

**PLANNING BOARD
AUGUST 25, 2016
MINUTES**

Russ Burke called the meeting to order at 7:05 PM at the Town Hall.

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

Member absent: Wilson

ROCKY HILL ESTATES – PUBLIC HEARING ON MODIFICATION OF THE SPECIAL PERMIT & DEFINITIVE SUBDIVISION

Attorney Bob Collins represented the Applicant on this matter. He provided a brief overview of the plan revisions and status of the application. Because there are a number of issues that are still outstanding, including the review letter from Nitsch Engineering, he asked if the Planning Board would continue the public hearing to the second meeting in September. Bonavita reminded the Board that an extension of the Planning Board's time to act on this application is necessary at this time. Attorney Collins submitted a letter dated August 25, 2016 requesting that the time by which the Board must conclude its decisions for Oriole Drive "Rocky Hill Modifications" be extended to September 30, 2016. Barringer made a motion to extend the deadline to render a decision to September 30, 2016. Svarczkopf seconded the motion, the vote was unanimous. Barringer made a motion to continue the public hearing to September 22, 2016. Svarczkopf seconded the motion. The vote was unanimous.

DISCUSSION OF PROPOSED MODIFICATIONS TO CHAPTER 381-12C(1) FIRE PROTECTION

Burke provided a brief overview of the proposed changes, explaining that subdividers have requested to install sprinklers in residential homes in lieu of cisterns. The proposed changes would enable subdividers to pursue this option without requesting/obtaining a waiver from the Planning Board.

Giger, the primary author of the proposed changes, explained the proposed changes and referred to the following handouts: document entitled "Residential Fire Safety" and excerpts of Massachusetts General Laws, Chapter 41, Section 81Q. He explained that he worked with the Fire Chief on the proposed language, which codifies something that the Planning Board is granting waivers to facilitate currently.

Bonavita explained that she examined the subdivision regulations of other communities- namely Millbury, Sutton and Framingham. Millbury's regulations are very broad, stating that "where no public water supply is available, an adequate water supply shall be provided in accordance with the Fire Chief's and Planning Board's recommendations." Sutton's Subdivision Regulations require cisterns where public water isn't available within 1,000'. If public water is available, they require sprinklers in residential dwellings. In Framingham, residential sprinkler systems are required where a dead-end street exceeds 500' in length. Bonavita also referred to a court decision- Robert Collings & Others vs. Planning Board of Stow, which found that the Planning Board was not unreasonable nor abuse its discretion and did not exceed its authority by requiring sprinklers in the residential buildings.

Giger read the proposed language into the record.

Barringer suggested changing the following sentence in paragraph 3 "if a proposed cistern is greater than 1,000 feet or more from any residential dwelling in the development, then additional cisterns shall be installed". He suggested specifying that if a residential dwelling is more than 1,000 feet from a cistern, then an additional cistern or sprinkler system shall be installed. The other Planning Board members expressed support for this modification.

Burke told the Board that he was initially concerned that the Subdivision Regulations do not extend to improvements within single family homes. He is okay with the suggested modifications and applauds Giger's balanced approach to the issue.

Giger made a motion to hold a public hearing on the proposed modifications to the regulations pertaining to Fire Protection. Barringer seconded the motion. The vote was unanimous.

14 & 20 STATION AVENUE – PUBLIC HEARING ON MODIFICATION OF THE SPECIAL PERMIT

Giger read the public hearing notice into the record. Attorney Bob Collins represented the Applicant on this matter. He provided a brief overview of the plan revisions explaining that the addition was originally proposed as part of the 2014 decision. The Applicant decided not to proceed with the addition due to expense. The Applicant has since changed his mind and wants to go forward with it.

In response to Bonavita's comment letter dated August 25, 2016, Attorney Collins agreed to install brick veneer façades where visible from Station Avenue (southeast and southwest elevations). The only façade that will be cement lap siding will be the rear elevation. Attorney Collins also agreed to install windows along the southwest elevation although they will be blacked out since that room will be used for mechanicals. The addition will accommodate mechanicals, restrooms and the kitchen.

In response to questions from Vega, Attorney Collins explained that the 2nd floor layout will not change and that the owners of the restaurant may live upstairs- the restaurant and apartment spaces are not yet leased.

Svarczkopf expressed frustration at the process- the installation of the foundation prior to issuance of Planning Board approval for it.

Attorney Collins responded that the foundation was installed at the Applicant's risk after consulting with the Building Inspector. He explained that the Applicant always planned on installing the foundation- it would be buried for a future expansion. He only recently decided to proceed with it at this time.

Burke replied that it is the Building Inspector's call- he can issue an at-risk foundation permit.

Giger asked about the rooftop units- how will they be screened from view? Attorney Collins replied that the units will be obscured by a gable and end wall. He offered to provide the Planning Board with a copy of the ventilation design.

Barringer responded that he wants a rooftop installation to attenuate the look and noise of the mechanicals, especially from abutting property. Attorney Collins suggested raising the wall to obscure the mechanicals on the side and rear of the addition. Vega underscored that he wants the sound attenuation to be attractive.

Sherry Robinson of 176 Main Street expressed dismay that the foundation was installed prior to permit approval. Perkins responded that the Building Inspector approved the foundation installation but that didn't mean that the Planning Board was under any obligation to approve the addition. She reminded Ms. Robinson that the foundation was installed at the owner's own risk.

Bud Robertson of 179 Main Street said that he supports the addition, but is concerned about the view of the rear of the building, especially during the winter months. He suggested that the entire building should be aesthetically pleasing.

Barringer made a motion to continue the public hearing to 7:30 pm on September 8th. Perkins seconded the motion. The vote was unanimous.

ANR PLAN – LONGLEY ROAD

David Browchuk represented the Applicant concerning this matter. He explained that the Applicant is interested in subdividing the property to create three lots. Barringer made a motion to endorse the "Plan of Land in Groton, Mass. Prepared for Maple Sugar, LLC", dated August 18, 2016, prepared by GPR Engineering Solutions. Svarczkopf seconded the motion. The vote was unanimous.

PLANNING BOARD SCHEDULE

Burke asked if the Planning Board would be willing to go from weekly meetings to biweekly meetings. He argued that a biweekly meeting schedule is typical for communities of Groton's size and level of activity. He suggested that the Planning Board have work sessions devoted to regulation/bylaw changes on the off weeks, or that additional meetings could be scheduled as needs dictate. The Board expressed a willingness to try the new schedule until December at which point the Planning Board will decide whether to continue with the biweekly schedule. Giger made a motion to meet the second and fourth Thursdays of the month until December 31st. Svarczkopf seconded the motion. The vote was unanimous.

MINUTES

Giger made a motion to approve the minutes of August 4, 2016 as presented. Perkins seconded the motion. The vote was 4 in favor with Burke and Svarczkopf abstaining from the vote.

MISCELLANEOUS

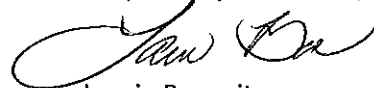
Burke asked the Board if they would be interested in paying Jeff Lacy, a consultant, to speak to the Planning Board about Shutesbury's Open Space Community Bylaw. Lacy sits on the Shutesbury Planning Board and was a primary author of the Bylaw. The Board agreed as long as he charges a nominal amount (no more than \$300).

Giger asked Bonavita to email summary information about the Municipal Modernization Act to the Planning Board. Bonavita responded that she would.

Giger made a motion to adjourn. Barringer seconded the motion. The vote was unanimous.

The meeting adjourned at 8:35 pm.

Respectfully submitted,



Laurie Bonavita
Land Use Director/Town Planner