



## Town of Groton Massachusetts Zoning Board of Appeals

Meeting Agenda and Minutes

### **April 17, 2019 – Garger Variance, Kilbourn/Widmeyer Special Permit**

#### **Present**

Cynthia Maxwell, Chairman

Mark Mulligan, Member

Bruce Easom, Member

Dan McLaughlin, Associate Member

Jen Spencer, Associate Member

#### **Not Present**

Jay Prager, Member

The meeting was called to order at 7:00 pm.

#### **Meeting Minutes**

##### **Garger Variance—46 Redskin Trail, #1-19**

Chairman Maxwell reconvened the hearing.

The applicant requested a continuation to the May 1, 2019 hearing.

Member Mulligan made a motion to continue the Garger hearing to May 1, 2019 at 7:15 PM. The motion was seconded and passed unanimously.

##### **Kilbourn/Widmeyer Special Permit– 240 Main St. (Donelan's) , #3-19**

Chairman Maxwell convened the hearing by reading the legal notice.

Many abutters and interested parties were present.

Atty. Collins, agent for applicant, and Dan Quayle, architect, were present as agents for the applicant.

Atty. Collins said a SP under 218-6 is necessary because the site is non-conforming, noting that the VCB

district puts a cap on building size and impervious cover. He said the impervious cover exceeds 75% (actually at about 98% due to paving and the building size, which is 2,000 sq. feet more than what is allowed). He said the site is serviced by town water and sewer. He said the existing building is about 60 years old and is to be renovated to look like a building next to town hall and like what the original building looked like. He said the site would have some long overdue changes, noting that the parking lot is poorly designed. He said Stan Dillis has redesigned the parking to allow front and rear access without having to exit the parking lot. He said that storm water management would be much improved, noting that he has already met with them. He said two rain gardens would be installed and the swamp drains will be much improved and updated.

Dan Quayle said they are actually using the existing building with much improvements and a facelift. He said they are redesigning the windows to fit to scale and putting an entry alcove in. He said they would reinstall the existing cupola upon completion. He said the exact square footage for tenants is still up in the air but will be designed for up to four tenants depending on needs. He said the key is breaking down the scale of the exterior with different windows, etc.

Member Mulligan asked where the additional 12,000 square feet are going.

Mr. Quayle said that is the size of the existing building, noting that they are just filling in the entrance so sticks out. He said they are getting rid of a loading dock so it's a wash in terms or adding sq. ft.

Atty. Collins said what is proposed will be phasing, first glass and then clapboarding. He said that at the time of submittal he was told it would likely be four units, but as it turns out, a lot of commercial tenants don't want such a large space and some want to share space, ie. a coffee shop sharing with retail. He said that thus, there may be more than four tenants and the Building Inspector said that doesn't matter per zoning but would for site plan review and parking spaces, etc.

Atty. Collins listed SP criteria: upgrading a white elephant with something complimentary to Main Street, traffic is improved by redesigning the parking area, there would be a utilities upgrade, neighborhood character would be enhanced and the environment is better due to storm water management and increased tax revenue. He said this is a good proposal, noting that it is lucky that someone from town wants to buy and rehab.

Member Mulligan said the exterior lighting seems like just two lampposts.

Atty. Collins said the existing posts would be replaced by two lanterns toward Main Street. He said the other lights would be replaced by lanterns and down lights, noting that this is handled by site plan review.

Member Spencer said everyone has a different idea of what is attractive, noting that she has heard from a lot of people not liking the look of the building. She said she wants it to look more modern, noting that it looks like 1980's southern, which is taking a step back.

Discussion ensued regarding how to change the look.

Member McLaughlin said it has to go to the HDC.

Atty. Collins said yes, and then suggested that this board could focus on the non-conforming nature and let HDC deal with aesthetics. He said he would bring the critique to his client.

Member McLaughlin said it is a SP, but noted concern about the potential uses.

Atty. Collins said only anything that is allowed under the VCB district, noting that he is making that clear for the record. He said the two biggest constraints are the HDC and Site Plan Review, which does put significant limits on parking and aesthetics. He said there is wisdom behind the constraints.

Member Mulligan asked whether the public would be privy to the HDC and PB reviews.

Atty. Collins said yes, they are public hearings.

Member Easom said the plans the board have are different than the plans the applicant is showing and wants the newest plans to be in the record.

Member Easom said it is not good practice to have different plans, noting that he wants to talk about the impervious surface coverage.

Atty. Collins said it is down to 80% from 97%.

Member Easom said he wants exact figures because it seems to be reducing the non-conformity.

Member Mulligan said the plans look like more green space is being added.

Atty. Collins said there is a storm water management plan.

Jennifer Rand, abutter, asked whether there would be parking spaces behind the building.

Atty. Collins said yes, four for employee parking.

Ms. Rand said there are presently 23 and the new plan shows 43.

Atty. Collins said when the area is properly lined there will be 41.

Discussion ensued regarding how the parking is set up.

Ms. Rand said she doesn't see how they can add 23 spaces.

Atty. Collins said spaces are set up per site plan review requirements.

John Brooks said they are taking away the parkway and asked about trees.

