



**BOXBOROUGH PLANNING BOARD**  
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John Markiewicz, Chair    Eduardo Pontoriero, Clerk    Nancy Fillmore    Abby Reip    Hongbing Tang

**Meeting Minutes**  
**November 7, 2016**  
**7:30 PM**

**Sargent Memorial Library, Meeting Room, 427 Massachusetts Avenue**

Members Present:

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

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

**Meeting Minutes of October 17, 2016**

Mr. Markiewicz MADE a MOTION to approve the minutes of October 17, 2016 as amended.  
Ms. Fillmore SECONDED the MOTION. All members voted in favor and Ms. Reip was absent from the vote.

At this time Ms. Reip arrived at the meeting.

**Correspondence**

Mr. Duchesneau indicated the Planning Board had received correspondence from Tree Tech, Inc. regarding the pruning and cabling of the tree in front of 863 Depot Road. The letter indicated cabling has been a standard arboricultural practice for nearly a century and has helped preserve millions of trees. Ms. Fillmore asked if there were originally two quotes for the pruning and cabling of the tree. Tom Garmon, the Department of Public Works Director, stated Acorn Tree and Landscape had also submitted a proposal, but did not want to submit a quote to conduct the work that included the prevailing wage rate. As such, only one quote was received to perform the work using prevailing wages, and this was from Tree Tech, Inc. Mr. Pontoriero asked for clarification regarding the prevailing wage rate and Mr. Garmon provided a rough overview of the requirements.

Mr. Pontoriero noted that if the tree falls, it will fall on the house, and asked if the cabling method was a solid preventative measure. Mr. Garmon stated there is no guarantee because it is simply a preventative measure, but it would definitely help prevent the tree from falling. He went on to indicate the work would involve reducing the crown of the tree and cabling it together for stabilization by having the forks work together. Mr. Pontoriero stated if the tree fell in a few years and injured someone, he would feel horribly.

Mr. Markiewicz MADE a MOTION to approve the Department of Public Works and Tree Tech, Inc. moving forward to conduct the pruning and cabling work on the tree in front of 863 Depot Road. Ms. Fillmore SECONDED the MOTION. All members voted in favor and Mr. Pontoriero abstained from the vote.

**881 Massachusetts Avenue – Site Plan Approval Application – Applicant Breezy Ridge, LLC seeks to construct a two-story building consisting of approximately 6,500 square feet with associated parking, sewage disposal, drainage, and grading for landscape services and professional/business office uses.**

At 7:45 PM, Mr. Markiewicz opened the public hearing for the application and read the legal notice into the record. Bruce Ringwall from Goldsmith, Prest & Ringwall, Inc. and Brett Gutheil from Breezy Ridge LLC, the Applicant/Owner, were in attendance to discuss the application with the Planning Board. Mr. Ringwall began by describing the existing property noting there is a large wetland area and associated buffer zone covering most of the lot, with an upland area in the northeast portion of the site. The entrance to the property is proposed for the eastern edge of the lot with an approximately 7% driveway slope. Mr. Ringwall described the stormwater drainage system noting roof water would be directed into leaching galleys with the overflow heading into infiltration basins. Mr. Markiewicz asked if there would be any treatment measures for the stormwater runoff and Mr. Ringwall described the details of the on-site measures.

Mr. Ringwall continued on to note the proposed building would have five bays, one for the Applicant/Owner and four to be rented to other businesses. The project's septic system would be designed for 24 employees at the site. Ms. Fillmore asked why the previous owner would obtain permits for the property and then sell the lot. Mr. Ringwall explained that obtaining permits adds value to the property and is an added selling point. Mr. Pontoriero expressed concerns about potential landscaping companies being tenants at the building and the machines that they might keep on-site which could drop oil and gas onto the floor. Mr. Ringwall noted the Staff Report recommends conditions that require spill kits and industrial waste holding tanks. Mr. Markiewicz stated the Applicant/Owner would use the building for his office and to house several vehicles in the garage bays.

Mr. Gutheil indicated his business involves roll-off containers and he is looking for space to park his trucks inside. Mr. Markiewicz asked if the containers would be located on-site and Mr. Ringwall indicated that was the plan. Mr. Duchesneau pointed out a condition in the Staff Report that would not allow any outside storage of anything other than vehicles. Mr. Ringwall clarified that he believed the garage doors were 9 feet wide by 14 feet high. Ms. Tang asked if a landscape plan had been prepared for the proposed project and Mr. Ringwall said not at this time. He continued on to note the building would have doors on three sides and is setback a great distance from Massachusetts Avenue/Route 111.

Mr. Markiewicz asked about the possibility of moving the building further away from the rear property line. He pointed out there is a pristine trail on Town land just to the north and he asked the Applicant/Owner to make best efforts to maintain the trail's integrity. Mr. Ringwall stated they were working on different design renditions to address a number of conditions and concerns about the property. He noted the Applicant/Owner is willing to look at implementing screening

at the rear of the property or other site adjustments. Mr. Ringwall stated they were even looking at altering the proposed building's configuration to create an area where plantings could be implemented along the rear property line. Mr. Markiewicz asked if the Applicant/Owner would be willing to help move the trail on Town land if necessary and Mr. Ringwall stated the Applicant/Owner would be willing to assist.

Mr. Markiewicz asked for confirmation regarding the height of the building to its roof peak. Mr. Ringwall indicated the building height was 32 feet and noted the proposed new building design would be L-shaped with a similar peaked roof. Ms. Reip inquired about the material for the façade of the building and Mr. Ringwall stated it would have metal siding, similar to a Butler building, with some type of neutral coloring. Mr. Pontoriero followed up with two questions: 1) would the Applicant/Owner consider other types of siding, and 2) are there other types of buildings in the area, which could be viewed, that are similar to what is being proposed. It was noted the building immediately adjacent to the east at 873 Massachusetts Avenue (Kaizen Tuning) was a similar style building.

Ms. Tang asked if there should be silt prisons at all of the runoff locations. Mr. Ringwall stated this should not be the case because the Massachusetts Department of Environmental Protection (MassDEP) Stormwater Management Guidelines call for open-air treatment areas as part of their Low Impact Designs (LIDs) Best Management Practices (BMPs). Ms. Reip inquired about the nature of the businesses that would be located within the garage bays. Mr. Ringwall noted the Applicant/Owner's business would involve roll-off containers and they would like to further discuss the ability to store the approximately 8 foot by 12 foot containers on-site outdoors. The other businesses could be anything such as tradesmen, plumbers, electricians, landscape contractors, graphic artists, or office uses. Mr. Markiewicz asked if there would be any maintenance of vehicles at the property. Mr. Gutheil stated he does not do any of his own vehicle maintenance other than waxing, cleaning, and changing of tires.

Ms. Fillmore inquired about snow storage and Mr. Ringwall pointed out locations on the plan where snow could be stockpiled, which was mainly in locations just off the driveway and loop around the building. Ms. Tang inquired if the filling of any wetlands was necessary for the proposed project and Mr. Ringwall stated it would not be, but he did note disturbances within the 100 foot buffer would be required. Mr. Markiewicz asked about lighting at the property and Mr. Ringwall stated down lighting over the garage doors and on the building would be used in the form of wall packs with cut-offs and shields. Mr. Ringwall also stated they would be using motion sensors between the hours of 6:00 PM and 6:00 AM. Mr. Markiewicz then opened up the hearing to the public for comments.

Mark White of 93 Sara's Way stated he had concerns about the roll-off containers, noting they are typically used for trash or rubbish, and can be unsightly. He stated he felt this would not help his property value, but prohibiting all forms of exterior storage would be fine with him.

Mr. Gutheil noted his main business goal is to have every container out on location, in the field, at all times, and he does everything he can to keep all 80 of his containers out on location. He noted that in the dead of winter some containers may need to return to the property for storage. Mr. Gutheil indicated he would be willing to put a fence around the proposed area where the

containers would be stored on site. Mr. Markiewicz inquired about the hours of operation for the business and Mr. Gutheil stated he operates from about 7:00 AM to 4:00 PM. Ms. Tang stated she felt the business vehicles should not be driven out onto the landscape area where the drainage will be occurring.

Dave Duane from Kaizen Tuning at 873 Massachusetts Avenue noted their business, which is adjacent to this property, tunes automobiles and they have a dyno. He stated they would prefer to see many of the trees along the shared property boundary maintained to keep a buffer between the two properties. Mr. Duane asked how many trees would be retained along the eastern edge of the proposed driveway and Mr. Ringwall stated it would depend upon where the trees are specifically located. Mr. Markiewicz asked if the Applicant/Owner would be willing to work with the abutter regarding the buffer between the two properties. Mr. Gutheil stated he would be willing to work with the neighbors and felt there were several mature trees which could be retained. Mr. Gutheil also indicated he had no issue with the dyno at Kaizen Tuning.

Mr. White noted the Planning Board has the ability to limit the number of containers which can be kept at the site or even kept outdoors for that matter. He also felt there was the potential for numerous containers to be kept outside at the property, which concerned him. Mr. Ringwall stated the containers which would be stored outside would most likely not be seen from the roadway due to the existing vegetative screening on the site. Mr. Gutheil indicated he was comfortable with a condition that would only allow a maximum of 30 containers to be stored at the property and he could install a screening fence if the Planning Board desired. He also noted he used hook lift trucks that should help to keep the noise down when containers are being moved around.

