

**Town of Groveland** Economic Development Planning & Conservation Department

Zoning Board of Appeals

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

Board/Committee Name: Date: Time of Meeting: Location:

ZONING BOARD OF APPEALS WEDNESDAY, March 6, 2024 7:30 PM Town Hall 183 Main Street Groveland, MA 01834 Annie Schindler

Signature:

### AGENDA

UH GROVEL

For discussion and possible vote

Zoom participation is offered for this meeting with the information below. Meeting ID: 939 9517 4414 Passcode: 948618

### PUBLIC HEADING

**NEW:** Application #2024-4, 944 Salem Street Unit H, Applicant: Scott Edwads, GML Utility Services Cooperative; A public hearing in accordance with Mass General Laws, Chapter 40A, as amended, for Application #2024-4 made by Scott Edwards, GML Utility Services Cooperative, for the premises located at 944 Salem St Unit H Map 49 Lot 018-1, in the Industrial (I) zoning districts, and owned by the Groveland Municipal Light Department, for a Special Permit in accordance with Section 50.4.5 (Table of Uses) of the Groveland Zoning Bylaw for a motor vehicle repair shop.

**SEWELL STREET**: Insubstantial changes to the plan previously approved.

APPLICATION: Review draft for new application format.

MINUTES: Approval of the October 4, 2023, November 1, 2023, December 6, 2023, and January 3, 2024, meeting minutes.

### TOWN PLANNER UPDATE

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

NEXT MEETING: April 3, 2024

### ADJOURNMENT

NOTE - Notices and agendas are to be posted 48 hours in advance of the meeting excluding Saturdays, Sundays and legal holidays.

944 Salem Street

For Applicant's Use

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For Official Us	se
RECEIVEN/POSTED	10WH OF GROVELAND 2024 FEB -6 AM 9: 39
Receipt Stamp	·
Docket Number	2024 - 4
<b>Application Fee</b>	\$400
Fee Paid	$\checkmark$
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he Zoning Bylaw	
to G.L. c. 40B)	
10A	
	Receipt Stamp Docket Number Application Fee

Please see Groveland Zoning Board of Appeals Rules and Regulations for specific requirements for plans and other materials required to be submitted in support of this application.

# PLEASE PRINT OR TYPE

# **1. SUBJECT PROPERTY INFORMATION**

944 Salem Street, Unit H	
Assessor	s Map & Lot
Map Number	Lot Number
49-018	1
rage. Unit was previously used f	
	Map Number 49-018

# 2. APPLICANT INFORMATION Name of Applicant (s) Scott Edwards, GML Utility Services Cooperative Address 944 Salem Street, Suite A City, State, Zip Groveland, MA 01834 Phone Number 978-265-2550 Email Address Sedwards@gmlusc.org Is Applicant the Owner of the Property? YES No

# REPRESENTATIVE:Name of Representative:<br/>(If Not Applicant)Kevin Snow, General Manager, Groveland LightAddress944 Salem Street, Suite ACity, State, ZipGroveland, MA 01834Phone Number978-372-1671

LEGAL OWNER:	
Name of Legal Owner (If Not Applicant)	Groveland Municipal Light Department
Address	944 Salem Street, Suite A
City, State, Zip	Groveland, Ma 01834
Phone Number	978-372-1671

PROPERTY	Primary (At Address Location)	Secondary (If on more than one street or way)
Required Frontage (feet)		
Existing Frontage (feet and inches)	385	
Proposed Frontage (feet and inches)		

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4. DOES THI ADJACENT L f Yes, Provide Ad	AND?				YE			NO	
Address									
	49-020	ſ	Lot Number	0		1			

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5. If Existing Property, Structure(s), and/or uses DO NOT conform to the current Zoning Bylaw, please describe what characteristic is non-conforming and when the lot, structure, or use began. (Attach extra sheet if necessary)

6. Describe what is being proposed, planned or appealed. (Attached extra sheet if necessary)

GML Utility Service Cooperative is a LLC legally formed in MA and looks to provide utility vehicle service and repair. Services include maintenance (oil changes, scheduled services), diagnostics, and repairs to chassis and attached equipment to municipal utility trucks and vehicles (Bucket Trucks, Digger/Derricks, pickup and other vehicles), and service to similar type vehicles in similar industries. GML is not a company that will be providing services to vehicles of the general public.

	Existing	Proposed
Number of Buildings (Primary Residence, Accessory, including sheds)	1	1
Number of Dwelling Units (including Primary Residence)	0	0

Application for Zoning Relief (Rev. 4/2018)

One Original and Eight (8) Copies of Signed Application Form

**Filing Fee** 



Eight (8) Copies of Site Plans prepared in accordance with the Groveland Zoning Board

of Appeals Rules and Regulations, including

- The dimensions and location of the subject property;
- The location, dimensions, setbacks, and height of existing and proposed

structures on the subject property;

Elevations of proposed structures.

Assessor's Property Card for Subject Property

Abutters List obtained from Groveland Assessor

The information provided in this application is true and correct to the best of the Applicant's knowledge/

Applicant's Signature

<u>2.1-24</u> Date

Application for Zoning Relief (Rev. 4/2018)

Summary for the Special Permit requested for GML Utility Services Co-operative LLC, 944 Salem Street, Unit H.

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GML Utility Services LLC is a co-operative business founded in 2022 by the Groveland Municipal Light Department, the Middleton Electric Light Department, and the Littleton Electric Light Department. GML is currently providing specialized services to municipal utilities in Massachusetts with an eye towards expanding throughout New England. We provide power supply consultation, project supervision, planning, and development, engineering, utility line clearance, and utility truck maintenance to our customers.

GML would like to license space at the Groveland Municipal Light Department's 944 Salem Street complex to base it's truck maintenance services out of. The unit we are looking to utilize, Unit H, is the former site of Groveland Auto, a vehicle maintenance business that has moved to a new location intown.

Our rationale in applying for the Special Permit is that it meets the criteria that need to be considered when applying in that:

1. It meets an economic need identified by GML in that there are limited, specialized service providers that provide service to municipal utilities in a timely and economic manner. Finding reliable service providers for our specialized equipment (bucket trucks, digger derricks, forestry units, etc.) is difficult, especially on smaller utilities where there is not enough service work to be performed in-house to warrant hiring a dedicated mechanic. GML seeks to resolve that by providing this service to its member and customer clients.

2. The location at 944 Salem Street is currently underutilized. There is limited customer traffic flow at the current facility as Groveland Light's customers are typically there for only a few minutes to drop off payments or set up accounts. All other units are currently used as overflow storage for Groveland Light. As the clientele for GML would be mostly scheduled drop-offs there would be minimal increase to the existing traffic at the site, limiting any additional pedestrian exposure to traffic and/or vehicles being moved for service. GML would also have access to the gated, rear-lot area of the campus for overflow, secure parking of vehicle dropped off for service if the need warranted. There is an abundance of parking spots in the front of the building (40 marked on-site; 3 of which are handicap spots). There are also currently 2 curb-cuts on Rt 97, though there is an idea to remove one of them and provide more greenspace.

3. The proposed use of the facility is similar in nature to its previous use (auto repair). The on-site utilities (Electricity, Natural Gas, Water, and on-site septic) are adequate for the intended use. We see no additional burden placed on the Police or Fire Services. The building is protected by a video surveillance system housed at the Groveland Municipal Light Department's office. Additionally, the entirety of the building located at 944 was retrofitted with a sprinkler system when Groveland Light bought and renovated their current operations center.

4. The location of 944 Salem Street is zoned Industrial. GML's intended use is similar to past use of the location. There are few residential buildings nearby – 2 on Salem Street in Georgetown, and one on Hampshire Rd in Georgetown. The nature of the business being mostly scheduled service means that

there will be limited customer traffic. Being such, we do not anticipate any negative impact on the neighborhood character – to the contrary; it's in character.

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5. There are no planned impacts to the natural environment. The existing facility provides all the space that is currently needed for the operation. If further expansion is warranted GML will approach the Groveland Municipal Light Department to enquire if there is any additional space in the building that could be licensed and will coordinate with the Town if any further permitting is required.

6. Fiscal impact to the town would be minimal. On-site utilities are adequate for the operation. Staffing would be minimal: 1 full-time staff member on-site to start, with the potential to add more if the need is warranted. It will also keep the square footage occupied by GML on the tax-rolls; Currently space occupied by Groveland Light is tax-exempt. The biggest fiscal impact will be felt by the Groveland Municipal Light Department as: 1. it will be receiving income for the licensing of the space, 2. The location of the service center will reduce time and money spent on transiting vehicles for service, and 3. The rate GML is charging for services is extremely beneficial to its members and customers.

7. The location of the proposed business, 944 Salem Street, lies at the "Gateway" to Groveland. Currently it is an underutilized property; previously being the home of multiple businesses (auto repair, bathroom remodeling, welding, and a custom carpentry shop to name a few examples. GML would add a low-impact business to this area, which as pointed out above, is in-character with previous businesses located at the property.

