



NORTHBRIDGE PLANNING BOARD MINUTES

Monday, February 25, 2013



Barbara Gaudette, Chair called the meeting to order at 6:04 PM. Edward Palmer, Brett Simas, and Richard Griggs were in attendance. R. Gary Bechtholdt II, Town Planner was also present. Cindy Key, associate member and Janet Dolber were absent.

The following members of the public were in attendance: Normand Gamache (Guerriere & Halnon, Inc); Brian Cherrier; Robert Cherrier; James L. Roberti; Thomas Perras; Tammy Perras; James; & Rob Anderson

I. CITIZEN FORUM

None

II. FORM A'S

None

III. 4 NORTH MAIN STREET –CONT. PUBLIC HEARING

§173-49.1 -Site Plan Review

Normand Gamache, Guerriere & Halnon, Inc provided the Planning Board with an update and overview on the site development proposal; noting after meeting with the Safety Committee the site circulation was amended to address concerns (in-only from Main Street & right-turn only onto No. Main Street); asphalt sidewalk and grass strip added along Arcade Street (vertical/sloped-granite per DPW); met with Conservation Commission (conducted site visit); have incorporated their concerns in revised plans. Mr. Gamache reviewed traffic study prepared for proposal (summary of findings and levels of service). Mr. Gamache then reviewed proposed lighting (at each entrance and rear of building). Mr. Simas suggested light should be directed towards the rear of the building to minimize impacts for surrounding residential properties.

Mr. & Mrs. Perras asked about site drainage and grading; Mr. Gamache reviewed existing and proposed. Ms. Gaudette inquired about the need for a retaining wall; Mr. Gamache explained due to grading for the rear parking area and improving the overall drainage of the site a retaining wall was required. Mr. Perras felt proposed drainage should work, however expressed concerns with the redesign of North Main Street (completed 2 to 3 years ago) where improvements did not include correcting the drainage problems. Mr. Perras suggested the applicant place crushed stone or rip-rap below the proposed retaining wall (abutting his property). Mr. Gamache explained all stormwater from the site will be directed (and pre-treated) to the drain system on Main Street not North Main Street; Mr. Cherrier (applicant) indicated that he is willing to work with the abutter and wants to be a good neighbor.

The Board then reviewed proposed landscaping and screening; Ms. Gaudette suggested the applicant consider an alternative to the proposed "Honey Locust". The Planning Board then reviewed façade of the building (applicant provided photographs /examples of stone veneer and siding); Mr. Gamache

noted the elevation plans have been revised to noted stone-veneer and siding. The Planning Board then reviewed possible locations of two (2) light fixtures to be installed within the rear parking area (directional lighting away from abutting properties) and the proposed color of the retaining wall. Having no additional public comment the Board looked to close the public hearing. Mr. Bechtholdt mentioned that he prepared draft conditions. Upon motion duly made (Palmer) and seconded (Griggs) the Planning Board voted (4-0) to close the public hearing for 4 North Main Street.

The Planning Board upon motion duly made (Palmer) and seconded (Griggs) voted (4-0) to APPROVE WITH CONDITIONS, the site development plan for 4 North Main Street to include a gas service station, maintenance garage and convenience store.

Conditions of approval include: Owner/Applicant shall comply with all applicable laws, bylaws, rules, regulations, and codes and shall obtain all the necessary permits and approvals; including but not limited to blasting, water/sewer, street excavation, and/or access to public-way (curb cut), if so required; Planning Board approval shall be subject to conditions, if any imposed by the Northbridge Fire Department; including 527 CMR 5.00 and 527 CMR 9.00; Planning Board approval shall be subject to recommendations, if any suggested by the Northbridge Safety Committee; Planning Board approval shall be subject to conditions, if any imposed by the Northbridge Conservation Commission; Planning Board approval shall be subject to conditions, if any imposed by the Whitinsville Water Company; Planning Board approval shall be subject to conditions, if any imposed by the Northbridge Board of Selectmen regarding the licensing of the underground storage tanks; A copy of this Certificate of Approval, endorsed Site Development Plan and Conservation Commission Orders of Conditions shall be maintained onsite during construction. The Planning Board and/or its designee shall be permitted to access the subject project for the duration of the project; Changes to the site development plan either prior to or during construction shall be administered through the Planning Board in accordance with Section 173-49.1 H of the Northbridge Zoning By-Laws. Any amendments to this Certificate of Approval shall require a written description of the proposed modifications submitted to the Planning Board for review/approval. A significant alteration deemed by the Planning Board shall require the filing of a new site plan review; Site development plan shall be revised and prepared for Planning Board endorsement to include the following: Reference to this Planning Board Certificate of Approval; Reference to Conservation Commission Orders of Conditions; Reference to Special Permit issued by the Zoning Board of Appeals (including BK/PG); Comments noted in Site Plan Review Checklist; Comments noted in JH Engineering Group, LLC reports; Conditions of the Northbridge Conservation Commission; and Revise lighting plan shall include up to two (2) “yardlights” (w/in rear parking area); Any illumination, including security lighting shall be arranged so as to reflect away from abutting properties; lighting shall be directed in a manner to avoid glare onto adjacent properties and to limit the amount of light trespass onto the abutting properties; The site contractor shall work with the Whitinsville Water Company and the Department of Public Works to ensure that the water and sewer service lines are installed properly; Signage associated with the site development shall comply with the Town of Northbridge Zoning Bylaws [Article VII –Signs]; Landscaping/screening shall be provided pursuant to Section 173-27 F of the Town of Northbridge Zoning Bylaw. Site development shall provide appropriate screening (landscaping/fencing) to offer a visual buffer of the subject property and abutting residential properties. Owner/Applicant/Engineer shall provide the Planning Board with alternatives to proposed “honey locust” prior to planting; As part of site development, Owner/Applicant agrees to incorporate stone veneer & decorative siding on the building façades as

provided for and discussed during the site plan review; On-street parking associated with the subject property use(s) shall not be permitted on Main Street, North Main Street or Arcade Street. Owner/Applicant shall install a “No Parking Here to Corner” (or similar) signs on the easterly/westerly side of Arcade Street. Such installation shall be done at the direction of the Department of Public Works; Turning-movements in & out of the site development shall be restricted as recommended by the Northbridge Safety Committee; reference is made to Safety Committee meeting minutes of January 16, 2013; As part of its Certificate of Approval (site plan review) the Planning Board permitted three (3) curb cuts/driveways on Arcade Street as shown on the site development plan; As part of site development, Owner/Applicant shall extend sidewalk along Arcade Street from current terminus through the corner of Arcade/Main Street. Vertical & sloped-granite curbing shall be installed along Arcade Street as directed by the Director of Public Works; A Review & Inspection Account specific to the site development has been established; an initial deposit of \$750.00 has been received. The Owner/Applicant shall be responsible for satisfying payment of the Planning Board’s engineering through the duration of project completion. Outstanding invoices for services rendered shall be satisfied prior to the issuance of building permit and prior to the issuance of a certificate of occupancy. Remaining funds, if any shall be returned to the Owner/Applicant; Prior to issuance of a building permit the Applicant/Engineer shall submit the following to the Planning Board: five (5) complete prints of the endorsed Site Development Plan, two (2) fifty-percent (50%) reduced prints and one (1) electronic copy; Erosion control measures to prevent siltation into wetlands, neighboring properties and roadways during construction shall be implemented. The Erosion Control plan and documentation submitted shall be implemented and followed during construction. During construction, if these plans are found to be inadequate by the Planning Board or its designee, a new erosion control plan shall be submitted to the Board for review and approval. In the event erosion and sedimentation problems arise during construction, the Planning Board may require that all work cease until measures necessary to ensure prevention are implemented; Prior to the issuance of a Certificate of occupancy the Applicant’s Engineer shall provide the Planning Board written certification/verification that drainage system has been constructed as approved and working as designed. Said documentation shall be in the form of a letter signed/stamped by a Professional Engineer certifying and demonstrating that the drainage system has been constructed as approved and working as designed. Copy of same shall be provided to the Building Inspector, Planning Board and the Conservation Commission; Prior to the issuance of a Certificate of Occupancy all conditions of approval noted herein and improvements described in the site development plans shall be satisfied. Applicant/Engineer shall provide the Planning Board and Inspector of Buildings with a letter describing status of the site improvements; In order to secure the completion of the required landscaping as shown on the approved site development plan, the Owner/Applicant may post a performance bond in an amount to be reasonably determined by the Planning Board and Owner/Applicant. Such bond shall be posted with the Town Treasurer and shall be released upon certification by the Planning Board that all required landscaping improvements associated with this Certificate of Approval have been satisfied. In the event any landscaping does not survive the Owner/Applicant shall be responsible for its replacement; within 60-days of notice from the Planning Board, unless not feasible or practical due to weather conditions. Failure to comply with this requirement shall result in a violation of this Certificate of Approval.

