

MINUTES OF WESTBOROUGH PLANNING BOARD
November 01, 2016

Regular meeting of the Westborough Planning Board held in the Forbes Municipal Building, 2nd Floor, Room 23 at 45 West Main Street. Members Bush, Silverberg, Spencer and Paris were present. Member Charlie Diamond was absent.

Next Meeting date: November 15, 2016

The Minutes of October 04, 2016 and October 17, 2016 were reviewed and endorsed.

ANR Plan:

Estate of Evelyn and Zane Arnold:

Mr. James Tetreault from Thompson-Liston Associates said that he is representing Mr. Gary Arnold for the Evelyn Arnold Revocable Trust on Lackey Street. Mr. Arnold believes that this ANR Plan was granted and signed by the Planning Board in 2004 but never recorded at the Registry of Deeds. The Arnold family could not find a signed Mylar copy of the plan. So to make this a legal lot they are again proposing to carve out one lot. We are proposing this new plan for a 50,000 square foot lot with 200 feet of frontage. There will still remain 21.7 acres of open space. This plan meets all zoning requirements. They have filed a septic plan with the Board of Health.

Chairman Brian Bush asked if there were dwellings on this parcel.

Mr. Arnold responded that the property has been used as an orchard.

Member Mark Silverberg said the main parcel of land is in Chapter 61. This is a new separate lot? He is concerned if this is in Chapter 61. He wants to make sure it is a buildable lot.

Mr. Gary Arnold said this is already shown on the Assessor's Map 5, Parcel 19A.

Member Tim Paris said since it was never recorded, it would be considered all one piece. Assessors have it as two separate pieces but the Registry would show just one.

The Town Planner said when the Board signs an ANR Plan we submit an executed ANR Plan to the Assessors. They assumed the owner records the ANR document at the Registry.

Member Mark Silverberg asked are we really creating a new lot. He is already paying taxes on it,

Mr. James Tetreault said that Mr. Arnold submitted \$250.00 but brought an extra \$50.00 to cover the fees for the ANR Plan.

Member Mark Silverberg said the whole point of the fee is creation of a new lot. He suggests we waive the fee because he is already paying taxes on this lot.

Mr. Arnold said he has paid full buildable rate for 10 years.

Member Mark Silverberg motioned to waive the fee required for the ANR Plan. The motion was seconded by Member Tim Paris and unanimously voted.

Member Mark Silverberg motioned to endorse the ANR Plan entitled "Plan of Land in Westborough, Massachusetts owned by Evelyn Arnold Revocable Trust, 15 Spring Road, Westborough, Massachusetts" dated October 12, 2016 by Thompson Liston Associates, Inc. The motion was seconded by Member Tim Paris and unanimously voted.

At 7:00 p.m. the Board held a continuation of the public hearing on the Ridings II Special Permit Concept Phase. (See attached minutes).

Chairman Brian Bush updated the Planning Board on the State Hospital. The bidding process has started and in the next 4-6 weeks we will have a recommendation.

The Town Planner gave an update on Indian Meadow Country Club. The work on Indian Meadow Road by the town work has been installed and the town portion is complete. Recently we had a big storm and it washed away part of the work but it has been corrected. The applicant needs to install the catch basin on the east side to complete their share of the work.

The Town Planner said we are receiving our first Industrial D permit by Dan Motors for an increase of their parking lot. Old Flanders Road meets Fruit Street. They are requesting to reduce the open space from 60 % to 40%. This special permit public hearing will be on December 6th.

There being no further business to discuss, the meeting adjourned at 7:47 p.m.

Respectfully submitted,

Sandy Spinella/Administrative Assistant

APPROVED:

Brian Bush, Chairman of Board

Mark Silverberg, Vice-Chairman of Board

Charlie Diamond

William Spencer

Tim Paris

**Special Permit Public Hearing
The Ridings II – Concept Phase
November 01, 2016**

Pursuant to the Rules and Regulations relative to Special Permits under Section 4300 of the Zoning Bylaws of the Town of Westborough, Section III of the Rules and Regulations Governing the Subdivision of Land in Westborough, Massachusetts and MGL, Chapter 40A, Section 9, the Westborough Planning Board opened the public hearing on May 17, 2016 and continued on June 07, 2016, July 12, 2016, August 02, 2016, September 06, 2016, September 20, 2016, October 04, 2016 and November 01, 2016 on a request for a Special Permit for a residential Open Spacer Community Subdivision containing a proposal for 19 residential lots on land shown as Map 3, Parcels 29A, 57 and 57D on Harvest Way, Westborough, Massachusetts as submitted by Casa Builders & Developers.

Chairman Brian Bush clarified to the audience that this is a continuation of the public hearing and the public can make comments after the presentation, and comments from Town Boards and the Planning Board. This is the concept phase, first phase, the preliminary and the definitive phase increase with detail. We have heard from many abutters. The Planning Board has had discussion. We now have to decide if we will make the Applicant do a conventional or open space plan. Since the last meeting, there has been further plan review and comments from Mr. Carl Balduf, Town Engineer.

Chairman Brian Bush said there was resolution in Grafton and it will not impact Westboro. This is a special permit that we are bound to vote on. The proponent needs 4 votes to get the open space plan. Member Bill Spencer requested a work session with the Architect, Chairman Brian Bush and Town Planner, Jim Robbins. We went through the process of the open space permit and how it works and the benefits, both pro and cons of open space and conventional plans. We have a draft decision from the Town Planner for an Open Space Subdivision approval. It was originally written in July as a draft and the Town Planner made updates yesterday and today. Today we received the Grafton Plans that will be added into this decision.

Mr. James Tetreault said we are in the preliminary subdivision review in Grafton. They don't have a concept stage. At the last meeting we satisfied them with the conventional as a yield plan. We have been directed by their Town Planner to work on a revised open space plan. There process is different. It is up to the applicant which plan they go forward with. Everyone is in favor of the open space flexible plan. We will move towards making further modifications towards the final version and then go to the definitive phase.

Mr. James Tetreault said that the thru road goes from Grafton to forced T intersection in Westborough. The two sides can function independently. The Applicant will go forward in Grafton with the open space plan, What happens in Grafton is not reliant upon which plan you decide on in Westborough.

Chairman Brian Bush said the decision has been done awhile. You had asked for an indication of the board vote.

Member Bill Spencer said for the record, he has thought long and hard about it this decision. He has changed his position from a conventional subdivision to an open space subdivision but was concerned about residents. He concerns are now alleviated. He was also concerned with the property values. He is now okay with that. Road width and drainage caused him concern. After the work session he realized the concept phase is to give permission for the open space. Having the open space is valuable to the residents in town. Chairman Brian Bush told him he can still have input in the design phases. He has moved forward to go with the open space plan,

The Town Planner said note for the record we received a letter from Sudbury Valley Trustees in favor of the Open Space Plan and potential benefits to the Town and surrounding community. The open space will have positive impact to surrounding residential neighborhoods providing an increase in property value. A letter was also received from Westboro Community Land Trust supporting the Open Space Community and urging that the open space be transferred to the Conservation Commission. They also request to provide public access to the open space.

The Town Planner said that the Open Space Community Decision was drafted in July and updated today, November 01, 2016. We will also add a plan received from Grafton dated 1/13/16 revised through September 2, 2016. Also noted are documents received by the Planning Board. The hearing was closed on November 01, 2016. The maximum number of lots will not exceed 19. The Town Engineer, Carl Balduf will work with the applicant on the easement language. One waiver has been requested. There are no significant reasons why the landscape architect has to stamp the plans. Add the waiver on the number of lots on the cul de sac.

Chairman Brian Bush said this does not need to be in there now. We can do that waiver in a later stage. The intent is to go with the single cul-de-sac. Have the applicant come in with the preferred layout in preliminary work session. There will be things we want to deal with like trail networks, an island in the cul-de-sac. We will work this out in the next phase.

Member Tim Paris motioned to close the public hearing on the Special Permit Concept Phase for the Ridings II. The motion was seconded by Member Mark Silverberg and unanimously voted.

Member Tim Paris motioned to approve the Decision for an Open Space Community for the Ridings II as written with revisions discussed tonight and dated November 01, 2016. The motion was seconded by Member Mark Silverberg and unanimously voted.

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Concept Special Permit
November 01, 2016
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Respectfully submitted,

Sandy Spinella/Administrative Assistant

APPROVED:

Brian Bush, Chairman of Board

Mark Silverberg, Vice-Chairman of Board

Charlie Diamond

William Spencer

Tim Paris