



Minutes for Meeting

Zoning Board of Appeals, via Zoom

April 11, 2022 at 7:30 PM

Members present: Alan D. Rose, Jr., Stephen J. Larocque, Natalie B. Sawyer

16 Woodchester Drive: a hearing on a request by Rebecca Kantar requesting a special permit for a tennis court.

The following members were present:

- Alan D. Rose, Jr., Acting Chair and Acting Secretary
- Stephen J. Larocque
- Natalie B. Sawyer

Documents in the record include:

- 16 Woodchester Drive, Tennis Court Plans, A0.4, prepared by Moskow Linn Architects, Inc., dated 4/5/22
- Supplemental Explanation, prepared by Jonathan A. White, Wilchins, Consentino, & Novins, Wellesley, Massachusetts, 3/31/22
- ZBA Decision dated 2/7/22

The property in question, 16 Woodchester Drive, Weston, Massachusetts (the “Premises”) is located in Single Family Residence District B. The lot area is approximately 42,743 square feet in a District requiring a minimum of 40,000 square feet. The lot has 130 feet of street frontage in a district that requires 150 feet for lots created before 1997. The lot is nonconforming due to the lack of street frontage. The existing dwelling, which was built in 1955, is also nonconforming due to its location 33.1 feet from the east side lot line and 28.6 feet from the west side lot line

in a District requiring a 35-foot side lot setback. In addition, the front of the dwelling is 47.2 feet from the street side line in a District that requires a 50-foot setback from the street sideline. In February 2022 the Petitioner received a special permit from the ZBA to add a second story to the existing ranch house and to build an addition in the rear of the dwelling.

Appearing before the Board were Rebecca Kantar (the “Petitioner”) and her attorney Jonathan White of Wilchins, Consentino & Novins, LLP of Wellesley, Massachusetts.

Attorney White explained that the Petitioner is seeking a special permit to build a tennis court with fencing in the rear of the home. The court would not encroach into the zoning setbacks. The Petitioner submitted a Tennis Court Plan, drawing A0.4 which shows the location of the tennis court and plantings around the fencing of the tennis court.

The Board brought up the concern of the noise of a tennis court, but also noted that none of the neighbors have objected to the proposal.

Following due and open deliberation, the Board unanimously agreed that the Petitioner’s proposed tennis court on the pre-existing nonconforming lot would not be substantially more detrimental to the neighborhood than the existing conditions, as shown on the plans and drawings submitted for this hearing, including drawing A0.4 showing plantings around the tennis court.

9 & 15 Riverside Road and 20 Riverside Road: a hearing on a request by Greatland Realty Partners LLC requesting a special permit to convert an office building to a lab/research and development building

The following members were present:

- Alan D. Rose, Jr., Acting Chair
- Stephen J. Larocque
- Natalie B. Sawyer, Acting Secretary

Documents in the record include:

- Greatland Realty Partners LLC ZBA hearing application dated 2/10/22
- ZBA decision dated August 27, 1981 granting a special permit to construct an office building.
- ZBA decision dated 7/30/01 granting a special permit to construct an office building.

- ZBA decision dated 12/21/20, amending the 1981 special permit
- Certificate of Action - Site Plan Approval, 9 & 15 Riverside Road, dated 3/25/22
- Certificate of Action - Site Plan Approval, 20 Riverside Road, dated 3/25/22
- Riverside Laboratories, Overall Site Plan, Phase 2 & 3, 9 & 15 Riverside Road, C0.101, dated 1/27/22
- Riverside Laboratories, Site Preparation and Demolition Plan, Phase 2, 9 Riverside Road, B9.C1.001, dated 1/27/22
- Riverside Laboratories, Site Preparation and Demolition Plan, Phase 3, 15 Riverside Road, B15.C1.001, dated 1/27/22
- Riverside Laboratories, Layout and Materials Plan, Phase 2, 9 Riverside Road, B9.C2.001, dated 1/27/22
- Riverside Laboratories, Layout and Materials Plan, Phase 3, 15 Riverside Road, B15.C2.001, dated 1/27/22
- Riverside Laboratories, Grading and Drainage Plan, Phase 2, 9 Riverside Road, B9.C3.001, dated 1/27/22
- Riverside Laboratories, Grading and Drainage Plan, Phase 3, 15 Riverside Road, B15.C3.001, dated 1/27/22
- Riverside Laboratories, Utilities Plan, Phase 2, 9 Riverside Road, B9.C4.001, dated 1/27/22
- Riverside Laboratories, Utilities Plan, Phase 3, 15 Riverside Road, B15.C4.001, dated 1/27/22
- Riverside Laboratories, Fire Access Plan, Phase 2, 9 Riverside Road, B9.C5.001, dated 1/27/22
- Riverside Laboratories, Fire Access Plan, Phase 3, 15 Riverside Road, B15.C5.001, dated 1/27/22
- Riverside Laboratories, Site Details 1, Phase 2 & 3, 9-15 Riverside Road, C6.101, dated 1/27/22
- Riverside Laboratories, Site Details 2, Phase 2 & 3, 9-15 Riverside Road, C6.102, dated 1/27/22
- Riverside Laboratories, Site Details 3, Phase 2 & 3, 9-15 Riverside Road, C6.103, dated 1/27/22
- Riverside Laboratories, Site Details 4, Phase 2 & 3, 9-15 Riverside Road, C6.104, dated

1/27/22

- Riverside Laboratories, Campus Signage, G1.200, dated 8/25/21
- Riverside Laboratories, Orientation Plan, L0.000, dated 1/21/22
- Riverside Laboratories, Symbols & Abbreviations, L0.001, dated 1/21/22
- Riverside Laboratories, Tree Protection Schedule, L0.010, dated 1/21/22
- Riverside Laboratories, Tree Protection Plan, Phase 3, 15 Riverside Road, B15.L0.012A, dated 1/21/22
- Riverside Laboratories, Tree Protection Plan, Phase 3, 15 Riverside Road, B15.L0.012B, dated 1/21/22
- Riverside Laboratories, Tree Protection Plan, Phase 3, 15 Riverside Road, B15.L0.013A, dated 1/21/22
- Riverside Laboratories, Tree Protection Plan, Phase 3, 15 Riverside Road, B15.L0.013B, dated 1/21/22
- Riverside Laboratories, Tree Protection Plan, Phase 2, 9 Riverside Road, B9.L0.014A, dated 1/21/22
- Riverside Laboratories, Tree Protection Plan, Phase 2, 9 Riverside Road, B9.L0.014B, dated 1/21/22
- Riverside Laboratories, Tree Protection Plan, Phase 2, 9 Riverside Road, B9.L0.015A, dated 1/21/22
- Riverside Laboratories, Tree Protection Plan, Phase 2, 9 Riverside Road, B9.L0.015B, dated 1/21/22
- Riverside Laboratories, Construction Schedule, L1.000, dated 1/21/22
- Riverside Laboratories, Construction Plan, Phase 3, 15 Riverside Road, B15.L1.002, dated 1/21/22
- Riverside Laboratories, Construction Plan, Phase 3, 15 Riverside Road, B15.L1.003, dated 1/21/22
- Riverside Laboratories, Construction Plan, Phase 2, 9 Riverside Road, B9.L1.004, dated 1/21/22
- Riverside Laboratories, Construction Plan, Phase 2, 9 Riverside Road, B9.L1.005, dated

1/21/22

- Riverside Laboratories, Construction Details, Phase 2, 9 Riverside Road, B9.L2.001, dated 1/21/22

- Riverside Laboratories, Construction Details, Phase 2, 9 Riverside Road, B9.L2.002, dated 1/21/22

- Riverside Laboratories, Construction Details, Phase 2, 9 Riverside Road, B9.L2.003, dated 1/21/22

- Riverside Laboratories, B09 Building Construction Plan, Phase 2, 9 Riverside Road, Level 01, B9.A1.01, dated 8/25/21

- Riverside Laboratories, B09 Building Construction Plan, Phase 2, 9 Riverside Road, Level 02, B9.A1.02, dated 8/25/21

- Riverside Laboratories, B09 Building Construction Plan, Phase 2, 9 Riverside Road, Level 03, B9.A1.03, dated 8/25/21

- Riverside Laboratories, B09 Building Construction Plan, Phase 2, 9 Riverside Road, Roof Level, B9.A1.04, dated 8/25/21

