



# TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 3-30-10

## Planning Board Meeting Minutes March 2, 2010

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

**Others Present:** Kathy Joubert, Town Planner; Donna & Brian Stearns, Kim Henderson-Lee, Dan Quinlan

Chairman Leif opened the meeting at 7:00 pm.

### **Public Hearing to consider Scenic Road Application for 292 Crawford Street**

Applicant:	Donna Stearns
Engineer:	Waterman Design Associates, Inc
Date Filed:	February 8, 2010
Decision Due:	21 days from close of hearing

Mr. Leif opened the public hearing by reading the legal ad into the record.

The Applicants, Donna and Brian Stearns, presented the project, stating they had bought land on Crawford Street, which is a scenic road, and plan to build a single-family home. They need access to the property and want to create a driveway and that would require opening up a portion of the stone wall along the front of the property.

Kathy Joubert, Town Planner, stated an approved septic system plan shows the driveway location, which covers approximately 15 feet of stone wall. The driveway will be approximately 11 feet wide and the application calls for 25 feet of stonewall to be removed for clearance on either side. Approximately four trees need to come down, some of which are dead. The trees are set down behind the stone wall so they're not part of the board's jurisdiction.

Donna Stearns stated the builder wanted to use the stones for a retaining wall, but she and her husband would like them to be reused as a turn-in on each side of the driveway so they can be seen.

Mr. Leif stated the Planning Board's decision would include a condition that the removed stones must be visible from the street.

Mr. Leif stated the condition would be that the stones removed would be used to repair the existing stone wall along the front property line. Mr. and Ms. Stearns agreed to this condition.

Ms. Harrison moved to close the hearing, Mr. Pember seconded and the vote was unanimously in favor.

Mr. Lewis moved to approve the relocation of a portion of the stonewall at 292 Crawford Street to allow construction of a driveway with the condition that the stones removed to allow construction of the driveway shall be kept on-site and used to repair the existing stonewall along the lot frontage and/or used at the driveway entrance. Ms. Gillespie seconded the motion and the vote was unanimously in favor.

**Public Hearing to consider WCF Special Permit Application for T-Mobile @ 265 Main Street**

Applicant:	T-Mobile Northeast
Engineer:	EBI Consulting
Date Filed:	December 11, 2009
Decision Due:	Within 90 days of hearing date

Chairman Leif opened the public hearing by reading the legal ad into the record.

Ms. Joubert noted T-Mobile's representative, Peter Fales, Centerline Communications, LLC, submitted a letter to the Planning Board requesting the hearing be continued to March 16, 2010, and then amended the continuance date by submitting a second letter requesting the hearing be continued to March 30, 2010.

Ms. Joubert noted the applicant is not present and no discussion can legally be held on the proposed project.

Mr. Pember moved to continue the hearing to March 30, 2010 at 7:00 pm, Ms. Harrison seconded the motion and the vote was unanimously in favor.

**Old/New Business:**

**Galahad Estates Subdivision Bond:** Ms. Joubert explained that Galahad Road was accepted at 2009 Town Meeting and the town was waiting for final documents from the developer before completely releasing the bond. She stated all work has been completed and the Board can vote tonight to release the subdivision bond.

Mr. Lewis moved to release the subdivision bond, Ms. Gillespie seconded the motion and the vote was unanimously in favor.

**Approval of Minutes**

**January 19, 2010:** Mr. Lewis moved to approve the minutes of January 19, 2010 as amended, Ms. Gillespie seconded the motion and the vote was unanimously in favor.

**February 2, 2010:** Mr. Pember moved to approve the minutes of February 2, 2010 as written, Ms. Gillespie seconded the motion and the vote was unanimously in favor.

**Conflict of Interest Training/Test On Line:** Ms. Joubert reminded the members to complete the Conflict of Interest training on-line.

**March 30<sup>th</sup> Meeting:** The agenda items for the March 30<sup>th</sup> Planning Board meeting includes public hearings for 2010 Town Meeting Zoning Amendments from the Planning Board; a Citizen's Petition to Rezone a portion of the Southwest Area; the Scenic Road Bylaw; a Citizen's Petition for a Cell Tower Moratorium; and the continued hearing for the proposed Wireless Communications Facility at 265 Main Street.

**April Meeting Date:** The Planning Board will meet on April 13<sup>th</sup>. Mr. Leif noted he will be away from April 6<sup>th</sup> - April 12<sup>th</sup>. Town Meeting starts on Monday, April 26<sup>th</sup>.

**Citizen's Petition for Southwest Area Rezoning:** Regarding the Citizen's Petition for Rezoning of the Southwest area and for the Cell Tower Moratorium, Ms. Joubert explained the Town Meeting Moderator will ask the Planning Board if they support the citizen's petitions, then the petitions will be presented and then the Moderator will ask for Planning Board comments. She stated that, by law, the Planning Board has to give the Moderator their position. Ms. Joubert noted that prior to Town Meeting the Municipal Code and Bylaw Committee will ask all departments to attend their meeting prior to Town Meeting.

Mr. Leif suggested including the Zoning Board of Appeals (ZBA) in discussions on the citizen's petition to rezone the southwest area. He explained that ZBA Chairman Dick Rand had suggested looking at the Southwest area during the comprehensive reorganization of the zoning bylaw with consultant Judi Barrett from Community Opportunities Group. Mr. Leif stated that, after studying the area, Ms. Barrett recommended an open space residential overlay district for part of the area and rezoning a portion of the land behind The Loop (Shops 9&20) along with the abutting property owned by the Borgattis and Bigelows, from industrial to residential, due to the topography of the land, including resource areas, and its closeness to SUASCO land. After hours of discussion, a majority of the members decided that the neighborhood roads in the area could not handle the anticipated increase in traffic from commercial use and so the area was rezoned from industrial to residential and approved at 2009 Town Meeting. The citizen's petition, submitted by Douglas Stone, proposes to rezone this area to Business South which is a light industrial zoning district that does not allow any residential development.

Mr. Lewis stated he does not think rezoning to Business B West or South is a good idea. The sensitive land in the back of the lot is much better zoned as residential due to its extreme topography and he wouldn't want to see a lot of vehicular traffic in that area.

Mr. Pember said he is in agreement with Mr. Leif and Mr. Lewis. Plus, the Planning Board, ZBA and Zoning Subcommittee worked for 2 years with the Town Planner and consultant Judi Barrett and the rezoning was thoroughly supported by the committee. He questioned why Mr. Stone would be doing this now.

Mr. Leif stated he will make it clear at Town Meeting as to why the Planning Board supported zoning it the way it is now.

Ms. Gillespie stated her comment to Mr. Stone would be that zoning should not be done at Town Meeting. Mr. Stone has not produced a study or any analytical data, nor has he requested to discuss this with the Planning Board.

**Citizen's Petition - Cell Tower Moratorium:** Mr. Leif asked Ms. Joubert if Town Counsel will allow this petition to go forward as written. Ms. Joubert replied Town Counsel will review it before the March 30<sup>th</sup> meeting and advise the Town accordingly.

Mr. Pember stated there are strict criteria for a moratorium. The petition would have to show there is a current crisis and show a plan as to how the crisis will be dealt with. He stated Town Counsel will make the decision as to whether or not it meets the criteria.

## **Committee Reports**

**CMRPC:** Mr. Lewis stated he attended a meeting on January 14<sup>th</sup> at which they talked about an infrastructure project in Barre, a Brownsfield remediation program and lessons learned from the ice storm. He explained he missed the previous meeting and the next meeting will be held on March 11<sup>th</sup> on regional dispatching and response times for expectation of service for MA state police.

**Open Space Committee:** Ms. Harrison stated the Community Preservation Committee met last night. The request of the Open Space Committee for \$150,000 to continue pursuing properties for potential conservation restrictions and/or acquisition was supported by the CPC.

Ms. Gillespie stated she had heard there has been a community garden proposed on the open space lot on Valentine Road. Ms. Joubert explained she has been working on a childhood obesity project through grant applications and one program their group is asking for is to set up community gardens. The Valentine Road parcel is owned by the Recreation Department. There is a lot of expense involved in this, including bringing water to the lot, and it will be a combined effort with various town committees and the eagle scouts. If the grant is approved, the gardens will be developed in 2011.

**Zoning Board of Appeals:** Ms. Harrison reported the ZBA opened the public hearing for the proposed 265 Main Street WCF on February 23rd. There were abutters at the meeting who had been opposed to the proposed cell tower at 55 Bearfoot Road, and also parents of students who attend St. Bernadette's school. She explained the applicant has to prove a hardship and at the meeting the applicant's attorney pointed to the FCC regulations and the number of dropped calls in the area. Health issues were brought up but Chairman Dick Rand told those present the board can't consider them due to FCC regulations.

Ms. Gillespie asked if the Planning Board would get feedback on the status of the town's tower. Ms. Joubert stated the town is in the process of developing a Request for Proposal (RFP) for the police station location. Once that is done and sent to the cell companies, and the town receives their responses, the town will choose a company and go through the permitting process.

**Housing Partnership:** Mr. Leif stated that, regarding an Affordable Housing Needs Analysis, the Housing Partnership received funding for it and consultant Judi Barrett is working with the NHP.

**Design Review Committee:** Ms. Gillespie stated this committee hasn't met recently.

**Community Development Committee:** Ms. Gillespie reviewed the applications submitted to the CPC.

**Groundwater Advisory Committee:** Mr. Pember stated this committee hasn't met recently.

**292 Crawford Street Scenic Road Decision:** The Planning Board members signed the decision approving the driveway at 292 Crawford Street.

**Next Meetings:** The next meetings will be held on March 30<sup>th</sup> and April 13<sup>th</sup>.

The meeting adjourned at 8:30 pm.

Respectfully submitted,

Debbie Grampietro  
Board Secretary