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
February 22, 2016
7:30 PM
Sargent Memorial Library Meeting Room, 427 Massachusetts Avenue

Members Present:

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

Members Absent:

John Markiewicz, Member

The Chair called the meeting to order at 7:32 PM.

667 Depot Road – Special Permit Comments
Mr. Pontoriero stated he did not see the proposed project as being an issue. Mr. Neville agreed and did not see the proposal as a problem. Ms. Fillmore indicated she felt the project was fine. The Planning Board asked Mr. Duchesneau to relay their comments about the Board seeing no issues with the project to the Zoning Board of Appeals.

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

Route 111 Sidewalk Implementation Update
Mr. Duchesneau stated a status update meeting with State Representative Jennifer Benson, State Senator Jamie Eldridge, and MassDOT officials was being held on Monday, February 29, 2016 at 1:30 PM in Town Hall. Mr. Duchesneau indicated he hoped at least one member of the Planning Board would be able to attend at this meeting. Mr. Neville stated he would be attending and Ms. Fillmore indicated she hoped to attend. Mr. Duchesneau also added that MassDOT had filed a Notice of Intent (NOI) with the Conservation Commission and had met with the Commission last week. Mr. Duchesneau noted a member of the Conservation Commission would be in attendance at the meeting on February 29th.

2016 Annual Town Meeting Proposed Zoning Bylaw Amendments
At 7:35 PM the Planning Board opened the public hearing regarding the proposed amendments to the Zoning Bylaw as well as two additional items. Mr. Neville went through each of the following proposed Zoning Bylaw amendments providing a description of the amendment and to see if anyone from the public or members of the Planning Board wished to provide comments:

(1) Amend various zoning district boundaries on the Zoning Map

There were no comments from the public. Mr. Pontoriero asked if the property at 45 Hill Road, which is currently split by the Agricultural-Residential and Business Zoning Districts should be addressed. Mr. Duchesneau stated this parcel had been one of a number of other proposed Zoning District boundary changes, but the Planning Board had decided at previous meetings to only address a portion of the proposed changes. Mr. Neville suggested that Area Maps 2 and 4, which displayed the existing and proposed boundary changes, be zoomed out more to provide a better context of the surrounding areas.

(2) Amendment to the composition of the Design Review Board membership in Section 8102

There were no comments from the public or Planning Board members.

(3) Amendment to the "Maximum Building Height" description in Section 5002 Dimensional Schedule

There were no comments from the public or Planning Board members. However, Mr. Duchesneau proposed one additional change as part of this amendment which would remove the wording "to the top of the plate" at the end of Section 5003(5). The Planning Board agreed to include this change in the proposed amendment.

(4) Administrative amendment to Section 9004 Penalty

There were no comments from the public or Planning Board members.

(5) Amend Section 2181 Structure to increase the maximum fence height

There were no comments from the public or Planning Board members.

(6) Amend the wording of "Accessory Structures" to "Accessory Buildings" in Sections 2130, 4003, 4107, and 8003

There were no comments from the public or Planning Board members.

(7) Remove Sections 7100 Wetlands and Watershed Protection District (W-District) and 7200 Lands Bordering the W-District from the Zoning Bylaw and all other references to those sections, and remove the Wetland & Watershed Overlay District from the Zoning Map

There were no comments from the public. Mr. Neville noted the Zoning Board of Appeals, who is currently charged with enforcing this section of the Zoning Bylaw, has almost always simply referenced the Conservation Commission's decisions when issuing their own decisions. He felt the only item this provision of the Zoning Bylaw was accomplishing was adding additional expense, engineering, and time to Applicants' applications. Mr. Neville indicated the existing provision appeared to place an undue burden on Applicants.

The following two additional items were also discussed:

(1) Amend the Stone Walls General Bylaw to allow Town staff sign off for temporary alterations

There were no comments from the public. Mr. Neville noted this proposed change would allow temporary removals and replacements of sections of stone walls with Town Planner sign off and a posting of a bond of $500.00 with the Department of Public Works.

(2) Discontinuance of Cunningham Road

Mr. Neville stated when office buildings had been proposed for the current Jefferson at Beaver Brook 40B project site, Town Meeting had given the authority to discontinue the eastern portion of Cunningham Road to the Board of Selectmen. However, before any project was constructed at the site, the well behind the gas station had become contaminated and new wells were drilled in a different location. As a result of this well relocation and adjustments to the Jefferson at Beaver Brook project, the western portion of Cunningham Road needed to be discontinued to eliminate an alternative access point to the entrance drive to the project.

Paul Vercollone, owner and operator of the Gulf Gas Station on Route 111/Massachusetts Avenue, asked if the zoning of his property would remain the same. Mr. Neville indicated there were no proposed zoning changes for his property and noted the property would likely gain an additional 15 feet or so to the north when Cunningham Road was discontinued. Mr. Neville also stated a similar situation had occurred to a property on Codman Hill Road.

With no further questions or comments, the Planning Board closed the public hearing at 8:07 PM on a MOTION by Mr. Pontoriero, SECONDED by Ms. Fillmore.

At this time Mr. Duchesneau acknowledged the attendance of Rebecca Edson of 969 Depot Road, who was considering possibly running for a seat on the Planning Board.

Massachusetts Avenue Retail Gun Stores Update

Mr. Duchesneau provided an update on the Planning Board's request that he examine the Site Plan Review Waivers for the retail gun stores at 972 and 984 Massachusetts Avenue. Mr. Duchesneau stated the property at 972 Massachusetts Avenue was in full compliance with their waiver, but he was still working with the property owner at 984 Massachusetts Avenue regarding the store's nonconforming signage. Ms. Tang asked if either of the properties were allowed to discharge firearms on the premises and Mr. Duchesneau indicated this was not allowed per the Site Plan Review Waivers.

70-72 Stow Road RFP

Mr. Duchesneau noted the Planning Board had received comments back from Selectman Les Fox and Housing Board Chair Al Murphy regarding their initial comments. Mr. Neville provided an overview of the property and the status of its Request for Proposals (RFP). Mr. Pontoriero indicated he had not had a chance to review the comments from Mr. Fox or Mr. Murphy yet. However, he also noted it would be appropriate to look at this proposed project in the context of the development as it relates to Boxborough2030. Mr. Pontoriero asked if some type of mixed-use development could be established at the property. Mr. Neville indicated the Affordable Housing Trust had received all of their money from a lawsuit where the Town sued the developer of the Boxborough Meadows 40B project for excess profits. Mr. Neville pointed out the money from this lawsuit had legal strings attached to it and the funds could only be used for the creation or maintenance of affordable housing units.

Mr. Pontoriero noted Boxborough2030 represents the will of the town and it would make sense to explore a development at this property which aligns with the Master Plan. Ms. Tang agreed with this sentiment and also wondered if the Town might be able to purchase some of the land where the over 55 housing development had been proposed to the west of Stow Road. Mr. Pontoriero stated if the Town is thinking of creating some type of town center area, the 70-72 Stow Road property would seem to be in this general area and substantial consideration for the future use of the property should be undertaken.

With no further business, the meeting was adjourned at 8:31 PM on a MOTION by Ms. Fillmore, SECONDED by Mr. Pontoriero, with all members voting in favor.

On Behalf of the Boxborough Planning Board

Eduardo Pontoriero, Clerk