

Members Present: Henry Stone (HS), Kathryn Scadden (KS), John Thompson (JT), Alan Fobes (AF), Steve Wagner (SW), Phyllis Halpern (PH)

Members of ZBA Present: Stephen Larocque (SL), Natalie Sawyer (NS), Sujit Sitole (SS)

Staff Present: Valerie Geary (VG), John Field (JF)

Applicants Present: Patrick and Cristina Murphy (owners), Beth Nolan (attorney), Daniel Quaile (Lincoln Architects)

Others Present: Jennifer Dessert, Elly Pendergast, Scott Rodman

Location: online

Link to Recording: <https://weston.vod.castus.tv/vod/?video=d1b55cae-a6c3-4b9b-901a-ff738b3d12b8&nav=programs%2FZBA%20Meetings%20-%20Weston%20MA>

300 Meadowbrook Rd – 1922 – Changes to a previously approved partial demolition and addition with ZBA Special Permit

The Historical Commission attended the May 3, 2021 Weston Zoning Board of Appeals continued hearing on a request by Patrick Murphy regarding 300 Meadowbrook Road (Map 28, Parcel 83) to amend a special permit and/or to appeal the Building Inspector's decision to impose a Stop Work Order relating to deviations in the plans approved by the ZBA.

SL, acting chair for the ZBA, opened the meeting at 7:00 pm and read an open meeting law disclaimer from the Governor regarding remote meetings. There were no public comments.

SW noted that the hearing was continued from April 26 to afford the applicants the opportunity to summarize the changes to the plan that they have agreed to make to date and to provide a landscaping plan for review and any other pertinent discussions. This is the 5th follow up meeting of the ZBA.

SL requested that the applicant make a brief update. Beth Nolan noted that she had sent a list of agreed-to changes and Dan Quaile had sent revised drawings and an up-to date proposed landscape plan. SL clarified that it appears that nearly all the H C's requests have been agreed to with the exception of changing the back family room volume to have a hipped roof. Nolan and Quaile clarified an error in wording regarding a description of the shutters was not intended.

Rather than rehash past history, SL said he wished to speak about new materials and clarifications. Drawings SKA1, 2 & 3 plus the list of items, and the H C's memos and references will be part of the record.

SL commented on the proposed Planting Plan, saying that it appears some of the larger tree specimens are to be 8' – 12'. He said it also appears that there is daisy-chaining around the north and west property boundaries that will block the house once they have grown in. SL asked when the plantings are expected to be put in. Patrick Murphy answered that the large specimen trees have been selected already.

SL also commented on the variations in the site plan, the offsets between the original plan that was submitted versus deviations. SL described the inconsistency in the difference on the north side, wherein the as-built survey shows that the house is 2.1' closer to the property boundary, but 9.1' further from the centerline of Meadowbrook Rd compared to the original survey plan. This survey discrepancy needs to be resolved to clean up the record. On the east side the building is 1' closer to the property line. He would like these dimensions corrected for the file. The results of the Historical Commission's peer review survey work regarding the ridge heights should also be recorded on the final submitted drawings.

H C members commented on the reasons for working so hard to reduce the height in the back of the house where the family room gable roof is located, and that they object to the back family room roof as shown. They also reiterated that accepting the gambrel roof addition that is so tall is a major compromise.

Neighbor Jenni Dessert spoke on behalf of the design.

SL motioned to modify the Special Permit with reference to Lincoln Architect drawings SK1, SK2 & SK3 (dated 5/3/21), a corrected site plan (still to be received from the applicant) resolving discrepancies to boundaries & street centerlines, and to the Landscaping Plan dated 4/29/21, with references to HC decisions and negotiations. Given all the meetings and negotiations he is comfortable with these modifications.

SS said that he appreciated all the work and mitigations by the H C.

NS made the distinction that the HC was “quite right to be worried about precedent regarding matters that come before them and before the ZBA.” She thinks that this applicant has met the stringent exception of what the ZBA could find acceptable because

1. It is incredible that the deviations were unintentional.
2. The work that the applicant has done to mediate the impacts take this below “substantial.” She agrees there is an impact here.

SS clarified that the motion should include allowing withdrawal of the Building Inspector’s order. NS seconded.

SS, NS, and SL voted in favor of amending the Special Permit.

JF noted that there is a 20-day Appeal Period. Although the Stop Work Order may be lifted immediately, the applicant should consider that any work done prior to 20 days could be at risk.

Meeting adjourned at 7:21 pm

Respectfully submitted: Phyllis Halpern