



Town of Groveland Planning Board

183 Main Street
Groveland, MA 01834

APPROVED May 5, 2020
MOTION: Walter Sorenson made a motion to approve the April 21, 2020 meeting minutes. Brad Ligols seconded the motion. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Robert Danforth, aye. Jim Bogiages, aye. Motion approved.

Board/Committee Name: PLANNING BOARD
Date: TUESDAY APRIL 21, 2020
Time of Meeting: 7:00PM
Location: REMOTE VIA ZOOM VIDEO CONFERENCE

Present: Robert Danforth, Walter Sorenson, Jim Bogiages, Brad Ligols

Absent:

Staff Present: Rebecca Oldham

Robert Danforth, Chairman: The Planning Board meeting for Tuesday, April 21, 2020 was called to order at 7PM.

Town Planner:

This Open Meeting of the Groveland Planning Board is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus." In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely. For this meeting, the Groveland Planning Board is convening by video conference via Zoom as posted on the Town's Website identifying how the public may join. Please note that this meeting is being recorded, and that some attendees are participating by video conference. All supporting materials are available on the Town's website.

R. Danforth: Due to the declaration of emergency we will not be hearing any of the public hearings this evening.

PUBLIC HEARINGS

CONTINUED: 106 King Street, King Meadow Development c/o Kevin Cunniff: Applicant is requesting approval of a preliminary subdivision plan for ten (10) residential lots. The plan includes the construction of a roadway with a cul-de-sac and the installation of stormwater management infrastructure and underground utilities. The site is located in the Residential 2 (R-2) Zoning District. (Assessors Map 26, Parcel 13).

MOTION: Walter Sorenson made a motion to OPEN the Public Hearing for 106 King Street. The motion was seconded by Brad Ligols. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Robert Danforth, aye. Motion approved.

MOTION: Walter Sorenson made a motion to CONTINUE the Public Hearing for 106 King Street to May 5, 2020. The motion was seconded by Brad Ligols. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Robert Danforth, aye. Motion approved.

NEW: Groveland Zoning Recodification – Town Meeting Warrant Article: to consider proposed amendments to the Groveland Zoning Bylaws. The subject matter of the proposed amendments is recodification of the Zoning Bylaws and non-substantive corrective amendments thereto.



Town of Groveland Planning Board

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MOTION: Walter Sorenson made a motion to OPEN the Public Hearing for Zoning Bylaw recodification. The motion was seconded by Brad Ligols. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Robert Danforth, aye. Motion approved.

MOTION: Walter Sorenson made a motion to CONTINUE the Public Hearing for Zoning Bylaw recodification to May 5, 2020. The motion was seconded by Brad Ligols. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Robert Danforth, aye. Motion approved.

NEW: Groveland Subdivision Rules and Regulations Recodification: to consider proposed amendments to the Groveland Subdivision Rules and Regulations. The subject matter of the proposed amendments is recodification of the Rules and Regulations and non-substantive corrective amendments thereto.

MOTION: Walter Sorenson made a motion to OPEN the Public Hearing for Subdivision Rules and Regulations. The motion was seconded by Brad Ligols. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Robert Danforth, aye. Motion approved.

MOTION: Walter Sorenson made a motion to CONTINUE the Public Hearing for Subdivision Rules and Regulation recodification to May 5, 2020. The motion was seconded by Brad Ligols. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Robert Danforth, aye. Motion approved.

ANR

Oak Valley Development, Jay Ogden: Map 8 Lot 4, 37 Wood Street and 350 Center Street.

Robert Danforth: There has been some back and forth on the fee between a Form A fee and a lot line adjustment fee. So we will need to vote on the matter.

Water Sorenson: So the proper fee is \$550.

Jay Ogden, Oak Valley Development: It is a simple lot line adjustment and I am taking some land I own and offering it to an adjacent property owner.

BOARD: The applicant is creating a new parcel to be conveyed to an adjacent property owner and then removing lot lines to create a larger parcel for that land owner. So the fee for a ANR to create a new parcel is \$500 and a lot line adjustment is \$50. A lot line adjustment is when you remove lot lines or shift lot lines. Adding new lot lines is an ANR.

MOTION: Walter Sorenson made a motion to charge \$550 for a ANR and lot line adjustment filing. Brad Ligols seconded the motion. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Robert Danforth, aye. Motion approved.

BOARD: Endorsement will be difficult since Town Hall is closed but we could potentially leave the mylar at the Police Station and members could stop in and sign? Maybe we delay approval since the Governor's Order allows us to act beyond originally time constraints?

MOTION: Walter Sorenson made a motion to approve the ANR and lot line adjustment pending receipt of the fee and the Board will endorse at the next meeting on May 5th. Brad Ligols seconded the motion. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Robert Danforth, aye. Motion approved.

MEETING MINUTES: Approval of February 4, 2020 meeting minutes. Approval of March 18, 2020 meeting minutes.

MOTION: Walter Sorenson made a motion to approve the February 4, 2020 meeting minutes. Brad Ligols seconded the motion. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Robert Danforth, aye. Motion approved.



