

**GROTON PLANNING BOARD
MARCH 31, 2005
MINUTES**

Chairman Eliot called the meeting to order at 7:00 PM in the Town Hall

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

Member absent: Degen

PUBLIC HEARING (con't) – SPECIAL PERMIT ROCKY HILL AFFORDABLE UNITS

The Board held the continuation of the public hearing to consider the application submitted by David Moulton to modify Special Permit 2003-09 to construct nine affordable units on Sandy Pond Road. Applicant David Moulton, Attorney Robert Collins, design engineer Robert Pine of Pine & Swallow Associates, and design engineer Drew Garvin of R. Wilson Associates, and the Board's engineer William Maher of Judith Nitsch Engineering, Inc. (JNEI) were present.

Mr. Collins said the applicant is requesting a change to the approved plan to allow construction of nine units in three buildings rather than nine units in two buildings. All or some of the units will be sold to the Groton Housing Authority with deed restrictions to assure that the units remain affordable.

Chairman Eliot read comments from the Water Department, the Groton Housing Authority, and the Board of Health.

Member Lewis asked about the concrete pad for the dumpster located on top of the reserve sewage disposal system, as indicated in the Board of Health's letter. Mr. Collins said they would move the dumpster and concrete pad away from the sewage disposal system.

Planning Administrator Michelle Collette noted that the area of Lot 3, as shown on the plan, is 80,688 sq ft or 1.85 acres. The site is located in a Water Resource Protection District which requires 10,000 sq ft per bedroom. Therefore, the lot area should be 180,000 sq ft unless a special permit is granted under the provisions of §218-30 Water Resource Protection Districts.

Mr. Collins reminded the Board that an additional 6.5 acres (adjacent to land owned by the Water Department) was set aside to meet the open space requirements. The parcel adjacent to the affordable housing lot will also be set aside as open space. Mr. Collins noted that a nitrogen loading easement could be placed on the adjacent open space parcel to comply with the requirements of the Board of Health and Water Resource Protection Districts. Mr. Collins stated that there would be 97 acres of protected open space on the easterly side of the power lines and 400 acres of open space on the westerly side of the power lines.

The motion was made by Lewis to require that the open space for the affordable units must be located adjacent to and contiguous with Lot 3, subject to the approval of the Board of Health. ***The motion was seconded and passed unanimously.***

Member Barringer asked if any of the units would be constructed to be accessible for disabled people. Mr. Collins said they would work with the Housing Authority on this issue.

The Board voted unanimously to close the public hearing.

The motion was made by Perkins to **MODIFY** Special Permit 2003-09 to construct three (3) structures with a total of nine (9) dwelling units as shown on the plan entitled, "Special Permit Plan for Lot 3 Affordables, Sandy Pond Road in Groton, Massachusetts"; prepared by R. Wilson & Associates, dated September 16, 2003, with revisions through November 22, 2004, with the following findings and conditions:

Findings:

The Planning Board made the following findings based upon the criterion set forth in Zoning By-Law §§ 218-26, 218-27C and 218-32.1:

1. **Social, economic and community needs:** The proposed project will meet community needs by augmenting the town's supply of affordable housing; it will thus help to maintain a demographic mix in the Town.
2. **Traffic flow and safety:** The project will have two access points on Sandy Pond Road and both points have good sight distance. Access to the site is sized appropriately to accommodate emergency vehicles.
3. **Adequacy of Utilities:** The project will be served by municipal water and an on-site sewage disposal system. Municipal utilities will not be over-taxed by this development.
4. **Neighborhood character:** At the present time, there are only a few homes on Sandy Pond Road. The proposed project is designed so that it will not stand out. The three proposed three-unit buildings are of a scale consistent with many single-family homes; the development will thus not appear incongruous with the homes to be built in the future Rocky Hill development adjacent to this site.
5. **Impacts on the environment:** There are no wetlands in close proximity to the proposed project. The environmental impact from the proposed project will thus be minimal.
6. **Fiscal impact on the Town:** The proposed affordable units will have some fiscal impact on the Town, but the benefits to the community will offset the fiscal impact.
7. **Consistency with Comprehensive Master Plan:** The proposed affordable housing project is consistent with the following goal in the Comprehensive Master Plan Housing Section which states:

