

**GROTON PLANNING BOARD
JUNE 15, 2006
MINUTES**

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

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

RIGHT TO FARM BY-LAW

George Moore met with the Board to present the proposed "Right to Farm" by-law. Mr. Moore said the Massachusetts Department of Agricultural Resources is promoting the adoption of such a by-law which would establish a local "Agricultural Commission." The proposed by-law does not have any regulatory authority because agriculture is already protected in many state statutes.

The Planning Board was very supportive of Mr. Moore's efforts and thanked him for his presentation.

ANR PLAN – ALCOTT, MILL STREET

(Member Capes stepped down.)

The Board considered the Approval Not Required (ANR) plan submitted by Ronald Alcott to change a lot line on his property located on Mill Street and Anthony Dirve.

The motion was made by Clements to endorse as Approval Not Required the plan entitled, "Plan of Land in Groton, Massachusetts, Prepared for Ronald K. Alcott," prepared by Ducharme & Dillis Civil Design Group, Inc., dated June 6, 2006. ***The motion was seconded and passed unanimously.***

MINUTES

The Board voted to approve the minutes of March 23, 2006; March 27, 2006; March 30, 2006; April 6, 2006; April 20, 2006; and April 27, 2006.

INFORMAL DISCUSSION – CAPSTONE PROPERTIES

The Board met with David Hamilton and Paul Griesinger of Capstone Properties to discuss their plans to develop the Groton Electric Light Department's property on Station Avenue. The Groton Electric Light Department and Board of Selectmen advertised as Request for Proposals and selected Capstone Properties as the successful bidder. Mr. Hamilton presented a schematic plan including a restaurant, residences, rail trail way station, and through road from Station Avenue to Broadmeadow Road. He said VHB, the design engineers for this project, will be preparing a physical assessment of the site. A new zoning district must be adopted for the proposed project to go forward. He recommended that the new district include other parcels on Station Avenue, in addition to the GELD site. Mr. Hamilton said Capstone Properties would like to work with the Planning Board and Town Counsel to accomplish this goal.

Member Degen said the concept is very intriguing, but he would like to see other parcels such as Buckingham Bus and May & Haley included in the rezoning. He noted that there may be wetland constraints and hazardous waste issues to resolve.

Member Perkins asked about the proposed rezoning. Mr. Hamilton said the land is now zoned R-A and it should be rezoned to whatever district the Town wants. Member Perkins questioned how the Board can sponsor a rezoning on property the proponent does not control. She said the Board must work with the other land owners, too. She cautioned that the Board must look at parking very carefully for this mixed-use concept.

Member Clements agreed that it makes sense to rezone other parcels if the landowners are interested. Mr. Hamilton said they are having a dialog with Kim Buckingham and David Elliot, owners of May & Haley.

Member Clements asked about the Historic Districts Commission. Mr. Hamilton said the parcels are not in the Historic Districts.

Member Capes said he liked the proposed parking along the rail trail. The through road to Broadmeadow would be safer for small children and others using the trail.

Member Eliot asked who owns the land now. Mr. Hamilton said the Town of Groton/GELD does. However, GELD must find a new location for its facilities before the project can commence.

Member Eliot asked if the land is under a Purchase and Sales Agreement. Mr. Hamilton said, "no," but Capstone offered \$950,000 for the GELD site.

Chairman Wilson noted that rezoning will affect the value of the land. Mr. Hamilton said, "yes," and their offer to purchase is higher than the value would be for single-family development.

Member Eliot said this is a very important step for Groton and the Board must involve other landowners. She said she would like to see a plan for the whole area rather than a piecemeal approach.

Mr. Hamilton said they plan to work with other landowners and broaden the scope before going to Town Meeting with a proposed rezoning. This is a complicated matter with the level of density, size and scale of the buildings, and traffic flow to consider.

Member Barringer agreed that the Board must consider the concept for the entire area, not just the GELD site. He said the GELD parcel is difficult because of wetlands, traffic flow, and other issues. However, it is a good place to start.

Chairman Wilson said the Board must look at the whole picture. This is a great opportunity for this area and for the Town.

Connie Sartini asked about a time line. Mr. Hamilton said they were hoping to submit a plan this fall for consideration at the 2007 Annual Town Meeting.

Member Degen said he agreed that this project should not be done piecemeal. He suggested that the Town advertise another RFP for the entire area.

John Giger said the Town advertised the RFP for the GELD site and two proposals were submitted: one for the broader area and one for the GELD site. The Selectmen and GELD reviewed the proposals and selected Capstone's.

Mr. Griesinger said if the Board wants to look at the broader area, they are going to come back at a future date with more engineering information.

The Board's design consultant Peter Flinker of Dodson Associates said the town has a real opportunity to pursue a smart growth plan and re-build the Town Center. The Board must establish a partnership to develop a plan for this area.

Mr. Griesinger said they expect that the Board would organize a public participation process.

Steve Webber said his proposal submitted by Beaudane Properties covered everything. The Town must be involved financially if it wants affordable housing as part of the project. He said the Selectmen and GELD Commissioners did not spend enough time deliberating this decision.

Member Degen said the Comprehensive Plan is a fluid document. This is a prime opportunity for the Town to ask for funds to work with landowners to develop a concept plan for this area to achieve the Town's affordable housing goals.

Steve Webber said he believes an overlay district is the right way to go with the proposed rezoning.

Planning Administrator Michelle Collette suggested that the Board sponsor a workshop to discuss the Station Avenue

area with all concerned parties with Peter Flinker as facilitator.

GELD Commissioner John Bruner said GELD has nowhere else to go at the present time.

Mr. Hamilton said they must understand what the land can support before moving forward with the proposal.

The Board agreed to sponsor a forum at the Groton Senior Center some time in July.

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 to consider the application submitted by Nam Hang, LLC for Site Plan Approval and a Special Permit under the provisions of Groton Zoning By-law Section 218-25 and 218-32.1 for approval of the Level II site plan entitled, “Permit Plan, 788 Boston Road, Crossroads Plaza, Groton, MA,” prepared by GPR, Inc., dated April 2006, with revisions through May 17, 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 Wilson called the public hearing and continuation of the previous public hearing to order. Applicant Joe Wong, Attorney Brian Levey, design engineers Bruce Ringwall of GPR, and landscape architect Lorayne Black represented the applicant at the hearing. The Planning Board’s consultant Peter Flinker of Dodson Associates was also present.

Mr. Ringwall presented the revised site plan submitted to comply with the new zoning provisions adopted at the 2006 Annual Town Meeting. The landscaping plan demonstrates 45% landscaped area which exceeds the required 15%.

Ms. Black described the new planting plan including 18 shrubs to screen headlight glare. Ten dogwoods will be planted on the south side of the parking area, and 3.5 to 4” yews will be planted as screening. There will be 15 street trees – 8 on Boston Road and 7 on Sandy Pond Road – including Red Oaks, American Elms and Red Maples.

Member Degen asked if there would be a fence on top of the retaining wall. Mr. Ringwall said, “yes,” it is required by building code.

Chairman Wilson asked about the architectural design of the Dunkin Donuts building. Mr. Ringwall described the new plans with changes to break up the front of the building. A cupola will be added so the building is similar to the bank. The Dunkin Donuts and Lowell Five Bank will both be painted an olive-gray color.

Member Degen asked about the awnings. Mr. Ringwall said there are two plum colored awnings on the front of the building and one on the side.

Chairman Wilson requested that the color of the awnings be toned down. He commented that the building looks like a box with a railing on top. Mr. Ringwall said the railing will screen coolers and other equipment. Chairman Wilson asked if the roof could be pitched instead of flat. Mr. Ringwall said if the roof is pitched, the vents would have to be constructed through the roof.

Member Perkins said the cupola seems out of proportion with the rest of the building.

Member Clements said the Planning Board preferred the original architectural designs and asked why they had been changed. Mr. Ringwall said the end-users (the Lowell Five and Dunkin Donuts) hired their own architects to design the buildings to meet their needs.

Member Capes noted that the Dunkin Donuts in Shirley does not have an awning and the building looks much better without it.

Peter Flinker said the Mangel designs are very pleasing with attention to detail and attractive structures. He said the proposed revisions to the plan by other architects could be improved to have a more traditional look. He said the Dunkin Donuts building still looks like a typical building in a strip mall. He asked if it is possible to go back to the

Maugel design. Mr. Ringwall said the CVS building has the same type of windows as the Dunkin Donuts building. He noted that Samantha Realty Trust, owner of the Dunkin Donuts, takes good care of its properties in Groton, Harvard and Shirley.

Member Barringer said he found the new plans acceptable but would prefer a gabled roof.

Member Eliot said she appreciated the applicant's responsiveness to the Board's concerns. She said she prefers that the awnings be removed. Members Wilson and Capes agreed.

Member Clements said he did not mind the awnings but did not like the railing on the roof top.

Member Perkins asked that the awning be a different color like white or gray. She said she did not like the cupola.

Member Degen said he did not like the awnings and would remove the grids from the windows.

Chairman Wilson read the comments from the Water Department and the Board of Health.

Mr. Ringwall said they would meet all Board of Health requirements and would install a monitoring well at the northeast corner of the site as requested by the Board of Health.

Mr. Ringwall submitted the Material Safety Data Sheets for the chemicals to be used in the restaurant on site. He requested that the Board include a condition in the special permit so floor stripping materials are not disposed in the sewage disposal system because the chemicals will destroy the innovative treatment system.

The Board voted unanimously to close the public hearing.

ANR PLAN – McGOVERN PROPERTY, SAND HILL ROAD

(Member Eliot stepped down.)

The Board considered the Approval Not Required (ANR) plan submitted by H & G Realty Trust to create one new lot on Sand Hill Road. Mr. Pine presented the plan to the Board and requested that the Board do a site walk of the property some time soon.

The motion was made by Degen to endorse as Approval Not Required the plan entitled, "Plan of Land, Longley Road & Sand Hill Road, Groton, Massachusetts, Prepared for H & G Realty Trust," prepared by MLC Land Surveyors, Inc., dated June 13, 2006. ***The motion was seconded and passed unanimously.***

(Members Capes, Perkins and Wilson left the meeting.)

EXECUTIVE SESSION

The motion was made by Eliot to enter executive session to discuss on-going litigation with Groton Residential Gardens, LLC and not to return to open session. The motion passed by roll call vote with Barringer, Clements, Degen, and Eliot in favor; no one opposed.

The motion was made by Barringer to end executive session and adjourn the meeting. The motion passed by roll call vote with Barringer, Clements, Degen, and Eliot in favor; no one opposed.

Meeting adjourned at 11:45 PM

Respectfully submitted,

Michelle Collette
Planning Administrator

