



Minutes for Meeting

Zoning Board of Appeals, via Zoom

January 18, 2023 at 7:00 PM

Members present: Winifred I. Li, Stephen J. Larocque, Wendy Kaplan Armour

**470 Conant Road:** a hearing on a request by Scott & Maryam King requesting a variance for an addition.

The following members were present:

- Winifred I. Li, Acting Chair
- Stephen J. Larocque
- Wendy Kaplan Armour, Acting Secretary

Documents in the record include:

- 470 Conant Road, Existing Conditions Plan, prepared by Connorstone Engineering Inc., 2/10/22
- 470 Conant Road, Natural Grade Calculation, prepared by Connorstone Engineering Inc., 9/26/22
- 470 Conant Road, Existing Site Plan, A0.01, prepared by Meyer & Meyer Architecture & Interiors, 11/23/22
- 470 Conant Road, Existing Floor Plans, A0.02, prepared by Meyer & Meyer Architecture & Interiors, 11/23/22
- 470 Conant Road, Existing Elevations, A0.03, prepared by Meyer & Meyer Architecture & Interiors, 11/23/22
- 470 Conant Road, Proposed Architectural Site Plan, A0.10, prepared by Meyer & Meyer Architecture & Interiors, 11/23/22
- 470 Conant Road, RGFA Calculations, A0.20, prepared by Meyer & Meyer Architecture & Interiors, 11/23/22
- 470 Conant Road, Lower Level Floor Plan, A1.00, prepared by Meyer & Meyer Architecture & Interiors, 11/23/22

- 470 Conant Road, Upper Level Floor Plan, A1.10, prepared by Meyer & Meyer Architecture & Interiors, 11/23/22
- 470 Conant Road, Roof Plan, A2.00, prepared by Meyer & Meyer Architecture & Interiors, 11/23/22
- 470 Conant Road, Exterior Elevations A2.00, prepared by Meyer & Meyer Architecture & Interiors, 11/23/22
- 470 Conant Road, Exterior Elevations A2.10, prepared by Meyer & Meyer Architecture & Interiors, 11/23/22
- Town of Weston Scenic Road Permit, 470 Conant Road, 5/27/22
- ZBA variance 8/29/78
- ZBA variance 10/28/97

The site in question, 470 Conant Road, Weston, Massachusetts (the “Premises”), is located in Single Family Residence District A and comprises approximately 60,248 square feet in a district which requires a minimum 60,000 square feet. The Premises has approximately 207 feet of frontage in a district requiring a minimum of 200 feet for lots created before 1997. The existing garage is sited approximately 29 feet, 11.5 inches from the street in a district requiring 60 ft. The existing dwelling is sited approximately 42.5 feet from the easterly lot line in a district requiring a 45-foot setback. The existing home is pre-existing non-conforming.

Appearing before the Board were Scott and Maryam King (the “Petitioners”) and architects for the Petitioner Patrick Myers and John Meyer. The Petitioners stated they are seeking a variance to build a new three-car garage further east than the existing detached garage. The proposed garage will encroach further into the setbacks than the existing garage and home. The Petitioner stated that the existing driveway location and garage is unsafe due to the steepness and drainage resulting in icing. The Petitioner received a Scenic Road Permit to move the driveway with a new curb cut to the west. The Petitioner’s proposed design lowers the elevation of the garage so it sits into the slope and is not as viewable from the road as is the existing garage.

The architects confirmed that the retaining walls shown on the proposed plan will be no more than 36” tall, thus not needed a variance. The architects informed the Board that a final grading plan has not yet been completed. The Petitioner confirmed that no changes are being done to the interior of the home, so an updated septic system is not required at this time.

The Board received several emails from abutters who are in support of the proposal, and one opposing the proposed project.

David and Sue Stephens, 474 Conant Road, appeared before the Board to state that they are in support of the Petitioner’s proposal and they are the neighbors who would be most impacted

by the new garage.

John Hennessey, 460 Conant Road and Christian Dambolena, 461 Conant Road appeared before the Board to each state their support for the project.

The Board commented as to why the proposed garage is so large, and observed that having a three-car garage in the setbacks does not pose a hardship

The Petitioner requested a continuance of the hearing so that they could come up with some other alternatives for minimizing the impact of the garage in the setbacks.

The Board voted unanimously to continue the hearing until February 27, 2023 at 7 pm via Zoom.

