

**GROTON PLANNING BOARD  
NOVEMBER 18, 2004  
MINUTES**

Chairman Eliot called the meeting to order at 7:30 PM in the Town Hall  
Members present: Eliot, Clements, Degen, Lewis, Perkins and Wilson  
Members absent: Barringer

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

The Board held the continuation of the public hearing to consider the Rocky Hill special permits and definitive plan. The Board received a request from the applicant's attorney Robert Collins to continue the public hearing and extend the deadline.

The Board voted unanimously to extend the deadline to January 31, 2005 as requested by the applicant.

The Board voted unanimously to continue the public hearing on December 9, 2004 at 7:30 PM.

**BATTEN WOODS PERFORMANCE BOND**

The motion was made by Lewis to reduce the amount held in the performance bond for the Batten Woods subdivision to \$67,930.52 as recommended in the attached report dated November 12, 2004 from Judith Nitsch Engineering, Inc. (JNEI). *The motion was seconded and passed unanimously.*

**LETTER OF SUPPORT TO EOE**

The motion was made by Perkins to send a letter supporting the West Groton Water Supply District's grant application to the Executive Office of Environmental Affairs to purchase land for a new well site adjacent to the Town Forest. *The motion was seconded and passed unanimously.*

**GIBBET HILL RESTAURANT PARKING AREA**

Member Degen noted that the Gibbet Hill Restaurant parking area had been paved recently and that the approved site plan showed a stone-dust parking lot. Member Degen expressed concern about whether the drainage system was designed to accommodate the paved surface.

The motion was made by Perkins to send a letter to landowner Steven Webber requesting that he submit a statement from the design engineer verifying that the stormwater management system, as installed, is adequate to handle runoff from the paved surface. *The motion was seconded and passed unanimously.*

**COMMUNITY PRESERVATION COMMITTEE REPRESENTATIVE**

The motion was made by Wilson to recommend that the Selectmen appoint Carolyn Perkins as the Planning Board's representative to the Community Preservation Committee. *The motion was seconded and passed unanimously.*

**PLANNING BOARD LIAISON REPORTS**

**Weed Management** - Member Lewis reported that the Weed Management Committee may be combined with the Weed Harvester Committee in the near future. The Committee will be requesting funds from the Town budget at the 2005 Annual Town Meeting.

**COMMENTS TO THE ZBA**

Member Degen said he attended the ZBA hearings on the Squannacook Hill and Oak Ridge comprehensive permit applications. The ZBA would like the Planning Board's comments on the waivers requested by the applicants for these projects. He suggested that the Board recommend that the ZBA not grant waivers of Site Plan Review requirements for the 40B projects so that the Planning Board would retain jurisdiction under Site Plan Review.

The Board began its discussion of the waivers requested by MattBob for the Oak Ridge Manor project. The Board continued the discussion until later in the meeting.

**ANR PLAN – STICKLOR & STROBEL**

The Board considered the Approval Not Required plan (ANR) submitted by Paul and Michelle Sticklor to change interior lot lines between properties on Gay Road and Whitman Road. The Board questioned whether the newly configured lots conformed to zoning requirements such as the coefficient of regularity. The applicant was not present to answer questions or explain the plan. (*Note: The applicant was in attendance but did not hear when the Board called her name.*)

The motion was made by Perkins to deny endorsement of the ANR plan without prejudice toward a new submission. *The motion was seconded and passed unanimously.*

**SITE PLAN REVIEW – CROSSROADS PLAZA**

The Board considered the site plan submitted by Ham Yang, LLC, to construct five new commercial buildings on property located at the intersection of Boston Road and Sandy Pond Road. Applicant and landowner Joe Wong, design engineer Mark Sleger of LandTech, traffic engineer Jennifer Conley of Conley Associates, architect William Thibeault, the Board's consulting engineers William Maher of Judith Nitsch Engineering, Inc. (JNEI) and Gary Hebert of Fay, Spoffard & Thorndike (FST), and many abutters were present.

