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By Karen Wilber at 11:13 am, Sep 26, 2022

TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 8.16.22

Planning Board Zoom Meeting Minutes July 14, 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)

Others (Remotely): John Wixted, Chris Deacetis, Janine Callahan, Rachel Armstrong

The Chair opened the remote meeting at 6:30 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, Amy Poretsky, Anthony Ziton, Kerri Martinek, Laurie Connors (Planning Director)

Continued 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

A continuance to August was requested via email by Attorney Gould. Ms. Poretsky made a motion to continue the public hearing for 180 Bearfoot Road Special Permit and Special Permit with Site Plan Review to August 16, 2022 at 7:20 p.m.; Ms. Milton seconded; roll call vote: Pierce-aye; Milton-aye; Poretsky-aye; Ziton-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. Poretsky made a motion to continue the public hearing for 100 Bearfoot Road Special Permit and Special Permit with Site Plan Review to August 16, 2022 at 7:00 p.m.; Mr. Pierce seconded; roll call vote: Pierce-aye; Milton-aye; Poretsky-aye; Ziton-aye; Martinek-aye; motion approved.

Continued 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

A letter was received from Scott Cameron (Civil Engineer, The Morin Group) requesting a continuance to August 16, 2022. 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 August 16, 2022 at 7:10 p.m.; Mr. Pierce seconded; roll call vote: Pierce-aye; Milton-aye; Poretsky-aye; Ziton-aye; Martinek-aye; motion approved.

Old/New Business:

Discussion of traffic impacts from development projects proposed or approved in abutting communities (i.e., 170,000 square foot mini fulfillment center at 60 & 64 Otis Street, Westborough that was approved on 11/9/21) – The purpose of this agenda item was to figure out, as more of these developments come in, what the Planning Board's options are, e.g., comment at hearings, work with the Board of Selectmen. What, if anything, can be done with emails received about traffic in the Bartlett Street area?

Ms. Connors felt the best way to handle large-scale developments proposed in other communities is to exercise the right to provide public input. She will check public hearing notices that may have a significant impact to the town and notify the Board when something notable has been received. The Board will be able to obtain a copy of the application for review and can provide input via a formal letter. It is important to note that the Planning Board in the host community can opt to act on the comments received or not, as they have jurisdiction. Mr. Pierce stated that one of the biggest problems is the enforcement in town. Ms. Connors said there are some issues that are not enforceable because they are not violations of the law (i.e., sleeping in a vehicle in their parking lot). Mr. Pierce said with the new facility in Greendale, trucks will come through Route 20 and Church Street to Route 290. Ms. Martinek asked how we can enforce our own conditions. Ms. Milton commented that a post-occupancy traffic study would show an increase which could be taken back to the property owners. Ms. Connors has spoken with Mr. Litchfield and Mr. Frederico and understands that issues have been brought to the attention of Amazon; a number of steps were taken to address concerns. She will confirm in August if that was a result of findings in a post-occupancy traffic monitoring study. Ms. Martinek felt the town needs a holistic strategy to solve the problems. How do we get to the point of identifying who is in charge of an overall strategy? Mr. Ziton felt it was the responsibility of the Planning Board to set the conditions and manage traffic after-the-fact.

Ms. Connors thinks there needs to be some thought put to the zoning scheme for the area. There is nothing in the Master Plan regarding the long-term use of the Westborough State Hospital (should the state decide to sell it) which is a large portion of the vacant land within the Industrial

District. If there is a lack of interest in doing more distribution/warehouse use, there should be thought to possibly rezoning lands that are currently undeveloped. Ms. Poretsky said that, according to an update by the Town Administrator during an earlier MPIC meeting, the Town would only be allowed three acres of the State Hospital property; the state plans to build a municipal maintenance facility for state vehicles on the rest of the Northborough acres. Ms. Martinek commented that there used to be tiering in the industrial districts. What is required to put that back? Ms. Connors said there are four locations of industrially-zoned land. Perhaps it would make sense to differentiate between industrial districts that allow light versus heavy industrial uses. The easiest to tackle is the land that is currently undeveloped. Perhaps undeveloped industrially-zoned properties that abut residential neighborhoods could be rezoned for something else. Ms. Poretsky suggested the area around Wegmans.

Public Comment: John Wixted (2 Stirrup Brook Lane) commented that Amazon is putting in a last mile warehouse in Westborough and Worcester; Northborough has the middle mile warehouse. He said the town does a terrible job coordinating with other towns; it's a regional problem and will require regional solutions. He thought we should plan for the traffic patterns and work with CMRPC and abutting municipalities to identify appropriate truck routes. Ms. Connors responded that municipal government has no jurisdiction over how existing industries route their truck traffic.

Chris Deacetis (15 Allen Street) suggested creating a Traffic and Safety Committee. In response to a question from Ms. Martinek, Ms. Connors responded that Millbury has a Roadway Advisory Committee consisting of three traffic engineers that advises the DPW. She said that it is very important for those on such a committee to have technical expertise. She said conversations are already taking place in-house, among department heads, regarding potential traffic impacts of proposed developments. She strongly suggested the Board hire a traffic engineer as a professional consultant to review traffic studies and to be used on a case-by-case basis.

Janine Callahan (6 Stirrup Brook Lane) asked about the post-occupancy traffic monitoring study for Amazon. If it was in the conditions, what can be done since the trucks have doubled from what they originally stated. Ms. Martinek explained that a post-occupancy traffic monitoring study would need to be specifically required in the conditions and they would have to come back to the Board if there's a variance from what was originally stated. Ms. Connors explained that it can be used as a tool for mitigation, but not to shut them down. Those conditions were not in earlier applications. Ms. Callahan said the CMRPC report did identify Bartlett Street as being eligible for a truck exclusion but it needs surrounding towns' approval.

Rachel Armstrong (10 Hemlock Drive) said enforcement is an issue for the Planning Board conditions and asked what other towns are doing to enforce them. Ms. Connors said the Building Inspector is the Zoning Enforcement Officer and enforces violations. There is a fining mechanism but it can involve many fines, a number of years and court action; they have to be prioritized. Ms. Callahan thought that Northborough could take the lead by reaching out to surrounding towns.

Ms. Milton asked if the Board could put in a condition to designate a certain number of spaces for tractor trailer drivers to sleep. Ms. Connors thought it would be a valid conversation should another large warehouse/distribution center apply.

Ms. Martinek will summarize the discussion and send a memo to the Board of Selectmen to see what their thoughts are. It will include suggestion for a possible Traffic and Safety Committee,

assistance from CMRPC, hiring a traffic engineer as a consultant to the Planning Board, and request an update on Amazon's post-occupancy traffic monitoring study. Any truck exclusions would be done by the Town Engineer. Mr. Pierce asked if the Traffic and Safety Committee could be an advisory board instead of a committee. Ms. Connors explained that if there was a development before the Board and she was concerned about traffic, she would reach out to the Police Chief, Fire Chief and DPW Director for input. She also said that staff is overburdened with committees and felt there wasn't the need for a new committee as long as communication is happening between department heads. Ms. Martinek expressed concern that that inter-department communication was not occurring; could a report be provided? Ms. Connors explained the approach she took in the past that has worked well. Ms. Milton asked if we could get a copy of the traffic report for the Westborough project, and who determines how much area to cover in a traffic study. Ms. Connors said all information in an application is public record. As for the parameters, she would typically have that conversation with the applicant and their traffic engineer as part of the pre-application discussion.

