



ACTION ZONING BOARD OF APPEALS
Minutes of Meeting
1/7/2020
7:30PM
Acton Town Hall
472 Main Street
Room 204

Board of Appeals members in attendance: Ken Kozik, Adam Hoffman, R. Scott Robb (via remote participation)
Also present: Kristen Guichard, Senior Planner; Vivian Birchall, Administrative Assistant

1. Opening

Chair, Ken Kozik opened the meeting at 7:30 p.m. He informed all that board member, Scott Robb, would be participating remotely during the meeting, due to the geographical distance greater than 20 miles between the meeting room, and where he is in California.

2. Regular Business

2.1 Approve previous meeting minutes

After review of the 12/09/2019 minutes, Mr. Hoffman moved, and Mr. Robb seconded. Mr. Kozik took a roll call vote: (Mr. Robb - aye, Mr. Hoffman – aye, Mr. Kozik – aye) Board unanimously (3-0) approved the minutes.

2.2 Address the Outstanding OML Determination Letter by the Attorney General

Senior Planner, Kristen Guichard referred the Board to the updated meeting minutes of December 10, 2018 in their packets and explained the request from the Attorney General's Office in their letter to the Board dated December 19, 2019. The Board by roll call vote was in agreement that at their duly noted public meeting of February 13, 2019 the Board updated its December 10, 2018 meeting minutes to include the start time of 7:30PM on the top right header of the minutes (however they noted the start time was already noted on the fourth line of the meeting minutes) and that the revised minutes were sent to the Town Clerks office on February 14, 2019 and posted that same day at 10:14AM. The Board unanimously agreed they had already addressed this issue and for Town staff to relay their findings to the Attorney General's Office. Mr. Kozik took a roll call vote: (Mr. Robb - aye, Mr. Hoffman – aye, Mr. Kozik – aye)

3 New/Special Business

ZBA 19-15 251 Pope Road - Special Permit

The Chair of the Board, Mr. Kozik, opened the public hearing at 7:41pm. He explained the public hearing process.

The applicant's attorney presented an overview of the application for a special permit to build an accessory apartment on a non-conforming lot in excess of the 15%. The applicant's attorney noted how the plan met the mandatory findings of ZBL Section 10.3.5: the addition accommodates an accessory apartment to assist two long-time Acton residents to age in place, the addition is consistent with all other dimensional regulations, the addition does not render the property larger than other homes in the immediate area or neighborhood, the addition is in the rear of the property behind the house and the shed is setback more than the required distance to the side yard and front yard.

The abutter at 255 Pope Road raised concerns about reduction in her property value due to the loss of privacy when the applicant cut trees on their property; unpleasant view after the addition and shed installation; potential flooding to her property if the applicant raised the grade higher than her property to accommodate the shed; the number of cars the applicant will park outside.

After Board discussion, the Board asked the applicant to provide additional information including detailed architectural plans from each side of the addition, an architectural plan showing the shed, and a plan showing the proposed grading for the shed and drainage projections.

The applicant agreed to a continued hearing date of February 4th at 7:15 PM

Mr. Hoffman moved, Mr. Robb seconded to continue the public hearing to February 4, 2020, 7:15pm at the Town Hall, Room 204. . Mr. Kozik took a roll call vote: (Mr. Robb - Aye, Mr. Hoffman – Aye, Mr. Kozik – Aye)

Motion carries

4 Administrative Updates

Ms. Guichard announced that the Town will be holding a public forum for the Housing Production Plan on January 30th at 7PM in Room 204.

The Board decided in favor of going paperless and view all meeting documents electronically. The planning office will provide big plans submitted by the applicant, as needed, for reference during the meetings.

5. Adjournment

At 8:45PM, Mr. Robb moved and Mr. Hoffman seconded to adjourn the meeting. Mr. Kozik took a roll call vote: (Mr. Robb - aye, Mr. Hoffman – aye, Mr. Kozik – aye) The motion was approved unanimously.

Documents used during this meeting

- Agenda
- Draft 12-07-19 Zoning Board of Appeals Minutes
- Final 12-10-2018 Zoning Board of Appeals Minutes- Revised
- Outstanding OML Determination Letter by the Attorney General
- Application for a Special Permit for 251 Pope Road
 - Abutter's List
 - Plans
 - Special Permit Application Application
- Planning Department Memo
- Health Department Comments
- Abutter's letter from Suzanne Steffens

Link to docushare: <http://doc.acton-ma.gov/dsweb/View/Collection-11657>

Respectfully Submitted,

Vivian Birchall
Land Use Department