

**GROTON PLANNING BOARD
MAY 11, 2006
MINUTES**

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

PUBLIC HEARING – REEDY MEADOW ESTATES DEFINITIVE PLAN

The Planning Board held the continuation of the public hearing to consider the Reedy Meadow Estates definitive plan and special permit applications. Applicants John and Jean Lorden, Attorney Robert Collins, and design engineer Gary Shepard of David E. Ross Associates were present.

Mr. Shepard summarized the Reedy Meadow Estates plan to create ten new units of single-family housing on one lot with a green in the center of the development surrounded by 12 acres of open space. The applicant will convey the open space parcel to the Conservation Commission. The parcel is adjacent to other conservation land in the area. The open space will provide a visual buffer and protect the Jersey Street well in Pepperell. There are a few minor engineering details in the JNEI report that will be addressed. Mr. Shepard requested that the Board close the public hearing on the special permits and continue the hearing on the definitive plan.

Member Degen expressed concern about approving a definitive plan with access in another town. The applicant must demonstrate that the yield plan has two access points in Groton. Mr. Shepard said the conventional preliminary plan is in compliance with the Subdivision Regulations.

Member Degen asked about cut and fill. Mr. Shepard said the site is balanced with neutral cut and fill.

Member Degen asked about waivers of the Subdivision Regulations. Mr. Shepard said none are requested because the plan meets all the regulations.

Member Degen said a waiver is needed for access in another town. Attorney Collins disagreed, but said he would request such a waiver if the Board wishes.

Member Eliot asked about the width of the street. Mr. Shepard said the subdivision road meets the subdivision regulations in Pepperell and in Groton. There will be vertical granite curbing in Groton and sloped granite curbing in Pepperell. The type of curbing changes at the Town line.

Member Eliot asked if the existing house was counted in the yield plan. Mr. Shepard said, "yes."

Member Wilson asked about access to the site and the number of lots shown on the plan. He said, in his opinion, the road connecting to the subdivision road in Pepperell is not a problem on the yield plan.

Member Perkins asked about affordable units. Mr. Shepard said there would be two affordable units.

Member Perkins asked about Parcel K with the community sewage disposal system. Mr. Collins said there will be an easement for public access on this parcel.

Member Barringer asked if the Pepperell Planning Board approved the plan yet. Mr. Shepard said they are still working with the Town of Pepperell.

Member Barringer said two access points are not required in the Subdivision Regulations because there are only ten units served by a road less than 1000 ft long.

Member Degen asked if the applicant is counting the house on Nashua Road. Mr. Collins said, "yes," but it has access on Nashua Road and not on the subdivision road.

Member Eliot said she would prefer to see the existing house access onto the subdivision road.

Mr. Collins said he would request a waiver if the Board would like. He submitted a handwritten request for waivers of §381-10A(3) for a subdivision road serving more than 10 lots; §381-9C(1) for the second access in another town; and §381-10E(i) for a dead-end street serving more than ten units.

The motion was made by Wilson to grant the waivers requested by the applicant. The motion was seconded and passed unanimously.

The Board voted unanimously to extend the deadline to June 30, 2006 as requested by the applicant.

The Board voted unanimously to continue the public hearing on June 1, 2006 at 7:30 PM.

PUBLIC HEARING – CROSSROADS PLAZA

In accordance with the provisions of Chapter 40A, §§ 9 and 11, M. G. L., the Groton Planning Board held a public hearing on May 11, 2006, continued on May 25, 2006 and June 15, 2006, to consider the application submitted by Nam Hang, LLC for a Special Permit to utilize the provisions of Groton Zoning By-law Section 218-30 Water Resource Protection Districts for an on-site wastewater disposal system with a design capacity greater than 110 gallons per day (GPD) per 10,000 SF lot area, above ground storage of hazardous materials in quantities greater than normal household use in a Water Resource Protection District III, and use of a commercial dishwasher. The proposed project is shown on the plan entitled, "Permit Plan, 788 Boston Road, Crossroads Plaza, Groton, MA," prepared by GPR, Inc., dated April 2006. The proposed project is located on Assessors' Map 133, Parcel 54, located on the westerly side of Boston Road and southerly side of Sandy Pond Road.

Chairman Clements called the public hearing to order. Clerk Barringer read the notice published in the April 28 and May 5, 2006 issues of *The Groton Herald*. Applicant Joe Wong, Attorney Brian Levey, designer engineers Bruce Ringwall and Brian Thorne of GPR, architect Allan Popkin of Mauge Associates, landscape architect Lorayne Black represented the applicant at the hearing. The Planning Board's consulting civil engineers Richard Gorman of Judith Nitsch Engineering, Inc. (JNEI), Gary Hebert of Fay, Spofford & Thorndike (FST), and landscape architect Peter Flinker of Dodson Associates, and many abutters were present.

Design engineer Bruce Ringwall presented the plans that showed reductions from the previous plans prepared by LandTech. The plans submitted with the special permit application showed four buildings with a total of 17,700 sq ft gross floor area rather than 31,000 sq ft, 133 parking spaces rather than 260 spaces, and no large retaining wall as shown on the previous plan. Access will be through existing curb cuts constructed by MassHighway when the intersection was improved. The Lowell Five Savings Bank will be located at the corner of the site and Dunkin Donuts will be on Sandy Pond Road. In addition, a 7000 sq ft retail space and 5000 sq ft restaurant will be constructed.

Mr. Ringwall said stormwater will be treated with a Low Impact Development (LID) drainage system with three bio-retention cells as shown on the plan. A swale will be constructed in the rear of the site directing runoff to the replicated wetlands. The wetland on the site is not subject to protection under the Wetlands Protection Act, but is subject to jurisdiction under the local Wetlands Protection By-law. The developed site will contain 46% impervious area. The design details about the sewage disposal system have been discussed with the Groton Board of Health and Nashoba Associated Boards of Health. The innovative system will treat 275 gallons per day.

Mr. Ringwall said the applicant submitted the information to the Water Department and Fire Chief regarding fire flow testing.

Landscape architect Lorayne Black presented the landscaping plan which includes street trees such as American Elm and Red Maples along Boston Road and Sandy Pond Road. There will be a variety of shrubs planted in the bio-retention cell.

Architect Allan Popkin described the basic colonial design as shown on the architectural elevations. He said none of

the structure would exceed the 35 ft height limitation. The HVAC units will be inside the attic space. Roof top units will be concealed from view.

Attorney Brian Levey summarized the applications for site plan review and a special permit to allow wastewater in excess 110 gallons per day per 10,000 sq ft lot area as well as above-ground storage of hazardous materials.

The Board's civil engineer, Rick Gorman of JNEI, presented his report dated May 8, 2006. Mr. Gorman agreed that the Board should use 7" of rainfall in 24 hours rather than 8.3" as the 100-year storm. He noted that a minimal amount of runoff will be discharged onto the abutting land owned by National Grid. He recommended that the design engineer address snow storage.

Mr. Ringwall said they would respond to all the points in the JNEI report. He described how the runoff flows over the property line onto National Grid's land and then back onto the site. The amount of the increase in runoff in this location is minimal. The water level would rise about 0.19 ft during the 100-year storm.

The Board's traffic engineer, Gary Hebert of FST, presented his report dated May 8, 2006. He said new traffic counts were taken to update the information from the Boston Road Market Place traffic study. Mr. Hebert said he strongly recommends limiting the access on Route 119 to right turn in and right turn out only to avoid conflict with merging traffic on Route 119. He stated that the plans are a great improvement from the previous plans.

The Board's design consultant, Peter Flinker of Dodson Associates, presented his observations about the proposed project. He said he really liked the new architectural plans and landscaping plan. He recommended planting more street trees along Boston Road and Sandy Pond Road. He said he wanted to review the plantings in the rain gardens to be sure they would work well.

Mr. Ringwall described the proposed low impact development drainage system and stressed the importance of regular maintenance, including street sweeping.

Chairman Clements read the comments from the Water Department, the Board of Health and the Police Chief.

Mr. Ringwall said the project must receive other permits including an Order of Conditions from the Conservation Commission, approval of the sewage disposal system from the Board of Health, and an Erosion Control Permit from the Earth Removal Advisory Committee. Mr. Ringwall added that they will install a groundwater monitoring well as requested by the Board of Health.

Member Eliot said she was very pleased with the new plans and stated that the changes to the design are a vast improvement. Member Wilson agreed and asked if the dumpster could be relocated.

Member Perkins asked how the contractor would stabilize the slope in the rear property. Mr. Ringwall described the cellular confinement system that would be used to contain the soil.

Member Perkins said she agreed that the access on Route 119 should be right-in and right out only for safety reasons.

Member Barringer asked if trucks should be limited to the Sandy Pond Road access only. Mr. Hebert said the access from Sandy Pond Road would be preferable. Mr. Ringwall said the site was designed so fire trucks could maneuver anywhere on the site.

Member Barringer asked why the drainage system could not be designed to keep all the runoff on site. Mr. Ringwall explained how the water flowed from the abutting site onto the project site and how a minimal amount of water would flow onto the abutting property for a very short distance. Member Barringer asked if flow onto the site was included in the calculations. Mr. Ringwall said, "yes."

Member Barringer expressed concern about the amount of commercial dishwashing detergent that would be used in the full-service restaurant. He requested that the applicant submit a list of soaps and any other chemicals that would be used. He said it is important that the chemicals not destroy the innovative sewage disposal system and not contaminate

the groundwater.

Member Degen thanked applicant Joe Wong for listening to the Planning Board's concerns. He recommended that the applicant submit plans to the Board of Selectmen as required in §218-24 Promotion Harmonious Development.

Member Degen asked about the type of lighting and if the applicant would step down the lights to 10% after the businesses are closed.

Mr. Ringwall said the lighting fixtures will match the Shaw's and Samantha Realty Trust's lights.

Member Degen asked about traffic cutting through the site. Mr. Ringwall said he believed that cut-through traffic would not be a problem because it is a longer route at a slower speed. Mr. Hebert agreed with Mr. Ringwall that the proposed design is a form of traffic calming.

Member Degen asked about the grades at the rear of the site and the cellular containment system. Mr. Ringwall said the grade is 2:1 and described how the containment system would be installed. He said he would submit manufacturer's specifications to the Board and its engineer for review.

Member Degen asked how much fill would be brought onto the site. Mr. Ringwall said about 29,000 cubic yards.

Member Degen said he agreed that the dumpster should be relocated. He asked that the sidewalks be poured concrete and not asphalt. He asked that more street trees be planted along Boston Road and Sandy Pond Road.

Mr. Ringwall said the plan has more trees than what is required in the by-law. He said it is a delicate balance between trees and visibility of the property. He said that more trees were added to the internal portion of the site with fewer trees around the perimeter.

Abutter Linda Deciccio of Boston Road said the revised plan is an improvement, but she is still concerned about cut-through traffic. She said making right turns onto Route 119 is too dangerous. Trucks will become a safety problem. She said more trees around the perimeter would help.

Julie Radwin agreed that more street trees along Route 119 would improve the plan. She asked if MassHighway would be planting more trees. She asked what type of restaurant would be located in the plaza. Mr. Ringwall said he did not know at this time.

Patricia Castellucci asked if speed bumps could be installed in the parking lot. Mr. Ringwall said, "no," there is enough traffic calming with the proposed plan.

Mr. Ringwall asked the Board to waive the requirement for a scale model and development impact statement because the applicant has spent a considerable amount of money redesigning the site. He said they would be happy to add more trees rather than spend money on a model. The motion was made by Degen to waive the requirement for a scale model. The motion was seconded and passed unanimously.

The Board voted unanimously to continue the public hearing on May 25, 2006 at 8 PM.

PRELIMINARY PLAN – CROSSROADS PLAZA

The Board considered the Crossroads Plaza preliminary plan. Applicant Joe Wong, Attorney Brian Levey, designer engineers Bruce Ringwall and Brian Thorne of GPR were present.

Attorney Levey explained that the applicant submitted the preliminary plan to grandfather the property from any zoning amendments that may be adopted prior to issuance of building permits for the commercial development project.

The Board received a report dated May 5, 2006 from Judith Nitsch Engineering, Inc. (JNEI) evaluating the preliminary plan. Mr. Ringwall said they would address all the issues contained in the JNEI report.

The motion was made by Degen to approve the preliminary plan entitled, "Preliminary Plan, Residential Subdivision, Groton Crossroads, Groton, MA," prepared by GPR, Inc.; dated March 1, 2006, with the following condition:

1. All the items in the report dated May 5, 2006 from Judith Nitsch Engineering, Inc. shall be addressed when the definitive plan is submitted.

The motion was seconded and passed unanimously.

INFORMAL DISCUSSION – DONALD VAN DYNE

The Board met with Donald Van Dyne of the Chelmsford Capital Group to discuss the property at 797 Boston Road at the Four Corners intersection. Mr. Van Dyne said he acquired the site which is currently zoned R-A. He would like to have the property rezoned to B-1. He said he met with the Four Corners Neighborhood Association to discuss his proposed project. He understands that a 2/3 vote of Town Meeting and concept plan approval are required for the rezoning.

Chairman Clements asked the size of the parcel. Mr. Van Dyne said it is 2.7 acres.

Member Perkins asked what will happen to the existing house on the site. Mr. Van Dyne said it would be demolished.

Member Eliot suggested that the developer consider some type of mixed use project. Member Degen agreed.

Michael Aho of the Four Corners Neighborhood Association said the residents are concerned about the domino effect on other residential sites in the area. He said they would like to avoid commercial strip development.

Sunset Road resident Pat Castellucci said the neighborhood does not want to see the Town be like Acton, Westford or Chelmsford. She said she does not want to see commercial development extend from the Four Corners to the Littleton town line. She asked the Board to consider the needs of the residents as well as the needs of the developer.

Forge Village Road resident Matt Harkins voiced his opposition to any proposed rezoning of the property in the Four Corners.

The Board thanked Mr. Van Dyne for attending the meeting.

MILL RUN PLAZA UPDATE

(Note: Member Wilson left the meeting and did not participate in the discussion.)

The Board met with Attorney Robert Collins to discuss Mill Run Plaza.

Attorney Collins said the applicant submitted an as-built plan of the site, but the Board's engineer has not reviewed the plan because there is no money in the engineering account. The applicant requested certain waivers and agreed to pay the engineering bills so the Board can have the as-built plans reviewed. Mr. Walker believes all the outstanding concerns have been addressed. Mr. Collins said he proposed a compromise to the Board in his letter dated March 23, 2006. He suggested that the Board consider sending the matter to binding arbitration for resolution.

Member Degen said the Board has already voted on this matter and he would prefer to wait until after the Zoning Board of Appeals hearing on May 17, 2006. He asked if the applicant is willing to pay for the arbitrator. Mr. Collins said he would ask and get back to the Board with a response.

Meeting adjourned at 11:00 PM

Respectfully submitted,

Michelle Collette
Planning Administrator

