



# TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 8/14/12

## Planning Board Meeting Minutes June 27, 2012

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

**Others Present:** Kathy Joubert, Town Planner; Tom Racca, Elaine Thompson, Chris Edgren, Amy White, Carol Chione, John & Sally Baronian, Rich Colleran, Brian Smith, Nitin Shah, Wendy Morrison, Michael Tascione, Kevin O'Connell

### Election of Officers

**Chairman:** George Pember nominated Rick Leif for Chairman and Mr. Leif accepted the nomination.

**Vice Chairman:** Leslie Harrison nominated George Pember for Vice Chairman and Mr. Pember accepted the nomination.

Ms. Harrison motioned to elect Mr. Leif as Chairman and Mr. Pember as Vice Chairman. Ms. Gillespie seconded the motion and the vote was unanimously in favor.

**Worcester District Registry of Deeds Signature Sheet:** The members signed the registry sheet for FY13.

### Continued discussion RE: mixed use and multifamily zoning regulations

Ms. Joubert distributed a copy of the approved landscape plan for 269-273 West Main Street and reviewed an information sheet she prepared regarding the development, as follows:

#### Site Details:

- 73,415 sf parcel
- Business West zoning district (20,000 sf required)
- Groundwater Area 3
- Required open space = 14,483 sf (20%)
- Provided open space = 33,745 sf (46%)
- Required parking spaces = 59
- Provided parking spaces = 61

#### Dwelling Units:

- Per bylaw, 40,000 sf for 2 units & 5,000 sf per each unit over 2
- 70,000 sf needed for 8 residential dwelling units
- Site contains 73,415 sf = 8 residential dwelling units
- Per bylaw, maximum of 12 units allowed by special permit

Ms. Joubert noted “units” refer to dwelling units, not commercial units. Units that are allowed by special permit for multifamily developments are recognized as “dwelling units” per the ZBL. In this district, 12 units are allowed by special permit.

#### Commercial Space:

- Per bylaw for retail stores in BW, maximum of 15,000 sf permitted as of right and maximum of 25,000 sf permitted by special permit
- Site contains 10,260 sf (*under maximum square footage*)
- Floor Area Ratio (FAR): the ratio of gross floor area in square feet (*sum of all floor space*) to the total area of the lot in square feet; total building square footage divided by total parcel square footage
- Per bylaw, maximum FAR of .85 (*FAR for development is .28*)
- Example – 40,000 sf of parcel with .85 = 34,000 sf of building
- Example – FAR of 2.0: total floor area of building is two times the gross area of the parcel (20,000 sq ft building on 10,000 sf lot)
- Example – FAR of .50: total floor area of building is half of area of parcel (5000 sf building on 10,000 sf lot)
- Site is 73,415 sf parcel with four 2-story buildings totaling 20,520 sf = .28 FAR

In the Business West district, the FAR is .85, which allows for a maximum of 34,000 square feet of buildings on this site. The four buildings on the site total 20,520 square feet (.28 FAR) and the project does not come close to the maximum FAR for the district.

Mr. Leif stated that, in this development, there are competing issues going on. Purely on an FAR basis, the bylaw would allow up to 85 percent of the site to be developed. He calculated that this project could have had 25,000 square feet of retail use, 10,000 square feet of residential use and 25,000 square feet of non-retail commercial space. Parking and open space requirements would have been limiting factors, but the developer has more of both of those than he needs. He also could have built 3-story buildings by reducing the amount of open space and increasing the parking, still meeting the bylaw requirements for both. Mr. Leif stated his general observation is that the site is more dense than they envisioned and not as dense as the bylaw allows by right.

Ms. Capobianco, referring to Section 7-06-030C, page 53, of the zoning bylaw, questioned why there is a calculation for residential units only. She stated using the calculations per the bylaw has resulted in a development that appears to the average citizen to be overdeveloped and miscalculated, but is not.

Mr. Leif stated their intent was to create an opportunity for development of dwelling units in town. Using lot size as a criteria to determine the number of units to allow, they decided on 12 residential dwelling units allowed by special permit. They focused on managing residential units.

Mr. Leif asked for an explanation of the difference between horizontal and vertical mixed use developments.

Ms. Joubert referred to the definition of vertical mixed use on page 32 of the bylaw. She noted the requirements for vertical mixed use are the same as for horizontal mixed use, except only one building is allowed in a vertical mixed-use development. Multiple buildings are allowed in a horizontal mixed-use development.

Mr. Leif stated this development could have consisted of one 60,000 square-foot building as long as there was no more than 15,000 square feet of retail space (25,000 square feet by special permit) and 12 residential dwelling units. It could have been a very large vertical building that is larger than the project there now.

Mr. Leif stated if there was no FAR provision, they would need to talk about how to calculate the total building space. It would be a specification about retail and residential, but not about other commercial.

Ms. Joubert asked the board members if they could state what they were struggling with regarding the West Main Street development so that she could understand better in order to attempt to revise the bylaw based on their concerns.

Ms. Harrison stated the placement of the buildings on the lot is jumbled. It may be visibly deceiving because it's a hodgepodge.

Mr. Leif stated he envisioned this type of development but with less square footage of buildings, more open areas and less of a congested feeling. He stated he did think they would see, as much as possible, some kind of building footprints closer to the street with parking behind them and more open space area.

The members agreed they liked the look of the retail development at 290 West Main Street.

Mr. Leif questioned if they decided not to allow horizontal mixed use development and only vertical mixed use developments, could the vertical development be placed better than a horizontal development with multiple smaller buildings.

Mr. Pember stated the consultant encouraged requiring one of the buildings to be close to the street, to have parking in the back of the lot, and the ability to walk from building to building. Some people pointed out that it might work in the downtown area, but not in

the Business East and Business West districts and is not aesthetically pleasing. He stated he is not sure having a building close to the street works, but he does not want to see a lot of asphalt, either. He noted he likes the building in which the Sea Dog is located, at 318 Main Street.

Ms. Harrison stated she was shocked to learn the West Main Street development had more open space than necessary. She stated she would like to see more open space in the front of the lot.

Ms. Gillespie stated she agrees with Mr. Pember. The 4<sup>th</sup> building on the lot on West Main Street has an impact and it's shocking to see the West Main Street 2-story development next to Maney's one-story development.

Questions were asked about defining and limiting the size of commercial spaces. Ms. Joubert explained placing a square footage limit on a single commercial unit would be difficult to do as most commercial buildings are built first and then tenants are identified and their space needs vary depending on the use, whether it is retail space, restaurant space, office space etc. The developer then outfits each space based on the needs of the company leasing the space. Commercial use is defined by what uses are allowed in districts, but there are no limits to how many stores or offices may be located in one building. This is where parking regulations and FAR comes into play.

Ms. Gillespie stated the rear building on the West Main Street site could have been placed further back to make the development seem less dense. She stated it is very dense to her.

At the request of the board members, Ms. Joubert will prepare information for the next meeting on how the 290 West Main Street lot size compares with the 269-273 West Main Street lot size.

Mr. Leif noted there are no buildings in the front of the 290 West Main Street site because of the drainage area located there. It doesn't seem to have a lot of asphalt, but it could be as dense as the 269-273 West Main Street site.

Ms. Joubert noted the Trombetta Farm site at 277 Main Street is more dense than the 269-273 West Main Street site.

Ms. Harrison stated they should decide what they like and do not like about these projects.

Ms. Joubert stated that was part of the exercise done in 2009, and it was determined people wanted buildings closer to the street.

Ms. Gillespie stated what is in the bylaw, what someone might visualize and what they see in person are three different things. While creating the design review guidelines, they

went through the process of “likes” and “don’t likes”, and this will be reflected in the final set of guidelines.

Ms. Joubert noted these projects are small compared to what they could have been.

Ms. Capobianco stated she agrees with the other members regarding the 269-273 West Main Street site. The building in the front is too tall. She stated a different project might make her feel differently. If there were trees at the height of the building between the street and the building, she might feel differently.

Regarding the project at 73-85 West Main Street, Ms. Joubert stated the parking area is in excess of what is allowed by the bylaw. The developer chose to rent half the space to a gym. If he decides to pursue a restaurant use in the other building, that will be a high-traffic use.

Carol Chione, 15 Brigham Street, believes the front building at the 269-273 West Main Street site is too close to the road. The 130 East Main Street site also has an FAR of .85 with three two-story buildings and it is not pretty. She asked the board to take the residents into consideration and do something for them. She stated she is all for building and she likes the buildings at 318 Main Street and 290 West Main Street.

Amy White, 23 Brigham, suggested the board should discuss how developments will complement the environment. She stated Trombetta’s at 277 Main Street fits into the environment nicely.

Mr. Leif stated the bylaw concentrates on the end results of the math and somewhat on how the projects fit in with the surrounding neighborhoods. The bylaw does not include pictures, so developers have to interpret the types of uses, sizes and types of structures from the language.

Ms. Capobianco stated the Design Review Guidelines are geared to the environment.

Brian Smith, 97 Main Street, stated his issue with the 269-273 West Main Street development is that the bylaw forced putting a building in the front of the site. It is not like any other development in the area, and without the maximum setback and with a good minimum setback, this discussion would not be happening. In the Business East and West districts (on Route 20), the front setback makes no sense, but it does in the downtown area.

Mr. Leif stated there is a general concern regarding the density allowed by the bylaw. He suggested the board look at placement of buildings and asked the members if they think the amount of floor space is all right, and if not, what kind of deductions they should make. He stated Northborough is typically thought of as a residential community. However, to increase the commercial/retail tax base in town, he would like to allow projects on Route 20 with more square-footage but would also fit nicely in the town. He

stated he doesn't want to reduce the density so that nothing can be built, but so that the density of the project doesn't look out of scale with the rest of the town. He suggested looking at landscaping, placement of buildings, open space, and allowing only one building as opposed to allowing multiple buildings. A single building could be larger than multiple buildings. Mr. Leif stated the board will continue this discussion in July and, in the meantime, the members should give some thought to building placement, the pros and cons of reduced horizontal mixed-use developments, and eliminating horizontal mixed-use.

Ms. Gillespie stated she would also like to have details on the 290 West Main Street and 96 West Main Street projects.

### **Indian Meadows Golf Course – ZBA filing for NE Baseball Enterprises LLC**

Ms. Joubert gave the board an update on this ZBA filing, stating the Purchase and Sale Agreement for the Indian Meadow Golf Club property sent to the town by the property owner, I.M. Golf, Inc., is deficient because it was written with a sale price for the entire parcel. The Northborough portion of the parcel is 61B land and the Westborough portion is zoned for commercial use. Therefore, the Purchase and Sale needs to be rewritten to show the price for the Northborough portion separate from the Westborough portion. The Town has requested a valid purchase and sale showing amounts for both portions of the property. Once that is received, the Board of Selectmen will go through the right of first refusal process. She noted the sale of the property to New England Baseball Enterprises LLC cannot take place until the town completes the right of first refusal process.

Ms. Joubert stated the filing is for a change from one nonconforming use to another. The property is in the RC zone, and a golf course is a nonconforming use as it is not allowed in the zone. The application was filed on June 22<sup>nd</sup> and the public hearing will be held on August 6<sup>th</sup>. The ZBA hearing can go forward even though the town is waiting for a revised purchase and sale agreement. The ZBA has to determine if the proposed use is not more detrimental to the neighborhood than the existing nonconforming use.

Tom Racca, Indian Meadow Drive, stated the neighborhood is trying to understand the process and keep informed. He believes there are some discrepancies between what the neighbors were told at a meeting with New England Baseball Enterprise, LLC, and what they've filed. He stated the abutters want something more compatible with the neighborhood. They are concerned about the ball fields being built close to their property lines, with 80-foot lights, and being used until 10 pm at night. Mr. Racca stated he saw rosters for the teams and there is no one from this area participating. He stated they will be at the ZBA meeting and would like to talk to the Planning Board about their research at the next meeting. Mr. Racca asked if each field would be a separate building.

Ms. Joubert explained that fields themselves are not considered structures. For fences over 6 feet in height, building permits are required.

Mr. Leif suggested the neighbors could send their concerns to Ms. Joubert prior to the next Planning Board meeting, the board members would add their comments, and a letter would be sent to the ZBA. He noted the Planning Board will be asked by the Board of Selectmen to send a comment letter to them regarding their right of first refusal.

Rich Colleran, 90 Indian Meadow Drive, questioned the height of the proposed light poles, which he understood to be 80 feet. He asked how they could be considered not detrimental to the neighborhood.

Ms. Joubert stated the application before the ZBA is just for the use. Height of the lights would be reviewed by the site plan approval process, for which the applicant has not applied.

A resident asked about the town purchasing the golf course for open space.

Mr. Pember stated two years ago the Green Street property was purchased for open space and he would like to see money spent on something in the center of town, if the Town had the opportunity to purchase additional open space. Many residents would like to see a town common in the downtown area and perhaps resources could be spent there instead of on another parcel of open space.

Ms. Joubert stated there are funds in the Community Preservation Committee's account. Any project of this size would have to be bonded. Town Meeting would be the decision making body to ultimately decided if any parcel should be purchased or not.

Kevin O'Connell, 91 Indian Meadow Drive, asked the board if they will send a letter to the ZBA.

Mr. Leif stated they will make a determination as to whether or not they will send comments to the ZBA.

### **Review of Design Review Committee Guidelines**

Ms. Joubert stated she and the Design Review Committee (DRC) have completed the final draft of the Design Guidelines. She noted that in the zoning bylaw prior to 2009, there were only a few pages that referenced design criteria and gave examples of buildings for designers to emulate. The DRC will meet tomorrow to finalize the guidelines.

Ms. Harrison asked if the guidelines are enforceable and Ms. Joubert explained only if there is an historic district. The permit granting authority has always included the recommendations of the DRC as part of the decision.

Ms. Gillispie stated the new guidelines encourage developers to come to the DRC early and often prior to submitting an application.

Regarding the project at 73 – 85 West Main Street, Ms. Gillespie stated the developer moved forward with the ZBA but never came back to the DRC. The developer would not work with the town.

Mr. Leif stated the examples in the guidelines make a big difference. He suggested it will be helpful for the Planning Board to use the guidelines when reviewing projects.

**RFP for Wireless Communication Facility Bylaw Review:** Ms. Joubert noted the RFP has been issued. The date for the pre-bid meeting is July 6<sup>th</sup> and the deadline for filing is July 13<sup>th</sup>.

**Approval of Minutes:** The minutes of May 1<sup>st</sup> and May 15<sup>th</sup> will be reviewed at the next meeting.

The meeting adjourned at 9 pm.

Respectfully submitted,

Debbie Grampietro  
Board Secretary