



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, August 22, 2023
Time of Meeting: 7:00 PM
Location: Town Hall, 183 Main Street
Groveland, MA 01834

APPROVED 12-19-2023

Present: Brad Ligols, Chris Goodwin, DJ McNulty, John Stokes III

Absent: Walter F. Sorenson Jr., Jason Naves

Staff Present: Annie Schindler (Town Planner & Conservation Agent)

Public Present: Steve Daniels, Rob Baldini, Dena Dehullu, Bill Holt, John Riley, Brian Geaudreau, Brian Santos, Lauren Gill

MOTION: Ligols motions to open the Planning Board meeting of August 22 at 7:05. Goodwin seconds the motion. Voted unanimously in favor, the motion passes.

MOTION: Ligols motions to move 895 Salem St to the top of the agenda. Goodwin seconds the motion. Voted unanimously in favor, the motion passes.

895 SALEM STREET: Minor Modification Request – Change in Parking Layout

Daniels: Rob had two parking islands proposed in front of his building and he is looking to remove those and place parking spots there instead. Our engineer has presented plans showing this can work. We are also asking to remove the 4 maple trees as we don't want them to eventually ruin the pavement and it will help with visibility.

Ligols: I went down to the site and since we're always talking about line of sight, I agree that there could be difficult to see. I have a couple of tight sites, so I understand.

McNulty: Has this been run by the Fire Department?

Baldini: Our engineer ran something showing that a fire truck can still fit around the site.

Ligols: This is just a basic insubstantial modification.

McNulty: I mention it because their engineers point it out and so does TEC saying that you should provide an update plan showing the turning radius.

Planner: So the Board understands, the shade trees are a requirement in our bylaw stating that for every 8 parking spaces a shade tree must be provided. I want the Board to understand that by eliminating this it is granting a waiver to this requirement.

Goodwin: Would they be able to just place the trees somewhere else?

Planner: That would be a determination of the Board and your interpretation of the bylaw.

McNulty: I don't want to create a president of being able to waive these shade trees.

MOTION: Goodwin motions to approve the minor modification for 895 Salem Street with the contingency that the new site plan is added to the file and the trees are replanted to maintain with the approved plan, Ligols friendly amendment that the fire chief must sign off. McNulty seconds the motion. Voted unanimously in favor, the motion passes.

4 FEDERAL WAY: The Planning Board shall hold a public hearing on the application made by MTC Mechanical Co. Inc, for the premises located at 4 Federal Way, Map 49 Lot 009-G, located in the Industrial (I) Zone for a special permit for a diesel generator in the Aquifer Protection District Zone II (Section 50-6.2(G)(e)) of the Groveland Zoning Bylaw.

McNulty recuses himself and joins the audience.

Ligols: Reads the above notice.

Gaudreau: Hello I am here with Hancock Engineering representing MTC Mechanical who are the electrical contractor for Comcast. We are here specifically for diesel generators in the aquifer zone II. Comcast has determined that they are switching to diesel generators across all facilities to allow them to control refilling. As you remember a few years ago gas was shut off due to the explosion in North Andover and Comcast doesn't want to be left in that position again. The building is located in the center of the lot. There is an existing generator, we were going to replace the generator in place, but per the Zoning Enforcement officer the generators need to be outside of the setbacks. We also looked at stormwater, there's a catch basin in front of the building, we are proposing to take any of the roof run off and any impervious area from the generator area and have it go to an infiltration trench. This is further explained in the memo. We are going to have to go through Conservation with an RDA for this work. There is also a spill prevention and control plan that Comcast issues for all of its facilities which is federally required. The Fire Department commented that there is also a permit with them for the container.

Ligols: What is the containment?

Gaudreau: It is a double walled tank with a containment system with an alarm. There is no containment beyond that. There are concrete pads underneath the generators.

Ligols: Will there be a 10 mm poly underneath?

Gaudreau: We haven't specked for that, but we can.

Goodwin: Was propane considered?

Gaudreau: It was considered but they went for diesel.

Ligols: Because we don't have enough members to vote for a special permit, we will have to continue this.

Goodwin: Wondering about response time and those listed are outside of Town, our Fire Department would be the first to get there.

MOTION: Goodwin motions to continue for 4 Federal Way to the Sept 5th meeting. Stokes III seconds the motion. Voted unanimously in favor, the motion passes.

McNulty rejoins the Board.

OAKLAND TERRACE: Update & Request for a Bond Reduction

Planner: One of the issues that the subdivision has seen is stormwater in front of 2 Oakland Terrace and the basins not functioning properly. There was an issue with it not retaining water and then retaining water too well. We have residents from Oakland Terrace here as well.

Brian Santos, 2 Oakland Terrace: Some of the things we've encountered. When we started getting rain the ponds weren't draining in 72 hours, and then they came to fix it the water was coming out at a much faster rate. Also, when everyone came to look at the site the pipe was lifted, and 10,000 gallons of water shot out the back and eroded my whole back yard. Ever since then the drainage has been eroding the backyard. They came in to fix the pond two weeks ago so now it's a much smaller amount of water coming through. In the major storm we had it was working properly. My ask is to make sure that the

detention pond is working as we are going to be responsible for it. I want to go through four seasons to validate that it works. The second is for the back of my yard to stop eroding. And all the machinery that has come as the road has marked up the road, my ask is for the Town to look at the road so that it is in perfect condition when we get it turned over to us.

Ligols: Who did the work in your backyard. Was it stabilized?

Santos: The pool company did, I was going to put a raised garden there, but it doesn't really impact elevation. I didn't get a chance to stabilize it.

