



# Town of Groveland Planning Board

183 Main Street  
Groveland, MA 01834

**APPROVED June 16, 2020**  
MOTION: Walter Sorenson made a motion to approve the June 2, 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 JUNE 2, 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, June 2, 2020 was called to order at 7:05PM.

## 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.

## **DISCUSSION AND POSSIBLE VOTE**

**Oakland Terrace, 733 Salem Street, Dehullu Homes:** Vote for endorsement of approved Plan.

R. Danforth: There was no agreement between the owner and the Board and it was only a discussion between the owner and Mike Dempsey. So I would like to move this along and vote that we endorse the Plan.

Walter Sorenson: Before doing so, could we first hear from Mike? I appreciated the letter he sent over concerning this issue and since we invited him to the meeting he should be able to explain the situation.

Mike Dempsey, Conservation Commission/Community Preservation Committee Chair: As stated in my letter addressed to the Board. We did only discuss the potential desire to acquire the parcel. There was no official agreement.

W. Sorenson: The warrant article that was approved, was that only to set aside funds?

M. Dempsey: The process to get CPA funds, for anything, is about a 9-month process. You start collecting proposals and get them in December and then they get voted on by CPC and then Town Meeting. Once approved the money is still not available until July 1<sup>st</sup>. The Committee decided to move forward with the proposal to allocate funds because they believed this project was going to be constructed in 2019 and they feared if they did not have the funds available they would not have the opportunity to purchase the parcel. The figure was the maximum the Town could put forward for that property. It was not ideal, but it was done this way due to timing.



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W. Sorenson: So, there was a sequence issue. Usually, the parcel would have been negotiated as open space or for town purchase prior to approval by the Planning Board being granted.

**MOTION:** Robert Danforth made a motion to endorse the Plan for 733 Salem Street, Oakland Terrace Definitive Subdivision. Walter Sorenson seconded the motion. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Jim Bogiages, aye. Robert Danforth, aye. Motion approved.

**BOARD:** Since Town Hall is still closed to the public members will arrange a time to meet with the Town Planner at the Town Hall parking lot for signature.

## PUBLIC HEARINGS

**CONTINUED: Benjamin Street Extension Modification, Dehullu Homes:** *requesting a modification to the approved Benjamin Street Extension Definitive Subdivision approved by the Planning Board on November 19, 2019 - endorsed Definitive Subdivision Plan of Land entitled "Definitive Subdivision Plan Benjamin Street Extension (A Private Way -for one single family lot) and the Stormwater Management & Land Disturbance Bylaw", August 19, 2019 and a final revision date of November 4, 2019 prepared by WGH Land Survey & Design. The modification entails design revisions to the roadway, specifically changing the grade, slope and adding a retaining wall and guardrail. The site is located in the Residential 1 (R-1) Zoning District at 38 Benjamin Street Groveland, MA 01834 (Assessors Map 46, Parcel 18B).*

R. Danforth: I will need to recuse myself. Wally will take over

**MOTION:** Brad Ligols made a motion to OPEN the Public Hearing. Jim Bogiages seconded the motion. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Jim Bogiages, aye. Motion approved.

David Nadar with TEC, Peer Review Engineer: The latest revised plan will result in 229 square feet less impervious area compared to the endorsed plan. The stormwater system will function appropriately and has been designed in accordance with Groveland/State of Massachusetts standards. The infiltration basin is designed to draw down in less than 72 hours, minimizing the possibility of mosquito breeding habitat. As part of the monitoring process, TEC can provide a post construction inspection of the infiltration basin to confirm that the basin is functioning properly. The side slopes proposed along the roadway will require a temporary easement for the contractor to build a 4:1 slope on Ms. Sweetser's property. At the site meeting on May 28th, this was Ms. Sweetser's preferred alternative because it eliminated the retaining wall/guardrail. At the time of the meeting, a site plan showing the side slopes was not completed yet so Ms. Sweetser was unable to review anything "on paper". TEC recommends that a 2nd temporary construction easement be added to the Easement Plan to account for the encroachment that has occurred near the corner of Belle Street and Benjamin Street. The property at 38 Benjamin Street, the Benjamin Street right-of-way, and Ms. Sweetser's property (9 Belle Street) generally slope from Northeast to Southwest, towards Johnson Pond. The side slopes along Benjamin Street/Benjamin Street Extension will not prohibit the flow of water toward Johnson Pond. The side slope will not result in a "low point" on Ms. Sweetser's property based on the latest proposed contours. The Landscape Plan identifies the location of fifteen (15) trees within the temporary construction easement. The plan should clearly identify which trees are to be removed or retained. Ms. Sweetser has shown interest in keeping the wood from any trees to be cut from her property. It appears that there are six (6) street trees proposed within the "encroachment B" restoration area. Three of the six trees have a symbol that is not included in the tree legend. It appears that one honey locust tree is proposed with the "encroachment A" restoration area. TEC recommends that additional shrub plantings or small trees be added to this area to restore the buffer that previously existed between Ms. Sweetser's property and 34 Benjamin Street. The connection to Benjamin Street



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from Ms. Sweetser's lower garage driveway has been widened to 16-feet in width with flared ends and a berm to divert stormwater runoff.

**Nancy Sweetser, 9 Belle Street:** I think the roadway side slopes are going to create a bowl around my property which will cause drainage problems, potentially create wetlands. I'm worried about the value of my property after the roads are built higher than my property on two sides. The slopes may cause my land to be non-buildable due to severe grade change. I don't understand which trees are going to be cut and which trees aren't. I want to keep the wood for any trees cut from her property. I would prefer a more substantial buffer between 34 Benjamin and my driveway.

**Jim Bogiages:** So, we have two options. What are you most comfortable with?

**Nancy Sweetser, 9 Belle Street:** My fear was that all the sloping would take away the value of my property when I sell. But Steve Dehullu, just this afternoon, has assured me that there would be a level area and that future use of the land was something that they could preserve with the grading option. Whereas, with the wall it might not change my grades but cause other impediments to future use of the land in the back.

**William Holt, Project Manager:** *Arrived to the meeting at 7:18PM.* We are showing a 4 to 1 slope off of the proposed grading, and that is a requirement per the Planning Board regulations. We could flatten that out a little more and it would require us to go a little further than where shown on the plan but it would limit Nancy's concerns. It's actually less than 4 to 1 as you go towards Park Street. So, what you have in the back right-hand corner is going to stay the same. We could stretch it to 5 to 1 in the easement itself which is flatter.

**Nancy Sweetser, 9 Belle:** I would prefer flatter. Also, the ash tree and the other trees leaning over the road would need to be removed. The roots have been cut on it and is already partially dead. As far as replanting, I really don't need the trees by Belle Street. The shield from 34 Benjamin is the area I am looking for as a buffer. As long as they keep the grades as they describe, I would be agreeable to a temporary construction easement to regrade in order to construct the roadway. I would also like to publically thank Dehullu Homes for reimbursing the survey costs that were accrued due to the encroachment.

**W. Sorenson:** Is the easement permanent or temporary? How many trees are being planted?

**W. Holt:** Temporary. Seven total trees will be planted.

**W. Sorenson:** I want a condition in the decision concerning the number of trees and if that is inadequate, then we can require them to add additional trees/buffer.

**Nancy Sweetser, 9 Belle Street:** How long will the easement be in place?

**BOARD:** The easement would be until the work for the roadway is completed and the Planning Board has approved the as-built.

**Nancy Sweetser, 9 Belle Street:** I was concerned about access. But I am sure the Dehullu's are looking to get this done as soon as possible.

**Dena Dehullu:** Can we start work now? Maybe just remove a few trees?

**BOARD:** A cease and desist means a stop to all work. Since the decision has not been approved and the plan not endorsed it makes it difficult to allow work to take place. Even if the work was 'at risk'. But we could possibly allow the removal of trees as dictated on the drafted plans with a specific motion? However, those trees cannot be replanted. The more we try to accommodate the request the sloppier the process is getting. So, let's just be safe and get things in order for the June 16<sup>th</sup> meeting and get it all ironed out. It is only two weeks and the plans have not been finalized. At that time, the approval will lift the cease and desist.

**MOTION:** Brad Ligols made a motion to CLOSE the public hearing. Jim Bogiages seconded the motion. Voting aye: Walter Sorenson, aye. Brad Ligols, aye. Jim Bogiages, aye. Motion approved.



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**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:** I have not completed the revision for the King Meadow Preliminary plans, some minor wetlands changes need field surveyed and added to plans. We would like to be on the next meeting to discuss.

**MOTION:** Walter Sorenson made a motion to CONTINUE the Public Hearing for 106 King Street to June 30, 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.

**MEETING MINUTES:** Approval of May 19, 2020 meeting minutes.

**MOTION:** Walter Sorenson made a motion to approve the May 19, 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 8:06PM.