



TOWN OF GROVELAND
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**TOWN OF GROVELAND
ZONING BOARD OF APPEALS**

**DECISION FOR SPECIAL PERMIT
APPLICATION #2017-12**

YOU ARE HEREBY notified of the Decision of the Board of Appeals on the application made by Jana Fitzgerald (the "Applicant") for property located at 18 Evergreen Lane, Groveland, Massachusetts Assessor's Plat #43 Lot # 8, located in the Residential 1 Zone (the "Property").

Application # 2017-12 was filed with the Board on November 9, 2017 as signified by the Town Clerk's date stamp. The Applicant requests a special permit for and in-law accessory apartment with a maximum floor area of 676 square feet to be located in the basement of the house (the "Accessory In-Law Apartment").

Notice of such public hearing was given by posting in Town Hall posting, publication in The Eagle Tribune on November 22, 2017 and November 29, 2017, and by certified mail to all parties-in-interest as defined in Section 11 of Chapter 40A of the Massachusetts General Laws.

The Board, as authorized by Section 15 of Chapter 40A of the Massachusetts General Laws, heard Application #2017-12 at a public hearing conducted on December 6, 2017.

FINDINGS:

The Board makes the following findings in connection with this Decision:

1. The proposed use is consistent with the purpose and intent of the Groveland Zoning By-law.
2. The proposed Accessory In-Law Apartment will not change the single family characteristics of the dwelling.
3. The proposed Accessory In-Law Apartment does not exceed the maximum permitted floor area for an accessory apartment within a principal dwelling.
4. The Applicant is the owner of the Property and will live in the principal residence. The Applicant's parent will live in the Accessory In-Law Apartment.

DECISION:

The Board voted 4-0 to approve Application 2017-12 and grant the Applicant a special permit on the following terms.


- 1) The Accessory In-Law Apartment shall be construed according to the plans submitted with the application and the floor area of Accessory In-Law Apartment shall not exceed the specifications on the submitted plans.
- 2) The Accessory In-Law Apartment cannot be converted into a two family residence.
- 3) The Applicant shall occupy either the principal dwelling unit or the Accessory In-Law Apartment.
- 4) This special permit shall terminate upon a change in ownership of the Property or upon the Applicant no longer occupying the principal dwelling unit or the Accessory In-Law Apartment.
- 5) All submitted plans will become part of this Decision, and any deviation or changes from said plans will require an additional Groveland Zoning Board of Appeals Hearing relative to proposed changes prior to commencement of said changes.
- 6) The Accessory In-Law Apartment shall comply with the Massachusetts Building Code, all Town of Groveland codes, bylaws, rules and regulations, and must comply with all current safety, health, and construction requirements before occupancy and at every change of occupancy, including, without limitation, the design capacity of the on-site septic system to accommodate the additional bedroom.
- 7) Parking for the Accessory In-Law Apartment shall be accommodated on the existing driveway.
- 8) This Special Permit is non-assignable.

Motion: K. Bailey Second: K. Franson

Vote on the Motion to approve this Decision:

	YES	NO	ABSTAIN	ABSENT
CHAIR (K. Bailey)	X			
VICE-CHAIR (J. Normand)	X			
MEMBER (D. MacDonald)	X			
MEMBER (K. Franson)	X			
MEMBER (Vacant)				

Any Appeal of this Decision shall be made pursuant to Section 17 of Chapter 40A.


Chair: Katherine C. Bailey

12-17-17
Date: