



Town of Groveland
Economic Development
Planning & Conservation Department
Planning Board
183 Main Street
Groveland, MA 01834

Brad Ligols, Chair
Walter Sorenson, Vice-Chair
John Stokes III
Chris Goodwin
DJ McNulty
Jason Naves, Associate

Board/Committee Name: PLANNING BOARD
Date: TUESDAY, June 6, 2023
Time of Meeting: 6:45 PM
Location: Town Hall, 183 Main Street
Groveland, MA 01834

APPROVED 10-30-2023
MOTION: McNulty made a motion to approve the 6-6-2023 meeting minutes. Sorenson seconds the motion. The vote was 4-0, unanimous in favor.

TOWN OF GROVELAND
2023 NOV 21 AM 10:25
TOWN CLERK
RECEIVED/POSTED

Present: Walter Sorenson, Brad Ligols, Chris Goodwin, DJ McNulty, John Stokes III, Jason Naves

Absent:

Staff Present: Annie Schindler (Town Planner & Conservation Agent), Lisa Mead (Town Counsel)

Public Present: Brian Connell, Bob Williams, Lee Yang

Pursuant to Chapter 20 of the Acts of 2021, "An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency", extended by the Governor on March 30, 2023, which extended permission for boards and commissions to conduct remote meetings, the Planning Board conducted this meeting in a hybrid format.

Note: Minutes are not taken verbatim, please see video.

Call to Order

MOTION: Sorenson motions to open the meeting. Goodwin seconds. Voted all in favor – the motion passes.

Executive Session

MOTION: Ligols makes a motion to enter into executive session in accordance with MGL c30A sec 21(a)(3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. The Groveland Planning Board will hold an Executive Session on Tuesday June 6, 2023, beginning at 7:00 PM at 183 Main Street, Groveland MA, to discuss litigation with respect to ZONG YANG and ROBERT WILLIAMS v. TOWN OF GROVELAND PLANNING BOARD, et al. CIVIL ACTION NO. 2177CV00881. Sorenson seconds the motion. Roll call; Stokes III, aye. McNulty, aye. Naves, aye. Sorenson, aye. Ligols, aye. The motion passes.

The board rejoins public session at 7:17 PM.

MOTION: Goodwin motions to reopen the regular meeting at Town Hall at 7:17 PM. Sorenson seconds. Voted all in favor – the motion passes.

Continued Public Hearing on the Remand of the matter of 301 Main Street for Site Plan Review and Special Permit for a Parking Waiver

Bob Williams, 180 Main St. Groveland & Applicant: I am here to present my application again as some of the Board members have not seen it. I will start with the renderings. We want to give the building a bit of a facelift. There will be a showroom/conference room for customers to look at samples and make design decisions. There will be an office to store our computer equipment. A laundry room for drop-clothes. The rest will be storage space. In this storage area we would store things like vanities, tiles, etc. Sometimes these items arrive prior to the project being ready for them. There are only a couple of days a week when the space would be occupied for long periods of time by myself or by an office worker. For access we are looking at early mornings and afternoons. Because of the storage space in Haverhill, we will have less of a need to do so. The site plan shows 10 parking spaces, the requirement is 19, and physically you couldn't fit 19 cars in this area. When we are talking about daily deliveries, we aren't talking about sheet rock, or lumber, more so for personal/business use with our own vehicles. We will do some upgraded exterior lighting, and a firewall between the storage space and office space. We are looking for a parking reduction so we can have this be a viable building and not an eyesore when you come into Groveland.

Goodwin: What specifically are you looking to do to the exterior of the building?

Williams: We need to repair the roof, we will change some of the glass on the bays to be frosted, the signage will be reilluminated with our signage. Clean up the outside of the area, the shrubs, and illuminate so it is safer at night. Also, probably a coat of paint. There isn't a lighting plan yet, as we aren't sure if we'll be able to do this project.

Ligols: Where about lighting for the parking?

Williams: I'm a tenant, I'm only looking at this from the perspective of the building. I must look at parking as it was a requirement of this process.

Ligols: But we're looking at it from the perspective of health and safety.

Sorenson: So, a lighting plan has not been done?

Williams: I haven't spent unnecessary funds; I will once I get all the necessary approvals.

Ligols: What about a landscaping plan?

Williams: Much of the landscaping is conservation land so not much can be done to it. The Conservation Department has recommended a local landscaper who can help me identify what needs to be done.

Mead: Can you please clarify what you meant by removing the shrubs.

Williams: *Indicates on the plans where the shrubs to be removed would be.* Need to make it so it can be mowed on a regular basis. I'm going to defer to the Conservation Commission on this.

Ligols: Can you explain again what your plans are to beautify the exterior of the building?

Williams: We will paint the building and then add frosted glass to two of the three bay windows.

McNulty: On your plan I only see 8 spaces, where are the other two?

Williams: There's the postal worker spot and handicap spot. The spaces are for both buildings.

Sorenson: There are two types of lighting plans, the one under our bylaw, the dark skies, and then the building lighting. It looks like your renderings show lighting on the building already.

Williams: The lighting shown on the rendering is exciting lighting. I don't know if it works.

Mead: You're asking the Board to make a decision on the presentation you just gave and for clarity, you said you would be replacing the left two bays with frosted glass and the right with clear, but then the frosted glass may be paneling. Then you said that there is existing lighting on the building that you may

keep, but that it also may change. The Board needs to understand what they are approving of and what they are not approving of.

Williams: I have made a presentation of a concept. In the real world, sometimes the concept is not something that can be accomplished. I don't know whether it will work and if something needs to change.

Ligols: When you're in front of this Board, that rendering is what we are voting on tonight, not what it may or may not look like.

Williams: We aren't even sure if those lights are on the building, I will get you a lighting plan. My understanding is that you can make the approval contingent upon receiving a lighting plan.

Sorenson: You don't have a landscaping plan?

Williams: No.

Ligols: Will you be lining the spots and handicap spaces and improving the pavement?

Williams: I will be working with the landlord on that matter. I don't have plans to add a topcoat of pavement.

Sorenson: We'll need a site plan showing accessibility.

Williams: Yes, we will be updating the building for accessibility.

McNulty: How many employees do you have?

Williams: I have four on payroll.

McNulty: How many will be occupying this space during the day.

Williams: A part-time office worker, myself, and potentially a salesperson. Otherwise, it would be by appointment only. The salesperson primarily works from home.

McNulty: You said you had three vehicles; what kind are they?

Williams: A 12 ft box truck, a 10 ft box truck, and a utility van. One is parked at my residence, and the other two are stored at our location in Haverhill. We don't necessarily use them every day. The intention is to keep them in Haverhill.

McNulty: Do you plan on using the back of the property?

Williams: No, just maintain the vegetation.

Ligols: Do you plan on having a dumpster on site?

Williams: No.

Sorenson: What about stormwater runoff on site? Do you have a drainage plan?

Williams: Most of our work will be interior to the building and will not require stormwater measures.

Sorenson: Who will be doing the paving and lighting plan?

Williams: We will be doing that internally; we've never had a problem doing that before.

Ligols: I agree, you may end up needing Cape Cod berm which would need stormwater management. That should have been covered in the application.

Sorenson: Who is maintaining the site now?

Williams: The landlord.

Goodwin: For upkeep to the site, landscaping, etc. would that burden be on you?

Williams: Yes.

McNulty: Has there been any communication with the Post Office? They have a truck that comes in three times a day.

Williams: We aren't entering the site at the same time as them.

McNulty: Have they been notified?

Williams: No, we didn't want to jump the gun prior to getting approval.

Goodwin: Regarding this being consistent with the Towns Master Plan and Economic Development Plan,

I think this is in line with that as one of the goals is to revitalize Elm Park.

Stokes III: I'm not fully convinced by that, because it doesn't actively engage the public as it is a private office and storage space. I don't see a community benefit of this use, beyond making the building look better, there is no community use.

McNulty: We need to go through and look at all the criteria and make conditions to ensure that when Williams has more answers, we are still getting what we want, so we can move forward.

Mead: Right now, you don't have a landscaping plan or a photometric plan, those go to your criteria relative to neighborhood character. You can condition the decision so prior to any building permit or work on the site, a landscape plan and photometric plan must be approved by the Board.

Sorenson: Also, the landlord is on this application, so saying it is just yours is inaccurate. I would also say this is an incomplete application in that it doesn't have a landscaping plan, the photoelectric plan or architect plan. When this was a gas station it wasn't pretty, but the bridge shifted, so it would be nice to see what this would look like coming in from Haverhill. We need a parking plan and run off and drainage and as the river is right there. Who is the architect on record today, who is the engineer on record today, and the lighting engineer who was supposed to submit these plans.

Williams: It is the same engineer who did the original plans, they have gone in and updated it.

Planner: I have not received any new plans.

Mead: It was the prior plan that was modified in 2019, these are the accurate plans.

Sorenson: But this application is new.

Mead: No, it is a remand, so you are seeing all of the same information from 2021. You are only looking at the information from 2021 that you made your decision on.

Sorenson: So, we have no architect on file, no update engineering plan, no stormwater management plan, no parking plan, and no lighting plan?

Williams: At this moment, yes.

MOTION: Sorenson motions to close the public hearing for this time. Goodwin seconds. Voted all in favor – the motion passes.

Mead: You need to go through the criteria and give us guidance on that. You should start specifically with the special permit criteria.

Ligols: *Reads the requirements of issuing a special permit for a parking reduction Groveland Bylaw 50-9.4.*

Mead: We should discuss the first set of criteria. About whether the reduction is consistent with health/safety and public betterment.

Goodwin: I don't think that the proposal is inconsistent with other businesses within town.

Stokes III: I agree if anything it may encourage less people to try to park.

Sorenson: I think that we need to hold on to the required amounts. It is different now with the way the bridge changed the traffic pattern.

Ligols: In consistency with Elm Park, I think I'm in favor of the waiver. I think we can condition it to make it work. Let's move on to the social, economic, community needs.

Stokes III: I don't see this provides enough benefit to satisfy this condition.

Ligols: I agree it doesn't have any economic impact to the Town, no new employees. Now for adequacies of utilities, I don't think that is relevant here.

Mead: Agreed, what about traffic flow and safety?

Goodwin: I think we've all voiced our concerns with that. I don't see it being much of a difference between this with other businesses in the area. Maybe impose a right turn only?

Stokes III: If you look at it from the perspective of reduced spots, it is probably better for flow for safety. He still has to go to the DOT and if there are any changes, we should see those.

Sorenson: So, for loading, if it is a big enough vehicle, it could take up to 2 – 3 spots. So, if there were the full 19 spaces, there would be ample room. Has the Post Office been notified?

Goodwin: Couldn't we just add conditions with specific loading hours.

Board: Yes. The Board discusses the amount of traffic the site would see, and what the site looked like prior to the bridge being replaced.

Goodwin: Mead, can we talk Post Office traffic into consideration for this application?

Mead: They have to limit that on site, you can put a condition as to how many employees can be on site.

Goodwin: So, the Post Office parking cannot be considered. So, the Post Office technically doesn't have any parking.

Mead: The question before you is the proposed use and the parking that is available, and does that satisfy the criteria. In your discussion, you're talking about the health and safety conflicts and you're pointing out those things that might be true. Some of you think that might be solved through conditioning the decision. You can't add the parking requirements of the Post Office to this, but you can take into consideration that there is traffic going in and out of the area that serves the Post Office.

Sorenson: You can restrict parking to just under the canopy.

The Board discusses what the layout of the site used to look like prior to the reconstruction of the bridge, parking associate with the Post Office, and the handicap spot. The Board discusses limiting parking to two lined spots and parking under the existing canopy. The Board discusses limiting deliveries to certain hours to not conflict with the Post Office, and no third-party deliveries.

Mead: Neighborhood character and social structure?

Ligols: I want to see the building per the rendering.

Mead: We can condition on the renderings presented and then condition based upon approval of the landscaping plans, photometric plans, etc. Impacts on the natural environment? The final site plan will show Cape Cod berm along the rear of the property and any impacts are in front of the Commission.

Planner: A note regarding the stormwater – our bylaw states that if an applicant received an Order of Conditions from the Conservation Commission, they do not have to get stormwater approval through the Planning Board.

Board: We would still like to see the final plans.

Planner: I have a question of clarification for the Board when they say stormwater. *Planner reads section 14-5(a)*. The installation of a Cape Cod berm wouldn't necessarily trigger those conditions of applicability.

Mead: I think that the Board is saying that for the impact on the environment that it doesn't run to the River. There's a confusion between stormwater management and protection of the natural environment.

Ligols: Potential fiscal impact?

Goodwin: Minimal impact, as we've previously discussed.

Ligols: Consistency with the Town Master Plan? I think we've already discussed this.

Mead: Yes, this goes back to the first criteria on social economic, and community needs. For me to be able to draft a decision, would the Board so a straw vote on criteria 8, social, economic, and community needs and 14, consistency with the Master Plan. Regarding the other conditions, the Board seems to be in agreement that they can be met given certain conditions.

MOTION: Goodwin motions to take a straw vote on conditions 9, 10, 11, 12 and 13 can be met with conditions. Sorenson seconds the motion. Voted all in favor – the motion passes.

Mead: Now I think it would make sense to do a separate vote for 8 and 14.

McNulty: Are there any proposed conditions on those?

Sorenson: For condition 8, a proposal for the appearance of the building to meet the beautification of Elm Square.

