



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

APPROVED 3-19-2024

BOARD: Planning Board
MEETING DATE: November 28, 2023
MEETING PLACE: Town Hall and Zoom
TIME: 7:00 PM
COMMISSIONERS PRESENT: B. Ligols, C. Goodwin, J. Naves
COMMISSIONERS ABSENT: D. McNulty, W.F. Sorenson Jr., J. Stokes III
GUESTS: Jay Ogden (27, 21, 37 Wood St), Craig & Kathy Weaver (25 Cannon Hill Ave), Aniela Ricci (20 Cannon Hill Ave)

Note: Minutes are not a transcript; see the recorded meeting for verbatim information.

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.

PUBLIC HEARING

Continued 912 SALEM STREET: In accordance with General Laws, Chapter 40A, as amended, Groveland Zoning Bylaw Section 13, and Groveland Stormwater Bylaw and Regulations, the Board will hear the application made by Mark A Abare, for the premises located at 912 Salem St Map 41 Lot 095, in the Industrial (I), Residential 1 (R1), and Residential 2 (R2) Zoning Districts, and owned by William T Bryan III, for a Site Plan Approval and Stormwater Management and Land Disturbance Permit. The application is for the construction of a contractor's yard and associated site work for the project.

Planner: The applicants are still working on revisions to the plan after meeting with the Conservation Commission.

MOTION: Goodwin motions to continue to December 19th in the back meeting room. Naves seconds the motion. Voted all in favor, the motion passes unanimously.

895 SALEM STREET: Acceptance of as built, reduction of bond, close out of escrow once all outstanding invoices have been paid.

Ligols: I went out to the site and the comments that TEC still had, and I think everything is addressed.

MOTION: Goodwin motions to accept the as built, reduce the bond, and close out the escrow account once all outstanding invoices have been paid. Naves seconds the motion. Voted all in favor, the motion passes unanimously.

27, 31, 37 WOOD STREET: ANR/Lot Line Change

Ogden: I'm looking to remove a portion of Lot 041-P that is behind 31 Wood Street to combine it, and then replace the area of land with other space at the back. It doesn't make any changes to frontage, it

doesn't really change anything except showing compliance with your new lot requirements, which are the hashed parts on the plan.

Ligols: What is the advantage of this?

Ogden: The abutter at 31 Wood St, their house was about 20 feet off the rear property line, and this would give them more privacy.

MOTION: Goodwin motions to accept the lot line adjustment on 27, 31, 37 Wood St. Naves seconds the motion. Voted all in favor, the motion passes unanimously.

833 SALEM STREET: Bond reduction request.

No quorum as Ligols must recuse himself.

15 NELSON STREET/GROVELAND SELF STORAGE: Bond reduction request.

No quorum as Ligols must recuse himself.

20 BARE HILL ROAD: Close out escrow account.

MOTION: Goodwin motions to close out the escrow account of 20 Bare Hill Road. Naves seconds the motion. Voted all in favor, the motion passes unanimously.

HOMESTEAD LANE: 30-foot no cut zone issue along Cannon Hill Ave.

Ligols: Sorenson was supposed to go out and do a site visit, but we have not heard from him regarding how those site visits went. I think in the best interest of all of those involved, we should wait until Sorenson comes back because I have no additional input. I don't want to waste anyone's time with no feedback. Nothing can happen until the Board has made a decision. One of the parties did give us a petition from 2015 for all of those who were opposed to the subdivision.

Planner: Yes, that is already in the file.

C. Weaver: I live at 25 Cannon Hill Ave. The reason that I dropped that off was because back before there was construction, we had concerns about water runoff, and when Sorenson gets back, he will show you the pictures. It is pronounced, there isn't even a question as to what is happening up there. Now the current homeowner is cutting more and more of the buffer zone. They took about a dozen trees the last time; they got about nine to eleven marked to cut again now. Our fear is that the more they cut, if you compare the pictures to what it looked like before to now, it's been stripped. Now the water issues are becoming more pronounced. We're asking the Board to stop what is going on now and take corrective action that should have been taken a long time ago.

Ligols: They were already told not to cut any more trees unless there are dead trees.

Planner: The homeowners at 6 Homestead Ln had an arborist go out to their home and do an evaluation and it is in the Boards packets. There are dead trees that they want to get removed.

C. Weaver: It wasn't all dead trees that they took down before.

Planner: The way the covenant is written, they must be approved by the Board prior to removal, but it doesn't really give the Board the right to deny them to remove trees that could harm their home.

C. Weaver: That would be every tree up there.

Naves: Only if they are dead, and that is what the arborist has come up with, which is what we requested to see. I know our Building Inspector went out there as well and he said they looked dead to him as well.