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Disclaimer: This Information is believed to be correct but is subject to change and is not warranteed.

julie

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Rating:     NUMELOVAL UNITS, VOUCP CLIVI       Rating:     Rating:       7     Rating:       1		Bartition   - LICHT
r       Rating: Rating: Rating: Rating: Reating: AVERAGE       r       Rating: Rating: Reating: AVERAGE       Reside Convertion       r         1       Rating: Rating: Reating: NVERAGE       RESIDENTIAL GRID Text Res Grid       # Units Desc:       # Units FEA       18       61       33       61       33       61       33       61       33       61       33       61       16		
r       Rating: Rating: Rating: AVERAGE       OUWNETCOME COUNCTION         7       Rating: Rating: AVERAGE       Rating: Rating: AVERAGE       Residential (Control of Council of Counci	Functional:	١ <u>ب</u>
Rating:       Cummercouncer curve         7       Rating:         7       Rating:         3       Rating:         3       Rating:         1       Rating:		INTERIOR INFORMATION
rating:       outwint_cont_outry, output_cont_outry, output_contex, output_cont_outry, output_cont_outry,	DEPRECIATION	Lump Sum Ag;
Rating:       COMMENCACION CONFICINITY         Rating:       Rating:         7       Rating:         7       Rating:         7       Rating:         7       Rating:         7       Rating:         7       Rating:         8       Rating:         1       Image:         1       Image:         1       Image:         1       Image:         1       Image:	Name'	Const Mod:
Rating:       VOWVERVICE ONLY 3, COUPLED         7       Rating:       VERAGE         7       Rating:       VERAGE         7       Rating:       VERAGE         8       Rating:       VERAGE         7       Rating:       VERAGE         8       Rating:       VERAGE         7       Rating:       VERAGE         7       Rating:       VERAGE         7       Rating:       VERAGE         7       Rating:       NURES         1       Rating:       VERAGE         1       Rating:       VEDR D         1       Rating:       VERAGE         1       Rating:       VERAGE         1       UPper       GROVELAND         1       ONA       STG         1       NVA       NVA         1       NVA         1       VERAGE <td>% Own:</td> <td>Jurisdict: Fact: .</td>	% Own:	Jurisdict: Fact: .
r       Rating:       OUMMETCULL CMT S. COULT CENT         r       Rating:       OUX372017.         r       Rating:       Rescillential CRID         r       Rating:       Rescillential CRID         r       Rating:       NUT         r       Rating:       Store Rescillential Crieft         r       Rating:       NUT         r       Rating:       Store Rescillential Crint<	Total Units:	Alt LUC: Alt %:
Rating:       OUMMETCUT CUT S. COULT CENT         Rating:       Rating:         7       Rating:         10       Resciper Side Desc:         11       Rating:         12       Interse Grid       Desc:         13       Rating:         14       Rating:         15       18         61       GROVELAWD         18       GROVELAWD         19       GROVELAWD         10       10         10       10         10       10         10       10         11       10         12       10         13       10	Location:	Year Blt: 1987 Eff Yr Blt: 1995
Rating:       OVENUELCONFLOWED, COUNCEDED         Rating:       Rating:         7       Rating:         8       Item of the solution of th	CONDO INFORMA	Grade: C - AVERAGE
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Rating:     Commencement of a string:       Rating:     Average       7     Rating:       8     Rescipe of the string:       7     Rescipe of the string:       8     18       61     33		mi
Rating:     COMMERCIAL UNITS, COUNTERLY       Rating:     Rating:       Rating:     AVERAGE       Rating:     AVERAGE       Residential     Residential	Kits: 1 Rating:	
Rating:       Rating:       7     Rating:       7     Rating:       7     Rating:       8     AVERAGE       3     Rating:	["	- GABLE
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More: N

Total Yard Items:

17,300 Total Special Featues:

Total:

17,300

NAME OF

Use Value Notes 154,300													
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	Code Fact L	Alt % Spec Class % Land	Infl 3 % Appraised	Infl 2 %	-	Neigh Neigh Influ Mod	Adj Neigh		Land Type Factor Value	Unit Type	No of Units PriceUnits	iption LUC No	Use Description
	Contraction of the	Sign.									lines only)	AND SECTION (First 7 lines only)	ND SE
		Ciant									Street		t
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101 M KRAJESKI	1	8/10/2010 PERMIT VISIT	.00	300.00		G	16,000	COMMIND	12/8/2009 1061		Electri		T
200 NEMC		11/22/2011 MEASURED	8	200		0		COMMIND			100 water	INDUSTRIA	0
	OR	7/8/2020 INFO AT DOOR				C	1 N	REMODEL	0,	Code Description	Item	Description	Item Code
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By Name	ATION	ACTIVITY INFORMATION	Comment	E Descrin	Fed Code	C/O Last Visit	Amount C/O	1.00	NG				
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BldReason:												CECOMENTO	
LandReason:			No	1 No		7/17/1983 FAMILY		7137-0494	WATSON FAMILY R	with 4 Units, 0 Bath, 0 3/4 Bath, 7 HalfBaths, 0 Rooms, and 0	h, 7 HalfBaths, (	0 Bath, 0 3/4 Bat	Units,
Year				100 No	NCE			8276-0087	WATSON FAMILY R	078 Square Feet.	L Dumunity punce	MUNICPL With a INDUSTRIAL Building built about 1907, having primarily CORREG STI Exterior and 9078 Square	n nrimal
Reval Dist:			No 4	1,150,000 No		4 INV	Q	33719-325	WATSON FAMILY R	ty classified as	ES of land maining	This parcel contains 1.3 ACRES of land mainly classified as	
		Notes	Tst Verif	Sale Price V	e	Date Sale	Type	Legal Ref	Grantor		NON	NARRATIVE DESCRIPTION	RATIV
	2690	PAT ACCT.				TAX DISTRICT		TION	CALES INFORM			834	Postal: 01834
	e -	1/6/2020	746,800 Year End Roll	800				646,500	903		Cntry	2	St/Prov: MA
9	_	1/11/2021	822,200 Year End Roll					710.900	2021 903 FV			Twn/City: GROVELAND	City: GF
Time	Date	10/25/2021	856 900 Year End Roll	856 900 85	101,000 00 101 800 85	1.0	0 18300	736,800	903			Street 1: 944 SALEM ST	et 1. 94
	AST REV	11/18/2024	960,000 Tear Lild Null					000,668	903		N TRUSTEE -	<b>Owner 2:</b> RICHARD WATSON TRUSTEE	er 2: RI
-		11/1/2022	985,300 Year End Roll	00				855,000	903		REALTY TRUS	<b>Owner 1: WATSON FAMILY REALTY TRUST -</b>	er 1: W/
Time Prior Id # 1.	Date		Year End Roll					1,102,300	903			PREVIOUS OWNER	SUOIA
Prior Id # 3	PRINT		Year end	1,273,900				1,102,300		Type:		834	Postal: 01834
Print Id # 2.		Date		alue Asses'd Value	님	Land Size Land Value		Bidg Value		Own Occ: N	Cntry		St/Prov: MA
	126901		Parcel ID 49-018-1	Parc				ASSESSMENT	PREVIOUS ASSE			Twn/City: GROVELAND	City: GF
	07/08/20	it Type:	Parcet: 140.33 Land Unit Type:		/Laro: 140.33	I otal Value per SQ unit /Caro.	I otal Va	t Adj Cost	Source: Market Adj Cost				Street 2:
-	<ul> <li>Insp Date</li> </ul>		T				1,102,000	1.000	I Dial Failes			Street 1: 944 A SALEM ST	et 1: 94-
		Entered Lot Size	1,2/3,900 Er		154,300	17,300	1,102,300	1.300	Total Card				Owner 3:
Ref	GIS Ref									r TOW	DEPARTMENT	Owner 1: MUNICIPAL LIGHT DEPARTMENT TOW	Owner 1: MUN
Ref	GIS Ref						1,102,000	1,000	900				Sata
Acct	User Acct	Legal Description	80	Total	Land Value	Yard Items	1 102 200	d Size Bu	Use Code Land Size Building Value		Direction/Street/City	No Alt No	
		ASSESSED:					UMMARY	PRAISAL S	N PROCESS API			LOCATION	PERTY
			I OWN OF Groveland	10	CARD			- -	-	Lot	Block	q£	Мар
1,273,900/ 1,273,900		APPRAISED:					5		2	1	8F0	49	

