

**PLANNING BOARD
JULY 14, 2011
MINUTES**

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

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

PUBLIC HEARING – SPECIAL PERMIT WOODLE FAMILY RESIDENTIAL DEVELOPMENT

The Board held the continuation of the public hearing to consider the application for a special permit to create seven lots off Tavern Road. Attorney Robert Collins and design engineer Jesse Johnson of David Ross Associates were present.

Attorney Collins said there are two remaining issues – the Fire Chief’s comments and the conservation restriction on the 8.2 acre parcel. He added that a Historic Preservation Restriction will be placed on the existing structure because it is historically significant.

Attorney Collins said he met with the Fire Chief at the site to review emergency vehicle access and the “T” turn-around areas at the end of Tavern Road and at the Braudis lot. He said the Fire Chief suggested cutting into the slope in the area near the existing house for ambulances to turn around. The area will be shown on a revised plan and sent to the Fire Chief for review and comment.

Attorney Collins described the existing house as one of the remaining cabins located on the largest property on the lake. The Woodles would like to preserve the integrity of the structure while allowing for some change over time. Attorney Collins said he spoke with Chairman Dan Barton of the Historic Districts Commission (HDC) about the HDC holding the restriction on the house under Chapter 40C. He will submit a copy of the draft restriction for the Board’s review.

Member Giger asked about the applicant’s response to the memorandum dated June 13, 2011 from the Conservation Commission regarding access to the lake and public access to the trails. Attorney Collins said public access is discouraged on the environmentally sensitive areas, but access on the trails will be permitted. The draft conservation restriction explicitly states that public access on the Arrow Trail and Balsam Walk would be allowed.

Member Giger asked who owns Arrow Trail and Balsam Walk. Attorney Collins said the roads were part of the original Lost Lake subdivision plan created in 1926. The Town accepted the constructed roads serving access to existing homes in 1987. Public access over the trails on Lot 7 is included in the conservation restriction.

Member Giger asked about the Historic Preservation Restriction on the cabin. Attorney Collins said MGL, Chapter 40C, gives the HDC the authority to hold the restriction and there would be more flexibility in the process if the HDC reviews any changes to the structure under its rules and regulations.

Member Wilson asked about the two lots owned by Burlwood Realty. Attorney Collins described the chain of title from the Highland Trust to the Commonwealth of Massachusetts, to Golden, the Groton Development, and to Taplin. He said the two lots shown on the plan were left out by mistake. However, there are no tax bills on the lots.

Member Barringer asked if the two lots have access rights over the common driveway. Attorney Collins said they have the right to access over the paper streets and Tavern Road. He added that there is no compelling reason to extinguish the paper streets.

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Member Barringer asked about Circuit Road. Attorney Collins said Circuit Road provides access to Balsam Walk. Member Barringer asked if there would be parking and vehicular access to the lake. Attorney Collins said the conservation restriction is limited to foot traffic and does not include vehicular access.

Chairman Burke asked about the Fire Chief's recommendation on the proposed turn-around. Attorney Collins said the Fire Chief asked for an area near the existing house for the ambulance to do a three-point turn. Chairman Burke said the work to create the turn must be approved by the Conservation Commission. Attorney Collins said, "yes."

Chairman Burke asked about the proposed number of houses. Attorney Collins said there are six new and one existing house shown on the plan. The lot sizes range from 0.5 to 6 acres.

Chairman Burke asked about stormwater management. Mr. Johnson said the plan does not show any specific design for the proposed houses, but stone infiltration trenches will be used along the sides of the road and driveways. The soil consists of good sand and gravel. Drip trenches for roof runoff could be included.

Member Giger asked how drainage will work in the winter when the ground is frozen. Attorney Collins added that the road has existed for 80 years and has been paved for the past 30 years with very few water problems because water does not collect on the road because the soils drain very well.

Member Giger asked that the stormwater management concerns be addressed at the continuation of the public hearing. Mr. Johnson said he would revise the plan to show four-foot drainage trenches.

Chairman Burke asked that the limits of clearing be shown on the plan. This is a heavily wooded site today, and the proposed construction should conform with the existing topography. Mr. Johnson said he would add the limit of disturbance to the plan showing installation of the primary sewage disposal system and not including the reserve, expansion area at this time.

The Board voted unanimously to continue the public hearing on July 28, 2011 at 8:00 PM.

ANR PLAN – ROBERT LACOMBE, PAUGUS TRAIL

The Board considered the Approval Not Required (ANR) plan submitted by Robert Lacombe. Attorney Collins presented the plan to change internal lot lines on Lots B-22A, B-23A, B-24A and B-25A. The Board approved the Groton Woods definitive plan in 1986, and the lots shown on the ANR plan meet the zoning requirements that were in place at that time. The changes to the property lines allow a driveway to be relocated to avoid filling the "Isolated Lane Subject to Flooding."

