



NORTHBRIDGE PLANNING BOARD MINUTES



Tuesday, November 13, 2012

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

The following members of the public were in attendance: Jennifer Stanick; Neil Stanick; Jeff Ciulla; Frank Marinella & Joe Marinella (J&F Marinella Dev); Denise Orosz; Ray Orosz; and Paul Hutnak (Andrews Survey & Engineering)

I. CITIZEN FORUM

None

II. FORM A'S

MORGAN ROAD -REVIEW/DECISION

Assessor Map 15 Parcels 145, 146, 162, 163 & 170

Planning Board reviewed ANR plan entitled "Plan of Property" for Morgan Road prepared by Heritage Design Group and dated October 17, 2012. Mr. Bechtholdt reminded the Planning Board that the ANR plan was prepared in conjunction with the common driveway special permit application, to be considered later in the evening. Mr. Bechtholdt noted, the purpose of the ANR (and common driveway application) was to correct a survey/construction error which resulted in the existing common driveway to be constructed on an abutting parcel not subject to the common drive. Upon review of the ANR Checklist prepared by the Community Planning & Development office the Planning Board reviewed the ANR plan taking general inquiries from the associated property owners in attendance.

Upon motion duly made (Dolber) and seconded (Palmer) the Planning Board voted (5-0) to grant ANR endorsement described conveyances as noted on the plan.

III. COMMON DRIVEWAY MORGAN ROAD -PUBLIC HEARING

Section 173-27 E (4) –Special Permit

Ms. Gaudette read the public hearing notice: In accordance with the provisions of MGL and Section 173-27 E (4) [Common driveways] of the Northbridge Zoning By-Law, the Planning Board will hold a public hearing on Tuesday, November 13, 2012 at 7:05 PM, in the Selectmen's Chambers of the Northbridge Memorial Town Hall, 7 Main Street, Whitinsville, MA to consider Special Permit application of J & F Marinella Development to allow a common driveway to service four (4) existing house lots (150, 152, 156, & 168 Morgan Road) as shown on plan entitled "Plan of Property" prepared by Heritage Design Group of Whitinsville, MA dated October 17, 2011. The special permit application, layout plan and other supportive documentation is on file with the Office of the Town Clerk (7 Main Street) and Planning office (14 Hill Street –Aldrich School Town Hall Annex) and may be reviewed during normal business hours. The purpose of this hearing is to provide an opportunity for public

comment. Any person interested or wishing to be heard should appear at the time and place designated.

Mr. Bechtholdt noted that the hearing notice and notification requirements had been satisfied; the Planning Board opened the public hearing. The Planning Board (Special Permit Granting Authority - SPGA) reviewed plan showing the lots and proposed easement(s). Mr. Bechtholdt reminded the Board members that the purpose of the Special Permit Common Driveway application was to correct a survey/construction error which resulted in the existing common driveway to be constructed on an abutting parcel not subject to the common drive, the Applicant/Owner(s) desire to utilize existing (common) driveway for the purpose of providing shared access for four (4) single-family house lots within the Hills at Whitinsville development. Mr. Bechtholdt added this matter had been brought to the attention of the Planning Board some time ago; all parties (the 4 property owners and the developer) have signed off on the special permit application and have prepared a (draft) Declaration Agreement for the (revised) common drive.

Mr. Bechtholdt reviewed with the Planning Board, Community Planning & Development memorandum dated October 22, 2012; comments received by various town departments; response letter prepared by Heritage Design Group dated November 13, 2012 and the (draft) Declaration of Easements, Rights and Obligations prepared for the common driveway.

The Board discussed (draft) provision #5 of the Declaration which reads; the Owners shall have an obligation to maintain and repair the common driveway in accordance with the requirements of the Town of Northbridge in a condition The Board questioned the wording of the requirements of the Town of Northbridge, noting other than width and slope the town really does not have detailed driveway requirements or specifications, the wording as drafted may lead to potential confusion in the future. As the SPGA for the common driveway special permit the Board instructed that the Declaration of Easement and Obligation be revised, specifically the first sentence of item #5 to read as follows: The Owners shall maintain and repair the common driveway in accordance with the requirements and obligations as noted herein in a condition that is consistent with the intended use, and generally so that a smooth, passable and functional surface is maintained.

