



**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: TUESDAY, August 3, 2021  
Time of Meeting: 7:00PM  
Location: Town Hall, Main Meeting Room,  
183 Main Street Groveland, MA 01834

**APPROVED August 17, 2021**  
MOTION: Jim Bogiages made a motion to approve the August 3, 2021 meeting minutes. John Stokes seconded the motion. The vote was 3-0, unanimous in favor.

Present: Robert Danforth, Jim Bogiages, Brad Ligols

Absent: John Stokes, Walter Sorenson

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

Brad Ligols: The Planning Board meeting for Tuesday, August 3, 2021 was called to order at 7:04PM.

MEETING MINUTES: Approval of July 20, 2021 meeting minutes.

MOTION: Robert Danforth made a motion to approve the July 20, 2021 meeting minutes. Jim Bogiages seconded the motion. The vote was 3-0, unanimous in favor.

**PUBLIC HEARINGS**

**CONTINUED: Aquifer Protection Overlay Special Permit, 929-931 Salem Street, ANFEH, LLC c/o**

Fadi Issa: pursuant to Groveland Zoning Bylaw Section 50-6.2 to hear the application requesting to construct a new 7,250 square foot building with convenience store and automotive repair shop, installation of four automobile dispensing pumps with canopies and two fuel storage tanks. The site is located in the Industrial (I) Zoning District. (Assessors Map 49, Parcel 4).

MOTION: Robert Danforth made a motion to open the public hearing for 929-931 Salem Street. Jim Bogiages seconded the motion. The vote was 3-0, unanimous in favor.

Rebecca Oldham: The Applicant just received comments from TEC today and need time to respond. We also received comments from the State Fire Marshall. The Applicant's attorney has submitted a letter requesting to continue to the August 17<sup>th</sup> meeting. I suspect we will be able to wrap up the hearing at the meeting as the comments were fairly straight forward.

MOTION: Robert Danforth made a continue the public hearing for 929-931 Salem Street to August 17, 2021. Jim Bogiages seconded the motion. The vote was 3-0, unanimous in favor.

**CONTINUED: 301 Main Street, Robert Williams of Star Construction Company, Inc.:** pursuant to Groveland Zoning Bylaw Section 50-13 Site Plan Review and Section 50-9.4 Parking Requirements Special Permit requesting to use the building for a corporate office, a showroom area for product samples, storage for equipment and misc. materials, garage access to load and unload vehicles. The site is located in the Business (B) Zoning District. The proposed project is located at 301 Main Street Groveland, MA 01834 (Assessors Map 10, Parcel 001).

MOTION: Robert Danforth made a motion to open the public hearing for 301 Main Street. Jim Bogiages seconded the motion. The vote was 3-0, unanimous in favor.

Rebecca Oldham: I received an email from District 4 stating specifically that "Our position has not changed in that the current access driveway is only for the Post Office use and any changes would be a concern for MassDOT."

Robert Williams, Applicant: We reached out to DOT. They will not entertain any motion until a plan is approved by the Planning Board.

**BOARD:** But they are stating the access is only for the Post Office. We want to see something done at the property, just as much as you do. It is an eyesore. But this is an access issue. There is a general safety issue.



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Robert Danforth: How can we approve something where MassDOT says the curb cut is only for the Post Office?

B. Ligols: I cannot approve something that is a safety issue.

R. Oldham: I think the issue becomes that there is no access to the building. If the only use of the curb cut is for the Post Office, then there are no rights to use that curb cut for any other use on that site currently. And where specifically the correspondence calls out "any changes would be a concern for MassDOT" it questions if any improvements could be made. As we have discussed over the years, the curb cut needs to be improved in order to be deemed safe by the Board. Unless the Owner legally proves that he has the right to use the curb cut for use of the Post Office and the former gas station building and alterations could be made to the curb cut, it would be difficult for the Board to approve the application. But that still does not change a very crucial issue- any improvements made to the curb cut, while improvements, still present a safety concern. We continue to run in circles. The latest correspondence stated there is a concern with any alteration being made to the curb cut. We cannot approve an ANR if it does not have adequate frontage or access. So it would be difficult to approve a Site Plan where the owner does not have explicit rights to use the access beyond what is granted or the access is unsafe. The Board is in a very difficult situation here.

Lee Yang, Owner: MassDOT has stated they only need approval from the Board. There is a town parcel in the back that has no access. The town uses my access for the donation box. DOT will review but only if they have an approved plan. This is good for everyone. Common sense would be that there is no traffic concern.

**BOARD:** The curb-cut is unsafe. We want to see the area thrive. We want to see the site cleaned up and utilized but the current curb cut does not function as is. It causes safety concerns for both vehicles and pedestrians. It's just not safe and it is a liability. Maybe if you knocked down the Post Office Building and moved the Post Office to the gas station building? Some type of reconfiguration internal to the site.

**MOTION:** Robert Danforth made a motion to deny the application for 301 Main Street for safety issues with the curb cut and not having proper access to the building. Jim Bogiages seconded the motion. The vote was 3-0, unanimous in favor.

**MOTION:** Robert Danforth made a motion to close the public hearing for 301 Main Street. Jim Bogiages seconded the motion. The vote was 3-0, unanimous in favor.

### **Director Update**

R. Oldham: I just wanted to remind the Board to make sure you update your ethics certificates, please.

### **ADJOURNMENT**

**MOTION:** Robert Danforth made a motion to adjourn the meeting. The motion was seconded by Jim Bogiages. The vote was 3-0, unanimous in favor. Meeting adjourned at 7:30PM.

- **MEETING MATERIALS:** Draft July 20, 2021 Planning Board Meeting Minutes; 929-931 Salem Street letter from John Clement dated 6/25/2021; 929-931 Salem Street Above Ground Tank Details, prepared by Choubah Engineering Group, dated 5/27/21; 929-931 Salem Revised Drainage and Utility Plan, prepared by Choubah Engineering Group, dated 5/27/21; 929-931 Salem Revised Site Layout Plan, prepared by Choubah Engineering Group, dated 5/27/21; Email from the State Fire Marshall dated 7/29/21; TEC Comment letter dated 8/3/21; 301 Main Street Site Plan dated March 5, 2019 and revised to April 28, 2021; Correspondence from MassDOT supplied from Lee Yang dated 2/9/21; Correspondence from MassDOT dated 7/28/2021.