



TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 5/21/13

Planning Board Meeting Minutes 5/7/13

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

Others Present: Kathy Joubert, Town Planner; Fred Lonardo, Inspector of Buildings/Zoning Enforcement Office; Fred Litchfield, Town Engineer; Scott Miller, Brian Lewis, Mark Beaudry; Amy Jo White

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

Public hearing to consider amendment to definitive subdivision "Stirrup Brook Estates II"

Scott Miller, Newbridge Construction Company, and developer of Stirrup Brook Estates II, stated he is requesting an amendment to the definitive subdivision plan. Using a plan he displayed for the board, he explained the definitive subdivision approval for Stirrup Brook Estates II included a condition that the driveway at 5 Stirrup Brook Lane (a corner lot) be located to the other side of the lot, off the newly constructed subdivision road, Weber Lane. At the time, the homeowner agreed to that condition. Since that approval, the homeowners have decided they want to keep the driveway in its current location, off Stirrup Brook Lane, where it has been located for 7 years. This would allow them to keep their mailing address as is, and would allow better control of stormwater runoff from the surrounding area. Mr. Miller stated the homeowners are concerned stormwater in the winter may flood their garage if they were to relocate the driveway. The homeowners told Mr. Miller that, in their opinion, the design for a swale in the approved driveway off Weber Lane could result in a back-up of water that could freeze and allow water drain into their garage.

Fred Litchfield, Town Engineer, stated the Subdivision Rules and Regulations require a driveway opening to be located at least thirty (30) feet from the point of the curve of an intersection measured along the front lot lines. Mr. Miller is requesting a waiver for relief down to zero (0) feet from the point of the curve of the intersection as the driveway, in its current location, is 35 feet from the point of the curve of the intersection. Mr. Litchfield stated people coming out of Weber Lane will go straight and to the right, which is not a safety concern.

Ms. Joubert explained she and Mr. Litchfield have had many conversations with the homeowners and they don't believe there will be runoff into their garage at the driveway's approved location off Weber Lane.

In response to a question from the board, Mr. Litchfield and Mr. Miller explained the driveway could not be moved to the right because of obstacles in that area, including a utility box, landscaping and a well head. Mr. Litchfield stated he doesn't believe there is any other solution beyond the amendment, at this point, due to the homeowner's resistance to moving the driveway.

Ms. Harrison motioned to close the public hearing and amend the definitive subdivision plan for Stirrup Brook Estates II, and grant a waiver to allow the driveway at 5 Stirrup Brook Lane to be located 35 feet from the point of the curve at the intersection at Stirrup Brook Lane and Weber Lane. Mr. Pember seconded the motion, and the vote was 4 members in favor of the motion, and 1 member, Ms. Capobianco, opposed.

Site Plan Approval for 360 Southwest Cutoff

The applicant, Brian Lewis, The Natural Landscape, LLC, and Mark Beaudry, P.E., Meridian Associates, were present. Mr. Lewis stated he is proposing to temporarily locate a contractor's yard for the sale of landscape materials on the property located at 360 Southwest Cutoff. He noted the use of a contractor's yard in an industrial district is allowed by right per the Northborough Zoning Bylaw and requires Site Plan Approval from the Planning Board. He explained he hopes to expand his Northborough-based business, The Natural Landscape, Inc., and wants to use the subject site as a case study to determine if it will work for him. The business will be managed by appointment only and will not be staffed. The property is currently vacant and for sale, and he will be a tenant-at-will on a month-to-month basis. He has a casual agreement with the property owner and could leave at any time. Mr. Lewis stated he plans on having various landscape materials piled along the perimeter of the site and has developed plans to control some of the erosion and dust on the site. He will leave this open to review by the board after using the site for an entire season.

Referring to a plan entitled Proposed Storage Yard, which was included in the Site Plan Approval application, Mr. Beaudry explained the site is on Route 20 (Southwest Cutoff) and the driveways leading to Avalon Bay and Northborough Crossing are to the right of the property. There are buildings on the property that are not in use and currently heavy equipment is parked on the site. The area identified as "P1" on the plan is mostly gravel and is the location on the site on which Mr. Lewis intends to store landscape materials. Mr. Lewis plans to perform surfacing and stormwater improvements to create an environment more suitable in which to conduct a professional business operation. He proposes to install compacted gravel to stabilize the existing surface, top it with a half-inch layer of stone dust and then apply a bonding agent to stabilize and further compact the surface in order to control dust. Mr. Beaudry stated if dust becomes an issue, The Natural Landscape, Inc. will retain the services of a local water truck operation.

Mr. Beaudry explained a 45-foot wide opening off Southwest Cutoff left by Mass Highway will be narrowed to 30 feet by Mr. Lewis at the request of Mass Highway, and Mr. Lewis will add a paved apron to make the opening look more like a driveway. Mr. Lewis is also planning to add a 30-foot wide vegetated buffer along Southwest Cutoff to delineate the access driveway, provide vegetation for the swale in that area and provide a buffer along the roadway. The runoff from the site flows to a cape cod berm along Southwest Cutoff that directs it to a drain inlet and then goes under the street. Mr. Lewis proposes a vegetated buffer around the site that will provide screening. Mr. Beaudry noted there are no residential neighborhoods near the site, and the Avalon Bay complex is approximately 1,000 feet from the site.

Mr. Beaudry stated parking on the site will be limited and will consist of 1 space for staff, 1 space for the loader and a couple of spaces for customers. He stated the use will not generate any significant traffic.

Fred Litchfield, Town Engineer, went through the items of his review letter of May 7, 2013 for the board, which are as follows:

1. *The site is located in the Industrial District and not in any groundwater area.*
2. *The site does not have any access to Town water or sewer. The applicant has indicated there is a well on site, but it is not shown on the plan and should be.*
3. *The drainage calculations appear to meet the requirements of the zoning bylaw.*
4. *The application indicates the project is temporary and I would recommend an 18-month maximum timeframe be applied to any approval. If the applicant chooses to occupy this site beyond that time I would recommend the site be paved with a minimum of three inches of bituminous concrete over all parking and storage.*
5. *The applicant should either obtain a curb cut permit or submit written documentation confirming none is required from the Massachusetts Department of Transportation (MDOT) prior to the start of any work on the site. The applicant shall also confirm with MDOT the capacity of the drainage system is adequate to handle all surface water directed to it in each of the design storm event.*
6. *The plan includes the site will be equipped with three inches of gravel and one half inch of stone dust. These details seem inadequate to fully stabilize the site in lieu of paving and should be increased. I would recommend a minimum of six inches of stone dust be applied to the gravel.*
7. *The proposed stock piles should have some barriers around each material pile to minimize erosion.*
8. *The site plan should have spot elevations added to verify the flow of surface will reach the proposed settling basin and the existing drop inlet.*
9. *Upon completion of the work covered by this Permit, the applicant shall submit an as-built plan. The as-built plan shall include, at a minimum, and as applicable to the project, elevation of all pipe inverts and outlets, pipe sizes, materials, slope; all other drainage structures; limits of clearing, grading and fill; all structures, pavement; contours; and all dates of fieldwork. The drainage system shall also be certified by a Professional Engineer stating the drainage system was built substantially in accordance with the design and will perform as designed. Upon approval by the Town Engineer, one (1) mylar and three (3) paper copies of the as-built plan shall be submitted in addition to an electronic copy compatible with the Town's GIS system. The as-built plan shall be based on the 1988 NGVD vertical datum.*

Mr. Litchfield stated the temporary aspect of the business seems reasonable. He stated he has concerns about the drop inlet where all the water ends up now and will end up in the post condition. The capacity is unknown, so he has asked Mr. Lewis to work with the Massachusetts Department of Transportation (MA DOT) to determine the size of it. He noted he is not indicating it needs to be changed at this point. There will be no change between pre-runoff and post-runoff conditions. Mr. Litchfield stated he is recommending at least 6 inches of gravel and 2 inches of stone dust. Any truck going onto the site could eat up a few inches of gravel when it turns around. It will continually need to be smoothed out. He explained he does not have the manufacturer's information on the kind of binding Mr. Lewis has proposed to use, but will review it if Mr. Lewis sends him the information.

Ms. Joubert stated the concern is the temporary aspect. Mr. Lewis has looked at other sites and a contractor's yard is only allowed in an industrial zone. The owner has it for sale for over \$4 million dollars. Mr. Lewis is willing to say he would come back within a 12-18-month time frame, and perhaps at that time, he may be ready to make it a permanent site for his business.

The board was concerned about the temporary nature of the use, the impact of traffic generated by the site, the possibility of dust from the site blowing onto abutting properties, and the curb cut for access onto Southwest Cutoff (Route 20).

After further discussion, the board found the proposed use is a landscape materials storage yard, allowed by right in the Industrial district, to be utilized primarily by Mr. Lewis' own business and by customers on an appointment-only basis. Mr. Lewis proposes to use the site on a temporary basis for the remainder of the 2013 season through November 2014, while a permanent location in Northborough is sought for this use. Due to Mr. Lewis' management approach, in which he will not have staff on-site, and will provide sales on an appointment-only basis, there is anticipated to be very minimal traffic utilizing the site and only three parking spaces are needed.

By a vote of five members in favor, the Planning Board granted the Site Plan Approval with the following conditions:

1. *The development of the site shall conform to the Site Plan dated April 23, 2013, entitled "Site Plan Proposed material storage Yard" prepared by Meridian Associates.*
2. *None of the existing buildings located on the site shall be used by the Applicant.*
3. *The 30' x 225' grass area along the frontage of the property, as shown on the site plan, shall be loamed and seeded and shall be mowed on a regular basis and kept clean of any debris.*
4. *Dust nuisance shall be kept to a minimum during the operation of the landscape yard.*
5. *To fully stabilize the site, in lieu of paving, the existing gravel, surface shall be verified to be a minimum of six inches of gravel. two inches of stone dust shall be applied to the gravel and a resin-based stabilizer shall be applied to the stone dust.*
6. *This application shall be to the entire site utilized by the Applicant. If the Applicant determines there is a more appropriate surface treatment, it must meet the approval and satisfaction of the Town Engineer.*
7. *Spot elevations shall be added to the Site Plan to sufficiently verify the flow of surface water will reach the proposed basin and the existing drop inlet.*
8. *No product shall be brought onto the site until either the applicant has obtained a MDOT Highway Access Permit (HAP) or has been obtained written documentation from MDOT that no HAP is required for the site.*
9. *If the Applicant proposes to remain at the site after November 30, 2014, the applicant shall submit a landscape plan to the planning board on or before September 1, 2014 detailing the enhancement of the 30' x 225' grass area in addition to landscape buffers along the perimeter of the landscape yard which plan shall meet the approval of the planning board.*
10. *If the applicant proposes to remain at the site after November 30, 2014, the applicant shall submit a paving plan to the planning board on or before September 1, 2014 which shall meet the approval of the planning board.*

11. *If the applicant proposes to remain at the site after November 30, 2014, the Applicant shall submit a drainage and stormwater management plan to the town engineer on or before September 1, 2014 which plan shall meet the approval of the town engineer.*

12. *Upon completion of the work covered by this site plan approval decision, the applicant shall submit an as-built plan to the town engineer. the as-built plan shall include, at a minimum and as applicable to the project, elevation of all pipe inverts and outlets, pipe sizes, materials, slopes; all other drainage structures; limits of clearing, grading and fill; al structures, pavements and contours, and dates of all fieldwork. The drainage system shall also be certified by a professional engineer stating the drainage system was built substantially in accordance with the design and will perform as designed. Upon approval by the town engineer, one mylar and 3 copies of the as-built plan shall be submitted in addition to an electronic copy compatible with the town's gis system. The as-built plan shall be based on the 1988 NGVD vertical datum.*

Ms. Joubert will have a draft decision for the board tomorrow and stated she would like to file it by Friday as she is on vacation next week.

Mr. Litchfield asked the board to keep in mind the curb cut has to be straightened out before Mr. Lewis starts any work on the site. Ms. Joubert stated it has to be in-hand before a building permit will be issued. Mr. Lewis stated the process takes about 4-6 weeks. Mr. Beaudry stated there is work Mr. Lewis has to do before he can open the business. Mr. Lewis suggested he could do some of the work he needs to do, but would not put out the materials for display before he gets the curb cut. Mr. Litchfield stated Mr. Lewis could do that, and that Mr. Lewis must let staff know before he brings his products on the site and before the stone dust is applied, how much he will need.

Old/New Business

Approval of Minutes

The board approved the minutes of 10/16/12, 1/29/13, 1/30/13, 2/5/13, 3/5/13, 4/2/13 and 4/22/13.

The board agreed future minutes will be summaries of meeting events rather than lengthy recordings of all conversations held at the meetings.

ZBA Applications

Ms. Joubert gave a brief explanation of ZBA applications the board members received for their review and comments, as follows:

- 9 Monroe Street – A proposed medical office building to replace the existing Doyle Photography building by Tony Abu;
- 333 Southwest Cutoff – A proposed baseball training complex on the current site of East Coast Golf by New England Baseball Enterprises, LLC; and
- 15 West Main Street- A proposed Cumberland Farms with auto filling station by Cumberland Farms/Gulf

Next Meeting

The next meeting of the board will be held on Tuesday, May 21st. The agenda will include public hearings for the following projects:

- 333 Southwest Cutoff – A proposed baseball training complex on the current site of East Coast Golf by New England Baseball Enterprises, LLC – for a Special Permit to allow outdoor recreation/amusement use in an industrial district;
- 150 Church Street – A proposed common driveway to service 2 parcels by John Grenier

The meeting adjourned at 10:00 pm.

Respectfully submitted,

Debbie Grampietro
Board Secretary