Before concluding its review the Board solicited input from the property owners and general public in attendance. Mr. Ciulla noted they have been through a long process which has allowed them to present this application to the Planning Board. Mr. Ciulla noted he feels good about the way things have been structured. Neil and Jennifer Stanick explained that the new driveway location for them will be a significant improvement. During the hearing it was noted that Ross & Irene Trenholm were not in attendance. After some general discussions concerning drainage/runoff (to be address by the developer) the width of existing driveway and whether or not parking would be permitted the Board looked to close its hearing and reviewed its findings. Mr. Bechtholdt suggested the Board should note in its decision provision allowing for a minimum driveway width of 13-feet servicing four (4) homes on a single common drive.

At the close of the public hearing, the Planning Board upon motion duly made (Palmer) and seconded (Dolber) voted (5-0) to grant with conditions Special Permit for common driveway to service four (4) house lots having a minimum pavement width of 13-feet.

Conditions of approval include: 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%); Common Driveway shall not be considered or qualify as legal frontage for any lots serviced by the common drive; Street address sign for all house lots serviced by the Common Driveway shall be installed at the Morgan Road access (Common Driveway), to minimize potential confusion regarding access to the homes in the event of an emergency; Adequate drainage shall be provided. The driveway shall be constructed to minimize washout and excessive erosion and prevent drainage onto Morgan Road. Applicant has received local approvals/permission from the Department of Public Works to install a subdrain (or similar) directly to the stormwater drainage system within Morgan Road; Common Drive shall comply with the Orders of Conditions, if any issued by the Northbridge Conservation Commission; Declaration of Easement and Obligation shall be revised, specifically the first sentence of item #5 to read as follows: The Owners shall maintain and repair the common driveway in accordance with the requirements and obligations as noted herein in a condition that is consistent with the intended use, and generally so that a smooth, passable and functional surface is maintained; Copy of executed Agreement providing access over the common drive to all the lots and making the lots served by the Common Drive jointly and as described shall be provided to the Planning Board and Building Department; said document(s) shall demonstrate that 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 and not the responsibility of the Town of Northbridge; Copy of recording of this Special Permit (Common Driveway) shall be given to the Planning Board and Building Department, along with evidence that an easement agreement is in place that allows the right to access said easement for Common Driveway; Copy of legal description (Right of Way / Utility Easement) shall be provided to the Planning Board and Building Department for its records.

IV. DOUGLAS ROAD (adjacent to 279 Douglas Rd) –CONT. PUBLIC MEETING

§173-49.1 [Site Plan Review]

Paul Hutnak, PE (Andrews Survey & Engineering) on behalf of the owner/applicant reviewed project proposal, updated the Board reviews of the Conservation Commission; JH Engineering Group, the Planning Board's consulting engineer and the Earth Removal Board. Mr. Hutnak explained gravel storage area proposed with access driveway off Douglas Road and existing Berkowitz Trucking driveway. Mr. Hutnak noted that the Conservation Commission conducted a site walk and EcoTec Inc. issued letter to the Commission; a revised Stormwater Report was presented to the Commission and reviewed by JH Engineering.

The Planning Board reviewed report dated November 06, 2012 from JH Engineering Group. After some additional discussions concerning site drainage and hydrology the Board looked to those in attendance for additional comments, seeing none the Board concluded its review. Mr. Hutnak confirmed project proposal does not include any change in use or site assignment for the abutting 279 Douglas Road (Berkowitz Trucking).

Upon motion duly made (Griggs) and seconded (Palmer) the Planning Board voted (5-0) to approve with conditions the site development proposal to include grading, site clearing, drainage and erosion controls to created paved driveway (off Douglas Road) for an open 43,000 square-foot gravel area for

exterior storage of materials to include empty dumpsters, steel & other metals; recycling & recycled products including plastics, cardboard & glass; as well as vehicle parking & loading.

