



BOXBOROUGH PLANNING BOARD
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Nancy Fillmore, Chairman Julie Carroll, Clerk Owen Neville John Markiewicz James Faulkner

Meeting Minutes
May 7, 2012

Members present:

Nancy Fillmore, Chair
John Markiewicz, Member
James Faulkner, Member
Eduardo Pontoriero, Assoc. Member
Elizabeth Hughes, Town Planner

The Chair opened the meeting at 7:32 pm.

Gun Shop Site Plan Review Waiver Requests; 972 & 984 Massachusetts Avenue

The Chair opened the discussion and asked Mark and Larry White to review their request. Mark White gave a brief overview of their proposed internet gun sales business and the ATF requirements for a physical store. Mr. Faulkner questioned why the request had two different addresses. Mark White explained that they would be opening up individual business since they had different interests and focuses and the ATF licensing required separate licenses and sites. The Board had a discussion regarding the two sites, the ATF requirements and the need for two separate waivers.

The Board asked for clarification on the business operation. Mark White informed the Board that they would be doing most gun sales online and through the mail under Federal and State regulations. There would be an occasional buyer who may make an appointment with them to take a look at and purchase a gun. Mr. Markiewicz questioned the hours of operation. Mark White stated their federal license limited them to four hours a week.

The Board reviewed the need for an additional parking space dedicated for each business. Mr. Pontoriero wanted to know if there was sufficient existing parking. The Town Planner stated that there was enough parking at both locations and previous approved plans could be utilized to show the locations.

The Board discussed concerns with the firing of guns at the site. Ms. Fillmore suggested a stipulation be added to any decision that there is no firing of guns. Mark White did not have any problems with that since it was a huge liability problem and he would never get insurance.

Mr. Faulkner did not understand why the Board would be considering a Site Plan Review waiver for two new businesses. Ms. Hughes noted that threshold for consideration was whether the Board could determine that the proposed changes to the building or lot were minimal. She did not think there would be any benefit to requiring the White brothers to file for Site Plan Review since they were not making any exterior alterations to the buildings or lots, were not hiring any new employees, had limited hours of operations and would not be installing any signage advertising the businesses. Mr. Markiewicz thought a waiver with stipulations was appropriate. Mr. Faulkner agreed so long as the Board was very clear on why they were granting the waiver and the conditions so someone could not come back to the Board and say they granted a waiver

for that new business, why not me. Mr. Faulkner asked for a copy of their ATF applications, which both of them agreed to provide.

The Board requested the Town Planner draft waiver letters with conditions for the Board to review at a new meeting prior to Town Meeting on May 14th. Ms. Hughes reviewed her list of conditions that included hours of operation, no new employees, no firing of any guns, no signage, the Board receiving a copy of their ATF licenses and a statement that any changes to the terms and conditions of the waiver may require them to return to the Board.

Ms. Fillmore moved to grant the waiver requests based on the conditions as outlined by the Town Planner. Mr. Markiewicz seconded the motion with all voting in favor.

Auto Vinyl Wrapping Business Site Plan Review Waiver Request; 807 Mass. Ave.

The Chair opened the discussion and asked the applicants to give an overview of their request. Jonathan Brooks with Apex Design gave an overview of the business and reviewed the details provided in his letter to the Board. Mr. Markiewicz asked about hours of operation. Mr. Brooks replied that the business was typically Monday through Friday 8 am to 5 pm. They may work later some days to complete a specific project.

Ms. Fillmore questioned whether any work would be done outside of the garage. Mr. Brooks stated that no work would be done outside because the process required a clean room with no dust or debris.

Mr. Faulkner asked whether they did larger vehicles such as RVs and buses. Mr. Brooks replied that they did not do larger vehicles because they would not fit inside the garage.

The Board requested the Town Planner draft waiver letters with conditions for the Board to review at the next meeting prior to Town Meeting on May 14th. Ms. Hughes reviewed her list of conditions that included the business will employ up to 3 employees, service up to four vehicles a week, all work on the vehicles will take place inside the existing garage, the vinyl wrapping does not require the use of any chemicals or hazardous materials, the proposed business is less intensive than the previous landscaping business, the proposed business requires interior modification to the existing garage and no exterior alterations to the site, 7 existing parking spaces will be identified for the business and a statement that any changes to the terms and conditions of the waiver may require them to return to the Board.

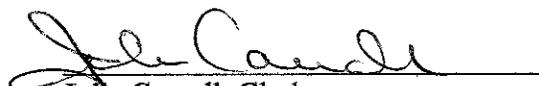
Ms. Fillmore moved to grant the waiver request based on the conditions as outlined by the Town Planner. Mr. Markiewicz seconded the motion with all voting in favor.

Town Meeting Warrant Article Discussion

The Board reviewed the final PowerPoint presentation for the landscaping bylaw and made some minor edits.

With no further business, the meeting was adjourned at 8:45 pm on a motion by Ms. Fillmore and seconded by Mr. Faulkner with all voting in favor.

On Behalf of the Boxborough Planning Board


Julie Carroll, Clerk