

**PLANNING BOARD
MAY 9, 2013
MINUTES**

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

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

Member absent: Burke and Perkins

APPOINTMENTS

ERSWAC – The motion was made by Parent, seconded by Barringer, to appoint Raymond Capes as the Board’s representative on the Earth Removal Stormwater Advisory Committee. The motion passed unanimously.

MRPC - – The motion was made by Parent, seconded by Wilson, to appoint Michelle Collette as the Board’s representative on the Montachusett Regional Planning Commission.. The motion passed unanimously.

MJTC - The motion was made by Parent, seconded by Wilson, to appoint David Manugian as the Board’s representative on the Montachusett Joint Transportation Committee. The motion passed unanimously.

SUMMER SCHEDULE:

The Board reviewed and approved the following meeting schedule for the summer months:

June 13, 2013	
June 20, 2013	Master Plan
June 27, 2013	
July 11, 2013	
July 18, 2013	Master Plan
August 1, 2013	
August 15, 2013	Master Plan
August 29, 2013	
September 12, 2013	
September 19, 2013	Master Plan
September 26, 2013	

The Board will not meet on June 6, 2013; July 4, 2013; July 25, 2013; August 8, 2013; August 22, 2013; or September 5, 2013.

PUBLIC HEARING – SPECIAL PERMIT/SITE PLAN, BLUESTONE DRIVE

The Board held the continuation of the public hearing to consider the special permit for site plan review for the Bluestone Drive Residential Development at 66 North Street. Attorney Robert Collins and design engineer Stan Dillis represented the applicant at the hearing.

Attorney Collins reviewed his letter dated April 4, 2013 requesting waivers based upon the Nitsch Engineering report dated April 4, 2013. He said the revised plan shows a pedestrian pathway instead of a sidewalk and a landscaping plan. He also submitted a stormwater system operation and maintenance plan and a draft of the condominium documents.

Mr. Dillis described the additional oak and evergreen plantings and proposed pedestrian pathway. Member Barringer asked what type of evergreens would be planted. Mr. Dillis said, “Colorado Spruce.”

Mr. Collins requested a waiver of the requirement to test existing wells on the site. Town Planner Michelle Collette said wells must be tested for Safe Drinking Water Standards prior to the issuance of a building permit in accordance with Chapter 325 which states:

“The Groton Board of Health hereby gives notification that it will abide by MGL C. 40, § 54, which mandates that a supply of water must be available on property either through Town water or private well before a building permit can be issued.”

Mr. Collins agreed to such a condition as part of the special permit.

The Board discussed the following waivers as requested in the April 4, 2013 letter from Attorney Collins:

1. **Section 218-25G(2)(e) and Section 381-39.0.** Submission of a traffic study because the proposed residential use will generate less traffic than the previous quasi-industrial use of the property as a stoneyard.
2. **Section 218-25G(2)(f) and Section 381-39.1.** Submission of a landscape plan prepared by a Registered Landscape Architect because a landscape plan designed by Ducharme and Dillis Civil Design Group was submitted with the site plan.
3. **Section 218-25G(2)(g).** Submission of a Development Impact Report because the impact from the proposed development is minimal and a fiscal impact analysis was submitted with the Special Permit for Flexible Development.
4. **Section 218-25G(2)(h).** Submission of a locus plan showing properties within 500 ft of the site because most of land within 500 ft is undeveloped.
5. **Section 218-25H(1)(h).** Submission of a plan showing landscaping around the perimeters of each of the structures because such landscaping will be left up to the individual homeowners. *The applicant agreed to submit a planting plan for each structure for the Board's review and approval.*
6. **Section 218-25H(1)(m) and Section 381-39J.** Submission of information to demonstrate that there is sufficient water supply to serve the proposed development. The applicant agreed to abide by the local Board of Health Regulations which exceed state requirements. *A condition will be included in the special permit referencing this requirement.*
7. **Section 381-39A.** Submission of a locus map at a scale of 1" = 100' because the locus map at '1"=1000' is sufficient for this site.
8. **Section 381-39H** – Submission of a cut and fill analysis because the site has been altered during the last sixty years and pre- and post-construction grades shown on the site plan comply with the regulations.
9. **Section 381-40.B.** Submission of a plan showing street lights because each driveway will be served by a post lantern as shown on the site plan. *The applicant will provide a standard street light at the intersection of North Street and Bluestone Drive.*
10. **Section 381-39(D)(7)** . Requiring the use of granite curbing because a Low Impact Development (LID) stormwater system will be utilized. *The applicant agreed to install granite curbing at the roundings of the intersection of North Street and Bluestone Drive.*

11. **Section 352-11B(5).** Submission of a Revised Universal Soil Loss Equation as part of stormwater calculations. This waiver is no longer requested because the information has been submitted.
12. **Section 381-24.** Requiring sidewalks because pedestrian pathways will be provided as shown on the revised site plan.
13. **Setbacks.** The structures will be setback as shown on the site plan. Building #1 will not be closer than 34 ft and Building #2 will not be closer than 48 ft from Bluestone Drive,

The motion was made by Wilson, seconded by Barringer to grant the requested waivers with the conditions outlined above. The motion passed unanimously.

