

Zoning Board of Appeals
Remote Participation, Zoom Video Conference Call
Meeting Minutes –March 13, 2024

Members present: Chair Michael McCusker, Linda Walsh and Danielle Button

Staff Members Present: Zoning and Licensing Agent Karyn Flynn

The meeting was called to order by Chair Michael McCusker at 7:00 pm. Ch. McCusker 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.

Ch. McCusker made an announcement that the Board will be taking an item out of the published agenda order. Ch. McCusker stated the Board will hear the Administrative Modification request for 490 Gay Street first.

Address: 490 Gay Street

Petitioner: PT Realty Investors LLC represented by Lou Petrozzi

Project: Administrative Modification request-to a Special permit which was granted by the Zoning Board of Appeals 2/14/24, and filed in the Office of the Town Clerk on February 16, 2024. Applicant is seeking to modify finding #2 in the decision to reflect the new lot size, after an ANR plan has been recorded.

Ch. McCusker asked that Ms. Flynn clarify the applicant's request for the Board. Ms. Flynn stated that at the time of the original special permit application the ANR plan submitted as a site plan for the application had not been recorded with the Registry of Deeds. The plan met all of the Zoning Board's plan requirements and was fully endorsed by the Planning Board, but had not yet been recorded at the Registry of Deeds. Since the Board's decision, the applicant has recorded the ANR plan with the Registry of Deeds on 2/27/24 and would like to change finding # 2 in the original decision that reads: The lot area of the subject parcel is 14.4 acres where 80,000 sq. ft. is required. The applicant would like the 14.4 acres to be revised to reflect the new size of the lot at 490 Gay Street which is 2.93 acres or 127,606 sq. feet.

Ch. McCusker moved to that Westwood Zoning Board of Appeals grant the Administrative Modification to finding number 2 of the Special permit granted for 490 Gay Street on 2/14/24 to read: The lot area of the subject parcel is 2.93 acres where 80,000 sq. ft. is required.

Address: 88 School Street

Petitioner: Justin Parmelee

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 attached to an existing single-family residence. The Petitioner proposes to replace the garage on the same footprint as the existing and create additional living space above. The existing structure is nonconforming as it violates the front setback at 20.1' where 25' is required. The proposed addition will violate the south side setback at 11' where 15' is required. The lot is nonconforming due to lack of frontage, width and lot area. The property is located in the Single Residence A (SRA) zoning district.

Ch. McCusker read the public hearing notice and asked if the applicant was in attendance. Ms. Flynn stated that both the homeowner Justin Parmelee and his contractor Ed Williamson were in attendance. Ch. McCusker asked them to present their project.

Mr. Parmelee stated his lot is existing nonconforming, as are many of the lots in the neighborhood. He stated they are looking to build over the existing footprint which currently is the kitchen and garage and add additional living space above. Mr. Williamson started to speak and incurred technical issues with his audio. Ms. Flynn asked Mr. Parmelee that if she displayed his plans if he could go through the design with the Board until Mr. Williamson's connection was fixed. Ms. Walsh suggested Mr. Williamson shut off his camera and his audio was fixed. Mr. Williamson stated that the project is not changing the existing footprint and only going up to add bedrooms above, as to not encroach into the set back any further.

Ms. Flynn displayed plans to the Board and stated that the applicant hired an engineer to revise plans drawn by Architect David Sharf, to change the project to only be going up on the same footprint, and not going any closer to the neighbor on the garage side of the property. Architect David Swarf provided a letter giving the engineer permission to alter his plans. Ms. Flynn then displayed a photo of the existing conditions.

Ch. McCusker asked Ms. Walsh if she had any questions. Ms. Walsh wanted to clarify due to difficulty reading the provided plans, if there was a basement under the garage. Mr. Williamson said there was not and will not be. Ms. Walsh stated that the town will require an as built plan and wants to make sure that what is being proposed, match what is being built. Mr. Williamson said it would and that he has done several projects in Town and has submitted as-builts. Ms. Walsh also asked if the project was going before Conservation Commission and Mr. Williamson stated it was on March 27, 2024 meeting. Ms. Walsh had no further questions.

Ch. McCusker asked Ms. Button if she had any questions. Ms. Button agreed that the plans where a bit difficult to read, and stated the existing condition photo shows the kitchen area set back from the main house and garage. Ms. Button asked if that would be the case in the new design. Mr. Williamson stated it would come forward a little bit, but would not be at the same line as the main house. Ms. Button had no further questions.

Ch. McCusker asked Ms. Flynn to open up the hearing to public comment. Ms. Flynn stated there were no hands raised in the attendees and no questions in the Question & Answer queue. Ch. McCusker declared the hearing closed.

Ms. Walsh moved the Westwood Zoning Board of Appeals grant the Special permit for 88 School Street pursuant to Westwood Zoning Bylaw Section §4.5.3.2.2 [Alterations of Nonconforming Structures-Vertical Extension]. The Motion was seconded by Ms. Button. Ch. McCusker called a roll call vote; the Board voted unanimously via roll call grant the special permit for 490 Gay Street.

Vote to Approve Meeting Minutes

Ch. McCusker stated that the minutes for February 14, 2024 meeting were completed and ready for approval.

Mr. McCusker moved that the Westwood Zoning Board of Appeals approve the meeting minutes from the February 14, 2024 meeting. The Motion was seconded by Ms. Walsh. Ch. McCusker called a roll call vote; the Board voted 3-0 in favor to approve meeting minutes from the February 14, 2024 meeting.

Ch. McCusker asked the date of the next meeting. Ms. Flynn stated it would be on April 24, 2024. Ms. Walsh said that she would not be available. Ms. Flynn asked Ms. Button if she could attend and Ms. Button agreed.

Vote to Adjourn Hearing

On a motion by Ms. Walsh, seconded by Ms. Button, the Board voted unanimously on a roll call vote to adjourn the meeting at 7:22 pm.

List of Documents:

- 490 Gay Street
Zoning Board application; plans and associated attachments
- 88 School Street
Zoning Board application; plans and associated attachments