The motion was made by Barringer, seconded by Wilson, to endorse the plan entitled, "Plan of Land in Groton, Mass. (Middlesex County), For: Robert Lacombe," prepared by Stamski & McNary, dated May 26, 2011. The motion passed unanimously.

ACADEMY HILL DEFINITIVE PLAN MODIFICATION

The Board held the continuation of the public hearing to consider the proposed modification of the Academy Hill definitive plan to correct drainage problems resulting from errors in the topographic plans. The Board received a report dated July 14, 2011 from Nitsch Engineering and a letter dated July 13, 2011 from structural engineer Peter Ogren of Hayes Associates. Developer Bruce Wheeler, design engineers Lawrence Beals and Todd Lobo of Beals Associates were present.

Mr. Beals described the changes to the culvert mitigation plan including saw cutting the footing to allow a natural substrate of 18 inches rather than 12 inches. The inlet and outlet of the culvert will be graded as shown on the plan.

Member Giger said the letter from Hayes Associates seems to equivocate rather than respond to the issues raised in the Nitsch Engineering report. The Board agreed that clarification is needed.

Chairman Burke said it appears that a design solution is in hand. He asked that the stormwater calculations be verified by Nitsch Engineering in light of the errors in the topographical plan.

Member Barringer asked about stabilization of the road shoulders. Town Planner Michelle Collette said the easterly side of the road has been well stabilized, but the westerly side has not. The Board requested that the developer stabilize the road shoulder as soon as possible.

The Board voted unanimously to continue the public hearing on July 28, 2011 at 8:30 PM.

PRE-SUBMISSION REVIEW – GROTON WELLNESS

The Board considered the request submitted by Groton Wellness, located at Mill Run Plaza, to add six outdoor seats to the existing Bistro at the wellness center. The Board received a letter from the Sewer Commission and Mill Run Condominium Association approving the additional seats. Linda Leland of Groton Wellness presented the request to the Board.

Member Barringer asked if the additional seats would be moved indoors during the winter. Ms. Leland said, "no," because there is not enough room indoors.

The motion was made by Parent, seconded by Wilson, to approve the request submitted by Groton Wellness for seasonal outdoor seating of three (3) tables and six (6) seats at the medical spa. The motion passed unanimously.

CRYSTAL SPRINGS PLANTING PLAN

The Board received a letter dated July 13, 2011 from Stan Dillis of Ducharme & Dillis requesting a change in the planting plan for the Crystal Springs Estates subdivision. The motion was made by Giger, seconded by Barringer, to deny the requested change and require that all plantings be in good health and acquired from a nursery and that plantings should conform to those shown on the approved definitive plan. The motion passed unanimously.

MISCELLANEOUS ZONING ISSUES

Groton Residential Gardens – The Zoning Board of Appeals will hold a public hearing to consider modifying the comprehensive permit for Groton Residential Gardens on August 3, 2011. The modification is based upon a settlement agreement between the Town and the developer. Member Barringer, liaison to the ZBA, will attend the public hearing.

Agricultural Uses – The Board received the ZBA decision and letter from Town Counsel regarding Helene's Stables exemption as an agricultural use. The Board will investigate amending the Zoning By-law so that agricultural exemptions are consistent with MGL Chapter 40A. Member Parent and Town Planner Michelle Collette will attend the Agricultural Commission meeting on August 10, 2011.

Concept Plans – The Board received an opinion from Town Counsel on the requirements to amend the concept plan approval for 536 Main Street, rezoned to B-1 in 2005. Town Counsel stated that a new concept plan is not required if the foot print of the proposed building is less than 5000 square feet even though it is not the same use or footprint as shown on the concept plan approved by Town Meeting in 2005. The Board acknowledged the need to address the concept plan section of the Zoning By-law during the Implementation Phase of the Master Plan.

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Town Center Overlay District Design Guidelines – Chairman Burke said he attended a meeting of the Design Review Committee for the discussion of 134 Main Street. The Committee expressed concerns about the applicability and vision of the Design Guidelines for properties on Main Street since the guidelines were developed for Station Avenue. The Board will ask Community Opportunities Group for a quote to have Dodson Associates (as sub-contractor) assist the Board in revising the Design Guidelines. The proposed work will be done as part of the Implementation Phase of the Master Plan. Board members all agreed with the need to develop a vision and plan for the Town Center. The Board will request the additional funds at the Fall Town Meeting.

Meeting adjourned at 9:00 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner