

The Board consisted of:

Jeffrey P. Klofft, Chairman  
Nancy G. Rubenstein, Acting Clerk  
Jonathan G. Gossels  
Stephen A. Garanin  
Benjamin D. Stevenson, Associate

The meeting was convened by the Chairman, Mr. Klofft.

Request for Modification of Special Permit

Ridgewood Construction – 344 Peakham Road – Case 07-42

John Bellantoni was present to request a modification to the original special permit Case No. 07-42. He said initially he planned to occupy the new dwelling; however, since the market has declined over the past several months, he decided not to move to the property, but rather to construct a house and sell it.

Mr. Bellantoni said a foundation was poured for a different house and the house design is specific to that foundation. The separate carriage house which was proposed for the original plan will not be constructed. The Board was in receipt of a plot plan showing the location of the new foundation as well as the new house design plans.

The previous permit was for a 5,100 s.f. house. Mr. Bellantoni was requesting a reduction in the square footage to 3,960 s.f. and to allow the foundation in the location as poured. The house will still conform to all setback requirements.

Mr. Garanin noted that the new house appears to be 2 ½ stories vs. the smaller 1 ½ story height of the original house. Further, he said the plans do not reflect the heights or dimensions of the new house.

In response to a question from Mr. Klofft, Mr. Bellantoni said the plans are reduced and not to scale.

Ms. Rubenstein asked where the driveway would be located, noting it was not shown on the plan. Mr. Bellantoni said it is on the same side as originally proposed, but will extend further back because of the new house location. The garage doors will face the side.

Lee Michaels, 199 Horse Pond Road, abutter to the rear, questioned why this meeting was being held since the foundation is already poured.

Mr. Klofft explained that Mr. Bellantoni has the right to build in accordance with his original plan. If the Board were to deny this request, Mr. Bellantoni would have to figure out what he was going to do with the foundation which doesn't comply with the original decision. He said the fact that the foundation is there does not influence the Board's decision one way or another.

Ms. Michaels had further questions with regard to the location of the garage and septic system which were answered by Mr. Bellantoni.

Ms. Michaels requested that the screening requirements be more specific adding that she would like to see screening along the back property line and part way down the side lot lines from the rear lot line. She said the original decision was not specific, and she has since been told by Mr. Bellantoni that he would put in a 2-3 foot berm across their mutual lot line and then plant trees.

Mr. Klofft referred to the original decision which states under Condition 3 that “The screening on all sides of the property shall be maintained to the greatest extent feasible.” It seemed to him that Mr. Bellantoni was agreeing to screening and asked Ms. Michaels what she was suggesting.

Ms. Michaels wanted to see something in writing – decent sized trees 10-12 feet.

Mr. Gossels felt that since the situation has changed and Mr. Bellantoni will no longer be occupying the house, he would prefer to have a more detailed landscape plan.

Ms. Michaels pointed out the area along the rear lot line and sides that she was particularly concerned about and which she said would affect her the most. She would like to see arborvitae or hemlock trees planted – not pine which eventually lose their lower branches.

Discussion followed after which Mr. Klofft felt there to be a sense of the Board to have a more detailed understanding of the plan showing specifically the driveway location, the berm, and where the trees would be added. The Board agreed that they had no issue with the concept of the plan, but wanted to make sure that the details were stated on a plan.

Mr. Garanin added that he would like to see the house elevations. Mr. Klofft agreed. He said because this new plan alters a number of other things – the location of the driveway and the location of the septic, and the height of the house potentially impact the screening issues, it would be better to have a plan that showed those changes.

Mr. Bellantoni asked if the Board could condition an approval this evening. He said the house is smaller in size, the carriage house has been deleted and he has agreed to plant the additional trees.

Discussion followed. With regard to the driveway, Mr. Bellantoni said he had a septic plan with him which shows the location of the driveway. He also had with him full-sized elevation plans. The Board reviewed those plans and agreed they could be included as part of the modification.

With regard to screening, Mr. Klofft noted that since this is a modification, and given the change from owner-occupied to now selling the house, he felt there to be sufficient grounds to provide for more specific screening.

A lengthy discussion followed on the number, type of screening and the location of same, after which it was agreed that the screening would consist of an even mixture of one third, arborvitae, hemlock and white pine at a minimum height of 8-10 feet, planted 8 feet on center beginning 136 feet from the front lot line along both side lines and continuing along the entire length of the rear lot line.

Mr. Bellantoni submitted copies of the septic plan and elevation plans which will be made part of the modification.

There were no further questions. The following motion was placed and seconded:

MOTION: "To amend Special Permit 07-42 by reducing the maximum house size to from 5,100 s.f. to 3,960 s.f. in the location as shown on the Sewage Disposal System Design Plan prepared by Thomas Land Surveyors, Hudson, MA, revised 5/27/2008, which includes the foundation, septic and driveway shown on said plans, and which includes the elimination of the carriage house. Further, the new residence will be consistent with the elevation plans prepared by Nilsson Architecture, Maynard, MA, dated 6/27/2008 (4 sheets) submitted at this meeting.

Screening shall consist of an even mixture of one third arborvitae, hemlock, and white pine, at a minimum height of 8-10 feet, spaced 8 feet on center along both side lot lines beginning 136 feet from the front lot line and continuing along the entire length of the rear lot line.

Conditions 2, 4 and 5 shall remain in full force and effect.

VOTED: In favor: 5 (unanimous) Opposed: 0

There being no further business, the meeting was adjourned.

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Jeffrey P. Klofft, Chairman

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Nancy G. Rubenstein, Acting Clerk

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