



TOWN OF NATICK
Zoning Board of Appeals Meeting Minutes
Monday, April 28, 2025, at 6:30 pm

Members of the Zoning Board of Appeals in Attendance for the Monday, April 28, 2025, public meeting included Jason Makofsky, Vice-Chair; Ari Gottlieb, Alan Blevins, Andrew Enright, Robert Steckbeck and Geoff Lewis. Community and Economic Development staff present: Peg Waters, Office Manager/Zoning Board Administrator.

Mr. Makofsky called the meeting to order at 6:31pm.

I. Public Speak

None

II. Public Hearings – Development Projects

1. **Continued Public Hearing for 47 High Street**, an application for Robert and Mary Zicko, for a **FINDING** per Massachusetts General Law (MGL), Chapter 40A, Section 6 and the Natick Zoning Bylaws, Sections IV-B and V-A. The applicant proposes to raze the existing single-family dwelling and construct a new single family dwelling on the pre-existing non-conforming lot as shown on the plans submitted.

John Zicko is present for the public hearing.

The applicant requested a Continuation to May 19, 2025.

Mr. Lewis made a motion to continue the public hearing to May 19, 2025. Mr. Steckbeck seconded the motion.

The Board voted in favor of the motion 6-0-0 (Jason Makofsky – yes; Andrew Enright – yes; Geoff Lewis – yes; Ari Gottlieb - yes; Robert Steckbeck – yes and Alan Blevins – yes). MOTION PASSED

2. **Public Hearing for 8 Liberty Street**, an application for 8 Liberty St LLC, for a **FINDING** per Massachusetts General Law (MGL), Chapter 40A, Section 6 and the Natick Zoning Bylaws, Sections IV-B and V-A. The applicant proposes to raze the existing single-family dwelling and construct a new single-family dwelling on the pre-existing non-conforming lot as shown on the plans submitted.

Mr. Vin O’Brien, attorney for the applicant, is present for the public hearing and presented the application before the ZBA.

Mr. Makofsky reviewed the application before the Board. Mr. Makofsky asked about a measurement to the side abutting 6 Liberty Street. Mr. O’Brien stated they have three front yard setbacks with 30 feet all around the parcel. Mr. Makofsky asked about the calculation of the new building height. Mr. O’Brien said he would need to confer with the engineer.

Mr. Lewis said the average grade is 145.5 and there are some 142’s in there.

Ms. Barbara Irby of 6 Liberty Street, said she did not see any of the plans that were submitted. She would like the netting removed from the property because the sidewalk isn't a clear view.

Mr. Jim Cote of 14 Bradford Road and his concern is that there is a fence around the property with netting around it. States you can't see from the intersection because of it. Would like the builder to remove the netting. Mr. O'Brien stated it shouldn't be a problem.

Mr. Bluestein, 39 Bradford Road of Natick. Would like to know what time they will start. Ms. Waters confirmed the construction hours are 7am to 7pm.

Ms. Bluestein, 39 Bradford Road, would like to know where the front door is. Mr. O'Brien stated the front door will be on. Mr. O'Brien confirmed the front door will be on Bradford.

Mr. Lewis made a motion to continue the public hearing to May 19, 2025. Mr. Blevins seconded the motion.

The Board voted in favor of the motion 5-0-0 (Jason Makofsky – yes; Andrew Enright – yes; Geoff Lewis – yes; Ari Gottlieb - yes; Robert Steckbeck – yes and Alan Blevins – present). MOTION PASSED

3. **Public Hearing for 16 Westfield Road**, an application for Hank Yin, for a FINDING per Massachusetts General Law (MGL), Chapter 40A, Section 6 and the Natick Zoning Bylaws, Sections IV-B and V-A. The applicant proposes to raze the existing single-family dwelling and construct a new single-family dwelling on the pre-existing non-conforming lot as shown on the plans submitted.

Ms. Caroline Viana is present for the public hearing and presented the application to the Board.

Mr. Makofsky reviewed the application before the Board.

