

**PLANNING BOARD
APRIL 11, 2013
MINUTES**

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

Members present: Giger, Perkins, Parent, Svarczkopf and Wilson

Member absent: Barringer and Burke

PUBLIC HEARING – CONCEPT PLAN/PC MYETTE, 120 BOSTON ROAD

In accordance with the provisions of Chapter 40A, §§ 5 and 11, M. G. L., the Groton Planning Board held a public hearing to consider the concept plan submitted by PCM Realty Trust to construct a proposed 8305 SF two-story medical office building and a 2400 SF two-story medical office building. The proposed project is located at 120 Boston Road, Assessors' Map 222 Parcel 15, on the southerly side of Boston Road. The concept plan was submitted under the provisions of Chapter 218 Zoning, section 218-18 Major Projects, of the Code of the Town of Groton, and will be considered at the 2013 Spring Town Meeting.

Chairman Giger called the public hearing to order. Clerk Parent read the notice posted with the Town Clerk on March 19, 2013 and published in the March 22 and 29, 2013 issues of *The Groton Herald*. Applicants Peter and Andrea Myette, design engineer Stan Dillis, Attorney Robert Ancil, architect John Cocker of Mangel Associates, and real estate broker John Amaral were present.

Attorney Ancil presented the proposed concept plan and history of the site. The Myettes purchased the property from Fairview Orchards in 1996. Since 1963, the front portion of the site was zoned Business (B-1), and the rear of the property was zoned R-A. The 1996 Town Meeting rezoned the entire site to B-1. Attorney Ancil said the concept plan approval by Town Meeting is only a formality. Many departments must review and approve the project after the Town Meeting votes. The engineering and architectural plans are only preliminary at this stage. The proposed buildings will be used for medical offices.

Mr. Dillis presented the details of the plan to replace the existing 6500 SF and 2000 SF buildings with 8300 SF (footprint) and 2400 SF (footprint), two-story buildings. The project will be connected to the municipal sewer system. A new stormwater management system will be installed. The impervious area of the site will increase slightly.

Member Perkins asked if there is sufficient sewer capacity to serve the proposed use. Attorney Ancil said, "yes."

Member Perkins suggested that the parking be located in the rear of the buildings rather than in front. Mr. Amaral said parking in the rear is a negative with medical uses. The site is being tailored to the needs of the users. The space will be occupied by a medical provider with offices in Groton currently.

Member Parent asked about the number of parking spaces. Mr. Dillis said 160 spaces are required, and 174 spaces are proposed based upon the fill capacity of the buildings.

Architect John Cocker described the building elevations including the plans to screen the HVAC units and proposed shed roof designed to reduce the visual height of the building. The building will be sided with fiber cement clapboards in the traditional New England style.

Member Svarczkopf asked why the elevations did not have more details on the side and rear elevations. Mr. Cocker said they are not as visible from Boston Road.

Chairman Giger asked about the architectural plans for the 4800 SF building in the rear of the site. Mr. Cocker said the architecture is similar to the front building.

Chairman Giger read comments from the Water Department, Sewer Department, Board of Selectmen, Conservation Commission, and Board of Health into the record.

Member Wilson asked about the shared access and the shared sewer disposal system with the adjacent owner. Attorney Anctil said they have not met with the abutter yet. Both properties should be connected to the municipal sewer system.

Member Wilson said it has been five years since the sewer was extended to Boston Road. He asked why they have not connected yet. Attorney Anctil said because the existing sewage disposal system has not failed – it was built for 68 migrant farm workers.

Member Perkins asked if there is shared parking with the adjoining property. . Attorney Anctil said the Janes have an access easement over the Myette's property. Abutter Dorothy Mack said the parking is not shared.

Member Perkins asked when the lot was subdivided. Attorney Anctil said, "1996."

Ms. Mack said she has owned the Janes Properties Ltd since 2000 and has had to fit parking on her own land. Parking is not shared with Myettes. She said she cannot afford the \$15,000 cost to tie into the municipal sewer system. In addition, the proposed building will block the view of her building from Boston Road. She said the plan does not have any topography and there are drainage issues with the site. The proposed project will destroy her business.

Shane Grant said he runs the business in the Janes Properties building and there are problems with parking and access today. The Janes Properties site is 18 inches higher than the Myette site, so there will be drainage issues. He said there are problems today with Cady Pond Brook and Route 119. He said they have a working sewage disposal system today and should not be required to connect to municipal sewer. Ms. Mack said she cannot have her bills quadruple.

Member Perkins asked how trucks access the Janes Properties site today. Mr. Grant said the 40 ft tractor trailer trucks cannot back into the area because of the change in grade.

Member Parent asked how far the corner of the proposed building is set back from the property line. Mr. Dillis said about 24-25 feet and there will be two-way traffic in this location.

Selectman Anna Eliot said the Board of Selectmen voted to support the proposed plan. The Town is trying to be more business-friendly.

Member Wilson asked if there are deeded legal rights of the shared sewage disposal system. Attorney Anctil said he drafted the original agreement in 1996. At that time, they did not anticipate that the sewer system would be extended to this location. Both owners contribute to the cost of maintaining the system on an annual basis. He said the Myettes will pay the cost for the Janes Properties to connect to the municipal sewer system. If they do not connect, the Myettes must still pay their share of the cost to maintain the on-site sewage disposal system in accordance with the 1996 agreement.

Member Wilson asked about the drainage issues with this low-lying site. He said there must be no net increase in runoff from the site. He said the building should be turned around with parking in the rear of the property.

Mr. Dillis said the building is oriented the same way that the Emerson Medical offices and CVS are oriented. The medical offices owners prefer the parking in the front not in the rear where people cannot see the parking. He added that the concept plan does not have specifics about drainage at this time. The Board agreed that the more detailed information will be submitted during the Site Plan Review process.

Attorney Ancil said the purpose of the concept plan is to provide general, preliminary information. The full architectural and engineering plans will be submitted for thorough review by the Planning Board with the Site Plan Review application.

Chairman Giger said he would like to see better communication between the abutters and encouraged the parties to work together to resolve issues.

Attorney Ancil added that if the entire site had been zoned B-1 prior to 1990, they would not have to submit a concept plan. The Myettes would submit plans to the Planning Board for Site Plan Review and to the Conservation Commission for work within the buffer zone.

Ms. Mack asked the Board to consider her concerns. She said she has only had two weeks to look at the proposed plans. Chairman Giger said the article is on the warrant for the Spring Town Meeting on April 22, 2013. The Board must make a recommendation to Town Meeting on the warrant article. Many of the concerns expressed at the public hearing will be addressed during the Site Plan Review process.

Attorney Ancil said they understand the issues, but they cannot proceed with the review of the project without the Town Meeting vote. They are seeking Town Meeting approval to move the process forward. The client has a deadline to complete construction. He said he would work with the parties to reach an agreement.

John Aramal of Omni Properties said he has been working with Pediatrics West for one year to find an appropriate location. Mr. Myette wants to work with the abutters to resolve the outstanding issues. They understand there is a long process ahead.

Member Wilson said the Board would like to see the businesses work together.

Member Svarczkopf said there are many issues with a large building including size, location, orientation, etc. that will come up at Town Meeting.

The Board voted unanimously to continue the public hearing on April 18, 2013 at 7:30 PM.

REQUEST FOR OPINION – 225 FIELDSTONE DRIVE

Homeowner Michael Pigeon, 225 Fieldstone Drive, said he met with former Building Commissioner Michael Kinney and present Building Commissioner Ed Cataldo about the setback for his proposed swimming pool at 225 Fieldstone Drive in the Academy Hill subdivision.

Mr. Pigeon said he understands that a buffer of 50 ft must be left in its natural state but asked if the pool could be located between the 50 and 75 ft setback from the perimeter of the subdivision approved under Section 218-26 Flexible Development.

The motion was made by Svarczkopf, seconded by Wilson, to notify the Building Commissioner that the proposed installation of a swimming pool as an accessory structure at 221 Fieldstone Drive is consistent with Chapter 218 Zoning, §218-26F(2) Cluster Development, in effect when the Academy Hill preliminary plan was submitted and subsequent definitive plan was approved. §218-26F (2) states:

“Setbacks. No principal structure shall be located within 100 feet of an existing street or within 75 feet of the property lines of the parcel to be developed. A buffer of a minimum of 50 feet from an existing street and from the property lines of the parcel shall be left in its natural state or suitably landscaped to provide adequate screening.”

The Board agreed that the pool and all of its elements (pool house, fencing, etc.) may be located in the area between 50 and 75 feet from the easterly property line provided that there is no disturbance within the 50 ft buffer.

MINOR MODIFICATION TO SPRINT TELECOMMUNICATION TOWER, 149 LOWELL ROAD

The Board received a request from Sprint Spectrum regarding a minor modification to the tower located at 149 Lowell Road.

The motion was made by Parent, seconded by Wilson, that Sprint Spectrum’s proposed installation of a 15” dish antenna and one outdoor equipment unit as described in the attached letter dated April 11, 2013 and plans revised on February 26, 2013 is a minor modification and does not require modification of Special Permits PB2002-05 and 2012-04. The findings and conditions of the Special Permits remain in full force and effect. The motion passed unanimously.

REPORTS TO TOWN MEETING

The Board discussed its presentations to Town Meeting. Member Burke will present the reports on Article 23 Water Resource Protection Map revisions, Article 24 Zoning Map revisions, and Article 25 Agricultural Definitions and Use Regulations. Member Perkins will present the report on Article 26 Concept Plan Approval for 120 Boston Road.

Meeting adjourned at 9:45 PM

Respectfully submitted,

Michelle Collette, AICP
Land Use Director/Town Planner