Design engineer Mark Sleger presented the plan to construct five new buildings for a variety of commercial uses including a bank, a restaurant, retail and convenience stores. The 5.2 acre site is zoned B-1. The existing building will be razed by MassHighway as part of the Four Corners intersection improvement plan. The site plan showed proposed entrances and exits off Route 119 and Sandy Pond Road. There are no alterations proposed within 100 ft of wetlands and there are no identified habitat areas. The site is not located within the ACEC area, but it is in a Water Resource Protection District – DEP Zone III. The proposed sewage disposal system will treat 6000 gallons per day. There are sandy soils in this location. The groundwater elevation is below the surface so a mounded system will not be necessary. Drainage will discharge to a retention basin at the rear of the site as shown on the plan. There will be a total of 29,800 square feet gross floor area in all five buildings.

Architect William Thibeault presented architectural elevations designed to create a "homogeneous village" with traditional materials such as bricks, columns, and red roofs. The height of the building at the ridge of the roof will be 30 ft. The store front windows will be white rather than aluminum.

Mr. Sleger said they would address comments from other Town departments at the next meeting. He will also submit written responses to the reports from JNEI on civil engineering issues and FST on traffic issues. He said the applicant must also apply for a special permit under the provisions of the Water Resource Protection Districts, an Environmental Notification Form must be submitted to MEPA, and a curb cut application must be submitted to MassHighway.

Traffic engineer Jennifer Conley described the traffic flow patterns and the AM/PM peak traffic counts. She said the proposed development will attract people passing by and not generate new trips.

William Maher of JNEI presented his peer review of the civil engineering plans as detailed in the JNEI report dated November 16, 2004. He said the Board must determine whether to require a Development Impact Statement under §218-25G(2)(g). Mr. Maher said a sewage disposal system with a discharge of 6000 gpd requires 12.25 acres lot area, but this lot is only 5.2 acres. Mr. Maher said the landscaping plan was not stamped by a Registered Landscape Architect; the required lighting plan and photometric diagram was not submitted; and the plan for the retaining wall must be designed and stamped by a structural engineer. In addition, there is a discrepancy between the engineering plans and architectural plans on the amount of impervious area (22,738 SF v. 30490 SF). This discrepancy must be resolved.

Member Lewis said he is concerned about children's safety in the area of the retaining wall and the amount of impervious surface.

Gary Hebert of FST presented his peer review of the traffic study as detailed in the FST report dated November 10, 2004. Mr. Hebert said he is concerned about the assumption that trips to the site will be passers by. He requested that the traffic engineer submit data to support this assumption. An accurate trip generation must be submitted to MEPA.

He said he is very concerned about the internal traffic flow on the site. The proposed access driveways shown on the plan could interfere with the left turn lane on Route 119. He said the applicant should consult with MassHighway because the proposed plan may cause confusion and create problems with the reconfigured intersection. The traffic analysis should be revisited.

Mr. Hebert said there are 190 parking spaces are required, including 10 for disabled people. The handicapped parking spaces should be located near the entrance to each building. Pedestrian and bicyclist use should also be addressed. He stated the site will need four curb cuts and the applicant should consult with MassHighway as soon as possible. Mr. Hebert noted that a drive-through window for a restaurant is not permitted in the Zoning By-law (see §218-5 Prohibited Uses).

Member Lewis asked if MassHighway can prohibit snow banks that obstruct sight distance. Mr. Sleger said they would look at the snow storage issue again. Ms. Conley said snow cannot be stockpiled within MassHighway's right-of-way.

Member Degen expressed concern that cars must cross two lanes of traffic to enter the site. Mr. Hebert agreed that this is a serious issue that should be addressed by the applicant. Mr. Sleger said they would meet with MassHighway very soon.

Member Perkins asked if the traffic impact on other intersections was evaluated. Mr. Hebert said the study focused only on the immediate area and did not consider the Boston Road Market Place, Dunkin Donuts or the intersection of Whiley Road and Route 119. Information on these locations is available from previous traffic studies.

Member Perkins asked if the traffic study included traffic generated from the proposed Rocky Hill development located nearby off Sandy Pond Road. She asked if the proposed commercial development would overload the newly improved intersection. Mr. Hebert said the future traffic projections are to the year 2009. Unless there are other major improvements to Route 119, such as widening, then the hours of traffic congestion will increase.

Member Wilson said the Board needs a comprehensive traffic study of the entire Four Corners area including existing and planned curb cuts on Sandy Pond Road. Mr. Hebert said the proposed curb cuts should be located opposite other cuts. If this is not possible, then there should be a minimum separation of 125 ft. The applicant's engineer should overlay all the curb cuts in the area to see how they function.

Chairman Eliot read the comments from the Water Department, the Board of Health, the Board of Selectmen, and the Conservation Commission.

Member Perkins noted that 35% of the site must be open space. Mr. Sleger said they would look at that aspect of the plan.

Member Perkins stated that the proposed landscaping plan is not adequate. Member Degen agreed and suggested that mature trees be planted since the site has been clear cut. He suggested that the number of buildings be reduced from five to three with a better configuration of building locations. He said a guardrail should be installed as protection at the top of the 23 ft high versa-lok retaining wall. A structural engineer must determine the weight bearing capacity of the wall. Mr. Sleger said the structural engineer of the retaining wall would be done at a later date because the plans may change.

Chairman Eliot asked why the roofs are red. She said she prefers architectural shingles. Mr. Thibeault said he would change the plans if the Planning Board wishes.

Chairman Eliot said pedestrian access throughout the site is very important.

Colin Campbell of the Four Corners Neighborhood Association presented the letter from the association.

Julie Rodwin of Laurel Lane asked about landscaping with the proposed plan, Shaw's and Dunkin Donuts. She said

Shaw's said they would keep the trees, but all the trees are gone. Work between MassHighway and Shaw's should be coordinated better.

Member Degen said the Board should consider hiring a landscape architect to do a peer review on behalf of the Planning Board. Planning Administrator Michelle Collette said the plans for Boston Road Market Place (Shaw's) and the MassHighway's Routes 119 & 225 Intersection Improvement plans have been approved and are under construction. The construction work done to date complies with the approved plans.

Julie Rodwin said the level of care applied to the Town Center should be extended to this area. Chairman Eliot agreed, noting that there is an historic building across the intersection from the proposed development.

David Martin of Shelters Road said the neighborhood is concerned about the level of care and rate of development in the area. This is a crucial intersection, and this is the fourth major development proposed for this area. He said endangered species habitat areas were destroyed by the tree clearing. School bus stops and the safety of children should be considered.

John Barberich said architectural design should be reviewed in addition to landscape plans. He asked if the proposed plans and architectural elevations could be posted on the Town's web site for public viewing.

Lisa Frisby said traffic is her most important concern. She runs a family day car business so the safety of children is critical especially with the number of construction vehicles in the area. She asked if the traffic study considered the fact that the bridge in the Forge Village area of Westford is closed. Mr. Hebert said the traffic study for the Boston Road Market Place was done in 2002, prior to the closing of the bridge in Westford. Ms. Conley said the 2002 counts were used as a baseline.

James McMath said the bridge closing in Westford has altered traffic patterns.

Linda DeCiccio said there are three existing homes directly across the street from the proposed development. She said access onto Route 119 is difficult now especially when taking a left turn. People who live in the area today should be considered.

Leslie Lathrop reminded everyone that the Town Meeting voted to approve the street light for safety reasons. The bridge in Forge Village is an issue with traffic counts. She said people will cut through this site to avoid the traffic light at the intersection. She said there is no architectural integrity in this area. The Comprehensive Master Plan sabotaged the area by not declaring it a village.

Leo Trainor said he also has concerns that the proposed development will be used as a cut through to avoid the traffic light. He asked what time the traffic counts were taken. Ms. Conley said the counts were taken over a 24 hour period.

Alice Smith expressed concern about the density of the overall development. She said there should be more coordination between Town departments and MassHighway.

Julie Rodwin asked why Groton needs another bank and convenience store. There are banks in Groton center and Littleton. Member Degen said the Board cannot dictate the type of use if it is allowed in the Zoning By-law.

Member Degen said the parking lot should be screened to prevent headlight glare on Route 119.

Member Perkins said the Board should reserve the right to require that the applicant submit an architectural model.

Member Lewis requested that trash racks be installed on all culverts 12" or larger. He expressed concern about the outfall of the drainage pipe located at the bottom of the retaining wall.

Member Perkins said the number of parking spaces must comply with the requirements of the Zoning By-law. If there are not enough spaces shown on the plan, then the square footage of the buildings should be reduced.

Member Lewis asked if the Board should send a letter to MassHighway stating its concerns about the proposed development. Mr. Sleger said MassHighway took an acre from the applicant by eminent domain and forced him to close his existing business. The applicant will meet with MassHighway as soon as possible.

The motion was made by Perkins to require a Development Impact Report pursuant to §218-25G(2)(g). ***The motion was seconded and passed unanimously.***

The motion was made by Degen to interview landscape architects for peer review of the plans at the Four Corners.

Member Lewis said it is premature at this time because the plans will change. The Board said it will take time to advertise and interview landscape architects.

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

The Board voted unanimously to extend the deadline to February 28, 2005 as requested by the applicant.

The Board voted unanimously to continue the site plan review on January 6, 2005 at 7:30 PM.

*(Member Clements arrived.)*

#### **ANR PLAN – STICKLOR & STROBEL**

Mrs. Sticklor approached the Board about her ANR plan that was on the agenda earlier in the meeting. She said she did not know when the Board was discussing it because she could not hear.

The motion was made by Perkins to reconsider the motion on the ANR plan submitted by Sticklor and Strobel. ***The motion was seconded and passed unanimously.***

Mr. Sticklor showed the Board how the internal lot lines would be changed by an even parcel swap. He highlighted the new lot line on the plan. The coefficient of regularity does not apply because the lots were created in the 1970's.

The motion was made by Perkins to endorse as Approval Not Required the plan entitled, "Plan of Land in Groton, Mass., Owner/Applicant: Paul and Michelle Sticklor, Arthur Sticklor & Gail and Bruce Strobel. ***The motion was seconded and passed unanimously.***

#### **COMMENTS TO ZBA - SQUANNACOOK HILLS**

The Board reviewed the Squannacook Hills comprehensive permit plans. The Board will forward the following comments to the ZBA:

#### **Traffic & Pedestrian Safety**

1. The Board has concerns about the lack of a guardrail for the visitor parking area with the Versa-lok® retaining wall because there is a six foot elevation drop in this location. The Versa-lok wall should be designed and inspected by a Registered Structural Engineer. Both the design and as-built plan must be stamped by the structural engineer. There should be guardrails installed at the top of all retaining walls.
2. Since there may be many children living in this area, the ZBA should be sure there is safe pedestrian access throughout the site. Vertical granite curbing should be installed throughout the site to improve pedestrian safety.
3. The proposed traffic flow appears to be awkward in the area of the cul de sac.

#### **Drainage**

4. The applicant should submit a hydrological study evaluating impacts from the development of this site on groundwater, surface water and the Squannacook River.
5. Catch basins should be installed on Townsend Road at the driveway entrance to prevent flooding on Townsend Road.
6. There should be no runoff or erosion onto Townsend Road.
7. All catch basins should include oil and grease traps. All culverts with a diameter of 12" or greater should have trash racks. A dry well should be installed in the retention basins.
8. Snow should not be plowed into the retention basin because it could have a negative impact on the Squannacook River.

### **Utilities**

9. One of the two dumpsters shown on the plan should be eliminated. The ZBA should require that the dumpster be screened and covered with a locked cover.
10. The ZBA should ask the utility departments to submit comments on the installation requirements for utilities on the site. The requirements for the separation between underground utility lines and water mains should be shown accurately on the plan.

### **Density & Design**

11. The Planning Board recommends that the density be reduced by the eliminating Units 1 – 6 entirely. Less density would result in less impervious surface, less sewage, and less snow storage.
12. The ZBA should require an alternative design plan that better suits the topography of the site.
13. The height of any structures should not exceed thirty five (35) feet.

### **Other Comments**

14. The ZBA should request that the applicant provide funding to improve Cutler Field located across Townsend Road from the site of the proposed development.
15. The Board strongly urges that the applicant and ZBA consider making all the units in this project rental units because the Town needs more rental apartments and 100% of the units would count toward the Town's required 10% affordable housing.
16. The applicant should submit the following additional information:
  - Plan and profile of the proposed roadway
  - Proposed grading plan
  - Proposed sewage system location and design plans
  - Calculation of the amount of pavement and other impervious area
  - Landscaping plan
  - Lighting plan and photometric diagram.
17. The Planning Board reiterates its request that the applicant attend a Planning Board meeting to discuss the details of the proposed plan.
18. The Planning Board reserves the right to submit additional comments to the ZBA on any future revisions to this

plan.

### **COMMENTS TO ZBA - OAK RIDGE**

The Board reviewed each of the requested waivers for the Oak Ridge Manor comprehensive permit. The Board will submit the following comments to the ZBA:

#### **Zoning By-Law**

**§218-5 Prohibited Uses** – The Board recommends that this waiver not be granted.

**§218-11 Basic Requirements** – The Board notes that a single access driveway can only serve up to ten units and the proposed project has more than four times that density. The Board recommends that the ZBA negotiates a reduction in density for the project based upon public safety concerns.

**§218-12 Intention of Districts** – The land was rezoned from Manufacturing to Residential Agricultural in 2000.

**§218-13 Schedule of Use Regulations** – A special permit from the Planning Board or Zoning Board of Appeals is not required because the project is submitted under Chapter 40B.

**§218-19 Basic Requirement** – The Board reiterates its concern about density.

**§218-20 – Schedule of Intensity Regulations** – The Board recommends that no waivers be granted of building height, lot coverage or setback requirements.

**§217-22 General Provisions** – The Board recommends that the ZBA not waive any provisions in this section other than those that would be allowed for a special permit cluster development.

**§218-14 Conservancy District** – The Board recommends that the ZBA require that the applicant submit a hydrological study to determine if there is any negative impact from proposed work in the Conservancy District. There should be no net increase in runoff onto abutting properties and no discharge pipe located off the property.

**§218-23 Off-Street Parking** – The Board reiterates that a single access driveway should not serve more than ten units for emergency vehicle access and public safety reasons. In addition, the length of the proposed road exceeds the limits of a dead-end road in the Subdivision Regulations.

**§218-24 Appearance** – The Board has no comment on this requested waiver.

**§218-25 Site Plan Review** – The Board recommends that the ZBA not grant this waiver and require the applicant go through the Site Plan Review process with the Planning Board.

**§218-27 Multifamily Use** - The Board has no comment on this requested waiver.

**§218-28 Development Rate Limitation** – The Board recommends that the ZBA grant this waiver.

#### **General By-Laws**

**Chapter 215 Wetlands** – The Board recommends that no waivers be granted from the local Wetlands Protection By-law.

**Chapter 315 Subsurface Sewage Disposal** – The Board recommends that no waivers be granted of local sewage disposal system regulations.

**Chapter 134 & 239 Earth Removal** - The Board recommends that no waivers be granted of Earth Removal By-law or Regulations.

**Chapter 198 Soil Erosion** - The Board recommends that no waivers be granted of the Erosion Control By-Law.

**Fees**

The Board recommends that no building permit fees, inspection fees, application fees, connection fees, or other fees be waived.

**Other Comments**

1. The Board recommends that all units be rental rather than condominiums so the Town will have credit for all units in the development.
2. The Board recommends that the ZBA consult with the Town's public safety officials on water supply and the proposed location of hydrants for fire protection.
3. The ZBA should require submission of a landscaping plan to provide proper screening for abutters. The plan should be reviewed by a Registered Landscape Architect.
4. The limit of construction and tree clearing should be shown on the plan and well delineated in the field prior to the commencement of construction.

**MINUTES**

The motion was made by Perkins to approve the minutes of October 14, 2004. *The motion was seconded and passed with Clements, Degen, Eliot, Lewis, and Perkins in favor; Wilson abstaining.*

Meeting adjourned at 12:00 AM

Respectfully submitted,

Michelle Collette  
Planning Administrator



