



TOWN OF NORTHBOROUGH PLANNING BOARD

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October 26, 2009
Planning Board Minutes

Members Present: Rick Leif, Chairman; Dan Lewis, George Pember, Michelle Gillespie

Others Present: Kathy Joubert, Town Planner; Robert Longden, John Stevenson, Alan Archibald, Michael Lamphier, RM Rowe, Janet Sandstorm, Stacy Archibald, Tom Blasko, Deb Blasko, Mary Archibald, Dr. Lyna Watson, Laura Ziton, Kim Henderson-Lee

Meeting began at 7:00pm

55 Bearfoot Road:

Applicant requested the public hearing be continued to November 17, 2009 Planning Board meeting.

Motion made by George Pember and second by Michelle Gillespie to continue hearing to November 17, 2009 at 7:15pm. All in favor.

Old/New Business:

Review of ZBA Applications for October 27, 2009 ZBA meeting.

73-85 West Main Street

Comments from Design Review Committee discussed. DRC comments have been sent to the ZBA.

Laurence Place @ 42-44 Whitney Street

Applicant, now Framingham Cooperative Bank, has requested a special permit to change a pre-existing non-conforming use. They are seeking to remove age restriction from this originally approved Senior Residential Community.

After discussing the application, the Planning Board agreed to send the following comments to the ZBA for their consideration:

1. This development was approved as a Senior Residential Community under the former zoning bylaw. With the ability to limit the age to residents 55 years and older, a significant density bonus was awarded to the applicant. By now removing the age restriction thru the requested Special Permit, the density bonus appears to remain in place without the benefit of the age restriction. The density bonus was provided due to the development being revenue positive for the Town. Without the age restriction in place and three bedrooms per townhouse, this development will no longer remain revenue positive and may

very well become revenue negative for the Town. This was not the intent of the Senior Residential Community bylaw.

2. Prior to the adoption of the new zoning bylaw, this property was split between residential and industrial zones, neither of which allowed multi-family to be built. Per the new zoning bylaw, this property is now all Residential C which requires a minimum lot size of 20,000 square foot. Multi-family housing is not allowed in Residential C. If the age restriction is lifted, this would be the first multi-family development in Town to be constructed under the new zoning bylaw and it would not conform to the new zoning bylaw.
3. If the age restriction is lifted, what impact would this have on the other Senior Residential Communities in Town that have not been built out and are currently struggling in this economy? Would lifting the age restriction at Laurence Place open the door for the developments on Lincoln Street and Main Street, where units have been sold to people 55 years and older, to now apply for lifting the restriction on the remaining units? This is not a good precedent to set.
4. The abutters to Laurence Place and other voters at Town Meeting who approved this development with its density bonus, have an expectation of no children in this development and therefore no impact to the school system. By omitting the age restriction, these three bedroom units will attract families and therefore have an impact on the school system.
5. We believe the change the applicant is requesting to be a substantial change and a significant deviation from the original intent of the zoning bylaw. Although we support the creation of multi-family development, as evidenced by the zoning discussions in crafting the new zoning bylaw, this development as proposed should be considered detrimental to the Town.

If the Zoning Board of Appeals does grant the request of the applicant, the Planning Board suggests the following conditions be considered:

1. If the age restriction is lifted, it should be noted in the decision that it is being granted in part because no units have been sold in the development.
2. The number of bedrooms should be reduced to two bedrooms per unit.
3. The development should be redesigned with less units. The density bonus was given due to the age restriction. The density bonus should not remain in place without the age restriction in place.
4. If the density bonus remains in place, a minimum of 25% of the units should be made affordable at sale prices compatible with DHCD's Subsidized Housing Inventory.

Next Planning Board Meeting:

November 3, 2009 to review draft rules and regulations with Judi Barrett.

Meeting adjourned at 8:15pm.