



**Town of Groveland**  
**Economic Development**  
**Planning & Conservation Department**  
**Planning Board**  
183 Main Street  
Groveland, MA 01834

*DJ McNulty, Chair*  
*Walter F Sorenson Jr, Vice-Chair*  
*Chris Goodwin*  
*Brad Ligols*  
*Patrick Millina*  
*Jason Naves, Associate Member*

**MEETING NOTICE**  
*(M.G.L Chapter 30A Sections 18-25)*

Board/Committee Name: PLANNING BOARD  
Date: TUESDAY, September 24, 2024  
Time of Meeting: 7:00 PM  
Location: Town Hall 183 Main Street  
Groveland, MA 01834  
Signature: *Annie Schindler*

**AGENDA**

*Join Zoom Meeting*  
Meeting ID: 939 9517 4414  
Passcode: 948618

*For discussion and possible vote:*

**ZONING CHANGES FOR 2025:** Discuss possible zoning changes for Spring Town Meeting 2025.

- Medical Marijuana Production
- Accessory Dwelling Unit, compliance with MGL
- Battery Energy Storage Systems, typo fix and update thresholds with current standards
- Section 3A Zoning (MBTA Zoning)
- Change Selectmen to Select Board, this change was made in the general bylaw last Town Meeting

**301 MAIN STREET:** Update regarding MassDOT approvals for project.

**MINUTES:** Approval of July 16, 2024, and September 10, 2024, meeting minutes.

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

**NEXT MEETING:** October 15, 2024

**ADJOURNMENT**

TOWN OF GROVELAND  
2024 SEP 20 AM 10:55  
RECEIVED/POSTED

Town	Number of Establishments*	Bylaw	Retail Dispensary	Medical Dispensary	Retailer	Cultivator	Establishment
Georgetown	2	<a href="#">Bylaw</a>	X	X	X	X	X
Rowley	3	<a href="#">Bylaw</a>	X	X	X	X	X
West Newbury	0	<a href="#">Bylaw</a>		X	X	X	X
Newbury	0	<a href="#">Bylaw</a>	X	X	X	X	X
Ipswich	1 (CBD + only)	<a href="#">Bylaw</a>		X	X	X	X
Merrimac	0	<a href="#">Bylaw</a>		X	X	X	X

**'Marijuana retailer'**, an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

**'Marijuana cultivator'**, an entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers.

**'Marijuana establishment'**, a marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.

\* can only find information on dispensaries

Town	Jurisdiction	Quota	Contact
Georgetown	Planning Board		Frank O'Connor, Town Planner foconnor@georgetownma.gov
Rowley	Planning Board		Kirk Baker, Town Planner planning@townofrowley.org
West Newbury	Planning Board		Jennifer Geary, Land Admin land.admin@wnewbury.org
Newbury	Select Board	20% of licensed retail package stores	David Fields, Assistant TA asstadmin@townofnewbury.org
Ipswich	Planning Board		Alan Manoian, Director of Planning & Sevelopment alanm@ipswichma.gov
Merrimac	Planning Board	20% of licensed retail package stores	Shayla Wells, Admin Assistant planbd@townofmerrimac.com



**Affordable Homes Act – signed August 6, 2024**  
**Chapter 150, Section 7 and 8 of the Acts of 2024**

**SECTION 7.** Section 1A of chapter 40A of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the definition “Accessory dwelling unit” and inserting in place thereof the following definition:-

“Accessory dwelling unit”, a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable dimensional and parking requirements, that:

- (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress;
- (ii) is not larger in gross floor area than 1/2 the gross floor area of the principal dwelling or 900 square feet, whichever is smaller; and
- (iii) is subject to such additional restrictions as may be imposed by a municipality, including, but not limited to, additional size restrictions and restrictions or prohibitions on short-term rental, as defined in section 1 of chapter 64G; provided, however, that no municipality shall unreasonably restrict the creation or rental of an accessory dwelling unit that is not a short-term rental.

**SECTION 8.** Section 3 of said chapter 40A, as so appearing, is hereby amended by adding the following paragraph:-

No zoning ordinance or by-law shall prohibit, unreasonably restrict or require a special permit or other discretionary zoning approval for the use of land or structures for a single accessory dwelling unit, or the rental thereof, in a single-family residential zoning district; provided, that the use of land or structures for such accessory dwelling unit under this paragraph may be subject to reasonable regulations, including, but not limited to, 310 CMR 15.000 et seq., if applicable, site plan review, regulations concerning dimensional setbacks and the bulk and height of structures and may be subject to restrictions and prohibitions on short-term rental, as defined in section 1 of chapter 64G. The use of land or structures for an accessory dwelling unit under this paragraph shall not require owner occupancy of either the accessory dwelling unit or the principal dwelling; provided, that not more than 1 additional parking space shall be required for an accessory dwelling unit; and provided further, that no additional parking space shall be required for an accessory dwelling located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station. For more than 1 accessory dwelling unit, or rental thereof, in a single-family residential zoning district there shall be a special permit for the use of land or structures for an accessory dwelling unit. The executive office of housing and livable communities may issue guidelines or promulgate regulations to administer this paragraph.

### **What is the Town's deadline for compliance?**

The Town must have the zoning in place by **December 31, 2025**.

### **How will Groveland comply?**

The Town of Groveland will begin working on potential strategies after Town Meeting. The first step will be an MBTA Communities 101 Workshop for the Board of Selectmen and Planning Board.

The next step will be a similar public workshop to gather community input on the options for locations, housing types, and density levels. This workshop will be supported by an online option for input for those who cannot attend in person.

Finally, the Town will develop draft zoning that will be presented to the public for comments and then added to the standard public hearing process for zoning change through Town Meeting.

The community will have multiple opportunities for input and comment.

### **What else will this planning process include?**

Participants in the workshops can discuss several options for housing in Groveland. The definition of multi-family for the MBTA Communities Act is a building of at least three units or more than one building on a lot with more than one unit per building (the minimum would be two duplexes). The Town is also interested in community input on other housing types, such as two-family buildings.

This project will also include a study of the fiscal impact of the zoning on the Town.

### **When will this planning process start?**

We expect that the first workshop for public officials will take place in June and the first public workshop will follow soon after.

### **Is the Town working with a consultant?**

Yes. The Town hired Innes Associates to lead the workshops and draft the zoning. RKG Associates will conduct the fiscal impact study.

Innes Associates also assisted the Town with the Groveland Comprehensive Plan, which was adopted in 2023.

### **Where can I find more detailed information about the MBTA Communities Act and the requirements?**

This is EOHLC's page with all their information:

<https://www.mass.gov/info-details/multi-family-zoning-requirement-for-mbta-communities>



Workshop participants discussing options for locating housing in their community.

## What is the MBTA Communities Act?

The MBTA Communities Act is Massachusetts General Laws, Chapter 40A, Section 3A. This law established a requirement that each of the 177 designated MBTA Communities (MGL c. 161A Section 1) must have zoning that:

- Provides for at least 1 district of reasonable size in which multifamily housing is permitted as of right.
- Cannot have age-restrictions and shall be suitable for families with children.
- Must have a minimum gross density of 15 dwelling units per acre.
- Part of the district must be located within 0.5 miles from a commuter rail, subway, ferry, or bus station, as applicable.

## Why is Groveland an MBTA Community?

Groveland is classified as an Adjacent Small Town because it has (a) less than 100 acres of developable station area and (b) either a density of less than 500 persons per square mile or a year-round population of less than 7,000.

## Why is this Act important?

The MBTA Communities Act addresses four critical components of our state's economy:

- Massachusetts has a housing shortage, and we need to produce more housing.
- The amount of housing that is financially attainable to most households is dwindling.
- The Commonwealth is at a disadvantage to compete for businesses, jobs, and talent.
- Placing housing near transit is good housing, economic, transportation, and climate policy.

## Why is compliance important?

Compliance with the law allows the Town to support housing to meet its own needs for different housing types, different levels of affordability, and support for economic development.

Compliance also allows the Town access to sixteen different grant programs administered by the Commonwealth of Massachusetts and related agencies.

## What else is important to know about the MBTA Communities Act?

The MBTA Communities Act is **not**:

- A mandate to build housing.
- A housing production target.
- Restricted to only addressing affordable housing needs.
- A one-size fits all tool to address all housing needs in a community.
- Viewed as optional by the Commonwealth and Attorney General.

## What are the requirements for Groveland?

The Executive Office of Housing and Livable Communities (EOHLC) defined the following requirements for Groveland:

Community Category	Adjacent Small Town
2020 Housing Units (Census PL-94)	2,596
Minimum Multifamily Unit Capacity	130
Minimum Land Area	0

This means that Groveland will need to create one or more zoning districts that allow for a **minimum of 130 dwelling units at a minimum density of 15 units per acre.**





# Town of Groveland

## Section 3A Zoning 101

### June 24, 2024





# **What is Section 3A?**

## **(the MBTA Communities Act)**



# Overview of Section 3A

## What is MGL c. 40A Section 3A (the MBTA Communities Act)?

This **law** – passed in **2021** – established a requirement that each of the 177 designated MBTA Communities (MGL c. 161A Section 1) must have **zoning** that:

1. Provides for at least 1 district of reasonable size in which multifamily housing is permitted as of right.
2. Cannot have age-restrictions and shall be suitable for families with children.
3. Must have a minimum gross density of 15 dwelling units per acre.
4. Part of the district must be located within 0.5 miles from a commuter rail, subway, ferry, or bus station, as applicable.

## What is the purpose behind the new law?

1. Massachusetts has a **housing shortage**, and we need to produce more housing.
2. The amount of housing that is **financially attainable** to most households is **dwindling**.
3. The Commonwealth is at a **disadvantage to compete** for businesses, jobs, and talent.
4. Placing housing near transit is **good** housing, economic, transportation, and climate **policy**.

# Overview of Section 3A

## What the Section 3A is **NOT**.



**Zoning provides options for a landowner, but does not require them to change the use on their property.**



**No one – private or public – is required to meet the unit capacity number.**



**Any housing developed will be primarily market rate. Affordability is a local option and is limited.**



**Towns have many options to address housing needs – this is only one tool.**

# Overview of Section 3A

## What is the definition of multi-family housing?

“Multi-family housing” is defined as a **building with 3 or more residential dwelling units** or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building.

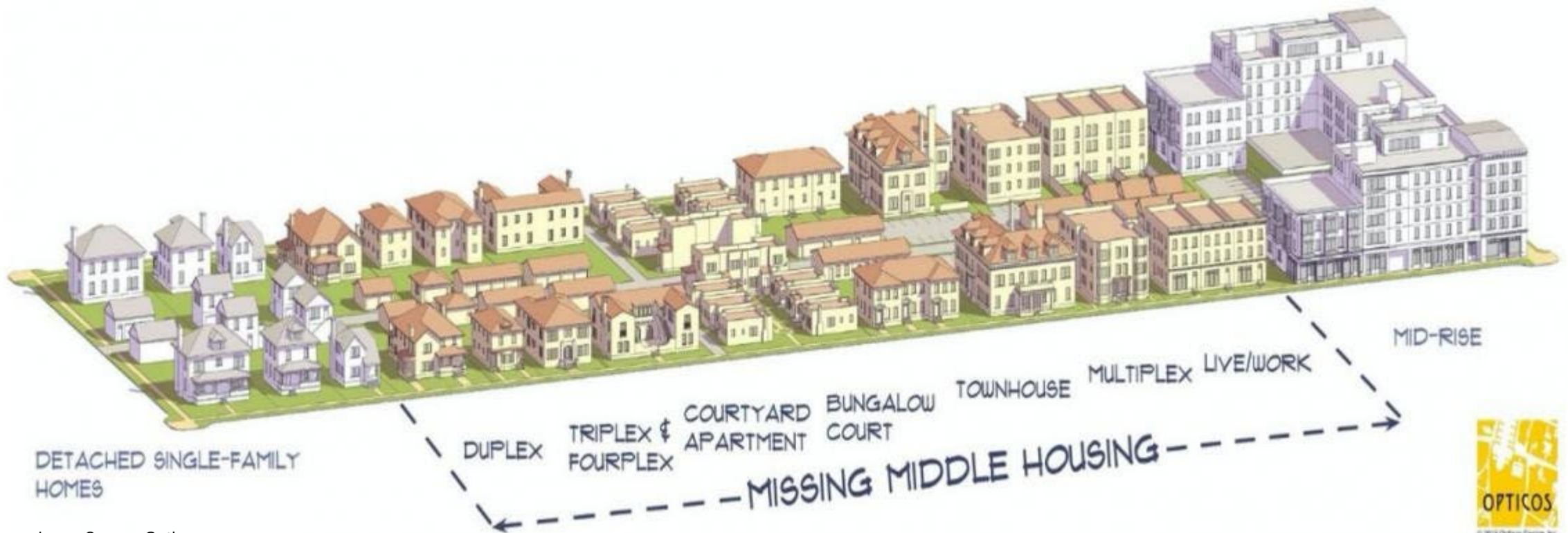


Image Source: Opticos

**How does a community demonstrate compliance?**



# Demonstrating Compliance

Submit an **application** to EOHLC.\*

Provide a map (the **GIS shapefiles**) of your district(s).

Provide a completed **Compliance Model**.

Provide the Town's **zoning bylaws** and indicate the district(s) that comply.

\*Executive Office of Housing and Livable Communities

# Demonstrating Compliance

**Q: Do we have to change our zoning?**

**A: No – some communities have zoning that is compliant. Others only need to make minor changes.**

**The **Compliance Model** can be used to test whether a town already has zoning that is compliant.**

# Demonstrating Compliance

**Q: What is the Compliance Model?**

**A: The Compliance Model is an Excel workbook that draws information from two sources:**

- ▶ **The Town's zoning (the dimensional standards or zoning parameters)**
- ▶ **A state database of parcel information (calculations related to land)**

**The model has a series of formulas that apply the zoning to the geography. The result is a calculation of unit capacity and density.**

**Q:** What factors influence these calculations?

**A:**

▶ For **Land**: Is it:

- ▶ **Developable Land,**
  - ▶ **Excluded Land, or**
  - ▶ **Sensitive Land?**

**Developable and Sensitive Land can be modeled for **unit capacity**; Excluded Land cannot.**

▶ For **Zoning**: Specific dimensional standards:

- ▶ **Minimum lot size,**
- ▶ **Minimum lot area per dwelling units,**
- ▶ **Open space,**
- ▶ **Lot coverage,**
- ▶ **Floor Area Ratio,**
- ▶ **Building height,**
- ▶ **Parking, and**
- ▶ **Dwelling units per acre.**



# Demonstrating Compliance

## Q: What is Excluded Land?

### A: Land areas on which it is not possible or practical to construct multi-family housing:

1. All publicly-owned land, except for lots or portions of lots determined to be developable public land.
2. All rivers, streams, lakes, ponds and other surface waterbodies.
3. All wetland resource areas, together with a buffer zone around wetlands and waterbodies equivalent to the minimum setback required by title 5 of the state environmental code.
4. Protected open space and recreational land that is legally protected in perpetuity (for example, land owned by a local land trust or subject to a conservation restriction), or that is likely to remain undeveloped due to functional or traditional use (for example, cemeteries).
5. All public rights-of-way and private rights-of-way.
6. Privately-owned land on which development is prohibited to protect private or public water supplies, including, but not limited to, Zone I wellhead protection areas and Zone A surface water supply protection areas.
7. Privately-owned land used for educational or institutional uses such as a hospital, prison, electric, water, wastewater or other utility, museum, or private school, college or university.

# Demonstrating Compliance

## Q: What is Sensitive Land?

**A:** **Developable land** that, due to its soils, slope, hydrology, or other physical characteristics, **has significant conservation values that could be impaired, or vulnerabilities that could be exacerbated, by the development of multi-family housing.** It also includes locations where multi-family housing would be at increased risk of damage caused by **flooding**. Sensitive land includes, but is not limited to, wetland buffer zones extending beyond the title 5 setback area; land subject to flooding that is not a wetland resource area; priority habitat for rare or threatened species; DEP-approved wellhead protection areas in which development may be restricted, but is not prohibited (Zone II and interim wellhead protection areas); and land areas with prime agricultural soils that are in active agricultural use.



What does Section 3A  
mean for  
**the Town of Groveland?**

# Groveland's Requirements

Groveland is an **Adjacent Small Town** community (deadline for compliance: **December 31, 2025**).

Three requirements:

- ▶ **Land Area (in acres)**
  - ▶ **Contiguous area (size requirement for towns with more than one district)**
- ▶ **Estimated number of residential dwelling units (unit capacity)**
- ▶ **Residential density**



# Groveland's Requirements

## Summary of Requirements

Metric	Groveland's Requirement
<b>Minimum Land Area</b>	<b>No minimum</b>
Number of Acres within Station Area	Not applicable
Minimum Contiguous District Size	Minimum 50% of the total district size

Metric	Groveland's Requirement
<b>Minimum Unit Capacity</b>	<b>130 units</b>
Number of Units within Station Area	Not applicable

Metric	Requirement for All Towns
<b>Minimum Density Requirement</b>	<b>15 DU/AC (average)</b>

# Groveland's Requirements

## Requirements for Land

Groveland has 6,016 acres of land  
(9.4 square miles)

Groveland has **no acreage minimum.**

However, a unit capacity of 130 units and a  
minimum density of 15 units per acres means **the  
minimum is just under 9 acres.**



# Groveland's Requirements

## Requirements for Residential Units

As of 2020, Groveland had 2,596 residential units.

Groveland is required to **re-zone to allow a calculated unit capacity of 130 multi-family residential units**. This is just over **5%** of the total existing units.

Note, the calculated capacity may be based on land that is already developed. Therefore...

**Unit Capacity ≠ New Units**

Source: Bing Bird's-eye

# Groveland's Requirements

## Requirements for Residential Density

**Density = # units/ #acres**  
**= dwelling units per acre**

All 177 communities are required to have a **minimum average density of 15 dwelling units per acre.**

### EXAMPLE 1: 15 DUPLEX UNITS



### EXAMPLE 2: 3 5-UNIT BUILDINGS



Illustrations not to scale.



# Understanding Density

# Understanding Density

Guess the **Density!**



**214 School Street**

**Land Area: 0.17 acres**

**Existing Units: 1**

**Density: 5.83 du/acre**

Image Source: Google Street Map/ Data Source: ResiDensity + Groveland GIS

# Understanding Density

Guess the **Density!**



**107 Center Street**

**Land Area: 0.24 acres**

**Existing Units: 3**

**Density: 12.25 du/acre**

Image Source: Google Street Map/ Data Source: ResiDensity + Groveland GIS



# Understanding Density

Guess the **Density!**



**23 Elm Park**

**Land Area: 0.26 acres**

**Existing Units: 4**

**Density: 15.12 du/acre**

Image Source: Google Street Map/ Data Source: ResiDensity + Groveland GIS

# Understanding Density

Guess the **Density!**



**256 Main Street**

**Land Area: 0.12 acres**

**Existing Units: 3**

**Density: 24.36 du/acre**

Image Source: Google Street Map/ Data Source: ResiDensity + Groveland GIS



# Understanding Density

Guess the **Density!**



**340 Main Street**

**Land Area: 0.16 acres**

**Existing Units: 5**

**Density: 30.88 du/acre**

Image Source: Google Street Map/ Data Source: ResiDensity + Groveland GIS



# Locating the Unit Capacity

# Locating the Unit Capacity

Where is it **possible**, under the Compliance Guidelines, to add unit capacity?





Excluded Land: not available

Sensitive Land: available, but other considerations

Remaining land: available

## Groveland 3A Map

### LEGEND

-  Hydrography
-  Parcels
-  Excluded Land
-  Sensitive Land



Map Scale  
1:13,000

This map was produced on 6/18/2024 by Innes Associates using data from Mass GIS, Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology and Security Services.



# Locating the Unit Capacity

Where is it **appropriate**, given good planning and Town needs, to add unit capacity?

Adjacencies to services and amenities?

Infill for existing neighborhoods?

New areas for development?

## Groveland Parcel Scoring Map

### LEGEND

 Hydrography

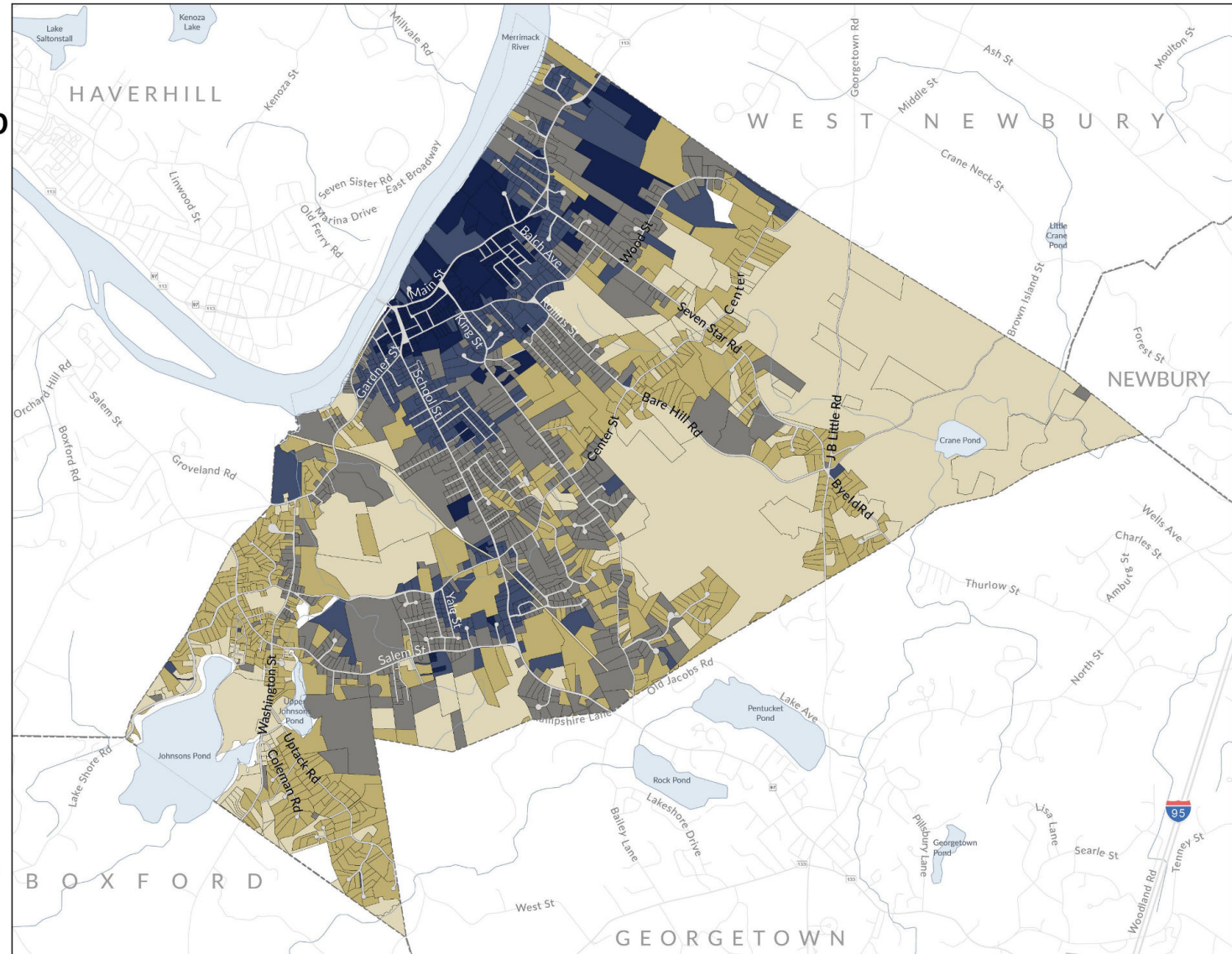
 Parcels

### Parcel Score



Map Scale  
1:13,000

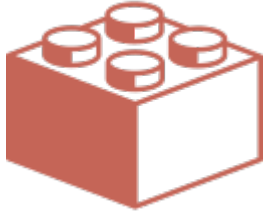
This map was produced on 6/18/2024 by Innes Associates using data from Mass GIS. (Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology and Security Services).





# Locating the Unit Capacity

Use the Legos™!





= 5 units  
(Minimum of 3  
Legos™ on 1 acre)

Distribute 26 of these  
Legos™ throughout the Town  
in the places you fell are  
most appropriate.

You will need a minimum  
site of 5 acres or 75 units (15  
Legos™).

**Avoid the green areas!**

## Groveland 3A Map

- LEGEND
-  Hydrography
  -  Parcels
  -  Excluded Land
  -  Sensitive Land



Map Scale  
1:13,000

This map was produced on 6/18/2024 by Innes Associates using data from Mass GIS, 'Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology and Security Services.'



# Report Back and Discussion

**Appendix: How Does the Compliance  
Model Work?  
(High-level overview)**



# Demonstrating Compliance

**Q: How does the Compliance Model work?**

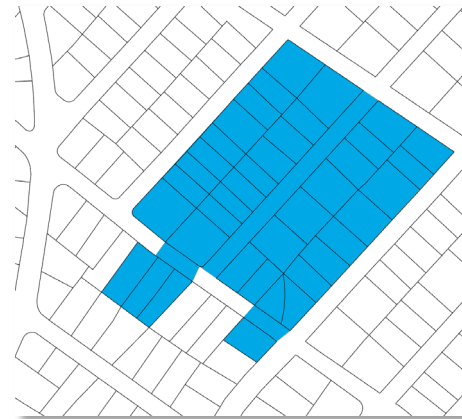
**A:** The Compliance Model produces an estimate of the unit capacity and density that is used to demonstrate compliance with Section 3A and the Compliance Guidelines. It works like by combining **geography** with **zoning**.

# Demonstrating Compliance

Zoning is about **what a property could be**, not what it is now.

The compliance model measures the **potential unit capacity** of an area based on its zoning, not based on what is there now.

If the zoning changes, then a property owner has the **option** to do something different. Exercising that option depends on many other factors.



This zoning district's unit capacity may be different based on the different between what is there now and the existing zoning.

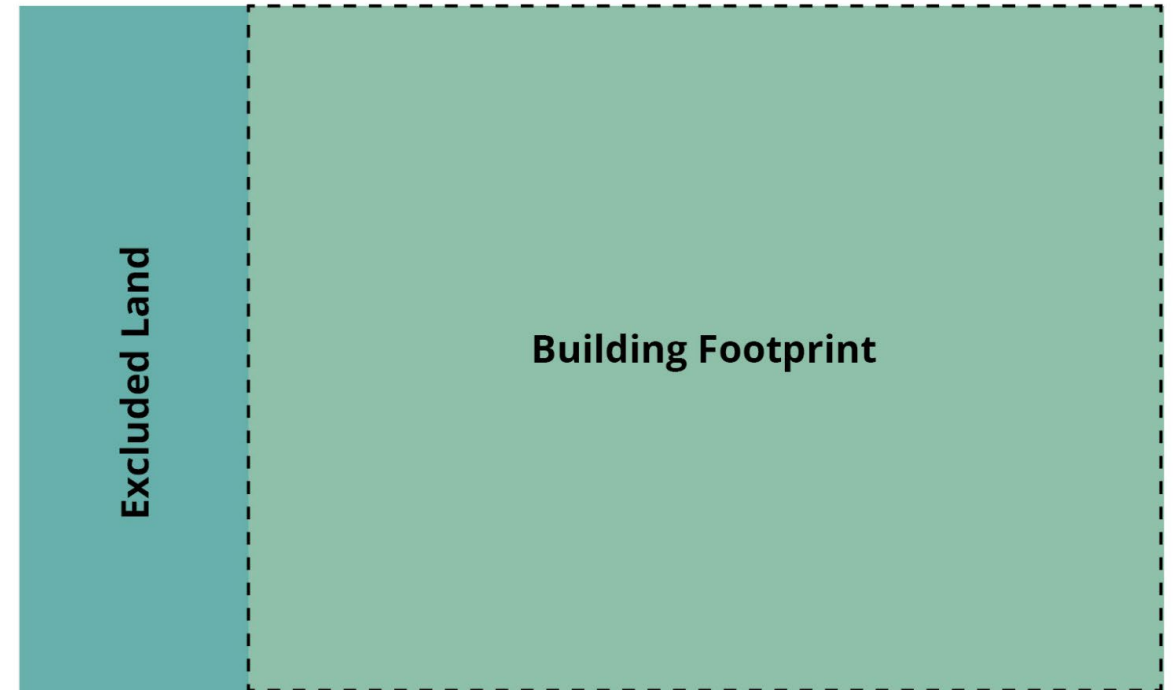
# Demonstrating Compliance

**Step 1:** Zoning treats the parcel like a **blank slate**. Until the Model adds restrictions, the entire parcel is available for building.



## Q: How does the **Compliance Model** work?

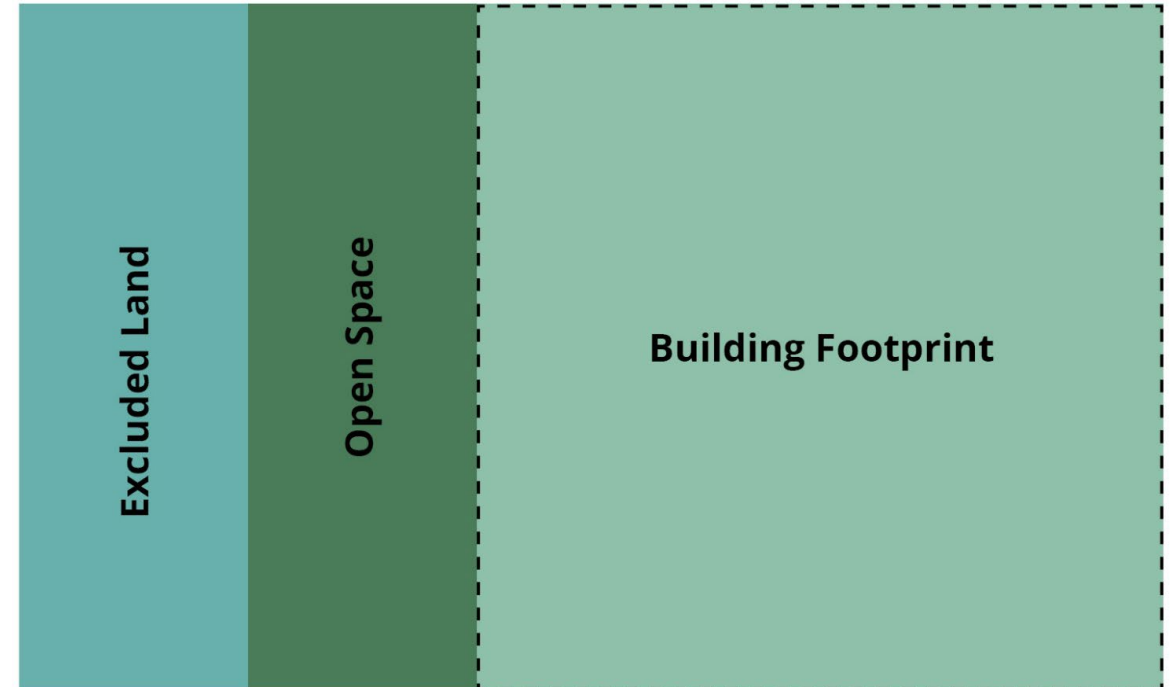
**Step 2:** The Model's restriction is to **remove Excluded Land** from the area available for building. Not all parcels will have Excluded Land.



# Demonstrating Compliance

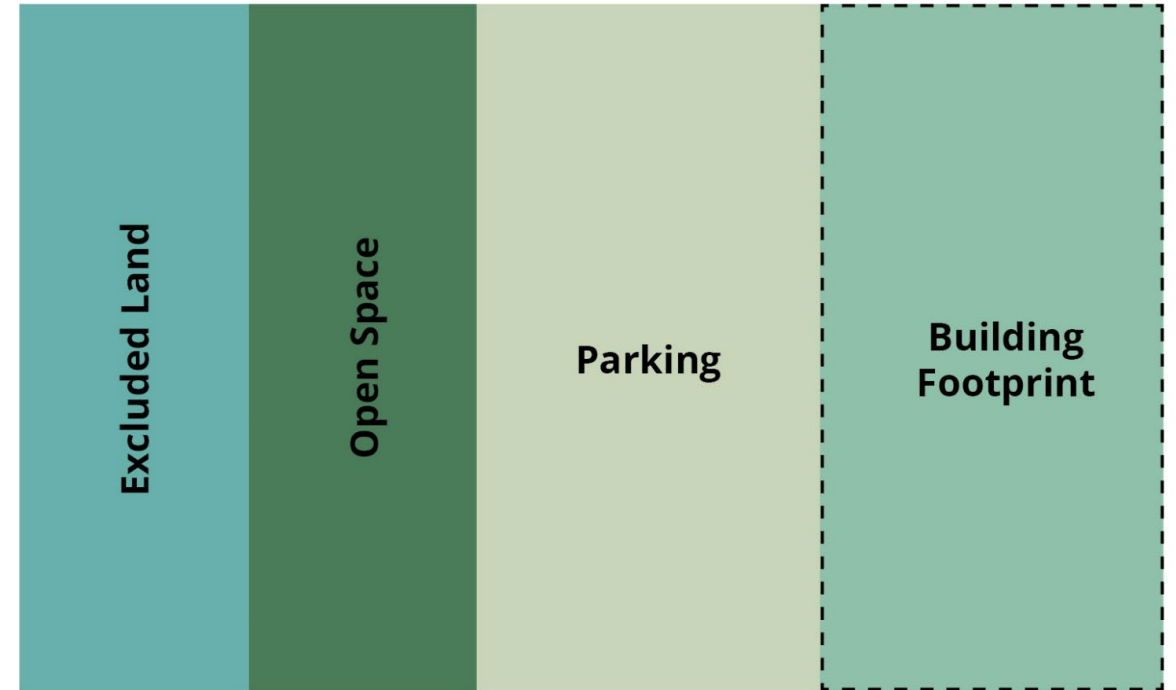
**Q: How does the Compliance Model work?**

**Step 3:** Next, the model reduces the buildable area by **removing Open Space**. The model assumes that setbacks are included in the open space restriction.



## Q: How does the **Compliance Model** work?

**Step 4:** In most communities, **surface parking is more likely** because of the cost of structured parking. Surface parking competes with the space for the building footprint, and so further reduces the available space.



# Demonstrating Compliance

## Q: How does the **Compliance Model** work?

**Step 5:** At this point, other restrictions, such as lot coverage, **may further restrict the use of land** for the building footprint.

**Step 6:** Once the building footprint is set, the Model calculates the building volume.



# Demonstrating Compliance

## Q: How does the **Compliance Model** work?

**Step 7:** The Model adds volume by multiplying the building's height (in stories) to the available footprint. Other restrictions at this stage include Floor Area Ratio.

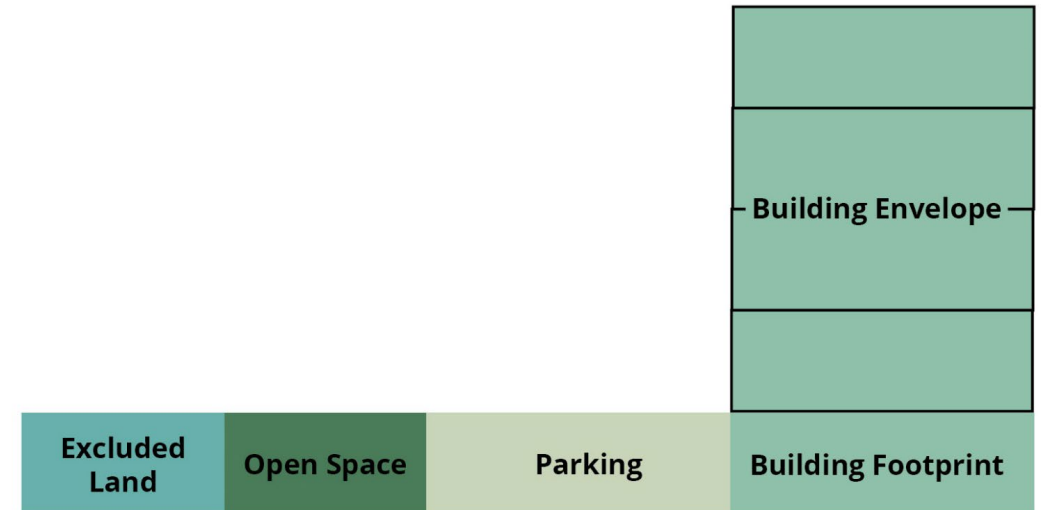
**Step 8:** The Model divides the total volume (in SF) by 1,000 to estimate of the number of units for this sample parcel. A limit on the number of units per parcel can restrict this result.



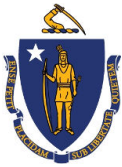
# Demonstrating Compliance

## Q: How does the **Compliance Model** work?

**Step 9:** The Model then calculates the results by district based on the individual results for each parcel in the district. The formulas in the Model include checks to make sure that it applies the zoning parameters correctly. Parcels within each district may have different results, depending on the size of the parcel and the presence or absence of Excluded Land.







Maura Healey, Governor  
Kimberley Driscoll, Lieutenant Governor  
Monica Tibbits-Nutt, Secretary & CEO  
Jonathan L. Gulliver, Highway Administrator



4-2023-0505

**GROVELAND**  
**Driveway - Commercial - Industrial: Modification**

**Subject to all the terms, conditions, and restrictions printed or written below, permission is hereby granted to LI TRS JING LI YANG TRS ZONG C/O ZONG YANG to enter upon the State Highway known as ROUTE 113 or MAIN STREET for the purpose of reconstructing a bituminous concrete commercial full access and right turn egress, only, driveway approach servicing #299-301 Main Street to be located between approximate stations 1+58 and 1+81 at the northerly location line and flaring to approximate stations 1+53 and 1+86 at the edge of the roadway at the intersection of Main Street and Elm Park. Installing Traffic Regulatory sign, R3-2 – NO LEFT TURN on a new P-5 Post located beyond the southerly location line at approximate station 1+67 at the intersection of Main Street and Elm Park. The egress restriction is regulated under Traffic Regulation Permit No. E-4-116-0437. All work shall be done in accordance with the plans and documents submitted and on file in the District Four Permit Office by Bayside Engineering titled “Highway Access Permit Plan, Proposed Redevelopment, 299-301 Main Street, Groveland, MA” dated July 15, 2019 with a revised date of July 23, 2024.**

**WORK HOURS: 9:00 A.M. thru 3:00 P.M. Monday thru Friday.**

**The driveway shall not be open for proposed commercial use until the proposed traffic regulatory sign located at southerly location line at approximate station 1+67 is installed by Grantee.**

**Work under this permit is only approved for roadways and structures under MassDOT District Four jurisdiction. A separate Access Permit/Local Approval is required by the Town of Groveland.**

**The Grantee shall conform to the terms and conditions described by Town of Groveland Planning Board Decision dated June 22, 2023 and all amended decisions, criteria, conditions and etc.**

**All site work shall be from private property. No Travel Lanes on RTE-113 shall be taken to perform any site work.**

**No VGC shall be installed across the opening where the handicap ramps meet the driveway approaches.**

**No work shall be performed between November 15th and April 15th (winter shutdown) without prior approval from the District Highway Director or an authorized Representative.**

**The Grantee/Applicant shall record any Vehicular Access Permit or any Non-Vehicular Access Permit involving drainage at the appropriate registry of deeds. Any Permit issued by MassDOT that requires recording shall not be effective until recorded at the appropriate registry of deeds and a notice of recording is submitted to the District Highway Director.**

District 4, 519 Appleton Street Arlington, MA 02476  
Tel: (857) 368-4000, FAX: (857) 368-0401  
[www.mass.gov/orgs/highway-division](http://www.mass.gov/orgs/highway-division)

The Grantee shall not engage in any utility work under benefit of this Permit. Nothing in this Permit shall be construed as authorizing any installation or maintenance thereof. For all driveway/roadway applications requiring utilities (water, gas, sewer etc.), a separate Permit must be applied for by the appropriate Utility Company or Municipality.

The Grantee shall not engage in any work under benefit of this Permit until a MassDOT Roadway Work Notification Form (attached) is filed with the District Permit Office prior to the start of work. The form must contain the required information and have the proper signatory approval. The form must be submitted no later than 12:00 PM on the Wednesday prior to the week the work will begin. The duration of work approvals shall be limited to one week at a time. If the work exceeds one week then a new Roadway Work Notification Form is required to be submitted for each additional week. The Grantee can email the completed form to MassDOT at [DOT-DL-D4-Permits@dot.state.ma.us](mailto:DOT-DL-D4-Permits@dot.state.ma.us).

The Grantee shall notify the District Permit Office at [DOT-DL-D4-Permits@dot.state.ma.us](mailto:DOT-DL-D4-Permits@dot.state.ma.us), two (2) working days prior to the start of work. No work shall be authorized without said notification.

The Grantee shall contact the Area Contact Person (7:30 AM to 4:00 PM Monday through Friday) at 617.279.7236, two (2) working days prior to the start of work.

The Grantee shall contact the Town of Groveland whenever work is to be done within two hundred (200) feet of existing Traffic Signal System.

Any changes to the construction or traffic management plans impacting State Highway or traffic operations must be submitted for approval prior to implementation.

The Contractor is responsible to ensure that all contractor personnel, including all subcontractors, working on the project are issued and are wearing all necessary personal protective safety equipment while working within the project limits. This equipment shall include, as a minimum, a hardhat and a safety vest, regardless of the type of work being performed. Other safety equipment shall be added as required to perform the work in which they are engaged and in accordance with all local, state and federal requirements in effect.

The Grantee shall utilize and pay for uniformed police officers with their official vehicles to be in attendance at all times while work is being done under this permit.

The furnishing and erecting of all required signs and traffic safety devices shall be the responsibility of the Grantee.

All signs and devices shall conform to the 2009 edition of the Manual on Uniform Traffic Control Devices (MUTCD) with the Commonwealth of Massachusetts Amendments.

Cones and non-reflecting warning devices shall not be left in operating position on the highway when the daytime operations have ceased. If it becomes necessary for this Department to remove any construction warning devices or their appurtenances from the project due to negligence by the Grantee all costs for this work will be charged to the Grantee.

All warning devices shall be subject to removal, replacement and repositioning by the Grantee as often as deemed necessary by the Engineer.

It is imperative that construction operations are managed so that motorists travel "delay" is minimized. At any time during the operation when a traffic delay of over twelve (12) minutes occurs and the situation is worsening, the Grantee will begin to suspend operations. Continuously increasing "delays" of over twelve (12) minutes are not to be permitted and may result in the suspension of the operation or termination of this Permit by the Department.

A copy of this permit must be on the job site at all times for inspection. Failure to have this permit available will result in suspension of the rights granted by this permit until such permit is made available.

The Completion of Work Form shall be emailed to [DOT-DL-D4-Permits@dot.state.ma.us](mailto:DOT-DL-D4-Permits@dot.state.ma.us) as soon as possible after the completion of the physical work. A writable form is uploaded into SHAPS, <https://shaps.massdot.state.ma.us/> in the "docs" tab of this permit.

If the sidewalk area is disturbed, it shall be restored, full width, in kind a minimum of five feet beyond any disturbed area.

After the sidewalk subgrade has been prepared, a foundation of gravel shall be placed upon it. After being mechanically compacted thoroughly, the foundation shall be at least 8 inches in thickness and parallel to the proposed surface of the walk.

The concrete sidewalks shall be placed in alternate slabs 30 feet in length. The slabs shall be separated by transverse preformed expansion joint filler 1/2 inch in thickness (shall conform to AASHTO-M153). Preformed expansion joint filler shall be placed adjacent to or around existing structures also.

On the foundation as specified above, the concrete (Air-Entrained 4000 psi, 3/4", 610) shall be placed in such quantity that after being thoroughly consolidated in place it shall be 4 inches in depth. At driveways, the sidewalk shall be 6 inches in depth.

Sidewalks and Wheelchair ramps shall be constructed with rules and regulations of the Massachusetts Architectural Access Board ("AAB") as provided in 521CMR, and the requirements of the Americans with Disabilities Act ("ADA"), (Sections 20.2 and 21.1), and the 2017 MassDOT Construction Standard Details, as revised.

The drive/drives shall be surfaced with Bituminous Concrete, SUPERPAVE and shall be comprised of 2-1/2-inches SUPERPAVE INTERMEDIATE COURSE 12.5 (SIC-12.5) and 1-1/2-inches SUPERPAVE SURFACE COURSE - 9.5 (SSC-9.5) for a total depth of 4-inches with a foundation of at least 8-inches of compacted gravel. The finished surface shall butt into and not overlap the existing highway grade at the road edge.

The drive/drives shall be graded so that no water shall enter the State Highway layout nor pond or collect thereon, including the roadway.



**Curbing and/or bituminous concrete removed from within the proposed driveway limits shall be disposed of outside the State Highway location lines.**

**The Grantee shall install either granite or bituminous concrete curbing outlining the limits of the driveway approaches.**

**The part of the drive/drives located within the limits of the State Highway shall be maintained by the Grantee, at his own expense and to the satisfaction of the District Highway Director or an authorized Representative.**

**All roadway and sidewalk surfaces and trenches shall be cut in straight lines using a concrete saw with 90-degree corners/square or other accepted methods equipped to cut the full depth surfacing and including the reinforcing steel on concrete roadways. The excavation shall only be between these lines. The cutting operation shall not be done with a backhoe, gradall or any type of ripping equipment.**

**HMA mixtures shall be placed only upon properly prepared surfaces that are clean from foreign materials. The underlying surface shall be prepared in accordance with the requirements of 450.43 as described in the Massachusetts Department of Transportation – Highway Division Standard Specifications for Highways and Bridges II.110 2024 Edition prior to the placement of HMA pavement courses.**

**A tack coat of asphalt emulsion, meeting the requirements of 450.30: General shall be uniformly applied to existing or new pavement surfaces prior to placing pavement courses including all vertical surfaces of curbs, edging, utilities, and drainage structures. Massachusetts Department of Transportation – Highway Division Standard Specifications for Highways and Bridges II.112 2024 Edition. The existing surface shall be swept clean of all foreign matter and loose material using a mechanical sweeper and shall be dry before the tack coat is applied.**

**All rocks, boulders and other material and/or debris shall be removed from the State Highway layout at the end of each workday.**

**Any grass areas disturbed within the State Highway Layout shall be graded, loamed to a depth of 4" and seeded.**

**The part of the drive/drives located within the limits of the State Highway shall be maintained by the Grantee, at his own expense and to the satisfaction of the District Highway Director or an authorized Representative.**

**All pavement markings shall be thermoplastic and recessed.**

**It shall be the responsibility of the Grantee to replace all pavement markings, in kind, which have been disturbed by this permit. These pavement markings shall be restored within ten (10) days after this work is performed or as deemed necessary by the District Highway Director or an authorized Representative.**

**All existing pavement markings proposed to be removed shall be removed completely by grinding.**

**During construction, if any of the drainage pipes at utility crossings are damaged, they must be replaced, in kind, from structure to structure.**

**All above-ground structures installed under this permit shall be properly secured and protected so that they shall not be a hazard to or be damaged by the general public.**

**Signs must be installed so that the visibility of any existing signs remains unobstructed.**

Provisions shall be made for the safety and protection of Pedestrian Traffic during the construction period.

