

Town of Groveland Zoning Board of Appeals

183 Main Street
Groveland, MA 01834



Jason Normand, Chair
Kathleen Franson, Vice Chair
John Stokes
Christopher Goodwin
Matthew Guy

APPROVED on November 4, 2020
MOTION: Kathleen Franson made a motion to approve the October 21, 2020 meeting minutes as amended. Chris Goodwin seconded the motion. A roll call vote was taken. Voting aye: Chris Goodwin, aye. Kathleen Franson, aye. John Stokes, aye.

Board/Committee Name: ZONING BOARD OF APPEALS
Date: WEDNESDAY, OCTOBER 21, 2020
Time of Meeting: 7:30PM
Location: REMOTE MEETING VIA ZOOM VIDEO CONFERENCE

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

Absent: Matthew Guy

Staff Present: Rebecca Oldham; Paul Haverty with Blatman, Bobrowski & Haverty, LLC, MHP Consultant

Jason Normand, Chairman: The Zoning Board of Appeals meeting for Wednesday, October 21, 2020 was called to order at 7:34PM.

Jason Normand, Chair: This Open Meeting of the Groveland Zoning Board of Appeals 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 Board of Appeals 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.

PUBLIC HEARING

CONTINUED: Application #2019-3, 4 Sewall Street, Groveland Realty Trust, LLC c/o William

Daley: requests a Comprehensive Permit pursuant to the provisions of M.G.L 40B, §§ 20-23 and 760 CMR 56.00, to construct 192 apartment units in four (4) residential buildings, a clubhouse with related amenities, such as a pool, and associated access ways, sidewalks, parking, utilities and stormwater infrastructure located in the Industrial (I) Zoning District.

MOTION: Jason Normand motioned to OPEN the continued public hearing for Application 2019-3, 4 Sewall Street. 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. Motion approved.

Kathy Franson: We mentioned the frontage. Did you come up with the number on the Nelson Street side?

W. Daley: I can get that figure for you for both Nelson and Uptack.

Paul Haverty with Blatman, Bobrowski & Haverty, LLC, MHP Consultant: In the draft before you this evening I have included the redlined edits that were submitted by the Applicant. I do not agree with all of the proposed changes but I noted that in the comment section. The one item that has changed in the section we already viewed was the signage. The Board should not grant a waiver for a sign that they have not reviewed.

Jay Talerman with Talerman, Mead and Costa: I guess we can do this through an insubstantial change process. So the design could come back before the Board.

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K. Franson: I do not want to waive a sign requirement for a sign that I have not reviewed. Because it could be a bad sign. We have also not seen a landscape plan. Do we change the wording on that condition? What is the procedure for that?

P. Haverty: Under Section C1. (e), this assumes that there is no waiver that is associated with the landscaping plan so the Board can approve those plans administratively. The issues with traffic was just in the wording in the decision.

K. Franson: But the other issue was the site line issue with Greenwood Auto body.

Joel Kahn, Equity Alliance: When the traffic gurus were in they showed the site distance lines. We have adequate site lines. If the cars are in the ROW he is parking illegally.

K. Franson: Since Sewall Street is a private way, the upkeep of Sewall Street moving forward? I want to be sure it is included as part of the project and referenced in the decision.

J. Kahn: Yes, we will maintain the road for our residents and staff, etc.

K. Franson: I want to be sure Knox boxes were included for all buildings and is referenced in the decision.

P. Haverty: Nothing in this decision will trump all state building codes. But can be added.

K. Franson: I want to note in the decision about fire access on all four sides so that cannot be changed in the future.

J. Normand: I want signage to make sure there is signage that the fire access road, Nelson Street, cannot be blocked.

J. Kahn: We agree with that.

John Stokes: The water line, is that going up to Sewell and then down Nelson and make a loop?

W. Daley: Yes, it will be looped.

K. Franson: Moving to section I.

BOARD: 30 days can be a long time to fix failing erosion control, 7-14 would be something we could do. The Applicant will make a request for release of securities with a request from a certified engineer.

P. Haverty: Mr. Dempsey called into question a condition under D and I will look into that and add it to the update. That takes care of the conditions and now to discuss the waivers. Procedural waivers are not required but good to note in the permit decision. So that is why they are listed but noted as denied.

BOARD: The use of this project is residential. Will update condition 23 per the proposed Plan. So now we are done with the decision we can move forward with the number of units.

J. Kahn: We said from the beginning it should be reviewed for the max of 192. The Town only has 3.3% of their affordable housing stock and there is currently 80 additional units per the 2020 Census. I looked at Applied Geographic Solution projection and in order to obtain safe harbor 175 additional units are needed in addition to what the Town already has. The 192 will offer the Town safe harbor. It will allow the Town to control future development. The Housing Production Plan did a general site review and called out this particular site. The Town is looking for diversified homes. This development provides affordability. It will be subject to the subsidizing agency and the affirmative marketing. We worked through a lot of issues and in all aspects we talked about it at 192 units. That even includes the architectural renderings, etc. We also note that there has not been much opposition to this project. This is the perfect story of development. The site had a dangerous quarry that was then filled and will be developed and will provide additional land and conservation of land and protection of habitat.

K. Franson: I think we have talked about it a lot already. Does someone want to make a motion or a comments?

J. Stokes: If we get to 175, we would be able to declare safe harbor and control our future. I think that will buy us some time and get our own house in order and our plans to grow slowly.

Chris Goodwin: I am thinking the same thing as John.

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87 P. Haverty: We are in the middle of the 2020 census and there will be additional units that were
88 created and it will increase the number of units that you will need to provide. If you get enough units
89 to get your 10% and stay above 10% you are getting a minimum of 10 years until the next census
90 comes out.

91 **MOTION:** Jason Normand motioned to move forward with the 192-unit plan as our definitive plan.
92 Chris Goodwin seconded the motion. Voting aye: Chris Goodwin, aye. Kathleen Franson, aye. John
93 Stokes, aye. Jason Normand, aye. Motion approved.

94 **MOTION:** Jason Normand motioned to CONTINUE the public hearing for Application 2019-3, 4
95 Sewall Street until November 18, 2020. Kathleen Franson seconded the motion. A roll call vote was
96 taken. Voting aye: Chris Goodwin, aye. Kathleen Franson, aye. John Stokes, aye. Jason Normand,
97 aye. Motion approved.

98
99 **MEETING MINUTES:** Approval of October 7, 2020 meeting minutes.

100 **MOTION:** Kathleen Franson made a motion to approve the October 7, 2020 meeting minutes as
101 drafted. Chris Goodwin seconded the motion. A roll call vote was taken. Voting aye: Chris Goodwin,
102 aye. Kathleen Franson, aye. John Stokes, aye. Jason Normand, aye. Motion approved.

103 **ADJOURNMENT**

104 **MOTION:** Kathleen Franson made a motion to adjourn the meeting. The motion was seconded by
105 John Stokes. A roll call vote was taken. Voting aye: Chris Goodwin, aye. Kathleen Franson, aye. John
106 Stokes, aye. Jason Normand, aye. Motion approved. Meeting adjourned at 9:56PM.
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