**TOWN OF GROTON PLANNING BOARD**

**March 13, 2025**

**Meeting Minutes**

A virtual meeting of the Planning Board was held on Thursday, March 13, 2025, at 7:05 p.m.

**Members Present:**

Mr. Scott Wilson, Chair

Mr. Phil Francisco, Clerk

Mr. Russell Burke, Board Member

Mr. George Barringer, Board Member

Mr. Paul Hathaway, Board Member

**Members Not Present:**

Ms. Lorayne Black, Vice-Chair

Mr. David Bonnett, Board Member

**Also Present:**

Mr. Takashi Tada, Land Use Director/Town Planner

Per the Massachusetts Attorney General’s guidance regarding the Massachusetts Open Meeting Law and Wiretap Law, Mr. Wilson stated that the meeting was virtual and being recorded, and all votes must be taken via roll call.

Mr. Wilson introduced the Planning Board members who were present in the remote meeting. Mr. Wilson stated that the public hearing notices would not be read into the record, but they were available at the Land Use Office in the Town Hall.

***Public Hearing – Proposed Zoning Bylaw Amendment, Accessory Dwelling Unit (ADU)***

***Clean-up Amendment***

Mr. Wilson opened the public hearing.

Mr. Burke reviewed the following.

* Proposed updates to the ADU zoning provisions that were adopted in October 2024, to comply with the new Affordable Homes Act, as recommended by Town Counsel and the Attorney General’s Office.

Mr. Burke reviewed the proposed updates as summarized below:

* + Allow one ADU, as of right, in the Neighborhood Business Zone (NB), Village Center Business District Zone (VCB), and General Business (GB) Zoning Districts.
  + Allow more than one ADU with a special permit from the Planning Board.
  + Clarify site plan review requirements for detached ADUs. (Minor Site Plan Review)

Mr. Wilson stated that the Planning Board had received a letter from Attorney Bob Collins, who suggested that §218.94 be changed to:

“One Accessory Dwelling Unit, attached or detached, may be incorporated into a property by right; additional units may be incorporated upon the grant of a Special Permit.”

Mr. Collins also recommended some grammatical changes for consistency.

Both Mr. Francisco and Mr. Burke stated that they felt the proposed language was not necessary and repetitive.

* Reviewed by Brian Falk, Town Counsel – There were no comments.

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. Mr. Barringer seconded the motion.

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

Yea: Mr. Hathaway, Mr. Francisco, 5

Mr. Burke, Mr. Barringer, & Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

**MOTION:** Mr. Burke made a motion that the Planning Board make revisionsas discussed, which would include the adoption of Attorney Collins’ second suggestion regarding grammatical changes and addressing any other minor typographical errors. Mr. Barringer seconded the motion.

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

Yea: Mr. Hathaway, Mr. Francisco, 5

Mr. Burke, Mr. Barringer, & Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

***Public Hearing (Continuation) – Definitive Subdivision Plan and Special Permit for Major Residential Development, “Gratuity Brook Farm Estates,” 63 Gratuity Road, Assessors’ Parcel 216-47 (Routhier & Roper Gratuity Road, LLC)***

Attorney Melissa Robbins from Farrell & Robbins, PC; and Matthew Waterman, Sr. Project Engineer, LandTech, were present on behalf of the applicant.

Jared Gentilucci, P.E., from Nitsch Engineering (Planning Board peer reviewer) was also present.

Ms. Robbins provided a project review update. She said they made substantial updates to the plans after meeting with the Conservation Commission and the Earth Removal Stormwater Advisory Committee.

Mr. Waterman reviewed the revised plans with the Planning Board, in which the concerns from Nitsch Engineering were addressed, along with some of the flooding concerns. He said the primary change was to account for the new FEMA floodplain data, which will expand the 100-year floodplain on the property by 8 acres. In order to stay outside of the new floodplain, they reduced the project from 14 lots to 12 lots. He noted that the units were duplexes, so they went from 28 units to 24 units.

*[Editor’s note: The new FEMA flood maps will take effect on July 8, 2025]*

Mr. Waterman commented that the general stormwater design had effectively remained the same, but with some revisions to the basins.

Mr. Waterman stated that they would appear before the Conservation Commission on March 25th regarding the updated Directional Drilling Plan to extend the water lines between the two development phases, from Gerard Way to Theresa Lane, which connected the water service from Gratuity Road out to Jenkins Road and then to the Riverbend subdivision. He added that Ms. Black’s landscaping comments had been incorporated into the plan.

* Comments from Kelly Martin, 90 Jenkins Road – 3/10/25

Mr. Waterman commented that they received comments from Kelly Martin regarding the buffer from the residential property line to the septic system, and they would revise the plan to provide an increased buffer. He noted that the revision would be identified on the next plan presented to the Planning Board.

Attorney Robbins said it remained the applicant’s intention to convey all open space to the Town of Groton (Conservation Commission). She also commented that they still needed to address a few comments that Nitsch Engineering had brought to their attention and that they would keep the Planning Board updated.

Mr. Gentilucci of Nitsch Engineering said most of the peer review comments had been addressed. The remaining issues include providing a revised Flexible Development Plan and updating the references to the new FEMA floodplain maps.

Mr. Francisco said the revised plans are responsive to the concerns raised by abutters regarding wildlife movement and flooding. The use of sloped granite curbs on the roads will be better for wildlife, and the incorporation of the new FEMA floodplain data will alleviate some of the flooding concerns.

Mr. Burke asked if the units would be rentals or ownership. He also asked about cut and fill volumes.

Ms. Robbins reiterated that the proposed units would be ownership units, age-restricted to 55 years and older. She also restated the applicant’s offer to donate a substantial amount to the Affordable Housing Trust.

Mr. Waterman said he would provide the revised cut and fill volume calculations.

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

Ms. Anna Eliot, a resident and Park Commissioner, addressed the Board and said many other people associated with the Hazel Grove Agricultural Association (HGAA) were attending the Zoom meeting.

Mr. Wilson asked Ms. Eliot if the Conservation Commission had reviewed the fencing between the two properties regarding impeding animal movement. Ms. Eliot said she did not know.

Ms. Eliot explained that it could be dangerous if a person or dog inadvertently crossed onto the racetrack because a horse could react defensively and cause serious injury. She felt a fence was important to have, especially along the edge of the woods.

Mr. Hathaway commented that the situation may be solved by installing signage that states, “Equestrian activities, no dogs or people, horses may get spooked.”

Ms. Emma Newman, a resident and HGAA member, addressed the Board and stated that she was in favor of having a fence installed as she felt it was a safety issue.

Ms. Laurie Smigelski, a resident and former President of the HGAA, addressed the Board and stated that in the past, they had placed signs to manage risk, and she found that people ignored them. She said she wanted to keep the property safe for all.

Ms. Penny Lowman, President of the HGAA, addressed the Board and stated that animals could not read, so signage would not make a difference in that situation.

Mr. Wilson asked why it was not the responsibility of the people who owned or operated the track to install the requested fencing. Ms. Lowman replied that the development would change the neighborhood and would increase the risk. She also said it was a non-profit organization that leased from the Town of Groton and did not have a lot of money. Mr. Wilson replied that he felt it might be worth getting a legal opinion.

Ms. Eliot said she felt it was the Planning Board’s responsibility to make sure the development met the safety standards for the neighborhood.

Mr. Hathaway commented that he felt the opinions of the HGAA members were important to take into consideration.

Mr. Francisco commented that although he wanted to be fully supportive of the HGAA, he felt like a chain-link fence would be extremely “deleterious” to wildlife. He asked if it would be possible to use split rail fencing.

Mr. Burke stated that he felt it was clear that there needed to be some form of barrier in place, however, he said the answer would have a great deal to do with what the Conservation Commission decided.

**MOTION:** Mr. Hathaway made a motion to continue the public hearing to March 27, 2025. Mr. Francisco seconded the motion.

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

Yea: Mr. Hathaway, Mr. Barringer, Mr. Francisco, 5

Mr. Burke, & Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

***Public Hearing (Continuation) – Proposed Zoning Bylaw Amendment, Floodplain***

***Overlay District***

* Comments from Brian Falk, Town Counsel, 3/6/25
* Comments from Robert Garside, Building Commissioner/Floodplain Coordinator

Mr. Tada reviewed the commentary received from Brian Falk.

Mr. Burke commented that the Feds were insisting on the zoning through the state, and he felt Attorney Falk was saying that some of things the state was suggesting “were quite unconventional and may not fit in the four squares of zoning law, but he suspected that the Attorney General would not make a fuss about it.”

Mr. Francisco commented that he interpreted Attorney Falk’s comments in the same way. He said his interpretation was that “these are things that FEMA is requiring, but that they do not have to be part of the bylaws necessarily and could be part of the requirements by the Building Inspector.”

Mr. Tada stated that what Mr. Garside said was essentially what was already written into the Massachusetts Model bylaw, which the town was supposed to adopt, as applicable. He said the only deviation from the Model bylaw was that they were made specific to the Town of Groton, rather than generic.

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 continue the public hearing to March 27, 2025. Mr. Hathaway seconded the motion.

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

Yea: Mr. Hathaway, Mr. Barringer, Mr. Francisco, 5

Mr. Burke, & Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

***Public Hearing (Continuation) – Proposed Zoning Bylaw Amendment, MBTA Communities Multi-Family Overlay District***

* Comments from Jeffrey Brem, Quality Green Homes LLC.

Mr. Tada explained that Mr. Brem owned three of the parcels that were included in the proposed overlay district. Mr. Brem indicated in his letter that he would like his fourth parcel, Map 216, Lot 101, to be included in the proposed multi-family Overlay District.

Mr. Tada stated that he received communication from Mr. John Amaral, one of the owners of 500 Main Street, who expressed his overall support for Mr. Brem’s comments.

Mr. Tada stated that the town would advertise a new public hearing with revised (corrected) Overlay District Map and bylaw amendments. There was an error in the listing of parcels to be included in the Overlay District and, therefore, the map was also incorrect.

**MOTION:** Mr. Burke made a motion to close the public hearing and to readvertise a public hearing with the correct delineation and listing of the proposed properties to be part of the proposed district. Mr. Francisco seconded the motion.

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

Yea: Mr. Hathaway, Mr. Barringer, Mr. Francisco, 5

Mr. Burke, & Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

***Discussion – Master Plan Presentation for Spring Town Meeting***

Mr. Tada stated that he would have the draft Town Meeting presentation prepared for the Planning Board’s review at the March 27, 2025, Planning Board meeting.

***Discussion – Planning Board Membership and Appointments***

* Scott Wilson resignation letter, effective 5/21/25.
* Per the Town Manager, the Planning Board did not need to re-advertise the vacancy again.
* The Planning Board may recommend a candidate from the 2/13/25 interviews.

Mr. Barringer stated that he felt the vacancy should be advertised, per the established protocol. Mr. Hathaway commented that he agreed.

Mr. Wilson stated that he would speak with the Town Manager.

***Project Updates***

* Groton Hill Music Center
* Village at Shepley Hill
  + Upcoming meeting with the Building Commissioner re: Project Closeout (date – TBD)
* Kilbourn Place, 240 Main Street
* Village Meadows (Bluebird Lane)
* Groton Farms, 500 Main Street
* Monarch Path Subdivision
  + Road acceptance for Spring Town Meeting
  + Received final As-Built Plans for the roadway on 3/11/25
  + Nitsch Engineering will conduct the final inspection on 3/18/25
  + Requested Placeholder on Spring Town Meeting Warrant for Road Acceptance.

***Committee Updates***

* Complete Streets Committee

Mr. Tada stated that the next meeting would be held on Tuesday, March 18, 2025.

* Community Preservation Committee
* Conductorlab Oversight Committee
* ZBA Updates
* Sign Committee

***General Business***

* Meeting Minutes

There were none.

***Planning Board Meeting Schedule***

* March 27, 2025 (In-Person)
* April 10, 2025 (Zoom)
* April 17, 2025 (Zoom)
  + The current authorization for remote/hybrid public meetings pursuant to the Open Meeting Law will expire at the end of the month.
* April 26, 2025 – Spring Town Meeting

***Adjournment***

**MOTION:** At approximately 9:45p.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. Hathaway, Mr. Barringer, Mr. Francisco, 5

Mr. Burke, & Mr. Wilson

Nay: 0

**MOTION CARRIED: 5 – 0 – 0.**

Respectfully submitted:

Trish Gedziun

Recording Secretary

*Approved 6/12/2025*