



BOXBOROUGH PLANNING BOARD
29 Middle Road, Boxborough, Massachusetts 01719
Phone: (978) 264-1723 · Fax: (978) 264-3127
www.boxborough-ma.gov

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

Meeting Minutes
May 19, 2015
7:30 PM
Grange Meeting Room, Town Hall, 29 Middle Road

Members Present:

Owen Neville, Chair
Eduardo Pontoriero, Clerk
Nancy Fillmore, Member
John Markiewicz, Member
Hongbing Tang, Member
Adam Duchesneau, Town Planner

The Chair called the meeting to order at 7:35 PM.

Meeting Minutes of May 4, 2015

Mr. Markiewicz MADE a MOTION to approve the minutes of May 4, 2015 as amended. Ms. Fillmore SECONDED the MOTION. All members voted in favor.

Correspondence

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

Future Meeting Dates until May of 2016

Mr. Neville felt the Planning Board should only schedule their meetings through December of 2015 as some members may not know their complete schedules in early 2016. Mr. Markiewicz indicated he could not attend a meeting on June 1, 2015. Ms. Tang noted she will be teaching a class in the fall, but was not sure of its exact schedule at this time. She was hoping to have more information about the class schedule later in June. Mr. Neville suggested the Planning Board set meeting dates of June 1st, 15th, and 29th and at one of those meetings the Board could schedule meeting dates for the remainder of 2015.

Mr. Markiewicz then MADE a MOTION to set the next three meeting dates for the Planning Board as June 1, 2015, June 15, 2015, and June 29, 2015. Mr. Pontoriero SECONDED the MOTION. All members voted in favor.

205 and 223 Flagg Hill Road – Preliminary Subdivision Plan Application – Applicant Meridian Homes, Inc. seeks approval to subdivide two existing lots into eleven buildable lots and one open space parcel off a proposed new cul-de-sac road named Silas Taylor Farm Road off Flagg Hill Road (Continued from May 4, 2015)

The Chair reopened the public hearing for the application at 7:45 PM. Bruce Ringwall from Goldsmith, Prest & Ringwall, Inc. and Glen Kaufmann from Meridian Homes, Inc. were in attendance to discuss the proposed project with the Planning Board. Mr. Ringwall asked the Board how they felt about the proposed roadway name of Silas Taylor Farme Road. Mr. Neville stated the Historical Commission should be consulted about the name, but he preferred Taylor Farm Road. Mr. Markiewicz and Mr. Pontoriero indicated they preferred the name as it was currently proposed. Mr. Kaufmann noted the proposed roadway name was trying to draw off the plaque recognizing Silas Taylor.

Mr. Ringwall then provided a brief recap of the discussion about the project from the last meeting and the Board moved into a discussion of each of the requested waivers. Mr. Ringwall stated the first waiver they were seeking was to allow for a 20 foot wide roadway as opposed to the required 22 foot wide roadway. He noted there were conversations at the last meeting about the proposed sidewalk and the impact this might have on the proposed roadway width. Mr. Ringwall pointed out this waiver goes hand in hand with the waiver they are requesting to have a reduced planting strip width between the edge of pavement and the sidewalk. He stated they needed a 20 foot wide roadway to install a sidewalk and if the roadway was 22 feet wide they would be unable to accommodate a sidewalk along the proposed roadway. Mr. Pontoriero indicated a 22 foot wide roadway and a 5 foot wide sidewalk would be ideal and asked if it was impossible to accommodate both of these items. Mr. Ringwall stated they could both be accommodated but they would also need a waiver from the required 10 foot wide planting strip requirement between the roadway and the sidewalk.

Mr. Neville stated Mr. Pontoriero was the first person he had heard indicate the sidewalk along Reed Farm Road is heavily used. Mr. Pontoriero noted the sidewalk along Joseph Road is too narrow, sloping, and fairly overgrown by vegetation in places. He pointed out Reed Farm Road is wide and flat with a nice sidewalk adjacent to it. Mr. Ringwall indicated he felt a 20 foot wide roadway was adequate, but they could accommodate a 22 foot wide road. He also pointed out the Rules & Regulations Governing the Subdivision of Land (Rules & Regulations) do not speak to the grading of the shoulder area beyond the roadway. He indicated they will be maintaining a 4-6 foot shoulder in all areas and also performing some cutting and filling for the roadway. Mr. Ringwall noted the larger cut area would be on the western side of the proposed roadway. Mr. Duchesneau indicated both the Police and Fire Chiefs requested the roadway width be 22 feet.

Mr. Ringwall stated the second waiver they were seeking for the project was in regard to the right-of-way radius for where the proposed roadway would intersect Flagg Hill Road. Mr. Ringwall pointed out the roadway layout and actual pavement would still have a 20 foot radius as required by the Rules & Regulations. However, the right-of-way for the roadway would not have a radius and would make a perpendicular intersection with Flagg Hill Road. This waiver would allow for less of an impact to the wetlands in the area because the proposed roadway could be pushed further to the west. Mr. Duchesneau noted there was a misunderstanding by him regarding this waiver and the section of his Staff Report which addressed this waiver should be revised to recommend the Planning Board grant this waiver. He noted the proposed amount of pavement and turning radius for the roadway would be in compliance with the Rules & Regulations and only the right-of-way boundary would need a waiver. The result of this waiver, if granted, would only be seen on paper, but would have no impact on the actual conditions in the

field. Mr. Ringwall confirmed the pavement area would still meet the Rules & Regulations. Mr. Pontoriero indicated he would prefer to see the roadway further from the property line. Mr. Ringwall pointed out this would have impacts on the wetlands in terms of fill and the retaining wall height.

Mr. Ringwall indicated the third waiver would allow for a retaining wall height over 4 feet. He stated this was being requested because the maximum permitted 4 foot height in the Rules & Regulations would not be adequate. Mr. Markiewicz asked if the Applicant knew the height of the proposed retaining wall that would be necessary for the project. Mr. Ringwall estimated it would be approximately between 6-7 feet in height.

The fourth waiver the Applicant was requesting was to exceed the 500 foot maximum permitted length for a dead-end roadway. Mr. Ringwall noted they had looked at other alternatives for the project but all other scenarios would create more land disturbance and more wetland filling.

The fifth waiver the Applicant was requesting would allow for 11, as opposed to the maximum of 10, dwelling units to be accessed by the dead-end street. Mr. Duchesneau indicated both the Fire and Police Chiefs were comfortable with this proposed waiver, but the Fire Chief requested that an emergency vehicle turn-around be implemented at the end of the driveway of Lot 5.

Mr. Ringwall noted the sixth waiver they were requesting would allow them to reduce the minimum width of the planting strip between the edge of the roadway pavement and the sidewalk to less than 10 feet.

Ms. Fillmore wondered if the Board granted the waiver to allow more than 10 dwellings to be accessed from the proposed dead-end street, if this would set some sort of precedent for future subdivision proposals. Mr. Neville stated it would absolutely be a precedent. Mr. Pontoriero noted that Lots 5 and 6 would require reduced frontage approval and wondered if there were only 10 lots in the subdivision if the reduced frontage lots would not be necessary. Mr. Ringwall said this would not matter because there is only a limited amount of frontage due to the cul-de-sac.

Ms. Tang asked if the wetland areas continued onto the adjacent properties and Mr. Ringwall stated they do. Ms. Tang noted if the roadway moved to the west or the east, it seemed it would have the same amount of impact on the wetlands. Mr. Ringwall indicated there are different grade changes in the area and keeping the roadway further to the west would help to minimize the amount of wetland filling that would be required. Ms. Tang also asked if the wetlands would remain contiguous if the project was constructed and Mr. Ringwall stated they would be because a culvert would be used underneath the proposed roadway.

