



# Town of Groveland Planning Board

183 Main Street  
Groveland, MA 01834

**APPROVED**

**JANUARY 8, 2019**

MOTION: Lisa Chandler made a motion to approve the December 18, 2018 meeting minutes. Robert Danforth seconded the motion. The vote was 3-0, unanimous in favor.

Board/Committee Name: PLANNING BOARD  
Date: TUESDAY, December 18, 2018  
Time of Meeting: 7:30PM  
Location: TOWN HALL

Present: James Freer, Walter Sorenson, Robert Arakelian, Lisa Chandler, Robert Danforth

Absent:

Staff Present: Rebecca Oldham

Public Members: See attached

J. Freer, Chairman: The Planning Board meeting for Tuesday, December 18, 2018 was called to order at 7:24PM.

## MEETING MINUTES

**MOTION:** Lisa Chandler made a motion to approve the December 4, 2018 meeting minutes. Walter Sorenson seconded the motion. The vote was 5-0, unanimous in favor.

## INVOICES

DESCRIPTION	AMOUNT
GZA Peer Review – Esty's Way Lot 11 (Graeme Way) Subdivision	\$1,260.00

**MOTION:** Walter Sorenson made a motion to approve payment of the invoice for the Peer Review by GZA of Billis Way Definitive Subdivision. Robert Danforth seconded the motion. The vote was 5-0, unanimous in favor.

**BOND RELEASE:** Lot 11 Esty's Way Subdivision, ~~Windward Shaw Construction~~ Esty Way Realty Trust.

**MOTION:** Lisa Chandler made a motion to release \$89,000 from the Letter of Credit to leave a remaining balance of \$100,000. Walter Sorenson seconded the motion. The vote was 5-0 unanimous in favor.

## OLD BUSINESS

### Sunset Circle, Robert Wallace

J. Freer: At a meeting in September and October the Board met with the residents to discuss some concerns with the roadway, the fire hydrant placement and some landscaping. The final list was what the neighbors, engineer and the Board felt was appropriate. At the November meeting the Applicant agreed to install the rip rap, install the vinyl fence, replace the dying trees, work with the Municipal Light Department about installing the light at the edge of the roadway and address the roadway concerns. They also met with myself and the Highway Superintendent out on the site in order to verify remaining items to be completed and specifically address the issues with the roadway. At this site visit the Applicant, Mr. Wallace, stated he would not rake and loam the lots, as required as one of those items on the list approved, as he sold the lots to a builder and they are no longer his property. At the meeting on December 12<sup>th</sup> the Board voted that the developer thatch, loam (three inches) and seed all three lawns. I am now asking the Board to reconsider this motion as the developer has again stated, it



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is not his responsibility and that it is the responsibility of the builder or the homeowner. The soil has been in place for over a year and there have been no concerns to this point.

**BOARD:** Listed all items originally on the approved list:

1. Addition of rip-rap stone and provide flared end section at the overflow pipe area.
2. Adjust position of monuments at the left side curve entering the roadway from Salem Street.
3. Add a six-foot vinyl fence and carpet turf along the property line in the vicinity of Tony George's property per the sketch.
4. Revise the road grading to provide positive drainage slope towards all the catch basins,
5. Prepare deeds/plans to create an easement relative to the land in the vicinity of the fire hydrant at the cul-de-sac.
6. Add street lighting at the cul-de-sac as per plans.
7. Eliminate one tree from the right hand side of Sunset Circle at the top of the hill within the Dartmouth Street right of way.
8. Thatch, loam (three inches) and seed all three lawns.
9. Prepare a deed to grant the fee in the roadway as part of the roadway acceptance to the Town of Groveland.

**Robert Wallace:** We have completed items number 1,2,3,4,7. We are still working on number 5 with our legal team on the easement language; the Groveland Municipal Light Department has been contacted regarding the lights, and we will also work on number 9.

**MOTION:** Robert Danforth made a motion that the Developer must complete the remaining items 1 through 7 and item number 9. Robert Arakelian seconded the motion. The vote was 4 in favor to 1 opposed. (Walter Sorenson was opposed)

**Walter Sorenson:** This is a safety hazard. This has to be done. There is no excuse. It doesn't matter who caused the problem. We represent the citizens of Groveland, the people who elected us, and it is our job to protect them. If the developer is not going to address this issue, then who is?

**BOARD:** Discussed potentially reaching out to the builder, Dehullu Homes.

## PUBLIC HEARINGS

**CONTINUED: Maple Street and Oak Street, DeHullu Homes:** *Application for a Preliminary Subdivision Plan. The Applicant is requesting approval of a two (2) preliminary subdivision plans. Both of the preliminary subdivision plans consist of two lots and a roadway area with a cul-de-sac. The site is located in the Residential 1 (R-1) and Residential 2 (R-2) Zoning Districts. The proposed subdivision is located at 733 Salem Street Groveland, MA 01834. (Assessors Map 39, Parcel 68).*

**CONTINUED UNTIL JANUARY 8, 2019**

## APPLICATIONS FOR REVIEW

**180 Center Street, Thad Berry on behalf of Thomas Zarrella:** Application for Aquifer Protection Overlay District Special Permit under Section 6.2 of the Town of Groveland Zoning Bylaw.  
Application for Site Plan Review under Section 13 of the Town of Groveland Zoning Bylaw.  
Application for Stormwater Management and Land Disturbance Permit under Article 14 of the Town of Groveland Bylaw.

**MOTION:** Walter Sorenson made a motion to accept the application for Aquifer Protection Overlay District Special Permit under Section 6.2 of the Town of Groveland Zoning Bylaw. Application for Site Plan Approval under Section 13 of the Town of Groveland Zoning Bylaw. Application for Stormwater Management and Land Disturbance Permit under Article 14 of the Town of Groveland



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Bylaw to construct a new access driveway, barn addition with a new caretaker's residence, new stables and septic system. The site is located in the Industrial (I) Zoning District. The proposed project is located at 180R Center Street Groveland, MA 01834 (Assessors Map 41, Parcel 41). Robert Arakelian seconded the motion. The vote was 5-0, unanimous in favor.

**301 Main Street, Zong Yang:** Application for Site Plan Review under Section 13 of the Town of Groveland Zoning Bylaw.

**Lee (Zong) Yang:** Asked if the Board would consider waiving a Peer Review Engineer.

**BOARD:** As part of the Site Plan Approval process a peer review engineer is required to review the plans in accordance with the Zoning Bylaw.

**MOTION:** Lisa Chandler made a motion to accept the application for Site Plan Review under Section 13 of the Town of Groveland Zoning Bylaw to utilize the site for Retail-Small, as identified in the Groveland Zoning Bylaw in Section 4.5 Table of Uses. The site is located in the Business (B) Zoning Districts. The proposed project is located at 301 Main Street Groveland, MA 01834 (Assessors Map 10, Parcel 001). Walter Sorenson seconded the motion. The vote was 5-0, unanimous in favor.

## DISCUSSION & POSSIBLE VOTE

- **Atwood Estates, ESCE, LLC (Al Couillard):** Discussion concerning Memorandum of Decision issued February 27, 2018 and Land Disturbance Permit issued July 25, 2017.

**BOARD:** Asked that the new Peer Review Firm, being utilized by the Applicant, introduce themselves to the Board.

**Peter Ellison, TEC:** Outlined his background and provided an introduction of his colleague also in attendance, Liz Ottoman. Also provided general information on the firm, the area of expertise and the experience in the Merrimack Valley.

**BOARD:** Board discussed the typical procedure for peer review and also asked that when involved in the project the firm also assist in construction management, etc.

**MOTION:** Walter Sorenson made a motion to accept the contract for TEC to proceed with Peer Review service for Atwood Estates. Lisa Chandler seconded the motion. The vote was 5-0, unanimous in favor.

**Al Couillard:** Based on TEC's review of the Atwood Estates definitive subdivision plan, and the general status of construction, TEC recommended a site security bond amount of \$155,000. I respectfully ask the Board accept this estimate.

**BOARD:** TEC has a 10% contingency and we typically use a 20% contingency. Also discussed how the estimate appeared "light".

**MOTION:** Walter Sorenson made a motion to post the bond at \$200,000. Robert Danforth made a friendly amendment to change the original motion and reduce the proposed number to \$175,000. Walter Sorenson accepted the friendly amendment. Robert Arakelian seconded the motion. The vote was 5-0, unanimous in favor.

**Al Couillard:** I'm proposing to eliminate overhead street lights from the subdivision plan in lieu of a granite light post and hard wired matching lights for each individual residence in Atwood Estates and incorporating a Deed Restriction upon the sale of each dwelling requiring each homeowner to maintain said light post in a working manner 365 days a year in perpetuity. This would create a uniform and attractive look for the subdivision while increasing the amount of illumination in the development and it would also eliminate any cost or maintenance to the Town of Groveland for street lights currently proposed in the right of way. I've used this technique several times in the past in other communities



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with a high level of success, it seems to satisfy all parties involved. I have also discussed this matter with Kevin Snow who has indicated upon Planning Board approval that he would not have an issue with this proposal.

Walter Sorenson: While this is a good idea, we have tried it in other developments and what happens is the homeowner ignores the requirements to keep the light on or make repairs, etc. It is not so much an issue with the first owner homeowner but subsequent owners. It becomes a safety concern.

## **TOWN PLANNER'S REPORT**

Town Planner: We have a list of inactive Peer Review Engineering Accounts open on our books that have a remaining balance of zero. Many of these projects have been completed and I would like to close these accounts. The memo included in your packet shows all of the open accounts.

**MOTION:** Robert Danforth made a motion to close the open Engineering Review Escrow Accounts, under MGL c. 44 sec. 53G, for those projects listed on the memo dated December 17, 2018. Lisa Chandler seconded the motion. The vote was 5-0, unanimous in favor.

## **ADJOURNMENT**

**MOTION:** Robert Arakelian made a motion to adjourn the meeting. The motion was seconded by Lisa Chandler. The vote was 5-0, unanimous in favor. Meeting adjourned at 8:45PM.

P.B. 12-18-18

Name

Address

Zong Yang  
Eusembell Rosario  
Kristin Zarrella  
Thad Berry  
Peter Ellison, TEC, Inc.  
Liz Oltman, TEC, Inc.  
AL Couillard  
Russell Douphnette  
Dorothy Tobin

299-301 Main St. Groveland  
301 Main St. Groveland  
2 Orchard Rd. Gloucester, MA  
18 Oak St. Reading MA 01867  
146 Dascomb Rd Andover MA 01810  
"  
303 Harens T Reading  
180 Center St  
180 Center St