

**GROTON PLANNING BOARD
APRIL 1, 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

MONARCH PATH PERFORMANCE BOND

The Board received a report dated March 18, 2010 from Nitsch Engineering with a cost to complete construction at the Monarch Path subdivision in the amount of \$409,774.39. Board members questioned whether this amount includes the cost to move the stone wall out of the right-of-way. Additional contingency may be necessary to deal with stormwater management issues. The Board will request that Nitsch Engineering recalculate the cost-to-complete estimate.

PUBLIC HEARING – SPECIAL PERMITS, MCCARTHY, ISLAND POND ROAD

The Board held the continuation of the public hearing to consider the applications submitted by Michael McCarthy to create two hammerhead lots and a shared driveway off Island Pond Road. Attorney Robert Anctil, surveyor Stan Dillis, and abutters Eric and Paula Lantz were present.

Attorney Anctil said Mr. McCarthy and the Lantz's have a signed agreement. He submitted a copy for the Board's records.

Mr. Dillis said he met with the Fire Chief to discuss emergency vehicle access. The Fire Chief agreed that the driveway should be widened to 16 ft in areas of cut but not in areas of fill. The Chief liked the new driveway configuration for emergency vehicles because the ladder truck can make all the turns. Unfortunately, a dry hydrant is not feasible because the elevation change is greater than 15 feet. An underground cistern is not practical and would be too expensive, according to Mr. Dillis.

Eric Lantz said the pond level is lowered for four months of the year and suggested that the dry hydrant be used for eight months of the year. Chairman Capes said the Board would like clarification from the Fire Chief on the various fire prevention alternatives.

Chairman Capes asked where the driveway would be widened. Mr. Dillis said the section past the Lantz property will be widened to 16 ft with two foot shoulders.

Member Perkins asked about the deeds. Attorney Anctil said Parcel 1 will be conveyed to the Town and Parcel 2 will be conveyed to the Lantz's.

Member Burke asked about the easements. Attorney Anctil said the easement will be granted to the Town for access on the common driveway. The deeds will be submitted to the Town Manager for the Selectmen's review and approval.

Chairman Capes noted that the two outstanding issues are the clarification from the Fire Chief and the submission of deeds to the Board of Selectmen.

The Board voted unanimously to continue the public hearing to April 22, 2010 at 7:45 PM.

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PUBLIC HEARING – SPECIAL PERMIT, NASHOBA HOMES, 698 TOWNSEND ROAD

The Board held the continuation of the public hearing to consider the application submitted by James Casella, Nashoba Homes, for a special permit for a shared driveway and site plan review for four units of subsidized elderly housing. Mr. Casella, Attorney Robert Collins, and design engineer Jeff Brem of Meisner Brem Associates were present.

Attorney Collins summarized the plan to construct four units on the 2.7 acre property. The existing house will be converted to a duplex and two small, single-family houses will be constructed. Two of the units are restricted as affordable for persons 55 years old and older. The other two units will not be restricted. All the outstanding engineering issues have been resolved.

Attorney Collins said the Board had three questions for Town Counsel:

1. Whether a five-acre minimum is required by State Statute;
2. Whether lots with less than the required acreage and frontage can be created for the houses
3. Whether the age restriction should apply to all the units.

Town Counsel David Doneski responded to all three questions in his letter dated February 10, 2010.

Attorney Collins said the Zoning Board of Appeals granted a special permit pursuant to Section 218-27B Subsidized Elderly Housing. The ZBA special permit addressed the question of age restrictions. The Planning Board should not second guess the ZBA during the Site Plan Review approval process. He suggested that the Board ask the ZBA for clarification of its decision. The Board agreed to do so.

Member Burke expressed concern about the division of land into smaller lots, noting that this project should be in common ownership with common infrastructure. He noted that the ZBA did not vote to waive frontage of lot size in its decision. He said he would not vote to grant the special permit because the lots do not comply with zoning.

Attorney Collins referred to Footnote #1 in Section 218-20 refers to Section 218-27B minimum requirements. Attorney Collins said Town Counsel supports this interpretation in his letter. Attorney Collins said the Board should also ask the ZBA for clarification on this point.

Mr. Brem said all the issues in the Nitsch Engineering report dated March 30, 2010 have been addressed. The soil testing will be done in April with a Town representative present.

Member Hess asked if the driveways would be paved or gravel. Mr. Brem said the shared portion of the driveway will be paved and the remainder would be packed gravel. Attorney Collins said the homeowners would have the option to pave the gravel section of the driveways in the future.

Member Perkins noted that there should be no invasive species in the landscaping plan. Mr. Brem said there were none.

Member Burke asked if an Environmental Impact Report is required by MEPA. Mr. Brem said, "no."

Member Barringer asked if the runoff from the driveway would be directed to retention basin. Mr. Brem said runoff will flow to an open swale and would be directed to the drainage system with an overflow to the catch basin in Townsend Road. Member Barringer asked if there is an existing catch basin in Townsend Road. Mr. Brem said, "yes," but it is clogged.

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Mr. Knatt suggested moving the house back ten feet to save the tree. Mr. Brem said he could not move the house due to the location of the sewage disposal system.

Mr. Knatt asked why the driveway was designed for less than four cars. Attorney Collins said the original design showed a circular driveway, but it was changed to avoid headlight glare on abutters across the street. Attorney Collins said they would look at other options and submit a revised plan before the next meeting.

The Board voted unanimously to continue the public hearing on April 8, 2010 at 7:30 PM.

PRE-SUBMISSION REVIEW- SEVEN HILLS

The Board considered a minor modification to the Seven Hills dental clinic site plan. Seven Hills facilities manager Ed Doucette presented the change required by the Massachusetts Department of Public Health (DPH). The alignment of the sidewalk at the entrance had to be changed and the entrance door was moved ten feet to accommodate the interior space. Wheelchair access was moved to meet existing grade.

The Board asked if there were any other changes to the plan. Mr. Doucette said, "no."

The motion was made by Wilson, seconded by Giger, that changes described by Mr. Doucette were minor and did not require modification of the approved site plan. The motion was unanimously.

PRESCOTT SCHOOL RE-USE COMMITTEE

The Board of Selectmen requested that the Planning Board nominate a representative to the Prescott School Re-use Committee. The motion was made by Hess, seconded by Wilson, to nominate members Russ Burke and George Barringer as representative and alternate to the Prescott School Re-use Committee. The motion passed with Capes, Giger, Hess, Perkins and Wilson in favor; Barringer and Burke abstaining.

COMPREHENSIVE MASTER PLAN UPDATE

The Board thanked Member Wilson for designing the logo for the master plan. Member Wilson offered to re-design the flyer for the May 13, 2010 forum.

The Board voted unanimously to approve the schedule change dated March 31, 2010 proposed by Community Opportunities Group. The Board will request that COG prepare a chart showing the COG submission deadlines and a list of expectations of materials to be submitted by the Advisory Groups.

The Board voted unanimously to appoint Conservation Commission member Marshall Giguere to the Open Space and Recreation Advisory Group.

Meeting adjourned at 10 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner