

**Town of Groveland**  
**Zoning Board of Appeals**  
183 Main Street  
Groveland, MA 01834



Christopher Goodwin, Chair  
Jason Naves  
John Stokes II  
Brad Ligols  
John Grohol

1 **APPROVED 4-13-2024**

2 Board/Committee Name: ZONING BOARD OF APPEALS  
3 Date: Wednesday, April 3, 2024  
Time of Meeting: 7:30 PM  
Location: 183 Main Street, Groveland, MA 01834

2024 APR 24 AM 9:32  
TOWN CLERK  
RECEIVED/POSTED  
TOWN OF GROVELAND

4  
5 Present: John Grohol, Chris Goodwin, Jason Naves, Brad Ligols  
6 Absent: John Stokes II  
7 Staff Present: Annie Schindler (Town Planner & Conservation Agent)  
8 Public Present: Don Greaney (business abutter to 6-8 Elm Park), Rod Rivera (Manger for 6-8 Elm Park)  
9

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

12  
13 **MOTION:** Ligols motions to open the meeting. Grohol seconds the motion. Voting aye; Grohol, Ligols,  
14 Goodwin, Naves. The motion passes unanimously.

15  
16 Goodwin: We are going to change the order of the agenda as the applicant for 6-8 Elm Park has not yet  
17 arrived due to traffic.

18  
19 **CONTINUED: Application #2024-4 944 SALEM STREET:** Approval and signing of the decision.  
20 Planner: After our last meeting the Board approved to issue the permit. I've put together a permit with the  
21 items the Board discussed. The only item that has to be worked out was the hours of operation. The usual  
22 hours in this zone are 7 am to 11 pm, but they are looking to be able to operate 24/7 during emergency  
23 situations like snowstorms and power outages.  
24 Board: We are amenable to that change.  
25 *Board signs decision at the end of the meeting.*  
26

27 **MINUTES:** Approval of the December 6, 2023, January 3, 2024, and March 6, 2024, meeting minutes.  
28 **MOTION:** Ligols motions to accept the minutes. Grohol seconds the motion. Voting aye; Grohol, Ligols,  
29 Goodwin, Naves. The motion passes unanimously.  
30

31 **TOWN PLANNER UPDATE**  
32 Planner: The Board received an application from Esty Park to add a new building to the site. The Board  
33 issued a permit for this site in 2014, so this will be a major modification with notifications to abutters and  
34 notice in the newspaper. That will be on the May 1<sup>st</sup> agenda. Coming up in Town; Candidates Night is  
35 April 24<sup>th</sup>, Town Meeting is April 29<sup>th</sup>, and Local Elections are May 6<sup>th</sup>. This Friday there is a Veasey  
36 Visioning Session, which will be conducted by the consultant who is creating a plan for the Park, funded  
37 through CPA funds.  
38

39 **OTHER ITEMS NOT REASONABLY ANTICIPATED AT THE TIME OF POSTING**  
40 *None.*

41  
42 **MOTION:** Ligols motions to recess until the applicant for 6-8 Elm Park arrives. Grohol seconds the  
43 motion. Voting aye; Grohol, Ligols, Goodwin, Naves. The motion passes unanimously. *Recess began at*  
44 *7:37 PM.*

45  
46 **MOTION:** Goodwin motions to reopen the meeting for the Groveland Zoning Board of Appeals for the  
47 April 3<sup>rd</sup>, 2024. Ligols seconds the motion. Voting aye; Grohol, Ligols, Goodwin, Naves. The motion  
48 passes unanimously. *Recess ends at 7:45 PM.*  
49

50 **PUBLIC HEADING**

51 **NEW: Application #2024-5 6-8 ELM PARK** – A public hearing in accordance with MGL, Chapter  
52 40A, as amended, for the application #2024-5 made by Rod Rivera, 97 Beach Street, Malden, for the  
53 premises located at 6-8 Elm Park Groveland, Map 10 Lot 013, located in the Business (B) Zoning District  
54 for a Special Permit in accordance with Section 50.4.5 (Table of Uses) of the Groveland Zoning Bylaw to  
55 operate restaurant.

56 Goodwin: *Reads the above notice.*

57 Rod Rivera: I'm the representative of the applicant. We want to keep it as a restaurant and a sports bar.  
58 We want to have the hours be 11 AM – 10 PM Sunday – Thursday, 11 AM to midnight Friday – Saturday  
59 if possible. It was always a restaurant; we just want to change the design and make it an authentic  
60 Mexican restaurant and sports bar. A mother and son are the owners and will be working in the kitchen,  
61 then we will have someone working at the bar. I will be handling the business management part of it.

62 Grohol: Is the number of seats changing significantly from the restaurant before?

63 Rivera: I'm not sure. We used an equation to get the most number of seats for the bar, seating area, and  
64 kitchen. We are asking for 50 total.

65 Grohol: Have you addressed the needs for parking in the area?

66 Rivera: We discussed that last night at the Planning Board meeting. I went and there were no cars parked.  
67 We're going to be doing the same thing until the next Planning Board meeting.

