



## **Zoning Board of Appeals**

Meeting Minutes

March 4, 2019

7:30 PM

Room 126, Acton Town Hall, 472 Main Street

Zoning Board of Appeal members in attendance: Ken Kozik, Adam Hoffman, Emilie Ying

Absent: Suzanne Buckmelter, R. Scott Robb (wasn't officially sworn in)

Also present: Robert Hummel, Assistant Town Planner

### **1. Opening**

Chair, Ken Kozik opened the meeting at 7:34 p.m.

### **2. Regular Business**

The meeting minutes from the Acton Zoning Board of Appeals February 21, 2019 meeting were reviewed and approved by a vote of 3-0, with no amendments.

### **3. New/Special Business**

#### 7:35 PM Public Hearing –257 Central Street Special Permit

Mr. Kozik opened the public hearing at 7:36 PM. Mr. Attias, the applicant introduced himself and his plans for the special permit request for a residential duplex. Mr. Gannon, from Stamski and McNary presented the plans to the board and how they are planning to address the drainage for the project. Mr. Watts, the owner addressed the staff comments that were provided for the meeting.

The Zoning Board of Appeal asked Mr. Hummel why the applicant was in front of the ZBA. Mr. Hummel explained that a special permit is required for a two-family dwelling in the Village Residential zoning district. The Zoning Board of Appeal discussed the Design Review Board and other interdepartmental memos and comments, and the board members provided their feedback to the applicant.

Mr. Kozik opened the floor to the public for comments. There were question for the applicant regarding the size of the duplex, the required setbacks, and the proposed septic system. The members of the public expressed that they wanted to see some design changes to the proposed duplex building.

Mr. Hummel described his review memo and the board discussed the alternate location of the duplex. Mr. Kozik reviewed the mandatory findings in Section 10.3 of the Zoning Bylaw.



The applicant requested a continuation of the public hearing and the board accepted his request. The Board suggested meeting that the applicant meet with the Planning Staff and the Design Review Board to review the plans again.

Mr. Hoffman moved to continue the public hearing to April 8, 2019, 7:30 at Acton Town Hall, Room 126. The motion was seconded by Ms. Ying. The Board unanimously (3-0), approved the motion.

#### 7:45 PM Public Hearing –155 Summer Street Variance

Mr. Kozik opened the public hearing at 9:08.

Mr. Ringwall introduced his variance request and the new applicant for the project. Mr. Ringwall explained the background on why he and the applicant were in front of the ZBA again for a setback variance for a house at 155 Summer Street.

The board reviewed the mandatory findings in section 10.5.5. The board asked Mr. Ringwall, what would be the size of the dwelling if the board enforced the required 45 foot front yard setback. Mr. Ringwall explained that the final product would not be aesthetically pleasing and it would box in the proposed building into a very tight footprint.

A motion to close the hearing was made by Adam Hoffman and seconded by Emily Ying and approved by a vote of (3-0).

The board agreed that the lot in question is affected by topography of the lot and that it was unique for the surrounding zoning district.

Ms. Ying made a motion to approve the Variance #19-03. Mr. Hoffman seconded the motion. The motion carried unanimously by all members present.

#### Review of Post Office Crossing (Jasmine Circle) Decision Amendment #1

The Planning Division had drafted an amendment to Comprehensive Permit #13-06 with the Board's conditions that they expressed at February 21th ZBA meeting.

Mr. Kozik made a motion to approve the amendment to the Comprehensive Permit #13-06 as presented. Mr. Hoffman seconded the motion. The motion carried unanimously by all members present.

#### **4. Adjournment**

At 10:00PM, Mr. Hoffman, moved and Ms. Ying seconded to adjourn the meeting.

The motion was approved unanimously.



Materials used during the meeting: <http://doc.acton-ma.gov/dsweb/View/Collection-10510>

Location: Home > Board & Committees > Board of Appeals > Meeting Info > 2019 Meeting Information > 03-04-19 Meeting Information > Listing

### 03-04-19 - Meeting Information

0/0 Selected | Add

Type	Title	Case	Meeting Date	Site	Address
<input type="checkbox"/>	19-02 - 257 Central Street USP	planning	01/20/19	3	☆ ...
<input type="checkbox"/>	19-01 - 158 Summer Street Variance	planning	01/20/19	3	☆ ...
<input type="checkbox"/>	Post Office Crossing	planning	02/27/19	3	☆ ...
<input type="checkbox"/>	3-4-19 ZBA Agenda	planning	03/08/19	200 HD	☆ ...
<input type="checkbox"/>	DRAFT 3-21-19 Zoning Board of Appeals Minutes	planning	03/08/19	05 HD	☆ ...

Location: Home > Board of Appeals > Meeting Info > 2019 Meeting Information > 03-04-19 Meeting Information > 19-02 - 257 Central Street USP > Listing

### 19-02 - 257 Central Street USP

0/0 Selected | Add

Type	Title	Case	Meeting Date	Site	Address
<input type="checkbox"/>	Application	planning	01/28/19	3	☆ ...
<input type="checkbox"/>	Public Comments	planning	01/28/19	3	☆ ...
<input type="checkbox"/>	Staff Comments	planning	01/28/19	6	☆ ...

Location: Home > Board of Appeals > Meeting Info > 2019 Meeting Information > 03-04-19 Meeting Information > 19-02 - 257 Central Street USP > Application > Listing

### Application

0/0 Selected | Add

Type	Title	Case	Meeting Date	Site	Address
<input type="checkbox"/>	Architect Plans Submission	planning	01/28/19	0 MB	☆ ...
<input type="checkbox"/>	SDS LOT2	planning	01/28/19	009 HD	☆ ...
<input type="checkbox"/>	Special Permit Application	planning	01/28/19	4 MB	☆ ...



## Public Comments

...

0/0 Selected Add

Type	Title	Status	Modified Date	Size	Actions
	Josh Spero	planning	02/25/19	73 KB	
	Joshua and Eitan Spero comments 2	planning	03/04/19	75 KB	

## Staff Comments

...

0/0 Selected Add

Type	Title	Status	Modified Date	Size	Actions
	Planning comments	planning	02/26/19	2	
	AWD Comments	planning	02/20/19	112 KB	
	DRB - 257 Central Review Update	planning	02/20/19	11 KB	
	DRB Project Memo 257 Central Street -1-16-2019	planning	01/20/19	150 KB	
	Engineering Department Memo	planning	02/19/19	42 KB	
	Health Division Comment	planning	02/27/19	180 KB	



Location: Home > Meeting Info > 2019 Meeting Information > 02-04-19 Meeting Information > 04-02-19 Central Street CSP > Staff Comments > Planning comments listing

## Planning comments

Edit Selected... Add...

Type	Title	Owner	Meeting Date	Size	Actions
	5354ANR FF.pdf	planning	02/26/19	37 KB	
	Planning Memo	planning	02/26/19	214 KB	

Location: Home > Board of Appeals > Meeting Info > 2019 Meeting Information > 03-04-19 Meeting Information > 04-03-19 Summer Street Variance Listing

## 19-03 - 155 Summer Street Variance

Edit Selected... Add...

Type	Title	Owner	Meeting Date	Size	Actions
	Application	planning	01/02/19	2	
	Public Comments	planning	01/02/19	0	
	Staff Comments	planning	01/02/19	0	



### Application

Application Listing Table:

Type	Title	Status	Meeting Date	Size	Actions
<input type="checkbox"/>	Flam	planning	02/01/19	2.100	View Star More
<input type="checkbox"/>	ZBA Applications	planning	02/01/19	0.000	View Star More

### Public Comments

Public Comments Listing:

The selection status can contain any content or you do not have permission to view the content in this collection. Depending on your assigned permissions, you can use the **Add** menu to add objects.

### Staff Comments

Staff Comments Listing Table:

Type	Title	Status	Meeting Date	Size	Actions
<input type="checkbox"/>	#15-15 153-155 Summer Street Approved Variance	planning	02/01/19	118.400	View Star More
<input type="checkbox"/>	#19-03 155 Summer Street ZBA Variance Planning Memo	planning	02/01/19	122.400	View Star More
<input type="checkbox"/>	Engineering Memo	planning	02/01/19	19.000	View Star More
<input type="checkbox"/>	Health Division Comment	planning	02/01/19	104.400	View Star More
<input type="checkbox"/>	Variance #15-00 file	planning	02/01/19	0	View Star More



Location: Home | Board of Appeals | Meeting Info | 2017 Meeting Information | 01 - December 7, 2017 Meeting | 03 - 153-155 Summer Street - Variance - Hearing #15 - Listing

### 03 - 153-155 Summer Street - Variance - Hearing #15-15

Edit Selected... | Add...

Type	Title	Date	Modification	Size	Index
Staff Comments		planning	11/04/18	7 KB	☆ ...
153 - 155 Summer Street Variance - Application		planning	11/08/18	2 MB	☆ ...
153 - 155 Summer Street Variance - ZBA Plan		planning	11/08/18	2 MB	☆ ...
153-155 Summer Street - ANR Plan		planning	11/08/18	2 MB	☆ ...

Location: Home | Board of Appeals | Meeting Info | 2017 Meeting Information | 01 - December 7, 2017 Meeting | 03 - 153-155 Summer Street - Variance - Hearing #15 - Staff Comments Listing

### Staff Comments

Edit Selected... | Add...

Type	Title	Date	Modification	Size	Index
153-155 Summer Street Variance Planning Memo		planning	11/06/18	114 KB	☆ ...
Engineering Memo - 153 - 155 Summer Street		planning	11/08/18	70 KB	☆ ...

Respectfully Submitted,  
Robert Hummel  
Assistant Town Planner