

GROTON PLANNING BOARD
MAY 23, 2002
MINUTES

Vice Chairman Degen called the meeting to order at 7:30 PM in the Town Hall
Members present: Degen, Barringer, Clements, Lewis, Perkins, and Wilson
Members absent: Eliot

PUBLIC HEARING (con't) – SPRINT/TABCOM SPECIAL PERMIT

The Board continued the public hearing to consider Sprint's application for a telecommunication tower on land owned by the American Baptist Churches of Massachusetts. The Board voted unanimously to continue the hearing at 8:00 PM.

SITE PLAN REVIEW ISSUES – FIRST PARISH CHURCH

The Board discussed the letters dated May 7 and May 13, 2002 from RL Jeanotte Construction regarding site work at the First Parish Church. Members Degen and Lewis reported that they looked at the site and there are still a number of drainage issues that must be corrected. The gravel base is very spongy and there is still water breaking out onto Route 40. Member Lewis said the configuration of the retention pond is a safety issue for children because the pond is very deep. He recommended that the church not re-pave the parking area until all the drainage issues are resolved.

Vice Chairman Degen stated similar concerns. He said the drainage swale along Route 40 should have been lined with filter fabric and trap rock, but the swale is constructed of process gravel. The water cannot flow from the first basin into the second basin. The grading of drainage swale must be corrected so it will function properly.

The motion was made by Lewis to issue a "Stop Work Order" on the paving, with copies to the First Parish Church, Lawrence Academy, and other town departments, until all the drainage issues have been addressed and to request that the Church's representatives come to a Planning Board meeting to discuss the resolution to these problems. The motion was seconded and passed unanimously.

MILL RUN PLACE DEFINITIVE PLAN

The Board received a letter dated May 14, 2002 from Attorney Robert Collins requesting an extension of the deadline for the Mill Run place definitive plan to August 30, 2002.

The Board discussed the request and decided to hold the public hearing on June 13, 2002. Mr. Collins' request to extend the deadline will be considered at that time.

ZONING ISSUE – WATER RESOURCE PROTECTION DISTRICTS

The Board received a memo dated May 21, 2002 from the Building Inspector in response to the Planning Board's question about the application of herbicides in Lost Lake/Knops Pond, which is located in the Water Resource Protection District. The Building Inspector determined that it is a permitted use in the Secondary Water Resource District.

After some discussion, the motion was made by Barringer to file an application with the Zoning Board of Appeals on this question.

Member Clements said he voted to issue the Order of Conditions as a member of the Conservation Commission. However, he will support the appeal to the ZBA on the zoning issue.

The motion was seconded and passed unanimously.

PUBLIC HEARING – SPRINT/TABCOM SPECIAL PERMIT

The Board continued the public hearing to consider the application submitted by Sprint to construct a 120 ft monopole tower on land owned by the American Baptist Churches of Massachusetts. Attorney Scott Lacey represented Sprint at

the hearing.

Mr. Lacey said the balloon test was performed as scheduled, but it was very windy that day so the photo simulations could not be done. A new balloon test will be scheduled for both the Planning Board and Zoning Board of Appeals. (The ZBA is reviewing an application for a variance of the slope requirements.)

Vice Chairman Degen requested that the balloon test be done on a Saturday so more people would be home to see it. Mr. Lacey agreed that two tests would be done – one on a Saturday for the Boards and abutters and one on a weekday for the photo simulations. The test can be done on Saturday, June 1, or on Saturday, June 8, if weather conditions are not good on June 1.

The Board received a letter dated May 21, 2002 signed by many abutters.

Mr. Lacey said Sprint considered the Board's request to hire its own appraiser with the cost being reimbursed by the application. Sprint would prefer to have its own appraisals done with the peer review by the Board's appraiser. Sprint would like to review the scope of work and qualifications of the appraiser before authorizing the expense.

Member Barringer noted that the location of the access road must be corrected on the plan. Mr. Lacey agreed. Member Barringer asked that any damage to the existing stonewall be minimized.

The Board's Radio Frequency Engineer David Maxson said he attended the balloon test and walked the site. He said the Zoning By-law refers to visual impact and the need for coverage. The tower should be the minimum height necessary to provide coverage, and co-location is encouraged in the by-law. He said the proposed tower can support three carriers, but may not be able to support four at the proposed 120 ft height. Mr. Maxson said it is important to determine how coverage relates to major roads in the area and how to fill in the gaps. He recommended that the Planning Board consider mapping visual impact so it can work with Sprint on alternative heights and locations. Otherwise, Mr. Maxson said this application is straightforward.

The Board requested that Mr. Maxson prepare the visibility map for this site. Mr. Maxson also encouraged members of the community to take photographs during the balloon test.

Member Barringer summarized the Federal Telecommunications Act and the Planning Board's authority under the Zoning By-law. He said the Town cannot prohibit wireless services and cannot discriminate against carriers. However, the Board can require that the radio-frequency emissions meet all federal and state health concerns. Member Barringer noted that Section G of Sprint's application was not completely accurate.

Judy Wilkus asked the Board to verify the health impacts from the proposed tower and the nearby power lines.

Abutter Terry O'Neil reiterated his request at the last hearing that Sprint consider other locations on the 340 acres of land owned by the Baptist Church. He asked why Sprint could not co-locate with Verizon's existing facility. Planning Administrator Michelle Collette explained that Verizon is located on the DEM's fire tower on Gibbet Hill. A subsequent application submitted by Omnipoint to locate on the same tower was appealed by an abutter and is still in litigation.

Vice Chairman Degen encouraged Sprint to explore other sites on the church's land.

Abutter James King asked why the tower on Gibbet Hill would not provide enough coverage.

Abutter Deborah Nicholson asked Sprint to do balloon tests in alternative locations when they test this site.

Mr. Lacey said they will submit evidence to the Board on visibility and coverage. The proposed site is the least visible location for surrounding properties. Sprint must meet the requirements of the by-law including the 500 ft setback from buildings, the 5% slope, and 150 ft setback from wetlands.

Mr. Maxson said the visibility mapping can be used to consider alternative sites and the height of the tower.

Vice Chairman Degen requested that the photo simulations show the tower both with and without camouflage.

Ms. Nicholson requested that Sprint consider the impact on the abutters. Mr. O'Neil said the abutters are not opposed to the tower – they are just not comfortable with this location.

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

The Board voted unanimously to continue the public hearing on June 27, 2002 at 7:30 PM.

SITE PLAN REVIEW – KEN-CHRIS-MURPHY, HOLLIS STREET

The Board continued its review of the site plan submitted by the Ken-Chris-Murphy Realty Trust for property located on Hollis Street. Design engineer Dan Wolfe of David Ross Associates presented the revised plan.

Mr. Wolfe said he contacted abutter Geoffrey Marquis about sharing the access drive as requested by the Planning Board. Mr. Marquis, who now lives in Savannah, Georgia, was not interested in sharing a driveway because he is concerned about adverse impact on his facility.

Mr. Wolfe said he is trying to address concerns of the Planning Board, Conservation Commission, and Historic Districts Commission. The traffic flow will be one way only with the entrance closest to the Route 119 intersection and the exit near the Marquis property line. More green space has been added to break up the parking lot. There will be 29 parking spaces on asphalt and four spaces on turf. A 20 ft wide pedestrian pathway was also added to the plan as requested by the Planning Board. All existing lighting will be removed and new lights on poles will be installed and shielded.

Member Lewis said the HVAC equipment is in a cabinet on the ground and that cabinet should be securely locked to prevent injury.

Member Lewis asked if the handicapped parking spaces and walkway will be constructed now. Mr. Wolfe said, "yes." Member Lewis requested that curbing be installed along the walkway to protect pedestrians.

Member Lewis said there must be enough room to stockpile snow. Mr. Wolfe said the snow will be stockpiled and removed promptly.

