



Hudson Board of Appeals

Town Hall

Hudson, Massachusetts 01749

Minutes of Meeting—May 10, 2018

The Hudson Board of Appeals met in the Selectmen's Hearing Room, 2nd Floor, Town Hall, Hudson, Massachusetts. At 7:00 PM, Vice Chairman Pietrasiak called the meeting to order.

Members Present: Lawrence Norris, Chairman ; Vice Chairman; Todd Pietrasiak, Vice Chairman; Member; Darja Nevits, Member; Jill Schafer, Associate Member; Jason Mauro, Associate Member; Pamela Cooper, Associate Member.

Staff: Kristina Johnson, AICP, Assistant Planning Director

Chairman Norris convened the meeting at 7:02 PM.

Petition #2018-06; 10 Gately Avenue

Present were: Louis and Heather Crowley, Petitioners
Eric Chaves, Petitioner

Chairman Norris read the public hearing notice for the above-referenced petition, which entails a request for a variance Section 6.2.1.3 of the Town of Hudson Zoning By-Laws to construct a single-story addition within the front yard setback. The subject property is located on 10 Gately Avenue, Assessors Map 26, Parcel 44 in the SB Zoning District.

Vice Chairman Pietrasiak, acting as Clerk read the right of appeal.

Chairman Norris outlined the format of the meeting and the procedures by which the Board must follow to issue a variance. He underscored that the Board is required to make specific findings relative to the soil, shape, and topography to waive the literal interpretation of the Zoning By-Laws.

Mr. Crowley (in the absence of his architect) walked through the proposed plans to construct a single-story addition, and also explained the rationale for the layout of the addition on the lot. Chairman Norris expressed concern that the petitioner had not satisfactorily illustrated the uniqueness of their lot as compared, and other members noted that the hardship presented appeared to be self-imposed.

After some questions regarding the exact dimensions of the property and lot lines, Chairman Norris, Vice Chairman Pietrasiak, and Jill Schafer asked the petitioner to clarify the exact measurement of the setback with the proposed addition. Vice

Chairman Pietrasiak measured the lot dimensions, which he believes indicated that the addition could fit within the required setback.

Chairman Norris directed the petitioner to engage the architect to investigate a design solution that would avoid any setback encroachment. The petitioner expressed his optimism that this could be achieved. As a placeholder, the Board agreed to continue the hearing until next month should the petitioner need to come back for the variance.

Chairman Norris moved to continue the public hearing for Petition 2018-10 until June 14, 2018 at 7:00 PM, seconded by Jason Mauro. 6-0-0. Unanimous.

Kristina Johnson requested that petitioner contact her after a design resolution has been reached. If a variance is not required, Ms. Johnson indicated that a letter requesting a withdrawal of the petition without prejudice be submitted to the Board.

Petition #2018-07; 13 Johnson Avenue

Present were: Jerry and Jessy Luz, Petitioners
Sean Barrows, Contractor

Chairman Norris read the public hearing notice for the above-referenced petition special permit pursuant to Section 5.2.6 of the Town of Hudson's Protective By-laws to construct a ± 730- square foot accessory dwelling unit. The subject property is located on 13 Johnson Avenue Assessors Map 6, Parcel 40 in the SA-8 Zoning District.

Vice Chairman Pietrasiak, acting as Clerk read the right of appeal.

Sean Barrows provided an overview of the proposed Accessory Dwelling Unit(ADU), and walked the Board through the components of the site plan. Mr. Barrows discussed in detail the orientation of the proposed unit and the location of the ingress and egress. Chairman Norris inquired about the total square footage of habitable space, to which Mr. Barrows indicated that only the bedrooms, living room, and kitchen are included in the habitable living space calculation, complying with the Zoning By-Laws.

Darja Nevits questioned how the ownership of the property , which in this instance is a Life Estate, plays into how the ADU is permitted. Members of the Board engaged in a discussion about this issue, and reached a general consensus that the By-Laws does not consider the type of ownership; it only considers whether the owner is living at the premise.

Chairman Norris asked if there were any comments from attendees in the audience. There were none. He also commended the Contractor for the quality of the plans.

Chairman Norris seconded by Vice Chairman Petresiak moved to enter deliberative session. 6-0-0. Unanimous.

Jill Schafer reiterated that the appearance should resemble the primary domicile and that the layout of the ADU should not look like a second home on the property.

Vice Chairman Petrasiak underscored his fondness of this by-law and that the proposed ADU is a good use of the by-laws.

Darja Nevits questioned whether the proposed ADU set up meets the literal definition of an accessory structure. Members of the Board engaged in a discussion about the definition of accessory unit.

Chairman Norris seconded by Vice Chairman Piestrasiak, moved to grant the special permit under Section 5.2.6 of the Town of Hudson's Protective Zoning By-laws and in accordance with the architectural plans dated April 9, 2018 by BDBD Homes, LLC to allow the petitioner to construct a ± 730- square foot accessory dwelling unit at 13 Johnson Avenue. 4-0-1

Chairman Norris seconded by Vice Chairman Todd Pietrasiak to come out of deliberative session. 6-0-0. Unanimous.

Minutes

Vice Chairman Pietresiak moved to approve the minutes of April 12, 2018. Seconded by Darja Nevits. 6-0-0. Unanimous.

Chairman Norris seconded by Vice Chairman Pietresiak moved to approve the minutes from the April 25, 2018 meeting. 6-0-0. Unanimous

Other Business

Chairman Norris brought to the Board's attention that MassHousing recently transmitted a draft report on the Matrix. He directed Kristina Johnson to canvass appropriate Departments for comments and feedback.

Adjournment

Vice Chairman Pietraisak moved to adjourn the meeting at 8:00 PM. Seconded by Dorothy Risser. 6-0-0. Unanimous.