



## ACTON Zoning Board of Appeal

### Minutes of Meeting

January 4, 2016

Acton Town Hall

Room 126

Zoning Board of Appeal members attending: John Wagner (Chair), Rick Fallon (Clerk), Adam Hoffman, and Suzanne Buckmelter. Also present: Roland Bartl Planning Director and Zoning Enforcement Officer, Robert Hummel, Assistant Town Planners.

Mr. Wagner opened the meeting at 7:30pm. Mr. Wagner went over the procedure for the meeting.

### **I. Consent Agenda**

The draft minutes of December 7, 2015 were approved as amended.

### **II. Review and Vote on Decisions #15-13, #15-14, & #15-15**

Mr. Fallon made separate motions to approve each of the three decisions; each motion was seconded by Mr. Hoffman followed by unanimous votes to approve each decision. The board signed each decision.

### **III. Hearing #15-16 Variance, 270, 272, 274 Central Street**

Mr. Wagner recused himself from both public hearings. Ms. Buckmelter took his place. Mr. Fallon opened the public hearing as the acting chair for the night. Mr. Fallen read the public notice. Mr. Katin, representing the West Acton Baptist Church, explained that the Church is requesting a variance because Lots 2 and 3 with buildings on them do not meet the current maximum setback in the West Acton Village zoning district. The church needs the variance so that they can sell the lots for financial reasons. Mr. Katin explained that they are arguing for a financial hardship due to the shape (location) of the existing buildings on the lots. Mr. Fallon asked the petitioner to clarify the hardship request. Irene Elsinovskaia of 71 School Street voiced her support for the variance request.

Mr. Hoffman made a motion to close the public hearing; the motion was seconded by Ms. Buckmelter. Approved.

The board discussed the subject matter and reviewed the mandatory findings for granting a variance.

Mr. Hoffman moved to grant the Variance; Ms. Buckmelter seconded. All voted in favor of the variance.

### **IV. Hearing #15-17 Special Permit, 4 Larch Road**

Mr. Fallon opened the public hearing. Mr. Fallen read the public notice. The applicant, Michael Schick represented himself and explained his request for a Special Permit for an expansion of more than 15% of his house, which is located on a non-conforming lot. Messrs. Fallon and Hoffman asked for clearer construction plans to be presented at a hearing continuance. Irene Elsinovskaia of 71 School Street voiced her disagreement with that request, citing the cost to the applicant.

Mr. Fallon closed the public hearing for the night and asked to continue the public hearing until the next scheduled Board meeting on February 1st. The petitioner agreed to the continuation of the public hearing and a commensurate decision deadline time extension. The Planning Department will file the written agreement with the Town.

Mr. Hoffman made a motion to close the public hearing for the night; the motion was seconded by Ms. Buckmelter. All in favor.

The meeting was adjourned at 8:50 pm.

Approved Minutes of the January 4, 2016 Zoning Board of Appeal Meeting