

**PLANNING BOARD  
FEBRUARY 2, 2012  
MINUTES**

Chairman Burke called the meeting to order at 7:30 PM in the Town Hall

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

Members absent: Barringer

**PUBLIC HEARING – SPECIAL PERMIT, SITE PLAN REVIEW, LUTH KARATE STUDIOS**

The Board continued the public hearing to consider the application submitted by Michael Luth for Site Plan Review to expand an existing building to create a martial arts and yoga studio as shown on the plan entitled, "Site Plan of Land in Groton, Massachusetts Prepared for Michael Luth," prepared by David E. Ross Associates, dated December 8, 2011. Applicant Michael Luth and design engineer Robert Oliva of David Ross Associates were present.

The Board received a letter dated February 2, 2012 from abutters Luke Sturm and Christina Andriole and a letter dated February 2, 2012 from Nixon and Peabody on behalf of abutter Menhant Realty Trust (Dr. Jay Decoteau).

Mr. Oliva introduced new information including drainage calculations, architectural elevations, and parking considerations as discussed with the Workers Credit Union. Mr. Oliva stated that Dr Decoteau's access easement would not be blocked and that the applicant agreed with the guidelines suggested in the Nixon and Peabody letter.

Reporter Connie Sartini asked the applicant to identify the three properties. Mr. Oliva stated that the Luth application is for 306 Main Street. Workers Credit Union is located at 308 Main Street, and Dr. Decoteau's office is at 300 Main Street.

Attorney John Gallant, representing Workers Credit Union (WCU), said the WCU and Mr. Luth have reached a tentative agreement to revise the existing easement agreement. WCU will allow the karate studio to use two additional parking spaces. WCU does not want any stacking issues and requests that cars be parked in a space when all students are dropped off and picked up.

Chairman Burke said the Board is pleased that the parties are working together.

Tom Fitzpatrick of Whistlepost Lane said he supports the Luth's proposed project. He said, as a parent of children who attend classes at the karate studio, he would be sure his children are dropped off and picked up inside the building.

Jean Armstrong of Little Hollow Lane spoke in support of the proposed karate studio.

Lisa Chow of Boston Road said the Luths run a good business and are generous to community charities.

Dr. Decoteau said he welcomes the Karate Studio as a neighbor. He said the previous easement showed 16 spaces for the 306 Main Street property. This easement was changed to show 10 spaces in October 2011. Dr. Decoteau said two (Borden & WCU) of the three (Borden, WCU, Decoteau) parties to the easement changed the easement agreement without checking with him.

Chairman Burke said if each site had to stand alone, there would not be enough parking on the individual lot. More parking is available with the easement agreement.

David Rogers, Vice President of the WCU, said the trustees of the Borden property approached the WCU about changing the easement agreement. The number of parking spaces was reduced from 16 to 10 in order to reduce the percentage of cost to plow and maintain the parking lot. He said the WCU is a good corporate neighbor and would like to work out an agreement with Mr. Luth.

Member Giger said he is comfortable with the proposed changes. He said the Board is not in charge of policing the parking lot so the parties must work out the details. Chairman Burke agreed that the parking agreement is a private matter.

Member Perkins said she did not have any other comments, but the parking agreement and access to 300 Main Street should be worked out first.

Member Capes asked about the recharge trench and roof runoff. Mr. Oliva said the increase in runoff from the new structure would be mitigated on site. Approximately 54 cu ft of storage is required and 129 cubic will be provided. There will be no runoff from the site because water will flow into the catch basin. Water will be used to control dust during construction.

Member Parent said he had no additional comments, but he would like to know an agreement has been reached between the parties prior to voting on the site plan.

Member Wilson said the architectural design was greatly improved and encouraged the parties to work out the parking agreement. Chairman Burke agreed.

Chairman Burke said the Board could begin drafting its decision. He said the parking agreement must not impact the access easement to the Decoteau property.

The Board voted unanimously to continue the public hearing on February 16, 2012 at 7:15 PM.

