



Town of Groton Massachusetts Zoning Board of Appeals

Meeting Agenda and Minutes

June 21, 2017 –Shearer, Smith

Present

Cynthia Maxwell, Chairman
Mark Mulligan, Member
Robert Cadle, Member
Bruce Easom, Member

Not Present

Jay Prager, Member
Berta Erickson, Associate Member

The meeting was called to order at 7:05 pm.

Meeting Minutes

Shearer Special Permit– 356 West Main St., #5-17

Chairman Maxwell convened the hearing.

Due to the unexpected absence of a fifth board member, the applicant was given the option of continuing with a four-member board requiring a unanimous decision. The applicant opted to continue the hearing to June 28 at 7:15 pm. A motion was made, seconded and passed unanimously.

Smith Variance– 13 Broadmeadow Road, #6-17

Chairman Maxwell convened the hearing by reading the legal notice.

Due to the unexpected absence of a fifth board member, the applicant was given the option of continuing with a four-member board requiring a unanimous decision. The applicant opted to proceed.

Mr. Smith said the architect said that if they bump the deck slightly, they would not be on the abutting property line. He said there is evidence of a deck being there in the past, as shown in photos submitted

with the application. He said he wants to replace what was there but also to accommodate the property line.

Member Mulligan said it looks like the deck is to the rear of the house.

Member Cadle asked whether the deck could be seen.

Mr. Smith said that if you look carefully you might see a small corner. He said there are trees sheltering from the deck from the side property lines and he has verbal okays from the Bussers and Parker-Roaches, who are the closest abutters.

Member Mulligan noted that the deck is in the preferred location.

Mr. Smith said there is already a door there, noting that it is convenient, desirable and also practical to make access easier and safer for some aging occupants.

Member Cadle said there seems to be some space between the steps and the corner of the house.

Mr. Smith said there is about 18 inches but the architect wanted them to come over 18 inches to avoid being on the neighbors' property.

Member Cadle said that by moving the deck it becomes less non-conforming by some inches.

Mr. Smith said they would use the existing footings if possible.

Discussion ensued regarding landscaping, etc. and whether the deck could be further moved.

Member Mulligan said there is no way could make the deck conforming due to the shape and size of the lot, noting that it would be a hardship to make them move the door.

Discussion ensued regarding the ramifications of granting a variance vs. special permit.

Member Easom made a motion to grant the petitioner's application for a variance from setback for a deck to be constructed in accordance with plans submitted 6/21/17, based on circumstances related to the shape and size of the lot and the hardship based on requiring the relocation of the existing door. The motion was seconded and passed unanimously.

Other business

Minutes and Bills

One Groton Herald bill was signed.

Chairman Maxwell made a motion to approve minutes from May 24, 2017. The motion was seconded and passed unanimously.

Member Mulligan made a motion to adjourn at 7:45 pm. The motion was seconded and passed unanimously.

Approved 11/1/17.