

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

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

Members present: Curtis, Barringer, Eliot, Clements, Degen

Member absent: Lewis and Perkins

PUBLIC HEARING (con't) - SKYFIELDS DRIVE EXTENSION

The Board held the continuation of the public hearing to consider the application submitted by Arthur Blackman to modify the Skyfields Drive definitive plan.

The Board voted unanimously to extend the deadline to April 30, 2001 as requested by the applicant.

The Board voted unanimously to continue the public hearing on April 5, 2001 at 7:30 PM.

SITE PLAN REVIEW – CHARLES THIBEAU STORAGE SHED

The Board considered the site plan submitted by Charles Thibeu to construct a 40' x 48' storage shed at his business located at 436 Main Street. The shed will be used to store lumber for the milk paint and Craftsman Lumber businesses. There will be no new lighting and the existing gravel driveway will be used as access.

The motion was made by Eliot to consider the plan as a Level I. The motion was seconded and passed unanimously.

The motion was made by Clements to approve the Level I site plan submitted by Charles Thibeu for construction of a 40' x 48' storage shed at 436 Main Street, with the following condition:

1. All signs must conform to the Sign By-Law, Chapter 196 of the Code of the Town of Groton

The motion was seconded and passed unanimously.

PRE-SUBMISSION REVIEW – DEL MONDO, 116 BOSTON ROAD

The Board met with applicant Stephen Janes and general contractor Seth Jeannotte to discuss their plans to renovate the former Fairview Orchards bunkhouse located at 116 Boston Road. Mr. Janes said his company, Del Mondo, Ltd., imports Italian home furnishings. The building on Boston Road will be used for office space and wholesale storage. It will not be a retail facility. Del Mondo has one employee now, and there will be one more after they move to the new building. There will be four people working there – two co-owners and two employees.

Mr. Jeannotte said 1900 sq ft of the 3000 sq ft building will be used for an office, and the remainder will be used as a storage area. The Zoning By-law requires 15 parking spaces, and there are eight spaces there today. The applicant would like a waiver of the number of required spaces because they prefer not to increase the size of the existing parking lot.

Member Degen asked about the potential number of employees. Mr. Janes said they will start with four, but the number may go up to seven or eight in the future.

Member Degen asked if additional space will be needed for the showroom. Mr. Janes said, "no," they will use common carriers and all deliveries will come out of the Ayer facility. Some pieces may be on display, but it will not be a retail showroom.

Member Degen said he is happy to use the proposed re-use of the building, but the Board must be sure the parking will be adequate.

Member Eliot asked if the site is all within a Business (B-1) District. Planning Administrator Michelle Collette said, "yes".

Member Clements said this is a nice re-use of the existing facility.

Chairman Curtis asked about the driveway cut on Route 119. Mr. Jeannotte said it will be shared with P. C. Myette. Chairman Curtis reminded the applicant that all easements must be shown on the site plan. He suggested that the applicant demonstrate how the site can accommodate the required number of parking spaces. The applicant can ask the Board to consider a waiver for construction of some of the parking spaces during the site plan review process.

SITE PLAN REVIEW – FIRST PARISH CHURCH AND LAWRENCE ACADEMY

(Member Eliot stepped down because she is a Trustee of the Church.)

The Board said it will continue its review of the site plan submitted by First Parish Church and Lawrence Academy at 9:00 PM. (Members Curtis, Clements, Degen were present and four members are required for a quorum.)

COMMENTS TO MEPA

The Board discussed its comments to MEPA on the ENF submitted by LandWest for construction of a 90 - 115 lot subdivision in Groton and Pepperell. Member Clements prepared draft comments that will be used by the Groton Conservation Commission and the Nashua River Watershed Association. He added that MEPA should also be concerned about historic and archaeological resources at the site. The Planning Board will discuss its comments at the meeting on March 8, 2001. Comments are due to MEPA by March 16, 2001.

PROPOSED ZONING AMENDMENTS

Chairman Curtis suggested that members of the Board meet with Ralph Willmer and Ezra Glenn of McGregor Associates to review the text of the proposed zoning amendments including site plan review and the hilltop and slope overlay district. The Board will meet at 8:30 AM on Tuesday, March 6th.

Chairman Curtis said he prepared a schedule with deadlines on tasks to be completed for the Comprehensive Master Plan in an effort to keep everything on schedule.

INFORMAL DISCUSSION – MAIN STREET RETAIL AREA

The Board met with Attorney Robert Collins to discuss possible changes to the intersection of Main Street (Route 119) and Mill Street to accommodate a future high-end grocery store and cluster of businesses. The plan for the entire site will be submitted in two phases.

