



NORTHBRIDGE PLANNING BOARD

MINUTES

Tuesday, June 14, 2011



Janet Dolber, Chair called the meeting to order at 7:05 PM. Barbara Gaudette and Edward Palmer were in attendance. Richard Griggs and Kevin Curtin were absent. R. Gary Bechtholdt II, Town Planner was present.

The following members of the public were in attendance: John Galvani (Norwood Bank) Roy Uthoff, R. Gabriel, Mark Key, Pat Schmitt, John Hesse, Marilyn MacIlvane, Gerilyn Hogan, Kenneth Hogan, Rebecca Siegle, Sue Green, Mark Anderson (Heritage Design Group), John Martin, George Hodgman, Maryanne Hodgman, Loraine Bates, Lind DeHaan, and Stan DeHaan.

I. PLANNING BOARD REORGANIZATION

As a result of the absence of Richard Griggs and Kevin Curtin, the Planning Board tabled action on the reorganization of the Planning Board. Ms. Gaudette asked the Town Planner to research to see who were the Planning Board Chairpersons from 2007-2011.

II. CITIZENS FORUM

None

III. ANR PLAN –REVIEW/DECISION

None

OLD/NEW BUSINESS

Comprehensive Land Use Reform and Partnership Act (CLURPA) -Update

Mr. Bechtholdt provided the Planning Board members with a copy of document from the Commonwealth of Massachusetts Joint Committee on Municipalities and Regional Government concerning the Comprehensive Land Use Reform and Partnership Act Description of Sections –an overview of the bill, as well as copy of letter (May 18, 2011) from Geoffrey C. Beckwith, Executive Director of the Massachusetts Municipal Association. Mr. Bechtholdt explained, as the Planning Board may recall the State is looking to perform a comprehensive update to its land use law (mainly Chapter 40A); this information hopefully helps spell-out what is being considered. Ms. Gaudette felt the document was poorly written and hard to follow.

Westside Connector Road (Sutton/Douglas/Northbridge) –Definitive Subdivision

Mr. Bechtholdt update the Planning Board on the status of the remaining regional initiative (43D), noting it was his understanding that the formal submission of definitive plans (Sutton & Douglas) maybe delayed due to the pending sale of one of the subject properties in Douglas, MA. Mr. Bechtholdt also informed the Board that application would be filed in Northbridge as well, as the project requires a curb cut in Northbridge with only a small portion of land in Northbridge. The Planning Board noted as part of its formal review of the definitive plan will likely defer to the Sutton Planning Board, as it does not make sense (in the spirit of expedited permitting) to have multiple reviews. Mr. Bechtholdt added that he made arrangements for the Safety Committee to review same and provided comments and recommendations.

Approval of Meeting Minutes–April 26, 2011

Upon motion duly made and seconded the Planning Board voted (3-0) to approve the meeting minutes of April 26, 2011.

Planning Board Associated Member –Vote to Reappoint

Upon motion duly made and seconded the Planning Board voted (3-0) to recommend the reappointment of Cindy Key, Associate Member.

Housing Production Plan Public Workshop (5/24) –Summary/Next Steps

Mr. Bechtholdt provided Planning Board members with the meeting notes of the May 24, 2011 Housing Production Workshop prepared by CMRPC staff.

43D Expedited Permitting Initiatives –Update/GIS parcel mapping

Mr. Bechtholdt advised the Planning Board the town's 43D Expedited Permitting Technical Assistance Grant has approximately \$20,000 in uncommitted funds, as a result of favorable bids received for the initiatives outline in our original application. Now that most of the initiatives have been completed the Planning office will look to the State to see if the town can reprogram remaining funds. Mr. Bechtholdt reminded the Board with the initial funds the town was able to purchase a single-user license (ArcView GIS) from ESRI, will look to purchase a multi-user license, as well as looking into digitizing the Assessor maps. Mr. Bechtholdt provided the Board with information on 43D –Expedited Permitting, including information on the program guidelines.

Castle Hill Estates Subdivision –MGL CH41 SEC 81U/Status

Mr. Bechtholdt informed the Planning Board that he has spoken with Town Counsel in regards to his letter dated April 29, 2011 concerning the status of Castle Hill Estates and is awaiting a written communication. Ms. Gaudette inquired about the open space, Mr. Bechtholdt mentioned that Henry Lane provided the Planning Board with the deed to the open space and would like to review same with Ms. Gaudette as she was on the Board at the time this subdivision was initially under consideration.

Carpenter Estates –Covenant Extension Request

Mark Anderson of Heritage Design Group met with the Planning Board to review extension request. Board members reviewed letter dated May 25, 2011 from Cheryl Peterson of Heritage Design Group, Planning memorandum dated June 06, 2011 to various department seeking comments relative to extension request and Planning memorandum dated June 06, 2011 to the Planning Board recommending a one-year extension. As described in communication, Mr. Bechtholdt reminded the Board the subdivision development was issued a special permit as a Flexible Development, where approximately 45 acres of the total 63 have been designated as open space. Upon motion duly made (Gaudette) and seconded (Palmer) the Planning Board voted (3-0) to grant one-year extension(s) for the subdivision development through June 2012.

Hemlock Estates –Covenant Extension Request

Mark Anderson of Heritage Design Group met with the Planning Board to review extension request. Board members reviewed letter dated May 25, 2011 from Cheryl Peterson of Heritage Design Group, Planning memorandum dated June 03, 2011 to various department seeking comments relative to extension request. Mr. Anderson explained despite the overall economic climate and real estate market house lot continue to

be sold, with three recently closed and three more under agreement. Board members inquired if the additional fencing had been installed and suggested conducting a site visit to see overall progress. The Planning Board voted (3-0) to table this matter until June 28, 2011 at which time the fencing is to be installed.

The Camelot Subdivision –Construction Update

Planning Board reviewed reporting dated April 21, 2011 from Cullinan Engineering, inspection sign-off sheet and construction schedule prepared by J&F Marinella Development Inc. Planning Board shall look to schedule a site walk later in June/July 2011.

Planning Board Site Visit (5/9) –Overview

The Planning Board reviewed with Norwood Bank items identified during the Planning Board's site visit of Shining Rock Golf Community conducted on Monday, May 09, 2011. Ms. Dolber provided overview of the Planning Board site walk which started at the trailhead up through Shining Rock Drive, Fairway Drive, and Clubhouse Lane. Ms. Dolber read through her notes and Mr. Galvani reviewed same. Items included filling in holes on back of sidewalk and electrical box along Shining Rock Drive; cleaning/trimming landscaped boulevard entrance; addressing sidewalk (plane seam, patch aprons); confirm pavement width on Clubhouse Lane; and oversee trailhead parking lot area.

Mr. Uthoff asked who would be responsible for the landscaping; Ms. Gaudette suggested the Homeowners Association will take over; Mr. Bechtholdt was under the belief the town would assume responsibility however like the sidewalks would be difficult for the DPW to maintain them. Mr. Bechtholdt noted that he would look into maintenance responsibility.

Ms. Dolber also noted the Planning Board observed driveways along Clubhouse Lane however concerns appear to be specific to the original installation of the individual driveways poor base material and not a result of the sidewalk reinstallation as the same concerns were observed on Linkside Court as well where the sidewalks have not been replaced. The cracking and settling may be a result of poor base material under the driveway installed by the builder (Pulte Homes).

Mr. Bechtholdt explained back in April a site inspection was conducted with the Department of Public Works, Malley Engineering, the developer (Norwood Bank) and the developer's engineer (Tunison Smith) & contractor (Tobar Construction), Mr. Bechtholdt also mentioned Roy Uthoff and Cindy Key residents within Shining Rock Golf Community also attended the walk through.

Ms. Gaudette explained that the driveways were the responsibility of the builder, Pulte Homes and not the developer. The developer is responsible for the roadway, sidewalk, drainage, etc. Ms. Gaudette suggested that it appeared the concern with the driveways is not enough base material was used.

Kenneth Hogan provided the Planning Board with a notice; opposing any approvals until the driveway concerns are addressed and the condition is returned to what it was back in 2008 before the reinstalled the sidewalks. Mr. Hogan explained that he has made the bank aware of this concern for sometime now and the bank said they would repair the driveways. Planning Board asked for clarification on driveways; Mr. Hogan explained there are three driveways side-by-side along Clubhouse Lane, 131, 133 & 135.

Mr. Bechtholdt asked Mr. Hogan what would be the remedy; seal coat the driveways? Mr. Hogan stated no, they need to replace them in their entirety from the curb to the garages. Board members noted unfortunately they do not have the authority. Ms. Gaudette stated it seems to her from what she observed supports the fact that the driveways were installed incorrectly. Mr. Hogan agreed, suggesting possibly.

Rebecca Siegle explained as a result of prolonged exposure from the time the sidewalks were re-cut and driveways patched may have attributed to the failures.

John Martin stated the sidewalks do not meet code; the driveways suffered collateral damage as a result of the repair. All of the driveways need to be replaced.

Board members reviewed and explained responsibility of the developer and responsibility of the building and what authority or leverage the Planning Board may have. Ms. Gaudette explained the Board in the past has asked developers to provide core-samples of the roadway to confirm thickness; not sure what is required for a building permit for a driveway. Mr. Palmer suggested homeowners contact the bank, get the contractor and get a lawyer and try to get them to repair it through litigation.

Marilyn MacIvane noted concern with the thickness of Clubhouse Lane, appears to be thin. Mr. Bechtholdt mentioned that he would bring this to the attention of the DPW Director to review; noting core-samples were done in the passed. Ms. MacIvane also expressed her continued frustration with the bank not compensating her for the damage to her tires sustained when the sidewalks were re-poured and metal rebar was left exposed.

Mr. Martin asked who does the inspection; the Board and Mr. Bechtholdt explained in addition to the Department of Public Works the Planning Board has an outside engineer review and inspect on behalf of the Planning Board.

CMPRC LPA –Discussion

Tabled –no discussion.

Linwood Mill Lofts –Update

Mr. Bechtholdt provided the Planning Board with copy of planning letter dated May 11, 2011 regarding the status of the Planning Board site development approval(s); copy of which also provided to the Building Department. Board members also received copy of support letter dated May 26, 2011 from the Northbridge Historical Commission concerning Mass Historic Tax Credits and restoration efforts to the Linwood Mill.

Marston Heights -Update

Board members received construction schedule for Marston Heights, the townhouse development off of Quarry Road within the Hills at Whitinsville subdivision prepared by J&F Marinella Development, Inc and dated May 04, 2011; Board also received copy of planning memorandum dated May 12, 2011 to the Building Inspector regarding the status of Marston Heights and the restriction on occupancy. Mr. Bechtholdt advised the Board, despite what may be noted on the construction schedule its is his understanding the street trees within Phase I and Phase II still need to be planted.

Farnum Circle -Update

Mr. Bechtholdt reminded the Planning Board that earlier in the year (February/March 2011) the property owner(s) on Farnum Circle met with the Board to discuss the status of Farnum Circle. Since that time the Planning office has contacted the Department of Public Works and the Board's consulting engineer (Malley Engineering) to perform a site inspection and provide the Planning Board with their reporting of deficiencies. Mr. Bechtholdt provided the Planning Board with copy of email communication dated April 29, 2011; noting the reason for the delay was due to the amount of snow still on the ground earlier in February & March. Despite this and other efforts to obtain reports from DPW and Malley nothing has been received to date. Mr. Bechtholdt advised the Planning Board that he will contact DPW and Malley Engineering once again to schedule a site inspection for either next Monday or Tuesday (6/20 or 6/21). Ms. Gaudette and Mr. Palmer mentioned they would like to be notified once a date/time was confirmed.

Mail –Review

The Planning Board noted receipt of mail as listed (see attached) and as noted herein.

Other

Mr. Bechtholdt informed the Planning Board that it was his understanding that Bill Richards, the Board's consulting engineer may no longer be working for Cullinan Engineering and would need to review the projects to see if Cullinan Engineering is willing and able to continue with providing peer review and construction oversight on behalf of the Planning Board. Mr. Bechtholdt provided the Planning Board with copy of letter dated May 09, 2011 to Mary Arakelian regarding the zone change adopted at the Spring Annual Town Meeting and the resulting permitted uses within the Business-One zone. Mr. Bechtholdt informed the Planning Board that he has learned that the Oakhurst Retreat Center may close its doors at the end of August 2011; noting they have contacted the Historical Commission and the Town Manager has also been informed. Mr. Bechtholdt provided the Planning Board with a copy of letter dated June 16, 2009 from the Whitinsville Water Company regarding a Wellhead Protection Bylaw to see if the Planning Board wanted to consider for the upcoming Fall Town Meeting.

Adjournment

Having no additional business the Planning Board adjourned its meeting of Tuesday, June 14, 2011 at or about 9:15 PM.

Respectfully submitted,

Approved by Planning Board –

R. Gary Bechtholdt II
Town Planner

Cc: Town Clerk