



## NORTHBRIDGE PLANNING BOARD

### MINUTES

Tuesday, June 23, 2015

Recognizing the presence of a quorum Chairman Brian Massey called the meeting to order at 7:00PM with George Murray, Mark Key and Pamela Ferrara in attendance. R. Gary Bechtholdt II, Town Planner and Cindy Key, Associate member were also present with Barbara Gaudette absent.

The following members of the public were in attendance: Russ Bertelsen; Peter Fiore; Steve Weldfeven; Alex Zomilla; David Minichiello; Michael Hendricks; Michael Wilkes; Bob Laflamme; Kelly O'Grady; Karen O'Grady; Joyce Augustus; Ken Konicki; Thomas Wickstrom; Odisefs Tsimogiannis; Todd Frieswick; Andrew Howden; Khamtanh Inthirath; Valerie Dean; Normand Gamache; David Brossi; Robert Knapik; Shelley Buma; Paul Buma; and Warren Fairbanks.

#### I. CITIZENS FORUM

Russ Bertelsen of Roosevelt Drive (Presidential Farms) expressed concern with one of the detention ponds (standing water), suggesting safety concerns for children accessing the area. Mr. Bechtholdt will contact the Developer to confirm that the drainage pond has been built as approved and working as designed.

#### II. FORM A

None

#### III. DOUGLAS ROAD (Adjacent to 279 Douglas Rd) –CONT. PUBLIC MEETING Food Composting Facility -§173-49.1 -Site Plan Review

Mr. Bechtholdt explained at the last meeting the Planning Board voted to continue the public meeting with the understanding that the Owner/Applicant had appealed the Inspector of Building's zoning determination regarding use (not permitted). They were scheduled to appear before the Zoning Board of Appeals (ZBA) earlier this month; however due to a lack of quorum the ZBA did not convene.

Robert Knapik on behalf of the Owner/Applicant noted he would be happy to have the Board listen to the public before he addressed the Planning Board.

Mr. Massey sought comments from the public in attendance. Shelley Buma on behalf of the Citizens for the Preservation of Northbridge (CPN) thanked the Board for the time and opportunity to express their thoughts and concerns relative to the project. Ms. Buma noted there is a lot of information and a lot of history pertaining to the site which is actually two (2) sites or four (4) parcels.

Ms. Buma reviewed with the Board some of the history of 279 Douglas Road, noting back in 1997 received a site plan permit for a waste handling facility. What the Planning Board should be aware of is that the as-built plans for the facility do not conform to the 1997 site plan permit. The existing facility does not conform with the 1997 Planning Board site plan permit. In February (2015) Ms. Buma explained that the Planning Board held its first public meeting for this application; at the time the Board did confirm as it clearly says in the application that this application is for four (4) parcels: parcel 119, 120, 122, & 123. Those parcels, Ms. Buma continued, have two separate owners, two entities: TJJ Development (Tom Berkowitz Trucking) owning 119 & 120 and Douglas Road Industrial Trust (DRIT) owning parcels 122 & 123.

Ms. Buma noted in November of 2012, the Applicant appeared before the Planning Board for site plan review for again the four (4) parcels but was looking for (quote) “a gravel area for exterior storage” on the DRIT parcels, just on 122 & 123. At that time the Applicant was asked to produce a recorded easement deed with respect to ownership of those two (2) properties. To date the Applicant has not produced a recorded easement deed which the Board should be very aware of with respect to those two (2) properties. Ms. Buma noted neither the 2012 Planning Board permit nor the present application makes any reference to public access up the DRIT driveway, in reference to the meeting minutes and the permits, as well as site plan review documents. There is nothing in their talks about public access on the DRIT property, in fact all it says is exterior storage of recyclable materials. Ms. Buma continued, however, now the site (the DRIT site) is an active public site; it is currently operational and unpermitted by the Planning Board.

Ms. Buma stated the crux of site plan review pertains largely to safety on properties and that is why she brings the matter to the Board; it should be concerning to the Board that there is public activity. The public can drive right up that DRIT parking area, there are no lines they can just willy-nilly drive on the property and access the areas for recycling; it is an active public recycle area at present; and its unpermitted to do so.

Ms. Buma indicated that neither the 2012 site plan nor the present site plan before the Board discussed public use of that DRIT parcel. Ms. Buma, for the purpose of having the Board see exactly what she was referring to provided the Planning Board with GoogleEarth photos of the parcel in 2012, the existing parcel, the 2012 site plan that was permitted by the Planning Board, and the existing site plan. Ms. Buma noted the 2010 GoogleEarth photo (first page) shows the wooded undisturbed area; (second page) shows the 2012 approved site plan shown, marked in yellow the four (4) parcels, in orange the riverfront area, in green the trees and in blue is the buffer zone; (third page) shows the site plan currently before the Board (not approved); and (fourth page) shows existing conditions (GoogleEarth 2015 photo).

Ms. Buma pointed out that the site (based upon the 2015 GoogleEarth photo) is completely different from what was approved in 2012; it bears no resemblance to what was approved in 2012. Ms. Buma notes all the trees have been removed shown in green on the 2012 plan. Those trees were not to be removed. Those trees were to be left there for a reason; for screening, primarily for the neighbors and supposedly from the road, noise conditions, etc.; they are also meant to protect the riverfront area. The Planning Board approved a plan with trees on it and now the trees are gone. Ms. Buma also pointed out concerns with the 18-foot side slope westerly side (abutting Woonsocket Glass property); that 18-foot side-slope was removed in violation of the 2012 permit. Ms. Buma stated this is concerning because the Applicant again has taken it upon themselves to change what was approved; first saw in 1997 when the facility was not built according to the plan; now see it again with trees and the side slope being removed.

Ms. Buma acknowledged that the Planning Board may not have enforcement authority but the Board may be aware that the Building Inspector just yesterday issued a violation notice with respect to the side slope. Ms. Buma suggested CPN notes these again because of the complete disregard of the Applicant for the existing permit and that there is a pattern of behavior here that should be concerning for the Planning Board. If anything is approved by the Planning Board we (CPN) hope that it will be an ironclad permit and bonded; the Board has the authority to do that, has not done so in the past with the Applicant but it seems very warranted for this project.

Ms. Buma pointed out that a retaining wall has recently been built on the easterly side of the property between the DRIT property and the Berkowitz property. Ms. Buma suggested that a retaining wall 4-feet high or more requires a building permit and 6-feet or higher may also require a stamp (structural design stamp); none of that has taken place. This is a retaining wall without a permit, again this is a pattern of disregard for the Planning Board permit and the building permit process. Ms. Buma noted no stormwater system has been built which was on the 2012 plan. Traffic patterns that were approved in 2012 are different; we now see residential traffic on the DRIT site, again calling out to the Planning Board's attention the violations; aimed to point out the disregard for the permitting process but also to point out that you have yet to see a plan that shows existing conditions. Ms. Buma notes the GoogleEarth photo she provided shows existing conditions but the plan the Board has does not show existing conditions at all.

