

**PLANNING BOARD
SEPTEMBER 18, 2014
MINUTES**

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

Members present: Perkins, Barringer (participated remotely), Burke, Giger, Vega, and Wilson

Member absent: Svarczkopf

PUBLIC HEARING – PROPOSED REZONING, TARBELL SCHOOL

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 following rezoning as proposed by the Board of Selectmen:

ARTICLE: To see if the Town will vote to amend Chapter 218 of the Code of the Town of Groton to rezone from Public Use (P) to Residential-Agricultural (R-A) a parcel of land located at 73 Pepperell Road consisting of approximately 1.44 acres, being shown on Assessors Map 102, Parcel 22, or take any action relative thereto.

Vice Chairman Perkins called the public hearing to order. Clerk Vega read the notice posted with the Town Clerk on August 22, 2014 and published in the Groton Herald on August 29 and September 5, 2014. Town Manager Mark Haddad represented the Board of Selectmen at the public hearing.

Mr. Haddad explained that the previous Purchase and Sales Agreement with Michael Rasmussen and Country Kids Pre-School for educational use fell through. The Town advertised a Request for Proposals (RFP), using the services of a real estate broker. Brooks Lyman of West Groton submitted a proposal to purchase the school. The Selectmen are may place an article on the warrant requesting that the property be rezoned from "P" Public Use to "R-A" Residential Agricultural.

Mr. Haddad said Mr. Lyman's proposal is very vague. Town Meeting must also vote on the proposed sale of the property.

Member Burke asked if there is a functioning sewage disposal system on the site. Mr. Haddad said the Board of Health approved a new system which was installed in 2011.

Abutter Michael Manugian asked what types of businesses would be permitted if the property is rezoned to R-A. The Board responded that business uses are not permitted in an R-A District other than home occupations (See Chapter 218-16 Accessory Uses, B. Home Occupations).

The motion was made by Wilson, seconded by Burke, to continue the public hearing on October 2, 2014 at 8:15 PM. The motion passed unanimously by roll call vote: Barringer-yes, Burke-yes, Vega-yes, Giger-yes, Wilson-yes, and Perkins-yes.

PUBLIC HEARING – TOWN CENTER OVERLAY DISTRICT

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 following zoning amendment as proposed by the Board of Selectmen:

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

In Article V, Special Regulations, by deleting the text of Section 218-30.2 for the existing Town Center Overlay District and replacing it with a revised overlay district as described on a map with district boundary lines prepared by Applied Geographics, Inc. entitled "Town Center Overlay District, Town of Groton, Massachusetts" dated August 22, 2014 and accompanying text entitled, "Chapter 218 Zoning, Section 218-30.2 Town Center Overlay District," a copy of the map and text of the proposed "Town Center Overlay District" being on file in the Office of the Town Clerk, or to take any other action relative thereto.

Vice Chairman Perkins called the public hearing to order. Clerk Vega read the notice posted with the Town Clerk on August 22, 2014 and published in the Groton Herald on August 29 and September 5, 2014. Town Manager Mark Haddad represented the Board of Selectmen at the public hearing.

Mr. Haddad said the Selectmen would like to sell the Prescott School for commercial use. Local architect Greg Yanchenko submitted a proposal to the Selectmen in the Spring 2014. Town Meeting voted down the sale of the property at that time. The Selectmen worked with a real estate broker and issued a second RFP for the sale of the property. No new proposals were submitted. Mr. Yanchenko extended his proposal for six months so the Town could still consider it. The Selectmen will place an article on the warrant requesting that the Prescott School property be added to the Town Center Overlay District. An article to sell the property to Mr. Yanchenko will also be on the warrant.

Mr. Haddad noted that the Prescott Reuse Committee recommended that the building not be converted to housing. If Mr. Yanchenko buys the building, it will be for commercial use only. He is willing to place a restriction on the deed limiting residential use to single-family only. The Groton Dunstable Regional School District may continue to lease a portion of the building for its administrative offices.

Member Burke said proper zoning will make the property more marketable. The existing Public Use District does not support the best use for the property. He said he supports the proposed amendment to add the site to the Town Center Overlay District.

Member Vega said he agreed that the property is more valuable with commercial rather than residential use.

Member Barringer said he understands the principle of the request by the Selectmen.

Member Wilson said the proposed rezoning makes sense.

Member Giger stated that the underlying Public Use District gives the Town more flexibility, and the addition of the site to the Town Center Overlay District makes sense.

Abutter Marcia Synott asked about impact on abutters from increased residential housing in the Town Center. She said people knew what to expect when Prescott was used as a school. She asked about changes in lighting, traffic, etc.

Vice Chairman Perkins said the new use must comply with the standards of Town Center Overlay District.

Mr. Haddad said the project will require design review by the Historic Districts Commission as well as a Special Permit and Site Plan Review by the Planning Board. The review process is the same as Boynton Meadows and the Groton Inn.

Anna Eliot, speaking as an individual not a Selectman, said she would prefer that the property be rezoned to B-1 rather than the Town Center Overlay District for commercial or community use. The Prescott Reuse Committee supports the proposal submitted by Mr. Yanchenko. She said she would like to see small businesses on Main Street.

Abutter Michael Manugian asked if the property will be rezoned from Public Use before it is sold. Member Giger said the underlying zoning will remain Public Use and the Town Center Overlay District is an "overlay district" that provides additional options.

Mr. Manugian asked if the Town Meeting would vote on the deed restriction. Mr. Haddad said the Town Meeting vote authorizes the Selectmen to sell the property. The Selectmen will negotiate the terms of the deed and any deed restrictions.

Resident Robert Pine asked about the order of the articles. Mr. Haddad said the first article is for the sale of the land, the second is the tax-exempt financing, and the third is the Town Center Overlay District.

Mr. Pine said he recalls that the architect who did the feasibility study for the Prescott Reuse Committee determined that the building is not suitable for commercial use. He said he is not enthusiastic about the proposal. Prescott School looks like a municipal building that belongs to the Town. He suggested that it be used for an arts center with Town investment.

Selectman Eliot said the Prescott Reuse Committee explored a variety of options for three years. The Committee interviewed many potential users, did a survey, and hired an architect to do a feasibility study. Most recently, the Town used the services of a real estate broker to market the property and had no responses to the most recent RFP. The Committee supports Mr. Yanchenko's proposal that will accommodate the GDRSD offices and will provide a 60 space parking lot for municipal use.

Mr. Pine said he appreciates all the efforts by the Prescott Reuse Committee. He asked if the Town would invest funds into the building. Selectman Eliot said no one has stepped up to convert the building to exclusively municipal use.

Mr. Manugian said no one else will do the work for others. Someone must come forward and take responsibility.

Ms. Synott reiterated her concerns about traffic in the Town Center from the proposed use and parking lot. Vice Chairman Perkins said all the traffic and parking concerns must be addressed during the special permit/site plan review process.

The motion was made by Burke, seconded by Wilson, to close the public hearing. The motion passed unanimously by roll call vote: Barringer-yes, Burke-yes, Vega-yes, Giger-yes, Wilson-yes, and Perkins-yes.

The motion was made by Burke, seconded by Barringer, to recommend that Town Meeting adopt the proposed zoning amendment to add Prescott School to the Town Center Overlay District. The motion was made by Wilson, seconded by Burke, to continue the public hearing on October 2, 2014 at 8:15 PM. The motion passed by roll call vote: Barringer-yes, Burke-yes, Vega-yes, Giger-yes, Wilson-yes, and Perkins-yes.

PUBLIC HEARING – PROPOSED ZONING AMENDMENTS

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 following proposed rezoning :

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

1. Amend Section 218-4 Definitions, by deleting Section 218-4 Definitions in its entirety and by inserting in its place a new Section 218-4 Definitions, dated August 22, 2014, on file in the office of the Town Clerk.
2. Amend Section 218-8 Classes of Districts by deleting 218-8 Classes of Districts in its entirety and by inserting in its place a new 218-8 Classes of Districts, dated August 22, 2014, on file in the office of the Town Clerk.
3. Amend Section 218-9 Location of Districts by striking out:

§218-9 Location of districts. Said districts are located and bounded as shown on a map entitled "Town of Groton, Massachusetts — Zoning Map," dated March 10, 2003, revised February 12, 2008, revised March 1, 2011, further revised January 18, 2013, and revised and amended to date, on file in the office of the Town Clerk. Said map, with the boundaries of the districts and all explanatory matter thereon, is hereby made a part of this chapter.

And by inserting in its place:

§218-9 Location of districts. Said districts are located and bounded as shown on a map entitled "Town of Groton, Massachusetts — Zoning Map," dated August 22, 2014, on file in the office of the Town Clerk. Said map, with the boundaries of the districts and all explanatory matter thereon, is hereby made a part of this chapter.

4. Amend Section 218-12 Intention of Districts by deleting Section 218-12 Intention of Districts in its entirety and by inserting in its place a new Section 218-12 Intention of Districts, dated August 22, 2014, on file in the office of the Town Clerk.
5. Amend Section 218-13 Schedule of Use Regulations by deleting Section 218-13 Schedule of Use Regulations in its entirety and by inserting in its place a new Section 218-13 Schedule of Use Regulations, dated August 22, 2014, on file in the office of the Town Clerk.
6. Amend Section 218-14 Special Use Considerations in Conservancy Districts by deleting Section 218-14 Special Use Considerations in Conservancy Districts in its entirety
7. Amend Section 218-20 Schedule of Intensity Regulations by deleting Section 218-20 Schedule of Intensity Regulations in its entirety and by inserting in its place a new Section 218-20 Schedule of Intensity Regulations, dated August 22, 2014, on file in the office of the Town Clerk.

ARTICLE 2: To see if the Town will vote to amend the Code of the Town of Groton, Chapter 218 Zoning as follows:

1. Amend Section 218-10 Boundaries of Districts, Item E, by replacing the word “manufacturing” with the word “industrial”.
2. Amend Section 218-18. Special Use Considerations in R-B, B-1 and M-1 Districts by replacing the words “R-B, B-1 and M-1 Districts” with the words “R-B, VCB, NB, GB, and I Districts, in the title and in Item B and C(2); and by replacing the word “manufacturing” with the word “industrial” in Items C(1) and D(1) .
3. Amend Section 218-23. Off-street Parking and Loading, subsection C(1) by replacing the words “R-B, B-1 and M-1 Districts” with the words “R-B, VCB, NB, GB, and I Districts in the first sentence and by replacing the words “B-1 District” in the second sentence with the words “VCB District” so that the subsection reads as follows:

Location. Required parking shall be on the same premises as the activity it serves in the R-B, VCB, NB, GB, and I Districts. Each parcel in the VCB District shall be credited with five on-street parking spaces if the parcel is located on Main Street (Route 119) between Lowell Road (Route 40) and Pleasant Street. Such on-street parking spaces shall not qualify as meeting parking requirements for the purposes of § 218-25A, Applicability. Parking lots located within the Groton Center area may be shared with the written consent of the landowner and the approval of the Planning Board, provided that such use will not have an adverse effect on the Town.

4. Amend Section 218-24. Appearance, subsection C Promotion of Harmonious Development by replacing the words “R-B Residential-Business District, a B Business District, or an M Manufacturing District with the words R-B, VCB, NB, GB, or an I District.”
5. Amend Section 218-30.2. Town Center Overlay District, Subsection A Definition by replacing the words “Business (B-1),” with the words “Village Center Business,” and Subsection C Applicability and Permitted Use by replacing “B-1” with “VCB”.

Vice Chairman Perkins called the public hearing to order. Clerk Vega read the notice posted with the Town Clerk on August 22, 2014 and published in the Groton Herald on August 29 and September 5, 2014.

Member Giger presented the slides detailing the development of the proposed zoning amendments based upon the recommendations of the Comprehensive Master Plan adopted in 2012.

The existing Business District (B-1) will be divided into three districts: Village Center Business (VCB), Neighborhood Business (NB), and General Business (GB). The existing Manufacturing District (M-1) will be renamed Industrial (I). The existing Conservancy and Open Space-Agricultural District will be eliminated. The Conservancy District, adopted in 1963, predates the Wetlands Protection Act and Wetlands Protection By-law. The district is based upon elevations shown on the 1963 USGSD map and is no longer accurate or applicable. The Open Space-Agricultural district was adopted by citizen petition for tax classification purposes. No properties were ever placed in the OS-A District.

Bob Pine thanked the Board for the proposed elimination of the Conservancy District. He also commended the Board on the thoughtful approach to the new categories of business districts. He said the concept of mixed use in the Town Center goes back to the 1963 Master Plan prepared by Charles Eliot.

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Member Burke said the intent of the proposed amendment is not to create new business districts. It places properties presently zoned business into new categories of business districts.

Member Giger showed slides with the intent of the districts and gave examples of the Village Center Business, Neighborhood Business, and General Business Districts.

The Board reviewed the proposed changes to Section 218-13 Schedule of Use Regulations. He gave an example of the levels of retail use permitted by-right or by special permit in each district.

The motion was made by Burke, seconded by Wilson, to continue the public hearing on October 2, 2014 at 8:20 PM. The motion passed unanimously by roll call vote: Barringer-yes, Burke-yes, Vega-yes, Giger-yes, Wilson-yes, and Perkins-yes.

Meeting adjourned at 9:15 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner