

GROTON PLANNING BOARD
APRIL 5, 2007
MINUTES

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

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

Member absent: Barringer and Degen

PUBLIC HEARING – GILSON REZONING PETITION

In accordance with the provisions of Chapter 40A, § 5, M. G. L., the Groton Planning Board held a public hearing to consider the following petition submitted by David Gilson and others:

“To see if the Town will vote to amend the Town of Groton’s Zoning Map to rezone from R-A (Residential-Agricultural) to R-B (Residential-Business) certain premises located at 368 Main Street owned by David W. Gilson, consisting of approximately 3.34 acres of area, which premises is described in a deed recorded with the Middlesex South Registry of Deeds in Book 30314 Page 342 being shown as parcel 40 of Assessors’ Map 110, or take any action thereon.”

Chairman called the public hearing to order. Clerk Capes read the notice published in the March 16 and 23, 2007 issues of *The Groton Herald*. Petitioner David Gilson and his attorney Douglas Deschenes were present at the hearing.

Attorney Deschenes presented the petition to rezone the three-acre property from R-A to R-B. The site is presently in agricultural use which includes the Herbal Lyceum. The Zoning Board of Appeals granted a special permit for the restaurant as an agricultural exemption. The Building Inspector determined that the installation of a new stove and exhaust hood are not consistent with the agricultural exemption. He suggested that Mr. Gilson petition to rezone the site. The R-B District allows a restaurant and green houses with a special permit from the Zoning Board of Appeals.

Member Capes asked what uses are at the site now. Mr. Gilson said one-third of the use is greenhouses for herbs and grasses, one third sells produce at value-added farmers markets, and one third is the herbal lyceum which includes display gardens and culinary instruction.

Mr. Deschenes said the R-A District allows agricultural activity. The ZBA granted a special permit for the herbal lyceum in the early 1990’s.

Mr. Gilson said when he applied for a permit to install a new stove and exhaust hood, the Building Inspector questioned if the use is an agricultural use or a commercial use. Mr. Deschenes said rezoning the land to R-B would be cleaner from the Building Inspector’s perspective.

(Member Eliot arrived.)

Abutter Fred Bond questioned how the zoning change would affect future owners of the property. Mr. Deschenes noted that the uses in the R-B District require a special permit from the ZBA. Only residential uses and a craft shop are allowed by right.

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Member Perkins asked if Site Plan Review would be required. Mr. Deschenes said if the Building Inspector determines a special permit is necessary, then Site Plan Review would also be required.

Mr. Deschenes said Mr. Gilson's engineer is preparing an overlay plan to be presented at the Annual Town Meeting.

Member Clements said he is very supportive of the proposed zoning change. He asked if all the agricultural uses could continue in the R-B District. Mr. Gilson said, "yes." He noted that his business is a prototype for the new Groton Local group.

Chairman Wilson asked how the area surrounding the site is zoned. Mr. Deschenes said the abutting residential properties are zoned R-A. The Groton-Dunstable Regional School is zoned P – Public Use.

The Board requested that the petitioner submit a copy of the overlay plan prior to closing the public hearing.

The Board voted unanimously to continue the hearing on April 26, 2007 at 8:30 PM.

PINE RIDGE COURT UPDATE

Attorney Douglas Deschenes, representing developer Robert M. Hicks, Inc., provided the Planning Board with an update on the Pine Ridge Court development off Jenkins Road. Mr. Deschenes said the original plan was submitted to the Zoning Board of Appeals as a Chapter 40B Comprehensive Permit application. After many hearings and meetings with abutters, the applicant and Town are exploring a development agreement that would extend municipal sewer to the site. The new application would be submitted as a Flexible Development plan rather than a 40B plan. The current plan includes 20 dwelling units (8 single family and 6 duplexes). Five of the 20 units would be affordable. In addition, the existing house would be converted to a group home under the rules and regulations of the Department of Mental Retardation (DMR). If DMR approves the group home each of the three bedrooms will count as a unit on the Town's subsidized housing inventory. A total of eight units (five affordable units plus three DMR bedrooms) would be added to the Town's affordable housing inventory. The developer will extend the sewer to the site and to four abutters' houses. The developer will pay the costs of the permanent privilege assessments (PPA) and all connection fees for the units in the development. The extension of the sewer district requires a Town Meeting vote. The developer will also make a contribution to the Town's affordable housing fund.

Chairman Wilson expressed concern about using the Town's limited sewer capacity for this project. Mr. Deschenes said the Sewer Commissioners support the extension of the sewer district and they have reserved enough capacity to serve the Station Avenue Redevelopment and the needs of the Groton-Dunstable Regional School District.

Member Clements asked if the units would be privately owned. Mr. Deschenes said, "yes," except for the DMR group home.

Mr. Deschenes added that the road would be built to subdivision regulation standards so it will be eligible for acceptance as a public way. The drainage system will be designed using Low Impact Development (LID) standards.

Chairman Wilson said it is very commendable that the applicant is exploring ways to build affordable housing with a special permit rather than by using Chapter 40B.

PRE-SUBMISSION REVIEW – GROTON-DUNSTABLE HIGH SCHOOL

The Planning Board reviewed the letter dated March 16, 2007 from Athletics Director Dan Twomey requesting a waiver for the addition of a 12' x 16' storage shed and batting cage at the Groton Dunstable Regional High School. Director of Buildings and Grounds Steve Byrnes and Athletic Director Dan Twomey presented the plan.

Mr. Twomey said moving equipment from one playing field to another is difficult for coaches who have to carry equipment back and forth every day. He said the school would like to construct a storage shed for bats, balls and other equipment. The shed will be located on the upper field as shown on the plan attached to the letter. The school would also like to install a batting cage behind the score board out of the area of fair play. The batting cage will be 70 ft x 15 ft with a height of 12 ft. It will consist of a net on a steel frame.

Member Capes asked if the frame would be in place remain year round. Mr. Burns said, yes," but they would take the nets down during winter months.

Member Capes asked if the batting cages would be available for public use. Mr. Twomey said there would be some restrictions on the hours of use by the public. Mr. Byrnes said the batting cages would be open to the public until 7 PM on weekdays, 6 PM on Saturdays, and closed on Sundays.

Member Perkins asked if the proposed structures would interfere with drainage. Mr. Byrnes said, "no."

Member Eliot asked how visible the structures would be from the access road. Mr. Byrnes said they would not be visible driving into the site, but they would be visible on the way out.

Member Clements asked if the structures would be visible from Chicopee Row. Mr. Byrnes said, "no."

Member Eliot said she would like to see some plantings around the shed to make it more attractive. She said she would also like to see plans for the proposed storage shed. Mr. Twomey agreed.

The motion was made by Perkins to waive the need for site plan review for the work described in the letter. The applicant agreed to submit a plan of the storage shed to the Planning Board and to provide landscaping around the building. ***The motion was seconded and passed unanimously.***

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PUBLIC HEARING (con't) – ORCHARD REALTY TRUST SPECIAL PERMIT

The Board continued the public hearing to consider the application submitted by Orchard Realty Trust for a special permit for a shared driveway serving two lots off Reedy Meadow Road. Attorney Ray Lyons and Surveyor Stan Dillis were present.

Mr. Lyons said they met with the Fire Chief to discuss access to the site and will work with the Fire Chief to address his concerns. Mr. Dillis presented the demonstration plan showing two individual driveways serving each of the lots. He said the shared driveway plan preserves more trees and provides more natural screening from the road than the plan with the individual driveways.

Member Perkins suggested that Board members walk the site as a group to appreciate the topography and the views from the orchard.

Member Capes asked why there is less disturbance with the shared driveway plan. Mr. Dillis said that the use of individual driveways requires relocation of the sewage disposal system. Construction of the sewage disposal system would require significant tree clearing if individual driveways are used.

The Board suggested that the applicant may want to consider withdrawing the special permit application and submitting a new one since several members have missed sessions of the public hearing and may not be eligible to vote. Mr. Lyons said he would consider it.

The Board will walk the site on Saturday, April 28, 2007 at 8:00 AM.

The Board voted unanimously to continue the public hearing on May 3, 2007 at 7:30 PM.

Meeting adjourned at 9:30 PM.

Respectfully submitted,

Michelle Collette
Town Planner