



# NORTHBRIDGE PLANNING BOARD MINUTES



Tuesday, February 19, 2019

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19 MAY 16 PM 2:11  
NORTHBRIDGE TOWN CLERK  
DOREEN A. PEDRONE

Recognizing the presence of a quorum, Chair Brian Massey called the meeting to order at 7:00 PM. Rainer Forst, James Berkowitz, and Harry Berkowitz were in attendance. Abdul Kafal was absent. R. Gary Bechtholdt II, Town Planner and Barbara A. Kinney, Planning Administrative Assistant, were also present. One (1) Planning Board vacancy remains (Associate Member).

Planning Board meeting originally scheduled for Tuesday, February 12, 2019 however was postponed and rescheduled due to inclement weather (snow event).

The following members of the public were in attendance: Mike Labbe (Allen Engineering), Robert Cherrier, and Dr. Sean Sawyer (PawSteps Veterinary).

## I. CITIZENS FORUM

None

## II. FORM A

### PUDDON ST (NORTHBRIDGE)/WEST RIVER ST (UPTON) -REVIEW/DECISION

ANR -81P plan (Assessors Map 27 Parcel 26)

The Form A for the Puddon Street (Northbridge)/ West River Street (Upton) was tabled at the request of the Applicant/Engineer, as the application is awaiting from the Upton Planning Board.

### MAIN STREET (& WATER STREET) -REVIEW/DECISION

ANR -81P plan (Assessors Map 2 Parcel(s) 36 & 37)

Mike Labbe of Allen Engineering and Robert Cherrier, Applicant presented ANR plan entitled Plan of Land in Northbridge, Massachusetts dated January 21, 2019 for subject property identified as Main Street (& Water Street) within the Industrial-One (I-1) Zoning District.

*Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted (4-0) to GRANT approval for the ANR plan application to create Lot 1 from Parcel A (portion of AP 2-37) with Parcel B (AP 2-36) and to delineate easement(s) as shown and described on the plan.*

### 53 JOSEPH CIRCLE -REVIEW/DECISION

ANR -81P plan (Assessors Map 16 Parcel(s) 240 & 241)

Mike Labbe of Allen Engineering and Robert Cherrier, Applicant presented ANR plan entitled Plan of Land in Northbridge, Massachusetts dated January 16, 2019 for subject property identified as 53 Joseph Circle within the Residential-One (R-1) Zoning District.

Upon motion duly made (J. Berkowitz) and seconded (H. Berkowitz) the Planning Board voted (4-0) to GRANT approval for the ANR plan application to convey Parcel A from Lot 28 to be combined with Lot 27, creating Lot 27R & 28R as shown and described on the plan.

### III. WINSTON WOODS DEFINITIVE SUBDIVISION -CONT. PUBLIC HEARING

Chapter 222 -Subdivision Rules & Regulations

Assessors Map 15A Parcels 224-232 -Spring Street

Planning Board acknowledged receipt of letter dated February 19, 2019 from Guerriere & Halnon, Inc. on behalf of the Owner/Applicant requesting a continuance to April 23, 2019.

Chairman Massey reminded the Board that the decision period for this application has been extended to March 31, 2019, continuing the hearing to April 23, 2019 as requested by the Applicant/Engineer would extend beyond the decision period. Mr. Bechtholdt suggested that the Public Hearing be continued to March 12, 2019.

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted (3-0-1 [Forst abstained]) to CONTINUE the public hearing to Tuesday, March 12, 2019 (7:45 PM -Town Hall).

Mr. Forst abstained from voting, as Mr. Forst was not a member of the Planning Board at the time of the opening of the Public Hearing.

### OLD / NEW BUSINESS

#### Approval of Meeting Minutes –January 22, 2019

Upon motion duly made (H. Berkowitz) and seconded (R. Forst) the Planning Board voted 4-0 to approve the minutes of January 22, 2019 as amended.

#### 2019 Spring Annual Town Meeting -Tuesday, May 07, 2019

Point of Information. No action needed.

#### 2019 SATM Warrant Closure -Friday, March 08, 2019 (12:00 PM)

Point of Information. No action needed.

#### 2019 SATM Planning Board Warrant Articles -Vote to Sponsor Article(s)

Mr. Bechtholdt informed the Planning Board, as a result of a deficiency in the notification requirements (procedural defect), a 299 Hold was issued by the Office of the Attorney General for Article #8 (2018 FATM - Riverdale Street Rezone. Mr. Bechtholdt explained the Attorney General is proceeding under waiver provisions of MGL, where the Town shall post/publish the Attorney General's Notice (Chapter 299 of the Acts of 2000), where upon if no claim is filed, the Attorney General may waive and issue approval.

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted 4-0 to sponsor zoning amendment article to amend the Zoning Bylaw by REZONING a parcel of land identified as Assessor's Map 23, Parcel 5 located off Riverdale Street from Residential Three (R-3) to Industrial Two (I-2) for the 2019 SATM. In taking such action the Planning Board noted upon receipt of the Town Clerk's Certification that no

claims have been filed, the Board's vote to sponsor shall be automatically rescinded and withdrawn accordingly.

Marijuana Cultivation in Residential Two

Chloe Mawn (resident), main petitioner of Article 10 passed over at the 2018 Fall Annual Town Meeting is looking to file a similar article to allow for marijuana cultivation within the R2 Zoning District. The Planning Board indicated that they would not pursue sponsorship, however will hold the required public hearing if a petition article is received for the 2019 Spring Annual Town Meeting.

Providence Road, Rezone Considerations -Vote to Sponsor Zoning Amendment from R-3 to B-2

Planning Board reviewed letter sent to the four (4) property owners dated January 28, 2019 regarding Board's consideration of sponsoring zoning amendment to rezone the four (4) from Residential-3 to Business-2.

*Upon motion duly made (H. Berkowitz) and seconded (R. Forst) the Planning Board voted 4-0 to rezone parcel(s) of land identified 1734 Providence Road (AP 23-6), 1702 Providence Road (AP 23-10), 1700 Providence Road (AP 23-12), & 1682 Providence Road (AP 23-14) from Residential-Three (R3) to Business-Two (B2).*

Dr. Sean Sawyer, owner of one of the properties (PawSteps Veterinary) was present and expressed his support in favor of the zoning amendment. The Planning Board shall hold its required public hearing and offer its report/recommendation at Town Meeting.

Moon Hill Estates, Definitive Subdivision -Vote to Engage Services of Graves Engineering, Inc.

*Upon motion duly made (J. Berkowitz) and seconded (H. Berkowitz) the Planning Board voted 4-0 to engage the services of Graves Engineering for the peer review of Moon Hill Estates Definitive Subdivision.*

Mr. Bechtholdt noted that the Planning Board will withhold signing the contract until the money for the Review & Inspection services has been received from the Applicant/Engineer.

1164 Main Street, Site Plan Review -Vote to Engage the Services of JH Engineering Group, Inc.

*Upon motion duly made (J. Berkowitz) and seconded (H. Berkowitz) the Planning Board voted 4-0 to engage the services of JH Engineering for the peer review of 1164 Main Street (Cappy's Automotive).*

Presidential Farms Open Space Parcel(s) A & D -Status/Update

Planning Board discussed the overall status of the open space parcels. Chair Brian Massey noted that there are still items that need to be completed on Parcels A & D, including grass growing and confirmation that the recreation lot has water service stubbed into the lot. Mr. Massey noted that the parking area has since been prepared and appears to be adequate, however will know better once the snow is gone. Mr. Bechtholdt explained that Metacomet Land Trust is currently working with the Developer and Town Counsel in finalizing conveyance documents for Open Space parcels A & D.

Presidential Farms Phase II & V -Performance Surety/Lot Release Request

Planning Board reviewed JH Engineering Group, LLC report dated July 23, 2018.

Upon motion duly made (H. Berkowitz) and seconded (R. Forst) the Planning Board voted 4-0 to establish a performance bond in the amount of \$191,095.50 for the remaining improvements associated with Phase V of Presidential Farms as calculated by JH Engineering Group, the Board's consulting engineer.

Mr. Bechtholdt advised the Planning Board that they may vote to release lots at this time for Phase V, the remaining portion of Roosevelt Drive. In doing so, Mr. Bechtholdt informed the Board that the Planning Office would not issue the Form P (Lot Release) until such time the conveyance of open space parcels (A & D) from the Developer to Metacomet Land Trust was recorded with the Worcester Registry of Deeds. Board members expressed concerns with releasing all lots at this time, noting that the recreation lot (Open Space Parcel D) was not completed as the grass was not fully planted or growing in.

Upon motion duly made (H. Berkowitz) and seconded (R. Forst) the Planning Board voted 4-0 to issue the lot releases within Phase V of Presidential Farms consisting of Lots 50-63, SUBJECT to formal conveyance of open space parcel(s) A & D from David W. Bossi, Trustee of the Presidential Farms Land Trust II to Metacomet Land Trust, Inc. (proof of recording of). In taking such action, the Planning Board shall restrict the issuance of building permits for up to five (5) of the fourteen (14) lots associated with Phase V -Presidential Farms until such time as Parcel D (recreational lot) is loamed/seeded with grass growing and stabilized. Additionally, the Developer shall provide the Planning Board with written and visual confirmation that Parcel D has been adequately serviced by a water service stubbed from Roosevelt Drive and all required signage and benches have been installed per the development plan approval.

#### Planning Board Vacancy -Associate Member

Point of information.

#### Planning -Weekly Report(s)

The Planning Board reviewed the weekly report(s) and had no comments/concerns.

#### Planning Board Concerns

None noted at this time.

#### Mail –Review

In addition to the mail listed (see attached) the Planning Board noted receipt of the following communications: Planning Board Agenda for the February 19, 2019 meeting; Draft Planning Board Agenda for the March 12, 2019 meeting; Checklist for Approval Not Required for Puddon Street/West River Street (Upton) dated January 07, 2019; Form A Application for Endorsement of Plan Believed Not to Require Approval dated January 22, 2019 for Lackey Dam Properties for property on Main Street; Checklist for Approval Not Required for Main Street (& Water Street) dated January 25, 2019; Checklist for Approval Not Required for 53 Joseph Circle dated January 28, 2019; Plan of 53 Joseph Circle dated January 16, 2019; Letter dated February 5, 2019 to Planning Board from Guerriere & Halnon, Inc. regarding Winston Woods subdivision; Draft Minutes of January 22, 2019; Letter dated January 28, 2019 to four (4) properties along Providence Road from Town Planner regarding rezoning from Residential Three (R-3) to Business Two (B-2); Maps of the properties on Providence Road; Draft letter not dated to Town Clerk from Town Planner regarding Moon Hill Estates Definitive Subdivision Engineering Consulting Services; Community Planning & Development Weekly Report for February 04 – 08, 2019; Letter dated February 07, 2019 to Board of Selectmen from Town Planner concerning Local Historic District – Whitinsville February 11, 2019 BOS

meeting; Email dated January 28, 2019 to Building Inspector from Town Planner regarding Marijuana Cultivator, Residential Two (R-2); Town of Northbridge Zoning Bylaw Chapter 173 Table of Use Regulations for Recreational Marijuana Establishments; Letter dated January 29, 2019 to Zoning Board of Appeals from Planning Board regarding 200 Commerce Drive (Osterman Commerce Park) Variance Petition (02-V-2019) - Recreational Marijuana Buffers; Letter dated January 21, 2019 to Town Planner from JH Engineering regarding Main Street Planned Business Development Site Plan Peer Review; Letter dated February 04, 2019 to Town Planner from JH Engineering concerning Syncarpha Solar, LLC Puddon & Quaker Streets Site Plan Peer Review; Notice of Community Outreach Meeting from True Nature's Wellness, Inc.; 2019 Planning Board Schedule of Meeting Dates.

Other

None

Adjournment

Having no additional business, the Planning Board adjourned its meeting of Tuesday, February 19, 2019 at or about 7:40PM.