The Board voted unanimously to close the public hearing. The Board will vote on the special permit at its meeting on May 30, 2013.

SITE PLAN REVIEW – GROTON ELECTRIC LIGHT DEPARTMENT, 11 STATION AVENUE

The Board considered the Level I Site Plan submitted by the Groton Electric Light Department (GELD) for use of the existing structure at 11 Station Avenue for temporary offices while GELD's new facilities are being constructed. Attorney Robert Collins, representing GELD, and property owner Steve Webber were present.

Mr. Collins described the site plan, as outlined in his letter dated April 18, 2013, to use the existing house at 11 Station Avenue for temporary office space for 12-18 months of construction. GELD's linemen will occupy a trailer to be installed at the construction site. The employees will park on GELD's property. The Zoning Board of Appeals will consider the application for a special permit for a temporary use on May 29, 2013. Accessibility issues will be addressed by allowing ratepayers to use the drop box at the rear of Town Hall and going to Town Hall for assistance. GELD's staff will either meet people with accessibility issues at the Town Hall or visit them at home.

Member Barringer asked if there would be any changes to exterior lighting. Mr. Collins said, "no."

The motion was made by Barringer, seconded by Parent, to approve the Level I site plan submitted by the Groton Electric Light Department (GELD) to utilize the existing structure at 11 Station Avenue as its temporary office during construction of its new facilities. The proposed temporary use is described in the letter dated April 18, 2013 from Attorney Robert Collins which includes the following statement:

"The Department has made arrangements with the Town Clerk to allow ratepayers to use the drop box at the rear of the Town Hall to pay their bills after hours. The Department will further meet any ratepayer with accessibility issues at the Town Hall should the need arise during the time the Department occupies this temporary office."

The motion passed unanimously.

SITE PLAN REVIEW – TARBELL LEARNING CENTER, 73 PEPPERELL ROAD

The Board considered the Level I Site Plan submitted by the Tarbell Learning Center for use of the former school structure at 73 Pepperell Road. The building will be used for the Country Kids Pre-School on the first level and Tarbell Learning Center on the second level. Applicants Michael Rasmussen and Robin Kane, and design engineer Dan Wolfe of David Ross Associates were present.

Mr. Wolfe presented the site plan showing the same traffic flow patterns and parking areas as the former Tarbell School. He said there are a few minor changes:

- Two new accessible parking spaces will be installed near the northerly front door which will be modified to provide universal access.
- The small shed on the side of the building will be removed;
- Additional pavement will be added to the parking area to conform with Site Plan Review regulations;
- A crushed stone infiltration trench will be installed to handle runoff;
- A dumpster with fence enclosure will be installed near St. James Avenue.

Member Barringer asked about the additional pavement in close proximity to the sewage disposal system. Mr. Wolfe said the sewage disposal system is rated for vehicles.

Member Barringer asked if the dumpster could be moved to the northerly side of the property. Mr. Wolfe said it would be difficult for trucks to access in this area because of the existing slope.

Member Barringer asked about lighting. Mr. Wolfe said three new lights will be installed on the rear of the building as shown on the plan. Member Barringer requested that the applicant submit cut sheets of the proposed lighting fixtures.

Member Parent asked if signage would be installed to direct traffic flow for drop off and pick up of the day care students. Mr. Wolfe described how cars would enter on the northern side of the building, drive around to the rear for drop off and pick up, and exit on the southern side of the building.

Member Parent asked how many parking spaces would be provided. Mr. Wolfe said 23, although only 17 are required.

Member Wilson asked about the turning radius near the dumpster. Mr. Wolfe said the turn in this location was designed to maximize visibility of the children.

Member Barringer asked if the day care play area would be fenced. Mr. Wolfe said, "yes." Member Barringer asked that the area to be fenced and that a cut sheet of the fencing be shown on the plan.

Member Svarczkopf expressed concerns about traffic flow and children crossing to and from the building. Member Barringer suggested installing speed bumps to slow traffic where children will be crossing.

Member Parent read the email message dated May 9, 2013 regarding installation of a fire alarm system. Member Parent asked if the Fire Chief commented on turning radii for fire trucks. Town Planner Michelle Collette said the Fire Chief only commented on the fire alarm system.

Member Parent asked about the hours of operation and parking for the nearby St. James Church. Mr. Rasmussen said the day care is open Monday through Friday and the Tarbell Learning Center will depend upon the tenants. He said they are sensitive to the neighbors' concerns including the church.

Chairman Giger asked if there would be enough parking for the tenants on the second floor. Mr. Wolfe said there are 23 spaces – six more than what is required. He added that the occupancy is also limited by the design of the sewage disposal system.

Member Barringer asked how parking was calculated. Mr. Wolfe said based upon the number of classrooms – one space per classroom and one space for employees other than teachers. There are four classrooms on the second floor.

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Country Kids owner Robin Kane said no one is more concerned about the safety of the children than she and her staff. She said she would install a gate to stop traffic if necessary.

Abutter Ruth St. Pierre said she is very happy with the new use for the building. She expressed concern about the traffic flow and the close proximity of the exit and school bus stop at the intersection of Pepperell Road and St. James Avenue. She asked if the neighborhood would still be able to use the playground or if the area would be fenced in.

Member Barringer said he appreciates the neighbors' concerns about the playground, but this is private property and no longer town-owned land. It is up to the owner to give permission to others to use the yard. The playground for the day care must be fenced.

Mr. Rasmussen said the day care has sufficient area for the playground and may return a portion of the land to the town for public use. Ms. Kane agreed to allow public use and noted that the play yard will be a natural environment similar to the one at the Rivercourt facility.

Ms. St. Pierre expressed concern about the location of the dumpster so close to St. James Avenue and asked if it could be moved. Ms. Kane said they would have the smallest dumpster possible and empty it frequently. Chairman Giger encouraged the applicant to find another site for the dumpster.

Abutter Matt Waterman asked about the hours of operation and lighting on the building. Mr. Rasmussen said they are not sure yet, but the Tarbell Learning Center should not be open later than 9 or 10 PM. Mr. Waterman requested that the lights be on a timer and be shut off at 10 PM.

Member Parent asked the applicant to submit cut sheets of the lighting fixtures.

Mr. Waterman expressed concern about the location of the exit on Pepperell Road being so close to the intersection with St. James Avenue with the increase in traffic and speed on Pepperell Road. Mr. Wolfe said the site has worked well historically and this location is the best option. Mr. Rasmussen added that Tarbell School had 150 students and Country Kids has 60.

Chairman Giger suggested that the applicant work with the Police Chief and DPW to install warning signs on Pepperell Road.

Abutter Alison Manugian agrees with the concerns about the location of the dumpster. She asked if the three new lights on the building would be in addition to the three existing lights on poles. Mr. Wolfe said they would look at relocating the dumpster and provide more details on the lighting.

Ms. Manugian reiterated the request that the owners allow public use of the area not for sledding and other outdoor activities.

Chairman Giger offered to work with the applicant and School District to relocate the bus stop at the intersection of St. James Avenue and Pepperell Road.

Mr. Rasmussen requested that the Board act on the site plan as soon as possible so they can close on the property and commence construction.

The neighbors requested information on the construction schedule. Ms. Kane offered to provide electronic updates on construction to the neighborhood.

The Board voted unanimously to continue its review of the site plan on May 16, 2013 at 7:30 PM.

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PRE-SUBMISSION REVIEW – PC MYETTE, 120 BOSTON ROAD

The Board met with Peter and Andrea Myette, design engineer Stan Dills and real estate broker John Amaral to discuss development of the 120 Boston Road site.

Chairman Giger read the email message dated May 9, 2013 from Attorney Robert Anctil requesting that the Board not discuss any legal issues.

Mr. Dillis provided an update on the revisions to the plan so that the buildings are outside the 50 ft wetlands buffer zone. Permeable pavement will be used in low traffic areas of the site. The building has been moved back to provide better access and visibility for the abutters at 116 Boston Road.

Member Barringer asked if there are any changes to the number of parking spaces. Mr. Dillis said there are 105 parking spaces to meet the needs of the proposed medical offices.

Shane Grant asked about grade changes and other engineering details. Chairman Giger said this is only a pre-submission review and more details will be provided when the applicant submits the site plan.

Abutter Dorothy Mack said they appreciate the new location of the building and asked if the applicant could move four parking spaces near the property line at the rear of the site. Mr. Dillis said they would look at it.

The Board will walk the site on Saturday, June 1, 2013 at 8 AM.

ACADEMY HILL BOX CULVERT

The Board received a letter dated May 1, 2013 from Peter Ogren of Hayes Engineering regarding cracks in the box culvert. The Board will request that Academy Hill LLC submit evidence that Mr. Ogren is a Registered Structural Engineer in the Commonwealth of Massachusetts.

The motion was made by Parent, seconded by Barringer to notify Academy Hill LLC that the remediation plan for the repairs to the box culvert located between Station 4+00 and 4+50 must be submitted to the Planning Board for its review and approval prior to May 30, 2013. The on-going problems with the culvert are described in enclosed Nitsch Engineering reports dated October 17, 2012; October 25, 2012; December 20, 2012; and February 7, 2013.

If the Board does not receive the revised remediation plans by May 30, 2013, the Board will not release any additional building lots, reduce any performance bonds or sign off on any building permits in the Academy Hill subdivision.

The Board will discuss the matter at its meeting on Thursday, May 30, 2013 at 8:00 PM.

The motion passed unanimously.

Meeting adjourned at 10:30 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner