



TOWN OF NORTHBOROUGH Zoning Board of Appeals

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Approved 9/25/12

Zoning Board of Appeals Meeting Minutes August 6, 2012

Members Present: Dick Rand, Mark Rutan, Dick Kane, Robert Berger, Jeffrey Cayer, Fran Bakstran

Others Present: Kathy Joubert, Town Planner; Andrew Collins, New England Baseball Enterprises LLC; Steve August, New England Baseball Enterprises LLC; Patrick Maguire, Activitas; Brion Konig, Cavanaugh Tocci Associates, Inc.; Mark Donahue, Esq., Fletcher Tilton; Maureen & Gaetano Monopoli, David Tai, Brian Davis, Dean Briggs, Andrew Cosgrove, Josephine Corbosiero, Sathy Koteeswaran, Nicole & Lisa Henry, Tony Lee, Michael Tascione, Theresa Capobianco, Thomas Daly, Steven Anderson, Catherine Kenney, Charlene Arsenault, James Polymeros, Anne Basteri, Helen Sullivan, Kevin Lamy, Aldo A. Cipriano, David Lightner, Doris Bertram-Morin, Andrea Morton, Cheryl & Richard Zieba, Chi Tai, Robin Peretzian, Kevin O'Connell, David Larcenaire, Alison Cosgrove, Deborah Hersh, Kurt Cradler, Edmund Uzar, Kelly @ Fountain Head Apartments, Steven Rowell, Jim-Hen Yang, Erin Kenney, Eva Polymeros, Tom Racca, Diane, Mikayla & Bob Burke, Amy & Scott Poretsky, David Henry, Arthur Morin, Leigh Welch, Laura Poulin, David Cianci, Janice & Jenna Colleran, Esther Tai, Katina & Tom Spataro, Tara & Lawrence Thornton, Genevieve Belfer, Wendy Lathrop, Amy Edgren, Chris Edgren, Richard & Amy Hopfmann, Denny Drewry, Jenn & Shawn Kenny, Wendy & Robert Morrison, Sharon & Justin Kelley, Robin & Kevin Lamy, Evan Morrison, Bob & Jan Bramley, Patrick & Anne Marie Weiler, John & Sally Baronian, Jim & Debbie Gallagher, Rich Colleran, Jan Racca, Lisa Larcenaire, Sarah Rothery, Judy Cradler, James Sinerate, Trudy Roybal, John Campbell, Rebecca Zieminski, Wade, Nancy & Michael Robbins, Christopher Laramie, Jeff & Judy Narod, Dhvani Badwaik, Andrew Pastor, Ben & Jerri Colomero, Kalyan Tatavarti, Robert & Christie D'Amico, Jim Hughes, David Putnam, Nancy O'Connell, Dale Lathrop, David Yee, Kumar Pediredla

Chairman Rand opened the meeting at 7:00 pm and appointed Robert Berger as the 5th voting member for the two public hearings this evening.

To consider the petition of Maureen & Gaetano Monopoli for a Variance/Special Permit to allow a proposed two-car garage to be located less than the required distance from a side property line on the property located at 94 Maple Street, GIS Map 52, Parcel 129

Chairman Rand read the legal ad for this hearing into the record and appointed Robert Berger as the 5th voting member for the meeting.

Applicants Maureen and Gaetano Monopoli were present and explained their project. Ms. Monopoli stated they want to add a 24' by 24' two-car garage to their single-family home that will be located 8.3 feet from the east side property line. The garage will replace a 16-foot room off the side of the house and part of the driveway. She presented letters in support of the project from David Hoover, 86 Maple Street and Ratnam Ratnaseelan, 2 Harris Drive, who are the two direct abutters on either side of their property. At the request of Mr. Rand, Mr. Monopoli read the letters into the record.

Mr. Rand asked the Applicants if the proposed garage could be located closer to the street and thus further away from the side property line.

Ms. Monopoli replied they tried, along with their builder, to fit it on other areas on the property but none of them worked. There is not enough room on the other side of the lot and a septic system is located off the back of the house. What they have proposed is the best location.

