



TOWN OF NORTHBOROUGH Zoning Board of Appeals

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Approved 1-20-09

Joint Meeting of the Zoning Board of Appeals and the Planning Board Meeting Minutes July 22, 2008

ZBA Members present: Richard Rand, Chairman; Mark Rutan, Clerk; Richard Kane; Sandra Landau, Alternate; Gerry Benson, Alternate; Dan Ginsberg, Alternate

Planning Board Members present: George Pember, Vice Chairman; Robert Rosenberg; Daniel Lewis

Others present: Kathy Joubert, Town Planner; Bill Farnsworth, Building Inspector; Elaine Rowe, Board Secretary; Judy Barrett

The joint meeting of the Zoning Board of Appeals and the Planning Board was called to order at 8:00PM.

Ms. Joubert noted that she had mailed copies of the draft overlay district map to the members of both boards prior to tonight's meeting.

Ms. Joubert explained that Rick Leif, Planning Board Chairman, was unable to attend tonight's meeting but that she had discussed with him the issues to be covered. She noted that, at the last meeting, there was discussion about the General Residential zone and whether a second category of General Residential or an overlay should be created. In response to that discussion, Ms. Barrett had sent an email containing draft language for the creation of an overlay district. Ms. Joubert indicated that the two boards must now decide how to define the uses that were discussed at the public meeting, decide which of those uses are to be allowed in the overlay or new district, and specify what area of town would be included. Ms. Joubert explained that, based on the public informational meeting and the June 24th joint meeting, the overlay/new district would include the area along both sides of Main Street from Trinity Church to Stone's Cycles, at least one lot's depth, and over to Summer Street. She suggested that, for the purpose of tonight's discussion, this new use district will be referred to as GR2.

Ms. Joubert explained that the performance standards have not yet been written, but she expects to have them in time for the next joint meeting. She also suggested that the two boards should decide on a schedule for the next few joint meetings in order to keep the process moving forward.

Ms. Barrett presented an overview of what was contained in her email to the board members. She explained that she had drafted language to establish this new area as

an overlay, with the advantage being that the underlying use rights do not change. She explained that it is also possible to accomplish the same with the creation of a new district. She voiced her understanding that some residents in this area would like some flexibility to have business uses on their property. She noted that she has also suggested language that will allow for conversions and address the concerns about tear-downs. She explained that the draft language allows for multi-family housing of up to 6 units, which she arrived at because there is already an existing building in this area with 6 units.

Ms. Barrett reiterated the goal of preserving historic buildings, and suggested that the Historical Commission should be the mandatory referral body for input on any proposed projects. She noted that, though the Historical Commission would not have the authority to deny a project, they should be allowed the opportunity to provide input. Ms. Joubert agreed and noted that, since the Historical Commission was reinstated, she has made every effort to keep them informed of any upcoming project involving a historical property.

Ms. Joubert also noted that the comments made at the recent public meeting made it clear that the residents were not opposed to multi-family housing or the home-occupation aspect, but were simply concerned about radical change to the character of the neighborhood.

Mr. Rutan asked if any of the Summer Street residents were present at the public meeting. Mr. Rutan questioned whether the new district would end in the street, or go in one lot on Summer Street. Ms. Barrett explained that the preferred way to handle it would be to take it across the street so that there are not differing land uses allowed on opposite sides of the street. Members seemed to agree that the district should include one lot in on Summer Street.

Ms. Barrett questioned the easterly and westerly boundaries for the new district. Mr. Rosenberg questioned the property at 77 Main Street, which is noted is currently a split lot. He noted that taking the new GR2 district all the way to the river will result in this lot remaining as a split lot, but was uncertain whether that would pose a problem. Ms. Barrett suggested that the entire lot could be classified as NT, with clear regulations about what is allowed on NT lots with frontage on Main Street. Ms. Joubert suggested that it would be possible to achieve the same objective by keeping that lot as NT, and zoning the rest of the area as GR2.

Mr. Rutan suggested that the westerly boundary should be Trinity Church and Patty Lane. Mr. Rosenberg suggested that the boundaries should be from the Library to the Business East line, and from Trinity Church to Business East, and that the phone building and the old Grange Hall on School Street should be included.

Mr. Pember questioned the number of units to be allowed, and noted that Betty Tetreault's house has 5 units. Mr. Rosenberg noted concerns voiced at the public meeting about turning Main Street into West Main Street (in appearance), and reiterated serious concerns about the economic incentive for tear-downs. He commented that there is a big difference between owner-occupied multi-family housing and apartment

buildings. Given these concerns, he suggested holding the maximum to 4 units. Ms. Barrett agreed that limiting multi-family housing to 4 units would increase the potential for owner-occupancy and prevent dramatic change to the area. Board members agreed to allow a maximum of 4 units.

Ms. Joubert commented that the board members appeared to be favoring the creation of a new district (GR2), which would encompass the area between Trinity Church and the Business East district, the western side of the library to Business East, two lots back on Summer Street to include the phone building and the old Grange Hall, and one lot deep down to Business East.

Chairman Rand questioned the lot at 77 Main Street, and wondered if it would really matter what the boards decide. Ms. Joubert noted that, if the Stop & Shop project does not go forward, zoning would dictate what could be put on the lot in the future. Mr. Rosenberg suggested that the board members consider what they would like to see there. Ms. Barrett suggested that the front of the lot be zoned as GR2, and the back of the lot as NT.

Mr. Farnsworth suggested that the town use GR-A and GR-B distinctions, to be in line with our other residential zoning district references. Members of the boards agreed.

Mr. Rosenberg commented that multi-family housing was to be allowed in GR per the draft that the boards have been working from. Ms. Barrett noted that multi-family in GR was originally proposed, but the boards have since agreed to disallow it.

Ms. Joubert noted that there appears to be a consensus to maintain the same split on the property at 77 Main Street, with the front to be GR-B and the back portion to be zoned as NT.

Mr. Farnsworth voiced concern about not imposing a maximum lot coverage and relying on the open space ratio. Ms. Barrett explained that this will be clarified when the new district is created and will become another part of the table.

Ms. Barrett reiterated her understanding there is to be no multi-family housing allowed in the GR-A district, and that up to 4 units will be allowed by special permit in GR-B. She also noted that the boards voiced a preference for the creation of a new district in lieu of an overlay.

Ms. Joubert commented that there had been no indication that residents were interested in changing any of the dimensional regulations. Ms. Barrett noted that there are currently no maximum lot coverage regulations in the GR district, and suggested that they could be implemented for the new GR to regulate how much build out can occur on an existing lot. However, doing so could force some current properties into a nonconforming status.

Board members discussed holding their next joint meeting on August 26, 2008, following the regular meeting of the ZBA. Ms. Joubert suggested that the focus of the next meeting should be the southwest area and the performance standards.

Ms. Joubert noted that Mr. Leif had requested that the boards try to address Mr. Rosenberg's question about light manufacturing vs. manufacturing. Mr. Rosenberg noted that the use allowed in the industrial zone under the current zoning bylaw is "light manufacturing", and voiced his desire to clarify what is to be allowed. He noted that there is no definition for "light manufacturing" anywhere in the bylaw, and asked Mr. Farnsworth what guideline he would use to determine if a particular manufacturing use is allowed. Ms. Barrett suggested keeping the "light manufacturing" stipulation and regulating it using the performance standards. Mr. Benson suggested the matter should be deferred to the Industrial Review Committee if there will be any alteration to the type of manufacturing to be allowed.

The joint meeting of the Zoning Board of Appeals and Planning Board adjourned at 9:30PM.

Respectfully submitted,

Elaine Rowe
Board Secretary