C. Weaver: I think his father made the intention that basically he was standing at the top of the hill taunting me and my wife saying "Poison ivy, ticks, it's all going, choppy, choppy" I'm not getting sucked into that I just ignored him. The intention is to clear it, and that is what's going to happen. We are having serious issues now. Serious washouts on the neighboring property, it's getting worse and worse. The undergrowth has been taken out, and now the trees are gone. We've had this concern since 2015 and

basically, we were told too bad. No measures were taken to protect us from water runoff, the buffer zone was originally supposed to be 75 feet and then it went back to 50 and then 30 feet, and now we don't even have the 30 feet. Which was reported to the Board at the time and the answer I got was to hire a surveyor and prove it when a Board member was called out there when it was happening. We just don't feel like there's any consideration given to the welfare of our property or homes or anything else through this whole thing. If you build a house 20 feet higher than the elevation of the house below it, the Board should have come back to us with a plan that protects the home from the runoff.

Ligols: Do we have the engineering reports? It's not like we can take the houses down now.

C. Weaver: I understand but we would like to see that area restored to at least give us some kind of buffer. You can't just keep removing all the vegetation and expect nothing to happen.

Ligols: I think it's the Board's intention to wait until we have the member who went out and took a look, but until we have the documentation we need, such as the site plan, stormwater management, peer reviews, etc. So, until we get our teeth into that, it's an approved plan with a peer review engineer.

C. Weaver: I understand, I just want you to understand where our expectations are. We are going to be made whole, the damage is going to be mitigated, something is going to happen other than "oh well too bad". The damage is ongoing and obvious. I could take a highschooler out there and they would be able to see the damage. It's kind of a no brainer. So, what we are looking for is for this to be mitigated. We were promised trees would be planted up there, but the bond was released, the developer was supposed to plant trees up there, and it was "oh we release the bond, sorry". This is all in the records. Nothing has been done to ensure the welfare of our properties throughout this entire thing. Not one effort has been made, now the damage is visible so that is where we're coming from. I know you guys weren't here and didn't know anything about it.

K. Weaver: I wish years ago we had a Board like this because after what I sat through the last meeting and the gentlemen found, you found everything that could go wrong, you picked up on everything. If we had you on the Board at the time that place would never have been built. I'm telling you right now. I had to get that out after all these years.

Ligols: I think the Board also probably weighed heavily on the peer review engineer.

K. Weaver: I had never realized because I had never gone through the buffer zone, and into their yards before, you can't even walk up the banking to get up into Homestead Lane, and I'm looking at it is going no wonder there's water. It is an unusable yard for them. It's like whoever designed that. And I know you didn't design it. The other Board approved it with no consideration to anyone. So, we have our things about Boards. If you could have seen it back in the day, it was like a mob.

Goodwin: I encourage you all to make the next meeting on the 19th to discuss further.

C. Weaver: One more point. I know that the Board has been told that they were not aware that it was a no cut zone, but they were. When they first moved in, they started cutting everything and I said guys, this is a no cut zone just so you know but they said they had been told they could do so, but they claimed again the last time that they didn't know they could.

Ricci: My name is Aniela Ricci and I live at 20 Cannon Hill Ave. I am here because I just learned of the issue with the Homestead Lane properties. I'm here because I am getting water in my home and also, I was advised by an appraiser that the soil underneath my home is being washed away and I'm concerned because the water from the development, I know we've had a lot of rain, and that it's washing away my foundation and I don't know what to do.

Ligols: So, the insurance company told you that you were having issues with your soil?

Ricci: Yes, I had mold and water coming in from the front of my home and when you step on my cellar floor, one part you can feel is solid and closer to the corner of my house it echoed. They denied my claim and they said that the soil underneath my foundation is washing away. I had a contractor come out and now I'm getting cracks in my ceiling, my house is slanting, and cracks in the basement floor as well, and I

was told that was from water. I know we've had a lot of water lately but now knowing about this situation I'm concerned.

Board: Thank you.

MOTION: Goodwin motions to continue the discussion on Homestead Lane to the next meeting on December 19th in the conference room. Naves seconds the motion. Voted all in favor, the motion passes unanimously.

MINUTES: Approval of the June 20, 2023, meeting minutes.

MOTION: Ligols motions to accept the June 20, 2023, meeting minutes. Goodwin seconds the motion. Voted all in favor, the motion passes unanimously.

TOWN PLANNER UPDATE

Planner: There will be a public engagement session for the Housing Production Plan on December 19th at 6 PM in the main meeting room of Town Hall. It will cover where people want to see housing in town, what type of housing, etc. MVPC is working with us on this project.

929 – 931 SALEM STREET: Review of vault storage plans

Planner: TEC has sent over their first round of comments, which I sent off to the applicants. At the last meeting the Board had asked for an update from the Building Inspector, and he noted that the last thing he received was from the attorney which noted that the tanks would be delivered September 6th and the vault plan will be going to the Planning Board. That was the last update he got from them.

Ligols: When do they plan on putting in the vault?

Planner: It is still going through engineering review.

OTHER ITEMS NOT REASONABLE ANTICIPATED AT TIME OF POSTING

NEXT MEETING December 19th

ADJOURNMENT

MOTION: Goodwin motions to end the meeting. Naves seconds the motion. Voted all in favor, the motion passes unanimously.