

**PLANNING BOARD  
OCTOBER 9, 2014  
MINUTES**

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

Members present: Burke, Giger, Perkins, Svarczkopf, Vega, and Wilson

Member absent: Barringer

**PUBLIC HEARING CONTINUATION – SPECIAL PERMIT, MOBIL STATION, 6 BOSTON ROAD**

The Board held the continuation of the public hearing to consider the site plan for the proposed renovations to the Mobil Station located at 6 Boston Road. Attorney Robert Collins, David Jordan of Alliance Retail/Global Montello, design engineer Huseyin Sevincgill of MHF Design Consultants, the Board's consulting engineer Tim McGivern of Nitsch Engineering, and several abutters were present.

Attorney Collins presented revisions to the site plan based upon the review by Nitsch Engineering, the Board consulting engineer. Attorney Collins said the revisions include:

- The fence has been moved back slightly so additional landscaping can be planted along the property line.
- The propane tank has been moved to the rear of the site.
- Traffic flow on the site is limited by the size of the site and the wetlands to the rear. The revised plan shows one way circulation with the entrance farther away from Old Ayer Road. Signage and pavement markings will be used to delineate traffic flow.
- There is no significant change to the topography on the site. A new rain garden will treat 97% of stormwater runoff. The proposed rain garden has been augmented to treat additional runoff. The stormwater management system is an improvement over existing conditions of the redevelopment site.
- The Fire Department review is still outstanding. The Fire Chief's approval of the fire suppression system could be a condition of the special permit.
- A photometric diagram was submitted as required in the regulations. There is only a small intrusion onto abutting property from lights in the canopy. This is a significant reduction from existing conditions.

Attorney Collins submitted letters dated September 25, 2014 and October 9, 2014 requesting various waivers including submission of a traffic study, landscape plan stamped by a Landscape Architect, plan showing existing lighting conditions, elimination or waiver of one parking space within 20 ft of the right of way, a cut and fill analysis, and a development impact statement.

Attorney Collins reminded the Board that the Zoning Board of Appeals (ZBA) granted a special permit for the proposed alteration of a non-conforming use.

Design engineer Huseyin Sevincgill described changes to the drainage system and landscaping plan based upon the comments dated October 2, 2014 from Nitsch Engineering. He said the parking space near Boston Road will be eliminated and a grass swale installed. He submitted a sketch and cross sections of the proposed sediment forebay that will provide an additional 40 cubic yards of storage.

Mr. McGivern presented his report dated October 2, 2014. He stressed that additional pretreatment of stormwater runoff is required because this is a gasoline service station. He said he is concerned about the light intrusion on the abutting property. Attorney Collins said the applicant requested several waivers in response to the October 2, 2014 report from Nitsch Engineering.

Member Burke read the ZBA special permit findings and conditions into the record. He noted that the ZBA decision relies upon review by the Planning Board and Conservation Commission.

Member Burke said the Board requested that the applicant provide an area for a sidewalk along Route 119, that the canopy be reconfigured so it is more attractive, and that the curb cuts be smaller and better defined. He said he understands the constraints of the existing conditions on the stormwater management system and would rely on Mr. McGivern's guidance. The new plan improves lighting, but he would like to see the required lumens at the edge of the property.

Mr. McGivern said the photometric diagram shows 4 lumens from the canopy at the property line rather than the maximum of 0 – 0.5 lumens required in the regulations.

Attorney Collins said the size and height of the canopy is required to cover the pumps. He offered to eliminate the replacement fixtures near the fence to resolve the lighting problem.

Mr. Sevincgill said the lighting plan does not consider trees or landscaping on the abutter's property. The vegetation will eliminate light near the property line.

Member Svarczkopf said the sidewalk along Route 119 should be installed now or in the future. The site is constrained by the proposed use and size of the structure. The applicant could reduce the size of the building and have only one pump. Attorney Collins said the new building is smaller than the building that is there now. Member Svarczkopf said the building is smaller, but the retail use is expanded.

Member Svarczkopf said he is concerned that the proposed one-way entrance may be awkward and create a line up at the pump. Stormwater management, lighting, and landscaping issues could all be addressed with a smaller building and fewer pumps.

Attorney Collins said the traffic flow does work at the pumps. The applicant looked at the possible sidewalk construction and there is not enough space where the guardrail is located. The sidewalk would be better on the other side of the road with a crosswalk to CVS. He said the applicant is happy to meet with MassDOT to discuss the matter, but this issue has been considered many times over the years.

Member Vega said the existing canopy with the white ribbon is an eyesore. He said he agrees with Member Svarczkopf that the size of the building and canopy are constraints on the redevelopment of the site.

Member Wilson disagreed. He said reducing the number of bays is not a good idea with the amount of use the gas station has. He suggested accessing from the other direction. Cars will be in a queue if the traffic flow is one way. Attorney Collins said the applicant is trying to eliminate potential conflicts.

