



ZONING BOARD OF APPEALS  
TOWN OF CONCORD  
MEETING MINUTES  
FEBRUARY 12, 2026

Pursuant to notice duly filed with the Town Clerk, a virtual public meeting of the Board of Appeals was held on Thursday, February 12, 2026, at 7:00 p.m. Using the Zoom meeting platform.

Meeting ID: 897 3977 1900 Meeting Password: 046764

PRESENT:

Members:

Theo Kindermans, Chair  
Ravi Faiia, Vice Chair  
Elizabeth Dwyer Leonard  
Stephen Newbold, Associate Member

Kevin Pickering, Building Commissioner  
Christine Zale, Senior Planner

At 7:00 p.m., Chair Theo Kindermans opened the meeting with a roll call. Board members present were Mr. Faiia, Ms. Dwyer Leonard and Mr. Newbold.

**Public Hearings:**

**Heather Bensko, Therben Architecture, LLC (Applicant) on behalf of Joel and Sally Hughes (Owners) for a Special Permit under Zoning Bylaw Sections 6.2.13, 7.1.3 and 11.6 to demolish the existing nonconforming 440 sq. ft. detached garage and construct a new 770 sq. ft. two-story detached garage for a total gross floor area of 3,119 sq. ft. which exceeds the maximum floor area ratio by 432 sq. ft. at 196 Hubbard Street (Parcel #0356).**

Chair Kindermans opened the public hearing and reviewed the application.

Heather Bensko, the architect, presented a proposal to reconstruct an existing detached garage on its current footprint and add a modest second-floor bedroom and bathroom above it. The project does not expand the footprint or move the structure closer to property lines but extends an existing nonconformity vertically. The property is a legal nonconforming corner lot that already exceeds allowable floor area ratio, and the proposal adds a modest amount of additional floor area while remaining accessory to the single-family home.

The design maintains the scale of the garage to the main house, with materials intended to match the existing property. Access to the new second floor is provided by an exterior open stair within a fenced patio, avoiding further increases to floor area. The added space is not intended as a separate dwelling unit and includes no cooking facilities beyond a small wet bar.

Board members asked questions about the increase in height, proximity to property lines, window placement, and potential impacts on neighbors. The applicant noted that the height increase is modest, existing fencing provides screening, and proposed windows are smaller than existing ones. There was also discussion about preserving a tree near the property line and the potential impact of constructing a new foundation.

The board reviewed zoning considerations, particularly the need to justify exceeding the allowable floor area ratio and whether reasonable alternatives existed. While alternatives such as removing

the garage or redesigning the structure were mentioned, they would reduce functionality for the homeowners. Members generally viewed the proposal as modest, consistent with neighborhood character, and preferable to expanding the building footprint.

Additional discussion confirmed that the new space would function as a bedroom for the household rather than a rental unit, noting limitations such as lack of a second means of egress. The board ultimately supported the project, emphasizing its minimal impact, appropriate scale, and alignment with the surrounding area.

Chair Kindermans opened the hearing for public comment and there was none.

Ms. Dwyer Leonard motioned to approve the application of Heather Bensko, Therben Architecture, LLC (Applicant) on behalf of Joel and Sally Hughes (Owners) for a Special Permit under Zoning Bylaw Sections 6.2.13, 7.1.3 and 11.6 to demolish the existing nonconforming 440 sq. ft. detached garage and construct a new 770 sq. ft. two-story detached garage for a total gross floor area of 3,119 sq. ft. which exceeds the maximum floor area ratio by 432 sq. ft. at 196 Hubbard Street (Parcel #0356). Mr. Faiia seconded the motion. The motion passed unanimously by a roll call vote of (3-0).

### **Continued Public Hearing:**

**Sadi Muntasir (Applicant/Owner) for the renewal of a Special Permit under Zoning Bylaw Sections 5.3.15 and 11.6 to operate a tourist home at 219 Commonwealth Avenue (Parcel #2133).**

Chair Kindermans opened the public hearing and reviewed the application.

Sadi Muntasir explained that although he had tried to renew after one year, he had been told the permit lasted two years, so he submitted the renewal materials at the end of that period. He reported that the operation had been going well, had been helpful to his family, and that to his knowledge there had been no complaints. Building commissioner Kevin Pickering confirmed that there had in fact been no complaints.

Board members reviewed the prior decision and clarified the source of the confusion. The earlier permit had been granted for one year, but another condition stated that the permit would lapse in two years if not exercised, which likely led someone to mistakenly tell the applicant that it was a two-year permit. No board members raised substantive concerns.

With two years having passed without problems, the board indicated that it was comfortable extending the permit for a longer period this time.

Chair Kindermans opened the hearing for public comment and there was none.

Ms. Dwyer Leonard motioned to approve the application of Sadi Muntasir (Applicant/Owner) for the renewal of a Special Permit under Zoning Bylaw Sections 5.3.15 and 11.6 to operate a tourist home at 219 Commonwealth Avenue (Parcel #2133) for 3 years. Mr. Faiia seconded the motion. The motion passed unanimously by a roll call vote of (3-0).

### **Administrative Business:**

#### **Meeting Minutes: January 8, 2026**

Mr. Faiia motioned to approve the meeting minutes of January 8, 2026. Ms. Dwyer Leonard seconded the motion. The motion passed unanimously by a roll call vote of (3-0).

**There being no further business, the meeting was adjourned at 7:35 p.m.**

**Meeting Minutes Approved On: March 26, 2026**