“To guide future housing development and future use of existing homes in a manner that fits within the physical landscape of Groton, meets the needs of people at all stages of their lives, encourages the continuation of Groton's character as a town of individuals and families who feel that they are a part of a community, and complements the attributes of Groton's New England town character.”
8. **Consistency with Concept Plan:** The proposed development is consistent with the concept plan which incorporated a variety of housing types including affordable housing units, and by providing open space, and protecting natural resources.
9. **Basic Number of Lots:** At its meeting on August 21, 2003, the Planning Board voted that the basic number of units for the entire Rocky Hill development is established as 82 new units, pursuant to § 218-26C(1). In November 20, 2003, the Board agreed to increase the basic number of units to 84 with the inclusion of the existing house on Assessors' Lot 121-48, purchased by the applicant, and the ninth affordable unit to be constructed at this locus.

Conditions:

1. The grading easement area located on the parcel to the north as shown on the plan shall be added to Lot 3 so that the sewage disposal system is located entirely on Lot 3. The proposed nitrogen loading easement and open space required for the affordable units shall be located adjacent to and contiguous with Lot 3, subject to the approval of the Board of Health. The applicant shall submit a plan to the Planning Board showing the easement and any change to the configuration of the Lot 3.
2. The premises shall be restricted by recorded instrument whereby the nine units are made available by sale or by lease to individuals or families who qualify as low or moderate income as defined by the Massachusetts Department of Housing and Community Development. This restriction shall be in effect in perpetuity.
3. The nine units shall not be occupied until the restriction referenced above is recorded and the Groton Housing Authority has entered into an agreement with the developer relative to overseeing occupant qualifications so as to ensure that these units qualify and count as part of the Town's affordable housing inventory.

4. The development of the nine units shall be subject to §218-25 Site Plan Review and approval.
5. Public water shall be extended to the site as offered by the applicant. The installation of the public water supply system shall conform to the specifications of the Groton Water Department.
6. A sidewalk or pedestrian pathway shall be constructed to provide access to the commercial development on the adjacent lot.
7. A suitable play area shall be provided in the area between the buildings.
8. Runoff shall be directed toward the stormwater drainage system so there is no runoff onto abutting properties or the public way.
9. Lighting fixtures will have shielded lenses and will be installed so there is no glare onto abutting properties or the public way.
10. The dumpster shall not be installed in the location shown on the plan. The dumpster shall not be located over the primary or secondary sewage disposal system. The dumpster shall be properly screened.
11. If a sign identifying the premises is installed, it shall conform with the Sign By-Law, Chapter 196 of the Code of the Town of Groton.
12. Parking for the handicapped and access to the building shall comply with the requirements of the Architectural Access Board Regulations, 521 CMR, and the Americans with Disabilities Act.
13. This special permit shall not be in effect until certified copies of the special permit decision is recorded at the Middlesex South Registry of Deeds as required in MGL, 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. The special permit will lapse 24 months subsequent to the approval of the "Rocky Hill" definitive subdivision plan.
14. 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.

PUBLIC HEARING (con't) –ROCKY HILL DEFINITIVE PLAN

The Board continued the public hearing to consider the Rocky Hill definitive plan. Applicant David Moulton, Attorney Robert Collins, design engineer Robert Pine of Pine & Swallow Associates, and design engineer Drew Garvin of R. Wilson Associates, and the Board's engineer William Maher of Judith Nitsch Engineering, Inc. (JNEI) were present.

The Board received a report dated March 30, 2005 from Judith Nitsch Engineering, Inc. (JNEI).

Attorney Collins presented an overview of the definitive plan and the special permits for the various housing types. He said a deed in trust will be used to convey the internal open space to the Conservation Commission with the same conditions as the deed for Parcel 2A to be conveyed to Massachusetts Audubon. The applicant met with the Natural Heritage and Endangered Species Program (NHESP) staff and a conservation permit is pending. Mr. Collins said they also met with the Groton Water Department about installation of the water system. The applicant will deed an easement to the Water Department for installation of a 16 inch water main to the future water tower on Parcel W. The development plan will preserve 400 acres of open space in Groton and 100 acres of open space in Ayer.

Mr. Collins requested that the Board review the list of waivers submitted on November 4, 2004 and summarized in the JNEI report dated March 30, 2005.

Member Perkins asked about the landscaping plan. Mr. Collins said they will try to preserve as much of the natural vegetation as possible. The landscaping plan and limit of disturbance will be shown on the site plan submitted for Site Plan Review. Member Perkins asked if street trees will be planted along the subdivision roads. Mr. Collins said a site plan will be submitted for the overall site. Member Perkins said it is important to plant street trees in areas that are clear cut.

Member Perkins asked about street lights. Mr. Collins said there will only be lights at the intersections as required in the regulations. Mr. Garvin said the street light detail will be added to the definitive plan.

Member Lewis reminded the applicant that the bridge design must be stamped by a structural engineer.

Member Wilson asked how much vegetation will be cleared to construct the road system. Mr. Collins said it depends upon the location and grade changes. Mr. Moulton said they can save more trees by using community sewage disposal system instead of individual septic systems. Mr. Moulton said an area of about 25 ft around the house and driveway must be cleared.

Member Barringer asked about the location of areas with cut and fill on the subdivision road. Mr. Collins said the area near the bridge and the area near the 55 and older homes will require more cut and fill.

Member Barringer asked about a maintenance easement around the bridge. Mr. Garvin said it would be added to the definitive plan.

Member Barringer asked about grading for areas to be cut. Mr. Garvin said there is an area of ledge that must be blasted. Mr. Maher reminded the applicant that a permit from the Fire Chief is required for any blasting.

Member Barringer asked about the use of the area in the interior of the roadway. Mr. Collins said this area will be used for the community sewage disposal system.

The Board voted unanimously to close the public hearing with additional information to be submitted, including the easement for the bridge, the limit of clearing, and revised street names.

The Board voted unanimously to extend the deadline on the definitive plan decision to April 15, 2005 as requested by the applicant.

The Board voted unanimously to continue the public hearing on the overall special permit for the entire Rocky Hill development to April 28, 2005 at 8:00 PM.

MILL RUN PLAZA UPDATE

(Member Wilson stepped down from the Board.)

The Board discussed progress at the Mill Run Plaza site with Attorney Robert Collins. The Board received a report dated March 28, 2005 from its engineer, William Maher of JNEI.

Mr. Collins said the dumpster near the Alcott's house will be relocated, and the parking lot lights will be turned off at 9:00 PM.

Member Lewis said the lights should be shielded to prevent glare, more shrubs should be planted to screen the dumpster enclosures, and the gutters and downspouts should not discharge into the parking lots.

Mr. Maher stated that the sediment in the basins should be cleaned out because the outlets are blocked with silt. The basins are 2/3 full and not draining properly. More hay bales should be installed because erosion on Mill Street is undermining the guardrail.

Member Lewis said the work was done too late in the fall and the site was not stabilized before winter.

Member Lewis asked about the fence over the retaining walls. Planning Administrator Michelle Collette said most of the abutters said they preferred the black chain link fence rather than a solid stockade fence because it is less visible. However, they all thought more landscaping should be added to the top of the wall to provide better screening.

SPECIAL PERMIT COMPLIANCE – VERIZON ON GIBBET HILL TOWER

Planning Administrator Michelle Collette said Verizon had not responded to the Board's letter dated March 8, 2005 requesting submission of a landscaping plan as required in the special permit allowing Verizon to add its equipment to the Gibbet Hill tower.

The motion was made by Lewis to notify the Building Inspector that Verizon is not in compliance with the conditions of the special permit. ***The motion was seconded and passed unanimously.***

MINUTES

The motion was made by Lewis to approve the minutes of March 3, March 10, and March 17, 2005. ***The motion was seconded and passed unanimously.***

GROTON COLLISION

The Board will ask Dodson Associates to provide an estimate to review the Groton Collision site plan.

Meeting adjourned at 9:30 PM

Respectfully submitted,

Michelle Collette
Planning Administrator