



Town of Northborough

Planning Board

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Approved 11/2/06

Northborough Planning Board Meeting Minutes October 5, 2006

Members Present: Rick Leif, Don Hewey, Bob Rosenberg, George Pember, Michelle Gillespie

Others Present: Kathy Joubert, Town Planner; Fred Litchfield, Town Engineer; Bill Farnsworth, Inspector of Buildings/Zoning Enforcement Officer; Kara Buzanoski, Acting DPW Director; James Tetreault, Thompson-Liston; Bob Moss, Moss Development; Steve Venincasa, Jill Tervo, Richard Tervo, Gordon Kelly, Mary Anne Breault

Chairman Leif opened the meeting at 7:00 pm

Consideration of Minutes

Mr. Hewey moved to approve the minutes of September 19, 2006 as amended, Ms. Gillespie seconded the motion and the vote was unanimous.

7:05pm Continued Public Hearing to consider 5 lot Definitive Subdivision “Winn Terrace” located off of Winn Terrace, Map 64 Parcel 28

Applicant: Moss Development Inc.
Engineer: Thompson-Liston Associates Inc.
Date Filed: August 11, 2006
Decision Due: November 8, 2006 Previous meetings

James Tetreault from Thompson-Liston Associates and Bob Moss, of Moss Development, were present.

Mr. Tetreault presented issues pending from the last meeting as follows:

Roadway Width:

- Will go with 22-foot width per suggestion of Engineering Department
- Shown on revised plans dated 10/4/06
- 22-foot width will eliminate possible issue for acceptance

Curbing:

- Revised plans of 10/4/06 show both modified cape cod and slope granite curbing
- Choice of Planning Board will be installed
- Cars can mount granite curbing – but if land lower on other side, sharp edge of curbing could hit underside of car – if land rises, no problem

Perc Tests:

- Requested by Conservation Commission
- 4 deep-hole tests done 10-feet down and 20 feet back behind Lot 4 – very sandy, gravelly soil.

- Permeability test done - result slightly faster rate than used in drainage calculations for groundwater recharge of roof runoff – small difference

Miscellaneous:

- Cleaning out of drain referenced on plan
- Foundation must be for utilities access

Fred Litchfield, Town Engineer

- Concurs with Mr. Tetreault’s assessments – soil perfect for this recharge situation

Kathy Joubert, Town Planner

Road Width:

- Spoke with Town Counsel and internal staff – originally wanted to see smaller
- No guarantee how selectmen will vote
- May not be accepted if it doesn’t meet minimum town standards
- 22 feet is minimum pavement width - recommends staying at 22 feet
- Fire Chief will not require signs at 22 feet – parking on one side will not be a problem

Curbing:

- Talked with Acting DPW Director, Town Engineer about sidewalks and curbing
- Recommend slope granite curbing installed all along Winn Terrace
- Mr. Moss will do in lieu of sidewalk - granite curbing more important than sidewalk

Waivers:

- Some requested not necessary – pertained more to Winn Terrace existing street
- Street light waiver – Subdivision Rules & Regulations require them but town won’t pay to have them on so requirement waived
- Waiving vertical granite curbing so applicant can install sloped granite curbing

Kara Buzanoski, Acting DPW Director

Curbing:

- Standing bituminous curbing historically gets plowed up
- Don’t currently have any cape cod berm – doesn’t give defined edge and only 4 inches
- Doesn’t work in area with snow like in this area
- Slope granite curbing gives something to plow up against - would rather have installed
- Town can’t afford responsibility of maintaining them
- Cars will be able to mount sloped granite curbing

Bob Moss, Moss Development

Status of “Park Lane” strip of land:

- Revised proposal for land swap presented to Prudhommes
- Mr. Moss would deed them 25-foot wide strip – they would give Mr. Moss 15-foot strip of land across back for landscape buffer
- Original title in 1940s gave Prudhomme’s right to use driveway
- Original title did not obligate land owner to maintain it
- New owner doesn’t want to have issue with it
- Prudhommes would prefer to own it
- After utilities put in, Mr. Moss will pave it

- Lot will be sealed off with fence and landscaped berm so Prudhommes won't have same issue with new owner
- Park Lane sign will be removed
- Will submit ANR plan for land swap

Curbing:

- No area of Winn Terrace where it won't be sloping up
- SUVs and pick-ups won't have problem going over curbing
- 22-foot width will be plenty of room for parking on one side of road

Mr. Hewey

- Requested land swap with Mr. Moss and Prudhomme's be worked out mutually

Ms. Gillespie

- Called Assabet Regional High School re: preserving wood from large trees to be removed
- Teacher said not enough wood to mill out of total number of trees to be removed

Mary Ann Breault, 14 Winn Terrace

- Hysterical coming into project – neighbors worked well together
- Thanked Planning/Engineering staff and Planning Board members
- Although small project – never felt it wasn't important to everyone on Planning Board
- Appreciate it and has whole new prospective on what boards do
- Mr. Moss respectful of them, included them in decision making, came over to houses four times, made them happy and wanted to thank him

Mr. Rosenberg

- Plan will evolve based on agreement with abutter

Close of Hearing: Mr. Pember moved to close the hearing. Mr. Hewey seconded the motion and the vote was unanimous.

Motion: Mr. Hewey moved to approve the Definitive Subdivision Plan for Winn Terrace incorporating the decision of October 5, 2006 and the revised plans dated October 4, 2006. Ms. Gillespie seconded the motion and the vote was unanimous to approve.

7:30 pm Discussion RE: Maynard Woods Well Testing

Mr. Hewey recused himself for this discussion.

Ms. Joubert

- Board members have copy of Maynard Woods decision and list of occupancy permits issued
- Asked Acting DPW Director and Board of Health Agent to look at well tests done May 2003 and September 2006 – received their reports
- Per conditions of the decision, only 62 Maynard Street and 80 Maynard Street can be looked at
- Board might want to give direction to developer and residents and give time frame for it to occur - then have the wells retested

Kara Buzanoski, DPW Director

- Summarized reports

- She and Dennis Costello, Board of Health Agent, reviewed test results
- Ran calculation based on 10% indication – part of report that addressed it is just the flow
- Only two wells where there was more than a 10% drop – 62 Maynard Street and 80 Maynard Street
- She and Mr. Costello believe 20% doesn't make sense
- Requirement is 5 gallons per minute for a building permit
- Given that 5 gallons per minute requirement, only 1 house falls below that – 6 McAlister Drive – which doesn't meet 10% requirement
- 6 McAlister started less than 5 gallons per minute and stayed
- More concerned with 62 and 80 Maynard Street
- 62 Maynard Street – had coliform issue which required disinfection
- Within parameters some houses meet 10% requirement, but 10% drop is not indicative of wells that should be looked at
- Their memo summarizes results from testing on address-by-address basis, last paragraph indicates 10% drop – 2 actually got better
- Options for addressing reduced capacity would be renovating pump, replacing pump, generating more water from existing well, making well deeper
- Digging new well would be last option – couldn't guarantee increased production and could be less
- No wells listed on report would make her concerned at all about capacity

Bill Farnsworth, Inspector of Buildings/Zoning Enforcement Officer

- Has been informed by banks that 5 gallons per minute is preferred by not required
- Takes into effect depth of well and depth of water, plus the flow
- Wells typically yield a gallon and a half per lineal foot
- Calculation done by most lending institutions
- Based on those factors, requirement is to pump 18 gallons per minute for 60 minutes
- Have looked at this for many years
- Capacity made up of depth of water and recharge coming back in
- Lived with well all his life – has had 2 gallons per minute and never had a problem

Mr. Pember

- 5 gallons per minute for 4 hours seen in real estate – required by banks
- Bound by written decision – says 10% less than original flow rate, have obligation to homeowners to give them the option of having something done or not
- Would like to hear from the homeowners of 62 Maynard Street and 80 Maynard Street
- Represented McAlister homeowner, well fixed and developer extremely responsible - couldn't be fixed so new well put in

Mr. Leif

- Point is to reach decision as to whether action needs to be taken by applicant and take action on 2 pending lot releases
- Rationale behind condition was to try to maintain status quo post development
- To take into consideration what acceptable levels of well product
- To make sure they didn't see any effect from project
- Assessment was there wasn't generally an effect except for homes that showed a significant drop in production - 62 Maynard Street and 80 Maynard Street
- Won't dispute 5 gallons per minute is the standard – trying to analyze before and after

- Would ask the applicant to work with the homeowners
- Decision references production – 2 wells are less than 10% what they used to be - will require applicant to take action

Mr. Rosenberg

- Agrees the wells that have dropped need some investigation
- MTBE outlawed several years ago in Maine

Ms. Gillespie

- 6 McAlister Drive went from 5 gallons/minute to 4.7 gallons/minute – not 10% drop, but a slight drop from what Mr. Pember says is recommended by the industry

Steve Venincasa, Developer

- Decision clearly says wells will be tested 1 year after the 14 wells have been installed
- Has now been three years
- Wants to work with Board and has not objected
- Wells originally tested in the spring (May) which is high groundwater time of year
- Now tested in September – dry time of year and water table is lower
- McAlister Drive was a defective well before he even started the project - showed up worse after he started – bad well to begin with - a number of different issues
- Can't say he knows what he's going to do right now

Ms. Buzanoski

- Water table makes difference for municipal wells
- These are bedrock wells and typically fissures are full.
- Depends on how a particular well is being fed
- Bedrocks are typically less effected by the time of year