Ms. Buma explained one of the first steps in the planning review process is the submission requirements as set forth in §173-49.1E, and those have not been met; suggesting before we get in all the specifics of a drum, a bio-filter and fans, the first step is the existing conditions regarding the plan. Ms. Buma noted she does not make up the bylaws; they are there for the Planning Board so the Board has a clear picture of what the Applicant wants you to vote on; you have yet to see those existing conditions to know enough to take a vote.

Ms. Buma continued noting a few of the requirements under the submission requirements (existing conditions requirement F) read as follows: "the location of all present walls"; well the plan the Board has does not show the retaining wall, but there is a retaining wall, so requirement F has not been met at all. Where on the plan is there a retaining wall abutting those two (2) properties? Ms. Buma then noted under submission requirements F existing topography; the Board does not have existing topography; there used to be an 18-foot side slope and lots of other existing topography.

Mr. Massey asked Ms. Buma if she planned to follow-up her comments with a correspondence to the Planning Board to help track; in response Ms. Buma noted that much of this was provided in a letter back in February (2015), some of this is more specific. What CPN pointed out in February is that the Board does not have an existing conditions plan, over the past 6-months Ms. Buma was not sure if the Board had required that of the Applicant yet. Ms. Buma indicated back in February (2015) CPN noted existing conditions had not been shown; however the Applicant at that time said they had provided existing conditions. CPN is back now to say no, they (Applicant) have not provided the existing conditions and here is an actual aerial photo of the existing conditions (as shown in the 2015 GoogleEarth imagery) to show that. Ms. Buma is attempting to point out the specifics that have not been shown.

Ms. Buma also noted that the traffic flow pattern as well is not what is going on; the existing conditions is an active site and what is shown on the plan provided the Board. Ms. Buma noted from a reasonability standpoint, from a realistic standpoint and from a Planning Board requirement standpoint how can the Board make a proper decision when you don't even know what you are voting on; you don't even have a plan in front of you yet that shows what's going on.

Ms. Buma offered the following in summary: (1) there is nothing in front of the Planning Board to vote on so how can you vote and (2) CPN requests that the Board require an Existing Conditions plan from the Applicant. Ms. Buma suggested once/if the Board receives an existing conditions plan that the Board then starts its review process. They cannot review anything until they have an existing conditions plan. Ms. Buma indicated according to the bylaws, the Planning Board shall review the site plan (a completed site plan, a true

site plan) and supporting materials taking in consideration the reasonable fulfillment of objectives listed below including item number 6 Nuisance; “protection of abutting properties from any undue disturbance caused by excessive or unreasonable noise or odors”. Ms. Buma suggests prior to approval of application the Board must consider whether or not the abutting properties will be protected from unreasonable noise or odors.

Ms. Buma proposed in order to reasonably protect the abutting properties which are just hundreds of feet away CPN requests two (2) studies, citing the Board has the specific authority as described in the town bylaw to have a study performed as to “projections of the impacts of the proposed project on the values of adjoining properties”. Ms. Buma requests this study be made, noting the neighbors are very concerned that once an open to atmosphere garbage facility sets up shop in their backyard (a few hundred feet away) they want to know what’s going to happen to their property values. They are assuming the (abutters) values will go down. However, the Planning Board has the authority to have a study conducted which actually looks at the projections of the impacts of the proposed project on the values of adjoining properties. Secondly, Ms. Buma notes that the Board has the authority to request an ambient noise study and projected noise study performed. Ms. Buma questioned what the ambient noise study is now; the experts can tell you what the expected noise levels are. Ms. Buma noted she knows of one meeting where there was an expert from CPN, a noise expert, and he was very concerned about what the noise was going to be, so again requests a study of ambient noise and projected noise as a common thing; and certainly the Planning Board has the authority to request that.

Ms. Buma added to reasonably protect the property owners ask that adequate fencing and landscape buffer be provided, noting the trees have been removed (no more landscape buffer) and there should be a landscape buffer with appropriate screening; around all four (4) parcels. Ms. Buma suggested to the Board that they are reviewing all four (4) parcels and need to be sure that the abutters are protected from all four (4) parcels against noise and odors. Ms. Buma disagreed with the Applicant/Engineers assertion that due to the elevation the existing landscaping and buffer areas are good enough; no it is not good enough, need to be protected from noise and odor, from this open air garbage facility. Ms. Buma felt it would not be unreasonable for the Board to request that the Owner/Applicant satisfy this concern.

Ms. Buma concluded her discussion by explaining to the Planning Board what actions the Board may take, stating the Zoning Bylaws are clear about that; suggested assuming receipt of an existing conditions site plan and assuming the Owner/Applicant reasonably protects the neighbors from noise and odor what action can the Board take? Ms. Buma explained if the Applicant does not satisfy the requirements the Board has the ability to disapprove the site plan as it does not meet the standards set forth. Ms. Buma suggested if all the items she discussed have not been met the Board can and should disapprove the plan. Ms. Buma indicated that she could formalize all her comments to the Board in letter form; Mr. Massey appreciated the comments and welcomed receipt of a follow-up letter detailing items she discussed.

Mr. Massey asked his fellow Planning Board members if they had any questions for Ms. Buma; Mr. Key thanked Ms. Buma for her detail on the history and responsibilities of the Planning Board. Mr. Key noted that early in the site plan review process that Ms. Buma (on behalf of CPN) provided a letter with a significant list of comparable sites (of composting facilities) and asked if anyone (Ms. Buma, etc.) in attendance had visited any of the sites. Ms. Buma suggested the list provided of comparable facilities also included studies conducted. Ms. Buma, in reference to a study done by the University of Washington stated

the studies of these types of facilities indicate clearly that all compost facilities create odors. Ms. Buma noted the study concluded that the most appropriate thing for compost facilities is to be sited 3,500-feet away from any abutting property. Ms. Buma suggested while she has not visited a similar facility there are studies and literature out there about them and the concerns of odors. Ms. Buma notes the article (study completed) says 7/10<sup>th</sup> of mile is the appropriate setback and the proposed is less than 7/10<sup>th</sup> of mile. Mr. Key indicated he would consider her response to be a “no” that no one visited any of the sites for comparison. Michael Wilkes of Cliff Road, a direct abutter to the subject property, noted that the Building Inspector and Mr. Murray of the Planning Board visited a facility in Marlborough.

Mr. Key explained that he asked the question for a specific reason, noting it is his responsibility to hear both sides before making a decision. Mr. Key loves facts; facts are a great way to make a decision. Mr. Key is not big on hyperbole. Mr. Key noted that he appreciates the history, however it loses its message when.... Ms. Buma interrupted Mr. Key explaining the point of her discussion this evening was to review with the Board the process. Ms. Buma again reviewed the role of the Planning Board noting step one of the review process is the existing conditions plan. Mr. Massey explained to Ms. Buma that the Board is aware of and understands the process. Mr. Massey appreciates the discussion, however noted that Ms. Buma has at every meeting told the Board its role and responsibilities; the Board is very familiar with it by now. Mr. Key was simply asking if anyone in the public had visited a comparable site.

Mr. Key explained the purpose of him asking the question was that he was not the one to introduce the comparables to establish a position; it came from a letter Ms. Buma wrote. Mr. Key simply asked if she backed it up by visiting a comparable facility; Ms. Buma responded no. Mr. Key noted that’s all he was asking. Ms. Buma interrupted Mr. Key suggesting the other facilities listed were presented to show that similar facilities have had problems with respect to odor and noise. The concern of the neighbors, in light of the studies done, is that all types of composting facilities will have odor problems.

