



Minutes of Meeting
12/16/2020
7:30PM
Virtual (Zoom) meeting

Board of Appeals members in attendance: Ken Kozik, Adam Hoffman, R. Scott Robb
Also present: Kristen Guichard, Interim Planning Director and Zoning Enforcement Officer

1.0 Opening

Chair, Ken Kozik opened the meeting at 7:30 p.m. He read the guidelines for virtual meeting.

He called the roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye

1.1 Approve previous meeting minutes

Mr. Hoffman moved and Mr. Robb seconded to approve the 10/20/2020 minutes as presented at the meeting. The Chair called roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye, the motion carried unanimously.

2.0 New/Special Business

Mr. Kozik acknowledged Ms. Birchall's resignation from her role with the Town of Acton and that the Board will miss her. Ms. Birchall will be taking a position at Acton TV.

Mr. Kozik asked about the vacant positions for the administrative position and Planning Director.

Mrs. Guichard noted the Town was in the hiring process for the Planning Director position, but did not have an update on the vacant Administrative Assistant position.

Mrs. Guichard noted that the Applicant for Grandview Estates submitted a request for a minor modification to change the LLC name as their previously proposed name was already taken. Mr. Kozik explained to the Board that he agreed this was an insignificant modification and therefore he made the decision that the Acton Board of Appeals will not act on the applicant's change of name request and at the end of the 20-day period, the Comprehensive Permit shall be deemed modified to incorporate the Change in accordance with (See 760 CMR 56.05(11)(b)).

2.1 ZBA 20-11 Public Hearing, Special Permit application under Bylaw Section 8.1.5 for an expansion of a single family dwelling on a non-conforming lot.

Mr. Kozik opened the hearing at 7:38PM and explained the hearing process.

The applicant's representative, Paul Kirchner, from Stamski & McNary presented an overview of the project to construct a two car garage and a bonus room on top.

Public Comments

Kara Flyg of 23 Seneca Road inquired about how the Board renders their decision, the frequency of approvals for similar projects, and the typical size increase permitted.

Mr. Kozik explained the process, referring to Zoning Bylaw Section 8.1.5 and 10.3. He noted that each application is reviewed based on these criteria and that the percentage of increase in size often fluctuates based on the existing size of the house and decisions are made case by case in how it fits with the surrounding homes in the neighborhood.

Mr. Hoffman gave a rough estimate on the typical number of permits of this type the Board hears per year.

Board comments

- The plans provided clarity on how the proposed addition would fit in with the adjacent homes in the neighborhood.
- It fits the criteria that we need to look at and meets all the mandatory findings.
- The size of the proposed addition is in keeping with the size of other homes in the neighborhood

Mr. Kozik moved to close the public hearing at 7:56PM. The motion was seconded by Mr. Hoffman and was approved by a unanimous roll call vote. The Chair called roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye, the motion carried unanimously.

Mr. Kozik asked both Mr. Hoffman and Mr. Robb if they believed the proposed changes increased the non-conformity, and if they believed the proposed change was more detrimental to the neighborhood.

Mr. Hoffman and Mr. Robb both agreed the proposed change did not increase the non-conformity and was not more substantially detrimental to the neighborhood.

Mr. Kozik stated he believes the proposal increased the non-conformity, but agrees that it is not more substantially detrimental to the neighborhood.

All Board members agreed that the proposed addition met the mandatory findings of Section 10.3.

Mr. Hoffman moved to approve the special permit as substantially shown in the plans provided. The motion was seconded by Mr. Robb. The Chair called roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye, the motion carried unanimously.

Scott Robb offered to write the decision.

3.0 Adjournment

At 8:55PM, Mr. Hoffman moved and Mr. Robb seconded to adjourn the meeting. The motion was approved unanimously. The Chair called roll. Adam Hoffman – Aye; Scott Rob – Aye; Ken Kozik – Aye. The motion carried unanimously.
Meeting adjourned.

Documents used during this meeting

- 12/16/2020 ZBA Meeting Agenda
- 10/20/2020 ZBA Meeting Minutes
- ZBA 20-11 – 17 Seneca Application
 - Public Comments from: Terra Friedrichs
 - Staff Comments from: Planning Division
 - Staff Comments from: Engineering Department

Link to docushare: <http://doc.acton-ma.gov/dsweb/View/Collection-12879>

Respectfully Submitted,

Kristen Guichard
Interim Planning Director and Zoning Enforcement Officer