

**GROTON PLANNING BOARD  
SEPTEMBER 20, 2007  
MINUTES**

Chairman Barringer called the meeting to order at 7:30 PM in the Town Hall  
Members present: Barringer, Capes, Eliot, Giger, Hess, Perkins and Wilson

**PRE-SUBMISSION REVIEW – CROTEAU, NORTH STREET**

Attorney Robert Collins met with the Board to discuss development of the Croteau property located on North Street. He said there is an existing, non-conforming business use on the property. He asked how the lot with the business should be handled when the Basic Number of Lots is submitted with the special permit application.

Member Perkins said she is not comfortable responding to the question since abutters have not been notified. Mr. Collins said it is a policy matter related to how the Board deals with lots containing existing structures. Member Perkins said if the building is going to remain, the lot with the building should be shown on the Basic Number of Lots plan. The Board agreed.

**ANR PLAN – MAVILIA, REDSKIN TRAIL**

Attorney Robert Collins and Surveyor Michael Martorella of David E. Ross Associates presented the Approval Not Required plan submitted by Richard Mavilia to change lot lines on property located on Redskin Trail. Mr. Collins described the proposed conveyance of parcels as noted on the plan. No new building lots will be created as a result. All lots have frontage on Redskin Trail.

Member Hess asked if these are all existing lots today. Mr. Collins said, “yes,” and described how all the parcels would be changed.

The motion was made by Eliot to endorse the plan entitled, “Plan of Land in Groton, Mass. Prepared for Richard Mavilia,” prepared by David E. Ross Associates, dated September 11, 2007. *The motion was seconded and passed unanimously.*

**PUBLIC HEARING – STATION AVENUE OVERLAY DISTRICT**

In accordance with the provisions of Chapter 40A, § 5, M. G. L., the Groton Planning Board held a public hearing to consider the following proposed zoning amendment:

**ARTICLE .** To see if the town will vote to amend the Code of the Town of Groton, Chapter 218, Zoning, as follows:

1. Amend Article IV Special Regulations by establishing a new overlay district as described on a map with district boundary lines prepared by Applied Geographics, Inc. entitled "Station Avenue Overlay District, Town of Groton, Massachusetts" dated March 2007, and accompanying text entitled, “Chapter 218 Zoning, Section 218-30.2 Station Avenue Overlay District.” A copy of the map and text of the proposed “Station Avenue Overlay District” being on file in the office of the Town Clerk.
2. Amend Article II Use Districts, §218-8 Classes of districts by adding “(5) Station Avenue Overlay District” to Paragraph E. Overlay districts.

3. Amend Article II Use Districts, §218-9 Location of districts by amending the Town of Groton Zoning Map to show a new overlay district with district boundary lines prepared by Applied Geographics, Inc. entitled "Station Avenue Overlay District, Town of Groton, Massachusetts" dated March 2007.
4. Amend Article III Use Regulations, §218-12 Intention of districts by adding a new Paragraph I to read as follows:

I. SAOD – Station Avenue Overlay District is intended to promote a socially and economically vibrant town center by enabling development, by special permit, of a mixture of civic, residential and commercial uses consistent with the Town's Comprehensive Plan and the Design Guidelines for the District.

5. Amend Article III Use Regulations, §218- 13 Schedule of Use Regulations by adding the following note no. 10 applicable to the R-A, B-1 and P Districts:

10 For additional uses which may be permitted in those portions of the R-A, B-1 and P Districts which underlie the Station Avenue Overlay District, see §218-30.2.

6. Amend Article IV Intensity Regulations, §218-20 Schedule of Intensity Regulations, by adding the following new Note 5 applicable to the R-A, B-1 and P Districts:

5 For Dimensions applicable to Station Avenue Overlay District Developments, see §218-30.2.

7. Amend Article IV Intensity Regulations, §218-22 General Provisions, Paragraph E Density, by changing the phrase "except as provided in §218- 26F(2), Cluster development, or §218-27, Multifamily use" to read:

"except as provided in §218-26F(2), Cluster development, §218-27, Multifamily use, or §218-30.2 Station Avenue Overlay District."

8. Amend Article IV Intensity Regulations, §218-22 General Provisions, Paragraph H Modification of front building setback, by inserting the following phrase at the beginning of the first sentence:

"Except as may be permitted pursuant to §21-30.2 Station Avenue Overlay District,"

9. Amend Article V Special Regulations, §218-26.1 Major residential development, Paragraph C Special permit required, by inserting the following phrase at the beginning of the first sentence:

"Except for a Station Avenue Overlay District Development under §218-30.2."

Chairman Barringer called the public hearing to order. Clerk Giger read the notice published in the August 31 and September 7, 2007 issues of *The Groton Herald*.

Chairman Barringer presented the map showing the proposed Station Avenue Overlay District (SAOD) and described the text of the proposed changes. He said the SAOD will include more flexible provisions for mixed use. He stressed that the existing uses in the underlying districts

will not be extinguished. Participation in the SAOD is voluntary. A landowner may opt to use the new provisions – it expands owners rights and does not extinguish any.

Doris Chojnowski, Manager of the Groton Electric Light Department, stated the Design Guidelines that will be included in the SAOD are also at the option of the landowner. The Board agreed that existing uses are grandfathered from the Design Guidelines.

Robert Curran, Court Street resident, said he attended many of the public forums. He expressed concerns about traffic impact on the Court Street neighborhood. He said the residents must feel that their safety concerns are being considered.

Chairman Barringer said every project must be reviewed by the Planning Board. The Board sends the plan to its own traffic engineers and the Town's public safety officials for review.

Mr. Curran said the SOAD consists of many parcels. He stated that the FST traffic study indicated that Station Avenue is adequate to handle the increase in traffic. Member Wilson responded that the Station Avenue Redevelopment Committee described traffic issues extensively. The Committee will meet with the public safety officials on October 3, 2007. Traffic flow recommendations will be incorporated into the Design Guidelines when they are adopted.

Mr. Curran said if the Design Guidelines are not in place by the Special Town Meeting, he will vote "no," on the zoning amendment. The Board explained that the Design Guidelines are not part of zoning. The Planning Board will hold a public hearing and adopt the guidelines after the SAOD is adopted.

Marcia Synott said traffic is a very important issue. The volume of traffic on Route 119 will increase unless a new road is constructed.

James Downes suggested installing a traffic light at the intersection of Main Street and Station Avenue. Member Wilson said the Committee discussed traffic lights, but the intersection may not meet the State's warrant for light. In addition, traffic lights are very expensive to design and construct.

Ted Roselund, President of the Groton Historical Society (GHS), said the GHS cares very much about what happens on Station Avenue. He said they would prefer to see a traffic supervisor at the intersection rather than a traffic light. They would also prefer small buildings rather than larger ones. Keeping structures in spirit with the Town Center is important.

Charles Vander Linden said the FST traffic report recommended that there be no access, other than emergency vehicles, to Adams Avenue or Broadmeadow Road. He noted that the draft Design Guidelines said "secondary access" rather than "emergency vehicle access" as recommended by FST. The Board invited people to attend the Committee's meeting to discuss traffic with the public safety officials on October 3, 2007.

Kim Buckingham asked about his grandfathered rights since "bus company" is not listed as a "permitted use" in the SAOD. He said his family has owned and operated Buckingham Bus for more than 50 Years. Chairman Barringer said landowners have the right to continue existing uses. Their vested rights are protected in State Statute and local by-law.

Member Tim Hess said the proposed SAOD contains many parcels with existing, non-conforming uses. The new by-law does not create new development – it defines what the Town's aspirations are for this area.

Mr. Vander Linden asked how the by-law differed from the version proposed in April 2007. Member Wilson said the Board did not go forward with the proposed amendment at the Annual Town Meeting because it did not have the support of all the key players. The Board and Station Avenue Redevelopment Committee worked together to build consensus. The previous version of the by-law included a concept plan. The current version relies upon Design Guidelines.

Chairman Barringer added that reliance on a concept plan was not appropriate for this type of zoning. The Design Guidelines will provide more flexibility.

Selectman Joshua Degen said the present version of the by-law is much better than the previous version. He asked if GELD and Capstone could support the proposed amendment. David Hamilton of Capstone Properties said he supports the current language. However, he stressed the need for the Town to do an economic feasibility study. Selectman Degen said the Town will be able to use Chapter 43D funds for such a study if Town Meeting votes to adopt Chapter 43D Expedited Local Permitting.

Member Wilson said the Station Avenue Economic Viability Committee worked on a number of economic development issues. The Committee determined that the cost to improve infrastructure would be around \$3,000,000.

Member Giger said Chapter 43D is an opportunity for the Town. However, every landowner in the Priority Development Site must submit signed consent. It is important that enough landowners participate in the process so the Town can go forward with its application for a technical assistance grant. The Town must adopt the Station Avenue Overlay District first, and then vote on adopting Chapter 43D.

Stanley Jackson said there is limited sewage capacity to serve the District. He asked if GELD would be moving or staying in its present location on Station Avenue.

GELD Manager Doris Chojnowski said GELD has been very supportive of the Station Avenue redevelopment for many years. In fact, GELD provided the funding for the previous Station Avenue Directions Advisory Committee (SADAC) in 2003. GELD will be moving if its plans all fall into place.

Connie Sartini said the concerns about traffic flow must be addressed in the Design Guidelines.

Member Giger said the Design Guidelines will be a living document that can be changed and enhanced by future revisions.

The Board discussed the affordable housing requirements and whether the number of affordable units should be rounded up or down. The Board reviewed the chart submitted by Steve Webber showing the breakdown of affordable units required if the number is rounded up or down.

Member Hess noted that the ratio commercial to residential construction is not addressed in the by-law. The number of affordable units will vary if 1/3 of the district or the whole district is developed for residential use.

Steve Webber encouraged the Board to require such a ratio because residential use is more valuable than retail use.

Member Capes said the Station Avenue Economic Viability Committee looked at these issues. The Board may be able to answer some of these questions with a market study funded by Chapter 43D.

Mr. Hamilton said the Board should do such a study as the first step in the process. The cost of installing infrastructure must be determined for retail, residential or other types of uses.

Chairman Barringer said the funding is not available unless the zoning is in place. The Town must adopt the SAOD before it can apply for funds under Chapter 43D. Mr. Hamilton said he is supportive of the SAOD and the application for funding under Chapter 43D.

Chairman Barringer added that each developer must assess their own individual parcels within the SAOD.

Bonnie Biocchi of the Massachusetts Office of Business Development said developers must perform their due diligence, but it makes sense for the Town to commission a market feasibility study with state funds for the entire district. Such a study would benefit the Town as a whole.

Greg Mischel asked about traffic flow. He noted that the Town hired Fay, Spofford & Thorndike to prepare a traffic study. FST's recommendations are summarized in the report. The Station Avenue Redevelopment Committee asked traffic engineer Gary Hebert to come back and explain his findings. He said he would not review his recommendations but noted that it would be up to the Town to decide what it wants to do.

Mr. Mischel asked the Board how it felt about directing traffic onto Broadmeadow Road and Adams Avenue. He said he was very confused by the discussion about traffic at the Station Avenue Redevelopment Committee meeting.

Member Wilson said the traffic study determined that Station Avenue is adequate for primary access and egress to the SAOD. However, the FST report is not the only way to design traffic circulation for the area. He said the Board must address the question of using Adams Avenue, Broadmeadow Road, and Court Street in order to create a more economically viable district.

Member Eliot said Mr. Hebert recommended many ways to improve access and egress for Station Avenue including the use of traffic calming measures at the intersection. She said the Board must wait until it has a plan in place. The Board will review each application on a case-by-case basis. Member Wilson noted that the Design Guidelines will address traffic flow issues.

Greg Mischel expressed concern that people may use Court Street and Broadmeadow Road as a short cut around the Town Center. Member Wilson said Broadmeadow Road cannot support heavy vehicles. Mr. Buckingham stated that his buses cannot use Broadmeadow Road.

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Member Capes said he agrees with Mr. Mischel on this point. He reminded the Board that the Station Avenue Redevelopment Committee would be meeting with public safety officials on October 3, 2007 to discuss traffic circulation.

Chairman Barringer said the FST Traffic Study recommendation is very clear that Station Avenue should be used as the primary access and egress to the area. He said it is the Board's intent to protect existing residential neighborhoods from traffic impact.

Mr. Mischel said the neighborhood appreciates the Board's understanding of its concerns. The Court Street residents have supported the Board's plan for the District. This is not a large area and it is physically constrained by wetlands. FST, the Board's traffic engineer, reviewed the proposal and made recommendations. The neighbors trust FST and his projections for traffic.

Chairman Barringer responded that the Station Avenue Redevelopment Committee did not make any decisions. Traffic circulation is still under discussion. Mr. Mischel asked what the Board would do when the Committee makes a recommendation.

GELD Manager Doris Chojnowski said the Station Avenue area is not on Main Street. Developers will want to know what will attract people to the area since it is not visible from Main Street. People will want to be able to come in and get out of the area quickly.

Member Hess noted that there is a distinction between traffic safety and traffic circulation. Mrs. Chojnowski said the Town is short changing business if it only addresses safety concerns. We all know how difficult it is to turn left from Station Avenue. Mr. Mischel said traffic must cross Route 119 no matter where they exit.

Member Eliot reiterated that the Board must review each and every application and plan when they are submitted and evaluate traffic impact.

The Board voted unanimously to continue the public hearing on October 4, 2007 at 7:30 PM.

#### **DESIGN GUIDELINES SUBCOMMITTEE**

The Board discussed the need to appoint a sub-committee to work specifically on Design Guidelines for the Station Avenue area. The motion was made by Eliot to appoint Planning Board members Scott Wilson and Tim Hess, and Historic Districts Commission member Dan Barton to serve on the Design Guidelines subcommittee until June 30, 2008. ***The motion was seconded and passed unanimously.***

#### **LETTER TO CANDIDATES**

The motion was made by Chairman Barringer to send a letter of appreciation to the candidates for Planning Board and encouraging them to be involved in Town government. ***The motion was seconded and passed unanimously.***

Meeting adjourned at 10:30 PM

Respectfully submitted,

Michelle Collette  
Town Planner

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