

Minutes Meeting of June 7, 2006 – Pineridge, Magee, Squanny

Members Present: Stuart Schulman, Jay Prager, Chase Duffy, Mark Mulligan, Cindy Maxwell, Alison Manugian, Megan Mahony, Bob Cadle

The Chairman reconvened the Pineridge hearing and read the Megan Mahony letter into the record.

Atty. Deschenes said that much has changed in the past year, noting that he knows they have to file with Natural Heritage and MEPA but they can't do it until it is known what the project will look like. He noted that the project now seems to be evolving into single family dwellings. He said that Mr. Lorraine is here from Landtech and noted that he has submitted two proposals, one being related to a sewer hookup. He noted that separate counsel is pursuing sewer availability, which his client feels was not addressed by the one line memo from the Sewer Commission. He said that his client thinks there is much capacity available and Plan B has sewer and would keep the existing home, which would be incorporated into the project with 15 new units for a total of 16. He noted that Concept A is with a septic system and the existing house lot will be carved off as a conforming lot and then 16 new units would be constructed. He said that if they keep the existing house as the 17th unit, it would have to be affordable. He noted that one unit on Jenkins would have a separate driveway but 15 units would be serviced by a main driveway which will be located in essentially the same location as previously proposed. He said that Plan B would put the existing dwelling in the proposal, noting that costs rise dramatically when on-site septic systems are constructed. He said that carving off the lot with the existing house will recoup some of the costs, noting that the real shift is in the cost of affordable units because of rising interest rates bringing affordable unit sales prices down. He noted hoping that in shifting to a single family design things are spread out and less dense, with less than two units per acre and more in keeping with a cluster subdivision.

Mr. Prager asked why the unit placement is so different on Plan B.

Atty. Deschenes said that he has more flexibility with Plan B, which entails sewer, noting that there is additional space for drainage and that his client He said that they will also try to preserve some of the vegetation along Jenkins Road and will flip the driveway back if the Board wants.

Discussion ensued regarding the placement of porches, decks, etc. and whether the dwelling are two family. Atty. Deschenes said that they are all single family homes.

Mr. Mulligan said that this is a much better concept than what has previously been presented.

Mr. Lorraine said that the rear setbacks are about 40 feet and the sidelines are 15 feet between boundaries (30 feet total between units).

Ms. Helpem asked how many bedrooms will be in each unit and also asked whether in Plan B,

whether the existing house will be an affordable unit.

Atty. Deschenes said that the affordable dwellings/units can't be readily discernable, noting that the existing home will be part of project but has been in the neighborhood for years and shouldn't be penalized for such. He said that the homes are being designed for two bedrooms with potential for a third over the garage. He said that the sewer plan will be for three bedrooms but they are currently designed as two bedrooms. He said that the square footage will be 1800 to 1900 feet and no more than 2000 feet, with two stories. He stressed that Mr. Hicks wants to move forward with this project.

Mrs. Sartini asked whether any affordables could be three bedrooms.

Atty. Deschenes said that yes, if they wanted to pay for it, because they are all designed the same. He noted that designing the septic system for more units is incrementally not much more expensive.

The Chairman said that he had other questions, noting that he, too, wants to move forward from here, and that this is the best plan to date. He then read the Petroff memo into the record regarding runoff, noting that they can't increase runoff after construction. He then read the BOH memo (the same as presented before) into the record.

Mr. Western asked about fill needing to be brought in.

Atty. Deschenes said that some will need to be brought in but he doesn't have the complete design or figures, noting that if this plan is acceptable, they will go forward with the formal design.

The Chairman noted that if some legal action regarding the sewer capacity is being taken it could take months or years.

Atty. Deschenes said that he is not sure that legal action will be taken, noting that they want to determine whether sewer capacity is available and that this might not happen until the end of the project.

The Chairman suggested that that could affect how the plans are designed.

Atty. Deschenes said that if there is no capacity, they won't pursue it, but if there is adequate capacity then it is up to the ZBA to grant the permit. He stressed that the Town can't deny a 40b sewer capacity if it is available.

The Chairman asked whether proximity to Main Street matters. Atty. Deschenes said that it is up to the applicant to pay to run the sewer up to the project.

Ms. Halpern asked about the price for market rate units.

Atty. Deschenes said that he doesn't know because they don't have a final design, adding that the affordable units will likely sell for 148 to 150 grand. He noted that if an on-site septic disposal system is constructed, a portion of the roadway will be over a portion of the septic system.

Mrs. Duffy asked how long the detention basin will hold water.

Atty. Deschenes said that he is unsure until final design has been presented.

Mr. Lorraine said that the design should have the system empty within a couple of days.

Mrs. Sartine asked whether this project will meet the State Stormwater Guidelines including the two foot separation between high groundwater and the bottom of the detention basin.

Atty. Deschenes said that they have to meet those guidelines.

Mrs. Western asked about the size of the lots.

Atty. Deschenes said that because this is a 40B, different guidelines are used and they own a proportional part of lot. He said that each house will sit on 6500 to 8000 sq. ft. and the rest of the parcel is communal.

Ms. Helpen asked whether the houses would be condos and whether the project is named.

Atty. Deschenes said that they will be condos that stand alone with restrictive covenants re: painting and colors but around the units will be up to individual owners.

Ms. Helpen asked if there would be one or two car garages.

Atty. Deschenes said that he is not sure if the garages are for one or two cars.

The hearing was continued to August 2, 2006 at 7:30 pm. The motion was moved, seconded and passed unanimously.

The Acting Chairman reconvened the Magee hearing, noting that a certified plot plan was submitted.

Mr. Magee noted that exclusive uses have been put on the plans to keep some portion of the lot wooded.

Discussion ensued regarding the jog on the lot being for exclusive open space use.

Mr. Magee said the lot that will be sold will be the conforming lot.

Discussion ensued regarding what variance he is actually looking for.

Mr. Magee noted that he has 64,000 square feet on the lot of upland contiguous vs. the 80,000 that is required, but that he has more than that of real land.

Mrs. Manugian said that she has questions of buildability re: BOH issues but realizes that that is not the ZBA's problem.

Of note: the rest of board is okay with the proposal.

The Chairman noted that the topography of the lot has changed significantly and the encroachment of the beaver pond is an unusual circumstance, and further added that given the overall size of lot of more than four acres, it would be a hardship to deny.

The Board moved to grant a variance from contiguous upland frontage as shown on the plan submitted by the applicant and dated May 2006.

The motion was seconded and passed unanimously.

The Squannacook hearing was reconvened.

Melissa Robbins and Doug Deschenes were present, noting that since the last meeting, an agreement regarding the modification has been reached that should work.

Atty. Pawle submitted a modification agreement, noting that the limited dividend would be according to Mass Housing standards and the applicant will pay a mitigation fee and the Town will receive copies of all reports submitted by the applicant. She said that the Groton Housing Authority would act on the affordable units, working with CHAPA. She stressed that we have fair agreement all around, noting that she recognizes that there is a disagreement. She said that applicant will pay \$3,650 at the sale of each market rate unit for a total of about \$50,000 for affordable housing. She also noted that D1 of the decision is of note, to make sure that each affordable units are added to count.

Mr. Prager said that it seems like a deal, with the Housing Authority having a say and the Town getting some money and the Board retaining reviewing authority.

Atty. Deschenes said that he has already spoken with the Groton Housing Authority and his client will pay 5 grand to the Housing Authority to act as agent.

Mr. Cadle asked who agrees to using Groton Housing as the agent.

Atty. Deschenes said that the Housing Authority along with CHAPA agree.

Mrs. Sartine asked about the cost of market rate units.

Atty. Deschenes said that he doesn't have any exact figures but thinks the price would be lower than when the project first came before the Board.

Atty. Robbins said that Rich Hurley sets the price for the first set of affordable units.

Discussion ensued regarding how the rates are set and how it works for a small project like this.

Mrs. Sartini asked who needs to sign the Regulatory Agreement, the BOS or the ZBA. Atty. Robbins said that the Regulatory Agreement is between the developer and Mass Housing, noting that they are okay with the terms as set forth in this document.

Mr. Cadle asked for clarification regarding Finding #6. Atty. Pawle said that the Board can choose to proceed with certain parts but Mass Housing doesn't impose additional components.

Mr. Cadle said that there was talk at the last hearing that they might modify Condition #5.

Atty. Pawle said this is more workable and it is more important from the applicant's prospective to have Mass Housing on board. She said that the Town's interest in the limited dividend is still protected.

The Board moved to approve the modification of the Squannacook Comprehensive Permit located at 160 Townsend Road, as submitted by Town Counsel, with conditions D and D being listed as D and E respectively.

The motion was seconded and passed unanimously.

The Board moved and seconded to make Bob Cadle the chairman and Jay Prager was appointed vice chairman. The motion was seconded and passed unanimously.

The meeting adjourned at 9:30 pm.