



Town of Groton Massachusetts Zoning Board of Appeals

Meeting Agenda and Minutes

November 20, 2019 – Schwartz SP, H&V SP, Lacombe SP, Cleveland SP, Nashoba Paddler SP

Present

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

Not Present

Jay Prager, Member
Chris Sweeney, Associate Member

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

Meeting Minutes

Schwartz– 279 Main St., #16-19

Chairman Maxwell convened the hearing.

Several abutters and interested parties were present.

Atty. Collins said he was here last year and got a special permit from the ZBA. He said the lot is slightly less than an acre and the structure is being renovated. He said it is the same addition as approved before but his clients want to move it slightly forward so they can have a more private back yard. He said the positive thing about the change is the addition would be further from the one closest abutter. He said the special permit criteria are the same except there is an additional garage door added instead of a swing door for his client's workshop. He said the front will be 31.5 feet from the right of way, noting that the existing building is 9.1 feet from the right of way.

Discussion ensued regarding the differences between the current plan and last year's plan.

Atty. Collins said the new is the exact size of the original with the only difference being the garage door instead of swing door.

Member Mulligan said he thinks it is a better use of the lot.

Member McLaughlin said it is an odd shaped lot.

Member Mulligan said he has no problem with the request.

Member Easom asked what the original setback of the first addition was.

Atty. Collins said about it was about 50 feet and is now about 30.5 feet, noting that it is still further back than the church.

Member McLaughlin said the plan shows actually 34.5 feet instead of 30.1.

Michael Woods, West Street and direct abutter, said he is fully in favor, because it is a much better design.

Member Mulligan made a motion to grant a special permit for an addition as requested in the plan submitted. The motion was seconded and passed unanimously.

H&V SP–Townsend Rd., #12-19

Chairman Maxwell convened the hearing by reading the legal notice.

No abutters were present.

Atty. Collins said this is an odd situation, noting that he got three special permits some years ago for different temporary trailers. He said the installation of equipment that makes the company more green but has displaced several office workers and hence the need for the temporary office space. He said that technically the special permit has lapsed but the trailer is there, housing employees. He said he would like a renewal so they could keep employees working. He said it is temporary because it is technically a trailer, noting that it looks fine and can't be seen from the road.

Member Mulligan made a motion to grant a special permit for a temporary trailer for a period of three years. The motion was seconded and passed unanimously.

Lacombe– 67 Gay Rd., #13-19

Chairman Maxwell convened the hearing by reading the legal notice.

Several abutters and interested parties were present.

Chairman Maxwell read a memo from the Board of Health into the record.

Atty. Collins said he would address the BOH memo first. He said there will be a new Title V septic system installed and a new well will be drilled. He said there has already been testing and Ira Grossman was present. He said Mr. Grossman is correct that no building permit could issue without safe drinking water and a Title V septic system. He said the lots were created in the early 60's when different zoning was in place, noting that this lot is slightly larger but not two acres as required under current zoning. He then gave a brief history of the surrounding lots. He said his client wants to remove the existing double wide trailer and replace it with a two-story colonial and attached two-car garage. He said that by any standard it is an improvement, doesn't increase density, has no effect on traffic, is better environmentally and will generate significantly more tax revenue. He said it is aesthetically more attractive and better for the neighborhood. He said the project is not being done on spec because the applicant plans on living there. He said a condition should be added to the decision that references everything in the BOH memo.

Member Mulligan asked whether the only non-conforming nature is lot size and frontage.

Atty. Collins said yes, noting that the new dwelling will meet setbacks and will be in the approximate location of the double wide.

Discussion ensued regarding the exact location of the trailer.

Member Easom asked about perc testing.

Atty. Collins said it has been done, noting that the septic will be in front of the dwelling.

Further discussion ensued regarding the location of both septic and well.

Member Mulligan said his only concern is that all BOH and conservation issues be addressed.

Atty. Collins said the Conservation Commission will be visited due to location of wetlands.

Suzanne Romaine, abutter, said she is here because she is just curious and wants to meet new neighbors. She said the proposed home is nice looking.

Member McLaughlin made a motion to grant a SP to allow the replacement of a trailer with a single-family home and subject to both BOH and Conservation Commission requirements. The motion was seconded and passed unanimously.

Cleveland– 247 Main St., #14-19

Chairman Maxwell convened the hearing by reading the legal notice.

Several interested parties were present. No abutters were present.

Jim Cleveland, applicant, noted that he is renovating the existing house extensively, noting that the dwelling needs a lot of TLC. He described the site, noting that there is an existing detached garage. He said originally the house had a wraparound porch that was removed ten years ago, noting the he wants to replace the wraparound porch. He said he also wants a porch in the rear, along with a two-story addition with a walk-in basement. He said the existing garage is really small and in terrible condition and should be replaced. He said there is no stable floor and that it is on cinder blocks. He said one couldn't store a car in there.

Member Mulligan asked about the existing garage

Member McLaughlin said it is very small.

Mr. Cleveland said there are quite a few properties nearby that have garages both attached and detached and are between six and eight feet from lot line. He said he wants grandfathering for the wrap around porch, of the existing setback of 19.6 feet. He said he is bringing back the original character of the house. He said average setbacks are 18.8 feet, noting that the rear deck and addition require a special permit because of the non-conforming lot area. He said he is meeting setbacks and height as well as maximum building coverage, noting that he is asking to extend the garage to a 3.2 setback to allow the parking of an automobile.

Member Spencer said she has been in the home many times and it will fall down if nothing is done soon. She said trees have been removed and the place looks poorly.

Member Easom said it would be helpful if drawing A0.1 had actual setbacks.

Mr. Cleveland said 19.6 feet is the existing setback of the wrap around porch.

Member Easom asked about averages, noting that he has no problem with the front setback. He said the footprint of garage, while no closer, is extending the footprint by 6.4 and thus increasing the non-conformity.

Mr. Cleveland said yes but it is not any closer to the lot line than the existing garage. He submitted a site plan, ZBA-1.

Member Easom said the ZBA plan will be referenced.

Member McLaughlin asked about HDC requirements.

Mr. Cleveland said they have received approval from the HDC.

Member Mulligan made a motion to grant a special permit as requested to be built as shown on ZBA-1 submitted 11/20/19. The motion was seconded and passed unanimously.

Nashoba Paddler– 398 West Main St. Eau unit 1, #17-19

Chairman Maxwell convened the hearing by reading the legal notice.

Mr. and Mrs. Carson were present as applicants, noting that they have been owners for ten years and have run the operation for 13. She said the business was started in 1992, noting that there have been many ZBA renewals. She said it has been ten years since the last one and they want to continue to operate the business.

Member Mulligan made a motion to renew special permit #7-09 , allowing the operation of a canoe rental business for ten years. The motion was seconded and passed unanimously.

Other business

Minutes and Bills

The meeting adjourned at 8:10 PM by unanimous vote.

Approved 2/5/20.