It shall be the responsibility of the Grantee to provide access to the property of residents and business owners during the progress of the proposed work.

The Grantee shall notify Dig-Safe at 1.888.344.7233 at least 72 hours prior to the start of work for the purpose of identifying the location of underground utilities.

Dig-Safe # To be obtained prior to the commencement of work.

All work shall be in compliance with the 2024 Edition of the "Massachusetts Highway Department Standard Specifications for Highways and Bridges" and the amended Supplemental Specifications.

Care shall be exercised so as not to disturb any existing State Highway Traffic Systems including above ground equipment, ducts, loops or any underground structures that exist. If said system is disturbed, it shall be restored immediately to its original condition. Also any damaged Traffic lines shall be restored to their original condition. All expenses for restoring conditions shall be charged to the Grantee. Temporary video detection may be required if traffic congestion/delays become an issue.

No equipment, trucks, workers, etc., shall occupy any part of the traveled way. Except for an emergency, in no case will operations exceed the specified hours without the prior approval of the District Highway Director or an authorized Representative. This includes the placement of traffic control devices, vehicles, equipment or anything that restricts the flow of traffic through the construction zone. Emergencies must be unexpected situations or sudden occurrences of a serious and urgent nature that demand immediate attention.

No work shall be done under the terms of this permit on Saturdays, Sundays or Holidays.

No work will be performed on the day before or the day after a holiday or a long weekend which involves a holiday on any highway, roadway or property under the control of the MassDOT Highway Division or in areas where the work would adversely impact the normal flow of traffic on the State Highway System, without permission of the District Highway Director or an authorized Representative.

When in the opinion of the Engineer, this operation constitutes a hazard to traffic in any area, the Grantee may be required to suspend operations during certain hours and to remove his equipment from the roadway.

The Grantee will be responsible for any damage caused by this operation to curbing, structures, roadway, etc.

The Grantee shall be responsible for any ponding of water which may develop within the State Highway Layout, caused by this work.

No work shall be authorized during inclement weather: fog, rain, snow, sleet, or ice storms and subsequent snow and ice operations.

No bituminous concrete shall be installed between November 15th and April 15th without prior approval from the District Highway Director or an authorized Representative.

The State Highway Layout shall be kept clean of debris of any nature at all times and shall be thoroughly cleaned at the completion of this permit.

At the completion of this permit, all disturbed areas shall be restored to a condition equal or better to that which existed prior to the work.

In addition to the conditions and restrictions herein contained, the Grantee is responsible for complying with any relevant Executive Orders or States of Emergencies that may be issued by the Governor's Office while this permit is active. The Governor may declare a State of Emergency in the event or imminent threat of natural or man-made disasters. A State of Emergency can cover a specific municipality, multiple communities, or the entire Commonwealth.

Detailed Information on States of Emergencies and Executive Orders can be found on the Mass.GOV website. <https://www.mass.gov/service-details/state-of-emergency-information> and <https://www.mass.gov/massachusetts-executive-orders>

Any bound marked MHB shall not be removed or disturbed. If it becomes necessary to remove and reset any highway bounds then the Grantee shall hire a Registered Professional Land Surveyor to perform this work. It shall be the responsibility of this land surveyor to submit to this office a statement in writing and a plan containing his stamp and signature showing that said work has been performed.

The Grantee assumes all risk associated with any environmental condition within the subject property and shall be solely responsible for all costs associated with evaluating, assessing, and remediating, in accordance with all applicable laws, any environmental contamination (1) discovered during Grantee's work or activities under this permit to the extent such evaluation, assessment or remediation is required for Grantee's work, or (2) resulting from Grantee's work or activities under this permit. Grantee shall notify Grantor of any such assessment and remediation activities. The Grantee is hereby held solely responsible for obtaining and maintaining any and all environmental compliance permits required by local, state and federal laws and regulations when regular or emergency work is proposed within, or in close proximity to, any wetland area.

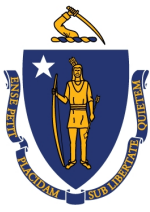
This permit is issued with the stipulation that it may be modified or revoked at any time at the discretion of the District Four Highway Director or an authorized Representative without rendering said Department or the Commonwealth of Massachusetts liable in any way.

The Grantee shall indemnify and hold harmless the Commonwealth and its Highway Division against all suits, claims or liability of every name and nature arising at any time out of or in consequence of the acts of the Grantee in the performance of the work covered by this permit and or failure to comply with terms and conditions of the permit whether by themselves or their employees or subcontractors.

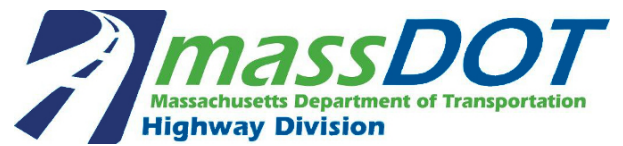
**APPLICANT'S REPRESENTATIVE: Zong Yang**

**TELEPHONE NUMBER: (617) 651-0949 or [zongliyang@yahoo.com](mailto:zongliyang@yahoo.com)**

**ASA/asa August 9, 2025**



Maura Healey, Governor  
Kimberley Driscoll, Lieutenant Governor  
Monica Tibbits-Nutt, Secretary & CEO  
Jonathan L. Gulliver, Highway Administrator



4-2023-0505

## Approved Signature

A handwritten signature in blue ink that reads "Paul D. Stedman".

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Paul Stedman by R.R.  
District Highway Director

Date of Issue: August 9, 2024

Permit Expiration: Saturday, August 9, 2025

# **EXHIBIT A**



TOWN OF GROVELAND

2023 JUN 22 AM 9:47

TOWN CLERK  
RECEIVED/POSTED

**TOWN OF GROVELAND  
DECISION OF  
THE PLANNING BOARD  
on the  
Applications of  
Robert Williams, Applicant and Zong Yang, Owner,  
for a Parking Reduction Special Permit under Section 50-9.4 of the Town of Groveland Zoning  
Bylaw  
at 301 Main Street  
Groveland, Massachusetts**

**Report of Facts, Findings and Decision of the Planning Board  
on the Applications (the "Applications") of  
Robert Williams (the "Applicant")**

Requesting a special permit (the "Special Permit") for parking reduction from the parking requirements of section 50-9.4 of the Town of Groveland Zoning Bylaw (the "Bylaw") to allow for 10 spaces as opposed to the 17 required for a corporate office, show room and equipment storage including loading and unloading as more fully set forth in the Application dated April 15, 2021 (the "Application"). This Application along with a request for Site Plan Review was originally heard on June 15, 2021, July 20, 2021 and August 3, 2021 and a decision for the Special Permit Application was originally issued on August 19, 2021.

The Applications were before the Board on a court-ordered remand for the Board to "...review the record, conduct any further proceedings, and issue a new decision that complies fully with G.L. c. 40[A](sic) §9 within 60 days." Zong Yang et al v. Town of Groveland et al, Superior Court Docket No 2177CV00881, March 15, 2023.

All statutory requirements relating to notice and publication were duly complied with, including timely publication in the Lawrence Eagle Tribune on April 3, 2023 and April 10, 2023, a newspaper of general circulation in the Town; and notice to all persons as required by Section 17 of Chapter 40A of the Massachusetts General Laws and the provisions of the Bylaw was given.

The public hearing on the Applications was called to order at or after 7 p.m. on April 18, 2023, in person. Present at the public hearing were the following Board members:

Chairman: Brad Ligols  
Members: Walter Sorenson  
DJ McNulty  
John Stokes III  
Chris Goodwin  
Jason Naves, Alternate

The public hearing was continued to May 2, 2023 and at the request of the Applicant for more time to prepare, was continued again to June 6, 2022 at which time the public hearing was closed and the Board deliberated and continued the meeting to June 20, 2022 at which time the Board voted this decision . In addition to the members above, the following member was present: Jim Bogiages, whose term ended May 1, 2023.

On-file in connection with the Applications and made a part of the record were the following documents:

Decision and Order on Defendant's Motion for Summary Judgement and Plaintiff's Cross-Motion for Summary Judgement, dated March 15, 2023 (Buxton, K).

Application of Robert Williams dated April 15, 2021 for Special Permit pursuant to section 50-9.4 of the Bylaws for reduction in parking from 17 spaces to 10 spaces and accompanying documentation including; Hayes Engineering Plan dated March 5, 2019 and revised to April 28, 2021 entitled Site Plan #299-301 Main Street Groveland, Mass. Stamped by Peter J Ogden No. 27145.

Letter from Bob Williams dated April 28, 2021, narrative for the Application.

The Applicant was also provided an opportunity to present any new evidence supporting his application both at the opening of the public hearing and then again by its own request to allow more time to prepare. Notwithstanding the Board provided the additional time as requested, the Applicant provided no new information other than what was previously filed. He affirmed his information had not changed. He answered questions from the Board. The Applicant agreed and stated several times that the Board could condition the decision on receiving the additional information it might need to affirm representations made by the Applicant prior to any work commencing on the Property.

Before the Applicant presented his Application again, Town Counsel, Lisa Mead of Mead, Taleran & Costa, LLC reviewed and summarized for the Board the Courts Order along with the Original Decision of the Board dated August 19, 2021 (the "Decision").

The Board provided an opportunity for the public to speak either in favor or in opposition to the Applications. No public comment was offered or received. The Board received a "Letter of Opposition for Proposal for 301 Main Street – Groveland" from abutter Brian Connell dated April 18, 2023 that was read into the record. Additionally, at the hearing on April 18, 2023, Don Greaney, also an abutter, was present and had various questions and comments for the Board as well as the Applicant.

### **Findings:**

The Board made the following findings:

1. The Applicant proposes to renovate an existing building on the property located at 301 Main Street, Groveland ("Property") for use as a corporate office, show room and equipment storage including loading and unloading.
2. The Property is located in the Business District and includes 19,000 square feet of area.
3. The Property includes two structures, one which the Applicant is proposing to renovate and include its proposed corporate offices and one which is a United States Post Office.
4. There is a loading dock and area for the Post Office and a small area designated for deliveries for the proposed corporate offices. All as shown on a plan by Hayes Engineering dated March 5, 2019, (the "Site Plan").
5. The Applicant presented renderings of what the building is proposed to look like after renovations. (the "Renderings").
6. The Bylaw requires 17 parking spaces for the use which is classified as retail, including one handicap space.
7. The Applicant is proposing to provide 10 spaces for both the Post Office use as well as the proposed corporate office. There is one handicap space shown on the Site Plan.
8. The Property is located at the apex of Main Street and Route 97, Elm Street and Route 113. All three roads intersect at the front of the Property.

9. The rear of the Property is bounded by the Merrimac River.
10. The Applicant explained that there would be no deliveries by third parties to the Property for its use, however its employees would be bringing and storing materials, including fixtures and built in furniture pieces like vanities, along with nails and tools and the like which would be delivered in its company trucks the largest of which is a 12 foot box truck.
11. The Applicant stated that his letter of April 28, 2021 was still accurate and presented what was happening at the site. The hours of operation would be 8 am – 5 pm for the public. Generally for its contractor employees access to the building would be M-F 6 am – 8 am and 4 pm – 6 pm. They would pick up the company vehicles and then head to jobsite for the day. Customer meetings are by appointment only. The Applicant represented that it has one office employee which works part time, he would be there most all days and a salesperson would occasionally meet customers on site. At no time would there be more than 4 vehicles parked on the Property related to the proposed use.
12. The Board asked if the employees picking up the truck would leave the car on site when they took the company vehicle(s) to which the Applicant said they would not.
13. The Applicant did not present to the Board a professional traffic analysis or any analysis concerning trip generation as a result of the proposed business and the impact on the adjacent roadways and intersections.
14. The Board found that the parking for the proposed use was not consistent with the prior proposed use as a restaurant because the prior approved special permit was premised on the use of a shuttle service and off site parking. On the other hand, the Board acknowledged that there would be fewer vehicle trips as proposed and as represented by the Applicant so long as the representations are put into action and the hours of access are limited as represented by the Applicant.

**Criteria:**

In accordance with section 50-9.4 of the Bylaw the Board may grant a Special Permit for parking reduction as follows:

Any parking requirement set forth herein may be reduced upon the issuance of a Special Permit by the Planning Board if the Board finds that the reduction is not inconsistent with public health and safety, or that the reduction promotes a public benefit.

A. Such cases might include:

- (1) Use of a common parking lot for separate uses having peak demands occurring at different times.
- (2) Age or other characteristics of occupants of the facility requiring parking which reduces auto usage;
- (3) Peculiarities of the use which make usual measures of demand invalid;
- (4) Availability of on-street parking or parking at nearby municipally owned facilities.

In addition, for all Special Permits, the Board applies the criteria set forth in Section 50-14.6 of the Bylaw:

1. Social, economic, or community needs which are served by the proposal;
2. Traffic flow and safety, including parking and loading;
3. Adequacy of utilities and other public services;
4. Neighborhood character and social structures;
5. Impacts on the natural environment;
6. Potential fiscal impact, including impact on Town services, tax base, and employment; and
7. Consistency with the Town of Groveland Community Development Plan or the Town of Groveland Master Plan.

The Bylaw section 50-1.3 sets forth the Purpose: These regulations are enacted to promote the general welfare of the Town of Groveland, to protect the health and safety of its inhabitants, to encourage the most appropriate use of land throughout the Town, to preserve the cultural, historical and agricultural heritage of

the community, to increase the amenities of the Town and to reduce the hazard from fire by regulating the location and use of buildings and the area of open space around them, all as authorized by, but not limited to, the provisions of the Zoning Act, MGL c. 40A, as amended,

**Applicability of Criteria:**

The Board considered the Criteria as follows and made their determination relative to each of the criteria based upon compliance with the Conditions set forth below. Failure of the conditions to be adhered to by the Applicant would result in a failure of the Criteria being met:

**Section 50-9.4 Criteria:**

Any parking requirement set forth herein may be reduced upon the issuance of a special permit by the Planning Board if the Board finds that the reduction is not inconsistent with public health and safety, or that the reduction promotes a public benefit.

*The Board finds that relative to the foregoing overarching criteria, the Application is not inconsistent with health and safety and the proposed use and reduced parking promotes a public benefit. The determination is made based upon the representations relative to the limited number of vehicles needed to access the Property and the time at which said access would occur. This limitation supports less traffic in this very busy and oddly laid out intersection. Further, given the narrow width of the access to the Property, fewer cars during peak hours will be helpful. Limiting the time at which access occurs reduces conflict with the activity at the Post Office which is also located on the Property. The use of the building will therefore be consistent with the business activity generally of the commercial area.*

In accordance with Section 50-14.6 of the bylaw, The Board determines how the Application meets the following:

8. Social, economic, or community needs which are served by the proposal;

*The redevelopment or reuse of the existing building for a less intense use is important given the precarious location of the Property and access thereto. An improved building and activation of an abandoned building will help lift-up economic development in the square. This is consistent with improving the Town's economic base.*

9. Traffic flow and safety, including parking and loading;

*There will be an impact on the traffic flow of this intersection and without the appropriate conditions as set forth below, this condition would not be met. The proposal reduces the number of parking spaces which might otherwise be proposed. The proposal limits the hours of access and egress at the Property and the number of visits to the Property on any given day.*

10. Adequacy of utilities and other public services;

*The Application has no negative impact on utilities and public services.*

11. Neighborhood character and social structures;

*The renovation and improvements to the building in order to house the proposed business, the proposed improvements to the site including removing of vegetation, repairing the parking lot and striping the parking spaces, all as represented by the Applicant, will be consistent with the neighborhood character and social structure of the square.*

12. Impacts on the natural environment;

*The Applicant proposed to clean out the long unmaintained catch basin and remove overgrown vegetation. Further the Applicant agrees that the final plan will show improvements required by the Conservation Commission. As a result, there will be no negative impacts on the natural environment and this sensitive area adjacent to the Merrimac River.*

13. Potential fiscal impact, including impact on Town services, tax base, and employment; and

*The activation of the site will have modest positive impacts on the tax base and employment of the Town but there will be no negative impact.*

14. Consistency with the Town of Groveland Community Development Plan or the Town of Groveland Master Plan.

*The redevelopment or reuse of the existing building for a less intense use is important given the precarious location of the Property and access thereto. An improved building and activation of an abandoned building will help lift-up economic development in the Square. This is consistent with improving the Town's economic base and various development plans.*

Upon motion duly made and seconded, the Board voted to close the public hearing. Deliberations ensued.

Decision:

After due consideration of the Application before it along with the material presented, the Board voted to 5 in favor and 0 opposed to approve the Application for a Special Permit for reduced parking at 301 Main Street, subject to compliance with the following conditions:

**CONDITIONS:**

1. Prior to any work being undertaken on the Property or any building permit being issued the Applicant shall provide to the Board for its review and approval a final site plan representing the final improvements to the site including the proposed landscaping which shall include but not be limited; to removal of the over grown shrub from the parking area in front of the building, remove all overgrown vegetations, indicate where vegetation will be planted and maintained, photometric plan showing the location of the proposed lighting fixtures whether they are located on the building or in the parking lot, and any improvements of changes required by the Conservation Commission.
2. Prior to any work being undertaken on the Property or any building permit being issues, the Applicant shall provide to the Board final renderings representing the improvements being proposed as represented by the Applicant for the Boards approval. Said renderings shall represent that the existing two overhead doors to the west shall include new opaque glass, while the overhead door to the east shall be clear glass more akin to a store front. The north façade shall be improved to reflect the fact that it is the first part of the building which is seen as one enters the Town from Haverhill.

3. In the event there are any changes to the Site Plan as a result of any other permitting agency or changes by the Applicant, the Applicant shall return to the Board for a modification of this decision. Said modification shall include a written list of all of the changes proposed.
4. There shall be no more than 4 automobiles parked on the Property for the proposed use at any given time.
5. There shall be no more than one customer appointment on any day.
6. There shall be no deliveries by third parties.
7. All deliveries or pick ups to or from the Property for the proposed use shall be undertaken by a truck no larger than a 12 foot box truck.
8. All deliveries or pick ups to or from the Property for the proposed use shall be undertaken ONLY between the hours of 6 a.m. and 8 a.m. and then again 4 p.m. to 6 p.m.
9. There shall be no dumpster placed outside of the building on the Property for the proposed use.
10. Any work to repair the parking lot shall be undertaken consistent with an Order of Conditions issued by the Conservation Commission and the Applicant shall place or cause to be placed appropriate barriers, such as waddles, to prevent runoff into the Merrimac River. The new parking spaces to the northeast of the building shall include a Cape Cod berm to protect run off from the parking lot to the Merrimac River.
11. No project specific land disturbance or work on the building shall occur until the Applicant shall obtain any and all other required permits, including the Conservation Commission and MassDOT. Said permits shall be provided to the Board.
12. The Applicant shall not be permitted to store any products, materials or supplies on the exterior of the building.
13. Prior to the issuance of building permits, the Applicant shall provide the name and contact information of the contractor on site. Furthermore, the Applicant shall provide the Town of Groveland with emergency contact information for site supervision.
14. In accordance with Section 50.14.6 (Special Permit) of the Groveland Zoning Bylaws, Special Permit Approval shall lapse after three (3) years from the grant thereof if a substantial use thereof has not sooner commenced except for good cause.
15. Any appeal of this decision of the Board shall be made in accordance with M.G.L. Ch. 40A, Section 17, to a court of competent jurisdiction.
16. This approval decision shall be recorded at the South Essex Registry of Deeds. A copy of the recorded documents and approved plans bearing the date of recording and the book and page number shall be delivered to both the Planning Office prior to the issuance of all town permits, including building permits, and the commencement of project specific work.




17. This Planning Board approval shall not be effective until the Economic Development, Planning and Conservation Department receives documentation and or receipt from the Applicant and or an agent of the recording of said document with the Essex South Registry of Deeds in accordance with M.G.L., Ch. 40A, and Section 11.

The votes by individual Board members to rescind and substitute, as above-described, were as follows:

Chairman:	Brad Ligols	YES
Members:	Walter Sorenson	YES
	John Stokes	YES
	Chris Goodwin	YES
	DJ McNulty	YES

PLANNING BOARD  
TOWN OF GROVELAND

By:

  
Brad Ligols, Chairman

Decision filed with the Town Clerk on:

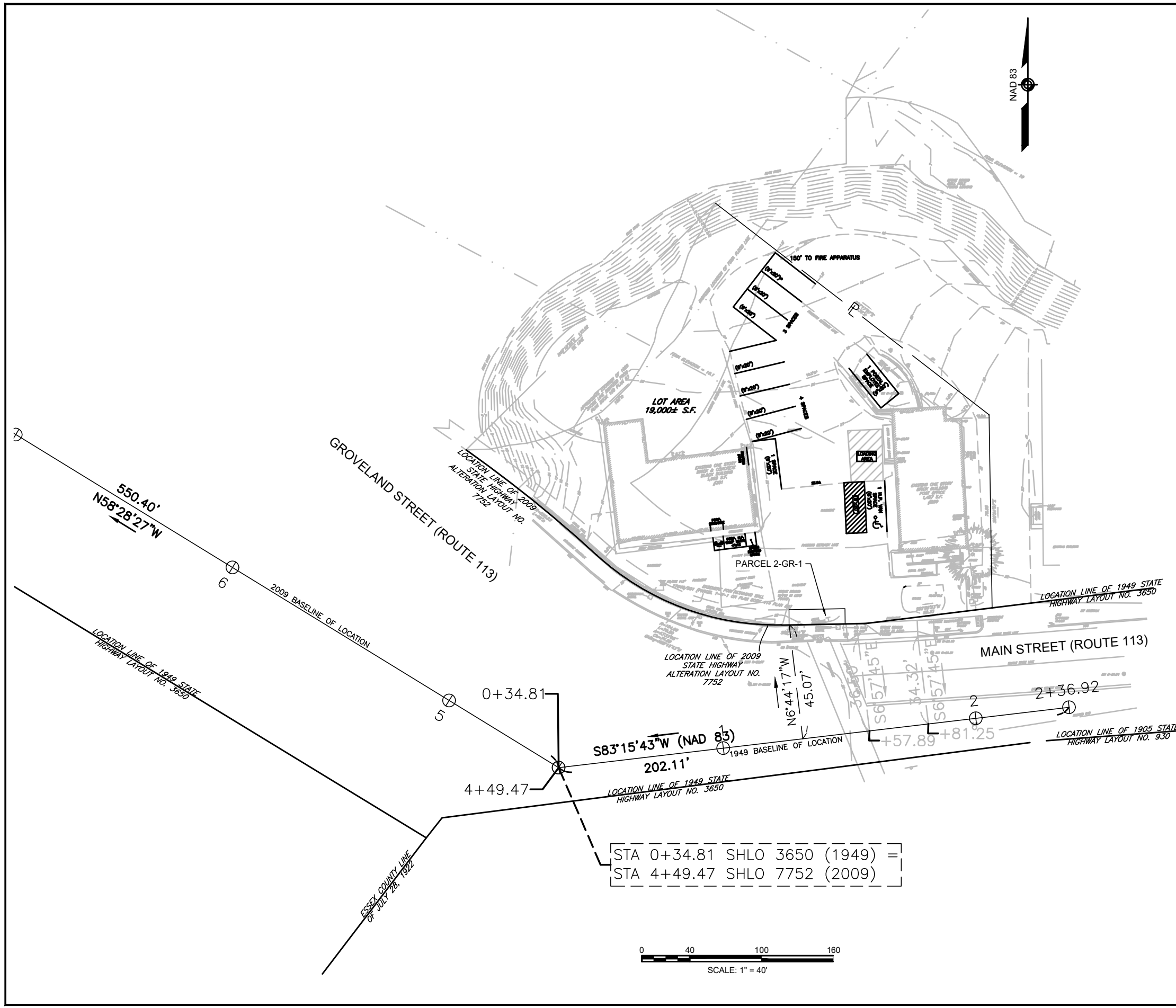
Date: 6/22/2023

  
Elizabeth Cunniff, Town Clerk

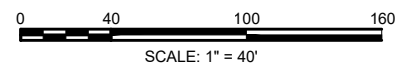
In accordance with Section 11 of Chapter 40A, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Groveland Town Clerk, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date: \_\_\_\_\_


\_\_\_\_\_  
Elizabeth Cunniff, Town Clerk



STA 0+34.81 SHLO 3650 (1949) =  
STA 4+49.47 SHLO 7752 (2009)



NO.	REVISIONS	DATE

<b>CONCEPTUAL ACCESS PLAN</b>	
PROJECT TITLE: PROPOSED REDEVELOPMENT 299-301 MAIN STREET, GROVELAND MA.	
PROPOSER: ZONG YANG LYNNFIELD, MA	 800 Unicorn Park Drive Woburn, MA 01801 Phone: 781.932.3201 Fax: 781.932.3413 www.baysideengineering.com
DESIGNED BY: KPC	
CHECKED BY:	DATE: 6-25-2019
DRAWN BY: KPT	DATE: 6-25-2019
SHEET: 1	TOTAL: 1

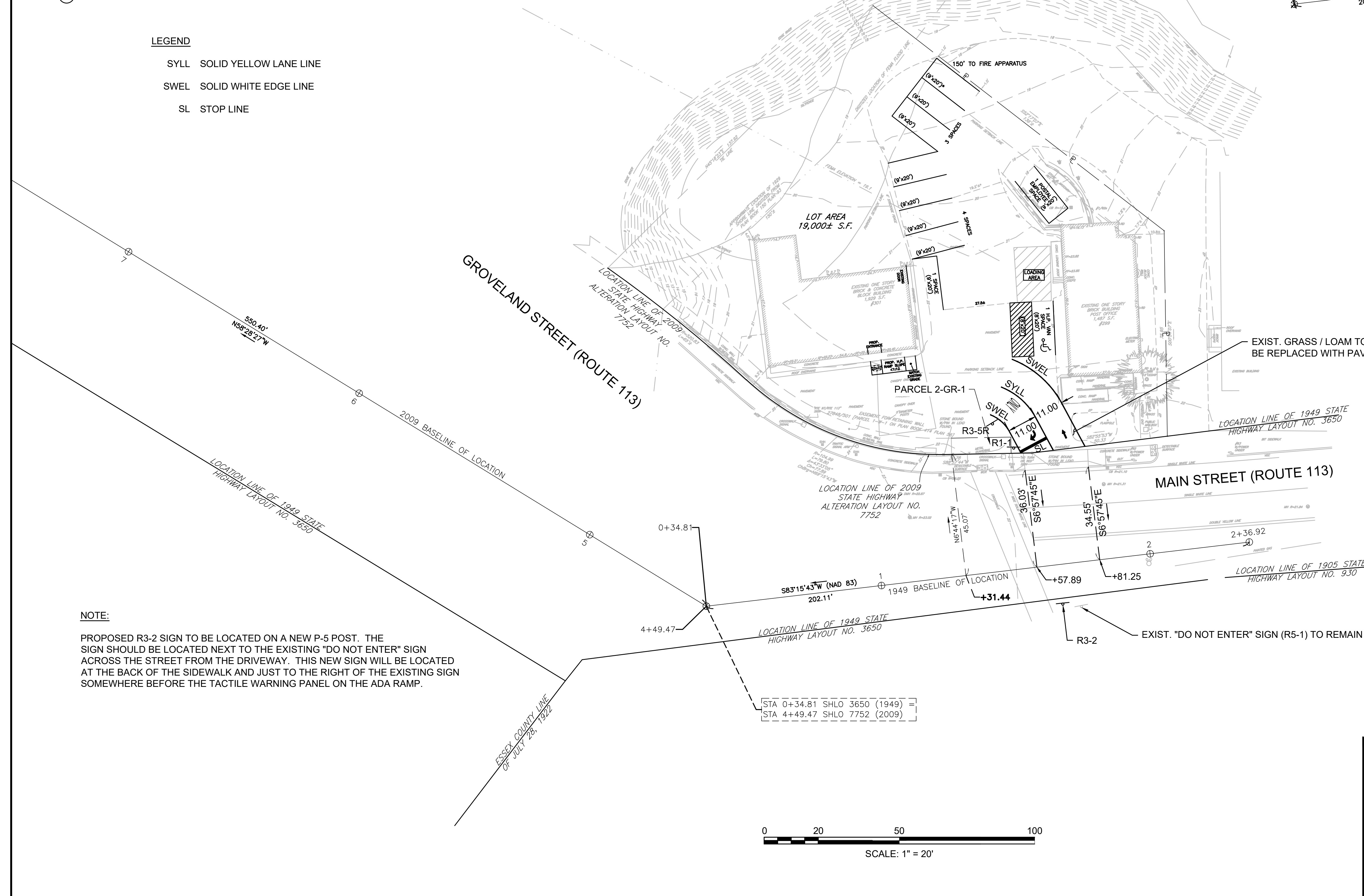
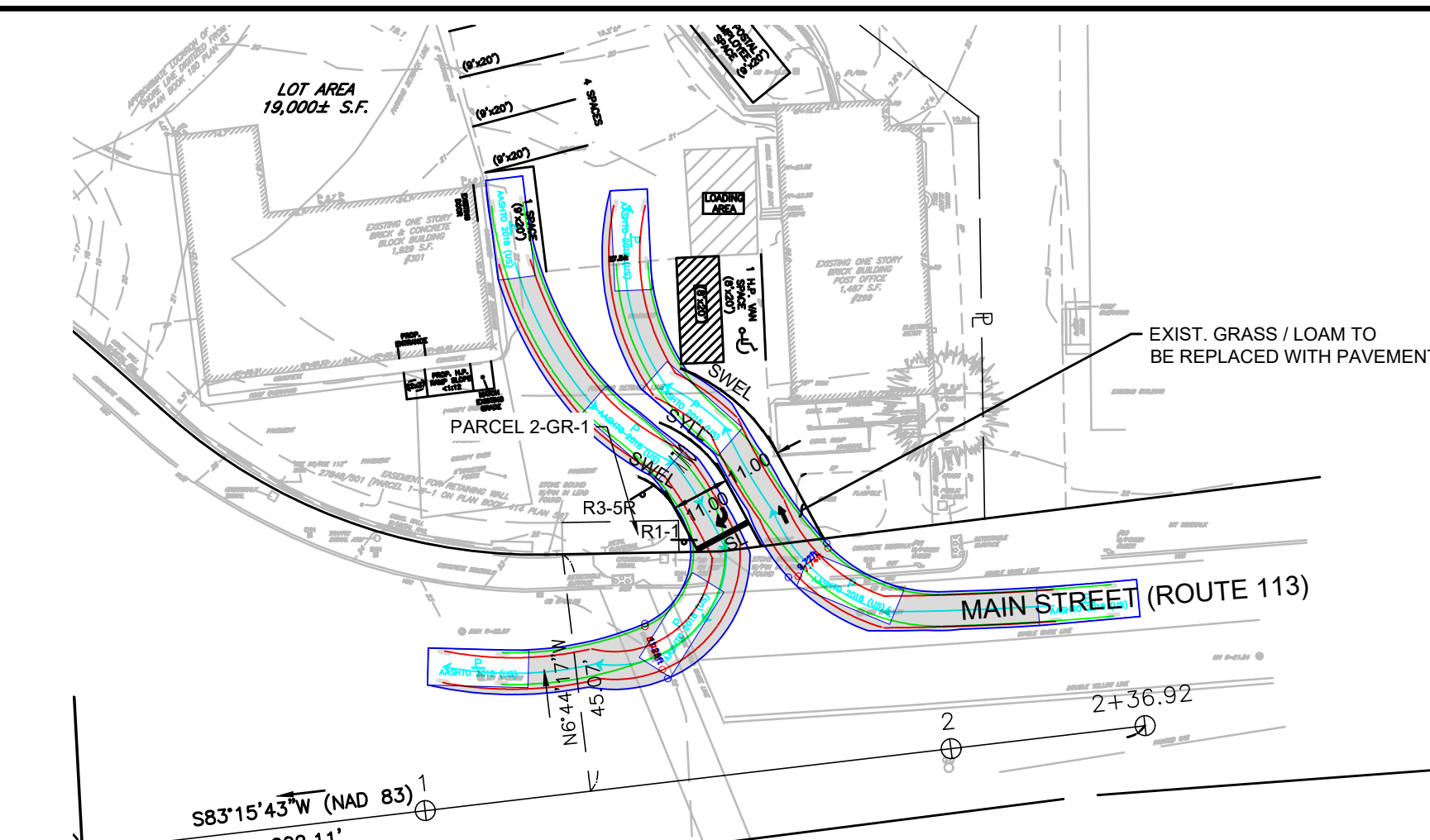
# TRAFFIC SIGN SUMMARY

IDENTIFICATION NUMBER	SIZE OF SIGN		TEXT	TEXT DIMENSIONS (INCHES)			NUMBER OF SIGNS REQUIRED	COLOR			POST SIZE AND NUMBER REQUIRED	UNIT AREA (S.F.)	AREA IN SQUARE FEET
	WIDTH	HEIGHT		LETTER HEIGHT	VERTICAL SPACING	ARROW RTE. MKR.		BACK-GROUND	LEGEND	BORDER			
R1-1	30	30		①	①	①	1	①	①	①	P5 (1)	6.25	6.25
R3-5R	30	36		①	①	①	1	①	①	①	P5 (1)	7.50	7.50
R3-2	24	24		①	①	①	1	①	①	①	P5 (1)	4.00	4.00

① SEE THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR SPECIFICATIONS ON TEXT DIMENSIONS AND COLOR.

### LEGEND

- SYLL SOLID YELLOW LANE LINE
- SWEL SOLID WHITE EDGE LINE
- SL STOP LINE



**NOTE:**  
 PROPOSED R3-2 SIGN TO BE LOCATED ON A NEW P-5 POST. THE SIGN SHOULD BE LOCATED NEXT TO THE EXISTING "DO NOT ENTER" SIGN ACROSS THE STREET FROM THE DRIVEWAY. THIS NEW SIGN WILL BE LOCATED AT THE BACK OF THE SIDEWALK AND JUST TO THE RIGHT OF THE EXISTING SIGN SOMEWHERE BEFORE THE TACTILE WARNING PANEL ON THE ADA RAMP.

NO.	REVISIONS	DATE
1	BASED ON MASSDOT 12/7/23 COMMENTS	6/17/24
2	BASED ON MASSDOT 7/9/24 COMMENTS	7/23/24

**HIGHWAY ACCESS PERMIT PLAN**

PROJECT TITLE: PROPOSED REDEVELOPMENT 299-301 MAIN STREET, GROVELAND MA.

