

GROTON PLANNING BOARD

JULY 1, 2004

MINUTES

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

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

Member absent: Degen

SITE PLAN REVIEW – SEVEN HILLS FOUNDATION EXTENDED CARE FACILITY

The motion was made by Lewis to continue the site plan review on July 15, 2004 at 9:00 PM as requested by the applicant. ***The motion was seconded and passed unanimously.***

PERFORMANCE BOND RELEASES

Walnut Run – The Board received a request from developer David Moulton for final release of the performance bond for the Walnut Run subdivision. The Board also received a report dated July 1, 2004 from Judith Nitsch Engineering, Inc. (JNEI). Attorney Collins was present for the discussion.

The Board discussed the recent disturbance to the landscaping along the side of Canterbury Lane by the abutting property owners. Mr. Collins said David Moulton conveyed the adjoining parcel to the abutters. The Board expressed concern that the street sign remain and landscaping in the right-of-way remain.

The motion was made by Lewis to send a letter to the abutters reminding them that the street sign must not be removed for public safety reasons and that the landscaping in the right-of-way should not be removed. ***The motion was seconded and passed unanimously.***

Mr. Collins said David Moulton would replace the landscaping.

The motion was made by Lewis to release the performance bond for the Walnut Run subdivision as recommended in the JNEI report dated July 1, 2004. ***The motion was seconded and passed unanimously.***

Integrity Estates – The Board received a request from Integrity Builders for final release of the performance bond for the Integrity Estates subdivision. The motion was made by Lewis to release the performance bond for the Integrity Estates subdivision as recommended in the JNEI report dated July 1, 2004. ***The motion was seconded and passed unanimously.***

Woodland Park - The Board received a request from developer RM Hicks for final release of the performance bond for the Integrity Estates subdivision. The motion was made by Lewis to release the performance bond for the Woodland Park subdivision as recommended in the JNEI report dated July 1, 2004. ***The motion was seconded and passed unanimously.***

DEER HAVEN SUBDIVISION

The Board met with Attorney Robert Collins to discuss the trail system in the Deer Haven subdivision. Mr. Collins showed the Board the location of the trails as shown on the approved definitive plan including the trail located on an easement between two lots. The homeowners have been encroaching on the easement in this area and there may be alterations within 100 ft of wetlands as a result. Member Lewis said this issue is a matter for the Conservation Commission, not the Planning Board.

The motion was made by Wilson to inform the Conservation Commission about the possible activity within 100 feet of wetlands in the Deer Haven subdivision. ***The motion was seconded and passed unanimously.***

Mr. Collins said David Moulton would install trail markers in locations specified by the Conservation Commission. The Board agreed that Mr. Moulton should work with the Conservation Commission and Trails Committee on the location and signage of trails in the subdivision.

The motion was made by Lewis that the Planning Board agrees with the proposed changes to the location of trails and trail markers in the Deer Haven subdivision provided that the Conservation Commission and Trails Committee also approve the change. ***The motion was seconded and passed unanimously.***

Mr. Collins asked about eliminating the four streetlights shown on the subdivision plan if the developer deposits a sum of money with the Groton Electric Light Department to cover the cost of installing the lights in the future. The Board responded that a petition signed by all the homeowners must be submitted to eliminate the streetlights.

318 MAIN STREET SITE PLAN

Attorney Collins stated that he submitted a site plan for 318 Main Street. He requested that the Board send the plan to JNEI for review of the site plan and traffic study. The applicant will deposit \$5000.00 in a 593 account. The motion was made by Lewis to send the plan to JNEI for review as soon as the Board receives the funds. ***The motion was seconded and passed unanimously.***

BLACKMAN SPECIAL PERMIT

The Board received a letter dated June 25, 2004 from Attorney June Johnson requesting the Board's interpretation on Special Permit #2000-01 granted to the Blackmans for the creation of two hammerhead lots. The ANR plan was recorded at the Registry of Deeds and one of the lots was conveyed to another party. However, the special permit decision was not recorded with the plan as required in the conditions of the special permit. The Building Inspector questioned whether or not the special permit had lapsed.

The motion was made by Barringer to send a memorandum to the Building Inspector stating that the special permit was exercised by the recording of the ANR plan on May 23, 2000 and the sale of Lot 7 to Kobrin-Rodeno. The Board agrees that the special permit should have been recorded along with the plan, but considers this an administrative matter that does not warrant a new application and public hearing. ***The motion was seconded and passed unanimously.***

INTEGRITY ESTATES

(Note: Member Barringer stepped down.)

George Barringer, abutter to the Integrity Estates subdivision, requested that the Board check the trails shown on the plan and determine whether the required trail markers are in place.

The motion was made by Lewis to send a letter to the Conservation Commission and Trails Committee regarding trails at the Integrity Estates subdivision. ***The motion was seconded and passed unanimously.***

SITE PLAN REVIEW – WILLIAMS BARN

(Member Clements stepped down from the Board.)

The Board considered the site plan submitted by the Williams Barn Committee for the parking area and access to the Williams Barn on Chicopee Row. Committee members Victor Burton and Bruce Clements presented the plan.

Mr. Clements said the existing parking area with seven to eight parking spaces would be replaced with a six-space parking area. The parking lot will have a stone-dust surface. The field in the rear of the barn can be used for additional parking when necessary. Access to the site is in the same location as the previously approved subdivision shown on the Mayfield Farms definitive plan. A light with a motion detector will be installed on the barn for security reasons. The barn will be used for a farmers market every Friday and for occasional functions. The functions may have 50 to 75 people in attendance.

Member Barringer asked if there is enough room in the field for parking. Mr. Burton said there is room for about 40 to 50 cars.

Member Barringer asked if events would be held during the winter and if the field would be plowed. Mr. Clements said the cars could be parked elsewhere and transportation provided from other locations during the winter.

Member Lewis said it is critical that cars not park on Chicopee Row.

Chairman Eliot asked about sight distances. Member Lewis said the sight distances were approved by the Board for the subdivision road shown on the definitive plan.

Member Perkins said the subdivision road was in a different location. There are shrubs and brush blocking sight distance in this area. Traffic conditions on Chicopee Row have changed considerably since the new high school was constructed. She suggested that the Board schedule a site walk.

Mr. Clements said the Williams Barn Committee is hoping to open the farmers market on July 9, 2004 from 3 to 6 PM.

Member Wilson said there is a difference between use of the site for the farmers market and other events.

The motion was made by Lewis to consider the plan as a Level I submission. ***The motion was seconded and passed unanimously.***

The motion was made by Wilson to approve the Level I site plan submitted by the Williams Barn Committee with the following conditions:

1. The applicant will work with the Highway Surveyor to be sure there is adequate sight distance at the driveway cut on Chicopee Row as required in the attached Driveway Regulations, Item #7 Location.
2. If there are more than 25 cars at an event, a traffic supervisor is required to direct traffic entering and exiting onto Chicopee Row.
3. There shall be no parking on Chicopee Row at any time.
4. If the field is used for parking, a parking attendant is required to direct vehicles on where to park.
5. The applicant shall meet with the Police Chief to clarify and address his concerns about "high volume" traffic in his memorandum dated June 30, 2004. The applicant shall respond to the Planning Board in writing about the results of this meeting.
6. The applicant shall comply with all recommendations in the Board of Health memorandum dated June 30, 2004.
7. The Planning Board shall re-evaluate the site plan approval at its regular meeting on August 26, 2004. The Board reserves the right to make any changes it deems necessary.

The motion was seconded and passed unanimously.

SITE PLAN REVIEW – GRAVES HOUSE AT GROTON SCHOOL

The Board reviewed the site plan submitted by Groton School for renovations to the Graves House on Farmers Row. Attorney Robert Collins presented the plan to restore the house to residential use and to reconstruct the parking lot and access to the site. A 17-space parking lot will be created with a narrower driveway on Farmers Row.

Member Perkins asked if the new parking lot would provide additional parking. Mr. Collins said, "yes."

