



Town of Groveland Zoning Board of Appeals

183 Main Street
Groveland, MA 01834

APPROVED OCTOBER 2,
2019 MOTION: Chris Goodwin
made a motion to approve the
September 4, 2019 meeting
minutes as amended. Kathy
Franson seconded the motion.
The vote was 4-0, unanimous in
favor.

Board/Committee Name: ZONING BOARD OF APPEALS
Date: WEDNESDAY, SEPTEMBER 4, 2019
Time of Meeting: 7:30PM
Location: TOWN HALL

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

Absent:

Staff Present: Rebecca Oldham; Paul Haverty with Blatman, Bobrowski & Haverty, LLC,
Consultant

Jason Normand, Chair: The Zoning Board of Appeals meeting for Wednesday, September 4, 2019 was called to order at 7:30PM.

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.

Jason Talerman with Mead, Talerman & Costa, LLC, Applicant's Attorney: Since the Town invoked the Large Project Safe Harbor we made an amendment to our filing and reduced the number of units to 144 and removed one of the proposed residential buildings. We wanted to make sure the Board had an application that conformed. We would be happy to proceed with the 192 units or we can proceed with the 144 units. We are also happy to cover that gap during the peer review process if we find the number needs to be somewhere in between. But in order to conform to the standards of the Large Project Safe Harbor, and protect our rights moving forward, we reduced the number of units on the application.

Kathleen Franson: How does this amendment change the process?

J. Talerman: We are in a bind from a legal perspective. If we stayed at the 192 units then we would have no rights to challenge a decision. By changing the number, we are able to protect our project. We want to be flexible. We want to give you options.

P. Haverty: If the Board is amenable to this, I would suggest you review the larger plan and look at what the worst case scenario can be while also reviewing the fewer units.

J. Talerman: All the design modifications are on the table.

K. Franson: Procedurally, we review an application as presented.

P. Haverty: I don't think it is an unreasonable request. It would not be a relief of Safe Harbor, but more of an agreement. With the caveat that if something was found through the peer review process the application could be denied.

J. Talerman: We don't need to make a decision tonight. We are not asking you to commit. We just had to protect our rights as much as you had to protect your rights.

Christopher Goodwin: What is the procedure? Do we vote to accept the amendment?

P. Haverty: If there is a decision that approved a greater number of units the Applicant is not going to object to that. The legal notice was issued for a larger number of units so there would be no noticing issues. So I would suggest review both and compare both proposals. There is no need to make a formal vote to accept the amendment. This is actually very common. It just usually happens later in the process.

TOWN OF GROVELAND
2019 OCT -7 PM 7:06
TOWN CLERK
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BOARD: Reviewed and discussed Saam Architecture proposal for architectural review.

J. Talerman: We find the price to be extremely high. It is also unclear in their proposal what they would be reviewing. At one point they mention building code compliance which is above and beyond what a design review entails. Typically, they review design elements, massing and how the development fits in with the overall neighborhood.

MOTION: Chris Goodwin motioned to delay voting on the proposal from Saam Architecture to perform architectural review until a revised proposal is submitted focusing on exterior design review. Kathy Franson seconded the motion. The vote was 4-0, unanimous in favor.

BOARD: Reviewed and discussed TEC proposal for civil and traffic review.

MOTION: Kathy Franson motioned to approve the scope of services provided by TEC to perform civil and traffic review for the proposed project including in that review the Town comment letter submitted to MassHousing, and also authorize TEC to review the amended proposal for 144 units in addition to the 192-unit proposal. Chris Goodwin seconded the motion. The vote was 4-0, unanimous in favor.

BOARD: Reviewed and discussed Marc Jacobs proposal for wetlands review.

Town Planner: Please note that this proposal is in relation to the review of the Abbreviated Notice of Resource Area Delineation (ANRAD) and not the Notice of Intent (NOI) because without the delineation or a filing it would be difficult to establish a scope of review.

J. Talerman: We expect this review to be picked up with the Conservation Commission for the filing of the ANRAD. We suggest confirming the wetlands scope later in the process.

MOTION: Kathy Franson motioned to delay voting on the proposal from Marc Jacobs to perform wetlands review until the ANRAD is completed with the Conservation Commission and a revised proposal is submitted focusing on the NOI. Chris Goodwin seconded the motion. The vote was 4-0, unanimous in favor.

Town Planner: Mark Grgurovic is revising his scope and will have something to provide to the Board at a later date.

BOARD: At the next meeting on October 2nd, the Board will hear matters relative to traffic. We anticipate this will take two meetings and the same with the civil review.

MOTION: Chris Goodwin motioned to CONTINUE the public hearing for Application 2019-3, 4 Sewall Street until October 2, 2019. Chris Goodwin seconded the motion. The vote was 4-0, unanimous in favor.

MINUTES APPROVAL

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.

OPEN DISCUSSION

BOARD: Do we have any other applications?

Town Planner: 301 Main Street has filed for a Site Plan Approval and Parking Reduction Special Permit for use of the site as a restaurant. This will also require a Special Permit by the ZBA for the use. So this application, if approved, will most likely be before the Board in November. Then there is a potential application for various uses at the site over at 895 Salem Street, storage and warehouse, but that is still in the design phase. Otherwise no applications have been filed to date.

ADJOURNMENT

MOTION: Kathy Franson made a motion to adjourn the meeting. The motion was seconded by Chris Goodwin. The vote was 4-0, unanimous in favor. Meeting adjourned at 8:43PM.