



## NORTHBRIDGE PLANNING BOARD MINUTES

Tuesday, September 28, 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 7:07PM due to technical difficulties. Harry Berkowitz - Yes; and Rainer Forst - Yes; were in attendance. Jim Berkowitz and Abdul Kafal were absent. Andrew Howden, Associate Member, R. Gary Bechtholdt II, Town Planner, and Barbara A. Kinney, Planning Administrative Assistant, were also present.

Attendees included Alan Clapp; Walter and Sandy Warchol; Steve O'Connell, Turning Point Engineering; Bill Renaud, Al Lamoreaux, David Brossi; Henry Lane; Nick Santangelo, Beals & Thomas; and Tony Brookhouse, Outlaw Two, LLC.

RECEIVED

NOV 10 2021

### I. CITIZENS' FORUM

None

NORTHBRIDGE TOWN CLERK

### II. FORM A'S

None

### III. CAMELOT CONSTRUCTION CHANGE -REVIEW/DECISION

#### Request for Minor Modification -Grace Street Wetland Crossing

Steve O'Connell explained that this is a minor modification to the wetland crossing from a bridge to a three (3) sided box structure. There will be no infrastructure changes of utilities, road width, etc. The only change will be the wetland crossing span. There will be guardrails and fencing. The Conservation Commission has already issued their approval. Graves Engineering has reviewed and approved the wetland crossing and replication area. The Department of Public Works has approved this change.

Al Lamoreaux wanted to know what the timetable is for the construction of Grace Street and where the structure will be located along the street. Bill Renaud replied that they do not have a timetable yet for Grace Street. B. Massey explained that after the intersection with Rebecca Road there will be a long stretch of roadway (Grace Street) with no houses and the structure will be located in the middle of that.

*Upon motion duly made (H. Berkowitz) and seconded (R. Forst), the Planning Board voted 3-0 by roll call vote of H. Berkowitz – Yes; R. Forst – Yes and B. Massey – Yes TO CONSIDER AND ALLOW CONSTRUCTION CHANGE to utilize a three-sided box culvert at the wetland crossing (Grace Street) in lieu of bridge, as originally proposed/shown on the approved definitive subdivision plan. As part of its consideration, the Planning Board reviewed correspondence received by the Department of Public Works dated August 04, 2021 (& September 14, 2021) and Review/Report prepared by Graves Engineering, Inc. (Planning Board Consultant) dated September 27, 2021. It is the understanding of the Planning Board, the Conservation Commission previously reviewed and approved of same. Where applicable, Owner/Applicant shall secure necessary permit/signoff(s)*

from the Building Department and others, prior to construction/installation. As noted in Graves Engineering, Inc. report, the culvert structure will span the wetland area and will not modify/alter drainage system; all previous construction and maintenance obligations of the Developer shall remain in place. It shall be the Applicant/Developers responsibility to maintain the culvert until such time as Grace Street is accepted by the Town (street acceptance). Reference is made to plan, consisting of 2 sheets entitled "Camelot Definitive Subdivision, Grace Street Wetland Crossing & Replication Plan" dated January 21, 2021, prepared by Turning Point Engineering.

#### IV. ROOSEVELT DRIVE STREET ACCEPTANCE -REVIEW/DECISION Planning Board Vote/Recommendation -2021 FATM Article #5

G. Bechtholdt explained that the Planning Board needs to vote their recommendation on the warrant article itself. The municipal departments have reviewed the street acceptance and the street layout has been done. David Brossi stated that there are still a couple of items to be addressed and these will be done tomorrow provided there is no rain. Bob Duff, Guerriere & Halnon, needs to revise the plans to reflect these changes.

Upon motion duly made (H. Berkowitz) and seconded (R. Forst), the Planning Board voted 3-0 by roll call vote of H. Berkowitz – Yes; R. Forst – Yes and B. Massey – Yes to RECOMMEND STREET ACCEPTANCE -ROOSEVELT DRIVE (remaining portion of) within the Presidential Farms subdivision. In taking such action, the Planning Board reviewed correspondence received from their Consulting Engineer, Department of Public Works, Town Counsel, and certifications received by the Registered Land Surveyor and Registered Professional Engineer indicating all work, as required by the rules and regulations and the approved subdivision have been completed. The Planning Board shall provide its Report and Recommendation at the 2021 Fall Annual Town Meeting scheduled for October 26, 2021.

#### V. D&B ESTATES -CONTINUED PUBLIC HEARING Subdivision Modification -Open Space/Remaining Land (Glen Drive)

G. Bechtholdt stated that the Planning Board is down member(s) tonight with only three (3) voting members, so any vote taken on this project would need to be a unanimous vote. Steve O'Connell stated that he is fairly comfortable to proceed tonight. The draft Conditions of Approval have been provided. S. O'Connell and Clayton Williams met with several residents onsite. There were three (3) property owners with a total of five (5) people and their questions and concerns were answered. Their preference/opinion is for the developer to reconstruct/resurface that portion of Glen Drive. The mitigation will be to remove and dispose of 400 feet of roadway at the end of Glen Drive (opposite the access at Goldthwaite Road). They will then regrade the base and add gravel as needed. They will saw cut the driveways for connections. New asphalt will be laid down. The bushes along Glen Drive will be trimmed and pruned as necessary. As long as the culvert/swale along Glen Drive is maintained, it will function as planned. The pipe may be undersized but the main problem is with the channel and Graves Engineering is reviewing this. If this is maintained there should be no overflow onto Glen Drive.

S. O'Connell stated that condition #5 (improved access) of the Conditions of Approval will be addressed as part of the road resurfacing. The roadway will have a cross pitch so runoff will flow to the swale away from the property owners. Condition #6 (Cape Cod berms) should be eliminated as the berms would prevent the runoff from flowing into the swale. On conditions #10 and #11, S. O'Connell questioned why Approval Not

Required (ANR) is referenced instead of a subdivision. G. Bechtholdt explained that an ANR is better as there is no subdivision roadway and no modification of the existing road of Delwyn Barnes Drive. An ANR is simplest because the reference to the modification is only on the plan.

*Upon motion duly made (H. Berkowitz) and seconded (R. Forst), the Planning Board voted 3-0 by roll call vote of H. Berkowitz – Yes; R. Forst – Yes; and B. Massey – Yes to close the Public Hearing.*

*Upon motion duly made (H. Berkowitz) and seconded (R. Forst), the Planning Board voted 3-0 by roll call vote of H. Berkowitz – Yes; R. Forst – Yes; and B. Massey – Yes to GRANT SUBDIVISION MODIFICATION of D&B ESTATES, removing notation/restriction for subject property (AP 9/56), where definitive subdivision plan, entitled “D & B Estates” [PLAN BK 00702, PG 44] had prescribed the following “Remaining land of Delwyn K Barnes to be preserved as open space or remain undeveloped land unless further approvals are obtained”. Where now, in accordance with said Planning Board vote, the subject property (Assessor Map 9, Parcel 56) may be considered for building lot status in accordance with and subject to the requirements of the Northbridge Zoning Bylaws.*

#### **VI. NORTHBRIDGE MCQUADE SOLAR -CONTINUED PUBLIC MEETING Site Plan Review §174-49.1 [Planning Board]**

Henry Lane was provided with the draft of the Conditions of Approval prior to the meeting and reviewed them. He made some suggestions. Under #12, the number of equipment pads is unknown at this time so the amount of two (2) should be deleted. #13 should be changed to be independently reviewed. #14 was changed for the gate to be 110 feet in from McQuade’s Lane. Under #19, instead of the Building Inspector may require that all work be addressed, it should be changed to have the developer address the problems immediately. Under #22 instead of omitting noise it should be changed to mitigate the noise as the inverter/distribution boxes need to be open to the air to function. #29 the bond amount should be changed to \$87,700.

R. Forst stated that minimizing noise pollution seems to vague and wondered if anything more detailed could be required. He also wanted more information regarding the light fixtures. It was explained that the lights will have shades and the light will not shine beyond the edge of the project. Alan Clapp confirmed that there are no lights on the property. Walter Warchol wanted to know why the sentence regarding the tree-cutting being a zoning violation was removed. H. Lane stated that tree cutting is not a zoning violation and sentence one covers it.

*Upon motion duly made (H. Berkowitz) and seconded (R. Forst), the Planning Board voted 3-0 by roll call vote of H. Berkowitz – Yes; R. Forst – Yes; and B. Massey – Yes to close the Public Hearing.*

*Upon motion duly made (H. Berkowitz) and seconded (R. Forst), the Planning Board voted 3-0 by roll call vote of H. Berkowitz – Yes; R. Forst – Yes; and B. Massey – Yes to APPROVE WITH CONDITIONS, the site development plan “Northbridge McQuade Solar-McQuade’s Lane” for Northbridge McQuade Solar, LLC for a Large-Scale Ground-Mounted Solar Photovoltaic Installation (LGSPI) to be located off McQuade Lane pursuant to Article XX of the Northbridge Zoning Bylaw.*

VII. WINSTON WOODS, DEFINITIVE SUBDIVISION -CONTINUED PUBLIC HEARING  
Assessors Map 15A Parcel(s) 224-232 [Spring Street, extension of]  
Chapter 222 -Subdivision Rules & Regulations

*Upon motion duly made (H. Berkowitz) and seconded (R. Forst), the Planning Board voted 3-0 by roll call vote of H. Berkowitz – Yes; R. Forst – Yes; and B. Massey – Yes to continue the Public Hearing without discussion to November 09, 2021 at 7:05Pm per the applicant's request.*

*Upon motion duly made (H. Berkowitz) and seconded (R. Forst), the Planning Board voted 3-0 by roll call vote of H. Berkowitz – Yes; R. Forst – Yes; and B. Massey – Yes to grant the extension of the decision period to December 31, 2021.*

OLD/NEW BUSINESS

Approval of Meeting Minutes -August 10 & 24 and September 14, 2021

The minutes of the August 10 and August 24 meetings have been tabled. *Upon motion duly made (H. Berkowitz) and seconded (R. Forst), the Planning Board voted 3-0 by roll call vote of H. Berkowitz – Yes; R. Forst – Yes; and B. Massey – Yes to approve the minutes of the September 14, 2021 meeting.*

Bylaw Review Committee -Planning Board Representative

The Bylaw Review Committee Planning Board Representative has been tabled to the next meeting as there is not a full Board present tonight.

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

The Finance Committee is looking for guidance on the petition article to discontinue a portion of Emond Street that is un-built. The purpose is to address a neighborhood dispute and this portion of Emond Street will never be built upon.

*Upon motion duly made (H. Berkowitz) and seconded (R. Forst), the Planning Board voted 3-0 by roll call vote of H. Berkowitz – Yes; R. Forst – Yes; and B. Massey – Yes to recommend support to discontinue that portion of Emond Street.*

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

Point of Information.

Subdivision/Site Development -Status/Updates

Graves Engineering has been providing many reports and keeping us well updated on the projects under construction. Stone Hill Condos is looking to close on three (3) or four (4) units. If the Planning Board has no concerns then the Certificate of Occupancy can be issued by the Building Department. The town has not reviewed the easement for the utilities and the Home Owners Association documents yet. The Planning Board reviewed the memo dated 09/21/2021 from the Town Planner, specifically, #s 16, 27, 37, and 41. S. O'Connell gave an update on the overall status and stormwater issues. 95% of the items on the report are complete. The first half of the project will be paved in the next few weeks and the roadway will be sloped appropriately. Drainage is complete. S. O'Connell will provide responses to Graves Engineering's review and will consent to same. They are doing an experiment to hold the water in the basins longer so that the water

does not flood Leland Road. S. O’Connell stated they are addressing the issues now so there won’t be any flooding issues in the future. This is a private development that does not required a bond so this is a unique project for the Planning Board. H. Berkowitz commented that we had unusual weather with record setting rainfall this year. R. Forst commented that the lengthy email from the solar developer noted in the mail received stated that there is a lot of finger pointing regarding this rain event. G. Bechtholdt stated that the Planning Board should discount the finger pointing and rely on our peer engineer and Conservation Agent. The streetlights are in and will be operational once information is received from S. O’Connell. Per S. O’Connell, a drone will do a topographic mapping to find if any issues still exist after the recent rain events. G. Bechtholdt is working with the Building Inspector and will look to Graves Engineering regarding the closing on the four (4) units. He also said that he is looking to schedule with the various developers a time to come to a Planning Board meeting and discuss/get an update on their project. He is looking at having Mike’s Way, Leonardo Estates, the Camelot, Syncarpha Solar and Puddon/Quaker Solar for the October 12, 2021 meeting. Winston Woods, Hemlock Estates and Moon Hill Estates will be scheduled for the November 09, 2021 meeting.

#### MGL CH 41 SEC 81U -Proceedings/Hemlock Estates

The Department of Public Works provided the Planning Board with an old memo. G. Bechtholdt suggested holding off on pulling the bond until spring so the town will not be responsible for the plowing and sanding of the roadway this winter.

#### Green Meadow Court -Status/Update

Town Counsel is busy with the preparation for the Fall Annual Town Meeting (working behind the scenes). After town meeting, G. Bechtholdt will speak to Town Counsel concerning Green Meadow Court regarding the drainage basin and conveyance of Green Meadow Court. G. Bechtholdt mentioned that the developer repaved the roadway years ago and it has held up pretty well.

#### 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 09/28/2021; Draft Planning Board Agenda dated 10/12/2021; Draft Planning Board Agenda dated 11/09/2021; Citizen’s Forum Blurb; Letter dated 09/07/2021 to Town Planner from William Renaud regarding Grace Street Wetland Crossing; Grace Street Wetland Crossing & Replication plan dated 01/26/2021; Memo dated 09/14/2021 to Town Planner from Department of Public Works Director concerning Grace Street Culvert Substitution Recommendation; Memo dated 08/04/2021 to Town Planner from Department of Public Works Director concerning Grace Street Culvert Substitution request; Email dated 04/15/2021 to Barry Gallant from Town Planner regarding Grace Street/Camelot Subdivision possible drainage concern; As-Built plan of Roosevelt Drive date 07/23/2021; Street Acceptance Checklist; Letter dated 08/10/2021 to Planning Board from Graves Engineering, Inc. regarding Presidential Farms Phase V As-Built Plan, Acceptance Plan and Construction Completeness Review; Memo dated 08/31/2021 to Town Planner from Department of Public Works Director regarding Presidential Farms Phase V Sewer/Water Infrastructure and Roads/Sidewalks Roosevelt Drive (Extension); Correspondence dated 08/19/2021 to Resident/Property Owners from Town Planner regarding Roosevelt Drive Street Acceptance 2021 Fall Annual Town Meeting; Letter dated 08/11/2021 to Town Clerk from Town

Planner regarding 2021 Fall Annual Town Meeting Roosevelt Drive (Presidential Farms) Street Acceptance; Letter dated 09/16/2021 to Board of Selectmen from Town Planner regarding Street Acceptance Roosevelt Drive (remaining portion of) Recommendation Vote to Layout; Memo dated 09/16/2021 to Town Planner from Executive Assistant to the Town Manager concerning Roosevelt Drive Intent to Lay Out; Sewerage Disposal System O Glen Drive plans dated 01/28/2021; D & B Estates plan dated 04/11/1994; Letter dated 09/13/2021 to Planning Board from Graves Engineering, Inc. regarding D & B Estates, Glen Avenue Definitive Plan Modification and Lot Development Plan Review; Draft Large-Scale Ground-Mounted Solar Photovoltaic Installation Site Plan Review; Document for Revised plan for Winston Woods dated 09/08/2021; Winston Woods plan dated 06/01/2021; Letter dated 09/09/2021 to Town Planner from Guerriere & Halnon, Inc. regarding Engineering Peer Review for Winston Woods Definitive Subdivision; Draft minutes of September 14, 2021; Email dated 09/16/2021 to Town Planner from Planning Administrative Assistant regarding Bylaw Review Committee; Letter dated 09/16/2021 to Town Clerk from Town Planner concerning 2021 Fall Annual Town Meeting Planning Board Recommendation for Article #6 Floodway & Floodplain District (Zoning Bylaw Amendment); Planning Board Report & Recommendation for Article #6 – Zoning Amendment (Floodway & Floodplain District); Memo dated 09/21/2021 to Planning Board from Town Planner regarding Stone Hill Senior Living Development Pending Unit Closings & Issuance of Occupancy; Letter dated 09/16/2021 to Planning Board from Graves Engineering, Inc. concerning Leland Road (Municipal) Drainage, Stone Hill Development and Northbridge I (Church Street) Solar Project Leland Road Flooding (09/01-02/2021) Rain Event; Planning Board Schedule of Meeting Dates 2021.

Other

None

**ADJOURNMENT**

Having no additional business, the Planning Board adjourned its meeting of September 28, 2021 at or about 8:30PM.

Respectfully submitted,



Barbara A. Kinney

Planning Administrative Assistant

Approved by the Planning Board:

Cc: Town Clerk /File

FROM	DATE	SUBJECT
Graves Engineering, Inc.	08/26/2021	Puddon I and Puddon II Solar As-Built & Construction Completeness
Beals Associates	08/25/2021	Syncarpha Northbridge I & Stone Hill Condos Flooding
Community Plan & Development	08/18/2021	Roosevelt Dr (Remaining Portion)-Presidential Farms-Vote Intent to Layout
Graves Engineering, Inc.	09/27/2021	The Camelot Phase 4 Stream Crossing Modification Review
Department of Public Works	08/04/2021	Camelot – Grace Street Culvert Substitution Request
Department of Public Works	09/14/2021	The Camelot – Grace St Culvert Substitution Approval Recommendation
Fire Department	09/09/2021	McQuade Solar Project
Building Inspector	08/24/2021	McQuade's Lane Solar Facility
Graves Engineering, Inc.	11/05/2019	McQuade's Lane Solar Hydrology & Stormwater Management Review
DPW	11/13/2018	Winston Woods Review/Comments
Building Inspector	09/14/2021	Winston Woods Definitive Subdivision
Graves Engineering, Inc.	09/13/2021	Northbridge I and Northbridge II Solar Projects As-Built Review
Guerriere & Halnon, Inc.	09/17/2021	Notice of Intent Winston Woods (2021)
Graves Engineering, Inc.	09/21/2021	Site Visit Report Mike's Way
Graves Engineering, Inc.	09/21/2021	Site Visit Report Moon Hill Estates
Graves Engineering, Inc.	09/17/2021	Site Visit Report Moon Hill Estates
Graves Engineering, Inc.	09/15/2021	Site Visit Report Moon Hill Estates
Graves Engineering, Inc.	09/13/2021	Site Visit Report Moon Hill Estates
Graves Engineering, Inc.	09/10/2021	Site Visit Report Moon Hill Estates
Graves Engineering, Inc.	09/24/2021	Northbridge McQuade Solar Site Plan Review
Graves Engineering, Inc.	09/23/2021	Site Visit Report Moon Hill Estates
Graves Engineering, Inc.	08/25/2021	Site Visit Report Stone Hill Condominiums
Graves Engineering, Inc.	09/03/2021	Site Visit Report Moon Hill Estates
Graves Engineering, Inc.	09/01/2021	Site Visit Report Moon Hill Estates
Graves Engineering, Inc.	08/30/2021	Site Visit Report Moon Hill Estates
Graves Engineering, Inc.	08/31/2021	Site Visit Report Moon Hill Estates
Graves Engineering, Inc.	08/25/2021	Site Visit Report Moon Hill Estates
Graves Engineering, Inc.	09/08/2021	Site Visit Report Moon Hill Estates

Douglas

- Public Hearing Notice – Application of McIntyre Loam, Inc. (applicant) and Second Generation Partners, LLC, Estate of Merritt D. Tetreault and JA Taylor Construction Company, Inc. (owners) for a Definitive Subdivision Plan of 8-lots at 100 Davis Street entitled "Peter Michael Business Park," an industrial subdivision.
- Public Hearing Notice – Town of Douglas Planning Board and Tree Warden will hold a public hearing to prune and remove trees that are dead or dying or impede the safe travel along Oak Street (see notice for tree removal list).

Grafton

- Public Hearing Notice – Application of Churchill & Banks Companies, LLC (applicant) and Wyman Gordon Company (owner) for a Special Permit and Site Plan Approval for the construction of a warehouse facility at 244 Worcester Street.
- Public Hearing Notice – Application of Karl and Erin Lundell for a Special Permit and Site Plan Approval for an accessory apartment at 29 Kaye Circle.
- Public Hearing Notice – Application for a Preliminary Plan Approval for a 4-lot residential development at 124 North Street Rear, 73 Rear Old Westboro Road, 4 Rear Village Lane and 25 Magnolia Lane for Circle Assets, LLC (applicant) and MaryBeth Realty Trust, Magnolia Farms Association Trust and Circle Assets, LLC (owners).

Sutton

- Public Hearing Notice – Proposed amendments to the Zoning Bylaw as follows: 1) Amend Section VI.P. - Registered Marijuana Businesses, to note they are now allowed in the OLI District per Town Meeting vote. 2)

Amend Section III.4.a. Table 1 – Table of Use Regulations, by deleting item F.5. "Trucking Services and Warehousing" as well as Section 1.B. – Definitions, by deleting the definition of "Trucking Services" and re-number accordingly where applicable. 3) Amend Sections VI.A. – Condo Development and VII.A. – Special Permits by deleting provisions that require construction / substantial performance / use to commence within a specific period of time less than the 2 years required by other bylaw provisions. 4) Amend Section VI.E. – Open Space Residential Development and Section VI.F. – Traditional Neighborhood Development by deleting the provisions within each of these sections that specify the Special Permit will lapse if it is not used within two years. 5) Amend Section VI.C. – Home Business to specify this Special Permit will be automatically renewed beyond the initial three year permit term if certain conditions are met. 6) Amend Section III.4.a. Table 1 – Table of Use Regulations and Section VI.P.3. – Registered Marijuana Business, to remove the Town-wide prohibition on Marijuana Retailers and allow Non-Medical Marijuana Retailers in the Village (V) Districts. (citizens petition)

- Public Hearing Notice – Application of Denis Sullivan for a +/-880 square foot attached accessory apartment under the Accessory Apartment Bylaw at 48 Hartness Road.
- Decision – Approved the Site Plan and Special Permit for MIG Action, LLC at 16R Worcester Providence Turnpike/12 John Road to construct a 40,500 square foot industrial building for a construction contractor with associated exterior material storage and parking.
- Decision – Approved the Site Plan and Special Permit for Peter Schotanus at 23 Jones Road for a retreat lot for a single-family home.

#### Upton

- Public Hearing Notice – Application of Erik, Kaari & Taylor Hayward for a Special Permit for a common driveway easement at 0 Oak Drive to allow access for two homes.

#### Upton ZBA

- Decision – Granted a Variance to add a second floor to the pre-existing nonconforming house and adding a 2-car garage on the right side of the house with the restriction that said Variance<sup>3</sup> would not take effect until such time as construction/framing plans for the first floor were submitted to and approved by the Conde Enforcement Department for Luciano Souza at 7 Maple Street.
- Decision – Granted Barbara Webster and Richard Tannen at 22 Walnut Street a Variance to allow an additional garage door on the proposed addition to the existing detached garage with the stipulation that the addition be constructed in accordance with the plans submitted. This increases the number of garage doors to 4 on this property.

#### Uxbridge

- Public Hearing Notice – Application of Thomas McIntyre for a Special Permit for the construction of a 64,000 square foot warehouse office building with all utilities to service the new building and the required parking for the building at 671 Quaker Highway.

#### Uxbridge BOS

- Public Hearing Notice – to consider a "vote to layout" Maslow's Way, Rifleman Way, and Brady Court in conjunction with its formal street acceptance at the Fall Annual Town Meeting.