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TOWN OF GROVELAND  
2018 MAY 21 PM 5:45  
TOWN CLERK  
RECEIVED/POSTED

**TOWN OF GROVELAND  
ZONING BOARD OF APPEALS**

**DECISION AND NOTICE OF DECISION  
APPLICATION #2018-2 SPECIAL PERMIT**

  
SO. ESSEX #146 Bk:36798 Pg:295  
06/19/2018 11:36 PERMIT Pg 1/3

You are hereby notified of the Decision of the Board of Appeals on the Application #2018-2 for Robert J. Gregory, Trustee of 147 Meridian Realty Trust (the "Applicant") for the premises located at 23-25 Elm Park, Plat #10, Lot #029 (the "Premises") located in the Business District was filed with the Board on March 26, 2018 as signified by the Town Clerk's stamp. The Applicant is the owner of the Premises by virtue of that certain Quitclaim Deed recorded in the Southern Essex County Registry of Deeds in Book 33583, Page 153. The Applicant seeks a Special Permit to allow a first floor commercial unit to be converted to residential use, for a total of four (4) residential units in two (2) buildings on the lot.

The Board of Appeals, as authorized by Section 15 of Chapter 40A of the Massachusetts General Laws, heard the application of the Applicant at a public hearing, duly advertised in the Eagle Tribune on April 18, 2018 and April 25, 2018 and by posting in Town Hall, and conducted on May 2, 2018.

The Board's decision to **Grant** the **SPECIAL PERMIT** as set forth below:

Moved B. Dunn, seconded K. Franson to approve the following:

**FINDINGS:**

1. The Board of Appeals may award a special permit to change or extend a nonconforming use in accordance with this Section 5.4 only if it determines that such change or extension shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.
2. The expansion of the nonconforming residential use on a non-conforming lot is less detrimental to the neighborhood because the residential use will generate less traffic and will have fewer conflicts with the existing residential uses on the Property than a business use.

**DECISION:**

The Board hereby grants the requested Special Permit on the following conditions:

1. Any exterior modifications and/or additional outside structures will require further approval by the Board.
2. There will be no more than four (4) residential units with no further expansion. The unit being converted from commercial to residential use will contain no more than two (2) bedrooms and one (1) bathroom and be no larger than 1,200 square feet.
3. The buildings shall meet all MA Building Codes and Requirements.
3. The Applicant shall meet all Local Zoning By-Laws.
4. The Applicant shall meet all Local By-Laws.
5. The Applicant shall meet all Groveland Board of Health Rules and Regulations.

Property Address:  
23-25 Elm Park, Groveland

3 5536

6. The Applicant shall meet all Local Zoning Setbacks.
7. No on street parking will be allowed. All residents will park off the street on the existing driveway.
8. This Decision and Notice of Decision, (Application# 2018-2), shall be filed and recorded in the **ESSEX SOUTHERN DISTRICT REGISTRY OF DEEDS** and receipt of said transaction delivered to the Town Clerk.
9. This Special Permit shall lapse is substantial use is not made or construction has not begun, except for good cause shown, within three (3) years from the date of granting of said Special Permit, in accordance with the Groveland Zoning Bylaw.

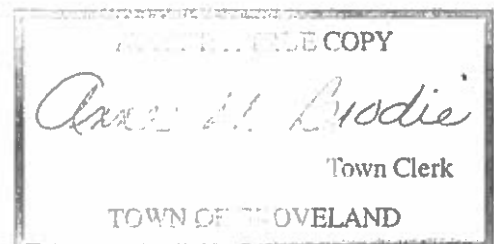
Vote on Motion to Grant Special Permit with Conditions:

	YES	NO	ABSTAIN	ABSENT
CHAIR (K. Bailey)				X (recused)
MEMBER (K. Franson)	X			
MEMBER (D. MacDonald)	X			
VICE-CHAIR (J. Normand)	X			
ALT-MEMBER (B.Dunn)	X			

Any Appeal of this Decision shall be made pursuant to Section 17 of Chapter 40A and shall be filed with the Superior or District Court within twenty (20) days after the date of filing of the above cited Decision with the office of the Town Clerk. Procedural appeals shall be taken in accordance with Section 17 of Chapter 40A.

  
 \_\_\_\_\_  
 Vice-Chairman

5/10/16  
 \_\_\_\_\_  
 Date



**TOWN OF GROVELAND**

**Notice of Appeal or Not**

**For Decision Made by Groveland Zoning Board**

Office of the Town Clerk  
183 Main St  
Groveland, MA.  
Tel- 978-469-5005  
Anne Brodie

I hereby certify that a copy of the decision of the Zoning Board of Appeals of the Town of Groveland, relating to the application of:

Robert J Gregory Trustee  
23-25 FLY PARK

File number: 2018-2

Was filed in this office on : MAY 21, 2018

And that **NO NOTICE OF APPEAL** was filed during the Twenty (20) days after the date.

It is strongly urged that this decision be filed at the registry of Deeds as it will affect your property and the status of your property deed. Should you file this document, we ask that you bring a copy of the file number back to the office of the Town Clerk, so that it may be filed with your original document. Thank You!

Original decision has been picked up by applicant, and or his agent, from the Town Clerk of Groveland.

Anne Brodie  
Town Clerk Signature

ATTEST: A TRUE COPY  
Anne M. Brodie  
Town Clerk  
TOWN OF GROVELAND