

**PLANNING BOARD  
JUNE 25, 2015  
MINUTES**

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

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

Members absent: Vega

**PUBLIC HEARING – SPECIAL PERMIT/SITE PLAN REVIEW, TARBELL SCHOOL, 73 PEPPERELL ROAD**

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 Kevin McGoniagle for a special permit under the provisions of Section 218-25 Site Plan Review to redevelop the Tarbell School into three dwelling units and associated improvements to the property located at 73 Pepperell Road as shown on the plan entitled, "Sewage Disposal system, 73 Pepperell Road, Groton, Massachusetts," prepared by David E. Ross Associates, and revised by the applicant, submitted on May 26, 2015. The proposed project is located on land owned by the Town of Groton, shown as Assessors' Map 102, Parcel 44, on the westerly side of Pepperell Road.

Chairman Barringer called the public hearing to order by reading the legal notice posted with the Town Clerk on June 2, 2015 and published in the June 5 and 12, 2015 issues of the *Groton Herald*. Applicant Kevin McGoniagle and several abutters were present.

Mr. McGoniagle described his plans to convert the existing Tarbell School to three condominium units. Each unit will have two bedrooms and 1200-1600 SF. Mr. McGoniagle submitted three plans for the Board's consideration:

Plan A: Single car garage located in the basement for each unit with access through the rear of the building. A new curb cut on St. James Avenue is required.

Plan B: Construct a new six car garage, with two spaces per unit, in the rear of the building. A new curb cut on St. James Avenue is required.

Plan C: No garage parking. Existing outdoor parking would be utilized. No new curb cut on St. James Avenue would be required.

Mr. McGoniagle submitted a response dated June 25, 2015 to the letter dated June 24, 2015 from the abutters. He also submitted a copy of the Assessors' map showing the Tarbell School property and abutting lots and elevations of the proposed six-car garage.

Chairman Barringer read the letter dated June 24, 2015 from the abutters to the Planning Board. He said the Board also received a letter dated May 22, 2015 and a request for waivers dated June 15, 2015 from Mr. McGoniagle, a letter dated June 10, 2015 from the abutters, and the Zoning Board of Appeals (ZBA) Decision 8-15 dated June 24, 2015.

Mr. McGoniagle described the front entries to the three units and the rear exits with a 10' x 12' deck and stairs. He said he is working with Kazanjian Horticultural Contractors on landscaping.

Mr. McGoniagle said he originally planned to put the garages underneath the units, as shown on Plan a, but there are structural difficulties. He said he prefers Plan B with the six-car garage in the rear of the building. He described the carriage-style doors that would be installed. The playground would still be available for public use. Access to the rear of the site would be from St. James Avenue. In addition, there would be two guest parking spaces per unit in the existing parking area in the front of the building. The remainder of the pavement in the front of the building would be removed. Existing impervious surface would be reduced from 14,000 SF to 6000 SF.

Chairman Barringer asked if Mr. McGoniagle included the roofs of the garages in his calculation of impervious surface. Mr. McGoniagle said, "no," the figure only includes paved areas, not buildings.

Chairman Barringer read the letter dated June 15, 2015 from Mr. McGoniagle requesting waivers of submission requirements.

Mr. McGoniagle read his letter dated June 25, 2015 with responses to the letter from the abutters dated June 24, 2015. He submitted photographs of the site for the record. He said he staked the area of the proposed new garage on the ground.

Mr. McGoniagle described Plan C without garages and outdoor parking only. He said Plan C is not his preference. Plan A, with the garages in the basement, has structural and height issues. There are many unknowns at this time.

Member Svarczkopf said he is concerned about the future playground area. The proposed garages are a concern. He recommended that Mr. McGoniagle explore other options for garages.

Member Perkins asked why the garages could not be built in front of the building. Mr. McGoniagle said garages in front would not meet setback requirements.

Member Perkins asked about dumpsters. Mr. McGoniagle said a two-yard dumpster or barrels would be located behind a solid fence.

Member Perkins asked about the size of the play area. Mr. McGoniagle said it would be around  $\frac{3}{4}$  of an acre.

Member Perkins expressed concerns about drainage and runoff from the roof and new pavement. She also noted that Burning Bush cannot be used because it is an invasive species. Mr. McGoniagle agreed and said he would plant Rhododendrons instead of Burning Bush.

Member Perkins asked about the impact of lighting on the abutters. Mr. McGoniagle said the lighting would be typical residential fixtures.

Member Wilson asked if the Board is looking at all three options. Mr. McGoniagle said, "yes," but he prefers Plan B with the new garages.

Member Wilson said it is difficult to visualize the garages without a rendering. He said there is a nice, low-key solution for the existing structure. He said the landscaping plan is very important.

Mr. McGoniagle said a site visit would help answer questions. The Board agreed.

Member Giger said the Board cannot make a decision with A, B and C as choices. The applicant must sort out the options first. He said he would like to see the garage in alternative locations. He said he did not want to consider any waivers until the Board has a final proposal. However, he would grant the waiver for an economic impact study.

Member Giger asked whether Mr. McGoniagle would run a home business from his unit. Mr. McGoniagle said, "no," he has a shop in Pepperell.

Member Giger said the Board must consider lighting on the rear decks and said there would be a need for lights from the garages to the entrance of the units. Additionally, the stormwater management issues must be looked at carefully.

Member Burke noted that the Zoning By-law requires two spaces per unit, and the proposed plan has four spaces per unit. Member Burke said he agreed with the requested waivers except stormwater management. The Board must review drainage as part of Site Plan Review.

Member Burke said lighting would not be a significant issue with the garages in the rear. He asked Mr. McGoniagle if he considered constructing three single garages instead of one large, six-car garage. He said he would like to see a nice landscaping plan with vegetation strategically placed. Member Burke said more information on stormwater management, lighting and photometrics is required.

Chairman Barringer suggested that the applicant submit cut sheets for the lighting fixtures that are "Dark Sky" compliant. He said some additional lighting will be needed in front of the building. He also requested the Mr. McGoniagle submit cut sheets from the nursery on the proposed plantings.

Chairman Barringer said the Board should continue the public hearing and schedule the site walk.

Abutter Alison Manugian, 7 Shepley Street, said she applauded the Board's review of the proposed project. She said they would like to work with Mr. McGoniagle. The proposed recreation area is not as useful with the proposed plan. She asked if setbacks could be reduced in this area of older homes. A 1600 SF roof for six cars is not in keeping with the neighborhood. Stormwater runoff from the site is a concern because St. James Avenue has washed out in the past. Impact from headlights will have an adverse impact on abutters. She said the abutters submitted an alternative conceptual plan to show there is room for compromise. Plan B is not acceptable because there is too much development in a residential area. She said she did not have any problems with the proposed three units in the existing building.

Mr. McGoniagle said the proposed garage would not meet the standards for a variance because there are other options. Member Burke agreed.

The Board will walk the site on Thursday, July 9, 2015 at 6:30 PM. The Board voted unanimously to continue the hearing on July 9, 2015 at 8 PM.

**PUBLIC HEARINGS – NAM HUNG, LLC, 788 BOSTON ROAD**

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 Nam Hang, LLC for a special permit to utilize the provisions of Groton Zoning By-law Section 218-25 Site Plan Review for construction of two commercial buildings with associated access, parking, utilities, and landscaping. The proposed project is shown on the plan entitled, "Site Plan of Land in Groton, Massachusetts, 788 Boston Road, Prepared for Nam Hang, LLC," prepared by David E. Ross Associates, dated June 2, 2015. The proposed project is located on Assessors' Map 133, Parcel 54, located on the westerly side of Boston Road and southerly side of Sandy Pond Road.

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 Nam Hang, LLC for a special permit to utilize the provisions of Groton Zoning By-law Section 218-30 Water Resource Protection Districts for construction of two commercial buildings with associated access, parking, utilities, and landscaping in a Water Resource Protection District III. The proposed project is shown on the plan entitled, "Site Plan of Land in Groton, Massachusetts, 788 Boston Road, Prepared for Nam Hang, LLC," prepared by David E. Ross Associates, dated June 2, 2015. The proposed project is located on Assessors' Map 133, Parcel 54, located on the westerly side of Boston Road and southerly side of Sandy Pond Road.

Chairman Barringer called the public hearings to order. Member Giger read the legal notice posted with the Town Clerk on June 2, 2015 and published in the June 5 and 12, 2015 issues of the *Groton Herald*. Applicant Joe Wong, Attorney Robert Anctil, design engineer Jesse Johnson of David Ross Associates, architect Jonathan Cocker of Mangel Associates, and the Board's consulting engineer Tim McGivern of Nitsch Engineering were present.

Design engineer Jesse Johnson showed the Board the plans approved in 2006 for a total of 17,500 SF. The proposed plan includes a 4672 SF restaurant and another building with 2685 SF. The use of the second building has not been determined yet, but it may be a 20-seat coffee shop. Mr. Johnson said he took the Planning Board's advice about using the new provisions of the Zoning By-law with reduced setbacks. He said the new by-law enabled him to comply with both zoning and Board of Health requirements. If the municipal sewer project goes forward for the Four Corners, it may allow more seats in the restaurant. MassDOT and the Planning Board approved the curb cuts in 2006. There will be a 50% reduction in traffic from the previous plan based upon the Traffic Study done by Conley Associates in April 2006. Mr. Johnson said the applicant is requesting a waiver of the traffic study because the scope of the project has been reduced.

Mr. Johnson described the proposed stormwater management system which will be entirely Low Impact Development (LID). Three rain gardens will be installed as shown on the plan so the runoff does not overload any one area. Roof runoff will be discharged to an underground system as required in DEP regulations. The landscaping plan does not show plantings in front of the building, but trees will be planted outside the buildings to hide the parking lot. Substantial vegetation is planted around the parking lot.

Architect Jonathan Cocker presented the architectural elevations for the restaurant. The building will be traditional New England style with a gable roofs with a hip roof in the center to screen the HVAC equipment. No formal elevations or landscaping plans have been developed for the second building yet. The applicant requests a condition that the elevations and landscaping plans must be submitted prior to issuance of a building permit.

Member Burke asked if parking was based upon the worst-case scenario. Mr. Johnson said, "yes."

Attorney Robert Anctil submitted a letter dated June 2, 2015 requesting waivers. The total square footage of the proposed plan is 6672 SF. The square footage of the plan approved in 20056 was 17,700 SF. Two waivers are being requested for the requirement submission of a scale model and a traffic study. The proposed project is superior to the previously approved project as described in the letter requesting waivers.

The Board's engineer, Tim McGivern of Nitsch Engineering, summarized his report dated June 25, 2015. He asked about the parking lot becoming a cut through area, pedestrian/bicycle access, and the location of the snow storage area. The narrative for the Water Resource Protections Districts is missing from the application.

Mr. Johnson responded to the items listed in the Nitsch Engineering report. He said they would request a waiver from the interior landscaping requirements to keep the parking lot configured as designed with the rain gardens. He said they will request a waiver of the requirement to survey trees with a caliper greater than 12" because the trees will be cut down anyway. They are trying to minimize grading and land disturbance. Mr. Johnson said they would like a waiver of the vertical granite curbing requirements because they are using an LID drainage system. He said he would work with Mr. McGivern to resolve all outstanding issues.

Member Giger said the applicant should request waivers rather than having the Board ask for additional information. He suggested that the applicant submit photographs of the trees to be removed rather than showing them on a survey. Curbing, runoff issues and the stormwater management system operation and maintenance plans are critical. He said he would like to see the area around the second building landscaped now.

Member Wilson said this plan is far superior to the previous plan.

Member Perkins said she appreciates that the applicant took the Board's recommendation to provide traffic calming in the parking lot to discourage cut-through traffic. She asked about invasive species. Mr. Johnson said the landscape architect would certify that no invasive species will be planted. Boxwoods and salt tolerant plants will be used in the parking area.

Member Svarczkopf said the low center section of the building does not look like it fits in the community or neighborhood.

Member Burke said he thinks this is a better plan with buildings closer to the street and a more pedestrian scale. The continuation of the sidewalk is a welcome addition. He asked if there would be a bicycle rack on the site. He said he had no problem waiving curbing with the LID drainage system. He said he would prefer wooden guardrails rather than MassDOT standard guardrails.

Chairman Barringer said he appreciates the new plan. He asked about lighting and noted that the lights should be warm tone, 3500K LED lights that are Dark Sky compliant. He asked the applicant to submit the MSDS for the hazardous materials to be used or stored on site. He noted that snow storage should be shown on the plan and that snow should be removed if snow banks exceed three (3) feet.

Member Burke asked about dumpsters. Mr. Johnson said they are shown on the plan.

Chairman Barringer said the applicant should submit a complete list of requested waivers in writing and a response to the Nitsch Engineering report dated June 25, 2015.

Member Giger asked about hours of operation for lighting and what chemicals would be used for snow and ice.

Attorney Anctil said the information was provided with the previous submission. Chairman Barringer asked that the data be submitted again.

Mr. Johnson responded to the Nitsch Engineering report that no trees would be saved in the work area and the limit of clearing is shown on the plan. Sheet 9 of 10 shows how the pavement ties into the rain garden and why there are no curbs in the area. The geometry of the parking lot will be used to calm traffic so speed bumps are not necessary.

Mr. McGivern said the Site Plan Review Regulations require curbing so a waiver is required. He said the stormwater management system will function better without curbs so he has no problem with the waiver.

The Board voted unanimously to continue the public hearing on July 9, 2015 at 8:30 PM.

#### **PUBLIC HEARING –SPECIAL PERMIT, T-MOBILE, 94 WEST MAIN STREET**

In accordance with the provisions of Chapter 40A, Sections 9 and 11, the Groton Planning Board will hold a public hearing to consider the application submitted by T-Mobile Northeast LLC/Centerline Communications, LLC for a Special Permit to install three (3) new antennas along with three (3) remote radio units (RRUS) at the height of 111 ft on the existing 120-ft monopole style telecommunication tower and to add required ground equipment on land owned by Elliot and Doris Blood, as shown on the plan entitled, "T-Mobile Northeast LLC, Site Name: BS338 Global/Blood Farm TWR, Site No: 4BS1338B," prepared by Hudson Design Group, dated March 20, 2015. The special permit is subject to the provisions of Code of the Town of Groton Section 218-25.1 Personal Wireless Services Facility. The existing tower is located on land owned by Elliot and Doris Blood, 94 West Main Street, Assessors Map 106, Parcel 15, on the southerly side of West Main Street.

Chairman Barringer called the public hearing to order by reading the notice posted with the Town Clerk on June 2, 2015 and published in the June 5 and 12, 2015 issues of the *Groton Herald*. Alex Murshteyn, site acquisition specialist with Centerline Communications, LLC, presented the application.

Mr. Murshteyn said T-Mobile will be adding three new antennas and three remote radio units at the height of 111 ft on the existing 120 monopole tower. There will be no changes to ground equipment other than modifications inside the existing cabinet.

The Board received the following documents with the application:

- "T-Mobile Northeast LLC, Site Name: BS338 Global/Blood Farm TWR, Site No: 4BS1338B," prepared by Hudson Design Group, dated March 20, 2015.
- "Application for Modification of Special Permit for Modifications of a Wireless Communications Facility, 94 West Main Street, Groton, MA," and "Statement in Support of Application for Modification of a Special Permit," submitted by Centerline Communications, LLC, on June 2, 2015

Member Giger asked if there would be any changes to ground equipment outside the existing cabinet.

Mr. Murshteyn said, "no."

Chairman Barringer asked if the new antennas would have the same orientation as the existing antennas. Mr. Murshteyn said, "yes."

Chairman Barringer stated that Mr. Blood called to let the Planning Board know that he would not be able to attend the public hearing, but he has no problems with the application.

The Board voted unanimously to close the public hearing.

The motion was made by Burke, seconded by Wilson, to **GRANT** a special permit to T-Mobile Northeast LLC/Centerline Communications, LLC for a Special Permit to install three (3) new antennas along with three (3) remote radio units (RRUS) at the height of 111 ft on the existing 120-ft monopole style telecommunication tower and to add required ground equipment on land owned by Elliot and Doris Blood, as shown on the plan entitled, "T-Mobile Northeast LLC, Site Name: BS338 Global/Blood Farm TWR, Site No: 4BS1338B," prepared by Hudson Design Group, dated March 20, 2015, 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 proposed three (3) new antennas along with three (3) remote radio units (RRUS) 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 T-Mobile's proposed replacement of the existing antennas and addition of new ground equipment at 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 upgrade of the 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 111 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 six replacement antennas and associated ground equipment for the benefit of T-Mobile 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 antennas will be the same color as those of the two existing carriers on the tower.
2. T-Mobile's proposed new antennas will be installed at the 111-ft elevation AGL on the existing 120-ft 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.
3. The telecommunication facility shall comply fully with all applicable requirements of Groton Zoning By-law § 218-25.1 Personal Wireless Services Facility.
4. 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.
5. By January 1<sup>st</sup> 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.
6. 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.
7. 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.
8. 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.

9. 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.
10. 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.
11. This special permit shall lapse in 24 months (from the date the decision is filed with the Town Clerk and 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.
12. This special permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

#### **PUBLIC HEARING –SPECIAL PERMIT, T-MOBILE, 149 LOWELL ROAD**

In accordance with the provisions of Chapter 40A, Sections 9 and 11, the Groton Planning Board held a public hearing to consider the application submitted by T-Mobile Northeast LLC/Centerline Communications, LLC for a Special Permit to relocate three (3) antennas and to install three (3) new antennas) at the height of 128 ft on the existing 150-ft monopole style telecommunication tower and to add required ground equipment as shown on the plan entitled, "T-Mobile Northeast LLC, Site Name: B337 Global/Webber Monopole, Site No: 4BS0337C," prepared by Hudson Design Group, dated March 23, 2015. The special permit is subject to the provisions of Code of the Town of Groton Section 218-25.1 Personal Wireless Services Facility. The existing tower is located on land owned by Cell Tower Lease Acquisition, LLC, 149 Lowell Road, Assessors Map 224, Parcel 49.1, on the northerly side of Lowell Road.

Chairman Barringer called the public hearing to order by reading the notice posted with the Town Clerk on June 2, 2015 and published in the June 5 and 12, 2015 issues of the Groton Herald. Alex Murshteyn, site acquisition specialist with Centerline Communications, LLC, presented the application.

Chairman Barringer left the meeting temporarily and Vice Chairman Perkins chaired the public hearing.

Mr. Murshteyn said T-Mobile will be relocating three antennas and adding three new antennas at the height of 128 ft on the existing 150 monopole tower. A new equipment cabinet will be added at the base of the facility. Six new coax cables will be installed from the base equipment to the antennas.

The Board received the following documents with the application:

- “T-Mobile Northeast LLC, Site Name: B337 Global/Webber Monopole, Site No: 4BS0337C,” prepared by Hudson Design Group, dated March 23, 2015
- “Application for Modification of Special Permit for Modifications of a Wireless Communications Facility, 149 Lowell Road, Groton, MA,” and “Statement in Support of Application for Modification of a Special Permit,” submitted by Centerline Communications, LLC, on June 2, 2015

Member Giger asked if there would be a total of six antennas at the 128 ft AGL elevation on the tower. Mr. Murshteyn said, “yes,” the new antennas will be moved outward in a T-shaped mount. Member Giger asked if there would be any other changes at the base inside the enclosure. Mr. Murshteyn said, “no.”

The Board voted unanimously to close the public hearing.

The motion was made by Svarczkopf, seconded by Vega, to **GRANT** a modification of a special permit to T-Mobile Northeast LLC/Centerline Communications, LLC, to relocate three (3) antennas and to install three (3) new antennas at the height of 128 ft on the existing 150-ft monopole style telecommunication tower and to add required ground equipment as shown on the plan entitled, “T-Mobile Northeast LLC, Site Name: B337 Global/Webber Monopole, Site No: 4BS0337C,” prepared by Hudson Design Group, dated March 23, 2015, 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 February 15, 2002, the Planning Board granted Special Permit 2002-05 to Gibbet Hill Farm, LLC, and others for construction of a 150-ft telecommunication tower on the property located at 149 Lowell Road. The relocation of three (3) antennas and installation of three (3) new antennas at the height of 128 ft on the existing 150-ft monopole style telecommunication tower 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 T-Mobile's proposed replacement of the existing antennas and addition of new ground at the Gibbet Hill 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 upgrade of the antennas on the Gibbet Hill 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 Gibbet Hill 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 128 ft elevation AGL on the Gibbet 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 six replacement antennas and associated ground equipment for the benefit of T-Mobile 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 antennas will be the same color as those of the other carriers on the tower.
2. **T-Mobile's proposed new antennas** will be installed at the 128-ft elevation AGL on the existing 150-ft tower that is subject to conditions in Special Permit 2002-05. The telecommunications facility will comply with all applicable conditions enumerated in Special Permit 2002-05 granted to Gibbet Hill Farm, LLC, and others on August 31, 2001.
3. The telecommunication facility shall comply fully with all applicable requirements of Groton Zoning By-law § 218-25.1 Personal Wireless Services Facility.
4. 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.
5. By January 1<sup>st</sup> 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.