Member Clements asked about the proposed demolition of the building. Mr. Collins said only a portion of the building will be removed. The project is subject to review and approval by the Historic Districts Commission.

Member Barringer asked about the square footage of the stable area. Mr. Collins said the school would construct a 3500 SF addition to the existing 4000 SF space. The building will be used as a shop and for administration.

Member Wilson asked if the building would be used by school employees. Project Manager Tom Richard of Linbeck

Construction said, “yes,” as well as visiting contractors.

Chairman Eliot asked if the field used for parking construction vehicles could be discontinued and the spaces incorporated into the new parking lot. Mr. Collins said he could make this suggestion to Groton School.

Member Barringer asked about lighting. Mr. Collins said there would be no change other than the elimination of some existing lights on the rear of the building.

Chairman Eliot asked if any dumpsters would be installed. Mr. Collins said, “no.” Chairman Eliot asked if the existing driveway to the engineer’s house would be changed. Mr. Collins said, “yes,” as shown on the plan. He said the HDC requested that there be less pavement near the shed on the site.

The motion was made by Lewis to waive the number of required parking spaces to 17. ***The motion was seconded and passed unanimously.***

The motion was made by Barringer to approve the site plan for renovations to the Graves House with the following conditions:

1. The project is subject to review and approval by the Historic Districts Commission.
2. There shall be no runoff from the site onto Farmers Row or abutting properties.

The motion was seconded and passed unanimously.

SITE PLAN REVIEW DECISION – SAMANTHA REALTY TRUST

The motion was made by Wilson to approve the Level II site plan including:

- “Permit Plan, 785 Boston Road, Groton, MA,” prepared by GPR, Inc., dated January 2004, with revisions through May 17, 2004;
- “Cooper Lighting,” prepared by Cooper Lighting, CFC, GPR, Inc., dated April 26, 2004;
- “Landscape Plan,” prepared by GPR, Inc., dated April 2004, with revisions through May 3, 2004;
- “Stormwater Management – Project Narrative Report,” by GPR, Inc., dated January 16, 2004 with revisions through March 26, 2004;
- Conley Associates Traffic Study, dated March 25, 2004.

The Board approved the site plan with the following conditions:

1. As agreed by the applicant in the letter dated May 20, 2004 from Steven Catalano and Attorney Thomas Gibbons, Certificates of Occupancy will not be issued for the restaurant-fast food establishment and convenience store until Massachusetts Highway installs temporary or permanent signalization at the intersection of Route 119 and 225.
2. In the event MassHighway chooses not to retime the signal at the intersection at Routes 119 and 225 to minimize queuing on the westbound approach to the proponent’s driveway, the proponent shall demonstrate an effort to pursue other mitigation to prevent motorists on Forge Village Road approaching the 785 Boston Road driveway from backing up into the signalized intersection. Any mitigation measures shall be subject to review and approval by the Planning Board.
3. 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). The stormwater management system shall be maintained in accordance with the approved Stormwater Pollution Prevention Plan (Sheet C5.1 on the site plan) and as described in the “Stormwater Management – Project Narrative Report,” by GPR, Inc., dated January 16, 2004 with revisions through March 26, 2004.

4. Vegetative screening shall be used to minimize headlight glare onto public ways as required in Section 218-25G(1)(g) as shown on the “Landscape Plan,” prepared by GPR, Inc., dated April 2004, with revisions through May 3, 2004.
5. Lighting shall not intrude onto other properties or public ways as required in Section 218-25G(1)(h) as shown on the “Cooper Lighting,” prepared by Cooper Lighting, CFC, and GPR, Inc., dated April 26, 2004.
6. Parking for the disabled and access to the building shall comply with the requirements of the Architectural Access Board Regulations, 521 CMR, and the Americans with Disabilities Act.
7. Public water shall be supplied to unit on the site as shown on site plan. The installation of the public water supply system shall conform to the specifications of the Groton Water Department (see memorandum dated January 29, 2004 and March 12, 2004 from the Groton Water Department to the Planning Board).
8. The dumpster shall be covered and sealed to prevent runoff from the dumpster from infiltrating the ground.
9. The parking lot shall be maintained properly and kept free of litter.
10. All signs must conform to the Sign By-Law, Chapter 196 of the Code of the Town of Groton.
11. 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.
12. 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.
13. Three copies of the final site plan approved by the Planning Board shall be submitted to the Board for endorsement as required in Section 218-25G(3).
14. All outstanding engineering invoices must be paid in full prior to issuance of a building permit.

