



Minutes for Meeting

Zoning Board of Appeals, via Zoom

April 11, 2023 at 7:00 PM

Members present: Stephen J. Larocque, Wendy Kaplan Armour, Laura Mintz

283 Meadowbrook Road: a hearing on request by Carol and Paul Mustone requesting a special permit for a new home and an appeal of the Building Inspector's decision.

The following members were present:

- Stephen J. Larocque, Chair and Acting Secretary
- Wendy Kaplan Armour
- Laura Mintz

Documents in the record include:

- 283 Meadowbrook Road, Title Sheet and Project Data, prepared by Erik Grunigan Architects, T1.1, 1/24/23
- 283 Meadowbrook Road, Basement Plan, prepared by Erik Grunigan Architects, A1.0, 1/24/23
- 283 Meadowbrook Road, First Floor Plan, prepared by Erik Grunigan Architects, A1.1, 1/24/23
- 283 Meadowbrook Road, Second Floor Plan, prepared by Erik Grunigan Architects, A1.2, 1/24/23
- 283 Meadowbrook Road, Exterior Elevations, prepared by Erik Grunigan Architects, A2.1, 1/24/23
- 283 Meadowbrook Road, Exterior Elevations, prepared by Erik Grunigan Architects, A2.2, 1/24/23
- 283 Meadowbrook Road, Exterior Rendering, prepared by Erik Grunigan Architects, A2.3, 1/24/23
- 283 Meadowbrook Road, Exterior Rendering, prepared by Erik Grunigan Architects, A2.4, 1/24/23

- 283 Meadowbrook Road, Locus Plan, prepared by Metrowest Engineering, Inc., 1/26/23
- 283 Meadowbrook Road, Existing Conditions Site Plan, prepared by Metrowest Engineering, Inc., 1/26/23
- 283 Meadowbrook Road, Proposed Layout Plan, prepared by Metrowest Engineering, Inc., 1/26/23
- 283 Meadowbrook Road, Proposed Site Plan, prepared by Metrowest Engineering, Inc., 1/26/23
- Weston Stormwater Permit Authority Stormwater Management Permit, 283 Meadowbrook Road, 9/26/22
- Board of Health Septic Approval, 283 Meadowbrook Road, 8/4/22
- Denied Building Permit, 283 Meadowbrook Road
- Historical Commission Demolition Application, 283 Meadowbrook Road, 3/10/21
- ZBA Decision 1/3/89
- ZBA Decision 6/23/92
- ZBA Decision 9/3/92

The site in question, 283 Meadowbrook Road, Weston, Massachusetts (the “Premises”), is located in Single Family Residence District B and comprises 48,613 square feet in a district that requires a minimum of 40,000 square feet. The lot only has 35.5 feet of frontage in a District requiring a minimum of 150 feet (for lots created prior to 1997). The existing pool and garage encroach in the side setbacks. The pool is 24 feet from the lot line and the garage is 19.6 feet from the lot line in a district that requires at 35-foot setback.

Appearing before the Board were Jonathan White, attorney for Carol and Paul Mustone (the “Petitioners”), and Rob Gemma, engineer for the project. Attorney White told the Board that the Petitioners would like to build a new home on their lot because the existing home has no bedroom on the first floor and that the existing home has mold and termite problems. The existing home was built in 1911. The Historical Commission determined the home to be historically significant and imposed a 12-month demolition delay in March 2021.

The existing home has 4,826 ft² RGFA and the proposed home will have 5,049 ft² RGFA, resulting in only a small increase. The RGFA/lot area ratio would still be under 8%. Attorney White stated that the home sits lower in elevation than most of the neighboring homes, and that the new proposed home would be much smaller than most neighboring homes. He also noted that the two existing non-conformities – the pool and the detached garage would be removed.

Alicia Primer appeared before the Board to state that she was a former member of the Historical Commission and she feels that the home is historically significant and that the Board should not allow a new home to be built on a non-conforming lot in order to save the historic

home.

The Board noted that although it is unfortunate that the historic home is not being preserved, the Petitioners went through the process with the Historical Commission and the new proposed home is more conforming to the zoning setbacks than the existing home.

Following due and open deliberation, the Board, by unanimous decision, granted a special permit for a new home, as shown on the drawings submitted with the hearing application. The Board determined the new home would not be substantially more detrimental to the neighborhood than the existing non-conforming dwelling.

88 North Avenue: a hearing on a request by Adrienne Giske on behalf of Alan Day and Nancy Vescuso requesting a special permit for an addition.

The following members were present:

- Stephen J. Larocque, Acting Chair
- Wendy Kaplan Armour, Acting Secretary
- Laura Mintz

Documents in the record include:

- Historical Commission Partial Demolition Application, 8/9/21
- 88 North Avenue, Historic Commission Exhibit, Site Plan, prepared by Engineering Design Consultants, Inc., 1/28/13
- Presentation submitted by A. Giske, 3/2023

The site in question, 88 North Road, Weston, Massachusetts (the “Premises”), is a two-family home located in Single Family Residence District B and comprises 61,267 square feet in a district that requires a minimum of 40,000 square feet. The home, known as the Hobbs-Hagar House, is located in the Kendal Green National Register Historic District. It was built in 1786 and is one of the original homes still in existence in the town. The lot has 250 feet of frontage in a District requiring a minimum of 150 feet (for lots created prior to 1997). The home encroaches into the street setbacks, 36.3 feet from North Avenue and 16.1 feet from Church Street in a district that requires a minimum setback of 50 feet from the street line.

Appearing before the Board was Adrienne Giske, architect for Alan Day and Nancy Vescuso (the "Petitioners"). Ms. Giske explained to the Board that the Petitioners are seeking to add a very small addition (40 ft²) in order to expand the kitchen and dining area in the smaller one-bedroom unit of the two-family home. The addition will not encroach any further into the setbacks than the existing home. This proposed addition was approved by the Historical Commission in 2021.

Alicia Primer appeared before the Board to state that she was a former member of the Historical Commission and wrote the preservation deed restriction on this home. She stated she supports this project to make the home more livable.

Lee McCanne, 110 North Avenue and Terry Eastman, 59 Conant Road, appeared before the Board to state they are in full support of the project.

The Board requested a signed and sealed plot plan showing the proposed addition and signed RGFA calculations before rendering a decision. The Board voted unanimously to continue the hearing until April 25, 2023 at 6:45 PM via Zoom.