

**GROTON PLANNING BOARD  
FEBRUARY 14, 2002  
MINUTES**

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

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

**PUBLIC HEARINGS (con't) – ACADEMY HILL SP & DEFINITIVE PLAN**

The Board continued the public hearings to consider the special permit applications and definitive plan submitted by LandWest for approval of the Academy Hill Subdivision. Applicants Bruce Wheeler and Brian Ahern, design engineers Lawrence Beals of Beals Associates, Attorney Lisa Bergemann, and Attorney Ray Lyons were present.

Chairman Curtis said the applicant submitted a list of requested waivers and a revised cluster plan reflecting the changes discussed at the last hearing.

Mr. Beals said the plan was changed to relocate lots to keep the middle of the site open. The subdivision road from Route 119 in Pepperell and the connector road were reconfigured to have a "T" intersection.

Member Lewis asked about road construction standards. Mr. Beals said some roads will be constructed to "lane" standards and others to "minor street" standards: the road serving Lots 1 –49 from Townsend Road will be a minor street; the road serving Lots 23-31 will be a lane; the road serving lots 52-66 will be a minor street; and the connector "woods" road will be a lane.

Member Eliot asked if a sidewalk will be constructed along the woods road. Mr. Beals said there will either be a trial or a meandering path.

Member Degen asked about the road standards in Pepperell. Mr. Beals said the portion of the subdivision road in Pepperell will be 24 ft wide.

Member Degen confirmed that the required affordable units will be provided. In addition, six of the twelve TDR units will be affordable. Mr. Beals said "yes," there will be a total of 14 affordable units.

Member Barringer asked if the length of the cul de sac can be reduced by relocating the six lots on the eastern side of the lane. Member Lewis said he prefers a longer road rather than long private driveways. Mr. Beals said they would look into reconfiguring this area.

Member Clements asked if the total number of lots can be reduced in exchange for the Board granting a waiver of the granite curbing requirements. He said he would like the woods road to remain unpaved to minimize disturbance in this very environmentally sensitive area.

Member Perkins asked if the waiver of the granite curbing applies only to the woods road. Mr. Beals said, "no," they are requesting that the Board grant the waiver throughout the subdivision.

Member Perkins said she is comfortable with the waiver for the woods road but was not sure about granting the waiver for the entire site.

Mr. Beals said the revised definitive plan must be fully engineering and reviewed by the Board. The waivers will be discussed in detail at that time.

Member Degen asked about the trail through the open space between Lots 15-27 and Lots 21 and 22. The trail was shown on the January 15, 2002 plan but is not shown on the revised plan. He also expressed concern about Lots 60 and 61 which are in the buffer zone.

Ms. Bergemann asked if the Board would be satisfied with a restriction or no build easement on a portion of these lots. Member Degen said he would prefer to see the buffer zone as part of the open space because a no build easement on private property would be difficult to enforce. He suggested relocating Lots 52 and 53 to solve the problem.

The Board voted unanimously to continue the public hearing at 9:00 PM.

### **PUBLIC HEARING (con't) – MILL RUN PLACE CONCEPT PLAN**

The Board continued the public hearing to consider the concept plan submitted by Ryan Development for a commercial development shown on the "Mill Run Place" concept plan. Applicant Robert Walker, Attorney Robert Collins, design engineer Robert Collins, and many residents were present.

Mr. Collins explained that the concept plan must be approved by a 2/3 vote of Town Meeting. The article will be considered at the Annual Town Meeting.

The Board received a letter dated February 11, 2002 from Robert Pine and a letter dated February 14, 2002 from Robert Collins.

Mr. Pine described the "by-right" plan that can be constructed without approval of Town Meeting. The plan showed multiple buildings with footprints less than 10,000 square feet. The total floor space would be about 65,000 square feet with the by-right plan.

Mr. Pine said the concept plan has many advantages because it will have one large building oriented toward Route 119 instead of Mill Street. The total square floor space will be 53,400 with concept plan. The concept plan has a better visual effect, better landscaping, and better screening for abutters. The number of vehicle trips per day will be the same with either plan.

Peter Fredericks of Hannaford Brothers described the proposed 35,000 sq ft grocery store. He said Hannafords has stores nearby in Chelmsford, Lunenburg, and Nashua. The proposed store will employ about 120 people including teenagers and senior citizens. Hannaford's is very active in the community and contributed two million dollars to communities last year.

Mr. Collins said the site was zoned B-1 in 1963 when the first Master Plan was done. This development is the right approach for this site. It is a very good design and is preferable to a haphazard, by-right design.

Chairman Curtis said the Board received a letter dated February 11, 2002 from Ronald Alcott, a letter dated February 14, 2002 from Carrie Kneeland, a copy of a memo dated February 12, 2002 from the Board of Health to the Sewer Department, and a memo dated February 14, 2002 from the Groton Water Department.

Member Lewis said a considerable amount of new material has been submitted, so the Board should keep the hearing open to review and discuss the new information.

Member Eliot asked Mr. Fredericks of Hannaford's if they had considered the Four Corners area because it is a more suitable location for a large grocery store. Mr. Fredericks said the site on Main Street and Mill Street is more suitable for Hannafords.

Member Degen acknowledged that the land is zoned B-1. He expressed concern about trucks using the entrance on Mill Street. He said he would prefer two curb cuts on Route 119 instead of one entrance on 119 and one entrance on Mill Street.

Member Lewis expressed concern about the flat roof surfaces at the ends of the buildings. He asked where the vents and HVAC units will be located. Mr. Collins said these are site plan review issues.

Mill Street resident Thomas Sartini said truck traffic on Mill Street will impact residents. When the Pleasant Street bridge was closed, trucks used Mill Street and the truck traffic woke everyone up. He requested that the Board keep

truck traffic off Mill Street.

Mill Street resident Audrey Western said the traffic study submitted by the applicant was flawed because the counts were taken in July between 11 AM and 2 PM.. She asked why the traffic study was not done when school was in session.

Michael Higgins of Meadow Brook Road said Groton has 10,000 people and services are needed here. He said some people would like to have a supermarket in Groton. The proposed re-alignment of Mill Street and Route 119 is a tremendous improvement. The area is zoned B-1 and the proposed use is a tax benefit to the Town.

Ron Peck of Wharton Row supported the proposed use and said the taxes will benefit the Town.

Mill Street resident Connie Sartini said Mill Street is very curvy and dangerous for truck traffic. Children walk and people ride bicycles along Mill Street. The increase in traffic will be dangerous. She said Hannafords is a great store, but this is a safety issue.

Canterbury Lane resident Kevin McElearney asked if truck traffic can be prohibited in Mill Street like it is on Broadmeadow Road. Chairman Curtis said there is no proposal to keep trucks off Mill Street. Such a decision must be made by the Board of Selectmen.

Thomas Desisto of Mill Street said traffic on Mill Street is a concern. He said the Four Corners area is better suited to heavy traffic.

Abutter Ronald Alcott said the by-right plan also requires concept plan approval because the buildings are larger than 5000 sq ft. He read his letter dated February 11, 2002. Mr. Alcott said, at a previous public hearing, the applicant stated that this store would be about the same size as Donelan's in Littleton. However, it is more than 3000 sq ft or 10% larger.

Mr. Collins read §§ 218-18A, noting that the proposed uses are not subject to a special permit – they are by-right.

Member Perkins said traffic is a big issue and asked if the applicant could provide an addendum to the traffic study. Mr. Collins said the Board's consulting engineer reviewed the traffic study. The counts were taken on many different dates and times.

The Board voted unanimously to continue the public hearing on March 7, 2002 at 7:30 PM.

## **GROTON LAND FOUNDATION PROJECTS**

**Shattuck Homestead** - Robert Pine met with the Board to discuss fire protection measures for the Shattuck Homestead development. When the Board granted the special permit, a condition required that the Groton Land Foundation install a cistern on the site or hydrant near Baddacook Pond. Mr. Pine said they discussed options with the Fire Chief and offered to buy additional hose for the fire department. The Groton Land Foundation offered to buy hose and pumps and will make a donation of \$20,000.00 to the Fire Department for that purpose.

The Board received a letter dated February 1, 2002 from Robert Pine and a letter dated February 7, 2002 from the Fire Chief. The Board agreed that the Groton Land Foundation's proposed donation of \$20,000 to the Fire Department to purchase pumps and fire hose satisfies the conditions of Special Permit 2000-06.

**Still Meadow** – Mr. Pine requested that the Board release the lot at the intersection of Nashua Road and Northwoods Road in the Still Meadow development for building permit issuance. He said the conditions of the special permit require that the conservation restriction be recorded prior to the release of lots or granting of building permits. The Groton Land Foundation is still drafting the terms of the conservation restriction and cannot finalize the process until the community well is approved. He said if the Board releases the corner lot, the restriction will be recorded before any building permits are issued for units in the cluster development.

The Board responded that such a change in the condition of the special permit requires a public hearing with notice to the abutters to modify the special permit.

### **ANR PLANS**

**YLK Realty, Reedy Meadow Road** - The Board considered the Approval Not Required (ANR) plan submitted by YLK Realty to create one new lot on Reedy Meadow Road. Drew Garvin of R. Wilson Associates presented the plan. The motion was made by Lewis to endorse the plan entitled, "Plan of Land in Groton, Mass. Prepared for YLK Realty Trust," prepared by R. Wilson and Associates, dated February 6, 2002. The motion was seconded and passed unanimously.

**Tidan Corporation, Island Pond Road** - The Board considered the Approval Not Required (ANR) plan submitted by Tidan Corporation to create four new lots on Island Pond Road. Surveyor Stanley Dillis presented the plan. One of the lots is a hammerhead lot subject to a special permit granted by the Planning Board on January 9, 2002. The motion was made by Degen to endorse the plan entitled, "Plan of Land in Groton, Massachusetts, Prepared For: Tidan Corp.," prepared by Dillis & Mische, dated February 13, 2002. The motion was seconded and passed unanimously.