68 Planner: There are 42 seats proposed, the last restaurant had 24 seats.

69 Rivera: We're also going to have two waiters/waitresses on the floor, one bartender, maybe two, and then  
70 2 people in the kitchen, sometimes three. Sometimes we need extra hands. The total capacity is 50.

71 Goodwin: I don't see that area holding 50 people, but for the sake of the argument I don't think we need  
72 to worry about capping the capacity.

73 Ligols: What do you think about the hours?

74 Goodwin: I don't see a problem with them.

75 Grohol: What are the standard hours in that area?

76 Planner: In the Business Zone the typical hours are 7 AM to 10 PM.

77 Ligols: What did we give Pub 97?

78 Planner: They were Sunday – Thursday 7 AM to 12 AM, Friday – Saturday 7 AM – 1 AM.

79 Naves: They don't have any residential abutters.

80 Grohol: Would we want to wait on the permit from the Planning Board on parking?

81 Goodwin: I think we can assume that the Planning Board will make the correct decision.

82 Don Greaney: My company is across the street. Who grants the liquor license?

83 Goodwin: The Board of Selectmen.

84 Greaney: Do we still have licenses?

85 Planner: Yes.

86 Greaney: I think that the hours make sense, I think the Tea Garden is open that late most nights. I don't  
87 know if they need to add sprinklers to the building.

88 Ligols: That is up to the Building Inspector. These things aren't up to this Board.

89 Greaney: It's just too bad the property owner doesn't have enough parking for all their tenants, I know we  
90 had to. I would just hate to see them spend a lot of money and not have people show up and not able to  
91 park. Other than that, I'm not against businesses, I just want everyone to be on the same playing field.

92 Ligols: Have you done your walk through with the Building Inspector yet? It doesn't have anything to do  
93 with this Board, I'm just curious.

94 Rivera: I had a hard time navigating the portal and uploading what I needed to. I emailed him everything  
95 though. I have not gotten word back from him yet. I'm hoping he responses soon to do a walk through. A

96 lot of the equipment is already there. We're really only going to be changing the bathrooms to be  
97 handicap accessible.

98 Goodwin: I'd like to go through the seven points of the special permit approval. Point one, Social,  
99 economic, or community needs are served by the proposal.

100 Board: In agreement.

101 Goodwin: Point two, traffic flow and safety, including parking and loading.

102 Board: We're okay deferring to the Planning Board on this aspect.

103 Goodwin: Point three, adequacy of utilities and other public services.

104 Board: We are okay with this as well.

105 Goodwin: Neighborhood character and social structures.

106 Board: In agreement.

107 Goodwin: Impacts on the natural environment. I don't think there are any.

108 Board: Agreed.

109 Goodwin: Potential fiscal impact, including impact on Town services, tax base, and employment.

110 Board: All positive.

111 Goodwin: Consistency with the Town of Groveland Community Development Plan or the Town of  
112 Groveland Master Plan. Development at Elm Park was a part of that plan.

113 Board: Agreed.

114 Goodwin: I think we are satisfied on our seven points then.

115 **MOTION**: Grohol motions to approve application 2024-5 for a special permit in accordance with section  
116 50-4.5 Table of uses of the Groveland Zoning Bylaw to operate a restaurant. Ligols seconds the motion.  
117 Voting aye; Grohol, Ligols, Goodwin, Naves. The motion passes unanimously.

118 Planner: Should I draft up a set of conditions that the Board can look at with the applicant so it can be  
119 looked at prior to issuing so everyone is on the same page? The Board didn't discuss any conditions  
120 before the motion was made. The Board can leave the public hearing open so it can be discussed at the  
121 next meeting with the applicant and the board.

122 Board: Yes, we will do that, we can meet prior to the next Planning Board meeting on April 23, 2024 at  
123 6:30 PM.

124 Ligols: Should we remotion to continue the hearing?

125 **MOTION**: Ligols motions to rescind the previous approval because there were no conditions. Grohol  
126 seconds the motions. Voting aye; Grohol, Ligols, Goodwin, Naves. The motion passes unanimously.

127 Planner: I believe since the first motion was just to approve the application, the decision can be approved  
128 with a separate motion, inclusive of the conditions.

129 Board: So, we need to re-do our original motion?

130 **MOTION**: Grohol motions to approve application 2024-5 for a special permit in accordance with Section  
131 50-4.5 Table of Uses of the Groveland Zoning Bylaw to operate a restaurant, pending conditions. Ligols  
132 seconds the motion. Voting aye; Grohol, Ligols, Goodwin, Naves. The motion passes unanimously.

133

134 **NEXT MEETING** April 23<sup>rd</sup> at 6:30 PM, May 1, 2024, at 7:30 PM.

135

136 **ADJOURNMENT**

137 **MOTION**: Goodwin motions to adjourn the meeting at 8:09 PM. Ligols seconds the motion. Voting aye;  
138 Naves, Goodwin, Grohol. Voted unanimously in favor, the motion passes.

139

140 Respectfully submitted,  
141 Annie Schindler, Town Planner & Conservation Agent