



TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 9-2-08

Planning Board Meeting Minutes July 29, 2008

Members Present: Rick Leif, Bob Rosenberg, George Pember, Michelle Gillespie

Others Present: Kathy Joubert, Town Planner; Fred Litchfield, Town Engineer; Bill Farnsworth, Zoning Enforcement Officer/Inspector of Buildings; Brian Smith, Paul Gremo, Carolyn Harrington, Richard Record, Richard Ricker, John H. Quinlan, Jr., Jeff Coyer, Marla Collins, Albert and Rosemary McCracken

Chairman Leif opened the meeting at 7:00 pm.

Public Hearing for MetroPCS seeking modification to WCF Special Permit for 300 West Main Street (Map 81 Parcel 11) by adding additional co-locator on monopole and expanding existing ground equipment.

Chairman Leif read the legal notice for the public hearing.

James Burgess (Site Acquisition person) and Aquilino Ben Orichui, Radio-Frequency Engineer, representing MetroPCS, presented the project. Mr. Burgess explained that MetroPCS is building their network throughout New England. They have four sites in development in Northborough. The location at 300 West Main Street is the last to be developed. Currently, the tower is disguised as a 100-foot flagpole and has two carriers. The tower was built for four carriers and MetroPCS will be the third carrier. All equipment will run through the interior of the pole. Two sets of equipment will be at the base of the pole. The compound will be extended to accommodate MetroPCS' equipment. The base of the pole will be hidden by an eight-foot stockade fence. The cabinets will be six feet in height and will hide the equipment. MetroPCS will bear the expense of extending the fence and upgrading the facility. The proposed additional carrier set-up will not be dissimilar from the carriers there now. The structural integrity of the tower has been checked. The wireless facility will be unmanned and periodic maintenance visits will be involved and will include one-two vehicle trips per month by maintenance and technical personnel. Electrical power and telephone service are the only utilities required to operate the facility. The design and maintenance of the tower will comply with all applicable local, state and federal safety regulations.

MetroPCS has a lease in place with SBA and SBA has a lease with the property owners, West Main Street Realty Trust.

The project will be presented to the Conservation Commission because the entire site falls within the buffer to a wetland area adjacent to the subject property.

Kathy Joubert, Town Planner, reviewed the Fire Chief's review letter in which he stated he would like to locate fire and police equipment on the tower. He asked for this on previous occasions also, but the pole is not the type to accommodate the Towns' equipment. The pole is not expanding and the type of pole is not changing.

George Pember asked if the applicant would have any authority to say the town could locate on the tower, or if that was up to the owner.

Ms. Joubert stated the Town would negotiate with the applicant, not the owner of the property. It would be SBA, who is the owner of the tower.

Rick Leif asked who MetroPCS services.

Mr. Burgess replied they service all major carriers.

Bob Rosenberg stated he did not see a structural safety report submitted with the application.

Mr. Burgess stated they included the tower design, but at the time the structural letter was not ready. He explained this tower is different than those with typical antennae. The flagpole is designed for four arrays of antennae. It has the same structural load regardless of the number of antennae. They use the tower design to verify the integrity of the site, however engineers reviewed the design and proposal and their letter states it will agree with their installation.

Bill Farnsworth, Zoning Enforcement Officer/Inspector of Buildings, stated the tower requires a building permit and, by the state building code, they have to certify its structural stability. Several items mandate it by the state building code. Every time any equipment goes on the tower it has to be re-certified.

Mr. Rosenberg asked when the last time was that a letter was sent to re-certify it.

Mr. Burgess replied he did not know, but he would check into it. He stated MetroPCS wants to ensure its safe as well. The letter he has submitted is dated and stamped and will satisfy that requirement up to this date. It is not a certification of the tower, and is not a letter from the tower owner, but it could be on file.

Mr. Rosenberg stated there have been no reports submitted since the tower has been up.

Ms. Joubert stated it is a matter of staffing, review and inspections. To her knowledge, none of the cell towers have done this although it has been a condition. This is a modification to the original special permit granted in 1999 for the tower and number of co-locators.

There were no comments or questions from those in the audience.

Mr. Rosenberg motioned to close the hearing, George Pember seconded the motion and the vote was unanimous to close the hearing.

Mr. Rosenberg motioned to grant the Special Permit with the condition that, prior to issuance of a building permit, a qualified independent structural engineer shall perform a structural safety inspection of the wireless communications facility and provide a report to the Town Engineer. Mr. Pember seconded the motion and the vote was unanimous to grant the Special Permit.

**Discussion with Mike Gorman, Facilities Manager, ARHS
RE: Final As-Built Plan**

Mike Gorman, Facilities Manager for Algonquin Regional High School, explained that one of the conditions of the site plan approval in December 2002 was the submission of a final as-built plan. Since the approval, there have been changes made to the site plan that need to be reviewed and approved by to the board.

Mr. Gorman stated the original number of parking spaces approved was 752, with 34 islands planned throughout the parking lot. Most of the islands were found to be an issue for snow plowing and he is asking approval of the removal of all the islands.

Fred Litchfield, Town Engineer, stated the inclusion of islands in the design was meant to give the parking lot definition, which can also be done with striping. He noted islands have also been eliminated from the Senior Center site plan because they made the parking area cumbersome and an easy target for the plows.

Mr. Gorman stated originally there were 752 parking spaces shown on the site plan, but after removing the islands and re-designing the parking lot, they now have 725 spaces. Twenty-five spaces were lost because of the ledge in the upper parking lot. In addition, for safety reasons, the buses now enter the site into the parking area, and 15 more spaces had to be removed for this change. Eleven other parking spaces were removed because of issues around the library. A total of 51 spaces were lost, but with removal of the islands they gained some back, arriving at their current total of 725 spaces. With all the snow this past winter, the current amount of spaces worked well. There are about 350-400 students and 200 staff parking in the lot. During the year everything was fine, with the exception of any special occasions. On those occasions, they've worked with Bill Farnsworth to have busing for parking. Some of the conditions of the building permit said they would have to come back if there were changes. He has worked with the Town Engineer, Fire Chief and Building Inspector to come up with the new plan, which was completed as of Friday, July 25th. The 725 parking spaces and lines will be drawn on the lot. The goal is to submit a final as-built plan to the Planning Board.

Mr. Leif stated if the site plan starts to vary they need to be updated. He confirmed the changes being presented now are the removal of the 34 islands and a reduction in the parking spaces from 752 to 725.

Ms. Joubert stated the applicant will need to provide the final as-built plan in order to get an occupancy permit for this year. As far as the site plan, the parking is the issue.

Shirley Lundberg, representing the School Committee, stated they were fine with the changes to the number of parking spaces and the parking island changes.

Mr. Farnsworth stated the fire and no-parking lanes have changed from the original plan submitted, as well as the holding areas. These were worked out with the Fire Chief.

Mr. Gorman stated the plan now shows the new bus route by Bartlett Street. Southborough buses load up and take left-hand turns out of the lot. A curb cut on Route 20 has been approved by the state.

Mr. Farnsworth stated the Planning Board either needs to approve the final site plan or extend the date for them in case it runs past August 14th. That's the date they're aiming for.

Ms. Joubert stated they are asking for the Certificate of Occupancy to be granted before the as-built is submitted.

Mr. Litchfield stated it is more practical to make the changes for which Mr. Farnsworth is asking. They need time to prepare the as-built properly. In this case there is no bond money and it is appropriate for the Planning Board to modify the decision to allow them to do it.

Mr. Pember motioned to approve the following changes to the site plan as presented:

1. Locations of the islands to be eliminated shown on the plan
2. Reduction of parking spaces from 752 to 725
3. Final Certificate of Occupancy to be issued prior to submission of as-built plan, with the as-built plan being submitted to the Town prior to September 30th.

Ms. Gillespie seconded the motion and the vote was unanimous to approve the modifications to the site plan.

Winn Terrace - Street Acceptance

The Board reviewed the road acceptance plans for Winn Terrace. Town Meeting approved the road to be made public at the 2008 annual town meeting. Mr. Litchfield explained that there had been a possibility Winn Terrace would be taken by eminent domain. One land owner feels they may have damages, but Town Counsel stated the town will not be held hostage and if the residents don't give it to the town, the town

won't accept it. The Selectmen will need to sign an order of taking. If it doesn't happen now, it will be brought to Town Meeting for acceptance in 2009.

The Board signed the road acceptance plans.

Public Hearing to consider modification to 1984 Special Permit decision for Birchwood Condominium Trust. Involves transfer of 2,978 square foot parcel (lot 44R, 12 Elizabeth Drive, Map 46 Parcel 155) from Birchwood Condominium Trust to Richard R. Record & Son, Inc.

Mr. Leif read the legal notice for this public hearing.

Mr. Pember recused himself as he is one of the attorneys involved in the hearing.

Ms. Joubert noted there was a quorum problem because there were only 3 members present since Mr. Pember recused himself. They need to have 4 members present. The hearing will have to be continued to the next meeting.

All members said they would be available for a meeting on August 4th for this agenda item.

Ms. Gillespie motioned to continue the hearing to Monday, August 4, 2008 at 7:00 pm. Mr. Rosenberg seconded the motion and the vote was unanimous to continue the hearing.

Continued discussion RE: Zoning Bylaws

Ms. Joubert stated there are two more joint meetings scheduled with consultant Judi Barrett, Community Opportunities Group, which will be covered under the original contract and two meetings scheduled under the contract covering the study of the Southwest area. There are a few items left to cover that require input from both the Planning Board and the Zoning Board of Appeals. The goal is for the proposed document to be finalized by the Planning Board by October and then for Judi to provide a final document for proofing.

A discussion on the Southwest area has been tentatively scheduled for the September 2nd Planning Board meeting. A joint meeting with the Planning Board and Zoning Board of Appeals may be scheduled for September 16th to look at performance standards and address any questions, with or without Judi Barrett. The October meeting schedule will include deciding what will happen with the Southwest area - whether it will be a go and the amendments will be included in the proposed zoning bylaw or if it will have to wait for a year.

The October Planning Board meetings will be held on the 7th and 21st. The September 23rd ZBA meeting will be busy, so the joint meetings will be included in the September Planning Board meetings.

Old/New Business

Improvements to Interstates 495 and 290

Ms. Gillespie stated she heard Fred Litchfield talk about this after attending a meeting at the Arc of Innovation and hopes information will be funneled back to the Board regarding any roadway improvements. Ms. Joubert stated State and federal funding is needed to make any improvements to these roadways and staff will keep the Board apprised of any information.

Letter from Brian Smith re: proposed zoning changes and public meeting held June 19th

A letter was received from resident Brian Smith, which he and other residents had signed which was in opposition to proposed zoning changes for the downtown area. Mr. Leif stated he feels this is a knee-jerk reaction and suggested it would be a good idea to meet again with these people to talk about it.

Ms. Joubert stated the initial meeting on June 19th was to get thoughts from residents about the course the Board is taking. There will be more meetings to discuss this.

CMRPC Report

Mr. Rosenberg stated the first sub-region meeting was held last week in Northborough in the Selectmen's Meeting Room. The meeting was held to decide where there should be sub-region meetings. CMRPC has divided the Central Mass region into six population-equal areas. Northborough is the center of the sub-region which includes Westborough, Shrewsbury, Boylston and Berlin. Southborough is in the metropolitan area, with Marlborough and Hudson. This leaves Northborough with only half the story as far as impact to the area. They may get some participation from other communities, including Hopkinton and Southborough. CMRPC has undertaken the initiative to have their staff lead the sub-regional effort, the meetings being structured by interns. The only town not represented at the first sub-region meeting was Westborough. If these meetings continue, they will be held every two months and will occur within the region.

Housing Partnership

Mr. Leif stated the Housing Partnership filed an application with CHAPA for a grant for funds to be used for an affordable housing plan. Northborough was not selected and the Housing Partnership has been working with Ms. Joubert to see what lands might be reasonable on which to develop affordable housing over time, or through buildings that could be converted. The Northborough Affordable Housing Corporation will also be exploring town owned land for housing possibilities including units on Hitching Post Lane.

Groundwater Advisory Committee

Mr. Pember praised Town Engineer Fred Litchfield's and the Groundwater Advisory Committee's efforts to include submission of an Operation and Maintenance Plan as a condition of approval for projects presented to the Planning Board and Zoning Board of Appeals. However, she states that the plan is never enforced. As Mr. Farnsworth

pointed out, if they get a complaint or there's a change, they have nothing to fall back on, nothing to institute. Ms. Gillespie and Mr. Pember suggested composing a letter from the Planning Board to the Board of Selectmen requesting the Assistant Town Engineer's position be reinstated. Mr. Leif suggested board members could email their ideas to Kathy Joubert and then she would pass them on to him to be incorporated into the letter for presentation at a future Board of Selectmen's meeting.

CVS

Ms. Gillespie stated she would like the Planning Board to send a letter to the Design Review Committee thanking them for their exceptional work on the design of the new CVS building.

Open Space Committee

Ms. Joubert stated that at the last Open Space Committee meeting they discussed the update of the Open Space and Recreation Plan with CMRPC.

Conservation Options for Landowners Meeting

Ms. Joubert stated she is in the process of scheduling another open house for various landowners in the fall. She is hoping it will be held at the Rawstron's house.

Adjournment

The meeting was adjourned at 8:45 pm.

Respectfully submitted,

Debbie Grampietro
Administrative Assistant
Planning, Engineering, ZBA