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TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 08.03.2021

Planning Board Zoom Meeting Minutes May 18, 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)

Chair Martinek called the Zoom meeting to order at 6:00 p.m. and made the announcement that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 20A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, that the meeting of the Northborough Planning Board is being conducted via remote participation to the greatest extent possible. Public comment will be taken. The process was explained.

Member and Staff roll call was taken: Mille Milton, Anthony Ziton, Amy Poretsky, Michelle Gillespie, Kerri Martinek; Kathy Joubert (Town Planner), Fred Litchfield (Town Engineer).

Election of Officers – Ms. Poretsky nominated Ms. Martinek as Chairman; Mr. Ziton seconded; roll call vote: Poretsky-aye; Ziton-aye; Milton-aye; Gillespie-aye; Martinek-aye; motion approved. Mr. Ziton made a motion to nominate Ms. Poretsky as Vice Chair; Ms. Milton seconded; roll call vote: Poretsky-aye; Ziton-aye; Milton-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 Dave Doneski (Town Counsel), Scott Turner (Environmental Partners); Don Flahardy (CN Associates); Ron Cardarelli (CN Associates); Kip Kramer (V. Paulius & Associates – Construction – Concrete and Concrete Plant); Mike Carelli (Plant Manager); Marc Wallace (Tech Environmental – Sound Study); David Jackson (Sr. Manager, Radiation Safety); Attorney David McCay (Mirick O'Connell)

The acoustic study was received. Ms. Martinek asked if the calculations had changed regarding the plant itself; Mr. Turner said there were no additional changes. She asked whether the location change impacted groundwater. Mr. Turner said no, the plans are reviewed for proposed conditions; the assumption when doing peer review is that any construction impacts are mitigated through the construction process and dictated by the Stormwater Pollution Prevent

Plan (SWPPP). She asked if there were any drainage structures that would be built that they could not access because the plant will be there for 18 months. Mr. Turner said the site utilities, including the stormwater management, would be installed first and explained the process; the catch basins would be protected. He would recommend if the project was approved to add a condition that the town hall receives a copy of the SWPPP reports.

Mr. Ziton asked how much energy or amps do the electron accelerators use when activated? He also commented that children are much more susceptible to damage from radiation, but if the dose can't get to the children, it's a moot point; there is no radiation. Ms. Milton asked what the converter material is on the equipment. Mr. Turner said it is an element that is effective at generating the x-rays; it is a metal, but not lead or mercury. She asked if the dose that gets measured at start-up is measured again. Mr. Turner said that would be up to the Commonwealth. She asked if the town would get a copy of the training/emergency procedures and was told that would be a question for Steris. Mr. Caradelli said when the machine is off, there is no radiation. Ms. Martinek asked if the shutoff system relies solely on the operator. Mr. Turner said the system could run and no one would be hurt; the shielding keeps the x-rays in the facility; there is never only one person. Mr. Caradelli said as far as humans getting in front of the beam, there are interlocks; the state would not allow them to operate without the interlocks. Mr. Turner explained how the system operates.

Ms. Martinek asked about the concrete walls. What happens if there is a crack, does it degrade over time, what is the life expectancy? Mr. Carelli said that nuclear power plants have concrete walls and don't degrade over time because of the radiation and was highly unlikely that that would happen. With regard to the process, since that does require high voltage, she asked what would be the impact on the neighborhood. Mr. Turner could not say because there are power requirements. She said at one point that it would be emitting carbon dioxide with the largest of electricity; the answers say it does not. Mr. Turner did not have expertise to answer that. She asked if there was such a device to monitor outside of the building and was told there are several. Mr. Caradelli said it would be more to give people piece of mind as opposed to identifying anything. With regard to Switzerland, Ontario and Libertyville, she said it appeared they had no comments or any information on anything going on internationally that would help inform the board what it would look like in the US based on how it is operating abroad. Mr. Turner said they did not have the specifics on that. She asked how many x-ray sterilizers machines there would be in Northborough; Mr. Turner said two. There is no residual radiation; once the machines are off, there is no radiation. There are accelerators that have a much higher power level that can create radioactive materials; this is not one of them. He further said there are devices that measure radiation in the environment; they do exist, but they would agree that they are not needed assuming the shield performance is as designed.

Ms. Martinek asked if 7.5 is the maximum the machine will go and was told that was correct. Mr. Turner commented on the outside radiation monitor; he said they have to be quality instruments; voltage fluctuations and weather intrusions into the device causing shorts create false alarms and scare people. She asked what the tools are for monitoring. Ms. Gillespie said at the last meeting they talked about having a device on the outside of the building which might have an alarm, and after today's discussion heard that it might never go off because they may not be enough radiation to trigger it. Then there were questions about the integrity of the concrete over time. They talked about the environmental disseminator which doesn't give real time, it's more data over time. She liked the idea of the environmental disseminator because it shows over time if there is a leak. There would be two forms of protection. Mr. Cardarelli suggested the outside

disseminator. Ms. Martinek asked what are the tools for continuous safety? Mr. Flahardy said the client will have procedures to follow. The Commonwealth will approve them to have the device based on them showing the procedures. There is a lot of oversight by the Commonwealth. She asked about conversion efficiency; Mr. Flahardy explained it.

The Steris team was brought into the meeting at this point. Regarding the concrete plant, Ms. Milton commented that the benefit of having the plant on site is taking 2,000 cement trucks off the road. She asked if there a number of how of many trucks there would be to put the raw materials on site. Kip Kramer said there is not a tremendous difference; the raw materials being the sand, stone, and cement. The only addition is the water. They are able to control the timing of when the material comes in. They are not losing 2,000 trucks; they are adding water to them. Over the course of an entire year, 2,000 truckloads (or possibly less) of material will be brought in. She asked what the water usage was. Mr. Kramer said for a typical load of concrete (5 cubic yards) is 75 gallons. Ms. Gillespie said it was 2,000 truckloads for the material with the concrete plant on the site, would it be 2,000 truckloads if it was only concrete trucks coming in? Mr. Kramer said it was a calculation for the building of two shields which was approximately 2,000. The materials are roughly the same; water is being added. The 2,000 trucks would be in cement trucks coming from a supplier at different times during the day with less control when that happens. They are not reducing the trucks, only controlling it for a safety factor. Ms. Gillespie asked if the plant was off site, would it be the same 2,000 trucks/year and was told that it was, but it would be slower. Mr. Ziton asked if there was any baseline data for the current or past concrete plants that were recorded over time. Mr. Kramer said there was no measurement for noise, but it is heavily regulated. Typical construction equipment far exceeds what they would produce from the concrete plant itself. Ms. Gillespie asked if the board required the plant off site, would typical concrete trucks be used and was told yes. They would also be able to give the route to the driver.

Mr. Kramer said there are a lot of reasons why they think it is important for the concrete plant be on site but does not want the concrete plant to be the reason that there is a problem with getting this application approved. He said it is about the building and should be. If the determination of this board was that they could not erect a concrete plant or they suggested possibly voting on the application itself and move forward without the concrete plant separately for the board to discuss in it in more detail, he said they would completely respect that. The most important thing is the application. Ms. Poretsky asked if they did use concrete off site would it still be the same 3AM start; Mr. Kramer that is the preferred start time because of the heat in the summer; there is a chemical reaction with the heat which could result in a negative impact to the quality of the concrete. They have more control with an onsite plant. He said if it has to do with timing; they can work through it. Whatever makes the board most comfortable, they will do. They will work within the guidelines of what it needs to be. Ms. Milton asked what the offsets to having the plant on site would be. Mr. Kramer said there is no question that what it does is enables them to more safely create concrete in a way that is going to be better for the shield because they have total control. He wanted to make it abundantly clear that he does not want this concrete plant to in any way impact in a negative way the board's decision on which way it is going to go. If the board prefers them to do it another way, they will accommodate that. He said it is far more important to get the project approved than the concrete plant.

