



## Town of Groton Massachusetts Zoning Board of Appeals

Meeting Agenda and Minutes

### October 7, 2020 via ZOOM – Bylaw Discussion

#### Present

Bruce Easom, Chairman  
Cynthia Maxwell, Member  
Mark Mulligan, Member  
Jay Prager, Member  
Dan McLaughlin, Associate Member  
Jen Spencer, Associate Member  
Jack Petropolous, Associate Member

#### Not Present

The meeting was called to order at 5:30 pm by Chairman Easom.

#### Meeting Minutes

#### Other business

#### Discussion of Bylaw changes correction of 218- (formerly 218-27A)

Atty. Collins submitted a letter outlining suggested additional verbiage with notes from the last meeting, also noting that the Groton floodplain bylaws are better than the States. He said the proposed changes are in bold, noting that section 3 is the first substantive one. He said he wants minimum standards of habitability included. He said he thinks the 25% change is good or the requirement could be left out entirely. He said he added a requirement to section 5 that a fire suppression system be installed

Discussion ensued regarding Bob Garside's comments. He was unable to attend the meeting.

Atty. Collins said he wondered what Mr. Garside's thoughts were about removing the sprinkler requirement.

The admin said she will ask Mr. Garside for his thoughts.

Atty. Collins said he doesn't know why they incorporated the fire stairs 40 years but then changed the language. He said he doesn't think fire escapes are offensive but questioned the grammar of the initial wording about stairs not being visible from street.

Discussion ensued regarding whether that language should be removed.

Member McLaughlin said they can't make new fire escapes like the metal ones built in the past.

Atty. Collins said the board should talk to Mr. Garside because he doesn't think it is bad to have a fire suppression sprinkler system as a condition.

Members McLaughlin and Prager agreed, as it would still need to be approved by the fire chief and all current building codes met.

Atty. Collins said that regarding section 6, he doesn't remember why it can't be closer to street, noting that it should just be that the requirement is to have two spaces per unit and the impervious cover percentage can't be exceeded. He said that theoretically they could have parking spaces closer to the street in front of the building, which can't be done now. He said section 7 illuminated that there needed to be an owner-occupied unit. He said there needs to be sufficient area on the lot to be able to accomplish without dividing the lot. He said he simplified the language in #8 (former #9) re: septic vs. sewer hookup, noting there is a big difference between septic for single family vs. multi-family.

Chairman Easom asked whether Atty. Collins was at town meeting, which he was not.

Chairman Easom said the PB made some changes to the bylaw and wondered if Atty. Collins was aware as to whether that could affect this.

Atty. Collins said one issue was the confusion about whether this is the purview of the ZBA or a special permit for the PB only. He said that permits for over 55 should be PB but said dwelling conversion should stay with the ZBA. He said it is what the ZBA regularly reviews, noting that they are the logical authority.

Member Prager said he is okay with the modification if the requirement that the stairs are not visible is removed. Member Mulligan agreed.

Member Spencer asked for clarification from Member McLaughlin regarding how fire escapes are coded at this point.

Member McLaughlin said old fire escapes were tricky to get down, noting that the current code now says they need to be easier to navigate.

Member Prager said also it needs to be in keeping with the character of the neighborhood and provide fire safety. He said this should be subject to review.

Discussion ensued regarding how much to limit.

Atty. Collins said he can take out condition about the fire stairs and draft a letter to the PB from the ZBA about the rational of keeping it with the ZBA rather than the PB.

Board members were in agreement.

Member Petropolous said he doesn't want the fire stairs to issue to fall through the cracks because he thinks it is a big enough issue that should be highlighted about aesthetic compliance without limiting where the stairs are located.

Atty. Collins said he could add a clause, that any fire safety stairs shall not detract aesthetically from the exterior design of the structure from the street.

Member Petropolous said that that is good.

Member Prager said that any fire stairs visible from the street shall not detract from the character of the building or neighborhood, and whenever possible shall not be visible from the street.

Discussion ensued regard wording.

Atty. Collins said he will tweak the language and re-circulate.

Member Petropolous asked about expansion within the last 24 months.

Atty. Collins said this is a condition, so a conversion is not done on a new structure or something done within the last 24 months in an effort to circumvent the bylaw. He said that is why the language was put in there.

Member Prager said he is not fond of the 25% increase language, noting that it is not fair that bigger houses get bigger extensions.

Member Petropolous said he has problem with that also and asked whether someone could build a new triplex.

Atty. Collins said no, noting that it has to be an existing structure.

Discussion ensued regarding the parameters of this conversion bylaw.

Atty. Collins said he thought about Member Prager's thoughts about extended family living together and why a 10% increase is too small.

Discussion ensued regarding how to keep the bylaw as intended.

Member McLaughlin said if the intent is just to preserve old buildings then 10% is fine.

Member Prager said he doesn't think that is the intent, but to allow more apartments.

Discussion ensued regarding some examples in the historic district of how the bylaw is an attempt to preserve old buildings.

Atty. Collins said he thinks it is fine to take any square footage requirement out.

Discussion ensued regarding how to keep the rules fair for everyone.

Member Spencer said it is to provide affordable housing in town as well.

Member Prager said the special permit criteria include the character of the neighborhood.

Chairman Easom asked whether the 10% requirement was put in there to provide flexibility to the owner/developer.

Atty. Collins said yes but noted that 10% is unrealistically small.

Member Spencer said a huge parcel with a tiny shack on would have severely limited growth potential.

Discussion ensued regarding what language to leave in.

Chairman Easom said he wants to declutter the regulation but said they should let the public know what they are in for.

Member Prager said we need a smooth process to make sure the applicants don't make errors.

A motion was made to continue the discussion on October 21, 2020 at 5:30 PM. The motion was seconded and passed unanimously via roll call vote.

## **Minutes and Bills**

No Groton Herald bills were signed.

Minutes from 9/23/20 were approved via unanimous roll call vote.

The meeting adjourned at 6:20 pm by unanimous roll call vote.

Minutes approved 12/2/20.