Mr. Key stated that he would like to see a list of conditions under which Ms. Buma would find the proposal acceptable. Ms. Buma felt they were not there yet. Ms. Buma stated as to whether or not she finds it acceptable was not for her but for the Planning Board to decide once the requirements of the site plan review has been met. Ms. Buma suggested that’s the problem with the process. Ms. Buma explained that she was not objecting for the purpose of objecting but there needs to be a process followed. Ms. Buma notes the Applicant has a history of not adhering to permits and so in this case if you (the Planning Board) are going to issue a permit it needs to be issued by following the site plan review process and the first step is looking at existing conditions (plan). Where are those existing conditions? Mr. Massey exclaimed that the Board has heard this a number of times. Ms. Buma agreed, however suggested perhaps Mr. Key may be struggling with that; she hoped not. Mr. Key stated that would not be an appropriate way to portray that. Ms. Buma thanked the Board for their time.

Mr. Massey looked to other residents in attendance. Paul Buma of Hill Street asked the Board to look at what is being proposed. Mr. Buma assumes nothing can be considered until the stipulations Ms. Buma noted are met. Mr. Buma asked in terms of the operation of the building what is going on? Mr. Buma noted that he has some straightforward, simple easy questions: what type of truck will be used to bring the garbage to the site? Mr. Buma suggested historically it’s not a pleasant thing to see, smell or otherwise. Mr. Buma asked if the trucks would be sealed. Mr. Massey indicated that questions concerning trucks were covered at a previous meeting. Mr. Massey explained that the trucks are to be sealed and enclosed.

Mr. Buma asked what the process is to remove fluids and other associated pathogens from the truck tires (etc.) before leaving the site (building). Mr. Buma explained when the food waste is first brought into the tipping building it is dumped onto the floor; this waste contains 75% moisture which will create some runoff. Mr. Buma noted he was aware that they added a drain to the building however does not see any indicators on the site plan concerning sloped floors, etc. Mr. Buma suggested there may be ways to accommodate and address this, however the Applicant has not presented any information. Mr. Buma noted that he used the word “pathogens” specifically as they (Applicant/Engineer) had talked about previously “killing pathogens” at over 150-degrees within the drum. Mr. Buma noted before they get into the drum they (pathogens) are alive and in the tipping building. In reference to page 6 of the Planning Board February 10, 2015 meeting minutes Mr. Buma noted that Mr. Hall said that air is extracted from the tipping building, the discharge building and from the drum itself. Mr. Buma pointed out if you look at the drawings presented there is no air duct connection from the drum to the bio-filter. Mr. Buma felt this was an important omission.

Mr. Buma felt there would be a lot of smell and odor from this proposed facility. Mr. Buma suggested this past winter was extreme but not totally unusual. By design the proposed bio-filter (consisting of woodchips) needs to be kept moist, noting the plan shows a sprinkler system for the woodchips (bio-filter). Mr. Buma questioned if the temperate dropped to say 15-degrees would the bio-filter become a solid useless mass. Mr. Buma was not sure how it would work during the cold months when the bio-filter may be frozen. Mr. Buma questioned at what point would the air (4 air exchanges per hour) from the tipping building pass through the non-functioning bio-filter transferring all the odors from the tipping building to the abutters who are nowhere near the 3500-feet away. Mr. Buma felt concerns of smell was not a trivial matter and the owner needs to be responsible for odor controls. Mr. Buma questioned the fans and the functionality of the negative air system when the overhead doors are open for periods of time for deliveries (in & out). Mr. Buma notes there is no standard door (man door) shown on the drawing for the tipping building, questioning if that too was an oversight.

Mr. Buma concluded noting there are flaws with the drawings and plans coming out the chute; if they don't have it right now what are the odds the building is going to be “square”. Mr. Buma is concerned that if they are sloppy up front the Board should be very concerned that what they approve is really “screwed down” to make them do it right. Mr. Buma understands that the facility will never be 3500-feet away but suggests putting safeguards and protection in place to minimize impacts. Mr. Buma thanked the Board and wished them good luck.

Mr. Massey asked Planning Board members if they had any questions for Mr. Buma; having none Mr. Massey thanked Mr. Buma. Mr. Massey then solicited additional comments from the residents in attendance; having none turned his attention to Mr. Knapik.

Mr. Knapik noted that he felt initially he was here for a very limited purpose (site visit request). However he suggested there was a lot of confetti thrown into the air this evening - a lot of claims made and a lot of them may have the sound of legitimacy and credibility but he is forced to address each one to try to show to the Board that in nearly every case what was said is not correct.

Mr. Knapik noted while listening he was reminded of a famous quote from Franklin D. Roosevelt “Repetition does not transform a lie into a truth”, stating it is simply not true that the application is comprised of four (4) parcels. Mr. Knapik repeated no matter how many times it was said it's not true. Mr. Knapik explained the

application does identify the property as “adjacent to 279 Douglas Road” partly because that is the property owned by the Applicant. Douglas Industrial Realty Trust (property) does not have a street address. Mr. Knapik stated that only 2 parcels under review and consideration for the food composting facility are the two lots identified as adjacent to 279 Douglas Road. The plans do depict existing conditions on all four (4) parcels. Mr. Knapik explained as he may have said before and put forth in writing showing the four lots was an accommodation and as a convenience to the Board to help facilitate the review of the project and simply because the data was available. Mr. Knapik added that it was said there is a lot of history; there really is not. The proposed composting is only for two sites. The proposed composting facility has nothing to do with 279 Douglas Road and has nothing to do with the 1997 site assignment; and in fact it could not. Mr. Knapik explained the site assignment was issued by the Board of Health pursuant to DEP regulations. Mr. Knapik added, as one may well know, there is nothing the Planning Board can do to modify, change or amend that site assignment.

Mr. Knapik suggested it was said that the site does not conform to the 1997 as-built plan; Mr. Knapik knows of no as-built plan of the adjacent 279 Douglas Road site assignment. Mr. Knapik does not believe that the as-built plan has been submitted to the Board, so for it to be said the site does not conform to a plan that has not been submitted is a bit irresponsible. Mr. Knapik does not feel it was accurate for the speaker to state that the Planning Board confirmed that the site consists of four (4) parcels; again we have said on numerous occasions it does not and if it requires further writing we will submit that. Mr. Knapik noted that it was also said or claimed that there was some sort of requirement for an easement deed with respect to the two (2) properties; Mr. Knapik does not know of any written or expressed requirement that there be such an easement deed. Mr. Knapik indicated if there is such a requirement he would like to see it and have it submitted to the Board; he would respond. To merely say that without any basis is irresponsible.

Mr. Knapik noted it was also said that the site is used as a public access driveway, reminding the Board that site has a previous approval for construction of a driveway onto the property. Mr. Knapik does not know what is meant by the use of the term “a public access driveway”. It seems to Mr. Knapik that any driveway connecting a public way (which Douglas Road is) to any property is perhaps “a public access driveway”. Mr. Knapik is not sure if it has any specific meaning yet the term is thrown out as if it has some significance; it doesn’t. Mr. Knapik explained the fact is there is an access driveway off of Douglas Road approved by the Planning Board.

Mr. Knapik noted that it was also said the site is now being used as a “public site”. Mr. Knapik again, is not sure what that means; does it have any meaning? Mr. Knapik indicated that the site is being used for public activity and stated he was unaware of any limitations that may prohibit or limit public activity; not aware of any limitations in the site plan approval issued. Mr. Knapik also noted that it was said people can drive on the property willy-nilly; Mr. Knapik is not aware of limitations in the Board’s approval that they must adhere to any specific pattern or any specific portions of the site. Mr. Knapik feels much of the claims made are, as the Board may know, in the realm of enforcement. Mr. Knapik indicated, enforcement is with all due respect not the Planning Board’s role; if there are claims that should be enforced for violation or inconsistencies then those should be made of the Building Inspector. Mr. Knapik is aware of certain claims in which the Building Inspector has responded accordingly.

Mr. Knapik stated that it was also said that the site is completely different and that trees were removed. As a matter of fact at its meeting last week the Conservation Commission, in the face of the very same claims

confirmed in their opinion, as it relates to their jurisdiction (closest to Douglas Road) the Commission confirmed that in their view no trees were removed in a way that was inconsistent with any permits issued.

Mr. Knapik noted that it was said that the side slope had been removed and that it's in violation with the 2012 permit; well because that's technically true again it has the ring or sound of credibility but as the Planning Board knows in addition to the 2012 site plan approval issued to Douglas Road Industrial Trust the Board this past fall (2014) issued site plan approval to WGM Fabricators for work being done on the adjacent property. Mr. Knapik suggested the project arguably had the potential to have more of an impact or effect on neighbors in terms of on noise, odor, and traffic yet the Planning Board minutes do not reflect that there were any similar claims or complaints. Nonetheless, Mr. Knapik mentioned as the Board knows WGM Fabricators submitted plans that depicted work on the Trust property which specifically show a different side slope than what was shown on the 2012 plans and the 2012 site plan approval issued to the Trust. The Planning Board over 2 to 3 meetings reviewed those plans and the town engineer reviewed those plans. The Planning Board asked for confirmation from WGM Fabrication if they had authority from the Trust to do the work; the site plan approval issued to WGM Fabricators authorized work and very different slope than what was shown on the 2012 plan. So yes the slope now is not the same as the 2012 plan issued to the Trust but it was permitted and allowed by the Planning Board and Conservation Commission.

Mr. Knapik noted that it was said that the stormwater system has not been constructed; a drainage basin has been constructed on the property. It was also said, as Mr. Knapik believes to be a red herring, that the existing conditions are not accurately shown, well that's correct they are not. Mr. Knapik explained that the existing conditions shown on the plans most recently submitted are as shown on the 2012 plans but that makes sense because again this is a modification of the 2012 plan. Mr. Knapik suggested to take a similar example he does not believe the Board requires every time a developer appears before the Board seeking a modification of a subdivision approval that that developer produce an existing conditions plan reflecting conditions as they are when they submit for modification. Mr. Knapik feels in such instances it may not be necessary and not required; the Board knows how to read plans and knows how to interpret differences in them.

Mr. Knapik explained that it is not necessary to submit a current existing conditions plan; the Board has not asked for one, the Board's engineer has not asked for it and Mr. Knapik believes for good reason; you (the Planning Board) have the existing conditions. Ms. Buma stated that the Board does know what it is voting on. In Mr. Knapik's opinion he thinks it is insulting to think the Board does not know what they are voting on.

Mr. Knapik noted that it was also said that two studies were requested (ambient noise study & property value projections); Mr. Knapik explained that he will not dwell on this because the requests had been made of the Planning Board and the Board exercised its discretion and declined to require the studies, adding perhaps for the same reasons for the review of the adjacent WGM fabricators site plan. Mr. Knapik suggested the project is not large enough to warrant those kinds of studies.

Mr. Knapik believes they have presented the facts to the Planning Board that Mr. Key admirably seeks to rely upon; objective facts that will help the Board makes its decision. Mr. Knapik noted that they have provided studies and expert testimony.



Mr. Knapik mentioned that it was said there is supposedly a study which says (to quote) “all these facilities have odor problems” Mr. Knapik would challenge the speaker (Ms. Buma) to produce a valid objective study that concludes that all compost facilities have odor problems; they don’t because there are ways to control odor.

Mr. Knapik explained that they have gone to great lengths to control odor by incorporating enclosed buildings, negative ventilation and a bio-filter. Mr. Knapik appreciates that it was asked if any of the opponents visited any of the sites because he believes it would be telling and if they did so they might find in fact that many of them do not cause odor problems. Mr. Knapik stated that they have tried to present to the Board with facts; objective facts and science and will continue to do so. Mr. Knapik added in an effort to do so he would like the Board to visit an existing facility.

Mr. Knapik reminded the Board that during the April 14, 2015 public meeting they discussed the recently issued opinion or determination of the Building Inspector that the proposed use was not allowed. Mr. Knapik suggested the determination was based primarily if not entirely on a site visit of the Building Inspector to a facility in Marlborough. Mr. Knapik noted as explained before, the Marlborough facility is in order of magnitude of ten times larger by measure of material accepted per day than the proposed. Mr. Knapik also stated that the Marlborough facility accepts sewage sludge which this proposed facility will not. Mr. Knapik mentioned that he understands that the Marlborough facility completes the composting process outdoors which the proposed facility will not.

For these reasons (differences) Mr. Knapik respectfully requests that the Planning Board, particularly Mr. Murray (and the town’s Building Inspector) who visited the Marlborough facility do the Applicant the courtesy of visiting a facility that they believe is much more like the proposed located on the island of Nantucket. Mr. Knapik understands unfortunately it creates some geographic and logistical challenges and thanked Mr. Murray who at the April meeting had expressed a willingness to participate and visit the Nantucket site.

Mr. Knapik stated in light of the fact, as Mr. Bechtholdt mentioned, that the Zoning Board of Appeals hearing has been postponed to July 09, 2015 for lack of quorum and in light of the fact that we intend to also invite any member of the Zoning Board who wishes to attend, that he was asking the Planning Board to consider a site visit to Nantucket sometime in late July. Mr. Knapik indicated that he hoped to discuss this evening the prospect of a site visit and arrive at a number of dates in which members of the Planning Board (any or all) are willing and able to attend a trip to the facility on Nantucket. He noted it would be a commitment of a day because they would need to board a bus in Northbridge, travel to Hyannis, board a ferry, travel to Nantucket, tour the facility, and return to Northbridge by the same means later in the day.

Mr. Knapik noted that he could go on to address additional comments by both speakers but out of respect of the Board’s time will not carry on at this time and asked the Board if they remain willing to accompany him on a visit to Nantucket.

Mr. Massey thanked Mr. Knapik and asked Board members if they had any questions at this moment; Mr. Massey then asked the Board about their thoughts about attending a visit Nantucket.

