

**GROTON PLANNING BOARD  
OCTOBER 24, 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

**PUBLIC HEARING – SPECIAL PERMIT, GIBBET HILL, LLC**

In accordance with the provisions of Chapter 40A, Sections 9 and 11, the Groton Planning Board held a public hearing on October 24, 2002 to consider the applications submitted by Gibbet Hill Farm, LLC for a special permit to utilize the provisions of Groton Zoning By-law § 218-23.1 Hammerhead Lots to create one hammerhead lot as shown on the plan entitled, “APR Plan – Gibbet Hill & Angus Hills,” prepared by Beals Associates, dated October 8, 2002. The proposed hammerhead lot is located on Assessors Lots 233-137 and 233-138, on the easterly side of Shattuck Street and northerly side of Lowell Road.

Chairman Degen called the public hearing to order. Member Barringer read the notice published in October 11 and 18, 2002 issues of *The Groton Herald*. Landowners Steven Webber, Nancy Webber, and Joshua Webber were present.

Chairman Degen read the comments from the Water Department, Sewer Department, the Conservation Commission, and the Police Chief. He read a letter dated October 23, 2002 from Susan Horowitz and Robert Connolly.

Mr. Webber described the plan to create one hammerhead lot (Lot 2) and three ANR lots (Lots 1, 3, and 4) on Angus Hills: Lot 1 with 5.5 acres and the existing farm house, Lot 2 (proposed hammerhead lot) with 5 acres and 40 ft frontage on Shattuck Street, Lot 3 with 2.3 acres and frontage on Martins Pond Road, and Lot 4 with 3 acres and frontage on Shattuck Street. A portion of the proposed hammerhead lot will be subject to the conservation restriction.

ANR lots will also be created on Gibbet Hill: Lot 5 with 6.4 acres and the existing farm house, Lots 6 and 7 with 1.84 acres each and frontage on Martins Pond Road. The lots will be excluded from the proposed conservation restriction under negotiation with the Town of Groton and Commonwealth of Massachusetts.

The motion was made by Lewis to determine that Shattuck Street is adequate to serve Lot 2. The motion was seconded and passed unanimously.

*(Chairman Degen stepped down from the Board; Vice Chairman Barringer chaired the hearing.)*

Mr. Webber explained that the driveway serving Lot 2 would be located where the approved subdivision road would have been constructed. The grade of the driveway will not be greater than 7% because it goes along the contour lines.

Member Perkins asked if there would be a building envelope and limit of clearing on the hammerhead lot. Mr. Webber showed the areas of Lot 2 to be covered by the conservation restriction. Restricted Area 1 has 68,055 sq ft, and Restricted Area 2 has 16,468 sq ft as shown on the plan.

Member Perkins asked if the lot would be served by Town water and a private sewage disposal system. Mr. Webber said, “yes.” The sewage disposal system was designed for this lot when it was part of the Angus Hills definitive plan.

Member Perkins asked about the length of the driveway. Mr. Webber said it would be about 800 ft long. Member Perkins asked if the driveway would be paved. Mr. Webber said it would be crushed stone. Member Perkins asked if any wetlands crossings are required. Mr. Webber said, “no.”

Member Wilson asked about future owners and the conservation restriction. Mr. Webber said the conservation restriction would apply to all future owners.

Member Eliot asked where the public water lines would be installed. Mr. Webber said from Martins Pond Road to

Shattuck Street and then in the driveway.

Member Clements asked why a portion of the hammerhead lot would be subject to the conservation restriction. Mr. Webber said the hammerhead lot must have a minimum of five acres. A portion of the lots will be subject to the same conservation restriction that will be placed on the entire hill.

The Board voted unanimously to close the public hearing. The Board said it would vote on its decision on October 31, 2002.

