

GROTON PLANNING BOARD
MARCH 3, 2005
MINUTES

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

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

Members absent: Barringer and Perkins

PUBLIC HEARING – REEDY MEADOW ESTATES

The Board held the continuation of the public hearing to consider the Reedy Meadow Estates definitive plan submitted by John Lorden. Design engineer Gary Shepard of David E. Ross Associates was present.

Mr. Shepard said they are still working with the Natural Heritage and Endangered Species Program (NHESP), but they are ready to submit the revised plan to the Planning Board for consideration at the next hearing. Mr. Shepard showed the Board a sketch of the proposed revisions to the plan with houses inside the circular road and open space along the outside of the road. The revised plan requires no work wetlands and buffer zone, provides 13.2 acres of open space, and has 26,000 square feet less pavement. The proposed subdivision road will be 750 ft long. Mr. Shepard said the applicant would like to construct two-bedroom starter homes with about 1700 square feet floor area.

Member Lewis asked about the creation of a “reserve strip” between the subdivision road and the lots in Pepperell. Mr. Shepard said rather than creating the reserve strip, the applicant could put a restriction in the deeds for the lots in Pepperell so there could be no access to the subdivision road in Groton.

Member Degen said he liked the starter homes because there are many projects for people 55 and older. He asked about Lot G-1. Mr. Shepard said the lot has two acres with frontage in both Groton and Pepperell. Member Degen asked if Lot G-1 could be on an ANR lot rather than included in the subdivision. Mr. Shepard said, “yes.” Member Degen said creating some affordable units would be appreciated.

(Member Wilson arrived.)

Member Degen asked if the lots in Pepperell require a waiver because the dead-end road is longer than 500 ft in Pepperell. Mr. Shepard said he presented the proposed revisions to the Pepperell Planning Board and it was pleased with the new plan. Frank Hartnett said he attended the Pepperell Planning Board meeting this past Monday. He said the Pepperell Planning Board signed off on the plan subject to engineering review.

Member Clements asked if the starter homes would be available to everyone or would there be age restrictions. Mr. Shepard said the 1700 sq ft starter homes would be available to everyone.

Member Clements said he agreed with restrictions in the deeds so the lots in Pepperell could not access the subdivision road in Groton.

Member Wilson asked if there was any change in density. Mr. Shepard said, “no.” Member Wilson said he would like to see more affordable housing units.

Member Wilson asked if the houses would be served by private wells and sewage disposal systems. Mr. Shepard said the well will be located in the open space area. A community sewage disposal system will be constructed on land to the west of the developed area.

Chairman Eliot asked if there is a house on Lot G-1 today. Mr. Shepard said, “no,” it is a vacant lot. Chairman Eliot asked if the house could access on the subdivision road rather than on Nashua Road. She said she would like to see an affordable duplex constructed on the Lot G-1.

Member Lewis said the house on Lot G-1 should be located in only one town. He asked about the size of the lot. Mr. Shepard said it has 40,000 sq ft in Groton and 40,000 sq ft in Pepperell. The house can be located entirely in Groton.

Member Degen asked if four or five units could be added with more affordable units. He asked if the applicant would be willing to relocate the proposed house on Nashua Road. Mr. Shepard said the applicant is willing to work with the Planning Board on bonus units for affordable housing.

Chairman Eliot said she liked the proposed 1700 sq ft, two-bedroom houses without any age restrictions.

Mr. Shepard requested a continuation of the public hearing and extension of the deadline on the definitive plan so he could file an application for a special permit.

The Board voted unanimously to extend the deadline on the definitive plan to May 30, 2005 as requested by the applicant.

The Board voted unanimously to continue the hearing on April 7, 2005 at 8:00 PM.

PUBLIC HEARING – BENNETT BLACK SPECIAL PERMIT

The Board opened the public hearing to consider the application for a special permit submitted by Bennett Black Jr. to construct a shared driveway serving three lots on Burnt Meadow Road.

