

**GROTON PLANNING BOARD
FEBRUARY 1, 2001
MINUTES**

Chairman Curtis called the meeting to order at 7:30 PM in the Town Hall

Members present: Curtis, Barringer, Clements, Degen, and Perkins

Member absent: Eliot and Lewis

PUBLIC HEARING – BLACKMAN DEFINITIVE PLAN

At the request of the applicant, the Board voted to continue the public hearing on March 1, 2001 at 7:30 PM.

SITE PLAN REVIEW – FIRST PARISH CHURCH & LAWRENCE ACADEMY

The Board considered the site plan submitted by the First Parish Church and Lawrence Academy. Architect Robert Dion and design engineer Scott Hayes presented the plan.

Mr. Dion said the First Parish Church has been raising money to construct a new addition that will be accessible to the disabled. The addition will include an elevator, new stairway, new bathrooms, and a new meeting room. There are not enough parking spaces at the church today, so new parking areas will be created and shared with Lawrence Academy. There will be 40 spaces on the church site and 8 on the Lawrence Academy site. There are approximately 20 on-street parking spaces available. The by-law requires 67 spaces based upon the 200 person capacity. The proposed addition will not increase the capacity of the church so the church is requesting a waiver of the number of parking spaces required.

Mr. Hayes described the proposed drainage system. He said a Notice of Intent was submitted to the Conservation Commission because the drainage system will discharge to a Culver under Lowell Road and then to a nearby wetland on the other side of the road. The drainage swale will be on land owned by Lawrence Academy and not within the right-of-way of Lowell Road. This will result in a marginal change in the watershed with no significant increase in volume or rate of runoff from the site.

Mr. Dion said the project will not interfere with the water main on the church property. In addition, the church would like to remove the existing utility pole and place the utilities underground. The landscaping is very austere today and there will be little change in the exterior appearance. New lighting will be installed in the parking area with 70 watt lights on seven foot poles. The lighting will be quite dim but adequate.

Chairman Curtis read the comments from the Building Inspector, the Fire Chief, the Water Department, the Police Chief, the Conservation Commission, and the Board of Health.

The Board will walk the site on Saturday, February 3, 2001 at 11:30 AM.

Planning Administrator Michelle Collette noted that § 218-25G(1)(c) allows no net increase in runoff from the site. Mr. Hayes said they have been working with the church and Lawrence Academy to handle runoff before it reaches the culvert under Lowell Road.

Member Perkins suggested that the Board send the site plan to its engineer - Judith Nitsch Engineering, Inc. (JNEI) for review. Chairman Curtis requested that the applicant reimburse the Board for the engineering review. Mr. Dion requested an estimate of the cost.

Member Degen asked if there is an established right-of-way for Lowell Road. Mr. Hayes said, "yes." Member Degen asked if the proposed drainage system will cross Town land. Mr. Hayes said, "no," there will be a grass swale along side the right-of-way.

Member Degen asked if the lights will have hoods. Mr. Dion submitted a diagram of the proposed low-intensity lighting. Member Degen said the lights should shine toward the ground. He asked how many trees will be removed. Mr. Dion said three elm trees and two maples must be removed because they are located in the proposed parking area.

Member Barringer asked about the size of the proposed addition. Mr. Dion said 1600 sq ft. Member Barringer said headlight glare onto Route 40 should be controlled. Mr. Hayes said the elevation of the parking area is about 6-8 feet above the street so it should not be a problem. Member Barringer asked if drainage calculations were submitted. Mr. Hayes said they were submitted to the Conservation Commission with the Notice of Intent, and he will submit the calculations to the Planning Board.

Member Perkins asked why the project requires a special permit and variance from the Zoning Board of Appeals. Mr. Dion said the existing church is a non-conforming structure with a 4.5 ft setback and the lot coverage exceeds what is permitted in the Zoning By-Law.

The Board will send the plan and drainage calculations to JNEI for review. The Board requested that the applicant review the proposed lighting.

The motion was made by Degen to continue the site plan review on March 1, 2001 at 7:30 PM. The motion was seconded and passed unanimously.

