

**GROTON PLANNING BOARD
SEPTEMBER 15, 2005
MINUTES**

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

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

SITE PLAN REVIEW MODIFICATION – BOSTON ROAD MARKETPLACE

The Planning Board continued its review of the proposed modification of the Boston Road Marketplace site plan. Gregory Rollo of Shaw's, landowner Robert Lacombe, and engineers Gregg Mikolaties and Michael Mates of Appledore Engineering were present.

Mr. Mikolaties said they received letters from the Police Chief, Fire Chief and MassHighway as requested by the Planning Board. They met with the Police Chief and agreed to hire traffic supervisors so the supermarket can open before the traffic light is operational.

Chairman Clements read the letters from the Police Chief, Fire Chief and MassHighway.

Chairman Clements asked about the status of the Verizon poles. Mr. Mates said he did not know. Mr. Rollo said Shaw's received letters from the Police Chief, Fire Chief and MassHighway.

Member Lewis asked who would pay for the traffic officers. Planning Administrator Michelle Collette said the applicant must pay.

Member Degen thanked the applicant for revising the plan. He questioned the estimate of the sidewalk construction. Mr. Mates said the construction costs are based on 2005 Means Catalog prices. Member Degen noted that the amount to bond sidewalk construction seems too low. Planning Administrator Michelle Collette stated that the Board is still holding a \$3,885,000 bond.

Police Chief Robert Mulhern said he would assign traffic officers at all three intersections during the first week and evaluate the situation after that point. He stated that Shaw's has agreed to pay the cost of the traffic supervisors. He said the proposed plan is more than adequate and he is very satisfied.

Member Perkins asked about the opening dates. Mr. Mikolaties said they will begin training employees on October 1 and would like to open by October 21, 2005.

Member Wilson stated that Verizon's poles are not under the applicant's control. The applicant has been diligent in addressing the public safety officials' concerns.

Member Barringer asked how many employees would be there for training. Mr. Mikolaties said no more than 50 at one time.

Member Barringer asked when the turning lanes would be striped on the roadway. Mr. Mikolaties said the work in Route 119 is under MassHighway's control. However, the traffic officers will be provided at all intersections.

Member Eliot said she does not have any issues as long as the Police Chief agrees with the plan. She suggested that Shaw's may want to use the access on Sandy Pond Road and not on Route 119 until the poles are removed. Chief Mulhern said that is an option, but he would wait and see how things work out when the store is open.

Member Lewis agreed that the Police Chief can make the proper determination when the time comes. He said traffic control decisions should be left up to the public safety officials.

Mrs. Trainor said it will cause confusion if the store opens before the poles are removed.

Michael Aho said it took Verizon more than six months to move poles in Chelmsford. He asked what will happen with traffic during the winter months if the poles are not moved.

The motion was made by Lewis to send a letter to Verizon urging it to move the telephone poles in Route 119 so that Shaw's can open its store by October 21, 2005. The letter will stress the public safety issues caused by the presence of the poles in the roadway. Copies will be sent to MassHighway, the Selectmen, GELD, the Highway Surveyor and the public safety officials. ***The motion was seconded.***

The motion was made by Wilson to amend the main motion to send copies of the letter to the press to put public pressure on Verizon. ***The motion was seconded but was defeated with Wilson in favor; Clements, Degen, Lewis, and Perkins opposed; Barringer and Eliot abstaining.***

The main motion passed unanimously.

Linda DiCiccio expressed concern about the safety of the store opening if the poles are still in the road and the lanes are not marked. She said the site is very hazardous as it is and it is not safe for Shaw's to open before the traffic light is installed.

Chairman Clements said the Planning Board supports the Police Chief's ability to control the traffic situation. Shaw's will work with the Police Chief to resolve any problems.

Chief Mulhern said he would consider adding more traffic officers, changing the hours of traffic supervision, etc. The situation will improve once the poles are removed.

David Martin asked if Shaw's will pay the cost of all traffic officers as stated by the Police Chief. Mr. Rollo of Shaw's said, "yes," they agreed to pay all costs.

Member Degen said he would like something in writing from Shaw's stating that it will pay the costs of traffic control and that all traffic signage required by the Police Chief would be installed.

Mr. Mikolaitis said they would work closely with the Police Chief on all these issues to be sure the store opens safely. Shaw's does not want the shopping center to fail.

Members of the Board said the Police Chief will handle all the traffic control issues. Member Lewis added that the Police Chief has jurisdiction over the roadway and the Planning Board has jurisdiction over the site.

The Board discussed whether the approval for Shaw's to open before the traffic light is installed also applies to retail buildings D & E. Mr. Mikolaitis said they are only requesting permission for Shaw's to open at this time.

The motion was made by Degen that no temporary occupancy permits should be granted for Buildings D & E until the traffic light is installed. ***The motion was seconded and passed with, Clements, Degen, Lewis, Perkins, and in favor; Barringer opposed; Eliot and Wilson abstaining.***

The motion was made by Perkins to approve the site plan modification as shown on the following plans:

- "Boston Road Marketplace, Boston Road, Groton, Massachusetts – Construction Circulation Plan," prepared by Appledore Engineering, Inc., dated September 1, 2005, revised September 13, 2005
- "Boston Road Marketplace, Boston Road, Groton, Massachusetts – Limits of Landscaping Plan," prepared by Appledore Engineering, Inc., dated March 23, 2004, revised September 1, 2005
- "Boston Road Marketplace, Boston Road, Groton, Massachusetts – Landscape Plan," prepared by Garden Gate Landscapes, dated March 3, 2005, revised September 1, 2005

- “Shaw’s – Groton, Massachusetts, - Proposed Elevations,” prepared by Harriman Associates, dated August 30, 2005

The Board approved the modification with the following conditions:

1. The applicant shall comply with all the Police Chief’s requests to manage traffic at the intersection of the access roads and public ways and at the intersection of Boston Road and Sandy Pond Road in order to open before the traffic light is installed. The applicant will provide the Planning Board and Police Chief with a written agreement stating that proper traffic supervision will be provided, at the applicants’ expense, as requested by the Police Chief.
2. The additional trees shall be installed along the access road as shown on the “Limits of Landscape Plan,” dated September 1, 2005.
3. The applicant will reimburse the Town for the cost of its consultant to prepare a bond estimate for the construction of the sidewalk connecting with the Rocky Hill Subdivision to the east.
4. The color of the rear elevation will be painted, “CMU – Option A, AC-36 Shenandoah Taupe,” as shown on the “Proposed Elevations Plan,” dated August 30, 2005.
5. All remaining conditions in the original site plan approval, dated March 27, 2003, remain in full force and effect.

The motion was seconded and passed unanimously.

SITE PLAN REVIEW – CROSSROADS PLAZA

The Planning Board received a request from LandTech Consultants to continue the Crossroads Plaza site plan review on October 20, 2005.

The motion was made by Lewis to require that the revised plans be submitted to the Planning Board no later than October 6, 2005 for review by the Board and its consultants. ***The motion was seconded and passed unanimously.***

The Board voted unanimously to continue the site plan review on October 20, 2005 at 8:00 PM.

MONARCH PATH PRELIMINARY PLAN

The Board considered the Monarch Path preliminary plan submitted by Ebrahim Masalehdin to create 14 lots on land located on Gilson Road. Mr. Masalehdin, design engineer David Buhlman of TF Moran Engineering, and several abutters were present.

Mr. Buhlman presented the preliminary plan showing 14 lots. He stated that the plan meets all the zoning and subdivision regulation requirements. The applicant would like to establish the number of conventional lots that can be created on the parcel before submitting the special permit application for Flexible Development. The applicant would like to set aside one of the lots for a police substation.

Chairman Clements read the comments from the Highway Surveyor, the Fire Chief, the Conservation Commission, the Board of Health, and the Water Department. The Board received a report dated September 15, 2005 from Judith Nitsch Engineering, Inc. (JNEI)

Member Eliot asked why the Board of Health is recommending a 21E Site Assessment. Planning Administrator Michelle Collette said there was groundwater contamination from Groton Screw Machine on Gilson Road in the 1980’s.

Member Barringer asked about the wetlands on Lot 4 and questioned whether this lot has 80,000 sq ft of upland area.

Mr. Moran said, "Yes, it does."

Member Wilson said the Board's engineer must review the yield plan and confirm that it conforms to zoning and the subdivision regulations. The Board must protect the Town's natural resources to the greatest extent possible. Wildlife corridors are a key factor.

Member Perkins said she was skeptical about creating 14 lots considering the cut and fill for the roadway and the amount of wetlands on the site. Mr. Buhlman said the greatest cut is 10 ft. Member Perkins said that does not conform with the subdivision regulations, which limits cut and fill to seven feet.

Member Perkins expressed concern about the rock outcropping on the site. Member Lewis said the applicant can remove the rock as long as the cut does not exceed seven feet.

Member Degen said higher scrutiny will be required of the pre- and post-development calculations because there are existing water problems at this site.

Member Lewis said the applicant must respond to the JNEI report.

Member Clements asked if the applicant had submitted an Abbreviated Notice of Resource Area Delineation (ANRAD) with the Conservation Commission. Mr. Moran said, "no." Chairman Clements said the wetlands delineation is a very important step in the process. Member Barringer added the wetlands area is needed to determine if the lots have the required 80,000 square feet of upland area.

Abutter Michael Viccarro said the Stonebridge subdivision had a one-acre minimum lot size because the ball field was created. This project created drainage problems in the area. He said the Board should welcome this plan and expedite approval.

Abutter John Huff said the Stonebridge residents support the proposed project, but the vernal pool should be examined.

Abutter Russell Broz said his primary concern is related to water and drainage issues because the topography drains toward wetlands on his lot.

Mr. Moran said their wetlands scientist flagged the wetlands in July 2004.

Chairman Clements said there may also be concerns with the Natural Heritage and Endangered Species Program (NHESP) because there is a significant vernal pool on the site.

Member Lewis requested that any trails be located on public land rather than on private property. Mr. Moran said they will be on public land on the Flexible Development plan.

The Board will walk the site on Saturday, September 24, 2005.

The motion was made by Perkins to request that the applicant file an ANRAD with the Conservation Commission.
The motion was seconded and passed unanimously.

Mr. Masalehdin thanked his neighbors from their support and assured the Board that the plan with 14 lots on 31 acres would protect the natural resources and provide benefits to the Town.

The Board continued its review for October 6, 2005 at 7:30 PM.

PUBLIC HEARING – SCENIC ROADS

In accordance with the provisions of § 184-3 of the Code of the Town of Groton, the Planning Board and Tree Warden held a public hearing to consider the application submitted by John Wortman, Jr. to remove five (5) trees within the

right-of-way of Hill Road along the frontage of 79 Hill Road, Assessors Map 211, parcel 59.

Chairman Clements called the hearing to order. Clerk Barringer read the notice published in the September 2 and 9, 2005 issues of *The Groton Herald*.

Mr. Wortman presented his plans to cut down trees within the right-of-way of Hill Road to allow more sunlight and air circulation on his property.

Chairman Clements noted that the trees to be removed include white pines, maples and a shagbark hickory.

Tree Warden Tom Delaney explained the process required by State Statute and the local Scenic Roads Regulations.

Member Degen said he did not have a problem with the removal of the white pines and maples, but the hickory should remain. The Highway Surveyor and Members Barringer, Perkins, and Wilson agreed.

Member Eliot said the homeowner should be able to take down whatever trees he wants.

Chairman Clements said all the trees should remain, except the maples, because the white pines are nice mature trees.

The motion was made by Perkins to allow the removal of the white pines and maples with a permit from the Tree Warden. ***The motion was seconded and passed with Barringer, Degen, Eliot, Lewis, Perkins, and Wilson in favor; Clements opposed.***

INFORMAL DISCUSSION – GAMLIN PROPERTY

(Member Degen stepped down and Lewis left the meeting.)

The Board met with surveyor Stan Dillis to discuss the Gamlin Property on Old Dunstable Road and Bridge Street.

Mr. Dillis asked if the Board would like to review the preliminary plan prior to the special permit plan.

Member Wilson said the yield plan must be conservative.

Mr. Dillis said there are topographic issues, wetlands, and the status of Bridge Street that must be resolved at the preliminary plan stage.

Chairman Clements reminded Mr. Dillis that a special permit for Major Residential Development is required. Mr. Dillis agreed.

PRE-SUBMISSION REVIEW – LAWRENCE ACADEMY TENNIS COURTS

The Board reviewed the pre-submission plan submitted by Lawrence Academy to construct new tennis courts off Lowell Road and Lovers Lane in the area of the existing tennis courts. Surveyor Stan Dillis of Ducharme and Dillis was present.

Member Degen asked about the nine-foot retaining wall. Mr. Dillis said they will provide the Building Inspector with a design plan certified by a structural engineer.

The motion was made by Degen to consider the plan as a Level I submission. ***The motion was seconded and passed unanimously.***

Meeting adjourned at 10:00 PM

Respectfully submitted,

Michelle Collette
Planning Administrator

