

**PLANNING BOARD
NOVEMBER 13, 2014
MINUTES**

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

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

Member absent: Svarczkopf

PRE-SUBMISSION REVIEW – HOLLINGSWORTH & VOSE, 219 TOWNSEND ROAD

Attorney Collins met with the Board for a pre-submission review of the proposed co-generation power plant at Hollingsworth and Vose (H&V), 219 Townsend Road, as described in his letter dated October 30, 2014. He said H&V will remove the existing power plant and build the new plant on in the same location. The new building is marginally larger than the existing one. There will be no increase in the number of employees or traffic. Attorney Collins requested that the Board waive Site Plan Review. He said the Conservation Commission issued a negative determination for the work in the 100-year floodplain, and the Board of Appeals will hold a public hearing on December 3, 2014 to consider the application for a special permit for alteration of a non-conforming structure in the 100-year floodplain.

Member Burke asked about the height of the new power plant. Attorney Collins said the new building will be 33 ft high and will comply with the height requirements in the Zoning By-law. The existing building is 40 ft high. Member Burke asked if the power plant would be fueled by natural gas. Attorney Collins said, "Yes." Member Burke asked about the 100-year floodplain. Attorney Collins said H&V has a flood-control structure on the site. The new construction will not impact flood storage. The elevation of the proposed power plant is 6" higher than the 100-year floodplain.

Chairman Barringer asked if there would be any change to the existing chimney. Attorney Collins said, "No." Chairman Barringer asked about noise from the power plant. Attorney Collins said the increase in noise would be marginal and would not exceed background noise levels.

Town Planner Michelle Collette expressed concerns about increasing existing noise levels and work in the 100-year floodplain. The operations at the facility can be heard throughout the area today.

Member Burke asked for more information on the 100-year floodplain. Attorney Collins submitted a letter dated November 10, 2014 from Pine & Swallow to the Conservation Commission. The attached plan showed the elevation of the proposed power plant to be 6" above the 100-year floodplain.

The motion was made by Burke, seconded by Perkins, to waive site plan review for the H&V power plant with the condition that additional information be submitted to the Board on the noise increase prior to the issuance of a building permit. The motion passed unanimously.

PUBLIC HEARING – RENOVATION TO FIRE STATION, 20 STATION AVENUE

In accordance with the provisions of Chapter 40A, §§ 9 and 11, M. G. L., the Groton Planning Board held a public hearing to consider the application submitted by Daniel and Lori McElroy for a Special Permit to utilize the provisions of Section 218-30.2 Town Center Overlay District for the rehabilitation of the former Fire Station as shown on the plan entitled, "Site Plan, 20 Station Avenue, Groton, Massachusetts," prepared Ducharme & Dillis Civil Design Group, dated September 12, 2014. The proposed project is located at 20 Station Avenue on Assessors' Map 113, Parcel 59, on the northwesterly side of Station Avenue.

Chairman Barringer called the public hearing to order. Clerk Vega read the notice posted with the Town Clerk on October 14, 2014 and published in the October 17 and 24, 2014 issues of the Groton Herald. Attorney Collins represented the applicant at the hearing.

Attorney Collins said the applicant met with the Design Review Committee (DRC) on October 23, 2014 and will meet with the DRC again on November 17, 2014. The existing bays will be renovated into one retail space on the first floor. There will be one apartment on the second floor. The exterior of the building will be restored. Signage will be minimized.

The original plan showed the accessible parking space on the left front, but the DRC wanted the space moved to the right front side of the building. The DRC requested that the "handicapped accessible parking" sign be included in a mosaic on the ground. Attorney Collins said the mosaic would not meet Architectural Access Board requirements according to the Building Commissioner. The DRC requested pervious concrete pavers and did not like the brick sidewalk.

Attorney Collins requested a continuation of the hearing to November 20, 2014 so the applicant could address the DRC's concerns.

Chairman Barringer read the letter dated October 27, 2014 from abutter Fran Stanley, 19 Court Street.

Members Perkins, Vega and Wilson liked the brick sidewalk as shown on the plan.

Member Giger expressed concern about using the awnings in the winter. He said snow may accumulate in the awnings and come down on people. Attorney Collins said the awnings would be down during the day and up at night.

Member Giger asked about lighting on the sign. Attorney Collins said he did not have the details for the sign and lighting on the sign yet.

Member Giger said the proposed pavers may cause people with disabilities to have difficulty walking. Attorney Collins said they would address this concern.

Member Giger said he did not like lights shown on Sheet A1. Attorney Collins said the light would not be visible because it would be under the awning. Member Giger said the lights should be focused on the ground so they would not impact abutters or the public.

Member Burke asked if the patio pavers are ADA compliant. Attorney Collins said they must have a smooth surface.

Member Burke asked about a bicycle rack. Attorney Collins said the rack would be installed to the left of the accessible parking space.

Member Burke asked about signage. Attorney Collins said wooden signs would be used. He said he would submit the sign permit application for the next meeting.

Abutter Julie Andrews, 17 Station Avenue, asked about parking and timing of construction.

Attorney Collins said there will be two parallel parking spaces on the street, the accessible parking space, and four spaces in the rear of the building. Construction will commence in the spring of 2015.

Member Vega said he prefers the accessible space on the left front side of the building closest to the main entrance. Attorney Collins said there are entrances on both sides of the building, and the retail store is one open space.

The Board voted unanimously to continue the public hearing on November 20, 2014 at 7:30 PM.

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 requested a continuation of the public hearing to allow more time to resolve outstanding issues with the Fire Chief.

The Board voted unanimously to continue the public hearing on November 20, 2014 at 8:15 PM.

ZBA DECISION – 101 LOST LAKE DRIVE

The Board discussed the ZBA decision granting a special permit to alter a nonconforming structure and a variance of the non-use provisions of Section 218-6 for property located at 101 Lost Lake Drive. The Board of Health voted to appeal the decision, but Town Counsel advised that the Board of Health does not have standing because it is a zoning case.

Member Burke noted that the ZBA does not have the authority to grant use variances. The use of the nonconforming lot is no longer allowed after two years. He suggested that the Planning Board and Board of Health file a joint appeal of the decision. Member Giger agreed that the abandonment of the use should not be applied inconsistently.

The motion was made by Giger, seconded by Burke, to file an appeal of ZBA Decision 10-14 for 101 Lost Lake Drive. The motion passed unanimously.

Member Burke suggested using Attorney Richard Gallogly of Rackemann, Sawyer & Brewster to represent the Planning Board and Board of Health. Town Counsel will represent the ZBA. Town Planner Michelle Collette said the Town Manager and Board of Selectmen must approve the use of special legal counsel. The appeal must be filed by November 19, 2014.

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THE Board voted unanimously to approve the minutes of September 11, 2014; September 18, 2014; October 2, 2014; and October 9, 2014.

Meeting adjourned 9:30 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner