

**TOWN OF GROTON PLANNING BOARD**  
**Thursday, May 27, 2021**  
**Meeting Minutes**

A virtual meeting of the Planning Board was held on Thursday, May 27, 2021, at approximately 7:00 p.m.

The meeting was broadcasted via Zoom and was available to view on the Groton Channel pursuant to the Governor's Executive Order Concerning the Open Meeting Law.

**Members Present:**

Mr. Russell Burke, Chair  
Mr. Scott Wilson, Vice Chair  
Ms. Annika Nilsson Ripps, Clerk  
Ms. Lorayne Black, Board Member (Arrived at approximately 7:40 p.m.)  
Mr. David Bonnett, Board Member  
Ms. Allison Bedard, Board Member

**Members Not Present:**

Mr. George Barringer, Board Member

**Also Present:**

Mr. Takashi Tada, Land Use Director/Town Planner

**COVID-19 Updates**

Mr. Tada shared that the Town Manager had issued a Press Release with new protocols related to COVID-19 following the Governor's guidelines. He said as of June 1, 2021, the Town Hall would be reopened to the general public and appointments would no longer be needed. He said people who were fully vaccinated would no longer be required to wear masks while in Town Hall but masks would be required for visitors and employees who were not fully vaccinated.

Mr. Tada also shared that effective June 7, 2021, all Board, Committee, and Commission meetings would return to in-person meetings. He added that the Groton Country Club would return to full operation and as a reminder noted that all dogs on public property had to be leashed.

**Discussion – Request for Expanded Hours of Operation – Roger Kanniard  
Village Meadows Subdivision, Townsend Road**

Mr. Burke stated the Board had received a letter from the applicant requesting permission to have extended hours for the weekday construction end time from 5:00 p.m. to 7:00 p.m. and to allow work on Saturdays from 7:00 a.m. to 2:00 p.m.

Mr. Burke also noted the Board had received correspondence from Bob Garside, Building Commissioner, who questioned the necessity of the extended hours because they weren't working full time at the site.

Mr. Roger Kanniard, the applicant, addressed the Board and explained his company was finishing a project in Littleton and wanted to split the construction team's time between Littleton and Village Meadows

in Groton. He added currently they were only able to do site work as they did not yet have any building permits.

Mr. Tada commented that the work Mr. Kanniard was doing past the hour of 5:00 p.m. during the week was brought to his attention by an abutter.

Mr. AJ Saball, an abutter, addressed the Board and said the property in his backyard went right up to where the construction was taking place. He said when the construction was taking place it was very loud. He said he was not in favor of having the construction take place in the evenings or on weekends.

Mr. David McPhillips, 354 Townsend Road, commented the construction site created a lot of noise and said he was not in favor of the proposed extended hours.

Ms. Star Kinney, 342 Townsend Road, commented she lived directly next door to where the construction was occurring. She said while she understood Mr. Kanniard’s position, she did not want the construction going on past 5:00 p.m. or on the weekends.

Ms. Nilsson Ripps stated that perhaps the construction site could be extended to 6:00 p.m. five days per week but not at all on weekends.

Mr. Wilson commented he agreed with Ms. Nilsson Ripps and a compromise was a good idea.

Mr. Bonnett asked if it were possible to restrict the usage of backup alarms in the later hours.

Mr. Kanniard said the noisiest machine on the site was a bulldozer and if they eliminated that they could use the excavator which would be a lot quieter. Mr. Kanniard asked if it would be acceptable to work until 6:00 p.m. on weekdays and from 7:00 a.m. to 12:00 noon on Saturday’s. Mr. Saball replied he did not feel that any of the residents would appreciate any construction occurring on the weekends but felt working until 6:00 p.m. during the week would be acceptable sans the heavy machinery.

Ms. Bedard asked about the truckload traffic going in and out per hour. Mr. Kanniard replied the truck traffic was not consistent. He said as excess material was generated in Littleton it was brought to Groton.

Mr. Burke asked if trucks would be hauling fill after 5:00 p.m. Mr. Kanniard replied it was difficult to get trucks these days and he had to get them when they were available. He added, however, he would adhere to a cutoff time of 5:00 p.m. for the trucks if need be.

**MOTION:** Ms. Nilsson Ripps made a motion to extend the work hours until 6:00 p.m. on weekdays with the exception of the use of heavy machinery such as bulldozers or large truckload deliveries, and with no weekend construction. Mr. Wilson seconded the motion.

*A Roll Call Vote was taken, which resulted as follows:*

Yea: Ms. Nilsson Ripps, Mr. Wilson, Mr. Bonnett, 5  
Ms. Bedard, and Mr. Burke

Nay: 0

**VOTE: 5 – 0 – 0**  
**MOTION CARRIED**

### **Discussion – Potential Zoning Amendments Pursuant to Housing Choice Legislation**

Mr. Burke stated there were some changes to the proposed zoning that would affect the quantum of votes for certain items that would go before Town Meeting. He also said certain zoning amendments that fall into the categories outlined in the Housing Choice Legislation would only require a simple majority as opposed to a two-thirds majority vote.

Mr. Burke said the legislation also contains a requirement that any MBTA community, of which Groton is one, had to enact zoning amendments to create and zone property with a zoning designation that would allow for multi-family housing for a minimum of 15 dwelling units per acre, by right. Such zoning amendments would be required in order for Groton to be eligible for certain state funding programs such as MassWorks grants.

Mr. Burke commented while there was a draft of the proposed zoning amendment he would not be comfortable recommending approval of the proposed zoning changes prior to the Department of Housing and Community Development (DHCD) having the opportunity to vet it. DHCD will be promulgating formal guidelines for municipalities.

Mr. Bonnett suggested updating the definition of a dwelling unit in the Zoning Bylaw.

### **Discussion – Community Planning Grants FY22**

Mr. Tada commented that the application deadline was on June 4<sup>th</sup>, and the Department of Housing and Community Development (DHCD) Program would fund projects up to \$75,000, but they were projects that had to be completed within the fiscal year beginning July 1, 2021, and had to produce a planning document by the end of June 2022.

### **Discussion – Planning Board Reorganization and Appointments**

Mr. Burke stated the Planning Board would wait until there was a full complement of the Board in attendance prior to the reorganization. He commented, however, that a Planning Board member needed to be appointed to the Community Preservation Committee and asked anyone interested to please contact Mr. Tada.

### **Project Updates**

- **Music Center at Indian Hill**

Mr. Burke said there was some survey work being done and they were looking at the extension of some utilities that would piggyback with the improvements at the intersection.

- **Reedy Meadow Estates**

Mr. Tada explained that there was some concern regarding the new drainage basin that was constructed on the conservation land. He said it was designed to be a wet basin that holds water for a certain amount of time. He said some of the residents were concerned that the standing water was developing algae. He said the Board of Health agent looked into the matter and he did not have any concerns from a public health point of view. Further, Mr. Tada said a representative from Nitsch Engineering had also looked at it and deemed it was functioning as designed.

Mr. Tada said he also sent the developer, Mr. Peter Cricones, via multiple delivery mechanisms, a request to pay for some engineering peer review invoices from Nitsch Engineering by June 9<sup>th</sup>.

Mr. Burke asked if there had been any activity with respect to the paving of Olivia Way. Mr. Tada replied he did not think any work had been done but he heard Mr. Cricones was seeking bids from paving contractors.

- **Village at Shepley Hill**

Mr. Burke stated the Environmental Notification Form had been reviewed pursuant to MEPA (Massachusetts Environmental Policy Act). The MEPA Certificate stated the project did not require a full-blown environmental impact report.

Mr. Tada commented that the MassDEP (Department of Environmental Protection) Superseding Order of Conditions had been on hold until the issuance of the MEPA Certificate. He said the MassDEP site walk had occurred and he would keep the Board updated.

### **Committee Updates**

- **Complete Streets Committee**

Mr. Burke said an application had been submitted for the second round of projects. Mr. Tada commented he was keeping track of the situation and would provide updates to the Board when he received them.

- **Community Preservation Committee**

Mr. Burke said this time of year was the CPC's slow period and they would gear up again in the fall.

### **General Business**

- **ZBA Updates**

Mr. Tada said the ZBA had met the previous evening and one of the items on their agenda was a request for a special permit from David Gilson, 368 Main Street, who requested to operate an Airbnb. He said the ZBA did not feel comfortable making a decision on the project under the category of a Bed & Breakfast because the owner of the property would not be residing in the house and would not be serving breakfast. He added the ZBA felt the request was better represented under the Hotel/Motel or Inn Use category which would place the request under the purview of the Planning Board.

- **Meeting Minutes**

- April 22, 2021

Mr. Bonnett made a motion to approve the minutes of the April 22, 2021 meeting as presented. Ms. Bedard seconded the motion.

*A Roll Call Vote was taken, which resulted as follows:*

Yea:	Ms. Nilsson Ripps, Mr. Wilson, Mr. Bonnett, Ms. Bedard, Ms. Black, and Mr. Burke	6
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Nay: 0

**VOTE: 6 – 0 – 0**

**MOTION CARRIED**

- May 13, 2021

Mr. Bonnett made a motion to approve the minutes of the May 13, 2021 meeting as presented. Mr. Wilson seconded the motion.

*A Roll Call Vote was taken, which resulted as follows:*

Yea: Mr. Wilson, Mr. Bonnett, Ms. Bedard, Ms. Black, and Mr. Burke 5

Nay: 0

**VOTE: 5 – 0 – 1 (Abstained - Ms. Nilsson Ripps)**

**Planning Board Meeting Schedule**

- June 10, 2021
- Summer Schedule TBD

**Adjournment**

At approximately 8:30 p.m. Mr. Wilson made a motion to adjourn. Ms. Nilsson Ripps seconded the motion.

The motion carried by a roll call vote. 6 – 0 – 0.

Respectfully submitted:

Trish Gedziun  
Recording Secretary

*Approved 6/24/2021.*