

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

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

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

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

The Board voted unanimously to continue the public hearing on August 8, 2004 at 7:30 PM as requested by the applicant.

COMMENTS TO ZBA - OAKRIDGE MANOR COMPREHENSIVE PERMIT

Member Perkins reported that the Zoning Board of Appeals (ZBA) would like additional comments from the Planning Board about the Oak Ridge Manor comprehensive permit plan. The developer purchased additional land in Littleton for the access road onto Route 119. The centerline grade of the road will be 10% in some locations. The ZBA will hold the continuation of the hearing on July 28, 2004. The Planning Board will meet with the Housing Partnership on July 21, 2004 at 7:00 PM and will vote on its comments at that meeting.

PUBLIC HEARING – ACADEMY HILL SPECIAL PERMIT MODIFICATION

In accordance with the provisions of Chapter 40A, Sections 9 and 11, the Groton Planning Board held a public hearing to consider the application submitted by LandWest, Inc. for a modification of a special permit to utilize the provisions of Groton Zoning By-law Section 218-26 Open Space Development, subsection 218-26F(2) Cluster Development, and Section 218-26.1 Major Residential Development to create ninety-four units as shown on the plan entitled, "Plans to Accompany Open Space Residential Development Special Permit for: Academy Hill in the Town of Groton, Massachusetts"; prepared by Beals Associates, dated June 28, 2004. The proposed subdivision is located on Groton Assessors Map & Parcels A-16 owned by Dennis & Helen Magee; A-16A and A-16B owned by John & Roberta Lavalley; A-17, A-18 & A-19, B-1 & H-5 owned by Habitech, Inc.; A-20C owned by Lewis Trust; B-4, B-5 and H-1 owned by Groton Throne Hill Realty Trust; H-2 & H-11 owned by Kern Family Nominee Trust; H-8, H-9 and H-10 owned by George G. Hayes; and Pepperell Assessors Map and Parcel 37-30 owned by Charles & Robin McCann. The properties are located on the easterly side of Townsend Road and southerly side of the Old County Road in Groton and the northerly side of the Old County Road and southerly side of South Road (Route 119) in Pepperell.

Chairman Eliot called the public hearing to order. Clerk Degen read the notice published in the June 30, 2004 and July 7, 2004 issues of the Groton Herald. Applicant Bruce Wheeler of Land West, Inc., Attorney Louis Levine, Attorney Ray Lyons, and design engineer Lawrence Beals were present.

Mr. Beals presented the proposed modifications to the special permit and definitive plan resulting from the MEPA process and the Natural Heritage and Endangered Species Program (NHESP). He said they are moving forward on drafting the final Environmental Impact Report. The applicant is requesting a modification of the special permit to address NHESP's concerns. The lots and units in the center of the site have been eliminated and a multifamily development will be added at the end of the cul de sac near Rockwood Lane. The center of the site, containing the most sensitive environmental areas, will be set aside as open space. There will be a gated emergency vehicle access road through the center of the site to the cul de sac in Pepperell. The total number of units will be reduced from 106 to 94 with the elimination of six single-family units and six multifamily units.

Chairman Eliot read the comments from the Sewer Commission, the Police Chief, and the Board of Health.

Member Barringer asked when the gates would be closed. Mr. Beals said they would be closed from March to November. The gates will be opened and the road plowed during the winter months.

Member Barringer asked if the applicant considered alternative plans without the through road. Mr. Beals said, "yes," NHESP would prefer that no road be constructed through the sensitive area.

Member Barringer asked the length of the dead-end street without the emergency vehicle access road. Mr. Beals said about one mile.

Member Degen expressed concern that the unit count is still too high. He asked how many affordable units would be provided. Mr. Beals said that is open to discussion. The revised plan eliminated six single-family and six multifamily units, which were the 12 bonus units, received with the original special permit.

Member Degen said he would not support the construction of 94 units on a single access road. He said the gated emergency vehicle access road does not provide a second means of access. He suggested that the applicant look for another means of access, such as to Lakin Street, rather than constructing the through road. He also suggested reconfiguring the type of housing so that there is less roadway and less cost to the Town.

Member Perkins read from the EOECA Certificate on the Supplemental Draft EIR (SEIR), dated May 14, 2004, which recommended that the through road be eliminated and the number of units reduced. Member Perkins said she does not see how the proposed plan complies with the SEIR Certificate. Mr. Beals responded that they are before the Board to explore alternative plans.

