartment space. Mr. Stebbins asked if there is no new driveway being proposed. Mr. Fermino stated there is no new driveway proposed.

Mr. Belcher asked if the unit is self contained. Mr. Fermino reviewed the plans to demonstrate where the boundary of the accessory apartment would be.

Mr. Belcher asked if the Town is below 2%. Ms. Bouchard replied that it is.

Mr. Lally opened the hearing to the public for comment. Ms. Bouchard reviewed the procedure for public comment on the Zoom webinar platform. There were no public comments.

The Board moved to a roll call vote.

*On a motion by Mr. Stebbins seconded by Mr. Belcher, the Board voted unanimously to grant a special permit under 4.3.3.12 and 8.5 to 29 Pear Tree Drive.*

**Address: 11 Westland Avenue**

**Petitioner: Kelli Rixon**

**Project: Application for Special Permit Under §4.5.3.2.2**

Mr. Lally read the legal notice into the record.

Keri Murray, architect for the project, introduced the proposal. She described the house as preexisting nonconforming with a first floor addition that extends into the setback. Homeowner wishes to add a second floor addition to that area that vertically extends with the setback. She described the proposed roofline area as smaller in scale to reduce impact of increased height, with entry steps to access the first floor to be reconstructed to same proportions and dimensions.

Mr. Lally asked if footprint would be maintained; Ms. Murray confirmed yes.

Mr. Lally stated this would not encroach closer to setback and is a nonconforming lot and structure.

Mr. Belcher asked how close addition is to the fence. Todd Rixon, homeowner, stated that the plot plan measured to lot line and he was unsure about measurement to fence.

Mr. Lally asked Ms. Murray about square footage of addition upstairs. She replied 160 square feet.

Mr. Stebbins stated that he likes the gambrel look relative to new addition. Mr. Stebbins asked if the new roofline will not be uninterrupted? Ms. Murray says the existing first floor sets in and proportionally will look better if there is relief on the roofline. She stated that she believes it will aesthetically lend itself better as proposed.

Mr. Stebbins asked about dormers; Ms. Murray said dormer on right will be new, but will match in proportion and scale to existing dormers.

Mr. Lally read into the record Conservation Commission comments.

Mr. Lally opened the hearing to the public for comment. Ms. Bouchard reviewed the procedure for public comment on the Zoom webinar platform.

Deborah Rooney, 34 Westland, asked if the applicants are owners. Mr. Rixon confirmed that they are owners.

Ms. Rooney asked if the main house was High Street and if addition was on main house or garage. Mr. Rixon replied that the frontage is on Westland, and addition is on main house.

Hearing no additional comments from the public, Mr. Lally closed the public comment portion of the hearing and the Board began discussion.

Mr. Lally stated it is a small addition, has met all requirements, and he has no issues with the proposal.

Mr. Stebbins agreed it is a thoughtful plan.

The Board moved to a roll call vote.

*On a motion by Mr. Belcher seconded by Mr. Stebbins, the Board voted unanimously to grant a special permits under 4.5.2.2.*

**Address: 420 Providence Highway**

**Petitioner: AMR Auto Holdings-PA, LLC (Prime Motor Group)**

**Project: Application for Special Permit Amendment**

Mr. Lally read the legal notice into the record.

Mr. Mackwell, representative for AMR Auto Holdings, introduced the proposal to convert the Porsche/Audi site (now vacant) to a Mazda dealership. He described physical changes to the exterior of the building. He stated there are no proposed changes to site other than signage. Site plan reflects the 2011 modification to the permit that allows stacked parking in rear of the building. He noted that some sections referenced in the application, particularly related to signage, may be outdated due to bylaw changes. Mr. Mackwell described the signage changes and proposed locations of signs. Mr. Mackwell stated his belief that the zoning relief needed is for number of signs and size of signs.

Mr. Lally asked if there is no increase in car storage? Mr. Mackwell confirmed there is no increase proposed.

