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Town of Groveland
Planning Board
Meeting Minutes

Date: February 17, 2015

Members Present: Bob Arakelian, Bob O'Hanley, Jim Freer. Walter F. Sorenson Jr.

Members Absent: Andrea Johnson

Others Present: Cheyanne LaFrance, Michael LaFrance, Diane LaFrance, Sandra Payette, Robert Payette, Anne Greaney, Alan Roscoe, Jake Willett, Kermit Cross, Mitchell Kroner, Tom Cusick, Peter W Williams, Eric Harper, Larry Odgen, Joseph D'Amore, John Hargrave, Scott Green

Minutes Secretary: Amy Bedard (by dvd & notes)

Freer motions to open the Planning Board Meeting of February 17, 2015 at 7:47pm, seconded by O'Hanley. All members are in favor. Vote is unanimous. Meeting opens.

Planning Board Business/Updates:

Freer states there are three things on the agenda. 1. Skip Sheehan Way 2. Two Bylaws going into existing Bylaw 3. Esty Way

Skip Sheehan Way:

O'Hanley asks if client is in receipt of Cammett's 12 pages of bullet points. Alan Roscoe from Cammett engineering hand the hard copies of the report to PB. Alan states it is still length but the report documents all the items from the initial review and how they were addressed up to the present time. Alan states he feels that they are at a point where they can start to make some decisions. Alan states all the technical issues as far as sub division control law and storm water

management have been addressed. Alan states there are still some issues they should talk about regarding special permits and some additional notations that will need to be added to the plan with comments from the Board of Health, how they address the special permits for land disturbance and activity in the water resource protection district. Alan states they have a list of waivers that he thinks they should act on at this time.

Arakelian asks Alan if he has reviewed the waivers already? Alan states yes. Bob O'Hanley states the PB just received a letter from the Water and Sewer. O'Hanley gives a copy to client.

Arakelian questions the rounding at the intersection on the new road. Arakelian asks no rounding on the eastern side. Alan states they will build a rounded transition with the property line.

Arakelian states ok on the property lines he thought it was curb rounding.

O'Hanley asks if they need time to go over the Water and Sewer recommendations. John Hargrave states there is a big height difference that they need to work on. His concern is the height. O'Hanley states only other thing is the land disturbance. O'Hanley states talk it over do you need a special permit or do you fall under the footage. John Hargrave states he should fall under with pervious pavement for the sidewalk.

Arakelian asks about the cul-de-sac will it be an island. John Hargrave states yes landscaped. Pavement will be 22'.

Arakelian states if they straighten out the water they could close this. The holding up point is the water. PB discusses with Tom from Water department how to hook up water.

Arakelian motions to accept section 3.4.4.6 waiver from the requirement to submit a site specific soil map, seconded by O'Hanley. All members are in favor. Vote is unanimous.

Arakelian motions to accept 3.4.2.20 waiver from the requirement to submit an environmental impact statement, seconded by O'Hanley. All members are in favor. Vote is unanimous.

Arakelian motions to accept 3.4.2.22 waiver from the requirement to submit a traffic report, seconded by O'Hanley. All members are in favor. Vote is unanimous.

Arakelian motions to accept 4.3.8.9. waiver for property rounding at intersection, seconded by O'Hanley. All members are in favor. Vote is unanimous.

Arakelian motions to accept 4.3.9.3 waiver as amended* for pavement width, seconded by O'Hanley. All members are in favor. Vote is unanimous.

*O'Hanley notes one amendment stating the asphalt is fine take it down to 22' but he would like to see the gravel base in over a foot on either side.

Arakelian motions to accept amended 4.9.3 waiver for sidewalks on one side with impervious pavement, seconded by O'Hanley. All members are in favor. Vote is unanimous.

Arakelian motions to accept 4.11.1 & 5.3.1 waivers for side slopes variance is requested requirement 4 to 1 side slope to allow proposed retainer wall where adjacent slopes cannot be met, seconded by O'Hanley. All members are in favor. Vote is unanimous.

Arakelian motions to accept cul-de-sac waiver, seconded by O'Hanley. All members are in favor. Vote is unanimous.

PB is presented with Hayes Wall Drawing to be brought up at the March 3, 2015 continued meeting.

Other housekeeping items were street light location and one street light.

Electrical on the west side of the road. Place to be adjusted.

Developer is told of money coverage, cash, bank book, tri-partite agreement or bond. No land can be used as collateral.

Arakelian motions to continue the hearing until March 3, 2015, seconded by O'Hanley. All members are in favor. Vote is unanimous.

