

**GROTON PLANNING BOARD  
NOVEMBER 14, 2002  
MINUTES**

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

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

Members absent: Barringer

**PUBLIC HEARING (con't) - MILL RUN PLAN DEFINITIVE PLAN**

The Board continued the public hearing to consider the Mill Run Place definitive plan showing the realignment of Mill Street at its intersection with Route 119. Applicant Robert Walker of Ryan Development, Attorney Robert Collins, and many abutters were present.

Mr. Collins presented the plan which was revised to address the concerns raised in the letter dated July 10, 2002 from Town Counsel and the engineering issues in the report dated June 13, 2002 from Judith Nitsch Engineering, Inc. (JNEI).

Chairman Degen read the comments from the Water Department. He said JNEI should review the revisions to the plan to be sure all the engineering issues have been addressed.

Chairman Degen asked how the proposed relocation of Mill Street relates to the proposed Chapter 40B Comprehensive Permit application to be submitted for land on the other side of Mill Street. Mr. Collins said the affordable housing plan is not dependent upon the relocation of Mill Street. He pointed out where the R-A and B-1 zoning line is shown on the plan.

Member Lewis said the entrance to NEBS should be considered because this configuration could be dangerous without a traffic light.

Chairman Degen noted that Hannafords submitted a traffic report with its concept plan. Mr. Collins said the proposed use of the site is less intense, so the Board should not require a new traffic study. Chairman Degen said the Board's traffic engineer reviewed the traffic study and recommended that the NEBS access be taken into consideration.

Member Lewis asked what the distance is between the proposed relocation of Mill Street and the NEBS access. Mr. Collins said, "250 feet."

Chairman Degen asked whether MEPA review and a permit from Mass Highway are required. Mr. Collins said MEPA review is not required, and the applicant has a curb cut permit from Mass Highway. Chairman Degen asked for a copy of the permit from Mass Highway. In addition, the Board must have a report from JNEI on the revisions to the plan and comments from the public safety departments.

Connie Sartini asked about the width of the proposed road. Mr. Collins said it would be 50 ft wide.

Member Lewis asked about sidewalks. Mr. Collins said there are no sidewalks on Mill Street. Member Lewis said the Town needs sidewalks in this area.

Abutter Mark McCarthy asked about the approval process and requested that the Board require a new traffic study to determine the Level of Service for the proposed intersection. Mr. McCarthy asked what would happen to the land adjoining his frontage if Mill Street is discontinued. Mr. Collins said the parcels can be conveyed to the abutters or the Town can continue to own the fee. Mr. McCarthy said the Town should know the proposed use of the site before it determines road standards.

Abutter Linda Lieberg stated that the previous traffic study was based upon three lanes within a 60 ft wide right-of-way. This proposal has two lanes in a 50 ft right-of-way. She asked the Board to require another traffic study on the

revised proposal. She expressed concern about possible headlight glare on her house.

Member Wilson agreed that the Board does not know the context of the plan since it does not know the proposed use of the site.

Connie Sartini said she liked the proposed change in the road lay out because it will help address tractor-trailer traffic. This change is a positive benefit to Mill Street residents.

Brian Alcott suggested that Mill Street be moved to line up with the access to NEBS.

Mr. Walker said the plan has gone full circle . He said he would work to address the Planning Board's concerns.

Abutter Carrie Kneeland expressed concern about cars backing up and blocking access from Anthony Drive. She stated that sidewalks are needed. She asked who owns Mill Street. Chairman Degen said the Town does.

The Board voted unanimously to extend the deadline until January 31, 2003.

The Board voted unanimously to continue the public hearing on January 2, 2003 at 7:30 PM.

### **PRE-SUBMISSION REVIEW – MILL STREET PLAZA**

The Board met with applicant Robert Walker of Ryan Development and Attorney Robert Collins to discuss the proposed non-residential development of a parcel located at the intersection of Route 119 and Mill Street.

Mr. Collins said five separate buildings would be constructed with a total of 49,000 sq ft gross floor area. None of the buildings will exceed 10,000 sq ft. Each building will be situated on a separate parcel. A second entrance onto the site will be constructed from Mill Street. The applicant will address all issues during site plan review.

Member Perkins asked if the buildings would be condominiums or owned separately. Mr. Collins said the parcels will be owned separately, but the buildings will be condominiums with an association for landscaping, maintenance and plowing.

Member Wilson asked about parking requirements. Mr. Collins said the parking requirements for each building would be met with parking spaces around the perimeter of the building.

