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**MINUTES OF THE HEARING ON THE PETITION OF  
50 NEWTOWN ROAD, FOR A SPECIAL PERMIT**

**HEARING #14-04**

A public hearing of the Acton Board of Appeals was held on Monday, June 2, 2014 at 7:30 pm in Room 126 of Town Hall on the petition of Diana Cobb, 50 Newtown Road, for a **SPECIAL PERMIT** under Section 8.1.5 of the Zoning By-law to allow the construction of a kitchen addition on a non-conforming lot that will increase the size of the structure by 15%.

Present at the hearing were Ken Kozik, Chairman; Jonathan Wagner, Member; Richard Fallon, Member; Scott Mutch, Zoning Enforcement Officer, Cheryl Frazier, Board of Appeals Secretary and the petitioner Dianna Cobb.

Ken opened the hearing, read the contents of the file which included an application, an abutters list with returned green cards, a public hearing notice, a legal ad, a homeowner affidavit, a third party billing authorization, an interdepartmental memo from the Zoning Enforcement Officer, an IDC from the Engineering Department, detailed plans and a CD Rom containing the information.

Ken asked the petitioner to begin.

Dianna Cobb began by stating she's lived in the house for seventeen years with a small kitchen that needs repair and wants to bump out the kitchen in the back of the house and didn't realize she had a non-conforming lot until she went to apply for a building permit. She's worked with an Architect and has looked at this for over two years so she is looking for the board's approval to build this as designed.

Ken said the existing property has a gross floor area ratio of around 1900 square feet and under the zoning bylaw because of the non-conforming lot she gets 15% of that without a special permit and that's 285 square feet and they want 387 so it's 72 square feet more. Rich asked Scott about the non-conformity. Scott said the lot is approximately 320 square feet short of being compliant. Rich asked if all the setbacks would still be maintained. Jon asked her if there would be any change in the plans submitted as far as the size of the bump out. She said no it would not be any larger than what they are proposing. Scott said all setbacks would remain the same.

Ken asked the only abutter present if she had any comment. There was only one neighbor present and she was in favor of the addition.

The hearing was closed.

After a brief deliberation of the board discussed if the proposed change would be substantially more detrimental to the neighborhood. All three members agreed that it was not more detrimental

The board voted unanimously to **GRANT** the **SPECIAL PERMIT**.

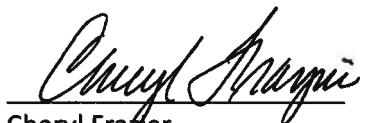
Jon Wagner to write.

Respectfully submitted,



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Kenneth F. Kozik  
Chairman, Board of Appeals



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Cheryl Frazer,  
Secretary, Board of Appeals