

TOWN OF GROTON PLANNING BOARD
Thursday, June 24, 2021
Town Hall, 173 Main Street, Groton, MA
Meeting Minutes

A regular meeting of the Planning Board was held on Thursday, June 24, 2021, at approximately 7:00 p.m. in Town Hall, 173 Main Street, Groton, MA, in the 2nd floor meeting room.

Members Present:

Mr. Russell Burke, Chair
Mr. Scott Wilson, Vice Chair
Mr. George Barringer, Board Member
Mr. David Bonnett, Board Member
Ms. Lorayne Black, Board Member
Ms. Alyson Bedard, Board Member

Members Not Present:

Ms. Annika Nilsson Ripps, Clerk

Also Not Present:

Mr. Takashi Tada, Land Use Director/Town Planner

**Public Hearing – Special Permit for AirBnB in Neighborhood Business (NB) District
368 Main Street (The Herb Lyceum) – Mr. Dave Gilson**

Mr. Burke opened the public hearing at 7:00 p.m. and Mr. Barringer read aloud the public notice into the record.

Mr. Dave Gilson, the applicant, addressed the Board and stated he would like to operate the existing house as an Inn that provides short-term rentals for groups of up to ten guests. Food will not be served. He is not proposing any external changes to the property.

Mr. Burke stated the Zoning Board of Appeals (ZBA) had provided a memo dated May 27, 2021, and read it into the record as summarized below:

Mr. David Gilson applied for a Special Permit from the ZBA for an AirBnB that would allow for up to ten guests in a house owned by him that he does not reside in full-time. There are three different use categories in the zoning bylaw that provide for lodging. He applied under the category of a Bed and Breakfast which requires a Special Permit from the ZBA.

The ZBA determined the only use category which fits the proposed Inn is that of an Inn, which would require a Special Permit from the Planning Board. The other categories both limit the number of guests to less than ten and require that breakfast be served. While the members are in general support of the proposal, the ZBA found that the application should be submitted for consideration under the Planning Board's purview.

Mr. Burke also said the Building Inspector had provided a memo to the ZBA and Planning Board summarized as follows:

I wanted to clarify the Building/Fire Code situation of the above-referenced address regarding potentially opening an Inn. The following is a summary of what the Building and Fire Departments agreed upon. We request after review that the following be incorporated into the Special Permit, if granted, so the record remains clear.

Currently, the building is used as an Occupancy Group R-3 per the building code, however, if they take in more than ten lodgers at one time the use would change to Group R-2 and a full sprinkler and fire alarm system would be required to be installed. This upgrade would be required whether the residence remained owner-occupied or not. Therefore, I would recommend the Special Permit be noted up to ten lodgers ONLY unless compliance and upgrades to the building code were installed.

If the residence remains owner-occupied at all times during rentals then no sprinkler system would be required, but, again, only up to ten transient lodgers at a maximum.

If the owner rents it out and the owner is not present then we would require that a fire alarm system be installed that reports to the Fire Department, again, only up to ten transient lodgers at a maximum.

We hope this clarifies the Building and Fire Department requirements that have been discussed with Mr. Gilson.

Mr. Wilson asked if the only changes were to rework the driveway and installing a fire alarm system. Mr. Gilson replied that was correct.

Mr. Bonnett asked if Mr. Gilson would reside on the premises. Mr. Gilson replied he would not reside there when tenants were in the home. He added he would have staff to clean the house as well as an administrative staff who would handle reservations. The staff would not reside on the premises.

Mr. Burke asked if there were members of the public who had questions or comments.

Mr. Jason Conquest, 356 Main Street, an abutter, addressed the Board and stated he was in favor of Mr. Gilson's proposal.

MOTION: Mr. Barringer made a motion to close the public hearing. Mr. Wilson seconded the motion.

The motion passed 6 – 0 – 0.

MOTION: Mr. Barringer made a motion to request that Mr. Tada, Land/Use Director draft an affirmative Special Permit decision which included the stipulations previously read into the record by the Building Inspector and comments from the Zoning Board of Appeals. Mr. Wilson seconded the motion.

The motion passed 6 – 0 – 0.

Discussion with Public Safety Officials
Old Ayer Road/Route 119 Intersection (Prescott Common) Improvements Pursuant to the
Site Plan Review Permit for the Music Center at Indian Hill

Mr. Tom Delaney, DPW Director, addressed the Board and said he was present with other public safety officials to discuss whether or not the plan indicated in the permit decision was actually option 3D or one that “resembled” 3D.

Mr. Burke pointed out if there were a desire to provide more detailed information and/or testimony from the Traffic Engineer that would present another way of doing the project, then the permit decision would have to be amended.

Mr. Delaney suggested something had changed in the minutes in that part of the decision stated “a fully engineered design plan” and the meeting minutes from the last meeting he attended stated, “if he had 25% of design it was adequate enough to begin construction.”

Mr. Burke said he did not feel the proposed plan “resembled” option 3D because the traffic patterns were different, and it would seem remiss if the Planning Board allowed the left turn onto Main Street to be moved from the north end of the triangle to the south end.

Ms. Alison Manugian, Select Board member, asked if the Site Plan Review Permit had been recorded, and if the permit expired after two years. Mr. Burke said the applicant commenced construction within the two-year time frame; therefore the permit remained in effect.

Mr. Josh Degen, Select Board member, said he felt since there was not a designated Road Commissioner that the Select Board, working in conjunction with the Director of Public Works, became the de facto Road Commissioner. He said the Planning Board indicated when it was time to move forward they would work with public safety officials and the Director of Public Works. Further, Mr. Degen said the applicant wanted to get their occupancy permit and they could not get the permit until the intersection realignment was addressed.

Mr. Burke said the Select Board was more than welcome to become involved but he stressed the importance of having a Traffic Engineer also become involved.

Mr. Barringer asked Mr. Delaney to explain his proposed option and what advantages he felt it had. Mr. Delaney explained he felt option 3D was the best, however, he felt the two-lane road should be changed to a one-lane road, southbound from Main Street onto Old Ayer Road for safety reasons.

Mr. Mark Haddad, Town Manager, asked if the board would allow the Police Chief and Fire Chief to speak to this issue.

Police Chief Michael Luth, and Fire Chief Steele McCurdy both indicated each plan had parts to it that would be beneficial but also had some safety concerns when it came to emergency apparatus, especially at the northern tip of the triangle (Main Street/Old Ayer Road).

Mr. Robert Hargraves, 21 Temple Drive, suggested implementing temporary detours for large events at the Music Center, rather than trying to reconfigure the existing intersection. He also asked if any additional consideration was being given to traffic impacts on Peabody Street. Mr. Burke said no changes to Peabody Street were being discussed at this time.

Mr. Delaney commented that he and the other safety officials preferred option 3B with one lane coming off of Main Street and no issues with fire apparatus. He said one of the big things option 3B had that the other options did not was that it had enough storage to bring the traffic in from Boston Road/Route 119. He said he had already been in touch with MassDOT (Department of Transportation) and they had copies of all of the reports. He noted two telephone poles would have to be repositioned away from the road. Mr. Delaney said their preferred plan was a hybrid option that took a few components from all of the plans.

Mr. Burke stated it was his opinion that they could not change the plan from 3D without “reopening things” in terms of process and procedure.

Mr. Haddad stated the Planning Board’s decision was to improve safety in the intersection because of the increased traffic due to events at Indian Hill and he did not understand why the site plan had to be reopened. He said the final design would be reviewed by a Traffic Engineer. Mr. Burke replied there could be legal repercussions. Mr. Delaney said in the future the word “resembles” should not be part of Decisions.

The Planning Board collectively decided to take the matter up at the next meeting to allow everyone time to review the Decision and related documents.

***Discussion – Performance Bond Estimate
Village Meadows (Bluebird Lane) – Mr. Roger Kanniard***

Mr. Burke commented that Nitsch Engineering had reviewed the work done on the site and estimated the surety to be \$124,620. Mr. Kanniard requested the surety be \$124,000, based on the fact that he had installed the street signs and planted three of the street trees.

MOTION: Mr. Barringer made a motion to accept Nitsch Engineering’s estimate of \$124,620.52 for Bluebird Lane at Village Meadows Subdivision and then to amend the amount to \$124,000 because Mr. Kanniard had installed street signs and three street trees. Mr. Wilson seconded the motion.

The motion passed 6 – 0 – 0.

Discussion – Planning Board Reorganization & Appointments

Mr. Burke stated the reorganization of the Board would be postponed until a full Board was present.

The Planning Board appointed the following representatives:

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| • Community Preservation Committee | To be Determined |
| • Earth Removal Stormwater Advisory Committee | George Barringer |
| • Complete Streets Committee | George Barringer |
| • Montachusett Regional Planning Commission | Russell Burke |
| • Montachusett Joint Transportation Committee | Russell Burke |

The Planning Board designated the following liaisons:

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| • Zoning (Building Commissioner & Board of Appeals) | Alyson Bedard |
| • Environmental (Board of Health, Conservation & Park) | Scott Wilson |
| • Historic (HDC, Historical & Town Center Overlay District) | Lorayne Black |
| • Housing (Housing Authority, Housing Partnership, | Annika Nilsson Ripps |

Affordable Housing Trust)

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| • Public Safety (Police, Fire, DPW) | George Barringer |
| • Utilities (GELD, Water & Sewer, West Groton Water Dist.) | David Bonnett |
| • Groton Dunstable Regional Schools | Annika Nilsson Ripps |
| • Select Board | Russell Burke |

Project Updates

- **Reedy Meadow Estates**

Mr. Barringer reported Olivia Way had been paved.

- **Village at Shepley Hill**

There were no updates.

Committee Updates

There were no updates.

Meeting Minutes

- **May 27, 2021**

MOTION: Mr. Barringer made a motion to approve the minutes from the May 27, 2021, meeting. Ms. Bedard seconded the motion.

The motion passed 6 – 0 – 0.

Planning Board Meeting Schedule

- July 8, 2021

Adjournment

At approximately 8:45 p.m. Mr. Wilson made a motion to adjourn. Mr. Barringer seconded the motion.

The motion passed 6 – 0 – 0.

Respectfully submitted:

Trish Gedziun
Recording Secretary

Approved 8/26/2021