



# Town of Groveland Zoning Board of Appeals

183 Main Street  
Groveland, MA 01834

APPROVED September 4, 2019  
MOTION: Chris Goodwin made a motion to approve the August 21, 2019 meeting minutes as amended. Kathy Franson seconded the motion. The vote was 4-0 unanimous in favor.

TOWN OF GROVELAND  
2019 SEP -5 AM 10:19  
TOWN CLERK  
RECEIVED/POSTED

Board/Committee Name: ZONING BOARD OF APPEALS  
Date: WEDNESDAY, AUGUST 21, 2019  
Time of Meeting: 7:30PM  
Location: TOWN HALL

Present: Kathleen Franson, Jason Normand, Chris Goodwin, John Stokes

Absent:

Staff Present: Rebecca Oldham; Amy Kwesell, KP Law, Town Counsel; Paul Haverty with Blatman, Bobrowski & Haverty, LLC, MHP Consultant

Jason Normand, Chair: The Zoning Board of Appeals meeting for Wednesday, August 21, 2019 was called to order at 7:32PM.

J. Normand: Read the Rules of Conduct.

- All attendees are required to conduct themselves in a courteous and respectful manner.
- The public is to refrain from private conversation which interrupt the proceedings of the Board.
- An individual may not address the Board without permission of the chair.
- Each speaker will approach the podium and state their full name and address for the record and will be limited to five minutes.
- All comments are to be directed to the Board as a body and not to individual members and attendees.

## PUBLIC HEARING

CONTINUED: Application #2019-3, 4 Sewall Street, Groveland Realty Trust, LLC c/o William

Daley: requests a Comprehensive Permit pursuant to the provisions of M.G.L 40B, §§ 20-23 and 760 CMR 56.00, to construct 192 apartment units in four (4) residential buildings, a clubhouse with related amenities, such as a pool, and associated access ways, sidewalks, parking, utilities and stormwater infrastructure located in the Industrial (I) Zoning District.

Joel Khan with Equity Alliance, Applicant's Consultant: As dictated by the Board at the last meeting tonight's meeting will focus on police and fire comments. To start the conversation off, I would like to share some details about the construction of the proposed buildings:

- All of the residential buildings will be fully sprinklered in accordance with NFPA 13. This means that all interstitial spaces, attics, closets, etc. are sprinklered.
- The buildings will be Type 3A construction meaning they will have a 2 hour rated exterior wall and 1 hour rated everywhere else. All floors and walls, both bearing and non-bearing will have a 1-hour rating.
- The staircases in the buildings will be 2 hour rated and have standpipes.
- There will be Storz connections on the outside of the buildings.
- The main residential garage in non-combustible construction however it is an open garage and therefore need not be sprinklered.
- The residential garage under the building will be non-combustible construction and fully sprinklered in accordance with NFPA 13. There will be a two hour separation between the garage and the residential building above.



# Town of Groveland Zoning Board of Appeals

183 Main Street  
Groveland, MA 01834

- The elevators in both buildings will be under fireman access for evacuation on non-ambulatory residents.
  - Elevators will have emergency generator back-up.
  - If fire pumps are required due to inadequate water pressure they too will have emergency generator back-up.
  - Fire alarm systems will be in full compliance with all local fire department requirements.
- Additionally, some facts about sprinklers:
- NFPA reports that there have been no firefighter or civilian deaths in apartments for the past 12 years.
  - Operation Live Safety from data collected over several years on NFPA 13R sprinkler systems reported that there were no losses of life in buildings protected with NFPA 13R sprinkler systems.
  - In wet pipe systems, which are typically used in apartments, 67% of the fires are controlled by the activation of a single sprinkler head and the single-head activation controls 95% of the fires.
  - 97% of the fires in sprinklered buildings are confined to the fire-rated compartment of origin.
  - There has not been a firefighter fatality in a sprinklered apartment building for the past 12 years.
  - There has not been a civilian fatality in a sprinklered apartment building for the past 12 years.
- Brian Murray with Millennium Engineering, Applicant's Engineer: Provided a truck turn analysis to accommodate a 75ft ladder truck. The roadways are 24 feet wide, the parking aisles will also be 24ft wide. We have designed for a wider roadway than other similar types of development. There are also sidewalks associated with the project. Additionally, we propose to have 3 fire hydrants. We would like to work with the Fire Department on adding these hydrants and on design for all necessary fire needs. We have a looped the water system and have the appropriate pressure.
- J. Kahn: there are still outstanding issues that will be addressed later on in this process. And we will work with the Town and the Fire Department to identify these issues and work collaboratively. We take all of these issues seriously.
- Kurt Ruchala, Groveland Assistant Fire Chief: we have some issues. The ladder truck was purchased to meet the max height allowed by the bylaw, which is 34 feet and this building is 75ft. We have issues with turnaround – some of these parking lots are 275 feet long. The code requires a turnaround, a hammerhead or a cul-de-sac. Additionally, we do not have access to all sides of the building, which is required by code. We have a call fire department, so we are not fully staffed. So when there is a call we need to have the appropriate infrastructure in place and our apparatus needs to be such that it does not require additional bodies to operate and configure. As design we do not have the manpower to maneuver the equipment appropriately to fight a fire or get to someone on the top story of the building.
- J. Normand: is there a reason the drive aisle is not connected to Nelson Street?
- J. Kahn: Yes, we recognize that.
- K. Ruchala: We would like access on all sides so we can use our apparatus to fight the fire given our limited manpower. Our ladders won't reach.
- J. Kahn: Do you have mutual aid with the City of Haverhill? Do they have a ladder truck large enough to accommodate the proposed project?
- K. Ruchala: We do have mutual aid. You will need to check with them on the size of their ladder truck. We like that the buildings are proposed to be sprinkled. But we have to be able to function on our own and currently we don't have the appropriate apparatus or the manpower in order to do that.



# Town of Groveland Zoning Board of Appeals

183 Main Street  
Groveland, MA 01834

Jeffrey Gillen, Groveland Police Chief: some safety concerns – the building numbers and finding the apartments. Lighting and security, which the Applicant stated were being addressed. Concerns with traffic and the proximity to Chesterton. There are a lot of crashes at that intersection. Also at the intersection on 97 at the Tea Garden. There may be a need for traffic lights. This is a heavily traveled roadway. This project will certainly add volume that will be an impact. The need for crosswalks, sidewalks and signage. From a staffing perspective we are concerned about the addition of about 200 residents. We need to begin thinking about staffing levels for the police and our department. We don't have regulations like the Fire Department but the concerns listed are related to our operation.

J. Kahn: Washington Street and Salem Street will be reviewed more closely when we discuss traffic. We did address some of the lighting and security camera issues at a previous Board of Selectmen meeting. To bring you all up to speed, we will not have active surveillance, but we will have cameras on exit points of the building and the garages. Should there be a problem we can go back and review footage. It is not monitored otherwise. There is also card access and we have a timestamp for when people come in. But again we don't actively monitor, its only for investigation if needed. As a security measure we do these things actively. There is a camera and intercom for guests and residents and residents can see on a small camera by the door. This feature also provides protection to the residents. We even have a camera pointed to the dumpster pad to prohibit people throwing things in there that do not belong. We have taken the appropriate security measures.

John Stokes: is there going to be superintendent on site?

J. Kahn: We will have a third party management firm and we also have a 24/hr. answering service.

Kathy Franson: is there a plan for a gate in the front? Or will guest enter through the building?

J. Kahn: there will be no gate. Guests will enter through the building.

K. Franson: how do police fire access?

J. Kahn: we have knox boxes and we will work with them to make sure it accommodates their needs.

**BOARD:** Provided an overview of the Site Visit on August 20<sup>th</sup> at 6:30PM at 4 Sewall Street. Site visit was about a half hour and we walked the whole perimeter of the site. It put into perspective the slopes and changes of grade at site. Provided perspective of the project as a whole.

Paul Haverly: I think this is a good time to note, according to the SHI, Groveland has 2,423 year-round housing units. Pursuant to 760 CMR 56.03(6)(d), the Large Project Safe Harbor is applicable "in a municipality which has less than 2,500 housing units, as so enumerated, [and] the application for a Comprehensive Permit involves construction of a number of housing units equal to 6% of all housing units in the municipality." Accordingly, the Large Project Safe Harbor is applicable for projects in excess of 145 units in Groveland. Since the Quarry at Groveland comprehensive permit application was for 192 units, the Large Project Safe Harbor is applicable. This request has to be made within 15 days of the date the public hearing is opened and today will be the 14<sup>th</sup> day.

**MOTION:** Chris Goodwin made a motion to invoke the Safe Harbor Large Project Exemption under 760 CMR 56.03(6)(d). Kathy Franson seconded the motion. The vote was 4-0, unanimous in favor.

**MOTION:** Kathy Franson motioned to CLOSE the PUBLIC COMMENT for Application 2019-3, 4 Sewall Street until September 4, 2019. Chris Goodwin seconded the motion. The vote was 4-0, unanimous in favor.

**BOARD:** Reviewed and discussed the Peer Review Qualifications.

**MOTION:** Chris Goodwin motioned to use TEC as the peer review engineer to perform civil and traffic review and also authorize them to subcontract to Saam Architecture to perform architectural review. Kathy Franson seconded the motion. The vote was 4-0, unanimous in favor.

**MOTION:** Kathy Franson motioned to use Marc Jacobs as the peer review to perform wetlands review and Mark Grgurovic as the peer review to perform wildlife biology review. Chris Goodwin seconded the motion. The vote was 4-0, unanimous in favor.



# Town of Groveland Zoning Board of Appeals

183 Main Street  
Groveland, MA 01834

134 **MOTION:** Kathy Franson motioned to CONTINUE the public hearing for Application 2019-3, 4  
135 Sewall Street until September 4, 2019. Chris Goodwin seconded the motion. The vote was 4-0,  
136 unanimous in favor.

137  
138 **BOARD:** At the next meeting on September 4<sup>th</sup>, the Board will take a formal vote on the peer review  
139 consultants scope for the review of the project. There will be no other discussion. At the following  
140 Board meeting on October 2<sup>nd</sup> we will continue the review and public process. This will allow the peer  
141 review consultant enough time to review and provide comments prior to the meeting.

## 142 MINUTES APPROVAL

143 **MOTION:** Chris Goodwin made a motion to approve the August 7, 2019 meeting minutes as  
144 amended. Kathy Franson seconded the motion. The vote was 4-0, unanimous in favor.

## 145 OPEN DISCUSSION

146  
147 NONE

## 148 ADJOURNMENT

149  
150 **MOTION:** Kathy Franson made a motion to adjourn the meeting. The motion was seconded by Chris  
151 Goodwin. The vote was 4-0, unanimous in favor. Meeting adjourned at 9:20PM.  
152