

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 1-3-2024

Board/Committee Name: ZONING BOARD OF APPEALS 2
Date: WEDNESDAY, September 20, 2023 3
Time of Meeting: 7:30 PM
Location: 183 MAIN STREET GROVELAND, MA 01834

Present: John Grohol, John Stokes II, Chris Goodwin, Jason Naves

Absent: Brad Ligols

Staff Present: Rebecca Oldham, Town Administrator

Public Present: Monica Carbone (Pub 97), Peter Carbone (Pub 97)

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

Goodwin: Call to order the meeting of the Groveland Zoning Board of Appeals at 7:30 PM on September 20, 2023.

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

PUBLIC HEARING

NEW: Application #2024-3, 934 Salem Street. Applicant: Carbone Pub 97 LLC: A public hearing in accordance with Mass General Laws, Chapter 40A, as amended, for Application #2024-3 made by Carbone Pub 97 LLC, for the premises located at 935 Salem St Map 161 Lot 053, in the Industrial (I) zoning districts, for a Special Permit in accordance with Section 50.4.5 (Table of Uses) of the Groveland Zoning Bylaw to operate a restaurant.

Goodwin: Reads the above notice.

Peter Carbone, Pub 97: I'm Peter Carbone, I'm here with my wife Monica Carbone and we are co-owners of this endeavor.

Monica Carbone: We're taking a look at the draft that the Planner submitted.

Goodwin: Before we get into the conditions, can you please explain your application and what you're looking to do?

P Carbone: We are going to be the new operators of Pub 97; we aren't buying the land. There will be no structural changes to the building and we are planning to operate the business more or less as it has been operating under the current owners and we have no proposed changes at this time.

Godwin: Thank you for getting that on the record. Now we can address some of the comments you have on the draft permit the Planner put together.

P Carbone: One condition that we want to change is hours of operation as we do have deliveries before 11 AM, and we may want to expand to brunch so we would have to be open earlier than 11 AM for that as well.

Goodwin: What time would you like to open?

P Carbone: 8 AM.

Goodwin: Any other points you want to go over?

P Carbone: There was condition #6 which notes that the building cannot be above a certain size, but the Planner recommends changing that to note that it cannot be expanded without the proper permits. My assumption would be that we would have to come back to Zoning. Other than that, everything else is pretty straight forward.

45 Goodwin: Yes, the Planner notes that the original Special Permit says that there is to be no live music but
46 that there currently is now, how does the Board feel about eliminating this condition?

47 Grohol: I'm surprised it was a condition to begin with give the neighborhood.

48 Stokes II: Do we want to eliminate the no live music?

49 Goodwin: I agree, there has been no public comment regarding it. Any other comments?

50 P Carbone: For condition #25 the Planner had suggested a new way to handle complaints, to change the
51 wording to add that the complaints will be subject to due process, rather than just the permit being
52 revoked.

53 Board: Agreed, that should be added.

54 Naves: What is the zone for that area?

55 Grohol: Industrial.

56 Naves: The hours in the zone at 7AM, so I think that would be a good start time as well. For condition #9
57 which discusses hazardous materials on site, I would like to add besides "other than normal cleaning
58 material" because that is going to be there. And then the condition noting no fertilizer, but I imagine
59 normal quantities of household amount will be required for landscaping.

60 Grohol: Should we discuss the extraneous conditions that are met in other parts of the permitting process
61 and whether or not we should remove them? Specifically condition #19 and the one noting that no
62 machinery besides that related to kitchen use can be on site.

63 Goodwin: Yes, as the lot meets the dimensional requirements anyways.

64 Stokes II: Should we eliminate #6 altogether, since all it states is that they will have to go through more
65 permitting to expand which must be done regardless of a condition?

66 Goodwin: We're eliminating #6, #19 and #21. We're amending #4, #17 and #25,

67 Naves: For #4 which refers to parking, it refers to patrons and employees, but it should also include the
68 residents that live there.

69 **MOTION**: Grohol motions to approve the Special Permit as edited. Naves seconds the motion. Voted all
70 in favor, the motion passes.

71 **MOTION**: Naves motions to close the public hearing for Application #2024-3 for 934 Salem Street.
72 Stokes II seconds the motion. Voted all in favor, the motion passes.

73

74 **CORRESPONDENCE** – Letter from the Building Commissioner regarding 154 Center St enforcement.

75 Goodwin: This is regarding 154 Center St with Jesse Jalbert, the owner of the junk removal company. We
76 did continue the discussion to the October 4th meeting, but we wanted to state on record that this letter
77 was sent out to Jesse by Sam noting some of the nonconformities that were present at Sam's original
78 letter. *Goodwin reads into record the letter, see attached.* So that letter was received by the applicant.
79 Additionally, we received an email from Bill Daley from the Quarry project, they have their building
80 permit application with the Building Inspector and we are hoping for construction in the spring. With
81 regards to the flooding, Bill says that the site can handle the rain it is receiving, they are getting rainfall
82 from Salem Street as well that is missing the catch basins on Salem Street. The site can't handle both the
83 rain it already receives and the Salem Street rain.

84

85 **MINUTES**: Acceptance of June 21, 2023, meeting minutes.

86 **MOTION**: Goodwin motions to accept the June 21, 2023, meeting minutes. Naves seconds the motion. All in
87 favor, 4-0. The motion carries.

88

89 **TOWN PLANNER UPDATE**

90 Goodwin: The Planner left us the following note: "As a reminder our next meeting is scheduled for
91 October 4th. Additionally, next Thursday Sept 28th @ 6 PM, the first public engagement session for our
92 Housing Production Plan will take place. More information on that can be found on the "Grants &
93 Projects" portion of the website."

94

95 **OTHER ITEMS NOT REASONABLY ANTICIPATED AT THE TIME OF POSTING**

96 Goodwin: Just a note, please make sure when the Board receives emails we aren't "replying all" so as to
97 not break any open meeting laws.

98
99 **ADJOURNMENT**

100 **MOTION:** Goodwin motions to adjourn the meeting at 7:52 PM. Stokes II seconds the motion. All in
101 favor, 4-0. The motion carries.

102
103 Respectfully submitted,
104 Annie Schindler, Town Planner & Conservation Agent