

## Surrenden Farm Reserve Parcel (Parcel 220-33.2)

This land has been owned by the Town of Groton since it was purchased as part of the larger Surrenden Farm transaction in 2006. This 14.5-acre parcel is known as the Reserve Parcel because, unlike the other land purchased by the Town using Community Preservation Act funds, the Select Board reserved this land as having future development potential. At the time, the characteristics of this land were considered less valuable than other portions of the larger farm that were set aside for conservation and agricultural use. Note that the Town 'reserved' this parcel. It may be worth observing that aspects of the whole 360-acre purchase involving the Groton School, Mass Wildlife and the Trust for Public Land also set aside several house lots in Groton along Shirley Road for residential use.

Because the Surrenden Farm Reserve Parcel (SFRP) was purchased with Community Preservation Committee (CPC) funds, state law limits the use of the land to allowable CPC uses. As this grant restriction is applied to Reserve Parcel which does not have structures of historic importance, this leaves active recreation or community housing as the allowed development options.

The Town of Groton Affordable Housing Trust began exploring the possibility of developing affordable housing on the Reserve Parcel in July 2020. The Town's Housing Production Plan lists this parcel as one with development potential.

The site has several favorable characteristics:

1. Topography: gentle slope, parts are relatively flat is advantageous for economical site work.
2. Surrenden Farm viewshed preserved due to drop in elevation from vantage points at the top of the hillside of the former Surrenden Farm.
3. At 14.5 acres, site is large enough to accommodate variety of architectural designs with potential for phased development.
4. Outside funding: site is large enough to fit a tax credit sized project of 40 to 60 units (See LIHTC).
5. Soils suitable for on-site septic.
6. Transportation: proximity to Ayer commuter rail: short drive or bike ride.
7. Ayer Town sewer potentially available from Town of Ayer (pumping station just over the town line). One side of the parcel is on the border of Ayer.
8. Few abutters: 3 Groton side abutters are Town of Groton, Groton Conservation Trust and Groton Conservation Commission. Ayer side abutters are 5 homeowners, Groton Conservation Trust and the Division of Capital Asset Management (Ayer State Game Area a/k/a pheasant farm).
9. Visual impact: because site is large and is at the foot of the hillside – with conservation or agricultural land on three sides -- development would have less than usual visual impact.
10. No wetlands: only a small portion of the site is within a buffer area for wetlands that are in Ayer,
11. No protected species issues: not in a Priority Habitat of Rare Species and not in an Estimated Habitat of Rare Wildlife.

The Affordable Housing Trust took an October 31, 2020 site walk and continued to research the site. Town led development using town owned land requires a large amount of sustained community support. Multiple items need to meet with Town Meeting approval. In addition, residents would be asked to commit local funds to a prospective affordable housing development. Along the way, the Trust learned additional information with bearing on future development.

### Issues Encountered/Development Considerations

1. Site access: 2006 legal agreement between Groton School and the Groton Select Board complicates improvement of Shirley Road (see 2016 agreement for details).
  - If Town decides to develop the Reserve Parcel and must comply with the 2006 agreement which involves abandoning roads and rerouting access to Shirley Road away from Joy Lane, then existing conservation restrictions may complicate efforts to improve the road, especially if improvement requires widening the existing road or way.
  - A state MassWorks grant could be used to upgrade the road for an affordable housing development.
  - Some Ayer abutters discussed effort to get Ayer to discontinue James Brook Way to prevent ingress and egress to from Shirley Road in Groton to James Brook Way in Ayer.

2. Easement: residential owner of 17 James Brook Way in Ayer has easement across the Reserve Parcel to reach their land (see February 6, 2020 memo regarding encroachment by that owner).
  - The Reserve Parcel could easily incorporate the easement driveway into one of the access driveways for the development.
  - Any improper encroachment should be easily resolved.
3. Waste water: Town sewer is not available to the site from the Town of Groton. Town sewer is potentially available in Ayer. Ayer officials were open to the possibility. To extend town sewer to the Reserve Parcel, Ayer Town Meeting would need to approve the proposal. Several Ayer abutters vocally opposed this idea.
  - If Ayer and Groton agreed to sewer a development via Ayer town sewer, and waste water crosses watersheds, then the state might be reluctant to approve. One option is to have Ayer provide both sewer and water. In this way, there would be no water leaving the Ayer watershed.
  - Development is not dependent on municipal sewer since the soils on site are consider good for septic.
4. Groton resident Nathan Shapiro (133 Shirley Road), who lives on one of the privately owned single family homes on the former Surrenden Farm, created an online petition seeking to have the land remain undeveloped and to be put in permanent conservation.
  - Note Olin Lathrop's response to the online petition which provides factual corrections to several of the petition's assertions.
5. Alternative proposal was raised by some residents to enter the Reserve Parcel into the Forest Legacy program which would allow recreational uses, create a working forest, and place the parcel under permanent restriction to prevent development (see <https://www.fs.usda.gov/managing-land/private-land/forest-legacy> ).
  - There is support for this idea among a number of Conservation Commission members.
  - The requirements of the Forest Legacy program are such that the land must remain developable until it enters the program.
6. Citizens' Petition on the 2021 Spring Town Meeting to transfer the Reserve Parcel to the Conservation Commission. Nathan Shapiro and other proponents of the online petition submitted a citizens' petition. The transfer to the Conservation Commission would be for the purposes of open space and recreation.
  - For some residents who would like to conserve the Reserve Parcel, it makes more sense for them to vote down the citizens' petition in favor of waiting for a chance to enter the land into the Forest Legacy program.
7. Some opposition from Groton residents who do not like the idea of a housing development on the border of Ayer where residents would be isolated (see *Groton Herald* editorial).
  - Some Groton residents did not like the idea of siting affordable housing adjacent to conservation areas. Note that it can be considered desirable and a selling point if a private market residential home has proximity to conservation areas.
8. Residents who remembered the 2003 permitting of the Surrenden Farm subdivision asked whether there was arsenic on site. Research into the planning department files mention arsenic but not because it was found on the Reserve Parcel. Instead, arsenic – whether pre-existing or amplified by orchard spraying – was detected on other parts of Surrenden Farm. The prior owner used the Reserve parcel to take topsoil and dilute the other areas of the farm that were deemed to have concentrations of arsenic. There is some documentation in planning files to support this conclusion (See June 30, 2003 Soil Mitigation Plan).

### **Current Status**

On March 12, 2021, the Affordable Housing Trust issued a statement announcing that they were no longer seeking to develop the Reserve Parcel. Lack of community support and a complicated road access issue were cited as reasons for this change in direction. This decision is a statement of intent from the present Trust members. The decision does not bind future Affordable Housing Trust members.

At the 2021 Spring Town Meeting, Town Meeting voters did not support the Citizens' Petition to transfer the Reserve Parcel to the Conservation Commission for open space and recreation.

If there is a future effort to develop this parcel for affordable housing, note that if Groton School withdraws from the 2006 agreement – perhaps if it were comfortable with a particular development plan – then site access issues would be eased.

-Fran Stanley, Housing Coordinator September 16, 2021