Fred Border asked about plantings and screenings.

Atty. Collins said there will be trees and landscaping, noting that the back of the building is not changing much except for clapboarding and windows.

Discussion ensued regarding dumpster placement, etc.

Member Mulligan said all these issues would be addressed by site plan review.

Alison Edelson, Main Street, asked whether this as a walkable site has been addressed.

Atty. Collins said Stan Dillis has addressed this and the entrance will be much more accessible. He said space is available to make a lined pedestrian walk.

Ms. Edelson said she wants this formally addressed.

Peter Parker, Champney Street, said he is the closest abutter and has dealt with a bad neighbor and landlord for years. He said lights are bad in the back of the property.

Atty. Collins said they would be using the existing roof height.

Discussion ensued regarding height of roof and what will be done to mitigate light and noise and what could be coming with parking in the rear and side.

Atty. Collins said this would be addressed with site plan review, noting that the rear lights will be removed and all lighting will be down lights. He said that currently the sides and rear are invisible and will have windows and clapboard so it looks better.

Member Spencer suggested a pretty fence to screen the building.

Atty. Collins said it is an easy add, noting that he will discuss with his client for site plan review.

Bill Rand, Hollis Street, asked whether the dormers are real.

Atty. Collins said yes, noting that his client wants his office upstairs near the dormers. He said his client loves Groton, noting that he misses being able to shop there but doesn't miss the looks of Donelan's. He said this is a great opportunity to update the look, noting that he wants it to look real and not fake. He said the architect did a good job with both the Groton Inn and firehouse. He said that if his client wants a colonial, it would be like a real colonial.

Atty. Collins said the other good thing is the HDC, which is a blessing for the center of town. He said that absent tearing it down and starting over, this is a good compromise to fix up a potential blight to the neighborhood. He said the Bank of America site used to have a beautiful colonial that the owner burned down because town wouldn't let him replace it. He stressed that this site needs to be occupied and this is a good compromise. He said he would take comments back to his client and present to both the PB and HDC.

John Brooks said he was born in old hospital, noting that this is how he remembers it and has no objection to how the front looks.

Member Spencer said more choice is good, noting that the design should last for many years.

Atty. Collins said it is a good idea to add articulation to a massive building.

Ms. Edelson asked if one tenant wanted outdoor seating what would happen.

Atty. Collins said there is limited space to allow outdoor seating.

Mr. Quayle said they couldn't do more than three or four café tables.

Ms. Edelson said she is disappointed by the increased parking.

Atty. Collins said the PB approved the parking.

Ms. Rand asked why changing entrance to other side of parking lot.

Discussion ensued regarding parking and the direction of traffic.

Atty. Collins said both the police and fire chief wanted this configuration but it is not carved in stone, noting that this could be addressed.

Ms. Rand said she is anxious about the four spaces behind the building because things happen in parking lots at night. She said she is concerned for all abutters in the area.

Mr. Carpenter said they have had people smoking and drinking on the wall.

Member Spencer said the parking area would be there whether it is lit or not. She also noted that tonight is for the use and amount of impervious cover.

Sally Reed, Hollis Street, said four antique homes back up on the site. She said they have had many issues over the years, particularly related to visual eye sore and stinky dumpsters. She said she wants to have something done for the abutters.

Member Mulligan reiterated general nature of the hearing.

Mr. Carpenter asked how traffic is improved.

Atty. Collins said the parking is much more limited now, noting that there are many more options.

Member Easom said he is not hearing from the public that this won't work, but that they want findings that address some of the issues that occurred when Donelan's was there.

Mr. Rand said landscapers started very early on Sunday mornings, among other things happening. He said he just wants abutters' needs respected.

Sally Reed said it seems strange that they haven't shown any rear elevations.

Atty. Collins said it is not really changing, just clapboard and windows.

Ms. Reed said that is a big change and windows could mean more light.

Atty. Collins said he could ask his client to take out windows, noting that the HDC will address all of this in their May meeting.

Greg Premru, HDC, said his commission would address any areas visible to anyone.

Member McLaughlin suggested limiting the hours of landscaping.

Atty. Collins said that is more site plan review.

Mr. Carpenter said he is also concerned with landscaping upkeep and asked whether this could be conditioned in any permits.

Atty. Collins suggested adding that as a condition to the special permit, that landscaping and site features be maintained. He also noted that Gus lives in town and is not an absentee landlord.

Member Easom made a motion to grant a special permit to Kilbourn LLC, 240 Main Street after finding that social, economic needs are met, traffic will be better, the utilities are adequate, the neighborhood character is improved, as are the fiscal and environmental impacts; the following conditions shall be met: site plan review approval, historic district commission approval, landscaping and site features be maintained and failure to do so is a violation of said special permit. The motion was seconded and passed unanimously.

## **Other business**

## **Minutes and Bills**

One Groton Herald bill was signed.

Minutes from 2/13 and 3/13/19 were approved by unanimous vote. Member Mulligan made a motion and the motion was passed unanimously.

The meeting adjourned at 8:14 pm by unanimous vote.

Minutes approved 6/5/19.