### **SITE PLAN REVIEW – IMPORTED-DOMESTIC AUTO**

The Board continued its review of the site plan submitted by Import Domestic Auto to add three parking spaces to sell used cars at the automotive repair business on Elm Street. Applicant Scott Sanford submitted a letter addressing § 218-25 Site Plan Review, items a – j.

Member Degen asked if there will be only three used cars for sale at any time. Mr. Sanford said, "yes," as specified in the license granted by the Board of Selectmen which has to be renewed every year.

The motion was made by Lewis to approve the Level I site plan for a change of use to allow the sale of three used cars by Import Domestic Auto of Groton as described in the letter dated January 30, 2002 and shown on the sketch plan submitted with the application.

In accordance with the provisions of § 218-25G, the Board determined the following:

*(a) Minimize the number of removed trees six inches caliper or larger, the length of removed stonewalls, the area of wetland vegetation displaced, soil erosion and threat of air and water pollution.*

There will be no change to the existing conditions at the site.

*(b) Meet the requirements of the site plan review regulations for volume of cut and fill.*

There will be no change to the existing conditions at the site.

*(c) Allow no net increase in the rate or volume of stormwater runoff across the boundaries of the site unless provisions have been made to tie into public storm drains with the approval of the appropriate authority and the Planning Board has determined that all reasonable provisions have been made to minimize any changes to runoff from the site.*

There will be no change to the existing conditions at the site.

*(d) Maximize pedestrian and vehicular safety both on the site and accessing to and egressing from it.*

The Board received comments from the Police Chief stating that he has no issues with the proposed change of use.

*(e) Minimize obstruction of scenic views from publicly accessible locations.*

There will be no change to the existing conditions at the site.

*(f) Minimize the visibility of parking, storage or other outdoor service areas viewed from public ways or premises residentially used or zoned.*

The cars to be sold will be parked along the southwesterly property line shown as space 1, 2 & 3 on the plan.

*(g) Minimize glare from headlights through plantings or other screening.*

There will be no change to the existing conditions at the site.

*(h) Minimize lighting intrusion onto other properties and public ways.*

There will be no change to the existing conditions at the site.

*(i) Minimize departure from the character and scale of building in the vicinity, as viewed from public ways.*

There will be no change to the existing buildings at the site.

*(j) Prevent contamination of groundwater from on-site wastewater disposal systems or from operations on the premises involving the use, storage, handling or containment of toxic or hazardous substances as defined in § 218-30B.*

There will be no change to the existing conditions at the site.

*The Board approved the site plan with the following conditions:*

1. There shall be no greater than three (3) used cars for sale at any one time as stated by the applicant. The used cars shall be parked along the southwesterly property line shown as space 1, 2 & 3 on the plan.
2. There shall be no change to lighting at the site unless a new site plan is submitted to the Planning Board for its review.

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

### **SPECIAL PERMIT APPLICATION – SPRINT/TABCOM**

The Board received a letter dated February 14, 2002 from Attorney Jonathan Lazar requesting to withdraw the special permit application submitted by Sprint Spectrum to construct a telecommunication tower on land owned by the American Baptist Churches of Massachusetts. The motion was made by Perkins to accept the withdrawal of the application without prejudice. The motion was seconded and passed unanimously.

### **PUBLIC HEARINGS (con't) – ACADEMY HILL SP & DEFINITIVE PLAN**

The Board continued the hearing on the Academy Hill special permit applications and definitive plan.

Member Degen reiterated his question about shifting lots to protect the 100 ft wetlands buffer zone. Mr. Beals said they would be willing to reduce the length of the cul de sac in this area and change Lots 52 and 53 to single-family condominiums to keep lots out of the buffer zone. There will now be 64 lots, 12 single-family condominiums, and 18 multifamily units. The twelve incentive lots will be used for six affordable units and six market-rate units. One shared driveway will be used to serve the single-family condominiums and multifamily units.

Chairman Curtis said all the design details and waivers will be discussed at the definitive plan stage.

Member Degen said this change results in two fewer lots, but the same number of units.

Member Clements reiterated his request for an unpaved road through the open space in the center of the site in order to preserve sensitive wildlife habitat areas.

Abutter Robert Hanninen said Lot 47 and the subdivision is very close to a vernal pool and cuts off wildlife access to the Bissell property. He asked if this area could be reconsidered.

Member Clements asked if Lot 47 could be reshaped.

Member Lewis asked what the distance is to the vernal pool. Mr. Beals said the lot line is outside the 100 ft wetlands buffer zone.

Chairman Curtis summarized the decisions the Board must make:

- Special Permit for § 218-26.1 Major Residential Development comparing the cluster plan with the “Footnote 1” conventional plan
- Special Permit for § 218.26 F(2) Cluster Development
- Special Permit for § 218-26F(1) Flexible Development

Mr. Wheeler said the application for the Flexible Development Plan will be withdrawn when the process is completed.

The Board voted unanimously to close the public hearing on the special permit for Major Residential Development.

The Board voted unanimously to close the public hearing on the special permit for the Cluster Development.

The public hearings on the Flexible Development and definitive plans will be continued on March 28, 2002 at 8:30 PM.

Meeting adjourned at 10:00 PM

Respectfully submitted,

Michelle Collette  
Planning Administrator