



NORTHBRIDGE PLANNING BOARD

MINUTES

Tuesday, September 18, 2012



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

The following members of the public were in attendance: Mark Kuras (Sewer Superintendent); James Sheehan (Inspector of Buildings); Joe Marinella (J&F Marinella Dev); and George Murray

I. CITIZEN FORUM

None

II. FORM A'S

None

III. DOUGLAS ROAD (adjacent to 279 Douglas Rd) –PUBLIC MEETING §173-49.1 [Site Plan Review]

Ms. Gaudette read meeting notice to consider site plan application of Douglas Road Industrial Realty Trust for proposed site improvements to include grading, site clearing, drainage and erosion controls to create a paved driveway and open 39,000 square-foot gravel storage area; the subject property (adjacent to 279 Douglas Road) includes Assessors Map 3 Parcel(s) 119, 120, 122 & 123 and is within the Industrial –One (I-1) Zoning District.

Paul Hutnak, PE (Andrews Surveying & Engineering) provided overview of subject property located adjacent to the existing Berkowitz Trucking facility. Mr. Hutnak briefed the Board on ongoing discussions with DEP/Conservation Commission (re: adjudicatory hearing), noting scope of work (proposed gravel storage area) will be expanded (modified plans to be presented at a subsequent Planning Board meeting). Mr. Hutnak indicated application of same to be reviewed by the Earth Removal Board and Conservation Commission.

Mr. Hutnak reviewed with the Board site layout (revised), stormwater design and new proposed curb-cut on Douglas Road. Mr. Bechtholdt asked Mr. Hutnak to provide a cover letter detailing modification of the original site plan submittal along with revised stormwater calculations and layout plans. Mr. Bechtholdt noted JH Engineering Group, LLC has provided report dated September 13, 2012 and will need the modified plans, revised calcs, etc. Mr. Bechtholdt noted new curb-cut may trigger review by Safety Committee.

Mr. Hutnak confirmed for Ms. Gaudette that the expansion is for the Berkowitz Trucking operations, noting facility provides recycling for 12 participating towns (recycling program –plastic, cardboard, paper, etc.) the proposed expansion (gravel storage area) will free space around the existing buildings; the new access (proposed off Douglas Road) will improve circulation and safety for its operators.

Mr. Hutnak reviewed with Mr. Simas type of materials to be stored (reference made to Andrews Survey & Engineering, Inc letter dated August 09, 2012), adjacent property uses and if additional lighting is proposed.

Mr. Bechtholdt asked if proposal would free up space inside the buildings; Mr. Hutnak explained, no additional business or expansion of existing will result; improve current day-to-day operations. Mr. Hutnak then reviewed the proposed stormwater management for the site, as well as the width (24-feet) and grade of the proposed driveway access from Douglas Road. Mr. Palmer inquired about snow storage; Mr. Simas and Ms. Gaudette asked about buffer areas between residential properties (to the rear) and the proposed outdoor storage area.

Upon motion duly made (Griggs) and seconded (Palmer) the Planning Board voted (5-0) to continue the site plan review to Tuesday, October 16, 2012 at 7:05 PM to allow the Applicant/Engineer opportunity to present revised plans to municipal departments and provide addition time for review and public comment.

IV. CAMELOT SUBDIVISION -REVIEW/DECISION

Issuance of occupancy

J&F Marinella is seeking Planning Board approval to allow for a temporary pump until the approved Aurora pump is delivered and installed. Board reviewed copy of communication from the Sewer Superintendent concerning status of sewer connection.

Joe Marinella, developer (J&F Marinella Dev), Mark Kuras (Sewer Superintendent) and James Sheehan (Inspector of Buildings) met with the Planning Board to review the Camelot subdivision, specifically the status of the sewer pump station.

Mr. Bechtholdt provided an overview on the status of the subdivision, noting the developer has posted a performance bond for the first phase of the project, the Planning Board has released lots (Phase IA) from the Covenant (restricting occupancy), a number of house lots have been constructed and the developer is seeking the issuance of occupancy prior to the installation of the sewer pump station. Mr. Bechtholdt reminded the Board, as a condition of the subdivision approval the sewer pump station was to be completed and operational prior to lot release, with a restriction on the usage of a temporary pump; noting the Sewer Department had expressed concerns in the past with the Hemlock Estates (Pine Knoll) development. Mr. Bechtholdt continued noting J&F Marinella recently approached the Sewer Superintendent who agreed to utilize a pumper truck (or temporary pump) to service house lots within the development until the (permanent) pump was delivered and installed; the Building Inspector cannot and will not issue occupancy until sewer pump condition (definitive subdivision approval) is satisfied or the Planning Board allows for a temporary pump.

Ms. Gaudette noted the importance of everyone working together under the umbrella of the Planning Board; we all need to be aware of and make sure the Certificate of Approval (conditions of) is satisfied. Mr. Kuras explained that he was approached by the Marinellas in August (2012) to tie-in house (Lot #8) for closing and agreed to a septic hauler not knowing other agreement with the Planning Board. Mr. Kuras felt he was taken advantage of by the Marinellas. Ms. Gaudette acknowledged however does not place blame; and makes it difficult moving forward. Mr. Sheehan explained that his hands are tied; the Planning Board was clear no occupancy until the pump is completed, approved and operational; the Marinellas are not in compliance.

Ms. Gaudette explained the Planning Board has bent a little in the past; the conditions are clear and were reiterated back in July where the Board stands relative to the progress of the subdivision improvements and house lot development.

Mr. Marinella explained to the Board that the sewer force main is done, tested and approved; landscaping has been installed between existing homes on Rumonoski Drive; did not think the pump would be delayed; decided to go to the Sewer Department to use another pump (temporary) until the Aurora pump was delivered, suggesting the pump to be used temporarily is large enough to pump the entire subdivision.

Mr. Simas asked when the Aurora pump was ordered and when is it scheduled to be delivered. Mr. Marinella explained to the Board as soon as the Sewer Department decided which pump they wanted it was ordered (May/June); originally it was to delivered in about 3-months, now may be delivered sometime in October. Mr. Simas questioned why the Marinellas have not been pushing the vendor to deliver the pump sooner.

Mr. Kuras explained to the Board that the temporary pump would be above-ground. Mr. Palmer questioned why the Marinellas went to the Sewer Department and why the Sewer Superintendent agreed to a temporary pump. Ms. Dolber asked if there are any concerns with temperature (colder months ahead) could the temporary above-ground pump freeze up or any other concerns. Mr. Griggs inquired if the Board approves this arrangement (occupancy with temporary pump) what will force the developer to install the approved pump; Mr. Marinella responded noting they have already paid for it. Ms. Gaudette expressed concern if pump does not work or additional delays. Mr. Palmer asked Mr. Kuras and Mr. Sheehan what concerns, if any they have with a temporary pump. Mr. Bechtholdt clarified the temporary pump proposed is an actual pump; it is temporary in the sense that it will be replaced by the Aurora pump once delivered.

Mr. Griggs noted he was sympathetic to the developer's plight and made a motion to allow the issuance of occupancy for one (1) house lot, seconded by Ms. Dolber; motioned failed (2-3). Ms. Gaudette questioned if the pump is so hard to order how long might it take to order parts if components need to be repaired over time. Mr. Marinella deferred to the Sewer Superintendent noting the town selected the type of pump (manufacturer -Aurora pumps) not him. Mr. Simas pondered concerns with the overall financing of the project and the importance of selling house lots. Mr. Simas suggested if the Board would consider allowing the use of the temporary pump for three (3) houses restricted until the installation of the Aurora pump by November 30th. Board members not sure imposing a timeframe (11/30) mattered or not. Mr. Simas mentioned that he viewed the work on Rumonoski Drive, noting he has seen the recently installed landscaping between the two existing homes, commenting a lot of work went into getting the site ready; they (J&F Marinella Dev) are making the investments to complete the project. Ms. Gaudette cautioned it is bad enough with possibly one house lot; what if temporary pump fails may have three homes in dire straits.

Mr. Griggs agreed with Mr. Simas, suggesting the Marinellas have done what we asked and if they were going to back-out they would have done so long before now. Ms. Dolber suggested from a buyer-side they may look to back out from a sale; the pressure is on the developer to deliver the pump. Mr. Palmer noted that the Marinellas have put the pressure on the Planning Board to get what they want; and have received a lot of breaks.

Ms. Gaudette described concerns with the status of the other residential developments in town (Hemlock Estates and Marston Heights); citing evidence that there is not the follow through to finish work elsewhere. Mr. Marinella disagreed and explained to the Board that they have a number house lots and units unsold in Hemlock Estates and have committed to completing the units in Marston Heights; have not left the site, have finished the units (unsold) in Marston Heights and will finish the work; in Hemlock Estates have done the same, recently completing finish paving within the current construction phase.

After some general discussion regarding temporary pump verses the Aurora pump as well as the timing of deliver (estimated before November 15, 2012) the Planning Board concluded its discussion.

Upon motion duly made (Simas) and seconded (Griggs) the Planning Board voted (4-1) to allow a temporary pump to service up to three (3) homes provided letters from the property owners (buyers) are provided to the Planning Board, Sewer Superintendent and Building Department noting they are aware of this temporary arrangement concerning the pump station. Mr. Palmer voted not in favor.

The Planning Board requested J&F Marinella Development attend its meeting of October 16, 2012 to review with the Board updated construction schedule and conditions of approval (definitive subdivision).

OLD/NEW BUSINESS

PB Meeting October 02, 2012 –Town Hall Annex (14 Hill Street)

Point of information –no discussion

Approval of Meeting Minutes- September 11, 2012

Tabled

2012 Fall Annual Town Meeting –October 23, 2012

Point of information –no discussion

JH Engineering Group -Peer Review Services

Upon motion duly made (Simas) and seconded (Griggs) the Planning Board voted (5-0) to engage the services of JH Engineering Group, LLC to provide peer review (and inspection) for Shining Rock Golf Community; Presidential Farms; Hemlock Estates; Farnum Circle; Ash Street Extension; Pine Knoll; Hillside Garden Estates; and Green Meadow Court. Reference is made to Planning Board communication dated September 12, 2012 concerning Malley Engineering.

Camelot Subdivision –Update/Status Report

See discussion above. Planning Board noted receipt of JH Engineering Group report(s) dated September 05, 2012 & September 06, 2012.

Open Space & Recreation Plan –Discussion

Tabled

Green Meadow Court –MGL CH 41 SEC 81U

Tabled

Farnum Circle –MGL CH 41 SEC 81U

The Board received copy of Malley Engineering report dated July 01, 2011 –construction status Farnum Circle.

Castle Hill Estates –Open Space

Tabled

Mail –Review

In addition to the mail listed (see attached) the Planning Board noted receipt of the following communications: copy of letter dated September 12, 2012 to Town Clerk regarding Sandtrap Court release of performance guaranty; copy of letter dated September 12, 2012 to Town Clerk concerning Malley Engineering termination of peer review; DHCD –Mass Downtown Initiative (FY2013 Technical Assistance Program); copy of letter to Richard Cronin dated September 12, 2012 concerning Marston Heights; letter dated September 18, 2012 from the Inspector of Buildings concerning Douglas Road site plan review; copy of letter dated September 10, 2012 from Conservation Commission concerning open space within the Hills at Whitinsville subdivision; copy of NOI submission for New England Power Company concerning interstate reliability project.

Adjournment

Having no additional business the Planning Board adjourned its meeting of Tuesday, September 18, 2012 at 8:30 PM.

Respectfully submitted,

Approved by Planning Board –

R. Gary Bechtholdt II
Town Planner

Cc: Town Clerk