



# TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 9-20-11

## Planning Board Meeting Minutes July 12, 2011

**Members Present:** Rick Leif, George Pember, Michelle Gillespie, Theresa Capobianco

**Others Present:** Kathy Joubert, Scott Miller, Newbridge Construction; Jesse Johnson, David E. Ross Associates, Inc.

### **Public Hearing for Definitive Subdivision "Stirrup Brook Estates II" located off of Stirrup Brook Lane, Map 52 Parcel 92 & Map 51 Parcel 18**

Applicant:	Newbridge Construction Company
Engineer:	David E. Ross Associates, Inc
Date Filed:	May 23, 2011
Decision Due:	October 4, 2011

The Applicant, Scott Miller, Newbridge Construction, and Jesse Johnson, David A. Ross Associates, were present.

Ms. Joubert reported she and the Town Engineer, Fred Litchfield, met with Cheryl Levesque, Business Director at Algonquin Regional High School and they are happy to have the sidewalk constructed from the subdivision to the access drive of the high school. A handicap ramp will need to be installed. All other items from the Town Engineer's letter have been addressed.

Mr. Johnson reviewed the plan showing the sidewalk from the proposed subdivision to the high school's access drive.

Board members were concerned about the safety of the children crossing the street. Mr. Johnson stated there is a 5-foot deep grass shoulder and a fence prior to the place at which the sidewalk and access drive meet.

Mr. Pember asked about speed bumps in that area. Ms. Joubert stated it was discussed, but both the Department of Public Works and the School Department are opposed to speed bumps.

Ms. Gillespie stated she is at the school all the time and there are about 30 students who walk to school.

Ms. Joubert stated the school requested that, if possible, construction of the sidewalk would take place in the summer months when there is much less traffic on-site. Ms. Joubert stated the Board could tie in the sidewalk construction to an occupancy permit if they thought it was necessary.

Mr. Miller stated when most of the roadwork and the sidewalk binder are done, he'll request a bond and then have the lots released. He stated he is flexible and will not open it until its done. He stated he did not want to create a liability by opening it too soon.

Ms. Joubert noted the access will be plowed by the town. She stated the condition that Mr. Miller donate money to the sidewalk fund will be removed from the decision, as he will be constructing the sidewalk for access to the high school instead.

It was noted Ms. Gillespie cannot vote on this project as she had not been present at the meeting at which the hearing was opened for the project.

Mr. Pember motioned to close the hearing. Ms. Capobianco seconded the motion and the vote of the three voting members was unanimously in favor of closing the hearing.

Mr. Pember motioned to approve the Stirrup Brook Estates Phase II subdivision with the conditions as indicated in the draft decision. Ms. Capobianco seconded the motion, and the vote of the three voting members was unanimously in favor of approval.

### **ZBA Applications**

Ms. Joubert and the board members discussed the two applications submitted to the Zoning Board of Appeals for a mixed-use development and a multi-family development. The locations of the projects are 5 Westbrook Road and 269-273 West Main Street.

The 5 Westbrook Road application proposes the construction of 12 two-bedroom residential dwelling units in 4 buildings in the Downtown Neighborhood district by Brendon Properties II, Kevin Giblin, developer. The application did not indicate whether the dwelling units would be rented or owned. Ms. Gillespie was concerned the units would not be affordable. Mr. Leif stated it was never the purpose of zoning to try to increase the stock of affordable housing, but rather to try to get smaller forms of houses built in town that would be sold for less money. Ms. Joubert stated that, according to the developer, the units would range from approximately \$299,000 to \$350,000. Some members were concerned about the density and the height of the buildings in that neighborhood. The members were generally in support of the application and agreed the ZBA hearing process will address concerns of the neighborhood.

The 269-273 West Main Street application proposes the construction and use office/retail space on the first floors and 2 residential dwelling units on the second floors of 4 multi-use buildings in the Business West district by Kendall Homes, Chuck Black, developer. According to the developer, the dwelling units would be rented. The members agreed they would like to see a sidewalk constructed to connect the proposed development to the existing shopping plaza abutting it. Ms. Joubert will send a letter from the Planning Board to the ZBA expressing the board's support of the application and their request that they require the applicant to construct a pedestrian connection between the two properties.

### **Approval of Minutes**

The minutes of April 5, 2011 and May 3, 2011 were approved.

### **Election of Officers**

Nominations for Officers were as follows:

- ❖ Rick Leif – Chairman

- ❖ George Pember - Vice Chairman
- ❖ Michelle Gillespie – Clerk

All nominated members accepted their nominations. The Board voted unanimously to elect the nominated officers.

### **Committee Appointees**

Board members accepted appointments to town committees, as follows:

- ❖ Michelle Gillespie - Design Review Committee and Community Preservation Committee
- ❖ Leslie Harrison - Open Space Committee
- ❖ George Pember - Groundwater Advisory Committee
- ❖ Rick Leif - Housing Partnership
- ❖ Theresa Capobianco - CMRPC

### **Update on Cell Tower Workshop**

Ms. Joubert stated the town will not be using a consultant from the company involved with the WCF at the police station for a future cell tower workshop. She has also tried to contact Dave Maxson, a WCF consultant who works with many other towns and she has also asked CMRPC about offering a workshop to all towns which would include a presentation by a technical expert. She stated if the board is planning to bring something to the next town meeting, then CMRPC would need to hold a workshop in the fall or early winter. She stated she will keep the members posted on this.

### **Next Meetings**

The next meetings will be held on August 30<sup>th</sup> and September 20<sup>th</sup>.

### **Operations & Maintenance Plans**

Mr. Pember stated he has suggested that Operation and Maintenance plans submitted with applications be filed with the town so the town would have the option of reviewing them from time to time, and thought it would be possible to put together a system for this. He stated he was discouraged when he was told the Engineering Department cannot handle the additional work. Mr. Pember suggested there could be a computerized process that would include sending letters to applicants electronically. He stated the Operation and Maintenance plans are meant to protect the groundwater, and having catch basins go unchecked, sometimes for 5 years, could result in problems if the overflow ruins a neighbor's property.

Ms. Capobianco questioned whether or not there is a penalty for not filing the plans.

Ms. Joubert explained it is a condition of the approvals. She stated the town usually gets the first one or two reports from the applicant. However, once the developer completes the project, the responsibility falls to the company on the site. She stated this is the type of work we have difficulty following up on since the Engineering Department lost the Assistant Town Engineer position. The position was eliminated and the Town Engineer does not have the hours to do it.

Mr. Leif questioned whether it would be better to take out the requirement or keep it in.

Mr. Pember replied the purpose of the requirement is to protect the wetlands and the water supply. He stated there are about 200 active Operation and Maintenance plans right now that require annual reports. Records of these reports are to be maintained for 3 years.

Ms. Capobianco asked if there was a standard form for this.

Mr. Pember stated there is not. He stated a certification submitted once a year by an engineer indicating the Operation and Maintenance plan had been followed would be all they need.

Ms. Joubert questioned what would happen if the certification was not submitted after the permit has been issued. If the Town Engineer put a process like this in place, would there be some type of repercussion if someone didn't comply?

Mr. Leif asked Mr. Pember if the Groundwater Advisory Committee was in support of what he is proposing.

Mr. Pember said he has brought his concern to the committee but they do not see it as a significant issue.

Ms. Capobianco asked if an amendment could be made to the bylaw that would include fines.

Ms. Joubert stated there are fines in place, but the Operation and Maintenance Plan requirement would have to be in the zoning bylaw. If fines were in place, the Building Inspector could issue a fine. She suggested a way to pursue it would be to include it in stormwater management guidelines.

The meeting adjourned at 9:00 pm.

Respectfully submitted,

Debbie Grampietro  
Board Secretary