Recognizing the presence of a quorum, Chair Brian Massey called the meeting to order at 7:00 PM. James Berkowitz, Harry Berkowitz and Abdul Kafal were in attendance; Rainer Forst arrived at 7:03 PM. R. Gary Bechtholdt II, Town Planner was also present. One (1) Planning Board vacancy remains (Associate Member).

The following members of the public were in attendance: Gary Aspin; Byron Andrews (Andrews Survey & Engineering, Inc.); Paul & Susan McCarthy; Michael DiVirgilio; Joseph Leonardo (Developer, Leonardo Estates); Rusfid Haroon (CS Energy); Ashley Deitrich (CS Energy); and Prateek Tare (CS Energy).

I. CITIZENS FORUM

None

II. FORM A

120 HANNAH DRIVE & OPEN SPACE - REVIEW/DECISION

ANR -81P plan (Assessor Map 10 Parcels 61 & 4)

Byron Andrews (Andrews Survey & Engineering, Inc.) reviewed with Planning Board ANR plan entitled “Division of Land of 120 Hannah Drive & Open Space”. Mr. Andrews noted the plan has been revised to address comments noted in the ANR Checklist, adding all property owners have signed the ANR application, including the Developer (Mujeeb Ahmed).

Mr. Bechtholdt reminded Planning Board members the ANR application is to convey a portion of designated open space to an abutting property (120 Hannah Drive) discussed at the July 23, 2019 meeting. Mr. Bechtholdt suggested if the Board grants an ANR endorsement the plan should be held until the Developer provides Planning with a copy of Deed for Lot 7(R) designating and reserving access through to the open space parcel (Open Space A); need to make sure access to the open space is maintained/preserved. Mr. Andrews agreed to have Planning hold the endorsed plan until this concern was satisfied.

Upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) the Planning Board voted (5-0) to grant ANR approval to convey Parcel A from AP 10/4 (Open Space) to AP 10/61 (120 Hannah Dr); creating Lot 18RR and Open Space A & Open Space B, as shown and described on plan.

In taking such action, the Planning Board noted the open space originally designated/approved as part of the Carpenter Estates subdivision is hereby modified creating two (2) open space parcels: Opens Space A & Open Space B. Whereas the access to Open Space A shall be via access easement(s) within certain house lots, including Lot 7(R) & Lot 8(R) and whereas access to Open Space B shall be via frontage along Hannah Drive and Carpenter Road. The Town Planner shall retain the signed ANR plan until such time the Developer provides proof that access to Open Space A is secured via an easement through Lot 7(R) & Lot 8(R).
III. LEONARDO ESTATES - REVIEW/DECISION

School Bus Drop-off/Pick-up Parking

Joseph Leonardo, Developer petitioned the Planning Board opportunity to discuss and consider the elimination of the parking area along Windstone Drive, as the property owner directly abutting (Parcel A) does not see a need for it and prefers it not to be constructed.

Paul McCarthy, property owner (Parcel A) voiced his concerns with the planned parking area that would alter the appearance of his property and restricted access in and around his front yard. Mr. McCarthy asked the Planning Board to consider eliminating the parking area, suggesting it was unnecessary and would devalue his property. Mr. McCarthy noted that he has spoken with neighbors within the subdivision who also agree that the parking area at the location is unnecessary and would detract from the neighborhood.

Gary Aspin, Michael DiVirgilio and Susan McCarthy, property owners within the Leonardo Estates subdivision supported request to eliminate the parking area for school bus pick-up/drop-off.

Brian Massey explained that he was not in support of eliminating the parking area, stated the subdivision approval requires this provision and noted that layout is illustrated on the definitive plan. Rainer Forst expressed support to eliminate the parking area, did not see why the town (Planning Board) should encourage parents to pick-up/drop-off at bus stop. Harry Berkowitz, James Berkowitz and Abdul Kafal did not support removal of the parking area.

Board members noted buses (school policy) do not access extended cul-de-sacs. Mr. Massey explained that this is not the first development to require parking; Carpenter Estates and Moon Hill Estates have similar requirements.

Mr. Massey explained the Planning Board does not dictate or have any say on the location of homes to be constructed on individual lots within the development; that’s left to the builder (Developer); if there are concerns with the installation of a stonewall in relation to sidewalks, parking areas, etc. that’s between the homeowners and builder; the Planning Board approved the roadway layout with the parking area as a condition of the subdivision approval.

Planning Board reviewed with Mr. Leonardo an opportunity to relocate the parking area across the street along the frontage of Parcel B (unbuilt house lot) or perhaps modify the length of the parking area along Windstone Drive at its current planned location. Mr. Leonardo expressed concerns with the idea of relocating the parking along the frontage of Parcel B. Mr. Massey suggested Mr. Leonardo come back to the Planning Board with other options to consider, reiterating that he is not in favor of eliminating the parking area, noting again similar provisions have been made for other recent subdivision approvals. Planning Board members encouraged Mr. Leonardo to work with Mr. & Mrs. McCarthy on alternatives that would minimize and accommodate their concerns.

Planning Board continued this matter to Tuesday, December 10, 2019 meeting (7:05 PM).

Reference is made to letter dated November 04, 2019 from Joseph Leonardo (Terreno Realty, LLC) and letter dated October 11, 2019 from Mr. Paul McCarthy & Mrs. Susan McCarthy (10 Windstone Drive).
OLD/NEW BUSINESS

Approval of Meeting Minutes -March 26, April 16, June 11 & October 08, 2019

Upon motion duly made (H. Berkowitz) and second (J. Berkowitz) the Planning Board voted (4-0 [Rainer absent for vote]) to approve the meeting minutes of June 11, 2019.

Upon motion duly made (H. Berkowitz) and second (J. Berkowitz) the Planning Board voted (4-0 [Rainer absent for vote]) to approve the meeting minutes of October 08, 2019.

Planning Board tabled action on meeting minutes for March 26 and April 16, 2019.

Tuesday, November 26, 2019 (7:00 PM) - Vote to Cancel Planning Board Meeting

Upon motion duly made (H. Berkowitz) and second (A. Kafal) the Planning Board voted (4-0 [Rainer absent for vote]) to cancel meeting of November 26, 2019.

(Con) Community Preservation Plan - Recommendation for Goals & Objectives

Mr. Bechthold explained to the Planning Board that once the Community Preservation Committee prepares their initial draft Community Preservation Plan a copy of same will be provided to the Board for review and comment.

Syncarpha Solar I & II (Church St/Providence Rd) - Status of Construction

Ashley Deitrich, Rusifd Haroon and Prateek Tare of CS Energy provided the Planning Board with an update on the overall status. Ms. Deitrich reviewed letter dated November 08, 2019 requesting a construction change to allow for a series of utility poles be installed within the approved limit of work for Syncarpha II - Providence Road. Ms. Deitrich reviewed with the Board locations of proposed poles, referencing a construction drawing prepared by Beals Associates.

Ms. Deitrich, Mr. Haroon and Mr. Tare confirmed for the Board that the new poles would not be visible from Providence Road or nearest abutter, the poles would be up into the site.

Upon motion duly made (H. Berkowitz) and seconded (A. Kafal) voted (5-0) to CONSIDER and GRANT site plan modification (construction change) to allow the installation of ten (10) utility poles and overhead wires (open wire configuration) within the approved limit of clearing of the project site as described in letter dated November 08, 2019 from CS Energy and shown on construction drawing plan entitled Exhibit Plan (EX1.0) prepared by Beals Associates.

Streetlight Installation - Status/Update

Brian Massey noted he owes the DPW Director another call as he has not heard back from him and it does not appear any streetlights are scheduled to be installed anytime soon. It is the understanding of the Planning Board that the Developers (Camelot, Leonardo & Hemlock) have provided DPW with the necessary paperwork.

Subdivision - Update(s)

Mr. Bechthold encouraged Board members to visit the various active subdivisions, noting Carpenter Estates and Camelot has seen recent progress, as well as Presidential Farms (Phase V). Planning Board noted copies
of correspondences (emails) in their packets regarding residents’ concerns with Carpenter Estates and Presidential Farms.

Planning Board -Associate Member (Vacancy)
Point of information -no discussion.

2020 Planning Board Meeting Calendar
Upon motion duly made (H. Berkowitz) and second (J. Berkowitz) the Planning Board approved the meeting calendar for 2020.

Planning -Weekly Report(s)
Planning Board acknowledged receipt of weekly reports for October 07-11, 2019; October 21-25 & October 28-November 01, 2019 and November 04-08, 2019.

Planning Board Concerns
Rainer Forst informed the Board that he spoke with the Planning offices of Shrewsbury and Grafton regarding environmental and community impact study requirements. Mr. Forst will provide the Town Planner with an email detailing his findings, etc. a copy of same will be distributed to Board members for discussion at an upcoming meeting.

Mail -Review
In addition to the mail listed (see attached) the Planning Board noted receipt of the following communications: Planning Board Agenda for November 12, 2019 meeting; Draft Planning Board Agendas for December 10, 2019; Checklist for Approval Not Required Plan dated November 01, 2019 for (120) Hannah Drive & Open Space (Carpenter Estates); Assessor’s Plat 10; Leonardo Estates Plan and Information regarding the designated school bus drop-off/pick-up & location of community mailbox; Division of Land of Hannah Drive Plan dated October 29, 2019; Letter dated November 04, 2019 to Planning Board from Terreno Realty, LLC regarding Bus Stop at Beginning of Windstone Drive; Letter dated October 11, 2019 to Town Planner and Planning Board from Paul and Susan McCarthy regarding Windstone Drive School Bus Parking Area; Draft Minutes of October 08, 2019; Email dated November 01, 2019 to Bill Renaud, Town Planner, DPW Superintendent and JH Engineering from DPW Director concerning Camelot Paving Date; Letter dated October 22, 2019 to J & F Marinella Development Corp. from Town Planner regarding Extension of Completion Date and Bond Reduction; Email dated October 27, 2019 to Town Planner from Amelia Pires concerning the swales/rain gardens at Carpenter Estates; Email dated October 29, 2019 to Megan Heaton from Town Planner concerning Hannah Drive/timeline and rain gardens; Email dated October 13, 2019 to Town Planner from Scott Bentley concerning Carpenter Estates update; Email dated November 01, 2019 to Andrews Survey & Engineering and The Pasture Development Group from Town Planner regarding 120 Hannah Drive (Carpenter Estates) ANR plan; Letter dated October 22, 2019 to The Pasture Development Group from Town Planner regarding Extension of Completion Date for Carpenter Estates; Letter dated October 22, 2019 to J & F Marinella Development Corp. from Town Planner concerning Hemlock Estates Extension of Completion Date and Bond Reduction; Letter dated October 22, 2019 to Terreno Realty, LLC from Town Planner regarding Leonardo Estates Extension of Completion Date; Letter dated October 22, 2019 to Town Planner from Andrews Survey & Engineering concerning Moon Hill Estates correction to parcel numbers; Letter dated October 21, 2019 to Planning Board from Lane & Hamer concerning Moon Hill Estates property title; Memo dated October 29, 2019 to Planning Board from DPW Highway Superintendent
concerning Moon Hill Estates cul-de-sac; Email dated October 31, 2019 to Town Planner from Jon Toloczko regarding Lot 64, 85 Lincoln Circle (Presidential Farms) and the electrical box area; Draft 2020 Planning Board Meeting Schedule; Community Planning & Development Weekly Report dated October 07-11, 2019; Community Planning & Development Weekly Report dated October 14-18, 2019; Community Planning & Development Weekly Report dated October 28-November 01, 2019; Memo dated October 31, 2019 to the Developers from Planning Administrative Assistant regarding the Postal Service Builders Guide for Developers; Email dated October 11, 2019 to J & F Marinella, Terreno Realty, The Pasture Development Group, and Presidential Farms, Inc. from Town Planner concerning Subdivision Paving; Letter dated October 29, 2019 to Planning Board from Graves Engineering, Inc. regarding Osterman Commerce Park Phase 3 Site Plan Review; Letter dated October 23, 2019 to Planning Board from Building Inspector concerning Lovey's Garden Center; Letter dated October 11, 2019 to Building Inspector from Planning Board concerning Lovey's Garden Marketplace; Email dated October 21, 2019 to Planning Board from Town Planner regarding Citizen Planner Training Collaborative Fall Workshops; 2019 Planning Board Schedule of Meeting Dates.

