



Town of Groton Massachusetts Zoning Board of Appeals

Meeting Agenda and Minutes

July 14, 2010

Present

Robert Cadle, Chairman
Cynthia Maxwell, Member
Mark Mulligan, Member
Megan Mahony, Alternate Member
Chase Duffy, Alternate Member
Bruce Easom, Alternate Member, in audience

Not Present

Harris McWade, Alternate Member
Jay Prager, Clerk
Alison Manugian

A quorum was attained. The meeting was called to order at 7:30 pm.

Preliminary Agenda

- Debeaucourt hearing
- Sign Bills
- Approve Minutes
- New business

Meeting Minutes

Chairman Cadle convened the DeBeaucourt hearing by reading the legal notice, noting that the hearing was postponed from the 7th to the 14th due to a lack of a quorum.

Chairman Cadle asked for an update from the applicant as to how meetings with other boards went.

Ms. DeBeaucourt said she went to the PB and they want a better parking plan. She said the Cons. Comm. wants hay bales and certain other guidelines and has issued an Order of Conditions.

Chairman Cadle suggested making a presentation to the full board.

Ms. DeBeaucourt said she cuts hair and began her career in Groton, first at The Ranch, then at Carousel, and then for 12 or so years in Pepperell. She said she has been looking for a location in Groton and her co-cutter lives in Groton. She said she feels that this business is a good way to bring business back to Groton from Pepperell, such as buying lunch, etc. She said she does hair and nails, uses organic color, and procedures are done almost exclusively by appointment only.

Ms. Mahony asked about plans for the physical structure.

Ms. DeBeaucourt said there are plans for a small addition and deck, adding a bathroom and hooking up to sewer and reroofing, but keeping the same cottage look to it. She said the deck and addition would be on sonotubes.

Chairman Cadle asked whether this plan was before the Cons. Comm.

Mr. Debeaucourt said yes, noting that the Cons. Comm. wants hay bales to catch runoff.

Chairman Cadle said he feels this a different plan that what was originally submitted.

Ms. DeBeaucourt said this was true, but because the handicapped bathroom took up so much space, the Building Inspector gave her the idea of an addition on sonotubess.

Chairman Cadle said he feels this is quite an extension of that small building, noting that he is not against the proposal but wonders whether the new plan is encompassed in the original submission.

Mr. Mulligan said he feels that the Board is looking at change of use, rather than the building.

Discussion ensued regarding whether the new plans substantially change what is before the board and whether side setback requirements would be met.

Roger Goscombe, agent for North Middlesex Savings Bank, said it is a very small building and even with the addition it is under 500 square feet. He said the suggestion came from the BI to make it a more practical, usable space.

Discussion ensued regarding whether this change is fairly within and encompassed by the published notice of hearing.

Mr. Goscombe said the addition doesn't change the intensity of use, which is still a two-sink salon.

Chairman Cadle said the building is twice the size with the addition and deck, and noted that even if it is still small, there is a lot more lot coverage.

Mrs. Duffy said she feels that switching one business for another is acceptable.

Mr. Mulligan said he has no problem with the proposal and feels that the PB and BI will address the structural changes.

Mrs. Maxwell noted that there has always been a business there.

Ms. Mahony asked what the Board has done in the past when changes were made after the application was submitted.

Chairman Cadle said the decision would have to deal exclusively with the use issue and not deal with the non-conformity of the structure.

Ms. Mahony said she thinks that is all the application is asking for.

Ed Strand, 29 Boston Road, said he wants to see the plan presented since it is different from the PB plan. The applicants provided a copy of the plan to Mr. Strand.

Several clients spoke in favor of having the location here in Groton, noting how professional and neat the applicants' other operations have been.

Lynn David said she is in favor of the operation, noting that it will be an improvement.

Liz Strand, abutter, said she has mixed feelings about the proposal. She said the applicants seem like a nice couple and she wants the building improved, but on other hand she feels that they have a tenuous residential neighborhood and she doesn't want more business and increased activity. She said she is not opposed to change what is grandfathered in but wants to know the compelling reasons for making such a change.

Louise Gaskins, 35 Boston Road, said she is closer to the property than the Strands and has mixed feelings also. She said there could be less desirable activity than what is proposed but feels the property should return to residential use. She said she has listened twice to what the proprietors have said about the low key nature of the business, but she would still prefer to keep it residential. She said Rt. 119 activity is very busy and is difficult to get on and off of, noting that the parking issues seem to be addressed.

Ms. DeBeaucourt said the salon will be closed on Sunday and Monday and there are staggered hours for the rest of week for the two stylists. The salon will be open 10 am to 8 pm.

Mr. Goscombe said a four-bedroom residence, which is what the sewer capacity allows, would have more impact than this proposal. He said it would be difficult to construct but could be done without permits. He said this operation is in keeping with what is there and no more detrimental to neighborhood than what is there.

Mrs. Gaskins said that if an individual house was built, there wouldn't be the in and out activity of a business.

Chairman Cadle said he doesn't know if the building was built for business or whether it is just used for business now. He said there was an article at town meeting to zone the parcel B-1, which failed, but noted that the master plan wants to encourage small local businesses.

Mrs. Duffy said she thinks the concept of zoning is changing, noting that the neighborhood is very mixed now, with both residential and business.

Discussion ensued regarding the nature of the business in the area.

Pat Craig said the shop in Pepperell has very limited parking and there is no problem there.

Mr. Easom gave a history of the attempted re-zoning, noting that the owner at the time said the R-A zoning was an oversight of the town. Arthur Blackman disagreed, saying that the parcel intentionally was not zoned business because the town wanted only one side of the street zoned B-1.

Mrs. Maxwell asked whether there has always been a business.

Ms. DeBeaucourt said there is no kitchen.

An audience member asked what would happen if H and R Block bought it, where no permit would be required and there would be much more activity on the site.

The Board as a whole felt that that was a good point.

Mr. Mulligan said the Board should look at the criteria under 218-6.

Ms. Mahony said they are both professional service businesses.

Mr. Mulligan asked whether the new use would be more detrimental to traffic, noting that he understands the abutters' concerns.

Ms. Mahony suggested limiting the scope of the operation.

Chairman Cadle said he is concerned that because of the size of the addition, the applicant could add more sinks in the future.

Ms. DeBeaucourt said there was not enough parking to add sinks/customers and the Cons. Comm. wouldn't approve more. She also said the State limits the number of stylists to no more than three and because she is only putting in one sink, the State only allows two stylists.

Chairman Cadle suggested limiting the permit to two stations and if the applicant wants to expand in the future, she would have to come before the Board again.

Ms. DeBeaucourt said she takes the washing and trash home.

Mr. Mulligan made a motion to grant a special permit to allow an alteration of a non-conforming use of a tax prep office to a hair salon with two styling stations and as shown in the plan presented. Mrs. Maxwell seconded and the motion passed unanimously.

Bills/Minutes

Bills signed: Nitsch Engineering bill, 593 Account, Squannacook Hills and Apple Backup.

No minutes were approved.

New business

The Truax appeal, Mill St., is scheduled for 7/28/10.

Mr. Mulligan moved to adjourn at 8:40 pm, Mrs. Maxwell seconded and the motion passed unanimously.

Minutes approved 8/3/10.