

**PLANNING BOARD
DECEMBER 1, 2011
MINUTES**

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

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

Member absent: Giger and Wilson

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

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 of Mangel Associates and Attorney Scott Erikson were present. Town officials Selectman Anna Eliot, Selectman/Affordable Housing Trust (AHT) member Stuart Schulman, Housing Trust member Allen King, Housing Coordinator Fran Stanley, Design Review Committee (DRC) members Tim Hess, Fay Raynor, and Walter Platt were also present.

Architect Steve Wychorski presented power points slides showing the view from the Groton Inn property, the revised front and rear elevations of Building A, revised front and rear elevations of Building B, the front and rear elevations of Building C (single family), the revised front and rear elevations of Building E, the front and rear elevations of Building F, and the front and rear elevations of Building G. Mr. Wychorski said the Historic Districts Commission is pleased with the changes to the elevations.

Chairman Burke asked if there are any changes to the site plan. Mr. Wychorski said, “no.”

Member Parent asked if any changes had been made to the existing historic building since the last public hearing. Mr. Wychorski said, “no.” Member Parent asked if the front door is in the same location on Building A. Mr. France said, “yes,” it will remain.

Chairman Burke opened the hearing to comments from the public.

DRC Vice Chairman Tim Hess presented the findings and recommendations dated October 24, 2011. He submitted copies of the “Vision” statement including pages 8 – 16 of the SAOD Design Guidelines. He said the DRC discussed the issue of lack of consistency with the Station Avenue Design Guidelines for the project on 134 Main Street. He said the SAOD vision diagram is the most problematic and that the core values were difficult to address.

Member Capes asked if the 134 Main Street project complied with any of the Design Guidelines.

Mr. Hess responded:

- A. Sustainability** – There is no reference in the application to Leadership in Energy and Environmental Design (LEED) or LEED ND (Neighborhood Development) standards.
- B. Reinforcing the Station Avenue Spine**- The Station Avenue spine criteria cannot be met.
- C. Completing the Street Network** – The SAOD Design Guidelines has a clear charge to create connectivity and circulations. The 134 Main Street project, with its narrow frontage on Main Street and proposed cul de sac, creates a development that “looks inward” rather than a sense of community. The applicant has not demonstrated connectivity to adjacent parcels for future development.
- D. Providing a Broad Mix of Uses** – The SAOD guidelines states, “The most effective mix of uses is at least 1/3 retail, approximately 1/3 office and other commercial, and not more than 1/3 residential.” This mix should apply to the District as a whole, but how would this project support that mix since it has a 90:10 ratio of residential to commercial use?
- E. Shaping Public and Civic Space** – This project proposes a private drive for residents with a quasi-public component in the rear. The area will not be landscaped to invite or welcome people.
- F. Integrating with Surrounding Neighborhoods** – The proposed project is not integrated with the surrounding neighborhood because all the houses face the cul de sac rather than being laid out as a grid. The rear of some buildings will face the Town Center. This development is not composed in a harmonious way.
- G. Preserving Important Architectural and Site Features** – The proposed project will result in the loss of specimen trees and a portion of the stone wall.
- H. Adaptive Reuse of Historic Structures** – The DRC is pleased with the proposed reuse of the existing historic building.
- I. Service, Utilities and Stormwater Management** – These components are not in the DRC’s area of expertise.

Mr. Hess noted the zoning amendment allowing the Board to waive the maximum of 2000 square feet per unit was adopted at the 2011 Spring Town Meeting. He said the floor plans submitted in July have units as large as 3800 SF in Building C and 4390 SF in Building B. The emergency vehicle access considerations resulted in the proposed road configuration. If the units were 2000 SF each, a different road layout may have been possible.

DRC member Walter Platt asked if the Board agrees to allow the developer to have increased density for residential use as permitted in the overlay district, what benefits would the Town receive. He said the 1/3, 1/3, 1/3 ratio is stated in the Design Guidelines and added that the proposed project has a ratio of 90:10:0. He also noted that the proposed units are larger than what was anticipated in the Design Guidelines.

Members of the Board thanked the DRC for its report.

Member Parent asked about the applicability of the Core Values in the Design Guidelines. He said the majority of the core values are cultural issues. Mr. Platt said the 90:10:0 ratio is not consistent with the Core Values. He said the second floor of the retail buildings should be for commercial rather than residential use.

December 1, 2011

Page 3

Applicant Robert France responded to the DRC's comments by noting that some of the SAOD guidelines are not applicable to the 134 Main Street project. The 90% residential 10% commercial ratio is based upon the configuration of the lot and marketability. Businesses want to be located on Main Street – not in the rear of the property. The objective is to have a successful project. They are satisfied that the project meets many of the Design Guideline requirements. For example, the project is not applying for LEED certification, but it will comply with the Stretch Code. Chairman Burke agreed that LEED is an expensive process to complete, but the project can still meet LEED standards.

Mr. France said the Station Avenue spine does not apply to the parcel at 134 Main Street. Station Avenue from Main Street to Court Street has much more frontage. The proposed cul de sac at 134 Main Street is based upon recommendations from the Fire Chief. Pedestrian access will be provided to abutting lands. The public and civic space includes the board walk through the constructed wetland and the viewing area of Gibbet Hill. The mixed use component of the plan includes residential, commercial and retail use. The architectural features will help integrate the project with the neighborhood. Many architectural features are based upon the fabric of the Town Center. The existing historic building will include a courtyard that will be used as a public gathering space.

Richard Curtis, 176 Main Street, said he is a former Planning Board member and was very involved in the planning for Station Avenue. He praised the Design Review Committee for its report.

Steve Webber, 48 Hemlock Park Drive, said he agrees that there is not enough commercial or retail use with the project. The burden to meet the 1/3, 1/3, 1/3 ratio should not be placed on other projects. He agreed that connection to adjacent properties is important.

Patrick Parker Roach, 113 Main Street, said connectivity is a major concern. He asked how there could be development on the north side of Main street with no access to other properties. He asked how the proposed project would be integrated with the future redevelopment of the Groton Inn.

Craig Heiser said this project is a failure because the critiques of the project have been ignored by the applicant.

Member Barringer asked the applicant if they made provisions to connect to adjacent lots. Mr. France said, "yes," there are easements from the parking lot to the Groton Inn property (Map 113, parcel 10) and from the access road to the former Nichols property (Map 113, parcel 5). Walking trails will be provided in the rear of the site. Mr. Ringwall added that the courtyard is designed to provide a pedestrian connection to the site.

Member Barringer asked if the proposed easements provide connectivity. Mr. Hess said the easements may be on the plan but they are not as effective as a public road. He said this is an

December 1, 2011

Page 4

insufficient connection. He added that the DRC was unanimous in its recommendations to the Planning Board and advised the Board on how the project could be done better.

DRC member Fay Raynor said the Board must consider what the Town will look like in 20 or 50 years. People will want to pass from Main Street to other streets. Such connections are not on the proposed plan. Mr. Platt said the town should work with individual property owners to create a road network behind Main Street.

Mr. Platt asked if any property owner would have the right to develop their land by the underlying zoning or TCOD. Chairman Burke said, "yes," only if the property is located in the TCOD which requires a 2/3 vote of Town Meeting.

Member Barringer asked why a road parallel to Main Street would be beneficial. he noted that it would increase density. Mr. Hess said increased density would be good for the Town Center. Ms. Raynor said the DRC is trying to envision the future of Groton.

Member Barringer noted that the parcels are not very deep. Mr. Platt said there would be plenty of space to provide connectivity.

Affordable Housing Trust member Allen King asked how much frontage 134 Main Street has. Mr. Ringwall said 170 ft. Mr. King asked what the frontage is on Station Avenue. Town Planner Michelle Collette said Station Avenue from Main Street to Court Street is 2300 ft. Mr. King said the zoning amendment for the proposed project was approved by a 2/3 vote of Town Meeting.

