

**GROTON PLANNING BOARD  
OCTOBER 4, 2001  
MINUTES**

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

Members present: Curtis, Degen and Eliot

Members absent: Barringer, Clements, Lewis and Perkins

**MEETING WITH GMAC**

*(The Planning Board did not have a quorum, but the three members present held an informal discussion with the Growth Management Advisory Committee.)*

The Board met with Charles McKinney, Tom McCuin, Susan Horowitz, and Craig Auman of the Growth Management Advisory Committee (GMAC) to discuss GMAC's recommendation on a proposed growth cap by-law. Member Degen is the Planning Board's representative on GMAC.

Mr. McKinney said GMAC reviewed growth limitation by-laws adopted by 18 other communities. Even though Groton has a Development Rate Limitation By-law, it is still experiencing a rapid rate of growth. GMAC is proposed limiting building permits to 80 in two years except for permits granted for grandfathered lots. Mr. McKinney said the Planning Board would oversee the permitting process and a lottery system would be used to issue permits. One half of the permits would be granted for lots in subdivisions, and one-half for ANR lots. Permits for housing units qualifying under Executive Order 418 would be exempt from the provisions, but they would be counted in the limit. A sunset clause would be included in the by-law. The purpose of the by-law would be to allow the town to keep pace with growth and provide infrastructure.

Member Eliot thanked the members of GMAC for their hard work and said she supported the concept of the by-law. She asked how the lottery would work. Mr. McKinney said they have not worked out the details yet.

Member Eliot asked where the Town stands on the 10% affordable housing requirement. Mr. McCuin said the Town has 2.85% as of October 1, 2001. However, the 10% requirement applies to Chapter 40B (Comprehensive Permits), but the growth cap exemption refers to housing under EO 418. Housing units sold for up to \$290,000.00 qualify under EO 418. If the Town does not comply with EO 418, it may not be eligible for discretionary funding.

Chairman Curtis said, with or without a growth cap, building permits for affordable housing under Chapter 40B must be granted because Comprehensive Permits override local zoning. Member Degen agreed, and said this is why GMAC is using EO 418 for its definition of affordable housing. Mr. McKineey said GMAC is trying to provide incentives for developers to construct affordable housing.

Chairman Curtis asked GMA members to provide more details on how the provisions would be administered. Mr. McKinney said GMAC is still working out the procedural details.

Paula Martin, administrator for the inspections department, asked questions about permit applications and coordination with approved sewage disposal system plans, water quality testing, etc. She said the average fee for a building permit for new construction is between \$1600.00 and \$2500.00.

Chairman Curtis said he would provide GMAC with written comments. He stressed the need for having a by-law with workable administration. He added that he has concerns about having both the existing development rate provisions and a growth cap in place concurrently. He said he does not want to see the Development Rate Limitation By-law jeopardized if the Attorney General says the Town cannot not have both provisions. Mr. McCuin said GMAC does not want to negate the existing by-law.

Member Degen suggested asking Town Counsel for an opinion about the two by-laws running concurrently. Member Eliot said the Board and GMAC should hire someone with professional expertise to help develop the by-law. Chairman Curtis said this issue must be discussed with a full board first. The Board scheduled a follow-up discussion

for November 8, 2001 at 7:30 PM.

### **CARMICHAEL ESTATES II UPDATE**

The Board expressed concern about the lack of progress from the bonding company in completing construction at the Carmichael II subdivision. The Board will send a letter to the bonding company's representative to remind him that the Subdivision Regulation's deadline for final paving is November 15<sup>th</sup>.

### **LANDWEST**

Member Degen expressed concerns about numerous telephone calls he has received from LandWest and its representatives regarding the Board's action on the special permit for the Academy Hill subdivision. The public hearing was closed, and the Board will vote on the special permits on October 18, 2001. The Board will send a letter to LandWest requesting that they and their representatives not call or contact Planning Board members regarding the Academy Hill subdivision.

Meeting adjourned at 9:30 PM

Respectfully submitted,

Michelle Collette  
Planning Administrator