

**GROTON PLANNING BOARD  
OCTOBER 1, 2009  
MINUTES**

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

Members present: Capes, Barringer, Giger, Hess and Wilson

Members absent: Burke and Perkins

**ACCESS ADEQUACY DETERMINATION – CHESTNUT HILLS ROAD AND EXTENSION**

Attorney Robert Collins met with the Board to discuss the Request for Determination of Access Adequacy for Chestnut Hills Road and Chestnut Hills Road Extension. Attorney Collins said the Surveyor Stan Dillis staked the centerline of the road on the ground and DPW Director Tom Delaney issued the driveway permit for the corner lot (Assessors' Lot 233-12). Chestnut Hills Road, a public way, was approved as a subdivision road and later accepted by Town Meeting. Chestnut Hills Road Extension is a paper street shown on the same subdivision plan. Attorney Collins said if the driveway to the corner lot is located on the paper street, it must be relocated in the future.

Member Giger asked what would happen to the access to Lot 233-12 if the paper street is constructed in the future. Attorney Collins said there would be a memo in the Building Department files regarding the requirement to relocate the driveway. Member Giger asked how future owners would know about the requirement. Attorney Collins said he could add a notation to the deed.

Member Hess asked who owns the paper street. Attorney Collins said George Pierce, the original developer of the subdivision, owns the fee in the road. The owners of the lots in the subdivision and owners of adjoining land have the right to pass and repass on the paper street. Attorney Collins said Lot 233-12 has legal frontage on an accepted town road. It is not worth navigating the ownership interests for one lot on a paper street.

Member Hess asked if the owners of the future house on Lot 233-12 would have to move their garage as well as the driveway. He suggested constructed the driveway in a more suitable location so it would not have to be moved in the future.

The motion was made by Barringer, seconded by Wilson, that the Planning Board determine that Chestnut Hills Road is adequate to serve Lot 233-12 and that Chestnut Hills Road Extension, a paper street, is not adequate in its present condition to serve Lot 233-12. However, if the paper street is constructed in the future, the driveway to Lot 233-12 must be relocated to meet the requirements of the Town's public safety officials. A statement must be included in the deed to be recorded at the Registry of Deeds and in the Building Department's files that the driveway is subject to relocation when the paper street is constructed. ***The motion passed unanimously.***

**ROCKY HILL ROAD WAIVER REQUEST**

Attorney Robert Collins sent a letter dated September 22, 2009 to the Planning Board requesting a waiver of the Subdivision Regulations to allow above-ground utilities along Mockingbird Lane in the Rocky Hill subdivision. Attorney Collins said there is a substantial amount of ledge that would require blasting to install utilities underground. In addition, Attorney Collins said the Groton Electric Light Department prefers above ground utilities. Attorney Collins said the size of the water main was changed at the request of the Water Department so he is also requesting that the Board approve the revisions as a field change.

Member Barringer said he did not have a problem with the waiver as long as GELD agrees with the above ground utilities.

The motion was made by Barringer, seconded by Giger, to grant the following waivers and revisions for the Rocky Hill Subdivision as requested by Attorney Robert Collins in his letter dated September 22, 2009:

1. The waiver of §381-12B allows utilities to be installed above ground rather than underground based upon field conditions. The waiver is contingent upon the approval of the Groton Electric Light Department.
2. The change in the size of the water main, as described in the memorandum dated September 24, 2009 from the Groton Water Department.

***The motion passed unanimously.***

#### **BOSTON ROAD MARKETPLACE**

The Board met with Lisa Hesch to discuss her plans to lease the space adjacent to Shaws Supermarket in the Boston Road Marketplace. Ms. Hesch said she would like to use the space for a gymnastics studio. The Board agreed that the proposed use does not require any additional review by the Planning Board. The Board wishes her well with her business endeavor.

#### **COMPREHENSIVE MASTER PLAN**

The Board discussed its presentation to Town Meeting on October 19, 2009 requesting funding for the Comprehensive Master Plan. Chairman Capes outlined the questions to be addressed based upon meetings with the Finance Committee. Board liaisons will meet with other Boards and Committees to request their support of the warrant article.

Meeting adjourned at 9:15 PM

Respectfully submitted,

Michelle Collette  
Town Planner