

**PLANNING BOARD
JANUARY 9, 2014
MINUTES**

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

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

Members absent: Perkins and Wilson

PRESUBMISSION REVIEW – GROTON INN

The Board conducted a pre-submission review of the proposed Groton Inn project. Chairman Giger read the ground rules for pre-submission review for those in attendance. He noted that the Board can only vote on the level of Site Plan Review or waiver of submission requirements during pre-submission review.

Attorney Robert Anctil submitted a letter dated January 8, 2014 requesting waivers of Section 218-25G(2)€ Traffic Study and Section 218-25-G(3)(c) Scale Model. He said the applicant can wait for a vote on these waivers until the site plan is submitted.

Design engineer Jesse Johnson of David E. Ross Associates presented the existing conditions plan and the earlier concept plans. He said they have been doing soil testing, witnessed by the Board of Health, in the area where trash had been buried over the years. The survey and topography have been completed. All the existing buildings will be removed. The number of proposed units has been reduced since the Town Meeting approved the concept plan in October 2013. Mr. Johnson stated that they are staying away from the wetlands and buffer zone except for the installation of the stormwater management system. The Department of Environmental Protection signed off on the removal of the underground fuel storage tanks.

Member Barringer asked about the depth to groundwater. Mr. Johnson said groundwater is very close to the surface and that the soils are silty loam materials that do not drain well.

Mr. Cooper said the team has been working with an architect and landscape architect on the proposed plans. The number of long-term rental units has been reduced from 12 to 10.

Attorney Anctil asked if the Planning Board and Historic Districts Commission (HDC) would have a joint meeting to discuss the proposed project. Chairman Giger said the Planning Board and HDC have a framework for joint review of projects. The Board will consider meeting with the HDC to consider the Groton Inn.

Attorney Anctil asked about his request for waivers of the scale model and traffic study. Member Burke said the Board typically waives the scale model if applicants submit digital imagery. He said the Board would like some details on traffic impacts.

PUBLIC HEARING – PC MYETTE SIGN

The Board voted unanimously to continue the public hearing to consider the application for a new sign at the PC Myette property at 120 Boston Road to February 13, 2014 at 7:30 PM.

SPECIAL PERMIT DECISION – PCM, 120 BOSTON ROAD

The Board reviewed the draft special permit decision for the medical office building PC Myette property at 120 Boston Road. The Board discussed whether a condition on the hours of operation should be included and all members agree it should not.

The motion was made by Barringer, seconded by Parent , to Members Giger, Barringer, Burke, Parent, and Svarczkopf present) to GRANT a special permit to PCM Realty Trust for site plan approval to construct a proposed two-story medical office building, with 16,610 gross square feet, as shown on the plan entitled, "Site Plan - 120 Boston Road, Groton Massachusetts," prepared by Ducharme & Dillis Civil Design Group, dated August 15, 2013, with revisions through December 30, 2013. The proposed project is located at 120 Boston Road, Assessors' Map 222 Parcel 15, on the southerly side of Boston Road. The Board granted the special permit with the following findings, waivers, and conditions:

FINDINGS

Section 218-18 Major Projects

The Planning Board determined that the proposed development is consistent with the concept plan approved at the 2013 Spring Town Meeting.

Section 218-24B Promotion of Harmonious Development

The Planning Board reviewed the architectural elevation prepared by Mangel Associates, dated December 5, 2013, under the provisions on Section 218-24B Promotion of Harmonious Development. The Board is satisfied that the proposed building is harmonious with the architectural integrity of surrounding businesses.

Section 218-25 Site Plan Review

The Planning Board determined that the site plan complies with the criteria of Chapter 218, Zoning, Code of the Town of Groton, Section 218-25 Site Plan Review, subsection 218-25H Decision (shown in italics):

- a) Preserve trees twelve (12) inches caliper or larger unless it can be demonstrated that such removal is necessary for the location of structures, roads, driveways, and utilities, and it can be further demonstrated that there were no alternatives to said removal (see also § 198-11 of the Code of the Town of Groton, Full land disturbance permit).*

The proposed site plan is the redevelopment of a previously disturbed site so the removal of existing trees, shrubs and other vegetation is minimal.

- b) Provide for landscaping around the perimeter of all structures and the parcel as a whole, including parking areas, to the satisfaction of the Planning Board.*

The Board is satisfied that the proposed landscaping plan, prepared by Lorayne Black, ASLA, will result in an attractive site in compliance with the requirements of Section 218-25 Site Plan Review. The Board will review the effectiveness of the plantings one (1) year from the date of issuance of the occupancy permit.

- c) *Meet the requirements of § 198 of the Code of the Town of Groton relating to Stormwater Management.*

The Earth Removal Stormwater Advisory Committee granted a Stormwater Permit on December 10, 2013 under the provisions of Chapter 198 of the Code of the Town of Groton. The Committee treated the project as a redevelopment of a previously disturbed site under Chapter 352, section 352-C-(8) of the Stormwater Regulations.

- d) *Integrate the development into the existing terrain and surrounding landscape and protect abutting properties and community amenities. Project sites shall be buffered from adjacent uses if required by the Board, preferably with a natural landscaped buffer. Impacts to hilltops and steep slopes shall be minimized in accordance with § 218-30.2, Hilltop and slope overlay district, if applicable. Obstruction of scenic views from publicly accessible locations shall be minimized. Unique historic and cultural amenities, and stone walls shall be preserved to the greatest extent possible.*

The development is situated in a previously disturbed area (former Fairview Orchard retail store and storage facility, more recently Myette landscaping business and retail store). The site will be improved by the proposed project. The Board is satisfied that the proposed landscaping plan will protect abutting properties and the views from the public ways.

- e) *Allow no net increase in the rate or volume of stormwater runoff from the 100-year storm event across the boundaries of the site unless provisions have been made to tie into public storm drains with the approval of the appropriate authority and the Planning Board has determined that all reasonable provisions have been made to minimize any changes to runoff from the site. Compliance with all applicable federal, state and local regulations and guidelines including, but not limited to, the Department of Environmental Protection Stormwater Management Policy, as it may be amended, shall be demonstrated.*

The Board's consulting engineer, Nitsch Engineering, reviewed the site plan and drainage calculations for compliance with stormwater runoff requirements. The Board is satisfied that these requirements have been met based upon the criteria for a previously disturbed site.

- f) *Maximize pedestrian and vehicular convenience and safety both within the site and in relation to adjacent ways. Internal and external traffic circulation, and pedestrian and*

bicycle access shall be provided to the satisfaction of the Board. Potential traffic impacts shall be mitigated as prescribed by the Board including, but not limited to, measures designed to reduce automobile trip generation, especially on roadways with demonstrated deficiencies in capacity.

The Board's consulting engineer Fay, Spofford & Thorndike (FST), and the Massachusetts Department of Transportation (MassDOT) have reviewed the proposed traffic circulation and access plans. The Board is satisfied that pedestrian and vehicular traffic issues have been addressed. The applicant agreed to install a 5 ft wide sidewalk along the frontage of Route 119.

- g) Minimize the visibility of parking, storage or other outdoor service areas viewed from public ways or premises residentially used or zoned.*

The Board determined that the above-referenced landscaping plan will minimize visibility of parking and storage areas from the public way.

- h) Minimize glare from headlights through plantings or other screening. Minimize lighting intrusion on to other properties and public ways with proper arrangement and shielding, while providing for security and public safety.*

The Board is satisfied that headlight glare will be minimized by landscaping and site topography.

- i) Noise levels shall not exceed dB standards established in the Site Plan Review Regulations.*

Not applicable.

- j) Minimize lighting intrusion on to other properties and public ways with proper arrangement and shielding, while providing for security and public safety.*

The Board has reviewed the photometric diagram entitled, "RAB Lighting, prepared for Holbrook Associates, Job: 120 Boston Road, Groton, MA Lighting Layout, Version B," dated October 18, 2013. The Board is satisfied that the proposed lighting will not intrude onto other properties or the public ways.

- k) Minimize departure from the character and scale of building in the vicinity, as viewed from public ways. Architectural style shall be in harmony with the prevailing character of the neighborhood to the maximum extent feasible as required in § 218-24B Promotion of Harmonious Development.*

The Planning Board reviewed the architectural elevation prepared by Mangel Associates, dated December 5, 2013, under the provisions on Section 218-24B Promotion of Harmonious Development. The Board is satisfied that the proposed building is harmonious with the architectural integrity of surrounding businesses.

- l) Prevent contamination of groundwater from on-site wastewater disposal systems (must meet requirements of Title 5 of the State Environmental Code (310 CMR 15.000 et seq.) and applicable Board of Health regulations, as they may be amended). Contamination also shall be prevented from operations on the premises involving the use, storage, handling, transport or containment of toxic or hazardous substances as defined in § 218-30B and regulations of the Department of Environmental Protection and the U. S. Environmental Protection Agency, as they may be amended.*

The property is connected to the municipal sewer system. The site is not located in a Water Resource Protection District as defined in Section 218-30.

- m) Demonstrate that an adequate water supply is available and that there shall be no significant impact to groundwater levels. Groundwater recharge shall be provided for throughout the development and impervious surfaces shall be kept to a minimum.*

The property is presently served by public water. In its December 5, 2013 memorandum the Water Department stated, "The flows appear to be adequate for the needs of the proposed project." Additionally, the Low Impact Development (LID) stormwater management techniques will provide groundwater recharge.

- n) Demonstrate that there shall be no excessive demands on local infrastructure and the ability of the Town to provide services to the development.*

The Planning Board requested comments from the Police Chief and Fire Chief. The Town's public safety officials did not indicate that they anticipate any excessive demands on their departments' ability to provide services.

Section 218-32-1C Special Permit Criteria

The Planning Board made the following findings based upon the criteria set forth in Zoning By- 218-32.1:

- 1. Social, economic and community needs:** The proposed special permit plan serves social and community needs by constructing a new building for medical office use in a location zoned to Business (B-1). The proposed plan will enable a local pediatric medical practice to expand in Groton and provide continued service to its patients.

2. **Traffic flow and safety:** The Board received and relied upon the finding of a report entitled, Traffic Impact and Access Study, Proposed Medical Office Facility,” Prepared by Bayside Engineering, dated August 9, 2013. The Board also received and relied upon the findings of a peer review report from Fay, Spofford & Thorndike, dated September 27, 2013. The Massachusetts Department of Transportation has reviewed the application for a new curb cut on Boston Road (Route 119)
3. **Adequacy of utilities:** The proposed development will be served by Town water and Town sewer. The Board received a letter dated December 4, 2013 from the Groton Electric Light Department indicating its ability to provide electric service to both 116 and 120 Boston Road.
4. **Neighborhood character:** The project is located on land zoned Business (B-1) in an area with similar business uses, e.g. Emerson Hospital Medical offices and CVS. The character of the neighborhood will be maintained because the proposal specifies architectural design, landscaping, and lighting consistent with the surrounding area.
5. **Impacts on the environment:** The stormwater management system will substantially improve stormwater management at the site. The applicant is proposing a variety of innovative Low Impact Development (LID) techniques to address stormwater issues.
6. **Fiscal impact on the Town:** The proposed development will not have a negative fiscal impact on the Town.

WAIVERS:

The Board voted to grant the following waivers as requested by the applicant:

Section	Required	Waiver Granted
218-23B(6)	135 Parking Spaces	98 Parking Space
218-23C(3)	Parking areas with more than 10 parking spaces shall have a minimum of two access points on a public way.	Only one point of access is mandated by MassDOT
218-25G(3)(b)	Analysis of consequences of proposed development relative to the natural environment, groundwater quality, erosion, siltation, public services, economics, municipal costs, etc.	Proposed development is a redevelopment of a previously disturbed site.
218-25G(3)(c)	Submission of a scale model prepared by a Registered Architect	A 3D digital analysis was presented by Architect John Cocker, AAIA, of Mangel Associates
381-40A(3)	Four (4) foot wide landscaping strip along the foundation wall to soften the appearance	A three (3) foot wide landscaping strip along the south side of the building and a one (1) foot wide strip on the north side of the building will be provided. The Board determined the landscaping

		strips will be adequate to soften the appearance of the foundation.
381-40D(7)	Curbing shall be vertical granite curb at least six (6) inches high	Sloped granite curbing will be provided in the interior of the site, vertical granite curbing will be provided at the entrance and along the sidewalks, and bituminous concrete curbing will be provided at the exterior of the parking lot as shown on the plan
352-14A	Water quality volume is 4682 cubic feet for the site in its natural condition	Water quality volume of 2447 cubic feet for the site after the proposed development
352-17	Stormwater report with HydroCAD analysis based upon site in its natural state	Stormwater report with HydroCAD analysis based upon site in its existing state

CONDITIONS

The Board granted the special permit with the following conditions:

1. The applicant shall coordinate plans with the Massachusetts DOT regarding the access (curb cut) permit on Boston Road. Prior to the commencement of construction of the access road, additional layout information shall be added to the plans to establish where all proposed driveway centerlines meet the property line. Bearings and distances have been provided for the driveway centerlines themselves, but distance ties are required to establish the location of the centerlines.
2. The applicant shall provide a copy of the curb cut permit to the Planning Board and Building Commissioner. No construction or site alterations shall take place until the applicant submits a copy of the curb cut permit to the Planning Board and Building Commissioner.
3. The HVAC equipment on the rooftops shall be screened from view as shown on the above-referenced architectural elevations dated December 5, 2013.
4. Parking for the disabled and access to the building shall comply with the requirements of the Architectural Access Board Regulations, 521 CMR, and the Americans with Disabilities Act.
5. The stormwater management system shall be constructed and function in compliance with the "Massachusetts Department of Environmental Protection - Stormwater Management, Volume One: Stormwater Policy Handbook, and Volume Two:

Stormwater Technical Handbook,” dated February 2008, with the exception of the waivers granted above.

