

**Town of Groton**

**Zoning Board of Appeals**

173 Main Street

Groton, Massachusetts 01450

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July 26, 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, *via Zoom*

Thomas Peisel, Full Member

**Other Members in Attendance**

Russ Harris, Associate Member

Veronica O’Donnell, Associate Member

**Others Present**

Paul Alphen

Jeffrey Brem

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.**

**Meeting Minutes**

**500 MG LLC - 500 Main St, The Groton Farms #2-23**

**Chairman Easom opened the public hearing. This is the seventh hearing in the process for this comprehensive permit.**

Chairman Easom read Applicant John Amaral’s email from Thursday July 20th. This email stated that he and his team were seeking to reschedule this meeting for August 2nd or August 9th and stated what the agenda would be for this meeting. Mr. Amaral and Mr. Rob Anctil were unable to attend this meeting, which is why he was requesting this meeting to be rescheduled.

***Member Prager made a motion to continue this public hearing to the 9th of August, 2023. Member Peisel seconded this motion and it was carried unanimously via roll call vote 7-0.***

The Engineering representing the applicants and the peer reviewers for this application should be present for the next meeting.

Member Petropoulos excused himself for a short time, stating that he is not a voting member on this next 40B application. He will return shortly.

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

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

Chairman Easom reminded the board, the applicants and the public who the voting members are for this 40B application. He stated that these were Bruce Easom, Dan McLaughlin, Jay Prager, Russ Harris and Tom Peisel.

Chairman Easom said that there has been a technical assistant provided by the state, whose name is Judi Barrett. However, she is unavailable from 7:00PM to 8:30PM until August 23, 2023 but has otherwise agreed to be available for questions until she is able to attend.

Mr. Easom proceeded to bring up peer reviews for this application and asked the applicants to give their input on this topic and opened the floor to them.

**Paul Alphen and Jeffrey Brem began this presentation:**

Paul Alphen started this presentation by noting that they received the proposal for the peer reviews from Nitsch Engineering, one for the comprehensive permit review and one for the stormwater review. Mr. Alphen said that while they had no objection to Nitsch Engineering, they are concerned about the totals at this point in the application with the submitted data in the plans. While there will be full plans sent eventually, there is no full plans yet. Another comment that Mr. Alphen said was that this was being viewed as a subdivision still, and wanted to reiterate that the subdivision rules and regulations do not apply to this application because it is not a subdivision. He mentioned that if you were to review this as a subdivision, the list of missing items would be large. It is not a subdivision because it will be a private road, no new lot lines are being created and it will be a private driveway. He asked if these comments could be relayed back to Nitsch to possibly see different figures. Mr. Alphen went on to say that the Stormwater plan has not been submitted, so a review is not yet required. He fully anticipates that went and if this project gets approved, that these plans will be fully completed and at this point should be when they are reviewed and believes that this review is currently not necessary because the plans do not exist. Mr. Alphen moved on to MDM Transportation’s peer review proposal and there are no complaints apart from the rate, explaining the reason for this as the previous reasons.

Chairman Easom mentioned that Nitsch Engineering indicated that they quoted what they did because of the quantity and quality in difference between these plans and 500 Main St application. Mr. Easom said that from previous experience, the peer reviewers would not send an invoice to be paid unless a review has been completed, so if no plan exists yet, the money would sit in an account until the time comes for these reviews became appropriate. If for some reason there were leftover amounts after these reviews, they would then be returned to the applicant at the close of the project.

Member Peisel understands that there isn’t much to review yet, so this is sort of in limbo until there is and he has no problems with this.

Associate Member Harris mentioned that having Judi Barret present is important to get council on this. Mr. Easom said that she should be available next meeting as an offline connection. Mr. Harris also mentioned that this was the third meeting for this application without this technical assistance and peer reviewers.

Member Prager asked if the applicants would consider this total to be excessive based on both phases, the initial and final reviews. Mr. Alphen said that they would not and as long it is understood that it isn’t a flat fee for purposes of only reviewing what was submitted, and only time spent time on the material that has been presented, that would be fine. Jeffrey Brem said that they do have a lot of information that will be submitted, such as soil reports, but the question that he sees others asking is if these plans that are submitted are feasible and enough and if what is proposed will be enough. These reviews will let them know the answers to this, so he agrees that these peer reviewers are important to get.

Chairman Easom mentioned that from the other application, there have only been invoices that have been submitted periodically, so this is not a lump sum of what has been accomplished to date.

Member McLaughlin agreed that these reviewers should do the initial review and then if they need to do more, they should come back and do so. It was noted that this is a typical method.

Town Planner, Takashi Tada, said that if the Board needed legal counsel, Town Counsel would be the one to ask and that Judi Barrett is a planner. With respect to the peer review, Mr. Tada mentioned that the applicants said that they did not have a problem with the firms or their rates and understand that the plans that have been submitted are the ones that will be reviewed. He recommends that the Board not compromise on the scope of the review at any stage, and hopefully more detailed plans will be submitted.

Chairman Easom said that he would prefer if the applicants provided the funds requested in these quotes, with the understanding that these will be billed out on an hourly basis and not as a fixed fee for the work. He again noted that if once the project is complete and there are funds remaining, this will then be returned to the applicants. Mr. Alphen agreed to this and mentioned the subdivision subject and requested this reference be modified to instead use different rules and regulations. Member McLaughlin asked what the applicable rules and regulations would be if they were not going to abide by these regulations. Mr. Alphen said that the closest would be what a commercial development would be. He said that the subdivision rules and regulations provide some assistant but they do not want to be held to the letter of the subdivision regulations because it is not a subdivision. Mr. Tada said that subdivision rules lay out standards for the Town that they can use to determine whether a residential development can meet what the Town would hope to end up with as a finished project. He said that he thinks that if the peer reviewers wanted to use this as a basis for their comments, it would not be out of line since it is Town standards. Member McLaughlin asked that if they did not meet these requirements, would they then just request a waiver for this. Mr. Tada said that it was ultimately up to the ZBA but the point of the 40B process is to request waivers from local standards and regulations.

Chairman Easom proceeded to ask Mr. Tada about his communication with Ms. Judi Barrett, technical assistant, to get her here. Mr. Tada said that she was not able to be in person until August 23rd and based on Groton Farms experience, there are several pre-qualified technical consultants who could provide assistants, but they would have to be available and many were not for Groton Farms. Town Counsel, Brian Falk, is available in the meantime for legal or procedural questions. Ms. Barrett did mention that she would be available in between meetings to consult through the chair. Mr. Easom said that this consultation is made available through the Mass Housing Partnership and they have limited experts for when they are needed for Groton, as well as surrounding towns. Due to this, there is minimal currently available. Mr. Easom mentioned that he has had previous interactions with Ms. Barrett with Town projects and said that she knows the Town pretty well and will be great guidance during this 40B application process for Heritage Landing. Mr. Easom proceeded to say it was best to continue this hearing, but reiterated from before that some of the issues brought up may not be answered at this meeting and will be at a later point.

Associate Member Harris asked if the ZBA could require the applicants to submit this as a subdivision, and then mentioned how having counsel attend in person would be important because this question could be answered at the meeting. Mr. Easom said that from his understanding they could ask or demand the applicants to meet the subdivision guidelines. They could then submit a guideline of all of the waivers they are requesting and if the ZBA still says that they must meet these, they can bring this to the Housing Appeals Committee and see if they can get this decision overturned. Mr. Alphen said that in terms of stormwater management, they have to follow the stormwater guidelines and that these are not subdivision regulations. However, as far as subdivision goes, either the state guidelines or state regulations states that subdivision regulations don’t apply if you are not submitting a subdivision but agrees that there has to be a standard for what is being constructed. While there are some things that you would want to use as a subdivision standard, Mr. Alphen thinks that the peer reviewer who reviews the plans will make recommendations on how things should be designed and he believes that the applicants will normally agree with these recommendations. There should not be a major issue with the peer reviewers using a subdivision as a rule of thumb, but wanted to state on record that this project won’t meet all of the subdivision regulations because it is not technically a subdivision. Jeff Brem mentioned that most of the bigger items are things that they will agree on, like the grade, curve, width and construction of roads. These will all be compliant, or close to compliant. He went on to mention that one of the items that will be mentioned is the lack of sidewalks and there should be a waiver, but said that this is not a part of the project. This is just one example of a few that will be brought up, but otherwise most things will be compliant. Mr. Brem said that there may be a long list of waivers but that is because they are not applicable to a subdivision. In response to this, Member McLaughlin said that sidewalks might be a big issue, stating that it will be a dense area and people are going to want to walk. Chairman Easom said that this will likely be something the Transportation peer reviewer will address. Mr. Easom also mentioned that a transportation and traffic study has still not been submitted by the applicants. It was mentioned that one will be coming, however. It is unsure when it will be turned in, but it will be submitted. Mr. Brem did note that they are likely going to make adjustments based on the previously mentioned recreation activity in the area. Until there is feedback from counsel and peer reviews, it was recommended that the applicants use the subdivision guidelines as a general guideline.

Michelle Collette said that the Stormwater Advisory Committee has not submitted any comments to the ZBA because stormwater calculations and designs have not been submitted. She mentioned that as Mr. Alphen stated, the applicants must follow Massachusetts Stormwater regulations. It’s understood that this is not local regulations, but they rely heavily on Nitsch Engineering to review these plans. Ms. Collette asked when they would see this completed design plan. She also mentioned that Ira Grossman, the towns health agent from Nashoba Associated Boards of Health, made a comment to the Board of Health that the project facility has not applied for and does not have local board of health witnessed soil testing performed. The Groton Board of Health regulations require witnessed soil testing, as well as Title V. Associate Member Harris mentioned how the Olivia Way development is similar to this project and even though they went through all of the appropriate testing, they still had a flooding issue on their development. Mr. Harris’s concern is homeowners not being able to get to their homes because of stormwater issues. Ms. Collette said that the biggest factor at Olivia Way was that they did not correctly calculate high ground water. This reinforces the need for soil testing because the groundwater was infiltrated with high groundwater drainage and this caused it to not function. Mr. Harris asked if it was because Olivia Way was graveled off and if this was what caused the problem or was this not the issue and Ms. Collette said that this is hard to know. Mr. Brem said that there has been soil testing done, not by his firm but it was witnessed by the Board of Health. They have records of this and it will be submitted. It was mentioned that this soil testing was done about ten years prior.

Continuing, Mr. Alphen brought up a comment from a neighbor and how they had a number of questions. Most of these questions pertained to the proposed water line extension. Mr. Alphen said that many of the answers to their questions would be found with the municipal, who are the “applicants” of this.

Member McLaughlin read an email dated July 26th from Nancy Sarlan into the record. This is the letter that Mr. Alphen previously mentioned. This letter had multiple questions about various concepts in this development, such as school bus stops, when the project will begin and end construction, emergency access points and other plans that have not been submitted as of yet. Mr. Easom mentioned that some of these questions will likely be able to be answered by the peer reviews. The letter has been acknowledged, but the application is not currently in the position to answer these. They will be answered as the application is further along. Member Harris asked if the applicants did not receive this grant, as applied for by the Town, they would not be able to extend this water line. Mr. Alphen agreed with this statement. Mr. Harris then mentioned that in order to do this development, they needed to get this grant. He also asked if they should have gotten this grant first, before considering this application. There was a brief discussion on of if legal counsel would be necessary and if the meeting should go on, due to there not being finalized plans and how certain aspects of the submitted plans do not meeting certain subdivision regulations and how Ms. Barrett would be able to likely answer these questions at the meeting if she were to be present. It was also established that if this comprehensive permit gets approved, there would be contingencies based on missing items that need to be accomplished, such as a solution to the Nitrogen Loading concern and the water line extension. Mr. Easom said that there were three options following this process. These are, after the 180 days, the Board will decide if they will issue a denial, issue a comprehensive permit as submitted, or issue a comprehensive permit with conditions. These previously mentioned topics would likely be apart of the section in the permit, if issued, under conditions. These conditions could also include time limits to get these completed.

More on the water line, if the grant is not sufficient enough to fund the entire water line, the developer then has the option to contribute the additional amount to get the job completed. Mr. Alphen mentioned that it is not uncommon for these permits to have prerequisites that need to be completed with other departments before construction can begin.

It was clarified that if the applicants wanted to continue with their proposal of three-bedroom units, they would need to get an additional 15 acres for nitrogen loading. Without this, the project can only be proposed as (mostly) two-bedroom units.

Town Counsel to be sought out and asked some of the previously brought up questions about the water line, nitrogen loading area and if the application, as presented, is premature.

At least for the nitrogen loading, Mr. Easom said that they would, at minimum, have to meet the requirements of the Board of Health (and/or the DEP) and let them determine if the applicants have or have not met these requirements. Michelle Collette said that she would defer to the Nashoba Associated Boards of Health on the nitrogen loading question. Ms. Collette also noted that Mr. Grossman pointed out that the approval for any system, including issuance of disposable systems, construction permits and certificates of compliance, should be done by the local approving authority except DEP shall be the approving authority persistent owned and operated by an agency of the commonwealth that will government persistent observing the design flow with more than 10,000 gallons. This is regarding the three-bedroom debate and at this point it would go to the DEP for the review on nitrogen loading.

Mr. Alphen continued his presentation by stating that they have set up an email and website for residents so that they can communicate directly with the applicants. Anyone is welcome to still communicate through the Board but there is a link for a website and an email that is now set up and available to contact the developer any questions and concerns. This website and email address is located on the ZBA webpage.

Chairman Easom asked if there was an update on Natural Heritage. Mr. Alphen said that they have met with the Parks Commission to go over their conceptual plan overlay of the areas that they would like to see restricted for nitrogen loading and for purposes of endangered species habitat. The overlay showed that there was no conflict between the Patk’s Commissions proposed overall development of the land and their proposed restricted area. However, they engaged a party to perform an additional review regarding some endangered plant species and once this is complete, everyone will need to go back to Natural Heritage and determine whether the overall recreation plan and their objections can coexist. If they get a reformative response from Natural Heritage, the applicants would then go back to the Parks Commission and ask them to make a recommendation to the Select Board, who will then act on this and then it would likely lead to Town Meeting. Mr. Alphen mentioned that the overall Natural Heritage issue is a little more complicated than that and while Natural Heritage will provide guidance, they will not give them or the town an exact written permit until the application is filed. It was noted that there are still things that need to be completed for this, but they are heading in the right direction to get to where they need to be. There should eventually be two conservation management permits, applied by both the applicant for this project and the town for their project. Mr. Brem said that Natural Heritage’s mitigation plan was roughly about ten acres, so they are planning on fifteen acres. They have previously had a good working relationship with Heritage Landing with a smooth transition for the work they’ve done with them and are hopeful it will be a similar situation for this. Mr. Brem said that the Town Recreation department has a separate engineer for their work and part of their activity was to ensure there was no conflict but also that they have plans too, to take out excess fill and material and flattening out their site and possibly some grading and creating parking and a new access way. Anna Eliot, a member of the Park Commission, mentioned that a major concern for them is the safety of the access to their play areas off Cow Pond Brook Road. She also mentioned that their engineer is being paid by CPC funds to the Parks Commission to do an assessment of the entire play area. For this, they would also need to work with the town engineer for the peer review. They have a different engineer to ensure that they keep their interest separate from the applicants’ interest but they want to be able to work with the applicant and MEPA. She stated that they are spending their funds to protect the towns interest. Ms. Eliot asked how they would calculate the elevation of Cow Pond Brook Road and whether those designs calculations are required at this preliminary stage or do they enter their interest at the more definitive stage.

Chairman Easom steered this public hearing towards putting a list together of what is still needed to be provided by the applicants and what questions that still need to be answered for technical assistance. On this list includes items such as an initial consultation with Judi Barrett and bring her up to date with concerns previously mentions, contracts in place with MDM and Nitsch Engineering for the permit review and stormwater review. There are also a few questions for Town Counsel regarding questions about the water line and other contingencies and if this process is premature. Another item on the list is to get input from the Town on the water line grant process and expectation on this. On the applicants “to do” list is to send the soil logs, send a brief note on the subdivision regulations, and inform the Board when the traffic study is expected to come in. If any more items should be added, send this to Amanda Urmann, Administrative Assistant, and the list(s) will be updated.

**Discussion:**

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

Nancy Sarlan asked a few questions. One of these questions said that the application mentioned the website they set up and she would like to know if any questions directed by this channel would be made part of the public record. Mr. Alphen said that it was up to everyone here and said that it was set up as a convenience to the abutting property owners to directly communicate with the applicant. So, if the applicant would like them to submit these directly to the town, they will do that. He also said that comments can be sent to the Town and these will be directed to them, the applicants. He said that it was up to the resident. After brief discussion, it was recommended that all of these comments and questions should be a part of the public hearing. Mr. Easom recommended that if anything was sent to the applicant, to also include the zba@grotonma.gov email to ensure that it will become a part of the public record. The website set up by the applicant to be edited to include that everything submitted will be brought up for public record. Ms. Sarlan also asked about the traffic study criteria and understands that this study has been ordered. Mr. Brem said that the two consultants have been hired and they should be getting together to provide the scope of this traffic study. The criteria of this traffic study should be agreed to with the peer reviewer, taking into consideration the previously mentioned traffic patterns for sports that occur in the area during specific times of the year. A member of the public asked if this scope of the traffic study should be approved by the Board and Mr. Easom said that it did not need to be, but that it would be a good idea if it was to ensure there would be no further questions regarding the scope. The Board intends to review the scope of the traffic study. Ms. Sarlan went on to further ask about the soil testing and if ten years ago was an acceptable submission. Mr. Easom said that this would be a question for Nitsch Engineering and Nashoba Associated Boards of Health and possibly DEP.

A Groton resident, on Hoyts Wharf Road near the intersection of Cow Pond Brook Road, said that she has lived in the area for a long time now and said that in many instances, things have been put down there first with no consideration, so she said that it was refreshing to hear that they were eager to hear from residents to address some of the issues they have regarding this development. Moving on, she mentioned that, as someone who lives in the area, that peers cannot make adjustments of what they see on a daily basis, as previously mentioned by Jeffrey Brem when he mentioned that there were ways to work around it not being in-season for sports. She explained that during the school year and during sports, this area is usually in a gridlock when it comes to traffic. The fields in this area are also typically rented out to other Towns and vendors and are used seven days a week during the months of September to June, where roughly six weeks these fields are not being used. She believes that it would be difficult to make adjustments to a study to add these busy months in because unless you live in the area, you do not know what the area is typically like during these times. She said that even adding 80-100 more vehicles come and going, it is concerning to imagine this addition in the area considering the current levels of traffic. This study also would not include the time it would take to construct this project, where they would have to dig up the roads to add the proposed water line in. This same resident proceeded to follow this comment up by asking what the current proposed hours of operation would be and if this would be enforced and who would be the one to enforce this. In response to this, Mr. Tada said that generally speaking, the Building Commissioner is also the Zoning Enforcement Officer for the Town so in most cases, unless it was more of a public safety issue or similar, the Building Commissioner would be the one responsible to enforce compliance with conditions of permits and zoning regulations. Mr. Tada said that for the Planning Board, there are typically standard conditions that limit the hours of operation and believes that the ZBA can condition their approval to mimic this or to have their own schedule. This resident also asked how long this construction of the proposed development is supposed to last. Mr. Alphen did not have an answer for this and would add this to their list of things to do. Mr. Easom said that an item that will be added to the ZBA’s list will be asking Town Counsel and the Town Manager who enforces the comprehensive permits conditions.

There were three representatives from MIT, Sarah Gallop, Colin Lonsdale, and Tim Brothers. Ms. Gallop read her letter into the record, which in sums explains that MIT is concerned how this proposed development will affect their scientific research capabilities and explains how it is possible that this project could affect their work at MIT. Light pollution is a major factor that Ms. Gallop mentioned in her letter. There was also another formal letter that was previously submitted that was from March 2022, that outlined their concerns with this proposed project and they are requesting that this letter be a part of the record as well.

Member McLaughlin read MIT’s original letter into the record, dated March 23, 2022. As previously stated, this letter explains MIT’s concerns about the proposed Heritage Landing project and how the construction of this project will likely affect the research done by MIT.

Chairman Easom said that there are at least two projects that MIT has weighed in on, which would be the new baseball field and the recommendation was that there should be a timer on the lights so that they turn off at 10PM. The other project was when they put in the invertors for the solar field, there was some attention paid to these on whether these would make noise at a frequency that would be detrimental to the studies being conducted. Mr. Easom proceeded to ask that if they had any specific recommendation in terms of electronics or lighting or timing that could be used by the applicant, it would be beneficial to them if they could provide this. Ms. Gallop said that they would be happy to come back with more information and work with everyone. She also said that they have met with the developers’ representatives and did an on-site walk-through of all of the concerns and said that they felt like they might be able to address the concerns that MIT has. Ms. Gallop mentioned that the developers have also written them a letter with compromises with regards to radio frequency interference and lighting in exchange for land swap for their septic design and for this, MIT would agree to not object and MIT rejected this offer. Failing this offer, they offered to abandon the project and sell it to MIT for $4.2 Million. This was the most that was accomplished thus far in this regard.

Member Prager asked what MIT is proposing because it still seemed like discussion was still occurring between the two. He also asked if the solar field next door with the invertors were a concern when they were being put in. Mr. Lonsdale said that they had been in communication with the ones who were installing the solar field and the engineers did test measurements and ensured that the appropriate mounting procedure went through for these. While there was concern or could be concern, they were able to effectively mitigate that. Mr. Prager thought it was important to mention that all current day consumer electronics meet very stringent standards for conductive radiative interference over a fairly wide banner. He said that there should be some way to address this directly and that they should continue working this out with the developers. Mr. Lonsdale agrees that all devices emit radio waves but what matters in this circumstance is how many devices are in close range.

Member McLaughlin asked with 40 individual units, who is going to enforce any agreement. Mr. Alphen said that in their application, they describe the various proposals that they have made to address MIT’s concerns and this included giving them the power to make requirements upon the homeowners. Since the applicants last offer, there has not been any commination between MIT and them up until this meeting. Mr. Brothers said that in a future meeting they could come back and explain more in depth their purpose but did say that he could comment on the fact that they are losing real-estate at night. This essentially means that each year they are losing sky and being able to view important objects that they need to study in order to fulfill their mission and their contracts to NASA and commitments to their students. He gave an example that in prior years they were able to see the Milky Way and how they are now no longer able to. Mr. Brothers said that while the other projects have somewhat contributed to losing the view to the sky, the size of this proposed development do raise more concerns than these. This area is one of the remaining areas where they still are able to see objects in the sky and adding this project in, they would lose this, which is why they are bringing up their concerns with the project. Member Prager asked if MIT has done studies of the other developments around because these also have a lot of radio frequency and Mr. Brothers said that they have been doing night sky studies since 2013 but cannot speak to other studies. Mr. Prager asked if there was any amount of light that this development could use that would satisfy MIT. Mr. Brothers said that given past experience with other local developments, that even a few houses have a significant impact on what they are doing and that there is not a way to mitigate this completely. Member McLaughlin asked if they were no longer able to do this work, what effect would this have economically and in other fields. Mr. Brothers answered this by explaining that if they lose the ability to study this, they will be limited in more cutting-edge research. Member Peisel noted that if it wasn’t for this affordable housing 40B application, they could in reality just add this development and that any buildable land that is added in the area could still affect their work. While it is appreciated MIT, and others, have been able to come forward, this is not likely something that can be a part of the decision-making process, but it is something that could possibly be made into conditions so that they can help with these concerns.

 Michelle Collette mentioned that the Planning Board, when she was working with the Board for 35 years, did not approve any projects without photo-metric drawings with lighting schemes with conditions about how the lights would be situated and that there would be no light intrusion off the property. This is a long-standing part of Groton zoning bylaw and the Planning Boards review process.

Mr. Brem mentioned that there is a lighting plan that was submitted. Mr. Brem also brought up that this land was approved previously by the Town, which was called Residences at Oliver Rights Meadows, and it was a 48-unit project and asked if MIT had a comment on this development when it was proposed. MIT did not currently have information on this. This development did not get done and a main reason for this was because of the extension for the water line.

Chairman Easom asked if MIT could provide more information for the Board and the applicant to accommodate their research and thanked them for coming in to provide their perspective.

A Groton resident, who had previously stepped forward to ask questions, reiterated the importance for finding out who would enforce terms and conditions of this project.

Mr. Alphen asked how to get the peer reviewers in motion to start attending meetings and or reviewing the plans that were submitted. It was answered that they will first have to submit the payment, in the amount of the proposals for Nitsch and MDM. This amount goes into an escrow account and it will only be used to pay out of for this purpose for work that they have done. If any amount is left, it will be returned. If there is more that needs to be done and there are insufficient funds, the applicants will then be asked to submit more.

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 August 9th, 2023 would be a reasonable time for this.

Approval of the traffic study to be a main topic for this meeting. Chairman Easom recommended for the public to submit anything or attend this meeting so that their input cam be considered for this.

***Member McLaughlin made a motion to continue this public hearing to the 9th of August, 2023. Associate Member Harris seconded this motion and it was carried unanimously via roll call vote.***

**General Business**

**Approval of Invoice dated July 5, 2023 from Nitsch Engineering for Groton Farms (Invoice #82165)**

*The Chair will entertain a motion to approve Nitsch Engineering invoice #82165 in the amount of $4,090.54. Member Peisel made a motion to approve the Nitsch Engineering invoice #82165. Member Prager seconded this motion and it was carried unanimously.*

Chairman Easom asked if the other invoice from Nitsch Engineering (#81880) was paid and Ms. Urmann answered that it was.

**Approval of Minutes from June 14th, 2023**

*The Chair will entertain a motion to approve the meeting minutes from June 14th, 2023 as drafted. Member Peisel made a motion to approve the meeting minutes from the 14th of June 2023. Member Prager seconded this motion and it was carried unanimously.*

**Approval of Minutes from June 28th, 2023**

*The Chair will entertain a motion to approve the meeting minutes from June 28th, 2023 as drafted. Member Peisel made a motion to approve the meeting minutes from the 28th of June 2023. Member Prager seconded this motion and it was carried unanimously.*

There was brief discussion on when the Board should hear the application that was submitted for an appeal of decision of the Building Commissioner at 179 Indian Hill Rd, submitted by Gus Widmayer. It was agreed upon with the Board that August 30th, 2023 at 6:30PM was an acceptable date for this.

Associate Member Harris asked if it was possible to do a site walk at Heritage Landing. Ms. Urmann will ask the applicants if they will allow a site walk on this property, possibly this coming Saturday.

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

A motion to adjourn at 8:50 PM