

**GROTON PLANNING BOARD**

**JULY 29, 2004**

**MINUTES**

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

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

Members absent: Barringer and Lewis

**PUBLIC HEARING – ACADEMY HILL SPECIAL PERMIT MODIFICATION**

The Board voted unanimously to continue the public hearing to consider the Academy Hill special permits and definitive plan on August 12, 2004 at 8:30 PM.

**SITE PLAN REVIEW – SEVEN HILLS EXTENDED CARE CENTER**

The Planning Board continued its review of the site plan submitted by Seven Hills Foundation to construct an addition and renovate the existing extended care facility on Hillside Avenue. Ed Doucette of Seven Hills and design engineer Robert Hitchcock of SVE Engineering were present.

Mr. Hitchcock said they performed percolation and deep hole testing to determine the infiltration rates of the soils in the area of the retention basin. Gary Shepard of David E. Ross Associates and William Maher of Judith Nitsch Engineering, Inc. (JNEI) witnessed the deep hole and percolation tests. The final drainage system design and calculations were submitted to JNEI for review. A stone bed will be installed under the parking lot to accommodate roof drainage. The post-development flows are less than the pre-development flows. Riprap was removed in all locations except the level spreader as recommended by JNEI.

The Board received letters dated July 20, 2004 and July 29, 2004 from SVE and a report dated July 29, 2004 from JNEI.

Mr. Hitchcock said the lights were changed so the poles are 16 ft in height and the lights can be shut off independently. If the trees do not survive, new ones will be planted.

Member Perkins asked about screening the HVAC units. Mr. Hitchcock said the architect addressed this issue at a previous meeting. The screening will be eight feet high, so the rooftop units will not be visible from the ground.

Member Degen asked about the construction sequence. Mr. Hitchcock said the Middlesex Conservation District and Earth Removal Advisory Committee reviewed and approved the construction sequence.

Member Degen asked if the landscape screening would be with native plants. Mr. Hitchcock said existing trees would be transplanted to provide screening. Member Degen suggested using a tree spade to transplant larger trees to provide maximum screening for abutters. Mr. Hitchcock said white firs will be planted and three existing pines will be saved. Member Degen said this should be noted on the plan.

Mr. Hitchcock said they spoke with the Fire Chief and they will be able to save the existing sycamore tree near the building if they prune lower branches.

Abutter Donna Fleming asked about screening for the abutters. She noted that the newly planted trees would not reach maturity for many years. She said they live on the second floor level of their house and will be able to see over the 7-8 ft high trees. Member Degen said 12-14 ft high trees would provide better screening. Mr. Hitchcock agreed to work with the abutters on the planting plan.

Abutter Sheila Flynn asked if the Board would require a performance bond for enforcement.

Member Degen said if the Board held a bond, it would have to release the bond before the Building Inspector could grant a final occupancy permit.

Member Perkins said the Board has never required Groton School, Lawrence Academy or other non-profits to post a performance bond for projects of similar scope.

Ms. Flynn said it is a good idea to have a bond so the Town would be able to repair the drainage system, if necessary. Member Degen suggested that the Board hold a bond only on the drainage system.

David Jordan of Seven Hills Foundation said bonds are very costly and the Town has enough leverage by withholding an occupancy permit. He added that the cost of the bond would reduce the funds available for patient care.

Member Degen said this is a difficult site to develop with the removal of 7000 CY of earth material and drainage concerns. A bond would give the Town the leverage it needs to correct problems.

The motion was made by Degen to require a performance bond on the drainage system for the Seven Hills project. The motion was not seconded.

Member Perkins asked if the applicant requested a waiver to eliminate granite curbing. Mr. Hitchcock said, "yes," the request was included in the original submission materials.

Member Degen asked about the entrance to the site from Fairview Avenue. Mr. Hitchcock said "Do Not Enter" and "Exit Only" signs would be installed.

Chairman Eliot suggested that the Board may want to review the plan six months after the improvements have been completed to see how well the landscaping, lighting and drainage system are working. Board members agreed.

The motion was made by Wilson to waive the requirement for granite curbing. The motion was seconded.

Member Degen said he was concerned about the lack of curbing because sheet flow can damage the road and adjacent plantings. Mr. Hitchcock said the water will flow into the catch basins. Member Degen said the curbing helps the drainage system function properly.

