



TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 9/26/13

September 10, 2013
Planning Board Minutes

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

Others Present: Kathy Joubert, Town Planner; Fred Lonardo, Inspector of Buildings/Zoning Enforcement Officer

Meeting began at 7:05pm

Bond Reduction for Stirrup Brook Estates Phase II

- Request from developer to reduce subdivision bond
- Town Engineer provided additional details in response to questions from Planning Board members at the September 3, 2013 meeting
- Board voted four in favor, none opposed to reduce bond to \$37,000

Discussion RE: Possible Zoning Amendments for 2014 Town Meeting

Solar Bylaw:

- State's model solar bylaw
- Shrewsbury's solar bylaw
- Westborough's solar bylaw
- Consider whether to propose bylaw
- Review model and existing bylaws for more detailed discussion at the October 1, 2013 meeting
- Town Planner and Building Inspector briefly discussed meetings staff has had with applicant interested in installing large scale solar installation on Newton Street

Temporary Sign Bylaw:

- Per the September 3, 2013 Planning Board meeting, provide comments to Town Planner for October 1, 2013 meeting

Medical Marijuana Bylaw:

- Workshop has been scheduled for October 15, 2013 for members of the Planning Board, Board of Selectmen, Board of Health and Zoning Board of Appeals with Kay Doyle, Esq., Kopelman and Paige
- Discussion to occur regarding either presenting a bylaw regulating the location of medical marijuana dispensaries, proposing a temporary moratorium for up to one year for town to work on language for a bylaw regulating the location of the dispensaries, or take no action.
- Discuss how to proceed at workshop with Kopelman and Paige

Summary of Comments from Board members:

Leslie Harrison – Possible to adopt moratorium for solar? Possible to hold a special town meeting to consider this?

George Pember – Not enough information to support a moratorium.

Theresa Capobianco – Concerned with solar arrays being placed along Route 135 and Route 20.

Michelle Gillespie – Residents could be concerned with setbacks. Would support a moratorium if a bylaw was presented at 2014 town meeting.

Rick Leif – Concerned with time frame to hold a special town meeting. 7-8 weeks to develop language, work with town counsel, and schedule a public hearing. Best process would be to move forward with bylaw for 2014 town meeting. Special town meeting does not guarantee the Newton Street resident would not submit his application or try to get grandfathered before a special town meeting.

Theresa Capobianco – Solar is protected use per MGL Ch 40A Sec 3, can protected use be subject of a moratorium?

Town Planner will check with town counsel and Attorney General's office regarding moratorium for solar.

Rick Leif and George Pember indicated they are not in favor of a moratorium. Prefer to work on solar bylaw for 2014 town meeting.

Leslie Harrison, Michelle Gillespie and Theresa Capobianco are in favor of pursuing a moratorium.

Town Planner directed to determine if solar could be subject for a temporary moratorium. If moratorium possible, draft letter from Planning Board to Board of Selectmen requesting a meeting with them to discuss scheduling a special town meeting. Rick Leif will contact Leslie Rutan, Chairman, Board of Selectmen to discuss a meeting.

Old/New Business

CMRPC Representative

Theresa Capobianco will continue to serve as the Planning Board's representative for the FY2014.

Approval Not Required Plans

Plan for Pinehaven Drive creating two lots was signed.

Plan for Church Street creating four lots was signed.

Executive Session

Chairman Leif moved the Board vote to enter into executive session pursuant to MGL Chapter 30A Section 21 Subsection 3 (litigation) due to Chair's determination that a

discussion regarding this matter in an open meeting may have a detrimental effect on the position of the Board. George Pember seconded the motion and the roll call vote was taken as follows:

Theresa Capobianco – aye

Michelle Gillespie – aye

Leslie Harrison – aye

George Pember – aye

Rick Leif - aye

Chairman Leif announced the Board would return from executive session only to adjourn.

Meeting adjourned at 9:35pm.