Eric Michnovez of 130 Flagg Hill Road asked who would own the open space parcel when the project was completed. Mr. Ringwall stated this was still to be determined but it would be offered to the Town as a donation first. Mr. Michnovez noted taxes are currently being paid on the entire project site at this time, but if the open space parcel were donated to the Town it would come off the tax rolls.

Bryon Clemence of 45B Liberty Square Road asked if the Applicant had been before the Conservation Commission to have the wetland delineation reviewed. Mr. Ringwall stated they have not yet been before the Conservation Commission because the only way to get in front of the Commission is with a formal application filing. He continued on to note they wanted to get some preliminary feedback from the Planning Board and then would be going before the Conservation Commission. Mr. Ringwall indicated they would be submitting an application to the Conservation Commission for a wetlands crossing as well as work within the wetland buffer. He stated they felt very comfortable at this time with the wetland delineations they had on their plans.

Mr. Clemence indicated he felt the right-of-way waiver would also need approval from the Conservation Commission and felt that a looped roadway on the project site would not be permitted by the Commission. He continued on to state he felt the requested waivers are not in the Town's best interests and wanted the Conservation Commission to review the project before any waivers were granted by the Planning Board. Mr. Clemence then asked if waivers for the project could be granted at a later time. Mr. Neville indicated the Planning Board could grant or rescind waivers at any point in the subdivision approval process up until a Definitive Subdivision Plan Decision has been rendered. However, it would be disingenuous for the Board to grant a waiver at this point in the process and then rescind it at a later time.

Mr. Markiewicz noted if there was a waiver the Planning Board was on the fence about, the Board could wait to make a decision about it until they see a more definitive design and could then decide to deny or rescind the waiver if they did not favor the results.

Nancy Miller of 77 Woodward Lane indicated soil studies for Lot 5 have not been conducted and she still has very serious concerns about this as well as the stream located on her property. Mr. Neville noted the Applicant would be required to do substantial engineering tests and studies as part of the subdivision approval process before any final approvals would be granted.

Mr. Clemence indicated no one had discussed the potential issue of vehicles exiting out of the proposed roadway and making a right hand turn onto Flagg Hill Road. Mr. Ringwall restated the pavement radius in this area would be in compliance with the Rules & Regulations and they are only asking for a reduction in the roadway right-of-way. Therefore, there should be no issue for vehicles turning right onto Flagg Hill Road.

Mr. Neville asked the Applicant to address how snow storage would be handled on the western side of the intersection of the proposed roadway with Flagg Hill Road. Mr. Ringwall indicated there would be no real change in the way snow is currently handled in this area. There is an embankment or depression just off Flagg Hill Road in this area and snow could be stored in this location.

Mr. Clemence asked how large of a culvert the Applicant was proposing for the wetland crossing and Mr. Ringwall stated they have not designed the project to that level of detail at this time. Mr. Clemence suggested using something other than a small box culvert for the wetland roadway crossing. Mr. Michnovetz confirmed that the Rules & Regulations called for a minimum of 10 feet between the edge of roadway and the proposed sidewalk, a distance he felt was rather wide.

Mr. Duchesneau confirmed this was correct and noted that many sidewalks, if not all, in town do not meet this requirement. Mr. Clemence stated it was implemented to perhaps account for snow storage.

The Planning Board then provided feedback to the Applicant on each of the requested waivers. In terms of the requested waiver for reducing the roadway width, Mr. Neville listed a number of roadways in town that were far greater in width than 22 feet. He noted Reed Farm Road was 30 feet wide, Boxmill Road was 28 feet wide, and Emanuel Drive and Joseph Road were 22 feet wide. Mr. Neville felt that a 22 foot wide roadway was appropriate for this proposed project and Mr. Pontoriero and Mr. Markiewicz agreed. The Planning Board indicated that a 20 foot wide roadway was not reasonable for this proposed project.

For the second requested waiver to reduce the right-of-way radius where the proposed roadway would intersect Flagg Hill Road, Mr. Markiewicz stated he would have no issue with the waiver as long as the roadway pavement area would meet the Rules & Regulations. Maintaining the required amount of pavement would have no impact on the traffic flow, but Mr. Markiewicz wanted further clarification on the snow storage in this area. Mr. Ringwall stated there is a downward slope which leads to a depression in this area where snow could be stored. The Planning Board then indicated they would consider this waiver. Mr. Clemence noted if the roadway were to be accepted by the Town at a later date, the Town would ultimately need to be comfortable with the right-of-way width in all locations.

With regard to the third requested waiver pertaining to the height of the proposed retaining walls, Ms. Fillmore appreciated the Applicant had explored different roadway development scenarios. The Planning Board then indicated they would consider this waiver.

In terms of the waiver to allow a dead-end street longer than 500 feet, Mr. Markiewicz stated he was comfortable with this waiver as long as the Police and Fire Departments had no issues as well. The Planning Board then indicated they would consider this waiver.

For the fifth waiver to allow 11, as opposed to 10, dwelling units to be accessed off of this dead-end roadway, the Planning Board indicated they would consider this waiver. Mr. Michnovez indicated several of the neighbors felt eliminating one of the proposed lots and having only 10 dwelling units would help to address the reduced frontage issue as well. Ms. Tang stated she had concerns about the stormwater management on Lot 5 as well. Mr. Ringwall indicated they would examine and address any drainage issues as they moved forward with the project.

In terms of the last waiver requesting a reduction in the planting strip width between the edge of roadway pavement and the sidewalk, Mr. Pontoriero reiterated that a 22 foot wide roadway with a 5 foot sidewalk would be ideal and an asset to the community. He felt that a 5 foot wide planting strip would be more than ample. Mr. Markiewicz stated he felt people could simply walk on a grass strip adjacent to the roadway and there was really no need for a sidewalk at all. Mr. Neville stated having a sidewalk on a feeder road to Flagg Hill Road was not a prudent idea. Mr. Clemence asked how many dwellings a sidewalk on the proposed roadway would benefit and asked about maintenance. It was noted the sidewalk would not be plowed by the Town in the winter, even if the roadway were to be accepted by the Town. Mr. Kaufmann indicated most

residents mow their lawns right up to the edge of pavement even though they do not own the right-of-way. Ms. Tang stated she felt the sidewalk would be a good idea for the project. The Planning Board then indicated they would consider this waiver.

Mr. Ringwall asked that proposed Conditions 1 and 2 for the Preliminary Subdivision Plan Decision be adjusted slightly in order to allow the Applicant to submit other filings simultaneously with the Definitive Subdivision Plan application. The Planning Board agreed to these proposed changes. Mr. Ringwall also asked what the Board preferred for lighting for the project. Mr. Neville requested the Applicant provide additional information on site distances and also consult with the Police and Fire Chiefs on this matter.

Mr. Markiewicz MADE a MOTION to close the public hearing for the Preliminary Subdivision Plan Application for Silas Taylor Farm Road at 205 and 223 Flagg Hill Road. Ms. Fillmore SECONDED the MOTION. All members voted in favor and Mr. Pontoriero abstained from the vote.

Mr. Markiewicz MADE a MOTION to approve the Preliminary Subdivision Plan for Silas Taylor Farm Road at 205 and 223 Flagg Hill Road as discussed. Ms. Tang SECONDED the MOTION. All members voted in favor and Mr. Pontoriero abstained from the vote.

With no further business, the meeting was adjourned at 9:15 PM on a MOTION by Mr. Markiewicz, SECONDED by Mr. Pontoriero, with all members voting in favor.

On Behalf of the Boxborough Planning Board

A handwritten signature in black ink, appearing to read 'Eduardo Pontoriero', is written over a horizontal line. The signature is fluid and cursive.

Eduardo Pontoriero, Clerk