



NORTHBRIDGE PLANNING BOARD MINUTES

Tuesday, March 12, 2019

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Recognizing the presence of a quorum, Chair Brian Massey called the meeting to order at 7:03 PM. Rainer Forst, James Berkowitz, Abdul Kafal, and Harry Berkowitz were in attendance. No one 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).

The following members of the public were in attendance: David & Debra Hunter, 159 West River Street, Upton; Jonathan Shenian, 121 Franklin St, Douglas; Derek Bender, 354 Moon Hill Road; Travis Brown, Andrews Survey & Engineering, Inc.; Melody Nydam, Impact Roads and Construction, LLC; Kim & David Sabourin, 151 Moon Hill Road; Henning Smith, 375 Moon Hill Road; Isaiah Poxon & Marylee Siple, 397 Moon Hill Road; Tom Wickstrom, 554 Hill Street; Lori & Daniel Lannon, 452 Moon Hill Road; Gregory Gotta, 433 Moon Hill Road; Bill Taylor, Friends of Upton State Forest; Mark Anastas, 407 Moon Hill Road; David MacNeil, 5 Azalea Lane, Upton; Tom Ducharme, 260 Moon Hill Road; Thomas Pietruszka, 320 Moon Hill Road; Len Krygsman, 63 Carroll Road; Gary Vecchione, 190 North West Main Street, Douglas; & Paul "Tim" Hare, 12 Burdon Street.

I. CITIZENS FORUM

None

II. FORM A 129 & 143 FIR HILL LANE (HEMLOCK ESTATES) – REVIEW/DECISION ANR -81P plan (Assessors Map 19, Parcel(s) 383 & 382)

Attorney Thomas Wickstrom, on behalf of the Owner/Applicant explained that the purpose of the ANR plan is to shift the property line to accommodate a driveway by conveying Parcel A to Lot 28 to create Lot 28R and to convey Parcel B to Lot 29 creating Lot 29R. Attorney Wickstrom explained to the Board that he did not have the plan with him; Mr. Bechtholdt informed the Board that he has not reviewed the ANR plan at this time, however it seems the purpose of the plan is worthy of endorsement.

Upon motion duly made (Harry Berkowitz) and seconded (James Berkowitz) the Planning Board voted 5-0 to grant approval to convey Parcel A to Lot 28, creating Lot 28R and to convey Parcel B to Lot 29, creating Lot 29R as shown on the plan. In taking such action the Planning Board shall withhold endorsement until such time the ANP plan has been reviewed by the Community Planning Office.

FORM A PUDDON ST (NORTHBRIDGE)/WEST RIVER ST (UPTON) -REVIEW/DECISION ANR -81P plan (Assessors Map 27, Parcel 26)

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

Mr. David Hunter (abutter) sought clarification from the Planning Board the intent of the application. Mr. Bechtholdt explained the subject property (existing lots) is located within both the Town of Northbridge and

the Town of Upton and as such both town Planning Boards need to approve of the ANR application to shift property lines.

III. **1164 MAIN STREET (CAPPY'S AUTO) -PUBLIC HEARING**

Special Permits -Aquifer Protection District [Article XIII] &

Route 146 Overlay District [Article XVI]

Site Plan Review [§173-49.1]

Assessors Map 1 Parcel 113 -Main Street

The notification requirements have been satisfied including publication of the legal ad in the Worcester Telegram & Gazette.

Upon motion duly made and seconded, the Planning Board opened the public hearing for Aquifer Protection District [Article XIII] special permit application and the public hearing for Route 146 Overlay District [Article XVI]special permit application and the Site Plan Review application. Upon separate motion duly made and seconded the Planning Board waived the reading of the public hearing notice.

Travis Brown, Andrews Survey & Engineering, Inc. and Jonathan Shenian, Owner/Applicant, reviewed the proposed site plan and explained that they have provided 16 parking spaces for the automobiles for sale and several additional parking spaces for customers. The responses from the peer review have been provided and the plans have been revised to include the addition of a small basin, additional screening, snow storage and two (2) access points with the Northeast access as a two way and the southwest access as a one way out only. There will be lighting at the front of the property and at the building.

- Reference is made to the following documents and correspondence received by the Planning Board from the Applicant/Engineer: Application for Site Plan Review dated January 17, 2019; Special Permit Application dated January 18, 2019 (Aquifer Protection & RT 146 Overlay); Site Development Plan prepared by Andrews Survey & Engineering dated January 11, 2019 entitled “**Cappy’s Automotive 1164 Main Street**” consisting of two (2) plan sheets (C-1.1 & C-1.2); Stormwater Management Narrative prepared by Andrews Survey & Engineering, Inc., dated January 15, 2019; and Andrews Survey & Engineering, Inc. response letter dated March 01, 2019.
- Reference is made to the following documents and correspondences received by the Planning Board: Review Report Form dated January 29, 2019; Site Plan Review Checklist prepared January 29, 2019; JH Engineering Group review/report dated February 18, 2019; Conservation Commission (Agent) memorandum dated February 27, 2019; Whitinsville Water Company letter dated March 04, 2019; Board of Health memorandum dated March 06, 2019; Office of the Inspector of Buildings dated March 11, 2019; and Conservation Commission (Agent) review/report issued March 13, 2019.

Planning Board reviewed proposed circulation (existing driveway), parking setbacks, landscaping, lighting and proposed signage (to be reviewed/approved prior to issuance of building permit). Mr. Bechtholdt informed the Board that JH Engineering Group, LLC has provided its initial review/report however will need to confirm stormwater drainage, etc. before plan endorsement. Mr. Bechtholdt explained to the Board that the proposed use, was limited to a used car dealership and may not be expanded to include auto service as such use is prohibited within the Aquifer Protection District Zone 2. Mr. Bechtholdt briefed the Board on the provisions of the Route 146 Overlay District. In accordance with Section 173-100 B of Article XVI of the

Route 146 Overlay District Bylaw, the Planning Board may modify or waive any requirements of the district provisions. In granting modification or waiver, the Board may impose conditions it deems necessary to protect the public interest and to ensure that the development will be consistent with the purpose and intent of the Route 146 Overlay District Bylaw provisions.

Chairman Massey solicited input from the public; having none Mr. Massey asked if any Board member had any questions; having none Mr. Massey looked to the Board to close the public hearing(s).

Upon motion duly made (J. Berkowitz) and seconded (H. Berkowitz) the Planning Board voted 5-0 to close the Public Hearing for the special permit application(s).

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board upon a roll call vote of R. Forst (yes), H. Berkowitz (yes), A. Kafal (yes) J. Berkowitz (yes) and B. Massey (yes) voted 5-0 to approve with conditions the Special Permit for the Aquifer Protection District.

Conditions of approval shall be in accordance with the Northbridge Zoning Bylaw, Article XIII Aquifer Protection District, Section 173-73 [Use regulations], gasoline station, car wash, auto repair or auto body shop shall not be permitted within the Zone I or Zone II and hereby such activity is prohibited at 1164 Main Street. On-site sewage disposal system has been abandoned and the property has been connected to municipal sewer (Sutton).

Upon motion duly made (H. Berkowitz) and seconded (A. Kafal) the Planning Board upon a roll call vote of R. Forst (yes), H. Berkowitz (yes), A. Kafal (yes) J. Berkowitz (yes) and B. Massey (yes) voted 5-0 to approve with conditions the Special Permit for the Route 146 Overlay Protection District.

Conditions of approval shall include:

1. [No loading/unloading of vehicles shall be permitted on Main Street. Vehicle parking shall be setback a minimum of 15-feet from the road in accordance with zoning and to promote sightline visibility along its frontage.
2. Signage associated with the site development shall comply with Article VII –Signs; PRIOR TO ISSUANCE OF BUILDING PERMIT the project sign (monument-style) shall be reviewed and approved by the Planning Board.
3. Any illumination, including security lighting shall be arranged so as to reflect away from abutting properties. Lighting shall be directed in a manner to avoid glare onto adjacent properties and limit the amount of light trespass.

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted 5-0 to approve with conditions the site development plan for the redevelopment of 1164 Main Street from a single-family residence to a used car sales establishment for up to twenty (20) vehicles.

Conditions of Approval include the following:

1. Owner/Applicant shall comply with all applicable laws, bylaws, rules, regulations, and codes and obtain all the necessary permits and approvals; including but not limited to blasting, water/sewer, street excavation, and/or access to public-way (curb cut), if so required.
2. Planning Board Site Plan Approval shall be subject to recommendations identified by the NORTHBRIDGE SAFETY COMMITTEE, if any (March 05, 2019).
3. Planning Board Site Plan Approval shall be subject to conditions, if any imposed by the NORTHBRIDGE CONSERVATION COMMISSION.
4. Planning Board Site Plan Approval shall be subject to conditions, if any imposed by the NORTHBRIDGE BOARD OF SELECTMEN regarding licensing for auto sales dealership for up to twenty (20) vehicles.
5. No loading/unloading of vehicles shall be permitted on Main Street. Vehicle parking shall be setback a minimum of 15-feet from the road in accordance with zoning and to promote sightline visibility along its frontage.
6. Any illumination, including security lighting shall be arranged so as to reflect away from abutting properties. Said lighting shall be directed in a manner to avoid glare onto adjacent properties and limit the amount of light trespass onto the abutting properties.
7. Signage associated with the site development shall comply with the Northbridge Zoning Bylaws [Article VII –Signs]; PRIOR TO ISSUANCE OF BUILDING PERMIT the project sign (monument-style) shall be reviewed and approved by the Planning Board.
8. PRIOR TO ENDORSEMENT the Site Development Plan shall be revised addressing the following:
 - a) Reference to Planning Board Certificate of Approval (Site Development Plan);
 - b) Reference to Planning Board Special Permit [Aquifer Protection District];
 - c) Reference to Planning Board Special Permit [Route 146 Overlay District];
 - d) Site Plan Review Checklist prepared January 29, 2019;
 - e) JH Engineering Group review/report dated February 18, 2019; &
 - f) Conditions noted herein.
9. Owner/Applicant shall coordinate Road Opening/Curb Cut Permits with the Department of Public Works –Highway Division (508-234-3581). Site Contactor shall work with the DEPARTMENT OF PUBLIC WORKS to ensure that water/sewer services are installed properly.
10. Owner/Applicant shall coordinate installation of the water service(s) with the Whitinsville Water Company (508-234-7358). Owner/Applicant shall coordinate installation of sewer service(s) with the Department of Public Works –Town of Sutton Sewer Division (508-234-1207); materials to be used shall be sized and installed to the specifications of the Sewer Department.
11. Prior to construction the test pits be witnessed by the Planning Board or their designated agent with the results submitted to the Planning Board. If the field test pit results differ from the anticipated

results, the infiltration basin(s) shall be redesigned based upon the test pit results submitted to the Planning Board for approval. Reference is made to JH Engineering Group review/report dated February 18, 2018 (-see comment #4).

12. Erosion control measures to prevent siltation into wetlands, neighboring properties and roadways during construction shall be implemented. The Erosion Control plan and documentation submitted shall be implemented and followed during construction. During construction, if these plans are found to be inadequate by the Planning Board or its designee, a new erosion control plan shall be submitted to the Board for review and approval. In the event erosion and sedimentation problems arise during construction, the Planning Board may require that all work cease until measures necessary to ensure prevention are implemented.
13. Prior to ISSUANCE OF BUILDING PERMIT, outstanding invoices, if any for services rendered by JH Engineering Group, LLC shall be satisfied.
14. Prior to ISSUANCE OF A BUILDING PERMIT, the Applicant/Engineer shall submit the following to the Planning Board: five (5) complete prints of the endorsed Site Development Plan, two (2) fifty-percent (50%) reduced prints and one (1) electronic copy.
15. Prior to ISSUANCE OF A CERTIFICATE OF OCCUPANCY, all conditions of approval noted herein shall be satisfied. Project Engineer shall provide the Planning Board and BUILDING INSPECTOR with a letter describing status of site improvements. The Project Engineer shall provide the Planning Board written certification/verification that drainage system has been constructed as approved and working as designed. Said documentation shall be in the form of a letter signed/stamped by a Professional Engineer certifying and demonstrating that the drainage system has been constructed as approved and working as designed. Copy of same shall be provided to the Building Inspector, Department of Public Works and Conservation Commission.
16. In order to secure the completion of landscaping shown on the approved plan, the Owner/Applicant may post a PERFORMANCE BOND in an amount to be reasonably determined by the Planning Board. Such bond shall be posted with the Town Treasurer and shall be released upon certification by the Planning Board that all required landscaping improvements associated with this Certificate of Approval have been satisfied. In the event any landscaping does not survive the Owner/Applicant shall be responsible for its replacement; within 60-days of notice from the Planning Board, unless not feasible or practical due to weather conditions. Failure to comply with this requirement shall result in a violation of this Certificate of Approval.
17. A copy of this Certificate of Approval endorsed Site Development Plan and Conservation Commission Orders of Conditions, if any shall be maintained onsite during construction. The Planning Board and its designee(s) shall be permitted to access the project site for the duration of the project.
18. Changes to the site development either prior to or during construction shall be administered through the Planning Board in accordance with Section 173-49.1 H of the Zoning Bylaw. Any amendments to this CERTIFICATE OF APPROVAL shall require a written description of the proposed

modifications submitted to the Planning Board for review/approval. A significant alteration deemed by the Planning Board shall require the filing of a new site plan review.

19. Violation of any condition(s) noted herein or failure to comply with this site plan development approval shall subject the Owner/Applicant to zoning enforcement action in accordance with the remedies set forth in M.G.L. c. 40A and as otherwise provided in the Northbridge bylaws.
20. Pursuant to Section 173-49.1 I (2) of the Northbridge Zoning Bylaw this site plan approval shall lapse in one (1) year, if a substantial use thereof has not commenced, except to good cause, which shall not include such time required to pursue or await the determination of an appeal.

IV. MOON HILL ESTATES DEFINITIVE SUBDIVISION -PUBLIC HEARING

Chapter 222 -Subdivision Rules & Regulations

Assessors Map 29 Parcel(s) 18, 19 & 20 -Moon Hill Road

B. Massey, Chair provided an overview on the definitive subdivision review proceedings. Mr. Massey explained that there will likely be multiple meetings before the Planning Board renders a decision; where subsequent meeting may focus on specific aspects of the project like traffic impacts, roadway geometry, existing conditions (Moon Hill Road), sediment & erosion controls, engineering, waiver requests, and project phasing.

Mr. Massey explained to the public (abutters) in attendance that the application before the Planning Board is considered a by-right use, which means the subject property is zoned for the proposed residential subdivision; local zoning is determined by the town (not the Planning Board) as may be acted on at Town Meeting; the zoning regulates land use and establishes minimum lot size and frontage requirements for “building lots” the purpose of the Planning Board’s review is to make sure the project satisfies the Subdivision Rules & Regulations. Mr. Massey added, that the same zoning rights afforded to the existing property owners and abutters exists for the Owner/Applicant of this subdivision application, this is based upon zoning and not a determination of the Planning Board.

Mr. Massey explained that the Planning Board has engaged the services of an outside consultant (Graves Engineering, Inc.) to assist in its review; additionally, various municipal departments (DPW Director, Highway Superintendent, Board of Health and Conservation) have been provided with the same application plans and shall provide the Planning Board with their individual review and recommendations. The Planning Board shall incorporate and consider all comments and correspondence received as part of rendering its decision.

Mr. Massey explained that the Applicant/Engineer will be asked to present the subdivision plan and provide a brief overview of the proposal; including roadway locations (curbcuts), overall locus area, existing site conditions, proposed roadway elevations and layouts, as well as status of any other local permitting required, such as Conservation Commission. Mr. Massey explained, after the initial prestaton by the Applicant/Engineer, the Planning Board will offer initial input and comment, after which the Board will acknowledge reports and correspondence received to date and review with the Applicant/Engineer.

Mr. Massey explained the Board will then solicit public comment and invite the public (abutters) to comment on the application; speakers shall wait to be recognized by the Chair and state their name for the record;

comments shall be directed to the Planning Board; those having similar concerns need not repeat however simply indicate they share similar concerns with x, y, z.

