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# TOWN OF NORTHBOROUGH PLANNING BOARD

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## Planning Board

### Zoom Meeting Minutes

December 5, 2023

Approved December 19, 2023

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

**Members Absent:** n/a

**Staff Present:** Laurie Connors, Planning Director; Scott Charpentier, DPW Director

**Others (Remotely):** Jonathan Law, Designer, Weston & Sampson; Dario DiMare of Dario Designs; Rick Gates of DVX Corporation; Ben Stone, Stukel Group, LLC; Meghan Youngbar and Kimberly Pearlingi, Dewberry; John Vittum, Green Mountain Communications; Cindy Burns, 186 Boundary Street; Lauren Bailey-Jones, 11 Elmwood Drive;

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.

## **0 Boundary Street – Public Hearing, Site Plan Approval Application for Municipal Dog Park**

Mr. Charpentier gave a brief introduction regarding the status of the project. The Town has applied for a grant from the Stanton Foundation. Construction is expected to be complete in 2024. Mr. Law gave a description of the property, the plan, and the work that needs to be completed. There was a question and answer period with the Board.

The Board has requested waivers for the following: application fee; Planning Board Rules & Regs Section 7.2D(1)(a) Requirement to submit a locus plan at the scale of 1" = 100'; Planning Board Rules & Regs Section 7.2D(1)(a) Requirement to submit a detailed traffic impact analysis. There were no questions regarding the requested waivers.

Ms. Connors expressed a concern that the duplex next door was owned by the Housing Authority. She suggested that a 7' fence be installed. There was discussion regarding the best type of fencing and height to be installed and planting of a vegetated screen along the fence on the

abutters' property. Ms. Martinek asked about the requirements to modify the plan at a later date. Mr. Law listed the pros and cons of both types of fencing and problems with planting the vegetated screen. The Board agreed that the fencing should be 7 feet high, stockade and the staff can decide on alternate fencing.

Cindy Burns of 186 Boundary Street was concerned about the dissipation of the wildlife in the area with the dog park and the ~~Forever~~ chemicals in the synthetic turf and the contamination of local wells. Mr. Law indicated that stone dust will be used, not synthetic turf. Mr. Charpentier indicated that the dog play areas are beyond the 50 foot DEP offset for private wells and septic systems. Ms. Burns asked that contaminated soil be removed. Ms. Connors stated that dog owners are required to pick-up after their pets and place the waste in the provided trash bins. Stormwater flow from the parking lot will be captured, cleansed and infiltrated into the ground.

Lauren Bailey-Jones of 11 Elmwood Drive supports the dog park.

Ms. Connors read her proposed special conditions and suggested plan modifications. There was some discussion by the Board.

There were no further comments from Board Members, staff, or the public.

Mr. Pierce made a motion to close the public hearing; seconded by Ms. Poretsky. Roll call vote: Poretsky – aye; Pierce – aye; Ziton – aye; Milton – aye – Martinek – aye; motion approved.

Ms. Poretsky made a motion to waive the Application Fee; seconded by Mr. Pierce. Roll call vote: Pierce – aye; Poretsky – aye; Ziton – aye; Milton – aye; Martinek – aye; motion approved.

Mr. Pierce made a motion to waive Planning Board Rules & Regs Section 7.2D(1)(a): Requirement to submit a locus plan at the scale of 1" = 100'. The submitted Locus Plan is at the scale of 1" = 500'; seconded by Mr. Ziton. Roll call vote: Pierce – aye; Poretsky – aye; Ziton – aye; Milton – aye; Martinek – aye; motion approved.

Ms. Poretsky made a motion to waive Planning Board Rules & Regs Section 7.2D(1)(a): Requirement to submit a detailed traffic impact analysis; seconded by Mr. Ziton. Roll call vote: Pierce – aye; Poretsky – aye; Ziton – aye; Milton – aye; Martinek – aye; motion approved.

Ms. Martinek read the criteria for the site plan. They were reviewed and agreed to by the Board.

Mr. Pierce made a motion to grant side plan approval per Section 7-03-050A(1)(a) to allow the construction of a fenced-in municipal dog park, parking area and associated improvements on the subject property located at 0 Boundary Street subject to Findings of Fact 1-5 and Conditions a-l; seconded by Ms. Poretsky. Roll call vote: Pierce – aye; Poretsky – aye; Ziton – aye; Milton – aye; Martinek – aye; motion approved.

### **200 Bartlett Street – Minor Modification of the Construction Phasing Schedule**

Mr. DiMare gave a quick overview of the project. He requested that 200 Bartlett Street remain independent from the rest of the site. All work to be done will be around 200 Bartlett Street. Ms. Connors clarified that the modification is being requested so that 200 Bartlett Street can receive a full occupancy permit before work is completed at 180 Bartlett Street. Mr. DiMare

indicated that the Building Inspector agrees with this modification. Mr. Pierce questioned, and there was discussion regarding, the occupation of 180 Bartlett Street. Ms. Connors indicated that if the motion was approved, she would send a letter regarding the vote to Mr. Frederico for his file. The letter will also be filed with the Town Clerk. Ms. Milton asked about a bond and Ms. Connors indicated that all site work should be completed, except for a small area in Phase Two of the plan. If the work isn't 100% done, the Applicant will put up a cash bond for a Temporary Occupancy Permit. The Board discussed the completion of the project. Mr. Gates indicated that the plantings will be installed, the applicant just needs more time to complete 180 Bartlett Street.

The Board had no further comments or questions. No one from the public requested to comment.

Ms. Poretsky made a motion to modify the decision pertaining to the Planning Board Special Permit, Special Permit with the Site Plan Approval and Special Permit Per Groundwater Protection Overlay District rendered by the Planning Board on May 2, 2022, and recorded in Deeds Book 67845, Page 268 as to allow two phases of construction as specified in the letter from Vito Colonna, Connorstone Engineering, Inc. dated October 4, 2023; seconded by Ms. Milton. Roll call vote: Pierce – aye; Poretsky – aye; Ziton – aye; Milton – aye; Martinek – aye; motion approved.

### **351 Ball Street – Public Hearing, Site Plan Approval Application for a Wireless Co-location for Boylston Emergency Equipment**

The public hearing notice was read into the record. Ms. Youngbar presented a brief description of the project and the plan. Mr. Vittum spoke about placing an 8' chain link fence around the project. The purpose of the emergency equipment is to give coverage to the western part of Boylston for Police and Fire and to assist the Northborough Police Department. They will perform a structural analysis on the pole, and they will clean up and remove the existing equipment on the pole. Ms. Milton asked if abutters were to be notified and Ms. Connors said that all abutters received notice. Ms. Poretsky asked about the distance of the pole to the nearest house. Mr. Vittum indicated that the nearest building was 75 – 80 feet away. He gave a brief explanation of the tower and discussion with the Board took place. There was also discussion regarding barbed wire fencing. Mr. Vittum indicated that the Applicant favored the barbed wire for security reasons considering this is for public safety communications equipment. The majority of the Board was in favor of keeping the barbed wire. Ms. Connors indicated that the Board would need to vote on the waiver request since barbed wire is not allowed by zoning. She asked that a written request for the waiver of the barbed wire be submitted under Zoning By-Law 7-10-040 F (7) by email. There was discussion regarding the requested waivers. Mr. Vittum addressed the Board regarding the vegetation that will remain and be removed at the site. Ms. Poretsky asked that some arborvitaes be planted around the fencing to have the site blend into the environment. They will be planted on the sides that can be seen from Ball Street. The Board discussed the conditions a) through j) which are to be included.

There were no further questions from the Board and no one from the public requested to comment.

Ms. Poretsky made a motion to close the public hearing; seconded by Mr. Pierce. Roll call vote: Pierce – aye; Poretsky – aye; Milton – aye; Ziton – aye; Martinek – aye; motion approved.

Ms. Poretsky made a motion to waive Planning Board Rules and Regs Section 7.2(C)(4): Requirement to provide a Locus Plan at a scale of 1" = 100'. The Locus Plan on Sheet C01 is at a scale of 1" = 80'; seconded by Mr. Pierce. Roll call vote: Pierce – aye; Poretsky – aye; Milton – aye; Ziton – aye; Martinek – aye;

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

Ms. Poretsky made a motion to waive Planning Board Rules and Regs Section 7.2(C)(7): Requirement to show existing and proposed topography contour lines at 2' intervals, which shall extend at least 50' beyond the site boundaries; seconded by Mr. Pierce. Roll call vote: Pierce – aye; Poretsky – aye; Milton – aye; Ziton – aye; Martinek – aye; motion approved.

Ms. Poretsky made a motion to waive Planning Board Rules & Regs Section 7.2(C)(9): Requirement to show the nature, location and size of all significant existing natural land features, including trees, shrubs, or brush masses, specimen trees and all other trees over 10" in diameter at breast height, grassed areas and soil features; seconded by Mr. Pierce. Roll call vote: Pierce – aye; Poretsky – aye; Milton – aye; Ziton – aye; Martinek – aye; motion approved.

Ms. Poretsky made a motion to waive Planning Board Rules & Regs Section 7.2(C)(15): Requirement to show provisions for waste disposal, dust, erosion control, and proposed fire hydrant locations; seconded by Mr. Ziton. Roll call vote: Pierce – aye; Poretsky – aye; Milton – aye; Ziton – aye; Martinek – aye; motion approved.

Ms. Poretsky made a motion to waive Planning Board Rules & Regs Section 7.2(C)(17): Requirement to show the proposed stormwater management system seconded by Mr. Pierce. Roll call vote: Pierce – aye; Poretsky – aye; Milton – aye; Ziton – aye; Martinek – aye; motion approved.

Ms. Poretsky made a motion to waive Planning Board Rules & Regs Section 7.2(C)(19): Requirement to submit a landscape plan; seconded by Mr. Pierce. Roll call vote: Pierce – aye; Poretsky – aye; Milton – aye; Ziton – aye; Martinek – aye; motion approved.

Ms. Poretsky made a motion to waive Zoning Bylaw Section 7-10-040F.(7): Requirement that fencing shall not be constructed of barbed wire; seconded by Mr. Ziton. Roll call vote: Pierce – aye; Poretsky – aye; Milton – aye; Ziton – aye; Martinek – aye; motion approved.

The Board reviewed the decision criteria for the site plan. A letter was submitted by the Fire Chief. No variances are required.

Mr. Ziton made a motion to grant Site Plan Approval per Zoning Bylaws Section 7-03-050A(1)(a) and Section 7-03-040D for the co-location of the Town of Boylston's public safety telecommunications equipment to be installed on the property at 351 Ball Street subject to Findings of Fact 1-8 and Conditions a-l; seconded by Mr. Pierce. Roll call vote: Pierce – aye; Poretsky – aye; Milton – aye; Ziton – aye; Martinek – aye; motion approved.

Ms. Milton left the meeting at 7:53 pm.

### **Minutes for October 3, 2023**

Mr. Ziton made a motion to accept the October 3, 2023, minutes, as submitted. Mr. Pierce seconded the motion. Roll call vote: Pierce – aye; Poretsky – abstained; Ziton – aye; Martinek – aye; motion approved.

**Next Meeting:**

The next meeting of the Planning Board will be December 19, 2023, to review Planning Board amendments and bond releases.

**Upcoming Meetings:**

Master Plan Committee – December 21, 2023

Zoning Board of Appeals – January 23, 2024

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

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

The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Brenda M. DiCelle,

Planning Board Secretary