



**ZONING BOARD OF APPEALS
TOWN OF CONCORD
Meeting Minutes
October 14, 2021**

Pursuant to notice duly filed with the Town Clerk, a virtual public meeting of the Board of Appeals was held on Thursday, October 14, 2021, at 7:00 p.m. using the Zoom meeting platform.

Meeting ID: 840 7447 0843 Meeting Password: 109125

PRESENT:

Members:

Elizabeth Akehurst-Moore

Ravi Faiia

James Smith, Chair

Thomas Swaim

Ray Matte, Building Commissioner

Heather Carey, Admin Assistant

Chair Smith called the meeting to order at 7:00 p.m.

Voting Members: Elizabeth Akehurst-Moore, Ravi Faiia, and James Smith

Public Hearings:

Concord Housing Authority, for a Special Permit and Site Plan Review under Sections 10, 11.6 and 11.8 of the Zoning Bylaw for a 2-unit Planned Residential Development at 365 Commonwealth Avenue (Parcel #2156).

Chair Smith opened the public hearing and reviewed the application. Rick Eifler, Chair of Concord Housing Authority appeared for the hearing and explained that the Housing Authority was given a parcel of land from the Town which they combined with 365 Commonwealth Avenue and are proposing to build a second smaller house on the lot. He presented the site plan showing the existing house and where the new house will be located. Mr. Eifler also presented the floor plans and elevations which showed a comparison between the existing house and new house. Chair Smith commented that the Board had received a recommendation letter from the Planning Board with various conditions and asked Mr. Eifler if the conditions were acceptable to the Housing Authority. Mr. Eifler confirmed that all the conditions were acceptable.

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

Chair Smith noted that there is a lot of support in town for all electric housing units and this is what is called for here. He also noted that they received a letter in full support of the project from the West Concord Advisory Committed and a thorough recommendation with conditions by the Planning Board. Ms. Akehurst-Moore agreed that the plan is comprehensive and well thought out and issues noted by Town Staff had been addressed. Mr. Faiia stated that there is a provision that the Natural Resources Commission is supposed to submit a report. Building Commissioner Matte explained that the NRC issued an Order of Conditions at their last meeting on October 6, 2021.

Mr. Faiia moved to approve the application of Concord Housing Authority, for a Special Permit and Site Plan Review under Sections 10, 11.6 and 11.8 of the Zoning Bylaw for a 2-unit Planned Residential

Development at 365 Commonwealth Avenue (Parcel #2156) with the condition that the Order of Conditions is received from Natural Resources and subject to the conditions from the Planning Board Recommendation Letter dated September 9, 2021. Ms. Akehurst-Moore seconded the motion. The motion passed (3-0) by a roll call vote.

Documents Used: Site plan, floor plans and elevations

Molly Moulton and Alex Lach, for a Special Permit under Sections 7.1.3 and 11.6 of the Zoning Bylaw to demolish existing 174 sq. ft. detached garage structure and construct a 519 sq. ft. addition on the existing 1,590 sq. ft. non-conforming dwelling on a non-conforming lot at 34 Fielding Street (Parcel #0331).

Chair Smith opened the public hearing and reviewed the application. Molly Moulton and Alex Lach appeared for the hearing along with Jay Walter the Architect for the project. Mr. Walter presented photos of the existing conditions and the proposed plot plan. He explained that the property is a corner lot and has a non-conforming setback along the right side of the house. Mr. Walter stated that they are proposing to remove an existing detached shed structure and construct a two-story addition to the rear of the house. Parking will be relocated from Fielding Street to Union Street, and a new entrance will be created off the back of the addition. He commented that the addition will extend the non-conformity but not increase it. Mr. Faiia asked if the partial enclosure of the front porch falls within the same footprint. Mr. Walter confirmed that it did.

Chair Smith opened the hearing for public comment.

Negar Taradji of 31 Willow Street asked how close the addition would be to their property. Mr. Walter noted that the existing shed will be remove and with the new addition, there will be more yard between the two properties.

Ms. Akehurst-Moore commented that the addition was modest and harmonious, and she was in favor of the proposal. Mr. Faiia commented that the addition only extends the non-conforming setback another 10 feet and argued that the project is less non-conforming with the removal of the shed. He noted that there is natural screening with the trees on the property line and was in favor of the project as well.

Ms. Akehurst-Moore moved to approve the application of Molly Moulton and Alex Lach, for a Special Permit under Sections 7.1.3 and 11.6 of the Zoning Bylaw to demolish existing 174 sq. ft. detached garage structure and construct a 519 sq. ft. addition on the existing 1,590 sq. ft. non-conforming dwelling on a non-conforming lot at 34 Fielding Street (Parcel #0331). Mr. Faiia seconded the motion. The motion passed (3-0) by a roll call vote.

Documents Used: Existing conditions photos, proposed plot plan, floor plans and elevations

Timothy and Patricia Dray, for a Special Permit under Sections 7.1.3 and 11.6 of the Zoning Bylaw to construct a 487 sq. ft. addition on the existing 2,477 sq. ft. non-conforming dwelling on a non-conforming lot at 252 Commonwealth Avenue (Parcel #2171).

Chair Smith opened the public hearing and reviewed the application. The homeowners, Tim and Patricia Dray appeared for the hearing. Mr. Dray explained that they have undergone a large rehabilitation project on the house and are proposing this 487 sq. ft. addition to add an additional bedroom and bathroom to the second floor. He explained that the addition will be added to the existing foundation, and they are not expanding the footprint of the house. Mr. Dray noted that with the additional square footage added to the home, the Gross Floor Area and Floor Area Ratio are still in conformance. Chair Smith clarified that this project doesn't extend the non-conformity. Building Commission Matte confirmed that they are not increasing the non-conformity and that only the height of this section of the house is increasing.

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

Ms. Akehurst-Moore noted that this addition is sensible, harmonious, and doesn't increase the non-conformity other than increasing the height. Mr. Faiia agreed. Chair Smith noted that this is a great project that improves the houses and doesn't have any impact on the neighborhood.

Mr. Faiia moved to approve the application of Timothy and Patricia Dray, for a Special Permit under Sections 7.1.3 and 11.6 of the Zoning Bylaw to construct a 487 sq. ft. addition on the existing 2,477 sq. ft. non-conforming dwelling on a non-conforming lot at 252 Commonwealth Avenue (Parcel #2171) finding that the addition is not substantially more detrimental to the neighborhood than the existing non-conformity. Ms. Akehurst-Moore seconded the motion. The motion passed (3-0) by a roll call vote.

Documents Used: Existing and proposed plot plan, existing and proposed plans and elevations

David Matheson, for a Special Permit under Sections 4.2.2.1 and 11.6 of the Zoning Bylaw for a two-family dwelling at 53 Hubbard Street (Parcel #0150).

Chair Smith opened the public hearing and noted that the Applicant has asked to continue the application the next meeting on November 18, 2021.

Ms. Akehurst-Moore moved to continue the application of David Matheson, for a Special Permit under Sections 4.2.2.1 and 11.6 of the Zoning Bylaw for a two-family dwelling at 53 Hubbard Street (Parcel #0150) to the November 18, 2021, meeting at 7:00 pm. Mr. Faiia seconded the motion. The motion passed (3-0) by a roll call vote.

Documents Used: None

Administrative Business

116 Conant Street –

Building Commission Matte explained that the wording for the Special Permit had been drafted and recorded with 3,202 listed as the square footage of the approved two-family dwelling. He noted that the actual square footage on the approved plans and materials and what was discussed during the Public Hearing is 3,602 sq. ft. The Board agreed that this was a mistake and determined that a note for the file showing this vote would be appropriate or a new decision could be drafted showing the correction if requested by the Applicant.

Mr. Swaim moved to approve a correction in square footage of the Special Permit of Bentley Building Corp., under Sections 4.2.2.1 and 11.6 of the Zoning Bylaw for a two-family dwelling and two detached 1-car garages at 116 Conant Street (Parcel #2258-1) noting that the correct square footage is 3,602 sq. ft. as specified on the approved plans and application materials. Ms. Akehurst-Moore seconded the motion. The motion passed (3-0) by a roll call vote.

Approval of Minutes for July 8, 2021

Mr. Faiia moved to accept the minutes for the July 8, 2021, meeting as submitted. Ms. Akehurst-Moore seconded the motion. The motion passed (3-0) by a roll call vote.

There being no further business, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Theo Kindermans, Clerk