



Town of Groveland Planning Board

183 Main Street
Groveland, MA 01834

APPROVED
February 19, 2019

MOTION: Robert Arakelian made a motion to approve the February 5, 2019 meeting minutes. Robert Danforth seconded the motion. The vote was 3-0, unanimous in favor.

Board/Committee Name: PLANNING BOARD
Date: TUESDAY, February 5, 2019
Time of Meeting: 7:30PM
Location: TOWN HALL (Board of Selectmen Conference Room)

TOWN OF GROVELAND
2019 FEB 20 AM 11:39
TOWN CLERK
RECEIVED
DEPOSITED

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, February 5, 2019 was called to order at 7:30PM.

J. Freer: Made an announcement that the Planning Board is seeking an Associate Planning Board member and encourages residents to apply.

MINUTES APPROVAL

MOTION: Walter Sorenson made a motion to approve the January 22, 2019 meeting minutes. Robert Arakelian seconded the motion. The vote was 5-0, unanimous in favor.

PUBLIC HEARINGS

CONTINUED: Nelson Street (Assessor Map 47 Lot 32A), Brad Ligols: *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 Bylaw to construct a self-storage facility consisting of two buildings at 4,620SF with associated parking and stormwater infrastructure. The site is located in the Industrial (I) Zoning District. The proposed project is located at Nelson Street Groveland, MA 01834 (Assessors Map 47, Parcel 32A).*

MOTION: Walter Sorenson made a motion to open the Continued Public Hearing for Nelson Street (Assessor Map 47 Lot 32A) for Aquifer Protection Overlay District Special Permit, Site Plan Approval and Stormwater Management and Land Disturbance Permit. Lisa Chandler seconded the motion. The vote was 5-0, unanimous in favor.

R. Oldham, Town Planner: On January 30th we had a meeting with Michelle Bridges and Michael Tardy, direct abutters to the project. We had a productive conversation that resulted in additional proposed measures to address drainage concerns on Nelson Street from Salem Street - a small 3-inch berm at the edge of the street, a detail has been added to the plan. TEC has no other comments concerning this project. A decision has been drafted for your review. Please note there may be outdoor vehicle storage but there is a condition in the drafted decision that states they must comply with local and state regulations and at least 6 parking spaces, those required by zoning, would need to be left available. Lastly, the Applicant has requested two waivers that need a formal vote:

- Section 9.3.8 – The minimum aisle width in all parking lots shall be 24 feet. Applicant requested 22 feet due to low traffic flow to and through the site, the desire to minimize the project disturbance and minimize the total impervious area.



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- Section 6.2.8.3 –All new stormwater shall be directed to oil, grease, and sediment traps prior to infiltration to the groundwater. Applicant requested a waiver for the porous paver sections due to the nature of the design and the prohibition on hazardous materials placed on the units under the Overlay District regulations and by the unit's rental limitations.

MOTION: Lisa Chandler made a motion to accept the waiver from Section 9.3.8 and Section 6.2.8.3. Walter Sorenson seconded the motion. The vote was 5-0, unanimous in favor.

Ian MacKinnon, Project Engineer for the Applicant: We have provided final plans to the department and the only other outstanding issue is the exact location of the hydrant. The Applicant may want to explore an irrigation system for the property to help with landscaping maintenance. We are scheduled to go before the Water and Sewer Commission at their next meeting and will be talking with them about this possibility. The water line would only be for an irrigation system. If we move forward with this option, the hydrant would need to be brought down the street further to the corner of the proposed driveway. This would still provide the hydrant as requested by the Fire Department. Additionally, the Applicant would like to have the performance bond estimate decreased from \$50,000 to \$30,000.

BOARD: Discussed the request for decreasing the performance bond and agreed it could be lowered since the project is located on a private way - settled on \$40,000.

MOTION: Walter Sorenson made a motion to close the Public Hearing for Nelson Street (Assessor Map 47 Lot 32A) for Aquifer Protection Overlay District Special Permit, Site Plan Approval and Stormwater Management and Land Disturbance Permit. Lisa Chandler seconded the motion. The vote was 5-0, unanimous in favor.

MOTION: Lisa Chandler made a motion to approve the decision as drafted with amendments and the reduced \$40,000 performance bond for Nelson Street (Assessor Map 47 Lot 32A) for Aquifer Protection Overlay District Special Permit, Site Plan Approval and Stormwater Management and Land Disturbance Permit. Lisa Chandler seconded the motion. The vote was 5-0, unanimous in favor.

CONTINUED: 301 Main Street, Zong Yang: *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).*

MOTION: Walter Sorenson made a motion to open the Public Hearing for 301 Main Street Site Plan Approval. Robert Arakelian seconded the motion. The vote was 5-0, unanimous in favor.

Town Planner: We received three cost estimates for the Engineering Peer Review for this project – Cammett, TEC and Stantec. Upon further review of the plans, TEC's surveyor stated he would be able to confirm the boundaries. The Applicant has chosen TEC. Because of the time spent on acquiring various quotes there was not enough time to conduct a review for this meeting. However, we can vote on the acceptance of the contract. The review will be provided for the meeting on the 19th. However, please note that the PB has 60 days to act on the application from the date it was timestamped by the Town Clerk. The 60 days will expire on February 17th and I would recommend the Board have the Applicant request a continuance.

MOTION: Walter Sorenson made a motion to accept the Client Authorization for TEC to perform engineering peer review services for 301 Main Street. Robert Danforth seconded the motion. The vote was 5-0, unanimous in favor.

Walter Sorenson: I would suggest we request a continuance for 90 days so we have adequate time.

Zong Yang: I will request a continuance for the 90 days as proposed by the Board.



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MOTION: Walter Sorenson made a motion to accept the continuance request to May 26, 2019.

Robert Arakelian seconded the motion. The vote was 5-0, unanimous in favor.

MOTION: Walter Sorenson made a motion to CONTINUE the Public Hearing for 301 Main Street for Site Plan Approval to February 19, 2019. Lisa Chandler seconded the motion. The vote was 5-0, unanimous in favor.

APPLICATIONS FOR REVIEW

Salem Street, William Holt on behalf of Dehullu Homes: Application for a Definitive Subdivision.

Town Planner: The Applicant sent an email this morning stating they have still not yet finalized plans and will submit at the next meeting on February 19th.

DISCUSSION & POSSIBLE VOTE

Sunset Circle (Skip Sheehan Way) Definitive Subdivision, Robert Wallace: Discussion concerning the Definitive Subdivision approved on June 23, 2015.

J. Free, Chair: Read the following letter from homeowner Steven Baker of 5 Sunset Circle –

I am writing to inform you, as well as the Planning Department of the Town of Groveland, that after careful review and consideration, my wife and I have determined that it is not consistent with our best interests to allow the fire hydrant that was wrongly placed on our property at 5 Sunset Circle, Groveland, MA, to remain in its current location. At this time, we will no longer consider entering into an easement agreement with the Town of Groveland or the developer, Wallace Capital, both of whom were involved with the oversight of the improper installation, and the fire hydrant must be moved.

We would like to formally request that the Planning Department work with the necessary third parties, including the Groveland Water and Sewer Department, to develop a plan to have the fire hydrant relocated without impacting the water quality to the neighborhood and that this plan be implemented as soon as possible but certainly within 120 days. We request that we be notified two weeks prior to any work being performed on our property. This notification should include a detailed list of any and all work that is to be completed as well as a timeline for the work. Further, any and all parties who may be working on our property must provide written documentation that they are bonded and insured to take part in such work before they commence any activity on our property.

We look forward to the Planning Department and developer taking the appropriate action to remedy this matter in a timely fashion but, also wish to inform you that should this matter not be resolved, we will take all necessary and appropriate legal action to ensure an appropriate resolution.

Town Planner: The hydrant was installed approximately 7.5-feet beyond the right-of-way. Two water services originate from the main and are within the right-of-way as is the gate valve serving the hydrant. We will need to move the hydrant to the planting strip, where it was originally proposed, patch the pavement, driveway and replant the lawn where the infrastructure was removed. The cost of the outstanding work is estimated to be about \$10,000 by the Water and Sewer Department contractor. The Applicant's engineer is here tonight for a Roadway Acceptance. I am reluctant to advise the Board to approve an as-built, which is required for roadway acceptance, without having the hydrant issue



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resolved. The Town currently already provides services to the road, both trash and snow removal. Maybe the Board withhold the monies needed for the hydrant replacement and release some of the other funds in hopes the Applicant pursue roadway acceptance with the Board of Selectmen at the next Town Meeting.