Member Wilson said he agreed that curbing is needed along the sidewalk. He expressed concern about the amount of paving and number of parking spaces for this site.

Mr. Wolfe said the Zoning By-law specifies the number of parking spaces required for each use. The by-law requires a total of 52 spaces. Ten of these spaces will be on-street as allowed in the by-law, which leaves 42 required on site. The applicant is requesting a waiver to reduce the number of spaces on the site to 33. 29 spaces will be paved, and four will be on reinforced turf.

Member Degen said the parking spaces on turf should be in full sun and not in a shady area.

Member Lewis said he is not opposed to parking spaces on grass and less pavement.

Member Wilson asked for better landscaping and screening along Hollis Street.

Member Perkins said she likes the one-way traffic flow better. She asked about the handicapped parking. Mr. Wolfe said these spaces must be paved. Two spaces are required, and there are four shown on the plan.

Member Clements agreed that the amount of pavement should be minimized. He added that review by the HDC is critical. He added an abutter submitted an alternative plan to the Board. Mr. Wolfe said he had a copy of that plan,

but the alternative requires crossing the wetlands. The crossing would not qualify as limited project because upland access is available.

Member Barringer asked about lighting. Mr. Wolfe submitted lighting details to the Board. Member Barringer suggested moving the dumpster to the rear of the site. Mr. Wolfe agreed that this was a good idea.

Member Barringer said if the tenants are successful, more parking may be needed. Member Lewis said the parking space on turf could be paved in the future if they are needed but only after a new site plan is submitted to the Planning Board.

Vice Chairman Degen said the walkway should be raised and that plowing this site would be hazardous if there is no sidewalk.

He agreed that the parking space on the grass could be paved in the future if they are needed.

The motion was made by Lewis to grant a waiver to allow 30 spaces with the reserve area for future parking subject to site plan review by the Planning Board. The motion was seconded and passed with Barringer, Clements, Degen, Lewis, and Perkins in favor; Wilson abstaining.

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

The Board will continue its review of the site plan on July 11, 2002 at 7:30 PM.

ANR PLANS

Hicks, Wildflower Lane – The Board considered the Approval Not Required plan submitted by Robert Hicks to change a lot line on Wildflower Lane. The motion was made by Perkins to endorse as Approval Not Required the plan entitled, “Subdivision Plan of Land in Groton, MA, Prepared for Robert M. Hicks,” prepared by Lanata Associates, dated March 24, 2002. The motion was seconded and passed unanimously.

Mildred Black, Hemlock Park Drive - The Board considered the Approval Not Required plan submitted by Mildred Black to create a parcel to be conveyed from Mildred Black to Peter and Margaret Roberts. The motion was made by Perkins to endorse as Approval Not Required the plan entitled, “Plan of Land in Groton, MA, Prepared for Mildred Black,” prepared by David E. Ross Associates, dated May 20, 2002. The motion was seconded and passed unanimously.

John Lorden, Nashua Road –The Board considered the Approval Not Required plan submitted by John Lorden to correct errors in a previous survey plan of lots on Nashua Road. The motion was made by Perkins to endorse as Approval Not Required the plan entitled, “Plan of Land in Groton, MA, Prepared for John Lorden,” prepared by David E. Ross Associates, dated January 30, 2002. The motion was seconded and passed unanimously.

REORGANIZATION & ROBERTS RULES

The Board agreed to use procedures outlined in “Roberts Rules of Order” when it reorganizes. The Board will reorganize when all seven members are present.

SUMMER SCHEDULE

The Board reviewed and approved its summer meeting schedule. The Board will meet on the following dates:

Thursday, June 13, 2002
 Thursday, June 27, 2002
 Thursday, July 11, 2002
 Thursday, July 25, 2002
 Thursday, August 8, 2002
 Thursday, August 22, 2002

Meeting adjourned at 11:00 PM

Respectfully submitted,

Michelle Collette
Planning Administrator