Ms. Sherry Brass of 77 Mill Street, spoke before the Board. The property abuts both properties. She has a concern about asbestos and lead paint in the home and are concerned about related health concerns of these materials. She would like the builder to inform the neighborhood of the safety steps. Mr. Makofsky stated the method and materials of the demolition process wouldn't be under the ZBA but would be under the Board of Health. Ms. Brass is concerned about the noise and debris and pests. She would like a permanent fence along her property line and hose down the property with water during construction. Mr. Makofsky stated the Board of Health sent in a letter for the project and stated the Board of Health handles all of her concerns. Ms. Brass stated one of her family members has a serious health condition and will continue treatment during the timing of this project. She would like them to consider her suggestions and appreciates being able to bring her concerns to the ZBA.

Mr. Favetta is the builder of the project. He would like to clarify that he has to go through the Board of Health for approval. He will hire a special company to remove the asbestos and pest control.

Mr. Enright is concerned about the size of the house especially the master bedroom is over 500 square feet. The applicant stated the master bedroom is not that large.

Mr. Gottlieb is concerned about the maximum height and size of the lot. Believes the house will be too big for that neighborhood. Applicant stated they reviewed 8 Westfield in their production of the single-family home.

Mr. Yin is here for the public hearing and spoke about the size of the house. He mentioned that they reviewed the specs of recent construction in the neighborhood. They will build homes that fit in with the neighborhood. Mr. Yin stated the master suite is very large because there is no basement and the homeowners will need storage space.

Mr. Steckbeck stated the ZBA is not a present setting board.

Mr. Enright stated this neighborhood has a Pelham Capes and they're about 1500 square feet. Mr. Enright stated the house is touching all of the setback requirements and it doesn't have a back yard.

Mr. Makofsky wants to make sure the ZBA gives them some clear guidance. Mr. Lewis stated there's plenty of opportunity to nip and tuck the house in places. There's a lot of empty square footage and the house is massive on the site which becomes part of the issue. Mr. Lewis believes they can shrink the size of the house.

Mr. Steckbeck stated if they brought the house in from the front setback it would be better and they would need to reduce the footprint. Mr. Enright stated the applicant could shrink the house to 10-15% in every parameter.

Mr. Yin stated the design is a colonial and believes 79 Mill St could fit better in this parcel. He stated the height of the house is not finalized because there was ground water was high at the time of measurement. Stated the house will be 2 feet shorter because the water table was lower. Believes they can dig the foundation deeper than what they are proposing. Mr. Enright confirmed they could drop the slab by two feet.

Mr. Enright made a motion to continue the public hearing to May 19, 2025. Mr. Lewis seconded the motion.

The Board voted in favor of the motion 5-0-0 (Jason Makofsky – yes; Andrew Enright – yes; Geoff Lewis – yes; Ari Gottlieb - yes; Robert Steckbeck – yes and Alan Blevins – present). MOTION PASSED

4. **Public Hearing for 79 Mill Street**, an application for Hank Yin, for a FINDING per Massachusetts General Law (MGL), Chapter 40A, Section 6 and the Natick Zoning Bylaws, Sections IV-B and V-A. The applicant proposes to raze the existing single-family dwelling and construct a new single-family dwelling on the pre-existing non-conforming lot as shown on the plans submitted.

Ms. Caroline Viana is present for the public hearing and presented the application to the Board. The house is the same size in bedrooms as 16 Westfield Road.

Mr. Lewis stated that this is a corner lot and stated the approximate finished grade is 160. Stated they should pay close attention to the height of the building. Mr. Makofsky stated there is quite a lot of grading on the parcel. Mr. Yin stated they found a large boulder between the two lots. There is also the Beaver Dam Brook with a high water level reading and found the results are much better than previous readings.

Mr. Makofsky reviewed the application before the Board. Mr. Makofsky asked about the retaining wall and what its purpose is. Mr. Yin stated the Storm Water tank will be placed on the bottom right of the property.

The driveway will be moved to Westfield Road.

Ms. Gail Weston-Roberts of 26 Western Avenue was confused when she looked at the drawings this afternoon and the grading. She stated that the neighbors have trees very close to their property lines.

Mr. Lewis made a motion to continue the public hearing to May 19, 2025. Mr. Enright seconded the motion.

The Board voted in favor of the motion 5-0-0 (Jason Makofsky – yes; Andrew Enright– yes; Geoff Lewis – yes; Ari Gottlieb - yes; Robert Steckbeck – yes and Alan Blevins – present). MOTION PASSED

5. **Public Hearing for 25 Irving Road**, an application for Mark Cahill, for a FINDING per Massachusetts General Law (MGL), Chapter 40A, Section 6 and the Natick Zoning Bylaws, Sections IV-B and V-A. The applicant proposes to raze the existing single-family dwelling and construct a new single-family dwelling on the pre-existing non-conforming lot as shown on the plans submitted.

Mr. Neil Glick, the attorney for the applicant, is present for the public hearing along with Mr. Cahill. Mr. Glick gave a handout to the Board which will be uploaded to OpenGov and presented the application to the Board.

Mr. Glick stated the advantage of this property is they do not have lot size problem. The only non-conformity is 100 feet of frontage.

Mr. Makofsky reviewed the application before the Board. Mr. Makofsky asked about the height of the home at 33.7 feet and they're raising the grade of the lot and he takes into consideration how much the grade is changing. Mr. Cahill stated that this house has the ability to put a basement in and shed the water away from the house. He stated the lots in this neighborhood are pretty flat.

Mr. Makofsky asked about Storm Water infiltration system. Mr. Cahill stated a plan has been developed and is part of the permit process with Conservation.

Mr. Steckbeck asked about the big drop off at the rear of the property. Mr. Glick stated they are far away from the neighbors in the back. Mr. Cahill stated there is a wetland in the rear of the property.

Mr. Blevins asked about whether or not there were other two stories in the neighborhood.

Mr. Enright is happy it's a smaller building and a bigger site. This project is similar to 4 Emerson Street

Ms. Conway of 45 Westlake Road, has a question about the trees that border the street and is wondering if the development will keep the trees that provide shade and privacy in the neighborhood. Mr. Cahill does not believe the trees in the front of the lot does not need to be removed. There is a dead tree on the side of the lot and a couple of pines on the lot. Mr. Cahill stated they will meet with the Conservation agent about trees that are appropriate for the lot and it's part of the Storm Water permitting process. Her hope is that developers in the neighborhood will preserve the trees they can or plant trees that are appropriate for the lot.

Mr. Glick stated the permitting process with Conservation is a mechanism to get trees preserved and regulate construction.

Ms. Wadness of 16 Richard Road, wanted to agree with the previous speaker that the character of the neighborhood is being changed dramatically. She is concerned about the vegetation and is happy Mr. Cahill is doing a good job and is hoping there will be good landscaping.

Ms. Gail Weston-Roberts of 26 Western Avenue, would like to know which trees are being removed. Mr. Cahill stated there is no town requirement to regarding information to neighbors regarding tree removal. He will work with Conservation. He stated the Environmental Planner Claire Rundelli is very good at her job and knows they will choose something beneficial for the lot. Mr. Glick stated they are removing the shed in the back of the property and opening up more open space on the lot. Mr. Cahill stated there are not a lot of trees on the back of the property.

Mr. Steckbeck moved to approve the Section 6 Finding, seconded by Mr. Lewis.

The Board voted in favor of the motion 5-0-0 (Jason Makofsky – yes; Andrew Enright– present; Geoff Lewis – yes; Ari Gottlieb – yes ; Robert Steckbeck – yes and Alan Blevins – yes). MOTION PASSED

Mr. Enright has left the meeting.

6. **Public Hearing for 29 Irving Road**, an application for Mark Cahill, for a FINDING per Massachusetts General Law (MGL), Chapter 40A, Section 6 and the Natick Zoning Bylaws, Sections IV-B and V-A. The applicant proposes to raze the existing single-family dwelling and construct a new single-family dwelling on the pre-existing non-conforming lot as shown on the plans submitted.

Mr. Neil Glick, the attorney for the applicant is present for the public hearing along with Mr. Cahill. Mr. Glick gave a handout to the Board which will be uploaded to OpenGov and presented the application to the Board. Mr. Glick said they are eliminating an existing non-conformity on the lot.

