



# Town of Groveland Zoning Board of Appeals

183 Main Street  
Groveland, MA 01834

APPROVED January 15, 2020  
MOTION: Kathy Franson made a motion to approve the November 20, 2019 meeting minutes as amended. Chris Goodwin seconded the motion. The vote was 4-0, unanimous in favor.

Board/Committee Name: ZONING BOARD OF APPEALS  
Date: WEDNESDAY, NOVEMBER 20, 2019  
Time of Meeting: 7:30PM  
Location: TOWN HALL

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

Absent:

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

Jason Normand, Chair: The Zoning Board of Appeals meeting for Wednesday, November 20, 2019 was called to order at 7:33PM.

## **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.

**MOTION:** Kathy Franson motioned to OPEN the continued public hearing for Application 2019-3, 4 Sewall Street. Chris Goodwin seconded the motion. The vote was 4-0, unanimous in favor.

**William Daley, Applicant:** After the last meeting, I wanted to clarify the project based upon what I had envisioned for the property. We have provided an aerial view of the project to put everything into perspective. But remember this is at a 100 scale, so even though it looks crowded it really isn't.

Also, at the request of the Fire Department we are going to be providing four sides of access to the buildings. If you agree with the locations of the building tonight, me and my team are ready to go for full design. We also did test pits today and we can start to address stormwater.

**Kathy Franson:** It was my understanding that we were also going to discuss the difference between private and public streets this evening?

**Jason Talerman with Talerman, Mead and Costa:** We still need to do some additional work but we hope to have that information to you shortly.

**Joel Kahn:** We can begin with traffic and then continue with civil review.

**Heather Monticup with GPI:** We provided a signal warrant analysis and found that we do not meet the requirements for a traffic signal. We also addressed some comments in terms of the bus stop and the crosswalk at that location on Salem Street. In a supplemental letter we looked at the site distance in relation for a crosswalk where there is a vertical curve in the roadway. We show we have 470 feet, which provides ample stopping time in order for a vehicle to adjust for pedestrian crossings. Also, the crosswalk will have advanced warning signage. The signage is placed even higher than the driver eye, so when approaching you will see that sign before you even see the crosswalk. We would work with the Town on a desired preference for signage. We wouldn't need a flashing beacon but we would definitely have advanced signage.

**Brian Murray with Millennium Engineering:** The crosswalk will be located on the eastern sign of the intersection.

**H. Monticup:** The crosswalk will also be ADA compliant. We did receive the comment letter from TEC and it appears that they are in agreement with the study and plans provided.

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Samuel Gregorio, TEC Traffic Engineer: We provided a letter responding to the response letter from GPI. We agree the site distance from the crosswalk is sufficient and are in agreement in regards to the site lines for the auto body shop. The bus stop and crosswalk have also been addressed and we are in agreement with the information presented. We do still feel coordination with the fire department is necessary and more details are needed in terms of the turning radius and the size of truck, etc. We will need to see the final site plan in order to make signage and internal striping and all of those details are addressed.

W. Daley: In regards to sewer, we have been working with the Water and Sewer Commission and I am trying to work with Chesterton to make this sewer connection work.

Colin Stokes, Water and Sewer Superintendent: We have met with the Applicant and we are in full support of bringing the sewer line across town. We have looked at a couple of routes and we have two that we can choose from. We just need to ensure we can get the depth to provide future connections. The plan would be for the connection to take place at the back of Whitestone Village where the main is capped. It would then cross the National Grid area and through an existing easement and connect through Strawberry Fields and out to Center Street.

K. Franson: How many additional houses would you pick-up through this connection?

W. Daley: About 40. It will help residents in that dense area. This does not open up the Town for development, as some might fear. There is not much land over there to develop. It will also help with the school.

## PUBLIC COMMENT

Debby Webster, 45 Wood Street: I have a few questions. Would the 40 homes have any financial cost to connect? If they do, how much? Will the line be owned by the town when it done? If it happens today, what is the connection fee to hook up to sewer? Lastly, if the sewer is installed will residents have to connect?

C. Stokes: If the Town does not pay for the infrastructure, is my understanding, that we could not charge a betterment. I'm not sure off the top of my head, it may be lower, but I believe a tie in fee would be about \$4,000. Inevitably the Applicant would turn over the infrastructure to the Town and it would be town owned. But none of that has formally been addressed at this point in time. If your septic fails and there is sewer, yes, per our regulations you have to tie in. But the cost of a septic replacement is much lower than the cost to connect to sewer. Plus, if your septic is fine there is no obligation to connect, only if it fails.

W. Daley: It will be done to the town standard and will be given to the Town. I would work directly with the Water and Sewer Commission. I'm not counting the houses to see what I would get back in fees. Sewer is a win, win for the Town, in my opinion.

Peter Ellison, TEC Civil Engineer: Reviewed the comment letter dated November 19, 2019. The Applicant is requesting a waiver from all Town of Groveland Board of Health rules and regulations stating that they will comply with Massachusetts DEP. The Applicant should clarify and list the specific requirements of the Board of Health to be waived. Requirements in place to protect public health and safety will not be waived. Overall we would like to see more detail.

Paul Haverty with Blatman, Bobrowski & Haverty, LLC: Counsel does not suggest blanket waivers and strongly recommends this waiver be listed individually.

K. Franson: My biggest issues are the concerns of the Fire Department. The buildings are too tall for the Fire Department to reach. I have issues knowing someone is that high up and we can't get them.

**BOARD:** You and your team should meet with the new Fire Chief. His start date is December 2<sup>nd</sup>. If you do make changes concerning the height this will lead to other design changes and it just makes



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89 sense to address these issues sooner rather than later. This will take some time, so we will break for the  
90 month of December and reconvene in January. This will allow you and your team more time to  
91 converse with the necessary department, make plan revisions and for the peer review to review those  
92 changes. The next meeting will focus on fire, civil, stormwater and private vs. public streets. We will  
93 reschedule until January 15, 2020 and the Applicant will provide an extension until March. This letter  
94 will be send to the Town Planner.

95 **MOTION:** Christopher Goodwin motioned to CONTINUE the public hearing for Application 2019-3,  
96 4 Sewall Street until January 15, 2020. Kathy Franson seconded the motion. The vote was 4-0,  
97 unanimous in favor.

## 98 99 MINUTES APPROVAL

100 **MOTION:** Kathy Franson made a motion to approve the November 6, 2019 meeting minutes as  
101 amended. Chris Goodwin seconded the motion. The vote was 4-0, unanimous in favor.

## 102 103 OPEN DISCUSSION

104 *None.*

## 105 106 ADJOURNMENT

107 **MOTION:** Kathy Franson made a motion to adjourn the meeting. The motion was seconded by Chris  
108 Goodwin. The vote was 4-0, unanimous in favor. Meeting adjourned at 9:23PM.

