



## Acton Zoning Board of Appeal

### Minutes of Meeting

May 7, 2018

Acton Town Hall

Room 9

Zoning Board of Appeal members in attendance: Kenneth Kozik, Chair; Jonathan Wagner; and Adam Hoffman.

Also in attendance: Roland Bartl; Planning Director, Katelyn Huffman, Board of Appeals Secretary

Mr. Kozik opened the meeting on April 25, 2018 at 7:30PM.

#### **Minutes – 11/09/2017**

Mr. Hoffman made a motion to approve the minutes from 04/25/2018, as written. Mr. Wagner seconded the motion. The motion carried unanimously.

#### **Public Hearing #18-02 – 3 Taylor Road – Extension of a structure with a nonconforming setback**

Mr. Kozik opened the hearing at 7:35 PM. Mark Sullivan, the applicant, gave an overview of his proposed project to the Board. He informed the Board that their lot is conforming but the structure on their lot is within the required 30 foot front setback. The required front setback in an R-2 Zoning District is 30 feet and they only have 7 feet. Their lot has two front yard setbacks because it is classified as a corner lot. They propose building an addition within the already nonconforming setback without further reducing the existing setback to make a three season porch.

The Board confirmed with the applicant that the overall look would be similar and that they did not intend to worsen the existing setback.

Mr. Wagner made a motion to close public hearing #18-02 at 7:45pm.

Mr. Hoffman seconded the motion. The motion carried unanimously.

#### **Deliberation**

- The Board found the application as requested meets ZBL section 8.3.3, and the mandatory findings of 10.3.5. The Board moved to have Jonathan Wagner prepare a decision of approval with the following condition:
- The permit would be approved as substantially shown in the plans that were submitted as of 05/07/18.

Mr. Hoffman made a motion to approve special permit #18-02 built as substantially shown and described in plans as of 05/07/18. Mr. Wagner seconded the motion. The motion carried unanimously.

### **Public Hearing #18-03 – 18 Maple Street – Expansion of more than 15% on a nonconforming lot**

Mr. Kozik opened the public hearing at 7:50PM. Ann and Kurt Brown, the applicants, gave the board an overview of their proposed project. Ms. Brown informed the Board that they were trying to add an addition to the house that would give them more space in the kitchen, dining room, and bedrooms. It would square off the house. She informed the board that their current structure meets all setbacks and that the addition would still comfortably fit within the minimum required setbacks.

Mr. Wagner made a motion to close hearing #18-03 at 8:00PM.

Mr. Hoffman seconded the motion. The motion carried unanimously.

### **Deliberation**

- The Board found the application as requested meets ZBL section 8.1.5, and the mandatory findings of 10.3.5. The Board moved to have Adam Hoffman prepare a decision of approval with the following condition:
- The permit would be approved as substantially shown in the plans that were submitted as of 05/07/18.

Mr. Hoffman made a motion to approve special permit #18-03 built as substantially shown and described in plans as of 05/07/18. Mr. Wagner seconded the motion. The motion carried unanimously.

### **Public Hearing #18-05 – 146 Prospect Street –Comprehensive Permit 40B**

Mr. Kozik opened public hearing #18-05 at 8:05PM. Louis Levine, the applicant's legal counsel, gave an overview of the proposed project. He informed the board that the proposed project is a LIP project that would create 3 market rate single family dwellings and 1 affordable single family dwelling. Each unit would have 4 bedrooms, 2.5 bathrooms, and a 2 car garage. It was noted that the side setback for the property edge complied with current zoning but the front yard setback did not.

Mr. Kozik opened the hearing for public comment.

The abutters and citizens all voiced concerns regarding runoff, drainage, flooding, density, the lack of historic look in a relatively historic neighborhood, and communication. The abutters and citizens felt that the Engineering Department needed to re-review the plans and resubmit their memo after a second review. The Board agreed to request this from the Engineering department. They also informed the public that they should consider reaching out to the Engineering Department to speak with them about their concerns as well.

The Acton Community Housing Corporation voiced their support of the project.

The Board and the applicant agreed to continue the public hearing.

Mr. Hoffman made a motion to continue public hearing #18-05 to May 21, 2018 at 7:30PM in Town Hall. Mr. Wagner seconded the motion. The motion carried unanimously.

### **Public Hearing #18-01 – 90 School Street – Special Permit – Nonconforming Lot**

No deliberation took place. Mr. Hoffman made a motion to continue public hearing #18-01 to June 4<sup>th</sup>, 2018 at 7:45PM in Town Hall, Room 9. Mr. Wagner seconded the motion. The motion carried unanimously.

The meeting adjourned at 9:55 PM

Respectfully Submitted,  
Katelyn Huffman