



TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 10/18/16

Planning Board Meeting Minutes June 21, 2016

Members in attendance: Theresa Capobianco, Chair; George Pember; Leslie Harrison; Amy Poretsky; Michelle Gillespie

Others in attendance: Kathy Joubert, Town Planner; Fred Litchfield, Town Engineer; Kathleen Tendlak; Ziad Ramadan; Kelly Brown

Chair Theresa Capobianco called the meeting to order at 7:00pm

Request for bond release – Ms. Capobianco noted that Mr. Litchfield had provided the board with a letter detailing his recommendation for a bond reduction for the Newton Street roadway improvements. Mr. Litchfield explained that there were five sections covered by the bond, two of which have now been completed. He noted that a total of \$71,500 can be returned to the applicant with the balance to be held pending completion of the remaining work. In response to a question from Ms. Capobianco, Mr. Litchfield confirmed that the remainder of the bond is sufficient to cover the work that is left to be completed.

George Pember made a motion to reduce the bond for phase 1 of the work on the Newton Street roadway improvements by the sum of \$71,500. Michelle Gillespie seconded; motion carries by unanimous vote.

Discussion with Kelly Brown, Regional Coordinator, Green Communities Division, Central Region, Massachusetts Department of Energy Resources

Ms. Brown expressed appreciation to the board for inviting her to discuss the work of the Green Communities Division of the Massachusetts Department of Energy Resources. She noted that the Green Communities Division, created under the Patrick Administration, serves as a hub for all 351 cities and towns and covers anything related to energy. Ms. Brown explained that the focus of tonight's presentation (copy attached) is the Green Communities Designation and Grant Program.

Ms. Brown noted that an added component this year provides up to \$7500 in funding to afford towns the ability to obtain assistance from their regional planning agency in order to become a green community.

Ms. Brown explained that the program provides up to 10 million dollars per year to support green communities. She discussed the criteria to obtain the designation as follows:

1. Adopt as of right
2. Adopt expedited permitting process
3. Create an Energy Reduction Plan to reduce energy use by 20% in 5 years
4. Commitment to purchase only fuel efficient vehicles - Ms. Brown explained that this does not require the town to purchase only hybrid vehicles, but would involve a policy requiring the community to find the most fuel efficient vehicle for the function. She also noted that some vehicles, such as police cruisers and heavy duty DPW trucks, would be excluded.
5. Minimize lifecycle costs in new construction through adoption of the Stretch Code - Ms. Brown explained that the stretch energy code was an appendix to the State building code, and provides for a more stringent energy code. She noted that it was always anticipated that the base code would catch up with the stretch code, and this actually happened in 2014. She also noted that the stretch code does require a Town Meeting vote, and she encouraged the town to hold a presentation on the stretch code to educate residents prior to the vote at Town Meeting. She stated that Southborough adopted the stretch code at their last Town Meeting, and Hopkinton and Marlborough have been under the stretch code for several years. She mentioned that there are currently 175 communities under the stretch code and that number continues to grow.

Mr. Pember voiced his opinion that the main reason Northborough has not been in favor of this initiative is because the former Building Inspector was reluctant to adopt the stretch code which at the time would have replaced the building code. Ms. Poretsky asked if the code would apply to all new construction or just municipal buildings. Ms. Brown stated that the code would apply to all new building. Ms. Poretsky asked if there is a document that details the differences between the base code and the stretch code. Ms. Brown explained that it would be better to address it in a formal presentation to residents to prevent any misinterpretation. In response to questions from Ms. Poretsky, Ms. Brown noted that a cost analysis would demonstrate the cost effectiveness of the program, and indicated that there would be no cost to the town to have a representative from her office do a presentation.

Ms. Gillespie asked about the types of projects funded by this grant money. Ms. Brown explained that funds can be used for projects aimed at enabling the town to reach their 20% energy reduction objective. Ms. Gillespie asked how often a town can apply for grant money. Ms. Brown stated that this would depend on how quickly projects get done, and noted that the competitive fund allows for towns to come back for multiple rounds of funding.

In response to a question from Ms. Gillespie, Ms. Brown explained that this program is funded through the regional greenhouse gas initiative.

Mr. Pember commented that he cannot see how this program does not benefit the town and asked about the Planning Board's function in moving it forward. Ms. Brown noted that the Planning Board can be the point of contact to get the process started, and suggested that having the Central Massachusetts Regional Planning Commission (CMRPC) assist with putting together the application will be beneficial. She also reiterated that the town has the added ability to apply for \$7500 to obtain the CMRPC's assistance.

Mr. Pember commented that the town needs to take another look at a solar bylaw. He explained that such a bylaw was initially defeated but may be successful if we can tie it into the potential to qualify for grant money.

Ms. Gillespie asked about LED or solar-powered street lights. Ms. Brown indicated that grant money is available for these types of energy initiatives and, though nobody has yet done this, the Division would not be opposed to looking at it. Ms. Gillespie explained that there are two large industrial areas in town that are very dark, and this might offer a good solution to that problem.

Ms. Joubert noted that all of the town's street lights are owned by National Grid. Ms. Brown explained that the town can submit a request to National Grid for an inventory of the street lights that will include a price to purchase them for conversion. She noted that there would be a considerable savings associated with doing so.

Ms. Brown discussed next steps, and noted that the deadline to apply for this round of Technical Assistance funding is July 6, 2016. She recognized that this would require a quick turnaround, but expressed her opinion that it should be possible to do it. Ms. Joubert indicated that she will be on vacation from June 22nd through July 5th, but noted that one of the board members could submit the paperwork. Ms. Brown suggested that CMRPC should be able to help. Mr. Pember voiced his opinion that this would require support from the Board of Selectmen and questioned the ability to get it done in time to meet the deadline. Ms. Joubert agreed to discuss it with the Town Administrator. Ms. Poretsky asked if this application would obligate the town in any way. Ms. Brown explained that the town simply needs to confirm their interest in pursuing it.

Ms. Harrison asked about towns where the initiative failed and questioned what the resistance was. Ms. Brown commented that in the past it was primarily a desire to get more information or a matter of people wanting to wait to see how it all evolved, but this has not been as much of an issue in recent years.

Mr. Pember suggested polling the board to determine the level of interest. He expressed his desire to send a letter to the Board of Selectmen voicing enthusiasm and encouraging them to move forward as

quickly as possible. Ms. Gillespie agreed. Ms. Poretsky confirmed her interest but indicated that she would like to hear more about the cost analysis and differences between the base code and stretch code. She reiterated concerns about potential costs to the town. Mr. Pember commented that the cost would be to developers and not the residents. Ms. Brown commented that the cost analysis actually shows that the program is cash flow positive, but offered to have someone come before the board to present further information.

Ms. Capobianco voiced her opinion that meeting criteria #1 will be our biggest challenge and expressed concern that we may not be able to do so. She also questioned whether the town has a one acre parcel on which to locate a solar farm. Mr. Pember suggested that there is land on Talbot Road and/or Lyman Street. Ms. Joubert noted that, if a solar farm project comes in as a public utility, it is exempt from our bylaw but if a private company wants to install it, then a variance would be required. She agreed that criteria #1 will be an obstacle, but noted that the criteria requires the town to adopt a bylaw that shows it would welcome this type of use. Ms. Poretsky commented that our bylaw does not permit the board to limit the number of such uses. Ms. Capobianco suggested that a solar bylaw could limit the use to a specific parcel size and/or zoning area.

Michelle Gillespie made a motion to send a letter to the Board of Selectmen requesting that they look into the Green Communities Designation further. She also suggested that the Planning Board consider the issue of a solar bylaw at an upcoming meeting.

Ms. Poretsky asked if someone is available to draft the application for submission before the July 6th deadline. Mr. Pember seconded the motion to send a letter to the Board of Selectmen, and also agreed that the board should consider the question of a solar bylaw at an upcoming meeting. Ms. Joubert reiterated that there is a question about who the letter should come from, and agreed to discuss the issue with the Town Administrator. Mr. Pember suggested that, given the fact that we can get money to get help with the process if we can meet the July 6th deadline, perhaps the Chair of the Board of Selectmen can sign a letter of intent. He noted that the letter is simply a commitment that we have an interest in pursuing the Green Communities Designation and in no way obligates us any further. Ms. Capobianco asked if it is possible to send a letter to both the Board of Selectmen and the Town Administrator requesting their support and signature on a letter of intent so that we can get the process moving. Ms. Joubert agreed to draft the letter for review, but noted that if signature is required by the Board of Selectmen it may not be possible to obtain that in time for the July 6th deadline. She also indicated that the board can use local planning assistance funds if they aren't able to meet the application deadline for the Technical Assistance funds. Ms. Capobianco reiterated that the Planning Board does have sufficient interest in moving forward with further consideration of the Green Communities Designation.

Upcoming meetings – Ms. Joubert noted that the Planning Board meetings are scheduled for July 19, 2016 and August 16, 2016. Ms. Poretsky noted that she is unable to attend the July meeting, but does

have some questions about the revisions to the subdivision rules and regulations that she would like to have addressed.

Zoning Board of Appeals – Ms. Joubert stated that, due to a quorum issue, the ZBA’s June meeting has been postponed to July 12, 2016.

Committee Appointments

After a brief discussion, members of the board agreed to the following committee appointments:

- George Pember will be the Planning Board appointee to the Groundwater Advisory Committee
- Michelle Gillespie will be the Planning Board appointee to the Design Review Committee
- Amy Poretsky will be the Planning Board appointee to the Open Space Committee
- Leslie Harrison will be the Planning Board appointee to the Community Preservation Committee
- Theresa Capobianco will be the Planning Board appointee to the Central Mass Regional Planning Commission.

Ms. Gillespie suggested that Ms. Capobianco could serve as an alternate member on the Zoning Board of Appeals. In response to a question from Ms. Capobianco, Ms. Joubert confirmed that a Planning Board member is permitted to serve on the ZBA.

Election of Officers

Michelle Gillespie made a motion to appoint Theresa Capobianco as Chair of the Planning Board. George Pember seconded; motion carries by unanimous vote.

Leslie Harrison made a motion to appoint Michelle Gillespie as Vice Chair of the Planning Board. George Pember seconded; motion carries by unanimous vote.

Minutes of the Meeting of May 11, 2016 – George Pember made a motion to approve the Minutes of the Meeting of May 11, 2016 as submitted. Leslie Harrison seconded; motion carries by unanimous vote.

Duplexes - Ms. Poretsky requested a few minutes to discuss the issue of duplexes in town, since she has had numerous residents approach her about the subject. She asked if it might be possible to make a change that would prohibit them in the Residential C district. She also commented that the recent duplex developments have not added more affordable housing to the town, as has often been presented as the justification for allowing duplexes. She also mentioned the impacts to the school

system and asked if it is possible to get data about the financial burden on the town. She reiterated that she has heard from numerous residents who are interested in starting a campaign to limit this type of development in town. Ms. Gillespie expressed an interest in hearing from the School Superintendent to learn about what areas have been more heavily impacted. Mr. Pember suggested that the issue of duplexes is an excellent topic to be addressed during the Master Plan process. Ms. Gillespie agreed, and asked if it is possible to commit to starting that effort in September. Ms. Joubert agreed to have the Master Plan RFP draft for the August meeting.

Ms. Poretsky voiced her understanding that other communities have imposed a moratorium on duplexes and multi-family housing until they can determine the strains they place on town services. Ms. Capobianco stated that a private citizens group can certainly put together their own warrant article for the next Town Meeting. In response to a question from Ms. Poretsky, Ms. Capobianco confirmed that there would be no issue with Ms. Poretsky contacting the School Superintendent for school enrollment and associated data.

Right to Farm – Ms. Gillespie noted that there appears to be some interest in the Right to Farm bylaw, and thanked Ms. Harrison for her efforts on that initiative.

Meeting adjourned at 7:45PM.

Respectfully submitted,

Elaine Rowe
Board Secretary