

## **Minutes from Meeting of 10/30/03** – Groton Gardens Work Group

Attendees: Stuart Schulman, Mark Bobrowski, George Berringer, Margot Hammer, Doug Deschene, Michelle Collette, Peter Cunningham, Robert Walker, Virginia Wood, Jean Kitchen

Ms. Wood suggested setting up a committee regarding how to make business more attractive to the town.

Atty. Deschenes noted that there is no due process with Natural Heritage (Oak Ridge). He said that the large wetland does not act like a vernal pool and felt that his client might have to sue them.

Atty. Bobrowski said that he is chairing the meeting so no open meeting laws are violated. He suggested a blend of business and residential use because of the proximity of the business proposal. He said that there is some question regarding whether a 40B can be used for business purposes but he was told that if it works then to go with it.

Atty. Deschneid said that Mr. Walker is working with the town to create some sort of business next to Groton Gardens. He said that this has been approved (not Hannafords), and noted that they are going back to the original 48-unit project that was first proposed. He said that Anthony Drive abutters were concerned regarding the second access on their road.

He said that the easement for the drainage ditch was an issue because the ditch was not on the property. He said that Mr. Walker suggested adding the Kelly's Lounge site and increasing the project to 60 units, which created more room and thus could resolve some of the problems. He said that when they had to go back to state for new site approval letter, the state had adopted an 8 units per acre policy that had not been enacted into law yet but which prohibited an approval. He said that this project has one unit per 2700 square feet, or 13 units per acre with 60 proposed. He said that the 60 unit project has been withdrawn from the state and noted their return back to 48 units. He said that the current issue is the Mill Street realignment.

New Plan- no Anthony Drive access, Mill Street realigned and small commercial project on Kelly's Lounge lot. Housing part much the same except for access and room for utilities and drainage. Much open space associated with business piece.

Realignment is same as presented to PB. Can do project without realignment Mill Street if have to. Mill Street proper will be landscaped. New location is lined up with NEBS driveway.

Have MEPA approval.

All ZBA issues addressed.

Discussion ensued regarding height of retail structure. Also whether to do housing on top of retail.

Walker said doesn't work well. He said that architecturally speaking the buildings will all be

compatible. Only really works in rehabs in downtown areas.

Discussion ensued regarding why second access is gated. Walker said can go either way. Stu said that gate was important with Anthony Drive access. PB-no gate.

Walker – MEPA approved gated access.

Whistle said that good b/c parking to rear of property.

Peter said that he likes mixed use of area. Likes realignment of Mill Street.

Doug provides transitional flow from dense business to multifamily to single family houses.

Michelle asked about buffer zone work. The project is not pulled out of the buffer zone. Doug said that there is no wetland disturbance. Proposing wall to delineate disturbance. Close to wetland (about 10 feet) but not cut and dry determination. Argument that just land subject to flooding and thus no buffer required. They are treating as a wetland with understanding that have to work in buffer and will provide significant barrier and will request an exemption.

Walker has a letter from Fisheries and Wildlife that no adverse on wildlife and habitat.

Stu asked about the change in Kelly's Lounge lot. Need a curb cut from the State. Also since so visible suggested an architectural consultant. It's a gateway to Groton of sorts.

Doug will to work with town to some level but architecture is very subjective.

Mark said there needs to be some discussion re: density. Also sewer issue. With a project this dense there needs to be much mitigation provided by applicant. Said that there is a difference between what needs to be done to build and mitigation.

Walker- willing to listen but if take out eight units, no substantial change to plan. Only change is lessen by one-half and then project is not feasible.

Peter wants more affordable.

Walker said that DMH willing to work .

Doug – what plan is negotiating, new or old.

Michelle- gift of unit to Groton Housing Authority. They have a special needs population in need of housing.

Doug 5% need to be handicapped accessible. Now discussing constructing a fully handicapped prepared unit. Need to entertain density discussions but is it with 48 units or revised mixed use plan.

Mark- talking about risks of new plan. 40b for housing construction and not business construction. Have done some mixed use projects but none have been appealed. Not integrally important business to housing.

Walker said that business meets zoning requirements.

Mark said that better to do all together if no appeal.

Mill Street realignment still an issue. Discussion ensued regarding whether Town Meeting vote would pass.

Mark would need to condition some realignment in 40b permit because road issue will not be resolved before permit granted. Seems to be focusing more on realignment and business than housing.

Doug said that has an impact.

Stu said that new proposal is much better than old.

Michelle- asked whether site plan review needed for commercial since part of 40B. Mark said that can condition site plan review.

Michelle suggested have a Housing Authority representative present during sessions.

Mark important at some point but not re: design issues.

Mitigation issues-leave density in tact and reduce price of first round affordable. Second round sales use the state formula. Also could do impact fees. Can do anything want with money.

Whistle concerned with long term. Want buildings to be attractive for long term. Shouldn't have drainage ditches in front of property.

Walker- just a swale which will be mowed. Just grass. Only floods during 50 or 100 year storm.

Whistle- are site distances all signed off on with realignment, even with Anthony Drive.

George said not arguing about realignment but adding another driveway cut which needs to be reviewed.

Walker cannot deny a permit if have legal frontage on a state road.

Mark- Have traffic people look at it.

Peter- If have more density wants more affordable. Otherwise better project, Okay with realignment if signed off on.

Discussion ensued regarding how to keep business and 40b as all one project, particularly regarding the LLC.

Mark asked for \$2000 for an architect to review the project.

Walker okayed the money.

Stu- This project is so visible that needs to look good.

Discussion ensued regarding who to choose.

Michelle said that George wants site plan review for commercial project. PB doesn't have same relationship with Jennifer Connelly as the Thorndike (FST). Suggests using them for one more opinion re: realignment.

Doug – not changing from Connelly. Already spent much money and time.

Michelle – a traffic light is likely in the not so far future and feels that every step should be taken now to study properly. This is the one shot at this. Thinks worth having one more expert look at and sign off on plan. The skepticism could be enough to effect a town meeting vote.

Walker analysis has already been done. Going backwards if open that can of worms.

Doug said that MEPA said that signalization hardware should be built there.

Discussion ensued re: what means.

Stu said that a minority opinion can throw a town meeting vote and stressed that Walker should be careful and dot all I's, etc.

Mark and Doug will talk and get an architect.

Meeting adjourned 10:25 am.