Conditions of approval include: Owner/Applicant shall comply with all applicable laws, bylaws, rules, regulations, and codes and obtain all the necessary permits and approvals; including but not limited to blasting, water/sewer, street excavation, and/or access to public-way (curb cut), if so required; Planning Board site plan approval shall be subject to conditions, if any imposed by the Northbridge Fire Department; Planning Board site plan approval shall be subject to the conditions, if any imposed by the Northbridge Safety Committee; Planning Board site plan approval shall be subject to the Northbridge Conservation Commission's Order of Conditions issued for the proposed site development; Planning Board site plan approval shall be subject to the conditions, if any imposed by the Northbridge Department of Public Works as it relates to proposed new curb cut on Douglas Road; Planning Board site plan approval shall be subject to the conditions, if any imposed by the Northbridge Earth Removal Board for the proposed site development; Planning Board site plan approval is specific to the scope of work described herein and as presented during its review; no change in site assignment (279 Douglas Road, etc) was presented, considered or contemplated as part of such review; A copy of this Certificate of Approval, endorsed Site Development Plan and Conservation Commission Orders of Conditions shall be maintained onsite during construction. The Planning Board and/or its designee shall be permitted to access the project site for the duration of the project; Any alteration(s) from this Certificate of Approval shall require a written description of the proposed modifications submitted to the Planning Board for review/approval. A significant alteration deemed by the Planning Board shall require the filing of a new site plan review. Changes to the site development plan either prior to or during construction shall be administered through the Planning Board in accordance with Section 173-49.1 H of the Northbridge Zoning By-Laws; Site development plan shall be revised and prepared for Planning Board endorsement addressing the following: Reference to Planning Board Certificate of Approval; Reference to Conservation Commission Orders of Conditions; Reference to Earth Removal Permit; Comments noted in Site Plan Review Checklist; Comments raised by JH Engineering Group, LLC; and Conditions of the Northbridge Conservation Commission; Review & Inspection Account specific to the site development has been established. The Owner/Applicant shall be responsible for satisfying payment of the Planning Board's engineering consulting services through the duration of the project completion. Remaining funds, if any shall be returned to the Applicant; The Applicant/Engineer shall submit the following to the Planning Board: five (5) complete prints of the endorsed Site Development Plan, two (2) fifty-percent (50%) reduced prints and one (1) electronic copy; any illumination, including security lighting shall be arranged so as to reflect away from abutting properties. Said lighting shall be directed in a manner to avoid glare onto adjacent properties and to limit the amount of light trespass onto the abutting properties; Directional signage, etc. associated with the site development shall comply with the Town of Northbridge Zoning Bylaw [Article VII –Signs]; Site development shall provide appropriate landscape/screening (existing or otherwise) to offer visual buffer of subject property to abutting residential properties and adjacent roadway (Douglas Road); Owner/Applicant shall secure access easement through abutting properties; Erosion control measures to prevent siltation onto wetlands, neighboring properties and roadways during construction shall be implemented. The erosion control plan and documentation submitted shall be implemented and followed during construction. During construction, if these plans are found to be inadequate by the Planning Board or its designee, a new erosion control plan shall be submitted to the Board for review and approval. In the event that erosion and sedimentation problems arise during construction, the Planning Board may require that all

work cease until measures necessary to ensure prevention are implemented; and The applicant's Engineer shall provide the Building Department, Planning Board and Conservation Commission with written certification/verification that drainage system has been constructed as approved and working as designed.

Based on its finding the Planning Board WAIVED the Development Impact Assessment; Section 173-49.1 E (2) of the Northbridge Zoning By-Laws. As provided for in Section 173-49.1 E (3) of the Northbridge Zoning By-Law the Planning Board may waive any requirements if it believes that the requirement is not necessary based upon the size and scope of the project.

V. CAMELOT SUBDIVISION -REVIEW/DECISION

Revised Phasing / Issuance of Occupancy

Joe Marinella (J&F Marinella Dev) provided and reviewed with the Planning Board updated construction schedule dated November 14, 2012 (received November 13, 2012). Mr. Marinella then reviewed with the Board proposed revised phasing plan for Phase 1A –to include three (3) additional lots and revisions to Phase 2.

The Planning Board upon motion duly made and seconded voted (5-0) to REVISE the Phasing Plan for the Camelot subdivision; adding lot(s) 25 & 59 and Parcel C-R to Phase 1A and further AMENDED the Phasing Plan by (re)designating Phase 2 to include the remainder of Rebecca Road and the Joseph Circle cul-de-sac. Phase 2 shall consist of Rebecca Road (remaining portion of) and Joseph Circle; Lot(s) 26–33, Lot(s) 35–47. Genevieve Drive shall be constructed as part of Phase 3.

Mr. Marinella continued noting that they have begun to install the required screening (fencing along Rebecca Road), and in talking with the abutters he would like to install the fence away from the intersection, noting this location would provided additional screening for the abutting property. Mr. Bechtholdt suggested pulling the fence back may also enhance the line-of-sight for vehicles existing onto Hill Street. Mr. Bechtholdt suggested the Board may consider request as a construction change and also noted the Board should also formalize its position relative to the sidewalk terminus within the subdivision roadway.

The Planning Board upon motion duly made and seconded voted (5-0) to CONSIDER and ALLOW construction change to terminate the sidewalk on Rebecca Road (Hill Street –entrance) with a handicap ramp inside the subdivision roadway. Additionally, the Planning Board ALLOWED the white vinyl privacy fence to be installed approximately 100-feet set back from the intersection of Rebecca Road and Hill Street.

Mr. Marinella reviewed with the Planning Board the status of the sewer pump station and asked if additional lots could be considered for occupancy at this time and if three (3) additional lots could be release. Board members noted that the roadway would need to be at binder and the Board's consulting engineering would need to come up with a new bond amount prior to formal release. Mr. Marinella noted that he has been working with Jeff Howland, JH Engineering Group (the Board's consulting engineer) on preparing a bond reduction; rather than a reduction he would like to bond the improvements required for the additional lots to be included in Phase 1A. Mr. Marinella indicated that

they have approximately 10 lots under agreement and would like the ability to close on additional homes.

Mr. Marinella provided the Board with a copy of weatherization specification for the temporary pump prepared by the vendor supplying the pump (Baker Corp dated November 13, 2012), Mr. Marinella indicated that the pump has been fitted with all the necessary components for sub-freezing temperatures. Mr. Marinella confirmed delivery of the Aurora pump is still scheduled for December 22, 2012, noting installation would take approximately one-week to install, set-up and test once delivered. Board members acknowledged efforts made by the developer to satisfy concerns of the Sewer Superintendent and JH Engineering Group.

The Planning Board voted unanimously (5-0) to not restrict occupancy for up to four (4) additional house lots within the Phase 1A Camelot subdivision. As a result of such Planning Board action up to seven (7) house lots within the Camelot subdivision may be considered for occupancy; no longer restricted by the Planning Board.

The Planning Board upon motion duly made and seconded voted (5-0) to RELEASE the following lots within the Camelot subdivision: Lot(s) 25 & 59 and Parcel C-R from the Covenant (BK 46877 PG 180) SUBJECT TO the installation of binder course for Phase 1A (as revised). Upon verification of binder course installation and preparation of revised construction costs for Phase 1A –Camelot, a Form P [Lot Release] shall be executed by the Planning Board for recording by the Owner/Applicant.

Mr. Marinella explained to the Board that he has been in contact with the Whitinsville Post Office concerning the community mailbox, adding the Post Office directed him to install the mailbox on the opposite side of the street as the sidewalk. Mr. Bechtholdt and Board members expressed concerns of accessibility and ADA, requiring J&F Marinella to work with the Post Office and have the box located on the backside of the sidewalk; locating the community mailbox opposite the sidewalk would not be acceptable. Mr. Marinella suggested that he would notify the Post Office and would place the mailbox wherever the Planning Board wanted it. The Board directed Mr. Marinella to install it on the backside of the sidewalk; Mr. Marinella noted that he recently poured a concrete pad at the location determined by the Post Office but can relocate it if the Board wants.

Ms. Gaudette suggested the protective guard wrapped around the oak tree may be removed at this time.

OLD/NEW BUSINESS

Approval of Meeting Minutes –October 16, 2012

Upon motion duly made (Griggs) and seconded (Dolber) the Planning Board voted (4-0-1 [Simas abstained]) to ACCEPT the meeting minutes of October 16, 2012.

Blackstone Valley Prioritization Project Regional Forum #2 –Tuesday, November 13, 2012

Point of information –no discussion, Mr. Bechtholdt suggested he would look to CMRPC about getting a summary on the public workshop.

Open Space & Recreation Plan –Scheduling of Public Workshop

Planning Board will look to schedule workshop after holidays. Copies of the Open Space and Recreation Plan Requirements Workbook prepared by Division of Conservation Services were provided to the Board.

Community Innovation Challenge Grant Program –Housing Production Plan

Mr. Bechtholdt informed the Board that CMRPC is looking to submit a proposal under the Community Innovation Challenge Grant Program, a component of this will be specific to Housing Production Plans. Reference is made to email communication from Town Planner and Trish Settles, CMRPC. The Board voted unanimously to support of the 2013 Community Innovation Challenge (CIC) Grant Program, noting they are excited about the opportunity to advance its Housing Production Plan initiative as part of this regional grant application. Adding, the Board recognizes the importance of having a comprehensive Housing Plan as it will compliment and support the goals & objectives to be identified in our Master Plan update, currently underway.

Green Meadow Court/Farnum Circle –Status/Update

Planning Board received copy of report dated November 06, 2012 from JH Engineering Group for Farnum Circle, included updated construction cost estimates. Mr. Bechtholdt suggested the Board share this information with the developer and property owners and set up a time to review same in the hopes of completing the subdivision.

Camelot Subdivision –Update/Status Report

See discussions above.

Hemlock Estates –Update/Status Report

No discussion.

Pine Knoll/Marston Heights –Update

Mr. Bechtholdt informed the Board that some of the units may have been sold as part of a private auction, although he did not know how many or which ones. Mr. Bechtholdt added that he, in working the Building Inspector and Town Counsel had the developer (re)draft affordable unit documents in preparation for and as a result of the private auction held earlier this month. Reference is made to Community Planning & Development memorandum dated October 22, 2012 and Kopelman and Paige (Town Counsel) letter(s) dated October 31, 2012 and November 02, 2012 regarding Notice of Restriction /affordable units at Pine Knoll

Sandtrap Court –Bond Release

As a result of Town Meeting action (street acceptance) the Planning Board executed the Form O for Sandtrap Court, releasing the remaining \$5,000 held for Parcel A Sandtrap Court.

Mail –Review

In addition to the mail listed (see attached) the Planning Board noted receipt of the following: ANR Checklist (Morgan/Marston Rd); Quitclaim Deed 168 Morgan Road; Quitclaim Deed 156 Morgan Road; Quitclaim Deed 150 Morgan Road; Deed 152 Morgan Road; October 30, 2012 memorandum from Conservation Commission regarding Common Driveway; November 5, 2012 email communication from

Robert Van Meter, Highway Superintendent regarding Special Permit Common Driveway Application; (draft) Declaration of Easements, Rights and Obligations; November 6, 2012 email communication from Mark Kuras, Sewer Superintendent regarding Morgan Road and Douglas Road applications; Community Planning & Development memorandum dated October 22, 2012 regarding Morgan Road – common driveway special permit application; Review Report Form dated October 22, 2012 regarding Morgan Road –common driveway special permit application; November 6, 2012 letter From JH Engineering Group regarding Douglas Road site plan review; EcoTec, Inc. narrative on proposed gravel storage (279 Douglas Road); October 30, 2012 memorandum from Conservation Commission regarding Site Plan Douglas Road (Revised Scope of Work); Community Planning & Development memorandum dated October 24, 2012 regarding Camelot –sewer pump; email communication(s) from Town Planner (October 30, 2012 & November 05, 2012) regarding Camelot –sewer pump, construction schedule & review and inspection account; email communication(s) from JH Engineering Group, Planning Board’s consultant (October 16, 2012) regarding Camelot –construction estimates; JH Engineering Group report dated October 16, 2012 regarding Camelot –Phase IA; email communication(s) from James Shuris, DPW Director (October 12, 2012 & October 15, 2012) regarding Camelot –status; (draft) meeting minutes –October 16, 2012; CMRPC flyer –Blackstone Valley Prioritization Regional Public Forum; Open Space & Recreation Plan Requirements Workbook; email communication from Town Planner (November 05, 2012) regarding Housing Production Plan; email communication from JH Engineering Group (November 06, 2012) regarding Farnum Circle; copy of Malley Engineering report dated July 01, 2011 regarding Farnum Circle; Community Planning & Development memorandum dated October 25, 2012 regarding Hillside Garden Estates –curbing; email communication from Town Planner (October 03, 2012) regarding Pine Knoll; Community Planning & Development memorandum dated October 03, 2012 regarding Pine Knoll –pending auction; email communication from Town Planner (October 24, 2012) regarding Marston Heights –phasing; email communication from Town Planner (October 30, 2012) regarding Pine Knoll –affordable units; Kopelman & Paige (Town Counsel) letter(s) dated October 31, 2012 & November 02, 2012 regarding Pine Knoll –affordable units; Pulte Homes letter dated October 24, 2012 regarding Sandtrap Court -bond release; Community Planning & Development letter dated September 12, 2012 regarding Sandtrap Court –acceptance/release; (draft) Form O Certificate of Completion and Release of Municipal Interest in Subdivision Performance Security –Sandtrap Court (Parcel A); Community Planning & Development memorandum dated November 01, 2012 regarding MassDOT New Roadway Form –Sandtrap Court; New Roadway Form – Sandtrap Court; copy of newly adopted Overlay Districts Map –October 2012; copy of Building Permit – Certificate of Occupancy for Charles Berry dba Dotta’s Kitchen; email communication from Matt Mittelstadt, EA Fish Dev (October 31, 2012) regarding Linwood Mill –(draft) Memorandum of Understanding /Northbridge Housing Authority; copy of letter from DHCD dated October 31, 2012 regarding Linwood Mill; email communication from JH Engineering Group, Planning Board’s consultant (November 07, 2012) regarding Ashton Place; JH Engineering Group report(s) dated October 25, 2012, October 29, 2012 & November 06, 2012 regarding Ashton Plan –inspections; copy of letter from concerned citizen regarding Earth Removal Permit –James Knott; and copy of the 2012 Planning Board meeting calendar.

Other

Mr. Bechtholdt advised the Board that the Zoning Board of Appeals upheld the determination of the Building Inspector concerning the Linwood Mill and the Northbridge Housing Authority. Mr. Bechtholdt provided the Board with information from APA –American Planning Association regarding

examples of food truck/mobile vending. Mr. Bechtholdt noted that he has not been able to find any specific zoning bylaws or ordinances the may address concerned by Denis LaTour at its meeting of October 16, 2012. Ms. Gaudette thanked Mr. Bechtholdt for looking into this.

Adjournment

Having no additional business the Planning Board adjourned its meeting of Tuesday, November 13, 2012 at 8:35 PM.

Respectfully submitted,

Approved by Planning Board –

R. Gary Bechtholdt II
Town Planner

Cc: Town Clerk