

Minutes Meeting of July 28, 2004 – Oak Ridge

Members Present: Chase Duffy, Stuart Schulman, Shaun Sullivan, Mark Mulligan

The Chairman reconvened the Oak Ridge hearing.

Sandy Brock, JNEI, submitted a brief letter, noting huge improvements regarding the wetlands, both according to her and the Con. Comm.

The Chairman noted concern regarding the driveway slope that approaches a 10% grade.

Ms. Brock said that that slope is not beyond the regulations, even if she noted it. She said that Gary Herbert, traffic engineer, could comment on this.

Mr. Hebert said that a 10% grade is a typical local requirement.

Ms. Brock noted that it is only at 10% grade for a very short distance.

Mrs. Duffy asked about fire sprinklers.

The Applicant said that the building code doesn't require them.

The Chairman read the PB re-review into the record, noting that much input was asked from Ms. Brock.

Ms. Brock said that there has been a lot of discussion about the single access. She said that widening the road would impact the wetlands because it will get closer and thus the applicant will have to return to the Con. Comm. for additional notice of intent.

The Chairman suggested getting input from the police and fire chiefs regarding putting in a boulevard for the single access.

Mr. Sullivan said that because of the potential of age of residents, the slope grade and the single access he would feel better with input from fire and police.

Mr. Hebert said that a stop sign within the property is not a bad idea.

Ms. Brock said there is a single point tangent whereby the road is at 10% grade.

Atty. Bobrowski said the PB memo noted concern regarding a potential vehicle queue.

Mr. Hebert said there could be some concern regarding vehicles waiting to leave the development

in the morning. He said that there could be some workers in a 55 and older development. He noted that he used the apartment generation rate that is higher for this project and felt that only one or two vehicles would be queuing.

Atty. Bobrowski noted that Mr. Hebert should discuss some other PB concerns, such as the one road boulevard.

Mr. Hebert said that he is trying to minimize blockage and noted a “Catch 22” because the drive is on Rt. 119 and adding curb cuts is potentially dangerous. He said that the volume is under 20 vehicles per hour so that a second access is not mandatory but ideally he would recommend an alternative access. He said that a boulevard gives two accesses in a way but does nothing from a true safety aspect.

Ms. Brock said that more separation between the entrance and egress is ideal and noted that a second access is needed in case a telephone pole is hit and crosses the drive and causes a fire and power outage. She noted that the redesign of the roadway has woods next to a somewhat steep road and not in the wetlands.

Mr. Hebert noted that it is all over the map what communities find acceptable for cul de sac standards.

Mrs. Duffy suggested sprinklers if fire safety is a concern.

Atty. Bobrowski asked about glare.

Mr. Hebert noted that they have an additional 135 feet of site line distance with the moving of the road for total of 500 feet. He said that this more than meets the requirement at 50 mph speeds (technically speeding) and is a little worse to the south. He said that the condo association and/or highway department needs to keep vegetation clear to maintain the intersection. He said that a stop distance of 555 feet is optimal and this distance is 500 ft. with the curvature of the road adding 30 ft. He said that the numbers are more for convenience than safety for the 555 ft. numbers.

The Chairman asked whether glare enters into the calculations.

Mr. Hebert said that glare can effect the numbers, especially during certain times of the year.

An abutter noted that glare is the least of the problem. He said that he often has to wait for 4 to 5 minutes to access Rt.119. He suggested that the light at 4 Corners would help the problem.

Mrs. Perkins, PB, asked how the light would affect traffic from Groton.

Mr. Hebert said that it should help.

Mr. Degen noted that in #5, a tree falling wasn't discussed but there could be a problem when the road is not treated with salt due to the proximity to the wetlands. He said that the homeowners association handles plowing, etc. and said that that is a public safety issue.

The Chairman asked how a second access would address that issue.

Mr. Hebert said that the Board needs to have specific ways to address snow treatment.

Discussion ensued regarding what standards are being used for road treatment in wetlands, etc.

Mr. Hebert said that he would get that info.

