

**GROTON PLANNING BOARD**  
**SEPTEMBER 4, 2003**  
**MINUTES**

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

**MEETING WITH MARK BOBROWSKI**

The Board met with Attorney Mark Bobrowski to discuss the proposed Development Rate Limitation and Subdivision Phasing amendment.

Chairman Barringer suggested using a trailing average over the previous five years as the permit cap rather than a fixed number. The average plus a percentage could be used to determine the number of permits to be granted each year. This system will allow more building permits to be granted when the economy is slow and fewer permits when the economy is healthy. The Board agreed.

Member Lewis stated that the by-law should be based upon demands on the Town's infrastructure. He noted that the passage of this by-law will not stop 40B applications. Mr. Bobrowski said the Governor's Housing Task Force looked into this question. Building permit caps may result in more developers using 40B. Member Degen stressed that this is why the Town needs to prepare a housing plan acceptable to the Department of Housing and Community Development (DHCD). If DHCD approves a housing plan, the Town must increase its affordable housing units by ¾% per year in order to be protected from 40B applications. In addition, the Town should be working on its own 40B application to provide affordable housing in a suitable location.

Member Lewis said first, the Town must study its infrastructure needs. Member Degen said the Growth Management Advisory Committee is working on such a study.

Member Wilson asked why the Water Department and subdivision regulations require expansion of the public water supply system. He said this policy encourages growth.

Member Eliot stated that the schools are driving the Town's cost to provide services. Member Wilson responded that schools are just a part of the picture.

Mr. Bobrowski said he will revise the draft to utilize a cap based upon the five-year average, to clarify distribution of permits, to clarify that the cap does not apply to the exemptions, to limit the number of permits per builder, and to allow the Planning Board to grant relief from the cap with special permits for Flexible Development.

**SITE PLAN REVIEW – SURRENDEN FARM, LOT 9**

The Board met with design engineers Lawrence Beals and Cynthia O'Connell of Beals Associates and Attorney Ray Lyons to review the site plan for Lot 9, Surrenden Farms.

Mr. Beals stated that all the issues in the latest JNEI report have been resolved.

Ms. O'Connell presented a revised planting plan as requested by the Board. Member Degen reviewed the list and agreed that none of the species on the list will grow too tall. Mr. Lyons said the plantings will screen the houses, but will not obstruct the views.

Member Lewis said the spacing between the trees is an important consideration so the locations should be shown on the plan. Ms. O'Connell said the plan shows larger trees and smaller trees alternating. The Board said the homeowners should have the ability to decide what they want to plant as long as the trees do not exceed 35 ft. Member Degen stated no tree can exceed a height of 35 ft as specified in the special permit.

Mr. Beals said the trees will be planted along the property line to provide a natural hedge row. Trees will be planted at

the corners of the exclusive use areas.

Member Degen asked if the sidewalk could be constructed along the side of the driveway. Mr. Beals said there is no room for a sidewalk along the driveway, but there will be sidewalks along the roads as shown on the definitive plan. Ms. O'Connell said the houses were moved out of the wetlands buffer zone so they are closer to the driveway.

Member Wilson asked if there will be plantings in the open area in the center of the site. Ms. O'Connell said this area will be loamed and seeded so children can use it to play. Shade trees will be planted near the subdivision road.

The motion was made by Degen to approve the Level II site plan entitled, "Site Plan Review for Lot 9 Surrenden Farm Subdivision in the Town of Groton, Massachusetts," prepared by Beals Associates, dated June 26, 2003, with the following conditions:

1. Trees shall be planted along the perimeter of the easterly property line from Exclusive Use Easement Area 9-1 to 9-8. The trees shall be planted between 30 and 40 feet apart with an average spacing of 35 feet measured along the length of the lot line. Two thirds of the trees shall be evergreen, and one-third shall be deciduous from the "medium" category on the revised "Plant Schedule".
2. Trees planted within the interior of the lot shall be from the revised "Plant Schedule". If any alternative species are planted, they shall not exceed a height of 35 ft at maturity. In any event, no invasive species shall be planted. If any tree exceeds 35 feet, the Town reserves the right to enter the property and remove the tree or place a municipal lien on the lot.
3. The common driveway is a private drive and will not be eligible for street acceptance as a public way.
4. The Homeowners Association is responsible for plowing, maintenance and repair of the common driveway. The common driveway must be passable at all times.
5. The houses shall be eight (8) different architectural designs as shown in the "Neighborhood in a Box" submitted by the applicant. The color of the houses shall be earth tones to minimize visibility from Farmers Row.
6. The Board of Health shall retain jurisdiction of the soil remediation activities related to the conversion of the former orchard areas to residential uses. No construction related activities, including proposed remediation efforts, shall begin on the site until the Board of Health has approved the soil remediation plan proposed by the applicant.
7. There shall be no net increase in the rate or volume of storm water runoff from the site as required in Section 218-25G(1)(c).
8. All signs must conform to the Sign By-Law, Chapter 196 of the Code of the Town of Groton.
9. The removal of any excess earth material from the site requires a Certificate of Exemption from the Earth Removal By-law, Chapter 134 of the Code of the Town of Groton. Chapter 134, Section 10 Exemptions.
10. An erosion and sedimentation control plan must be submitted to the Earth Removal Advisory Committee for its review and approval as required in Chapter 198 Soil Erosion and Sedimentation Control.
11. The applicant shall address any outstanding issues in the report dated July 23, 2003 from Judith Nitsch Engineering, Inc. (JNEI).
12. The revised "Plant Schedule" submitted to the Planning Board on September 4, 2003 shall be shown on the site plan prior to endorsement.
13. Three copies of the final site plan, stamped by a Registered Professional Engineer and approved by the Planning

Board, shall be submitted to the Board for endorsement as required in Section 218-25G(3).

14. All conditions of Special Permits 2003-02 and 2003-05 and the Surrenden Farm definitive plan approval dated July 25, 2003 remain in effect.

*The motion was seconded and passed unanimously.*

#### **SITE PLAN REVIEW – LOT 8, SURRENDEN FARM**

The Board continued its review of the site plan for Lot 8, Surrenden Farm. Mr. Lyons said the ZBA granted the variance to allow more than ten units on a shared driveway and to allow less than 200 ft between driveways. Ms. O’Connell said, with the variance, the club house will be relocated and the existing trees will be preserved to provide screening. A revised plan will be submitted to the Board and JNEI for review.

*The Board voted unanimously to extend the deadline to October 31, 2003.*

*The Board voted unanimously to continue the site plan review on October 2, 2003 at 7:30 PM.*

#### **PUBLIC HEARING (con’t) – HUNT CLUB MEADOWS DEFINITIVE PLAN**

The Board continued the public hearing to consider the Hunt Club Meadows definitive plan. Design engineers Lawrence Beals and Cynthia O’Connell of Beals Associates were present.

Chairman Barringer read the comments from the Board of Health, the Water Department, the Sewer Department, and the Police Chief. He noted that the Board also received a report dated September 4, 2003 from Judith Nitsch Engineering, Inc. (JNEI).

Mr. Beals suggested that the Board incorporate the items in the JNEI report as part of the conditions of approval of the definitive plan.

Member Degen asked about the condition of Shirley Road. Mr. Beals said it will be improved when the Surrenden Farm subdivision is constructed. Member Lewis noted that the road must be improved before the Hunt Club definitive plan is developed.

*The Board voted unanimously to close the public hearing.*

The Board announced that it would vote on its decision at its September 11, 2003 meeting.

#### **SITE PLAN REVIEW – GIBBET HILL RESTAURANT**

The Board continued its review of the site plan for the Gibbet Hill Restaurant and function hall. Applicants Steven and Joshua Webber, design engineers Lawrence Beals and Cynthia O’Connell of Beals Associates, and traffic engineer Gary Hebert of Fay, Spoffard and Thorndike were present.

Mr. Beals said the fire hydrant was moved as requested by the Fire Chief. There is adequate access for fire trucks from Route 40 to the entire site. The ladder truck will be able to reach the second story of the restaurant as required by the Fire Chief.

Member Eliot asked if the sight distance issues have been resolved. Mr. Hebert showed the Board where the line of sight is shown on the plan. The underbrush will be cleared and the wall will be removed to improve sight distance.

Member Degen expressed concern about headlight glare from the parking lot impacting on nearby residences. He suggested that the applicant plant non-deciduous trees to prevent headlight glare.

Chairman Barringer read the list of waivers requested by the applicant.

Member Lewis asked how the parking spaces will be delineated without lines. Ms. O’Connell said they considered using post and rail fencing to delineate parking. Member Degen suggested installing curb stops if necessary. Member

Perkins stressed the need to control dust with a gravel parking lot surface.

The Board will draft its decision and vote on it at its meeting on September 11, 2003. The Board left the record open for written comments from the Fire Chief.

Meeting adjourned at 10:00 PM

Respectfully submitted,

Michelle Collette  
Planning Administrator

MC/lg