



## **NORTHBRIDGE PLANNING BOARD MINUTES**

Tuesday, February 28, 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. Cindy Key, Associate member was absent. Note: One (1) Planning Board vacancy.

The following members of the public were in attendance: Kevin Jarvis (Surveyor); Brian Falk (Attorney); Mark Anderson (Heritage Design Group); Normand Gamache (Guerriere & Halnon) Joe Susienka; Michael Minichiello; Robert Parkhurst; Richard Barbetta; Laura Barbetta; Alfred Barron; James Gahan; Steve McHale; Milton Patnode; and Bernard Cournoyer.

### **I. CITIZENS FORUM**

None

### **II. 120 HILL STREET**

ANR plan –Review/Decision

Brian Falk, attorney representing the House of Affirmation and Kevin Jarvis, survey form Jarvis Land Survey reviewed with the Planning Board ANR plan for 120 Hill Street (Oakhurst property). Mr. Falk explained the plan shows three (3) proposed lots along Hill Street; lots 1, 2 & 3 as shown and described on the ANR plan. Mr. Bechtholdt indicated that the plan has been revised to address comments in the ANR Checklist prepared for this application. After some general discuss concerning potential home construction (housing type) the Board considered its decision.

*Upon motion duly made (Griggs) and seconded (Palmer) the Planning Board voted (4-0) to grant an ANR endorsement for subject property identified as 120 Hill Street, Assessors Map 15 Parcels 17 & 18.*

### **III. ONE PLUMMERS CORNER -CONT. PUBLIC MEETING**

§173-49.1 [Site Plan Review]

Barbara Gaudette advised the Planning Board that she will once again not participate in this review nor will she vote on this application and recused herself. Board members will alter Ms. Gaudette when such review is concluded (Ms. Gaudette left the room for the duration of the discussions).

Mark Anderson of Heritage Design Group provided an update to the Planning Board on behalf of the applicant (Plummers Realty Associates). Mr. Anderson explained that a revised plan has been prepared showing proposed “future addition” to the northerly side of the building along Church Street, noting the proposed access from Plummer Park is still being requested as they feel this provides for the best traffic circulations for the site (drive-thru) and the intersection of Plummers Corner.

Mr. Anderson then reviewed his letter dated February 28, 2012 concerning: Circulation; Screening & Buffering; New entrance; and Traffic. Mr. Anderson noted comments received to date have been specific to traffic circulation and he feels the site plan proposal addresses those concerns. Mr. Anderson also noted they have had discussions with the School Department regarding school busing as well.

Mr. Bechtholdt asked Mr. Anderson if a driveway could fit between the proposed future addition and Plummer Park; suggesting even with the future addition it appears a driveway from Church Street could be accommodated. Mr. Anderson noted that a driveway at this location would fit.

Mr. Bechtholdt explained the purpose of site plan review is meant to minimize the potential impacts of the surrounding area (neighborhood). Installing the driveway on Church Street would address many of the concerns raised by the abutters as well as still offer opportunity to provide necessary screening (buffer area) along Plummer Park, as well as provide for more queuing capacity off the public way.

Mr. Griggs agreed with the Town Planner, noting he is concerned with the proposed Plummer Park access drive and suggested perhaps the Safety Committee may have similar concerns. Mr. Griggs does not want to create additional traffic on Plummer Park. Ms. Dolber then opened the discussion to the public in attendance.

Jamie Gahan briefly reviewed his concerns of increased traffic on Plummer Park if a driveway is located as currently proposed. Mr. Gahan would be in favor of locating a driveway on Church Street, keeping traffic off Plummer Park.

Joseph Susienka shared similar concerns, noting all of Plummer Park (north and south end) could see an increase in traffic if a driveway is located on Plummer Park.

Alfred Barron questioned how the rubbish trucks would access and egress the site. Mr. Anderson explained delivery and rubbish trucks currently access the site from the existing driveway off Church Street and exit onto Providence Road between the two buildings, noting this traffic pattern would not change as part of this proposal.

Richard Barbetta illustrated that the traffic flows may be beneficial for the businesses at Plummers Corner but the applicant/engineer has not reviewed discussed how the traffic flow will benefit the residents within the area.

Ms. Dolber mentioned she believes a driveway off Plummer Park may be allowed however wants to see if a better alternative can be considered. Ms. Dolber reminded Mr. Anderson at the last Planning Board meeting where this application was discussed the Board requested a plan showing a driveway off Church Street and not Plummer Park; she would like to see that plan so the Board can make a well informed decision and see what works best.

Robert Parkhurst inquired about the process and if the Safety Committee would review similar plans showing the proposed future addition and the requested revised layout (driveway). Mr. Anderson indicated he plans to meet with the Safety Committee at its next scheduled meeting in March.

Ms. Dolber asked Mr. Anderson if he was agreeable to a continuance of the Planning Board's review; Mr. Anderson agreed and stated he would follow up with his client, as well as with the Safety Committee and School Department.

*Upon motion duly made (Griggs) and seconded (Palmer) the Planning Board voted (3-0-1 [Gaudette abstained]) to continue the site plan review to March 27, 2012 (7:05PM) to allow the applicant/engineer addition time for the requested revised plan (showing new driveway off Church Street) and opportunity for review by the Northbridge Safety Committee of same.*

#### **IV. WEST SIDE CONNECTOR ROAD –PUBLIC HEARING**

§222-9 Definitive Subdivision application

Barbara Gaudette returned to the room and participated in the West Side Connector Roadway review. Janet Dolber welcomed Normand Gamache of Guerriere & Halnon, Inc. Upon motion duly made and seconded the Planning Board waived the reading of the hearing notice. Mr. Bechtholdt informed Planning Board that it was his understanding the legal advertisement and hearing notifications for this definitive subdivision application had been satisfied. The Planning Board opened its public hearing.

Mr. Gamache provided an overview of the subdivision plan which has been filed concurrently with the towns of Northbridge, Sutton and Douglas for a proposed roadway connecting Main Street (Northbridge, MA)/Whitins Road (Sutton, MA) with Gilboa Street in Douglas, MA. Mr. Gamache explained the proposed layout of the roadway (“Industrial Drive”) winds through multiple properties in Douglas and Sutton; with approximately 128 square-feet of land in Northbridge. Mr. Bechtholdt noted essentially Northbridge has control over one of its proposed curb cuts. Mr. Gamache provided Board members with an 8 ½ x 11 inch enlargement of the proposed roadway entrance. Mr. Bechtholdt asked for a copy of the drainage calculations and any other supportive documentation specific to the subdivision application.

Mr. Gamache continued noting proposal includes water and sewer infrastructure currently looking potential water from the Whitinsville Water Company. Mr. Gamache then advised the Planning Board on the status of Sutton’s and Douglas’ review which includes both Planning Boards and Conservation Commissions. Mr. Gamache also noted that the Northbridge Safety Committee has already reviewed the curb cut for the proposed subdivision at its meeting of June 22, 2011; recommending to approve curb cut location (good sightlines) and require intersection to be signalized once proposed uses are determined.

Upon seeking comments from the Planning Board and input from the public, Ms. Dolber sought a motion to close the public hearing. Mr. Bechtholdt suggested the Planning Board could close its hearing or vote to continue to the next scheduled meeting of March 13, 2012. If the Board decides to close the hearing voting to approve the subdivision, Mr. Bechtholdt recommended making said approval subject to the issuance of a curb cut permit from the Northbridge Department of Public Works, the Safety Committee’s recommendations and the approvals of the Sutton Planning Board and Sutton Conservation Commission, as well as the general conditions typically included in Definitive subdivision approvals. The Planning Board closed the public hearing.

*Upon motion duly made (Griggs) and seconded (Palmer) the Planning Board voted (4-0) to approve the application of the town(s) of Douglas, Sutton and Northbridge, MA for the definitive subdivision plan entitled “West Side Connector Road” prepared by Guerriere & Halnon, Inc. of Whitinsville, MA dated June 2011 as presented subject to the conditions discussed. The Town Planner shall prepare the Certificate of Approval.*

**V. CAMELOT SUBDIVISION –REVIEW/DECISION****§222-37 -Request for Lot(s) Release**

Mark Anderson, Heritage Design Group advised the Planning Board his client (JF Marinella Development Corp.) requests the lot release be tabled to allow them additional time to finalize the performance bond for Phase I and to satisfy requirements of the Planning Board's approval prior to lot release.

Mr. Bechtholdt informed the Planning Board that he met with the developer (Joe & Frank Marinella) briefly on Monday, February 27, 2012 to discuss the performance bond and conditions of approval. According to the Marinellas their lender will require 80% (cash deposit) of the value of the bond amount established (\$670,000) in order to secure the performance guarantee for Phase I -Camelot and as such the Marinellas are now seeking alternative surety forms. Mr. Bechtholdt informed the Board that JF Marinella Dev Corp may be looking to secure the roadway and infrastructure in a form the Planning Board is not familiar with and suggests Town Counsel review and offer an opinion on its legal form and the towns (Planning Board) ability to enforce the bond. Mr. Bechtholdt added, it seems the documentation provided may still require a Tri-Party agreement (Town, Developer, Bank/Lender) wherein the bank promises to the Town that they won't release the funds until the Town agrees that the stage of construction has been completed, and that the Bank will be on the hook to complete the work if the Planning Board determines that the developer has not. Mr. Bechtholdt concluded, noting he was not sure if draft document provided to him provides protection in the event the developer walks. The Planning Board agreed to have Town Counsel review the surety agreement prior to signing-off and consideration of lot release.

Mr. Anderson asked the Planning Board if they would review certain conditions of approval (Certificate of Approval Definitive Subdivision –the Camelot dated February 18, 2010) specific to temporary cape-cod berms, installation of detention basin and drainage system, sewer pump station, sewer installation, landscaping & screening at Hill Street entrance, open space parcel(s) monumentation, and National Grid verification on conduit installation. Mr. Anderson then briefly reviewed with the Planning Board the status of the sewer pump installation, noting that the Marinellas have been working with the Sewer Superintendent for upwards of 2-years now in finalizing a pump. Mr. Anderson noted they already have a sign-off from DEP and the town to install the original pump proposed however has been asked by the Sewer Superintendent to consider an alternative. Mr. Bechtholdt noted he is in receipt of an email communication from the Sewer Superintendent earlier in the day; stating that he met on February 15, 2012 with the developer's engineer and a representative from a proprietary sewer pump company.

The Planning Board indicated they would be agreeable to not require the temporary cape-cod berms in this instance as the sites topography does not result in potential runoff to impact the adjacent public way (Hill Street); Ms. Gaudette expressed initial concerns waiving this requirement. Mr. Bechtholdt indicated his concern of the individual lot development, where multiple lots are cleared creating a potential for stormwater runoff from the house lots onto the subdivision roadway. Mr. Bechtholdt suggested hay bales be installed along the lots on the southeasterly side of Roadway A (up gradient from roadway) to minimize this concern.

Planning Board members confirmed that the installation of the detention basin and drainage system must be completed and verified/certified by an engineer (with as-built plan) indicating the drainage was constructed according to the approved plan and working as designed prior to lot release consideration.

Mr. Anderson provided Board members with letter dated February 28, 2012 concerning Phase IA Camelot drainage improvements, as well as revised phasing plan now showing Phase IA and IB.

In regards to the sewer installation Mr. Bechtholdt suggested the Planning Board look to the Sewer Superintendent (Mark Kuras) to see if he would be agreeable to allow lot release prior to the sewer line and pump installation. Mr. Anderson added, before a house can be occupied (issuance of occupancy) the home will need to be connected to an active sewer system. Mr. Bechtholdt does not suggest the Planning Board nor should the Sewer Superintendent accept/permit a temporary sewer pump, as this became problematic in another subdivision development in town.

Mr. Bechtholdt explained that he spoke with the Board's consultant (JH Engineering) regarding the sewer pump installation and confirmed that the bond amount established by the Planning Board included the pump station. The Board directed the Town Planner to contact the Sewer Superintendent regarding the status of the sewer line installation and pump station and the request to permit lot release prior to their completion.

Mr. Anderson noted, similar to the pump station the landscaping along the Hill Street entrance is included in the bond amount. Mr. Anderson indicated the landscaping and screening will be completed by May 1<sup>st</sup>. Mr. Bechtholdt advised the Planning Board that he is in receipt of a (draft) Grant of Conservation Restriction for Open Space Parcel(s) 1, 2 and 3; noting the open space parcel within Phase I may still need to be staked out (iron-rod monumentation).

Mr. Bechtholdt explained to the Planning Board that the Planning office is in receipt of plan showing the locations of the transformer pads; however the office has not received confirmation from National Grid. Mr. Bechtholdt noted the conditions of approval suggest verification from DPW; however it appears more appropriate to receive such information from National Grid.

In review Mr. Bechtholdt stated the following improvements and documents needs to be provided prior to consideration of lot release: drainage pond and drainage system completed and verified (as-built); confirmation from engineer/survey that roadway A is located within the right-of-way (centerline) as shown on approved plan; NGrid to provide verification of installation of conduit; Open Space parcel 1 monumentation installed; and confirmation from Sewer Superintendent on the timing of sewer line and pump installation (prior to occupancy), noting they would not consider a temporary service.

The Planning Board agreed to table this matter to its next meeting scheduled for Tuesday, March 13, 2012, at which time the Board shall review the performance surety and the request for lot release within Phase I.

## **OLD/NEW BUSINESS**

### Approval of Meeting Minutes- January 24, 2012

Mr. Bechtholdt reminded the Planning Board that the minutes of January 24, 2012 were approved at its last meeting of February 14, 2012. The Board will consider the minutes of February 14, 2012 at its next meeting scheduled for March 13, 2012.

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

Point of information –no discussion.

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

Mr. Bechtholdt advised members that the Planning Board has one (1) more meeting scheduled (March 13<sup>th</sup>) prior to the closing of the warrant.

2012 SATM (Zoning Amendments) –Scheduling of Public Hearing(s)

Board members agreed to hold off until the fall session to consider zoning amendment to revise the format of the Overlay District map(s). Ms. Gaudette also noted that she has researched other options and procedures for the review of expansions and alteration of structures within the Heritage District and will provide the Board members with a copy of the information she has found; the Board may look to review this at a later date.

2012 SATM Planning Board Articles –Vote to Sponsor

Mr. Bechtholdt reminded the Planning Board, as part of its review of one of the petition articles considered at the Special Town Meeting (art. 8) the Board suggested they would work with the petitioner (Henry Lane) on a zoning amendment concerning setbacks within a Planned Business Development. Mr. Bechtholdt recommended that the Planning Board receive at a minimum a conceptual plan showing proposal layout before drafting a zoning amendment so they may be better informed as to what may be proposed and how the resulting amendment may impact abutting properties. Mr. Bechtholdt shall contact Mr. Lane and request a conceptual plan be provided to the Planning Board (Planning office) prior to its next scheduled meeting of March 13, 2012.

Planning Board Meeting -Wednesday, April 04, 2012

Tabled –Planning Board members will review schedule to confirm availability (April 4<sup>th</sup> at 6PM), if required to meet to accommodate timeline for the 2012 Spring Annual Town Meeting.

District Local Technical Assistance (DLTA) Program

Mr. Bechtholdt noted that the Planning Board previously discussed this matter; the Planning office is to consider a request for proposal for identification, assessment & mapping of Priority Development Areas and Priority Preservation Areas.

(2011) Street Acceptances –Status

No additional discussion –reviewed at previous Board meeting of February 14, 2012.

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: memorandum dated February 28, 2012 from Heritage Design Group concerning One Plummers Corner site plan; (revised) site plan entitled “Site Improvements Plan” for One Plummers Corner dated February 10, 2012 prepared by Heritage Design Group; 2012 CPTC (Citizens Planner Training Collaborative) Conference Schedule; DOER (Mass Department of Energy Resources) final hearing

announcement –Health Effects of Wind Turbines (February 28, 2012 –Lee, MA); email communication from Sewer Superintendent received February 28, 2012 regarding Camelot sewer pump station; letter dated February 24, 2012 from Inspector of Buildings regarding One Plummers Corner site plan review; JH Engineering Group Camelot construction report dated February 17, 2012; copy of Abbreviated Notice of Resource Area Delineation for Douglas Road Industrial Realty Trust; Board of Selectmen License Routing Slip regarding Luxury Food Inc d/b/a Divine Thai Restaurant; memorandum dated February 21, 2012 from the Community Planning & Development office concerning receipt of revised site plans (One Plummers Corner –Review Report Form); copy of Community Planning & Development memorandum dated January 20, 2012 regarding One Plummers Corner; copy of hearing notice for West Side Connector Road; copy of Community Planning & Development memorandum dated January 12, 2012 regarding West Side Connector Road (definitive subdivision); copy of Certificate of Approval Definitive Subdivision –the Camelot dated February 18, 2010; copy of Certificate of Permit –Scenic Roadway (Hill Street –Camelot) dated July 15, 2010; copy of Community Planning & Development memorandum dated August 12, 2010 regarding revised landscaped entrance (Camelot subdivision); email communication received February 20, 2012 from Jeff Howland (JH Engineering Group) regarding Camelot Phase I construction schedule; email communication received February 20, 2012 from Jeff Howland (JH Engineering Group) regarding Camelot site visit letter (dated February 17, 2012); Spring Annual Town Meeting timeline; copy of email communication to Fire Chief sent February 23, 2012 regarding Shining Rock Golf Community and school bus circulation pattern within the development; copy of email communication received February 24, 2012 from a Maryanne Swartz concerning the Oakhurst property listing; Central Mass MPO –Transportation Planning Certification Review agenda (February 29, 2012); and Northbridge Times online article entitled “Presentation on Castle Hill Farm Planned March 5” (February 24, 2012).

#### Other

Mr. Bechtholdt mentioned he recently spoke with William Giannopoulos (owner) about conducting a site visit of the Linwood Mill. Arrangements shall be made for the Planning Board to conduct a walkthrough for Monday, March 5<sup>th</sup> or Monday, March 12<sup>th</sup> (5PM).

#### Adjournment

Having no additional business the Planning Board adjourned its meeting of Tuesday, February 28, 2012 at 8:45 PM.

Respectfully submitted,

Approved by Planning Board –

R. Gary Bechtholdt II  
Town Planner

Cc: Town Clerk