



**Minutes of Meeting
October 1, 2018
Acton Town Hall
Room 9**

Zoning Board of Appeal members in attendance: Kenneth Kozik, Chair; Adam Hoffman and Suzanne Buckmelter

Also in attendance: Robert Hummel, Assistant Town Planner; and Vivian Birchall, Administrative Assistant

Mr. Kozik opened the meeting on October 1, 2018 at 7:35PM.

Special Permit Amendment #15-17 4 Larch Road

Mr. Kozik opened the public meeting at 7:37 PM. The applicant was looking to replace their existing 4 x 6 foot deck with a new 8 x 16 foot deck. Mr. Michael Schick and his architect were present. Mr. Schick explained his request, the background of the existing house, and how the proposed expansions to replace the deck and enhance outdoor space would not conform to the Town's requirements without special permit consideration. The Board had granted special permit #15-17 that allowed a 2nd floor addition to the house. The proposed larger deck constitutes a further addition on a nonconforming lot.

There were questions from the board about the deck expansion's impact to the already non-conforming structure, the distance to the road and how it would fit within the requirements. Mr. Kozik asked what the Planning Division opinions were. Mr. Hummel reported that the Planning Division had no issues with the plans as shown.

In deliberation the Board was not in agreement on whether the addition increases the nonconformity, but members agreed that if there was an increase in nonconformity such increase will not be substantially more detrimental to the neighborhood. Board members discussed the requisite zoning bylaws for a special permit relevant to this case and concluded that the proposal meets such findings.

Mr. Kozik made a motion to grant the amendment to Special Permit #15-17 with the conditions that the addition shall be built substantially as shown at the public hearing on October 1, 2018. Mr. Hoffman seconded the motion. The motion carried unanimously. Mr. Hoffman moved to close the public hearing. Ms. Buckmelter seconded the motion. The motion carried unanimously.

Minutes of previous meeting

There being no comments to the previous meeting minutes for 9/6/2018, Mr. Kozik passed the motion to approve the minutes, seconded by Ms. Buckmelter and the motion carried unanimously

The meeting was adjourned at approximately 7:45 PM.

Submitted,
Vivian Birchall, Administrative Assistant