

**PLANNING BOARD
SEPTEMBER 27, 2012
MINUTES**

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

Members present: Giger, Barringer, Burke Parent, Perkins, Svarczkopf and 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 amendments sponsored by Citizens' Petition:

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

1. Amend §218-4 Definitions by adding the following new definition to Section 218-4 Definitions:

AGRICULTURAL LABOR HOUSING – A structure or building constructed or used for labor for commercial agriculture as its primary purpose.

2. Amend Section 218-13 Schedule of Use Regulations by deleting the following uses in the Agricultural, Floricultural and Horticultural Section:

	R-A	R-B	B-1	M-1	C	O	P
The raising or keeping of horses, goats, sheep, cattle and not over 15 pigs or poultry or maintenance of dog kennels or riding stables	Y	Y	Y	Y	SP	SP	Y
A. Barns or stables for breeding, boarding, hiring or sale of animals	SP	SP	SP	SP	N	N	SP
Roadside stand for sale of principally local farm produce raised in the Town, set back at least 50 feet from the street line, and provided that space for customers' cars is available off the right-of-way of the street and is so arranged as not to permit backing of automobiles onto any public or traveled way	SP	SP	SP	SP	N	SP	SP

And by inserting the following uses in the Agricultural, Floricultural and Horticultural Section:

	R-A	R-B	B-1	M-1	C	O	P
Agricultural Labor Housing	Y	Y	Y	Y	Y	Y	Y
The raising or keeping of horses, goats, sheep, cattle, pigs, poultry or other domesticated animals for food and other agricultural purposes	Y	Y	Y	Y	Y	Y	Y
Riding stables	Y	Y	Y	Y	Y	Y	Y

Barns or stables for breeding, boarding, hiring or sale of animals	Y	Y	Y	Y	Y	Y	Y
Roadside stand for sale of principally local farm produce raised in the Town, set back at least 50 feet from the street line, and provided that space for customers' cars is available off the right-of-way of the street and is so arranged as not to permit backing of automobiles onto any public or traveled way	Y	Y	Y	Y	Y	Y	Y
Dog Kennels	Y	Y	Y	Y	SP	SP	Y

3. Amend Section 218-13 Schedule of Use Regulations by deleting the following use in the Business Section:

	R-A	R-B	B-1	M-1	C	O	P
Commercial greenhouse	SP	SP	Y	Y	Y	Y	N

And by inserting the following use in the Business Section:

	R-A	R-B	B-1	M-1	C	O	P
Commercial greenhouse	Y	Y	Y	Y	Y	Y	Y

Chairman Giger called the public hearing to order. Member Parent read the notice published in the September 7 and 14, 2012 issues of the Groton Herald.

Meredith Scarlet, George Moore and Sean O'Neil of the Agricultural Commission presented the proposed amendment. Ms. Scarlet said for many years the Commission has been discussing the need to bring the Zoning By-law into conformance with Chapter 40A and the Right to Farm By-law (Chapter 137 of the Code of the Town of Groton). The Zoning By-law requires special permits for uses that should be allowed by right. Ms. Scarlet cited the caretaker apartment in her stable as an example. The proposed changes to the by-law include a provision for Farm Labor Housing as regulated by State Statute.

Building Commissioner Milton Kinney said he has been a Building Commissioner and Zoning Enforcement Officer for many years. He spoke in favor of the proposed amendment that would be consistent with Chapter 40A. He said including the provision on Farm Labor Housing, defining how such housing qualifies as an agricultural exemption, provides direction to the Zoning Enforcement Officer.

Member Perkins asked how the Conservancy District would be protected. Mr. Kinney said by the Board of Health.

Member Wilson asked if Farm Labor Housing must meet Building Code requirements. Mr. Kinney said, "yes," the housing must meet all Building Code and Board of Health regulations.

Member Barringer asked why not keep the Special Permit requirements for the Public Use and Open

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Space Districts so there would be more oversight. Mr. Kinney said public land is owned by the Town. The Board of Selectmen has control through leases and other contractual arrangements. Member Barringer said the special permit provisions would have well defined terms and conditions.

Member Burke applauded the Agricultural Commission for its work but expressed concerns about unintended consequences such as more than 15 pigs on a small lot. He suggested specifying a minimum lot size. Ms. Scarlet said such uses are under the jurisdiction of the Board of Health.

Chairman Giger noted that property must first qualify for an exemption under Chapter 40A, section 3.

Member Burke said the definition of agriculture and minimum lot size should be added to the proposed amendment.

Ms. Scarlet said she is nervous about adding another layer and asked the Board if it had read the Massachusetts Department of Agricultural Resource Agricultural Law Memo dated August 10, 2010. The Board responded that it had read the memo.

Member Burke said the Right to Farm by-law was adopted in response to complaints from new homeowners. he added that requiring special permits can hinder the pursuit of agricultural land.

George Moore said the Right to Farm by-law requires notification to buyers and an annual notice is mailed with the GELD bills. he said farmers must comply with all Board of Health regulations as well as the Animal Inspector's requirements.

Chairman Giger asked what makes a farm "commercial." Member Burke said the Building Commissioner is the arbiter. Mr. Kinney said the operation must meet the standards in the agricultural laws. A determination is made on a case-by-case basis.

Member Perkins expressed concern about removing the limit on 15 pigs from the existing by-law. She asked what would prevent a commercial piggery. Mr. Moore said the Board of Health and Animal Inspector would have jurisdiction. He suggested that the Planning Board ask the Board of Health for comments.

Chairman Giger asked if the Agricultural Commission had met with the Board of Health to discuss the proposed amendment. Mr. Moore said they had not but would do so.

The Board voted unanimously to continue the public hearing on October 4, 2012 at 8:00 PM

PUBLIC HEARING – CENTER FIRE STATION 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 the Town of Groton for Site Plan Review to construct a new fire station as shown on the plan entitled, "Groton Center Fire Station, Farmers Row, Groton, Massachusetts, Site Plan Review," prepared by Gales Associates, Inc. and Dore & Whittier Architects, Inc., dated August 29, 2012. The proposed fire station will be located on Farmers Row on property now owned by the Lawrence Homestead Trust, Assessors' Map 108, Parcel 1-4, on the easterly side of Farmers Row.

Chairman Giger called the public hearing to order. Clerk Svarczkopf read the notice published in the September 7 and 14, 2012 issues of the Groton Herald. Town Manager Mark Haddad, Fire Chief Joseph Bosselait, architects Alan Brown and Don Walters of Dore & Whittier, design engineer John Perry of Gale Associates, and the Board's consulting engineer Gary Hebert of Fay, Spofford and Thorndike were present.

Architect Don Walters presented the plans for the four-bay, double-deep Center Fire Station located on Farmers Row in the Historic District. The building footprint is 13,800 SF with 18,500 SF gross floor area. He said the building design is agrarian in nature to conform with HDC requirements. The building height is not greater than 35 ft as specified in Section 218-20 of the Zoning By-law.

Mr. Perry presented the site plan of the 2.79 acre site shown as Lot 4 on the Approval Not Required plan endorsed by the Planning Board in April, 2012. The parking lot will have a total of 27 spaces with 24 standard and three accessible spaces. Snow storage will be in the rear of the site in the area shown on the plan. The building will be at elevation 333 ft. The slope of the access road will be 3.4%. Cut and fill has been balanced to keep soil on the site. A retaining wall will be constructed along the side property line to the south. A bio-retention area and vegetated filter strip will be installed to treat stormwater.

Mr. Perry said the lighting issue has not been resolved with the Historic Districts Commission. He said the HDC requested that the lighting be eliminated.

Chairman Giger read the following comments from HDC Chairman Dan Barton:

- 1) Illumination of driveways should be eliminated and illumination of parking areas should be eliminated or kept to an absolute minimum. Emergency lighting can turn on only when needed; the access driveway from Farmers Row will not be illuminated.
- 2) The HDC has significant concerns with the modular retaining wall being proposed along the upper south edge of the property. A gentle slope would be considered a more appropriate solution than a wall (5.5 feet high in places) along the existing tree line. We are expecting to see design solutions and/or a property boundary change to mitigate this proposed condition.
- 3) Various paving materials still need to be introduced to reduce the visual effect of the large expanse of pavement being proposed. The HDC has requested that the design team further look at softscape or alternative materials in peripheral paved areas and at snow storage areas.
- 4) Alternative design consideration still needs to be given to the edges of the access drive from Farmers Row.
- 5) The proposed landscape plan should be comprised of indigenous trees and plantings, not ornamental plantings. The last plan reviewed by the HDC showed maple trees planted too close to the North building face.
- 6) Screening of parking along the south side of the proposed Station has not yet been addressed.
- 7) The design team is still working to address a few architectural design features for the building; these are likely not of concern to the PB at this time.

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Member Parent asked about side yard setbacks. Mr. Perry said the building is setback 16 ft from the northern property line and 76 ft from the southern property line.

Member Parent asked if sidewalks were being installed for pedestrians and whether a crosswalk on Farmers Row would be provided. Mr. Perry said, "no."

