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NORTHBRIDGE PLANNING BOARD MINUTES



Tuesday, September 14, 2021

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted via remote means. Members of the public who wish to access the meeting may do so via ZOOM. No in-person attendance of members of the public will be permitted and public participation in any public hearing conducted during this meeting shall be remote means only.

Recognizing the presence of a quorum, Chair Brian Massey (yes) called the meeting to order at 7:00PM. Harry Berkowitz -yes; James Berkowitz -yes; Abdul Kafal -yes; and Rainer Forst -yes were in attendance with Andrew Howden, Associate Member and R. Gary Bechtholdt II, Town Planner also present. Barbara A. Kinney, Planning Administrative Assistant was absent. Public attendees included Alan Clapp, Eric Las, Roland Roy, Steve Benoit, Walter Warchol, Travis Brown, Robert Richie, David Brossi, Nick Romano, Stephen O'Connell, Nick Santangelo, Clayton Williams, & Henry Lane.

I. CITIZENS' FORUM

None

II. HILL STREET, ASSESSORS MAP 7 PARCEL 254 Form A -ANR Plan Review/Decision

Planning Board reviewed Form A application dated August 31, 2021, ANR plan entitled "Plan of Land on Hill Street" and ANR Checklist prepared 09/07/2021. G. Bechtholdt noted subject property fronts Hill Street (designated scenic road), explaining it his understanding stonewall alteration was done some years ago (by others); in talking with Applicant/Owner (Steve Benoit) the proposed access (driveway) for proposed house lot (Lot #1) will utilize existing opening, where no additional alteration/removal of stonewall is proposed or required. G. Bechtholdt stated removal of public shade tree(s) or alteration of stonewall along a scenic road requires review/approval from DPW Director (/Tree Warden) and Planning Board. *Upon motion duly made (H Berkowitz) and seconded (J Berkowitz) voted 5-0 to grant ANR endorsement creating Lot #1 as shown on plan.*

III. WINSTON WOODS, DEFINITIVE SUBDIVISION -CONT. PUBLIC HEARING Assessor Map 15A Parcels 224-232 [Spring Street]

Upon motion duly made (H Berkowitz) and seconded (J Berkowitz) the Planning Board continued public hearing without discussion from Tuesday, September 14, 2021 to Tuesday, September 28, 2021 (7:55 PM) as requested by the Applicant/Engineer.

IV. ROOSEVELT DRIVE (REMAINING PORTION OF) -PUBLIC MEETING Recommendation to Layout (2021 Fall Annual Town Meeting)

G. Bechtholdt reviewed the process of street acceptance, noting roadways need to be laid out by the Town (Board of Selectmen) in advance of Town Meeting consideration. Mr. Bechtholdt explained that copy of the layout, legal description and other supportive information has been filed with the Town Clerk, Department of Public Works, and Board of Selectmen, as well as property owners along Roosevelt Drive and abutters to.

Mr. Bechtholdt advised the Planning Board that the Board of Selectmen (at its meeting of September 13, 2021) was to vote its intent to layout, referring the matter to the Planning Board for recommendation. Mr. Bechtholdt informed the Planning Board that Town Counsel (KP Law) has reviewed the layout plan prepared and proposed conveyance, noting everything appears to be in order (Developer will need to provide Title Certificate). G. Bechtholdt provided Nick Romano (abutter) with the link to the Planning Board webpage where the layout plan, as-built, legal description, and other supportive documentation may be viewed online.

G. Bechtholdt reminded Planning Board members that in addition to offering its recommendation on the layout the Board will need to vote its recommendation on the street acceptance article (meeting of September 28, 2021), where the Board will review status of improvements with the Developer, taking input from the Department of Public Works and the Board's consulting engineer (Graves Engineering, Inc.).

Upon motion duly made (H Berkowitz) and seconded (J Berkowitz) the Planning Board voted (5-0) to recommend the layout of Roosevelt Drive (remaining portion of). G. Bechtholdt will provide notice to the Board of Selectmen and asked Planning Board members to make arrangements to stop by the Planning office to endorse the Layout Plan.

V. NORTHBRIDGE MCQUADE SOLAR -CONT. PUBLIC MEETING

Article XX -Large Scale Solar Photovoltaic Installation/Site Plan Review

B Massey, Chair reviewed with Applicant/Engineer, Board members and public in attendance comments/concerns raised at the last meeting concerning electronic/magnetic field levels and noise/sound study.

Eric Las, PE, Beal + Thomas (on behalf of Applicant) reviewed supplemental information provided by Peter Valberg, Principal at Gradient, as well as affidavit from Valberg regarding radio-frequency transmissions (RF) and potential health concerns. According to information presented the RF exposure levels from the smart meters are below RF safety guidelines of the FCC and International Commission on Non-Ionizing Radiation Protections; where RF signals generated by smart meters shall have no health impact, similar to low levels from televisions, radios, etc. and less RF exposure than cellphones, wireless routers, laptops, & microwave ovens.

R. Forst suggested Planning Board require RF readings be conducted at project completion to confirm/verify levels. B. Massey polled Board members on the need to do so; Planning Board opted not to require this as a condition of site plan approval; where R. Forst & J. Berkowitz were in favor and H. Berkowitz, A. Kafal & B. Massey were not. B. Massey questioned what the Board would do with the information/results.

E. Las reviewed information offered by VHB (memorandum dated July 09, 2021) regarding Sound Evaluation for McQuade Solar project, including sound study /map showing dBA levels within project locus area. Mr. Las explained to the Board, the proposed location of the Inverter has been modified to address concerns identified by the Board's consultant, which also would also help reduce noise concerns.

B. Massey suggested Planning Board may include a general condition with the intent to address any potential unanticipated noise disturbance, where Applicant/Operator would be required to dampen noises (if necessary). Board reviewed location of closest residence(s) to the Inverter.

B. Massey reviewed concerns with initial location of overhead utility poles; Eric Las and Alan Clapp informed the Board after review of comment/concerns received by the public, municipal departments, and the Board's consulting engineering; the decision was made to place all utility lines underground, with exception of the cabinets required for the service connection with National Grid and their lines. Board discussed including a provision stating relocating of existing poles, if any along McQuade Lane shall be reviewed/approved by the Town (Department of Public Works & Board of Selectmen) to verify location and confirm any potential siting conflicts. All utilities underground and all electrical equipment mounted on pads instead of poles. Two (2) electrical equipment pads adjacent to the entrance, one for National Grid and the other for Northbridge McQuade Solar, LLC.

E. Las reviewed location of the two (2) proposed gates for the solar project, first one approximately 110-feet in from McQuade Lane, just beyond placement of National Grid utility pads. Mr. Las also noted efforts made to minimize illegal trespass (recreational vehicles, i.e. ATVs, motorbikes) with placement of large boulders adjacent to bar gate. The second lockable gate to be located at the entrance of fenced in area of the solar array.

E. Las explained to the Board, following the last meeting Applicant/Engineer reviewed with the Northbridge Fire Chief (David White) concerns/comments raised, noting revised plan has been updated to address all concerns, including battery storage systems, fire alarm systems, access around perimeter, and width of access driveway (18-feet).

E. Las explained to the Board, following the last meeting they also followed-up with the Highway Superintendent regarding potential offsite improvements to McQuade Lane; where it was mutually agreed Applicant/Operator would conduct and prepare a visual survey of the existing conditions of McQuade roadway, where upon project completion the Owner/Applicant may be required to make repairs.

B. Massey asked Applicant/Engineer to review proposed screening to direct abutters, where a staggered row of deer resistant arborvitae 6 to 8-feet in height shall be planted along the northerly side of the access drive to screen property owner and as shown on the plan. Walter Warchol expressed concerns with additional tree-clearing after the fact, G. Bechtholdt suggested the Board could include a provision restricting tree-clearing as shown on an approved plan which delineates limit of work (limit of tree clearing), where if tree-clearing occurs beyond limit of clearing shall result in a zoning violation and potential fines to Owner/Applicant.

E. Las noted as part of the site plan application submittal they identified the need to increase the fence height from 6 to 7-feet, which is required under the MA Electrical Code. E. Las also mentioned setback encroachment to satisfy Conservation Commission. B. Massey and Board members were agreeable to both requests; B. Massey noted fencing will have a gap at the bottom (6-inch wildlife gap).

B. Massey noted storage of broken or damage solar equipment will not be allowed onsite.

Board reviewed with Applicant/Engineer restriction on potential additional buildout of subject property, noting drainage calculations (pre & post) accounted for the entirety of the site (±60-acres). Attorney Lane questioned the Board's ability/authority to do so. B Massey suggested a condition of approval shall be included to described limitation of additional buildout of property as it relates Planning Board approval for the solar project.

Having no additional comment; the Planning Board directed the Town Planner to prepare draft conditions of approval to be reviewed and considered at the next meeting. *Upon motion duly made (H Berkowitz) and seconded (A Kafal) Planning Board voted (5-0) to continue its site plan review to Tuesday, September 28, 2021, at 7:35 PM (via ZOOM).*

Reference is made to the following documents provided by the Applicant/Engineer: Beals + Thomas response letter dated September 08, 2021; Gradient memorandum on wireless electric-utility meters; Affidavit from Peter Valberg; VHB Sound Study; updated site development plan (revised through 09.08.2021); and Beals + Thomas calculation summary.

VI. FLOODWAY & FLOODPLAIN DISTRICT -CONT. PUBLIC HEARING
174-18 Zoning Bylaw Amendment

G. Bechtholdt noted receipt of communication from the Building Inspector (dated September 09, 2021) in support of zoning amendment. Mr. Bechtholdt also mentioned Town Counsel has reviewed and shall provide mark-up prior to printing of the warrant. Mr. Bechtholdt reminded the Board, proposed zoning article does not alter or change the current floodplain delimitation; intent of amendment is to update Northbridge's zoning provisions to remain in compliance with the National Flood Insurance Program.

Having no additional comment or questions, the Planning Board closed the public hearing. Upon motion duly made (H. Berkowitz) and seconded (A. Kafal) the Planning Board voted (5-0) to recommend Floodway & Floodplain District zoning bylaw amendment subject to review by Town Counsel.

The Planning Board shall offer its report/recommendation at Town Meeting.

VII. D&B ESTATES -CONT. PUBLIC HEARING
Subdivision Modification /Remaining Land (Glen Drive)

G. Bechtholdt noted receipt of Graves Engineering, Inc. review letter (dated September 13, 2021) where GEI offered comment on (1) condition/operation of existing drainage basin located within easement area of subject property; (2) proposed lot improvement (single-family home); & (3) existing culvert running across Glen Avenue.

Steven O'Connell (Turning Point Engineering) and Clayton Williams (Eastland Partners) acknowledge receipt of same and the need to review. S. O'Connell informed the Board, Whitinsville Water Company has been waterline improvements within Glen Drive (private way), noting would like to review with property owners' potential offsite improvements along Glen Drive, Owner/Applicant may be willing to perform as part of the Board's approval to allow for building lot.

Roland Roy, resident /property owner on Glen Drive was supportive of having a dialogue with Applicant/Engineer to consider roadway improvements.

G. Bechtholdt to forward contact information of S. O'Connell and C. Williams to the owners along Glen Drive (via email) for review of offsite improvement proposal and other potential shared contributions to repair the roadway (private way).

Upon motion duly made (H Berkowitz) and seconded (J Berkowitz) the Planning Board voted (5-0) to continue the public hearing to Tuesday, September 28, 2021 (7:20 PM -via ZOOM). In taking such action the Planning Board directed the Town Planner to prepare draft conditions of approval to allow for previously designated open space to become a building lot in accordance with MGL and the town's subdivision rules & regulations.

OLD/NEW BUSINESS

Approval of Meeting Minutes -August 10 & 24, 2021

Planning Board tabled action.

2021 Fall Annual Town Meeting -Tuesday, October 26, 2021

Point of information -no discussion.

2021 FATM Warrant Articles -Planning Board Vote/Recommendation(s)

Planning Board to provide recommendation on Roosevelt Drive Street Acceptance at its meeting of September 28, 2021. Mr. Bechtholdt will check with others to confirm if the Board is required to provide recommendation on petition article received for discontinuance of Emond Avenue (unbuilt portion of) located off School Street in Rockdale.

Community Preservation Committee /Project Pre-Application(s)

Mr. Bechtholdt provided a general update/status of CPA, where the Committee is currently seeking projects for the 2022 Spring Annual Town Meeting.

Bylaw Review Committee -Planning Board Representative

Planning Board to appoint member to serve on Committee, where R. Forst has decided to stepdown to allow him to focus on the Open Space & Recreational Plan Update Committee. Planning Board tabled, as members were unable to commit to participating at this time.

Subdivision/Site Development -Status/Updates

Mr. Bechtholdt noted Graves Engineering, Inc. (consultant) and the Conservation Agent continue to oversee construction of the various projects; Mikes Way, Moon Hill Estates, Leonardo Estates, Camelot, and Stone Hill Development, as well as the solar projects currently under construction.

MGL CH 41 SEC 81U -Proceedings/Hemlock Estates

Mr. Bechtholdt explained, Planning is in receipt of punchlist prepared by Graves Engineering, Inc. (dated August 06, 2021) however is still waiting for review and consent of same from DPW before issuance notice to Developer to complete work accordingly or risk the Town (Planning Board) calling-in the performance bond. B. Massey stated he would contact DPW for review.

Green Meadow Court -Status/Update

Mr. Bechtholdt informed the Board that he spoke with Town Counsel regarding Green Meadow Court, where counsel is to review the various Deeds of property along Green Meadow Court to determine if the Developer retained rights to convey fee/easement(s) in order to accept the road as a public way. Once Town Counsel has reviewed, Planning Board will know what next steps will be required to advance street acceptance considerations for future Town Meeting.

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 dated September 14, 2021; Draft Planning Board Agenda dated September 28, 2021; Citizen's Forum Blurb; Form A Application for Endorsement of Plan Believed Not to Require Approval dated August 31, 2021 for Hill Street; Plan of Land on Hill Street dated August 30, 2021; Checklist for Approval Not Required Plan dated September 07, 2021 for Hill Street; Email dated September 08, 2021 to Planning Board from Town Planner regarding Winston Woods Continuance; Letter dated September 07, 2021 to Planning Board from the Fire Department concerning Winston Woods; Memo dated August 31, 2021 to Town Planner from DPW Director regarding Presidential Farms Phase V (Roosevelt Drive Extension); Memo dated July 14, 2021 to Town Planner from DPW Director regarding Presidential Farms Water Infrastructure Roosevelt Drive Extension; Letter dated August 10, 2021 to Planning Board from Graves Engineering regarding Presidential Farms Phase V As-Built Plan, Acceptance Plan and Construction Completeness Review; Draft Letter dated September 15, 2021 to Board of Selectmen from Town Planner regarding Street Acceptance – Roosevelt Drive (remaining portion of) Recommendation Vote to Layout; Layout Plan of Roosevelt Drive dated July 12, 2021; As-Built Plan of Roosevelt Drive dated July 23, 2021; Memo dated August 17, 2021 to Town Planner from DPW Highway Superintendent concerning McQuade's Lane Solar Farm; Letter dated August 24, 2021 to Town Planner from Inspector of Buildings concerning McQuade's Lane Solar Facility; Letter dated September 08, 2021 to Town Planner from Beals and Thomas regarding McQuade's Lane Solar Response to Municipal Board Comments; Letter dated September 09, 2021 to Town Planner from Building Inspector regarding Floodway & Floodplain By-Law Update; Draft Letter dated September 15, 2021 to Town Clerk from Town Planner regarding FATM 2021 Planning Board Recommendation for Floodway & Floodplain District Zoning Bylaw Amendment; Draft Section 173-18 Floodway and Floodplain Overlay Districts; Floodway & Floodplain Overlay Districts Map; Letter dated August 23, 2021 to Town Planner from Building Inspector concerning Glen Drive – Definitive Subdivision Modification; Petition for a Town Meeting Warrant Article for Emond Street discontinuance; Mike's Way Subdivision Construction Schedule dated August 12, 2021; Letter dated August 12, 2021 to Planning Board from Terreno Realty, LLC concerning Leonardo Estates Lot 9 Building Permit Status as of August 12, 2021; Memo dated August 04, 2021 to Town Planner from DPW Director regarding Camelot Estates Sewage By-Pass Pumping Station; Memo dated September 05, 2021 to Town Planner / Town Manager from Conservation Agent regarding Post Ida Observations Leland Road, Syncarpha I and Stone Hill Condominiums; Memo dated August 25, 2021 to Town Planner from DPW Director concerning CS Energy Puddon Street Solar Project; Planning Board Schedule of Meeting Dates 2021.

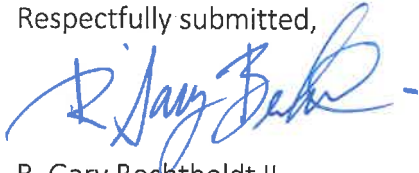
Other

None

ADJOURNMENT

Having no additional business, Planning Board adjourned its meeting of September 14, 2021, at or about 9:10 PM.

Respectfully submitted,



R. Gary Bechtholdt II
Town Planner

Approved by the Planning Board: 09/28/2021

Cc: Town Clerk /File