



NORTHBRIDGE PLANNING BOARD
MINUTES
TUESDAY, FEBRUARY 27, 2024



Recognizing presence of quorum Rebecca Rushford, Chair called meeting to order at 7:00 PM with the following other members in attendance: James Berkowitz, Michael Baker, Abdul Kafal, & Michael Wilkes. R. Gary Bechtholdt, Planning & Community Development Director & Barbara Kinney, Administrative Assistant were also present. Andrew Howden, Associate Member was absent. Attendees of public: Brian Fitzgerald, Developer; Mia Silva; Cindy Donati; Mark Allen; Bill Renaud.

I. CITIZENS FORUM

None

II. FORM A'S

None

III. WINSTON WOODS DEFINITIVE SUBDIVISION -REVIEW/DECISION

Request for Extension of Approval/Covenant

On behalf of Brian Fitzgerald (Developer), Guerriere & Halnon, Inc. submitted letter dated February 07, 2024 to Planning Board requesting extension of definitive subdivision approval (Covenant) for Winston Woods. Accompanying request, proposed construction sequencing for Winston Woods was also received by the Planning Board February 12, 2024. Reference is made to Planning Board Certificate of Approval for Winston Woods Definitive Subdivision dated March 10, 2022 and Covenant dated March 10, 2022 with an expiration date of March 10, 2024 for completion of the construction of ways and associated improvements.

G Bechtholdt advised the Planning Board, they are not obligated to grant an extension. If the Board decides to grant request, such extensions typically are for one-year terms. If the Board decides not to grant request, the Board will need to hold a hearing to rescind its subdivision approval. G Bechtholdt mentioned it is typical for developers to seek extension as projects progress towards completion; where in this instance (different) as no action or start of construction has taken place. G Bechtholdt reminded the Board that it took the Applicant/Developer over a year to prepare the final definitive plan for endorsement. Delayed so long, the Board had to hold a hearing to consider and allow a waiver to authorize the Board to sign the plan after 6-month from the date of approval (in order for plan recording at Registry).

B Fitzgerald suggested time was spent coordinating with the Water Co. and other departments to prepare plan set for endorsement. G Bechtholdt reminded B Fitzgerald and Board this was not accurate; where in fact numerous plans were submitted to Planning, however included changes to the plan not reviewed/approved by the Planning Board previously. G Bechtholdt recalled on several occasions having to remind B Fitzgerald and his engineer, the plan set to be prepared for Planning Board endorsement had to be in conformance with the definitive subdivision approval (and not include any modifications).

G Bechtholdt in reference to the construction sequencing provided explained such a document is not sufficient, as its not a construction schedule as was requested to be provided. G Bechtholdt asked Developer if a contractor has committed to the timetable outlined in his sequencing plan. G Bechtholdt also noted the

sequencing is not in compliance with the conditions of approval; where all offsite work must be completed and signed-off before the development is opened up (commencement of subdivision).

B Fitzgerald informed the Planning Board the subdivision project (property) has been on the market for sale; suggesting he has now found a partner but was not sure of contractors to complete development. Mia Silva & Cindy Donati, representing buyer & seller were in attendance to hear Planning Board proceedings.

G Bechtholdt noted as a property owner, B Fitzgerald is allowed to sell his property (in its entirety), where individual lots may not be sold off separately at this time; as the lots are currently held and restricted to the Covenant; once the lots are released by the Planning Board (via formal lot release) individual lots may be bought/sold. To do so, the subdivision roadway needs to be at binder (minimum) and a performance surety (replacing the Covenant) must also be in place.

B Fitzgerald began to explain sequencing of offsite improvements (Spring Street reconstruction) indicating the need to open up site for staging, etc. G Bechtholdt advised/reminded B Fitzgerald opening up his property and certain lots within the subdivision development is not (per the subdivision approval) to commence until after Spring Street is completed. B Fitzgerald continued to review with Planning Board plans to prep subdivision property as Spring Street improvements are to be underway. G Bechtholdt reiterated this was not allowed per the definitive approval and suggested such discussion was more appropriate for a pre-construction meeting (with DPW and others) and not something that needed to be reviewed by the Planning Board at this time.

G Bechtholdt reminded B Fitzgerald of concerns with excessive water runoff from subject property onto Spring Street, stressing why the need to improve Spring Street (offsite requirements) before subdivision construction commences. B Fitzgerald explained to the Planning Board that he performed some clean-up last year, removing leaf litter and debris, suggested this seemed to address any blockage and runoff concerns. G Bechtholdt informed B Fitzgerald that a tremendous amount of water from his property entered Spring Street resulting in significant flooding along portions of Cottage Street and other areas during a rain event this past Fall/Winter.

G Bechtholdt reviewed with the Planning Board options to grant a one-year extension or not grant the request. G Bechtholdt suggested it is understood future extension(s) may be sought, where it is unlikely the development will be completed in a year's time. G Bechtholdt cited other subdivisions the Board has granted extensions, noting in this instance the subdivision has yet to commence, project may be sold and where Owner/Developer had a previous definitive approval (for same property) lapse in 2009/2011.

Upon motion duly made (J. Berkowitz) and seconded (M. Wilkes), the Planning Board voted 5-0 to GRANT AN EXTENSION OF THE DATE OF COMPLETION for the "Winston Woods Definitive Subdivision" from March 10, 2024 through to March 10, 2025.

IV. SMART GROWTH ZONING OVERLAY DISTRICT -REVIEW/DISCUSSION MGL CH 40R -(DRAFT) Local Bylaw Provisions

G Bechtholdt advised the Planning Board, Planning has not received any initial feedback or comment from the state's Executive Office of Housing & Livable Communities (formerly DHCD) on its draft 40R provisions

submitted for the so called "Northbridge Smart Growth Overlay District Bylaw" for subject property along Providence Road. G Bechtholdt explained, prior to local consideration (vote at Town Meeting) the state (EOHLC) must first approve the zoning language and guidelines. G Bechtholdt reminded the Board in order for a town to be eligible for the state's 40R Incentive Payment, Bonus Payments & 40S Reimbursement(s), the local 40R District provisions must be reviewed and approved by the state (EOHLC) before local approval.

G Bechtholdt briefly reviewed Planning Board initiative to prepare the town's first Housing Production Plan (completed November 2023) and strategies to address local affordable housing needs; where 40R was identified and potential suitable locations were considered. G Bechtholdt noted in addition to 40R, the HPP included recommendations such as Transfer Development Rights, Accessory Dwelling Units & Inclusionary Zoning. G Bechtholdt reminded Board members, the Planning Board was approached 2 to 3-years ago about rezoning non-residential property (I2) to a residential district along Providence Road. The Board at the time felt the need (before considering any type of zoning change) the town should first understand its housing needs and hired a consultant to help prepare the now approved Housing Production Plan.

G Bechtholdt noted the state mandate on "MBTA Communities" which includes Northbridge was introduced as a separate matter (for town to consider) and would not specifically address affordable housing needs as it relates to the town's subsidized housing inventory. Adding if a municipality has under 10% affordable housing, like Northbridge, a town is subject to 40B development. Where high-density residential development (via 40B) may ignore local zoning; 40R attempts to maintain some local controls in identifying locations suitable for higher density. G Bechtholdt noted the town's current zoning conforms to state's MBTA community requirements, where housing density of 15-unit pre acre by-right is currently permitted in the R-5 Zoning District; though awaiting official word for state on their interpretation. The Planning Board's focus has been on 40R Smart Growth.

V. CONCEPTUAL DEVELOPMENT PLAN (PROVIDENCE ROAD) -DISCUSSION

Assessor Map 14 Parcel 17 & Ap 24-21

Planning Board members welcomed Bill Renaud, Owner & Mark Allen, Engineer for informal review/update of proposed mixed-use development as shown on conceptual layout plan dated (02/02/2024) prepared by Allen Engineering & Associates. The subject property, located along Providence Road has been identified in the recently completed Housing Production Plan as potentially suitable site for a local 40R Smart Growth Zoning District.

M Allen reviewed with the Planning Board general layout of roadways, access/egress along Providence Road, mixed-use components for the entirety of the property, and possible improvements/amenities that could benefit the town such as direct access (w/parking) to the High School upper ballfields and the creation of a town park; to include parking, hiking/walking trails, gazebo, picnic areas, and playground. M Allen explained all the roadways associated with the development would remain private (homeowners association), where the town would not be burdened with maintenance and/or plowing. The proposed access drive to the upper ballfields at the High School would have an access/utility easement allowing for the public; a lockable-gate may be installed at the lower portion to limit access, as may be directed by the town.

B Renaud described the amount of open space; attempts to minimize impacts to existing residents (abutters), where the revised plan has pulled buildings further away from the property line, creating more of

a buffer. B Renaud reviewed with the Board number of proposed rental apartment units (± 280), number of senior living dwelling units (± 105), and number of commercial/retail buildings (3); which could be restaurant, brewery, office, or other similar type non-residential uses. Planning Board briefly reviewed the types of industrial uses currently permit under the Northbridge Zoning Bylaw (manufacturing, warehouse/trucking, solar, etc.).

G Bechtholdt noted the concept plan presented incorporates the town-owned parcel, which would require Town to surplus the land. G Bechtholdt identified three (3) potential Town Meeting Warrant Articles that would be required to be voted on favorably for concept plan to be permitted: (1) declaration of town-land as surplus and conveyed (sold); (2) state/local approval of a 40R Smart Growth District; & (3) rezone of subject property (portion of) from Industrial-2 to Residential-3. G Bechtholdt explained the rezone to R3 (portion of site) would allow for senior living units in accordance with town's existing Senior Living Development bylaw.

B Renaud & M Allen indicated a MassHighway permit (driveway/curb cut) would be required for Providence Road (RT122), as well as a MEPA review from state in addition to any local permitting for a project such as this. Municipal departments including Planning, Conservation, Public Works (water/sewer), Police, and Fire have meet informally to review initial concept plans, offering initial comment and feedback. Reference is made to Conservation memorandum dated February 20, 2024; Department of Public Works (02/14/2024); Whitinsville Water Company (02/14/2024), and email communication from Police department (2/14/2024); copies of which provided to the Planning Board.

Board acknowledged a number of favorable actions need to be taken (Town Meeting vote) in order for the development project to be permitted; suggesting the subject property is located appropriately for such density (Providence Road/RT 122), in close proximity to existing retail (Shaw's Plaza) for would-be tenants, adding the addition of commercial/retail space offers opportunity for job growth and employment options for all residents in town. Creating a local 40R District will help Northbridge maintain its local controls, where the State Chapter 40B allows developers to circumvent local zoning.

B Renaud mentioned the apartments would possibly include studio, in addition to one-bedroom; two-bedroom and three-bedroom units, as the state requires a percentage to be 3-bedroom. B Renaud noted although 25% of rental units will be offered as affordable (80% AMI) they are looking to build luxury apartments with site amenities such as a pool, playground, and dog park. Board acknowledged need for more affordable housing options, noting those potentially qualifying for units could be those locally employed, including teachers, police/fire personnel, retirees, next-generation homeowners, etc.

Arrangements have been made for Owner/Engineer to present concept plan to the public on Tuesday, March 12, 2024 (7:05PM -Town Hall), where the Planning Board will host informal discussions. Owner has sent out notice to direct abutters inviting them to attend the upcoming meeting.

VI. OLD/NEW BUSINESS

a) Approval of Meeting Minutes -January 23, 2024

Upon motion duly made (M Wilkes) and seconded (J Berkowitz) Planning Board voted 5-0 to approve minutes of January 23, 2024.

b) Committee Updates -Planning Board Representatives

M Wilkes, representative on Bylaw Review Committee explained amendments to town's General Bylaw will be presented for adoption at 2024 Spring Annual Town Meeting. M Wilkes also mentioned, Economic Development Committee is scheduled to meet Monday, March 11, 2024; the Community Preservation Committee is sponsoring two (2) Warrant Articles for the historic Fletcher House, and he will be attending next quarterly meeting for Central Massachusetts Regional Planning Commission scheduled for March 2024. J Berkowitz, representing Earth Removal Board indicated they have not had the need to meet for some time. R Rushford, representative on Open Space & Recreation Update Committee will be meeting soon to review completed draft plan. B Rushford also mentioned she is on the recently formed Land/Trial Stewardship Committee hosted by the Conservation Commission.

c) Planning Office/Town Hall Annex -Move to New Fire Station

Planning/Conservation, along with Board of Health and Building Department will be moving to the new Fire Station (TBD); no official date is known at this time.

d) Comprehensive Master Plan -MGL Chapter 41 Section 81D

Tabled -no discussion at this time.

e) MBTA Communities -MGL Chapter 40A Section 3A

Northbridge awaiting formal approval from State on the town's existing R5 Zoning District provisions (multifamily units by-right).

f) 2024 Spring Annual Town Meeting -Tuesday, May 07, 2024

Point of information -no discussion.

g) 2024 SATM Warrant Closes -Friday, March 15, 2024

Point of information -see vote to sponsor article(s) below).

h) Planning Board Vote to Sponsor Article(s) -2024 SATM

G Bechtholdt explained the need for the town to update its local Stormwater Management Bylaw provisions in accordance with its stormwater permit (MS4) overseen by the Department of Public Works. In order to remain in compliance with the federal Clean Water Act an article needs to be adopted at Town Meeting. *Upon motion duly made (M Wilkes) and seconded (J Berkowitz) the Planning Board voted 5-0 to sponsor a Post-Construction Stormwater Management Bylaw for the 2023 Spring Annual Town Meeting.* The language of the proposed amendment is being prepared by a consultant of DPW. As a General Bylaw, the Planning Board is not required to hold a public hearing prior to Town Meeting consideration.

i) Site Plan/Subdivision Developments -Status

G Bechtholdt advised, site plan for Douglas Road Contractors Yard approved by Planning Board is being readied for endorsement, where foundation-only permit has been issued at this time. G Bechtholdt noted revised flowage easement area has been formalized (recorded at Registry) arrangements shall be made with Owner/Engineer to meet onsite with DPW, Conservation and Planning Board Consultant to review existing conditions (culvert) in accordance with Planning Board site plan approval. Planning Board acknowledged receipt of proposed building elevations, expressing no concerns. With receipt of

additional Review & Inspection funds (Hemlock Estates) Planning Board's Consultant (Graves Engineering) will conduct subdivision inspection for purpose of updating remaining punch list items and construction estimates for its completion. G Bechtholdt suggested if Board does not see immediate and significant progress this Spring, may want to consider initiate calling-in of performance bond held and procure services for another contractor to complete project. G Bechtholdt informed Planning Board a buyer of Mike's Way subdivision is currently being sought as Developer (R Henault) passed away unfortunately this past year. With Spring construction season approaching Planning Board will invite various developers (including Stone Hill Development) to review progress and anticipated date of completion.

j) Planning Board Comments/Concerns

None

k) Mail -Review

In addition to mail listed (attached), Planning Board noted receipt of following communications: Planning Board Agenda (February 27, 2024); Draft Agenda (March 12, 2024); email dated February 05, 2024 from Town Planner to G&H Eng regarding Winston Woods request for extension; letter dated February 07, 2024 from G&H Eng (Winston Woods) Extension; G&H Eng Construction Sequencing (Winston Woods); email communication(s) from Town Planner to Board regarding 40R Smart Growth Zoning & Providence Road conceptual development, Draft Smart Growth Overlay District provisions & map; communications regarding Providence Road Mixed-Use conceptual Plan; Draft Planning Board Minutes (January 23, 2024); Memo dated January 23, 2024 concerning Spring Annual Town Meeting; Public Hearing Notice for FY2020 CDBG; Central Massachusetts Regional Planning Commission District Local Technical Assistance for 2024; copy of Planning Board 2023 Annual Report; and 2024 Planning Board Meeting Schedule.

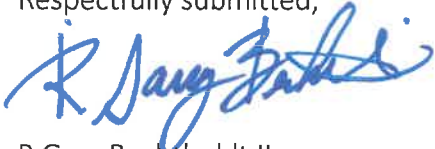
l) Other

G Bechtholdt mentioned Abbreviated Notice of Resource Area Delineation submitted (Conservation Commission) for property off Tessier Lane & Fowler Road; once wetland resource area confirmed, NOI will follow for proposed residential subdivision (preliminary/definitive). G Bechtholdt reminded Board a development had been submitted to the town some time ago, however never acted on.

ADJOURNMENT

Having no additional business, the Planning Board adjourned its meeting of Tuesday, February 27, 2024 at or about 8:30PM.

Respectfully submitted,



R Gary Bechtholdt II

Community Planning & Development Director

Approved by the Planning Board:

03/12/2024

Cc: Town Clerk

/File

February 27, 2024

Planning Board

FROM	DATE	SUBJECT

Douglas

- Public Hearing Notice – Application of Anthony & Megan Fierro for an Accessory Apartment Special Permit at 134 Yew Street.
- Public Hearing Notice – Application of Town of Douglas for a Special Permit to remove three (3) dying trees along 37 Oak Street.
- Public Hearing Notice – Amend Zoning Bylaws by Adoption of new Section 6.8 Residentially-Scaled and Commercially-Scaled Solar Energy Systems.
- Public Hearing Notice – Application of the New Sherborn, LLC for a Special Permit to remove portions of stonewall to install driveways for Lots 13, Lot 10, Lot 13, Lot 11 on Orange Street.
- Notification to Abutters Scenic Road Application.

Grafton

- Public Hearing Notice – Application of Houldon Farms, LLC(applicant) and Howard F. Houldon and Sandra L. Foye, Trustees, Howard F. Houldon Nominee Trust and Sandra L. Foye Nominee Trust (owners) for a Special Permit and Site Plan Approval for an accessory use for a seasonal outdoor eating and drinking establishment at 95 Wesson Street.
- Decision – Approved with Conditions the Special Permit for Celco Partnership d/b/a Verizon Wireless (applicant) and Sutton LLC (owner) to construct a Wireless Communications Facility at 58 Follette Street.

Sutton

- Decision – Approved with Conditions the Special Permit to John and Michele Hicks for an accessory apartment at 31 Pleasant Street.
- Public Hearing Notice – Application of Molly Quinn for a Site Plan Review to open a dance studio within the existing building at 64 Worcester/Providence Turnpike.

Upton

- Public Hearing Notice – Amend Zoning Bylaw to modify Section 300-10.01 Definitions, Section 300-6.8 Overlay District and other applicable sections as described as follows: Amend Section 300-3.1 Table of Principle Uses Note #9 for the purpose of amending music stores, and other similar retail businesses to being permitted by-right; Amendments to Section 300-10.1 Definitions, 300-3.1 Table of Principle Uses, and Section 300-6.2 to change “Wireless Data Transfer Facilities” to “Personal Wireless Service Facility,” addition of use category “small wireless facility,” and other changes related thereto for the purpose of regulating such services; Addition of Section 300-7.7 Inclusion of Affordable Housing for the purpose of promoting the inclusion of affordable housing as part of the new residential development; and Addition of Section 300-6.8 Solar Overlay District for the purpose to allow for the siting of Large-Scale Solar Ground-Mounted Photovoltaic Installations (LGSP) in appropriate locations within the Solar Overlay District and to impose reasonable restrictions on such installations.

Uxbridge ZBA

- Public Hearing Notice – Application of Michael and Lorna Rabbitt for a Variance to the front-side setback requirement to construct a detached garage at 111 Rivulet Street.
- Public Hearing Notice – Application of Aaron McCabe for a Special Permit for an accessory dwelling at 119 Hazel Street.