



ACTION ZONING BOARD OF APPEALS
Minutes of Meeting
08/04/2020
6:30PM
Virtual (Zoom) meeting

Board of Appeals members in attendance: Ken Kozik (Chair), Adam Hoffman, R. Scott Robb
Also present: Robert Hummel, Assistant Town Planner

1.0 Opening

Chair, Ken Kozik opened the meeting at 6:30 p.m. He read the guidelines for virtual meeting.

He called the roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye

1.1 Approve previous meeting minutes

Mr. Robb moved and Mr. Kozik seconded to approve the 07/20/2020 minutes with an amendment to include the word “Minutes” to section 1.1 b)..

The Chair called roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye

The board unanimously approved the amended minutes.

1.2 Election of Officers

Mr. Robb moved, Mr. Hoffman seconded to vote Mr. Ken Kozik as the ZBA Chair for the next year. The motion was unanimously approved. The Chair called roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye. The vote was unanimously.

2.0 New/Special Business

2.1 ZBA 19-07/19-11 Combined Public Hearing Continuation - Comprehensive Permit Application for land located at 90 School Street, 4 Piper Lane, 4 Piper Lane Rear, and 6 Piper Lane Acton, MA, Map H3-A parcels 3, 3-1, 3-2, and 17. (Continued to September 9, 2020 at 7:45 PM)

2.2 ZBA 20-02 Continued Public Hearing, Comprehensive Permit application for “The Apartments at Powder Mill”, 2, 4 & 12 Powder Mill Road

The Chair of the Board, Mr. Kozik, re-opened the public hearing at 6:41pm. He explained the public hearing process.

The board reviewed the draft decision that was prepared by planning staff.

Comments/requests from the Board

- Discussed with the applicant about the number of EV charging stations that would be sufficient in the future and the applicant suggested that more stations could be installed with increasing demand

The Town of Maynard's Town Planner expressed concern about the Department of Public Works road access and requested for a plan that shows drive way access between the Powder Mill project and neighboring Maynard properties. He wanted it to show this relationship is going to work regarding traffic and drive way access and give the town of Maynard time to review the plan for the driveway access between the two towns.

The applicant's team confirmed that the applicant did a traffic study in 2017 and it was shared with both the Town of Acton Engineer and Town of Maynard's consultant who reviewed it and felt there would be no major impact.

The applicant's attorney confirmed to the board that he was okay with all departmental comments and the draft decision as presented.

With these comments, at 7:24pm, Mr. Hoffman moved, Mr. Robb seconded and the board unanimously voted (3-0) to close the public hearing.

The Chair called roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye

Deliberations:

The board discussed that the project met all the bylaw requirements and the applicant had integrated the public, staff and board comments.

At 7:26pm, Mr. Hoffman moved, Mr. Robb seconded and the Board unanimously voted (3:0) to approve the project and grant the comprehensive permit with conditions shown in the decision that was presented at the 08/04/2020 meeting

The chair called roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye

The vote was unanimously

2.3 ZBA 20-05 Continued Public Hearing, Comprehensive Permit application for "Grandview Acton" at 361 and 363 Great Road.

Confirm Mr. Hoffman's "Mullin Rule" certification

Confirmed and certified by Mr. Hoffman.

The Board reviewed the draft decision written by the staff. Mr. Hoffman requested and the applicant agreed to add one more corner affordable unit. The applicant also informed the board that affordable units had been distributed on all floors of the complex to comply with the request for a fair distribution of the units.

Mr. Jon Benson, a member of the Board of Selectmen explained the significance of the project to meeting the needs of senior citizens who want to down size in Acton.

At 8:05pm, Mr. Robb moved, Mr. Hoffman seconded and the board unanimously (3:0) to close hearing 20-05. The chair called roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye

Deliberation:

The Board discussed to modify the plans to show 2 corner affordable units and the sidewalk contributions

At 8:08pm, Mr. Robb moved, Mr. Hoffman seconded and the board unanimously voted (3:0) to approve the project subject to the amended conditions in the revised draft decision presented and discussed at the 08/04, 2020 meeting.

The Chair called roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye

The Board unanimously (3-0) approved project.

2.4 ZBA 20-09 Public Hearing, Special Permit application for a barn at 66 School Street

The chair opened the meeting at 8:09pm

He invited the petitioner to present an overview of the application for a special permit to build a barn on a non-conforming lot. The Board and public did not have additional questions after the presentation

At 8:20pm, Mr. Hoffman moved, Mr. Robb seconded and the board unanimously (3:0) voted to close the public hearing. The Chair called roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye

Deliberations:

The board discussed that the project met all the bylaw requirements.

At 8:22pm, Mr. Hoffman moved, Mr. Robb seconded and the Board unanimously voted (3:0) to approve the project and grant the special permit with condition that the project be built significantly as presented at the August 4, 2020 meeting.

The Chair called roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye

Mr. Hoffman to write the decision

2.5 Review and Vote on ZBA 20-08 960-962 Main Street Decision

The board reviewed the draft decision and had no comments or changes to the draft decision presented at the 08-04-2020. At 8:26pm, Adam moved and Scott seconded to approve the decision for hearing ZBA 20-8. The motion was unanimously (3-0) approved

The Chair called roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye

3.0 Adjournment

At 8:27pm, Mr. Robb moved and Mr. Hoffman seconded to adjourn the meeting. The motion was approved unanimously.

The Chair called roll. Adam Hoffman – Aye; Scott Robb – Aye; Ken Kozik – Aye

Meeting adjourned.

Documents used during this meeting

- Agenda

- Powder mill Apartments LLC Comprehensive Permit - draft decision
- Town Department Comments
- Planning Division Memos
- Public Comments and Emails
- 960-962 Main Street ZEO Appeal draft decision
- Town of Maynard Comments
- Engineering Peer Review Comments
- Grand View Apartments comprehensive permit - draft decision
-

Link to docushare: <http://doc.acton-ma.gov/dsweb/View/Collection-11674>

Respectfully Submitted,
Vivian Birchall
Land Use Department