



Town of Groveland Zoning Board of Appeals

183 Main Street
Groveland, MA 01834

APPROVED February 5, 2020
MOTION: Chris Goodwin made a motion to approve the January 15, 2020 meeting minutes as drafted. Kathy Franson seconded the motion. The vote was 4-0, unanimous in favor.

TOWN OF GROVELAND
2020 FEB -6 AM 11:11
PAID
TAX COLLECTOR

1 Board/Committee Name: ZONING BOARD OF APPEALS
Date: WEDNESDAY, JANUARY 15, 2020
Time of Meeting: 7:30PM
Location: TOWN HALL

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

3 Absent:

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

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7 Jason Normand, Chair: The Zoning Board of Appeals meeting for Wednesday, January 15, 2020 was
8 called to order at 7:33PM.

9
10 **PUBLIC HEARING**

11 **CONTINUED: Application #2019-3, 4 Sewall Street, Groveland Realty Trust, LLC c/o William**
12 **Daley:** requests a Comprehensive Permit pursuant to the provisions of M.G.L 40B, §§ 20-23 and 760
13 CMR 56.00, to construct 192 apartment units in four (4) residential buildings, a clubhouse with
14 related amenities, such as a pool, and associated access ways, sidewalks, parking, utilities and
15 stormwater infrastructure located in the Industrial (I) Zoning District.

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

18 Joel Kahn with Equity Alliance: When we were last together one of the things that was discussed was
19 the ability of the Groveland Fire Department to respond to an emergency at the site. We went back to
20 our architect to help us answer these questions. They came up with the diagrams shown here to show
21 how the 75ft ladder truck would be able to reach the top balcony. It should also be noted that the City
22 of Haverhill has a 100ft ladder truck and would respond if mutual aid is called. We had a good
23 meeting with the Fire Chief and welcome him to recap that meeting for the Board.

24 Robert Valentine, Fire Chief: There are some concerns about the building height. We can reach the top
25 balcony if the truck is placed properly. But we can only reach one at a time. That fact is not
26 overwhelming concerning because the buildings will be 100% sprinkled. But it is concerning.
27 Additionally, the diagrams they are presenting are not accurate. Our 75ft reach is from the ground
28 and not from the top. We went to Patriot Place in Georgetown to test this out and we can't reach at
29 those angles, but if parked accordingly we can reach. In terms of mutual aid, we have spoken to both
30 Haverhill and Georgetown and Georgetown is running short staff. If we are going to have a major fire,
31 then it will be during construction. That is our biggest concern. But there are NFPA requirements that
32 they will need to meet. Once the buildings are fully occupied there will be less of a chance of fire.

33 K. Franson: Will you need access to the roof?

34 R. Valentine: We will never put fire personnel up on the roof if the fire has been going over 10
35 minutes.

36 K. Franson: The revised plan allows access to all sides of the buildings?

37 R. Valentine: They have revised the plan that does allow access on all four sides which originally was
38 not offered.

39 K. Franson: If you were on the ZBA, what would you require during those construction months?

40 R. Valentine: I have to follow the regulations and that is NFPA. We will have an emergency response
41 plan and that will be updated as we go along. We have an on call department and we will go out on
42 nights and weekends to ensure they are abiding by the requirements. There will be KnoxBox and we



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43 will have access to the site at all times. Once the building is enclosed it is more contained and there is
44 less of a chance a fire will spread but during construction that is our biggest concern. We are also
45 going to be enforcing training for a high rise firefighting. We have a skilled department but not many
46 of the them have dealt with this type of building.

47 K. Franson: Is that specialized?

48 R. Valentine: There is a special tactic and how you address the fire.

49 K. Franson: If this project is approved, what is it now going to cost the town for additional training etc.
50 And what about equipment? Are you at staff capacity?

51 R. Valentine: We conduct training in-house every Tuesday night. So that will not be additional and we
52 already have the appropriate equipment. In terms of capacity we are an on-call department and during
53 "work hours" we are short. I have looked into grants to help provide support and have requested
54 additional funds in my budget.

55 John Stokes: Time for Haverhill to respond?

56 R. Valentine: About 10-12 minutes. And there will be an alarm system.

57 Chris Goodwin: Are you comfortable with the current equipment the Town has and your ability to
58 address a fire?

59 R. Valentine: Yes.

60 J. Kahn: The other outstanding issue from the last meeting was the opinion concerning the use of
61 Nelson.

62 Jay Talerman with Mead, Talerman and Costa: The title provides Bill the right to use the roadway and
63 the rights to improve that roadway.