At the request of the applicant, the Board voted unanimously to continue the public hearing on April 7, 2005 at 7:30 PM.

ANR PLANS

George Hayes, Maple Avenue – The Board considered the Approval Not Required plan submitted by George Hayes to create three new lots on Maple Avenue. Surveyor David DeBay of Cornerstone Land Consultants presented the plan.

Member Lewis asked about the driveway for Lot 3. Mr. DeBay said it may be within an easement or it may be moved.

Chairman Eliot said she would rather not see an ANR plan for the 100-acre parcel. This is a beautiful road and a beautiful site. The Board should look at the entire parcel which could be developed more creatively. She urged the landowner to consider using the Town's cluster development option. Other members of the Board agreed.

Planning Administrator Michelle Collette said the Board must determine access adequacy for Maple Avenue, a narrow, unpaved road. The Board required improvements to Maple Avenue when Ralph Johnston developed four lots at the other end of Maple Avenue.

Member Degen asked about the Major Residential provisions which state:

“B. Definition. Major Residential Development shall mean the division or subdivision for residential purposes of any tract of land or adjacent tracts of land in common ownership as of October 1, 1997, which would result in any of the following:

1. An increase by six (6) or more lots above the number there two years earlier;
2. More than two (2) lots with driveway access onto a street existing at the time of lot creation, unless no such lot has a driveway location within 600 feet of the driveway location of another lot being created in the same division or subdivision of land;
3. More than one (1) lot with no potential site for construction of a dwelling any part of which would be less than 200 feet from a street existing at the time of the creation of such lot.”

The Board advised the applicant the Major Residential Development provisions would apply if any driveways are

within 600 ft of each other.

The applicant requested a continuation to a later meeting. The Board will consider the ANR plan at its meeting on March 17, 2005.

Robert Cushman, Wharton Row - The Board considered the Approval Not Required plan submitted by Robert Cushman to create three new lots on Wharton Row. Attorney Ray Lyons and Surveyor Stan Dillis of Ducharme and Wheeler presented the plan.

Mr. Dillis said Mr. Cushman's existing lot was combined with Parcel B in the Ames Meadow subdivision to form the three lots shown on the plan.

Member Degen asked about the coefficient of regularity. Mr. Lyons said the lots meet the requirements.

Chairman Eliot asked if the Cushman's lot is a hammerhead lot. Mr. Dillis said, "no," the lot was created in 1969.

Chairman Eliot asked about the drainage easement for Wharton Row and whether these lots would impact the drainage on Wharton Row.

When the Board compared the ANR plan to the Ames Meadow subdivision plan, it noted that Parcel B is within a drainage easement that is not shown on the ANR plan. Mr. Dillis said he would correct the ANR plan.

The motion was made by Degen to send the ANR plan to Judith Nitsch Engineering, Inc. (JNEI) for review regarding compliance with the Ames Meadow subdivision plan with the expense to be paid from the Planning Board's engineering budget. ***The motion was seconded and passed unanimously.***

The Board voted unanimously to extend the deadline to March 18, 2005 at the request of the applicant.

SITE PLAN REVIEW – GROTON COLLISION

(Member Degen disclosed, for the record, that Groton Collision repairs his vehicles.)

The Board considered the site plan submitted by Groton Collision to construct an addition to the existing business on Main and Arlington Streets. Owner Robert Olson, Attorney Ray Lyons, and design engineer Kevin Hardiman were present.

Mr. Lyons said the applicant would like to add garage bays and office space to the existing auto-body repair business so that the office can be moved out of the house. There is no substantial change of use for this site.

Chairman Eliot read the comments from the Board of Health, Police Chief, Sewer Department and Water Department. The Board also received a report dated March 1, 2005 from JNEI and a response from Attorney Ray Lyons.

Mr. Lyons said there will not be any floor drains installed and the Conductorlab site does not impact this area. He said he will meet with the Board of Health and Sewer Commission to discuss their concerns.

Member Degen asked about access to the site. Mr. Lyons said the existing curb cut will be defined better so it will be safer. A curb cut wide enough for tow trucks to access the site is necessary.