Based on its finding the Planning Board WAIVED the Development Impact Assessment, Section 173-49.1 E (2) (p) of the Northbridge Zoning By-Laws, specifically sub-section(s) [2] –Environmental Impact Assessment; [3] Fiscal Impact Assessment; & [4] Community Impact Assessment.

OLD/NEW BUSINESS

Approval of Meeting Minutes –January 08, 2013 & February 12, 2013

Upon motion duly made (Palmer) and seconded (Simas) the Planning Board voted (4-0) to APPROVE the meeting minutes for January 08, 2013. Under separate motion duly made (Simas) and seconded (Palmer) the Planning Board voted (4-0) to APPROVE the meeting minutes for February 12, 2013.

Farnum Circle/Definitive Subdivision Modification –Scheduling of Public Hearing

The Planning Board agreed to schedule public hearing for April/May 2013.

Vote to Schedule Planning Board Meeting –Tuesday, March 26, 2013

Upon motion duly made (Palmer) and seconded (Griggs) the Planning Board voted (4-0) to hold a Planning Board meeting on Tuesday, March 26, 2013 (7:00PM –Town Hall).

2013 Spring Annual Town Meeting –Tuesday, May 07, 2013 (7:00PM)

Point of information –no discussion.

2013 SATM –Warrant closes Friday, March 08, 2013 (12:00PM)

Point of information –no discussion

Zoning Amendment Article(s) –Vote to Sponsor Warrant Articles

Mr. Bechtholdt inquired if the Planning Board had any proposed amendments that may be considered for the spring session –Town Meeting; the Board did not offer any zoning amendments at this time.

Medical Marijuana/Temporary Zoning Moratorium -Discussion

Mr. Bechtholdt informed the Planning Board that the Board of Selectmen, in a vote taken January 28, 2013 voted to sponsor zoning amendment article for a temporary moratorium on Medical Marijuana Treatment Centers; because the article is a zoning bylaw amendment the Planning Board is required to hold a public hearing and provide its report at Town Meeting. Arrangements have been made for the Planning Board to conduct its public hearing on March 12, 2013 (7:05PM –Town Hall). Mr. Bechtholdt noted the Planning office has been working with Town Counsel in preparing the draft language.

Gilmore Drive/South Sutton Commerce Park –Street Acceptance

Mr. Bechtholdt reminded the Board that he has been working with Julie Holstrom, Project Manager for Worcester Business Development Corporation (WBDC) and Katherine Lord Klein, Kopelman & Paige (Town Counsel) in preparing (documents) for street acceptance consideration of Gilmore Drive (portion of) at the upcoming Spring Annual Town Meeting. Mr. Bechtholdt explained Gilmore Drive is a single-access roadway within South Sutton Commerce Park, an industrial subdivision development located in Sutton and Northbridge; Sutton accepted their portion of Gilmore Drive earlier last year. Before Northbridge considers its portion an Inter-Municipal Agreement needs to be prepared and executed by Sutton and Northbridge, whereby Sutton shall assume all repairs and maintenance responsibilities associated with the roadway. As noted before, only a small portion of this roadway (its access –off Main Street) is located in Northbridge; all industrial buildings are located in Sutton (none in Northbridge). Mr. Bechtholdt noted that a Memorandum of Understanding had been drafted as part of the original subdivision approvals however they should be redone to clearly state that all

maintenance, repair, snow removal, etc. of Gilmore Drive shall be the responsibility of the Town of Sutton. Mr. Bechtholdt noted absent such an agreement would likely cause street acceptance to be defeated at Town Meeting. Mr. Bechtholdt added in addition to the street acceptance WBDC is looking to convey two (2) parcels designated as open space; which includes wetland resource areas and a drainage basin. Board members agreed to include the open space as part of the street acceptance proceedings.

