



Town of Groveland
Economic Development
Planning & Conservation Department
Planning Board
183 Main Street
Groveland, MA 01834

Brad Ligols, Chair
Walter Sorenson, Vice-Chair
Jim Bogiages
Robert Danforth
John Stokes III

Board/Committee Name: PLANNING BOARD
Date: WEDNESDAY, JUNE 2, 2021
Time of Meeting: 7:00PM
Location: REMOTE VIA ZOOM VIDEO CONFERENCE

APPROVED June 15, 2021
MOTION: Brad Ligols made a motion to approve the June 2, 2021 meeting minutes. Jim Bogiages seconded the motion. A roll call vote was taken. Voting aye: Jim Bogiages, aye. Robert Danforth, aye. Brad Ligols, aye. Motion approved.

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

Absent:

Staff Present: Rebecca Oldham, Director of Economic Development Planning & Conservation

Brad Ligols, Chairman: The Planning Board meeting for Wednesday, June 2, 2021 was called to order at 7:02PM.

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.

Ipswich River Watershed Association, Sadie Woodward: Announcement for training with the Mass Audubon Society.

B. Ligols: I would like to introduce Sadie Woodward to make an announcement. Thank you, Sadie, for joining us this evening.

Sadie Woodward: I am a college student working with the Ipswich Water Association. A new training program is available and free for all greenspace municipal members and part of an ongoing effort to help town boards and staff review and revise bylaws to promote the use of LID techniques. We are currently finalizing the date for training but will send more details to Rebecca. I am here to answer any questions and ask which of your bylaws would need review? We also received a grant to provide additional one on one training.

John Stokes: Do we not already have a priority list of bylaw changes?

Rebecca Oldham: We do. We have recently updated (at the May 2020 Annual Town Meeting) our Stormwater Management and Land Disturbance Bylaw as part of the MS4 requirements and intend to further make changes. We also plan to do an overhaul of our Subdivision Rules and Regulations and plan to incorporate LID techniques. We also need to address these in our CSD bylaw. So, we do have a list and welcome the opportunity to work with the Mass Audubon Society and take advantage of their expertise and assistance.

MEETING MINUTES: Approval of May 18, 2021 meeting minutes.

MOTION: Walter Sorenson made a motion to approve the May 18, 2021 meeting minutes. Robert Danforth seconded the motion. A roll call vote was taken. Voting aye: Jim Bogiages, aye. Robert Danforth, aye. Walters Sorenson, aye. John Stokes, aye. Brad Ligols, aye. Motion approved.



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B. Ligols: I would like to reiterate the rules of conduct for the meeting. No person shall address the board without permission of the chairperson. If a person, after warning from the chairperson, persists in disorderly behavior, the chairperson may order them to leave the hearing. The chairperson may close the hearing immediately if these rules are being violated and/or the hearing is becoming disorderly.

The plan for this evening: I will read the notice into record, we will open the hearing, we will hear from the Applicant concerning the updates to the Plan. TEC will present their comments. We will then hear from members. And we will then open the meeting for public comments. Everyone will have 3 minutes. We will only hear different comments and opinions.

PUBLIC HEARINGS

CONTINUED: Definitive Subdivision, King Meadow Farm – Katie Lane: pursuant to M.G.L. Chapter 41, Section 81T, the Town of Groveland Subdivision Rules and Regulations and Article 14 of the Groveland General Bylaws to hear the application requesting approval of a nine (9) lot Definitive Subdivision Plan and associated Stormwater Management & Land Disturbance Permit. The site is located in the Residential 2 (R-2) Zoning District. The proposed subdivision is located on King Street Groveland, MA 01834. (Assessors Map 26, Parcel 13 and Map 26 Parcel 13F).

MOTION: Walter Sorenson made a motion to open the public hearing for the Definitive Subdivision, King Meadow Farm – Katie Lane. Robert Danforth seconded the motion. A roll call vote was taken. Voting aye: Jim Bogiages, aye. Robert Danforth, aye. Walter Sorenson, aye. John Stokes, abstain. Brad Ligols, aye. Motion approved.

Douglas Deschenes representing the Applicant: We understand we are to make a quick overview of the changes made to the plan and then we will hear from the peer review and the Board.

B. Ligols: Before we begin, can we please get a signed continuance to September 30, 2021? The one on file will expire on June 30, 2021. Rebecca will send you over the form.

