

Minutes of Meeting of March 23, 2005 – Groton Farms, Kelley, Logue

Members Present: Stuart Schulman, Chase Duffy, Bob Cadle, Cindy Maxwell, Megan Mahoney-Wickham

The Chairman convened the Groton Farms hearing.

An engineer from Dillis and Mitsch was present, noting that the applicant has worked several years to get the farm going, which now has livestock and chickens, etc. He said that they want to sell mostly farm products and have parking for 5 cars. He said that the building is currently 8x12, meets all setbacks and may expand if successful.

The Chairman read a letter in support from Curtis/Robinson that requested conditions regarding noise, lights, deliveries, etc. limited to specific hours of operation.

Mr. Cadle said that he has some questions and asked about the front setback, which is 50 feet, and cars backing out onto the public way.

Dillis and Misch said there are five parking spaces and no backing onto the public way will be required. He said that even if the operation expands, still setback requirements would still be met. He said that there is plenty of potential off-street parking and stressed the small size of the operation.

Mr. Cadle asked whether anything else would be sold there other than what is grown.

Mr. McElroy said that they are only planning to sell what is grown. If something else fits in they might try it in the future but there are no plans now.

Atty. Orsi said his client was okay with the conditions that Mr. Curtis proposed.

The Board went over sp criteria.

Mr. Cadle said that he doesn't think PB review is necessary.

Mr. Dillis said that a 36-month time limit on the permit would allow parking issues to be addressed and PB site plan review if determined necessary.

Mrs. Duffy asked about exterior lights.

Mr. McEvoy said no exterior lights are proposed but noted that there is electricity.

The Board moved to grant a special permit to Groton Center Farms. The motion was seconded and incorporated the Curtis conditions except for site plan review into the permit, and also that at least 50% of produce sold there is grown on the premises.

Hours of operation: daylight only.

The motion passed unanimously.

The Chairman convened the Kelly/Moseley hearing by reading the Legal Notice.

Mr. Kelly, agent for owner, submitted photos of the property, noting that his client wants to take off the existing sun porch. He said that it is a nonconforming lot and the house has a 30 ft. setback. He said that the proposed porch would be less than three feet closer to the front boundary (28.5 ft instead of 30 ft.). He said that the existing house is very small and noted that they are proposing a wrap around porch. He said that all side setbacks are being met.

Clayton Mersereau, abutter, said that many abutters met the other night and put their thoughts together.

Atty. Lyons was here as the abutters' representative, noting that they are concerned about the size of the building and that it will block off the view of Gibbet Hill. He said that they want the building to be single story and also noted concern about the number of vehicles stored on the property. He said that it is a one-acre lot and there are many cars stored, ie at least five and some are not registered. He said that a bigger house takes up more room and thus the applicant needs to be careful what is stored on the lot. He said that there are many cars for the size of both the house and lot. He suggested that the Board could limit the number of cars stored outside and require a bigger garage. He said that the applicant should clean up the piles of debris and generally clean the property.

Stuart Schuman, abutter, 79 Martins Pond Rd., asked how many people live there.

Mr. Kelly said that he doesn't know and noted that the applicant is not here because he works nights.

Atty. Lyons said that cars are pouring out of the front of the building. He noted that the cars in front seem drivable and those out back seem to be junk.

Ms. Leonard noted that some of the cars have been there for years.

Mr. Kelly said that his client wants to clean up the site.

The Chairman said that he won't grant a permit to allow the continued degradation of the property.

Atty. Lyons noted that it is a well established neighborhood with similar setbacks and similar house sizes, stressing that the size of this house would be out of scale with the others and block a nice view of Gibbet Hill.

Mr. Cadle asked how the view blocking was figured out.

Atty. Lyons said that it could be figured from photos taken from neighbors houses.

The Board asked for the accurate number of the existing height vs. the proposed height.

Atty. Lyons suggested a site walk and said the Board will see a 1 to 2 slope and water that could be channeled. He said adequate living space could be created with one story.

Kathy Mersereau noted that the applicant has had dumpsters in there several times over the past years and the property has looked only worse.

The Chairman said that he is concerned about the mess and won't grant a permit unless the site is drastically improved.

Discussion ensued regarding what is reasonable for expansion and how to get rid of the junk.

Mr. Mersereau said there are five registered cars, two motorcycles, and all sorts of junk, tractors, etc. He said that there is frequently huge noise, much diesel truck noise, etc. and expressed much frustration.

Mr. Schuman said that only two people are listed on the census.

Atty. Lyons suggested conditioning that only two cars can be parked outside.

The Chairman suggested a site visit and continuation for one month hence.

Mrs. Duffy suggested having the zoning enforcement officer do a site visit to determine whether a violation is taking place.

Atty. Lyons said that the BOH and BI should visit.

Of note: send memo to BOH and BI.

The hearing was continued to 5/4/05 at 8 pm.

Of note: the renovated dwelling will have the same number of bedrooms: 3.

A site walk was scheduled for 4/30/05 at 10 am.

Chair convened Logue hearing by reading the legal notice.

Atty. Keele, agent for Logue, said there is old existing cottage building on the lot that is not viable at this time. He said that the new structure is a better dwelling for both the lot and neighborhood. The lot is approximately 8,000 sq. ft. lot and the structure is non-conforming. He said that the new house would make the lot and structure more conforming because it meets setback requirements. He submitted photos of some of the dwellings in the area and noted that the new dwelling will fit in the neighborhood better than the existing structure. He said that there is no abutter opposition and noted that the new footprint is approximately 45x32 feet and the old is 28x30 feet. Discussion ensued regarding the weird garage.

Mr. Logue said that it is better to position the house where it should be instead of getting a special permit to add a second story. He noted that septic testing for a 3-bedroom house is occurring. He said that he is tying into town water and keeping the same number of bedrooms (3). He said that the building height is 35'4" and one side is tall is because of a 6 ft. grade change in lot.

The Chairman said that it is important that it meets the height requirement.

Mr. Cadle said that the proposal is okay and noted the need to comply with Title V.

The Board moved to grant a variance from acreage and frontage to Bryan Logue as shown on plan.

Discussion ensued regarding what is unique re: shape, topography, etc. and how selling price is controlled.

The motion seconded and passed unanimously.

The meeting adjourned at 9: 30 pm.