



**NORTHBRIDGE PLANNING BOARD
MINUTES
TUESDAY, MARCH 12, 2024**



Recognizing the presence of a quorum Rebecca Rushford, Chair called the meeting to order at 7:00 PM with the following other members in attendance: Michael Baker, Abdul Kafal, & Michael Wilkes. James Berkowitz and Andrew Howden, Associate Member, were absent. R. Gary Bechtholdt, Planning & Community Development Director, was also present. Barbara Kinney, Administrative Assistant, was absent.

Attendees of the Public: Richard and Paulette Brooks; James Jacobs; Barry Gallant; Mark Allen, Allen Engineering; R. Knapik, Allen Engineering; Bill Renaud; Mark Hare; Paul Tim Hare; and Michael Hare.

I. CITIZENS FORUM

None

II. FORM A'S

None

III. MIXED-USE DEVELOPMENT CONCEPTUAL LAYOUT PLAN -REVIEW

Bill Renaud (BK & R LLC) & Mark Allen, PE (Allen Eng Assoc)
Providence Road /Assessor Map 14 Parcel 17 & Ap 24-21

Rob Knapik, PE and Mark Allen, PE of Allen Engineering & Associates, Inc. on behalf of the Owners (BK & LLC) of the Providence Road property presented a conceptual mixed-use plan. R. Knapik thanked the interested parties in attendance because the developers want to solicit residents' comments and feedback. Plan is for a mixed-use development on Route 122 on the westerly side across from the Wastewater Treatment Plant. It will be a mixed-use of commercial/retail/restaurant and residential. The Owners are taking a creative approach to create housing for the town and this will involve several articles that may appear on an upcoming Town Meeting warrant. One of the articles will change the zoning district from Industrial to Residential, another article will adopt what is called a "Smart Growth Zoning Overlay District" (Chapter 40R), and the third article would authorize the Board of Selectmen to dispose of surplus town-owned land. A portion of the project shown on the plan is a parcel that is town owned (+/-21 acres) and the other parcels of land are privately owned by Northbridge residents and others (+/- 71 acres) for a total of +/-93 acres.

M. Allen explained in detail what the development layout is now and why it looks the way it does. The private property was acquired in 2021 and the owners investigated the by-right uses of what is allowed on this Industrially zoned property. Under the Zoning Bylaw some of the by-right uses include a solar facility. After their investigation, the owners feel that a solar facility may not be the best use of the property. Some years ago, the Planning Board was approached to work cooperatively and determine what alternative uses there might be and what the best uses of the property would be. At that time, the Planning Board was in the midst of preparing a Housing Production Plan and for that reason the applicant/owners waited until the Housing Production Plan was completed and approved in September 2023. M. Allen explained that in general, a Housing Production Plan is a written plan approved by the town and certified by the state that identifies the types of housing needs for affordable housing in Northbridge. It is a sort of road map for the town to follow

on how to create affordable housing and the town gets to direct where the affordable housing is built pursuant to the plan and is allowed to deny Chapter 40B projects that the town would otherwise could not deny where the projects may not be the best fit.

Per M. Allen, the housing production plan identifies this property as a suitable location for affordable housing because of the infrastructure, transportation (Route 122 has considerable capacity), and available utilities (sewer and water). The particulars of the project are broken down into two (2) areas with one being duplex-style and the other being a number of apartments in apartment buildings. A number of those apartments will be affordable housing (pursuant to the overlay district). The state also recognizes towns that create a Housing Production Plan identifying affordable housing might have a cost to the town such as an impact to the school system. A benefit is that the town will be eligible for funding reimbursement payments from the state pursuant to a related statute (Chapter 40S). In addition, the project depends on the developer acquiring the town property but upon completion of the project, there would be usable open space that would be turned back to the town and would include amenities such as improved access, a parking area, and walking trails. This project also proposes access to the athletic fields at the top of the hill behind the high school.

The owners have met with various departments informally including the Planning Board and attended a tech review for safety. They have had conversations with the Department of Public Works Director, sewer, water and the Conservation Agent with receipt of positive feedback. M. Allen explained that Allen Engineering became involved with the project about four (4) or five (5) months ago. They looked at the previous layout that was proposed initial and various renditions; the current concept plan shows a more condensed development with open space including a public park with trail networks. Pockets of development will be created to keep large areas of open space remaining. R. Knapik indicated that there are four (4) main components of the mixed-use development of senior housing (+/-100 units) that will be similar to the units at the Stone Hill development, apartment style multi-story apartment buildings, restaurant/commercial retail use along Route 122 and the open space. The open space of +/-44 acres may be deeded back to the town upon approval and completion. The open space will contain a parking area, gazebo area, tennis courts and some playground equipment to have a dedicated centralized town park. Existing amenities are scattered around town, and they suggested this area could also be a common meeting place for a town festival or concerts. M. Allen stated that the other charge they were given was to make this project buildable and try to create enough buffers around the abutting areas. There is an existing solar facility, two (2) schools (Whitinsville Christian School and Northbridge High School), a residential development (Louisa Drive & Devon Drive), and Route 122 abutting the property. This +/-95 acres are within a mile of Plummers Corner and the goal of the Housing Production Plan is to keep the affordable housing within a mile of a town center. The development on the property will be centralized to minimize the impacts to the wetlands and stream on the property. The resource areas have been marked in the past or are currently being flagged. This is just the beginning of the process that will include articles to be voted on at town meeting and applications/approvals to various town boards and state boards such as MA Department of Transportation (MA DOT) and the Department of Environmental Protection. The developer is confident that the utilities can be connected either through Route 122 or the Louisa Drive neighborhood. The mixed-use proposal would require both state and local permitting, including curb cut from MA DOT, one access location would be right in/right out only based on initial conversations. M. Allen has been out there this week and is preparing an Abbreviated Notice of Resource Area Delineation to submit to the Conservation Commission which is a sort of an overall wetland resource area plan for the Conservation Commission to approve.

G. Bechtholdt stated that part of this information was included in the letter circulated to the abutters, which is very helpful. The Owner has met with the Planning Board a couple of times. This is something the Planning Board is very aware of, and they want to make sure the abutters are in the loop. This is still at the conceptual phase even though the plans look like they are finished. Not a lot of engineering has gone into the project at this point, which is good, so the owners can take concerns into consideration when preparing the final design of the project. The Planning Board is charged with reviewing or considering any type of development and to look at the potential impacts to the abutters and the town as a whole such as demands on services, including schools, traffic, buffers for residents and existing conditions. They will look to have the impacts minimized to the abutters. They are coming before the Planning Board because they have intentions to develop the property. The property is zoned for some sort of development (per adopted Town Zoning Map); not a situation where it is this development or nothing, the property is likely to be developed soon; 40R allows the town to retain some local control, where a 40B may be a much denser residential development without open space amenities and commercial components.

R. Knapik mentioned that the current zoning allows for a solar facility or a Chapter 40B project which is a state statute that allows owners of properties to circumvent local zoning and propose through the state a high density residential development with affordable housing which skirts local bylaws, local zoning and maybe even some local wetland protection regulations. Chapter 40R is a local initiative where the town retains local control of the development, and the developer has come forward and is working with the Planning Board. The town would have the authority to review and approve a project such as this whereas the alternative would be a Chapter 40B where the town would not have much say as part of a Comprehensive Permit filing. M. Allen put together a sketch showing what a potential Chapter 40B project could look like with an extension of the solar field. The northern portion of the property would have the extension of the solar field, the town property would remain open, and the retail/commercial portion of the property would be replaced by other residential buildings. The 240 units could become 380 units.

G. Bechtholdt spoke with one abutter regarding questions/concerns regarding the water flows in the area and if any additional flow would impact the abutting properties if the property is developed. The Planning Board will look to review these concerns and how they will be addressed in the design. Richard Brooks, 6 Nolet Street, moved there 34 years ago and is concerned with the brook because since the development of the Louisa Drive area was constructed more water flow has been coming down the brook. The high school and fields were constructed, and even more water flow has been coming down the brook and it was so bad that rip rap needed to be installed (he worked for the Department of Public Works for 35 years before retiring). He is also concerned with any access from this project to Nolet Street. M. Allen explained where Nolet Street is in relation to the project and the access to the ball fields. There is a significant wetland/stream system that comes from the solar facility through this area and under the road. The Owners would be charged to create a development that mitigates the peak flow volumes and peak flow rates. There will be a series of eight (8) to 10 (ten) drainage basins in the development that will capture peak flows and let it trickle out. This may/may not have been done with the solar facility or the high school upper ballfields. State regulations mandate that the developer mitigate stormwater to a degree that is either at or less than what is there today. Topographically, most of the solar facility feeds that brook. The top of the hill for the development feeds the wetlands so topographically there is only a small portion that will come down to the Louisa Drive area and most of that water will flow towards Route 122, per M. Allen. G. Bechtholdt stated that the proposed driveway to the upper ball fields is an opportunity to look at where the water flow goes. He has seen pictures of lots of water from this winter and if this winter is any indication of future winters where we get more rain than snow, this is something to be aware of. Per M. Allen, last summer was unusual

too in that Worcester was about 15 inches of rain over normal. Hopefully, we will not get this much rain on a regular basis. The access road to the fields will require a stream crossing (to be approved by the Conservation Commission) that will need to capture any runoff from that access road and slow it down before it reaches the stream system to Louisa Drive. This will give the residents another layer of security. No water will end up on Rt. 122 and the water will be collected and treated. Multiple stormwater related permits will need to be applied for and obtained including the Planning Board (with a peer review from its consulting engineer), Conservation Commission, Department of Public Works, Department of Environmental Protection, MA Environmental Protection Agency, and a construction general permit to review stormwater including peak flow rates, removal of sediment, and minimum volumes with requirements to be met.

James Jacobs, 11 & 11 ½ Center Street, explained that the brook (R Brooks mentioned) comes onto his property (actually two [2] brooks in one [1]) from the solar fields. The water now rips through there and he is getting flash floods that are destroying his property. He wants to make sure that this project does not further impact his property. The Town Planner, Conservation Agent and Building Inspector will be contacting the solar facility to make sure there is no breach from any of their basins and they are doing what they are supposed to do. G. Bechtholdt mentioned this is first the Planning is hearing about the water concerns from the solar facility, and they will be in contact with the owner of the solar property to review.

Barry Gallant, 38 Kingsnorth Street, (mentioned was on the Building Planning & Construction Committee with R. Knapik when they were reviewing the wastewater treatment plant property for the new Department of Public Works) is concerned with the cost to the town for this project, after he did some research. He suggests that the Planning Board request comprehensive information from the school district, Police, Fire, Department of Public Works water and sewer, etc. on how much the cost will be to them if the project is built but he is not sure if they can calculate the cost of the impacts but can hopefully have better answers when the time comes. If the tax revenue from the project is lower than the cost of the services, then anything above the tax revenue will fall on the burden of the taxpayers. From his attendance at the Finance Committee meeting his understanding is that the town has a very tight budget right now. He received a copy of the Assessors record card and it lists the sewer department as a co-owner of the town owned property. B. Gallant is concerned about how this will affect the article on the Board of Selectmen surplusing the town owned property and will it need to be a separate article. Another concern of B. Gallant is the brook flows under Route 122, under the railroad and then to the Blackstone Canal Heritage District. Research was done when they were looking at building the Department of Public Works Highway building at the Waste Water Treatment Plant. The Conservation Commission advised them at that time that are endangered species across the street and the integrity of the brook cannot be tainted and must be reviewed by the state. They redesigned the whole area for the Department of Public Works plans and it was determined that any water from the brook did not impact the Blackstone Canal Heritage District, per their research. His opinion is that the developer encompasses the state as an abutter and maybe the railroad too to address any of these concerns on the proposed project property. He is also concerned with the roads remaining private and that in the future the parking lot could have signs saying residents only and the open space is no longer open to the public. He feels a letter is needed from the Sewer Superintendent and Department of Public Works Director stating that the land will never be needed for the expansion of the Waste Water Treatment Plant.

R. Rushford then summarized his concerns as the cost of the impacts to the town even after payment from the state, water impacts including the brook flowing under the road, the need for multiple articles on the warrant, and private roads and parking becoming resident only at some point. R. Knapik said the private property is owned by a limited liability company and this is a very common mechanism for tax convenience,

etc. and several of the owners, T. Brookhouse and B. Renaud (Owners) are present this evening. The actual tax revenue is not known but with an analysis and the presentation at town meeting, they will be able to go through the project and estimate what the reasonable tax revenue would be. If the process unfolds the way they are hoping it will, the town will be able to get additional revenue from the state under Chapter 40S. As part of the process, they would solicit comments from all parties. The project depends on all three (3) articles passing at town meeting, per R. Knapik, and if any one (1) article fails then the project as it is envisioned may not be built. If that is the case, the owners would need to investigate a very different project (possibly Chapter 40B). R. Knapik is not sure about the Assessor's record card information, but it will be investigated further. R. Knapik looked at the town property for the Department of Public Works and it is not suitable because of the wetlands and ledge. It is the property that has the Waste Water Treatment Plant that has the endangered species located there and not on the town property site across the road, but he will confirm this. The streets remaining private is a benefit to the town because they will not have to do maintenance on those roads. The past superintendents have determined that this property is not suitable for an expansion of the Waste Water Treatment Plant but R. Knapik will put it on the checklist so the current Sewer Superintendent can provide comments. B. Gallant then wanted to know what guarantee the town has that under Chapters 40R and 40S that the town will receive those monies because other state monies have not been received due to changes. R. Knapik stated that affordable housing is at a critical need right now in the state and the state is encouraging these kinds of projects. He is confident that the reimbursements will be there. G. Bechtholdt mentioned that he is working with the state also as the Planning Board will want those assurances as well.

Paul (Tim) Hare, Harbro Auto Sales, stated this project will greatly impact them. In the past, a transfer station was proposed on this property, and he is glad it did not happen. Then Mr. Puccio owned the property and he wanted to build a shopping mall there and this was never done. P. Hare is glad the neighbors have an interest in the town and sees someone who cares about the town. He does not object to the project but has concerns. R. Knapik mentioned that a project this size may have opportunities to mitigate but it is not the developer's job to fix some of the existing problems on adjacent properties. There may be some opportunities to absorb some of the cost in an area and maybe do something with the drainage upgradient of the abutter with this particular water problem, for example. The Planning Board and Conservation Commission's job is to make sure the project is properly reviewed and properly conditioned so that even if the project is sold the buyer must follow the conditions of approval and approved plans. This is just the beginning of the process and there will be many reviews and permits issued with opportunities for abutters to voice concerns and have input during the process.

Mark Hare, Harbro Auto Sales, wanted clarification on where the diffident kinds of buildings would be and R. Knapik explained that the purple buildings on the plan are the senior housing (over 55), the dark orange will be retail/commercial and the light orange are the apartment style buildings for the Chapter 40R overlay with affordable rentals. There are several other similar projects in the area including Bellingham, Franklin, Hopkinton and Northborough.

Michael Hare, Harbro Auto Sales, wanted more information regarding the retail buildings. The retail buildings could be broken up differently depending on what will be there. These are just place holders for now, per R. Knapik. M Hare inquired about the open space; R. Knapik suggested a Conservation Restriction could be put on the open space which will be recorded with the state. It will get marked out physically and will be properly marked and maintained and reviewed for any encroachments. G. Bechtholdt explained that any local approval would dedicate a right-of-way by a public access easement and would be recorded with the

beneficiary being the Town of Northbridge. The town would have free access and egress in addition to the open space (part of the approval process).

Having no further comment from the residents in attendance (abutters & general public), the Planning Board thanked everyone for attending and offering comment. The Planning Board shall look to the property owner as to when this matter may be brought forth to the Board again, noting they are waiting for the state review of the draft 40R Smart Growth zoning provisions.

IV. OLD/NEW BUSINESS

a. Approval of Meeting Minutes -February 27, 2024

Upon motion duly made (A. Kafal) and seconded (M. Wilkes), the Planning Board voted 4-0 to approve the minutes of February 27, 2024.

b. Planning Office/Town Hall Annex -Move to New Fire Station (TBD)

No definite date for the move yet, but it should be soon.

c. Post-Development Stormwater Management Bylaw (DRAFT)

Consultant of Department of Public Works is preparing the bylaw for inclusion in the 2024 SATM warrant. .

d. (Northbridge) Smart Growth Zoning Overlay District

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

e. Comprehensive Master Plan -MGL Chapter 41 Section 81D

This is a placeholder. The Economic Development Committee met last night and has a number of new members. It was a pretty productive first meeting. One of the main components of the master plan is the Economic Development piece and this is something that this committee will assist the master plan committee with. The preparation of the master plan will start probably after spring/summer and the Planning Office will be looking to hire a consultant to assist on the preparation of the master plan.

f. MBTA Communities -MGL Chapter 40A Section 3A

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

g. 2024 Spring Annual Town Meeting -Tuesday, May 07, 2024

Point of information.

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

G. Bechtholdt reminded the Planning Board that a Public Hearing is not required. The motion will be taken at Town Meeting and a general overview will be given. The Planning Board will look to the

Department of Public Works and others for substantive information regarding the Post-Development Stormwater Management Bylaw.

- i. 2024 SATM Warrant Closes -Friday, March 15, 2024
Point of information.

- j. Site Plan/Subdivision Developments -Status

The plans for the Douglas Road Contractors Yard will be submitted soon for endorsement once our consultant (Graves Engineering) reviews the plans. The Planning Office will be able to sign the building permit application once it is received. The Planning Office has no news regarding the Main Street Contractor's Yard. The Conservation Agent and Graves Engineering continue to monitor construction projects in the field.

- k. Planning Board Comments/Concerns
None

- l. Mail -Review

In addition to the mail listed (see attached), the Planning Board noted receipt of the following communications: Planning Board Agenda dated March 12, 2024; Draft Planning Board Agenda dated March 26, 2024; Citizens Forum Document; Invitation document dated February 15, 2024 to Town Resident/Neighbors from BK & R LLC (Bill Renaud) regarding a mixed-use development proposal showing senior housing, apartment rentals, retail/commercial buildings and dedicated open space (parkland) to be sited off Providence Road (Rt 122); Conceptual Master Plans of Providence Road dated February 07, 2024; Town of Northbridge Housing Production Plan dated September 2023; Draft Article XXI – Northbridge Smart Growth Overlay District (NSGOD); Letter dated February 28, 2024 to Town Clerk from Community Planning & Development Director concerning 2024 Spring Annual Town Meeting Post-Construction Stormwater Management Bylaw; Letter dated February 29, 2024 to Town Clerk from Planning Administrative Assistant regarding Winston Woods Subdivision Extension of Completion Date; Community Planning & Development Weekly Report March 04-08 2024; 2024 Planning Board Meeting Schedule.

- m. Other
None

ADJOURNMENT

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

Respectfully submitted,

Approved by the Planning Board:


Barbara A. Kinney
Planning Administrative Assistant
Cc: Town Clerk /File



March 12, 2024

Planning Board

FROM	DATE	SUBJECT

Grafton

- Public Hearing Notice – Application of Steven Venincasa, Casa Investments, Inc., to modify a Definitive Plan Approval by requesting a two (2) year extension of the construction completion deadline of “The Ridings” subdivision of 39 lots at 88 Adams Road.

Sutton

- Decision – Granted with conditions the Site Plan Approval, Class 2 Earth Removal/Disturbance, Route 146 Overlay District Special Permit, and Groundwater Protection District Special Permit to Eastland Partners, Inc. (aka Northeast Great Dane) at 100 Worcester Providence Turnpike for a 28,800 square foot building for the service and repair of semi-trailers.

Upton

- Public Hearing Notice – Application of Imperial Gas Upton, LLC for a Special Permit to replace the existing fuel storage tanks with two (2) new tanks, a stand-alone diesel pump with canopy, spill pad, and 8,000 gallon tank, one (1) to two (2) EV fast charging stations with associated transformer pad, and replacing the existing sign with a new sign at 44 Milford Street; Application of Hayley Mozart for a Special Permit to open a Family Child Care Home at 10 Pearl Street; and Application of Jacob Greasley for a Special Permit to use the first floor of the home as a property management company with +/-one (1) to four (4) employees on site and the second floor as a residential apartment at 130 High Street.

ZBA

- Public Hearing Notice – Application of K & C Providence Road LLC for a Special Permit for three (3) dwelling units and a commercial storefront at 2227 Providence Road.
- Public Hearing Notice – Application of Janet Bartkus for two (2) Variances to separate two (2) dwellings on the same lot into separate lots at 36 Brook Street.