



Town of Groveland Zoning Board of Appeals

183 Main Street
Groveland, MA 01834

APPROVED April 15, 2020
MOTION: Jason Normand made a motion to approve the April 1, 2020 meeting minutes as drafted and amended. Kathy Franson seconded the motion. A roll call vote was taken. Voting aye: Chris Goodwin, aye. Kathleen Franson, aye. John Stokes, aye. Jason Normand, aye. Motion approved.

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Board/Committee Name: ZONING BOARD OF APPEALS
Date: WEDNESDAY, APRIL 1, 2020
Time of Meeting: 7:30PM
Location: REMOTE MEETING VIA ZOOM VIDEO
CONFERENCE

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

3 Absent:

4 Staff Present: Rebecca Oldham

5 Applicant: Dena and Steve Dehullu, Dehullu Homes; Phil Parry, attorney; William Holt, Project
6 Manager

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8 Jason Normand, Chair: The Zoning Board of Appeals meeting for Wednesday, April 1, 2020 was
9 called to order at 7:35PM. As a preliminary matter, this is Jason Normand, the Chair. Permit me to
10 confirm that all members and persons anticipated on the agenda are present and can hear me.
11 Members, when I call your name, please respond in the affirmative.

12 Kathleen Franson

13 *Here*

14 Christopher Goodwin

15 *Here*

16 John Stokes

17 *Here*

18 J. Normand: Staff, when I call your name, please respond in the affirmative.

19 Rebecca Oldham

20 *Here*

21 J. Normand: Anticipated Speakers on the Agenda, please respond in the affirmative.

22 Phil Parry: If I may, I am the attorney representing Dehullu Homes. Also on this call are Steve and
23 Dena Dehullu and William Holt, Project Manager.

24 J. Normand: This Open Meeting of the Groveland Zoning Board of Appeals is being conducted
25 remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current
26 State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus."
27 In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by
28 the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the
29 requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location.
30 Further, all members of public bodies are allowed and encouraged to participate remotely. For this
31 meeting, the Groveland Zoning Board of Appeals is convening by video conference via Zoom as
32 posted on the Town's Website identifying how the public may join. Please note that this meeting is
33 being recorded, and that some attendees are participating by video conference. Accordingly, please be
34 aware that other folks may be able to see you, and that take care not to "screen share" your computer.
35 Anything that you broadcast may be captured by the recording. All supporting materials that have been
36 provided members of this body are available on the Town's website. We are now turning to the first
37 item on the agenda. Before we do so, permit me to cover some ground rules for effective and clear
38 conduct of our business and to ensure accurate meeting minutes. I/the Chair, will introduce each
39 speaker on the agenda. After they conclude their remarks, the Chair will go down the line of
40 Members, inviting each by name to provide any comment, questions, or motions. Please hold until
41 your name is called. Further, please remember to mute your phone or computer when you are not



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speaking; please remember to speak clearly and in a way that helps generate accurate minutes. Finally, each vote taken in this meeting will be conducted by roll call vote.

PUBLIC HEARING

NEW: Application #2020-2, 733 Salem Street, Dehullu Homes: requesting a variance from the required frontage under the Table of Density and Dimensional Regulations in Section 8.1. The site is located in the Residential 1 (R-1) and Residential 2 (R-2) Zoning Districts at 733 Salem Street Groveland, MA 01834. (Assessors Map 39, Parcel 68 – proposed subdivision lot 68G). Application materials can be found at <https://www.grovelandma.com/zoning-board-appeals/pages/2020-2-733-salem-street>.

MOTION: Jason Normand motioned to OPEN the public hearing for Application 2020-2, 733 Salem Street. Kathleen Franson seconded the motion. The vote was 3-0, unanimous in favor.

Phil Parry, attorney for Dehullu Homes: The applicant seeks relief from having to access the lot from its legal frontage on Maple Meadow Lane. The construction of said approved roadway was waived by the Planning Board during the Definitive Subdivision process, and access to the lot from other than its frontage was granted during that same process. The full buildout of Maple Meadow Lane could support two conforming building lots, however, with the support of the Conservation Commission and the Planning Board the applicant agrees to forfeit the second lot allowing access from Oakland Terrace. The applicant believes that the relief sought by the variance requested does not generally affect the overall zoning district, nor it is detrimental to the neighborhood and will in fact provide for more open space and less overall impact to abutting property, than requiring a full buildout of the roadway, and is in harmony with the intent of the bylaw and the Planning Board approval waiving the construction of the roadway and the relief sought with this variance. As we know, a variance must meet the test. Specifically, and I quote, “owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.” By limiting the access to Oakland Terrace we are trying to protect the wetlands. Additionally, there was some concern about the access of Maple Meadow Lane onto Washington Street. The layout has been vetted by the Conservation Commission and the Planning Board. The hardship is unique here. It will cost a lot of money to construct the roadway and this is not a personal cost because this would be a cost for anyone looking to develop the roadway. The proposed use is in harmony with the overall intent of the land, which is single family homes. It will not be detrimental. It will be beneficial based on the process through Conservation Commission and Planning Board. It will enhance the values of the property around it.

William Holt, Project Manager: Maple Meadow Lane can be constructed. A perc test was performed and the road and dwellings can be constructed. However, this solution provides less of an impact to the wetlands and the abutters. We believe this is a better solution.

Public Comment

Steven Brown, 32 Benjamin Street: In siting the first conditions due to hardship, Mr. Parry, you stated the existing property that was originally owned by the Roman Catholic Church was not modified previously? But my understanding is that there was modification to those lots along



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Benjamin and other ANR lots along Salem. I bring this issue up for transparency. I am an architect and constantly attend public hearings and I understand there is a lot of anti-construction along those lines. We are fortunate to live in this neighborhood with understanding of the plan that was proposed and was going to be in the near future. I'm not here as an opponent but want to be clear on what is being sought from the Zoning Board. And I want the Board to fully understand what is being requested. I think this is an issue that resulted from the Planning Board. All these properties in the neighborhood at one time or concurrently were owned by the current applicant, so I think it's unfair to request a hardship given the layout of the property and its current configuration. I think we could maybe argue its outside the intent of the Planning Board's long-term development plan of a neighborhood that was not fully transparent. So, I kindly request that should this be fortunate to go through to be sensitive to the neighbors both current and future.

J. Normand: We are actually going to need to stop the meeting short. We only have a 40-minute Zoom license and we are about to time out. So our only option is to continue this matter.

MOTION: Kathy Franson motioned to CONTINUE the public hearing for Application 2020-2, 733 Salem Street until April 15, 2020. Chris Goodwin seconded the motion. A roll call vote was taken. Voting aye: Chris Goodwin, aye. Kathleen Franson, aye. John Stokes, aye. Jason Normand, aye.

MEETING MINUTES: Approval of March 4, 2020 meeting minutes. Approval of March 19, 2020 meeting minutes.
Not heard.

INVOICES: Approval of outstanding invoices.
Not heard.

ADJOURNMENT

MOTION: Kathy Franson made a motion to adjourn the meeting. The motion was seconded by Chris Goodwin. A roll call vote was taken. Voting aye: Chris Goodwin, aye. Kathleen Franson, aye. John Stokes, aye. Jason Normand, aye. Meeting adjourned at 8:09PM.