64 A. Kwesell: In the opinion issued by Lisa Mead it specifically calls out lots 38 and 39. I pulled the
65 land court plan. Those lots are fairly small, so clearly that is not the entire property for the proposed
66 development? So I don't know which property is the subject property. My concern is that you are
67 allowed to utilize and improve the roadway but it cannot interfere or be inconsistent with the existing
68 use or intended use.

69 J. Talerman: are you suggesting there is an overburdening?

70 A. Kwesell: Well, yes and in order to look into this further I need to know what other properties are
71 part of the overall project.

72 J. Talerman: Under 40B this would be a site control issue and we meet the standards. But we can
73 provide you information concerning the lot as a whole.

74 J. Kahn: We will follow-up and update accordingly. Also after last meeting our team has been
75 focusing on designing the stormwater for the site and wrapping up the civil design. We have submitted
76 these updates to TEC just the other day and we look forward to that review. However, we also worked
77 with our architect to put together these concepts to shows what this development will look like from
78 Salem Street. We will provide these to the Board so they can share with Saam prior to the next
79 meeting. These drawings are per scale. The distance from road can give a sense of the massing. We did
80 show the renderings when the trees are young and when they are mature.

81 William Daley, Applicant: Regarding the wetlands, we are still waiting on the determination from
82 DEP.

83 J. Tallerman: We want to present a plan that shows exactly where those buffer zone impacts will be
84 and the specific to that areas and we can tie that into the final plan.

85 K. Franson: I am looking forward to hearing about the habitat and what permits you have in place to
86 protect the habitat.

87 W. Daley: We have a CMP and we have recently submitted a modification due to the new 10-acre
88 parcel being added to the property.



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89 K. Franson: Is there a way we can educate the residents and people about the habitat? Like what to do
90 if you see a turtle. Or why you should not throw trash across the barrier, etc.

91 W. Daley: I would love to do something like that and to tie it all into the trails. But that is all up to
92 DFW. They typically do not like to call attention to the habitat so that it is not disturbed.

93 **BOARD:** At the February 5th meeting we will focus on the architectural review and then the
94 following meeting on February 19th we will focus on the civil and stormwater review.

95

96 **PUBLIC COMMENT**

97 **Joe Ryan, 865 Salem Street:** How many parking spaces?

98 W. Daley: 393.

99 **Joe Ryan:** And they can get around all of those parking spaces?

100 K. Franson: The Fire Department said they are satisfied with what the Applicant provided.

101 **Joe Ryan:** Where will they access?

102 W. Daley: Sewall and Nelson.

103 **Joe Ryan:** There is a barrier, right on my property and there is supposed to be a 100 buffer under the
104 Earth Removal Bylaw. You can't drive up on my property because of the barrier and I would like that
105 moved. You can't change the grade on my land.

106 W. Daley: That is correct and I am not changing the grade on your land. But the law also states you
107 can be within 100 feet if it is part of an approved site plan.

108 **Joe Ryan:** I would like to see all those fire trucks get up Nelson, its impossible.

109

110 **MOTION:** Kathy Franson motioned to CONTINUE the public hearing for Application 2019-3, 4
111 Sewall Street until February 5, 2020. Chris Goodwin seconded the motion. The vote was 4-0,
112 unanimous in favor.

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114 **MINUTES APPROVAL**

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

117

118 **INVOICES**

119 **MOTION:** Kathy Franson made a motion to approve invoice number 16040 for TEC civil and traffic
120 review of application 2019-3 for \$3,000. Chris Goodwin seconded the motion. The vote was 4-0,
121 unanimous in favor.

122

123 **OPEN DISCUSSION**

124 Town Planner: I just wanted to update the Board and make you aware that the Planning Board voted to
125 approve the Site Plan Approval and the Parking Reduction Special Permit for 301 Main to operate as a
126 restaurant. The next step for the Applicant will involve applying for a special permit for the use of the
127 site as a restaurant by the ZBA. I have advised the Applicant not to file the application until the 20-day
128 appeal has passed on the Planning Board decision. So if no appeal is filed we will most likely see this
129 application on the agenda for March.

130

131 **ADJOURNMENT**

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