

**GROTON PLANNING BOARD
MAY 17, 2007
MINUTES**

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

SITE PLAN REVIEW – REEDY MEADOW ESTATES

At the request of the applicant's attorney, the Board voted unanimously to continue the site plan review for Reedy Meadow Estates on May 24, 2007 at 7:30 PM.

DEER HAVEN AS-BUILT PLANS

The motion was made by Barringer to endorse the Road As-Built plans for Allison Park, Deerfield Drive, and Fawn Terrace Lane in the Deer Haven subdivision. *The motion was seconded and passed unanimously.*

SHAW'S LANDSCAPING

The motion was made by Barringer to send a letter to Shaw's requesting clean-up of the site including the snow storage areas and replacement of dead and dying trees no later than May 31, 2007. *The motion was seconded and passed unanimously.*

GROTON-DUNSTABLE HIGH SCHOOL STORAGE SHED

The Board received a photograph of the storage shed at the Groton-Dunstable Regional High School playing fields. The Board agreed that the shed is an appropriate structure in an appropriate location.

CHAPTER 593 ESCROW ACCOUNTS

Surrenden Farms – The motion was made by Clements to refund the remaining funds in the 593 escrow account for the Surrenden Farms subdivision to Joseph Falzone, Farmers Row, LLC. *The motion was seconded and passed unanimously.*

Sunny Meadow Estates - The motion was made by Clements to refund the remaining funds in the 593 escrow account for the Surrenden Farms subdivision to Joan Crandall, Sunny Meadow Homes, Inc. *The motion was seconded and passed unanimously.*

STATION AVENUE REDEVELOPMENT COMMITTEE

The Board will request that consultant John Mullen and Town Counsel Judith Cutler attend a meeting of the Station Avenue Redevelopment Committee in June to continue work on the proposed zoning amendment for presentation at a Special Town Meeting in the fall. There are sufficient funds in the FY 2007 budget to pay the consultants to attend a meeting prior to June 30, 2007.

PUBLIC HEARING (con't) – MONARCH PATH DEFINITIVE PLAN

The Board held the continuation of the public hearing to consider the Monarch Path definitive plan submitted by Ebrahim Masalehdan to create 13 lots off Gilson Road. Mr. Masalehdan and, design engineer David Buhlman of TF Moran were present.

May 17, 2007

Page 2

The Board received a report dated May 17, 2007 from its consulting engineer, William Maher of Nitsch Engineering. Mr. Buhlman requested that the Board grant permission for him to discuss outstanding engineering directly with Mr. Maher. The Board agreed and offered to set up a meeting in the Town Hall.

Mr. Buhlman said he met with the Board of Health on May 14, 2007 to discuss its concerns. He will meet with the Board of Health again on May 21, 2007. The existing well behind Mrs. Cunningham's house will be filled in within 30 days as directed by the Board of Health.

Mr. Buhlman said a Notice of Intent is not required for this project because there is no work within the 100 wetlands buffer zone. However, a stormwater management permit is required.

A note has been added to the plan stating that the developer will resurface Gilson Road as recommended by Nitsch Engineering.

Abutter Russell Broz said he read the stormwater report and studied all the maps submitted with the application. He asked if the pond is part of the bordering vegetated wetlands. He asked Mr. Buhlman to explain the soil logs, the watershed divides, and pre- and post-runoff calculations. Mr. Buhlman presented a brief summary of stormwater methodology.

Mr. Broz said he is very concerned about runoff, based upon the previous problems on his property. He asked why the calculations are based upon the 100-year storm and not the 500-year storm. Mr. Buhlman explained how storm events are determined. Chairman Wilson stated that the Board's engineer reviews the drainage calculations to be sure they are accurate. The subdivision regulations require that the calculations be based upon the 2-, 10-, 25- and 100-year design storms.

Mr. Broz asked what accountability will there be. He asked what recourse he has, as an abutter, if his land is flooded.

Member Barringer explained that the calculations are based upon pre-and post-development conditions. The regulations require that there be no net increase in runoff as a result of the development.

Mr. Broz asked about elevation 250.89 shown on the plan and whether the flooding would exceed this elevation.

Member Degen said the Board just received the report from Nitsch Engineering this evening. He said the 100-year storm is the standard used for drainage system design. He said the proposed drainage system could be a benefit and improve the problem.

Member Clements said the Board received a letter dated May 3, 2007 from Martha Robillard.

Mrs. Robillard said they have concerns about the existing well on the Cunningham lot. She said members of the Planning Board saw how the well overflowed this spring. She said she understands that the Board of Health ordered the developer to fill in the well. She said she is also concerned about sewage disposal systems near her property causing water to flow into her yard.

May 17, 2007

Page 3

Member Degen asked if the sewage disposal systems are at ground level or mounded. Mr. Buhlman said they would be installed at ground level. He stated that the existing well will be filled in by a licensed well driller.

Member Degen asked what would happen to the water that is displaced when the well is filled in. Mrs. Robillard said they are very concerned that capping the well will increase the flow of water into their yard.

Member Eliot shared the concern and asked if more water should be retained on the site. She said the issue must be reviewed by the Board's engineer.

Member Capes recommended that the abutters do their due diligence by taking photographs and measurements to document the existing conditions so they have evidence on record if there is a problem in the future.

Ellen Weber stated that drainage is a major issue at this site. Mr. Buhlman said the elevation of 250.89 ft for the Isolated Land Subject to Flooding was reviewed and approved by the Department of Environmental Protection during the appeal filed by MattBob. Approximately 20% of this vernal pool is located on an adjacent site. The basins are designed to hold water and alleviate existing flooding conditions.

The Board will schedule a meeting with the design engineer and the Board's consulting engineer. The abutters are welcome to attend and listen to the discussion.

The Board voted to continue the public hearing on May 31, 2007 at 8:30 PM.

PUBLIC HEARING – HUGHES ORTIZ SPECIAL PERMIT/SITE PLAN REVIEW

(Member Clements stepped down and did not participate.)

The Board continued the public hearing for Hughes-Ortiz to construct a new garage, parking spaces, and stormwater management system for the roofing business located at 60 Main Street. Design engineer Kevin Hardiman of David E. Ross Associates presented the plan.

Mr. Hardiman said the plan has been modified to show the new curb cut required by MassHighway. He submitted a letter dated May 17, 2007 with request for waivers from the Site Plan Review Regulations and a response to the May 9, 2007 report from Nitsch Engineering. He said all the outstanding issues with the drainage calculations have been resolved.

Chairman Wilson thanked the applicant for addressing all the comments.

Member Degen asked if the house is a dwelling unit. Mr. Hardiman said, "no."

Member Degen said with all the waivers needed, he believes that this is not a good site for the use.

Chairman Wilson asked if the applicant has submitted a plan stamped by a structural engineer for the retaining wall. Mr. Hardiman said the plan is in progress, but it has not been submitted yet.

May 17, 2007

Page 4

Member Barringer asked about the use of the proposed garage. Mr. Hardiman said the garage would be used for material storage so the equipment and other material would not have to be stored outside.

Mr. Hardiman said if the Board does not vote to grant the special permit, then the use would continue as it is today. The proposed plan results in a significant improvement to the lot by providing on-site parking and a new building for equipment storage.

Member Degen suggested that the Board close the public hearing and vote on the special permit.

Member Eliot said she hesitates to close the hearing at this time.

Member Barringer said the Board should keep the hearing open so the applicant can submit the structural engineering plan for the retaining wall.

Chairman Wilson said the Board should keep the hearing open until all members eligible to vote are present.

Member Capes said it appears that all drainage issues have been resolved.

Member Barringer asked why the Board is concerned about possible residential use. Member Degen said because the applicant requested a waiver for parking spaces based upon business use only. Residential use would require additional parking.

Member Eliot stated that residential use and home occupations are permitted in a B-1 District.

The motion was made by Degen to close the public hearing. The motion was not seconded.

The motion was made by Barringer to continue the public hearing on June 14, 2007 at 7:30 PM. *The motion was seconded and passed with Wilson, Barringer, Capes, and Eliot in favor; Degen abstaining.*

PUBLIC HEARING – ORCHARD REALTY SPECIAL PERMIT/SHARED DRIVEWAY

The Board held the continuation of a public hearing to consider the application submitted by Orchard Realty Trust to construct a shared driveway serving two lots off Reedy Meadow Road. Attorney Lyons was present.

Mr. Lyons requested that the Board continue the public hearing to a time when all members eligible to vote are present. The Board voted to continue the public hearing on May 31, 2007 at 8:00 PM.

Meeting adjourned at 9:30 PM.

Respectfully submitted,

Michelle Collette
Town Planner