



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

**Meeting Minutes**  
**August 10, 2015**  
**7:30 PM**

**Morse-Hilberg 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 7:30 PM.

**Meeting Minutes of July 27, 2015**

Mr. Pontoriero MADE a MOTION to approve the minutes of July 27, 2015 as amended. Mr. Markiewicz SECONDED the MOTION. All members voted in favor.

**205 Flagg Hill Road ANR**

David Browchuk from Goldsmith, Prest & Ringwall, Inc. was in attendance to discuss the plan with the Planning Board. Mr. Pontoriero asked for clarification of the tick marks on the plan and with regard to the frontage for each lot. Mr. Browchuk indicated the plan showed three lots which would be divided out from the 205 Flagg Hill Road parcel, each with adequate frontage on Flagg Hill Road meeting the minimum requirements of the Agricultural-Residential zoning district. Mr. Markiewicz asked what certain markings were on the plan and Mr. Browchuk stated they were a retaining wall and part of an old access road.

Mr. Neville MADE a MOTION to endorse the 205 Flagg Hill Road ANR Plan and to authorize the Planning Board Chair, the Planning Board Clerk, or the Town Planner to sign the plan on behalf of the Planning Board. Mr. Markiewicz SECONDED the MOTION. All members voted in favor.

**Pre-Application Conference for Site Plan Approval for a Proposed Project at 8 Hill Road (Montessori School)**

The Applicants, Marni Kaplan-Earle and John Earle, were in attendance to discuss the proposed project with the Planning Board. Ms. Kaplan-Earle provided an overview of the project and some background about the property. She noted the existing residential building worked very well for the proposed Montessori School and school children. Ms. Kaplan-Earle indicated the frontage of the property would remain the same except for the creation of an additional driveway opening in

the stone wall to the north of the existing driveway on Hill Road. She pointed out the proposed new opening would be regulated by the Scenic Road Permit and Stone Walls Bylaw. Ms. Kaplan-Earle stated the off-street parking for the project, which includes spaces for four staff members and 20 students, would exceed the minimum amount required by the Zoning Bylaw. She also noted that at a later time, an additional 20 children would be taught in a second floor classroom. Ms. Kaplan-Earle indicated a material called Starpack, a stone dust with stone chips in it, would be used for the parking area. Starpack solidifies after a rain but remains porous throughout its lifetime. Ms. Kaplan-Earle continued on to note the house itself will not change but exterior additions will be made to meet ADA compliance. The windows would also be replaced with new six over six style windows.

Mr. Markiewicz pointed out Ms. Kaplan-Earle had indicated there would be two classrooms but the floor plans appeared to show three. Ms. Kaplan-Earle stated they would be using the entire first floor of the residential dwelling as one classroom and the entire second floor as another classroom. Ms. Tang asked what the ages of the children would be and Ms. Kaplan-Earle indicated they would be between 2.9 and 6 years old. Mr. Pontoriero asked if the ADA ramps and railings would be made of steel and if there would be any way to harmonize them more with the existing building. Ms. Kaplan-Earle stated they would like to do that but there are code requirements that need to be met as well. She also added that many of the railings would not be highly visible from the street. Mr. Pontoriero asked if additional shielding could be added to the railings to screen them further. Ms. Kaplan-Earle noted they could potentially look into this but pointed out the railings would only be visible from the on-site parking lot. She continued on to note that additional shielding may look odd on the front of the building and would likely block some of first floor the windows. Mr. Markiewicz noted it would be fairly simple to mimic the siding of the building in some manner to hide the railings.

Ms. Tang asked if a playground was being proposed at the school and Ms. Kaplan-Earle stated there would be a natural playground which would be a fenced in area behind the dwelling and the barn. Ms. Tang requested this playground area and fencing be shown on the plans. She also asked that areas where Starpack transitioned to grass be delineated more clearly on the plans. Ms. Tang also noted the narrow grass strip between the parking area and the barn would be difficult to maintain. She stated the safety of the children might be a concern, especially if there are paved areas so close to the buildings on the site. Ms. Kaplan-Earle indicated the parking lot is entirely off-limits to unsupervised students.

Mr. Markiewicz asked what the Applicants had planned for the barn structure. Ms. Kaplan-Earle stated it would be used for a workshop and storage area for now, but they would be keeping it structurally safe. Perhaps in the future they would renovate it into a meeting space. Mr. Markiewicz asked for clarification on the height and location of the fence for the playground area. Ms. Kaplan-Earle indicated it would be five feet in height and pointed out the approximate location of the fencing on the plans. Mr. Neville asked if the fence location had been discussed with the Fire Department and Ms. Kaplan-Earle stated they had not discussed it yet. Mr. Neville also pointed out there was no elevator to the second floor of the building and asked if this would be a problem since they would be opening a new school. Ms. Kaplan-Earle stated that because they have two internal stairways and as long as no child is deprived from any of the benefits of the classrooms between the first and second floors, the school would be in compliance.

Ms. Fillmore asked the Applicants if they planned to live in the house and they indicated this would not be the case. Ms. Tang asked what color the Starpack would be and Ms. Kaplan-Earle stated it would be gray. Ms. Tang then asked if there would be any issues plowing snow on Starpack and Ms. Kaplan-Earle stated the material should not get picked up so long as careful plowing and snow blowing were used.

Mr. Neville requested the plans be updated to show the additional items which had been discussed including the fencing location, the Starpack, and wheel stops on the parking spaces. Ms. Tang added that a grading plan would be useful in understanding the final elevations on the site for the project. Mr. Earle stated they were in the process of getting grading estimates and when that is finalized they should be able to produce that information. Ms. Tang asked the Applicants to refine the lines on the plans. Mr. Neville indicated the Applicants should make the requested changes and return to the Planning Board with a request to waive the formal Site Plan Approval process.

**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., property owner John Lyons, and attorney Sherrill Gould were in attendance to discuss the proposed project with the Planning Board. Mr. Harrington began by indicating they would like Ms. Gould to speak to the Applicant's potential right to access the project site via Stow Road. Mr. Harrington noted the currently proposed project called for 100 units of senior housing with a public water supply. Ms. Gould indicated Mr. Lyons has had the idea of creating a Town Center for a long time and the project dates back as far as 1990 with its original approvals. Ms. Gould stated the Sherriff's Meadow development had been approved for the site with a subdivision road and sidewalk. She also referred to previous Planning Board decisions from September 1990 (# 90-07), October 1994 (# 90-07A), and February 1999, which she noted spoke to a "future subdivision roadway." Ms. Gould indicated these earlier decisions stated access from Stow Road to the project site could be granted using the roadway between Sherriff's Meadow and Tisbury Meadow for a similar development. Ms. Gould stated the roadway between Sherriff's Meadow and Tisbury Meadow was built to subdivision roadway standards.

Mr. Neville noted the project as currently proposed does not appear to be similar to the Sherriff's Meadow or Tisbury Meadow developments, and therefore would appear to be in conflict with the statements in earlier Planning Board decisions. Mr. Duchesneau stated even if access were to be permitted to the project site via Stow Road, a Special Permit for Alternate Access from the Planning Board would still be required. Mr. Markiewicz indicated he was on the Planning Board at the time of these earlier discussions many years ago and he noted the Board was looking to minimize any future development of the site. Mr. Duchesneau requested the Applicants lay out their request in a memorandum to the Planning Board and reference the various decisions which speak to why they feel they should be allowed to access the project site via Stow Road. Ms. Gould indicated the mixed use component of the project proposed for the area along Route 111 would be left for development at a later time. Mr. Neville noted he preferred to see the mixed use portion of the proposed project developed quickly.

Ms. Tang noted the Sherriff's Meadow and Tisbury Meadow developments appeared to be less dense than the Applicant's proposed 100 unit project. Mr. Neville asked the Applicants to please submit a memorandum which summarized their stance on the roadway access. Mr. Pontoriero noted the previous proposal which accessed the property off of Route 111 was geared for commercial development. Mr. Harrington stated the earlier proposal could be used for commercial development, but one of the aspects of that subdivision proposal was to freeze the zoning which was in effect at the time of the application.

#### **94 Chester Road and 79 Meadow Lane – Special Permit for a Reduced Frontage Lot Comments**

Mr. Duchesneau provided an overview of the application materials and the nature of the requested Special Permit from the Zoning Board of Appeals. Mr. Pontoriero asked how many dwellings were being proposed for the site and Mr. Duchesneau stated the Applicant is indicating only one. Mr. Markiewicz stated the Planning Board would like to see only one house allowed to be constructed on Lot 53. Mr. Neville asked about the possibilities for other buildable lots to be created at the property. Mr. Duchesneau stated the possibility of this was very remote, especially if the Applicant ended up donating a significant portion of the property to the Town as they were indicating.

Ms. Fillmore noted she had concerns about the wetlands at the property and Mr. Duchesneau stated these would be protected and regulated by the Conservation Commission. Mr. Neville suggested a condition for the Special Permit be recommended to the Zoning Board of Appeals which would limit the development on Lot 53 to one dwelling unit. He also stated the condition should specifically reference the plan submitted by the Applicant. Mr. Pontoriero stated the Planning Board would be supportive of accepting the Applicant's proposal to donate some of the property to the Town.

Mr. Markiewicz MADE a MOTION to recommend a condition to the Zoning Board of Appeals, that if the Special Permit were to be approved, a condition indicating that only one single-family dwelling shall be permitted on the entire project site which includes Parcel D (79 Meadow Lane) and Lot 53 (94 Chester Road) as shown on plan submitted with the application materials entitled "Plan for Board of Appeals, 94 Chester Road and 79 Meadow Lane, Boxborough, Massachusetts" dated July 15, 2015 with a Zoning Board of Appeals date stamp of July 22, 2015. Mr. Pontoriero SECONDED the MOTION. All members voted in favor.

#### **Review of Draft 2015 MassWorks Grant Application Materials for the Route 111 Sidewalk Project**

Mr. Pontoriero asked for clarification on the amount of money which was being requested from the state. Mr. Duchesneau indicated the Town was asking for \$522,000 from the MassWorks Grant Program. Mr. Duchesneau also stated he would be making edits to the application based on the comments from the Planning Board, then going before the Board of Selectmen, incorporating their edits, and then returning before both Boards to seek approval of submission of the application, as well as to get letters of support from each entity.

### **Correspondence**

Mr. Duchesneau distributed the most recent correspondence from Mark White, an email from August 9, 2015, which discussed further items regarding the noise issues he is experiencing with the businesses adjacent to his residence. Mr. Pontoriero asked what the ramifications or punishment would be if noise violations simply continued. Mr. Duchesneau stated that an entity which was out of compliance with the noise bylaw could be fined, have their Certificate of Occupancy revoked shutting down their operations, or ultimately the entity could be taken to Land Court by the Town. Mr. Duchesneau also noted he wanted to speak with Town Counsel to confirm if existing business operations would be subject to a noise bylaw amendment or if they could continue to operate as existing nonconforming uses.

Ms. Tang asked how other communities handled noise disturbances and Mr. Duchesneau indicated he would look into how this issue is regulated in other towns. Ms. Fillmore asked if the noise bylaw was only applicable to properties in the Industrial-Commercial zoning district. Mr. Duchesneau stated the specific noise bylaw that was under discussion was applicable to any property in the Agricultural-Residential zoning district. Mr. Markiewicz stated he could remember discussing this topic in the past when there were complaints about people mowing their lawns early in the morning or late in the evening.

### **Boxborough2030 (Master Plan) Update**

Mr. Markiewicz indicated draft Recommendations and an Implementation Plan had been created by the Metropolitan Area Planning Council (MAPC). The Recommendations have seven aspirations supported by goals, strategies, actions, and the responsible parties. The action items were broken down into short- (1-3 years), mid- (4-7 years), and long-term (8-10) items. Mr. Markiewicz noted there were a large number of action items and perhaps some of these could be whittled down. Mr. Duchesneau asked the Planning Board members to please review the Boxborough2030 website and to provide comments and feedback. Mr. Markiewicz noted that currently there is no board or commission that is addressing economic development in town and Boxborough2030 is suggesting an entity of this type be created. Mr. Neville asked that a discussion about the draft Recommendation and Implementation Plan be added to the Planning Board's agenda for their August 24, 2015 meeting.

With no further business, the meeting was adjourned at 9:55 PM on a MOTION by Mr. Markiewicz, SECONDED by Ms. Tang, with all members voting in favor.

On Behalf of the ~~Boxborough~~ Planning Board



Eduardo Pontoriero, Clerk