



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

**Meeting Minutes**  
**July 13, 2015**  
**7:30 PM**  
**Morse-Hilberg Room, Town Hall, 29 Middle Road**

Members Present:

Owen Neville, Chair  
Nancy Fillmore, Member  
Hongbing Tang, Member  
Adam Duchesneau, Town Planner

Members Absent:

Eduardo Pontoriero, Clerk  
John Markiewicz, Member

The Chair called the meeting to order at 7:30 PM.

**Meeting Minutes of June 29, 2015**

Ms. Fillmore MADE a MOTION to approve the minutes of June 29, 2015 as amended. Ms. Tang SECONDED the MOTION. All members voted in favor.

**Correspondence**

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

**Discussion Regarding Possible Modifications to the Zoning Bylaw Regarding Noise Regulations in the +Business Zoning Districts (B, B1, OP, TC, and IC)**

Mark White of 93 Sara's Way and Larry White of 71 Sara's Way were in attendance to discuss the proposal with the Planning Board. Mr. Duchesneau stated Mark White had expressed an interest in changing the maximum allowable noise levels in the Zoning Bylaw. Mark White indicated the geography of the area is one of the biggest issues as their homes on Sara's Way are directly uphill from Lawn Barber at 1034 Massachusetts Avenue and National Technical Systems (NTS) at 1146 Massachusetts Avenue, which are both causing noise disturbances at the White brothers' properties. Larry White stated NTS has expanded their operations under Boston Scientific, the entity who rents the space to NTS. Mark White indicated that noise which is out of compliance with the Zoning Bylaw is occurring at all hours of the night. Larry White stated the expanded operations appeared to be a change of use at both Lawn Barber and NTS.

Mark White noted in the past when they had issues with noise at NTS, they would contact the company and it would go away for a long period of time. He continued on to indicate that this

past winter the noise was a significant problem and his brother Larry had gone to speak with NTS and was issued a No Trespassing order. Mark White noted that Larry had run a sawmill for many years and no one had complained about the noise from this operation. Larry White indicated NTS has a large liquid nitrogen tank that is refilled at night and this delivery is extremely loud. He continued on to state NTS also had a very large machine which was running for hours on end. Larry White noted he and his brother wanted the Planning Board to understand there are rules in place but no one at the Town is sure who enforces them or what penalties can be issued. Larry White indicated they understand the intent of the Zoning Bylaw but he felt there could be some adjustments to close some of the loopholes.

Mark White stated Lawn Barber is currently nonconforming and they have expanded their operations to seven days a week, ten hours a day when they cut stone. Larry White indicated Lawn Barber had started with one stone cutting saw and now they have six saws, and they are installing new equipment without any regulation. Mark White stated the Zoning Bylaw talks about decibel levels for certain durations, but uncompliant noise levels should not be allowed for almost one hour. He continued on to note that he and his brother are pro-business, but they are also residential neighbors and feel they could assist the Planning Board in crafting a good bylaw amendment.

Mr. Neville asked Mr. Duchesneau to distribute the White brothers' correspondence with the Building and Planning Departments to the Planning Board. Mr. Neville then asked if the White brothers had looked at other communities' noise bylaws and Mark White indicated they had not, but it was a good idea. Ms. Tang suggested if the issue could not be resolved through amending the Zoning Bylaw that the White brothers should look into legal representation to negotiate with the adjacent businesses.

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

Richard Harrington from Stamski and McNary, Inc. and property owners Mike Jeanson and John Lyons were present to discuss the proposed project with the Planning Board. Also in attendance was Sheriff's Meadow resident Carol Driscoll. Mr. Harrington began by noting they had presented various renditions of the project to the Planning Board and Design Review Board earlier in the year. He reminded the Planning Board they are designing the project under a 2012 Zoning Bylaw freeze. Mr. Harrington then distributed a project timeline which indicated the earlier meetings where the project had been presented and how the housing density had been reduced at each meeting. He also pointed out they are looking into a mixed use component for the project along Route 111/Massachusetts Avenue.

Mr. Neville noted the Definitive Subdivision Plan approval had called for a roadway off of Route 111 serving two parcels and asked what had happened to that design. Mr. Harrington indicated that approval locked in the Zoning Bylaw freeze from 2012. Mr. Duchesneau noted the Applicant only needed the endorsement of the Definitive Subdivision Plan from the Planning Board to lock in the 2012 Zoning Bylaw, but the Plan did not need to be recorded at the Registry of Deeds.

Mr. Harrington then recapped the earlier renditions of the project and noted the new design of the residential area would include 100 dwelling units in 50 structures and a clubhouse with a pool on roughly 27 acres at the rear portion of the project site. He stated the Applicant is looking for feedback on the site plans and architecture of the buildings from the Planning Board. Mr. Neville asked the Applicant to look into connecting the front portion of the site and the rear residential area with some type of pathway at a minimum. Access via Stow Road was discussed and Mr. Duchesneau noted the definition of Lot Frontage in the Zoning Bylaw, as well as the language of Section 4800, Special Permit for Alternate Access. Mr. Harrington indicated they would work with their land use attorney to create an opinion on these zoning items.

