

**GROTON PLANNING BOARD
OCTOBER 10, 2002
MINUTES**

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

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

INFORMAL DISCUSSION – LARSON, MARTINS POND ROAD

The Board met with Lawrence and Cynthia Larson of Martins Pond Road to discuss the possible subdivision of their lot. Mr. Larson said the lot was originally created a part of the Star House Lane subdivision under the provisions of Special Permit Flexibility adopted in 1980. They asked if the lot could be divided into two lots because there is sufficient area and frontage. Mr. Larson said they would like to build a retirement home on the new lot. He said he understands that the zoning provisions have changed since the lot was created in 1985.

Planning Administrator Michelle Collette said, as required in the by-law, there is a note on the subdivision plan stating, “No additional building lots shall be created by future division of such developed lots.” The 1980 Flexible Development provisions allowed the creation of some larger lots and some small lots as long as the number of lots did not exceed the Basic Number of Lots.

Member Eliot said creation of an additional lot would require modification of the original special permit granted in 1985.

Robert Pine, who was a member of the Planning Board in 1980 and designer of the Star House Lane subdivision in 1985, agreed that the original Flexible Development allowed an averaging of lot area and frontage provided that a note be placed on the plan preventing the creation of additional building lots.

Chairman Degen said the note on the plan makes it clear that no further subdivision of the lot is permitted unless the Planning Board modifies the original special permit. Consent of the other owners in the subdivision would be required. Other members of the Board agreed.

Mr. Larson asked if a second dwelling unit could be added. The Board responded that lots created under Flexible Development are limited to single-family use.

PUBLIC HEARING (CON’T) – SPECIAL PERMIT, GROTON LAND FOUNDATION

The Board continued the public hearing to consider the applications submitted by the Groton Land Foundation for special permits to create two hammerhead lots on a shared driveway off Old Dunstable Road. Robert Pine and Marion Stoddart of the Groton Land Foundation, and several abutters were present.

Chairman Degen read the comments from the Fire Chief. Mr. Pine agreed to provide a turn around area as requested by the Fire Chief.

Member Barringer said the Fire Chief prefers access via Blood Road. Mr. Pine said Blood Road is partly owned by Robert Gamlin – it could not be determined that Blood Road is a public way. The GLF is hoping to obtain Mr. Gamlin’s permission to use Blood Road for public access to the proposed open space. Blood Road could be graded to provide adequate access for fire trucks if the GLF has the legal right to do so.

Member Clements asked if the driveways can always remain gravel rather than paved. Mr. Pine said only if the Board included a condition in the special permit requiring that the homeowners must come back to the Board before paving the driveway. Other members of the Board disagreed with such a restriction on future paving of the shared driveway.

Member Eliot said the Board should include a condition that Blood Road be graded to provide adequate access for emergency vehicles.

Chairman Degen requested that the applicant consider establishing a natural buffer between the proposed hammerhead

lots and the abutting hammerhead lots on Old Dunstable Road. He asked if the sewage disposal systems could be located to avoid too much clearing.

Mr. Pine said the GLF prefers not to have such a condition on the special permit because the sewage disposal system designs have not been finished yet. The GLF will work with the future homeowners to minimize the amount of clearing on the lots.

Abutter David Carpenter, 571 Old Dunstable Road, said using Blood Road as frontage would result in a better plan. He noted that the hammerhead lots cannot “create a hazardous concentration of egress points” as stated in § 218-23.1. He said he researched Blood Road in the Town Clerk’s records. A portion of the road from Rocky Hill Road was discontinued in the 1930’s, but this section of Blood Road is still a public way. He asked why the GLF cannot create two conventional lots with 80,000 sq ft each and frontage on Blood Road. He submitted a copy of his research to the Board for the record.

Chairman Degen said the application before the Planning Board is for two hammerhead lots on a shared driveway, not an application for ANR lots.

Member Perkins said Blood Road is not adequate in its present condition and would have to be upgraded to provide access to the lots.

Mr. Pine added that it is not possible to establish that Blood Road is a public way. He said the GLF is not adding any more driveway than would be allowed by right because the lots will be served by one shared driveway.

Member Barringer asked about the existing lot on Old Dunstable Road. Mr. Pine said it was created by the Darlings years ago and later purchased by the Masons. Member Barringer said therefore the frontage for this lot exists today and is not new. Mr. Pine said, “yes.”

Chairman Degen said he must be sure the Police Chief’s and Fire Chief’s concerns are addressed.

Greg Sheldon submitted a letter signed by the Whispering Brook residents supporting the proposed plan.

The Board voted unanimously to close the public hearing.

SPECIAL PERMIT DECISION & SITE PLAN REVIEW CRANSTON CONSTRUCTION AFFORDABLE UNITS, SANDY POND ROAD

The Board continued its review of the site plan submitted by Cranston Construction to construct eight affordable units on Sandy Pond Road. Applicant David Moulton and design engineer Robert Pine were present.

Chairman Degen read comments submitted by the Fire Chief, the Water Department, the Conservation Commission, and the Board of Health.

Mr. Pine said lighting would be installed on poles as shown on the plan and on the doors of the buildings. A 40 ft “T” turnaround would be too intrusive, but the applicant could provide a grass area with a gravel base to support fire trucks.

Chairman Degen asked how many lights would be installed on posts. Mr. Pine said there would be three in the parking area.

Member Perkins expressed concern that the lot area does not meet with requirements of §218-27C(4)(a) which requires 80,000 sq ft plus 10,000 sq ft per bedroom. Mr. Pine said the applicant does not own the adjacent land but he is willing to set aside other land as open space. Mr. Moulton said he agreed with the proposed condition drafted by Attorney Collins at the previous meeting. The Board said it would prefer that the condition state “must” rather than “may”. Mr. Moulton agreed.

