



NORTHBRIDGE PLANNING BOARD MINUTES

Tuesday, March 25, 2014

Brett Simas, Chairman called the meeting to order at 7:00 PM. Barbara Gaudette, Janet Dolber, and George Murray were in attendance; R. Gary Bechtholdt II, Town Planner was also present. Mark Key and Cindy Key, Associate member were absent.

The following members of the public were in attendance: Stephen O'Connell (Andrews Survey & Engineering); Mark Chauvin (Union Street); John & Nancy Gigarjian (Union Street); Tim Callahan (HAWK Consulting); Bruce & Linda Lermond (Union Street); Denise Kleinman (Union Street); Stacey Wheeler (Union Street); Russ Bedard (Center Street); Jessica Plant (Union Lane); Jeff Plant (Union Lane); Julie & Denis Davieau (Union Street); Muriel Morin (Union Street); Joanna Schomberg (Cedar Street); Lisa Firth (Cedar Street); Scott Barnes (Cedar Street); Linda Barnes (Cedar Street); Shayne Picard (Main Street); Larry Masselink (Theresa Circle); George & Sandy Kuipers (Main Street); Henry Lane (Main Street); and Allan Clapp (Nexamp).

Mr. Simas briefed attendees on the agenda items to be discussed.

I. CITIZEN FORUM

Mr. Simas sought comments during Citizen Forum; hearing none the Planning Board reviewed the ANR application (Form A).

II. FORM A'S –REVIEW/DECISION

- LOT #41 JOSEPH CIRCLE

Mr. Bechtholdt reviewed with the Planning Board ANR plan entitled "Plan of Land on Rebecca Road and Joseph Circle in Northbridge, MA" dated March 21, 2014 prepared by Andrews Survey & Engineering showing proposed land conveyance for lots identified as Lots 41, 43, & 44 within the Camelot subdivision.

Upon motion duly made (Gaudette) and seconded (Dolber) the Planning Board voted (3-0-1 [Murray abstained]) to GRANT ANR ENDORSEMENT; conveying Parcel A, not a separate building lot, from Lot 43 to Lot 41 and to convey Parcel B, not a separate building lot, from Lot 44 to Lot 43 creating Lot(s) 41R, 43R & 44R as shown and described on the plan.

The Planning Board endorsed the ANR plan at the conclusion of its meeting.

III. 77-79 UNION STREET –PUBLIC MEETING

Preliminary Subdivision (AP/Parcel 22)

Mr. Simas read the public meeting notice: In accordance with the provisions of Massachusetts General Laws and Section 222-8 [Preliminary Plan] of the Town of Northbridge Subdivision Rules & Regulations, the Planning Board will hold a public meeting on Tuesday, March 25, 2014 at 7:05PM, in the Selectmen's

Chambers of the Northbridge Memorial Town Hall, 7 Main Street, Whitinsville, MA to consider the application of John & Nancy Gigarjian of Linwood, MA for a Preliminary subdivision plan entitled “77-79 Union Street” prepared HAWK Consulting, Inc. of Whitinsville, MA dated January 24, 2014. Application is for proposed subdivision road for eight (8) single-family house lots to be located off Union Street. The subject property (77-79 Union Street), Assessor Map 24 Parcel 22 consists of ± 5.494 acres within the Residential Three (R-3) Zoning District of Northbridge. Copy of preliminary plan and application Form B is on file with the Office of the Town Clerk (7 Main Street –Northbridge Memorial Town Hall) and within the Community Planning & Development Office (14 Hill Street –Aldrich School Town Hall Annex) and may be inspected during regular office hours. The purpose of this meeting is to provide an opportunity for public comment; anyone wishing to be heard should attend said meeting at the time and place designated. Mr. Bechtholdt indicated notification requirements had been satisfied. Mr. Bechtholdt distributed reduced copies of the preliminary plan submittal to the public in attendance.

Tim Callahan (HAWK Consulting, Inc), on behalf of the Applicant (John & Nancy Gigarjian) reviewed with the Planning Board a preliminary plan entitled “77-79 Union Street” prepared by HAWK Consulting, Inc. of Whitinsville, MA dated January 24, 2014; noting location of subject property, proposed infrastructure (water/sewer), proposed roadway layout (550-feet terminating in a cul-de-sac), number of house lots (9 single-family lots; including existing duplex), lot size & zoning conformance, proposed school bus stop location at the entrance, and proposed grade of the roadway (up to 12%).

Mr. Bechtholdt explained the application before the town is a preliminary plan, a conceptual plan at this point, not a definitive; filing a Preliminary plan will provided the Applicant (/Engineer) with information as to what may be required for a subdivision roadway pursuant to the town’s Subdivision Rules & Regulations; the submittal of a Preliminary plan does not guarantee the approval of a Definitive Plan. Mr. Bechtholdt noted the preliminary is more or less a concept plan showing the proposed roadway, lot layout and drainage in a general manner; as part of preliminary filing the Applicant/Engineer shall also receive input (requirements) and comment (concerns) from the various town departments: DPW – Highway; DPW –Sewer; Whitinsville Water Company; etc.

Mr. Bechtholdt indicated as part of the preliminary filing the Applicant/Engineer may review with the town potential waiver requests from the Subdivision Rules & Regulations in preparation for the filing of a Definitive Subdivision plan. Mr. Callahan reviewed with the Board would-be waivers including: above ground utilities (subdivision regulations require underground); 12% roadway slope (subdivision regulations allows for a maximum of 9% slope for a distance of no greater than 300-feet); roadway length (subdivision regulations restrict length of roadway to 500-feet w/out looping water line); and elimination of grass strip (subdivision regulations require 4-foot grass strip between roadway and sidewalk).

Mr. Callahan indicated they would be looking for a waiver for the setback of the existing garage; Mr. Bechtholdt clarified that setback relief is not a waiver of the subdivision regulations determined by the Planning Board but a variance of zoning bylaw determined by the Zoning Board.

Mr. Bechtholdt suggested the waiver concerning slope of roadway (requesting up to 12%) is an important waiver to review at the preliminary phase, as the determination of the Planning Board willingness to consider the waiver or not will influence the overall subdivision roadway design at the

definitive stage; which will also impact drainage and other aspects of the subdivision; including engineering, etc. Mr. Bechtholdt summarized that a preliminary plan provides the Planning Board with a first-look at potential build-out of a lot, a chance for abutters to provide comment/concerns and an opportunity for the Applicant/Engineer to hear thoughts/concerns and receive direction for moving forward to the definitive phase.

Mr. Bechtholdt in referenced to his memorandum dated March 07, 2014/March 11, 2014, noted the Community Planning & Development Office has completed an initial review of the proposal, suggesting the Board review during a subsequent meeting responses from the Applicant/Engineer. Mr. Bechtholdt noted a Technical Review meeting was held earlier in the month and that the Safety Committee has also reviewed and provided comments/recommendations. Mr. Bechtholdt suggested the purpose of tonight's first meeting the Board get an overview from the Applicant/Engineer to gain an initial understanding of the proposal, as well as, gather input and comments from the public in attendance; during a follow-up meeting the Planning Board can review correspondence received and look to discuss comments to date.

Mr. Simas solicited opening comments from the Planning Board; Mr. Murray explained he attended the Technical Review meeting and is a member of the Safety Committee, noting a number of issues were raised during those reviews; Mr. Murray stated he was curious to hear from the abutters. Ms. Dolber and Ms. Gaudette indicated they did not have specific comment or questions at this time. Mr. Simas invited abutters and the public in attendance to offer their comments, questions or concerns.

Scott Barnes of 36 Cedar Street, a direct abutter to the subject property felt the proposed house lots were a little close (roughly a ½ acre in size); concerned of the proximity to his existing well located at the rear of his property (close to property line); Mr. Barnes expressed concerns of potential compromising his well during construction. Linda Barnes shared same concern, proximity of proposed homes. Mr. Barnes expressed concerns of a high water table within the locus area (low lying areas –where the soil is not well drained); all ledge where 8 months out of the year there is standing water; portions of the subject property is often underwater. Mr. Barnes questioned how the proposed subdivision would address the known high groundwater issues and does not want to be negatively impacted as a result of the development. Planning Board reviewed preliminary plan to better understanding where 36 Cedar Street was in relation to the proposed subdivision lots (Lots 2, 3 & 4).

Mr. Barnes inquired about the timeline for construction and the size of homes to be built. Mr. Simas suggested those types of details may typically be known during the definitive reviews, at this point being a preliminary; details may be determined by the conversions and feedback the Applicant receives from the abutters and the Board; still early in the process, with a lot still to go through for this review; the Board will likely continue and not conclude its review tonight. Mr. Barnes questioned what the markings in the woods are for; Mr. Callahan stated they are traverse control points. Mr. Bechtholdt explained the field markings are the initial survey points for surveying the subject property; Mr. Bechtholdt noted as part of a Definitive filing the centerline of the proposed roadway (with cut/fill amounts) will also be required to be marked out showing the exact location at intervals required per the town's subdivision regulations. Ms. Barnes asked/requested if the subdivision roadway can be shifted slightly to the west to be further away from her property, questioning why the road was proposed as shown on the plan; Mr. Callahan suggested the roadway location was the result of zoning, in order to maximize the number

of lots. Board members reviewed with Mr. Callahan the potential to alter the proposed roadway layout to create deeper rear yards along the easterly side of the subdivision roadway in an effort to minimize impacts to existing homeowners. Mr. Bechtholdt noted abutting property to the west is Town of Northbridge; the entrance of the subdivision would remain as shown on preliminary. Mr. Callahan suggested if they were to do so would likely lose one or two lots; Mr. Bechtholdt noted he was sure what the resulting drainage would be if the layout was altered. Mr. Simas suggested if the roadway was shifted over it may potentially result in having more lots along the easterly side of the subdivision roadway (abutting the Cedar Street properties). Mr. Barnes reiterated concerns of water table for proposed lot 2.

Mr. Bechtholdt advised the public during a definitive subdivision plan review the Planning Board would hire its own consulting engineer to thoroughly review the plans, drainage, test pits, borings, etc. the consultant would provide the Planning Board with a report and recommendations.

Mr. Simas asked Mr. Callahan to describe the proposed drainage (high point of the roadway, etc). Mr. Callahan indicated the high point of the roadway was at Station 4+50 (approximately); drainage would be directed into two different drainage basins: one towards the front of the property and the other at the end of the cul-de-sac. Ms. Gaudette asked if any soil testing has been done; Mr. Callahan stated no, not at this time other than looking at existing soil maps of the area. Mr. Callahan continued noting one of the reasons the roadway is sited where it is based upon the understanding of the existing highpoint and presence of ledge. Mr. Callahan described according to soil records there is 34 to 40-inches of topsoil and then ledge; appears to be the case however has not done any site test pits at this time. Mr. Callahan explained there is only about 3-feet of topsoil; with a 9% roadway grade they would need to take about 7-feet of ledge plus approximately 4 to 5 feet for the underground utilities; will need to blast. Mr. Callahan suggested the houses would likely have cellar walk-outs.

Mark Chauvin of 111 Union Street shared concerns of ledge, high groundwater, drainage and poor soils; questioned how blasting would affect water flows, noting when sewer was installed on Union Street and Nolet Street properties started to get water; Mr. Chauvin expressed concerns with altering the water table (blasting) and water flow of the area as a direct result of the subdivision construction; Planning Board members shared concerns.

Mr. Bechtholdt asked Mr. Callahan to describe the existing watershed/hydrology of the site; Mr. Callahan stated water currently flows to the proposed area where the lower drainage pond would be located suggesting approximately 75% comes from the high points and the rest comes down to the existing residents and catchbasins in the roadways. Attendees commented on the known issues off Nolet Street, suggesting the detention ponds do not work. Mr. Barnes indicated to the Planning Board that the water runs across the ledge; every home at the lower elevation run pumps all spring and fall.

Julie Davieau of 53 Union Street explained her property is directly adjacent to the proposed detention pond; expressed concern of the size and location of the pond. Denis Davieau shared concern and questioned how deep the drainage pond would be and asked about the proposed elevation vs. the existing elevation of their property. Mr. Davieau explained the area sited for the drainage pond is all ledge; knows this from experience, adding his backyard, driveway, etc is historically always flooded this time of year. Mr. Callahan stated what is happening today is the water is following the top of the ledge

and day-lighting at their property; the detention area will capture the water. Mr. Davieau doubted the functionality of the pond, expressing concerns that his property will be further impacted as a result. Mr. Simas surmised the concern is the level of detention pond may be above grade (higher than) to existing abutting property (53 Union Street and others) which once the water is directed into the drainage pond the water will eventually seep onto the abutting properties.

Mrs. Davieau provided the Planning Board with a series of photographs showing water problems (flooding) and a photo of a car accident from November 1993; Mrs. Davieau expressed concerns with Union Street (sharp-curve) and the width of the travel lanes (narrow). Mrs. Davieau noted the existing conditions result in flooding; noting all the large trees help soak-up the water, suggesting once the land is developed (trees cleared) existing concerns will likely be worse than today. Board reviewed photographs.

Russ Bedard, 1 Center Street commented on the existing geometry of Union Street roadway layout (sharp-curve) and the proximity of the proposed new roadway (subdivision entrance); adding the width of the travel lane is very narrow on Union Street. Abutters in attendance agreed, citing the roadway is already a dangerous area to travel given the narrow width and sharp-curve at this location. Mr. Callahan agreed and explained to the Board (and abutters) the concern with Union Street was discussed with the Safety Committee; willing to widen the travel way (pavement) within the right-of-way of the roadway to improve the sharp-curve and widen road. Property owners questioned ability to widen road without going onto private property; Mr. Callahan explained the right-of-way of Union Street is 40-feet, would look to increase pavement area within the right-of-way not on private property. Mrs. Davieau indicated she measured the width the roadway (pavement) to be about 23-feet around the curve. Mr. Simas suggested the Applicant/Engineer would need to research the status of Union Street (public/private) prior to submitting a definitive plan with a proposal to improve the travel ways and the sharp-curve; Mr. Callahan agreed.

Mr. Simas asked the Applicant/Engineer to review proposed roadway profile at the entrance and where the roadway would increase in grade to (9% or 12%); Mr. Callahan explained the site entrance would be 3% for a distance of 75-feet and then grade/slope would increase. Mr. Bechtholdt noted the town's subdivision regulations allow for up to 9% a distance of 300-feet (similar to Deane Way –Hillside Garden Estates). Mr. Simas asked what distance the 9% or 12% slope is proposed to be; Mr. Callahan suggested a distance of approximately 283-feet; Mr. Murray noted the distance would be 289.16 feet (at 9%). Mr. Bechtholdt asked the Planning Board to make a determination whether or not a 12% slope is something the Board may consider during a definitive, if not then the Board should note it now; Board members felt the 12% slope was excessive and would not be acceptable (safety concerns, etc).

Linda Lermond, 63 Union Street property owner of red house directly adjacent to the proposed subdivision; Ms. Lermond agreed with all the comments shared by others, stressed concerns about increased traffic, existing roadway layout of Union Street (sharp-curve/90-degree turn); constructing a subdivision road at the proposed location will create an S-curve; traffic flow today is difficult due to the sharp-curve and width of Union Street. Ms. Lermond continued noting the area is one of the lowest points on Union Street; concern of water (flooding); questioned where all the water will go, adding where the detention pond is proposed is an area where water already exists. Ms. Lermond also

expressed concerns with blasting; adding a considerable amount of blasting would be required for the project; impacts of blasting around older homes in the area.

Mr. Simas asked the Town Planner to provide a general overview concerning blasting; Mr. Bechtholdt indicated blasting requires a separate permit from the Fire Department (Blasting Permit), as part of the permit may be required to perform a pre-blast survey of properties within a certain proximity; Mr. Bechtholdt encouraged those who want more information concerning blasting they speak with the Northbridge Fire Department, as the Planning Board does not issue blasting permits and his is not familiar with the specifics, notification and procedures required. Mr. Callahan offered a general overview on his experience with blasting. John Gigarjian, 77-79 Union Street (Owner/Applicant) explained when he had blasting performed on the site for the detached garage there were no issues (8-feet from the existing house).

Mr. Simas sought additional input from the Applicant/Engineer and others in attendance. Ms. Barnes asked if abutters would receive additional notifications in the mail; Mr. Bechtholdt explained there would be no additional notices in the mail, the Planning Board will likely vote at tonight's meeting to continue its review to a specific date and time, adding the Board's agendas are posted online and those that are interested may call or visit the Planning office anytime to review the file for this preliminary application.

Ms. Lermond asked if the Planning Board would perform a site visit; Mr. Simas suggested not during the preliminary phase but likely during a definitive review. Mr. Bechtholdt indicated the Board does not typically conduct formal site visits during a preliminary review, however will likely do so during the definitive. Planning Board members agreed, if a definitive is submitted the Board would look to do a site walk. Mr. Bechtholdt added as part of a definitive filing the Applicant/Engineer is required (prior to submittal) to stake out the roadway (centerline), etc to locate road, drainage ponds, etc. on the property.

Upon motion duly made (Murray) and seconded (Dolber) the Planning Board voted (4-0) to continue the preliminary review of 77-79 Union Street to Tuesday, April 22, 2014 at 7:35 PM (Northbridge Memorial Town Hall) to afford additional time for review and public comment.

IV. GROUND MOUNTED SOLAR FACILITY -PUBLIC MEETING

Article XX –Large Scale Solar Photovoltaic Installations

Mr. Simas read the public meeting notice: In accordance with the provisions of Massachusetts General Laws and Article XX –Large Scale Solar Photovoltaic Installations Northbridge Zoning Bylaw, the Planning Board will hold a public meeting on Tuesday, March 25, 2014 at 7:35PM, in the Selectmen's Chambers of the Northbridge Memorial Town Hall, 7 Main Street, Whitinsville, MA to consider the application of Sutton Solar, LLC of 4 Liberty Place Boston, MA for site approval as shown on plan entitled "Solar Electric Generating Facility" prepared Andrews Survey & Engineering, Inc of Uxbridge, MA dated February 24, 2014. Application is for a 2.6 Megawatt DC rated solar electrical generating facility (1.3MW in Northbridge & 1.3MW in Sutton) to be located at 25 Oakhurst Road (Sutton) / Lasell Road (Northbridge); subject property consists of ±31.7 acres (in total) within the Business-Thee (B-3) Zoning District of Northbridge. Copy of application, site development plan and other submittal documentation is on file

with the Office of the Town Clerk (7 Main Street –Northbridge Memorial Town Hall) and within the Community Planning & Development Office (14 Hill Street –Aldrich School Town Hall Annex) and may be inspected during regular office hours. The purpose of this meeting is to provide an opportunity for public comment; anyone wishing to be heard should attend said meeting at the time and place designated. Mr. Bechtholdt indicated notification requirements had been satisfied.

Henry Lane, on behalf of Nexamp (Applicant) introduced Stephen O’Connell from Andrews Survey & Engineering, Mr. Allan Clapp and Mr. Roberts of Nexamp; Mr. Lane then briefed the Planning Board on the properties history (old gravel pit/horse track).

Stephen O’Connell (Andrews Survey & Engineering) noted project is situated in Sutton and Northbridge; has an ongoing application before the Sutton Planning Board (public hearing scheduled for April 07, 2014); Mr. O’Connell reviewed with the Planning Board plan entitled “Solar Electric Generating Facility” dated February 24, 2014. Mr. O’Connell provided an overview on the installation of the solar panels; noting panels will be fixed-tilt and will not rotate like in others parts of the country; spacing of panels will be determined by Nexamp (Applicant). Primary access will be via a compacted-gravel driveway for maintenance, cleaning, repairs, etc. Mr. O’Connell mentioned installation will result in little disturbance to the existing site; the entire site will be enclosed by a chain-linked fence with additional screening along Oakhurst Road; based upon topography there is existing screening along Main Street and Theresa Circle (noting elevation and distance from residential areas).

Mr. O’Connell informed the Board that he has revised the plan set to address comments raised by JH Engineering Group (the Planning Board’s consultant) specific to comments regarding temporary stormwater sediment basin; adding Mr. Howland (JH Engineering) realizes some solar projects may require a more detailed review based upon existing site conditions (steep slope, forested area, wetlands, etc) however in this particular instance the site is straight forward; flat, previously cleared with no wetland impacts; resulting in a very straight forward review. Mr. O’Connell noted there will be no traffic impacts; maintenance (cleaning of panels) may occur twice a year, other aspects of maintenance may average a vehicle trip a month; site will be monitored remotely (performance of the system).

Mr. O’Connell explained National Grid is the local utility (for the inter-connection) they will dictate a lot of the aspects of the system, criteria based on state regs; pole sequencing and equipment on site as specified by National Grid in their final reviews/approval (pending).

Board members reviewed with Mr. O’Connell the dimensions of the individual panels (3 to 3 ½ feet at base to 8 to 10-feet in height) roughly the size of a window. Ms. Gaudette mentioned she had seen a similar solar project in Westborough; Mr. O’Connell also mentioned solar facility in Uxbridge and the one existing in Northbridge (Grafton line). Mr. O’Connell indicated no issues were raised during the Technical Review meeting nor during the Safety Committee, noting the Fire Chief has a good understanding on how these types of facilities operate; in the event of a fire they will treat it like a sub-station and will not enter; will make sure everyone is safe and site is controlled. Mr. O’Connell noted signage is proposed around fence with additional safety warning signs at the main gate; including emergency contact information, etc.

Mr. Simas asked what the anticipated life-expectancy of the panels; Mr. O’Connell suggested 30-years (upwards of 40-years); noting in perhaps in 15-years there may be improved technologies and the panels themselves may be replaced with the better technologies. Mr. O’Connell noted efficiency will decrease over time, still a value but assessments will need to be made regarding panel or technology upgrades.

Mr. Simas sought input from the Planning Board; Ms. Gaudette and Ms. Dolber had no additional questions. Mr. Bechtholdt inquired about the proposed low maintenance clover to be planted; Mr. O’Connell indicated top soil (loam) would be brought into the site for preparing area for the clover–seed mix.

Mr. Bechtholdt explained that the Planning Office was still awaiting receipt of the original signature page of the site application and noted the Sutton Planning Board has scheduled their review for April 07 2014.

Mr. Bechtholdt explained the recently adopted zoning bylaw (Large Scale Solar Photovoltaic Installation) for Northbridge was modeled after the Town of Sutton’s; both include provisions for decommission the site (requiring a financial surety) when/if use is discontinued. Mr. Bechtholdt expressed concerns with the town requiring a financial surety; questioned if the use was to be abandoned would the town be obligated to decommission the site (concern of potential costs in addition to what may be escrowed or secured). Mr. Bechtholdt asked if the lease agreement included any decommissioning clause; mentioning it is not typical for towns (Planning Board) to require decommissioning bonds (surety) for other private projects; for whatever reason requiring financial sureties have been attached to solar facilities; for example Wal-mart was not required to post a bond. Mr. Bechtholdt indicated he was not sure if the Planning Board had the authority to not require a decommissioning bond and is curious to learn what Sutton’s position will be; adding he does not want the town to be obligated to clean the site in the event the use is abandoned.

Mr. Bechtholdt explained that he recently visited the two (2) existing solar facilities (in Uxbridge & in Northbridge); providing the Planning Board with a series of photographs. Mr. Bechtholdt observed the solar facility in Uxbridge includes numerous utility poles at the street, whereas the one in Northbridge had none; everything was underground (application for Sutton/Northbridge proposes 8 to 10 overhead poles). Mr. Bechtholdt questioned why one was underground and the other not; a function of National Grid, etc? Mr. O’Connell explained Andrews Survey & Engineer worked on the permitting and installation of both solar facilities (Uxbridge & Northbridge, MA) noting the reason for the underground in Northbridge (Grafton line) was a result of the property owners insistence to keep the remaining developable land along Milford Road (Grafton, MA) marketable for retail development; not something National Grid required but allowed for (special exception) at a substantial cost to the solar installation operator (to install 3-phase power underground). Mr. O’Connell noted they did not have a lot of input on the pole configuration design (in an X-pattern) in Uxbridge, noting it was left to the utility; Mr. O’Connell agreed the layout in Uxbridge was very strange and unique. Mr. O’Connell briefly reviewed with the Board the purpose of the utility poles; will locate equipment on each of the poles: meters, shutdowns, re-closers, etc. The pole configuration for the Sutton/Northbridge project will include a series of poles in a linear fashion; because the system is required to be divided by municipality (2 systems) will have separate poles for each system (poles doubled-up 2 by 2).

Mr. Clapp reviewed with the Planning Board aspects of the decommissioning plan (document dated March/April 2014) prepared by Nexamp; Mr. Clapp reviewed with the Board methodology used to determine surety amount. Mr. Clapp informed the Board that the lease agreement with the property owner (20-year lease) includes a decommissioning clause, having said that he understands some communities (not all) require a form of surety; in his experience they have provided a cash surety or escrowed funds for decommissioning.

Mr. Clapp explained it is important to note the salvage value for the solar equipment is relatively high; shared with the Board estimates (from 2012) to remove and dispose of solar equipment from three different contractors: G&R Construction (\$0 –no cost); Southern Surplus (\$0 –no cost) & TESTA (\$82,900). Based upon data and experiences (amount ranges between \$7,500 and \$13,000/per megawatt; for Winchendon, Hadley & Belchertown), Mr. Clapp suggested a cost of roughly \$10,000 per megawatt; or \$26,000 surety for this particular solar project. Mr. Clapp indicated as it is typical the way these projects work they are there for a long period of time; proposed to put money in each year to fund the surety; \$6,000 as an initial deposit and \$2,000 for the next ten years and then 2½% each year after (to account for inflation).

Mr. Simas considered how Sutton and Northbridge may establish an amount; Mr. Bechtholdt suggested if the Northbridge Planning Board was comfortable with the methodology used (described by Mr. Clapp) to determine the surety amount then the Board may recommend to support it or provide an alternative; this information will be helpful to Sutton (Planning Board) as they consider the application in April. Mr. Simas inquired about the timeframe to start construction; Mr. Clapp indicated about one-year.

Mr. Simas sought additional input and comments from the Board, having none he solicited comments from the general public. Larry Masselink, 133 Theresa Circle asked about lighting; Mr. O’Connell indicated no lighting is necessary for the operation and as such no lighting is proposed; lighting and security lighting have had been included in the past for earlier projects, however determined to be unnecessary.

George Kuipers, 1167 Main Street asked if there would be any glare from the panels themselves; Mr. O’Connell explained he could not say there is no glare, but to put into perspective the panels have been approved by the FAA in Runway Protection Zones (virtually no-glare); any glare essentially results in loss of solar energy (designed to absorb as much sunlight as possible). Mr. O’Connell mentioned a similar question was raised during Technical Review (Safety Committee) where it was addressed as well.

Mr. Bechtholdt in summarizing the Safety Committee meeting noted the Fire Chief will be provided access to a Knox-box (a secure key safe) installed at the gate in the event the Fire Department needed to access the site for a medical emergency (operator) otherwise the Fire Department will not access facility. Mr. Bechtholdt noted receipt of communication from the Building Inspector, noting portion of project (in Northbridge) is within the town’s Zone II Aquifer Protection District; Mr. O’Connell reviewed with the Board location of Zone II, noting no aspects of the project are in violation or prohibited within the town’s protection district (glass panels, metal, copper wiring, transformers, etc.); adding proposal is outside of wetland and jurisdiction areas.

Board members felt the proposal was a good use of a site that had not been used in quite some time (given the lack of municipal sewer, etc). Mr. Bechtholdt asked the Planning Board members if they were

prepared to continue the review and asked them to offer their position relative to the decommissioning financial surety at this time so the Sutton Planning Board may have an understanding as to how Northbridge viewed this required provision.

Mr. Murray and Mr. Simas felt the surety amount discussed (\$26,000 over 10-years) was acceptable; Ms. Gaudette and Ms. Dolber both agreed. Mr. O’Connell and Mr. Clapp will convey this (and review the methodology used) to the Sutton Planning Board at its meeting of April 07, 2014.

Upon motion duly made (Murray) and seconded (Dolber) the Planning Board voted 4-0 to continue the public meeting to Tuesday, April 22, 2014 (7:00PM –Town Hall).

OLD/NEW BUSINESS

Approval of Meeting Minutes –March 11, 2014

Mr. Murray reviewed with the Planning Board minor changes in the draft provided. *Upon motion duly made (Murray) and seconded (Dolber) the Planning Board voted (4-0) to ACCEPT the minutes of March 11, 2014 as revised.*

Open Space & Recreation Plan Public Workshop –Tuesday, April 08, 2014 (6:00 PM –Town Hall)

Point of information –Mr. Bechtholdt asked members to bring a friend or two to the workshop. Mr. Bechtholdt mentioned that he reached out to Jeremy Deorsey of the Update Committee concerning the survey results to be reviewed during the public workshop and asked Lorrie Langille, Chairman of the Update Committee to follow-up with Jeremy as he unfortunately was not able to attend the last Open Space & Recreation Plan Update meeting.

2014 Spring Annual Town Meeting –Tuesday, May 06, 2014 (7:00 PM)

Point of information –no discussion

Linwood Mill (Pedestrian Crosswalks) –Status/Update

Mr. Bechtholdt noted the Safety Committee reviewed the status of the pedestrian crosswalk with the Highway Superintendent and Director of Public Works (at its March 19, 2014 meeting); Mr. Van Meter, the Highway Superintendent was to provide EA Fish Development with guidance and citations (by Friday, March 21, 2014) detailing what Northbridge requires for the installation of a crosswalk, etc. Mr. Bechtholdt explained in talking with Mr. Van Meter earlier today (Tuesday, March 25, 2014) Mr. Van Meter was to provide EA Fish with a letter describing town specification, however that afternoon Mr. Bechtholdt received an email communication from the Highway Superintendent to EA Fish Development with a link to the Town of Brookline’s policy on crosswalks and design guidelines instead (did not include any guidance or specifications from Northbridge); Mr. Bechtholdt suggested at this point perhaps (a link) is better than nothing; noting DPW was to provide EA Fish with information back in July 2013. Mr. Bechtholdt noted during the Safety Committee meeting Mr. Van Meter and Mr. Shuris stated a traffic engineer study would be required prior to installing a crosswalk; contradicting an earlier statements from the Highway Superintendent where he told the Town Planner a crosswalk could not be located at this location. Mr. Bechtholdt will talk with Matt Mittelstadt from EA Fish Development regarding the installation of the pedestrian crosswalk; if their position is to no longer complete the required improvement (crosswalk) then arrangements will be made with the Planning Board to review; if needed

the Board may also discuss options concerning potential zoning enforcement. Mr. Simas suggested before getting to that point he would like the Board to review the site approval and other arrangements made with the developer (EA Fish) concerning the crosswalk; the Town Planner is prepared to organize a summary sheet detailing Planning Board approvals and subsequent agreements made with the developer concerning the Linwood Mill redevelopment project. Mr. Simas and the Planning Board expressed their disappointment in the Department of Public Works (Highway Superintendent and Director of Public Works) continued delay in providing EA Fish Development with the necessary direction and guidance as to what the Town of Northbridge requires for the installation of a new pedestrian crosswalk; providing them with a link to another town's policy after 8-months of delay is embarrassing. Mr. Bechtholdt read to the Planning Board email communication received from the Highway Superintendent (sent March 25, 2014) to EA Fish Development in which he provides the developer with a link to the Town of Brookline, MA. Mr. Simas and other Board members questioned what EA Fish is to do with policy and design guidelines from another town. Mr. Murray asked if there was a way the Planning Board could contact the owner of the property and the developer to follow-up; stating right now the town looks foolish. Mr. Murray explained at the January 2014 Safety Committee meeting the DPW Director guaranteed the crosswalk would be completed by July of this year. Mr. Simas asked who mandates whether or not a traffic study is required; Mr. Bechtholdt reviewed with the Board that the DPW Director, during the July 2013 Safety Committee meeting informed the developer (EA Fish) that a traffic study would be required; the Safety Committee at the time was to consider a location for the pedestrian crosswalk and did not feel comfortable in approving without the necessary traffic study; the Safety Committee tabled its discussion; the Department of Public Works was to provide EA Fish with the town specifications and requirements for installing a crosswalk (required signage, ADA compliance, lighting, etc); this information was never forwarded to the developer, instead a link to the Town of Brookline's policy and guidelines were provided via email. Mr. Bechtholdt suggested he would talk with Jeff Howland (Planning Board's consulting engineer) to see if he can provide some insight as to what may be required to locate a pedestrian crosswalk, noting if a traffic engineering study is required any traffic engineer should know what the requirements are for siting a crosswalk; Mr. Simas and other Board members agreed. Mr. Bechtholdt expressed his confusion as to what DPW ultimately provided the developer (Brookline policy). The Board asked the Town Planner to talk with Mr. Howland and then talk with EA Fish Development directly, noting unfortunately this matter has not moved forward under the direction of the Department of Public Works. Mr. Bechtholdt indicated he would contact Mr. Howland; after which he will review same with the Director of Public Works and then with EA Fish Development; the Board agreed.

Hillside Garden Estates –Status/Update

Mr. Bechtholdt informed the Board that JH Engineering Group updated the punchlist and construction cost estimates for Hillside Garden Estates; a copy of same provided to the developer (John Barges).

Camelot (Phase I) –Status/Update

Mr. Bechtholdt advised the Board that he has provided a letter to Joe Marinella (J&F Marinella Development) inviting him to the next scheduled meeting (April 22, 2014) to review the status of the Camelot subdivision and Hemlock Estates; Mr. Marinella was to provide the Planning office with an updated construction schedule and provide a status report specific to outstanding issues. Mr. Bechtholdt informed the Board that he has been in contact with Jeff Howland to conduct a site inspection and provide a report to the Planning Board (& developer).

Hemlock Estates –Status/Update

See discussion above (Camelot –Phase I Status/Update).

Green Meadow Court –Status/Update

Tabled –placeholder for future discussion.

Farnum Circle (MGL CH 41 SEC 81W)

Mr. Bechtholdt provided the Board with a copy of the definitive plan (reduced) and a copy of the Planning Board action dated June 12, 2013 where the Planning Board voted to eliminate certain requirements (waivers), as well as the punchlist and construction estimates prepared by JH Engineering dated November 06, 2013. Mr. Bechtholdt questioned what additional waivers would the Planning Board consider, suggesting they prepare a letter to the developer (Mike Lambert) advising him he has 45-days pursuant to MGL to complete the remaining work, failure to complete the work may result in the town (Planning Board) in applying the bond (Deposit of Money) for the benefit of the town to complete the work to the extent possible. JH Engineering Group will update the punchlist to remove requirements waived by the Planning Board and to include underground utilities; the Board will likely need to prioritize improvements if the developer does not complete work. *Upon motion duly made (Murray) and seconded (Dolber) the Planning Board voted (4-0) to issue a letter to the developer instructing him to complete the remaining work within 45-days as provided for in MGL.* Mr. Bechtholdt will review with Jeff Howland (JH Engineering Group) to update the punchlist and cost estimates, after which Mr. Bechtholdt will issue a letter to the developer.

Mail –Review

In addition to the mail listed (see attached) the Planning Board noted receipt of the following communications: (draft) Planning Board for April 22, 2014; (copy of) Public Meeting Notice for 77-79 Union Street; Plans for 77-79 Union Street; Memo dated March 7, 2014 / March 11, 2014 to the Planning Board and Hawk Consulting from Town Planner regarding 77-79 Union Street Preliminary Subdivision Plan; Checklist for Preliminary Subdivision Plan 77-79 Union Street; Plot Plan of Land at 77-79 Union Street dated August 22, 1958; Deed of 77 Union Street; Subdivision Rules and Regulations for Preliminary Plans; Memo dated March 18, 2014 to the Planning Board from Conservation Commission regarding 77-79 Union Street Preliminary Subdivision Plan Review; Notice of Public Meeting for Solar Electric Generating Facility; Subdivision Rules & Regulations for Large Scale Solar Photovoltaic Installations; Site Plan Review Application for Proposed Solar Electric Generating Facility at 25 Oakhurst Road in Sutton & Northbridge, MA dated February 25, 2014; Notice of Lease for 25 Oakhurst Road; Deed of "Oakhurst Farm" on Oakhurst Road; Exhibit C – Generating Facility Expedited / Standard Process Interconnection Application; Scope of Work – O& M Services of Nexamp Asset Management Services; Memo dated March 13, 2014 to Town Clerk from Town Planner concerning Solar Electric Generating Facility Engineering Consulting Services; Memo dated March 18, 2014 to Planning Board from Conservation Commission regarding Large Scale Ground Mounted Solar Facility Site Development Review at Lasell Road (Northbridge) and Oakhurst Road (Sutton); Draft Minutes of March 11, 2014; Letter dated March 12, 2014 to Town Clerk from Town Planner concerning Planning Board Meeting Cancellations; Open Space & Recreation Plan Update Public Workshop Notice for April 8, 2014; Zoning Amendment Summaries for Articles 18 and 19; Letter dated March 13, 2014 to Town Clerk from Town Planner concerning 2014 Spring Annual Town Meeting Planning Board Recommendation for Article #18; Zoning wording for Article #18; Letter dated March 13, 2014 to Town Clerk from Town Planner regarding

2014 Spring Annual Town Meeting Planning Board Recommendation of Article #19; Zoning wording for Article #19; Letter dated March 18, 2014 to J & F Marinella from Town Planner concerning Camelot & Hemlock Estates Subdivisions status reports; Plan of Farnum Circle; Letter dated June 12, 2013 to Town Clerk from Town Planner concerning Farnum Circle Definitive Subdivision Modification; Farnum Circle Site Development Construction Budget dated October 16, 2012; Letter dated November 6, 2012 to Town Planner from JH Engineering regarding Farnum Circle Engineer's Construction Estimate; Letter dated February 24, 2014 to Town Counsel from Town Planner regarding Subdivision Street Acceptance Stone wall within right-of-way; Documentation from the Dept. of Public Works regarding the Public Right-of-Way; Letter dated March 12, 2014 to Town Clerk from Town Planner regarding Leonardo Estates Continued Public Hearing Definitive Subdivision and Extension of Decision Period; Letter dated March 11, 2014 to Planning Board from Andrews Engineering regarding Request to Continue Public Hearing & Grant Extension for Leonardo Estates Definitive Subdivision; Documentation from Department of Conservation & Recreation concerning a Public Meeting of the Blackstone River Greenway Project on April 3, 2014; (copy of) news article by Denise Lavoie, AP Legal Affairs writer dated January 28, 2011 entitled "Proposal to Shrink Drug-free School Zone Draws Ire" from Boston.com; Wikipedia Drug-free school zone information; and a calendar showing Planning Board meeting dates for 2014.

Other

Ms. Gaudette expressed her concerns with the landscape screening provided for the newly added parking spaces at St. Camillus Health Center; suggesting the landscaping provided did not adequately screen a van continuously parked there. Mr. Simas suggested, if St. Camillus planted the landscaping per the approved site plan, then Ms. Gaudette should talk with her neighbor to see if they would willing to move the van; the Planning Board cannot tell them what type of vehicles can be parked. Ms. Dolber suggested she talk with the Building Inspector to see if they complied with the site plan approval; Ms. Gaudette again announced her displeasure with the lack of screening provided. Ms. Gaudette indicated she would contact St. Camillus to ask them to find another place to park the van. Mr. Bechtholdt provided the Planning Board with a copy of notice to the Town Clerk regarding the cancellation of its March 18, 2014 and April 01, 2014 meetings (next meeting scheduled for April 22, 2014). Board received copy of Open Space & Recreation Plan Update public workshop announcement (Tuesday, April 08, 2014). Planning Board received copy of zoning amendment summaries for the two articles sponsored by the Planning Board concerning Registered Marijuana Dispensary to be considered at the 2014 Spring Annual Town Meeting (May 06, 2014), as well as copy of the Board's recommendation(s). Mr. Bechtholdt indicated that he will be meeting with the Finance Committee on March 26, 2014 to review the zoning amendment articles in preparation of the town booklet; if any Planning Board member wishes to attend they are welcome to do so. Mr. Bechtholdt noted he has not received any correspondence or response from Town Counsel concerning the stonewall issue (located within right-of-way). Mr. Bechtholdt in reference to his letter dated February 24, 2014 will look to follow-up with David Doneski of Kopelman & Paige later in the week (to be reviewed at the April 22, 2014 meeting); Mr. Bechtholdt noted he is sure the property owner would like to know one way or the other the town's position concerning this matter. Mr. Murray provided Planning Board members with a copy of CMRPC – Central Massachusetts Regional Planning Commission meeting minutes of January 09, 2014 (Quarterly meeting). Mr. Murray asked if the Town Planner had a chance to review with Town Counsel the "drug free –school zone" which is typically 1000-feet and how that may relate to the zoning bylaw for medical marijuana where dispensaries may located within 500-feet of a school property; Mr. Bechtholdt will talk with Town Counsel in advance of Town Meeting. At the conclusion of its meeting the Planning Board

signed the Certificate of Approval for 4 & 16 North Main Street and endorsed the site development plan prepared by Guerriere & Halnon, Inc for same. The Planning Board also endorsed Definitive Subdivision plan (modification) for Carpenter Estates prepared by Coneco Engineering specific to the Low Impact Development (LID) construction changes and the ANR plan for “Plan of Land on Rebecca Road and Joseph Circle in Northbridge, MA” voted on earlier in the meeting.

Adjournment

Having no additional business the Planning Board adjourned its meeting of Tuesday, March 25, 2014 at or about 9:05 PM.

Respectfully submitted,

Approved by Planning Board –

R. Gary Bechtholdt II
Town Planner

Cc: Town Clerk