



NORTHBRIDGE PLANNING BOARD
MINUTES
TUESDAY, SEPTEMBER 12, 2023



Recognizing the presence of a quorum Rebecca Rushford, Chair called the meeting to order at 7:00 PM, with the following other members in attendance: Michael Baker, James Berkowitz, Michael Wilkes, and Andrew Howden, Associate Member. R Gary Bechtholdt, Town Planner was also in attendance with Barbara Kinney, Planning/Conservation Admin Assistant and Abdul Kafal, Member absent.
Attendees of the Public: Robert Lussier, EIT (CMG)

I. CITIZENS FORUM

None

II. FORM A'S

None

III. CONTRACTORS YARD, DOUGLAS ROAD -CONT. PUBLIC HEARING

Northbridge Zoning Bylaw -Section 173-49.1 Site Plan Review of the Planning Board
Assessor Map 3 Parcel(S) 115-118

J Berkowitz acknowledged he is the Applicant for the Douglas Road application and recused himself from voting on the Site Plan Review of the Planning Board.

B Rushford, Chair noted Abdul Kafal (member) is absent and will be considered ineligible to vote should he attend a future meeting where this site plan is under consideration. Voters members for this Site Plan review is down to three (3); B Rushford, M Wilkes, and M Baker. G Bechtholdt noted although A Howden, Associate Member is present for the meeting, as Associate Member A Howden is only allowed to act on Special Permit applications (not site plan review) in accordance with MGL and local zoning.

Robert Lussier, EIT for CMG Environmental, on behalf of Owner/Applicant updated the Board on status of review and plan revisions, noting initial Technical Review meeting, Conservation Commission ongoing review, approval from the Safety Committee, and a subsequent Technical Review meeting to review in greater detail the drainage easement area. R Lussier mentioned they are scheduled to meet with the Zoning Board later in the week to secure a Special Permit for the use (Contractors Yard) and a separate Special Permit for proposed work within the Floodplain, where compensatory storage will be required onsite.

R Lussier reviewed site photos showing proposed curb cuts and offered commentary with regard to sight distances (staked & flagged out in the field). R Lussier confirmed sight distances for all of the proposed curb cuts were favorable and exceeded minimum standards. G Bechtholdt advised the Board, they could engage the services of an outside consultant to review traffic, however if the Planning Board feels based upon the project scope for this project (Contractors Yard) where it is not anticipated to generate a lot of traffic, they may opt to not require additional peer review (Traffic Engineer); noting the Board's consultant has reviewed, as well as the Safety Committee and determined the sightlines to be favorable for the site development.

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NORTHBRIDGE TOWN CLERK
LINDA S. FRYE

R Lussier reviewed with the Planning Board day-to-day operations of the adjacent Berkowitz Trucking and how trucks would access the rear of property via the proposed parking area to get to the roll off dumpsters and dumpster bins (approximately 50 to 60). R Lussier noted the dumpsters and roll off will be empty, as they are not permitted to store material in the dumpsters (per DEP regulations). R Lussier reviewed with the Planning Board proposed landscaping (row of Hemlocks) to help mitigate noise concerns, noting pick-up & drop-offs would be consistent with hours of operation (7 AM to 4 PM Monday-Saturday).

G Bechtholdt noted concerns with existing drainage easement area collecting stormwater from the two (2) existing developments directly adjacent and upgradient from the site. G Bechtholdt noted concerns with potential flooding of Douglas Road. G Bechtholdt asked the Applicant/Engineer to provide the Board with additional information specific to evaluating the storage capacity of the site, understanding portions of the site are to be altered to accommodate three (3) contractors yard buildings, storage of dumpsters, parking areas, etc. R Lussier explained the hydraulic connections within the site (pre & post 2020 approval) and indicated they have taken into account flow storage.

Planning Board directed the Applicant/Engineer to provide additional supportive documentation with regard to flows, onsite capacity, and function of the existing culvert(s) at Douglas Road. R Lussier reminded the Planning Board that their Consultant (Graves Engineering, Inc.) has reviewed the project and is in agreement with calculations provided, adding the Conservation Commission (Agent) and Director of Public Works are also satisfied with findings. G Bechtholdt acknowledged the Board's Consultant has reviewed and appears to be on the same page as to with what R Lussier is saying. G Bechtholdt suggested Conservation Commission review/approval may be more specific to wetland impacts and understands there is some commonality, stating however wants more information before considering support of project. R Lussier is to provide the Board with additional information concerning the existing drainage easement and how the proposed development accommodates the flows, where impacts to Douglas Road (flooding) will be unchanged.

G Bechtholdt noted, if the Planning Board and other permitting authorities (Conservation & Zoning Board) are to grant approvals, after which Town Counsel should be engaged to review and offer guidance on how to formally relocate the existing easement, as the proposed buildings cannot be located within an easement area. R Lussier advised the Planning Board, the Zoning Board is to consider special permit application(s) for activity within the Floodplain (compensatory storage) and for the proposed use (Contractors Yard) at its meeting scheduled for September 14, 2023.

B Rushford highlighted items discussed including drainage, noise, site lighting, landscape screening, fencing, sightlines, site circulation, and building architecture. Planning Board indicated they may be in a position to act on the application at the next meeting provided they are satisfied with additional information to be presented. G Bechtholdt suggested, when the Planning Board is ready they may instruct me to prepare a set of draft conditions to be shared with the Applicant/Engineer and reviewed during the public meeting; Board members agreed goal for next meeting was to complete the review.

Upon motion duly made (M Wilkes) and seconded (M Baker) the Planning Board voted (3-0-1 [J Berkowitz abstained]) to Tuesday, September 26, 2023 at 7:25PM.

IV. CONTRACTORS YARD, MAIN STREET -CONT. PUBLIC HEARING

Northbridge Zoning Bylaw -Section 173-49.1 Site Plan Review of the Planning Board
Assessor Map 2 Parcel 36

B Rushford, Chair acknowledged receipt of correspondence from Applicant/Engineer requesting a continuance of the Planning Board Site Plan Review. *Upon motion duly made (J Berkowitz) and seconded (M Wilkes) the Planning Board voted (4-0) to continue the public hearing for Main Street Contractors Yard (site plan review) to Tuesday, September 26, 2023 at 7:45 PM.*

OLD/NEW BUSINESS

Approval Of Meeting Minutes -August 22, 2023

Upon motion duly made (M Wilkes) and seconded (J Berkowitz) the Planning Board voted (4-0) to approve the meeting minutes for August 22, 2023.

Castle Hill Road, Scenic Road -Removal of Two (2) Public Shade Trees

Planning Board acknowledged receipt of letter dated August 17, 2023 (including photographs) from the Director of Public Works /Tree Warden with regard to two (2) public shade trees in need of removal due to their conditions. The Tree Warden seeks a waiver of full compliance with Scenic Road (public shade tree) provisions to prevent destruction of private property, town property or harm to persons. *Upon motion made (J Berkowitz) and seconded (M Wilkes) the Planning Board voted (4-0) to approve the removal of two (2) public shade trees located along Castle Hill Road, a designated Scenic Road in Northbridge as requested by the Tree Warden.*

Camelot Subdivision (Phase 2 & Phase 3) -Request for Bond Reduction

Planning Board noted receipt of bond reduction request for Phase 2 & Phase 3 Camelot consisting of portion of Rebecca Road through to Hillcrest Road and Genevieve Drive. *Upon motion duly made (M Baker) and seconded (M Wilkes) the Planning Board voted (4-0) to refer matter to the Planning Board Consulting Engineer (Graves Engineering, Inc.) and the Director of Public Works for inspection and report detailing remaining improvements associated with Phase 2 & Phase 3 -Camelot.* G Bechtholdt reminded the Board that the Consultant, after consultation with Department of Public Works and others will prepare a punchlist of outstanding issues, including updated construction estimates (construction values) for remaining work.

Mike's Way Subdivision -Request for Bond Extension

G Bechtholdt, Town Planner informed the Planning Board of the unexpected passing of Ron Henault, Developer. G Bechtholdt noted Ron was very easy to work with and always prompt in addressing any questions or concerns with the subdivision development currently under construction near the Grafton town-line. G Bechtholdt reviewed with the Planning Board request to extend the completion period for the subdivision. *Upon motion duly made (J Berkowitz) and seconded (M Wilkes) the Planning Board voted (4-0) to grant an extension through December 31, 2024 as requested.* Planning Board acknowledged receipt of construction schedule updated for September 2023, along with letter dated August 25, 2023 from Ronald J Henault (Henault Builders, Inc.).

Earth Removal Board (Section 7-200) -Planning Board Representative

J Berkowitz indicated that he would be interested in serving and representing the Planning Board on the Earth Removal Board. *Upon motion duly made and seconded the Board voted (4-0) to (re)appoint J Berkowitz for Earth Removal Board.*

Economic Development Committee -Planning Board Representative

M Wilkes informed the Board that he is currently on the Economic Development Committee as Member at-Large and would be willing to serve as the Planning Board representative. *Upon motion duly made and seconded the Board voted (4-0) to appoint M Wilkes for Economic Development Committee.*

Open Space & Recreation Plan Update Committee -Planning Board Representative

B Rushford indicated she would be interested in serving and representing the Planning Board on the Open Space & Recreation Plan Update Committee, noting she is currently on the newly established Trail Stewardship Committee. *Upon motion duly made and seconded the Board voted (4-0) to appoint B Rushford for Open Space & Recreation Plan Update Committee.*

Planning Board Acceptance of MGL CH 110G -Electronic Signatures

Upon motion duly made (J Berkowitz) and seconded (M Baker) the Planning Board voted (4-0) to recognize and accept the provisions of MGL CH 110G, regarding electronic signature and that its members will henceforth execute documents either with electronic signature or with wet ink signatures and that both shall carry the same legal weight and effect.

2023 Fall Annual Town Meeting -Tuesday, October 24, 2023 (7:00 PM)

Point of information -no discussion at this time.

(Draft) 2023 Housing Production Plan -Approval & Recommendation

B Rushford noted the Planning Board hosted a working session on August 08, 2023 to review and seek public comment on the draft Housing Production Plan. G Bechtholdt briefed the Board on local approval process (Planning Board and Board of Selectmen) and the State's review/approval (Executive Office of Housing & Livable Communities, formerly DHCD). G Bechtholdt explained the Housing Production Plan is a guidance document for the town which includes strategies aimed at addressing the affordable housing needs of Northbridge. G Bechtholdt suggested the town may choose to pursue all, some, or none of the strategies identified in the Housing Production Plan, where implementation of the plan will ultimately be left to the voters (zoning amendments) at a Town Meeting. B Rushford explained it is the intent to have the Planning Board vote to accept/approve the draft plan tonight and present the Housing Production Plan to the Board of Selectmen for their approval on September 25, 2023. Upon motion duly made (J Berkowitz) and seconded (M Wilkes), the Planning Board voted (4-0) to approve local adoption of the 2023 Housing Production Plan.

MBTA Communities Zoning Law -MGL Chapter 40A Section 3A

G Bechtholdt informed the Planning Board that CMRPC (our Regional Planning Agency) is to submit on Northbridge's behalf compliance documentation to show the town's existing zoning satisfies the by-right requirements for multi-family housing in accordance with the MBTA community mandate.

Comprehensive Master Plan -MGL Chapter 41 Section 81D

Planning Board shall look to undertake initiative later this year/next, after Housing Production Plan and Open Space & Recreation Plan are completed. G Bechtholdt confirmed for B Rushford funding for Master Plan update (\$100k) have been encumbered and remains available to hire consultant to assist Planning Board.

Site Plan/Subdivision Developments -Updates

Planning board acknowledged receipt of inspection reports from Graves Engineering, Inc. B Rushford inquired about status of Stone Hill Development buffer area (potential violation) and status of erosion controls within Moon Hill Estates. G Bechtholdt explained the Planning office has not received any communication from the Building Inspector regarding the Stone Hill Development buffer and indicated he, along with the Board's Consultant, Jeff Walsh & David Pickart, Conservation Agent spoke with the James Sheehan, Building Inspector/Zoning Enforcement Officer with regard to Moon Hill erosion control concerns. G Bechtholdt indicated per the town's zoning provisions, the Building Inspector is to review, as part of issuance of a building permit (homes) a site plan showing proposed building location, driveway, including erosion controls. G Bechtholdt noted the Building Inspector was to coordinate an onsite meeting with the Developer and the Planning Board's Consultant, however as of now this has not happened. B Rushford asked if the Planning Board could get a spreadsheet listing each subdivision and showing overall status. G Bechtholdt indicated Barbara Kinney, Planning/Conservation Admin Assistant can prepare and forward to the Planning Board.

Mumford Riverwalk Boardwalk -Status

G Bechtholdt advised the Planning Board, bids for General Contractor and construction work are due to be received later next week.

Rockdale Pocket Park -Status

G Bechtholdt indicated once the bids for the Mumford Riverwalk Boardwalk are received and a contract is awarded an IFB (Invitation for Bids) will be issued for the pocket park for construction. G Bechtholdt is hopeful both projects remain within budget.

Planning Board Concerns

None noted at this time.

Mail -Review

In addition to the mail listed (see attached), the Planning Board noted receipt of the following communications: Planning Board Agenda dated September 12, 2023; Draft Planning Board Agenda dated September 26, 2023; Citizens Forum Document; Memo dated July 06, 2023 to Planning Board from Town Planner regarding Contractor's Yard Douglas Road Site Plan Review; Checklist for Site Plan Review dated July 05, 2023 for Contractors Yard (Douglas Road); Northbridge Assessor Map Plat 3; Letter dated August 11, 2023 to Town Planner from CMG Environmental & Engineering Services regarding Comment/Response Letter for Contractor Yard Douglas Road; Plan dated August 11, 2023 for Proposed Contractor Yard Douglas Road; Email dated September 06, 2023 to Town Planner from Allen Engineering concerning 315 Main Street; Chapter 173 Zoning, Article X Administration and Enforcement, Section 173-49.1 Site Plan Review by Planning Board; Letter dated August 17, 2023 to Planning Board Chair from Director of Public Works regarding two (2) trees on Castle Hill Road (a designated Scenic Road) that are in very bad shape and need to be removed; Chapter 217 Planning Board Fees and Scenic Roadway Rules & Regulations; Legal Notice Invitation for Bids/Advertisement for the Mumford Riverwalk; Chapter IX Scenic Roads (Chapter 40, Section 15-C); Chapter X Public Shade Trees, Consolidated Hearings (Chapter 87, Section 3); Part I Administration of the Government, Title XIV Public Ways and Works, Chapter 87 Shade Trees, Section 2 Powers of the Tree Wardens; Part I Administration of the Government, Title XIV Public Ways and Works, Chapter 87 Shade Trees, Section 3 Cutting of Public Shade Trees Public Hearing Damages to Fee Owner; Part I Administration of the Government, Title XIV Public Ways and Works, Chapter 87 Shade Trees, Section 4 Cutting Down or

Removing Public Shade Trees Approval of Selectmen or Mayor; Part I Administration of the Government, Title XIV Public Ways and Works, Chapter 87 Shade Trees, Section 5 Cutting Down, Trimming, or Removing Bushes and Small Trees; Letter dated August 23, 2023 to Planning Board from Outlaw Two, LLC regarding The Camelot Phases 2 and 3 bond reduction request; Site Visit Report dated July 27, 2023 from Graves Engineering for The Camelot Phases 2 and 3; Site Visit Report dated July 31, 2023 from Graves Engineering for The Camelot Phases 2 and 3; Letter dated August 25, 2023 to Planning Board from Henault Builders, Inc. concerning Mike's Way Extension of Completion request; Mike's Way Subdivision Construction Update dated September 2023; Chapter 7 Regulations Governing the Use of Private Property Section 7-200 Earth Removal; Worcester Registry of Deeds regarding electronic signatures; Site Visit Report dated July 27, 2023 from Graves Engineering for The Camelot Phase 4; Email dated August 28, 2023 to Michael Bangma from Town Planner concerning Winston Woods, Spring Street; Letter dated August 15, 2023 to Municipal Executives from Lieutenant Governor Kimberly Driscoll regarding FY24 Community Compact program; From Mass.gov Community Compact Best Practices Areas; From Mass.gov Best Practice Program; CMRPC September 2023 Virtual Quarterly Meeting on September 14, 2023; Community Planning & Development Weekly Report September 04-08, 2023; 2023 Planning Board Meeting Schedule.

Other

None noted at this time.

ADJOURNMENT

Having no additional business, the Planning Board adjourned its meeting of Tuesday, September 12, 2023 at or about 8:30 PM.

Respectfully submitted,


R. Gary Bechtoldt II
Town Planner

Approved by the Planning Board:


10/10/2023

Cc: Town Clerk

/File

September 12, 2023

Planning Board

FROM	DATE	SUBJECT
Petition for Warrant Article	Rec'd 8/25/23	An Ordinance Relative to Excessive & Unreasonable Noise

ZBA

- Agenda – September 14, 2023 – Public Hearing of TJJ Development Corp., LLC for applications of Special Permits for a contractor's yard with three (3) metal buildings and outdoor storage areas. The applicant also has a proposed filing in a section of the property located within the 100-year floodplain at Douglas Road; and Public Hearing of Edward Renaud, Jr. to consider the applications a Special Permit and a Variance to construct a two-family structure on a vacant lot without the required minimum area on Wing Road.

Grafton

- Decision – Approved with Conditions Scenic Road Permit at 62 Wesson Street (Lots 2 & 3) for Willard House Clock Museum.
- Decision – Approved with Conditions Scenic Road Permit at 62 Wesson Street (Lot 1) for Willard House Clock Museum.
- Public Hearing Notice –In association with the wireless communication facility Special Permit application at 58 Follette Street, a balloon test will be conducted on September 09, 2023 between 9:00AM and 1:00PM at a height of 155 feet.
- Public Hearing Notice – Application for a Special Permit and Site Plan Approval for a manufacturing use to construct two (2) 7,400 square foot manufacturing buildings with associated parking and other site improvements at 7 Main Street and the applicant/owner is Mike Labbe, Rod, LLC.
- Public Hearing Notice – Proposed Amendments to the Zoning Bylaw as follows: Amend Section 13 entitled "North Grafton Transit Village Overlay District" to add a Subzone B and all associated requirements; Amend Section 5.10.2 entitled "Definitions" by updating the definition language for "Marijuana Retailer" and "Off-Site Medical Marijuana Dispensary" to align with the MA Cannabis Control Commission's Regulations; Amend Section 3.1.2 Zoning Map by creating a new overlay district entitled "MBTA Communities Overlay District; Create Section 14 entitled "MBTA Communities Multi-Family Overlay District" to allow a minimum of 15 units an acre of multi-family housing by right in designated overlay zones of reasonable size for compliance with Section 3A of MGL c. 40A; Amend Section 3.2.3.1 entitled "Appendix A – Use Regulation Schedule" to add new regulations for seasonal outdoor dining; and Amend Section 2.1 entitled "Definitions" by adding definition language for "Tractor-Trailer."

Sutton

- Public Hearing Notice – Application and supporting documents of Drake Petroleum(applicant) and T.E.D. Realty Trust II (owner) to modify the approved site plan and special permits at 27 Worcester Providence Turnpike (Route 146) to expand the existing development with three (3) new high speed diesel fueling positions, two (2) new underground storage tanks, an associated canopy, and related site changes.
- Public Hearing Notice – Proposed Amendments to Zoning Bylaws as follows: 1. Amend General Bylaw 5 – Earth Disturbance & Removal by fixing various formatting and numbering issues. 2. Amend the classification, definition, and treatment of Earth Removal in the Zoning Bylaw, including Section I.B and Section III.A.4 – Table 1. Table of Use Regulations. 3. Amend Zoning Bylaw Section IV.C. Site Plan Review to add minimum Low Impact Development (LID) requirements. 4. Amend Zoning Bylaw Section IV.B. Off-Street Parking, Loading and landscaping regulations to add Low Impact Development (LID) provisions and modify requirements for landscaping in interior areas. 5. Amend Zoning Map to add properties to the Sutton Center Village Overlay District (SCVOD). 6. Amend Zoning Bylaw Section VI. Special Regulations to add a section defining and regulating Special Event Facilities. 7. Amend Zoning Bylaw Section III.A.4 – Table 1. Table of Use Regulations to allow Special Event

Facilities by Special Permit in the Rural Residential (R-1), Business Highway (B-2), and Office Light Industrial (OLI) Districts.

- Public Hearing Notice – Application of Drake Petroleum Company, Inc. to expand the existing development with construction of three (3) new high speed diesel fueling positions, two (2) new underground storage tanks, an associated canopy, and related site changes at 27 Worcester Providence Turnpike.
- Public Hearing Notice – Application of Joseph Danko, Jr. to create a Retreat Lot at 125 Burbank Road.

Upton

- Decision – Granted Request for Withdrawal Without Prejudice the 16-lot Definitive Subdivision East Street Estates at 0 East Street.
- Public Hearing Notice – Application of Linda A. Moore for a large lot frontage reduction Special Permit to divide the property at 108 Grove Street (Lot 1, Parcel A) into Lot 1A, Lot 1B, Parcel A1, and Parcel A2 and Lot 1 is owned by Linda A. Moore and Parcel A is owned by Grove PB, LLC.

Upton ZBA

- Decision – Approved a Special Permit for Matthew J. Thompson to construct an in-law accessory apartment attached to the dwelling at 100 Ridge Road.
- Decision – Approved a Special Permit for Mark MacNaughton to approve an existing accessory apartment at 337 Mendon Street.
- Decision – Approved a Special Permit for Marluce Barbosa Pereira to approve an existing accessory apartment at 31 Shore Drive.
- Public Hearing Notice – Application of Serrato Signs, LLC on behalf of Coffee Bean for a Special Permit to provide two (2) internally illuminated signs attached to the building storefront at 113 Main Street; and Application of Imperial Gas Upton, LLC for a Special Permit to allow a 10 foot addition with a walk-in, display cooler to the existing gas station building which is a pre-existing, non-conforming use at 44 Milford Street.