D. Deschenes: Yes, for the statutory timeline.

Thad Berry, Engineer: we eliminated lot 13G and combined that area with lot 6 and 7. We did test pits for the soils. The Highway Superintendent did have concerns about maintenance of the drainage so we did some LID techniques and created rain gardens that will be the responsibility of the homeowner. Other than some other small corrections those were the biggest changes we made to the plan.

David Nader with TEC: We have reviewed the updated plans and issued a second letter today. While some comments have been addressed, the majority of the comments are still only partially addressed and we have a few more to add after the additional review. *Read through the letter dated June 2, 2021.*

B. Ligols: Where is the concept plan?

D. Deschenes: I do recall the Board asking for that? You don't mean a full engineered plan?

B. Ligols: No, just a concept plan.

D. Deschenes: I can assume if we show a 750FT roadway, we will lose a lot. We can show you that, but that is not what we are requesting.

W. Sorenson: The concept plan is defined in the regulations. The building circle should not be in the setbacks. Rebecca, did this change?

R. Oldham: Yes, the language originally stated the building circle could not be within the lot setbacks, as you describe. However, that changed almost 4 or 5 years ago through a zoning change that removed the language concerning the setback location.



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D. Deschenes: I just want to make sure we can get TEC to cooperate and allow us to review these smaller technical items outside of the public hearing process to make sure we don't have so many outstanding comments. The Board voted to allow such but TEC seemed to shut down our requests.

R. Oldham: That is not what happened. The engineer reached out to schedule a meeting and TEC and I both agreed it was premature, as no plan updates, letters or documents had been updated. The Applicant then turned around and was unhappy with the response. And stated they would rather just complete the plan revisions and response to comments for review. We welcome the opportunity to address smaller details that are technical, outside of the public hearing process, but not when there is nothing to review.

B. Ligols: What ever happened with the site visit? At the last meeting you said we could get out to the site.

D. Deschenes: Yes, lets schedule something now.

Kevin Cunniff: We were waiting to get the field cut so you could see clearly. So, I will have someone go out and do that this week.

BOARD: Lets schedule a week from today. Wednesday, June 9th at 9AM.

D. Deschenes: We will have the grass cut and the center line staked, the lots staked and the ponds staked.

R. Oldham: I would like to request that the Highway Superintendent also attend the site visit.

Renny Carroll: I would like to take a site walk and actually get boots on the ground so I can put the plan into perspective.

W. Sorenson: The rain garden will be maintained by the homeowners?

D. Deschenes: Correct. Changing over to the rain garden addressed the concern of future maintenance of the pond.

B. Ligols: But it gets transferred to the homeowner and what happens if they don't do what is required and the drainage fails?

R. Carroll: Homeowners have very little training and do not understand the upkeep associated with rain gardens. They can become problematic over time. Which is a concern of mine.

D. Deschenes: The maintenance is not necessarily on the single lot owner but an easement is placed and the HOA is responsible for their maintenance We have taken some responsibility away from the Town.

W. Sorenson: You are asking people moving to a rural area to enter into an HOA to maintain something like street drainage and pay a fee. These are single family homes. It feels like an unfair burden you are passing to the homeowner in order to get your drainage to work. In terms of the waiver comment. It is up to the Board to decide if there is a betterment. And we did request that a concept be provided in the preliminary phase and again at the opening.

D. Deschenes: I have been involved in many projects where an HOA is formed. They have all been very successful. People would much prefer having someone else take care of those issues for a small \$500 a year fee. People self-police and that won't fall under the Town, it will fall under the HOA.

T. Berry: The rain gardens are not taking on roadway drainage. MassDEP request you to consider using rain gardens for one specific reason, they work and they are easy to maintain. MassDEP asks the designer to disperse drainage throughout the site. I submitted, with the package, a homeowner's guide from the federal government and MassDEP. All of that will get recorded on the individual homeowner's deed. I also included images of what raingardens look like. It is a landscape feature. We increase the natural ability to the surface conditions to infiltrate the stormwater runoff. The whole design follows MassDEP regulations.

B. Ligols: Thad, do you have any additional comments to TEC's letter?

T. Berry: I don't even know where to begin. We did a pre and post conditions analysis. There is no increase on the design point. We break up the flow and disperse the BMP, all as required by MassDEP.

