



## **MINUTES OF THE HEARING July 9, 2012**

### **Board of Appeals**

### **Hearing # 12-02**

The hearing was re-opened on Monday, July 9, 2012 at 7:30 pm in the Room 126 of the Town Hall.

Present at the hearing was Kenneth Kozik, Chairman; Jonathan Wagner, Alternate; Marilyn Peterson, Alternate; Scott Mutch, Zoning Enforcement Officer; and Kim Gorman, Planning Department Secretary (interim for Cheryl Frazier, Board of Appeals Secretary).

Attending the hearing were Mr. Stephen Steinberg (petitioner of application), Mr. Peter Conant (Developer) Mr. A. Ruggiero (owner) and Ms. Nancy Tavernier (Acton Community Housing Corporation, Chairwoman). Also attending the hearing were abutters and interested parties from Acton.

Mr. Kozik started with the last item on the agenda of the Election of Officers.

Ms Peterson nominated Mr. Kozik as Chairman for the Board of Appeals, Mr. Wagner 2<sup>nd</sup>; all in favor.

Mr. Kozik nominated Mr. Wagner as Clerk for the Board of Appeals, Ms. Peterson 2<sup>nd</sup>; all in favor.

Mr. Kozik re-opened the continuation of the public hearing for the review and discussion of # 12-02 for 263-265 Great Road at 7:40pm.

Mr. Kozik stated the continuation of the hearing is to review and discuss the 40B Comprehensive Permit Application for Acton Meadows at 263 Great Road Draft Decision.

Mr. Kozik listed all the exhibits from the folder that were submitted for the record, as well as Design Review Board's memo response and an email from Mr. Bill Beebe from Bellows Farm received on 6/12/2012.

Mr. Kozik stated the petitioners would like to build a 26 (twenty-six) unit condominium community. The project consists of 24 three-bedroom single family detached residences and one duplex structure containing 2 additional two-bedroom family residence. There are two existing homes located on the site. One will be sold to Habitat of Humanity and then renovated, remodeled and sold to income-qualified families.

Mr. Kozik requested a straw vote from the Board members. Board members were in favor of the decision and the proper conditions stated in it.

Mr. Kozik stated the petitioner had some minor changes, which were received on Friday prior to the meeting. Mr. Kozik state the minor changes are in red in the draft decision to be incorporated into the decision. Mr. Kozik stated the Board and Staff are in agreement with the changes.

Mr. Kozik stated the changes were:

- Adding a 0 to the PO Box address on Page 1.
- Adding a sentence at the end of Section 4.2.1.
- Correctly the language in Section 4.2.13.
- Adding a sentence at the end of Section 4.2.14.

Mr. Steinberg stated the decision is long but very comprehensive. The Zoning Enforcement Office (Mr. Mutch) is a very important person and is looking forward to working with Mr. Mutch to complete the permit.

Mr. Conant stated it is a well written comprehensive permit decision.

Ms. Peterson motioned to close the public hearing for 263-265 Great Road Permit File #12-02, Mr. Wagner 2<sup>nd</sup>; all in favor.

Mr. Wagner stated it was a nice 40B, great developer and development.

Mr. Wagner motioned to adopt the latest and revised draft decision that was written on July 9, 2012. Mr. Kozik moved to grant Decision 12-02, Ms. Peterson 2<sup>nd</sup>; all in favor.

Motion was made to close the meeting, 2<sup>nd</sup>; all in favor; meeting adjourned at 8:30pm.