Other

Mr. Bechtholdt explained to the Board that a copy of the US Postal Service guidance document entitled “U.S. Postal Service National Delivery Planning Services, A Guide for Builders & Developers” was distributed to all the Developers (active subdivisions) in town describing installation specs and methods for community mailboxes, etc. Planning Board reviewed letter dated October 23, 2019 from the Inspector of Buildings concerning Lovey's Garden Center (Main Street/Arcade); Board members expressed frustrations with the current status of the property and questioned how this business is allowed to continue operations without satisfying site plan approval. Mr. Massey recalled that he met with the Town Planner, Conservation Agent, Building Inspector, Town Manager and Police Chief earlier in the year, where the Building Inspector was to review site plan review thresholds (Zoning) which triggered a site plan review for this business in the first place. Mr. Massey noted that he has not received any information from the Inspector, however did speak with the Police Chief regarding the hawkers license issued. Board members were not pleased, suggesting if it were anyone else, they would be told to stop. Board members commented on the questionably constructed shed and planned skating on Arcade pond. Planning Board agreed to have Mr. Massey (with assistance from the Town Planner) provide a follow-up letter to the Building Inspector to inform of continued concerns and seek additional input regarding parking and location of sale display areas. Copy of CPTC-Citizens Planner Training Collaborative email announcement for its fall workshop was provided to the Board (included in packet). Mr. Bechtholdt advised Board members of the Fire Station Feasibility Project Public Forum scheduled for Thursday, November 21, 2019 (7:00 PM - Northbridge High School Auditorium).

Adjournment

Having no additional business, the Planning Board adjourned its meeting of November 12, 2019 at or about 8:30 PM.

Respectfully submitted,

R. Gary Bechtholdt II
Town Planner

Cc: Town Clerk

Approved by the Planning Board: 12/10/19
Weekly Report for

ZBA
- Public Hearing Notice – Application of Joshua Bressan (applicant) and Michael Dutra (owner) for a Special Permit for a multi-family dwellings in which he would like to convert the second floor of the building at 99-105 Church Street into four residential apartments which is now zoned commercial space.

Douglas
- Public Hearing Notice – Application of Valley Realty Management, LLC for an Accessory Apartment Special Permit at 7 Mechanic Street.

Douglas ZBA
- Public Hearing Notice – Application of JEH Real Estate Investment Company, LLC for a Special Permit to reconstruct after a Catastrophe or Demolition at 40 Depot Street.

Grafton
- Public Hearing Notice – Application of Circle Assets, LLC (applicant) and Marybeth Realty Trust, Magnolia Farms Association Trust and Circle Assets, LLC (owners) for a Major Residential Special Permit and Preliminary Plan approval for a 37-lot residential development at 124 North Street Rear, 73 Rear Old Westboro Road, 4 Rear Village Lane and 25 Magnolia Lane.
- Decision – Approved with Conditions the Special Permit for James Hunter, JFH Investments, Inc. for sign relief relating to square footage of a wall-mounted sign at 25 Grafton Common.
- Decision – Denied the application of David Brosi (applicant) and David Brosi and Brigati Village, LLC (owners) for a Special Permit for multi-family dwellings at 41 Church Street and 14 West Street.
- Public Hearing Notice – Application of Sean L. Larkin for a Special Permit for an accessory apartment at 11 Spanish River Road.
- Public Hearing Notice – Application of MJ’s Market, Inc. (applicant) and SBA/WBDC (owner) for a Special Permit and Site Plan Approval for a Marijuana Establishment, including by not limited to a Registered Medical Marijuana Dispensary, Marijuana Cultivator, Marijuana Product Manufacturer, Marijuana Retailer and Marijuana Transporter at 13 Centennial Drive.
- Decision – Approved with Conditions the Modification of a Special Permit and Site Plan Approval for Estabrook Valley, LLC (applicant) and Knowlton Farms Nominee Trust, Patricia Knowlton, Trustee
(owner) for a one-year extension and to add a gravel drive, animal shelter, concrete pad, fenced-in paddock and battery storage within the fenced-in array on property located at 44 Estabrook Avenue.

- Decision – Approved with Conditions the Special Permit for Estabrook Valley, LLC (applicant) and Knowlton Farms Nominee Trust, Patricia Knowlton, Trustee (owner) for an extension of time to construct a solar electric generating facility (solar farm) at 43 Estabrook Avenue.

Mendon

- Public Hearing Notice – Proposed Amendment to the Zoning Bylaws by changing every instance of the term “Board of Selectmen” and “Selectmen” with “Select Board.”

Sutton

- Public Hearing Notice – Application of Seanna Roy to utilize an existing detached structure for an accessory apartment at 188 Hartness Road.
- Decision – Granted with Conditions the Site Plan and Special Permit for Peter Amorelo (applicant) and Bien Construction (owner) to establish a building contractor business at 34 Providence Road.
- Decision – Granted with Condition the Retreat Lot Special Permit for Norman Carrier to reconfigure the existing retreat lot by swapping a matching sized parcel with 57 Torrey Road.
- Public Hearing Notice – Application of Bourakis Development, LLC to a site plan modification by removing the proposed restaurant and constructing a full service car wash facility in its place at 10-16 Galaxy Pass off Route 146 and Boston Road.
- Public Hearing Notice – Application of Pyne Sand & Gravel for a new permit under the Sutton Earth Removal Bylaw for Map 51; Parcels 60, 82.
- Decision – Granted with Conditions the Special Permit to Seanna Roy to convert 1,320 sf +/- of finished and 510 sf +/- unfinished space in an existing detached structure to an accessory apartment at 188 Hartness Road.

Upton

- Public Hearing Notice – Proposed amendments to Upton Zoning Bylaws and Zoning Map: Section 2.0 – Districts by establishing a new Zoning District “Upton Center Business District (UCBD); Section 2.2 Map by amending the Zoning map to include the proposed UCBD; Section 3.0 – Use Regulations by amending Table A – Table of Principal Uses by District and Notes to Table A to include the proposed UCBD; Section 4.0 – Dimensional Regulations by amending Table C: General Business and Commercial & Industrial District Lots and Notes for Table B though Table D to include the proposed UCBD; Section 5.0 – General Regulations by adding a new Section 5.10.6 Parking Bylaw for UCBD; and Section 10 – Definitions by adding “Mixed-use facility.”
- Decision – Granted with Conditions the Variance for Brooke & Andrew Macdonald to install a 16 ft by 32 ft in-ground swimming pool five feet closer to the side lot line than the zoned setback of 30 feet at 1 Miscoe Hill Road.

Upton ZBA

- Public Hearing Notice – Application of Linnea & Gary Strichartz for a Variance for renovation/addition to a pre-existing non-conforming structure (house) at 9 Wildwood Avenue; Application of Lisa A. Masciantonio for a Special Permit for a home business for esthetics (skin care) and Reiki treatments at 26 Fiske Avenue; and Application of Timothy & Jennifer Moran for Variances for a tool shed and pool shed that do not meet setback requirements at 23 Francis Drive.

Uxbridge

- Public Hearing Notice – Application of DJLJ Realty, LLC for a Special Permit to subdivide an existing residential house lot into two lots with one being a retreat lot with a proposed shared driveway at 84 Sutton Street.

Uxbridge ZBA

- Public Hearing Notice – Application of Wayne & Melody Roy (owners) and Elias Richardson (applicant) for a Variance to reduce the frontage dimensional requirements for 300 feet to 46.76 feet at 503 Elmwood Avenue.