

**PLANNING BOARD  
MARCH 22, 2012  
MINUTES**

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

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

Members absent: Perkins

**PUBLIC HEARING – SPECIAL PERMIT, SPIGARELLI HAMMERHEAD LOT**

In accordance with the provisions of Chapter 40A, Sections 9 and 11, the Groton Planning Board held a public hearing to consider the application submitted by Donald and Mary Spigarelli for a special permit to utilize the provisions of the Code of the Town of Groton, Chapter 218 Zoning, Section 218-23.1 Hammerhead Lots, to create one hammerhead lot as shown on the plan entitled, "Plan of Land in Groton, Massachusetts," prepared by Ducharme & Dillis, Civil Design Group, dated February 1, 2012. The proposed hammerhead lot is located at 99 Indian Hill Road, on property owned by Donald and Mary Spigarelli, Assessors' Map 222, Parcel 34, on the northerly side of Indian Hill Road.

Chairman Burke called the public hearing to order. Clerk Parent read the notice posted with the Town Clerk on February 28, 2012 and published in the March 2 and 9, 2012 issues of *The Groton Herald*. Design engineer Stan Dillis represented the applicant at the public hearing.

Mr. Dillis presented the plan to create a hammerhead lot with an existing house. He said the Spigarelli's land was divided into three conventional ANR lots in 1994, but the lots were reconsolidated for tax purposes. The applicant is proposing a hammerhead lot because the existing access to the lot is better and would not require an easement as shown on the 1994 plan.

Member Wilson asked if the lots will be accessed by a shared driveway. Mr. Dillis said not at this time.

Member Barringer asked where the driveway cuts would be located and if there is adequate sight distances for the two conventional lots (Lots 1A and 2A as shown on the plan). Mr. Dillis said the driveways have not been designed yet so he does not know the exact locations. He added that he did not measure it, but the ANR lots have good sight distance.

Member Parent asked if the applicant is keeping the barn as shown on the plan. Mr. Dillis said, "yes."

Chairman Burke asked about the severe slopes on the ANR lots and whether there would be stormwater management issues. Mr. Dillis said the ANR lots are in the 100-ft wetlands buffer so a Notice of Intent must be submitted with the Conservation Commission.

Chairman Burke asked if a topographic plan had been done for the lots. Mr. Dillis said only the area of the proposed sewage disposal systems. He said the steepest area on the site is in the rear of Lot 1A. This area would not meet driveway regulations. Chairman Burke reiterated his concern about drainage and grading.

Town Planner Michelle Collette asked if the development of the ANR lots would disturb more than 20,000 SF area. If so, a Stormwater Permit is required. Mr. Dillis said he did not know, but it is likely that more than 20,000 SF would be disturbed. He agreed to submit Stormwater Permits for the two conventional ANR lots.

Chairman Burke noted that the application for the hammerhead lot is for Lot 3A with the existing house. Lots 1A and 2A are ANR lots and are not subject to the special permit. The Board cannot put conditions on Lots 1A and 2A.

Erica Reynolds Hager, 126 Indian Hill Road, asked how far from the lot lines the buildings would be located. Mr. Dillis said the buildings would be set back around 100 to 150 ft due to wetlands and buffer zone considerations.

Ms. Reynolds Hager asked about drainage on Lot 1A. Mr. Dillis said it would flow into the existing swale in the right-of-way of Indian Hill Road.

Susan Lotz, 163 Indian Hill Road, expressed concerns that there would be more congestion and more density if the new lots are approved. She asked about setback requirements. Mr. Dillis said the houses on Lots 1A and 2A must be setback at least 50 ft. The houses would be farther apart on lots shown on the proposed hammerhead lot plan than they would be on lots shown on the 1994 ANR plan.

Chairman Burke said his only concern was grading and drainage and those concerns will be addressed by the Stormwater Permit.

Member Giger said he has no concerns, but asked if the two new lots could share the existing driveway with the proposed hammerhead lot to reduce the number of curb cuts on Indian Hill Road. Mr. Dillis said it depends upon how the lots are sold.

Chairman Burke said the Board could recommend that a shared driveway be used to reduce curb cuts.

The Board voted unanimously to close the public hearing.

#### **PUBLIC HEARING – SPECIAL PERMIT, SITE PLAN REVIEW**

In accordance with the provisions of Chapter 40A, Sections 9 and 11, the Groton Planning Board held a public hearing to consider the application submitted by George Pergantis for Site Plan Review of the plan entitled, "The Coach House Seafood Grill and Restaurant (on the site of the Old Groton Inn)," prepared by Meisner Brem Corporation, dated January 19, 2012, with revisions through February 20,

2012. The proposed project is located at 124 Main Street, on property owned by the Pergantis Realty Trust, Assessors' Map 113, Parcel 10, on the easterly side of Main Street.

