



Minutes for Meeting

Zoning Board of Appeals, via Zoom

September 5, 2023 at 7:00 PM

Members present: Jane Fisher Carlson, Stephen J. Larocque, Laura Mintz

225 Winter Street: a hearing on a request by Corey and Amy Casilio requesting a special permit for a new home.

The following members were present:

- Jane Fisher Carlson, Chair
- Stephen J. Larocque, Acting Secretary
- Laura Mintz

Documents in the record include:

- Certificate of Action Scenic Road Site Plan Amendment, 225 Winter Street, Town of Weston Planning Board, 7/17/23
- Certificate of Action Scenic Road Site Plan Approval, 225 Winter Street, Town of Weston Planning Board, 11/21/22
- Letter from Hancock Associates to Weston Conservation Commission, 5/23/23
- Weston Conservation Commission Memorandum, 225 Winter Street, 6/27/23
- Existing Building Elevations, 225 Winter Street, A-1, prepared by bca Architectural Design, 7/10/23
- Existing Building Elevations, 225 Winter Street, A-2, prepared by bca Architectural Design, 7/10/23
- First Floor Layout Plan, 225 Winter Street, A-3, prepared by bca Architectural Design, 7/10/23
- Second Floor Layout Plan, 225 Winter Street, A-4, prepared by bca Architectural Design, 7/10/23
- Basement Plan, 225 Winter Street, A-5, prepared by bca Architectural Design, 7/10/23

- Roof Plan, 225 Winter Street, A-6, prepared by bca Architectural Design, 7/10/23
- Window & Door Schedule & Energy, 225 Winter Street, A-7, prepared by bca Architectural Design, 7/10/23
- Gross Square Foot Calculations, 225 Winter Street, GSF, prepared by bca Architectural Design, 7/10/23
- Foundation Plan, 225 Winter Street, S100, prepared by Berdi Consulting Structural Engineering, 7/2/23
- Framing Plan, 225 Winter Street, S101, prepared by Berdi Consulting Structural Engineering, 7/2/23
- Framing Plan, 225 Winter Street, S102, prepared by Berdi Consulting Structural Engineering, 7/2/23
- Framing Plan, 225 Winter Street, S103, prepared by Berdi Consulting Structural Engineering, 7/2/23
- Framing Plan, 225 Winter Street, S201, prepared by Berdi Consulting Structural Engineering, 7/2/23
- Stormwater Report, 225 Winter Street, prepared by Hancock Associates, revised 5/23/23
- ZBA decision dated 2/13/23

The site in question, 225 Winter Street, Weston, Massachusetts (the “Premises”), is located in Single Family Residence District A and comprises over 322,000 square feet in a district that requires a minimum of 60,000 square feet. The lot has 189 feet of frontage in a District requiring a minimum of 250 feet (or 200 feet in lots created prior to 1997). The dwelling is sited over 860 feet from the street in a district requiring a 60-foot street line setback. The dwelling is sited 275 feet from the northerly lot line and 298 feet from the westerly lot line. The existing garage is located 22.7 feet from the southerly lot line in a district requiring 45 feet from side and rear lot lines. The existing garage is a pre-existing non-conforming structure on a pre-existing non-conforming lot. The existing home was built in 1966.

Laura Mintz, Zoning Board Member, read a statement that the company she works for does business with the same engineering company that the Petitioners are using for their project. She stated she does not know the staff members that are working on the Petitioner’s project, and feels she can be completely objective. The Petitioners stated they have no problem with continuing with the hearing.

Appearing before the Board was Corey and Amy Casilio (the “Petitioners”) who stated they are seeking a special permit to build a new home on the site since the current home has partially been burnt down and is uninhabitable. The project has been before the Planning Board, and a Scenic Road Site Plan Approval was issued. In addition, the Conservation Commission has issued an Order of Conditions for the project. The project came before the ZBA in February of this year, but the application was withdrawn without prejudice. There have since been some modifications

of the proposed home, and the Site Plan Approval has been amended.

The proposed home is 5,760 ft², and the lot is 322,344 ft², so the ratio of the RGFA/lot area is approximately 1.8%. The existing garage that is located in the setbacks will be removed. The proposed home will be completely conforming to the zoning setbacks.

The Board noted that the Board of Health approval requires the submittal of an erosion control plan. It was confirmed with the Building Inspector that because these issues are covered in the Site Plan Approval from the Planning Board, that is sufficient.

Following due and open deliberation, the Board, by unanimous decision, approved the special permit for the proposed home as shown on the plans and drawings submitted for this hearing. The Board determined that the new home would not be more detrimental to the neighborhood than the existing home.

9-15 Riverside Road: a hearing on a request by Weston Fee Owner LLC requesting an amendment to a special permit.

The following members were present:

- Jane Fisher Carlson, Chair
- Stephen J. Larocque
- Laura Mintz, Acting Secretary

Documents in the record include:

- 9-13 & 20 Riverside Road, Approval Not Required Plan of Land, Greatland Realty Partners LLC, prepared by Control Point Associates, Inc., 5/30/23
- Certificate of Action - Site Plan Approval Amendment, 13 Riverside Road, Land Swap Amendment, 7/26/23
- ZBA decision dated 5/23/22 granting a special permit to convert an office building to a lab/research and development building

The subject site, 9-15 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 was granted a special permit from the ZBA on May 23, 2022 for research and laboratory use.

Appearing before the Board was Kevin Sheehan, from Greatland Realty Partners stating the Petitioner was applying for an amendment of the Board's special permit that was originally issued on May 23, 2022. The Petitioner is planning on executing a land swap with the Town of Weston that would change the property boundaries. The Approval Not Required (ANR) Plan of Land, which was endorsed by the Planning Board at its meeting on July 12, 2023, shows the parcels of land that are proposed to be swapped. This amendment has already been approved by the Planning Board in its COA Site Plan Approval Amendment, dated July 26, 2023. In that document, the Planning Board noted that the new dimensions of the Property were as follows: Lot Size: 9.67 acres; Setback of Riverside Road to Park Road: 234.8'; Setback of garage to east property line: 19.8'.

The land swap is being proposed in order to give the Town a parcel of land on the easterly end of the Property, at the end of Riverside Road, that could potentially be developed for affordable housing. The Petitioner had agreed with the Select Board to contemplate this land swap as part of the agreement to change the Zoning By-laws back in 2021. The parcel of land that the Petitioner is obtaining on the westerly end of the Property, fronting Park Road, will be restricted for open space and passive recreation. An amended special permit is needed to address the new property boundaries for the Petitioner.

Following due and open deliberation, the Board, by unanimous decision, granted the Petitioner's requested amendment to the ZBA's special permit issued on May 23, 2022 to reflect the new property boundaries due to the proposed land swap with Town of Weston. The Board finds that the change in the property boundaries, as shown on the documents and plans submitted for this hearing will not be substantially more detrimental to the community or to the neighborhood.