



TOWN OF LINCOLN

MASSACHUSETTS

16 Lincoln Road, Lincoln, MA 01773
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Zoning Board of Appeals

Minutes

Thursday, February 4, 2016

Members Present: Joel Freedman, Co-Chair, David Henken, Co-Chair, Vinit Patel, Kathleen Shepard, Eric Snyder, David Summer

No new matters

Continuances:

Skenderian, Joesph and Amy, 24 Sunnyside Lane, M/P 113-18-0, for a special permit under section 4.4 to enclose an existing balcony to create a bedroom. Mr. Skendarian appeared before the Board and presented the previously requested revised zoning worksheet and it was accepted by the Board. The Board asked if the applicant was required to go before the Planning Board and he stated that he had already received their approval pending ZBA approval. There being no further questions a motion was made to close the public hearing, Unanimous. The Board discussed the addition of language that addresses the fact that this property is not likely to be approved for any future expansion and noted that the room being created by this decision was intentionally not approved in the previous decision to reduce the sq. footage.

Action: Motion to approve the special permit was duly made and approved, subject to a written decision and the terms and conditions of the decision.

Approved unanimously as follows: Joel Freedman – yea, David Henken – yea, David Summer – yea, Kathleen Shepard – yea Eric Snyder - yea.
David Summer is the decision writer.

Misra, Bijoy and Subarna, 180 Bedford Road, M/P 114-1-0, for a special permit for a 2nd floor addition of a bedroom, den and bathroom to a pre-existing non-conforming structure on a non-conforming lot under section 4.4 of the bylaw. Mr. and Mrs. Misra appeared with their architect, BD Nyak and presented new plans that removed the front balcony and also addressed the pitch of the roof that was requested at the last hearing. He also showed the windows proposed in the front matching the existing windows. BD Nyak went through all the changes and addressed the landscaping. He did not propose any new landscaping on the plans presented. The Board was not convinced that the existing landscaping was sufficient screening to mitigate the 2nd floor being requested. The hearing was opened to the public and Jeff Moore, 178 Bedford Road, spoke about the lack of landscaping and topography that he stated was 3 ft. higher on the Misra's property than his property. He presented a set of photos that included a photoshopped rendition of what he thought the addition would look like from his property. The Board discussed the submission and it became clear that the two homes were about 90 ft apart from foundation to foundation. Mr. Moore did not want support the addition and was asked by the Board what he thought would be proper mitigation should this project be approved. He stated that at the very least there should be the same screening that currently exist further back on the property consisting of pines. The Board discussed the screening brought up by the abutter. A motion was made to close the public hearing and seconded. Unanimous. The Board discussed the proper way to address the screening and decided to let the applicant work with the abutter to satisfy the Board's intent of staggered, natural screening of at least 4 evergreens to be approved by the Director of Planning.

Action: Motion to approve the special permit was duly made and approved, subject to a written decision and the terms and conditions of the decision.

Approved unanimously as follows: Joel Freedman – yea, David Henken – yea, David Summer – yea, Kathleen Shepard – yea Eric Snyder - yea.
David Summer is the decision writer.

Keka, Arben and Mariana, 157 Bedford Road, M/P 119-35-0, for a modification to a previously approved special permit. Mr. Keka appeared before the Board with his engineer, Russ Wilson. He submitted the requested estimate of the cost to move the septic system to the originally approved location. The estimate totaled \$60,000. The Board then went over the 7 issues identified at the last hearing. A/C units have been moved to front of the home which addresses one issue. The drainage swale was corrected to adhere to the approved plans which was another issue addressed at the last hearing. There was a slight change in the location of the driveway. Board took no issue with this change. The planting on the south side of the house and along the front did not conform to the plan and there was not to be any grass only ground cover. The Board did take issue with the south side of the house but was ok with the look of the front of the home. The Board would like to see this improved. The stone walls were extended beyond what was approved. The Board did not take issue with this extension of the stone walls. A diseased tree was removed and replaced. The Board was approving of this issue. The septic system was not placed in the approved location. There was much discussion on how this happened and should this be corrected, which is why the Board requested the estimated cost of moving the septic to the approved location. The Board felt that mitigation, at the least, would be appropriate. The Board decided a clear pin to mark the approved buffer zone shall be placed to delineate that zone. The grass on the south side of the home shall also be removed and replaced with natural ground cover and shall be approved by the director of Planning.

Action: Motion to approve the modification was duly made and approved, subject to a written decision and the terms and conditions of the decision. Approved unanimously as follows: Joel Freedman – yea, David Henken – yea, David Summer – yea, Kathleen Shepard – yea, Eric Snyder - yea. Joel Freedman is the decision writer.

Other Matters: The Board has made a recommendation to Board of Selectmen to fill the two vacant associate seats. The Board decided to not notify the applicants until after the Board of Selectmen act on the recommendation.

Decisions signed:

Singh, Sabita & Jensen Richard, 161 Concord Road

Donaldson, Nancy, 21 Trapelo Road

Approved Meeting Minutes 1/7/2016