

**PLANNING BOARD  
NOVEMBER 5, 2015  
MINUTES**

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

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

Members absent: Barringer and Vega

**PUBLIC HEARING – SPECIAL PERMITS, DERMODY, OLD DUNSTABLE ROAD**

The Board held the continuation of the public hearing application submitted by Michael Dermody for Flexible Development and a Shared Driveway to serve three new lots on Old Dunstable Road. At the request of the applicant, the Board voted unanimously to continue the public hearing on December 3, 2015 at 7:30 PM.

**ANR PLANS**

**McElroy, Mayfield Drive** – The Board considered the Approval Not Required (ANR) plan submitted by Dan & Lori McElroy to change lot lines between properties on Mayfield Drive and Willowdale Road. The motion was made by Wilson, seconded by Giger, to endorse as Approval Not Required the plan entitled, “Plan of Land In Groton, Massachusetts, Prepared for Willowdale Road Realty Trust,” prepared by Ducharme & Dillis Civil Design Group, dated September 20, 2015. The motion passed unanimously.

**DeCilio, West Main Street** - The Board considered the Approval Not Required (ANR) plan submitted by Robert DeCilio to create one lot with an existing house and three new parcels on West Main Street. Attorney Collins said Parcels A & B will be conveyed to others parties. The parcels will then be conveyed to the Conservation Commission in order to protect the greenway along the Nashua River. The motion was made by Wilson, seconded by Giger, to endorse as Approval Not Required the plan entitled, “Plan of Land In Groton, Massachusetts, Prepared for Robert DeCilio,” prepared by Ducharme & Dillis Civil Design Group, dated October 20, 2015. The motion passed unanimously.

**PRE-SUBMISSION REVIEW – GELD SOLAR FIELD, COW POND BROOK ROAD**

The Board met with Groton Electric Light Department (GELD) Manager Kevin Kelly, Geri Kantor of Ameresco, and Tricia Foster of AMEC Foster-Wheeler for a pre-submission review of the GELD solar project on the site of the closed landfill on Cow Pond Brook Road. The property is owned by the Town of Groton. Mr. Kelly said he would like to go through the permitting process this winter so they will be able to begin construction in the spring of 2016. The 2.9 MW solar project will serve approximately 600 homes.

Ms. Foster said AMEC Foster-Wheeler is doing the environmental permitting for the project. They are working with the Department of Environmental Protection (DEP), the Massachusetts

Historical Commission, and the Natural Heritage and Endangered Species Program at the state level. They are applying for local permits including a Special Permit/Site Plan Review and Stormwater Management Permit.

Ms. Foster said the project is on 7.9 acres of a 43-acre parcel owned by the Town of Groton. There will be three solar arrays – one is located on the northerly portion of the site, one on the southerly portion and another close to Cow Pond Brook Road. The applicant will request a waiver of screening and landscaping for the project. She requested that the Board accept plans at a 1"=80' rather than 1"=40' as required in the Zoning By-law so the plan will be on one sheet. The applicant will also request a waiver of a traffic study because there will only be 6-9 trucks per month after the construction phase. A lighting plan will not be submitted because lights are not required. Manufacturer's elevation will be submitted rather than a 3D model. The applicant will request a waiver of setback requirements from Cow Pond Brook Road. Insurance for decommissioning the project after 20 years will be submitted. Ms. Foster requested a waiver of peer review for the cost of decommissioning the project.

Chairman Perkins said the applicant should submit a summary of the requested waivers with the application.

Member Giger said it is difficult to read the reduced plans (11"x17") at a scale of 1"=80'. He also asked if vandalism would be a problem without lights.

Ms. Kantor said Ameresco will own the facility which will be contained within a fenced area. They do not have lights at other facilities and there have been no problems with vandalism. She said Ameresco prepared calculations on decommissioning the project in-house so a peer review should not be necessary. Member Burke agreed that the Board does not need a peer review because decommissioning will be covered by the lease with GELD.

Member Svarczkopf expressed concern about waiving the 50 ft setback from the road. He asked for clarification on how close the arrays will be to Cow Pond Brook Road. Other Board members expressed concerns about the setback waiver.

Member Giger asked if there would be any potential conflicts with the Telecommunication tower on the same property. Ms. Kantor said there would be no concerns.

The Board thanked the applicant's team for the informative pre-submission review. The Board will expedite the public hearing process when the application is submitted.

### **ACADEMY HILL**

**Lots B & B-1** -The Board met with Bruce Wheeler of Academy Hill Realty Trust to discuss the proposed modification to the affordable and market rate units on Lots B and B-1 in the Academy Hill subdivision. Housing Coordinator Fran Stanley was present.

Mr. Wheeler submitted an update of the floor area of all the units on Lots B and B-1. The affordable units have between 1249 and 1402 square feet.

Chairman Perkins asked if the four affordable units to be built would have 1402 square feet. Mr. Wheeler said, "Yes."

Member Burke reminded Mr. Wheeler that the DHCD is the final arbiter of the size of the units and having the units count on the Subsidized housing Inventory. Mr. Wheeler said he agreed.

Chairman Perkins said the Board appreciated the applicant's effort to make the affordable units look similar in size to the market-rate units.

Housing Coordinator Fran Stanley said the original affordable units have 1267 square feet. Mr. Wheeler noted that the market-rate unit that became affordable has 1487 square feet.

The motion was made by Burke, seconded by Svarczkopf, to approve the revised configuration of the units on Lots B and B-1 as shown on the plan entitled, "Lot B – Proposed Unit Redistribution, Groton, mass. for Academy Hill, LLC," prepared by Rose Land Survey, dated November 5, 2015, subject to the approval of the SDHCD. The motion passed unanimously.

**Lot A** - Mr. Wheeler asked the Board to release building permits for the remaining single-family condominium units on Lot A because the plan to create the remaining affordable units has been approved for Lots B and B-1. The motion was made by Burke, seconded by Wilson, to release the remaining two units on Lot A. The motion passed unanimously.

### **BERTOZZI FARM – AMELIA WAY**

Land Use Director/Town Planner Michelle Collette reported that the residents of the only occupied house on Amelia Way called to express concerns about whether the subdivision road would be plowed during the winter in light of the developer's possible bankruptcy and foreclosure. Ms. Collette informed the resident that the developer is obligated to plow and maintain the road until the road is accepted as a public way. If the developer fails to do so, the Town would plow the road and collect reimbursement from the developer so the residents would not be left stranded.

The motion was made by Burke, seconded by Wilson, to send a letter to developer (Michael Vaccaro) and to the lender (Grand Coast Capital Group) reminding them of the provisions in Section 381-13-I of the Subdivision Regulations which states:

“Maintenance. All roads must be properly maintained and plowed at the developer's expense to provide safe and adequate access to all occupied structures.”

The Board will enclose the most recent cost-to-complete estimate with the letter informing the developer and bank of their outstanding responsibilities. The motion passed unanimously.

#### **REEDY MEADOW WAIVER REQUEST**

The Board received a request from developer Peter Cricones to waive the paving deadline of November 15<sup>th</sup> for the Reedy Meadow Estates subdivision. The motion was made by Burke, seconded by Wilson, to waive the paving deadline of November 15 to no later than November 30 provided the temperature is at least 40° and rising and subject to the approval of Nitsch Engineering. The motion passed unanimously.

#### **GROTON INN PEER REVIEW**

The motion was made by Giger, seconded by Wilson, to accept the estimate of \$3000 for peer review of the Groton Inn site plan as submitted in the letter dated November 5, 2015. The motion passed unanimously.

#### **MINUTES**

The Board voted unanimously to approve the minutes of October 1, 2015; October 8, 2015; and October 15, 2015.

Meeting adjourned at 9:30 PM

Respectfully submitted,

Michelle Collette, AICP  
Land Use Director/Town Planner