

## TOWN OF GROTON PLANNING BOARD

February 21, 2019

### Meeting Minutes

A meeting of the Planning Board was held on Thursday, February 21, 2019, at 7:00 p.m. in the second floor meeting room at Town Hall, 173 Main Street, Groton, MA 01450

#### Members Present:

Mr. George Barringer, Chair  
Mr. Russell Burke, Vice Chair  
Mr. Timothy M. Svarczkopf, Clerk  
Mr. Scott Wilson, Member  
Ms. Carolyn Perkins, Member  
Ms. Annika Nilsson Ripps, Member  
Mr. Gus Widmayer, Member

#### Also Present:

Mr. Takashi Tada, Land Use Director/Town Planner

#### **Public Hearing – Major Site Plan Review – DPW Facility Upgrades, 600 Cow Pond Brook Road**

Mr. Barringer opened the public hearing at 7:00 p.m.

Mr. Frank McPartlan, Engineer, Ducharme & Dillis, addressed the Board and stated the site layout and design was prepared as originally presented at the Annual Town Meeting under Article 7 in 2018. He said the project consisted of the renovation of the existing maintenance garage and office. He further said the major component of the project was the construction of a new storage and warehouse building which was approximately 13,000 square feet with the ability to fit 23 vehicle spaces. He also commented that it was designed so the trucks could pull in, park and pull out the other side.

Mr. McPartlan said there would also be a 40,000-gallon fire cistern in the northeast corner of the property which would serve both the existing building as well as the proposed building, noting there would also be a pump room in the existing building.

Mr. McPartlan stated miscellaneous site improvements included a new septic system which is shown on the plans as a stand-alone system. However, they are exploring the possibility of consolidating the new septic system with the existing system at the animal shelter, which is located just to the west of the proposed stand-alone system. They are completing the soil testing in the animal shelter area. A consolidated system would be less expensive than the stand-alone system.

Mr. McPartlan said there would be a new water supply for the existing building. He further said the original well would be kept in service solely to backfill the fire system and there would be two new catch basins installed in the parking area.

Mr. McPartlan commented that the existing eight parking spots would remain at the front of the building and there would be a concrete apron around the building with bollards to protect it from traffic.

Mr. McPartlan said there were approximately 2.8 acres of disturbance for the design and most of the stormwater was designed to follow the existing drainage patterns.

Mr. McPartlan commented that there were several utility poles that had to be moved and they were proposing that the power lines be installed underground. He pointed out there would be no impact to the power lines which served the solar facility or to the Police Department firing range.

Mr. Barringer asked if there were questions from members of the Board.

Mr. Widmayer commented that he felt the presentation which was given at the Fall Town Meeting was very good and helpful.

Mr. Svarczkopf asked if there was going to be an update to the fuel storage. Mr. McPartlan replied the fuel storage station was going to stay where it was.

Mr. Svarczkopf stated that he wanted to make sure the fuel storage station was built to current standards and was not grandfathered in because they were not changing it. Mr. Tom Delaney, Director of Public Works, replied they had a double-walled concrete liner in both tanks and were up-to-date on inspections and code.

Mr. Wilson commented he felt it was going to be a great improvement to the facility and did not see any red flags.

Ms. Perkins asked where snow would be stored on the site. Mr. McPartlan replied the snow is currently stored on top of the septic field. In the future, snow will be stored in the area where the material stockpiles are now situated.

Ms. Perkins asked if there would be dumpsters on the site. Mr. McPartlan replied trash would be brought to the transfer station.

Ms. Perkins also asked what the tight tank is for. Mr. McPartlan replied the tight tank is for the floor drains.

Mr. Burke asked what type of lighting there would be. Mr. Gregg Yanchenko, Architect, Helene-Karl Architects, Inc. replied there had to be lighting at the egress personnel doors, by code. He said they typically put wall packs on buildings above the entrances of vehicle storage bays. He will look into the availability of Dark Sky compliant wall packs.

Mr. Delaney pointed out that currently what they had for lighting was basically street lights. He noted a lot of light was needed during winter snow operations but typically, the Department of Public Works hours were 7:30 a.m. to 5:00 p.m. He said there would be minimal lighting, except for operational needs.

Mr. Barringer asked if a lighting plan showing the surroundings could be provided. Mr. Yanchenko replied he would provide a lighting plan.

Ms. Perkins asked if any existing trees would be removed. No trees are proposed to be removed.

Mr. Barringer suggested that the applicant should request a waiver for a landscaping plan. A waiver has been requested in the Site Plan Review narrative.

Mr. Barringer asked if there were any members of the public who had questions or comments. There was none.

Mr. Burke asked the applicant to provide architectural elevation drawings. Mr. Yanchenko replied he would.

Mr. Svarczkopf made a motion to close the public hearing with the stipulation that the applicant provide a lighting plan and a building elevation plan. Mr. Wilson seconded the motion.

**VOTE: 7 – 0**

**MOTION CARRIED**

Mr. Barringer announced he would take the discussion items on the agenda out of order.

### **General Business**

- Reedy Meadow Estates – Update on Olivia Way

Mr. Barringer commented that there had been a Stormwater meeting the previous Tuesday evening and the applicant, who was not present, proposed a 35,000 square-foot detention pond to be placed on conservation land immediately adjacent to the back, northwest edge of the condominium property where the flooding was occurring.

Ms. Perkins said the portion of conservation land had been transferred to the Conservation Commission.

Mr. Barringer stated that it would have to be approved at Town Meeting and then approved by the House and the Senate to permit the construction to occur.

Mr. Barringer noted the engineer for the project had not yet provided the quantitative drainage calculations and had also not discussed how they planned on remediating 10 Olivia Way.

Mr. Channing Lambert, 10 Olivia Way, addressed the Board and stated since the filtration was punctured there had not been additional road flooding. He further stated they still had to pump their basement but the frequency of which they had to do so had gone down. He noted, however, that there had not been a lot of recent precipitation.

Mr. Lambert said the homeowners had some concerns regarding remediation for 10 Olivia Way and 3 Olivia Way. He said they were happy that the plans would not be approved until those remedies were on the plans.

Mr. Joel Meiners, 6 Olivia Way, addressed the Board and asked how much influence the Planning Board had over the builder in terms of the completion of the plan. Mr. Barringer replied they were holding approximately \$210,000 in the form of a bond so if he did not finish, the Town of Groton would get that money.

Ms. Liz Esielionis, 3 Olivia Way, addressed the Board and said she was concerned about having a pond so close to her property because many of the residents had small children. She asked if they were going to be liable for the pond if they had any say whether it would be put in. Mr. Burke replied the residents would have some say but also said that a fence would have to be part of the discussion.

Briana (no last name provided) 2 Olivia Way, addressed the Board and stated that her child was autistic and non-verbal. She said the thought of a nearby pond terrified her and she thought it was a major safety concern.

Ms. Sandra McNab, 5 Olivia Way, addressed the Board and stated that the plan only accounted for the end of the street and asked if there could be a drainage pipe from 3 and 5 Olivia Way to send the water away from those backyards.

Mr. Barringer commented that both 3 and 5 Olivia Way had standing water in the basements. Mr. Peter Cricones, the developer/builder of Reedy Meadow Estates, addressed the Board and stated that 5 Olivia Way may have had some "moisture" due to melting snow, but 3 Olivia Way did have some puddles. He noted there was a hill in the back of the property and felt if it were loomed then it would send the water away from the house.

Mr. Barringer pointed out that the continued flooding and pumping of 10 Olivia Way still had to be addressed.

Mr. Burke stated that he wanted to see a full, engineered, comprehensive plan to solve the problem and he was disappointed an engineer was not at the meeting.

Mr. Barringer asked Mr. Cricones if the engineer was working on the quantitative drainage calculations for the proposed pond. Mr. Cricones replied he was. He asked Mr. Cricones to add a remedy for 3, 5 and 10 Olivia Way. Mr. Cricones replied "every time there is a puddle somewhere...like 5, I don't know when that came in."

Mr. Burke said if it was nothing then it was nothing, but if it was something then it was something.

Ms. Nilsson Ripps said it was known that 3 and 10 Olivia Way had pumped water from their basements. She said 5 Olivia Way was next to 3 and if water was displaced from 3 towards conservation land then 5 was at risk.

Mr. Cricones replied the water was going into a catch basin in the front and it was not a lot of water.

Ms. Nilsson Ripps said an engineered plan would be able to demonstrate that. Mr. Cricones asked what the Board wanted on the engineered plan. Mr. Burke replied the plan should provide a solution. Mr. Cricones said there was a sump pump for 3 Olivia Way when it was needed. Mr. Burke replied the entire system was failing.

Mr. Svarczkopf stated that the catch basin was just holding water until it got pumped out into conservation land. Mr. Cricones replied that was incorrect, it was going into a storm tech in the middle of the cul-de-sac.

Mr. Cricones said he never heard of any issues with 5 Olivia Way until this meeting.

Mr. Burke stated that the Board did not feel that Mr. Cricones was the person who was going to offer a solution. He further stated the Board wanted an engineer to come up with a solution.

Mr. Barringer asked that Mr. Cricones' engineer attend the next meeting, date specific of March 14th at 7:00 p.m. He said he wanted the engineer to have a proposed solution for 10 Olivia Way and drainage calculations for the entire property draining into the proposed conservation pond.

**Discussion – Performance Bond – Cherry Tree Lane Final Phase – Academy Hill Subdivision**

Mr. Michael Feldman, Habitech Communities, was present for the discussion. He had submitted a request for approval of the construction performance bond estimate for completion of the final phase of Cherry Tree Lane (Station 0+00 to 16+25) in the Academy Hill Subdivision.

Mr. Svarczkopf made a motion to accept the bond estimate provided by Nitsch Engineering on January 18, 2019, of \$368,731.37. Ms. Nilsson Ripps seconded the motion.

Mr. Burke asked if it was a new bond or a reduction of the bond. Mr. Barringer replied it was a new bond.

**VOTE: 7 – 0**

**MOTION CARRIED**

**Discussion – Prescott School Preservation Grant Application – Letter of Support**

Mr. Wilson made a motion to request Mr. Tada draft a letter of support for the Town's grant application to reimburse a portion of the cost of installing a sprinkler system in the Prescott School. Ms. Nilsson Ripps seconded the motion.

Mr. Svarczkopf stated that he was never a supporter of the Town retaining the Prescott School, but he supports the idea of reusing it. He commented when he saw things of this nature, he felt the Town was being a real estate holder. He asked how the new non-profit organization that was managing the Prescott School was doing and if they were getting to a point of self-sufficiency or if they were going to continue to be a burden on the Town from an expense standpoint.

Ms. Nilsson Ripps stated she sat on the Prescott School Reuse Committee and the plan stated that over five years the Friends of Prescott would ramp up their operations and funding. She further stated up to 30% of the value of property could be invested without triggering full code compliance.

Ms. Perkins pointed out the Prescott School currently had funding for the sprinkler system from a previously approved Community Preservation Act proposal, but the grant they are seeking now would reimburse the Town for half of the money.

Ms. Nilsson Ripps said it was worth noting that the Prescott School was still owned by the Town and any improvements to it were in the Town's best interest.

**VOTE: 5 – 1 - 1 (Nay – Svarczkopf; Abstained – Widmayer)**

**MOTION CARRIED**

**Discussion – Potential Zoning Revision to Extend Special Permits to Three Years**

Mr. Barringer stated the topic was researched and it was at the Board's discretion as to whether they wanted to extend it to three years.

Mr. Burke commented he felt that it should stay at two years.

Mr. Barringer commented that he too agreed it should stay at two years because it kept the developers moving.

Mr. Barringer stated the Board collectively decided not to make a change.

**Review Special Permit Decision, Flexible Development, 66 North Street (Croteau)**

Mr. Barringer commented the Board had a draft special permit which was prepared by Mr. Tada.

Mr. Tada stated that one of the conditions of the Planning Board's vote at the last meeting, which was to reissue the permit, was that the site plan engineer provide a revision stating that there were no revisions and confirmed he had received it.

Mr. Tada commented that he had consulted with the Housing Coordinator regarding condition #2 Affordable Housing. He said the Housing Coordinator suggested some tweaks to the language in the original permit from 2011 to make it more consistent with the way other affordable units are managed. He further said the unit had to be eligible to be placed on the subsidized housing inventory (SHI).

Mr. Tada stated, regarding condition #3, that he updated the protocol for numbering new structures noting it was currently the Building Commissioner's responsibility.

Mr. Tada noted condition #9, the Planning Board's permit required that the applicant had to get all other permits needed including the Conservation Commission and the Stormwater Committee.

Ms. Nilsson Ripps made a motion to approve the revised special permit 2018-30 for the applicants, Gerald and Joan Croteau of 66 North Street, Groton, MA, submitted on December 21, 2018.

Mr. Wilson seconded the motion.

**VOTE: 7 – 0**

**MOTION CARRIED**

**Discussion – Municipal Vulnerability Preparedness (MVP) Grant**

Mr. Tada stated there was a state grant program, Municipal Vulnerability Preparedness (MVP) and the first step was for the Town to apply for the program and become designated as an MVP community. He said that would then open up grant funding opportunities relative to things such as updating a hazard mitigation plan and addressing areas in town that were identified as being vulnerable to the impacts of climate change. He said they were contacted by multiple consulting firms who offered their assistance in filling out the application for the grant.

Mr. Burke commented that he was a certified MVP facilitator.

Mr. Barringer asked if the Board felt it was a good idea to investigate the grant program. Ms. Perkins replied she thought it was an excellent idea but asked who would pay the fee for the consulting firm. Mr. Barringer replied if the Town did not receive the grant then the consulting firm would not get paid.

Mr. Burke stated that he would work with Mr. Tada on the matter.

**Discussion – Regulation of Small Wireless Facilities (5G Wireless Network)**

Mr. Barringer commented that he asked Mr. Tada to make the initial approach to Town Counsel to start writing the regulations. He further commented the hope was to have it ready for the Fall Town Meeting.

Mr. Barringer said one of his main concerns was the esthetics.

### **General Business (Continued)**

- **Bertozzi Farm Estates – Update on Amelia Way**

Mr. Tada stated that he had still not heard from the engineer who was hired by the bank that owned the development. He said it sounded like they wanted to propose a solution for the leaking manhole structure/pipe connection in time to have it implemented before the Spring Town Meeting, but he pointed out that the Warrant closed the next day.

- **Adoption of a Room Tax & Impact Fee**

Mr. Tada stated the Select Board was discussing a proposal for the Town to adopt the state law that was recently signed by Governor Baker which would allow municipalities to enact a room tax and a potential impact fee for AirBnB short-term rental establishments.

*Recorder's Note: Mr. Burke was excused from the meeting at 8:45 p.m.*

- **Off/Street Off/Site Parking Zoning Amendment**

Mr. Tada stated the amendment was all set for Spring Town Meeting.

- **Housekeeping Zoning Amendments**

Mr. Tada commented there would be a public hearing on the housekeeping amendments at the March 14, 2019, meeting.

- **11 Lowell Road Re-Zoning Petition**

Mr. Tada stated the Groton Inn purchased the property next door which was previously owned by Lawrence Academy and they wanted to submit a re-zoning petition to the Select Board requesting the property be included in the Town Center Overlay District.

### **Committee Updates**

- **Complete Streets Committee**

Mr. Barringer stated the Committee was trying to formalize the next submission which was due in the spring. He further stated the only thing that might be under discussion was whether they would drop or postpone the pedestrian bridge project (West Street) to a later year in favor of installing a sidewalk on Lowell Road (Route 40) Gibbet Hill.

**Approval of Meeting Minutes – February 7, 2019**

Ms. Nilsson Ripps made a motion to approve the meeting minutes of the February 7, 2019, meeting. Ms. Perkins seconded the motion.

**VOTE: 6 – 0**

**MOTION CARRIED**

**Planning Board Meeting Schedule**

2<sup>nd</sup> & 4<sup>th</sup> Thursday of the Month:

- March 14
- March 28

**Adjournment**

Mr. Wilson made a motion to adjourn. Ms. Perkins seconded the motion. The meeting was declared adjourned at 8:52 p.m.

Respectfully submitted,

Trish Gedziun  
Recording Secretary

*Approved 3/14/2019*