M         MAINTERTURES         COMBENTS         SFTH           M         ALTERNATION         State of the set of th			Total Special Featues:	17.300	Total Yard Items:	More: N
BATH FARMURES         SWETCH           Marker Andres And						
BATH FATURES         COMMENCE         COMMENCE         SETCH           Alaman         Ready (10)         Ready (10) <td< td=""><td></td><td></td><td></td><td></td><td></td><td></td></td<>						
BATH FEATURES         SKFCH           Alamin         Failing         Good Feature Electrine, 3*           Counce         Failing         Failing         Good Feature Electrine, 3*           Counce         Failing						
BATH FATURES         COMMENTS         SKETCH           A AND         Raine	2,300	2,300	36	AV	ΜY	
BATH FEATURES     COMMERCIAL UNTS.     SKETCH       Alabari     Raing Alabari     Raing Raing Alabari     Raing Raing Raing Raing Alabari     Reside Raing Rain	1,200	1,200	36	AV	ΜΥ	
BATH FEATURES     COMMERCIAL     SKETCH       A Abath     Raing Raing (12) (14)     Raing Raing (12) (14)     Commercial (12) (14)     Commercial (12) (14)     Commercial (12) (14)     Commercial (12) (14)     Commercial (12) (14)     Commercial (12) (14)     Commercial (14)	1 000	11,900	36 36	AV	OVRHD DOOR M Y 410	OHD OVR
BATH FRATURES         COMMENTS         SKETCH           A Sader / Baing A S	Juris. Val	Appr	D/S Dep	Qual Con Year	ption A Y/S Qty	de
4     ANH FEATURES     COMMENTS     SKETCH       1     Jahr Bann All Bann Bann All Bann Al	018-1	PARCEL ID 49			S.	SPEC FE/
4         BAH FEATURES         COMMENTS         SKETCH           1         Jalah Raing (Jalah) Rain	原でした。	Year	Serial #	Model:	Make:	MOBILE HOME
4         BAH FEATURES         COMMENTS         SKETCH           1         Balan         Raing Bill Balan	AssessPro		Final Total: 1102300	Depreciated Total: 1102342	% Sprinkled 100	% Com Wal
4     BAH FEATURES     COMMENTS     SKETCH       4     Abah     Raing Name     Findam     Raing Raing Name     GROVELAVDELECTRIC.3     SKETCH       4     Abah     Raing Name     Raing Raing Name     GROVELAVDELECTRIC.3     SKETCH       1     15%     GREAK     Raing Name     GROVELAVDELECTRIC.3     SKETCH       1     Name     Raing Raing     GROVELAVDELECTRIC.3     SKETCH       1     Name     Raing Raing     User     Fullam     GROVELAVDELING       1     Raing     Main     Raing     User     GROVELAVDELECTRIC.3       1     Name     Basis     Finitan     GROVELAVDELECTRIC.3     GROVELAVDELECTRIC.3       1     GROVELAVDEL     GROVELAVDELECTRIC.3     GROVELAVDELECTRIC.3     GROVELAVDELECTRIC.3       1     GROVELAVDELECTRIC.3     GROVELAVDELECTRIC.3     GROVELAVDELECTRIC.3     GROVELAVDELECTRIC.			Special Features: 0	Depreciation: 205300	Cent	Solar HW: NO
4         BAH FEATURES Fillistic A 308m A 300m A 308m A 300m A 300m	9078 Gross Area 14732 FinArea		Juris. Factor.	Adi Total: 1307649	ed: 80 % AC: 30	% Heated: 80
4     BATH FEATURES     COMMENCE       4     ABATH FEATURES     GOMENTS       4     Asther Faing     Fill and Raing     Fill and R				NBHD Mod:	VS: 1	# Heat Sys: 1
4     BAIH FEATURES (Fill add A ad				NBHD Inf: 1.00000000	4	Heat Fuel: 2
4     BAH FEATURES Full addition A Bahn     Commency register A Stating NERACE     Commency Full addition A Stating Network     Commency Full addition Functional Network     SketTcH       1     A Bahn     Rating Rating NERACE     For Full addition Functional Network     For Functional Network     For Functional Networ				Grade Factor: 1.00	2	Int vs Ext: S
4     BATH FEATURES     COMMENCE     SKETCH       7     A Bath     Raling A Sub R     Raling Raling A Sub R     Raling Raling A Sub R     Commence Reside     Raling Raling A Sub R     Raling Raling Raling Raling Reside     Fill Bath Raling Raling Reside     Fill Bath Raling				Other Features: 45124	on: 2 - TYPICAL	Insulation: 2
4       BATH FEATURES A Bath       COMMENTS Raing A Bath       SKETCH         4       A BATH FEATURES A Bath       COMMERCIAL UNITS.       SKETCH         4       A Bath       Raing A Bath       Commence and and A Bath       Commence and a Bath       Comm		~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~		Adi \$ / SO- 09 214	ric: 3 - TYPICAL	Electric: 3
4     BATH FEATURES A Bath     COMMENTS Raing A Subt 12 Bath     COMMERCIA. UNITS.     SKETCH       4     A Bath     Raing A Subt 12 Bath     Raing Raing 12 Bath     COMMERCIA. UNITS.     SKETCH       11     A Bath     Raing 12 Bath     Raing Raing 12 Bath     COMMERCIA. UNITS.     SKETCH       11     A Subt 12 Bath     Raing Raing 12 Bath     COMMERCIA. UNITS.     SKETCH       11     A Subt 12 Bath     Raing Raing     COMMERCIA. UNITS.     SKETCH       11     A Subt 12 Bath     Raing Raing     RESIDENTIAL GRD     # Units       11     Raing Find     Raing     Reside Desci     # Units       11     Raing Find     Raing     Reside Desci     # Units       11     Raing Find     Raing     Raing     Reside Desci     # Units       11     Raing     Raing     Raing     Reside Desci     # Units       11     Raing     Raing     Raing     Reside Desci     Reside Desci       1980     Condor     Ros     Reside Raing     Reside Desci     Reside Raing       1980     Ros     Reside Raing     Reside Raing     Reside Raing     Reside Raing       1980     Ros     Reside Raing     Reside Raing     Reside Raing     Reside Raing       1980 <t< td=""><td>STORAGE 2,429 9.920 24,099 FFL 100 OFC</td><td>Date Sole Flice</td><td>r alvel ID</td><td>Size Adj.: 1.020312/9</td><td></td><td>Bsmnt Gar:</td></t<>	STORAGE 2,429 9.920 24,099 FFL 100 OFC	Date Sole Flice	r alvel ID	Size Adj.: 1.020312/9		Bsmnt Gar:
4       BATH FEATURES       COMMENTS       COMMENTS       SKETCH         A Bath       Raing A Bath       Raing A Bath       Raing A Bath       Comments       Comments       SKETCH         1       A Bath       Raing A Bath       Raing A Bath       Raing A Bath       Comments       Comments       SKETCH         1       Bath       Raing A Heith       Raing A Heith </td <td>1ST FLOOR 9,078 136.420 1,238,419 Area Usb Descrip Type Qu</td> <td>Data Calo Drino</td> <td>Parnel ID</td> <td>Basic \$ / SQ: 105.00</td> <td></td> <td>Subfinn</td>	1ST FLOOR 9,078 136.420 1,238,419 Area Usb Descrip Type Qu	Data Calo Drino	Parnel ID	Basic \$ / SQ: 105.00		Subfinn
4     BAH FEATURES Labor     COMMENTS File     SKETCH       4     A Bahn     Raing A Bahn     Commercial UNITS.     SKETCH       11     A Bahn     Raing A Bahn <td>Description Area - SQ Rate - AV Undepr Value Sub %%</td> <td></td> <td></td> <td>CALC SUMMARY</td> <td></td> <td>Remnt Elr</td>	Description Area - SQ Rate - AV Undepr Value Sub %%			CALC SUMMARY		Remnt Elr
4     BAHI FEATURES     COMMENTS       A Bahn     Raing     Now USED BROPELAND ELECTRIC; 3:     SKETCH       1     A Bahn     Raing     Commence     Commence       1/13%     A Bahn     Raing     Commence     Find       1/13%     Other R     Raing     Commence     Find       1/13%     Other R     Raing     Commence     Find       1/13%     Other R     Raing     NERCIAL UNITS:     Find       1/13%     Other R     Raing     NERCIAL UNITS:     Find       1/13%     Other R     Raing     Paing     Find       1/13%     Other R     Raing     UNITS:     Find       1/13%     Other R     Raing     Paing     Find       1/13%     Other R     Raing     Paing     Raing       1/13%     Other R     Raing     Paing     Raing       1/13%     Other R     Raing     Paing     Raing     Paing       1/13%     Raing     No     R     R     R     Find       1/13%     Raing     Paing     R     Find     Convert     Convert       1/13%     Raing     No     R     R     R     Find       1/13%     Raing <td< td=""><td></td><td></td><td>%</td><td>tal:</td><td></td><td>Sec Floors: 12</td></td<>			%	tal:		Sec Floors: 12
M     BATH FEATURES A Bath A Bath R Raing A RENCE IT A Altis R Raing A RENCE IT R RENCE IT R RENCE IT R R R R R R R R R R R R R R R R R R R		Totals	1	Override:		Partition: L
M     BATH FEATURES     COMMENTS     SKETCH       A Bath     Rating     Rating     Normation     Normation     Normation       11     A Bath     Rating     Normation     Normation     Normation       11     A Kits     Rating     Normation     Normation     Normation       11     A Kits     Rating     Normation     Normation     Normation       11     Rating     Normation     Normation     Normation     Normation       11     Rating     Normation     Normation     Normation     Normation       1085     Indiancia     Normation     Normation     Normation     Normation       1085     Indiancia     Normation     Normation     Normation     Normation       1085     Normation     Normation     Normation     Normation     Normation       1085     Normation     Normation     Normation <td></td> <td></td> <td></td> <td>Special:</td> <td>- DRYWALL</td> <td>Sec Int Wall: 1</td>				Special:	- DRYWALL	Sec Int Wall: 1
A     BATH FEATURES     COMMENTS     SKETCH       A Bath     Rating     Rating <td></td> <td></td> <td></td> <td>Economic:</td> <td>- MINIMUM</td> <td>Prim Int Wal 5</td>				Economic:	- MINIMUM	Prim Int Wal 5
A       BATH FEATURES       COMMENTS       SKETCH         III Bath       Raling       A Bath:       A Bat			%		0.1	Avg Ht/FL: 15.1
M       BATH FEATURES       COMMERS       SKETCH         Full Bath       Rating       for wide of the state of			%	- Good	ORMATION	INTERIOR
M       BATH FEATURES       COMMENTS       SKETCH         Full Bath       Rating:       60% USED 87 GROVELAND ELECTRIC; 3       61       4         A Bath:       Rating:       60% USED 87 GROVELAND ELECTRIC; 3       60% USED 87 GROVELAND ELECTRIC; 3       61       12         115%       Other Rating:       AHBin:       Rating:       COMMERCIAL UNITS.       COMMERCIAL UNITS.       18       61       33       62         115%       Other Rating:       AHBin:       Rating:       COMMERCIAL UNITS.       18       61       33       68       61       33       68       61       34       61       33       68 <td></td> <td></td> <td>Interior:</td> <td>NEDDECIATION</td> <td>Lump Sum Adj;</td> <td>Lump St</td>			Interior:	NEDDECIATION	Lump Sum Adj;	Lump St
A       BATH FEATURES       COMMENTS       SKETCH         Full Bath       Rating:       60% USED BY GROVELAND ELECTRIC; 3*       60% USED BY GROVELAND ELECTRIC; 3*         A       344 Bath:       Rating:       60% USED BY GROVELAND ELECTRIC; 3*       61         112       Athin:       Rating:       Commercial units:       60% USED BY GROVELAND ELECTRIC; 3*       61         112       Athin:       Rating:       Commercial units:       61       33         112       Bath:       Rating:       Athin:       Rating:       Commercial units:         115       Other Rating:       Athin:       Rating:       Full Bath       61       33         115       Other Rating:       NERE Grid Desc:       # Units       61       33       61       34         MSFlue       Rating:       NERE Grid Desc:       M2       GROVELAND       GROVELAND       GROVELAND       GROVELAND         MSFlue       Rating:       N2       M2       GROVELAND       GROV		BRS	Exterior	% Own:	Const Mod:	Con
4       Bath FEATURES       COMMENTS       SKETCH         Full Bath       Rating:       00% USED BY GROVELAND ELECTRIC; 3       SKETCH         A 30Bath       Rating:       00% USED BY GROVELAND ELECTRIC; 3       SKETCH         11       334 Bath       Rating:       COMMERCIAL UNITS.       SKETCH         11       334 Bath       Rating:       COMMERCIAL UNITS.       SKETCH         11       112 Bath:       Rating:       COMMERCIAL UNITS.       COMMERCIAL UNITS.         11       112 Bath:       Rating:       COMMERCIAL UNITS.       COMMERCIAL UNITS.         11       112 Bath:       Rating:       COMMERCIAL UNITS.       COMMERCIAL UNITS.         115%       Others:       Rating:       COMMERCIAL UNITS.       COMMERCIAL UNITS.         115%       Others:       Rating:       Rating:       Rating:       COMMERCIAL UNITS.         115%       Others:       Rating:       Rating:       Resident Desc:       # Units       61       33         115%       Rating:       Rating:       Inits       Bath:       Inits       61       124       GROVELAGE         11995       Location:       Rating:       Inits       Inits       Bath:       Bath:       124       GROV		RES BREAKDOWN	REMODELING	Floor	Fact.	Jurisdict:
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Total

17,300

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**49-001-1** PYE BROOK REALTY LLC C/O JEFF SCHUTZMAN 939 SALEM ST Groveland, MA 01834

**49-001-4** NAS REALTY LLC 939 SALEM ST UNIT 3 GROVELAND, MA 01834

**49-001-7** MCCARTHY TRS JAMES P DOUBLE VISION REALTY TRUST 78 BAY STATE AV SOMMERVILLE, MA 02143

**49-002-0** NEW ENGLAND POWER CO PROPERTY TAX DEPT 40 SYLVAN RD WALTHAM, MA 02451

**49-004-B** ANFEH LLC 37 DWINNELL ST GROVELAND, MA 01834

**49-017-0** NEW ENGLAND POWER CO PROPERTY TAX DEPT 40 SYLVAN RD WALTHAM, MA 02451

**49-019-0** ESSEX COUNTY GAS CO D/B/A KEYSPAN ENERGY DELIVERY 40 SYLVAN RD WALTHAM, MA 02451 **49-001-2** PASTORE MARK V TRS PETTENGILL CHARLES S TRS 939 SALEM ST UNIT 2 GROVELAND, MA 01834

**49-001-5** ARSENAULT MARTIN J TRS ARSENAULT LISA M TRS 939 SALEM ST UNIT 5 GROVELAND, MA 01834

**49-001-8** FMS REALTY LLC 939 SALEM ST UNIT 3 GROVELAND, MA 01834

**49-003-0** CLIFFORD TRS TERRY PUB 97 REALTY TRUST 65 MAIN ST GROVELAND, MA 01834

**49-015-0** VALLEY PROPERTY MANAGEMENT LLC 1290 PARK ST PALMER, MA 01069

**49-018-0** MUNICIPAL LIGHT DEPARTMENT TOWN OF G 944 A SALEM ST GROVELAND, MA 01834

**49-020-0** TOWN OF GROVELAND MUNICIPAL LIGHT DEPARTMENT 23 SCHOOL ST GROVELAND, MA 01834 **49-001-3** NAS REALTY LLC 939 SALEM ST UNIT 3 GROVELAND, MA 01834

49-001-6 MCCARTHY TRS JAMES P DOUBLE VISION REALTY TRUST 78 BAY STATE AV SOMMERVILLE, MA 02143

**49-001-9** FMS REALTY LLC 939 SALEM ST UNIT 3 GROVELAND, MA 01834

49-004-0 ANFEH LLC 37 DWINNELL ST GROVELAND, MA 01834

**49-016-0** NEW ENGLAND POWER CO PROPERTY TAX DEPT 40 SYLVAN RD WALTHAM, MA 02451

**49-018-1** MUNICIPAL LIGHT DEPARTMENT TOWN OF 944 A SALEM ST GROVELAND, MA 01834

CERTIFIED Board of Assessors Groveland, MA

# GEORGETOWN, MA PARCELS WITHIN 300 FEET OF 944 SALEM STREET, GROVELAND, MA TOWN OF GEORGETOWN **ABUTTER LIST**

	OWNER 2	MAILING AUURESS		
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		T MING OTHER	01010010	
	CHERYL ANN CROPLEY	243 W MAIN ST	GEORGETOWN	MA 01833
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LD JR	MARGARET ALUKONIS	4 HAMPSHIRE LN	GEORGETOWN	MA 01833
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S OWNER 1 HAMILL, CH CROPLEY RC CRONIN NO CRONIN SERA U TITUS GERA U ANFEH LLC	PARCEL ADDRESS       OWNER 1         1 KING ST       HAMILL, CHRISTOPHER L         243 W MAIN ST       CROPLEY ROBERT J         246 W MAIN ST       CRONIN NORINE A         246 W MAIN ST       CRONIN NORINE A         3 HAMPSHIRE LN       TITUS GERALD JR         3 HAMPSHIRE LN       ANFEH LLC         HAMPSHIRE LN       GROVELAND ASSOCIATES LLC	OWNER 2       PHER L     CHERYL ANN CROPLEY       A     MARGARET ALUKONIS       OCIATES LLC     FEDERAL CITY CONDOMINIUM- C/C	OWNER 2     INIAILING ADURESS       PHER L     1 KING STREET       J     CHERYL ANN CROPLEY     1 KING STREET       A     CHERYL ANN CROPLEY     243 W MAIN ST       A     MARGARET ALUKONIS     246 W MAIN ST       MARGARET ALUKONIS     4 HAMPSHIRE LN       CIATES LLC     FEDERAL CITY CONDOMINIUM- C/O FENS CO 939 SALEM STREET	OWNER 2     INIALING ADDRESS     CHTY FORM       PHER L     CHERYL ANN CROPLEY     1 KING STREET     GEORGETOW       J     CHERYL ANN CROPLEY     243 W MAIN ST     GEORGETOW       A     MARGARET ALUKONIS     246 W MAIN ST     GEORGETOW       MARGARET ALUKONIS     4 HAMPSHIRE LN     GEORGETOW       SCIATES LLC     FEDERAL CITY CONDOMINIUM- C/O FENS CO 939 SALEM STREET     GROVELAND

Town of Georgetown ASSESSORS OFFICE CERTIFIED COPY Georgetown, MA 01833

January 24, 2024

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Groveland Realty Trust, LLC 7 Hemlock Lane Groveland, MA 01834

January 24, 2024

Chris Goodwin, Chair Groveland Zoning Board of Appeals 183 Main Street Groveland, MA 01834

### RE: 4 Sewell Street 40B Project

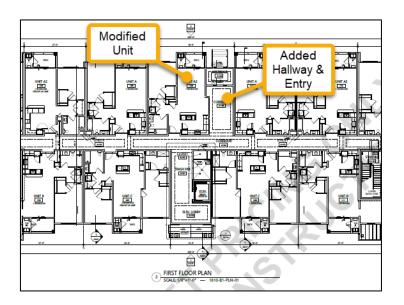
Dear Chris:

The Town of Groveland Zoning Board of Appeals issued their final decision on Groveland Realty Trust, LLC application for a Comprehensive Permit on November 18, 2020. Since this date, the architectural plans were finalized to reflect the preliminary set of floor plans approved by the Board and the civil plans to reflect some additional changes and to comply with the requirements of the Conservation Commission.

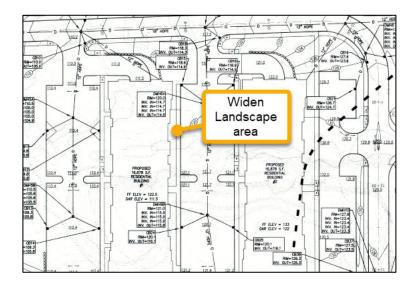
The architectural, structural, and mechanical plans for the project along with a revised set of civil drawings were submitted to the Town's Building Commissioner as part of the applicant's application for a building permit. These plans were subsequently reviewed by an outside peer review consultant to ensure compliance with all applicable regulations. Mr. Joslin has indicated in recent correspondence that he is prepared to issue a foundation permit subject to the applicant complying with the requirements set forth in the final ZBA decision. A full building permit will be issued once the fire panel drawings are submitted and approved by his office.

In completing the architectural plans, a minor change is proposed for both Building #1 and #2 that provides the option to convert a one two-bedroom unit on the first floor to a one-bedroom unit. By doing this, these buildings would have the ability to add a short hallway on the first floor that will create a card access entry from the parking area that is behind each of those two buildings. In addition to improving access to the project's parking areas, this added entry will make it easier for residents to walk to the clubhouse and its amenities.

Chris Goodwin January 24, 2024 Page 2



The final set of civil plans that are included along with this letter show Building #1 being moved  $8\pm$  feet to the north which increases the strip of landscaped area behind this building by  $8\pm$  feet.



A mailbox and parcel building has been added adjacent to the clubhouse, as shown on the updated site plans, which centralizes residents' mailboxes while providing a secure location for the delivery of larger parcels. This added amenity led to an adjustment in the design of the parking area in front of the clubhouse and building #3 without any loss as to the total number of parking spaces being provided for the project.

Chris Goodwin January 24, 2024 Page 3

The final site design, as shown in the updated drawings, also includes some finish grade changes and modifications to the drainage system removing one pond while reutilizing the old quarry pond. All these changes were reviewed and approved by the Conservation Commission and were part of the supporting documentation in the Order of Conditions issued.

As provided for in MA G.L. 760 CMR 56.05(11), the applicant is requesting that the Zoning Board of Appeals considers the above changes to be an insubstantial change to the plan previously approved. We are also requesting several minor changes to the original decision, specifically as to the submission date for certain documentation required.

- 1. The requirement that the applicant submit the fire panel drawings prior to the commencement of any work be revised to require that these drawings be submitted and approved prior to the Town's issuance of the full building permit. This modification will mirror the requirements as set forth by the Building Commissioner.
- 2. The ZBA decision be modified to require the applicant's landscaping plan be submitted prior to the Town's issuance of the full building permit, rather than prior to the commencement of any work. The applicant continues to work with the landscape designer and architect to finalize these drawings.

Please advise if you have any additional questions or concerns or if you require additional information. We look forward to discussing the above requests further with the Board once scheduled. Thank you!

Sincerely,

William Daley Managing Member

THE GROVEL AND THE TRANSPORT	Town of Gro Zoning Board	
	Applicat	
C POR SPADFORD WISS CHA	183 Main Street, Gr	
nformation, it will ne herefore, we strongly with the Department ompleteness prior to Clerk and is incomple eject the application	Application is incomplete or missing ot be accepted by the Department St y recommend that you set an appoin Staff to review the application for o submission. If it is submitted to To ete the Zoning Board Staff person w . Bylaws are located on Town Webs LATE IF DOWNLOADING FRO	Reviewed for completeness by:         Date:         Date:         Application #:         own         vill         site.
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### **PROJECT DESCRIPTION & INFORMATION**

### **Process Sought:**

 $\Box$  Application is hereby made for a **Variance** from the requirement of the Groveland Zoning Bylaw Chapter 50, Section (s)\_\_\_\_\_and M.G.L Ch. 40A §10.

 $\Box$  Application is hereby made for a **Special Permit** from the requirement of the Groveland Zoning Bylaw Chapter 50, Section (s)\_\_\_\_\_ and M.G.L. Ch. 40A § 9.

□ Appeal made by a person aggrieved by the inability to obtain a permit or enforcement action from the Building Inspector under Groveland Zoning Bylaw Chapter 50, Section 14-2 and MGL c. 40A.

<b>Project Type:</b> ( <i>Check all that apply</i> )		
Use Regulation <u>Article 4</u>	Non-Conforming Lot <u>Article 8</u>	
Non-Conforming Use	Building Inspector Appeal	
Non-Conforming Structure <u>Article 5</u>	Variance <u>Article 14 Section 7</u>	
Wireless Communication Facility <u>Article 6 Section 3</u>	Other: (If other please explain below)	

Brief description of proposed work or use, or nature of relief requested. (Attach letter if necessary)

**Prior Filings:** File number, or Registry of Deeds book and page, of any previous appeal or permit issued by the Zoning Board of Appeals, Planning Board or Conservation Commission on these premises:

### **Dimensional Information:**

All information should be measured and calculated in accordance with the <u>Zoning Bylaws</u>; the information shall be based on architect/engineer/surveyor prepared plans and/or calculations.

Requirements per Zoning District Zoning District:	Existing	Proposed
Lot Area ( <i>sqft</i> ):		
Lot Frontage ( <i>ft</i> ):		
Front Yard Setback (ft):		
Site Yard Setback #1 ( <i>ft</i> ):		
Site Yard Setback #2 ( <i>ft</i> ):		
Rear Yard Setback (ft):		
Height (ft):		

If the existing property, structure(s), and/or uses DO NOT conform to the current Zoning Bylaw, please describe what characteristic is non-conforming and when the lot, structure, or use began.

### **SPECIAL PERMIT**

(Only complete if filing for a Special Permit)

### **Special Permit Type Sought:**

Table of Uses       Article 4 Section 5	Registered Marijuana Dispensary <u>Article 7 Section 4</u>	
Non-Conforming Use, Lot or Structure <u>Article 5</u>	Sign Regulations	
Wireless Communication Facility Article 6 Section 3	]	

### PLEASE BE SURE TO REVIEW THE SPECIFIC REQUIREMENTS FOR EACH OF THE ABOVE FILING TYPES IN THE ZONING BYLAW.

In addition to the specific requirements outlined in each Special Permit type, all Applicants must prove they meet the seven criteria listed in <u>Article 14 Section 6(A)</u>. The criteria are listed below with space for an explanation, but if more space is required, please submit supporting documentation.

### Criteria:

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:

7) Consistency with the Town of Groveland Community Development Plan or the Town of Groveland Master Plan:

### VARIANCE

(Only complete if filing for a Variance)

### Variance Sought:

Please list the specific section of the Zoning Bylaw in which you are seeking a variance for:

*NOTE:* <u>Section 14.7(D)</u> prohibits the granting of use variances.

All Applicants must prove they meet the three criteria listed in <u>Article 17 Section 7(A)</u>. If the Applicant cannot meet these three criteria they will not be considered for a variance. The criteria are listed below with space for an explanation, but if more space is required, please submit supporting documentation.

1) Owing to circumstances related to soil, shape, or topography conditions of the land or structures, specifically affecting the land or structure but not generally the rest of the zoning district in which it's located:

2) A literal enforcement of the Bylaw will cause substantial hardship, financial or otherwise:

Groveland Zoning Board of Appeals Application Page 5 of 8 3) Relief can be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Bylaw:

### **APPLICATION CHECKLIST**

Please submit a completed and signed Application to the Zoning Board Staff and make an appointment with Board Staff prior to making copies.

Application Fee - See Appendix A (made payable to the Town of Groveland).
Copy of Deed
<b>Property Card</b> - From the Assessor's Office.
Abutters List for a 300 ft radius of the property - Certified by the Assessor's Office within the last 6 months.
Stamped and Addressed Mailings - See Appendix B
All Prior ZBA, Planning Board, or Conservation Commission Decisions
<b>Letter of Authorization</b> - To represent the owner/applicant ( <i>if using representative or attorney</i> ).
<b>Denial Letter from Building Inspector</b> (for Variance and Building Inspector Appeals only).
Plot Plan - Depending on the application, a certified plot plan may be required. Please consult with Board Staff. Requirements for the plot plan are listed in Appendix C.
<b>Floor Plan</b> - Depending on the application, a certified floor plan may be required. Please consult with Board Staff
Electronic Copy of All Documentation
<b>DO NOT INCLUDE/PRINT APPENDIXES IN APPLICATION THAT GETS</b> SUBMITTED TO THE BOARD

### Legal Notice & Abutter Notification

The Zoning Board of Appeals shall provide the Applicant with a copy of a Legal Notice which shall also be used the Abutter Notification.

Notice of the Applicant's public hearing will be published in the Eagle Tribune once in each of two successive weeks, the first publication to be not less than 14 days before the date of the hearing. The Board will prepare the legal notice; the applicant is responsible for submitting the legal notice to the newspaper for publishing and providing payment to the newspaper.

It is the Board's Policy that the Applicant shall be responsible for proper notification of Abutters. Abutter Notification shall be accomplished with Certified Mail/Return Receipt Requested. The actual return receipt shall be submitted to the Board at the start of the first public hearing. Failure to provide proof of Abutter Notification at the first meeting shall deem the meeting to be improperly noticed and shall be canceled. In such an event, the Applicant shall be allowed to withdraw the application for re-submittal at a later date. All costs associated with re-submittal shall be the responsibility of the Applicant, including legal advertisements.

In addition to abutter notification, the Applicant shall send notice of the application to all municipalities abutting the Town of Groveland. The notice to abutting towns does not need to be sent certified mail; <u>Town of Boxford Planning</u> Board 7A Spofford Road Boxford, MA 01921, <u>Town of Georgetown Planning</u> Board 1 Library Street Georgetown, MA 01833, <u>City of Haverhill Planning Board</u> City Hall, Room 201 4 Summer Street Haverhill, MA 01830, <u>Town of Newbury Planning Board</u> Town Hall 12 Kent Way Byfield, MA 01922, <u>Town of West Newbury Planning Board</u> 381 Main Street West Newbury, MA 01985.

### **SIGNATURES**

I/We hereby request a hearing before the Groveland Zoning Board of Appeals for the indicated relief. I/We certify that I/we have read and examined this Application and all the materials submitted that all of the information contained therein or provided therewith is true and correct.

Signature:	
Printed Name:	
Owner of Record:	
Signature:	
Printed Name:	

It is the Applicant's responsibility to assure that all legal requirements are satisfied, and all showings are made. The Applicant is encouraged to review the By-Law in its entirety (available on town website).

### APPENDIX A

Schedule of Fees Special Permit/Variance: \$400.00 Appeal of the Decision of the Building Commissioner: \$275.00

### APPENDIX B

### **Mailing Requirements**

The Applicant will provide a set of mailing labels to the Zoning Board of Appeals to be used by the Board to mail the Decision to the abutters. The Applicant is responsible for submitting stamps (or stamped envelopes if the Applicant has access to a mailing machine) for each abutter to the Zoning Board of Appeals for the Decision. The Zoning Board of Appeals will assemble the mailing and mail accordingly.

### APPENDIX C

### **Plot Plan Requirements**

Plan shall be Certified (Stamped & Dated) by a registered land surveyor/engineer to include the location and dimensions of all existing and proposed buildings. Also front/rear/side yard setbacks and setback distances (setbacks from building/s to all lot line/s for all structures); Elevations for the front/rear/side showing measurements of the height of the existing and proposed structures using the definition of Building Height in the Zoning Bylaw; A scale measurement, with compass drawing showing North Arrow on the plan with the address of the property and names and addresses of the owner and the name of the person/ entity preparing the plan with the date of the plan. MORTAGE SURVEY PLANS or SEPTIC PLANS ARE NOT ACCEPTABLE, you should have a survey/certified plot plan. Any additions or updated Plans MUST be submitted to Board Staff two weeks Prior to the hearing date.

## **Town of Groveland** Zoning Board of Appeals

183 Main Street Groveland, MA 01834



### APPROVED 3-6-2024

Board/Committee Name:	ZONING BOARD OF APPEALS
Date:	WEDNESDAY, October 4, 2023
Time of Meeting:	7:30 PM
Location:	183 MAIN STREET GROVELAND, MA 01834

<u>Present:</u> Brad Ligols, John Stokes II, Chris Goodwin, Jason Naves <u>Absent</u>: John Grohol <u>Staff Present</u>: Annie Schindler (Town Planner & Conservation Agent) <u>Public Present</u>: Steve Glowacki (Rep. for 912 Salem Street), Bill & Frank Bryant (owners of 912 Salem Street), Mark Abare (Applicant for 912 Salem Street)

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

<u>Goodwin</u>: Call to order the meeting of the Groveland Zoning Board of Appeals at 7:30 PM on October 4, 2023.

**MOTION**: Ligols motions to open the meeting. Naves seconds the motion. Voting all in favor, the motion passes.

### **PUBLIC HEARING**

CONTINUED: Application #2023-6. 912 Salem Street. Applicant: Mark A Abare: A public hearing in accordance with Mass General Laws, Chapter 40A, as amended, for Application #2023-6 made by Mark A Abare, for the premises located at 912 Salem St Map 41 Lot 095, in the Industrial (I), Residential 1 (R-1), and Residential 2 (R-2) zoning districts, and owned by William T Bryan III, for a Special Permit in accordance with Section 50.4.5 (Table of Uses) of the Groveland Zoning Bylaw for a contractors yard. Glowacki: Steve Glowacki with RJ O'Connell & Associates, we are the engineers for the project. The applicant and owner of the properties are here as well. Since we were last here in May, we have filed a NOI with the Conservation Commission and a Site Plan Approval and Special Permit for Stormwater and Land Disturbance with the Planning Board. We did test pits for the stormwater features, wetland delineation, full engineering design, etc. We also prepared a traffic report which addresses some of the questions you had. Working with LEC, the environmental consultant, we had a determination from NHESP and received positive recommendations with some minor conditions. The primary feedback we got from Conservation was to pull the paved areas out of the 100-foot buffer zone. We will be following up with them at their next meeting after a site walk. We've provided a draft updated plan showing sliding the building and parking to the south side to be outside of the 100-foot buffer. We will be having our first Planning Board meeting on October 16<sup>th</sup>, although it may change to October 30<sup>th</sup>. We received a peer review from TEC a few days ago and at a quick glance we believe we will be able to address the comments. From the traffic perspective, the traffic reviewer noted that there is sufficient sight line distance to anticipate and avoid collision based on the speed of the road and their assessment. In terms of traffic volume there will be a minor increase, a 1% increase on the road and they believe the road can handle that increase. In terms of the points associated with the special permit, we feel like this commercial project will create employment opportunities for residents, there are adequate utilities for the

> Page 1 of 4 October 4, 2023 Zoning Board of Appeals Meeting Minutes

project. We will be installing a septic system which wouldn't cause a burden on Town utilities. We feel that this type of business is in line with the neighborhood and the other commercial properties in the area. We will be doing landscaping as well. As far as impacts on the environment we are doing a full stormwater report to mitigate stormwater running from the site and treating the stormwater, additionally we will provide erosion control measures during construction. The turtle's habitat will also be preserved. We don't foresee any negative fiscal impacts to the town with this project. There will be no school-age children, and while there may be some police and fire calls, nothing out of the usual. But as it would house businesses it would bring in tax revenue. And for consistency with the Master Plan, given that this is in the industrial zone we think that this is something that is consistent with the goals for responsible development in this area.

Ligols: Where is the septic going to be located?

<u>Glowacki</u>: It is going to be on the north side of the site, set away from the basin. We did some test pits for stormwater but for the septic as well to get a preliminary feel.

<u>Ligols</u>: What about a tractor trailer making the turn? It is only a 24-foot driveway, it would probably be better if it was 40 or 50.

<u>Glowacki</u>: TEC did note that in their report. Given the size and limitations of the site there will be a limitation of what size vehicle you can get in there. We can widen the radius there, we were just trying to keep it at a manageable size but we can look at expanding it to accommodate something larger. <u>Ligols</u>: You know if someone who does HVAC goes in there, he is going to want rooftops units delivered that will come in on a tractor trailer.

<u>Glowacki</u>: They semi just may have to pull up alongside the building and pull around the back. <u>Goodwin</u>: Yeah, I'm concerned about getting in and out of the site and navigating within the site. <u>Glowacki</u>: We looked at that for the modified plans for emergency vehicles, so we think that it work as sort of a hammerhead rather than going around the whole site. It is a tight site with setbacks. Ligols: Did you run it by the Fire Department with trucks?

<u>Glowacki</u>: We have not yet but we are going to prepare an emergency vehicle turning plan. <u>Ligols</u>: How was the soil out front? Sand?

<u>Glowacki</u>: If I recall they are B soils, which will work for the infiltrations systems we are proposing and the septic system.

Ligols: Do you have the traffic study?

<u>Glowacki</u>: I haven't furnished it yet, but I have a copy that I can give to you to look at. It looks at some of the points relative to sight distance, vehicle speed, traffic associated with the project, etc.

<u>Naves</u>: The way I look at this is as a special permit for use, if it was a building for light manufacturing, we would never have that application in front of us. So, when I think about the fact they're going to be using it for a contractors yard my focus is more on the use of the property. For the trucks turning in and out that will be part of the Planning Board decision. I just don't think the septic or the trucks turning is within the scope of what we're going to permit. I think we should focus more on the use. As for traffic, I don't see it being a huge increase. I think the bylaws make this a special permit because it will allow us the opportunity to say things like no storage outside etc. I think it's great to hear all this, but I think a lot of it gets dealt with somewhere else.

<u>Ligols</u>: I do to but in the interest of health and safety we need a list of what will be prohibited in the building. Like pesticides, fertilizers, etc. There is a list somewhere.

<u>Planner</u>: I believe what they are looking for is a list stating what will and will not be allowed on your premises, specifically in relation to what is listed in the Aquifer Protection Overlay portion of our Bylaw, as well as our Table of Uses.

<u>Glowacki</u>: Okay, that makes sense.

Ligols: Will these units be condos or rentals?

Abare: Rentals.

Ligols: What is the timeframe for this?

<u>Glowacki</u>: We are still going through permitting; I would imagine breaking ground in the spring. **MOTION**: Naves motions to continue application 2023-6 for 912 Salem Street to November 1 at 7:30PM. Ligols seconds the motion. Voted all in favor, the motion passes.

**<u>154 CENTER ST</u>**: Discussion regarding enforcement action taken against the property & planting plan. <u>Goodwin</u>: I would like to start with the planting plan. It was submitted by the owner at the last meeting showing the additional arborvitaes that they are proposing to plant. I would like to approve the plan so he can get started on that.

**MOTION**: Goodwin motions to approve the planting plan submitted by the owner regarding 154 Center Street. Naves seconds the motion. Voted all in favor, the motion passes.

<u>Goodwin</u>: We had reached out to the owner for some definitions and answers to some questions regarding the conditions. We had left it with him that we wanted to define some of the conditions so that we could eliminate some of the ambiguity. We got his response yesterday. Any discussion on the response?

<u>Ligols</u>: His prohibited list specifically because he says mattresses are okay within a junk removal truck but not in a dumpster. His lawyer said it was prohibited, period.

<u>Naves</u>: It provides us with a great example that there was no distinction between the dumpsters and the trucks.

Goodwin: He addresses that here as well. It is going to be an overarching theme with this.

Ligols: I would take them as the same thing as they both haul trash.

<u>Naves</u>: As he said at the last meeting, the trucks aren't there for more than one business day, which I wouldn't have a problem with.

Stokes II: Mattresses are prohibited no matter what.

<u>Goodwin</u>: I think it is a couple of different things. I think we need to define our difference between trucks versus dumpsters. The prohibited list is the list, the medium that the items are in is irrelevant because the list is the list. If you have a hazardous substance, it doesn't matter where it is, it can't be on the property. <u>Ligols</u>: He's also talking about the trucks and how one is a CDL and one isn't, but they are all commercial trucks that do the same thing in the end.

<u>Goodwin</u>: For the septic system he is looking to wrap that project into other building improvements and the timeline on that is April 1<sup>st</sup> and May 31<sup>st</sup>. I am comfortable with that timeline. Then he goes into an overview into the junk removal business and the dumpster rental business.

<u>Stokes II</u>: I don't care if mattresses are brought every two days to the dump, they don't belong in Groveland. He has a list of stuff, and he knows what it is. They don't belong in Town.

Goodwin: I would tend to agree, like I said, a prohibited item list is a prohibited item list.

<u>Ligols</u>: I think the real definition is that a dumpster cost \$800-\$1500 and for a truck it's \$50. It's a cost saving. But at the end of the day, it is still...

<u>Goodwin</u>: ... it is a trash removal receptacle.

Ligols: Yes. There are to be no mattresses.

Goodwin: Is there anything we want further clarification on?

<u>Stokes II</u>: I noticed that he doesn't want the Building Inspector to come on to the property. Can't the Building Inspector, by right once receiving a complaint, enter a property?

<u>Planner</u>: I spoke with the Building Inspector and in MGL he doesn't have a right to enter unless it is a matter of public safety, like a building caving in, etc.

Stokes II: I don't think he can keep them off if he receives a complaint from someone.

<u>Goodwin</u>: I would think it would just be a matter of contacting the owner beforehand and asking to enter the property.

<u>Naves</u>: The property abuts our Highway Department, if we want to be able to see what's going on we can just go to the Highway yard.

Stokes II: If we are going to go down this mattress road, we should contact attorneys and let them handle it.

<u>Goodwin</u>: I think for the next meeting it would make sense to draft something to further clarify the conditions from our perspective.

Ligols: I just want him to run the business like he alluded to.

<u>Goodwin</u>: I think clarification on the permit will make things better for the sake of moving forward and no more back and forth.

<u>Planner</u>: If the Board wants to issue something, they should make a motion to do so.

Stokes II: We should put the prohibited item list in the letter.

<u>Goodwin</u>: I would like to put together a letter of clarification that I will work on with the Town to draft and we can vote on it at the next meeting to make it official.

**MOTION:** Ligols motions to make a concrete list of what is okay and what is prohibited and let Chris draft it to look at the next meeting with the bylaws included and the prohibited item list he included. Naves seconds. Voted all in favor, the motion passes.

MINUTES: Approval of the August 2, 2023, meeting minutes.

**MOTION**: Naves motions to approve the August 2<sup>nd</sup> meeting minutes. Stokes II seconds. Voted all in favor, the motion passes.

### TOWN PLANNER UPDATE

<u>Planner</u>: These are the last few days to get your comments in for the Comprehensive Master Plan, you can find more information on that on our website under the Grants & Projects section. The Board of Selectmen will also be appointing a new alternate member to the Board at their next meeting, the new member should be present at the Boards next meeting.

# OTHER ITEMS NOT REASONABLY ANTICIPATED AT TIME OF POSTING

None.

### ADJOURNMENT

**MOTION**: Goodwin motions to adjourn at 8:12 PM. Ligols seconds. Voted all in favor, the motion passes.

# **Town of Groveland** Zoning Board of Appeals

183 Main Street Groveland, MA 01834



### APPROVED 3-6-2024

Board/Committee Name:	ZONING BOARD OF APPEALS
Date:	WEDNESDAY, October 4, 2023
Time of Meeting:	7:30 PM
Location:	183 MAIN STREET GROVELAND, MA 01834

<u>Present:</u> Brad Ligols, Chris Goodwin, Jason Naves, John Grohol <u>Absent</u>: John Stokes II <u>Staff Present</u>: Annie Schindler (Town Planner & Conservation Agent) <u>Public Present</u>: Steve Glowacki (Rep. for 912 Salem Street), Bill Bryant (owner of 912 Salem Street)

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

<u>Goodwin</u>: Call to order the meeting of the Groveland Zoning Board of Appeals. **MOTION**: Ligols motions to open the meeting. Grohol seconds the motion. Voting all in favor, the motion passes.

### **PUBLIC HEARING**

**CONTINUED:** Application #2023-6. 912 Salem Street. Applicant: Mark A Abare; A public hearing in accordance with Mass General Laws, Chapter 40A, as amended, for Application #2023-6 made by Mark A Abare, for the premises located at 912 Salem St Map 41 Lot 095, in the Industrial (I), Residential 1 (R-1), and Residential 2 (R-2) zoning districts, and owned by William T Bryan III, for a Special Permit in accordance with Section 50.4.5 (Table of Uses) of the Groveland Zoning Bylaw for a contractors yard. Glowacki: For the record I am Steve Glowacki with RJ O'Connell & Associates, we are the engineers of record. Since our last visit we have issued applications to the Planning Board and have had our first meeting with them. The input from that meeting echoed input from our last meeting, specifically around the entrance of the site. We've widened the driveway to better facilitate truck delivery. The other point that was discussed was having access around the building. One of the challenges we've had here is that with the Conservation Commission there is a 100-foot buffer zone that circles the site on three of the four sides. So on the north side of the site there is a bit of buffer zone that the building buts up against. In speaking with the Planning Board, we spoke about expanding the access drive around the back of the property, as it is more practical for access. We discussed traffic last time as well and a report was done. Sight line distances work in this area, the driveway is primarily in the same location as the current residential driveway, so we think it makes sense to leave it there. The trips projected to come out of the site have all been backed up by ITE. There were concerns from the board last time about what types of businesses would go in here. We prepared a memo outlining the prohibited uses in the Aquifer Zone and that we won't entertain any of those uses in this building. We have been working with the peer reviewer and ConCom to fine tune these plans.

Board: We like the expanded driveway and access around the entire building.

<u>Ligols</u>: So, on prohibited uses, am I correct in saying, anytime a tenant comes in they are going to have to come here to get approval?

Glowacki: I would think it gets flushed out when they get their business license with the Town.

<u>Goodwin</u>: By right would be allowed, but any other restrictions that we put on this or within the aquifer bylaw there would be specific uses that can't be there. As long as they are within the parameters there's no further approval necessary.

<u>Planner</u>: If something were to go into the space that is a use that is already permitted by right, they would not need to appear before the Board. As an example, if a dry cleaner were to go in there, it would be allowed through a special permit with the Zoning Board, but a hardware store is permitted as of right, so they wouldn't need to get a special permit with the Board.

<u>Ligols</u>: In the decision it is going to have to state that process for uses and the Aquifer prohibited uses. <u>Grohol</u>: So, what about quasi uses which we've run into lately. Like junk clean out, dumpster storage, etc. <u>Glowacki</u>: When someone would apply for a business license in Town, they get notified that they have to do their diligence as to whether it is an allowed use or not. Could that be a mechanism to trigger them to come in to the Board.

Ligols: We can put together a provision that we want to see the lease as written.

Goodwin: I think that's tough because they have the right to do things.

Ligols: I know but things like what can and cannot be stored there.

Goodwin: Yes, but that would be an agreement between the owner and the tenant, not the Town.

<u>Glowacki</u>: Yes, it would be the responsibility of the applicant to ensure that their lease is in line with the permit. The Planning Board decision would be the one to condition outdoor storage.

<u>Grohol</u>: My concern is a dumpster. How many dumpsters are allowed in the parking area. What if someone renting space has a dumpster business that wants to set up there.

<u>Ligols</u>: TEC also wanted to know about outside storage because each person will probably have two spots and you don't want any overflow.

<u>Goodwin</u>: Would the applicant be okay with us prohibiting the storage of outdoor storage?

<u>Glowacki</u>: Say we were to sell the whole building, and someone were to set up a dumpster business here, I don't think it is prohibited.

<u>Ligols</u>: We've already come up with this, once bitten twice shy, would the dumpsters be empty or would they be full. Mattresses are a prohibited use. What's in the dumpster? Hazardous materials are a prohibited use.

<u>Goodwin</u>: With the very short distance between the buffer and the parking what if there were to be a spill. <u>Glowacki</u>: I would imagine it's covered in the bylaw.

Discussion regarding the use of dumpsters on site and potential of a dumpster company being in the building, adding a condition that if someone wants to put in a prohibited use they would have to appear before the Board.

<u>Planner</u>: If a use is prohibited, they would have to get a variance, but the way our bylaw is written the Board is not able to give variances for use.

<u>Grohol</u>: I've seen longer tables of uses, ours is broad.

<u>Glowacki</u>: I understand what you mean. It's difficult to go through all the options. I'm not sure there is an easy way to put it in the decision. Could you indicate a limit to dumpsters per tenant?

Ligols: What size?

<u>Goodwin</u>: We don't want to get in the way of what is required to run a business, but we want to somewhat control the type of business.

<u>Naves</u>: When any of these are rented out, do they have to get an occupancy from Sam (*Town's Building Inspector*)?

Goodwin: Once the building is done, they will get an occupancy permit.

<u>Ligols</u>: When he is done with the building, and it is all signed off and they go for a CO and then that's it. But if someone raises an issue Sam or Annie will get a call. <u>Naves</u>: Sam gets the business licenses. The Town Clerk wouldn't issue a DBA for a business that is prohibited in the Table of Uses.

<u>Glowacki</u>: Then maybe that is the mechanism that can be used as the first line of defense. At least to the point where if it is a grey area, it would get pushed to the Board to take a look at it.

Ligols: As far as the parking are we within spaces needed necessary?

<u>Planner</u>: Parking requirements are under the jurisdiction of the Planning Board.

<u>Glowacki</u>: Yes, we did discuss that with the Planning Board and presented that information to them.

<u>Ligols</u>: What is the traffic flow potential out of this site? Glowacki: Total vehicle trips on weekday morning peak hours are anticipated to be 37; 27 coming in and

10 coming out. A weekday evening peak is expected to be around the same. These are per hour. Weekends aren't calculated because this type of business wouldn't be at a peak. And the sight lines have been vetted based on vehicle speed.

Grohol: Would you be amenable to adding under prohibited uses dumpsters as a rental business.

<u>Glowacki</u>: Sure, I think that would require going back to the Planning Board as that would require outdoor storage. That being said, if a dumpster business rented the entire building and stored everything inside, would that be prohibited? My point in saying that is that between the ZBA and Planning Board, that would prohibit the storage of outdoor materials, being dumpsters.

<u>Grohol</u>: But I'm talking about our Board here and we are a use permit that you are applying for so I'm talking about use. I don't care about what the Planning Board is doing or saying.

<u>Glowacki</u>: Understood. What I would suggest is, rather than pinpointing a specific business, could you say a use that does not require outdoor storage.

Grohol: Well, it's a contractor's yard.

<u>Glowacki</u>: Yes, it's really a flex space.

<u>Grohol</u>: I guess what I'm struggling with is a dumpster as material, because what is a dumpster on the back of a truck that carries it, and it never actually comes off that truck. Now is that material or is that a business's truck that they are parking there and they happen to have ten of those that they line up. <u>Glowacki</u>: I would say that if it were on the back of the truck it's a business's truck.

<u>Goodwin</u>: I think our concern is if you're bringing in a dumpster on the back of the truck that is full of stuff and that stuff is prohibited, it potentially poses something that we don't want used there.

<u>Ligols</u>: I think we're getting stuck on garbage and dumpsters and contents, etc. so I think to make it easier, if there is going to be a dumpster guy, transportation, junk truck kind of situation, I think they need to come into ZBA.

<u>Grohol</u>: It would need to be in the orders.

<u>Ligols</u>: Would they be amenable to come in to talk about what their potential business could be? <u>Grohol</u>: I don't want to vet every single one.

<u>Ligols</u>: Right, but if someone is coming in with a dumpster company because we were bitten once, I think we should be able to see them. But I think we're getting stuck on this is all going to be contractors which we don't know. There could be a CrossFit company in there, a physical therapist, we don't know.

<u>Goodwin</u>: Which is why we don't want to vet every business that goes in there.

<u>Board</u>: We would feel comfortable with a condition that states that if someone were to operate a junk business or dumpster business, they must come in to speak with the Board prior to opening. Glowacki: We're fine with that.

**MOTION**: Ligols motions to close the public hearing. Grohol seconds the motion. Voted all in favor, the motion passes unanimously.

<u>Goodwin</u>: We will get a decision drafted and vote on it at the next meeting which will be held on December  $6^{th}$ .

**154** CENTER ST: Discussion regarding enforcement action taken against the property & planting plan. <u>Goodwin</u>: As we discussed in the last session the Board approved me to work with the Town Administrator and Town Planner and make a clarification letter that we will be voting on. It is in your packet for your review. We tried to go through all the conditions listed in the original approval and provide some clarifying statements on them to get to what the Board intended with the approval. We are having counsel review to make sure everything is done properly before is issued to the applicant.

### <u>APPLICATION</u>: Review draft for new application format.

<u>Planner</u>: I sent the Board a draft of the new application. I looked at other communities ZBA applications and used those to create this new one, tailored to Groveland. There are still some formatting issues that need to be fixed. I wanted the Board to start taking a look at this. Our current application could be better, for example the first page doesn't even have a location to write where the project is. The goal is to make it easier for applicants and the Board. At this point I would like the Board to just take a look at it to circle back with any comments.

### MINUTES: Approval of the August 2, 2023, meeting minutes.

**MOTION**: Ligols motions to approve the August  $2^{nd}$  meeting minutes. Grohol seconds the motion. Voted all in favor, the motion passes.

### TOWN PLANNER UPDATE

<u>Planner</u>: The special permit for Pub 97 has gone through its appeal period with no appeals and has been recorded at the registry of deeds. Sewell Street is still going through building permit review, TEC will be beginning their stormwater review shortly. The cell tower at Cedardale, they are hoping to be complete with that end of spring/early summer. I'm also working through our escrow accounts for the department and we have a couple of accounts whose projects are complete but just need to be formally closed out by the Board, so I will be asking the chair to add that to the next agenda.

# OTHER ITEMS NOT REASONABLY ANTICIPATED AT TIME OF POSTING

None.

### **NEXT MEETING**: December 6, 2023.

### ADJOURNMENT

MOTION: Naves motions to adjourn at 8:15 PM. Ligols seconds. Voted all in favor, the motion passes.