



**MINUTES OF THE HEARING ON THE PETITION OF
KEITH VILLA FOR A SPECIAL PERMIT, 171 MAIN STREET**

HEARING # 13-03

A public hearing of the Acton Board of Appeals was held on **Monday, August 5, 2013** in Room 126 of the Town Hall on the petition of Keith Villa, for a **Special Permit** under **Section 8.1.5** of the Zoning by-law to allow a 234 square foot deck to be built on an existing home on a non-conforming lot. The property is located at 171 Main Street, MapG2A/Parcel 34.

Present at the hearing were members, Ken Kozik, Chairman; Jonathan Wagner, Member; Richard Fallon, Clerk; Cheryl Frazier, Board of Appeals Secretary; and Scott Mutch, Zoning Enforcement Officer. Also present at the hearing was the petitioner, Keith Villa.

Ken Kozik read the contents of the file which included a letter from the Zoning Enforcement Office. Ken asked the petitioner to begin.

Keith Villa, petitioner said he originally filed for a building permit six years ago. He tore off the existing porch that was there, put in footings which were inspected and approved by the building department but didn't have the money to put the deck on. He finally got the money to put the deck on not realizing that the bylaws had changed so now the deck is non-conforming. He's off by 28 square feet. There isn't enough frontage or overall square footage on the lot. Ken asked if the deck he's proposing is the same size as what was torn off. He told Ken the deck is 234 square feet and he is only allowed 207 square feet so he's looking to have the extra 28 square feet.

Ken asked Scott if the Planning Department has an opinion in respect to this. Scott said they have no objections to the application but it does require the Special Permit under section 8.1.5.

Ken asked for a motion to close the hearing #13-03. It was so moved. The hearing was closed.

The Board voted unanimously to **GRANT** the **SPECIAL PERMIT (Hearing #13-03)** subject to the conditions that it is 234 square feet and built substantially as shown in the plans submitted.

Jonathan Wagner to write decision.

Respectfully submitted,

Kenneth F. Kozik
Chairman, Board of Appeals

Cheryl Frazier,
Secretary, Board of Appeals

R E C E I V E D
AUG 13 2013

TOWN CLERK, ACTON