

**GROTON PLANNING BOARD**  
**JUNE 26, 2003**  
**MINUTES**

Chairman Barringer called the meeting to order at 7:00 PM in the Town Hall  
Members present: Barringer Clements, Degen, Eliot, Perkins and Wilson  
Member absent: Lewis

**MEETING WITH PARK COMMISSIONERS**

The Board met with Park Commissioners Donald Black and Jeffrey Ohringer to discuss how the Planning Board could help meet the Park Department's needs. Mr. Black said the need for good fields has been addressed. Groton now has some of the best playing fields in the area, and the Larter field in Dunstable has helped meet the need for this area. Mr. Black said the Park Department's wish list includes:

- baseball diamond groomer
- power leaf rake
- lacrosse field
- walking track
- repair Town field behind the library
- a recreation area in the Lost Lake neighborhood
- lighting the fields at Cow Pond Brook, Lost Lake Drive, Town field, and Cutler field
- batting cages for baseball and softball

Mr. Black said, as new developments are approved, the Town must think about expanding its recreation programs. It makes sense to maintain and expand existing areas and to create new ones.

Member Perkins asked the Park Commissioners to submit cost estimates for the items it needs as well as size requirements for fields and other facilities.

Mr. Ohringer said the donation of time and equipment is also appreciated. He noted that volunteers did all the work at the Cow Pond Brook area with donations from the soccer club.

Member Wilson asked the Park Commissioners to submit a written list of its needs including land and equipment.

**PUBLIC HEARING (con't) – ROCKY HILL DEFINITIVE PLAN/SPECIAL PERMITS**

The Board continued the public hearing to consider the Rocky Hill definitive plan and special permit applications submitted by Fox Meadow Realty Corporation. Applicant David Moulton, Attorney Robert Collins, and engineer Drew Garvin of R. Wilson Associates were present.

Attorney Collins said Mr. Moulton purchased the Drubin's house on Route 119 so the subdivision road can be relocated. The new road location eliminates the need for the cut and fill waiver and will address Natural Heritage and Endangered Species Program (NHESP) issues. The required 100 ft vegetated buffer from Route 119 will be increased to 150 ft. Parking will be provided for public access to the land to be donated to the Massachusetts Audubon Society.

Chairman Barringer read the letter dated June 16, 2003 from the Groton Dunstable School District requesting the donation of 10 to 14 acres for a new school. Mr. Collins replied that the site is very, very tight. The applicant donated land to the Groton Electric Light Department and the Groton Water Department. The remaining land should be preserved as open space as shown on the concept plan approved by Town Meeting.

Member Degen requested that the applicant consider moving the two lots across from Shelters Road to the internal portion of the site. He asked if any waivers are required for the new road location. Mr. Garvin said, "no."

Member Degen cautioned the applicant to be careful with the drainage system and the impact on the wetlands near the

cul de sac.

Member Wilson said he agreed that the new road is a much better location. He agreed that the two lots should be moved to the interior of the site.

Member Clements said the applicant is wise to resolve all the environmental issues before moving forward with this plan.

Member Eliot requested that the applicant move the Drubin's house away from Route 119 to maintain the 100 ft buffer. Mr. Collins said instead of moving the house, they will change the access from Route 119 to the new subdivision road. Member Eliot said this is an opportunity to move an ANR lot away from Route 119.

Mr. Collins said this is an 80-year old cottage that will be restored. Preserving this as a modest house is a positive aspect of the plan. Member Wilson asked about the architectural design of the new houses. He suggested that the houses take a cue from this existing house.

Member Perkins asked about drainage easements. Mr. Collins said the plan would be revised and resubmitted.

Member Perkins asked if the 100-ft buffer around the wetlands would be restricted to prevent future encroachments. Mr. Collins said they are discussing a number of methods with NHESP.

Mr. Moulton stated that Brian Butler found only one turtle on the site. NHESP is not very concerned because a large amount of open space will be donated.

Member Perkins suggested that the Board do a site walk to view this new section of roadway. The Board agreed to walk the site on Saturday, August 16, 2003 at 8:00 AM.

Leslie Lathrop asked that the Four Corners area be designated as a village area similar to the Town Center, West Groton, and Lost Lake. She offered to provide data for the Planning Board's consideration. The Board responded that it would consider any supporting information she would like to submit.

Member Clements asked what the advantage would be to designating the area a village. Ms. Lathrop said the area would have standing in the Comprehensive Master Plan.

