

# **TOWN OF GROTON PLANNING BOARD**

**Thursday, February 11, 2021**

## **Meeting Minutes**

A virtual meeting of the Planning Board was held on Thursday, February 11, 2021, at approximately 7:00 p.m.

The meeting was broadcasted via Zoom and was available to view on the Groton Channel pursuant to the Governor's Executive Order Concerning the Open Meeting Law.

### Members Present:

Mr. Russell Burke, Chair  
Mr. Timothy M. Svarczkopf, Vice Chair  
Ms. Annika Nilsson Ripps, Clerk (arr. 7:30 p.m.)  
Mr. George Barringer, Board Member (arr. 7:30 p.m.)  
Ms. Lorayne Black, Board Member  
Mr. David Bonnett, Board Member  
Mr. Scott Wilson, Board Member

### Also Present:

Mr. Takashi Tada, Land Use Director/Town Planner

### **Discussion – Letter of Support for the Affordable Trust CPC Application**

Ms. Fran Stanley, Housing Coordinator, stated the Affordable Housing Trust had a pending CPC (Community Preservation Committee) application and requested a letter of support from the Planning Board. She said the Affordable Housing Trust was applying for \$150,000 of CPC money to evaluate different potential sites in Town to consider their suitability for affordable housing.

Mr. Svarczkopf made a motion to send a letter of support regarding the CPC Application as defined by Ms. Stanley. Ms. Black seconded the motion.

*A Roll Call Vote was taken, which resulted as follows:*

Yea:	Ms. Black, Mr. Svarczkopf, Mr. Bonnett, Mr. Wilson, and Mr. Burke	5
------	--	---

Nay:		0
------	--	---

**VOTE: 5 – 0 – 0**

**MOTION CARRIED**

Mr. Burke suggested the Planning Board could also provide a letter to the CPC in support of the Town's annual request to fund the Housing Coordinator position.

Mr. Svarczkopf made a motion to support the funding request for the Housing Coordinator's position. Ms. Blake seconded the motion.

*A Roll Call Vote was taken, which resulted as follows:*

Yea: Ms. Black, Mr. Svarczkopf, Mr. Bonnett, 5  
Mr. Wilson, and Mr. Burke

Nay: 0

**VOTE: 5 – 0 – 0**  
**MOTION CARRIED**

***Discussion – Potential Citizens’ Petition to Accept Blacksmith Row as a Town Road***  
**Blacksmith Row (Boynton Meadows)**

Ms. Black commented she would recuse herself from this discussion due to a previous affiliation with the Boynton Meadows project.

Mr. Ed Manzi, Ms. Cindy Boyle, and Ms. Deborah ter Meulen were present representing the Boynton Meadows Homeowner’s Association. Mr. Manzi said they were looking for guidance regarding the likelihood of obtaining the Planning Board’s support to bring a petition to the Town Meeting to accept Black Smith Row as a Town road.

Mr. Burke commented that other Town departments would have to be consulted with, i.e., Public Works, and the Fire Department. He added that ultimately it would have to go through an acceptance process involving the Select Board and a vote at a Town Meeting.

Mr. Bonnett asked how long Blacksmith Row is. The road length is roughly 600-700 feet based on the recorded plan.

Mr. Burke suggested that the applicant seek the Select Board’s opinion on the matter and added that typically with the type of development involved, the Town preferred not to take ownership of roads developed as private ways.

Mr. Manzi stated that they appreciated the Board’s candor.

**(Recorder’s Note: Mr. Barringer and Ms. Nilsson Ripps joined the meeting beginning with the below Public Hearing)**

***Public Hearing (Continued) - Definitive Subdivision Plan***  
***Proposed “Village at Shepley Hill”, Longley Road & Sand Hill Road***  
**Shepley Hill Capital Partners, LLC (Assessors’ Parcel 226-2)**

Mr. Larry Smith, the applicant, commented they had spent a lot of money on redesigning the plan based on comments from the Planning Board.

Attorney Jill Mann, representing the applicant, reviewed the bulleted list of requested waivers as summarized below:

1. The Development has been designed to minimize impacts to wetlands and will maintain various corridors that will allow wildlife to move throughout the property

including but not limited to travel along the intermittent stream channel and crossing under the bridges at Longley Road and Sand Hill Road.

- a. The Property contains approximately 48 acres of land, 40 acres consist of uplands and 8 acres consist of wetlands.
  - b. Of the 8 acres of wetlands (348,480 square feet) Petitioner is seeking to alter 0.0275 acres (1,200 square feet) in order to construct the roadway that will provide access to the upland.
  - c. Petitioner will mitigate for the alteration by replicating 0.0826 acres (3,600 square feet) of wetlands.
2. Major Residential Special Permit – The Petitioner has resubmitted its application which is scheduled to be heard at the Board’s meeting on March 11, 2021.
3. The Property Possesses Unusual Topographic Features - The assessment of what constitutes unusual “topographical” features requires a multi-dimensional evaluation. While many other properties in Groton have drumlins and other various glacial landforms, the Property has significant physical features that most other properties do not share. The drumlin is located in the center of the western uplands of the Property that can only be accessed by crossing an onsite intermittent stream. The onsite wetlands not only bifurcate the property into two large upland areas but also run along the entire perimeter of the Property making access impossible without crossing a wetland. In order to gain access to the upland areas, it is necessary to not only cross two intermittent streams but also to fill areas that are proximate to the wetland areas in order to create safe passage along the roadways in accordance with best engineering practices and the design requirements of Groton’s Subdivision Rules and Regulations.
4. Fire Truck Maneuvering Plan
5. Engineer Response to Peer Review Report
6. Updated Traffic Report
7. Significant Plan Changes and Significant Reduction in Wetland Impacts:
  - a. Length of the roadway has been reduced by more than 200’ and all cuts greater than 7 feet have been eliminated.
  - b. The areas of filling that exceed 7-feet have been limited to three discrete areas that are proximate to the wetlands as further described below and on the colorized plan.
  - c. One lot and two units were eliminated.
  - d. Two of the three originally proposed wetland alterations were eliminated.
  - e. Public drinking wells have been added.

- f. Roadway lights have been eliminated with the exception of the three intersections; the fixtures are turtle friendly “Amber” LED lights, that are designed to be ecologically friendly with a longer wavelength and lower frequency.
- g. Landscape plans have been updated to provide for deer resistant species of plants and to provide a more varied and natural landscape plan.

Mr. Greg Hochmuth, Project Wetland Scientist, addressed the Board and stated by reducing the wetland impacts they were able to dramatically reduce the required replication. He added the Conservation Commission regulations required a 3:1 replication ratio.

Mr. Tada indicated Fire Chief Steele McCurdy was satisfied with the Fire Truck Maneuvering Plan.

### **LIST OF WAIVERS REQUESTED FOR THE VILLAGE AT SHEPLEY HILL**

#### **1. Right-of-Way Width and Pavement**

Waive the requirement under §381-10.C(2) - Street Widths. Minor Streets: 50-foot right-of-way and pavement to be 22 feet and allow instead for the Roadways to have a 40-foot right-of-way and a pavement width of 20 feet, which is consistent with the requirements for a Lane.

- This request is in response to requests by the Board to reduce the amount of disturbance and impervious materials and is a reasonable change based on the lower levels of traffic volume generated by age restricted housing developments.

#### **2. Grades**

Waive the requirement under §381-10.D(5) – Grades. Proposed grades within R.O.W shall not be more than 7-feet above or below the existing grade and allow instead those certain areas as shown on the Plans to be filled by greater than 7-feet.

- This request is necessary due to the varied and unusual topography at the Property and is the only way to properly and safely accommodate the installation of the Roadways and the wetland crossings. Note: All cuts above 7-feet have been eliminated.

Waive strict compliance with the requirement under §381-10.D(3)(b) as follows:

All changes in grade shall be connected by vertical curves of sufficient length to afford the following safe stopping sight distances: (b) Minor Street: 175-feet and allow instead a safe stopping sight distance of 155-feet.

- This request will allow the Petitioner to reduce the amount of cutting required along the subdivision roadways without affecting the safety of the public traveling throughout the subdivision.

#### **3. Sidewalks**

Waive strict compliance with the requirement under §381-13.A. Sidewalks (1) Required Locations (a) Sidewalks within the street right of way [2] Minor Street: one side and allow instead the sidewalk along Longley Road to terminate before the proposed wetland crossing which is approximately 250' from the intersection with Longley Road.

Waive strict compliance with the requirement under §381-13.A. Sidewalks (2) Width and alignment and (3) Construction and allow instead the sidewalks throughout the development to extend outside of the limits of the right of way as shown on the Plans and for the sidewalk constructed along a portion of the interior to be constructed as a boardwalk pursuant to the details set forth on the plans.

- These requests will allow the Petitioner to reduce the amount of alteration to the intermittent stream crossing located adjacent to Longley Road and to provide for a more naturalized walking path that will avoid cutting down large trees or altering other site features that otherwise would need to be altered to accommodate the sidewalks. The Development will have walking access throughout the development using onsite trails as well as the sidewalk that will extend throughout the balance of the Development's roadways.

Mr. Burke read aloud a question from a member of the public as follows:

"I wonder if more information can be given about the snow storage area proposed to the right off of the Longley Road access. Is this a proposal for a cleared area for snow storage with a unique driveway off of Longley Road?"

It was clarified that the area shown on the plan to the right of the Longley Road access is the proposed septic reserve area. There is a smaller area adjacent to the access road that is intended for snow storage (one of several such snow storage areas along the roadway). The label for this particular snow storage area happens to overlap the septic reserve area, causing the confusion.

Mr. Weare replied there were snow storage areas all over the site and, in general, the plows would push snow to the side of the road.

Mr. Jared Gentilucci, from Nitsch Engineering, pointed out that all of their questions had been addressed. He added they had issued an updated review letter to Mr. Tada approximately a few hours prior.

Mr. Gentilucci pointed out that there needs to be six inches of loam for the lawn areas adjacent to the road and the bylaw requires that those lawn areas have a minimum of a 3% slope to the roadway curb to ensure proper drainage.

