

**PLANNING BOARD
SEPTEMBER 13, 2012
MINUTES**

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

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

Members absent: Perkins

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 amendments:

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

1. Amend Article IV Intensity Regulations, §218-20 Schedule of Intensity Regulations, by adding the following entries for the Public Use “P” District as shown in bold italics:

§ 218-20. Schedule of Intensity Regulations.

District	Minimum Lot Dimensions		Maximum Height		Maximum Lot Coverage (percentage) ³	Minimum Building Setback		
	Area (square feet)	Frontage (feet)	Feet	Stories		Front (feet)	Side (feet)	Rear (feet)
R-A ⁵	80,000 ¹	225 ⁴	35	3	25	50	15	15
R-B ⁵	40,000 ^{1,2}	175 ^{2,4}	35	3	25	50	15	15
B-1 ⁵	40,000 ^{1,2}	175 ²	35	3	25	50	15	15
M-1	40,000 ²	175 ²	35	3	25	50	15	15
C	80,000 ²	225 ²	35	3	25	50	15	15
O	—	—	35	3	25	50	15	15
<i>P</i>	<i>40,000^{1,2}</i>	<i>175²</i>	<i>35</i>	<i>3</i>	<i>25</i>	<i>50</i>	<i>15</i>	<i>15</i>

NOTES:

¹ For planned multifamily/residential development, see § 218-27C. For subsidized elderly housing, see instead § 218-27B. For multifamily use by conversion, see instead § 218-27A. For flexible development, see § 218-26F(1). For hammerhead lots, see § 218-23.1.

² No minimum for nonresidential uses.

³ Includes principal and accessory buildings. See § 218-22 for supplementary regulations.

⁴ Lots shown on a residential compound plan (as described in Chapter 381, Part 1, Subdivision of Land) endorsed by the Planning Board pursuant to the Subdivision Control Law may, upon the grant of a special permit by the Planning Board, reduce lot frontage to 50 feet.

⁵ For dimensions applicable to Town Center Overlay District developments, see § 218-30.2.

2. **ARTICLE:** To see if the Town will vote to amend Chapter 218 of the Code of the Town of Groton to rezone from Residential-Agricultural (R-A) to Public Use (P) a parcel of land located on Farmers Row, consisting of approximately 2.79 acres, shown as Lot 4 on the map entitled, "Approval Not Required Plan, Lawrence Homestead Trust, Farmers Row, Groton, MA, Applicant: Town of Groton, 173 Main Street, Groton, Massachusetts," prepared by Gale Associates and Romanelli Associates, Inc., dated April 24, 2012, recorded as Plan 296 of 2012 at the Middlesex South Registry of Deeds, being shown on Assessors Map 108, Parcel 1-4, or take any action thereon.

Chairman Giger called the public hearing to order. Clerk Svarczkopf read the notice posted with the Town Clerk on August 10, 2012 and published in the August 17, August 24, August 31, September 7, 2012 issues of *The Groton Herald*.

Chairman Giger explained the process for the proposed zoning amendment and rezoning that will be voted on at the Fall Town Meeting on October 15, 2012. The Planning Board must hold a public hearing and make a recommendation to Town Meeting. A two-thirds vote of Town Meeting is required to adopt the zoning amendment or rezone the property on Farmers Row. Chairman Giger said the lot to be rezoned is the site of the proposed Center Fire Station. The Planning Board will hold the public hearing on the Site Plan Review on September 27, 2012.

Chairman Giger said when the Public Use (P) District was established by petition of the Board of Selectmen in 2001, there were no minimum or maximum requirements established in Section 218-20 Schedule of Intensity Regulations. The Planning Board is proposing an amendment to add dimensional requirements that will be the same as the existing requirements for the Business (B-1) District. The effective date of the proposed zoning amendment, if adopted by Town Meeting, is the date of the first publication of the legal notice (August 17, 2012).

Alix Chace, 152 Broadmeadow Road, asked if the hearing was on the proposed dimensional requirements or the rezoning. Chairman Giger said, "both."

Scott MacDonald, 2 Farmers Row, asked why the lot would be rezoned to the Public Use District. Chairman Giger said it makes sense for the Fire Station, a public facility, to be located in the "P" District. Section 218-12 Intention of Districts states:

- G. Public Use District is intended to regulate land in public use or land with public facilities.

Member Burke said under today's zoning, there are no set back, height, lot coverage, frontage or acreage requirements for the "P" District. The proposed amendment brings the "P" District into compliance with other districts.

Alix Chace requested that the Board consider the two articles separately rather than together.

Scott Harker, 341 Martins Pond Road, asked about the order of the articles in the warrant. Town Planner Michelle Collette said the Selectmen and Town Manager will determine what the order will be before the Town Meeting warrant is signed. He asked what would happen if the amendment fails.

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Member Barringer said the current requirements would remain in place.

Alix Chace asked if the proposed fire station complies with the R-A District requirements, then why should the property be rezoned from "R-A" to "P?"

Member Burke said Groton does not exempt municipal buildings like some other communities. The proposed rezoning would be in keeping with the intent of the zoning districts. If the rezoning does not pass, the fire station could still be built in the R-A District with a special permit from the Zoning Board of Appeals.

Mr. Harker asked why the footnote references Flexible Development and other residential options. Town Planner Michelle Collette said the footnote is just a cross reference to other sections of the Zoning By-Law. The Town may want to build housing on publicly-owned land at some time in the future. Mr. Harker said the footnote causes confusion.

Chairman Giger asked if there were any more comments on the Schedule of Intensity Regulations. There were none.

Clerk Svarczkopf read the proposed rezoning article. Chairman Giger asked for comments on the proposed rezoning.

Alix Chace asked about the role of the Planning Board. Chairman Giger said MGL Chapter 40A, the Zoning Act, requires that the Board make a recommendation to Town Meeting. Ms. Chace said she hopes the Board does not recommend the rezoning because there are other sites available. Properties in the "P" District are underutilized such as the existing fire station on Station Avenue. She said it would be more prudent to locate the fire station on the lot closest to the Public Safety Building.

Member Barringer said the new fire station should be located in an area that improves response time. the existing fire station is very inadequate.

Member Wilson added that the Fire Station Building Committee has done an exhaustive study of many locations.

Member Svarczkopf said the need for a new fire station has been determined. The work done by the Site Selection Committee and Building Committee was thorough and complete. Mr. Harker said he attended many of the Committee meetings and information on the site selection is available to the public.

Mr. MacDonald asked what would happen if the funding for the fire station does not pass. Chairman Giger said the article to fund the purchase of the land did pass at the Spring Town Meeting.

Maria Hars asked if the Town purchased the land or whether the Purchase and Sales agreement had been signed yet. Town Planner Michelle Collette said the Town has not purchased the land yet. Chairman Giger said the question regarding the purchase and sales agreement should be

directed to the Board of Selectmen.

Alix Chace said she would like to remind the Planning Board that it has the ability to exercise independent judgment on this decision. She said she hoped the Board would review its recommendation carefully.

The Board voted unanimously to close the public hearing.

PLANNING BOARD REPORTS

Schedule of Intensity Regulations – The motion was made by Wilson, seconded by Parent, to recommend approval of the amendment to Section 218-20 Schedule of Intensity Regulations at the Town Meeting. The motion passed unanimously.

Proposed Rezoning – The Board decided not to vote on its recommendation on the proposed rezoning of Lot 4 on Farmers Row until the Town has signed the Purchase and Sales Agreement.

ANR PLAN – IOVINO, 583 LOWELL ROAD

The Board received a letter dated September 13, 2012 requesting an extension of the deadline to September 21, 2012 to consider the ANR plan submitted by Iovino for 583 Lowell Road. The Board voted unanimously to grant the extension.

TOWN CENTER OVERLAY DISTRICT DESIGN GUIDELINES

The Board continued its discussion about the Town Center Overlay District Design Guidelines as part of the Master Plan Phase II Implementation. The Board agreed that the services provided by Dodson Associates on revisions to the Design Guidelines should encompass the parcels on Station Avenue, 134 Main Street, the Prescott School, and the site of the former Groton Inn. The visioning for the remainder of the Town Center will be done as a part of the implementation phase.

MINUTES

The Board voted to approve the minutes of August 9, 2012; August 23, 2012; and September 5, 2012.

Meeting adjourned at 9:30 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner