



**Minutes of Meeting**  
December 7<sup>th</sup>, 2021  
**7:00PM**  
**Virtual (Zoom) Meeting**

Board of Appeals members in attendance: Ken Kozik, Adam Hoffman, Scott Robb  
Staff Present: Kristen Guichard, Planning Director and Zoning Enforcement Officer, Alicia Burak  
Admin Assistant

**Opening**

Chair, Ken Kozik opened the meeting at 7:03PM. He read the guidelines for the virtual meeting. He called the roll. Ken Kozik- Aye, Adam Hoffman-Aye, Scott Robb- Aye

Mr. Kozik moved to enter into Executive Session at 7:03PM to discuss the appeal of Decision #21-2, 62-64 Pope Road (Misc. Action No. 21 MISC 000291) pursuant to Purpose 3 of the Open Meeting Law. Adam Hoffman made the motion and Scott Robb seconded the motion. Roll Call Vote: Ken Kozik- Aye, Adam Hoffman-Aye, Scott Robb- Aye

**Opening of Public Meeting**

Chair, Ken Kozik opened the meeting at 7:35PM. He read the guidelines for the virtual meeting. He called the roll. Ken Kozik- Aye, Adam Hoffman-Aye, Scott Robb- Aye

**I. Regular Business**

**1. Approve previous meeting minutes**

Adam Hoffman motioned at 7:36 PM to approve meeting minutes from 11/09. Scott Robb seconded the motion. Roll Call Vote: Ken Kozik- Aye, Adam Hoffman-Aye, Scott Robb- Aye.

**2. Administrative Updates: None**

**II. New/Special Business**

**1. ZBA 21-12- Continued Public Hearing –362-364 Main St Comprehensive Permit (40B)**

Chair, Ken Kozik opened the public hearing at 7:37PM

ZBA Board Members, Kristen Guichard, and Kelley Cronin discussed the draft decision. Kelley Cronin stated all departments' and GCG comments have been satisfied and any concerns or requests have been addressed and incorporated into the plans. Kelley noted there is one outstanding item the Town wanted addressed concerning water flow from the parking lot to the catch basins which will be incorporated into the plans as a condition.

Residents' Comments: Franny Osman, 15 Halfmoon Hill, stated that she doesn't think parking will be a problem and believes the proposed project is a perfect use of the land.

Adam Hoffman motioned to close public hearing 21-12 at 7:56PM. Scott Robb seconded the motion. Roll Call Vote: Ken Kozik- Aye, Scott Robb- Aye, Adam Hoffman- Aye

Deliberations: All Board Members agreed that the comprehensive permit was a good project and a thorough process. Ken Kozik stated the location was not ideal but the project had a great team working on it.

Adam Hoffman motioned at 8:00PM to approve ZBA 21-12 as written in which the conditions were specified in the latest draft decision. Scott Robb seconded to motion. Roll Call Vote: Ken Kozik- Aye, Scott Robb-Aye, Adam Hoffman-Aye

## **2. ZBA 21-02 –Remand Hearing – 62-64 Pope Rd Special Permit**

Chair, Ken Kozik opened the hearing at 8:01PM

Attorney, Lou Levine spoke about the mediation hearing that took place with between the Town and the Applicant. The Town and Applicant agreed on a settlement of \$65,000 and a letter of apology and hopes to move forward with the ZBA approval to continue with the special permit.

Chair, Ken Kozik stated that the ZBA has not received the documents to review the settlement agreement or apology letter. Lou Levine suggested a continuation in order for the board to review the documents. All Board members and Attorney Lou Levine agreed on the continuation.

Adam Hoffman motioned at 8:12PM to continue the hearing to 1/4/2022 at 7:00PM. Scott Robb seconded the motion.

Roll Call Vote: Ken Kozik- Aye, Adam Hoffman- Aye, Scott Robb- Aye.

## **3. ZBA19-06- Minor Amendment #2- 12 Orchard Road Special Permit**

The applicant was not in attendance for the meeting.

Adam Hoffman motioned to continue the discussion to 1/4/22 at 7:15PM. Scott Robb seconded the motion. Roll Call Vote: Ken Kozik- Aye, Adam Hoffman- Aye, Scott Rob-Aye.

### **Materials Used at the Meeting:**

<http://doc.acton-ma.gov/dsweb/View/Collection-13052>

**12/07/2021 Agenda**

**Minutes for 11/09/21**

**ZBA- How to participate remotely**

**362-364 Main Street Application Materials as follows:**

**Revised Set of Plans 11-18/21**

**Revised Info 11/02/21**

**1142EX 1 Autoturn Fire**

**1142 EX 2 Autoturn Fire**

**1142 EX3 Autoturn Ambulance**

**210924 Acton Main Street ZBA Hearing #21-12 Comments and Responses**

**2184- Acton Main Street Senior Residence Peer Review Comments 092821\_WAI AE Team responses**

**362-364 Main St 300 FT**

**AHA Comprehensive Permit Application as Filed**

**Appendix 3.15 Traffic Report**

**C2.00 With Fire Markups**

**Complete Plan Set for Main Street**

**Legal Ad**

**Alissa Nicol Email 9-14-2021**

**Alissa Nicol Email 11/6/21**

**COA Board Letter to Zoning Board 9/14/21**

**Draft Decision 11.2.21 and KG 11.5.21**

**Draft Decision 11.2.21 and KG 11.9.21 with new edits**

**Mullin Rule Certification-ZBA 10-5-21**

**Public Comment 9-20-21**

**Terra Email 11-9-21**

**2184- 2<sup>nd</sup> Acton Main Street Senior Residence Peer Review Comments 11/4/21**

**2184 3<sup>rd</sup> Acton Main Street Senior Residence Peer Review Comments 12/06/21**

**2184- Acton Main Street Senior Residence Peer Review Comments 09/28/21**

**362-364 Main Street-Comprehensive Permit 8.31.21**

**362-364 Main Street Comprehensive Permit-Planning Memo 9-9-21**

**AWD Comments 8-31**

**Building Dept Comments 8-31-21**

**COA Board Letter to Zoning Bd 091421**

**Health Dept Comments 8-31-21**

**GCG Comments 2184- Acton Main St Senior Residence WAI AE Team Responses**

**GCG Memo 1**

**2184- Acton Main Street Senior Residence Peer Review Comments 09-28-21**

**Water Dept Comments 11-04**

**Fire Chief Email 12-07**

**62-64 Pope Road Application Materials as follows:**

**62 Pope Road Application**

**Additional Information from Stamski and McNary**

**Barn Architectural Plans**

**Remand:**

**Copy of 62 + 64 Pope Rd 300FT**

**Legal Notice**

