Chairman Burke called the meeting to order at 7:30 PM at the Town Hall
Members present:  Burke, Capes, Parent, Perkins and Wilson
Members absent:  Barringer and Giger

PUBLIC HEARING – SPECIAL PERMIT MODIFICATION, SPRINT SPECTRUM, 149 LOWELL ROAD
The Board held the continuation of the public hearing to consider the application submitted by Sprint, LP to modify Special Permit 2002-05 by changing equipment on the telecommunication tower at Gibbet Hill, 149 Lowell Road. Peter Lamontagne of Centerline Communications represented Sprint at the public hearing.

Mr. Lamontagne said Sprint is modifying its equipment and cabinets at the Gibbet Hill Tower by replacing six existing antenna with three new antenna and by removing two existing cabinets and installing three new cabinets as shown on Sheet A1 of the plans. The new antenna will be located at the same elevation as the existing antenna: 120 AGL.

Member Perkins asked if the new antenna would be the same size as the existing antenna. Mr. Lamontagne said the new antennas are 72 inches tall and the existing antennas are 54 inches tall.

Member Capes asked why the other carriers have shelters on the ground and Sprint does not. Mr. Lamontagne said Sprint’s cabinets are designed to be outside with their own heating and cooling systems.

The Board voted unanimously to close the public hearing.

DECISION
The motion was made by Perkins, seconded by Wilson, to MODIFY Special Permit 2002-05 to allow three antennae to be installed by replacing the six (6) existing antennas with three (3) new antennas at the same height on the tower, installing six (6) remote radio heads, replacing the existing GPS antenna with a new GPS antenna, and by modifying ground equipment by replacing two (2) existing cabinets with (2) BBU cabinets and installing one (1) Multimode BTS cabinet and one (1) new fiber distribution box, as shown on the plan entitled, “Sprint Vision, Site Number BS54XC139, Site Name: Gibbet Hill; Site Address: 149 Lowell Road, Groton, MA 01450,” prepared by Salient Architects, LLC, and Alcatel Lucent, dated October 25, 2011, with the following findings and conditions:

Findings:
The Planning Board made the following findings based upon the criteria set forth in Chapter 218 Zoning of the Code of the Town of Groton, §§ 218-25.1 and 218-32.1:
§218-25.1:

1. On February 2, 2002, the Planning Board granted Special Permit 2002-05 to Gibbet Hill Farm, LLC, for construction of a 150-ft telecommunication tower located at 149 Lowell Road. Sprint’s three (3) proposed antennas comply with §218-25.1 H (6) and (7) requiring that antennas be collocated wherever possible and that towers be “designed and constructed to accommodate the maximum number of uses technically practical…”

2. The telecommunication tower is owned by Cell Tower Lease Acquisition, LLC, of Frederick, Maryland. The applicant submitted a copy of a Letter of Authorization, dated February 16, 2012, grant Sprint and its agents permission to seek necessary approvals to construct improvements to the telecommunication tower located at 149 Lowell Road.

§218-32.1:

1. Social, economic and community needs: The proposed reduction of three (3) antennas on the Gibbet Hill tower will minimize visual impact and serve the communications needs of the community by upgrading Sprint’s 4G Network. The proposed upgrade will provide a public benefit by allowing customers to download and upload data at significantly higher speeds.

2. Traffic flow and safety: There will be no traffic flow or safety issues associated with the addition of the proposed antennas on the Gibbet Hill tower and existing access road.

3. Adequacy of utilities: The Groton Electric Light Department indicated that it will be able to serve the proposed telecommunication facility and additional equipment as designed.

4. Neighborhood character: The proposed antennas will be installed at the 120 ft elevation AGL on the Gibbet Hill tower. The antennas will be collocated on an existing tower thereby minimizing impact on the neighborhood character in contrast to the applicant erecting an additional tower in or near the same location in order to serve its needs.

5. Impacts on the environment: The proposed antennas will have far less impact than construction of another tower.

6. Fiscal impact on the Town: The proposed array of three antennas and associated ground equipment for the benefit of Sprint will have a positive fiscal impact because the applicant/owner will pay property taxes to the Town of Groton for the value of the associated facilities.
Conditions:

1. The applicant shall provide evidence to the Town’s public safety officials documenting that the new equipment will not interfere with the Town’s emergency communications system. The applicant shall submit to the Building Commissioner written confirmation from the Police Chief and the Fire Chief stating that they are satisfied that there will be no such interference prior to issuance of a building permit. Prior to commencement of commercial use, the applicant shall conduct live testing with the Town’s public safety officials to ensure that there will be no interference with the public safety emergency communication network.

2. The three proposed antennas will be the same color as those of the existing carriers on the tower.

3. Sprint’s new antennas shall be installed at the 120-ft approximate elevation AGL on the existing tower that is subject to conditions in Special Permit 2002-05. The telecommunications facility will comply with all applicable conditions enumerated in Special Permit 2002-05.

4. The telecommunication facility shall comply fully with all applicable requirements of Groton Zoning By-law § 218-25.1 Personal Wireless Services Facility and with the standards of the Federal Communications Commission, the Federal Aviation Administration and the American National Standards Institute.

5. The placement, construction and modification of a personal wireless services tower and any accessory structures, buildings and equipment shall be performed in accordance with all applicable local, state and federal requirements for the operation of such a facility.

6. Night lighting of the personal wireless services tower (aside from security lighting at the base of a tower) shall be prohibited unless required by the Federal Aviation Administration. If the Federal Aviation Administration requires lighting, then the lighting used shall be the minimum lighting required.

7. The applicant must obtain final sign-off from the Building Commissioner and a Certificate of Use and Occupancy, pursuant to 780 CMR of the Massachusetts State Building Code, prior to energizing the antennas and any associated equipment.

8. This special permit shall not be in effect until a certified copy of the special permit decision is recorded at the Middlesex South Registry of Deeds as required in GL Chapter 40A, Section 11, and Groton Zoning By-Law Section 218-32.1. No construction or site alteration shall commence nor shall any necessary permits be issued by any Board or official until evidence of such recording is submitted to the Planning Board by the applicant.
9. This special permit shall lapse in 24 months, which shall not include such time required to pursue or await the determination of an appeal referred to in Chapter 40A, Section 17, from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. The recording of the special permit shall constitute commencement of substantial use.

10. This special permit runs with the land and applies to any successor in interest or successor in control.

The motion was seconded and passed unanimously.

ANR PLAN – ACADEMY HILL
The Board considered the Approval Not Required plan submitted by Academy Hill, LLC to change a lot line between Lots 12 and 13 in the Academy Hill subdivision. The motion was made by Parent, seconded by Wilson, to endorse the plan entitled, “Plan of Land in Groton, Mass. for Academy Hill Realty Trust,” prepared by Rose Land survey, dated April 18, 2012. The motion passed unanimously.

PUBLIC HEARING – SPECIAL PERMIT, COACH HOUSE GRILL SITE PLAN REVIEW
The Planning Board held the continuation of the 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. Applicant George Pergantis and design engineer Jeff Brem were present at the public hearing.

Mr. Brem submitted a revised plan dated April 15, 2012. The Board also received a letter from Lieutenant Tyler Shute of the Fire Department and a letter dated April 30, 2012 from McKenzie Engineering.

Mr. Brem said the striping shown on the plan is not the same as what is on the ground at the site. He said the eight parking spaces closest to the building and handicapped parking spaces have been moved. There are ten paved, angled parking spaces near the apartment buildings. The width of the pavement will be increased in this area.

According to the parking table on the plan, 67 spaces are required and 72 are shown on the plan. A detail on improvements to the gravel roadway is shown on the plan based upon specifications from the regulations. The large pot holes will be filled and the disturbed area will be loamed and seeded. He said the applicant would address all the Fire Department’s concerns.

Member Capes asked if the ten angle parking spaces are for the restaurant or residents. Mr. Brem said they are for the restaurant. Member Capes asked if these spaces would be paved. Mr. Brem said they should be paved, not gravel.
Member Capes asked about the “three additional parking spaces” shown on the plan. Mr. Brem said they are for “guest” parking for the apartments.

Member Perkins asked about the current condition of the access road. Mr. Brem said it is graded but not constructed to the standards shown on the plan.

Member Perkins asked about the turning radius for fire trucks. Mr. Brem said he removed parking spaces in this area. Member Perkins said it should be marked “no parking” on the ground.

Member Perkins asked if the residential parking spaces would be marked. Mr. Brem said, “no,” this parking area is gravel.

Member Perkins asked whether the sewer installation work has been completed. Mr. Brem said ‘yes.” Town Planner Michelle Colette said evidence of completion and a Title Five Certification must be submitted to the Board of Health and Sewer Commission.

Member Perkins asked about plantings. Mr. Brem said the plan shows proposed arbor vitae but other plantings are there now.

Member Parent asked about the “U” shaped road and whether “no parking” signs are needed. He asked how the parking spaces for the apartments would be designated. Mr. Brem said this area is gravel so they would install signage.

Member Parent asked about the Fire Department’s concerns about fire truck access to the apartments.

Member Wilson said there are still issues with the gravel access road and sewer manhole. Mr. Brem said it had caved in and would be fixed. The gravel road is designed to handle H20 loading and must be properly compacted.

Member Parent said the access road must be maintained and plowed in the winter.

Chairman Burke said the landscaping is not satisfactory at all. The lighting should be shielded with different fixtures, and the debris on the property must be removed. He said that some of the parking spaces do not have sufficient access and there is no traffic circulation plan for the apartments. The work is being done in a haphazard condition. A professional company should be hired to do the site work, especially in the area of the sewer manhole and gravel driveway. This is a new use, and it is the Board’s responsibility to see that it meets minimum standards.

Member Perkins added that the entrance to the street must be repaired as well.
Scott Harker asked how many handicapped spaces would be provided. Mr. Brem said two spaces as required. Mr. Harker asked if there would be parking for buses. Mr. Brem said it is not required in the Code or Regulations.

Member Capes asked if the intended use is a function hall or restaurant. Mr. Pergantis said the function hall would be in the front and the 65-seat restaurant in the rear. Member Capes asked if it is a function hall or a restaurant. Mr. Pergantis said, “both.”

Town Planner Michelle Collette said the application and letter submitted on February 28, 2012 says the proposed use is a restaurant and does not reference a function hall.

Chairman Burke cautioned the applicant that any work that is being done is at his own risk because there have been no inspections and there are no as-built plans. He said the applicant should be doing “no work whatsoever” until the plan is approved.

Mr. Brem said he will prepare a revised plan for the Board’s consideration.

Mr. Pergantis said he needs help and would like to open as soon as possible.

The Board voted unanimously to continue the public hearing on May 24, 2012 at 7:00 PM

**TOWN MEETING REPORTS**
Chairman Burke informed the Board that he has a work conflict with Town Meeting on May 7, 2012. Member Barringer agreed to do the Planning Board’s presentation on the Comprehensive Master Plan.

Meeting adjourned at 9:15 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner