



**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: MONDAY, September 20, 2021  
Time of Meeting: 7:00PM  
Location: Town Hall, Main Meeting Room,  
183 Main Street Groveland, MA 01834

**APPROVED on October 5, 2021**  
**MOTION:** Walter Sorenson made a motion to approve the September 20, 2021 meeting minutes. Robert Danforth seconded the motion. The vote was 5-0, unanimous in favor.

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

Absent:

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

Brad Ligols: The Planning Board meeting for Monday, September 20, 2021 was called to order at 7:02PM.

MEETING MINUTES: Approval of September 7, 2021 meeting minutes.

**MOTION:** Walter Sorenson made a motion to approve the September 7, 2021 meeting minutes. John Stokes seconded the motion. The vote was 5-0, unanimous in favor.

**BOND REDUCTION: Oakland Terrace, Dehullu Homes**

B. Ligols: There is a bond reduction estimate by TEC in the packet. The developer is looking to decrease the bond from \$115,500 to \$68,780.

**MOTION:** Robert Danforth made a motion to reduce the bond for Oakland Terrace and leave \$68,780 remaining per the estimate provided by TEC. Walter Sorenson seconded the motion. The vote was 5-0, unanimous in favor.

B. Ligols: I'm going to take things a little out of order if there are not objections. What is the status update on the ANR for 929-931 Salem Street?

R. Oldham: The Applicant has made the changes as requested. I did reach out to the Town Planner in Georgetown and he stated, *there are no outstanding concerns with the subject plans. The applicant inscribed a qualifying note below the signature blocks, which essentially, leaves the build-ability of each lot the jurisdiction of the Building Inspector, as well as the Inspector determining whether each lot meets minimum lot size and frontage. As with all ANR plans, and a Planning Board's endorsement of same, the endorsement is only for recording and conveyance purposes, not for determining compliance with zoning or build-ability. The caveat being an ANR Plan must include one of 3 requisite notes citing that endorsement by the Planning Board does not constitute compliance with zoning. The Georgetown Planning Board is expected to endorse the subject ANR Plan this Wednesday night.*

**MOTION:** Robert Danforth made a motion to approve the ANR for 929-931 Salem Street. Walter Sorenson seconded the motion. The vote was 5-0, unanimous in favor.

**CONTINUED: Definitive Subdivision, King Meadow Farm – Katie Lane, King Meadow**

**Development:** 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).



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**MOTION:** Walter Sorenson made a motion to open the public hearing King Meadow Farm – Katie Lane, King Meadow Development. Robert Danforth seconded the motion. Voting aye: Jim Bogiages, aye. Robert Danforth, aye. Walter Sorenson, aye. John Stokes, abstain. Brad Ligols, aye. Motion approved

**B. Ligols:** We have a letter from the abutters in our packet. We will start with opening the hearing up to public comment.

**PUBLIC COMMENT**

**Paul Kinch, 118 King Street:** Mark Jacobs wrote a report for the Conservation Committee and on page 6, report dated June 6, 2020, regarding the 104 King Street investigations, he wrote and I quote the enforcement may “conceivably result in findings which have ramifications for proposed subdivision lots 5 and 6.” The Planning Board should abide by the bylaws of a 750-foot road with a 100-foot buffer zone to protect the wetland and its neighbors. We do not want you to approve a waiver permitting the extension of the roadway beyond the maximum required 750 feet. We worry that if this waiver is approved, it will set a precedent for the general dismissal of all bylaws and regulations by developers. By denying this waiver, the Board will regulate land development and positively represent the people and properties they’re expected to protect. We’re calling on the Planning Board to not approve the developer’s roadway length waiver request. There is also an investigation on the adjacent lot at 104 King Street. We are not saying don’t develop. But we are saying to keep to the regulations and the roadway length.

