Call the Meeting to Order

Mr. Trefethen called the meeting to order at 7:00 PM. Mr. Trefethen stated that the meeting is being broadcast live by WACA, and asked if anyone else was recording the meeting. No one else was recording the meeting.

304-306 Union Street Special Permit Public Hearing

Mr. Trefethen opened the public hearing, explained that the special permit is for converting a two family into a four family home, and reviewed the applicable bylaws. Mr. Trefethen stated that the board has received an application, a document dated December 3, 2019 titled “Additional Information Required,” a list of abutters, a residential property record card, a quitclaim deed dated January 18, 2017, a plot plan prepared by David Teachout, a licensed professional land surveyor, and three elevations of the proposed building.

Attorney David Klick, and Karen Keegan of Guaranteed Builders, representing the applicants, presented the application. Mr. Klick explained that the previous structure had burnt down, and the property is located in the Neighborhood Commerce district, and is outside of flood zones. Ms. Keegan then presented the proposed new building which is two duplex units, both two stories, which have the same square footage as previous building. The buildings will face Clark Street, and will have two parking spaces per unit. The buildings have roof drainage, and the plan shows sewer, water and gas lines that will be connected to the street. The plan meets the required setbacks.

Mr. Siegel asked why the applicant wants to go from two to four units. Ms. Keegan replied that the owner wants to live in one of the units and rent out the rest of the units. Mr. Siegel clarified that there will be more residents in the same amount of space, which was confirmed. Mr. Klick stated that there were 12 bedrooms in the previous structure, and stated that the footprint size is not changing, but the location of the building is changing. Mr. Trefethen pointed out that the residential property card states that there were 6 bedrooms, 4 full bathrooms and a total of 3885 square feet in the previous building. Mr. Trefethen asked Mr. Klick to clarify how the building had many more bedrooms than the Town thought it had. Mr. Trefethen asked the applicants to clarify the foundation. Ms. Keegan stated that there will be two foundations, connected by a concrete foundation wall. Mr. Trefethen confirmed with the applicant that it will be one building because of the shared foundation. Mr. Matchak confirmed that the shared foundation creates one building. Mr. Trefethen asked about the new square footage of the previous and proposed buildings. Ms. Keegan stated that due to the building burning down, she can only refer to the residential property card for the square footage of the previous building, and that the square footage of the proposed building will be 4510 square feet. Mr. Trefethen stated that the property
card lists 3885 square feet for the previous building, so the proposed building is 600 square feet larger. Ms. Keegan commented that the proposal meets building coverage requirements. Mr. Trefethen shared that there are two considerations, the footprint with lot coverage, and volume, and that the volume has increased over the prior building. Hannah David, owner, stated that the volume is increasing by 10.9%.

Mr. Trefethen asked for the applicant to explain the project within the parameters of the special permit bylaw. Mr. Klick addressed the special permit criteria. He stated that the project meets community needs by adding two housing units, and that traffic is not a concern because the driveways are along Clark Street so there will be no cars backing out onto Union Street, and that the property has the potential for more parking in the back yard, as traffic was a concern at the February 5th abutter meeting hosted by the applicant. Mr. Siegel asked the applicant to clarify the parking, Mr. Klick stated that there will be four driveways that will fit two cars each that are on Clark St. Mr. Siegel asked for more information about the back area. Mr. Klick explained that it can be for additional parking, or spaces for trash cans, because trash was another concern raised at the abutters meeting. Mr. Trefethen asked about what would happen if a tenant has a third car since there are three bedrooms, and Mr. Klick stated that the lease will limit tenants to two cars. Mr. Klick, continuing with the special permit criteria, stated that the building will hook into utilities like the previous building did, and that it conforms with the community character because there are other four unit buildings in the area. Finally, Mr. Klick stated that there will be a nominal effect on the natural environment and that the project complies with storm water regulations.

Mr. Trefethen read the letter from Building Commissioner Mike Crisafulli into the record. Ms. Snellings commented that the letter incorrectly identifies the project as 8 units and 16 spaces, and the letter will need to be clarified by Mr. Crisafulli. Mr. Trefethen would like the applicant to have time to respond to the letter, so the amended letter will be sent to the applicants and the letter will be revisited at a later meeting.

Mr. Siegel asked if the building rendering was the total building, Ms. Keegan clarified that the rendering showed one building, and there will be two identical buildings. Mr. Trefethen asked about the height of the building. Ms. Keegan shared that there are updated plans that show the building height is 28 feet and 1 3/16 inches. Mr. Trefethen asked the updated plans be submitted to the ZBA for review. Mr. Trefethen asked which dwellings in the surrounding area are four unit dwellings. Mr. Klick identified 348 Union and 311-319 Union as four unit buildings. Mr. Trefethen asked Ms. Snellings to forward the abutter comments to the applicant.

Mr. Forestal asked about the project appearing in front of the Planning Board for Site Plan Approval. Mr. Matchak explained that the project will undergo that process if this special permit is approved. Mr. Siegel asked about how the other three units will be rented to families. Mr. Matchak read the zoning bylaw definition of “family,” which is “Any number of individuals living and cooking together on the premises as a single nonprofit housekeeping unit.” Mr. Klick explained families will be targeted through the leasing process. Mr. Siegel asked who the leasing agent will be, Mr. Klick replied that the owner will manage the leasing process.

Mr. Trefethen opened the meeting to public comment. Mr. Trefethen stated that a number of emailed comments have been submitted to the board.

Mary Schofield, 8 Clark St, shared that she is concerned that the addition of 8 traffic spots will create a commercial appearance, and exacerbate traffic issues on Union Street and the cut-through on Clark and Clyde Streets. Ms. Schofield shared concerns about the children who walk along the street to the bus.
stop at the end of Clark Street, including that in the past there has been a near hit with a pedestrian and car. Ms. Schofield also pointed out that the vast majority of homes in the area are single and two families and four units seems excessive. Ms. Schofield also shared concerns about the increase in impervious surfaces, increase in flooding issues and the increased number of children in schools relative to the tax revenue. Mr. Siegel asked if there is overnight parking on Clark Street. Another resident stated that there is some overnight parking, and there are not parking restrictions on the street.

Scott Howland, 15 Clark Street, shared concerns about the past fires in the previous structures, the number of people living in the house in the past and issues with increasing that number, and the number of cars that used to be parked on the property.

Michelle Hudak, 15 Clark Street, commented on whether this project will meet community needs, and that adding two units won’t substantially impact housing needs, but will impact people living in the area. Ms. Hudak asked about how the project complies with the parking bylaw regarding parking area with 8 spaces or more. Mr. Matchak clarified that this bylaw doesn’t apply, because it addresses parking areas, and this project involves four driveway, but he will seek clarification from Town Counsel. Ms. Hudak noted that the two four unit buildings in the area follow the parking bylaw in question.

Judi Homer, 294-296 Union Street, shared how she was negatively affected by the fires at the previous building, and past interactions with the property. Ms. Homer also stated that the block is comprised of single and two family homes.

Lauren McDonald, 296 Union Street, shared concerns about how the applicant would be targeting certain tenants and why there are questions about the square footage of the previous building, and whether there are building plans available to address those questions. Mr. Matchak will check with the building department. Mr. Matchak also asked the applicant to share any previous building plans with the board.

Mr. Forestal motioned, and Mr. Siegel seconded, to continue the hearing to February 25, which passed 4-0-0.

Other Business:
1. Approval of Minutes
The Board reviewed the minutes from the January 14, 2020 meeting. Mr. Trefethen noted one change, the draft minutes listed Peter Matchak at the meeting but he was not in attendance. The board approved the minutes as amended 4-0-0.

2. Staff Updates and Administrative Matters.
Meeting was adjourned at 8:20PM.

Documents Presented
1) ZBA Meeting Agenda for February 11, 2020
2) 304-306 Union Street Special Permit Application Packet
3) Letter from Building Commissioner regarding 304-306 Union Street application
4) Emailed Public Comments
5) January 14, 2020 Meeting Minutes