



## NORTHBRIDGE PLANNING BOARD

### MINUTES

Tuesday, September 11, 2012



Barbara Gaudette, Chair called the meeting to order at 7:00 PM. Richard Griggs, Janet Dolber and Brett Simas were in attendance. R. Gary Bechtholdt II, Town Planner was also present. Edward Palmer was absent.

The following members of the public were in attendance: Jason DePaulo; Jarrad Smith; Linda DeHaan; Stan DeHaan; Roy Uthoff; Reid Blute; John Barges, and Normand Gamache (Guerriere & Halnon)

#### I. CITIZEN FORUM

Residents from Shining Rock Golf Community explained the stop sign at Shining Rock Drive needs to be installed as vehicles travel through the intersection without stopping. Mr. Bechtholdt indicated that he would contact the bank (Norwood Cooperative) to address this concern.

#### II. FORM A'S

None

#### III. SANDTRAP COURT (PARCEL A) –PUBLIC HEARING

Release of performance guaranty -Shining Rock Golf Community

Barbara Gaudette read the hearing notice; Mr. Bechtholdt indicated notification requirements had been satisfied; the Board opened the public hearing. Mr. Bechtholdt reviewed with the Planning Board and the developer (Reid Blute, Pulte Homes of New England) the review process and proceedings.

Mr. Bechtholdt noted receipt of memorandum dated September 11, 2012 from the Office of the Town Manager regarding Board of Selectmen vote to layout Sandtrap Court and letter dated July 18, 2012 from Mark Mastroianni (Pulte Homes of New England) concerning request for performance bond release for Sandtrap Court. Mr. Bechtholdt noted receipt of correspondence from the Public Works Director (James Shuris) stating completed construction work is of good quality and meets the approval of the Department of Public Works. Mr. Bechtholdt also noted that the Sewer Superintendent (Mark Kuras) has approved the sewer/sewer pump installation and has no issues with said improvements.

Mr. Bechtholdt explained that the Planning Board typically withholds final release of the performance bond until after the roadway is considered and accepted as a public way, noting the Board has sponsored for street acceptance Sandtrap Court for the Fall Annual Town Meeting, scheduled for October 23, 2012; the Board may vote to release bond subject to street acceptance. Mr. Bechtholdt suggested if the developer desires, the Planning Board may vote to reduce the bond at this time to \$5,000.00 and upon street acceptance release the reaming performance surety and sign the Certificate of Completion and Release of Municipal Interest specific to Sandtrap Court.

*Upon motion duly made (Dolber) and seconded (Simas) the Planning Board voted (4-0) to GRANT FINAL RELEASE OF PERFORMANCE GUARANTY SUBJECT TO street acceptance (of Sandtrap Court) and voted (4-0) to REDUCE THE BOND held (Surety Company) for Sandtrap Court –Parcel A from \$150,000.00 to \$5,000.00.*

Reference is made to letter dated July 18, 2012 from Pulte Homes, copy of communication from Community Planning & Development dated August 07, 2012, memorandum dated August 10, 2012 from the Director of Public Works, and email communication from the Sewer Superintendent received August 22, 2012.

#### **IV. COMMON DRIVEWAY (MENDON ROAD) -CONT PUBLIC HEARING**

Section 173-27 E (4) / Assessor Map 31 Parcel 91

Normand Gamache of Guerriere & Halnon reviewed with the Planning Board special permit application for common driveway to service two (2) proposed lots off Mendon Road. Mr. Bechtholdt reviewed with Mr. Gamache and the Board draft conditions of approval, noting that the Safety Committee is scheduled to meet September 19, 2012 to review same.

Mr. Simas inquired about Conservation Commission review, noting if the Commission requires alternations to the proposed driveway a revised plan may need to be presented to the Planning Board. Having no additional questions or comments from the public the Board closed the public hearing.

*Upon motion duly made (Simas) and seconded (Dolber) the Planning Board voted (4-0) to grant WITH CONDITIONS Special Permit to allow for Common Driveway to service lot(s) 3 & 4 (proposed) as shown on plan entitled "Special Permit Plan Common Drive" prepared by Guerriere & Halnon, Inc of Whitinsville, MA dated June 07, 2012.*

*Conditions of Approval:* (1.) Pursuant to Zoning By-Law Section 153-27 E (4) a –Common Driveway must satisfy all of the following conditions: a). The centerline intersection with the street centerline shall not be less than 45°; b). A minimum width of 15 feet shall be maintained over its entire length; c). The common driveway shall be paved; d). The driveway shall be located entirely within the boundaries of the lots being served thereby; and e). Proposed documents shall be submitted to the Planning Board demonstrating that, through easements, restrictive covenants and/or other appropriate legal devices, the maintenance, repair, snow removal and liability of the common driveway shall remain perpetually the responsibility of the private parties and/or their successor of interest. (2.) The Common Driveway shall be laid out entirely within an access and utility easement at least 25-feet wide. The grade of the Common Driveway shall not exceed fifteen percent (15%). (3.) Common Driveway shall not be considered or qualify as legal frontage for any lots serviced by the common drive. (4.) Applicant/Engineer shall file for ANR endorsement (Form A) proposed Lot(s) #3 & #4; said plan shall show location of Common Driveway (including easements), reference this Special Permit Decision (Worcester District Registry of Deeds) and any Orders of Conditions issued by the Northbridge Conservation Commission. (5.) A street address sign for Lot #3 and Lot #4 shall be installed at Mendon Road (Common Driveway), to minimize potential confusion regarding access to the home in the event of an emergency. Prior to issuance of occupancy the required common driveway signage shall be installed by the owner/applicant and reviewed and approved by the Northbridge Fire Department. (6.) Adequate drainage shall be provided. The driveway shall be constructed to minimize washout and excessive erosion and prevent drainage onto Mendon Road. During construction the applicant shall take whatever means necessary to ensure dust and other debris from construction does not aggravate adjacent properties. (7.) Construction of the common drive shall comply with the Orders of Conditions, issued by the Northbridge Conservation Commission. (8.) Construction of the common drive shall be subject to the review and approval of the Northbridge Safety Committee. (9.) Prior to the issuance of

building permit an agreement providing access over the common drive to all the lots and making the lots served by the common drive jointly and as described above shall be provided to the Planning Board. Copy of (executed) legal document(s) shall be provided to the Planning Board and Building Department; said document shall demonstrate that maintenance, repair, snow removal, and liability of the driveway shall remain perpetually the responsibility of the private parties and/or their successor of interest and not the responsibility of the Town on Northbridge. (10.) Copy of recording of this Special Permit (Common Driveway) shall be given to the Planning Board and Building Department prior to the issuance of a building permit for Lot #3 and Lot #4, along with evidence that an easement agreement is in place that allows the right to access said easement for driveway. (11.) Prior to issuance of building permit for Lot #3 and Lot #4 Applicant/Engineer shall provide the Building Department and Planning Board with written authorization from the US Army Corps specific to the construction of the common driveway (within the 269' –Flowage Easement) as shown on the referenced Common Driveway plan. (12.) Compliance with the common driveway construction and design requirements shall be demonstrated to the Building Inspector by means of inspection and/or as-built plans prior to the issuance of occupancy for Lot #3 and Lot #4.

The Planning Board considered the criteria set forth in Section 173-47 A (1) and Section 173-27 E (4) of the Northbridge Zoning By-Laws; in doing so the Board finds the proposal (common driveway) would limit the number of curb cuts on Mendon Road, reduce the amount of impervious coverage, minimize potential impacts to adjacent wetland resource areas, and also finds common driveway will not have a significant effect on the character of the surrounding area.

## **OLD/NEW BUSINESS**

### Approval of Meeting Minutes- August 28, 2012

Upon motion duly made and seconded the Planning Board voted (4-0) to ACCEPT the meeting minutes of August 28, 2012.

### 2012 Fall Annual Town Meeting –October 23, 2012

Point of information –no discussion

### Hillside Garden Estates –Construction Change

John Barges (developer) met with the Board to review request(s) for construction change: transition stone and elimination of streetlights; reference is made to letter dated August 02, 2012 from John Barges. Mr. Barges provided the Board with an update on the overall status of the subdivision development noting the recent sidewalk installation will need to be regrind surface as a result of the high temperature (weather) during the pour; expansion joints will also be cut-in within the next few weeks. Mr. Bechtholdt reminded the Board that earlier this summer as a result of a rain event DPW was called to remove silt and debris from Thurston Avenue. Mr. Bechtholdt then reminded Mr. Barges that he needs to address the open trench and gutter line along the roadway, noting prolonged exposure (during rain events) will undermine the roadway and may damage or compromise the sub-base material. Mr. Barges explained the curbing (driveway openings) was revised when the development project went from duplex (senior living) to individual single-family (conventional) house lots. Mr. Barges promised the Board that he would address the concerns with the roadway within a week's time. Mr. Barges reviewed with the Board request to change the ¼ stone at the driveway entrance by tipping the granite down to meet the driveway asphalt. Mr. Barges noted he

reviewed same with the Highway Superintendent (Rob Van Meter); Mr. Bechtholdt added that he reviewed same with the Board's consulting engineering.

*Upon motion duly made (Griggs) and seconded (Simas) the Planning Board voted (4-0) TO CONSIDER AND ALLOW CONSTRUCTION CHANGE for transition stones at the driveways (non-sidewalk side). The Planning Board took no action relative to the request concerning elimination of streetlights.*

#### Marston Road Boulevard Entrance –Discussion

Jarrad Smith and Jason DePaulo met with the Planning Board to discuss maintenance along Marston Road (the Hills at Whitinsville subdivision). Mr. Smith explained residents had over the past several years maintained the landscaping, however residents feel because the roadway is an accepted street the town should be responsible for its maintenance. Mr. Smith noted that he contacted the Department of Public Works, (James Shuris and Robert Van Meter) who both originally agreed to have the town maintain the landscaping however (after several weeks) then suggested instead to replace the landscaping with crushed-stone suggesting the residents get together and select a color; only then to change its mind again and suggest contacting the developer and/or Planning Board to address this concern (homeowners association was to maintain landscaping). Mr. Bechtholdt noted the DPW Director (James Shuris) was to attend tonight's meeting and was not sure why he chose not to participate. Mr. Smith added that on two occasions he had made arrangements to meet with Mr. Shuris on site, only to be canceled by DPW; the DPW agreed to mow the grass and never did. Mr. Bechtholdt explained to the Board that he became aware of the concerns after DPW copied the Town Planner on an email exchange with Mr. Smith. Mr. Bechtholdt explained after reading through a lengthy email thread he spoke with Mr. Shuris and called Mr. Smith. Mr. Bechtholdt is concerned that the residents have been given the run around for almost 3-months; Mr. Smith noted concerns have been expressed for the better part of a year. Board members talked about the status of the road and its maintenance. After some additional discussion (conditions of approval –maintenance) it was decided that Brett Simas (Planning Board member) would meet with Mr. Shuris to review concerns in an effort to get some clarity and pick a path to address concerns.

#### Camelot Subdivision –Update/Status report

Planning Board reviewed copies of JH Engineering Group, LLC reports dated September 05, 2012 and September 06, 2012.

#### Malley Engineering/Peer Review –Discussion

The Planning Board expressed concerns with continued delays in reporting, noting similar concerns had been communicated to Mr. Malley previously. The Planning Board upon motion duly made and seconded voted (4-0) to end its engineering services with Malley Engineering Co. Inc. Reference is made to email communication(s) between the Town Planner and James Malley (sent/received) September 04 & 05, 2012.

#### Green Meadow Court –MGL CH 41 SEC 81U

Mr. Bechtholdt reminded the Planning Board that significant progress had been made with the developer (JA Taylor Construction, Inc) in 2008, where the developer was working with the town in getting the roadway readied for street acceptance the following spring only to be halted by litigation (town withheld bond reduction due to back taxes); fast forward 4-years the developer won the lawsuit and efforts to ready the roadway for street acceptance will need to start up once again (Board is holding (±\$15,000.00 cash bond)). Mr. Bechtholdt informed the Board, since the last meeting he has pulled the deeds for the abutting

properties as well as the recorded plan, noting the subdivision was modified in 1996 eliminating one of the cul-de-sacs. Mr. Bechtholdt explained that he will review the roadway construction with the Board's engineering consultant and report back to the Planning Board in October.

#### Farnum Circle –MGL CH 41 SEC 81U

Mr. Bechtholdt informed the Board, since the last meeting he has pulled the deeds for the abutting properties as well as the recorded plan, noting that it does not appear that a dedicated utility easement was reserved for the overhead power line (NGrid may have blanket easement) servicing the back lot. Mr. Bechtholdt will review the subdivision construction and possible modifications with the Board's engineering consultant and report back to the Planning Board in October.

#### FinCom Meeting -September 12, 2012

Mr. Bechtholdt advised the Planning Board that he would attend the Finance Committee meeting to review the two (2) Planning Board articles; Zoning Amendment (overlay district map) and Street Acceptance (Sandtrap Court).

#### Blackstone River Bikeway –Update

Mr. Bechtholdt provided the Planning Board with copy of email communication from Megan DiPrete received August 30, 2012 concerning the status of the Blackstone River Bikeway.

#### MassGIS Initiative –Discussion

Mr. Bechtholdt informed the Board that he along with the Fire Chief, Police Department and the town's IT staff will meet with Matt Franz from CMRPC regarding the state's parcel project in building a E911 system. Reference is made to letter dated August 27, 2012 from John Letchford, Assistant Secretary for Information Technology.

#### Mail –Review

In addition to the mail listed (see attached) the Planning Board noted receipt of the following communications: copy of MGL provision Ch 41 Sec 81W and Ch 41 Sec 81U; Economic Development Bill announcement (includes additional 2-year extension for local permits); email thread with DPW and Jarrad Smith (Marston Road); memorandum dated September 11, 2012 from the Office of the Town Manager regarding Board of Selectmen vote to layout Sandtrap Court and not to layout Shining Rock Drive (portion of); information on Legacy Farms (Hopkinton, MA) master planned mixed-use community (LID stormwater systems).

#### Other

Mr. Bechtholdt noted that he and Ed Palmer (Board member) drove through Legacy Farms in Hopkinton to view the LID –Low Impact Development stormwater techniques employed throughout the development; Mr. Bechtholdt added that he communicated with Jeff Howland (Board's consulting engineer) and Andrew Chagnon (Conservation Commission member) on the pros & cons of LID vs. conventional stormwater systems –reference is made to email communication(s) received September 11, 2012 from Jeff Howland and Andrew Chagnon.

Adjournment

Having no additional business the Planning Board adjourned its meeting of Tuesday, September 11, 2012 at 9:15 PM.

Respectfully submitted,

Approved by Planning Board –

R. Gary Bechtholdt II  
Town Planner

Cc: Town Clerk