**TOWN OF GROTON PLANNING BOARD**

**Thursday, September 28, 2023**

**Meeting Minutes**

A virtual meeting of the Planning Board was held on Thursday, September 28, 2023, at 7:00 p.m.

**Members Present:**

Mr. Scott Wilson, Chair

Ms. Alyson Bedard, Clerk

Mr. Russell Burke, Board Member

Mr. George Barringer, Board Member

Ms. Lorayne Black, Board Member

Mr. David Bonnett, Board Member

Mr. Phil Francisco, Board Member

**Also Present:**

Mr. Takashi Tada, Land Use Director/Town Planner

Per the Massachusetts Attorney General’s guidance regarding the Massachusetts Wiretap Statute and the Open Meeting Law, Mr. Wilson stated that the meeting was virtual and recorded, and all votes must be taken via roll call. Further, the people who were participating in the meeting introduced themselves.

***Discussion – As-Built Plan Review, Groton Hill Music Center***

Prior to the discussion, Mr. Francisco recused himself due to his role on the Board of Directors for Groton Hill Music.

* Waiting for full as-built plan with engineer’s certification
* Received a paper copy of the partial as-built plan (lawn seating area)

Mr. Tada explained that the deadline for satisfactory completion of some issues for the Planning Board to sign off on the issuance of a permanent occupancy permit was the end of September. He said Mr. Bob Garside, the Building Commissioner, had already provided an extension for an occupancy permit, and he could not provide another one, so if they did not complete the outstanding items, they would have to be temporarily shut down until they were completed. He said the list of items remaining to be done were as follows:

* Creation of wetland replication areas.
* Mr. Tada to check with Mr. Shepherd regarding the mitigation of the noise generated by the chiller unit.

Mr. Wilson asked about the lighting and if it was going to be addressed. Mr. Tada replied that Mr. Shephard had informed him that they were having issues with the controls and suggested that the Planning Board continue to ask about it.

Mr. Barringer commented that he was concerned about the lack of wheel stops in the parking spots adjacent to retention basins and drainage swales. He also suggested that it would be appropriate to send a letter to the Groton Hill Music Center asking them what their plan was to address the outstanding issues.

Mr. Wilson requested that Mr. Tada draft a letter to the Groton Hill Music Center regarding the outstanding issues.

**MOTION:** Mr. Barringer made a motion to request that Mr. Tada, the Land/Use Director advise Mr. Garside, the Building Commissioner, to proceed with the issuance of a permanent Occupancy Permit to the Groton Hill Music Center, with the stipulation that the Planning Board received a final as-built plan with the engineer’s certification and that the remaining outstanding items constituted a violation of zoning, and absent completion, the Planning Board may request the Building Commissioner to act upon said zoning violations. Ms. Bedard seconded the motion.

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

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

 Ms. Bedard, and Mr. Wilson

Nay: 0

**MOTION CARRIED: 6 – 0 – 1. (Abstained – Mr. Francisco)**

***Discussion – Road Acceptance, Academy Hill Subdivision***

* Draft memo to the Select Board

Mr. Tada stated that the remaining item to be addressed was documentation that the stormwater drains had been cleaned out. He noted, however, that he had something in writing from Mr. Bruce Wheeler of Habitech Communities that it had been completed.

* Satisfactory reports from DPW and Nitsch Engineering
* Select Board public hearing to be held on October 2nd

**MOTION:** Ms. Bedard made a motion to recommend the acceptance of Arbor Way, Cherry Tree Lane, and Fieldstone Drive as public ways to the Select Board via the memorandum that Mr. Tada had written. Ms. Black seconded the motion.

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

Yea: Mr. Barringer, Mr. Bonnett, Ms. Black, Mr. Burke, 7

 Ms. Bedard, Mr. Francisco, and Mr. Wilson

Nay: 0

**MOTION CARRIED: 7 – 0 – 0.**

***Discussion – Regulating the Sale of Firearms (added 9/26/23)***

* *The Boston Globe* article and Town of Acton bylaw amendment

Mr. Tada explained that Ms. Becky Pine first brought up the issue, and Mr. Burke provided an article published in *The Boston Globe*, as well as a copy of the Town of Acton zoning bylaw amendment relating to the sale of firearms.

Mr. Burke stated that no community could outright prohibit firearm-related sales. He added that as far as the Town of Groton’s zoning was concerned, he felt that the use of firearms would be considered retail, manufacturing, or service use, depending on the nature of the business.

Ms. Becky Pine, a resident, addressed the Board and said she agreed that it was not something that they could completely forbid but thought it would be a good thing to have some regulations.

Ms. Pine asked if it would be legal for someone to sell guns out of their homes as a Home Occupation Special Exception. Mr. Wilson replied that it would not be legal.

Mr. Paul Hathaway, a resident and licensed dealer of antique firearms, addressed the Board and said one of the considerations he felt was important was that the vast majority of the licenses at the Littleton Mill were not really retail establishments. He said what they were talking about was a federal licensee who had a federal permit, and there were different classes of federal permits to engage in commerce, the retail sale of firearms. He added that the businesses in Littleton did not keep regular hours but were web-based deals between dealers or by placing an order and then meeting a licensee to pick up the item that was ordered.

Mr. Burke commented that he felt the Planning Board should form a study committee to look at the issue of firearm businesses and to see if there was a strategy via zoning. He said the committee might consist of members from the Planning Board, the Select Board, the police chief, and residents who were involved in the firearms arena.

Ms. Pine commented that she felt there were a lot of state and federal regulations surrounding firearms, and perhaps they could consider setting limits similar to the cannabis establishments. She also said she felt forming a committee was a good idea.

Mr. Burke said he would be happy to move forward and set up the study committee.

Mr. Barringer read aloud from the “chat” portion of Zoom as summarized below:

Ms. Ginger Vollmar, a resident:

I think we need a bylaw that limits the number of firearm businesses that are allowed in our town. Acton is limiting it to two special permits, and Westford is considering a limit of four special permits. We need a limit just like we have for cannabis shops. Westford is also adding wording that will restrict how close the firearms businesses can be to each other.

Mr. Francisco read aloud from the “chat” portion of Zoom as summarized below:

Ms. Beth McCawley, a resident:

Regarding regulation 218-5.8-(a), Except for those uses that are dangerous or detrimental to a neighborhood because of fire hazards or other objectionable characteristics. What about a gun, other than a riffle or shooting animals and to many people, game hunting is also important. Is that not objectionable?

***Planning Board Reorganization & Appointments***

* **Chair of the Planning Board**

**MOTION:** Mr. Barringer made a motion to nominate Mr. Scott Wilson as Chair of the Planning Board. Mr. Bonnett seconded the motion.

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

Yea: Mr. Barringer, Mr. Bonnett, Ms. Black, Mr. Burke, 7

 Ms. Bedard, Mr. Francisco, and Mr. Wilson

Nay: 0

**MOTION CARRIED: 7 – 0 – 0.**

* **Vice-Chair of the Planning Board**

**MOTION:** Mr. Burke made a motion to nominate Ms. Lorayne Black as Vice-Chair of the Planning Board. Mr. Barringer seconded the motion.

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

Yea: Mr. Barringer, Mr. Bonnett, Ms. Black, Mr. Burke, 7

 Ms. Bedard, Mr. Francisco, and Mr. Wilson

Nay: 0

**MOTION CARRIED: 7 – 0 – 0.**

* **Clerk of the Planning Board**

**MOTION:** Mr. Burke made a motion to nominate Mr. Phil Francisco as Clerk of the Planning Board. Mr. Barringer seconded the motion.

