

**GROTON PLANNING BOARD
JUNE 18, 2009
MINUTES**

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

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

Members absent: Barringer and Hess

PUBLIC HEARING – SPECIAL PERMIT RENEWAL, 536 MAIN STREET

The Board held the continuation of the public hearing to consider the renewal of the special permit for Gillis Homes to construct an office building at 536 Main Street. At the request of the applicant, the Board voted unanimously to continue the public hearing on August 13, 2009 at 7:30 PM.

SITE PLAN REVIEW EXTENSION – REEDY MEADOW ESTATES

Attorney Collins requested an extension of the site plan approval for the Reedy Meadow Estates multifamily development. The Board voted unanimously to extend the site plan approval for two years.

ANR PLAN - VON CAMPE, LOWELL ROAD

The Board considered the Approval Not Required plan submitted by Alfred Von Campe to change a lot line between two existing lots on Lowell Road. Attorney Robert Collins presented the plan. The motion was made by Burke, seconded by Giger, to endorse as Approval Not Required the plan entitled, "Plan of Land in Groton Massachusetts, Prepared for Alfred Von Campe," prepared by Ducharme & Dillis Civil Design Group, Inc., dated June 15, 2009. ***The motion passed unanimously.***

WOODLE PROPERTY

Attorney Collins submitted a letter dated June 18, 2009 regarding lots of record owned by the Woodle family. The property, with 2500 ft of lake frontage, is located off Tavern Road, Cedar Road, Longfellow Road, Balsam Walk, and Arrow Trail. He asked the Board to consider a cluster development. The yield plan would be based upon the potential build out of non-conforming lots of record. He said he would submit a plan for the Board's review.

PAYROLL AUTHORIZATION

The motion was made by Perkins, seconded by Giger, to authorize Chairman Ray Capes or any other member of the Planning Board to sign payroll for the Planning Board. ***The motion passed unanimously.***

PUBLIC HEARING – SPECIAL PERMIT, RM HICKS, JENKINS ROAD

In accordance with the provisions of Chapter 40A, Sections 9 and 11, the Groton Planning Board held a public hearing to consider the application submitted by Deschenes & Farrell, PC, for a special permit to utilize the provisions of Groton Zoning By-law Section 218-23.1 Hammerhead Lots to create one hammerhead lot as shown on the plan entitled, "Special Permit Plan, 32 Jenkins Road, Groton, MA; Prepared for Robert M. Hicks, Inc.," prepared by LandTech Consultants, dated May 20, 2009. The proposed lot is located on land owned by Robert M. Hicks, Inc., shown as Assessors Map 217, Parcels 84 & 85, on the northerly side of Jenkins Road.

Chairman Capes called the hearing to order. Clerk Burke read the notice posted with the Town Clerk on May 27, 2009 and published in the May 29 and June 5, 2009 issues of *The Groton Herald*. Attorney Kevin Erickson and design engineer Matt Waterman represented the applicant at the public hearing.

Chairman Capes read comments from the Groton Water Department, the Highway Surveyor, the Conservation Commission, the Board of Health, the Sewer Department, and the Building Commissioner.

Mr. Erickson submitted a letter to the Board regarding the potential fiscal impact of the proposed hammerhead lot. He said the proposed lot has 5.04 acres, 76 ft of frontage, and meets all the zoning requirements for hammerhead lots.

Mr. Erickson described the history of the site including the proposed 44-unit Comprehensive Permit development, the alternate 20-unit development plan, and a more recent 14-unit flexible development plan including affordable units for the Department of Development Services. However, the Natural Heritage and Endangered Species Program (NHESP) determined that 45% of the lot could not be disturbed. The proposed hammerhead lot plan is an excellent alternative plan because it allows the RM Hicks Corporation to pay the MacMillan Family (previous owners) and conforms with all zoning requirements. The lot will use a private well and an on-site sewage disposal system.

Engineer Matt Waterman said 45% of the land area is located between two vernal pools and cannot be disturbed.

Member Burke requested more information on the economic impact of the proposed lot. He stated that the tax revenue from single-family homes does not pay for the municipal services. He said the Board would like to keep track on the impact on tax revenue and town services.

Mr. Erickson said it is difficult to speculate on the number of children in a household and whether they would attend public or private schools.

Member Giger asked if the developer intended to build anything other than single-family homes. Mr. Erickson said only single-family homes would be constructed.

Member Wilson said the plan has come a long way since the original 40B Comprehensive Permit Plan. He agreed that the developer should provide a fiscal analysis.

Member Perkins asked how the "area to be undisturbed" would be protected. Mr. Erickson said a provision would be placed in the deed. The Board requested that the applicant submit the proposed language to be included in the deed to the Board for its files.

Member Perkins asked about the sewage disposal system and groundwater elevation. Mr. Waterman said the system and house will be mounded so they will be above high groundwater elevations. The sewage disposal system has not been designed yet.

Member Perkins said she would prefer that the developer use a shared driveway to serve the three lots shown on the plan (one hammerhead and two conventional). Mr. Erickson said a shared driveway would create difficulty with recording the plan and selling the individual lots.

Chairman Capes agreed that a shared driveway would be preferable especially with the horse trailer traffic going to the Fairgrounds at the end of Jenkins Road.

Abutter Candido Bermudez said the hammerhead lot is the worse design for emergency vehicles. He said he would prefer that a full cul de sac be constructed for safety reasons. He asked if the lot would be dredged to deal with high groundwater levels.

Abutter Jim Western asked about converting the plan to convert the existing house for use by the Department of Developmental Services. Mr. Erickson said the existing house would remain as a single-family house under the present proposal.

Attorney Kevin Chenelle said he is representing his parents, the MacMillans, former owners of the property. He said his parents will be paid when the lot is sold. Sale of the lot will stop the 40B Comprehensive Permit plan. The economic impact from the hammerhead lot is much less than the impact from the 14-lot flexible development or 40B plans. Mr. Erickson said it is most likely that Hicks will go forward with the hammerhead lot plan. However, all three plans are still active.

Abutter Mary Steele asked about the distance from the proposed house to her house. Mr. Waterman said it is about 120 ft from house to house.

Mr. Bermudez asked about earth moving and truck traffic on Jenkins Road. Mr. Waterman said fill would be brought onto the site to raise the house and sewage disposal system. The depth to groundwater is about 2-4 ft throughout the site.

The Board voted unanimously to continue the public hearing on July 9, 2009 at 8:30 PM.

PUBLIC HEARING – CRYSTAL SPRING ESTATES DEFINITIVE PLAN & SPECIAL PERMIT FOR SHARED DRIVEWAYS

The Board continued the public hearing to consider the Crystal Spring Estates definitive plan and two special permit applications for shared driveways serving Lots 3 and 4 and Lots 5 and 6. Applicant Robert Kiley, Attorney Robert Collins, and design engineer Stan Dillis were present.

Attorney Collins said the outstanding issues are public access to the footpath, the requirement for a fire cistern, and changes to the open space parcel. He submitted a letter dated June 18, 2009 with an updated list of requested waivers.

Mr. Dillis said the footpath that was on an easement is now on the open space parcel. Public access to the open space will be from Bridge Street rather than the subdivision road. The path from the cul de sac to the open space is only for the homeowners, not for the public.

Member Burke asked about the fiscal impact analysis. Attorney Collins said nine new homes will have a negative impact on the Town's finances. However, the Board must remember that the Gamlins donated 133 acres of open space. Member Burke said he would not vote for the plan without the fiscal impact analysis. Mr. Kiley asked if the cost of the homes and number of children matter to the Board. Member Burke said the Board should have the numbers for the record.

Member Burke asked if any affordable units would be constructed. Attorney Collins said the project is under the ten-unit threshold.

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The Board voted unanimously to extend the deadline to act on the definitive plan to August 15, 2009.

The Board voted unanimously to continue the public hearing on July 9, 2009 at 7:00 PM.

COMPREHENSIVE MASTER PLAN PROPOSALS

The Board received proposals from five consultants for the Comprehensive Master plan. The Board will review the proposals, rank the consultants and decide who to interview.

Meeting adjourned at 10:00 PM

Respectfully submitted,

Michelle Collette
Town Planner