



NORTHBRIDGE PLANNING BOARD MINUTES



Tuesday, September 27, 2022

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 by remote means only.

Recognizing the presence of a quorum, Brian Massey (Yes) called the meeting to order at 7:01PM. Mike Baker - Yes; Jim Berkowitz - Yes; Rainer Forst - Yes; and Abdul Kafal - Yes were in attendance. Andrew Howden, Associate Member was present. R. Gary Bechtholdt II, Town Planner, and Barbara A. Kinney, Planning Administrative Assistant, were also present.

Attendees: Ron Henault; John Federico, Guerriere & Halnon, Inc.; Steve O'Connell, Turning Point Engineering.

I. CITIZENS FORUM

None

II. FORM A's

WINDSTONE DRIVE & HIGHLAND STREET -REVIEW/DECISION

ANR 81-P Assessor Map 17 Parcel 15

The subject property for this ANR plan has previously received a Variance from the Zoning Board of Appeals granting relief on the building setbacks due to the location/topography of the lot. The Variance was issued in 2020 with construction of the building/house currently underway. Per Steve O'Connell, both proposed lots will meet the size and frontage requirements. This lot was not part of the subdivision as it is a pre-existing lot with frontage on Highland Street where the existing building was torn down. There is a sewer easement and wetlands on this property as well. The ANR plan presented intends to subdivide this lot, thereby creating two (2) lots with one having frontage on Windstone Drive/Highland Street (house under construction) and the other along Highland Street (proposed new lot). Before the Planning Board provides endorsement, they are seeking a determination from the Building Inspector/Zoning Board to confirm that the lot which was issued the Variance is permitted to be altered. The Variance (Decision) was not well-written, however identifies the subject property (AP17-15) noting the intent of the Variance was to allow for the construction of a single-family home on Windstone Drive.

Upon motion duly made (J. Berkowitz) and seconded (A. Kafal), the Planning Board voted 5-0 by roll call vote of M. Baker - Yes; J. Berkowitz - Yes; A. Kafal - Yes; R. Forst - Yes; and B. Massey - Yes to GRANT ANR ENDORSEMENT SUBJECT TO REVIEW AND CONSENT OF SAME BY INSPECTOR OF BUILDINGS/ZONING BOARD of the above referenced plan. The intent of the ANR application, as noted on the plan is to create two (2) building lots: Lot B-1 and Lot B-2 from AP17-15.

III. HEMLOCK ESTATES SUBDIVISION

CONSTRUCTION CHANGE REQUESTS (FIR HILL LANE) -REVIEW/DECISION

Asphalt Berm (portion of), Pond 1 (paved access), Pond 2 (design & access), Street Trees

The developer is requesting several construction changes and Joe Marinella (developer), Gary Bechtholdt (Town Planner), Dave Pickart (Conservation Agent), Jeff Walsh (Graves Engineering) and Jamie Luchini (Department of Public Works Director) walked the site to view the changes proposed. The Planning Board received a letter from the Department of Public Works (DPW) late today. The changes proposed are as follows: 1. Installing Cape Cod berm along the left side of Fir Hill Lane from the left side of the cul-de-sac down to the portion where the roadway begins to rise. The DPW supports this change as it is easier for plowing. The developer is looking to pave the roadway this fall so it can winter over and be proposed for street acceptance next year. 2. Eliminate the planting of trees along the side of the road where the Cape Cod berm will be installed as the ledge in that area would inhibit the growth of the trees. The subdivision was reviewed and there is no other place to plant these trees. The developer is willing donate funds to the DPW equal to the cost of the trees for the town to use elsewhere. 3. Eliminate the construction of vehicle access from Fir Hill Lane to the detention basin. The existing riprap in this area will be cleaned up and any debris removed. The riprap is to be expanded to encompass the side slopes to prevent erosion. 4. Pond #1 access will remain as it is currently with lawn and existing resident's fencing. The access will be accessible by a DPW vehicle as necessary, while still maintaining the non-roadway look. The resident installed a shed and will locate a gate in the fence that DPW may use to access the basin. 5. The existing detention pond #2 has been constructed with a smaller pond area between the pond and the drainage trench. This pond is to remain. The Conservation Agent supports this and the developer is to provide an as-built plan to the Town. 6. The berm between the two (2) ponds is to be cut down to the base level of the first pond and filled with riprap to act as a filter. The riprap fill will be brought up to about two (2) feet from the existing berm top to allow for un-inhibited overflow into the larger pond.

It is noted that the Cape Cod berm is allowed in this instance because of the rock slope in that area and there is no sidewalk on that side of the roadway. This is not setting a precedence for future projects.

Upon motion duly made (J. Berkowitz) and seconded (A. Kafal), the Planning Board voted 5-0 by roll call vote of M. Baker – Yes; J. Berkowitz – Yes; A. Kafal – Yes; R. Forst – Yes; and B. Massey – Yes TO CONSIDER AND ALLOW FOR THE FOLLOWING CONSTRUCTION CHANGE(S), as reviewed and supported by the Department of Public Works as follows: 1. Installation of Cape Cod berm along the southerly side of Fir Hill Lane, from approximately Station 7+00 through to Station 13+00 within cul-de-sac. 2. Elimination of planting of (approximately 12) street trees along southerly side of Fir Hill Lane, from approximately Station 7+00 through to Station 13+00 within cul-de-sac. 3. Elimination of 12-foot-wide paved access drive(s) to Pond #1 (Lot 10) and Pond #2 (Lots 15 & 16). 4. Allow for the re-design of Pond #2, including drainage trenching from Fir Hill Lane, within easement area of Lot 15 & Lot 16. The Developer (/Engineer) shall prepare plans depicting redesign for review/approval by Conservation Agent and Planning Board Consultant, where upon construction certification and As-Built plan shall also be provided. Any cost savings realized by the Developer, as a result of the elimination of street trees and installation of Cape Cod berm shall be provided to the Town (Department of Public Works), where such funds may be used at the discretion of DPW to perform similar improvement elsewhere in town.

IV. MOON HILL ESTATES SUBDIVISION
EXTENSION OF APPROVAL/CONSTRUCTION [Form F -Covenant]
ESTABLISH PERFORMANCE BOND [§222-9 J Performance Guaranty]
RELEASE OF LOTS [§222-37 Lot Release]

John Federico explained that they are looking to extend the completion date for one-year, set up a bond for the entire project and release all the lots for this subdivision. Gary Bechtholdt (Town Planner), Dave Pickart (Conservation Agent), Jeff Walsh (Graves Engineering) and Jamie Luchini (Department of Public Works Director) visited this site after they visited Hemlock Estates. Graves Engineering is preparing a punchlist and estimate to bond the project. The binder course has been installed along with the basins and utilities. Soil testing was done on all 40 lots. A date and time will be set up so the Planning Board members can visit the site.

Upon motion duly made (J. Berkowitz) and seconded (R. Forst), the Planning Board voted 5-0 by roll call vote of M. Baker – Yes; J. Berkowitz – Yes; A. Kafal – Yes; R. Forst – Yes; and B. Massey – Yes to GRANT AN EXTENSION OF THE DATE OF COMPLETION for Moon Hill Estates from October 22, 2022 through to December 31, 2023; reference is made to Covenant dated October 22, 2019 [BK 61376 PG 118] for the above noted subdivision development.

Upon motion duly made (A. Kafal) and seconded (J. Berkowitz), the Planning Board voted 5-0 by roll call vote of M. Baker – Yes; J. Berkowitz – Yes; A. Kafal – Yes; R. Forst – Yes; and B. Massey – Yes to ESTABLISH A PERFORMANCE SURETY for Moon Hill Estates subdivision, as determined by Planning Board Consultant (Graves Engineering, Inc.) and reviewed and consented to by the Department of Public Works. Completion date (extension) shall be noted on performance surety agreement to be established with the Town (Planning Board) and the Owner/Applicant/Developer.

Upon motion duly made (R. Forst) and seconded (M. Baker), the Planning Board voted 5-0 by roll call vote of M. Baker – Yes; J. Berkowitz – Yes; A. Kafal – Yes; R. Forst – Yes; and B. Massey – Yes to GRANT RELEASE OF LOTS for Moon Hill Estates subdivision: Lots 1-40 (Assessor Map 29 Parcels 99-140) from Covenant dated October 22, 2019 [BK 61376 PG 118].

V. MIKE'S WAY SUBDIVISION

BOND REDUCTION REQUEST [§222-9 L Reduction of Performance Guaranty]

EXTENSION OF APPROVAL/CONSTRUCTION [Form K -Lenders Agreement]

The developer is seeking an extension to the completion date of the Mike's Way subdivision through December 2023 and the developer is also seeking a bond reduction for this subdivision.

Upon motion duly made (J. Berkowitz) and seconded (A. Kafal), the Planning Board voted 5-0 by roll call vote of M. Baker – Yes; J. Berkowitz – Yes; A. Kafal – Yes; R. Forst – Yes; and B. Massey – Yes to GRANT AN EXTENSION OF THE DATE OF COMPLETION for Mike's Way subdivision from February 07, 2023 through to December 31, 2023; reference is made to Covenant dated March 03, 2021 [BK 64631 PG 246] for the above noted subdivision development. Completion date (extension) shall be noted on updated surety agreement [Form K -Performance Secured by Lenders Agreement] established with the Town (Planning Board) and the Owner/Applicant/Developer (Henault Builders, Inc.).

Upon motion duly made (J. Berkowitz) and seconded (A. Kafal), the Planning Board voted 5-0 by roll call vote of M. Baker – Yes; J. Berkowitz – Yes; A. Kafal – Yes; R. Forst – Yes; and B. Massey – Yes to GRANT BOND REDUCTION for Mike's Way subdivision, as determined by Planning Board Consultant (Graves Engineering, Inc.) and reviewed and consented to by the Department of Public Works.

OLD/NEW BUSINESSApproval of Meeting Minutes -September 13, 2022

Upon motion duly made (J. Berkowitz) and seconded (A. Kafal), the Planning Board voted 4-0-1 (R. Forst abstained) by roll call vote of M. Baker – Yes; J. Berkowitz – Yes; A. Kafal – Yes; B. Massey – Yes; and R. Forst abstain to approve the minutes of September 13, 2022 as written.

Bylaw Review Committee -Planning Board Representative

Tabled.

Housing Production Plan -Housing Survey (draft) & Scheduling of Public Meeting

The survey is in the Planning Board packet and is posted online. On October 17, 2022 Pioneer Valley Planning Commission should be going before the Board of Selectmen. In November 2022, there will be a public forum. The Planning Board members should fill out a survey online.

Ch. 20 of Acts of 2021 [Open Meeting Law] -Status of Remote Means (via ZOOM)

The Planning Board will reconsider returning to in-person meetings at their December 27, 2022 meeting.

2022 Fall Annual Town Meeting -Tuesday, October 25, 2022 (7:00 PM)

Point of Information.

2022 Special Town Meeting -Tuesday, October 25, 2022

Point of Information. This is for a TIF Agreement for a Life Science Building in Osterman Commerce Park.

Castle Hill Farm Property (Community Preservation Committee) -Article #3 Recommendation

Article 3 of Fall Annual Town Meeting Warrant is for property on Castle Hill Road. *Upon motion duly made (M. Baker) and seconded (J. Berkowitz), the Planning Board voted 5-0 by roll call vote of M. Baker – Yes; J. Berkowitz – Yes; A. Kafal – Yes; R. Forst – Yes; and B. Massey – Yes to recommend support for Article #3 for the Town to acquire the Castle Hill Farms property.*

(DRAFT) 2022 Open Space & Recreation Plan -Review/Comment

The draft document will be coming soon. They are getting near the end of putting it together. There will be a public forum in October and the document will be shared with the Planning Board in November.

Mumford Riverwalk Boardwalk (Linwood Ave) -Status/Update

A Notice of Intent will be submitted soon to the Conservation Commission. An Owner Project Manager (OPM) has been engaged to prepare the construction documents and oversee the construction.

Rockdale Pocket Park (Providence Rd) -Status/Update

A Notice of Intent will be submitted soon to the Conservation Commission. Allen Engineering & Associates has been engaged to design the pocket park.

Site Plan/Subdivision Development -Status/Updates

Stone Hill Condos has provided the final donation in lieu of affordable housing for \$17,500 to be used for Planning Board Initiatives. The Rockdale Pocket Park and the Mumford River Boardwalk was made possible in part because of donations from the Stone Hill Condos as part of the in lieu of affordable housing. The

sewer pump station is functioning better at the Camelot with better communication and everyone is on the same page.

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 27, 2022; Draft Planning Board Agenda dated October 11, 2022; Citizens Forum Document; Form A Application for Endorsement of Plan Believed Not to Require Approval dated August 15, 2022 for Terreno Realty, LLC for Highland Street (Windstone Drive); Checklist for Approval Not Required Plan for Highland Street (Windstone Drive) dated September 21, 2022; Certified Plot Plan of Parcel B Windstone Drive dated March 28, 2022; Division of Land of 0 Windstone Drive (Parcel B) dated August 03, 2022; Zoning Board of Appeals Variance dated April 07, 2020; Letter dated September 21, 2022 to Town Planner from Joe Marinella regarding request for construction changes at Hemlock Estates; Letter dated September 09, 2022 to Planning Department from Guerriere & Halnon, Inc. concerning Request for an Extension to the Conditions of Approval for Moon Hill Estates dated December 28, 2018; Pages 12-14 of the Conditions of Approval for Moon Hill Estates; Letter dated September 19, 2022 to Planning Board from Henault Builders, Inc. requesting an extension for the completion of Mike's Way through December 2023 and a request for a bond reduction for Mike's Way; Mike's Way Construction Updates as of September 2022; Draft Minutes of September 13, 2022; Northbridge Housing Survey 2022; Warrant for Fall Annual Town Meeting Tuesday, October 25, 2022; Memo dated August 31, 2022 to Town Manager/Board of Selectmen, Board of Assessors, Board of Health, Conservation Commission, Historical Commission, Planning Board, Playground & Recreation Commission, Building Inspector/Zoning Enforcement Officer, Conservation Agent, and Director of Public Works from the Community Preservation Committee regarding Castle Hill Farm Property Land Acquisition; Memo dated September 19, 2022 to Chair Board of Selectmen and Town Manager from Town Planner concerning Stone Hill Condominiums Monetary Donation – Acceptance of Gift of \$17,500; 2022 Planning Board Meeting Dates.

Other

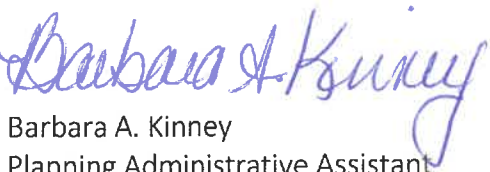
As part of the Planning Board initiatives, the Master Plan will be started next year. The Open Space and Recreation Plan and the Housing Production Plan will be part of the Master Plan.

ADJOURNMENT

Having no additional business, the Planning Board adjourned its meeting of September 27, 2022 at or about 7:50PM.

Respectfully submitted,

Approved by the Planning Board:


Barbara A. Kinney
Planning Administrative Assistant



Cc: Town Clerk /File

September 27, 2022

Planning Board

FROM	DATE	SUBJECT

ZBA

- Public Hearing Notice – Application of Joseph Johnson (applicant) and Jeanne Gould (owner) for a Special Permit to divide the existing lot and create two (2) retreat lots at 308 Hill Street.

Douglas

- Public Hearing Notice – Application of Luis & Marie Sanches for a Common Driveway Special Permit at 114 South Street.

Uxbridge

- Public Hearing Notice – Article 12: Amendment to Zoning Bylaw to add a new Section 400-15 Signs; Article 13: Amendment to Zoning Bylaw to add a new Section 400-16 Accessory Dwelling Units; Article 23: Citizen's Petition to re-accept the extension of Elm Street as a public way as voted, Article 20, June 4, 1991 as shown on the street acceptance plan recorded at the Registry of Deeds October 18, 1991 (Book/page 00653/8).

Uxbridge ZBA

- Public Hearing Notice – Application of Luke Malo for a Special Permit for a Class II Automobile Dealer License at 680 Douglas Street; Application of Gary and Jessica Rea for a Special Permit to construct a private stable at 27 Forest Lane.