



TOWN OF GROVELAND

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**TOWN OF GROVELAND
ZONING BOARD OF APPEALS**

**DECISION FOR SPECIAL PERMIT
APPLICATION #2017-7**

YOU ARE HEREBY notified of the Decision of the Board of Appeals on the application made by James Ogden, Manager of Oak Valley Development, LLC (the "Applicant") for property owned by Efthimia Lagogiannis and Kyriakos Lymperopolous, located at 730 Salem Street, Groveland, Massachusetts, Assessor's Plat # 39 Lot # 106-A, located in the Residential 2 District (formerly called the Residential B District) (the "Property").

Application # 2017-7 was filed with the Board on May 10, 2017 as signified by the Town Clerk's date stamp. The Applicant proposes converting an existing nonconforming structure on a nonconforming lot from function hall use to two-family dwelling use.

Notice of such public hearing was given by posting in Town Hall posting, publication in The Eagle Tribune on June 7, 2017 and June 14, 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 #2017-7 at a public hearing conducted on June 21, 2017.

FINDINGS:

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

1. Two-family dwellings are permitted as-of-right by the Groveland Zoning By-Laws in the R-2 (formerly R-B) zone.
2. Although the Applicant considered demolishing and reconstructing the structure, the applicant now plans to rehabilitate the existing structure on the existing footprint.
3. There are no proposed changes to the footprint of the nonconforming structure, other than a proposed deck on the rear of the structure to provide egress and outdoor space.
4. The proposed use is not out of character with the neighborhood because there are several existing two-family and multi-family dwellings among the properties located within 300 feet of the Property.

5. The proposed use will be less detrimental to the neighborhood than the existing use because the dilapidated structure will be rehabilitated.
6. Several abutters, including immediate neighbors, spoke in favor of the proposed use.

DECISION:

The Board voted 4-0 to approve Application 2017-7 and grant the Applicant a special permit for the alteration of a nonconforming structure on a nonconforming lot and a finding that the proposed use and structure is not more detrimental to the neighborhood than the existing, on the following terms.

1. The use will be a two-family dwelling.
2. Repairs to the structure will not alter the footprint of the existing structure, except for an uncovered deck to be located on the rear of the structure, provided the deck complies with the setback requirements of the Groveland Zoning By-Laws.
3. The proposed use is subject to all applicable parking requirements and permits.
4. This special permit shall not take effect until it has been recorded in the Essex County Registry of Deeds.

Vote on the Motion to approve this Decision:

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

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



 Chair: Katherine C. Bailey

6/21/17

 Date:

Please be aware that the amendments to the Town of Groveland's Zoning Bylaws approved by a vote of Town Meeting on April 24, 2017 are currently being reviewed by the Office of the Attorney General, and any action taken under any permit issued pursuant to the amended Bylaw is taken at the permit holder's risk with the understanding that a disapproval of the amended Bylaw may result in the activity undertaken pursuant to said permit being disallowed.