



## NORTHBRIDGE PLANNING BOARD MINUTES



Tuesday, November 09, 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; Jim Berkowitz – Yes; Rainer Forst – Yes; and Abdul Kafal - Yes; were in attendance. No one was absent. Andrew Howden, Associate Member, R. Gary Bechtholdt II, Town Planner, and Barbara A. Kinney, Planning Administrative Assistant, were also present.

Attendees included Victor Hernandez; Robert Duff, Guerriere & Halnon, Inc.; Brad Hall; Byron Andrews, DiPrete Engineering; Holly & Tim Henault; Lance Smith; Curtis Langevin; Loretta Miller; Mariel Calran; Thomas Sheehan; Bill Renaud; Joe Marinella, J & F Marinella; Al Lamoreaux; and Nicolle Voellings.

### I. CITIZENS' FORUM

None

### II. FORM A'S 1-11 QUAKER LANE & QUAKER STREET -REVIEW/DECISION

ANR -81P Plan Assessor Map 27 Parcel(s) 1 and 2

Byron Andrews (Diprete Engineering) explained that the apartment building and the well pump house are located on the same lot. The ANR will separate the structures onto two (2) lots as the structures serve different functions. The well pump house parcel will be combined with other property owned by Mr. Knott. The apartment building and well pump house already have different access points.

*Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz), the Planning Board voted 5-0 by roll call vote of H. Berkowitz – Yes; A. Kafal – Yes; J. Berkowitz – Yes; R. Forst – Yes; and B. Massey – Yes to GRANT ANR endorsement/approval for the above referenced plan, to convey Parcel A from AP 27/2 to AP 27/1, as shown and described on the ANR plan.*

### III. WINSTON WOODS, DEFINITIVE SUBDIVISION -CONTINUED PUBLIC HEARING

Assessors Map 15A Parcel(s) 224-232 [Spring Street, extension of]  
Chapter 222 -Subdivision Rules & Regulations

Robert Duff, PE (Guerriere & Halnon, Inc.), stated that they have received the comments back from Graves Engineering regarding this proposed 9 lot subdivision. The revised plans have minor changes from the plans that the Planning Board received in September such as mislabeling corrections. B. Massey commented that it appears nothing has been done to address the concerns of the Planning Board with the proposed design and location of the large stormwater basin; this is a major concern of the Planning Board. As noted at the previous meeting, the Board will not accept a design where stormwater is collected and directed directly up gradient and adjacent to existing homes (private property) along Spring Street. R. Duff explained the

proposed basin meets stormwater regulations and the small basin on the other side of the project is already maxed out to handle additional stormwater. Per R. Duff, moving the basin is not feasible due to soils, topography, etc. G. Bechtholdt reiterated that the Planning Board was very clear at its previous meeting, they do not want a basin located directly up gradient and adjacent to the properties along Spring Street. G. Bechtholdt also noted concerns with proposed design/construction of basin where a series of 4-foot-high boulder retaining walls would be installed as part of the basin design; not something he could support or recommend approval of. G. Bechtholdt questioned long-term maintenance and DPW's ability to access. G. Bechtholdt referred R. Duff to Planning correspondences sent regarding stormwater management concerns. G. Bechtholdt stated that it appears the placement and design of the stormwater management system (basins) was secondary to maximizing the buildout potential of the site (number of house lots) that could meet zoning. G. Bechtholdt suggested to R. Duff there were two (2) options; the Board can continue its review to December 14, 2021 to review and consider a revised plan design or the Board could close the hearing, where the recommendation of Planning would be to deny the application. R. Duff said he will look at design options, but indicated they may be limited.