**22 Derby Lane:** a hearing on a request by Andrew & Angela Rostami, requesting a special permit for an addition.

The following members were present:

- Winifred I. Li, Acting Chair and Acting Secretary
- Stephen J. Larocque
- Wendy Kaplan Armour

Documents in the record include:

- Plan of Land in Weston, MA, 22 Derby Lane, Proposed Addition, prepared by Everett M. Brooks Co., Surveyors and Engineers, 7/8/22
- 22 Derby Lane, Demo Elevs., D1.0, prepared by Keith B. Gross, RA, Architect, 11/18/22
- 22 Derby Lane, Garage Office Plans, A1.0, prepared by Keith B. Gross, RA, Architect, 11/18/22
- 22 Derby Lane, Garage Office Framing, A1.1, prepared by Keith B. Gross, RA, Architect, 11/18/22
- 22 Derby Lane, Garage Office Addition, A2.0, prepared by Keith B. Gross, RA, Architect, 11/18/22
- 22 Derby Lane, Garage Office Addition, A3.0, prepared by Keith B. Gross, RA, Architect, 11/18/22
- Partial Demolition Application for the Property at 22 Derby Lane, from Historical Commission, 9/1/22

- Modification to Previously Approved Partial Demolition Application, 22 Derby Lane – 2022, from Historical Commission, 12/16/22
- Email from A. Rostami with RGFA comparison table, 1/9/23
- Special Permit, issued by ZBA, 7/27/15
- Plan of Land in Weston, MA, 22 Derby Lane, Proposed Addition, prepared by Everett M. Brooks Co., Surveyors and Engineers, 1/24/23
- Bulkhead drawing, prepared by Shea Concrete Products, A4.1, 3/1/18
- 22 Derby Lane, Garage Office Plans, A1.0, prepared by Keith B. Gross, RA, Architect, Revisions for ZBA 1/19/23
- 22 Derby Lane, Garage Office Addition, A2.0, prepared by Keith B. Gross, RA, Architect, Revisions for ZBA 1/19/23

The subject site, 22 Derby Lane, Weston, Massachusetts (the “Premises”) is located in the Single-Family Residence District B, and comprises approximately 40,846 square feet, in a district requiring a minimum of 40,000 square feet. The Premises has two street frontages: Derby Lane to the northwest, and Birch Lane to the southeast. The Premises has 276.16 feet of street frontage on Derby Lane, and 301.83 feet of street frontage on Birch Lane, both exceeding the required minimum 200 feet of street frontage. The Premises is improved by a dwelling constructed circa 1925, and a detached shed. The shed is sited 9 feet from Birch Lane, which encroaches into the required 50-foot street and 75-foot street centerline setbacks. No change is proposed for the shed. The dwelling is sited 26.2 feet from Derby Lane and 43.6 feet from the centerline of Derby Lane, thus encroaching into the 50-foot street and 75-foot street centerline setbacks. The dwelling is sited 44.8 feet from Birch Lane and 64.8 feet from the centerline of Birch Lane, thus encroaching into the 50-foot street and 75-foot street centerline setbacks. The Premises is pre-existing, nonconforming.

Appearing before the Board were Andrew and Angela Rostami (the “Petitioners”). They are seeking a special permit for an addition to enlarge their existing garage into a two-car garage, with expanded living space above. They also are planning an expansion of a second-floor office under a new shed dormer. The garage expansion would extend minimally into the Derby Lane street and street centerline setbacks. The planned second floor office expansion is near the center of the current building’s footprint, within the building envelope, and thus was not a focus of the hearing.

The Board noted an error on the architectural drawing “Garage Office Addition, A2.0”: the East Elevation and South Elevation are labeled incorrectly. The Board also noted that on the “Plan of Land in Weston, MA” plot plan, the bulkhead is shown as being 44.8 feet from Birch Lane,

but in the 2015 ZBA special permit, it was supposed to be located no closer than 46.1 feet from Birch Lane.

The Petitioners clarified that the “proposed landing” labeled on the plot plan is in fact an existing landing, and that they are only intending to repair it.

The Board requested that the Petitioners correct the errors on the architectural drawing and plot plan and verify the true location of the bulkhead before proceeding further with the hearing.

The Board voted unanimously, by roll-call, to continue the hearing until February 27, 2023 at 6:30 pm via Zoom.