

February 7, 2023

Ms. Kerri A. Martinek, Chair
Town of Northborough Planning Board
Town Hall
63 Main Street
Northborough, MA 01532

RE: 0-301 Bartlett Street, Parcel H
Applicant: The Gutierrez Company

Dear Chair Martinek and Members of the Board:

On behalf of The Gutierrez Company, this correspondence will serve as a request for the Planning Board to waive the provisions in Section 7.2(C)(9) of the Rules and Regulations of the Northborough Planning Board last revised December 6, 2022 so as to waive the requirement that the Applicant identify the location of all trees, shrubs, brush masses and specimen trees and all other trees over 10 inches in diameter at breast height existing within the site.

In support of the request for waiver, the Applicant notes the burden which would be created by requiring such an inventory given the magnitude of the size of the lot and, further, the inability due to conditions existing on the site to make material changes in the proposed location of the building.

Further, in response to the Planning Director's questions, comments and recommendations provided to the Applicant dated February 1, 2023, the Applicant notes the following as responsive to the numbered comments in the Planner's memo:

2. Dumpster Location. The site is not designed for a dumpster at the present time. The building will instead, reserve one loading bay for an enclosed trash compactor unit, which shall directly abut the building. The compactor unit shall not be visible from any location other than the loading area.
3. Section 7-09-030(C)(5)(a). The parking area can be revised to incorporate additional landscaping. The Applicant suggests that the requirement for submittal of a plan demonstrating compliance with the cited section be a condition of approval.
4. Section 7-09-030(F)(1). The plan will be modified to demonstrate bicycle parking. Similarly, the Applicant requests that the requirement for modification be a condition of approval.
5. Section 7-09-030(C)(5)(b). The plan will be modified to include at least seven additional shade trees abutting parking spaces.

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6. The Applicant is amenable to causing three of the parking spaces to be EV ready as part of the construction. The Applicant will continue to evaluate the potential of rooftop solar panels and the capital costs involved but is not amenable to a condition requiring same.

7. The Applicant is not amenable to a condition limiting trailer connects and disconnects. The location of the building and the loading docks creates a material and significant sound barrier from the residential neighborhood shielding same from noise from such activities. The Applicant will otherwise comply with all existing rules and regulations generally affecting industrial zoned land in the Town Northborough.

8. The requested signage as recommended in the VHB Memorandum will be shown on the updated plan. The Applicant suggests that same be a Condition of Approval.

9. The Applicant will neither encourage nor promote idling vehicles for sleeping drivers upon its property. The parking area will be routinely monitored by security.

10. The Applicant would be amenable to a condition of approval requiring the recording of the Conservation Restriction for the 13.21 acres as identified in the letter from the Division of Fisheries and Wildlife dated February 25, 2020 prior to the issuance of an Occupancy Permit.

11. The Applicant is aware that in the event that the Land Court determines that the Planning Board erred in its denial of the subdivision plan and causes said plan to be approved, that other necessary Permits and Approvals would be required in the event that the Applicant were to proceed with effectuating the subdivision plan prior to constructing same on the site.

We look forward to the opportunity to discuss these matters in more detail on February 7th.

Very truly yours,



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