*Upon motion duly made (H. Berkowitz) and seconded (A. Kafal), the Planning Board voted 5-0 by roll call vote of H. Berkowitz – Yes; A. Kafal – Yes; J. Berkowitz – Yes; R. Forst – Yes; and B. Massey – Yes to continue the Public Hearing to December 14, 2021 at 7:05PM.*

#### IV. **HEMLOCK ESTATES -REVIEW/STATUS UPDATE**

##### Hemlock Street & Fir Hill Lane -Status Update

B. Massey began by stating subdivisions under construction (like Camelot & Hemlock) are considered private, under the control and responsibility of the Developer. The town's role is to oversee construction; to make sure improvements are completed in accordance with approvals and construction standards. When purchasing a home within a subdivision under construction, there are risks involved; where the Developer remains responsible for maintenance, upkeep and completion of subdivision improvements (including sidewalks, streetlights, street trees, etc.). The town's role (Planning Board) and more specifically the town departments' role (DPW, Water/Sewer, etc.) is to oversee construction to make sure once a subdivision is completed it is readied and eligible for street acceptance. However, there is no guarantee a road will be accepted as a public way as it requires a vote at Town Meeting; it is up to Town Meeting voters to decide if they want to accept a subdivision roadway as a public way; where then the Town would become responsible for its ongoing maintenance. As part of a subdivision construction, a Developer may be required to post a performance bond with the Planning Board, guaranteeing completion of required improvements. The Town (Planning Board) may call-in a performance bond, when a Developer fails to complete work or abandons a project altogether; the preference would be to have the Developer complete the project, rather than the Town take on that responsibility. The Planning Board has had discussions about calling-in the performance bond for Hemlock Estates in the past and would prefer not doing so, but did start the process. Under the suggestion of Planning, the Board began the process of calling-in the bond, where the Planning Board's Consultant prepared a draft punchlist of outstanding issues, this draft punchlist was provided to DPW for review to confirm same. The process to call-in a bond needs to be done in accordance w/Mass General Laws, the Board cannot simply pull the bond, they need to notify the Developer of their intentions and provide the Developer an opportunity to complete the work.

Joe Marinella (Developer, J&F Marinella Dev) explained that he has been patching the roadway and adjusted catch basins within this subdivision. He is having trouble getting granite. If he cannot procure the granite this season, he may install temporary Cape Cod berms to direct the water to the gutter line. He repaired the eight (8) inch frame and cover however, he is changing it to a four (4) inch frame and cover in front of 232 Fir Hill Lane so there will be no more flooding of that driveway. The detention pond has grass growing and it will be left till spring so nothing erodes. G. Bechtholdt asked J. Marinella what his intentions are for the next construction season. J. Marinella explained that he intends to complete the subdivision. It will be his priority. His granite install sub-contractor moved to Florida so he had to find/hire a new sub.

Lance Smith stated that he moved there in 2010 and the neighborhood has lots of issues with the roads, sidewalks, etc. He is concerned because he is paying taxes and the roadway still has not been accepted by the Town. He wants the town to go and access the area. He keeps being told that it will be finished, but it has not been done yet. B. Massey explained the process of calling in a bond. He stated that the process to call in the bond was started last spring for Hemlock Estates but they are working with the developer to complete the project. The Planning Board does not want to call in a bond and the developer should not want the bond called in either. The process was started last spring where a punchlist was prepared by the Board's Consultant; the draft punchlist was then sent to DPW for review; the punchlist was just recently confirmed by the Department of Public Works until late this fall. The Planning Board did not want to call in the bond with an incomplete punchlist and needed to wait for review and confirmation from DPW. Tom Sheehan wants to know what the bond will cover if/when it is called in because the road is a mess. G. Bechtholdt explained that the Planning Board consultant does site visits and reviews the approval, etc. and puts together a punchlist and things could be added as needed and taken off if complete. Victor Hernandez wants to make sure the roadway is pitching away from his driveway. J. Marinella stated that the roadway will be corrected, noting it has not been done yet. V Hernandez suggested efforts to correct previously did not work. J. Marinella tried to lower the frame and cover and he will now lower the catch basin more and then lower the area to direct the flow to the catch basin. A resident stated that their slope is eroding and have rocks that go to a retaining wall. B. Massey stated if concerns are outside the limits of the roadway's right-of-way, then it may not be something the Board can require as part of the subdivision sign-off. G. Bechtholdt suggested the Developer review with property owners to address this concern. If it is part of the rip rap in the Right-of-Way then it would be part of the subdivision approval. Nicole Voellings stated that the water issue is getting worse with the building that is being done. The water comes from every which way. In the winter, their driveway is a sheet of ice. There is a sub-drain there now. The water is coming from the open space behind the houses. J. Marinella indicated he can look into this and can bring solutions to the Planning Board to grant permission to make the changes provided he still owns the open space.

