

**GROTON PLANNING BOARD
OCTOBER 21, 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

COMMENTS TO MEPA – ROCKY HILL

The Board discussed its comments to MEPA on the Rocky Hill Environmental Impact Report (EIR). The motion was made by Lewis to send the following comments to MEPA:

1. In September, 2001, the Special Town Meeting voted unanimously to approve a concept plan for the Rocky Hill residential development. Since that time, the developer has been working closely with the Planning Board on the various site design issues. The concept plan provides housing diversity including one existing single-family house, 38 single-family lots, 24 units for people 55 and older, 12 starter homes, and nine affordable units for a total of 84 units.
2. The Board is still in the process of reviewing the special permits, site plan review and definitive plan applications for the overall development. However, the Planning Board already granted the special permit for the nine affordable units to be located on Lot 3 with frontage on Sandy Pond Road. The Approval Not Required lot is held in separate ownership and is no longer part of the overall Rocky Hill development at this time. The Board supports the applicant's efforts to expedite construction of the very much-needed affordable housing.
3. The proposed protection of approximately 387 acres of unfragmented open space is a great benefit to the Town of Groton and the surrounding area. The importance of protecting critical natural resources in this area is well documented in the ENF and EIR. The Town appreciates the generosity of the developer and his approach to the development of this environmentally sensitive land.
4. The Board does have some concerns about the amount of topographic change proposed in the central area of the development shown as "Proposed Over 55 – Lot 1C-5" on Figure 2, Preliminary Site Lay-out. This area is located in close proximity to the wetlands, vernal pools, and endangered species habitats. Careful review should be given to this area of the proposed development. The plan does not have sufficient topographic information for the Board to comment on grade changes on the remainder of the site. The Board anticipates that this information will be shown on the definitive subdivision plan as required in the Subdivision Regulations.
5. The Planning Board believes the traffic concerns were adequately addressed by the traffic studies associated with the Boston Road Market Place and MassHighway's Intersection Improvement Design for the Four Corners. The traffic studies for both projects included traffic from the Rocky Hill residential development in their analyses.

The motion was seconded and passed unanimously.

INTEGRITY WAY BOUNDS

(Member Barringer stepped down because he is an abutter.)

The Board received a letter dated October 21, 2004 from Alan Taylor and Jennifer Mieth regarding the installation of bounds at the Integrity Estates subdivision. The motion was made by Lewis to request that the Planning Board's engineer check the bounds for Lot 6 at the Planning Board's expense. *The motion was seconded and passed unanimously.*

SITE PLAN REVIEW – TOWN LINE AUTO

The Board continued its review of the site plan submitted by Vincent Lemire to pave Town Line Auto used car lot. The applicant was not present at the meeting, and the Board did not receive the additional information it requested on

drainage.

The motion was made by Perkins to deny approval of the site plan, without prejudice, for lack of required information and to waive the filing fee for a new submission. *The motion was seconded and passed unanimously.*

TRAFFIC ENGINEERING REVIEW – CROSSROADS PLAZA

The Board received a site plan submitted by Nam Hang, LLC for a commercial development at the Four Corners intersection. The Board will review the site plan at its meeting on November 18, 2004.

The motion was made by Degen to send the site plan and traffic study to Fay, Spoffard & Thorndike for traffic review and to request that traffic engineer Gary Hebert attend the Planning Board meeting on November 18, 2004. *The motion was seconded and passed unanimously.*

GROTON MARKET

The Board discussed parking problems at the Groton Market-Fihlo's Restaurant site. There are not enough parking spaces, so many people park along Pleasant Street creating a pedestrian safety issues. Some members suggested asking the applicant to attend a Planning Board meeting to discuss the issue. Other members suggested working directly with the Town's public safety officials.

The motion was made by Lewis to send a letter to the applicant requesting that he attend a Planning Board meeting to address parking and safety issues. The motion was seconded.

The motion was made by Barringer to amend the main motion to send a letter to the Town's public safety officials, rather than the applicant, requesting that they address on-street parking in this location. *The motion to amend was seconded and passed unanimously. The main motion was seconded and passed unanimously.*

SPECIAL PERMIT DECISION – BENNETT BLACK, BURNT MEADOW ROAD

The motion was made by Lewis to determine that Burnt Meadow Road is adequate to serve the three lots shown on the special permit plan submitted by Bennett Black, Jr. *The motion was seconded and passed unanimously.*

The motion was made by Lewis to waive the provision of § 218-26 requiring that the "Yield Plan" conform to preliminary plan requirements. *The motion was seconded and passed unanimously.*

The motion was made by Degen to grant a special permit to utilize the provisions of Groton Zoning By-law Section 218-26 Flexible Development to create three (3) new lots as shown on the plan entitled, "Preliminary Flexible Development Plan in Groton, Massachusetts, Designed for Bennett R. Black, Jr.," prepared by David E. Ross Associates, dated July 20, 2004, with revisions through October 7, 2004, with the following conditions and findings:

Findings:

1. **Social, economic and community needs:** The proposed special permit plan serves social and community needs by providing housing which is designed to blend aesthetically with its surroundings. The topography of the site and set back of the house sites act together in minimizing the visual impact of the proposed development on the view from the public way and abutting properties.
2. **Traffic flow and safety:** The Board determined that Burnt Meadow Road is adequate to serve the three proposed lots shown on the plan. It is not anticipated that the proposed development will adversely impact traffic flow and safety.
3. **Adequacy of utilities:** There are adequate public utilities at this location.
4. **Neighborhood character:** The proposed development will blend into the visual environment, thus neighborhood character will remain largely unchanged.

5. **Impacts on the environment:** Given the small scale of the proposed development and the careful siting of homes, the environmental impacts will be minimal; the proposed open space parcel augments the adjacent open space owned by the New England Forestry Foundation. The special permit development will result in less of the site being disturbed than would be the case with a conventional subdivision including a new road and drainage system.
6. **Fiscal impact on the Town:** The proposed development will not have a significant fiscal impact on the Town.
7. **Waiver:** The Board voted unanimously to waive the requirement that the yield plan be prepared in conformance with the requirements for a preliminary plan as set forth in the Subdivision Rules and Regulations pursuant to §218-26G.
8. **Yield Plan:** Pursuant to § 218-26G, the Basic Maximum Number of Dwelling Units, for the proposed development is hereby established as three (3) new units as shown on the plan entitled, "Yield Plan in Groton, Massachusetts, Designed for Bennett R. Black, Jr.," prepared by David E. Ross Associates, dated July, 20004 with revisions through October 7, 2004. The revised yield plan does not include Assessors' Lot 242-8, as shown on the original plan submitted with the application.
9. **Affordable Housing:** The affordable component required in §218-26I is not applicable because there are less than ten dwelling units in the proposed development.
10. **Required Open Space:** The total area of the proposed development is 11.95 acres. The open space parcel contains 6.6 acres, including 4.2 acres exclusive of wetlands, thereby meeting the 35% minimum required in §218-26M Contiguous Open Space. The open space parcel shall be subject to a permanent conservation restriction, pursuant to G.L. Chapter 184, §§ 31-33.

Conditions:

1. As required in §218-26, a minimum buffer of 50 ft shall be provided at the perimeter of the property where it abuts residentially zoned or occupied properties, except for driveways necessary for access and egress to and from the site. No vegetation in this buffer area will be disturbed, destroyed or removed, except for normal maintenance.
2. A shared driveway shall be used to provide access to the lots shown on the plan. The shared driveway requires a special permit pursuant to §218-23D. Construction of the driveway also requires review and approval by the Conservation Commission pursuant to GL Chapter 131, §40, and Chapter 215 Wetland of the Code of the Town of Groton.
3. All access and utility easements shall be shown on the Approval Not Required (ANR) plan.
4. The 6.6-acre open space parcel shall be made subject to a permanent conservation restriction held by the town pursuant to MGL chapter 184, §§ 31 to 33. The conservation restriction must be recorded at the Registry of Deeds and evidence of recording submitted to the Planning Board and Building Inspector prior to the issuance of any building permits.
5. This special permit shall not be in effect until certified copies of the special permit decision and the subsequently endorsed ANR plan are 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.
6. 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 and subsequently approved ANR plan shall constitute commencement of substantial use.

7. This special permit runs with the land and applies to any successor in interest or successor in control.

The motion was seconded and passed unanimously.

BOSTON ROAD MARKET PLACE SOIL EVALUATION

The Board met with LSP Michael Burke of Jaworski Geotech, Inc. to discuss soil to be used as fill at the Boston Road Marketplace site. Mr. Burke said the soil is being removed from Lancaster Woods subdivision site and Central Mass Sand and Gravel operation in Lancaster. He submitted copies of the soil analysis report to the Board.

Member Barringer asked how much material will be trucked in from these two sites. Mr. Burke said about 20,000 cubic yards.

Member Barringer asked about the previous use of the Lancaster Woods site. Mr. Burke said he did not know, but all the samples are clean. There are no volatile organic compounds (VOC's) or metals above state standards.

Member Degen asked about pesticides. Mr. Burke said they did not test for pesticides because the material is being taken from a wooded site.

The motion was made by Degen to accept the 20,000 cubic yards of fill from Lancaster Woods and from the CMSTG site as described in the report dated October 19, 2004 from AMRO Environmental Laboratories Corp., submitted by LSP Michael Burke of Jaworski Geotech, Inc., subject to the approval of the Board of Health. *The motion was seconded and passed unanimously.*

SITE PLAN REVIEW – GROTON HIGHWAY DEPARTMENT, WEST MAIN STREET

The Board reviewed the site plan submitted by Highway Surveyor Robert T. Delaney to construct a salt storage facility at the Highway Department's garage on West Main Street. Mr. Delaney said sand and salt will be stored in a temporary tent located behind the building. The tent will be removed in the spring.

Member Barringer asked about the height of the storage tent. Mr. Delaney said it would be about 16 to 18 ft high.

Member Lewis asked what color the tent would be. Mr. Delaney said either cream or green.

Chairman Eliot asked when the plantings required in the site plan review dated November 13, 2003 would be done. Mr. Delaney said, "This fall."

Chairman Eliot asked if the area under the tent would be paved. Mr. Delaney said, "Yes," as required by DEP. Member Degen asked about the area of pavement. Mr. Delaney said about 800 sq ft.

The motion was made by Lewis to send a letter to the Building Inspector stating that a new site plan review is not required for the proposed salt-sand storage area at the Highway Garage on West Main Street. The site plan, approved on October 30, 2003, included the following condition, "The salt storage area must comply with DEP requirements." The Board recommends that the temporary cover be maintained in good working order and that the color be forest green as described by the Highway Surveyor. *The motion was seconded and passed unanimously.*

DESIGN GUIDELINES

The Board discussed the need to update its Design Guidelines manual prepared during the 1990 Master Plan revisions. The Board will request funding at the 2005 Annual Town Meeting to work with an architect and/or landscape architect on the Design Guidelines project.

Meeting adjourned at 9:00 PM

Respectfully submitted,

Michelle Collette
Planning Administrator