

TOWN OF BEDFORD
August 17, 2021
ZONING BOARD OF ADJUSTMENT
Action Sheet

The following is a summary of the Zoning Board of Adjustment actions and is not inclusive of all discussion. The official minutes will be posted as soon as they are available on the Town of Bedford website.

BCTV Meeting Room – 7 P.M. - 10 Meetinghouse Road

Members present: John Morin (Chair), Neal Casale (Vice-Chair), David Gilbert (regular member), Len Green (regular member), Sue Thomas (alternate member), Bob MacPherson (alternate member), and Bill Greiner (alternate member).

Members Absent: Elizabeth Jude (regular member)

Staff present: Becky Hebert (Planning Director) and Kathleen Ports (Associate Planner)

I. Call to Order and Roll Call:

Chairman Morin called the meeting to order at 7:00 p.m.

II. Approval of Minutes of Previous Meetings

On a motion made by Neal Casale and seconded by Bill Greiner, the ZBA voted to approve the Minutes of the July 20, 2021 ZBA meeting.

III. Old Business & Continued Hearings: None

IV. New Business:

Board member Bill Greiner recused himself from the hearings for Carnevale Spa Associates, LLC and Bedford-Carnevale, LLC, Items 1-3.

1. **Carnevale Spa Associates, LLC and Bedford-Carnevale, LLC** – Request for a variance from Article III, Section 275-21 F(2)(a) for impacts to the existing buffer between the commercial use on Lot 13-40-1 (BVI Grand Hotel) and the R&A zone on Lot 10-50-5, on Olde Bedford Way, Lots 13-40-1, 13-40-2, and 10-50-5.
2. **Carnevale Spa Associates, LLC and Bedford-Carnevale, LLC** – Request for a variance from Article III, Section 275-21 B(2)(a)(1) to allow a market-rate elderly housing development where affordable housing is required for 25 percent of the housing units on Olde Bedford Way, Lots 13-40-1, 13-40-2, and 10-50-5.

3. **Carnevale Spa Associates, LLC and Bedford-Carnevale, LLC** – Request for a variance from Article III, Section 275-21 B(3) and Section 275-21-A, Table 2, Table of Uses, footnote 33, to allow a non-cluster, elderly housing development including driveway access, one elderly housing unit, and associated improvements on Lot 10-50-5, in the R&A district where elderly housing is not permitted unless designed as a cluster residential development, on Olde Bedford Way, Lot 10-50-5.

Applicant was represented by: Ari Pollack (Attorney), Aaron Weinert (AIA), Jeff Kevan (T.F. Moran), and Jack Carnevale (owner)

Public comment was received from three members of the public.

Item 1. On a motion made by Neal Casale and seconded by Sue Thomas, the Board voted to approve the request for a variance to the buffer. The motion passed unanimously.

Item 2. A motion was made by Len Green and seconded by Neal Casale, to deny the request for a variance, finding that the criteria have not been met per deliberations to allow a variance from the provision for 25 percent affordable housing, **motion failed.**

On a motion made by Sue Thomas and seconded by Dave Gilbert, the Board voted to approve the request for a variance from the provision for 25 percent affordable housing. The motion passed 3:2 in favor. Len Green and Neal Casale voted in opposition.

Item 3. On a motion made by Dave Gilbert and seconded by Sue Thomas, The Board voted to approve the request for a variance to allow non-cluster housing, as presented in the concept. The motion passed unanimously.

4. **Celeste Prud'homme** - Request for a variance from Article III, Section 275-22A, Table 1, Table of Dimensional Regulations to allow an in-ground swimming pool 7 feet from the abutting street where 35 feet is required at 33 Palomino Lane, Lot 45-62, zoned General Residential.
5. **Celeste Prud'homme** - Request for a variance from Article III, Section 275-22A, Table 1, Table of Dimensional Regulations to allow an in-ground swimming pool 28 feet from the front yard where 35 feet is required at 33 Palomino Lane, Lot 45-62.

Applicant was represented by: Thomas Fini

Item 4. On a motion made by Sue Thomas and seconded by Dave Gilbert, The Board voted to approve the application for a variance to install an in-ground pool 7 feet from the side yard where 35 feet is required. The motion passed unanimously.

Item 5. On a motion made by Sue Thomas and seconded by Dave Gilbert, The Board voted to approve the application for a variance to install an in-ground pool 28 feet from the front yard where 35 feet is required. The motion passed unanimously.

VIII. Adjournment: The meeting was adjourned at approximately 8:53 p.m.