Mr. Massey explained as part of the Planning Board review/decision, certain provisions and arrangements (conditions of approval) may be required to mitigate identified concerns and to address opportunities to improve and minimize impacts to the surrounding locus area.

Mr. Massey explained the Board may establish a schedule for upcoming hearing dates and identify which topics may be discussed at subsequent meetings (traffic/existing conditions along Moon Hill Road, engineering/roadway layouts and drainage, waivers, etc.).

Mr. Massey reminded the public (abutters) there will be subsequent meetings and opportunities to provide and offer additional comments and informed the public that mailing notifications will not be provided for continued public hearing dates; all Planning Board meeting agendas are posted online and filed with the Town Clerk. Mr. Massey cautioned the public that there may be instances where the Board continues its hearing to a specific date/time where the Applicant/Engineer may request a continuance prior to the scheduled meeting; it is recommended the public (abutters) contact the Planning Office before the meetings to confirm whether the application will be heard. Mr. Massey indicated the Board tries to minimize any inconveniences with continued hearings but sometimes it is inevitable.

Mr. Bechtholdt advised the Planning Board that it was his understanding the notification requirements have been satisfied including publication of the legal ad in the Worcester Telegram & Gazette.

Upon motion duly made (H. Berkowitz) and seconded (A. Kafal) the Planning Board voted 5-0 to waive the reading of the Public Hearing Notice.

In accordance with the provisions of Mass General Laws & the Town of Northbridge Zoning Bylaw Chapter 173, the Northbridge Planning Board shall hold a public hearing **Tuesday, March 12, 2019 at 7:25 PM** in the Selectmen's Chambers of the Northbridge Memorial Town Hall, 7 Main Street Whitinsville, MA, to consider the application of Impact Real Estate & Development, LLC (Whitinsville, MA) for approval of Definitive Subdivision plan entitled "**Moon Hill Estates**" prepared by Andrews Survey & Engineering, Inc. of Uxbridge, MA dated December 28, 2018. The subject property, Assessors Map 29 Parcel(s) 18, 19 & 20 consisting of ±110 acres within the Residential One (R-1) Zoning District of Northbridge. Application is for forty-two (42) single-family house lots. A copy of the plan, application, stormwater report, and other submittal documentation is on file with the Town Clerk (7 Main Street, Northbridge Memorial Town Hall) and Community Planning & Development Office (14 Hill Street, Aldrich School -Town Hall Annex) and may be reviewed during regular office hours. The purpose of the hearing notice is to provide an opportunity for public comment. Anyone wishing to be heard should attend said public hearing at the time and place designated.

Travis Brown, Andrews Survey & Engineering, Inc. and Melody Nydam, Impact Real Estate & Development (Owner/Applicant), presented the general overview of the subdivision. It was pointed out that the lots were mis-numbered and there are only 41 lots in the subdivision on ±110 acres. The lots will be serviced by private wells and private septic systems. The property abuts Upton State Forest to the north, town land to the south, two (2) private parties to the west and Moon Hill Road to the east. Some waivers have been

requested and there will be two (2) access points (both on Moon Hill Road). The project will have seven (7) drainage basins that will eventually discharge to wetland(s).

Mr. Brown indicated that the Safety Committee will be meeting next month to review this project. Gary Bechtholdt noted receipt of letter dated January 3, 2019 from Andrews Engineering regarding the waiver requests. This is a larger project, so it triggers an Environmental and Compliance Impact Statement and a Traffic Impact Report. H. Berkowitz commented on the Notice of Intent and wanted clarification on the wetland crossing and the lots that contain wetlands. It was explained that the wetland crossing will be addressed in the Notice of Intent and the lots that contain wetlands will be addressed under separate submittals filed for each lot when they will be built upon.

Planning Board acknowledged receipt of the following: Community Planning & Development memorandum(s) dated February 01, 2019 & March 07, 2019; Checklist of Submission of a Definitive Plan (February 02, 2019); Andrews Survey & Engineering, Inc. letter dated January 03, 2019 (waiver requests); Conservation Commission (Agent) memo dated March 06, 2019; Conservation Commission (Agent) review issued February 19, 2019; Board of Health memorandum dated March 06, 2019; Inspector of Buildings letter dated March 12, 2019; and letter dated February 18, 2019 from Gregory Gotta (abutter).

Chairman Massey sought input and comment from the public in attendance.

Derek Bender, 354 Moon Hill Road, and Christian Carmody (not present), 319 Moon Hill Road, have several concerns including the phasing of the project, the marketing plan for the project, the lots drainage, a performance bond to fix Moon Hill Road, the design of the houses (cookie cutter or build to suit), any blasting as there is lots of ledge, streetlights, sidewalks, will there be a Home Owners Association, and drainage or improvements to Moon Hill Road. Mr. Bender will provide the Planning Board with a copy of these concerns.

Bill Taylor, Friends of Upton State Forest, would like to see the plans include access to the Upton State Forest to the north and the Town land to the south. The town land provides access to other open space and this a unique opportunity to provide access to connect many open space parcels.

Isaiah Fox, Moon Hill Road, is concerned with blasting and dwelling foundations and well as water quality. G. Bechtholdt explained that blasting permits are issued through the Fire Department per state regulations. A pre-blasting survey is required to be completed for each dwelling within so many feet; questions regarding blasting were directed to the Fire Department.

