



**TOWN OF GRAFTON  
ZONING BOARD OF APPEALS**

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**MINUTES  
ZONING BOARD OF APPEALS  
THURSDAY, AUGUST 25, 2016  
CONFERENCE ROOM A  
AT THE MUNICIPAL CENTER**

A meeting of the Zoning Board of Appeals was held on Thursday, August 25, 2016 in Conference Room A at the Municipal Center.

**Members present:** Mr. William McCusker-Chairman, Mr. Robert Nault-Vice Chairman, Mr. William Yeomans-Member, Ms. Kay Reed-Member and Mr. Robert Berger – ZEO.

**Absent:** Mr. Elias Hanna

Meeting called to order at 7:30 p.m. Chairman appoints Mr. Yeomans and Ms. Reed as voting members on all cases at this meeting.

**7:30 p.m. – Case #821 53 Providence Road – Continuation for Special Permit/Variance**

Board introduces themselves.

Applicant applied for a Special Permit/Variance now they only need a Special Permit. The applicant redesigned the plans so the addition is not more non-conforming than the current building.

Motion made by Mr. Nault and 2<sup>nd</sup> by Ms. Reed to issue a Special Permit to Deborah Micket and Katrina Breen of 53 Providence Road to extend the pre-existing, non-conforming structure to accommodate an addition to convert the single family residence into a duplex as depicted in exhibit A.

On a roll call vote: Mr. Yeomans – yes; Mr. Nault – yes; Ms. Reed – yes; Chairman – yes.  
4-yes, 0-no, motion passed.

Motion made by Mr. Nault and 2<sup>nd</sup> by Ms. Reed to close the hearing for case #821. On a vote of 4- yes, 0-no, hearing closed at 7:41 p.m.

**7:44 p.m. – Case #823 – 11 Falmouth Road - Special Permit**

The Board introduces themselves.

Chairman reads rules of order. Vice Chairman reads the legal notice.

Letter from Mr. Simon Harding of 11 Falmouth Drive to allow Mr. John Gemme of 30 Kaye Circle North Grafton to speak on his behalf. He is the contractor that will be doing the work on the residence. He will be adding a 2<sup>nd</sup> story on the current residence. Only going over current footprint of the house, will not be going outside the current footprint.

Chairman asks if anyone would like to speak for or against the applicant. No one asked to speak for or against. Chairman closes case to public input.

Motion made by Mr. Yeomans and 2<sup>nd</sup> by Mr. Nault, to issue Simon Harding of 11 Falmouth Drive a Special Permit to add a 2<sup>nd</sup> story to a pre-existing, non-conforming structure. On a roll call vote: Mr. Yeomans – yes; Mr. Nault – yes; Ms. Reed – yes; Chairman – yes. 4-yes, 0-no, motion passed.

Motion made by Mr. Nault and 2<sup>nd</sup> by Ms. Reed to end Case #823. Motion passed, case closed at 7:53 p.m.

**7:55 p.m. – Case #822 – 263 Worcester Street – Special Permit**

Board introduces themselves.

Chairman reads rules of order.

Vice Chairman reads the legal notice.

Chairman explains to applicant that only 4 members of the Board are present tonight and he has the option to continue with the 4 members or continue the hearing to our next meeting. Applicant wants to continue with only 4 members.

Mr. Robert Joncas of 263 Worcester Street explains to the Board that he purchased the property as is in 1990. When he purchased the property it was a 4 family. The building is assessed at a 3 family. He would like to have it a legal 4 family and bring it up to code, which would mean having to sprinker the building and hard wire smoke detectors. Currently only the common areas are hard wired all the units have battery operated smoke detectors.

Mr. Berger, ZEO, states that it is a legally permitted 3 family building. If it became a 4 family building, the owner would need to add sprinklers and bring it up to today's standards. You cannot grandfather a zoning violation. The board can issue a Special Permit for the 4 family building, extending the non-conformity. We can do a site plan review and calculate if there is enough parking for all 4 units. All of that can be put into the decision.

Chairman asks what defines a 3 family unit – the number of bedrooms. Board also inquires, no changes, it is currently a 4 unit building and that will not be changing, just want to make it a legal 4 family.

Chairman asks if anyone wishes to speak for or against the applicant's proposal.

Mr. Mike Davis of 30 Fairlawn Street lives behind the applicant. Has concerns regarding conforming to the town zoning by-laws. Is opposed to allowing the special permit to allow the 4<sup>th</sup> unit.

Chairman states that if the Board grants the special permit for the 4 family, the applicant must upgrade and get sprinklers and bring it up to code for a 4 family unit. The Board would like more information before granting the special permit. The Board would like to continue the hearing until September 15, 2016 to get more information, get the Town Planner involved, and conduct a site plan review.

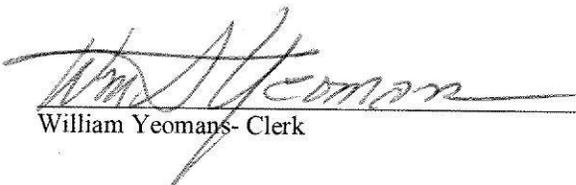
Motion made by Mr. Nault and 2<sup>nd</sup> by Mr. Yeomans to continue hearing until Thursday, September 15, 2016 at 7:30 p.m. On a vote of 4-yes, 0-no, Case #822 continued.

**Meeting Minutes**

Motion made by Ms. Reed and 2<sup>nd</sup> by Mr. Nault to accept the minutes of 6/30/2016 as amended. 4-yes, 0-no. Motion passed, meeting minutes approved.

Motion made by Mr. Yeomans and 2<sup>nd</sup> by Mr. Nault to adjourn meeting. On a vote of 4-yes, 0-no, motion passed, meeting adjourned at 8:40 p.m.

Respectfully submitted by:  
Katrina Koshivos



William Yeomans- Clerk