

**GROTON PLANNING BOARD  
MAY 28, 2009  
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 HEARINGS – CRYSTAL SPRINGS ESTATES DEFINITIVE PLAN &  
SPECIAL PERMITS FOR SHARED DRIVEWAYS**

The Board held the continuation of the public hearing to consider the Crystal Springs Estates Definitive plan submitted by Robert Kiley, High Oaks Path Realty Trust, to create nine new lots off Old Dunstable Road.

In accordance with the provisions of Chapter 40A, Sections 9 and 11, the Groton Planning Board held 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 3 & 4 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.

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 published in the May 8 and 15, 2009 issues of the *Groton Herald*. Applicant Robert Kiley, Attorney Robert Collins and design engineer Stan Dillis of Ducharme & Dillis Civil Design Group, Inc. were present.

The Board received a report dated May 28, 2009 from Nitsch Engineering.

Attorney Collins submitted a letter dated May 28, 2009 including a list of requested waivers along with copies of the deeds, conservation restrictions, and homeowners' association agreement. He addressed the fiscal impact on the Town by comparing the nine-lot development with a 60-lot plan that could have been created if Mr. Gamlin had not preserved 130 acres of open space.

Mr. Dillis said Mr. Gamlin has been ill so he has not been able to mark the specimen trees on the site as requested by the Board. A cluster of trees at the end of the cul de sac will be preserved. Many of the other trees on the site are overgrown Christmas trees. Mr. Dillis said the park at the end of the cul de sac will be maintained by the Homeowners Association.

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Attorney Collins said he met with the Fire Chief about waiving the requirement for a fire cistern because the applicant may install fire sprinklers in the homes. The applicant will also request a waiver of the requirement to install dry water mains since the Town will not be extending public water to this area in the near future. A fire cistern will be shown on the plan unless the Fire Chief approves an alternative system.

Mr. Dillis described the plans for the shared driveways serving Lots 3 and 4 and Lots 5 and 6. The two shared driveways are about 30 to 40 feet apart.

Member Capes asked about the waiver to allow ADS drainage pipe. Mr. Dillis said this waiver allows the use of plastic drainage pipe rather than concrete. Town Planner Michelle Collette said ADS pipe is frequently used in subdivisions as well as in public road construction projects throughout the Town.

Member Capes asked about the turn-around for emergency vehicles on the shared driveways. Attorney Collins said the Fire Chief requested the turn-around areas.

Member Hess said the shared driveway regulations require a width of 16 ft but the plans show a 12 ft width. He asked why there is a discrepancy. Mr. Dillis said they would like some flexibility in the location and construction of the shared driveways.

Member Burke asked if there would be deed restrictions on the houses and lot development. Mr. Kiley said, "no," because he will be involved during the construction process.

Member Burke asked about the use of boulders along the edge of the road rather than a guardrail. Mr. Dillis said they proposed boulders and Nitsch Engineering agreed.

Member Burke requested that the applicant submit more detailed information on the fiscal impact of the project. Attorney Collins said the Town should be grateful to the Gamblins for setting aside 130 acres of open space. He said he would submit a cost evaluation at the continuation of the public hearing.

Member Giger asked about access to the open space from Bridge Street. Mr. Dillis said the public can access the open space from Bridge Street or from the Groton Conservation Trust's property on Old Dunstable Road. The homeowners will have access from the subdivision road. Mr. Kiley said he wants to protect the homeowners' privacy and sense of security.

Member Giger asked about building numbers. Mr. Dillis said he would work with the Building Commissioner to be sure the building numbers shown on the plan are correct. Member Giger noted that the directional markers with numbers for the houses on the shared driveways must be visible and maintained.

Chairman Perkins asked who would maintain the stone-dust paths and who would regulate the use to avoid conflicts. Mr. Dillis said the paths are within easements. The homeowners association will maintain the paths, park and trail system.

Chairman Perkins asked if the homeowners would maintain the rain garden. Attorney Collins said, "yes." The responsibilities will be spelled out in the homeowners' association agreement and easements will be in the deeds.