Member Degen said the intersection of Mill Street and Route 119 is very dangerous. A traffic study will be required and a traffic light may be needed. Mr. Collins said the intersection does not meet the warrants for a traffic light. The changes to the intersection must be approved by the Board of Selectmen.

Chairman Curtis said if a portion of Mill Street will be discontinued, the entire plan should be submitted at once unless it is crippling to the submission.

INFORMAL DISCUSSION – FUCCILLO LAND, LOWELL ROAD

Attorney Collins presented informal plans to create eight (8) new lots on 18 acres off Lowell Road near the Groton Electric Light Department's sub-station. The Basic Number of Lots plan shows five lots, and the three additional lots will be created by using transfer incentive lots (TDR's). Four acres and an "impact fee" of \$35,000.00 will be donated to the Conservation Commission.

Chairman Curtis said he would rather look at the application for TDR's. Impact fees may be difficult to use because there are no provisions for impact fees in state statute or local by-laws. Mr. Collins said the funds could be considered a gift.

Member Clements asked if any waivers or variances will be required. Mr. Collins said only for cut and fill in the area of the cul de sac. Member Clements asked if there are wetlands on the site. Mr. Collins said, "yes, along Martins Pond Brook."

Member Eliot asked if any affordable lots will be created. Mr. Collins said the number of lots is below the threshold, but they may consider creating an affordable lot. Member Eliot asked what the length of the road will be. Mr. Collins said about 770 ft on the special permit plan and 950 ft on the conventional plan.

PUBLIC HEARING (con't) – SPECIAL PERMIT, FOX MEADOW REALTY

The Board held the continuation of the public hearing to consider the applications submitted by Fox Meadow Realty Trust for a special permit to utilize the provisions of Groton Zoning By-law Section 218-23.1 Hammerhead Lots to create three hammerhead lots and a special permit to utilize the provisions of Section 218-23D Shared Driveways to construct a shared driveways serving three lots off Forge Village Road. Attorney Collins represented the applicant at the public hearing.

Mr. Collins said the proposed plan is a reconfiguration of a previously approved special permit plan. Fox Meadow Realty purchased the adjacent lot on Forge Village Road and will remove the existing house on that lot.

Member Degen asked if the lot on Forge Village Road is a non-conforming lot of record. Mr. Collins said, "yes," but it will conform after the lot lines are changed as shown on the special permit plan.

Member Eliot asked if this is a whole new plan. Mr. Collins said, "yes," this is a new plan and new special permit application.

Members of the Board wanted to walk the site before acting on the special permit.

The Board voted unanimously to extend the deadline to March 30, 2001 as requested by the applicant.

The Board voted unanimously to continue the public hearing on March 29, 2001 at 7:30 PM.

(Member Barringer arrived.)

SITE PLAN REVIEW – FIRST PARISH CHURCH & LAWRENCE ACADEMY

(Member Eliot stepped down because she is s Trustee of the Church.)

The Board continued its review of the site plan submitted by the First Parish Church and Lawrence Academy. Architect Robert Dion, engineer Scott Hayes and several members of the church were present.

Mr. Dion presented changes to the plan including the addition of the required handicapped parking spaces. He submitted copies of responses to the Fire Chief, the Water Department, and the Historic Districts Commission.

Scott Hayes responded submitted a letter dated February 27, 2001 to address the items in the JNEI report dated February 12, 2001. The revised plan was submitted to the Board and JNEI on February 27, 2001 so JNEI did not have time to review the changes.

Member Barringer asked about lighting. Mr. Dion said the lighting has decreased as requested by the Historic Districts Commission. A 50-watt bulb will be used with a globe around the light to prevent glare.

Member Degen asked that plantings be used to prevent headlight glare on Lowell Road.

Chairman Curtis said any changes required by the Water Department should be noted on the plan. Mr. Dion said all the changes discussed with the various town departments will be added to the plan.

The Board said it could not act on the plan until it receives a report from JNEI on the revisions to the drainage system.

The Board voted unanimously to extend the deadline to March 16, 2001. The Board voted unanimously to continue its review of the site plan on March 15, 2001.

PUBLIC HEARING (con't) - STILL MEADOW SPECIAL PERMIT PLAN

The Board voted unanimously to continue the public hearing on March 8, 2001 as requested by the applicant.

CVS/EMERSON HOSPITAL SITE PLAN COMPLIANCE

The Board met with applicant Charles Giacchetto and Attorney Robert Collins to discuss outstanding compliance issues with the CVS-Emerson Hospital site. The Board received a letter dated March 1, 2001 from Attorney Robert Collins addressing the following issues:

- A statement from the architect on the fence on the roof of the Emerson building to screen the HVAC units;
- A letter from the surveyor regarding the species of shrubs planted in front of the CVS building;
- A letter from an architect regarding construction of the Versa-Lok wall;
- The lights on the Emerson building will be disconnected;
- The ponding problem at the intersection of the southeasterly access drive and Route 119 has been corrected;
- Parcel A has been deeded to the Groton Community Kindergarten for the expansion of the parking lot.

Mr. Collins said Dr. Hack and the Primary Care Specialists will be leaving the Deaconess Nashoba Medical Center and must move into the Emerson Health Center. The Building Inspector has not issued a building permit for the interior as requested by the Planning Board pending resolution of the site plan review issues.

Member Degen said he still has concerns about the plantings in front of CVS because they do not block headlight glare. The shrubs are not Pfitzer Junipers as specified on the plans. They are another type of juniper that will not grow to a sufficient height to block headlight glare. Member Degen also mentioned that the beech tree was not planted as shown on the plan - a flag pole was installed in its place with the Board's approval.

Member Clements said the balustrade on the Emerson building is not screening the HVAC units effectively.

Member Barringer said the most important safety concern is the headlight glare on Route 119 in front of CVS. Mr. Giacchetto said they will either plant new shrubs or erect a fence to block headlight glare. He said his landscaping company told him the shrubs were the correct species when they were planted.

Member Degen said the conditions of the site plan approval stated that headlight glare had to be blocked. It has been more than a year, and the problem has still not been corrected.

Member Barringer noted that the snow plows may damage the shrubs planted close to the parking lot. He asked if a fence or stone wall may be a better solution.

Chairman Curtis said the Planning Board's concern is the blocking of headlight glare. He asked the applicant to propose corrective measures. Mr. Giacchetto said he would submit a proposed solution. Chairman Curtis said the Board must have a proposed solution and time frame for implementation before March 15, 2001.

Mr. Giacchetto said it will take 10-weeks to complete the interior work required for the Primary Care Specialists office. The site plan issues will be addressed during that time period.

The motion was made by Eliot to send a letter to the Building Inspector stating that the Board that the Board is not opposed to the granting of a building permit for interior work at the Emerson Hospital Health Center and that the Board requests that no temporary or final occupancy permit be granted until the entire site is in full compliance with the conditions of the site plan approval dated May 20, 1999. The motion was seconded.

Member Degen said it troubles him that the final occupancy permit was issued to CVS without asking the Planning Board for its opinion. Mr. Giacchetto said he only leased the land to CVS – he did not build the building.

Chairman Curtis reiterated that the Board must have a written proposal no later than March 15th on the headlight glare, the removal of the light fixtures on the Emerson building, and the balustrade on the Emerson building.

The motion passed with Curtis, Barringer, Clements, and Eliot in favor; Degen opposed.

GEORGE RIDER SPECIAL PERMIT, HAZEL ROAD

Attorney Collins met with the Board to request that the Board ask Town Counsel for an opinion on the status of a special permit granted to George Rider in 1988, and reissued in 1991, to create a new lot on Hazel Road. The Building Inspector believes the special permit has lapsed because it was not recorded at the Registry of Deeds.

The motion was made by Eliot to request an opinion from Town Counsel on the matter. The motion was seconded and passed unanimously.

COMMENTS TO MEPA – GRDSD NOTICE OF PROJECT CHANGE

(Member Eliot stepped down because her sister is an abutter.)

School Committee Chairman Karen Riggert described the proposed plan for the new high school on the Casella property. A conservation restriction will be placed on 80 acres to protect endangered species on the site. Primary access to the site will be from Chicopee Row, and a secondary emergency vehicle access road will be constructed to Wyman Road. MEPA is considering a Notice of Project Change – a new Environmental Notification Form (ENF) is not required.

Ms. Riggert asked the Board for its opinion on whether the emergency vehicle access road should be paved or gravel. Chairman Curtis said the Board must ask the public safety officials for their opinions before making such a recommendation.

Member Degen said the emergency vehicle access road must be constructed above the high flood plain elevation so it will be accessible in the spring. Ms. Riggert said it will be.

Meeting adjourned 10:45 PM

Respectfully submitted,

Michelle Collette
Planning Administrator