Member Giger asked about cut and fill to replace the underground tanks. David Jordan of Alliance Retail/Global Montello said the tanks will not be replaced because they have another six years life expectancy. Member Giger asked why the applicant would want to tear up the site again since the tanks are under the pavement. Attorney Collins said he would discuss the matter with his client.

Member Giger expressed concerns about the lighting levels at the property line. He said he wants to wait to hear from the Fire Chief prior to voting on the site plan. Attorney Collins said they will meet with the Fire Chief before the next public hearing.

Member Giger asked about the color and appearance of the building. Attorney Collins said the building would be gray with white trim. The canopy will be white without the blue strip.

Member Giger asked about signage. Attorney Collins said the signage is shown on the plan. Vice Chairman Perkins asked if there would be any signs on the building or canopy. Attorney Collins said, "None."

Member Giger said the proposed lighting must meet the requirements, despite plantings on the abutting land. He said he believes a sidewalk could be installed along this side (west) of Route 119. Attorney Collins said he does not believe a sidewalk could be constructed in this location, but they will discuss it with the DPW Director and the Police Chief. The Board asked Mr. McGivern to review this issue as well.

Member Burke said the sidewalk would be difficult to install, but it is worth pursuing. The applicant could install a wooden structure over the wetlands. The other (east) side of the street has very steep slopes and would require extensive cuts. He requested that the applicant provide provisions for a sidewalk that could be installed by the Town at a later date. He stated that MassDOT adopted a "Complete Streets" policy which emphasizes pedestrian safety.

Attorney Collins said the sidewalk would end at the property line, but they are happy to look into it and work with Mr. McGivern.

Vice Chairman Perkins read the email dated October 9, 2014 from Member Barringer which states:

1. The canopy. It's a major structural and visual element of the site plan. It dominates the site. I would recommend that it be finished in a monochrome neutral color to minimize its bulk - perhaps matching the paint to the exterior of the proposed building if that is in a neutral color... The site has and the station operator can rely on the existing ground level and substantial sign to indicate and alert motorists to product brand.

2. Lighting. Would suggest a condition to use energy efficient LED lighting as appropriate but specify that it be selected in the warm white color temperature range and not the typical daylight color temperature.

Abutter Michael Weinburg stated that the existing gas station has been a thorn in the side for over 20 years. The proposed plan is the better than other plans submitted over the years. It is better than the existing conditions. Mr. Weinburg said he is very satisfied with the proposed plan.

Abutter George Bishop agreed that the proposed plan is an improvement. He noted that the area along Route 119 where the sidewalk would go has a very steep drop off to the wetlands.

Member Svarczkopf asked about the new building and canopy. Attorney Collins said the shell of the building would be rehabilitated and the existing canopy would remain. The canopy area is limited by the location of the pumps.

Mr. McGivern said most other states have one-way traffic flow in gas stations. The traffic flow and circulation is better if it is one-way especially at busy times. He said he observed the site for one hour during rush hour. He agreed that the change would require some adjustment for drivers.

He said the stormwater management plan meets the Planning Board's stormwater requirements as shown on the red line plan submitted by the applicant.

The Board voted unanimously to continue the public hearing on October 30, 2014 at 7:30 PM.

#### **SITE PLAN REVIEW – 20 STATION AVENUE**

The Board considered the level I Site Plan submitted by Dan and Lori McElroy to renovate the former fire station at 20 Station Avenue. Attorney Collins, representing the applicant, requested a continuation of the site plan review to be held concurrently with the hearing on the Special Permit.

The Board voted unanimously to continue the Site Plan Review on November 6, 2014 at 7:30 PM.

#### **ANR PLANS**

**MacInnis/Moyle, Longley Road** – The Board considered the Approval Not Required plan submitted by David and Kristen MacInnis to change a lot line between abutting properties. The note on the plan references Section 218-22F(3) which states:

- (3) Such nonconforming lots may be changed in size or shape or their land area combined without losing this exemption, so long as the change does not increase the actual or potential number of buildable lots.

The motion was made by Svarczkopf, seconded by Wilson, to endorse as Approval Not Required the plan entitled, "Plan of Land in Groton, Massachusetts, Owner: David & Kristen MacInnis," prepared by Ducharme & Dillis Civil Design Group, dated September 20, 2014. The motion passed with Giger, Perkins, Svarczkopf, Vega, and Wilson in favor; Burke present.

**Groton Conservation Trust, Pine Trail** - *(Member Wilson stepped down because he is a Trustee of the Groton Conservation Trust)* The Board considered the Approval Not Required plan submitted by the Groton Conservation Trust to change a lot line between abutting properties. The note on the plan references Section 218-22F(3).

The motion was made by Svarczkopf, seconded by Wilson, to endorse as Approval Not Required the plan entitled, "Plan of Land in Groton, Massachusetts, Owner: Groton Conservation Trust," prepared by Ducharme & Dillis Civil Design Group, dated September 20, 2014. The motion passed unanimously.

