

NORTHBRIDGE PLANNING BOARD

MEETING MINUTES

Tuesday, December 12, 2017

Recognizing the presence of a quorum Chairman Brian Massey called the Planning Board meeting to order at 7:00 PM with Harry Berkowitz, James Berkowitz, and Abdul Kafal in attendance. R. Gary Bechtholdt II, Town Planner was also present. Mark Key and Cindy Key, Associate Member were absent.

The following members of the public were in attendance: Tracy van Schouwen; Jason van Schouwen; Brian Fitzgerald; Normand Gamache (Guerrier & Halnon, Inc.); Ronald Tubman (Guerrier & Halnon, Inc.); & Lance Anderson (Heritage Design Group, LLC)

Prior to taking up agenda items Chairman Massey acknowledged receipt of Cindy Key's resignation letter which is the result of a pending move to Kentucky. Mr. Bechtholdt explained that Mrs. Key had planned on attending tonight's meeting, however may have been delayed or stuck at work. Planning Board members expressed their appreciation for her role as Associate Member, noting Cindy spoke her mind and presented many good questions and comments during her time on the Board; Cindy Key will be missed.

I. CITIZENS FORUM

None

II. FORM A –REVIEW/DECISION**COMMERCE DRIVE (CHURCH ST EXTENSION) –REVIEW/DECISION**

Church Street (extension)/Osterman Commerce Park

Lance Anderson of Heritage Design Group, LLC presented ANR plan entitled "Plan of Land" on behalf of Owner/Applicant, VE Properties IX, LLC for subject property on Church Street Extension and Commerce Drive.

Planning Board reviewed ANR Checklist prepared by Community Planning & Development; Mr. Anderson confirmed for the Board that comments noted therein had been addressed.

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) voted (4-0) to GRANT approval of the ANR plan to convey Parcel A, as shown and described on the plan.

412 SHINING ROCK DRIVE –REVIEW/DECISION

Map 26, Parcel(s) 150 & 151

Lance Anderson of Heritage Design Group, LLC presented ANR plan entitled “Plan of Land” on behalf of Owner(s)/Applicant, John Phelan, Deborah Phelan and Shining Rock Golf Club, LLC for subject property on Shining Rock Drive.

Planning Board reviewed ANR Checklist prepared by Community Planning & Development; Mr. Anderson confirmed for the Board that comments noted therein had been addressed and that he spoke with the Building Inspector regarding frontage.

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) voted (4-0) to GRANT approval of the ANR plan to convey Parcel A and combine Parcel B, as shown and described on the plan.

III. WINSTON WOODS -CONTINUED PUBLIC HEARING

Definitive Subdivision Review -Spring Street

Chairman Massey began noting the Planning Board opened its public hearing on September 26, 2017; during which time, the Applicant/Engineer has received initial comments from municipal departments and the Planning Board’s consultant, JH Engineering Group, LLC. Mr. Massey noted the Planning Board conducted a site visit on October 21, 2017 and on November 14, 2017 the Board acted on waiver requests. Mr. Massey reminded the Applicant/Engineer that the Board is still awaiting receipt of a traffic study and written responses to comments received to date.

Normand Gamache (Guerriere & Halnon, Inc.) on behalf of the Applicant, Brian Fitzgerald indicated that the will provide written responses to the comments received, however wanted to hold-off in revising the plan, addressing comments until the Board reviews and considers an update waiver request.

Mr. Gamache reviewed with the Planning Board letter dated December 07, 2017 concerning updated/revised waiver requests. Mr. Gamache confirmed for the Board that the waiver request (dated 12/07/2017) replaces the previous waiver request letter reviewed and considered previously.

After review and discussion, the Planning Board tabled action regarding formal action on extending the maximum length of the subdivision roadway without looping the water system. The Planning Board directed the Applicant/Engineer to obtain a written determination from the Whitinsville Water Company before considering waiver request.

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz), the Planning Board voted (4-0) to grant request to waive strict compliance with Article III, Procedures for Submission and Approval of Plans, Section 222-9 D (3) -Tree plan; all trees located within 100-feet of wetland buffer area shall be identified and located on plan.

84 *Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz), the Planning Board voted (4-0) to grant*
85 *request to Article IV, Design Standards, Section 222-10 B (3) -Street projection; waiving requirement for*
86 *future access to abutting, adjoining lots.*

87 Planning Board reviewed waiver request to allow for a 40-foot right-of-way with 5-foot wide easements on
88 each side of the right-of-way in lieu of providing for a 50-foot right-of-way as required by Table I, Street
89 Design Standards.

90
91 R. Gary Bechtholdt II, Town Planner recommended the Planning Board not consider or grant waiver
92 request, reminding Board members that this request was considered previously and not supported. Mr.
93 Bechtholdt recommended the Board require the 50-foot right-of-way in accordance with the subdivision
94 rules & regulations, which were amended recently (March 2016) to accommodate the wider grass strip,
95 sidewalks, underground utilities and placement of trees at the edge of the right-of-way.

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97 Brian Massey, Chairman agreed with Mr. Bechtholdt noting the Board changed its regulations for a reason.
98 Mr. Massey asked the Applicant/Engineer why they are seeking the waiver. Mr. Gamache indicated that
99 the waiver was consistent with the prior approval, where only a 40-foot right-of-way was required.
100 Granting the waiver would not require that the plans to be completely redrawn and the lots redesigned.
101 Mr. Gamache indicated the lot development could be realized with the 50-foot right-of-way, however
102 individual lot disturbance would be more significant, which would potentially impact the existing abutters
103 even more.

104
105 James Berkowitz, Harry Berkowitz and Abdul Kafal voiced support of the reduced right-of-way, agreeing
106 with Mr. Gamache that the lot disturbance would be reduced and the impacts to abutters would be
107 minimized.

108
109 Mr. Bechtholdt felt supporting a waiver based upon the fact that not granting would require the definitive
110 plans to be redrawn (to satisfy the town's current design standards) was not good reasoning to approve a
111 waiver request. Mr. Bechtholdt added that he questioned whether or not the same number of lots could
112 be created if the right-of-way on the plan was the required 50-feet, whereby allowing the applicant to
113 create potential buildable lots that may not be buildable without the benefit of the waiver. Mr. Bechtholdt
114 again cautioned the Board, noting the right-of-way was recently increased to accommodate a larger grass
115 strip and location of street trees at the edge of right-of-way, setback from the roadway and sidewalk. Mr.
116 Bechtholdt questioned what the easement would be for.

117
118 Mr. Bechtholdt explained if the right-of-way was to be reduced from 50 to 40-feet then the constructed
119 roadway would need to be at the centerline, no room for any offset. Mr. Bechtholdt did not support the
120 waiver request; Chairman Massey agreed with the Town Planner and echoed concerns of placement of
121 utilities, location of street trees on private property and the need to be consistent with its regulations and
122 did not believe the 5-foot easement along the roadway would be beneficial.

123
124 Mr. Gamache stated the 40-foot right-of-way and 5-foot easement areas would be sufficient, however
125 agreed that the constructed roadway would need to be at the centerline with no offset.

James Berkowitz felt the 5-foot easement would be sufficient for the placement of street trees, etc. and would reduce the amount of land disturbance and tree clearing which would benefit the existing abutters. *Upon motion duly made (J. Berkowitz) and seconded (H. Berkowitz) the Planning Board voted 3-1 (Massey opposed) to grant waiver request [Table I, Street Design Standards] to allow for 40-foot right-of-way with 5-foot easements along both sides of the subdivision roadway.*

Planning Board reviewed request [Table II, Street Standards for Cul-de-sacs], to waive landscape island. *Upon motion duly made (H. Berkowitz) and seconded (A. Kafal) the Planning Board voted 4-0 to grant waiver request to eliminate landscape island, noting the dimensional requirements for the radius shall be satisfied.*

Having the need for more time to revise the plans and respond to comments received to date Mr. Gamache asked the Planning Board to continue the public hearing. Mr. Bechtholdt reminded the Planning Board and the Applicant/Engineer of the statutory decision period for definitive subdivision review.

After talking with the Owner/Applicant (Brian Fitzgerald), Mr. Gamache requested that the Planning Board extend the decision period to March 31, 2018. Mr. Bechtholdt asked that Mr. Gamache provide a letter requesting same.

Upon motion duly made (H. Berkowitz) and seconded (A. Kafal) the Planning Board voted 4-0 to grant an extension of the decision period through to March 31, 2018.

Upon separate motion duly made (H. Berkowitz) and seconded (A. Kafal) the Planning Board voted 4-0 to continue the public hearing for Winston Woods, definitive subdivision review to Tuesday, March 13, 2018 at 7:05 PM.

Mr. Bechtholdt indicated that he would notify the various municipal departments of the continuance and request that the provide additional comments, if any as it relates to the proposals and any offsite improvements. Mr. Bechtholdt asked the Applicant/Engineer to provide responses and revised plans in advance of the next scheduled hearing date.

IV. FARNUM CIRCLE -DISCUSSION

Construction Services

R. Gary Bechtholdt II, Town Planner informed the Planning Board that property owner consent and liability release forms were sent to 14 Farnum Circle and 21 Farnum Circle, noting a contract agreement with the selected contractor, Wall Construction would not be signed without receipt of property owner consent. Mr. Bechtholdt also informed the Board that Wall Const., Inc. has agreed to hold its base bid price for utility trenching and underground installation to the 2018 construction season; reference is made to letter dated December 04, 2017 from Wall Construction, Incorporated.

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted 4-0 to accept Wall Construction, Inc. request to hold the base bid price to allow for construction to commence in early spring, March/April 2018.

OLD / NEW BUSINESS

Approval of Meeting Minutes

None

MassDevelopment Technical Assistance Program

Mr. Bechtholdt informed the Board that he may submit a proposal aimed to assist the town in economic development initiatives identified in the Economic Development Strategic plan prepared by CMRCP in June 2017. Mr. Bechtholdt will update the Board during subsequent meetings.

2018 Planning Board Meeting Dates -Vote to Approve

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted to set is 2018 meeting calendar.

Municipal Vulnerability Preparedness Program -Status

Mr. Bechtholdt informed the Planning Board that Northbridge has partnered with the towns of Millbury and Grafton to prepare a Resiliency Plan to Climate Change.

CMRPC Delegates -Vote to Appoint

Upon motion duly made and seconded James Berkowitz (1st Delegate) and Brian Massey (3rd Delegate) were appointed to serve on the Central Massachusetts Regional Planning Commission. Mr. Bechtholdt will provide the Board members with the schedule for the upcoming quarterly meetings.

Economic Development Action Plan -EDC Status

Mr. Bechtholdt informed the Planning Board that the Board of Selectmen established an Economic Development Committee (EDC), an advisory group created to assess and encourage economic development opportunities within Northbridge. Mr. Bechtholdt explained that the EDC shall oversee the implementation of the Economic Development Strategic Plan and collaborate with local and regional partners to help facilitate, attract and encourage economic development. James Berkowitz indicated the he would be willing to serve on the EDC representing the Planning Board. *Upon motion duly made (H. Berkowitz) and seconded (A. Kafal) the Planning Board voted 4-0 to appoint James Berkowitz to serve on the Economic Development Committee.*

(Whitinsville) Local Historic District Study Committee –Status/Discussion

Mr. Bechtholdt informed the Planning Board that the Board of Selectmen have resolicited interest from residents to serve on the Local Historic District Study Committee. Mr. Bechtholdt mentioned that Cindy Key had attended several meetings previously. Mr. Bechtholdt will update the Board once the Committee is re-established.

209 Open Space & Recreation Plan –Update

210 Tabled, no discussion.

211

212 Local Housing Production Plan -Update

213 Tabled, no discussion.

214

215 Subdivision/Site Developments

216 Mr. Bechtholdt informed the Planning Board that the Developers have been instructed to provide updated
217 status reports, including what measures are being done to prepare for the winter months, including
218 erosion controls, etc. Mr. Bechtholdt noted Developers were reminded to keep the roadways clean of
219 debris, and if needed street sweeping shall be done. Mr. Bechtholdt noted receipt of complaint regarding
220 the status of the bypass pump at the Camelot subdivision; reference made to email communication
221 received December 05, 2017. Mr. Bechtholdt explained that he spoke with the Developer (J&F Marinella),
222 as well as the Director of Public Works and Sewer Superintendent.

