



TOWN CLERK

Kandy L. Lavallee
Town Clerk

TOWN OF GRAFTON
GRAFTON MEMORIAL MUNICIPAL CENTER
30 PROVIDENCE ROAD
GRAFTON, MASSACHUSETTS 01519
(508) 839-5335 ext. 1300
clerks@grafton-ma.gov



Bk: 69400 Pg: 40
Page: 1 of 4 07/19/2023 10:10 AM WD

CERTIFICATE OF NO APPEAL

DECISION: GRAFTON ZONING BOARD OF APPEALS
896- Special Permit

PETITIONER: Mark & Kelly Benoit
145 Millbury Street, Grafton, MA 01519

OWNER: Mark & Kelly Benoit
145 Millbury Street, Grafton, MA 01519

DEED REFERENCE: 145 Millbury Street
Assessor's Map 80, Lot 14
Worcester District Registry of Deeds
Book 51487 Page 205

This is to certify that the Decision of the Grafton Zoning Board of Appeals for the addition of an 8.3' deck off the rear of a pre-existing. Non-conforming structure and a pre-existing non-conforming lot, where the deck will be 7' from the side lot line where 15' is required at property located at 145 Millbury Street, Grafton. The Decision was duly recorded in the Town Clerks office on June 28, 2023 at 8:48 am.

No Notice of Appeal of the Decision was filed in this office within the twenty days next, the appeal period ending on July 18, 2023.

A true copy, ATTEST:

Kandy L. Lavallee
Kandy L. Lavallee, Town Clerk
Grafton, MA



Zoning Board of Appeals
30 Providence Road
Grafton, MA 01519
508-839-5335 x 1425 - Fax: 508-839-4602
E-mail: koshivosk@graffton-ma.gov
Website: <http://graffton-ma.gov>

2023 JUN 28 AM 8:43

RECEIVED
TOWN OF GRAFTON
PLANNING DEPARTMENT

Decision of the Board of Appeals

Case Number: ZB-896

MARK & KELLY BENOIT

requesting that the Zoning Board of Appeals grants a

Special Permit

THE ADDITION OF AN 8.3' DECK OFF THE REAR OF A PRE-EXISTING, NON-CONFORMING STRUCTURE AND A PRE-EXISTING NON-CONFORMING LOT, WHERE THE DECK WILL BE 7' FROM THE SIDE LOT LINE WHERE 15' IS REQUIRED. BOOK: 51487 PAGE: 205

At their duly held meeting **06/14/2023** the Zoning Board of Appeals took the following action

The following motion was made by **MR. YEOMANS** and seconded by **MS. REED**

That the Zoning Board of Appeals grant the **Special Permit**

for the **ADDITION OF A 8.3' DECK OFF THE REAR OF A PRE-EXISTING, NON-CONFORMING STRUCTURE AS DEPICTED IN EXHIBIT A.**

to **MARK & KELLY BENOIT** at **145 MILLBURY STREET**

Findings

F1. THE STRUCTURE WAS BUILT IN 1912.

Findings

F2. THE PARCEL IS LOCATED IN THE R40 ZONING DISTRICT.

Findings

F3. THE R40 ZONE REQUIRES 140 FEET OF FRONTAGE.

Findings

F4. THE PARCEL HAS 134.29 FEET OF FRONTAGE

Findings

F5. THE R40 ZONE REQUIRES A 40,000 SQUARE FOOT LOT.

Findings

F6. THE STRUCTURE IS LOCATED ON A 36,650 SQUARE FOOT LOT.

Findings

F7. THE R40 ZONE REQUIRES AT 15' FOOT SIDE YARD SETBACK AND THE STRUCTURE IS LOCATED 7.1 FEET OFF THE SIDE YARD SETBACK.

Findings

BASED ON FINDINGS F1-F7 THE CURRENT STRUCTURE IS A PRE-EXISTING, NON-CONFORMING STRUCTURE.

Findings

F8. THE CURRENT USE IS RESIDENTIAL.

Findings

F9. THE CURRENT HOME IS A 3 BEDROOM, 1 BATH HOME, AND THE PROPOSED HOME IS A 3 BEDROOM, 2 BATH HOME.

Findings

F10. THE NEIGHBORHOOD CONSISTS OF PRIMARILY RESIDENTIAL STRUCTURES.

Findings

BASED ON FINDINGS F8-F10, THE PROPOSED ADDITION IS NOT MORE DETRIMENTAL TO THE NEIGHBORHOOD.

On a roll-call vote:

Chairman: Yes
Vice Chairman: Yes
Clerk: Yes
Member 1: Yes

Member 2: Absent at Hearing
Alternate 1: Yes
Alternate 2: Present at Hearing

5-YES, 0-NO MOTION PASSED, SPECIAL PERMIT GRANTED.

Motion: Granted

Zoning Board Membership

Chairman BRIAN WALLER



Vice Chairman WILLIAM MCCUSKER



Clerk KAY REED



Member 1 WILLIAM YEOMANS



Member 2 PETER ADAMS

Alternate Member 1 JIFFY THOMAS

Alternate Member 2 MITALI BISWAS

A complete file of this case (Case # ZB-896 is on file with the Town Clerk.)