Member Wilson agreed that the through road should be eliminated because it would cause fragmentation of the site and more intense use of the environmentally sensitive areas by ATV's and other motorized vehicles. He objected to the developer's threat to file a 40B Comprehensive Permit application for this site.

Member Lewis stated that he is not related to the "Lewis" referenced in the public hearing notice. He said the Board is forcing the developer into a 40B application. People must have somewhere to live. He said he would not support sending traffic to Lakin Street over the backyards of existing residents. He said the Board approved this subdivision plan and should work with the applicant to find solutions without putting traffic onto Lakin Street.

Chairman Eliot asked if changing the units from single family to multifamily would result in less stress on the road system. Single-family units generate more traffic than multifamily units.

Harlan P. Fitch asked how the Growth Limitation By-law, recently defeated at Town Meeting, would impact this development. Planning Administrator Michelle Collette said the proposed amendment would not apply because the Academy Hill preliminary plan was submitted and the definitive plan was approved prior to the Town Meeting vote.

Mr. Fitch asked whether the subdivision roads would become public and if there are any specifications for emergency vehicle access roads. He asked who would maintain the road.

Member Lewis said the Town can accept a gravel road if it meets town specifications. Mr. Beals said the emergency vehicle access road would be paved with a width of 18 ft and a 50 ft wide right-of-way. The 18 ft pavement width is based upon the Police Chief and Fire Chief's recommendations.

Member Wilson said the long-term maintenance cost is another reason not to construct the emergency vehicle access road.

Member Clements asked if a waiver of the subdivision regulations is required for the long dead-end street. Mr. Beals said, "yes."

Member Lewis required that the developer consider constructing housing for the elderly, which would have less impact and less traffic. Other Board members agreed.

The Planning Board voted unanimously to continue the public hearing on July 29, 2004 at 7:30 PM.

LIGHTING - LELIEVRE SITE PLAN

The Board received a detail sheet of the lighting to be installed at the Lelievre building on Route 119. The Board voted unanimously that the proposed lighting is not acceptable and to suggest that Mr. Lelievre review other

commercial sites in Groton for suggestions.

SITE PLAN REVIEW – PGI REALTY, 318 MAIN STREET

The Board considered the site plan submitted by PGI Realty to demolish an existing automotive repair shop and construct a gasoline station and convenience store. Applicant Paul Palmer, Attorney Robert Collins, and a number of abutters were present.

Mr. Collins said the existing 4093 SF building and canopy will be raised and the site will be rehabilitated. The half-acre lot has 221 ft of frontage on Champney Street and 116 ft on Main Street. The lot is zoned B-1. Mr. Collins said a new 2900 SF building will be constructed in the rear corner of the site and a new canopy will be erected over the gasoline pumps. Landscaped buffers will be provided. Mr. Collins presented the architectural plans showing a 1½-story building with dormers and gabled ends. The design engineer will address all the issues in the report dated July 13, 2004 from Judith Nitsch Engineering, Inc. (JNEI). However, Mr. Collins did not agree with the recommendation to install bollards near the front of the store. Mr. Palmer said he would rather install planters to prevent vehicles from driving into the storefront.

Chairman Eliot read the comments from the Police Chief, the Sewer Commission, the Board of Health, and the Water Department.

Member Lewis expressed concern about traffic, especially with the sidewalk used by children walking to school. This site is very close to the school. The impact of lighting and dumpsters are important considerations.

Member Wilson also expressed concern about impact on abutters. He said good landscaping and lighting plans are critical. He asked if the curbing would be granite. Mr. Collins said, “yes.”

Member Wilson asked if the existing gasoline storage tanks would be replaced. Mr. Collins said, “yes,” and 21E Site Assessment will be submitted to the Planning Board.

Member Wilson asked if there would be any signage on the canopy. Mr. Collins said, “no,” the canopy would have a nice design with a gabled roof.

Member Perkins expressed concern about the turning radius for tanker trucks as noted in the JNEI report. She asked if trucks would be able to turn when there are cars parked on the site. Mr. Collins said the applicant would submit a truck turning plan.

Member Perkins said the landscaping is nice for the abutters, but the Fire Department must reach the rear of the buildings. Landscaping should not block the fire lane. Mr. Collins said there would be a 12 ft wide grass access strip to the rear of the site.

Member Perkins asked if the convenience store would serve sandwiches. Mr. Palmer said there may be a deli area, but there will not be any seats.

Member Perkins asked about trash disposal, especially food waste. She said all trash containers should be sealed to minimize impact on the neighbors.

Member Clements asked where people would pay for gas. Mr. Collins said by credit card at the pump. Mr. Palmer said the pumps would be fully automated, but they would like to provide full service for customers at certain hours. Member Clements asked if the applicant plans to sell motor oil, anti-freeze, and other chemicals. Mr. Palmer said, “not extensively.”

Member Clements said he would prefer planters instead of bollards in front of the store. He asked about traffic on Champney Street. Mr. Collins said the traffic engineer would attend the next meeting.

Member Degen said the by-law requires 23 parking spaces and gives credit for ten on-street spaces. However, he said

he would like to see all 23 spaces on site in this location because people will not park on the street. He asked how many spaces would be designated for disabled people. Mr. Collins said the plan would meet all ADA requirements.

Member Degen suggested that the landscaping plan could be improved with better plantings in the island. Planting can be used to mitigate headlight glare.

Member Degen asked about the illumination of lighting in the canopy, which can be very bright. He asked that the lighting be toned down. He asked about truck traffic because trucks are not allowed on Champney Street.

Member Barringer asked about the hours of operation. Mr. Collins said they did not know yet. Member Barringer requested that the applicant submit a proposed delivery truck schedule for both gasoline tanker trucks and general merchandise.

Member Barringer noted that the JNEI report stated that there might be a 128 ft queue from the curb to the store. He asked if there is enough room to stack cars. Member Barringer agreed that it would be helpful to have the traffic engineer attend a meeting and answer questions.

Member Barringer asked if the site is in a Water Resource Protection District. Mr. Collins said, "no."

Chairman Eliot said she appreciated the well-done architectural plans including the design of the canopy. She asked about the sidewalk along Route 119. Mr. Collins said there is an existing sidewalk in this location. Chairman Eliot said pedestrian access for school children is critical. She asked if the sidewalk could be extended around the corner along Champney Street.

Member Lewis asked about the HVAC units. Mr. Collins said they are shown on the plan. Member Lewis said the power switches for the HVAC units must be locked for safety reasons.

Member Lewis asked about the prohibition of trucks on Champney Street. Mr. Collins said he would discuss this with the Police Chief.

William Maher of JNEI, the Board's consulting engineer, presented his report dated July 13, 2004.

Abutter Sean Sullivan said he was looking forward to the gas pumps going away. He asked if the gas station had been active within the past two years. Mr. Collins said he consulted with the Building Inspector who determined that the grandfathering would expire in December 2004.

Mr. Sullivan noted that this is the edge of the B-1 District which abuts residential uses. Workers Credit Union is the only abutting non-residential use.

Mr. Sullivan asked about the traffic study. Mr. Collins said the traffic engineer would attend the next meeting to present his findings and answer questions. Mr. Sullivan noted that, although the speed limit is 30-35 mph, cars usually travel about 50 mph in this location.

Mr. Sullivan asked if the gas station would have a public-address system. Mr. Palmer said, "yes," as required by state law.

Mr. Sullivan noted that lighting, signage, and noise from the HVAC unit are all important issues. Member Lewis responded that the new HVAC units are all very quiet.

Mr. Sullivan asked why the applicant has credit for ten on-street parking spaces. Planning Administrator said § 218-23 states:

"Location. Required parking shall be on the same premises as the activity it serves in the B-1, R-B or M-1 Districts. Each parcel in the B-1 District shall be credited with 10 on-street parking spaces if the

parcel is served by the existing curb and sidewalk system. Such on-street parking spaces shall not qualify as meeting parking requirements for the purposes of ~ 218-25A, Applicability. Parking lots located within the Groton Center area may be shared with the written consent of the landowner and the approval of the Planning Board, provided that such use will not have an adverse effect on the town.”

Mr. Sullivan asked about the rental space on the second floor. Mr. Palmer said there would be about 1000 SF of space rented as professional office space.

Mr. Sullivan expressed concern about controlling spills and the potential impact on wetlands via the subsurface drainage system. Mr. Palmer said they would comply with all laws and other requirements. The canopy is very attractive and it will not be “Shell” colors as negotiated with Shell.

Abutter Duane Cromwell asked if traffic would enter from Main Street and exit on Champney Street. Mr. Collins said traffic would not be limited to one-way.