Ms. Gillespie asked what are the measures we can put outside the building to make sure there are no radiation leaks and for peace of mind for the neighborhood? There was discussion about high quality environmental disseminators that could be put around the building as well as a dose rate meter outside the building. This would allow us to put controls in place on site so we can

make sure we have this specific product in order to make the concrete walls but, at the same time, if you do it off site and bring it back in, we can still put tools in place that will help make a determination that everything is staying within the building as the consultants described that it would be. Mr. Kramer said the reason testing is in place is to ensure that it meets the guidelines.

Ms. Martinek wanted to confirm that the location of the onsite plant would not impact any drainage structure; Mr. Kramer said that was correct; it will be built before the plant. She asked if the stockpiles would be on site; Mr. Kramer said they would not be in the exact location presented in the slides. She said if it is on site, what prevents it from blowing, etc. Mr. Kramer said there are a number of requirements they have to meet. The only thing that could get airborne is sand which is highly unlikely, and cement which is stored in a silo to keep the moisture away; it is highly regulated. The bins are three-sided, open air bins. They are required to control it to protect the neighborhood and community. She said if they are off site and there is an increase of trucks, is there any impact to the infiltration basins. Mr. Kramer explained that the trucks would sit on the side of the road as theirs would. She asked if 7AM-7PM would make either (onsite or offsite) possible; Mr. Kramer said it makes both possible. She asked about lights. He said there are few lights that are housed on the concrete plant that are self-facing into the site itself. She asked if there were any details for addressing the erosion and sedimentation measures related to the concrete plant. Mr. Kramer said he would follow whatever the guidelines are. They have third-party inspectors as well; it is all about proper management and doing it the right way. The site is surfaced in a material to prevent erosion; silt measures are put in place; washout is run through a regulated process. Attorney McCay commented that there are at least three regulatory requirements that will be in place to deal with construction related aspects related to stormwater and erosion: the EPA Construction General Permit, the Order of Conditions that addresses the stormwater and wetland related controls for the concrete plant if that's the direction the concrete production goes in, and the letter of recommendation from the Groundwater Advisory Committee. Mr. Kramer commented that these are things that typically go through the Building Department side of it, not the zoning side, but the reality is that these are all measures that are required to be in place and whatever has to be done will be met and probably exceeded. She asked about the dust filters. Mr. Kramer said they are for the processing of moving the cement from the trailer into the silo and from the silo into the hopper.

Henry Squillante (72 Crestwood Drive) commented that if there are 2,000 trucks and they pour for 28 days, that would be 72 trucks/day. What is the damage going to be with all the trucks coming up Whitney Street through Berlin into Northborough? Will the railroad bridge on Whitney Street take the weight of the trucks? If they build the concrete plant on site, how many of their own trucks will be on site for a period of time? When they test the cement, is it liquid or hardened? Mr. Kramer said they test the material when they arrive on site, checking for air as well as weight. Clarifying the question about the trucks on site, Mr. Squillante said they will need cement trucks that come from the cement plant to pour because it's not connected; they produce the cement, put it in the truck, and bring it to the pour site. Ms. Gillespie said the numbers don't match. The confusion was in the introduction letter where it talked about 2,000 trips. They talked about breaking down the trips to see how many truckloads would be on the roads. Now that we're talking about off site versus on site, the math doesn't work out and Mr. Squillante was asking how many trucks it would actually be. Mr. Kramer explained that if their trucks are on the site, they're not on the roadways and are maintained on the site. The roads used by offsite trucks would be an issue which is why they prefer having them on site. Mr. Squillante thought there should be a condition about road repair. Regarding the number of trucks, Mr. Kramer said they are based the numbers on the concrete plant being on site.

James Shore (34 Coolidge Circle) said he did not receive the information he requested last week about this and just received it this afternoon. He commented that he has spent close to \$10,000, including donations from the neighborhood, to pay for lawyer fees to defend against this case as well as thousands of hours on this project. Both he and his wife were deposed by the Steris lawyers and felt it was a waste of time and money. There is an ongoing appeal; if and when it goes to court and should they lose, they will appeal it again; it could go on for years. He also said that his property is within 50 feet of the construction area which was improperly stated by the ZBA. He has no answers regarding the location of other Steris facilities and the proximity to surrounding neighborhoods and said they have no idea how dangerous it is to have this type of factory this close to the neighborhood; light manufacturing does not require a building to have 12-foot walls and ceilings.

Mr. Shore asked the distance of the other sterilizer facilities that are being planned to be built in proximity to the residential areas and are they as close as in Northborough? Ms. Martinek said there are facilities in Ontario, California, and Libertyville. Mr. Carelli said they are not operating but are under construction. David Jackson, Senior Manager for Radiation Safety, commented that although they do not have x-ray facilities in operation, there are x-ray sterilization facilities in operation in the United States (which they answered some time ago). There are companies in Fremont CA, New Jersey, and others operating throughout the world. Ms. Martinek asked if there are any other Steris US locations that have the exact technology other than Ontario, Libertyville and Northborough. Mr. Carelli said Steris specifically does not have x-rays in operation; they do have e-beams in operation; the e-beam is produced by the same accelerator they are talking about. There is one plant that's about 500-feet from neighboring residents. He did not have information about the Ontario location. Mr. Shore asked about impact to power. Ms. Martinek said the report stated that there was no impact and the peer reviewers did not have a comment on it. She asked if there was any information that shows that data. Mr. Carelli said they meet with National Grid to talk about the project and the requirements. National Grid ensured them they will have the appropriate power and there won't be any effect to the neighbors; there is no information or evidence that there's going to be an issue.

Mr. Shore said with the pouring, the noise generating from the trucks, as well as the dust, is going to be horrendous. He said the noise study was done on his property without permission. He also said he has consultants that he's ready to hire to prove that the noise will be exceed the limits of the town. Marc Wallace (Tech Environmental) said Mr. Shore's comment about being on his property was totally inaccurate; they never went onto his property to do the sound monitoring program. He explained that they set up a long-term sound meter on Steris' property line and did some short-term measurements in the neighborhood; they were all done at the street level, not on peoples' properties. They never go onto anybody's property without proper approval from the property owner. With regard to sound mitigation, it is a conceptual design, but he did list a number of sound mitigation measures that would require using silencers on the blower systems that they are proposing on the rooftop equipment as well as enclosures for the chillers; it is explained in their report. As they go through the final design, they will continue to look at any additional mitigation measures that may be necessary to ensure that they are meeting the sound limits at the property line at the nearest residence. They did that both from the noise bylaw that the town has which is a five decibel limit above ambient at the property line, and followed the Mass DEP policy which also sets an allowable limit at the property line and does not allow for a pure tone conditions which are tonal sounds from different pieces of equipment; they also did the evaluation at peoples' homes which was all done through acoustic modeling, not going on peoples properties by using standard acoustic practices and acoustic modeling to assess what the potential noise levels would be at those particular homes. Regarding mitigation, Mr. Wallace said the five decibels was to make it compliant; their analysis focuses strictly on the operations of the facility, they did not look at construction noise. Mr. Shore was confused about the location of the receptors on the map and table. Mr. Wallace said it was modeling. He

said lowest ambient sound level measurement is a measurement; they do predict sound levels from each piece of equipment, then calculate what the potential increase in sound level would be at each receptor location. The lowest ambient sound level was based on long-term monitoring at the property line; spot measurements in the neighborhood were roughly about the same. It is based on long-term monitoring because of the different fluctuations of sound that occur over a period of time rather than a simple single spot measurement.

Scott Stocklin (12 Patrick Drive) commented that the inspections, monitoring, and regulations rely on Steris. In 1991 there was new technology they were told was safe; four years later there was a release of 20 lbs. of carcinogenic ethylene oxide which required the evacuation of a half mile radius. Steris now has a new sterilization technology (x-ray) and said it is safe. He said the company has a very poor safety record. He asked the board to deny the application for following reasons: the technology is too dangerous to exist within a few feet of a residential neighborhood, they have already endangered Northborough, the 3AM start time for the construction plant is absurd, how are people expected to work from home, and the town is creating a single use property. What will the town be left with when Steris is gone is an unusable piece of property.

