

**PLANNING BOARD
JANUARY 30, 2014
MINUTES**

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

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

PUBLIC HEARING – HOUSING PRODUCTION PLAN

The Groton Planning Board held a public hearing to consider “Town of Groton Housing Production Plan,” prepared by Community Opportunities Group, Inc., filed with the Town Clerk on January 13, 2014. The Housing Production Plan is on file in the Office of the Town Clerk and Land Use Department in the Town Hall and on the Town’s website.

Chairman Giger called the public hearing to order. Clerk Svarczkopf read the notice published in the January 17 and 24, 2014 issues of the *Groton Herald*. Consultant Judi Barrett of RKG Associates, Housing Coordinator Fran Stanley, and Commission on Accessibility Members Bob Fleischer and Ellen Baxendale were present.

Chairman Giger said Ms. Barrett assisted the Board in the preparation of the Housing Production Plan as part of Phase II of the Comprehensive Master Plan. He asked Ms. Barrett for an overview of the plan.

Ms. Barrett described MGL Chapter 40B and the DHCD regulations on Housing Production Plans. The cities and towns must have 10% of housing units as affordable in accordance with DHCD regulations. If not, affordable housing projects are eligible for approval by the Zoning Board of Appeals under Chapter 40B. The total number of units is based upon the US Census prepared every ten years. If the DHCD approves the town’s Housing Production Plan and the Town meets its housing goals, then the Town is protected from Chapter 40B.

Ms. Barrett said the DHCD regulations require that Housing Production Plans include a needs analysis relative to the region, a plan that is approved by both the Planning Board and Board of Selectmen, and a strategy to produce at least 20 affordable units in one year or 39 units in two years. Six towns in Massachusetts presently have DHCD certification.

Groton’s Housing Production Plan is based upon the 2010 US Census and the American Community Survey information which is updated yearly for cities, every three years for mid-sized cities, and every five years for towns. Moderate and low income housing costs are based upon housing costs not exceeding more than 30% of household income.

Ms. Barrett said the consulting team conducted multiple interviews with stake holders and townspeople during Phase I of the Master Plan. Housing is one of the elements of the Master Plan. Groton has done a lot to create affordable housing with more than 50% of its affordable units constructed under Inclusionary Zoning provisions. Groton’s priority needs are: 1) low-

income rental housing for families; 2) rental housing for single people with or without disabilities; 3) more rental housing for the elderly; 4) the need to preserve existing affordable units; and 5) rehabilitation of substandard housing units.

Member Burke asked if faculty housing at the two private schools qualifies as affordable. Ms. Barrett said they do not qualify because the units must have deed restrictions and an affirmative marketing plan that is not preferential or exclusive.

Member Burke asked what the rent is for an affordable two-bedroom unit in Groton. Housing Coordinator Fran Stanley said the rent for a moderate income unit is \$1100 without utilities. Ms. Barrett said there are rental units for one to two people, but the need is much greater for families with four or more people.

Chairman Giger read the memorandum dated January 30, 2014 from the Commission on Accessibility (ADA Commission). ADA Commission Member Ellen Baxendale said the location of affordable units should be in close proximity to transportation, grocery stores, and other services. The Board agreed that location of affordable units is a primary consideration.

Ms. Baxendale asked if anyone is buying affordable units and whether that is much demand. Ms. Barrett said the activity dropped off with the recession. There is more demand for rental housing at the present time, but the activity on homeowner affordable units will increase as the market improves.

Member Barringer said the term "workforce housing" should be removed and replaced with the term "moderately priced."

ADA Commission Member Bob Fleischer asked what the definitions are for "workforce" and "moderately-priced" housing. Ms. Barrett said both are umbrella terms with finer distinctions the American Community Survey.

ADA Commission Chairman Bob Fleischer requested that affordable units be marketed for people with disabilities.

Housing Coordinator Fran Stanley said the Affordable Housing Trust reviewed the Housing Production Plan and agreed that it is ready for submission to the DHCD. The Trust agreed that universally accessible housing and energy efficient housing should be encouraged.

Member Perkins said more information could be included in the plan to encourage universally accessible housing and housing for veterans. Member Svarczkopf said housing for families with young children must be taken into account as well. ADA Commission Member Ellen Baxendale said there are children with disabilities, too.

The Board voted unanimously to continue the public hearing on February 20, 2014 at 8 PM.

MAIN STREET/PEDESTRIAN ISSUES

The was made by Svarczkopf, seconded by Wilson, to reiterate the Board's request to meet with the Board of Selectmen to discuss Main Street traffic, parking, and pedestrian issues. The motion passed unanimously.

PROPOSED ZONING AMENDMENTS

The Board continued its discussion of proposed amendments for business and nonresidential zoning provisions. The Board invited landowners and business owners to its meeting on February 6, 2014 to discuss details of the proposed changes. The Board will use the same Power Point slides presented to the Economic Development Committee on January 28, 2014.

SPECIAL PERMIT DECISION – AT&T EQUIPMENT, TOWER ON BLOOD PROPERTY, 94 WEST MAIN ST

The motion was made by Barringer, seconded by Svarczkopf, to At its regular meeting on January 30, 2014 the Board voted unanimously (with all members present) to grant a special permit, pursuant to § 218-25.1 Personal Wireless Services Facility to AT&T Mobility to co-locate twelve (12) antennas, transmitters/receivers at the height of 86 ft on the existing 120-ft monopole style telecommunication tower and required ground equipment on land owned by Elliot and Doris Blood, as shown on the plan entitled, "AT&T Mobility, Crown West Main Street, Groton, Site No: MA 3564A," prepared by Dewberry Engineers, dated December 23, 2013, with the following findings and conditions:

Findings:

The Planning Board made the following findings based upon the criteria set forth in Chapter 218 Zoning of the Code of the Town of Groton, §§ 218-25.1 and 218-32.1:

§218-25.1:

1. On August 31, 2001, the Planning Board granted Special Permit 2001-10 to Sprint Spectrum, LP, for construction of a 120-ft telecommunication tower on the Blood Property located at 94 West Main Street. The addition of the proposed array of 12 antennas and required ground equipment complies with §218-25.1 H (6) and (7) requiring that antennas be collocated wherever possible and that towers be "designed and constructed to accommodate the maximum number of uses technically practical..."
2. The applicant demonstrated to the Planning Board's satisfaction that the location of the AT&T's proposed array of 12 antennas on the Blood tower is necessary to provide personal wireless services coverage to the area. The proposed antennas will improve the reliability and efficiency of the network for users in Groton and surrounding towns.

§218-32.1:

1. **Social, economic and community needs:** The proposed array of 12 antennas on the Blood tower will serve the communications needs of the community by improving the quality of wireless communication within the Town of Groton and surrounding areas.
2. **Traffic flow and safety:** There will be no traffic flow or safety issues associated with the addition of the proposed antennas on the Blood tower and existing access road.
3. **Adequacy of utilities:** The Groton Electric Light Department indicated that it will be able to serve the proposed telecommunication facility and additional equipment as designed.
4. **Neighborhood character:** The proposed antennas will be installed at the 86 ft elevation AGL on the Blood tower. The antennas will be collocated on an existing tower thereby minimizing impact on the neighborhood character in contrast to the applicant erecting an additional tower in or near the same location in order to serve its needs.
5. **Impacts on the environment:** The proposed antennas will have far less impact than construction of another tower.
6. **Fiscal impact on the Town:** The addition of an array of 12 antennas and associated ground equipment for the benefit of AT&T Wireless will have a positive fiscal impact because the applicant/owner will pay property taxes to the Town of Groton for the value of the associated facilities.

Conditions:

1. **Antenna Color:** The array of 12 antennas will be the same color as those of the two existing carriers on the tower.
2. **Equipment Shelter Height:** The height of the equipment shelter shall not exceed ten feet as required in 218-25.1G (9).
3. **Triangular Mount:** The triangular mount to support the AT&T Wireless antennas shall line up in the same orientation (+/- 15°) as those of existing carriers.
4. **AT&T Wireless' proposed antennas** will be installed at the 86-ft approximate elevation AGL on the existing tower that is subject to conditions in Special Permit 2001-10. The telecommunications facility will comply with all applicable conditions enumerated in Special Permit 2001-10 granted Sprint Spectrum, LP, on August 31, 2001.

5. The telecommunication facility shall comply fully with all applicable requirements of Groton Zoning By-law § 218-25.1 Personal Wireless Services Facility.
6. The placement, construction and modification of a personal wireless services tower and any accessory structures, buildings and equipment shall be performed in accordance with all applicable local, state and federal requirements for the operation of such a facility.
7. By January 1st of each year, the owner or operator of the personal wireless services facility shall submit certification to the Planning Board and the Building Commissioner demonstrating continuing compliance with the standards of the Federal Communications Commission, the Federal Aviation Administration and the American National Standards Institute, including compliance with radio frequency emissions. The facility must cease operations if the facility is not in full compliance.
8. Night lighting of the personal wireless services tower (aside from security lighting at the base of a tower) shall be prohibited unless required by the Federal Aviation Administration. If the Federal Aviation Administration requires lighting, then the lighting used shall be the minimum lighting required.
9. There shall be a minimum of one parking space for each personal wireless services tower to be used in connection with the maintenance of a personal wireless services tower and the facility; however, the Planning Board may require additional parking spaces depending upon the number of providers and antennas and dishes that are to use the facility. The site shall not be used for overnight or permanent storage of vehicles.
10. The carrier shall continue to provide a bond, in a form acceptable to the town, or shall place into escrow, the amount of \$15,000.00 to cover the costs of removing the facility, including the antennas from the subject property and, furthermore, said funds shall be held by an independent escrow agent to be appointed by the carrier and the Planning Board. The carrier shall authorize and, as necessary, shall provide the authorization of the owner of the property to allow the town or the escrow agent to enter upon the subject property to remove the facility when the facility has been abandoned or discontinued.
11. The applicant must obtain final sign-off from the Building Commissioner and a Certificate of Use and Occupancy, pursuant to 780 CMR of the Massachusetts State Building Code, prior to energizing the antennas and any associated equipment.
12. This special permit 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.

13. This special permit shall lapse in 24 months, 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.

14. This special permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

Meeting adjourned at 9:30 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner