



**ZONING BOARD OF APPEALS  
MINUTES OF MEETING, via Zoom**

**May 3, 2021**

Board Members Present: Larocque, Sitole, Sawyer

**300 Meadowbrook Road:** a continuation of a hearing on a petition by **Patrick Murphy** requesting an amendment to a special permit.

The following members were present:

- Steven Larocque, Acting Chair
- Sujit Sitole
- Natalie B. Sawyer, Acting Secretary

Documents in the record include:

- ZBA decision granting a special permit for an addition at 300 Meadowbrook Road, dated 9/19/19
- Letter from Weston Historical Commission to ZBA dated 5/27/19
- Letter from Weston Historical Commission to ZBA dated 3/3/21
- Markup of “Proposed Building Sections” drawing A7, 300 Meadowbrook Road with scale superimposed
- Letter from E. Nolan to Weston Historical Commission dated 2/8/21
- Letter from E. Nolan to Weston Historical Commission dated 2/28/21
- Memo from A. Giske to the Town of Weston dated 3/1/21
- Memo from A. Giske to the Town of Weston dated 1/11/21
- Structural Framing Plans, prepared by Reliable Truss and Components, Sheets 1-8, dated 6/19/20
- Letter from J. Field to P. Murphy, Stop Work Order, dated 2/2/21
- Plot Plan Showing New Additions, 300 Meadowbrook Road, prepared by R. Wilson and Associates, dated 2/25/21

- 300 Meadowbrook Road, Existing and Proposed Exterior Elevations, A1, prepared by Lincoln Architects, dated 3/26/21
- 300 Meadowbrook Road, Existing and Proposed Exterior Elevations, A2, prepared by Lincoln Architects, dated 3/26/21
- 300 Meadowbrook Road, Existing and Proposed Exterior Elevations, A3, prepared by Lincoln Architects, dated 3/26/21
- Explanation of Amendment to Special Permit, prepared by Elizabeth Nolan
- Email from J. Field with elevation measurements from Metrowest Engineering, dated 3/26/21
- 300 Meadowbrook Road, Rendered elevation drawings prepared by Lincoln Architects, 5 sheets, dated 4/1/21
- Design History document prepared by Elizabeth Nolan
- Email from D. Corbiere to V. Geary dated 3/23/21
- Letter from Historical Commission to ZBA dated 4/5/21
- 300 Meadowbrook Road, Proposed West Elevation, SKA1, prepared by Lincoln Architects, dated 4/1/21
- 300 Meadowbrook Road, Proposed North Elevation, SKA2, prepared by Lincoln Architects, dated 4/1/21
- 300 Meadowbrook Road, Proposed East Elevation, SKA3, prepared by Lincoln Architects, dated 4/1/21
- 300 Meadowbrook Road, Proposed East Palladian Window, SKA4, prepared by Lincoln Architects, dated 4/1/21
- 300 Meadowbrook Road, Proposed West Elevation Alternate, SKA 1A, prepared by Lincoln Architects, dated 4/1/21
- 300 Meadowbrook Road, Proposed East Elevation Alternate, SKA 3A, prepared by Lincoln Architects, dated 4/1/21
- Packet of 37 neighbor emails and letters in support of the Petitioner
  - Email from P. Murphy to J. Field dated April 26, 2021 part 1
  - Email from P. Murphy to J. Field dated April 26, 2021 part 2
  - Letter from Attorney Elizabeth Nolan to ZBA dated 4/30/21
  - 300 Meadowbrook Road Landscape Plan, prepared by Dexby Terra, dated 4/29/21
  - 300 Meadowbrook Road, Proposed East Elevation, SKA3, prepared by Lincoln Architects, dated 4/27/21

On May 3, 2021, Attorney Elizabeth Nolan, counsel to the Petitioners, appeared and reported to the Board that the Petitioners have submitted a Landscape Plan, and a revised SKA3, Proposed East Elevation drawing. Attorney Nolan represented that the revised drawings

included, and the Petitioners agreed to perform, all changes and mitigations requested by the Historical Commission, with the sole exception of revising the East Elevation gable roof to a hip roof. Attorney Nolan also clarified a clerical error in her letter submitted to the Board on April 30, 2021, and confirmed that shutters will be wood and hung on keepers.

The Board noted that there are discrepancies on some of the distances of the home to the property boundary and to the centerline of Meadowbrook Road on the Plot Plan as well as discrepancies with the vertical dimensions. A revised Plot Plan showing corrected dimensions shall be submitted to the Building Department.

Jenni Dessert, 301 Meadowbrook Road, addressed the Board and stated that she is in support of the Petitioners' addition.

The Board noted that the Petitioners' requested amendment to the 2019 Special Permit does have an impact on the neighborhood. The Board also noted its grave concern regarding situations, such as this, in which an owner violates the scope and terms of a special permit approval. Finally, the Board noted the weight that it has traditionally accorded, and will continue to accord, to the valuable input of the Historical Commission in the Board's analysis of whether a proposal is substantially detrimental.

The Board wishes to be clear that the circumstances in which it will approve this type of amendment after-the-fact are rare. The relief requested here would not be possible without two critical pieces. First, the Petitioners' candid and credible explanation to the Board regarding why the original Submitted Drawings were not feasible to complete, and why the Petitioners did not timely seek an amendment due to an innocent mistake. Second, the meaningful deviation mitigations to be completed. The substantial efforts of the Historical Commission merit recognition here. The Historical Commission dedicated a tremendous amount of time and expertise to identifying these mitigations, and the requested relief would not have been possible without such mitigation.

Following due and open deliberation, the Board unanimously agreed that the proposed amendments would not be substantially more detrimental to the neighborhood than the existing conditions, *provided that* all mitigations (with the sole exception of the East Elevation gable roof) are completed. The Request to Amend Special Permit was granted. The addition is to reflect the design shown in the drawings 300 Meadowbrook Road, Proposed West Elevation, SKA1, dated 4/7/21; 300 Meadowbrook Road, Proposed North Elevation, SKA2, dated 4/7/21; and 300 Meadowbrook Road, Proposed East Elevation, SKA3, dated 4/27/21 and other documents referenced in this decision. A revised plan shall be submitted to reconcile corrections in the setback lines from both the property edge, and the centerline to Meadowbrook Road. Presently, the proposed plan shows the home 66.0' to the property

boundary and 87.3' to the centerline of Meadowbrook Road. When in fact, the home was built 63.9' to the property boundary and 96.4' to the centerline of Meadowbrook Road. No deviations are to be made without prior approval of the Board.