PROponent: ZONG YANG LYNNFIELD, MA

**BAYSIDE ENGINEERING**  
 600 Unicorn Park Drive ▲ Woburn, MA 01801  
 Phone: 781.932.3201 ▲ Fax: 781.932.3413  
 www.baysideengineering.com

DESIGNED BY: KPC DATE: 7-15-2019  
 CHECKED BY: DATE:  
 DRAFTED BY: KPT DATE: 7-15-2019

SHEET: 1 OF 1



**Town of Groveland**  
**Economic Development**  
**Planning & Conservation Department**  
**Planning Board**  
183 Main Street  
Groveland, MA 01834

*Brad Ligols, Chair*  
*Walter Sorenson, Vice-Chair*  
*Chris Goodwin*  
*DJ McNulty*  
*Patrick Millina*  
*Jason Naves, Associate*

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**BOARD:** Planning Board  
**MEETING DATE:** July 16, 2024  
**MEETING PLACE:** Town Hall and Zoom  
**TIME:** 7:00 PM  
**MEMBERS PRESENT:** C. Goodwin, D. McNulty, J. Naves, P. Millina, B. Ligols  
**MEMBERS ABSENT:** W.F. Sorenson Jr.

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

**CALL TO ORDER**

**MOTION:** McNulty motions to open the July 16, 2024, Planning Board Meeting. Goodwin seconds the motion. Voted all in favor, the motion passes unanimously in favor.

**106 KING STREET/KAITE LANE:** Request to release Lots 5, 8 and 9 of the Katie Lane Subdivision.  
**Town Administrator:** The Applicant has paid the full amount of their Inclusionary Fee. The Form G is ready to be signed/notarized.

**MOTION:** Ligols made a motion to release Lots 5,8 and 9 of Katie Lane. Goodwin second the motion. Voted all in favor, the motion passes unanimously in favor.

**ESTY PARK/441 MAIN STREET:** Site Plan Review Waiver.

Board would like to see a full Site Plan Review application due to lapse of time and site changes.

**MOTION:** Goodwin made a motion to deny the site plan review waiver for 441 Main Street. Ligols seconded the motion. Voted all in favor, the motion passes unanimously in favor.

**929-931 SALEM STREET:** Project update.

**Town Administrator:** TECs most recent update is in the packet. This inspection was to look at the vault after the tanks were installed and the vault backfilled. Stephen David provided the updated timeline:

- The steel will arrive on Wednesday and take a few days to assemble.
- Then the cap will be poured.
- Comm Tank has begun their work, and the canopy company is ready to proceed.
- Completion date is anticipated by Labor Day.

**COMMUNITY PRESERVATION COMMITTEE:** Appointment of Planning Board Community Preservation Commission member.

**MOTION:** Goodwin made a motion to appoint DJ McNulty as the Community Preservation member. Millina seconded the motion. Voted all in favor, the motion passes unanimously in favor.

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



Economic Development Committee is exploring other ways of revenue generation and discussed recreational marijuana opportunities. The Committee will be providing additional information and will be coming before the Planning Board in the coming months.

**NEXT PLANNING BOARD MEETING:** August 6, 2024, if necessary.

**~ SELECT BOARD WILL JOIN THE PLANNING BOARD  
FOR THE REMAINING AGENDA ITEM AT 7:30 PM ~**

**HOUSING PRODUCTION PLAN:** Review and discussion of edits/approval of plan.

The group discussed general concerns on utilities, water, protection of open space. Group agreed to changing the language to be more flexible choosing words like ‘investigate’ and ‘explore’. Agreed to remove Garrison Street information in the chart and just keep the locus and conceptual.

#### **ADJOURNMENT**

**MOTION:** McNulty motions to adjourn the meeting at 8:45 PM. Goodwin seconds the motion. Voted all in favor. The motion passed unanimously.



**Town of Groveland**  
**Economic Development**  
**Planning & Conservation Department**  
**Planning Board**  
183 Main Street  
Groveland, MA 01834

*Brad Ligols, Chair*  
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*Chris Goodwin*  
*DJ McNulty*  
*Patrick Millina*  
*Jason Naves, Associate*

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<b>BOARD:</b>	Planning Board
<b>MEETING DATE:</b>	<b>September 10, 2024</b>
<b>MEETING PLACE:</b>	Town Hall and Zoom
<b>TIME:</b>	7:00 PM
<b>MEMBERS PRESENT:</b>	C. Goodwin, D. McNulty, J. Naves, P. Millina, W.F. Sorenson Jr. (Remote)
<b>MEMBERS ABSENT:</b>	B. Ligols

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

### **CALL TO ORDER**

**MOTION:** McNulty motions to open the September 10, 2024, Planning Board Meeting. Goodwin seconds the motion. Voted all in favor, the motion passes unanimously in favor.

### **PUBLIC HEARING**

#### **NEW 181R SCHOOL STREET:**

A hearing in accordance with M.G.L. Chapter 41, Section 81T, the Town of Groveland Subdivision Rules and Regulations and Article 14 of the Groveland General Bylaws, to hear the application of Groveland Redevelopment LLC. c/o Louis Minicucci Jr, 231 Sutton St, Suite 1B, North Andover MA 01845, requesting approval of a six (6) lot Definitive Subdivision Plan labeled 181R School Street, Groveland, Massachusetts and associated Stormwater Management & Land Disturbance Permit. The site is located in the Residential 2 (R-2) Zoning District. The proposed subdivision is located at 181R School Street Groveland, MA 01834. (Assessors Map 34, Parcel 13).

**MOTION:** Goodwin motions to open the Public Hearing for 181R School Street. Naves seconds the motion. Voted all in favor, the motion passes unanimously in favor.

Scott Cameron with the Morin Cameron Group provided an overview of the project. The existing site consists of a parcel located at 181R School Street, which encompasses a total area of approximately 5.65 acres. The project will add 8 new dwellings and approximately 20 new residents. Housing is in demand regionally and this project provides a mix of single and two-family dwellings offering a variety of housing options. The two-family dwellings are within financial reach of more families than a single-family dwelling. Applicant is requesting two waivers:

70-4.3. (H)(5) "Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Where streets intersect major streets, their alignment shall be continuous. Intersections of major streets shall be at least 800 feet apart, and minor streets shall be at least 400 feet apart.,,The applicant requests a waiver to reduce the intersection separation of 400 feet to 300 feet. This waiver is in the public interest by allowing access to land for development of much needed housing. The housing types include two-family dwellings which are more economically accessible to younger families. It is in keeping with the neighborhood in that adjacent intersections with adjacent minor



streets range from 217 feet (Doris to Wilbert), 300 feet (Anne to Georgia) to 320' (Cardilla to Abbott). The proposed intersection meets AASHTO standard for stopping sight distance, is a very low volume minor road and is geometrically designed in accordance with the Groveland Subdivision Regulations.

70-4.9(8) "Bituminous concrete sidewalks shall conform to the material and construction methods as specified in Section 701 of the MassDOT Standard Specifications." A waiver is requested from the technical requirements for sidewalk and driveway apron construction to install permeable pavement. Modern best engineering practice weighs heavily on sustainable design, and this is in the public interest of environmental protection. The homes will be constructed to the current Mass Building Code which is highly energy and water efficient. The road and site design also took into consideration sustainable measures in implementing bioretention rain gardens and infiltration basins as well as proprietary treatment practices to meet and exceed the state and Groveland stormwater standards. As part of this effort of sustainable design, the sidewalks and driveways were earmarked to be permeable pavement. This are low volume or no traffic volume surfaces that will hold up well as permeable pavement. Permeable pavement typically stays drier which means less chance of ice forming on sidewalk/pedestrian areas.

Discussion concerning road construction and the Applicant selling the lots to individual builders and the lack of continuity. Board is also concerned about future builders adhering to the conditions of the approved decision.

#### **PUBLIC COMMENT**

**Szczechowicz, Joe, 1103 Alyssa Drive:** Concerned about the usage or pervious pavement on the sidewalks.

**Fitzgerald, Richard, 180 School Street:** Questioned if any of the lots would be affordable.

Board answered that the development would need to comply with the Inclusionary Bylaw and provide affordable units per the calculation or make a payment in lieu of providing the unit (s) but that it was not an affordable housing development.

**XXXX, Don, Alyssa Drive:** Concerned about the tree buffer and the building setbacks.

**Deveau, Derrick, 181 School Street:** Concerned about the proximity of the roadway to the property line, tree buffer and drainage.

**Maniscalco, Jeffrey, 6 Anne Street:** Concern about the traffic on Route 97 and the distance of the new road to the other side Street.

**Luca, Maria, 1404 Alyssa Drive:** Concerned about water problems, the ownership of the lots versus the roadway would like to know more about the maximum limits for errors and omissions on Mr. Cameron's Professional Engineering license

**Maniscalco, Jess, 6 Anne Street:** Read letter into the record. Concerned about the characteristics of the community, open space and habitat.

*Board took a brief recess.*

**Massero, Steven, 4 Anne Street:** Concerned about the grades and being able to see into the houses and the new owners into his property and into his pool.

**Thomas, Linda, 1007 Alyssa Drive:** Concerned about drainage, tree clearing and grading from the buildings at Whitestone.

The Applicant will revisit the site and take into consideration the feedback from residents. Applicant will also wait for peer review comments from TEC and respond accordingly prior to the next meeting.

**MOTION:** Goodwin motions to continue the Public Hearing for 181R School Street to October 15, 2024. Millina seconds the motion. Voted all in favor, the motion passes unanimously in favor.

*Walter Sorenson leaves the meeting.*

**106 KING STREET/KATIE LANE**

Approval of species of street trees for the subdivision in accordance with the Subdivision Rules and Regulations Article 5 Section 12(A)

**Kevin Cuniff, Developer:** Will be placing 33 Street Trees on Katie Lane. Proposing 20 Red Sunset Maples, 5 Red Oaks and 7 Sweet XXXXX . He Spoke to Bill Greene about the trees he proposed, and he agrees with the species and placement. Looking to plant the trees next week.

**MOTION:** Goodwin made a motion to approve the street tree species as proposed. Millina Seconds the motion. Voted all in favor, the motion passes unanimously in favor.

**929-931 SALEM STREET:** Project update.

**Town Administrator:** The Contractor stated they are waiting on steel to finish the top deck. Comm tank is starting their work shortly, and they are waiting on the timeline. The TEC Report dated 8-15-2024 is in the “New Materials” packet. The Building Inspector has been working with the Contractor, Permitter, and Owner on coordinating the canopy for the gas pumps.

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

None.

**NEXT MEETING:** September 24, 2024

**ADJOURNMENT**

**MOTION:** McNulty motions to adjourn the meeting at 9.28 PM. Goodwin seconds the motion. Voted all in favor. The motion passed unanimously.

## **DRAFT Warrant Article**

Article X: To see if the Town will vote to amend the Zoning Bylaws Sec. 50-7.4, Registered Marijuana Dispensaries, and Sec. 50-7.6 Marijuana Establishments Prohibited, in order to allow, by Special Permit, the cultivation of marijuana for recreational use, and the processing and packaging of marijuana for recreational use, and to rescind the prohibition of such uses, as shown on redlined proposed zoning amendment language, a copy of which is on file and available for viewing in the Town of Groveland Town Clerk's Office, and further to authorize the Town Clerk's office to make any non-substantive, ministerial changes to numbering and formatting, to ensure consistency with the rest of the Zoning Bylaws, or take any other action relative thereto.

## **DRAFT Bylaw Amendments**

To amend Sec. 50-7.4 (B) Applicability to add a new Subsection (2) to read as follows:

(2) The commercial cultivation, production, processing, assembly, packaging, or wholesale sale, trade, distribution of marijuana for recreational use is prohibited unless permitted as a registered marijuana dispensary under this section.

And to renumber the following subsections accordingly.

And further to amend Sec. 50-7.4 (F)(2) Special Permit Requirements to add a new Subsection (b) to read as follows:

(b) Cultivation of marijuana for recreational use (horticulture);

And to add a new Subsection (d) as follows:

(d) Processing and packaging of marijuana for recreational use, including marijuana that is in the form of smoking materials, food products, oils, aerosols, ointments and other products;

And to re-letter the other subsections accordingly.

Or take any other action relative thereto.