

**GROTON PLANNING BOARD  
JANUARY 2, 2003  
MINUTES**

Chairman Degen called the meeting to order at 7:00 PM in the Town Hall

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

**FY 2004 BUDGET**

The Board discussed its budget request for FY 2004. The Finance Committee requested that all departments level fund their budget. The Board decided to reduce the amount in the legal budget from \$20,000.00 to \$10,000.00 and to increase the amount in the consultant line item from \$5000.00 to \$10,000.00. This results in a reduction of \$5000.00 from FY 2003.

The motion was made by Perkins to submit the following budget request for FY 2004:

Salaries	47,892.00
Expenses	6,500.00
Engineering	15,000.00
Consultant	10,000.00
MRPC	2,249.00
Legal	10,000.00
<b>TOTAL</b>	<b>\$91,641.00</b>

The motion was seconded and passed unanimously.

**ACEC MEETINGS**

The Board received a letter dated December 19, 2002 from the Executive Office of Communities and Development regarding upcoming meetings on the recently designated Areas of Critical Environmental Concern. Informational meetings will be held on January 22 at the Townsend Town Hall and January 29 at the Groton Town Hall.

The motion was made by Wilson to appoint member Bruce Clements as the Planning Board's representative to the ACEC meetings since he was so actively involved in the nomination process. The motion was seconded and passed unanimously.

**ZBA PUBLIC HEARING – SHAW'S SUPERMARKET**

The Zoning Board of Appeals will hold a public hearing on January 8, 2003 to review Shaw's application for work in a Secondary Water Resource Protection District. Chairman Degen will represent the Planning Board at the public hearing.

**PUBLIC HEARING (con't) MILL STREET RELOCATION**

The Board continued the public hearing to consider the Mill Street Relocation definitive plan submitted by Ryan Development. Robert Walker of Ryan Development, Attorney Robert Collins, and many abutters were present.

Mr. Collins presented the revised plan which addresses all the items in the report dated June 13, 2002 from Judith Nitsch Engineering, Inc. (JNEI). He said the issues raised in the July 10, 2002 letter from Town Counsel have all been resolved.

The applicant is requesting waivers from the subdivision regulations including street trees, lighting, drainage, and cut and fill calculations because all these issues will be addressed during site plan review. Mr. Collins said he would submit a written request for all waivers.

Chairman Degen asked what will happen if the road is abandoned instead of discontinued since the notes on the plan only refer to discontinuation. Mr. Collins said they would put new notes on the plan to cover both situations.

Member Lewis said the area is subject to flooding from runoff from Route 119. He said the Board must have the required topographic survey and drainage calculations. Mr. Collins agreed to submit the information with the site plan.

Member Perkins asked if there are three lots or five lots shown on the plan. Mr. Collins said— there are five - the locus map must be updated.

Member Perkins asked if there are any wetlands on the site. Mr. Collins said, “no,” the Conservation Commission issued a negative determination.

Member Wilson asked what would happen with the proposed five lots in context with the overall plan. He asked if the land has more frontage on Route 119. Mr. Collins said the affordable housing proposal will encompass the residentially zoned land. Moving the road does not facilitate anything. The plan can go forward with or without the relocation of Mill Street.

Member Eliot agreed that the Board must look at the entire site. Mr. Collins said the Board is only reviewing the road at this time. The applicant submitted a site plan for the commercial development. An ANR plan must be submitted to change any lot lines in the future.

Member Lewis said the Board must know what else is happening in the area in order to evaluate the plan. Member Eliot said she supports the relocation, but the Board needs more information on development of the site.

Member Lewis expressed his concerns about the safety of the proposed intersection. He asked about the future use of the proposed lots shown on the plan.

Mr. Collins said the line on the plan is only academic because it makes the plan a subdivision and satisfies Town Counsel’s concerns. He suggested that the Board place a condition on the approval that there can be no use of Lots 1 and 2 on the plan.

Member Lewis said all lots must have access through their frontage under the Subdivision Control Law.

Mr. Collins said the plan was submitted to improve the intersection and to create a new right-of-way. Lot 1 has 13,000 sq ft area and its only frontage is on the relocated portion of Mill Street. The lot lines and notes on the plan are there to satisfy Town Counsel’s concerns.

Member Barringer asked where the frontage for Lot 3 is. Mr. Collins said on the existing Mill Street, but its frontage will only be on Route 119 in the future. Member Barringer said the Board should request a written opinion from Town Counsel on the revised plan. The Board agreed.

