



Town of Groveland Planning Board

183 Main Street
Groveland, MA 01834

APPROVED December 3 2019
MOTION: Brad Ligols made a motion to approve the November 19, 2019 meeting minutes. Jim Bogiages seconded the motion. The vote was 4-0, unanimous in favor.

Board/Committee Name: PLANNING BOARD
Date: TUESDAY, NOVEMBER 19, 2019
Time of Meeting: 7:00PM
Location: TOWN HALL

Present: Robert Danforth, Lisa Chandler, Walter Sorenson, Jim Bogiages, Brad Ligols (Associate Member)

Absent: Robert Arakelian

Staff Present: Rebecca Oldham

Robert Danforth, Chairman: The Planning Board meeting for Tuesday, November 19, 2019 was called to order at 7:00PM.

INVOICES: Approval of outstanding invoices.
None.

PUBLIC HEARING

CONTINUED: 38 Benjamin Street (Benjamin Street Extension), Dehullu Homes: *Application for a Definitive Subdivision Plan labeled Definitive Subdivision Plan Benjamin Street Extension with associated Stormwater Management and Land Disturbance Permit under Article 14 of the Groveland General Bylaw. The site is located in the Residential 1 (R-1) Zoning District. The proposed subdivision is located at 38 Benjamin Street Groveland, MA 01834. (Assessors Map 46, Parcel 18B)*

R. Danforth: I will need to recuse myself from this discussion as I have worked with the Applicant on previous projects.

MOTION: Walter Sorenson made a motion to OPEN the Public Hearing for 38 Benjamin Definitive Plan. Brad Ligols seconded the motion. The motion passed with 4-0, unanimous in favor.

Town Planner: The Applicant was approved for a Form A as part of this filing. Recently, the Applicant has constructed a temporary roadway to access the lot. The Highway Superintendent went out to the site upon notification from abutters. He noted the need for emergency access and asked for drainage to be added. The Applicant complied however the drainage was not constructed appropriately and there is still runoff and erosion issues at the site. The Highway Superintendent will be issuing a letter requesting additional controls to be in place prior to the winter months. The Applicant has stated they are just waiting for their approved Order of Conditions before adding the additional controls. The direct abutter is here to speak concerning this issue.

Nancy Sweetser, 9 Belle Street: I have been patient with the development across the street. However, they have prohibited access to my garage all summer and now with the recent temporary road they are directing drainage into my yard. I understand this is temporary but I would like some control measures in place in order to prohibit runoff onto my property. This includes snow plowing piles.

BOARD: We are in agreement that additional controls need to be put in place during the winter season until the roadway is completed and the stabilized. We will default to the Highway Superintendent to enforce that these measures are provided.

Peter Ellison with TEC, Peer Review Engineer: All outstanding issues have been addressed except for the issue of maintenance of the roadway if it were to be accepted. It is uncommon for a road to be accepted as a public roadway when they have requested so many waivers in regards to construction standards.

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BOARD: It should be brought up to standard. In all other occasions it would be required. However, this situation is unique because the existing Benjamin Street, which is an accepted way, is not to town standard. Added a condition to the drafted decision to contingent street acceptance on the approval of the Highway Superintendent.

Lisa Chandler: Began reading the list of waivers.

MOTION: Walter Sorenson made a motion to suspend the rules for the reading of the waivers. Brad Ligols seconded the motion. The vote was 4-0, unanimous in favor.

MOTION: Walter Sorenson made a motion to approve the listed waivers for 38 Benjamin as listed on the Definitive Plan. Brad Ligols seconded the motion. The vote was 4-0, unanimous in favor.

MOTION: Walter Sorenson made a motion to approve the Definitive Plan and amended MOD as well as the need for added temporary erosion controls for Benjamin Street. Brad Ligols seconded the motion. The motion passed with 4 votes in favor, and 1 abstention (Robert Danforth).

CONTINUED: 301 Main Street, Mike Maroney: *Application for Site Plan Approval and a Reduction in Parking Special Permit to utilize the site for a restaurant with associated site improvements. The site is located in the Business (B) Zoning Districts. (Assessors Map 10, Parcel 001)*

R. Danforth: Applicant has requested a continuance until the next meeting on December 3, 2019.

MOTION: Lisa Chandler made a motion to CONTINUE the Public Hearing for 301 Main Street for a Site Plan Approval and Parking Reduction Special Permit to December 3rd. Brad Ligols seconded the motion. The vote was 4-0, unanimous in favor.

CONTINUED: 245 Center Street (142 King Street), William and Heather Klosowski: *Application for a Definitive Subdivision Plan labeled Subdivision for 245 Center Street. The site is located in the Residential 1 (R-1) Zoning District. The proposed subdivision is located at 245 Center Street Groveland, MA 01834. (Assessors Map 26, Parcel 23)*

L. Chandler: I will need to recuse myself from this discussion as I am a direct abutter.

MOTION: Walter Sorenson made a motion to OPEN the Public Hearing for 245 Center Street for a Definitive Plan. Brad Ligols seconded the motion. The motion passed with 3-0 unanimous in favor.

R. Danforth: The site visit was conducted on Saturday, November 16th. I, Bob Arakelian, Jim, Wally and Peter with TEC attended. We walked the site and the Applicant had the approximate house location staked and the centerline staked.

