

Town of Groveland
Zoning Board of Appeals
183 Main Street
Groveland, MA 01834



Christopher Goodwin, Chair
Jason Naves
John Stokes II
Brad Ligols
John Grohol

APPROVED 10-4-2023 MOTION:
Nave made a motion to approve the Aug 2, 2023, meeting minutes. Grohol seconded the motion. The vote was unanimous . The motion passes.

Board/Committee Name: ZONING BOARD OF APPEALS
Date: WEDNESDAY, August 2, 2023
Time of Meeting: 7:30 PM
Location: 183 MAIN STREET GROVELAND, MA 01834

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8
TOWN CLERK
RECEIVED/POSTED

2023 NOV 21 AM 10:25

TOWN OF GROVELAND

9
10 Present: John Grohol, John Stokes II, Chris Goodwin, Jason Naves
11 Absent: Brad Ligols
12 Staff Present: Annie Schindler, Environmental Program Coordinator & Town Planner
13 Public Present:

14
15 *NOTE: Minutes are not a transcript. A video recording of this meeting can be found on the Towns*
16 *YouTube page.*

17
18 Goodwin: Call to order the meeting of the Groveland Zoning Board of Appeals at 7:30 PM on August 2,
19 2023.

20 **MOTION:** Naves motions to open the meeting of August 2, 2023. Grohol seconds the motion. Voting all
21 in favor, the motion passes.

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23
24 **PUBLIC HEARING**

25 **NEW:** Application #2023-6, 912 Salem Street, Applicant: Mark A Abare; A public hearing in accordance
26 with Mass General Laws, Chapter 40A, as amended, for Application #2023-6 made by Mark A Abare, for
27 the premises located at 912 Salem St Map 41 Lot 095, in the Industrial (I), Residential 1 (R1), and
28 Residential 2 (R2) Zoning Districts, and owned by William T Bryan III, for a Special Permit in
29 accordance with Section 50.4.5 (Table of Uses) of the Groveland Zoning Bylaw for a contractors yard.

30 Planner: They are requesting a continuance so they can finalize their materials for filing with
31 Conservation and Planning.

32 **MOTION:** Naves motions to continue Application #2023-6, 912 Salem St to the September 6, 2023,
33 meeting at 7:30 PM. Grohol seconds the motion. Voting all in favor, the motion passes.

34
35 **NEW:** Application #2024-1, 1 Manor Drive, Building #2, Applicant: Arrowpoint Union Grove LLC; A public
36 hearing in accordance with Mass General Laws, Chapter 40A, as amended, for Application #2024-1 made by
37 Arrowpoint Union Grove LLC, for the premises located at 1 Manor Drive, Building 2, Groveland, MA Map
38 103 Lot 10, in the Residential 2 (R-2) zoning district, for a modification of a Special Permit issued in 1961
39 pursuant to the Town of Groveland Zoning Bylaw as amended to March 13, 1961 Section 2-7(n) to allow for
40 dwellings of three or more families. This modification is to request a third floor to be added to Building 2.

41 Goodwin: Reads the above notice.

42 Rafael Hernandez: We are the designers and architects for the project. Building 2 was destroyed in a fire last
43 year. You're all aware there is a need for housing like this in the area. We are looking to add a story so that
44 two more units can be added. The building footprint would remain the same, just adding height. The additional
45 units won't affect parking, and we have 40 extra spots. A full sprinkler and alarm system will be added, and

46 the building code will be adhered to. We believe this will enhance the area and add needed housing to the
47 area. It would be a six-unit apartment building instead of 4-unit building.
48 Stokes II: Is this just for this one building or are we going to have to do this for every building?
49 Hernandez: It would just be for this one building, the fire opened a unique scenario for us to build up.
50 Goodwin: Does the Board want some time to look over this and continue to the next meeting?
51 Jay Goldberg: One of the owners of Arrowpoint LLC. We want to get approval as soon as possible because
52 we've been waiting a long time.
53 Goodwin: Is there an objection to waiting for one more meeting prior to full approval?
54 Goldburg: We've just been waiting a long time.
55 Herandez: The building is open to the elements, and we don't want to let it further get damaged.
56 Grohol: When this was approved under the old Zoning Bylaws, it was because it was over a certain number of
57 units?
58 Planner: The Board is making this determination based on the old Zoning Bylaws rather than our current ones
59 as this is a modification. The criteria the Board should consider are that the use is not injurious, noxious, or
60 offensive to the neighborhood.
61 Grohol: Given the current neighborhood, I believe two additional units are consistent with the neighborhood.
62 **MOTION**: Grohol motions to accept the application for the modification for the third floor. Naves seconds the
63 motion. All in favor, 4-0. The motion carries.
64
65 **NEW: Application #2024-2, 6 Union Street. Applicant: Stephen & Jennifer Hoffman and Alan Berry**; A public
66 hearing in accordance with Mass General Law Chapter 40A, as amended, for Application #2023-2 made by
67 Stephen & Jennifer Hoffman and Alan Berry, for the premises located at 6 Union Street, Groveland, MA Map
68 11 Lot 136, in the Residential 3 (R-3) zoning district, for a variance from the Groveland Zoning Bylaw Section
69 50-7.1 Accessory Apartments. The variance requests that the accessory apartment not be within the
70 existing dwelling and separated by a common wall.
71 Goodwin: Reads the above notice.
72 Brad Latham: Here on behalf of the applicants. Latham describes the property and home and the scope of the
73 project, to have an accessory apartment separate from the primary dwelling. The purpose of the location of the
74 garage is to not take away from the antique nature of the home. We know we must meet the statutory
75 requirements. The layout of the home is a J shape, this makes it difficult to construct two separate dwellings
76 given the interior layout and the loss of windows and a staircase. The topography is a major feature, there is
77 15-feet of elevation from the front of the lot to the rear of the property which precludes options for placement.
78 It is important for the applicant because they would like the mother-in-law to move in so she can age in place.
79 This also does not harm the intent of the bylaw as the proposed garage is not obtrusive, there will be no loss of
80 vegetation, there is screening from abutters. I suggest that this is not setting a poor precedent, this is truly a
81 unique situation. The last point is that there are no density issues, the lot is already oversized. We know you
82 have received comments from various departments, and we are sure these can be addressed, Water & Sewer
83 Department and GMLD. Thank you for your time.
84 Grohol: You mentioned that the comments from GMLD will be addressed?
85 Latham: Yes, they had their own electrician go out today and they agreed and will be upgrading to the 400
86 panel.
87 Grohol: Did we get any comments from abutters that objected to the project.
88 Planner: No.
89 Stokes II: I'm not a fan of detached, but I drove by the site, and I don't see any other possibility. Especially
90 since it is for family.
91 **MOTION**: Stokes motions to accept the plan for 6 Union Street. Grohol seconds the motion. All in favor, 4-0.
92 The motion carries.
93 **154 CENTER ST**: Continued update of compliance with decision.
94 Goodwin: To bring everyone up to speed, we had Sam (Building Inspector/Zoning Enforcement Officer), issue
95 a letter on July 20th instructing the owner he has 30 days to become in compliance with his decision, and after
96 that point fines can begin.
97 Planner: In your meeting packet you can see correspondence between myself and the owner of the property. I
98 had asked for an update, and he noted that he already said that he would be moving forward with temporary

99 fencing, rather than apply for a permanent fence through the Conservation Commission. *Explains the filing*
100 *with the Conservation Commission.*

101 Goodwin: My issue is that he is just taking a step back by rescinding his Conservation Commission
102 application, and I'm not okay with that. I also don't see a temporary fence as in compliance with the decision
103 we issued. He also isn't speaking to the 4 other non-conformances that are called out in Sam's letter. After the
104 last meeting when he told us to watch the tape, I did, and it looks like there are many other things happening
105 on site that are not supposed to be happening. I personally urge him to come to the next meeting. I don't
106 believe a temporary fence would satisfy our decision.

107 Stokes II: So, he really hasn't done anything to address the non-conformances rather than to say he won't be
108 applying with ConCom?

109 Planner: I'll note that Sam has not received his "green card" back from the owner, so we can't be certain he
110 has received the enforcement letter yet. When Sam sends these out, he also sends regular mail because that will
111 get delivered no matter what, so if he doesn't get a green card back then he calculates the 30 days from two
112 days after the letter is mailed out.

113 Stokes II: We need to get our ducks in a row if we need to revoke this permit.

114 Naves: Do you know what the fines would be?

115 Goodwin: \$100 for the first offence, \$200 for the second offence, and \$300 for each subsequent offence. Every
116 day of non-compliance is a separate offence. Again, I urge the owner to come to the next meeting to discuss
117 this matter.

118
119 **MINUTES**: Acceptance of May 3, 2023, meeting minutes.

120 **MOTION**: Naves motions to accept the May 3, 2023, meeting minutes. Grohol seconds the motion. All in
121 favor, 4-0. The motion carries.

122 123 **TOWN PLANNER UPDATE**

124 Planner: The 150 Center Street Feasibility Study is going well, there was a community meeting last week,
125 the Master Plan is going to be on the August 28th Board of Selectmen meeting agenda with the Planning
126 Board for the consultants to do a presentation. Sewell Street is still going through the building review.

127 128 **OTHER ITEMS NOT REASONABLY ANTICIPATED AT THE TIME OF POSTING**

129 Goodwin: The only thing I have is that I know some of our members are out of date on our ethics training
130 so please do that if you have not.

131 132 **ADJOURNMENT**

133 **MOTION**: Goodwin motions to adjourn the meeting at 8:06 PM. Naves seconds the motion. All in favor,
134 4-0. The motion carries.

135
136 Respectfully submitted,

137 Annie Schindler, Town Planner & Conservation Agent

138
139 *Meeting Materials: August 2 2023 Agenda, 1 Manor Drive Special Permit Modification Application*
140 *Package, Zoning Bylaws for the Town of Groveland January 1962, Department comments for 1 Manor*
141 *Drive, 6 Union Street Variance Application Package, Department comments for 6 Union Street, Letters of*
142 *Support for 6 Union Street, Correspondence regarding 154 Center St, Draft May 3 2023 Minutes, Sign-in*
143 *Sheet*