



ACTON ZONING BOARD OF APPEALS

Minutes of Meeting

5/13/2019

7:30PM

Acton Town Hall

472 Main Street

Room 204

Board of Appeals members in attendance: Ken Kozik, Adam Hoffman, Emilie Ying.

Absent: Suzanne Buckmelter, R. Scott Robb

Also present: Roland Bartl, Planning Director; Vivian Birchall, Administrative Assistant; Stephen Anderson, Town Counsel.

1. Opening

Chair, Ken Kozik opened the meeting at 7:30 p.m.

2. Decisions

Mr. Hoffman moved to approve the draft decisions for 12 Orchid Drive (Hearing # 19-06) and 30 Carlisle Road (Hearing #19-04), as presented in the 5/13/2019 meeting. The motion was seconded by Ms. Ying. The motion was unanimously (3-0) approved

3. New/Special Business

8:30 PM – ZBA 19-07 – Hearing continuation, 4 Piper Lane Comprehensive Permit Application

The Chair, Mr. Kozik, recapped the previous 5/6/2019, #19-07 Public Hearing session. He informed the attendees that Town Counsel and Mr. Bartl had drafted a decision that was posted publicly, and the 5/13/2019 session would discuss and sign the decision. Town Counsel summarized the draft decision to invoke the related project safe harbor as described in the Department of Housing and Community Development's comprehensive permit regulations (760 CMR 56.00).

Discussion

Mr. Levine, attorney for the applicant and Mr. Hill, attorney for the neighborhood discussed the decision.

Mr. Levine expressed his disagreement with aspects of the decision and made reference to an eligibility letter from the Department of Housing and Community Development, approving the proposed development. He also made reference to the timing in relation to the Avalon special permit application that had been filed on 4/9/2019, noting that Avalon did not have an eligibility letter from the Department of Housing and Community Development.

Mr. Hill stated his opinion that there is no requirement for a letter from the Department of Housing and Community Development to be submitted as evidence for a 40B Special permit application.

Decision

After discussion, Mr. Hoffman moved and Ms. Ying seconded to approve and sign the decision to invoke safe harbor 760 CMR 56.05 (3), with minor amendments on page 10. The motion was unanimously approved (3-0)

Recess

The Board took a 15 minute recess, during which Town Counsel, Mr. Levine and Mr. Hill conferred regarding the public hearing continuation.

After the recess, Town Counsel recommended continuing the public hearing at a regular Zoning Board of Appeals meeting on 6/3/2019.































Mr. Kozik moved, Ms. Ying seconded and the board unanimously voted (3-0) to continue the public hearing on 6/3/2019, 8:00pm at Town Hall Room.

4. Adjournment

At 9:05p.m, Mr. Hoffman moved and Ms. Ying seconded to adjourn the meeting. The motion was approved unanimously (3-0).

The meeting adjourned.

Documents used

Type	Title	Owner	Modified Date	Size	Actions
	Piper Lane	planning	05/07/19	6	 
	05-13-19 ZBA Agenda	planning	05/07/19	221 KB	 
	DRAFT Decision 19-06 SP	planning	05/13/19	151 KB	 
	DRAFT_Decision 19-04	planning	05/13/19	111 KB	 
Type	Title	Owner	Modified Date	Size	Actions
	Comprehensive Permit Application - Piper Lane, Acton, MA - hearing extension agreement with signatures page	planning	05/10/19	172 KB	 
	Draft Decision and Notice re Related Application Safe Harbor - May 10 2019.pdf	planning	05/10/19	219 KB	 
	Draft Decision and Notice Related Application Safe Harbor 5-10-19	planning	05/10/19	160 KB	 
	Gregory Hutchins 5-9-19	planning	05/10/19	53 KB	 
	Jim Salem 5-7-19	planning	05/07/19	14 KB	 
	Nadine Mazzola 5-7-19	planning	05/07/19	10 KB	 

For additional materials used during the meeting, please visit: <http://doc.acton-ma.gov/dsweb/View/Collection-10982>

Respectfully Submitted,

Vivian Birchall
Land Use Department