



Minutes for Meeting

Zoning Board of Appeals, via Zoom

May 4, 2022 at 7:30 PM

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

46 Old Colony Road: a hearing on a request by Laura Mintz and Eli Levine, requesting a variance for a generator.

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:

- Email from L. Downes to ZBA dated 5/2/22
- Generac Generator cut sheet
- Plot of Land, 46 Old Colony Road, prepared by Merrimack Engineering Services, dated 10/10/12

Laura Mintz and Eli Levine (the “Petitioners”) appeared before the Board to explain that they had decided to withdraw their request for a variance for the generator after speaking with John Field. They explained that they had already installed the generator, not knowing that it needed to comply with the zoning setbacks. They have since decided to relocate the generator to a location outside the setbacks.

Following due and open deliberation, the Board unanimously agreed to allow the applicant to

withdraw the application without prejudice.

441 Glen Road: a hearing on a request by George LeMaitre requesting a special permit for a car barn addition.

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:

- Letter from B. Grossman, Bowditch & Dewey to ZBA dated 3/11/22
- 441 Glen Road, Cover Sheet, prepared by Metrowest Engineering, Inc., dated 10/18/21
- 441 Glen Road, Existing Conditions Site Plan, prepared by Metrowest Engineering, Inc., dated 10/18/21
- 441 Glen Road, Proposed Layout Plan, prepared by Metrowest Engineering, Inc., dated 10/18/21
- 441 Glen Road, Proposed Grading Plan, prepared by Metrowest Engineering, Inc., dated 10/18/21
- 441 Glen Road, Proposed Site Plan, prepared by Metrowest Engineering, Inc., dated 10/18/21
- 441 Glen Road, Details Plan, prepared by Metrowest Engineering, Inc., dated 10/18/21
- 441 Glen Road, Car Barn Cover Sheet, prepared by Marcus Gleysteen Architects, dated 11/17/21
- 441 Glen Road, Car Barn Plan, prepared by Marcus Gleysteen Architects, dated 11/17/21
- 441 Glen Road, Car Barn Roof Plan, prepared by Marcus Gleysteen Architects, dated 11/17/21
- 441 Glen Road, Car Barn Elevations, prepared by Marcus Gleysteen Architects, dated 11/17/21
- 441 Glen Road, Car Barn Materials Diagram, prepared by Marcus Gleysteen Architects, dated 11/17/21
- Certificate of Action Scenic Site Plan Approval Amendment, 441 Glen Road, dated 12/13/21

The subject site, 441 Glen Road, Weston, Massachusetts (the “Premises”) is located in the Single Family Residence District A, and comprises 217,914 square feet of area in a district requiring a minimum of 60,000 square feet. The Premises has 185.44 feet of street frontage, and 189.29 feet of lot width at street setback, in a district requiring a minimum of 250 feet for both dimensions. A special permit for a new dwelling was issued in 2018.

The previous Zoning Board of Appeals cases include:

- 2018 – a special permit for a new dwelling was issued.
- 2015 special permit granted for pool and cabana
- 2015 special permit granted for replacement dwelling
- 2013 variance granted to permit 6.6 acres to be transferred to 455 Glen Road
- 2000 variance granted to transfer land to 445 Glen Road.

In addition to Mr. and Mrs. LeMaitre, appearing before the Board was Brian Grossman, attorney for George LeMaitre (the “Petitioner”). Mr. Grossman stated that the Petitioner wishes to build a car barn on the property for his personal use. The proposed car bar would be compliant with all zoning setbacks, but that zoning relief is required because the lot has insufficient frontage. The proposed car barn will consist of 1,368 ft² and will be 22-feet high. There will be no alteration to the exit or entrance to Glen Road.

The Board noted that the Planning Board issued a Certificate of Action, Scenic Site Plan Approval Amendment to allow for this proposed car barn addition. No one further appeared on the petition. The hearing closed, and the Board proceeded to deliberate.

Following due and open deliberation, the Board, by unanimous decision, granted a special permit for the proposed car barn substantially as shown on the drawings submitted with this application and the drawings approved by the Planning Board’s Certificate of Action. The Board of Appeals determined that the proposed car barn will not be substantially more detrimental to the neighborhood than the existing nonconforming lot and home.

147 Sudbury Road: a hearing on a request by Alissa Lenore Minehart requesting a special permit for a generator.

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:

- Plan of Land Boundary Survey, 147 Sudbury Road, prepared by Circumspect Land Surveying, dated 2/27/22
- Septic As-Built Plan, 147 Sudbury Road, prepared by Sullivan, Connors, and Associates, dated 6/15/18
- Kohler Generator Cut Sheet, 10/12RESV(L)
- Email from J. McCarron to V. Geary dated 4/22/22
- ZBA Decision issuing a variance for a swimming pool dated 7/17/67

The subject site, 147 Sudbury Road, Weston, Massachusetts (the “Premises”) is located in the Single Family Residential District A. The Premises is approximately 40,108 square feet of area, in a district requiring a minimum of 60,000 square feet. The Premises has 109 feet of street frontage in a district that required 200 feet of street frontage before 1997. The existing home is set back more than the required 60 feet from the streetline. The existing home is 34.1 ft from the east side lot line. District A requires a 45 ft setback from side lot lines. The lot is non-conforming due to lack of area and street frontage. The existing home is non-conforming due to inadequate distance from the side of the home to the lot line.

Alissa Minehart (the “Petitioner”) appeared before the Board explaining that they are proposing to locate a generator at the side of the home at a distance of 30.3 feet from the east lot line. The Petitioners stated that other possible locations for the generator would interfere with their septic system, and that their lot slopes steeply so that not all sites would be suitable. The Board questioned that since the proposed generator location has a greater non-conformity than currently exists, they may require a variance instead of a special permit. The Petitioner agreed to explore alternative locations for the generator so that the generator does not increase the existing non-conformity.

The Board voted to continue the hearing in order to give the Petitioner time to gather the necessary information for an alternate generator location. The hearing was continued until May 18, 2022 at 7:45 PM via Zoom.