



TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 10/18/16

Planning Board September 6, 2016

Members in attendance: Theresa Capobianco, Chair; George Pember; Michelle Gillespie; Leslie Harrison; Amy Poretsky (arrived at 7:11PM)

Others in attendance: Kathy Joubert, Town Planner; Fred Litchfield, Town Engineer; Elaine Rowe, Board Secretary; Mike Sullivan, Connorstone Engineering; Dan Benway; Craig Callahan

Chair Theresa Capobianco opened the meeting at 7:06PM.

Continued Public Hearing for Definitive Subdivision “Clark Woods” at 172 & 172A Howard Street

Applicant:	Daniel Benway
Engineer:	Connorstone Engineering, Inc.
Date Filed:	June 22, 2016
Decision Due:	Within 90 days of close of hearing

Mike Sullivan, Dan Benway, and Craig Callahan appeared to discuss the revised plan. Mr. Sullivan noted that the plan is similar to what was presented at the last meeting, but is a bit more definitive to include access to the detention basin, the roundings have been tied into the current easement, and the hydrant was moved to the opposite side of the roadway where there is no sidewalk proposed.

Mr. Sullivan confirmed that drainage calculations have been submitted and indicated that the applicant has no objections to any of the conditions in the Town Engineer’s comment letter. Ms. Capobianco asked about the sidewalk issue. Ms. Joubert noted that the poll of the board members at the last meeting showed 3 members approved of allowing sidewalk on only one side of the roadway.

Mr. Litchfield noted that many of the comments that he typically makes have been incorporated into the plan. He explained that, based on a conversation he had earlier today, the Fire Chief has expressed a desire for the hydrant to be located on the Washburn Street side of the roadway. He suggested that this should not be an issue, since there are no houses proposed there. Mr. Litchfield also stated that the Police Chief would like to reserve his right to require a street light if he deems it necessary once work on the project is underway. Mr. Sullivan agreed to make the changes as requested.

Amy Poretsky arrived.

Ms. Joubert noted that there are five waiver requests shown on the plan, but the sidewalk waiver appears to have been omitted. Mr. Sullivan explained that the waiver request to allow the use of plastic pipe will be withdrawn because it appears that they will not be able to accommodate the condition that a 2% pitch be provided. He agreed to revise the plan to include the sidewalk waiver.

Ms. Poretsky was unable to vote on this application since she was not present on the night when the hearing was opened, leaving 4 remaining voting members.

Michelle Gillespie made a motion to close the hearing. George Pember seconded; motion carries by unanimous vote.

Michelle Gillespie made a motion to approve the plan, dated August 22, 2016, as submitted, with the following conditions from the Town Engineer's review letter dated September 6, 2016:

- 1) The sidewalk is not shown along the entire length of both sides of the proposed roadway, however no waiver was requested from section 10-36-060 and should be or the plan will need to be revised.
- 2) A permanent benchmark consistent with the Town's datum should be shown on the plan.
- 3) The proposed roadway should provide a driveway approach to the ten foot wide level area around the detention basin for emergency vehicles. The driveway approach may require moving the catch basins at station 2+20 in order to allow for the proper installation of the granite curb inlet.
- 4) Test pits will be required to verify all unsuitable material has been removed in the area the proposed roadway fill is located within the wetland area.
- 5) All storm drainage pipe located within the roadway shall be reinforced concrete pipe unless the slope of the pipe exceeds 2%. Corrugated plastic pipe may be installed within the right of way when the slope of the pipe exceeds 2%.
- 6) The section at station 0+35 as shown on sheet 4 of 7 is inaccurate and should be revised to show the proposed roadway width and sidewalks.
- 7) The proposed headwall located 30 feet right of the entrance to the proposed roadway shall be extended outside of the right of way and into the Drainage and Open Space Easement.
- 8) The applicant will be required to obtain an Earthwork permit prior to the start of any earth moving or tree cutting activities on this site.
- 9) The Fire Chief has requested the hydrant shown at the beginning of the proposed roadway on the north side of the road be relocated to the westerly side of Washburn Street.
- 10) The Police Chief has indicated he does not see any major concerns regarding the street lighting at the proposed intersection but would like to reserve the ability

to assess the intersection once it is installed and or nearer to completion in order to confirm that present conditions afford adequate lighting.

Leslie Harrison seconded the motion.

Ms. Capobianco expressed a desire to address the requested waivers before voting on the approval.

Phase 1 Environmental Site Assessment Report - Leslie Harrison made a motion to waive the requirement for a Phase 1 environmental assessment. George Pember seconded; motion carries by unanimous vote.

Width of Travel Way - Michelle Gillespie made a motion to allow a reduction in the width of the travel way from the required 26 feet to 22 feet. Leslie Harrison seconded; motion carries by unanimous vote.

Sidewalks - Leslie Harrison made a motion to waive the requirement for sidewalk on both sides of the roadway. Michelle Gillespie seconded; motion carries by a vote of 3 in favor and 1 opposed (George Pember opposed).

Street Lighting – Ms. Joubert noted that, since the Police Chief has the authority to meet with the Board of Selectmen at any time to require street lights, she believes that the board is safe in waiving that section of the subdivision rules and regulations. Mr. Litchfield requested that the board include a condition affording the Police Chief the ability to require street lights in the future. He also noted that the waiver would be of the lights within the subdivision itself.

George Pember made a motion to waive the requirement for street lighting within the subdivision. Michelle Gillespie seconded; motion carries by unanimous vote.

Width of Right-of-Way – Leslie Harrison made a motion to allow a reduction of the width of the right of way from the required 50 feet to 40 feet. George Pember seconded; motion carries by unanimous vote.

Members of the board voted unanimously to approve the plan dated August 22, 2016.

Master Plan – Ms. Joubert explained that she is awaiting input from Town Counsel about who has the appointing authority for the Master Plan Ad Hoc Committee. She noted that, based on internal discussions, the committee to address the Master Plan will be comprised of one appointee each from the Board of Selectmen, Zoning Board of Appeals, Design Review Committee, Board of Health, Historic District Commission, Parks & Recreation Commission, and the Open Space Committee; two appointees from the Planning Board; and 3 to 5 members at-large. She agreed to provide a revised memo for the next meeting along with an adjusted schedule and copies of contracts recently used by other communities. Ms. Gillespie asked Ms. Joubert to provide copies of the prior Master Plan. Ms. Joubert explained that there are no

additional copies available and, given that it was done 20+ years ago, she does not have it in an electronic format. She noted that there is a copy in her office that can be borrowed.

At the suggestion of Ms. Gillespie, Ms. Joubert agreed to add a member of the Water & Sewer Commission and a member of the Conservation Commission to the Ad Hoc Committee. Mr. Pember voiced his opinion that, since the Groundwater Advisory Commission comprises members of the various town boards, he is confident that they have sufficient representation without it being necessary to include a GAC appointee to the Master Plan Ad Hoc Committee. Ms. Joubert noted that the consultant hired for this effort will also meet individually with the various town departments.

Marijuana Ballot question – Ms. Joubert explained that she is awaiting a response from Town Counsel about any recommendations being made to local communities about the upcoming marijuana ballot question. She indicated that she also has a call into the Department of Public Health (DPH) to get additional input from them about what they believe towns should be doing. In response to a question from Ms. Gillespie, Ms. Joubert confirmed that she had spoken with the Westborough Town Planner who provided her with a copy of the marijuana bylaw and changes they are considering for their local bylaw in the event the ballot question is passed. Ms. Gillespie asked if Ms. Joubert will have answers from Town Counsel and the DPH before the next Planning Board meeting. Ms. Poretsky asked about the required lead time to call a Special Town Meeting. Ms. Joubert stated that she did not know, but since nothing has yet been received, there is likely nothing that can be done in advance of the November election. Ms. Gillespie asked if other Town Planners are collecting this type of data. Ms. Joubert stated that, based on her conversations with a number of towns, it does not appear that they are doing anything special this fall.

Consideration of Minutes – Members of the board agreed to defer the consideration of minutes to the next meeting.

Green Communities – Mr. Pember indicated that he had recently spoken with a member of the town's Administrative office and they did not seem to know anything about the Green Communities initiative. Ms. Joubert stated that she has spoken with John Coderre at length about it. She also explained that due to the timing of the original Planning Board discussion and the timing of the grant deadline, she was not able to get an application submitted for the Mass Technical Assistance funds before the deadline. She discussed this at length with Mr. Coderre and he agreed an application should not be submitted at this time as there was not sufficient time to discuss the topic with the Board of Selectmen. Ms. Joubert voiced her understanding that the Town Administrator wants to meet with the various town departments about adoption of the stretch code after which he would invite Kelly Brown to make a presentation to the Board of Selectmen.

Solar bylaw – Mr. Poretsky suggested that the board consider revisiting the subject of the solar bylaw and expressed a desire to be ready to bring a solar bylaw, recreational marijuana bylaw, and medical marijuana bylaw to the next Town Meeting. Ms. Capobianco stated that, while she

is not averse to doing so, she recognizes that town residents are opposed to being further regulated. She emphasized the importance of presenting a proposal in a way that doesn't make citizens feel as though they are going to lose some rights along the way. She also suggested that it would not be advisable to put all three of these bylaws up for a vote at the same time. Ms. Gillespie agreed, and suggested waiting until the next meeting when she hopes the board will be in a better position to make an informed decision about which bylaw to pursue at the next Town Meeting.

ANR – An ANR for 12 Whitney Street was provided for signature.

Meeting adjourned at 7:35PM.

Respectfully submitted,

Elaine Rowe
Board Secretary