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

Ms. Susan Perrin, Resident: Requested for more information regarding the septic system.

Mr. Burke responded that when a septic system is designed, one of the requirements is that you have to identify an area called a reserve area that would be the location for a replacement leach field, should the original leach field fail at some point in the future. The only requirement is that soil

testing is conducted to demonstrate that the area has the capability to handle the wastewater if need be.

Mr. Jon Winkler, Nashoba Valley Voice: If the project is approved what is the anticipated construction time?

Mr. Smith: We would start construction approximately a week after approval. We are prepared to sell our first home within one year of the start of construction. The total amount of construction would be approximately 2 ½ years and the infrastructure would take a little less than a year.

Mr. Burke noted the Planning Board had received comments from Ms. Anna Eliot, who was in support of the project, and Mr. Bob Pine, who was not in support of the project in part because he had concerns regarding the amount of cutting/filling proposed.

Mr. Barringer made a motion to continue the public hearing for the Definitive Plan regarding the Village at Shepley Hills, date specific, to the March 11, 2012, meeting at 7:00 p.m., subject to receipt of a letter from the applicant requesting an extension until the end of March 2021. Mr. Svarczkopf seconded the motion.

*A Roll Call Vote was taken, which resulted as follows:*

Yea: Ms. Nilsson Ripps, Mr. Wilson, Mr. Barringer, 7  
Mr. Svarczkopf, Mr. Bonnett, Ms. Black, & Mr. Burke

Nay: 0

**VOTE: 7 – 0 – 0**  
**MOTION CARRIED**

**(Recorder's Note: Ms. Nilsson Ripps was excused from the meeting at approximately 8:57 p.m.)**

**Discussion – Review Status of Compliance with Major Site Plan Review Requirements**  
**Music Center at Indian Hill, 122 Old Ayer Road**

Mr. Tada commented that he would be meeting with the Building Commissioner the following week and would review the site plan review permit issues that were identified at the last meeting.

Mr. Tada explained that Police Chief Mike Luth has already had some discussions with Ms. Lisa Fiorentino of Indian Hill Music regarding the coordination they would need to do regarding traffic control and large crowd control.

Mr. Burke stated that the intersection of Old Ayer Road and Route 119 was the subject of a great deal of concern and discussion. He further stated although a conceptual plan had been approved, one of the requirements was that the plan be more fully developed prior to the issuance of a building permit and also that the improvements be completed prior to the issuance of an occupancy permit.

Mr. Bonnett asked if Indian Hill Music was making a good faith effort to control erosion on the site?

Mr. Tada and Mr. Gentilucci both opined that a good faith effort to control erosion was being made.

Mr. Tada noted he would provide the Board with an update at the next meeting.

### **Discussion – Potential Zoning Amendments for Spring Town Meeting**

Mr. Tada said the Massachusetts Flood Plain Coordinator at the Department of Conservation and Recreation issued a statement to towns stating her office was unable to answer the influx of questions in a timely manner. He said they should still try to update the flood plain bylaw within a reasonable time but it may not have to be done by the Spring Town meeting. Mr. Burke suggested that Mr. Tada schedule a public hearing when it was possible.

Mr. Tada also mentioned the title of the accessory apartments section of the bylaw needed to be corrected, and the new accessory apartment provisions need to be added to the Use Table.

### **Project Updates**

Mr. Tada stated he forwarded the most recent field inspection report for Village Meadows in West Groton (Townsend Road) from Nitsch Engineering. He said the only issue that had been pointed out was that there was one section where some silt fencing should be installed.

Mr. Tada commented that he was in receipt of the application for the Hayes Woods Definitive Subdivision Plan and Special Flexible Development Permit and public hearings would be scheduled on March 25, 2021.

### **Committee Updates**

- Complete Streets Committee

There were no updates to report.

- Community Preservation Committee

Mr. Svarczkopf reported the Community Preservation Committee was busy reviewing all of the applications they received.

Mr. Svarczkopf reiterated that there were more applications than what they had funds for but if the Town decided to create a bond for some of the larger projects they might be able to fund the remaining projects.

### **General Business**

Approval of Meeting Minutes

- January 28, 2021

Mr. Barringer made a motion to approve the minutes from the January 28, 2021, meeting as presented. Mr. Wilson seconded the motion.

*A Roll Call Vote was taken, which resulted as follows:*

Yea: Mr. Svarczkopf, Ms. Black, Mr. Bonnett,

6

Mr. Wilson, Mr. Barringer, and Mr. Burke

Nay:

0

**VOTE: 6 – 0 – 0**  
**MOTION CARRIED**

**Planning Board Meeting Schedule**

- February 25, 2021
- March 11, 2021
- March 25, 2021

**Adjournment**

Mr. Wilson made a motion to adjourn. Ms. Black seconded the motion.

A roll call vote was taken and the meeting was adjourned at approximately 9:39 p.m.

Respectfully submitted:

Trish Gedziun  
Recording Secretary

*Approved 3/25/2021*