



TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 12/6/16

Planning Board Meeting Minutes October 18, 2016

Members in attendance: Theresa Capobianco, Chair; George Pember; Amy Poretsky; Leslie Harrison; Michelle Gillespie (arrived at 7:10PM)

Others in attendance: Kathy Joubert, Town Planner; Fred Litchfield, Town Engineer; Elaine Rowe, Board Secretary

Chair Theresa Capobianco called the meeting to order at 7:05PM.

Ms. Capobianco congratulated town staff and the Town Common group on being awarded a grant through the National Park Service's Land and Water Conservation Fund (LWCF) Grant Program.

Michelle Gillespie arrived.

DPW Discussion – Mr. Litchfield explained that he has done some research and found some good bylaws, though they do not lend themselves to a simple comparison. He indicated that the DPW wants to focus on inspectional services as they have not really been done in the sequence as outlined. In response to a question from Ms. Capobianco, Mr. Litchfield stated that the DPW would like to get a better hold on a more realistic process. He noted that there has been some discussion about requiring developers to hire a provider of inspectional services to be onsite around the clock since the town does not have the resources to do so. He commented that this will result in added costs for the developer and ultimately the purchaser of the home, so will require further discussion. Ms. Capobianco asked if other towns do this. Mr. Litchfield confirmed that they do. He explained that Northborough requires an as-built plan when the project is completed, but the engineer relies on information provided by the contractor. He also noted that town staff does periodic checks but cannot be onsite 24/7. He also emphasized the importance of discussing curbing and asphalt thickness on roadways.

Ms. Gillespie voiced her opinion that this will be costly for developers, especially in the case of smaller subdivisions like Clark Woods or Sterling Court, and asked if there is any way to revise the subdivision bylaws to address the size of developments to accommodate developers of the smaller projects. Mr. Litchfield indicated that this will be up to the board, but noted that it is just as important in a small subdivision as it is for a large one. He discussed the importance of ensuring that roadways are done correctly, since they become the town's responsibility once the

roadway is accepted. He also commented that, once we get through with this process, it will likely result in a complete revision of the subdivision rules and regulations.

Update on Newton Street – Mr. Litchfield noted that the base coat of pavement has been installed, and he has been working with Mr. Ramadan to keep things moving forward. He also indicated that he has met with Mr. Karpuk to review his concerns about the stone wall that was damaged by Mr. Ramadan’s crew, and he will work to get those issues addressed. Mr. Litchfield stated that he is waiting for the engineer to provide an as-built plan for the pavement that was installed. He noted that the road looks a bit wider than expected and he is concerned that the thickness may not be appropriate, so he has asked the contractor to provide an as-built to confirm. He also noted that the contractor agreed to make sure the thickness is sufficient and has offered to post a \$5,000 - \$10,000 bond for the next three years to address any issues that may arise. Ms. Capobianco asked if the situation will be resolved before winter. Mr. Litchfield indicated that he is encouraging Mr. Ramadan to finish the work this year, but noted that Mr. Ramadan has not been paid by Mr. Wambolt and this is creating additional issues with the project. He reiterated that he is hoping to get the as-built plan this week so that the paving can get scheduled.

Mr. Litchfield informed the members of the board that the “Wreaths Across America” effort will be stopping at the American Legion on December 13th at 8:00AM.

Northborough Crossing – Ms. Gillespie asked about the status of the signal where the new development is underway at Northborough Crossing. Mr. Litchfield noted that the infrastructure and foundations are already in for the mast arm and control boxes. He voiced his understanding that the contractor is working on the curbing, and the signals should be installed and operational in early November. He also noted that the new signals will be tied in with the lights for the baseball fields and the ramp signals to ensure appropriate traffic flow.

Mr. Litchfield voiced his understanding that the traffic warrant for a signal at the secondary entrance has been met, and the developer is awaiting DOT approval to move forward with the design. He commented that the installation should be fairly simple, but will still be a 12 to 18 month process.

Ms. Joubert noted that the Occupancy Permit for the Mooyah franchise will be issued this week. She also indicated that an upscale Chinese restaurant, nail salon, men’s hair salon, doctor’s office, jewelry store, and a Jimmy John’s franchise are planned for the project.

Master Plan – Ms. Joubert indicated that she had met with Kim Foster, the town’s Procurement Officer, who will help put together the RFP packet that will be provided to the board before it goes out for bid. She also noted that Town Counsel has indicated that the Town Administrator is the appointing authority for the Master Plan Steering Committee. She indicated that, prior to the formation of the Steering Committee, there will be a small committee (2 members of the Planning Board, one member of the Board of Selectmen, Ms. Joubert and Ms. Foster) to review proposals and interview finalists, with the Town Administrator ultimately responsible for the

hiring. She also stated that the Planning Board members on this committee do not need to be the same members that serve on the Steering Committee, which will be comprised of a total of 15 members initially. Ms. Poretsky voiced her opinion that the Master Plan was under the purview of the Planning Board and thought they would have the appointing authority. Ms. Joubert reiterated that Town Counsel has indicated that the Town Administrator has the appointing authority.

Ms. Capobianco asked when Ms. Joubert needs to know which Planning Board members will serve on the small committee. Ms. Joubert expressed a desire to know within the next few meetings so that she understands to whom she should distribute the proposals. Ms. Gillespie and Mr. Pember both voiced an interest in serving on both committees. Mr. Poretsky stated that she would like to serve on the Steering Committee.

Consideration of Minutes - Leslie Harrison made a motion to approve the Minutes of the Meeting of September 6, 2016. Michelle Gillespie seconded; motion carries by unanimous vote.

Michelle Gillespie made a motion to approve the Minutes of the Meeting of August 18, 2016. George Pember seconded; motion carries by unanimous vote.

Leslie Harrison made a motion to approve the Minutes of the Meeting of June 21, 2016. Michelle Gillespie seconded; motion carries by unanimous vote.

Request for Two-Year Extension of Planning Board Special Permit Pursuant to Groundwater Protection Overlay District with Site Plan Approval and Earth Removal Permit for 301 Bartlett Street – Ms. Joubert explained that the board approved a 220,000 square foot building on this parcel in 2008, but the project has not yet been built. She noted that the applicant would like to keep the special permit on the books while they continue to market the project. She indicated that the last extension that was granted is due to expire on November 3, 2016 and the applicant is seeking an additional two year extension.

George Pember made a motion to extend the Special Permit with Site Plan Approval for an additional two years. Leslie Harrison seconded; motion carries by unanimous vote.

Proposed Zoning Amendments – Ms. Joubert expressed a desire to discuss some of the proposed zoning changes in an effort to be prepared to address them in the coming months. She noted that warrant articles are due in early February, with the warrant closing in March. Issues were discussed as follows:

- **Airbnb** – Ms. Joubert stated that, while she is not proposing the adoption of a regulation, she believes this is something that the board should think about. She noted that, to her knowledge, there are only about three properties being rented out on Airbnb, and one individual in town has lodged a complaint. She also voiced her expectation that this is something that we will see and she would prefer not to wait until it becomes a problem to start the discussion. She offered to draft language for the board if it is something they wish to pursue. Ms. Capobianco suggested that no immediate action is needed. Ms.

Gillespie commented that it is no different from a homeowner renting out their house, which the town currently does not regulate.

- **Duplexes** – Ms. Joubert discussed the increase in the number of duplexes in recent years, and voiced her opinion that these developments are not what duplexes have historically been but rather involve two very large duplexes on a single family lot. She noted that duplexes are allowed by right in the General Residential zone; by special permit in Residential C, and prohibited in Residential A and B. She explained that there is no site plan review for duplexes, so at a minimum she would like to include a regulation requiring review by either the Planning Board, ZBA, or staff. Ms. Poretsky discussed issues with the way common driveways are currently designed and noted that we now have duplex developments on common driveways resulting in twice as many units being served by the common driveway. Ms. Joubert stated that staff would like to be able to review drainage, grading, and curb cut locations, none of which is done currently. She also suggested that the board may wish to consider increasing the required lot size for duplexes. Ms. Gillespie agreed, and voiced her opinion that duplexes should come before either this board or the ZBA. Mr. Pember suggested that these projects should go before the ZBA in order to streamline the process for the applicant. Ms. Joubert suggested that, as part of the Master Plan process, we should take a closer look at each board's function and what each board addresses. Ms. Gillespie stated that she would not want to see the town increase the required lot size and then see the ZBA simply grant a variance. Members of the board agreed to give this issue further consideration.

Ms. Gillespie discussed the project proposed for King Street and asked if the board should consider not allowing the buildings to be more than two stories. Ms. Joubert noted that the zoning bylaw does not have a cap on the height of buildings in a residential zone. Ms. Gillespie expressed a desire to see a height restriction. Ms. Joubert agreed to discuss the matter with the Building Inspector to determine if there is anything in the building code that would support a restriction.

- **Medical and recreational marijuana** – Ms. Joubert indicated Town Counsel has advised that a Special Town Meeting to address what may happen with this ballot question would not be warranted at this time. She noted that Town Counsel also does not currently know how to direct towns about building their bylaws because the ballot question is so poorly written, but will put together a recommendation if the question passes. Ms. Poretsky noted that the town currently does not have a bylaw written to address dispensaries, and voiced her opinion that there are certain places in town where they do not fit. She indicated that she does not feel comfortable that the town is not protected and would not want to see them in the downtown area. Ms. Capobianco reminded the board that the town did not support the adoption of a zoning bylaw regulating the location of medical marijuana facilities and suggested that the board revisit the issue after the election.

- **Vehicle sales and service** – Ms. Poretsky distributed some paperwork and noted that residents have been talking about cleaning up the downtown for many years. She suggested that vehicle related uses should be prohibited on Main Street as recommended in the Community Development Plan. She also noted that there are currently 26 auto repair related facilities in town, 15 of which are on Main Street. Ms. Joubert explained that none of these uses are permitted in the downtown area now. Ms. Poretsky was referring to all of Main Street as suggested in the Community Development Plan. Ms. Poretsky stated that, while she understands the existing shops are grandfathered, she would like to ensure that we do not allow any more. She said there is a place for them in our town but in the industrial zone as the buildings are designed like an industrial building; mostly steel buildings with overhead doors on the front. Mr. Pember agreed. Ms. Harrison indicated that she would have no objection to pursuing this bylaw change. Ms. Joubert explained that pursuing this bylaw revision may affect an existing business owner who is currently looking to relocate from Bartlett Street to Main Street. In order for this potential bylaw change to not affect him, Ms. Joubert noted the applicant would have to have a special permit in hand before the bylaw is changed.

Green Communities – Mr. Pember discussed a recent article in the Telegram & Gazette about the money that the Town of Grafton is getting because they are a green community, and questioned why Northborough is not pursuing this initiative. He voiced his understanding that John Coderre is occupied with other priorities and suggested that, in order for it to get done, it needs to be on the warrant,

Next meeting – The board's next meeting is scheduled for November 1, 2016.

Meeting adjourned at 9:00PM.

Respectfully submitted,

Elaine Rowe
Board Secretary