

**PLANNING BOARD  
APRIL 12, 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 Perkins

Members absent: Wilson

**PUBLIC HEARING – PROPOSED ZONING AMENDMENT**

In accordance with the provisions of Chapter 40A, § 5, M. G. L., the Groton Planning Board held a public hearing to consider the following proposed zoning amendment:

**ARTICLE:** To see if the Town will vote to amend the Code of the Town of Groton, Chapter 218 Zoning, as follows:

1. By adding the following new definitions to Section 218-4 Definitions:

FLOOR AREA, AGGREGATE – Total floor area including all floors of all buildings on the premises.

FLOOR AREA, GROSS – Total gross floor area including exterior building walls of all floor areas of a building or structure.

FLOOR AREA, HABITABLE – The temperature-controlled, finished floor area within a dwelling unit exclusive of unfinished garages, attics and cellars.

2. By deleting the words “floor space” and by inserting the words “habitable floor area” in Section 218-16D Accessory Apartments, subsection 218-16D(3)(c) as follows:

(c) Not more than one accessory apartment may be established on a lot. The accessory apartment shall not exceed 800 square feet in ~~floor space~~ **habitable floor area** and shall be located in the principal residential structure on the premises.

3. By adding the words “and habitable floor area” in Section 218-27C Planned Multifamily Development, subsection (1)(b)[3] to read as follows:

[3] Materials indicating the proposed number of square feet of gross floor area **and habitable floor area**; the number of dwelling units, distinguishing units by number of bedrooms and any special occupancies (elderly or handicapped); form of tenure; any subsidies anticipated; rent or sales prices, including any commitments for price ceilings; methods of water supply and sewage disposal; time schedule for construction of units and improvements; service improvements proposed at the developer's and those anticipated at the Town's expense; and means, if any, of providing for design control.

4. By deleting the word “gross” and by inserting word “habitable” and by deleting the words “excluding basement storage area” in Section 218-27C Planned Multifamily Development, subsection (4)(c) to read as follows:

- (c) No one building shall exceed 10,000 square feet ~~gross~~ **habitable** floor area, ~~excluding basement storage spaces.~~
5. By deleting the word “gross” and by inserting the word “habitable” in Section 218-30.2 Town Center Overlay District, subsection C(4)(c)]to read as follows:

(7) Notwithstanding the density provisions of § 218-22E, maximum residential density in TCOD developments shall not exceed 10 dwelling units per acre; provided, however, that the special permit granting authority may allow a density of up to 14 dwelling units per acre through use of TDRs under § 218-26 of this chapter. Where the computation of the allowable number of dwelling units results in a fractional number, the fractional number shall be rounded up to the nearest whole number. New dwelling units constructed in a TCOD development shall not exceed 2,000 square feet in ~~gross~~ **habitable** floor area, and shall not have more than three bedrooms, except where the special permit granting authority authorizes an increase in ~~gross~~ **habitable** floor area and/or the number of bedrooms upon a determination that such waiver(s) will not derogate from the intent of this chapter nor be detrimental or injurious to the public health and welfare.

Chairman Burke called the public hearing to order. Clerk Parent read the notice posted with the Town Clerk on March 23, 2012 and published in the March 23 and 30, 2012 issues of *The Groton Herald*.

Chairman Burke explained that the term “floor area” appears in many sections of the by-law and should be clarified. The question came up during the review of the 134 Main Street project under the Town Center Overlay District provisions. The Board clarified that the garages should not be included in the gross floor area when it granted the special permit. The proposed amendment includes definitions for aggregate, gross and habitable floor area. the definitions are consistent with real estate multiple listing terminology.

Board members had no comments.

Scott Harker asked if the new definitions meant larger buildings would be approved. Chairman Burke said there is no net change – the new definitions in the by-law only clarify terminology.

The Board voted unanimously to close the public hearing.

#### **PUBLIC HEARING – COMPREHENSIVE MASTER PLAN**

The Board held the continuation of the public hearing to consider Phase I of the Comprehensive Master Plan. Chairman Burke noted that the Board had held two previous public hearings on January 19, 2012 and March 15, 2012. the Board has received numerous comments through the Town’s website and letters to the Planning Board. He said the Board received a letter dated March 21, 2012 from Tucker Smith on behalf of Groton Local and a letter dated April 3, 2012 from Scott Harker.

Mr. Harker read a statement apologizing to the Planning Board for stating at the March 15, 2012 hearing that the entire Comprehensive Plan “should be trashed.” He acknowledged the fact that the plan represents many hours of work by Board members and the volunteers who participated in the process.

Mr. Harker said he believes the term “sustainability” does not have definition and weakens the plan. He said the United Nations definition is an overarching theme and does not provide enough flexibility. The Board should be seeking more discussion with other Town Departments prior to adopting the plan and asking Town Meeting for a vote. He requested that the Board delay action for 5-6 months in order to hold a series of round-table discussions.

Michael Roberts of the Sustainability Commission said the Commission adopted its own definition of “sustainability” which is different than the UN definition of “sustainable development.” Mr. Robert said Groton should strive to become a “sustainable community.”

Sustainability Commission and Advisory Group member Chris Christie said there have been many open forums and discussions about sustainability. He said educating the public is a primary objective of the Sustainability Commission.

Sustainability Commission member Lisa Weisner read an article regarding the different spectrum of sustainability. She expressed extreme concern for the future of the global community. She said there have been many other communities that have been the subject of the “UN Agenda 21 Conspiracy Theory” regarding sustainability.

Chairman Burke said the Board looked at many definitions of “sustainability” and voted to adopt the UN definition: “Sustainable development meets present needs without compromising the ability of future generations to meet their needs.” (From the Brundtland Report, [United Nations World Commission on Environment and Development](#) , published in 1987.)

Chairman Burke said the definition is a noble goal and that it has a meaningful role in the Comprehensive Master Plan. He said the Board can take steps to building consensus locally. Thousands of hours by many volunteers have gone into developing Phase I of the Master Plan. The process has been very open, with an active public participation process. The Planning Board did not create the plan in a vacuum. The Master Plan may not be perfect, but it is a living document that will continue to evolve.

Mr. Roberts said the Sustainability Commission is happy to have had an influence on the process and supports the work that has been done on the Master Plan.

Robert Pine said the value of sustainability is clear. However, as a past member of the Sustainability Advisory Group, he felt the group’s work had been ignored in the final version. He expressed concerns about the impact on the Town Center. He said the views and landscape surrounding the Town Center are important to preserve. More development in the Town Center is not sustainable because Groton does not have the transportation system or services to support such development. Mr. Pine said he is

not opposed to change and agreed that the Station Avenue area, Prescott School, and Groton Inn sites should all be redeveloped. He said the Board must be careful to protect the character of Groton in the process.

Member Barringer said increasing density is always an issue. He said the goal of increasing density in the Town Center was included in previous master plans. Chairman Burke said more density will come to Groton in any event.

Mr. Pine said the Town is not trading units on the outskirts of Town for more density in the center.

Chairman Burke said the Board is a gatekeeper – not a developer. The Town has 80,000 SF area requirements with cluster and open space options. The Town Center, West Groton and Lost Lake are more concentrated areas that can accommodate additional development that is consistent with the character and history of the Town.

Chris Christie said sustainability is about balance. He said an increase in density is inevitable. He said the Town should encourage more mass transportation options. Demographics and population growth will encourage greater density.

Jack Petropoulos said he was pleased to see the reference to agriculture and its value to the community in the Master Plan. He said he would like to see more sustainable ways to use the land. Chairman Burke agree that promoting local agriculture is an important goal.

Greg Sheldon spoke about the reuse of Prescott School and the economic opportunity of redeveloping Station Avenue to the future of the downtown. He said Station Avenue is the logical place for economic development. He said the Town owns Prescott School, Town Hall, the Center Fire Station, and the GELD land. He suggested moving Town Hall to the Prescott School and selling the Town Hall for economic development. He asked that GELD reconsider its decision to build its facilities on Station Avenue. He asked what the Town could do to encourage GELD to move to Route 40 or Cow Pond Brook Road.

Member Giger said the Planning Board members agree with much of what Mr. Sheldon is saying. He said the Town has the opportunity to make Groton a more “walkable” community. Mr. Sheldon said the presence of fire trucks and GELD trucks on Station Avenue are detrimental to redeveloping the area.

Mr. Harker reiterated his request that the Board postpone adopting the Master Plan so people could provide more feedback on the plan.

Member Capes said the Board has held three public hearings on the Master Plan and has reviewed all the comments submitted to date.

Member Perkins said the Board held many public forums and working session while the plan was being developed.

Member Giger stated that the Master Plan is a living document that can be changed whenever necessary.

Lisa Weisner thanked the Board for its tireless service to the community.

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The Board voted unanimously to close the public hearing. The Board will vote on the adoption of the Master Plan when all members are available to vote.

**ACADEMY HILL SURETY**

The motion was made by Barringer, seconded by Parent to reduce the amount held in the "Agreement and Contract – Town of Groton Planning Board, Middlesex Savings Bank" to \$717,778.89 for Phase One and Two in the Academy Hill Subdivision (excluding Cherry Tree Lane from Station 0+00 to Station 32+67.01), as recommended in the report dated April 12, 2012 from Nitsch Engineering. The motion passed unanimously.

The motion was made by Giger, seconded by Barringer, to increase the contingency from 20 to 25% based upon past practice. The motion passed unanimously.

Meeting adjourned at 10:00 PM

Respectfully submitted,

Michelle Collette  
Land Use Director/Town Planner