

**Town of Groton**

**Zoning Board of Appeals**

173 Main Street

Groton, Massachusetts 01450

Tel: (978) 448-1121

Fax: (978) 448-1113

October 11, 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*, via Zoom*

Thomas Peisel, Full Member

**Other Members in Attendance**

Leonard Green, Associate Member

**Others Present**

John Amaral

Rob Anctil

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 tenth hearing in the process for this comprehensive permit.**

**Member McLaughlin read aloud the public notice into the record**.

Chairman Easom reminded everyone who was a sitting voting member on this application, which was noted as Bruce Easom, Daniel McLaughlin, Jay Prager, Thomas Peisel and Jack Petropoulos. This is Mr. Petropoulos’s first missed meeting for Groton Farms and he will have to review this meeting once it has been posted.

This meeting’s main focus is to go over the draft decision for Groton Farms and to get final input from town departments and residents.

John Amaral and Rob Anctil were present to give their input on the draft decision. Attorney Chris Alphen also let everyone know that the applicants have sent a few revisions before this meeting, which addressed two minor concerns. There was brief discussion on what the Board and applicants would like to achieve during this meeting. It was agreed that they would go through the entirety of this draft decision for the sake of the Board and applicants, but also for the public to be able to hear this as well, in a public hearing setting.

A draft decision was sent to the Board and applicants within the last couple of days and there were a few comments and potential corrections that were sent in by Fran Stanely and Michelle Collette.

Rob Anctil read the letter that the applicants submitted regarding the extension request date of October 13th, 2023.

The draft decision that is dated October 10, 2023 was the decision that Attorney Alphen, the Board and the applicants will be reviewing. It was noted that Michelle Collette’s comments were included in this version. Mr. Alphen went through the draft decision, item by item, briefly explaining what each item was there for. Attorney Alphen said that in this draft decision, these conditions are subject to comply with the set of plans that were filed by the applicant. So essentially, the Board will be approving the site plans, the architectural plans, civil plans, etc. Mr. Alphen also said that Fran Stanley’s revisions were mostly just language adjustments on the conditions that were highlighted and he will reach out to Town Counsel to make sure that these are correctly worded for the final decision. There were also a few additional corrections and/or additional language that the applicants have asked to include, which includes how they are asking for a sentence that ensures that they are able to be flexible on minor changes, such as room dimensions (if needed), and for these changes, they would not need to come before the Board. If they were more significant changes, they have agreed that they would come before the Board to get these approved.

Chairman Easom reminded everyone that the emergency access will remain closed and this is a condition that is included in this draft decision and will become a part of the final decision.

The meeting continued with Attorney Alphen going over the conditions listed. There were some minor questions and minor corrections regarding a few of the conditions but otherwise there was a mutual agreement with every item that was listed. The conditions listed included many topics that were brought up by departments and committees in the Town.

Michelle Collette asked about the pool cover becoming a mechanical cover, rather than installing a fence and John Amaral said that they had no intention to use a mechanical cover for the pool to substitute for a fence.

Member McLaughlin asked if the condition that states five years is a reasonable timeframe and Mr. Alphen said that this means the construction has to be completed in five years. Mr. McLaughlin asked if the construction hypothetically did not begin for two and a half years, is that still a realistic timeline. Mr. Anctil said that the statute provides them the right for three years for this to be met, but if they won’t get this completed in the five years, they could come back and say that they will complete construction in a certain amount of time. This five-year timeline gives both the Town the protection to ensure this gets completed in a timely manner and it gives the applicants leeway to make sure that if anything were to get shut down, such as it did with COVID, it would allow them this time.

The letter for the extension request(s) to be included in the list of documents referenced.

Chairman Easom mentioned Michelle Collette’s email from the Board of Health from June 7, 2023. This describes the suggested language for the condition for bringing hazardous material on to the site and getting this tested. Ms. Collette also mentioned that there was also a reference that says the applicant shall comply with Chapter 286 of The Groton Board of Health regulations concerning hazardous materials in the Wetlands Environmental Conditions. She brought this up because she wanted to point out that either one of these can be applied for this concern. Attorney Alphen said that he did add a condition about Chapter 286.

Once the public hearing closes, internal discussion can continue, but any outside discussion will be suspended.

**Chairman Easom opened the floor to the public:**

Karyn Franzek, Trustee of Big Johns Trust, said that she and her family, who own a land next door as well, have come to an agreement with John Amaral and his team regarding the previously mentioned conditions that had been discussed between the two parties.

Sharon and Andreas Tornaritis, abutters on Taylor Road, were present and asked about the access road and the configuration of this and asked about the impact of the woods that is next door. Mr. Amaral said that that from his recollection, that the currently paved part of Taylor Road encroaches on their property and their intention is to continue this pavement at this location for emergency vehicles only. They will be responsible for plowing it on their property and the plan is to keep as many of the trees as possible. There was more discussion about this emergency access road and its location, the design of the road in terms of topography, and its purpose for this development. These residents voiced their concern about not being reached out to by the applicants and Chairman Easom mentioned that there was a public hearing notice sent out before the first public hearing, which they said they did receive, and he mentioned that the public was able to come before the Board every meeting to give their input. There was further discussion about this and the residents got some understanding of what will be going on.

Chairman Easom asked the Board, and the applicant, if they believed that they had enough information to close the public hearing portion of this 40B application and if they believed any more information was necessary to give an informed vote on their decision. The Board agreed that they had sufficient information and the applicants agreed that they did not have anything further, apart from providing the Franzek boundary line agreement to Attorney Chris Alphen. The copy of this agreement was given and read aloud during this meeting for the record.

***Member Prager made a motion to close the public hearing for 500 Main Street. Member Peisel seconded this motion and it was carried unanimously 4-0.***

There was brief discussion about the next meeting date and it was discussed that the next meeting to be held would be on November 1st, 2023. Member Jack Petropoulos to be notified about this.

***Member Prager made a motion to continue the matter of 500 Main Street to the 1st of November, 2023. Member Peisel seconded this motion and it was carried unanimously 4-0.***

John Amaral thanked the Board for their time on this project and that they look forward to the next steps.

**General Business**

**Approval of Minutes from September 20th, 2023**

*The Chair will entertain a motion to approve the meeting minutes from September 20th, 2023 as amended. Member Peisel made a motion to approve the meeting minutes from the 20th of September 2023. Member Prager seconded this motion and it was carried unanimously.*

**Approval of Minutes from October 4th, 2023**

*The Chair will entertain a motion to approve the meeting minutes from October 4th, 2023 as amended. Member Prager made a motion to approve the meeting minutes from the 4th of October 2023. Member Peisel seconded this motion and it was carried via unanimously.*

**Member Peisel made a motion to adjourn. Member McLaughlin seconded the motion and it was carried unanimously.**

A motion to adjourn at 9:13 PM