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MOTION: Walter Sorenson made a motion to approve the March 18, 2020 meeting minutes. Brad Ligols seconded the motion. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Robert Danforth, aye. Motion approved.

INVOICES: Approval of outstanding invoices.

MOTION: Walter Sorenson made a motion to approve the outstanding invoices as listed. Brad Ligols seconded the motion. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Robert Danforth, aye. Motion approved.

7:34PM Jim Bogiages arrived remotely to the meeting.

DISCUSSION AND POSSIBLE VOTE

Benjamin Street Extension, Dehullu Homes: Discuss approved Definitive Subdivision Plan and construction monitoring report dated April 2, 2020.

R. Danforth: I will recuse myself and Walter Sorenson will now run the meeting.

Town Planner: A cease and desist was issued on April 2, 2020 when the monitoring engineer identified a slope on the side of the roadway which is not shown on the endorsed Definitive Subdivision Plan. The Planning Board therefore required all work to cease until the design can be confirmed and reviewed properly. The developer and his design team submitted the revised plan on Monday April 20th which has been shared with all of you. Peter Ellison with TEC is present on the call and also submitted comments based on revisions.

Peter Ellison with TEC, Peer Review Engineer: The Owner's Surveyor, WGH has provided the following documents, which TEC reviewed for conformance with the approved Plan and Town requirements: response letter dated April 19, 2020 and Roadway Profile Revised Grading Plan, Sheet S6-R dated April 19, 2020. WGH confirmed that the roadway was constructed 2 to 2.5 feet higher than the approved Plan. WGH prepared a revised plan including adjustments to the existing topography and the proposed grades on the roadway. The topography has changed in some areas by up to 6 feet vertically. At the end of the constructed portion of Park Street, the existing grade was previously shown as elevation 86, and has now been updated to elevation 80. The revised plan shows a retaining wall, approximately 75-feet in length, from STA 1+75 to STA 2+50. A wood guard rail is now proposed at the top of the retaining wall. WGH's response letter states that two access points are provided to the Sweetser property, however, TEC is only able to identify one location off Park Street. An additional access point to Benjamin Street in vicinity to the existing garage, including a break in the bituminous curb, may be warranted. The revised plan identifies an iron rod (I.R.) to be set (T.B.S.) at the corner of Benjamin Street and Park Street. This revision could mean that the roadway was constructed closer to the property line than shown on the approved Plan. Additional survey work may be warranted in this area. The current limit of construction should be added to the plan to identify if any work has occurred on private property. The roadway profile has changed slightly. The approved plan showed a 12% sloped section of roadway that was 50-feet in length. The revised plan has extended the 12% sloped section to be 146-feet in length. The locations of the drainage structures has been changed based on revised roadway grading. The overall drainage system should function the same as on the approved Plan. The elevation of the infiltration basin was lowered by 2-feet, however it still meets the state standard for separation to groundwater.

BOARD: Big concern is the iron rods are not correctly set and the 12% slope is now going from 50 feet of roadway to 146 feet of roadway. The visual impact of the retaining wall on the abutter. There is land disturbance on private property. The disturbance to the abutters property should be restored to its



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natural state. Need to confirm that the retaining wall can be constructed without the abutters consent, or is a temporary easement needed. Also, would like to have the abutters input on the new plan and design. The road sits higher than the abutting property and now there will be a retaining wall running the length of the abutter property with a guard rail on top.

Town Planner: I have spoken with the abutter and have shown her the new plan. She does not want to limit the developer's ability to develop the land she, Nancy Sweetser, just does not want it to impact her property. She does not have access to a computer in order to participate remotely.

John Paulson with Atlantic Engineering: We have been retained by Nancy Sweetser to survey her property and confirm the bounds. She believes that work is being conducted on her property. I would appreciate if someone could forward me the approved plan and the revision.

BOARD: Staff will send Mr. Paulson the materials. This seems like a major modification and therefore should be re-noticed and a public hearing should be held. We can also share the plans with the fire department and highway and see if they have any concerns. We will hold the hearing at the May 19th meeting giving time for notice.

MOTION: Brad Ligols made a motion that the proposed updates constitute as a major modification and a public hearing must be held for Benjamin Street Extension Definitive Subdivision. Jim Bogiages seconded the motion. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Jim Bogiages, aye. Motion approved.

Dena Dehullu with Dehullu Homes: Are we able to conduct work on the site? Not the roadway, but the house lot.

Town Planner: There is a covenant on the lot that will restrict the ability of the developer to pull a building permit. The cease and desists is still in effect. Any approval of site work should be at risk since any design modification could impact the grades of the lot, etc.

BOARD: We could allow them to do limited site work and motion at risk. The issue is that the road provides access to the lot, without the road being constructed properly any use could provide a larger impact to the abutter. We will have the developer provide a list of activities they are looking to perform and then give the engineers more time to review the situation and discuss and vote on what work can be performed at the next meeting, May 5th. As of now, the cease and desists stands and no work will be performed.

ADJOURNMENT

MOTION: Jim Bogiages made a motion to adjourn the meeting. The motion was seconded by Brad Ligols. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Jim Bogiages, aye. Brad Ligols, aye. Robert Danforth, aye. Motion approved. Meeting adjourned at 7:30PM.