

**Town of Groton**

**Zoning Board of Appeals**

173 Main Street

Groton, Massachusetts 01450

Tel: (978) 448-1121

Fax: (978) 448-1113

June 14, 2023 - 6:30 PM - Second Floor Meeting Room

**Members Present and Voting for Public Hearing**

Bruce Easom, Chairman

Jay Prager, Full Member

Dan McLaughlin, Clerk, Full Member

Jack Petropoulos, Full Member

Thomas Peisel, Full Member

**Other Members in Attendance**

Russ Harris, Associate Member

Veronica O’Donnell, Associate Member

**Others Present**

Paul Alphen

Members of the public

**The meeting was called to order at 6:30 PM by Chairman Easom and stated that the meeting was being recorded for later broad cast. There will be video and audio for viewing.**

**Chairman Easom read aloud the agenda for this meeting.**

**The Board members introduced themselves and gave a little background information on themselves.**

**Meeting Minutes**

**Cow Pond Brook Road, Heritage Landing #3-23**

**Chairman Easom opened the public hearing. This is the first hearing in the process for this comprehensive permit. Mr. Mclaughlin read aloud the public notice into the record**:

The Zoning Board of Appeals will hold a public hearing on **Wednesday, June 14, 2023 at 6:30 pm at the Groton Town Hall, second floor meeting room** for the application of Heritage Landing LLC, for a comprehensive permit to allow for the construction of 40 units of housing under Massachusetts General Law Ch. 40B and pursuant to Chapter 338 of the Town Code. The proposed project is on Assessor’s Parcel 248-42, **Cow Pond Brook Road, Groton, MA, 01450**. This development shall be known as Heritage Landing. This legal notice shall publish at www.masspublishers.org.

Paul Alphen briefly explained his background, stating that he has been a resident in Westford since 1982, where he practices law with Alphen & Santos. He is a representative of this Heritage Landing application.

Chairman Easom and the Board then proceeded to determined who would be the members voting on this application. Member Jack Petropoulos will be unable to be a voting member for this application. Member Dan McLaughlin mentioned that he knew the applicant and the engineer but he filed a form stating this. However, there should not be a conflict of interest due to this. No one objected to this. Member Jay Prager asked if they would be meeting every week now with the other 40B application and Chairman Easom said that it would be up to the Board to determine what works best with everyone. Mr. Easom discussed this with Town Planner, Takashi Tada, and it was explained that when the Planning Board has two applications before them, they tend to put both of these items on the same agenda for the same meeting. It was agreed within the Board that these should be on the same agenda on the same night, with possible time limits for both application presentations. These meetings will be held every other week. Attendance via video/Zoom to be considered as attending the meeting. The voting members for this 40B application was determined to be Chairman Bruce Easom, Member Jay Prager, Member, Member Thomas Peisel and Associate Member Russ Harris. The alternate to be Associate Member Veronica O’Donnell.

***The Chair will hear a motion to designate Bruce, Dan, Jay, Russ and Tom as the sitting ZBA members for the Heritage Landing Cow Pond Brook Road 40B Comprehensive Permit Application process. Member Petropoulos made this motion and it was seconded by Member Prager. This motion was carried unanimously via roll call vote.***

Chairman Easom mentioned that the Town has reached out to the State to provide a technical advisor for this. The grant application has been submitted, but there has been no response so this meeting will not have a technical advisor but it is expected to have one going forward. Mr. Easom also said that the Board should consider peer reviewers and if they will need any. The peer review discussion to be a topic in the next meeting.

The next topic of discussion was the issue of Safe Harbor. There has been communication between the Town Planner and Town Manager with Town Counsel about the claim of Safe Harbor or not. Chairman Easom briefly explained what Safe Harbor was, which in sum is that there are certain provisions in the Massachusetts 40B law that allows the town to hold an application “at arm’s length” if the Town meeting certain requirements, which basically shows the State that the town is making progress in achieving 10% in affordable housing. Mr. Easom read a letter into the record from Town Counsel regarding Safe Harbor determination. This letter from Mr. Falk explained that the Board must notify the applicant and DHCD within 15 days (June 29th) of the opening of the hearing if they may deny the application. This will prompt a 15-day opportunity for the applicant to rebut. Town Counsel recommended that the Board vote to authorize the Town Planner and Town Counsel to so notify the applicant if the Town Planner and Town Counsel finds that the Town has met a Safe Harbor provision. This avoids the need for a continuance to June 29th or sooner for this purpose. This motion would essentially put in authority to the Town Planner and Town Counsel to decide and then notify the applicant on whether or not they will claim a Safe Harbor Provision. There was brief discussion of this motion and explanation on how it would work moving forward if they could claim Safe Harbor or not.

***Member Prager made a motion to authorize the Town Planner and Town Counsel to notify the applicant if in their opinion they find that the Town has met a Safe Harbor provision. Member Peisel second this motion and it was carried unanimously via roll call vote.***

**Paul Alphen, the applicant’s attorney, began this presentation:**

Mr. Alphen mentioned that Jeff Brem, the project engineer, was not able to attend this meeting but that he would be able to go through enough material in his absence.

Mr. Alphen briefly explained the current existing conditions of this site, which includes 15.5 acres of land. The property is primarily zoned A but about 20% of the property is officially zoned as Open Space. This means that typically no construction is allowed within this open space district and he made note that it will be brought up later on that there will be a requested waiver on this. He went on to explain that the property was previously used to mine sand and gravel. Since 2004 to present, the property has been vacant without any use and there is little to no vegetation in the majority of the land, with a few shrubs growing in a few areas. There are also no currently existing buildings or structures on the property. The vast majority of the property is also fairly level and is generally about 20 feet below the elevation of Cow Pond Brook Road. There are a few steep areas remnant to the gravel operations, including at the frontage along Cow Pond Brook Road and southerly and easterly property lines. The wetlands resource area bordering vegetated wetland is located south and east of the property but no actual wetlands exist on the site itself. Mr. Alphen continued to explain the location of the site, explaining that the abutters to the north are mostly owned by the “Town of Groton”, more specifically the DPW and transfer station. The land to the east is owned by MIT Lincoln Labs, also known as Haystack Observatory. The land to the south is wetland area and a few single-family frontages lots on Cow Pond Brook and the land directly to the west is undeveloped land owned by the “Town of Groton” and there are ball fields in the north-west that are owned by the “Town of Groton”. Mr. Alphen said that a significant amount of the property in the south is owned by MIT.

Mr. Alphen went on to explain that the entirety of the property, and area in this part of the world, is endangered species habitat area. Due to this, the applicants have been in communication with Natural Heritage and the endangered species program regarding a way to protect this habitat while still allowing this project to proceed.

Paul Alphen continued by explaining that a criterion for a 40B project is that it needs to be consistent with the towns affordable housing plan. He said that according to the Town’s housing production plan from 2020 to 2025, the Town of Groton is significantly below the 10% minimum requirement for affordable housing. According to this, the Town needed an additional 173 units and with their plan, they included their additions to affordable housing which would bring it down to 169 units. The Heritage Landing project would add 10 affordable housing units to the Town’s affordable housing. About 25% of the units will be affordable and the remaining units will be marketed below the 2021 median sale price of a home in the town of Groton, which is about $670,000 (noted that this price might have gone up since this was researched). The project proposal will have 40 units total and they will be 3-bedrooms. Mr. Alphen said that their hope is that the market-rate homes can be sold for less than $670,000 to make these homes more affordable as well. Continuing with goals, Mr. Alphen said that another goal of theirs was to encourage rate of variety in architectural design and a diversity in housing types. In order to make Heritage Landing affordable, a mix of smaller 1,856 square feet standalone homes and 2,070 square feet duplexes are being proposed. Mr. Alphen said that they also went through the Commonwealth of Massachusetts Housing and got approved that the site and project was eligible, which has been submitted as a part of this application (approval dated July 5, 2022). Mr. Alphen went on to read this approval with the conditions, highlighting that it was eligible under the New England fund housing subsidy program where 25% of the units will be available households at or below 80% the median income. The most recent HUD income states that 80% of the current median income for a 4-person household in Groton is $89,400. Based on a site inspection by Massachusetts housing staff, the site is usable for residential use and it would help address the need for housing. This cluster approach also allows the applicants to set aside acreage for Natural Heritage area. The project is clustered, not necessarily because that was how the applicants wanted it, but because the area is protected for the Natural Heritage area. Mr. Alphen went on to explain how they calculated where the septic systems would be located and how they are in the endangered species area, but the area they are located in gets less credit for the area because the land is disturbed. The detention basin gets a different credit as well because it is disturbed and open. Mr. Alphen also explained that because the septic systems are shared, this would make this project condominiums. Continuing, Mr. Alphen mentioned that the roadway is a private way, shared by all of the lot owners. They will not be proposing the roadway to be a public way, so it would be one single lot with condominiums with the owners owning their own particular units and surrounding yards.

Mr. Alphen continued his presentation by saying that the applicant is proposing to build 40 home ownership units on approximately 15.5 acres of land, of which 9.59 acres are buildable. The resulting density is 4.17 units per buildable acre, which is acceptable given the proposed housing types. The applicant’s proposal consists of twenty-eight single family homes and six duplex styled homes and the proposed site layout considers the pattern of the existing street frontage regarding the height of the building and width of the public way. These buildings are also proposed to be clustered together to achieve a greater sense of community. It is also the intention of the applicant to avoid, if at all possible, the buildings to be facing one another. There will also be an open green space area in the center of the project with tree plantings, which will complement the building style setting. Mr. Alphen explained that the single-family units will be three-bedrooms with a living room, dining room, laundry area and a two-car garage and 2.5 baths. The duplex’s will be side-by-sides and will also have two car garages and a similar layout with the same qualities, with exception that the upstairs having two bedrooms. The plan and elevations are in the given materials for this application.

Continuing with the site-eligibility letter and the findings from Massachusetts’s Housing, the project is seemingly feasible in regards to finance based upon a comparison of sales submitted by the applicant. The initial pro-forma has been reviewed for the proposed residential use and the project appears financially feasible with a projected profit margin of 13.5%. In addition to this, a third-party appraisal commissioned by Massachusetts Housing determined the as-is land value for the site for the proposed project is $480,000. Massachusetts Housing finds that the applicant must be organized as a limited divided organization, which is how they proposed this as. Mr. Alphen said that the applicant also controls the entire site by right of virtue of deed (DEFCON1 LLC) which has an agreement with Heritage Landing LLC to sell them the property.

The applicants also submitted a preliminary site development plan, which shows where the proposed locations and buildings are with general dimensions and materials, driveways, streets, parking areas, walkways, paved areas, landscape, etc. Mr. Alphen explained that the proposed landscaping plan shows that there will be extensive landscaping done inside the cluster itself. Mr. Alphen explained that the level of detail was deliberately lower than the required for a customary site plan review application because provided by the Massachusetts regulations the focus on the application is whether the project is consistent with local needs. They anticipate if and when the permit is approved, that the conditions of approval will describe requirements for the preparation and review of a final site development plans and engineering data regarding the details of the project, including but not limited to stormwater management, septic deign, water services and other items that are customarily required for the site plan approval process. Mr. Alphen anticipates a question that would be asked to the technical consultant is what level of completeness the plans need to be for this particular level of application. He explained that the regulations don’t require fully engineered plans at this stage of the process.

Mr. Alphen then went on to state that the applicants have submitted a list of requested waivers. He said that this was an extensive list and further went on to say that what it comes down to is that the Groton zoning bylaw allows one residential dwelling per lot. This is being proposed as a 40-unit, one lot development since there is a law that does not allow construction on official Open Space district, so this is primarily a waiver they are requesting. The site view criteria are designed principally to address commercial development. Due to this, a lot of topics wouldn’t apply to this residential development, so there are waivers on this that they are requesting as well. Mr. Alphen explained that the subdivision rules and regulations do not apply to this because this is not a subdivision; this is a single lot with 40-units on it with a private drive on a public way.

Continuing, Paul Alphen said that an important part of this process, before they even started the notification to the town and the commonwealth tried to get feedback from the town, there were comments that were obtained from MIT Lincoln Labs with concerns about the project and how it might have an impact on the important work that they do. Mr. Alphen and Mr. Brem have had conversations with MIT regarding this and they put together a proposal where they address their concerns, which include but are not limited to, radio interference. This concern of theirs includes MIT finding out who is using an electrical appliance that is creating this, they want the ability to go into their home and trace this and replace it with something else, meaning it is not always lighting that they are concerned about. Mr. Alphen and his team put together a proposal where they address these concerns, but if they incorporated these conditions within a 40B decision, it might affect the market-ability of some of these properties (for instance, if someone might not be able to use a CD Player in a certain unit, it might deter someone from buying said unit). So, they put together a proposal for MIT, that include the 3-beroom units with 15 acres dedicated to as a nitrogen-loading restriction area. The proposal is that MIT grants a nitrogen-loading restriction on the 15 acers of wetlands that are immediately south of this project, in consideration of them agreeing to all of their conditions. However, Mr. Alphen said that they rejected this proposal. The applicants also offered to sell them this property and MIT rejected this offer as well. This concern is currently still in the process of being solved between the applicants and MIT.

Member Petropoulos asked for clarification on how this subject came up. Mr. Alphen explained that because they are proposing sub-served septic disposal systems rather than a treatment plant. There are 15.5 acres of property and 40 homes with 3 bedrooms each, there is not sufficient land area in order to meet the states requirement for nitrogen-loading within this area. To achieve this, they would need an additional 15 acres. In discussions about the additional need for this land with the town and the Town Manager, it was asked if the Town, who are landowners in the vicinity, would dedicate some land for nitrogen-loading. Nitrogen-loading just means that you cannot use that land as anything other than its original purpose, such as you cannot raise animals on top of a septic system (the land is restricted in usage). The Town Manager suggested speaking to Lincoln Labs, which lead to them seeking them out and ultimately rejecting their offers. The applicants then went back to the Town Manager and he then suggested talking to people that have the lease on the solar panels located there. These leasers also rejected their proposal because one of the restrictions in nitrogen-loading restriction is that you cannot add any impervious material to the property and the people who have this lease want the ability to add impervious material to the property. It was then suggested that the applicants speak to the Park Commission and the Affordable Housing Trust, whom they are currently in on-going discussion with regarding this to see if they can come to a conclusion. This may eventually even need to be brought to Town Meeting.

Member Prager asked who would determine that a portion of Town land would be provided. Mr. Alphen said that the Parks Commission was performing their due-diligence by having its engineers evaluate the wish-list of how the Parks Commission would like to use their land and determine what to fit and what would be satisfactory to Natural Heritage. Once a compromise is reached, they will then have to determine whether there is room for their need to fit in and whether they can overlay their restrictions. If at the end, they determine that everything can fit, the Parks Commission would have to make a recommendation to the Select Board and then they would decide to proceed, which would then likely lead to Town Meeting. Member Prager then asked if this implied that the development as shown, if in the absence of such an agreement, it could not go forward, or could possibly go forward with 2-bedrooms? Mr. Alphen said that it could go forward with 2-bedrooms but Natural Heritage would still have to work things out because part of what they’re asking for is restricted area for Natural Heritage as well. Mr. Alphen said that they do not have all of the items that they need in order for the project to be built as proposed, so that is why the full engineering plans are not complete. In addition, the full plans are not complete because the Town might qualify for Safe Harbor, the plan might get denied, or there might be modifications to the proposal through this process for different means and requirements. Member McLaughlin also asked, to clarify, that they cannot meet the system requirements, so in theory this plan cannot be built and Mr. Alphen agreed that as a three-bedroom project, all of the requirements are not met yet. They have been working with those necessary to solve these discrepancies.

There was discussion whether or not this application was pre-mature and it was established that it was not and the meeting continued. Chairman Easom said that this may be something that additional expertise from a technical advisor, that will be attending other meetings, would be able to answer.

Mr. Alphen proceeded to bring up that in order to build this project, they need Town water. The applicants have been working with the Town Manager about this as well on a state grant that would fund the cost of extending the water line past their project to the DPW facility from south of Hoyts Wharf Road, which would service the DPW facility, the housing on Cow Pond Brook Rd and this project. If the grant is insufficient, the applicant would have to come up with the difference in the cost in order to be able to extend the water line.

Member Prager asked Mr. Alphen was aware that this type of development was proposed years ago and it was actually because of the cost and availability of the water line that ended up putting a stop to the project. Mr. Alphen knew this and said that it was fortunate that the state has a funding program for municipal infrastructure projects and they have provided technical assistance to the Town and the Town Manager to see if they can get this done.

Member Petropoulos asked if Mr. Alphen could state the percentage of profit costs to project costs. Mr. Alphen said it was 13.5%. Mr. Petropoulos wanted to note that the building costs might not be in this amount and wanted to point this out to Mr. Alphen and the applicants because it would make a difference to their percentage. Mr. Alphen said he would go back and check to see if they were included.

Chairman Easom explained more on the process for 40B applications. This included, but was not limited to, the timeline from when this application was submitted. There is a 30-day period from when it was submitted to the Town to the first Public Hearing, which would be this meeting, which is within the 30-day requirement. The Town departments and committees will also be notified about this as well, but this was an expected application so some of these Boards and Commissions have already commented on it. Mr. Easom explained that from this meeting, there is 180-days to close the public hearing, in which at this point no other information from the public can be received. Due to this, Mr. Easom strongly urged people to get their comments, questions and concerns in before this timeline expired so that they can be considered in the decision. After the public hearing closes, there is 40-days to render a decision based on a majority vote from the five voting members for this application. From this, there is 20 days from then to when the decision needs to be filed with the Town Clerk. Following this, there is 60 days in order to write the comprehensive permit. Mr. Easom explained that a 40B process allows applicants to request certain waiver from certain bylaws that they believe would be detrimental to providing housing at an affordable rate. The applicant(s) still has to provide and comply with all other state regulations. The exemptions that are being requested as a part of this application are only the local zoning and other local bylaws (board of health, traffic, etc.).

A resident asked when the 180-day period began and it was answered that it started as of this meeting (June 14).

**Discussion:**

**Chairman Easom opened the floor for comment from the Board:**

Associate Member O’Donnell asked what type of heating and cooling are being provided. Mr. Alphen was not sure, so he will research and come back with this answer.

Associate Member Harris asked if they had any alternative proposals since Lincoln Labs and MIT don’t appear to want to accommodate a solution for the nitrogen-loading issue. Mr. Alphen said that there wasn’t specifically anything but it depends on the ultimate conditions that the board would impose on the project and the financial feasibility to incorporate these additional conditions. In the proposal submitted, included were details that MIT had requested and that they would agree to do under certain circumstances, so there are options should there be room to do it. Mr. Harris mentioned that MIT is a major contributor to employing people and that their research is important for the area and surrounding areas, so he believes that coming up with an accommodation that they would accept is important. Mr. Harris also asked about the negotiation with Natural Heritage about environmental issues, like the turtles, and if there was any resolution for this. Mr. Alphen said that the resolution is similar to the nitrogen-loading restrictions, meaning that the land they have been looking for to accommodate this would also serve as the additional protective habitat area. Natural Heritage has given them something in writing that explains that that is how the discussions have been going, so they will ultimately have to issue a permit. Negotiations will keep continuing with Natural Heritage until the end of this process.

Member Prager shared Mr. Harris’ concern with MIT because it doesn’t seem like an easily resolvable matter. Mr. Prager continued to ask about the open space area and what the purpose of this area is. Mr. Alphen explained it is something the Town designated as a zoning district in which they didn’t want anything constructed. He is not sure how it got there, but it is not different than how a zoning district became commercial or residential. It is a zoning district line and is not sure if it has a greater purpose.

Member McLaughlin asked why the zoning line on the plan was not straight as it is customarily. Town Planner, Takashi Tada, was not sure why it is like this but said that he will look into it.

Member Prager mentioned that this project will have a private drive and asked if there will be some sort of requirement in the HOA (etc.) that it shall remain a private drive. Mr. Alphen said that it will be a part of the condominiums and said that it was not uncommon for there to be a covenant in the chain of title that will state that it shall never be accepted as a public way. He went on to explain that even if it was somehow brought to Town Meeting and approved during this, it is then a requirement for it to be built to Town standards, which in this situation would be impossible.

Member Petropoulos asked, for clarification, if the expected selling price for the market rate value was somewhere around $650,000-$670,000 and Mr. Alphen said that the hope was to get it below this amount. Mr. Petropoulos asked if Mr. Alphen knew what the affordable rate would be and he answered that it would be difficult to determine this because it would be dependent on if it was a one, two or three family unit but will work on getting this as well. Mr. Petropoulos mentioned that it was great that they were working with MIT to solve a few issues, but was curious if he was working with other abutters and neighbors and their concerns. Mr. Alphen said that they have engaged in a traffic study because they originally received some feedback that people were worried about the amount of traffic this would gather and this will be done at a later point. Mr. Petropoulos recommended that him and the applicants also communicate with the other abutters and Mr. Alphen said that if there is a group of people that want to meet, they are willing to. Mr. Alphen agreed that he will discuss options to communicate with neighbors with the applicant.

Member McLaughlin asked about the easement that was shown on the plans and if it exists now and Mr. Alphen said it did not currently. Mr. McLaughlin said that since this easement doesn’t exist then the language for it doesn’t as well and Mr. Alphen agreed and said that it was a part of the negotiation with Natural Heritage and it will say what they can and cannot do in that area.

Member Peisel asked if it was determined which of the 40 units would be the affordable versus the market rate units and if there would be any differences between the two and Mr. Alphen said that by law, the affordable units should not be able to be distinguished by the market rate units. Mr. Peisel asked if the condominium fees would be inclusive of the units themselves or their own homeowner’s insurance, or how would that concept work. Mr. Alphen said that each individual single-family unit would be dependent on the owner but the duplexes would likely have unique insurances. Mr. Peisel also asked if 40B’s within condominiums, if they have the same percentage costs as the rest of the units and Mr. Alphen said that he will look into this and get back with an answer. Mr. Peisel asked about the septic/pond area as well and asked if there would be landscaping done there to make it less gravelly and Mr. Alphen said that it will stay as sand for the turtles.

Chairman Easom mentioned that there was a lot of moving parts in relation to this application which includes, but is not limited to, board of health, Town and maybe Town Meeting, MIT/Lincoln Labs, and Natural Heritage. Member Easom asked on the applicant’s flexibility in being able to finalize these things down so the comprehensive permit would be more useful to them and Mr. Alphen said that it makes sense because the project can’t be built unless all of these things come together, one way or another. Mr. Alphen will speak to the client but believes that the applicants will be flexible.

Member Petropoulos asked if there were any handicap accessible units planned and also asked if each home would be responsible for their own garbage/trash. Mr. Alphen said that he will look into these two topics.

**Chairman Easom opened the floor for public comment:**

A Groton resident asked about the traffic study and if there was a process in which this proposal comes back to update on what is on-going for this. Chairman Easom said that he expects this Board will meet every other week and there will eventually be a peer reviewer who will look into this and they will give their review on these technical questions, like the stormwater and public safety concerns.

Chairman Easom mentioned that if an abutter got a notification that this meeting was occurring, that they would not be sent more letters for subsequent meetings but if they attend these meetings, they will find out then when the next meeting(s) will be held. He said that you can also call Town Hall and find out when this subject is on the agenda as well. Mr. Easom proceeded to recommend that people said comments and questions to the Town using the [zba@grotonma.gov](mailto:zba@grotonma.gov) email and they will be taken and read into the record and given to the applicant to consider. Takashi Tada said that the Town has a way for the public to sign up for certain notifications for specific boards. You can do this online or you can call the Town Clerk and they can walk you through the process. These notifications will allow you to see upcoming meetings, posted meeting minutes, etc. These meetings are also required to be posted 48 hours in advance and they will always be on a Wednesday, so checking the town website is also recommended.

A Groton resident asked if there were dealbreakers that were brought up today, like the water line and the other items that are in debate like the nitrogen-loading, how many of these become something that is cost-prohibited for the builder that it won’t go forward and how can an abutter that is following the process, how does that information come back. Chairman Easom said that the meeting would be recorded and there will be meeting minutes recorded. He said you are also able to contact Amanda Urmann, Administrative Assistant to the ZBA, and possibly answer some questions. Remaining engaged would be greatly helpful for the Board as well because some questions and concerns that are brought up are things only abutters and neighbors would know about because they are around all the time rather than just in passing. While the ZBA doesn’t have final authority, they can help twist this comprehensive permit to make it acceptable and beneficial to the Town and neighbors.

Member Peisel asked if it would be feasible to get MIT to attend these meetings to see their input, given they are a different type of abutter and to see what impact this would have to them. Chairman Easom said that MIT did get a notification that this meeting would be held. MIT has previously met with other departments and boards with success in coming to resolutions with those projects for both parties. Michelle Collette stated that when the Planning Board held the public hearing for the telecommunication tower, MIT attended the meeting and the Planning Board hired a peer reviewer to work out the details on the tower but also the small appliances in their homes. Even with this, they were able to come to a compromise and the Planning Board worked closely with MIT. She suggests finding someone that can work directly with MIT to address this issue since it is such a significant and important concern.

Chairman Easom read the letter from Chief Steele McCurdy. In sum, the concern was the turn radius and hydrant and sprinkler locations. Chairman Easom read Mr. Alphen’s response to the Chief’s letter. This response showed the turning radius and highlighted where the hydrants where located.

Chairman Easom read the letter from Thomas D. Orcutt, Water Superintendent, into the record. Mr. Orcutt stated his concerns regarding this 40B application, as well as what would be required per the Water Department.

Chairman Easom read the letter submitted by the Board of Health into the record. This letter explained what they require to be submitted to the Nashoba Board of Health. This letter also explains what the Board of Health requires to be completed as well, such as soil testing.

Chairman Easom read a letter from Darcy and Allen Donald into the record. This was from the “Groton Turtle Conservation” and it explained why they believe this project would affect the turtle habitat in this area.

Chairman Easom read an email that was submitted by Anna Elliot into the record. This was in regards to the Park Commission and she stated their concerns about this project and stated that they have met about this project.

A Groton resident was curious about the previous application from a year or two ago and if the previous comments that were submitted would be included in this application. Chairman Easom recommended that these be resubmitted since these were only submitted to the State for their review and decision-making process. The same resident asked about the traffic study that has been done and if it was completed and Mr. Alphen stated that it was not and it was ordered two weeks ago, so they have not received it back yet. He also asked the scope of the study and Mr. Alphen was not sure but he will report back to the Board once he knows. Chairman Easom mentioned that the peer reviewer that will be on this project will also review this study and provide comments for the public and applicants. This resident also asked what the offer to MIT was to purchase it from them and Mr. Alphen was not sure on the amount but will look into if the applicant is willing to share this.

There was brief discussion about the next meeting date and it was agreed upon with the Zoning Board of Appeal members and the applicants that June 28th, 2023 would be a reasonable time for this.

***Member McLaughlin made a motion to continue this public hearing to the 28th of June, 2023. Member Peisel seconded this motion and it was carried unanimously via roll call vote.***

**General Business**

**Member Prager made a motion to adjourn. Member Petropoulos seconded the motion and it was carried unanimously via roll call vote.**

A motion to adjourn at 8:15 PM