



NORTHBRIDGE PLANNING BOARD MINUTES

Tuesday, January 26, 2010



Chairman James Vitello called the meeting to order at 7:00 PM. Barbara Gaudette, Janet Dolber and Edward Palmer were in attendance. R. Gary Bechtholdt II, Town Planner was also present.

Meeting attendees include: Barry Gallant (38 Kingsnorth); Sheree Richards (516 Hill Street); Al Lamoreaux (30 Kingsnorth); George Martin (751 Highland Street); George Murray (43 Spruce Street); Joe Marinella (J&F Marinella Construction); Frank Marinella (207 Hemlock Street); Norman Hill (Land Planning, Inc); Cindy Key (111 Clubhouse Lane); Laurie Medri (Milford); Anthony Medri (Milford); and Gregory Buckingham (Milford).

I. CITIZENS FORUM

Cindy Key (111 Clubhouse Lane) asked the Planning Board about street trees and a statement that was made by others that the landscaping plan is not viable; if this is true what options would they have? Mr. Vitello noted because this is Citizens Forum the Board is not suppose to have a dialogue; especially if it is in regards to a project which the Board has already scheduled for a review and where there will likely be discourse on this specific matter.

Mr. Bechtholdt suggested in general any revised plan (landscaping) would need to be presented to the Planning Board for review and approval. Ms. Key expressed concerns that not all residents have been consulted concerning a new plan. Mr. Vitello suggested if that is the case then those people should attend the upcoming Planning Board meeting. Mr. Vitello explained applicants may present and request changes at anytime; the Board needs to determine if those changes are a major modification requiring a public hearing or a construction change, where the Board may act on the request the same meeting.

ALTERNATIVES HOUSING PROPOSAL

22 Whitin Ave –Pre submittal Discussion

Mark Anderson of Heritage Design Group met with the Planning Board to provide an overview of a proposal for Alternatives Unlimited which will be submitted for site plan review within the next few days. Mr. Anderson explained that the proposal will be for a 7-unit residential housing development to be located at 22 Whitin Avenue, the site of the old Banning's flower shop. Mr. Anderson explained six of the units will be for clients of Alternatives Unlimited with one unit for a maintenance worker. The proposal also includes rehabbing one of the greenhouses currently on the site and will be utilized by Alternatives for education. Mr. Anderson informed the Board that he has spoken with the Inspector of Buildings, noting that the proposed use may be exempt under the Dover Amendment, however understood site plan review was still required.

Mr. Anderson continued, explaining that the site development would be a green design/green building with stormwater and roof run-off collected into a 2,000 gallon holding tank that will be used for irrigation.

Mr. Anderson reviewed with the Board his letter dated January 22, 2010 concerning scope of review for the proposed use. Mr. Bechtholdt noted the he has communicated with the Inspector of Buildings in preparation of his memorandum dated January 25, 2010 regarding the Boards scope of review.

The Planning Board determined as part of this pre-submittal discussion the scope of review for the proposed residential housing, servicing the clients of Alternatives Unlimited, Inc will include: access; setbacks; parking; lighting; landscaping; drainage, as defined in Section 173-49.1 F [Standards of review] of the Northbridge Zoning Bylaw. The Planning Board also noted submittal shall not require a traffic study or development impact assessment as proposal does not appear to warrant such review.

II. FORM A'S

151 & 181 BENSON ROAD

Norman Hill of Land Planning Inc, reviewed with the Planning Board an ANR plan to create Lot #1 (proposed building lot) and Parcel A (a non-building lot) as shown on plan.

Upon motion duly made and seconded voted (4-0) to GRANT an ANR endorsement. As noted on the ANR plan the purpose of the plan is to create Lot #1 and Parcel A (a non-buildable lot) from the existing AP 17/6 (±14.3 acres). Parcel A is to be conveyed to abutting lot AP 17/139 and become an undivided part of 181 Benson Road.

III. THE CAMELOT DEFINITIVE SUBDIVISION -CONT. PUBLIC HEARING

Residential Subdivision -Hill Street/Hillcrest Road

Mark Anderson of Heritage Design Group provided the Planning Board with a brief overview concerning the comments received from the various municipal reviews, noting that all concerns raised by the town will be addressed in the revised plan.

Mr. Anderson also noted that the concerns from five residents (Hill Street and Kingsnorth) who requested certain accommodations relative to the proposal will be satisfied as well. Barry Gallant (38 Kingsnorth) thanked Heritage Design Group and the applicant for ironing out things however would like to get something in writing. Sheree Richards (516 Hill Street) also noted that she would like to receive something in writing concerning privacy fence. Mr. Gallant suggested that the minutes also reflect these arrangements. Mr. Bechtholdt noted the he was not aware of the particulars of the individual agreements, however if the residents want to provide correspondence to the Board, it is typical that the conditions of an approval include language such as “the applicant agrees” to.

Mr. Anderson provided the Board with a letter dated January 22, 2010 requesting a waiver for the roadway leveling area that would allow for a revised layout at the intersection of Roadway A and Hillcrest Road. Mr. Anderson confirmed the resulting waiver would eliminate the need for the retaining walls along this section of road and would accommodate the two existing residential driveways which currently have access from Hillcrest. Mr. Anderson confirmed for Mr. Bechtholdt that the revised roadway layout would be the same and consistent with the designed approved in 2006.

Mr. Vitello voiced his support of the waiver, noting that the redesign would eliminate the retaining walls and cleanup of problems with the intersection and the two existing driveways.

Mr. Anderson noted that the Town Planner raised concerns in his review regarding the open space within the subdivision. Mr. Anderson conceded that the open space areas designated does include a lot of wetlands and suggested his client would be willing to provide a monetary contribution to improving existing recreational facilities in town, citing the regulations state that the Planning Board may require provisions of open space.

Mr. Bechtholdt suggested offering a monetary contribution would be consistent with other subdivisions approved by the Board, recalling that the Board accepted something similar for the Carpenter Estates subdivision. Mr. Bechtholdt also mentioned providing funds for improving existing recreational facilities would help address concerns raised by abutters regarding the lack of playing fields in town. Mr. Vitello indicated that he would like to see what percentage of the open space is upland before arriving at a number.

Ms. Gaudette expressed concerns with the open space and drainage, noting that the Board's consulting engineer has a number of concerns in his January 25, 2010 report that remain outstanding. Mr. Anderson indicated that the plans will be revised to include notation and the lots abutting the open space will have the appropriate markings to delineate the open space in the field.

Ms. Gaudette voiced concern with the roadway designed beyond the limits of the 40-foot right-of-way reserved between one of the open space lots within the Hills at Whitinsville subdivision. Mr. Vitello suggested they could do a land swap. Mr. Bechtholdt noted that he assumed that once the development is completed that the developer would look to have the roads accepted by the town; and if so need to make sure the constructed roadways are within the right-of-ways and not located in open space or property not owned by the town. Mr. Anderson explained that this parcel of open space within the Hills subdivision has not been conveyed to the Conservation Commission and will look to revise the plan to accommodate these concerns.

Ms. Gaudette inquired about the status of submitting proposal to Conservation Commission and possible concerns. Mr. Anderson noted that they plan to file with the Commission very soon and does not foresee any problems.

Mr. Bechtholdt indicated that he has not fully reviewed all the responses offered by Heritage Design Group and explained that Cullinan Engineering's second report was receive earlier in the day. Mr. Bechtholdt asked the Board for additional time to review correspondence to which Mr. Anderson stated all comments will be addressed.

Ms. Gaudette requested that the Planning Board conduct a site visit before the next meeting. The Planning Board will meet for a site walk of the subject property on Monday, February 01, 2010 at 2:00PM. Board members will meet at the proposed Hill Street access. Mr. Anderson confirmed that the centerline of the roads have been marked out in the field.

Upon motion duly made and seconded the Board voted (4-0) to CONTINUE the public hearing to *Tuesday, February 09, 2010 at 7:35PM* to allow opportunity for the applicant/engineer to address comments received and provide additional time for public review and comment.

OLD / NEW BUSINESS

Minutes –Approval

None

2010 Spring Annual Town Meeting –May 04, 2010

Mr. Bechtholdt informed the Planning Board of the date of the 2010 Spring Annual Town Meeting.

2010 SATM Warrant –Closes March 19, 2010

Mr. Bechtholdt advised the Planning Board of the date of the closing of the warrant for the 2010 Spring Annual Town Meeting.

Meadow Wood 8 –Discussion Subdivision Status –Overview

Planning Board met with Attorney Steven Greenwald who is representing the developer (Kidd) concerning the status of Erica Drive and Heather Hill roadways. Mr. Greenwald reviewed with the Planning Board the current ownership status of the roads which was constructed as part of the Meadow Wood 8 subdivision (Kidd) some twenty years ago, noting that the roads remain private as they have not been accepted at Town Meeting.

Mr. Greenwald indicated based upon his research there are two likely scenarios to accepting the roadways either 1.) Abutters convey necessary fees/easement/etc –which may be unlikely or 2.) Town executes an eminent domain taking.

Mr. Vitello commented that there appeared to be more members in the audience than normal, suggesting by this time the room usually clears out. Mr. Vitello asked in members in the audience had any thoughts or comments relative to the discussion. Most replied they attended to observe the discussions. Mr. Medri asked about the status of the roadway and informed the Board that he is in litigation with the owner (Kidd) of purchasing abutting property which is access from Erica Drive. Board noted that they were not familiar with lawsuit.

The Planning Board noted plans and legal descriptions need to be provided. Mr. Greenwald expressed concerns of the current condition of the roads and the lack of as-built plans. Mr. Bechtholdt explained that acceptance/layout plans would need to be prepared, as part of the acceptance process the Planning Board and Selectmen would need to endorse acceptance plans, which would be recorded as part of the Town Meeting action to accept the roadway(s). Mr. Bechtholdt noted again the date of the upcoming town meeting and the deadline for warrants, explaining that in order for an article to be considered at Town Meeting needs to be sponsored by the town (Planning Board or Selectmen) or by petition. In order for the Planning Board to be in a position to sponsor a street acceptance article Town Counsel needs to review and verify all information and documentation is in order.

Mr. Bechtholdt offered that a lot of towns are dealing with older subdivision roadways that remain unaccepted, is not just a concern for Northbridge. If the Board is looking for a recommendation or suggestion at this point Mr. Bechtholdt noted he would propose that the Planning Board work with the developer and his Attorney Mr. Greenwald to accept the roads as is, adding that all necessary paperwork must be in order. Mr. Bechtholdt also indicated that he would contact DPW concerning the status of the roadways.

Ms. Gaudette expressed concern of the setting a precedence if the Planning Board was to recommend acceptance of a roadway with known deficiencies. Mr. Greenwald understood however added that all roadway improvements were done at one time, suggesting the Board should make that distinction and then may discount possible efforts to have other roads accepted that remain incomplete.

Mr. Vitello agreed that is a good point of distinction and would support getting these roads accepted, especially where we have the developer's attorney willing to assist the Board.

Mr. Bechtholdt reminded everyone that the cost of such consultation with Town Counsel would be the responsibility of the applicant/developer. Mr. Bechtholdt noted that he would seek the Town Managers permission to contact Town Counsel.

Ethics Training Seminar –Update

Mr. Bechtholdt reminded the Board members that they need to complete the State's online Ethics Training Session. Ms. Gaudette, Janet Dolber and Cindy Key the Board's Associate member noted that they completed the online training. Mr. Palmer indicated that he would stop by the Planning office to use a computer and complete the online training.

Mail –Review

See mail listing attached hereto.

Other

Open Space & Recreation Plan

Mr. Bechtholdt noted he has made arrangements with the Town Manager's office for general Discussion on the next Board of Selectmen meeting (February 08, 2010) regarding the Open Space update. Ms. Gaudette indicated that she would be willing to attending the meeting with the Town Planner.

Local Housing Partnership

Mr. Bechtholdt explained that he received an appointment letter from the Board of Selectmen for Selectmen Melia. Mr. Bechtholdt explained that if Barbara Gaudette and Cindy Key are still willing to participate on the Housing Partnership Committee he will contact the Selectmen so their appointments may be included on their next agenda. Mr. Bechtholdt noted that he will also speak with Vincent Tynan, who will be the representative for the Housing Authority.

Stretch Code Seminar

Mr. Bechtholdt reminded the Planning Board of the upcoming Stretch Code seminar scheduled for Monday, February 01, 2010 at 6:30PM at the Town Hall.

Proposed Zoning Amendment(s)

Ms. Gaudette inquired if Board members had any potential zoning amendment articles for Town Meeting. Mr. Bechtholdt mentioned that the Board may be asked to sponsor article to update/amend the Overlay Maps so they are similar in format with the overall Zoning Map which was amended in 2009. Additionally, Mr. Bechtholdt noted that he contacted DCR concerning the state's Flood Map Modernization initiative; Worcester County FIRM's (Flood Insurance Rate Map) effective date has been pushed back to 2011. Effectively, Mr. Bechtholdt noted the town does not need to amend its zoning provisions for now.

Mr. Bechtholdt also mentioned that there may be a couple of zoning articles proposed as part of the town's Green Community efforts, noting that the town and the Green Committee is working with a consultant in addressing the five criteria for green community status. A letter from the Green Committee Chair was included in the packet.

Riverdale Water Company, LCC –Public Water Supply

Mr. Bechtholdt informed the Board that arrangements have been confirmed with Mr. Knott concerning discussion/presentation of the development of a proposed public water supply. Mr. Bechtholdt noted that the Board of Selectmen, Town Manager, Board of Health and other municipal departments have been invited to attend the meeting of Tuesday, February 09, 2010 (7:05PM).

Mr. Bechtholdt noted that as part of the Mass DEP approval an approved Zone II Wellhead Protection must be acted on a Town Meeting, adding that it would make sense if this zoning article was petitioned by the proponent at this time; Board members agreed.

Adjournment

Have no additional business the Planning Board adjourned its meeting of Tuesday, January 26, 2010 at or about 8:45 PM.

Respectfully submitted,

R. Gary Bechtholdt II
Town Planner

Cc: Town Clerk