

GROTON PLANNING BOARD
JULY 24, 2003
MINUTES

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

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

Member absent: Lewis and Wilson

PUBLIC HEARING (con't) –ACADEMY HILL MODIFICATION

The Planning Board held the continuation of the public hearing to consider the Academy Hill definitive plan modification. Attorney Louis Levine and applicant Bruce Wheeler were present.

Attorney Levine requested that the Planning Board extend the deadline and continue the public hearing until all seven members would be present.

The motion was made by Perkins to extend the deadline to September 30, 2003 as requested by the applicant. *The motion was seconded and passed unanimously.*

The motion was made by Perkins to continue the public hearing on September 11, 2003 at 7:30 pm. *The motion was seconded and passed unanimously.*

ATTORNEY GENERAL APPROVAL

The Town Clerk received a letter dated July 23, 2003 from the Attorney General approving the zoning amendments, zoning maps, and rezoning of land on Lowell Road. The Attorney General's approval required the elimination of one sentence regarding incomplete applications in the Water Resource Protection Districts provisions.

The new Zoning Maps and Water Resource Protection District maps are available for sale to the public. Planning Administrator Michelle Collette said the cost to produce each map is \$10.00. She asked the Board to determine the sale price for the maps including maps that are given away for public purposes. The motion was made by Perkins to charge \$15.00 each for Zoning Map and Water Resource Protection Districts map. *The motion was seconded and passed unanimously.*

RIVERCOURT RETAINING WALLS

Member Degen said he is very concerned about the stability of the retaining walls at the Rivercourt facility. The approved site plan does not show the walls or construction details. The Planning Board sent a memorandum dated June 13, 2003 to the Building Inspector regarding the need for structural engineering certification. The Building Inspector responded to the Board's concern on June 16, 2003 stating that he relied on affidavits submitted by the design engineer.

Member Degen suggested that the Board call the site plan in for a modification to require sign-off by a structural engineer. He noted that the walls must be sound enough to support fire trucks and other emergency vehicles.

Chairman Barringer suggested talking to the Building Inspector about it first. Member Degen said he had done so. Member Perkins suggested sending a request to the owners, Capstone Properties, explaining the Board's concerns and asking for a structural engineer's certification. The Board agreed.

The motion was made by Perkins to send a letter to Capstone Properties explaining the Planning Board's concerns about the retaining walls and requesting a copy of the structural engineer's certification on the walls as constructed. If the certification is not received, the Board will call the site plan in for modification. *The motion was seconded and passed unanimously.*

DEER HAVEN SUBDIVISION

The Board received a request to reduce the performance bond in the Deer Haven subdivision. However, the Board did not receive an estimate of the cost to complete from Judith Nitsch Engineering, Inc. (JNEI) yet.

Member Perkins suggested that the Board send developer David Moulton a letter requesting that he attend a Planning Board meeting to discuss the affordable housing requirements. Planning Administrator Michelle Collette said a conservation restriction must be submitted for the open space (Parcel C) to be owned by the homeowners association. The Board agreed.

(Member Eliot arrived.)

SITE PLAN REVIEW – GIBBET HILL RESTAURANT

The Board considered the site plan submitted by Gibbet Hill Farm, LLC for construction of a restaurant and function hall on Lot 5, Lowell Road (Assessor's Map 116, Parcel 3). Applicants Nancy Webber and Joshua Webber, and design engineer Lawrence Beals were present.

Mr. Beals described the plan to convert two existing barns to a 200-seat restaurant and 200-seat function hall. Parking will be located on the westerly side of the buildings to preserve the views from Gibbet Hill. The entrance on Lowell Road will be reconfigured to be sure the sight distance is sufficient. The Zoning By-law requires a total of 405 spaces. There will be 173 paved spaces in the parking lots with 24 additional "overflow" spaces available on site.

Josh Webber noted that Groton's by-law requires more parking spaces for this type use than any of the surrounding communities except Chelmsford. Six parking spaces are required for the existing house, so there will be 167 spaces available for the restaurant and function hall.

Mr. Beals said the parking lot would drain to a vegetated swale in the center of the parking lot. The applicant will request a waiver of the vertical granite curbing required in the regulations.

Mr. Webber showed the Board architectural elevations and interior plans designed to maintain the farm-like character of the site. He said they would prefer to use "star-pack" rather than pave the parking lots.

Chairman Barringer read the comments from the Groton Water Superintendent.

The Board also received a report dated July 23, 2003 from JNEI. Mr. Beals said they would prepare a response to the items in the JNEI report.