**Denise Kinch, 118 King Street:** Representing Wetlands Awesome Group. Since the onset of the proposed development, these 3 people have had total disregard for the residents of this town, and the bylaws that were created for the safety reasons. When residents asked for copies of the plans, our town clerk, told us no, you can take photos with your phone. They came in with a 900 plus foot roadway and cut corners on every level. These developers, have consistently lied, intentionally refused to supply accurate information, and changed the story at every meeting, and made threats to the Boards as well as the neighborhood. They have bullied all of us. Never once was the neighborhood and abutters treated respectfully by these people. The 106-lawyer stated there were 4-5 other waivers of the 750 road. None were on wetlands. They were a different situation all together. The original plans included property from 104 King Street. When questioned about who owned those parcels, they said they bought it and a copy of the transaction was in the mail to the Board. That was a lie. The developers said eventually they would hope to continue the build on 104 property. A lie, they had never purchased property from 104. They never stated it was under a zone 3 Aquifer protection. Their argument was it’s not zone 2. When questioned by both the Planning Board and the Conservation Commission, they got aggressive, stating “forget it, we will build low-income housing”, then when told they would need to start again, they said, never mind. Another meeting, when we questioned about who was going to care for all these different things with drainage and ponds, their lawyer stated it was going to be a HOA. So, the town was not responsible for the maintenance. When discussing the water source, they said forget the King Street water pipe, we will just put in wells. When a board member said the plans will need to be revised for that, again the “gang” said, never mind we will use town water, continuing to threaten. Since the onset, 106 has promised to submit a 750-foot design, it has taken all this time for them to do that, then they state it’s not to be part of their application. They have done everything except what has been asked of them concerning the road length. The neighborhood, abutters, were never allowed to participate in any property walks, the King Street residents have been sworn at, had the finger flipped to them as they drove by our homes, yelled swears as they drove by our homes. Many of the neighbors will not speak against this proposed development because of the constant



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harassment given by their team and we all have cameras now documenting their actions. At the last Planning Board meeting, there were multiple copies of the proposed development plan sitting on the back tables. Some of our group thought they were for the public so we took some to look at. One of the 106 gang came up to us, in our faces and yelled "they are not for you!" And he ripped them out of our hands. A lawyer associated with Wetlands Awesome Community Action group quietly made the statement, "that was childish!" It was Mr. Danforth that yelled at us threatening to remove us from the meeting if we continued to act that way. Never once did he say anything to the rude man who acted that way, never once while he was chairman did, he reprimand the 106 team on their behavior and lies. Personally, we on King Street have great water, no one in this neighborhood has complaints as in other parts of town. Once you destroy a natural resource, no amount of money can ever repair it. When the King Street culvert washes out because this proposed development cuts corners, who will be responsible for the damage. These developers will never look back once they leave.

B. Ligols: Stormwater management is in place, and put in place, as to not flood the pond.

**Denise Kinch, 118 King Street:** The destruction has already been done on the property located at 104 King Street.

B. Ligols: We have given you all the information you have requested. Plans and materials and answered all of your questions.

**Denise Kinch, 118 King Street:** Our issue is not with the Planning Board but with the developer and the plans and the impact to the wetlands.

Jim Bogiages: The issues with the developer are civil matters and we cannot get involved. We understand that it has been an issue for some time but our hands are tied.

Walter Sorenson: Did DEP issue a decision?

**BOARD:** No. But it is on the abutting property.

W. Sorenson: So essentially the original plan included a piece of property that was on 104 King Street. But that was removed?

**BOARD:** Correct.

W. Sorenson: So, the enforcement action is not relevant to this project. I want to provide some history on the 750ft roadway length. This was implemented because of a subdivision I actually live on, Rocky Woods. And it goes from one cul-de-sac to another cul-de-sac without an end. It was written to help make sure there were multiple exists and emergency vehicles could access homes towards the back of a development. The 750-roadway length is measured to the beginning of the roadway to the end. That is the regulation. Every subdivision must stand on its own merit. If the Planning Board wants to revisit that issue on roadway length, then there is a mechanism for that. We change regulations all the time. But that roadway length went through a lengthy process on its own and it was with specific reason.

Jennifer Truppner, 99 Hadley Road, Merrimac: I am a part of the Wetlands Awesome Group....

**BOARD:** Since you are not a resident you cannot speak.

B. Ligols: Rebecca, please read the Fire Department letter into record.

R. Oldham: The Groveland Fire Development has reviewed the submitted plans for King Meadow Development and have no concerns over the length of the road for the proposed subdivision. There will be hydrants located within the subdivision as well replacing and upsized the water main and hydrants from intersection of Center Street to the area of 106 King Street this will increase the volume of water for us in the event, we need to utilize the hydrants there. There will also be adequate access provided for our apparatus in subdivision.

William Holt, Project Manager for the Applicant: We are not impacting any wetlands. There is only buffer work. There is no filling in of wetlands. The roadway length does not impact any wetlands. The



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road is measured at a total of 890 feet from beginning to end. In different subdivisions it has been measured differently. It is confusing the way it is measured.

**BOARD:** That does need to be addressed. The language is not clear.

W. Sorenson: There was an intent paragraph I used to always use. But for some reason that has been removed. Then there is also the building circle and that language that was changed.

