



TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 1/19/10

Planning Board Meeting Minutes January 5, 2010

Members Present: George Pember, Leslie Harrison, Rick Leif, Michelle Gillespie, Daniel Lewis

Others Present: Kathy Joubert, Town Planner; Bill Farnsworth, Zoning Enforcement Officer/Inspector of Buildings; Kevin Quinn, Quinn Engineering; James Vogel Jim Vogel; Judi Barrett, Community Opportunities Group, Inc.

Chairman Leif called the meeting to order at 7:00 pm.

Public Hearing for Special Permit Common Driveway at 496, 500 & 520 West Main Street

Applicant:	James Vogel
Engineer:	Quinn Engineering, Inc.
Date Filed:	November 18, 2009
Decision Due:	90 days from close of hearing

James Vogel, Applicant, and Kevin Quinn, Quinn Engineering, were present. Mr. Quinn explained they were issued a special permit in May for the common driveway and now need to amend the plan that was approved. The common driveway was originally located too close to the wetland area and, to relieve the situation, Mr. Vogel made an arrangement to purchase land owned by the New England Forestry Foundation. However, after the plans were approved it was discovered there was a restriction on the New England Forestry Foundation's land which stated nothing could be built on it. Mr. Vogel gave back the land to the Foundation and reverted back to the original common driveway plan.

Northborough Conservation Commission has approved the amended plan.

Mr. Quinn explained applicant is asking for a waiver of the 15-foot setback from the abutting property and a waiver for the requirement that water service extend to the common driveway. Mr. Quinn noted they have included enhanced safety measures on the plan as per the Fire Chief. The Fire Chief submitted a letter in support of the amended plan.

Ms. Joubert stated there was a review letter from the Fire Chief. The Conservation Commission approved the relocation. Two waivers were granted originally. She has distributed the original decision to the members and also an amended decision to consider. Basically the amended decision includes a revised application date, revised plan date, the Fire Chief's review letter of the amended plan, and Planning Board member Leslie Harrison's name. Ms. Joubert added that staff has reviewed the plan and are fine with it. She noted the

Town Engineer did not submit a review letter because the Conservation Commission has already approved the amended plan.

Ms. Gillespie moved to close the hearing. Mr. Pember seconded the motion and the vote was unanimous.

Ms. Gillespie moved to approve the amendment to the Special Permit, Mr. Pember seconded the motion and the vote was unanimous.

Approval of Minutes

Minutes of November 17, 2009: Ms. Harrison moved to approve the minutes of November 17, 2009 as amended, Mr. Pember seconded the motion and the vote was unanimous.

Judi Barrett, Community Opportunities Group, Inc RE: Planning Board Rules and Regulations

Ms. Joubert stated she and Mr. Farnsworth have been reviewing the draft regulations and will provide comments this evening.

Judi Barrett explained she has added information on the basic organization of the board and how business is conducted to the original draft, as the members had requested.

Changes/comments noted by the members and staff were as follows:

- 2.0 Add definition of Town Engineer
- 3.1A Talks about election of officers, but doesn't mention the Clerk.
- 3.2 Mentions CMRPC appointee, but not other appointees. Ms. Barrett will add appointees for the following boards/committees: Open Space Committee, Groundwater Advisory Committee, Community Preservation Committee, Financial Planning, Earth Removal Board, Housing Partnership, Design Review Committee
- 3.6A As of July 1, 2010, Saturday will not be considered a day for posting. Ms. Joubert will make this change and Ms. Barrett will add a footnote that the change takes effect on July 1, 2010.
- 3.8A A quorum of members needs to be identified. Ms. Barrett will cross-reference the Special Permit section.
- 3.6 B Change "seven (7) working days" to "thirty (30) working days"
- 3.3 Add updated conflict of interest information
- 3.7 A distinction between meetings and hearings needs to be made. Ms. Barrett will add definitions of a public hearing and public meeting.
- 4.3A Change "Planning Board" to "Town Planner"
- 4.3C Number of copies should be the same as required in Section 6
- 4.3E Scope of Review - Planning Board does not review preliminary materials. Change to Town Planner will review and delete remaining paragraph.
- 4.4A Wording taken from state statute
- 4.4J "14 days from board's vote to Town Clerk". Ms. Barrett stated she used the language from the state statute.

- 5.2A Change it to applicant should meet with Design Review team and then with the Planning Board to discuss proposed project.
- 4.5A A direct quote from the zoning bylaw. Mr. Farnsworth suggested adding some specific section items, however Ms. Barrett stated doing so could make the document obsolete whenever a change was made. The members agreed to go with general sections.
- 6.1B6 Change “Definite” to “Definitive”
- 6.1D This should be a special permit application submitted to the Zoning Board of Appeals.
- Appendix A - Mr. Leif noted the prior draft referred to an Appendix A. Ms. Barrett stated she had made a change and the appendices are incorporated by reference within the regulations because the appendices are being updated. Those forms, and many attachments, are incorporated by reference.
- 6.2E Add 10 more copies as follows: #13 - 5 copies for the Groundwater Advisory Committee and # 14 - 5 copies for the Design Review Committee, both when applicable
- 6.5B1 Conditions of Approval - references the Zoning Bylaw but doesn’t include performance guarantees. Ms. Barrett stated performance guarantees are covered in Section 10.
- 9.0 Requirements for Submissions - “whenever possible” will be deleted.
- 10.0A “sureties by the Town Treasurer” is different from what’s in the Zoning Bylaw. Ms. Joubert stated the Town Treasurer checks on the validity of the bank, etc. Mr. Leif stated the language in the Zoning Bylaw doesn’t come through in the regulations. Ms. Joubert stated that, in her opinion, she doesn’t think the language needs to be restated. The regulations are not a repeat of the Zoning Bylaw. Mr. Leif asked if the Town Treasurer is the issuing authority. Ms. Joubert replied she is not, the Board is.
- 11.2 In the October draft this included a procurement section. Ms. Barrett explained it was removed due to the change to procurement law in 2009.

Page 25 - In the prior draft there was a 9.3 Exemption section. Ms. Barrett stated it is not needed because of the procurement law.

Mr. Leif stated he would like Ms. Barrett to check on all the places in the regulations where the “90 days before the close of hearing” is mentioned.

Ms. Joubert will provide Ms. Barrett:

- common driveway regulations - submission requirements
- distribution list - check Conservation Commission, Earth Removal Board and Board of Health

Old/New Business

- Ms. Joubert will prepare memos for January 19th meeting regarding proposed zoning amendments from staff and WCF findings from other communities
- 265 Main Street - WCF application submitted to Planning Board

The meeting adjourned at 8:30 pm.

Respectfully submitted,

Debbie Grampietro