**Town of Weston**

**Development Review Board**

**DRAFT Minutes of Meeting & Hearing**

**June 7, 2023**

**DRB Present at Site Visit and Hearing:** Deborah Granquist, Jeff Lennox, Susan Morris (remote- hearing only), Laura Katz (remote- hearing only)

**Public:** Will Goodwin, Zoning Administrator

 **Hells Peak, LLC** Brian Coon and Andrea Conrad – for the applicant

 Josh Allison, Weston Fire Chief

David Griswold, interested citizen and fire department

Janice McInerny and Jeff Kraus, interested citizens

Jessica Berg – abutter (present site visit only)

Dan Hanenberg – interested citizen.

Re: Hells Peak LLC (Applicant)

Address: 19 Hells Peak Road, Weston

Owner: Gretchen Kaimer

Owner’s Representatives: Brian Coon, Andrea Conrad

Request for Special Height exemption

**Site visit.** The meeting /hearing was preceded by a site visit, where it was observed that the exterior of the house is pretty much complete. The house is two stories plus a walk out basement on the west facade. There are plans to put a wooden deck above the walk out basement. There also is a very large cupola (which apparently is now called a “belvedere” based on its size). No measurements were provided.

**Meeting.** The meeting was held at the Town office. Ms. Granquist, DRB chair, called the meeting to

order at 5:34 PM. The meeting was recorded.

1. **Minutes.** Mr. Lennox moved and Ms. Morris seconded the approval of the Minutes of 2/1/23 which passed unanimously.
2. **Hearing. Hells Peak LLC.**

At 5:35 PM, Ms. Granquist opened the hearing. There were no disclosures of conflict of interest or *ex*

*parte* communications. Ms. Granquist explained that only participants have a right to appeal a decision.

All members of the public took the oath of evidence.

Ms. Granquist noted that the following materials have been filed in connection with this hearing:

 • Notice of hearing (ZA to confirm that all abutters have been notified and that the hearing was properly warned)

 • Universal Zoning Application submitted by Hell’s Peak LLC dated 8/30/22

 • Universal Zoning Application submitted by Hell’s Peak LLC dated 4/10/23

 • 2 Boundary Line Adjustment Surveys prepared by Point of Beginning Land surveying

 • Undated photo of house

Ms. Granquist noted that this matter is covered by the following Sections of the Zoning Regulations:

215, 525, and 708 and the definitions. She then turned the hearing over to the applicant and asked them to explain why they are asking for a special height exemption and why the DRB should grant the request.

Mr. Coon and Ms. Berg explained that when the architect designed the house, he was not aware of

Weston’s zoning regulations regarding building height. He mistakenly thought that a cupola would not

be included in the building height calculation and that the building height was measured from the

majority of the grade level – not from the lowest grade. Mr. Coon and Ms. Berg suggested that the DRB should grant a special height exception under Section 525. The Applicant provided a survey for boundary line adjustment which was intended to serve as a “site plan” as required by Section 708.

There was a lot of discussion about the height of the building and of the cupola, but there was no direct

testimony at the hearing from the Applicant on the height of the building to the roof peak or to the height

of the cupola/belvedere. However, the Zoning Administrator provided a photo of the building with his

calculations showing that the height of the building from the lowest level to the roof peak is approximately

39’ and to the top of the cupola/belvedere is approximately 45’.

There was also a lot of discussion at the hearing about fire safety -- the difficulty of getting a large fire

truck close to the house, the fact that the wooden deck presents issues, whether anyone would be

sleeping in the basement or in the cupola/belvedere, access to tall buildings etc. David Griswold said

that he has been denied permits for houses with cupolas because of height issues, and expressed concern if the DRB grants this exception after the house is built.

The DRB determined that it needed no additional information and the hearing was closed.

Mr. Lennox moved and Ms. Katz seconded to close the hearing at 6:00 PM. The motion passed unanimously. The DRB has 45 days to render a decision. The board then entered deliberative session.

Respectfully submitted,

Deborah Granquist on behalf of the Development Review Board Secretary