



# Town of Groveland Zoning Board of Appeals

183 Main Street  
Groveland, MA 01834

TOWN OF GROVELAND  
2019 MAY 29 AM 8:56  
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Any appeal shall be filed within (20) days after the date of filing this notice in the office of the Town Clerk.

## NOTICE OF DECISION

<b>PROPERTY: 299 MAIN STREET</b>			
<b>PETITIONER:</b>	Zong Yang	<b>DATE:</b>	May 28, 2019
<b>ADDRESS:</b>	10 Bluejay Road Lynnfield, MA 01940	<b>PETITION:</b>	2019-1
		<b>HEARING:</b>	May 1, 2019

The Groveland Board of Appeals held a public hearing at the Town Hall, 183 Main Street, Groveland, MA on Wednesday, March 6, 2019 at 7: 30 PM, with continued sessions on April 3, 2019, and May 1, 2019, on the application of Zong Yang concerning the land and building thereon located at 299 Main Street, (Assessors Map 10, Parcel 001) Groveland, MA 01834. The land is located in the Business (B) Zoning District.

As set forth in the application filed with the Board and his testimony, the Petitioner sought: a) to appeal a decision of the Building Inspector; b) a variance of 38.5 ft. for the front setback of one of two existing buildings located on the property formerly used as a gas station/repair shop; and c) a special permit to use that building and the property for small retail use, specifically a small retail hydroponics storefront, all according to applicable sections of the Town of Groveland Zoning Bylaws, including Section(s) 4, 4.3.3, & 8.

The following members were present: Jason Normand, Kathleen Franson, Christopher Goodwin, John Stokes.

The application was filed on February 11, 2019 and the hearing was advertised in the Lawrence Eagle Tribune on February 20, 2019 and February 27, 2019 all abutters were notified by regular mail.

No decision or order of the Building Inspector was presented to the Board for appeal, and no reference was made to such an order or decision in the testimony presented.

Likewise, the application and the testimony before the Board did not disclose a proposed use of the property requiring a special permit from the Board. The application proposed a small retail use, which is allowed by right in the Business zoning district. During the hearing the petitioner indicated that he would consider using the building for a home improvement store or an appointment-only boat showroom, but did not indicate why a special permit was needed for those uses.

The Board considered the application and testimony of the petitioner as it concerned variances he appeared to request from the setback requirement applicable to the building, and the parking requirement for the proposed use. The petitioner presented no evidence, and there was otherwise no evidence placed before the Board, demonstrating that his inability to comply with the requirements of the Zoning Bylaws for which he sought variances was the result of the shape, topography, or soil conditions of the lot, and demonstrating that enforcement of the applicable requirements would result in substantial hardship to the petitioner.

Upon a motion made by Christopher Goodwin, and seconded by John Stokes, the board voted to DENY the petitioner's application. The vote was 4-0, unanimous in favor.

**BOARD OF APPEALS**

Kathleen Franson, Co-Chair