



# TOWN OF NORTHBOROUGH PLANNING BOARD

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**Approved 7.14.22\*\*DRAFT\*\***

## Planning Board Zoom Meeting Minutes June 21, 2022

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

**Members Absent:** None

**Staff Present:** Laurie Connors (Planning Director), Bob Frederico (Building Inspector)

**Others (Remotely):** Scott Cameron (The Morin Group), Damon Amato, and Benjamin Legare

The Chair opened the remote meeting at 6:00 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: Bill Pierce, Millie Milton, Anthony Ziton, Amy Poretsky, Kerri Martinek, Laurie Connors (Town Planner), Bob Frederico (Building Inspector)

### **Public Hearing for 180 Bearfoot Road Special Permit and Special Permit with Site Plan Review**

Applicant: Madelyn Properties, LLC  
Engineer: WDA Design Group  
Application Filed: April 22, 2022  
Decision Due: 90 days from close of hearing

The hearing notice was read into record. A continuance was requested. Ms. Poretsky made a motion to continue the public hearing for 180 Bearfoot Road Special Permit and Special Permit with Site Plan Review to July 14, 2022 at 6:30 p.m.; Mr. Pierce seconded; roll call vote: Pierce-aye; Milton-aye; Ziton-aye; Poretsky-aye; Martinek-aye; motion approved.

### **Continued Public Hearing for 100 Bearfoot Road Special Permit and Special Permit Site Plan Approval**

Applicant: Monocled Tycoon Real Estate Trust  
Engineer: Connorstone Engineering Inc.  
Date Filed: March 21, 2022  
Decision Due: 90 days from close of hearing

Vito Colonna (Connorstone Engineering) requested a continuance via email. Ms. Milton made a motion to continue the public hearing for 100 Bearfoot Road Special Permit and Special Permit with Site Plan Review to July 14, 2022 at 6:40 p.m.; Mr. Ziton seconded; roll call vote: Pierce-aye; Milton-aye; Ziton-aye; Poretsky-aye; Martinek-aye; motion approved.

**Public Hearing for 75 Ridge Road Special Permit Common Driveway and Special Permit with Site Plan Review**

Applicant: Downeast Residential, LLC  
Engineer: The Morin-Cameron Group, Inc.  
Date Filed: May 23, 2022  
Decision Due: 90 days from close of hearing

The hearing notice was read into record. Scott Cameron (Civil Engineer, The Morin Group), Damon Amato and Benjamin Legare (applicants) were in attendance. Mr. Cameron said they were looking at this property in 2019, pre-pandemic. They met with the Planning Board previously to discuss alternative development options and to possibly amend the zoning requirements to allow an open space development in the RC District. Currently 8 dilapidated dwellings occupy the land; it is located on the north side of Ridge Road; the abutter is Bartlett Pond. They received an Order of Resource Area Delineation from the Conservation Commission in November 2019 identifying the wetland resource areas. He shared and explained the existing conditions plan as well as photos. The property has been intensely used for a long period of time; it will be a challenge to clean it up to a condition where it can be used. Topographic and boundary surveys were done which consisted of two parcels: 0.62 acres and 3.11 acres. It is serviced by a single driveway. Originally they were looking at a two-family type development focusing on density or an open space cluster development. It was decided the best option was to do a single family conventional ANR project. A common driveway in the same location as the existing driveway would not change the characteristics of the public way yet gains access to three single-family houses. The regulations specify that a wider driveway of 22-feet paved width is required because the common driveway serves three lots. A waiver will be requested to keep the driveway at 20-feet. The applicants would prefer an 18-foot driveway provided the Fire Department agrees. Each house can accommodate up to 5 bedrooms; it complies with MA stormwater management standards as well as Northborough regulations; runoff from driveways and the common driveway will be collected into shallow rain gardens. The property is serviced by public water; an 8" water main and hydrant will be installed; there may be a utility pole to get the electric over the street and then it will be run underground via conduit to a transformer; a common driveway easement is provided; an HOA would be established outlining the details of how the common driveway and utilities will be maintained in perpetuity. Comments received from the DPW, Fire Chief and Planning Director will be added to the plan. Additional grading and information on how the road will be built will be added to the updated plans and they will fully comply with the access standards in response to the Fire Department comments.

Mr. Cameron's responses to Ms. Connors' comment letter were addressed as follows:

1. A 40,000 square foot lot that is entirely within the Groundwater Protection Overlay District Area 2 will be created to meet the minimum lot area for a single family use in Groundwater 2.
2. This is referring to the Selectmen's roadway construction standards; it's on the cross section of the common driveway; it will be addressed in the modified plans. The Selectmen's standards call for a 22-foot wide road; they don't feel it's in the best interest of the neighborhood; the fire truck works perfectly well on 20-feet paved width; he would prefer 18-feet; they will be asking for a waiver. Mr. Frederico recommended they confer with the

Fire Chief on that as well as the sharp bends. He didn't know if the inside corner of the westerly driveway is too tight. Mr. Cameron explained that with 18-feet they are still providing 20-feet of structurally cleared road; there is 18-feet of pavement with one foot gravel shoulder on each side which forms the 20-feet of stable course. Ms. Connors would recommend a 20-foot roadway width and a common driveway that handles all three single-family houses. If the driveway width is minimized, the amount of disturbance will be minimized as well as the need for stormwater mitigation; less is more.

3. They are not proposing a right-of-way; they are proposing a 28-foot wide common driveway easement. They will request a waiver from the streets standard of the 33-foot minimum right-of-way width. Ms. Connors said as long as it's wide enough to accommodate the utilities, 28-feet is sufficient.
4. The cross section will be provided on the modified plans.
5. Ms. Connors said most communities have a 4" compacted thickness of pavement which is the MassDOT standard. She asked if the applicants were willing to do that on the common driveway section. Mr. Cameron responded that they do have 4" but admitted that the detail was confusing.
6. Spot grading will be added to the profile plan; it meets the grading requirements.
7. The detail will be deleted.
8. SSA (snow storage area) will be added to the abbreviations.
9. The applicants are opposed to a one-way sign; they don't feel it's needed for 3 houses. A small ground sign could be installed if required.
10. There is an extensive amount of work and a risk to the survey crew because of the open pits; a waiver will be requested from depicting all trees over 10" in diameter. In order to get the site developed into compliance with current regulations, stormwater, septic systems, soils, and existing cesspools in the water table were discussed. They do have to fill and bring the grade of the land up; trees will need to be removed. They expect to clear the majority of the trees except around the perimeter. Through the Conservation Commission, a construction sequence was prepared specifically for how they are going to approach the inner 25-foot zone. The limit of work will be marked to identify the edge of the wetland; it will be prepped, trees to be saved and removed will be marked for approval; they want to minimize bringing equipment on site. The perimeter work will be done first; they will work from the inside out; they will not go back into the wooded area. The septic design is done but they have not filed with the Board of Health yet.
11. The landscaping plan was provided.
12. The applicants are opposed to installing 12-foot LED common lights; lights will be at the driveways. Mr. Cameron said if they have to install a sign it will be small and have solar light; they want dark sky compliance. Ms. Connors said a hydrant is proposed by the roadway and if it is completely dark, she is concerned about the firetruck finding it. Mr. Cameron will talk with the applicants about options.

13. The easement was discussed earlier.
14. The applicants didn't feel that concrete monuments were necessary because it's a small residential common driveway with an HOA. Mr. Cameron said the HOA would be aware of the easement location. Ms. Connors said that without monuments delineating easement locations, it's common for people to assume the land is part of their property and the access for maintenance could be lost by installation of sheds, swingsets, pools, etc. She would be agreeable to an alternate marker (i.e. iron pipe) so everyone understands where the easement is and that they need to stay out of it. Mr. Cameron will talk with the applicants.
15. There will be an HOA. Mr. Cameron said that the agreement is typically not finalized until the first house is sold and being built. He would request it be done prior to occupancy of the first house.
16. No issues.
17. Ms. Connors said three years is the typical timeframe for initiation of construction for a special permit which she felt was sufficient time for three homes. There needs to be a construction deadline. If more time is needed, there is an extension process which would require a public hearing. Mr. Cameron would feel comfortable if the language for the extension process is included in the permit decision.
18. Salem will be changed to Northborough.

Ms. Milton asked what the land disturbance permit was. Mr. Cameron explained that it relates to an Earthwork Permit. Ms. Poretsky asked if any special road salt or fertilizers will be used. Ms. Connors said a condition can be included for the driveways that they can't use sodium-based deicer. Ms. Milton asked if the property has been tested for contaminants or waste. Mr. Cameron said it is residential use; an LSP will be on site; protocols will be followed; he does not know at this time.

The Chair asked for public comment. Carter Brannon (22 Cheryln Drive) questioned the application stating that there are no historical structures on the site; he felt some may be more than 100 years old and thought there should be a report. He also pointed out that the number of dwellings is being reduced from 8 to 3 in a time when there are housing supply issues. Lastly, regarding driveway widths said if it's safe for the Fire Department to have a narrower paved width, the town may want to review and revise the regulations; it should be standard practice for all. Regarding historical dwellings, Mr. Cameron responded that there is nothing historical to his knowledge. Mr. Frederico said when he receives a demolition permit application he looks for the age of the building; 100 years or older has to go before the Historical District Commission for review. Ms. Martinek commented that the applicant originally proposed more houses but it didn't meet the zoning bylaws. David Coad (113 Maple Lane) asked when someone last lived there. He also didn't think there was pollution there but said a realistic assessment needs to be done. Mr. Amato said summer of 2019 was when someone last lived there. [Mr. Coad then lost connection and was encouraged by the Chair to email any additional comments to the Planning Department.](#) Lisa Maselli commented that it's a nice product working with a difficult site.

Ms. Milton made a motion to continue the public hearing for 75 Ridge Road Special Permit Common Driveway and Special Permit with Site Plan Review to July 14, 2022 at 6:50 p.m.; Ms.

Poretsky seconded; roll call vote: Pierce-aye; Milton-aye; Ziton-aye; Poretsky-aye; Martinek-aye; motion approved.

**Old/New Business:**

Consideration of Minutes (5/17/2022 & 6/7/2022) – Ms. Poretsky made a motion to accept the 5/17/2022 minutes as amended; Mr. Pierce seconded; roll call vote: Pierce-aye; Milton-aye; Ziton-aye; Poretsky-aye; Martinek-aye; motion approved. Ms. Poretsky made a motion to accept the 6/7/2022 minutes as written; Ms. Milton seconded; roll call vote: Pierce-aye; Milton-aye; Ziton-aye; Poretsky-aye; Martinek-aye; motion approved.

The next Master Plan Implementation Committee meeting was scheduled for July 21, 2022. Ms. Connors said the RFP was completed; ads will be submitted this week; proposals should be received in one month. A subcommittee of five was selected to review the proposals. She looks forward to the vision ideas from the businesses and the downtown community. The study area was based on the composite map Ms. Connors prepared from the feedback of the Committee.

ANRs/Lot Releases/Bonds – None tonight.

Subcommittee Updates – Ms. Martinek is stepping down from the Executive Committee of CMRPC; Julianne Hirsh (Selectmen representative) is her replacement on that Committee; Ms. Hirsh is also on the Committee that reviews DLTA grants.

Upcoming Planning Board Meetings were scheduled for Thursday, July 14, 2022 beginning at 6:30 p.m. and Tuesday, August 16, 2022.

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

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

The meeting was adjourned at 7:52 p.m.

Respectfully submitted,

Melanie Rich  
Board Secretary