



Town of Groton Massachusetts Zoning Board of Appeals

Meeting Agenda and Minutes

July 17, 2019 – Deschaumbeault Variance, Garger Variance, Whittemore SP

Present

Cynthia Maxwell, Chairman

Mark Mulligan, Member

Dan McLaughlin, Associate Member

Jen Spencer, Associate Member

Not Present

Jay Prager, Member

Bruce Easom, Member

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

Meeting Minutes

Deschambeault Variance – 13 Longfellow #9-19

Chairman Maxwell convened the hearing.

The applicant opted to proceed with a four-member board with the understanding that a unanimous vote is required.

Ms. Deschambeault said she inherited a 1969 roadrunner from her parents, noting that it needs a garage in order to be registered and insured as an antique. She said a shed is already there, noting that the garage won't be as close to the lot line and the shed is being torn down. She said the garage would be pre-fab, on a stone base. She said the neighbors have a fence and there is limbo land in between that she has maintained. She said the neighbors are okay with the project and even offered to store the car until she got the garage. She said that a new shed is staying in the back and the old shed being torn down, noting that the issues are setbacks and location of the existing driveway.

Discussion ensued regarding garage access.

The applicant said the garage will be about four or five feet from the house so she can get in and out.

Discussion ensued regarding the fence and whether the garage sits on the lot line.

The applicant said the fence is chain link and the open space has been maintained for the past 28 years by her, noting that the neighbor is okay with the location. She said there is no other place to put the garage because the septic system is on the other side.

Member Mulligan said like a shed, it is a moveable structure.

The applicant said the Building Inspector told her to come here because it is being using as a garage. She said it is a glorified shed being used as a garage.

Member Mulligan said she is replacing an existing shed.

Member Spencer said she has no problem because the garage is not permanent.

Member McLaughlin said he has a problem with it because it is right against the lot line.

The applicant said the lot line has changed over the years and thus the existing shed is over the lot line. She said the shed has been there for 28 years.

Discussion ensued regarding how the lot lines have been squared off.

Member Mulligan said the garage is more in compliance than the existing shed.

Discussion ensued regarding the location of the fence via the lot line.

Discussion ensued regarding how to condition it such that the garage remains temporary.

Member McLaughlin made a motion to grant a variance of 15 feet, provided the structure remains temporary and moveable and will never become a permanent structure with a permanent foundation. The motion was seconded and passed unanimously.

Garger Variance – 46 Redskin Trail, #1-19

Chairman Maxwell re-convened the hearing by reading the legal notice.

The applicant opted to proceed with a four-member board with the understanding that the vote needs to be unanimous.

Chairman Maxwell read the answers to four questions the board had for the applicant, answered by Kevin Conover, into the record.

The applicant asked for feedback from the board about the questions asked at the last meeting.

Member Spencer said it appears that they are 0 for 4.

Mr. Garger agreed.

Discussion ensued regarding how to proceed without BOH approval.

Mr. Garger said the Health Agent is unhappy with the septic shown on the plan, as well as no potential site for a new septic if the first one fails.

Discussion ensued regarding what needs to happen with a new plan.

Mr. Garger said he doesn't want to keep coming back.

Discussion ensued regarding how to proceed.

Member Spencer said the garage is not for an antique car and suggested they go back to the board of health.

Member Mulligan said he would feel differently if the BOH were okay with the plan.

The applicant requested a continuation to the next meeting date. The motion was seconded and passed unanimously.

Whittemore SP-10 Cypress Rd., #7-19

Chairman Maxwell reconvened the hearing.

The applicant requested to withdraw without prejudice as a design complying with lot coverage percentage was produced.

Other business

Minutes and Bills

Board re-organization: Member Mulligan made a motion to re-appoint Cynthia Maxwell as Chairman and Member Easom as clerk.

Minutes from 5/1/19 were approved unanimously.

The meeting adjourned at 8:15 pm by unanimous vote.

Approved 9/18/19