

GROTON PLANNING BOARD
NOVEMBER 7, 2002
MINUTES

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

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

Members absent: Perkins and Barringer

FIRST PARISH CHURCH – DRAINAGE ISSUES

(Member Eliot stepped down because she is a trustee of the church.)

The Board discussed on-going drainage problems on Lowell Road from the First Parish Church site. The Board received a report dated November 7, 2002 from Judith Nitsch Engineering, Inc. (JNEI) with an attached diagram prepared by the church's design engineer, Foresite Engineering.

The motion was made by Lewis to send a letter to the First Parish Church and the Highway Surveyor requesting that the proposed drainage trench shown on the Foresite Engineering plan be extended closer to the church building unless the Highway Surveyor does not think it is necessary. The motion was seconded and passed unanimously.

WORK SESSION WITH ATTORNEY MARK BOBROWSKI

The Board met with Attorney Mark Bobrowski to discuss his draft revisions to the Open Space Residential Development and Major Residential Development sections of the Zoning By-law. The Board is working with Attorney Bobrowski on the implementation phase of the Master Plan. Design Engineer Robert Pine and Board of Health/GMAC member Susan Horowitz were present.

Attorney Bobrowski expressed his concerns about the existing Major Residential Development provisions which require a special permit application and submission of two plans whenever an applicant is creating more than six lots. He said if a subdivision plan complies with all the rules and regulations, the Planning Board must approve the by-right plan. The Board pointed out that a developer can submit a conventional, by-right plan under "footnote 1" "if lot area and frontage are both at least 50% greater otherwise required in §218-20 or other provisions of this by-law" (see §218-13 Schedule of Use Regulations).

Attorney Bobrowski said he would prefer to see the Board use the services of a landscape architect early in the design stages to help refine the developer's plan. The applicant filing fees in an escrow account would cover the cost of the landscape architect's services.

Member Lewis asked if the landscape architect's role would be similar to peer review by the Board's engineer. Attorney Bobrowski said the system would be more effective if the landscape architect could be involved in the pre-submission stages.

Bob Pine agreed that the involvement of a landscape architect as well as an ecologist would be extremely beneficial. He said the Board should be willing to conduct informal discussions with applicants if such a system is going to work.

Chairman Degen noted that a landscape architect is not the same as a civil engineer. The Planning Board should interview and select a landscape architect to review the plans submitted by the applicant. However, the applicant must hire its own landscape architect to design the plan. The Board does not want to be in the business of designing plans for applicants.

Attorney Bobrowski said the Board could adopt a requirement in the Subdivision Regulations that a plan must be stamped by a landscape architect as well as an engineer and surveyor. He said Westford uses a design manual similar to the one used in South Kingston, RI. This should be an educational process.

Member Clements said the Board does not like to have informal discussions with applicants because abutters have not be notified. Other members of the Board agreed that notice to abutters is an important consideration.

Member Eliot agreed with Mr. Pine's suggestion that an ecologist review the plans and help identify natural resources to be protected. Attorney Bobrowski said it is not relevant for conventional plans but would be helpful with special permit plans. However, the Board must be careful not to have disincentives for special permit applications. Mr. Pine agreed that the Board should not drive people away from the special permit process, but most applicants do utilize the special permit provisions now.

Member Eliot asked how the Board would determine the number of lots in a development under the new provisions. Attorney Bobrowski said the number of units can be negotiated with developers by using bonuses, waivers of subdivision regulations, and growth rate provisions as incentives.

Member Wilson said he would like to find a way to discourage ANR plans. Attorney Bobrowski said the Town of Carlisle uses "Residential Compound" provisions with lots on shared driveways or private roads as an alternative to ANR development.

Member Lewis said the Board must balance aesthetic design issues with emergency vehicle access and the Police Chief and Fire Chief's public safety concerns

The Board discussed its previous "Small Project" regulations in effect in the 1980's. The provisions were removed from the subdivision regulations in 1990 after the Selectmen and Town Meeting accepted several private, sub-standard roads as public ways. Attorney Bobrowski said it must be made clear to homeowners that the private roads will never be accepted as public ways.

Attorney Bobrowski discussed the affordable housing requirements in the draft by-law. He said density bonuses should be limited to two-bedroom houses. He said the Board can require that a percentage of the units be affordable. The Board will discuss this aspect of the by-law in more detail on November 21, 2002 when members of the Groton Housing Authority will be present.

Member Wilson asked about architectural design review. Attorney Bobrowski said the Board must work with a good landscape architect and perhaps an architect to come up with good design guidelines.

Bob Pine said the Board should also consider the quality of the land to be set aside as open space and not just the number of acres. Attorney Bobrowski said the Board can inventory the features of the proposed open space to determine the quality of the land to be protected.

The Board and Attorney Bobrowski spent some time discussing the merits and pitfalls of the Major Residential Development provisions. The Board will continue this discussion on November 21, 2002 when all members are present. The Board will also discuss TDR's, phasing requirements, and affordable housing requirements at that time.

GMAC member Susan Horowitz asked Attorney Bobrowski's opinion of building permit caps. He responded that he has written a number of growth cap by-laws for other communities such as Templeton. He said such provisions can be used as an incentive for developers to do what the Town wants such as provide affordable housing and protect open space. Members of the Board supported exploring growth cap provisions in more detail.

Meeting adjourned at 10:30 PM

Respectfully submitted,

Michelle Collette
Planning Administrator

