

**GROTON PLANNING BOARD
JANUARY 3, 2008
MINUTES**

Chairman Barringer called the meeting to order at 7:00 PM in the Town Hall

Members present: Barringer, Capes, Eliot, Giger, Hess and Perkins

Member absent: Wilson

ANR PLANS

Lorden, Reedy Meadow Road – The Board considered the Approval Not Required plan submitted by John Lorden to change a lot line between a lot in the Reedy Meadow Estates subdivision and an abutting property owner. Attorney Robert Collins presented the plan.

Mr. Collins said the lot line change will correct an encroachment issue. Most of the lot shown on the plan is located in the Town of Pepperell. The Pepperell Planning Board endorsed the plan on December 10, 2007. No new lots will be created by this plan.

The motion was made by Perkins to endorse as Approval Not Required the plan entitled, “Plan of Land in Groton and Pepperell, Mass. Prepared for John J. Lorden,” prepared by David E. Ross Associates, dated November 2007. *The motion was seconded and passed with Members Barringer, Capes, Giger, Hess, Perkins in favor; Member Eliot abstaining.*

Moulton, Robin Hill Road – The Board considered the Approval Not Required plan submitted by David Moulton to change a lot line between two lots in the Rocky Hill subdivision. Attorney Robert Collins presented the plan.

Mr. Collins said the lot line change will protect an intermittent stream and will provide a more useable yard area. No new lots will be created by this plan.

The motion was made by Eliot to endorse as Approval Not Required the plan entitled, “Plan of Land for the Rocky Hill Subdivision in Groton, Mass.; Owner/Applicant: Deerfield Realty Corp.,” prepared by R. Wilson & Associates, dated December 10, 2007. *The motion was seconded and passed unanimously.*

Moulton, Boston Road – The Board considered the Approval Not Required plan submitted by David Moulton to change a lot line between a lot in the Rocky Hill subdivision and an abutting lot on Boston Road. Attorney Robert Collins presented the plan.

Mr. Collins said the lot line change will correct a property line discrepancy between the Rocky Hill subdivision and abutting land owned by Helfant. A number of surveys have been prepared over the years using Long Pond Road as a property line. However, there have been errors in the previous surveys. This ANR plan uses the stone wall as the property line and reconciles the past discrepancies. No new lots will be created by this plan.

The motion was made by Eliot to endorse as Approval Not Required the plan entitled, “Plan of Land in Groton, Mass.; Owner/Applicant: Fox Meadow Realty Corp. and Owner/Applicant: Stephen & Rose Helfant,” prepared by R. Wilson & Associates, dated December 10, 2007. *The motion was seconded and passed unanimously.*

ROCKY HILL PERFORMANCE BOND REDUCTION

The Board received a report dated December 5, 2007 from Nitsch Engineering regarding the cost to complete phase one of the Rocky Hill subdivision. The motion was made by Perkins to reduce the amount held in the "Agreement and Contract – Town of Groton Planning Board, Middlesex Savings Bank" to \$121,886.63 for the Rocky Hill Subdivision as recommended in the report dated December 5, 2007 from Nitsch Engineering. *The motion was seconded and passed unanimously.*

ACADEMY HILL AFFORDABLE HOUSING REQUIREMENTS

The Board met with developer Bruce Wheeler and Attorney Louis Levine to discuss the affordable housing requirements in the Academy Hill subdivision. Mr. Levine read Condition #8 of the definitive plan modification which states:

"Affordable Housing Requirements. In accordance with §218-26 F (2) (f) and Special Permits granted for this development, the applicant shall build ten (10) affordable units within the subdivision. Two of the first nine housing units constructed shall be affordable units. Thereafter, one affordable unit shall be constructed for every nine market-rate units constructed."

Mr. Levine asked the Board to allow the affordable units to be constructed at a later date due to the slow housing market and the expense of installing infrastructure to date. Mr. Levine suggested that a phasing plan that would result in the number of affordable units being caught up when 18 units have been built. After that time, one affordable unit will be constructed after every eight units rather than every nine units as outlined in his letter dated December 12, 2007 from Attorney Levine. Construction of two of the three affordable units will be completed by December 31, 2009.

Member Perkins asked if the market-rate single-family units would be on individual lots or would be condominiums. Mr. Levine said "both." The Board determined that it did not matter if the market-rate units were condominiums or on individual lots.

Member Perkins asked if the additional four market-rate units, constructed after the first 16, would be counted as part of the 8:1 ratio of market-rate to affordable. Mr. Wheeler said, "yes." The letter states that three affordable units must be constructed after the first 16 market rate units. Two of the three units must be completed by December 31, 2009.

Member Giger said he did not support the phasing plan proposed in Mr. Levine's letter dated December 12, 2007. He suggested that the two affordable units be completed by June 30, 2009. Mr. Wheeler stated that it may be difficult to meet a June deadline due to winter conditions. He said the two affordable units could be completed by the end of October.

Member Perkins said when twenty market-rate units are completed, three affordable units would be completed as stated in the December 12, 2007 letter. Mr. said, "yes."

Member Perkins said she did not have a problem with the proposed change in phasing because the project would be back on track after the first phase. The construction phasing of one affordable for every eight market rate units is a better than the phasing of one affordable for every nine units. The Board agreed.

January 3, 2008

Page 3 of 6

The motion was made by Perkins that modifications of the special permit and definitive plan are not necessary for the proposed changes in the phasing of affordable units, but would be required for any future changes. *The motion was seconded and passed unanimously.*

Mr. Levine will submit a revised letter and the Board will act on the request at its meeting on January 17, 2008.