The motion was made by Eliot to grant a special permit to Cranston Construction to utilize the provisions of Groton Zoning By-law Section 218-27C Planned Multifamily Residential Development to construct two (2) structures with a total of eight (8) dwelling units as shown on the plan entitled, "Site Plan – Lot 3 Affordables, Sandy Pond Road in Groton, Massachusetts"; prepared by R. Wilson & Associates, dated July, 2002, with revisions through October 10, 2002.

The special permit is based upon the following findings and conditions:

Findings:

1. Social, economic and community needs: The proposed project will meet community needs by augmenting the town's supply of affordable housing; it will thus help to maintain a demographic mix in the Town.
2. Traffic flow and safety: The project will have two access points on Sandy Pond Road and both points have good sight distance.
3. Adequacy of Utilities: The project will be served by municipal water and an on-site sewage disposal system.
4. Neighborhood character: At the present time, there are only a few homes on Sandy Pond Road. The proposed project is designed so that it will not stand out nor appear incongruous with the future Rocky Hill development on the adjoining lot.
5. Impacts on the environment: There are no wetlands near the proposed project. The environmental impact from the proposed project will be minimal.
6. Fiscal impact on the Town: The proposed affordable units will have some fiscal impact on the Town, but the benefits to the community will offset the fiscal impact.
7. Consistency with Comprehensive Master Plan: The proposed affordable housing project is consistent with the following goal in the Comprehensive Master Plan Housing Section which states:

"To guide future housing development and future use of existing homes in a manner that fits within the physical landscape of Groton, meets the needs of people at all stages of their lives, encourages the continuation of Groton's character as a town of individuals and families who feel that they are a part of a community, and complements the attributes of Groton's New England town character."

8. Consistency with Concept Plan: The proposed affordable housing project is consistent with the Concept Plan approved at the Special Town Meeting on September 24, 2001. The Concept Plan states:

"Eight (8) rental units in two quadraplexes are proposed for the small cluster off Sandy Pond Road.

"These would be rental units restricted for a period of thirty (30) years in accordance with the provisions set forth in § 218-26F(2)f."

Conditions:

1. As offered by the applicant in the letter dated October 3, 2002 from Attorney Robert Collins, the density calculations required under the by-law for the eight affordable units is based upon the 1.85 acres in Lot 3 and the 6.28 acres in Parcel T. Parcel T is to remain open. Should land be available contiguous to the 1.85-acre Lot 3, in the required amount of area, that land shall be substituted at that time to satisfy the bylaw requirements of § 218-27C(4)a.
2. As stated in the letter dated August 22, 2002 from Attorney Collins, the premises (Lot 3) shall be restricted by a recorded restriction whereby the units shall be made available by lease to individuals or families qualifying as

low or moderate income as defined by the Department of Housing and Community Development. This restriction shall be in effect for a period of thirty years, shall be recorded prior to building permit issuance, and shall have a first lien position.

3. The premises shall not be occupied until an agreement is reached between the applicant and the Groton Housing Authority relative to tenant qualification and oversight responsibility so as to ensure that these units qualify and count as part of the affordable units in the Town.
4. The final design plans must be reviewed and approved by the Town's public safety officials prior to the issuance of a building permit.
5. Public water shall be extended to the site as offered by the applicant. The installation of the public water supply system shall conform to the specifications of the Groton Water Department.
6. As recommended by the Fire Chief and Water Department, two hydrants shall be installed to protect the proposed buildings. One hydrant shall be located at the entrance to the development on Sandy Pond Road and the other hydrant shall be located between the two parking areas for each building.
7. A sidewalk or pedestrian pathway shall be constructed to provide access to the commercial development on the adjacent lot.
8. A suitable play area shall be provided in the area between Building A and Building B.
9. Drainage from the two buildings will be properly discharged to the drainage system so there is no runoff onto abutting properties or the public way.
10. Lighting fixtures will have shielded lenses and will be installed so there is no glare onto abutting properties or the public way.
11. The dumpster will be installed in the location shown on the plan. The dumpster shall be properly screened.
12. All signs must conform with the Sign By-Law, Chapter 196 of the Code of the Town of Groton.
13. Parking for the handicapped and access to the building shall comply with the requirements of the Architectural Access Board Regulations, 521 CMR, and the Americans with Disabilities Act.
14. This special permit shall not be in effect until certified copies of the special permit decision is recorded at the Middlesex South Registry of Deeds as required in MGL, Chapter 40A, Section 11, and Groton Zoning By-Law Section 218-32.1. No construction or site alteration shall commence nor shall any necessary permits be issued by any Board or official until evidence of such recording is submitted to the Planning Board by the applicant.
15. This special permit shall lapse in 24 months, which shall not include such time required to pursue or await the determination of an appeal referred to in MGL, Chapter 40A, Section 17, from the grant thereof if a substantial use thereof has not sooner commenced except for good cause.
16. This special permit runs with the land and applies to any successor in interest or successor in control.

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

The Board voted to continue its review of the site plan at its meeting on October 17, 2002 at 7:45 PM. The Board requested that the following information be provided on the plan:

- Location of fire hydrants

- Location and screening of dumpster
- Sidewalks
- Lighting
- Limits of clearing
- Drainage system.

GIBBET HILL ORCHARD EXTENSION

The Board received a request from Attorney Ray Lyons to extend the deadline for the Gibbet Hill Orchard special permit applications. The Board voted unanimously to extend the deadline to December 16, 2002 as requested by the applicant.

Meeting adjourned at 9:15 PM

Respectfully submitted,

Michelle Collette
Planning Administrator