



NORTHBRIDGE PLANNING BOARD
MINUTES
Tuesday, March 26, 2019



Recognizing the presence of a quorum, Chair Brian Massey called the meeting to order at 7:01 PM. Rainer Forst, James Berkowitz, and Abdul Kafal were in attendance. Harry Berkowitz arrived at 7:56 PM. 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: John White, 59 Jefferson Avenue; Travis Brown, Andrews Survey & Engineering; Gary Vecchione; Paul (Tim) Hare; & Sean Sawyer, PawSteps Veterinary.

I. CITIZENS FORUM

John White, 69 Jefferson Avenue, is looking for clarification in regard to the open space buffer required for certain lots w/in the Presidential Farms subdivision. When construction was started several years ago, lots of trees were removed on accident and they have not grown back. Construction comes within eight (8) feet of his stone wall. Over the last four (4) years there is continuous construction and traffic keeps going back and forth through the buffer zone, per J. White. The Planning Board directed J. White to speak with the Building Inspector/Zoning Enforcement Officer as the open space buffer is part of the Conditions of Approval. The abutting land is privately owned so J. White just cannot do plantings, etc. in that disturbed area.

II. FORM A

None

III. ZONING AMENDMENT -PUBLIC HEARING

To rezone from Residential-Three (R-3) to Business-Two (B-2) parcel(s) of land located on Providence Road [Assessor Map 23 Parcel(s) 6, 10, 12 & 14]
2019 SPRING ANNUAL TOWN MEETING

Upon motion duly made (James Berkowitz) and seconded (Abdul Kafal) the Planning Board voted 4-0 to waive the reading of the Public Hearing.

With the absence of Harry Berkowitz and the desire to notify abutters to the subject property the Planning Board postponed and continued the public hearing to Tuesday, April 09, 2019. Mr. Bechtholdt noted although not required, practice has been to notify and seek input from abutters prior to Town Meeting; initially mailings were not provided to abutters.

Upon motion duly made (R. Forst) and seconded (J. Berkowitz) the Planning Board voted 4-0 to continue the Public Hearing to April 09, 2019 at 7:15 PM to allow opportunity for public comment.

The Planning office will prepare and send out notice to abutters for the April 09, 2019 meeting. Mr. Bechtholdt informed Dr. Sean Sawyer, who arrived late to the meeting.

RECEIVED
19 DEC -2 AM 9:26
NORTHBRIDGE TOWN CLERK
DOROTHY A. GEORGE

IV. WEST END CREAMERY –CONT. PUBLIC MEETING

Site Plan Modification Review [§173-49.1]

Assessors Map 8 Parcel 9 -481 Purgatory Road

Travis Brown, Andrews Survey & Engineering, Inc. and Greg VandenAkker, Owner, met with the Planning Board to review the site plan. Chairman Massey explained that he spoke with the Fire Chief, who is okay with utilizing the grassed area for overflow parking, provided the grass is mowed short and maintained. Mr. Bechtholdt noted receipt of follow up correspondence from the Fire Chief dated March 22, 2019, where maintaining and routinely cutting of the grass surface shall be required.

Mr. Bechtholdt noted in addition to comments received by the Fire Department, the Building Inspector and Board of Health also offered comments regarding the existing gas easement area and public water supply area. Mr. Massey suggested comments received from an abutter may be addressed as part of MassDEP review, noting the Board is not considering any changes to the overall site layout or circulation, just the proposed modification for additional off-street parking.

Planning Board reviewed (draft) conditions of approval with the Applicant/Engineer; having no comments the Board concluded its site plan modification review.

Upon motion duly made (J. Berkowitz) and seconded (A. Kafal) the Planning Board voted 4-0 to approve the site plan modification with conditions to construct an overflow parking area at West End Creamery (481 Purgatory Road).

Conditions of Approval include the following: Planning Board Site Plan Approval (modification) shall be subject to recommendations identified by the NORTHBRIDGE SAFETY COMMITTEE, if any (March 05, 2019); Planning Board Site Plan Approval shall be subject to conditions, if any imposed by the NORTHBRIDGE CONSERVATION COMMISSION; Planning Board Site Plan Approval (modification) shall be SUBJECT TO NOTICE AND APPROVAL BY MASSDEP - Massachusetts Department of Environmental Protection due to the location of the proposed overflow parking area and vicinity of the public water supply system within the locus area of the property. Reference is made to Board of Health memorandum dated March 06, 2019, attached hereto; Planning Board Site Plan Approval (modification) shall be SUBJECT TO NOTICE AND APPROVAL BY THE TENNESSEE GAS PIPELINE due to the location of the proposed overflow parking area and the vicinity of the gas easement within the locus area of the property. Reference is made to Inspector of Buildings letter dated March 11, 2019, attached hereto; Planning Board Site Plan Approval (modification) shall be SUBJECT TO the Owner/Applicant maintaining and routinely cutting the grass surface of the overflow parking area. Reference is made to Fire Chief letter dated March 22, 2019, attached hereto; Any illumination (if any), 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; PRIOR TO ENDORSEMENT the Site Development Plan shall be revised addressing the following: a) Reference to Planning Board Certificate of Approval (August 17, 2005), b) Reference to this Planning Board Certificate of Approval (modification), c) Site Plan Review Checklist (February 28, 2019), d) JH Engineering Group review/report(s); &

e) Conditions noted herein; PRIOR TO ENDORSEMENT, the Owner/Applicant shall be responsible in satisfying outstanding invoices, if any for services rendered by JH Engineering Group, LLC.; Applicant/Engineer shall submit 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; 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; 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; 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; Conditions of prior contained in Planning Board Certificate of Approval dated August 17, 2005 shall remain in full force and effect.

Based on its finding, the Planning Board WAIVED the Development Impact Assessment; Section 173-49.1 E (2) of the Northbridge Zoning By-Laws. As provided for in Section 173-49.1 E (3) of the Northbridge Zoning By-Law the Planning Board may waive any requirements if it believes that the requirement is not necessary based upon the size and scope of the project.

The Planning Board thanked Mr. Brown and wished Mr. VandenAkker well.

VII. MAIN STREET/ARCADE POND –CONT. PUBLIC MEETING

Site Plan Review [§173-49.1]

Assessors Map 6 Parcel 30 -Main Street

Ron Tubman, Guerriere & Halnon, Inc., Gary Vecchione, applicant, and Tim Hare, owner presented the revision to the plan. The split rail fence along the front of the property will be removed from the plan because the G. Vecchione feels it is too expensive to install at this time and it is not required by the Safety Committee. The site distance has been met of 200 feet for a 35 mph zone. However, the Southeast corner will need to be trimmed (town land). G. Vecchione will check with the DPW Highway about trimming that back. There is a guardrail there now and no longer a chain link fence. G. Vecchione stated that the shed has been staked out and has painted the saplings that are to be removed. He sent an Email to the Conservation Agent as he is looking to open that area up by removing the brush, trees, etc. G. Vecchione stated that he has a hawker's license (issued by the Police Department) and a tent that is under 700 feet (it is 20 x 30 feet) so he does not need approval from the Building Inspector. The tent will be erected in the southwest corner which is outside the floodplain. He can open with that for now until he gets all his permitting from the Planning Board, Conservation Commission, Zoning Board of Appeals, etc. Once he receives all his approvals (permitting) he will move the tent to where the shed is shown on the plan. G. Bechtholdt reminded the Planning Board that they only need to review/approve what is under the Planning Board jurisdiction at this meeting. Only what is on the site plan application and the plans presented. The proposed boating and ice skating is not part of the application. If later on, G. Vecchione needs approval from the Planning Board for something he is proposing then a request to modify the approval will need to be submitted if something triggers an approval. G. Vecchione stated that the sign in the 15 foot landscape buffer has been added to the plan and there are 25 parking spots (there was 27) with only 22 spots required. There are 9 parallel spots. The landscaping will be loamed and seeded. The sign will be 8 feet above and 4 feet below the ground and most signs are 10 feet high, per G. Vecchione. The maximum height for the Planning Board is 15 feet. G. Vecchione met with the DPW and the entrances will be paved 4 feet behind the sidewalk, which will transfer to cobblestone for 6 feet then to 1 ½ inch stone for a tire scrubber to prevent dirt/gravel from leaving the site.

OLD / NEW BUSINESS

Approval of Meeting Minutes –February 19, 2019

Tabled. No Discussion.

Subdivision -Status/Update(s)

The Planning office will notify and invite Developers of active subdivision to prepare update construction schedules and meet with the Planning Board over the next several months; perhaps starting with Carpenter Estates and Leonardo Estates.

Camelot & Hemlock Estates –Planning Board noted receipt of inspection reports from the DPW Highway Superintendent for the Camelot and Hemlock Estates subdivisions; same to be forwarded to the Applicant/Engineer and JH Engineering Group, LLC., the Board's consultant to review and incorporate any changes in review/reports, including construction cost estimates. Board expressed concerns with the bond amount(s) being held may not be sufficient to cover costs; Mr. Massey noted this is why it is important for DPW to conduct inspections and prepare reports more frequently so things do not get away from us. Mr. Massey also reminded the Board that the Developer for Hemlock Estates has yet to satisfy the \$10,000 monetary donation to be provided towards town recreational improvements. Planning Board tabled action on the bond reduction request for Camelot and directed the Town Planner not to sign-off on future building permits until the bond is adjusted and the monetary donation is satisfied. Mr. Bechtholdt indicated that there is only one (1) house lot remaining; a foundation-only was issued recently. Planning Board instructed the Planning Office not to sign building permit application for remaining lot within Hemlock Estates.

The Camelot – Bond Reduction Request

See discussion above.

There is a catch basin in the roadway on Joseph Circle that is in front of a driveway. The developer would like to leave it there and it has been reviewed with the DPW Highway. Jamie Luchini, DPW Highway Superintendent, explained that in all his years working for a Highway Department he has never approved a catch basin in front of a driveway so this catch basin will need to be moved. There are also other punch list items that need to be completed as well. The reports for the sewer pump station still have not been received from the developer. Brian Massey would like to instruct the Town Planner, Gary Bechtholdt, to not sign any building permit applications and Phase 1A and Phase 1B should be substantially complete before any lots are released. G. Bechtholdt explained to the Planning Board that once the road is bonded that entitles the developer to lot releases. As part of the next phase in the Camelot, Rebecca Road must be extended/connected to Hillcrest Road. The hydrants have been raised, but one still needs to be moved. The fence also still needs to be installed.

Planning Board -Associate Member (Vacancy)

Point of information -no discussion.

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 March 26, 2019; Draft Planning Board Agendas April 09, 2019, April 23, 2019, May 14, 2019, May 28, 2019 and June 11, 2019; Public Hearing Notice for Zoning Amendment to rezone from Residential Three (R-3) to Business Two (B-2) parcels of land identified as 1682 Providence Road, 1700 Providence Road, 1702 Providence Road, and 1734 Providence Road; Letter dated February 20, 2019 to Town Clerk from Town Planner regarding 2019 SATM Zoning Amendment (Providence Road from R3 to B2); Maps showing parcels of land on Providence Road to be rezoned from R3 to B2; Letter dated February 07, 2019 to Planning Board from Building Inspector concerning Zoning Amendment (R2 to B2); Draft Certificate of Approval dated March XX, 2019 for Site Plan Modification – West End Creamery; Letter dated March 07, 2019 to Town Planner from JH Engineering regarding West End Creamery Site Plan Peer Review; Letter dated March 06, 2019 to Town Planner from Board of Health regarding West End Creamery Site Plan Modification; Conservation Commission Preliminary Staff Application Review dated February 20, 2019 for Overflow Parking Purgatory Road; Letter dated March 11, 2019 to Town Planner from Building Inspector concerning West End Creamery; Letter dated March 11, 2019 to Planning Board from Fire Chief regarding West End Creamery;

Email dated February 14, 2019 to Town Planner from Whitinsville Water Company regarding West End Creamery Parking Lot Expansion; Memo dated March 05, 2019 to Town Planner from Conservation Agent regarding Lovey's Garden Center; Conservation Commission Preliminary Staff Application Review dated March 13, 2019 for Garden Center (Main/Arcade Streets) Notice of Intent; Memo dated March 13, 2019 to Town Planner from Board of Health Administrator regarding Site Plan Review – Lovey's Garden Marketplace; Memo dated March 6, 2019 to Town Planner from Board of Health Administrator regarding Site Plan Application – Lovey's Garden Center; Letter dated March 11, 2019 to Town Planner from Building Inspector concerning Lovey's Garden Center/Corner of Main & Arcade Streets; Letter dated March 04, 2019 to Town Planner from Whitinsville Water Company concerning Lovey's Garden Center Main & Arcade Streets; Email dated March 12, 2019 to Planning Board, Town Planner & Planning/Conservation Administrative Assistant concerning Lovey's Water Table Data; Letter dated March 11, 2019 to Town Planner from JH Engineering regarding Lovey's Garden Center Site Plan "Peer Review;" Letter dated March 12, 2019 to Planning Board from Guerriere & Halnon, Inc. regarding Lovey's Garden Marketplace Special Permit Application Plan Revisions; Letter dated March 05, 2019 to Board of Selectmen, Planning Board, Safety Committee, Conservation Commission, and Building Department concerning Arcade Pond / Lovey's Garden Marketplace; Site Plan of Lovey's Garden Marketplace dated March 9, 2019; Checklist for Site Plan dated February 28, 2019 for Lovey's Center (Main/Arcade Street); Memo dated March 12, 2019 to Planning Board from Town Planner regarding Lovey's Garden Marketplace Site Plan Review; Stormwater Report for Lovey's Garden Marketplace dated March 20, 2019; Letter dated February 18, 2019 to Town Planner from JH Engineering concerning 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; Letter dated March 12, 2019 to Central MA Regional Planning Commission from Planning Board regarding Local Planning Assistance MVP Annual Progress Report; Email dated March 20, 2019 to Town Planner from Building Inspector concerning Presidential Farms Complaint; Email dated March 19, 2019 to DPW Director from Planning Board Chair regarding Camelot Subdivision; 2019 Planning Board Schedule of Meetings.

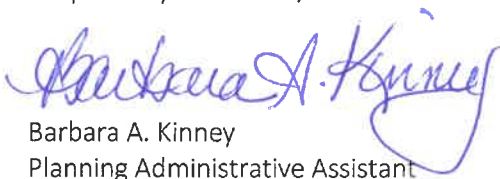
Other

None

Adjournment

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

Respectfully submitted,

Approved by the Planning Board:

Barbara A. Kinney
Planning Administrative Assistant



December 10, 2019

Cc: Town Clerk
/File

March 26, 2019

Planning Board

| FROM | DATE | SUBJECT |
|--------------------------|----------------|---|
| DPW | 03/25/19 | Memo Main Street / Arcade Pond (Garden/Farm Stand) |
| Charles Ball, Attorney | Rec'd 03/18/19 | Presidential Farms Open Space A & D Deed |
| Andrews Engineering | 03/18/19 | West End Creamery, 481 Purgatory Road |
| Planning Board | 03/19/19 | 2019 SATM Zoning Amend Riverdale St Article Withdrawn |
| Planning Board | 03/14/19 | Cert of Approval Cappy' Auto Site Plan |
| JH Engineering | 03/13/19 | Cappy's Auto Site Plan Peer Review |
| Town of Sutton | 03/18/19 | Wedgewood Farm Continued Care Retirement Community |
| Building Inspector | 03/21/19 | Lovey's Garden Center Main & Arcade Streets |
| DPW Highway | 03/22/19 | Garden / Farm Stand, corner of Arcade & Main Streets |
| Fire Department | 03/22/19 | West End Creamery |
| Guerriere & Halnon, Inc. | 03/26/19 | Arcade & Main Streets, Lovey's Garden Marketplace Revisions |
| | | |

Community Planning & Development Weekly Report March 18-22, 2019

Community Planning & Development Weekly Report March 11-15, 2019

Community Planning & Development Weekly Report March 04-08, 2019

Grafton

- Public Hearing Notice – Application of Anthony LeMay, Jr. and owners are Anthony & Deborah LeMay for a Special Permit and Site Plan approval for an accessory apartment at 188 Main Street.

Sutton

- Decision – Approved with Conditions and waivers the application of Paul Tonry for a Site Plan Approval and Special Permit to allow the construction of a 7,200 sf building and parking area for retail sales of goods and services including tent rental and event supplies at 24 Oakhurst Road.
- Public Hearing Notice – Proposed Amendment to the Zoning Bylaw to amend Section III.A.4 Table of Use by adding a new Special Permit Use, Historic Re-use, in all zoning districts; and Amend Zoning Bylaw by adding a new Section – VI.Q. Historic Re-use that encourages the preservation of historic structures by allowing their use by Special Permit for limited purposes beyond those otherwise allowed in the district.
- Public Hearing Notice – RESCHEDULED – Application of Lumens Holdings 3, LLC for the construction of a 250kW (AC) small ground mounted solar photovoltaic installation and associated site and utility work on property owned by Steven Dzicek at 16 Carr Street.
- Public Hearing Notice – Applications of Compton Property Development, LLC on property owned by Unibank for Savings to construct an 86 unit independent living Continued Care Retirement Community at 128, 141 and 142 Armsby Road.
- Public Hearing Notice – Applications of Richard Hammond for property owned by Dennis Towle to relocate an existing building contractor business, Cut and Drop Wholesale Gutter Supply, to 222 Whitins Road.

Upton

- Decision – Granted Special Permit to Stephanie Miller for a 4 ft by 8 ft sign attached to the building and not lighted for the business (Breakfast at Stephanie's) located at 3 Farm Street.

Uxbridge

- Public Hearing Notice – Application of Gerald W. Baker, Jr. and Robert S. Baker for a Definitive Subdivision to construct a two (2) lot subdivision on a private 40 foot right-of-way road with the proposed street name of Colonel Baker Lane at 111 Rivulet Street.
- Decision – Granted with conditions the Special Permit Modification for Quaker Street.

Uxbridge BOS

- Public Hearing Notice – Application of a Transfer for Liquor License for Papa Gino's, 158 N Main Street.

Uxbridge ZBA

- Decision – Granted Special Permit with Conditions for 504 Quaker Highway.

ZBA

- Public Hearing Notice – Application of Gary Vecchione for a Special Permit pursuant to Article V, Section 173-18, Floodway and Floodplain district Section D in order to allow the applicant to construct a shed and clear some brush within the floodplain in preparation of a retail operation selling nursery supplies such as flowers and other plantings on land owned by Main & Arcade, LLC.
- Public Hearing Notice – Application of Shane Fuller for a Variance to build a 24 x 24 foot attached garage that does not conform to the current zoning set back requirements at 1420 Providence Road.