



Town of Groton Massachusetts Zoning Board of Appeals

Meeting Agenda and Minutes

November 1, 2017 – Smith, Board Re-organization

Present

Cynthia Maxwell, Chairman
Mark Mulligan, Member
Bruce Easom, Member
Berta Erickson, Associate Member
Jen Spencer, Associate Member
Dan McLaughlin, Associate Member

Not Present

Jay Prager, Member

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

Meeting Minutes

Smith Variance– 13 Broadmeadow Road, #8-17

Chairman Maxwell convened the hearing by reading the legal notice.

The Smiths were present. Mr. Smith presented an updated depiction of the shed, which would have two windows. He said they store all their lawn and snow removal equipment in the basement or under a tarp in the yard and would like to store these in the shed. He said lugging equipment up and down the basement steps is becoming more precarious as they age. He said they are asking for a full 15 feet so the shed can be on the boundary, which abuts town land and is untended woods. He said the trees provide a nice screen and he said he thinks having the shed up against town property where nothing is being done is acceptable. He said the Bussers would likely see only a tip of the roof when the leaves have come down and other abutters will not see the shed at all.

Member Mulligan said it looks like the spot is farthest away from the surrounding buildings, noting that the house looks almost on the lot line.

Mr. Smith said yes, the lot lines are funny and the house seems on the lot line and the shed will be well screened on two sides and is as far from abutters as possible.

Discussion ensued regarding the bushes and location of the shed.

Mr. Smith said that if the shed complied with setback, it would be in the middle of the lot, noting that that location makes no sense.

Chairman Maxwell asked whether the shed sits on the ground.

Mr. Smith said there will be excavated stone and the shed will rest on the stone.

Member McLaughlin asked whether they would consider a five-foot setback, noting that the code discourages zero setbacks. He said he thinks it is a good general principal to not have the shed directly on the lot line.

Mr. Smith said he wants the shed as far from the center of the lot as possible but would be amenable.

Member Mulligan said the code requirements are primarily for fire safety.

Discussion ensued regarding fire safety, etc and how this could affect the location of the shed.

Member Spencer said that if the wood shed sits by trees, it will rot faster, noting that it would be better to have it set out from the trees a bit.

Member Easom said he doesn't see a compelling reason to have a 15-foot variance. He said he does not see any hardship and the town could sell the vacant abutting parcel in the future and this could present problems. He said he needs a more compelling argument.

Discussion ensued regarding what could be construed as a hardship.

Mrs. Smith asked for suggestions for locations.

Member Spencer felt that having the shed closer to the driveway would make sense for access to the snow blower.

Mrs. Smith said they did not want to look at the shed.

Member Mulligan said that if they comply with setbacks, the shed would be in middle of the yard.

Mrs. Smith said it is a beautiful yard and asked what the board's biggest concern with the variance is.

Member Easom said there is a reason for the 15-foot setback requirement, noting that he doesn't know what the town may have planned for the future of that land.

Member Mulligan said that all the other sheds in the neighborhood seem to be on the line or in the neighbors yard. He said this location is the farthest from neighbors' structures.

Member McLaughlin said he understands wanting a shed but said he has a hard time with that large of a variance.

Discussion ensued regarding topography and lot lines.

Member Spencer said she would be okay with a variance of 10 feet.

Member Mulligan said the same criteria would be used for either 10 or 15 feet.

Member Easom said it doesn't meet the hardship criteria in any way, noting that it's a nice to have rather than a necessity.

Member McLaughlin said they have a mild hardship with the shape of the lot and feels it is a reasonable hardship for a reasonable variance.

Member Spencer said she wouldn't want a shed in the middle of a skinny lot, noting that that is a hardship.

Member McLaughlin made a motion to grant a variance of 10 feet such that shed won't be closer than five feet from lot line. Member Easom seconded and the motion passed four ayes to one nay.

Other business

Board Re-organization

Member Easom nominated Cynthia Maxwell as chairman, Member Mulligan seconded and the motion passed unanimously. Chairman Maxwell nominated Bruce Easom as clerk, Member McLaughlin seconded and the motion passed unanimously.

Minutes and Bills

One Groton Herald bill was signed.

Chairman Maxwell made a motion to approve minutes from June 21, 2017. The motion was seconded and passed three yeas, two abstentions.

Chairman Maxwell made a motion to approve minutes from June 28, 2017. The motion was seconded and passed three yeas and two abstentions.

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

Approved 12/6/17.