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

Yea: Mr. Barringer, Mr. Bonnett, Ms. Black, Mr. Burke, 7

 Ms. Bedard, Mr. Francisco, and Mr. Wilson

Nay: 0

**MOTION CARRIED: 7 – 0 – 0.**

Mr. Francisco commented that he felt it was important to have a Planning Board liaison to the Destination Groton Committee.

Mr. Wilson commented that he felt there should also be a Planning Board liaison to the Sustainability Committee. Mr. Burke said the logical choice for that liaison would be Mr. Francisco, as he was the Chair of the Sustainability Committee.

Mr. Francisco offered to be the liaison to the Affordable Housing Trust Committee as he was already a member of the committee.

Mr. Wilson offered to be the liaison to the Select Board.

Mr. Bonnett offered to be the liaison to the Groton Dunstable Regional Schools Committee if an issue pertaining to PFAS (Per-and Polyfluoroalkyl Substances) or construction arose.

Mr. Wilson asked if any members had any objection to their current liaison assignment being continued. There were none.

***Project Updates***

* Monarch Path

Mr. Tada explained that the Planning Board would need to receive satisfactory documentation from the developer regarding the detention basin modification by the following Monday. He added that he had spoken with the developer who had implored his engineer to get the appropriate documentation ASAP. He said if they received it in time, the Planning Board could hold a public hearing on October 16th, and perhaps it could be added to the Fall Town Meeting.

* Village at Shepley Hill

There were no updates to share.

* 240 Main Street, Kilbourn Place

Mr. Tada explained that they had submitted a sign permit application to the Historic District Commission and would be heard at the October meeting of the HDC and would be putting up a permanent sign in front of the building. He added that they were still working to complete the landscaping.

Mr. Tada said there was a request from one of the employees of 240 Main Street regarding what the process would be to reduce the number of handicapped parking spaces. He also said there had been some complaints from abutters regarding noise that was coming from one of the rooftop units. He said the owner of the property, Mr. Gus Widmayer, was actively involved in trying to mitigate the situation.

***Committee Updates***

* Complete Streets Committee

Mr. Tada stated that he was going to speak with Mr. Tom Delaney regarding the construction bid specifications for the sidewalk projects that were awarded funding.

Regarding potential projects on state roads, Ms. Bedard recommended getting on the Metropolitan Planning Organization (MPO) priority list for the Transportation Improvement Program (TIP).

* Community Preservation Committee

Mr. Burke stated that the Community Preservation Plan for 2024 had been finalized and had already started the application cycle.

* Conductorlab Oversight Committee

Mr. Tada explained that the Conductorlab Oversight Committee was still in the process of negotiating with the landowner, Honeywell, regarding the hiring of a peer review consultant who would review the draft final Permanent Solution Statement.

***General Business***

* ZBA Updates

Mr. Tada stated the next ZBA hearing regarding Groton Farms (40B project) would be held on Wednesday, October 11, 2023, at 6:30 p.m.

Mr. Tada stated the next ZBA hearing regarding Heritage Landing had been approved for a three-month extension, during which time they would iron out the scope of their traffic study and fill in some of the gaps in their application.

* Meeting Minutes

There were no minutes to review.

* Master Plan Update

Mr. Tada stated he had attended the Master Plan Community Meeting at the senior center, and they received some good feedback from the residents who attended. He also said a community survey was available on the website, and he would distribute flyers with a QR code for the survey at the library, the senior center, the Prescott Senior Center, and the town’s website.

***Planning Board Meeting Schedule***

* October 12th
* October 26th
* October 28th – Fall Town Meeting

***Adjournment***

At approximately 9:15 p.m. Mr. Francisco made a motion to adjourn. Mr. Barringer seconded the motion.

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

Yea: Mr. Barringer, Mr. Bonnett, Ms. Black, Mr. Burke, 7

 Ms. Bedard, Mr. Francisco, and Mr. Wilson

Nay: 0

**MOTION CARRIED: 7 – 0 – 0.**

Respectfully submitted:

Trish Gedziun

Recording Secretary

*Approved 11/9/2023*