

**GROTON PLANNING BOARD
JUNE 19, 2008
MINUTES**

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

PUBLIC HEARING – PHOENIX CONSTRUCTION SITE PLAN REVIEW

In accordance with the provisions of Chapter 40A, §§ 9 and 11, M. G. L., the Planning Board held a public hearing to consider the application for a Special Permit, pursuant to §218-25 Site Plan Review, submitted by Phoenix Construction Corporation to construct six (6) units of housing (three single family and one triplex). The proposed project is shown on the plans entitled, "Site Plan #1 for Tavern Road in Groton, Mass. Prepared for Don Haberman," prepared by R. Wilson & Associates, dated October 18, 2007, with revisions through May 15, 2008. The proposed project is located on Assessors' Map 124, Parcels 17 & 19, on the easterly side of Tavern Road.

Chairman Barringer called the public hearing to order. Clerk Giger read the public hearing notice posted with the Town Clerk on June 3, 2008 and published in the June 6 and 13, 2008 issues of *The Groton Herald*. Applicant Don Haberman and Attorney Robert Collins were present.

Attorney Collins presented the plan to construct six units of housing on Tavern Road. The Zoning Board of Appeals granted a special permit for the project pursuant to Section 218-27B Subsidized Elderly Housing. Attorney Collins stated that the by-law requires that a minimum of 50% of the units must be affordable and 50% of the unit must be for residents 55 years old or older. One triplex will be constructed on a 40,000 SF lot, and three single family units will be constructed on individual one-half acre lots. The range-style homes will be identical to the building to be constructed on Longfellow Road. The age and affordability restrictions will be drafted in accordance with state guidelines. The affordable units will be managed by the Groton Housing Authority for sale or rent. Attorney Collins stated that he plans to submit additional information including a building envelope plan, a landscaping plan, and a final grading plan. He suggested that the Board conduct a site walk prior to the continuation of the public hearing.

Chairman Barringer read the comments from the Water Department and the Conservation Commission.

In response to the Conservation Commission's comments, Mr. Collins said the vernal pools are located several hundred feet away from the site.

Member Giger noted that the applicant is requesting a waiver of the requirements for a Level II submission. He asked why the Planning Board should grant such a waiver. Attorney Collins noted that Section 218-27B should be amended. A Level II site plan is not warranted for such a small project. Two homes could have been constructed by-right on this site.

June 19, 2008

Page 2 of 5

Member Capes asked about Parcel 9 shown on the plan. Attorney Collins said Parcel 9 contains one of the original Lost Lake cottages built in the 1920's or 1930's. It is in separate ownership from the land owned by the applicant and is not part of this project.

Member Perkins asked if all the units would be for people 55 and older. Attorney Collins said the three units in the triplex will be for people 55 and older, but the three single family houses are not age-restricted. Member Perkins said why the single family units are not restricted if they are permitted under Section 218-27B. Attorney Collins said only 50% of the units must be age-restricted according the definition in Section 218-4, which states:

“SUBSIDIZED ELDERLY HOUSING — Housing in which 50% of the dwelling units are subsidized under any program or plan that will result in the development of low- or moderate-income housing, such housing which the Groton Housing Authority certifies carries restrictions to limit the eligibility of the occupants and sale price, if applicable to within guidelines as defined in applicable federal or state statute, whether built or operated by any public agency or any nonprofit or limited dividend organization with occupancy reserved to persons 55 years of age or older. [Amended 1-13-1988 STM, Art. 29]”

Attorney Collins noted that the Zoning Board of Appeals made reference to the definition in the special permit with a notation that the definition is ambiguous and should be clarified. The Planning Board asked if the special permit submitted with the application is for the same parcel or the parcel on Longfellow Road. Attorney Collins said he would submit the special permit for this site before the continuation of the public hearing.

Member Giger said the Board should wait until it receives the correct special permit for this locus before proceeding with Site Plan Review. Chairman Barringer agreed and added that additional information must be shown on the plan including a locus map and the location of the vernal pools.

Town Planner Michelle Collette suggested that the Board require an application for a Determination of Access Adequacy for this project. In addition, a Stormwater Permit will be required because there is more than 20,000 SF of disturbance.

Virginia Bennett of Arrow Trail asked about the number of bedrooms in the triplex and the number of parking spaces in the driveway. Attorney Collins said each unit has one bedroom and a total of four parking spaces will be provided.

Ms. Bennett said the vernal pool is located about 300 ft from the site. Attorney Collins said a more detailed plan will be submitted to the Board.

The Board will walk the site on Thursday, July 10, 2008 at 6:30 PM.

The Board voted unanimously to continue the public hearing on July 10, 2008 at 7:30 PM.

GROTON SCHOOL ATHLETIC CENTER ACCESS ROAD

Attorney Collins presented a request from Groton School to reconfigure the emergency vehicle access road serving the athletic center constructed in 1997. The existing emergency vehicle access road is constructed on "grass-crete" as shown on the site plan approved by the Planning Board. The surface has not held up well, so Groton School would like to replace it with a star pack surface. The School would like to relocate the road as shown on the plan. The Fire Chief approved the proposed changes to the emergency vehicle access road.

