



TOWN OF LINCOLN

MASSACHUSETTS

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Zoning Board of Appeals

Minutes

Thursday, July 7, 2016

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

Absent: Vinit Patel

New Matters:

Whitman, Nicholas/Shortsleeve, Catherine, 12 Granville Rd., M/P 137-17-0, for a Special Permit to construct a 1- story bedroom addition to the rear of a non-conforming house on a small and narrow non-conforming lot. Mr. Nicholas Whitman and Mr. Allen "Chip" Dewing from Dewing Schmid Kearns Architects appeared before the board and presented plans for the addition. The existing home is set back 6.4 feet from the eastern property line. The addition extends back from the existing structure, along the eastern side, further reducing the setback to 5.0 feet and further extending the length of the non-conformity. It was suggested that the addition be pushed back approximately an additional 2-1/2 feet from the property line from what was proposed. Mr. Dewing showed tentative alternative plans for the addition that maintains the existing, although nonconforming, side yard setback. The board requested new revised and dated plans, and a revised worksheet reflecting the new, further set back location of the

addition, and the Architect indicated he provide them within two weeks of the hearing. Diane Terry, an abutter, appeared and spoke in favor of the application. **Action:** Motion to approve the special permit was duly made and approved subject to review of the revised plans and worksheet and the issuance of a written decision and to the terms and conditions of the written decision. It was approved unanimously: David Summer – yea, Kathleen Shepard – yea, David Henken – yea, Joel Freedman – yea, Eric Snyder yea. Eric Snyder is the decision writer.

Du Toit, Gerard and Beth 155 Weston Rd., M/P 181-34-0, for a special permit to replace the attached greenhouse at the rear of the house with a slightly larger greenhouse. The property is conforming; however, the house is a legally nonconforming structure with respect to the front setback of the house. The proposed greenhouse does not affect the front setback. Mr. Tim Laferriere of Laferriere Construction Service appeared before the board on behalf of Gerard and Beth Du Toit and explained the proposed plans. A historical description was included with the application. The board asked Mr. Laferriere for a more complete worksheet to correspond with the proposed plan and he agreed to provide it within two weeks of the hearing. No one in the audience appeared or spoke regarding this special permit.

Action: Motion to approve the special permit was duly made and approved subject to review of the revised worksheet and the issuance of a written decision and to the terms and conditions of the written decision. It was unanimously approved as follows: David Henken – yea, Kathleen Shepard – yea, David Summer – yea, Bill Churchill – yea, Ron Chester – yea. Joel Freedman recusing himself. Bill Churchill is the decision writer.

Rosen, Seth and Lisa 53 Bedford Rd., M/P 134-17-0, for a special permit to replace the front entry porch with an enclosed mudroom. Seth Rosen appeared before the board to explain his proposed plan. Mr. Rosen noted that he went before the Historical Commission and after revising his original plan he received a Certificate of Appropriateness for the project. The board requested that Mr. Rosen re-do the worksheet to line up with the new proposed plan and he agreed to provide it within two weeks of the hearing. No one in the audience appeared or spoke regarding this special permit.

Action: Motion to approve the special permit was duly made and approved subject to review of the revised worksheet and the issuance of a written decision

and to the terms and conditions of the written decision. It was unanimously approved as follows: David Henken – yea, Kathleen Shepard – yea, David Summer – yea, Joel Freedman – yea, Eric Snyder – yea. Bill Churchill recusing himself. David Summer is the decision writer.

Continuances:

Williamson, Mary Alice, 15 Conant Rd., for the transfer and extension of an accessory apartment special permit. Zur Attias of The Attias Group Real Estate appeared on behalf of Mary Alice Williamson. At the original hearing in June, questions had been raised regarding parking at the property, and the board had requested a plan showing the on-site parking. Margaret and Richard Puffer of 10 Conant Rd. appeared before the board and again raised concerns regarding parking and related safety issues, especially relating to parking during construction at the property creating dangerous conditions on Conant Road. Mr. Attias listened to their concerns and expressed understanding and advised that they have completed their work and the parking issues should go away. He did mention that he would speak to Ms. Williamson about their concerns and ask them not to park on street in the future, and would suggest that she reach out to the neighbors and discuss the parking situation. The Board pointed out that the accessory apartment special permit conditions remain the same with parking limited to one car only for the apartment.

Action: Motion to approve the transfer of the special permit and its renewal was duly made and approved subject to the issuance of a written decision and to the terms and conditions of the written decision, with the renewal to extend the term for a period of three years from the date of expiration of the existing special permit. It was unanimously approved as follows: Joel Freedman – yea, David Henken – yea, Kathleen Shepard – yea, David Summer – yea, Eric Snyder - yea, Bill Churchill – yea.

Greenspun, Philip, 10 Beaver Pond Rd., for the transfer and extension of an accessory apartment special permit. The applicant requested a continuance of the hearing until September 8, 2016.

Action: Motion to approve the continuance of this hearing was duly made. It was unanimously approved as follows: Joel Freedman – yea, David Henken – yea,

Kathleen Shepard – yea, David Summer – yea, Bill Churchill – yea, Eric Snyder – yea.

Other Matters: Pamela Gallup, Housing Coordinator, Diana Chirta, Housing Commission Chair and Jennifer Burney, Director of Planning and Land Use appeared before the board to discuss proposed changes to the Accessory Apartment by-law and in particular to the provisions dealing affordable accessory apartments.

Decision signed: Robbat, 141 Old Concord Road

Minutes approved: April 16, 2016 and June 16, 2016