



TOWN OF NORTHBOROUGH PLANNING BOARD

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Planning Board

Zoom Meeting Minutes

January 16, 2024

Approved February 6, 2024 as Amended

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

Staff (Remotely): Laurie Connors, Planning Director, Bob Frederico, Building Inspector

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.

Discussion of 2024 Town Meeting Zoning-Related Articles including MBTA Multi-family Bylaw

Signs

Ms. Poretsky reviewed the changes to some of the definitions. The banner and flag definition were changed to separate the two. The following definitions were added: (1) gasoline canopy sign, (2) monument sign, (3) blade sign. The definitions for roof signs and wall signs were changed. Sandwich board signs were added.

Sign permits. Non-Conformity and Compliance was changed. There were some minor changes to make paragraphs easier to read and more easily understood.

Basic Requirements. Additional language added to the subparagraphs in this section and subparagraphs 12 - 19 were new additions to the Bylaw.

In response to Board feedback, Ms. Connors stated that she will add a definition for sandwich boards.

Construction and Maintenance of Signs – There were some minor revisions and additions. There was discussion regarding the notification of Northborough businesses in the Downtown area to explain the amendments to the Sign Bylaw. The Board also discussed the definition of window signs and whether they are temporary or permanent and how to handle special events. Ms. Milton suggested the definition of window signs should include temporary window signs. Ms. Connors indicated there is a clearer

definition of window signs in the Sign Guidelines. The Board discussed creative ways to include window signs without any adhesion to the window. Ms. Connors suggested getting feedback at public hearings and incorporating that into the revision.

Signs in Residential Districts— The Board discussed the additions to this paragraph and types of signs that are permitted.

Highway Business Districts. There were changes regarding the size of the signs relative to the wall size of the business. Ms. Connors agreed to work on the wording for this paragraph. Mr. Pierce suggested that window signs could be treated as wall signs and be limited to 10% of the window area. This would solve the problem of multiple signs on windows. There was further discussion by the Board regarding this matter.

Signs in the Industrial District. There were some minor deletions.

Historical Signs and Markers. Mr. Frederico indicated that there is existing language in the current Bylaws stating that municipal uses do not require a permit.

Re-Zoning Highway Business

Regarding re-zoning of the Industrial District along Southwest Cutoff to Highway Business Southwest (HBSW), Town Counsel responded by email indicating that there could not be a footnote stating that adult use businesses are limited to properties located off of Route 9. The Board decided to create a new zoning district called Highway Business Southwest (HBSW).

Mr. Frederico questioned whether the new district has anything to do with the MCDOD. He was concerned with the amount of district designations creating confusion. The Board discussed what should be included in this district. Ms. Connors recommended changing the entire area to HBSW and deleting the MCDOD as all uses are allowed in both districts. There was some discussion regarding storage facilities. Ms. Poretsky stated these were prohibited before her time on the board. Ms. Joubert, the previous Town Planner, told the board at that time they were prohibited because we already had enough in town and the town was looking for other uses to be brought forward.

The Board discussed which Board should be the permitting authority for special permit uses within the HBSW District. Ms. Poretsky's draft specified the Planning Board is the special permit authority for all uses within the HBSW. She stated her rationale was that they are currently the permitting board for that area of town. Mr. Frederico indicated that in the past, the Planning Board was the permitting authority for Industrial Uses. Ms. Connors suggested that each board should permit the uses with which they are most familiar. It was decided that the Board members should review the Table of Uses for Commercial and Industrial Districts. The Board discussed changing the permitting authority for some of the uses and the parking regulations.

The Board discussed the size of signs in the HBSW District.

In response to a question from Ms. Martinek, Ms. Connors suggested striking the MCDOD Bylaw in its entirety.

Ms. Poretsky called attention to a proposed change in the site design standards. There was discussion regarding whether to include “vinyl” in the definition. Ms. Connors suggested that vinyl not be listed. The Board agreed.

Classification of Uses - Maker Space. The Board discussed where Maker Space should be included in the Table of Uses. It was decided to keep the definition in Classification of Uses and indicate “See Light Manufacturing” in the Table of Uses. Ms. Connors and Mr. Frederico discussed this and agreed to include the Maker Space definition with the Light Manufacturing definition.

ZBA Meeting - Ms. Martinek questioned the items to be discussed at the joint meeting with the ZBA. Ms. Connors indicated that since the ZBA is hearing all the Groundwater Protection Overlay Special Permits, the Planning Board should get their perspective, particularly on business uses that aren’t any threat to Groundwater. Ms. Martinek stated that she preferred the Planning Board talk through their own perspective before the joint meeting.

Area III Groundwater Protection Overlay District – Commercial Uses/Non-Hazardous Waste There was discussion regarding the large number of non-conforming lots in the Downtown Business District and Downtown Neighborhood District due to their lot size. Ms. Connors indicated that the non-conforming lots should be mandated to hook up to the public water and public sewer. Ms. Milton suggested that the Board needs to know how many of the non-conforming parcels are not hooked up. Ms. Connors added that she would include language requiring unsewered properties to meet the 20,000 minimum lot size requirement. She will work with Mr. Frederico on the language for permitting of lots not currently hooked up to sewer and town water.

Multi-Family Uses - The Board discussed minimum lot sizes for multi-family uses and when to hook up to sewer and when to apply for a variance and/or special permit. If the properties are on sewer, no Groundwater Protection special permit will be required and they won’t have to adhere to the 20,000 square foot minimum lot size requirement for the groundwater overlay. Ms. Connors will revamp the language in the current article to include what was discussed at this meeting. She will research the amount of properties in Groundwater III Protection Overlay District that are not hooked up to sewer. The Board discussed different square footage scenarios and whether the property owner would need a variance or special permit.

Off Street Parking and Loading - There was a minor change to the proposed article requiring the parking lot setback to be measured from the nearest point of the building. The Board was in agreement.

Co-Working Space – This is included in the MBTA By-law as an allowed use.

Use Variances - Ms. Martinek brought this forward for discussion and explanation. She felt that the ZBA is not evaluating applications using the specific three-point criteria for granting use variances. Mr. Pierce and Mr. Ziton were in agreement. The Board discussed this Article. Ms. Connors explained that uses not specifically allowed within the Use Table would be considered prohibited. The board agreed to have this on the warrant.

The Board discussed the addition of “Pop Ups” to the Table of Uses.

MBTA

Ms. Connors explained her map identified as Option #4. This includes the Econo Lodge parcel (2.46 acres) and an undeveloped parcel to the south of Avalon for a total of 44.43 acres. Additional acreage would be needed to reach the 50-acre minimum district size requirement. An Excluded Land Analysis needs to be completed on the undeveloped parcel and the Econo Lodge parcel. Ms. Poretsky asked whether the Econo Lodge was on sewer; it is not. Northborough would need to hook into the Town of Shrewsbury, if possible. The additional 6 acres would comprise some Downtown properties; the Hudson Street and Harvey properties. The Board discussed whether this would be a good option. Ms. Connors explained the ownership of the Harvey property as well as the zoning and development of the Harvey property and inclusion in the MBTA and the MSR district. Some members stated they would be agreeable to including some of the acreage of either one of the parcels but didn't want to include both.

Another option discussed was the existing New England Baseball League property, which is comprised of 22.05 acres of developable land. The Board discussed how they felt about this option. Mr. Ziton was not in favor of this option. Ms. Milton liked Option #4 better. Mr. Pierce prefers Option #4. Ms. Poretsky prefers Option #4 as well. The consensus was for Option #4. The Board discussed whether the Town should utilize all the Harvey land or only a portion. Ms. Milton voted for only a portion. Mr. Ziton agreed. Mr. Pierce agreed as well. He asked what would happen with the Town's grant options if the Board chose some property downtown that was already built out. Ms. Connors indicated that this would limit the Town's options for grants. She explained to the Board about her experience with grants from Mass Works.

The Board discussed whether they would prefer to include the 10-acre Harvey property or the 13-acre Hudson Street property owned by Mr. Bishop. Ms. Martinek reviewed a timeline with the Board. Ms. Connors didn't think that this timeline was an option. She reminded the Board that the Econo Lodge may contain excluded land and that a portion of the Harvey land would be needed so that Centre Drive and the old Town Hall could be contiguous to the Bishop property.

The Board discussed two different options for the MBTA project:

Option A is 5 acres of the Hudson Street property, .39 and .34 on Hudson Street and 56 Hudson Street (1.71 acres), 22-26 Hudson Street (.63 acres), 3 acres of the Harvey property and 44 acres at Econo Lodge and Avalon for 54.44 total.

Option B is 5 acres from the Harvey site, Town Hall (1.92 acres), Centre Drive (1.92 acres), 22-26 Hudson Street (.63 acres), 56 Hudson Street (1.71 acres), Econo Lodge and Avalon for 55.17 acres.

The Board discussed their preferences: Mr. Pierce – Option A but no problem with Option B; Ms. Milton – Option A and Option B is second choice; Ms. Poretsky – Option B; Mr. Ziton – Option B; Ms. Martinek – Option B.

Ms. Connors suggested that for the meeting with the ZBA, she will explain the Avalon and Econo Lodge option and Options A and B. She doesn't want to do the Affordability Analysis if there isn't a clear direction of which parcels to include. Ms. Martinek asked what was needed for turnaround time for the analysis and Ms. Connors indicated approximately 1 week. The suitability analysis will need to be re-run on the parcels that haven't yet been evaluated. Ms. Poretsky questioned whether this should be part of the joint meeting discussion with the ZBA as they haven't been part of the months of discussions leading to this point and they won't have all the background information. Ms. Connors replied that it should be discussed with them since they are also an enforcement agency. Ms. Martinek thought it would be a good idea as it would be a good barometer of public opinion. Mr. Pierce agreed. Ms. Poretsky suggested that

all parcels be included in the Affordability Analysis in case we need to add some of the other parcels. This way we will have extra parcels that were analyzed if needed. Ms. Connors will speak to Judi Barrett about the cost of updating the suitability analysis. Ms. Connors suggested that the .39 and .34 acres parcels be evaluated as well as Option B for affordability.

ANRs, Lot Releases, Bonds

Bond for Talbot Park West Project (\$20,000)

Ms. Connors indicated that this bond was for earth removal purposes. This was completed in 2010. The purpose of the motion is to clear the Treasurer's books. There were no questions from the Planning Board.

Ms. Poretsky made a motion to release whatever remaining interest the Planning Board has or may have in Western Surety Company Performance Bond #70012167 dated December 13, 2005, to provide security for the performance by Talbot Park West, LLC to insure the complete stabilization of disturbed area as set forth in the Planning Board Site Plan Approval Decision for 34 and 48 Talbot Road dated April 20, 2004, relative to a 38,400 square foot warehouse/ distribution facility and associated improvements; seconded by Ms. Milton. Roll call vote: Mr. Pierce – aye; Ms. Poretsky – aye; Mr. Ziton – aye; Ms. Milton – aye; Ms. Martinek – aye; motion approved.

ANR Plan for 333 and 353 Southwest Cutoff (Ball fields)

The Applicant submitted in an ANR Plan to create Lots 1 and 2. Both lots have adequate frontage on Route 20 and sufficient area. Attorney Gould indicated the easements were recorded separately with the Worcester Registry of Deeds. Since the medical building is owned by a different entity, the parcel will be split into two (2) parcels; one for the medical building and one for the ball fields. There were no questions from the Planning Board.

Ms. Milton made a motion to endorse the ANR Plan for 333 and 353 Southwest Cutoff; seconded by Ms. Poretsky. Roll call vote: Ms. Poretsky – aye; Mr. Ziton – aye; Mr. Pierce – aye; Ms. Milton – aye; Ms. Martinek – aye; motion allowed.

Next Meetings

MPIC – January 25, 2024, at 7:00 pm. Presentation by consultant team. Ms. Connors will present her idea for the Phase One project.

Joint Meeting with ZBA on February 6, 2024; Ms. Connors indicated that the majority of the ZBA members will be attending.

Adjourn

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

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

The meeting was adjourned at 9:58 p.m.

Respectfully submitted,

Brenda M. DiCeglie, Planning Board Secretary