Mr. Lally asked about the number of existing signs. Mr. Mackwell replied that the special permit was for 6 but all old signs were removed. Joe Rose described the old signs at the site.

Mr. Lally asked if the sign package was submitted for permitting? Mr. Mackwell replied that a comment to Planning Board by Building Department says it may not need relief. Ms. Bouchard responded that the sign package has not been fully reviewed by the Building Department.

Ms. Bouchard states that given the status of the signage application, she recommends that the ZBA focus on reviewing the proposed amendment to the use, not signage.

Mr. Stebbins asked if the Mazda dealership is new or relocated? Mr. Rose replied that it has relocated from Norwood.

Mr. Belcher asked if the amendment is to the existing special permit and clarified if the relief should be to change the use only? Ms. Bouchard confirmed. Mr. Belcher asked if all other conditions remain except this one about the exclusive use of the previous brand. Ms. Bouchard confirmed. Mr. Belcher stated that he thinks the signage should be separate.

Mr. Lally asked if anyone has questions about exterior changes and parking. None were made.

Ms. Bouchard introduced requested condition for EIDR approval.

Mr. Lally opened the hearing to the public for comment. Ms. Bouchard reviewed the procedure for public comment on the Zoom webinar platform. There were no public comments.

Mr. Lally stated that he supported the proposed changes to building, with signage to be addressed later in a separate special permit if necessary, and found no major changes to use.

The Board moved to a roll call vote.

*On a motion by Mr. Lally seconded by Mr. Stebbins, the Board voted unanimously to grant an amendment to the existing special permit subject to EIDR approval by Planning Board and with signage to be addressed separately at a future hearing if necessary.*

**Address: 493 Gay Street**

**Petitioner: Isaksen Solar**

**Project: Application for Special Permit Under §4.3.2.7**

Mr. Lally read the legal notice into the record.

Matt Sly of Isaksen Solar introduced the proposal to install a ground mounted solar array, a private facility that will export power to homeowners' residence.

Mr. Lally asked about size and color of panels. Mr. Sly reviewed the technical specs.

Mr. Lally asked about safety provisions. Mr. Sly stated the panels are not exposed and there is no risk of shock. Disconnects and manual switches are located on exterior of house and next to service panel in basement. He committed to pull all permits, including inspections by Town building, electrical and utility.

Mr. Lally asked about plans for extra screening. Mr. Sly says wire mesh is installed under panels to prohibit unsafe access to panels. Mr. Sly proposed landscape netting and planting of arborvitaes to limit abutter impact and visual impact to neighbors or street.

Mr. Lally asked if the company has done work in Westwood. Mr. Sly says not in Westwood, but it has installed 45 ground mounted systems in the last year.

Mr. Lally asked what biggest issues with solar panels have been. Mr. Sly says there is minimal maintenance for panels or inverter, and a 25 year warranty ensures quality maintenance. He stated that anything that would need to be replaced is electrical components, but that is rare.

Mr. Lally asked about cleaning. Mr. Sly says no cleaning is necessary in addition to rainfall.

Mr. Belcher asked about screening. Mr. Sly says wire mesh is already in plans, but landscaping plan has not been submitted. Mr. Belcher asked why not rooftop panels. Mr. Sly replied that a ground mount will outperform the roof mount. Mr. Belcher asked about removal of existing trees. Mr. Sly says there is no plan to remove or trim trees.

Mr. Belcher confirmed that highest part of panel array is toward Gay Street. Mr. Sly confirmed yes. Mr. Belcher says visually, from road, you would see arborvitae and then the wire mesh. He asked about height of panels. Mr. Sly responded that layout of panels considers snow load, optimal tilt and town requirements. The proposal suggests a 9 foot 7 inches with 2 foot leading edge on system at highest point you can see from Gay Street.

