

**GROTON PLANNING BOARD  
MARCH 22, 2001  
MINUTES**

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

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

Member absent: Lewis

**PUBLIC HEARING (con't) – BATTEN WOODS SUBDIVISION**

The Board continued the public hearings to consider the Batten Woods definitive plan and special permit for flexible development. Applicant Joseph Flaherty and design engineers Peter Parent and Andrew Morrel of Diversified Engineering were present.

Mr. Parent said he submitted a revised Basic Number of Lots plan to the Board and Judith Nitsch Engineering, Inc. (JNEI) addressing all JNEI's issues.

The applicant will own Parcel A as shown on the plan. Parcel B will be deeded to the Town as a separate parcel adjacent to the road right-of-way. The road will be less than 1000 ft as required in the Subdivision Regulations. Mr. Parent said he met with John Schmid of JNEI in the field to check sight distances. Shrubs and other vegetation will be removed to enhance sight distance if the Planning Board wishes. A 20-ft wide parcel has been added to the open space parcel to provided access from the road as requested by the Planning Board at the last hearing.

Member Perkins said she would like to hear from JNEI on the latest revisions to the plan. She asked who will own the access to the open space parcel. Mr. Parent said the same party that owns the open space will own the access to it.

Member Barringer asked how much cut and fill will be required. Mr. Parent said a waiver of the seven-foot cut and fill limitation has been requested for the definitive plan but not for the Basic Number of Lots plan. Chairman Curtis asked the engineer to calculate the amount of cut in fill with the waiver in excess of the amount of cut and fill with no waiver. Chairman Curtis said the road on the Basic Number of Lots plan may meet all the regulations, but the road may be better with the cut and fill waiver.

Abutter James Cantrill asked if headlight glare onto his house can be minimized by a fence or landscaping. He requested that the details be shown on the plan. Chairman Curtis assured him that the information on screening must be shown on the final plan.

Member Degen noted that an easement should be granted to Mr. Cantrill to cross Parcel B to access the subdivision road. Mr. Parent agreed.

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 12, 2001 at 8:30 PM.

**CVS-EMERSON HOSPITAL COMPLIANCE ISSUES**

The Board discussed the outstanding issues at the CVS-Emerson Hospital site including ponding between the two catch basins along Route 119 during the recent rainstorm. The Board received a memorandum from the Building Inspector stating his concerns about the drainage problem along Route 119.

Member Degen noted that the yews to be planted in front of CVS must not be too close to the curb or they will be damaged.

**WEST THRONE SUBDIVISION DRAINAGE ISSUES**

The Board discussed the on-going drainage problems at the West Throne subdivision. The Highway Surveyor notified the Planning Board about recent flooding at the intersection of Townsend Road and the subdivision road.

Member Perkins suggested that the Board call the plan in for modification because the drainage system has failed. Member Degen added that the entire infrastructure is failing because the pavement is being undermined by erosion and there is broken asphalt everywhere.

The motion was made by Degen to initiate action to take the performance bond. The motion was seconded and debated.

Member Perkins asked if the Board takes the bond, how will it be able to modify the drainage system.

Member Barringer noted that erosion problems have caused the drainage system to fail. Member Degen agreed.

Member Clements said the Board should consider what is the most effective way to correct the problem. He said he would like to see design engineer Bob Pine's proposed remedy.

Chairman Curtis said he is not sure if the problem is a design flaw or maintenance issue. He suggested that the Board request a detailed report from JNEI.

Member Degen said he is concerned that the bond will expire on April 1, 2001 and it has not been renewed. Member Clements said extending the bond is preferable to taking the bond. Member Degen said the Board cannot let the performance bond lapse.

The motion to take the performance bond passed unanimously.

The motion was made by Perkins to hold a public hearing to modify the definitive plan for the following reasons:

1. The drainage system has failed completely. The intersection of Rockwood Lane and Townsend Road flooded again on March 22, 2001. The catch basins are not draining properly, and the drainage system is not functioning. Failure of the drainage system has resulted in a serious public safety hazard at the intersection on several occasions.
2. Severe erosion problems have contributed to the public safety hazard at the intersection. In addition, the erosion has undermined the infrastructure including the paved sidewalk, adjacent road shoulders and berms. Such erosion and sedimentation may also cause environmental and water-quality problems.

The motion was seconded and passed unanimously.

## **SITE PLAN REVIEW – FIRST PARISH CHURCH & LAWRENCE ACADEMY**

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

The Board continued its review of the site plan submitted by the First Parish Church and Lawrence Academy. Design engineer Scott Hayes was present at the meeting.

The Board received a report dated March 22, 2001 from JNEI reviewing the latest modifications to the plan.

Member Degen asked if the post-development runoff will increase. Mr. Hayes said, "no," it will decrease slightly with the enlargement of the swale along Lowell Road. Member Degen said the swale must be constructed within a drainage easement. Mr. Hayes agreed.

The motion was made by Perkins to approve the Level II site plan entitled, "Site Plan in Groton, MA, Owned by: First Parish Church of Groton, Unitarian, and Lawrence Academy" prepared by Foresite Engineering Associates, dated September 29, 2000 with revisions through March 20, 2001, with the following conditions:

1. An easement containing the drainage swale and retention basin along Lowell Road shall be shown on the site plan. The easement shall be recorded at the Registry of Deeds.

2. The items in the report dated March 22, 2001 from John Schmid of Judith Nitsch Engineering, Inc. (JNEI) shall be addressed prior to endorsement of the site plan.
3. The drainage system shall comply with the Department of Environmental Protection Stormwater Management Guidelines.
4. The applicant shall comply with the terms stated in the memorandum dated March 22, 2001 from the Groton Water Department.
5. There shall be no net increase in the rate or volume of storm water runoff from the site as required in Section 218-25G(1)(c).
6. Vegetative screening shall be used to minimize headlight glare onto public ways as required in Section 218-25G(1)(g).
7. Lighting shall not intrude onto other properties or public ways as required in Section 218-25G(1)(h).
8. Parking for the disabled and access to the building shall comply with the requirements of the Architectural Access Board Regulations, 521 CMR, and the Americans with Disabilities Act.
9. All signs must conform to the Sign By-Law, Chapter 196 of the Code of the Town of Groton.
10. The removal of any excess earth material from the site requires a Certificate of Exemption from the Earth Removal By-law, Chapter 134 of the Code of the Town of Groton. Chapter 134, Section 10 Exemptions.
11. An erosion and sedimentation control plan shall be submitted to the Earth Removal Advisory Committee pursuant to Chapter 198 Soil Erosion and Sedimentation Control, if the level of disturbance exceeds the thresholds in the by-law.
12. Three copies of the final site plan approved by the Planning Board shall be submitted to the Board for endorsement as required in Section 218-25G(3).

The motion was seconded and passed unanimously.

#### **PUBLIC HEARING (con't) – SPECIAL PERMIT, STILL MEADOW**

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 April 5, 2001 at 8:00 PM.

#### **PRE-SUBMISSION REVIEW – HALE VILLAGE, WEST MAIN STREET**

The Board met with Tracy Eliades to discuss the possible addition of two garage spaces at the Hale Village multi-family housing development. The Board granted a special permit and approved the site plan for the project on October 1, 1999. Mr. Eliades submitted a letter dated March 22, 2001 requesting that the Board waive the site plan review requirements for the proposed modification.

Mr. Eliades said the Zoning By-law requires 20 parking spaces, the approved site plan shows 24 spaces, and 26 have been constructed. There are 10 garage spaces and 16 outdoor spaces as shown on the diagram submitted with the letter.

Member Barringer expressed concern that proposed garage spaces are on top of the reserve area for the sewage disposal system. He asked if the reserve area will be moved. Mr. Eliades said it will be moved to the south.

Member Perkins asked what is there now. Mr. Eliades said pavement for parking. Member Perkins asked if you can

pave over a sewage disposal system. Mr. Eliades said, “yes.”

Member Degen asked if the proposed garage is within a wetlands buffer zone. Mr. Eliades said, “no.” Member Degen said he has no problem with the proposed change as long as the Board of Health approves the relocation of the sewage disposal system.

Member Degen asked if the proposed garage will result in a change to the landscaping plan or relocation of the dumpster. Mr. Eliades said, “no.”

Chairman Curtis said this is a proposed modification to a Level II site plan and the Board should request comments from other Town Departments, especially the Board of Health, before approving the change. Other members agreed. There was no motion to waive the site plan review requirements.

#### **PERFORMANCE BOND REDUCTION – BADDACOOK WOODS SUBDIVISION**

The motion was made by Perkins to reduce the amount held in the agreement entitled, "Agreement and Contract - Town of Groton Planning Board; Stoneham Cooperative Bank; Sandalwood Associates" for the Baddacook Woods subdivision to \$15,937.58 as recommended in the report dated March 22, 2001 from Judith Nitsch Engineering, Inc. (JNEI). The motion was seconded and passed unanimously.

#### **SPECIAL PERMIT DECISION – BERTOZZI FARMS**

The Board voted unanimously to extend the deadline to April 20, 2001 as requested by the applicant. The Board will act on the special permit decision at its meeting on April 5, 2001.

Meeting adjourned 9:45 PM

Respectfully submitted,

Michelle Collette  
Planning Administrator