Bylaw Hearings:

Freer states up next is the two hearing notices posted in the Eagle Tribune for February 2, 2015 and February 9, 2015 the first one was dealing with the Medical Marijuana Bylaw registered marijuana dispensaries.

Freer requests vote to dispense with reading. Yes

Freer discusses bylaw stating Marijuana Dispensary needs to be in industrial zone. Someone questions how close to the Bagnall school would this possibly be? Freer states it would be about a quarter mile from the school and/or Chesterton. Freer states this is why they put it in the Industrial Zone and not in the Business Zone.

Joe D'Amore questions is the bylaw silent or articulate on proximity to state owned land and can it be used near state owned land. Freer states in his research he has not seen it. D'Amore states he is familiar with Dennis and there is a lot of conservation land and if they can sneak it in there. Freer reads it cannot be within 300' of residential residence.

O'Hanley states anyone who has a question be submit it in writing and they will find the answers.

Freer states the bylaw will pretty much be overseen by the Attorney General. Freer states so the PB has restricted it as much as they possibly can within the law. Freer states he hasn't heard too much about them being problematic. He knows there is one in Ward Hill and one in Amesbury.

Arakelian motions to continue the public hearing for the Medical Marijuana Bylaw to March 3, 2013, seconded by O'Hanley. All members are in favor. Vote is unanimous.

Freer states the second public hearing concerns the adding to the Groveland Bylaw Section 1505 with subsections 1505.1 and 1505.2 PB Associate Member. Freer states the PB has run into a problem where a current member is an abutter to a property in the Town of Groveland that will require a special permit and that member cannot vote or be in the room. Freer states for a special permit you need 5 members present and 4 votes in the affirmative to pass and this is prohibiting them at this point. Freer states there is a clause in Chapter 40A that allows the PB to have 1 associate member and that is what they want to do that at his point. Freer states the Associate member would be voted on by both the PB members and the BOS to appoint the Associate Member. This person would serve for one year and every year it would come up for a re-appointment. Freer states the boards can both also vote to remove the person if need be. Freer states there is something similar in Chapter 40A that the ZBA is appointed by the BOS. Freer states the PB just hasn't put it in but now they are finding with the special permits they need another member.

Mitchell Kroner questions does this just apply to special permits: Freer states yes just special permits.

Sorenson states he remembers bringing this up decades ago, he remembers it being called alternate members but it is the same thing.

Sorenson motions to accept, seconded by Arakelian. All members are in favor. Vote is unanimous.

Sorenson motions to continue hearing to March 3, 2015, seconded by Arakelian. All members are in favor. Vote is unanimous.

Freer states the PB has come up with a new Bylaw that was done by Blatmen, Bobrowski and Meade. Freer states they added a few things, they stole a couple things from the Town of Merrimac that they liked. They created a use matrix that they like and they had a meeting with ZBA but they didn't offer up much and it sat for a bit over the summer. Now they are having Town Counsel review the Bylaw.

Mitchel Kroner questions will there be hearings once the Bylaw comes up. PB states yes many, just like tonight.

PB discusses the process of having the Zoning Bylaw rewrite and that it will indeed be a lengthy process.

Esty Park Hearing:

Sorenson reads legal notice. Town of Groveland PB will hold public hearing at 7:45pm on February 17, 2015 at the Town Hall Mtg. Room 183 Main St. Groveland, MA to consider an application by Eric Harper Trustee of the Esty Park Realty Trust for site plan approval Section 109 and special permit Aquifer Protection District Section 1700 of Groveland Zoning Bylaw application dated November 25, 2014. The property located at 441 Main St. Groveland, MA Accessory Map Parcel 8 & 9 Map 24. Copy of plan and application and supporting documents will be on file at Town Clerks office. Signed Bob O'Hanley Vice Chairman. Ad ran Feb. 2, 2015 and February 9, 2015. Sorenson asks if any objections to legal notice. None noted.

O'Hanley motions to open the hearing, seconded by Freer. All members are in favor. Vote is unanimous.

Larry Ogden introduces himself to the PB, he is the consultant for Eric Harper. He states he is not the Engineer. Larry introduces Eric Harper and Peter Williams from GZA.

Larry states he will not object to sitting in front of the 4 member board. Sorenson asks that they submit that in writing.

Larry states they submitted a revised plan back on 1/14/15. Larry states it was submitted to all necessary boards. Larry states he will give summary of project. Site is located at 441 Main Street the former property of Esty Lumber. Eric Harper purchased the property approximately 1 ½ to 2 years ago. The property is 15 ½ acres. Larry states it is located in the Residential B district though it is a pre-existing non-conforming use. Uses where retail sales, manufacturing and storage of materials. Larry states they have been in front of BOA 3 or 4 meetings and they will approve storage on the rear buildings on the lot and the front building will be used for office retail. The pre-existing area was 80,000 sq. ft. has been reduced to 69,500 sq. ft. Larry states there were three sheds that were removed and a new building which shows on the plan as B105 constructed to replace a portion of the sheds. Larry states drainage is pre-existing. All buildings are pre-existing except B105.

Larry states they have received the comments from the GZA and Mr. Harpers engineer Mike Wozetti from Machonda Associates is reviewing that and will respond directly to Mr. Williams.

Larry states Mr. Harper has also hired John Clement from NEAT to review the issues that Mr. Williams raised MDF sheets and hazardous material disposal.

Larry states that at this point they are not in the stage for any decisions from the PB. Sorenson states at this point maybe just do an over review.

Larry reviews plan:

Two entrances in front of building is now one on left side near power lines. Parking behind the building that will be used for retail and office space. The entrance is gated off from front building. There will be handicap access to front building. Dumpsters will be in the rear. Structure and natural landscape has not changed.

Peter Williams from GZA wants to know what is considered existing conditions under this project and what is going to be proposed. He feels some of the work is already done and how will the PB view that. Williams states some buildings were removed and he needs more clarity. Sorenson asks what was decision on 105? Larry states that has not been decided yet. Williams also asks are they doing a new pier? Larry states it was on master plan and they will revise plan removing that and gravel areas.

Larry states the boats will be moved.

Sorenson states go back and forth on housekeeping issues.

Sorenson states Groveland Electric does not have any issues.

Groveland Water/Sewer list of issues received.

Sorenson states that the list of items that ZBA put out a while back the one big issue was the lighting. Larry states that it is being addressed in the decision they are working on. Larry states he feels it has been taken care of and states Mr. Harper took down a couple lights off the building. There is a light on the pole but the lighting explained to the ZBA was satisfactory. Sorenson states his suggestion it to put an infrared lighting system with a control/sensor for additional control. Abutters state spotlight is a real problem. Sorenson states the lights are real nice it is just the height and that is why the people are complaining. Larry states maybe do a site walk.

Abutter from Wharf Lane states there is one light that is a spot light. She questions why so many lights are needed and can the lights be angled down.

Abutter states there is a safety issue being the second gate that they don't use anymore they installed that gate and was a complete solid chain link fence they cut the gate in and is not part of the plan and they filled in the front of Esty with grass and cut down a tree and took away the side walk and kids are now on the street with bike. Larry states temporary gate because they were working on the railroad side of property. Larry states they are looking for secured access to the property. Fence is chained and locked. Larry states that no work has been done on the roadway. Joe D'Amore questions will the Aquifer be done concurrently or will it be separate. Sorenson states you run at same time but separate process.

Abutter asks what is the full disclosure list on what items are in storage? Larry states some will come to store monthly, some are builders and are there every day and it is a multi-use storage. O'Hanley wants to know when will they know exactly what will be in each building. O'Hanley

is worried about towing in cars and leaking vehicles. O'Hanley also questions about the boats, are they storing boats. Larry states no . O'Hanley states he is concerned about washing and the Board of Health will be looking into it so they know what is going on in the area. O'Hanley states washing is a huge concern you would need a tank and a holding area.

Jack from Water & Sewer states he has list of items that are stored in the various facilities. Jack states he knows there are skids of fertilizer. Jack states should it be Zone 2? Larry states no. Jack states the list he has is dated 11/5/14 asks is there an updated list. Jack states there is gas being stored there to. Larry states he has a revised one dated 1/7/15. Sorenson states get updated list to Jack.

Fire Department Bob states he doesn't have any concerns to discuss tonight. Bob states Eric hired a fire protection engineer and they are going back and forth on some issues.

Sorenson asks is there a way to carve out/have segregated storage for hazardous waste items in one section and light storage in other locations. Sorenson states this would help if there was an issue Fire Dept. would know layout and where the problematic spots would be.

Discussions of storage and just being careful and knowing exactly what is being stored. Inspection will be completed on property prior to a new tenant coming in knowing what is going to be stored.

Water and Sewer questions is there still housing to be added to the project. Larry states yes on 5 acres.

Sorenson notes the record that everybody is in agreement that the February 3, 2015 start date for the special permit process.

O'Hanley states work with Water and Sewer for Fire suppression. Larry states should be covered in AOL report.

O'Hanley motions to continue the hearing to March 17, 2015 @ 8:00pm, seconded by Arakelian. All members are in favor. Vote is unanimous.

Adjournment:

Freer motions to adjourn at 9:59pm, seconded by Arakelian. All members are in favor. Vote is unanimous. Meeting is adjourned.