

**Town of Groton**

**Zoning Board of Appeals**

173 Main Street

Groton, Massachusetts 01450

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March 8, 2023 - 6:30 PM - Second Floor Meeting Room

**Members Present and Voting for Public Hearing**

Bruce Easom, Chairman

Jack Petropoulos, Full Member

Dan McLaughlin, Clerk, Full Member

Jay Prager, Full Member

Michael McCoy, Associate Member

**Others Present**

Bruce Ringwall, representing the applicant

Margareth Jean, applicant

Michael Corda, from Benchmark Design, the designer and construction consultant

Member(s) of public

**The meeting was called to order at 6:30 PM by Chairman Easom and stated that the meeting was being recorded.**

**Meeting Minutes**

**Phillipe Sicard and Margareth Jean – 31 Fitch’s Bridge Road #2023-1**

**Member Easom opened the public hearing. Mr. Mclaughlin read aloud the public notice into the record**:

The Zoning Board of Appeals will hold a public hearing on **Wednesday, March 8, 2023 at 6:30 pm at the Groton Town Hall, second floor meeting room**, to convene the hearing for the application of Phillipe Sicard and Margareth Jean, **31 Fitch’s Bridge Road, Groton, MA 01450**, for a special permit to allow the front and side setback for the reconstruction of an existing dwelling on a non-conforming lot on Lot 216-28, 31 Fitch’s Bridge Road, Groton, MA. Please refer to Section 218-5.7- E (1) and any other applicable section of the Groton Zoning By-Law.

Discussion:

Bruce Ringwall introduced himself, Margareth and Michael.

This property is located at 31 Fitch’s Bridge Road. The plot is a pre-existing non-conforming lot in R-A ZONE, which requires 80,000 square feet of land area. This lot has 11,731 (+/-) square feet and it has 161 feet of frontage versus the 225 feet required. The existing house is close to the road at 13 feet from the road but it meets the side and rear setbacks. Mr. Ringwall and client have previously gone to the Board of Health and revised the septic system, which a copy was included in the files given. It was revised and approved by the Groton Board of Health and it will meet all of the necessary setbacks from the side and rear lines from the septic system. They have also gone before the Conservation Commission and obtained an order of conditions for the work. They are in the Riverfront Area if the Nashua River, which is right across the road from Fitch’s Bridge Rd. Much of the land in the inner 100 feet of the Riverfront Area is owned by the Town, across the road from this lot. The 200-foot line, where the septic plan would be, goes through the middle of the proposed house and the back portion is out of the 200-foot zone. The existing house was built around 1956 according to the Groton Assessor’s records. The current house has a basement level, a first floor and a second floor. The property is not in the 100-year floodplain, but it is in very sandy soil, so when the water level rises, so does the ground water around it and it causes this basement to flood. It has flooded numerous times since 1956, to the point where it has mold, insect damage that comes with all of that flooding, etc. Since the applicant has owned this house, the fire department has come out at least twice due to this.

The proposal is to get rid of this basement. The first floor will be raised, so that it will be 2 feet above the road elevation. This new structure will have a first and second floor, and no basement. It is currently a 3 bedroom home now, and this new construction will be a 3-bedroom home, but there will be an addition of a 2-car garage to the front. They have pushed this back as far as they feel comfortable pushing it back, so it will go from 13 feet to 20 feet for the front setback and it will be 16 feet to the rear. Instead of 15 feet to one property line, it will be 21.5 feet and it is about 50 feet from the other property line. This is bettering the non-conforming lot with these differences. This is the proposal to go forward from this stand point. They have submitted pictures of the current house and architectural plans from Benchmark Design that show the elevation from the front and rear sides, as well as a floor plan. The existing plot plan was also submitted as well as the proposed plot plan with the existing house super-imposed on that. Bob Collins has also written a letter in support of this.

**Mr. Mclaughlin read aloud the submitted letter from Attorney Robert Collins.**

Jay Prager: How did you get resolution of the 100-foot zone next to the river?

Mr. Ringwall said that they are outside of the 100-foot zone. When you are dealing with the Riverfront Area, the first 100 feet from the river is the inner riparian zone and area between 100 and 200 feet is the outer riparian zone.

Dan McLaughlin: There are pre-fabricated stairs in the back which go over the setback line. How are they measured?

Mr. Ringwall had previously discussed this with the Building Commissioner, Bob Garside, and it was explained that when pre-fabricated stairs (covered or not) are used and there is a separation between the foundation and the house, the steps are not considered a part of the final structure for purposes of calculating setback.

Jay Prager made a comment stating that he doesn’t have a problem with this application because it doesn’t increase any non-conformances, it doesn’t encroach on wetlands and it meets the intensity requirements.

Jack Petropolous stated that it reduces non-conforming and it improves the property.

***Member Prager made a motion to approve the Special Permit application as applied for. The motion was seconded by Member Petropoulos and carried unanimously via roll call vote.***

*10 days for this to be filed with the Clerk and then there will be an appeal period.*

**General Business**

No minutes to approve.

Should the ZBA start seeking out a full-time member? Ask the alternates to see if any of them would like to become a full-time member. Possibly advertise openings. Amanda to talk to the Land Use Director ensuring he doesn’t have any problems with doing this.

For the 40B Application coming up, the applications are in the building department for the board members to view, but there are limited copies, so they will need to be checked out if you would like to view the paper files, otherwise everything can be viewed online.

*Next meeting to be held on March 22nd, 2023 at 6:30PM in the second-floor meeting room.*

**Member Prager made a motion to adjourn. Member Petropoulos seconded the motion and carried unanimously via roll call vote.**

A motion to adjourn at 7:55