Respectfully submitted,

Approved by the Planning Board:

  
Barbara A. Kinney

Planning Administrative Assistant

Cc: Town Clerk  
/File

FROM	DATE	SUBJECT
Planning Office	01/29/19	February 26, 2019 Meeting Cancellation
ASE	01/18/19	1164 Main St (Cappy's Auto) Site Plan Review
Planning Board	01/29/19	Letter in Support of 200 Commerce Drive Variance
Planning Board	01/23/19	Certificate of Approval for Main St Planned Business Dev
True Nature Wellness	Rec'd 01/30/19	Community Outreach Meeting for Marijuana Establishment
ZBA	01/10/19	Variance Request for Marijuana Dispensary/Commerce Dr
Andrews Engineering	01/23/19	Moon Hill Estates Definitive Subdivision
Blackstone River Coalition	Rec'd 02/11/19	BRC Water Quality Monitoring Summit & Volunteer Appreciation Breakfast
Andrews Engineering	Rec'd 02/06/19	West End Creamery Site Plan Modification
J & F Marinella	02/13/19	The Camelot Bond Reduction Request
MA Municipal Association	February 2019	The Beacon Newsletter
Sawyer Veterinary	02/06/19	Planning Board Letter Returned Undeliverable (Rezoning)
Conservation Commission	02/06/19	Carpenter Estates Non-Compliance of OOC
Knapik Law	02/12/19	Cert of Trustee (Hill St. Nominee Trust) The Hills at Whitinsville
Metacomet Land Trust	02/11/19	Presidential Farms Open Space Donation
Conservation Commission	02/14/19	West End Creamery Comments Request
Conservation Commission	02/15/19	Moon Hill Estates Subdivision Comments Request
JH Engineering	02/18/19	The Camelot Phase 1B Engineer's Construction Estimate
JH Engineering	02/18/19	The Camelot Phase 1A Engineer's Construction Estimate
JH Engineering	02/18/19	Cappy's Automotive Site Plan Peer Review
Office of Attorney General	02/15/19	FATM 10/23/18 Articles 3 and 8 (Zoning) & 4 and 5 (General)
Office of Attorney General	02/15/19	Attorney General's Notice Form 299 Article #8 FATM
Office of Attorney General	No Date	Chapter 299 of the Acts of 2000
Guerriere & Halnon, Inc.	02/19/19	Winston Woods Subdivision Continuance Request
CMRPC	02/13/19	FY2020 Northbridge's Estimated District Expenses
Building Inspector	02/07/19	Marijuana Cultivator (R2)
Building Inspector	02/07/19	Zoning Amendment (R3 to B2) Providence Road

Grafton

- Public Hearing Notice – Application of Petrogas Group New England (applicant) and Leemilt's Petroleum, Inc. (owner) for a Modification of Special Permit decisions and Site Plan Approval for one year extensions of approvals and conditions on property located at 88 Worcester Street.
- Public Hearing Notice – Application of ME Realty Trust for a Special Permit for a recreational facility /physical fitness center at 279 Upton Street.

Upton ZBA

- Public Hearing Notice – Continued application for Riflemen Properties, LLC for a Variance for relief relative to Vehicular access to the lots exclusively through its frontage and common driveway – paved width and cul-de-sac requirements at High St and Warren St.; and Application for Alberico Cruz Neto, Precision Collision Center, for a Special Permit to operate an auto body repair shop at 75 High Street.

Uxbridge

- Decision – Granted with Conditions the Special Permit for West St. & Stanphyl Rd.
- Decision – Granted with Conditions the Special Permit for 175 West Hartford Avenue.
- Decision – Granted with Conditions the Special Permit for 300 Mendon Street.
- Decision – Granted with Conditions the Special Permit for 510 West Hartford Avenue.
- Decision – Granted with Conditions the Special Permit for 1012 Hathaway Lane

### Uxbridge ZBA

- Decision – Granted with Conditions the Variance for 140 Kasey Court.
- Public Hearing Notice – Application of Evan Thompson for a Special Permit to obtain a Class II Auto Dealer License to conduct sales of used motor vehicles at 504 Quaker Highway.

### ZBA

- Public Hearing Notice – Application of Eskar LLC for a Variance from allowing a Marijuana Distribution Business to be at least 500 feet from a child care facility and town playground at 200 Commerce Park.
- Public Hearing Notice – Application of Adam Dezago for a Variance for an existing shed and carport located within the side and front set back at 239 School Street.
- Public Hearing Notice – Application of Lackey Dam Properties, Inc. for a Special Permit in order to allow the applicant to construct a car wash/auto repair and two contractor buildings in a flood plan district at Main and Water Streets.