Tom Ducharme, 260 Moon Hill Road, is concerned that his property abuts the drainage basin and his well is only 50 feet away. T. Ducharme was directed to bring up his concerns with the Board of Health office who handle private wells, as their may be minimum setbacks (state/local).

David Sabourin, 151 Moon Hill Road, stated that they just bought their house six (6) months ago and the condition of Moon Hill Road is atrocious. He is requesting that improvements be made to Moon Hill Road. He is also concerned with the slopes of the new roads. The Planning Board explained that the slopes that allowed are up to 7% with an additional 2% (total 9%) allowed for 300 feet. A waiver has been requested on the slope(s).

Greg Gotta, 433 Moon Hill Road, stated he sent in a letter and the problems with Moon Hill Road is just more than the surface condition of the road. The width is also a concern as the traffic on the road has increased. He also stated that most residents on Moon Hill Road have experienced well issues over the years. He is on his third well. He is very concerned with what impact the 41 more wells will have. Per G. Gotta, Upton now has wells close to the town line as well. The Planning Board should consider requiring the developer to run town water line to the lots in his opinion. There is also a car dump buried on the other side of Moon Hill Road. He stated that it has been cleared out and then accumulates more cars again and this has been done several times over the years. H. Berkowitz suggests checking with the Building Inspector and the Board of Selectmen regarding licensing of this car dump. G. Gotta states that there is lots of water flowing through the area now. The logging operation in the past left the site in a state of disarray with construction equipment still there. The equipment moves from the side of the proposed residential lots to the other side of the street and back again which is also impacting Moon Hill Road, per G. Gotta.

Denise Natale, 196 West River Street, Upton, commented that she walks along Moon Hill Road daily and has to jump into the ditch to avoid cars, etc. She is concerned that the equipment has sat on the site for two (2) years and is still there. She is also concerned with the well impacts. She has two (2) wells with one at 850 feet and the other at 500 feet deep and both have been fracked. She stated she conserves water in the summer months.

David MacNeil, 5 Azalea Lane, Upton, mentioned that three quarters of his property is protected by a rare species of turtle and is not sure if this extends over to the proposed project.

A resident wanted to know if once the subdivision is approved could it be sold to someone else. The Planning Board explained to him that it is possible.

Chairman Massey solicited additional comment from the public; having none Mr. Massey then sought comment from the Planning Board. Mr. Forst stated he confirms what the residents are saying about roadway conditions as he visits the area often. H. Berkowitz stated that he is looking at the plan and is concerned with the steep cuts in certain areas. The Planning Board may also look to conduct a site visit.

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted 5-0 to continue the Public Hearing to April 09, 2019 at 7:15PM to allow additional time for review and public comment.

The Planning Board suggested they would like to discuss existing conditions along Moon Hill Road and get input from the Director of Public Works during the next scheduled public hearing date.

V. WINSTON WOODS DEFINITIVE SUBDIVISION -CONT. PUBLIC HEARING

Chapter 222 -Subdivision Rules & Regulations

Assessors Map 15A Parcel(s) 224-232 -Spring Street

Chair Massey noted that the Planning Board decision period has been extended through to March 31, 2019 for the Winston Woods definitive subdivision application. Mr. Massey expressed concerns with the lack of responses and plan revisions to address comments and concerns received to date.

Ronald Tubman, Guerriere & Halnon, Inc., acknowledged and explained to the Board that his client, Brian Fitzgerald has been dealing with some health issues and is not sure if he will pursue approval or withdraw the application. Mr. Tubman indicated that Mr. Fitzgerald would like to reach out to the Town Planner over the next few weeks to discuss the overall status of the project.

R. Gary Bechtholdt II, Town Planner, suggested the Board consider extending the decision period (once again) and continue the public hearing to provide the Applicant opportunity to meet with him. Mr. Bechtholdt reminded the Planning Board that the project also requires review/approval from the Conservation Commission. Mr. Bechtholdt suggested the Board extend the decision period through September 30, 2019 and consider continuing the public hearing to June 2019 to allow opportunity to address longstanding engineering and other concerns.

Mr. Bechtholdt asked Mr. Tubman to provide the Planning Board with a letter consenting to an extension of the decision period.

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted 4-0-1 [R. Forst abstained] to extend the decision period to September 30, 2019 provided the Applicant agrees to and consents to the same.

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted 4-0-1 [R. Forst abstained] to continue the Public Hearing to June 11, 2019 at 7:05PM.

As a result of not being a Planning Board member at the time the Planning Board opened the Public Hearing for the Winston Woods subdivision application Rainer Forst abstained from voting.

VI. WEST END CREAMERY -PUBLIC MEETING

Site Plan Modification Review [§173-49.1]

Assessors Map 8 Parcel 9 -481 Purgatory Road

Mr. Bechtholdt advised the Planning Board that it was his understanding the notification requirements for this application have been satisfied.

Upon motion duly made and seconded the Planning Board waived the reading of the Public Meeting Notice.

In accordance with the provisions of MGL and Section 173-49.1 Site Plan Review by Planning Board of the Northbridge Zoning Bylaw, the Northbridge Planning Board shall hold a public hearing on **Tuesday, March 12, 2019 (7:55 PM)** in the Selectmen's Room, Northbridge Memorial Town Hall, 7 Main Street, Whitinsville, MA 01588 to consider the Site Plan Review of West End Creamery for the construction of an overflow parking area within the existing grass field. The subject property located at 481 Purgatory Road and is identified as Map 8, Parcel(s) 8 & 9. The Site Plan Application dated January 30, 2019 and accompanying documentation is on file with the Office of the Town Clerk (7 Main Street –Town Hall) and Community Planning & Development Office (14 Hill Street –Town Hall Annex) and may be reviewed during normal office hours. The purpose of this hearing is to provide an opportunity for public comment; any person interested or wishing to be heard should appear at the time and place designated.

Travis Brown, Andrews Survey & Engineering, Inc. and Greg VandenAkker, Owner/Applicant, presented the site plan modification to add more formalized parking to West End Creamery. There will be an 18-foot wide recycled asphalt pavement for the aisle. There are proposed 18-20 grassed parking spaces. The main parking will remain the same and this is only for overflow when needed. Andrews Engineering has responded to JH Engineering's concerns. JH Engineering needs to review the site plan modification for revised drainage. The area is sloped and the owner hays that area. Asphalt parking spaces is not feasible with the drainage, etc.

Planning Board acknowledged receipt of the following: Site Plan Review Checklist (February 28, 2019); Board of Health memorandum dated March 06, 2019; JH Engineering Group, LLC review/report dated March 07, 2019; Fire Chief letter dated March 11, 201; and Inspector of Buildings letter dated March 11, 2019.

Mr. Bechtholdt advised the Planning Board that the Fire Department (Chief White) is concerned with cars parking on the grass sparking fires and is looking for the owner to find an alternative. H. Berkowitz suggests he has seen a lot of places use grassed parking spaces. Mr. Bechtholdt stated that the Planning Board should consider the Fire Chief's concerns, suggesting if the Board was to approve layout they condition approval require Owner/Applicant review surface area with the Fire Chief prior to utilizing the overflow parking area. B. Massey said the Planning Board should honor the Fire Chief's recommendations. G. VandenAkker stated that this is a regularly mowed area and asphalt, or gravel would look worse. J. Berkowitz suggested to approve the layout and discuss with the Fire Chief the parking surface subject to JH Engineering's comments prior to endorsement. T. Brown passed out photos showing what other sites have done parking on grass. Mr. Massey indicated that he would prefer taking in further input from the Fire Chief before rendering a decision, suggesting the Fire Chief be invited to the next meeting to review concerns.

Upon motion duly made (J. Berkowitz) and seconded (A. Kafal) the Planning Board voted 5-0 to continue the Public Meeting to March 26, 2019 at 7:15PM and to invite the Fire Chief to attend the meeting.

VII. MAIN STREET/ARCADE POND -PUBLIC MEETING

Site Plan Review [§173-49.1]

Assessors Map 6 Parcel 30 -Main Street

Mr. Bechtholdt advised the Planning Board that it was his understanding the notification requirements for this application have been satisfied.

Upon motion duly made and seconded the Planning Board waived the reading of the Public Meeting Notice.

In accordance with the provisions of Mass General Laws & the Town of Northbridge Zoning Bylaw Chapter 173, the Northbridge Planning Board shall hold a public meeting **Tuesday, March 12, 2019 at 8:05 PM** in the Selectmen's Chambers of the Northbridge Memorial Town Hall, 7 Main Street Whitinsville, MA, to consider site plan application of Gary Vecchione (Douglas, MA) for an outdoor garden market place to be located at the corner of Main Street & Arcade Street. The subject property identified as Assessors Map 6 Parcel 30 is located within the Business-Two (B2) Zoning District of the Town of Northbridge. A copy of the site plan application and site development plan entitled "Lovey's Garden Center" prepared by Guerriere & Halnon, Inc. February 22, 2019 is on file with the Town Clerk (7 Main Street –Town Hall) and Community Planning & Development Office (14 Hill Street –Town Hall Annex) and may be reviewed during regular office hours. The

purpose of the meeting notice is to provide an opportunity for public comment. Anyone wishing to be heard should attend said meeting at the time and place designated.

Ronald Tubman, Guerriere & Halnon, Inc., Gary Vecchione, Applicant, and Tim Hare, Owner, were present.

Mr. Tubman reviewed with the Planning Board general site layout, circulation, parking and location of proposed outdoor sales, including office shed and display areas. Mr. Tubman informed the Board that the site proposal requires review and approval from the Conservation Commission, as well as the Zoning Board Floodplain district. Mr. Tubman explained that a technical review meeting was held earlier in the month and the Safety Committee reviewed project, noting they continued its review. The Zoning Board of Appeals Public Hearing will be on April 19, 2019 and the Conservation Commission Public Hearing will be on March 20, 2019.

Planning Board acknowledged receipt of the following: Site Plan Review Checklist; Board of Health memorandum dated March 06, 2019; JH Engineering Group, LLC review/report dated March 07, 2019; Conservation Commission (Agent) memo dated March 05, 2019; Inspector of Buildings letter dated March 11, 2019; copy of Plumbing Inspector memorandum dated March 05, 2019; Whitinsville Water Company letter dated March 04, 2019; and Community Planning & Development memorandum dated March 12, 2019.

T. Hare explained that he bought the property about six (6) years ago with no plans for the site. He has since been approached by G. Vecchione with this proposal. The area is gravel (+/-85%) and along the back (edge of the pond) are sparse trees, per R. Tubman. The wetlands have been flagged and basically follow the bank of the pond. The Flood plain elevation is at 311.2 feet so 75 to 80 % of the site is under that elevation and in the flood plain.

Mr. Vecchione reviewed with the Planning Board his letter dated March 05, 2019 regarding proposal which he hopes to also include a food truck with picnic tables, a boathouse for canoe and kayak rentals and ice skating in winter months. Board members expressed concerns with the amount of activity proposed, noting the plan/application originally filed was for outdoor sales of flowers and garden market. Harry Berkowitz felt the project was a good use of the site; others agreed. Mr. Massey cautioned the Board about utilization of the pond, as this was not something the Planning Board had any authority to permit. Mr. Vecchione noted that he is working with the Town Manager on getting approvals.

Planning Board reviewed site layout, proposed access (curbcuts on Main Street and Arcade Street). Mr. Tubman and Mr. Vecchione discussed the request to reduce the landscape area along Main Street; Mr. Massey and other Board members were not in favor of reducing from the minimum required 15-foot width, which would need to be grassed, not planted with just seed. Harry Berkowitz questioned ADA parking spaces.

Planning Board reviewed Planning memo issued today for the site plan revised earlier in the day. The Planning Board does not want cars parked against the road. B. Massey stated he is not inclined to waive the fifteen (15) feet. The Planning Board will need to see a landscape design with grass and/or plantings. They are not amenable to mulch as it does not maintain well. There will be plantings along the roadway and the

site is in the floodplain so other reviews have been triggered. Compensatory storage will need to be done if needed.

Mr. Vecchione reviewed with the Planning Board proposed lighting, existing light boxes on utility poles along Main Street. These will need to be checked to see if they work and if it is adequate lighting. Mr. Vecchione stated that he will rent the lighting/poles from National Grid.

Mr. Vecchione noted the selling of bushes and flowers will be towards the back of the lot. He will also be buying the firewood green in April/May and selling it in December in \$20, \$40 and \$60 bundles. Also, included in his request for sale are bagged soils, fresh homemade baked goods, local/native fruits and vegetables and straw bales. Since building permits are needed, G. Vecchione may also use tents to have garden talks for children, tea parties for children, etc.

Mr. Massey again noted utilization of the pond is not up to the Planning Board and noted the east side of the pond does not freeze enough which raises safety concerns. G. Vecchione indicated he will have the skating on the Arcade Street side and have safety measures in place such as cones and signs "Do Not Cross" to prevent skaters from going to the unsafe part of the pond.

Mr. Vecchione wants a decision tonight, so he can move forward with the final plans, etc. Mr. Massey noted the Applicant has not provided any report on the drainage, so JH Engineering has only done a cursory review. This information is needed to complete the review. B. Massey stated that specific details are needed as there is a lot going on and they need to manage this submittal which will not be easy. B. Massey stated that G. Vecchione needs to spell out clearly what he wants to do (narrative okay) in writing to the Planning Board. B. Massey would like to see what the Safety Committee, Conservation Commission, etc. thinks about the project. B. Massey is not inclined to decide on this project until more information from other departments is received.

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted 5-0 to continue the Public Hearing to March 26, 2019 at 7:30PM.

OLD / NEW BUSINESS

Approval of Meeting Minutes –February 19, 2019 & February 26, 2019

February 26, 2019 – Upon motion duly made (H. Berkowitz) and seconded (R. Forst) the Planning Board voted 5-0 to approve the minutes of February 26, 2019 as written.

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

Point of Information.

CMRPC LPA Hours -MVP Annual Progress Report

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted 5-0 to use the CMRPC LPA Hours to have CMRPC help prepare the MVP Annual Progress Report.

Open Space & Recreation Plan Update –Status

No discussion.

The Camelot -Bond Reduction Request

The fire hydrants have been raised. However, B. Massey thinks they still look low. There is one (1) hydrant that may still need to be moved. Bond reduction request has been tabled to the next meeting, as the Board wants DPW to review JH Engineering's report and conduct a site inspection on its own.

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

Mail –Review

In addition to the mail listed (see attached) the Planning Board noted receipt of the following communications: Planning Board Agenda for the March 12, 2019 meeting; Draft Agendas for the March 26, 2019, April 09, 2019, April 23, 2019, May 14, 2019, and May 28, 2019 Agendas; Public Hearing Notice for 1164 Main Street; Application for Site Plan Review dated January 17, 2019 for Cappy's Automotive, 1164 Main Street; Special Permit Application dated January 18, 2019 for Cappy's Automotive; ZBA Decision 11-SP-2018 Granting Special Permit for 1164 Main Street; Letter dated January 15, 2019 to Town Planner from Andrews Survey & Engineering regarding Cappy's Automotive, 1164 Main Street; Plan of Cappy's Auto 1164 Main Street; Checklist for Site Plans dated January 29, 2019 for Cappy's Automotive (1164 Main Street); Plan Review Report Form dated January 29, 2109 to Town Manager/BOS, Board of Health, Conservation Commission, Building Inspector, Fire Department, DPW Director (Safety Committee), Police Department, DPW Highway, DPW Sewer, Whitinsville Water Company and PB Consulting Engineer from Planning Administrative Assistant regarding 1164 Main Street, Cappy's Automotive; Letter dated February 18, 2019 to Town Planner from JH Engineering concerning Cappy's Automotive Site Plan Peer Review; Memo dated February 27, 2019 to Town Planner from Conservation Agent concerning Cappy's Automotive; Letter dated March 04, 2019 to Town Planner from Whitinsville Water Company concerning Plan Review Cappy's Automotive; Memo dated March 06, 2019 to Town Planner from Board of Health Administrator concerning Cappy's Automotive Site Plan and Special Permit Application(s); Public Hearing Notice for Moon Hill Estates; Form C Application for Approval of Definitive Plan dated January 02, 2019 for Moon Hill Estates; Memo dated March 07, 2019 to Planning Board from Town Planner regarding Moon Hill Estates Definitive Residential Subdivision; Aerial map and Assessor's Map of subject property for Moon Hill Estates; Letter dated January 03, 2019 to Planning Board from Andrews Engineering regarding Moon Hill Estates Request for Waivers; Checklist for Submission of a Definitive Plan dated February 01, 2019 for Moon Hill Estates; Memo dated February 01, 2019 to Planning Board from Town Planner regarding Moon Hill Estates; Index Plan and Layout plan of Moon Hill Estates dated December 28, 2018; Memo dated March 06, 2019 to Town Planner from Conservation Agent regarding Moon Hill Estates; Protected Land Abutting the Proposed Moon Hill Estates Subdivision in Northbridge; Conservation Commission Preliminary Staff Application Review dated February 19, 2019 for Moon Hill Estates; Memo dated March 06, 2019 to Town Planner from Board of Health regarding Moon Hill Estates; Letter dated February 18, 2019 to Conservation Commission and Planning Board from Gregory Gotta regarding Moon Hill Estates; Public Hearing Notice for West End Creamery Site Plan Review; Application for Site Plan Review dated January 30, 2019 for West End Creamery, Inc.; Letter

dated February 05, 2019 to Planning Board from Andrews Engineering for West End Creamery Site Plan Modification; Plan of Proposed Overflow Parking at West End Creamery; Checklist for Site Plans dated February 28, 2019 for West End Creamery; Memo dated March 06, 2019 to Town Planner from Board of Health concerning Site Plan Modification West End Creamery; Letter dated March 07, 2019 to Town Planner from JH Engineering concerning West End Creamery Site Plan Peer Review; Letter dated February 21, 2019 to Town Clerk from Town Planner concerning Winston Woods Continued Public Hearing Decision Period; Email dated March 06, 2019 to Guerriere & Halnon from Town Planner concerning Winston Woods Definitive Subdivision application; Public Hearing Notice for Main Street and Arcade Street outdoor garden space; Site Plan Review Application dated February 19, 2019 for Proposed Site Plan Lovey's Garden Marketplace; Letter dated March 05, 2019 to Board of Selectmen, Planning Board, Safety Committee, Conservation Commission and Building Department from Gary Vecchione regarding Lovey's Garden Marketplace; Proposed Site Plan for Lovey's Garden Center dated February 22, 2019; Checklist for Site Plans dated February 28, 2019 from Lovey's Garden Center; Letter dated March 04, 2019 to Town Planner from Whitinsville Water Company regarding Lovey's Garden Center; Memo dated March 05, 2019 to Town Planner from Conservation Agent regarding Lovey's Garden Center; Memo dated March 05, 2019 to Building Inspector and Board of Health from Plumbing Inspector concerning Lovey's Garden Center; Memo dated March 06, 2019 to Town Planner from Board of Health concerning Lovey's Garden Center; Draft Minutes of February 26, 2019; Letter dated February 20, 2019 to Town Clerk from Town Planner regarding 2019 Spring Annual Town Meeting Zoning Amendment – Riverdale Street (from R3 to I2); Email dated March 04, 2019 to Bowditch & Dewey from Town Planner concerning Presidential Farms recreational lot(s); Spreadsheet of Subdivision Bonds; Memo dated February 13, 2019 to Planning Board from J & F Marinella concerning The Camelot Bond Reduction Request; Letter dated February 04, 2019 to Treasurer/Collector from Town Planner regarding Camelot Subdivision Bond Reduction Assignment of Deposit; Letter dated February 18, 2019 to Town Planner from JH Engineering regarding The Camelot Phase 1A Engineer's Construction Estimate; Letter dated February 18, 2019 to Town Planner from JH Engineering concerning The Camelot Phase 1B Engineer's Construction Estimate; Email dated February 27, 2019 to J & F Marinella from Town Planner regarding The Camelot fire hydrants; Community Planning & Development Weekly Report for February 25 – March 01, 2019; Community Planning & Development Weekly Report for February 18-22, 2019; The Blackstone River Coalition Invitation; Email dated February 12, 2019 to Planning Administrative Assistant from CMRPC regarding upcoming events; 2019 Planning Board Schedule of Meeting Dates.

Other

Presidential Farms -Mr. Bechtholdt informed the Planning Board that the closing date to transfer Parcels A & D (open space lots) to Metacomet Land Trust is March 19, 2019. Upon proof of recording of the transfer deed the signed Lot Release (Form P) can be provided to the Developer for recording. The Form K Performance Secured by Lenders Agreement for Presidential Farms Phase V has been provided to the Developer for recording at the Registry of Deeds. Proof of recording shall also be provided to the Planning Board.

April 23, 2019 Planning Board Meeting -All Planning Board members confirmed that they will be present for the April 23, 2019 Planning Board meeting which has the Balmer School project tentatively scheduled for that evening.

676 Adjournment

677 Having no additional business, the Planning Board adjourned its meeting of March 12, 2019 at or about
678 9:20PM.

679
680 Respectfully submitted,

681
682 
683
684 Barbara A. Kinney

685 Planning Administrative Assistant

686
687 Cc: Town Clerk
688 /File

Approved by the Planning Board:

