

**PLANNING BOARD  
MAY 5, 2011  
MINUTES**

Chairman Capes called the meeting to order at 7:30 PM.

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

**DECISION - SPECIAL PERMIT MODIFICATION ROCKY HILL**

The Board reviewed the draft special permit decision for the Rocky Hill subdivision.

The motion was made by Burke, seconded by Perkins, to **MODIFY** Special Permit 2005-04 as requested in the letter dated March 9, 2011 from Attorney Robert Collins and as shown on the plans entitled, "Building Permit Plan for Lot 36A, Robin Hill Road in Groton, Mass." and "Building Permit Plan for Lot 36B, Robin Hill Road in Groton, Mass." prepared by R. Wilson and Associates, dated February 17, 2011, with the following findings and conditions:

**Findings:**

*The Planning Board made the following findings based upon the criterion set forth in Zoning By-Law §§ 218-26, 218-27C and 218-32.1:*

1. **Social, economic and community needs:** The proposed modification to the special permit serves social and community needs by providing house locations that are compatible with the subdivision and neighborhood.
2. **Traffic flow and safety:** The modification to the special permit will not adversely impact traffic flow in the surrounding area because traffic from the proposed development was taken into consideration when the Board granted the original special permit and approved the Rocky Hill definitive plan.
3. **Adequacy of utilities:** There are adequate public utilities at this location to serve the proposed development.
4. **Neighborhood character:** Neighborhood character will be enhanced by the proposed modification because the houses will be located closer to the road on a more level part of the lots rather than on the steep slopes in the rear of the lots.
5. **Impacts on the environment:** The Board determined that a reduction in the front yard setback for the houses will minimize alteration on the steep slope adjacent to the protected open space (Parcel A1).
6. **Fiscal impact on the Town:** There will be no additional fiscal impact on the Town as a result of the proposed special permit modification because no additional dwelling units will be created.
7. **Consistency with Concept Plan:** The proposed modification is consistent with the Rocky Hill Concept Plan approved by the Special Town Meeting (Article 8) on September 24, 2001. The modification is minor in scope and does not result in the construction of any additional dwelling units.

**Conditions:**

*The Planning Board granted the special permit with the following conditions:*

1. The front yard setback for the house on Lots 36A and 36B may be reduced to 34 ft as requested by the applicant in the letter dated March 9, 2011 from Attorney Robert Collins.
2. There shall be no disturbance in the drainage easement area as a result of the site development of Lots 36A and 36B. The drainage easement line in the rear of the lots shall be delineated as the limit of disturbance in the field prior to the commencement of construction on the lots.
3. All other findings and conditions of Special 2005-04 and the Rocky Hill definitive plan approval dated April 28, 2005 remain in full force and effect.
4. This special permit shall not be in effect until a certified copy of the special permit modification is 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 permits shall be issued by any Board or official until evidence of such recording is submitted to the Planning Board by the applicant.
5. This special permit runs with the land and applies to any successor in interest or successor in control.

The motion passed with Capes, Burke, Giger, Parent, and Perkins in favor; Wilson abstaining.

**PUBLIC HEARING – SPECIAL PERMIT WOODLE FLEXIBLE DEVELOPMENT**

At the request of the applicant, the Board voted unanimously to continue the public hearing on the Woodle Family Residential Development special permit application to May 26, 2011 at 8:30 PM. The Board will walk the site on Saturday, May 21, 2011 at 8:00 AM.

**REEDY MEADOW ESTATES PERMIT EXTENSION**

The Board received a letter dated April 26, 2011 from Attorney Robert Collins regarding the applicability of the Permit Extension Act to the site plan approval for the Reedy Meadow Estates cluster development (see Section 173 of Chapter 240 of the Acts of 2010).

The motion was made by Burke, seconded by Perkins, to send a letter to the applicant stating that the Site Plan Approval, dated June 19, 2009, is extended for an additional two years to June 19, 2013 in accordance with the provisions of the "Permit Extension Act," Section 173 of Chapter 240 of the Acts of 2010, upon confirmation that Town Counsel concurs. The motion passed unanimously.

**PRE-SUBMISSION REVIEW – NASHOBA PADDLER**

Attorney Robert Collins met with the Board to request a waiver of Site Plan Review for Nashoba Paddler at 385 West Main Street. At the present time, Nashoba Paddler has eight parking spaces and the adjacent Groton Nursery has 35 spaces. The shared parking arrangement has worked well for many years.

Member Barringer asked about the existing fence located in the right-of-way of West Main Street. He encouraged the applicant to move the fence off public land.

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The motion was made by Wilson, seconded by Barringer, to waive Site Plan Review proposed for the two existing businesses (Nashoba Paddler and Groton Nursery) because there is sufficient parking at the site to meet the parking requirements for both uses. The motion passed unanimously.

**PRESUBMISSION REVIEW – GROTON SCHOOL**

Attorney Collins met with the Board to request a waiver of Site Plan Review for Groton School to move its business offices to the Hundred House. The proposed work includes the reconfiguration of internal space with no changes to the exterior.

The motion was made by Burke, seconded by Barringer, to waive Site Plan Review for the proposed renovations at the Groton School's Hundred House because there will be no visible modifications to the exterior of the building or existing performance characteristics. The motion passed unanimously.

**TOWN CENTER OVERLAY DISTRICT DESIGN REVIEW COMMITTEE**

The Board discussed how to recruit alternate members for the Town Center Overlay District Design Review Committee. The Board will place a notice in the newspaper requesting volunteers and will ask former Planning Board member and architect Tim Hess if he is interested in serving.

**ACADEMY HILL TREE PLANTINGS**

The Board received an email message dated April 28, 2011 from Academy Hill, LLC, requesting a change to the street tree planting plan at the Academy Hill subdivision.

The motion was made by Wilson, seconded by Barringer, to approve the requested field change to the street trees at the Academy Hill subdivision with the conditions that the Tree Warden must approve the planting plan, that the trees must be planted in clusters rather than at 75 ft intervals and that the final tree planting plan shall be submitted to the Planning Board. The motion passed unanimously.

Meeting adjourned at 8:30 PM

Respectfully submitted,

Michelle Collette  
Land Use Director/Town Planner