



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

Meeting Minutes
April 3, 2018
7:30 PM
Grange Room, Town Hall, 29 Middle Road

Members Present: John Markiewicz, Chair, Abby Reip, Clerk, Eduardo Pontoriero, and Hongbing Tang

Member Absent: Nancy Fillmore

Also Present: Adam Duchesneau, Town Planner

The Chair called the meeting to order at 7:38 PM.

700, 750, & 800 Massachusetts Avenue – Site Plan Approval and Stone Wall Alteration Permit Decision

Mr. Markiewicz inquired if anyone was recording the meeting and, if so, he asked them to identify themselves. Heather Fleming of 140 Stow Road and Evan Perry, on behalf of the Applicant, indicated they were recording the meeting.

Mr. Markiewicz noted all the Planning Board members had provided input into the proceedings. He did not want to restate all of the specific details, but he asked each Planning Board member to provide their overall position on the application.

Ms. Reip stated she had reviewed many of the draft conditions, but she did not see any way the proposed project could be approved with conditions. She did not feel the proposed project integrated into the existing terrain or protected abutting properties from noise, odor, and nuisances. Ms. Reip felt the architectural style was not in harmony with the existing buildings in the surrounding area and noted the Planning Board had no idea what the finished product would look like. She also stated the site distances for the Route 111/Massachusetts Avenue entrance/exit driveway were concerning. Ms. Reip also felt the placement of the wastewater treatment facility did not protect the abutting properties from noise and odor nuisances.

Mr. Pontoriero stated that, as the proposed project evolved, he had kept looking for a way to support the proposal, but he could not. He could not see a fit for this project in the community. He could not see how Priest Lane could be an access point for this project and felt that access should require a Special Permit. Given what he had seen on Priest Lane, Mr. Pontoriero would not support approval of access to this roadway. He expressed his concerns regarding blasting for the project and stated he agreed with all of Ms. Reip's comments.

Ms. Tang stated she agreed with the comments made by Mr. Pontoriero and Ms. Reip. She noted the Town Center Zoning District is about eighty acres in size and the project site is approximately sixty acres. Therefore, the proposed project would occupy approximately seventy-five percent of the land area in the Town Center Zoning District. As a landscape architect, Ms. Tang expressed her concerns with the design of the proposed project and how it fits into the existing terrain. She felt the proposed Site Plan did not work well with the existing topography. Ms. Tang had performed a grading analysis for the proposed roadway and it showed a significant amount of cut and fill. She indicated that because of the drastic grade changes, it was difficult for the buildings at the site to tie back into the existing grades.

Mr. Markiewicz stated he had done a lot of reading about how to get a denial approved through the courts. He had focused on the access points to the project. Mr. Markiewicz noted that if one access point was lost, it would create a major safety issue due to the size of the proposed project. He stated the Applicant was asking for a Special Permit to access Priest Lane. However, Mr. Markiewicz noted the Priest Lane Definitive Subdivision Plan decision stipulated that all stone walls shown on the Definitive Plan were required to be retained, with the only exception being a stone wall cut on lot C-4 for a driveway and this was not the Applicant's parcel. Therefore, Mr. Markiewicz felt the Planning Board had the ability to deny the proposed project. He also expressed his concerns about the proposed access through Sheriff's Meadow to Stow Road.

Mr. Markiewicz noted the proposed project in Boxborough abutted two senior housing developments and he had compared the proposed project to these developments in terms of the building setbacks. Mr. Markiewicz also stated he had added additional conditions to the originally proposed list of draft conditions from January 1, 2018. With regard to the Route 111/Massachusetts Avenue entrance/exit driveway, he stated he had added conditions to request the most significant sight distance requirements for this access point.

Mr. Markiewicz requested the following items be examined further:

1. Can the Applicant's request to alter the stone wall at the north end of Priest Lane be denied?
2. Is a new, separate Site Plan Approval required for the emergency access roadway over the easement on Sheriff's Meadow?
3. If access to the proposed project was limited to one or two access points, what, if any, would be the concerns of the Police and Fire Departments? Would this change their opinion regarding the proposed number of dwelling units? Also, would there be any public safety issues if there was only one access point and the internal roadway for the proposed project was one, long dead end roadway?

Mr. Markiewicz stated he wanted to show the court the Planning Board had worked in good faith to make the project better. He noted the Planning Board had asked the Applicant to reduce the number of dwelling units and add a mixed-use component, and the Applicant had refused. Mr. Markiewicz also indicated a purchaser of the property is in place (Toll Brothers) and the Planning Board does not know what they will build there.

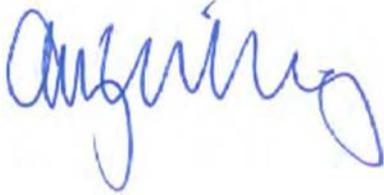
Mr. Markiewicz asked Mr. Duchesneau to work with Town Counsel to create a draft denial decision for the application. Mr. Markiewicz stated he would like the Planning Board to make a decision on the application at their next meeting on April 10, 2018.

Mr. Pontoriero stated that at a certain point in time he stopped second-guessing what the courts might say and started only looking at the Zoning Bylaw.

Mr. Markiewicz indicated his thought process regarding conditions for the project was to demonstrate to the court the Planning Board had tried to work with the Applicant. He felt the vast number of draft proposed conditions was a strong indicator the project had significant issues.

With no further business, the meeting was adjourned at 8:16 PM on a MOTION by Mr. Markiewicz, SECONDED by Mr. Pontoriero, with all members voting in favor.

On Behalf of the Boxborough Planning Board:



Abby Reip, Clerk