Mr. Harrington then went over the architectural plans for the project. Ms. Fillmore asked how wide the proposed roadway would be and Mr. Harrington said it would be somewhere between 20 and 24 feet, but was still a work in progress. Mr. Duchesneau encouraged the Applicant to reach out to the Fire Department to discuss this matter in greater detail. Mr. Neville felt it was a bit odd to have the main entrances to the units tucked around each side of the building and to have them located so far from the roadway. This design would seem to encourage people to avoid interacting with their neighbors. Ms. Tang asked how neighbor interaction would occur with such substantial topography at the site as it seemed that a substantial amount of grading would be necessary. Mr. Harrington noted the site would be sloped gradually or even terraced in some places to accommodate the roadways and structures.

Ms. Fillmore pointed out that 100 units of housing would likely mean 200 cars for the residential portion of the project. Mr. Neville asked if the Applicant had considered installing some type of community garden on the site for the residents. Mr. Jeanson stated they had not given this much thought previously, but they would look into it. Ms. Tang indicated staggering the depths of the front of each dwelling structure from the interior roadways would be preferable. Mr. Neville noted this was a large project and would bring in a lot of money, and he asked the Applicant to please consider reducing the number of dwelling units even further. Ms. Tang stated she would like to see the development bring some additional amenities to the area such as shops, a community garden, etc.

#### **Planning Board Fee Schedule – Abutter Mailing Fees for Applications**

Mr. Duchesneau informed the Planning Board that after a bit of research he had determined a public hearing would not be required to update the Planning Board's Fee Schedule. Mr. Neville felt a public hearing was also not needed and Ms. Fillmore agreed.

Ms. Fillmore MADE a MOTION to accept the updated Planning Board Fee Schedule dated July 13, 2015 as proposed. Ms. Tang SECONDED the MOTION. All members voted in favor.

#### **Planning Board Member to Attend Board of Selectmen's Meeting on July 20, 2015 Regarding Proposed Banner Policy**

Mr. Neville noted the Town Administrator would like a Planning Board member to attend the Board of Selectmen's meeting on July 20<sup>th</sup>. Each of the Planning Board members indicated they would not be able to attend the meeting. Mr. Neville felt some type of formal correspondence from the Planning Board to the Board of Selectmen was in order. He recapped the points which had been discussed at the Planning Board's last meeting regarding the Banner Policy. Mr.

Neville noted the Planning Board had not seen a need for a banner as many events in town have been advertised for a number of years without a banner over Route 111. He added that the Department of Public Works is already extremely busy and this would be just adding one more item to their workload.

Ms. Fillmore then MADE a MOTION to approve Mr. Pontoriero's motion regarding the Planning Board taking a formal stance on the Banner Policy as indicated in the June 29, 2015 minutes. Ms. Tang SECONDED the MOTION. Mr. Neville then asked for discussion on the motion.

Mr. Neville suggested amending the motion to indicate that Mr. Pontoriero's original motion be communicated to the Board of Selectmen in writing and that if need be, exceptions could be made for Town events or initiatives with regard to the policy on display time length at the current sign between the Police and Fire Stations. Ms. Fillmore indicated she was not comfortable with the portion of the statement which spoke to display time length. Mr. Neville then suggested simply using Mr. Pontoriero's original motion, but adding the Planning Board was opposed to all banners over any of the roadways in town and that the Board of Selectmen please see the Planning Board's discussion on the topic reflected in their minutes of June 29, 2015.

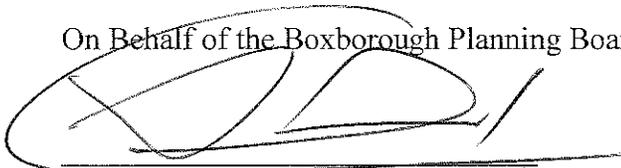
Ms. Fillmore then MADE a MOTION to approve the motion as amended by Mr. Neville. Ms. Tang SECONDED the MOTION. All members voted in favor.

#### **Boxborough 2030 (Master Plan) Update**

Mr. Duchesneau noted the Master Plan Update Committee and the Metropolitan Area Planning Council (MAPC) were still working to pull together a completed final draft of the plan. MAPC was close to finalizing a complete draft of the website and the project appeared to be on track to be brought before the Planning Board for their approval before the end of the calendar year.

With no further business, the meeting was adjourned at 9:12 PM on a MOTION by Mr. Neville, SECONDED by Ms. Fillmore, with all members voting in favor.

On Behalf of the Boxborough Planning Board



Eduardo Pontoriero, Clerk