Chairman Burke noted that the Board received a letter dated October 27, 2011 from the Affordable Housing Trust in response to the DRC's report. He said Station Avenue is a public way with frontage – 134 Main Street is a flag lot with limited frontage on Main Street. He said he does not have a vision of the future of Groton Center. He said there is no charge to create a new road parallel to Main Street. The redrafting of the Design Guidelines for the Town Center is important for the Town to develop a vision. There are three private properties – 134 Main Street, the Groton Inn, and the former Grinnell (now Nichols) property. The special permit can require connectivity but it cannot require the construction of a public way. This is a flexible design plan on private property – the Board cannot dictate where the roads are going without doing an eminent domain taking for a public way. Chairman Burke said he agreed that connectivity is an important issue for both vehicles and pedestrians. Connections do exist on the plan. If the Board grants the special permit, there will be conditions to require that the developer must provide connections to adjoining land.

Mr. Hess said one way to increase connectivity would be to limit the unit size to 2000 SF thereby freeing up more space for such connections.

Chairman Burke said the SAOD Design Guidelines are guidelines for Station Avenue adopted by the Planning Board. The applicant received three votes at Town Meeting based upon the

December 1, 2011

Page 5

proposed concept. The Design Guidelines are advisory and cannot devalue the vote of Town Meeting.

Member Perkins asked the applicant to provide the total square footage of the 18 units. Mr. France said the application did not include basements and garages in the calculations for gross square feet. He said the total is 33,000 SF. He said they need waivers for the three-bedroom units to provide diversity in the type of housing in the development.

Selectman and Affordable Housing Trust member Stuart Schulman said he moved to Groton in the early 1970's when there were two drugstores and diagonal parking on Main Street. The Post Office was still in the center of Town. Now the Groton Inn is gone, the Kilbridge building is deteriorating, and the Prescott School is available for reuse. It is 2011 – not 1678 – and the Town needs to do better. There are practical reasons for change. Perfect is the enemy of the good. We need the proposed project in Groton Center to get the Town Center moving again. The historic structure will be restored. Mr. Schulman stated, "We owe it to the Town and to ourselves to approve the project."

Mr. Parker-Roach, 113 Main Street, said he voted for the project at Town Meeting because he was told that the plan would have to conform to the SAOD Design Guidelines. Chairman Burke said the Design Guidelines are guidelines. The Board is taking the guidelines very seriously. This has been a long, protracted process and not a rubber stamp. The Board has insisted on many changes during the review of the project.

Member Capes said it has been very helpful to have the Design Review Committee's recommendations. He said the proposed mix of uses is a real issue. He asked what prevents the applicant from creating more commercial space. Member Perkins agreed and asked why the second floor of the existing building and addition are not commercial.

Mr. France said there is vacant commercial space in Groton that has been available for two years. There is no demand for professional office space on the second floor. He said he must be able to market and sell the project. Retail on the second floor is not viable either.

Chairman Burke asked if the condominium documents could allow the conversion of units, other than the affordable unit, from residential to commercial use in the future. Attorney Erikson said they could build such conversion options into the condominium documents. The Federal Housing Administration (FHA) regulations limit the amount of commercial space to 25%. Enhancing commercial space may make it more difficult to obtain mortgages. Chairman Burke said he is only requesting the conversion option for the front building. Mr. France agreed that the flexibility could be included in the condominium documents.

Mr. Platt said he is currently working with a client looking for commercial space. He said he had no trouble renting professional office space at 214 Main Street.

December 1, 2011

Page 6

Mr. Hess said the proposed project is better than many, but substantially less than what the Design Guidelines envision. He said if the Selectmen and Planning Board approve the plan, there should be another way to do so since it is not compliant with the SAOD Design Guidelines.

Mr. Schulman said things will change with the revisions to the Town Center Overlay District Design Guidelines. The SAOD guidelines are not easy to interpret and apply to the Town Center Overlay District. The existing ambiguities will be cleared up.

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

Meeting adjourned at 10:00 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner