



# TOWN OF NORTHBOROUGH PLANNING BOARD

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## Planning Board

### Zoom Meeting Minutes

January 2, 2024

Approved February 6, 2024 as Amended

**Members (Remotely):** Kerri Martinek, Chair; Amy Poretsky, Vice Chair; Bill Pierce; Millie Milton

**Members Absent:** Anthony Ziton

**Staff Present:** Laurie Connors, Planning Director; Tim McNerney, Town Administrator

The Chair opened the remote meeting at 6:00 p.m. and made the announcement that this open meeting of the Planning Board was conducted remotely pursuant to Chapter 2 of the Acts of 2023 an Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency signed into law on March 29, 2023. All members of the Planning Board are allowed and encouraged to participate remotely. The Act allows the Planning Board to be entirely remote so long as reasonable public access is afforded so the public can follow along with deliberations of the meeting. The public is encouraged to follow along using the posted agenda unless the Chair notes otherwise. Members of the public who wish to view the live stream during this meeting may do so by going to Northborough Remote Meetings on YouTube via the link listed on the agenda. Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will feature public comment. The process was explained. Ms. Martinek read the public notice.

The meeting began at 6:00 pm.

### **Discussion of 2024 Town Meeting Zoning-Related Articles including MBTA Multi-Family Bylaw**

Ms. Connors said she'd incorporated changes made at the last meeting. She informed the Board that RKG Associates needs to know the specific parcels of land for the 3A Bylaw. The Analysis will be postponed until the Planning Board is able to pinpoint the parcels to be researched.

The Board discussed the date for the public hearing. The bylaw amendments need to be wrapped up by January 16, 2024. The Board will have a joint meeting with the ZBA on February 6, 2024, the public hearing will open on February 20, 2024, and remain open through March 5, 2024. The hearing will be closed on March 5, 2024, and the Board will vote on that date in time for the Select Board's meeting on March 8, 2024.

Board Members decided to table the Downtown Revitalization Project review until Mr. Ziton can be at the meeting. Ms. Connors indicated that the presentation of the Downtown Revitalization Plan Report will be at the joint meeting of the MPIC and the Select Board scheduled for 7:00 pm on January 18, 2024.

Ms. Poretsky suggested an amendment to the makerspace definition, which currently has a more industrial connotation. She suggested a new definition which is "a communal public workshop in which

makers can work on small personal projects.” It spoke more of small machines including personal printers and sewing machines. She will forward the definition to Ms. Connors for discussion at the next meeting.

Ms. Martinek confirmed that the current items open for discussion are:

1. The makerspace definition;
2. The changes to the Sign Bylaw need to go back to Design Review for discussion;
3. Review of the Downtown Revitalization Plan Report;
4. Minor changes made under the Article for Sight Design Standards regarding flat roofs for multi-storied buildings. Ms. Poretsky suggested that the Design Standard for flat roofs be open to one story buildings as well. Ms. Connors said that could be added to the amendments as well as Ms. Milton’s suggestion to replace the word “outward” with “upward” in the phrase “ flat roofs may be allowed on buildings as long as the roof line projects upward from the building...”.
5. Zoning question regarding the proposed expansion of the Highway Business District to Route 20. Can we add a footnote to adult uses specifying that they are only allowed on the Route 9 portion of the district? Ms. Connors responded that she contacted Town Counsel but has not received a response yet as he is on vacation.

Ms. Martinek indicated that the bylaw amendments are complete and the maps for the MBTA Bylaw need to be reviewed. She questioned whether a bylaw can be allowed without the corresponding map. Ms. Connors indicated that this was not possible. If the location doesn’t pass, then the bylaw change doesn’t make sense.

Ms. Poretsky mentioned that if the amendments being brought before the spring town meeting don’t pass with the corresponding Zoning Map changes, they could be brought before the Town at the meeting in the fall when the new fire station is discussed. Ms. Connors indicated that this would give the Board an opportunity to garner more feedback from the community and realign the amendments to what the Town would like to see. The Town would still be in compliance with the deadline of December 31, 2024. The Board discussed this process at length. Ms. Connors indicated that she would upload the information regarding the latest Bylaws onto the Town website.

The Board discussed the properties to be included in the MBTA overlay district. Ms. Poretsky suggested some downtown locations that included the multifamily site on Whitney St, some homes on Hudson Street, the current town offices. There was a discussion about the Hudson Street parcel. The developer will not be able to do an agreement on the site at this time so it was mentioned that this site could be added to the overlay in the future if the developer decided they wanted to go forward with a plan. Traffic was also a concern in this area. Ms. Connors urged the Board to remember that if the Board is interested in grant money for downtown revitalization activities, they need to consider areas downtown with development potential. The board continued the discussion to the next meeting when Mr. Ziton could participate.

Ms. Connors will send an invitation to the ZBA for a joint meeting between the Planning Board and the ZBA for the purpose of discussing the proposed zoning-related articles.

Tim McInerney, the new Town Administrator, introduced himself to the Planning Board.

## **Old/New Business**

**ANR, 223/227 South Street:** Ms. Connors explained the proposed change to the lot line and confirmed that the new lot dimensions conform to the dimensional requirements. Currently the house built on the site is partially on the second lot so the lot line needs to be moved.

Ms. Milton made a motion to endorse the plan entitled: "Plan of Land Location: 223 South St & 227 South Street, Northborough, Mass", dated December 15, 2023, prepared by Realmapinfo LLC.; seconded by Ms. Poretsky. Roll call vote: Pierce – aye; Poretsky – aye; Milton – aye; Martinek – aye; motion approved.

### **Bond Releases**

The Birchwood Retirement Community (\$63,000.00): Ms. Connors provided the history of this bond and indicated that the project was completed many years ago. There were no questions from the Board.

Ms. Poretsky made a motion to release whatever remaining interest it has or may have in the Lenders Agreement among the New Birchwood Corporation, Forward Financial Company and the Planning Board, dated March 27, 1997 to provide security for the performance by New Birchwood Corporation of all covenants, conditions, agreements, terms and provisions set forth in the covenant between the Northborough Planning Board and Aubrey B. Dingley dated January 12, 1987, recorded in Worcester Registry of Deeds in Book 11978, Page 29, for the Definitive Subdivision Plan entitled "Dingley Dell Retirement Community Park, Northborough, Massachusetts, prepared for Aubrey B. Dingley, of 105 East Main Street, Northborough, Massachusetts" prepared by Moore Survey and Mapping Corp., revised through October 27, 1986, further revised March 13, 1989, and recorded with the Worcester Registry of Deeds in Plan Book 616, Plan 52; seconded by Ms. Milton. Roll call vote: Pierce – aye; Milton – aye; Poretsky – aye; Martinek – aye; motion approved.

Maynard Woods Subdivision (\$86,600): Ms. Connors provided the history of this bond to the Board and indicated that the project was completed and accepted in 2010. This bond should be released since the subdivision is no longer privately owned. There were no questions from the Board.

Ms. Milton made a motion to release whatever remaining interest it has or may have in the Lenders Agreement among Casa Builders and Developers, Corporation, Banknorth, N.A. and the Planning Board, dated June 15, 2004 to provide security for the performance by Casa Builders and Developers Corporation of all covenants, conditions, agreements, terms and provisions set forth in the Certificate of Approval dated January 24, 2003 for the Definitive Subdivision Plan entitled "Maynard Woods Definitive Subdivision of Land in Northborough, Massachusetts," prepared by Thompson-Liston Associates, Inc., dated January 6, 2003, revised through February 24, 2003, and recorded with the Worcester Registry of Deed in Plan Book 794, Plan 57; seconded by Ms. Poretsky. Roll call vote: Pierce – aye; Milton – aye; Poretsky – aye; Martinek – aye; motion approved.

Laurence Falls Community (\$40,000): Ms. Connors provided a history of this Bond to the Board and indicated that the project was completed in 2014. The bond is no longer required and should be released. There were no questions from the Board.

Ms. Poretsky made a motion to release whatever remaining interest it has or may have in SafeCo Insurance Company of America Performance Bond #6251182 dated November 19, 2004 to provide security for the performance by Franchi Equipment Company, Inc. of all covenants, conditions, agreements, terms and provisions set forth in the Planning Board Special Permit with Site Plan Approval Decision dated May 12, 2003 for the age-restricted Condominium Development entitled "Laurence Place", site plan prepared by Thompson-Liston Associates, Inc. dated July 16, 2002, last revised September 30,

2002; seconded by Ms. Pierce. Roll call vote: Pierce – aye; Milton – aye; Poretsky – aye; Martinek – aye; motion approved.

Talbot Park West Project (\$20,000): This was not discussed by the Board as there is insufficient information.

### **Subcommittee Updates**

Community Preservation Committee: Discussion followed regarding the various applications submitted to the CPC for FY25.

### **Next Meetings**

- The next Planning Board meeting is January 16, 2024.
- There is an MIPC meeting scheduled for January 18, 2024.
- There is a ZBA meeting on January 23, 2024. Ms. Connors indicated there is an appeal of the Building Inspectors opinion for 345 West Main Street. She gave some background on the appeal to the Board.
- A joint meeting with the ZBA is planned for February 6, 2024.

Ms. Poretsky made a motion to adjourn the meeting; it was seconded by Mr. Pierce.

Roll call vote: Pierce - aye; Milton- aye; Poretsky– aye; Martinek - aye; motion approved.

The meeting was adjourned at 7:01 p.m.

Respectfully submitted,

Brenda M. DiCeglie,

Planning Board Secretary