



## Acton Zoning Board of Appeal

### Minutes of Meeting

June 20, 2018

Acton Town Hall

Room 9

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

Also in attendance: Kristen Guichard, Senior Planner and Robert Hummel, Assistant Town Planner

Mr. Kozik opened the meeting on June 20, 2018 at 7:35PM.

#### **Public Hearing #18-04 – 184 Main Street, Continuation –Comprehensive Permit Application**

Mr. Kozik opened the continued public hearing #18-04 at 7:35PM. Mr. Kozik summarized the previous meeting and noted the Applicant submitted revised drainage plans to address the outstanding items. Mr. Kozik stated that the Engineering Department reviewed the revised plans and submitted a memo confirming the revised plan's compliance with the Town's bylaws. Mr. Hummel confirmed.

The Applicant, Mr. O'Hagan, explained the updated drainage design which his engineers discussed with the Engineering Department. He stated the design now holds additional capacity on site and there is less flow going into the pipe than is currently there today.

Mr. Kozik asked the Board if they had any additional comments or questions. Mr. Wagner did not at this time. Ms. Buckmelter asked and had confirmed that the landscape plan did not change.

Mr. O'Hagan presented an architectural rendering showing the proposed development in relation to the adjacent homes as requested by the abutters at a previous meeting.

Mr. Kozik asked members of the public if they had any additional comments.

Mr. Bishop of 190 Main Street reiterated his concerns about the drainage which were shared at the previous meeting.

Ms. Fredericks of 627 Massachusetts Avenue, stated she thought the neighbors asked for an architectural rendering in 3D not 2D. She asked the abutters if they wanted the proposed units to have wrap-around porches and stated she thought it would fit in better with the neighborhood.

Mr. O'Hagan stated he would be willing to put wrap-around porches extending from the side if the abutters wanted that, but noted it would bring the buildings closer to the lot line. Mr. and Mrs. Crafts stated they would like wrap-around porches to be included. Mr. O'Hagan confirmed that he went to the Design Review Board and modified the plan in accordance with their recommendations.

Mr. and Mrs. Crafts of 188 Main Street, stated concern about the legality of the Applicant's right to use the drainage pipe that extends onto the property of 33 Prospect Street and the reliance of the Applicants drainage plan on the use of said pipe.

Mr. Samuel, of 33 Prospect Street, stated he would block the drainage pipe if this development is approved and constructed.

Mr. Kozik asked for any new comments or concerns that had not yet been raised, hearing none, he asked the Board for a straw vote. Board members, Ms. Buckmelter, Mr. Wagner and Mr. Kozik stated they were inclined to issue a decision with conditions requiring the wrap around porch on both sides subject to Planning Division approval and to maintain the drainage structures in properly functioning condition on the property. Members noted they felt the Engineering Department's review of the drainage system was more than adequate.

Mr. Samuels stated again that he would block the pipe and stated that his house is only 30 feet from the proposed development.

Mr. Kozik asked the Applicant if he was aware of the design of the pipe and the concerns stated by Mr. and Ms. Crafts.

Mr. O'Hagan stated that he was aware of the concerns expressed by abutters. He noted that he consulted his attorney and does not have concerns about his right to continue to use the existing pipe.

Mr. Kozik directed the Planning Division to draft a decision with the conditions as noted above. He recommended the Board keep the hearing open so new information could be submitted and discussed with the abutters at a continued hearing.

The Applicant agreed to a continuation of the hearing to June 28<sup>th</sup> at 7:30PM at Town Hall.

Ms. Buckmelter moved to continue the hearing to June 28<sup>th</sup> at 7:30PM at Town Hall, the motion was seconded by Mr. Wagner and carried unanimously.

#### **Minutes of June 13, 2018**

Ms. Buckmelter made a motion to approve the minutes from 6/4/18, as written. Mr. Wagner seconded the motion. The motion carried unanimously.

The meeting was adjourned at 8:30PM.

Respectfully Submitted,  
Kristen Guichard