Atty. Bobrowski said that next issue is #9, the stability of side slopes.

Ms. Brock said that a 3 to 1 slope could be sodded. She said that if it is any steeper there can run be problems regarding erosion control.

Discussion ensued regarding the riprap wall.

Mrs. Perkins asked about the slope and suggested a guardrail.

Ms. Brock said that there is no guardrail when the slope goes up.

Mrs. Perkins clarified that she meant the slope towards detention basin.

Ms. Brock said that Mass Highway has guidelines regarding specs for guard rails.

Discussion ensued regarding a sidewalk and the Con. Comm.

Atty. Bobrowski said that there are 2 per unit regular spots and 8 guest spaces.

Discussion ensued re: where to accommodate guest parking if no on street parking is allowed.

Atty. Deschenes asked where the prohibition of street parking is coming from. He said that this is a 24 ft. road and only difference is that it is private. He said that it is safer to have on-street parking with no public traffic.

The Chairman noted that Atty. Deschenes has a point.

Of note: the road is 24 feet including cape cod berms.

Mrs. McEvoy asked whether on-street parking would create safety issues and suggested asking police and fire.

Discussion ensued regarding dumpsters. Mattbob said that curbside pickup is part of the condo fee.

Item #15: Mrs. Perkins noted concern that runoff is being increased toward the back of the lot.

Ms. Brock noted a very minor change in the contour line going directly into the wetland so that runoff avoids the neighbors. Also suggested sinuous water quality swales.

Atty. Deschenes said that the Con. Comm. closed the hearing last night and noted that the only issue is a curve in the swales. For the record the project is not increasing off site flows.

Mrs. McEvoy noted to JNEI that the runoff talked about is runoff to all parcels except hers. She said that the peak runoff is being changed and does include runoff to her property.

Ms. Brock said that that is what is going into the wetlands.

Mrs. McEvoy noted concern that it would go into her property.

Ms. Brock said that her concern is legitimate and said that it should not go onto her property with slight changes in the swale.

Discussion ensued regarding how contours affect runoff, etc.

Ms. Brock said that the best water quality devices are in nature.

An abutter to the proposed driveway noted that the east side is the lowest side and will be going over the septic system of existing house that will be torn down. He asked what would happen with the water.

Ms. Brock said that the roadway will have catch basins and the flow will go away from his property and go into the retention basins. She said that the distance is approximately 10 ft. and she recommends as a condition that the property line be staked before construction.

Atty. Bobrowski asked about #18: blasting.

Ms. Brock said that she is not a geotechnical engineer and noted that blasting is controlled through the fire chief and fire marshal. She did not suggest anything special for an additional condition.

Mrs. Lathrop noted concern regarding her 8 ft. well.

Ms. Brock said that a pre-blast survey is required which entails videotapes of cellar walls, etc., with the permission of abutting homeowners.

Atty. Bobrowski said that the blasting contractor is bonded and will be liable. He said that there may be blasting or drilling. He also noted that Ms. Brock and Mr. Hebert appeared to have completed their work on this project.

Mr. Degen asked whether water will run off into Rt. 119.

Ms. Brock said that it would but with no increase.

Mr. Degen said that it is not an increase in perception but noted that the water will run over the pavement instead of grass. He noted that PB engineers double the load of the catch basins.

Ms. Brock said that the applicant could do a shallow additional detention basin but feels that the parking area in front of house does that. She said that it is a fairly small area.

Mrs. Lathrop noted having a bunch of questions. She said that it is a great distance to any public safety buildings. She also noted vegetation issues and asked who would be responsible for site clearance.

Atty. Bobrowski asked who has legal rights of access.

Mattbob said that they control the parcel and said that they can put a site distance easement on the property.

Mrs. McEvoy asked whether Mattbob controls or owns the parcel.

Atty. Deschenes said that his client owns the parcel.

Discussion ensued regarding the exact location.

Mrs. Lathrop asked about the width of the road opening. She noted concern that people turning will be rearended if the road is not wide enough.

Ms. Brock said that there is no pull off lane.