**BOARD:** Review the decision. We will first take the waivers one by one.

**MOTION:** Walter Sorenson made a motion to approve the waiver of Section 70-5.10 and Section 70-5.11 for the Definitive Subdivision Plan labeled King Meadow Farm Katie Lane. Robert Danforth seconded the motion. Voting aye: Robert Danforth, aye. Walter Sorenson, aye. John Stokes, abstain. Jim Bogiages, aye. Brad Ligols, aye. Motion approved

**MOTION:** Jim Bogiages made a motion to approve the waiver of Section 70-5.6C for the Definitive Subdivision Plan labeled King Meadow Farm Katie Lane. Robert Danforth seconded the motion. Voting aye: Jim Bogiages, aye. Robert Danforth, aye. Walter Sorenson, aye. John Stokes, abstain. Brad Ligols, aye. Motion approved

B. Ligols: The next waiver is the roadway length. I want to go around and have members state their reason why they voted the way they did.

W. Sorenson: I voted no on this because they submitted a plan beyond what is required. I feel as though we should stick to the regulations.

B. Ligols: They are proposing a water main extension to improve water service and fire protection for the surrounding neighborhood. I agree this is an improvement and the length does not provide an adverse impact to public safety. I am in favor.

J. Bogiages: We have already had multiple waivers from the regulations. In every case, there has been a lot of thought in granting the waiver. The extent in which they are going beyond is minimal and they are not impacting the wetlands. My thought is that I will be in favor, but I want to make sure we go back and readdress the roadway length regulations to reflect the current land situations we find ourselves in. We need more consistency.

R. Danforth: I have not comment. I am in favor.

**MOTION:** Brad Ligols made a motion to approve a waiver from Section 70-4.3 G (2) and Section 70-4.3K (1). Walter Sorenson seconded the motion. Voting aye: Jim Bogiages, aye. Robert Danforth, aye. Walter Sorenson, nay. John Stokes, abstain. Brad Ligols, aye. The vote was 3 in favor, 1 opposed and 1 abstention. Motion approved

**MOTION:** Walter Sorenson made a motion to approve the decision as drafted and to approve the Definitive Subdivision Plan labeled King Meadow Farm Katie Lane and Stormwater Management and Land Disturbance Permit with conditions. Robert Danforth seconded the motion. Voting aye: Jim Bogiages, aye. Robert Danforth, aye. Walter Sorenson, nay. John Stokes, abstain. Brad Ligols, aye. The vote was 3 in favor, 1 opposed and 1 abstention. Motion approved.

**MOTION:** Robert Danforth made a motion to close the public hearing on King Meadow Farm. Walter Sorenson seconded the motion. Voting aye: Jim Bogiages, aye. Robert Danforth, aye. Walter Sorenson, aye. John Stokes, abstain. Brad Ligols, aye. Motion approved

## **ADMINISTRATIVE ITEMS**

**929-931 Salem Street:** Sign decision for Aquifer Special Permit

R. Oldham: At the last meeting the Board voted to approve the decision as amended. Those amendments included increased inspections to quarterly for the first year then move to bi-annual inspections indefinitely. Provide the Building Commissioner with a copy of the reports. TEC should



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review the testing reports as submitted. TEC to witness the pours and be given a 10-day notification. Those have been included in the decision before you for signature.

Mike Maroney, General Contractor for the Applicant: We will have a 21-day appeal after the decision is timestamped. We were hoping we may be able to work at risk before the appeal period has ended. The reason for the urgency is that by the time the appeal period will end the seasonal restriction for work in the wetland buffer will begin the next day. This will leave us very limited time to conduct site work and we will be subject to fines by the Conservation Commission.

**BOARD:** That is an issue you are going to need to address with the Conservation Commission. The appeal period is not something we can waive.

**ADJOURNMENT**

**MOTION:** Walter Sorenson made a motion to adjourn the meeting. The motion was seconded by Robert Danforth. The vote was 5-0, unanimous in favor. Meeting adjourned at 8:06PM.

*Respectfully Submitted,*

*Rebecca Oldham, Director of Economic Development Planning & Conservation*

- **MEETING MATERIALS:** Draft September 7, 2021 Planning Board Meeting Minutes; Bond Estimate for Oakland Terrace drafted by TEC and dated 9/16/21; Email correspondence from Wetlands Awesome Group sent to Rebecca Oldham to the Planning Board dated September 7, 2021; Drafted decision for King Meadow Farm Definitive Subdivision dated September 20, 2021; drafted decision for 929-931 Salem Street dated 9/7/21; FORM A - Plan of Lot 4A & 36B 931 Salem Street Groveland and #5 Hampshire Lane Georgetown dated 4-9-21 and revised to 8-28-21.