

**PLANNING BOARD
JULY 12, 2001
MINUTES**

Chairman Curtis called the meeting to order at 7:00 PM in the Town Hall.

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

Member absent: Eliot

INFORMAL DISCUSSION – LACOMBE/MOULTON PROPERTY

The Board met with developers Robert Lacombe and David Moulton to discuss their plans for developing land at the Four Corners intersection. Design engineer Robert Pine and Attorney Robert Collins were present.

Chairman Curtis clarified that the purpose of informal discussions is to explain rules and procedures rather than to discuss the merits of a particular plan. He noted that the Board received a letter dated July 10, 2001 from Attorney Collins detailing the proposal. Copies of the letter are available in the Planning Board office.

Mr. Collins said Robert Lacombe and David Moulton purchased 600 acres of land from Lone Star Properties several years ago. They would like to develop a portion of the land for business use and a portion of the land for housing. The remaining 400 acres will be dedicated as open space. A large tract of land will be donated to the Groton Electric Light Department for its offices and operations as well as for a new sub-station. Land will also be made available for a new fire station and for the Water Department.

Mr. Collins said a concept plan will be submitted for approval by a 2/3 vote of Town Meeting as required in the Zoning By-law. However, the by-law requires submission of a special permit application within two years. This time span will not be adequate because the project will take at least ten years to build out. Mr. Collins said he will request an extension of the two-year period when the concept plan is submitted. The petition for concept plan approval will be submitted sometime in July for a special town meeting to be held in September.

The Board tentatively scheduled the public hearing for August 23, 2001.

Member Degen asked about the legality of the ten-year zoning freeze for the concept plan. Chairman Curtis agreed that the Board should ask Town counsel for an opinion on this question.

ANR PLAN – FOX MEADOW REALTY, FORGE VILLAGE ROAD

The Board considered the Approval Not Required (ANR) plan submitted by Fox Meadow Realty Corporation showing a reconfiguration of five lots on Forge Village Road. The Planning Board granted special permits for the creation of the hammerhead lots and use of a shared driveway, and the Zoning Board of Appeals granted a variance for a shared driveway serving five lots.

The motion was made by Clements to endorse as Approval Not Required the plan entitled, "Plan of Land in Groton, Mass., Prepared for David Moulton, Fox Meadow Realty Corporation," surveyed by R. Wilson Associates, dated January 29, 2001. The motion was seconded and passed unanimously.

SITE PLAN REVIEW – GROTON DUNSTABLE MODULAR CLASSROOMS

The Board reviewed a revised site plan submitted by the Groton Dunstable Regional School District for construction of modular classrooms at the Florence Roche School. GRDS Facilities Manager Charles Ramsey and Andy Baum of David Ross Associates were present.

Mr. Baum explained the revised plan showing the accurate location of the modular classrooms. Mr. Ramsey said the Fire Chief and Police Chief are both happy with the new design. The structure will be setback between eight and nine feet from the access road.

Chairman Curtis read the letter dated July 12, 2001 from the Police Chief and the letter dated July 12, 2001 from the

Fire Chief.

Member Barringer said members of the Board measured six feet from the sonar tube to the edge of the road and asked why the numbers on the plan are different.

Chairman Curtis said the structure must be installed in the location shown on the plan approved by the Police Chief and Fire Chief. The building cannot wander more than two feet from the location shown on the plan.

Member Barringer asked what the “±” on the plan means. Mr. Baum said it means the setback will be between nine and eleven feet from the road.

Member Degen said he believes the plan is incorrect and he will not approve the plan if the building is going to be less than nine feet from road.

Member Barringer asked if the sonar tubes were moved. Mr. Baum said, “no.”

Chairman Curtis said the structure must be constructed as shown on the plan or there will be a problem in the future.

Allyssa Barton said she is the classroom teacher and 50 children are expected to occupy these classrooms by the end of August. She asked what will happen to the children if the building is not ready.

Member Degen said he did not want to vote on the plan until he knew the measurements were correct. Mr. Ramsey said he will check it in the field again. The Board decided to wait for confirmation on the measurements before acting on the plan.

PUBLIC HEARING (con’t) – STILL MEADOW SPECIAL PERMIT

Add from SP decision here

PUBLIC HEARING (con’t) – ACADEMY HILL SPECIAL PERMIT

The Board continued the public hearing to consider the Academy Hill special permit and preliminary plan. Applicant Bruce Wheeler, design engineers Lawrence Beals and Donald Yonika of Beals Associates, and several abutters were present.

Mr. Beals said testing for sewage disposal systems is underway and percolation test results are averaging 12 minutes per inch. The applicant is meeting with the Conservation Commission to delineate the wetlands. They have also met with the Pepperell Planning Board and Conservation Commission.

Mr. Beals said a new conventional plan was submitted to the Board to show the subdivision can be constructed without any waivers or variances. The alternative plan, submitted under Major Residential Development, shows smaller lots with 40,000 sq ft area and 125-200 ft frontage. Several cul de sacs with open space around the vernal pools and wetlands are shown on the alternative plan.

Member Degen asked how the road systems differ on the two plans. Mr. Beals said both comply with all the Town’s regulations. The biggest difference is how stormwater is managed. Mr. Yonika said there is a difference in the roadways - large areas of open space protect the vernal pools on the alternative plan. The alternative plan has more cul de sacs rather than a loop road.

Member Degen said the Board must do a site walk to see these things in the field. Other Board members agreed.

