

## **Town of Groton Planning Board**

January 10, 2019

Meeting Minutes

A meeting of the Planning Board was held on Thursday, January 10, 2019, at 7:00 p.m. in the second-floor meeting room at Town Hall, 173 Main Street, Groton, MA 01450.

In attendance:

Mr. George Barringer, Chairman  
Ms. Carolyn Perkins, Member  
Ms. Annika Nilsson Ripps, Member  
Mr. Timothy M. Svarczkopf, Clerk  
Mr. Gus Widmayer, Member

Not in attendance:

Mr. Russell Burke, Vice Chair  
Mr. Scott Wilson, Member

Also present:

Mr. Takashi Tada, Land Use Director/Town Planner  
Mr. Jared Gentilucci, Nitsch Engineering

Chairman George Barringer opened the meeting, stating there was a quorum. Also in attendance was the Town's consulting engineer, Jared Gentilucci from Nitsch Engineering.

### **Discussion – Olivia Way (Reedy Meadow Estates) Drainage Issues**

G. Barringer opened this agenda item and announced that J. Gentilucci (Town's engineer) and Doug Lees (representing the developer) were in attendance. This is an issue that has been discussed since November. The Planning Board will hear from the Town's engineer, the developer's engineer, abutters and residents of the road. Soil testing at the site was done in 2001/2002. The Planning Board issued a subdivision special permit in 2007 and construction began sometime after that. The goal is to reach an optimal solution to what has been a very difficult problem and it will require cooperation from multiple Town committees and likely the Town of Pepperell. The engineer representing the developer is new to the situation. It is an issue that spans almost two decades. There are new members on the Planning Board and G. Barringer suggested an update so that new members could get an understanding of the situation. Ed Perkins from the Earth Removal-Stormwater Advisory Committee was also in attendance.

G. Barringer reviewed photos from a recent site visit, noting that more than half of the development is in the Town of Pepperell and it is located in the northwest edge of Groton. The open space land in Groton was deeded to the Conservation Commission by the developer. The photos shared during the meeting illustrated the development, homes, turtle barrier behind homes and stream (Reedy Meadow Brook) that is running fairly heavily through the conservation land. The Planning Board viewed photos of

standing water that is slowly flowing toward the stream. There was presence of algae on a recent visit on December 27<sup>th</sup>, 2018. It was also noted that the turtle barrier is floating in the water. Photos of the remedial pipes were also shown. Photos taken by a resident showing the flooding of Olivia Way in November 2018 were also viewed.

Mr. Doug Lees, representing the developer, was in attendance. He reviewed maps of the project highlighting various catch basins along the perimeter of the property that go through a water filtration system and were designed to infiltrate back to a sandy area of the former gravel pit. D. Lees noted that the water table appears to be higher than was determined at the origination of the project in 2001 and when they tested in 2011. Groundwater is flooding the systems. When the road began flooding in November 2018, the immediate temporary solution was to set up a discharge area on the conservation land (with Conservation Commission approval) and pump water out of the road to make it passable. Currently, pumps are still running to remove water from the subsurface infiltration systems. Residents of some of the homes on Olivia Way, particularly #10 and #3 are continuously pumping water from their basements. T. Svarczkopf questioned if residents are paying the electric bill for pumps that are being used and G. Barringer believes that is the case. C. Perkins asked if the road had been constructed where originally planned. She also requested confirmation that water table is higher than originally planned for. D. Lees confirmed road was built where planned and water table is higher than originally planned for.

Christina Sapler of 14 Olivia Way, informed the board there is a video of foundations full of water when they were being constructed. J. Gentilucci replied that looking back at Nitsch's field reports from 2016 there was no evidence of groundwater when the infiltration areas were being excavated. He noted there are pictures of areas excavated for the systems and you can see the ground is dry. There is a subsurface infiltration system on the Pepperell side that backs up to unit #10, which is the home that is pumping out the basement continuously. It was noted that the Pepperell properties are at a higher elevation than Olivia Way. Water seems to be coming in from the conservation land and the land in Pepperell and flowing into the Olivia Way area, which is the low point.

Some iterations of possible solutions were reviewed by D. Lees. One solution is to install an overflow pipe from Infiltration System 9 that will discharge onto the Town's conservation land. Due to grading issues around this development, this solution would also connect catch basins in the southern part of the property so any overflow from Infiltration System 8 will flow to Infiltration System 9 and eventually be discharged onto the conservation land.

A second possible solution would be to regrade the road and address two low points. Water would flow to catch basins. This proposal would also include the creation of a pond in the conservation land as a place for the water to settle. A.N. Ripps inquired if there were discussions about water quality management as water that is coming from the surface is ending up in this pipe. C. Perkins asked about the size of the proposed pond. D. Lees answered that it would not be a very large pond. Members of the commission noted that this condominium development contains exclusive use areas. They are still under control of developer, as the condo association is not in place as the development has not been completed. G. Barringer expressed some concern with planned construction of a pond, particularly

safety issues if it is a sizeable pond of considerable depth. T. Svarczkopf stated he would like to avoid a pond.

G. Barringer questioned how to address the drainage issues at unit #10 Olivia Way. D. Lees commented that there are multiple problems leading to the flooding of the roads and basements. The infiltration system in Pepperell is built on the lot line along private property making it difficult to determine at this point where a pipe will go around unit #10 to address basement flooding. D. Barringer asked if #10 could be connected to the proposed roadway drainage. T. Svarczkopf asked about the size of pipe in the northwest corner, to which D. Lees answered it would be a 6" pipe. J. Gentilucci favored the idea of connecting #10 to roadway system as there is little room to work elsewhere within the condo property. D. Lees questioned what are the Board's issues with the proposed pond and G. Barringer responded that the potential safety issue and stagnant water could be a health issue.

### **Members of the public attending the meeting had the opportunity to comment --**

Channing Lambert of #10 Olivia Way raised his concerns that concentrating the water to create a pond would further saturate the land. He is also concerned that the water table will remain higher from this point forward. The last soil testing was in 2002. He hopes to see more testing to understand the current situation of the water table. He also expressed he would like to see entire scope of project, including surrounding development areas, to see if this issue was encountered at any point.

Joel Myerson of 6 Olivia Way noted that he believes some erosion has taken place, referencing that before they could do testing at the time of flooding, sediment had to be removed from catch basins. He also noted that no curbs were constructed, which he believes exacerbated flooding on road. Mr. Myerson inquired if there is a plan for the construction of curbs? G. Barringer will look into this.

Scott Hepburn of 14 Olivia Way expressed his concerns of the construction of a pond. The water that is ponding currently ranges between 6-18", and he questions if the depth of a pond would have to be substantial to accommodate flow. D. Lees responded that if there is proper overflow piping there will be a lot less water being pumped into the pond than is currently.

Committee members discussed that homeowners at #10 and #14 are paying electricity to pump water from catch basins. Developer had originally set up gas powered pumps that were too noisy.

Lynn Esielionis of 3 Olivia Way stated that she has had flooding in basement and needed to pump for a month. She is working with the developer to have pump permanently placed in her basement. She currently experiences a lot of water in her back yard. She noted that Red Pepper Lane has significant flooding and she wanted to ensure this has been taken into consideration. Red Pepper Lane is the road from which you turn onto Olivia Way.

Olin Lathrop spoke on behalf of the Conservation Commission, stating they were generally in favor of the construction of a pond when it was suggested at their recent meeting. Its purpose would be to function

as a wetland system, which would mean you cannot have it too shallow. The Commission was anticipating it would be deep enough to encourage the natural growth of wetland plants that would absorb and filter water. He noted the considerable amount of algae, which is evidence of fertilizer use, and agreed it would not be ideal to be flowing directly into the stream.

The Planning Board discussed the creation of an active wetland, with a natural boundary and how the grading would affect its design. It was also commented that algae could be a Board of Health issue and what could be done to prevent use of a lot of fertilizer. In response, it was mentioned that thoughtful planning would go into selection of plant life that would provide filtration. J. Myerson of unit 6 commented that the soil that was used to fill and build the homes up contained Japanese knotweed, an invasive species, and the areas have been treated to remove it. There will likely be a lot of removal and replacing of topsoil. A.N. Ripps questioned when the condo association comes together if use of fertilizers be negotiated. It was answered that the homeowners have already bought homes under certain rights to exclusive use of land.

Channing Lambert asked for data on infiltration systems surrounding Olivia Way. G. Barringer replied that the Town Planner will reach out to Pepperell and other boards to discuss. G. Widmayer commented that a similar flooding situation on Sandy Pond Road in Ayer occurred in the past and suggested the Board may want to get in touch with them to see how it was resolved.

Chairman Barringer asked J. Gentilucci to confirm discrepancy between 12-foot water table in the original planning with what has been measured as of today. J. Gentilucci commented that the original measurements were done several years ago. He confirmed that in sandy materials such as in this area, it is much harder to see soil mottling and other signs of groundwater. Chairman Barringer thanked everyone for their input and the discussion ended.

#### **Proposed Zoning Amendment for Parking on Accessory Lots (Offsite Off-street Parking).**

For the purpose of this evening's meeting, it will be a discussion only. The formal public hearing will be held at the next meeting on January 24<sup>th</sup> at 7:20 pm. G. Widmayer questioned whether abutters would be notified when an applicant comes before Planning Board to give opportunity for abutters to show up and provide comments. G. Berringer answered that if there is a special permit application, then yes, they would be notified as part of the special permit procedural requirements. G. Widmayer also requested clarification if the term abutters refers to those abutting the principal house lot or abutters to the proposed parking lot? T. Tada said he thought it would be both -- abutters with 300 ft of the subject parcels' property lines. These would all be special permits that would require advanced notice. G. Widmayer also asked if there is anything in the special permitting process that includes impact on views or vistas? G. Berringer noted that visual impact is mentioned in Part C, third bullet. The public hearing is in two weeks, nothing can be changed until public discussion.

**Master Plan Implementation Committee.** C. Perkins, requested the Board go through the plan collectively. T. Tada and C. Perkins have already gone through it and concluded that low impact

development recommendations have been implemented. Established regulations to encourage renewable energy and standards now include solar and wind projects.

Highlights from the discussion are described below. Items in bold are referencing the document and comments are from C. Perkins unless otherwise noted.

**Cultural and historic resources “Provide flexibility in zoning to encourage the reuse and restoration of historic building particularly housing”.** C. Perkins noted the Planning Board has not done anything in this area. The Board discussed that there was at least one instance when there was a lot of zoning discussion related to Station Ave, where they paid particular attention to encourage changes benefitting the historic building. G. Widmayer asked how reconstruction of historic building would be considered, to which C. Perkins responded that the purpose of tonight’s discussion was to look at current plan, and she would take note of his point for the next plan in 2021.

**Working with residents to create local historic districts.** C. Perkins - Many residents are reluctant to broaden historic districts because of limitations it may impose on homeowners. Does not include a lot of houses in West Groton, so that also needs to be added.

**Increase scenic road bylaws.** The Board discussed the issue with people cutting down their trees without realizing the need of Scenic Road Review. C. Perkins expressed the need to do better at notifying people and publicizing that all roads in Groton are considered scenic roads other than Route 119.

**Instituting regular formal role for Groton Historical Commission** The new online building permits system allows the Historical Commission to be notified about projects earlier in their lifecycle. The Chair of the Historical Commission has been added as a reviewer. They are also included in communications related to Land Use Committee meetings.

**Archaeological assessment** – because of the concern of a number of Native American burial sites some archaeological data has been pulled out of public view to decrease the potential risk of people finding these sites and looting. As potential for developments come up, it is necessary to be aware and give notice if necessary.

**Open space and recreation.** Encourage developers to consolidate open space set-asides, rather than create fractured conservation properties. This is not in the requirements. The Board is currently asking developers where they are putting conservations lands. There is a need for more consistency and should contain a requirement for public access.

**Create new recreational facilities for Groton residents** Not necessarily a Planning Board item, but part of the recreational plan that the Board oversees. New facilities include the basketball court behind the library, and the handicap-accessible “John Tinker Trail” at Harry Rich State Forest.

**Transportation** – There has been good progress on implementing the Complete Streets policy.

**Adopting local use as much as possible** – unknown if this has been done at all.

**Establish active liaison with Bay State Roads, a cooperative effort of the Federal Highway**

**Administration to make Groton Streets more efficient and accessible.** Not much has been done for this.

G. Barringer mentions that this is part of the Complete Streets plan.

**Greater enforcement of speed limits** – falls more under the Groton Select Board. There was some commentary about the level of speeding around Main Street.

**Ensure impacts on natural and cultural environments** – does not seem much has been done with this, commenting that the Complete Streets project addresses some of this.

**Creating new streets and trail connections.** The Board has done their part through the Complete Streets projects. G. Widmayer noted a typographical error on the slide “Skyfield Drive” has an ‘s’ on it (Skyfields).

**Land Use – define boundaries and roles for each village.** Have made some progress in zoning for new businesses.

**Plans and provide for additional housing density in each village.** Unsure if there has been anything done in this regard. T. Svarczkopf noted flexible development allows for higher density.

**Make Groton’s villages comfortably walkable.** Some progress has been made through Complete Streets projects, by adding sidewalks and making areas more walkable.

**Create and adopt design guidelines for commercial construction and multifamily housing.** Unsure if anything has been done on that yet. T. Svarczkopf commented on how much does the Town step in and how much should be left to the market and actions related to it? Can be a tough balancing act.

**Off-street parking** – ongoing discussion about off-street parking for principal structures on constrained lots. Since the last Master Plan, the Planning Board has adopted more flexible regulations regarding minimum and maximum amount of required parking spaces.

Items related to **dimensional regulations in residential districts and flexible development** have been talked about a lot. Not much has been done as of now, but is a consideration they have been looking at. T. Svarczkopf had a question about the term “transfer lots”. C. Perkins answered with a hypothetical example as with a subdivision, a developer would receive in exchange for what is set aside for affordable housing, an opportunity to bank a lot to use in a future development. They were considered very valuable at one time, but there has not been a lot of use of them lately. T. Svarczkopf suggested removing this from future requirements.

**Planned multifamily residential** – the board has not done work on that.

**Housing and residential and development.** Does not believe anything has been done to first three points related to more (1) rental housing, (2) promoting racial, ethnic and cultural diversity, and (3) considering zoning techniques to promote neighborhood developments that meet Town's social, economic and aesthetic objectives.

The Board has supported the Housing Coordinator position and has supported more affordable housing. The development of the Shirdi Sai Temple is an example of increasing diversity in the Town.

**Allowing single to multifamily conversions.** This was proposed and defeated at Town Meeting.

Other items related to **multifamily unit development bylaws**, nothing has been done with those.

**Setting clear realistic guidelines for Chapter 40B developments and providing attractive incentives for developers to comply** – nothing has been done with this. Select Board has adopted a policy on Local Initiative Projects (LIP).

**Encouraging construction of green, energy efficient homes.** More discussion to come on this in a January 17<sup>th</sup> meeting about the Green Communities program.

In the economic development section, the Board has **revised and updated the B-1 district use and dimensional regulations.**

**Community services and facilities** – work is currently being done at the former Tarbell School and Squannacook Hall.

C. Perkins asked if there were any other comments or questions on the Master Plan Implementation and there were none.

## **General Business**

### **Open Space and Recreation Plan draft.**

This was drafted by Conservation Commission and they have asked for comments by the end of January. G. Barringer requested the Board members review for discussion at their next meeting. T. Tada announced there will be a public meeting on January 31<sup>st</sup> to discuss the draft Open Space and Recreation Plan at the Groton Inn.

### **Housing Coordinator**

A recent memo dated January 9<sup>th</sup> discusses the Planning Board's support of the application for Housing Coordinator with the CPC. T. Tada will be submitting a full draft application on Monday, January 14<sup>th</sup> and asked if there were any comments on memorandum.

Upon a motion by T. Svarczkopf to approve letter in support of Housing Coordinator draft dated January 9<sup>th</sup>, 2019 with changes provided by Administrator Takashi Tada, seconded by A. N. Ripps the Board:

**VOTED** to approve the letter by a unanimous vote.

Chairman Barringer announced there is a Green Communities Meeting January 17<sup>th</sup>, 7pm. A special Planning Board meeting will be posted in anticipation of a quorum in attendance at this meeting.

### **Meeting Minutes**

Board members briefly reviewed the minutes from the December 13, 2018 meeting. C. Perkins referred to second page where she asked about landscaping mostly lawns and trees, and Mr. Platt said a particular requirement was not recalled. C. Perkins does not believe that "requirement" is the accurate term. Replace with "landscaping plan".

Upon a motion by T. Svarczkopf to approve the minutes dated December 13, 2018 as amended, seconded by G. Widmayer the Board:

**VOTED** in favor of approval of the minutes by a unanimous vote.

G. Barringer brought the Board's attention to a memo from the Town Manager for the Annual Town Meeting. There will be a public hearing for Open Space and Recreation Plan draft. Then it will be reviewed by Town Council and then submitted to the Select Board. G. Barringer asked if the language could be modified to remove the transfer lot section of the plan. C. Perkins replied that time may not allow these changes to be made before public hearing.

T. Tada announced that John Amaral and his associates from The Groton Inn have requested a meeting with T. Tada and a member of Planning Board for Friday January 11<sup>th</sup> at 10 am. The purpose of this meeting is that they purchased the property at 11 Lowell Road, formerly owned by Lawrence Academy, known as the Waters House. The Groton Inn would like it rezoned as it is currently under residential zoning.

Upon a motion by T. Svarczkopf, seconded by A.N. Ripps, the Board:

**VOTED** to adjourn this evening's meeting by a unanimous vote.

Minutes respectfully submitted by  
Naomi Campbell Siok, per diem recording secretary, Town of Groton.

*Approved 2/7/2019*