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TOWN OF GROVELAND

Notice of Appeal or Not for Decision Made by Groveland Planning Board



Office of the Town Clerk
183 Main Street
Groveland, Mass
Tel-469-5005
Anne Brodie

I hereby copy of a decision of the Groveland Planning Board of the TOWN OF GROVELAND related to the application of:

Nichols Village
Applicant's Name

one nichols way
Applicant's Street Address

File Number

Was filed in this office on: April 18, 2018 and that no notice of appeal was filed.

Attest: Anne Brodie
Anne Brodie

Date: May 10, 2018

FINDINGS AND DECISION

APPLICATION FOR MODIFICATION OF A PLANNED UNIT DEVELOPMENT PERMIT, A SPECIAL PERMIT APPROVAL FOR AFFORDABLE HOUSING, AND A STORMWATER MANAGEMENT/LAND DISTURBANCE APPROVAL

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Applicant: Nichols Village Inc.
1 Nichols Way, Groveland, Massachusetts

Subject Property: 1 Nichols Way, Groveland, Massachusetts
Assessor's Map 4, Lot 25, and Map 8 Lots 1 & 18

Date: April 17, 2018

PROCEDURAL HISTORY

1. Nichols Village, Inc. (hereinafter referred to as the "Applicant") has proposed to construct a new 43,571 square foot addition to the existing building which will include 21 apartment style units, new auditorium, wellness center, dining improvements, new parking areas, realignment/extension of the access road, and associated drainage, utilities, and landscaping improvements (the "Project") on the Subject Property. The Subject Property is located in the R-B Residence (R-B).
2. A public hearing was duly advertised and held on December 12, 2017. After hearing and consideration of the testimony and evidence of all parties present, and upon due consideration of the Groveland Zoning By-Laws, the Planning Board hereby approves application for modification of a planned unit development permit and a stormwater management/land disturbance approval with the following conditions/restrictions.
3. This decision is rendered on April 17, 2018, subsequent to opening the public hearing on December 19, 2017 (with continued hearings held on and February 27, 2018 and closed March 20, 2018).
4. The approval of the modification of the planned unit development permit and a stormwater management/land disturbance permit were voted unanimous, with the conditions enumerated in this decision, voted 4 - 0 by the four members present.
5. The following documents and exhibits were received during the public hearing and are hereby incorporated by reference in this decision.
 - Plans entitled "Modification of Planned Unit Development Special Permit And Stormwater Management & Land Disturbance Permit" (Record Plans) prepared by

Design Consultants, Inc. of Newburyport, Massachusetts, prepared for Nichols Village, Inc., dated November 2, 2017, last revised March 18, 2018.

- Report titled “Project Narrative and Stormwater Analysis, Nichols Village, Groveland, MA” prepared by Design Consultants, Inc. Of Newburyport, Massachusetts, prepared for Nichols Village, Inc., dated November 2, 2017, last revised March 14, 2018.
- Stormwater Management & Land Disturbance Permit for Nichols Village, Groveland, MA” prepared by Design Consultants, Inc. of Newburyport, Massachusetts, prepared for Nichols Village, Inc., dated November 16, 2017.
- Application and response letters prepared by Design Consultants, Inc. of Newburyport, Massachusetts dated November 2, March 18, 2018, and March 20, 2018.
- Peer review letters from GZA GeoEnvironmental, Inc. dated November 20, 2017, February 27, 2018, March 18, 2018, and March 20, 2018.
- Peer review memorandum from Environmental Partners of Woburn, Massachusetts (Groveland Water and Sewer Department consultants) dated February 7, 2018.
- Verbal comments by Debbie Webster concerning the need for donated affordable units.

6. The plans and other submission materials were reviewed by the Planning Board; it's consulting engineer, GZA GeoEnvironmental, Inc. (GZA). Throughout its deliberations, the Planning Board has been mindful of the statements of the applicants and their representatives, and the comments of the general public, all as made at the public hearings.

FINDINGS OF FACT:

1. The Board makes the following findings with regard to the Projects compliance with the Planned Unit Development (PUD) standards:

- a. The Project will include the installation of landscaping to provide a sound buffer to adjacent residential properties. The project is set back from roadways and the adjacent residential and will not impact the views of the adjacent residential properties. The project will not alter stormwater drainage patterns or increase flows to the adjacent properties. The proposed building addition is set back from adjacent properties and will not create or alter light or shade impacts.
- b. The Project will establish additional parking as required by PUD standards within the site which will provide convenient and safe vehicular and pedestrian movement. Handicap parking will be provided as required by ADA and Massachusetts AAB regulations. The proposed building will be handicap accessible.
- c. The Project will increase the number of units to 115 which is less than the maximum of 280 units allowed by the PUD standards.

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- d. The Project will increase the Floor-Area Ratio (FAR) to 0.06 which is less than the maximum FAR of 0.15 allowed by the PUD standards.
- e. The Project will result in an open space percentage of 78% which is greater than the minimum open space percentage of 70% required by the PUD standards.
- f. Dumpster are provided for the refuse and waste generated by the site uses.
- g. Stormwater runoff will be treated in accordance with the Massachusetts Department of Environmental Protection regulations and stormwater standards.
- h. The proposed uses will not cause a significant impact in water demand and should not impact the Town's water supply and distribution system. Sanitary sewage generated by the site uses will be discharged to the municipal sewer pipe in Main Street. The Project will be subject to review by Groveland Water and Sewer Department which should require appropriate mitigation measures in its decision.
- i. The Project will generate minimal traffic. The Project involve elder housing and will not impact the school system.

DECISION:

After considering the required standard and factors set forth in Sections 108 of the Groveland Zoning By-laws, the Planning Board finds that the requested application for modification of a planned unit development permit and a stormwater management/land disturbance approval may be granted because the adverse effects of the proposed Project will not outweigh its beneficial impacts to the Town or the neighborhood, in view of the particular characteristics of the Subject Property, and of the proposed Project in relation to the Subject Property.

The Planning Board grants the modification of the existing planned unit development permit and approval of a stormwater management/land disturbance permit for the Project as shown on the Record Plans, subject to the following conditions:

General Conditions

1. All requirements and conditions of the original planned unit development permit dated March 21, 2002 shall remain in effect unless specifically waived or modified by this modification.
2. Subject to the Conditions contained herein, the Project shall be substantially constructed in accordance with the Record Plans, which are on file with the Planning Board.
3. If the Applicant wishes to modify the approved Record Plans, it shall submit proposed modifications to the Planning Board. Where such modification is deemed substantial, the same standards and procedures applicable to an original application for site plan approval shall be required by the Planning Board; provided, however, that the Planning Board may determine that a proposed modification is insubstantial and approve the same without the need for any further Planning Board approval or hearing. Authorization to modify the Record Plans shall be obtained

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prior to any substantial modification in the field.

4. The Applicant has proposed, and the Board hereby requires, unless the Town otherwise acts or as otherwise provided in this Decision, that the following aspects of the Project shall be private, and that the Town shall not have any legal responsibility for the operation, maintenance, repair or replacement of the same to the extent such features are located on the Subject Property. Accordingly, the Applicant shall at all times maintain in a timely manner responsibility for the following services:

- All entrance drives and parking areas
- Stormwater management facilities, including infiltration basins
- Snow plowing
- Landscaping
- Trash removal
- Site lighting
- Building repair and maintenance
- Water services as well as all above ground and inground structures and piping related thereto
- Sanitary sewer services as well as all above ground and inground structures and piping related thereto
- All above ground or underground electrical conduits and piping (provided that nothing herein is intended to prohibit the ownership of the same by an appropriate utility company)

5. The Applicant shall at all times use all reasonable means to minimize inconvenience to residents in the general area of the Subject Property.

6. All invoices generated by the Planning Board's peer reviewers during the Application stage shall be paid within twenty days of the filing of this decision with the Town Clerk, whether this Decision is appealed or not. No post-permit reviews of documents or plans shall be conducted until such invoices have been paid in full. No building permit or certificate of occupancy shall be issued until such invoices have been paid in full.

7. No temporary or final certificate of occupancy for any building or phase of the Project shall be issued until the infrastructure, common facilities, common improvements, and landscaping specified in this Decision and set forth on the Record Plans are constructed and installed as shown on the Record Plans.

8. Following construction of the Project, the Applicant shall provide an "as-built" site plan to the Planning Board, the Building Department, and the Board of Assessors prior to the issuance of

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the final certificate of occupancy for buildings in the Project in accordance with applicable regulations. These plans shall also be submitted in electronic format.

9. The applicant shall also adhere to Section 10.1 Inclusion of Affordable Housing in the Groveland Zoning By-Laws and donate either two deed restricted units or the sum of \$160,000.00 to the Town of Groveland Affordable Housing Fund.

Conditions Pertaining to the Construction Phase of the Project

10. Sixty (60) days prior to the start of construction the proposed landscaping plans shall be submitted to the Planning Board. Construction shall not start until the Planning Board or its representative reviews and approves the landscape plans.

11. Thirty (30) days prior to the start of construction the EPA NPDES Stormwater Pollution Prevention Plan shall be submitted to the Planning Board. Construction shall not start until the Planning Board or its representative reviews and approves the NPDES Stormwater Pollution Prevention Plan.

