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MINUTES
SPECIAL MEETING
Acton Commission on Disabilities (COD)
April 4, 2014

Members Present

Steve Baran, Danny Factor,
Madeleine Harvey, Cindy Patton

Members Absent

Lisa Franklin

Associate Members Absent

Leslie Johnson, Wen Li

Guests

Cindy McCullough, Frank Ramsbottom
Denison Schweppe

Call to Order 3:06 pm

Application for Variance, 457 Great Road

The Applicants at 457 Great Road (Cindy McCullough and Denison Schweppe) have filed an Application For Variance in regard to 457 Great Road which will be reviewed by the AAB on Monday, April 7th. Mady and Danny attended a site visit along with the applicants and Frank Ramsbottom from the Building Department on April 1, 2014.

Danny summarized the application and site visit, and the applicants also made public comments. The applicants are asking for relief from having to provide vertical access to the second floor of their proposed two floor spa where the applicants will provide massage, facials, body treatment, manicures and pedicures on both floors. There is a hot tub with jets on the second floor, but not on the first floor. At the site visit, the applicants stated that they could deem the upstairs tub 'not for public use'. At today's meeting the applicants stated that they would like to find a way to allow the tub

to be available for public use. Danny also reported that there does not appear to be an area available for accessible parking due to the setback requirements of the Town's zoning ordinance. Danny also reported that AAB Executive Director Tom Hopkins was considering the possibility of recommending at the April 7th AAB meeting that this matter be decided at a formal hearing. Hopkins told Danny that he was considering this option because the applicants began building without a permit and because of other questions that he heard about the application. Hopkins stated that the COD-- within its comments-- could also choose to comment on the matter of whether the issue should go to hearing. The applicants stated that they had applied for at least some permits.

After full discussion and comments from the applicants and Frank Ramsbottom of the Building Department, the COD unanimously approved Danny's motion to submit the following advisory comments to the AAB:

The Acton COD, in its advisory comments, does not object to the granting of a variance that would waive the requirement to provide vertical access to the second floor, provided the services offered to customers on either floor are identical. This must include either deeming the second floor hot tub as not for public use OR installing a hot tub with the same services on the first floor.

We also advise - in lieu of handicapped parking which is not possible because of zoning restrictions - that the AAB require the applicant to provide valet parking to customers who are unable to walk up the stairs from the parking lot to the entrance, where the customer arrives by car, alone.

A second proposal was made by Cindy to not comment on whether the matter should go to a formal hearing, and this was approved by a vote of 3-1 with Danny dissenting.

Meeting Adjourned 4:15 pm

Documents Distributed

- Description of applicant's request
- One-page correspondence between applicants & building department
- Estimate received by applicants for installing elevator
- Site plan