



NORTHBRIDGE PLANNING BOARD MINUTES

Tuesday, November 09, 2010



Janet Dolber, Chair called the meeting to order at 7:00 PM. Barbara Gaudette, Edward Palmer, Richard Griggs and Kevin Curtin were in attendance. R. Gary Bechtholdt II, Town Planner was also present.

The following members of the public were also in attendance: Roy Uthoff (Clubhouse Lane), Judi Uthoff (Clubhouse Lane), Craig Holmberg (Providence Road), Jonathan Smith (Norwood Bank), Linda DeHaan (Linkside Court) Melanie Howe (Linkside Court), Rebecca Siegle (Clubhouse Lane), Susan Green (Clubhouse Lane), Pat Schmitt (Clubhouse Lane), Tom & Pat Potenza (Linkside Court), Cindy Key (Clubhouse Lane), and Mark Key (Clubhouse Lane).

I. CITIZENS FORUM

Judi Uthoff (Clubhouse Lane) inquired about the Green Communities Action Plan, specifically in regards to wind turbines; noting that she attended the Board of Selectmen meeting and was not sure what the process was to permit by-right siting for wind mills and the selection process of picking sites. Ms. Uthoff also mentioned that she attended a Zoning Board meeting with her neighbors where they were not allowed to speak.

Mr. Bechtholdt noted typically Citizens Forum is more or less an opportunity for residents to inform the Planning Board of a specific matter and not meant to be a dialogue or general discussion, however would like to briefly review the Green Communities initiative. Mr. Bechtholdt explained that the Board of Selectmen in working with a consultant and the Green Committee adopted what is called a "Green Communities Action Plan" for the town, which is now included on the town's webpage. This action plan includes five (5) criteria which a community must satisfy in order to be designated a Green Community and eligible for certain state grants. As part of this action plan the Planning Board has been the designated body to review proposed zoning amends to our local bylaws. This action would also require a formal town meeting vote. One of the criterions (As-of-Right Siting for Renewable / Alternative Energy Facilities) may be wind energy facilities, which the state has offered a model bylaw for communities to consider. At this point no formal discussions have been made with the Planning Board specific to wind energy. In working with the Green Committee, the Planning Board may look to include this on a subsequent agenda.

Cindy Key (Clubhouse Lane) indicated that she had a comment/question concerning Shining Rock Golf Community and was not sure to mention it now or wait until the discussion on the agenda. Ms. Dolber suggested discussions specific to a particular agenda item should be considered during the scheduled discussion. Having no additional Citizens Forum the Planning Board reviewed an ANR application.

II. ANR PLAN (471 -477 CHURCH STREET) –REVIEW/DECISION

Mr. Bechtholdt reviewed with the Planning Board ANR application and plan entitled "Plan of Land" for Levon Derkosrobian 477 Church Street prepared by Heritage Design Group. The purpose of the ANR plan is to create two (2) separate house lots; Lot 1 & Lot 2 as depicted on the plan and as authorized by the Zoning Board in Special Permit decision 13-SP-10. Mr. Bechtholdt suggested that the Planning Board may vote to grant an ANR endorsement however should withhold endorsement until the Special Permit is recorded and

appropriately referenced on the plan, adding with the upcoming Thanksgiving holiday the Planning Board may or may not meet on November 23, 2010.

The Planning Board upon motion duly made (Curtin) and seconded (Palmer) voted (5-0) to approve the ANR plan and withhold endorsement until issuance of Special Permit from the Zoning Board.

III. DELWYN BARNES DRIVE –STATUS/DISCUSSION **PERFORMANCE SURETY BOND REDUCTION REQUEST**

Planning Board reviewed letter dated October 20, 2010 from Normand Gamache of Guerriere & Halnon, Inc regarding the status of Delwyn Barnes Drive. As indicated in letter by Mr. Gamache Delwyn Barnes Drive was accepted as a public way in June 2005, however as a result of the developers inability to convey certain rights in the roadway and easements the formal recording of the acceptance was not completed. As such Delwyn Barnes Drive needs to be reconsidered for acceptance as a public way, which may require a taking.

The developer has asked that the Planning Board assist in the acceptance process and support street acceptance by taking, if required. Additionally, the developer requests that the Planning Board reduce the performance bond currently held with the town (deposit of money) from ±\$45,000.00 to \$5,000.00 to cover the cost of Town Counsel review,

Ms. Gaudette suggested that the Planning Board is holding a large amount and should reduce the bond to \$15,000.00. Mr. Griggs expressed concern and stated better be safe than sorry, suggesting to hold \$25,000.00. Mr. Palmer commented, since DPW has been monitoring the roadway for the past 5-years and we have heard no indications from them or homeowners then \$20,000.00 should be sufficient.

Upon motion duly made (Gaudette) and seconded (Curtin) the Planning Board voted (5-0) to reduce the performance bond held for Delwyn Barnes Estates from ±\$45,000.00 to \$20,000.00.

As part of the Planning Board's consideration the Board noted they will initiate the review of Delwyn Barnes Drive roadway acceptance documents with Town Counsel. The Planning Board acknowledge funds from the newly established performance bond shall be utilized to satisfy the cost of Town Counsel review(s) of the layout plan, legal descriptions, etc in preparation for and formal street acceptance. Mr. Bechtholdt will prepare the paperwork for the reduction and forward copies of the street acceptance documents to Town Counsel.

OLD / NEW BUSINESS

Minutes –Approval

Planning Board approved (3-0-2 [Griggs & Curtin abstained]) the meeting minutes of July 22, 2008 and approved (5-0) meeting minutes of October 12, 2010.

Trust for Public Land, Community Preservation Coalition –Reschedule Discussion

Mr. Bechtholdt indicated that he has been in contact with Darci from the Trust for Public Lands (TPL) who would like to reschedule meeting with Northbridge regarding the Community Preservation Act as they are currently assisting another community who is actively seek the CPA and their schedule/staffing does not

permit them to attend multiple meeting on a given night. Mr. Bechtholdt will coordinate with TPL and update the Board.

Shining Rock Golf Community -Performance Bond (Phase III/Shining Rock Drive)

Mr. Bechtholdt began by explaining to the public and members of the Planning Board that there are three (3) separate discussion items on the agenda for Shining Rock Golf Community and suggested that the Planning Board follow the order as indicated under Old/New Business.

Mr. Bechtholdt continued by noting that the establishment of a performance bond for phase 3 (remainder of Shining Rock Drive) is separate from considering the bond reduction in phases 1 or 2 and the lot release request within phase 3. Mr. Bechtholdt added in an effort to simplify things, the Planning Board may establish a bond value of \$X for phase 3, after which the Planning Board will review and determine whether or not a reduction is in order for phases 1 & 2 and then, if all items have been addressed within phases 1 & 2, then and only then would the Board consider releasing lots within phase 3.

Eric Dias of Tunison Smith reviewed with the Planning Board the overall status of Phase 3; the remainder of Shining Rock Drive, noting they are scheduled to top coat sometime next week and need to relocated one of the streetlights. The drainage (detention basin at end of cul-de-sac) had previously been verified and continues work as designed. We have reviewed the punchlist prepared by Malley Engineering, the Boards consulting engineer for this project. Mr. Bechtholdt mentioned a copy of the same was also forwarded to the Highway Superintendent and Director of Public Works, however no specific comment relative to Phase 3 was received.

Ms. Gaudette expressed concerns with the planting of the street trees along this section of Shining Rock Drive and her overall concerns of survival after one-winter season. Ms. Gaudette suggested that the Board not credit the street trees (as suggested by Malley Engineering in his bond/punchlist) and as such an additional \$11,000.00 to the estimate.

After some discussion and recollections from the site walk conducted on Monday, September 13, 2010 of the same (Shining Rock Drive –remaining portion) the Planning Board, upon motion duly made (Palmer) and seconded (Griggs) to establish a performance bond in the amount of \$48,200.00 for Phase 3, specific to the remaining portion of Shining Rock Drive subject to the review and approval of the Department of Public Works.

In making such determination the Planning Board did not credit the street trees recently planted along Shining Rock Drive, noting that said trees will need to be guaranteed as per the original subdivision Certificate of Approval and as otherwise required per the subdivision regulations.

Shining Rock Golf Community –Performance Bond Reduction (Phase I & II)

Eric Dias of Tunison Smith reviewed with the Planning Board the overall status of Phases 1 & 2, noting things are in pretty good shape. They have received copy of Malley Engineering reports dated September 24, 2010, as well as planning letter dated October 08, 2010.

Residents expressed concerns with some of the street trees planted and deterioration of sections of the sidewalk and driveway aprons. Others expressed frustration with the continued lack of streetlights, going

on 6-years now. Cindy Key (Clubhouse Lane) explained that pole # 7 has never worked, neither has pole #5 of Shining Rock Drive and one of Fairway Drive pole #1, there may also be another at Sandtrap Court/Fairway Drive.

Ms. Gaudette stressed this has been a concern for some time now, the methods street trees are planted and stated that the Board required the trees be planted under the direction and supervision of an arborist. Sue Green (Clubhouse Lane) questioned if anyone other than the ones plating the trees along Clubhouse Lane was present.

Mr. Dias assured the Board that the trees were planted with the utmost care to ensure survival and noted should any trees die there is a bond in place so they would be replaced if needed. John Galvani, Norwood Cooperative Bank spoke in regards to addressing the street trees and streetlights. The bank continues to address the concerns and is taking the responsibility; the bank has never looked to deflect responsibility.

The Planning Board reviewed with Mr. Dias and Mr. Galvani Planning letter dated October 08, 2010; noting that the streetlights remain outstanding as well as some street trees, the sidewalks appear to have been addressed and will look to DPW for comment. The final paving of intersection will be done in conjunction with the remainder of Fairway Drive and Sandtrap Court.

Ms. Dolber summarized that it appears the main concerns within phase 1 & 2 are focused on streetlights and street trees. Ms. Gaudette suggested the performance bond should remain requiring 100% for the value of the trees. Ms. Key (Clubhouse Lane) requested that the Planning Board not grant a reduction of the bond, we are going on 6-years with unresolved issues.

Mr. Griggs suggested the Board could reduce the bond subject to DPW and Malley reviews and include 100% of the value of the trees and streetlights until they are repaired and operational.

Mr. Bechtholdt asked if it made sense to continue this and meet again at the Planning Board meeting of December 14, 2010, that way the bank would have the opportunity to address these remaining issues relative to the streetlights and the Board can revisit the discussion on street trees. Mr. Galvani indicated that he would be agreeable to this continuance.

Upon motion duly made (Gaudette) and seconded (Curtin) the Planning Board voted (5-0) to continue the discussion regarding the performance bond reduction request for Phase 1 & 2 Shining Rock to its meeting of Tuesday, December 14, 2010.

Shining Rock Golf Community –Lot Release (Phase III/Shining Rock Drive)

As a result of the above agenda item (Phase 1 & 2 bond reduction) being unresolved the Planning Board tabled discussion relative to Phase 3 lot release to December 14, 2010.

The Camelot, Definitive Subdivision –Extend Endorsement Period

Mr. Bechtholdt reviewed with the Planning Board planning memorandum dated October 22, 2010 concerning the extension request, noting that the Board considered same (extending 6-month rule) for similar project back in 2006. Accordingly, at that time Town Counsel did not opine that such action would require a formal modification.

Mr. Palmer questioned what is taking them so long to provide the plans, stating that he would only consider extending 60-days. Mr. Bechtholdt suggested that in addition to Planning Board approval, project also requires permits from the Conservation Commission, adding in talking with the Sewer Superintendent there may still be outstanding issues relative to the proposed sewer pump station as well.

Upon motion duly made (Palmer) and seconded (Griggs) the Planning Board voted (5-0) to extend the endorsement period for the Camelot, the approved definitive subdivision through January 12, 2011.

The Camelot, Definitive Subdivision –Construction Change Request

Mr. Bechtholdt reviewed with the Planning Board memorandum dated October 13, 2010 from Heritage Design Group concerning construction change of the approved Camelot subdivision entrance off Hill Street (a Scenic Road). Accordingly, as a result of the Certificate of Permit -Scenic Roadway issued by the Planning Board (decision dated July 15, 2010), the definitive subdivision (The Camelot) shall be revised to reflect the alteration/requirements of the Scenic Road permit. The Board also reviewed Planning memorandum(s) dated August 12, 2010 & October 18, 2010 and the Certificate of Approval for the definitive subdivision.

Upon motion duly made (Palmer) and seconded (Gaudette) the Planning Board voted (5-0) to Consider and ALLOW construction change to modify Roadway A (the Hill Street entrance) by incorporating alterations pursuant to the Planning Board Scenic Roadway Permit decision dated July 15, 2010.

In making said determination the Planning Board noted prior to endorsement, the definitive plan shall be revised as per the Scenic Road permit and as otherwise detailed in planning memorandum dated August 12, 2010. Further, prior to the issuance of lot release within Phase 1 of the subdivision development the landscaping and construction of the stone walls shall be installed and approved by the Planning Board.

The Camelot, Definitive Subdivision –Covenant Review/Vote to Sign

Mr. Bechtholdt informed the Planning Board that in talking with the applicant/engineer this matter will be tabled to the next scheduled meeting of the Planning Board.

Marston Heights (Condo Lot #2) –Bond Reduction Request

Mr. Bechtholdt informed the Planning Board that in talking with the applicant/engineer this matter will be tabled until such time a reduction is formally requested and warranted.

11/23/10 meeting –Cancel/Postpone to 12/14/10

Upon motion duly made (Palmer) and seconded (Gaudette) the Planning Board voted (5-0) to CANCEL the November 23, 2010 meeting. The next scheduled meeting of the Planning Board shall be Tuesday, December 14, 2010.

Delwyn Barnes Drive –Bond Reduction Request

See above discussion (Delwyn Barnes drive –status/discussion).

43D Initiatives (Roadway Study) –Update

Mr. Bechtholdt provided the Planning Board with (draft) roadway evaluation study prepared by Central Massachusetts Regional Planning Commission (CMRPC) for the town of Northbridge and Sutton concerning

the Main Street and the properties located between Lasell Road and Lackey Dam Road as part of the town(s) 43D Expedited Permitting initiatives.

Housing Production Plan –Status/Review

Mr. Bechtholdt suggested that the Planning Board schedule a time during an upcoming Planning Board meeting to review the (draft) Housing Production Plan, noting electronic-versions have previously been forwarded to the Board. Arrangements shall be made for an upcoming meeting.

Aldrich School Town Hall Annex –Status

Mr. Bechtholdt informed the Planning Board that the Community Planning & Development, Conservation Commission, Building Department and Board of Health offices will be moved to 14 Hill Street, Aldrich School Town Hall Annex the week of November 15th.

FY12 Planning Budget –Review

Mr. Bechtholdt provided the Planning Board with proposed Planning budget for FY12 (July 2011–June 2012), noting that as directed by the Town Manager municipal budgets have been prepared showing a 2% and a 5% reduction from the FY11 budget. Mr. Bechtholdt indicated that a 5% reduction could potentially result in a reduction in staff hours.

Mail –Review

In addition to the mail received listed (see attached) the Planning Board noted receipt of the following communications: Guerriere & Halnon, Inc letter dated October 20, 2010 (Delwyn Barnes Drive); email communication from Town Planner (October 12, 2010) to DPW regarding Shining Rock Golf reporting from Malley Engineering; Malley Engineering report(s) dated October 08, 2010 and September 24, 2010 (Shining Rock Golf); Director of Public Works letter dated July 23, 2010 regarding water system within Shining Rock Golf Community; Whitinsville Water Company letter dated January 20, 2010 concerning Shining Rock water infrastructure; Planning memorandum dated October 13, 2010 regarding outstanding issues Shining Rock Golf Community; Planning letter dated October 12, 2010 to Eric Dias (Tunison Smith) regarding performance surety / lot release (Shining Rock Golf Community); Planning memorandum dated October 12, 2010 to DPW-Highway, DPW-Sewer, Whitinsville Water Company regarding Shining Rock Golf Community; Planning letter dated October 08, 2010 to Norwood Cooperative Bank regarding outstanding issues Shining Rock Golf Community; copy of Planning letter dated December 04, 2006 to Town Counsel concerning 6-month rule plan endorsement (the Camelot); Planning memorandum dated October 18, 2010 regarding Camelot landscaping/stonewall construction change; Heritage Design Group memorandum dated October 18, 2010 concerning Camelot scenic road/construction change request; Planning memorandum dated August 12, 2010 regarding revised landscape entrance/scenic road permit (the Camelot); Whitinsville Water Company letter dated November 04, 2010 regarding Camelot water infrastructure; Certificate of Permit –Scenic Roadway dated July 15, 2010 (the Camelot, Hill Street); Planning memorandum dated October 22, 2010 regarding plan endorsement period/extension request (the Camelot); Conservation Commission memorandum dated October 27, 2010 regarding the Camelot subdivision; Tunison Smith report to Conservation Commission dated October 25, 2010 (the Camelot); copy of Certificate of Approval – definitive subdivision (the Camelot) dated February 18, 2010; email communication to DPW Director regarding the Town Planners omission of the original receipt of comments from the DPW Director regarding Hemlock Estates, Mr. Bechtholdt noted that he spoke with Mr. Sasseville and apologized for not realizing that he received the requested information previously; email communication sent October 28,

2010 to George Murray on behalf of Marinella Development (Hemlock Estates) concerning the installation of fencing (safety concerns); email communication sent October 28, 2010 to Whitinsville Water Company (Randy Swigor) concerning the status of Hillside Garden Estates subdivision; email communication sent November 03, 2010 to DPW Director & Sewer Superintendent regarding status of the proposed sewer pump (the Camelot subdivision); Cullinan Engineering reports dated November 01, 2010 concerning the second review of the sewer engineering analysis and forth review of the definitive plan for the Camelot; Heritage Design Group letter(s) dated October 12, 2010 (Cullinan Engineering response letter), October 20, 2010 Sewer response letter), October 20, 2010 (DPW response letter), and October 20, 2010 (sewer engineering analysis response letter); copy of letter from Heritage Design Group dated October 19, 2010 to Conservation Commission regarding Tunison Smith review; and letter dated November 01, 2010 from Lubbo Luken of Linkside Court regarding wind farms.

Other

Mr. Bechtholdt provided the Planning Board with copy of letter to Scott Donahue of Clover Hill Road regarding DPW's punchlist of outstanding issues within the Castle Hill Estates subdivision. Additionally, Mr. Bechtholdt provided the Board with copy of email communication from Randy Swigor of the Whitinsville Water Company concerning Deane's Way (Hillside Garden Estates). Mr. Bechtholdt also provided the Planning Board with copy of email communication to the Director of Public Works and the Sewer Superintendent regarding the recent sign-off to two (2) building permits for (Lots 10 & 12) Hemlock Estates; Board members commented that there continues to be inconsistencies with DPW and the overall status of the sewer pump station, citing if DPW-Sewer is concerned with the pump station within Hemlock Estates then they should not sign-off on additional permits, it does not make much sense.

Adjournment

Having no additional business the Planning Board adjourned its meeting of Tuesday, November 09, 2010 at 9:05 PM.

Respectfully submitted,

R. Gary Bechtholdt II
Town Planner

Cc: Town Clerk