Chairman Degen said the engineer must be sure the zoning line shown on the plan is consistent with the Zoning Map. Member Lewis added that the land within the existing right-of-way of Mill Street is not in the B-1 District. Mr. Collins said the district can be extended 30 ft.

Chairman Degen read § 218-10E, which states:

“E. Where a district boundary line between a residential, business and/or manufacturing district divides any lot existing at the time such line is adopted, the regulations for the less-restricted portions of such lot shall extend no more than 30 feet into the more-restricted portion, provided that the lot has frontage in the less-restricted district.”

Member Clements asked how the proposed road relocation makes this project better. Mr. Collins said it does nothing for the project, but it makes the intersection safer. Member Clements asked why the applicant wants to do this. Mr. Collins said the applicant believes the project should be done correctly, and the dangerous intersection should be fixed. He said, at this point, the process of relocating Mill Street is becoming more of an impediment. The change

does not help the site, but it does help the Town by providing a safer intersection.

Chairman Degen noted that the applicant can go through the Board of Selectmen and Town Meeting to alter the layout of the road as stated in the July 10, 2002 letter from Town Counsel. Mr. Collins said he had this discussion with the Board more than a year ago. If the road is relocated under the subdivision process, the road will be bonded and there will be construction inspections through the Planning Board. The applicant is only trying to address safety issues.

Mr. Collins requested that the Board not require submission of drainage calculations for the Mill Street relocation. The drainage calculations will be submitted as required in Site Plan Review for the commercial development. The drainage system will be located on the commercial site.

Chairman Degen said the Town must have an easement for the drainage system. There are no drainage controls in place today, so the proposed drainage system must accommodate all the surface water flow from Mill Street.

Chairman Degen read the comments from the Groton Water Department.

Abutter Carrie Kneeland asked if Lot 3 has frontage on Route 119 and Anthony Drive. Mr. Collins said, "yes."

Carrie Kneeland asked about sewer capacity with the proposed plan. Chairman Degen said that will be discussed during site plan review.

Abutter Mark McCarthy asked if the B-1 District line will change to the centerline of Mill Street if this plan is approved. Mr. Collins said the zoning district line can only be changed by a 2/3 vote of Town Meeting. Chairman Degen said the Board will ask Town Counsel for an opinion.

Mr. McCarthy said he has an easement on the Kelley property for his sewer line. Mr. Collins said this will not be changed by the plan.

Abutter Lillian Alcott said she saw no reason to change the configuration of the road. This is a historical area, and many other roads in Town intersect at a similar angle.

Member Lewis said he agreed that the configuration of the road should not be changed unless there are accident statistics to support it. The Board will ask the Police Department for the accident count at the intersection of Main and Mill Streets.

Mill Street resident Connie Sartini said changing the intersection will benefit the neighborhood by reducing tractor-trailer truck traffic. Trucks on Mill Street create a public safety risk. She said she is very supportive of the proposed change. Member Lewis said trucks are forced to use Mill Street because of the height of the bridge over Route 119. Connie Sartini said trucks began using Mill Street when the Pleasant Street bridge was closed for reconstruction. Chairman Degen suggested that the residents ask the Board of Selectmen to post "no trucks" on Mill Street. Residents said they have tried.

The Board voted unanimously to extend the deadline to February 21, 2003 as requested by the applicant.

The Board voted unanimously to continue the public hearing on February 13, 2003 at 7:00 PM.

### **SITE PLAN REVIEW – MILL RUN PLAZA**

The Board began its review of the Mill Run Plaza site plan. Robert Walker of Ryan Development, Attorney Robert Collins, and many abutters were present.

Chairman Degen read the comments from the Board of Health, the Water Department and the Police Chief.

Mr. Collins presented the plan to construct five, 9800 sq ft buildings in the business-zoned area between Mill Street and Main Street. The commercial development will be served by two access roads on Route 119. Parking areas will

be constructed around each building. Landscaped buffers and green areas will be provided. The uses will be small retail or services businesses. The buildings will be similar in design with subtle architectural differences.

Member Barringer asked if drainage calculations and a photometric diagram had been submitted with this Level II site plan. Mr. Collins said, "no," but they will be.

Member Barringer asked about the drive-through shown on the plan. Mr. Collins said it will be either a bank or a pharmacy since zoning prohibits drive-through windows serving food or beverages.

Member Barringer asked about cut and fill calculations. Mr. Collins said they can work within the existing grades as shown on the plan.

Member Clements asked if all the buildings are single-story. Mr. Collins said, "yes," they will be similar in size to the CVS building on Boston Road.

Member Eliot said she liked the two access roads on Route 119, but she would like to see more shrubs to screen the parking lot. She said the signs should be located so they do not block sight distance. She requested that there be as much architectural detail as possible. The rear sides of the buildings will be very visible from Mill Street and Arlington Street. She requested that the applicant submit architectural elevations of all four sides of the proposed buildings.

Member Eliot asked about visibility in the area. Mr. Collins said the traffic study has been updated and will be submitted to the Planning Board.

Member Wilson said he likes the plans so far including the architecture, access and circulation. He said he would like to see more landscaping around the perimeter of the site because the view from the street is very important. He agreed that the view of the rear of the buildings is an important consideration and he would like to see the facades for all sides of the buildings.

Member Wilson expressed concern about the short distance of the southerly access road to the site. He asked if cars will back up onto Route 119.

Member Perkins asked if there are any monitoring wells on the site. Mr. Collins said none are active. Carrie Kneeland said new wells have been installed during the past year.

Member Perkins said vertical granite curbing is required in the site plan review regulations, and the dumpster must be screened. Mr. Collins said the details are shown on the plan.

Member Lewis said storage of other materials in the dumpster area can be very unattractive. He asked how outdoor storage will be handled. He added that lighting and drainage are both important issues. He asked if snowplowing will be a problem.

Member Eliot asked if the amount of impervious surface exceeds what is allowed in the by-law. Mr. Collins said, "no."

Member Lewis said the HVAC equipment on the roofs must be screened appropriately. Any units located on the ground must be locked for safety reasons. He said the neighbors must be protected from any headlight glare. He agreed that back up of traffic onto Route 119 may be a problem and would like an opinion from JNEI.

Chairman Degen expressed concern about the building closest to Route 119 because the rear of the building will face the street. Mr. Collins said he would submit building facades for the Board's review.

Chairman Degen said the dumpsters are not in a convenient location, and they must be screened. He asked how the Board can approve the site plan without knowing the proposed use of the space. Mr. Collins said the parking space

calculations are based upon a retail type of use so there will be more parking spaces than necessary. The applicant has a general idea about what the uses will be but it is not certain at this time.

Chairman Degen asked Sewer Commissioner Karl Johnson for his comments on sewer capacity. Mr. Johnson said the applicant has not met with the Sewer Commission about the proposed plan. Mr. Collins said these are separate issues. Chairman Degen urged the applicant to meet with the Sewer Department.

Chairman Degen said the traffic study must be based upon the proposed use of the site. Member Wilson said if the applicant does not know the specific use at this time, the traffic study should be based upon the most intense use. The Board agreed that all site plan review and parking requirements should be based upon the most intense permitted use of the site.

Member Lewis expressed concern about traffic flow within the interior of the site and pedestrian safety.

Chairman Degen said traffic flow should be based upon retail uses. He said landscaping should be used to screen headlight glare. The quantities, size, and plant species should be shown on the plan.

Member Clements asked if an increase in sewer capacity is required for this project. Mr. Collins said, "We do not think so."

Member Barringer asked if there will be lighting on the buildings as well as in the parking lot. Mr. Collins said the applicant will submit a photometric diagram.

Member Barringer asked about stormwater retention. Mr. Collins pointed out the retention pond on the plan. Member Barringer asked if the pond will be fenced. Mr. Collins said, "no," the side slopes will be very gentle.

Member Lewis asked if there will be a sidewalk along Route 119. Mr. Collins said, "no," the site is too far from the Town's sidewalk system. The Board responded that pedestrian access and sidewalks are very important particularly with the close proximity of site to the DEM rail trail.

Member Barringer asked about the size of the units. Mr. Collins said most of the units will be about 2000 to 3000 sq ft.

Elizabeth Holwech, representing the Groton Business Association (GBA) and Century 21 Real Estate, said the GBA approached Mr. Walker on the use of the site after the Town Meeting vote defeating Hanniford's concept plan. The GBA requested that Mr. Walker do something for local businesses at this site. They do not know exactly who the tenants will be at the present time, but the project will be good for small businesses in Groton.

Karl Johnson asked if all the rooflines will be the same. Mr. Collins said they will vary with the topography of the site.

Abutter Mark McCarthy said he is concerned about the parking spaces facing Mill Street creating glare onto abutting properties. He requested that more landscaping be provided along Mill Street. He asked to see details on fencing and how the dumpsters will be screened. He suggested that the photometric diagram be run out to a value of zero.

Carrie Kneeland asked if there will be any restaurants. Mr. Collins said, "no." She said a restaurant would require more sewer capacity and more parking.

Member Lewis said if there is a change of use in the future, the applicant must submit a new site plan to the Planning Board for site plan review.

Member Eliot said she did not think there should be a sidewalk along Mill Street if there are internal sidewalks. Mr. Collins agreed.

Member Lewis said the neighborhood is growing and people may want to walk to this area. Member Wilson said

pedestrians should not have to walk along Mill Street.

Carrie Kneeland asked about monitoring wells on this site. Mr. Collins said there are no active monitoring wells at this site.

Carrie Kneeland asked if the project must be approved by MEPA. Mr. Collins said MEPA review is not required.

Abutter Mary Durham expressed concern about the number of dumpsters near residential areas, noise from HVAC units, and lighting. She said she would like a sidewalk along Mill Street because walking along Mill Street can be very dangerous. She requested that landscaping include evergreens.

Abutter Jane Bouvier said people should not be encouraged to walk on Mill Street because it is so dangerous.

Karl Johnson suggested constructing the sidewalk on the other side of Mill Street.

The Board voted unanimously to continue the site plan review on February 13, 2003 at 7:30 PM.

### **SITE PLAN REVIEW – GROTON SCHOOL PERFORMING ARTS CENTER**

The Board reviewed the site plan submitted by the Groton School to construct a new performing arts center. Attorney Robert Collins, architect Joseph Lauer of Linbeck/Kennedy and Rossi, and engineer Steven Garvin presented the plan.

Mr. Collins said the site plan is for an exempt use under the provisions of Chapter 40A, § 3, because it is an educational use. He said the performing arts center will be located near the intersection of Farmers Row and Shirley Road. The campus atmosphere will be extended to this area.

Architect Joseph Lauer said the theater will contain 300 seats, a 150-seat balcony, and lobby for receptions. The facility will be used for students and faculty. He showed the Board the architectural elevations.

Engineer Steven Garvin said the plan shows a parking lot with 17 spaces including two handicapped accessible spaces. The gate at the entrance on Farmers Row will be relocated, and there will be an access road around the building. Water mains must be re-routed to accommodate this construction.

Member Lewis asked whether Town water or a fire cistern will be used for the sprinkler system. Mr. Garvin said town water will be used.

Member Eliot asked about the height of the building. Mr. Collins said, "61 ft." Chairman Degen asked what the height of the chapel is. Mr. Collins said, "65 ft."

Member Eliot asked if the building will be visible from Farmers Row. Mr. Collins said it will be set back about 250 ft.

Member Perkins asked about the landscaping plan. Mr. Collins said Childs Associates prepared a landscape plan, which will be submitted to the Board.

Member Lewis said the color of the bricks makes a big difference with the visibility of the building from the road.

Member Barringer asked if the fly wall is brick. Mr. Collins said it is part brick and part stucco.

Chairman Degen asked the square footage of the building. Mr. Lauer said it will be 30,000 sq ft with a 450-person capacity.

Chairman Degen read comments from the Police Chief, Fire Chief, and Water Department.

Member Perkins said it is important for the Fire Chief to determine that access to the building is adequate for fire

trucks.

Member Barringer asked about lighting. Mr. Collins said minimal lighting will be used, and no building lights are proposed.

Chairman Degen asked how many parking spaces there are on the campus. Mr. Collins said he did not know the total, but he would provide that number to the Board. However, there is always sufficient parking for community events at the campus.

Member Eliot said she would like to see mature trees planted to screen the fly wall. Mr. Garvin said there is a very sizeable beech tree there today. Member Eliot said she would like to see more trees planted. Mr. Lauer said the road will be relocated and trees will be replanted.

Member Lewis asked the applicant to submit a planting plan. Mr. Collins agreed and asked the Board to continue the review until after the Historic District Commission hearing on February 18, 2003.

Planning Administrator Michelle Collette said the Groton Electric Light Department would like to meet with the applicant about providing new lines or relocating the existing ones. Member Eliot requested that the Groton School install the utilities underground.

The Board voted unanimously to extend the deadline to February 28, 2003 as requested by the applicant.

The Board voted unanimously to continue the site plan review on February 20, 2003 at 7:00 PM.

Very truly yours,

Michelle Collette  
Planning Administrator