Member Eliot said part of the traffic study requirement is to analyze traffic flow, access and egress. She requested that all five buildings not look the same. Mr. Collins said they will have a "family" resemblance, but they will not be identical.

Member Clements asked if the day care center is still part of the plan. Mr. Collins said, "no."

Chairman Degen said he agreed with the access on Main Street but not with the one on Mill Street because the access on Mill Street would be used as a short cut.

Chairman Degen asked if there are five separate ANR lots, are five separate site plan approvals needed. Mr. Collins said he would address this issue in his submission materials.

### **PUBLIC HEARING (con't) – ROCKY HILL (WHIP-O-WILL LANE) DEFINITIVE**

The Board continued the public hearing to consider the Rocky Hill definitive plan submitted by Fox Meadow Realty Trust. Applicant David Moulton and Attorney Robert Collins were present.

Mr. Collins described the loop road configuration and clusters of housing. Soil testing on the site has been problematic. A special permit application will be submitted in the near future for the housing units consistent with the concept plan approved in September, 2001.

Member Eliot encouraged the applicant to cluster the housing and to site the houses as far away from Sandy Pond Road as possible. She also requested an emergency vehicle access connection through the adjacent Shaw's retail development.

Mr. Collins requested that the Board continue the public hearing until the special permit plan for the housing is submitted so the location of the roadway will be definite.

The Board voted unanimously to extend the deadline to March 30, 2003.

The Board voted unanimously to continue the public hearing on January 23, 2003 at 7:30 PM.

### **PUBLIC HEARING – SPECIAL PERMIT HIGH OAKS REALTY**

In accordance with the provisions of Chapter 40A, Sections 9 and 11, the Groton Planning Board held a public hearing to consider the application submitted by High Oaks Realty Trust for a special permit to utilize the provisions of Groton Zoning By-law Section 218-23D Shared Driveways to construct a shared driveway serving Lots 11 and 12 as shown on the plan entitled, "Proposed Common Driveway Plan in Groton, MA. Prepared for High Oaks Realty Trust", prepared by David Ross Associates, dated October 2002. The proposed driveway is located on Assessors Lot 247-53 on the easterly side of Old Dunstable Road.

Chairman Degen called the public hearing to order. Clerk Wilson read the notice published in the November 1 and 8, 2002 issues of *The Groton Herald*. Applicants Peter Bradley, Paul Bradley and Stephen Mullane, and Scott Medeiros of David E. Ross Associates were present.

Mr. Medeiros presented the plan to construct a shared driveway serving two lots off Old Dunstable Road. The driveway has already been constructed, and the Earth Removal Advisory Committee issued an Erosion and Sediment Control permit. The design complies with the shared driveway regulations. The maximum grade is 8%. The shared driveway provides safer access and is less detrimental to the environment than two individual driveways.

Member Lewis asked the distance to Blood Road. Mr. Bradley said about one mile.

Member Perkins asked if access is possible through the frontage of each lot as required in §218-23C, which states:

"A shared driveway shall not be adequate access except that, by special permit from the Planning Board, a shared driveway may be authorized to provide access to parking spaces on no more than three lots, provided that vehicular access to the buildable portion of each lot is possible from the street providing legal frontage to the lot, without reliance on the shared driveway."

Mr. Medeiros said it is possible, but the contours are steep.

Member Perkins noted that the site has been clear-cut. She asked whether the trees would be replanted. Mr. Mullane said the site was clear for construction of the sewage disposal system.

Member Lewis said this land is very steep. He asked if individual driveways could be constructed to meet the Town's driveway regulations. Mr. Medeiros said he has not done the design for individual driveways.

Member Perkins asked about the length and width of the shared driveway. Mr. Medeiros said it is about 500 ft long and 16 ft wide as required in the regulations. A guardrail will be installed along the steep slope.

Member Wilson asked if driveway construction exceeds the cut and fill limits. He expressed dismay at how this site has been destroyed for driveway construction. He said when the Earth Removal Advisory Committee walked the land, the Committee was not happy with the level of disturbance to the site.

Member Clements agreed and asked how steep the side slopes will be. Mr. Medeiros said the fill is 3:1 and the cut is 2:1. The driveway shown on the plan is different than what is on the ground today. The driveway will comply with the regulations when it is completed as shown on the plan.

Chairman Degen said the plan must meet the special permit criteria required in the Zoning By-law. He said he cannot vote in favor of the special permit because this site has been decimated.

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

Mr. Bradley said if they can construct two separate driveways, then why do they need a special permit for the shared driveway. Member Lewis responded that it is a requirement of the by-law that every lot must be accessible through its frontage.

Member Perkins said she would prefer a shared driveway constructed in conformance with the regulations rather than two individual driveways.

The Board voted unanimously to continue the public hearing on January 9, 2003 at 7:30 PM.

### **ACADEMY HILL DISCUSSION**

Attorney Ray Lyons met with the Board to discuss the MEPA review of the Academy Hill subdivision. He said the Natural Heritage and Endangered Species Program did not accept the proposed turtle tunnels. He requested that the Board consider a gravel emergency vehicle access road that would be gated at each end.

Members of the Board said they would prefer a shorter road system with houses clustered more closely together. In addition, the gravel through road may attract ATV's and cause more environmental damage.

Member Lewis said either the land can be developed or it cannot. The subdivision must meet both the local regulations and MEPA requirements. Mr. Lyons said he would like to work with the Planning Board so the plan addresses MEPA's concerns.

Member Clements said there are many issues to be considered including the number of dwelling units, the length of the road, and the migration of the turtles. He said if the through road cannot comply with the subdivision regulations, the developer can develop ten lots on a 1000 ft dead-end road.

The Board said any changes to the plan require a modification of the special permits and definitive plan. Chairman Degen said the Board needs more guidance from MEPA before proceeding with this matter.

### **PUBLIC HEARING (con't) – SPRINT TELECOMMUNICATION TOWER**

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

Mr. Lacey expressed concern that only members Barringer, Clements, Degen, Lewis, and Perkins had attended all of the public hearings and could vote on the special permit.

The Board gave Mr. Lacey the choice to proceed or to continue the hearing. Mr. Lacey decided to go forward.

The motion was made by Lewis to permit all members present to vote on the special permit decision as requested by the applicant. The motion was seconded and passed unanimously.

Mr. Lacey said the proposed tower has been moved 1000 ft toward the center of the property. The 120 ft monopole with external antennae will only be visible from Indian Hill. The alternative flagpole design cannot accommodate all carriers. Access to the site will be over an existing paved then gravel road so disturbance to the land will be minimal.

Member Clements asked about internal or flushed mounted equipment. Mr. Lacey said the carrier loses coverage with flush mounted and there is less potential for co-location as mandated in the by-law. The tower should be

designed to maximize the number of carriers.

Member Clements asked if the Board received David Maxson's report on the proposal. Planning Administrator Michelle Collette said, "no," the Board just received the revised plans this evening so Mr. Maxson had not reviewed them yet.

Member Eliot said she would prefer a 150 ft pole with flush mounted equipment instead of a 120 ft pole with standard equipment.

Chairman Degen said the Board could approve the 120 pole now with the option of extending it to 150 ft at a later date, subject to the grant of a new special permit.

Member Wilson said the balloon test and photo-simulations are based upon 120 ft not a 150 ft.

Mr. Lacey said the height of the proposed tower can be increased at a later date if the base structure is designed to support it, but a flagpole cannot increase in height at a later date. Planning Administrator Michelle Collette said the Board put a condition in the special permit for the tower on the Blood property that the base be constructed to support an extension to 150 ft.

Member Lewis said this is an excellent site with no visibility from surrounding areas. If the Board wants to maximize the number of carriers on one tower, it should include a condition like the one on the Blood property.

Member Eliot said she prefers flush-mounted equipment. Sprint's RF engineer said Nextel cannot use flush-mounted because they need two horizontally separated antenna.

Mr. Lacey said the 120 ft pole is designed for three carriers and it can be expanded to 150 ft for additional carriers if the base is designed to support maximum weight. He said flush mounting loses both coverage and capacity. Mr. Lacey said the Board could permit traditional installation for the carriers at or below 120 ft and flush mounted equipment for any carriers above 120 ft.

Chairman Degen asked if the equipment can be flush mounted at 120 ft. Sprint's RF engineer said a height of 130 ft is required for flush mounting.

Members Lewis, Perkins and Wilson said they had no problems with traditional equipment at 120 ft. Member Eliot said she prefers flush-mounted equipment at 130 ft. Member Clements said he prefers maximum capacity and maximum coverage which will result in fewer towers.

The Board voted unanimously to close the public hearing and to leave the record open for David Maxson's report. The Board announced that it will act on the special permit decision at its meeting on December 5, 2002.

### **ZONING REFORM WORK GROUP**

The motion was made by Wilson that the Planning Board join the Zoning Reform Work Group. The motion was seconded and passed unanimously.

Meeting adjourned at 11:00 PM

Respectfully submitted,

Michelle Collette  
Planning Administrator

