



TOWN OF NORTHBOROUGH PLANNING BOARD

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Planning Board Meeting Minutes July 2, 2013

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

Others Present: Kathy Joubert, Town Planner; Fred Lonardo, Inspector of Buildings/Zoning Enforcement Officer; Fred Litchfield, Town Engineer; John Grenier; Todd Brodeur, Jonathan Charwick, Paula Thompson, Andrew Collins, Mr. Van der Pool, 128 Church

Chairman Leif opened the meeting at 7 pm.

Public Hearing to Consider Special Permit for Common Driveway of Gary Dutram to serve 4 lots at 150 Church Street, Map 55 Parcel 60

John Grenier, Engineer, JM Grenier Associates, Inc., representing the Applicant, Gary Dutram, presented information on the proposed common driveway at 150 Church Street.

Mr. Grenier stated the subject parcel is 8 acres in size. The existing single-family home and accessory structures on the lot will be demolished. The proposed common driveway will service 4 lots, and each lot will have an individual driveway connecting to the common driveway. The driveway is the standard 22-foot wide, and is 100 feet in length. The cul-de-sac is 78 feet in diameter. All the lots will be accessed from the common driveway. The houses will be serviced by private septic and water will be brought to the proposed homes, as well as to a proposed hydrant on the site, from a water line in Church Street. Stormwater from the driveway will flow to a small detention basin where it will be treated. The proposed common driveway is completely out of the flood zone associated with Howard Brook. The project as proposed meets all Department of Environmental Protection (DEP) Stormwater Management requirements.

Mr. Grenier explained the Conservation Commission has reviewed the plan and approved the common driveway with cul-de-sac as proposed. The locations of the houses and their individual driveways will be reviewed at a future Conservation Commission meeting.

Mr. Grenier stated the proposed project meets all the requirements of Fire Chief David Durgin's review letter of June 18, 2013.

Fred Litchfield, Town Engineer, reviewed the proposed project and in his letter of July 2, 2013, he stated the sidewalk in the area in front of the subject property is in disrepair and should be repaired or replaced by the applicant. Upon reading this, Mr. Grenier stated it would be very expensive for the applicant to replace the 600-700 feet of sidewalk along the front property line. He asked the board not to require this as a condition of their decision.

Board member Theresa Capobianco was not present, but had sent comments to Ms. Joubert regarding this public hearing. She questioned the required width for common driveways. Ms. Joubert explained there is no minimum width requirement, but the Fire Chief requires a 12-foot wide driveway to accommodate the 11-foot wide fire trucks.

Ms. Joubert asked the Board to consider requiring the applicant to repair the sidewalk as a condition of their decision.

James Vanderpoel, 20 Potter Circle and Christopher Montouri, 128 Church Street stated there is really no sidewalk in this area. The property is level with the road and the sidewalks around that area are brutal. From Fay Lane to the location of the proposed common driveway is all right, but

past the culvert and all the way to the First Parish Church, it's below road level. People walking in that area are within 2 feet of passing cars.

Ms. Joubert, Mr. Lonardo, Mr. Litchfield and the board members agreed to require the applicant to be responsible for repairing and reconstructing the sidewalk from the existing culvert to the eastern edge of the property line. In addition, the applicant will be required to work with the DPW Director, Dan Nason, regarding the sidewalk work as mentioned. Mr. Grenier noted work will be done in that area anyway. He also stated the applicant was fine with all the other comments included in Mr. Litchfield's letter of July 2, 2013.

Mr. Pember motioned to close the hearing, Ms. Gillespie seconded the motion and the vote was unanimously in favor of the motion.

Ms. Harrison motioned to approve the common driveway with items #3, #6 & #7 of the Town Engineer's letter dated July 2, 2013 as requirements of the approval, as well as items #5 and #6 of the Fire Chief's letter dated June 18, 2013. Mr. Pember seconded the motion and the vote was unanimously in favor of the motion to approve the Common Driveway Special Permit.

Meeting on Temporary Signs

Ms. Joubert, Mr. Lonardo and the board discussed a date for a meeting on temporary signs to be held for business owners in town. Everyone was fine with July 30, 2013, but some members suggested September would be better.

7:30pm Public Hearing to Consider Special Permit Application and Site Plan Approval Application of New England Baseball Enterprises LLC for outdoor commercial recreation use at 333 Southwest Cutoff, Map 109 Parcels 9, 11, 12 & 1

The Applicant, New England Baseball Enterprises, LLC, represented by Andrew Collins, is requesting a Special Permit and a Special Permit with Site Plan Approval for clearing and grading more than twenty thousand square feet of land, on the property located at 333 Southwest Cutoff (Route 20). It is currently the site of East Coast Golf Academy and Practice Center.

In this phase of the project, the Applicant proposes to locate a college-development baseball training complex known as the New England Ruffnecks on the site for players ages 13 – 18 years. The complex will include 3 full-sized, fenced-in baseball diamonds, a concession stand for participants and spectators; and an administration building with batting cages on the rear portion of the lot. The fields will be used for local, regional and national tournaments; field rentals; youth leagues; camps & clinics; batting cage rentals and lessons. Astroturf will be used for the 3 baseball fields.

It was noted the Zoning Board of Appeals granted a Variance to allow drive-through food service use in a proposed retail building; a Special Permit to allow the use of a restaurant serving alcoholic beverages; and a Special Permit to allow the use of a bank or automated teller for proposed retail use on the front portion of the lot at 333 Southwest Cutoff, (Route 20) for this project on May 14, 2013, ZBA Case No. 13-04.

Mr. Collins, Attorney Todd Brodeur, Fletcher Tilton, P.C.; Jonathan Charwick, Activitas; Paula Thompson, Waterman Design; and Bob Michaud, MDM Transportation Consultants, presented the proposed project to the Board using a PowerPoint slideshow. Information presented included lighting for the project; the location of wetlands and Little Bummet Brook on the site and the Applicant's on-going hearing before the Conservation Commission; the use of the existing curb cut and a proposed enter-only driveway to the north of the Route 20/Route 9 interchange; use of the existing signalization opening into the site; the status of a proposed crosswalk on Route 20 and the easement required for it from Northborough Crossing; the design of traffic flow on the site in general and for emergency vehicles; proposed parking and overflow parking; the schedule of teams entering and exiting the site; the hours of operation; the use/management of the proposed right-turn only signal into the site; and the extension of the water line in Route 20 for the proposed retail uses in the second phase of the project.

The Board discussed the proposed project with those present, and their concerns included overflow parking and shared parking areas with retail uses; the heights and angles of the proposed lights and light spillage into neighboring homes; sound levels from the use; compliance with the Fire Chief's review letter, including hydrants on the site and traffic control; crowd control/security, and the installation of a crosswalk on Route 20 from the site to the Northborough Crossing site.

Ms. Joubert noted the Town Engineer and DPW Director are fine with the site plan, and have provided comments from the Earthwork Board because the Planning Board will be taking care of the earth removal aspect. It is required in the Industrial district and will be incorporated into their decision. She also noted the Applicant is agreeable to an approximate 15-foot easement for future trail purposes across the rear of the property.

Ms. Joubert explained board member Theresa Capobianco, who was not present at the meeting, submitted questions regarding peak trip generation on a Saturday and Ms. Capobianco thinks it is inadequate at 44 trips per day, but that is peak hour. She is correct about 44 trips, but not for a day – for peak hours on a weekend.

Ms. Joubert stated staff originally did a collective memo for both Planning Board and ZBA, which included a comment from both the Police Chief and Fire Chief. They both were concerned about the impacts to their departments as far as not having adequate staff, and feel increased development continues to negatively impact their departments.

Mr. Lonardo stated Building 3 has to have a sprinkler system.

Residents Neville and Vivienne Anthony, 52 Lawrence Street, were concerned about light spilling onto their property.

An unidentified resident asked about drainage and the artificial turf.

Robert Lazo, 59 Davis Street, was concerned about traffic on Davis Street, timing of the lights on the site, an increase in noise from the proposed use, the use of a public address system and the possibility of installing a noise-buffering fence around the site. He asked if the state can do an analysis of Route 20 to Davis Street.

Regarding lighting on the site, Mr. Charwick stated the light fixtures have shields that will be directed down onto the site and not off the property. With the existing vegetation, there should be no spillage over the property line.

Mr. Lonardo stated if there is light spillage, the residents would need to report it and he will speak to the Applicant about it.

Regarding drainage and the artificial turf, Ms. Thompson stated they have designed a full stormwater management system that has been reviewed by the Town Engineer and the Conservation Commission. Flows off the site or to any resource area cannot be increased. Stormwater has been designed to flow to Smith Pond. There will be no pesticides or other chemicals used on the site because the turf is synthetic.

Per Mr. Collins, the hours of operation when the baseball facility will be used by the Ruffnecks are as follows:

March 1 st - May 31 st	Close at 9 pm on weekdays & 10 pm on weekends
June 1 st - August 31 st	Close at 11 pm
September 1 st – October 31 st	Close at 9 pm on weekdays & 10 pm on weekends
November 1 st – February 28 th	Close at 9 pm
Public Address System	Off by 9 pm year-round

In addition, per Mr. Collins, the hours of operation during which there will be no activity by the Ruffnecks on the site are as follows (lights will be turned off at closing):

March 1 st - May 31 st	Close at 9 pm on weekdays & 10 pm on weekends
June 1 st – August 31 st	Close at 9 pm on weekdays & 10 pm on weekends

September 1st – October 31st Close at 9 pm on weekdays & 10 pm on weekends
November 1st – February 28th Close at 9 pm

Regarding noise and the public address system, Mr. Collins stated the sound system is just small speakers used between games for announcing players and that sort of thing. It's nothing that runs on a consistent basis. In addition, the speakers are pointed towards the spectators because they are between the dugouts. They hang on the dugout facing the spectators. Mr. Charwick stated they haven't done any sound studies for this site.

Mr. Lonardo suggested a pre-operational noise level analysis be done. He stated the analysis is done over a 24-hour period.

Mr. Leif stated the town will require a pre-construction sound analysis.

Mr. Leif stated the lighting and sound will be reasonably affectively managed due to the vegetation around the site.

Regarding the usage of the facility by the town, Mr. Collins stated they talked with the Town and are open to batting cage usage and field uses in the off-season. They still have to work out how that will work regarding softball and baseball leagues taking advantage of their facilities.

Regarding concern about traffic in this part of town, Mr. Leif stated he cannot see placing a financial burden on this Applicant in order to address that issue. The town has to look at a way to handle it as the traffic situation continues on Davis Street. It is an unreasonable burden to require the Applicant to do something about it.

Ms. Joubert stated a traffic impact report was done by the Applicant and MDOT is doing another review because of an increase in accidents at the ramp from Route 20 to Route 9 West.

Mr. Charwick stated safety issues are an interchange issue. The Massachusetts Department of Transportation (MDOT) has done a study and is designing an acceleration ramp.

Regarding the Fire Chief's hydrant issue, and in response to a question from Mr. Leif, Ms. Thompson stated the hydrants are all shown on the plan. The Fire Chief carried them over from his review of the whole project and wants them 250 feet apart.

Regarding the water line looping, Mr. Brodeur stated the site does not require looping. The town wants it. It is not the retail use that needs the looping. Ms. Thompson noted that, without the water line looping, if Northborough Crossing needed water for a fire, they would use it all and the retail uses proposed for this project would have none.

Regarding the crosswalk issue, Mr. Brodeur stated it needs to be clear that the Board understands the crosswalk issue and that the Applicant will endeavor to get it accomplished. However, he would not agree to it as a condition of approval because the Applicant has no control over it.

Mr. Leif stated there is an expectation that the crosswalk will and needs to be built, and the Board will put that in the decision because it can't just be left hanging. Ms. Joubert will work with the Applicant's attorney regarding wording of the easement needed for the crosswalk.

Ms. Joubert stated conditions for the decision will include earth removal conditions, a crosswalk contingent on the easement; pre-construction ambient level noise; the sound system, hours of operations and operating hours of lighting. Mr. Leif noted the site plan will show overflow parking.

Ms. Joubert stated when the commercial aspect is built, it will take away the area for the reserve parking. The bylaw does not do this, but a new philosophy is that towns don't regulate parking. So if there aren't enough spaces, their establishment will fail. There can be a reference to over-flow parking and the Applicant will need to address it at the time of the retail development.

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

Ms. Gillespie motioned to grant the Special Permit to allow the proposed outdoor commercial use on the property located at 333 Southwest Cutoff, per the plans submitted.

Mr. Pember motioned to approve the Site Plan for 333 Southwest Cutoff, per the plans submitted and with the conditions as discussed. Ms. Gillespie seconded the motion and the vote was unanimously in favor of the motion.

Sign Bylaw Meeting: The meeting to discuss the temporary sign bylaw with town business owners has been moved from August to September 3rd and will be held in the Meeting Room of the Library.

The meeting adjourned at 9:45 pm.

Respectfully submitted,

Debbie Grampietro
Board Secretary