#### **CAMELOT -REVIEW -REVIEW/STATUS UPDATE**

Rebecca Road, Joseph Circle & Genevieve Drive

Joe Marinella (Developer, J&F Marinella Dev) suggested there are approximately six (6) items left on the punchlist with regards to the current phasing of the subdivision. All major concerns have been addressed. The three (3) child gates on the pipe still need to be installed, crack sealing needs to be done and repair of the two (2) gate boxes. At 105 Joseph Circle a sidewalk panel needs to be removed and re-poured and around the fire hydrant needs to be fixed. There is also one (1) broken inlet stone. The stone bounds have been installed, but Graves Engineering found five (5) that were missed. One (1) bound is too high and will need to be lowered. The streetlights are in and once the electrician wires them the power company will

energize them. The new pump(s) for the sewer pump station have a ship date of November 15, 2021. J. Marinella explained the Sewer Department is allowing him to install a different manufacture pump. B. Massey expressed frustration learning the Developer had initially warned the Sewer Department about the original pump required by the town to be installed in the Camelot subdivision; where despite efforts to convince DPW to allow them to install a different pump, DPW (Sewer) required the Developer to install the pump of the Sewer Superintendent's selection, where not once but multiple-times after failures, only for that pump to also fail. B. Massey stated he is equally frustrated that it took DPW a number of months before the ultimately approved a different pump. This has resulted in delays in ordering the replacement pump and consequently delay in installing the new pump. B. Massey understands the frustration of the Developer in this instance, where they were required to purchase and install multiple pumps they knew were inferior and would not be warranted by the installer; where now the Developer is allowed to install the pump (Homer) they initially requested and wanted to install in the first place. B. Massey concluded by saying the DPW needs to take a more proactive role in their oversight of subdivision development; where DPW's responsibilities were reviewed with them at a previous Planning Board meeting. Holly Henault is glad to hear that progress is being made to install the pump and commented that this could have been avoided. Al Lamoreaux of Kingsnorth Street asked about Grace Street; it was explained to him that Grace Street is not part of the discussion tonight. B. Renaud stated that they do not currently have a start date for the Grace Street Phase of the project.

#### **MOON HILL ESTATES -REVIEW/STATUS UPDATE**

Monica Way, Amy Terrace & Valerie Run -Status Update

Chair, B. Massey indicated that there are no houses started yet and a bond has not been established for this residential subdivision. Graves Engineering has been providing weekly inspection reports. This is a tough site and the developer is managing it well. There is not much to report yet.

#### **OLD/NEW BUSINESS**

Approval of Meeting Minutes -September 28, 2021 & October 12, 2021

*Upon motion duly made and seconded the Planning Board voted unanimously to accept the Planning Board minutes of September 28, 2021. Upon motion duly made and seconded the Planning Board voted unanimously to accept the Planning Board minutes of October 12, 2021.*

D & B Estates (Glen Drive) -ANR Plan Endorsement (Subdivision Modification)

S. O'Connell explained that the ANR plan is under the conditions of modification approval. The plan removes the open space notation and references the subdivision modification.

*Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted 4-0 by roll call vote of H. Berkowitz – Yes; J. Berkowitz – Yes; A. Kafal – Yes; and B. Massey – Yes to grant endorsement of the ANR plan.*

Bylaw Review Committee -Planning Board Representative

The Planning Board tabled this item.

MGL CH 41 SEC 81U -Proceedings/Hemlock Estates

Point of Information.

Planning Board Meeting Dates for 2022

*Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz), the Planning Board voted 5-0 by roll call vote of H. Berkowitz – Yes; J. Berkowitz – Yes; A. Kafal – Yes; R. Forst – Yes; and B. Massey – Yes; to approve the Planning Board meeting dates for 2022.*

Green Meadow Court -Status/Update

The Planning Board tabled this item.

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 November 09, 2021; Draft Planning Board Agenda dated November 23, 2021; Citizen's Forum document; Email dated November 03, 2021 to Town Planner from Diprete Engineering regarding ANR plan for Quaker Street; Form A Application for Endorsement of Plan Believed Not to Require Approval dated November 02, 2021 regarding Quaker Street; Division of Land at 1-11 Quaker Lane & Quaker Street dated November 01, 2021; Checklist for Approval Not Required Plan dated November 03, 2021 for 1-11 Quaker Lane & Quaker Street; Letter dated September 29, 2021 to Town Clerk from Planning Administrative Assistant concerning Winston Woods Continued Public Hearing and extension of decision period; Winston Woods drainage plan revised September 08, 2021; Document regarding Winston Woods stormwater basins; Email dated November 03, 2021 to Planning Board from Town Planner regarding Winston Woods stormwater basin; Email dated October 21, 2021 to Planning Board from Town Planner regarding Hemlock Estates – Fir Hill Lane; Letter dated October 27, 2021 to DPW Sewer Superintendent from J & F Marinella concerning Camelot Subdivision Sewer Pumps; Site Visit Report dated October 18, 2021 from Graves Engineering for Moon Hill Estates; Site Visit Report dated October 20, 2021 from Graves Engineering for Moon Hill Estates; Site Visit report dated October 27, 2021 from Graves Engineering for Moon Hill Estates; Site Visit Report dated October 29, 2021 from Graves Engineering for Moon Hill Estates; Draft Planning Board Minutes for September 28, 2021; Draft Planning Board Minutes for October 12, 2021; Email dated September 16, 2021 to Town Planner from Planning Administrative Assistant regarding Bylaw Review Committee; Draft Planning Board Meeting dates for 2022; Email dated October 15, 2021 to CMRPC Planning Boards, Delegates, Town Planners, and Town Administrators/Managers from CNRPC concerning Local Planning Assistance Program Update; Email dated October 21, 2021 to Department of Public Works, Whitinsville Water Company, Building Inspector, Conservation Agent, Fire Chief and Graves Engineering from Town Planner regarding Leonardo Estates Guard Railings; Site Visit Report dated October 26, 2021 from Graves Engineering concerning Puddon I and Puddon II Solar Projects; Planning Board Schedule of Meeting Dates 2021.

Other

Each town will be receiving American Rescue Plan Act (ARPA) money. G. Bechtholdt has submitted a proposal for the boardwalk along the Mumford River walk. This boardwalk is important now that a section of Linwood Avenue has been widened across from the Whitinsville Christian School. There may also be some

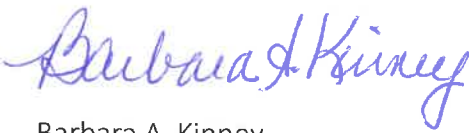
funding for the Rockdale pocket park for benches, trash cans, etc. Another project being looked at is for signage and wayfinding of the downtown walking tour for printing flyers, etc. The Planning Board agrees that these are good ideas. The next Planning Board meeting is scheduled for November 23, 2021 and there is nothing to be scheduled on the agenda yet, but that may change. True Natures Wellness may change hands. It may be a transfer or they may just purchase True Natures Wellness. The Camelot may be requesting a bond reduction request. Graves Engineering will need to put together a punchlist and the Planning Board will need any review comments from town departments.

**ADJOURNMENT**

Having no additional business, the Planning Board adjourned its meeting of November 09, 2021 at or about 8:30PM.

Respectfully submitted,

Approved by the Planning Board:



Barbara A. Kinney  
Planning Administrative Assistant

Cc: Town Clerk /File

FROM	DATE	SUBJECT
Graves Engineering, Inc.	10/12/2021	Site Visit Report for Moon Hill Estates
Graves Engineering, Inc.	10/14/2021	Site Visit Report for Moon Hill Estates
DiPrete Engineering	11/09/2021	Moon Hill Estates Status Report
J & F Marinella	11/09/2021	The Camelot bond reduction request
Conservation Commission Agent	11/02/2021	Winston Woods Application Review

Douglas

- Public Hearing Notice – Application of Pete's Food Truck (applicant) and Michael Monaco (owner) for a Special Permit to allow a food truck to cook and sell food at 436 Northeast Main Street.

Grafton

- Decision – Approved with Conditions the application of IDEXX Laboratories (applicant) and IDEXX Distribution, Inc. (owner) for a Modification of Site Plan approval for construction of a new storage utility building and parking lot/site improvements at 3 Centennial Drive.
- Public Hearing Notice – Application of AT & T, c/o of Catherine Conklin, Agent (applicant) and Union Congregational Church (owner) for a Modification of a Special Permit and Site Plan approval to add a backup, self-contained diesel generator and 4 foot by 10 foot concrete pad within the existing AT & T equipment area at 86 Main Street.
- Public Hearing Notice – Application of Robert Canty (applicant) and Robert and Marianne Canty (owners) for a Preliminary Plan for a 5-lot residential development on property located at 340 and 348 Providence Road.
- Public Hearing Notice – Application of New England Power Company for a Special Permit and Site Plan Approval for a pesticide application treatment to the base of 13 wood pole structures located along the 323 Transmission Line and within the Water Supply Protection Overlay District.
- Public Hearing Notice – Application of Land Planning, Inc. (applicant) and MacBill, LLC (owner) for a Special Permit and Site Plan Approval request for a two-family residence replacing existing single-family residence at 72 Westboro Road.
- Decision – Approved with Conditions the Special Permit for Karl and Erin Lundell for an accessory apartment at 29 Kaye Circle.
- Public Hearing Notice – Amending subdivision control rules and regulations by making revisions to Sections 2, 3, 4 and 5 and corrections throughout the document, such as punctuation, spelling and formatting.

Mendon

- Public Hearing Notice – Public Hearing to amend zoning by-laws by adding Section 5-05 Age Restricted Overlay District (AROD). The AROD is to allow for an Age Restricted Residential Development with a commercial component. The new bylaw includes sections on purpose, definitions, allowed uses, landscaping, signage, site plan approval and waivers. The AROD will be located on assessor's map 8, Lots 189-3 and 177-6 and numbered as 3 North Avenue and 6 Milford Street.

Sutton

- Public Hearing Notice – Application of Tim Zoll for Scenic Roadway permit to restack the existing stone walls at 230 Manchaug Road to make them neater and add light posts abutting the driveway at the end of the stone walls.
- Public Hearing Notice – Application of Neil Thibodeau (applicant) and Jane Oliver (owner) to designate 126 Dodge Hill Road as a retreat lot.

Upton

- Public Hearing Notice – Application of Upton's Little Saints Christian Preschool, LLC for a Site Plan Approval to allow a driveway extension and resurfacing of parking areas for use by family and school at 100 South Street.
- Public Hearing Notice – Application of Sean MacDonald for a large lot frontage reduction Special Permit for property located off North Street and Westboro Road.

- Decision – Approved with Conditions the Site Plan Approval for the construction of the Town of Upton Community Center at 9 Milford Street.

#### Upton ZBA

- Public Hearing Notice – Application of Amanda McElroy, Viewpoint Sign & Awning for a Variance to install and replace signs at 10 Hartford Avenue North (Dunkin Donuts); and Application of Route 140 Upton Realty Trust, Richard Terrill, Trustee for a Special Permit to allow Townhouse development in the General Business Zone on property located at 0 Milford Street.
- Decision – Approved a Special Permit with Conditions for Beatriz Jacinto Parreira for a home business for Aesthetician at 92 Hopkinton Road.
- Decision – Approved a Variance for Bill & Cathy Tomasetti to install and maintain a 12 x 16 foot shed 15 feet from the edge of road due to location of the septic system at 18 River Street.
- Decision – Approved a Variance for a 15 foot rear setback to allow for an in-ground pool due to the location of the septic system for Mark & Megan Carlson at 6 Summers Circle.