Mr. Duchesneau called out to the Planning Board and the Applicant/Owner the proposed condition in the Staff Report that would require a sidewalk to be installed along the frontage of the subject property. Mr. Markiewicz noted the Planning Board sometimes requires cash payments to the Town's Sidewalk Fund in lieu of actually constructing a sidewalk.

Mr. Markiewicz MADE a MOTION to continue the public hearing for the 881 Massachusetts Avenue Site Plan Approval application to Monday, November 21, 2016 at 7:45 PM. Ms. Fillmore SECONDED the MOTION. All members voted in favor.

**187, 214, and 222 Hill Road – Scenic Road Permit, Public Shade Tree Removal, and Stone Wall Alteration Application – Applicant Tom Garmon seeks to remove approximately six trees and 310 feet of stone wall/retaining wall, and to replace this with a new retaining wall/rip rap to support the installation of approximately 360 feet of guardrail along Hill Road at its intersection with Whitcomb Road.**

At 8:48 PM, Mr. Markiewicz opened the public hearing for the application and read the legal notice into the record. Tom Garmon, the Department of Public Works Director, was in attendance to discuss the application with the Board. Mr. Garmon explained that near the intersection of Hill Road and Whitcomb Road, there are some very old guardrails that need to be replaced. In order to do this, the shoulders on either side of the roadway need to be widened slightly. Hill Road is fairly narrow in this location and in order to create adequate roadway

shoulders, the embankments on either side of the roadway will need to be reinforced, which will require the removal of the existing retaining walls and some trees.

Mr. Markiewicz asked who owned the abutting properties in the area. Brian Fisk of 214 Hill Road noted that he was the property owner at 214 Hill Road, and his father owned the lot at 222 Hill Road. Mr. Markiewicz asked if guardrails were installed in these locations, would it block access to the property at 222 Hill Road. Mr. Garmon stated it would not be an issue because if the property owner desired to have access, the Department of Public Works could easily peel back that particular section of the guardrail to provide access to the property. Mr. Pontoriero asked if the stone retaining wall on the north side of the roadway would be preserved. Mr. Garmon indicated it would not be preserved as it would be removed and filled over. Ms. Reip asked if the proposed guardrails could be a brown color to be more aesthetically pleasing. Mr. Garmon said they could install brown guardrails, but he has heard concerns expressed about the durability of these type of guardrails.

Mr. Fisk asked if something could be done to dress up or soften the appearance of the proposed rip rap embankments through the use of vegetation or other screening. Mr. Pontoriero asked if any trees could be planted along the roadway edge to achieve this and to replace some of the trees which need to be removed for the installation of the guardrails. Mr. Fisk noted he would prefer a clean look to the rocks on the embankment. Ms. Tang stated that since Hill Road is such a beautiful roadway, it would be preferable to implement some new landscaping and perhaps even some vegetation which would cover the rip rap embankments.

Mr. Duchesneau confirmed with the Planning Board that he was hearing the following requests about the project design: 1) brown guardrails should be used on the north and south sides of the roadway for aesthetic purposes and; 2) a more formalized planting plan should be developed which incorporates the implementation of new trees and vegetation to help screen the rip rap embankments. The Planning Board indicated these were their requests for the design of the proposed project.

Mr. Markiewicz MADE a MOTION to continue the public hearing for the 187, 214, and 222 Hill Road Scenic Road Permit, Public Shade Tree Removal, and Stone Wall Alteration application to Monday, December 5, 2016 at 7:45 PM. Ms. Reip SECONDED the MOTION. All members voted in favor.

**1034 & 1102 Massachusetts Avenue (Lawn Barber, Inc.) – Site Plan Approval Application – Applicant Phaneuf RT (Lawn Barber, Inc.) seeks approval to allow the erection of a free standing hoop house structure, relocation of parking spaces, repositioning of landscape and masonry materials and other storage, and other site improvements**

At 9:05 PM, Mr. Markiewicz read into the record the continuance letter from Attorney Louis Levine who represents Lawn Barber, Inc. The letter requested a continuance of the matter to the Planning Board's meeting on Monday, November 21, 2016.

Mr. Markiewicz MADE a MOTION to continue the public hearing for the 1034 & 1102 Massachusetts Avenue (Lawn Barber, Inc.) Site Plan Approval application to November 21, 2016 at 8:15 PM. Ms. Tang SECONDED the MOTION. All members voted in favor.

### **Comments on Zoning Board of Appeals Applications**

- Appeal of an Official's Decision – Larry White re 1034 & 1102 Massachusetts Avenue
- Appeal of an Official's Decision – Lawn Barber, Inc. re 1034 & 1102 Massachusetts Avenue
- Appeal of an Official's Decision – Cease & Desist Order at 1034 Massachusetts Avenue
- Special Permit Application – 1034 & 1102 Massachusetts Avenue

Mr. Duchesneau noted the Zoning Board of Appeals was scheduled to discuss each of these applications at their meeting on Tuesday, November 15, 2016.

Mr. Markiewicz MADE a MOTION that the Planning Board not submit any comments on any of the applications listed above which are currently before the Zoning Board of Appeals. Ms. Fillmore SECONDED the MOTION. All members voted in favor.

### **Community Preservation Committee Application Reviews**

There was a discussion regarding the amount of funding within the Town's Community Preservation Act (CPA) general fund and within each of the designated CPA category funds (Open Space and Recreation, Community Housing, and Historic Resources). The Planning Board decided to have a brief conversation about each of the applications, but wanted to withhold making any formal comments on the applications until their next meeting on November 21, 2016.

#### # 2016-01: Conservation Trust Fund

Ms. Reip noted the Conservation Commission has sought a general Warrant Article at Town Meeting each of the past several years to fund this request and now they are seeking CPA funds per the recommendation of the Finance Committee. After discussion, the Planning Board appeared to be supportive of the application.

#### # 2016-02: North Cemetery Restoration

After discussion, the Planning Board appeared to be generally supportive of the application.

#### # 2016-03: Boxborough Rental Assistance Program

Mr. Pontoriero noted that once funding/aid has been provided, there is concern the program will have limitless funding moving forward.

#### # 2016-04: Preservation of Steele Farm House

There was discussion regarding the potential to bond the requested amount of CPA money. Ms. Reip noted the proposed project could potentially be completed in phases. Mr. Pontoriero stated he would prefer the house to be self-funding once renovated. Mr. Markiewicz pointed out there are certain restrictions on how the Steele Farm property can be used. The Planning Board desired to have more information about the proposed project.

#### # 2016-05: Coutts Parcel Land Purchase

Mr. Pontoriero and Mr. Markiewicz stated they were not extremely comfortable with the proposal, but they wished to discuss it further at the Planning Board's next meeting.

# 2016-06: Town Hall Landscaping

Ms. Tang felt a more precise cost estimate was needed for the proposed project. Mr. Pontoriero felt the project was requesting a significant amount of money, but he also prefers the Town Hall to look aesthetically pleasing. Ms. Reip stated she felt the project should be funded through a general Warrant Article as opposed to using CPA funds. Mr. Markiewicz indicated he felt if there are CPA funds available, the project should be considered for CPA funding.

# 2016-07: Regional Housing Services

After discussion, the Planning Board appeared to be generally supportive of the application.

# 2016-08: Preservation of Town Records

After discussion, the Planning Board appeared to be generally supportive of the application.

**Discussion Regarding Potential Zoning Bylaw Amendments for 2017 Annual Town Meeting**

Mr. Duchesneau went through a number of items he was requesting the Planning Board to consider to bring to the 2017 Annual Town Meeting. The Planning Board discussed each item and whether or not they wanted to bring it to the next Town Meeting. The Planning Board stated they would consider bringing forward the following items:

- Amendments to Section 9004 Penalty of the Zoning Bylaw regarding fines.
- Creation of a “Tradesmen” use category in Section 4003 of the Zoning Bylaw.
- A Zoning Bylaw amendment regarding the Retail Sale of Marijuana, should the ballot initiative pass on November 8, 2016.

The Planning Board stated they did not want to consider bringing forward the following items to the 2017 Annual Town Meeting:

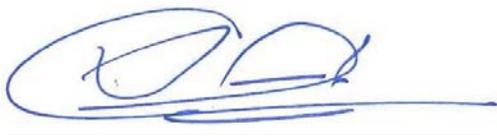
- Zoning Bylaw amendments to encourage development of starter homes and senior housing.
- Amendments to Section 6404(1) Noise of the Zoning Bylaw.

**Boxborough2030 Implementation – Short Term and On-Going Action Item Responses**

Mr. Duchesneau informed the Planning Board they would be having a Joint Public Meeting with the Board of Selectmen on Monday, December 19, 2016 to further discuss the implementation of Boxborough2030.

With no further business, the meeting was adjourned at 9:50 PM on a MOTION by Mr. Markiewicz, SECONDED by Ms. Reip, with all members voting in favor.

On Behalf of the Boxborough Planning Board:



Eduardo Pontoriero, Clerk