



BOXBOROUGH PLANNING BOARD
29 Middle Road, Boxborough, Massachusetts 01719
Phone: (978) 263-1116 x112 • Fax: (978) 264-3127
www.town.boxborough.ma.us

Nancy Fillmore, Chairman Eduardo Pontoriero, Clerk Owen Neville John Markiewicz James Faulkner

Meeting Minutes
February 4, 2013

Members present:

Nancy Fillmore, Chair
John Markiewicz, Member
Eduardo Pontoriero, Clerk
Elizabeth Hughes, Town Planner

The meeting was called to order at 7:31 p.m.

Planning Board Meeting Minutes

On a motion by Ms. Fillmore and seconded by Mr. Markiewicz, the Board voted unanimously to approve the minutes of January 14, 2013 as amended.

Planning Board Signatory Page

Ms. Fillmore moved to authorize the Chair Nancy Fillmore, the Clerk Eduardo Pontoriero or the Town Planner Elizabeth Hughes to sign on behalf of the Board pursuant to General Laws, Ch. 41, Sec. 81P and Sec. 81X. The motion was seconded by Mr. Pontoriero with all voting in favor.

Draft 2102 Planning Board Town Report

The Town Planner reviewed with the Board comments and edits from Mr. Neville, who provided them to her since he was unable to attend the meeting. The Board discussed Mr. Neville's edits and made various amendments to the draft report. Ms. Fillmore moved to approve the report as amended. The motion was seconded by Mr. Markiewicz with all voting in favor.

Accessory Apartment Bylaw Amendment

The Town Planner discussed with the Board additional amendments suggested by the new Building Inspector and comments received by Mr. Neville regarding those amendments. Ms. Hughes noted that Mr. Neville did not see any reason for added number 11 and 12 because the definition of family was so loosely interpreted. In her earlier conversation with Mr. Neville, she failed to discuss the reasons why the Building Inspector added those two items. Ms. Hughes clarified for the Board that if the bylaw did not specifically require and enforce that the house and the accessory apartment to be occupied by the property owner, a family member or in-home care provider, and the property owner started renting the unit to someone else, then the use of the property by definition would be a two-family, which is not permitted in the A/R zone district.

The Board agreed to keep the amendments proposed by the Building Inspector and have further discussion at the public hearing on February 25th.

Open Space & Recreation Plan Update

The Town Planner updated the Board on the Scope of Work currently being reviewed by the Conservation Commission. Ms. Hughes informed the Board that members of the newly appointed Recreation Commission were at the last Conservation Commission meeting to discuss the scope of work. Ms. Hughes wanted the Board members to be aware of the various meetings and working sessions that they would have to be involved with and suggested everyone read the current plan so they were familiar with the sections that would need to be updated.

Medical Marijuana Dispensary Moratorium Zoning Bylaw Discussion

The Town Planner discussed the current lack of progress by the Department of Public Health on drafting rules and regulations and how they would not be ready by the May 1st deadline. It was her opinion that for the Board to move forward with a marijuana bylaw, educating the public and being able to answer questions would be imperative for it to pass. For many of those questions, Ms. Hughes stated that the DPH rules and regulations need to be completed. It is for this reason she is recommending that the Board proceed with the moratorium bylaw. Mr. Markiewicz thought it made sense to have the moratorium, especially without the DPH rules and regulations. Mr. Pontoriero and Ms. Fillmore agreed.

The Board discussed the deadline date in the draft moratorium. Ms. Hughes pointed out that the Board traditionally places zoning article on the warrant for Annual Town Meeting and to have a deadline date before May 2014 would mean either having a special town meeting or having the moratorium expire before a new bylaw was passed. Additionally, she thought it was likely that the DPH would not have their rules and regulations issued before August.

Mr. Markiewicz believes that keeping the June 30, 2014 date is simpler since we don't know how long it will take DPH to issue their rules and regulations and don't know if there will be a special town meeting before May 2013. The Board agreed.

Draft Preliminary FEMA FIRM Maps Discussion

The Town Planner gave an overview of proposed changes and developed a list of properties that were going to be put into the 100-year floodplain. Ms. Hughes commented that she will be going through all of the property files in the town hall to see if there are as-built plans for each property that can verify the closet finish grade to the dwelling. She will forward this information to FEMA if it can be confirmed that the house is not in the proposed floodplain and hopefully that will be sufficient to make modifications to the preliminary maps. Ms. Hughes will also be preparing a letter to each of the property owner to inform them of FEMA's proposed changes.

With no further business, the meeting was adjourned at 8:25 pm on a motion by Ms. Fillmore, seconded by Mr. Pontoriero with all voting in favor.

On Behalf of the Boxborough Planning Board



Eduardo Pontoriero, Clerk