

**GROTON PLANNING BOARD  
APRIL 23, 2009  
MINUTES**

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

Members present: Perkins, Burke, Capes, Giger, Hess, and Wilson

Members absent: Barringer

**PUBLIC HEARING – CRYSTAL SPRING ESTATES DEFINITIVE PLAN**

In accordance with the provisions of Chapter 40A, Sections 9 and 11, the Groton Planning Board held a public hearing to consider the applications submitted by High Oaks Realty Trust, Robert Kiley, Trustee, 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 5 & 6 shown on the plan entitled, "Crystal Spring Estates, Definitive Subdivision Flexible Development, Groton, Massachusetts," prepared by Ducharme & Dillis Civil Design Group, Inc., dated March 5, 2009. The proposed shared driveway is located on land owned by Robert Gamlin, shown as Assessors' Map 248, Parcel 4, on the easterly side of Old Dunstable Road and northerly side of Bridge Street.

Chairman Perkins called the public hearing to order. Clerk Burke read the notice posted with the Town Clerk and published in the April 3 and 10, 2009 issues of *The Groton Herald*. Applicant Robert Kiley, Attorney Robert Collins, design engineer Stan Dillis, and the Board's engineer William Maher of Nitsch Engineering were present.

Mr. Dillis described the 25-acre parcel to be subdivided into nine lots in accordance with the special permits granted by the Planning Board. A portion of the land will be set aside as open space so only 8 of the 25 acres will be developed. The Gamlins have protected an additional 135 acres of open space.

Mr. Dillis said the plan creates a sense of community and minimizes the amount of clearing required to develop the lots. Building envelopes will be used to preserve existing vegetation. The Natural Heritage and Endangered Species Program (NHESP) permit requires a conservation restriction on a portion of the lots. The center of the cul de sac will include a park area for the residents. The drainage system will include Low Impact Development (LID) techniques. Shared driveways will be used to access Lots 3 and 4 and Lots 5 and 6.

Mr. Maher of Nitsch Engineering presented his report dated April 21, 2009. Mr. Dillis said he would submit a written response to the Nitsch Engineering report.

Chairman Perkins read the comments from the Water Superintendent and the Fire Chief.

Attorney Collins said they would like to discuss the requirement to show specimen trees on the plan. He asked Mr. Gamlin to mark the trees to be saved in the field so the Board could see them on the site walk.

Member Hess said it is important to show the trees to be saved on the plan as well as in the field.

Member Capes asked about the location of the footbridge. Mr. Dillis said it is over the rain garden.

Member Capes asked about the LID techniques. Mr. Dillis said it is difficult to use LID techniques on sites in New England with steep slopes and some soils. The proposed drainage system is a hybrid with 50% conventional and 50% LID stormwater management. Mr. Maher said they must compare pre- and post-development conditions. The soils are 2-minutes per inch and drain very well.

Member Burke asked about the location of the outfall. Mr. Dillis pointed out the location on the plan near manhole #5. Member Burke asked about drainage calculations for the subdivision road and lot development. Mr. Maher said the calculations used TR-20 and TR-55, but the acreage must be reconciled.

Member Capes asked about the waiver of cut and fill greater than seven feet. Mr. Dillis said the plan shows fill of 8.5 ft rather than 7 ft so the road can be constructed in a location with better sight distance on Old Dunstable Road.

Member Hess noted that the grading plan shows tree plantings. He requested that trees be used to screen houses from each other. He said the plan does not create a space for the neighborhood to gather. Trees could be used to create such a space. Mr. Dillis agreed to use trees to frame the park area in the cul de sac.

Member Burke asked if street lights would be installed. Mr. Dillis said they asked for a waiver of this requirement. Mr. Burke said he like the use of shared driveways to access Lots 3 and 4 and 5 and 6. Mr. Dillis said they would submit applications for special permits to create the shared driveways.

Member Burke asked the applicant to submit a fiscal impact statement. Attorney Collins said that is a special permit issue, not a definitive plan issue. However, he would try to submit something for the Board's consideration.

Member Giger asked about the surface of the driveways. Mr. Dillis said they would be paved as required in the regulations.

Member Giger asked about the legal status of the cart path in the location of the driveway serving Lots 5 and 6. Mr. Dillis said there are no legal issues with the cart path.

Member Giger asked if the well sites shown on the plan are preliminary. Mr. Dillis said the wells are shown in the best locations. Member Giger asked if the wells could be moved farther from the road. Mr. Dillis said the location of the wells is based upon Title Five and required off sets from sewage disposal systems. He said he tried to keep the land disturbance to a minimum.

Chairman Perkins asked how the developer or homeowners would keep the meandering path clear in the future. Attorney Collins said a homeowners association would be created to maintain public spaces such as the park, pathway, and trails.

Chairman Perkins asked about the fire cistern. Mr. Dillis said they are working out the details with the Fire Chief.

Abutter Brian Stevenson asked who would enforce the conservation restriction on the individual lots. Attorney Collins said the Groton Conservation Commission would hold the restriction and would have enforcement authority along with the Natural Heritage and Endangered Species Program (NHESP).

Member Giger asked who would mark the restriction area. Mr. Maher said all the markers and signage for conservation land must be installed prior to issuance of occupancy permit under 381-13K:

Open space and trail signage. Prior to the issuance of any occupancy permits, signs shall be provided and installed designating open space parcels. Trailhead posts shall be installed at the trail entrances along the right-of-way of the road. The location of the signs and trailhead posts shall be determined in consultation with the conservation organization managing the open space parcel and the Trails Committee. Additional trail markers shall be installed every 200 feet back from the road or at the rear corners of the adjacent lots if deemed necessary by the Trails Committee. Signs and trailhead posts shall conform to the specifications in the "Open Space Signs and Trailhead Posts" detail. [Added 4-3-2003]

Rod Hersh asked about the legal status of the subdivision road. Attorney Collins said it will be a town road when it is completed. Mr. Hersh asked about the conservation restriction on the open space. Attorney Collins said the Conservation Commission would hold the restriction.

Chairman Perkins asked who would own the open space. Attorney Collins said the applicant has not decided yet.

The Board voted unanimously to continue the public hearing on May 21, 2009 at 7:30 PM.

#### **SITE PLAN REVIEW MODIFICATION– SEVEN HILLS**

The Board reviewed the Level I site plan submitted by Seven Hills Foundation to renovate a building and create additional parking for a dental clinic at the Seven Hills facility on Hillside Avenue. Facility manager Ed Doucette and design engineer Rob Hitchcock of SVE Associates were present.

Mr. Doucette said the dental clinic will serve patients from Seven Hills facilities in Groton and other communities. The dentists will treat approximately 15 patients a day at the clinic.

Mr. Hitchcock said changes to the parking area include a drop-off for two handicapped accessible vans and turn-around area for fire trucks. A new sidewalk will be constructed to comply with the Americans with Disabilities Act (ADA).

Member Wilson asked if the new construction would impact the drainage system. Mr. Hitchcock said the area drains to an existing catch basin and grass swale. The increase in runoff is insignificant - less than 1%.

Member Capes asked if the detention basin is part of the drainage system. Mr. Hitchcock said, "yes."

Member Capes asked whether curbs would be installed along the sidewalk. Mr. Doucette said, "no," because the sidewalk must be accessible under ADA. Seven Hills will provide transportation with vans and wheelchairs. The dental office will not be open to the public.

Member Burke asked if the asphalt could be stamped to distinguish the sidewalk from the parking area. Mr. Doucette said they would install a series of bollards. Member Burke said stamping may be less intrusive.

Chairman Perkins asked about access for fire trucks. Mr. Doucette said a pull out area was provided as requested by the Fire Chief.

Member Capes asked if the clinic is replacing another use at the site. Mr. Doucette said the space is used for other service programs at the present time. The dental clinic will be used primarily for residents. However, clients from other facilities may be treated on occasion.

Member Giger confirmed that there would not be any retail clients. Mr. Doucette said there would be no clients other than Seven Hills. The clinic would be open only one day per week.

The motion was made by Wilson, seconded by Capes, to approve the Level I site plan modification for the proposed dental clinic as shown on the site plan entitled, "Site Plan Modification, Seven Hills at Groton, Groton, MA," prepared by SVE Associates, dated March 30, 2009. ***The motion passed unanimously.***

### **PLANNING BOARD PRESENTATION TO TOWN MEETING**

The Board reviewed and edited the slide show to be presented at Town Meeting as part of the Planning Board's report on Article 8 – Wind Energy Conversion Facilities.

### **PUBLIC HEARING – PROPOSED ZONING AMENDMENTS**

The Board held the continuation of the public hearing to consider the zoning amendments to Section 218-16D Accessory Apartments and Section 218-13 Schedule of Use Regulations.

Member Burke said the Schedule of Use Regulations has been interpreted to mean that two units must be in the same structure, so the word "detached" should be changed to "attached." Otherwise, someone could build two large homes on the same lot.

Chairman Perkins said this must be an error in the Zoning By-law. Town Planner Michelle Collette said this wording has been in the Schedule of Use Regulations since 1978.

Selectman Anna Eliot said a garage, barn or other accessory structure could be used for a second unit and still look like a single-family dwelling.

Member Burke noted that the amendment to by-law applies only to new construction.

Members of the Board agreed that the error in the Schedule of Use Regulations should be corrected.

The Board voted unanimously to close the public hearing.

### **PLANNING BOARD REPORTS**

The motion was made by Burke, seconded by Hess, to recommend adoption of Article 10 (the amendment to the Schedule of Use Regulations) at Town Meeting. ***The motion passed with Perkins, Burke, Cape, Hess and Wilson in favor; Giger opposed.***

The motion was made by Burke, seconded by Hess, to recommend adoption of Article 9 (the amendment to Accessory Apartments) at Town Meeting. ***The motion passed unanimously.***

The motion was made by Burke, seconded by Hess, to recommend adoption of Article 8 (Wind Energy Conversion Facilities) at Town Meeting. ***The motion passed unanimously.***

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The motion was made by Wilson, seconded by Capes, that the Board recommend Article 11 (acceptance of Brown Lane as a public way) at Town Meeting. ***The motion passed unanimously.***

Meeting adjourned at 10:00 PM

Respectfully submitted,

Michelle Collette  
Town Planner