#### **PRE-SUBMISSION REVIEW – COACH HOUSE SEAFOOD GRILL AND RESTAURANT**

The Board met with Groton Inn owner George Pergantis and his design engineer Jeff Brem of Meisner Brem Associates for a pre-submission review of the plan for the proposed Coach House Grill and Seafood Restaurant to be located in the existing 5100 SF building that was a function hall. Mr. Brem said he met with Land Use Departments on February 1, 2012 to discuss the proposed change of use. Mr. Pergantis would prefer to leave the site as is and convert the

function hall to a restaurant. He asked the Board to determine whether the site plan should be submitted as a Level I or a Level II. He said he is working with the Board of Health and Fire Chief on life safety issues. There are no changes proposed to the two apartment buildings. The parking requirements for the restaurant are 5 spaces plus 1 space for every 2 seats. The existing parking lot will be re-striped for a total of 51 spaces or 92 seats. The applicant will request a waiver to allow 104 seats. The existing site light on utility poles will remain. No new landscaping is proposed and there will be no changes to the stormwater management system. Mr. Brem requested that the Board accept a Level I site plan submission.

Member Wilson asked if there would be any changes to the amount of impervious surface on the site. Mr. Brem said, "no."

Member Parent said a site plan for a 104-seat restaurant with 104 parking spaces should be submitted as a Level II.

Member Capes asked how many parking spaces are there now and how many new spaces are proposed. Mr. Brem said they would be adding 6 or 7 new spaces. Member Capes agreed that the site plan should be submitted as a Level II.

Member Perkins asked about parking for the apartments. Mr. Brem said the residents would park in the existing gravel area. Member Perkins agreed that a Level II site plan should be required. Member Giger concurred.

Chairman Burke said this site is one of the most prominent, visible sites in Town. He expressed concerns about proceeding incrementally. He said the site plan should be submitted for the entire site. Mr. Brem said there are no other changes planned at this time. The only proposal is to convert the function hall to a restaurant. Chairman Burke said the Board would like to know about the proposed re-use of the entire property.

Mr. Pergantis said he bought the Groton Inn in 1977 and worked hard to rebuild it. There was a restaurant at the site from 1980 to 1991. Mr. Pergantis said when he finished renovating the Groton Inn, he closed the kitchen in the Carriage House and converted it to a function hall. He said he would like to convert it back to a restaurant so he could open it and make some money. He said he is very sad and angry about the fire at the Groton Inn.

The motion was made by Wilson, seconded by Giger, to require a Level II site plan submission. The motion passed unanimously.

Mr. Brem requested waivers of landscaping, stormwater management, and lighting plans. Member Perkins said the request for waivers must be in writing.

Chairman Burke said he would not vote to waive the requirements for a lighting plan. Member Wilson agreed that the proposed lighting must be evaluated and meet specifications.

Member Giger noted that site plan must include a traffic circulation plan. Mr. Brem said the circulation plan is part of the life safety plan.

Chairman Burke noted that the violations with the Board of Health and Historic Districts Commission must be resolved.

**PUBLIC HEARING – ANYTIME FITNESS SITE PLAN REVIEW, 536 MAIN STREET**

The Board held the continuation of the public hearing to consider the application submitted by Anytime Fitness for site plan review to build a new facility at 536 Main Street. Applicant Anthony VivoAmore, Attorney Robert Anctil, Attorney Scott Erikson, and design engineer Bruce Ringwall were present.

Attorney Anctil presented Power Point slides describing the site plan submitted by Anytime Fitness. Attorney Anctil said the applicant agreed to reserve 10 parking spaces in the rear of the site for construction at a later date.

Mr. VivoAmore described his business plan and said he would like to stay in Groton. His new facility will provide more space for classrooms.

Attorney Anctil showed an artist's rendering of the building facing the front and facing the side. He said the orientation differs by 22 ft. The building's front facing visibility is critical for the marketability. The peak membership at the present facility was 1000, and the current membership is around 800. He presented data on clients using the facility each month from January 2011 through January 2012. The average time a client stays is between 1.5 and 2 hours.

Chairman Burke asked if the applicant had data on the number of cars in the parking lot. Mr. Anctil said they did not have this information. Chairman Burke said he has driven by the Anytime Fitness Centers in Groton and Devens at peak times and has not seen either parking lot full. Mr. VivoAmore said the parking demand at Devens is less than the parking demand in Groton. Attorney Anctil said the afternoon demands between 5 and 7 PM are greater than 30 parking spaces.

Real estate broker John Amaral said the applicant does not want to construct more parking spaces than are necessary because it costs more. He is requesting the number of parking spaces based upon data from card swipes at the present facility. The data was collected over the past 13 months. He said the applicant agreed to start with 30 spaces and "green bank" 10 spaces in the rear of the site, which is 8 fewer spaces than the 38 spaces at the present facility.

Member Capes said he did not see the parking demand based upon the number of attendees. He asked what is the basis for the 90-minute time period. Mr. VivoAmore said experience and observation. Member Capes asked if the facility is at 80% capacity with 800 customers and if the number of customers would increase in the future. Mr. VivoAmore said, "yes."

Attorney Anctil said the front facing building is less intrusive than the side facing building. Chairman Burke asked why the artist's rendering showed no windows on the side-facing building. Attorney Anctil said the drawings do not show windows in the front, but the building would be reconfigured so there would be windows in the side facing Main Street.

Mr. Ringwall said junipers and yews will be planted along the front of the site to screen headlight glare. Member Perkins asked about the species and caliper of the trees. Mr. Ringwall said the trees will be Hawthorne, oak and honey locus with calipers of 2.5 to 3 inches.

Attorney Anctil submitted a letter dated February 2, 2012 from owner Steve Gillis comparing the previous project, approved in 2007, and the proposed project.

Mr. Ringwall described how the ten spaces would be "green banked" for construction at a later date. He said the base work would be done now, but the spaces would be loamed and seeded.

Member Perkins expressed concern for the number of parking spaces in the front. She asked why some of the spaces could not be moved to rear of the building with some spaces left in the front for customers using the facility in the middle of the night. Mr. Ringwall said it is dark early in the morning and in the evening. The doors are in the front of the building, not in the rear.

Member Giger said he is not a fan of parking lots in the front of a building, but he would defer to the business owner. The proposed building and site plan are similar to other businesses in the area. He said he did not have a problem with the building facing the front of the site. However, he is still concerned with the amount of impervious surface and techniques to deal with stormwater management issues. He requested that the applicant consider installing a pervious asphalt parking area.

Mr. Ringwall said GPR is very proactive with Low Impact Development (LID) and innovative stormwater management techniques. He said there is a new product available with pre-manufactured pervious blocks, but such measures add to the cost of construction. He said he would provide the Board with more information. Mr. Amaral said the applicant is willing to work with the Board on this point.

Member Perkins said she understands the applicant's position on parking and building orientation. She said landscaping will help mitigate the situation.

Member Capes said he supports the applicant's plan to have the building face the front and that he likes the proposed architecture. He said he still has questions about the parking demands, but "green banking" ten parking spaces is a good solution.

Member Parent said the front-facing building is more attractive. He requested that the applicant consider using LID techniques as recommended in the Nitsch Engineering report.

Chairman Burke said he still believes 10 spaces/1000SF of floor area is excessive. Mr. Ringwall said the ratio is 1:8, not 1:10. Chairman Burke said the applicant made an effort to address the concerns by green banking 10 parking spaces. He said he is disappointed with the attempt to reorient the building to the side. He requested that the applicant consider green banking some parking spaces adjacent to the access drive in the front of the building. The island at the entrance could be widened and more landscaping added.

Attorney Robert Ancia submitted 75 letters of support for the proposed project.

Selectmen Anna Eliot commended the applicant for addressing the Planning Board's concerns. She said the proposed plan has less impact than the previously approved plan. She encouraged the Board to be supportive of local business.

Chairman Burke said he is supportive of business and wants to see it grow and nurture.

The Board voted unanimously to continue the public hearing on February 23, 2012 at 8:00 PM.

**LETTER TO COMMUNITY PRESERVATION COMMITTEE**

The motion was made by Wilson, seconded by Parent, to send a letter supporting the Conservation Commission's application to the Community Preservation Committee for \$150,000 for the Conservation Fund. The motion passed with Burke, Capes, Parent, Perkins, and Wilson in favor; Giger abstaining.

Meeting adjourned at 10:30 PM

Respectfully submitted,

Michelle Collette  
Land Use Director/Town Planner