Mr. Rutan questioned whether or not there was an overhang that should be taken into consideration when determining the distance of the proposed garage to the east side property line. The Applicants stated they did not believe there would be an overhang on that side of the garage, but perhaps on the back of the garage.

Ms. Bakstran asked how far their property line is from the neighbor's property to the immediate right, off Harris Avenue. Ms. Monopoli referred the board to a blown-up portion of the Town's Assessors map submitted with their application, which shows the distance of their property (Map 52 Parcel 129) to the property at 2 Harris Avenue (Map 52 Parcel 128). Ms. Monopoli noted the back of the house at 2 Harris Avenue faces the side of their house on which the garage will be built.

Mr. Rutan motioned to close the hearing. Ms. Bakstran seconded the motion and the vote was unanimously in favor of the motion.

To consider the petition of New England Baseball Enterprises, LLC for a Variance/Special Permit to change the existing non-conforming use of a public golf course to an outdoor 4-diamond baseball facility on the property located at 275 Turnpike Road, Westborough, MA and on property in Northborough, Massachusetts identified as GIS Maps 104 & 105, Parcels 51 & 52, respectively

Chairman Rand read the public hearing notice into the record.

Andrew Collins and Steve August of New England Baseball Enterprises LLC; Attorney Mark Donahue, from the firm of Fletcher Tilton PC, representing New England Baseball Enterprises LLC; Patrick Maguire and Jonathan Charwick, Activitas; and Brion Konig, from Cavanaugh Tocci Associates, Inc. were present.

Mr. Donahue stated New England Baseball Enterprises, LLC is seeking a Special Permit per Section 7-08-020 of the Northborough Zoning Bylaw to allow the non-conforming use of a baseball training facility with four baseball diamonds to replace the existing non-conforming use of a golf course, known as Indian Meadow Golf Course, located in Westborough and in Northborough on lots that abut the Indian Meadow neighborhood.

Mr. Donahue introduced Patrick Maguire of Activitas, a company that specializes in Planning, Landscaping and Athletic Fields. Mr. Donahue and Mr. Maguire presented a PowerPoint slide show to familiarize those present with the New England Ruffnecks and explain all aspects of the proposed use. (Complete presentation is available in the Planning Department.)

Mr. Donahue explained the New England Ruffnecks is a college development program for boys ages 12 years to 18 years, with year-round training, tournament-style baseball and non-parental coaching. The goal of the program is to prepare the participants for college baseball, and some have gone on to be professional baseball players. The proposed baseball facility will include 3 full-sized baseball fields and one youth baseball field. Indoor training and teaching will be available year round in what is now the club house of the Indian Meadows Golf Course. The use of the outdoor and indoor portions of the

facility will include field rentals, batting cage rentals, lessons, youth leagues, local, regional and national tournaments, camps, and clinics.

Mr. Maguire reviewed the existing site conditions and the proposed plans for the site. He explained he and Andrew Collins, New England Baseball Enterprises LLC, held two meetings with neighboring residents of the site and the proposed site plans reflect changes made in response to concerns of the neighbors. Mr. Maguire stated there are bordering vegetated wetland areas and a perennial stream (Hop Brook) on the site, and therefore they will have to file with the Conservation Commission if they get their special permit from the Zoning Board of Appeals. Mr. Maguire explained where the fields were in relation to the wetland resource areas. He identified proposed locations for lighting and stated originally all the fields were to be lit.

Mr. Donahue stated the applicant recognized the concerns of the Northborough neighbors, especially regarding Fields #3 and #4, which are closest to them. He noted he had a meeting with the neighborhood, a second smaller meeting with the neighborhood, and then individual discussions with some of the neighbors. From those meetings, the applicant has made changes to the hours of operation, field lighting, the amplified sound system, crowd control and circulation, location of the bullpen for Field #3, and also addressed privacy and the possibility of baseballs landing in abutting properties.

Mr. Donahue presented the hours of operation as follows:

Fields 1 & 2

- March: Weather permitting & activity ends at 8 pm on both fields
- April: Activity generally ends at 8 pm on both fields (in school)
- May: Activity generally ends at 9 pm on both fields (in school)
- June: Activity generally ends at 9 pm on both fields (in school)
- July & August: Activity to end at 10 pm on both fields (no school)
- September: Activity generally ends at 8 pm on both fields (in school)

Mr. Donahue noted baseball games generally cannot be scheduled by time, however these games are either completed or played for 2 hours. The games start around 7:30 pm and 10 pm is latest they would end.

Fields 3 & 4

- During the school year, weekday activity will not begin until 3 pm
- No activity to begin before 9 am at Fields 3 & 4 on the weekends
- Activity will end at 8 pm on Fields 3 & 4 on weekdays and weekends

Mr. Maguire stated the light poles will be at heights to minimize light for the neighbors. Fields 3 and 4 will be lit with lower wattage bulbs in respect to the neighbors and to minimize electricity costs. The wattage of the bulbs along the perimeter of the property will be low. Fields 1 and 2 will be brighter due to the proximity being well away from any of the neighbors and the lights will not be shine into bedrooms or yards. However, the lights will be visible. Mr. Maguire explained the sports lighting terms “lumen, foot-candle, spill/trespass and glare”, as shown in their presentation. He stated a lumen is a measurement of light given off by a light source; a foot-candle is the unit of luminance equal to 1 lumen; spill/trespass is light shining beyond a sports facility that may annoy occupants of adjacent properties and is measured in foot-candles; and glare is the quality factor in sports lighting that can impair visibility

and cause discomfort to players and spectators. He stated new technology has improved with the use of a twisting light reflector with hoods, that keep light on the site. He noted people think lights at low heights will be less intrusive, however with a shorter pole there is less ability to control the light. With a higher pole, angled downward, light can be focused on the field and not in neighboring yards.

Mr. Donahue stated proposed buffer plantings will provide visual screening for the neighbors. In addition, neighbors had indicated they do not want spectators or others wandering into their neighborhood. Therefore, a fencing system, in addition to buffer plantings, will be installed around the perimeter of the facility. Buffer plantings will include arborvitae behind Fields 3 & 4. Arborvitae is there now, as is evergreen vegetation with large pine trees. The fencing will keep people away from the neighborhood.

Mr. Donahue explained the majority of spectators will be at Field 3 and will be at least 345 feet away from the nearest property line. The closest distance spectators can get to a property line will be 150 feet, near the fence between Fields 3 & 4. Spectators at Fields 1 & 2 will generally be 475 feet to 850 feet away from the closest property line. The closest dimension from the Field 3 home plate to the nearest home is 430 feet. From home plate at Field 4 to the nearest home is 375 feet.

Mr. Donahue addressed the neighbors' concern regarding the access easement into Indian Meadow Drive, stating they are proposing no access there. The fence at Field 3 will be in the way and they are planning buffer plantings in that area as well.

Mr. Donahue explained this type of tournament baseball is not like going to Fenway Park. The usual spectators are parents, extended family members, some baseball scouts and cross-over spectators from another game that has ended. Some spectators may be at the concession stand, restrooms or batting cages during the transition of one game to another. Mr. Donahue stated it is expected there will be 15 – 30 spectators per game and with 4 games going on, there may be 60 – 120 spectators. However, they will try to schedule games so there are not 4 of them going on at the same time.

Mr. Donahue reviewed the relocation of the bullpens at Field 3, stating they were originally closer to the neighbors, but they have been shifted so they are further away. For balls to be hit into the neighboring yards, they would need to travel 430 feet, which is highly unlikely with this level of players.

Mr. Donahue stated another concern of the neighborhood was the sound level expected from this type of activity. He stated the use does not draw a large-scale number of people at one time. It would be more like 200 people scattered over 120 acres. He noted the sound study shows the existing and expected conditions on the site. He introduced Brion Konig, Cavanaugh Tocci Associates, Inc., who prepared the sound study for the site, and reviewed it with those present.

Mr. Konig explained the contents of his sound reports address concerns expressed by neighbors after their discussions with them. He stated sound is very difficult to explain in a public meeting because it is invisible. He reviewed several slides of their presentation devoted to the sound study, stating he monitored sound during the last week of June for 1 week. He placed monitors at the property lines nearest Fields 3 & 4, and at the property line of 79 Indian Meadow Drive. He explained the purpose of this was to quantify background sound levels without baseball activities. He noted the graphs show a few sharp spikes in sound during the week, which could have been from a lawnmower at the time of maintenance of the golf course or from a neighborhood yard. In general, the purpose of the graphs is to demonstrate there is a range of sound levels that change day and night, being higher in the day and lower at night. It represents the background sound and is a baseline of the acoustical environment. Mr.

Konig stated he measured sounds at existing active baseball fields. He reviewed the sound study slides of their presentation, which show the existing and proposed sound levels. He stated the proposed sound levels at each of the four fields are based on expected noise from 30 people clapping their hands and cheering at the 1st and 3rd baselines. He compared the existing normal sound levels and the projected maximum sound levels at each abutter's property. He stated it would be a very unusual event to have everyone clapping at one time when games were being played at all 4 fields, which would represent the worst daytime scenario. Fields 3 and 4 will not have games at night. Mr. Konig showed slides representing the worst-case daytime scenario and the worst-case scenario for Fields 2 and 3.

Mr. Rutan confirmed the acoustical data shows the sounds of from baseball games created by the scenarios for each of the events, and the worst-case scenarios for daytime and evening, are consistent with the current sound levels.

Mr. Konig agreed.

Mr. Donahue stated they made changes to their proposal regarding the hours of operation for Fields 3 and 4. These fields are the closest fields to the neighbors. Those two fields will be operating only in the daytime and will not be lit. In addition, there will be significant buffer plantings added to the existing vegetation for visual screening. He stated, when looking at the proposed use compared to the existing use, there will be minimal traffic and lighting impact, sound consistent with current sound levels, access restrictions for spectators, visual screening for abutters from baseball activities, no change to the existing open space, no change to the hours of operation, and the same limited seasonal use.

Mr. Kane asked where the access is for emergency vehicles.

Mr. Donahue stated it will be off Route 9 in Westborough, which is the same as for the YMCA. He noted they responded to the Fire Chief's letter.

Ms. Bakstran confirmed the number of players on each team would be 15, and asked if there would be lighting in the concession and restroom areas.

Mr. Maguire stated the number of players is 15 and there will be minimal lighting, lower than street lights, in the concession and restroom areas.

Ms. Bakstran asked how much of the 63-acre site is developable for the project. Mr. Maguire responded roughly one-quarter to one-third of the property is developable, approximately 20 acres total. He stated a lot of it is undevelopable due to the wetland resource areas on the site.

Ms. Bakstran asked if there will be additional parking. Mr. Maguire stated the parking area on the site is adequate for their needs.

Mr. Rutan noted there are 2 access bridges on the site. Mr. Maguire agreed, and stated they will have to be redesigned to handle emergency vehicles.

Mr. Rutan asked if their organization runs any other programs. Mr. Donahue stated they don't. The facility will be for baseball training for 12 – 18 year olds. He stated the applicant will agree to conditions limiting it to only baseball training for 12 – 18 year olds.

Mr. Rutan asked about rentals of the property. Mr. Donahue stated the availability of fields is restricted because of the age groups.

Mr. Rutan asked what will happen to balls that are hit over the fence. Mr. Donahue stated that, because of physical constraints, getting back there is difficult. It is not an easy fence to vault and there are not a lot of reasons to chase the balls. As far as spectators doing so, he stated he doesn't see people doing that due to the constraints. He noted the plans for those areas indicate a buffer of fairly mature white pine is located there.

Mr. Rutan stated he is concerned that players hitting balls over the fence will want to keep those balls and will go into backyards to get them. Mr. Donahue stated balls could be hit quite a distance and still be within the property. Mr. Maguire stated it is an operational issue as well. It will be made clear to the players that they do not leave the fields.

Mr. Rutan asked about the grandstands. Mr. Maguire stated the grandstand on Field 1 is 20 feet high; others will average 8 rows.

Mr. Kane asked about handicap access. Mr. Maguire stated there will be all the necessary accommodations for handicap access and seating.

Mr. Rutan asked what time maintenance is done on the fields. Mr. Maguire stated it is usually done during down-time between games. He stated they could have a condition stating that lawn mowing won't be done before a certain time.

Regarding the plan of the proposed facility, Mr. Cayer asked if it is impossible to add an additional field in the top right area. Mr. Maguire stated it is not possible as it would not fit. There is more land that is not seen on the plan in that area that is completely wet. The blue area on the plan is the wetland setback. The floodplain is also close to the wetland buffer, however even without the wetland areas, it would not be possible to build there.

Mr. Berger asked if there was an irrigation plan for the site, if there was a margin of error factored into the acoustical analysis, if the results of the acoustical analysis done for the fields is for normal field use, and how the bulbs in the lights proposed are replaced when they burn out. He stated he is concerned because the bulbs contain mercury. Mr. Maguire stated drainage on the site will be the same as it is now. He stated sound from the use of the fields will vary, but the worst case scenario would be if there were games on all 4 fields at the same time. Mr. Maguire noted sometimes there will not be any games, and the facility will not be constantly full. Mr. Maguire stated the lighting manufacturer covers all the bulbs for 25 years. It is a sophisticated system operated by computers. The manufacturer and New England Baseball Enterprises will know when lights go out, and no old bulbs will be left on the site.

Ms. Bakstran asked about the hours of operation for the golf course. Mr. Donahue replied it is as soon as the sun rises, sometimes around 6:15 am or so. He stated he will get a slide overlay for this for the board.

Ms. Joubert made reference to an existing fence and golf course easement. Mr. Donahue replied he believes the fence is on the property line and the fence belongs to the golf course. Ms. Joubert asked if the Applicant would be willing to replace that fence. She asked Mr. Donahue if they have looked at the length of the fence and on which properties it would be replaced. She also asked if the baseball association in town has expressed interest in using the fields. Mr. Donahue stated Mr. Collins has had

initial discussions with the baseball association, particularly about the indoor facilities. Currently, there are participants from Shrewsbury in their program, and New England Baseball Enterprises wants to expand their New England Ruffnecks talent base.

Ms. Joubert stated the Fire Chief submitted a review letter that included a series of questions regarding the site and the proposed use, to which the Applicant responded. She stated the Applicant also appeared before the Groundwater Advisory Committee out of courtesy and provided information to the Town Engineer which centered around storage of pesticides on the site. The Applicant's response was that there is nothing different from what is currently used on the site today. In addition, the Applicant will be before the Planning Board at their next meeting on August 14th. After the meeting, the Planning Board may or may not be sending a letter to the Zoning Board of Appeals.

David Henry, 134 Indian Meadow Drive, stated he has lived in the Indian Meadow neighborhood for 20 years. The neighbors were notified of the potential sale of the property, talked with staff and have had neighborhood meetings. He stated representatives from the neighborhood will present a consolidated document. Mr. Henry stated the neighbors have made a concentrated effort to learn about the process and the project. He noted, in the presentation by Mr. Donahue, he presented information regarding concessions they made after meeting with the neighbors and indicated the neighbors agreed with those concessions. Mr. Henry stated the neighbors did not agree with those concessions.

Tom Racca, 121 Indian Meadow Drive, stated he has lived in the Indian Meadow neighborhood for 26 years. He presented a PowerPoint slide show, stating the neighborhood will argue the use proposed is not the same kind of use as the golf course, is detrimental and is different in character.

The neighborhood's PowerPoint presentation included simulated visual impacts of the proposed lighting, showing a balloon at a height of 80 feet from different distances and vantage points. Mr. Racca noted the Applicant has proposed 16 light poles at the 80-foot height of the balloon. He stated the balloon is higher at 80 feet than any of the surrounding trees, and all of the neighbors will have a clear view of the light poles. The arborvitae plantings proposed will not block them. Mr. Racca stated the neighbors believe the proposed light towers, whether the lights are on or off, will have a detrimental impact to their neighborhood.

Kevin O'Connell, 91 Indian Meadow Drive, presented information in the PowerPoint presentation from an acoustical study he had done, which included daytime and evening noise levels, and the nature of the expected noise, which is crowd noise. He stated they are concerned about noise because at a New England Ruffnecks Boston Invitational Tournament there were 24 teams playing 45 games and the crowds were much bigger than what the Applicant has predicted. Mr. O'Connell stated he went to Assumption College in Worcester, Massachusetts on a Tuesday and took sound measurements at a New England Ruffnecks Invitational Tournament. His results concluded there was a noticeable change in acoustics compared to a golf course use. He noted the noise level may have been higher had he taken measurements from the tournament on a Saturday. He stated noise levels at night generally produce greater annoyance than the same noise levels during the day, and the evening noise is predicted to increase. Therefore, the annoyance factor could increase at night.

Mr. O'Connell reiterated the nature of the noise is crowd noise, and crowd noise is variable. It could come at any time, and the neighbors would have no idea when it's coming. It is intermittent and transient, like the noise of a beeper or smoke detectors – it makes people jump.

Mr. Racca stated the acoustical analysis presented by the applicant indicates people perceive intrusive noise, such as crowd noise, as being louder than that same noise during the day.

Mr. Racca continued the PowerPoint presentation, and referred to slides of baseball fields in the Applicant's presentation showing how the lighting focuses on the facility and not on the surrounding areas. Mr. Racca stated the complexes shown are comparable to the one proposed, but are not located in residential areas. He stated the neighbors like baseball and baseball fields, but believe the proposed site is not the right place for one. Hop Brook is on the site, as well as wetlands and wildlife habitat. The proposed use is a private facility and will be limited to young men. Mr. Racca stated it is not a public use. It is different in character from that of a golf course. He stated the neighborhood disagrees with the Applicant's opinion that the site was developed as a golf course, when the original use was residential and the golf course use was granted by special permit. The special permit granted allows for either the golf course use and residential use, or all residential use, not for the baseball complex use with lighting.

Chris Colleran, 90 Indian Meadows Drive, stated that, according to the registry of deeds, the golf course use was allowed by a variance.

Mr. Rand stated it appears it was done by special permit.

Arthur Morin, 117 Indian Meadow Drive, stated he is not familiar with acoustics or lighting, but likes to use his back yard and has been to baseball games. Right now, he can use his backyard anytime he wants to. According to the proposed plan, his property will abut Field #4. He stated he can't imagine having to check a baseball schedule to determine when he'll be able to use his backyard.

Jerri Colonero, 18 Mashpee Circle, explained she is in a profession in which she works at night, and is concerned about noise emanating from ballgames on the site while she is sleeping during the daytime.

Jennifer Kenney, 113 Indian Meadow Drive, stated she and her husband just bought their house 5 months ago. She stated being able to use their backyard is important because they have a new baby and her husband works at home. Ms. Kenney stated their backyard and neighborhood is very aesthetically pleasing, and they are concerned the proposed use will change their quality of life.

David Cianci, 98 Indian Meadow Drive, stated water from the golf course feeds into the pond and there is a lot of wildlife in the pond. He stated he is concerned the proposed baseball complex use will result in a completely different environment.

Mr. Morin, 117 Indian Meadow Drive, stated the proposed use is a business and the fields will be rented out, which means maintenance of the fields may be taking place early in the morning.

Edmund Uzar, 126 Indian Meadow Drive, stated the sound engineer mentioned in his measurements that the use of 4 fields would be quieter than the golf course, and that doesn't sound right. He stated the glow of light from In Sports on Otis Street can be seen everywhere, and this site is considerably closer.

Wendy Lathrop, 125 Indian Meadow Drive, stated her house backs up to the proposed site and there is a sports facility behind Walmart that has outdoor pools. She explained when she is in her bedroom with her air conditioning on, she can hear the children in the pool. She stated they will definitely hear noise from the baseball games.

James Sinerate, 15 Indian Meadow Drive, stated he thought a Shell pipe line goes through the golf course property.

Mr. Donahue stated the proposed baseball complex will not interfere with the pipeline.

Attorney Aldo Cipriano, representing Kevin Lamy, 95 Indian Meadow Drive, stated he was not aware the neighbors would be making a presentation, but Mr. Lamy believes it is accurate. Mr. Cipriano stated the fundamental aspect of this is that a residential district is imposed with a simple, passive golf use, which is a significantly different impact than 4 baseball fields. It is a big leap to say this is equal to a golf use. Protection of land use is what zoning is all about. Protection of neighborhoods is the job of the board. The proposed use will have a detrimental impact on the neighborhood.

Mr. Donahue reviewed the hours of operation for Ms. Bakstran, stating lights will go off at 10 pm. The pathway will be lit for safety. He explained the lights will be shut down when play ceases.

Mr. Morin, 117 Indian Meadow Drive, stated there is a liquor license associated with this application. He asked if that will go forward if the project is approved.

Mr. Rand stated the liquor license would be acquired through the Town of Westborough. Mr. Donahue stated the current lease of the facility can have a liquor license.

Ms. Bakstran confirmed the license will be invalid if the Indian Meadow function facility goes away.

Mr. Donahue explained the license is owned by the tenant and it can be moved to another location in Westborough. If it is not in use, New England Baseball Enterprises could use it. It has been determined that alcohol will not be sold in Northborough and will not be brought into the facility.

Wendy Morrison, 1 Mashpee Circle, asked if the easement from the Indian Meadow neighborhood will be open for emergency use. Mr. Donahue replied it will not be used. Ms. Bakstran confirmed with Mr. Donahue that the applicant had requested the use of the easement for emergency vehicles. Mr. Donahue stated they did not because the lack of that access was not a concern of the Fire Chief. If the Planning Board wants it, the applicant would have to come back before the Zoning Board of Appeals.

Ms. Bakstran asked if they plan to have banquets in the function facility. Mr. Donahue stated they do not.

Andrew Pastor, 30 Indian Meadow Drive, asked if the applicant has done any studies with respect to traffic on Route 9. He stated it gets pretty backed-up.

Mr. Donahue stated he could ask the author of the report to come before the board.

The board members did not see the need to review traffic or parking any further.

Mr. Donahue requested a copy of the information submitted by the abutters. He stated acoustical analysis is not an easy science and the abutters are competing with experts. He suggested the board might consider a peer review of the acoustical analysis submitted, at the expense of the applicant, if they think it might be of assistance to them.

Mr. Rand stated that, as individuals, they are pretty familiar with the sounds of a golf course and a baseball game.

Mr. Donahue stated no one has said there will not be a difference in sound levels between a golf course and a baseball facility. However, although the noise generated by the baseball facility is different, it is not an increase in noise.

Several board members expressed interest in continuing the hearing in order to get input from the Planning Board after their meeting with the applicant on August 14th.

Mr. Rutan motioned to continue the hearing to September 4, 2012 at 7 pm in the Meeting Room of the Northborough Free Library. Mr. Berger seconded the motion and the vote was unanimously in favor of the motion.

Old/New Business

Decision for 94 Maple Street Application

Mr. Rutan stated the project as proposed presents no detriment to the neighborhood, is in keeping with the feel of neighborhood, and will improve the neighborhood and the look of the lot.

Mr. Rutan motioned to grant a special permit to allow the addition of a two-car garage on the existing single-family home to be located no closer to the east side property line than 7 feet, on the property located at 94 Maple Street. Mr. Kane seconded the motion and the vote was unanimously in favor of the motion.

Approval of Minutes

Ms. Bakstran motioned to approve the minutes of June 26, 2012, Mr. Kane seconded the motion and the vote was unanimously in favor of the motion

The meeting adjourned at 9:30 pm
Respectfully submitted,

Debbie Grampietro
ZBA Administrative Assistant