



# TOWN OF LINCOLN

MASSACHUSETTS

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## Zoning Board of Appeals

### Minutes

Thursday, May 16, 2019

Hearing

**Members Present:** Joel Freedman, Co-Chair, David Henken, Co-Chair, William Churchill, Kathy Shepard, David Summer, Eric Snyder, Tobias Brambrink and David Stifter.

#### **NEW MATTERS:**

**Ayr Muir, 1 Meadowbrook Road, M/P 172-25-0.** Request for a special permit to demolish an existing accessory garage and replace it with a new two-story garage with studio above. Ayr Muir and his architect, Keith Gross appeared before the board to explain the proposed project. They reported that the existing garage is in bad repair and needs to be replaced. The location of the garage is close to the wetlands, as is the replacement garage, and the Conservation Commission has asked that it be moved at least 15 feet away from the stream and they have complied with this. The board reviewed with the applicant the zoning worksheet figures, which needed to be updated. Mr. Gross explained the slightly larger footprint was due to larger width to accompany today's larger vehicles and the addition of stairs to the studio.

The board requested supplemental plans and elevations that show existing house with the garage and an overlay on the elevations showing the proposed project compared to the existing garage, so they can see what the change is. The board discussed with the applicant that the studio could not be used as an accessory apartment.

No one in the audience appeared or spoke.

**Action:** Motion to continue the hearing until June 13, 2019 was duly made. The motion was unanimously approved as follows: Joel Freedman – yea, David Henken – yea, William Churchill – yea, Kathy Shepard – yea, David Summer -yea and Eric Snyder – yea.

**Robert and Debra Campbell, 0 Baker Bridge Road, M/P 142-11-0.** Request for a variance for relief of the 250' width lot requirement of the By-Law 6.5.4 (e). Robert and Debra Campbell along with their architect, Tom Timko, of Copper Beech Design appeared before the board. The Campbell's have the property under agreement with the hope to build a home on the vacant lot. There are two areas on the property that meet the requirements to build but are not desirable due to grade or being too close to adjacent neighbors, Lovelane. They hope to move the house down closer to the front of the lot and towards the conservation land on the other side of the lot. The board discussed the standards for the granting of a variance from the by-laws' requirements, and the kind of showing needed from the applicant to support this sort of request. The board, after reviewing the submitted documents, requested additional information: a delineation of the of-right buildable areas of the lot, and sketch plans or analysis of what sort of a home could be constructed on the lot in compliance with the by-law; a septic plan, and a landscape plan showing what is there now and what would be eliminated, including topographic information, cuts for roads and for the building and trees and plantings. The plans submitted should show all proposed improvements, including the barn, shed and pool area is and what's around it.

Therese Oliver from Keller Williams Realty spoke in support of the project. Debby Sabin, Executive Director of Lovelane Special Needs Riding Program appeared and spoke in support of the Campbell's. Mark Goetemann, 20 Boyce Farm Road agreed that moving the house was logical and suggested the board tour the property to get a better sense of the area. Loveland gave permission for the board to visit the area.

**Action:** Motion to continue the hearing until June 13, 2019 was duly made. The motion was unanimously approved as follows: Joel Freedman – yea, David Henken – yea, William Churchill – yea, Kathy Shepard – yea, David Summer -yea and Eric Snyder – yea.

**9 Lewis Street Realty LLC, 9-11 Lewis Street, M/P 161-5-0.** Request for a modification to a special permit to modify or alter buildings and uses in a B-2 zoning district, to improve the buildings located on the property. John Michaud, Architect with Michaud Design Associates and Dickran Babigian, Mayer Tree Service appeared before the board and explained the project. The buildings on the property are all in need of repair. One building will be torn down and the two remaining will have alterations and improvements. Their hope is to make the property look better. The equipment stored on the property will now be inside the buildings. The board reviewed with the applicant the restrictions and conditions imposed on uses on this site under the previously issued special permit, as well as discussing the parking requirements of the by-law, for which this project seeks accommodation, and the use of the property, and operational issues .

Bayhas Kana, owner of 7 Lewis Street, spoke to the board regarding the fence, the property line and feels the project will make the area better. He noted that the backing up of trucks was a noise issue at times.

The board requested from the applicant a revised site plan showing the parking laid out in a way that is more consistent with the by-law requirements and adding landscaping and buffering screening. The board indicated that they would also need to go through the conditions of use in the existing special permit with some care, so determine if they are being met and if any changes are warranted.

**Action:** Motion to continue the hearing until June 13, 2019 was duly made. The motion was unanimously approved as follows: Joel Freedman – yea, David Henken – yea, William Churchill – yea, Kathy Shepard – yea, David Summer -yea and Eric Snyder – yea.

#### **CONTINUANCES:**

**Margaret Brown, 79 Old Sudbury Road, M/P 187-12-0.** Request for a special permit for an accessory apartment in an existing structure. Margaret Brown appeared before the board at this continuance hearing and updated the board on the new floor plan delineating the accessory apartment from the balance of the house. The board noted that the new plan showed extra rooms in the house that were not included in the accessory apartment, and noted those extra rooms cannot be use as a part of the accessory apartment, and access to those rooms from the apartment must be removed.

No one in the audience appeared or spoke.

**Action:** Motion to approve the special permit was duly made for a term of three years and approved subject to the written decision and the terms of the decision. The motion was unanimously approved as follows: David Henken – yea, William Churchill – yea, Kathy Shepard – yea, David Summer –yea.