



TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 04.20.2021

Planning Board Zoom Meeting Minutes March 2, 2021

Members (Remotely): Kerri Martinek, Chair; Amy Poretsky, Vice Chair; Anthony Ziton; Mille Milton; Michelle Gillespie

Members Absent: None

Others (Remotely): Kathy Joubert (Town Planner); Fred Litchfield (Town Engineer)

The Planning Board returned to Open Session at 6:49 p.m.

Continued Public Hearing Special Permit Common Driveway Application for 85 and 95 West Street, Map 57 Parcels 34 and 35, to construct a common driveway serving five lots:

Applicant: Brant Viner and Margaret Harling

Engineer: WDA Design Group

Date Filed: December 23, 2020

Decision Due: 90 days from close of hearing

Ms. Gillespie recused herself from the matter. Brian Waterman (WDA) requested a continuance to March 16th in order for Mr. Litchfield to review the revised materials and Town Counsel to review the covenant document. Ms. Poretsky made a motion to continue the public hearing for the Common Driveway Application for 85 and 95 West Street to March 16, 2021 at 6:00 p.m.; Ms. Milton seconded; roll call vote: Milton-aye; Ziton-aye; Poretsky-aye; Martinek-aye; motion approved.

Ms. Gillespie rejoined the board at 6:55 p.m.

Continued Public Hearing Definitive Subdivision Application for 0 Bartlett Street, Map 51 Parcel 3 and Map 66 Parcel 16, to construct a four-lot subdivision:

Applicant: The Gutierrez Company

Engineer: Allen & Major Associates, Inc.

Date Filed: December 17, 2020

Decision Due: March 16, 2021

Attorney Donahue was present to request a continuance. Because the board is on a timeline for a subdivision plan, Ms. Martinek updated the board with the latest information received in order to help progress the application forward for when they next meet. There were some member discussions. Attorney Donahue said he was here to address the continuance and concerned about the board getting into the substance of a hearing that is to be continued. Ms. Milton made a motion to accept the extension date for the Decision to April 7, 2021 on the subdivision application of 0 Bartlett Street, Map 51 Parcel 3 and Map 66 Parcel 16, to construct a four-lot subdivision; Ms. Poretsky seconded; roll call vote: Milton-aye; Ziton-aye; Poretsky-aye; Gillespie-aye; Martinek-aye; motion approved. Mr. Ziton made a motion to continue the public hearing for subdivision application of 0 Bartlett Street, Map 51 Parcel

3 and Map 66 Parcel 16, to construct a four-lot subdivision to March 16, 2021 at 6:00 p.m.; Ms. Gillespie seconded; roll call vote: Milton-aye; Zitton-aye; Poretsky-aye; Gillespie-aye; Martinek-aye; motion approved.

Continued Public Hearing for 425 Whitney Street Special Permit Site Plan Approval and Special Permit per Groundwater Protection Overlay District:

Applicant: Steris A.S.T.

Engineer: VHB

Date Filed: September 17, 2019

Decision Due: 90 days from close of hearing

Attorney Stephen Madaus, Rich Whitehouse, Mike Carelli, Scott Turner and Jane Davis (Environmental Partners), and Don Flahardy (C.N. Associates, Inc.) were present.

Scott Turner (Director of Planning, Environmental Partners) reviewed the civil site stormwater portion of the review (letter dated 2/25/2021); Jane Davis (Project Manager, Traffic and Transportation) reviewed the memo regarding traffic. They contracted with CN Associates who specializes in radiation and the type of equipment and machinery proposed at the proposed building. Don Flahardy reviewed the materials regarding the use and how the use operates and his opinion regarding the appropriateness of the submittals based on his understanding of the use.

Mr. Turner did not see anything in his review that would have considerable concerns; the stormwater report was done consistent with standard engineering practices. There were minor comments regarding standard details. It was reviewed for consistency with the town's zoning bylaw. Most of his comments asked for more detail regarding site lighting, landscaping (they were not asked to hire a landscaping architect), and parking spaces. With regard to stormwater, most questions related to the SWPPP, erosion and sedimentation controls, and location of the warehouse expansion. It was reviewed for consistency with the Wetland Protection Bylaw noting that it was 33-feet from the wetland instead of 35-feet, standards regarding the infiltration basin, remodeling the french drain that collects stormwater generated from the roof, construction entrance, civil site comments about granite curbs at the entrance, trash disposal and the status of the design of the sewer force main. He considered many of the comments adjustments to details. From a civil perspective, the project seems well designed and consistent with standard practice. Ms. Poretsky asked if staff had a chance to read it and can the applicant incorporate them. Mr. Litchfield said they could easily make the changes and make the plans 100% complete. Regarding the Conservation comment, the bylaw was amended to increase the setback from 25-feet to 35-feet; they would be pre-existing compliant. Ms. Joubert said the three review letters were read by staff which included herself, the Town Engineer, the Building Inspector, and the DPW Director. They were also forward to the board as well as the applicant.

Attorney Madaus said a number of items could be characterized as clean-up on the plan or with appropriate documentation; all of which they are ready to close out. They have a pre-existing driveway width and assumed the board does not want them to narrow it in the interest of public safety. Ms. Martinek's questions concerned the radiation group. She commented that Tech Environmental of Waltham was doing an acoustical study for the applicant. Attorney Madaus recalled meeting with them pre-COVID and will get the status of the study. Mr. Turner was looking for details on what the lights were going to look like, light pole details, etc. Attorney Madaus will provide the light details to them. Mr. Turner was asked if the temporary concrete plant would

change the calculations and was told he could only review what was submitted but a concrete structure would be consistent with typical construction processes. With regard to having thicker stones and pads, Ms. Joubert commented that that would be addressed at the Earthworks Board after the site plan review. Ms. Martinek wants clarification from Town Counsel on whether temporary and permanent structures should be part of site plan review. Ms. Joubert will follow up.

Jane Davis reviewed the memo prepared by VAI and did not have any substantial comments; mostly clarifications which related to the trip generation. They were comparing the previous usage to the proposed usage; based on their calculations, it will generate less trips than what was previously there. Depending on when the previous occupant left, they may want to look at the project independently. They had a question about the occupied space square footage vs. the total space. They were also looking for clarification about the methodology regarding trip generation. They did not do a traffic analysis. Assuming that the intersection and surrounding area is not already congested, they don't see it as being a problem. Attorney Madaus said VAI will have no problem verifying the information. Ms. Davis will issue a second review letter when she receives the information.

Don Flahardy's review was specific to the installation of the N4H x-ray pallet bunker to be used for sterilizing of medical products. He explained the process of the two linear accelerator units that will be installed. They fall under the Commonwealth regulations for a radiation machine which must be registered. Steris will need to submit an application, but that it is premature. He received technical information and a shielding calculation from MEVEX for the bunker. The bunker was designed so the radiation dose rate is to be limited to or no more than .5 micro sieverts per hour. He found that the design and calculations are consistent with meeting the Commonwealth's regulations for annual dose limits to members of the public. In summary, he thinks the material content and quality is consistent with the regulations of the Commonwealth.

Ms. Milton asked if the machine was set at a higher number than 7.5, would it emit more radiation outside the bunker and was told yes, but said they are designed at certain power levels for a reason; the Commonwealth monitors and regulates it. Mr. Ziton asked how wide the beam is. Mr. Flahardy said it moves like a curtain, enough to interact with the entire box. Mr. Ziton said Mr. Flahardy refers to these as fairly common facilities and asked his experience with this type of operation since Mr. Ziton believed there was only one functional in the world. Mr. Flahardy said his research shows it is common; the linear accelerators are not uncommon. Ms. Milton asked the primary source of the electrons. Mr. Flahardy said the linear accelerator is an electric device which will accelerate an electron. Ms. Poretsky asked if a lot of electricity is needed. Mr. Flahardy deferred the question to the applicant. She asked if any of it could escape out of the building. Mr. Flahardy said he could not measure it and didn't believe it could be measured outside of the building. She asked who would be in charge of monitoring and was told by Ms. Joubert they would have to look into it for the radiation levels and thought the MA Dept. of Public Health would have monitoring reports. Mr. Flahardy said once the shield is installed it does not degrade. Ms. Martinek thought it was the first of its kind in the U.S. Mr. Flahardy said the MEVEX website shows a photo of their design engineers around the 100th linear accelerator they've ever produced; it is not a first of a kind in the U.S. Ms. Milton wanted to clarify these machines are used for other things but not used for medical equipment and sterilization in the U.S.; Mr. Flahardy understands they have been.

The board wants to know the impact in terms of does it meet the use of the performance standards as it relates to our bylaws. They had questions to help inform them better as well as consider safety. Mr. Turner said they received a package from Ms. Joubert and was not aware there were specific questions the board wanted the team to answer. Ms. Martinek asked was their direction was; Ms. Joubert explained it. The questions were within the documents from the Planning Board which was a series of questions they asked Steris and Steris provided two documents back with their responses. Mr. Turner interpreted those to be for Steris; it was not his understanding that they were to answer the questions. In a peer review process, most questions are directed towards the applicant and the applicant responds. The peer reviewer typically reviews information submitted and comments on that. He has never been part of a peer review where he has had a board submit him specific questions; that may be where part of the confusion is. Ms. Joubert felt that Mr. Turner had answered many of the questions verbally. Mr. Turner noted that it is always difficult because they are not the designer of the project. Their role is to comment on information that is provided by the applicant. Mr. Turner suggested talking with Ms. Joubert tomorrow to understand exactly what questions the board is looking to be answered and what scope the board is looking for. Attorney Madaus asked if the question was simply to have the peer reviewer review the two sets of questions the board sent to Steris which they responded to. He thought the peer review was favorable and the peer reviewer answered the questions; the response was that there is no radiation material. A zoom meeting will be held with Ms. Joubert, Ms. Martinek and the peer reviewers to review the letters the board needs responses on. Attorney Madaus appreciated the peer reviewers' reports. In the meantime, they can provide their responses or supplemental information to address the traffic and site plan issues. He will also follow up on the acoustics study. Ms. Milton made a motion to continue the public hearing for 425 Whitney Street Special Permit Site Plan Approval and Special Permit per Groundwater Protection Overlay District to April 6, 2021 at 6:00 p.m.; Ms. Poretsky seconded.

Public Comment: John Wixted (2 Stirrup Brook Lane) asked if it was mostly hospital equipment they were sterilizing. Attorney Madaus said it was medical supplies and consumables, e.g., band-aids, gauze, etc.; it is all new products, not used medical equipment.

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

Old/New Business:

Continued Discussion RE: Proposed Zoning Amendments for 2021 ATM – The warrant closes on March 8th.

Prohibited Uses – The question was asked why hazardous waste was not listed. Ms. Joubert said because the town has a Hazardous Waste Bylaw.

Ms. Poretsky commented that self-storage facility was eliminated from the bylaws but there is still a definition for it, but not in the Use Table which makes it if not permitted than prohibited. Should it be added to the list? Ms. Joubert said there is commercial storage facility and a definition for that. Self-storage is not allowed. If they are going to add it to the list, keep the definition. Self-storage facility will be added as “n” as a prohibited use to the list.

Contractor's Yard was agreed to (“attractive” will be removed).

Accessory Use was agreed to

Commercial Storage Facility was agreed to.

Wholesale Trade was added to the Use Table and agreed to.

Groundwater Two-Family Dwelling Units was fine.

Groundwater – Ms. Martinek attended the GAC meeting. There was no definitive answer but said Jason Perreault told the members they could attend the public hearing and provide feedback.

The Penalty for Violation Article was revised.

Non-Conforming – The language for the placeholder was decided upon; the board will meet next Tuesday to clarify it.

Craft Breweries – The board will hold off this year.

The board will hold a meeting on March 9th at 6:00 p.m. to finalize the bylaws.

Upcoming Planning Board Meetings – March 9th to finalize the bylaws, and March 16th.

Consideration of Minutes (01.05.21, 01.19.21) – Tabled to the next meeting.

Ms. Milton made a motion to adjourn; Mr. Zitton seconded; roll call vote: Zitton-aye; Milton-aye; Poretsky-aye; Gillespie-aye; Martinek-aye; motion approved.

The meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Melanie Rich
Board Secretary