

**PLANNING BOARD
OCTOBER 27, 2011
MINUTES**

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

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

PERFORMANCE BOND UPDATE- BERTOZZI FARM SUBDIVISION

The Board received a field report dated October 20, 2011 and a bond estimate dated October 27, 2011 from Nitsch Engineering for the cost to complete construction at the Bertozzi Farm subdivision. The base coat of pavement was installed in 2003 and the condition of the road has deteriorated since that time.

The motion was made by Barringer, seconded by Parent, to require that the Bertozzi Farm performance bond be increased to \$230,244.21 as recommended by Nitsch Engineering and that no building permits be issued until the bond is provided. The motion passed unanimously.

PUBLIC HEARING – SPECIAL PERMIT, BOYNTON MEADOWS, 134 MAIN STREET

(Member Giger stepped down because he missed two sessions of the public hearing.)

The Board held the continuation of the public hearing to consider the special permit for the Boynton Meadows mixed use development project at 134 Main Street.

Applicant Robert France, David Valletta, design engineer Bruce Ringwall, architects Brent Mangel and Steve Wychorski, landscape architect Lorayne Black were present. Town officials Selectman Anna Eliot, Selectman/Affordable Housing Trust (AHT) member Joshua Degen, Housing Trust member Allan King, and Tim Hess of the Design Review Committee (DRC) were also present.

Chairman Burke said the applicant submitted a revised plan showing no increase in disturbance in the 100 buffer zone from the wetlands.

Mr. Ringwall said the revised plan shows alterations to buildings A and B. The size of the buildings has been reduced so units will have a one-car garage rather than two. Driveways have been eliminated and the location of the driveways has been changed to provide more distance between driveways. A contiguous concrete sidewalk will be installed around the cul de sac. The guardrail will only be installed around a portion of the cul de sac. Plantings will be used to create a hedge around the berm, swale and constructed wetlands. Changes were made so separate water and sewer lines will be provided to each unit. The changes to the drainage system recommended by Nitsch Engineering have been incorporated into the plan. The lighting details and photometric diagram have been updated.

Mr. Ringwall said a letter from MDM traffic consultants responding to the FST report was submitted to the Board. Approximately 1/3 of the parking spaces will be utilized by the professional, medical offices and 2/3 of the parking spaces will be for retail use. The traffic engineer's calculations indicate that there will be adequate parking for the mixed use building.

Landscape architect Lorayne Black described the proposed landscaping plans, garden fencing, and pedestrian pathways to the wall and viewing area in the rear of the site.

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Member Perkins asked where snow will be stored. Mr. Ringwall said there are several small areas as well as the constructed wetland that can be used for snow storage. Member Perkins asked if salt would be used to control ice. Mr. Ringwall said a deicing mix with brine will be used instead of salt.

Chairman Burke said he likes the changes to the street sidelines and reduced pavement area. He asked if the driveways with front facing garages could be curved rather than straight. Ms. Black said the long driveways are curved, and the short driveways are straight.

Mr. Ringwall said the slope of the sidewalk and roundings are built in to break up driveways. Plantings and fencing will also be used to break up the pavement.

Steve Wychorski presented the power point slides shown to the Historic Districts Commission. The proposed changes to the historic building on Main Street include changes to the windows on the front and sides of the building. The rear of the building will be altered to provide an open court yard between the existing building and the new retail building.

Chairman Burke asked if the second floor of the existing building and new retail building would be entirely residential. Mr. Wychorski said, "yes."

Board members commented on the design details of the delivery door, arches and granite columns. The HDC will continue its review of the project on November 1, 2011 at 8:00 PM.

Mr. Wychorski presented elevations of the townhouses. The height of the buildings has been reduced from 37 ft to 30 ft to reduce massing. The roof pitch will be 12:12. Mr. Maugel added that the barn-like structure has been eliminated at the request of the HDC.

DRC Member Tim Hess asked if the applicant would provide elevations from the Groton Inn side of the property.

Member Wilson asked what buildings in the Town Center were used as models for the project. Mr. Maugel said they used many examples from houses on Main Street. They tried to match the aesthetics with different building types. Member Wilson noted that Main Street has a real diversity of building styles and question whether the proposed project accomplished this goal.

Mr. Hess said the DRC is satisfied with the design details of the buildings. The DRC is more concerned with layout of the plan and positioning of the buildings.

Member Wilson commented that the massive roof area of the buildings is an issue.

Groton Herald reporter Connie Sartini said Dr. McNeil's office building at 140 Main Street has a similar roof line.

Member Wilson asked about interconnectivity with adjoining parcels, particularly between Buildings E & F and on the southern property line. Mr. Ringwall said the 18 ft wide access easement is still there from the parking lot to the Groton Inn site. There is also an easement between the driveways to Buildings E & F.

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Selectman Anna Eliot asked if the easements would be shown on the final plan. Chairman Burke said the access easements would be a condition of the special permit. Mr. Ringwall added that the pedestrian access easements would also be shown on the plan. Attorney Robert Ancil is preparing all the easement documents. Chairman Burke asked the applicant to consider a floating rather than fixed easement.

Selectman Eliot asked about the ratio of commercial to residential use. Mr. France said 10% would be commercial and 90% would be residential use.

Selectman Eliot asked where the affordable units would be located. Mr. France said one would be on the second floor of the retail building, one would be in Building A and one would be in Building F.

Selectman Eliot said the Economic Development Committee would like to see more area set aside for business use. Member Wilson agreed.

Patrick Parker Roach of 113 Main Street said the proposal presented to Town Meeting had a similar configuration. He understood from the Town Meeting presentation that the plan conformed to the spirit of the Station Avenue Overlay District Design Guidelines. Now he understands that Main Street is different than Station Avenue. He said the goal of the SAOD is to bring more retail and commercial space to town. He stated that the proposed plan actually reduces the amount of commercial space.

Mr. France explained that the North Middlesex Savings Bank foreclosed on the previous landowner. The former barns were used for storage and repair, not as retail space. He said the proposed plan has been carefully planned and crafted. There is no benefit to retail space that remains empty. The people who live in the residential units will use local businesses and increase the amount of activity in the Town Center.

Mr. Parker Roach said he would like to see the second floor of the existing and new retail buildings used as commercial space. He stated that the proposed cul de sac design has the houses facing inward rather than outward.

Mr. France said early in the process, they met with various Boards and the Town's public safety officials. Fire Department access to the site is required. The configuration of the access road is based upon Fire Department requirements.

Selectman Eliot said she envisions conversion of residential units to business use in the future. She asked the Board to maximize flexibility for future owners to convert their units. Mr. France said all owners will have the right to have home occupations in accordance with the Zoning By-law. Chairman Burke said the units will have a condominium form of ownership. The unit owners must have agreement from the condominium association.

Selectman Eliot requested that a provision be included in the special permit allowing Building A to be converted from residential to business use. Chairman Burke said the Board cannot make such commitments for future property owners.

Selectman Degen said they presented the plan to use the existing Kilbridge building for retail use and an expansion to the rear of the building. Both market rate and affordable units are part of the plan as

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presented to Town Meeting. The Board could allow conversion of the second floor units in the retail building to business use.

Ms. Sartini asked if the easements would be for pedestrian or vehicular use. Chairman Burke said, "both." The easement for vehicular use will be from the parking lot and between Buildings E & F to access adjacent land. The pedestrian trail will provide access to the wetland and viewing area in the rear of the site.

Ms. Sartini said if she bought a unit in this development, she would be very upset if others converted their units to business use. She asked if the access road is private. Chairman Burke said, "yes."

Member Barringer said all the external areas are governed by the Condominium Association. He asked if there would be two associations – one for business owners and one for residential owners. Mr. France said there would be one association for all owners to share in the maintenance and utilities.

Allen King of the AHT said the condominium by-law can restrict the type of use. Allowing conversion from residential to business use may jeopardize marketability.

Mr. Hess said the Design Guidelines (page 15) envision a flexibility of uses, a variety of businesses, and adaptable floor plans. Chairman Burke noted that the Design Guidelines are "guidelines" and not part of zoning adopted by Town Meeting. He added that applying guidelines adopted for Station Avenue to the project on Main Street has been difficult.

Mr. Hess asked why the District was expanded to include 134 Main Street. Chairman Burke said the Town Center Overlay District allows flexibility and increased density. Mr. Hess asked who made the request to change the zoning.

Mr. France said he, as applicant, made the request to include 134 Main Street in the Overlay District. He noted that the underlying property is zoned B-1 and that a 30,000 SF office building could be constructed on the site. The proposed project allows mixed use and conforms to the applicable criteria of the design guidelines. He said there is no street corridor on this property like there is on Station Avenue. Some of the Design Guidelines are not applicable.

Chairman Burke said the point about the applicability of some of the Design Guidelines has been debated at length. The Planning Board must make the decision when it acts on the special permit. Mr. Hess said the DRC submitted its report to the Board on October 24 and would like the opportunity to articulate its findings to the Board.

Selectman/AHT member Degen said the AHT submitted a letter in response to the Design Review Committee's report to the Board. He said the Planning Board is the special permit granting authority and must make its decision based upon what is in the best interest of the Town as a whole. The property could be used for a big office building or a 40B Comprehensive Permit.

Chairman Burke said the Board should schedule time for the both DRC and AHT to make their presentations to the Board.

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Town Planner Michelle Collette said the Board will receive reports from Nitsch Engineering and Fay, Spofford and Thorndike by November 3, 2011.

Member Capes asked that the Board and applicant explore the proposed mix of uses. Member Wilson said he, too, is concerned about the 90:10 ratio of residential to business use. Chairman Burke said the increase in residential activity should not be overlooked.

Board members said they would try to attend the HDC meeting on November 1, 2011 to discuss roof pitches and massing.

The Board voted unanimously to continue the public hearing on November 3, 2011 at 8:00 PM.

Meeting adjourned at 10:15 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner