



# Town of Groveland Planning Board

183 Main Street  
Groveland, MA 01834

**APPROVED May 7, 2019**  
MOTION: Robert Danforth made a motion to approve the April 23, 2019 meeting minutes. Robert Arakelian seconded the motion. The vote was 5-0, unanimous in favor.

Board/Committee Name: PLANNING BOARD  
Date: TUESDAY, APRIL 23, 2019  
Time of Meeting: 7:30PM  
Location: TOWN HALL

TOWN OF GROVELAND  
2019 MAY -8 AM 10:08  
TOWN CLERK  
RECEIVED/POSTED

Present: Robert Arakelian, Robert Danforth, Walter Sorenson, Brad Ligols (Associate Member)

Absent: Lisa Chandler

Staff Present: Rebecca Oldham

Public Members: See attached.

Walter Sorenson, Vice Chairman: The Planning Board meeting for Tuesday, April 23, 2019 was called to order at 7:30 PM.

## MINUTES APPROVAL

**MOTION:** Robert Arakelian made a motion to approve the March 26, 2019 meeting minutes. Robert Danforth seconded the motion. The vote was 4-0, unanimous in favor.

## INVOICES: Approval of outstanding invoices.

DESCRIPTION	AMOUNT
TEC – 180R Center (Blue Standard Stable)	\$2,000
TEC – 301 Main Street	\$1,503.80

**MOTION:** Robert Arakelian made a motion to approve the outstanding invoices for TEC's review of 301 Main Street and 180R Center Street (Blue Standard Show Stables). Robert Danforth seconded the motion. The vote was 4-0, unanimous in favor.

## DISCUSSION & POSSIBLE VOTE

**245 Center Street, Heather Klosowski:** Proposed one lot subdivision.

The homeowner is looking to subdivide the 9.6-acre lot and create a one lot subdivision through access on King Street. The property is split in the R1 (43,560SF) and R2 (30,000SF) zones. The proposed roadway/driveway would extend beyond the allowed 750 foot length (Section 4.3.7) for approximately 1,000ft. There is a 55-foot ROW.

**BOARD:** The roadway would technically only extend approximately 350 feet up the easement to the edge of the lot and then the driveway would begin. The homeowner meets the requirements to make the site eligible but would need to seek waivers for the roadway, etc. The homeowner will also need to file with the Conservation Commission.

**Homestead Lane, Craig Weaver:** Drainage complaint.

**Town Planner:** Craig Weaver of 25 Cannon Hill Ave Road had called Walter Sorenson about drainage issues from the development that abuts his property, Homestead Lane. I conducted a site visit on March 7th and examined the areas of concern – the driveway, the wooden retaining fence and the shed. Mr. Weaver also provided photos of recent flooding in his basement. It appears to be a groundwater issue and with the snow and the rain it could be exacerbated. The Planning Board issued a Memorandum of Decision on May 27, 2008. Condition 28: Prior to issuance of building permits, a site plan for each lot indicating the proposed house, driveway, methods of infiltration and proposed grading to insure the assumptions made in the stormwater analysis shall be submitted to the Planning



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Board for review by their consulting engineer. Site plans were never submitted, the condition was never enforced and the Peer Review Engineer never reviewed a site plan. I asked the developer, Dehullu Homes, if there were any stormwater structures placed on site. Dehullu Homes provided some photos of an infiltration chamber that was installed on site by Kendall Construction. Whether or not an infiltration chamber would be approved by the review engineer is unknown, as we do not have stamped engineered drawing and/or memo. I did request that the developer possibly provide a site plan to show that proper precautions were put in place. However, no document has been received.

Craig Weaver, 25 Cannon Hill Road: The stormwater structures that they installed are designed to infiltrate the water, but the site sits above mine and realistically the water is draining to my property. At the time of the permitting, we told the Board this was going to be a problem and this development was going to flood us out. We even signed a petition stating such. But the Board ignored our claims. Now my basement is flooding and I have never had a problem in the last 18 years except for the Mother's Day flood.

Larry Kelley, Kendall Construction: I was the site contractor for this project and I can tell you that the stormwater infrastructure was installed and we even took photos to document the work, which have been provided. I have been working in Groveland for a long time and have done many projects. I do great work and Steve Dehullu is a great builder. The drainage was addressed.

**BOARD:** It would be helpful to see an engineered plan, as required in the MOD, that shows the drainage associated with the lot and the appropriate calculations to insure the assumptions made in the stormwater analysis. The Board released the remaining performance guarantee back in November 2018. However, the road is not accepted and that includes the current stormwater infrastructure associated with the development. Maybe we should conduct a site visit to see the conditions of the site. The forecast has rain on Friday and Saturday and that may be the best time to examine the conditions. Let's schedule a site visit for Friday, April 26<sup>th</sup> at 3PM.

William Holt, Project Manager for Dehullu Homes: I provided the final roadway as-built to the Planning Board and I also put together the plan for Conservation which shows the drainage on the lots. I will put something together for the Board.

## PUBLIC HEARINGS

**CONTINUED: 301 Main Street, Zong Yang:** *Application for Site Plan Review under Section 13 of the Town of Groveland Zoning Bylaw to utilize the site for Retail-Small, as identified in the Groveland Zoning Bylaw in Section 4.5 Table of Uses. The site is located in the Business (B) Zoning Districts. The proposed project is located at 301 Main Street Groveland, MA 01834 (Assessors Map 10, Parcel 001).*

Town Planner: The Applicant noted that Lisa Chandler is not expected to be present this evening and the Board would not be able to vote on the application because it requires a Special Permit (parking requirement reduction under Section 9.4) which requires 4 votes of a 5-member board. He requests the Board continue his application until the next meeting on May 7th. We have a signed continuance until May 26th.

Robert Danforth: I need to make a disclosure. I am a client of Norwood Insurance the abutter of this project. I have filed a disclosure with the Town Clerk and have called the State Ethics Commission. Also, I think it is important to note that the insurance company leases the building; they do not own the property. Additionally, I would like to voice my discontent with the way this situation was handled. The Applicant approached the Town Planner and stated that he thought I might have a conflict. When the Planner said that I would have to contact the Ethics Commission and go through the process of



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disclosure, the Applicant stated maybe he wouldn't say anything unless I voted against his project. I view this as a threat. It is inappropriate and there is no place for that kind of behavior in this process.

W. Sorenson: This is the second time the Applicant has acted inappropriately. The first time was in the public hearing where he offered the Board a \$1,000 bribe so he would not have to have an engineer review. Now he is threatening board members if they vote against his project. This is unacceptable. We need to put him on notice. Instructed the Town Planner to draft a letter to the Applicant.

**MOTION:** Robert Arakelian made a motion send the Applicant a letter of 'notice' for his recent actions. Robert Danforth seconded the motion. The vote was 4-0, unanimous in favor.

**MOTION:** Robert Arakelian made a motion to CONTINUE the Public Hearing for 301 Main Street for Site Plan Approval to May 7, 2019. Robert Danforth seconded the motion. The vote was 4-0, unanimous in favor.

**NEW: 733 Salem Street, Dehullu Homes:** *Application for a three (3) lot Definitive Subdivision Plan titled Oakland Terrace and Maple Meadow Lane in accordance with M.G.L. Chapter 41, Section 81O and the Town of Groveland Subdivision Rules and Regulations with associated Stormwater Management & Land Disturbance Permit under Article 14 of the Groveland General Bylaws. The site is located in the Residential 1 (R-1) and Residential 2 (R-2) Zoning Districts. The proposed subdivision is located at 733 Salem Street Groveland, MA 01834. (Assessors Map 39, Parcel 68).*

**MOTION:** Robert Arakelian made a motion to OPEN the Public Hearing for 733 Salem Street for the application of a three lot definitive subdivision plan. Robert Danforth seconded the motion. The vote was 4-0, unanimous in favor.

William Holt, Project Manager: At the December 2018 Planning Board meeting the Board approved the Preliminary Plan. The applicant is now here for the Definitive filing. The Applicant, Dehullu Homes, proposes to gain the required frontage for the three lots on two different proposed roadways, two lots on Oakland Terrace and one lot on Maple Meadow Lane. Access to all three new lots will be via Oakland Terrace, with a permit from the Board for Lot 68G to have "access other than from its frontage". As such the applicant is requesting that the Board waive all construction requirements for Maple Meadow Lane, which will greatly lessen the impact to the abutting properties and the environment. The proposed roadway to be known as Oakland Terrace is approximately 328 feet in length, ending in a hammerhead turnaround. All utilities and access to the three lots will be from this roadway. We have received TEC's comments and will have them addressed at the next meeting. Also, we have met with the Water Department and we will be meeting with them on May 20<sup>th</sup> to discuss bringing the water up Oakland and then gaining an easement and bringing the water out to Benjamin. Currently, the water line stops at Pond and Benjamin, so bringing the line out and making it easier for the Town to make the connection is a benefit for the Town and the current residents in the area.

Town Planner: Under the Stormwater Management permit, Article 14, you have to involve the lots that are on Benjamin Street in the drainage calculations because they are part of "a larger common plan of development".

W. Holt: Noted.

W. Sorenson: Any updates with parcel 68M going to the Town?

Town Planner: When discussing the Preliminary Plan, it was noted that the plan change was preferred because it limited the impact to the wetland however it was stated the Applicant had not determined the use of the larger parcel 68M. Mike Dempsey, the Chair of the Community Preservation Committee was before the Board of Selectmen the other night for an Article the CPC put together to allocate \$20,000 for the purchase of the parcel. However, the Board of Selectmen thought the property should be donated and was not worth that money since the land was essentially wet. Their recommendation



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was to reduce the figure to \$2. The Planning Board never made any negotiations. Only that it preferred the new layout because it minimized the impact to wetland resource areas.

## **PUBLIC COMMENT**

**Nancy Sweetser, 9 Belle Street:** I have a concern about the two lots off of Benjamin. My driveway sits directly across from where the proposed driveway is on the plan. I am worried about run off into my property since it sits lower than his.

**W. Holt:** These lots are not under the current plan.

**W. Sorenson:** This will be discussed when they come in with that filing later in the process.

**N. Sweetser:** So I will get a chance to see the roadway plan?

**Town Planner:** Please note, the Planning Board approved a Form A to create those two lots. That means we have no jurisdiction. A form A, ANR, is "an approval not required". The owner already holds a building permit for the first lot. The second lot was incorrectly shown on Benjamin Street. The roadway is not Benjamin Street but Park Street, an undeveloped paper street. To make the second lot buildable the owner will need to file a one lot subdivision. So the abutter will not see a plan for the roadway for the first lot nor will the Planning Board. However, the Building Commissioner has been made aware and we have spoken to the Highway Superintendent, Renny Carroll. Renny stated he would 100% need to see the roadway plans prior to occupancy because Benjamin is an "accepted" roadway and the Town is responsible for maintenance.

**W. Holt:** We have a roadway plan that will be designed to address runoff and has a swale. I will bring this to the next meeting for the abutter and also the Planning Board to see.

**Carly Colombo, 147 Washington:** Will we be notified when the Applicant files for the septic plan?

**W. Holt:** Abutters would only receive notice if the design required a Conservation permit.

**MOTION:** Robert Arakelian made a motion to CONTINUE the Public Hearing for 733 Salem Street for a 3 lot Definitive Subdivision Plan to May 21, 2019. Robert Danforth seconded the motion. The vote was 4-0, unanimous in favor.

## **OLD BUSINESS**

### **180R Center Street**

**Town Planner:** On Thursday, April 18<sup>th</sup> a preconstruction meeting was held and a site visit was conducted to inspect erosion control. Site work has begun. The construction sequence schedule is in your packet.

## **TOWN PLANNER'S REPORT**

On Tuesday, April 16<sup>th</sup> I appeared before the Board of Selectmen and proposed that the Town Planner undertake the responsibilities of the Zoning Board of Appeals (ZBA) Clerk creating a Town Planner/Zoning Administrator position. There is a lot of overlap between the ZBA and the Planning Board and the projects that we hear and review. I believe having the Town Planner absorb the additional role of the Zoning Administrator will be a great opportunity for the Town to be more effective and efficient. This will allow the Town to consolidate resources and expenses and provide a greater level of service to the residents. The Board of Selectmen approved the request.

## **ADJOURNMENT**

**MOTION:** Robert Danforth made a motion to adjourn the meeting. The motion was seconded by Robert Arakelian. The vote was 4-0, unanimous in favor. Meeting adjourned at 8:39PM.

# SIGN IN - PB MTG. 4/23

## NAME

## ADDRESS

Zea ~~Ys~~  
W. Lynn Holt W&H DESIGN  
1 Molins  
CARLOS SANTOS  
Kai Colameo  
Janet Fanta  
Ronald Fout  
Mary E. Suter  
Miguel L. Fetter  
Steph Maes  
Candace Maes  
JAMES BEVELADIA  
Joe Allen  
Pena Dehulla  
LARRY KELLEY

30/ Main St.  
OAKLAND TERRACE  
156 Washington St  
157 WASHINGTON ST.  
147 WASHINGTON ST.  
149 Washington St  
" " "  
9 Belle St  
1 Pond St  
727 SALEM ST  
727 Salem St  
26 Coleman Ed  
32 Benjamin St  
32 Benjamin St  
KENDALL GORST