



## **NORTHBRIDGE PLANNING BOARD MINUTES**

Tuesday, September 28, 2010



Janet Dolber, Chair called the meeting to order at 6:30 PM. Richard Griggs, Barbara Gaudette and Kevin Curtin were in attendance. R. Gary Bechtholdt II, Town Planner was also present. Edward Palmer was absent.

The following members of the public attended: Michael Yerka (Yerka Engineering); Cindy Key (Clubhouse Lane); Robert Silva (Rocky Road); James Crosby (Rocky Road); Charles Michaud (Rocky Road); Richard Levoux (Rocky Road); Kevin Emmerling (Rocky Road); Jeff Bedigian (Rocky Road); Jayne Bedigian (Rocky Road); Walter Drew (Rocky Road); James Hassey (Rocky Road); and Henry Lane (Heritage Drive).

### **I. CITIZENS FORUM**

Cindy Key of 111 Clubhouse Lane informed the Planning Board the she has lived in the Shining Rock Golf Community going on 6-years and is concerned with the lack of progress and overall status of the subdivision development, noting that streetlights, street trees and other improvements have yet to be addressed. Ms. Key advised the Board not to release additional lots in subsequent phases until the issues within the current phases are 100% completed and addressed.

### **II. FORM A'S**

None

### **III. FAIRLAWN CHRISTIAN REFORMED CHURCH –SITE PLAN REVIEW (Cont. Review)**

Planning Board reviewed with Mike Yerka of Yerka Engineering the planned improvements to the Fairlawn Christian Reformed Church located on Goldthwaite Road. Ms. Gaudette noted that she appreciated that the church provided a long-range master plan for the subject property, however due to the phasing and projected timetable of certain improvements, as presented to the Planning Board approval may be limited to phases 2 & 3 detailed and shown on the plan.

Mr. Yerka noted and understood Boards position, explaining that he is aware of certain new stormwater regulation standards coming from the DEP (Department of Environmental Protection), suggesting if construction of the parking area and installation of the drainage faculties were not completed prior to would need to meet the new standards when enacted.

Mr. Bechtholdt explained that the Planning Board decided not to proceed with third-party engineering review (Cullinan) of the proposed drainage and parking area improvements for reasons discussed.

Ms. Dolber asked if anyone in the audience wishes to be heard during the public meeting –hearing none the Planning Board reviewed the draft conditions prepared by the Town Planner.

Mr. Bechtholdt explained that he incorporated Mr. Yerka's letter dated August 18, 2010 in the draft decision which details the phasing of the overall property as follows: Phase II –Construct a 9 ½' x 27' southerly addition that will expand the existing nursery. Construct a new foyer entrance, handicap

restrooms and enlarge the existing library on the northerly addition. This phase will also include installation of a new 6-inch water line to service the proposed fire suppression system. We anticipate this work to be completed within 2-years; Phase III –Construct a 51'x 21' easterly addition, for expansion of the upstairs classrooms and installation of an elevator. This phase also includes installation of a new electrical feed line from Goldthwaite Road, electrical upgrades and some minor drainage rehabilitation. Depending upon funding, it is anticipated this phase of the project will start within 7 to 10 years; and Phase IV – Expanding the existing parking lot, which includes a new traffic circle and revised parking layout. This phase also includes a new drainage system. Depending upon funding, it is anticipated this phase will not commence for at least 10-years. Mr. Bechtholdt noted that Phase I consists of the site approval issued by the Planning Board in Certificate of Approval dated September 23, 2009 “Parking Design Phase I” prepared by Yerka Engineering and dated August 31, 2009.

The Planning Board continued to review the draft with Mr. Yerka, after which and upon motion duly made (Gaudette) and seconded (Griggs) voted (4-0) to APPROVE WITH CONDITIONS the site development plan entitled “Site Plan Design Phase II –Fairlawn Christian Reformed Church” prepared by Yerka Engineering of 128 West Hartford Ave Uxbridge, MA dated June 01, 2010 & revised thru September 29, 2010 for the expansion of the Fairlawn Christian Reformed Church at 305 Goldthwaite Road.

As part of its consideration the Planning Board received the following: Sewer Superintendent Email communication dated August 16, 2010; Conservation Commission memorandum dated July 28, 2010; Site Plan Checklist prepared August 05, 2010; Community Planning & Development memorandum dated July 15, 2010; and Inspector of Buildings letter dated September 09, 2010. The Planning Board reviewed the following documents: Site Development Plan Fairlawn Christian Reformed Church prepared by Yerka Engineering dated June 01, 2010; Existing Conditions Plan of Land dated February 20, 2008; Phase II Drainage Report dated June 01, 2010; letter dated August 18, 2010 from Yerka Engineering regarding phasing.

#### **IV. ROCKY ROAD –RECOMMENDATION TO LAYOUT ROADWAY**

Janet Dolber read meeting notice and Mr. Bechtholdt advised the Planning Board that copy of same (including layout plan & legal descriptions) were mailed to the property owners along Rocky Road. Mr. Bechtholdt added that the Board of Selectmen at its meeting of September 13, 2010 voted their intent to layout Rocky Road and seek the Planning Board’s recommendation.

Mr. Bechtholdt reminded the Board that the performance bond for this particular subdivision was called-in a few years ago. Since then, in working with the Department of Public Works in the hiring of a third-party contractor and engineering firm certain improvements to the roadway and preparation of documents for street acceptance have been completed utilizing funds in the performance bond. Mr. Bechtholdt added that he has received correspondence from Town Counsel (memorandum dated September 24, 2010) and advised the Planning Board to recommend the layout of Rocky Road.

Mr. Bechtholdt provided a brief overview on the process of accepting Rocky Road as a public way. Ms. Dolber opened discussion with those in attendance.

Mr. Richard Levoux of 84 Rocky Road inquired about the monuments placed behind the stone wall. Mr. Charlie Michaud of 54 Rocky Road, homeowner and the original developer of the subdivision development explained that the construction of Rocky Road was done so to preserve the scenic-quality and preserve the existing stone walls. Mr. Bechtholdt added that the layout or right-of-way of a roadway typically extends beyond the pavement width of the street.

Mr. James Crosby of 218 Rocky Road expressed concerns of the drainage swale which runs along his property. Mr. Crosby noted that he experienced flooding in his basement after improvements were made to the catchbasins at the end of the cul-de-sac. Mr. Crosby added that he spoke with the contractor and someone from DPW (Arthur) and wanted to know if DPW will improve the drainage by installing a pipe. Mr. Crosby explained that he experienced flooding of his basement after the catchbasins were repaired and that he spoke with the Highway Superintendent concerning this matter. Accordingly, Mr. Crosby mentioned that he talked with Arthur Magowan about trenching and installing a pipe to address future flooding concerns. In that the Planning Board was not aware of such discussions they instructed the Town Planner to contact DPW about drainage. Mr. Bechtholdt noted that he recalls some discussion relative to the driveway at 218 Rocky Road and the need to maintain the drainage easement area, however did not recall discussions specific to installing a pipe.

Mr. Silva of 127 Rocky Road indicated that he has lived on Rocky Road for 11-years and would like to know if the town will install sidewalks and fix the stonewalls, noting that he supports the town in accepting the roadway. Ms. Gaudette explained that she does not recall if sidewalks were ever proposed and suggested matters such as picking up stones may be remedied by the homeowners.

Mr. Jeff Bedigian of 100 Rocky Road explained that the catchbasins need to be cleaned and a portion of the asphalt-berm has shifted (displaced) as a result of heavy vehicle driving over it, concerned of water undermining the roadway. Mr. Bedigian also noted that the residents currently pay for the operation of the streetlight and wanted to know when the road is accepted would be maintained by the town. The Board noted that they would solicit the input from the Director of Public Works regarding streetlights and general maintenance of the road.

Mr. Walter Drew of 169 Rocky Road questioned if any remaining funds could be used to address issues discussed. Mr. Drew inquired about what the third-party contractor was hired to do and what the balance of the bond amount.

Mr. Bechtholdt indicated that he did not know the exact amount and would pull the file. Mr. Bechtholdt suggested if Mr. Drew or anyone wants to stop by the Planning office he would make the information available, adding that the cost associated with Town Counsels review will be expensed to the bond account, after which any remaining funds, if any would be returned to the applicant.

Mr. Eric Reasoner of 154 Rocky Road supports the acceptance of the road.

Mr. James Hassey of 67 Rocky Road also supports acceptance of Rocky Road, as does Mr. Levoux of 84 Rocky Road.

Ms. Gaudette commented that it appears everyone is in favor of having Rocky Road accepted and explained to the homeowners that it may be in their best interest to attend the Town Meeting and voice their support and vote as well.

Ms. Dolber sought additional comments from the audience; hearing none Ms. Dolber looked to the Planning Board for a recommendation.

Upon motion duly made (Griggs) and seconded (Curtin) the Planning Board voted (4-0) to RECOMMEND THE LAYOUT of Rocky Road.

In making said determination the Planning Board withheld taking action relative to the street acceptance article and will do so at its next scheduled meeting of October 12, 2010 to allow opportunity for the Department of Public Works to comment of the items discussed with the property owners.

#### **V. OPEN SPACE & MASTER PLAN UPDATES -PUBLIC WORKSHOP (Community Input & Discussion)**

The Planning Board reviewed with the Town Planner and those in attendance the Community Development Strategy, as well as the general status of the Master Plan and Open Space Plan updates. After brief discussion focusing on the prioritization of initiatives, the Planning Board directed the Town Planner to focus efforts on completing the Housing Production Plan.

Ms. Gaudette added that she will look to update the Open Space Plan, noting that both the Housing Plan and Open Space will then be incorporated in the update of the Master Plan.

Henry Lane (Transportation) and Cindy Key (Housing) indicated that they have been working on the elements of the Master Plan and will provide the Town Planner with information. Ms. Gaudette added that the Community Development Strategy is very comprehensive and agreed with the action items outlined.

#### **OLD / NEW BUSINESS**

##### Minutes –Approval

The Planning Board tabled consideration of Planning Board meeting minutes.

##### Zoning Overlay Map 2010 FATM –Vote to Withdraw

Mr. Bechtholdt informed the Planning Board as a result of a scheduling error the zoning amendment article to create a comprehensive overlay map will need to be withdrawn. Upon motion duly made (Gaudette) and seconded (Curtin) the Planning Board voted (4-0) to WITHDRAW zoning amendment article (Zoning Overlay Map).

In taking such action the Planning Board public hearing scheduled for October 06, 2010 will be canceled. Planning Board noted that they may look to consider same at the next Spring Annual Town Meeting.

##### Rocky Road –Street Acceptance Article

The Planning Board tabled its recommendation on the warrant article until its meeting of October 12, 2010.

Castle Hill Estates –Status

Mr. Bechtholdt noted that the Planning office is in receipt of memo dated September 16, 2010 from the Director of Public Works detailing deficiencies within the Castle Hill Estates subdivision development. A copy of the same will be forwarded to Henry Lane (Blackstone-Chicago) and provided to the Planning Board for review. Mr. Bechtholdt suggested this matter be included on the next Planning Board agenda scheduled for October 12, 2010 (7:30PM). Mr. Lane, who was present in the audience, acknowledged Mr. Bechtholdt's suggested date/time. Mr. Bechtholdt noted the he would also contact Mr. Sasseville, Director of Public Works and invite him to attend same to review his memo on Castle Hill Estates.

Mail –Review

In addition to discussing the above the Planning Board received the following: copy of email communication from Kopelman & Paige concerning the open space/agricultural land within Presidential Farms (Ms. Gaudette and Mr. Bechtholdt noted that the accompanied Katie Klein of Kopelman & Paige and representatives from the Massachusetts Department of Agricultural Resources on a site visit of the Presidential Farm open space/Ag property in conjunction with consideration of accepting the agricultural restriction. Ms. Gaudette noted that she was on the Planning Board when the Presidential Farms subdivision was approved, however would need to review the conditions of approval concerning the open space/agricultural provisions. Mr. Bechtholdt indicated that he would pull the file and provide the Planning Board and Town Counsel with copies of the approvals (definitive subdivision & flexible development – special permit); Planning memorandum dated September 10, 2010 regarding Castle Hill and its general status; Planning letter dated September 13, 2010 to Pulte Homes regarding proposed special permit/subdivision modification to change 6 single-family lots to sixteen townhouse units; Pulte Homes letter dated September 08, 2010 regarding request to modify special permit/subdivision; Planning letter dated September 10, 2010 to Tunison Smith regarding Norwood Bank lot release request (Phase III); Tunison Smith letter dated August 23, 2010 requesting lot release of phase III lots; Planning memorandum dated August 12, 2010 regarding Camelot subdivision and revised landscaping entrance (Scenic Road permit); Planning letters to Heritage Design dated September 13, 2010 concerning status of proposed sewer extension and sewer pump and status of Conservation Commission's review/approval; letter dated September 03, 2010 from Heritage Design Group to the Conservation Commission regarding wetland review; email communication from Mark Kuras, Sewer Superintendent regarding Hemlock Estates; Inspector of Buildings letter dated September 23, 2010 to the ZBA regarding the Mass Wind LLC, building permit appeal; Planning letters dated September 8<sup>th</sup> and 23<sup>rd</sup> to Henry Lane concerning the Mass Wind LLC and Upton Street; Planning letter dated September 23, 2010 to Mike Morganelli regarding Kennedy Circle; Mike Morganelli letter dated September 22, 2010 regarding request to connect underdrain into roadway system; reprint of Reader's Digest "Zoning Comes to Town" by Stuart Chase; copy of public workshop notice for the Master Plan/Open Space Plan update; Public Workshop notice for the Northbridge Community Development Strategy; FY2010 Community Development Strategy; letter dated September 23, 2010 from Richard Sasseville, Chairman of the Green Committee regarding the Action Plan, Mr. Bechtholdt informed the Planning Board that Mr. Sasseville's letter is very misleading and inaccurate at best, in that Mr. Bechtholdt was not asked and did not provide a recommendation concerning the acceptance of the town's Green Action Plan. Mr. Bechtholdt added that he contacted Mr. Sasseville concerning this false reporting and asked that it be corrected. Mr. Bechtholdt explained that he, along with other department heads met with Richard Sasseville and the Town Manager to review the draft Action Plan prepared by the consulting firm (VHB) and that he (Mr. Bechtholdt) compiled the notes discussed and provided VHB with the changes. Mr. Bechtholdt expressed his concerns as to why another department head would knowingly

provide inaccurate information. Planning Board members expressed their concerns and suggested that the Planning Board Chair speak with Mr. Sasseville and the Town Manager regarding this matter and the DPWs continued delays in provided the Planning Board with requested information; and a copy of mail received listing attached hereto.

Adjournment

Having no additional business the Planning Board adjourned its meeting of Tuesday, September 28, 2010 at or about 8:30 PM.

Respectfully submitted,

R. Gary Bechtholdt II  
Town Planner

Cc: Town Clerk