Mr. Makofsky reviewed the application before the Board. The lot frontage and lot size are the non-conforming issues. Mr. Makofsky asked about the grading in the back and he sees a proposed retaining wall to protect the tree on the back of the property. The tree is not in the protected resource area.

Mr. Cahill stated the grading in the back of the house slopes down to the wetlands. The shed will be removed along with one tree and he will bring the grade up. He stated it will be a somewhat level backyard. There's a fountain on the back of the property that will be removed. Mr. Cahill confirmed they will be removing the shed on the back of the lot.

Mr. Gail Weston-Roberts of 26 Western Avenue asked about the depth of the cellar/basement. Mr. Cahill stated this is similar to what he mentioned at the previous house. The grade is coming up a foot over the existing grade. The existing grade will be about 18 inches over the water table. The basement will be 8 feet and it includes the footing which is above the grade.

Ms. Wadness of 16 Richard Road asked about the nice Magnolia in front of the house. Mr. Cahill is not sure if it will stay. He doesn't believe it would be physically possible to remove the tree. Mr. Cahill likes to think long term for his trees and will discuss the trees with Ms. Rundelli.

Mr. Steckbeck moved to approve the Section 6 Finding, seconded by Mr. Gottlieb.

The Board voted in favor of the motion 5-0-0 (Jason Makofsky – yes; Geoff Lewis – yes; Ari Gottlieb – yes ; Robert Steckbeck – yes and Alan Blevins – yes). MOTION PASSED

7. **Public Hearing for 2 Westlake Road**, an application for Peter Bemis, for a FINDING per Massachusetts General Law (MGL), Chapter 40A, Section 6 and the Natick Zoning Bylaws, Sections IV-B and V-A. The applicant proposes to raze the existing single-family dwelling and construct a new single-family dwelling on the pre-existing non-conforming lot as shown on the plans submitted.

Mr. Zach Bemis is present for the public hearing. He presented the application before the Board.

Mr. Makofsky reviewed the application before the ZBA. Mr. Makofsky stated the lot is non-conforming as to area and depth. He asked about the corner lot and how height was calculated. Mr. Bemis stated the building height was calculated is from the architectural plans and he also has questions about the height as well.

Mr. Thompson of 4 Westlake has several questions regarding his property and the proposed height of the house on the corner lot. His property at the property line has an elevation change of 3 to 5 feet and believes the elevation of the structure will be much higher from his house. There's a rubble wall on the side of the property and would like to know if they are going to be care about the wall encroaching on their property. Would like to have a new retaining wall put in to protect his property. He asked about the Storm Water Management of the property and the water going on his side of the property and he gets a considerable amount of water in his backyard and doesn't want to see water from this property go into their house during a heavy rain. He would like to have the containment system moved from the back of the property and would like it moved away from their property.

Mr. Steckbeck asked if the applicant is going to change the grade. There's a decent amount of the existing conditions and there's a grade change on the side of the property. There are a

bunch of trees along the lot line and believes they can not remove them because they're supporting the rock wall. The slope is stable.

Mr. Bemis stated the Storm Water Management will be lower than the neighbors front yard and will not be going into his yard at all. Mr. Thompson asked about the depth of the storm water units. Mr. Bemis stated they will be 4 ½ feet below grade. Mr. Thompson is concerned about infiltration into his yard and there are points in the property that are more like 4 ½ feet. Mr. Thompson stated the rock wall is failing and there are tree roots in it. Mr. Bemis said there is no way of removing the wall without removing the trees. Mr. Thompson is worried about the wall during demolition. Mr. Bemis stated construction fencing will be installed and Storm Water fencing.

Mr. Steckbeck asked if the pile of rock, trees and soil is a good barrier that is more solid than a retaining wall? Trees tend to be good structural material.

Mr. Thompson asked about a privacy factor. He has a six foot fence contains his dog but does not give any privacy. He would like to see a privacy fence put up to separate the property.

