

GROTON PLANNING BOARD

MAY 19, 2005

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

PUBLIC HEARING - AMANDA'S WAY SPECIAL PERMIT & DEFINITIVE PLAN

The Board held the continuation of the public hearing to consider the application submitted by Missic Realty Trust to create three new lots off Lowell Road. Applicant James Patierno, Attorney Robert Collins, design engineer Robert Pine, and the Board's consulting engineer William Maher of Judith Nitsch Engineering, Inc. (JNEI) were present.

Attorney Collins described the benefits of the proposed special permit plan, especially the linkage of trails with the existing trail network on other public lands.

Mr. Pine described the proposed plantings along the property line to prevent headlight glare from shining on abutting houses. The proposed open space and trail system will benefit the community as well as the residents of the development.

Mr. Collins said he would address the points in the JNEI report and request the necessary waivers. Parcel A with the existing house will be used to create the affordable unit. The existing shed and garage will be demolished. The proposed road will be a private road to be maintained by a homeowners association. The pavement width will be 16 ft narrowing to 12 ft where it serves only one house.

Member Perkins said she still has concerns about the lay-out and design of the proposed subdivision.

Member Clements asked about the distance of the pavement to the existing house. Mr. Pine said about 20 ft.

Member Barringer asked about the 12 ft wide driveway. Mr. Collins said the 12 ft wide driveway will only access one house. Member Barringer asked what the driveway regulations require as a minimum width. (*Note: The minimum width of a single driveway is 10 ft.*)

Member Barringer asked if the applicant would be willing to put a restriction on the deeds because the proposed lots are in the Water Resource Protection District. Mr. Collins said, "yes," if the Planning Board requires it in the special permit.

Member Barringer cautioned the applicant that there are old automotive parts on the site and advised checking for leaking hydrocarbons.

Mr. Collins concluded that the special permit plan contains the same number of new houses as the conventional plan. The special permit plan includes an affordable unit, open space and a trail network.

Chairman Eliot read the letter dated May 17, 2005 from the Trails Committee supporting the special permit plan.

Abutter Jeffery Wallens said he does not like the special permit plan because it has nominal public value and impacts him as an abutter. He said the proposed trails are not a benefit to him or to the public. He asked where people using the trails would park. He said the proposed affordable unit is only symbolic. It is only one house on a non-conforming lot that does not meet minimum lot area and set back requirements. This plan will sanctify the non-conforming house.

Mr. Pine noted that many abutters are using the trails today. A parking lot will not be constructed for trail users because there are other places to access the trails.

Mr. Wallens said the special permit plan should benefit the public. He would not like to see cars parked on Lowell

Road for access to the trails.

Mr. Pine said an additional public benefit of the proposed open space is the protection of the Whitney Pond well on the adjacent parcel to the east.

Bruce Easom of the Trails Committee spoke in favor of the special permit plan with trails connecting the Water Department land with the Flavell Crossing (Painted Post Road) and Groton Woods (Duck Pond Drive) trails. This plan will provide a major trail link.

Abutter Gwen Wallens said the affordable unit has electric heat and a leaky cellar. It is not a nice house. It does not conform with zoning or meet Title Five requirements. This is a substandard lot with a shack.

Mr. Collins said the house is not a shack. It was upgraded recently and will be substantially renovated to meet all code requirements.

Mr. Maher presented the findings in his report dated May 18, 2005.

Member Degen asked about the status of the existing house and whether the plan will create a more non-conforming lot. Mr. Collins said under §218-26, there are no minimum lot area or frontage requirements and it seems worthwhile to create an affordable unit.

Member Degen said he agrees that public parking should be provided for trail access.

Member Perkins said she still has problems with the plan, but she does appreciate the affordable unit.

Member Wilson requested that the driveway for the existing house be relocated so it accesses onto the subdivision road rather than onto Lowell Road. Mr. Collins agreed.

Member Degen asked if the swale would be installed under the driveway. Mr. Pine said, "yes."

The Board voted unanimously to extend the deadline to June 30, 2005 as requested by the applicant.

The Board voted unanimously to continue the public hearing on June 16, 2005 at 8 PM.

SITE PLAN REVIEW – OLIVER WRIGHT MEADOWS

The Board continued its review of the site plan submitted by Millstone Hill Realty Trust for the Oliver Wright Meadows housing development on Cow Pond Brook Road. Applicant James Patierno, Attorney Robert Collins, design engineer Robert Pine, and the Board's consulting engineer William Maher of Judith Nitsch Engineering, Inc. (JNEI) were present.