Mr. Stebbins stated his concern about visual exposure of the array. He stated that seasonally, the view could be considerable and the placement is so close to Gay Street. He asked if the homeowner has considered other locations on lot. Mr. Sly replied that this location is good for sunlight and that wetland constraints limited placement on lot. He stated that arborvitae will help screen year round.

Mr. Sly stated that a roofline install would involve substantial tree work, which would have significant impact to abutters.

Mr. Belcher asked if there are other visual mitigation techniques. Mr. Sly says arborvitae are best and most often used.

Mr. Lally opened the hearing to the public for comment. Ms. Bouchard reviewed the procedure for public comment on the Zoom webinar platform.

Abby McCabe, Town Planner, stated that the Planning Board reviewed the application and is supportive of project. A 2 year Comprehensive Plan update just concluded with significant public input, and it outlines goals for renewable energy at commercial and residential properties with high priority.

Mr. Lally asked if Planning Board's review included placement and location. Ms. McCabe said the Planning Board supported landscape screening, with Green Giant arborvitae most commonly used by Planning Board for successful visual mitigation. Mr. Lally asked if the Planning Board had no concern with placement? Ms. McCabe said Planning Board had no concern about placement.

Barbara Greppin, 490 Gay Street, stated her concern about visibility of the panels. She further stated concern about using arborvitae to screen as it may attract deer causing loss of screening and presenting a safety concern with road traffic. Mr. Sly responded that it is not his experience that arborvitae would attract deer and that the planting would be mature to ensure longevity.

Claire Galkowski, 320 Dover Road, stated her support of the project due to consistency with Comprehensive Plan and urgency of climate change, renewable energy, and sustainable development.

David Atkins, 783 High St, Planning Board chair, stated his support of the project due to consistency with goals in Comprehensive Plan and the fact that it will require no tree removal and has minimal visual impact especially with screening.

No further comments from the public were made. Mr. Lally closed the public comment portion of the hearing and the Board began discussion.

Mr. Lally stated that he can sympathize with neighbors on visual impact concerns. He suggested continuance of the hearing to allow the applicant to submit a visual model from the viewpoint of abutters and street and a landscaping plan.

Mr. Stebbins stated that he would like to see the applicant revisit locations on property and see if relocation is appropriate. He stated he is concerned about setting precedent for multiple properties with ground mounted solar and what kind of change it would make to neighborhood.

Mr. Sly says the company evaluates homes for solar with intention of roof as first priority. This particular project requires the current location and doesn't involve tree removal and wetland area.

Mr. Belcher stated that he would like to review a landscaping plan. His preference is to see more canopy solar in commercial spaces, and that ground mounted arrays on residential properties may not meet the goals set in the Comp Plan. He stated that the property is unique with limited visibility in spring and summer, and the potential for sufficient shielding with screening.

The Board moved to a roll call vote.

*On a motion by Mr. Belcher seconded by Mr. Stebbins, the Board voted unanimously to continue the hearing to February 24, 2021 via remote participation at 7 pm to allow the applicant to provide visual models and a landscaping plan.*

#### **Vote to Approve Meeting Minutes**

*On a motion by Mr. Lally seconded by Mr. Stebbins, the Board voted 2-0-1 to approve meeting minutes from October 21, 2020 and November 18, 2020. Mr. Belcher abstained from the vote.*

#### **Other Business**

Ms. Bouchard discussed ethics training for Board members and encouraged all members to complete their online training as soon as possible.

#### **Vote to Adjourn Hearing**

*On a motion by Mr. Lally seconded by Mr. Stebbins, the Board voted unanimously to adjourn the hearing at 9 pm.*

#### **List of Documents:**

29 Pear Tree Drive

- Zoning Board application; plans and associated attachments

11 Westland Ave

- Zoning Board application; plans and associated attachments

420 Providence Highway

- Zoning Board application; plans and associated attachments

493 Gay Street

- Zoning Board application; plans and associated attachments