



Town of Groton Massachusetts Zoning Board of Appeals

Meeting Agenda and Minutes

February 13, 2019 – Garger Variance, Foss Special Permit

Present

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

Not Present

Jay Prager, Member
Deb Winsor, Associate Member

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

Meeting Minutes

Garger Variance- 46 Redskin Trail, #1-19

Chairman Maxwell convened the hearing by reading the legal notice.

No abutters were present.

A memo from the Board of Health recommending that the ZBA deny the variance request was read into the record. A memo from the Board of Health about scheduling a meeting was read into the record.

Mr. and Mrs. Garger were present. He presented a plan of the garage that he wants to use to keep cars and boats in. He said he wants the garage to be five feet from the front lot line and 15 feet from the paved road. He said the side line setbacks were five feet or so, more or less.

Discussion ensued regarding the distance of the sideline setbacks, which are unclear in the submitted drawing.

Discussion ensued regarding what could happen if the septic system failed and how public safety vehicles could access the property, particularly if the neighbor puts up a fence.

Discussion ensued regarding what the actual setbacks would be with the garage.

It was said that a certified, stamped engineering plan showing real actual setbacks is necessary.

Discussion ensued regarding what a certified plot plan means, in terms of specific boundaries, etc. and how it should show the exact location of the proposed garage.

Mr. Garger said the well is on an abutter's property and is shared with the neighbor. He said it is certified Title V, noting that he doesn't understand why it was done that way.

Member Easom made a motion to continue the Garger hearing to April 17th at 7 pm.

Foss Special Permit– 25 Fir Rd., #20-18

Chairman Maxwell re-convened the hearing by reading the Legal Notice.

Two abutters were present.

Atty. Collins was present as agent for the applicants. He said they purchased the property at the end of 2018 and their son wants to build a house on the property. He said the property used to belong to the Simmons', dating back to the 20's or early 30's, noting that Serena Foss is related to the Simmons. He said other family members live on the same street. He said the lot is comprised of 33,200 sq. ft lot and has a 90-year old home that was part of the original Lost Lake development. He said his clients want a three-bedroom home with an attached two-car garage. He said the existing house doesn't meet setback regulations and the new will meet current setback requirements. He said this would be more affordable than most new construction occurring in town. He said there would not be a negative impact on traffic because it is a dead end road, and the lot is served by town water and by GELD. He said it would enhance the character of the neighborhood, noting that it is a nicely designed house. He said a new Title V system has been approved by the BOH and will be constructed. He said there would be a better tax return, noting that the new house will meet current codes and will be more attractive.

Member Spencer said the house is not habitable, noting that it will be nice for the street to have a new up to code dwelling. She said it is a misfit in the neighborhood and will be more conforming.

Member Easom asked what is non-conforming about the structure.

Atty. Collins said there is not enough area and frontage and the current dwelling doesn't comply with setbacks. He said the new dwelling would meet setbacks.

Carol and John Johnson, abutters, asked whether the footprint would change.

Atty. Collins said they are using the partial footprint.

Mr. Johnson asked whether the septic system that was approved a year ago is the same.

Atty. Collins said yes.

Discussion ensued regarding where the garage will be located, as the Johnson's have a well near the lot line.

Mr. Johnson asked for clarification of lot numbers.

Member Easom made a motion to issue a special permit to Foss, 25 Fir Road, for a single-family home to be constructed as shown on the plan dated 6.4.18 (prepared by Summit) and as referenced in a letter submitted by Atty. Collins with the application. The motion was seconded and passed unanimously.

Other business

Minutes and Bills

One Groton Herald bill was signed.

Minutes from meetings of 1/9 and 1/23/19 were approved.

The meeting adjourned at 7:15 pm.

Approved 4/17/19.