Dena Dehullu, Dehullu Homes: The excavator pulled it out because the complaint was that the water wasn't going out in the pond to show the way it works. They had never seen it work because last summer was so dry. It shouldn't have been lifted for as long as it was. We have since made a couple of changes to help rectify the issue with the pond.

Ligols: So is everything done or is there more to it?

Dehullu: In the most recent TEC report there were some monies being held for loam and seed and for the reconstruction of the basin and erosion control.

Board: Discussion on stormwater design standards and the heavy rain we've been receiving.

Lauren Gill, 3 Oakland Terrace: It's coming from 2 Oakland Terrace and coming into our yard and the water is settling in an area where we had just cleared making it not usable.

Stokes III: Where is the water supposed to go?

Santos: It is supposed to go from the detention basins and then to the flared end then around the back to 3 Oakland Terrace.

Bill Holt, project designer: We've changed what we believe to be the issues to make sure that the water is draining properly. The flared end was always supposed to drain towards 3 Oakland Terrace and the wetlands behind there.

Gill: It's not getting to the wetlands.

Santos: We want to bring a pipe from the flared end all the way to the wetlands.

Holt: Discussion of water level. The original lot drained in this direction, and we mimicked that in the design. The grading in the area 3 Oakland Terrace where water is pooling didn't change.

Gill: We're just concerned that we will own the drainage once this gets turned over so that everything is working properly.

McNulty: We aren't signing off on anything tonight.

Gill: Is the direction the water is currently going in the way it is going to stay?

Goodwin: That's what I'm concerned about, I don't want to sign off on something that isn't working.

Planner: TEC recommended keeping bond monies for the drainage.

Holt: We did plan for the water to go in that direction. Not at the volume when the pipe was pulled, but that's where it was supposed to go and get to the wetlands.

Gill: I don't remember signing anything saying that said the water would be going in that direction.

Holt: It's only worked properly once so far.

Discussion regarding trees that were taken down during construction and what was there when the homes were purchased and what work the homeowners have done since.

MOTION: McNulty motions to accept the bond reduction for the recommended amount of \$53,920 with the remainder of \$15,180 for basin reconstruction. Goodwin seconds the motion. Voted unanimously in favor, the motion passes.

Santos: We just want the road to be brought up to 100% standards. There has been construction equipment that has done damage to the roadway etc. that has caused damage to the pavement and gravel.

McNulty: Are you planning on putting another coat of pavement down?

Dehullu: No, it already has a topcoat. People have been in their homes for two years already with other trucks.

Ligols: It's difficult to argue. You've had a pool installed; tree work done; delivery drivers. How can you prove that it was them? This may be a civil matter with the HOA.

Goodwin: I don't disagree with the neighbors, but you would have to prove that it was the contractors and not your own use. But that is something that an attorney may have to look at.

McNulty: I disagree with the way you are interpreting the maintenance agreement. The agreement just says you are responsible for 100% of the street, not that it needs to be brought up to 100% condition.

Santos: But we don't own the road yet.

Stokes III: I don't know if it's an issue for us to address.

Gill: When I was asking about where the water was settling, but is there anything that should be looked at there? If you were to come look at our yard, you would think it's crazy. What are your thoughts there.

Stokes III: It needs to be monitors, if it's now working properly, it shouldn't be an issue any longer.

BENJAMIN STREET EXTENSION: Update & Request for Bond Reduction

Ligols: TEC shows that the stop sign, erosion control, electrical connection, drainage chamber, etc.

Dehullu: Is a stop sign really necessary? It's only two houses, it's more like a driveway.

Ligols: Is it on the plan?

Dehullu: Yes.

Ligols: Then it has to be there.

Planner: There's a discrepancy in the TEC reports. In their second bond reduction they note a beginning balance for a reduction that did not take place, so the total being held is still \$111,000, and the reduction should be down to \$14,000.

MOTION: McNulty to reduce 38 Benjamin Extension by \$111,000 even retaining \$14,000 bond for 38 Benjamin St Extension. Goodwin seconds the motion. All in favor.

MOTION: McNulty motions to sign the Oakland Terrace and 38 Benjamin St Extension bond reduction at the end of the meeting. Ligols seconds. Voted unanimously in favor, the motion passes.

350 CENTER STREET: ANR/Form A Application

Holt: It is 19.6 acres total area with 300.9 feet of frontage as it. Mr. Subatch is looking to split the lot in two, one with 150.7 feet of frontage and the other lot will be 4.4 acres and have 150.2 feet of frontage. It meets the bylaws because you can fit a fully conforming lot within the lot that is created, because otherwise the lots wouldn't meet the new ratio. I commend the board on this new bylaw, it makes a lot of sense.

Richard Subatch, 350 Center St: I'm looking to build a new home on the created lot so my daughter can move into 350 Center Street.

MOTION: Ligols motions to approve the ANR for 350 Center Steet. McNulty seconds the motion. Voted unanimously in favor, the motion passes.

COMMUNITY PRESERVATION COMMISSION: Appointment of Board Member

MOTION: Ligols motions to nominate DJ McNulty to the Community Preservation Committee.

Goodwin seconds the motion. Voted unanimously in favor, the motion passes.

TOWN PLANNER UPDATE

Planner: I received an application for a site plan review at 912 Salem Street for a contractor yard, I reached out to TEC to get a scope of work for them for peer review. They will most likely be filing for a

stormwater management permit as well. The joint Board of Selectmen and Planning Board meeting is this coming Monday to discuss the Comprehensive Master Plan. The consultants are still working on the feasibility study for 150 Center St/Strawberry fields. They will be at Groveland Day for some final community engagement.

ADJOURNMENT

MOTION: Ligols motions to adjourn at 8:45 PM. McNulty seconds. Voted unanimously in favor, the motion passes.