



NORTHBRIDGE PLANNING BOARD MINUTES

Tuesday, February 14, 2012



Janet Dolber, Chair called the meeting to order at 7:00 PM. Barbara Gaudette, Edward Palmer and Richard Griggs were in attendance. R. Gary Bechtholdt II, Town Planner was also present. Note: One (1) Planning Board vacancy. Cindy Key, Associate member was absent.

The following members of the public were in attendance: Susan Green, Roy Uthoff, Judi Uthoff, Stan DeHaan, Linda DeHaan, and Henry Lane.

I. CITIZENS FORUM

None

II. ANR PLAN –REVIEW/DECISION

None

III. ZONING AMENDMENT(S) -PUBLIC HEARING

- (1.) §173-4 [Establishment of Zoning Map] –Residential Four (R-4)
- (2.) §173-4 [Establishment of Zoning Map] –Industrial One (I-1)
- (3.) §173-19 [Applicability of Regulations] –Table of Area Regulations note (8)

Janet Dolber read the notice: In accordance with M.G.L. Ch. 40A Sec. 5, the Northbridge Planning Board will hold public hearing(s) on Tuesday, February 14, 2012 at 7:05 PM, in the Selectmen's Room of the Northbridge Town Hall, 7 Main Street, Whitinsville, MA to consider the following (petition) zoning amendment articles to the Northbridge Zoning Bylaw: (1.) Section 173-4 [Establishment of Zoning Map] by Amending the Residential Four (R-4) Zoning District to include parcel(s) of land on the easterly side of Providence Road/northerly side of Upton Street currently zoned Residential Two (R-2) and Residential Three (R-3); (2.) Section 173-4 [Establishment of Zoning Map] by Amending the Industrial One (I-1) Zoning District to include parcel(s) of land located at the intersection of Main Street and Water Street as shown on plan (Plan Book 571 Plan 109) currently zoned Residential Five (R-5) and (3.) Section 173-19 [Applicability of Regulations] by Amending Table of Area Regulations note (8) concerning set back and buffer. A copy of the proposed zoning amendments and descriptions are on file at the Office of the Town Clerk (7 Main Street) and with the Community Planning & Development office (14 Hill Street) and may be reviewed during normal office hours. The purpose of this hearing is to provide an opportunity for public comment; anyone wishing to be heard should attend said hearing at the time and place designated.

Mr. Bechtholdt indicated notification requirements for the proposed zoning amendment article(s) have been satisfied. The Planning Board opened its public hearing.

Henry Lane, on behalf of the petitioners, reviewed with the Planning Board proposed zoning amendment articles; Article #6, Article #7 and Article #8 of the 2012 Special Town Meeting (February 21, 2012). Mr. Lane explained Art. 6 is specific to property formerly known as the Northbridge Nursing Home located in Rockdale; the proposed zoning amendment (from Residential-2/Residential-3 to Residential-4) also includes adjacent parcels, portions of which may be located in the Industrial zone despite houses being constructed.

Mr. Lane continued, noting the nursing home, since its closure several years ago has more or less been vacant; with the passing of its previous owner a developer is interested in the property for market rate apartment units.

Mr. Lane, in reference to handout provided, suggested the site is approximately 9 acres; noting under current zoning, other than an institutional use only single-family or duplex would be permitted. If the zoning is changed to Residential-4 approximately twenty (20) apartment units may be proposed.

Ms. Gaudette mentioned that she and Mr. Palmer have been on the Board for awhile and are familiar with the history of the site since the nursing home closed. Mr. Palmer agreed, adding the building has been vacant for a number of years and is beginning to degrade the neighborhood and surrounding area.

Ms. Gaudette inquired about the density permitted in the R-4 zoning district; Mr. Lane noted for multi-family (apartments) the lot area is 5,000 square-feet plus 2,000 per unit, which would be authorized by special permit.

Judi Uthoff (resident) asked for clarification on the proposed zone change; its location in reference to undeveloped parcels of land off Upton Street. Charles DeHaan (resident) asked about traffic studies and the permitting process. Board members suggested traffic concerns would be reviewed and considered as part of a formal project submittal.

Having no additional comments or questions specific to article #6 the Planning Board (Dolber) asked Mr. Lane to review article #7. Mr. Lane provided an overview of the property and referenced an aerial photo showing the subject property located on Main Street, formerly known as the West End School site. Mr. Lane explained the proposed zoning amendment would extend the Industrial- 1 district to include the adjacent parcel currently zoned Residential-5 for the purpose of proposing a commercial use as part of a Planned Business Development which requires a minimum of 3-acres.

Judi Uthoff (resident) inquired about potential traffic concerns. Roy Uthoff (resident) asked about a retail component within an industrial zone. Mr. Lane noted traffic concerns would be reviewed and considered as part of an actual submittal, adding the town's zoning bylaws allow commercial use within the Industrial zone as part of a Planned Business Development, where mixed uses may be permitted (non-residential).

Having no additional comments or questions specific to article #7 the Planning Board (Dolber) asked Mr. Lane to review article #8. Mr. Lane provided an overview of the proposed amendment to footnote #8 of the zoning bylaw. Mr. Bechtholdt admitted that he was not sure of the wording proposed and suggested having footnotes was likely not the best way to define setbacks and other regulations; Mr. Lane agreed.

Mr. Lanes suggested the proposed amendment would allow for reduced setbacks for Planned Business Developments. Mr. Bechtholdt suggested the zoning amendment should be passed over and perhaps reworked and incorporated as part of the Planned Business Development provision; Mr. Lane also agreed.

After seeking additional input and public comment concerning the three (3) proposed zoning amendments (Article #6, Article #7 and Article #8 –Special Town Meeting) the Planning Board closed its public hearing.

Upon motion duly made (Gaudette) and seconded (Palmer) the Planning Board voted (4-0) to recommend warrant article #6 to amend Section 173-4 [Establishment of Zoning Map] of the Northbridge Zoning Bylaws by changing the zoning district designation of parcel(s) of land from Residential Two (R-2) & Residential Three (R-3) to Residential Four (R-4) as described in the (petition) warrant article #6.

Upon motion duly made (Gaudette) and seconded (Palmer) the Planning Board voted (4-0) to recommend Section 173-4 [Establishment of Zoning Map] of the Northbridge Zoning Bylaws by changing the zoning district designation of parcel(s) of land from Residential Five (R-5) to Industrial One (I-1) as described in the (petition) warrant article #7.

Upon motion duly made (Griggs) and seconded (Palmer) the Planning Board voted (4-0) to not recommend (pass over) (petition) warrant article #8.

In making said determination the Planning Board offered to work with the petitioner (H. Lane) in preparing a zoning amendment article for consideration at the 2012 Spring Annual Town Meeting.

IV. CAMELOT SUBDIVISION –REVIEW/DECISION

§222-37 -Request for Lot(s) Release

Janet Dolber noted receipt of request from the applicant/engineer to continue the lot release request to the Planning Board next scheduled meeting. *Upon motion duly made (Griggs) and seconded (Gaudette) the Planning Board voted (4-0) to table review/decision to Tuesday, February 28, 2012.*

OLD/NEW BUSINESS

Approval of Meeting Minutes- January 24, 2012

Upon motion duly made (Griggs) and seconded (Palmer) the Planning Board voted (4-0) to approve the meeting minutes of January 24, 2012.

Special Town Meeting –Tuesday, February 21, 2012

Board members received copy of the warrant –no discussion.

Special Town Meeting –Planning Board Report & Recommendations

Planning Board reviewed which articles they would present at the Special Town Meeting; Gaudette articles 1 & 2, Palmer article 3, Griggs article 6, and Dolber articles 7 & 8. Mr. Bechtholdt then provided the Planning Board with a brief overview from the Finance Committee (FinCom) meeting (January 25, 2012) explaining that the FinCom voted to recommend article #1 and article #3, however expressed concerns with article #2. Specifically the 25% restriction on additions and the additional oversight/review by the Historical Commission, voting not to support article #2. Mr. Bechtholdt mentioned that FinCom indicated they would support article #2 if the 25% and historic commission provisions were omitted. Ms. Gaudette expressed her disappointment in FinCom not supporting the Planning Board articles. Mr. Bechtholdt explained if this is considered the original intent and purpose of the zoning amendment would still be achieved. Board members agreed; Ms. Gaudette expressed reservation. Mr. Bechtholdt mentioned he would prepare the Planning Board reports in advance of the (special) Town Meeting.

2012 Spring Annual Town Meeting (SATM) –Tuesday, May 01, 2012

Point of information –no discussion.

2012 SATM Closing of Warrant -Thursday, March 16, 2012

Planning Board noted receipt of memorandum from the Office of the Town Manager regarding date of the closing of the warrant (03/16/2012) for the 2012 Spring Annual Town Meeting. Mr. Bechtholdt indicated the Planning Board is scheduled to meet twice before the warrant closes; once on February 28th and once of March 13th.

2012 SATM Planning Board Articles –Review/Discussion

Mr. Bechtholdt suggested if the Board decides to pursue an amendment concerning the Planned Business Development they may want to start working with the petitioner (H. Lane) sooner than later. Mr. Bechtholdt reminded the Board, now that the Zoning Map is updated and in a digital format it makes sense to update the Overlay Map(s) to same (digital-format). The Planning Board may elect to wait until the Fall Annual Town Meeting to consider this amendment.

2012 SATM -Timelines & Recommendation Deadlines

Mr. Bechtholdt provided the Planning Board with a timeline prepared by the Office of the Town Manager. The timeline details the date of the Spring Annual (May 1st), date of the warrant closure (March 16th) and proposes when the Planning Board is to publish its public hearing for any petition article received (March 20th), and establishes a date for when the Planning Board is to hold its last public hearing (April 3rd) in order to have recommendations ready for the Finance Committee. The timeline also notes the date of last meeting of the Finance Committee (April 4th) in order to prepare booklets in time for printing (April 10th). Mr. Bechtholdt explained, upon reviewing the timeline he informed the Town Manager that the timeline prepared does not appear to work, however the timeline has not be changed. With that said Mr. Bechtholdt suggests that the Board may need to hold a subsequent meeting in April in order to meet the statutory requirements for legal advertisement (legal ad minimum of 14-days prior before opening hearing). If a petition is received on the date of the closing of the warrant (March 16th) the earliest the Planning Board would be able to hold its public hearing would be April 4th not April 3rd as suggested in the timeline presented. If necessary, the Board could conduct a public hearing on April 4th (6:00PM) prior to the FinCom meeting. Mr. Bechtholdt also explained he reviewed the Town Charter and the Town Bylaws where it establishes dates and proceedings for Town Meeting. Accordingly, the warrant for spring and fall session shall close not later than 12:00PM on the seventh (7th) Friday preceding the date set by bylaw for the session to convene. Mr. Bechtholdt suggested if the Board of Selectmen closed the warrant earlier (say the 8th or 9th Friday prior) this would allow sufficient time for the Planning Board to advertize and hold its required public hearing(s) for petition articles. Mr. Bechtholdt suggested the most important date or timeline to be aware of is perhaps the date the booklets are sent out to the printers (for printing & mailing); which is 4-weeks prior to Town Meeting. Mr. Bechtholdt indicated that he will prepare a communication to the Board of Selectmen (& Town Manager) requesting that they review same and elect to close the warrant for 2012 Fall session 2-weeks sooner to allow sufficient time for the Planning Board to conducts its public hearings required for zoning petition articles.

District Local Technical Assistance (DLTA) Program

No discussion

Master Plan Update –Next Steps/Discussion

No discussion

Demolition Delay Bylaw –Discussion

No discussion

(2011) Street Acceptances –Status

Mr. Bechtholdt informed the Planning Board the street acceptances associated with Delwyn Barnes Estates, Shining Rock Golf Community and Castle Hill Estates voted on at the 2011 Fall Annual Town Meeting have all been recorded with the Registry.

Planning Board –Vacancy

Point of information –no discussion.

Mail –Review

In addition to the mail listed (see attached) the Planning Board noted receipt of the following communications: Community Planning & Development memorandum dated January 26, 2012 to Board of Selectmen (& Town Manager) concerning receipt of petition articles for the Special Town Meeting; copy of petition articles (warrant articles 6, 7 8); aerial photos showing proposed zoning amendment (Northbridge Nursing Home & West End School site); copy of Plan Book 571 Plan 109 (West End School site); memorandum dated January 26, 2012 from Sharon Susienka, Exec. Asst. to the Town Manager regarding receipt of petition articles; letter dated January 24, 2012 from Heritage Design Group concerning Camelot lot release request; (draft) Form P –Lot release form for Camelot Phase I; copy of Section 222-37 [Lot Release] provisions from the Northbridge Subdivision Rules & Regulations; copy of plan lot layout for Camelot subdivision (lots 1-10 & 59-65) along Roadway A; Camelot Phase I construction schedule received February 08, 2012; memorandum dated January 24, 2012 form Heritage Design Group concerning performance bond for Camelot subdivision and conditions of approval; (draft) January 24, 2012 meeting of the Planning Board; copy of the warrant (Special Town Meeting –February 21, 2012); email communication sent January 27, 2012 by Town Planner to Town Manager regarding article #2 concerning residents inquiring about Planning Board’s review/recommendation where text of the original draft was revised by Town Counsel; Spring Annual Town Meeting (May 01, 2012) Timeline; email communication sent January 26, 2012 by Town Planner to Town Manager concerning timeline discrepancy; Northbridge Times article (01/31/12) entitled Northbridge FinCom Chair Sets Town Meeting Timeline by Deborah E. Gauthier; JH Engineering Group LLC report on Carpenter Estates dated January 25, 2012; Community Planning & Development memorandum dated February 08, 2012 to DPW Superintendent regarding Castle Hill Estates deficiencies; copy of letter dated February 02, 2012 from Community Planning & Development to Mass Permit Regulatory Office concerning Northbridge’s 43D Technical Assistance Grant; copy of letter dated January 22, 2012 from the Sutton Planning office to Mass Permit Regulatory Office concerning Sutton’s 43D Technical Assistance Grant; copy of Community Planning & Development memorandum dated January 30, 2012 to Town Manager (& Board of Selectmen) regarding remote participation (940 CMR 29.10); copy of Request for Determination of Applicability for Douglas Road Industrial Realty Trust; posting of notice of vacancy Northbridge Planning Board; email communication from Patrick Smith received February 14, 2012 concerning Sandtrap Court (Shining Rock Golf Community) and consideration to eliminate island cul-de-sac so school bus may utilize; email communication from Cheryl Peterson (Heritage Design Group) received

February 14, 2012 concerning Camelot subdivision; and email communication dated February 14, 2012 between Town Planner and Planning Board consultant regarding bus turning radius.

Other

Mr. Bechtholdt advised the Planning Board that he was in contact from a resident within the Shining Rock Golf Community (Patrick Smith) requesting the Planning Board review and consider eliminating the landscape island within the cul-de-sac of Sandtrap Court so school buses may utilize to turn around. The Board indicated a willingness to eliminate the island cul-de-sac if the school department would utilize for such purpose. Mr. Bechtholdt added that the Department of Public Works has also expressed a desire to eliminate this requirement (island cul-de-sac) as they are problematic for snow removal/plowing.

Adjournment

Having no additional business the Planning Board adjourned its meeting of Tuesday, February 14, 2012 at or about 8:30 PM.

Respectfully submitted,

Approved by Planning Board –

R. Gary Bechtholdt II
Town Planner

Cc: Town Clerk