Mrs. Key asked how long it would take from the ferry in Hyannis to the island of Nantucket; Mr. Knapik believed it was approximately 90-minutes. Mr. Knapik noted that he has been putting an itinerary together but regrets that he did not bring it with him; he offered to provide the Town Planner with a draft form. For planning purposes Mr. Knapik suggested that it's fair to assume we would board a van (or bus) around 7AM in Northbridge for the 9AM ferry out of Hyannis, arrive at the facility in Nantucket sometime before 11AM, spend about an hour at the facility and return to Northbridge by 5PM or so. Mr. Knapik offered to buy lunch for attendees.

Mr. Knapik stated in the face of contention that it's not worth the Planning Board's time to travel to Nantucket Mr. Knapik thanked Mr. Murray, who went to the Marlborough facility and in an exercise of fairness and perhaps felt some apparent obligation to also visit a site; which Mr. Knapik believes is a facility much more alike what will be constructed.

Mr. Murray indicated that he would really like to see another site in all fairness and explained if a site visit is to be convened where the Applicant is paying for the associated expenses a disclosure form will need to be filed on record (either for each individual or for the entirety of the Board); we will need to know the exact costs and the exact dates. Mr. Murray stated he is very much interested in going and advised Mr. Knapik and his fellow Board members that they will need to file a disclosure form. Mr. Murray noted that he spoke with the Town Planner earlier who had contacted the State Ethics Office. Mr. Murray explained that Mr. Bechtholdt spoke with one of the State Ethics staff attorneys and was provided the Mass General Law chapters, exemptions and disclosure forms.

Mr. Knapik thanked Mr. Murray and stated that he believes he will be able to calculate the associated costs for travel and is happy to do so in advance. Mr. Key expressed an interest to participate in the site visit and asked what if abutters wished to be there at the same time; Mr. Knapik was not sure of the logistical capacity and indicated that they had not envisioned utilizing a school bus but will ask the Applicant if he is receptive to the thought.

Mr. Knapik noted the he previously mentioned because of holidays and vacation travel that a Tuesday-Wednesday may make the most sense suggesting either Tuesday July 21<sup>st</sup>, Wednesday July 22<sup>nd</sup> Tuesday, July 28<sup>th</sup> or Wednesday July 29<sup>th</sup> as possible dates. Mr. Knapik advised the Planning Board that he intends to invite the Zoning Board members, however has yet to have such discussions with them or the Building Inspector. Mr. Knapik asked if they could pick two (2) days that may work. Mr. Massey stated he would consider going depending on the day. Mr. Massey suggested July 21<sup>st</sup> or 22<sup>nd</sup> and asked for input from others; Mr. Key noted because it would be during the week it would require a special arrangement for him from his employer. Mr. Murray indicated July 21<sup>st</sup> or July 22<sup>nd</sup> would be fine. Mr. Knapik noted that he would update the Planning Board directly or through the Town Planner once a date/time is confirmed.

Mr. Knapik announced that any and all Planning Board members are invited to attend, reminding the Board if a quorum of the Board was to attend a meeting notice along with other procedural protocols would need to be followed and adhered to. Mr. Knapik understands the commitment necessary and thanked the Board for their considerations to attend a site visit.

*Upon motion duly made (Key) and second (Ferrara) the Planning Board voted (4-0) to continue the site plan review public meeting to Tuesday, August 25, 2015 at 7:05PM (Northbridge Memorial Town Hall).*

The purpose of the continuance to August 25, 2015 is to provide an opportunity for the Zoning Board of Appeals to review and consider the appeal of the Inspector of Buildings/Zoning Enforcement Officer's determination regarding use (scheduled for July 09, 2015) and to afford time for the Planning Board members to accompany the Applicant on a site visit to Nantucket. A date/time for the planned site visit has not been determined at this time; potential dates include July 21<sup>st</sup>, July 22<sup>nd</sup>, July 28<sup>th</sup> or July 29<sup>th</sup>. If so required, a meeting notice of the Planning Board shall be posted with the Office of the Town Clerk in advance of the scheduled site visit.

#### IV. PRESIDENTIAL FARMS –CONT. PUBLIC HEARING

Subdivision (Modification) -Walking Trail & Bike Path

Chairman Massey welcomed David Brossi, Developer and Normand Gamache (Guerriere & Halnon, Inc.)

Mr. Bechtholdt noted receipt of the following: email communication from the Planning office to Mr. Brossi regarding additional information in preparation for the scheduled June 23, 2015 continued public hearing, copy of communication received last meeting from Warren Fairbanks and copy of information provided by Mr. Gamache concerning (DCR) guidelines for walking trails ("building accessible trails").

Mr. Gamache explained to the Board that DCR utilizes these guidelines when they design a trail system in order to determine whether or not they should make the trails ADA compliant.

Mr. Gamache reviewed with the Board layout plan of Parcel D (open space lot) located off of Roosevelt Drive and the bike path access at end of cul-de-sac. Mr. Gamache noted the bike path would proceed down the hill to its terminus near the railroad track.

Mr. Gamache explained that he and Mr. Brossi went through the subdivision approval and the design plans, noting there was nothing of specific substance about the recreation area (Parcel D open space lot) other than it is to be graded to a reasonable slope. Mr. Gamache indicated the plan shows topography of approximately 3% for the ½ acre piece of land. Mr. Gamache also explained that an area is to be designated for parking, however the plan (approval) did not provide for how many cars were to be accommodated or what material the parking area is to be made of. Mr. Gamache advised the Board that an area has been reserved for the designated parking prior to entering the cul-de-sac; other than that Mr. Gamache suggested not a lot was planned for the recreation lot other than to be graded, made relatively flat, loamed and seeded.

Mr. Gamache continued explaining in terms of the ADA compliance, the guidelines from DCR say if you have a piece of property with grades of over 15% you really can't make it ADA compliant without significantly altering more of the land you are trying to preserve so you don't do it; that's DCR's policy. If you have a site that is relatively flat at that point you can make that ADA compliant; Mr. Gamache does not think the bike trail or walking trail would be conducive to that.

Mr. Bechtholdt suggested only specific segments or sections of the walkway were required to be ADA compliant (from Adams Circle to one of the designated rest areas located off of Roosevelt Drive). Mr. Bechtholdt suggested Mr. Brossi and Mr. Gamache review the plans again and look to perhaps a notation on the plan sheets or a condition of its approval. Mr. Bechtholdt suggested to review those sections of the walking trail to see if it exceeds the thresholds of DCR guidelines.

Mr. Brossi asked Mr. Bechtholdt if there was anything else he needed to review; Mr. Bechtholdt mentioned that at the last meeting the Board acknowledged receipt of his cost estimate and that the Planning Board requested their consulting engineer (JH Engineering Group) provide a cost estimate as well. Mr. Bechtholdt explained that the estimate from JH Engineering Group has yet to be received.

Mr. Massey asked Planning members if they had any questions for Mr. Brossi; having none Mr. Massey opened discussion to the residents in attendance.

Warren Fairbanks of Jefferson Avenue, abutter to the development, mentioned the strength of the American Disability Act (ADA) has changed since the August 2000 date of approvals and suggested the Planning Board may not have the option to pick and choose where the walking trail can be ADA compliant. The American Disabilities Act is a civil law, in his experience not really in the purview of any state/local government to grant exemptions; the relief of the Act is not something the Board can determine. Mr. Fairbanks acknowledged that a bike path is different than a walking path but the requirements and enforcement of the ADA has changed over the years since the 2000 approval.

Other residents asked procedural questions answered by the Chairman.

Russel Bertelsen of Roosevelt Drive advised the Planning Board that the recreation area (Parcel D) sits higher than the adjacent open space lot, has a steep drop off near the bikeway and sits next to an existing gas line. Mr. Berte is concerned about children's safety suggesting fencing be installed to secure the open space so the kids in the neighborhood do not get hurt. Mr. Bertelsen expressed concern for the safety of the bike path and walking trail, questioning if someone was to fall or get hurt is the bike path and walking trail wide enough to get an emergency vehicle back there. Mr. Bechtholdt suggested the width may not be the biggest concern, questioning whether or not the trail and path were designed to support large emergency vehicles (load of equipment) to support passage. Mr. Massey suggested unless they have a small vehicle an ambulance would not be able to get down there; not unlike any other place where you walk or hike.

Andrew Howden asked about the purpose of receiving cost estimates for the modification request. Mr. Massey explained that the Planning Board wants to take in as much information as possible before making its decision. Mr. Bechtholdt explained that the developer is suggesting providing funds in lieu of doing the onsite improvements (bike path & walking trail).

Mr. Bertelsen asked if the donation amount is to be determined by the Board or based upon the cost of the consultant's feedback or input; Mr. Massey suggested the Board will look at both. A resident questioned what amount of funds is being offered (\$46,000). Mr. Brossi indicated that his number was prepared by one of his contractors currently working on the site; to be fair he would like to know what the Board's consultant comes up with as well.

Mr. Brossi explained if he does not do the bike path and walking trails he would like the funds (in lieu of) to be for an improvement to an existing town recreational facility that will have a positive impact to the town such as an existing ballfield or playground versus simply putting it into the town's general maintenance fund.

A resident asked if it is determined that a bike path and walking trail are not to be constructed would the property become buildable? Mr. Bechtholdt indicated the parcel would remain unbuildable; it has extensive

wetlands, steep grades, topography issues. Mr. Brossi explained that either way the land will be conveyed to the town with the bike path and walking trail or just open space, it's not a building lot for additional houses.

Khamtanh Inthirath of Kennedy Circle asked about the approval process and voting; Mr. Massey explained that the Planning Board will vote on the modification request based upon the comments and input received from residents, the developer and anyone who wishes to offer comment.

Mr. Fairbanks asked if the Planning Board was to choose to accept a donation in lieu of the bike path and walking trail, what mechanism does the Board have to assure that any payment received will be reserved for recreational improvements and not included in some operational or one-time expense of other departments? Can the Board put restrictions on the donations; does the Board have that authority and have they done this in the past?

Mr. Fairbanks also suggested if the Board relieves the Developer from the bike path and walking trail improvements the town will be less likely to purchase the open space vacant land which would have no amenity.

Mr. Massey indicated that the Planning Board does have the opportunity to designate where the money goes and how the funds will be spent.

Mr. Bechtholdt clarified that yes, the Planning Board does have the ability to and has in the past designated funds for a specific purpose; it would require coordination on behalf of the Board of Selectmen to accept the gift (one-time donation). Mr. Bechtholdt indicated that he has communicated with Town Counsel concerning this matter in preparation for consideration. Mr. Bechtholdt added that the town (Planning Board) had in the past earmarked a donation from a developer for improvements for the basketball courts in Linwood.

Mr. Bechtholdt then clarified that the town is not going to be asked to purchase the land; the Developer is to convey the land to the town by gift, if the town chooses to or not will be up to Town Meeting when the time comes.

Mr. Key was curious to see how many would like to see the bike path and walking trail remain (show of hands –mixed response).

Todd Frieswick of Roosevelt Drive asked the Planning Board to consider what the upkeep and the associated costs will be once the bike path and walking trail is built. Mr. Bechtholdt thanked Mr. Frieswick for posing the question and suggested one of the main reasons for the request was in part the town's ability and capability to maintain this additional amenity once it is conveyed to the town. Case in point the town may choose to not accept the conveyance or perhaps the town may accept conveyance and not maintain it (then you have lost that amenity); long-term maintenance should be considered.

Mr. Bechtholdt explained that the location would certainly not be the first site he would pick for a bike path and walking trail; there are extensive wetlands, topography issues, and steep grades all of which have your typical maintenance issues but will also include added erosion concerns with the steep slopes. A resident agreed and felt perhaps there may be other reasons as to why a bike path and walking trail may not make

sense at this location. Mr. Bechtholdt explained that it all comes down to maintenance; has this town shown or exhibited the ability and the staffing to maintain something this large and unique. Mr. Bechtholdt suggested that the town currently struggles to maintain its existing ballfields and this would be adding to the inventory for upkeep and maintenance.

A resident suggested neighbors may be willing to dedicate a weekend (once per year) to clean and maintain the bike path and walking trail. Mr. Key explained if the bike path and walking trail was constructed and conveyed to the town and not maintained for whatever reason, the options of the homeowners would be to let it go or put in the sweat equity to keep it up.

Valerie Dean pointed out whether the bike path and walking trail or an improved recreational area is built there will still be some form of maintenance that the town may or may not be able to perform which would put the onus on the property owners. Mr. Bechtholdt noted the thought to designate those funds in lieu of assisting the maintenance of existing ballfields.

Having no additional comments at this time the Planning Board looked to continue its public hearing for Presidential Farms.

*Upon motion duly made (Key) and seconded (Ferrara) the Planning Board unanimously voted to continue the hearing to Tuesday, July 28, 2015 at 7:05PM (Town Hall).*

**V. PINE KNOLL, SENIOR LIVING DEVELOPMENT -CONT. PUBLIC HEARING**

Special Permit (Modification) -§173-112(F)

Mr. Murray announced that he would recuse himself from the public hearing; Mr. Murray left the room as he will not vote or participate on the matter. Chairman Massey acknowledged that Cindy Key, the Planning Board's Associate member will participate in the discussion and vote on the special permit modification. Barbara Gaudette was not in attendance and as such will no longer be able to participate in voting on the application.

Attorney Thomas Wickstrom and the Owner/Applicant, Odisefs Tsimogiannis (Aris Group) met with the Planning Board to continue its review of the special permit modification to eliminate the affordable units (3 total) as permitted and waived by the Zoning Board of Appeals earlier last year.

Mr. Wickstrom reviewed with the Planning Board letter dated June 22, 2015 which details possible payment to the town in lieu of the affordable units. Mr. Wickstrom indicated that the Owner had proposed and offered a one-time payment to the town of \$70,000.00 which he felt was justified, however some Board members did not feel that number was high enough. Mr. Wickstrom noted with the feedback from the Board from the last meeting he and his client went back to try and come up with an offer that would be agreeable to the town and the client.

