

**Town of Westwood
Zoning Board of Appeals
Champagne Meeting Room, Carby Municipal Building, 50 Carby Street
Meeting Minutes –July 17, 2019**

Members Present: Jack Lally, Chair, Doug Stebbins, Mike McCusker

Staff Members Present: Sarah Bouchard, Housing & Zoning Agent

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

Applications

Address: 70 Tamarack Road

Petitioner: Lisa Lennon

Project: Application for Special Permit under §8.5

Mr. Lally read the legal notice into the record. Lisa Lennon, homeowner and applicant, introduced the proposal to construct a home with an accessory apartment. She described the property as destroyed in a fire last year and discussed her plans for her extended family to reside in the reconstructed home.

Mr. Lally asked if she intended for the property to be her permanent address. She confirmed that 70 Tamarack would be her voting address.

My. Lally reviewed the requirements of the bylaw, asking about parking compliance, water/sewer hookups, and maintaining the appearance of single family home and two forms of egress. Ms. Lennon confirmed that the proposal was in compliance with the requirements.

JL opened to the public for comment, none.

Mr. Lally opened the hearing to the public for comment. Hearing none, the Board discussed potential conditions and moved to a vote.

The Board moved to a vote.

On a motion by Mr. Stebbins which was seconded by Mr. McCusker, it was voted unanimously to grant a special permit for 70 Tamarack Road under Section §8.5 subject to conditions requested by the Board of Health and Conservation Commission.

Address: 5 Wight Lane

Petitioner: Elizabeth Tuleja Walker

Project: Application for Special Permit under §8.5 and 4.3.3.12

Mr. Lally read the legal notice into the record.

Elizabeth Walker Tuleja & Paul Tuleja, homeowners, introduced the application to construct a carriage house on their property at the end of Wight Lane. The proposed unit will house family and the garage will be used as storage and a workshop.

Mr. Stebbins asked if the property was newly acquired. Ms. Tuleja stated that Wight Lane used to extend through but due to new residential development, the developer sold a piece of land to be added to their parcel. Mr. Lally reviewed the size of the proposed carriage house and asked further about the intended use of the garage. Mr. Tuleja confirmed that the workshop would be for personal woodworking use and no permanent storage of equipment or major machinery would be stored there.

Mr. Lally asked if any hazardous waste would be stored; Mr. and Ms. Tuleja said no.

Mr. Lally asked if the property would continue to be their primary residence and voting address. Mr. and Ms. Tuleja confirmed that it would.

Mr. Lally asked about screening. Mr. Tuleja replied that the property was heavily treed and the nearest structure in the new development will have a 20 foot buffer.

Ms. Bouchard discussed comments from the Building Commissioner about adding a people door to the garage. Mr. Tuleja stated that a door will be added.

Mr. Lally asked if the plan was in compliance with water/sewer requirements. Mr. Tuleja confirmed that it is.

Mr. Stebbins asked if the plan was in compliance with height measurements. Mr. Tuleja confirmed that it is.

Mr. Lally discussed the conditions requested from Conservation Commission and Board of Health.

Mr. McCusker asked if the applicant could confirm that the staircase was an interior feature. Mr. and Ms. Tuleja confirmed that the staircase is proposed indoors.

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

On a motion by Mr. Stebbins seconded by Mr. McCusker, the Board unanimously approved a special permit for 5 Wight Lane under Sections 8.5 and 4.3.3.12 subject to the conditions requested by the Board of Health and Conservation Commission, and subject to the submission of revised plans to the Building Department showing an additional door.

Address: 97 Colburn Road

Petitioner: Lori Lopes

Project: Application for Special Permit under 4.5.3.2.2 and 4.5.3.2.3

Mr. Lally read the legal notice into the record.

Mr. Lally and Ms. Bouchard established that due to re-review by the Building Department since the hearing was advertised, relief under 4.5.3.2.2 was not necessary and only relief sought under 4.5.3.2.3 to construct the side landing would be discussed at the hearing.

Lori Lopes and Rick Lopes, homeowners and applicants, introduced the proposal to construct addition and side porch. They stated that the side landing would add character to the property and improve the aesthetic quality of the addition..

