



TOWN CLERK

Kandy L. Lavallee  
Town Clerk

RECEIVED

JUL 20 2022

Building Department

**TOWN OF GRAFTON**  
GRAFTON MEMORIAL MUNICIPAL CENTER  
30 PROVIDENCE ROAD  
GRAFTON, MASSACHUSETTS 01519  
(508) 839-5335 ext. 1195  
clerks@grafton-ma.gov



BK: 67935 Pg: 188  
Page: 1 of 4 07/20/2022 11:48 AM WD

**CERTIFICATE OF NO APPEAL**

**DECISION:** GRAFTON ZONING BOARD OF APPEALS  
2022/885- Special Permit

**PETITIONER:** Charles & Andrea Bresnahan  
9 Millbury Street, Grafton, MA 01519

**OWNER:** Charles & Andrea Bresnahan  
9 Millbury Street, Grafton, MA 01519

**DEED REFERENCE:** 9 Millbury Street  
Assessor's Map 74, Lot 121  
Worcester District Registry of Deeds  
Book 63143 Page 363

This is to certify that the Decision of the Grafton Zoning Board of Appeals for the addition of an attached 2-car garage with a mud room on a pre-existing, non-conforming structure at property located at 9 Millbury Street, Grafton. The Decision was duly recorded in the Town Clerks office on June 27, 2022 at 3:47 pm.

No Notice of Appeal of the Decision was filed in this office within the twenty days next, the appeal period ending on July 18, 2022.

A true copy, ATTEST:

  
Kandy L. Lavallee, Town Clerk  
Grafton, MA



**ZONING BOARD OF APPEALS  
TOWN OF GRAFTON**  
GRAFTON MEMORIAL MUNICIPAL CENTER  
30 PROVIDENCE ROAD  
GRAFTON, MASSACHUSETTS 01519  
Phone: (508) 839-5335 ext 1157 FAX: (508) 839-4602  
www.grafton-ma.gov

2022 JUN 27 PM 3:47  
RECEIVED TOWN CLERK  
GRAFTON, MA

**THE COMMONWEALTH OF MASSACHUSETTS  
Town of Grafton  
BOARD OF APPEALS**

**2022/Case #885**

**SPECIAL PERMIT**

Decision of the Board of Appeals on the petition from CHARLES AND ANDREA BRESNAHAN of 9 MILLBURY STREET, GRAFTON, MA requesting that the Zoning Board of Appeals grant a SPECIAL PERMIT to allow:

**THE ADDITION OF AN ATTACHED 2-CAR GARAGE WITH A MUD ROOM ON A PRE-EXISTING, NON-CONFORMING STRUCTURE.**

At their duly held meeting on Thursday, June 16, 2022, the Zoning Board of Appeals took the following action:

Motion made by Mr. McCusker and seconded by Mr. Yeomans, that the Zoning Board of Appeals grant a SPECIAL PERMIT to CHARLES AND ANDREA BRESNAHAN at 9 MILLBURY STREET, GRAFTON MA, to allow:

**THE ADDITION OF AN ATTACHED 2-CAR GARAGE WITH A MUD ROOM ON A PRE-EXISTING, NON-CONFORMING STRUCTURE PER EXHIBIT A ATTACHED.**

**THE BOARD MAKES THE FOLLOWING FINDINGS:**

- Finding 1: The parcel is located in the R20 (Medium Density Residential) zoning district.
- Finding 2: The R20 Zoning District requires 125 feet of frontage.
- Finding 3: The lot has 113.2 feet of frontage.
- Finding 4: The R20 Zoning District requires a 20,000 square foot lot.
- Finding 5: The lot size is 11,745 square feet.
- Finding 6: The R20 Zoning District requires a 30' front yard setback.
- Finding 7: The home is situated 25.1' off the front yard setback.
- Finding 8: The home was built in approximately 1800.

Based on Findings 1 – 8, the current structure is a pre-existing, non-conforming structure.

- Finding 9: The R20 Zoning District requires a 15' side yard setback.
- Finding 10: The current structure complies with the side yard setback.
- Finding 11: The proposed structure is situated 9.0' off the side yard lot line and within the setback.
- Finding 12: The R20 Zoning District requires a 15' rear yard setback.
- Finding 13: The current structure complies with the rear yard setback.
- Finding 14: The proposed structure is situated 10.9' off the rear yard lot line and within the setback.
- Finding 15: The current use is a single-family residence.
- Finding 16: The proposed use is a single-family residence.