6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. This special permit shall lapse in 24 months (from the date the decision is filed with the Town Clerk and 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.
12. 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 – VERIZON, 550 MAIN STREET**

The Board met with Attorney Thomas Hildreth, representing Verizon Wireless, regarding Verizon's proposed collocation on the existing telecommunication tower located on the Crowley property at 550 Main Street. The existing tower is owned by SBA Communications. Attorney Hildreth said there would be no change in the tower or compound area. He requested that the Board determine that a Section 6409 administrative review would be sufficient and that a special permit is not required.

The motion was made by Burke, seconded by Wilson, to determine that "no substantial dimensional modifications to either the tower or site compound are being proposed," with the proposed collocation on the existing tower at 550 Main Street. Therefore, the work shown on the plans entitled, "Verizon Wireless, Site Name: Groton 4 MA, 550 Main Street, Groton, MA 01450," prepared by NB+C engineering

Services, dated September 23, 2014, revised October 1, 2014, does not constitute a substantial change and is permissible under Special Permit 2002-04A. The motion passed unanimously.

#### **CENTER FIRE STATION LANDSCAPING**

The Board reviewed the approved site plan, including the landscaping plan, and the Special Permit Decision #2012-18 for the Center Fire Station. The landscaping in the field is consistent with the revised landscaping plan approved by Historic Districts Commission and subsequently approved by the Planning Board.

#### **CRYSTAL SPRINGS LOT RELEASE**

The Board received a letter dated June 1, 2015 from Attorney Robert Collins requesting a release of the surety held for the Crystal Springs Estates subdivision. The motion was made by Burke, seconded by Perkins, not to release the surety held in the passbook savings account until the developer has addressed all the items specified in the attached report dated June 8, 2015 from Nitsch Engineering. The motion passed unanimously.

#### **REEDY MEADOW ESTATES STREET NAMES**

The Board received a request from developer Peter Cricones for approval on a street name for the access road serving the single-family condominiums in the Reedy Meadow Estates subdivision. Mr. Cricones suggested the names "Apollo Drive," "Zeus Drive," or "Zorba Drive." The Board did not approve any of the names and asked that Mr. Cricones propose a name based upon local, New England history.

#### **PLANNING BOARD REORGANIZATION**

The Planning Board voted to elect the following officers:

Chairman	Carolyn Perkins
Vice Chairman	John Giger
Clerk	Michael Vega

The Planning Board voted to appoint the following representatives:

Community Preservation Committee	Russell Burke
Earth Removal Stormwater Committee	Raymond Capes
Montachusett Regional Planning Commission	Michelle Collette
Montachusett Joint Transportation	Russell Burke

The Planning Board voted to appoint the following members to act as liaisons to other Town Departments and Committees:

Board of Appeals	George Barringer
Board of Health	Tim Svarczkopf
Board of Selectmen	Chairman Carolyn Perkins, ex officio
Conservation Commission	Scott Wilson
Design Review Committee	Scott Wilson
Economic Development	Russell Burke
Finance Committee	Chairman George Barringer
Groton Dunstable School District	John Giger

June 25, 2015

Page 14

Groton Electric Light Department  
Historic Districts Commission  
Historical Commission  
Housing Authority  
Housing Partnership  
Public Safety Officials  
Sewer Department  
Sign Committee  
Sustainability Commission  
Water Department  
West Groton Water Supply District

Tim Svarczkopf  
Scott Wilson  
Scott Wilson  
Carolyn Perkins  
Carolyn Perkins  
Michael Vega  
Scott Wilson  
Carolyn Perkins  
Tim Svarczkopf  
Michael Vega  
George Barringer

Meeting adjourned at 10:15 PM

Very truly yours,

Michelle Collette, AICP  
Land Use Director/Town Planner