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

SPECIAL PERMIT DECISION – SAMANTHA REALTY TRUST

The motion was made by Barringer to grant the special permit to Samantha Realty Trust, LLC, to utilize the provisions of Groton Zoning By-law Section 218-30 Water Resource Protection Districts to upgrade the sewage disposal system with a design capacity of greater than 110 gallons per day per 10,000 square feet of lot area. The proposed work is shown on the plan entitled, “Permit Plan, 785 Boston Road, Groton, MA,” prepared by GPR, Inc., dated January 2004, with revisions through May 17, 2004.

Findings:

The Planning Board made the following findings based upon the criteria set forth in Zoning By-Law § 218-30 and 218-32.1:

1. Social, economic and community needs: The proposed special permit plan serves social and community needs by renovating the existing historic structure on the property and by constructing a new building for office/retail use in a location zoned B-1.

2. Traffic flow and safety: The Planning Board reviewed the traffic study submitted by the applicant's engineer, Conley Associates. The Conley study determined that the Boston Road-Sandy Pond Road intersection will function at a Level of Service C or better in the future and that the exit from the site will function at a Level of Service B. The Planning Board also received a peer review report from its consulting traffic engineer, Fay, Spoffard & Thorndike (FST), regarding the traffic impact of the proposed plan.
3. Adequacy of utilities: The proposed use will be served by Town water and sewage disposal system approved by of the Board of Health.
4. Neighborhood character: The facility is located on land zoned B-1 (Business). Fencing and landscaping will screen the abutting residential area.
5. Impacts on the environment: There is no surface or stormwater management system on the site today. The improvements to the site include installation of a new drainage system. Stormwater runoff and snowmelt will be directed to the new drainage system. Groundwater quality will be monitored in accordance with the condition contained herein. The existing sewage disposal system will be replaced with a new secondary treatment system in compliance with current regulations.
6. Fiscal impact on the Town: The proposed development will have a positive fiscal impact on the Town because the assessed value of the property and tax revenue will increase.

Water Resource Protection Districts: The Board received comments from the Board of health and Water Department indicating that the installation of new sewage disposal system, with the proposed secondary treatment process known as the "FAST" system, will protect drinking water resources in the WRPD III District.

7. Comprehensive Master Plan – The proposed improvements comply with the Goals and Objectives of the Comprehensive Master Plan including:
 - To continue town efforts to protect all public water supplies.
 - To support existing commercial and industrial businesses.
 - To encourage small retail and service businesses that will meet the needs of Groton residents and continue the town's tradition of having businesses that are "locally grown".

Conditions:

1. § 218-30G states, "surface and groundwater quality resulting from on-site wastewater disposal or other operations on-site shall not fall below the more restrictive of federal or state standards for drinking water, or, if existing surface or groundwater quality is already below those standards, on-site disposal or operations shall result in no further deterioration."

Two groundwater-monitoring wells shall be installed at the rear (northerly and easterly) corners of the site. A baseline test for Safe Drinking Water Standards (SDWS) shall be performed prior to the commencement of any site alterations. The wells shall be tested for SDWS quarterly for one year after issuance of the occupancy permit, and annually on June 30th thereafter. The applicant shall submit the groundwater test results to the Board of Health, the Groton Water Department, Building Inspector/Zoning Enforcement Officer, and the Planning Board (as Special Permit Granting Authority) for review.

2. The applicant shall install the new sewage disposal system, with the proposed secondary treatment process known as the "FAST" system, to protect drinking water resources in the WRPD III District. The design, installation, and maintenance of the system are subject to review and approval by the Board of Health.
3. As stated at the public hearing, the applicant shall store all chemicals and hazardous material indoors. There shall be no outside storage or displays of products sold on the premises. The applicant shall submit an updated

copy of the inventory annually on June 30 to the Board of Health, the Groton Water Department, Building Inspector/Zoning Enforcement Officer, and the Planning Board (as Special Permit Granting Authority).

4. Snow banks and stockpiles shall not exceed a height of three (3) feet at any time. Within 48-72 hours of a storm, snow in excess of three feet in height shall be removed from the site and disposed of in an area that is not within a Water Resource Protection District. Snow shall not be plowed into the retention basins or drainage swales.
5. The stormwater management system shall be maintained in accordance with the approved Stormwater Pollution Prevention Plan (Sheet C5.1 on the site plan) and as described in the "Stormwater Management – Project Narrative Report," by GPR, Inc., dated January 16, 2004 with revisions through March 26, 2004.
6. The applicant shall apply a minimum amount of non-sodium chloride deicing chemicals to the paved areas on site. The applicant shall submit information regarding the type of chemicals and quantity to the Board of Health for its review and approval.
7. The dumpster shall be covered and sealed to prevent runoff from the dumpster from infiltrating the ground.
8. This special permit shall not be in effect until certified copies of the special permit decision is recorded at the Middlesex South Registry of Deeds as required in GL Chapter 40A, Section 11, and Groton Zoning By-Law Section 218-32.1. No construction or site alteration shall commence nor shall any necessary permits be issued by any Board or official until evidence of such recording is submitted to the Planning Board by the applicant.
9. This special permit shall lapse in 24 months, which shall not include such time required to pursue or await the determination of an appeal referred to in Chapter 40A, Section 17, from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. The recording of the special permit shall constitute commencement of substantial use.
10. This special permit runs with the land and applies to any successor in interest or successor in control.

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

PUBLIC HEARING – ROCKY HILL SPECIAL PERMIT

The Board continued the public hearing to consider the Rocky Hill special permit and definitive plan. Attorney Robert Collins and design engineer Robert Pine were present.

Mr. Pine described the area with 24 units of housing for people 55 years and older. He said more land will be contained in the center of the site with a reduced amount of pavement. He submitted new road profile and grading plans. Mr. Pine said approximately 25,000 cubic yards of earth material will be removed from this area to be used elsewhere on the site.

Mr. Collins presented the architectural elevations and floor plans for the duplex and triplex units. He asked the Board what other information it would like to see.

Member Perkins requested that the applicant submit cut and fill calculations and pre- and postdevelopment topography.

Member Barringer expressed concern about the house elevations and post construction grades. He asked if the esker in the center of the site would be removed. Mr. Pine said, "yes," the grades will be lowered in this area.

Member Barringer asked about impact on vernal pools from the topographic changes. Mr. Pine said the road will be lower than the buildings. The drainage system in the road will collect surface water runoff. The final design must be approved by the Natural Heritage and Endangered Species Program (NHESP).

Member Barringer asked if the applicant could limit the use of lawn chemicals. Mr. Pine agreed and suggested that the Planning Board include it as a condition of the special permit. Mr. Collins said he would submit draft language to the Planning Board.

Member Perkins asked if pets could be restricted from living in the development. Mr. Pine said, "yes," and agreed that pets have an adverse impact on wildlife. Mr. Collins agreed that such a limitation could be included in the condominium documents.

Member Lewis asked if the Fire Chief's concerns had been addressed. Mr. Pine said they will meet with the Fire Chief to discuss the plans.

The Board voted unanimously to continue the public hearing on July 29, 2004 at 8:30 PM.

MINUTES

The Board voted unanimously to approve the May 20, 2004 and May 27, 2004 minutes.

LIAISON REPORTS

The Board discussed the need to adopt a policy on the role of liaisons. Planning Administrator Michelle Collette will draft a policy statement for the Board's review at the July 15, 2004 meeting.

Meeting adjourned at 10:30 PM

Respectfully submitted,

Michelle Collette
Planning Administrator

mc:lg