

**Zoning Board of Appeals
Remote Participation, Zoom Video Conference Call
Meeting Minutes –October 18, 2023**

Members present: Chair John Lally, Michael McCusker and Linda Walsh

Staff Members Present: Zoning and Licensing Agent Karyn Flynn

The meeting was called to order by Chair John Lally at 7:00 pm. Ch. Lally gave a brief description of the proceedings, including a description of instructions for remote participation by the public. All those present for the meeting who anticipated giving testimony were sworn in.

Address: Nahatan Street Map 29 Lot 206

Petitioner: 405 Nahatan Street, LLC

Project: Variance pursuant to the Westwood Zoning Bylaw Section §5.2 [Table of Dimensional Requirements] of the Westwood Zoning Bylaw. The newly created lot is lacking in Minimum Non-Wetland Area. The required minimum Non-Wetland Area is 60,000 sq. ft., and the proposed lot has 48,959 sq. ft. The lot was created by an Approval Not Required (ANR) plan in September 2022. The lot is currently vacant and does not have an assigned street address. The property is located in the SRE (Single Residential E) zoning district.

Ch. Lally stated that the applicant's attorney has requested a continuance to the November 15, 2023 meeting. Ms. Flynn indicated there was a person in the audience with their hand up. The person typed their question in the Q & A. Ms. Flynn asked the individual to add their address for the record. Ellen Modi of 380 Nahatan Street asked why the application is being continued. Ms. Flynn stated that earlier in the day the applicants' attorney had requested at continuance to the November 15, 2023 meeting and procedure dictates that the Board must vote to grant or not. Ms. Modi stated that this was the second continuance request. Ms. Flynn stated that was correct. Ch. Lally can this be the last continuance granted. Ms. Flynn stated should another continuance be request be made, it would be up to the Board vote to grant or not. Ms. Modi noted that she had submitted a letter to the Board against the application and wanted to confirm receipt. Ch. Lally stated the Board did receive it, and it will be part of the public record.

Ms. Walsh moved that the Westwood Zoning Board of Appeals grant the applicant's request to continue the public hearing for Nahatan Street Map 29 Lot 206 to November 15, 2023 at 7:00pm on Zoom. The Motion was seconded by Mr. McCusker. Ch. Lally called a roll call vote; the Board voted unanimously via roll call grant the Continuance for Nahatan Street Map 29 Lot 206.

14 Bayley Street

Petitioner: Caroline Donahue

Project Special Permit pursuant to the Westwood Zoning Bylaw Sections §4.5.3.2.2 [Alterations of Nonconforming Structures-Vertical Extension]. The Petitioner proposes to construct a second story addition to an existing single-family residence. The addition increases the height of the building in the front and side setbacks. The existing structure is nonconforming as it violates both side setbacks. The structure is located 13.5' from the left-side lot line and 12' to the right-side lot line, where 15' is required. The lot is also nonconforming due to lack of frontage and area. The property is located in the Single Residence D (SRD) zoning district.

Ch. Lally read the public hearing notice and asked if the applicant was in attendance. Ms. Flynn stated that both the applicant Caroline Donahue and the architect Anthony Roossien were present. Ch. Lally asked Mr. Roossien to present his application to the Board.

Mr. Roossien began sharing his screen to display existing front elevation view and proposed front elevation view. Mr. Roossien stated that the current front of the house has one story and a second story in the rear. The proposed project would remove the front roofline and raise it up to equal the rear. The height of the front addition would be no higher than the existing rear roofline. By raising the front roof, the homeowner is able to add a master bedroom and bedroom to the second floor. Mr. Roossien stated the existing home is in both side setbacks.

Ch. Lally asked if the addition was going to raise height of the existing structure. Mr. Roossien stated it would raise the front section of roof to meet the existing roofline in the rear, no higher than the existing rear roof. Ch. Lally asked if the addition was to stay in the same footprint of the existing house. Mr. Roossien stated that it would.

Ch. Lally asked Ms. Walsh if she had any questions. Ms. Walsh stated that she did not and it was great job presenting. Ch. Lally then asked Mr. McCusker if he had any questions and he stated that he had taken a ride out to the site and had no questions.

Ms. Flynn asked Ch. Lally if she may ask a clarifying question on the plans to the architect. Ms. Flynn asked if Mr. Roossien could bring up plan page A-4, A-5 and A-6. Stating that the rear deck on the site plan and floor plans do not match the elevations submitted. Mr. Roossien pulled up the plans to review and asked what was the discrepancy. Ms. Flynn stated that A-6 shows the deck extending the entire length of the family room and that A-5 shows a much narrower landing. On some plans it is indicated as 6 feet deep and on other plans it is 3 feet. Mr. Roossien says that in this case the site plan and floorplan take precedence. Ms. Flynn asked that if the Board was inclined to approve this application to please include a revised set of plans in the motion.

Ch. Lally asked Ms. Flynn to open up the hearing to public comment. Ms. Flynn stated that there were no hands raised and no comments related to this application the Question & Answer queue. Ch. Lally declared the hearing closed.

Mr. McCusker moved that the Westwood Zoning Board of Appeals grant the special permit for 14 Bayley Street pursuant to the Westwood Zoning Bylaw Section §4.5.3.2.2 [Alterations of Nonconforming Structures-Vertical Extension] and to require a revised set of plans be submitted to the Zoning Agent to be included in special permit decision. The Motion was seconded by Ms. Walsh. Ch. Lally called a roll call vote; the Board voted unanimously via roll call grant the special permit for 14 Bayley Street.

Vote to Approve Meeting Minutes

Ch. Lally stated that the minutes for September 20, 2023 meetings were completed and ready for approval.

Ms. Walsh moved that the Westwood Zoning Board of Appeals approve the meeting minutes from the September 20, 2023 meeting. The Motion was seconded by Mr. McCusker. Ch. Lally called a roll call vote; the Board voted unanimously in favor to approve meeting minutes from the September 20, 2023 meetings.

Vote to Adjourn Hearing

On a motion by Mr. McCusker, seconded by Ms. Walsh, the Board voted unanimously on a roll call vote to adjourn the meeting at 7:28 pm.

List of Documents:

- Nahatan Street Map 29 Lot 206 -continued without discussion to October 18, 2023 meeting
Zoning Board application; plans and associated attachments
- 14 Bayley Street
Zoning Board application; plans and associated attachments