The Planning Board upon motion duly made (Simas) and seconded (Palmer) voted (4-0) to SPONSOR STREET ACCEPTANCE FOR GILMORE DRIVE to be considered at the 2013 Spring Annual Town Meeting. In taking such action the Planning Board noted that an Inter-Municipal Agreement between Sutton & Northbridge shall be executed concerning long-term maintenance/repair of Gilmore Drive.

Linwood Mill /MHC Preservation award Nomination –Discussion

As directed, Mr. Bechtholdt contacted Matt Mittelstadt (EA Fish Dev) regarding the nomination of the Linwood Mill for this year's Mass Historical Commission's Preservation Awards; providing copies of letters in support from the Planning Office, Planning Board, Board of Selectmen and Senator Richard Moore. Mr. Bechtholdt and Board members agreed, the Linwood Mill project seemed very worthy of such recognition.

Open Space & Recreation Plan Update –Ad Hoc Committee

Ms. Gaudette explained to the Board that she reviewed the 2002 Open Space Plan and feels the bulk of the information is still current and has a lot of useful information for the update. Ms. Gaudette would like to see a broad-base of people with varying interests participating in the town's update. The Board briefly discussed upcoming workshop sponsored by Mass Audubon to be held on Monday March 04 from 6:00PM to 8:00PM at Alternatives, Douglas Road on the Community Preservation Act. Mr. Bechtholdt explained the Community Preservation Act (CPA) is a local enabling legislation where communities may collect a surcharge on local property tax bills (up to 3%) to raise funds for open space preservation, preservation of historic resources, development of affordable housing and now (recently amended to include) the acquisition and development of outdoor recreational facilities. Ms. Gaudette suggested adopting the CPA locally would have a significant benefit for Northbridge. Mr. Bechtholdt forwarded email to Barbara Gaudette from Erika Damico –who is interested in participating on the update.

Shining Rock Golf Community –Update/Status Report

John Galvani (Norwood Bank) and Eric Dias (Tunison-Dias) updated the Planning Board on the status of Shining Rock Golf Community, specifically Shining Rock Drive and Sandtrap Court (remaining portions). Mr. Galvani explained they are still marketing the lots at the end of Fairway Drive; have had three parties interested however if they do not find a buyer soon the bank may likely complete the build-out (14 –townhouse units). Mr. Dias reviewed letter dated February 05, 2013; noting installation of remaining streetlights on Shining Rock (extension) has been delayed due to back order with NGrid. Mr. Bechtholdt noted the developers for the Camelot subdivision have also indicated similar delays in ordering its light fixtures. Mr. Galvani explained that he reviewed the email communication from Whitinsville Water Company concerning a water valve box and hydrant. Mr. Galvani and Mr. Dias suggested the water valve box may be located within the common drive beyond the limits of Linkside Drive and that they have not been able to locate the damaged hydrant on Shining Rock Drive. Mr.

Bechtholdt indicated that he would contact the Water Company for more information. Mr. Galvani suggested the bank may look for a bond reduction at some point (Shining Rock Drive –remaining portion), noting they have sold three (3) homes with another two lots recently cleared (38 & 38). Mr. Bechtholdt suggested the Board include bond reduction and extension on a future agenda and explained the Planning Board typically grants extension in one-year increments (at most). Arrangements shall be made for the Planning Board's April 09, 2013 agenda.

Hillside Garden Estates –Update/Status Report

Mr. Bechtholdt advised the Board that he has been in contact with John Barges (developer), explaining to the Board in addition to contacting developers for updates and status reports the Planning office also contacted the various municipal departments for comments/reports; the Whitinsville Water Company requests the abandoned waterlines be removed as agreed to by the developer. Mr. Bechtholdt reminded Board members that the original subdivision (approval) was for duplexes however the developer modified the subdivision for single-family homes after initial construction; the water service was originally stubbed for the multifamily units. The Water Company has asked the developer to remove the abandoned services; the Board should review/consider if opening up the roadway (to remove stubs) will compromise the integrity of the roadway. The Planning Board shall review this matter at its meeting of Tuesday, April 09, 2013 with the developer and the Whitinsville Water Company.

