



# TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 4.9.19

## Planning Board Meeting Minutes March 19, 2019

**Members in attendance:** Theresa Capobianco, Chair; Amy Poretsky; Kerri Martinek; Anthony Ziton

**Members excused:** Michelle Gillespie

**Others in attendance:** Kathy Joubert, Town Planner; Fred Litchfield, Town Engineer; Laura Ziton, 17 Franklin Circle; Jason Perreault, 27 Treetop Circle; Susan Stasaitis, 318 Green Street; Julianne Hirsch, 19 Smith Road; Michael Pannell, 318 Green Street; Mitch Cohen, 12 Whitney Street; Ed Bombard, 28 Crawford Street; Rhett Bartlett, NewCorr; Mark David, NewCorr; Jim Almonte, Waterman Design

**Chair Theresa Capobianco called the meeting to order at 7:00PM.**

**Master Plan Steering Committee Update** – Ms. Poretsky provided a summary of the March 7<sup>th</sup> meeting of the Master Plan Steering Committee (MPSC) at which they finished reviewing the recommendations and discussed the survey that will be coming out at the end of the month. She expressed a desire for residents to participate in the survey to provide valuable input for moving forward. She also noted that Fran Bakstran, Chair of the MPSC, plans to speak at Town Meeting about the survey and the Master Plan. In response to a question from Ms. Capobianco about whether the MPSC intends to have a booth at Town Meeting, Ms. Joubert indicated they will not but will have informational handouts to provide.

Ms. Joubert mentioned that the next meeting of the MPSC is scheduled for May 9<sup>th</sup>. Ms. Capobianco asked about the content of the survey. Ms. Joubert explained that the upcoming survey will focus on the recommendations and ask respondents to rate them in order of importance. She noted that all of the recommendations have been approved by the Steering Committee, which is now seeking input from residents. Ms. Joubert stated that a mock survey will be done with a few members of town staff, after which the survey will be finalized for publication. Ms. Capobianco asked if the Steering Committee is on track to finish the process by mid-year. Ms. Joubert indicated that the goal is for the subcommittee process to be completed by the end of the summer.

Ms. Martinek voiced her opinion that the process is moving along nicely, and agreed that it would be valuable to get better participation in the next public forum and the survey. Mr. Ziton agreed. Ms. Joubert commented that the attempt is to have a comprehensive survey that will not take an excessively long time to complete. Ms. Capobianco emphasized the importance of encouraging residents to take

the time to complete the survey. Ms. Joubert stated that it will be highly advertised through a variety of channels. In response to a question from Ms. Capobianco about tracking traffic to the Master Plan website, Ms. Joubert agreed to speak with the consultant about doing so.

**Discussion with ZBA Site Plan Approval Applicant for 66 Lyman Street** – Ms. Joubert explained that the Planning Board had asked the applicant to appear before their hearing with the Zoning Board of Appeals (ZBA) on March 26. She explained that the applicant, Newcorr Packaging, has been in town for years and is looking to further expand.

Jim Almonte of Waterman Design presented plans showing the existing conditions and an aerial photograph of the 13.5 acre industrial zoned site located at 66 Lyman Street, to the north of Railroad Drive on the west side of Lyman Street. He noted that the property is abutted by an active Consolidated Railroad track to the north, industrial uses to the east and south, and Juniper Hill Golf Course to the west. He indicated that the site currently contains a 148,000 square foot warehouse and noted that the original building was constructed in 1987 and expanded in 1998, at which point there was an expansion of the parking in the rear to accommodate employee parking and container storage. Mr. Almonte also stated that the frontage is on Lyman Street and Railroad Drive, the site is located in groundwater area 1, and is served by town water and a subsurface wastewater disposal system. He also noted that there are some wetland resources located to the west of the property, with Stirrup Brook running through it and a small area of 100 foot flood plane to the west. He indicated that the entire property was surveyed, and no area contains priority habitat, rare wildlife, or any certified vernal pools.

In discussing elevations, Mr. Almonte noted that the majority of the site is flat, with elevations around the building of 282' – 284', and the parcel slopes down from Lyman Street from 318' at the northeast corner. He stated that the existing subsurface detention basin discharges to one of two basins at the end of Railroad Drive. He explained that 50% of the site is covered by impervious surface (25% by the building).

Mr. Almonte explained that the applicant is proposing to construct a 38,000 square foot addition off to the east of the existing building, to be located in the area of the existing detention basin. He noted that Newcorr currently leases storage space in surrounding towns and is seeking to build this addition to allow them to consolidate operations in one location. He noted that the proposal also includes paving over a small area of gravel to the south of the existing building to provide access to the proposed addition.

Mr. Almonte mentioned that a portion of the existing building is pre-existing nonconforming to the setback to a residential zone along the north property line and the proposal includes some expansion along that area. He explained that, since the proposed addition is to be constructed in the location of the existing detention basin, the applicant plans to install a subsurface infiltration basin to the east of the building to pick up a few area drains along the perimeter of the building and discharge into the existing infiltration system and eventually tie into the same drainage system that discharges to the

existing detention basin to the west. He confirmed that all stormwater calculations have been provided and there will be no increase over existing flows and stormwater quality will be improved.

Mr. Almonte explained that the applicant had requested a zoning interpretation from the Zoning Enforcement Officer who determined that the proposal will require a special permit from the ZBA for the expansion of building according to section 7-08-020 in the zoning ordinance.

Mr. Almonte stated that the addition is to be strictly used for warehouse, and no additional employees will be required. He explained that the applicant is proposing this expansion in a portion of the building that abuts the railroad spur and would like to install an internal ramp that slopes down to the proposed addition to allow them to better utilize the space. He noted that the project went before the Conservation Commission last week and received a negative determination of applicability. He reiterated that the hearing with the ZBA is scheduled for March 26.

Ms. Capobianco expressed appreciation to the applicant and Mr. Almonte for appearing with such short notice. In response to a question from Ms. Capobianco about any comments about these plans, Mr. Litchfield indicated that he has not yet had a chance to look at the final plan but did have several review meetings before plans were submitted. Ms. Capobianco asked for clarification about the nonconformity. Mr. Almonte explained that there is a required 100-foot setback to a residential property line, and the building encroaches by approximately 30 feet. Ms. Capobianco asked how far into the property the railroad spur goes, and Mr. Almonte explained that it goes right up to the building.

Ms. Poretsky noted that a prior decision imposed a condition requiring a double row of arborvitae of a minimum height of 6 feet to be planted and maintained from the westerly edge of the building to the westerly edge of the parcel and asked if such buffer exists. Mr. Almonte confirmed that it does.

Ms. Martinek asked what the abutting residents visually see. Mr. Almonte stated that, given the location of a berm and trees, they do not see much. Ms. Martinek asked about any issues with the flood zone. Mr. Litchfield stated that he has not yet reviewed the drainage calculations but did review the concept and found no issues. Ms. Martinek asked about any presence of salamanders. Mr. Almonte indicated that there is nothing of concern with regards to Natural Heritage. Mr. Litchfield explained that, with their filing with the Conservation Commission, the project is submitted to DEP and the applicant is required to review the most current map and file with the Natural Heritage and Endangered Species program who must respond before the Conservation Commission can issue an Order of Conditions. He mentioned that, since there was no response from that program, the Commission proceeded with issuing a negative determination.

Ms. Martinek questioned compliance with restrictions on hours of operations. Ms. Joubert stated that the applicant will be required to do so unless they obtain special permission from the Building Inspector. Ms. Martinek noted concerns about noise expressed by neighbors during a prior hearing and asked if there have been any issues on the site. Ms. Joubert mentioned that, many years ago, there were some complaints about noise generated by some new equipment installed on the roof that the applicant

addressed immediately. Ms. Martinek asked if there is any additional lighting proposed on the new building section. Mr. Almonte indicated there is not.

Ms. Capobianco asked about the height of the addition. Mr. Almonte stated that it will be 32 feet to match the existing building. Ms. Capobianco noted that the front of the building is moving a bit closer to the road and asked if it is possible to add some extra vegetation into the area along the property line at Lyman Street. Mr. Almonte explained that there is existing vegetation and a water easement in that area, so adding further vegetation may not be possible. In response to a question from Ms. Capobianco about plans to remove any of the existing vegetation, Mr. Almonte confirmed that there are no plans to do so.

Ms. Joubert advised the board that they can opt to send a memo to the ZBA indicating their recommendation to approve the project or can remain silent. Ms. Capobianco voiced a desire to provide a memo indicating that the board has reviewed the project and has no recommended changes. Members of the board agreed.

Amy Poretsky made a motion to send a letter to the ZBA expressing approval of the project. Anthony Zitton seconded; motion carries by unanimous vote.

**Planning Board Committee Appointments** – Ms. Capobianco noted that Ms. Joubert had provided the board members with language for a reappointment process to consider but Ms. Gillespie has requested that the board delay the conversation to the next meeting when she will be able to participate. Ms. Capobianco suggested that the board initiate preliminary discussion tonight but refrain from making a decision until Ms. Gillespie is present. Ms. Joubert explained that the Planning Board has an appointee to both the Earthwork Board and the Financial Planning Committee (FPC). She noted that the FPC appointee, Tom Spataro, was originally appointed to the committee in 2014 and has been reappointed over the years. She stated that his term is due to expire on April 30.

Ms. Joubert discussed the existing process in which a reappointment letter is sent to the Planning Board Chair for consideration. She noted that the board has never had a written policy on these appointments and has never had an issue but, in light of some recent board conversations, she has provided the board with the policy adopted by the Board of Selectmen for consideration. She suggested that the board can either adopt this as a formal policy or simply continue to follow it as a guideline. She noted that the Board of Selectmen's new policy regarding the reappointment process, adopted at their last meeting, will involve asking the sitting member if they wish to continue as well as advertising for other interested candidates.

Ms. Joubert asked the board if they would like to move forward with reappointing Mr. Spataro or would like to have him appear at an upcoming meeting.

Ms. Joubert discussed the timeline for advertising and reappointment if the Planning Board were to immediately follow the new Board of Selectmen's policy. Ms. Capobianco voiced concern about the

limited timeline for advertising the opening on the FPC. Ms. Joubert agreed to provide the board members with copies of Mr. Spataro's resume and original application. She also noted that, since Mr. Spataro joined the FPC in November 2014, the committee has held 23 meetings and he has only missed one of them.

Given the short advertising period, Ms. Capobianco asked the board if they would like to reappoint Mr. Spataro under the current process and move forward with implementing the new policy afterwards. Ms. Poretsky stated that she would be agreeable to reappointing Mr. Spataro. Ms. Martinek and Mr. Ziton both expressed an interest in meeting Mr. Spataro. Members of the board agreed to delay the policy discussion until Ms. Gillespie can be present. Ms. Capobianco asked Ms. Joubert to invite Mr. Spataro to the April 9<sup>th</sup> meeting and suggested that members email any comments about the proposed policy to Ms. Joubert.

### **Consideration of Minutes**

**Minutes of the Meeting of March 5, 2019** – Consideration of the Minutes of the Meeting of March 5, 2019 were deferred to the board's next meeting.

**Minutes of the Meeting of February 5, 2019** – Ms. Capobianco noted that she had provided some proposed language to modify the section that was of concern when last discussed. Ms. Poretsky requested an additional edit.

Amy Poretsky made a motion to approve the Minutes of the Meeting of February 5, 2019 as amended. Kerri Martinek seconded; motion carries by unanimous vote.

**Citizen's Petition for Town Meeting** – In response to a question from Ms. Martinek about the format for addressing the Citizen's Petition, Ms. Joubert explained that, since it is a zoning amendment, the Planning Board must hold a public hearing regardless of who proposes it. She noted that the lead petitioner will present the proposal to the board and field questions from board members and the audience and the board will then need to make a recommendation for town meeting.

**Forbes Road** – Ms. Martinek asked if the project on Forbes Road will appear before the Planning Board or ZBA. Ms. Joubert explained that the application has been withdrawn as the applicant was informed by staff that a prior ZBA decision covers what they are proposing to do regarding storage of material. She noted that the applicant is moving forward with the project and reiterated that it does not require an appearance before either board.

**329-333 West Main Street** – Ms. Capobianco advised board members that the Groundwater Advisory Committee (GAC) recommended approval of the project proposed for 329-333 West Main Street earlier this evening subject to submission of certain information requested by Mr. Litchfield. She explained that the applicant had done a considerable amount of work at the GAC's request.

**Meeting adjourned at 7:52PM.**

Respectfully submitted,

Elaine Rowe  
Board Secretary