



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

2023 FEB 24 PM 12:48

RECEIVED TOWN CLERK
GRAFFON, MA

Decision of the Board of Appeals

Case Number: ZB-890

BRIAN SALERNO

requesting that the Zoning Board of Appeals grants a

Special Permit

TO CHANGE A 3 FAMILY APARTMENT BUILDING INTO A 4 FAMILY APARTMENT BUILDING, ON A PRE-EXISTING, NON-CONFORMING BUILDING. BOOK: 67289 PAGE: 233

At their duly held meeting **02/16/2023** the Zoning Board of Appeals took the following action
The following motion was made by **Peter Adams** and seconded by **William Yeomans**
That the Zoning Board of Appeals grant the **Special Permit**

for the **TO CHANGE A 3 FAMILY APARTMENT BUILDING INTO A 4 FAMILY APARTMENT BUILDING, ON A PRE-EXISTING, NON-CONFORMING BUILDING. BOOK: 67289 PAGE: 233**

to **BRIAN SALERNO** at **16 ELMWOOD STREET**

MOTION MADE BY PETER ADAMS AND 2ND BY WILLIAM YEOMANS TO GRANT BRIAN SALERNO OF 16 ELMWOOD STREET A SPECIAL PERMIT TO CHANGE A 3 FAMILY APARTMENT BUILDING INTO A 4 FAMILY APARTMENT BUILDING ON A PRE-EXISTING, NON-CONFORMING BUILDING PER EXHIBIT A, ATTACHED, DATED 1/20/2023.

Findings

F1. THE STRUCTURE WAS BUILT IN 1820.

Findings

F2. THE PARCEL WAS PURCHASED BY THE CURRENT HOMEOWNER IN 2022.

Findings

F3. THE PARCEL IS LOCATED IN THE R20 ZONING DISTRICT.

Findings

F4. THE R20 ZONE REQUIRES 125' OF FRONTAGE AND THE LOT HAS 126' OF FRONTAGE.

Findings

F5. THE R20 ZONE REQUIRES 20,000 SQUARE FEET OF FRONTAGE AND THE LOT HAS 37,240 SQUARE FEET OF FRONTAGE.

Findings

F6. THE R20 ZONE REQUIRES A 30' FRONT YARD SETBACK AND THE STRUCTURE IS LOCATED 26.1' OFF THE FRONT YARD SETBACK.

Findings

F7. THE R20 ZONE REQUIRES A 15' SIDE YARD SETBACK AND THE STRUCTURE IS LOCATED 8.3' OFF THE SIDE LOT LINE.

Findings

F8. THE R20 ZONE REQUIRES A 15' REAR YARD SETBACK AND THE STRUCTURE IS LOCATED 15'+ OFF THE REAR YARD SETBACK.

Findings

BASED ON FINDINGS F1 TO F8 THE CURRENT STRUCTURE IS A PRE-EXISTING NON-CONFORMING STRUCTURE.

Findings

F9. THE CURRENT USE IS A 3 -FAMILY, WHICH IS NOT ALLOWED IN THE R20 ZONE.

Findings

F10. THE PROPOSED USE, A 4 FAMILY, WHICH IS CONSISTENT WITH THE SURROUNDING NEIGHBORHOOD OF MULTI-FAMILY BUILDINGS AND NOT MORE DETRIMENTAL TO THE NEIGHBORHOOD.

Findings

BASED ON FINDINGS F9 TO F10 THE STRUCTURE IS A PRE-EXISTING, NON-CONFORMING USE.

Findings

F11. THE LOT IS IN THE WATER SUPPLY PROTECTION OVERLAY DISTRICT. (WSPOD)

Findings

F12. THE CHANGE WILL RESULT IN A LESS THAN 50% INCREASE ABOVE WHAT WAS EXISTING ON THE SITE AS OF THE DATE OF ENACTMENT OF THE WSPOD.

On a roll-call vote:

Chairman:	Yes	Member 2:	Yes
Vice Chairman:	Vacant Position	Alternate 1:	Yes
Clerk:	Yes	Alternate 2:	Yes
Member 1:	Absent at hearing		

5-yes 0-no motion passed

Motion: Granted

Zoning Board Membership

Chairman

BRIAN WALLER



Vice Chairman

Clerk KAY REED



Member 1 WILLIAM MCCUSKER

Member 2 WILLIAM YEOMANS



Alternate Member 1 PETER ADAMS



Alternate Member 2 MITALI BISWAS

A complete file of this case (Case # **ZB-890** is on file with the Town Clerk.)

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.

