



Town of Groton Massachusetts Zoning Board of Appeals

Meeting Agenda and Minutes

July 15, 2015 – Halloran/Margolis SP, Moulton V, DeBeaucourt/Denault SP

Present

Mark Mulligan, Chairman

Robert Cadle, Member

Cynthia Maxwell, Member

Bruce Easom, Associate Member

Berta Erickson, Associate Member

Not Present

Alison Manugian, Member

Jay Prager, Member

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

Meeting Minutes

Halloran/Margolis SP

Chairman Mulligan convened the hearing by reading the legal notice.

No abutters were present.

Bob Margolis, builder, said he was here a few months ago for a permit to put an addition on the side of the house but his clients decided they wanted it in the back of the house. He said this plan is for a slightly larger footprint but is otherwise essentially the same. He said it is bigger because of the location of a hallway, noting that the original is 10 x 12 and this new is 12 x 12. He said no are setbacks affected.

Member Easom said he wants the applicant to draw the dimension of the addition to the closest property line and sign it.

Mr. Margolis drew on the plan that the setback is greater than 15 feet on all side and rear boundaries.

Member Cadle asked about the screened in porch.

Mr. Margolis said it would be enclosed and become a three-season room.

Chairman Mulligan said this proposal has less visual impact than the original addition proposed.

Member Cadle asked about additional bedrooms.

Mr. Margolis said there are no additional bedrooms, noting that an existing bedroom becomes a hallway and bathroom. He said he spoke to the sewer department and there is no problem with them.

Member Easom made a motion to grant a special permit for an extension to an existing non-conforming structure on 43 Pleasant Street as shown on the plan from Ross Associates #S-13296, dated 2/20/15 in that the proposed addition will not create any further non-conformity on the property. The motion was seconded and passed unanimously.

Moulton Variance

Chairman Mulligan reconvened the hearing and read a response from DPW Tom Delaney into the record, that he has no issues with using the existing driveway and no driveway curb cut permit is necessary.

No abutters were present.

Member Cadle made a motion to grant a variance to Brown/Moulton from the 50-setback requirement to allow the construction of a garage 36 feet from front lot line. The motion was seconded and passed unanimously.

DeBeaucourt/Denaul Special Permit

Chairman Mulligan convened the hearing by reading the legal notice and reading a memo from the PB into the record suggesting that the number of chairs be limited to what is already there.

One abutter was present, with no objections.

Member Easom said the original decision had a limit.

Ms. Debeaucourt said when the salon was first opened, it was in a small space, noting that there is no private bathroom or office space or even a break room. She said there is no space for storage because of the large handicapped bathroom.

Member Erickson, for record, stated that the applicant is her hairdresser but stressed that she can be objective.

Member Maxwell asked whether if the addition would appear higher from the street.

Ms. DeBeaucourt said it is 1.5 stories to allow for a loft storage area since there is no basement.

Chairman Mulligan asked about the tubes under the addition.

Ms. DeBeaucourt said it is because the lot slopes down, noting that the underneath space will just be access to utilities in the basement, which is otherwise unusable because of dampness. She said the addition will have a separate entrance to block chemical smells, noting that there will be no access from the salon.

Chairman Mulligan asked whether there would be a porch area.

Mr. Denault said yes.

Member Easom said non-conformity because of distance along road (frontage 20 feet) and asked about height.

Mr. Denault said the height is about 17 feet.

Discussion ensued regarding the height, as estimated from interior measurements.

Of note: All side and rear setbacks are met and lot coverage is not excessive.

Mr. Denault said they have Conservation Commission approval.

Discussion ensued regarding parking and how to measure building height.

Member Easom made a motion to grant a special permit to DeBeaucourt/Denault for the property located at Lot 115-36, 48 Boston to allow the construction of an addition on a non-conforming lot with a non-conforming structure as shown in document submitted with the application. The motion was seconded by Member Maxwell.

Conditions: the two chair restriction from the previous special permit shall remain in place. The motion was seconded for the amended motion and passed unanimously.

Other business

The Board re-organization was continued to the next hearing on 8/5/15 when all regular members will be in attendance. A motion was made and seconded to continue to the 5th.

Draft of letter to Town Counsel, sent to Mark Haddad and sent to David Doneski, to be signed by Mark Mulligan.

Dear Mark- We recently received a letter concerning an agreement for judgement regarding the lawsuit between the PB and ZBA. We were all very surprised that such an agreement had been reached without any prior notice to the Board. The agreement indicates that our decision has been nullified. We are not familiar with the impact this has on said decision or what the next course of action would be. Kindly contact Town Counsel for clarification of this matter.

Minutes and Bills

No minutes were approved.

One Groton Herald bill was signed.

Member Easom made a motion to adjourn at 8:30 pm. The motion was seconded and all voted aye.

Approved 11/18/15.