Finding 17: The structure is a single-family home situated in a neighborhood of almost exclusively single-family homes.

Finding 18: The proposed structure is site appropriate and in harmony with the general purpose and intent of the bylaw and the project would not have a negative effect on the neighborhood.

BASED ON FINDINGS 17 AND 18, WE FIND THAT GRANTING A SPECIAL PERMIT WOULD NOT BE MORE DETRIMENTAL TO THE NEIGHBORHOOD THAN THE PRE-EXISTING NON-CONFORMING STRUCTURE.

BASED ON FINDINGS 17 AND 18, WE FIND THAT A SPECIAL PERMIT WOULD NOT DEROGATE FROM THE INTENT AND PURPOSE OF THE BY-LAW.

**ON A ROLL CALL VOTE:**

Brian Waller, Chairman: YES

Kay Reed, Clerk: YES

William McCusker, Member: YES

William Yeomans, Member: YES

Mitali Biswas, Alternate Member: YES

Peter Adams, Alternate Member:

**Motion Passed with 5 votes YES and 0 votes NO: SPECIAL PERMIT GRANTED**

This decision is final except that any person who may be aggrieved by this decision has the right to appeal to the Superior Court in accordance with the provisions G.L.c.40A.

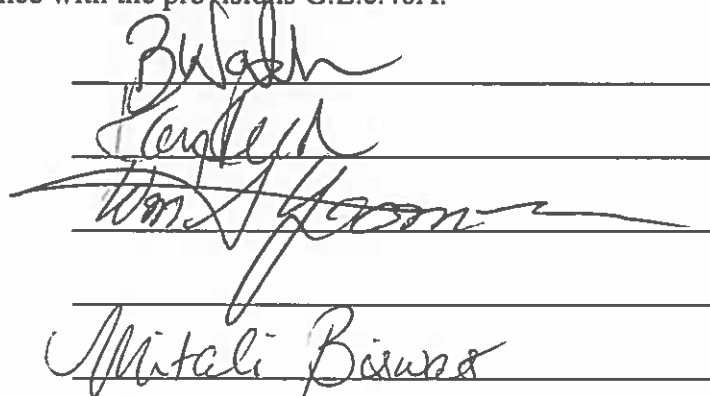
Brian Waller, Chairman

Kay Reed, Clerk

William Yeomans, Member

William McCusker, Member

Mitali Biswas, Member

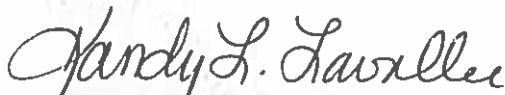


Handwritten signatures of Brian Waller, Kay Reed, William Yeomans, William McCusker, and Mitali Biswas on signature lines.

A complete file of this case (Case #2022-885) is on file with the Town Clerk.

A true copy;

Attest:



Handwritten signature of Kandy L. Lavallee.

Kandy L. Lavallee, Town Clerk

Grafton, MA

**PLAN SHOWING PROPOSED ADDITION  
 PREPARED FOR  
 ANDREA BRESHNAHAN  
 9 MILLBURY STREET  
 GRAFTON, MASSACHUSETTS  
 NOVEMBER 16, 2020  
 SCALE: 1 INCH = 30 FEET**

JARVIS LAND SURVEY, INC  
 29 GRAFTON CIRCLE  
 SHREWSBURY, MA 01545  
 TEL. (508) 842-8087  
 FAX. (508) 842-0661  
 KEVIN@JARVISLANDSURVEY.COM

\* THE SURVEYOR RETAINS COPYRIGHT TO THE PLAN OF SURVEY, AND RE-USE OF THIS PLAN IS NOT ALLOWED WITHOUT PERMISSION FROM THE SURVEYOR.

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- 2. THIS PLAN HAS NOT BEEN PREPARED FOR RECORDING PURPOSES.
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**ASSESSORS MAP 74  
 LOT 121**

11-16-2020



**MILLBURY STREET**



**ZONING DATA:**

MEDIUM DENSITY (R-20)  
 LOT AREA = 20,000 S.F.  
 LOT FRONTAGE = 125'  
 FRONT YARD SETBACK = 30'  
 SIDE YARD SETBACK = 15'  
 REAR YARD SETBACK = 15'