Chairman Burke called the public hearing to order. Clerk Parent read the notice posted with the Town Clerk on February 28, 2012 and published in the March 2 and 9, 2012 issues of *The Groton Herald*. Applicant George Pergantis and design engineer Jeff Brem were present at the public hearing.

Mr. Brem described the 8.5 acre site of the former Groton Inn that burned on August 2, 2012. he said the former function hall and two apartment buildings remain on the property. Mr. Pergantis is proposing to change the use of the function hall to a restaurant. There are few changes to the site shown on the site plan. The existing parking lot, landscaping and lighting will remain. The Sewer Commission voted to allow enough capacity for a 104 seat restaurant. The buildings were connected to the municipal sewer system in February 2012. There are three existing catch basins on the site and no changes are being proposed. The site plan shows a through road on the westerly side of the former Groton Inn. There are 56 parking spaces shown on the plan. The building has 5160 square feet. The existing lighting is on utility poles supplied by the Groton Electric Light Department (GELD). There is an existing dumpster on the site that the applicant will continue to use. The landscaping will be the same with some new plantings around the building.

Mr. Brem requested three waivers of the Site Plan Review Regulations:

**Section 2.1.5** – Seven trees are required. There are at least 12 existing trees on the site. The waiver is requested specifically for trees in the parking area because trees on the site exceed the required quantity and quality.

**Section 2.2** – Site lighting is adequate and has been in existence for many years. The specifications are from GELD and the applicant is requesting a waiver of the photometric diagram and pole height.

**Section 2.4.5 and 2.4.7** – Curbing is on not the existed site and is not needed for drainage or vehicular control. The applicant is requesting a waiver of curbing requirements.

Member Giger said he did not have a problem waiving the trees or curbing, but did have concerns about waiving the lighting plan. The existing lights on the utility poles glare onto the abutting property. The lighting should be contained to the parking area.

Member Capes asked about the existing gravel surface. Mr. Brem said the access to the restaurant would be paved, but the access to the two apartment buildings is gravel.

Member Parent asked about the gravel road and whether it can support fire trucks. He said the Board must receive a recommendation from the Fire Chief.

Member Barringer said he would agree to waive the requirement for curbing provided that there is no runoff onto the public way and no modification to the paved surface. He requested permission for the Board to access the site and look at the lighting. Mr. Pergantis said, "yes."

Member Barringer asked if the number of seats includes the patio. Mr. Brem said, "yes," but they must go back to the Sewer Department for capacity.

Member Barringer asked if the parking complies with the Americans with Disabilities Act (ADA). Mr. Brem said, "yes."

Member Barringer commented that the dumpster is not in the best location.

Member Barringer asked about the two apartment buildings. Mr. Brem said they are not part of the submission. Member Barringer said the plan should include the whole site and provide adequate access to all buildings year round.

Chairman Burke asked how many units are in the multifamily buildings. Mr. Brem said one building has five one-bedroom apartments and the other building has three two-bedroom. Parking will be on the existing gravel area. Chairman Burke said the access and 11 required parking spaces for the apartments must be shown on the plan. The aisle widths must also be shown on the plan.

Chairman Burke said he did not have concerns about waiving the requirement for curbing, but he had an issue waiving the requirements for a lighting plan and photometric diagram. In the past, the Groton Inn blocked glare onto abutting properties but glare is an issue now. He said the traffic circulation for the restaurant is acceptable but the traffic flow to the apartment buildings is not. He said this is a very visible property and this appears to be an interim, stop-gap use. The future of this property is of particular concern to the Town.

Member Barringer asked about hours of operation and signage. Mr. Pergantis said the restaurant would be open from 4:30 PM to 10 PM and closed on Monday.

Member Capes stated that the dumpster must be screened. Mr. Brem said there would be a chain linked fence with slats. Town Planner Michelle Collette reminded the applicant that the site plan is subject to review by the Historic Districts Commission (HDC) and the HDC review should be done concurrently with the Site Plan Review.

Resident Scott Harker said the garbage bins should be shielded. He objected to the location of the dumpster near the handicapped parking spaces. There may be issues with odors from the dumpster. Mr. Brem said the dumpster is 30 ft away from the parking spaces.

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Robert Fleischer of the Board of Health and Commission on Accessibility asked if the handicapped parking spaces are van accessible. Mr. Brem said, "yes."

The Board will walk the site on Saturday, March 31, 2012 at 8:00 AM.

The Board voted unanimously to continue the public hearing on April 5, 2012 at 7:30 PM.

**ACADEMY HILL PERFORMANCE BOND**

The Board received a report dated March 20, 2012 from Nitsch Engineering with an estimate of \$778,276.17 to complete Phases I & II of the Academy Hill subdivision. The motion was made by Barringer, seconded by Parent, to reduce the amount held in the tripartite agreement to \$778,276.17. The motion passed unanimously.

Meeting adjourned at 9:15 PM

Respectfully submitted,

Michelle Collette  
Land Use Director/Town Planner