Donald Hewey, 80 Maynard Street

- Offers made by Mr. Moss based on concerns with blasting - accepted and memorialized in conditions of decision
- Discussions at all times were after occupancy not after installations Drop in well depth from 11 feet to 36 feet significantly more than – significantly more than 10%
- Had no choice when they had these tests done – doesn't agree with comment about time of year

Gordon Kelly, 62 Maynard Street

- Well test was run for much less time than 4 hours – for 2.5 hours and went from 8 gallons per minute to 4.3 gallons per minute – almost a 50% reduction
- A few houses ran for 4 hours – couldn't check static level because they were underground
- Did run a few houses for 4 hours and couldn't check static level because they were underground.
- LaFrambois did not take yield into consideration
- Gallons per minute not necessarily yield – always less than gallons per minute
- Has done further testing – bacteria in well and had it chlorinated
- Now has MTBE in water – they may get filter and do recheck in 6 months – a real bad chemical to have in water – only well checked for it
- Has already spent \$775 on testing
- MTBE banned in Maine

Mr. Venincasa will contact the two affected homeowners to put together a plan of action to restore the wells to at least the same production levels of when they were first tested or something mutually agreeable by all parties.

Mr. Venincasa will give the Planning Board a status report at their November 2, 2006 meeting.

8:30 pm Zoning Reorganization Study with Judi Barrett

The Board members were given notes from the stakeholders meeting and the subcommittee meetings as well as a summary of the Community Preservation Plan (CDP).

Judi Barrett presented an update on the Zoning Reorganization Study

- Update on Meetings
- Met with stakeholders to get their perceptions of how things work here
- Had specific issues – laid out in minutes
- Wasn't attended by as many as hoped
- Had 2 meetings of subcommittee
- Talked about what they'd like fixed in bylaw
- What were highlights of CDP
- Could probably meet every week
- Will always be more than one way to do what you want to do
- December was date for hard and fast decision
- Before December meeting, will see list of options and consequences of each one
- Have to know benefits and trade-offs
- Have 3 more subcommittee meetings
- Will continue discussions and compilation of reformatting issues

Overlay Districts

- Talking about floating zone
- Floats until legislative body gives it a location
- Principle is to let developer come to town meeting
- Need to tell development community what you want
- Can create a climate to get what you want and limits developer's risk
- Give and take - but can't make it happen unless board is clear on what they want
- Could have overlay district in portion of Business District B – don't have to have it for whole area
- Could always expand after approved – have a lot of flexibility
- Bring residential aspect to business districts – of more value to developers
- Between uses prohibited and uses allowed – have wiggle room
- Could say retail allowed up to a certain square footage by right and that's it
- Could say also – retail above a certain size needs a permit by some special permit-granting authority
- Will also need to look at groundwater district

Mr. Leif

- Need to look at business districts
- How do we make them more attractive to developers?
- Change zoning regulations – can put existing lots into non-conformity
- Create overlay district – confusing concept
- Different overlays for different parts of town

- Need to define how we'd like to see districts
- Encourage developers to purchase properties
- Would have to agree at Town Meeting
- Subcommittee to-do list for next meeting:
 - will look at Judi's recommendations
 - think of how to form an overlay district for business zone
 - look at uses and identify those that should be removed
 - Will need to present at town meeting and get approval
 - Try to encourage use of villages and district
 - Take a look at residential development
 - Could talk about merging residential with business

Mr. Rosenberg

- Talked about overlay vs. changing underlying zoning
- Involves clean-up and policy decisions around nonconformancy
- How badly do we want something to happen?
- What are we willing to give to get it done?

Ms. Gillespie

- Presenting 3 different overlays for 3 different areas of town makes sense

Mr. Hewey

- Very exciting for Planning Board to do planning

Mr. Farnsworth

- Better ways of doing groundwater than what we have now

Mr. Pember

- Striving to get back on the use of town wells
- Better be protecting the groundwater

Ms. Joubert

- Will look at industrial district after business district
- Need more money to revamp groundwater, but will be part of project to look at it
- Ms. Barrett will come back to first meeting of every month
- Next meeting for Planning Board: Thursday, November 2nd at 5:00 pm
- Will put on agenda for second meeting in November also

9:00pm Executive Session Per MGL Chapter 39 Section 23B to Discuss Legal Matter

Vote to go into Executive Session - Roll Call:	Mr. Hewey: YES	Mr. Pember: YES
	Mr. Rosenberg: YES	Ms. Gillespie: YES
	Mr. Leif: YES	

The meeting returned to regular session.

Adjournment

Mr. Hewey moved to adjourn the meeting, Ms. Gillespie seconded the motion. The meeting adjourned at 9:30 pm.

Respectfully submitted,

Debbie Grampietro, Secretary
Planning & Engineering