

GROTON PLANNING BOARD
MARCH 28, 2002
MINUTES

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

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

Member absent: Degen

PUBLIC HEARING (con't) – COMPREHENSIVE MASTER PLAN

The Board continued the public hearing to consider the revisions to the Comprehensive Mater Plan. The Board received unofficial comments from the Growth Management Advisory Committee, including suggested revisions to the document.

Chairman Curtis said it is likely that this will be the last hearing on the plan because the final revisions must be filed with the Town Clerk by April 12, 2002 as stated in the Annual Town Meeting warrant. If the Board decides not to adopt the revisions to the plan, it can start the process all over again at a later date.

GMAC member Susan Horowitz said GMAC did not vote on its comments to the Planning Board yet. GMAC Chairman Charles McKinney prepared specific comments, and GMAC member Steve Webber incorporated the suggested changes into the several documents. The document was re-ordered and things were moved around, but GMAC did not discuss the suggested revisions. She asked the Board to allow GMAC to have more time to submit its comments.

Chairman Curtis said the Board could vote to continue the hearing to a later date. The Planning Board has the authority to adopt the plan under its own motion. The Board typically votes on the master plan and then brings it to Town Meeting for endorsement by the voters. Once the plan is adopted, the Board can hold a public hearing and vote to revise the plan at a later date.

GMAC member Scott Wilson said GMAC is trying to be helpful in the process. Chairman Curtis said he appreciated the tremendous amount of work GMAC put into reviewing the plan. However, it is unlikely that the Board would receive additional funding to hire another consultant during the present financial constraints.

Member Perkins said she, too, appreciated all the work GMAC had done and the Board will incorporate some on the suggested changes. However, she did object to the requirement that all things be “measurable” within certain time frames. Many accomplishments are qualitative rather than quantitative.

Susan Horowitz said GMAC is looking for basic metrics to reference in the future.

Virginia Wood said metrics are too specific for a volunteer Board that relies on Town Meeting for funding. The purpose of the Comprehensive Master Plan is have a document to rely on during the decision making process. The original plan prepared by Charles Eliot did not contain metrics and it is considered a model plan. She noted that Groton is on the cutting edge of adopting innovative zoning and other land-use regulations.

Member Clements agreed that GMAC made some good suggestions, but implementation is the most important part of the plan.

Member Lewis said the 1990 plan was a very good plan and a complete re-write was not necessary.

The motion was made by Clements to close the public hearing and to hold a special meeting to go over GMAC's comments. Member Lewis said he would prefer to keep the hearing open to discuss GMAC's additional comments.

Chairman Curtis said this has been an intensive public process with numerous public forums and meetings over a three-year period. Adopting the proposed revisions would be a significant step forward. The Board can amend the

plan at a later date and it does not have to wait ten years.

The motion to close the hearing passed with Curtis, Barringer, Clements, Eliot, and Perkins in favor; Lewis opposed.

The Board will meet on Monday, April 1, or Tuesday, April 2, 2002 to work on final revisions to the plan.

SPECIAL TOWN MEETING - LINE ITEM TRANSFER

The motion was made by Curtis to request a line item transfer in the amount of \$4000.00 from the Planning Board's consultant budget to its engineering budget at the Special Town Meeting on May 6, 2002. The transfer is needed because the Attorney General ruled that engineering reviews under site plan review cannot be paid from 593 escrow accounts. The motion was seconded and passed unanimously.

PLANNING BOARD MEETING – APRIL 25, 2002

The Board's meeting on April 25, 2002 will begin at 8:00 PM so that members may attend the Massachusetts Highway Department public hearing on the traffic light at the Four Corners intersection at 7:00 PM.

PUBLIC HEARING (con't) – ACADEMY HILL DEFINITIVE PLAN

The Board continued the public hearing to consider the Academy Hill definitive plan submitted by LandWest, Inc. Applicant Bruce Wheeler, Attorneys Lisa Bergemann and Ray Lyons, engineers Lawrence Beals and Donald Yonika, and many abutters were present.

Chairman Curtis explained the definitive plan approval process and stated that the Board has granted special permits for cluster development. He noted that much of the process involves engineering review to be sure the plan complies with the Subdivision Regulations.

Mr. Beals presented the plan and described the site which includes land in Groton and Pepperell. The Pepperell Planning Board approved the definitive plan for the portion of the subdivision in Pepperell. The development includes 106 units of single family and multifamily housing with 67% of the site (184 acres) being permanently preserved as open space. A connector road will be constructed through an environmentally sensitive area. No wetlands are contained in any of the lot areas. Vernal pools will be protected as shown on the plan. There will be less than 5000 sq ft of wetlands disturbed as a result of road construction. Existing trails will be maintained and may have to be relocated in some areas. The site work was designed to protect turtles with a redi-block wall and ten (10) turtle tunnels. Nesting habitat areas will be created with sandy soils. The West Groton Water Supply District (WGWS) will supply water to the site. The developer will extend the water mains to the Norris property on the Old County Road.

Gordon Newell of the WGWS described the water tank that will be constructed on adjacent land at an elevation of 450 ft. The WGWS would like to extend its system to Fitch's Bridge so it can connect with the Groton Water Department system in the future. The WGWS is negotiating with the Groton Conservation Trust to loop the water main to Rockwood Lane to improve water pressure and fire flows in that development. Mr. Newell said the Academy Hill plan is a very good plan for the WGWS.

Mr. Beals described the proposed drainage system designed in accordance with the recommendations of the Lawrence Academy students in the 2001 Massachusetts Envirothon.

Mr. Beals said the applicant is requesting a waiver for monumentation of all lot corners abutting conservation land. The redi-block wall will separate the lots from the open space. The Board said it would like to hear from the Conservation Commission before acting on this waiver.

Chairman Curtis read the comments from the Board of Health on soil testing.

The Board's consulting engineer, William Maher, P.E., of Judith Nitsch Engineering, Inc. (JNEI) presented his report dated March 28, 2002. He stated that more information on pre- and post-development calculations is needed to complete the review of the drainage system. He also said a number of waivers are being requested for the Board's

consideration.

Member Lewis questioned the size and design of the turtle crossings. Mr. Yonika said they will be 3 ft by 6 ft. Member Lewis said he did not have a problem eliminating trash racks in that case.

Member Eliot asked about pavement widths. Mr. Yonika said the road will be 24 ft wide in Pepperell, the lanes in Groton will be 20 ft wide, and the connector road will be 18 ft wide. The connector road will be within a 50 ft right of way to accommodate a sidewalk and bridle path.

Member Clements asked if the waivers are not granted, what is the alternative plan. Mr. Beals said the applicant would go back to the definitive plan submitted in November.

Member Perkins asked who owns the parcel along the Old County Road and will they be able to use the subdivision road as frontage. Mr. Yonika said the wetlands prevent access to the subdivision road in this location.

Mr. Beals said, at the meeting with John Schmid and William Maher of JNEI, Mr. Schmid suggested having only six feet of pavement on the connector road with six feet of gravel on each side for a total width of 18 ft. The road would look more like a bikepath than a roadway.

Member Lewis said if the applicant is building walls and tunnels to protect turtles, then he can pave the through road to protect people.

Chairman Curtis asked about the phasing plan and other time constraints. Mr. Beals said Phase I will include construction of Cherry Tree Lane and Arborway. Phase II will include extension of the water main to the Norris property and stabilization of the Old County Road. Phase III will include Wisteria Way and the subdivision road in Pepperell.

Attorney Lyons said under the Development Rate Limitation by-law, Phase I will take four to five years to complete. The developer plans to construct the affordable housing at the end of the subdivision road first.

Chairman Curtis said it might take ten years to complete construction of the subdivision of the road in Pepperell under the proposed phasing plan. He noted that the first phase is a very long, dead-end street that must have a secondary emergency vehicle access. He suggested that the developer plan to construct the through road to Pepperell as quickly as possible. Normally construction of subdivision roads cannot go beyond 1000 ft without a second means of access as required in the Subdivision Regulations.

Robert Hanninen of Townsend Road said the proposed plan is the largest single development proposed in Groton to date and there are a number of issues to be addressed. Traffic on Townsend Road and the intersection of Townsend Road and Route 119 is an important consideration. He asked if the developer could be required to improve this intersection. He said he agreed with the plan to protect the turtles, but there are other species to be considered as well. He asked about the MEPA process which will include traffic, wildlife, and historic resources.

Mr. Beals said they plan to get through the subdivision approval process before they submit the Environmental Impact Report to MEPA. If MEPA requires any changes, they must come back to the Planning Board and request a modification of the definitive plan.

Patty Smith of 704 Townsend Road said the subdivision road will be located approximately eight (8) feet from her lot line. She said there is a stream and wetlands on her property which should be considered. She expressed concern about the traffic impact from the subdivision.

Chairman Curtis asked how many units will be constructed during Phase I. Mr. Lyons said, "80 units."

Jeff Orato of Rockwood Lane expressed concern about the water tank to be constructed by the WGWS. Mr. Newell said the water tank will be on land owned by the Water District and it is not part of the proposed subdivision. Plans for

the water tank were underway long before this subdivision was proposed.

Douglas Barker of Townsend Road said Rockwood Lane has 12 new houses, the Bertozzi Farms subdivision will have 8 new houses, and Academy Hill will have more than 100 houses. He asked what type of water problems will result from all this development. He said the Town worked hard to try to save land on the Throne and has worked with other private landowners. He complained that Rockwood Lane is still not completed and asked when the “anchor” at the bottom of the hill will be removed. (*Note: The “anchor” is a large trench box left on site after construction.*)

Sheila Nash of Rockwood Lane expressed concerns about erosion and flooding problems at Rockwood Lane with only 12 houses. She asked what recourse there is if the developer does not do what he promised to do. She expressed concern about drainage issues.

Chairman Curtis said the pre- and post-development drainage calculations are reviewed carefully by the Board’s consulting engineer.

Ms. Nash said all the problems at Rockwood Lane are still not fixed. Chairman Curtis said the Board will continue to hold the performance bond until all problems are corrected. He said if the Rockwood Lane residents would like to meet with the Board to discuss these problems, they should schedule time on the Board’s agenda to do so.

William Jones of Townsend Road expressed concern about the impact of the proposed development on the school system. Chairman Curtis said the Courts have ruled that impact fees are illegal in the Commonwealth of Massachusetts.

A Rockwood Lane resident asked where the multifamily units will be located and expressed concern about impact on surrounding property values. Mr. Beals showed where the multifamily units will be located at the end of the cul de sac which is about 600 to 700 feet away from the Rockwood Lane cul de sac.

Chairman Curtis said multifamily housing is permitted in a cluster development and it is encouraged in the Comprehensive Master Plan because there is not enough multifamily housing in the Town today.

Mr. Beals said it is not the developer’s objective to decrease property values in the area. A variety of housing types is included as requested by the Planning Board. The design of the houses will be traditional New England architecture, and a portion of the homes will be affordable.

Julie Lisk expressed concern about environmental impacts on a sensitive environmental area. She stated that the Town invested over two million dollars to protect land on the Throne.

Suzanne Lamphert of Townsend Road said the septic system for existing house where the road will be located does not meet Title Five at the present time and people are still living there. She said she expects people to be honest and follow the rules. Chairman Curtis said the issue of the failing sewage disposal system is under the jurisdiction of the Board of Health.

Patty Smith expressed concern about runoff onto her lot and the impact on wetlands in this area. She asked if the road could be moved away from her lot. She said she is upset that there will be 106 houses on this site.

Member Lewis explained that the Planning Board deals with access, drainage and the division of land, the Conservation Commission deals with wetlands, and the Board of Health deals with sewage disposal systems. The MEPA review is a state process and must also be considered.

Mr. Beals said the developer would be happy to walk Mrs. Smiths’ land and work with her. Landscaping will be provided if it will help.

The Board voted unanimously to extend the deadline to April 30, 2002 as requested by the applicant.

The Board voted unanimously to continue the public hearing on April 11, 2002 at 8:30 PM.

EXECUTIVE SESSION

The motion was made by Barringer to enter Executive Session to discuss the Sprint litigation and the Board not return to open session. The motion was seconded and passed by roll call vote with Members Curtis, Barringer, Clements, Eliot, Lewis, and Perkins voting in favor.

The motion was made by Barringer to end executive session. The motion was seconded and passed by roll call vote with Members Curtis, Barringer, Clements, Eliot, Lewis, and Perkins voting in favor.

Meeting adjourned at 11:00 PM

Respectfully submitted,

Michelle Collette
Planning Administrator