

**GROTON PLANNING BOARD
JANUARY 15, 2004
MINUTES**

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

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

ANR PLAN – GERALD & JEAN BOROFSKY, CHICOPEE ROW

The Board considered the Approval Not Required plan submitted by Gerald and Jean Borofsky to create one new lot and a parcel on Chicopee Row. The plan also shows an “overlapping” parcel of land (Parcel B) owned by the Durell Family Trust as noted on the plan.

The Board questioned the location of the 150 ft circle because it intersected with the 200 ft Riverfront Area. Planning Administrator Michelle Collette said in 1997 the Attorney General disapproved a zoning amendment excluding the 200 ft Riverfront Area from the 150 ft circle.

Member Clements noted that development of the lot may not comply with the local Wetlands By-law. Member Degen said endorsement of an ANR plan does not mean the lot complies with zoning or other regulations.

The motion was made by Degen to endorse as Approval Not Required (ANR) the plan entitled, “Plan of Land in Groton, Mass. For Gerald & Jean Borofsky,” prepared by Bill Boston Survey, dated December 11, 2003, with the following notation:

“Such endorsement shall not be deemed to constitute any determination of compliance with the requirements of the Zoning By-law.”

The Board noted that the ANR plan did not create Parcel B owned by the Durell Family Trust.

The motion was seconded and passed unanimously.

INFORMAL DISCUSSION – TELECOMMUNICATION TOWERS

The Board met with Selectmen George Dillon and Virginia Wood and Administrative Officer Jean Kitchen to discuss bids received by the Town for a telecommunication tower on the Highway Department’s site on Cow Pond Brook Road. The Selectmen received three bids for towers at 150 ft, 170 ft and 190 ft.

Chairman Barringer said the height of the proposed tower is derived from coverage areas and the location of other towers. The carriers must prove to the Planning Board that there is a gap in coverage during the special permit process.

Member Lewis expressed concerns about other uses in the area such as noise from the equipment on the adjacent site owned by MIT. He said the Town made promises to the neighborhood when the Town located the landfill in this area. Those promises have never been kept.

Member Degen said the telecommunication carriers must prove there is a gap in coverage. The Planning Board will address the height of the proposed tower during the special permit process. The carrier at the highest location on the tower must provide space for the other carriers at lower levels.

Chairman Barringer said it is not clear that every carrier will locate equipment on the proposed tower, depending upon its coverage needs.

Member Degen said the Board has the ability to waive the 120 ft height limit especially if there is less visual impact. The equipment on the adjacent MIT property would be a consideration at the Highway Department location.

Chairman Barringer said the height of the tower must be based upon the need for coverage demonstrated by the applicant.

MAIN STREET & MILL STREET INTERSECTION IMPROVEMENTS

The Planning Board met with Gary Hebert of Fay, Spoffard & Thorndike (FST) regarding the proposed improvements the Main Street and Mill Street intersection shown on the Mill Run Plaza site plan. Mr. Hebert noted that he is reviewing the information on behalf of the Zoning Board of Appeals as part of the ZBA's review of the Groton Residential Gardens comprehensive permit (Chapter 40B) plan. However, Mr. Hebert said he only wanted to discuss the intersection improvements with the Planning Board.

Chairman Barringer said the Board approved the site plan for the commercial development, but the developer withdrew the definitive plan showing the proposed intersection improvements. Members of the Board explained some of the history of the site and various proposals that had been submitted in recent years.

Chairman Barringer said one of the Board's concerns was the location of the realigned intersection and the existing access to NEBS. The proposed plan shows a "jog" rather than an alignment of these busy intersections. Mr. Hebert explained how the intersections would be designed with or without signalization.

Member Lewis said traffic stacking on Anthony Drive was also a concern to the Board and to the neighborhood.

Mr. Hebert said an analysis would have to be completed to determine if the intersection meets the warrants for signalization. Such an analysis would require eight-hour traffic counts. The intersection is presently functioning at Level of Service = F.

Member Eliot said the Board has different concerns if the area is used for residential use or business use. The use of the surrounding land impacts decisions regarding the realignment of this intersection.

Member Lewis agreed that the Board has never seen the whole picture for development in this area. A significant portion of the surrounding land is zoned B-1. There could be multiple curb cuts on Mill Street to access business-zoned land.

Chairman Barringer said the current configuration of the intersection is very dangerous. Relocating Mill Street is an important safety issue. Mr. Hebert said he was not sure it would meet the warrants for signalization. More study including a three-year history and traffic counts would be required.

Member Degen said the Board would like to see the intersection relocated in a proper configuration, but the applicant would only fund the relocation plan shown on his proposed plan.

Connie Sartini asked if the exit of Mill Street would contain two or three lanes. She said it would be the only three-lane road in Town.

Mr. Hebert said he is doing the review for the ZBA to update the traffic assessment, prepare a cost estimate, and evaluate the functionality of the applicant's 40B proposal.

Member Degen asked Mr. Hebert to prepare a cost estimate for the Town to prepare a plan to relocate the intersection of Main Street and Mill Street so that the proposed plan would be in the best interest of the Town.

Member Perkins noted that the proposal for the Town would have to be separate from Mr. Hebert's work for the ZBA, which is funded by the applicant.

The motion was made by Degen to request that the ZBA forward the FST report to the Planning Board prior to the Board providing comments to the ZBA on the most recent revisions to the Groton Residential Garden plan. The motion was seconded and passed with Barringer, Degen, Clements, Lewis, and Wilson in favor; Perkins abstaining.

MISCELLANEOUS BUSINESS

Comprehensive Master Plan Implementation – The Board will review the progress report on the implementation of the Comprehensive Master Plan Goals and Objectives.

Development Rate Limitation – The Board will advertise a public hearing in February to consider the proposed zoning amendments including Development Rate Limitation and Subdivision Phasing provisions. The Board will schedule the hearing when Attorney Mark Bobrowski is available to attend.

Rocky Hill Site Walk – The site walk for Rocky Hill was rescheduled from January 17, 2004 to January 24, 2004 at 8:30 AM.

MINUTES

(Member Degen stepped down from the Board.)

The motion was made by Lewis to approve the minutes of May 15, 2003; June 12, 2003; July 24, 2003; August 7, 2003; September 11, 2003; October 9, 2003; October 23, 2003; and October 30, 2003 as corrected. ***The motion was seconded and passed unanimously.***

VERIZON SPECIAL PERMIT

The special permit decision for the Verizon to collocate on the Gibbet Hill tower was circulated for Board members to sign. Member Lewis said he would like to reconsider his vote after further consideration of the matter.

Chairman Barringer read the procedural requirements from Roberts Rules of Order. Member Lewis did vote on the prevailing side.

The motion was made by Lewis to reconsider the vote on the special permit decision for Verizon to locate its equipment on the Gibbet Hill Tower. The motion was seconded by Wilson.

Member Lewis said he was very unhappy with his vote because the Board worked with the applicant to encourage collocation when the original 150 ft tower was constructed. He said he wanted to review the files on the original special permit as well as Verizon's application.

The motion was seconded and passed with Barringer, Degen, Clements, Lewis, Perkins, and Wilson in favor; Eliot opposed.

The Board will vote at its meeting on January 29, 2004.

(Member Degen left the meeting.)

EXECUTIVE SESSION

The motion was made by Perkins to enter into executive session to discuss the Brooks Orchard litigation and that the Board would not return to open session. ***The motion was seconded and passed by roll call vote with Barringer, Clements, Eliot, Lewis, Perkins, and Wilson in favor.***

The motion was made by Lewis to end executive session and adjourn the meeting. ***The motion was seconded and passed by roll call vote with Barringer, Clements, Eliot, Lewis, Perkins, and Wilson in favor.***

Meeting adjourned at 10:00 PM

Respectfully submitted,

Michelle Collette
Planning Administrator

