**TOWN OF GROTON PLANNING BOARD**

**Thursday, July 14, 2022**

**Meeting Minutes**

A virtual meeting of the Planning Board was held using Zoom on Thursday, July 14, 2022, at approximately 7:00 p.m. All votes were to be taken by roll call because the meeting was virtual.

**Members Present:**

Mr. Scott Wilson, Chair

Ms. Annika Nilsson Ripps, Vice-Chair

Ms. Alyson Bedard, Clerk

Mr. George Barringer, Board Member

Mr. David Bonnett, Board Member

Ms. Lorayne Black, Board Member

**Board Members not Present:**

Mr. Russell Burke, Board Member

**Also Present:**

Mr. Takashi Tada, Land Use Director/Town Planner

Per the Massachusetts Attorney General’s guidance regarding the Massachusetts Wiretap Statute, Mr. Wilson stated the meeting was virtual and being recorded and all votes must be taken via roll call. The Planning Board members and meeting participants introduced themselves.

***Public Hearing – Major Site Plan Review – Dental Office***

***489 Main Street, Unit B (Mill Run Plaza)***

Mr. Wilson pointed out that there were two separate public hearings for Major Site Plan Review on this evening’s agenda. Both applications are located in the existing building at 489 Main Street, in Mill Run Plaza. The first hearing is for a proposed dental office in Unit B, and the second hearing is for a proposed adult-use recreational marijuana retail establishment in Unit A. Copies of the public hearing notices and application materials were available in the Land Use office in Town Hall for the public to review.

Mr. John Amaral of Omni Properties presented as the applicant on behalf of Dr. Genevieve Garris, Orange Blossom Dental. Mr. Amaral said the request was for a change of use and site alterations exceeding 1,000 square feet. He said currently the building is owned by Main Street Bank which had occupied the building since it was constructed in 2004. He also said Dr. Garris from Orange Blossom Dental would like to occupy Unit B which was approximately 4,361 square feet. He explained the proposed changes to the building included a new entrance door to Unit A (for the proposed marijuana retail dispensary), a concrete canopy, a loading area of approximately 292 square feet with a fence surrounding it for security purposes that would be located at the rear of Unit A, and a second means of egress at the rear of Unit B. He noted they would have to relocate three shrubs to be able to make the proposed changes and also noted the footprint of the building would remain the same. Mr. Amaral said the marijuana dispensary, UC Retail LLC, would like to occupy Unit A. Further, Mr. Amaral explained that the proposed dental office and the proposed marijuana dispensary, along with the existing oral surgery practice, would occupy the three units that comprise the building, while a new owner was under contract to purchase the entire building from the bank. The new owner’s name is Carmen Andreoli.

Mr. Greg Roy from Dillis & Roy Civil Design Group was also present. Mr. Roy prepared the site plan showing the exterior modifications to the building. Some of the proposed modifications are for Unit A, which will house the proposed marijuana dispensary.

At 7:23 p.m., Mr. Wilson opened the public hearing for the marijuana dispensary in order to allow all of the proposed site modifications to the building at 489 Main Street to be discussed in the context of both applications for Site Plan Review (dental office and marijuana dispensary).

***Public Hearing – Major Site Plan Review – Adult-Use Marijuana Retail Establishment***

***489 Main Street, Unit A (Mill Run Plaza)***

Mr. Roy presented the proposed exterior modifications to the building. For Unit A, there would be a new, covered entrance on the front with a paved walkway (five feet wide) connecting to the existing sidewalk, resulting in approximately 165 square feet of impervious surface. Mr. Roy said the drainage impact from this new entrance was *de minimis.* One existing shrub would be removed to make way for the new entrance. A new loading area would be created on the rear of Unit A for product delivery, off the existing driveway that was previously used for the bank drive-up window/ATM. The loading area would be fenced on two sides for screening, and would utilize pervious pavement to mitigate for the 292 square feet of alteration to the grassed area. One existing shrub will be relocated to accommodate the loading area for Unit A.

For Unit B, there would be a new emergency exit door added to the rear of the building with a concrete pad (5 x 5 feet). One existing shrub would be relocated away from the exit.

Mr. Amaral said he provided supplemental information to the board about parking. He said there was ample parking for all three units, with a total of 227 shared parking spaces in Mill Run Plaza. He also said the Sewer Commission approved the proposed uses.

Mr. Barringer said the current building has a drive-up window with a canopy over it. He asked if it would remain. Mr. Amaral replied that the drive-up window and canopy would remain in place, but would not be used by the marijuana dispensary. Drive-up service is currently not allowed by the Cannabis Control Commission.

Mr. Barringer also commented about the secondary exit in the rear of Unit B. He felt there needed to be an all-weather passable walkway to the existing drive, not just a small concrete pad. Mr. Andreoli said he would look into that. Mr. Barringer asked where the secondary pedestrian egress was in Unit A. Mr. Mike Spengler, United Cultivation, replied that they planned to use the loading door as the second egress. Mr. Barringer replied that he felt there needed to be a pedestrian gate in the fenced loading area. Mr. Spengler replied he would be willing to do that.

Mr. Barringer asked what the distance is between the fenced loading area and Main Street. Mr. Roy said the distance is approximately 50 feet.

Lastly, Mr. Barringer asked about proposed lighting. The applicants replied that they plan to install recessed lighting in the new front entrance canopy (Unit A).

Ms. Black said she would like to see plantings surrounding the fenced loading area, to screen the view from Main Street. She also asked for more details about the marijuana product deliveries. Mr. Steve Phaneuf, United Cultivation, said they anticipate two deliveries per day, on average. He also said the loading area is required to have screening panels, but a gate is not required. Mr. Spengler said a typical delivery would take approximately 15 minutes.

Mr. Bonnett noted the pervious pavement requires maintenance and would need to be cleaned every few years. He would like to see a maintenance plan put in place. He also asked if there had been any drainage issues in the building. Ms. Ellen Doiron, Main Street Bank, said there were no drainage problems in the past.

Chair Wilson asked if there were members of the public who had questions or comments. There were none.

**MOTION:** Mr. Barringer made a motion to close the public hearing for Major Site Plan Review for the dental office to be located at 489 Main Street, Unit B (Mill Run Plaza). Ms. Black seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Mr. Bonnett, Mr. Barringer, Ms. Black, 6

Ms. Bedard, Ms. Nilsson Ripps, & Mr. Wilson

Nay: 0

**MOTION CARRIED: 6 – 0 – 0.**

**MOTION:** Mr. Barringer made a motion to close the public hearing for the Major Site Plan Review for the Adult-Use Marijuana retail establishment to be located at 489 Main Street, Unit A (Mill Run Plaza). Ms. Black seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Mr. Bonnett, Mr. Barringer, Ms. Black, 6

Ms. Bedard, Ms. Nilsson Ripps, & Mr. Wilson

Nay: 0

**MOTION CARRIED: 6 – 0 – 0.**

**MOTION:** Mr. Barringer made a motion to approve the Major Site Plan Review for the dental office to be located at 489 Main Street, Unit B (Mill Run Plaza) and to request that Mr. Tada write a draft decision with the following conditions & findings:

1. Emergency egress pathways from Units A & B shall be shown to the Planning Board for approval.
2. The security fencing detail for Unit A shall be shown to the Planning Board for approval including appropriate landscaping.
3. All lighting to be installed shall be Dark Sky compliant and the cut sheets shall be submitted to the Planning Board for approval.
4. The applicant had shown by survey and observation that the parking was adequate for the intended uses for Units A & B.
5. The landscape plantings shall be non-invasive, the majority being native.
6. Visual screening between the rear door and Main Street for Unit A shall be shown on a plan provided to the Planning Board.
7. Operations & Maintenance Plan for the permeable paving shall be approved by the Planning Board.
8. There shall be no outdoor storage.

Ms. Black seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Mr. Bonnett, Mr. Barringer, Ms. Black, 6

Ms. Bedard, Ms. Nilsson Ripps, & Mr. Wilson

Nay: 0

**MOTION CARRIED: 6 – 0 – 0.**

**MOTION:** Mr. Barringer made a motion to approve the Major Site Plan Review for the Adult-Use Marijuana retail establishment to be located at 489 Main Street, Unit A (Mill Run Plaza) with the same conditions & findings as above, and to request that Mr. Tada write a draft decision. Ms. Black seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Mr. Bonnett, Mr. Barringer, Ms. Black, 6

Ms. Bedard, Ms. Nilsson Ripps, & Mr. Wilson

Nay: 0

**MOTION CARRIED: 6 – 0 – 0.**

***Approval Not Required (ANR) Plan (added 7/14/22)***

***458 & 468 Main Street (Mr. Jeff Brem)***

Mr. Jeff Brem was present to speak on behalf of his application to split 468 Main Street (Assessors Parcel 216-98) into two lots.

Mr. Brem said the existing parcel consisted of approximately 4.3 acres, and the existing structure would be torn down. His ANR Plan proposes to cut out just over 40,000 square feet of land to be used for a residential lot. He said it met all of the other requirements in the General Business (GB) zoning district.

**MOTION:** Mr. Barringer made a motion to endorse the Approval Not Required Plan for 468 Main Street, prepared by Meisner Brem Corporation for Quality Green Homes, dated July 14, 2022. Ms. Black seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Mr. Bonnett, Mr. Barringer, Ms. Black, 6

Ms. Bedard, Ms. Nilsson Ripps, & Mr. Wilson

Nay: 0

**MOTION CARRIED: 6 – 0 – 0.**

***Planning Board Reorganization***

The Planning Board reorganization was postponed because there was not a full complement of the Board.

***Discussion – Master Plan Update***

There was no update to share.

***Committee Updates***

* Complete Streets Committee

Mr. Barringer said they were waiting for the survey report.

* Community Preservation Committee

There was no update to share.

***General Business***

* ZBA Updates

Mr. Tada said an application had been submitted earlier this year to MassHousing for a 40B Housing Development on Cow Pond Brook Road (Heritage Landing). He said within the past week MassHousing had issued a letter of eligibility for approval for the project.

Mr. Tada also said Mr. John Amaral and his partners who owned the former Deluxe Corp properties located at 500 Main Street, also submitted an application to MassHousing for another 40B project to be developed on that property.

Mr. Tada said both sets of application materials could be found on the town’s website.

Mr. Tada noted that the Select Board had published the schedule for Fall Town Meeting that would be held on Saturday, October 22, 2022.

***Planning Board Meeting Schedule***

* August 4, 2022 (In-person)
* August 18, 2022 (If needed)

***Adjournment***

At approximately 8:20 p.m. Ms. Black made a motion to adjourn. Mr. Barringer seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Mr. Bonnett, Mr. Barringer, Ms. Black, 6

Ms. Bedard, Ms. Nilsson Ripps, & Mr. Wilson

Nay: 0

**MOTION CARRIED 6 – 0 – 0.**

Respectfully submitted:

Trish Gedziun

Recording Secretary

*Approved 8/4/2022*