



## **Acton Zoning Board of Appeal**

### **Minutes of Meeting**

**December 5, 2016**

**Acton Town Hall**

**Room 126**

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

Also in attendance: Robert Hummel, Assistant Town Planner and Katelyn Huffman, Board of Appeals Secretary

Mr. Wagner opened the meeting on December 5, 2016 at 7:30PM

### **Minutes**

The Board unanimously voted to approve the minutes of the November 7, 2016 meeting.

### **Public Hearing # 16-10 – 2 Evergreen Road**

Mr. Wagner opened the public hearing at 7:35 PM. Leslie Mahoney, the architect for the project, described the design, the required setbacks, and other relevant information for the proposed addition.

Mr. Kozik asked what the proposed increased in square feet would be for the project.

Mr. Wagner asked what kind of siding would be used for the addition.

Ms. Mahoney indicated that vinyl siding would be used.

Mr. Kozik made a motion to close hearing #16-10 at 7:55 PM.

Mr. Hoffman seconded the motion.

The motion carried unanimously.

### **Deliberation**

- The Board found the application as requested meets ZBL sections 8.1.5, 8.3.3, and the mandatory findings of 10.3.5. The Board moved to have Adam Hoffman prepare a decision of approval with the following condition:
- Must be in compliance with most recently submitted architectural plans and plot plans filed on December 5, 2016 and have the same type of windows, siding, and roofing as the rest of the dwelling.

### **Decision # 16-11 – 62 Harris Street**

Mr. Wagner opened the public hearing at 8:15 PM. Mr. Stan Dillis, principal engineer from Ducharme and Dillis, introduced himself and his client to the board and described the proposed project. He explained that his client planned to demolish the existing dwelling, and then rebuild a larger dwelling that complies with current setback requirements.

Board members expressed uncertainty regarding the Board's authority within Bylaw Section 8.1.5 to allow for the demolition and reconstruction with a larger floor area ratio than previously existed, specifically to approve the replacement of the existing structure with a new structure that is twice the size. The Board also felt that the new proposed structure would be too large in comparison to the existing structure.

The owners explained that if they were unable to go forward with the process, they would not be able to sell the house as is. It has been on the market for a number of months, and is not desirable because it is unsafe and is poorly located on the lot.

Mr. Hoffman made a motion to continue hearing #16-11 to January 9<sup>th</sup>, 2017 at 8:00 in Room 126 in the Acton Town Hall.

Mr. Kozik seconded the motion.

The motion carried unanimously.

#### **Public Hearing # 16-12 – 11 Orchard Drive**

Mr. Wagner opened the hearing at 9:00 PM.

Bill Sturtz, from Start to Finish Construction, represented the owners of 11 Orchard Drive. He informed the Board that the owners would like a small addition, and to completely remodel the inside of their home. The proposed addition would add an additional 26% of gross floor area to the existing dwelling instead of the allowed 15% that is allowed by right.

Mr. Wagner asked what kind of siding would be used on the addition.

Mr. Sturtz explained that it would be matching vinyl.

Mr. Kozik made a motion to approve the special permit for hearing # 16-12 to be constructed as shown in the plans as submitted December 5, 2016.

Mr. Hoffman seconded motion.

The motion carried unanimously.

Mr. Wagner made a motion to close the hearing at 9:15PM

Mr. Hoffman seconded the motion

The motion carried unanimously.

**Deliberation**

- The Board found the application as requested meets of the requirements of ZBL section 8.1.5 and the mandatory findings of 10.3.5. The Board moved to have Ken Kozik prepare a decision of approval with the following condition:

Must be in compliance with most recently submitted architectural plans and plot plans filed on December 5, 2016. The meeting adjourned at 9:30 PM.