Stokes III: Is fixing up the exterior of the building enough to justify a social/economic benefit?

Goodwin: I'll note that at the moment we are still working on our Master Plan, so there is no final Plan to compare this application against, so in my eyes it can't really be used here.

The Board discusses benefits of beautification of the building, adding something on the Haverhill side of the building, a 'Welcome to Groveland' mural.

MOTION: Goodwin motions to approve on the discussion of 8 and 14. Sorenson seconds the motion. Roll call vote; Stokes III, aye. McNulty, aye. Goodwin, aye. Ligols, aye. Sorenson, aye. The motion passes.

Mead: Based upon the discussion this evening, I will draft up a decision to get to you prior to the meeting.

MOTION: Sorenson motions to continue to June 20, 2023, at 7:30pm. Goodwin seconds. Voted all in favor – the motion passes.

Discussion Regarding Zoning Changes for Town Meeting 2024

Planner: I applied for funding through MassDevelopment to retain a consultant to assist us with re-writing portions of our Zoning Bylaw to be more in line with whatever direction our Master Plan recommends for Zoning changes. We should hear back late summer.

Issue with required signage for 142 King St

Planner: At the last meeting the homeowner was in to get approval on their as built. The one remaining item was the installation of a curve warning sign and speed placard, with the location to be determined by the Highway Superintendent who was on vacation at the time. He is now back. He explained that speed placards are to be placed at the discretion of the Board of Selectmen and Police, not the Planning Board or Highway Superintendent. I looked through the original files and it seemed as though the original discussion during the hearing was about it being a blind driveway. We just need some clarification on what kind of signage the Board would like so that this item can be closed out.

Sorenson: We can do away with the speed placard and just do the curve warning.

Ligols recuses himself, Sorenson is acting chair and Naves acts as a voting member.

833 Salem St – Acceptance of Line of Credit/Bond

Planner: I don't have the official line of credit yet, but a commitment letter from the bank. The applicant is looking to begin work soon and one of the conditions of that is having this \$50,000 line of credit in place. I'm not sure how the Board would like to proceed.

Sorenson: We can conditionally approve it.

MOTION: Sorenson motions to conditional approve 833 based upon the bond being approved. Goodwin seconds the motions. Voted all in favor – the motion passes.

MOTION: Sorenson motions to have Annie sign for the Board once that does take place because she is here full time. McNulty seconds. Voted all in favor – the motion passes.

833 Salem St – Minor Modification

Ligols: I'm looking to add one additional unit to the rear contractor unit building number four.

Sorenson: I would consider this as a minor modification, which is what the applicant is requesting.

MOTION: Sorenson motions to approve the additional unit as a minor modification for 833 Salem Street. McNulty seconds the motion. Voted all in favor – the motion passes.

Oakland Ter and Benjamin St Bond Reduction

Planner: The developer was looking to do a bond reduction, I only received TECs letter late today, so I didn't have time to take a look at it and neither did the Board, nor the developer. I would recommend the Board continue until everyone has more time to review.

The Board agrees to add this to the next agenda.

150 Center St MassDevelopment Grant

Planner: A couple of weeks ago we had our first public engagement for this project, and we received a lot of feedback that it wasn't well enough advertised. So, I just wanted to add this to the agenda to be more transparent. A survey, wetland delineation, market analysis, etc. are all being conducted. Our next public engagement session will be 7/27/2023 here at Town Hall. We will be posting more information to our website next week under grants and projects.

Reappoint Comprehensive Master Plan Steering Committee

MOTION: McNulty makes a motion to reappoint the members of the Master Plan Steering Committee in the list in the meeting packet. Sorenson seconds the motions. Voted all in favor – the motion passes.

(The list included: John Stokes III, Walter Sorenson, Chris Goodwin, Jason Naves, and Mike Dempsey)

Reorganization of Board

MOTION: Goodwin motions to appoint Brad Ligols as chair. McNulty seconds the motion. Voted all in favor – the motion passes.

MOTION: McNulty motions to appoint Wally Sorenson as vice-chair. Goodwin seconds the motion. Voted all in favor – the motion passes.

Updates & Discussion

Town Planner Update

Other items not reasonably anticipated at time of posting

Planner: We just have to re-sign the mylar for 833 Salem Street, as it was missing the registry block on the one we signed at the last meeting.

McNulty: There's a letter in the meeting packet from a resident that I just want to bring to the Board attention.

Sorenson: We can address it at the next meeting.

Adjournment

MOTION: Sorenson motions to adjourn. Goodwin seconded the motion. Voted all in favor – the motion passes.