Mr. Cromwell stated that Champney Street is highly traveled by school buses. He stated that delivery trucks will pull out onto Champney Street, and no trucks are allowed on Champney Street. He said he has concerns about the hours of operation, noting that the convenience store will be much busier than the former gas station.

Abutter Sharon Sullivan said two children were nearly hit coming out of Champney Street. The traffic situation at the intersection of Champney Street and Route 119 is very dangerous. She said the neighborhood proposed that the Selectmen constructed sidewalks on both sides of Route 119 in the vicinity of Champney Street. Many children walk to school in this area.

Sean Sullivan said sun glare blocks visibility and creates a safety problem during morning commuter hours.

Abutter Lois Young expressed concern about trucks on Champney Street, glare from lighting, dumpster noises, car alarms, and back-up noises from trucks.

Member Degen asked if the lights on the rear of the building could be on motion detectors. Mr. Palmer said, “yes.”

Member Degen asked if the HVAC units are located against the slope. Mr. Palmer said they would look more carefully at the grades in this area.

Harlan Fitch noted that there is a brook under the site, which flows from the Workers Credit Union site to the school site. He asked if the drainage system would be tied into the catch basin in Champney Street. The Board will ask the applicant’s engineer to comment on the drainage system and underground brook.

The Board voted unanimously to continue the site plan review on July 29, 2004 at 8:00 PM.

PLANNING BOARD LIAISON POLICY

The Board reviewed and amended the draft policy on the roles of Planning Board liaisons. The motion was made by Degen to adopt the policy as amended. *The motion was seconded and passed unanimously.*

(Members Lewis & Degen left the meeting.)

SITE PLAN REVIEW – SEVEN HILLS FOUNDATION

The Board continued its review of the site plan submitted by Seven Hills Foundation to renovate and expand its extended care facility on Hillside Avenue. Edward Doucette of Seven Hills, design engineer Robert Hitchcock, and architect Robert Monahan were present.

Mr. Hitchcock updated the Board about the planning process, noting that the Earth Removal Advisory Committee granted an Erosion and Sedimentation Control permit for the site work. He stated that lighting would be on a separate circuit so the lights can be shut off at night. Additional trees will be planted near Fairview Street. Seven Hills is still

working with the Water Department about water system improvements. Mr. Hitchcock described changes to the drainage system including relocating the catch basin in West Street. He said he is still working with JNEI to resolve the drainage system calculation issues. The parking lot has been reduced by four parking spaces to address JNEI's concerns.

Mr. Monahan presented new architectural elevations to the Board. The HVAC units will be screened by a galvanized barrier that will be painted white. They will not be very visible from the ground.

Member Perkins asked if the sycamore tree would be saved. Mr. Doucette said the Fire Chief is very comfortable with the tree remaining as long as the lower branches are pruned to provide better access to the building.

Abutter Kathleen Kummer asked about runoff from the parking lot and other drainage issues. She said lighting will impact their property located downhill from the facility. Chairman Eliot said the Board is very concerned about the impact of lighting on abutters and will require that the lights shine downward.

Abutter Sheila Flynn asked about the height of the trees to be planted as screening. Mr. Monahan said the height of the trees is noted on the plan. The hardwood trees will remain and new evergreens will be planted. The trees will be 7-8 ft tall when they are planted and will grow to about 30 ft in height.

Ms. Flynn said the light poles are 16 ft high so the 7-8 ft trees will not provide screening. She also expressed concern about runoff onto the rail trail. Mr. Monahan said the regulations require no net increase in runoff. Mr. Hitchcock described how the drainage system will function. The capacity of the swale will not be exceeded. The size of the swale has been increased to address JNEI's concerns.

Mr. Doucette added that the existing drainage from the Town's catch basin on West Street will be directed to the new drainage system. Mr. Doucette said the lights will be shielded downward to prevent glare. He stated that Seven Hills' goal is to be a good neighbor.

Kathleen Kummer asked about noise from the HVAC system. Mr. Monahan said the system meets all regulations for sound attenuation.

The Board voted unanimously to extend the Board's deadline to act to August 8, 2004.

The Board voted unanimously to continue its review of July 29, 2004 at 9:30 PM.

Meeting adjourned at 10:45 PM

Respectfully submitted,

Michelle Collette
Planning Administrator

mc:lg