#### **WEST MAIN STREET LAYOUT CHANGE**

Attorney Robert Collins, representing Groton Nursery owners Richard & Kelly Kazanjian, met with the Board to describe the plan to relocate the right-of-way of West Main Street (Route 225) along the frontage of Groton Nursery. When West Main Street was relocated by the County Commissioners, the right of way was never reduced in this location. The existing parking lot for Groton Nursery is in the right-of-way of West Main Street so the Kazanjians are requesting the Town alter the layout. The Board of Selectmen will hold the continuation of the public hearing on the change in layout on Monday, October 20, 2014 prior to the Fall Town Meeting. The Selectmen would like the Planning Board to make a recommendation to Town Meeting.

Member Burke asked if the county still has any rights in the road. Attorney Collins said, "No," the rights of the County Road were granted to the municipality. The Town will continue to have an easement for utility poles and the West Groton Water Supply District has an easement for its water main.

Member Vega asked about Nashoba Paddler. Attorney Collins said Nashoba Paddler has an Exclusive Use Area (EUA) and is one of the petitioners to change the road layout.

Member Giger asked if cars will back out into the road. Attorney Collins said, "No," the parking lot will not change and cars will back out on Groton Nursery land with the change in the layout.

The motion was made by Burke, seconded by Wilson, to recommend that the Town Meeting approve the amended layout of West Main Street (Route 225). The motion passed with Burke, Giger, Perkins, , Vega, and Wilson in favor; Svarczkopf abstaining.

#### **ROCKY HILL LOT RELEASES**

The Board received a letter dated September 25, 2014 from Attorney Robert Collins requesting release of Lots 24 and 35 in the Rocky Hill subdivision. The Board is holding a tripartite agreement in the amount of \$955,449.48 for completion of the subdivision. The motion was

made by Burke, seconded by Giger, to release Lots 24 and 35 in the Rocky Hill subdivision. The motion passed unanimously.

### **GROTON INN REVISIONS TO PLAN**

The Board received a request from 128 Main Street, LLC, to revise the approved site plan for the Groton Inn. Rich Cooper of Groton Inn, LLC, new owners of the property, real estate broker John Amaral, architect Sarah Bilello of Pitman & Wardley, and Landscape Architect Lorayne Black were present.

The proposed changes are shown on the plans entitled:

- “The Groton Inn, 128 Main Street, Groton, Massachusetts, Planting Plan,” prepared by Lorayne Black, ASLA, revised September 7, 2014
- “128 Main Street Overlay Plan, Site Plan in Groton, Mass. Prepared for 128 Main Street, LLC,” prepared by David E. Ross Associates, dated revised October 8, 2014
- “128 Main Street Development, 128 Main Street, Groton, MA,” prepared by Pitman & Wardley, dated October 9, 2014
- “Groton Inn, Condenser Noise Levels,” prepared by Reuters Associates (undated)

Ms. Black presented the changes to the plan to accommodate a larger mechanical building on the northern side of the Inn. Parking spaces have been relocated as shown on the plan, but there is no change to the number of spaces.. Screening of the mechanical building will be provided with a two-foot high retaining wall and fence with evergreens along the property line. The lights will be adjusted in compliance with the photometric diagram submitted with the original application.

Architect Sarah Bilello described the structure for the HVAC units which cannot be added to the roof. The sound engineer provided a diagram demonstrating that the noise levels from the mechanical building would be in full compliance with the Building Code requirements that noise levels not increase more than 10 dBA at the property line. The noise levels will be 40-45 dBA at the lot line with 134 Main Street, not considering ambient noise levels.

Member Giger asked about ambient noise levels which are much different during the night than during the day. Mr. Cooper said they would be very careful to prevent noise for the sake of the guests at the Inn as well as the abutters.

Member Svarczkopf asked why the lights are being relocated. Ms. Black said because the parking space is being moved. He asked about the bulge in the mechanical building. Ms. Bilello said it is for the condenser and generator.

Member Burke asked if the generator would be run with natural gas. Mr. Cooper said, “Yes.” The generator would be used for refrigeration and emergency lighting.

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The motion was made by Burke to approve the proposed administrative changes to the approved site plan and to determine that a modification of the Special Permit 2014-02 is not required. The motion passed unanimously.

**BERTOZZI FARMS SURETY**

The Board received a report dated October 7, 2014 from Nitsch Engineering with an estimate in the amount of \$130,760 for the cost to complete the Bertozzi Farms subdivision. The Board is presently holding \$124,725 in a passbook account. Developer Michael Vaccaro offered to provide the additional \$6000.

The motion was made by Burke, seconded by Wilson, to accept the estimate of \$130,760 for completion of construction and to release the remaining lots in the Bertozzi Farm in the subdivision. The motion passed unanimously.

Meeting adjourned 9:30 PM

Respectfully submitted,

Michelle Collette  
Land Use Director/Town Planner