



Town of Hudson

Zoning Board of Appeals

78 Main Street, Hudson, MA 01749
Tel: (978)562-2989 Fax: (978)568-9641
Email: kjohnson@townofhudson.org

Minutes of Meeting — February 10, 2022

Pursuant to the Chapter 20 of the Acts of 2021 Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, this meeting of the Hudson Zoning Board of Appeals was conducted via **remote participation**.

Chair Nevits called the meeting to order at 7:04 PM. She noted that the Board is convening remotely under the extension of the suspension of certain provisions of the Open Meeting Law relative to COVID-19. Before moving into the public hearings, she reminded the Board and meeting attendees that all votes will be taken as roll call voice votes and provided an overview of the flow of the meeting, and how/when members of the public can participate.

Chair Nevits called the roll.

Board Members Participating:	Darja Nevits, Chair Jill Schafer, Vice Chair Jason Mauro, Clerk Matt Russell, Member Ronald Sorgman, Associate Member
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Board Members Absent:	Pamela Cooper, Member
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Staff Members Participating:	Kristina Johnson, AICP, Director Amanda Molina Dumas, Assistant Planner
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Public Hearing – Petition 2022-03 – 74 Parmenter Road

Present: Marc and Lisa Foland, Applicants

Chair Nevits opened the public hearing for the above-reference petition and read the public hearing notice into the record. At this time the Board of Appeals will hear the request of Marc and Lisa Foland, requesting a Special Permit to construct an accessory dwelling unit pursuant to Section 5.2.6 of the Town of Hudson Protective Zoning By-Laws. The subject property is located at 74 Parmenter Road in the SA8 Residential Zoning District, Assessors' Map 59 Parcel 15. The Board may consider any action deemed necessary relative to the subject petition.

Mr. Mauro read the right of appeal. Chair Nevits explained the meeting flow and invited the petitioner to present an overview of the request.

Marc Foland, applicant, provided an overview of the request, seeking a special permit to construct an accessory dwelling unit at 74 Parmenter Road. The Board discussed if all of the ADU requirements have been met regarding a separate entrance, square footage of the unit, and off-street parking.

Chair Nevits inquired if any members of the public wished to offer any comments. No members of the public requested to speak on the petition.

Chair Nevits seconded by Jason Mauro moved to enter deliberative session. By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Ron Sorgman, Member: **yea**. 5-0-0. Unanimous.

During deliberative session, the Board unanimously agreed that the appropriate action relative to the subject petition is the issuance of a special permit under **Section 5.2.6** of the Town of Hudson Protective Zoning By-laws and the made the following findings:

FINDINGS OF FACT

1. The subject property is located within the SA8 Residential Zoning District;
2. The proposed Accessory Dwelling Unit complies with the Use Regulations per Section 5.2.6 of the Town of Hudson's Protective Zoning By-Laws;
3. The use will not have an adverse effect on present and future dwellings in the vicinity;
4. The use will not create traffic hazards of volume greater than the capacity of the street affected.

CONDITIONS

1. Any successor owner of the subject property shall file an occupancy affidavit with the Town of Hudson Building Commissioner to ensure compliance with Section 5.2.6.4 of the Town of Hudson Protective Zoning By-Laws.

Mr. Russell seconded by Jason Mauro moved to approve Petition #2022-03 and grant a Special Permit under Section 5.6.2 of the Town of Hudson's Protective Zoning By-Laws, to allow the petitioner to construct an accessory dwelling unit according to plans dated January 10, 2022, on the subject property located at 74 Parmenter Road.

By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Ron Sorgman, Member: **yea**. 5-0-0. Unanimous.

Chair Nevits seconded by Jill Schafer moved to leave deliberative session. By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Ron Sorgman, Member: **yea**. 5-0-0. Unanimous.

Public Hearing – Petition 2022-04 – 9 Old Bolton Road

Present: Lynette Regis-Tracy, Applicant

Chair Nevits opened the public hearing for the above-reference petition and read the public hearing notice into the record. At this time the Board of Appeals will hear the request of Lynette Regis-Tracy, requesting a Special Permit to construct an accessory dwelling unit pursuant to Section 5.2.6 of the Town of Hudson Protective Zoning By-Laws. The subject property is located at 9 Old Bolton Road in the SA8 Residential Zoning District, Assessors' Map 6 Parcel 37. The Board may consider any action deemed necessary relative to the subject petition.

Mr. Mauro read the right of appeal. Chair Nevits explained the meeting flow and invited the petitioner to present an overview of the request.

Lynette Regis-Tracy, applicant, provided an overview of the request, seeking a special permit to construct an accessory dwelling unit at 9 Old Bolton Road. The Board discussed if all of the ADU requirements have been met regarding a separate entrance, square footage of the unit, and off-street parking.

Chair Nevits inquired if any members of the public wished to offer any comments. No members of the public requested to speak on the petition.

Chair Nevits seconded by Matt Russell moved to enter deliberative session. By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Ron Sorgman, Member: **yea**. 5-0-0. Unanimous.

During deliberative session, the Board unanimously agreed that the appropriate action relative to the subject petition is the issuance of a special permit under **Section 5.2.6** of the Town of Hudson Protective Zoning By-laws and the made the following findings:

FINDINGS OF FACT

1. The subject property is located within the SA8 Residential Zoning District;
2. The proposed Accessory Dwelling Unit complies with the Use Regulations per Section 5.2.6 of the Town of Hudson's Protective Zoning By-Laws;
3. The use will not have an adverse effect on present and future dwellings in the vicinity;
4. The use will not create traffic hazards of volume greater than the capacity of the street affected.

CONDITIONS

1. Off-street parking for the accessory dwelling unit shall be located on the southerly side of the existing horseshoe driveway.
2. The current owner shall furnish an affidavit to the Town Clerk to demonstrate compliance with Section 5.2.6.4 of the Town of Hudson Protective Zoning By-Laws.
3. Any successor owner of the subject property shall file an occupancy affidavit with the Town of Hudson Building Commissioner to ensure compliance with Section 5.2.6.4 of the Town of Hudson Protective Zoning By-Laws.

Mr. Sorgman seconded by Matt Russell moved to approve Petition #2022-05 and grant a Special Permit under Section 5.6.2 of the Town of Hudson's Protective Zoning By-Laws, to allow the petitioner to construct an accessory dwelling unit according to plans dated October 26, 2021, on the subject property located at 9 Old Bolton Road.

By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Ron Sorgman, Member: **yea**. 5-0-0. Unanimous.

Chair Nevits seconded by Jason Mauro moved to leave deliberative session. By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Ron Sorgman, Member: **yea**. 5-0-0. Unanimous.

Public Hearing – Petition 2022-05 – 24 Stevens Road

Chair Nevits opened the public hearing for the above-reference petition and read the public hearing notice into the record. At this time the Board of Appeals will hear the request of Cynthia and Glenn MacDonald, seeking an Administrative Appeal pursuant to Chapter 40A, Section 13, to reverse the decision of the Hudson Building Commissioner denying a building permit for failure to comply with Section 5.8.1.2 (d) of the Town of Hudson Protective Zoning By-Laws for the proposed construction of a finished basement. The subject property is located at 24 Stevens Road in the M6 Zoning District and within the Retirement Community Overlay District, Assessors' Map 41 Parcel 536. The Board may consider any action deemed necessary relative to the subject petition.

On January 26, 2022, the applicant requested to withdraw the application without prejudice, as the building permit for the desired work was issued by the Building Commissioner.

Chair Nevits seconded by Matt Russell moved to accept the request to withdraw the application without prejudice. By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Ron Sorgman, Member: **yea**. 5-0-0. Unanimous.

Other Business – Informal interview with potential member

The Board informally interviewed Tony Mancini Jr., who expressed interest in serving on the Board. Mr. Mancini discussed his qualifications and background, and the Board provided information on the time commitment involved.

Chair Nevits seconded by Matt Russell moved to recommend to the Select Board the appointment of Tony Mancini for the Associate Member position on the ZBA. By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Ron Sorgman, Member: **yea**. 5-0-0. Unanimous.

Other Business – Review of annual reports from retail marijuana establishments

The Board reviewed the annual reports.

Minutes – January 13, 2022

Vice Chair Schafer seconded by Jason Mauro moved to approve the meeting minutes of January 13, 2022. By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Ron Sorgman, Member: **yea**. 5-0-0. Unanimous.

Adjournment

Chair Nevits seconded by Matt Russell moved to adjourn the meeting at 8:35 PM. By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Ron Sorgman, Member: **yea**. 5-0-0. Unanimous.