



## Acton Zoning Board of Appeal

### Minutes of Meeting

October 2, 2017

Acton Town Hall

Room 9

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

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

Mr. Kozik opened the meeting on October 2, 2017 at 7:30PM.

#### **Minutes – 09/11/2017**

Mr. Hoffman made a motion to approve the minutes from 09/11/2017, as written. Mr. Wagner seconded the motion. The motion carried unanimously.

#### **Special Permit #17-08 – 29 Mohegan Road – 15% Nonconforming Lot**

Dana McKiel, of Integrity Design, gave an overview of the application. He informed the Board that the proposed plans would add about 800 square feet or approximately a 28% increase of Gross Floor Area for the existing dwelling. This addition would be vertical above the already existing structure. He also informed the Board that the lot was nonconforming in both frontage and lot area. The existing lot only has 108 feet of frontage and 17,860 square feet of lot area. In the R-2 (Residence – 2) Zoning district a minimum of 150 feet of frontage and 20,000 square feet of lot area is required.

Mr. Hoffman asked the applicant how many bedrooms would be in the home. Mr. McKiel explained that there would only be 3 bedrooms in the home.

Mr. Wagner asked what material would be used for the exterior of the new addition. Mr. McKeil informed him that it would be matching color vinyl.

Mr. Hoffman made a motion to close Public Hearing #17-08 at 8:00PM. Mr. Wagner seconded the motion. The motion carried unanimously.

#### **Mandatory Findings**

- The Board of Appeals found the application met all the mandatory findings under section 10.3.5 for a Special Permit.

#### **Conditions**

- Must be substantially built as shown in the plans shown to the Board at the hearing on October 2, 2017.

- The deed restriction limiting the house to three bedrooms must be recorded with the Registry of Deeds before the issuance of a Building Permit.
- The existing shed must be demolished or moved so that it complies with current zoning setback standards as shown in the Zoning Bylaw Table of Standard Dimensional Regulations.

Mr. Wagner made a motion to grant Special Permit #17-08 with conditions.

Mr. Hoffman seconded the motion.

The motion carried unanimously.

Mr. Wagner agreed to write the decision.

### **Proposed Special Town Meeting Zoning Amendment – Nonconforming Lots**

Mr. Bartl presented the proposed zoning amendment regarding the special permit threshold for single and two-family home expansions on nonconforming lots. The amendment would replace the 15% increase threshold with a fixed square footage which represents about the average of the size of single-family homes in Acton. An applicant with a nonconforming lot could expand up to this threshold before having to apply for a special permit.

Mr. Hoffman agreed that this would be a good change for the bylaw. Mr. Kozik was neutral on the topic. Mr. Wagner did not feel that this amendment was a good idea. The Board agreed to issue no formal opinion on the topic.

Mr. Hoffman made a motion to close the meeting at 8:45 PM. Mr. Wagner seconded the motion. The motion carried unanimously.

The meeting adjourned at 8:45PM.

Respectfully Submitted,

Katelyn Huffman

Board of Appeals Administrative Assistant