Mr. Lally reviewed the dimensional requirements relative to the proposed porch. Mr. Lopes confirmed the plans.

Mr. Lally asked if the homeowner had discussed the proposal with the abutters. Ms. Lopes stated that the property was for sale and attempts had been made to reach out to owners under contract via their broker.

Mr. Lally asked about screening. Mr. Lopes confirmed his intention to plant shrubbery and shading trees.

Mr. Lally asked about plans for a future deck. Ms. Lopes replied that her goal is to preserve as much yard as possible for their family, and the side landing placement will achieve that.

Mr. Stebbins asked if other locations were considered for locating the porch. Mr. Lopes stated that the elevation of the rear yard makes location difficult. He stated that rear egress would require a long staircase and landing with two flights. He stated that a side porch only requires 3-4 stairs and would be non obtrusive to look at.

Mr. McCusker described the intent of the zoning bylaw and stated his belief that this proposal would not be consistent with said intent. He stated that he is not inclined to give away feet of relief in the setback requirements and would not vote to grant the special permit.

Mr. Lally asked Mr. Stebbins if he thought the proposal was de minimis in nature, as required by the bylaw section. Mr. Stebbins stated that there may be other options for locating the egress within the property and agrees with Mr. McCusker.

Mr. Lally stated that he was in favor of the application, but that granting a special permit requires a super majority.

Ms. Bouchard discussed the applicant's ability to construct a 3 foot landing by right in the side setback, per building code and upon recommendation of the Building Commissioner.

Mr. and Ms. Lopes verbally requested to withdraw their request for relief without prejudice.

On a motion by Mr. Stebbins which was seconded by Mr. McCusker, it was voted unanimously to approve the applicants' request for leave without prejudice.

Address: 15 Pheasant Hill Street

Petitioner: Steve Hansen

Project: Application for Special Permit under 4.5.3.2.2

Mr. Lally read the legal notice into the record.

Steve Hansen, contractor and applicant, introduced the proposal to construct shed dormers on a single family home to expand upstairs bedrooms and add bathrooms. He described the proposed construction as not encroaching into any setbacks, but rather raising average height within the setback.

Kevin Doherty, the homeowner, described wanting to expand the home to make it more functional.

Mr. Lally asked if neighbors were supportive. Mr. Doherty stated that they were and reviewed letters of support submitted to the board.

Mr. Lally stated that he found the architectural renderings to be attractive.

Mr. Stebbins reviewed the elevation of the property with the Board and applicants, and stated that due to the hill, the ridge line of the proposed structure would still be low to immediate abutters.

Mr. McCusker asked if the peak ridge height would be same. Mr. Hansen confirmed that it would be.

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

On a motion by Mr. Stebbins seconded by Mr. McCusker, the Board unanimously approved a special permit for 15 Pheasant Hill Street under Section 4.5.3.2.2 subject to the conditions requested by the Board of Health and Conservation Commission.

Vote to Approve Meeting Minutes

On a motion by Mr. Lally which was seconded by Mr. Stebbins, it was voted to approve the meeting minutes from June 19, 2019. Mr. McCusker abstained from the vote.

Board Reorganization

On a motion by Mr. Stebbins seconded by Mr. McCusker, the Board unanimously approved the nomination of John Lally as Chair of the ZBA.

On a motion by Mr. Lally seconded by Mr. McCusker, the Board unanimously approved the nomination of Doug Stebbins as Clerk of the ZBA.

Vote to Adjourn

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

The hearing adjourned at 7:48 PM.

List of Documents:

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| <p>70 Tamarack Road</p> <ul style="list-style-type: none">• Zoning Board application; plans and associated attachments <p>5 Wight Lane</p> <ul style="list-style-type: none">• Zoning Board application; plans and associated attachments <p>97 Colburn Street</p> <ul style="list-style-type: none">• Zoning Board application; plans and associated attachments <p>15 Pheasant Hill Street</p> <ul style="list-style-type: none">• Zoning Board application; plans and associated attachments |
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