

Town of Groton Planning Board

January 24, 2019

Meeting Minutes

A meeting of the Planning Board was held on Thursday, January 24, 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

Mr. Russell Burke, Vice Chair

Ms. Carolyn Perkins, Member

Mr. Gus Widmayer, Member

Not in attendance:

Mr. Timothy M. Svarczkopf, Clerk

Mr. Scott Wilson, Member

Ms. Annika Nilsson Ripps, Member

Also present:

Mr. Takashi Tada, Land Use Director/Town Planner

At 7:00 pm Chairman George Barringer announced the members were waiting for their fourth member to arrive in order to have a quorum. At 7:05 the fourth member arrived.

At 7:06 the board moved to the Public Hearing section of the agenda for a Special Permit for Flexible Development at 66 North Street. Chairman Barringer announced that because this item is a special permit for flexible development, it requires five board members to have a hearing. As only four members were present at this evening's meeting, it was proposed to postpone the hearing to the February 7th Planning Board meeting at 7 pm. Chairman Barringer apologized to any abutters who may have come to this evening's meeting. Upon a motion from R. Burke, seconded by C. Perkins It was **VOTED** to postpone the hearing until February 7th.

With the rescheduling of this section of the agenda, the board then moved to the General Business section of the agenda for an update on Reedy Meadow Estates / Olivia Way. Residents of the development were present and invited to speak and provide updates.

T. Tada displayed photos on the screen of the current conditions after the heavy rains over the past 24 hours. Andy George of 13 Olivia Way spoke and noted that lumber is floating in water that has filled the cul de sac. In some places water has reached the top of the electrical boxes. He noted that neighbors are concerned none of the water is going through the infiltration system.

Channing Lambert of 10 Olivia Way stated that he has about 9.5-10" of water in his basement. He also commented on the water in the roadway and suspected it was about 2 ft deep in some spots. Residents are unable to park in their driveways and have to park at the top of the road and walk to their homes. It was also noted that Mr. Lambert was wearing 15-inch rubber boots so that he could walk in the vicinity of his home. He commented that he has been using 2 pumps to mitigate the flooding in his basement. Mr. Lambert made the board aware that the Crawford Way portion of Reedy Meadow Estates, which is on the Pepperell side of the development is also experiencing flooding. After unsuccessful attempts to contact the developer, the town of Pepperell had to get involved for remediation. He suggested the planning board contact the town of Pepperell. It was noted that the photos seen at today's meeting have also been sent to Expert Realty, who are the realtors of the properties on Olivia Way.

Scott Hepburn of 14 Olivia Way requested if Groton Electric Light could install electrical sources in the road so that electrical costs could be charged to the developer. Currently the electrical costs for running the pumps at the holding tanks are being charged to two of the residents. Mr. Hepburn also noted that the conservation land is completely flooded and the turtle barrier is floating. Chairman Barringer noted that the Conservation Commission and Stormwater Commission are both actively discussing remediation options.

R. Burke questioned what is the history of surety with Olivia Way and if any amount has been released. T. Tada replied there is a \$209k surety for infrastructure, and believes none of it has been released. As this includes the infrastructure, which is currently not working properly, R. Burke requested that T. Tada double check and notify the bond company of a potential situation. It was suggested to send a memo expecting insured to take action to remedy the situation. Upon a motion by C. Perkins seconded by G. Widmayer it was **VOTED** to alert the bonding company by a unanimous vote.

G. Widmayer asked if the entire site could be regraded. Members of the board briefly discussed that this would not be a viable option. C. Perkins raised the concern there will be a freeze in a couple days from and the water on the road would freeze. It was understood that the developer is out of the country and his daughter is representing him in his place. Upon a motion by C. Perkins, seconded by G. Widmayer it was **VOTED** that T. Tada would attempt contact with the developer's daughter at Expert Realty to express concern for freezing over the weekend and inquire on the developer's strategy for removing water before it freezes.

G. Widmayer questioned how many more homes are to be built in this development and it was answered that there are no more to be built. The developer has some paving left to do on the road.

At 7:20 the board moved to the Public Hearing section of the agenda for a Proposed Zoning Amendment for Offsite Off-street Parking. G. Widmayer read the public notice for this evening's meeting. R. Burke recalled that at the Fall Town Meeting last year, there was a citizens' petition for a zoning amendment for offsite off-street parking. The Planning Board had some concerns with some of the language in the petition. The petitioners then withdrew their petition. The overall concern is with parking on lots that do

not contain the principal structure/dwelling, which is not currently allowed in the zoning bylaws. The Planning Board has proposed a provision for offsite off-street parking to be managed on a case by case basis via the special permit process. G. Barringer asked if there were any questions from the board members. R. Burke expressed that the items indicated in the draft proposal with an "X" will need to be replaced with more formal language. G. Widmayer noted that his original concern about how abutters would be notified was satisfied with the public hearing requirements of the special permit process. G. Widmayer also confirmed as it is a special permit, that five planning board members would be required to approve.

G. Barringer invited members of the public to comment. Kevin Mendel of Pine Trail in the Lost Lake area expressed his concern with the absence of language that limits numbers of vehicles. To this G. Barringer responded that because each case requires a special permit, that the permitting requests will contain a lot of detail. He explained that the standards of the provision would require that a plan be provided and to put to a "good faith" test by the Planning Board. The Planning Board would not allow what would go beyond principal use. He added that the board would not grant anything that would be averse to the neighborhood's character or the environment. The applicant would have to demonstrate the need. R. Burke added that because so many factors are at play it is difficult to have specific numbers.

Upon a motion by C. Perkins, seconded by G. Widmayer it was **VOTED** to close the public hearing by a unanimous vote.

Board members briefly discussed the language in the provision that will limit the weight of commercial vehicles. They will get a draft to Town Counsel in advance of the spring Town Meeting by February 22nd and will plan to finalize the draft at the next Planning Board meeting on February 7th.

At 7:45 pm the board moved to the agenda item Discussion of Modification of Site Plan Approval to allow work on Saturdays at the Senior Center, 163 West Main Street. Michael Roberts of NELCO Worldwide was present at the meeting and requested an amendment to the site plan approval to allow work on Saturdays when necessary. He understands this would require giving the Town Manager 48 hours' notice on each occasion. The contractor is requesting so they can continue working on a timeline that will have the project ready for a September 11th dedication. C. Perkins asked what the timing would be for Saturday work to which she was answered that it would be from 8 am to 3:30 pm. It would likely be mostly interior work as there are a couple more weeks of exterior work to be completed. R. Burke motioned to approve work on Saturdays, as needed for occasional Saturday work from 8:00 am – 3:30 pm with 48-hour notice to the Town Manager, so the Town can alert the abutters. C. Perkins seconded the motion followed by a unanimous **VOTE**.

The board then moved to the item of discussion for the Housing Production Plan (HPP) update. There needs to be an update to the Housing Production Plan as it expires at the end of this year. Then, it will need a comprehensive update once the 2020 census data is available. This is a plan to produce sufficient housing, whether affordable or otherwise, to satisfy the requirements of the state. There is a Housing

Coordinator in Town Hall that works on this and helps those eligible to find affordable housing. T. Tada mentioned there are two possible funding sources (MRPC and CPC) that could help cover the costs of updating the plan. C. Perkins and T. Tada discussed requesting an endorsement letter from the planning board to submit to both the MRPC and CPC. Upon a motion by C. Perkins to write a letter of endorsement for the housing production plan financing to both the MRPC and the CPC seconded by R. Burke it was **VOTED** in favor by a unanimous vote.

The board then moved to the Master Plan Implementation Committee. C. Perkins updated the board members that they are working on compiling the feedback received and putting into spreadsheet that is tracking activities as in-process, completed or not started.

The board then moved on to the section of the General Business section of the agenda for Open Space and Recreation Plan.

There was a minor misunderstanding of the evening's agenda. Some residents of Olivia Way requested a continuation of the earlier discussion as that was originally in the agenda as the first General Business item. Andy George of 13 Olivia Way inquired if there was any record of modifications of the development plan that was approved in 2007 with regard to curbing and sidewalks. C. Perkins recalled modifying the curbing on the road. The current plan states there should be cape cod berm along the housing side of the road. Mr. George expressed his hope that the developer is aware of that. The Planning Board commented that this step should happen when the road paving is complete. There were also questions about the sidewalk and plantings that are in the original plan. G. Barringer assured that there is a final phase to the project where everything in the plan will be reviewed and checked off. This process will also involve review by the Town's consulting engineer. He also reiterated that the Stormwater Commission and the Conservation Commission are actively working on remediation and the Town Planner will urge the developer to take immediate action before the freezing over the weekend.

The board then moved to the Open Space and Recreation Plan item of the agenda. Comments on the Open Space plan are due by the end of the month. There is a public forum to be held on January 31st at The Groton Inn. Any comments by board members are to be sent to T. Tada who will compile and send to C. Perkins who will be representing the board at the public forum.

The board then moved to the section of the agenda for the Groton Public Library letter of support. The Library Director has requested a letter from the Planning Board in support of their request for CPC funding for roof repairs on the historic part of the building. They are requesting \$395k in CPC funding for repairs on the part of the roof originally constructed in 1893. There is also a need for an additional \$600k for roof repair on the rest of the building. Roof repairs that were done in more recent years were done incorrectly which has led to severe damage to the roof and other areas of the building. Funding available from CPA has declined in recent years. Funding typically comes from fees taken when homes are constructed. As fewer homes are being constructed, there is less funding available. G. Widmayer asked if there should be a bond set for the repairs being done this time. It was answered that the Library

Trustees are managing this process. Upon a motion by R. Burke seconded by C. Perkins it was **VOTED** unanimously in favor of a letter of support for the \$395k in funding for the library roof repairs. R. Burke stated that the library does a lot of great work for the town.

G. Widmayer commented that the Town of Groton website does not accurately list all members of the planning board. G. Barringer made a note of it.

Upon a motion by C. Perkins, seconded by G. Widmayer it was VOTED to adjourn this evening's meeting at 8:13 PM.

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

Approved 2/7/2019