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By Karen Wilber at 11:12 am, Sep 26, 2022

TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 6.21.22

Planning Board Zoom Meeting Minutes June 7, 2022

Members (Remotely): Kerri Martinek, Chair; Amy Poretsky, Vice Chair; Anthony Ziton, Bill Pierce, Millie Milton (joined in at 6:54 p.m.)

Members Absent: None

Others (Remotely): Laurie Connors (Town Planner), Fred Litchfield (Town Engineer), Bob Frederico (Building Inspector), Norm Corbin, Attorney Marshall Gould, Tom Reardon, Barry Yaceshyn

The Chair opened the remote meeting at 6:06 p.m. and made the announcement that the open meeting of the Northborough Planning Board is being conducted remotely consistent with Governor Baker's Executive Order of June 16, 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency. All members of the Planning Board are allowed and encouraged to participate remotely. This Order allows the Planning Board to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along the 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 of this meeting can 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.

Member and Staff roll call was taken: Amy Poretsky, Anthony Ziton, Bill Pierce, Kerri Martinek, Bob Frederico (Building Inspector), Laurie Connors (Town Planner), Fred Litchfield (Town Engineer)

Discussion of "Northborough Massachusetts Historic Preservation Plan-2022" – Mr. Corbin was before the Board tonight looking for comments as to whether or not there is more work to be done on the Preservation Plan. The Board so far has only commented on Chapter 7. He asked if there were any questions on the Preservation Plan which was driven by the Master Plan and written in the same way as the Master Plan. Ms. Poretsky commented that it was well done and very thorough; members agreed. Ms. Connors also commented that it was very well written. She did, however, make some suggested minor edits on grammar and punctuation and will pass them along to Mr. Corbin.

Ms. Martinek asked if there were any opportunities to use ARPA funds for the smaller items listed. Mr. Corbin said that ARPA funds came along after the plan was created so they were not mentioned in the Plan as a potential funding source. Ms. Martinek asked how the Board would contact him regarding potential Zoning Bylaw changes that can protect historical properties. Mr. Corbin said his best resource for questions like this is Jen Doherty of the MA Historical Commission; he would like her to guide them through the process. Ms. Poretsky said there are historic homes in the Main Street Residential zone in downtown. The original bylaw said duplexes were only allowed by conversion according to the footnote which was removed over the years. Should that have remained if they are trying to preserve the historic homes? She also said many of the historic homes are multi-family dwellings like apartments; the current

bylaw does not allow multi-family dwellings in the Main Street Residential District. Is there a way to allow those homes to become apartments so they would not be torn down? She thought that could be an option to preserve them. Mr. Corbin said there are over 120 houses and buildings in the downtown area that are listed as historical assets; it is the most sensitive area of town for antiques. Ms. Martinek said he has a path on how to approach it and the Board is in support of working with him. She also commented on the certified local government and asked if the notification of antique demolition was linked to it. She wanted to clarify that we don't have to be a certified local government for the notification of antique demolition. Mr. Corbin said it is two separate things; he doesn't know anything about the certified local government language that was put in by VHB, but said any building over 100 years old can be placed on a 180 day demolition delay under the current bylaw.

Mr. Corbin asked for a "thumbs up" from the Board that they reviewed the plan, have given comments, and are on the right track. Ms. Martinek asked the Board and a roll call resulted as follows: Zitton-yes; Poretsky-yes; Pierce-yes; Martinek-yes. The Board is in full support of the document. Ms. Connors will provide a support letter from the Planning Board.

The Board took a break at 6:35 p.m. and returned at 6:40 p.m.

Continued Public Hearing for 87 Hudson Street Special Permit per Groundwater Protection Overlay District Bylaw and Special Permit Site Plan Approval

Applicant: KCB Development LLC
Engineer: WDA Design Group
Application Filed: 2.1.2022
Decision Due: 90 days from close of hearing

Attorney Marshall Gould, Ken Bishop (KCB Development Site Manager & Property Owner), Tom Reardon (Architect, Reardon & Company), and Barry Yaceshyn (Waterman Design) were in attendance.

Ms. Milton joined the meeting at 6:54 p.m.

Attorney Gould provided an overview of the revised site plan. The original lot was approximately 21,000-22,000 square feet. Additional land was acquired through the ANR process, bringing the lot size to 30,000 square feet. The required frontage for a duplex is 150 feet; they have 170 feet. The plan now clearly shows the size of the house and sideline dimensions. From the street it is 33-feet away from the right lot line; from the left it is 36-feet away from the lot line. Concerning the area where site work extended onto #91 Hudson Street, there is a recorded permanent drainage and temporary construction easement. The footprint of the building is 3,416 square feet; the lot is 30,000 square feet; lot cover is approximately 11-1/3%. Attorney Gould said his client was unable to attend the hearing tonight but asked him to extend his apologies to any Board member who may have been insulted or offended at the last hearing when he came on a little strong.

Per Ms. Martinek's recommendation, Town Counsel will be asked to review the easement as a condition of approval. Ms. Martinek said there was language specific to the concerns for the retaining wall, hill grade and whether the plans in place for that are adequate. The intent of the condition is so that prior to issuance of the Occupancy Permit, everything is met and there is a cash security in place to cover the cost of any outstanding work if needed. Mr. Litchfield explained that typically when a project gets to a certain point and they are looking for an Occupancy Permit, for example, the project would be inspected and an estimate would be prepared, but it is not something that is done at the beginning of a project.

The Chair asked for public comment; there was none. Attorney Gould asked to revise the easement condition since the easement has already been recorded; Ms. Connors will make the modification. Ms. Milton made a motion to close the public hearing; Ms. Poretsky seconded; roll call vote: Poretsky-aye; Ziton-aye; Milton-aye; Martinek-aye; motion approved.

The draft decision was discussed, including conditions a-o. The Board discussed the findings articulated in Zoning Bylaws, Section 7-07-010, Groundwater Protection special permit criteria, and agreed that the application meets findings 1-3 for issuance of the Groundwater Protection special permit. The Planning Board then discussed Zoning Bylaws, Section 7-03-040, Special permit, and agreed that the application meets criteria 1-7 for issuance of the special permit for the use. Finally, the Planning Board discussed the criteria articulated in Zoning Bylaws, Section 7-03-050, Site plan approval. The Board agreed that the application meets decision criteria (a)-(c) for issuance of site plan approval.

Ms. Poretsky questioned the condition requiring the Applicant to maintain the plantings in perpetuity since the intent is to sell the dwelling units. Ms. Connors agreed to modify the condition to shift that responsibility to the property owner(s). Ms. Poretsky made a motion to grant a Special Permit, Special Permit with Site Plan Approval and Special Permit per Groundwater Protection Overlay District for the property located at 87 & 0 Hudson Street in accordance with Findings of Fact 1-18 and subject to conditions a-o; Mr. Ziton seconded; roll call vote: Milton-aye; Poretsky-aye; Ziton-aye; Martinek-aye; motion approved.

Old/New Business:

Consideration of Minutes (5/17/2022) – There were no minutes for review tonight.

The next Master Plan Implementation Committee meeting will be held June 9, 2022.

Upcoming Planning Board Meetings are scheduled for June 21, 2022 and Thursday, July 14, 2022 at 6:30 p.m.

The next ZBA Meeting is scheduled for June 28, 2022.

Ms. Martinek would like to open the lines of discussion on traffic; it will be included for discussion on the July 14th agenda; definitions will also be included in that discussion.

Ms. Poretsky made a motion to adjourn; Mr. Ziton seconded; roll call vote: Poretsky-aye; Ziton-aye; Pierce-aye; Martinek-aye; motion approved.

The meeting was adjourned at 7:39 p.m.

Respectfully submitted,

Melanie Rich
Board Secretary