D. Nader: I am not discrediting your design. The proposed BMP's are proposed to help attenuate peak flows and infiltrate stormwater. However, the applicant must provide evidence that the multiple wetlands immediately adjacent to the property which are receiving the pond overflow, will not see an increase in



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peak flows and an increase in surface water elevation, due to this discharge during storm events. The revised drainage report models the wetlands in their post conditions; however, the existing peak flows are unknown. The Applicant should provide adequate proof that no offsite flooding will occur to abutting properties, upgradient from the culvert design point, due to peak flow increases, or surface water rise.

T. Berry: Read from *MA Stormwater Handbook*. MassDEP recognizes that the Town does not have LID techniques in their regulations. So, they ask for the designer to consider it.

Jim Bogiages: What year is this publication?

T. Berry: It is the latest version.

R. Carroll: My personal opinion, and with all due respect to MassDEP, rain gardens do require maintenance. Overtime they do lose their effectiveness. For 5 to 10, or 15 to 20 years they are fine but they do require maintenance.

T. Berry: That is correct. But there will be no sedimentation buildup and the maintenance will be limited to weeding, etc.

PUBLIC COMMENT

Paul Kinch at 118 King Street: We are concerned about the rain garden and the impact to the wetlands and the wetlands about our land. We own half of that pond. We are concerned about the quality of the pond and the aquifer.

Jeff Logan at 122 King Street: I also about the wetlands directly. I have seen the pond gravitate from high to low levels.

R. Oldham: One other comment was about the labeling of the paved driveway on 102 King Street. I had asked the Applicant if he could reference the access as laid out in the recorded court agreement and reference the book and page.

D. Deschenes: I don't understand this request, is it not a paved driveway? It is a descriptive label of what it is. This just doesn't make any sense.

Robyn Wright at 102 King Street (thru the chat function): I don't have a mic right now. But it is an "easement" - not a driveway. It's my property. It is not a driveway of the Fiore. Please remove the word "driveway". If it were a driveway of the Fiore, they would be allowed to bring their horses onto it. And they don't. The court does not allow horses on the easement. Because it is my property. Thanks!

BOARD: It is a simple lift and the labeling just clarifies any concern in the future.

D. Deschenes: I would like to make sure that TEC understands that the Board is authorizing him to communicate with the engineer and iron out some of these details prior to the public hearing.

R. Oldham: Again, I need to clarify that the initial request for a meeting came with no updated plans, drafted letters or anything of the like to review. David has been working diligently on this project and he has been responsive to both the Applicant and abutters as we navigate thru this review process. Plus, he has turned things around quickly and provided thorough reviews. David understands what is being requested and the Applicant and his team need to understand that they need to get their plans together first in order to have something to discuss.

BOARD: The process is to have the engineers converse, but as stated, not unless there is something submitted to review and provide feedback on. We are not brainstorming and designing your project.

MOTION: Walter Sorenson made a motion to continue the public hearing for the Definitive Subdivision, King Meadow Farm – Katie Lane to July 20, 2021. Jim Bogiages seconded the motion. A roll call vote was taken. Voting aye: Jim Bogiages, aye. Robert Danforth, aye. Walters Sorenson, aye. John Stokes, abstain. Brad Ligols, aye. Motion approved.

W. Sorenson: Question, is TEC or the public invited to the site walk on the 9th?



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D. Deschenes: We are not going to allow the public to enter onto the property. Too much liability. But TEC, the Board members and other department staff are welcome.

Director Update

R. Oldham: I just wanted to inform the Board that at the Annual Town Meeting on May 24th the Town approved the zoning article changes as proposed. A special thanks to Mr. Danforth for providing the oral Planning Board report. One thing to note is that, unfortunately, the CSD article did not make it into the warrant and we will need to resubmit at either the Special Town Meeting if they hold one in the Fall or at the Annual in April 2022. I also wanted to inform the Board that the end of year is approaching and if any member would like to receive a stipend for their work on the Board just send me an email and I will start the paperwork.

ADJOURNMENT

MOTION: Walter Sorenson made a motion to adjourn the meeting. The motion was seconded by Jim Bogiages. A roll call vote was taken. Voting aye: Jim Bogiages, aye. Robert Danforth, aye. Walters Sorenson, aye. John Stokes, aye. Brad Ligols, aye. Motion approved. Meeting adjourned at 8:32PM.

MEETING MATERIALS: Draft May 18, 2021 Planning Board Meeting Minutes; Definitive Subdivision King Meadow Farm Plan dated December 14, 2020 and revised to May 17, 2021; TEC Peer Review Letter #2 of King Meadow Development dated June 2, 2021; Drainage Summary Revision #1 dated May 17, 2021; Cut & Fill Report dated August 6, 2020.