



# TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 8/19/14

## Planning Board Meeting Minutes June 17, 2014

**Members Present:** Theresa Capobianco, Michelle Gillespie, Amy Poretzky, George Pember

**Others Present:** Kathy Joubert, Town Planner

Chairman Theresa Capobianco opened the meeting at 7pm.

### **Presentation/Discussion RE: 16 Hudson Street ZBA Application**

Carol Redden, Engineering, H.S. & T Group, and the Applicant, Paul Gallagher were present. Ms. Redden presented the project, stating previously they had submitted an application to the ZBA which included a 4-unit building on the site at 16 Hudson Street. However, they have submitted an amended filing to the ZBA to be heard at their July 22<sup>nd</sup> meeting. The house originally on the 5,479 square-foot site has been razed and a newly proposed 2-story, 3,000 square-foot building will include 2 dwelling units and each floor will be 1500 square feet in size.

Ms. Redden explained the site is located in the Downtown Business District and Groundwater Protection Overlay District Area 3. They are asking for a Variance for the size of the lot in groundwater 3, and for the use of a duplex in the downtown business district.

The front of the building will be facing the side of the property on which the driveways will be located, and a 3-foot wide walkway will be located around the building. The parking area will meet the requirements of the district in that it will not be in the front of the site and in front of the building. The topography of the site is relatively flat and that will be maintained. The slope will change in one area to about 1.5% in order for runoff from the roof and the driveway to flow to a catch basin in the corner of the driveway and then to an infiltration chamber. The site will be serviced by water and sewer connections in Hudson Street and the Department of Public Works has confirmed they can connect to the town utilities. During construction, hay bales and silt fence will be located on three sides of the site and a construction entrance will be installed to protect the site from debris from construction vehicles. After construction, the site will be loamed and seeded. An asphalt berm will be located around the driveway and as-built plans will be recorded with the deed.

Ms. Redden stated that, according to Northborough's Master Plan, the proposed building will fit well in the downtown area, due to density. The units would be a good size for small families and the elderly, and would be more affordable than other types of housing in town. Two-family homes are also located at #9, #11 and #17 Hudson Street, but the lots are larger.

Mr. Pember noted the applicant came before the Groundwater Advisory Committee, both variances requested were acted upon favorably.

In response to a question from Ms. Gillespie, Ms. Redden stated the project will include digging up part of Hudson Street for connection to the water and sewer services. Ms. Gillespie stated her preference would be to put the utilities under the street. Ms. Joubert explained the Planning Board can only require utilities be located under a street with subdivisions, and in this case, it will be done in accordance with the utility companies regulations.

Ms. Poretsky asked who would be required to maintain the stormwater maintenance plan. Ms. Redden stated it will be recorded with the deed and whoever owns it will be required to maintain it. Ms. Joubert explained this is standard for stormwater systems. Mr. Pember noted it will require yearly inspections and reports submitted to the town. Ms. Capobianco asked if the yearly inspections are required to be recorded and Mr. Pember replied they are not. Ms. Joubert explained it will be a condition of the decision that the annual reports must be submitted to the town.

Ms. Capobianco asked if the two-family home will be marketed as a singular sale and not separately. Ms. Redden replied she does not know. It would be up to the applicant and if it was marketed as a condominium, the association would be responsible for the operation and maintenance plan.

In response to a question from Mr. Pember, Ms. Redden stated the units are more affordable but not low income. Ms. Gillespie explained the proposed units would probably sell in the high \$300,000 range because they have two bedrooms.

In response to questions from Ms. Capobianco, Ms. Redden stated the driveways will be plowed like any single-family home, with the snow being pushed to the back; and there will be back doors for the units.

Mr. Litchfield stated the Fire Chief wants the sidewalk extended on Hudson Street for fire apparatus.

Ms. Poretsky asked who makes the decision to allow the increase in impervious surface. Ms. Joubert explained the Groundwater Advisory Committee reviews the project and the required calculation sheet for impervious surface pre- and post-construction.

All board members stated they were fine with the amended project and told Ms. Joubert they do not need to send a review letter to the ZBA.

Mr. Pember recused himself from the meeting at this point, as he represents one of the parties involved with the lot release for 7 Farm House Road.

**7 Farm House Road Lot Release:** A lot release was signed by the board for 7 Farm House Road, Lot #3 of the Proctor Pond subdivision off Whitney Street.

**Approval of Minutes:** The minutes of April 15, 2014 and May 20, 2014 were approved.

**ZBA Applications:** In addition to the 16 Hudson Street project, a public hearing for a project at 12 Mill Street will be before the ZBA at their July 22<sup>nd</sup> meeting. Ms. Joubert explained the project proposed for 12 Mill Street includes the demolition of an existing dwelling on the site and the construction of a two-family dwelling with associated parking in the Downtown Business District and Groundwater Protection Overlay District Area 3.

**Next Meeting:** The next meeting will be held on July 1, 2014 at 7pm. Public hearings to consider an amendment to a 2007 scenic road decision for 325 Newton Street and an amended common driveway application for 494-496-498 West Main Street will be heard.

**494-496-498 West Main Street hearing, Jim Vogel, Applicant:** Ms. Joubert explained the Planning Board signed an ANR plan for the division of one lot into 2 lots at 496 West Main Street. A common driveway for the 2 lots was approved by the Planning Board a few years ago, but the Applicant divided the property into 3 lots, which are identified as 494, 496 and 498 West Main Street. The common driveway is currently partially constructed and a bridge has been built over a wetland area.

**325 Newton Street hearing, Ziad Ramadan, Applicant:** Ms. Joubert noted the board has received the application and a memo outlining the issues.

Ms. Capobianco asked if the Applicant was supposed to do the roadway improvements to Newton Street. Ms. Joubert responded it was clear to the Planning Board at the time that he was supposed to do it. The Applicant told her he never looked at the Planning Board's decision and never appealed the 2007

decision. The Applicant is now asking the Planning Board to amend the 2007 decision, as his interpretation is that he was supposed to submit the plan for the 3<sup>rd</sup> occupancy permit, but was not required to do the work. Ms. Joubert stated the Applicant submitted the plan for the work in 2014. An occupancy permit cannot be issued for the 3<sup>rd</sup> house, located at 325 Newton Street, until the road work has been done.

Ms. Capobianco stated she has read the decision and asked if the board has the ability to amend the decision.

Ms. Joubert replied she believes the board does have the ability to amend a previous decision. She noted she, and other Town staff, believe the Applicant is obligated to do the work per the decision. Ms. Capobianco stated the minutes for the meeting support the Town's position.

Ms. Gillespie asked if the town keeps track of outstanding occupancy permits. Ms. Joubert responded it's done internally and staff sign-off on building permits. Staff also includes comments if there is an issue. The house at 325 Newton Street has been built. The issue of the street was triggered by the Applicant's filing with the Conservation Commission for his solar farm and then the building inspector reminded the developer about the road work.

**Groundwater Bylaw:** Mr. Pember explained the Groundwater Advisory Committee had a discussion at their last meeting regarding the Town's use of MWRA water as opposed to use of the Town's wells. He stated he has been told that the Town will be drawing water from MWRA for the indefinite future, and the question is if the groundwater bylaw should be replaced with a stormwater bylaw.

Ms. Capobianco stated if the Groundwater Advisory Committee would like to work on a stormwater bylaw, the Planning Board would support it.

**CPC Application Form:** Ms. Joubert stated the new CPC application form will be posted on the Town's website and applications are due July 31<sup>st</sup>.

The meeting adjourned at 8:15pm.

Respectfully submitted,

Debbie Grampietro  
Board Secretary