**TOWN OF GROTON PLANNING BOARD**

**Thursday, August 18, 2022**

**Meeting Minutes**

A regular meeting of the Planning Board was held on Thursday, August 18, 2022, at approximately

7:00 p.m. The virtual meeting was conducted on Zoom.

**Members Present:**

Ms. Scott Wilson, Chair

Ms. Annika Nilsson Ripps, Vice-Chair

Mr. Russell Burke, Board Member

Ms. Lorayne Black, Board Member

Mr. David Bonnett, Board Member

**Board Members not Present:**

Mr. George Barringer, Board Member

Ms. Alyson Bedard, Clerk

**Also Present:**

Mr. Takashi Tada, Land Use Director/Town Planner

Per the Massachusetts Attorney General’s guidance regarding the Open Meeting Law, Mr. Wilson stated the meeting was virtual and recorded, and all votes must be taken via roll call. Further, the Planning Board members introduced themselves.

***Discussion – ANR Plan (Added 8/16/2022)***

***Oriole Drive Lot Line Changes, Rocky Hill Subdivision***

Attorney Bob Collins was present on behalf of the applicant. He said the topography of the land to the east of Oriole Drive was such that an inordinate amount of site disturbance would be required to build houses there. It is too steep, with too much ledge. He requested the board’s endorsement of an ANR Plan to adjust five of the lots that were approved for Oriole Drive.

**MOTION:** Mr. Bonnett made a motion to approve the ANR plan designed by Dillis & Roy Civil Design Group, dated April 5, 2022, for Oriole Drive. Mr. Burke seconded the motion.

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

Yea: Mr. Bonnett, Mr. Burke, Ms. Nilsson Ripps, 4

& Mr. Wilson

Nay: 0

**MOTION CARRIED: 4 – 0 – 1. (Abstained – Ms. Black)**

***Public Hearing – Special Permit for Shared Driveway***

***Hayes Woods (Robert Kiley, Maple Avenue Realty Trust)***

***Maple Avenue, Lots 1 & 2 (Assessor’s Parcels 104-30 & 212-13)***

Attorney Collins and Stan Dillis (Dillis & Roy Civil Design Group) presented the application on behalf of the applicant. He said the application is for a special permit for a shared driveway providing access to Lots 1 and 2. The shared driveway will minimize site disturbance along Maple Avenue. He added the driveway entrance would be located on lot 2, as shown on the “Stormwater Permit Plan” by Dillis & Roy, dated 2/15/2022. Mr. Collins said a Stormwater Management Permit has been issued, #SW2022-03, following a review by Nitsch Engineering.

Mr. Burke said one curb cut is better than two, and it was in keeping with the desire to minimize disturbance along Maple Avenue.

Ms. Black asked for clarification on the erosion controls and limits of disturbance on Lot 2. The erosion controls appear to leave an area to the south of “Proposed Level Spreader #2” vulnerable to erosion and/or use as a lay down area. Mr. Dillis said this area would provide access to drill the proposed well on Lot 2.

Ms. Black also asked about the grading of the driveway on Lot 1. Mr. Dillis said the driveway on Lot 1 would be “super-elevated” to drain away from Maple Avenue into a recharge trench.

Mr. Bonnett asked about the recharge trench details and discharge location, and also about the design of the stormwater basins with respect to overflow. Mr. Dillis said the recharge trench would discharge to “Stormwater Management Area #1”. The stormwater management areas are designed to contain the 100-year storm.

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

**MOTION:** Mr. Burke made a motion to close the public hearing. Ms. Black seconded the motion.

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

Yea: Mr. Bonnett, Mr. Burke, Ms. Nilsson Ripps, 5

Ms. Black, & Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

**MOTION:** Mr. Burke made a motion to approve the request for a Special Permit for a shared driveway for Hayes Woods for Lots 1 & 2 as shown on the plan as presented (revised 2/15/22) with the condition that the area south of the “Proposed Level Spreader #2” not be used as a lay-down area, and the erosion control barrier be extended from Maple Avenue north to the base of the “Stormwater Management Area #2”. The proposed well location on Lot 2 may be accessed via the area south of the “Proposed Level Spreader #2”. Ms. Black seconded the motion.

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

Yea: Mr. Bonnett, Mr. Burke, Ms. Nilsson Ripps, 5

Ms. Black & Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

***Discussion – Preliminary Subdivision Plan, Flexible Development***

***Hayes Woods (Robert Kiley, Maple Avenue Realty Trust)***

***Pepperell Road (Assessor’s Parcels 104-30 & 212-13)***

Attorney Collins stated that he was present on behalf of the applicant. He said there was a revised preliminary plan by Dillis & Roy, dated 8/18/2022 which addressed the following:

* Lot numbering discrepancy.
* Soil testing and septic system locations.
* Private well locations.
* Fire suppression – cisterns or sprinklers (Fire Chief)
  + Attorney Collins explained they were still uncertain about what type of fire suppression would be used but would resolve it prior to the submission of the definitive plan.
* Access to open space parcel (Conservation Commission)

Mr. Dillis, P.E., said the goal was to follow the existing grades as much as possible, but noted the grades ranged from 9%, 6%, to 10% around the cul-de-sac.

Ms. Black asked if the Planning Board could see a rendering with the cul-de-sac and another one with the T-turnaround. Attorney Collins commented he would provide the documents at the next Board meeting.

***Discussion – ANR Plan (added 8/17/2022)***

***Land Swap, 523 & 533 Lowell Road (Assessors Map 126; Parcels 3 & 4)***

* Submitted by Sharon Walsh, 523 Lowell Road, to acquire approximately one-acre of land from Joanne Csaplar, 533 Lowell Road, a neighbor.

Ms. Sharon Walsh, the applicant, addressed the Board and said she would be acquiring Parcel A from her neighbor. She said the parcel was approximately 1.033 acres and consisted mostly of trees. She also said she planned to build a new garage at some point in the future and wanted to ensure she had enough room so that it did not encroach onto her neighbor’s property.

**MOTION:** Mr. Burke made a motion to endorse the plan as the Planning Board determined that approval under the Subdivision Control Law was not required for the plan of land at 523 Lowell Road, Groton, MA, dated June 28, 2022, prepared by Odone Survey and Mapping. Ms. Black seconded the motion.

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

Yea: Mr. Bonnett, Mr. Burke, Ms. Nilsson Ripps, 5

Ms. Black & Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

***Discussion – Pre-Submission Review***

***Restaurant & Catering Service – Eric Brown***

***491 Main Street, Unit E. (Mill Run Plaza)***

Mr. Takashi commented that Mr. Brown was not able to make the meeting due to personal/medical reasons.

The Planning Board collectively decided to place the discussion on a future agenda so Mr. Brown could present his pre-submission review.

***Discussion – Minor Modification and Limited Partial Release of Covenant***

***Village at Shepley Hill (Shepley Hill Capital Partners LLC.)***

***Longley Road and Sand Hill Road (Assessor’s Parcel 226-2)***

Attorney Jill Mann was present to discuss the request. Mr. Larry Smith, Principal Developer, and Ms. Julia Dickinson, Controller were also present.

She said there was a tremendous amount of progress on the project and had already signed their first purchase & sales agreement for one of the units. She said they were seeking permission to begin construction on Lot 3 (units 5 & 6), Lot 4 (units 7 & 8), and Lot 5 (units 9 & 10) to be used as demonstration homes.

Attorney Mann also said the original design of the entrance to the development had an ornate rock wall that extended on both sides. They had since dramatically reduced the size of the rock wall design. She noted the actual landscaping plans had not changed. She also pointed out that the proposed “Village at Shepley Hill” was compliant with the Sign Bylaw.

**MOTION:** Mr. Burke made a motion to approve the change in the entrance rock wall and sign with the condition that the Planning Board was provided with a cut sheet indicating what materials would be used as well as a cut sheet describing what type of lighting would be used on the sign. Mr. Bonnett seconded the motion.

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

Yea: Mr. Bonnett, Mr. Burke, Ms. Nilsson Ripps, 5

Ms. Black & Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

**MOTION:** Mr. Burke made a motion to approve the request for a partial release from the covenant for the purpose of seeking building permits for the construction of Lot 3 (units 5 & 6), Lot 4 (units 7 & 8), and Lot 5 (units 9 & 10) but not for sale or for an occupancy. Mr. Bonnett seconded the motion.

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

Yea: Mr. Bonnett, Mr. Burke, Ms. Nilsson Ripps, 5

Ms. Black & Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

***Discussion – Multi-Family Housing for MBTA Communities***

***Final Guidelines issued by DHCD***

* Final Guidelines issued by DHCD, 8/10/22
* Mr. Burke provided a summary of the guidelines and a first draft of a potential Multi-Family Development Overlay District

Mr. Burke said the Town of Groton was considered an “adjacent small town” as the population was less than 7,000 or a population density of fewer than 500 persons per square mile. He said the Town of Groton was only obligated to provide zoning that would allow for 5% of its total housing stock which was 4,153 or 208 units. He further said if 208 was divided by the minimum allowable density which was being sought (15 units per acre) it equated to having to zone approximately 14 acres to meet the 208 units of multi-family housing.

Mr. Burke said it could be done as an Overlay District rather than rezoning the districts. He said the areas had to be located near a nexus of activity, the units could not be age-restricted, and they did not have to be within ½ mile of a transit station. He pointed out that while there could be multiple, non-contiguous areas zoned, the minimum area had to be 5 acres of a parcel or contiguous parcels.

Mr. Burke said there was no requirement for inclusionary housing, but it may be included up to 10%. He said the Town of Groton already had 15% “on the books” for flexible developments, so the Town could propose to have 15% affordable in a multi-family zoning district. (In no circumstance could the percentage go above 20%)

Mr. Burke said there would be an online seminar on September 8th at 1:00 p.m.

Mr. Burke said he prepared a first draft of a zoning amendment for a Multi-Family Development Overlay District.

Mr. Tada commented that the Montachusett Regional Planning Commission would be providing some technical assistance to assist the town, specifically in the area of mapping.

Ms. Anna Eliot, a resident, addressed the Board and commended the Planning Board on the work being done. She asked how it would be integrated with 40B applications that were already being dealt with as a town, specifically Groton Farms (500 Main Street), and whether or not the density of the proposed 40B could be reduced based on the new guidelines from the state. Mr. Burke replied that it would not affect 40B proposals.

Mr. Phil Francisco, Affordable Housing Trust, addressed the Board and asked if there were any possibility that a property owner somewhere other than the original zone could apply to have their property covered under the zoning bylaw. Mr. Burke replied that it would be only for the zones that complied with the state’s requirements.

Ms. Becky Pine, Affordable Housing Trust, addressed the Board and asked if the zoning bylaw could be applied to the parcel at 500 Main Street. Mr. Burke replied it was possible.

***Planning Board Reorganization***

The Planning Board reorganization could not be done because a full complement of the Board was not present.

***Project Updates***

* Rollstone Bank Signage Modification Request – To reserve spaces in front of its main entrance. Originally discussed at the May 26, 2022, Planning Board meeting.

Mr. Tada noted the request came in very late the previous day and the topic was not on the agenda, but the Board had discussed it at a May Planning Board meeting. He said he received a letter from Rollstone Bank indicating they received permission from the property owner to place the signs and included a photo of the proposed signs. He further said the purpose of reserving some spaces was for customers with mobility issues to have better access to the bank entrance.

**MOTION:**  Mr. Burke made a motion to approve the request for the sign modification to permit reserved parking near the front entrance of the bank located at 788 Boston Road, Groton, MA, as presented to the Board via a letter addressed to the Planning Board from Rollstone Bank, dated August 16, 2022. Mr. Bonnett seconded the motion.

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

Yea: Mr. Bonnett, Mr. Burke, Ms. Nilsson Ripps, 5

Ms. Black & Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

***Discussion – Master Plan Update***

Mr. Tada said he would send the Board a conceptual summary of the Master Plan and would request feedback from the Planning Board on the RFP structure at the August 18, 2022, meeting.

* Planning Board preference on the scope & structure of the RFP.

Mr. Burke commented that he felt the word “sustainability” should be replaced with “resiliency.”

* Fall Town Meeting Warrant Article for $50K ($150K total funding)

***Committee Updates***

* Complete Streets Committee

Mr. Tada stated that Nitsch Engineering had begun their survey work for the sidewalk projects.

* Community Preservation Committee

Mr. Burke said the Community Preservation Plan was being updated for 2023.

***General Business***

* ZBA Updates
  + There was a 40B informational session held on 8/17/2022
* Meeting Minutes
* August 4, 2022

**MOTION:** Mr. Burke made a motion to approve the minutes of the August 4, 2022, meeting, as presented. Ms. Black seconded the motion.

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

Yea: Mr. Bonnett, Mr. Burke, Ms. Nilsson Ripps, 5

Ms. Black & Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

***Planning Board Meeting Schedule***

* September 8, 2022
* September 22, 2022
* October 13, 2022
* October 27, 2022

***Adjournment***

At approximately 9:20 p.m. Mr. Burke made a motion to adjourn. Ms. Black seconded the motion.

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

Yea: Mr. Bonnett, Mr. Burke, Ms. Nilsson Ripps, 5

Ms. Black & Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

Respectfully submitted:

Trish Gedziun

Recording Secretary

*Approved 9/22/2022*