Mr. Hebert said that there is not enough volume to require an extra lane but said it is good to provide enough space. He said that the town does not want a huge sweeping space because of bicycles and pedestrians so that traffic should have to slow down for turn offs.

An abutter asked why the existing curve sign is lying on the ground.

Ms. Brock said that that is a Mass Highway issue.

Mr. Hebert said that this project requires a Mass Highway curb cut and they will require a safe access.

Mr. Degen asked about the turning radius for the biggest fire truck and asked whether a truck would be able to make a turn if a car queued.

Mrs. Lathrop felt that just because some units are affordable does not mean that less safety is acceptable.

Atty. Bobrowski said that safety is the biggest issue.

Discussion ensued regarding what criteria is used regarding affordable and what is important to the State.

Mrs. Lathrop asked why Mr. Hebert got the plans only yesterday.

Atty. Deschenes said that there was a miscommunication regarding who got what plans. He said that the new plan addresses the particular traffic issues raised with the old plan.

The Chairman felt that the traffic study was the biggest issue with the last plan.

Atty. Deschenes said that the changes were made because of both Con. Comm. concerns and site line issues. He noted that people don't always get things done as quickly as everyone wants.

The Chairman said that there will be another meeting and any issues can be addressed.

Atty. Bobrowski said that he spoke to Mike Jacobs and he is ready to do a financial analysis.

Atty. Deschenes said that he met with fire and police over one year ago. He stressed that he doesn't want the process dragged out if certain boards choose not to respond.

The Chairman read memos into the record from the water dept. and abutters.

Atty. Deschenes said that there is no plan to finalize a detail plan regarding water installation until have they have a final project okay.

Atty. Bobrowski said that abutters want water located such that it benefits the entire neighborhood. He said that the Board should agree in principal as a post permit condition.

An abutter asked for a conservation restriction for the additional two-acre Littleton parcel and Mattbob refused.

Atty. Bobrowski said that the Board could condition that the Littleton site not be accessed from Groton.

Discussion ensued regarding how the land in Littleton fits into the overall project.

Atty. Bobrowski said that it is part of the project and included as common area.

Mr. Degen asked how the ZBA retains jurisdiction even if in the parcel is not in Groton.

Atty. Bobrowski said that the unit association would retain jurisdiction.

Mr. Degen asked whether the portion in Littleton abuts any public ways.

Ms. Brock said that they are all separate lots.

Mr. Degen said that they could get access to the public way with an additional land purchase. He asked whether the ZBA could condition that no further development occur if granted.

Atty. Bobrowski said yes but the land is in Littleton so they have jurisdiction and Mass Housing could construe this as a minor change and thus no public hearing would be required.

Ms. Brock said that they need to work out what abutter Z needs.

Atty. Deschenes said that their position is no boulevard. He said that the Con. Comm. won't let anything move into the wetland, which is why the road is where it is. He said that he will work with Mike Jacobs on the pro forma.

The Chairman asked about earth removal issues. He said that he wants an earth removal slot for the next meeting.

Discussion ensued regarding how to pursue earth removal issues.

Ms. Brock said that she did a review of the erosion control plan and noted that the contractor should submit a more in depth plan.

Mr. Viara submitted a letter from the Townline Association into the record. He said that they want the ZBA to carefully look at the access road.

Discussion ensued regarding Littleton boards.

Atty. Deschenes said that he has met with the PB and Con. Comm. and will ask the BOS to send the ZBA a letter regarding the project.

Mrs. McEvoy said that the ZBA will be asked for Con. Comm. waivers and asked for BOS support.

Mr. Z, abutter, said that he is not getting Littleton notification.

Atty. Bobrowski said that the PB is not required to notify abutters and noted that the meeting is posted at Littleton Town Hall.

Mrs. Lathrop asked whether Littleton can say anything.

Atty. Bobrowski said that no permitting is required and suggested a work session regarding water issues.

The Oak Ridge was scheduled for 9/1/04 at 7 pm.

The meeting adjourned at 10: 30 pm.