**TOWN OF GROTON PLANNING BOARD**

**Thursday, May 25, 2023**

**Meeting Minutes**

A virtual meeting of the Planning Board was held on Thursday, May 25, 2023, at approximately

7:00 p.m.

**Members Present:**

Mr. Scott Wilson, Chair

Ms. Alyson Bedard, Clerk

Mr. Russell Burke, Board Member

Mr. David Bonnett, Board Member

Ms. Lorayne Black, Board Member

**Participating Via Telephone:**

Mr. George Barringer, Board Member (Excused at approximately 7:20 p.m.)

**Members Not Present:**

Mr. Phil Francisco, Board Member

**Also Present:**

Mr. Takashi Tada, Land Use Director/Town Planner

Mr. Wilson stated the meeting was virtual and recorded, and all votes must be taken via roll call. The Planning Board members introduced themselves.

Mr. Wilson stated the reading of the public hearing notices would not be read into the record, but they were available at the Land/Use Office in the Town Hall.

***Discussion – Village at Shepley Hill – Major Residential Development***

***Performance Bond and Release of Covenant***

***Longley Road & Sand Hill Road, Assessors’ Parcel 226-2***

* Updated cost estimate: $450,166 (includes 20% contingency and 10% procurement add-ons) validated by Nitsch Engineering
* Performance Bond for $450,166
* Draft Bond Agreement (Recommended by Town Counsel)
* Draft Release of Covenant
* $150,000 donated to the Affordable Housing Trust on 5/24/23

Ms. Julia Dickinson, Corporate Controller for Shepley Hill Capital Partners LLC, was present to speak on behalf of Mr. Larry Smith, the Developer.

Ms. Dickinson stated that the Planning Board had made it clear that the mortgage on the model home was not going to be an acceptable form of bond. She said they had spoken with the site contractor and were able to acquire a bond using the same budgetary numbers, but she noted a few contingencies were added. She said they also prepared a draft of an Agreement and Release of Covenant.

Mr. Tada said Town Counsel had reviewed the draft and his only question was that the principal that was listed on the agreement was the site contractor, Onyx Construction, rather than Shepley Hill Capital, LLC.

* Updated cost estimate: $450,166 (includes 20% contingency and 10% procurement add-ons) validated by Nitsch Engineering
* Performance Bond for $450,166
* Draft Bond Agreement (format recommended by Town Counsel)
* Draft Release of Covenant
* $150,000 donated to the Affordable Housing Trust on 5/24/23

**MOTION:** Mr. Burke made a motion to accept the proposed Release of Covenant and Agreement with the condition that Town Counsel is satisfied with who is listed as the principal on the bond. Ms. Black seconded the motion.

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

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

Ms. Bedard, and Mr. Wilson

Nay: 0

**MOTION CARRIED: 6 – 0 – 0.**

**MOTION:** Mr. Burke made a motion to authorize Mr. Wilson to sign off on the above-mentioned documents on behalf of the Planning Board. Ms. Black seconded the motion.

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

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

Ms. Bedard, and Mr. Wilson

Nay: 0

**MOTION CARRIED: 6 – 0 – 0.**

**(Mr. Barringer signed off.)**

***Discussion – Approval Not Required (ANR) Plan***

***207 Gratuity Road (Noonan )***

Mr. Tada explained that special permits were issued for Hammerhead Lots & Shared Driveway. He added he received an update from Mr. Nikolis Gualco, Conservation Administrator, where he indicated that an appraisal was underway, as part of the process for acquiring the open space lot.

Attorney Bob Collins was present to speak on behalf of the application. He said the Special Permit was already recorded, but he still needed to record the ANR Plan.

**MOTION:** Ms. Black made a motion to endorse the ANR Plan Of Land for 207 Gratuity Road, dated December 29, 2022. Ms. Bedard seconded the motion.

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

Yea: Ms. Black, Mr. Burke, Mr. Bonnett, 5

Ms. Bedard, and Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

***Discussion – Landscaping Plan Modifications***

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

Mr. Tada said the Planning Board received a letter from Perkins & Anctil, P.C. requesting extra time to coordinate the final landscaping with Mill Run Plaza Condominium Association.

Mr. Burke said the letter from Perkins & Anctil did not provide a date of expected completion of the landscaping. Mr. Mike Spengler, CEO of United Cultivation, said he thought it would be “about” thirty days.

Ms. Black noted that she would like the Planning Board to review what the changes were going to be.

Mr. Burke suggested that the Planning Board respond directly to Perkins & Anctil and provide them with a deadline for the landscaping to be done.

**MOTION:** Mr. Burke made a motion that the Planning Board invite the Mill Run Condo Association to the next meeting to determine what exactly was going to be done with the landscaping and how long it would take to complete. Ms. Black seconded the motion.

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

Yea: Ms. Black, Mr. Burke, Mr. Bonnett, 5

Ms. Bedard, and Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

***Discussion – Groton Hill Music Center Sitework Update***

***122 Old Ayer Road, Assessors’ Parcel 222-55***

* Site work update from Gary Shepherd

Mr. Gary Shepherd addressed the board and said the sitework was almost complete, the sidewalk in front of the building was ready to be paved, the stormwater management basin near the entrance was complete, and the water leaving the site was clean. He mentioned that they submitted an amended plan for the wetland replication area to the Conservation Commission because the density of plantings in the original plan was too high. They also removed many invasive plants.

* Refer to Planning Board requirements for Certificate of Occupancy – 11/16/2022

Mr. Wilson said other concerns included:

* + Site lighting and operation

Mr. Wilson asked Mr. Shepherd to submit a new lighting plan that reduced the number of lights. Mr. Shepherd replied he felt it was in accordance with the plan the Board had already reviewed.

* + Vegetation Clearing and Screening
  + Emergency Access Gate
  + Wheel stops or guard rails around biofiltration areas in the parking lot.

Mr. Wilson explained that he felt not having stops or guard rails was a safety issue. Mr. Shepherd replied that the guard rails would be installed prior to the Occupancy Permit being requested.

* + Noise mitigation (mechanical systems)

Mr. Shepherd explained that they had purchased a noise shield and they would work on installing it once the air conditioning went on.

Mr. Tada, Mr. Shepherd, and other members of the Planning Board would meet and walk the site together and communicate their concerns.

***Discussion – Special Permit Decisions***

***Hayes Woods Subdivision – Flexible Development & Shared Driveway***

***Pepperell Road, Assessors’ Parcel 104-30 (Kiley)***

* Special Permit for Flexible Development, PB #2023-1
* Special Permit for Shared Driveway, PB #2023-4
* Cluster Mailboxes for new Subdivision

Mr. Tada said he would send out an email to the Board to schedule a special meeting to review and approve the permits for Hayes Woods.

***Project Updates***

* **Master Plan Update**
  + Project Kick-Off with Barrett Planning Group would be held on 6/8/23
* **Monarch Path**
  + Review of As-Built Plan for road acceptance was forwarded to Nitsch Engineering
* **Hayes Woods (Maple Avenue)**
  + Maple Avenue, Lot 6 – maple trees planted as required
  + Property deeds include maintenance of vegetated buffer
* **Academy Hill (Completion of Roadways)**
  + Paving work scheduled for the following week – Nitsch Engineering to be present each day that work is taking place.

***Committee Updates***

* Complete Streets Committee

There were no updates to share.

* Community Preservation Committee

There were no updates to share.

***General Business***

* ZBA Updates – Alyson Bedard
  + Groton Farms 40B – Engineering Peer Review by Nitsch Engineering
    - Will submit an ANR Plan to divide 5 lots into 3 lots
    - May 10th hearing topic: Traffic Impacts
    - May 17th hearing topic: Civil Engineering Design
    - Next hearing to be held on June 7, 2023
  + Heritage Landing 40B (Received May 23, 2023)
* Initial public hearing to be held on June 14, 2023
* Meeting Minutes – May 11, 2023 (To be reviewed at the next Planning Board meeting.)

***Planning Board Meeting Schedule***

* June 8th
* June 22nd

***Adjournment***

At approximately 8:45 p.m. Ms. Bedard made a motion to adjourn. Mr. Burke seconded the motion.

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

Yea: Ms. Black, Ms. Bedard, Mr. Burke, 5

Mr. Bonnett, and Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

Respectfully submitted:

Trish Gedziun

Recording Secretary

*Approved 7/13/2023*