EXISTING AREA NOTE:

LOT AREA = 37,240 S.F.
 EXISTING HOUSE = 2024 S.F.
 SHEDS = 280 S.F.
 DRIVEWAY = 1,915 S.F.
 WALKWAY = 82 S.F.
 TOTAL EXIST. IMPERVIOUS COVERAGE = 4,281 ± S.F.

EXISTING IMPERVIOUS LOT COVERAGE:

4281 / 37,240 = 11.50%
 OPEN SPACE = 88.5%

PID 1106.0-000-0006.A
 N/F
 DAVID WELLES
 52 ELMWOOD STREET
 BK. 52442 PG. 339

MASS. STATE PLANE
 GRID COORDINATE
 SYSTEM INADDS

PID 114.0-000-0037.0
 N/F
 TYLER A. MOULTON
 22 ELMWOOD STREET
 BK. 146739 PG. 131

PROPOSED AREA NOTE:

LOT AREA = 37,240 S.F.
 EXISTING HOUSE = 2,024 S.F.
 SHEDS (TO BE REMOVED)
 DRIVEWAY = 1,915 S.F. (-208 TO BE REMOVED)
 DETAIL 'B' TOTAL = 1,706 S.F.
 WALKWAY = 82 S.F.
 TOTAL = 3,792 S.F.
 PROPOSED NEW DRIVEWAY = 2506 S.F. (DETAIL A)
 TOTAL NEW PROPOSED IMPERVIOUS = 2,506 + 3,792
 TOTAL PROPOSED IMPERVIOUS COVERAGE = 6,298 ± S.F.
 PROPOSED % IMPERVIOUS LOT COVERAGE:
 6,298 / 37,240 = 16.91% PROPOSED COVERAGE %
 OPEN SPACE = 83.09%

EXIST. IMPERVIOUS COV. = 4281 X 1.5 50% = 6,421.5 S.F.
 6,421.5 = MAX. PROPOSED LOT COVERAGE
 MAX. INCREASE = 2,140.5 S.F. ALLOWED
 PROP. INCREASE = 2,017 S.F. PROPOSED

PID 114.0-000-0039.0
 N/F
 PHILIPPE R.
 L'ESPERANCE
 12 ELMWOOD STREET
 BK. 18950 PG. 182

DETAIL 'A'
 PROP. ADDITIONAL
 BIT. CONC. DRIVEWAY AREA
 = 2,506 S.F.

DETAIL 'B'
 PREVIOUSLY PAVED AREA TO BE
 GRASS SEEDING
 = 208 S.F.

AREA EXIST. DRIVEWAY
 = 1915 S.F.

PROPOSED BIT PARKING LOT
 EXISTING BIT DRIVEWAY = 1,915 S.F.
 PROP. BIT DRIVEWAY ADDITION = 2,506 S.F.
 TOTAL PROPOSED = 4,421 S.F.
 4421.5 MAX INC. = 4421 = 48 S.F. (UNDER
 MAX. PER. IMP. AREA)

PROPOSED SECOND FLOOR ADDITION
 14'x28' AREA = 407 S.F.
 (ADDITION PLACED ON EXISTING FOOTPRINT)

(EXISTING FOOTPRINT)
 AREA = 2,024

NOTE: PROPERTY LIES WITHIN WATER RESOURCE PROTECTION
 ZONE II WELLHEAD PROTECTION AREA.

PLAN PREPARED FOR
 PROPERTY OWNER(S):
 NESTOR R. JR. &
 LAURIE RIVERA
 16 ELMWOOD STREET
 GRAFTON, MA 01580

I CERTIFY THAT THE EXISTING BUILDING(S) ARE LOCATED AS
 SHOWN HEREON AND THAT THE PROPOSED BIT. CONC. PARKING
 LOT ADDITIONAL EXPANSION DOES NOT EXCEED THE 50%
 INCREASED IMPERVIOUS AREA COVERAGE ALLOWED.



Todd Chapin

ASSESSORS MAP - 114.0/0000/0038.0
 ZONING DISTRICT: R2
 MINIMUM SETBACK REQUIREMENTS:
 FRONT YARD = 30.0'
 SIDE YARD = 15.0'
 REAR YARD = 15.0'
 MAX. HEIGHT = 35'
 MAX LOT COVERAGE 30%

RealMapInfo LLC
 420 Lakeside Avenue - Suite 403
 Marlborough, MA. 01752
 RealMapInfo.com 774-570-0642

PROPOSED ADDITION

PLOT PLAN OF LAND IN
 GRAFTON, MASS

SCALE: 1"=60'

DATE: 01/20/2023

DEED REF. BOOK: 19510 PAGE: 51

PLAN BOOK 88 PLAN 4

RECORDED @ WORCESTER COUNTY REGISTRY OF DEEDS