Ms. Gafflin of 45 Westlake Road asked about the tree being removed. Mr. Bemis stated there's four different trees at the corner and the one being removed is in the driveway, it's on Irving Road.

Ms. Broekel of 5 Irving Road, is concerned about the trees on the property. She also has a concern about the height of the structure.

Mr. Coady of 14 Bradford Road, is an abutter of a home on the corner. The house looms over his ranch and believes this will happen to the two other abutters. He asked Mr. Bemis if there's a basement for the property. Mr. Bemis confirmed there will be a basement. His concern is the height of the house and the line of sight. He would like the height of the house dropped.

Mr. Lewis made a motion to continue the public hearing to May 19, 2025. Mr. Blevins seconded the motion.

The Board voted in favor of the motion 5-0-0 (Jason Makofsky – yes; Geoff Lewis – yes; Ari Gottlieb - yes; Robert Steckbeck – yes and Alan Blevins – yes). MOTION PASSED

8. **Public Hearing for 79 Speen Street**, an application for Mota Realty, a FINDING per Massachusetts General Law (MGL), Chapter 40A, Section 6 and the Natick Zoning Bylaws, Sections IV-B and V-A. The applicant proposes to raze the existing structure and construct a new single-family dwelling on the pre-existing non-conforming lot as shown on the plans submitted.

Mr. Paul Beaulieu from Field Resources. He presented this application before the Board. Confirmed they will need a Major Storm Water permit.

Mr. Makofsky reviewed the application before the Board.

Ms. Adler from 226 Pond Street is thrilled that it's going to be a house and not an office. Would like to know if the big trees along the back are going to be removed. Mr. Beaulieu confirmed

the trees will remain, the house has been moved into the residential zone and away from the intersection. He stated the applicant will have to protect the property from the business in the back.

Mr. Steckbeck moved to approve the Section 6 Finding, seconded by Mr. Gottlieb.

The Board voted in favor of the motion 5-0-0 (Jason Makofsky – yes; Geoff Lewis – yes; Ari Gottlieb – yes ; Robert Steckbeck – yes and Alan Blevins – yes). MOTION PASSED

9. **Public Hearing for 21 Strawberry Hill Road**, for Brian Phair, for a FINDING per Massachusetts General Law (MGL), Chapter 40A, Section 6 and the Natick Zoning Bylaws, Sections IV-B and V-A. The applicant proposes to build an addition to the right side of the house to include a garage and master suite on the pre-existing non-conforming lot as shown on the plans submitted.

Mr. Holcomb is present for the public hearing.

Mr. Makofsky reviewed the application before the Board.

Mr. Steckbeck moved to approve the Section 6 Finding, seconded by Mr. Lewis.

The Board voted in favor of the motion 5-0-0 (Jason Makofsky – yes; Geoff Lewis – yes; Ari Gottlieb – yes ; Robert Steckbeck – yes and Alan Blevins – yes). MOTION PASSED

10. **Public Hearing for 8 Warren Road**, for 8 Warren Road LLC, . a FINDING per Massachusetts General Law (MGL), Chapter 40A, Section 6 and the Natick Zoning Bylaws, Sections IV-B and V-A. The applicant proposes to raze the existing structure and construct a new single-family dwelling on the pre-existing non-conforming lot as shown on the plans submitted.

The application did not appear.

Mr. Lewis made a motion to continue the public hearing to May 19, 2025. Mr. Blevins seconded the motion.

The Board voted in favor of the motion 5-0-0 (Jason Makofsky – yes; Geoff Lewis – yes; Ari Gottlieb - yes; Robert Steckbeck – yes and Alan Blevins – yes). MOTION PASSED

III. Zoning Board of Appeals Business

- Meeting Minutes – March 24, 2025

Motion made by Mr. Lewis to approve the minutes. Mr. Gottlieb seconded.

The Board voted in favor of the motion 4-0-1 (Jason Makofsky – yes; Geoff Lewis – yes; Ari Gottlieb - yes; Robert Steckbeck – yes and Alan Blevins – abstain). MOTION PASSED

IV. Adjournment

A motion was made by Mr. Blevins and seconded by Mr. Lewis to adjourn the meeting at 9:30pm.