

GROTON PLANNING BOARD
JULY 12, 2007
MINUTES

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

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

PUBLIC HEARING – DENNIS LACOMBE SPECIAL PERMIT/SHARED DRIVEWAY

In accordance with the provisions of Chapter 40A, Sections 9 and 11, the Groton Planning Board held a public hearing to consider the application submitted by Dennis Lacombe for a special permit to utilize the provisions of Groton Zoning By-law Section 218-23D Shared Driveways to construct a shared driveway serving Lots B-44A and B-45A as shown on the plan entitled, "Shared Driveway Plan in Groton, Massachusetts," prepared by Stamski and McNary, Inc. dated June 14, 2007. The proposed shared driveway is on land owned by Flavell Realty, LLC, Assessors Lot 251, Parcels 24 & 25, located on the southerly side of Forest Drive.

Chairman Barringer called the public hearing to order. Clerk Giger read the notice published in the June 28 and July 6, 2007 issues of the *Groton Landmark*. Applicant Dennis Lacombe and design engineer Richard Harrington of Stamski & McNary were present.

Mr. Harrington showed the proof plan demonstrating that each lot could be served by an individual driveway in conformance with the regulations. Mr. Harrington said the proposed shared driveway results in less runoff, less impact on the drainage system, and a reduction in curb cuts.

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

Member Wilson asked if these lots are part of a subdivision and if they have a minimum of 80,000 SF upland area. Mr. Harrington said, "yes," the lots are located in the Groton Woods subdivision approved in 1986. Member Perkins noted that the 80,000 SF upland minimum was not in effect when the subdivision was approved.

Member Capes asked about the slope of the proposed shared driveway. Mr. Harrington said the slope is 7%.

Member Giger asked about the owner of the existing house. Mr. Lacombe said they just conveyed the property recently. The new owners understand that a shared driveway would be used. The Board said it would like something in writing from the new owners consenting to the special permit application.

Member Perkins agreed that one driveway is better than two.

Chairman Barringer asked if the driveway is already constructed. Mr. Lacombe said, "yes." Chairman Barringer asked if an easement and maintenance agreement are on record at the Registry of Deeds. Mr. Lacombe said "yes." Mr. Harrington pointed out the easement area on the plan.

The Board voted unanimously to close the public hearing.

The motion was made by Wilson to grant the special permit to Dennis Lacombe to utilize the provisions of Groton Zoning By-law Section 218-23D Shared Driveways to construct a shared driveway serving Lots B-44A and B-45A as shown on the plan entitled, "Shared Driveway Plan in Groton, Massachusetts," prepared by Stamski and McNary, Inc. dated June 14, 2007, with the following findings and conditions:

Findings:

The Planning Board made the following findings based upon the criterion set forth in Zoning By-Law §§ 218-23D and 218-32.1

1. **Social, economic and community needs:** The community will be better served by having fewer driveway cuts on Forest Drive thereby increasing safety and the aesthetic appearance of the neighborhood.
2. **Traffic flow and safety:** Traffic flow and safety will be improved by having one driveway cut in a safer location instead of two driveway cuts on Forest Drive.
3. **Adequacy of Utilities:** All utilities serving the lots are sub-surface and not impacted by the shared driveway.
4. **Neighborhood character:** There will be less impact on neighborhood character with fewer driveway cuts rather than individual driveways serving each lot.
5. **Impacts on the environment:** There is a positive impact on the environment by the reduction of paved surface and the decrease in surface water runoff.
6. **Fiscal impact on the Town:** There will be no fiscal impact on the Town.

Conditions:

1. The proposed shared driveway shall meet the minimum requirements of the Shared Driveway Regulations adopted on June 13, 1996, revised March 22, 2007.
2. The applicant shall submit a letter of consent from the new owner of Lot B-45-A within two weeks of the date of grant of this special permit.
3. The applicant shall submit a copy of the recorded easement and maintenance agreement to the Planning Board.
4. This special permit shall not be in effect until a certified copy of the special permit decision is 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 endorsed definitive 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.

(Member Eliot arrived.)

MONARCH PATH DEFINITIVE PLAN ENDORSEMENT

The motion was made by Clements to accept the covenant for the Monarch Path subdivision ***The motion was seconded and passed with Barringer, Capes, Clements, Eliot, Perkins and Wilson in favor; Giger abstaining.***

The motion was made by Wilson to endorse the definitive subdivision plan entitled, "Monarch Path, Groton, Massachusetts," prepared by TFM, dated March 9, 2007 with revisions through July 6, 2007. ***The motion was seconded and passed with Barringer, Capes, Clements, Eliot, Perkins and Wilson in favor; Giger abstaining.***

PUBLIC HEARING – HUGHES-ORTIZ SPECIAL PERMIT/SITE PLAN REVIEW

(Member Clements stepped down and did not participate.)

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 August 9, 2007 at 7:30 PM.

ANR PLAN – HOPKINS, SMITH STREET

The Board considered the Approval Not Required (ANR) plan submitted by Sarah Hopkins to create one new lot on Smith Street. The lot with the existing house has 3.20 acres and 225.49 feet of frontage. The new lot has 1.88 acres and 287.68 ft of frontage.

The motion was made by Wilson to endorse as Approval Not Required (ANR) the plan entitled, "Plan of Land in Groton, Mass. Prepared for Sarah F. Hopkins," prepared by David E. Ross Associates, dated June 28, 2007. ***The motion was seconded and passed unanimously.***

BATTEN WOODS PERFORMANCE BOND RELEASE

The Board received a report dated July 11, 2007 from Nitsch Engineering recommending final release of the performance bond for the Batten Woods subdivision. The motion was made by Wilson to release the performance bond for the Batten Woods subdivision as recommended by Nitsch Engineering. ***The motion was seconded and passed unanimously.***

OPEN MEETING LAW DISCUSSION

Chairman Barringer reminded members of the Board to be careful using e-mail communication. The messages should be administrative only and should not lead to deliberations. Chairman Barringer noted that the Attorney General has given advice on the matter based upon case law.

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STATION AVENUE UPDATE

Member Capes presented an update on the work of the Station Avenue Economic Viability Committee. He said the group estimated the cost of public infrastructure improvements based upon "Means Site Work & Landscape Cost Data." The Groton Water Department provided an estimate of \$450,000 for water system improvements. The total cost for public infrastructure is around \$3 million. Capstone allocated \$400,000 for site work associated with its proposal. The Committee will meet with April Anderson of the Executive Office of Economic Development on July 25, 2007 to discuss Chapter 43D Expedited Permitting.

Member Wilson updated the Board on the work of the Station Avenue Redevelopment Committee. He said the Committee will hold a special meeting on Thursday, July 19, 2007 to go discuss the revisions to the proposed zoning amendment prior to the August 8, 2007 meeting with Town Counsel Judith Cutler and Peter Flinker of Dodson Associates. The Committee asked David Hamilton of Capstone Properties to outline his concerns about the proposed amendment.

TIME SHEET AUTHORIZATION

The motion was made by Perkins to authorize Chairman Barringer, Vice Chairman Wilson, or any other member of the Planning Board to sign time sheets. *The motion was seconded and passed unanimously.*

RESIGNATION

Member Clements informed the Board that he will resign from the Planning Board effective on August 1, 2007. He said he is planning to sell his house in Groton and move to the Royalston area where the property values and taxes are more affordable. The Board expressed sadness that Member Clements is resigning, thanked him for his years of service and wished him well.

Meeting adjourned at 9:00 PM.

Respectfully submitted,

Michelle Collette
Town Planner