Member Degen said this is a local business that is growing. He said the runoff from the roof and all impervious surface must be contained on site. Mr. Hardiman said the recharge area is sized to accommodate the 100-year storm for all new structures. Member Degen asked if this includes existing structures. Mr. Hardiman said, "no."

Member Wilson asked if the area will be paved. Mr. Hardiman said, "no," it will be gravel.

Chairman Eliot said the Board should walk the site. She asked about the new impound area near Route 119. She asked the applicant to consider the visual impact of this area. Mr. Lyons said the impound area must be near the street

for security reasons.

Member Degen asked about photometrics. Mr. Lyons said the lighting plan was submitted with the application.

Mr. Hardiman pointed out the snow storage areas on the plan. He said 17 parking spaces will be provided for employees and customers. Access onto Arlington Street will be narrowed.

Abutter Mary Durham asked about the size of the impound area. Mr. Hardiman said it will be one-half the size of the existing area. The new impound area will be 2000 sq ft, and the existing impound area is 4000 sq ft.

The Board will walk the site on Saturday, March 12, 2005 at 9:00 AM.

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

The Board voted unanimously to continue the review of the site plan on March 17, 2005 at 9:00 PM.

ANGUS HILL LOT RELEASE

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

The motion was made by Lewis to release Parcels A, B and C and Lots 1, 2 and 4 (collectively, the "Property") on the Approval Not Required Plan entitled, "Angus Hill – Plan of Land in Groton, MA," prepared by Precision Land Surveying, Inc. and Beals Associates, dated October 18, 2002, endorsed by the Planning Board on October 24, 2002 and recorded with the Registry of Deeds as Plan No. 1300 of 2002 at Book 37351, Page 572. ***The motion was seconded and passed unanimously.***

SITE PLAN REVIEW – CROSSROADS PLAZA

The Board continued its review of the Crossroads Plaza site plan.

Planning Administrator Michelle Collette noted that the applicant still has not paid the Town for the engineering expenses from JNEI's and FST's review of the plan in November, 2004.

The motion was made by Degen to send a letter to the applicant requesting payment of all invoices in full prior to any further review by the Planning Board and that all outstanding bills must be paid by March 30, 2005 or the Board would deny the site plan for non-compliance with the regulations. ***The motion was seconded and passed unanimously.***

Design engineer David Kelley of LandTech and architect Joseph Lagrasse presented the latest revisions to the site plan. Mr. Kelley said this is only a preliminary design and not for engineering review at this time. He said he would work with the applicant to be sure all the bills are paid. The applicant is working with the engineer to reduce the amount of the invoices.

The Board noted that the money is owed to the Town, not the engineers, and that the applicant cannot contact the Board's engineers directly.

The motion was made by Lewis to notify the applicant that all inquiries regarding engineering bills must be made to the Planning Board office and not the Board's engineers. ***The motion was seconded and passed unanimously.***

Mr. Lagrasse said the applicant is meeting with MassHighway to resolve curb cut issues with the newly configured intersection. The proposed curb cuts have been moved away from the intersection. He presented a revised plan for the Board's consideration.

Member Degen said he likes the new plan better than the previous plan, but he is still concerned about impact on Route 119.

Chairman Eliot agreed that vehicles should not exit the site and have to cross lanes of traffic to go west on Route 119. She said the Board's traffic engineer must review the proposed traffic flow and make recommendations to the Board.

Member Degen asked about landscaping, lighting, and snow storage plans.

Member Clements said he believes there is more density shown on the site plan than this area can handle.

Chairman Eliot said the sidewalks along the buildings should be under an overhang to shelter pedestrians. She said there should be green space between the sidewalk and the parking lot. Mr. Lagrasse said people would not be able to access the sidewalk from their cars if there is a planting strip. Member Wilson agreed that the walkways should be covered and there should be a planting area.

Member Degen said the snow storage areas should not be along Sandy Pond Road.

Member Lewis said 64% of the site will be impervious, and water and snow on Route 119 are major safety concerns. Mr. Kelley said the high point of the land is in front and the slope is pitched toward the rear of the site. A 3 ft rip-rap spillway will discharge from the retaining wall to the retention basin.

Planning Administrator Michelle Collette reminded the applicant that a special permit is required because the site is within the Water Resources Protection District.

Sarah Campbell of the Four Corners Neighborhood Association said they have not reviewed the new plan, but their concerns about development of the site remain. The density of the development, traffic congestion, pedestrian access, and site management are all important issues to consider.

Alice Smith expressed concern about the 23 ft high retaining wall and safety of children in the area. Traffic and pedestrian access must be evaluated. She asked about trash storage and removal.

Beverly Johnson asked about the open space requirements and if the area behind the retaining wall is included in the calculation. Member Degen said the previous plan had 140,000 sq ft of impervious area, and the new plan has 121,000 sq ft impervious area. He said the open space should be calculated from the area in front of the wall.

Linda Deciccio said access to Route 119 for homes on the other side of Route 119 must be considered. She expressed concern about traffic, density, and impact on the neighborhood.

Alice Smith said the new plan looks more like a strip mall. She asked if the architecture could be changed to include more variations.

Member Wilson asked if the density of the buildings could be reduced. Member Clements agreed. Mr. Lagrasse said, "no."

Sarah Campbell asked about parking in the rear of the buildings. Mr. Lagrasse said that parking area will be for employees.

Member Lewis asked about lighting. Mr. Lagrasse said a photometric plan will be submitted to the Board.

Sarah Campbell asked if there should be a statement in the Master Plan about this area. Chairman Eliot said Groton should benefit from the income from non-residential development and these projects provide services to people who live here. The Board must find a balance to have attractive developments that support local businesses and residents. She asked the architect to alter grades with steps and avoid massing of the buildings. Mr. Lagrasse said using steps makes it difficult to meet ADA requirements.

Member Clements asked about the amount of fill that will be required. Mr. Kelley said about 35,000 cubic yards. There is a 20 ft drop from elevation 101' to 82' in the rear of the site.

The Board voted unanimously to continue its review of the Crossroads site plan on March 24, 2005 at 9:00 PM.

MILL RUN PLAZA UPDATE

The Board received specifications about the black chain link fence, a letter from LandTech regarding the size of the retention basin, and a certification from Structural Engineer Sebastian Caruso regarding the retaining wall at Mill Run Plaza.

Member Degen expressed concern about the required information that was not submitted including the stabilization plan and the required review and approval of the fence by the Planning Board.

The motion was made by Degen to recommend that the Building Inspector not grant any temporary occupancy permits until all the conditions of the Board's February 16, 2005 memorandum have been met and that no occupancy permits be granted until all outstanding and current engineering invoices have been paid in full as required in the Site Plan Review Regulations, § 345-A3 Project Completion. ***The motion was seconded and passed unanimously.***

North Middlesex Savings Bank President William Marshall was present for the discussion. He asked the Board what its concerns are about the construction of the fifth building at the site. Chairman Eliot said the Board is very concerned that the drainage system is not functioning. Member Degen added that the system is not constructed as shown on the site plan approved by the Planning Board. The Board wants the matter resolved before construction of the fifth building goes forward. Mr. Marshall said he would work with Ryan Development to resolve the outstanding issues now that he understands the Board's concerns.

The motion was made by Degen to notify Ryan Development that the fence on the retaining wall must be reviewed and approved by the Planning Board prior to issuance of any occupancy permits as stated in the report dated May 20, 2004 from Judith Nitsch Engineering, the Building Inspector's inspection report dated December 10, 2004, and the Planning Board's memoranda dated June 2, 2004; September 2, 2004; January 31, 2004; and January 31, 2005. ***The motion was seconded and passed unanimously.***

Meeting adjourned at 11:45 PM

Respectfully submitted,

Michelle Collette
Planning Administrator

