

ZBA Minutes March 14, 2007 – Smith, Black

Members Present: Chase Duffy, Bob Cadle, Jay Prager, Alison Manugian, Mark Mulligan

Smith

Chairman Cadle convened the Smith hearing by reading the legal notice.

Mr. Smith submitted an additional memo in favor of the project, into the record.

Chairman Cadle read the two memos into the record in favor of the project.

Mr. Smith noted that the dwelling, a farmhouse, was old when he purchased it. He said that there was also an old post and beam garage/barn that was razed three years ago because it was falling down. He said that he wants to build a garage that looks like a barn in roughly the same place that will be a little larger and slanted away from road at an angle. He noted that he can't move the barn back any more because of the septic system and leaching field. He said that he will connect the barn to the house as a separate project, sometime after the garage is finished, noting that the connector will sit slightly closer to road. He said that that is still back from the main house, which has a big wrap-around porch.

Mrs. Duffy noted that it is a southern looking house.

Chairman Cadle noted that it would be hard to see the barn from abutting properties.

Mr. Smith said that the closest existing front setback is 15 feet, and of the new construction, the closest corner is 29 feet, and 34 feet at garage.

Discussion ensued regarding the drawing and points of reference.

Mr. Smith said that only two doors are facing the road.

Chairman Cadle asked about plans for the second floor.

Mr. Smith said that there will be stairs inside to the second floor and it will just be used for storage. He noted that there will be electricity, as in the old structure and there will be spigot on the outside to provide water.

Mr. Prager asked why the addition couldn't be relocated to the right rear of the house.

Mr. Smith said that the lawn slopes down and there is a Christmas tree farm to the rear. He noted that there is also a steep bank from the road that would have to be cut into and thus he would see the barn from house to the rear, rather than to side. He said that the logical location is where the old barn was located.

Chairman Cadle said that it is hard to tell from the map and noted that Mr. Prager brings up a good point why the addition couldn't be done on the other side of the house and have conforming setbacks.

Mr. Mulligan noted that the house itself isn't in compliance.

Mr. Smith said that the road comes uphill and is wooded. He said that an existing shed sits outside of the woods and the space between the shed and house is quite small. He suggested that it is a flow issue and an awkward place to put the driveway, whereby the original location makes more sense. He said that he would have to drive around to the back of the house to access the garage.

The Board suggested a site walk.

Mr. Smith felt that looking at it would make a huge difference.

Discussion ensued regarding the configuration of the other lots and access.

A site walk was scheduled for April 7th at 9:30 am and the hearing continued to April 11th at 7:30 pm. The motion was seconded and passed unanimously.

Black

Chairman Cadle convened the Black hearing by reading the legal notice.

Don Black, applicant, said that back in 1940 Henry Tolles built a house at 43 Common Street and over the years added some additions. He noted that when he purchased the property, parts of the stone block foundation were inadequate and the dwelling was filled with mold and mildew, etc. He said that he wants to utilize the deep foundation and raze the rest of the property to rebuild another single family three bedroom structure (existing is 2 bedroom) on roughly the same footprint. He noted that he will build a new Title V septic because the original system failed. He said that the side setback will be increased to 17 feet on the north side and the garage/woodshop will be razed. He noted that the front setback will remain the same and the new garage will be moved slightly forward and attached to the house. He said that he is moving walls out to create an additional bedroom but stressed that side setbacks are met and the dwelling is on one floor. He noted that the rear portion is a mudroom and laundry area.

Mrs. Duffy asked whether all Common Sstreet dwellings are set back 50 feet.

Mr. Black said no, that many are closer and this is a deep setback by comparison.

Chairman Cadle said that the only thing that jumped out at him was the north side addition, which he thinks will be a lot closer to the existing driveway, and a nice tree that will have to be removed.

Mr. Black said that he wants to keep the tree and his engineers said that the addition meets setback requirements.

Mr. Prager asked about keeping the existing foundation.

Mr. Black said that it is a nice foundation and in good shape, even though it was built in the 1940's. He noted that it would be difficult to break apart and should be used. He said that there are two bound stones to show the property lines, noting that he could put an addition on if he were using the existing house. He said that the variance is required because he wants to tear the dwelling down.

Mrs. Manugian asked about the new foundation.

Mr. Black said that it will be poured cement, cut through from the old foundation.

Mr. Mulligan said that it sounds like an improvement and noted that the variance sought isn't an increase from what is there.

Discussion ensued regarding the existing cesspool vs. a new Title V system.

Chairman Cadle asked whether the dwelling is being built to sell.

Mr. Black said that a nice couple who are anxious to move to Groton are purchasing the property.

Kim Press, 53 Common Street, asked about his plan to pump out water from the basement and how this may affect neighbors.

Mr. Black said that he has a neighbor who is willing to have water pumped into a pond.

Sally Smith, 13 Common Street, asked whether there are any test holes for the septic system, noting that the site is very wet.

Discussion ensued regarding possible septic options and how they might affect the neighbors and neighborhood.

Chairman Cadle asked for clarifications between parcel 1, b and a.

Mr. Black said that it was a series of parcels when developed in 1940, noting that it may have been part of a larger parcel but he was unsure.

Ms. Press noted that it was part of a larger parcel.

Mr. Mulligan said that he had no problem with the proposal.

Mrs. Duffy said that she would like a clearer by-law but that it sounds like a good project.

The Board moved to grant variance as requested by Don Black and as shown on a plot plan dated 2/5/07 and as attached to the variance, with conditions

that Title V requirements are met and that the water is contained on the site.
The motion was seconded and passed unanimously.

The meeting adjourned at 9:30 pm.