

GROTON PLANNING BOARD
JUNE 14, 2007
MINUTES

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

Members present: Barringer, Capes, Giger, Eliot and Wilson

Member absent: Clements and Perkins

PUBLIC HEARING – HUGHES ORTIZ SPECIAL PERMIT & SITE PLAN REVIEW

The Board held the continuation of the public hearing to consider the special permit/site plan review application submitted by Patricia Hughes Ortiz for the roofing business located at 60 Boston Road. At the request of the applicant, the Board voted unanimously to continue the public hearing on June 28, 2007 at 7:45 PM.

PUBLIC HEARING–WEST GROTON WATER SUPPLY DISTRICT SPECIAL PERMIT

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 West Groton Water Supply District (WGWSO) for a Special Permit to utilize the provisions of Groton Zoning By-law Section 218-30 Water Resource Protection Districts for chemical storage for purposes of drinking water treatment and supply for the Town Forest Well Pump Station located in a Water Resource Protection District. The proposed project is shown on the plans entitled, “West Groton Water Supply District Contract III – Pump Station; Plant – Process Piping and Floor Plan, Sections and Schematics, Revised Site Plan, and Wildlife Diversion Fencing,” prepared by StanTec, dated May 2006 and May 2007. The proposed project is located on Assessors’ Map 106, Parcel 11, located on the southerly side of West Main Street.

Chairman Barringer called the public hearing to order. Clerk Giger read the legal notice posted on May 29, 2007 and published in the June 1 and 8, 2007 issues of *The Groton Herald*. Water Superintendent Gordon Newell of the West Groton Water Supply District (WGWSO) and design engineer Jeffrey Faulkner of StanTec were present.

Mr. Faulkner described the new pumping station located in the Town Forest. The access is from a 2000 ft long driveway off West Main Street. The chemicals to treat the public water supply will be stored in accordance with the Department of Environmental Protection, Division of Water Supply’s regulations. The chemicals include Potassium Hydroxide, Sodium Hexametaphosphate, and Sodium Hypochlorite. The applicant submitted a complete inventory and Material Safety Data Sheets for all chemicals.

Member Capes asked if the chemicals were in dry or liquid form. Mr. Faulkner said one of the chemicals is liquid and the others are crystal.

Member Giger asked if the dry chemicals are stored in bags, what would happen if there is a leak. Mr. Newell said the chemicals must be mixed with warm water and the water from the well is 47°. The chemicals turn to jell when mixed with cold water. Mr. Newell said the pumping station is fully alarmed. The dispatcher would notify the WGWSO if there is ever a leak or other emergency. The DEP will inspect the well and chemical storage facilities before the WGWSO can begin operating the well.

Member Eliot asked if the access road is adequate to handle delivery trucks. Mr. Newell said, “yes,” the road is 22 ft wide. Mr. Faulkner added that the road was designed to meet turning simulations for fire trucks. The WGWSO is responsible for the site and all deliveries to the site.

Member Wilson said the engineering appears to be adequate. He asked if the fence shown in the photograph would obstruct fire truck access. Mr. Newell said there is plenty of room for the fire trucks to get to the site.

Chairman Barringer read the comments from the Police chief and the Board of Health.

Chairman Barringer asked if tanks overflow to the outside. Mr. Faulkner said there is a containment area on the floor. Chairman Barringer asked about the waste from spillage. Mr. Newell said the spare drums are shipped back to the manufacturer.

Chairman Barringer asked if there are respirators on site. Mr. Newell said, “yes,” and all personnel are fully trained.

Chairman Barringer asked if the bags of chemicals are stored above water level. Mr. Newell said, “yes,” the sealed bags must be kept dry.

Chairman Barringer suggested that the Board ask the Fire Chief to review the plans since he would have to respond to an emergency. Mr. Newell reiterated that the DEP must review everything before start-up. He said he hopes to begin operating the well in July.

The Board voted unanimously to close the public hearing.

The motion was made by Wilson to grant a special permit to the West Groton Water Supply District (WGWSO) to utilize the provisions of Groton Zoning By-law Section 218-30 Water Resource Protection Districts for chemical storage for purposes of drinking water treatment and supply for the Town Forest Well Pump Station located in a Water Resource Protection District. The proposed project is shown on the plans entitled, “West Groton Water Supply District Contract III – Pump Station; Plant – Process Piping and Floor Plan, Sections and Schematics, Revised Site Plan, and Wildlife Diversion Fencing,” prepared by StanTec, dated May 2006 and May 2007, with the following findings and conditions:

Findings:

The Planning Board made the following findings based upon the criteria set forth in Zoning By-Law §§ 218-30 and 218-32.1:

1. **Social, economic and community needs:** The proposed public water supply pumping station will address the economic and community needs by providing West Groton with an ample supply of potable drinking water.
2. **Traffic flow and safety:** Traffic will be minimal from operation of and deliveries to the pumping station.
3. **Adequacy of utilities:** Utilities are adequate to serve the proposed use.

4. **Neighborhood character:** There is no impact on neighborhood character because the pumping station is located 2000 ft off the main road.
5. **Impacts on the environment:** The new pumping station will have minimal adverse impact on the environment because MEPA has reviewed and approved the Environmental Impact Report and the Groton Conservation Commission issued an Order of Conditions pursuant to the Wetlands Protection Act, MGL Chapter 131, § 40, and Chapter 215, Wetlands.
6. **Fiscal impact on the Town:** There is no adverse fiscal impact to the Town.
7. **Water Resource District:** The Planning Board determined that surface and groundwater quality resulting from on-site wastewater disposal or other operations on-site shall not fall below the more restrictive of federal or state standards for drinking water.

Conditions:

1. The existing fence on the site will be shortened to accommodate access by fire trucks.
2. The delivery and storage of chemicals at the pumping station shall be reviewed and approved by the Fire Chief.
3. Operation of the well is subject to approval by the Department of Environmental Protection, pursuant to 310 CMR 22 Drinking Water.
4. This special permit shall not be in effect until certified copies of the special permit decision and the subsequently endorsed ANR plan are recorded at the Middlesex South Registry of Deeds as required in GL Chapter 40A, Section 11, and Groton Zoning By-Law Section 218-32.1. No construction or site alteration shall commence nor shall any necessary permits be issued by any Board or official until evidence of such recording is submitted to the Planning Board by the applicant.
5. This special permit shall lapse in 24 months, which shall not include such time required to pursue or await the determination of an appeal referred to in Chapter 40A, Section 17, from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. The recording of the special permit and subsequently approved ANR plan shall constitute commencement of substantial use.
6. This special permit runs with the land and applies to any successor in interest or successor in control.

The motion was seconded and passed unanimously.

REEDY MEADOW ESTATES – SPECIAL PERMIT CLARIFICATION

The Planning Board received a letter dated May 29, 2007 from Attorney Robert Collins requesting a clarification of Special Permit PB 2006-04 for the Reedy Meadow Estates subdivision. The special permit required that two dwelling units be restricted to occupancy by people over the age of 55 years in exchange for one bonus unit under §218-26H(3).

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Mr. Collins said this requirement does not meet the provisions of the Housing for Older Persons Act of 1995. He suggested that the Board clarify that Units A and B are considered to be a separate facility governed by separate rules and regulations and a separate master deed.

The motion was made by Wilson to clarify that Units A and B are considered separate units under SP 2006-04 as described in the letter dated May 29, 2007 from Attorney Collins. ***The motion was seconded and passed unanimously.***

REEDY MEADOW ESTATES – SPECIAL PERMIT CLARIFICATION

The Board continued its review of the Reedy Meadow Estates site plan submitted by John Lorden to construct ten single-family condominiums in the Reedy Meadow Estates subdivision. Attorney Collins presented the plan.

The Board reviewed the request for waivers dated April 26, 2007 from Attorney Collins and the report dated May 23, 2007 from Nitsch Engineering.

Mr. Collins said the applicant would submit facades of the buildings prior to issuance of building permits.

