

**Town of Westwood
Zoning Board of Appeals
Carby Street Municipal Office Building
Meeting Minutes – May 18, 2016**

Members Present: David W. Krumsiek, Chairman, John F. Lally, Douglas C. Stebbins

Staff Member Present: Louise C. Rossi - Administrator

Mr. Krumsiek gave a brief description of the proceedings and all were sworn in who anticipated giving testimony.

Applications

21 Youngs Road

Applicants: Mr. & Mrs. Seth Frederickson

Project: Special Permit under Section 4.5.6

Mr. Krumsiek read the legal notice pertaining to this application.

Mr. Frederickson informed the Board that he wishes to put a second floor addition on the house over the area which has cellar beneath. The extension to the house on the right hand side is built on slab and will not be part of the second floor addition project. The increased bedroom space approximates 800 SF. He stated that he spoke with his neighbors and they did not object. They will not be expanding the footprint of the house and it will remain in character with the other houses in the neighborhood.

No one else spoke either in favor of or against the project.

On a motion by Mr. Lally which was seconded by Mr. Stebbins, it was voted unanimously to grant the Special Permit under Section 4.5.6 in order that a second floor may be added to the house.

9 Currier Lane

Applicants: Weiguo Yao and Jing Mo

Project: Special Permit under Section 4.5.6

Mr. Krumsiek read the legal notice pertaining to this application.

Mr. Yao explained to the Board that they cleared their back yard of a great deal of scrub tree matter and built a ground level deck with two additional levels then found out they needed a building permit and a Special Permit for zoning relief. Joseph Doyle, Building Commissioner discovered the deck when he was in the neighborhood.

There is a fence along the property line in the rear of the house which was installed by the Yaos' rear neighbor. Since the deck is butted against the fence, it consequently is on the neighbors' property and is something for which the Board of Appeals cannot grant relief.

Mr. Krumsiek mentioned that some sort of relief would be needed to address this problem whether it be an easement, conveyance of interest in that section of property or a consultation about the law of adverse possession.

The Board expressed their reluctance to grant a special permit for a structure that was built over a property line and the consequences of setting a precedent.

No one else spoke either in favor of or against the project.

On a motion by Mr. Lally which was seconded by Mr. Stebbins, it was voted unanimously to allow the withdrawal, without prejudice, of the application for a special permit and allow the Petitioner to consult with Mr. Doyle, the Building Commissioner about removing a section of the deck to bring it away from the lot line.

32 Meadowbrook Road

Applicant: J & D Landscaping Contractors, Inc.

Project: Special Permit under Section 6.3.10

Mr. Krumsiek read the legal notice pertaining to this application.

Don Pellegrino, owner of J& D Landscaping explained that the neighbor requested an eight foot privacy fence along the side lot line and that Kenneth Cunningham, owner of the group home for four handicapped individuals was willing to have it installed.

Ellen Mason – 20 Meadowbrook Road – spoke of her request and mentioned that the main living area of her house is on the second floor which directly looks into the bedrooms at the group home. She indicated that a 6' fence would be inadequate consequently; an 8' fence was requested.

Mr. Pellegrino stated that the fence will be a natural cedar stockade fence and approximately 100 linear feet of board. The sight lines to the street will not be disturbed and the area already has 80' evergreens in place.

Sen Lin Zhang – 44 Meadowbrook Road – stated that he had no objection to the fence.

No one else spoke either in favor of or against the project.

On a motion by Mr. Lally which was seconded by Mr. Stebbins, it was voted unanimously to grant the Special Permit under Section 6.3.10 for an 8' fence to be installed along the left side property line to screen the neighbor's view.

Discussion

The new Zoning Bylaw as of May 2, 2016 was passed out to the members in attendance.

The matter of accessory apartment special permits being revised to lift restrictive language was discussed. There are approximately 8 of these special permits and Thomas McCusker, Counsel for the Town said they could all be handled at one meeting and without public hearing.

Punitive fees for "after the fact" special permits are being reviewed by Mr. McCusker for legality and Mr. Krumsiek accepted another three year term on the Board.

Vote to Approve Minutes

On a motion by Mr. Lally which was seconded by Mr. Stebbins, it was voted unanimously to approve the Minutes for the meeting held on January 20, 2016.

The hearing adjourned at 8:15 PM.

**ZONING BOARD of APPEALS
MEETING MINUTES
May 18, 2016**

List of Documents:

21 Youngs Road
<ul style="list-style-type: none">• Zoning Board application filed 4-6-16 with attached plot and house plans• Building Inspector comments for May 18, 2016• Staff photographs of site
9 Currier Lane
<ul style="list-style-type: none">• Zoning Board application filed 4-13-16 with attached plot plan and photos of rear deck• Building Inspector comments dated May 18, 2016• Staff photographs of site
32 Meadowbrook Road
<ul style="list-style-type: none">• Zoning Board application filed 4-15-16 with attached plot plan and facsimiles of fencing• Building Inspector comments for May 18, 2016• Conservation Commission comments dated 5-8-16• Staff photographs of site