J. Freer: We need to take a vote on all the outstanding items to be completed as discussed at the December 18th meeting. Let's address each one individually.

1. Addition of rip-rap stone and provide flared end section at the overflow pipe area. *This item has been completed.*

MOTION: Lisa Chandler made a motion that the Applicant must complete item number 1. Walter Sorenson seconded the motion. The vote was 5-0, unanimous in favor.

2. Adjust position of monuments at the left side curve entering the roadway from Salem Street. This item had been completed.

MOTION: Lisa Chandler made a motion that the Applicant must complete item number 2. Walter Sorenson seconded the motion. The vote was 5-0, unanimous in favor.

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. This item has been completed.

MOTION: Lisa Chandler made a motion that the Applicant must complete item number 3. Walter Sorenson seconded the motion. The vote was 5-0, unanimous in favor.

4. Revise the road grading to provide positive drainage slope towards all the catch basins. This item has been completed.

MOTION: Lisa Chandler made a motion that the Applicant must complete item number 4. Walter Sorenson seconded the motion. The vote was 5-0, unanimous in favor.

5. Prepare deeds/plans to create an easement relative to the land in the vicinity of the fire hydrant at the cul-de-sac. *Homeowner will no longer agree to an easement on his property.*

MOTION: Lisa Chandler made a motion that the Applicant or the Town must relocate the hydrant and this item is withdrawn from the list. Walter Sorenson seconded the motion. The vote was 5-0, unanimous in favor.

6. Add street lighting at the cul-de-sac as per plans. *Still outstanding.*

MOTION: Lisa Chandler made a motion that the Applicant must complete item number ~~6~~6. Walter Sorenson seconded the motion. The vote was 5-0, unanimous in favor.

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. *This item has been completed.*

MOTION: Lisa Chandler made a motion that the Applicant must complete item number 7. Walter Sorenson seconded the motion. The vote was 5-0, unanimous in favor.

8. Thatch, loam (three inches) and seed all three lawns.

MOTION: Robert Danforth made a motion that the Applicant does not have to complete item number 8. Lisa Chandler seconded the motion. The vote was 4 in favor to 1 opposed. (Walter Sorenson was opposed)

9. Prepare a deed to grant the fee in the roadway as part of the roadway acceptance to the Town of Groveland. *Documents emailed for review this evening.*

MOTION: Lisa Chandler made a motion that the Applicant must complete item number 9. Walter Sorenson seconded the motion. The vote was 5-0, unanimous in favor.

Town Planner: It should be noted that the homeowner at 5 Sunset, Steve Baker, did call the office about the Planning Board's discussion to not address item number 8. He believes this issue should be addressed by either the Applicant or the Town. He was unable to attend this evening but I have invited him to the next meeting to state his concerns to the Board.



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BOARD: Mr. Baker is welcome at the next meeting on the 19th. The Town Planner will follow-up with him to be placed on the agenda if desired. The as-built does not include the hydrant and the fence. However, the roadway is completed and most of the items on the outstanding list have been completed. We can withhold the monies for the hydrant incase the Applicant will not address the issue and also for the review of the final as-built. The Town is withholding \$65,000.00.

L. Chandler: Offered to review the Roadway Acceptance Plan.

MOTION: James Freer made a motion to grant a partial release of the outstanding bond, \$40,000.00 to the Applicant. Robert Danforth seconded the motion. The vote was 5-0, unanimous in favor.

OLD BUSINESS

TOWN PLANNER'S REPORT

Town Planner: Just a reminder that due to the Monday holiday on the 18th, the next meeting will be held on February 19th in the Board of Selectmen Conference room.

ADJOURNMENT

MOTION: Walter Sorenson 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 8:32PM.

Name

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Michael Dempsey Conservation Commission Chair 33 Uptack Rd Gr.

JOHN HARGREAVES

SUNSET CR.

Zong Yang

301 Main St.