The motion was made by Wilson to grant the following waivers:

1. §218-25G(1)b requiring dimensions and locations of all buildings.
2. §218-25G(2)h requiring a scale model.
3. §381-30L requiring architectural plans of building facades with the condition that the applicant submits building facades to the Planning Board prior to the issuance of a building permit.
4. §381-39O requiring submission of a traffic study because the Board evaluated traffic during the review of the definitive plan.
5. §381-40B (2), (3) and (4) for parking lot and walkway requirements because they are not applicable to a residential development.
6. 381-40D(5) and (7) requiring vertical granite curbing.

The motion was seconded and passed with, Barringer, Capes, Eliot, and Wilson in favor; Giger abstaining.

The motion was made by Eliot to approve the site plan entitled, "Site Plan Review – Plan of Flexible Development in Groton, Prepared for John J. Lorden," prepared by David E. Ross Associates, dated February 2007, revised April 2007, with the following conditions:

1. The house footprints shown on the site plan are representative. House designs shall be submitted to the Planning Board prior to building permit issuance.

2. The curbing details on the site plan shall be corrected prior to the endorsement of the plan.
3. There shall be no net increase in the rate or volume of storm water runoff from the site as required in Section 218-25G(1)(c).
4. The drainage system shall be constructed and function in compliance with the "Massachusetts Department of Environmental Protection - Stormwater Management, Volume One: Stormwater Policy Handbook, and Volume Two: Stormwater Technical Handbook," dated March 1997.
5. The installation of the public water supply system shall conform to the specifications of the Groton Water Department, if applicable.
6. The removal of any excess earth material from the site requires a Certificate of Exemption from the Earth Removal By-law, Chapter 134 of the Code of the Town of Groton. Chapter 134, Section 10 Exemptions.
7. The Applicant shall submit an application for a Stormwater Management Permit to the Earth Removal-Stormwater Advisory Committee for its review and approval as required in Chapter 198 Stormwater Management – Low Impact Development. The Stormwater Pollution Prevention Plan (SWPPP) shall be appended to the site plan.
8. Three copies of the final site plan approved by the Planning Board shall be submitted to the Board for endorsement as required in Section 218-25G(3).

The motion was seconded and passed with, Barringer, Capes, Eliot, and Wilson in favor; Giger abstaining.

ROCKY HILL SUBDIVISION – CURBING STANDARDS

The Board received a letter dated June 7, 2007 from Attorney Robert Collins regarding the type of curbing to be installed at the Rocky Hill subdivision. He reminded the Board that the Natural Heritage and Endangered Species Program (NHESP) required that there be no vertical granite curbing and that sloped granite be used at the roundings. When the Board approved the definitive plan, it granted a waiver of vertical granite curbing and noted that Cape Cod berms would be installed rather than granite. The waiver did not mention the roundings, but the endorsed plan shows sloped granite curbing at the roundings.

The motion was made by Wilson to accept the June 7, 2007 letter of clarification from Attorney Collins and to authorize the use of Cape Cod berms and sloped granite curbing at the roundings as shown on the endorsed definitive plan. ***The motion was seconded and passed unanimously.***

ORCHARD REALTY TRUST SPECIAL PERMIT DECISION

Attorney Ray Lyons requested that the Board postpone its vote on the special permit decision for Orchard Realty Trust until all members eligible to vote are present. The Board scheduled the vote for its meeting on June 28, 2007.

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STATION AVENUE UPDATE

Member Wilson presented an update on the Station Avenue Redevelopment Committee's meeting with Consultant John Mullin and Town Counsel Judith Cutler. The purpose of the meeting was to discuss revisions to the proposed zoning amendment. He said a number of outstanding issues were resolved including the elimination of the 80,000 SF minimum area requirement. The Committee discussed using a point system rather than a concept plan. The points would be based upon consistency with the design guidelines and other criteria established in the by-law.

The Committee will meet with traffic engineer Gary Hebert on June 27, 2007.

Selectman Josh Degen will chair the Station Avenue Economic Viability Committee.

Meeting adjourned at 9:30 PM.

Respectfully submitted,

Michelle Collette
Town Planner