***The motion passed with Clements, Eliot, Perkins, and Wilson in favor; Degen opposed.***

The motion was made by Perkins to approve the Level II site plan entitled, "Building Expansion Site Plans – Seven Hills Extended Care," prepared by SVE Associates and Richard Monahan Architects, dated April 22, 2004 with revisions through July 29, 2004, with the following conditions:

1. The applicant shall work with the abutters regarding screening and the landscaping plan. The final landscaping plan shall be submitted to the Board for its review and approval prior to planting trees or shrubs.
2. The stormwater management system must be properly maintained as recommended in the letter dated July 29, 2004 from SVE Associates.
3. Traffic flow signage will be installed and re-evaluated periodically for effectiveness.
4. 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).
5. Vegetative screening shall be used to minimize headlight glare onto public ways as required in Section 218-25G(1)(g).
6. Lighting shall not intrude onto other properties or public ways as required in Section 218-25G(1)(h).
7. 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.

8. The installation of the public water supply system shall conform to the specifications of the Groton Water Department.
9. All signs must conform to the Sign By-Law, Chapter 196 of the Code of the Town of Groton.
10. 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.
11. 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.
12. 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).
13. The Planning Board reserves the right to review the improvements to the drainage system, landscaping plan and lighting in six months and one year from the date of issuance of occupancy permit. The Board may require a modification of the site plan if necessary.
14. All outstanding engineering invoices must be paid in full prior to issuance of a building permit.

***The motion was seconded and passed unanimously.***

#### **SITE PLAN REVIEW – PGI REALTY, 318 MAIN STREET**

The Board continued its review of the site plan submitted by PGI Realty to construct a convenience store and gas station at 318 Main Street. Applicants Paul Palmer, Attorney Robert Collins, traffic engineer Arthur Scarneo of GPI, consultant Kevin Leverone, and many abutters were present.

Mr. Collins said revised plans would be submitted to the Board and to JNEI soon, so the Board could focus on traffic issues this evening since the traffic engineer is present. The Zoning Board of Appeals will hold a public hearing in September to consider the application for a variance and special permit for the gas station.

Mr. Scarneo stated that the traffic study was performed in conformance with accepted guidelines and was reviewed by JNEI. The ITE trip manual varies on trip generation by type of use, and that issue will be resolved with JNEI. Since Route 119 is a state highway in this location, a curb cut permit from MassHighway is required. However, an ENF is not required based upon the trip generation. The gas station will not generate many new trips because a high percentage of trips will be vehicles passing by.

Member Wilson asked how many pumps were present with the previous gas station at this site and how many pumps are proposed. Mr. Scarneo said there were four pumps and six pumps are proposed. The project will generate 106 vehicle trips (53 vehicles coming and going) in the AM peak, with 21 trips in the AM peak and 19 trips in the PM peak.

Member Degen asked if the site plan could be modified so all traffic enter and exits on Main Street. Mr. Scarneo said the tanker trucks could not make the turn with both the entrance and exit on Main Street. He submitted a plan entitled, "Truck Turning Plan" for the Board's review.

Member Perkins stated that the plan only shows trucks coming in one direction from Route 119. Mr. Scarneo said trucks must follow the plan for safety reasons because the hoses are on one side of the truck.

Member Degen said he would like to keep traffic off Champney Street and only use Main Street, if possible.

Mr. Scarneo said only using Main Street would not be in conformance with MassHighway standards and would not

receive a curb cut permit.

Member Degen asked if trucks could be required to turn left on Champney Street rather than turning right and going through the residential area. Mr. Palmer agreed signs could be posted to prevent trucks from turning right onto Champney Street.

Member Clements asked if many right turns onto Champney Street are expected. Mr. Scarneo said the increase will be negligible with only four new trips on Champney Street in the AM peak and four new trips in the PM peak.

Chairman Eliot said the Board received a letter dated July 19, 2004 from Duane Cromwell, a letter dated July 28, 2004 from Timothy and Nancy Dumont, and a letter dated July 29, 2004 from a neighborhood group.

Mr. Cromwell asked how the Board could approve a site plan for an illegal activity since trucks are not allowed on Champney Street. Mr. Collins said he would consult with the Police Chief about truck traffic on Champney Street. Mr. Scarneo said this part of Champney Street may be part of the state layout and under the jurisdiction of MassHighway.

Abutter Diane Rice of Main Street expressed concern about oil deliveries taking place at night, the length of the canopy allowing more pumps to be added later, and especially pedestrian safety issues with school children walking to school in this area.

Abutter Shaun Sullivan noted that JNEI does not agree with the assumptions in the GPI traffic study. He noted that the average speed is not 35 mph. Mr. Scarneo said there is a difference between the posted speed and actual speed. They only used the speed to determine stopping sight distances in accordance with standard engineering practice.

Member Degen suggested that the Board request the Police Chief to attend the next meeting and that he provide accident data for the past five years. Member Degen said the traffic study should be based upon actual speeds rather than the posted speed limit.

Abutter Jerry Lombardo said many children will frequent the convenience store. Jessica Lombardo asked about impact on property values.

Mr. Palmer said the plans involve \$1,500,000 of building construction with cedar, granite and brick. The existing Texaco canopy is unattractive. The gas station will be the primary use and the convenience store the secondary use. Mr. Palmer said they opted to construct a nice building to support the type of development the Town is encouraging. He said he wants to protect his investment by doing the right thing.

Ms. Lombardo said the larger façade could decrease property values. She asked for information on the potential impact on property values.

Diane Rice asked why the canopy is so long. Mr. Palmer said additional pumps would not be installed in the future. There will only be six pumps as shown on the plan.

Mr. Scarneo said the canopy provides the required fire suppression system and shields the lighting. Member Perkins asked if the canopy meets or exceeds the requirements. Mr. Leverone said the canopy is designed to provide the fueling positions from the weather. A minimum of 24 ft from dispenser to dispenser is required.

Abutter David Caruso asked if the diesel fuel would be for cars only. Mr. Palmer said, "yes." Mr. Caruso noted that underground storage tanks must be set back 25 ft under Chapter 280 of the Code of the Town of Groton.

Member Degen asked if the applicant would install fewer fuel pumps with a smaller canopy. Mr. Palmer said it is not economically feasible to have fewer pumps.

Abutter Shaun Sullivan said the proposal, with the increase in use from the convenience store, is out of scale with the

neighborhood. He objected to the size and scale of the proposed project.

Mrs. Sullivan said the height of second floor is 12' 4", and the height of the canopy is 22' 9". Mr. Collins said the height of the building would be 29 ft. Mrs. Sullivan said the canopy is only 8' lower than the second floor of the new building. She said they will be looking onto the roof of the canopy.

Member Degen addressed the previous concern about property values. He said the land is zoned B-1 and the building proposal is very attractive.

The Board voted unanimously to extend the deadline to September 30, 2004.

The Board voted unanimously to continue the site plan review on August 26, 2004 at 8:30 PM.

### **PUBLIC HEARING – ROCKY HILL SPECIAL PERMITS & DEFINITIVE PLAN**

The Board voted unanimously to continue the public hearing to consider the Rocky Hill special permits and definitive plan on August 26, 2004 at 8:00 PM.

### **SITE PLAN REVIEW – GROTON SCHOOL BOATHOUSE**

The Board reviewed the site plan submitted to Groton School to construct an addition to the existing boathouse and to create a new parking lot. Attorney Collins presented the plan.

Mr. Collins said a 16 ft addition will be constructed on the rear of the building. The amount of existing pavement will be reduced. Parking spaces will be delineated, and flood storage compensation will be provided. The Conservation Commission reviewed the plan and requested that the gasoline storage area be moved away from the wetlands. A sealed containment system will be used to store fuel for the boats.

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

The motion was made by Degen to approve the Level I site plan entitled, "The Groton School – Boathouse Expansion," prepared by Samiotes Consultants, Inc., dated June 22, 2004, with the following conditions:

1. The proposed addition to the building and site improvements must be reviewed and approved by the Conservation Commission.
2. All signs must conform to the Sign By-Law, Chapter 196 of the Code of the Town of Groton.
3. 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.

*The motion was seconded and passed unanimously.*

### **MEETING WITH BOARD OF SELECTMEN**

The Board will meet with the Board of Selectmen on August 9, 2004 to discuss the proposed Village at Throne Hill comprehensive permit application. The Board will forward its comments to MEPA on the Academy Hill project as comments on the 200-unit comprehensive permit application submitted by LandWest, noting that the density of the comprehensive permit plan is double that of the special permit plan.

The Selectmen and Planning Board will also discuss the memorandum from the Board of Assessors regarding non-residential zoning districts.

Meeting adjourned at 9:45 PM

Respectfully submitted,

Michelle Collette  
Planning Administrator

mc:lg