

**GROTON PLANNING BOARD  
NOVEMBER 19, 2009  
MINUTES**

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

**ANR PLAN – ELIADES, CULVER ROAD**

The Planning Board reviewed the Approval Not Required (ANR) plan submitted by Tracy Eliades to showing one lot with an existing duplex and two new parcels (C & D) on land located on Culver Road at the Groton-Ayer town line. Engineer Stephen Mullaney presented the plan.

Mr. Mullaney said the applicant is considering uses for the land he owns in Groton and Ayer. The former Kingsbury Circle subdivision, submitted to the Ayer Planning Board in 2003, has been withdrawn after years of litigation with the Town of Ayer. There is an existing nitrate loading easement on Parcel C as noted on the plan.

Member Giger asked if the land has access in Ayer. Mr. Mullaney said the only access is in the Town of Groton because Ayer abandoned Culver Road in 1948.

Selectman Anna Eliot asked if the ANR plan creates any new building lots. Mr. Mullaney said, "no."

The motion was made by Wilson, seconded by Barringer, to endorse as Approval Not Required the plan entitled, "Plan of Land in Groton, MA, Owner/Applicant: Orchard Realty Trust," prepared by R. Wilson Associates, dated November 10, 2009. The motion passed unanimously.

**SITE PLAN REVIEW – ROBERT STEPHENS, 382 WEST MAIN STREET**

The Board reviewed the site plan submitted by Robert Stephens for a proposed Memorial Society to be located at 382 West Main Street. Mr. Stephens said the land was rezoned to B-1 in 1986 and there have been a variety of commercial uses at the site for decades. There are two apartments on the premises in addition to the proposed office space for the Memorial Society. The property has six parking spaces on the side of the building and four in the front. The proposed office space contains 333 SF. The lot area is 10,000 SF.

Mr. Stephens stated that the proposed Memorial Society have no embalming and no hazardous chemicals. A licensed mortician will handle details about cremations since there are no laws in Massachusetts that govern such activities, as stated by Mr. Stephens.

Member Perkins asked whether the proposed Memorial Society would include membership. Mr. Stephens said, "yes."

Chairman Capes asked what activities would take place at the site. Mr. Stephens said meetings and discussions will be held. The Society may sell urns for cremations. There are only enough seats for 12 people. The Society has no religious affiliation and there will be no deceased at the site. Some memorial services may be held in other venues with greater seating capacity.

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Member Perkins asked if there is a limit of 12 members. Mr. Stephens said there would be no limit on the number of members. There are similar organizations in the Boston area.

Member Barringer asked if the proposed use could be considered a funeral home. Mr. Stephens said, "no," it is not a funeral home. The Memorial Society will be a not-for-profit business.

Member Barringer asked if the land is zoned B-1. Mr. Stephens said, "yes."

Member Barringer asked how many parking spaces are at the site. Mr. Stephens said there are six spaces on the side of the building and four in the front.

Member Barringer asked about the width of the parking spaces. Mr. Stephens said "six feet."

Member Barringer said parking spaces must be 9' x 18' as required in the Site Plan Review Regulations. In addition, one space must be marked as accessible.

Member Barringer asked if vehicles could drive around the building. Mr. Stephens said, "yes."

Member Wilson asked if this is a retail use. Mr. Stephens said, "no" it is a business use. Member Wilson said the plan must show parking spaces with dimensions, lighting, access, utilities, etc.

Chairman Capes said the plan should be clarified to avoid confusion. He noted that the parking spaces for the two apartments must be included as well as the parking spaces for the proposed office use.

The Board reviewed the sewage disposal system plan and questioned whether the parking spaces could be located over the new sewage disposal system. The Board recommended that Mr. Stephens seek the advice of a professional engineer to prepare the plan. Mr. Stephens agreed to withdraw his application.

The motion was made by Burke, seconded by Barringer, to accept the withdrawal of the application without prejudice and to credit the filing fee toward a future application. The motion passed unanimously.

#### **INFORMAL DISCUSSION – NEFF PROPERTY, ALLENS TRAIL**

Attorney Ray Lyons met with the Board to discuss an encroachment issue on protected open space owned by the New England Forestry Foundation. NEFF would like to swap parcels with the homeowners on Allens Trail. Mr. Lyons showed the Board an aerial photo depicting the encroachment.

Town Planner Michelle Collette stated that the change would require a modification of the special permit since NEFF's land is subject to a conservation restriction held by the Town and is part of the open space set aside for the Baddacook woods subdivision.

Member Wilson asked who would pay the costs for the survey and legal services. Mr. Lyons said the costs would be shared by the Groton Conservation Commission, NEFF, and the homeowners.

**EMERSON MEDICAL OFFICES-CVS SITE**

The Board discussed ponding at the intersection of Boston Road and the access to CVS site. The drainage problems at the intersection have been increasing significantly. A recent rain event resulted in considerable flooding at the intersection.

In addition, Dr. Russell Coleman met with the Board to express his concern about lack of lighting at the Emerson Hospital Medical office building. He said the parking area is very dark when he and his staff leave at night. He expressed concern about safety to property owner Charles Giachetto who referred him to the Planning Board. Mr. Giachetto said the Planning Board required that lights be shut off after receiving complaints from the residents on Skyfields Drive.

The motion was made by Perkins, seconded by Burke, that the Planning Board send a letter to Charles Giachetto and request that he meet with the Board no later than December 17, 2009 to discuss resolutions to the drainage and lighting issues at the CVS and Emerson Medical office site. The motion passed unanimously.

**ROCKY HILL FIELD CHANGES**

The Board discussed the report dated November 13, 2009 from Nitsch Engineering regarding the Rocky Hill subdivision. The motion was made by Burke, seconded by Barringer, to request that the design engineer submit documentation and calculations regarding the field changes to the drainage system at the Rocky Hill subdivision. The motion passed unanimously.

**COMPREHENSIVE MASTER PLAN UPDATE**

The Board received an updated price proposal from Community Opportunities Group for the combined Comprehensive Master Plan and Open Space and Recreation Plan. The Board will meet with COG on December 3, 2009 and will invite the Board of Selectmen and other departments to attend the meeting.

**MINUTES**

The Board reviewed and approved the minutes of September 10, 2009; September 17, 2009; September 24; 2009; October 1, 2009; October 15, 2009; and October 22, 2009.

Meeting adjourned 9:45 PM

Respectfully submitted,

Michelle Collette  
Land Use Director/Town Planner