Mr. Wickstrom reviewed with the Planning Board three options; the first scenario would be to increase the immediate one-time payment offer from \$70,000.00 to \$100,000.00. Mr. Wickstrom explained a second option would be to make an immediate payment to the town of \$50,000.00 and an additional payment of \$25,000.00 per unit as each one sells; this would yield an additional \$25,000.00 in total to the town but

make take multiple years to realize depending on the sale of the units. Mr. Wickstrom explained the third scenario, which has been discussed previously, would be for his client to receive the \$165,400.00 plus his carrying costs per unit as each one sells but he would only do so with no time and no price constraints. Mr. Wickstrom noted there are too many unknowns and other scenarios to try and put into an agreement for this choice; also this option is certainly the least attractive to the current owners in the project and would yield very little, if anything to the town.

Mr. Massey solicited comment from those in attendance; having none Mr. Massey then looked to the Planning Board members. Mr. Key stated he still feels the amount is not enough.

Mr. Bechtholdt suggested the Board perhaps approach things in a different way, at least for discussion. Mr. Bechtholdt advised the Board that they may want to look at and identify earmarks for the potential funds to be received in lieu of the affordables. Mr. Bechtholdt reminded Board members of his correspondence dated April 07, 2015 in which he suggested the Board establish a special fund (account) that may be used for purposes such as (1) the preparation of a Housing Production Plan; (2) the preparation of a Slum & Blight Inventory for future CDBG applications; and/or (3) the preparation of an Open Space & Recreation Plan (update).

Mr. Bechtholdt suggested if the Planning Board is agreeable to this approach they may want to direct him to solicit price proposals at this time to see how much these types of initiatives cost which may help determine the amount in lieu of. Mr. Bechtholdt reviewed that the Planning Board felt that the initial amount of \$70,000.00 was too low based upon discussions; soliciting price quotes should provide the Board with a better understanding whether or not the \$100,000.00 amount would be sufficient to cover the costs of the initiatives identified.

Mr. Bechtholdt thought perhaps the Board was at a point where they should approach the methodology differently and look to see what the actual costs will be. Ms. Key reviewed the initiatives to be considered; Mr. Massey indicated that it will provide for the opportunity to prepare these needed studies and reports. Mr. Bechtholdt noted the items suggested would be consistent with the purpose and intent of the bylaw, noting the funds should be designated for this purpose and not for something such as purchasing office chairs, etc. Mr. Key indicated that he would support this process suggesting it's a more definitive approach than strictly looking at the numbers. Mr. Bechtholdt added the Board will know the cost amounts to perform the work; could be \$100,000.00 or \$90,000.00, at least we have a number before a decision is made.

Ms. Key asked how this (special permit modification request) would impact the town's subsidized housing inventory; Mr. Bechtholdt explained that the three (3) units would have qualified once they were recorded with the state as low/mod. Mr. Bechtholdt indicated that the town was below the 10% amount, noting at one point Northridge was around 7.1%, however it likely decreased as a result of all the recent market rate housing developed over the past 4 to 5 years. Mr. Bechtholdt mentioned in that the town is not at 10% completing a Housing Production Plan would in itself have a value at this time for the future development/creation of affordable housing in town. Ms. Key felt the three (3) units would not necessarily change things and looking forward having a Housing Production Plan would be beneficial.

Mrs. Ferrara agreed with the other Planning Board members supporting the housing component; Mrs. Key agreed and also noted that the Open Space Plan is also critical. The Planning Board directed the Town Planner to prepare and solicit services for the preparation of an Open Space & Recreation Plan and Housing Production Plan (w/slum & blight inventory).

Michael Hendricks, resident within Pine Knoll, reiterated his concerns with the potential sale of the three (3) units below market value, noting the appraisals received indicate fair market value at \$260,000.00. Mr. Wickstrom and Mr. Tsimogiannis indicated a willingness to work with Pine Knoll Development (Association) regarding potential sale price of units. Planning Board noted that they cannot dictate sale price.

Mrs. Key asked the Owner/Applicant what if the two (2) proposals came in higher than expected; Mr. Wickstrom suggested they would need to review and consider it.

*Upon motion duly made (C. Key) and seconded (Ferrara) the Planning Board voted (4-0) to continue the Pine Knoll public hearing to Tuesday, July 28, 2015 (7:35PM) to afford additional time for review and public comment.*

In conjunction with the continued public hearing the Planning Board directed the Town Planner to prepare and solicit Requests for Proposals (RFP) from qualified consultants to prepare an Open Space & Recreation Plan and a Housing Production Plan to be reviewed as part of the Board's ongoing consideration of the application for special permit modification.

Mr. Murray returned to the Planning Board meeting.

#### IV. SUBDIVISION RULES & REGULATIONS (Amendments) -PUBLIC HEARING

MGL CH 41 81Q (Planning Board: adoption of rules and regulations)

Mr. Bechtholdt indicated that the notification requirement had been satisfied. Upon motion duly made (M. Key) and seconded (Ferrara) the Planning Board voted to waive the reading of the notice of public hearing. In accordance with the provisions of MGL CH 41 SEC 81-Q, the Planning Board voted (4-0) to open its public hearing for consideration of amendments to the Subdivision Rules & Regulations –Chapter 222.

*Upon motion duly made (M. Key) and seconded (Ferrara) the Planning Board voted (4-0) to continue the public hearing without discussion to Tuesday, July 28, 2015 at 7:55PM.*

#### OLD / NEW BUSINESS

Approval of Meeting Minutes – April 14, 2015, April 28, 2015, May 12, 2015 & May 26, 2015

The Planning Board tabled action; Mr. Murray expressed concern with the number of meeting minutes needing to be prepared and filed.

Earth Removal Board –Planning Board Member Designee

*Upon motion duly made (Ferrara) and seconded (Murray) the Planning Board voted (4-0) to authorize Mark Key to serve as the Planning Board representative on the Earth Removal Board.*



Economic Development Strategies & Opportunities –Discussion

Mr. Bechtholdt provided the Board with a summary brief on the economic development strategies and opportunities meetings through June 03, 2015

Open Space & Recreation Plan Update –Scheduling of next meeting

Tabled –no discussion.

Mixed Use Bylaw (DRAFT/Model Bylaws) –Review

Mr. Bechtholdt indicated that he wanted to review with the Planning Board an outline, a listing of bullet points he prepared for consideration when considering a mixed-use bylaw first rather than just providing the Board with a draft or sample bylaws; the Board tabled such discussion to a future meeting.

Subdivision/Site Developments –Status/Update(s)

No additional discussion at this time.

Green Meadow Court –Status/Update

Tabled –no discussion.

Farnum Circle Scenario 2 –Discussion

Mr. Massey welcomed Joyce Augustus and Ken Konicki. Mr. Bechtholdt referenced the following documents included in the Planning Board's packet: DRAFT Request for Services (Construction) Price Proposals – Scenario 2; copy of letter(s) dated June 15, 2015 from the Community Planning & Development Office to Tricia Lambert (21 Farnum Circle) and Joyce Augustus & Kenneth Konicki (14 Farnum Circle) concerning the non-response to the Farnum Circle request for services (Scenario 1) and copy of JH Engineering Group report dated April 10, 2014. Mr. Bechtholdt explained that the Board had reviewed Scenario 1 at its May 26, 2015 meeting, noting again as a result of non-response the Board is to consider and re-prioritize punchlist for items included in the bond held by the town (Planning Board). Mr. Bechtholdt suggested the Board look to solicit services for roadway paving (binder course/top course), removal of roadway asphalts between two existing driveways, loam and seeding, installation of a "private way" sign and general site clean-up. Ms. Augustus and Mr. Konicki asked if the Board was willing to allow them to contact a local electrician to see if he could partner with a local site contractor to perform the underground utility work. Mr. Bechtholdt expressed concerns in contracting with someone that may or may not have the experience in performing the work correctly. Mr. Bechtholdt noted it would be up to the Planning Board who to contract with but that is why he contacted and reached out to those with experience in doing underground utility work. If the Board wants to reissue the solicitation we can provide it to others; Mr. Bechtholdt just wants to make sure if a contract is awarded it is to someone who knows what they are doing and what is required. Ms. Augustus understood and felt however because it's a small job and those that routinely do this type of work are too busy to take on this project (not a priority). Ms. Augustus felt if they could attract smaller companies who are certified to perform the work they may be able to contract them. Mr. Massey mentioned that it would be up to the Board and in his opinion he would review the punchlist items and perhaps re-prioritize the items, noting he would not want the work to be done piecemeal where you run the risk of running out of funds before addressing those with the biggest bang for your buck. Mr. Massey supports the opinions of the residents and looks to the Board for input. Ms. Augustus would prefer that the Planning Board extend things to see if a different pool of contractors may bid on the work. Mr. Key confirmed with Joyce Augustus and Ken Konicki that the utilities remain their priority. Mr. Konicki suggested if we are unable to have the

underground utilities completed they would need to re-prioritize and perhaps would look at paving and/or other items that may provide them with the biggest bang for the buck in terms of property value. Ms. Augustus asked the Board to extend this for a month to see if she could talk to her electrician about putting together a proposal. Mr. Bechtholdt suggested if this is to be the route she wishes to take then he will provide Ms. Augustus with a copy of the request for services which she can share with her electrician and others. Ms. Key asked if it made sense that the Board re-prioritize items now in the event after a month no contractor is identified to perform the utility work; Mr. Massey briefly reviewed with the Board Scenario 2. Mrs. Ferrara asked what would happen to the road if the funds are used for the utilities; Mr. Bechtholdt suggested it would remain as is, noting it would not be a public road and would remain private. Mr. Bechtholdt agreed that the road was in rough shape and felt perhaps funds should be used to at least improve the roadway, noting if the utility work is to be done there will likely be no money left over to address its condition which is only getting worse. Mrs. Key asked if the Board should extend it a month or if more time is necessary. Mr. Murray suggested leaving the deadline open-ended at this time, implying that the property owners might be willing to do all the leg work. Ms. Augustus expressed a willingness to do so. The Board will include this matter on its agenda for August 25, 2015 (Old/New Business).

#### Mail –Review

In addition to the mail listed (-see attached) the Planning Board noted receipt of the following communications: June 23, 2015 agenda, July 14, 2015 and July 28, 2015 draft agendas, Email dated June 16, 2015 to Law Office of Rob Knapik, PC with a cc: to Planning Chair, Nelson Widell, Owner of property on Douglas Road, Whitney Hall and Andrews Engineering from Town Planner regarding Douglas Road site plan review; Email dated June 15, 2015 to Presidential Farms, LLC with a cc: to Planning Chair from Town Planner concerning Presidential Farms walking path and bikeway; May 26, 2015 Planning Board Hearing Noted regarding Presidential Farms modification of special permit to eliminate bike and walking paths in lieu of monetary donation from developer; Email dated June 17, 2015 to Town Planner with a cc: Presidential Farms, LLC from Guerriere & Halnon regarding guidelines for walking trails; DCR Trails Guidelines and Best Practices Manual pages 27-31; Email dated June 15, 2015 to Wickstrom Morse LLP with a cc: to Planning Chair from Town Planner regarding Pine Knoll Modification; Pine Knoll – Senior Living Development (Affordability Restriction); Memo dated April 7, 2015 to Planning Board with a cc: to Owner/Applicant and Building Department from Town Planner concerning Pine Knoll Senior Living Development Special Permit (Modification of) – Removal of Affordability Restriction; Letter dated May 26, 2015 to Planning Board from Wickstrom Morse LLP regarding Modification of Special Permit Pine Knoll Condominiums; Public Hearing Notice for possible amendments to the Subdivision Rules & Regulations – Chapter 222; Memo dated May 29, 2015 to Planning Board with a cc: to Town Manager/BOS, DPW Director, and Fire Chief from Town Planner regarding Subdivision Rules and Regulations; Memo dated December 4, 2014 to Planning Board from Town Planner concerning Subdivision Rules and Regulations proposed modification(s); Letter dated September 19, 2014 to Town Planner from Fire Department concerning Municipal Fire Alarm System; Chapter 222-Subdivision Rules & Regulations pages marked up for consideration of updating; Section 7-200 Earth Removal pages 1-6; Economic Development – Strategies & Opportunities (Recap of first/second meeting and summary of 3<sup>rd</sup> meeting); Mixed Use Bylaw – things to consider (when drafting); Memo dated December 5, 2014 to Planning Board from Town Planner regarding Subdivision Roadways; Draft Request for Services (Construction) Price Proposals – Scenario 2; Letter dated June 15, 2015 to Tricia Lambert from Town Planner concerning Farnum Circle; Letter dated June 15, 2015 to Joyce Augustus and Kenneth Konicki from Town Planner concerning Farnum Circle; Letter dated April 10, 2014 to Town Planner from JH Engineering regarding Farnum Circle Engineer's Construction Estimate; Letter dated June 11, 2015 to Planning Board

Chair from State Senator Michael O. Moore concerning the many different services his office offers; Letter dated June 5, 2015 to Town Treasurer from CMRPC concerning assessment bill for Northbridge (FY16); 2015 Schedule of Planning Board meetings.

Other

The Planning Board voted (4-0) to cancel its July 14, 2015 and August 11, 2015 Planning Board meetings. Mr. Bechtholdt noted receipt of the yearly assessment from CMRPC (total due \$4,075.02) which is more or less the bulk of the Planning Board's expense budget. Mr. Bechtholdt indicated that he has been in contact with John Barges, Developer for Hillside Garden Estates who has been in contact with National Grid about the installation of two (2) streetlights; National Grid is awaiting receipt of a letter from the Department of Public Works before ordering and installation. Mr. Bechtholdt also noted that Mr. Barges is preparing the roadway for street acceptance consideration for the fall (2015FATM) and will be scheduling a site walk with the Director of Public Works in the upcoming weeks in conjunction with street acceptance. Mr. Bechtholdt noted receipt of an email from Whitinsville Water Company to the contractor for Leonardo Estates (Joseph Leonardo) where the water main Highland Street/Benson Road has been damaged for a third-time; Mr. Bechtholdt mentioned that Mr. Leonardo is currently working under a Road Opening Permit through DPW for extending the sewer line, etc.

**ADJOURNMENT**

Having no additional business the Planning Board adjourned its meeting of Tuesday, June 23, 2015 at or about 9:45 PM.

Respectfully submitted,

Approved by the Planning Board –

R. Gary Bechtholdt II  
Town Planner

Cc: Town Clerk