



TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 6/17/14

Planning Board Meeting Minutes April 15, 2014

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

Others Present: Kathy Joubert, Town Planner; Fred Litchfield, Town Engineer

Chairman Leif opened the meeting at 7pm

Continued Public Hearing for Proposed Zoning Amendments for 2014 Annual Town Meeting

Article 42, Flood Maps

Section 7-04-030 Floodplain Overlay District: Boundaries A

Mr. Litchfield stated there were no changes to the table besides what was mentioned at the last meeting. He explained he will make the presentation at Town Meeting and Town Counsel will be available to answer questions regarding consequences should the article not be adopted. There were no questions or comments from the board.

Article 40, Solar Bylaw

Section 7-05-020 Classification of Uses by adding 1.(5) Large-Scale Ground-Mounted Solar Photovoltaic Installation definition and renumbering remainder of section.

Section 7-05-030 Table 1. Table of Uses. Part B. Commercial and Industrial Districts by adding Large-Scale Ground-Mounted Solar Photovoltaic Installation as a use allowed in the Industrial district and not allowed in the Downtown Business district, Business East district, Business West district, Business South district, and Highway Business district.

Section 7-10-060 by deleting existing text and replacing it with Large-Scale Ground-Mounted Solar Photovoltaic Installation and accompanying text.

Article 39, Registered Marijuana Dispensaries

Section 7-05-030 Table 1. Table of Uses. Part B. Commercial and Industrial Districts by adding Registered Marijuana Dispensary as a use allowed in the Highway Business district and not allowed in the Downtown Business district, Business East district, Business West district, Business South district, and Industrial district.

Create new Section 7-10-070 Registered Marijuana Dispensary and accompanying text.

Create new Section 7-10-070 Temporary Moratorium on Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries and accompanying text.

Ms. Joubert noted the changes made from the last meeting, including the addition of a proper noun and the addition of a third parcel onto the site plan for 333 Southwest Cutoff that was not originally included. Also, the YMCA off Route 20 has been included.

Mr. Leif stated he will point out at Town Meeting that the town needs to have a place to locate RMDs. The Highway Business District is small and the 300-foot setback they are proposing is consistent with the

requirements of a drug-free zone. A 500-foot setback would not allow enough room to locate an RMD in the Highway Business zone. There were no questions or comments from the board.

Article 41, Sign Bylaw

Section 7-09-040 Signs by modifying text in subsections D. Basic Requirements, G. Signs in Business Districts, H. Signs in Industrial District, K. Special Signs, and L. Permit Not Required.

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

The board voted on Articles 38 – 42, as follows:

Article 38 Registered Marijuana Dispensaries Bylaw

Ms. Capobianco motioned to support Article 38, Ms. Gillespie seconded the motion and the vote was 3 in favor of supporting the article and 1 opposed (Ms. Harrison).

Article 39 Moratorium for Registered Marijuana Dispensaries (if Article 38 fails)

Ms. Capobianco motioned to support Article 39, Ms. Gillespie seconded the motion and the vote was unanimously in favor of supporting the article.

Article 40 Large-Scale Ground-Mounted Solar Photovoltaic Installation Bylaw

Ms. Harrison motioned to support Article 40, Ms. Capobianco seconded the motion and the vote was unanimously in favor of supporting the article.

Article 41 Sign Bylaw changes

Ms. Gillespie motioned to support Article 41, Ms. Capobianco seconded the motion and the vote was unanimously in favor of supporting the article.

Article 42 Flood Map changes

Ms. Harrison motioned to support Article 42, Ms. Gillespie seconded the motion and the vote was unanimously in favor of supporting the article.

Old/New Business

16 Hudson Street ZBA Application: Ms. Joubert explained the Applicant, Paul Gallagher, is proposing to construct a 4-unit residential building at 16 Hudson Street. The Application is missing information and includes incorrect information regarding the permitting required for the project. Ms. Joubert reviewed a letter with the board that she sent to Mr. Gallagher, dated April 14, 2014, in which she listed the correct special permits and waivers needed for the project; noted parking calculations for the project are not accurately shown on the plan; and explained Applicants are encouraged to meet with the Building Inspector and the Design Review Committee prior to submitting an application with the ZBA or Planning Board. Ms. Harrison requested the project be presented to the Planning Board for their review.

Street Acceptances, Article 44: Ms. Joubert explained this article is for the acceptance of Johnson Avenue Extension, Cyrus Way and Weber Lane as public roads.

Ms. Capobianco motioned to support Article 44, Ms. Gillespie seconded the motion and the vote was unanimously in favor of supporting the article.

Demolition Delay Bylaw Amendment, Article 37: Ms. Joubert explained this article brought forth by the Historical Commission seeks, in part, to increase the delay of a demolition permit, for a building determined to be historically significant, from 180 days to 365 days. She stated this may have come

about because of the anticipated sale of the White Cliffs site and the hope that the town may buy it. Mr. Leif suggested the board could ask for a Community Preservation Committee (CPC) grant to purchase the site and if the opportunity doesn't present itself, the money could be put back. Ms. Joubert stated existing money is available for it if the opportunity arises and a Special Town Meeting could be held for it.

Mr. Leif noted Article 37 is not specific to the White Cliffs site and Ms. Capobianco stated it ties up any homeowner of historic properties from doing what they want to do with their property. It's burdensome to those homeowners. Ms. Gillespie and Mr. Leif agreed the 6-month increase to 12 months is too extreme. Mr. Leif stated he is not aware of property that has been saved by the current demolition delay bylaw. It just holds people up if they have a need to sell their house. Ms. Harrison stated she would not like to see historic buildings demolished.

Ms. Harrison motioned not to support Article 37, Ms. Capobianco seconded the motion and the vote was unanimously in favor of not supporting the article.

Building Inspector/Zoning Enforcement Officer: It was noted that Fred Lonardo, Building Inspector/Zoning Enforcement Officer, will be leaving his position on May 2nd for a position with another town. Ms. Gillespie asked if a Planning Board member could be part of an interview committee for his replacement. Ms. Joubert responded it is not common for town board members to interview candidates, including Board of Selectmen members, but she will relay the request to the Town Administrator.

A. Duie Pyle & FedEx Trucks: Ms. Gillespie stated she is concerned about FedEx trucks using Church Street to get to I-290. She noted A. Duie Pyle trucks are adhering to the conditions of their decision. Ms. Joubert stated there were concerns from Bartlett Street residents regarding truck traffic during the public hearing for A. Duie Pyle (210 Bartlett Street) and the majority of their truck traffic is from/to Rt. 495. She stated FedEx has 3 terminals in town and there are no restrictions on them. They use the major highways – Route 20 and Route 495.

Next Meeting: The next meeting will be held on May 20th. This will be held after town elections and the board will elect officers at the May 20th meeting.

Project Updates - 130 Main Street and 61-65 West Main Street: Ms. Joubert explained the residents who appealed the ZBA decision for the mixed-use development at 130 Main Street have settled with the developer and the project is going forward. Regarding the 61-65 West Main Street mixed use development, the project is moving along and at this time the Applicant is working with MassDOT on curb cuts. Work is expected to begin in the summer.

Thanks to Rick Leif: The members and staff present thanked Mr. Leif for his many years of service on the Planning Board, and wished him well.

The meeting adjourned at 8pm.

Respectfully submitted,

Debbie Grampietro
Board Secretary