Gary Hebert of FST presented his report dated September 21, 2012. He expressed concern about the utility pole blocking sight distance and the turning radius at the intersection of the access drive and Farmers Row. He said it would be difficult for large vehicles to turn without encroaching into the other lane of traffic. He noted that signage on Farmers Row is recommended in his report. He said the 27 parking spaces should be sufficient and noted that access for pedestrians and bicycles was not proposed. He recommended that the Town not preclude options to install a sidewalk in the future. He noted that there is not enough traffic on Farmers Row to meet the MassDOT warrants for a crosswalk. A crosswalk at the intersection of Farmers Row and Long Hill Road would be preferable.

The Board discussed the proposed retaining wall along the rear of the southerly property line. Member Perkins asked about the height of the wall. Mr. Perry said it is 5.5 ft at its highest location and tapers down. A split rail fence will be installed at the top of the wall as required by the Building Code. Architect Alan Brown said the wall is set back 350 ft from Farmers Row and will be difficult to see.

Member Barringer asked if there would be enough parking spaces for firefighters and visitors on the site. Mr. Walters said firefighters would use the parking spaces in the rear of the site and visitors would use spaces on the side of the building. Mr. Hebert agreed that there would be enough parking and little traffic on site.

Member Barringer asked about conflicts with public parking. Mr. Brown said emergency lights will go on when an alarm is sounded to warn people. Member Barringer agreed that warning lights would be beneficial. He asked if the dumpster and generator would be screened. Mr. Brown said a fence would be installed around the generator and dumpster.

Chairman Giger asked about snow storage and the bio-retention area. Mr. Perry pointed out the areas on the plan. The snowmelt will drain into the stormwater system. Town Planner Michelle Collette said the Earth Removal Stormwater Committee is reviewing the stormwater management system with the Town's consultants from Comprehensive Environmental, Inc. The Committee will hold the continuation of the public hearing on October 2, 2012.

Chairman Giger asked if the ambulances would be in the rear bays. The Fire Chief said the front line vehicles would be parked in the front bays with back up vehicles in the rear.

Member Burke asked if cobblestone could be installed at the apron of the access road at the entrance on Farmers Row to increase the turning radius. Mr. Perry said they are concerned about losing large trees along the side of the road.

Member Burke asked if the wetlands crossing for the sewer line would be done with directional drilling. Mr. Perry said, "yes." He said a new pump would be installed in the pump chamber at the Public Safety Building. Abutter John O'Connor said he has concerns about the HDC eliminating the proposed retaining wall along his property line. He said he prefers the retaining wall because it will protect his trees. Marylou O'Connor requested that someone walk the site to be sure the proposed screening would be sufficient. She said there would be no screening if the trees lose their leaves. She said they want their property to be as saleable as possible.

Member Perkins asked about the proposed trees to be planted on the northerly property line. Mr. Haddad said the northern property line will have screening as agreed with the Lawrence Homestead Trust. Mr. Perry added that the HDC does not want the screening along the northern property line in order to maintain the view of the building.

Building Committee member Don Black suggested that the Town move the utility pole to improve sight distance on Farmers Row at the intersection of the access road. Mr. Haddad said they would discuss the matter with GELD.

Member Perkins asked about truck washing. Mr. Perry said trucks would be washed indoors. He said they are meeting with the Sewer Commission to discuss discharging the truck-washing grey water to the sewer system.

Member Perkins stated that the Fire Station should have proper lighting for safety reasons. The Fire Chief said they are meeting with an electrical engineer to discuss low wattage LED lighting. Member Barringer agreed that there must be lighting in the parking lot.

Chairman Giger said the applicant should submit revised plans and a response to the Board's peer review and that the issues with the HDC should be resolved.

The Board voted unanimously to continue the public hearing on October 25, 2012 at 7:30 PM.

REPORT TO TOWN MEETING – PROPOSED REZONING TO “P” DISTRICT

The Board held a public hearing on September 13, 2012 on the proposed rezoning of the lot on Farmers Row from R-A to P. The Board waited until the Purchase and Sales Agreement between the Town and the Lawrence Homestead Trust was signed prior to making its recommendation.

The motion was made by Wilson, seconded by Svarczkopf, to recommend that the Town Meeting vote to rezone the property because it is consistent with Intention of Districts which states, “Public Use District is intended to regulate land in public use or land with public facilities.” The motion passed unanimously.

MINUTES

The Board voted to approve the minutes of September 13, 2012.

Meeting adjourned at 10:30 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner