

ZBA Minutes from February 21, 2007 – O’Donnell, Squanny, GRG

Members Present: Robert Cadle, Chase Duffy, Cindy Maxwell, Mark Mulligan, Megan Mahony

O’Donnell Hearing:

Chairman Cadle convened the O’Donnell hearing by reading the Legal Notice.

Diane O’Donnell, applicant, noted that the apartment is for her parents who are currently in Arlington in an old house with steep stairs. She said that although they are independent and want their own space, they shouldn’t be driving.

Mr. O’Donnell said that they are keeping the addition to the rear, where there is conservation land, noting that he wants to blend it in with the property. He said that he spoke to the neighbors and they are all in favor of the project. He noted that they are adding the third garage bay for the apartment parking and that he will access his own house through the garage. He said that the entry area in the garage is a common area mud room type of space with a washer and dryer for both families. He said that the actual living space is 800 square feet.

Chairman Cadle asked where the laundry is currently located.

Mrs. O’Donnell said that it is in the bathroom on the first floor.

Chairman Cadle said that he thinks the laundry area should be counted, which would be an added 46 feet.

Discussion ensued regarding what to consider as added additional space for the permit. Of note: there is a screened porch, bulkhead and ramp not included.

Mr. Mulligan said that the two sections of the by-law are somewhat incongruous.

Discussion ensued regarding how to read the by-law.

Mr. Mulligan said that this could work if the Board considers that the common area/porch/laundry could be built by right.

Mr. O'Donnell noted that the designing was done so that it looks like a single family home, with the third bay not just being added on at the front.

Ms. Mahony said that there is consistency between the floor space of the existing and that of the addition.

Mrs. Duffy read from the by-law, noting that as long as the house continues to look like a single family dwelling that it is not obtrusive, it is okay, and that some shared space is acceptable.

Discussion ensued regarding how the necessity of a ramp could change the dimensional figures.

Mr. Mulligan said that an argument could be either for or against and that it is up to the Board, but he thinks that it is in the spirit of the by-law.

Chairman Cadle said that the apartment doesn't comply but he likes the project anyway, and then asked about the septic system.

Discussion ensued regarding the existing septic system, which is for four bedrooms, and the new system, which is for five bedrooms.

The Board moved to approve the application of the O'Donnells for an accessory apartment of 800 sq. ft., to be constructed as shown on the plan. The motion was seconded and approved four to one.

Squanny:

The Squannacook Hills other business meeting began with Melissa Robbins presenting the most recent monitoring agreement, that Mass Housing said that the town had to sign. She said that the Groton Housing Authority is in charge and has to file a report with the Board. She noted that after all the units are sold, the Housing Authority can do random checks and if any violations show up, the developer is taken to court. Initially, the Housing Authority gets \$4500 and thereafter when there is more follow up and costs, the HA gets 2.5% of the unit sale price.

Discussion ensued regarding the criteria of condo prices vs. market rate, and condo fees and how to handle any discrepancy by having all condo fees be at the same rate, affordable vs. market.

Atty. Robbins said that the one line in question is who the project administrator is, noting that there will be two separate monitoring agents, one being the Groton Housing Authority and one Mass Housing. She stressed that it is a very straight forward document giving the most say to the Groton Housing Agent.

Chairman Cadle asked whether the regulatory agreement has already been signed by the developer.

Atty. Robbins said that it had and that Mass Housing will sign off on the market rate financials. She said that Dennis Paige has agreed to open all the books for the Town to review and to the payment of \$3500 per market rate unit to town. She said that in return, the Town agreed to not needing to sign the regulatory agreement.

Discussion ensued regarding the wording of the monitoring agreement.

The Board moved to accept the monitoring agreement as worded by the State. The motion was seconded and passed unanimously.

The Board moved to grant an extension of 24 months to Groton West Realty LLC. The motion was seconded and passed unanimously.

Mr. Degen gave a synopsis of what was discussed and voted on last night at the PB meeting, noting specifics.

The Board moved and voted to go into Executive Session with Mr. Cadle, Mrs. Duffy, Mrs. Maxwell, Ms. Mahony and Mr. Mulligan voting yes. The Board moved to go out of Executive Session with Mr. Cadle, Mrs. Duffy, Mrs. Maxwell, Ms. Mahony and Mr. Mulligan voting yes.

Other Business:

The Board moved that because of the memo from Town Counsel, the decision upholding the Building Inspector's decision to withhold building permit is rescinded. The motion was seconded and passed unanimously.

The Board moved to vote unanimously to support the PB town meeting warrant that would allow a Board Member to miss one meeting and after listening to tapes, etc, could continue to sit. The motion was seconded and passed unanimously.

The meeting adjourned 9:45pm.