12. All work shall comply with the Groveland Water and Sewer Department regulations, standards, and permit approval.

13. During construction of the Project, the Applicant shall conform to all local, state, and federal laws regarding noise, vibration, dust and blocking of Town roads. The Applicant shall at all times use all reasonable means to minimize inconvenience to residents in the general area. Exterior construction of the Project shall not commence on any weekday before 7:00 a.m. and shall not continue beyond 6:00 p.m. except for certain operations such as concrete finishing and emergency repairs. Exterior construction shall not commence on Saturday before 8:00 a.m. and shall not continue beyond 5:00 p.m. with the same exceptions. The Building Commissioner may allow longer hours of construction in special circumstances, provided that such activity normally is requested in writing by the Applicant except for emergency circumstances, where oral communication shall be followed by written confirmation. There shall be no exterior construction on any Sunday or state or federal legal holiday. Hours of construction operation shall be enforced by the Police Department.

14. The Applicant shall promptly pay the reasonable fees of the Planning Board's consulting engineers and legal counsel for review of the plans or documents described herein or for inspections required by this Decision during the construction phase. The results of any inspections shall be provided to the Board in written format. The Planning Board shall require the establishment of an escrow account to assure such payment pursuant to G.L. c.44, s. 53G, subject to replenishment. All work shall be subject to an agreed upon scope of services in advance specifying a "not to exceed" amount. Such amount shall not be exceeded without the Applicant's consent, which shall not be unreasonably withheld.

15. The Planning Board or its agents may enter onto and view and inspect the Subject Property during regular business hours to ensure compliance with the terms of this Decision, subject to applicable safety requirements as established by the Applicant or its contractor, including signing in at the construction field office trailer.

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RECORD OF VOTE

The following members of the Planning Board vote to grant the requested modification of the existing planned unit development permit and to grant a stormwater management/land disturbance permit for the Project, subject to the above-stated conditions:

James M. Freer
James Freer, (Chair) Member

Walter L. Sorenson ✓
Walter Sorenson, Member

Robert Danforth
Robert Danforth, Member

Lisa Chandler
Lisa Chandler, Member

Robert Arakelian
Robert Arakelian, Member

4-17-18
Date

The following members of the Planning Board are in opposition to the granting of the requested modification of the existing planned unit development permit and to the granting of a stormwater management/land disturbance permit for the project:

Any person aggrieved by this decision shall be entitled to appeal therefrom to a court of competent jurisdiction within twenty (20) days following the Planning Board's filing of this decision with the Town Clerk pursuant to Massachusetts General Laws, Chapter 40A Section 17.

Filed with the Town Clerk of Groveland

Town Clerk

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Groveland Water and Sewer Subdivision Review

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Subdivision Name: Nichols Village Expansion
Owner: Nichols Village Inc.
Engineer: Design Consultants, Inc.
 120 Middlesex Avenue
 Somerville, Massachusetts 02145
Reviewed By: Ryan J. Allgrove, P.E.
Date: February 7, 2018

At the request of the Groveland Water and Sewer Department (GWSD), Environmental Partners Group, Inc. has completed an assessment of the water and sewer system modifications associated with the proposed Nichols Village Expansion development. The existing Nichols Village and proposed expansion are located on Nichols Way in northern Groveland. This assessment is based on plans prepared by EGA Architects updated 1/29/2018.

Water Review

Water Demand

The proposed Nichols Village Expansion consists of 21 apartment units. The following table summarizes the estimated water demand for the development based on information from the Town's recent DEP Annual Statistical Reports (ASR).

Flow Scenario	Calculation	Estimate Usage
Average Day Demand (ADD)	180 gpd / residential service x 21 Units	3,780 gpd
Maximum Day Demand (MDD)	2.3 x ADD	8,694 gpd
Peak Hour Demand (PHD)	2 x MDD	17,388 gpd

Static Pressure Requirements

Based on DEP Guidelines and Policies for Public Water Systems, the normal working pressure in the distribution system should range from 60 to 80 pounds per square inch (psi) and not less than 35 psi. Additionally, DEP guidelines state that pressure reducing valves are required for static pressures over

100 psi. The Nichols Village Expansion proposes to connect to the Groveland High Service Zone (HSZ) which has a typical hydraulic grade line (HGL) fluctuating between 310 feet when the Town Forest Water Storage Tank is full to 295 feet when the water level is 15 feet below overflow elevation. In order to maintain a minimum pressure of 35 psi within the typical HGL range, a water customer must be connected to the water system at an elevation no higher than 214 feet. Based on the finished floor elevations (NGVD 1929 datum) shown on the proposed plans of 206.0 feet and 217.14 feet, pressures within the proposed expansion will range from 34 psi to 45 psi under typical operating conditions.

