



Town of Groton Massachusetts Zoning Board of Appeals

Meeting Agenda and Minutes

November 14, 2012 – Bianchini

Present

Mark Mulligan, Chairman
Megan Mahoney, Associate Member
Robert Cadle, Member
Cynthia Maxwell, Member
Bruce Easom, Associate Member

Not Present

Alison Manugian, Member
Jay Prager, Member

The meeting was called to order at 7:00 pm.

Meeting Minutes

Chairman Mulligan convened the Bianchini hearing by reading the legal notice.

Mrs. Bianchini was present, noting that her husband was away on military duty. She said the existing garage has been removed but nothing new has been constructed. She said the foundation was crumbling on the old garage, which was really a glorified shed that a car could not fit into.

Member Cadle said some of the foundation is still there.

Member Maxwell wanted to know what side of the street the lot is on.

Mrs. Bianchini said the lot is on the corner of Bixby and Windmill Hill Roads, noting that the new garage will be a two car instead of a one car.

Member Cadle asked whether it would be a detached garage.

Mrs. Bianchini said it would be detached.

Chairman Mulligan noted that the new building seems to be 12 feet longer on the southerly side and two feet wider on the westerly side.

Discussion ensued regarding how to issue a permit to alter a non-conforming structure when there is no old structure.

Member Cadle said he wants to know whether the Gale decision applies.

Discussion ensued as to what the non-conformity is.

Mrs. Bianchini said the new garage would be closer to the lot line. She said the driveway already accommodates two cars. She said the backside of the garage, which was built in 1906, was always non-conforming.

Member Easom asked whether abutters were notified. The answer is yes.

Member Mahony asked whether the building height is being increased.

Mrs. Bianchini said no, it would remain a single story garage. She said the original brick structure/flooring is still there, noting that the concrete foundation is quite broken up.

Discussion ensued regarding how to grant this variance and whether any of the alteration definitions/criteria fit. Of note: the garage was damaged through the aging process.

Discussion ensued regarding whether the garage could be placed elsewhere on the property.

Further discussion ensued regarding whether the permit would be granted under 218-32.C.

Member Cadle made a motion to grant the requested special permit as set forth generally in the application attachments, including the certified plot plan and the building section pursuant to 218-6.E.2 of the zoning bylaws, and additionally satisfying the criteria for a special permit under 218-32.C. as follows:

Findings: 1) The proposal creates a place to park so the roadway/s are not being blocked.

2) Traffic flow and safety are improved with this project.

3) There is no measurable impact on utilities.

4) The neighborhood character is improved with the replacement of a dilapidated garage.

5) The environmental impact is improved by parking vehicles inside on an impervious surface.

6) Any fiscal impact is positive due to increased taxes.

The motion was seconded and passed unanimously.

Other business

Minutes and Bills

Member Easom made a motion to approve the 10/10/12 minutes. The motion was seconded and passed unanimously.

Member Cadle made a motion to approve the 10/24/12 minutes. The motion was seconded and passed unanimously.

Member Easom made a motion to adjourn at 7:45 PM. Chairman Mulligan seconded and the motion passed unanimously.

Minutes approved 1/30/13.