6. The stormwater management system shall be maintained in accordance with the “Stormwater Operation & Maintenance Manual, 120 Boston Road, P.C. Myette Property, Groton, Massachusetts,” prepared by Ducharme & Dillis Civil Design Group, dated August 15, 2013, with revisions through November 12, 2013.
7. Snow banks and stockpiles shall not exceed a height of three (3) feet at any time. Snow in excess of three feet in height shall be removed from the site within 72 hours of the end of the snow storm. Snow shall not be plowed onto abutting properties.
8. All signs on the premises shall comply with Chapter 196 Signs of the Code of the Town of Groton unless the Planning Board grants a sign permit under the provisions of Section 196-8 Unique and Special Circumstances.
9. Vegetative screening shall be used to minimize headlight glare onto public ways as required in Section 218-25G(1)(g). Plantings shall be installed as shown on . Sheet L1.1 Landscape Plan prepared by Lorayne Black, dated September 11, 2013, revised October 1, 2013. Proposed landscaping plantings (trees, shrubs, etc.) shall not consist of plantings that are identified as an invasive species in the publication entitled, “The Evaluation of Non-Native Plant Species for Invasives in Massachusetts (with annotated list),” prepared by the Massachusetts Invasive Species Advisory Group, dated April 1, 2005. The publication is available at:
 - a. http://www.massnrc.org/mipag/docs/MIPAG_FINDINGS_FINAL_042005.pdf
10. Lighting shall not intrude onto other properties or public ways as required in Section 218-25G(1)(h). Lighting shall be installed as shown on the Photometric Plan prepared by RAD Lighting, dated October 18, 2013. Changes in the lighting schedule shall not be permitted without prior approval of the Planning Board.
11. The applicant shall comply with the recommendations of the Fire Chief and install the fire hydrant in the rear of the property as shown on the site plan revised on December 30, 21013.
12. The installation of the public water supply system shall conform to the specifications of the Groton Water Department and shall comply with the recommendations of the Water Superintendent as stated in his memorandum dated December 5, 2013 to the Planning Board.
13. The installation of the public sewer system shall conform to the specifications of the Groton Sewer Department.
14. The removal of any excess earth material from the site requires a Certificate of Exemption from the Earth Removal By-law, Chapter 134 of the Code of the Town of Groton. Chapter 134, Section 10 Exemptions.

15. Three copies of the final site plan approved by the Planning Board shall be submitted to the Board for endorsement as required in Section 218-25G(3).
16. The Planning Board shall review the project one year after the granting of the occupancy permit to assure compliance with the Special Permit and to determine if any reasonable modifications are warranted.
17. No temporary or permanent occupancy permits shall be issued for any building or structure, or portion(s) thereof, until:
 - a. The Planning Board receives an As-Built Plan prepared by a Professional Land Surveyor along with certification from a Registered Professional Engineer that all construction (including utilities) has been done in accordance with the approved site plan; and
 - b. The Planning Board or the Planning Board's designated agent verifies that the site plan and any conditions of the approved site plan have been met.
 - c. All outstanding fees including fees for the Planning Board's consulting engineering services must be paid in full.
18. Special Permit 2013-04 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.
19. Special Permit 2013-04 shall lapse in 24 months from the date the 20-day appeal period expires, 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.
20. This Special Permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

PRE-SUBMISSION REVIEW – GELD SOLAR PROJECT, NATE NUTTING & SANDY POND ROADS

Stan Dillis met with the Board to discuss GELD's pending application for a special permit to install solar fields on Nate Nutting Road and Sandy Pond Roads. Mr. Dillis requested a waiver from the requirements to submit drainage calculations. The Board agreed that the applicant should submit a written request for the waiver explaining why such drainage calculations are not necessary.

LETTER OF SUPPORT TO CPC

The motion was made by Burke, seconded by Barringer, to write a letter of support for the town Manager's application requesting an increase in hours from 19 to 25 for the Housing Coordinator position. The motion passed unanimously.

SQUANNACOOK HALL

Member Barringer reported that he attended the Historical Commission's public hearing on the application submitted by the Board of Selectmen to demolish Squannacook Hall. The Commission voted to delay demolition for six months under the provisions of Chapter 125 Demolition Delay.

Meeting adjourned at 9:15 PM.

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner