

**GROTON PLANNING BOARD
MAY 6, 2004
MINUTES**

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

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

Members absent: Barringer and Lewis

SITE PLAN REVIEW – SEVEN HILLS EXTENDED CARE FACILITY'

The Planning Board reviewed the site plan submitted by Seven Hills Foundation to renovate and construct an addition to the Seven Hills Extended Care Facility on Hillside Avenue. Edward Doucette of Seven Hills Extended Care, Architect Richard Monahon, design engineer Robert Hitchcock of SVE Associates, and many abutters were present. The Board's engineer, John Schmid of Judith Nitsch Engineering, Inc. (JNEI) was also in attendance.

Mr. Monahon presented the Phase I plan. There are 71 beds in the facility today, and there will be 71 beds after the Phase I addition is constructed. During the renovations, 48 new beds will be added to move patients during construction. The Phase II plan will result in the addition of 12 new beds for a total of 83 beds.

Mr. Hitchcock presented the site plan for the 14,000 sq ft facility with 11,300 sq ft addition. There are 180 employees who cover the facility 24 hours a day, seven days a week. There will be 50 additional employees when the project is completed. The parking area will contain 180 parking spaces to meet the parking needs of the facility, particularly during shift changes. A loading dock and trash receptacle will be added during Phase II. The land slopes toward the Nashua River Rail Trail located along the rear of the site. Drainage issues must be addressed in this area of the site. New water and sewer lines will be provided. Approximately 600 cubic yards of earth material will be removed during construction. The parking lots will contain 29 light on poles ranging from 17 to 21 ft. The landscaping plan was designed to save as many mature trees as possible. 90 new trees will be planted to provide screening.

Vice Chairman Degen read the comments from the Fire Chief regarding the ability to access to all parts of the building with fire equipment. Vice Chairman Degen also read comments from the Sewer Department, the Water Department, the Police Chief, and the Board of Health.

Member Perkins asked when the additional beds would be available. Mr. Hitchcock said in about three years.

Member Clements asked about drainage. Mr. Hitchcock said they are still working on the drainage system design plans.

Member Perkins asked about lighting the parking lot during shift changes. Mr. Monahon said they would submit a photometric plan at the next meeting.

Member Perkins asked the applicant to calculate the amount of cut and fill that will be required.

Member Eliot said she was concerned about the slope to the rail trail and the pedestrian pathway leading to the trail. Mr. Doucette said they could not access the trail with their residents over this pathway. Member Eliot agreed that pedestrian access to the trail could be much safer than what is there today. She suggested that Seven Hills consider improving this access while they are doing construction on the site.

Vice Chairman Degen expressed concern about headlight glare if the access to the site is located across the street from any existing residences. He noted that this facility is located in a residential area so it is very important to protect abutters and provide adequate screening.

Mr. Schmid summarized his report dated May 4, 2004. He stated that stormwater management would be the most difficult issue to address on this site. The drainage system should be designed to mitigate a point-source discharge to the rail trail. Mr. Schmid said the proposed 14 ft wide access to the site is not wide enough for fire trucks and other

large vehicles. He suggested that a width of 18 ft would be more appropriate.

Abutter Donna Fleming, 42 Fairview Avenue, expressed concern about screening for the residents and the impact from lighting. She requested that the Planning Board members visit the site at night. She asked if the access could enter and exit on West Street. Mr. Hitchcock said they could consider it, but they must also balance traffic impact on West Street residents. Vice Chairman Degen suggested that the applicant consider entering from one street and exiting onto the other street.

Abutter Eileen Naven asked if more lights would be installed in the existing parking lot. Mr. Hitchcock said, "no, not at all."

Mrs. Naven asked if a dumpster would be installed on the site. Mr. Schmid said there is no location for a dumpster shown on the plan.

Abutter Sheila Flynn asked about the height of the facility. Mr. Monahan said about 36 ft. Vice Chairman Degen stated that the zoning by-law limits building height to 35 ft. Mr. Monahan said the height limit is calculated on the average grade.

The Board scheduled a site walk for Thursday, May 27, 2004 at 6:00 PM,

Ms. Flynn asked if there are only new 12 beds being added, why does the addition contain this much space. Mr. Monahan said the additional space is needed to meet code requirements per bed. Mr. Doucette said the existing rooms are too small to meet state requirements. Ms. Flynn asked why a swimming pool would be included. Mr. Monahan said the pool would be used to provide physical therapy for the patients.

Ms. Flynn expressed concern about noise, lighting and drainage issues. She said West Street is at a lower elevation than the proposed building.

Vice Chairman Degen said the Board could require a traffic study under a Level II site plan review. He said traffic impact must be considered if the facility plans to add day students in the future. This would be considered a new use and a new site plan review would be required.

Mr. Schmid suggested that the applicant submit detailed information to the Planning Board describing the number of employees before and after the addition, the number of patients, and the expected number of visitors to the site.

The Board voted unanimously to continue review of the site plan on May 27, 2004 at 8:30 PM.

PUBLIC HEARING – SPECIAL PERMIT & SITE PLAN, 785 BOSTON ROAD

The Planning Board continued the public hearing to consider the application submitted by Samantha Realty Trust to renovate an existing building and construct a new building at 785 Boston Road, located in a Zone III Water Resource Protection District. Applicant Steven Catalano, Attorney Thomas Gibbons, design engineers Bruce Ringwall and Brian Connors of GPR, Inc.; traffic engineer Jennifer Conley of Conley Associates, and many abutters were present. The Board's traffic engineer, Gary Hebert of Fay, Spofford & Thorndike (FST), was also in attendance.

After some discussion, the applicant requested that the Planning Board not go forward with the public hearing for Water Resource Protection District special permit application because not all seven members of the Board were present. The Board agreed.

Ms. Conley suggested that she speak directly to Gary Hebert of FST about the outstanding traffic issues. Board members responded that they had many reservations about traffic issues with this location and would like to hear Mr. Hebert's report at this meeting. The applicant did agree to go forward with Site Plan Review as long as the discussion focused only on site plan review issues.

Mr. Ringwall presented revisions to the plan including new lighting, a disconnection on the HVAC units, and an

updated landscaping plan. He said the Highway Surveyor removed trees and branches to resolve the sight distance problems on Forge Village Road. The sight distance is now close to 400 ft.

Members Wilson said he wanted more time to review the revised landscaping plan. Dense screening will be needed to protect abutting residences. Mr. Ringwall said a stockade fence would be installed along the rear property line.

Vice Chairman Degen said the landscaping must block headlight glare. He suggested that the applicant consider changing the species of plantings near the property line with Cravens.

Jennifer Conley described her analysis of the traffic situation during peak AM hours in March 2004. She said she used the Boston Road Marketplace traffic study as a reference. The five-year rate of increase will be about 2% a year. Ms. Conley said much of the traffic generated by Dunkin Donuts would be traffic that is passing by rather than new traffic on the road. There will be approximately 150 patrons during the highest peak hour, which is 7:30 AM to 8:30 AM. Her analysis showed that the Level of Service would be "B", including the traffic generated by the other retail uses. At the present time the Four Corners intersection is at a Level of Service = F. After MassHighway installs the traffic light and reconfigures the intersection, it will have a Level of Service = C.

Gary Hebert of FST recommended that the telephone pole also be moved to improve sight distance. He said a car located 10 feet back from Forge Village Road would have sight distance of 300 to 400 ft to the east. Sight distances are sufficient to the west. The number of parking spaces complies with the requirements of the zoning by-law; however, about 30 to 35 additional spaces may be needed during Dunkin Donuts' peak hour. Mr. Hebert recommended that the pedestrian sidewalk be extended to this site. He said the number of parking spaces and sight distance to the east on Forge Village Road are his main concerns. He presented a sketch showing how to improve left turns from Forge Village Road to the site. He said the applicant might want to discuss this matter with MassHighway.

Member Wilson asked how the access would function in ten years. Mr. Hebert said the Conley report looked at traffic in five years but not in ten years.

Member Wilson asked if there would be enough space for stacking cars. Mr. Hebert said if the intersection is a Level of Service = C, there may be a 25 – 30 second delay. There may be stacking problems in the future unless the capacity for Route 119 is enhanced. In five years, there will be one more car in the queue than there is today, but MassHighway can adjust the timing of the traffic light.

Member Wilson asked at what point would making a left-hand turn in this location become intolerable. Mr. Hebert said he could not answer that question based upon the information he has reviewed. Members Wilson requested that Mr. Hebert evaluate the matter for the Board's review. Mr. Hebert agreed.

Member Perkins asked if the 20 ft wide lane would be sufficient. Mr. Hebert said the applicant must work out the re-striping of the intersection with MassHighway.

Member Perkins asked the applicant about the construction schedule. Mr. Catalano said he would like to begin work this summer. Vice Chairman Degen said the Board could put a condition in the site plan approval that no occupancy permit be granted until the traffic light is operational. Attorney Tom Gibbons agreed to such a condition for Dunkin Donuts but not for the other uses at the site.

Vice Chairman Degen said the Planning Board must receive the Fire Chief's approval of access to the site before it can approve the site plan.

Member Clements asked about the number of parking spaces for Dunkin Donuts. Mr. Hebert said the Zoning By-law requires 16 spaces based upon the number of seats, but it does not consider parking for take-out customers. He said there might be 30 to 35 parking spaces required at once based upon his experience with other Dunkin Donuts.

Member Clements asked about the other parking spaces. Ms. Conley said the retail and office parking spaces would be available for Dunkin Donuts customers during peak AM hours. Mr. Catalano said there would be no parking spaces

designated for any particular use.

Vice Chairman Degen reiterated his statement that the Board could put a condition in the site plan approval that no occupancy permit be granted until the traffic light is operational. This condition was included in the Boston Road Marketplace site plan approval.

Mr. Hebert said there should not be a traffic problem if the office uses open before the traffic light is installed.

Mr. Catalano said the retail uses will be dry-cleaners or other low-traffic volume uses. Member Eliot said she does not want to hamstring retail use. Vice Chairman Degen said it depends upon the type of use and traffic generated. Mr. Catalano said Dunkin Donuts is the only high-volume use. The other 1400 sq ft of retail space will be uses like dry cleaners.

David Martin of Shelters Road asked how the intersection would function during construction. The Board said Mr. Martin should ask the Board of Selectmen and MassHighway that question.

Mr. Martin asked how the Planning Board could approve this site plan without knowing how the intersection will operate during construction. Mr. Hebert said there would always be one lane open during construction.

Mr. Martin asked if school bus traffic was taken into consideration. Mr. Hebert said, "yes," as a percentage of truck traffic. He said he could simulate buses using another model.

Mr. Martin asked if sight distance on Forge Village Road is still an issue. Mr. Hebert said, "no," that problem has been resolved.

Abutter Matthew Harkins asked about screening along his property line. He requested that a fence be installed similar to the one along the rear property line. Mr. Ringwall agreed that the applicant would install a fence.

The Board voted unanimously to continue the public hearing on May 20, 2004 at 9:00 PM.

PUBLIC HEARING (con't) – REEDY MEADOW ESTATES DEFINITIVE PLAN

The Board continued the public hearing to consider the Reedy Meadow Estates definitive plan submitted by John Lorden. Mr. Lorden and design engineer Gary Shepard of David E. Ross Associates were present.

Mr. Shepard said Mr. Lorden would be submitting applications for Major Residential Development and Flexible Development special permits in the near future. However, they would like to hear comments from the Board first. He described the Basic Number of Lots plan based upon a loop road and a 1000-ft cul de sac. The road shown on the plan meets the seven-foot cut and fill requirements of the Subdivision Regulations. The plan shows a total of nine lots – three with existing homes and six new lots.

Member Perkins said the applicant could not count the ANR lots as part of the Basic Number of Lots. Other members of the Board agreed. Mr. Shepard said the plan could be reconfigured to have eight lots on the definitive plan plus two ANR lots resulting in seven new lots.

Mr. Shepard said the applicant would prefer to construct eight to ten units of housing for people 55 and older in the center of the site. Approximately ten units will be constructed in two buildings including units for low to moderate-income people. There will be 11.25 acres of protected open space including the wetland buffer and riverfront area. Approximately 7.9 acres of the 11.25 acres of open space will be outside the buffer zone. Member Perkins asked who would own the open space. Mr. Shepard said the Town or anyone else the Board would like.

Vice Chairman Degen said he liked the road with two connections to Nashua Road. He said the plan with the open space is much better than the conventional plan.

Member Clements asked if there would be any construction in the buffer zone. Mr. Shepard said only the drainage structure outfall would be located in the buffer zone. Member Clements agreed that this is a better plan.

Member Wilson asked if the subdivision road would still have a connection to the road in Pepperell. Ms. Shepard said, "yes."

Member Eliot said the plan is better, but the road to Pepperell may be an issue. Mr. Shepard said the road serving the units in Groton is entirely within Groton.

Member Perkins agreed that this is a better design. She reminded the applicant that the access to the cluster development should not exceed 1000 to comply with the Subdivision Regulations.

Member Clements asked if the open space is connected to other open space. Mr. Shepard said, "yes," it abuts the Meadow Brook open space and the Wattles Pond area owned by the Groton Conservation Trust.

Wendy Good of the Groton Conservation Trust asked if the trail in this area is on dry land. Mr. Shepard said he did not recall. Mr. Lorden said the existing trail is on land owned by private homeowners. Ms. Good said it would be nice to keep access open to the Wattles Pond conservation area.

Harlan Fitch suggested that the name of the plan be changed so it will not be confused with Reedy Meadow Road. He asked if the Town bounds were located on Nashua Road. Mr. Shepard said the surveyors located all the bounds and they will be shown on the plan.

Abutter John Trubiano asked about the elevation of the proposed road. Mr. Shepard said it is the same as what was shown on the previous plan. The road will be located in a fairly level area.

Member Clements asked how many lots would be created in Pepperell. Mr. Shepard said, "18." Member Clements said the Board should consider Pepperell's concern about the 18 proposed lots. Mr. Lorden said they were in litigation with the Town of Pepperell. The subdivision plan complies with Pepperell's regulations without any waivers.

Member Wilson asked about the condition of the land. Mr. Shepard said the overall area has 20-year old pine trees, the knoll has hemlock trees, and there is an old sand and gravel removal area on the site.

The Board voted unanimously to grant an extension of the deadline to June 30, 2004 as requested by the applicant.

The Board voted unanimously to continue the public hearing on June 24, 2004 at 7:30 PM.

COMMENTS TO MEPA – ACADEMY HILL

The Board met with Attorney Ray Lyons and design engineer Lawrence Beals to discuss the Board's comments to MEPA on the Supplemental EIR for the Academy Hill subdivision.

Board members expressed their concerns about environmental degradation and impact on wildlife habitat from the proposed development. The Board stressed that the construction of an emergency vehicle access road through the center of the site does not comply with the Subdivision Regulations. However, the Board noted that the applicant has not submitted a revised plan to the Board, so this is not a formal review process.

The Board voted unanimously to submit the following comments to MEPA:

1. LandWest submitted applications to the Groton Planning Board on April 27, 2001 for special permits for Major Residential Development and Open Space Residential Development. After many months of public hearings and numerous revisions to the plans, the Board granted the special permits on March 18, 2002.
2. The Planning Board subsequently approved the Academy Hill definitive plan on May 14, 2002 with waivers and conditions. However, the Board does not agree with the applicant's summary of the waivers contained on Page H-5 of the Supplemental Draft EIR.

3. On March 16, 2004, the Planning Board voted to grant extensions of the special permits for one year so that the applicant would have sufficient time to address issues related to the proposed project.
4. The Planning Board would like to emphasize that the plan entitled, "Plan to Accompany Application for Supplemental Draft EIR for Academy Hill in the Town of Groton, Massachusetts – Design Concept Plan 4," has **not** been submitted to the Planning Board for review and approval. Any changes to the Academy Hill definitive plan approved in 2002 require modification of the special permits and the definitive plan. The Board has not held any public hearings on Design Concept Plan 4. Thus, abutters and other Town Departments have not received notice and have not had an opportunity to participate in the process. The plan does not contain sufficient information or enough detail for thorough evaluation by the Planning Board at this stage.
5. The Planning Board appreciates the proposed donation of \pm 234 acres of open space in order to protect "the most environmentally sensitive portions of the site" as stated on Page D-2 of the Supplemental Draft EIR. However, the Board shares the concerns expressed by the Natural Heritage and Endangered Species Program (NHESP), the Squannassit-Petapawag Areas of Critical Environmental Concern Stewardship Committee, and other concerned residents regarding the degradation of the natural environment and wildlife habitat from the proposed density and extensive subdivision road system shown on the plan.
6. The Planning Board appreciates the elimination of Fieldstone Drive and the dwelling units in the easterly portion of the site in the Town of Groton. However, the relocation of these units to the westerly portion of the site served by Cherry Tree Lane and Arbor Way results in density that is much too high for this area. There has been no reduction in the number of proposed dwelling units to be located in the Town of Groton.
7. The proposal to install gates at both ends of Rose Crest Lane does not comply with the Subdivision Regulations, which require two access points. There is no provision in the Subdivision Regulations that expressly permit emergency vehicle access roads. A dead-end street cannot be longer than 1000 ft or serve more than 10 dwelling units unless the Planning Board grants a waiver of the Subdivision Regulations. Design Concept Plan 4 shows \pm 106 units served by a 3000 - 4000 ft dead-end street in the Town of Groton.
8. The Planning Board is very concerned about all the traffic generated by the subdivision with only one access on Townsend Road. This is a substantial change in traffic impact on Townsend Road and the existing residential neighborhood. The Board requests that MEPA require an updated traffic study for the proposed revision to the plan.
9. The Planning Board believes that the proposed Design Concept Plan 4 is not consistent with the goals and objectives of the Comprehensive Master Plan.

AMES MEADOW PERFORMANCE BOND

The motion was made by Perkins to reduce the performance bond for the Ames Meadow subdivision to \$160,427.91 as recommended in the report dated May 4, 2004 from Judith Nitsch Engineering. The motion was seconded and passed unanimously.

BERTOZZI FARMS LOT RELEASE

The motion was made by Perkins to release Lots 1 – 8 in the Bertozzi Farm subdivision because the Board is holding a performance bond in the amount of \$300,184.57. The motion was seconded and passed unanimously.

Earth Removal Advisory Committee Chair Robert Hanninen expressed concerns about the level of disturbance and condition of the Bertozzi Farms site located off Townsend Road.

The motion was made by Perkins to request that the developer of the Bertozzi Farm subdivision meet with the Board to address concerns about the condition of the site. The motion was seconded and passed unanimously.

RECOMMENDATION TO SELECTMEN - DEER HAVEN EARTH REMOVAL

The motion was made by Wilson to support the recommendation of the Earth Removal Advisory Committee regarding removal of excess material from the Deer Haven subdivision. The motion was seconded and passed unanimously.

Meeting adjourned at 11:30 PM

Respectfully submitted,

Michelle Collette
Planning Administrator