



## **Zoning Board of Appeals**

Meeting Minutes

March 4, 2019

7:30 PM

Room 126, Acton Town Hall, 472 Main Street

Zoning Board of Appeal members in attendance: Ken Kozik, Adam Hoffman, Emilie Ying

Absent: Suzanne Buckmelter, R. Scott Robb (wasn't officially sworn in)

Also present: Robert Hummel, Assistant Town Planner

### **1. Opening**

Chair, Ken Kozik opened the meeting at 7:34 p.m.

### **2. Regular Business**

The meeting minutes from the Acton Zoning Board of Appeals February 21, 2019 meeting were reviewed and approved by a vote of 3-0, with no amendments.

### **3. New/Special Business**

#### 7:35 PM Public Hearing –257 Central Street Special Permit

Mr. Kozik opened the public hearing at 7:36 PM. Mr. Attias, the applicant introduced himself and his plans for the special permit request for a residential duplex. Mr. Gannon, from Stamski and McNary presented the plans to the board and how they are planning to address the drainage for the project. Mr. Watts, the owner addressed the staff comments that were provided for the meeting.

The Zoning Board of Appeal asked Mr. Hummel why the applicant was in front of the ZBA. Mr. Hummel explained that a special permit is required for a two-family dwelling in the Village Residential zoning district. The Zoning Board of Appeal discussed the Design Review Board and other interdepartmental memos and comments, and the board members provided their feedback to the applicant.

Mr. Kozik opened the floor to the public for comments. There were question for the applicant regarding the size of the duplex, the required setbacks, and the proposed septic system. The members of the public expressed that they wanted to see some design changes to the proposed duplex building.

Mr. Hummel described his review memo and the board discussed the alternate location of the duplex. Mr. Kozik reviewed the mandatory findings in Section 10.3 of the Zoning Bylaw.



The applicant requested a continuation of the public hearing and the board accepted his request. The Board suggested meeting that the applicant meet with the Planning Staff and the Design Review Board to review the plans again.

Mr. Hoffman moved to continue the public hearing to April 8, 2019, 7:30 at Acton Town Hall, Room 126. The motion was seconded by Ms. Ying. The Board unanimously (3-0), approved the motion.

7:45 PM Public Hearing –155 Summer Street Variance

Mr. Kozik opened the public hearing at 9:08.

Mr. Ringwall introduced his variance request and the new applicant for the project. Mr. Ringwall explained the background on why he and the applicant were in front of the ZBA again for a setback variance for a house at 155 Summer Street.

The board reviewed the mandatory findings in section 10.5.5. The board asked Mr. Ringwall, what would be the size of the dwelling if the board enforced the required 45 foot front yard setback. Mr. Ringwall explained that the final product would not be aesthetically pleasing and it would box in the proposed building into a very tight footprint.

A motion to close the hearing was made by Adam Hoffman and seconded by Emily Ying and approved by a vote of (3-0).

The board agreed that the lot in question is affected by topography of the lot and that it was unique for the surrounding zoning district.

Ms. Ying made a motion to approve the Variance #19-03. Mr. Hoffman seconded the motion. The motion carried unanimously by all members present.

Review of Post Office Crossing (Jasmine Circle) Decision Amendment #1

The Planning Division had drafted an amendment to Comprehensive Permit #13-06 with the Board's conditions that they expressed at February 21th ZBA meeting.

Mr. Kozik made a motion to approve the amendment to the Comprehensive Permit #13-06 as presented. Mr. Hoffman seconded the motion. The motion carried unanimously by all members present.

**4. Adjournment**

At 10:00PM, Mr. Hoffman, moved and Ms. Ying seconded to adjourn the meeting.

The motion was approved unanimously.



Materials used during the meeting: <http://doc.acton-ma.gov/dsweb/View/Collection-10510>

Location: Home > Board of Appeals > Board of Appeals > Meeting Info > 2019 Meeting Information > 03-04-19 Meeting Information > 19-02-257 Meeting Information

### 03-04-19 - Meeting Information

<input type="checkbox"/> Type	Title	Owner	Modified Date	Size	Actions
<input type="checkbox"/>	<a href="#">19-02 - 257 Central Street USP</a>	planning	01/29/19	3	
<input type="checkbox"/>	<a href="#">19-01 - 15B Summer Street Variance</a>	planning	01/30/19	2	
<input type="checkbox"/>	<a href="#">Post Office Crossing</a>	planning	02/27/19	2	
<input type="checkbox"/>	<a href="#">3-8-19 ZBA Agenda</a>	planning	03/08/19	201 KB	
<input type="checkbox"/>	<a href="#">DRAFT 3-21-19 Zoning Board of Appeals Minutes</a>	planning	03/09/19	16 KB	

Location: Home > Board of Appeals > Meeting Info > 2019 Meeting Information > 03-04-19 Meeting Information > 19-02 - 257 Central Street USP > Meeting

### 19-02 - 257 Central Street USP

<input type="checkbox"/> Type	Title	Owner	Modified Date	Size	Actions
<input type="checkbox"/>	<a href="#">Application</a>	planning	01/08/19	3	
<input type="checkbox"/>	<a href="#">Public Comments</a>	planning	01/09/19	2	
<input type="checkbox"/>	<a href="#">Staff Comments</a>	planning	01/09/19	4	

Location: Home > Board of Appeals > Meeting Info > 2019 Meeting Information > 03-04-19 Meeting Information > 19-02 - 257 Central Street USP > Application Listing

### Application

<input type="checkbox"/> Type	Title	Owner	Modified Date	Size	Actions
<input type="checkbox"/>	<a href="#">Architect Plans Submission</a>	planning	01/29/19	9 KB	
<input type="checkbox"/>	<a href="#">SDS LOT2</a>	planning	01/29/19	609 KB	
<input type="checkbox"/>	<a href="#">Special Permit Application</a>	planning	01/29/19	4 KB	



Location: Home | Board of Appeals | Meeting Info | 2019 Meeting Information | 03/04/19 - Meeting Information | 1V02 - 257 Central Street SAR | Public Comments Listing

## Public Comments

Edit Selected... <span style="margin-left: 20px;">Add...</span>					
	Type	Date	Modified Date	Size	Actions
<input type="checkbox"/>	Josh Spero	planning	02/25/19	79 KB	<span>...</span>
<input type="checkbox"/>	Joshua and Ellen Spero comments 2	planning	02/26/19	79 KB	<span>...</span>

View as Details | Public Record Memo | Email | Print | Staff Record Memo | 2019 Meeting Information | 03/04/19 - Meeting Information | 1V02 - 257 Central Street SAR | Public Comments Listing

## Staff Comments

Edit Selected... <span style="margin-left: 20px;">Add...</span>					
	Type	Date	Modified Date	Size	Actions
<input type="checkbox"/>	Planning comments	planning	02/28/19	2 KB	<span>...</span>
<input type="checkbox"/>	AWD Comments	planning	02/22/19	112 KB	<span>...</span>
<input type="checkbox"/>	DRB - 257 Central Review Update	planning	02/25/19	11 KB	<span>...</span>
<input type="checkbox"/>	DRB Project Memo 257 Central Street -1-16-2019	planning	01/26/19	150 KB	<span>...</span>
<input type="checkbox"/>	Engineering Department Memo	planning	02/19/19	10 KB	<span>...</span>
<input type="checkbox"/>	Health Division Comment	planning	02/27/19	162 KB	<span>...</span>



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## Planning comments

<input type="checkbox"/>	Type	Title	Owner	Modified Date	Size	Actions
<input type="checkbox"/>	PDF	5354 ANR FF.pdf	planning	5/23/19	37 KB	
<input type="checkbox"/>	PDF	Planning Memo	planning	5/23/19	214 KB	

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## 19-03 - 155 Summer Street Variance

<input type="checkbox"/>	Type	Title	Owner	Modified Date	Size	Actions
<input type="checkbox"/>	Application	Application	planning	5/10/19	2	
<input type="checkbox"/>	Public Comments	Public Comments	planning	5/10/19	0	
<input type="checkbox"/>	Staff Comments	Staff Comments	planning	5/10/19	0	



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### Application

Edit Selected... Add...

Type	File	Date	Modified Date	Size	Actions
	Plans	planning	02/01/15	2.483	
	ZBA Applications	planning	02/01/15	0.163	

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### Public Comments

Edit Selected... Add...

The administrator does not have any comment or plan document permission to view the content in this section. Depending on your administrator permission, you can use the Add icon to add content.

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### Staff Comments

Edit Selected... Add...

Type	File	Date	Modified Date	Size	Actions
	#15-15 153-155 Summer Street Approved Variance	planning	02/07/15	153 KB	
	#19-03 155 Summer Street ZBA Variance Planning Memo	planning	02/07/15	122 KB	
	Engineering Memo	planning	02/07/15	19 KB	
	Health Division Comment	planning	02/07/15	184 KB	
	Variance #15-05 file	planning	02/07/15	0	



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## 03 - 153-155 Summer Street - Variance - Hearing #1-15

<a href="#">Edit Selected...</a>	<a href="#">Add...</a>					
<input type="checkbox"/>	Type: <a href="#">DW</a>		Date:	Submitted	Size:	More
<input type="checkbox"/>	<a href="#">Staff Comments</a>		planning	11/08/15	1	
<input type="checkbox"/>	<a href="#">153-155 Summer Street Variance - Application</a>		planning	11/08/15	2 MB	
<input type="checkbox"/>	<a href="#">153-155 Summer Street Variance - ZBA Plan</a>		planning	11/08/15	2 MB	
<input type="checkbox"/>	<a href="#">153-155 Summer Street - AMR Plan</a>		planning	11/08/15	2 MB	

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## Staff Comments

<a href="#">Edit Selected...</a>	<a href="#">Add...</a>					
<input type="checkbox"/>	Type: <a href="#">DW</a>		Date:	Submitted	Size:	More
<input type="checkbox"/>	<a href="#">153-155 Summer Street Variance Planning Memo</a>		planning	11/08/15	114 KB	
<input type="checkbox"/>	<a href="#">Engineering Memo - 153 - 155 Summer Street</a>		planning	11/08/15	70 KB	

Respectfully Submitted,  
Robert Hummel  
Assistant Town Planner