The Board voted unanimously to extend the deadline to September 20, 2003.

The Board voted unanimously to continue the public hearing on August 21, 2003 at 7:00 PM.

### **HAYDEN ROAD/MADELINE DRIVE**

The Board met with residents of the Carmichael Estates II subdivision to discuss landscaping details. Member Degen, Highway Surveyor Tom Delaney, and Planning Administrator Michelle Collette walked the site to prepare a list of street trees to be planted in the fall.

Resident Philip Chu said the residents agreed with the plantings recommended by Member Degen. Resident Janet Fedyk submitted a written list of trees for the Board's consideration. She added that the residents prefer that there be no street lights in the cul de sac, but they would prefer to have decorative lights if street lights are necessary. She asked if the bond could be used to pay the additional cost of the decorative lights.

Member Degen noted that the planting plan includes many more trees than specified on the subdivision plan or in the bond.

The motion was made by Wilson to accept the street-tree planting plan described in the e-mail dated June 26, 2003 from Janet Fedyk. The motion was seconded.

The motion was made by Degen to amend the motion by adding that the bond can be used to pay:

- the additional cost of the decorative street lights provided that the cost not exceed \$6000.00 and that the light fixture is approved by the Groton Electric Light Department;
- to repair damaged sprinkler heads at a cost not to exceed \$100.00 per head.

*The motion to amend was seconded and passed unanimously.*

*The main motion was seconded and passed unanimously.*

#### **SITE PLAN REVIEW, BULLDOG REALTY TRUST**

The Board received a request to extend the deadline and continue the site plan review for Bulldog Realty Trust's multifamily project at 14 Station Avenue.

The motion was made by Wilson to extend the deadline to July 31, 2003 as requested by the applicant. *The motion was seconded and passed with Barringer, Clements, Eliot, and Wilson in favor; Degen opposed; and Perkins abstaining.*

The motion was made by Wilson to continue the site plan review on July 24, 2003 at 9:00 PM. *The motion was seconded and passed with Barringer, Clements, Eliot, Perkins and Wilson in favor; Degen opposed.*

#### **PUBLIC HEARING (con't) – SURRENDEN FARMS DEFINITIVE PLAN**

The Board continued the public hearing to consider the Surrenden Farm definitive plan submitted by Farmers Row, LLC. Applicant Joseph Falzone, design engineer Lawrence Beals, Attorney Mark Johnson, and Attorney Ray Lyons were present.

Mr. Beals said they received the JNEI report that afternoon. JNEI's recommended changes are very insignificant. Mr. Beals submitted revised survey plans at the meeting. He said a structural engineer would design the bridge as required by JNEI. The plan shows a maximum grade of 3:1 for the swales, but they will be installed with 4:1 side slopes.

Chairman Barringer read the comments from the Water Department and from the Board of Health.

Board of Health Chairman Susan Horowitz questioned why there would be so much earth would be removed to remediate arsenic in the soil rather than the soil-mixing method that was described to the Board of Health during the preliminary plan stage. She said the Board of Health does not want any soil moved until the Board of Health checks with its toxicologist and LSP.

Member Eliot said she would like to see the revised plan since there are very significant waivers being requested by the applicant. She said she must she Ayer's approval of the bridge construction before voting on the definitive plan.

Mr. Lyons said the bridge in Ayer is on a Town road and all the Ayer departments have signed off on it. Member Eliot said she would like JNEI to review the design for the bridge in Ayer.

Chairman Barringer asked Mr. Beals to explain the revisions to the plan. Mr. Beals said the lot closet to Farmers Row was moved as requested by the Planning Board. The house and driveway will be on the lot with the apple orchard. Sight lines are shown on the plan showing the view from the open field on Farmers Row.

Member Degen asked about access adequacy for Shirley Road and the Hunt Club Meadows plan. Planning Administrator Michelle Collette said the Board determined that access was adequate at for the Hunt Club preliminary plan and for the ANR lots on Shirley Road.

Member Degen requested that the trees to the south of the development be preserved to provide a buffer for the residents on Amandrey Way in Ayer. Mr. Lyons said the trees could be preserved with a variance to allow more than ten units on a shared driveway.

Member Degen asked if the Ayer Conservation Commission had approved the detention basin in Ayer. Mr. Beals said they moved the pond so it is outside of the buffer zone. A Notice of Intent is not required.

The motion was made by Degen that the Planning Board request comments from the Town of Ayer on the reconstruction of the bridge and the detention basin in Ayer. The motion was seconded.

Attorney Mark Johnson said they met with the Ayer Planning Board regarding the ANR plan for lots in Ayer, and the Ayer Conservation Commission and DPW for the reconstruction of the bridge.

Member Degen amended his motion to let Ayer know about the proposed 130-unit development in Groton.

Member Wilson asked if the Ayer Planning Board had seen the 130-unit plan in Groton. Mr. Beals said, "yes."

***The motion passed with Barringer, Clements, Degen, and Wilson in favor; Eliot abstaining.***

Mr. Lyons said it is very difficult to get any documents from the Town of Ayer because they are undergoing staff changes.

Mr. Falzone said he has received all the required approvals in Ayer and all appeal periods have expired.

Member Eliot said the Board must be sure JNEI has reviewed all the engineering issues. She suggested that the Board ask its engineer to attend the next public hearing. The Board agreed.

Member Degen said the soil to be donated to the Park Department should be delivered and stockpiled at the Cow Pond Brook fields as requested by the Park Commissioners.

Chairman Barringer asked about the line of sight and the location of the new farmhouse. Mr. Beals said the house would be 15 ft lower than Farmers Row. The architectural style will be a traditional farmhouse and barn.

Member Clements asked who would maintain the detention basins. Mr. Beals said the homeowners association would be responsible for maintenance. The Town of Groton and the Town of Ayer will both hold funds in escrow to be sure the drainage system is maintained.

Mr. Smoske of Amandrey Way expressed concern about runoff from flooding. Mr. Beals explained the how the drainage system was designed to have no increase in runoff as required in the regulations.

Mr. Smoske asked about noise from the clubhouse area. Mr. Beals said this area is for residents 55 years old and older so it should not be too noisy. Member Degen suggested that the clubhouse be moved if the ZBA grants the variance for more than ten units on a driveway.

Curtis Hyatt of Amandrey Way said constructing a farmhouse in the open space area goes against the intent of the special permit. Mr. Beals said the intent is to keep the land in agricultural use. The house and barn were moved to this lot so it would be less visible from Farmers Row. Mr. Falzone offered to submit architectural design plans to the Planning Board for its review.

Chairman Barringer said the house and barn would look more natural in the field rather than on an individual lot on Farmers Row.

***The Board voted unanimously to continue the public hearing on July 10, 2003 at 7:30 PM.***

#### **COMMENTS TO THE ZBA - WASHINGTON GREEN**

The motion was made by Degen to request that the ZBA send the developer of the Washington Green 40B project to the Planning Board so the Board can provide the ZBA with comments. ***The motion was seconded and passed***

*unanimously.*

### **COMMENTS TO MEPA - MILL RUN & GROTON RESIDENTIAL GARDENS**

The motion was made by Wilson to submit comments to MEPA on the Notice of Project Change for Mill Run Plaza and Groton Residential Garden requesting that MEPA require an Environmental Impact Report. *The motion was seconded and passed unanimously.*

### **WOODLAND PARK PERFORMANCE BOND**

The motion was made by Degen 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 \$91,026.99 to cover the items contained in the attached report dated May 28, 2003 from Judith Nitsch Engineering, Inc. (JNEI). *The motion was seconded and passed unanimously.*

### **SAWTELL DRIVE PERFORMANCE BOND**

The Board received a letter dated June 26, 2003 from Town Counsel Deborah Eliaison regarding the release of the performance bond for the Caldwell Smith subdivision.

The motion was made by Degen to deny the release of the performance bond for the Caldwell Smith subdivision as requested by Lewis Lunn of LL&S Development. The Board will not release any funds unless the Board receives the following:

1. An order of the Bankruptcy Court stating that the funds may be released;
2. Authorization from the individual or entity that posted the bond that funds may be released to Mr. Lunn's brother;
3. Confirmation that the bond release request complies with the requirements of GL Chapter 41, § 81U.

*The motion was seconded and passed unanimously.*

### **SITE PLAN REVIEW – A.L. PRIME**

The motion was made by Wilson to extend the deadline for the A. L. Prime site plan review to August 31, 2003 as requested by the applicant. *The motion was seconded and passed with Barringer, Clements, and Wilson in favor; Degen oppose; Eliot abstaining.*

Meeting adjourned at 11:00 PM

Respectfully submitted,

Michelle Collette  
Planning Administrator

MC/lg

