

Northbridge Planning Board

MEETING MINUTES

Tuesday, July 26, 2016

Open Space & Recreation Plan Update Meeting -Planning Board members attended the Open Space & Recreation Plan meeting with the Ad-hoc Update Committee from 6-7:00 PM.

Recognizing the presence of a quorum Chairman Brian Massey called the meeting to order at 7:05 PM with Mark Key, James Berkowitz, and Harry Berkowitz in attendance. Pamela Ferrara was absent. R. Gary Bechtholdt II, Town Planner and Cindy Key, Associate Member were also present.

The following members of the public were in attendance: Steven Edge; Linda Edge; Steven Sinatra; Deborah Sinatra; Mike Baillargeon; Kelly Baillargeon; David Blodgett; Jennifer Walker; Gary Graziano; Karen Graziano; Gary Kidd; Chris Kidd; Joe Leonardo; Raymond Sotek; Paul Klocek; Gina Gong; Maggie Zhan; Jackson Song; Michael Labbe, Heritage Design Group; Eric Bazzett, Heritage Design Group; Michael Sacca; Jean Sacca; Kevin Curtin; and Sharon Curtin

I. CITIZENS FORUM

None

II. FORM A**(153) Douglas Road -Assessor Map 4 Parcel 25**

Michael Labbe of Heritage Design Group, on behalf of the applicant (B&E Development) presented the Planning Board the ANR application for plan entitled “Plan of Land in Northbridge, Massachusetts” dated June 29, 2016, and prepared by Heritage Design Group, LLC for subject property identified as Assessor Map 4 Parcel 25 located within the Industrial–One Zoning District.

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted 4-0 to grant ANR endorsement creating Lot 1 and Lot 2 as shown and described on the plan.

III. SUNRISE ESTATES –CONT. PUBLIC MEETING

Preliminary Subdivision [§222-8] South Tessier Street & Fowler Road

Before taking testimony Chairman Massey explained that the Applicant/Engineer will provide an update and overview of the proposal based upon the discussions of the last meeting. Mr. Massey noted the Planning Board will then offer general remarks and questions; after which comment from the public will once again be solicited. Mr. Massey asked residents to wait until they are recognized, at which time to state their name and address for the record before offering comment or question. Mr. Massey reminded residents that information and topics presented at the previous meeting have been noted; any new information offered at the meeting will also be taken under advisement. Mr. Massey suggested it was not necessary to repeat previously mentioned comments or concerns.

Eric Bazzett (Heritage Design Group) on behalf of the Owner/Applicant (JBX Developers) reviewed the following: location of steep grades & cuts along proposed roadway; future projections for roadway(s) to adjacent landlocked parcels; access to existing conservation land (town-owned); planned sewer extension (pump locations); the need to perform traffic impact, sewer and water analyses; and drainage areas.

Mr. Bazzett then reviewed his letter dated July 26, 2016, in response to concerns noted during the June 21, 2016 meeting. Mr. Bazzett suggested potential drainage concerns with utilizing Tessier Lane as part of the subdivision design. Mr. Bechtholdt (and Planning Board) encouraged the Applicant/Engineer to reach out to the abutters along Tessier Lane before filing a definitive plan to realize their thoughts and concerns with improving Tessier Lane for access from South Tessier Street. Mr. Bechtholdt suggested incorporating Tessier Lane as part of the subdivision could result in the town maintaining the roadway once the subdivision is completed and roads accepted by the town, however offered incorporating Tessier Lane would result in additional traffic. The Board noted they would prefer to see Tessier Lane utilized rather than constructing another roadway directly next to and parallel to Tessier.

Mr. Berkowitz noted as part of the water line improvements (extending the water service) Fowler Road will need to be resurfaced curb-to-curb; approximately 2200-feet from Highland Street.

Mr. Bazzett explained that they had flagged the wetland resource areas and will look into the springs mentioned at the last meeting as part of any formal permitting. Mr. Bazzett also explained the development proposal will likely require two (2) sewer pump stations. Mr. Bazzett reviewed proposed drainage areas and the hydrology of the site. Mr. Bechtholdt asked Mr. Bazzett to review the drainage along Fowler Road to see if proposed drainage basins for the subdivision could be designed to handle additional stormwater from Fowler Road. Mr. Bazzett agreed to look at incorporating Fowler Road drainage as part of a definitive filing.

Mr. Massey questioned the accuracy of the wetland flagging done some ten-years ago; Mr. Bechtholdt noted as part of a formal filing they will need to apply to the Conservation Commission where new flagging of the resource areas will likely need to be completed.

Mr. Massey questioned the sightlines along Fowler Road, noting a full traffic report will need to be done as part of a definitive filing. Mr. Massey expressed concerns with the proximity of proposed drainage ponds in relation to existing homes. Mr. Bazzett indicated there are setback requirements that will need to be adhered to, noting they will make efforts to minimize impact to the surrounding area (abutters).

Mr. Massey expressed concerns with the steepness of slope and presence of ledge throughout the site.

Mr. Bechtholdt reviewed Community Planning & Development memorandum dated July 25, 2016, noting the minimum right-of-way width for subdivision roadways has increased from 40 to 50-feet; Mr. Bazzett acknowledged and revised the plan accordingly. Mr. Bechtholdt shared Mr. Massey's concerns with the steep grades and proposed cuts for the subdivision roadways, in addition to the amount of ledge throughout the site.

Mr. Bechtholdt suggested utilization of Tessier Lane may improve roadway grades and minimum disturbance of existing homeowners along South Tessier Lane. Mr. Bechtholdt asked Mr. Bazzett and the Applicant to look into improving Tessier Lane and using the layout of the existing driveway to access the property which would further reduce impacts to abutters, avoid areas of steep slopes and limit blasting.

Mr. Berkowitz supported the idea of using Tessier Lane and extending the roadway up through to the site via the existing driveway layout; improved circulation by eliminating dead-ends. Mr. Bechtholdt noted, again it may be up to the property owners along Tessier Lane if they want the roadway to more or less become a throughway. Mr. Massey encouraged the Applicant/Engineer to work with the residents. Mr. Berkowitz offered it may be a benefit to them as they would have an improved roadway which upon street acceptance would become the responsibility of the town; noting maintenance has been a long standing concern of theirs with Tessier Lane being a private way.

Mr. Bechtholdt briefly reviewed with Mr. Bazzett alternatives to setting aside open space in accordance with the Subdivision Rules & Regulations similar to arrangements made with the Carpenter Estates subdivision.

Mr. Bechtholdt noted the length of the proposed cul-de-sacs exceeds the maximum permitted under the Subdivision Rules & Regulations and will need to be reduced to comply with the town's regulations (when water service is not looped).

Mr. Bechtholdt noted as part of a definitive filing the Owner/Applicant will need to contract with the water company's consultant to perform hydraulic modeling under the direction of the Whitinsville Water Company to determine optimal water pressure connection for the development and the town. Having no additional input from the Planning Board Mr. Massey opened discussion to the public.

Steven Edge of North Tessier presented the Planning Board with a presentation board depicting the pavement widths of South Main Street, Lovelace Lane, South Tessier Street, Spring Hill Avenue, Hudson Avenue, and Elston Avenue. Mr. Edge expressed concerns with existing narrow pavement widths of South Tessier (15 to 17-feet wide) and portions of Hudson Avenue and Elston Avenue (18 to 19-feet wide). Mr. Massey thanked Mr. Edge for providing information and suggested as part of the definitive filing the Owner/Applicant will need to provide the town with a traffic study report.

Mr. Bechtholdt thanked Mr. Edge for providing this information, suggesting it was a great illustration to show the existing pavement widths within the project locus area. As part of the traffic impact study report a traffic engineer will need to review existing conditions and recommend improvements to address impacts of the site development.

Paul Klocek expressed concerns with subdivision development impacting property along South Main Street adjacent to the P&W railroad tracks. Mr. Klocek also noted concerns with impacting the hydrology within the vicinity of Spring Hill Avenue.

Steven Sinatra shared concerns of potential flooding at South Main Street and the proximity of the proposed subdivision roadway on South Tessier Street (narrow roadway). Mr. Sinatra also noted concerns with

proximity of proposed pumping station to his home on South Tessier Street, as well as results of blasting negatively impacting his property. Mr. Sinatra questioned how the hydrology will be impacted with blasting and removal of mature trees; a disaster waiting to happen. Mr. Sinatra voiced his support in utilizing Tessier Lane for access instead of constructing another road between Tessier and his property (including a wetland area).

David Blodgett of Fowler Road shared concerns of flooding and lack of drainage to handle stormwater. Mr. Blodgett also expressed concerns with traffic impacts along Fowler Road which was likely not laid out to accommodate design improvements.

Steven Sinatra expressed concerns with density and the number of house lots proposed. Mr. Massey explained that the town's zoning will determine the build-out of a piece of property. Mr. Sinatra suggested he has seen where towns limit the number of house lots, requiring larger lots. Mr. Massey briefly noted that the town (Planning Board) has looked to increase the minimum lot size for residential lots a few years ago, however the amendment was defeated at Town Meeting. Mr. Berkowitz mentioned that increasing the lot size has failed 4 or 5 times at Town Meeting. Mr. Sinatra felt it was disappointing and cautioned that Northbridge is going to have over-population if they do not change their zoning. Mr. Massey suggest Mr. Sinatra consider submitting a warrant article to increase the lot size.

Having no additional input from the residents Mr. Massey looked to fellow Board members for thoughts and comments. Mr. Bechtholdt suggested the Planning Board keep the meeting open that way the Planning Board and the Applicant/Engineer can review decision of the preliminary plan during the continued public meeting.

Upon motion duly made (H. Berkowitz) and seconded (M. Key) the Planning Board voted 4-0 to continue its preliminary review to Tuesday, August 23, 2016 at 8:15 PM to allow additional time for review and public comment.

The Planning Board will look to finalize a decision at the next scheduled meeting.

IV. HILLS AT WHITINSVILLE –CONT. PUBLIC HEARING

§222-9 M [Release of performance guaranty]

Certificate of Completion [Form O]

Mr. Massey read into the record communication received from Heritage Design Group (Mark Anderson) regarding the status of taxes owned on the open space parcels within the Hills at Whitinsville subdivision: "Pursuant to our last meeting regarding the bond release I spoke to my client, Len Jolles to discuss the Board's position. The position we hold is that the bond release and back taxes are two separate issues. The bond was originally posted to the Conservation Commission for two specific tasks. Both of those tasks were completed and approved by the Conservation Commission and Fire Department. Given these facts we hold the same request to have the bond released in its full amount."

Harry Berkowitz agreed that it is two separate issues, the problem the town is up against is the taxes are due on open space, so does the town take the property in lieu of taxes; I am sure the Developer would be happy if the town took the land as open space. Mr. Bechtholdt noted if the town does not take the land for taxes the land still remains open space. Mr. Massey and Mr. Berkowitz do not think the Board can tie the back taxes with the bond release; Mr. Berkowitz was hoping the town had some leverage but doesn't seem to be the case. The Board felt it would be up to the Treasurer's Office to pursue the taxes owed.

Upon motion duly made (H. Berkowitz) and seconded (M. Key) the Planning Board voted 4-0 to grant final bond release and issue Certificate of Completion and Release of Municipal Interest for the Hills at Whitinsville subdivision development in accordance with Section 222-9 M [Release of performance guaranty] of the Subdivision Rules & Regulations.

The Planning Board shall execute the Form O [Certificate of Completion and Release of Municipal Interest in Subdivision Performance Security]; to be recorded at the Registry of Deeds by the Owner/Applicant.

OLD / NEW BUSINESS

Approval of Meeting Minutes –April 12; May 10; June 21; & June 28, 2016

Upon motion duly made (M. Key) and seconded (J. Berkowitz) the Planning Board voted 4-0 to accept the meeting minutes of April 12, 2016 and May 10, 2016 as amended. Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted 4-0 to accept the meeting minutes of June 28, 2016 as amended.

Central Massachusetts Regional Planning Commission -Delegate & Alternate Appointment/Reappointment

Upon motion duly made and seconded the Planning Board appointed James Berkowitz and Harry Berkowitz as delegates of the Northbridge Planning Board to CMRPC for FY 2017.

Housing Production Plan Workshop –Tuesday, August 23, 2016 (7PM –Town Hall)

Planning Board announced Housing Production Plan Public Forum scheduled for Tuesday, August 23, 2016 (7:00PM –Town Hall), Karen Sunnarborg will facilitate the discussions on housing needs, strategies and local initiatives.

Blackstone River Valley National Historical Park –Local Historic District Status/Update

Mr. Bechtholdt asked if any member of the Planning Board is willing to participate in assisting the Local Historic District Study Committee (LHDSC). Mr. Bechtholdt noted that Ken Warchol is the Chairman and is not sure how far along the Committee is. Cindy Key offered to be a liaison for the Planning Board and will look to attend the next scheduled LHDSC meeting. Mr. Bechtholdt will reach out to Mr. Warchol and advise him that the Planning Board would like to see this initiative progress and has designated Cindy Key to meet with the Committee to discuss next steps.

2016 MassWorks Grant –Vote to Support (Church Street Extension Corridor Project)

Mr. Bechtholdt provided the Planning Board with a general overview of the planned improvements. Upon motion duly made and seconded the Planning Board offered its support of the town's 2016 MassWorks Infrastructure grant application.

Leonardo Estates –Vote to Establish Performance Bond Amount

Joseph Leonardo met with Planning Board to establish a performance bond for Leonardo Estates. Mr. Leonardo reviewed his letter dated July 20, 2016. Mr. Leonardo updated the Board on the status of the construction of the model home. Mr. Bechtholdt explained to the Planning Board that the entirety of the subdivision road has binder, however Mr. Leonardo is seeking to establish a bond and lot release at this time for what he is calling Phase I (Station 0+00 to Station 9+00). The Planning Board reviewed JH Engineering Group report estimating an amount of \$183,862.00. Mr. Bechtholdt briefly reviewed with the Board coordination with the consulting engineer and the various municipal departments on their reviews and oversight of construction to date, noting that he has spoken with the DPW Director and Sewer Superintendent within the last few days; both are satisfied with the subdivision development and have no issues. *Upon motion duly made (M. Key) and seconded (H. Berkowitz) the Planning Board voted 4-0 to establish a bond amount of \$183,862.00 for construction/improvements associated with Phase I (Station 0+00 to 9+00) Leonardo Estates.* Mr. Bechtholdt indicated that he would prepare the performance surety once Mr. Leonardo provides the Planning office with information of the Surety Company, etc.

Leonardo Estates –Vote to Release Lot(s) from Covenant

Joseph Leonardo met with the Planning Board for consideration of lot release (Lots 1-5 and Lots 17 & 18). Mr. Bechtholdt suggested the Board also consider releasing Parcels A & B (frontage lots along Highland Street). *Upon motion duly made (M. Key) and seconded (H. Berkowitz) the Planning Board voted (4-0) to RELEASE the following lots within the Leonardo Estates subdivision (Windstone Drive): Lot 1 –AP 17/156; Lot 2 –AP 17/157; Lot 3 –AP 17/158; Lot 4 –AP17/159; Lot 5 –AP 17/160; Lot 17 –AP 17/172; & Lot 18 –AP 17/173 and Parcel A –AP 17/16 (Highland Street) & Parcel B –AP 17/15 (Highland Street).* All remaining lots shall remain restricted to Covenant at this time. In taking such action the Planning Board indicated they will withhold issuance of the Form P [Release of Lots] until such time the Owner/Applicant satisfies conditions of approval included in the Certificate of Approval dated May 30, 2014.

Camelot –Vote to Release Lot(s) from Covenant

Mr. Bechtholdt indicated that he spoke with the Developer encouraging him to attend the evening. Mr. Bechtholdt explained that JH Engineering Group has prepared an updated punchlist and construction estimates, prior to formal release the Developer will need to provide additional funds as determined by JH Engineering. *Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) voted 4-0 to establish a new bond amount for Phase 1A & 1B, increasing the amount to be held from \$416,639.25 to \$481,079.50. Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Board voted to grant lot release for Lot(s) 32, 33, 35, 36 & 66 within the Camelot subdivision subject to the Developer satisfying the new performance bond amount and completing necessary improvements.* The Planning Board shall withhold release of the Form P [Release of Lots] until such time the remaining portion of Joseph Circle (cul-de-sac) is paved with binder course, the water & sewer infrastructure is extended and the associated drainage improvements are prepared to handle the stormwater. Such work shall be reviewed and inspected prior to the release of the Form P for recording at the Registry of Deeds.

Subdivision/Site Developments –Updates

Mr. Bechtholdt informed the Board that the Planning office contacted the various developers of the active subdivisions requesting written status report on subdivision improvements and construction. Responses for

Carpenter Estates, Presidential Farms and Leonardo Estates were received. Representatives for the Shining Rock Golf Community arranged for and attended a site visit with the Department of Public Works and the Board's consulting engineer in preparation for street acceptance at the Fall Annual Town Meeting. No responses were received by J&F Marinella Development for the Camelot subdivision and Hemlock Estates.

Planning Board Discussion Items

Mr. Bechtholdt provided the Planning Board with links to the following: MA Citizen Planner Training Collaborative –Roles & Responsibilities of Planning & Zoning Board (Part I & Part II); Commonwealth of Massachusetts –An Overview of the Subdivision Control Law /2009 and the ANR Handbook /2010. Same to be included on the town's webpage (under Planning Board Resource Documents). Mr. Key would like to see future agendas to include specific topics for discussion rather than in passing or at the end of a meeting. Mr. Bechtholdt agreed and asked Board members to provide him with a listing of potential topics for future meetings.

Mail –Review

In addition to the mail listed (attached) the Planning Board noted receipt of the following communications: Agenda for July 26, 2016 meeting; Draft Agendas for the August 23, 2016 and September 13, 2016 meetings; Form A dated July 12, 2016 for B & E Development for Douglas Road; Checklist for Approval Not Required Plan dated July 13, 2016 for (153) Douglas Road; Email dated July 14, 2016 to Heritage Design Group with a cc: to Planning Board, Town Planner and Planning Administrative Assistant from Town Planner regarding Sunrise Estates Preliminary Plan; Memo dated June 9, 2016 / June 16, 2016 to Planning Board with a cc: to Heritage Design Group, Whitinsville Water Company, Fire Department, DPW Highway, Conservation Commission, Police Department, DPW Sewer, Building Inspector, DPW Director and Board of Health from Town Planner concerning Sunrise Estates Preliminary Subdivision Plan; The Hills at Whitinsville Land Donation Plan; Email dated June 17, 2016 to Town Planner with a cc: to Board of Health, Building Inspector, Town Manager, and Town Accountant from Town Treasurer regarding the Hills at Whitinsville; Blank Form O Certificate of Completion and Release of Municipal Interest in Subdivision Performance Security; Draft Minutes of April 12, 2016; Draft Minutes of May 10, 2016; Draft Minutes of June 28, 2016; Memo dated July 5, 2016 to Chairperson, Northbridge Planning Board from CMRPC regarding the Appointment of Delegates and Alternates to the Central Mass Regional Planning Commission for FY17; Housing Production Plan Public Forum Flyer, MassWorks Infrastructure Program Flyer; Church Street Extension Corridor Project Aerial / Northbridge GIS; Memo dated July 20, 2016 to Planning Board care of Town Planner from Terreno Realty, LLC concerning Leonardo Estates Status Update; Email dated July 15, 2016 to Terreno Realty, LLC with a cc: to Andrews Engineering, Planning Administrative Assistant; Planning Board and Town Planner from Town Planner regarding Leonardo Estates; Overall Site Plan of Leonardo Estates; Email dated July 18, 2016 to J & F Marinella with a cc: to Andrews Engineering, Planning Administrative Assistant, & Planning Board Chair from Town Planner regarding Camelot Subdivision; Phasing Plan of the Camelot Subdivision; Letter dated July 7, 2016 to Town Planner with a cc: to Conservation Commission, DPW Director, J & F Marinella and Andrews Engineering from JH Engineering regarding The Camelot Construction Observation Report; Email dated July 6, 2016 to Presidential Farms, Inc. with a cc: to Planning Board Chair, DPW Highway Superintendent, DPW Director and Guerriere & Halnon, Inc. from Town Planner concerning Presidential Farms drainage basins; Email dated July 12, 2016 to Town Planner with a cc: to Presidential Farms, Inc. and Bob Wood from Brossi Realty concerning Presidential Farms Update; Email dated June 29, 2016 to Presidential Farms, Inc. with a cc:

to Planning Board Chair, Bob Wood and Planning Administrative Assistant from Town Planner concerning Presidential Farms construction vehicles; Email dated July 20, 2016 to Town Planner regarding Presidential Farms Bike & Walking –ADA Regulations; Memo dated June 27, 2016 to Planning Board from Planning/Conservation Administrative Assistant regarding 268 Roosevelt Drive, 50 foot buffer; Email dated July 5, 2016 to DPW Highway Superintendent, DPW Director, DPW Secretary, Building Inspector, Building / ZBA Administrative Assistant, Board of Health, DPW Sewer Superintendent, Planning Board and Town Planner from Conservation Administrative Assistant regarding Conservation Agent; Letter dated June 28, 2016 to Town Clerk from Office of the Attorney General concerning Northbridge Annual Town Meeting of May 3, 2016 Warrant Articles #20-24, 27-29 (Zoning); Memo dated July 12, 2016 to Town Manager and Board of Selectmen from Town Planner regarding Community Planning & Development January – July 2016 report; Email dated July 15, 2016 to Planning Board, Town Planner and Planning Administrative Assistant with a cc: to Town Manager from Town Planner regarding 2016 FATM Warrant Articles (Master Plan); 2016 Planning Board Schedule of Meeting Dates.

Other

Chairman Massey noted receipt of dust control complaints for Presidential Farms, noting the Developer has been informed of the situation and the need to address. Mr. Bechtholdt noted that the Planning office is still awaiting response from the Disability Commission regarding the walking trails within Presidential Farms. The Planning Board was very pleased to learn that the town has partnered with neighboring town of Upton for a shared conservation agent position. Board acknowledged Attorney General's approval of the zoning amends adopted at the 2016 Spring Annual Town Meeting (Articles 20-24 & 27-29). Planning Board received a copy of the Community Planning & Development quarterly report dated July 12, 2016.

Adjournment

Having no additional business the Planning Board adjourned its meeting of Tuesday, July 26, 2016 at or about 9:15 PM.

Respectfully submitted,

Approved by the Planning Board –

R. Gary Bechtholdt II
Northbridge Town Planner

Cc: Town Clerk