



Acton Zoning Board of Appeal

Minutes of Meeting

September 6, 2018

Acton Town Hall

Room 126

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

Also in attendance: Robert Hummel, Assistant Town Planner

Mr. Kozik opened the meeting on September 6, 2018 at 7:35PM.

Public Hearing #18-08-11 Flagg Road

Mr. Kozik opened the public hearing #18-08 at 7:37 PM. Mr. and Ms. Terrey were present with their architect. Mr. Terrey explained his request, the background of the exiting house, and how the proposed detached garage with an exercise room will have matching architectural features. The proposed building constitutes an addition on a nonconforming lot that exceeds the 15% by-right threshold; thus a special permit is required. The proposed expansion represents a 35 % size increase. There were questions from the board about the height of the garage, the location of the garage and how it would fit within the neighborhood. Mr. Kozik asked what the Planning Division opinions were. Mr. Hummel reported that the Planning Division had no issues with the plans as shown. One member of the audience praised the applicants on doing the hard work to match the proposed garage with the existing house. The applicant's next door neighbor asked if there would be blasting.

Ms. Buckmelter moved to close the public hearing. Ms. Ying seconded the motion. The motion carried unanimously. 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 all other requisite zoning bylaw findings for the grant of a special permit and concluded that the proposal meets such findings. Ms. Buckmelter made a motion to grant Special Permit #18-08 with the conditions that the addition shall be built substantially as shown at the public hearing on September 6, 2018 and the applicant must comply with the submitted engineering comments.

Ms. Ying seconded the motion. The motion carried unanimously. Mr. Kozik agreed to write the decision.

Administrative Updates

Mr. Hummel explained that the owners of 4 Larch Road are looking to amend their ZBA #15-17 Special Permit Decision. They are looking to replace their existing 4 x 6 foot deck with a new 8 x 16 foot deck.

The meeting was adjourned at approximately 9:00 PM.

Submitted,
Robert Hummel, Assistant Town Planner