Mr. Collins described the project with 36 rental units and 12 duplex units. The Zoning Board of Appeals granted a special permit under the provisions of §218-27B Subsidized Elderly Housing. The applicant will request waivers and submit revisions to the site plan.

Mr. Pine said an emergency vehicle access road will be constructed on the northerly portion of the site. The grade of the access road will be about 10% so it will be for emergency vehicles to enter only.

(Member Lewis arrived.)

Mr. Maher presented his report dated May 19, 2005.

Member Lewis expressed concerns about groundwater quality because the site is so close to the capped landfill. He said the proposed pond may expose contaminated groundwater. Mr. Pine said they would submit a hydrogeological

study to the Planning Board.

Member Degen requested that the applicant submit a plan for the earthen berm and plantings along the Highway Department property line. Member Degen asked if the shooting range would be relocated. Mr. Pine said, "yes."

Member Degen asked that the plan show the off-site topography within 200 ft of the site as required in the regulations. This information is necessary for the drainage calculations. He asked about elevation of the groundwater table. Mr. Pine said they would submit more information to the Planning Board.

Mr. Collins asked if they could use a USGS map for off-site topography. Mr. Maher said the information must be at an accurate scale. Member Wilson expressed concern about accuracy of the USGS maps considering the level of disturbance by gravel operations on this site.

Mr. Pine suggested that they walk the perimeter of the site with the Board's engineer. The Board agreed.

Member Barringer asked about construction standards for the emergency vehicle access road. Mr. Pine said it would be 12 ft wide paved surface with grass-crete shoulders.

The Board voted unanimously to extend the deadline to June 30, 2005 as requested by the applicant.

The Board voted unanimously to continue the site plan review on June 16, 2005 at 8:30 PM.

SITE PLAN REVIEW – WORKERS CREDIT UNION

The Board reviewed the site plan submitted by Workers Credit Union to add a second drive-through window and construct an 800 square foot addition to the facility located at 308 Main Street. Attorney Robert Collins, architect Patrick Slattery, design engineer Jeff Rider of Howe Surveying Associates and landscape architect David Jay presented the plan.

Attorney Collins said the applicant plans to renovate and improve the existing structure which will result in significant aesthetic improvements to the architecture. The site has 26,000 square feet and 250 feet of frontage on Main Street. Only 6% of the lot area is covered at this time.

Architect Patrick Slattery described the gable roof, new shingles, new dormers, shutters and brick veneer that will be added to the building.

Member Degen asked about the setback from Route 119. Mr. Collins said the applicant applied to the Zoning Board of Appeals for a variance.

Member Barringer asked about the size of the proposed addition. Mr. Collins said it will be 800 square feet.

Member Barringer asked if any additional parking would be provided. Mr. Collins said the site has more parking than is required. The by-law requires 20 spaces and there are 23 spaces there today.

Member Barringer asked about new lighting. Mr. Collins said the only new lights will be under the drive-through window. Existing lights on the building will be shielded or removed.

Design engineer Jeff Rider described the site and how runoff will be directed to a new basin to be constructed. Member Lewis asked if there was a retention or detention basin there now. Mr. Rider said, "no." Member Lewis asked the depth of the proposed basin. Mr. Rider said it will be three feet deep with no outlet. The basin was designed to meet the Board's requirements. Member Lewis expressed concern about the safety of the basin so close to the sidewalk with children walking to and from school. He noted that runoff has never been a problem on this site.

Mr. Maher of JNEI noted the problems encountered with the underground drainage pipe during construction on the adjacent site. He asked if the design engineer located the underground system. Planning Administrator Michelle Collette said the surveyor from Howe Surveying Associates researched many plans in the Planning Board office to determine the location of the drainage pipe.

Member Barringer asked if the retention basin could be relocated. Mr. Rider said it is problematic because water could not be directed to the other side of the parking lot.

Member Lewis reiterated that he has never seen any runoff problems at this site and is not sure a detention basin is necessary. Mr. Maher suggested that the design engineer consider using a leaching catch basin instead of constructing a detention basin.

Member Degen asked what the building set back is. Mr. Collins said it is 10.5 ft.

Member Degen said headlight glare should be addressed with a more vertical type of planting. Landscape architect David Jay said the plants will grow to be 4-6 ft high. The existing crab apple tree will remain and the other plantings will complement it. The planters will be improved, and 4-6 ft junipers will be planted near the drive-through window.

Member Wilson suggested that the applicant consider adding plantings to the interior of the existing parking lot. Member Lewis noted that the applicant does not own the entire lot and would need permission from the other owners.

Chairman Eliot encouraged the applicant to work with the other owners to add planting areas. Member Degen suggested using cement liners similar to those used at Emerson-CVS site. He said if the shrubs are only 18-24" high when they are planted, it will take years before they provide adequate screening for headlights.

Chairman Eliot read the comments from the Water Department, the Police Chief, and the Fire Chief.

Member Degen asked if soil logs were submitted for the proposed detention basin. Mr. Collins said they will submit a revised plan and additional information to the Board and JNEI.

Member Degen reminded the applicant that they must reimburse the Town for the cost of the engineering review. Mr. Collins said the applicant understands this.

The Board voted unanimously to extend the deadline to June 30, 2005 as requested by the applicant.

The Board voted unanimously to continue the site plan review on June 16, 2005 at 9:00 PM.

PUBLIC HEARING (CON'T) – ROCKY HILL SPECIAL PERMIT

At the request of the applicant, the Board voted unanimously to continue the public hearing to consider the Rocky Hill special permit to June 16, 2005 at 7:30 PM.

SITE PLAN REVIEW QUESTIONS – GROTON EXCHANGE

The Board discussed outstanding issues at the Groton Exchange site located at 318 Main Street. Attorney Collins said the abutter would prefer to keep the existing arbor vitae hedge because the trees are 12-15 ft high. The site plan shows the existing plantings being replaced with new trees. The Board agreed that the existing trees provide better screening and should remain.

Mr. Collins said the Police Chief stated that he does not want the "no parking" signs installed along Main Street. Chairman Eliot read the memo dated May 18, 2005 from the Police Chief.

Member Degen suggested that the signs be placed in the planting island rather than in the right-of-way.

The motion was made by Wilson to send a letter to the Police Chief advising him that the Board believes the “no parking” signs are a good idea and asking him to reconsider. ***The motion was seconded and passed unanimously.***

Attorney Collins said the applicant will buy the signs and give them to the Town for installation at a later date. The Board agreed.

The motion was made by Barringer to review the condition of the existing arbor vitae hedge in one year to see whether any changes are needed. The motion was seconded.

The motion was made by Wilson to amend the main motion that the Board accept the field change and allow the existing trees to remain. ***The motion was seconded and passed unanimously.***

MILL RUN PLAZA UPDATE

(Note: Member Wilson left the meeting.)

The Board met with Robert Walker and Peter Potenza of Ryan Development, Attorney Robert Collins, Attorney Douglas Deschenes, design engineer Mark Sleger of LandTech, the Board’s engineer William Maher of JNEI, and many of the unit owners to discuss the completion of the Mill Run Plaza site.

The Board received a report dated May 12, 2005 from JNEI and letters dated May 17, 2005 and May 19, 2005 from LandTech.

Attorney Collins said new shrubs would be planted and that the dumpster had been removed. The drainage basins were installed as designed and functioning properly.

Mr. Sleger said he visited the site that day and the basins only had a few inches of water in them. The grates were clogged with plastic. Once the obstructions and debris were removed from the outlets, the water drained. When the basins are fully vegetated, there will not be as many problems. Basin #3 is dry at the present time with only a few pockets of water. This basin will be graded and reconstructed when Groton Residential Gardens is built. The forebay was not installed in Basin #1 because the contractor dug into the water table to construct the basin. The forebay is not necessary. Mr. Sleger continued that Basins 1 & 2 were not designed as infiltration basins so the silt and sediment does not have to be removed. The basins are functioning as designed.

Mr. Maher of JNEI presented the findings in his reports dated May 2, 2005 and May 12, 2005. He said construction went well during the summer of 2004, but problems started to occur in the fall of 2004. The site was not stabilized so there were erosion problems during the winter months. Floating debris in the basins clogged the outlets. Silt and sediments are in the bottom of the basins. The contractor did not install the forebay as shown on the plan. The sediment should be cleaned out of all three basins so the vegetation can grow and stabilize basins.

Mr. Sleger said Basin #1 was dredged and enlarged in the winter. Erosion took place during the spring of 2005 so there is loam in the bottom of the basins.

Mr. Maher said he visited the site before the meeting. The gutters are draining to crushed stone beds and the area has been hydroseeded.

The unit owners submitted photographs taken at the site that day.

Member Barringer asked about the cement forebay. Mr. Sleger said the purpose is to prevent the basin from flowing into the groundwater so a permanent pool is maintained. Member Barringer asked if it permissible to have storm water drain into the water table. Mr. Sleger said it is part of the design approved by the DEP.

Member Degen asked if the basins are properly sized now that they have been enlarged. Mr. Sleger said, “yes,” as shown on the as-built plans dated April 28, 2005. Mr. Maher agreed.

Member Degen asked if the basins are detention or retention basins. Mr. Maher said Basins 1 & 2 are retention basins and Basin 3 is a detention basin. Member Degen asked how long should it take for the basins to dry up after a storm.

Mr. Maher said the retention basins should be dry because the water flows to the detention basin. However, the silt and sediment in the bottom of the basins are holding water for a longer period of time.

Mr. Sleger said Basins 1 & 2 do not infiltrate through the bottom of the basin. The basins will drain within 72 hours. The sediments in the basin are irrelevant. The basins could be lined with cement and still function.

Member Degen asked if Ryan Development should clean out the catch basins. Mr. Maher agreed that the parking lot should be swept and the catch basins should be cleaned out.

Member Degen asked if the sidewalks should be asphalt or cement. Mr. Maher said the plan shows some of each.

Member Degen asked if the catch basin at the intersection of Mill Street and Route 119 flows into the detention basin. Mr. Maher said the catch basins were constructed and operating as designed.

Chairman Eliot asked about the plantings along Mill Street. Mr. Sleger said the landscaping was done in accordance with the approved plan. Member Lewis requested that more shrubs be planted to prevent headlight glare onto the house on Mill Street.

Member Clements asked if the silt should be removed from Basin #3 and the basin regraded. Mr. Maher said, "yes."

Member Perkins asked if the detention basin would be expanded for Groton Residential Gardens. Mr. Maher said, "yes." Member Clements asked when this basin would be hydroseeded. Mr. Deschenes said, "next week."

Member Lewis said some of the plantings should be replaced and the lights on the rear of the building should be shielded. Mr. Collins said these lights were installed by the unit owners.

The motion was made by Lewis to request that the unit owners shield the lights on the rear of the buildings. ***The motion was seconded and passed unanimously.***

The Mill Run unit owners asked about construction of the sidewalks. Mr. Walker said the plan shows that all the sidewalks are bituminous concrete – not poured concrete. The construction of the sidewalks is finished.

The unit owners requested that a fence be installed to prevent people from driving into the basin in front of the doctors' office. Mr. Walker said there is no safety issue in this location.

Member Degen requested that Ryan Development clean out the catch basins, stabilize the side slopes of Basin 2A, clean out Basins 1-3, sweep the parking lot, plane the area around the catch basin at the intersection of Mill Street and Route 119, and change the grates on all the inlets.

Mr. Collins said all this work would be done in the next week. He said the applicant is looking for the building permit for Building #5. He said the Board will receive the final as-built plans and can hold occupancy permits. He said there are no other outstanding issues at this time.

Mr. Deschenes read a list of all the permits that have been granted on this project to date. The developer has corrected the problems that the Board has identified. The basins are ready to be hydroseeded. There are only minor items left on the list, and none of the items are public health or safety issues. It is unfair to hold this building permit because the project is fully bonded.

Mr. Collins stated that the North Middlesex Savings Bank will be moving into building #5. The bank will be a nice addition to the community and will be good for the town. He said there is no reason to hold up the building permit for the bank.

Member Lewis agreed and stated that there are only minor issues left and the Town is holding the bond. Mr. Walker stated that everything would be completed by June 1. Mr. Maher noted that the side slopes should be stabilized as

soon as possible.

Member Degen said the catch basins should be cleaned by June 1. Mr. Walker said they will be cleaned when they are finished working on the site.

The motion was made by Lewis to recommend that the Building Inspector grant the building permit for Building #5 at Mill Run Plaza. ***The motion was seconded and passed with Barringer, Clements, Lewis, and Perkins in favor; Degen opposed; Eliot abstaining.***

GROTON SCHOOL GRAVES HOUSE SITE PLAN

Attorney Collins requested a field change for the site plan of the Graves House at Groton School. He said the driveway will be relocated and a new walkway will be constructed as a result of the Historic Districts Commission's review. He submitted a new plan showing the proposed change.

The motion was made by Barringer to approve the proposed change to the site plan for the Graves House, Groton School, by eliminating the driveway from the front to the rear of the site and replacing it with the driveway configuration as shown on the plan entitled, "Proposed Plan - Graves House, Groton School, Groton, Massachusetts," prepared by Reed Hilderbrand, dated May 2005. ***The motion was seconded and passed unanimously.***

MINUTES

The Board voted unanimously to approve the May 12, 2005 minutes as amended.

Meeting adjourned at 11:45 PM

Respectfully submitted,

Michelle Collette
Planning Administrator