Member Clements said the biggest concern with this plan is the environmental impact. The entire site is filled with roads and house sites. The Planning Board in Pepperell has no control over the development in Groton and the Groton Planning Board has no control over the site in Pepperell. The road should be fully constructed in Pepperell in order to

serve lots in Groton. He said the Robinson Brook crossing in Pepperell requires a 120 ft long structure and 14 ft retaining wall. Member Clements said this is “extraordinary engineering.”

Member Lewis said the plan must meet Groton’s standards at a minimum.

Mr. Beals said the 120 ft long bridge will be constructed to avoid filling more than 5000 sq ft of bordering vegetated wetlands in Pepperell. The bridge may cost up to \$1 million to build.

Member Perkins asked what changes were made to the plan. Mr. Beals said the hammerhead lots shown on the previous plan were eliminated. Member Perkins said she agreed with member Clements about the environmental sensitivity of this project. The alternative plan is a “cookie cutter” plan and does not provide meaningful connections of open space. Mr. Beals said he will show the Board the critical areas to be protected on the site walk.

Mr. Yonika said vertical granite curbing is the worst thing you can have for wildlife. Cape Cod berms allow turtles to cross the road and their migratory paths can be maintained. Member Degen said protecting endangered species is not the Planning board’s job, and it is not the Board’s job to approve a “turtle friendly” road system. This is a major collector road and vertical granite curbing is required. Mr. Beals noted that Townsend Road in Groton and South Row in Pepperell do not have granite curbing. Chairman Curtis said eliminating granite curbing requires a waiver of the Subdivision Regulations.

Member Lewis noted that a bridge was constructed to cross the wetlands in the Meadow Brook subdivision. He said the Highway Surveyor, Police Chief and Fire Chief have not had any problems with this bridge.

Robert Pine said the Board should look at both the conventional plan and the special permit plan in context with the Throne as a whole. Neither plan is not environmentally sensitive. He urged the applicant to review other ways to develop this site without a major through road. He said when Bernard Sullivan, the previous health agent, witnessed testing, a number of test pits appeared to contain saprolite – a decomposed soil that is actually weathered bedrock which is not acceptable for septic systems. Mr. Beals said health agent Robert Overton is aware of the concerns about saprolite.

Marion Stoddart said she supports Mr. Pine’s comments about the environmental impact of the long through road.

Chairman Curtis said there are many concerns about the preliminary plan and the special permit plan. There are issues regarding the validity of the special permit plan, issues about access through Pepperell, and endangered species issues. The Board will have to continue the public hearing for more information to address these concerns.

Member Lewis asked the applicant to consider the presentation made by the Lawrence Academy students on stormwater management issues. Mr. Yonika described the proposed methods of recharging drainage by using an open swale system.

Member Lewis requested that the construction phasing plan be submitted and that park areas and recreation fields be set aside for children to play.

Member Perkins asked if the revised conventional plan had been sent to the Board’s engineer for review yet. Mr. Beals said they will send the revised plan to JNEI next week.

Member Perkins said she must hear from JNEI before she can vote on the plan and she suggested that the Board request an opinion from Town Counsel on access through the Pepperell.

Member Lewis asked if the applicant will comply with Groton’s regulations for the entire road system. Mr. Beals expressed concern about the impact on crossing Robinson’s Brook in Pepperell. The regulations in Groton and Pepperell differ in regard to sidewalks, cut and fill limits, and grades. Groton has a seven-foot limit on cut and fill and Pepperell has no limit. Groton’s maximum grade is 7% and Pepperell’s is 8%. The paved road must be 24 ft wide in Groton and 25 ft wide in Pepperell. Groton requires a 60-ft right of way and Pepperell requires 40 ft.

Member Degen expressed concern for the 90° curve in the road. Mr. Beals said the proposed turn makes sense and is not addressed in the regulations. The Board will ask JNEI for its opinion.

The Board will walk the site on Saturday, July 14, 2001 at 8:00 AM.

The Board voted unanimously to extend the deadline to hold the public hearing to August 15, 2001 as requested by the applicant.

The Board voted unanimously to continue the public hearing on August 2, 2001 at 7:30 PM.

WEST THRONE DRAINAGE PROBLEMS

The Board discussed the test of the drainage system performed by John Schmid of JNEI with the assistance of the West Groton Water Supply District. A hydrant was flushed to determine where the water flowed and why the intersection flooded. The test determined that the outlet structure was not at the proper elevation or configuration to allow the water to discharge.

Member Degen said the situation should have been corrected by July 1, and the Board should vote to take the performance bond.

Mr. Stanichuck said he has done everything the Board asked him to do and he would like to work on correcting the problem.

The motion was made by Lewis to extend the deadline to correct the problem to August 30, 2001 so the applicant can resolve the issue. The motion was seconded.

Mr. Pine said the Groton Land Foundation hired an engineer and the drainage system was over-designed. The performance of the system is not in accordance with the design. He said he would like more time to work with the applicant to address the situation.

The motion was seconded and passed unanimously.

PERFORMANCE BOND REDUCTION – AUTUMN LEAF ESTATES

The motion was made by Degen to reduce the bond for the Autumn Leaf Estates subdivision to \$39,352.66 as recommended in the report dated July 11, 2001 from JNEI. The motion was seconded and passed unanimously.

CHAPTER 61 RELEASE – DARLING PROPERTY, OLD DUNSTABLE ROAD

The motion was made by Degen to recommend that the Board of Selectmen not exercise its right of first refusal under Chapter 61 to purchase the Darling property on Old Dunstable Road. The motion passed with Degen, Barringer, Curtis and Clements in favor; Lewis and Barringer opposed.

Meeting adjourned at 10:45 PM

Respectfully submitted,

Michelle Collette
Planning Administrator

