



BOXBOROUGH PLANNING BOARD
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Owen Neville, Chair Eduardo Pontoriero, Clerk Nancy Fillmore John Markiewicz Hongbing Tang

Meeting Minutes
February 18, 2015
7:30 PM
Morse Room, Town Hall, 29 Middle Road

Members present:

Owen Neville, Chair
Nancy Fillmore, Member
John Markiewicz, Member
Adam Duchesneau, Town Planner

Members absent:

Eduardo Pontoriero, Clerk
Hongbing Tang, Member

The Chair called the meeting to order at 7:33 PM.

Meeting Minutes of December 15, 2014 and January 12, 2015

Ms. Fillmore MADE a MOTION to approve the minutes of December 15, 2014 as amended. Mr. Markiewicz SECONDED the MOTION. All members voted in favor.

Ms. Fillmore MADE a MOTION to approve the minutes of January 12, 2015. Mr. Markiewicz SECONDED the MOTION. All members voted in favor.

Correspondence

Mr. Duchesneau indicated the Planning Board had not received any correspondence since their last meeting.

500 & 600 Beaver Brook Road – Earth Removal Permit Application – SunEdison seeks approval to remove approximately 670 cubic yards of material in conjunction with the installation of foundation footings for a solar carport canopy

Andrew Weber from SunEdison and Colby Cyr from Cisco Systems, Inc. were present to discuss the application with the Planning Board. Mr. Weber indicated SunEdison was seeking to remove approximately 670 cubic yards of fill from the property in order to install 71 foundation footings for the solar canopy carport project they were constructing. He also noted they were seeking a number of waivers from the Earth Removal Rules & Regulations as well. Ms. Fillmore asked if they had a place to put the fill and Mr. Weber indicated they would be removing it off-site. Mr. Markiewicz asked if they would be removing mostly gravel but no loam, and Mr. Weber indicated that was correct.

Ms. Fillmore asked if the Applicant had looked into keeping the material on-site and Mr. Weber stated they had. Mr. Weber continued on to note it would be much more difficult to retain the

material on-site and what they are removing can be repurposed at other jobs. Mr. Markiewicz asked how many truckloads of material would be taken off-site. Mr. Weber stated anywhere from two to seven truckloads would be taken off-site each day. He noted they would be performing their excavations in the morning and pouring concrete in the evening. The material would be removed off-site at the end of each day.

Mr. Duchesneau pointed out the waivers the Applicant was requesting including relief from the annual permit fee and performance guarantee. Mr. Weber added that SunEdison has a performance guarantee with Cisco Systems, Inc. for the project. Ms. Fillmore asked if they had looked into putting the solar panels on the roof of the building. Mr. Cyr indicated they had but there is simply too much equipment on the roof to install solar panels there.

Mr. Neville then MADE a MOTION to approve the Earth Removal Permit request and award all fee and operational waivers requested by the Applicant. Mr. Markiewicz SECONDED the MOTION. All members voted in favor.

Pre-Application Conference for Site Plan Approval for a proposed project at the Town Center (intersection of Stow Road and Massachusetts Avenue) (Senior Housing Development)

Richard Harrington from Stamski and McNary, Inc. and property owner Mike Jeanson were present to discuss the proposed project with the Planning Board. Mr. Harrington noted this was the same property they had come before the Planning Board regarding a Definitive Subdivision Plan which was approved in 2014. Mr. Harrington indicated with that particular approval, they have locked in the Zoning Bylaw regulations from 2012. He continued on to note that in using the Zoning Bylaw from 2012, the proposed project would include 208 senior housing (over 55) units in two-family structures. The project would have three wells and a wastewater treatment area. Mr. Markiewicz noted the Definitive Subdivision Plan approval only called for approximately eight dwelling units. Mr. Duchesneau stated the Definitive Subdivision Plan approval would lock in the zoning from 2012, but did not require the Applicant to build the project on the approved plans. Mr. Markiewicz asked if all of the units would be age-restricted for those over 55 and Mr. Harrington indicated that was correct.

Ms. Fillmore asked what the width of the roadways in the project would be and Mr. Harrington stated they would be 22 feet wide. Mr. Duchesneau noted that an earlier Chapter 40B project which had been planned for the site also proposed 22 foot wide roadways and the Fire Department felt those would not be adequately wide. Mr. Duchesneau encouraged the Applicant to reach out to and work with the Fire Department on this matter. Mr. Markiewicz stated he recalled a restriction regarding the ability to extend the roadway off of Stow Road between Tisbury Meadow and Sherriff's Meadow to access the project site. He remembered this restriction was put in place as part of an earlier project and requested that Mr. Duchesneau look into this matter further. Mr. Markiewicz noted there were and are a number of legal issues involved with the Tisbury Meadow and Sherriff's Meadow senior housing projects.

Mr. Neville asked what the radius was for the well protection zone and Mr. Harrington indicated it was 283 feet. Mr. Neville believed it was supposed to be 400 feet and Mr. Harrington stated it typically was, but when there are three wells together you can have smaller radii from them. Mr. Markiewicz asked if the wells could be so close together and Mr. Harrington indicated they could as long as they were 50 feet apart. Ms. Fillmore asked about the need for a turning lane on

Massachusetts Avenue into the project site and Mr. Duchesneau pointed out that both the Fire Department and Police Department would likely have concerns about access to the project off of Massachusetts Avenue. Mr. Duchesneau continued on to note the Fire Department would also have concerns about the roadway access between Tisbury Meadow and Sheriff's Meadow.

Mr. Duchesneau stated there were some discrepancies in the 2012 Zoning Bylaw which he was sorting out with Town Counsel as well as confirming this type of project could be proposed. Mr. Harrington noted the roadways in the development would be private and would be maintained by the condominium association. He also indicated the project would be meeting the current stormwater management policy requirements and that the deed to Sheriff's Meadow had a provision which allowed them access over that parcel. Mr. Duchesneau stated he would be happy to set up a Town Staff meeting prior to the Applicant filing a formal Site Plan Approval application for this project, but that a Town Staff meeting after application filing would also be required. Mr. Jeanson referenced a project he completed in east Acton off of Pope Road (Ellsworth Village), as a development which would have a similar look and feel to this proposed project.

Mr. Markiewicz asked what the estimated price range of the units would be and Mr. Jeanson stated they were still working out the final numbers, but they would probably be sold in the mid \$400,000. Mr. Neville asked the Applicant if four or more feet needed to be added to the width of the roadways, would they need to rework their drainage plan and calculations. Mr. Harrington stated if the roadways needed to be widened they would need to adjust their drainage plans to accommodate for the additional width. Carroll Driscoll, a resident of Sheriff's Meadow, asked if the proposed units would be handicap accessible and Mr. Jeanson stated they were looking into this matter.

Mr. Markiewicz indicated he felt the proposed project was not something which fit into Boxborough because of its density. He also stated he had concerns about the public safety of the project, traffic concerns, and questioned the marketability of the units. Mr. Jeanson stated he felt there was a strong market for these types of residential units in Boxborough. Mr. Harrington requested Mr. Duchesneau set up a Town Staff meeting to review the project as the Applicants were hoping to return before the Planning Board to discuss the project further at the Board's March 9, 2015 meeting.

Chapter 90 Funding Application – Pine Hill Road Tree Trimming Written Consent Letter

The Planning Board discussed the request of the Public Works Director to provide a letter indicating their approval of the proposed project to repave Pine Hill Road, Stonehedge Place, and Flagg Hill Road as part of a Chapter 90 Funding Application. Mr. Markiewicz asked that the Department of Public Works please notify abutters in advance of performing the work so they are aware of what is occurring. Mr. Neville asked that the wording "if so approved by the Board of Selectmen" be removed from the letter as it did not apply in this situation.

Mr. Neville then MADE a MOTION to approve the Chapter 90 Funding Application Letter as amended. Mr. Markiewicz SECONDED the MOTION. All members voted in favor.

Master Plan Update Status

Mr. Markiewicz provided an update on the status of the Master Plan. He indicated the consultant, the Metropolitan Area Planning Council (MAPC), was pulling together an economic

development survey for distribution within the next month. He also noted MAPC had asked to run the next Master Plan Update Committee meeting, with which he felt comfortable.

Discussion Regarding Potential Zoning Bylaw Amendments

The Planning Board continued their conversation about possible proposed Zoning Bylaw amendments for the 2015 Annual Town Meeting. The proposed amendments included changing Definition 2101 "Accessory Structure" to "Accessory Building"; amending Definition 2152 "Mixed-use"; an administrative amendment to Section 4001 General; changing the word "churches" to "places of worship" in Section 6006 Parking Schedule; amending Section 4003(1) Residential Uses to allow Bed and Breakfasts in the Agricultural-Residential (AR) and Residential-1 (R1) Districts by Special Permit; numerous amendments to Section 6300 Signs to regulate temporary signs associated with places of worship, the public school system, yard sales, real estate open houses, and businesses, historical markers, and to perform administrative corrections; and amending Definition 2190 Wireless Communication Facility and Section 7400 Wireless Communication Facilities to allow for wireless communication facilities for public safety purposes outside of the Wireless Communication Facilities Overlay District. Mr. Markiewicz asked if any of the proposed changes to the signage section of the Zoning Bylaw made it clear that temporary signage regarding town events and elections were permitted. Mr. Duchesneau indicated that was correct. Mr. Neville asked Mr. Duchesneau to reexamine the proposed changes to the Wireless Communications Facilities section, perhaps even by adding a new section to the Zoning Bylaw.

Mr. Neville then MADE a MOTION to approve taking the appropriate action to save space on the 2014 Annual Town Meeting Warrant for the seven proposed Zoning Bylaw amendments. Ms. Fillmore SECONDED the MOTION. All members voted in favor.

2014 Annual Town Report – Planning Board Section

Mr. Neville requested the introductory section include language about James Faulkner leaving and Hongbing Tang joining the Planning Board. Additionally, he asked that language regarding former Town Planner Elizabeth Hughes leaving her position and Mr. Duchesneau taking over the position be added to the section. Other than those changes, the Planning Board approved the section being submitted for the 2014 Annual Town Report.

With no further business, the meeting was adjourned at 9:25 PM on a MOTION by Mr. Markiewicz, SECONDED by Ms. Fillmore, with all members voting in favor.

On Behalf of the Boxborough Planning Board



Eduardo Pontoriero, Clerk