



Town of Groveland Planning Board

183 Main Street
Groveland, MA 01834

Board/Committee Name: PLANNING BOARD
Date: TUESDAY MAY 5, 2020
Time of Meeting: 7:00PM
Location: REMOTE VIA ZOOM VIDEO CONFERENCE

APPROVED May 19, 2020

MOTION: Walter Sorenson made a motion to approve the May 5, 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.

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

Absent:

Staff Present: Rebecca Oldham

Robert Danforth, Chairman: The Planning Board meeting for Tuesday, May 5, 2020 was called to order at 7:03PM.

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.

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.

William Holt, Project Manager: It is a 10-lot subdivision – we have met with the Conservation Commission but we have been delayed. So, we might revise this plan based on the wetland layout however, we intend to review this tonight as 10 lots.

Walter Sorenson: There was a conceptual plan way back for 8-lots and then there was another plan for 4-lots about 20 years ago and there were substantial wetlands which caused some design concerns but the plan never came to fruition. Is part of this land still in 61A?

W. Holt: The reason we were able to get 10-lots is because we added 2 acres from the Fiore property that will be taken out of 61A. But the Conservation Commission had some concerns with that parcel and we will not be acquiring that property and will cut the development down to 9 lots. But we want to go before Conservation Commission before making those changes.



Town of Groveland Planning Board

183 Main Street
Groveland, MA 01834

W. Sorenson: If you know that the plan is going to change, should we not wait to review? Do we want to continue since we know there will be a change? Because things are going to move around.

William Holt: Lot 5 and 6 will change substantially and the finger roadway will be removed and we will shorten the roadway and make more room for lots 6,7,8. We really need to confirm the wetland line first before making the changes.

W. Sorenson: What is the road length?

W. Holt: 905 feet but we plan to cut that back to 825 feet.

W. Sorenson: The regs are 750, what is the reason for waiver?

W. Holt: Wetlands and the need to shape the lots and push things away to the 9 lots.

W. Sorenson: 750 feet, what would that look like?

W. Holt: We would probably have 8 lots at that point.

W. Sorenson: My personal opinion, based on the discussions in the past. I think you are being very aggressive to ask for a waiver to benefit the owner and not the Town.

Peter Ellison with TEC, Peer Review Engineer: I did do a comment letter and I can go over those big picture items as designed for 10 lots. It is noted that the applicant is asking for a waiver from Section(s) 4.3.7.1 and 4.3.11.1 for the requirement of the maximum cul-de-sac road length of 750'. Proposed cul-de-sac is 905 ft long. Section 3.3.2.20 requires the applicant to submit a technical memorandum prepared by a traffic engineer with information about peak hour volume, sight distances and 85th percentile speed. TEC requests that applicant provide these documents for review. As part of a Definitive filing, the Applicant should provide a stormwater report showing that proposed improvements meet all requirements of the Massachusetts Stormwater Standards. Currently, no water line is shown into the subdivision. The Groveland Fire Department should determine if hydrants are required. The Applicant should coordinate with the Groveland Water Department to determine if adequate pressure exists for fire suppression/water connections. The project is located within the Aquifer Protection District "Zone 3", and will require a special permit for development within this zone, see Section 6.2.8.3 of the Zoning Bylaw. Section 6.2.7.1 of the Zoning Bylaw restricts the export of material from the development site, meaning all excess material should be stockpiled and re-used onsite. A cut/fill analysis may be required as part of the definitive filing to confirm no material will be exported. Lot 5 & 6 of the proposed subdivision are shown partially on "Parcel 12A". The use of Parcel 12A in the subdivision will require proof of ownership. The Key Plan shows Parcels 13G and 13H as part of the subdivision, but then there is no further information given on these parcels. If part of the Subdivision, detailed plans should be provided for each lot. Sheet S5 shows two different lengths for the frontage of Lot 8. The proposed infiltration basins are shown within 50-feet of the existing wetland resource areas. Per the Massachusetts Stormwater Handbook, a minimum of a 50-foot buffer is required. TEC recommends the removal of the dead-end roadway headed toward Parcel 12D. The Applicant should explain the purpose of this portion of the road. Per Section 4.3.11.3, the future access should be handled with an easement. Per Section 4.3.11.2 of the Subdivision Regulations, a 110-foot diameter paved cul-de-sac width is required. Currently, only 100-feet is provided. Section 4.16.2 of the Subdivision Regulations, no driveways should connect to the new roadway within 10-feet of a proposed catch basin.