Fire Flow Requirements

In accordance with DEP Guidelines and Policies for Public Water Systems, water system design must maintain a minimum pressure of 20 psi at ground level at all points in the distribution system under all conditions of flow, including fire flow conditions. The Groveland water system hydraulic model was used to calculate the available fire flow on Nichols Way at the proposed hydrant at STA 22+35. Assuming that the Town's Booster Pump Station is not operating and the Town Forest Tank level is 10 feet below overflow elevation, model simulations show that approximately 1,720 gpm is available at 20 psi residual pressure. Actual fire flow requirements should be confirmed by the developer.

Water Distribution System Piping

The water system of the proposed development was reviewed for configuration and materials. Recommendations are as follows:

1. Delete the proposed 4-inch water main loop from the hydrant at the southern entrance. The existing 8-inch line should be extended with two 45 degree bends and an 8-inch x 6-inch reducer prior to the hydrant. Relocate the proposed valve at STA 10+25 to the proposed 8-inch x 8-inch tee.
2. Add an 8-inch line gate at approximate STA 15+50.
3. Relocate the existing 6-inch fire service or SMH 2 to avoid conflict.
4. Provide mechanical joint caps at all locations noted as cut and cap.
5. Adjust water main location between STA 18+50 and STA 20+50 to increase separation from proposed 12-inch drain to at least 7 ft. Provide 10 feet of horizontal separation between water and sewer wherever possible.

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6. It is recommended that all piping greater than 6-inch diameter to be abandoned in place be filled with controlled density fill.
7. Provide slide type valve boxes.
8. Confirm location of tapping sleeve and valve.
9. Backflow device requirements are contingent upon results of full backflow survey to be performed by the Town.
10. Water meter (2-inch) to be provided and paid for by the developer. Town will provide specifications only.
11. All material specifications should be submitted to the GWSD for review and approval.

Sewer Review

Sewer Flow

The proposed Nichols Village expansion will service 21 apartment units via gravity sewer. The following table summarizes the estimated average daily flow and peak sewer flow for the development based on projected water demand.

Flow Scenario	Calculation	Estimate Usage
Average Daily Flow (ADF)	180 gpd / residential service x 21 Units	3,780 gpd
Peak Hourly Flow (PHF)	180 gpd / residential service x 6 (Peaking Factor)	16 gpm

Sewer Hydraulic Analysis

The subdivision proposes to install 8" gravity sewer at slopes ranging from of 0.9% to 2.2%. At these slopes, the 8" sewer will have a maximum flow capacity ranging from approximately 500 gpm to 800 gpm, well above the projected peak flow.

Sewer Collection Piping

The sewer collection system of the proposed subdivision was reviewed for configuration and materials. Recommendations are as follows:

Hyannis:
396 North Street, Hyannis, MA 02601
TL 508.568.5103 • FX 508.568.5125

Headquarters:
1900 Crown Colony Drive, Suite 402, Quincy, MA 02169
TL 617.657.0200 • FX 617.657.0201

Woburn:
18 Commerce Way, Suite 2000, Woburn, MA 01801
TL 781.281.2542 • FX 781.281.2543

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1. The existing sewer line from the proposed mechanical room is currently shown connecting to CB A6. Revise connection to tie into the sanitary system.
2. Revise gravity sewer material within the existing parking lot (approximately 306 linear feet) from HDPE to PVC.
3. It is recommended that all piping greater than 6-inch diameter to be abandoned in place be filled with controlled density fill.
4. Provide flexible rubber boots for all pipe to manhole connections
5. Provide flexible rubber joint sealant for all manhole section joints.
6. Install brick manhole shelf with slope of ½" per foot.
7. Grease Trap must meet all requirements and regulations of the City of Haverhill.
8. All material specifications should be submitted to the GWSD for review and approval.

Summary

The Groveland water distribution system cannot provide pressures above the minimum 35 psi to the proposed Nichols Village Expansion under all typical operating conditions. For the majority of operating conditions (Town Forest Storage Tank levels 0-10 feet below overflow), pressure in the proposed expansion will be marginally acceptable. It is our understanding that the project intends to utilize the existing Nichols Village booster pumps to increase pressure for the residents' domestic use. Fire flow requirements for the development should be confirmed by the developer and compared with the available fire flows presented herein.

The proposed sewer collection system piping is adequately sized to handle anticipated flows from the development. Evaluation of the Town's collection system capacity downstream of the development was not included in this review. The cross connection between the proposed sewer and drainage systems currently shown on the plans should be resolved as soon as possible. Additionally, revised sewer system development fees are being considered in conjunction with the ongoing sewer rate study and will apply to this project.

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The blue stamped copy of the Planning Board Decision and certification to be returned to Anne Brodie, town clerk, with Registry of Deeds bar code on upper right for filing with the town.