- Riverside Laboratories, B09 Building Exterior Elevation, Phase 2, 9 Riverside Road, B9.A2.00, dated 8/25/21

- Riverside Laboratories, B15 Building Construction Plan, Phase 3, 15 Riverside Road, Level 01, B15.A1.01, dated 8/25/21

- Riverside Laboratories, B15 Building Construction Plan, Phase 3, 15 Riverside Road, Level 02, B15.A1.02, dated 8/25/21

- Riverside Laboratories, B15 Building Construction Plan, Phase 3, 15 Riverside Road, Level 03, B15.A1.03, dated 8/25/21

- Riverside Laboratories, B15 Building Construction Plan, Phase 3, 15 Riverside Road, Roof Level, B15.A1.04, dated 8/25/21

- Riverside Laboratories, B15 Building Exterior Elevation, Phase 3, 15 Riverside Road, B15.A2.00, dated 8/25/21

- Riverside Laboratories, Construction Plan, Garage Level 01, GA.A1.01, dated 1/27/22

- Riverside Laboratories, Construction Plan, Garage Level 02, GA.A1.02, dated 1/27/22

- Riverside Laboratories, Construction Plan, Garage Level 03, GA.A1.03, dated 1/27/22
- Riverside Laboratories, Construction Plan, Garage Level 04, GA.A1.04, dated 1/27/22
- Riverside Laboratories, Construction Plan, PV Array, GA.A1.05, dated 1/27/22
- Riverside Laboratories, Building Elevations, GA.A2.01, dated 1/27/22
- Riverside Laboratories, Overall Site Plan, Phase 1, 20 Riverside Road, B20.C0.101, dated 1/27/22
- Riverside Laboratories, Site Preparation and Demolition Plan, Phase 1, 20 Riverside Road, B20.C1.001, dated 1/27/22
- Riverside Laboratories, Layout and Materials Plan, Phase 1, 20 Riverside Road, B20.C2.001, dated 1/27/22
- Riverside Laboratories, Grading and Drainage Plan, Phase 1, 20 Riverside Road, B20.C3.001, dated 1/27/22
- Riverside Laboratories, Utilities Plan, Phase 1, 20 Riverside Road, B20.C4.001, dated 1/27/22
- Riverside Laboratories, Fire Access Plan, Phase 1, 20 Riverside Road, B20.C5.001, dated 1/27/22
- Riverside Laboratories, Site Details 1, Phase 1, 20 Riverside Road, B20.C6.101, dated 1/27/22
- Riverside Laboratories, Site Details 2, Phase 1, 20 Riverside Road, B20.C6.102, dated 1/27/22
- Riverside Laboratories, Campus Signage, G1.200, dated 8/25/21
- Riverside Laboratories, Orientation Plan, L0.000, dated 1/21/22
- Riverside Laboratories, Symbols & Abbreviations, L0.001, dated 1/21/22
- Riverside Laboratories, Tree Protection Schedule, L0.010, dated 1/21/22
- Riverside Laboratories, Tree Protection Plan, Phase 1, 20 Riverside Road, B20.L0.011A, dated 1/21/22
- Riverside Laboratories, Tree Protection Plan, Phase 1, 20 Riverside Road, B20.L0.011B, dated 1/21/22
- Riverside Laboratories, Tree Protection Plan, Phase 1, 20 Riverside Road, B20.L0.012A, dated 1/21/22
- Riverside Laboratories, Tree Protection Plan, Phase 1, 20 Riverside Road, B20.L0.012B, dated 1/21/22

- Riverside Laboratories, Construction Schedule, L1.000, dated 1/21/22
- Riverside Laboratories, Construction Plan, Phase 1, 20 Riverside Road, B20.L1.001, dated 1/21/22
- Riverside Laboratories, Construction Plan, Phase 1, 20 Riverside Road, B20.L1.002, dated 1/21/22
- Riverside Laboratories, Construction Details, Phase 1, 20 Riverside Road, B20.L2.001, dated 1/21/22
- Riverside Laboratories, Construction Details, Phase 1, 20 Riverside Road, B20.L2.002, dated 1/21/22
- Riverside Laboratories, Construction Details, Phase 1, 20 Riverside Road, B20.L2.003, dated 1/21/22
- Riverside Laboratories, B20 Building Construction Plan, Level 01, Phase 1, 20 Riverside Road, B20.A1.01, dated 8/25/21
- Riverside Laboratories, B20 Building Construction Plan, Level 02, Phase 1, 20 Riverside Road, B20.A1.02, dated 8/25/21
- Riverside Laboratories, B20 Building Construction Plan, Level 03, Phase 1, 20 Riverside Road, B20.A1.03, dated 8/25/21
- Riverside Laboratories, B20 Building Construction Plan, Roof Level, Phase 1, 20 Riverside Road, B20.A1.04, dated 8/25/21
- Riverside Laboratories, B20 Building Exterior Elevation, Phase 1, 20 Riverside Road, B20.A2.00, dated 8/25/21
- Riverside Laboratories, B20 Building Exterior Elevation, Phase 1, 20 Riverside Road, B20.A2.01, dated 8/25/21
- Boundary, Topographic & Utility Survey, 13 & 20 Riverside Road, prepared by Control Point Associates LLC, Sheets 1-6, dated 8/11/21

The subject sites, 9 & 15 Riverside Road and 20 Riverside Road (the “Property”) is located in the Office and Research and Development District B zone. In May of 2021, Weston adopted a new zoning district at the Town Meeting, the Office and Research and Development District B, and

rezoned the Property into this new district. The Weston Select Board entered into an Amended and Restated Development Agreement with Greatland Realty Partners LLC (the “Petitioner”). The Property received Site Plan Approval from the Planning Board on March 25, 2022 for its proposed redevelopment for life science uses. The Petitioner is proposing to renovate the existing buildings at 9 and 20 Riverside Road for laboratory use, and to demolish the building at 15 Riverside Road and construct a new laboratory building and parking garage.

Natalie Sawyer, member of the Board of Appeals, stated that she works for the Commonwealth of Massachusetts. She disclosed this information because 20 Riverside Road is owned by the Massachusetts Department of Transportation, subject to a ground lease to the Petitioner. Ms. Sawyer stated that this will not affect her decision making on this request in any way. James Ward, attorney for the Petitioner, stated he had no problem with Ms. Sawyer continuing to hear this case.

Appearing before the Board were: James Ward, attorney for the Petitioner; Teri Ford, Director of Development for Greatland Realty Partners; and Kevin Sheehan, Managing Partner for Greatland Realty Partners. The Petitioner’s representatives made a presentation on their project plans and explained the request for a special permit to change the use of the site from an office building to a lab/research and development building pursuant to Section V.E.3 of the Zoning Bylaw.

The Planning Board completed its Site Plan Review in March 2022, with a Certificate of Action issued for both 9-15 Riverside Road and for 20 Riverside Road. In addition, a Special Permit was issued by the Board in December 2020, amending the original 1981 Special Permit with different operating hours. The Property will be subject to the recently adopted zoning district “Office and Research and Development B”, which was approved at Town Meeting in May 2021, Article 31. The article amended the Town’s Bylaws, Sections IV, V, and VI to include this new zoning district. The district allows for life science facilities engaged in biotechnology research, including testing and development in a biosafety level 1 or 2 as currently or subsequently defined equivalent by the U.S. Center for Disease Control, and proper storage and disposal of lab chemical and biological waste in accordance with state and federal laws and regulations as incidental to the primary use. The Bylaws also have stipulations for noise, exhausts, air quality, odors, lighting, and transportation for the zoning district.

The Board asked questions regarding the construction of the project and the timing of road improvements. The Petitioner stated that road improvements will be done by 2024, except for the work on Park Road, which needs to be coordinated with the Massachusetts Department of Transportation, which will take longer. It was also noted that the Property will not need to handle any additional traffic or parking than is already planned for at the existing site.

The Board noted that any change of tenants at the Property would have to be approved by the Building Department to ensure compliance with the Zoning Bylaw district requirements.

Following due and open deliberation, the Board, by unanimous decision, granted the requested special permit to convert an office building to a lab/research and development building. The Board finds that the conversion to a lab/research and development building, as shown on the documents and plans submitted for this hearing and subject to the provisions and conditions set forth in the Planning Board's Certificate of Action, will not be substantially more detrimental to the community or the neighborhood, in accordance with Section X.A. of the Weston Zoning Bylaw. In the event of a conflict between this determination and any prior Board approval, this determination shall control.