

TOWN OF WESTON
MASSACHUSETTS

BOARD OF APPEALS

There having been presented to the Board a petition for four variances and a Special Permit dated June 30, 1993 by Weston Community Housing Incorporated, 23 Village Road, Weston, MA the Board decided to hold a hearing on said petition on August 2, 1993, and caused the following notice to be published in The Town Crier, a newspaper of general circulation in Weston on July 15, and July 22, 1993:

TOWN OF WESTON
MASSACHUSETTSBOARD OF APPEALS
Hearing Notice

Notice is hereby given that the Board of Appeals of the Town of Weston will hold a public hearing on Monday, August 2, 1993 at 8:10 P.M. at the Weston Town Hall, on a petition by Weston Community Housing Incorporated, 23 Village Road, Weston, MA, under the Zoning By-Law of the Town of Weston, as amended, as to expansion of Merriam Village located at 23 Village Road, requesting (1) 4 variances with respect to the construction of the width of the sidewalk, reduction of the road pavement width, setbacks from the centerline of the road and setbacks from the edge of the Right of Way, all of which do not meet the minimum required under said Zoning By-Law, as amended and (2) a Special Permit to allow multiple dwellings over four units under the provisions of Section V.C.3.a. of said Zoning By-Law, as amended. The petition and plans are on file with said Board of Appeals and are available for public inspection in the office of the Town Engineer on Monday through Friday, from 9 A.M. to 4:30 P.M.

Board of Appeals of the Town of Weston
By Robert P. Cook, Chairman

The Board also mailed the foregoing notice postage prepaid on July 15, 1993 to the following named persons deemed by the Board to be all of the persons affected by said petition as they appear on the most recent tax list:

Petitioner: Weston Community Housing, Inc., 23 Village Rd.

Society of Jesus of N.E., 393 Commonwealth Ave., Boston 02115
Town of Weston
John & Barbara Sullivan, 150 Concord Rd.
William & Anne F. Tierney, 130 Concord Rd.
Peter H. & Barbara Gibb, 120 Concord Rd.
Ingeborg M. Von Der Heyde, 95 Concord Rd.
Edgar St. Germain, 99 Concord Rd.
George & Rebecca Deptula, 49 Laurel Rd.
David H & Lucy Amory Bradley, 39 Laurel Rd.

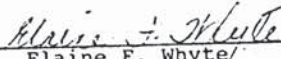
Merriam Village

Alhonfa & Ittiara Menachery, 68 Laurel Rd.
 Shirley A. Fennell, Tr., 2 Laxfield Rd.
 Colchester Realty Trust, c/o William Gambrel, 65 Laurel Rd.
 Ernesto T. Luy, 61 Laurel Rd.
 Howard B. & Elyse H. Rubin, 57 Laurel Rd.
 Robert M. & Maria C. Blanck, 20 Laxfield Rd.
 Kristina R. O'Connor, 1 Laxfield Rd.
 Robert H. & Ann R. Schapiro, 9 Laxfield Rd.
 Robert W. & Gretchen Darvin, 36 Laxfield Rd.
 Margaret I. White, P.O. Box 604
 Kathleen Spellman, 28 Laxfield Rd.
 Mary B. O'Brien, 25 Laxfield Rd.
 Martins Duhms, Jr., 33 Laxfield Rd.
 Kyung Min & Chung Yul Park, 41 Laxfield Rd.
 Macram & Magda A. Bishai, 44 Laxfield Rd.
 Stephen Hassell, Chairman Weston Community Housing, 23 Village Rd.
 Steve Bernstein, Judith Nitsch Eng., Inc., One Appleton St.,
 Boston 02116

Board of Appeals Members: Cook, Knight, Scoville
 Planning Boards: (Notice only) Lincoln, Natick, Newton, Waltham,
 Wayland, Wellesley.

Notice was delivered in hand to Board of Selectmen, Board of
 Assessors, Board of Health, Town Engineer, Town Clerk, Building
 Inspector, Fire Chief and Planning Board Chairman.

I certify that the foregoing notice was mailed or delivered in hand
 to the above named persons on July 15, 1993:


 Elaine F. Whyte

Pursuant to the foregoing notice the Board held a public hearing on
 August 2, 1993 at 8:10 P.M. at the Town Hall. The following members
 were present:

Robert P. Cook, Chairman and Acting Secretary
 Roger D. Scoville
 Peter C. Knight

The petition was presented by Stephen Hassell, Chairman of the Expansion
 Committee, assisted by several officers of WCH (Weston Community
 Housing, Inc.) and by Ms. Lisa A. Brothers of Judith Nitsch Engineering
 Inc. Very detailed supporting materials were provided (showing
 the concept, the history, the site plan, the neighboring area and
 studies of expected impact of the expansion project on traffic,
 drainage, sewage, etc.).

WCH is a non-profit corporation established in 1977 to build below-
 market-rate housing for low and moderate income elderly persons. The
 directors and officers serve without pay. The Town of Weston donated
 a 15 acre tract in 1977 under an agreement to provide such rental
 housing at minimum cost. The original project of 30 units has been a

Merriam Village

success; there is now a waiting list of 43 persons. WCH hopes to extend the road farther into the tract and add 32 new units.

The project is located in Multiple Dwelling District B. Under VC.C.3.a. of the Zoning By-Law, multiple dwellings over 4 units require Site Plan Approval by the Planning Board and a Special Permit from the Board of Appeals. Site Plan Approval was granted June 15, 1993.

The 4 requests for variances all seem reasonable, in view of the special nature of the project, its isolation, its topography and the purely internal effect of the rather minor and sensible departures from the setback and sidewalk and pavement dimensions specified under VI.C.2. and VI.C.7.a:

-Width of sidewalks may be 4 feet, as already proven satisfactory in the existing facility, instead of 5 feet specified under VI.C.7.a;

-Width of roadway pavement may be 20 feet, instead of 24 feet specified under VI.C.7.a., because the traffic envisioned is less than typical for residential development due to elderly use and this will allow for more open space.

-Setbacks from centerline of roadway may be varied for Building "1" and for existing Harnish House to 36 feet each, and for Building "2" and for Building "E" to 44 feet each, instead of the 45 feet specified under VI.C.2., all justified by site constraints and angled offsets;

-Setbacks from sidelines of roadway (right of way) may be varied for Building "E" and for Building "2" to 17 feet each, and for Building "1" to 14 feet, and for existing Harnish House to 13 feet, instead of the 20 feet specified under VI.C.2., again all justified by site constraints and offsets.

The Board also unanimously decided that the proposed additional development to Merriam Village by WCH will satisfy each and every criterion under X.A. and made a finding that it will constitute a suitable development and not result in detriment to the neighborhood or environment. In fact, the proposal and presentation with supporting materials showed extremely thorough and sensitive planning with great concern for the local need and for maximum preservation and protection of the environment.

Variances and Special Permit Granted

A true record

Attest:

Robert P. Cook
Robert P. Cook, Chairman
and Acting Secretary



FOLEY HOWE ENGINEERS
1000 WASHINGTON STREET
BOSTON, MA 02110
800-541-1111