R. Danforth: Did you meet with the Water Commission, Mike Alesse?

Mike Alesse, co-owner: We did meet with them and we are looking on how we are going to get adequate pressure and may require some off-site improvements that will be a betterment for the Town. But we are working with the Water Commissions engineer and waiting from some assessment.



Town of Groveland Planning Board

183 Main Street
Groveland, MA 01834

W. Holt: We will provide the stormwater information as requested; we may be exempt from filing for the Aquifer Special Permit; we are resizing the detention pond. Overall, we are being held up by a decision from the Conservation Commission. But we are going to address all of TEC's concerns.

W. Sorenson: What are lots 13G and 13H?

W. Holt: 13G and 13H are part of the property right now. 13G because it is in Zone 3, in order to get 4-bedroom house we need to have 10,000SF compensation area. There would be a permeant restriction on that lot. 13H has frontage on Center and King and there is potential for housing.

W. Sorenson: Have you done a max buildout on this lot? Including the other parcels?

W. Holt: Well 13G, nothing. 13H is the potential for a single-family lot or a duplex. But we will not have that information until the Conservation Commission makes their determination on the wetland line.

W. Sorenson: Why did you not submit a revised plan?

W. Holt: The owners wanted to maximize the lots for the site.

W. Sorenson: But that is a disrespect to the regulations. We decided that because of the Rocky Brook development. It shows some aggressive moves to maximize building. If you have another way out, that is preferred, especially when talking about looping water systems, etc.

7:29PM Jim Bogiages joined the meeting remotely.

Brad Ligols: Why don't we let them go back to the Conservation Commission and then come back with an updated plan.

BOARD: All agreed. Will open up for public comment.

PUBLIC COMMENT

Paul 118 King Street: I have a few questions.

- King Meadow Development LLC only gave permission for 106 King Street access. What about access permission to 104 King Street which is also part of the Planning Board application?
- The signature on the application for approval of a preliminary plan indicates Kevin Cuniff at 211 Seven Star Road in Groveland, was submitted to Elizabeth Cuniff, Town Clerk, and stamped received/posted. Has Elizabeth Cuniff, Town Clerk, and spouse of Kevin, disclosed this conflict of interest in regards to the financial benefit of the proposed subdivision?
- What is the contiguous building area out of the 5 acre property development as it relates to the storm water discharge?
- May we require a cut/fill analysis be completed to ensure compliance on the material export prohibition?
- In reference to the waiver on Section 5.6.3 of the application, does an existing culvert and drainage pond already exist?
- Has King Meadow Development LLC filed any notices with Massachusetts State Agencies e.g. Mass DEP?
- Has King Meadow Development LLC sent the Town of Groveland a notice of first refusal on the properties located at 106 King Street?
- What information exists and can be provided concerning future development phases at 104 King Street?

BOARD: Ethics Commission should be the one to report any violation of a conflict of interest.

Advised Kevin Cuniff to look into that issue and have the Clerk file with the Ethics Commission.



Town of Groveland Planning Board

183 Main Street
Groveland, MA 01834

W. Holt: The parcel in 61A will be removed and it will no longer be part of the project. I don't know what the CBA is for the whole parcel. Only the proposed individual lots. TEC did point out that a cut and fill analysis would be required. We are not addressing any culverts on the property. We are only asking for a waiver from the culvert we intend to construct. There is no plan to develop 104 King Street, we were going to take 2 acres but then decided not to so, there will be no further development.

BOARD: We should continue until the Conservation Commission and the Water Commission have had a chance to make some progress.

MOTION: Walter Sorenson made a motion to grant a 90-day extension for the preliminary filing. The motion was seconded by Brad Ligols. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Jim Bogiages, aye. Robert Danforth, aye. Motion approved.

MOTION: Walter Sorenson made a motion to CONTINUE the Public Hearing for 106 King Street to June 2, 2020. The motion was seconded by Brad Ligols. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Jim Bogiages, aye. Robert Danforth, aye. Motion approved.

CONTINUED: 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.

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. Jim Bogiages, aye. Robert Danforth, aye. Motion approved.

MOTION: Walter Sorenson made a motion to CONTINUE the Public Hearing for Zoning Bylaw recodification to May 19, 2020. The motion was seconded by Brad Ligols. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Jim Bogiages, aye. Robert Danforth, aye. Motion approved.

CONTINUED: 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 19, 2020. The motion was seconded by Brad Ligols. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Jim Bogiages, aye. Robert Danforth, aye. Motion approved.

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: The Board did vote at the last meeting that the modification be noticed and public hearing held. Originally, the Owner wanted to see if there was some work that could be done on the lot itself. However, I was informed that the Owner now intends to wait until after the meeting on May 19th to discuss this issue. Also, I did receive notice from the abutter's surveyor, John Paulson, who stated



Town of Groveland Planning Board

183 Main Street
Groveland, MA 01834

he would be on the call this evening with an update concerning the survey that was performed. But it does not appear that he is on the call. Otherwise there are no other updates.

Peter Ellison with TEC, Peer Review Engineer: I did receive the survey plan from John Paulson and everything seems consistent with Bill's updated plan. The only exception was there was another area of encroachment identified that was not previously discussed.

BOARD: Okay, so we will discuss further at May 19th.

245 Center Street, Heather Klosowski: Request for a reduction in the requirements of the Memorandum of Decision issued December 3, 2019.

Heather Klosowski: We would like to request the removal of the requirement to post a \$50,000 bond. This bond is for subdivisions which would require the Planning Board to finish a roadway if a developer did not. This will not be the case for our driveway and would like this to be considered and removed from our list of requirements.

Town Planner: We did set the bond in the MOD at the public hearing because of all the waivers so it was set based on the stormwater infrastructure and erosion control.

BOARD: It is part of the definitive filing; therefore, a bond cannot be waived. It is a requirement. It can be reduced as items are completed. It is a subdivision no matter how many lots are proposed.

185 Main Street – Cell Tower, Gerry Squires on behalf of T-Mobile Northeast: Request for an extension to approved Site Plan.

Gerry Squires on behalf of the Applicant: was granted a Site Plan Approval at the January 8, 2019 Groveland Planning Board Meeting. Unfortunately, T-Mobile was not able to act on the permit prior to now. We would like to request the Site Plan Approval be extended. Once extended T-Mobile will apply for a building permit and prepare to move forward with the work. Section 13.8 of the Town of Groveland zoning by-law allows for site plan approvals to be extended if not acted upon for good cause. We feel the project was delayed for a couple of reasons that fall under the category of good cause: It took longer than expected to determine what type of generator fuel option was best for the site. The Groveland Water and Sewer Department's first choice was natural gas. After some time working with the gas company it was determined tapping into a gas line in the area was not a feasible option. Once it was determined propane was the chosen fuel we needed to amend our existing lease adding to the delay. The biggest delay experienced was when T-Mobile froze site development operations September 1, 2019 until Mid-March of this year. For the foregoing reasons, T-Mobile respectfully requests the Groveland Planning Board extend the Site Plan Approval for an additional year until January 8, 2021.

MOTION: Walter Sorenson made a motion to extend the Site Plan Approval to January 9, 2021. The motion was seconded by Brad Ligols. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Jim Bogiages, aye. Robert Danforth, aye. Motion approved.

Groveland Self-Storage, Nelson Street, Brad Ligols: Request for a bond reduction.

Brad Ligols recused himself as he is the Applicant.

Brad Ligols: As the Board requested I have stabilized the site, the gate is up, the detention pond finished and the grass is starting to grow. There are three outstanding items: the berm, pavement and porous pavement. Once the plants are open, I will have the remaining items completed.

MOTION: Walter Sorenson made a motion to reduce the bond for Groveland Self Storage \$10,000 and hold \$30,000. Jim Bogiages seconded the motion. A roll call vote was taken. Voting aye: Walter Sorenson, aye. Robert Danforth, aye. Jim Bogiages, aye. Motion approved.



Town of Groveland Planning Board

183 Main Street
Groveland, MA 01834

MEETING MINUTES: Approval of April 21, 2020 meeting minutes.

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.

INVOICES: Approval of outstanding invoices.

None.

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 8:22PM.