

## TOWN OF GROTON PLANNING BOARD

June 28, 2018  
Meeting Minutes

A meeting of the Planning Board was held on Thursday, June 28, 2018, at 7:00 p.m. in the second floor meeting room at Town Hall, 173 Main Street, Groton, MA 01450.

### Members Present:

Mr. George Barringer, Chair  
Mr. Russell Burke, Vice Chair  
Ms. Carolyn Perkins, Member  
Mr. Scott Wilson, Member

### Members not Present:

Mr. Timothy M. Svarczkopf, Clerk

### Also Present:

Mr. Takashi Tada, Land Use Director/Town Planner

### **Public Hearing (Continued)**

#### **Special Permit under §218-26, Flexible Development 419 Old Ayer Road (Assessors Parcels 221-19 & 221-20)**

Mr. Barringer noted that the public hearing legal notice had previously been read into the record. He said they would have to continue the public hearing because five members were required to be present for a special permit and only four members were present.

Mr. Burke made a motion to continue the public hearing regarding 419 Old Ayer Road to a date specific, of July 12, 2018, at 7:00 p.m. Mr. Wilson seconded the motion.

**VOTE: 4 – 0**

**MOTION CARRIED**

### **Board Appointments & Recruitment – Committee Representatives & Liaisons**

Mr. Barringer pointed out that the agenda would be taken out of order to hear from the prospective new members of the Planning Board.

Ms. Annika Nilsson Ripps, addressed the Board and stated that she had previously served on a few committees including the Prescott School Re-use Committee, the Senior Center Building Committee as well as the Master Plan Implementation Committee. She said she was an architectural designer and had a Master's Degree in architecture and was working towards licensure as an architect. She further said she was particularly interested in how design and planning shaped communities.

Ms. Perkins asked Ms. Ripps if given her experience with the Senior Center, what changes she thought might be useful in the future for planning. Ms. Ripps replied that she felt there were some opportunities for supporting inclusiveness in the community.

Mr. Wilson thanked Ms. Ripps for stepping up to the plate and offering her valuable time to the Board. He asked Ms. Ripps how much she had familiarized herself with the zoning by-laws in Groton. Ms. Ripps replied that she did not know the full extent of the zoning by-laws, but she appreciated how careful Groton had been in balancing development and open space. She further replied that she felt there was an opportunity to be equally thoughtful in the type of residential development that was done. Ms. Ripps said that she felt there was a trend of increasingly high-priced developments and she did not know if that was fulfilling the economic diversity and the sustainable goals that the Master Plan had intended.

Mr. Burke also thanked Ms. Ripps for stepping forward and asked if she had experience working with commercial and residential projects. Ms. Ripps replied that her firm had a strong understanding of public processes and they did a fair amount of work on schools and affordable housing. She further replied that her professional interest was in developing low-income housing while supporting dignity.

Mr. Barringer asked Ms. Ripps how she handled public conflict. Ms. Ripps replied she thought it was important to acknowledge everyone's shared interest in the Town of Groton as well as being a community.

Mr. Gus Widmayer, addressed the Board, and stated that he lived in Groton for ten years and grew up in the Town of Acton. He said he was in the semiconductor packaging business and he was also the project manager for Orion Park development in the late 80's. He further said that he served on the Economic Development Committee for one year and was an amateur historian.

Mr. Widmayer commented that he wrote a book on Groton and spent a lot of time pulling deeds and titles and was interested in how land was transferred from one party to the next. He said he did not feel that he had a bias one way or another towards development but would err on the side of caution.

Mr. Widmayer commented that he thought downtown Main Street could be a very vibrant place and it had changed over the ten years that he had lived in Groton. He liked to see economic growth accompanied by services and amenities, such as sidewalks on Main Street and sewer at the Four Corners.

Mr. Barringer asked Mr. Widmayer how he handled public conflict. Mr. Widmayer replied that he welcomed hearing both sides of a story and made sure that both sides felt like they were heard.

Mr. Barringer asked both candidates if their schedules allowed them to attend most of the Planning Board meetings. Both candidates indicated they could attend most of the meetings.

Mr. Tada stated that one of the two vacancies would be until the next local election in May and the other vacancy was for a seat that had two full years remaining. He said the candidates would then have to run for their seats.

Mr. Tada said the Select Board had a policy with regard to filling vacancies for elected positions and the procedure was that the Planning Board would make a recommendation to the Select Board and then the Planning Board and the Select Board would have a joint meeting to discuss and officially fill the vacancies. He further said the meeting was scheduled for Monday, July 9, 2018, at approximately 5:30 p.m.

Mr. Burke made a motion to recommend to the Select Board the appointment of Ms. Annika Nilsson Ripps and Gus Widmayer to fill the two vacant positions on the Planning Board. Mr. Wilson seconded the motion.

**VOTE: 4 – 0**

**MOTION CARRIED**

**Informal Discussion: Mr. David Elliot, Court Street**

Mr. David Elliott, addressed the Board, and stated that there was a person who was interested in purchasing his property and had a plan to create ten individual single-family homes that were 1,800 to 2,000 square feet in size.

Mr. Scott Audette, prospective buyer of the property on Court Street, addressed the Board and stated that over the past few years he had discussions with Ms. Michelle Collette and Ms. Fran Stanley who was the Affordable Housing Coordinator, as well as Mr. Takashi Tada when he was with the Conservation Commission. He also stated that he had met with the Building Inspector as well as the Town Manager. He said he was under the impression that they would be able to put a public way in with nine houses plus one commercial unit in the front of the property. Mr. Audette said he then found out that one unit had to be an affordable housing unit and the commercial unit would be fine.

Mr. Audette said that Ducharme & Dillis met with the Land/Use Committee and they insisted that the development be a private way with two affordable housing units. He said that would drive the cost of the houses up substantially. He further said that he hoped the houses would be in the \$539,000 range and if there were two affordable units then the price for the other units would increase.

Mr. Burke commented that the zoning stated that in any development that had more than six dwelling units, 15% of the dwelling units had to be affordable.

Mr. Audette said that no one in the Town had communicated that with him.

Mr. Barringer commented that Mr. Audette should get a copy of the Town Center Overlay District's zoning and the design guidelines which would instruct and inform him of what was permissible in that district on that plot of land. He further commented that Mr. Audette should meet with his engineer and determine how to go forward.

Mr. Burke suggested that Mr. Audette come back to the Planning Board with a preliminary plan which included a sketch and they would review it and provide commentary.

**Discussion: Minor Plan Modification – Detention Basin – The Groton Inn, 128 Main Street**

Mr. Dan Wolfe, David Ross Associates, addressed the Board and stated that he was present to represent the Groton Inn. He said he was asked to come before the Planning Board to request a minor change to the site plan. He said some of the investors of the project had seen a detention basin on another project where the bottom of the basin was lined with crushed stone. He said they thought it gave a much better esthetic feel as well as some maintenance benefits.

Mr. Wilson asked if the crushed stone was in place of vegetation. Mr. Wolfe replied that was correct.

Mr. Wolfe stated that the side slopes of the berm would still be loamed, seeded and mowed periodically but the bottom would be stone.

Mr. Wolfe commented that he had met with the Conservation Commission and they unanimously approved it to be a minor change that did not require any further action.

Mr. Burke asked what, if any, would be the impact in terms of the water quality. Mr. Wolfe replied he did not think that there would be any impact of the water quality.

Mr. Barringer asked if there were any questions or comments from members of the Board or the public. There was none.

Mr. Wilson made a motion to approve the change as a minor site plan modification. Ms. Perkins seconded the motion.

**VOTE: 4 - 0**

**MOTION CARRIED**

**Discussion: NESSP Temple Updates – Site Walk and Performance Bond**

Mr. Scott Nelson, Construction Supervisor, addressed the Board and stated that they had just received the Nitsch Engineering report.

Mr. Tada commented that he received the report at approximately 6:30 p.m. that evening.

Mr. Nelson stated that he had some questions with regard to the suggested cost but did not feel they could address them, as they did not have adequate time to review the report.

Mr. Burke stated that some of the things which Mr. Nelson referred to were changes to the plan and would have to be approved by the Planning Board.

Mr. Nelson asked how he could obtain an Occupancy Permit for the building without having the amount of bond within the next two weeks.

Mr. Barringer said they would accept minor site plan modifications for changes which reduced the cost but the changes would have to be reviewed and approved.

Mr. Nelson stated that all of the work would be done but he was not sure how they would get there given the magnitude of the bond. Mr. Barringer replied that they all wished there was an easy answer but from a legal prospective, the Board had to ensure the work that was started was done. He further replied that legally the Board had to have some surety in place or the work would have to be finished. He further replied he did not think there was a mechanism in place to circumvent that.

Mr. Burke commented that he did not think two weeks was enough time to get it done. He said the applicant could reduce the amount by work performed on the ground which would be more cost effective. He suggested that Mr. Nelson should “go gang busters as much as he could” in that respect but at the same time, if he were looking to seek alternate measures, such as the curbing and other factors then he should put a wish list together of the proposed modifications and get on the next Planning Board agenda to discuss them.

Mr. Mahender Singh, President of the Temple, addressed the Board and said that the project had gone on beyond their expectations. He said they were operating without a place of worship and had requested a number of extensions in the hopes that the project would have been finished. He further said that a bond for \$1.5 million was not something they could get. Mr. Singh asked if they could come up with a minimum amount of work that would protect the site. Mr. Barringer replied that Mr. Nelson had suggested a few modifications that could be put forth which would reduce the bond and the Planning Board would be willing to review those modifications. He further replied at the end of the day, the Planning Board was bound by law to have a surety to make sure the work on the original plan was completed and there was not a lot they could do about that.

Mr. Barringer asked if there were any further questions or comments from members of the Board or the public

Mr. Stephen Gentile, 15 Ernies Drive in Littleton, MA, addressed the Board and stated that his property was the most impacted by the project. He said based on what he had heard, he wanted to be recognized that he was in attendance. He further said he was most concerned about there being a reasonable buffer between his property and the Temple. He has been waiting patiently for it.

Mr. Russ Arena, 17 Ernies Drive, Littleton, MA, addressed the Board and stated that he was all for the project but he wanted to make sure there were plantings to buffer his property and that they were also allowed to do a walk-through of the property. He said they had already put some shrubs up and although he appreciated that, he felt they still needed approximately 35 shrubs. He further said he was also concerned with the lighting as it affected him directly.

Mr. Barringer commented that the Board understood the urgency and they would try to do whatever they could to assist them.

**Discussion – Chapter 61A Withdrawal, 162 Martin’s Pond Road**

Mr. Wilson stated that the discussion regarding the withdrawal was before the Board because the Select Board had a right of first refusal and the property was under agreement. He further stated that the Town had 120 days to respond.

Mr. Barringer replied that Mr. Wilson was correct and there was a Purchase & Sales Agreement in the amount of \$1.4 million.

Mr. Wilson commented that it was his understanding that amount was a pretty hefty price for consideration of straight conservation of the land. He said he wanted to bring it to the Board’s attention because he suspected that there would be a request for a recommendation.

Mr. Tada stated that Attorney Collins was going to bring an ANR Plan forward to the Planning Board.

Mr. Barringer made a motion to defer the recommendation of the Planning Board until they received further information. Mr. Burke seconded the motion.

**VOTE: 4 - 0**

**MOTION CARRIED**

**Discussion – Select Board Zoning Proposal – Recreational Marijuana**

Mr. Barringer stated that it included a ban on everything except research, testing, and cultivation. He further said it was due to come up before a special Town Meeting on October 1, 2018.

Mr. Tada stated that it would immediately precede the regular fall Town Meeting.

Mr. Wilson asked at which point the Planning Board should declare that they did not support the proposal that they would be holding public hearings regarding it. Mr. Barringer replied the time for that would be after the public hearing.

Mr. Barringer suggested it should be done in late August or early September after the potential two new Board members had a chance to become acclimated. Mr. Tada suggested a date of Thursday, September 13, 2018.

**Master Plan Implementation Committee – Re-Organization**

Ms. Perkins stated that they needed to appoint members of the committee so they could hold meetings. She further stated that Judy, Anna and she were already appointed but they still needed to designate it as a new committee.

Ms. Perkins noted that Mr. John Giger would be the representative from the Select Board and Mr. Tada was also going to be on the Board.

Mr. Burke made a motion to appoint Ms. Judy Anderson, Ms. Anna Eliot, Mr. John Giger, Ms. Carolyn Perkins and Mr. Takashi Tada to the Master Plan Implementation Committee, and that notice be sent to the Town Clerk of their appointments and for them to be officially sworn in. Mr. Wilson seconded the motion.

**VOTE: 4 - 0**

**MOTION CARRIED**

### **General Business**

Mr. Burke made a motion to appoint Mr. George Barringer as the Planning Board's representative to the Stormwater Committee. Mr. Wilson seconded the motion.

**VOTE: 4 - 0**

**MOTION CARRIED**

Mr. Barringer commented that he had suggested that the Planning Board should write a memo to the Zoning Board of Appeals with regard to the Village Center Business District in terms of its meaning and intent. He said the purpose of the district was to encourage local service businesses.

Mr. Burke made a motion for the Planning Board to send a memo to the Zoning Board of Appeals with regard to the Village Center Business District. Ms. Perkins seconded the motion.

**VOTE: 4 - 0**

**MOTION CARRIED**

Mr. Barringer thanked Mr. Wilson for his term serving as Chairman of the Planning Board the previous year and reminded the Board that Mr. Tada was coming up on his first year anniversary as the Land Use Director/Town Planner.

The Board collectively agreed that it had been a good year and were very happy with Mr. Tada's performance.

### **Approval of Meeting Minutes – June 14, 2018**

Page 4, last paragraph – the words “though it worked out to the town's favor” were deleted - Wilson

Mr. Burke made a motion to approve the minutes of the June 14, 2018, meeting as amended. Ms. Perkins seconded the motion.

**VOTE: 4 - 0**

**MOTION CARRIED**

### **Planning Board Meeting Schedule**

2<sup>nd</sup> & 4<sup>th</sup> Thursday of the Month:

- July 12<sup>th</sup>
- July 26<sup>th</sup>
- August 9<sup>th</sup>
- August 23<sup>rd</sup>

### **Adjournment**

Ms. Perkins made a motion to adjourn. Mr. Wilson seconded the motion.

**VOTE: 4 – 0**

**MOTION CARRIED**

The meeting was declared adjourned at 9:00 p.m.

Respectfully submitted,

Trish Gedziun  
Recording Secretary