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Member Barringer asked about boundary and trail markers. Mr. Dillis said trail markers would be installed every 200 ft as required in the Subdivision Regulations §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.

Chairman Perkins asked about the location of Mr. Stevenson's easement. Attorney Collins said it is shown on the plan and language regarding the easement will be included in the deed. Mr. Stevenson said he just received the easement documents this evening and would like an opportunity to look it over.

Abutter David Bonnett asked if foot and auto traffic could use the easement. Mr. Stevenson said, "yes," the easement on the Gamlin property can be used by the public.

Mr. Bonnett asked who would own the open space parcel. Attorney Collins said the Conservation Commission would hold the restriction but they have not decided who would own the land.

The Board voted unanimously to continue the public hearings on the definitive plan and the shared driveways on June 18, 2009 at 8:30 PM.

#### **SITE PLAN REVIEW – GROTON COMMUNITY SCHOOL**

The Board continued its review of the site plan submitted by Groton Community School at 110 Boston Road.

Attorney Collins submitted a letter dated May 28, 2009. Mr. Dillis showed how the dumpster had been relocated on the plan.

The motion was made by Wilson, seconded by Burke, to waive the number of parking spaces from 49 to 41 as shown on the site plan because, as stated by the applicant, the staff and student population of the school will not increase after the proposed addition is constructed. In addition, the majority of the programs are part time and do not require additional parking. When special events are held, there are sufficient parking spaces available in adjacent parking areas.

***The motion passed unanimously.***

The motion was made by Burke, seconded by Wilson, to waive Section 218-23(C)(3) which requires a minimum of two access points to a public way for parking lots with more than ten spaces. The existing boulevard entrance provides adequate access to the parking area.

The motion was made by Burke, seconded by Wilson, to approve the Level I site plan entitled, "Site Plan for Proposed Building Renovation – Groton Community School," prepared by Ducharme & Dillis Civil Design Group, Inc. dated December 31, 2008, with revisions through May 28, 2009, with the following conditions:

1. The applicant shall connect the facility to the municipal sewer system prior to the issuance of a building permit.
2. The Fire Chief shall review and approve the site plan prior to the issuance of a building permit.
3. The dumpster shall be screened appropriately, as required in Chapter 381-40 E, Service Facilities.
4. Lighting shall be shielded so there is no glare. Lighting shall not intrude onto other properties or public ways as required in Section 218-25G (1) (h).
5. The proposed landscaping plan shall not include plantings that are identified as an invasive species by the Natural Heritage and Endangered Species Program (NHESP).
6. Parking for the disabled and access to the building shall comply with the requirements of the Architectural Access Board Regulations, 521 CMR, and the Americans with Disabilities Act.
7. All signs must conform to the Sign By-Law, Chapter 196 of the Code of the Town of Groton.
8. The Planning Board did not have its engineer review the proposed stormwater management system. The applicant shall submit an application for a Full Stormwater Management Permit to the Earth Removal Stormwater Advisory Committee as required in Chapter 198 of the Code of the Town of Groton.

***The motion passed unanimously.***

#### **SITE PLAN REVIEW – NASHOBA VISION**

The Board continued its review of the site plan submitted by Nashoba Vision at 140 Main Street. Design engineer Neal Gorman of David Ross Associates submitted a letter dated May 22, 2009 requesting two waivers of Section 218-25 Site Plan Review to allow only one access point and the Site Plan Review Regulations to allow a 17 ft aisle width between parked cars.

Member Burke asked if the Board wanted to take area from the lawn area in order to increase the aisle width. Mr. Gorman said the plan shows no change to the number of parking spaces or to the width of the aisle.

Member Hess said the existing condition is not safe. He suggested that the Board consider waiving the number of required parking spaces rather than reducing the width of the aisle.

Member Capes noted that if there are eight staff and 11 parking spaces, there would only be enough spaces for three patients. Chairman Perkins said the by-law gives credit for five on-street parking spaces.

The motion was made by Hess, seconded by Capes, to waive the number of required parking spaces to 11 because this is a historically significant property and on-street parking is available.

***The motion passed unanimously.***

Mr. Gorman withdrew the request for a waiver of the aisle width.

The motion was made by Wilson, seconded by Barringer, to waive Section 218-23(C) (3) which requires a minimum of two access points to a public way for parking lots with more than ten spaces. ***The motion passed unanimously.***

The motion was made by Barringer, seconded by Hess, to approve the Level I site plan entitled, "Site Plan in Groton, Mass. Prepared for Dr. Michael O'Neill," prepared by David E. Ross Associates, dated May 22, 2009, with the following conditions:

1. The Board understands that only one optometrist will be seeing patients at the practice at a time. If there is a proposed change of use, change of occupant, or increase in the number of optometrists working concurrently, the applicant shall meet with the Planning Board, pursuant to Section 218-25F. The Planning Board shall determine if a modification to the site plan is required.
2. The proposed landscaping plan shall not include plantings that are identified as an invasive species by the Natural Heritage and Endangered Species Program (NHESP).
3. Lighting shall be shielded so there is no glare. Lighting shall not intrude onto other properties or public ways as required in Section 218-25G (1) (h).
4. Parking for the disabled and access to the building shall comply with the requirements of the Architectural Access Board Regulations, 521 CMR, and the Americans with Disabilities Act.
5. All signs must conform to the Sign By-Law, Chapter 196 of the Code of the Town of Groton.
6. The site is located within one of the Historic Districts; therefore, the project must be approved by the Historic District Commission prior to issuance of a building permit.

***The motion passed unanimously.***

#### **DISCUSSION OF POSSIBLE ZONING AMENDMENT**

Groton residents Deborah Mendel and Tiffany Doggett met with the Board to discuss regulating temporary storage containers. Both residents noted problems with such containers becoming permanent structures and eyesores in their neighborhoods.

The Board suggested that they research how other towns regulate such containers and report to the Board at a future meeting. Selectman Anna Eliot suggested that they speak with the Building Commissioner to see what could be done under present regulations. The Board also suggested discussing the matter with the Board of Health.

#### **SITE PLAN REVIEW – GROTON WELLNESS CENTER & BISTRO**

*(Members Wilson and Capes stepped down and did not participate.)*

The Board considered the site plan submitted by Dr. Evans to add a bistro with service to the public to the Groton Wellness Center located at Mill Run Plaza. Dr. Evans submitted a floor plan and letter requesting a waiver of one parking space. He noted that about 100 parking spaces are vacant at any time. There are two vacant units so the occupancy rate is 90%.

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Chairman Perkins asked about the hours of the bistro. Dr. Evans said the bistro will be open from 9 AM to 5 PM on Monday, Wednesday, and Friday; from 8 AM to 8 PM on Wednesday and Thursday; and they hope to open on Saturdays.

The Board discussed the possibility of shared parking with other businesses at Mill Run Plaza. Member Giger suggested that the applicant work with the condominium association on the parking details.

The Board will continue its review of the site plan on June 4, 2009 at 8:45 PM.

## **REORGANIZATION**

The Planning Board voted unanimously to appoint the following representatives:

Chairman	Raymond Capes
Vice Chairman	W. Timothy Hess
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	Michelle Collette
Montachusett Joint Transportation	Michelle Collette

The Planning Board voted unanimously 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	Raymond Capes, ex officio
Conservation Commission	W. Timothy Hess
Finance Committee	Raymond Capes, ex officio
Groton Dunstable School District	George Barringer
Groton Electric Light Department	George Barringer
Historic Districts Commission	Scott Wilson
Historical Commission	W. Timothy Hess
Housing Authority	Carolyn Perkins
Housing Partnership	Carolyn Perkins
Public Safety Officials	Russell Burke
Sewer Department	Scott Wilson
Sustainability Commission	W. Timothy Hess
Water Department	Scott Wilson
West Groton Water Supply District	George Barringer

Meeting adjourned at 10:30 PM

Respectfully submitted,

Michelle Collette  
Town Planner