



**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 20, 2023  
Time of Meeting: 7:30 PM  
Location: Town Hall, 183 Main Street  
Groveland, MA 01834

**APPROVED 11-28-2023**

MOTION: Ligols made a motion to approve the June 20, 2023 meeting minutes. Goodwin seconds the motion. The vote was 3-0, unanimous in favor.

RECEIVED/POSTED  
TOWN CLERK

2023 DEC -4 AM 10:59

TOWN OF GROVELAND

**Present:** Jason Naves, Walter Sorenson, Brad Ligols, Chris Goodwin, DJ McNulty, John Stokes III (via Zoom)

**Absent:**

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

**Public Present:** Brian Connell, Bob Williams, Lee Yang, Mike Dempsey, Chris Darke, Kevin Cunniff

*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.*

**MOTION:** Sorenson motions to open the June 20, 2023, meeting. McNulty seconds the motion. Roll call; McNulty, aye. Goodwin, aye. Ligols, aye. Sorenson, aye. Stokes III, aye. The motion passes unanimously.

**301 Main Street Continued – Site Plan Review and Special Permit for Parking Waiver**

**MOTION:** Sorenson motions to open the meeting. McNulty seconds. Roll call; McNulty, aye. Goodwin, aye. Ligols, aye. Sorenson, aye. Stokes III, aye. The motion passes.

**Mead:** The Board closed public hearing at the last meeting and Annie and I took the time to draft up a more finalized decision based on what the Board discussed. We should start with page 4 and go onto page 5. Mead reads through the criteria on page 4 of the draft decision and conditions on page 5. I think we got all the conditions the Board discussed and what the applicant was willing to do.

**Connell:** Tries to comment, public comment was closed at the last meeting.

**Ligols:** I'd like to open it up to Board discussion.

**McNulty:** Are four parking spaces enough?

**Goodwin:** Yes, him, an office worker, a sales rep and then and customers.

**Sorenson:** I see all the conditions in here, was the Post Office aware of this?

**Mead:** The four cars were for this proposed use, not for the Post Office.

**McNulty:** I just asked because it was to reduce it to 10 spots, including the Post Office. If we're allowing 10 spots, two are for handicapped and a Post Office employee, there is some wiggle room.

Dempsey: Tries to comment, public comment was closed at the last meeting.

**MOTION**: Sorenson motions to approve the decision. Goodwin seconds. McNulty, aye. Goodwin, aye. Ligols, aye. Sorenson, aye. Stokes III, aye. The motion passes unanimously.

Mead: Annie and I will finalize the decision and the Chair will sign it.

#### **Oakland Ter and Benjamin St Bond Reduction (SHOULD READ LOT RELEASE)**

Planner: TEC recommended not reducing the Oakland Terrace bond at the moment as there is more work to be completed. The Dehullu's have since done a lot of the work noted in the bond reduction. For Benjamin St, they recommend reducing it by \$35,080.

Ligols: Since we have the chair of the Conservation Commission here, Mike, how are they doing?

Dempsey: I did visit Oakland and Benjamin last week with Annie and the Dehullu's they do still have some work near the watermain, as far as Benjamin we have an agreement with them to continue the work on the knotweed removal in the sedimentation pond, and we directed them were to place markers for the 75-foot buffer zoning.

Ligols: Did they get rid of the knotweed?

Dempsey: They're working on it.

Board: Want to continue Benjamin St out, would like a site visit. Next meeting will be July 18<sup>th</sup>.

**MOTION**: Sorenson motions to push it off to July 18<sup>th</sup>. Ligols seconded. McNulty, aye. Goodwin, aye. Ligols, aye. Sorenson, aye. Stokes III, aye. The motion passes unanimously.

#### **Katie Lane Lot 1 & Lot 6 Bond Reduction Request SHOULD READ LOT RELEASE)**

**MOTION**: Sorenson motions to release. Ligols seconds. McNulty, aye. Goodwin, aye. Ligols, aye. Sorenson, aye. Stokes III, aye. The motion passes unanimously.

#### **48 King Street/Homestead Lane Decision Clarification**

Planner: 48 King Street is for sale and the current owner is concerned about a future buyer looking at the decision for Homestead Lane, specifically condition #3 and #17 which state that all lots need to be single family dwellings. If you look at the procedural history, it notes that lot 1 is an existing two-family home.

Sorenson: The decision was based only on the new road and the new homes; it doesn't affect this home.

Ligols: Would it have been a part of the bylaw at the time?

Sorenson: Yes, and it is in conformance anyway. The decision was on the new road, the new homeS.

Darke: I understand that was the opinion of the Planning Board, the lawyer has told me that because the decision states in two places that lots 1 – 6 must be single family only, and mine is lot 1.

Sorenson: It is conforming so it is free and clear as it stands. What does the attorney need to clarify this?

Darke: You have a draft here of a letter to sign.

Ligols: Is it sold? Is this a title examiner?

Darke: I have an offer and the lawyer has told me that because the decision doesn't explicitly say that Lot 1 is excluded, they believe it will be an issue when it goes to sell.

Sorenson: Who's the attorney?

Darke: Smolak & Vaughn.

Sorenson: I can talk to them and explain it.

Darke: You have a letter of clarification; the attorney gave that to me. The first paragraph is for the registry so everything can be cross-referenced.

Sorenson: I'm not going to sign this, it's way too long. We just need to tell the lawyer it is pre-existing non-conforming.

Darke: I understand but you are not a lawyer.

Sorenson: Do you want me to write it? I can endorse that.

Ligols: Help us understand what you did.

Sorenson: It was two lots, lot 1 was the existing. This clarification is unnecessary. I can write it with the attorney. There's a form FOR this from the old subdivision binder.

Darke: The first paragraph needs to stay for the registry. I understand that your intent was to keep it a two family, but that's not what the decision states.

Sorenson: It took you seven years to record the decision and you almost missed the deadline had the Board not extended it, we still are going to protect your lot. What's the question? Do you want something to protect this or not?

Goodwin: The Board is saying we'll agree to draft something saying that you're protected. Is that sufficient?

Darke: I was asked a question; I'm just doing as my attorney instructed.

Sorenson: I don't disagree.

Darke: So, we are all in agreement.

Sorenson: We need a motion to endorse a letter of clarification for Lot 1 Book and Page 28032/275 that isolates 48 King Street from the Homestead subdivision as it was intended as it was approved.

Ligols: I want to take another look at this finding of fact.

Planner: Can I suggest for the motion that we allow for just the chair to sign off on it, so I don't have to have you all come into the office?

Ligols: I want to ask the Board what is wrong with this letter? It's three paragraphs. It spells out the error that's going to go to the registry.

Sorenson: But it's not an error, that's the thing.

Stokes: If we're all happy with it, what's the issue?

Ligols: How quickly can your lawyer get something to us?

Planner: The draft you have in front of you is 99% what his lawyers draft, I just changed the format to be more consistent with what we've been issuing, added lot and map numbers.

Sorenson: When we submit something from an attorney, we don't get involved, it comes in a letter form, we approve it, change it if we have to, and sign it. We didn't write this and it's on our letterhead. When did this come in?

Planner: I received this draft today, but the original call was about a week and a half ago.

Sorenson: Why weren't we called?

Planner: I called the Chair. When this first came in, I agreed that I didn't think it was necessary for a clarification because the procedural history clearly states that lot 1 is an existing 2-family home and it meets the current zoning for a two-family home and the lot has nothing to do with the subdivision. But I understand as the person selling the home you want to be secure in the fact that you're not going to have issues, so that's why this was drafted.

Goodwin: The attorney also recommended this.

Sorenson: But it has to come from the attorney.

Goodwin: This did come from the attorney, but the Planner put it on our letterhead.

Sorenson: I don't see the attorney's letterhead on this.

Darke: It's just a template you can do whatever you want with it.

Stokes III: I don't understand the issue.

Sorenson: It needs to be on the attorney's letterhead.

Planner: If the Board is making the decision, why would it be on an attorney's letterhead? I added the finding of fact so someone would understand in decades to come.

Goodwin: I agree, I don't understand why it wouldn't be on our letterhead. And the finding of fact makes sense.

Naves: I understand where Darke and the attorney are coming from, there are discrepancies. I would recommend making a motion to sign this.

Stokes III: I agree with the Planner that it makes sense to add the history and I have no issue with how it's written up.

McNulty: I have no issue either, maybe just add the reference to the procedural history from the decision.

Ligols: I agree. Wally, are you on board?

Sorenson: No, not right now. I want to take another look at it. We need to tune up these findings of fact and that it was never part of this subdivision.

**MOTION**: Goodwin motions to endorse the motion dated June 20, 2023, with slight modifications by the vice chair within 24 hours with the authorization of the chair to sign off on any changes. McNulty seconds. McNulty, aye. Goodwin, aye. Ligols, aye. Sorenson, aye. Stokes III, aye. The motion passes unanimously.

Sorenson: I'll get this back to you in 24 hours.

#### **Updates & Discussion/ Town Planner Update**

Planner: I'll be sending out an email regarding the Feasibility Study for 150 Center St/Strawberry Fields with a survey. The next meeting for that will be July 27<sup>th</sup>. The Comprehensive Plan Committee are still working through their notes. 931 Salem St has begun designing their tanks, I asked them to send them over ASAP so we can send them to TEC.

Ligols: What were his milestones?

Planner: He has been designing his tanks.

Board: *Discusses what the milestones should be. Request an update from the Building Commissioner.*

Planner: We will be seeing an application for 912 Salem Street for a site plan review, aquifer protection overlay, and land disturbance permit.

Ligols: We need to discuss requiring a traffic study because I think this project will require one.

**MOTION**: Sorenson makes a motion to make a new board policy to ask for a traffic study as it is in the subdivision control law for all special permits. Ligols seconds the motion. A vote was not taken.

Planner: I caution the board further discussing this when it was not an agenda item.

Sorenson: This was always part of every special permit, and it dropped out at some point, like with the circles, we're just bringing it back as a procedural guide.

Goodwin: Let's make this an agenda item for next.

#### **OTHER ITEMS NOT REASONABLE ANTICIPATED AT TIME OF POSTING**

*None.*

#### **ADJOURNMENT**

**MOTION**: McNulty motions to adjourn the meeting at 8:44 PM. Goodwin seconds the motion. McNulty, aye. Goodwin, aye. Ligols, aye. Sorenson, aye. Stokes III, aye. The motion passes unanimously.