

GROTON PLANNING BOARD
SEPTEMBER 25, 2008
MINUTES

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

PUBLIC HEARING – CRYSTAL SPRINGS ESTATES

The Board held the continuation of the public hearing to consider the special permit submitted by High Oaks Realty for approval of the Crystal Springs Estates subdivision plan. Applicant Robert Kiley, landowners Robert and Mary Gamlin, and surveyor Stan Dillis of Ducharme & Dillis Civil Design Group, Inc. were present.

Mr. Dillis presented the revised plan showing a tighter cluster and shorter road. The new plan avoids any interference with Mr. Stevenson's easement and results in 50% of the land being protected as open space. Mr. Stevenson's permanent, 25-ft wide easement is shown on the plan and will be defined by metes and bounds. Additionally, there is a footpath within the 50 ft buffer to connect Mr. Stevenson's easement to the Groton Conservation Trust land. The new road configuration will require a waiver of the cut and fill limits.

Member Capes asked if there would be any shared sewage disposal systems. Mr. Dillis said, "none are proposed."

Member Capes asked about the cut and fill waiver request. Mr. Dillis said the waiver will save trees. If the Board grants the waiver, the subdivision road will improve sight distances on Old Dunstable Road. Member Capes asked the amount of cut or fill. Mr. Dillis said they are requesting a waiver to fill up to eight feet rather than the seven foot limit in the Subdivision Regulations.

Member Hess said the applicant is missing a fundamental opportunity to address the purposes of the Flexible Development by-law with this plan. This is a missed opportunity to create neighborhood with a recreational area. The waiver of cut and fill may not result in a natural landscape. The overall plan is not a deliberately composed series of buildings. It is not a significant improvement over the conventional plan. The plan does not result in a traditional New England landscape, it does not provide affordable housing, and it does not create housing for people 55 and older.

Member Burke noted that this is a preliminary plan. He said he agrees that the development should have more rural character rather than a suburban feel. He said he prefers unpaved trails instead of sidewalks. He would support the waiver for cut and fill greater than seven feet because it will improve the siting of the road and preserve natural features.

Member Giger asked why the applicant cannot construct sidewalks with a Low impact Development (LID) drainage system. He asked the applicant to provide more information on the sight distances to support the request for a waiver of the cut and fill requirements.

September 25, 2008

Page 2 of 6

Member Giger asked about the existing logging road. Mr. Dillis said Mr. Gamlin used the logging road to harvest timber for many years. It is shown on the plan as part of the topographic survey. Member Giger asked how people would go from the cul de sac to the cart path. Mr. Dillis said there is a 15 ft easement for people in the subdivision to access the open space and the adjacent land owned by the Groton Conservation Trust.

Member Wilson commended the applicant on the improvements to the plan. However, he said it is still a conventional-type subdivision. He said there has been no attempt to address the key points in the Flexible Development by-law. The special permit plan is not a meaningful alternative to the conventional plan.

Mr. Dillis said zoning permits the use of a conventional or special permit plan. The special permit plan is a much better alternative.

Applicant Robert Kiley said it is difficult to create a community. There are many pieces of the puzzle, and it is difficult to achieve all the goals stated in the Flexible Development by-law.

Member Barringer said, in his opinion, the special permit plan is better than the conventional plan.

Chairman Perkins said the special permit plan has reduced area and frontage so the lots are smaller than lots on a conventional plan. The road is shorter which saves infrastructure costs. She thanked Mr. Gamlin for his efforts to improve the plan.

Town Planner Michelle Collette noted that the Gamlins donated 161 acres of open space to the Groton Conservation Trust in recent years. The proposed subdivision plan shows the development of Mr. Gamlin's remaining 26 acres of land. She asked the surveyor to submit a plan showing the proposed subdivision plan in context with the surrounding open space preserved by the Gamlins.

Member Wilson said the applicant has an opportunity to do something better with the proposed plan.

Member Barringer asked if the stormwater management system is located on private property on Lots 4 and 5. Mr. Dillis said, "yes," the basin is within a drainage easement.

Member Hess said simple geometric changes could improve the plan substantially. For example, the area in the center of the cul de sac could become a common area for neighbors to gather.

Chairman Perkins said many older subdivisions have cul de sacs that look like parks with attractive plantings. Property values are enhanced with an attractive common area.

Mr. Gamlin said he is concerned with clearing too many trees. He said the woods provide recreational opportunities for hunting, fishing and walking. He noted that the Town fields on Cow Pond Brook Road are within walking distance from the site.

September 25, 2008

Page 3 of 6

Abutter Brian Stevenson expressed concern about his easement along the logging road to the spring. Mr. Dillis said the easement is on a walking path, not the logging road. Applicant Robert Kiley said he would work with Mr. Stevenson to resolve the issues with his easement.

Mr. Stevenson submitted photographs of the spring. He said he would like to keep his easement in place and out of the wetlands. He said the easement connects a two-mile walking path that is open to the public.

Mr. Gamlin said the deed spells out where the easement is located. It goes from Old Dunstable Road down the cart path to the brook and then turns left to go to the spring. In the past, people used the easement to collect water from the spring.

Member Barringer asked if the easement near the brook is passable most of the time. Mr. Dillis said it was passable last week. Mr. Stevenson added that you must walk through water.

Chairman Perkins said the two parties must work out the details regarding the easement.

Member Capes asked about the waiver for cut and fill and the impact on the LID drainage system. Mr. Dillis said grade changes always have an impact on LID systems. They may have to mix conventional and LID techniques. However, the cut and fill waiver will make the road less steep. Chairman Perkins said the drainage design will be reviewed thoroughly at the definitive plan stage.

Members of the Board agreed that they preferred the special permit plan instead of the conventional plan. However, they agreed that the special permit plan could be improved.

Mr. Dillis said he would submit a revised plan for the Board's consideration. He asked if he could submit a sketch plan for discussion purposes. The Board agreed.

Chairman Perkins requested that the applicant submit the waiver requests in writing for the Board's consideration.

The Planning Board voted unanimously to continue the public hearing on October 2, 2008 at 8:00 PM.

SITE PLAN REVIEW – GROTON SCHOOL BIO-MASS BOILER HOUSE

The Board continued its review of the site plan submitted by Groton School for the proposed bio-mass boiler house. Hale Smith of Groton School and Attorney Robert Collins were present.

Chairman Perkins read the comments from the Highway Surveyor, the Fire Chief and the Conservation Commission.

Attorney Collins responded that the Conservation Commission closed its public hearing and will issue an Order of Conditions for the project. The applicant will meet with the Highway Surveyor and Fire Chief prior to issuance of a building permit. The stormwater

September 25, 2008

Page 4 of 6

management system includes a detention basin and forebay. A device will be installed to contain any potential oil spills as requested by the Conservation Commission. Additionally, two containment systems will be installed for hazardous materials.

Member Burke asked about the construction timeline. Attorney Collins said the plans must be submitted to the Department of Environmental Protection (DEP) for its review and approval. The school would like to begin construction in the spring so the new boiler is on line by the fall of 2009.

Attorney Collins requested that the Board close the public hearing and that the Board's decision recognize the educational exemption along with its recommendations and conditions.

The Board voted unanimously to close the public hearing. The Board will vote on its decision at its meeting on October 2, 2008.

MONARCH PATH NOISE ABATEMENT

The Board met with developer Ebrahim Masalehdan and contractor Bob Tebbetts to discuss noise at the Monarch Path subdivision. The Board received numerous complaints from abutters about continuous jack- hammering bedrock.

Chairman Perkins asked if the jack hammering would continue with the construction of houses in the subdivision. Mr. Tebbetts said, "yes," they may have to jack hammer foundations for the next two years.

Member Wilson asked if the contractor could do the work sooner to end the noise problems as soon as possible. Mr. Tebbetts said they are trying to break up the bedrock without blasting. It is very shallow bedrock.

Mr. Masalehdan said they are done for now, but may have to start jack hammering again.

Member Giger asked the developer to submit a plan with the anticipated duration of time and hours of operation so the Board could let the abutters know what to expect. Mr. Masalehdan agreed.

Member Hess asked if all the grading work has been done. Mr. Masalehdan said, "yes," for the road and utilities but not for the houses.

Member Hess asked about the depth of ledge. Mr. Masalehdan said the ledge is about 5-7 ft deep.

Member Hess asked if the ledge could be used as foundations for the houses. Mr. Masalehdan said he was not sure.

Member Capes said the abutters are frustrated because they do not know what to expect. He asked the developer to let people know about time and duration. He also requested that the developer explore other options.

September 25, 2008

Page 5 of 6

Abutter Dwight Young expressed concern about the detention basin near Gilson Road. He requested that the Board require that the basin be fenced to prevent children from drowning in the basin.

Chairman Perkins said eventually the basin would be a rain garden with landscaping. Mr. Young said the water in the basin was 3 ft deep after the last storm. This is dangerous for children.

Member Barringer said according to the plans, the basin should only be 2 ft deep if it is constructed properly. Member Hess noted that the banks are 5% grade which is not very steep. The Board will ask its engineer to confirm that the basin is constructed properly.

Abutter Leslie Lathrop said the constant noise was like torture and she could not go outside. She thanked the Board for responding to the neighbors' concerns.

SUSTAINABILITY COMMISSION

Member Hess, the Board's liaison to the Sustainability Commission, reported on the Sustainability Commission's meeting and working group. He said the Commission would like to prepare a Sustainability Plan as part of the master plan. It would be helpful to schedule a joint meeting with the Commission and Planning Board.

Town Planner Michelle Collette said it is time for the Board to consider updating the Comprehensive Master Plan and the work could be done in conjunction with the Sustainability Commission.

ECONOMIC DEVELOPMENT COMMITTEE

Selectman Anna Eliot met with the Board to discuss the newly appointed Economic Development Commission. The Selectmen requested that the Planning Board appoint a representative to the Commission.

The motion was made by Hess, seconded by Barringer, to recommend Member Capes as the Board's representative to the Economic Development Committee. ***The motion passed unanimously.***

The Board asked about the possible re-use of Prescott School and suggestion that the Station Avenue Overlay District be expanded to include the Prescott School site. Selectmen Eliot said the Selectmen have discussed this with the Groton Dunstable Regional School Committee but no decisions have been made to date. The Planning Board requested that it be part of the RFP and decision making process.

Meeting adjourned at 9:30 PM

Respectfully submitted,

Michelle Collette
Town Planner