## **ANR PLANS**

*(Member Wilson stepped down from the Board for the Gibbet Hill ANR plan because he is an abutter.)*

The Board considered the Approval Not Required (ANR) plan submitted by Gibbet Hill, LLC to create two new lots on Gibbet Hill: Lot 5 with 6.4 acres and the existing farm house, Lots 6 and 7 with 1.84 acres each and frontage on Martins Pond Road.

Member Eliot asked about the parcels with the telecommunication tower. She said the plan should be amended to keep all the cell tower parcels together (shown as Parcels E and F on the plan). Joshua Webber explained that a portion of the land owned by Gibbet Hill Tower, LLC, will be subject to the conservation restriction. Member Eliot expressed concern about the adjacent lots not closing on the plan. Chairman Degen said all the lots line issues must be resolved.

Member Perkins commented that Lot 6 does not have the required 80,000 sq ft upland area. Planning Administrator Michelle Collette said the land is grandfathered under the 1997 zoning provisions so the 80,000 sq ft upland requirements do not apply.

Member Eliot said the Board must determine access adequacy to the proposed lots. The motion was made by Lewis to determine that Martins Pond Road is adequate to serve Lots 3, 6 and 7. The motion was seconded and passed with Curtis, Barringer, Degen, Eliot, Lewis, and Perkins in favor; Clements opposed.

The motion was made by Lewis to determine that Lowell Road is adequate to serve the proposed lot. The motion was seconded and passed unanimously.

The motion was made by Perkins to endorse as Approval Not Required the plan entitled, "Gibbet Hills – Plan of Land in Groton, MA (Middlesex County)," prepared by Precision Land Surveying, dated October 18, 2002, with the condition that any lot line discrepancies be corrected prior to endorsement of the plan. The motion was seconded and passed unanimously.

*(Member Wilson returned to the Board because he is not an abutter to the proposed lots.)*

The Board considered the Approval Not Required (ANR) plan submitted by Gibbet Hill, LLC to create four new lots on Angus Hills. Lot 1 with 5.5 acres and the existing farm house, Lot 2 (proposed hammerhead lot) with 5 acres and 40 ft frontage on Shattuck Street, Lot 3 with 2.3 acres and frontage on Martins Pond Road, and Lot 4 with 3 acres and frontage on Shattuck Street.

Member Eliot asked about Parcels A and B along Lowell Road. Mr. Webber said these parcels cannot be built on because there is a restriction in the deed from the Marion Campbell Trust as required in the approval of the Angus Hill definitive plan.

The motion was made by Lewis that Shattuck Street is adequate to serve Lot 4 shown on the ANR plan. The motion was seconded.

Member Perkins asked how many existing driveways there are on Shattuck Street. Mr. Webber said "three." There will be two new driveways serving Lot 2 and Lot 4.

Chairman Degen said this proposal is not a major development and these will be the only lots accessing on Shattuck Street.

Member Wilson said Shattuck Street is a beautiful country road. He said he believes the road can be used in its existing condition to serve a total of five driveways.

Member Lewis requested that the Webbers consider granting an easement to improve Martins Pond Road in the future. Steve Webber said this lot was shown on the approved Angus Hill definitive plan. Member Lewis suggested that the Webbers work out the details of the easement with the Highway Surveyor. Mr. Webber agreed.

The motion to approve the adequacy of Shattuck Street passed unanimously.

The motion was made by Perkins to endorse as Approval Not Required the plan entitled, "Angus Hills – Plan of Land in Groton, MA (Middlesex County)," prepared by Precision Land Surveying, dated October 18, 2002. The motion was seconded and passed unanimously.

#### **SITE PLAN REVIEW – SHAW’S SUPERMARKET**

The Board voted unanimously to continue its review of the site plan submitted by Shaw’s Supermarket to December 12, 2002 at 7:30 PM. The motion was seconded and passed unanimously.

#### **SITE PLAN REVIEW – CRANSTON CONSTRUCTION AFFORDABLE HOUSING**

The Board continued its review of the site plan submitted by Cranston Construction to construct eight affordable housing units in two buildings on Sandy Pond Road. Attorney Robert Collins and design engineer Robert Pine presented the plan.

The Board received a memorandum dated October 23, 2002 from the Fire Chief.

Mr. Pine said drainage calculations show that the plan results in no net increase in runoff from the site. A "t" turn around area will be provided as requested by the Fire Chief. The location of fire hydrants has been added to the plan. A detailed planting plan was also submitted.

Member Perkins asked if a photometric diagram was prepared. Mr. Pine said, "yes."

Member Perkins said there should be "no parking" in the turn around area. Mr. Collins said this area will be delineated "no parking" on the pavement.

Member Perkins asked about a clearing limitation line. Mr. Pine said it is shown on the landscaping plan.

Member Clements said the Board’s engineer should review the drainage calculations. Mr. Pine said it is a very conservative drainage design.

Member Eliot suggested that the drainage be reviewed in conjunction with the definitive subdivision plan.

Member Lewis asked the depth of the proposed retention pond. Mr. Pine said no more than four feet.

Member Barringer asked if more visitor parking is needed. Mr. Pine said the parking area can be expanded in the future if necessary.

The motion was made by Lewis to approve the plan entitled, "Site Plan for Lot 3 – Affordables, Sandy Pond Road in Groton, Mass.; Owner: Fox Meadow Realty Corp.," prepared by R. Wilson and Associates, dated September 10, 2002 with revisions through October 23, 2002, with the following conditions:

1. Lighting fixtures will have shielded lenses and will be installed so there is no glare onto abutting properties or the public way. A photometric diagram of the proposed lighting shall be submitted to the Planning Board prior to the issuance of a building permit.

2. As required in § 218-25H(1)(e), there shall be no net increase in runoff from the site. The drainage calculations shall be reviewed by the Board's engineer, Judith Nitsch Engineering, Inc. (JNEI). The plan shall be modified to the Planning Board and JNEI's satisfaction prior to the issuance of a building permit (see attached report dated November 12, 2002).
3. The plan shall be reviewed and approved by the public safety officials prior to the issuance of a building permit.
4. A sidewalk or pedestrian pathway shall be constructed to provide access to the commercial development on the adjacent lot.
5. Parking for the disabled and access to the building shall comply with the requirements of the Architectural Access Board Regulations, 521 CMR, and the Americans with Disabilities Act.
6. All signs must conform to the Sign By-Law, Chapter 196 of the Code of the Town of Groton.
7. The removal of any excess earth material from the site requires a Certificate of Exemption from the Earth Removal By-law, Chapter 134 of the Code of the Town of Groton. Chapter 134, Section 10 Exemptions.
8. An erosion and sedimentation control plan must be submitted to the Earth Removal Advisory Committee for its review and approval as required in Chapter 198 Soil Erosion and Sedimentation Control.
9. Three copies of the final site plan approved by the Planning Board shall be submitted to the Board for endorsement as required in Section 218-25G(3).

The motion was seconded and passed unanimously.

#### **ZONING INTERPRETATION – STILL MEADOW CLUSTER DEVELOPMENT**

The Board received a memorandum dated October 24, 2002 from the Building Inspector requesting an interpretation of § 218-26F(2)(d)[2] and its applicability to the Still Meadow cluster development. Mr. Pine was present for the discussion.

Mr. Pine said the purpose of Cluster Development is to have higher density in a concentrated area and the 75 ft setback requirement is from the entire parcel, as it existed prior to the special permit application.

The motion was made by Eliot to send a response to the Building Inspector stating that the Board determined that the 75 ft setback applies to the original special permit plan submitted by the Groton Land Foundation for the MacDonald property and should not be measured from the boundaries of Lot 5 as shown on said plan. The motion was seconded and passed unanimously.

Meeting adjourned at 10:00 PM

Respectfully submitted,

Michelle Collette  
Planning Administrator