

**GROTON PLANNING BOARD
MARCH 18, 2010
MINUTES**

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

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

COMPREHENSIVE MASTER PLAN

Town Clerk Michael Bouchard attended the meeting to swear in members of Master Plan Advisory Groups. He explained requirements including the Open Meeting Law, Public Records Law, Conflict of Interest Law, and State Ethics Commission test. Advisory Group members who were not present at the meeting must be sworn in at the Town Clerk's office.

Judi Barrett and Angela Insinger of Community Opportunities Group (COG) detailed the work to be done by the Advisory Groups including public outreach for the May 13 public forum, providing answers to a series of questions, reviewing goals and objectives from the 2002 Master Plan, and reviewing draft text for the present plan. Each group will work as a resource to the Planning Board and COG.

The Board discussed various outreach efforts for the May 13, 2010 forum. The Board will work with the Town's IT Director to post previous master plans and other documents on the Town's web site.

The various Advisory Groups met to discuss when and where to meet. The Planning Board staff will post all meetings with the Town Clerk and publish the schedule.

SPECIAL PERMIT DECISION – PATRIOT PROPERTIES, ISLAND POND ROAD

The motion was made by Burke, seconded by Perkins, to grant a special permit to Patriot Real Estate Development to utilize the provisions of Groton Zoning By-law Section 218-23.1 Hammerhead Lots to modify Special Permit 2002-01 by changing the lot lines of the hammerhead lot shown as Lot 4A on the plan entitled, "Plan of Land in Groton, Massachusetts, Prepared for Patriot Real Estate Developers, LLC," prepared by Ducharme & Dillis, Civil Design Group, Inc., dated January 4, 2010, with the following findings and conditions:

Findings:

1. **Social, economic and community needs:** The modification of the hammerhead lot will address the economic and community needs by providing the Town with one hammerhead lot as shown on the above-referenced plan.
2. **Traffic flow and safety:** Traffic flow will be minimized by the creation of one single-family dwelling on a large lot, with a shared driveway, which will reduce the number of driveway cuts on a very difficult road.
3. **Adequacy of utilities:** Utilities will be provided through conventional methods with an on-site sewage disposal system and a private well.
4. **Neighborhood character:** The neighborhood character will be maintained by the creation of a hammerhead lot for single-family residential use. The neighborhood consists of single family homes.

5. **Impacts on the environment:** The impact on the environment from the hammerhead lot will be mitigated by the conveyance of 2.5 acres and trail to the Conservation Commission.
6. **Fiscal impact on the Town:** There will be minimal fiscal impact on the Town from the modification of the hammerhead lot.
7. **Section 218-23.1 Hammerhead Lots:** The proposed hammerhead lot meets the minimum dimensional requirements (five acres area, 40 feet frontage, and 200 ft set back) for hammerhead lots. The reduction in frontage does not result in a hazardous concentration of egress points because the lot will share a driveway with Lot 3.

Conditions:

1. As required in Special Permit 2002-01, sight distance on Island Pond Road must be improved by regrading the area along Lots 3 and 4 as shown on the plan. There will be a fifty foot wide re-vegetated buffer along the street using existing trees from the site. The plantings will be guaranteed for two growing seasons or will be replaced, as offered by the applicant.
2. Access to the hammerhead lot shall be over the shared driveway serving the hammerhead lot as modified - Lot 4A and Lot 3 and not through individual driveways because the findings of this special permit are based upon the reduction of multiple driveway cuts on Island Pond Road. The creation of the shared driveway is subject to the conditions of Special Permit 2002-02 granted by the Planning Board on January 18, 2002.
3. An erosion and sedimentation control plan must be submitted to the Earth Removal Advisory Committee for its review and approval as required in Chapter 198 Soil Erosion and Sedimentation Control. The erosion and sedimentation control plan shall be appended to the definitive plan as required in Section 346-8C(1)(e)[2][c].
4. The removal of any excess earth material from the site requires a Certificate of Exemption from the Earth Removal By-law, Chapter 134 of the Code of the Town of Groton. Chapter 134, Section 10 Exemptions, states:

“The above exemptions do not cover the removal of earth materials from the premise involving topographical changes or soil-stripping or loam-stripping activities, nor shall the tentative or final approval of a subdivision plan be construed as authorizing the removal of earth materials from the premises, even though in connection with the construction of street as shown on the plan.”

5. This special permit shall not be in effect until certified copies of the special permit decision and the subsequently endorsed ANR plan are recorded at the Middlesex South Registry of Deeds as required in GL Chapter 40A, Section 11, and Groton Zoning By-Law Section 218-32.1. No construction or site alteration shall commence nor shall any necessary permits be issued by any Board or official until evidence of such recording is submitted to the Planning Board by the applicant.

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6. This special permit shall lapse in 24 months, which shall not include such time required to pursue or await the determination of an appeal referred to in Chapter 40A, Section 17, from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. The recording of the special permit and subsequently approved ANR plan shall constitute commencement of substantial use.
7. This special permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

MEETING SCHEDULE

The Board decided not to meet on March 25, 2010 because members would be out of town.

Meeting adjourned at 9:15 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner