



TOWN OF NORTHBOROUGH Zoning Board of Appeals

Town Hall Offices • 63 Main Street • Northborough, MA 01532 • 508-393-5019 • 508-393-6996 Fax

Approved by Planning Board on June 24, 2008
Approved by Zoning Board of Appeals on August 26, 2008

Planning Board and Zoning Board of Appeals Joint Meeting Minutes 6/3/08

Planning Board Members Present: Rick Leif, Bob Rosenberg, Michelle Gillespie, Dan Lewis, George Pember

ZBA Members Present: Mark Rutan, Sandra Landau, Dan Ginsberg

Others Present: Kathy Joubert, Town Planner; Bill Farnsworth, Zoning Enforcement Officer/Inspector of Buildings; Judi Barrett, Community Opportunities Group

Acting Chairman Mark Rutan opened the ZBA meeting at 7:00 pm.

Chairman Rick Leif opened the Planning Board meeting at 7:00 pm.

Joint Meeting with Zoning Board of Appeals and Judi Barrett, Community Opportunities Group, Inc. RE: Continued Discussion of Proposed Zoning Bylaws

Mr. Leif stated that, at the last meeting, wording which limited the number of units for mixed use development in the proposed zoning bylaw would be dropped and Floor Area Ratio (FAR) would be used instead to determine the number of units. He wanted to review the FAR specifications to make sure everyone was comfortable with them and what they will allow developers to do.

Judi Barrett, Community Opportunities Group, distributed a two-page document she had prepared showing examples of mixed-use construction with a maximum FAR. Referring to the proposed Appendix A, Schedule of Use Regulations, she stated the examples she handed out focus on the BBE, BBW and Downtown Business districts columns.

Ms. Barrett recapped information on FAR. She explained the focus for FAR is the business districts. The FAR in the Downtown Business district started out lower than what is proposed now. The Zoning Subcommittee members believed they needed to create incentives. At a previous meeting Tom Reardon did a presentation showing FAR calculations for some parcels, and she had also presented information on FAR on some familiar town parcels. They came to the conclusion the FAR should be increased to 1.5 by right in the Downtown Business District. That increase represents a recognition that the downtown area is different from the other business districts and more density and use-intensity makes sense there.

Ms. Barrett stated that building design will not only be based on FAR, but also on any particular conditions tied to use regulations. Stores larger than 15,000 square feet, on a 10,000 square-foot lot (a 1.5 FAR), would have to be reviewed.

Mr. Leif stated with a 1.5 FAR, a 15,000 square foot building could be built on a 10,000 square-foot lot of which a minimum of 30% retail use (4,500 square feet) would be required, leaving 10,000 square feet for residential use. If zoning does not specify some limits to the number of units, the possibility exists that a large, significant number of residential units could be built. If most people feel we should not specify a maximum number of units, maybe we should consider smaller FARs in that district. The problem is in the downtown district mixed use or retail is allowed, but only one FAR will apply to both uses.

Ms. Joubert stated it will give the developer flexibility to do what the market is calling for at the time.

Mr. Leif stated it is impossible to say exactly what could happen except to say the market will drive it. The question is what will be the maximum potential.

Ms. Barrett stated the subcommittee has decided on a fairly generous FAR, but some projects will trigger the requirement of a special permit.

Mr. Farnsworth stated there is a parking standard per square foot, which makes the 1.5 FAR unrealistic.

Ms. Barrett stated parking could be subgrade.

Mr. Lewis reviewed the examples of FAR Ms. Barrett handed out. He stated he's not sure that FAR is such a big carrot to dangle and maybe they should look at an open space ratio.

Ms. Barrett stated it gets back to what the board sees as their vision for that district. She encouraged the boards to look at the size and shapes of the lots. The Subcommittee didn't want to talk about an open space ratio for downtown. Tom Reardon presented the Blake Street apartment building as an example and the Subcommittee said to make the FAR higher so it wouldn't be an impediment.

Mr. Farnsworth stated the Blake Street building has only 12 apartments and the FAR comes out to 1.176, with residential use only. That table goes up to 1.5 in mixed use, but with parking requirements would not allow an FAR of 1.5.

Ms. Joubert stated that would be the maximum.

Mr. Leif stated he is not debating FAR on its own merit but to get a reconfirmation that people feel comfortable that number of units that could be created is reasonable. If people still feel that way, and think that a 1.5 FAR cannot be attained, it's not the end of the world.

Mr. Lewis stated if the regulations are simple, it's better for the developer.

Ms. Barrett stated an option would be to reduce the FAR allowed by right and anything over that size would require a special permit. Also, FAR could be eliminated, then setback and open space requirements, with no coverage limit, and parking regulations could be used.

Mr. Farnsworth stated parking is going to take up as much area, or more, than the building. Parking regulates size.

Mr. Ginsberg stated the Subcommittee wasn't worried about a building that had a large number of small units. If a limit of units was taken out, the FAR would still be there. Don't

want to let parking, open space and commercial use be our guide and have something we don't want. The Subcommittee thought both FAR and number of units should be used. He doesn't want to remove everything.

Mr. Leif asked if everyone feels comfortable with the number of units that could be built using only FAR.

Mr. Rutan stated he does not have a problem with it.

Mr. Leif stated they are trying to encourage an increased number of smaller residential units in town so the choice of housing inventory would increase. Also, it will draw people who will live in the business district. He stated the subcommittee was concerned that the downtown could become overly residential, which led them to limiting the number of residential units created. At the last joint meeting, the ability to limit the number of units was taken out and now more residential units could be built.

Ms. Gillespie explained she has heard from a lot of senior citizens that they would like to move to the downtown area. She stated she can't imagine a developer building a project with 50 units. It would be helpful to see that design.

Ms. Barrett asked if people would be more comfortable if the threshold for requiring a special permit for the number of units was lower. It would give the board the ability to review a project.

Mr. Leif asked the members to state whether or not they are still comfortable going with the FAR. They responded as follows:

- Michelle Gillespie OK with FAR
- George Pember OK with FAR
- Bob Rosenberg Not OK with FAR - concerned about the scale, thinking 1.5 FAR is too high
- Dan Lewis On the fence - FAR might not be necessary piece - but could have a large parcel and small parcel and may hit limit of units - Not sure of right way to go
- Mark Rutan OK with FAR
- Sandra Landau OK with FAR
- Dan Ginsberg OK with FAR

Mr. Leif stated it appears the general consensus is the same as at the last meeting.

Ms. Barrett stated the FAR will be lower in the BB East and BB West districts. BB East was thought of as being more of a gate-way to the downtown district and not built up to the same extent. BB West would not be the same gateway, as it has a lot of areas larger than in BB East. The FAR is lower to reflect larger-parcel development and the subcommittee didn't want those parcels built out to a 1.5 FAR. The thought was that the core (downtown) would be dense and the areas around the core (BB East & BB West) would be less dense.

Mr. Leif stated it appears they are all still thinking the same way. Parking, setbacks and open space will have an effect, but the majority wants to go with the FAR.

Mr. Rutan asked if a hotel is considered commercial, and if someone builds a hotel would they be limited to FAR.

Mr. Farnsworth stated a hotel is residential and under the Building Code it's classified as residential. However, the rooms are not considered living units as the people are transient.

Mr. Leif stated that, regarding multi-family mixed use, members at the May 14th joint meeting agreed to:

- ❖ Vertical mixed use by right in the Downtown Business, Business East and Business West
- ❖ Horizontal mixed use by special permit in the Downtown Business, Business East and Business West
- ❖ Density would be up to 2 units within each district's minimum lot area and an additional 2,500, 3,500 or 5,000 square feet per unit for the 3rd unit and each unit over 3

Ms. Joubert stated the third bullet was taken out at the last meeting.

Mr. Leif stated this will be a fairly significant change to the current zoning. The view of the subcommittee was that it's time to address this. The whole concept will be new and presented on Town Meeting floor. It will be a major concept. This is what the boards will be opening up at town meeting.

Mr. Rutan stated he is more curious than worried about it.

June 11, 2008 Public Information Meeting - Southwest Area of Northborough

Ms. Joubert reviewed information for the upcoming workshop on June 11th. She explained Ms. Barrett has printed up small versions of the map for the subject area. All notices have been mailed to property owners. The area contains not only Industrial A parcels, but also a little of the BB West and Residential along Davis Street and both sides of Route 20, and going into the Industrial district around Smith Pond. There are approximately 180 landowners. In addition, notices went out to the Selectmen and staff by email.

The Melican Middle School Library has been reserved for June 11, 2008 at 7:00 pm.

Ms. Barrett asked those members present if they were all in agreement with the boundaries of the study areas.

Mr. Ginsberg asked why the Highway Business district wasn't included.

Ms. Barrett stated the fate of the highway business district depends on how it is impacted by The Loop/AvalonBay project. The adult zone should stay there.

Ms. Joubert stated there is a lot of interest in the driving range on Route 20 (East Coast Golf) and the mini-golf facility on Route 9. Some developers are looking at how they can combine that land and get access off Route 9 through MassHighway. There is an access road for the Highway Department that cuts the land in half. It may never come to be, but something is happening in that area.

Ms. Gillespie stated the scenario is interesting. She asked if the zone could be reduced.

Ms. Joubert stated they are not prohibited from shrinking it.

Ms. Barrett stated a possible answer to the scenario is that the highway business is an obsolete district for the area. However, the consequence would be that the adult use doesn't have a place on the map. The use has to be accommodated or put somewhere else. It's not clear whether or not the zoning will change, but they need to be in agreement with the area they're looking at.

Mr. Leif stated it's important in Ms. Barrett's introductory comments that it's made clear everything is not going to be rezoned.

Ms. Joubert asked Ms. Barrett if she was going to have 2 - 3 scenarios to propose. Ms. Barrett stated she would not have them for this meeting. She explained this meeting is being held so the people who live in the area would not hear about it on the street. People have a right to know what's going on. It's also for the purpose of asking them what they think the boards should look at. These people will know the area better. If there are issues the boards should look at as the analysis is being done, they should be heard. It will be helpful to know from them how they see the evolution of their own back yard. It will also put people's minds at ease because they'll know why their area is being looked at. She will show the map and existing zoning lines, along with the location of The Loop/AvalonBay.

Ms. Joubert will ask Brendon Properties for an aerial photo of The Loop. Mr. Pember stated it would be handy to include the SUASCO land taking, too.

All members presented stated they agree with the study area.

Next Meetings

Next Joint Meeting: The next joint meeting of the Planning Board and Zoning Board of Appeals will be held on June 24, 2008. The ZBA meeting will be at 7:00 pm and the joint meeting will be scheduled from 7:30 pm to 9:30 pm. Ms. Barrett will be available. Ms. Joubert is on vacation the week of June 23rd and will not be at the June 24th meeting.

Mr. Leif stated he would like to work through the list of zoning proposal issues. He wants all of the members to review the final proposed zoning bylaw by next year.

Ms. Barrett agreed, stating everyone taking a section to review will be a good thing.

Next Public Information Meeting: The next public information meeting will be held on June 19th at the Melican Middle School Library from 7:00 pm - 9:00 pm. This meeting will be different from the June 11th meeting in that the actual proposed zoning for the area will be presented.

Planning Board approved the May 14, 2008 joint minutes and ZBA will consider them at their June 24, 2008 meeting.

Adjournment of ZBA meeting: Dan Ginsberg moved to adjourn the ZBA meeting. Sandra Landau seconded the motion and the vote was unanimous to adjourn. The ZBA meeting adjourned at 9:10 pm.

Old/New Business

300 West Main Street Application: Ms. Joubert stated an application for co-location on the wireless communication facility at 300 West Main Street has been filed. After a brief discussion on scheduling, it was decided the hearing date for this will be July 29th.

Election of Officers

Chairman: George Pember moved to nominate Rick Leif to continue as Chairman. Michelle Gillespie seconded the motion and all members were in favor of the nomination.

Vice Chairman: Rick Leif moved to nominate George Pember to continue as Vice Chairman. Bob Rosenberg seconded the motion and all members were in favor of the nomination.

Current Appointments to Boards:

- ❖ Housing Partnership Rick Leif
- ❖ Open Space VACANT (Formerly Don Hewey)
- ❖ CPC Bob Rosenberg
- ❖ GAC George Pember
- ❖ CMRPC Bob Rosenberg
- ❖ DRC Michelle Gillespie

Ms. Gillespie stated she would like to see the positions rotated since they've all been on these boards for so long. Also, she stated representatives should be bringing feedback to the board.

Ms. Joubert stated she will be working on the Open Space Plan with the CMRPC. They may form a smaller group to do it. An Open House for landowners had been planned on June 7, 2008 at the Rawstron's house, but only one person responded. The event will be rescheduled in the fall. The Open Space Committee is trying to be more proactive by talking to landowners about possible things to do with their land.

Mr. Rosenberg asked what people thought about rotating positions.

Mr. Pember stated he enjoys being on the Groundwater Advisory Committee, but is willing to move.

Mr. Lewis stated he will fill the Open Space Committee vacancy.

Proposed Appointments to Boards:

- ❖ Housing Partnership Rick Leif
- ❖ Central MA Regional Planning Commission Bob Rosenberg
- ❖ Community Preservation Committee Bob Rosenberg
- ❖ Open Space Committee Daniel Lewis
- ❖ Groundwater Advisory Committee George Pember
- ❖ Design Review Committee Michelle Gillespie

Bob Rosenberg moved to approve the nominations for Chairman, Vice Chairman and the Appointments to boards. Michelle Gillespie seconded the motion and the vote was unanimous to approve.

Design Review Committee: Ms. Gillespie stated the Design Review Committee has been in need of a 5th member for a while. They received an application from Allen Steinman, who would fill the landscaper position. She supported Mr. Steinman for the position and stated the board can approve him on the basis of her recommendation or he could come before the Planning Board for an interview.

Ms. Joubert stated all the other Design Review Committee members reacted favorably to Mr. Steinman. She explained the suggested make-up of the Committee is an interior designer (Pam Bleakney), a Planning Board member (Michelle Gillespie), a Chamber of Commerce member & Resident (Tony Abu), an architect (Tom Reardon), and a landscape architect

Retirement of Town Administrator: An open house for Barry Brenner's retirement will be held on July 1st at the town hall from 4:00 pm - 6:30 pm.

Housing Partnership Workshop: Mr. Leif explained that at a workshop a few weeks ago one of the CHAPA people mentioned they were funded for \$75,000 to be divided among 3 - 4 other towns to educate people on why affordable housing is needed. They were accepting applications to divide the money among the towns. The consultant at the workshop said she could help Northborough develop an education plan and give them a price for it, which is what she quoted last year. They would use CHAPA money to pay for the consultant. Other members have reviewed the draft and Ms. Joubert is working on getting it to CHAPA. They want to get a town that is gearing up and is having trouble convincing people to do it.

Adjournment

The meeting adjourned at 9:30 pm.

Respectfully submitted,

Debbie Grampietro
Administrative Assistant
Planning, Engineering, ZBA