



# TOWN OF NORTHBOROUGH PLANNING BOARD

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## DECISION

### PLANNING BOARD PRELIMINARY INDUSTRIAL SUBDIVISION

**PROPERTY LOCATION: 0, 200, 220 & 250 Southwest Cutoff**

**PETITIONER and PROPERTY OWNER: Northborough Properties Realty Trust**

**RECORDED WITH WORCESTER DISTRICT REGISTRY OF DEEDS: Bk: 38287, Pg 361; Bk: 38320, Pg 183; Bk 42001, Pg: 344**

This document is the **DECISION** of the Northborough Planning Board on the petition of Northborough Properties Realty Trust for a Preliminary Subdivision Plan located at 0, 200, 220 & 250 Southwest Cutoff, Street, Map 106, Parcels 2, 3, 5, 19, & 20.

## APPLICATION

1. On April 18, 2024, the Applicant filed with the Town Clerk an Application for a Preliminary Subdivision Plan, Form B before the Planning Board. The Application is submitted in accordance with the Town of Northborough Town Code and Planning Board Subdivision Rules and Regulations, Section 10-16-030.
2. The Planning Board held a public meeting on May 7, 2024. Abutters within 300 feet of the subject property were notified by mail.

## EXHIBITS

Submitted for the Board's consideration were the following exhibits:

1. Application for Hearing before the Planning Board, including:
  - a. A cover letter dated April 16, 2024 from James T. Almonte, RLA, Land Design Collaborative, to the Town Planner;
  - b. A set of plans entitled "Preliminary Industrial Subdivision Plan" for 0, 200, 220 & 250 Southwest Cutoff, stamped and signed by a professional registered engineer and prepared by Land Design Collaborative, dated April 16, 2024;
  - c. Signed Form B Preliminary Subdivision Application;
  - d. A certified abutters list provided by Northborough Assessor's office and labels for Planning Board notification of abutters (per section 10-16-040A of the Northborough Subdivision Rules and Regulations); and
  - e. Copies of the deeds of the subject properties.
  - f. Copies of the Acceptance of Appointment of Trustees 2020-10-15 for the subject properties;
2. The Planning Director's review letter dated May 1, 2024.
3. The Town Engineer's review letter dated May 2, 2024.

## **PUBLIC MEETING**

James Almonte, Land Design Collaborative, presented the Application at a duly noticed public hearing of the Board on May 7, 2024, at which opportunity was given to all interested to be heard in favor of or opposition to the application. The public meeting was broadcast on Northborough Public Access Television and live streamed via ZOOM video and audio conferencing, allowing members of the public to participate in the meeting through real-time active participation, in accordance with Governor Baker's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, S20, dated March 12, 2020, Chapter 20 of the Acts of 2021, Chapter 22 of the Acts of 2022, Pursuant to Chapter 2 of the Acts of 2023, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency, signed into law on March 29, 2023. Participating Board members were Chair Kerri Martinek, Amy Poretsky, Anthony Ziton, and Bill Pierce.

## **FINDINGS OF FACT**

At their meeting on May 7, 2024, after due consideration of the exhibits submitted and the entire record of proceedings, the Board made the following findings:


1. This preliminary plan depicts a two-lot industrial subdivision served by a 300-foot-long cul-de-sac located at 0, 200, 220 & 250 Southwest Cutoff.
2. The subject property contains 57.94± acres of land and 1,486.7± feet of frontage.
3. The current use of the property is Kimball Sand Company.
4. At the time of application, the property was zoned Industrial District.
5. At the April 22, 23, 24, 2024 Town Meeting, the property was rezoned to a new Highway Business Southwest District.
6. If this preliminary plan is followed within 7 months by a definitive plan, the property will be afforded Preliminary Plan Protection meaning that it will be protected from all zoning changes for a period of 8 years. Land shown on the preliminary plan will be governed by the zoning regulations in effect at the time of submission of the plan (Industrial District).
7. The preliminary plan shows that the proposed lots will be served by municipal water and sewer. Utilities, including electric/telephone/cable, will be installed below ground within the limits of the road right-of-way.
8. The future uses of the two parcels within the subdivision are unknown at this time.
9. The Preliminary Plan application addresses the submission requirements of Northborough Subdivision Rules and Regulations, Section 10-16-030.
10. No waivers of the Northborough Subdivision Rules and Regulations were submitted for Planning Board consideration.

## **DECISION**

The Board finds the proposed development at 0, 200, 220 & 250 Southwest Cutoff meets the purposes and intent of the Northborough Subdivision Rules and Regulations, Section 10-16-030, with conditions set forth as follows:

- a. In accordance with Section 10-36-170, the Definitive Plan should show granite bounds installed at all horizontal changes in the proposed roadway and the beginning and end of each curve, concrete monuments installed at each change in direction of easements, and iron pins installed at all lot corners.
- b. The Definitive Plan should show the driveway to the Northborough Crossing Condominium property, Hitching Post Lane and the traffic signal at the intersection of these two private ways and Route 20 so that the Board can discuss any potential traffic conflicts and determine the best location for the proposed road.
- c. The Applicant should explain plans to comply with Section 10-36-080 Open Spaces as part of the Definitive Plan submittal.
- d. All street lights should be energy-efficient, full cutoff and conform to "Dark Skies" guidelines, as stated by the International Dark Sky Association.
- e. The ultimate discharge point for the proposed Stormwater Basin should be shown on the Definitive Plan.
- f. The resource areas shown on the plan should be confirmed by the Conservation Commission. This subdivision will require Conservation Commission approval prior to any earthwork being done on the site within the 100-foot buffer zone to the bordering vegetated wetlands as shown on the plan.
- g. The subdivision requires a Land Disturbance permit from the Conservation Commission as it is anticipated the project will disturb more than 1 acre of land.
- h. This proposed subdivision road will require a permit from Mass DOT.
- i. The applicant should meet with the Water and Sewer Commission to verify there is adequate water and sewer capacity for any future development of these two lots prior to the submission of the Definitive Plan if those connections are to be considered.

**TOWN OF NORTHBOROUGH, MASSACHUSETTS  
PLANNING BOARD**



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**AMY PORETSKY, VICE-CHAIRPERSON**