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224 Planning Board Concerns –Discussion

225 None noted at this time.

226

227 Mail –Review

228 In addition to the mail listed (attached) the Planning Board noted receipt of the following communications:
229 Planning Board Agenda for December 12, 2017 meeting; Draft Agenda for the December 19, 2017 meeting;
230 Checklist for Approval Not Required Plan for Commerce Drive (Church St. Extension) dated December 4,
231 2017; Checklist for Approval Not Required Plan for 412 Shining Rock Drive dated December 4, 2017; Memo
232 dated October 17, 2017 to Planning Board and Guerriere & Halnon, Inc. from Town Planner regarding
233 Winston Woods Definitive Residential Subdivision 135-day decision period; Memo dated October 16, 2017
234 to Guerriere & Halnon, Inc. from Town Planner regarding Winston Woods Definitive Subdivision; Memo
235 dated October 17, 2017 to Board of Health, Conservation Commission, DPW Highway, DPW Sewer, Director
236 of Public Works, Fire Chief, Building Inspector, Police Chief and Whitinsville Water Company from Town
237 Planner regarding Winston Woods Definitive Subdivision Review Waiver Requests; Memo dated September
238 26, 2107 / October 4, 2017 to Planning Board and Guerriere & Halnon, Inc. from Town Planner regarding
239 Winston Woods Definitive Subdivision; Property / Land Owner Consent & Liability Release Agreement for
240 Farnum Circle; Public Hearing Notice to Amend Article XX – Large Scale Solar Photovoltaic Installations of
241 Zoning Bylaw by adding Section “Community Shared Solar Overlay District;” Memo dated November 30,
242 2017 to Board of Selectmen and Town Manager from Town Planner concerning Community Shared Solar
243 Overlay District; Draft wording for “Community Shared Solar Overlay District;” Map of Proposed
244 Community Shared Solar Overlay District; Planning Board Meeting Schedule Dates for 2018; Form dated
245 July 5, 2017 to Planning Board Delegates from CMRPC; Memo dated July 5, 2017 to Planning Board from
246 CMRPC regarding Appointment of Delegates and Alternates to CMRPC; Memo dated November 27, 2017 to
247 Board of Selectmen and Town Manager from Town Planner concerning the Economic Development
248 Committee for Economic Development Strategic Plan; Email dated December 6, 2017 to Presidential
249 Farms, Inc., J & F Marinella Development, Terreno Realty and Mujeeb Construction from Planning
250 Administrative Assistant regarding subdivision status; Email dated December 5, 2017 to Presidential Farms,

Inc. from Town Planner regarding Roosevelt Drive and Wilson Street; Email dated December 5, 2017 from Town Planner concerning Rebecca Road Sewer Pump Station; Email dated December 5, 2017 to Planning Board Chair from Town Planner concerning Rebecca Road Sewer Pump Station; Community Planning & Development Weekly Report (November 27, 2017 to December 1, 2017; Community Planning & Development Weekly Report December 4, 2017 to December 8, 2017; Memo dated October 30, 2017 / November 15, 2017 to Board of Selectmen and Town Manager from Town Planner regarding Recreational Marijuana Establishments Zoning / Land Use; Recreational Marijuana Establishments Flow Chart; KP Law “An Act to Ensure Safe Access to Marijuana” dated August 2017; KP Law “Model Recreational Marijuana Establishment Ban Warrant Articles for Municipalities Requiring a Ballot Vote” sample; KP Law “Model Recreational Marijuana Establishment Ballot Question for Imposing Limitation or Prohibition” sample; Letter dated November 17, 2017 to Jean Jones from Planning Board Chair regarding Pine Knoll, Senior Living Development Mater Deed; Letter dated October 26, 2017 to PawSteps Veterinary Center from Town Manager concerning Veterinary Hospital / Day Care / Kennel at 18 & 28 Granite Street; Traffic Counts for Douglas Rd west of Castle Hill Rd; Traffic Counts for Carpenter Road West of Shannon Drive; 2018 Board of Selectmen Regular Meeting Schedule; 2018 Holiday and Special Dates; 2017 Planning Board Schedule of Meeting Dates.

Other

Planning Board noted receipt of Community Planning & Development weekly reports for November 27th and December 4th, 2017 and traffic counts for Douglas Road and Carpenter Road provided by CMRPC.

Adjournment

Having no additional business, the Planning Board adjourned its meeting of Tuesday, December 12, 2017 at or about 8:00 PM.

Respectfully submitted,

Approved by the Planning Board –

R. Gary Bechtholdt II
Northbridge Town Planner

Cc: Town Clerk