

**PLANNING BOARD
OCTOBER 27, 2016
MINUTES**

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

Members present: Barringer (via phone at 7:30 pm), Burke, Giger, Perkins, Svarczkopf (arrived at 7:50 pm), Vega, and Wilson

Member absent: None

PUBLIC HEARING CONTINUED – ORIOLE DRIVE (ROCKY HILL SUBDIVISION) DEFINITIVE SUBDIVISION AND MODIFICATION OF THE SPECIAL PERMIT

Attorney Bob Collins represented the Applicant on this matter. Per Collins' request, Wilson made a motion to extend the time for Planning Board performance until December 14, 2016 and extend the public hearing until 8:15 pm on November 10, 2016. Perkins seconded the motion. The vote was unanimous.

ANR

Larry Stabian of Hannigan Engineering represented the Applicant on this matter. Three lots previously approved by the Planning Board were reconfigured to conform to today's minimum lot size and frontage requirements. Soil testing was complete. The new address for the existing home will be 168 Broadmeadow Road. Wilson made a motion to endorse the ANR plan entitled "Plan of Land in Groton, Massachusetts", prepared for John & Marylou O'Connor, prepared by Hannigan Engineering, dated October 24, 2016. Giger seconded the motion. The vote was unanimous.

MINUTES

Giger made a motion to approve the minutes of September 22, 2016 as written. Wilson seconded the motion. The vote was unanimous. Vega abstained.

Giger made a motion to approve the minutes of October 13, 2016 as written. Wilson seconded the motion. The vote was unanimous.

MISCELLANEOUS

Burke explained that Jeff Lacy is willing to speak with the Board about Shutesbury's by-right flexible development bylaw. The bylaw makes a conventional subdivision permissible via a special permit. The Planning Board discussed scheduling- Burke will ask Lacy to give his presentation at a special working session of the Planning Board on December 15, 2016.

PUBLIC HEARING CONTINUED– INDIAN HILL MUSIC SITE PLAN REVIEW PERMIT

Bonavita provided a brief overview of the working session held on October 21st concerning traffic issues. The session was attended by both the traffic engineers for both the Applicant and the Planning Board, Gary Shepherd, Todd Morey, representatives from Indian Hill Music, the DPW Director, Police Chief, and herself. Bonavita explained that the meeting lasted approximately 3 hours and that the group discussed GPI's response letter point-by-point. The group also spent a good deal of time discussing potential improvements to the Boston Road/Old Ayer Road intersection. She explained that the meeting was worthwhile with a number of questions answered and clarifications made.

Burke referenced the following correspondence:

- Email from Steve Robinson dated October 27, 2016;
- Email from Ira Grossman dated October 27, 2016;
- Letter from Alan Hoch dated October 27, 2016;

- Letter from Nitsch Engineering dated October 27, 2016.

Bonavita briefly discussed outstanding issues from her comment letter dated October 24, 2016.

Svarczkopf arrived at the meeting at 7:50 pm.

Alan Hoch, 106 Peabody Street, summarized his letter dated October 27, 2016. He stated that the look and feel of the performance center is out of character with the neighborhood. He suggested that the Planning Board hire a consultant to determine the extent of Dover Amendment applicability arguing that Town Counsel's opinion is obsolete as it was rendered prior to filing of the site plan review application with the Planning Board. He asserted that the proposed parking is fatally insufficient for the performance venue when filled to capacity and that the lack of curbing may lead to unauthorized parking along the ring road. He expressed concern about the structural integrity of the overflow parking areas- will the design accommodate the quantity of vehicles proposed for these areas? He suggested that the Planning Board hire a landscape architect to determine the adequacy of the proposed landscaping plan. He suggested a site line analysis to ensure that the landscaping will adequately screen the facility from the view of abutters on Peabody Street. He suggested including a Condition of Approval that requires the Applicant, at his expense, to replace dead and/or dying trees during the following growing season. He requested installation of an opaque fence to serve as a sound barrier. He alleged that the Applicant cannot use abutting APR land to satisfy the minimum impervious lot coverage requirement and suggested submitting this issue to a Land Use attorney for verification. He was concerned about light pollution. He suggested blocking various roadways to through traffic prior to and after performances. He suggested use of police details for traffic mitigation to be paid solely by Indian Hill Music.

Steve Robertson, 135 Peabody Street, summarized his email dated October 27, 2016. He articulated concerns about late night trucking activity- suggesting that trucks should be required to use the portion of the loop road furthest from the residents on Peabody Road. He suggested a Condition of Approval limiting the removal of excess snow from the site, truck deliveries and emptying dumpsters to normal business hours only. He expressed strong opposition to the 6 am start time for construction activity. He prefers a 7:30 am start time, but is okay with extending construction hours beyond 5 pm to make up for the later start time. He wanted the Planning Board to impose limits on festivals and other events over 1,000 patrons, and that performances/activities located in the festival meadow end by 7 pm. He preferred overflow parking to be concentrated on the Festival Meadow in lieu of areas closest to Peabody Street. He expressed concern that the decorative crosswalk at the intersection of Old Ayer Road/Peabody Street will be too noisy. He suggested a painted crosswalk as an alternative. He did not like Bonavita's suggestion of a crosswalk at the Temple Street/Peabody Street intersection and pedestrian access to the site at the emergency access road. He suggested that the Planning Board require installation of "white noise" backup alarms on construction vehicles regularly in use on site.

Bob Hargraves, 21 Temple Drive, did not want to encourage folks to access the site via the bikeway due to the steep grade of the side slopes in this location. It will be too dangerous for folks to access Peabody Street from the bikeway due to these slopes. Hargraves agreed that service trucks should use the short leg of the loop road to the building. He was opposed to locating the overflow parking along the Peabody Street frontage and widening the emergency access road off of Peabody Street. He wanted the opaque gate for the emergency access road to be installed ASAP. He asserted that the project is simply too big for the parcel and the area.

Dave Zeiler, 310 Old Ayer Road, complemented Indian Hill Music on their spectacular proposal. He stated that the project is simply too large for the land and the infrastructure. He reiterated Hoch's assertion that the performance center and café are not covered by the Dover Amendment. He was

concerned about the proposed height of the building and that it will equate to a giant beacon on a hill. He suggested that the Applicant simulate the height of the building using cranes so both the Planning Board and residents could understand its scope. He expressed support for a scaled down version of the project or its relocation to Devens.

Jim Antonellis, 13 Temple Drive, reiterated that he is concerned about the undefined areas- the festival meadow, overflow parking and barn area. He asserted that alcohol service and the restaurant space are not covered by the Dover Amendment. He was opposed to a 6 am start time for construction activities.

In response to a question from Svarczkopf, Shepherd explained that the café will serve students, employees and patrons supporting both the school and performance functions. It will not be open to the general public. Alan Joslin, lead architect, clarified that the café consists of counter space and that a catering kitchen will support a separate dining room. Concession booths will be utilized during performances.

In response to a question from Barringer, Susan Randazzo, Executive Director of Indian Hill Music, explained that the festivals will begin in the afternoon and consist of jam sessions, master classes, small performances, and a headliner act in the Performance Hall in the evening. She asserted that there will be no simultaneous performances. A maximum of 2,300 patrons will attend a performance event at one time. The Festival Meadow will only be used during daylight hours as it will not be lit. It will also not have speakers.

In response to a question from Burke, Randazzo stated that in 10 years they expect large events (2,300 patrons) will occur approximately once a week during warm weather months. Shepherd states that they will submit a list of the various size and frequency of events for Planning Board review.

In response to a question from Svarczkopf, Randazzo explained that Indian Hill Music currently holds 6 large events annually with its symphony at a venue that currently seats up to 800 people.

Shepherd suggested that the Planning Board send the proposal back to Town Counsel for a legal opinion. He responded to various issues as follows:

- They do not support blocking roadways during/after performances;
- They are willing to compromise on the issue of snow removal;
- They have no intention of making truck traffic one way;
- They have not yet identified a final use for the barn;
- They prefer a 6 am start time to accommodate cement trucks.

Joslin explained that the proposed lighting fixtures comply with dark sky requirements. In response to a question from Svarczkopf, Joslin explained that there will be minimal spillage of interior lighting from the building. He is willing to provide comparable examples from other sites to demonstrate this.

Shepherd explained that they are willing to use the "white noise" back-up alarms suggested by Robertson if they comply with OSHA requirements.

Shepherd explained that they prefer not to engage with or encourage access to the site from the rail trail. They are also opposed to pedestrian access to the site via the Peabody Street emergency access road.

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Barringer asked for a cut sheet on the proposed lighting fixtures, including color temperature. He wants a bright light analysis performed that measures the building's impact from a lighting perspective on the Peabody Street abutters.

Shepherd explained that he will provide a more defined drawing of façade.

Shepherd explained that the chip seal walkways will look natural in keeping with the agricultural character of the site. He explained that an opaque gate for the emergency access road is ready but will not be installed until the site plan review decision is rendered.

Barringer requested additional information about the depth, detention time and security for the stormwater facilities.

Greg Dazollo, landscape architect, explained that the emergency access gate will be a double hung, 7' tall gate. He reminded attendees that the buffer between the site and the Peabody Street abutters will consist of various species, including an existing 15-20' wide buffer, 10' wide section of new shrubs, 10' mowed section, and 20' wide new tree buffer.

Todd Morey, civil engineer, explained that there will never be an occasion when the school and all performance spaces will be filled to capacity simultaneously. Cars were counted at a recent, sold out event yielding a ratio of 2.24 people per car. Burke asked Morey for documentation of this and other comments made about the overflow parking.

Burke asked Bonavita to put together a bulleted list of issues for the Planning Board members to review and expand upon as appropriate. Do members have additional questions for the Applicant? Burke asked Bonavita to give the list of issues to the Applicant and upload into onto the municipal website.

Perkins asked Morey if anything will be installed to prevent folks from driving into the bioretention areas. Morey responded that they are looking into installing wood guardrail or posts. In response to Perkins question, Morey explained that decomposed granite areas will be used for overflow parking.

Giger expressed reservations about parking adequacy. He wants the Applicant to provide a plan showing additional overflow parking. He also wants the Applicant to demonstrate the proposed height of the building via a balloon test.

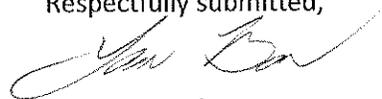
Wilson made a motion to continue the public hearing to 7:00 pm on November 10, 2016. Svarczkopf seconded the motion. Burke called for a roll call vote- Perkins- yes, Barringer- yes, Vega- yes, Svarczkopf-yes, Wilson- yes, Giger- yes, Burke- yes. The vote was unanimous.

Barringer left the meeting at this point.

Wilson made a motion to adjourn. Svarczkopf seconded the motion. The vote was unanimous.

The meeting adjourned at 9:40 pm.

Respectfully submitted,



Laurie Bonavita
Land Use Director/Town Planner