



## Acton Zoning Board of Appeal

Minutes of Meeting  
February 1, 2016  
Acton Town Hall  
Room 126

Zoning Board of Appeal members attending: John Wagner (Chair), Rick Fallon (Clerk), Adam Hoffman, and Suzanne Buckmelter. Also present: Roland Bartl Planning Director & Zoning Enforcement Officer and Kim Gorman, Planning Department Secretary.

Mr. Fallon opened the meeting at 7:30pm. Mr. Fallon went over the procedure for the meeting.

### **I. Citizens' Concerns**

Carolyn Keily, of Quail Ridge Development spoke about her concerns regarding the Town of Concord Nagog Pond Water Treatment Application and if the application should have filed for an amended variance through the Board of Appeals. Mr. Fallon noted that the Board only considers matters that are brought to the Board as formal petitions or applications and generally does not opine otherwise. Board members suggested that Ms. Keily follow up with the Board of Selectmen.

David Honn, Vice Chair of the Historic District Commission stated the HDC never received a copy of the West Acton Baptist Church variance application to review and questioning the appeal period.

### **II. Continuation – Hearing #15-17 to discuss the application for a Special Permit – 4 Larch Road**

Mr. Wagner recused himself from the public hearing. Mr. Fallon opened the public hearing as the acting chair. Mr. Fallon read the public notice. The builder, Mark Flanagan and the applicant, Michael Schick explained he is returning to the Board for a Special Permit for an expansion of more than 15% of his house, which is located on a non-conforming lot. He is returning with clearer construction plans. Mr. Schick stated he has filed his deed restriction per Board of Health requirement limiting the number of bedrooms. Mr. Schick explained the addition and compliance with dimensional requirements.

Mr. Fallon moved to close the public hearing; 2nd by Ms. Buckmelter: all in favor.

Board members deliberated.

Mr. Fallon moved to grant the Special Permit with conditions that the eave overhang shall not exceed 2 feet and that the homeowner must move the shed back 2' from the property line to comply with the zoning setback.

Ms. Buckmelter 2<sup>nd</sup>; all in favor.

Mr. Hoffman stated he will write the decision for issuance at the next meeting.

Mr. Hoffman excused himself from the next hearing (#16-01).

### **III. Public Hearing #16-01 to discuss the application for a Special Permit – 55 Maple Street**

Mr. Wagner opened the public hearing, reviewed the procedure, and read the public notice. Ms. Chiara Bubin explained her request for a Special Permit to allow an expansion of a single-family residential structure on a non-conforming lot.

Discussion was about building height, pitch point of the roof, symmetry of fenestration and compatibility with the neighborhood, and whether or not the existing cinderblock building was to be retained or removed.

Mr. Fallon moved to close the public hearing; 2<sup>nd</sup> by Ms. Buckmelter; all in favor.

Board members deliberated.

Mr. Wagner moved to approve the Special Permit with conditions that the addition must comply with the plans as submitted to retain and incorporate (not raze) the existing cinderblocks structure in the expanded building), that uniform the siding with a muted color wrap the old and new parts of the house, and that front windows must be arranged symmetrically.

Mr. Fallon 2nd; all in favor.

Mr. Wagner stated he will write the decision and it will be approved at the next meeting.

**IV. Consent Agenda**

The draft minutes of January 4, 2016 were approved as amended.

**V. Review and vote the decision #15-16 (270, 272, 274 Central Street – WABC)**

The decision was approved and signed.

**VI. Administrative Update**

Mr. Bartl stated the Kelley's Corner Improvement Initiative Forum will be held on February 4, 2016.

The meeting was adjourned at 9:35 pm.