The motion was made by Wilson to waive the requirement for Groton School to submit a modification to the Site Plan approved in 1997, contingent upon the written approval of the Fire Chief. ***The motion was seconded and passed unanimously.***

ROCKY HILL PHASING PLAN

Attorney Collins requested that the Board consider allowing developer David Moulton to bond the first 1000 ft of Robin Hill Lane from its intersection with Sandy Pond Road. He said the entrance from Boston Road and Quail Ridge Road has been paved and the entire length of Robin Hill Road is passable. The special permits and definitive plan approval stated that the second phase of construction would be the entire length of Robin Hill Road. Attorney Collins stated that only the lots on the first 1000 ft would be released when the road is bonded.

Member Perkins asked what the amount of the bond would be. Attorney Collins said the Board's engineer, Bill Maher of Nitsch Engineering, has not calculated the amount yet. The Board will ask Nitsch Engineering to calculate the amount of the bond for the first 1000 ft and for the entire length of Robin Hill Road.

PUBLIC HEARING – DESIGN GUIDELINES

The Planning Board voted unanimously to continue the public hearing on the Station Avenue Overlay District Permitting Guidebook and Design Guidelines to July 10, 2008 at 8:30 PM.

ANR PLAN – KAZANJIAN-MOORE, PEPPERELL ROAD

The Board considered the Approval Not Required plan submitted by Richard Kazanjian to change a lot line between his property and George Moore's property on Pepperell Road. The motion was made by Wilson to endorse the plan entitled, "Plan of Land in Groton, Mass. For Moore, Knight & Kazanjian," prepared by Rose Land Survey, dated June 5, 2008. ***The motion was seconded and passed unanimously.***

REQUEST TO WAIVE SITE PLAN REVIEW

The Board received a letter dated June 11, 2008 from Mary Kelly of Pooch Barkey requesting that the Board waive Site Plan Review requirements for a change of use at 382A West Main Street. Ms. Kelly said she would like to lease 330 SF of commercial space previously used by a massage therapist. Her proposed business is retail sale of dog treat made at her home and sold on the premises. Ms. Kelly said there are 12 parking spaces, including one accessible space, at the site today. The building contains one apartment as well as the 330 SF commercial space. The site is zoned Business (B-1).

June 19, 2008

Page 4 of 5

Chairman Barringer asked about the number of employees. Ms. Kelly said she would run the business herself without any employees.

The Board advised Ms. Kelly to check with the Board of Health to be sure her operations would be in compliance with Board of Health requirements. She agreed to do so.

The motion was made by Wilson to waive §218-25 Site Plan Review for the Pooch Barkery as ***The motion was seconded and passed unanimously.***

DODSON ASSOCIATES PROPOSALS

The motion was made by Burke to accept the proposal dated June 19, 2008 from Phase III of the Design Guidelines. ***The motion was seconded and passed unanimously.***

PLANNING BOARD REORGANIZATION

The Planning Board voted unanimously to elect the following officers:

Chairman	Carolyn Perkins
Vice Chairman	Raymond Capes
Clerk	Russell Burke

The Planning Board voted unanimously to appoint the following representatives:

Community Preservation Committee	Carolyn Perkins
Earth Removal Stormwater Committee	John Giger
Montachusett Regional Planning Commission	David Manugian
Montachusett Joint Transportation	David Manugian
Surrenden Farms Land Use Committee	Scott Wilson

The Planning Board voted to appoint the following members to act as liaisons to other Town Departments and Committees:

Board of Appeals	George Barringer
Board of Health	Raymond Capes
Board of Selectmen	Chairman Carolyn Perkins, ex officio
Conservation Commission	Tim Hess
Finance Committee	Chairman Carolyn Perkins, ex officio
Groton Dunstable School District	George Barringer
Groton Electric Light Department	George Barringer
Historic Districts Commission	Scott Wilson
Historical Commission	Tim Hess
Housing Authority	Carolyn Perkins
Housing Partnership	Carolyn Perkins
Public Safety Officials	Russell Burke
Sewer Department	Ray Capes
Water Department	Ray Capes
West Groton Water Supply District	George Barringer

June 19, 2008

Page 5 of 5

The Planning Board voted to re-appoint the following members to the Chapter 43D Priority Development Site **Market Studies** Committee. The terms will expire on June 30, 2009:

Ray Capes	Planning Board
Alvin Collins	Sustainability Committee
Ian Scofidio	Business Community
Haynes Turkle	Sustainability Committee
Anna Barker	Former SADAC

The Planning Board voted to re-appoint the following members to the Chapter 43D Priority Development Site **Streamlined Permitting & Permitting Software** Committee. The terms will expire on June 30, 2009:

George Barringer	Planning Board
Dan Barton	Historic Districts Commission
Robert Hanninen	Board of Health/Earth Removal Stormwater Committee
Peter Morrison	Conservation Commission
Carolyn Perkins	Planning Board

Meeting adjourned at 10:00 PM

Respectfully submitted,

Michelle Collette
Town Planner