Mark Benoit

Exh. A 6/14/23

**PLAN SHOWING PROPOSED ADDITION
 PREPARED FOR
 MARK BENOIT
 145 MILLBURY STREET
 GRAFTON, MASSACHUSETTS
 DECEMBER 16, 2022
 SCALE: 1 INCH = 50 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 80
 LOT 14**

12-16-2022

***NOT FOR REUSE**



We certify that the building(s) are not in the Special Flood Hazard Area as shown on the Most Federal Insurance. Map #23027C0828E Dated: 07/04/2011

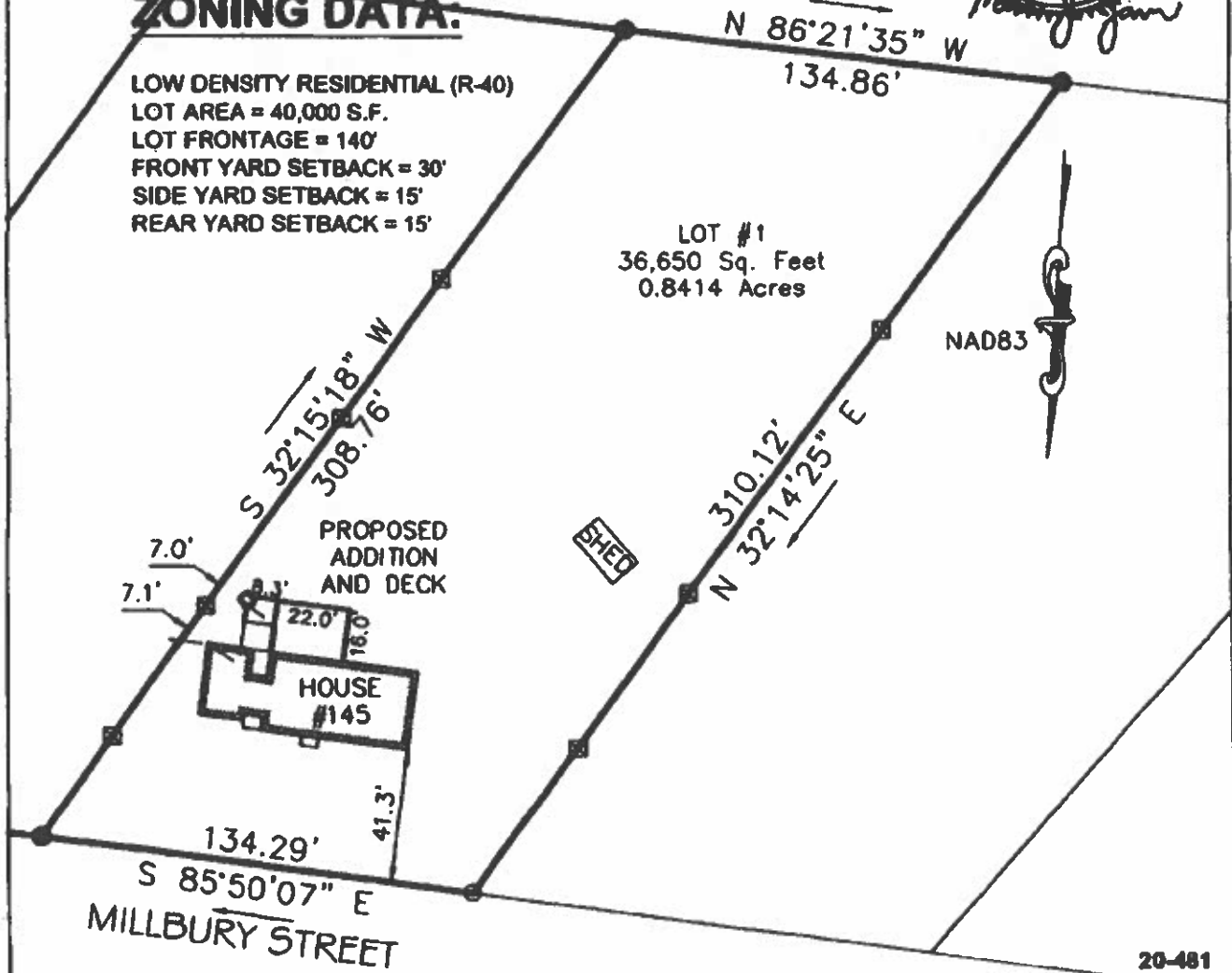
Flood Hazard Zone has been determined by scale and is not necessarily accurate.

ZONING DATA:

**LOW DENSITY RESIDENTIAL (R-40)
 LOT AREA = 40,000 S.F.
 LOT FRONTAGE = 140'
 FRONT YARD SETBACK = 30'
 SIDE YARD SETBACK = 15'
 REAR YARD SETBACK = 15'**

**LOT #1
 36,650 Sq. Feet
 0.8414 Acres**

NAD83



A true copy;

Attest:

Kandy L. Lavallee

Kandy L. Lavallee, Town Clerk
Grafton, MA

ATTEST: WORC. Kathryn A. Toomey, Registrar