

## **TOWN OF GROTON PLANNING BOARD**

**September 12, 2019**

### **Meeting Minutes**

A meeting of the Planning Board was held on Thursday, September 12, 2019, at 7:00 p.m. in the second floor meeting room at Town Hall, 173 Main Street, Groton, MA 01450

#### **Members Present:**

Mr. Russell Burke, Chair  
Mr. George Barringer, Board Member  
Mr. Timothy M. Svarczkopf, Board Member  
Ms. Annika Nilsson Ripps, Clerk (Arrived at 7:45 p.m.)  
Mr. David Bonnett, Board Member

#### **Members not Present:**

Mr. Scott Wilson, Vice Chair

#### **Also Present:**

Mr. Takashi Tada, Land Use Director/Town Planner

#### **Public Hearing – Major Site Plan Review - 240 Main Street (Kilbourn Place LLC)**

Mr. Burke opened the public hearing and Mr. Bonnett read the Public Hearing Notice into the record as summarized below:

To consider the application submitted by Kilbourn Place LLC for a Major Site Plan for the proposed rehabilitation of the existing structure and site improvements at 240 Main Street. The structure and the site to be repurposed for a small scale retail and professional offices as shown on the plans dated June 12, 2019, prepared by Lincoln Architects in a plan entitled Site Plan, dated May 31, 2019, Ducharme & Dillis Civil Design Group. The project is located at 240 Main Street.

Mr. Burke said the following public hearing was pursuant to §218-25, Site Plan Review.

Attorney Bob Collins, Mr. Stan Dillis, and Mr. Dan Quaile were present on behalf of the applicant, Mr. Gus Widmayer. Attorney Collins mentioned the property was comprised of 1.09 acres and had 181 feet of frontage on Main Street.

Attorney Collins said the site was non-conforming in that the building itself was 12,000 square feet which was slightly larger than what was allowed in the Village Center Business (VCB) zoning district, noting it was capped at 10,000 square feet. He also said the existing site was approximately 95% impervious cover which exceeded the impervious cover limit of 75%.

Attorney Collins stated the Zoning Board of Appeals had issued a special permit which authorized the rehabilitation of the building, the site, and the uses envisioned.

Attorney Collins said the applicant was proposing many changes and reviewed them as follows:

- Add landscaping in the back of the site, to the right of the site and change the landscaping along Main Street and add a sidewalk to the right of the site which would create a pedestrian pathway.
- Reconfigure the parking area.
- Eliminating the two early 1960's metal streetlights and replace them with two post lanterns in the landscaped area in the front.
- Lighting over the doors under the overhang to direct light straight down.
- Both the police and fire chiefs requested the elimination of two parking spaces along Main Street because they would block sight distances when exiting the parking lot.
- A proposed addition of a gable with late 19<sup>th</sup> Century style windows located underneath the existing overhang.
- A shed dormer that would shine daylight into the existing Mezzanine.

Attorney Collins pointed out that he would have to go back to the Historic District Commission (HDC) with the new building façade because the HDC had already approved the first design.

Attorney Collins mentioned that the stormwater was currently attended to by two storm drains which were located in the parking lot. He said the catch basins would be changed to newer catch basins and added there would be two rain gardens with one in the front and one off to the side to mitigate run-off.

Attorney Collins stated he felt the proposed design would be a great improvement to what was currently located on the site.

Mr. Burke asked if there were any members of the Board who had questions or comments.

Mr. Svarczkopf commented he felt the site would be much improved if there were fewer parking spaces.

Mr. Bonnett asked if there would be a fence surrounding the nine outdoor tables that would be in front of the tenant who offered food service. Attorney Collins replied there would not be a fence around the outdoor seating area.

Mr. Bonnett stated there were four or five neighboring houses and suggested the applicant be aware of that in terms of noise and smell.

Mr. Barringer stated he was in favor of the overall proposed project but said an additional dumpster would be needed if there was food preparation on the site. Attorney Collins replied he would look into it.

Mr. Barringer said he would like the color temperature of the outdoor lights to be as low as possible, and lights need to be Dark Sky compliant. He said he did not want the parking lot to be dark once winter arrived and suggested additional lighting be placed in the middle of the parking lot.

Mr. Tada pointed out that any proposed signage for the site would be within the jurisdiction of the Historic District Commission.

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

Mr. Svarczkopf commented he would like to see what the light poles would look like and seeing the cut sheets would be helpful.

Mr. Barringer made a motion to close the public hearing. Mr. Svarczkopf seconded the motion.

**VOTE: 4 – 0**

**MOTION CARRIED**

**Recorder's Note: Ms. Nilsson Ripps arrived at 7:45 p.m.**

Mr. Barringer made a motion to approve the site plan for 240 Main Street, dated May 31, 2019, prepared by Mr. Stanley R. Dillis for Kilbourn Place LLC with the following stipulations:

1. That the site changes not commence until the Planning Board approved changes to the site design (noting the building may proceed)
2. Provide lighting cut sheets and photometrics.
3. Confirm the number of dumpsters required to be the site.
4. Parking changes, if any.
5. Landscape plantings consist of native plants; no invasives.

Mr. Svarczkopf seconded the motion.

**VOTE: 5 – 0**  
**MOTION CARRIED**

Mr. Burke asked Mr. Tada to write a letter of recommendation to the Historic District Commission notifying them the Planning Board supported the proposed plan.

***Discussion – Minor Site Plan Modification***  
**186 Main Street – Carriage House Demo/Rebuild**

Attorney Collins was present on behalf of the applicant, Ms. Donna Ward. He said the existing carriage house/barn building in the rear corner of the property was dilapidated and falling down. He further said the proposed modification to the site plan was to replace the building rather than renovate it as originally proposed, noting that he received a Certificate of Appropriateness from the Historic District Commission for the replacement building. Attorney Collins stated the new structure would meet all of the setback requirements, whereas the original structure did not meet setbacks. In all other respects the site plan would remain the same as previously approved.

Mr. Bonnett asked what the carriage house would be used for. Attorney Collins replied there would be a conference room on the first floor and perhaps overflow offices on the second floor.

Mr. Barringer made a motion to approve the minor site plan modifications for 186 Main Street – Carriage House Demolition and Rebuild as shown on the drawings provided by Lincoln Architects, dated August 21, 2019, for the Hollingsworth Barn. Mr. Bonnett seconded the motion.

**VOTE: 5 – 0**  
**MOTION CARRIED**

***Public Hearing (Continued)***  
**Major Site Plan Review - 546 Main Street, Proposed Hindu Temple**

Mr. Stan Dillis from Ducharme & Dillis Civil Design Group was present representing the applicant. He said the Planning Board had suggested a few modifications be made to the site plan, which has since been revised to incorporate the modifications.

Mr. Dillis explained the parking lot had been modified to include a row of vegetation and a turn-around was added to the driveway of the proposed priest's residence.

Ms. Nilsson Ripps asked if any thought had been given to planting some trees along the retaining wall. Mr. Dillis replied they could certainly discuss that possibility with the client.

Mr. Barringer asked if the proposed lighting was Dark Sky compliant. Mr. Dillis replied it was. Mr. Barringer requested the applicant to provide the Planning Board with cut sheets for the proposed lighting. Mr. Dillis replied he would provide the Board with cut sheets. Mr. Barringer asked if a dumpster was required to be on the site. Mr. Dillis said he did not think a dumpster was required because it was not a commercial property; however, he was not certain and said he would check into it.

Mr. Burke asked if there were any members of the public who had questions or comments.

Mr. Jeff Crowley, the abutter at 550 Main Street, stated he was concerned with the amount of trash on the site. He also mentioned he had grandchildren and was worried about their safety should they go over the retaining wall and asked if the applicant had planned on installing a fence. He said it was already a place of worship and had been for five years and in his opinion, it was not beautiful and it was not clean. He asked how that would change. Mr. Dillis replied the applicant would install a fence. Mr. Dillis acknowledged the project had suffered through a couple of false starts and the site had fallen into a little bit of disrepair but felt the current proposal would rectify the situation.

Mr. Tada stated the site was not located in the Historic District Commission therefore, the proposed sign would be within the purview of the Planning Board.

Mr. Barringer made a motion to close the public hearing. Ms. Nilsson Ripps seconded the motion.

**VOTE: 5 – 0**  
**MOTION CARRIED**

Mr. Barringer made a motion to approve the Site Plan for 546 Main Street prepared by Ducharme & Dillis, dated July 24, 2019 and revised on September 10, 2019, subject to the following conditions:

1. The Applicant shall place traprock at the construction entrances to prevent tracking of soil onto Main Street.
2. The Applicant shall provide stabilization and control measures to prevent erosion at the ends of the proposed retaining wall.
3. The Applicant shall prepare an Operations & Maintenance Plan for the proposed stormwater management features.
4. The site plan shall be revised to include a safety fence and vegetative screening along the proposed retaining wall.
5. The Applicant shall provide a more detailed photometric plan along with lighting cut sheets.

Mr. Bonnett seconded the motion.

**VOTE: 5 – 0**

## **MOTION CARRIED**

### ***Public Hearing (Continued)***

#### ***Flexible Development Subdivision – Definitive Plan and Special Permit 372 Townsend Road (R.D. Kanniard Homes)***

Mr. Dillis was present with the applicant, Roger Kanniard. Mr. Dillis stated the site was approximately 36.5 acres which had multiple uses in the past. He further stated the applicant was requesting a Special Permit and Definitive Subdivision Plan approval for a Flexible Development Subdivision which would consist of nine lots and would all be served by onsite septic systems but would have town water (West Groton Water Supply District). Mr. Dillis said the proposed subdivision would create 24.5 acres of open space which was required by MassWildlife for protection of rare species habitat. He pointed out parking spaces would be created to allow access to the open space parcel.

Ms. Dillis commented stormwater runoff would be handled through a series of stormwater appurtenances which included multiple rain gardens, a subsurface recharge system at the bottom of the street and a detention basin. He further commented he expected to receive approval for a stormwater management permit at the next Stormwater Committee meeting. Additionally, Mr. Dillis commented all of the runoff from the site would be contained on the site.

Mr. Svarczkopf said he thought the way the open space design had been described contradicted what the Conservation Commission had actually said which was “in general the configuration style of the open space parcel on this project is not desirable.” Mr. Dillis replied the concern the Conservation Commission had, which was with regard to access to the open space, would be mitigated.

Mr. Svarczkopf also noted the Historic District Commission had made some comments regarding possible Native American activity on the site. He asked Mr. Dillis and the applicant if they were willing to accommodate the Historic District Commission. Mr. Dillis replied the Commission was invited to join them on a site walk but never did one. He added if they wanted to do a site walk they would be happy to accommodate them.

Mr. George Wheatley, member of the Historic District Commission addressed the Board and said their archeologist had indicated quite a few Native American artifacts had been collected and they would like an opportunity to look at it before any more earth was disturbed.

Mr. Bonnett asked for clarification about the borrow area shown on the plan, and the cut and fill analysis. Mr. Dillis said the material from the borrow area would be used to create the proposed grading for the proposed house lots. No material will leave the site.

Mr. Burke asked about the depth to groundwater from the proposed stormwater basins, and also about stormwater runoff across the site. Mr. Dillis said the proposed design provides at least two feet of separation from groundwater as required by the stormwater management standards. Mr. Dillis also explained how the proposed design will handle surface runoff.

Mr. Burke asked if there were any members of the public who had questions or comments.

Ms. Valerie Tello, 342 Townsend Road, stated she was very concerned with the runoff that currently impacts her property. Her driveway occasionally gets washed out. Mr. Dillis replied the area which Ms. Tello was speaking about would not be affected by the proposed project.

Ms. Nilsson Ripps clarified the proposed development was not allowed to increase any runoff to Ms. Tello's property. Mr. Dillis replied that was correct. Ms. Nilsson Ripps stated the proposed stormwater management may even decrease the runoff. Mr. Dillis replied that was also correct.

Ms. Tello asked if she would still be able to access the Conservation Land. Mr. Dillis replied perhaps Mr. Kanniard could provide some type of a trail easement which would allow Ms. Tello to easily access the land.

Mr. Andrew Saball, 358 Townsend Road, addressed the Board and stated one of his concerns was how the proposed project would affect the wildlife that utilize the site. Mr. Svarczkopf noted that one of the benefits of a Flexible Development subdivision is that it reduces the overall development footprint and requires open space to be set aside.

Mr. Saball asked if the 50-foot buffer would remain. Mr. Burke stated that the applicant appeared to be requesting a waiver of the 50-foot buffer requirement. Mr. Dillis confirmed that was correct.

Ms. Mairi Elliott-Saball, 358 Townsend Road, addressed the Board and requested the waiver for the 50-foot buffer not be granted due to the encroachment on her property. Mr. Dillis clarified her property was not being encroached. Ms. Elliot stated she would also like to have access to the trail easement. Mr. Dillis replied he would look into it. Ms. Elliott-Saball also raised concerns about a potential decrease in her property value, a potential increase in basement flooding, and preservation of the old stone wall near the site entrance. Mr. Dillis said the stone wall was not historic; it was installed by the previous landowner.

David McPhillips, 354 Townsend Road, also expressed concern about waiving the 50-foot setback.

Mr. Barringer made a motion to continue the public hearing, date specific to the September 26, 2019, meeting to allow time for the Historic District Commission to do a site walk of the property. Ms. Nilsson Ripps seconded the motion.

**VOTE: 5 – 0**

**MOTION CARRIED**

**Discussion – Performance Bond Release and Street Acceptance  
Mockingbird Hill Road (Rocky Hill Subdivision)**

Mr. Tada commented he received a letter earlier that day from Attorney Bob Collins which explained an as-built plan had been submitted for Mockingbird Hill Road but there were still some outstanding items which needed to be addressed. Mr. Tada stated this matter would be placed on the agenda for the Planning Board's meeting on September 26, 2019.

**Discussion – Performance Bond Release and Street Acceptance  
Amelia Way (Bertozzi Farm Subdivision)**

Mr. Tada stated all three of the outstanding items from the engineer's report had been addressed.

Mr. Svarczkopf asked if Nitsch Engineering had confirmed that the outstanding items had been addressed. Mr. Tada replied Nitsch Engineering was satisfied with the language in the Certification Statement and they were satisfied with the work on the ground.

Mr. Svarczkopf made a motion to release the performance bond for Amelia Way and recommend street acceptance. Ms. Nilsson Ripps seconded the motion.

**VOTE: 5 – 0**

**MOTION CARRIED**

**Discussion – NESSP Temple – Access Agreement**

Mr. Burke stated the Access Agreement had been drafted by Town Counsel. Mr. Tada commented the Access Agreement was signed by Mr. Mahender Singh, President of NESSP, Inc.

**Discussion – Amend Zoning to Clarify Major Site Plan Review Thresholds**

Mr. Burke suggested for clarification, the Planning Board should add "change of use" under minor and major site plan review. He also suggested it should be added to the list of zoning changes for the Spring Town Meeting.



### **Discussion – Reedy Meadow Estates Drainage Issues – Update**

Mr. Tada commented it passed the Senate and there was one more hurdle to pass in the House before it went on to the Governor for final signature.

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

Mr. Burke explained that Mr. Tada had sent out an RFP to ten consultants and responses were due by Monday, September 23, 2019. Mr. Tada indicated he received confirmation of receipt from seven of the ten consultants and five were considering submitting their qualifications for the proposal.

### **Committee Updates**

- Complete Streets Committee

Mr. Barringer commented they were now permitted to submit an application for construction which was due by early October.

- Master Plan Implementation Committee

Mr. Burke said the Master Plan Implementation Committee was wrapping up their reports.

- Community Preservation Committee

Mr. Svarczkopf commented there was a meeting the previous Monday but he was unable to attend so he did not have an update.

### **General Business**

- ZBA Updates

Mr. Tada commented the Zoning Board of Appeals was back to their regular schedule and the next meeting would be held on September 18, 2019.

- Meeting Minutes – July 1, 2019 – Joint Planning Board and Select Board

Page 2, 2<sup>nd</sup> to last sentence – “Mr. Barringer commented they needed” was changed to “Mr. Barringer commented the town needed” – Barringer

Ms. Nilsson Ripps made a motion to approve the minutes from the July 1, 2019, meeting as amended. Mr. Barringer seconded the motion.

**VOTE: 4-0-1 (Abstained – Svarczkopf)**  
**MOTION CARRIED**

- Meeting Minutes – August 8, 2019

Page 2, last motion – “Mr. Svarczkopf a motion” was changed to  
“Mr. Svarczkopf made a motion” – Svarczkopf

Mr. Barringer made a motion to approve the minutes from the August 8, 2019, meeting as amended. Ms. Nilsson Ripps seconded the motion.

**VOTE: 5-0**  
**MOTION CARRIED**

- August 22, 2019

Mr. Svarczkopf made a motion to approve the minutes from the August 22, 2019, meeting. Mr. Barringer seconded the motion.

**VOTE: 4-0-1 (Abstained – Nilsson Ripps)**  
**MOTION CARRIED**

**Planning Board Meeting Schedule**

- September 12th
- September 26<sup>th</sup>
- October 7<sup>th</sup> (Joint Meeting with Select Board)
- October 10<sup>th</sup>
- October 24<sup>th</sup>
- October 21<sup>st</sup> – Fall Town Meeting

**Adjournment**

Mr. Barringer made a motion to adjourn. Mr. Bonnett seconded the motion.

**VOTE: 5 – 0**  
**MOTION CARRIED**

The meeting was adjourned at 9:35 p.m.