PUBLIC HEARING – BATTEN WOODS SPECIAL PERMIT

In accordance with the provisions of Chapter 40A, Sections 9 and 11, the Groton Planning Board held a public hearing in the Town Hall (second floor meeting room) to consider the application submitted by Joseph Flaherty, Orion Homes, to utilize the provisions of Groton Zoning By-Law § 218-26 Open Space Residential Development to create five (5) lots plus one (1) transfer incentive lot for a total of six (6) lots as shown on the plan entitled, "Preliminary – Flexible Development Plan, Batten Woods Village, Groton, Massachusetts, Middlesex County" prepared by Diversified Civil Engineering, Inc., dated January 16, 2001. The proposed subdivision is located on land owned by Rollas Batten, Assessors Map V, Parcels 38-1, 38-2, 41A on the northerly side of Forge Village Road.

At the request of the applicant, the Board voted unanimously to continue the public hearing on February 22, 2001 at 8:30 PM. The Board will send the Basic Number of Lots plan to JNEI for review.

INFORMAL DISCUSSION – STEVE WEBBER, GIBBET HILL

The Board met with Steve Webber about the possibility of erecting a monopole tower on Gibbet Hill for six cellular providers. Mr. Webber said the Town would be given the first choice to site its equipment on the tower. He said this proposal is one way to get some return on his investment when he purchased the property on Gibbet Hill. The proposed tower would not be tall enough to require lights. The Board noted that a special permit is required under §218-25.1.

SPECIAL PERMIT DECISION – BERTOZZI FARMS

At the request of the applicant, the Board postponed voting on the Bertozzi Farms special permit until February 22, 2001.

SELECTMEN'S REQUEST FOR ENGINEERING FUNDS

The Board received a request from the Board of Selectmen to use the Planning Board's engineering funds to design a parking lot on town-owned land near the DEM rail trail. Member Perkins said the Planning Board may need its engineering funds for other projects between now and the end of the fiscal year. The Board will suggest that the Selectmen obtain a cost estimate on the engineering work.

LAND ON FARMERS ROW

The Board received a request for comments from the Board of Selectmen regarding the possible purchase of 1.4 acres of land on Farmers Row. The Planning Board responded that it does not believe this is an appropriate acquisition for the Town at this time.

SELECTMEN'S POLICIES

The Planning Board received the Selectmen's request for comments dated January 29, 2001 regarding the Town's policies on gifts of land and conservation restrictions. The Board voted to offer the following comments:

1. Gifts of land are governed by State Statute. Approval by Town Meeting is not required for gifts of conservation land and should not be required by Selectmen's policy. The Board feels strongly that the Town should welcome gifts of land for open space protection and not put unnecessary hurdles in the way of generous landowners.
2. The Conservation Commission should walk the land in question and make a formal recommendation to the Selectmen if the land will be managed by the Commission. (Lands to be managed by other Town departments are subject to the approval of Town Meeting and the appropriate departments should make recommendations at that time.)
3. A 21E assessment should only be required if the need to do one is indicated by previous use of the site which may have resulted in a possible release of hazardous materials (such as the West Groton service station).
4. Conservation restrictions are an important tool in the protection of open space and the important natural resources. Many times such restrictions are acquired through the Planning Board's special permit process when land is developed. The Board sees no need for additional public hearings to be held to accept conservation restrictions.
5. Attached please find a copy of a policy adopted by the Board of Selectmen, Conservation Commission, and Planning Board on May 21, 1992 entitled, "Policy of Town Acceptance of Conservation Land Acquired through the Special Permit Process".

CVS/EMERSON SITE

Attorney Robert Collins requested that discussion of this matter be postponed to a later date. The Board said it will remind the applicant of outstanding items to be addressed including:

- The lighting must conform to the photometric diagram submitted with site plan.
- Ice dams on the new CVS building must be addressed for pedestrian safety.
- Headlight glare onto Route 119 is still an issue.
- Construction of the VersaLok retaining wall must be signed off by Registered Professional Engineer.

WEST THRONE SUBDIVISION

The motion was made by Degen to send a letter to developer Rick Stanichuck requesting that he respond in writing to the Board's concerns regarding the problems with the drainage system at the West Throne subdivision by February 15, 2001. If he does not respond, the Board will initiate action to take the performance bond which will expire on April 1, 2001. The motion was seconded and passed unanimously.

Meeting adjourned 9:15 PM

Respectfully submitted,

Michelle Collette
Planning Administrator