Discussion of Potential Zoning Bylaw Amendments for 2023 Town Meeting – Multi-Family, possible industrial rezone. Ms. Poretsky mentioned establishing a side yard setback requirement for driveways. This was discussed at a Design Review Committee meeting with the recommendation being 5-feet from the side lot line. Ms. Connors suggested creating the multi-family overlay district that is the new requirement of MGL Chapter 40A modifications, clarifying the special permit with site plan review language so it is clear that that would only be applicable to special permit uses as identified in the use table; clarifying the minimum area requirement within the groundwater protection overlay district; specifying that utilities (electric/cable/telephone) must be installed underground; and addressing the residential/industrial use combination. Regarding the zoning map, there is a portion of the White Cliffs that is located in a residential district; possibly rezone it so all of the White Cliffs property is within the Business East district. Ms. Connors would like to revise the fee schedule; the fees are too low. Adjustments to the Fee Schedule do not need to be approved by Town Meeting. The Planning Board would be required to hold a public hearing on the proposed fee schedule and then adopt it as the Board sees fit. Mr. Pierce mentioned possibly differentiating between externally lit and internally lit signs in the definitions and make them both the same within the use tables. Ms. Connors wondered if it would be more palatable to regulate externally/internally lit signs within site plan review therefore applying only to projects that are under construction anyway. Ms. Poretsky asked if the sign size should be based upon a percentage of the wall size versus how size is currently regulated. Mr. Ziton suggested working on Business South. Ms. Poretsky mentioned downtown setbacks. Ms. Connors said in order to provide a pedestrian friendly downtown, you don't want any setbacks. Ms. Poretsky said that the final design guidelines for duplexes should be ready next month. Ms. Martinek mentioned adopting regulations that will regulate the size of duplexes. Ms. Connors suggested adjusting the maximum height requirement, lot coverage requirement, or adopting a floor area ratio. Ms. Martinek would like to reevaluate the Groundwater Advisory Committee, what's its purpose and value. Ms. Connors said her suggested approach for the next steps is to identify the priorities for the year, she will compile draft language and present it to the Board, the Board will refine that language, if needed, and when we are comfortable with the draft articles amongst ourselves, we advertise the public hearing. She recommended holding the public hearing in January or February.

Consideration of Minutes from June 21, 2022 – Ms. Poretsky made a motion to accept the June 21, 2022 meeting minutes as amended; Ms. Milton seconded; roll call vote: Pierce-aye; Milton-aye; Poretsky-aye; Ziton-aye; Martinek-aye; motion approved.

The decision as to whether remote meetings will continue to be allowed should come next week.

The Master Plan Implementation Committee Meeting is July 21, 2022.

ANRs/Lot Releases/Bonds – None tonight.

Subcommittee Updates – Ms. Poretsky said Design Review had an informal meeting with 180 Bearfoot Road regarding a contractor's yard. There is an illegal contractor's yard at 186 Bearfoot Road; Mr. Frederico issued them a violation notice. 172 Bearfoot Road was issued a building permit. Ms. Connors will ask Mr. Frederico to provide a report for the Board. Mr. Pierce said Open Space Committee met a few months ago; they continue to look at what putting a walkway over the top of the aqueduct will entail. Ms. Milton said CPC had a request for funding for White Cliffs for the roof and the removal of the chimney. Ms. Milton and Ms. Connors discussed how the balance of CPC funds previously allocated and additional administrative funds will be used with regards to the White Cliffs Mansion. Funds will be used to (1) take down the compromised chimney, (2) install dehumidifiers for the moisture issues in the interior and have a mold study done, and (3) to hire a consultant to help with marketing the property. The first two issues were paid with the \$2.4 million that was appropriated for the White Cliffs Committee but there wasn't enough money left to hire the consultant to do the marketing study. The White Cliffs Committee requested administrative funds from the CPA who appropriated the balance of the unused money for the last fiscal year as well as a small amount of the FY 23 allocation. The CPC does not have to go to town meeting to pay for administrative tasks.

The next Planning Board Meeting is scheduled for August 16, 2022; the next ZBA Meeting is scheduled for July 26, 2022.

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

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Melanie Rich
Board Secretary