

To: Members of the Groton Zoning Board of Appeals  
Mr. John Amaral

From: Karyn Franzek, trustee of Big John's Trust

Date: March 20, 2023

Re: 500 MG LLC Application for Comprehensive Permit - Comments and Concerns

I am the trustee for Big John's Trust which owns property that directly abuts the proposed "Groton Farms" development. (The shared lot line is about 1,540 feet per [massGIS.maps.arcgis.com](http://massGIS.maps.arcgis.com).) The trust property totals about 100 acres - hay fields and forest. My brother, Stanley Franzek, runs a hay farm on the property. The farm has been in our family since the 1940s. My brother, John Franzek, also is a direct abutter. (His shared lot line is about 808 feet.) As direct abutters, we have two primary concerns with the comprehensive permit application. Those concerns and how we think they could be addressed are described below. We would like to meet with the developer to discuss our concerns and the modifications to the permit that are needed to address them.

Our first concern is trespassing. We do not want residents of the development to think that our property is part of the development or that it is open public land. Although we plan to post "No Trespassing" signs along the lot lines, we do not think that this alone will curb trespassing. To help prevent trespassing, we would like the developer to:

1. Survey the development property and install permanent boundary markers that are easily visible.
2. Fence the development property with durable fencing designed and installed to prevent access to our property.
3. Install barrier landscaping (e.g., trees, bushes, and shrubs) that prevents access to our property. Although the application refers to the use of trees and shrubs to "screen" direct abutters' views of the development, we believe that screening would be insufficient to deter or prevent trespassing. (See application, p. 10, which states: "the wooded portions of the property have mature trees that will screen significant portions of the development from direct abutters. Where required . . . planted screening will be installed with a combination of dense evergreens and deciduous trees/shrubs.")
4. In future communications (oral and written) that refer to nearby recreational public property, provide the name and location of that property and a statement that land adjacent to the development is private property and is not open to the public. In addition, when referring to access to the Rail Trail, specify where and how the trail can be accessed and note that adjacent private property may not to be used to access the Rail Trail.
5. Add a provision in lease agreements that properties adjacent to the development are not open public property and tenants are expected to respect "No Trespassing" signs.

Our second concern is with water on the development running onto our property. The application, p. 19, states: "The current stormwater management system is not compliant with Mass DEP Stormwater Management Policy and related technical guidance. The proposed system is designed to capture and infiltrate the required water quality volume and recharge volumes, so that post development peak discharge does not exceed pre-development rates." It also states, p. 11-12, "A new and significantly improved stormwater management system . . . will be developed in accordance with Best Management Practices and in accordance with Massachusetts Department of Environmental Protection (DEP) stormwater management standards." Although these statements sound as if issues with water runoff from the

development will be addressed, it is unclear to us whether they will address our particular concerns. Our primary concern is the trench that was dug by a prior landowner to funnel water runoff from the development property through John's property and into Nod Brook. If this trench is retained, it is vital that the volume of water funneled to Nod Brook not reach a level that would cause problems on John's property, e.g., exceed the capacity of the engineered culvert on his driveway. We would like to meet with the developer at the site to view the problem areas and discuss how the developer plans to ensure that water runoff does not alter or harm our property.

The comprehensive permit application is so big that I have read only a small portion, and it is so technical that I understood only a small portion of what I read. As we get a better understanding of the application, we may have more concerns and comments. Would you please explain at the public hearing on March 22 how residents should communicate those concerns unique to them and those generic concerns that impact the town as a whole (e.g., "permit waivers," such as the waiver from building height/story requirements, p. 3; waiver from public hearings, p. 8; and the granting of waivers shown in the plans but "not expressly set forth in the applicant's written submission, p. 5).

If you would like to contact me, my cell is 617 436-2636, and my email is [kfranzek@socialaw.com](mailto:kfranzek@socialaw.com)