



TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 12-14-10

Planning Board Meeting Minutes August 17, 2010

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

Others Present: Kathy Joubert, Town Planner; Kim Henderson-Lee, Peter Bemis, Engineering Design Consultants; Chris Wilson, ARCO National Construction Company

Public Hearing for Site Plan & Special Permit Modification for Recall Total @ 5 Beeman Road

Applicant:	Crow Family Holdings Industrial LLC
Engineer:	Engineering Design Consultants Inc
Date Filed:	July 27, 2010
Decision Due:	90 days from close of hearing

Peter Bemis, Engineering Design Consultants, Inc., representing the Applicant, Crow Family Holdings Industrial L.P., presented the proposed project for the construction of an approximately 14,580 square-foot addition to the existing warehouse with associated site improvements for Recall, Inc., a record-keeping company located at 5 Beeman Road. Mr. Bemis stated the facility was constructed in 2002 for Recall, Inc., and they have determined they require additional space to accommodate their client needs.

Mr. Bemis reviewed the four plan sheets submitted with the application identified as "Recall Total, Inc., 5 Beeman Road, Northborough, Massachusetts, prepared by Engineering Design Consultants, Inc., dated July 22, 2010". The plans show wetlands bordering the north and east portions of the 7.74-acre site and the Applicant has presented the project to the Conservation Commission. Utilities on the site will remain the same, including the municipal water supply and public electric, telephone, and natural gas services. The private sewer system on the site will not be changed. Mr. Bemis stated his company originally evaluated stormwater flow rates in anticipation of the proposed addition and constructed the extended detention basin to mitigate the peak rate of stormwater. Runoff from all impervious surfaces will be directed into a sediment trap forebay contained within the extended detention basin. The parking lot drainage system is equipped with deep-sump catch basins. There are 29 existing parking spaces for the facility, and 10 spaces will be added in order to meet zoning regulations for the expansion. Five of the 10 additional spaces will be

held in reserve. An erosion control barrier will be installed to ensure that no construction activities extend into wetland resource areas. The proposed addition will not require any clearing of vegetation. Mr. Bemis stated that, if the 5 proposed additional parking spaces held in reserve are needed, some trees will be relocated. However, the trees will not be touched if those spaces are not needed.

Mr. Pember asked as to the type of erosion control barriers that will be used. Mr. Bemis stated the Conservation Commission prefers straw wattles.

Mr. Bemis stated he has met with the Building Inspector, the Conservation Commission and the Groundwater Advisory Committee. He explained Recall, Inc. had failed to provide reports for the operation and maintenance of the stormwater system. Copies of a 2010 Stormwater Report from Engineering Design Consultants to the Northborough Planning Board, dated August 16, 2010, had been submitted to the Planning Department and distributed to the Planning Board members at this evening's meeting. The report states formal inspections of the stormwater management systems on the site had not been done since 2003. The report states an inspection of the stormwater management system for the site found the sumps of the three catch basins between 70% to 90% filled with sedimentation, and the sumps of the Vortechs Unit at the loading dock were 50% filled with sedimentation. The infiltration system at the rear of the building, the extended detention basin and the outlet control structure were all found to be in proper functioning order with overflow outlets free of debris, and with no evidence of sediment build-up or discharge.

Mr. Bemis stated he brought this information to the attention of Recall, Inc., and they had the catch basins cleaned. He stated he did not expect to find sediments in the infiltration unit receiving only roof water, and it is working properly. Some loose-strife has grown there, and will be removed. Some plants, birch and dogwood trees were found growing at the outlet control structure and will be problematic for the outlet. Mr. Bemis suggested the trees should be cut down, with their bases left in the ground. They will be maintained and cut back, and will allow the cat tails to grow back again. Mr. Bemis stated a new report will be submitted prior to September 1, 2010.

Ms. Joubert stated review letters from the Town Engineer, the Groundwater Advisory Committee and the Fire Chief have been submitted to the board members. The Applicant has gone before the Conservation Commission and the Groundwater Advisory Committee. In Fred Litchfield's letter on behalf of the Groundwater Advisory Committee to the Planning Board, dated August 11, 2010, the Committee recommended approval of the proposed modification to the project, pending the stormwater report submitted by Mr. Bemis, dated August 16, 2010. In Mr. Litchfield's review letter to the Planning Board, dated August 11, 2010, he states an Earth Removal Permit was not submitted and should be, along with the \$300 filing fee. Ms. Joubert read Mr. Litchfield's list of comments which are standard for each Earth Removal Permit, along with special conditions specific to the project. Ms. Joubert noted that when a project is in the Industrial District, the Planning Board becomes the Earth Removal Special Permit Granting Authority. She stated the Town Engineering writes a review letter in order to calculate the bond amount.

Mr. Bemis filled out an Earth Removal Permit application and submitted a check for \$300.

Mr. Leif asked Mr. Bemis to explain the reason for the expansion of the business. Mr. Bemis replied it is just a continuation of the record-storing facility that is currently there. They needed more space for secure storage of documents, disks, etc., for their clients. Additional employees will not be needed.

Ms. Joubert explained they are before the board because the size of the expansion required an additional 10 parking spaces, which requires site plan approval by the Planning Board.

Ms. Joubert noted the discrepancies in the name of the business on some of the documents submitted. On some documents it's listed as Total Recall, Inc., and on others, Recall Total, Inc. The correct name of the business is Recall, Inc.

Ms. Joubert noted the Fire Chief asks that a full-opening gate be maintained on the southeast corner of the lot. Mr. Bemis stated the Fire Chief will be provided with the code to open the gate for emergency purposes.

Mr. Leif questioned whether the applicant had complied with the conditions in the Fire Chief's letter in 2002. Mr. Leif read the conditions, which are as follows:

- a. An all-weather surface must be provided to the fire hydrant on the north side of the building. This surface must be kept clear of snow.
- b. A full opening gate for firefighting and rescue operations at the southeast corner to be maintained.

Ms. Joubert stated the Fire Chief is reiterating conditions from the 2002 project, which also will apply to the proposed expansion. Mr. Bemis stated he reviewed these items with the Fire Chief over the phone.

Mr. Leif asked if the fire hydrant was going to be moved. Mr. Bemis replied the hydrant was put there in anticipation of the expansion and the all-weather surface was put in there before the hydrant. The point is that fire trucks need to drive on both sides of the building and that's what the Fire Chief is looking for. The building is as big as it can get. There are no more expansions planned in the future.

Mr. Pember stated that when he realized the Operation and Maintenance Plan had not been followed, he brought it up last week at the Groundwater Advisory Committee meeting. He told Mr. Bemis he is extremely impressed that he did it, and stated he did a great job.

Mr. Lewis noted the slope near the hydrant. Mr. Bemis stated the slope is there now, but that area will be graded and fire trucks won't be driving down there because there's nowhere for them to go.

Mr. Pember asked if a change of use would kick off site plan approval by the Planning Board. Ms. Joubert said a new use and amount of parking spaces would, depending on the number of employees. The first step would be going to the building department.

Mr. Leif stated the decision will need to state the expansion would be approved with conditions 3.(a) and (b) of the Fire Chief's review letter; the three conditions of the Groundwater Advisory Committee's letter; and the Town Engineer's condition that the applicant file an application for an Earth Removal Permit and pay the filing fee of \$300.

Chris Wilson, ARCO National Construction Company, noted the building is 65 feet high and contains 6 levels.

Ms. Gillespie moved to approve the Site Plan as submitted, per the plans identified as "Recall Total, Inc., 5 Beeman Road, Northborough, Massachusetts, prepared by Engineering Design Consultants, Inc., dated July 22, 2010". Mr. Lewis seconded the motion and the vote was unanimously in favor.

Continued discussion RE: WCF bylaw

Regarding the proposed WCF at the Police Station, Ms. Joubert stated the town has to go out to bid again because there was a question from cell tower companies as to whether or not a non-cell tower company could submit a bid. Once the bid has been awarded, Ms. Joubert will talk to the representative of the chosen company about coming to a Planning Board meeting shortly thereafter.

Ms. Joubert stated she has started to put together a WCF spreadsheet with information on zoning requirements from other towns, but didn't have it for this evening's meeting. She's obtained information from more towns over the last week or so and will have the spreadsheet for the board prior to the next meeting, probably for the September 7th meeting.

Planning Board Rules & Regulations

Ms. Joubert stated Judi Barrett sent the latest version of the Planning Board Rules & Regulations to her at 4 am this morning, and she has not had the opportunity to review the document yet. She will add review of the Rules and Regulations to the September 7th meeting and will schedule a public hearing for October.

ANR Plan

Mr. Leif signed an Approval Not Required (ANR) plan for the property at the corner of Ball Street and Green Street, owned by Kerlop and Arvilla Davidian. The property owners are creating an additional house lot.

Approval of Minutes

Ms. Gillespie moved to approve the minutes of August 3, 2010 as amended, Mr. Pember seconded the motion and the vote was unanimously in favor.

Design Review Committee

Ms. Gillespie stated the Planning Board needs to vote to approve the appointment of Dave Veron, a landscape architect and owner of The Veron Company, to the Design Review Committee. The Committee will meet tomorrow morning, August 18th, at 8 am to review plans for 277 Main Street, a proposed ice cream and sandwich shop submitted by 277 Main Street Realty Trust (Charlie Trombetta), and 1C Belmont Street, the proposed expansion of an existing second-hand car sales business submitted by 240 Turnpike Inc. (Mo Bayou).

Ms. Joubert explained that the Planning Board also needs to vote to approve the re-appointment of Pam Bleakney, Interior Designer and owner of PNB Interior Design, Inc., to the Design Review Committee. She stated the committee will be reviewing a future application for a proposed 7,500 square-foot expansion of the WalMart department store at 200 Otis Street. Ms. Gillespie noted the Walmart store in Framingham was very beautifully done.

Leslie Harrison moved to approve the appointments of Dave Veron and Pam Bleakney to the Design Review Committee. Daniel Lewis seconded the motion and the vote was unanimously in favor.

Inspections of Operation and Maintenance Plans

Mr. Pember stated the Planning Board requires applicants to submit Operation and Maintenance (O & M) Plans every year, yet there is no process in the town to enforce this. He stated the Town Engineer said it was due to a lack of staff. Mr. Pember questioned why the town requires them if it doesn't enforce them. There is no mechanism to do it.

Ms. Joubert stated the Assistant Town Engineer used to do it, but there's nobody to do it now. Mr. Pember replied he does not agree with that. Ms. Joubert stated it is better to include them in a decision so there is a mechanism to do something about it.

Mr. Leif stated he agrees they should be in the decisions so it at least puts the onus on the applicant rather than the town. He stated he believes the problem is a lack of staff and time, and the risk is that something unexpected might happen, like a system failure, and then the spotlight would be shown on it. When it happens, at least someone other than the town would be responsible and maybe the residents would say the town needs another staff person. The board should also figure out a way to have a list of sites, a calendar list of dates for the O & M plans to be submitted, and then checked off when the town receives the report. Important decisions continue to require it.

Mr. Pember stated he can't believe the town can't set up a spreadsheet with a list. An intern could do it, and send out letters.

Ms. Gillespie stated a list could be created and everyone it applies to in town could be told they'll be fined if they don't submit the report.

Mr. Pember stated it would probably take about three minutes to read the report. They are not lengthy or hard to read. They would be prepared by the engineer who signed the plans. It would be a wake-up call to people. He stated he does not believe the Town Engineer does not have the time to do it.

Ms. Joubert stated all departments are short-staffed.

Mr. Pember stated the reports go to the Town Engineer. There are no fines in place.

Ms. Joubert stated the Planning Board cannot revoke anything. Without the Assistant Town Engineer to do inspections, there's nobody else to do it. Some inspections have been passed on to DPW, but their staff has been reduced, too, and they can't do inspections. It's a vicious cycle.

Mr. Leif suggested telling the Board of Selectmen that the town could have a big problem and is running the risk that one of these systems is going to fail due to lack of maintenance because the town doesn't have the resources to enforce the operation and maintenance plans.

Ms. Gillespie suggested writing a letter to the Board of Selectmen.

Mr. Leif stated that could lead to them adding it to the Town Engineer's work.

Ms. Joubert stated it's a perfect time to do it with budgets coming up.

Mr. Pember stated it should come from the Conservation Commission and not the Planning Board.

Mr. Lewis he would like to talk to Mr. Litchfield about what happens when these systems fail. He suggested Mr. Litchfield might have ways to enforce it.

Mr. Pember stated Mr. Litchfield told him he cannot possibly do the inspections.

Mr. Leif stated that when a system fails and a resident's basement is flooded, it will end up in the newspaper and then the problem will be brought to light.

Adjournment

The meeting adjourned at 8:30 pm.

Respectfully submitted,
Debbie Grampietro
Board Secretary