



Acton Zoning Board of Appeal

**Minutes of Meeting
March 27, 2017
Acton Town Hall
Room 204**

Zoning Board of Appeal members in attendance: Ken Kozik, Acting Chairman, Suzanne Buckmelter and Adam Hoffman.

Also in attendance: Roland Bartl, Planning Director and Robert Hummel, Assistant Town Planner

Mr. Kozik opened the meeting at 7:30 PM

I. Minutes

The Board unanimously voted to approve the minutes of the February 6, 2017 meeting as it was written and unanimously voted to approve the minutes March 6, 2017 meeting as amended..

II. Public Hearing # 17-04 – 21 Minuteman Road

Mr. Kozik opened the public hearing at 7:35 PM.

Mr. Faubert explained the background for their Special Permit request for the Board. They requested a Special Permit, which would include expansion for a rebuilt garage and a second floor above for living space. The applicant understood that they have a non-conforming lot because of the lack of frontage and square feet requirements in the R-2 zoning district. They understood that any expansion over 15% of the existing Gross Floor Area would require a Special Permit from the ZBA.

Mr. Kozik asked the applicant what percentage of Gross Floor Area they were requesting. The applicant did not know the exact percentage of Gross Floor Area that they were requesting. Mr. Bartl clarified that the Planning Department calculated that the applicant would be expanding 57.6% towards the current Gross Floor Area, and that this number is without counting the current garage into the existing floor area as prescribed under the zoning bylaw. If the garage were counted as part of existing floor area, he stated the proposed expansion would probably be about 24% as stated in the application.

Ms. Faubert voiced that she feels the expansion will fit in with the surrounding houses on Minutemen Road. Mr. Houser, the project contractor explained the 5 foot bump out that is shown on the plans.

Mr. Bartl explained that the Planning Department had a question about the bump out in regards with meeting the 10 foot side setback. Mr. Bartl suggested, "Prior to issuance of a building permit, a revised plot plan shall be submitted showing the 5- foot bump out on the easterly side of the garage in compliance with the minimum 10-foot setback."

Mr. Kozik opened the floor for public comments. Judy Carbonier of 34 Newtown Road was in support of the Special Permit request and thought it was a wonderful project.

Mr. Hoffman moved to close hearing #17-04 at 7:45PM.

Ms. Buckmelter seconded the motion.

The motion carried unanimously.

Mandatory Findings

- The Board of Appeals found the application met all the mandatory findings under section 10.3.5 for a Special Permit.

Conditions

- Must be in compliance with most recently submitted plans filed on March 27, 2017, except as may be necessary to meet the minimum side yard requirement.
- Prior to issuance of a building permit, a revised plot plan shall be submitted showing the 5- foot bump out on the easterly side of the garage in compliance with the minimum 10-foot setback.

Mr. Hoffman made a motion to approve Special Permit #17-04 with conditions.

Ms. Buckmelter seconded the motion.

The motion carried unanimously.

Mr. Hoffman agreed to write the decision.

III. Public Hearing #16-14 31-29 Martin Street – Comprehensive Permit

Mr. Kozik opened the public hearing at 7:50 PM. He introduced the Board to the audience.

Mr. Kozik explained that the Board asked the Planning Department to finalize a complete draft decision for this meeting.

Mr. Bartl explained and the Board reviewed the recent changes to the draft decision.

Ms. Forbes, of 25 Martin Street, asked about the freestanding sign dimensions and the material that they planned to use. Mr. Bartl explained that the sign will have to comply with the standard for a Residential Development Sign in the Acton Zoning Bylaw, which limits the size to 6 sq. ft. in display area and the height to 4 ft.. The applicant explained that he had not yet decided on the material for the freestanding sign.

Ms. Buckmelter moved to close hearing #16-14 at 8:00 PM.

Mr. Hoffman seconded the motion.

The motion carried unanimously.

Mr. Hoffman made a motion to approve Comprehensive Permit #16-14 with the conditions listed in the Draft Decision as written, dated March 27, 2017, including the latest corrections.

Ms. Buckmelter seconded the motion.

The vote carried unanimously.

IV. Decision #16-09 – 122 Willow Street

Mr. Hoffman made a motion to issue approval decision #16-09 as written.

Ms. Buckmelter seconded the motion.

The motion carried unanimously.

V. Decision #17-02 – 165-167 Main Street

Mr. Hoffman made a motion to issue denial decision #17-02 as written.

Ms. Buckmelter seconded the motion.

The motion carried unanimously.

VI. Decision #17-03 – 929 Main Street

Mr. Hoffman made a motion to issue approval decision #17-03 as written.

Ms. Buckmelter seconded the motion.

The motion carried unanimously.

The Board closed the meeting at 8:10 pm

Respectfully Submitted,

Robert Hummel,

Assistant Town Planner