P. Ellison: The only new items questioned at the site were - limit of work lines, trees to remain/be removed, stormwater management (infiltration basin, swales, etc.), access for Fire Department (hammerhead turn, road surface material), sight distance, buffer plantings.

Walter Sorenson: After walking the site, a driveway swale would be less invasive, limiting tree removal and be more pleasing aesthetically. It would also result in improvements to King Street in regards to stormwater management and would be a betterment for the Town.

Andy Klosowski, Applicant/Owner: With the design near completion we would like to keep the current design as is, that has been vetted through the review process. The change would also result in a lot of work in the ROW and coordination with utility poles, fire hydrants, water lines and access under private property.

W. Sorenson: What about the site distance issue?

A. Klosowski: We will have our engineer look into that and respond accordingly.



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PUBLIC COMMENT

Joseph Chancler, 140 King Street: Who is responsible party for enforcement for drainage or flooding problems for town property and private property? We request the document language to be modified to include enforcement language. We request that as a condition of approval, to include recording of the modified document in the Registry of Deeds. This protects the town, abutters, and future owners of the property.

Town Planner: Standard language in our decisions state, "The Applicant shall provide for the long-term maintenance of the proposed stormwater infrastructure. Evidence of a long-term maintenance agreement must be provided to the Planning Department; either in the form of a Homeowner's Association Agreement, or other formal documentation, such that the funding, access, and preventative maintenance of the proposed stormwater infrastructure is assured for each lot within the subdivision."

Joseph Chancler, 140 King Street: We request that the Conservation Commission permit document granted in 2001 to be recorded in the Registry of deeds for both lots as condition of approval. We have read the document the acting Fire Chief wrote regarding emergency access via 142 King Street and needed clarification. We followed up with a phone call to the acting Fire Chief November 13th, and asked if the site had been visited. The acting Fire Chief said that he did a site visit and was very concerned about access via 142 King Street and was concerned about emergency vehicles possibly bottoming out. He remembered the difficulty on a major fire that occurred on the property and the difficulty they had putting the fire out. He said that he had no authority to block approval.

W. Sorenson: They do have authority under the Subdivision Rules and Regulations and we will relay that information to the Department.

Joseph Chancler, 140 King Street: The applicants have assumed and misunderstood the abutters position on overhead utilities. All of the immediate abutters of the access from 142 King Street have discussed and agreed that none of us have requested the applicants to seek a waiver for underground utilities. Conversely, all of these abutters are opposed to overhead utilities and want all utilities underground. The applicants may have wanted to alleviate abutters concerns about blasting but blasting will occur regardless. The applicants have made a statement about overhead utilities on King Street negating abutter's concerns of overhead utilities for this project. The abutters object to overhead utilities and feel there is no valid reason for a waiver to be granted for underground utilities.

Mrs. Troville, 4 Pheasant Lane: The proposed layout of the driveway comes pretty close to my son's property and we would like there to be additional screening.

A. Klosowski: We will provide as much screening as possible, for your privacy and ours.

MOTION: Walter Sorenson made a motion to CONTINUE the Public Hearing for 245 Center Street for a Definitive Plan to the December 3rd meeting. Brad Ligols seconded the motion. The vote was 3-0, unanimous in favor.

DISCUSSION & POSSIBLE VOTE

Nelson Street, Storage Facility, Brad Ligols

Brad Ligols: I need to recuse myself.

B. Ligols: I would like to have the Board vote to allow me a temporary CO. In your packets you have a letter from my engineer stating that the site is substantially complete and stabilized. The pavement is scheduled to go down next week and the fencing after that.

BOARD: We can allow a temporary CO after the roadway, berm and fencing are put in place.

MOTION: Lisa Chandler made a motion to allow the Town Planner to sign off on a temporary CO once the Applicant has installed the berm, paved the road and installed the fence.



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Sunset Circle, Wallace Capital: Bond release.

Town Planner: The roadway was accepted at Town Meeting in April 2019 and the Applicant is requesting for a full release of the remaining bond. The total is \$24,061.32.

W. Sorenson: The street light was never added.

Town Planner: The road was accepted so we cannot use these monies.

W. Sorenson: The Groveland Municipal Light Department should have stock materials. We could at least ask.

MOTION: Walter Sorenson made a motion to send a letter to the GMLD to request they install the light per the punch list. Brad Ligols seconded the motion. The vote was 5-0, unanimous in favor.

MOTION: Lisa Chandler made a motion to release the remaining bond and escrow monies in the amount of \$24,061.32 held for the development of Sunset Circle. Brad Ligols seconded the motion. The vote was 5-0, unanimous in favor.

4 Sewall Street, Comprehensive Permit Application: Review and comment.

Town Planner: The ZBA has requested that the Board review the proposed site plan for the Comprehensive Permit before them and provide comments for their consideration. These documents were sent to you on Thursday. The Applicant has provided the overview in front of you and is present to answer any questions.

BOARD: We will review and provide comments to the Planner for the December 3rd meeting.

MINUTES APPROVAL

MOTION: Brad Ligols made a motion to approve the November 5, 2019 meeting minutes. Lisa Chandler seconded the motion. The vote was 5-0, unanimous in favor.

ADJOURNMENT

MOTION: Brad Ligols made a motion to adjourn the meeting. The motion was seconded by Lisa Chandler. The vote was 5-0, unanimous in favor. Meeting adjourned at 9PM.