

**PLANNING BOARD
DECEMBER 22, 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

Absent: None

REEDY MEADOW ESTATES

Since the applicant was late, Bonavita explained that the developer is seeking approval for the locations and designs for the conventional dwellings, age-restricted dwellings and affordable dwellings, a waiver from the front setback requirement to allow dwellings to be placed 30' from the roadway, and release of the covenant in consideration of acceptance of a tri-partide agreement in the amount of \$209,412.63. The Planning Board briefly discussed the memorandum from Fran Stanley, Groton's Housing Coordinator, dated December 20, 2016 pertaining to the design of the affordable dwellings.

Peter Cricones of Reedy Meadow LLC arrived at 7:18 pm.

Vega explained that he is in favor of granting the waiver of the front setback because the dwellings will be situated around a common and a reduced front setback will create more of a village feel. Burke concurred. Giger asked if the village green will have vegetation (trees). Cricones responded that it will be planted in accordance with the landscaping plan.

Wilson made a motion to waive the 50' front setback requirement, approve the proposed locations of affordable and age-restricted units, and approve the menu of design options for dwelling units. Giger seconded the motion. The vote was unanimous.

Perkins made a motion to accept the recommended cost estimate from Nitsch Engineering dated December 12, 2016 in the amount of \$209,412.63. Barringer seconded the motion. The vote was unanimous.

Perkins made a motion to accept the Tri-partide Agreement, as amended by Town Counsel, between the Town of Groton Planning Board, Reedy Meadow LLC, and Washington Savings Bank in the amount of \$209,412.63 to serve as a performance guarantee and release the covenant as it pertains to lots/units A-J within Parcel I, inclusive. Barringer seconded the motion. The vote was unanimous.

PUBLIC HEARING CONTINUED – INDIAN HILL MUSIC SITE PLAN REVIEW PERMIT

Applicant Gary Shepherd provided an overview. Burke asked for a brief description of the proposed signage, including design, lighting and location. Alan Joslin, Architect from Epstein Joslin Architects, responded that the sign location will be as depicted in the site plan but the sign is not yet designed. Once the sign is designed, the Applicant will submit for review and approval in accordance with the sign bylaw.

Shepherd reviewed the proposed widths of the various driveways. He explained that the emergency access drive off of Old Ayer Road will be 14' wide, gated and consist of bituminous asphalt. Todd Morey, Civil Engineer with Beals Associates, Inc., said that they will perform a full surface regrade of the existing driveway.

Chris Ripman of Ripman Lighting Consultants explained that the site sign, which will be exterior lit, will remain 100% lit in the after-hours condition. In the after-hours condition, lights at the entry drive will be off and they are proposing to reduce the illumination of loop road lights to 25%. Indian Hill Music is also seeking the discretion to turn off the loop road lights altogether in the late night condition- using only bollards and security lighting at entry points. Ripman stated that they will provide a photometric diagram to the Planning Board depicting this. Ripman then argued for the Applicant's waiver request to allow 25' light poles claiming that 25' poles will improve the uniformity of illumination and minimize the overall number of poles. If the Applicant is required to adhere to the 20' maximum street light pole height requirement, 15 more poles will be necessary. Burke asked how often the 25' poles will be in use. Ripman responded that they will be in use when school is in session and during every performance, however the 25' poles closest to Peabody Street will only be used during large performances.

Ripman reiterated that the Applicant wants to comply with the IES criteria of minimum average value versus Groton's absolute minimum value as set forth in the Zoning Bylaws.

Ripman explained that, in accordance with a request from the Police Chief, Indian Hill Music will install a lock box with a switch on a pole at the site entrance that would enable all road sight lighting to be turned on by the police.

Giger asked about providing temporary lights at intersections for police. Shepherd responded that permanent street lights will be provided, at Indian Hill Music's expense, on existing poles at these intersections.

The Planning Board discussed establishing a performance standard for the landscaping screen.

Giger pointed out that Prescott Common sits within a Historic District. He suggested that the applicant discuss proposed modifications to the Prescott Common and the Old Ayer Rd/Main St/Boston Rd intersection with the Historic District Commission.

Selectman Anna Eliot said that the Board of Selectmen requests a Condition of Approval requiring Board of Selectmen approval of modifications to the Old Ayer Rd/Main St/Boston Rd intersection. Burke responded that the draft decision includes a Condition that requires submission of street opening/curb cut permits prior to construction of the improvements.

Shepherd, when referring to the draft decision, said that there are fatal issues, such as Planning Board approval of performance content, that will cause Indian Hill to abandon the project.

Attorney Bobrowski asserted that case law enables an applicant to go forward with construction of a project, at the applicant's risk, despite an appeal of the Planning Board's decision. He also made the argument that the Planning Board can't require a review of various previously-approved aspects of a project a year after issuance of the occupancy permit. Bobrowski made his argument for 14 peak events annually, referring to his letter dated December 19, 2016. Burke said that he is amenable to the 3 conditions that Bobrowski proposed in his December 19th letter with regards to "seasonal events", but he still wants an annual meeting with Indian Hill Music to take stock.

Svarczkopf underscored the importance of crafting a decision that addresses all points and resents any assertions that the Planning Board's permitting process is moving too slowly.

Giger said that he is disappointed with the Applicant's stance and combative attitude. He said that he does not feel that the Applicant is approaching the process with a spirit of collaboration.

Shepherd stated that the Applicant prefers a cap on the number of performances instead of a minimum.

Giger said that he wants a monthly meeting with the Land Use Department during the course of construction and doesn't understand why the applicant would have an objection to it. Shepherd responded that he doesn't want the town's blessing every step of the way. Giger responded that the Town is seeking information only- to be kept up-to-date on construction activities.

Barringer pointed out that the public hearing has to remain open if the applicant is to provide input on waivers and conditions.

Burke suggested that Bobrowski talk with Town Counsel to resolve the special permit question.

Jim Simko, 62 Blossom Lane, said that he trusts Indian Hill Music completely and that they are beyond reproach. He accused the Planning Board of being more concerned about what the five abutters want versus the three thousand other residents of Groton. He said that it was inappropriate for the Planning Board to micromanage this facility.

Selectman Peter Cunningham, 44 Smith Street, spoke as an individual. He asked the Planning Board to consider providing direct access to the Indian Hill Music site from the rail trail as a way of mitigating some of the traffic concerns. He asserted that concerns about crime are not proven on the rail trail.

Jim Antonellis, 13 Temple Drive, expressed concerns about holding 14 performances during the summer. He reminded the Planning Board about Town Counsel's affirmation that the Planning Board has the ability to regulate the number of performances.

Dave Zeiler, 310 Old Ayer Road, said that he is concerned that very large performances for 2,300 patrons will not be educational in nature.

Camilla Blackman spoke in favor of Indian Hill Music and the integration between learning and performance. She explained that the new venue will provide the full breadth of educational possibilities. She wanted to know if there was another way to enhance communication without imposing a Condition of Approval.

Susan Randazzo, Executive Director of Indian Hill Music, explained that performances enhance the educational experience and that performance/education will be more married in summer.

Giger asked about the incremental gain of performances for 1,000 patrons versus performances for 2,300 patrons. Joslin responded that the lawn seating enables young families with children to enjoy the music.

Perkins said that she has attended many Indian Hill Music performances throughout the years. She asserted that the educational benefit is via the lectures in advance of the concerts.

Bob Hargraves, 21 Temple Drive, said that he supports the Indian Hill Music project overall, but has concerns about parking, noise and landscaping.

Bob Lotz, 163 Indian Hill Road, reminded everyone that adults are still learning. He said that the lectures and question/answer period are invaluable to the performance experience. He concurred with

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Cunningham that a connection to the bikeway from the site is desired. He summed up with a claim that Indian Hill Music will make a marvelous addition to the Town of Groton.

Steve Robertson, 135 Peabody Street, said that he is not against project, but is concerned about potential impacts. He supports a Condition of Approval that provides a vehicle for revisiting the project down the road.

Mark Bobrowski suggested a work session to thrash out the various issues. The Planning Board discussed the merits of this but ultimately decided that Mark Bobrowski and Russ Burke would thrash out the issues if authorized to do so by Town Counsel.

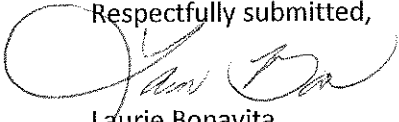
Bonavita offered to incorporate Town Counsel's suggestions and non-controversial Indian Hill Music suggestions into the draft decision for discussion at the next meeting. She will highlight issues that warrant further discussion in the draft and send a clean copy to the Planning Board and the Indian Hill Music team prior to leaving for vacation. Meanwhile, Burke will re-work the Dover Amendment condition pertaining to performances.

Svarczkopf made a motion to continue the public hearing to 6 pm on January 5, 2017. Barringer seconded the motion. The vote was unanimous.

Barringer asked Bonavita to inform the Planning Board of any minor site plan review applications under review by the Land Use Committee at each Planning Board meeting.

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

The meeting adjourned at 9:30 pm.

Respectfully submitted,

Laurie Bonavita
Land Use Director/Town Planner