PUBLIC HEARING – SAMANTHA REALTY SITE PLAN REVIEW MODIFICATION

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 Samantha Realty Trust under the provisions of Groton Zoning By-law Section 218-25 Site Plan Review, for modification of the Level II site plan entitled, “Commercial Development, 785 Boston Road, Groton, MA,” prepared by GPR, Inc., dated December 2007. The proposed project is located on Assessors’ Map 133, Parcel 11, located on the easterly side of Boston Road and northerly side of Forge Village Road.

Chairman Barringer called the public hearing to order. Clerk Giger read the legal notice published in the December 21 and 28, 2007 issues of the *Groton Landmark*. Applicant Steve Catalano and design engineer Mark Zeller of GPR were present.

Mr. Zeller presented the plan to construct a two story addition on the existing historic structure. The addition will be used for an elevator, a new stairway, and bathrooms for the disabled. There will be no leasable space in the addition.

Chairman Barringer read the comments from the Board of Health, the Water Department and the Building Inspector.

Member Capes questioned the configuration of the roof line of the addition where it is connected to the existing building. Member Hess asked where the flat roof stops and the pitched roof begins. He asked why there is a window in this location. Mr. Zeller pointed out the roof line on the plan. Mr. Catalano said the addition is being constructed for compliance with the American with Disabilities Act and not for rental space. The window provides daylight in the area.

Member Perkins noted that the increase in square footage requires additional parking unless the Board grants a waiver.

Member Hess asked if the applicant had explored sharing parking with the abutting business property. Mr. Catalano said, “yes,” but without success.

Member Giger asked about the windows. Mr. Zeller said the windows would have snap-in grills on the inside. Chairman Barringer noted that the applicant must comply with the original architectural design plans showing six over six style windows. The applicant agreed.

Member Eliot asked about landscaping. Mr. Zeller said there would be a walkway with one additional light in this area. Chairman Barringer asked if other lights would be added. Mr. Zeller said there would be no other exterior lights added.

Chairman Barringer asked if this building is served by the existing sewage disposal system. Mr. Zeller said, “yes.”

Member Capes asked about accessibility to the building. Mr. Zeller showed the access route to the rear of the building. Member Perkins asked if the applicant could add a parking space for the disabled closer to the proposed rear entrance to the building. Mr. Catalano said, "yes."

Mr. Zeller submitted a hand written request for a waiver of two parking spaces for the 525 square foot addition. Mr. Catalano noted that they would lose another parking space for the addition of a space for the disabled. Member Perkins said that would require a waiver of three parking spaces.

The motion was made by Eliot to waive three parking spaces because the addition to the building does not create leasable space and the reduction in the number of parking spaces enables the creation of an additional parking space for the disabled located closer to the building. *The motion was seconded and passed unanimously.*

The Board voted unanimously to close the public hearing.

The motion was made by Perkins to approve the modification of the site plan entitled, "Commercial Development, 785 Boston Road, Groton, MA," prepared by GPR, Inc., dated December 2007, with the following conditions:

Conditions:

1. The applicant shall comply with the attached requests from the Board of Health, Water Department and Building Commissioner.
2. The correct address for the historic building is One (1) Forge Village Road and the correct address for the new building (constructed in 2004) is Three (3) Forge Village Road. The applicant, property owners and all lessees shall use the correct addresses for the premises for public safety reasons.
3. One additional parking space for the disabled shall be installed in the location highlighted on the site plan at the public hearing.
4. All previous conditions of the original site plan approval, dated July 15, 2004, remain in full force and effect.
5. This site plan review modification runs with the land and applies to any successor in interest or successor in control.

The motion was seconded and passed unanimously.

STATION AVENUE LOW IMPACT DEVELOPMENT LID REGULATIONS

The Board reviewed the revisions to the "Station Avenue Overlay District LID Design Standards" drafted by CEI based upon comments at the public hearing on December 20, 2007.

The Board voted unanimously to close the public hearing.

January 3, 2008

Page 5 of 6

The motion was made by Giger to adopt the “Station Avenue Overlay District LID Design Standards” as modified on January 3, 2008. *The motion was seconded and passed unanimously.*

CHAPTER 43D UPDATE

Scope of Town Counsel Services - The Board reviewed the scope of services for streamlined permitting dated January 3, 2008 from Town Counsel Judith Cutler of Kopelman and Paige. The motion was made by Giger to accept the “Scope of Town Counsel Services – Expedited Permitting,” dated January 3, 2008. *The motion was seconded and passed unanimously.*

Committee Appointments – The motion was made by Eliot to appoint Anna Barker to the Market Studies Committee. *The motion was seconded and passed unanimously.*

The motion was made by Eliot to appoint Lorayne Black to the Design Guidelines Committee. *The motion was seconded and passed unanimously.*

FY 2009 BUDGET

The Board reviewed the proposed level-funded budget request for FY 2009. The motion was made by Perkins to approve the budget request. *The motion was seconded and passed unanimously.*

TOWN COUNSEL SERVICE

The Board voted unanimously to appoint Chairman Barringer as its representative and Member Eliot as its alternate to the Selectmen’s Committee to review the proposals for town counsel services.

PERSONNEL MATTERS

Chairman Barringer reported that he will meet with Selectman Fran Dillon and Administrative Officer Jeff Ritter regarding the request to revise the Town Planner’s schedule. He reviewed the history of the previous requests made August 28, 2007 and November 15, 2007. The motion was made by Perkins to send a letter to the Board of Selectmen to request a change in the schedule to allow the Town Planner to take Wednesday afternoon off because she works on Thursday evenings and that a copy of the letter be sent to the Town Hall-Library Union. *The motion was seconded and passed unanimously.*

MINUTES

The Board voted to approve the minutes of November 15, 2007; November 29, 2007; and December 20, 2007.

Meeting adjourned at 10:00 PM

Respectfully submitted,

Michelle Collette
Town Planner