Ms. Martinek asked for a follow-up on the safety record. David Jackson said he would not be prepared to answer that right now. He would have to do some research before commenting. The board reviewed the materials submitted, which included 15 OSHA violations and a March 2021 DEP violation at the current Northborough facility. Mr. Carelli said they have a number of the buildings across the globe and to have a violation in one plant with upwards of 60 plants across the globe, it is misleading to say they have a poor safety record; they are proud of their safety record and for the safety of their employees with many plants going years without any safety incidents; their overall record across the country is world class. Ms. Martinek shared the violations from 2020 for air pollution control and failure to maintain records. Mr. Carelli explained that was an audit record with the DEP; the citations had to do with the installation of the generator on site for the safety equipment. The issues raised by the DEP the inspector were mitigated within a month or two; it had to do only with the installation of the generator. The record keeping was to keep records of when the generator starts and stops. The air pollution control is a little misleading; again, it was only the installation of the generator; the certification of when the generator was installed, and then to maintain the record of when the generator runs; the generator only runs a couple of hours/year if that, the threshold is 300 hours a year; it is only a backup generator. He claimed that other violations occurred throughout the country and are not very egregious.

Ms. Martinek noted the other information regarding violations/issues that Mr. Stocklin sent to the board. She had a concern that there was a pattern of a lack of safety of employees and lack of regard for the safety of the facility. She asked how we can be assured that won't be the case any longer. Mr. Carelli said they are bringing in the operation or the performance of sites across the country talking about incidents that happened over 15-20 years ago. Attorney McCay thought it was more than unfair to Steris and the applicant. They are in front of the Planning Board for two items of zoning relief. One is related to groundwater (special permit for groundwater), and for site plan which is to address ingress and egress to the property. To dredge up things that happened 25 years ago on a project that the board's own peer review consultant's said "you could operate this system 24/7 and no one was harmed"; "this machine is inherently safe, nothing is needed to stop it except the concrete". He thinks it is tremendously unfair to applicant especially given the nature of the relief that is actually be requested of this board; it is groundwater and site plan review. It is not supposed to be an audit of every inspection that Steris has had at every one of its facilities all over the world. Ms. Martinek said part of what they do is to ensure the safety; much of this project involves a high level of reporting regulations and it has been brought up to them what the history is in those areas. Part of their review is to determine if it relies on a high level of

reporting regulations that they don't have insight to, she wants to understand it because it sounds like the board has to be proactive to access the reports. Attorney McCay commented that no one is trying to hide anything from the board; the whole team was brought out and they paid for peer review on subjects that the board has no jurisdiction over. All the questions about radiation and x-rays and all of these things are subject to exclusive state jurisdiction, which is something that this board has been informed of and knows of and perhaps needs more guidance from Town Counsel. They would appreciate sticking to the zoning questions for the relief they are requesting from the board.

Anne Beckstrom (152 Bartlett Street) thought it was outrageous that an operation like this could happen 50-feet from abutting neighbors.

Michael Bernzweig (4 Jenkins Drive) said the scope and level of the project is scary. He felt the answers and documentation responses provided were evasive. He felt it wasn't the right project for the town and thought there were many projects for 425 Whitney Street that pose a much lower level of risk. He read two quotes from reviews of Steris employees across the country. The rating is 2.7 on a scale of 5. He does not think it will only be a daytime operation.

Henry Squillante thanked the board for looking out for the safety of the town and not only looking at the one or two things they are supposed to consider.

Additional emails were received from Dianna Adams Woodruff (46 Coolidge Circle); John & Leona Zowask (26 Coolidge Circle); Russell Lang (21 Coolidge Circle); Bob & Rhonda VanBuren (150 Maynard Street); Jodie Martinsen (15 Coolidge Circle); Brian & Kathy Harris (416 Whitney Street); Kerry McMullen (91 Coolidge Circle); Lisa Stone (17 Coolidge Circle) Bonnie Lang (21 Coolidge Circle); and Scott Stocklin (12 Patrick Drive) voicing their concerns.

Gina Babcock (64 Coolidge Circle) asked if the criteria was to have a building constructed within a year. Ms. Martinek commented that the Zoning Enforcement Officer can extend it, but agreed that the bylaws define the timeline for a "temporary structure" as twelve months. Ms. Babcock said it does not fit the criteria and should not be allowed; it never should have gotten this far.

Ms. Milton asked about the noise study and winter/summer acoustics. Mr. Wallace said the study was done in March which allows for some of the lowest sound levels anticipated during the year. She asked if it took into account tree or vegetation removal. Mr. Wallace said they did take into considering the existing and future buildings. With regard to foliage, it would have to be a densely wooded area to get any appreciable sound reduction. Ms. Poretsky said in 1986 light manufacturing definition did not include radiation; in 1992 radiation was added to the definition. Ms. Martinek asked the applicant about their thoughts about an off site vs. on site concrete plant. Mr. Carelli said their preference is to have the plant on site for control and quality, but either way, they could still get the job done.

Ms. Gillespie said there was lots of conversation about it being on site. Now we are talking about off site; it was conflicting and would not be in favor of it on site. If the board is leaning on that, the applicant should go back and do more work on what that would actually look like. Ms. Martinek asked the members if that would make an impact to their decisions; it did not impact the majority. She asked the applicant if they wanted to make the effort; Mr. Carelli said they did not. Attorney McCay said they would be happy to clarify any questions related to the trucking. It is an issue outside the board's purview since it relates to a method of construction which is not within the scope of Chapter 40A. They can try to clear up any misunderstanding with respect the concrete plant vs. having it off site. Ms. Gillespie asked if it was that Steris does not want to go off site. Mr. Carelli said they are willing to go off site, they are not willing to put

together any information in terms of the difference between the two being on site or off site because it's trucking in concrete at that point. They don't know what more there is to do. Attorney Doneski wanted to be sure that if the applicant through counsel is looking for the opportunity to present clarification on an issue that the board has spent a lot of time discussing this evening, he thought that opportunity should be given. Ms. Martinek again gave the opportunity to provide additional information. The applicant declined.

Attorney McCay said they are happy to answer any questions the board has that remain unclear, but if the board members say it doesn't matter, then it doesn't matter. He believes Mr. Carelli was saying that they don't know what other information can be provided with respect to concrete being mixed off site and brought to the site. Ms. Milton was looking for the pros and cons. Ms. Gillespie wanted clarification on the numbers based on off site, measuring guidelines on the exterior of the building, and checks and balances regarding accidents. Ms. Martinek asked the applicant if they wanted to come back and have an opportunity to speak to that. Mr. Jackson said from the radiation monitoring standpoint on the exterior of the building, he would prefer to leave that up to the experts with the radiation division of the MA Dept of Public Health. Attorney McCay said Mr. Kramer provided the information regarding the concrete plant being on site vs. off site earlier in the discussion tonight. Ms. Martinek asked Attorney Doneski if it is up to the state regarding the exterior monitors; it doesn't seem like a condition the board could place because we are not the ultimate authority on it. Attorney Doneski said the state does have the priority monitoring authority; he thinks they could condition that it be addressed somehow in the applicant's information back the town. She asked if there was any condition within their authority that would help to speak to that or a condition that is not enforceable. Attorney Doneski suggested she ask the applicant more directly. They have heard from the consultants who suggested two kinds of monitors, one simple; one elaborate. Ms. Martinek asked Mr. Jackson if that was something he was willing to do or did he want to hear from the state; Mr. Jackson wants to consult with the state on their opinion because he does not believe the types of disseminators are designed for outside use. They would want to consult with manufacturers as well.

Because additional information was received today, Attorney Doneski recommended that the board deliberate after they have had a chance to review it.

Mr. Ziton made a motion to close the public hearing; Ms. Milton seconded; roll call vote: Poretzky-aye; Ziton-aye; Milton-aye; Gillespie-aye; Martinek-aye; motion approved.

The board took a break at 9:53 p.m., returning at 10:00 p.m.

Continued Public Hearing for 1 Lyman Street:

Applicant: Desheng Jiang, Cable Matters, Inc.
Engineer: Connorstone Engineering
Date Filed: February 3, 2021
Decision Due: 90 days from close of hearing

Attorney Gould, Jeff Jiang (Owner), Alok Dhanda (Architect), Vito Colonna (Connorstone Engineering) and David Veron (Landscape Architect) attended. A revised drawing was received today. Mr. Colonna redesigned the plan (widened the mouth coming into Lyman Street) according to the Police Chief's comments concerning traffic exiting onto Lyman Street, which was to have an adequate turning range coming out onto Lyman Street so no one turning towards Bartlett Street would not have to cross the line on Lyman Street. The applicant also agreed to signs facing Lyman Street reading "exit only" and "not a thru-way". Mr. Ziton asked why the loading dock was facing Lyman Street. Mr. Colonna explained that

because of the wetland resource areas and the angle, there is not enough space. Ms. Martinek asked if it was impossible to get in and out on Bartlett Street only. Mr. Colonna said it is not ideal at all for truck maneuvers. There were no other changes to the site plan. Attorney Gould reviewed what was covered and not covered since the last meeting. They still need a Demolition Permit, Earthwork Permit, and an Order of Conditions from the Conservation Commission. The Design Review Committee felt it was a very well-designed project. The building will be larger than the current facility in Southborough; the owner will have the same number of employees, it is hoped that the capacity will double; there would be one tractor trailer delivery approximately every six weeks; the other deliveries would be by a small postal truck or UPS.

The plan was shared showing the building and landscape design. Parking spaces will be along the industrial zone side of the building. On the rounded corner coming in from Bartlett Street there is a “Cable Matters” sign which will be the only monument sign at the building. There is a great deal of landscaping (more than in any of the other industrial buildings in town). The architect’s design of the building is such that it does not look like a typical warehouse building (one cement colored building with no windows on the side); it is much more attractive. Some of the landscape plans included completely blocking the view of the building. Design Review commented that it was an extremely attractive building and not to hide it with trees; trees and grass need room to grow. The Committee felt the landscape view presented was a better design for the building and the landscaping. The Applicant did offer the abutters across the street the opportunity to meet with the landscaper for their input; that meeting did not take place.

Ms. Gillespie commented that from the original rendering to what it is now is significantly different; it is a nice transition from a residential zone into an industrial zone. They've done great work on the building and the landscape design is an excellent design. She complimented Mr. Jiang and his team; it's very unusual to find an applicant who is going to put in such mature trees. Mr. Veron said that everything there is very large scale. Ms. Martinek said the tree height is 20-feet, so it doesn't meet the roof height. Mr. Dhanda said the building will be approximately 30-feet from the pedestrian/ ground floor level; it will block it. Mr. Vernon said that the trees will be 20-feet-plus.

Ms. Martinek addressed an abutter's questions asking if there are any concerns with heat, light reflective, glare corrosive, rust, etc. with the metal panels. Mr. Dhanda said there is no concern; they are used on commercial office type projects as well as institutional projects all the time. They are aluminum metal panels made by very reputable companies with 15-20-year warranties. Regarding the landscaping, Ms. Martinek asked what it would look like in the winter. Mr. Vernon said the leaves would be gone. They previously had evergreens there, but by unanimous decision, it was not the best fit for this project on this side due to the lack of light, limitations long term, and viability. Ms. Martinek asked if dumpster would be located in the loading dock area. Mr. Colonna said it is in the corner of the parking area screened with a fence. No pallets are left outside. She asked if any big trees would be removed. Mr. Colonna thought there would be a few larger trees in the center and there are some mature trees in the detention basin. Ms. Martinek asked what would be in front of the infiltration basin. Mr. Colonna said it is a grassy shallow area about 2-feet deep.

Ms. Martinek said they have gone to great lengths to try to work and make this the best-case scenario possible in that area and appreciated the efforts they took especially in the design review process to make it look better. There is an appeal for a variance which may take a few years. Her concern is if one plan is presented now and in the interim a new tenant comes along or a new plan comes in, can the special permit run with the tenant if the tenant is not the owner. Currently Mr. Jiang is not the owner. Attorney Gould said if successful in the appeal as well as this decision, the demolition permit, Conservation and Earthworks, Mr. Jiang will purchase the property. The question for Town Counsel is can the special permit

run with a tenant, not an owner. Ms. Joubert commented that at times the ZBA with a special permit has specifically had it run with the applicant because that is the business they reviewed and the business they approved to go in that location. She did not see how that would be any different for the Planning Board but will verify it with Town Counsel.

John Wixted (2 Stirrup Brook Lane) commented that it's possible that the use can change for two reasons: it's a lengthy process to get this in, and there's nothing to say that in 5 or 10 years that Cable Matters may have expanded beyond this building and it will be sold to somebody else. He thought trucks coming in once every 6 to 12 weeks is inaccurate. The way the plan currently stands, the noise and the lights are going to disproportionately affect the residential neighborhood. He thought the renderings are misleading. On the site plan that the applicant provided you can see where the 30-foot wall building is going to be; it's right on the back edge of the existing house close to the road. The renderings make it look like it will be far away and said it is not. He also said they surrounded the building on its perimeter with lots of landscaping and said the building site is surrounded by another large industrial complex. According to their renderings, their parking lot backs directly up onto another industrial building. It doesn't show how the residential homes will interact with the building.

Anne Beckstrom (152 Bartlett Street) asked how tall the proposed building is at 34-feet versus the existing house and barn. Mr. Colonna they are typically in that 30-foot range but didn't have the exact number. Ms. Beckstrom asked what the square footage of the building was. Mr. Colonna said the footprint changed slightly because of the bump-outs where the panels are; the interior dimensions have not changed. The interior is 20,000 square feet; the exterior is 20,232 square feet. She asked about the 100-foot setback. Mr. Colonna said Lyman Street is 60-feet wide (the town right-of-way); the pavement is 24-feet wide. From her side of Lyman Street, the building must be at least 100-feet away; they are at 110-feet from her property line abutting Lyman Street. She asked about the 800 gallons water per day. Mr. Colonna explained that was for the septic system design. She asked if the project moves forward, what is the expected time for completion. Attorney Gould said because a contractor has not yet been chosen, the timeframe is not known. Mr. Dhanda commented that it is not a very large construction project and doesn't expect to be overly lengthy but could not give an estimate at this time.

Tom Reardon (7 Sunset Drive), member of the Design Review Committee, felt some of the comments made were off point. The building is not closer to the residential area, it is well behind the existing house and shorter than the existing three-story barn. Those two structures have been neglected for many decades. He said there is six-month demolition delay because of the age of the buildings, but they are not worth keeping. He is very much in favor of the project because of the way they worked with them to create a building that helps transition between the industrial zone to the residential zone which is a sensitive location and difficult design project. Mr. Jiang worked well with the Design Review Committee and strongly encouraged the board to approve the project because it is a good example of collaboration for a quality project in our town.

Kristin Wixted (2 Stirrup Brook Lane) asked if there was any thought to leaving the mature trees that are close to the road on the Bartlett Street side of the property. Mr. Colonna commented that they don't now the health of those trees and where they would fall within the landscape design. Ms. Gillespie commented that once pine trees get to a certain height they snap and not worth preserving. Mr. Veron will take a look at them.

Ms. Martinek still had concerns safety-wise and traffic-wise with the corner on the exit onto Lyman Street. Attorney Gould reminded the board that only 3% of Mr. Jiang's sales go through this building; 97% are shipped from Thailand and China through Amazon which is why there are so few deliveries. Ms. Martinek

thought the applicant has done a great deal of work to make the project look good and wants to make sure we get the product presented.

Mr. Ziton made a motion to continue the public hearing for 1 Lyman Street to June 1, 2021 at 6:00 p.m.; Ms. Poretsky seconded; roll call vote: Poretsky-aye; Ziton-aye; Milton-aye; Gillespie-aye; Martinek-aye; motion approved. Attorney Gould offered Anne Beckstrom and Steve Stone the opportunity to meet with Mr. Jiang and/or Mr. Veron if they would like.

Old/New Business – Tabled to the next meeting.

Ms. Poretsky made a motion to adjourn; Ms. Milton seconded; roll call vote: Poretsky-aye; Ziton-aye; Milton-aye; Gillespie-aye; Martinek-aye; motion approved. The meeting was adjourned at 11:00 p.m.

Respectfully submitted,

Melanie Rich
Board Secretary