



Town of Groton Massachusetts Zoning Board of Appeals

Meeting Agenda and Minutes

June 28, 2017– Basnett, Shearer

Present

Mark Mulligan, Member

Robert Cadle, Acting Chairman

Bruce Easom, Member

Jay Prager, Member

Berta Erickson, Associate Member

Not Present

Cynthia Maxwell, Chairman

The meeting was called to order at 7:10 pm.

Meeting Minutes

Basnett Special Permit – 50 Champney St., #7-17

Acting Chairman Cadle convened the hearing.

One abutter, Jen Spencer was present.

Dale Swanson, builder, noted that he was here as agent for the property owner. He said his client wants two porches on either side of the home. He said the porches have conforming side setback but the dwelling (and proposed porches) is non-conforming because it is within 50 feet of Champney Street. He said many homes encroach on the 50 feet setback requirement and thus porches are in keeping with the character of the neighborhood and do not increase the non-conformity.

Member Prager said the front of the addition is more than 50 feet from the road and asked why the screened porch couldn't wrap around the back of the house.

Mr. Swanson said the elevation drops off so that makes it is somewhat design prohibited, noting that this is the way the family wants to use the space such that this location makes the most sense.

Member Prager asked about the building permit that was already issued.

Mr. Swanson said it is for the addition only and not for the porches.

Ms. Spenser, abutter who also has lived in that house, said there was a porch there previously and thus this is just replacing what was there.

Member Cadle asked why the porch was removed.

Mr. Swanson said that was part of the renovation.

Discussion ensued how the porches encroach on front setback. Of note, they are not more non-conforming than the existing dwelling, which is 17 feet back from the lot line.

Mr. Swanson said it is a small encroachment.

Member Cadle asked whether anything will be constructed closer than the house.

Mr. Swanson said no.

Ms. Spenser said a garage was removed that was on the lot line, making it look a lot better.

Mr. Swanson said the new garage is under the house.

Members Mulligan and Cadle said they were okay with the proposal.

Member Easom noted that there is 72 feet non-conforming on one side and 25 on other side for about 96 total.

Ms. Spenser said they are gaining space because the original garage was much bigger.

Mr. Swanson said the larger screened porch is well away from the neighbors.

Member Prager made a motion to grant a special permit to allow the alteration as shown on the submitted plans. The motion was seconded and passed unanimously.

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

Acting Chairman Cadle re-convened the hearing, noting that this is a continuation from last week, when the applicant opted for a five-member board.

Mr. Shearer said he wants to remove the existing trailer and replace it with a home, which creates a non-conforming lot. He said he is holding off on the septic system design until he decides what house model to use.

Member Prager said he couldn't make a decision without knowing where the house will be placed.

Mr. Shearer said the trailer sits on the ground but the house will be approximately where the trailer/garage is.

Discussion ensued regarding whether it is a special permit or variance. The building inspector said it is a special permit.

An abutter said the notice he received was for a variance and is concerned that it is not clear what is being built and what will happen with the septic system.

Mr. Shearer said he would like to construct a three-bedroom house.

Member Prager said he wants to know exactly what is going there, noting that the plans show a four-bedroom dwelling.

Member Mulligan asked whether he would guarantee that all setbacks are met.

Mr. Shearer said yes, noting that he did not want to spend a lot of money if he didn't get a special permit.

Discussion ensued regarding how to limit both setbacks and size of the new structure.

Member Mulligan said the non-conformance would not change regardless of the design.

Member Easom said there is room on the lot for it to fit with 26 16 feet side setbacks.

Mr. Shearer said the location of the septic system would dictate the location somewhat.

Discussion ensued regarding whether he should continue until BOH decision reached.

Member Prager said that if he had to make a decision tonight he could agree if the setbacks are conforming.

An abutter said he is in favor, noting that this will be an improvement but said he wants to understand exactly what is going to be built and asked about some of the pins that had been placed on the property. Some explanation was given.

Of note: the special permit will be conditioned on BOH approval.

Member Prager said he is okay with granting the permit if all setbacks are met.

Discussion ensued regarding the legal notice.

Member Prager made a motion to grant a special permit provided that all setbacks are complied with and all BOH requirements are met. The motion was seconded and passed unanimously.

Other business

Minutes and Bills

One Groton Herald bill was signed.

A motion was made to approve the appointment of Dan McLaughlin as an associate board member. The motion was seconded and passed unanimously.

Member Mulligan made a motion to adjourn at 7:55 pm. The motion was seconded and passed unanimously.

Approved 11/1/17.