Camelot Subdivision –Update/Status Report

Mr. Bechtholdt informed the Planning Board that J&F Marinella Dev. (developer) has not responded to multiple requests (latest -January 30 2013) for an updated construction schedule and status report on the Camelot subdivision. Mr. Bechtholdt added it was his understanding that the pump (sewer station) still has yet to be installed; reminding Board members they restricted the number of occupancy to seven (7) homes -currently five occupancies have been issued. Mr. Bechtholdt also mentioned installation of streetlights and a number of conditions of the Board's definitive subdivision approval still need to be addressed.

Pine Knoll Affordable Units (LIP) –Update

Mr. Bechtholdt mentioned he was hoping to inform the Planning Board that the LIP/Agreement had been finalized and executed however the developer (J&F Marinella) has not resolved remaining concerns; Mr. Bechtholdt added Town Counsel has been reviewing the documents (affordable units /DHCD) and will inform the Board when completed.

Presidential Farms –Update/Status

Mr. Bechtholdt advised the Planning Board that he has been in contact and met with David Brossi (developer) in regards to Phase IV –Presidential Farms and conditions of approval for the subdivision development, specifically the open space and bike path. Mr. Bechtholdt indicated that he has prepared a memorandum (dated February 07, 2013) which the Board shall review at its meeting of April 09 2013; Mr. Simas briefly reviewed memo.

Mail –Review

In addition to the mail listed (see attached) the Planning Board noted receipt of the following communications: letter from Guerriere & Halnon, Inc. (G&H) dated January 22, 2013 regarding 4 North

Main Street (with attachment); Community Planning & Development Office memo dated January 31, 2013 concerning 4 North Main Street Site Plan Review; Community Planning & Development Office memo dated January 9, 2013 regarding 4 North Main Street Site Plan Review –Technical Review Meeting; Community Planning & Development Office memo dated January 22, 2013 concerning 4 North Main Street Site Plan Review; Board of Health memo dated January 23, 2013 regarding Site Plan Review Application for 4 North Main Street; Fire Department memo dated January 24, 2013 concerning 4 North Main Street; Letter from JH Engineering dated January 17, 2013 regarding 4 North Main Street Site Plan “Peer Review;” draft minutes of the Safety Committee meeting dated January 16, 2013; Email communication from Mark Kuras dated January 23, 2013 concerning 4 North Main Street; Email communication from James Shuris dated January 11, 2013 regarding the Meeting Notes/Technical Review of 4 North Main Street; Email communication from James Shuris to Mike Weaver (G & H) dated January 28, 2013 concerning 4 North Main Street –Curbing; copy of draft Certificate of Approval for 4 North Main Street; copy of draft Planning Board meeting minutes of January 8, 2013; Memos dated January 29, 2013 from Sharon Susienka regarding the Spring Annual Town Meeting (SATM), the warrant article submission procedure and a sample warrant article memo form; Community Planning & Development memo dated January 14, 2013 concerning the Medical Marijuana Temporary Zoning Moratorium; copy of Session Laws Acts 2012, Chapter 369; copy of Frequently Asked Questions Regarding Medical Marijuana in MA; Email from Ted Kozak, Town Manager, dated January 3, 2013 concerning the Medical Marijuana Update Temporary Zoning Moratorium wording submitted by Kopelman & Paige, PC; copy of Model Medical Marijuana Moratorium Warrant Article Bylaw; Ted Kozak letter dated February 1, 2013 concerning 2013 SATM Zoning Article –Medical Marijuana Treatment Centers; draft Public Hearing Notice (Zoning Amendment article to adopt a temporary zoning moratorium on medical marijuana treatment centers); draft amendment to Zoning Article V –Use Regulations (of the Northbridge Zoning Bylaw); copy of Maintenance/Inspection Agreement for South Sutton Commerce Park in the Towns of Northbridge and Sutton; copy of aerial view of Gilmore Drive area depicting the portion that is in Northbridge; copy of Sutton assessors map showing portion of Gilmore Drive in Northbridge; Email communication from Rob Van Meter regarding Gilmore Drive street acceptance; article from the Northbridge Daily Voice dated 1/15/2013 by Deborah Gauthier entitled “Northbridge Fields Committee Hopes for Grant Money;” copy of application for MA Historical Commission 2013 Preservation Awards; draft letter dated January 28, 2013 from the Planning Board regarding Linwood Mill Nomination – 2013 Preservation Awards; letter from Community Planning & Development dated January 24, 2013 concerning Linwood Mill –Nomination 2013 Preservation Awards; Community Planning & Development letter dated 1/30/13 regarding Hillside Garden Estates subdivision construction schedule request; Email to John Barges dated 1/30/13 concerning Hillside Garden Estates (Deane Way) lack of clearing of roadway (snow); Community Planning & Development letter dated 1/30/13 regarding the Camelot subdivision construction schedule request; JH Engineering letter dated 1/8/13 concerning the Camelot Phase 1A Engineer’s Construction Estimate; Community Planning & Development letter dated 1/30/13 regarding Hemlock Estates subdivision construction schedule request; Community Planning & Development letter dated 1/30/13 concerning Shining Rock Golf subdivision construction schedule request; Community Planning & Development letter dated 1/30/13 regarding Presidential Farms subdivision construction schedule request; Community Planning & Development letter dated 1/30/13 concerning Marston Heights update on progress/status of the development; Email dated 1/24/13 from Jeff Lacy regarding the ZONING REFORM BILL; Letter from Petrini & Associates, PC dated 1/24/13 concerning the Quarterly Update on Land Use Law; Community Planning & Development letter dated

1/30/13 regarding the Camelot subdivision concerns; Community Planning & Development memo dated 1/30/13 concerning Hemlock Estates subdivision concerns; Community Planning & Development memo dated 1/30/13 regarding Hillside Garden Estates concerns; Community Planning & Development memo dated 1/30/13 concerning Shining Rock Golf Community concerns; Community Planning & Development memo dated 1/30/13 regarding Presidential Farms concerns; List of Planning Board meeting dates in 2013.

Other

Mr. Bechtholdt advised the Board that Henry Lane has submitted a petition article for street acceptance of Ash Street (extension of), reminding the Board that Ash Street had been considered before however was withdrawn as a result of certain drainage easements not being secured; Mr. Bechtholdt indicated according to Mr. Lane this has since been resolved. Copies of the petition article and conveyance documents have been forwarded to Town Counsel for review and town departments have been solicited for comment. Arrangements shall be made with the Board of Selectmen to vote its intent to layout the roadways at their meeting of March 11, 2013 and the Planning Board may provide its recommendation on March 12, 2013. Mr. Bechtholdt explained to the Board that he was contacted by a contractor inquiring if the town would allow for Wal-Mart to change the light fixtures within the parking lot to LED lights; Mr. Bechtholdt noted there are quite a few lights, some of which may be viewed from abutting residential properties along Main Street; depending upon the intensity of the bulbs abutters may be impacted. Board members suggested in order to consider changing the fixtures they would first need to see what the proposed lights would look like. Mr. Bechtholdt added the contractor did mention the existing fixtures could be retrofitted. Mr. Bechtholdt shall follow-up with the contractor and Building Inspector. Upon motion duly made (Griggs) and seconded (Palmer) the Planning Board voted (4-0) to ENGAGE the services of JH Engineering Group to conduct engineering review for site plan application of St Camillus Health Center (parking expansion). The Planning Board reviewed ZBA agenda for March 14, 2013; application from John Berkowicz noting it appears the applicant is seeking an appeal of an earlier decision issued by the Zoning Board; if the applicant wishes to file a repetitive application it should be done pursuant to MGL CH 40A SEC 16. Mr. Bechtholdt and Ms. Gaudette mentioned that they met with Richard Lundgren (Whitin family) once again, along with Jack Crawford, Lisa Mosczynski & Laurie Salmon of Metacomet Land Trust specific to the Castle Hill Farm property and the initiative to create a "Friends of Castle Hill Farms" in an effort to preserve this historic property.

Adjournment

Having no additional business the Planning Board adjourned its meeting of February 25, 2013 at or about 8:05 PM.

Respectfully submitted,

Approved by Planning Board –

R. Gary Bechtholdt II
Town Planner

Cc: Town Clerk