

**CITY OF WALTHAM**  
**ZONING BOARD OF APPEALS**

August 20, 2013

The Zoning Board of Appeals held a public hearing at 7:00 P.M., Tuesday, August 20, 2013 in the Public Meeting Room of the Arthur Clark Government Center, 119 School Street, Waltham, MA. In attendance were Chair Barbara Rando and members Mark Hickernell, Glenna Gelineau, Gordon LaSane, and John Sergi.

The chair called the meeting to order at 7:00 P.M.

Mrs. Rando: Tonight we have one case before us, Case No. 2013-16, Eileen Haggerty, 18 Kenmore Road for a variance.

The first action this evening is for a motion to accept the minutes of August 13, 2013.

On motion of Mr. Sergi, seconded by Ms. Gelineau, the board approved the minutes of August 13, 2013.

Mrs. Rando: Will the clerk please read the Petition in Case 2013-16?

The clerk then read the petition of Eileen F. Haggerty in an application for a variance – Dimensional and Application to Amend Variance. The petitioner seeks a new variance and to amend a prior variance to allow the construction of an addition which will consist of replacing the enclosed porch with a two story addition and expanding the second story which exits over a portion of the house. Location and Zoning District: 18 Kenmore Road; Residence A-4 Zoning

District.

Mrs. Rando: May we hear from the petitioner or the petitioner's representative, please?

Deborah A. Sawin, Esquire, 564 Main Street, Waltham came forward.

Ms. Sawin: I have submitted electronically a copy of the brief and packet of exhibits and I do have copies I would like to distribute to the board. (Ms. Sawin submitted a copy of her brief and packet of exhibits to each member of the board.)

I am here tonight with my client, Eileen Haggerty who is the owner of the property at 18 Kenmore Road. She's lived there for about twelve years with her two daughters who are now ages nine and twelve. She is also here with her contractor, Steve Wilson, in case there are any technical questions that we need answered and a couple of her neighbors who are nice to come down to support her in her petition.

As they get older the two girls need separate space, want separate space. Right now the house is a two bedroom house so the girls share a bedroom. So it's really a project that's motivated by the need to give them separate bedrooms.

(Ms. Sawin then read her brief into the record and went over the photos of what exists and what is proposed.)

Mrs. Rando: It's a very nice neighborhood, a very pretty neighborhood. I made a site view.

Ms. Sawin: Very close neighbors it seems.

Mrs. Rando: Are there any questions?

Mr. Sergi: You did say you talked to your neighbors specifically the Martels. Are they

okay with this?

Ms. Sawin: Yes, she's here.

Mr. Sergi: She is the most impacted.

Ms. Sawin: Yes, she is the most impacted. And many of the others she had a chance to speak with. Nobody wanted to sign the letter. You can't really blame them for doing that.

Mr. Sergi: The construction will be similar to the other neighborhoods?

Ms. Sawin: Yes, the materials will be the same and the property itself it will not look unlike some of the others. The addition will not come over the whole house, so the style will be in keeping.

Mr. Sergi: You will have clapboard shingles?

Ms. Sawin: Yes, consistent all across the front and the roof consistent also.

Mrs. Rando: Did you say there will be three bedrooms up there now? There's one up there?

Ms. Sawin: Two.

Mrs. Rando: Two up there now with a bathroom. And downstairs what is there?

Ms. Haggerty: There's a kitchen, den, living room and dining room. But I wanted to have the two girls because it's just myself for safety reasons on the second floor.

Mrs. Rando: I understand that.

Mrs. Rando: Is there anyone in the audience that is in favor of this petition that would like to be counted? (Five people raised their hands in favor.)

Mrs. Rando: Is there anyone in the audience in opposition? Seeing none, is there anyone seeking information?

Now, which one is the Martel? And you're fine with that?

Mrs. Martel: Yes.

Mrs. Rando: You can continue with your Proposed Findings of Fact.

Mr. Sergi: Madam Chair, may I make a motion that since it's been on file with the Law Department that we waive the reading of the Proposed Findings of Fact.

Ms. Gelineau seconded the motion and the board unanimously voted to waive the reading of the Proposed Findings of Fact.

Mrs. Rando: You may continue with your Proposed Decision.

Mr. Sergi: Madam Chair, in a similar fashion I would like to propose that we waive the reading since its been on file with the Legal Department.

Ms. Gelineau seconded the motion and the board unanimously voted to waive the reading of the Proposed Decision.

Mrs. Rando: All right, I am ready to entertain a motion on the Proposed Findings of Fact.

On motion of Ms. Gelineau, seconded by Mr. LaSane, the board voted to accept the Proposed Findings of Fact to be the Board's Findings of Fact.

The roll being called: Mr. Sergi, yes; Mr. Hickernell, yes; Ms. Gelineau, yes; Mr. LaSane, yes and Mrs. Rando, yes.

Mrs. Rando: Do I have a motion on the Proposed Decision?

On motion of Ms. Gelineau, seconded by Mr. LaSane, the board voted to accept the Proposed Decision to be the board's decision and grant the Variance, Dimensional and Application to Amend Variance.

The roll being called: Mr. Sergi, yes; Mr. Hickernell, yes; Ms. Geliheau, yes; Mr. LaSane, yes and Mrs. Rando, yes.

There being no further business, on motion of Mr. Sergi, seconded by Ms. Gelineau, the board voted to adjourn at 7:20 P.M.



---