



NORTHBRIDGE PLANNING BOARD MINUTES

Tuesday, November 12, 2013

Brett Simas, Chair called the meeting to order at 7:00 PM. Barbara Gaudette, Janet Dolber, George Murray and Mark Key were in attendance. Cindy Key, Associate member and R. Gary Bechtholdt II, Town Planner were also present.

The following members of the public were in attendance: Joseph Marinella (J&F Marinella Dev); Nancy Dalrymple; Penelope Morrison; Carl Morrison; Leo Brochu; Barbara Brochu; Sue Grady; Richard Cronin; Suzanne Cronin; & William Mello.

I. CITIZEN FORUM

None

II. FORM A'S

None

III. MARSTON HEIGHTS –REVIEW/DECISION

Condo Lot #2 –The Hills @ Whitinsville

Mr. Simas welcomed residents of Marston Heights and recognized Joseph Marinella (J&F Marinella Dev) who was also in attendance. Mr. Murray recued himself, noting he had worked for the developer, J&F Marinella Dev. as a consultant and as such did not participate; Mr. Murray adjourned from the table and left the meeting room during the discussion.

Mr. Simas suggested discussion should begin with Planning Board members regarding thoughts and opinions specific to outstanding issues, noting at its last meeting the Board established a deadline of October 31, 2013 for the developer to address concerns; failure to do so would result in the Planning Board drafting a letter to the Building Inspector seeking zoning enforcement on outstanding issues. Mr. Simas reminded attendees that the Planning Board in July/August began reviewing concerns raised by residents within Marston Heights, noting the Board at the request of the residents undertook a review of the status with the developer; when at the time there were no trees, no pavement, no curbing, etc; today although trees are planted, driveway paved etc. some work remains.

Mr. Simas explained he would like to first build agreement amongst the Planning Board as to which remaining tasks still need to be followed up on (eligible for potential zoning enforcement), after which discussion will be opened to the residents for comment. The purpose of tonight's meeting is to identify remaining issues deemed by the Board; noting the Planning Board has set clear objectives for the developer to address concerns.

Mr. Simas indicated he is prepared to send a letter to the Building Inspector for zoning enforcement and is 100% comfortable in doing so at this time, if the Planning Board and the residents decide this is something they want to do (in their best interest). Mr. Simas explained once the Planning Board issues

the letter to the Building Inspector (for enforcement) the Planning Board will be out of the equation; as the Board will have transferred oversight to him (the Building Inspector); and as such the Planning Board would not have any more meetings or conversions in this context about it; the Board would no longer have any leverage for influence or ability to facilitate the process; we would be done. Ms. Gaudette and other Board members agreed.

The Planning Board reviewed letter dated October 10, 2013 to Mr. Marinella from the Community Planning & Development office specific to: grading & seeding of back of units; sprinkler/irrigation system; streetlights; street trees/landscaping; topcoat of driveways, roadway & sidewalk –including berms; deck stains; drains; reverse transoms; planting around guest parking spaces; repaired damaged curbing & sidewalks; planting arborvitaes along top of stone wall; planting grass; two (2) public gathering areas; unit directory sign; street name & stop sign; twelve (12) off-street parking spaces; recording of access/utility easement; and verification from Whitinsville Water Company regarding installation of flush valves.

The Planning Board reviewed with Mr. Marinella items identified in letter. Mr. Marinella provided an update regarding remaining grading and seeding around the units. Mr. Marinella then indicated the irrigation is complete, however awaiting installation of meters to be done by NGrid. Mr. Marinella reviewed with the Planning Board status of streetlights, stated ten (10) lights are in with three (3) additional bases ready for fixtures (to be provided by NGrid). The Board reviewed the number of streetlights required as well as streetlight locations per the approved site development plan. After review/discussion it was determined a total of nineteen (19) streetlights were approved per the plan; Mr. Marinella agreed to work with the residents (specifically Leo Brochu) on addressing streetlight concerns. The Planning Board then reviewed street trees and landscaping; Mr. Simas noted he drove through the development earlier in the day; appears street trees have been planted. Mr. Bechtholdt explained it was his understanding (communication from Carl Morrison, resident) 56 of the 69 trees were planted. Mr. Simas indicated it also appeared that topcoat of driveway, roadway and berms were also done; Mr. Marinella confirmed he did topcoat and completed nine (9) driveways. Mr. Simas noted deck stain was on list however he and other Board members agreed not something enforceable through zoning; installing drainage at unit #21 and the reverse transoms were also beyond the scope of zoning enforcement (Mr. Marinella indicated the drain was installed and will correct transoms). Mr. Simas asked about the plantings around guest parking areas, to which Mr. Marinella indicated they were not done. Mr. Simas inquired about the status of repairing damage curbing and sidewalks; Mr. Marinella indicated items have been addressed. Mr. Simas asked if planting of arborvitaes along top of stone was completed along units 30-36; Mr. Marinella responded no. Mr. Simas asked about planting of grass around units 36, 40, etc; to which Mr. Marinella responded yes. Mr. Simas inquired if the two (2) public gathering areas; to include benches have been provided; Mr. Marinella indicated that he has the two (2) benches and is willing to work with the residents as to preferred locations. Mr. Simas then asked about the street sign, stop sign and unit directory sign; Mr. Marinella noted he did not provide a unit directory sign, however did install a unit number sign as requested and would install another street sign at the stop sign at Edmonds Circle. Mr. Simas asked about the twelve (12) off-street parking spaces; Mr. Marinella indicated there are currently ten (10) and will add two (2) more. Mr. Simas asked if the access/utility easement was recorded and if the Whitinsville Water Company was all set with the flush valve; Mr. Marinella will check with Heritage Design Group regarding the easement, Mr. Marinella

indicated the water company is all set with the valve; Mr. Bechtholdt noted receipt of commutation from Water Whitinsville Company noting same.

After receiving initial feedback and updates from Mr. Marinella (the developer) Mr. Simas solicited input from the Planning Board members regarding key outstanding issues and what they thought as a Board they may want to pursue with the Building Inspector for zoning enforcement. From a public safety perspective Mr. Simas suggested the street signs should be completed; in regards to streetlights Mr. Simas asked members their thoughts as to what to include about streetlights; amount and location per plan or something else. Mr. Bechtholdt indicated that Mr. Marinella has indicated a willingness to provide lighting per the plan; noting lighting is shown on the approved plan and may be something that is enforceable through zoning. Ms. Dobler suggested obtaining input from residents regarding street trees; Mr. Simas agreed however wanted to get a consensus from the Board first on what items the Board is willing to pursue with the Building Inspector, which may include streetlight, street trees, etc. and may not include items such as deck stain and reverse transoms, etc. Mr. Simas asked the Board about off-street parking; Mr. Bechtholdt noted Mr. Marinella has expressed a willingness to provide the two (2) additional spaces, noting off-street parking is shown on the approved plan and may be enforceable through zoning.

Mr. Simas recapped remaining outstanding issues identified by the Planning Board, which include lighting, signage (street signs/ unit directory), street trees, and parking spaces; Board members felt deck stain, sprinkler system, reverse transoms, and gathering spaces were items that could be addressed through the association or directly with the developer (items likely not enforceable through zoning). Planning Board determined paving concerns have been addressed.

Mr. Simas solicited comments from the residents in attendance regarding the items prioritized by the Planning Board (streetlights, street trees, parking spaces and signage) Mr. Simas also encouraged those in attendance to offer comment specific to other matters they deemed important.

Leo Brochu noted he has been in the electrical business for a number of years, expressed concern about the streetlights; suggesting the lights should be installed per the plan. Mr. Brochu explained the lighting plan was designed for a purpose; spacing per pole (ratio) to maintain proper lighting. Mr. Marinella suggested alteration of certain light pole locations was due to the changes in unit layouts (i.e. front vs. side-loading garages). Mr. Brochu would like the nineteen (19) light poles installed per the plan; consensus from other residents in attendance agreed. Mr. Brochu briefly reviewed with the Planning Board the approved lighting plan comparing it to what has been installed (existing/missing/altered locations). Planning Board determined street lights should be installed per the approved plan unless there was good reason to deviate. Ms. Gaudette, Mr. Key and Ms. Dobler all agreed; streetlight will be included in a zoning letter to the Building Inspector for enforcement. Mr. Marinella expressed a willingness to work with Mr. Brochu in addressing the streetlights.

Mr. Simas commented his concerns regarding street trees and landscaping is specific to the street trees and not necessary the landscaping around the units (as they may not be enforceable through zoning). Mr. Simas solicited comments from the residents in attendance concerning street trees and landscaping. Carl Morrison explained to the Planning Board that he purchased his home six (6) years ago and still does not have the neighborhood he was looking for (the development doesn't look good); its

incomplete; deadlines should be followed have not got the neighborhood promised. Mr. Morrison indicated the street trees have been planted along the main roadways however the two roads (shared drives) providing access to units 10-16 and units 50-57 do not have street trees; Mr. Morrison suggested remaining street trees to be planted should be provided at these locations. Mr. Morrison also expressed concerns regarding lack of landscape plantings around parking areas, utility boxes, etc. noting it was indicated to him and others by the realtor that these items would be done so the development would look finished; it has not and it looks hideous. The arborvitaes to be planted behind units 30-36 and 40-42 should also include a fence due to the steep slope (safety concern). Street name signs need to be installed; currently difficult and very confusing for visitors, vendors, etc. In regards to the unit directory would like the ability to have the residents influence location, etc. Mr. Morrison asked that the site plan to be implemented as approved; nothing more. Mr. Morrison thanked the Board for taking this matter up to assistant in its resolution.

The Planning Board confirmed that street signage was an important safety issue and should be addressed. Mr. Marinella described that he provided additional landscaping around the individual units not required per the plan to make the place look better; agree some street trees may be missing not disputing; all the additional landscaping that's been done has been overlook. Mr. Marinella explained he is here because he cares about the development. Mr. Simas acknowledged that the developer has provided plantings (around the units) not required per the plan in an effort to make the neighborhood improves. After discussion and clarification on location of the missing street trees (shared driveways) and siting of arborvitaes the Planning Board agreed to include items in letter to Building Inspector for enforcement. Mr. Bechtholdt suggested the Board should make the distinction between street trees and ornamental landscaping when drafting letter to the Building Inspector; need to be clear as to what the Board is requesting enforcement on. Mr. Bechtholdt continued noting it appears in addition to thirteen (13) street trees there are some ornamental plantings that also need to be provided per the plan.

Mr. Simas noted Mr. Marinella is willing to add the two (2) parking spaces; Board members and residents agreed additional spaces should be provided. Mr. Marinella adding additional spots will be easily accommodated. Street name sign for Edmonds Circle shall be installed at Quarry Road intersection. Mr. Morrison suggested signage depicting unit numbers for the two shared driveways shall also be installed; Mr. Bechtholdt suggested the Board could add those however it would depend on whether or not the Building Inspector determined he could enforce it or not, if not shown on an approved plan may be difficult to enforce. Mr. Simas suggested perhaps the association could address this. After reviewing street layouts with residents the Planning Board determined one (1) addition unit number/street sign shall be installed at the opposite end of Edmonds Circle (at the intersection of Quarry Road); a similar unit sign being already installed at other end; the Planning Board also requested two (2) additional unit number signs be installed at the shared driveways. The Edmonds Way sign shall be replaced with Edmonds Circle at the intersection of Marston Road.

After general discussion with residents regarding ornamental plantings the Planning Board agreed to require ornamental plantings (Honey Locust & Green Ash) in front of units 10-16 and 50-57 as shown on the approved plan, additionally the Board required ornamental plantings behind units 30-36 as shown on plan. The Board also determined the existing fencing (black-vinyl chained link) shall be extended along the top of the rip-rap area behind units 30-36 as shown on the approved plan. Planning Board felt

requiring plantings around individual meters and electrical boxes was not enforceable under zoning as plantings were not shown (required) per the approved site plan.

Mr. Simas identified and reviewed two options (1) send letter to Building Inspector now, after which the Board would no longer be able to influence outcome or (2) delay zoning enforcement and allow further time for the developer to address concerns discussed. The Planning Board offered options to the residents in attendance. Mr. Simas explained once letter is sent it would be up to the Building Inspector to validate if there are zoning violations (what is enforceable and what is not enforceable); would be his discretion to enforce compliance, impose fines; timing of enforcement and imposition of fines. Residents in attendance agreed to extend for one-month. Planning Board thanked residents for attending and residents thanked Planning Board members for the forum to discussion concerns.

The Planning Board scheduled follow-up discussion for December 10, 2013 meeting, at which time the Board will briefly review status of required improvements and decide whether or not to submit letter to the Building Inspector for zoning enforcement. The Town Planner shall prepare a draft letter for review; to include parking, lighting, landscaping, fencing, & street signs as discussed.

IV. HILLSIDE GARDEN ESTATES –REVIEW/DECISION

Update/Issuance of Building Permits

Mr. Bechtholdt provided the Planning Board with a general overview on the status of the subdivision noting the developer has recently addressed the Whitinsville Water Company concerns specific to the abandoned waterlines, noting the Board had issued a directive to the Town Planner and Building Department not to issue (sign-off) on building permit applications for new homes until due to lack of action, until such time the Board is satisfied with the progress. Mr. Bechtholdt also explained that all the lots have been released from the Covenant and that he has recently been in contacted the bonding company (lenders agreement) indicating the performance bond for the subdivision remains valid and in effect. Mr. Murray asked if communication from the water company was received; Mr. Bechtholdt confirmed also noting the purpose of the Board's letter to the Building Department was to inspire action on behalf of the developer, to which it has. Mr. Bechtholdt commented that the subdivision has come a long way; however has a ways to go to complete the required improvements.

After seeking questions; the Planning Board upon motion duly made (Murray) and seconded (Dolber) voted (5-0) to provide the Building Inspector with a letter lifting restriction on building permits.

OLD/NEW BUSINESS

Approval of Meeting Minutes –October 08, 2013

Upon motion duly made (Gaudette) and seconded (Dolber) the Planning Board voted (5-0) to ACCEPT minutes of the October 08, 2013 [as amended /typo].

2014 Planning Board Meetings -Draft Schedule

Upon motion duly made (Murray) and seconded (Key) the Planning Board voted (5-0) to set the 2014 Planning Board meeting schedule; to be filed with the Town Clerk.

PB Meeting of November 26, 2013 –Canceled (lack of quorum)

Point of information –no discussion.

Open Space & Recreation Plan Update Committee Meeting –December 10, 2013

Mr. Simas expressed mixed feelings about the 6PM to 7PM timeslot; keeps us on tasks however does not allow for the meetings to be as productive as they should; Board members agreed. Mr. Bechtholdt felt once the committee gets organized and into a routine (less direction) the meetings should be more streamlined and meant only to update the group, the committee members tasked with different sections should meet outside the group meetings. Ms. Gaudette felt Lorrie Langille, Chair of the Open Space & Recreation Plan Update Committee was doing a terrific job (Board members agreed) and felt once the committee gains more experience the meetings will likely go more smoothly. This matter will be discussed at the next meeting of the Open Space & Recreation Update Committee meeting (12/10/2013).

Subdivision Rules & Regulations –Discussion w/DPW Director (Modification/Recommendations)

Mr. Simas welcomed Mr. Shuris, DPW Director for discussion specific to the public right-of-way. Mr. Shuris provided the Board with a policy for the public right-of-way; what can and should not be located within the town's right-of-way (the only thing that should be in the right-of-way are mailboxes). Mr. Shuris explained that he has a limited budget and would like the Planning Board to consider the life-cycle (and maintenance) of street trees, asking them to permit future public shade trees outside the right-of-way so the trees do not damage sidewalk, curbing, create sightline issues for vehicles exiting vehicles, or die due to road salt and plowing (DPW tree account overspent every year; in excesses of \$25,000/year). Mr. Shuris recommended the Board revisit public shade trees requirement; located them outside the public right-of-way or the boundary of the right-of-way. Mr. Bechtholdt noted that the Board has allowed street trees to be planted along the backside of the sidewalk rather than within the grass strip (granted waivers); something the Planning Board may want to consider revising the subdivision regulation which currently requires trees within the grass strip. Mr. Murray felt the Board should look at alternatives to requiring street trees within the right-of-way; the town had years ago a program where trees were planted by the town on private property, outside the right-of-way. Mr. Murray suggested residents would likely prefer having a tree in their front yard of a new home rather than between a grass-strip between the sidewalk and the road. Mr. Murray agreed with Mr. Shuris about the current practice/placement of trees along roadway should be changed. Mr. Simas agreed with the reasoning however noted placement of trees along roadway served to provide shade over asphalt (heat island effect); if the Board is to consider relocating street trees should be aware

Mr. Bechtholdt suggested if the Planning Board is to consider amending its subdivision rules & regulations regarding street trees they should look at other provisions for possible modification such as allowing sloped-granite curbing within the cul-de-sac (along the landscaped island), as well as reducing the required size of landscape islands in the cul-de-sac; which in turn would increase the travel way within the cul-de-sac. Mr. Bechtholdt had hoped to meet with the DPW Director to review other possible changes to the town's subdivision regulations prior to the Planning Board meeting. Mr. Bechtholdt explained amending the Subdivision Rules & Regulations requires a public hearing but does not require town meeting action. Planning Board members indicated general support in amending the street tree provisions of the town's subdivision rules & regulations.

Mr. Shuris requested the Planning Board also consider revising its streetlight requirements whereby lights become the responsibility of the homeowners (intersections would remain responsibility of town). The more subdivisions the town accepts the costs keep adding up (utility costs). Mr. Shuris noted replacing bulbs and in some instances where fixtures have been damaged become very expensive for the town to replace; noting some light poles are not inventoried by National Grid for replacement. Mr. Bechtholdt asked Mr. Shuris to provide the Planning Board with a copy of street lighting specs. Mr. Shuris suggested making street lighting part of the subdivision homeowners' responsibility due to DPW's limited budget and the expense of replacing damage poles, etc. (50watt bulb/±\$7.50/month). Mr. Shuris reminded Board members that the town has shut-off a number of streetlights (town-wide) in the past due to budgetary issues. Making the streetlights the homeowners' responsibility would allow the homeowners to keep the lights on if they wanted to. Mr. Shuris estimated the town spends approximately \$190,000.00 per year on streetlights. Mr. Bechtholdt explained that the Planning Board, in reviewing proposed subdivision has looked to the Safety Committee for recommendations specific to streetlight locations (based upon the Board of Selectmen's Streetlight Policy); noting in some instances where roads were accepted (public street) and streetlights turned-off may be a result of older subdivisions where location of streetlights (installed) no longer meet the town's streetlight policy. Mr. Key did not like the idea of individual homeowners having the ability to turn on/off streetlights (a public safety element that needs to be met). Mr. Simas agreed streetlights at intersections, curves and ends of streets should remain the responsibility of the town. Mrs. Key expressed quality of life concerns and promoting walkable communities, suggesting the Board and others should look at the bigger picture; eliminating streetlights may attract certain individuals and those that want such amenities may look to take their tax dollars elsewhere. Mr. Simas supported having a discussion for feedback and suggested a list be prepared identifying potential amendments to the town subdivision requirements, including street trees, streetlights, landscape cul-de-sac, sidewalks, sloped-granite curbing, etc. The DPW Director, Highway Superintendent and Town Planner will provide a list for future discussion by the Planning Board.

Mass Downtown Initiative Program –Technical Assistance Grant (Whitin Machine Works)

Mr. Bechtholdt provided the Planning Board with a copy of the (draft) grant application; technical assistance grant (consultant) to evaluate land use & local zoning codes of the Northbridge Zoning Bylaw for the purpose of identifying new zoning provisions for manufacturing, bio-tech & other emerging technologies (expand permitted uses within Industrial zone). The zoning assessment will provide the town with a template to initiate an update (modernization of) its Use Definitions and Table of Use Regulations, promoting economic development within the downtown (Whitin Machine Works) and other similarly zoned properties. Planning Board supported application unanimously.

540 Providence Road/Self-Storage Units Site Development -Plan Endorsement

Planning Board endorsed plan; copies of which will be distributed to the Building Department, Town Clerk and other municipal departments.

St. Camillus Health Center Site Development -Plan Endorsement

Planning Board endorsed plan; copies of which will be distributed to the Building Department, Town Clerk and other municipal departments.

Carpenter Estates (LID modification) –Covenant Revise/Release

Mr. Bechtholdt explained that the construction change granted by the Planning Board for the low impact development (LID) stormwater management of Carpenter Estates resulted in some lot reconfiguration and drainage infrastructure changes to the plan and as a result a new Definitive Plan will need to be recorded at the Registry, etc. as such the original Covenant should be released by the Board and replaced with a new Covenant referencing the revised plan and necessary improvements for the LID. Upon motion duly made (Gaudette) and seconded (Murray) the Planning Board voted (5-0) to release original Covenant for Carpenter Estates and replace thereof a new Covenant for same. Planning Board shall withhold endorsement until such time the applicant/developer provides additional information for its recording.

Camelot (Phase I –revised) –Lot Release/Performance Bond

As a matter of information Mr. Bechtholdt explained that J&F Marinella Dev had requested additional lot release within Phase 1 (as revised), Mr. Bechtholdt noted he reminded the developer in order to do so additional funds as identified in the construction estimate prepared by JH Engineering Group would need to be provided to secure the performance bond held by the town (Planning Board); this matter will be included on an upcoming agenda.

Massachusetts Zoning Reform [House Bill 1859] –Status

Mr. Bechtholdt provided the Planning Board with a brief overview of its status, noting CMRPC will review at the next scheduled CMRPC delegate meeting; George Murray and Brett Simas plan to attend and will report back to the Board at a subsequent meeting.

Quarterly Report (July–September 2013)

Mr. Bechtholdt provided the Board with a copy of his July-September 2013 report for the Community Planning & Development Office; same provided on the town's webpage.

Medical Marijuana -Model Bylaw (Draft)

Mr. Bechtholdt provided the Board with a copy of draft bylaw offered by Town Counsel; Mr. Bechtholdt explained that he has been working with the Board of Health Administrator, Police Chief and Building Inspector since local adoption of the temporary moratorium –discussion tabled.

Linwood Mill –Pedestrian Crosswalks

Mr. Simas asked the DPW Director about the status of the Linwood Avenue pedestrian crosswalk (proposed) understanding EA Fish Development is waiting for guidance and direction from DPW on requirement and specifications. Mr. Shuris agreed to check with the Highway Superintendent in the morning. William Mello (residents) suggested the town should make a physical connection from the Linwood Mill to the existing Mumford Riverwalk on Linwood Avenue; Ms. Gaudette agreed noting, has been a goal to do so for some time.

Farnum Circle (MGL CH 41 SEC 81W)

No discussion.

Mail –Review

In addition to the mail listed (see attached) the Planning Board noted receipt of the following communications: Letter dated October 10, 2013 to J & F Marinella from Town Planner regarding outstanding items for Marston Heights; Letter dated October 10, 2013 to John Barges from Town Planner regarding Hillside Garden Estates and addressing longstanding issues; Letter dated October 3, 2013 to Town Planner from John Barges with construction schedule; Email dated October 28, 2013 to John Barges from Town Planner with cc to Randy Swigor, Eric Burkett, DPW Director and Planning Board Chair regarding Hillside Garden Estates and items still need to be addressed; Letter dated October 15, 2013 to Planning Board from Mansfield Bank concerning Hillside Garden Estates and Performance Secured Lenders Agreement; Draft Minutes of October 8, 2013; Draft Meeting Dates for 2014; Email dated October 28, 2013 from Town Planner to Planning Board concerning the Public Right of Way with regarding to street trees; Town of Northbridge Department of Public Works the Public Right of Way document; Email dated October 31, 2013 from Town Planner to Len Jolles & Town Manager with cc to Heritage Design Group and Planning Board regarding 2014 MDI Technical Assistance Grant (Whitin Machine Works) Draft Application; MDI draft application cover sheet; Map of Whitin Machine Works area; Whitin Machine Works Narrative; Letter dated October 31, 2013 to Town Planner from JH Engineering regarding Providence 540, LLC site plan review; Letter dated October 10, 2013 to Town Planner from JH Engineering regarding St. Camillus Health Center site plan review; Email dated October 24, 2013 to Stan and Barbara Pieciewicz with cc to Planning Board Chair from Town Planner regarding Carpenter Estates Covenant; Draft Covenant dated October 23, 2013 for C & C Realty (Carpenter Estates); Draft Letter dated November 13, 2013 to Town Clerk from Town Planner concerning Carpenter Estates Original Covenant Release; Draft Release of Covenant; Letter dated October 24, 2013 to Town Planner from JH Engineering concerning Carpenter Estates Minor Modification Peer Review; Letter dated October 1, 2013 to Town Planner from Coneco Engineers concerning Carpenter Estates Minor Modifications to Previously Approved Plans; Massachusetts Land Use Laws: A Few Ironies in the Fire document; Summary of Zoning Reform Bill; Memo dated October 9, 2013 to Town Manager and BOS from Town Planner regarding Quarterly Report (July - September 2013) for Community Planning & Development; Document dated July 31, 2013 regarding Regulation of Medical Marijuana-Related Uses: First in a Three Part Series; Draft Model Medical Marijuana Overlay District Bylaw; Letter dated October 21, 2013 to Director of DPW from Town Planner regarding Pedestrian Crosswalks (Linwood Avenue) Linwood Mill; Email dated October 31, 2013 to Town Planner from EA Fish regarding pedestrian crosswalks – Linwood Mill; Memo dated October 4, 2013 to Planning Board from Town Planner concerning Leonardo Estates (Proposed) Technical Review Meeting; Email dated October 15, 2013 to Planning Board from Town Planner regarding Leonardo Estates sewer system / pump station; Letter dated October 29, 2013 to Town Planner from JH Engineering concerning Shining Rock Golf Community Fairway Drive Construction Observation Report; Letter to Town Clerk from ICR concerning 1201 Quaker Street ANR plan; Document on automatic approval; Letter dated October 17, 2013 to BOS, Town Manager / Administrator / Executive Secretary, Planning Board, Board of Appeals, Building Commissioner from Petrini & Associates, PC concerning Quarterly Update on Land Use Law; 2013 Planning Board Meeting dates; Open Space & Recreation Plan Update Committee Agenda.

Other

Mr. Bechtholdt provided Planning Board members with a copy of the technical review meeting notes for the Leonardo Estates review, as well as copy of email communication(s) from the DPW Director and Sewer Superintendent concerning sanitary sewer; Mr. Bechtholdt expressed concerns with allowing

individual pumps, “private system” and who may likely become responsible for the long-term maintenance (the town) if approved; suggest consider a traditional sewer pump. Mr. Bechtholdt explained arrangements have been made for the applicant/engineer to provide a pre-submittal overview to the Planning Board at its next meeting scheduled for December 10, 2013. Mr. Bechtholdt noted receipt of JH Engineering Group report for Shining Rock Golf Community. Mr. Bechtholdt explained to the Planning Board that he received a phone call from Attorney Henry Lane concerning the possibility of scheduling a Special Town Meeting, noting he is preparing a zoning amendment article to change the zoning designation of the vacant China Pacific restaurant property and adjacent property from Industrial-One to Business-One; as the use (restaurant) is not a permitted use in the Industrial zone and the property (use) may have lost its pre-existing nonconforming status; As part of the Planning Board’s consideration during the public hearing the Board should determine if rezoning properties to Business is appropriate; Mr. Bechtholdt suggested the existing use of the abutting property (carwash U-haul) may become pre-existing nonconforming; extending an existing zone to include one additional property does not appear to be spot zoning, whereas extending an existing zone to include multiple properties for the sake of avoiding spot zoning appears to be bad planning.

Adjournment

Having no additional business the Planning Board adjourned its meeting of Tuesday, November 12, 2013 at or about 9:45 PM.

Respectfully submitted,

Approved by Planning Board –

R. Gary Bechtholdt II
Town Planner

Cc: Town Clerk