Member Perkins asked the width of the access road. Mr. Beals said it would be 24 ft wide. Member Perkins reiterated the Board's concerns about sight distance on Lowell Road. Mr. Beals said the sight distances would be improved to address the Board's concerns.

Member Perkins asked about the total number of parking spaces. Mr. Webber said there would be 173 spaces plus 24 reserve spaces.

Member Perkins asked about access for the disabled. Mr. Beals pointed out the parking spaces and walkways on the plan.

Member Perkins asked if there would be problems with oil from cars if the parking lot is not paved. Mr. Beals said the site is glacial till and does not drain well. The dense-graded gravel is close to impervious. The drainage system must comply with Stormwater Management Regulations.

Member Eliot asked if the applicant is requesting a waiver of the paving requirement. Mr. Beals said, "yes."

Member Eliot expressed concern that the unpaved surface may be very dusty in dry weather. Member Degen said it must be treated with calcium chloride, especially during July and August.

Member Eliot asked about trash disposal. Mr. Beals pointed out the location of the dumpsters in the rear of the building.

Member Eliot asked if a traffic study will be done. Mr. Beals said they will address the sight distance issues, but traffic flows are not a critical issue.

Member Eliot said she liked the shade trees shown on the plan. She requested that the parking lot be screened from Lowell Road. She said she did not have a problem granting a waiver to allow the gravel parking lot as long as it does not set a precedent.

Member Clements agreed with the waiver because it will keep the site as natural as possible. He asked if the pond is on this site. Mr. Webber said part of the pond is on the site of the restaurant.

Member Degen requested that the applicant submit a list of the requested waivers. He said he did not have a problem with the use of “star-pack”, but it could create problems for the vegetated swales in the center of the parking lot. The applicant will have to repair the swales and replace plantings if the system becomes clogged with gravel. He recommended using curbs to prevent the gravel surface from reaching the swales.

Member Degen stated that the spaces in the overflow parking area should be waived altogether. This is not a good location for cars to park. Mr. Webber said the overflow spaces are there so people will not park on Route 40.

Member Degen asked about snow storage on the site. He asked that the applicant submit a limited traffic study with afternoon/evening traffic counts, sight distance improvements, and an assessment of the intersection of Routes 40 and 119.

Member Perkins said it is important to have the Fire Chief’s comments on the site plan. Mr. Beals said they will meet with the Fire Chief and other public safety officials.

Chairman Barringer said the applicant should submit a response to the JNEI report dated July 23, 2003, a lighting plan with photometrics, and proposed maintenance plan for the gravel parking lot and drainage system.

Member Clements asked if there would be any outside seating. Mr. Webber pointed it out on the site plan.

Member Degen asked if any retaining walls will be constructed. Mr. Webber said, “no.” They plan to remove the existing walls.

Member Degen asked how parking spaces will be delineated if the parking lot has a gravel surface. He suggested using curb stops to delineate parking spaces. Member Eliot said she does not want to see any lines or other delineation if the surface is gravel.

The motion was made by Degen to require that the applicant submit a limited traffic study with afternoon/evening traffic counts, sight distance improvements, recommendations of the intersection of Routes 40 and 119, and recommendations on possible turning lanes on Route 40 at the entrance to the site. ***The motion was seconded and passed unanimously.***

Mr. Beals asked the Board if the applicant could use Gary Hebert of Fay, Spoffard and Thorndike. The Board agreed since FST is not currently working on any projects for the Town.

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

PUBLIC HEARING (con’t) – BROOKS ORCHARD

(Member Degen stepped down because he is an abutter.)

Since there were only four voting members present, the Board voted unanimously to continue the public hearing on August 7, 2003 at 8:30 PM.

SITE PLAN REVIEW – SURRENDEN FARM LOTS 8 & 9

The Board continued its review of the site plans for Surrenden Farm Lot 8 (age-restricted housing) and Lot 9 (single-family condominiums). Applicant Joseph Falzone, engineer Lawrence Beals, Attorney Mark Johnson, and Attorney Ray Lyons were present.

Lot 8 - Mr. Beals presented an alternative plan for Lot 8, which requires a variance from the Zoning Board of Appeals (ZBA). A driveway will serve more than ten dwelling units, and the separation between driveways will be less than 200 ft as required in the Zoning By-Law. The alternative design moves the clubhouse, condenses the housing, and saves the tree line.

Member Eliot said the alternative plan is a great improvement over the previous plan. She said she supports the applicant's request for a variance.

Member Degen agreed as long as the clearing limitations are shown on the plan to ensure that the vegetated buffer remains in place.

The motion was made by Eliot to recommend that the ZBA grant the variance for the alternative plan because it results in better traffic circulations, larger vegetated buffers, and more flexible design options. In addition, the alternative plan will save the wooded area, which provides better screening for the abutters. The Board will note that site plan review is required for the alternative design. *The motion was seconded and passed unanimously.*

Lot 9 – Mr. Beals described the 25 single-family condominiums units near Shirley Road. The “Neighborhood in a Box” architectural design of these units was presented to the Board during the special permit process. Stormwater management will be in accordance with the approved definitive plan including a retention basin on Lot 9. Landscaping will include trees that will not exceed 15 to 20 ft in height at maturity.

Member Degen asked if any dumpsters would be installed. Mr. Beals said, “no,” these will be single-family homes. The only dumpsters on site will be during construction.

Member Degen asked how many different housing designs will be used. Mr. Falzone said between four and eight.

Member Degen asked if sidewalks will be constructed along the shared driveways. Mr. Beals said, “no.” Member Degen said these are very long driveways. Sidewalks may be needed for the children who will live here. Mr. Falzone said there is not enough room to construct sidewalks on the same side as the houses. Member Degen asked how wide the driveways will be. Mr. Beals said 18 ft. Member Degen asked if the driveways could be 18 ft wide with a 3 ft crusher-run sidewalk. Mr. Beals said it would be difficult because the open drainage swales run along the driveways.

Member Eliot asked if there will be stop signs at the intersections. Mr. Beals said, “yes.” Member Eliot reiterated her concerns about traffic flow on Shirley Road.

Member Degen said there may be problems with the trees shown on the planting schedule. Several of the species will grow much taller than 20 ft. Member Degen suggested alternatives to those shown on the plan.

Member Perkins asked about the community sewage disposal system that is on Lot 9. Mr. Beals said it will be graded and maintained as a meadow. The side slopes will have a maximum grade of 5:1 so there is no runoff from the sewage system to the road.

Member Degen requested that the planting diagram be revised to show proper treatment of the root ball. He asked about the distance between the sewage system and the closest house. Mr. Beals said about 80 ft. Member Degen asked about the side slopes of the retention basin. Mr. Beals said the plan shows 3:1 slopes. Mr. Falzone said he would like to construct the slopes at 4:1 rather than 3:1. The Board agreed.

Mr. Falzone asked about constructing a model home in each area prior to the release of lots from covenant as he had done in the Ames Meadow subdivision. He said the houses would have frontage on the existing public way or be very close to the public way. He agreed that no occupancy permit would be granted until the roads are paved to binder

course and the bond is posted. The Board said it would consider it.

Member Perkins asked about the sewage disposal systems for the model homes. Mr. Falzone said Board of Health approval of the sewage disposal system is necessary prior to building permit issuance.

The Board voted unanimously to extend the deadline for the site plan review of Lots 8 and 9 to September 5, 2003.

The Board voted unanimously to continue review of the site plans for Lots 8 and 9 on August at 7:30 PM.

SITE PLAN REVIEW – BULL DOG REALTY TRUST

The Planning Board received a letter from Attorney Aleta Manugian withdrawing the site plan for the Bulldog Realty Trust condominiums at 14 Station Avenue. ***The Board voted unanimously to accept the withdrawal of the application without prejudice.***

WALNUT RUN ISSUES

The Board received a letter dated July 17, 2003 from Attorney Robert Collins regarding loam-sifting operations on the open space parcel, owned by the Conservation Commission, at the Walnut Run subdivision. The motion was made by Eliot to request that the Building Inspector not issue any occupancy permits until the site is restored to the satisfaction of the Conservation Commission and Earth Removal Advisory Committee. ***The motion was seconded and passed unanimously.***

DEER HAVEN EARTH REMOVAL EXEMPTION & OTHER ISSUES

The Board reviewed the Selectmen's request for comments on the Earth Removal Exemption submitted by David Moulton to remove 1600 cubic yards of loam from the Deer Haven subdivision. The Board did not think there was any excess loam since the subdivision is located on a site that was a gravel operation that had never been reclaimed.

In addition, the Board stated that the developer must comply with the affordable housing requirements and record the conservation restriction on Parcel C. The motion was made by Eliot to request that the Building Inspector not issue any additional building permits for lots in the Deer Haven subdivision until the developer complies with the affordable housing and conservation restriction requirements of the special permit. ***The motion was seconded and passed with Barringer, Degen, Eliot, and Wilson in favor; Clements abstaining.***

Meeting adjourned at 10:00 PM

Respectfully submitted,

Michelle Collette
Planning Administrator

MC/lg

