



## Town of Groton Massachusetts Zoning Board of Appeals

Meeting Agenda and Minutes

### January 3, 2018 – Roche

#### Present

Cynthia Maxwell, Chairman

Mark Mulligan, Member

Jay Prager, Member

Bruce Easom, Member

Dan McLaughlin, Associate Member

#### Not Present

Jen Spencer, Associate Member

Berta Erickson, Associate Member

The meeting was called to order at 7:13 pm.

#### Meeting Minutes

##### Roche Special Permit– 194 (formerly 101) Lost Lake Drive, #10-17

Chairman Maxwell convened the hearing by reading the legal notice.

Atty. Collins, agent for Roche, said this is a “much maligned” piece of property, noting that it has one of the few original remaining Lost Lake cottages and is in a derelict state. He said the lot is a little more than 10,000 square feet, with less than the required frontage for a corner lot. He said it has a “challenged” topography, with a deep hole and a slope up to Indian Road. He noted that this was before the ZBA previously, and approval was given to replace the cottage with an affordable two-bedroom house, but the decision was appealed by the PB on the non-use issue. He said the PB has corrected the bylaw, via a town meeting vote, to eliminate non-use. He said the property was used but now that is not an issue, noting that the structure needs to be replaced with an improved up to code dwelling. He stressed that this cries out to be replaced, noting that the proposal is for a two bedroom with a Title V septic system design approved by the BOH. He said there is town water to the site and will the smaller dwelling be more affordable. He then gave a run down of findings in his letter, allowing the grant of a special permit, including the finding that the environment is improved by the removal of junk since property was used as a dumping ground and taxes would increase with a more valuable property.

Member Prager asked about setback requirements.

Atty. Collins said that if there were no structure, there would be no setback requirements, but noted that the proposed dwelling will be 26.5 feet from Tavern Road and 15 feet from Lost Lake Drive. He said that although the new dwelling is non-conforming, the original dwelling has a five-foot setback, and if the Board takes averages, other properties are much closer than 50 feet.

Member McLaughlin noted that they are decreasing the existing non-conformity.

Discussion ensued regarding the septic system design. Atty. Collins said junk needs to be removed from the site in order to install the system.

Member Prager made a motion to grant a special permit to allow the alteration of a non-conforming structure by constructing a two-bedroom dwelling as proposed in the application and with setbacks no less than what is shown on the Plan #2 as prepared by Markey & Rubin, dated 5/28/14 and stamped 10/17/14 on Lot 125-85, 194 Lost Lake Dr., Groton, and with the following conditions: BOH complied with and the septic system is Title V approved, the dwelling shall remain a two-bedroom and the decision is filed with the Registry of Deeds.

The motion was seconded by Member Eason and passed unanimously.

## **Other business**

## **Minutes and Bills**

Deborah Winsor introduced herself as an interested board member and gave a background.

Member Prager made a motion to suggest that the BOS appoint Ms. Winsor as an alternate. The motion was seconded and passed unanimously.

One Groton Herald bill was signed.

Chairman Maxwell made a motion to approve minutes from December 6, 2017. The motion was seconded and passed three yeas, one abstention.

Member Prager made a motion to adjourn at 7:35 pm. The motion was seconded and passed unanimously.

Approved 1/24/18.