



## Acton Zoning Board of Appeal

### Minutes of Meeting

June 5, 2017

Acton Town Hall

Room 9

Zoning Board of Appeal members in attendance: Jonathan Wagner, Chair, Ken Kozik, and Adam Hoffman.

Also in attendance: Roland Bartl, Planning Director and Katelyn Huffman, Board of Appeals Secretary

Mr. Wagner opened the meeting at 7:30 PM

### Minutes

The Board unanimously voted to approve the minutes of the April 10, 2017 meeting.

### Public Hearing # 17-05 – 8 Laurel Court

Mr. Wagner opened the public hearing at 7:35 PM. Lihong Gao and Masao Kinoshita, the applicants, described their proposed addition to the Board. They informed the Board that the house was in foreclosure and is in terrible condition. In order for it to be livable, it would need to be completely renovated and they would like to add a second floor and garage while undertaking those renovations. The proposed increase of building area would be 92%. The applicants agreed to revise their plans so that the front steps are not covered, as per the Planning Department's memo.

Mr. Wagner asked what kind of siding would be used and also noted that without the garage the addition would only be a 63% increase.

Ms. Gao informed the Board that it would be vinyl siding.

Mr. Kozik expressed concern regarding the size of the expansion. He felt that the 92% increase was too large and would feel more comfortable with a smaller increase of size. He asked the applicants if they would be willing to sacrifice the proposed garage.

The applicants felt that they could not live without the garage due to the New England weather.

The neighbors were in support of the addition as proposed.

Mr. Kozik moved to close hearing #17-05 at 8:00PM.

Mr. Hoffman 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 June 5, 2017
- Must remove the covering of the front stairs
- The applicant can expand the dwelling unit by the proposed 92.32%.

Mr. Kozik made a motion to grant Special Permit #17-05 with conditions.

Mr. Hoffman seconded the motion.

The motion carried unanimously.

Mr. Hoffman agreed to write the decision.

### **Public Hearing # 17-06 – 108 River Street**

Mr. Wagner opened hearing #17-06 at 8:30 PM. He introduced himself and the Board to the audience and explained the hearing process.

Christian Lanciaux, owner and applicant, gave a presentation of the proposed expansion of the current house. He informed the Board that he planned to keep the existing house so that he can reuse as much of the existing materials as possible. He also explained to the Board that because his house is on ledge he cannot dig a basement. The expanded house is designed to be in keeping with the character of the neighborhood.

Mr. Kozik asked if the applicant would be willing to downsize the proposed plan.

Mr. Lanciaux informed the Board that he could live without one of the bedrooms, but needed the rest of the space so that he and his family could live in part of it during phase two of construction. The first phase the family would build the back addition, and the second phase they would move into the new addition while the main house was being renovated.

Jay and Patricia Rashbaum informed the Board, that as direct abutters at 110 River Street, they were in full support of the project.

Emilie Ying of 3 Badger Circle asked for confirmation of the setback from Merriam Lane.

Mr. Bartl explained that Merriam Lane is not considered a street and would only require a 10 foot setback.

Mr. Hoffman made a motion to close hearing #17-06 at 9:17PM.

Mr. Kozik 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 June 5, 2017
- The applicant can expand the dwelling unit by the proposed 205%.

Mr. Kozik made a motion to grant Special Permit #17-06 with conditions.

Mr. Hoffman seconded the motion.

The motion carried unanimously.

Mr. Wagner agreed to write the decision.

**40B Comprehensive Permit Rules and Regulations**

Mr. Bartl gave an overview of the proposed changes to the 40B Comprehensive Permit Rules and Regulations. He informed the Board that the changes were made to better align with the State's requirements, make it clearer for the applicant, and switch to electronic filing requirements, among other things.

The Board agreed to continue their review of the changes and discuss it at their next meeting.

The meeting adjourned at 9:35PM.

Respectfully Submitted,

Katelyn Huffman

Zoning Board of Appeals Secretary