

**GROTON PLANNING BOARD  
OCTOBER 31, 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

**SITE PLAN REVIEW – GROTON DUNSTABLE NORTH MIDDLE SCHOOL**

The Planning Board reviewed the site plan submitted by the Groton Dunstable Regional School District for renovations to the existing high school. Building Committee Chairman Steve Prendergast and landscape architect William Murray of David E. Ross Associates were present.

Mr. Murray described the plans to renovate the high school to a new middle school. There will be a complete re-working of the site including access, egress, and parking. The access lane will be widened and double egress lanes will be installed to increase traffic flow. The road alignment will be reconfigured and the radii at the intersection will be increased for school buses. There will be a total of 409 parking spaces including spaces for the disabled. New light fixtures will be installed on 14 ft high poles. Landscaped islands, including locus trees and shrubs, will be provided to increase the amount of green space. The changes to the site will help resolve existing drainage problems.

Mr. Murray said the school is requesting three waivers:

- The size of the plans to be 30" x 42" rather than 24" x 36";
- The filing fees (both administrative and engineering review);
- The traffic impact statement.

Mr. Murray said he is meeting with the Police Chief, Fire Chief, Building Inspector, Water Superintendent, and Sewer Commissioners on Monday, November 4, 2002. He noted that the site plan is exempt under Chapter 40A, section 3, because this is an educational use.

Chairman Degen read comments submitted by the Groton Water Department.

Member Lewis said the intersection of the access road and Route 119 works well when there is a Police Officer to direct traffic. Otherwise, it does not work well at all. He asked if the stop sign could be installed farther back so there would be better visibility. Mr. Murray said the intersection will be re-engineered and the turning radii will be changed.

Member Perkins asked how many parking spaces there will be. Mr. Murray said there would be a total of 409 spaces.

Member Perkins asked about proposed changes to the drainage system. Mr. Murray said a considerable amount of the drainage structures have to be replaced. Runoff will be re-directed to the basin at the rear of the site.

Member Wilson expressed concern about the proposed pedestrian access between the north and south middle schools. He asked if pedestrian and vehicle traffic could be kept separate.

Mr. Prendergast said he did not know how many students will be walking back and forth between buildings. A pedestrian walkway structure would prevent fire trucks access to the rear of the school. Mr. Murray said the schools investigated constructing an elevated walkway, but the cost would be around \$700,000.00. The traffic in this area is only to the Twomey Center and only during off-peak hours.

Member Lewis asked about staff parking in the rear of the site. Mr. Murray said there are 152 staff parking spaces in various locations. He added that staff will have plenty of room to park with the high school in another location. Parking only is an issue when there are events at the Performing Arts Center.

Member Wilson asked why the pedestrian crossing area cannot be limited to emergency vehicles only. Mr. Murray said because people will use it anyway. There is not enough space to increase the width of the road for two-way traffic around the Twomey Center. Mr. Murray said early in the project, a variety of options were discussed with the architect and Building Committee. Construction costs are very significant. For example, the cost to upgrade the drainage system is \$1.2 million.

Member Lewis said there is only one access to the school campus, which creates serious problems with traffic flow. Member Eliot said there are severe limitations to traffic circulations at this site. She asked about the emergency access onto Champney Street. Mr. Murray said this access is paved and gated.

Member Clements said the plan proposes significant improvements to the site. He suggested that the Board send the plan and drainage calculations to Judith Nitsch Engineering, Inc. (JNEI) for review.

Mr. Murray said there will be no net increase in runoff from the site. However, the plans have not addressed stormwater quality issues yet.

Member Clements asked if the drainage system would be re-designed. Mr. Murray said, "no," but it will be revamped. There will be no flooding downstream. Stormwater quality will be enhanced by the installation of hooded catch basins. There is no need for peer review because a Notice of Intent will be submitted to the Groton Conservation Commission.

Member Lewis noted that there has been a history of drainage problems at the site.

Mr. Prendergast said the Planning Board is exceeding its authority under Site Plan Review by reviewing the improvements to the drainage system and the drainage calculations. The school informed the Planning Board that it would not reimburse the Town for any peer engineering review because the Board does not have jurisdiction.

Member Wilson asked about lighting. Mr. Murray said lights will be installed on 14 ft high poles and will be shielded.

Member Barringer asked if a photometric diagram was prepared. Mr. Murray said, "yes," it would be submitted to the Board.

Member Barringer asked why a speed bump could not be placed in the area of the pedestrian crossing. Mr. Murray said it would be difficult to plow and maintain. The crossing will have a different surface than the surrounding parking area. Reflective tape will be used and signage will be clear. Member Barringer said he would favor the use of speed bumps.

Member Barringer asked if the applicant is requesting a waiver for the required number of parking spaces. Mr. Murray said, "yes," 883 spaces are required in the by-law. There are 409 proposed spaces – the number needed for the largest concurrent uses. Chairman Degen pointed out a discrepancy between the number of spaces indicated on the plan and the number stated in the application booklet. He asked that this be corrected for the record. Mr. Murray said the number in the booklet is correct, but the chart on the plan is incorrect. Chairman Degen said the applicant should submit a written request for the waiver. Mr. Murray said the Planning Board must determine that this is a "special circumstance" in accordance with § 218-23B.

Chairman Degen said he agreed that a speed bump should be used at the pedestrian crossing. He said the Board must have comments from the Police Chief because this is an important public safety issue.

Harlan Fitch said if educational uses are exempt from zoning, then the Town is unable to enforce the zoning by-law in this community. He said the Sewer Commissioners would like to reserve the right to review and submit comments on the plan.

Reporter Carrie Kneeland said there is flooding in the pit at the high school. Chairman Degen said this is a matter for the Building Inspector, not the Planning Board.

Chairman Degen asked what the proposed timeline is. Mr. Murray said the schools plan to mobilize in June, 2003 so the building will be ready for occupancy in September, 2004. Chairman Degen asked where parking for the South Middle School would be located during construction at the North Middle School. Mr. Murray said construction fence would be used to keep the construction area separate. Work on the parking lot will be done during the summer.

The Board voted unanimously to continue its review on December 5, 2002 at 9:00 PM.

### **SPECIAL PERMIT DECISION – GIBBET HILL HAMMERHEAD LOT**

*(Chairman Degen stepped down from the Board.)*

The motion was made by Lewis to GRANT a special permit to Gibbet Hill Farm, LLC, to utilize the provisions of Groton Zoning By-law § 218-23.1 Hammerhead Lots to create one hammerhead lot as shown the plan entitled, “Angus Hill – Plan of Land in Groton, MA (Middlesex County),” prepared by Precision Land Surveying, Inc., dated October 18, 2002. The Board granted the special permit based upon the following findings and with the following conditions:

#### **Findings:**

1. **Social, economic and community needs:** The proposed hammerhead lot will address the economic and community needs because a) a significant part of the lot will be subject to a conservation restriction that preserves the land in its current state and because this lot is part of a larger parcel and plan that, subject to approvals, will apply conservation restrictions to a significant parcel of land further providing to the town land preserved in its current, undeveloped state.
2. **Traffic flow and safety:** Increases in traffic will be minimized and alterations in current traffic flow patterns will be minimized by the creation of one single-family dwelling on a five-acre lot compared to development of the full parcel as a conventional two-acre subdivision. The Board determined that Shattuck Street is adequate to serve the proposed hammerhead lot.
3. **Adequacy of utilities:** Utilities are deemed adequate. Utilities will be provided through conventional methods with on-site sewage disposal system and town water.
4. **Neighborhood character:** The neighborhood character will be maintained and preserved by the creation of a single hammerhead lot for single-family residential use compared to development of the full parcel as a conventional two-acre subdivision.
5. **Impacts on the environment:** Less development density will result directly in less environmental impact. Conservation restrictions on a significant part of the hammerhead lot will directly benefit the environment.
6. **Fiscal impact on the Town:** One single-family house on five acres will have significantly less impact on the Town than the fiscal impact of development of the parcel under conventional, two-acre subdivision regulations.
7. **Section 218-23.1 Hammerhead Lots:** The proposed hammerhead lot meets the minimum dimensional requirements (five acres area, 40 feet frontage, and 200 ft set back) for hammerhead lots. The reduction in frontage does not result in a hazardous concentration of egress points.

#### **Conditions:**

1. The conservation restriction for the portion of the lot shown on the plan as “Restricted Area 1 68,055 sqft” and “Restricted Area 2 – 16,468 sq ft” must be recorded at the Registry of Deeds and evidence of recording submitted to the Planning Board and Building Inspector prior to the issuance of any building permits.
2. This special permit shall not be in effect until certified copies of the special permit decision and the subsequently endorsed ANR plan are recorded at the Middlesex South Registry of Deeds as required in GL 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.

3. 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 Chapter 40A, Section 17, from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. The recording of the special permit and endorsed ANR plan shall constitute commencement of substantial use.
4. This special permit runs with the land and applies to any successor in interest or successor in control.

The motion was seconded and passed unanimously.

### **FIRST PARISH CHURCH DRAINAGE PROBLEMS**

*(Member Eliot stepped down from the Board.)*

The Board discussed the on-going drainage issues on Route 40 resulting from construction at the First Parish Church. The Board received a plan dated October 25, 2002 from Foresite Engineering on behalf of the church. The Board also received a report dated October 30, 2002 from JNEI, the Board's consulting engineer.

Steve Miller of the First Parish Church asked if the Board would lift the cease and desist order issued in May prior to paving the base course. Chairman Degen said if the church goes forward with the final paving, it is at its own risk.

Chairman Degen suggested that the stone-lined trench be extended about 60 to 70 ft toward Route 119 to capture all the water flowing out of the hillside. Other members of the Board agreed.

Member Lewis said the church must work with the Highway Surveyor to correct the problem.

The motion was made by Lewis to send a letter to the Highway Surveyor requesting his assistance in resolving the matter and that the First Parish Church install the trench in the location as directed by the Highway Surveyor. The motion was seconded and passed unanimously.

The motion was made by Lewis to lift the cease and desist issued on May 24, 2002 for paving the parking lot at the First Parish Church and Lawrence Academy sites. The Board understands that the church will work to correct the drainage problems on Lowell Road that did not exist prior to construction of the addition to the church and other alterations to the site. The Board encourages the church to work closely with the Highway Surveyor to resolve the matter prior to the beginning of winter. The motion was seconded and passed unanimously.

*(Members Eliot and Perkins left the meeting.)*

### **WOODLAND PARK PERFORMANCE BOND REDUCTION**

The motion was made by Lewis to reduce the amount held in the agreement entitled, "Agreement and Contract – Robert M. Hicks, Inc., Town of Groton Planning Board; The Butler Bank" for the Woodland Park subdivision to \$137,997.61 to cover the items contained in the report dated October 30, 2002 from Judith Nitsch Engineering, Inc. (JNEI). The motion was seconded and passed unanimously.

### **GILSON ESTATES STREET LIGHT**

The Board met with residents of the Gilson Estates subdivision to discuss installation of the streetlight. The residents requested that a more decorative style light be installed similar to the street light on Sawtell Drive. The Board said the type of streetlight is subject to the approval of the Groton Electric Light Department.

The motion was made by Barringer to require that the developer install the infrastructure for the street light as shown on the approved Gilson Estates definitive plan. The motion was seconded and passed with Curtis, Barringer, Degen, and Lewis in favor; Clements opposed.

The motion was made by Lewis to accept the option of an alternative streetlight as requested by the majority of the residents provided that the Groton Electric Light Department approves the alternative. The motion was seconded and passed unanimously.

**DEMOLITION DELAY DISCUSSION**

The Board will meet with the Board of Selectmen and Town Counsel Judith Cutler to discuss demolition delay by-laws and related matters on Thursday, January 16, 2002.

**CONFLICT OF INTEREST POLICY**

The Board discussed its policy on conflicts of interest and whether or not a member must leave the room and not participate in the discussion if he or she is an abutter to a project. Chairman Degen stated that he believes a Board member does not lose their right to speak as a private citizen after stepping down from the Board. Other members agreed that this seems reasonable.

The Board will request an opinion from the State Ethics Commission and Town Counsel on the matter.

Meeting adjourned at 10:15 PM

Respectfully submitted,

Michelle Collette  
Planning Administrator